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PROCEEDINGS AND DEBATES OF THE 86th CONGRESS, FIRST SESSION

SENATE

WEDNESDAY, JANUARY 7, 1959

The 7th day of January being the day prescribed by Public Law 85–819, 85th Congress, 2d session, for the meeting of Congress, the 1st session of the 86th Congress commenced this day.

The Senate assembled in its Chamber at the Capitol.

RICHARD M. NIXON, of California, Vice President of the United States, called the Senate to order at 12 o'clock meridian.

The Chaplain, Rev. Frederick Brown Harris, D.D., of the city of Washington, offered the following prayer:

Our Father, God, who amid the toils of time hath set eternity in our hearts,

Summoned by a new year and a new session to face matters that pertain to the Nation's welfare, before we talk to one another and to a listening world, we would turn to Thee, without whose guidance and help our feeble hands will fail and our striving will be losing.

Thou hast ordained that in the leadership of public affairs the welfare of the many must ever rest upon the shoulders of the few. We beseech Thee in this high hour of beginnings to give humility, understanding, and the grace of receptivity to those who in Thy name and for the Nation's sake in this hallowed Chamber are entrusted by the people with the solemn responsibility of governance.

Grant that those who here speak and act for this last best hope of humanity, as servants of the common good, may meet every problem, every task, with patriotism undefiled, with integrity unsullied, and with hatred of all pretense and expediency, in the knowledge that all great and noble service in this world is based on gentleness, patience, and truth. Even in the clash of minds wrestling with thorny questions, grant us the art of disagreeing without being disagreeable, remembering ever that a soft answer turneth away wrath and that he who keepeth his own spirit is greater than he who taketh a city.

And so with faith in the Most High that opens for us all infinite resources, with faith in one another which bridges all cleavages of opinion, with a faith that the way of the Republic is down no fatal slope, but up to freer light and air, O Thou God of the nations, bring the dear country of our hope and prayer to—

The peace that comes of purity,
The strength to simple justice due.
So runs our loyal dream of Thee
God of our fathers make it true.

We ask it in the dear Redeemer's name. Amen.

CREDENTIALS

The VICE PRESIDENT. The Chair lays before the Senate the credentials of Senators JORDAN, of North Carolina, and RANDOLPH, of West Virginia, elected to fill unexpired terms ending January 2, 1961, together with the credentials of the 32 Senators elected for 6-year terms ending January 2, 1965.

The credentials follow the form suggested by the Senate in all except two cases, which doubtless follow State forms.

If there be no objection, the credentials will be printed in the RECORD without being read, and will be placed on file.

The certificates of election were ordered to be printed in the RECORD and placed on file, as follows:

STATE OF NORTH CAROLINA,
GOVERNOR'S OFFICE,
Raleigh.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, B. EVERETT JORDAN was duly chosen by the qualified electors of the State of North Carolina a Senator from said State to represent said State in the Senate of the United States for the term expiring on the 3d day of January 1961.

Witness: His Excellency our Governor, Luther H. Hodges, and our seal hereto affixed at Raleigh, this 3d day of December, in the year of our Lord 1958.

LUTHER H. HODGES,
Governor.

By the Governor:
[SEAL] THAD EURE,
Secretary of State.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, JENNINGS RANDOLPH was duly chosen by the qualified electors of the State of West Virginia a Senator from said State to represent said State in the Senate of the United States for the unexpired term of the late Senator Matthew M. Neely ending theh 3d day of January 1961.

Witness: His Excellency our Governor, Cecil H. Underwood, and our seal hereto affixed at Charleston, W. Va., this 8th day of December, in the year of our Lord 1958.

CECIL H. UNDERWOOD,
Governor.

By the Governor:
[SEAL] HELEN HOLT,
Secretary of State.

THE STATE OF MARYLAND,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, J. GLENN BEALL was duly chosen by the qualified voters of the State of Maryland a Senator from said State to represent Maryland in the Senate of the United States for a term of 6 years beginning on the 3d day of January 1959.

Witness: His Excellency our Governor, Theodore M. McKeldin, and our seal hereto affixed at the city of Annapolis, this 26th day of November in the year of our Lord 1958.

THEODORE R. MCKELDIN,
Governor.

[SEAL] CLAUDE B. HELLMANN,
Secretary of State.

COMMONWEALTH OF VIRGINIA,
GOVERNOR'S OFFICE,
Richmond.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, HARRY FLOOD BYRD was duly chosen by the qualified electors of the State of Virginia a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Given under my hand and the lesser seal of the Commonwealth, at Richmond, this 24th day of November, in the year of our Lord 1958, and in the 183d year of the Commonwealth.

J. LINDSAY ALMOND, Jr.,
Governor.

By the Governor:
[SEAL] MARTHA BELL CONWAY,
Secretary of the Commonwealth.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, ROBERT C. BYRD was duly chosen by the qualified electors of the State of West Virginia a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His excellency our Governor, Cecil H. Underwood, aud our seal hereto affixed at Charleston, W. Va., this 8th day of December, in the year of our Lord 1958.

CECIL H. UNDERWOOD,
Governor.

By the Governor:
[SEAL] HELEN HOLT,
Secretary of State.

STATE OF NEVADA,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify, that at a general election held in the State of Nevada on Tuesday, the 4th day of November 1958, HOWARD W. CANNON was duly elected by the qualified electors of the State of Nevada a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959, having received the highest number of votes cast for said office at said election, as appears by the certificate of the duly constituted and qualified board of canvassers now on file in the office of the Secretary of State at Carson City, Nev.

In testimony whereof, I have hereunto set my hand and caused the great seal of State

to be affixed at Carson City, this 19th day of December, in the year of our Lord 1958.

CHARLES H. RUSSELL,
Governor.

By the Governor:
[SEAL] JOHN KOONTZ,
Secretary of State.

STATE OF NEW MEXICO.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, DENNIS CHAVEZ was duly chosen by the qualified electors of the State of New Mexico a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His Excellency, our Governor, Edwin L. Mechem, and our seal hereto affixed at Santa Fe, this 20th day of November, in the year of our Lord 1958.

E. L. MECHEM,
Governor.

EUGENE D. LUJAN,
Chief Justice of New Mexico.

By the Governor:
[SEAL] NATALIE SMITH BUCK,
Secretary of State.

STATE OF CONNECTICUT,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, THOMAS J. DODD was duly chosen by the qualified electors of the State of Connecticut a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His Excellency, our Governor, Abraham Ribicoff, and our seal hereto affixed at Hartford, this 26th day of November, in the year of our Lord 1958.

ABRAHAM RIBICOFF,
Governor.

[SEAL] MILDRED P. ALLEN,
Secretary of State.

EXECUTIVE DEPARTMENT,
STATE OF CALIFORNIA.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, CLAIR ENGLE was duly chosen by the qualified electors of the State of California a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His Excellency, our Governor, Goodwin J. Knight, and our seal hereto affixed at Sacramento, Calif., this 15th day of December, in the year of our Lord 1958.

GOODWIN J. KNIGHT,
Governor.

By the Governor:
[SEAL] FRANK M. JORDAN,
Secretary of State.

CERTIFICATE OF ELECTION

UNITED STATES OF AMERICA,
State of Arizona, ss:

I, Wesley Bolin, secretary of state, State of Arizona, do hereby certify that, at a general election held in said State of Arizona on the 4th day of November, A.D. 1958 BARRY GOLDWATER was duly elected to the office of United States Senator in and for said State of Arizona, as appears by the official State canvass or certifications on file in my office.

In witness whereof, I have hereunto set my hand and affixed the great seal of the State of Arizona. Done at Phoenix, the Capital, this 5th day of December, A.D. 1958.

[SEAL] WESLEY BOLIN,
Secretary of State.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958 ALBERT GORE was duly chosen by the qualified electors of the State of Tennessee a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His Excellency, Frank G. Clement, Governor of Tennesee; George F. McCanless, attorney general of Tennessee, and our seal hereto affixed, at the State Capitol, on the 28th day of November, in the year of our Lord 1958.

FRANK G. CLEMENT,
Governor.

By the Governor:
GEORGE F. MCCANLESS,
Attorney General of Tennessee.

Attest:
[SEAL] JOE C. CARR,
Secretary of State.

STATE OF MICHIGAN

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, PHILIP A. HART was duly chosen by the qualified electors of the State of Michigan a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His Excellency, our Governor, G. Mennen Williams, and our seal hereto affixed at Lansing, Mich., this 5th day of December, in the year of our Lord 1958.

G. MENNEN WILLIAMS,
Governor.

By the Governor:
[SEAL] JAMES M. HARE,
Secretary of State.

STATE OF INDIANA,
EXECUTIVE DEPARTMENT,
Indianapolis, Ind.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, R. VANCE HARTKE was duly chosen by the qualified electors of the State of Indiana a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His Excellency, our Governor, Harold W. Handley and our seal hereto affixed at Indianapolis, Ind., this 17th day of November in the year of our Lord 1958.

HAROLD W. HANDLEY,
Governor.

By the Governor:
[SEAL] FRANK A. LENNING,
Secretary of State.

STATE OF FLORIDA,
Tallahassee.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, SPESSARD L. HOLLAND was duly chosen by the qualified electors of the State of Florida a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His Excellency, our Governor, LeRoy Collins, and our seal hereto affixed at Tallahassee, this 17th day of November in the year of our Lord 1958.

LEROY COLLINS,
Governor.

By the Governor:
[SEAL] R. A. GRAY,
Secretary of State.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, ROMAN L. HRUSKA was duly chosen by the qualified electors of the State of Nebraska a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His Excellency, our Governor, Victor E. Anderson, and our seal hereto affixed at Lincoln, this 17th day of December, in the year of our Lord 1958.

VICTOR E. ANDERSON,
Governor.

By the Governor:
[SEAL] FRANK MARSH,
Secretary of State.

STATE OF WASHINGTON,
EXECUTIVE DEPARTMENT,
Olympia.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, HENRY M. JACKSON was duly chosen by the qualified electors of the State of Washington a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

In witness whereof I have hereunto set my hand and caused the seal of the State of Washington to be affixed at Olympia this 4th day of December, A.D., 1958.

ALBERT D. ROSELLINI,
Governor of Washington.

By the Governor:
[SEAL] VICTOR A. MEYERS,
Secretary of State.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, KENNETH B. KEATING was duly chosen by the qualified electors of the State of New York a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His Excellency, our Governor, Averell Harriman, and our seal hereto affixed at Albany, this 10th day of December, in the year of our Lord 1958.

AVERELL HARRIMAN,
Governor.

By the Governor:
[SEAL] CARMINE G. DESAPIO,
Secretary of State.

THE COMMONWEALTH OF MASSACHUSETTS.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, JOHN F. KENNEDY was duly chosen by the qualified electors of the Commonwealth of Massachusetts a Senator from said Commonwealth to represent said Commonwealth in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His Excellency, our Governor, Foster Furcolo, and our seal hereto affixed at Boston, this 4th day of December, in the year of our Lord 1958.

ROBERT F. MURPHY,
Acting Governor.

By his honor the Lieutenant Governor:
[SEAL] J. HENRY GOGUEN,
Secretary of the Commonwealth.

STATE OF NORTH DAKOTA,
DEPARTMENT OF STATE,
Bismarck.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, WILLIAM LANGER, of Bismarck, N. Dak., was duly chosen by the qualified electors of the State of North Dakota a Senator from said State to represent said State in Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His excellency, our Governor, John E. Davis, and our seal hereto affixed at Bis-

marck, N. Dak., this 28th day of November, in the year of our Lord 1958.

JOHN E. DAVIS,
Governor.

By the Governor:
[SEAL] BEN MEIER,
Secretary of State.

STATE OF MINNESOTA,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, EUGENE J. MCCARTHY was duly chosen by the qualified electors of the State of Minnesota a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His excellency, our Governor, Orville L. Freeman, and our seal hereto affixed at the capitol, in St. Paul, this 1st day of December, in the year of our Lord 1958.

ORVILLE L. FREEMAN,
Governor.

By the Governor:
[SEAL] JOSEPH L. DONOVAN,
Secretary of State.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, GALE MCGEE was duly chosen by the qualified electors of the State Wyoming as Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His excellency, our Governor Milward L. Simpson, and our seal hereto affixed this 5th day of December, in the year of our Lord 1958.

MILWARD L. SIMPSON,
Governor.

By the Governor:
Attest:
[SEAL] EVERETT T. COPENHAVER,
Secretary of State.

THE STATE OF MONTANA,
EXECUTIVE CHAMBERS.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, MIKE MANSFIELD was duly chosen by the qualified electors of the State of Montana a Senator from this State to represent the State of Montana in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His Excellency, our Governor, J. Hugo Aronson, and our seal hereto affixed at Helena, this 10th day of December in the year of our Lord 1958.

J. HUGO ARONSON,
Governor.

By the Governor:
[SEAL] FRANK MURRAY,
Secretary of State.

STATE OF UTAH,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, FRANK E. (TED) MOSS was duly chosen by the qualified electors of the State of Utah, a Senator from said State to represent said State in the Senate of the United States, for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His Excellency, our Governor, George D. Clyde, and our seal hereto affixed at Salt Lake City, this 25th day of November, in the year of our Lord 1958.

GEORGE D. CLYDE,
Governor.

By the Governor:
[SEAL] LAMONT F. TORONTO,
Secretary of State.

STATE OF MAINE.

To All Who Shall See These Presents, Greeting:

Know ye, that EDMUND S. MUSKIE, of Waterville, in the county of Kennebec, on the 8th day of September, in the year of our Lord 1958, was chosen by the electors of this State, a U.S. Senator to represent the State of Maine in the U.S. Senate, for the term of 6 years, beginning on the 3d day of January 1959.

In testimony whereof, I have caused the seal of State to be hereunto affixed.

Given under my hand at Augusta, the 3d day of December in the year of our Lord 1958, and in the 183d year of the independence of the United States of America.

By th Governor:

HAROLD I. GOSS,
Secretary of State.

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS,
EXECUTIVE CHAMBER,
Providence, December 12, 1958.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, JOHN O. PASTORE was duly chosen by the qualified electors of the State of Rhode Island a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His Excellency, our Governor, Dennis J. Roberts, and our seal hereto affixed at Providence, this 12th day of December in the year of our Lord 1958.

DENNIS J. ROBERTS,
Governor.

By the Governor:
[SEAL] JOHN A. NOTTE, Jr.,
Secretary of State.

STATE OF VERMONT,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, WINSTON L. PROUTY was duly chosen by the qualified electors of the State of Vermont a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His Excellency, our Governor, Joseph B. Johnson, and our seal hereto affixed at Montpelier, this 18th day of November, in the year of our Lord 1958.

JOSEPH B. JOHNSON,
Governor.

By the Governor:
[SEAL] HOWARD E. ARMSTRONG,
Secretary of State.

UNITED STATES OF AMERICA,
THE STATE OF WISCONSIN,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, WILLIAM PROXMIRE was duly chosen by the qualified electors of the State of Wisconsin a Senator from said State to represent said State in the Senate of the United States for the full term of 6 years, commencing on the 3d day of January, A. D. 1959.

In testimony whereof, I have hereunto set my hand and caused the great seal of the State of Wisconsin to be affixed. Done at the capitol in the city of Madison, this 20th day of November, in the year of our Lord 1958.

VERNON W. THOMSON,
Governor.

By the Governor:
[SEAL] ROBERT C. ZIMMERMAN,
Secretary of State.

COMMONWEALTH OF PENNSYLVANIA,
GOVERNOR'S OFFICE.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, HUGH SCOTT was duly chosen by the qualified electors of the Commonwealth of Pennsylvania a Senator from said Commonwealth to represent said Commonwealth in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His Excellency our Governor, George M. Leader, and our seal hereto affixed at the city of Harrisburg, Pa., this 8th day of December, in the year of our Lord 1958.

GEORGE M. LEADER,
Governor.

By the Governor:
[SEAL] JOHN S. RICE,
Secretary of the Commonwealth.

EXECUTIVE DEPARTMENT,
Jackson, Miss.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, JOHN C. STENNIS was duly chosen by the qualified electors of the State of Mississippi a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His Excellency our Governor, J. P. Coleman, and our seal hereto affixed at Jackson, Miss., this 10th day of November, in the year of our Lord 1958.

J. P. COLEMAN,
Governor.

By the Governor:
[SEAL] HEBER LADNER,
Secretary of State.

EXECUTIVE OFFICE,
STATE OF MISSOURI,
Jefferson City.

HON. FELTON M. JOHNSTON,
Secretary, U.S. Senate,
Washington, D.C.

SIR: I, James T. Blair, Jr., Governor of the State of Missouri, hereby certify that at a general election held in the State of Missouri on the 4th day of November 1958, as provided by law, the following-named person was elected to the office named, as shown by the returns of the election certified to me by Hon. Walter H. Toberman, secretary of state of the State of Missouri: Senator in Congress, STUART SYMINGTON, Rural Route 1, Box 450, Creve Coeur, Mo.

In witness whereof, I hereunto subscribe my name and cause the great seal of the State of Missouri to be affixed at the city of Jefferson, State of Missouri, this 19th day of December, A. D., 1958.

J. T. BLAIR, Jr.,
Governor.

Attest:
[SEAL] WALTER H. TOBERMAN,
Secretary of State.
EULA H. HUSS,
Chief Clerk.

STATE OF NEW JERSEY.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, HARRISON A. WILLIAMS, JR., was duly chosen by the qualified electors of the State of New Jersey, a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His Excellency, our Governor, Robert B. Meyner, and our seal hereto affixed at Trenton, this 2d day of December, in the year of our Lord 1958.

ROBERT B. MEYNER,
Governor.

By the Governor:
[SEAL] EDWARD J. PATTEN,
Secretary of State.

STATE OF DELAWARE,
EXECUTIVE DEPARTMENT,
Dover.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, JOHN J. WILLIAMS was duly chosen by the qualified electors of the State of Delaware a Senator from said State to represent said State in the Senate of the United States for a term of 6 years, beginning on the 3d day of January 1959.

Witness: His Excellency, our Governor, J. Caleb Boggs, and our seal hereto affixed at Dover, this 18th day of November, in the year of our Lord 1958.

J. CALEB BOGGS,
Governor.

By the Governor:
[SEAL] GEORGE J. SCHULZ,
Secretary of State.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, RALPH W. YARBOROUGH was duly chosen by the qualified electors of the State of Texas a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His Excellency our Governor of Texas, and our seal hereto affixed at Austin, Tex., this 21st day of November, in the year of our Lord 1958.

PRICE DANIEL,
Governor of Texas.

By the Governor:
[SEAL] ZOLLIE STEAKLEY,
Secretary of State.

THE STATE OF OHIO,
OFFICE OF THE GOVERNOR,
State House, Columbus.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November 1958, STEPHEN M. YOUNG was duly chosen by the qualified electors of the State of Ohio a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1959.

Witness: His Excellency our Gov. C. William O'Neill and our seal hereto affixed at Columbus, this 14th day of November, in the year of our Lord 1958.

C. WILLIAM O'NEILL,
Governor.

By the Governor:
[SEAL] TED W. BROWN,
Secretary of State.

ADMINISTRATION OF OATH

The VICE PRESIDENT. The next order of business is the administration of the oath of office. The clerk will proceed to call the names of the Senators-elect in alphabetical order, in groups of four.

The legislative clerk called the names of Mr. BEALL, Mr. BYRD of Virginia, Mr. BYRD of West Virginia, and Mr. CANNON.

These Senators, escorted by Mr. BUTLER, Mr. ROBERTSON, Mr. JOHNSON of Texas, and Mr. BIBLE, respectively, advanced to the Vice President's desk; the oath prescribed by law was administered to them by the Vice President, and they severally subscribed to the oath in the official oath book.

[Applause on the floor and in the galleries.]

The legislative clerk called the names of Mr. CHAVEZ, Mr. DODD, Mr. ENGLE, and Mr. GOLDWATER.

These Senators, escorted by Mr. ANDERSON, Mr. BUSH, Mr. KUCHEL, and Mr. HAYDEN, respectively, advanced to the Vice President's desk; the oath prescribed by law was administered to them by the Vice President, and they severally subscribed to the oath in the official oath book.

[Applause on the floor and in the galleries.]

The legislative clerk called the names of Mr. GORE, Mr. HART, Mr. HARTKE, and Mr. HOLLAND.

These Senators, escorted by Mr. KEFAUVER, Mr. MCNAMARA, Mr. CAPEHART, and Mr. SMATHERS, respectively, advanced to the Vice President's desk; the oath prescribed by law was administered to them by the Vice President, and they severally subscribed to the oath in the official oath book.

[Applause on the floor and in the galleries.]

The legislative clerk called the names of Mr. HRUSKA, Mr. JACKSON, Mr. KEATING, and Mr. KENNEDY.

These Senators, escorted by Mr. CURTIS, Mr. MAGNUSON, Mr. JAVITS, and Mr. SALTONSTALL, respectively, advanced to the Vice President's desk; the oath prescribed by law was administered to them by the Vice President, and they severally subscribed to the oath in the official oath book.

[Applause on the floor and in the galleries.]

The legislative clerk called the names of Mr. JORDAN, Mr. LANGER, Mr. MANSFIELD, and Mr. MCCARTHY.

These Senators, escorted by Mr. ERVIN, Mr. YOUNG of North Dakota, Mr. MURRAY, and Mr. HUMPHREY, respectively, advanced to the Vice President's desk; the oath prescribed by law was administered to them by the Vice President, and they severally subscribed to the oath in the official oath book.

[Applause on the floor and in the galleries.]

The legislative clerk called the names of Mr. MCGEE, Mr. MOSS, Mr. MUSKIE, and Mr. PASTORE.

These Senators, escorted by Mr. O'MAHONEY, Mr. BENNETT, Mrs. SMITH of Maine, and Mr. GREEN, respectively, advanced to the Vice President's desk; the oath prescribed by law was administered to them by the Vice President, and they severally subscribed to the oath in the official oath book.

[Applause on the floor and in the galleries.]

The legislative clerk called the names of Mr. PROUTY, Mr. PROXMIRE, Mr. RANDOLPH, and Mr. SCOTT.

These Senators, escorted by Mr. AIKEN, Mr. WILEY, Mr. BYRD of West Virginia, and Mr. CLARK, respectively, advanced to the Vice President's desk; the oath prescribed by law was administered to them by the Vice President, and they severally subscribed to the oath in the official oath book.

[Applause on the floor and in the galleries.]

The legislative clerk called the names of Mr. STENNIS, Mr. SYMINGTON, Mr. WILLIAMS of New Jersey, and Mr. WILLIAMS of Delaware.

These Senators, escorted by Mr. EASTLAND, Mr. HENNINGS, Mr. CASE of New Jersey, and Mr. FREAR, respectively, advanced to the Vice President's desk; the oath prescribed by law was administered to them by the Vice President, and they severally subscribed to the oath in the official oath book.

[Applause on the floor and in the galleries.]

The legislative clerk called the names of Mr. YARBOROUGH, and Mr. YOUNG of Ohio.

These Senators, escorted by Mr. JOHNSON of Texas, advanced to the Vice President's desk; the oath prescribed by law was administered to them by the Vice President, and they severally subscribed to the oath in the official oath book.

[Applause on the floor and in the galleries.]

ORDER FOR ADJOURNMENT TO 10 O'CLOCK TOMORROW

Mr. JOHNSON of Texas. Mr. President——

The VICE PRESIDENT. The Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, I should like to announce for the information of the Senate that because of the fact that many Senators have been sworn in, and that they have scheduled engagements at luncheons during the afternoon, we do not anticipate any votes in the Senate. So far as the leadership is aware, we will have none.

I desire to make a brief statement later in the afternoon before the Senate adjourns, but at this stage I should like to ask unanimous consent that when the Senate concludes its business today, it convene at 10 a.m. tomorrow. In other words, when we adjourn today, we shall adjourn to convene at 10 o'clock tomorrow.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. JAVITS. Mr. President, under what rule does the Senate now proceed in respect to this unanimous-consent request?

The VICE PRESIDENT. Under the advisory opinion the Chair rendered at the beginning of the last Congress, it is the opinion of the Chair that until the Senate indicates otherwise by its majority vote the Senate is proceeding under the rules adopted previously by the Senate, but, as the Chair also indicated in that opinion, it is the view of the Chair that a majority of the Senate has a constitutional right at the beginning of each new Congress to determine what rules it desires to follow.

Mr. JAVITS. Mr. President, a further parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. JAVITS. Will those who seek to have the Senate adopt new rules be, by their acquiescence, waiving the privilege which the Chair has specified if they fail to object to this unanimous-consent request?

Mr. JOHNSON of Texas. Mr. President, will the Senator yield to me at that point?

Mr. JAVITS. I yield.

Mr. JOHNSON of Texas. I may say to the Senator from New York that the Parliamentarian advised me that Sena-

tors would not be waiving anything and that it would not affect the situation one way or the other. I consulted the Parliamentarian prior to making my request. The only purpose is to enable Senators to know that we expect the Senate to meet early.

Mr. JAVITS. May I say to the Senator——

The VICE PRESIDENT. The Chair will so rule.

Mr. JAVITS. I thank the Senator from Texas, and I thank the Chair.

The VICE PRESIDENT. Is there objection to the unanimous-consent request of the Senator from Texas? Without objection, the request is agreed to.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll and the following Senators answered to their names:

Aiken	Fulbright	McNamara
Allott	Goldwater	Monroney
Anderson	Gore	Morse
Beall	Green	Morton
Bennett	Hart	Moss
Bible	Hartke	Mundt
Bridges	Hayden	Murray
Bush	Hennings	Muskie
Butler	Hickenlooper	O'Mahoney
Byrd, Va.	Hill	Pastore
Byrd, W. Va.	Holland	Prouty
Cannon	Hruska	Proxmire
Capehart	Humphrey	Randolph
Carlson	Jackson	Robertson
Carroll	Javits	Russell
Case, N.J.	Johnson, Tex.	Saltonstall
Case, S. Dak.	Johnston, S.C.	Schoeppel
Chavez	Jordan	Scott
Church	Keating	Smathers
Clark	Kefauver	Smith
Cooper	Kennedy	Sparkman
Cotton	Kerr	Stennis
Curtis	Kuchel	Symington
Dirksen	Langer	Talmadge
Dodd	Lausche	Thurmond
Douglas	Long	Wiley
Dworshak	Martin	Williams, N.J.
Eastland	Magnuson	Williams, Del.
Ellender	Mansfield	Yarborough
Engle	McCarthy	Young, N. Dak.
Ervin	McClellan	Young, Ohio
Frear	McGee	

Mr. MANSFIELD. I announce that the Senator from Oregon [Mr. NEUBERGER] is absent because of illness.

The VICE PRESIDENT. A quorum is present.

SENATORS FROM ALASKA

The VICE PRESIDENT. The Chair lays before the Senate the credentials of the Senators-elect from the State of Alaska. The credentials will be read and placed on file.

The legislative clerk read the credentials of ERNEST GRUENING and E. L. BARTLETT, elected Senators from the State of Alaska, which were ordered to be placed on file, as follows:

STATE OF ALASKA,
OFFICE OF THE GOVERNOR,
Juneau.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 25th day of November 1958, ERNEST GRUENING was duly chosen, by the qualified electors of the proposed State of Alaska, a Senator from the State of Alaska to represent said State in the Senate of the United States for a term to be determined by authority of the said Senate, beginning on the 3d day of January 1959.

Witness: His Excellency our Governor, William A. Egan, and our seal hereto affixed at Juneau, Alaska, this 3d day of January in the year of our Lord 1959.

WILLIAM A. EGAN,
Governor, State of Alaska.

By the Governor:
[SEAL] HUGH J. WADE,
Secretary of State.

STATE OF ALASKA,
OFFICE OF THE GOVERNOR,
Juneau.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 25th day of November 1958, E. L. BARTLETT was duly chosen, by the qualified electors of the proposed State of Alaska, a Senator from the State of Alaska to represent said State in the Senate of the United States for a term to be determined by authority of the said Senate, beginning on the 3d day of January 1959.

Witness: His Excellency our Governor, William A. Egan, and our seal hereto affixed at Juneau, Alaska, this 3d day of January in the year of our Lord 1959.

WILLIAM A. EGAN,
Governor, State of Alaska.

By the Governor:
[SEAL] HUGH J. WADE,
Secretary of State.

The VICE PRESIDENT. The Senators-elect will present themselves at the desk to take the constitutional oath of office.

Mr. BARTLETT, escorted by Mr. JOHNSON of Texas, and Mr. GRUENING, escorted by Mr. MANSFIELD, advanced to the Vice President's desk; the oath prescribed by law was administered to them by the Vice President, and they each subscribed to the oath in the official oath book; and they took their seats in the Senate.

[Applause on the floor and in the galleries.]

LIST OF SENATORS BY STATES

Alabama.—Lister Hill and John J. Sparkman.

Alaska.—E. L. Bartlett and Ernest Gruening.

Arizona.—Carl Hayden and Barry Goldwater.

Arkansas.—John L. McClellan and J. W. Fulbright.

California.—Thomas H. Kuchel and Clair Engle.

Colorado.—Gordon Allott and John A. Carroll.

Connecticut.—Prescott Bush and Thomas J. Dodd.

Delaware.—John J. Williams and J. Allen Frear, Jr.

Florida.—Spessard L. Holland and George A. Smathers.

Georgia.—Richard B. Russell and Herman E. Talmadge.

Idaho.—Henry C. Dworshak and Frank Church.

Illinois.—Paul H. Douglas and Everett M. Dirksen.

Indiana.—Homer E. Capehart and Vance Hartke.

Iowa.—Bourke B. Hickenlooper and Thomas E. Martin.

Kansas.—Andrew F. Schoeppel and Frank Carlson.

Kentucky.—John S. Cooper and Thruston B. Morton.

Louisiana.—Allen J. Ellender and Russell B. Long.

Maine.—Margaret Chase Smith and Edmund S. Muskie.

Maryland.—John M. Butler and J. Glenn Beall.

Massachusetts.—Leverett Saltonstall and John F. Kennedy.

Michigan.—Pat McNamara and Philip A. Hart.

Minnesota.—Hubert H. Humphrey and Eugene J. McCarthy.

Mississippi.—James O. Eastland and John Stennis.

Missouri.—Thomas C. Hennings, Jr. and Stuart Symington.

Montana.—James E. Murray and Mike Mansfield.

Nebraska.—Roman L. Hruska and Carl T. Curtis.

Nevada.—Alan Bible and Howard W. Cannon.

New Hampshire.—Styles Bridges and Norris Cotton.

New Jersey.—Clifford P. Case and Harrison A. Williams, Jr.

New Mexico.—Dennis Chavez and Clinton P. Anderson.

New York.—Jacob K. Javits and Kenneth B. Keating.

North Carolina.—Sam J. Ervin, Jr. and B. Everett Jordan.

North Dakota.—William Langer and Milton R. Young.

Ohio.—Frank J. Lausche and Stephen M. Young.

Oklahoma.—Robert S. Kerr and A. S. Mike Monroney.

Oregon.—Wayne Morse and Richard L. Neuberger.

Pennsylvania.—Joseph S. Clark, Jr. and Hugh Scott.

Rhode Island.—Theodore F. Green and John O. Pastore.

South Carolina.—Olin D. Johnston and Strom Thurmond.

South Dakota.—Karl E. Mundt and Francis Case.

Tennessee.—Estes Kefauver and Albert Gore.

Texas.—Lyndon B. Johnson and Ralph Yarborough.

Utah.—Wallace F. Bennett and Frank E. Moss.

Vermont.—George D. Aiken and Winston L. Prouty.

Virginia.—Harry Flood Byrd and A. Willis Robertson.

Washington.—Warren G. Magnuson and Henry M. Jackson.

West Virginia.—Jennings Randolph and Robert C. Byrd.

Wisconsin.—Alexander Wiley and William Proxmire.

Wyoming.—Joseph C. O'Mahoney and Gale W. McGee.

TERMS OF NEW SENATORS

Mr. JOHNSON of Texas. Mr. President, as a Senator from the largest State in the Union [laughter] south of the North Pole [laughter], I send to the desk a resolution for the classification of the two Senators from Alaska, and I ask for its immediate consideration.

The VICE PRESIDENT. The Secretary will read the resolution for the information of the Senate.

The Chief Clerk read the resolution (S. Res. 1), as follows:

Resolved, That the Senate proceed to ascertain the classes to which the Senators from

the State of Alaska shall be assigned in conformity with the resolution of the 14th of May, 1789, and as the Constitution requires.

Resolved, That the Secretary put into the ballot box three papers of equal size, numbered, respectively, 1, 2, 3. Each of the Senators from the State of Alaska shall draw out one paper. The paper numbered 1, if drawn, shall entitle the Senator to be placed in the class of Senators whose terms of service will expire the 2d day of January 1965. The paper numbered 2, if drawn, shall entitle the Senator to be placed in the class of Senators whose terms of service will expire the 2d day of January 1961. And the paper numbered 3, if drawn, shall entitle the Senator to be placed in the class of Senators whose terms of service will expire the 2d day of January 1963.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

The VICE PRESIDENT. Pursuant to the resolution, the Secretary will place in the ballot box 3 papers numbered, respectively, 1, 2, and 3.

The Secretary placed the papers in the ballot box.

The VICE PRESIDENT. The two Senators from Alaska will now present themselves at the desk.

(Mr. BARTLETT and Mr. GRUENING presented themselves at the desk.)

The VICE PRESIDENT. By agreement between the two Senators, the Senator from Alaska [Mr. GRUENING] will draw the first paper.

(Mr. GRUENING drew a paper from the box.)

The VICE PRESIDENT. The Senator from Alaska [Mr. GRUENING] having drawn the paper numbered 3, his term will expire on January 2, 1963.

(Mr. BARTLETT drew a paper from the box.)

The VICE PRESIDENT. The Senator from Alaska [Mr. BARTLETT], having drawn the paper numbered 2, his term will expire on January 2, 1961.

NOTIFICATION TO THE PRESIDENT

Mr. JOHNSON of Texas submitted the following resolution (S. Res. 2) which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That a committee consisting of two Senators be appointed by the Vice President to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

The VICE PRESIDENT appointed Mr. JOHNSON of Texas and Mr. DIRKSEN to the committee on the part of the Senate.

NOTIFICATION TO THE HOUSE

Mr. DIRKSEN submitted the following resolution (S. Res. 3), which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

HOUR OF DAILY MEETING

Mr. MANSFIELD submitted the following resolution (S. Res. 4) which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian unless otherwise ordered.

AMENDMENT OF SENATE RULES

Mr. JOHNSON of Texas. Mr. President, on behalf of the distinguished Senator from Arizona [Mr. HAYDEN]; the minority leader, the distinguished Senator from Illinois [Mr. DIRKSEN]; the majority whip, the distinguished Senator from Montana [Mr. MANSFIELD]; the chairman of the conference of the minority, the distinguished Senator from Massachusetts [Mr. SALTONSTALL]; the chairman of the minority policy committee, the distinguished Senator from New Hampshire [Mr. BRIDGES]; and myself, I send to the desk a resolution and I ask that the clerk read it, with the understanding that I do not lose the floor.

The VICE PRESIDENT. Without objection, it is so ordered; and the Secretary will read the resolution.

The Chief Clerk read the resolution (S. Res. 5), as follows:

Resolved, That subsection 2 of rule XXII of the Standing Rules of the Senate is amended (1) by striking out "except subsection 3 of rule XXII,", and (2) by striking out "two-thirds of the Senators duly chosen and sworn" and inserting in lieu thereof "two-thirds of the Senators present and voting."

SEC. 2. Subsection 3 of rule XXII of the Standing Rules of the Senate is amended by striking out "and of subsection 2 of this rule."

SEC. 3. Rule XXXII of the Standing Rules of the Senate is amended by inserting "1." immediately preceding "At", and by adding at the end thereof a new paragraph as follows:

"2. The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules."

Mr. JAVITS. Mr. President, a point of order.

Mr. CASE of New Jersey. Mr. President——

Mr. JOHNSON of Texas. Mr. President, I do not plan to debate the resolution today, nor do I expect to go into its details or merits. We shall have ample time to do that. But I want to give a brief explanation of the resolution for the benefit of the Members of the Senate.

This is a body of reasonable men and women.

Our continuing unity exceeds our passing division.

There is, I believe, full understanding among us on what will be our first order of business. Not all desire that this should be, but all do accept the fact that it will be, and that the Senate will proceed in orderly and dignified fashion until the matter is resolved.

The concern is with one rule in our body of rules. The concern is not with the full body of rules.

Some believe that rule XXII of the Standing Rules of the Senate should be changed drastically. Some feel it should not be changed at all. Others among us feel that a constructive measure of responsibility can be added to the rule without a nonconstructive sacrifice of old standards of free debate.

Under any circumstances, it is the variance in our views on rule XXII that we come to reconcile, and we can proceed directly under the rules of the Senate to the issue at hand—rule XXII itself.

That is the purpose of the resolution I offer.

This resolution proposes that rule XXII be changed.

It would permit cloture of debate on the vote of two-thirds of the Senators present and voting.

It would extend cloture to motions to proceed to consider a change in the Standing Rules of the Senate. It would add a new paragraph to section 3 of rule 32 providing that the rules of the Senate shall continue from one Congress to the next unless changed as provided in the rules.

This is the same as Senate Resolution 30 of the last Congress, which I had the privilege of submitting for myself and some 38 other Senators.

The point is not simply the merits of this resolution in terms of what it provides, but, rather, that by making it the business of the Senate we proceed directly to the real issue. Each Senator can, individually, offer such suggestions as he may desire during the course of our deliberations. All views can be heard.

This issue has lingered overly long in our national discussions. The people expect us, as reasonable men and women to resolve it and, as responsible men and women not to create new issues in our wake.

I am, however, fully aware of the provisions of rule 40, which entitles the Senate to 1 day's notice in writing of motions to amend or modify a rule and that any Senator may insist upon the compliance with the rule.

If objection is presented, I shall file such notice and plan to call again for consideration of the resolution at the expiration of 1 day.

I hope that we may proceed on this course. I am sure that we shall give this issue the full consideration which it deserves. I am equally sure that we can—and will—as reasonable men and women resolve the issue so that the Senate may proceed to its important labors for the Nation.

Mr. President, I ask unanimous consent for the immediate consideration of my resolution.

Mr. JAVITS. Mr. President, reserving the right to object, I should like to propound a parliamentary inquiry.

The VICE PRESIDENT. The Senator from New York will state it.

Mr. JAVITS. Under what rule will the resolution submitted by the Senator from Texas be considered?

The VICE PRESIDENT. The resolution submitted by the Senator from Texas will be considered under the rules of the Senate which have been adopted previously by the Senate. But as the Chair stated earlier today, and as he

expressed himself more fully in an advisory opinion at the beginning of the last Congress, in the opinion of the Chair the rules previously adopted by the Senate and currently in effect are not, insofar as they restrict the power of the Senate to change its rules, binding on the Senate at this time.

The Chair expressed that opinion in the last Congress, but it is only an opinion. The question of constitutionality lies within the power of the Senate itself to decide. The Constitution gives to the Senate the power to make its rules. That means that the Members of the Senate have the right to determine the rules under which the Senate will operate. This right, in the opinion of the Chair, is one which can be exercised by and is lodged in a majority of the Members of the Senate. This right, in the opinion of the Chair, in order to be operative also implies the constitutional right that the majority has the power to cut off debate in order to exercise the right of changing or determining the rules.

Mr. JAVITS. Mr. President, again reserving the right to object, I wish to propound another parliamentary inquiry.

The VICE PRESIDENT. The Senator from New York will state it.

Mr. JAVITS. Does the Chair, therefore, propose to rule at the appropriate time that paragraph 2 of rule XXII, dealing with the method of cloture, and paragraph 3 of rule XXII, which prevents cloture on motions to amend the rules, are inapplicable to the debate on the resolution of the Senator from Texas?

The VICE PRESIDENT. The Chair will at an appropriate time indicate his opinion that those rules are inapplicable insofar as they restrict the constitutional right of a majority of the Senate to determine or change the rules of the Senate. But the Chair will submit that question to the Senate itself to decide, because, as the Chair pointed out, it is a constitutional question, and the Chair lacks the power to make a decision on a constitutional question. He can indicate his opinion, as he has done, but the Senate itself must make the decision.

Mr. JAVITS. Mr. President, again reserving the right to object, I wish to make a further parliamentary inquiry.

The VICE PRESIDENT. The Senator from New York will state it.

Mr. JAVITS. When will be the proper time to seek that ruling of the Chair?

The VICE PRESIDENT. That time lies within the discretion of the Senators who desire to exercise the right which they consider to be theirs. If, for example, during the course of the debate on the motion of the Senator from Texas, which deals with changing the rules, a Senator believes that action should be taken and debate closed, such Senator at that time could, in the opinion of the Chair, raise the constitutional question by moving to cut off debate. The Chair would indicate his opinion that such a motion was in order but would submit the question to the Senate for its decision.

Mr. JOHNSON of Texas. Mr. President, if Senators will permit the resolution to be considered, I assume we will have the benefit of the opinions of most of the Members of the Senate, advisory or whatever else they may be, as well as the opinion of the occupant of the Chair at any time. All I wanted to do was to have the question before the Senate, so that the Senate might proceed to consider it. Each Senator may then present his own individual views and recommendations; the Chair, if he desires to do so, can submit his recommendations; and the Senate can give due consideration to them.

Mr. JAVITS. I have no desire, if the Senator from Texas will be so gracious as allow me to say so, to prevent the consideration of the resolution today because of the 1-day rule provided in the rules which are alleged to continue in force. I do, Mr. President, however, have the desire to raise the issue which has been raised in this colloquy, and with the President of the Senate, immediately upon serious consideration of this rule, because I do not believe we who oppose this resolution should run the risk of the ruling and the result of a ruling at some ultimate date when debate has gone on for some considerable period of time.

I shall object to the request only so that the matter may be worked out, if that is the desire of the Senator from Texas. I am, therefore, willing to have him work out, as he has always done so ably, a procedure by which the Senate's will, as to the constitutional question, may be determined before we enter upon a protracted debate. If the Senator would be able to work that out—and I am confident, certainly, for my side, that we shall be more than agreeable to any reasonable arrangements—I should certainly have no objection to going forward today.

I wish to make it clear that I have no desire to precipitate the matter today, by objection.

Mr. JOHNSON of Texas. As I understand, the Senator from New York is seeking the opinion of the Vice President.

The Senator from Texas is seeking the opinion of 97 of his colleagues as to the kind of rule they desire to write.

I do not care to prolong the debate. If the Senator from New York desires to make a point of order, so that the Vice President may render his opinion first, the Senator from Texas will be glad to yield for that purpose at this time. If the Senator from New York does not, I suggest that he permit the resolution to be considered, and that the Senate adjourn until 10 o'clock tomorrow. We shall present the resolution on its merits. No doubt amendments will be offered to it, and various points of order which may be conjured up may be raised.

Mr. JAVITS. Mr. President, the Senator from New York does desire to make the point of order. The legislative situation, as I understand it, is that there is pending a unanimous-consent request. Therefore, as I understand, that would have to be disposed of before I could make the point of order.

I should be glad to make the point, but I want to make it at the convenience of the majority leader, since the majority leader must have had a reason for bringing this resolution up today, and not waiting the 1 day provided by the rule, as referred to by the Senator.

Mr. JOHNSON of Texas. If the Senator from New York will permit the resolution to come before the Senate, the Senator from Texas will immediately yield the floor to the Senator from New York, for the purpose of permitting him to make his point of order.

Mr. JAVITS. That will be agreeable to me.

Mr. CASE of New Jersey. Mr. President, reserving the right to object, let me propound a parliamentary inquiry: namely, whether the resolution is subject to amendment in each of its several parts.

The VICE PRESIDENT. Yes; the resolution would be subject to amendment in each of its parts.

Mr. CASE of New Jersey. Let me further ask whether the whole resolution is subject to having offered to it a substitute or an amendment in the nature of a complete substitute.

The VICE PRESIDENT. That would be in order.

Mr. CASE of New Jersey. A further parliamentary inquiry, and still reserving the right to object: On amendments to particular parts of the resolution, would a record vote lie?

The VICE PRESIDENT. If requested by a Member of the Senate present and approved by the requisite number.

Mr. RUSSELL. Mr. President, I was very much interested in some of the observations which have been made, and I think that what will be the result of the consideration of this resolution should be made perfectly clear to the Senate.

I should like to ask the Chair whether he has held that after the Senate has agreed unanimously to consider the resolution, a point of order against the resolution can be made.

The VICE PRESIDENT. At any stage of the proceeding, a point of order can be raised against the resolution, according to the Parliamentarian.

Mr. RUSSELL. I appreciate the fact that the Chair has consulted the Parliamentarian at this stage of the proceedings. I hope that habit will obtain in the future, if it has not in the past.

I was interested in the matter, and I appreciate the Chair's statement that he might submit the constitutional questions to the Senate for consideration. Is the Chair going to decide whether they are constitutional questions? How shall we know whether they are constitutional questions?

The VICE PRESIDENT. When a Member of the Senate——

Mr. RUSSELL. I am interested in what the Chair had in mind—whether he is going to rule, or whether he is going to let the Senate decide.

The VICE PRESIDENT. The Chair believes he has made his position quite clear. The Chair has always insisted that this question is a constitutional question. The Chair has only indicated his own opinion with regard to the constitutional question, but has indicated that in the final analysis only the Senate itself can make that determination.

Mr. RUSSELL. I am very grateful to the Chair for that ruling. The Chair has made a great many rulings, including the one in 1957 which declared the

rules of the Senate unconstitutional. Of course I have been of the opinion that the Chair was a member of the executive branch of the Government who was given the duty of presiding over a parliamentary body; and that was the first time I had heard that the Chair exercised judicial powers, and could declare a rule of the Senate unconstitutional. But I assume that if that were done, the Senate might, on an appeal, have a right to pass on that issue.

I shall not object to the consideration of the question; but I certainly reserve my own opinion, as the Chair has apparently reserved his, as to the right of a point of order to be lodged against the constitutionality of a proposal which has been considered by the Senate by unanimous consent, and thus permit a unanimous-consent agreement to be set aside by a majority vote of the Senate. That is something which heretofore has never even been considered in the Senate. If there is a unanimous-consent agreement, it can be changed only by unanimous consent. And when the Senate agrees unanimously to consider this matter, I do not believe it is one which can be dislodged by any point of order which can be decided by majority vote.

Of course, the Senate can do anything; it can sit here and solemnly vote that black is white, if it wishes to do so, or vice versa. But when we agree to the consideration of the resolution, and it is before the Senate, I do not believe the Chair can dislodge it by any point of order, under any ruling of which I am aware.

Mr. JAVITS and other Senators addressed the Chair.

The VICE PRESIDENT. Does the Senator from Texas yield?

Mr. JOHNSON of Texas. I have no desire to cut off discussion, Mr. President.

Mr. CASE of New Jersey. Mr. President, in view of the fact that the Senator from Georgia has stated that he intends to use a unanimous-consent request for the purpose he indicated, I am constrained to object.

Mr. JAVITS. Mr. President, I join in that objection.

Mr. JOHNSON of Texas. Mr. President, I therefore send to the desk a notice of a motion to amend certain rules of the Senate.

The VICE PRESIDENT. The motion will be read.

The motion submitted by Mr. JOHNSON of Texas was read, as follows:

NOTICE OF MOTION TO AMEND CERTAIN SENATE RULES

In accordance with the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to amend rules XXII and XXXII of the Standing Rules of the Senate in the following particulars, namely:

Subsection 2 of rule XXII of the Standing Rules of the Senate is amended (1) by striking out "except subsection 3 of rule XXII," and (2) by striking out "two-thirds of the Senators duly chosen and sworn" and inserting in lieu thereof "two-thirds of the Senators present and voting."

Subsection 3 of rule XXII of the Standing Rules of the Senate is amended by striking out "and of subsection 2 of this rule."

Rule XXXII of the Standing Rules of the Senate is amended by inserting "1." immediately preceding "At," and by adding at the end thereof a new paragraph as follows:

"2. The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules."

The purpose of the proposed amendments is—

(1) To modify subsection 2 of rule XXII by reducing the number of votes required for the adoption of a cloture motion;

(2) To modify subsection 3 of said rule so as to permit a cloture motion to be presented on a motion to proceed to the consideration of any motion, resolution or proposal to change any of the standing rules of the Senate.

(3) To add a new paragraph to rule XXXII to provide that the rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in the rules of the Senate.

Mr. CASE of New Jersey and Mr. JOHNSON of Texas addressed the Chair.

Mr. ANDERSON. Mr. President, I move that the Senate proceed to adopt its rules. I make the motion on behalf of myself, Mr. CASE of New Jersey, Mr. DOUGLAS, Mr. JAVITS, Mr. HUMPHREY, Mr. KUCHEL, Mr. CARROLL, Mrs. SMITH of Maine, Mr. CLARK, Mr. BUSH, Mr. SYMINGTON, Mr. ALLOTT, Mr. NEUBERGER, Mr. COOPER, Mr. MCNAMARA, Mr. BEALL, Mr. MAGNUSON, Mr. KEATING, Mr. JACKSON, Mr. PROUTY, Mr. KENNEDY, Mr. SCOTT, Mr. LAUSCHE, Mr. MORSE, Mr. HENNINGS, Mr. PROXMIRE, Mr. PASTORE, Mr. ENGLE, Mr. CANNON, Mr. HART, Mr. MCCARTHY, Mr. MUSKIE, and Mr. WILLIAMS of New Jersey.

My motion is as follows:

In accordance with article 1, section 5 of the Constitution which declares that * * * "each House may determine the rules of its proceedings" * * * I now move that this body take up for immediate consideration the adoption of rules for the Senate of the 86th Congress.

Mr. JOHNSON of Texas. Mr. President, I should like to ask what the parliamentary situation is and when I lost the floor.

The VICE PRESIDENT. The Chair understood the Senator from Texas had yielded.

Mr. JOHNSON of Texas. I do not want my motion displaced. Under rule XL, I have given notice I intend to bring up this motion tomorrow. Would not my motion have priority over the motion of the Senator from New Mexico? If not, I do not want to yield for the purpose of killing my motion.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. ANDERSON. Mr. President, will the Senator indulge me for a brief statement?

Mr. JOHNSON of Texas. If the Chair would give me a ruling, I would appreciate it.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. Not at this point.

The VICE PRESIDENT. It is the opinion of the Chair that the Senator from Texas, having given his notice——

Mr. JOHNSON of Texas. I am unable to hear the Chair.

The VICE PRESIDENT. It is the opinion of the Chair that the Senator from Texas, having given notice that he intends to move to amend the rules, can call up his motion the next day. The Chair understands the present parliamentary inquiry is whether or not it is in order for the Senator from New Mexico to move, as he has, the adoption of rules. The Chair, therefore, has the opportunity at this point to rule whether the motion of the Senator from New Mexico is in order. But if the Chair understands correctly, the Senator from Texas has objected to the recognition by the Chair of the Senator from New Mexico.

Mr. JOHNSON of Texas. I have not done so as yet. I have asked the Vice President when I lost the floor. I understood I had been recognized. I understood I was standing at my desk when the Chair recognized the Senator from New Mexico. If the motion of the Senator from New Mexico is going to supplant my motion, that is one question.

Second, I do not agree that the Senator from New Merico has been recognized as yet.

The VICE PRESIDENT. The Senator from Texas is correct in saying he had the floor. The Chair had the impression, which may have been an incorrect one, that the Senator from Texas was yielding to various Senators, and that he was yielding to the Senator from New Mexico.

Mr. JOHNSON of Texas. No. The Senator from New Mexico did not ask me to yield. I think he will confirm that statement. Various Senators, reserving the right to object, expressed themselves.

The VICE PRESIDENT. Under the circumstances, the Chair is sure the Senator from New Mexico will recognize there was a misunderstanding, because the Chair had recognized the Senator from Texas, and was recognizing other Senators only as the Senator from Texas yielded to them.

Mr. JOHNSON of Texas. I wish to make it very clear that I do not want any other motion to take precedence over my motion. I was asking the Chair for a ruling that I had not lost the floor, and if I had, and the Senator from New Mexico had been recognized, whether my motion would take precedence.

The VICE PRESIDENT. Will the Senator from Texas repeat his inquiry?

Mr. JOHNSON of Texas. If the Senator from New Mexico had been recognized and had offered his motion, would his motion take precedence over my motion?

The VICE PRESIDENT. If the Senator from Texas wants a ruling on that question, the Chair suggests that the Senator from Texas allow the Senator from New Mexico to make the motion.

Mr. JOHNSON of Texas. I had thought the Chair had been making various rulings pretty freely today. Previously I raised the parliamentary inquiry, which I repeat, Would any motion made by the Senator from New Mexico, or any other Senator, take precedence over the motion of the Senator from Texas?

Mr. CASE of New Jersey. Mr. President, on the ruling——

The VICE PRESIDENT. Will the Senator from Texas yield to the Senator from New Jersey for a parliamentary inquiry?

Mr. JOHNSON of Texas. I should like to have a ruling, on my parliamentary inquiry, because I am prepared, as I informed the Chair in advance, to make a motion to adjourn, since I do not want my motion to be supplanted by any other motion. I have not yielded for that purpose. I do not intend to do so.

The VICE PRESIDENT. The Chair will make a ruling with regard to the motion of the Senator from New Mexico if the Senator from Texas will allow the Senator from New Mexico to make the motion.

Mr. JOHNSON of Texas. Will the Chair answer my parliamentary inquiry?

The VICE PRESIDENT. In other words, the Senator from Texas does not want to give the Senator from New Mexico an opportunity to make his motion?

Mr. JOHNSON of Texas. The Chair has been requested to give answers to parliamentary inquiries, which he has been freely disposed to answer in the case of other Senators. The Chair has not shown any disposition to reserve any advisory opinions. I am propounding as a parliamentary inquiry whether any motion made by any other Senator would take precedence over the motion I have made.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. Not until I have this question cleared up.

Mr. CASE of New Jersey. Will the Senator yield a moment?

Mr. JOHNSON of Texas. I do not yield.

The VICE PRESIDENT. Any views which the Chair expresses would be an opinion only on a constitutional question on which the Senate has the ultimate power of decision. The Chair's opinion would be that any motion which has to do with the constitutional power of the Senate to make its rules can be taken up by the Senate.

Mr. JOHNSON of Texas. Has the Chair concluded?

The VICE PRESIDENT. Yes.

ADJOURNMENT UNTIL 10 O'CLOCK A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, pursuant to the order previously entered, I move that the Senate stand adjourned until 10 o'clock tomorrow morning.

Mr. JAVITS. Mr. President——

The VICE PRESIDENT. A motion to adjourn is not debatable.

Mr. JAVITS, Mr. MORSE, Mr. DOUGLAS, and several other Senators asked for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll, and Mr. ALLOTT voted in the negative when his name was called.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry. Do I understand correctly that if the motion to adjourn shall be agreed to——

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry. Did a Senator answer to his name?

The VICE PRESIDENT. The rollcall will proceed.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Oregon [Mr. NEUBERGER] is absent because of illness. I further announce that, if present and voting, the Senator from Oregon [Mr. NEUBERGER] would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Arizona [Mr. GOLDWATER] is detained on official business.

The result was announced—yeas 73, nays 23, as follows:

YEAS—73

Bartlett	Fulbright	Martin
Beall	Gore	Monroney
Bennett	Green	Morton
Bible	Gruening	Mundt
Bridges	Hartke	Murray
Bush	Hayden	Muskie
Butler	Hennings	O'Mahoney
Byrd, Va.	Hickenlooper	Randolph
Byrd, W. Va.	Hill	Robertson
Cannon	Holland	Russell
Capehart	Hruska	Saltonstall
Carlson	Humphrey	Schoeppel
Case, S. Dak.	Johnson, Tex.	Smathers
Chavez	Johnston, S. C.	Sparkman
Church	Jordan	Stennis
Cotton	Kefauver	Symington
Curtis	Kennedy	Talmadge
Dirksen	Kerr	Thurmond
Dodd	Langer	Wiley
Dworshak	Lausche	Williams, Del.
Eastland	Long	Yarborough
Ellender	McCarthy	Young, N. Dak.
Engle	McClellan	Young, Ohio
Ervin	McGee	
Frear	Mansfield	

NAYS—23

Aiken	Hart	Moss
Allott	Jackson	Pastore
Anderson	Javits	Prouty
Carroll	Keating	Proxmire
Case, N. J.	Kuchel	Scott
Clark	Magnuson	Smith
Cooper	McNamara	Williams, N. J.
Douglas	Morse	

NOT VOTING—2

Goldwater Neuberger

So the motion was agreed to; and (at 1 o'clock and 32 minutes p.m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Thursday, January 8, 1959, at 10 o'clock a.m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 7, 1959

This being the day fixed by the provisions of Public Law 819 (85th Cong., 2d sess.), approved August 28, 1958, for the annual meeting of the Congress of the United States, the Members-elect of the House of Representatives of the 86th Congress met in their Hall, and at 12 o'clock noon were called to order by Hon. Ralph R. Roberts, Clerk of the 85th Congress.

PRAYER

Rev. Bernard Braskamp, D.D., Chaplain of the 85th Congress, offered the following prayer:

Genesis I: 1: *In the beginning God.*

Most merciful and gracious God, in whose divine keeping and control are the coming in and the going out of all our days and years, we desire to begin, to continue, and to end this 86th Congress with Thee.

We worship and adore Thee as the supreme source and inspiration of faith and fortitude, of wisdom and understanding, and the guiding intelligence in the life of men and of nations.

Grant that on this solemn and sacred day, in the calendar of our Republic, all our citizens may invoke the blessings of Thy grace and favor upon our chosen representatives who have assembled in this Chamber to take the oath of office and the pledge of loyalty and service.

Hear us as we unite in offering unto Thee the prayer of the Prince of Peace:

Our Father which art in heaven, Hallowed be Thy name. Thy kingdom come. They will be done in earth, as it is in heaven. Give us this day our daily bread. And forgive us our debts, as we forgive our debtors. And lead us not into temptation, but deliver us from evil. For thine is the kingdom, and the power, and the glory, for ever.

Amen.

CALL OF THE ROLL

The CLERK. Representatives-elect of the 86th Congress, this is the day fixed by law, pursuant to the Constitution of the United States, for the meeting of the 86th Congress and, as the law directs, the Clerk of the House has prepared the official roll of the Representatives-elect. Certificates of election covering the 436 seats in the 86th Congress have been received and are now on file with the Clerk of the 85th Congress. The names of those persons whose credentials show they were regularly elected in accordance with the laws of the several States and of the United States will be called.

As the roll is called, following the alphabetical order of the States, beginning with the State of Alabama, Representatives-elect will answer to their names to determine whether a quorum is present.

The reading clerk will call the roll by States.

The reading clerk called the roll by States, and the following Representatives-elect answered to their names:

[Roll No. 1]

ALABAMA

Boykin	Roberts	Elliott
Grant	Rains	Jones, Robert E.
Andrews	Selden	Huddleston

The CLERK. A certified copy of the Presidential proclamation indicating that the Territory of Alaska has qualified as a State pursuant to provisions of law has been received.

The clerk will proceed.

ALASKA

Rivers, Ralph J. (at large)

ARIZONA

Rhodes, John J.		Udall

ARKANSAS

Gathings	Trimble	Alford
Mills	Harris	Norrell

CALIFORNIA

Miller, Clement W.	Shelley	Gubser
Johnson, Harold T.	Baldwin	McFall
Moss	Cohelan	Sisk
Mailliard	Miller, George P.	Hagen
	Younger	McDonough
		Jackson

CALIFORNIA—continued

King, Cecil R.	Holt	Sheppard
Hosmer	Doyle	Utt
Holifield	Lipscomb	Saund
Smith, H. Allen	Kasem	Wilson
Hiestand	Roosevelt	

COLORADO

Rogers, Byron G.	Johnson, Byron L.	Chenoweth
		Aspinall

CONNECTICUT

Daddario	Irwin	Kowalski (at large)
Bowles	Monagan	
Giaimo		

DELAWARE

McDowell (at large)

FLORIDA

Cramer	Sikes	Rogers, Paul G.
Bennett, Charles E.	Fascell	Haley
	Herlong	Matthews

GEORGIA

Preston	Davis, James C.	Landrum
Pilcher	Vinson	Brown, Paul
Forrester	Mitchell	
Flynt	Blitch	

IDAHO

Pfost Budge

ILLINOIS

Dawson	Yates	Chiperfield
O'Hara, Barratt	Collier	Simpson, Edna
Murphy	Pucinski	Mack, Peter F.
Derwinski	Boyle	Springer
Kluczynski	Church	Shipley
O'Brien, Thomas J.	Mason	Price
	Allen	Gray
Libonati	Arends	
Rostenkowski	Michel	

INDIANA

Madden	Roush	Hogan
Halleck	Wampler	Harmon
Brademas	Bray	Barr
Adair	Denton	

IOWA

Schwengel	Carter	Jensen
Wolf	Smith, Neal E.	Hoeven
Gross	Coad	

KANSAS

Avery	Hargis	Breeding
George	Rees, Edward H.	Smith, Wint

KENTUCKY

Stubblefield	Chelf	Perkins
Natcher	Spence	Siler
Burke, Frank W.	Watts	

LOUISIANA

Hébert	Brooks, Overton	Thompson, T. A.
Boggs	Passman	
Willis	Morrison	McSween

MAINE

Oliver	Coffin	McIntire

MARYLAND

Johnson, Thomas F.	Garmatz	Foley
	Fallon	Friedel
Brewster	Lankford	

MASSACHUSETTS

Conte	Bates	O'Neill
Boland	Lane	McCormack
Philbin	Macdonald	Burke, James A.
Donohue	Keith	Martin
Rogers, Edith Nourse	Curtis, Laurence	

MICHIGAN

Machrowicz	O'Hara, James G.	Diggs
Meader		Rabaut
Johansen	Bentley	Dingell
Hoffman, Clare E.	Griffin	Lesinski
	Cederberg	Griffiths
Ford	Knox	Broomfield
Chamberlain	Bennett, John B.	

MINNESOTA

Quie	Judd	Blatnik
Nelsen	Marshall	Langen
Wier	Andersen, H. Carl	
Karth		

MISSISSIPPI

Abernethy	Smith, Frank E.	Winstead
Whitten	Williams	Colmer

MISSOURI

Karsten	Bolling	Cannon
Curtis, Thomas B.	Hull	Jones, Paul C.
	Brown, Charles	Moulder
Sullivan	Harrison	
Christopher	Carnahan	

MONTANA

Metcalf Anderson, LeRoy H.

NEBRASKA

Weaver	Brock	McGinley
Cunningham		

NEVADA

Baring (at large)

NEW HAMPSHIRE

Merrow Bass, Perkins

NEW JERSEY

Cahill	Frelinghuysen	Rodino
Glenn	Dwyer	Addonizio
Auchincloss	Widnall	Wallhauser
Thompson, Frank, Jr.	Canfield	Gallagher
	Osmers	Daniels

NEW MEXICO

Montoya (at large) Morris, Thomas G. (at large)

NEW YORK

Wainwright	Ray	O'Brien, Leo W.
Derounian	Powell	Stratton
Becker	Lindsay	Kilburn
Halpern	Santangelo	Pirnie
Bosch	Farbstein	Riehlman
Holtzman	Teller	Taber
Delaney	Zelenko	Robison
Anfuso	Healey	Weis
Keogh	Dollinger	Ostertag
Kelly	Buckley	Miller, William E.
Celler	Fino	
Dorn, Francis E.	Dooley	Dulski
	Barry	Pillion
Multer	St. George	
Rooney	Wharton	

NORTH CAROLINA

Bonner	Scott	Alexander
Fountain	Durham	Jonas
Barden	Lennon	Whitener
Cooley	Kitchin	Hall

NORTH DAKOTA

Burdick (at large) Short (at large)

OHIO

Scherer	Betts	Bow
Hess	Ashley	Levering
Schenck	Moeller	Hays
McCulloch	Cook	Kirwan
Latta	Devine	Feighan
Polk	Baumhart	Vanik
Brown, Clarence, J.	Ayres	Bolton
	Henderson	Minshall

OKLAHOMA

Belcher	Albert	Jarman
Edmondson	Steed	Morris, Toby

OREGON

Norblad	Green, Edith	Porter
Ullman		

PENNSYLVANIA

Barrett	Flood	Dent
Granahan	Fenton	Saylor
Byrne, James A.	Lafore	Gavin
	Rhodes, George M.	Kearns
Nix		Clark
Green, William, J.	Walter	Morgan
	Mumma	Fulton
Toll	Bush	Moorhead
Milliken	Simpson, Richard M.	Corbett
Curtin		Holland
Dague	Quigley	
Prokop	Van Zandt	

RHODE ISLAND

Forand Fogarty

SOUTH CAROLINA

Rivers, L. Mendel	Dorn, W. J. Bryan	Hemphill
		McMillan
Riley	Ashmore	

SOUTH DAKOTA

McGovern Berry

TENNESSEE

Reece, B. Carroll	Evins	Everett
	Loser	Davis, Clifford
Baker	Bass, Ross	
Frazier	Murray	

TEXAS

Patman	Thompson, Clark W.	Burleson
Brooks, Jack		Rogers, Walter
Beckworth	Thornberry	Mahon
Rayburn	Poage	Kilday
Alger	Wright	Fisher
Teague, Olin E.	Ikard	Casey
	Young	
Dowdy	Kilgore	
Thomas	Rutherford	

UTAH

Dixon King, David S.

VERMONT

Meyer (at large)

VIRGINIA

Downing	Poff	Broyhill
Hardy	Harrison	
Gary	Smith, Howard W.	
Abbitt		
Tuck	Jennings	

WASHINGTON

Pelly	May	Magnuson
Westland	Horan	
Mack, Russell V.	Tollefson	

WEST VIGRINIA

Moore	Bailey	Kee
Staggers	Hechler	Slack

WISCONSIN

Flynn	Reuss	Johnson, Lester R.
Kastenmeier	Van Pelt	
Withrow	Laird	O'Konski
Zablocki	Byrnes, John W.	

WYOMING

Thomson, Keith (at large)

The CLERK. The rollcall discloses that 432 Representatives-elect have answered to their names. A quorum is present.

The Clerk will announce that credentials have been received showing the election of the Honorable JOHN A. BURNS as Delegate from the Territory of Hawaii, and the Honorable ANTONIO FERNÓS-ISERN as Resident Commissioner from the Commonwealth of Puerto Rico.

ELECTION OF SPEAKER

The CLERK. The next order of business is the election of the Speaker of the House of Representatives. Nominations are now in order.

Mr. PRICE. Mr. Clerk, as chairman of the Democratic caucus, I am directed by the unanimous vote of that caucus to present for election to the office of the Speaker of the House of Representatives of the 86th Congress the name of the Honorable SAM RAYBURN, a Representative-elect from the State of Texas.

Mr. HOEVEN. Mr. Clerk, by authority, and by direction of the Republican conference, I nominate for Speaker of the House of Representatives the Honorable CHARLES A. HALLECK, a Representative-elect from the State of Indiana to the 86th Congress.

The CLERK. The Honorable SAM RAYBURN, a Representative-elect from the State of Texas, and the Honorable CHARLES A. HALLECK, a Representative-elect from the State of Indiana, have been nominated.

Are there further nominations? [After a pause.] There being no further nominations the Clerk will appoint the following to act as tellers:

The gentleman from Texas [Mr. BURLESON], the gentleman from Ohio [Mr. SCHENCK], the gentlewoman from Missouri [Mrs. SULLIVAN], and the gentlewoman from Illinois [Mrs. CHURCH].

The tellers will please take their places at the desk in front of the Speaker's rostrum.

The roll will now be called, and those responding will indicate by surname the nominee of their choice.

The reading clerk will call the roll.

The tellers having taken their places, the House proceeded to vote for Speaker.

The following is the result of the vote:

[Roll No. 2]

RAYBURN—281

Abbitt	Foley	Miller,
Abernethy	Forand	Clement W.
Addonizio	Forrester	Miller,
Albert	Fountain	George P.
Alexander	Frazier	Mills
Alford	Friedel	Mitchell
Anderson,	Gallagher	Moeller
Mont.	Garmatz	Monagan
Andrews	Gary	Montoya
Anfuso	Gathings	Moorhead
Ashley	George	Morgan
Ashmore	Giaimo	Morris, N. Mex.
Aspinall	Granahan	Morris, Okla.
Bailey	Grant	Morrison
Barden	Gray	Moss
Baring	Green, Oreg.	Moulder
Barr	Green, Pa.	Multer
Barrett	Griffiths	Murphy
Bass, Tenn.	Hagen	Murray
Beckworth	Haley	Natcher
Bennett, Fla.	Hall	Nix
Blatnik	Hardy	Norrell
Blitch	Hargis	O'Brien, Ill.
Boggs	Harmon	O'Brien, N. Y.
Boland	Harris	O'Hara, Ill.
Bolling	Harrison	O'Hara, Mich.
Bonner	Hays	O'Neill
Bowles	Healey	Oliver
Boykin	Hébert	Passman
Brademas	Hechler	Patman
Breeding	Hemphill	Perkins
Brewster	Herlong	Pfost
Brock	Hogan	Philbin
Brooks, La.	Holifield	Pilcher
Brooks, Tex.	Holland	Poage
Brown, Ga.	Holtzman	Polk
Brown, Mo.	Huddleston	Porter
Buckley	Hull	Powell
Burdick	Ikard	Preston
Burke, Ky.	Irwin	Price
Burke, Mass.	Jarman	Prokop
Burleson	Jennings	Pucinski
Byrne, Pa.	Johnson, Calif.	Quigley
Cannon	Johnson, Colo.	Rabaut
Carnahan	Johnson, Md.	Rains
Carter	Johnson, Wis.	Reuss
Casey	Jones, Ala.	Rhodes, Pa.
Celler	Jones, Mo.	Riley
Chelf	Karsten	Rivers, Alaska
Christopher	Karth	Rivers, S. C.
Clark	Kasem	Roberts
Coad	Kastenmeier	Rodino
Coffin	Kee	Rogers, Colo.
Cohelan	Kelly	Rogers, Fla.
Colmer	Keogh	Rogers, Tex.
Cook	Kilday	Rooney
Cooley	Kilgore	Roosevelt
Daddario	King, Calif.	Rostenkowski
Daniels	King, Utah	Roush
Davis, Ga.	Kirwan	Rutherford
Davis, Tenn.	Kitchin	Santangelo
Dawson	Kluczynski	Saund
Delaney	Kowalski	Scott
Dent	Landrum	Selden
Denton	Lane	Shelley
Diggs	Lankford	Sheppard
Dingell	Lennon	Shipley
Dollinger	Lesinski	Sikes
Donohue	Levering	Sisk
Dorn, S. C.	Libonati	Slack
Dowdy	Loser	Smith, Iowa
Downing	McCormack	Smith, Miss.
Doyle	McDowell	Smith, Va.
Dulski	McFall	Spence
Durham	McGinley	Staggers
Edmondson	McGovern	Steed
Elliott	McMillan	Stratton
Everett	McSween	Stubblefield
Evins	Macdonald	Sullivan
Fallon	Machrowicz	Teague, Tex.
Farbstein	Mack, Ill.	Teller
Fascell	Madden	Thomas
Feighan	Magnuson	Thompson, La.
Fisher	Mahon	Thompson, N. J.
Flood	Marshall	Thompson, Tex.
Flynn	Matthews	Thornberry
Flynt	Metcalf	Toll
Fogarty	Meyer	Trimble
Tuck	Watts	Wolf
Udall	Whitener	Wright
Ullman	Whitten	Yates
Vanik	Wier	Young
Vinson	Williams	Zablocki
Walter	Willis	Zelenko
Wampler	Winstead	

HALLECK—148

Adair	Dixon	Milliken
Alger	Dooley	Minshall
Allen	Dorn, N. Y.	Moore
Andersen,	Dwyer	Mumma
Minn.	Fenton	Nelsen
Arends	Fino	Norblad
Auchincloss	Ford	O'Konski
Avery	Frelinghuysen	Osmers
Ayres	Fulton	Ostertag
Baker	Gavin	Pelly
Baldwin	Glenn	Pillion
Barry	Griffin	Pirnie
Bass, N. H.	Gross	Poff
Bates	Gubser	Quie
Baumhart	Halpern	Ray
Becker	Henderson	Reece, Tenn.
Belcher	Hess	Rees, Kans.
Bennett, Mich.	Hiestand	Rhodes, Ariz.
Bentley	Hoeven	Riehlman
Berry	Hoffman, Mich.	Robison
Betts	Holt	Rogers, Mass.
Bolton	Horan	St. George
Bosch	Hosmer	Saylor
Bow	Jackson	Schenck
Bray	Jensen	Scherer
Broomfield	Johansen	Schwengel
Brown, Ohio	Jonas	Short
Broyhill	Judd	Siler
Budge	Kearns	Simpson, Ill.
Bush	Keith	Simpson, Pa.
Byrnes, Wis.	Kilburn	Smith, Calif.
Cahill	Knox	Smith, Kans.
Canfield	Lafore	Springer
Cederberg	Laird	Taber
Chamberlain	Langen	Thomson, Wyo.
Chenoweth	Latta	Tollefson
Chiperfield	Lindsay	Utt
Church	Lipscomb	Van Pelt
Collier	McCulloch	Van Zandt
Conte	McDonough	Wainwright
Corbett	McIntire	Wallhauser
Cramer	Mack, Wash.	Weaver
Cunningham	Mailliard	Weis
Curtin	Martin	Westland
Curtis, Mass.	Mason	Wharton
Curtis, Mo.	May	Widnall
Dague	Meader	Wilson
Derounian	Merrow	Withrow
Derwinski	Michel	Younger
Devine	Miller, N. Y.	

ANSWERED "PRESENT"—2

Halleck Rayburn

NOT VOTING—5

Boyle	Reed	Teague, Calif.
Hoffman, Ill.	Taylor	

The CLERK. The tellers agree in their tally. The total number of votes cast is 431, of which the Honorable SAM RAYBURN has received 281, and the Honorable CHARLES A. HALLECK, of Indiana, has received 149. There were two Members voting "present."

Therefore, the Honorable SAM RAYBURN, a Representative-elect from the State of Texas, having received a majority of all the votes cast, is duly elected Speaker of the House of Representatives of the 86th Congress.

The Clerk appoints the following committee to escort the Speaker-elect to the chair: the gentleman from Indiana, Mr. HALLECK; the gentleman from Massachusetts, Mr. MCCORMACK; the gentleman from Georgia, Mr. VINSON; the gentleman from Missouri, Mr. CANNON; and the gentleman from Iowa, Mr. HOEVEN.

(The Doorkeeper announced the Speaker-elect of the House of Representatives of the 86th Congress who was escorted to the chair by the committee of escort.)

Mr. HALLECK. Mr. Speaker, while, of course, I had hoped and wished on this occasion that we on our side had the votes to carry on through to a victory in this election, I must say that it is a high privilege and a great honor to present to my colleagues of the House a man who has proved himself qualified, as few men could, to hold the great office of Speaker of this body.

I think, Mr. Speaker, that I might, with propriety, warn you that on our side, while we did not win on this occasion, we are going to do everything we can to see to it that our numbers increase the next time.

Yesterday evening it was again my pleasure to attend a birthday party given for our Speaker, the gentleman from Texas [Mr. RAYBURN]. There I saw again evidence of the high regard and esteem and affection in which he is held.

To be Speaker of the House of Representatives, in my opinion, next to being President of the United States, is the greatest honor any man can have; it is among the highest offices that any man can hold. While it is a signal honor to be Speaker of this body, likewise it is a heavy responsibility. I am sure that those of my colleagues who have served with me will agree with me that Speaker RAYBURN has, through his service here, upheld the best and the finest traditions of this body. To our new Members, who have not served here with him before, may I say that we have found him to be fair and just at all times and I am sure that they, too, will find him to be fair and just at all times.

Mr. Speaker, as we go through this Congress, of course it shall come to pass that we will have some vigorous contention concerning some of the matters to come before us. We shall contend on our side as best we can and you will contend on your side as best you can. And that is the way it should be. But let me say further and in the same breath, Mr. Speaker, that there will be many other matters concerning which we should undertake to bring about the closest understanding and cooperation for the welfare of this beloved country of ours. For myself and for the people on my side of the aisle, as will be the case, I know, on your side of the aisle, I am sure you can count on all of us to give you that sort of cooperation.

With that, Members-elect, I present to you the distinguished Speaker of the House of Representatives, a truly great American, the Honorable SAM RAYBURN, of Texas. [Applause, the Members rising.]

The SPEAKER (Mr. RAYBURN). Mr. HALLECK, my colleagues of the 86th Congress, to say that I am not deeply moved and that I do not appreciate the high honor that you have conferred upon me for the ninth time would be out of class. I agree with Mr. HALLECK that this is a great office. Only 44 men in the history of the United States have had the honor to stand in this place and preside over the House of Representatives as its Speaker.

I approach this session of Congress and the position I hold in it with a feeling of great humility, with doubt always as to whether my decisions will be correct and in the best interests of our total country, but I pledge you now as I have

in the past that if it is within my power, working with you, I will uphold the dignity and the prerogatives of the House of Representatives.

There is no such a thing as an upper and a lower House of the Congress of the United States. They are coordinate and equal, and this body will remain equal if I have my way.

We as Democrats have come from an election in which the people of America expressed overwhelming confidence in our ability to legislate for them. It is not a matter to boast about but it is a matter about which we should consecrate ourselves every day of this Congress. Realizing this high compliment that the American people have paid our party, we must realize that that brings with it tremendous, overwhelming, and almost crushing responsibility. We must act so and legislate so that our country will be better on the morrow than it was on yesterday.

We are going to be as nonpartisan as we are allowed to be. When the President delivers his state of the Union message on next Friday, we are going to listen to it attentively and sympathetically, trusting that he will advocate the things that we as Americans can go along with. We do not dislike Mr. Eisenhower just because he is a Republican. We do not disagree with him just because he is not a member of our party. But in conscience and in good will we shall try to carry out his program if in our opinion it is in the best interests of all of the American people; and on many, many of his recommendations I feel that we will be able to go along 100 percent.

We live in a day which, in my opinion, is the most dangerous period that civilization has gone through since the Man walked the shores 20 centuries ago and preached peace.

The United States of America, we want the world to know, does not covet a foot of ground over which the flag of any other nation flies. We want them to do like we want to do, to stay at home in peace and tend to our own affairs, without interference from any source on earth whatsoever. We are also willing for them to have the kind of government their people think is the best for them. In foreign affairs I trust that there will be no Democrats, there will be no Republicans, but we will all seek to do the things that will bring about the greatest prosperity to our country, and look forward that one day we may have a peace that will be universal.

Our efforts, therefore, shall be, cooperating with anyone anywhere who has his face fixed in front and whose feet are pointed in the right direction, to lead to a world of concord, a world of equal opportunity, and one day, under God, a peace that will be everlasting.

I thank you.

I am now ready to take the oath of office, and I will ask the senior Member of the House of Representatives, Hon. CARL VINSON, of Georgia, to administer the oath.

Mr. VINSON then administered the oath of office to Mr. RAYBURN, of Texas.

SWEARING IN OF MEMBERS

The SPEAKER. According to precedent, the Chair will swear in all Members at this time.

Mr. DINGELL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Michigan rise?

Mr. DINGELL. Mr. Speaker, upon my responsibility as a Member-elect of the 86th Congress, I object to the oath being administered to the gentleman from Arkansas, Mr. DALE ALFORD. I base this upon facts and statements which I consider to be reliable.

The SPEAKER. Under the precedents, the Chair will ask the gentleman from Arkansas not to rise to take the oath with the other Members, for the present at least. If the other Members will rise, I will now administer the oath of office.

The Members and Delegates-elect rose and the Speaker administered to them the oath of office.

ADMINISTERING OATH OF OFFICE TO DALE ALFORD

The SPEAKER. The Chair recognizes the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, I offer a privileged resolution (H. Res. 1) and move its immediate consideration.

The Clerk reported the resolution as follows:

Resolved, That the Speaker is hereby authorized and directed to administer the oath of office to the gentleman from Arkansas, Mr. DALE ALFORD.

Resolved, That the question of the final right of DALE ALFORD to a seat in the 86th Congress be referred to the Committee on House Administration, when elected, and said committee shall have the power to send for persons and papers and examine witnesses on oath in relation to the subject matter of this resolution.

Mr. MCCORMACK. Mr. Speaker, this resolution is in accord with existing precedents and, Mr. Speaker, I move the previous question on this resolution.

The previous question was ordered.

Mr. O'NEILL. Mr. Speaker, may I make an inquiry on a point of parliamentary procedure.

The SPEAKER. The gentleman will state it.

Mr. O'NEILL. Mr. Speaker, when the previous order has been moved and there is no debate, under the rules of the House are we not entitled to 40 minutes debate?

The SPEAKER. Under the precedents, the 40-minute rule does not apply before the adoption of the rules.

The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SWEARING IN OF MEMBER

The SPEAKER. Will the gentleman from Arkansas [Mr. ALFORD], appear in the well of the House and take the oath of office.

Mr. ALFORD appeared in the well of the House and took the oath of office as a Member of the House of Representatives.

MAJORITY LEADER

Mr. PRICE. Mr. Speaker, as chairman of the Democratic caucus, I have been directed to report to the House that the Democratic Members have selected as majority leader the gentleman from Massachusetts [Mr. JOHN W. MCCORMACK].

MINORITY LEADER

Mr. HOEVEN. Mr. Speaker, as chairman of the Republican conference, I am directed by that conference to officially notify the House that the gentleman from Indiana the Honorable CHARLES A. HALLECK, has been selected as the minority leader of the House.

ELECTION OF CLERK, SERGEANT-AT-ARMS, DOORKEEPER, POSTMASTER AND CHAPLAIN

Mr. PRICE. Mr. Speaker, I offer a resolution (H. Res. 2), which I send to the desk, and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That Ralph R. Roberts, of the State of Indiana, be, and he is hereby, chosen Clerk of the House of Representatives;

That Zeake W. Johnson, Jr., of the State of Tennessee, be, and he is hereby, chosen Sergeant at Arms of the House of Representatives;

That William M. Miller, of the State of Mississippi, be, and he is hereby, chosen Doorkeeper of the House of Representatives;

That H. H. Morris, of the State of Kentucky, be, and he is hereby, chosen Postmaster of the House of Representatives;

That Reverend Bernard Braskamp, D. D., of the District of Columbia, be, and he is hereby, chosen Chaplain of the House of Representatives.

Mr. HOEVEN. Mr. Speaker, I have a substitute to the resolution, but before offering the substitute I request that there be a division of the question on the resolution so that we may have a separate vote on the Chaplain.

The SPEAKER. The question is on the election of Dr. Bernard Braskamp as Chaplain.

The question was taken and the motion was agreed to.

The SPEAKER. The Clerk will report the minority substitute.

The Clerk read as follows:

Resolved, That Harry L. Brookshire, of the State of Ohio, be, and he is hereby, chosen Clerk of the House of Representatives;

That William R. Bonsell, of the State of Pennsylvania, be, and he is hereby, chosen Sergeant at Arms of the House of Representatives;

That Tom J. Kennamer, of the State of Missouri, be, and he is hereby, chosen Doorkeeper of the House of Representatives;

That Beecher Hess, of the State of Ohio, be, and he is hereby, chosen Postmaster of the House of Representatives.

The SPEAKER. The question is on the substitute.

The substitute was rejected.

The SPEAKER. The question is on the resolution offered by the gentleman from Illinois [Mr. PRICE].

The resolution was agreed to.

The SPEAKER. Will the officers elected appear in the well of the House.

The officers-elect presented themselves at the bar of the House and took the oath of office.

NOTIFICATION TO SENATE OF ORGANIZATION OF HOUSE

Mr. MILLS. Mr. Speaker, I offer a resolution (H. Res. 4) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That a message be sent to the Senate to inform that body that a quorum of the House of Representatives has assembled; that SAM RAYBURN, a Representative from the State of Texas, has been elected Speaker; and Ralph R. Roberts, a citizen of the State of Indiana, Clerk of the House of Representatives of the 86th Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE TO NOTIFY THE PRESIDENT OF THE UNITED STATES OF THE ASSEMBLY OF THE CONGRESS

Mr. McCORMACK. Mr. Speaker, I offer a resolution (H. Res. 5) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That a committee of three Members be appointed by the Speaker on the part of the House of Representatives to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled, and that Congress is ready to receive any communication that he may be pleased to make.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints as members of the committee to notify the President the gentleman from Massachusetts, Mr. McCORMACK; the gentleman from Illinois, Mr. PRICE; and the gentleman from Indiana, Mr. HALLECK.

AUTHORIZING THE CLERK TO INFORM THE PRESIDENT OF THE ELECTION OF THE SPEAKER AND THE CLERK OF THE HOUSE OF REPRESENTATIVES

Mr. CANNON. Mr. Speaker, I offer a privileged resolution (H. Res. 6) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the Clerk be instructed to inform the President of the United States that the House of Representatives has elected SAM RAYBURN, a Representative from the State of Texas, Speaker, and Ralph R. Roberts, a citizen of the State of Indiana, Clerk of the House of Representatives of the 86th Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RULES OF THE HOUSE OF REPRESENTATIVES

Mr. SMITH of Virginia. Mr. Speaker, I offer a privileged resolution (H. Res. 7) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the rules of the House of Representatives of the 85th Congress, together with all applicable provisions of the Legislative Reorganization Act of 1946, as amended, be, and they are hereby, adopted as the rules of the House of Representatives of the 86th Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MINORITY EMPLOYEES OF THE HOUSE OF REPRESENTATIVES

Mr. ALLEN. Mr. Speaker, on behalf of the minority leader, I offer the following privileged resolution (H. Res. 8) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That pursuant to the Legislative Pay Act of 1929, as amended, six minority employees authorized therein shall be the following-named persons, effective January 7, 1959, until otherwise ordered by the House, to-wit: Harry L. Brookshire and William R. Bonsell, to receive gross compensation of $16,500 per annum, respectively; Tom J. Kennamer, to receive gross compensation of $13,750 per annum; Beecher Hess, to receive gross compensation of $12,100 per annum; and James P. Griffin (minority pair clerk), to receive compensation at the basic rate of $5,000 per annum.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RESIGNATIONS AS REPRESENTATIVES IN CONGRESS

The SPEAKER laid before the House the following communications which were read by the clerk:

HOUSE OF REPRESENTATIVES,
Washington, D.C., November 12, 1958.

Hon. SAM RAYBURN,
Speaker of the House,
House of Representatives,
Washington, D.C.

SIR: I beg leave to inform you that I have this day transmitted to the Governor of Massachusetts my resignation as Representative in the Congress of the United States from the 13th District of Massachusetts, effective November 13, 1958.

Sincerely yours,

RICHARD B. WIGGLESWORTH.

DECEMBER 29, 1958.

Hon. SAM RAYBURN,
Speaker of the House,
The Capitol,
Washington, D.C.

DEAR MR. SPEAKER: I hereby resign as a Member of the House of Representatives of the United States, effective at 12 o'clock midnight, December 31, 1958.

Very truly yours,

HENRY J. LATHAM.

ELECTION OF MEMBERS TO STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. MILLS. Mr. Speaker, on behalf of the gentleman from Illinois, Mr. PRICE, chairman of the Democratic caucus, I offer the following resolution (H. Res. 9) and ask for its immediate consideration:

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives.

Committee on House Administration: Omar Burleson (chairman), Texas; Samuel N. Friedel, Maryland; Robert T. Ashmore, South Carolina; Wayne L. Hays, Ohio; Paul C. Jones, Missouri; George M. Rhodes, Pennsylvania; John Lesinski, Michigan; Frank E. Smith, Mississippi; Frank Thompson, Jr., New Jersey; Watkins M. Abbitt, Virginia; Carl Elliott, Alabama; Edith Green, Oregon; Robert A. Everett, Tennessee.

Committee on Rules: Howard W. Smith (chairman), Virginia; William M. Colmer, Mississippi; Ray J. Madden, Indiana; James J. Delaney, New York; James W. Trimble, Arkansas; Homer Thornberry, Texas; Richard Bolling, Missouri; Thomas P. O'Neill, Jr., Massachusetts.

Committee on Ways and Means: Wilbur D. Mills (chairman), Arkansas; Aime J. Forand, Rhode Island; Cecil R. King, California: Thomas J. O'Brien, Illinois; Hale Boggs, Louisiana; Eugene J. Keogh, New York; Burr P. Harrison, Virginia; Frank M. Karsten, Missouri; A. S. Herlong, Jr., Florida; Frank Ikard, Texas; Thaddeus M. Machrowicz, Michigan; James B. Frazier, Jr., Tennessee; William J. Green, Jr., Pennsylvania; John C. Watts, Kentucky; Lee Metcalf, Montana.

Committee on Appropriations: Clarence Cannon (chairman), Missouri; George H. Mahon, Texas; Harry R. Sheppard, California; Albert Thomas, Texas; Michael J. Kirwan, Ohio; W. F. Norrell, Arkansas; Jamie L. Whitten, Mississippi; George W. Andrews, Alabama; John J. Rooney, New York; J. Vaughan Gary, Virginia; John E. Fogarty, Rhode Island; Robert L. F. Sikes, Florida; Prince H. Preston, Georgia; Otto E. Passman, Louisiana; Louis C. Rabaut, Michigan; Sidney R. Yates, Illinois; Fred Marshall, Minnesota; John J. Riley, South Carolina; Joe L. Evins, Tennessee; John F. Shelley, California; Edward P. Boland, Massachusetts; Don Magnuson, Washington; William H. Natcher, Kentucky; Daniel J. Flood, Pennsylvania; Winfield K. Denton, Indiana; Tom Steed, Oklahoma; Hugh Q. Alexander, North Carolina; Charles A. Boyle, Illinois; Alfred E. Santangelo, New York.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

HOUR OF MEETING

Mr. SMITH of Virginia. Mr. Speaker, I offer a resolution, which I send to the Clerk's desk.

The Clerk read as follows:

House Resolution 10

Resolved, That until otherwise ordered, the daily hour of meeting of the House of Representatives shall be at 12 o'clock meridian.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

ADMINISTERING OATH OF OFFICE TO HON. DEAN P. TAYLOR OF NEW YORK

Mr. TABER. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 11

Whereas DEAN P. TAYLOR, a Representative-elect from New York from the 31st District thereof, has been unable from sickness to appear in person to be sworn as a Member of the House, and there being no contest or question as to his election: Therefore, be it

Resolved, That the Speaker, or deputy named by him, be, and he is hereby, authorized to administer the oath of office to

said DEAN P. TAYLOR at the Veterans' Administration Hospital, Albany, N. Y., and that the said oath be accepted and received by the House as the oath of office of the said DEAN P. TAYLOR.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

The SPEAKER. The Clerk will read the following statement of the Chair.

The Clerk read as follows:

Pursuant to the authority of House Resolution 11, 86th Congress, the Chair appoints the Honorable Donald Stephen Taylor, Justice of the Supreme Court of New York, Troy, N. Y., to administer the oath of office to the Honorable DEAN P. TAYLOR.

ADMINISTERING THE OATH OF OFFICE TO HON. DANIEL A. REED

Mr. TABER. Mr. Speaker, I offer a resolution (H. Res. 12) and ask for its immediate consideration.

The Clerk read as follows:

Whereas DANIEL A. REED, a Representative-elect from New York, from the 43d District thereof, has been unable from sickness to appear in person to be sworn as a Member of the House, and there being no contest or question as to his election: Therefore, be it

Resolved, That the Speaker, or deputy named by him, be, and he is hereby, authorized to administer the oath of office to said DANIEL A. REED at Walter Reed Army Medical Center, Washington, D. C., and that the said oath be accepted and received by the House as the oath of office of the said DANIEL A. REED.

The resolution was agreed to.

The SPEAKER. Pursuant to the authority of House Resolution 12, 86th Congress, the Chair appoints the gentleman from New York, Mr. TABER, to administer the oath of office to the gentleman from New York, Mr. REED.

REPORT OF COMMITTEE TO NOTIFY THE PRESIDENT OF THE UNITED STATES

Mr. McCORMACK. Mr. Speaker, your committee appointed on the part of the House to join a like committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled and is ready to receive any communication that he may be pleased to make has performed that duty. The President asked us to report that he will be pleased to deliver his message at 12:30 o'clock p.m., January 9, 1959, at a joint session of the two Houses.

PROVIDING FOR JOINT SESSION

Mr. McCORMACK. Mr. Speaker, I offer a resolution (H. Con. Res. 1) and ask for its immediate consideration.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the hall of the House of Representatives on Friday, January 9, 1959, at 12:30 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

The resolution was agreed to.

RECESS ON JANUARY 9, 1959

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that on Friday, January 9, 1959, it may be in order for the Speaker to declare a recess at any time subject to the call of the Chair.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

COMMITTEE ON APPROPRIATIONS

Mr. McCORMACK. Mr. Speaker, I offer a resolution (H. Res. 13) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That during the 86th Congress the Committee on Appropriations shall be composed of 50 Members.

The resolution was agreed to.

INTRODUCTION AND REFERENCE OF BILLS TODAY

The SPEAKER. The Chair would like to make a statement concerning the introduction and reference of bills today.

As Members are aware, they have the privilege today of introducing bills. Heretofore on the opening day of a new Congress several thousand bills have been introduced. It will be readily apparent to all Members that it may be a physical impossibility for the Speaker to examine each bill for reference today. The Chair will do his best to refer as many bills as possible, but he will ask the indulgence of Members if he is unable to refer all the bills that may be introduced. Those bills which are not referred and do not appear in the RECORD as of today will be included in the next day's RECORD and printed with a date as of today. The Chair feels that he should make this statement at this time so that Members of the House may understand.

ADMISSION TO THE JOINT SESSION OF CONGRESS JANUARY 9

The SPEAKER. After consultation with the majority and minority leaders, and remembering the terrific jams we have had on the floor on occasion of joint sessions of the Congress, with the consent and approval of the floor leaders the Chair announces that on Friday the doors immediately opposite the Speaker will be open and the doors on the Speaker's left and right, and none other.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Carrell, one of its clerks, announced that the Senate had adopted the following resolutions:

Senate Resolution 2

Resolved, That a committee of two Senators be appointed by the Vice President to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

Senate Resolution 3

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

COMMITTEE ON APPROPRIATIONS

Mr. CANNON. Mr. Speaker, I offer a resolution (H. Res. 14) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the Committee on Appropriations and the subcommittees thereof be authorized to sit during sessions and recesses of the 86th Congress.

The resolution was agreed to.

EMPLOYMENT AND COMPENSATION OF COMMITTEE EMPLOYEES

Mr. McCORMACK. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 15

Resolved, That standing committees of the House shall have authority to approve the employment and compensation of committee employees from January 3, 1959, or such subsequent date as their service commenced.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT UNTIL FRIDAY NEXT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at noon on Friday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

RESOLUTION OF THE HOUSE OF REPRESENTATIVES IN THE WEST INDIES

The SPEAKER laid before the House the following communication:

DEPARTMENT OF STATE,
Washington, December 10, 1958.

The Honorable SAM RAYBURN,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: I take pleasure in transmitting to you the text of a diplomatic note dated November 26, 1958, from the British Embassy which quotes a resolution passed by the House of Representatives in the West Indies. The text of the note is as follows:

"Her Majesty's Chargé d'Affaires ad interim presents his compliments to the Secretary of State and has the honor to inform Mr. Dulles of a resolution passed by the House of Representatives in the West Indies."

The text of the resolution is as follows:

"*Resolved,* That this Government notes with appreciation and gratitude the cordial greetings and affirmation of friendship received from the Government of the United States, as conveyed in Senate Concurrent Resolution 77 passed by the 2d session of the 85th Congress of the Government of the United States."

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary.

RESIGNATION

The SPEAKER laid before the House the following communication:

NOVEMBER 11, 1958.

The Honorable SAM RAYBURN,
House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I regret very much that it is necessary for me to withdraw as a representative from the House of Representatives at the NATO Parliamentary Conference to be held in Paris next week.

I appreciate the honor you have bestowed upon me in appointing me to represent the House of Representatives at this conference and regret that this decision is necessary.

Sincerely yours,

EUGENE J. MCCARTHY,
Member of Congress.

APPOINTMENT TO UNITED STATES GROUP OF NORTH ATLANTIC TREATY PARLIAMENTARY CONFERENCE

The SPEAKER. The Chair desires to announce that pursuant to the order of the House of August 23, 1958, empowering him to accept resignations and to appoint commissions, boards, and committees authorized by law or by the House, he did, on November 11, 1958, pursuant to the provisions of Public Law 689, 84th Congress, appoint as a member of the United States group of the North Atlantic Treaty Parliamentary Conference the gentleman from South Dakota Mr. MCGOVERN, to fill a vacancy caused by the resignation of the gentleman from Minnesota, Mr. MCCARTHY.

COMMITTEE ON UN-AMERICAN ACTIVITIES

The SPEAKER. The Chair desires to announce that subsequent to the sine die adjournment of the 85th Congress, the Committee on Un-American Activities reported to and filed with the Speaker statements of fact concerning the refusal of Donald Wheeldin and Harvey O'Connor to appear in response to subpenas and to testify before duly constituted subcommittees of the Committee on Un-American Activities of the House of Representatives, and that he did, on January 1, 1959, pursuant to the mandatory provisions of Public Resolution 123, 75th Congress, certify to the U.S. attorney, southern district of California, the statement of facts concerning the said Donald Wheeldin, and to the U.S. attorney, district of New Jersey, the statement of facts concerning the said Harvey O'Connor.

EMPLOYEES OF THE HOUSE AND THEIR RESPECTIVE COMPENSATIONS, ETC. — COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives, which was read, and together with the accompanying papers, referred to the Committee on House Administration:

JANUARY 7, 1959.

The Honorable the SPEAKER,
House of Representatives.

SIR: In compliance with the provisions of paragraphs 102, 103, 104, and 111 of title 2 of the Code of Laws of the United States, I have the honor to submit the following report for the period from July 1, 1957, to June 30, 1958, both inclusive, giving names of statutory and contingent-fund employees of the House and their respective compensations, including clerks to Members, the expenditures from the contingent fund and from certain specific appropriations.

Respectfully yours,

RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

LIST OF REPORTS—COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House, which was read, and, with the accompanying papers, was referred to the Committee on House Administration and ordered to be printed:

JANUARY 7, 1959.

The Honorable the SPEAKER,
House of Representatives.

SIR: In compliance with the requirements of rule III, clause 2, of the Rules of the House of Representatives, I have the honor to submit herewith a list of reports which it is the duty of any officer or department to make to Congress.

Respectfully yours,

RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

HOUSING AND HOME FINANCE AGENCY

The SPEAKER laid before the House the following message from the Clerk of the House:

JANUARY 7, 1959.

The Honorable the SPEAKER,
House of Representatives.

SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's office on October 31, 1958, and said to contain the 11th Annual Report of the Housing and Home Finance Agency covering Housing activities for the calendar year 1957.

Respectively yours,

RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

The SPEAKER. The Clerk will read the message of the President.

The Clerk read as follows:

To the Congress of the United States:

Pursuant to the provisions of section 802(a) of the Housing Act of 1954, I transmit herewith for the information of the Congress the 11th Annual Report of the Housing and Home Finance Agency covering Housing activities for the calendar year 1957.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *October 31, 1958.*

The SPEAKER. The message and the accompanying papers are referred to the Committee on Banking and Currency.

LEND-LEASE OPERATIONS (H. DOC. NO. 449, 85TH CONG.)

The SPEAKER laid before the House the following communication from the Clerk of the House:

JANUARY 7, 1959.

The Honorable the SPEAKER,
House of Representatives.

SIR: I have the honor to transmit herewith a sealed enveloped addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's office on November 25, 1958, and said to contain the 39th report to Congress on lend-lease operations for the calendar year 1957.

Respectfully yours,

RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

The SPEAKER. The Clerk will read the message of the President.

The Clerk read as follows:

To The Congress of the United States:

I am transmitting herewith the 39th report to Congress on lend-lease covering the calendar year 1957.

Most of the countries are making scheduled payments on their lend-lease accounts. During 1957, collections and credits on these accounts amounted to $28,340,686.34, comprising payments of $13,996,262.83 on principal and $14,344,423.51 on interest.

All of the lend-lease silver returned to the United States during 1957 had not been assayed by December 31, 1957. The amount assayed totaled 89,779,704.01 fine troy ounces.

Details on these and other lend-lease activities are provided in the report.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *November 24, 1958.*

The SPEAKER. The message and the accompanying papers are referred to the Committee on Foreign Affairs and ordered to be printed.

MIDDLE EAST (H. DOC. NO. 43)

The SPEAKER laid before the House the following communication from the Clerk of the House:

JANUARY 7, 1959.

The Honorable the SPEAKER,
House of Representatives.

SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's office on September 9, 1958, and said to contain the third report to Congress, covering activities through June 30, 1958, in furtherance of the purposes of the joint resolution to promote peace and stability in the Middle East.

Respectfully yours,

RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

The SPEAKER. The Clerk will read the message of the President.

The Clerk read as follows:

To the Congress of the United States:

I am transmitting herewith the third report to the Congress covering activities through June 30, 1958, in furtherance of the purposes of the Joint Resolution to Promote Peace and Stability in the Middle East. This report supplements the first and second reports forwarded to the Congress on July 31, 1957, and March 5, 1958.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 9, 1958.*

The SPEAKER. The message and accompanying papers are referred to the Committee on Foreign Affairs and ordered to be printed.

HOUSE OFFICE BUILDING COMMISSION

The SPEAKER. Pursuant to the provisions of 40 United States Code 175 and 176, the Chair appoints the gentleman from Georgia, Mr. VINSON, and the gentleman from New Jersey, Mr. AUCHINCLOSS, as members of the House Office Building Commission to serve with himself.

THE LATE HONORABLE HERMAN P. EBERHARTER

Mr. WALTER. Mr. Speaker, I offer a resolution (H. Res. 16) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the House has heard with profound sorrow of the death of the Honorable HERMAN P. EBERHARTER, a Representative from the State of Pennsylvania.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

THE LATE HONORABLE SID SIMPSON

Mr. ALLEN of Illinois. Mr. Speaker, I offer a resolution (H. Res. 17) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the House has heard with profound sorrow of the death of the Honorable SID SIMPSON, a Representative from the State of Illinois.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

THE LATE HONORABLE J. HARRY McGREGOR

Mr. HESS. Mr. Speaker, I send a resolution to the desk (H. Res. 18) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the House has heard with profound sorrow of the death of the Honorable J. HARRY MCGREGOR, a Representative from the State of Ohio.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move as a further mark of respect to the memory of the deceased that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 51 minutes p.m.), under its previous order, the House adjourned until Friday, January 9, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

The following executive communications were submitted subsequent to the adjournment of the 85th Congress:

2259. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 27, 1958, submitting a report, together with accompanying papers and illustrations, on a cooperative beach erosion control study of South Kingstown and Westerly, R.I., prepared under the provisions of section 2 of the River and Harbor Act approved July 3, 1930, as amended and supplemented (H. Doc. No. 30); to the Committee on Public Works and ordered to be printed with five illustrations (pursuant to Public Law 85–863, approved September 2, 1958).

2260. A letter from the Acting Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 22, 1958, submitting a report, together with accompanying papers and illustrations, on an interim report on Illinois Waterway, Ill. and Ind., requested by resolutions of the Committee on Rivers and Harbors, House of Representatives, and the Committee on Public Works, U.S. Senate, adopted March 16, 1943, and March 24, 1956, respectively (H. Doc. No. 31); to the Committee on Public Works and ordered to be printed with eight illustrations (pursuant to Public Law 85–863, approved September 2, 1958).

2261. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated August 3, 1958, submitting a report, together with accompanying papers and an illustration, on a review of reports on Red Wing Harbor, Minn., requested by resolutions of the Committee on Public Works, U.S. Senate, adopted March 24, 1956, and House of Representatives, adopted June 27, 1956 (H. Doc. No. 32); to the Committee on Public Works and ordered to be printed with one illustration (pursuant to Public Law 85–863, approved September 2, 1958).

2262. A letter from the Comptroller General of the United States, transmitting the report on the audit of Inland Waterways Corporation for the fiscal year ended June 30, 1958, pursuant to the Government Corporation Control Act (31 U.S.C. 841) (H. Doc. No. 450); to the Committee on Government Operations and ordered to be printed (pursuant to H. Res. 698, 85th Cong., agreed to August 23, 1958).

2263. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Federal Savings and Loan Insurance Corporation supervised by the Federal Home Loan Bank Board for the fiscal year 1958, pursuant to 31 U.S.C. 841 (H. Doc. No. 453); to the Committee on Government Operations and ordered to be printed (pursuant to H. Res. 698, 85th Cong., agreed to August 23, 1958).

2264. A letter from the Comptroller General of the United States, transmitting the report on the audit of the Public Housing Administration, Housing and Home Finance Agency, for the fiscal year ended June 30, 1957, pursuant to the Government Corporation Control Act (31 U.S.C. 841) and the Budget and Accounting Act, 1921 (31 U.S.C. 53) (H. Doc. No. 455); to the Committee on Government Operations and ordered to be printed (pursuant to H. Res. 698, 85th Cong., agreed to August 23, 1958).

2265. A letter from the Comptroller General of the United States, transmitting report on the audit of the Federal Facilities Corporation, General Services Administration, for the fiscal year ended June 30, 1958, pursuant to the Government Corporation Control Act (31 U.S.C. 841) (H. Doc. No. 456); to the Committee on Government Operations and ordered to be printed (pursuant to H. Res. 698, 85th Cong., agreed to August 23, 1958).

2266. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 30, 1958, submitting a report, together with accompanying papers and an illustration, on a survey of Shem Creek, Charleston Harbor, S.C., authorized by the River and Harbor Act approved July 24, 1946 (H. Doc. No. 35); to the Committee on Public Works and ordered to be printed with an illustration (pursuant to Public Law 85–863, approved September 2, 1958).

2267. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, U.S. Army, dated October 21, 1958, submitting a report, together with accompanying papers and an illustration on a review of reports on Stonington Harbor, Maine, requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 27, 1956 (H. Doc. No. 36); to the Committee on Public Works and ordered to be printed with one illustration (pursuant to Public Law 85–863, approved September 2, 1958).

2268. A letter from the Comptroller General of the United States, transmitting a report on the audit of the St. Lawrence Seaway Development Corporation for the fiscal year ended June 30, 1958, pursuant to 31 U.S.C. 841 (H. Doc. No. 457); to the Committee on Government Operations and ordered to be printed (pursuant to H. Res. 698, 85th Cong., agreed to August 23, 1958).

[*Submitted January 7, 1959*]

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Clerk, House of Representatives, transmitting a list of reports which it is the duty of any officer or department to make to Congress, pursuant to rule III, clause 2, of the Rules of the House of Representatives (H. Doc. No. 23); to the Committee on House Administration and ordered to be printed.

2. A letter from the Clerk, House of Representatives, transmitting a report for the period from July 1, 1957, to June 30, 1958, both inclusive, pursuant to provisions of paragraphs 102, 103, 104, and 111 of title 2 of the Code of Laws of the United States; to the Committee on House Administration.

3. A letter from the Postmaster General, transmitting the report of operations of the Postal Savings System for the fiscal year ended June 30, 1958, pursuant to section 1 of the act of June 25, 1910 (H. Doc. No. 11); to the Committee on Post Office and Civil Service and ordered to be printed.

4. A letter from the Director, Agricultural Credit Services, Department of Agriculture, transmitting the annual report covering jurisdiction over the Puerto Rican hurricane relief loans, as required in section 6 of Public Resolution No. 74, 70th Congress, approved December 21, 1928 (45 Stat. 1067), which was transferred to the Secretary of Agriculture by Public Law 692, 84th Congress, approved July 11, 1956 (70 Stat. 525); to the Committee on Agriculture.

5. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting information relative to appropriation to the Department of Defense for "Cemeterial expense," for the fiscal year 1959, with reference made to letter dated October 30, 1958, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

6. A letter from the Comptroller General of the United States, transmitting an audit of the Veterans' Canteen Service, Veterans' Administration, for the fiscal year 1958, pursuant to section 2007 of the Veterans' Benefits Act of 1957 (38 U.S.C., Supp. V, 4007) (H. Doc. No. 38); to the Committee on Government Operations and ordered to be printed.

7. A letter from the Comptroller General of the United States, transmitting the audit of the Farm Credit Administration for the fiscal year 1958, pursuant to 31 U.S.C. 53, 31 U.S.C. 67, 31 U.S.C. 841, and 12 U.S.C. 1141i (H. Doc. No. 39); to the Committee on Government Operations and ordered to be printed.

8. A letter from the Director, the American Legion, transmitting a copy of proceedings of the 40th Annual National Convention of the American Legion, held in Chicago, Ill., September 1–4, 1958, pursuant to Public Law 249, 77th Congress (H. Doc. No. 40); to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

9. A letter from the Acting National Adjutant, Disabled American Veterans, transmitting reports and proceedings held in Louisville, Ky., August 11–15, 1958, pursuant to Public Law 249, 77th Congress. Also report of the Disabled American Veterans for its last preceding annual year, ending December 31, 1957, pursuant to section 9, Public Law 668, approved July 15, 1942 (H. Doc. No. 41); to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

10. A letter from the Chairman, National Advisory Council on International Monetary and Financial Problems, transmitting the Sixth Special Report of the Council, on the operations and policies of the International Monetary Fund, the International Bank for Reconstruction and Development, and the International Finance Corporation for the 2-year period April 1, 1956–March 31, 1958, pursuant to section 4(b)(6) of the Bretton Woods Agreements Act, as amended (H. Doc. No. 42); to the Committee on Foreign Affairs and ordered to be printed.

11. A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting a report concerning agreements concluded under title I of the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480, 83d Cong.), pursuant to Public Law 128, 85th Congress; to the Committee on Agriculture.

12. A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting a report of agreements concluded during September 1958 under title I of the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480, 83d Cong.), pursuant to Public Law 128, 85th Congress; to the Committee on Agriculture.

13. A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting a report of agreements concluded during October 1958 under title I of the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480, 83d Cong.), pursuant to Public Law 128, 85th Congress; to the Committee on Agriculture.

14. A letter from the Assistant Secretary of Agriculture, transmitting information that it has not been necessary to borrow from any other funds available to the Department during the period of January 1, 1958, to June 30, 1958, to cover the costs of the Mexican-United States Commission for the prevention of foot-and-mouth disease, pursuant to the reporting requirement of section 3, Public Law 8, 80th Congress (21 U.S.C. 114d); to the Committee on Agriculture.

15. A letter from the Assistant Secretary of Agriculture, transmitting a statement of no significant developments to report for month of July relating to the cooperative program of the United States with Mexico for the control and eradication of foot-and-mouth disease, pursuant to section 3, Public Law 8, 80th Congress (21 U.S.C. 114d); to the Committee on Agriculture.

16. A letter from the Acting Secretary of Agriculture, transmitting a report for the month of August relating to the cooperative program of the United States with Mexico for the control and the eradication of foot-and-mouth disease, pursuant to section 3, Public Law 8, 80th Congress (21 U.S.C. 114d); to the Committee on Agriculture.

17. A letter from the Assistant Secretary of Agriculture, transmitting a report for the month of September relating to the cooperative program of the United States with Mexico for the control and the eradication of foot-and-mouth disease, pursuant to section 3, Public Law 8, 80th Congress (21 U.S.C. 114d); to the Committee on Agriculture.

18. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report of appropriations and transfers made to cover the fiscal year 1958 cost of salary increases granted by Public Laws 85–422, 85–426, 85–462, 85–584, and 85–838, pursuant to section 206(c), Public Law 85–472; to the Committee on Appropriations.

19. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriations to the Department of Justice for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

20. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for supplemental estimate of appropriation for the Railroad Retirement Board for "Salaries and expenses" for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

21. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need of supplemental estimate of appropriations for several offices and departments shown on a separate listing, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

22. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriation for the Post Office Department for "Transportation," for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

23. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report showing that the appropriation to the Department of Labor for "Salaries and expenses, Bureau of Labor Standards" for the fiscal year 1959, had been apportioned on a basis indicating a need for a supplemental estimate of appropriation, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

24. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriations to the Department of Labor for "Unemployment compensation for veterans and Federal employees" for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

25. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriation to the Civil Service Commission for "Annuities, Panama Canal construction employees and Lighthouse Service widows" for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

26. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriation to the Department of Health, Education, and Welfare for "Salaries and expenses, Food and Drug Administration" for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

27. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriations to the Department of Health, Education, and Welfare for "Salaries and expenses, Office of the General Counsel" for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

28. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriations to the Department of Health, Education, and Welfare for "Hospitals and medical care" for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

29. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriation to the Department of Health, Education, and Welfare for "Grants to States for public assistance," pursuant to section 3679 of the Revised Statutes, as amended; tc the Committee on Appropriations.

30. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriation to the Department of Health, Education, and Welfare for "Salaries and expenses, Office of Field Administration," for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

31. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriation to the Department of Health, Education, and Welfare for "Salaries and expenses, Bureau of Old-Age and Survivors Insurance," for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

32. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation to the Veterans' Administration for "Compensation and pensions" for the fiscal year 1959, has been apportioned on a basis which indicates the necessity for supplemental estimate of appropriation, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

33. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report for a need for a supplemental estimate of appropriation to the Veterans' Administration for "Inpatient care" for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

34. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriations for "Inpatient care" for the fiscal year 1959 to the Veterans' Administration, pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

35. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriation for "Outpatient care" to the Veterans' Administration for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

36. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for supplemental estimate of appropriation to the Veterans' Administration for "General operating expenses" for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

37. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriation for the Veterans' Administration for "Outpatient care" for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

38. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriation to the Veterans' Administration for "Maintenance and operation of supply depots" for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

39. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriation to the Department of State for "Emergencies in the Diplomatic and Consular Service," for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

40. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriation to the Department of State for "Operation and maintenance," International Boundary and Water Commission, United States and Mexico, for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

41. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriation to the Department of the Interior for "Maintenance and rehabilitation of physical facilities," National Park Service, for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

42. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for supplemental estimate of appropriation for the Department of the Interior for "Operation and maintenance," Southwestern Power Administration, for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

43. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriation for the Department of Commerce for "Salaries and expenses," Coast and Geodetic Survey, for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended (30 U.S.C. 665); to the Committee on Appropriations.

44. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriation to the Treasury Department for "Salaries and expenses, Division of Disbursement," for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

45. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriation to the Department of Agriculture for "Forest protection and utilization, Forest Service," for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

46. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need of supplemental estimate of appropriation to the Department of Agriculture for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

47. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriation to the General Services Administration for "Expenses, supply distribution" and "Operating expenses, National Archives and Records Service," for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

48. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriation to the General Services Administration for "Operating expenses, Public Buildings Service," for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

49. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriation to the General Services Administration for "Salaries and expenses, Office of the Administrator," for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

50. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report for the need for a supplemental estimate of appropriation to the Department of Defense for "Medical care, Navy," for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

51. A letter from the Acting Secretary of Agriculture, transmitting the monthly report of the General Sales Manager, June 1958, concerning the policies, activities, and developments, including all sales and disposals by the Commodity Credit Corporation; to the Committee on Appropriations.

52. A letter from the Assistant Secretary of Agriculture, transmitting the monthly report of the General Sales Manager, July 1958, concerning policies, activities, and developments, including all sales and disposals by the Commodity Credit Corporation; to the Committee on Appropriations.

53. A letter from the Assistant Secretary of Agriculture, transmitting the August 1958 report of the General Sales Manager, concerning policies, activities, and developments, including all sales and disposals by the Commodity Credit Corporation; to the Committee on Appropriations.

54. A letter from the Acting Secretary of Agriculture, transmitting the September 1958 report of the General Sales Manager, concerning policies, activities, and developments, including all sales and disposals by the Commodity Credit Corporation; to the Committee on Appropriations.

55. A letter from the Acting Secretary of Agriculture, transmitting a report of three violations by Forest Service officers, pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

56. A letter from the Assistant Secretary of Agriculture, transmitting the report of an overobligation to the State conservationist of the Soil Conservation Service, Denver, Colo., pursuant to section 3679 of the Revised Statutes, as amended by section 1211 of the General Appropriation Act, 1951; to the Committee on Appropriations.

57. A letter from the Comptroller General of the United States, transmitting a copy of Standard Form 132: Apportionment and Reapportionment Schedule, for appropriation account 0590107, "Salaries and expenses, General Accounting Office, 1959," indicating a necessity for a supplemental appropriation in the fourth quarter of the fiscal year 1959, under Public Law 85–462, Federal Employees Pay Increase Act of 1958, and Public Law 85–426, pursuant to section (e)(1) of section 3679 of the Revised Statutes as amended (31 U.S.C. 665); to the Committee on Appropriations.

58. A letter from the Acting Secretary of Defense, transmitting 68 reports covering 84 violations of section 3679, Revised Statutes, and Department of Defense Directive 7200.1, "Administrative Control of Appropriations Within the Department of Defense," pursuant to section 3679(i)(2), Revised Statutes; to the Committee on Appropriations.

59. A letter from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, transmitting a report for restoration of unobligated balances previously withdrawn, in accordance with paragraph 8, general regulation No. 131, dated March 21, 1957; to the Committee on Appropriations.

60. A letter from the Chairman, Civil Aeronautics Board, transmitting a report of a violation under the provisions of section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

61. A letter from the budget officer, Federal Home Loan Bank Board, transmitting a copy of Standard Form 143: Budget Status for the period ending September 30, 1958, for the Federal Home Loan Bank Board, and the Federal Savings and Loan Insurance Corporation, pursuant to section 53C of the Bureau of the Budget Circular No. A–34, dated July 25, 1957; to the Committee on Appropriations.

62. A letter from the Administrator, General Services Administration, transmitting the report of an overobligation by the Acting Director, Federal Facilities Corporation, Washington, D.C., pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

63. A letter from the Assistant Secretary of the Interior, transmitting certification as to adequacy of soil survey and land classification as required by the 1954 Appropriation Act, Saucelito Irrigation District, California, pursuant to Public Law 172, 83d Congress; to the Committee on Appropriations.

64. A letter from the Assistant Secretary of the Interior, transmitting certification as to adequacy of soil survey and land classification as required by the 1954 Appropriation Act, Porterville Irrigation District, California, pursuant to Public Law 172, 83d Congress; to the Committee on Appropriations.

65. A letter from the Under Secretary of the Interior, transmitting certification as to adequacy of soil survey and land classification as required by the 1954 appropriation act, Vernal unit, central Utah project, Utah, pursuant to Public Law 172, 83d Congress; to the Committee on Appropriations.

66. A letter from the Acting Secretary of the Treasury, transmitting a report of overobligation for the second quarter of the fiscal year 1958 from the appropriation 2080902 "Salaries and expenses, Internal Revenue Service," pursuant to the Bureau of the Budget Circular No. A–34, and section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

67. A letter from the Acting Secretary of the Treasury, transmitting a report of overobligation for the fourth quarter of the fiscal year 1958 from the appropriation 2080902 "Salaries and expenses, Internal Revenue Service," pursuant to the Bureau of the Budget Circular No. A–34, and section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

68. A letter from the Administrator, Veterans' Administration, transmitting a report of violations occurred at the Veterans' Ad-

ministration hospital, Little Rock, Ark., pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665(i)(2), subsec. (h) of that statute); to the Committee on Appropriations.

69. A letter from the Administrator, Veterans' Administration, transmitting a report of violations occurred at the VA center, Los Angeles, Calif., pursuant to section 3679 of the Revised Statutes, as amended, subsection (i)(2), and subsection (h) of that statute; to the Committee on Appropriations.

70. A letter from the Director, Legislative Liaison, Department of the Air Force, transmitting the quarterly report of the number of officers assigned or detailed, pursuant to section 8031(c), title 10, United States Code; to the Committee on Armed Services.

71. A letter from the Director, Legislative Liaison, Department of the Air Force, transmitting a report of Air Force military construction contracts awarded for the period of January 1 through June 30, 1958, pursuant to section 505, Public Law 85–241; to the Committee on Armed Services.

72. A letter from the Director, Legislative Liaison, Department of the Air Force, transmitting a report entitled "Semiannual Research and Development Procurement," for the period from January 1 to June 30, 1958, pursuant to section IV of Public Law 557, 82d Congress; to the Committee on Armed Services.

73. A letter from the Secretary of the Army, transmitting the second semiannual report of Department of the Army contracts for military construction covering period January 1 through June 30, 1958, pursuant to section 505, Public Law 85–241; to the Committee on Armed Services.

74. A letter from the Acting Secretary of the Army, transmitting a report of the number of officers on duty with the Department of the Army and the Army General Staff on June 30, 1958, pursuant to section 201(c), Public Law 581, 81st Congress; to the Committee on Armed Services.

75. A letter from the Director, Research and Development, Department of the Army, transmitting a report on Department of the Army research and development contracts, $50,000 or more, covering period of January 1 through June 30, 1958, pursuant to section 4, Public Law 557, 82d Congress, chapter 882, 2d session; to the Committee on Armed Services.

76. A letter from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, transmitting the quarterly report of Federal contributions for the quarter ending June 30, 1958, pursuant to subsection 201(i) of the Federal Civil Defense Act of 1950; to the Committee on Armed Services.

77. A letter from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, transmitting the quarterly report of Federal contributions for the quarter ending September 30, 1958, pursuant to subsection 201(i) of the Federal Civil Defense Act of 1950; to the Committee on Armed Services.

78. A letter from the Assistant Secretary of Defense (Supply and Logistics), transmitting a report by the Departments of the Army, Navy, and Air Force for the period from January 1 through June 30, 1958, listing new contracts negotiated by authority of sections 2304(a)(11) and 2304(a)(16), title 10, United States Code, pursuant to title 10, United States Code, section 2304(e); to the Committee on Armed Services.

79. A letter from the Deputy Secretary of Defense, transmitting the 14th semiannual report of payments made for correction of military or naval records January 1 through June 30, 1958, pursuant to Public Law 220, 82d Congress; to the Committee on Armed Services.

80. A letter from the Acting Chief, Bureau of Yards and Docks, Department of the Navy, transmitting the semiannual report of the Navy covering the period from January 1 through June 30, 1958, for military construction contracts awarded, pursuant to section 505, Public Law 85–241; to the Committee on Armed Services.

81. A letter from the Assistant Chief of Naval Material (Procurement) Department of the Navy, transmitting the semiannual report of the Department of the Navy covering research and development procurement actions of $50,000 and over, for the period of January 1 through June 30, 1958, pursuant to title 10, United States Code, section 2357; to the Committee on Armed Services.

82. A letter from the adjutant general, Veterans of Foreign Wars, transmitting annual reports of officers of the Veterans of Foreign Wars of the United States, with a report of audit by Haskins & Sells, certified public accountants, for the fiscal year ended August 31, 1958, pursuant to Public Law 630, 74th Congress; to the Committee on Armed Services.

83. A letter from the Attorney General, transmitting a survey of the act's minerals exploration assistance program upon competition and small business, pursuant to section 708(e) of the Defense Production Act of 1950, as amended; also review of the outstanding voluntary agreements and programs established under section 708(b) of the act; to the Committee on Banking and Currency.

84. A letter from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, transmitting the quarterly report on borrowing authority for the period ending June 30, 1958, pursuant to section 304(b) of the Defense Production Act as amended; to the Committee on Banking and Currency.

85. A letter from the Secretary of Commerce, transmitting the 45th quarterly report, pursuant to the Export Control Act of 1949; to the Committee on Banking and Currency.

86. A letter from the Assistant Secretary of Defense (Supply and Logistics), transmitting a report on Army, Navy, and Air Force prime contract awards to small and other business firms, pursuant to section 10d of the Small Business Act as amended by Public Law 85–536; to the Committee on Banking and Currency.

87. A letter from the Assistant Secretary of Defense (Supply and Logistics), transmitting reports on Army, Navy, and Air Force prime contract awards to small and other business firms during the month of June 1958, pursuant to section 6, Public Law 268, 84th Congress, which amended section 211 of the Small Business Act of 1953; to the Committee on Banking and Currency.

88. A letter from the Assistant Secretary of Defense (Supply and Logistics), transmitting reports on Army, Navy, and Air Force prime contract awards to small and other business firms during the month of July 1958, pursuant to section 10d of the Small Business Act as amended by Public Law 85–536; to the Committee on Banking and Currency.

89. A letter from the President, Export-Import Bank of Washington, transmitting report of the Export-Import Bank of Washington as of the close of business June 30, 1958, pursuant to section 9 of the Export-Import Bank Act of 1945, as amended; to the Committee on Banking and Currency.

90. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting a report of operations for the calendar year 1957, pursuant to section 17(a) of the Federal Deposit Insurance Act; to the Committee on Banking and Currency.

91. A letter from the Administrator, Small Business Administration, transmitting the quarterly report for the period ending June 30, 1958, covering the progress made in liquidating the assets formerly held by the Reconstruction Finance Corporation, pursuant to the Reconstruction Finance Corporation Liquidation Act, as amended (67 Stat. 230) and Reorganization Plan No. 1 of 1957 (22 F.R. 4633); to the Committee on Banking and Currency.

92. A letter from the Administrator, Small Business Administration, transmitting a report reflecting estimated obligations by principal activities of the Small Business Administration for the period January 1 through June 30, 1958, pursuant to section 215 of the Small Business Act of 1953, as amended; to the Committee on Banking and Currency.

93. A letter from the Administrator, Small Business Administration, transmitting the 10th Semiannual Report of the Small Business Administration covering operations between January 1, 1958, and June 30, 1958, pursuant to section 215 of the Small Business Act of 1953, as amended (Public Law 163); to the Committee on Banking and Currency.

94. A letter from the Secretary of the Treasury, transmitting the Quarterly Report on the Reconstruction Finance Corporation Liquidation Fund—Treasury Department Activities for the period ended September 30, 1958, pursuant to the Reconstruction Finance Corporation Liquidation Act, as amended (67 Stat. 230) and Reorganization Plan No. 1 of 1957 (22 F.R. 4633); to the Committee on Banking and Currency.

95. A letter from the Chairman, District of Columbia Redevelopment Land Agency, transmitting the annual report for 1958, pursuant to section 15 of the District of Columbia Redevelopment Act of 1945 (Public Law 592, 79th Cong.); to the Committee on the District of Columbia.

96. A letter from the Chairman, National Labor Relations Board, transmitting a report listing the names and salaries of all employees and officers, 1958, list of cases heard during the period July 1, 1957, to June 30, 1958, and a summary of obligations and expenditures for 1958, pursuant to section 3(c) of the Labor Management Relations Act of 1947; to the Committee on Education and Labor.

97. A letter from the Secretary of State, transmitting the 19th Semiannual Report of the International Educational Exchange Program, 1948–58, pursuant to section 1008 of Public Law 402 (80th Cong.); to the Committee on Foreign Affairs.

98. A letter from the Assistant Secretary of State, transmitting a translation of the reply which the American Embassy received from the Mexican Ministry of Foreign Affairs transmitting the thanks of the Permanent Commission of the Mexican Congress for greetings on the occasion of Pan American Day; to the Committee on Foreign Affairs.

99. A letter from the Director, United States Information Agency, transmitting the 10th semiannual report, covering the period from January 1 to June 30, 1958, pursuant to section 1008 of Public Law 402 (80th Cong.); to the Committee on Foreign Affairs.

100. A letter from the Acting Secretary of Agriculture, transmitting reports in connection with the restoration of balances withdrawn from appropriation and fund accounts, pursuant to the act of July 25, 1956 (31 U.S.C. 701–708), and the Bureau of the Budget Circular No. A–23, dated June 21, 1957; to the Committee on Government Operations.

101. A letter from the Chairman, Airways Modernization Board, transmitting a report on unexpended balances as of June 30, 1958, and a report on the restoration of balances as required by 31 U.S.C. 701(a); to the Committee on Government Operations.

102. A letter from the Architect of the Capitol, transmitting a copy of the "Report Prior to Restoration of Balances," for the fiscal year ending June 30, 1958, pursuant to the Bureau of the Budget Circular No. A–23 dated June 21, 1957; to the Committee on Government Operations.

103. A letter from the Administrative Assistant Attorney General, Department of Justice, transmitting reports in connection with the restoration of balances withdrawn from appropriation and fund accounts, pursuant to the act of July 25, 1957 (31 U.S.C. 701–708), and as required by the Bureau of the Budget Circular No. A–23; to the Committee on Government Operations.

104. A letter from the Chairman, Civil Aeronautics Board, transmitting a copy of the "Report Prior to Restoration of Balances," pursuant to Public Law 798, 84th Congress, and title 7, GAO Manual, section 2075; to the Committee on Government Operations.

105. A letter from the Secretary of Commerce, transmitting a copy of a report prior to restoration of balances previously withdrawn from the appropriation "Operation and regulation, Civil Aeronautics Administration" (1371333), pursuant to Public Law 798, 84th Congress; to the Committee on Government Operations.

106. A letter from the Acting Secretary of Commerce, transmitting copies of reports prior to restoration of balances previously withdrawn from appropriations in the Treasury, pursuant to the provisions of Public Law 798, 84th Congress; to the Committee on Government Operations.

107. A letter from the Deputy Secretary of Defense, transmitting reports with respect to restorations, as of June 30, 1958, of previously withdrawn unobligated balances, pursuant to Public Law 798, 84th Congress; to the Committee on Government Operations.

108. A letter from the Chairman, Federal Trade Commission, transmitting a report requesting restoration of $336.96 from the unobligated balance of the appropriation for the fiscal year 1946 which has been previously withdrawn, pursuant to 31 U.S.C. 701–708, Bureau of the Budget Circular A–23, and General Accounting Office regulations; to the Committee on Government Operations.

109. A letter from the Administrator, General Services Administration, transmitting copies of four reports prior to restoration of balances, pursuant to Public Law 798, 84th Congress (31 U.S.C. 701–708; to the Committee on Government Operations.

110. A letter from the Acting Administrator, General Services Administration, transmitting a report on contracts negotiated under section 302(c)(10) during the 6-month period ending December 31, 1957, and the 6-month period ending June 30, 1958, pursuant to Public Law 152, 81st Congress, as amended; to the Committee on Government Operations.

111. A letter from the Secretary of Health, Education, and Welfare, transmitting 13 reports prior to restoration of balances as of June 30, 1958, pursuant to Public Law 798, approved July 25, 1956 (31 U.S.C. 701–708); to the Committee on Government Operations.

112. A letter from the Comptroller General of the United States, transmitting a report on the examination of the economic and technical assistance program for Laos by the International Cooperation Administration, Department of State, for the fiscal years 1955–57; to the Committee on Government Operations.

113. A letter from the Comptroller General of the United States, transmitting a copy of a letter to the Secretary of the Air Force, dated July 21, 1958, regarding the examination of the award and administration of the contract with Curtiss-Wright Europe, N.V., pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

114. A letter from the Comptroller General of the United States, transmitting a report on the audit of the 1957 soil-bank programs, Commodity Stabilization Service, Department of Agriculture, January 1958, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

115. A letter from the Comptroller General of the United States, transmitting a report on the examination of the pricing of the Department of the Air Force contract AF33(600)-29507 with General Motors Corp., AC Spark Plug Division, Milwaukee, Wis., pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), the Accounting and Auditing Act of 1950 (31 U.S.C. 67), and the authority of the Comptroller General to examine contractors' records, as set forth in 10 U.S.C. 2313(b); to the Committee on Government Operations.

116. A letter from the Comptroller General of the United States, transmitting a report on the audit of the National Bureau of Standards, Department of Commerce, for the fiscal years 1955–57, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

117. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc., for the fiscal year ended June 30, 1958, pursuant to the act of May 7, 1928 (22 U.S.C. 278a); to the Committee on Government Operations.

118. A letter from the Comptroller General of the United States, transmitting a report on the examination of the Department of the Army contract DAI–28–017–501–ORD(P)–1467 with A. O. Smith Corp., Milwaukee, Wis., pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), the Accounting and Auditing Act of 1950 (31 U.S.C. 67), and the authority of the Comptroller General to examine contractors' records, as set forth in 10 U.S.C. 2313(b); to the Committee on Government Operations.

119. A letter from the Comptroller General of the United States, transmitting a report on the audit of the general supply fund, General Services Administration, for the fiscal year ended June 30, 1957, pursuant to the provisions of section 109(e) of the Federal Property and Administrative Services Act of 1949 (5 U.S.C. 630g(e)); to the Committee on Government Operations.

120. A letter from the Comptroller General of the United States, transmitting a report on the deficiencies in the management of requirements and the control of related procurement for Hi-Valu aircraft spare parts at the Sacramento air materiel area, McClellan Air Force Base, Sacramento, Calif., pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

121 A letter from the Comptroller General of the United States, transmitting a report on the review of selected activities of the aviation segment of the Navy supply system, as of September 1958, Aviation Supply Office, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

122. A letter from the Comptroller General of the United States, transmitting a report on the examination of subcontracts awarded to the Goodyear Aircraft Corp., Arizona division, Litchfield Park, Ariz., under the Department of the Air Force prime contracts, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), the Accounting and Auditing Act of 1950 (31 U.S.C. 67), and the authority of the Comptroller General to examine contractors' records as set forth in 10 U.S.C. 2313(b); to the Committee on Government Operations.

123. A letter from the Comptroller General of the United States, transmitting a report of the review of the financing and construction of the U.S. post office and courthouse public building project at Rock Island, Ill., acquired by the General Services Administration under the lease-purchase program, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

124. A letter from the Comptroller General of the United States, transmitting a report on the review of the programing, budgeting, accounting, and reporting activities of the Bureau of Indian Affairs, Department of the Interior, as of May 1958, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

125. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Farmers' Home Administration, Department of Agriculture, for the fiscal years ending June 30, 1956, and 1957, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

126. A letter from the Comptroller General of the United States, transmitting a report on the audit of the accounts of the disbursing officers of the Navy during the fiscal years 1956 and 1957, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

127. A letter from the Comptroller General of the United States, transmitting a report on the audit of the direct distribution program activities of the Agricultural Marketing Service, Department of Agriculture, for the fiscal year ending June 30, 1957, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

128. A letter from the Comptroller General of the United States, transmitting a report on the audit of the activities of the Corps of Engineers (civil functions), Department of the Army, and the Southwestern Power Administration, Department of the Interior, in the Arkansas, White, and Red River Basins, including the Whitney project, Texas, for the fiscal year ended June 30, 1957, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

129. A letter from the Comptroller General of the United States, transmitting a report on the examination of the Department of the Navy negotiated contracts with Collins Radio Co., Cedar Rapids, Iowa, for AN/ARC-27 airborne radio equipment, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), the Accounting and Auditing Act of 1950 (31 U.S.C. 67), and the authority of the Comptroller General to examine contractors' records, as set forth in 10 U.S.C. 2313(b); to the Committee on Government Operations.

130. A letter from the Comptroller General of the United States, transmitting a report on the examination of the pricing of negotiated fixed-price subcontracts for aircraft fuel cells awarded to the Firestone Tire & Rubber Co., Los Angeles, Calif., by the Boeing Airplane Co., Seattle, Wash., and Wichita, Kans., and the Lockheed Aircraft Corp., Burbank, Calif., under the Department of the Air Force prime contracts, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), the Accounting and Auditing Act of 1950 (31 U.S.C. 67), and the authority of the Comptroller General to examine contractors' records, as set forth in 10 U.S.C. 2313(b); to the Committee on Government Operations.

131. A letter from the Comptroller General of the United States, transmitting a report on the examination of the economic and technical assistance for the Government of the Republic of China (Taiwan), fiscal years 1955–57, as administered by the International Cooperation Administration and its predecessor agencies under the mutual security program; to the Committee on Government Operations.

132. A letter from the Comptroller General of the United States, transmitting a report on the review of selected activities of the Ships Parts Control Center, Mechanicsburg, Pa., Department of the Navy, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

133. A letter from the Comptroller General of the United States, transmitting a report on the examination of the pricing of the Department of the Air Force negotiated contracts and subcontracts with Avtron Manufacturing, Inc., Cleveland, Ohio, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), the Accounting and Auditing Act of 1950 (31 U.S.C. 67), and the authority of the Comptroller General to examine contractors' records, as set forth in 10 U.S.C. 2313(b); to the Committee on Government Operations.

134. A letter from the Comptroller General of the United States, transmitting a report on the review of the settlement of shipbuilders' requests for price increases for damages arising from Government delays in furnishing plans and materials, made by the Bureau of Ships, the Department of the Navy; pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), the Accounting and Auditing Act of 1950 (31 U.S.C. 67), and the authority of the Comptroller General to examine contractors' records, as set forth in 10 U.S.C. 2313(b); to the Committee on Government Operations.

135. A letter from the Acting Director, International Cooperation Administration, transmitting a copy of a reply to a letter from the Comptroller General of the United States in regard to the General Accounting Office report on their examination of the assistance program for Vietnam for the fiscal years 1955 through 1957, as administered by the International Cooperation Administration under the mutual security program; to the Committee on Government Operations.

136. A letter from the Chairman, Interstate Commerce Commission, transmitting a copy of "Report Prior to Restoration of Balances," pursuant to the act of July 25, 1956 (31 U.S.C. 701–708), effective June 30, 1957; to the Committee on Government Operations.

137. A letter from the Acting Deputy Comptroller, Department of the Navy, transmitting a copy of "Report Prior to Restoration of Balances" for the account "Emergency fund for the President, national defense, prior years (17–11M0036.54)," pursuant to Public Law 798, 84th Congress, 31 U.S.C. 701–708; to the Committee on Government Operations.

138. A letter from the Secretary of State, transmitting the fifth report of the Department of State on its activities under the Federal Property and Administrative Services Act of 1949 (Public Law 152, 81st Cong., as amended), covering the calendar years 1956 and 1957, pursuant to the provisions of title IV, section 404(d), Public Law 152, 81st Congress, as amended; to the Committee on Government Operations.

139. A letter from the Acting Assistant Secretary for Administration, Department of State, transmitting copies of requests for the restoration of unobligated balances to appropriation accounts, pursuant to subsection (a)(2) of Public Law 798, 84th Congress, and subsequent instructions issued by the Bureau of the Budget Circular No. A–23, dated June 21, 1957; to the Committee on Government Operations.

140. A letter from the Acting Secretary of the Treasury, transmitting copies of reports of the Bureau of the Mint and the Coast Guard covering restoration of balances withdrawn from appropriation and fund accounts under the control of the Treasury Department, pursuant to section 1(a)(2) of the act of July 25, 1956 (70 Stat. 648) (31 U.S.C. Supp. V, 701(a)(2)), 84th Congress, and in accordance with instructions prescribed in the Bureau of the Budget Circular No. A–23, dated June 21, 1957; to the Committee on Government Operations.

141. A letter from the Acting Secretary of the Treasury, transmitting copies of two reports of the Bureau of the Mint covering restorations of balances withdrawn from appropriations and fund accounts under the control of the Treasury Department, pursuant to section 1(a)(2) of the act of July 25, 1956 (70 Stat. 648) (31 U.S.C. Supp. IV, 701(a)(2)), 84th Congress, and in accordance with instructions prescribed in the Bureau of the Budget Circular No. A–23, dated June 21, 1957; to the Committee on Government Operations.

142. A letter from the Acting Secretary of the Treasury, transmitting a copy of a report of the Bureau of the Mint covering restoration of balances withdrawn from appropriation and fund accounts under the control of the Treasury Department, pursuant to section 1(a)(2) of the act of July 25, 1956 (70 Stat. 648) (31 U.S.C. Supp. V, 701(a)(2)), 84th Congress, and in accordance with instructions prescribed in the Bureau of the Budget Circular No. A–23, dated June 21, 1957; to the Committee on Government Operations.

143. A letter from the Director, Administrative Office of the United States Courts, transmitting a report for the restoration of $193.72, the amount required for the payment of an obligation incurred during the fiscal year 1956 but which remained unpaid as of June 30, 1958, pursuant to section 701(2) of title 31, United States Code, and in accordance with the Bureau of the Budget Circular No. A–23, dated July 21, 1957; to the Committee on Government Operations.

144. A letter from the Deputy Assistant Director, Administrative Office of the United States Courts, transmitting reports covering restorations required for the payment of obligations as of July 31, 1958, in accordance with the Bureau of the Budget Circular No. A–23, dated July 21, 1957; to the Committee on Government Operations.

145. A letter from the Chief Commissioner, Indian Claims Commission, transmitting the final report dated October 28, 1958, on the following claim: *James Strong, et al., as the Representatives and on behalf of all members by blood of the Chippewa Tribe of Indians, Plaintiffs,* v. *The United States of America, Defendant,* docket No. 13–M, pursuant to section 21 of the Indian Claims Commission Act of August 13, 1946 (60 Stat. 1055; 25 U.S.C. 70t); to the Committee on Interior and Insular Affairs.

146. A letter from the Chief Commissioner, Indian Claims Commission, transmitting the final report dated November 25, 1958, with respect to the claim: *The Quechan Tribe of the Fort Yuma Reservation, Calif., Petitioner,* v. *The United States of America, Defendant,* docket No. 86, pursuant to section 21 of the Indian Claims Commission Act of August 13, 1946 (60 Stat. 1055; 25 U.S.C. 70t); to the Committee on Interior and Insular Affairs.

147. A letter from the Assistant Secretary of the Interior, transmitting a report showing the Donna Irrigation District, Hidalgo County No. 1, Texas, has applied for a project estimated to cost $4,400,000, pursuant to section 10 of the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

148. A letter from the Acting Secretary of the Navy, transmitting the second annual report relating to the construction of the DeLuz Dam, San Diego County, Calif., for the Fallbrook public-utility district, pursuant to section 7, of the act of July 28, 1954, Public Law 547, 83d Congress (68 Stat. 575); to the Committee on Interior and Insular Affairs.

149. A letter from the Solicitor General of the United States, transmitting a status report dated September 26, 1958, relating to the construction of the DeLuz Dam, San Diego County, Calif., for the Fallbrook public-utility district, pursuant to section 7 of the act of July 28, 1954, Public Law 547, 83d Congress (68 Stat. 575); to the Committee on Interior and Insular Affairs.

150. A letter from the Attorney General, transmitting the Third Report of the Attorney General consenting to the renewal of the interstate compact to conserve oil and gas, pursuant to section 2 of Public Law 185, the joint resolution of July 28, 1955; to the Committee on Interstate and Foreign Commerce.

151. A letter from the Secretary of Commerce, transmitting the annual financial report on the commissary activities of the Civil Aeronautics Administration outside the continental United States, pursuant to Public Law 390, 81st Congress; to the Committee on Interstate and Foreign Commerce.

152. A letter from the Secretary of Commerce, transmitting the 10th interim report of studies carried on during the fiscal year 1958 covering the causes and characteristics of thunderstorms and other atmospheric disturbances, pursuant to Public Law 657, 80th Congress; to the Committee on Interstate and Foreign Commerce.

153. A letter from the Acting Chairman, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases as of June 30, 1958, pursuant to section 5(e) of the Communications Act as amended July 16, 1952, by Public Law 554; to the Committee on Interstate and Foreign Commerce.

154. A letter from the Acting Chairman, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases as of July 31, 1958, pursuant to section 5(e) of the Communications Act as amended July 16, 1952, by Public Law 554; to the Committee on Interstate and Foreign Commerce.

155. A letter from the Acting Chairman, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases as of August 31, 1958, pursuant to section 5(e) of the Communications Act as amended July 16, 1952, by Public Law 554; to the Committee on Interstate and Foreign Commerce.

156. A letter from the Acting Chairman, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases as of September 30, 1958, pursuant to section 5(e) of the Communications Act as amended July 16, 1952, by Public Law 554; to the Committee on Interstate and Foreign Commerce.

157. A letter from the Director, Joint Commission on Mental Illness and Health, transmitting copies of volume 1, entitled "Current Concepts of Positive Mental Health," and volume 2, entitled "Economics of Mental Illness," of the monograph series of the Joint Commission on Mental Illness and Health, pursuant to section 304(b), Public Law 182, approved July 28, 1955; to the Committee on Interstate and Foreign Commerce.

158. A letter from the Secretary of Commerce, transmitting a report of the activities under title XII of the Merchant Marine Act, 1936, as amended, for the period ending September 30, 1958, to provide war risk insurance and certain marine and liability insurance for the American public, pursuant to section 1211 of the Merchant Marine Act of

1936, as amended; to the Committee on Merchant Marine and Fisheries.

159. A letter from the Secretary of Commerce, transmitting the quarterly report of the Maritime Administration of the Department of Commerce on the activities and transactions of the Administration for the period July 1 to September 30, 1958, pursuant to section 13 of the Merchant Ship Sales Act of 1946, as amended; to the Committee on Merchant Marine and Fisheries.

160. A letter from the Chairman, Pacific Marine Fisheries Commission, transmitting the 10th annual report for the year 1957, pursuant to Public Law 232, 80th Congress; to the Committee on Merchant Marine and Fisheries.

161. A letter from the Chairman, Civil Service Commission, transmitting the 37th Annual Report of the Board of Actuaries of the Civil Service Retirement System for the fiscal year ended June 30, 1957, pursuant to section 16 of the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

162. A letter from the Comptroller General of the United States, transmitting a special report on Washington City Post Office Building, Post Office Department, dated October 1958, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Post Office Department Financial Control Act of 1950 (39 U.S.C. 794c); to the Committee on Post Office and Civil Service.

163. A letter from the Acting Secretary of the Treasury, transmitting a report of operations by Federal departments and establishments in connection with the bonding of officers and employees under the provisions of section 14(c) of the act of August 9, 1955 (6 U.S.C. Supp. V, 14), for the fiscal year ended June 30, 1958; to the Committee on Post Office and Civil Service.

164. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated August 11, 1958, submitting a report, together with accompanying papers and illustrations, on a review of reports on the Mississippi River at and in vicinity of Plattin Creek, Crystal City, and Festus, Mo., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted July 14, 1953, June 17, 1948, and March 16, respectively; to the Committee on Public Works.

165. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated August 18, 1958, submitting a report, together with accompanying papers and illustrations, on a review of reports on Mad River above Huffman Dam, Ohio, requested by a resolution of the Committee on Public Works, House of Representatives, adopted March 16, 1954; to the Committee on Public Works.

166. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated August 25, 1958, submitting a report, together with accompanying papers and an illustration on a letter report on Appomattox River at Hopewell, Va., authorized by the River and Harbor Act, approved July 24, 1946; to the Committee on Public Works.

167. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 12, 1958, submitting a report, together with accompanying papers and illustrations, on a review of reports on Little Black River, Mo. and Ark., requested by a resolution of the Committee on Public Works, House of Representatives, adopted May 27, 1949; to the Committee on Public Works.

168. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 16, 1958, submitting a report, together with accompanying papers and illustrations, on a review of report on Crooked Creek at and in the vicinity of Harrison, Ark., requested by a resolution of the Committee on Public Works, House of Representatives, adopted May 28, 1946; to the Committee on Public Works.

169. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 17, 1958, submitting a report together with accompanying papers and an illustration, on a letter report on streams in vicinity of Alice, Tex., authorized by Flood Control Act approved September 3, 1954; to the Committee on Public Works.

170. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 13, 1958, submitting a report, together with accompanying papers and illustrations, on review of reports on Black Fork of Mohican River, Ohio, requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 29, 1955; to the Committee on Public Works.

171. A letter from the Director, National Capital Planning Commission, transmitting a report showing lands acquired by the Commission during the fiscal year 1958 for the development of park, parkway, and playground system of the National Capital and its environs in nearby Maryland and Virginia, pursuant to section 13, Public Law 592, approved July 19, 1952; to the Committee on Public Works.

172. A letter from the Assistant Secretary, Department of Agriculture, transmitting a report for the month of October of the cooperative program of the United States with Mexico for the control and the eradication of foot-and-mouth disease, pursuant to section 3, Public Law 8, 80th Congress (21 U.S.C. 114d); to the Committee on Agriculture.

173. A letter from the Assistant Secretary, Department of Agriculture, transmitting a report for the month of November 1958, covering cooperative program of the United States with Mexico for the control and the eradication of foot-and-mouth disease, pursuant to section 3, Public Law 8, 80th Congress (21 U.S.C. 114d); to the Committee on Agriculture.

174. A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting a report of agreements concluded during November 1958 under title I of the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480, 83d Cong.), pursuant to Public Law 128, 85th Congress; to the Committee on Agriculture.

175. A letter from the Secretary of the Interior (Chairman, Migratory Bird Conservation Commission) transmitting the report of the Migratory Bird Conservation Commission for the fiscal year ended June 30, 1958, pursuant to section 3 of the act approved February 18, 1929 (45 Stat. 1222; 16 U.S.C. 715b); to the Committee on Agriculture.

176. A letter from the Deputy Secretary of Defense, transmitting reports of violations of section 3679, Revised Statutes, and Department of Defense Directive 7200.1, "Administrative Control of Appropriations Within the Department of Defense," pursuant to section 3679(1)(2); to the Committee on Appropriations.

177. A letter from the Under Secretary for Economic Affairs, Department of State, transmitting the quarterly report for the period July 1 through September 30, 1958, on utilization of foreign currencies, pursuant to section 108, Mutual Security Appropriation Act, 1959, Public Law 85-853; to the Committee on Appropriations.

178. A letter from the Secretary of the Army, transmitting a report of the number of officers on duty with Department of the Army and the Army General Staff on September 30, 1958, pursuant to section 201(c), Public Law 581, 81st Congress; to the Committee on Armed Services.

179. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize the appointment of Philip Ferdinand Lindeman as permanent colonel of the Regular Army; to the Committee on Armed Services.

180. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize the appointment of Robert Wesley Colglazier, Jr., as permanent brigadier general of the Regular Army; to the Committee on Armed Services.

181. A letter from the Assistant Secretary of the Navy (Air), transmitting a report of the number of officers above the rank of lieutenant commander in the Navy with the average monthly flight pay authorized by law to be paid to such officers during the 6-month period preceding December 15, 1958, pursuant to Public Law 301, approved February 18, 1946; to the Committee on Armed Services.

182. A letter from the Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, with respect to active-duty agreements for Reserve officers, and for other purposes; to the Committee on Armed Services.

183. A letter from the Secretary of Defense, transmitting a draft of proposed legislation to amend the act of August 3, 1950, as amended, to continue in effect the provisions relating to the authorized personnel strengths of the Armed Forces; to the Committee on Armed Services.

184. A letter from the Secretary of Defense, transmitting a draft of proposed legislation to provide for the tonnage composition of the U.S. Navy with respect to vessels, and for other purposes; to the Committee on Armed Services.

185. A letter from the Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, as relates to the Uniform Code of Military Justice; to the Committee on Armed Services.

186. A letter from the Acting Secretary of Defense, transmitting the annual report Real and Personal Property of the Department of Defense, as of June 30, 1958, pursuant to section 410 of title IV of the National Security Act of 1947, as amended; to the Committee on Armed Services.

187. A letter from the Acting Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, and certain other laws to authorize the payment of transportation and travel allowances to escorts of dependents of members of the uniformed services under certain conditions, and for other purposes; to the Committee on Armed Services.

188. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation, to amend title 10, United States Code, relative to extensions of enlistments; to the Committee on Armed Services.

189. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation, to amend title 10, United States Code, to eliminate the requirement that each chaplain make an annual report to the Secretary of the Navy; to the Committee on Armed Services.

190. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation, to amend title 10, United States Code, with respect to crediting certain service as a member of the Women's Army Auxiliary Corps, and for other purposes; to the Committee on Armed Services.

191. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize the sale of military clothing and textile material to contractors for use in the performance of United States contracts; to the Committee on Armed Services.

192. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to authorize the crediting of certain service for purpose of retired pay for nonregular service, and for other purposes; to the Committee on Armed Services.

193. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, by repealing section 7474, which grants the Secretary of the Navy the authority to establish rates of wages for certain employees of naval activities; to the Committee on Armed Services.

194. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend the act of June 21, 1950, relating to the appointment of boards of medical officers; to the Committee on Armed Services.

195. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize the Secretary of the Navy to furnish supplies and services to foreign and domestic aircraft, and for other purposes; to the Committee on Armed Services.

196. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, with respect to certain medals; to the Committee on Armed Services.

197. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to establish a peacetime limitation on the number of lieutenant generals in the Marine Corps; to the Committee on Armed Services.

198. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to establish a career pattern for officer-lawyers in the Regular officer structure of the U. S. Marine Corps, and for other purposes; to the Committee on Armed Services.

199. A letter from the Director, Legislative Liaison, Department of the Air Force, transmitting a report of the number of officers, lieutenant colonel and above, by age and grade receiving flying pay on August 31, 1958, together with the average monthly amount of such pay during the period from March 1, 1958, through August 31, 1958, pursuant to Public Law 301, 79th Congress; to the Committee on Armed Services.

200. A letter from the Acting Secretary of the Treasury, transmitting a report of purchases and contracts made under authority of clause (11), subsection (a) of section 2304 of title 10, United States Code, for experimental, developmental, or research work, for the period of May 19, 1958, to November 19, 1958; to the Committee on Armed Services.

201. A letter from the vice president, the Chesapeake & Potomac Telephone Co., transmitting the annual report for the year 1958, as required by law; to the Committee on the District of Columbia.

202. A letter from the Under Secretary of State for Economic Affairs, transmitting the final report for the fiscal year 1958 on major changes in the mutual security program as required by section 513 of the Mutual Security Act of 1954, as amended, pursuant to rule XI of the House of Representatives; to the Committee on Foreign Affairs.

203. A letter from the Comptroller General of the United States, transmitting a report on the review, as of June 1957, of the slum clearance and urban renewal program which is administered by the Urban Renewal Administration through the regional offices of the Housing and Home Finance Agency, pursuant to title 31, United States Code, section 53, and title 31, United States Code, section 67; to the Committee on Government Operations.

204. A letter from the Comptroller General of the United States, transmitting a report on the audit of the wage accounting and unemployment contribution collection activities of the Railroad Retirement Board, January 1958, pursuant to title 31, United States Code, section 53, and title 31, United States Code, section 67; to the Committee on Government Operations.

205. A letter from the Comptroller General of the United States, transmitting a report on the review of activities of the Supply Department, Naval Air Station, Alameda, Calif., pursuant to 31 U.S.C. 53 and 31 U.S.C. 67; to the Committee on Government Operations.

206. A letter from the Comptroller General of the United States, transmitting a report on the audit of accounts of Marine Corps disbursing officers for the fiscal years ended June 30, 1956 and 1957, pursuant to 31 U.S.C. 53 and 31 U.S.C. 67; to the Committee on Government Operations.

207. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to revise eligibility requirements for burial in national cemeteries, and for other purposes; to the Committee on Interior and Insular Affairs.

208. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend section 1107 of the Federal Aviation Act of 1958 to authorize the sale of goods and services by any department or independent establishment to the owner of an aircraft or his agent in an emergency, and for other purposes; to the Committee on Interstate and Foreign Commerce.

209. A letter from the Chairman, Federal Communications Commission, transmitting a copy of report on backlog of pending applications and hearing cases as of October 31, 1958, pursuant to section 5(e) of the Communications Act as amended July 16, 1952, Public Law 554; to the Committee on Interstate and Foreign Commerce.

210. A letter from the Chairman, Federal Power Commission, transmitting information on licensed hydroelectric projects and on personnel of the Federal Power Commission for the fiscal year ended June 30, 1958, pursuant to section 4(d) of the Federal Power Act, approved August 26, 1935; to the Committee on Interstate and Foreign Commerce.

211. A letter from the Chairman, Federal Power Commission, transmitting a copy of the following: Major natural gas pipelines map, June 30, 1958; typical electric bills, cities of 50,000 population and more, 1958; and hydroelectric power resources of the United States, 1957; to the Committee on Interstate and Foreign Commerce.

212. A letter from the Surgeon General, Public Health Service, Department of Health, Education, and Welfare, transmitting a report of the National Conference on Public Health Training held on July 28–30, 1958, pursuant to title I of the Health Amendments Act of 1956, Public Law 911, 84th Congress; to the Committee on Interstate and Foreign Commerce.

213. A letter from the Chairman, Interstate Commerce Commission, transmitting the 72d Annual Report of the Interstate Commerce Commission for the fiscal year ended June 30, 1958; to the Committee on Interstate and Foreign Commerce.

214. A letter from the national secretary-treasurer, Sons of Union Veterans of the Civil War, transmitting the annual audit and report for the year ending June 30, 1958, pursuant to section 15(a) and section 16, Public Law 605, 83d Congress; to the Committee on the Judiciary.

215. A letter from the Secretary of Defense, transmitting a draft of proposed legislation to govern the salaries and personnel practices for teachers, certain school officers, and other employees of the dependents schools of the Department of Defense in foreign countries, and for other purposes; to the Committee on Post Office and Civil Service.

216. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 24, 1958, submitting a report, together with accompanying papers and illustrations, on a review of report on Cadron Creek, Ark., requested by a resolution of the Committee on Flood Control, House of Representatives, adopted May 15, 1946; to the Committee on Public Works.

217. A letter from the director, the American Legion, transmitting the financial statement of the American Legion up to and including the period ending October 31, 1958, pursuant to Public Law 47, 66th Congress; to the Committee on Veterans' Affairs.

218. A letter from the Chairman, the Renegotiation Board, transmitting the third annual report for 1958, pursuant to section 114, Public Law 870, 84th Congress; to the Committee on Ways and Means.

219. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report on the appropriation to the National Labor Relations Board for "Salaries and expenses," for the fiscal year 1959, as required by section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

220. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report covering the appropriation to the Department of State for "Operation and maintenance," International Boundary and Water Commission, United States and Mexico, for the fiscal year 1959, as required by section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

221. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report covering the appropriation for the Department of the Interior for "Management of lands and resources," Bureau of Land Management, for the fiscal year 1959, as required by section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

222. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report on the appropriation to the Bureau of Customs for "Salaries and expenses," for the fiscal year 1959, as required by section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

223. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report of the appropriation to the Department of Labor for "Salaries and expenses, Bureau of Employment Security," for the fiscal year 1959, required by section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

224. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report covering the appropriation to the Department of the Navy for "Military personnel, Navy," 1959, as required by section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

225. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report on the appropriation to the Department of the Air Force for "Military personnel, Air Force," 1959, required by section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

226. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report on the appropriation to the Department of Justice for "Support of United States prisoners," for the fiscal year 1959, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

227. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report covering the appro-

priation to the Department of Justice for "Salaries and expenses, Bureau of Prisons," for the fiscal year 1959, required by section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), pursuant to Public Law 85–462; to the Committee on Appropriations.

228. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report covering the appropriation to the Department of Justice for "Salaries and expenses, United States attorneys and marshals," for the fiscal year 1959 as required by section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

229. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report to the Department of Defense for "Medical care, Navy," for the fiscal year 1959, as required by section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

230. A letter from the Administrator, General Services Administration, transmitting a notice of a proposed disposition of a quantity of agar held in the national stockpile, pursuant to provisions of section 3(e) of the Strategic and Critical Materials Stockpiling Act (53 Stat. 811), as amended (50 U.S.C. 98b(e)); to the Committee on Armed Services.

231. A letter from the Acting Administrator, General Services Administration, transmitting a report of GSA operations in the production of abaca during fiscal year 1958, pursuant to section 7 of the Abaca Production Act of 1950, Public Law 683, 81st Congress; to the Committee on Armed Services.

232. A letter from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, transmitting the semiannual report on the strategic and critical materials stockpiling program for the period January 1 to June 30, 1958, pursuant to section 4 of the Strategic and Critical Materials Stockpiling Act, Public Law 520, 79th Congress; to the Committee on Armed Services.

233. A letter from the Deputy Secretary of Defense, transmitting the annual report covering the professional and scientific positions established in the Department of Defense, pursuant to Public Law 313, 80th Congress, as amended; to the Committee on Armed Services.

234. A letter from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, transmitting the 31st report on property acquisitions for the quarter ending September 30, 1958, pursuant to subsection 201(h) of the Federal Civil Defense Act of 1950; to the Committee on Armed Services.

235. A letter from the Director, Legislative Liaison, Department of Air Force, transmitting the annual report on "Progress of the Flight Training Program," pursuant to section 6 of the act of August 1, 1956 (ch. 830) (70 Stat. 804); to the Committee on Armed Services.

236. A letter from the Under Secretary of the Navy, transmitting a proposal to transfer a 40-foot motorboat, hull No. 15816 and engine No. 671–147343, to the Woodridge Congregational Church, of Cranston, R.I., pursuant to title 10, United States Code, sections 7308 and 7308(c); to the Committee on Armed Services.

237. A letter from the Secretary of the Army, transmitting the report for the 6-month period ending December 31, 1958, of the Army aviation personnel above the rank of major; to the Committee on Armed Services.

238. A letter from the Executive Secretary, Public Utilities Commission of the District of Columbia, transmitting the 45th annual report covering the calendar year 1957 in accordance with the provisions of paragraphs 14 and 20 of section 8 of an act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913; to the Committee on the District of Columbia.

239. A letter from the Secretary of State, transmitting the "Twentieth Semiannual Report on the International Educational Exchange Program," pursuant to the provisions of section 1008 of Public Law 402 (80th Cong.); to the Committee on Foreign Affairs.

240. A letter from the Acting Secretary, Department of State, transmitting a draft of proposed legislation to amend the Foreign Service Act of 1946, as amended, and for other purposes; to the Committee on Foreign Affairs.

241. A letter from the Acting Secretary of the Treasury, transmitting an itemized report covering transactions during the fiscal year 1958, for account of the Pershing Hall Memorial fund, pursuant to the act of June 28, 1935 (49 Stat. 426, sec. 3); to the Committee on Government Operations.

242. A letter from the Comptroller General of the United States, transmitting a copy of a report to the Secretary of the Interior on the audit of the financial statements of the Columbia River power system and related activities for the fiscal year ended June 30, 1958, pursuant to 31 U.S.C. 53 and 31 U.S.C. 67; to the Committee on Government Operations.

243. A letter from the Comptroller General of the United States, transmitting a report of the review of the Atomic Energy Commission contract No. AT(11–1)–513 with Consumers Public Power District, pursuant to 31 U.S.C. 53 and 42 U.S.C. 2206; to the Committee on Government Operations.

244. A letter from the Comptroller General of the United States, transmitting a report on the review of requirements determinations and related procurement for ground communication-electronic (C–E) equipment, Rome Air Force Depot (RAFD), Department of the Air Force, pursuant to 31 U.S.C. 53 and 31 U.S.C. 67; to the Committee on Government Operations.

245. A letter from the Librarian of Congress and Chairman, Permanent Committee for the Oliver Wendell Holmes Devise, transmitting a report of the affairs of the Committee for the fiscal year ending June 30, 1958; to the Committee on House Administration.

246. A letter from the Assistant Secretary of the Interior, transmitting the second annual report on the status of the Colorado River storage project and participating projects, pursuant to section 6 of the authorizing act of April 11, 1956 (70 Stat. 105); to the Committee on Interior and Insular Affairs.

247. A letter from the Surgeon General, Public Health Service, Department of Health, Education, and Welfare, transmitting a report on a conference broadly representative of groups interested in and informed about the needs for advanced nursing education, to assist him in appraising the effectiveness of the traineeship program, to consider the feasibility of financing by means of a Federal-State matching formula, and to recommend extension or modification of the law as now written, pursuant to title II of the Health Amendments Act of 1956 (Public Law 911, 84th Cong.); to the Committee on Interstate and Foreign Commerce.

248. A letter from the Under Secretary of the Navy, transmitting a report of all settlements of property loss, incident to service, members of Army, Navy, Air Force, or Marine Corps, and civilian employees, during the fiscal year 1958, beginning July 1, 1957, and ending June 30, 1958, pursuant to title 10, United States Code, section 2732(f); to the Committee on the Judiciary.

249. A letter from the Deputy Postmaster General, transmitting a report of the claims paid by the Post Office Department under the provisions of the Federal Tort Claims Act during the fiscal year 1958; to the Committee on the Judiciary.

250. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases of certain aliens who have been found admissible into the United States, pursuant to section 212(a)(28)(I)(ii); to the Committee on the Judiciary.

251. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases of certain aliens where the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in their behalf, pursuant to section 212(d)(6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

252. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases of certain aliens where the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in their behalf, pursuant to section 212(d)(6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

253. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases of certain aliens where the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in their behalf, pursuant to section 212(d)(6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

254. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases of certain aliens who have been found admissible into the United States, pursuant to section 212(a)(28)(I)(ii), of the Immigration and Nationality Act; to the Committee on the Judiciary.

255. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases of certain aliens who have been found admissible into the United States, pursuant to section 212(a)(28)(I)(ii), of the Immigration and Nationality Act; to the Committee on the Judiciary.

256. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases of certain aliens who have been found admissible into the United States, pursuant to section 212(a)(28)(I)(ii), of the Immigration and Nationality Act; to the Committee on the Judiciary.

257. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a request dated October 16, 1958, for the withdrawal in the case of Agostino Sbrana, A–10269944, involving suspension of deportation, pursuant to section 244(a)(1) of the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

258. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases of certain aliens where the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in their behalf, pursuant to section 212(d)(6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

259. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a request for withdrawal, made in letter dated October 15, 1958, in the case of Pablo or Paul Martinez, A–3086784, involving suspension of

deportation, pursuant to section 244(a)(1) of the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

260. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting the request of withdrawal in the case of Hans Theodore Max Blanke, A–1107735, involving suspension of deportation, made in letter dated July 15, 1958, pursuant to section 19(c) of the Immigration Act of February 5, 1917, as amended; to the Committee on the Judiciary.

261. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases of certain aliens who have been found admissible into the United States, pursuant to section 212(a)(28)(I)(ii); to the Committee on the Judiciary.

262. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting 334 reports, in alphabetical order, concerning individuals admitted to the United States notwithstanding affliction with tuberculosis, pursuant to section 6 of the Immigration Act of September 11, 1957; to the Committee on the Judiciary.

263. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend section 2734 of title 10, United States Code, to extend the statute of limitations in the case of certain foreign claims; to the Committee on the Judiciary.

264. A letter from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, transmitting the annual report, pursuant to section 2673, of the Federal Tort Claims Act of 1946, as amended; to the Committee on the Judiciary.

265. A letter from the Acting Secretary of the Treasury, transmitting the receipt of payment from the Alaska Steamship Co., Seattle, Wash., owners of the SS. *Iliamna,* in full settlement of a claim for damage to the CG–40423, pursuant to 14 U.S.C. 647(b), approved by the Acting Secretary of the Treasury on October 31, 1958; to the Committee on the Judiciary.

266. A letter from the Acting Secretary of the Treasury, transmitting copies of a report listing the tort claims approved for payment in the fiscal year 1958, pursuant to title 28, United States Code, section 2673; to the Committee on the Judiciary.

267. A letter from the Secretary of the Army, transmitting a draft of proposed legislation, for the relief of Lt. Col. James A. Beplat; to the Committee on the Judiciary.

268. A letter from the General Manager, U.S. Atomic Energy Commission, transmitting a report of the Atomic Energy Commission of claims paid under the Federal Tort Claims Act, for the period from July 1, 1957, through June 30, 1958, pursuant to section 2673 of title 28 of the United States Code; to the Committee on the Judiciary.

269. A letter from the chairman, board of directors, Future Farmers of America, transmitting a report on the audit of the accounts of the Future Farmers of America for the fiscal year ended June 30, 1958, pursuant to section 14, paragraph (b), Public Law 740, 81st Congress; to the Committee on the Judiciary.

270. A letter from the Administrator, General Services Administration, transmitting a report on tort claims paid by GSA during the fiscal year 1958, pursuant to title 28, section 2673, of the United States Code; to the Committee on the Judiciary.

271. A letter from the Secretary of Commerce, transmitting a report of all claims paid by the Department of Commerce during the fiscal year 1958, under part 2, section 404, of the Federal Tort Claims Act (38 U.S.C. 2673); to the Committee on the Judiciary.

272. A letter from the clerk, United States Court of Claims, transmitting copies of the court's opinion rendered November 5, 1958, in the case of *Wilbraham Academy* v. *The United States,* No. Congressional 2–55, in accordance with provisions of sections 1492 and 2509 of title 28, United States Code, pursuant to House Resolution 2699, 84th Congress; to the Committee on the Judiciary.

273. A letter from the clerk, United States Court of Claims, transmitting correspondence regarding the case of *Wilbraham Academy* v. *The United States,* No. Congressional 2–55, referring to letter dated November 5, 1958, correcting the date of the court's opinion to read October 31, 1958; to the Committee on the Judiciary.

274. A letter from the Comptroller General of the United States, transmitting a report and recommendation concerning the claim of *Ellis Timber Company* v. *The United States,* pursuant to the act of April 10, 1928 (45 Stat. 413; 31 U.S.C. 236); to the Committee on the Judiciary.

275. A letter from the Comptroller General of the United States, transmitting a report and recommendation concerning the claim of the *Sterilon Corporation* v. *The United States,* pursuant to the act of April 10, 1928 (45 Stat. 413; 31 U. S. C. 236); to the Committee on the Judiciary.

276. A letter from the Administrator, Housing and Home Finance Agency, transmitting a draft of proposed legislation for the relief of Lois K. Alexander; to the Committee on the Judiciary.

277. A letter from the Assistant Secretary of the Air Force, Financial Management, transmitting the report for fiscal year 1958 of amounts paid and/or received under section 9802, 9803, or 9804 of title 10, United States Code, pursuant to section 9805 of title 10, United States Code; to the Committee on the Judiciary.

278. A letter from the Assistant Secretary of the Air Force, transmitting the report of claims paid under section 2572 of title 28, United States Code, for fiscal year 1958, pursuant to section 2673 of title 28, United States Code; to the Committee on the Judiciary.

279. A letter from the Assistant Secretary of the Air Force, transmitting a report of claims paid during the fiscal year 1958, pursuant to section 2732(f) of title 10, United States Code, as amended; to the Committee on the Judiciary.

280. A letter from the Assistant Secretary of the Interior, transmitting the annual report for fiscal year ending June 30, 1958, on activities of the Federal aid in fish restoration program, pursuant to section 11 of the act of Congress approved August 9, 1950 (64 Stat. 430; 16 U.S.C. 777); to the Committee on Merchant Marine and Fisheries.

281. A letter from the Administrative Assistant, Secretary of the Interior, transmitting a report regarding positions in grades 16, 17, and 18 of the general schedule of the Classification Act of 1949, as amended, pursuant to several public laws of the 84th Congress; to the Committee on Post Office and Civil Service.

282. A letter from the Secretary of Defense, transmitting a draft of proposed legislation to provide certain administrative authorities for the National Security Agency, and for other purposes; to the Committee on Post Office and Civil Service.

283. A letter from the Chairman, the Commission of Fine Arts, transmitting a draft of the proposed bill to provide for suitable works of art in Federal buildings; to the Committee on Public Works.

284. A letter from the Chairman of the Board of Directors, Tennessee Valley Authority, transmitting the 25th annual report; to the Committee on Public Works.

285. A letter from the Executive Secretary, National Advisory Committee for Aeronautics, transmitting a report covering the contracts negotiated by the National Advisory Committee for Aeronautics during the period January 1, 1958, to June 30, 1958, pursuant to 10 U.S.C. 2304(a)(11) and (16); to the Committee on Science and Astronautics.

286. A letter from the Chairman, Subversive Activities Control Board, transmitting the eighth annual report, pursuant to section 12(c) of the Subversive Activities Control Act of 1950 (Public Law 831, 81st Cong.); to the Committee on Un-American Activities.

287. A letter from the Secretary of the Treasury, transmitting a copy of the Combined Statement of Receipts, Expenditures, and Balances of the U.S. Government for the fiscal year ended June 30, 1958, pursuant to the specific requirements of section 15 of the act of July 31, 1894 (5 U.S.C. 264) and section 114 of the act of September 12, 1950 (31 U.S.C. 66b); to the Committee on Government Operations.

288. A letter from the Assistant Secretary of the Interior, transmitting a report of revolving credit fund transactions for the fiscal year ended June 30, 1958, pursuant to section 10 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984, 986; 25 U.S.C. 470); to the Committee on Interior and Insular Affairs.

289. A letter from the Chairman, Foreign Claims Settlement Commission of the United States, transmitting a draft of proposed legislation entitled, "A bill to amend the War Claims Act of 1948, as amended, to provide compensation for certain World War II losses"; to the Committee on Interstate and Foreign Commerce.

290. A letter from the clerk, United States Court of Claims, transmitting a statement of all judgments rendered by the United States Court of Claims for the year ended October 4, 1958, the amount thereof, the parties in whose favor rendered, and a brief synopsis of the nature of the claims, pursuant to section 791(c), title 28, United States Code; to the Committee on the Judiciary.

291. A letter from the executive director, the American National Theatre and Academy, transmitting a copy of the minutes, reports, etc., including its subsidiary, the Greater New York Chapter of ANTA, for the year 1958; to the Committee on the Judiciary.

292. A letter from the Attorney General, transmitting a statement of the compromise settlements effected during the year 1958 under the act of July 2, 1948 (Public Law 886, 80th Cong., 62 Stat. 1231 as amended by Public Law 673, 84th Cong., 70 Stat. 513, 50 U.S.C. App. secs. 1981–1987); to the Committee on the Judiciary.

293. A letter from the Acting Secretary of the Interior, transmitting information relative to scientific or professional positions as authorized in the Department by section 12(d) of Public Law 85–462, pursuant to section 3 of the act of August 1, 1947 (Public Law 313, 80th Cong.); to the Committee on Post Office and Civil Service.

294. A letter from the Secretary of Defense, transmitting a report of overobligation of the appropriation "Military personnel, Army, 1957," pursuant to section 3679(i)(2), Revised Statutes, and Department of Defense Directive 7200.1, "Administrative Control of Appropriations With the Department of Defense"; to the Committee on Appropriations.

295. A letter from the Secretary of the Interior, transmitting a report on a violation of section 3679 of the Revised Statutes, as amended, occurring in the Bureau of Land Management, in accordance with 64 Stat. 768, for the period of July 1 to September 30, 1958; to the Committee on Appropriations.

296. A letter from the Governor, United States Soldiers' Home, transmitting a report on a violation of section 3679 of the Revised Statutes, as amended, concerning United States Soldiers' Home capital outlay funds transferred to the Corps of Engineers, Department of the Army; to the Committee on Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

The following reports of committees were submitted subsequent to the adjournment of the 85th Congress, 2d session:

Mr. HARRIS: Committee on Interstate and Foreign Commerce. Report on the activities of the Committee on Interstate and Foreign Commerce (Rept. No. 2705). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURRAY: Committee on Post Office and Civil Service. Report of the Committee on Post Office and Civil Service pertaining to legislative control of Federal positions and salaries. (Rept. No. 2706). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASHMORE: Committee on House Administration. Report of the Special Committee To Investigate and Study the Operations and Enforcement of the Hatch Political Activities Act Pursuant to House Resolution 406, 85d Congress. (Rept. No. 2707). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Special Committee To Investigate Campaign Expenditures. Report of the Special Committee To Investigate Campaign Expenditures, 1958, pursuant to House Resolution 656, 85th Congress. (Rept. No. 2708). Referred to the Committee of the Whole House on the State of the Union.

Mr. McCORMACK: Select Committee on Astronautics and Space Exploration. Report pertaining to international cooperation in the exploration of space. (Rept. No. 2709). Referred to the Committee of the Whole House on the State of the Union.

Mr. McCORMACK: Select Committee on Astronautics and Space Exploration. Report pertaining to United States and outer space. (Rept. No. 2710). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. Report pursuant to House Resolution 99 pertaining to Independent Regulatory Commissions (Rept. No. 2711). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. Forty-second Report pertaining to Government programs in international education (Rept. No. 2712). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Select Committee on Small Business. Report pursuant to House Resolution 56 pertaining to price discrimination in distribution of dairy products (Rept. No. 2713). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Select Committee on Small Business. Report pursuant to House Resolution 56 pertaining to law-enforcement activities affecting small business (Rept. No. 2714). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Select Committee on Small Business. Report pursuant to House Resolution 56 pertaining to the definition of small business (Rept. No. 2715). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Select Committee on Small Business. Report pursuant to House Resolution 56 pertaining to small business problems in the aluminum industry (Rept. No. 2716). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Select Committee on Small Business. Report pursuant to House Resolution 56 pertaining to problems in the poultry industry (Rept. No. 2717). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Select Committee on Small Business. Final report pursuant to House Resolution 56 (Rept. No. 2718). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. Report pursuant to House Resolution 251 pertaining to the Public Works Act; Revenue Act of 1956 (Rept. No. 2719). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. O'BRIEN of Illinois:

H.R. 1. A bill to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation and for other purposes; to the Committee on Public Works.

By Mr. IKARD:

H.R. 2. A bill to provide a program of tax adjustment for small business and for persons engaged in small business; to the Committee on Ways and Means.

By Mr. SMITH of Virginia:

H.R. 3. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

By Mr. BONNER:

H.R. 4. A bill to authorize the construction of a nuclear-powered icebreaking vessel for operation by the U.S. Coast Guard, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BOGGS:

H.R. 5. A bill to amend the Internal Revenue Code of 1954 to encourage private investment abroad and thereby promote American industry and reduce Government expenditures for foreign economic assistance; to the Committee on Ways and Means.

By Mr. RHODES of Pennsylvania:

H.R. 6. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees; to the Committee on Post Office and Civil Service.

By Mr. VINSON:

H.R. 7. A bill to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Boy Scouts of America for use at the Fifth National Jamboree of the Boy Scouts of America, and for other purposes; to the Committee on Armed Services.

By Mr. TRIMBLE:

H.R. 8. A bill to promote and to establish policy and procedure for the development of water resources of lakes, rivers, and streams; to the Committee on Public Works.

By Mr. SIMPSON of Pennsylvania:

H.R. 9. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

By Mr. KEOGH:

H.R. 10. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 11. A bill—

DECLARATION AND PURPOSE OF POLICY

To reaffirm the national public policy and the purpose of Congress in the laws against unlawful restraints and monopolies, commonly designated "antitrust" laws, which among other things prohibit price discrimination; to aid in intelligent, fair, and effective administration and enforcement thereof; and to strengthen the Robinson-Patman Anti-Price Discrimination Act and the protection which it affords to independent business, the Congress hereby reaffirms that the purpose of the antitrust laws in prohibiting price discriminations is to secure equality of opportunity to all persons to compete in trade or business and to preserve competition where it exists, to restore it where it is destroyed, and to permit it to spring up in new fields; to the Committee on the Judiciary.

By Mrs. SULLIVAN:

H.R. 12. A bill to provide for the establishment of a special $18,500,000 7-year program of Federal scholarship and fellowship grants to individuals, and a $2,500,000 program of grants to public and nonprofit institutions of higher education, to encourage and expand the training of teachers for the education of exceptional children; to the Committee on Education and Labor.

By Mr. CURTIS of Missouri:

H.R. 13. A bill to provide a program of tax adjustment for small business and for persons engaged in small business; to the Committee on Ways and Means.

By Mr. BARING:

H.R. 14. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. CELLER:

H.R. 15. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

H.R. 16. A bill to amend and revise the laws relating to immigration, naturalization, nationality, and citizenship, and for other purposes; to the Committee on the Judiciary.

By Mr. BENNETT of Florida:

H.R. 17. A bill to amend the Employment Act of 1946 to make relative stability of prices an explicit aim of Federal economic policy; to the Committee on Government Operations.

By Mr. ANFUSO:

H.R. 18. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

By Mr. SELDEN:

H.R. 19. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

By Mr. AUCHINCLOSS:

H.R. 20. A bill to require a premarital examination of all applicants for marriage licenses in the District of Columbia; to the Committee on the District of Columbia.

H.R. 21. A bill to provide for the establishment of a congressional award for scientific achievement to be granted to certain individuals in recognition of their outstanding contributions to scientific endeavors; to the Committee on Rules.

By Mr. METCALF:

H.R. 22. A bill to provide financial assistance for the support of public schools by appropriating funds to the States to be used for constructing school facilities and for teachers' salaries; to the Committee on Education and Labor.

By Mr. BARING:

H.R. 23. A bill to provide for the construction of sewer and water facilities for the Nixon Indian Colony, Nev.; to the Committee on Interstate and Foreign Commerce.

H.R. 24. A bill to provide that certain real property of the United States situated in the State of Nevada shall be held in trust for members of the Fort McDermitt Paiute and Shoshone Tribe of Indians of the Fort McDermitt Indian Reservation, Nev.; to the Committee on Interior and Insular Affairs.

H.R. 25. A bill to prohibit discrimination because of age in the hiring and employment of persons by Government contractors; to the Committee on the Judiciary.

H.R. 26. A bill to liberalize the conditions under which a veteran satisfactorily pursuing a program of education or training under the Veterans Readjustment Assist-

ance Act of 1952 may change to a second program; to the Committee on Veterans' Affairs.

H.R. 27. A bill to provide for a Veterans' Administration general medical and surgical hospital of 200 beds at Las Vegas, Nev.; to the Committee on Veterans' Affairs.

H.R. 28. A bill to permit the free marketing of newly mined gold; to the Committee on Banking and Currency.

H.R. 29. A bill to increase the normal tax and surtax exemption, and the exemption for dependents, from $600 to $800; to the Committee on Ways and Means.

H.R. 30. A bill to prohibit residence requirements as conditions for eligibility under State plans for aid to the blind; to the Committee on Ways and Means.

By Mr. BOGGS:

H.R. 31. A bill to revise the Federal Corrupt Practices Act, 1925, and for other purposes; to the Committee on House Administration.

H.R. 32. A bill to amend the Communications Act of 1934 to assist in the establishment and improvement of certain television broadcasting facilities; to the Committee on Interstate and Foreign Commerce.

H.R. 33. A bill to protect the public health by regulating the manufacture, compounding, processing, distribution, and possession of habit-forming barbiturate and amphetamine drugs; to the Committee on Interstate and Foreign Commerce.

H.R. 34. A bill to amend the Internal Revenue Code of 1954 to provide a 23-percent depletion rate for bauxite if from deposits in the Western Hemisphere; to the Committee on Ways and Means.

H.R. 35. A bill relating to the crediting under the Civil Service Retirement Act, without deposit, of certain service performed prior to April 24, 1952, by administrative enrollees in the U.S. Maritime Service; to the Committee on Post Office and Civil Service.

H.R. 36. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 37. A bill to amend the Internal Revenue Code of 1954 to provide that moving expenses paid by an employer for a new employee shall not be included in the gross income of the employee; to the Committee on Ways and Means.

H.R. 38. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education; to the Committee on Ways and Means.

H.R. 39. A bill to amend the Internal Revenue Code of 1954, as amended, by provision of a deduction for expenditures for reconversion of structures in a slum clearance program or rehabilitation project; to the Committee on Ways and Means.

H.R. 40. A bill to grant an additional income tax exemption to a taxpayer supporting a dependent who is blind or otherwise permanently and totally disabled; to the Committee on Ways and Means.

H.R. 41. A bill to direct the Secretary of the Army to establish a national cemetery in the southern portion of Louisiana; to the Committee on Interior and Insular Affairs.

H.R. 42. A bill to repeal the cabaret tax; to the Committee on Ways and Means.

H.R. 43. A bill to amend the Tariff Act of 1930 to provide for the free importation of wire which is to be used in automatic baling machines for baling hay and other farm products; to the Committee on Ways and Means.

H.R. 44. A bill to provide increases in annuities granted under the Panama Canal Construction Service Annuity Act of May 29, 1944; to the Committee on Merchant Marine and Fisheries.

H.R. 45. A bill to amend section 4053 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

H.R. 46. A bill to encourage equity investments through tax incentives, and for other purposes; to the Committee on Ways and Means.

H.R. 47. A bill to amend the Internal Revenue Code of 1954 to provide a personal exemption for children placed for adoption; to the Committee on Ways and Means.

By Mr. BOLAND:

H.R. 48. A bill to make certain changes in the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 49. A bill to authorize the establishment of the Cape Cod National Park in the Commonwealth of Massachusetts, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BURNS of Hawaii:

H.R. 50. A bill to provide for the admission of the State of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

By Mr. BOLAND:

H.R. 51. A bill to exempt ultra-high-frequency television receiving sets from Federal excise tax; to the Committee on Ways and Means.

H.R. 52. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mrs. BOLTON:

H.R. 53. A bill to amend the Veterans Readjustment Assistance Act of 1952 to make the educational benefits provided for therein available to all veterans whether or not they serve during a period of war or of armed hostilities; to the Committee on Veterans' Affairs.

H.R. 54. A bill to authorize and direct the Secretary of Labor to make a study of wage differentials between men and women; to the Committee on Education and Labor.

By Mr. SELDEN:

H.R. 55. A bill to provide for the denial of passports to persons knowingly engaged in activities intended to further the international Communist movement; to the Committee on Foreign Affairs.

By Mr. BONNER:

H.R. 56. A bill to amend title 14 of the United States Code to authorize the construction at the Coast Guard Air Station, Elizabeth City, N.C., of a Coast Guard Reserve training facility; to the Committee on Merchant Marine and Fisheries.

H.R. 57. A bill to require pilots on certain vessels navigating U.S. waters of the Great Lakes, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CEDERBERG:

H.R. 58. A bill to authorize the coinage of 50-cent pieces in commemoration of the Nation's pioneer lumbermen; to the Committee on Banking and Currency.

H.R. 59. A bill prohibiting lithographing or engraving on envelopes sold by the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 60. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for retirement of certain officers and employees involuntarily separated from positions in the Canal Zone government and the Panama Canal Company, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 61. A bill to provide for the issuance of a special postage stamp in honor of the Nation's pioneer lumberjacks with a likeness of the Lumberman's Memorial Monument in the Huron National Forest on said stamp; to the Committee on Post Office and Civil Service.

H.R. 62. A bill to indemnify drivers of motor vehicles of the postal service against liability for damages arising out of the operation of such vehicles in the performance of official duties; to the Committee on the Judiciary.

H.R. 63. A bill to amend title II of the Social Security Act to increase to $1,800 a year the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 64. A bill to provide for the conveyance of certain lands of the United States to the State of Michigan; to the Committee on Government Operations.

H.R. 65. A bill to provide for the conveyance to the State of Michigan of certain land in Grayling Township, Crawford County, Mich., to be used for National Guard purposes; to the Committee on Armed Services.

By Mr. CELLER:

H.R. 66. A bill to repeal certain legislation relating to the purchase of silver, and for other purposes; to the Committee on Ways and Means.

H.R. 67. A bill to amend the Internal Revenue Code of 1954 to allow an individual to deduct, for income tax purposes, the expenses incurred by him in traveling to and from work on public conveyances; to the Committee on Ways and Means.

H.R. 68. A bill to prohibit the charging of a fee to view telecasts in the home; to the Committee on Interstate and Foreign Commerce.

H.R. 69. A bill to amend section 1552, title 10, United States Code and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals, and for other purposes; to the Committee on Armed Services.

H.R. 70. A bill to prohibit wiretapping except by a court-authorized Federal officer engaged in the investigation of crimes against the security of the United States; to the Committee on the Judiciary.

H.R. 71. A bill to establish an effective program to alleviate conditions of excessive unemployment in certain economically depressed areas; to the Committee on Ways and Means.

H.R. 72. A bill to provide for the establishment of a Federal Advisory Council on the Arts, and for other purposes; to the Committee on Education and Labor.

H.R. 73. A bill to require the establishment of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes; to the Committee on the Judiciary.

H.R. 74. A bill relating to the maintenance and travel expenses of judges; to the Committee on the Judiciary.

H.R. 75. A bill providing for the design of the flag of the United States; to the Committee on the Judiciary.

H.R. 76. A bill to amend the act relating to the small claims and conciliation branch of the municipal court of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. PATMAN:

H.R. 77. A bill to provide a direct old-age pension of $75 a month for every citizen of the United States who is 65 years of age or over; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 78. A bill to amend the Bankruptcy Act to authorize courts of bankruptcy to determine the dischargeability or nondischargeability of provable debts; to the Committee on the Judiciary.

H.R. 79. A bill relating to the inability of the President to discharge the powers and duties of his office, and for other purposes; to the Committee on the Judiciary.

H.R. 80. A bill to improve the United States Code by enacting into law title 26 entitled "Internal Revenue"; to the Committee on the Judiciary.

H.R. 81. A bill to amend the Clayton Act, as amended, to establish standards for the organization and operation of Government advisory groups; to the Committee on the Judiciary.

H.R. 82. A bill to amend the Sherman Act to declare the primacy of free enterprise, and for other purposes; to the Committee on the Judiciary.

H.R. 83. A bill to amend the Fair Labor Standards Act of 1938 so as to increase the minimum hourly wage from $1 to $1.25; to the Committee on Education and Labor.

H.R. 84. A bill to establish a program of grants to States for the development of fine arts programs and projects, and for other purposes; to the Committee on Education and Labor.

By Mr. COFFIN:

H.R. 85. A bill to amend title VI of the Public Health Service Act, to encourage the construction of diagnostic or treatment centers in rural areas; to the Committee on Interstate and Foreign Commerce.

H.R. 86. A bill to amend section 24 of the Federal Reserve Act to provide that the existing restrictions on the amount and maturity of real estate loans made by national banks shall not apply to certain loans which are guaranteed or insured by a State or a State authority; to the Committee on Banking and Currency.

H.R. 87. A bill to amend the Small Business Act of 1958 to authorize loans by the Small Business Administration in areas of economic disaster, depression, or dislocation; to the Committee on Banking and Currency.

By Mr. DOYLE:

H.R. 88. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the boards of review, discharges, and dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate; and for other purposes; to the Committee on Armed Services.

By Mr. FALLON:

H.R. 89. A bill to establish within the Housing and Home Finance Agency a new program of mortgage insurance to assist in financing the construction, improvement, expansion, and rehabilitation of harbor facilities for boating and commercial craft; to the Committee on Banking and Currency.

By Mr. FARBSTEIN:

H.R. 90. A bill to amend the United States Housing Act of 1937, as amended, with respect to the definition of the term "low-rent housing"; to the Committee on Banking and Currency.

H.R. 91. A bill to establish within the Department of Defense a civilian department to be known as the Department of Civil Defense, and for other purposes; to the Committee on Armed Services.

H.R. 92. A bill to amend the Federal Employees' Compensation Act to provide that an employee who has received compensation for disability for an aggregate period of 20 years shall thereafter be paid compensation for disability for the remainder of his life; to the Committee on Education and Labor.

H.R. 93. A bill to amend section 12 of the Securities Act of 1933, as amended; to the Committee on Interstate and Foreign Commerce.

H.R. 94. A bill to amend the Immigration and Nationality Act so as to provide for the admission into the United States of certain escapees and expellees who, because of persecution, have fled from any Communist country or country within the general area of the Middle East; to the Committee on the Judiciary.

H.R. 95. A bill to establish an effective program to alleviate conditions of excessive unemployment in certain economically depressed areas; to the Committee on Ways and Means.

By Mr. FOGARTY:

H.R. 96. A bill to provide financial assistance for the support of public schools by appropriating funds to the States to be used for constructing school facilities and for teachers' salaries; to the Committee on Education and Labor.

H.R. 97. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

By Mr. FORD:

H.R. 98. A bill to amend the Internal Revenue Code of 1954 to provide that certain tuition payments be treated as charitable contributions; to the Committee on Ways and Means.

By Mr. HARRISON:

H.R. 99. A bill to establish a Federal policy concerning the termination, limitation, or establishment of business-type operations of the Government which may be conducted in competition with private enterprise, and for other purposes; to the Committee on Government Operations.

H.R. 100. A bill to provide that a statement of amounts expended by the United States for overseas travel and subsistence of Members of Congress and certain other Federal officers and employees shall be printed in the Federal Register; to the Committee on Government Operations.

H.R. 101. A bill to amend sections 4081 and 4082 of the Internal Revenue Code of 1954 to include wholesale distributors within the definition of "producers" of gasoline, and for other purposes; to the Committee on Ways and Means.

By Mr. HOGAN:

H.R. 102. A bill to amend chapter 15 of title 38, United States Code, to grant a pension of $100 per month to all honorably discharged veterans of World War I; to the Committee on Veterans' Affairs.

H.R. 103. A bill to amend title II of the Social Security Act to increase from $1,200 to $1,800 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. JENNINGS:

H.R. 104. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 105. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer fire-fighting organizations and to volunteer rescue or lifesaving organizations, and for other purposes; to the Committee on Government Operations.

H.R. 106. A bill to authorize construction of a flood-control reservoir on the North Fork of Pound River, near Pound, Va.; to the Committee on Public Works.

H.R. 107. A bill to amend title II of the Social Security Act to eliminate the requirement that an individual must have attained the age of 50 in order to become entitled to disability insurance benefits; to the Committee on Ways and Means.

H.R. 108. A bill to amend title II of the Social Security Act to provide that full benefits thereunder, when based upon the attainment of retirement age, will be payable to both men and women at age 62; to the Committee on Ways and Means.

H.R. 109. A bill to designate the dam and reservoir to be constructed on the Pound River near Bartlick, Dickenson County, Va., as the "John W. Flannagan Dam and Reservoir"; to the Committee on Public Works.

By Mr. JUDD:

H.R. 110. A bill to amend the Immigration and Nationality Act to provide that any territory over which the United States has jurisdiction under a treaty shall be regarded as a separate quota area; to the Committee on the Judiciary.

By Mrs. KEE:

H.R. 111. A bill to establish an effective program to alleviate conditions of excessive unemployment in certain economically depressed areas; to the Committee on Banking and Currency.

H.R. 112. A bill to encourage the States to hold preferential elections for the nomination of candidates for the office of President, and for other purposes; to the Committee on House Administration.

H.R. 113. A bill to prohibit the severance of a service-connected disability which has been in effect for 10 or more years, except when based on fraud; to the Committee on Veterans' Affairs.

H.R. 114. A bill to amend the Internal Revenue Code of 1954 to permit taxpayers to treat casualty losses sustained after the close of a taxable year as having been sustained during the taxable year; to the Committee on Ways and Means.

H.R. 115. A bill to establish quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

H.R. 116. A bill to amend title II of the Social Security Act to reduce from 62 to 50 the age at which widows' benefits become payable thereunder; to the Committee on Ways and Means.

H.R. 117. A bill to amend title II of the Social Security Act to provide that the wife or widow of an insured individual shall be deemed to have been living with him, at the time required for entitlement to benefits, if at such time they were separated without fault on her part; to the Committee on Ways and Means.

H.R. 118. A bill to amend Veterans Regulation No. 9(a) to provide that the Veterans' Administration will transport the body of a veteran, who dies in a State home for disabled soldiers and sailors, to the place of burial within the continental limits of the United States; to the Committee on Veterans' Affairs.

H.R. 119. A bill to provide that veterans may accrue educational benefits under the Veterans' Readjustment Assistance Act of 1952 and Public Law 894, 81st Congress, until individuals may no longer be inducted for training and service in the Armed Forces, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 120. A bill to amend Veterans Regulation No. 9(a) to provide for payment of not in excess of $75 to cover the cost of acquisition of a burial site for certain deceased veterans; to the Committee on Veterans' Affairs.

H.R. 121. A bill to amend title 10, United States Code, to authorize the furnishing of uniforms to persons awarded the Medal of Honor; to the Committee on Armed Services.

H.R. 122. A bill to establish the Federal Agency for Handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

H.R. 123. A bill to amend Veterans Regulation No. 9(a) to permit payment of the burial allowance where discharge requirements are or have been met through a change by competent authority; to the Committee on Veterans' Affairs.

H.R. 124. A bill to protect the right of the blind to self-expression through organiza-

tions of the blind; to the Committee on Education and Labor.

H.R. 125. A bill to amend the Internal Revenue Code of 1954 to increase the depletion allowance for coal and lignite; to the Committee on Ways and Means.

H.R. 126. A bill to provide supplementary benefits for recipients of public assistance and benefits for others who are in need through the issuance of stamps or certificates to be used in the acquisition of surplus agricultural commodities; to provide for improved nutrition for recipients of public assistance and others eligible under the provisions of the act; to assist in maintaining fair prices and incomes to farmers by providing additional outlets for surplus agricultural products; to prevent burdening and obstructing channels of interstate commerce; to promote the full use of agricultural resources; and for other purposes; to the Committee on Agriculture.

H.R. 127. A bill to create an Agricultural Research and Industrial Board; to define its powers and duties; and for other purposes; to the Committee on Agriculture.

H.R. 128. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer fire-fighting organizations, and for other purposes; to the Committee on Government Operations.

H.R. 129. A bill to amend the national defense amendment, and for other purposes; to the Committee on Ways and Means.

H.R. 130. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KEOGH:

H.R. 131. A bill amending the Internal Revenue Code of 1954 to provide for reinvestment depreciation deductions; to the Committee on Ways and Means.

H.R. 132. A bill to extend coverage under the Federal old-age and survivors insurance system, as self-employed individuals, to certain individuals who are employees of foreign governments and international organizations; to the Committee on Ways and Means.

H.R. 133. A bill to remove inequities by imposing limitations on the period during which the United States may retain, without the payment of interest, overpayments under section 722 for taxable years beginning prior to January 1, 1942; to the Committee on Ways and Means.

H.R. 134. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is physically or mentally incapable of caring for himself; to the Committee on Ways and Means.

H.R. 135. A bill to provide an income credit in the case of civil service annuities received by nonresident alien individuals not engaged in trade or business within the United States; to the Committee on Ways and Means.

H.R. 136. A bill relating to the definition of the term "bond" for purposes of determining amortizable bond premium under section 171 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

H.R. 137. A bill to allow a deduction, for Federal estate tax purposes, in the case of certain transfers to charities which are subjected to foreign death taxes; to the Committee on Ways and Means.

H.R. 138. A bill to provide that certain caps shall be dutiable under paragraph 1504 of the Tariff Act of 1930; to the Committee on Ways and Means.

H.R. 139. A bill granting leave of absence to postal employees on account of death in family; to the Committee on Post Office and Civil Service.

H.R. 140. A bill to extend benefits under the civil service retirement system to certain former Members of Congress; to the Committee on Post Office and Civil Service.

H.R. 141. A bill to amend the Internal Revenue Code of 1954 relating to the allowance of deductions for certain contributions made to community chests, funds, or foundations; to the Committee on Ways and Means.

H.R. 142. A bill to amend the Tariff Act of 1930 so as to allow containers for certain petroleum products and derivatives to be temporarily imported without payment of duty, and for other purposes; to the Committee on Ways and Means.

H.R. 143. A bill to provide deductions for gifts to nonprofit voluntary health insurance plans; to the Committee on Ways and Means.

By Mr. GROSS:

H.R. 144. A bill to provide that Federal expenditures shall not exceed Federal revenues, except in time of war or grave national emergency declared by the Congress, and to provide for systematic reduction of the public debt; to the Committee on Ways and Means.

By Mr. KEOGH:

H.R. 145. A bill to amend the act of August 9, 1946, authorizing the admission of persons from other American Republics to the United States Merchant Marine Academy, by authorizing the admission of persons from the Republic of the Philippines; to the Committee on Merchant Marine and Fisheries.

H.R. 146. A bill to amend the Internal Revenue Code to provide for deductions of certain commissions paid for leases on real property; to the Committee on Ways and Means.

H.R. 147. A bill to suspend temporarily the tax on the processing of palm oil, palm-kernel oil, and fatty acids, salts, and combinations or mixtures thereof; to the Committee on Ways and Means.

H.R. 148. A bill to amend the Internal Revenue Code of 1954 with respect to the treatment of copyright royalties for purposes of the personal holding company tax; to the Committee on Ways and Means.

H.R. 149. A bill to amend the Internal Revenue Code of 1954 to reduce from 10 percent to 5 percent the manufacturers excise tax on certain truck bodies; to the Committee on Ways and Means.

H.R. 150. A bill to amend the Tariff Act of 1930, as amended, so as to prevent undue relaxation of customs supervision as a safeguard against smuggling and for the protection of the revenue, and for other purposes; to the Committee on Ways and Means.

H.R. 151. A bill to adjust the tax rates on light sparkling wines in relation to those imposed on other wines; to the Committee on Ways and Means.

H.R. 152. A bill to provide study periods for post-office clerks and terminal and transfer clerks; to the Committee on Post Office and Civil Service.

H.R. 153. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Post Office and Civil Service.

H.R. 154. A bill to establish the seniority status of employees in the field postal service; to the Committee on Post Office and Civil Service.

H.R. 155. A bill to amend the act of October 15, 1914, commonly known as the Robinson-Patman Act, to make it applicable to sales of commodities made to governmental agencies for resale; to the Committee on the Judiciary.

H.R. 156. A bill to prohibit the registration of trademarks containing the words "White House"; to the Committee on the Judiciary.

H.R. 157. A bill to provide for the furnishing of the CONGRESSIONAL RECORD to members of the Federal judiciary; to the Committee on House Administration.

H.R. 158. A bill to make the United States Merchant Marine Academy library a public depository for Government publications; to the Committee on House Administration.

H.R. 159. A bill to exempt graduates of the United States Merchant Marine Academy who hold commissions in the Naval Reserve from induction or service under the Selective Service Act of 1948; to the Committee on Armed Services.

By Mr. KILGORE:

H.R. 160. A bill to provide for the establishment of a veterans' hospital in south Texas; to the Committee on Veterans' Affairs.

H.R. 161. A bill to amend the Internal Revenue Code of 1954 to provide for the refund of manufacturers excise taxes in certain cases where the articles are exported by persons other than the manufacturers, producers, or importers of the articles; to the Committee on Ways and Means.

H.R. 162. A bill to provide for the settlement of claims of certain inhabitants of the United States living in the area inundated by the sudden flood of the Rio Grande as a result of the construction of the Falcon Dam, and for other purposes; to the Committee on the Judiciary.

H.R. 163. A bill to amend the Civil Service Retirement Act with respect to the crediting of service of United States commissioners for purposes of such act; to the Committee on Post Office and Civil Service.

By Mr. LANE:

H.R. 164. A bill to amend title I of the Housing Act of 1949 to authorize assistance thereunder for the commercial and industrial development of nonresidential areas; to the Committee on Banking and Currency.

H.R. 165. A bill to grant a pension of $100 per month to all honorably discharged veterans of World War I who are over 62 years of age; to the Committee on Veterans Affairs.

H.R. 166. A bill to prohibit the charging of a fee to view telecasts in private homes; to the Committee on Interstate and Foreign Commerce.

H.R. 167. A bill to encourage the extension and improvement of voluntary health prepayment plans or policies; to the Committee on Interstate and Foreign Commerce.

H.R. 168. A bill to provide a program of grants and scholarships to encourage education and training in the field of nursing, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 169. A bill to prohibit the serving of alcoholic beverages to passengers on aircraft in flight; to the Committee on Interstate and Foreign Commerce.

H.R. 170. A bill to amend section 301 of the World War Veterans' Act, 1924, to provide that certain term insurance held by World War I veterans shall be considered as fully paid when the insured reaches the age of 65; to the Committee on Veterans' Affairs.

H.R. 171. A bill to provide for the establishment of a United States Foreign Service Academy; to the Committee on Foreign Affairs.

H.R. 172. A bill to increase from $600 to $800 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 173. A bill to amend section 312 of the Immigration and Nationality Act to exempt certain additional persons from the requirements as to understanding the English language before their naturalization as citizens of the United States; to the Committee on the Judiciary.

H.R. 174. A bill to provide for the issuance of not more than 25,000 special nonquota

immigrant visas annually to certain persons who escape from the Union of Soviet Socialist Republics and whose services are determined by the Attorney General to be urgently needed in the United States; to the Committee on the Judiciary.

H.R. 175. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

H.R. 176. A bill to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes; to the Committee on the Judiciary.

H.R. 177. A bill to provide facilities for the mediation of disputes between Federal employee organizations and agencies of the U.S. Government, to equalize legal responsibilities of employee organizations and agencies of the U.S. Government, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 178. A bill to provide Federal contributions and authorize payroll deductions for prepaid health insurance for Federal employees and their dependents, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 179.—A bill to amend the Civil Service Retirement Act to grant retirement credit for certain service in the U.S. merchant marine in World War II, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 180. A bill to provide credit facilities for the use of fishermen's cooperative associations through establishment of a Bank for Fishermen's Coo_erative Associations, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 181. A bill to provide a 5-year program of assistance to enable depressed segments of the fishing industry in the United States to regain a favorable economic status, and for other purposes; to the Commttiee on Merchant Marine and Fisheries.

H.R. 182. A bill to provide for the establishment of a Veterans' Administration domiciliary facility in the vicinity of Boston, Mass.; to the Committee on Veterans' Affairs.

H.R. 183. A bill to regulate the foreign commerce of the United States by establishing import quotas under specified conditions, and for other purposes; to the Committee on Ways and Means.

H.R. 184. A bill to amend section 2304 of title 10 of the United States Code to permit the Armed Forces to purchase textiles by negotiated contract, and for other purposes; to the Committee on Armed Services.

H.R. 185. A bill to amend titles I, IV, X, and XIV of the Social Security Act so as to further assist the States in extending aid for medical care to persons eligible for public assistance under such titles; to the Committee on Ways and Means.

H.R. 186. A bill to amend the public assistance provisions of the Social Security Act to eliminate certain inequities and restrictions and permit a more effective distribution of Federal funds; to the Committee on Ways and Means.

H.R. 187. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

H.R. 188. A bill to amend the Fair Labor Standards Act of 1938 to establish a $1.25 minimum hourly wage, and for other purposes; to the Committee on Education and Labor.

H.R. 189. A bill to repeal the Taft-Hartley Act; to the Committee on Education and Labor.

H.R. 190. A bill to authorize Federal loans to assist local communities in building modern industrial plants in labor-surplus areas; to the Committee on Public Works.

H.R. 191. A bill to amend the Postal Field Service Compensation Act of 1955 to provide premium compensation in all cases to certain postal field service employees for holiday work; to the Committee on Post Office and Civil Service.

H.R. 192. A bill to amend title I of the Social Security Act to provide that old-age assistance otherwise payable to an individual thereunder shall not be reduced on account of certain increases in any insurance benefits to which such individual is entitled under title II of such act; to the Committee on Ways and Means.

H.R. 193. A bill to amend title II of the Social Security Act to provide that full benefits thereunder, when based upon the attainment of retirement age, will be payable to both men and women at age 60; to the Committee on Ways and Means.

By Mr. MACK of Washington:

H.R. 194. A bill to revise the boundaries and to change the name of the Fort Vancouver National Monument, in the State of Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 195. A bill to provide for a Veterans' Administration hospital of 750 beds at Vancouver, Wash.; to the Committee on Veterans' Affairs.

H.R. 196. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct expenses paid during the taxable year for repair, maintenance, alterations, and additions to his residence; to the Committee on Ways and Means.

By Mr. MASON:

H.R. 197. A bill to amend the Tariff Act of 1930 with respect to the marking of imported articles and containers; to the Committee on Ways and Means.

H.R. 198. A bill to equalize taxation and provide revenue; to the Committee on Ways and Means.

H.R. 199. A bill to equalize taxation and provide revenue; to the Committee on Ways and Means.

H.R. 200. A bill to amend section 2 of the act of February 18, 1922, so as to transfer from the Secretary of Agriculture to the Attorney General jurisdiction for determination of undue enhancement of prices by cooperative associations monopolizing or restraining trade and proceedings in connection therewith; to the Committee on the Judiciary.

H.R. 201. A bill to repeal section 1505 of the Social Security Act so that in determining eligibility of Federal employees for unemployment compensation their accrued annual leave shall be treated in accordance with State laws, and for other purposes; to the Committee on Ways and Means.

H.R. 202. A bill to provide revenue from an excise tax uniformly applied to end products of manufacture; to the Committee on Ways and Means.

H.R. 203. A bill to provide for the issuance of a special postage stamp in commemoration of the 100th anniversary of Illinois State Normal University; to the Committee on Post Office and Civil Service.

H.R. 204. A bill to reduce the individual income tax by 10 percent, effective January 1, 1959; to the Committee on Ways and Means.

H.R. 205. A bill to amend the Tariff Act of 1930 with respect to the marking of imported articles and containers; to the Committee on Ways and Means.

By Mr. MICHEL:

H.R. 206. A bill to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army to test, on a 3-year basis, the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes; to the Committee on Public Works.

By Mr. MORRISON:

H.R. 207. A bill to grant equitable compensatory time to postal employees; to the Committee on Post Office and Civil Service.

H.R. 208. A bill to provide for Government contribution toward personal health service benefits for civilian officers and employees in the United States service and their dependents, to authorize payroll deductions for participants, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. O'HARA of Illinois:

H.R. 209. A bill to establish a Housing Conservation and Rehabilitation Finance Agency to provide loan funds for the conservation and rehabilitation of existing housing, and for other purposes; to the Committee on Banking and Currency.

H.R. 210. A bill to amend the Internal Revenue Code of 1954 in regard to expenditures for rehabilitation and modernization of residential structures; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 211. A bill to promote boating safety on the navigable waters of the United States, its Territories, and the District of Columbia; to provide coordination and cooperation with the States in the interest of uniformity of boating laws; and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 212. A bill to amend the Clayton Act so as to supplement existing laws against unlawful restraints and monopolies by providing that violations of the Robinson-Patman Act shall constitute violations of the antitrust laws; to the Committee on the Judiciary.

H.R. 213. A bill to provide that certain State agreements under section 218 of the Social Security Act may be modified to secure coverage for nonprofessional school district employees without regard to the existing limitations upon the time within which such a modification may be made; to the Committee on Ways and Means.

H.R. 214. A bill to amend the Second Liberty Bond Act so as to provide that in issuing bonds under that act, preference shall be given to trust funds and other subscribers seeking to invest funds which represent real savings; to the Committee on Ways and Means.

By Mr. POFF:

H.R. 215. A bill to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence so as to safeguard individual rights without hampering effective and intelligent law enforcement; to the Committee on the Judiciary.

H.R. 216. A bill to amend section 5 of the Administrative Procedure Act; to the Committee on the Judiciary.

H.R. 217. A bill to reduce the spouse benefit age under the Railroad Retirement Act to 62; to the Committee on Interstate and Foreign Commerce.

H.R. 218. A bill to amend the Railroad Retirement Act of 1937, as amended; to the Committee on Interstate and Foreign Commerce.

H.R. 219. A bill to amend the Railroad Retirement Act of 1937 to permit an annuitant to receive his annuity even though he renders compensated service for the outside employer by whom he was last employed before his annuity began to accrue; to the Committee on Interstate and Foreign Commerce.

H.R. 220. A bill to repeal the provisions of the Railroad Retirement Act which reduce the annuities of the spouses of retired employees, and the survivors of deceased employees, by the amount of certain monthly benefits payable under the Social Security Act; to the Committee on Interstate and Foreign Commerce.

H.R. 221. A bill to provide a tax incentive for the employment of older workers; to the Committee on Ways and Means.

H.R. 222. A bill to provide a credit against the Federal income tax for additional State and local taxes imposed for school purposes; to the Committee on Ways and Means.

By Mr. POWELL:

H.R. 223. A bill to amend the Railroad Retirement Act of 1937 to provide full annuities for individuals who have completed 30 years of service; to provide annuities thereunder to equal 50 percent of taxable wages of the 5 years of highest earnings; to the Committee on Interstate and Foreign Commerce.

H.R. 224. A bill to implement a treaty and agreement with the Republic of Panama, by amending the Classification Act of 1949, as amended; to the Committee on Post Office and Civil Service.

H.R. 225. A bill to provide that railroad employees may retire on a full annuity at age 60 or after serving 30 years; to provide that such annuity for any month shall be not less than one-half of the individual's average monthly compensation for the 5 years of highest earnings, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 226. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

By Mr. PRICE:

H.R. 227. A bill to provide for the issuance of a special postage stamp honoring the coal miners and coal industry of America; to the Committee on Post Office and Civil Service.

H.R. 228. A bill to amend the Veterans' Benefits Act of 1957 to liberalize the basis for, and increase the monthly rates of, disability pension award; to the Committee on Veterans' Affairs.

H.R. 229. A bill to promote the safety of employees and travelers upon railroads, and to protect the public by requiring certain common carriers by railroad to install and maintain communication systems, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 230. A bill to amend the public assistance provisions of the Social Security Act to eliminate certain inequities and restrictions and permit a more effective distribution of Federal funds; to the Committee on Ways and Means.

H.R. 231. A bill to authorize the establishment of the Indiana Dunes National Monument; to the Committee on Interior and Insular Affairs.

H.R. 232. A bill to provide for the securing of custody and disposition by the United States of missiles, rockets, earth satellites, and similar devices adaptable to military uses, and for other purposes; to the Committee on Science and Astronautics.

H.R. 233. A bill to amend title II of the Social Security Act to include Illinois among the States which may divide their retirement systems into two parts so as to obtain social security coverage, under State agreement, for only those State and local employees who desire such coverage; to the Committee on Ways and Means.

H.R. 234. A bill to amend section 93(b)(2) of title 28 of the United States Code; to the Committee on the Judiciary.

H.R. 235. A bill to amend the National Science Foundation Act of 1950 in order to provide for certain educational programs; to the Committee on Science and Astronautics.

H.R. 236. A bill to prohibit discrimination because of age in the hiring and employment of persons by Government contractors; to the Committee on the Judiciary.

H.R. 237. A bill to amend the Internal Revenue Code of 1954 to provide that interest on obligations of educational institutions shall be exempt from income tax; to the Committee on Ways and Means.

H.R. 238. A bill to amend the Internal Revenue Code of 1954 so as to reduce the rate applicable to the first $1,000 of taxable income for taxable year 1958 and to repeal or reduce certain excise taxes; to the Committee on Ways and Means.

H.R. 239. A bill to amend the Internal Revenue Code of 1954 so as to increase the amount of the personal exemption for taxable year 1958 and to repeal or reduce certain excise taxes; to the Committee on Ways and Means.

H.R. 240. A bill to provide free barber service to all Armed Forces personnel; to the Committee on Armed Services.

H.R. 241. A bill to increase from $600 to $700 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Ways and Means.

H.R. 242. A bill to amend section 5051(a) of the Internal Revenue Code of 1954 to aid small business and discourage continued concentration in the brewing industry; to the Committee on Ways and Means.

H.R. 243. A bill to establish permanent firing squads for national cemeteries in which burials are conducted; to the Committee on Armed Services.

H.R. 244. A bill to modify the upper Mississippi River Basin flood control plan to authorize the construction of a local protection project at New Athens, Ill.; to the Committee on Public Works.

H.R. 245. A bill authorizing the city of Madison, Ill., to maintain, operate, and construct toll bridges across the Mississippi River; to the Committee on Public Works.

H.R. 246. A bill to amend the Federal Water Pollution Control Act to increase one of the limitations on grants for construction from $250,000 to $500,000, and for other purposes; to the Committee on Public Works.

H.R. 247. A bill to provide for the distribution of surplus food commodities by use of a food stamp plan; to the Committee on Agriculture.

H.R. 248. A bill to establish public use of the national forests as a policy of Congress, and for other purposes; to the Committee on Agriculture.

By Mrs. ROGERS of Massachusetts:

H.R. 249. A bill to provide that, notwithstanding the termination by Presidential proclamation of the period within which veterans of service subsequent to June 27, 1950, may accrue eligibility for wartime benefits, such period shall not terminate while individuals may be inducted for training and service in the Armed Forces; to the Committee on Veterans' Affairs.

By Mr. ROONEY:

H.R. 250. A bill to enable the mothers and widows of deceased members of the Armed Forces now interred in cemeteries outside the continental limits of the United States or in Alaska to make a pilgrimage to such cemeteries; to the Committee on Armed Services.

H.R. 251. A bill to amend the Servicemen's Readjustment Act of 1944 to extend the veterans' guaranteed home loan program for 2 years, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 252. A bill to amend part B of title IV of the Veterans' Benefits Act of 1957 to grant a pension of $100 per month to all veterans of World War I who are 60 years of age or older; to the Committee on Veterans' Affairs.

H.R. 253. A bill to amend the Fair Labor Standards Act of 1938 to establish a $1.25 minimum hourly wage, and for other purposes; to the Committee on Education and Labor.

By Mr. TEAGUE of Texas:

H.R. 254. A bill to amend chapter 61 of title 38, United States Code, to prohibit abuses in the solicitation of funds from the general public in the name of veterans, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 255. A bill to amend section 358 of title 38, United States Code, to provide for apportionment of compensation of veterans who disappear; to the Committee on Veterans' Affairs.

H.R. 256. A bill to amend title 38 of the United States Code to provide that in determining eligibility of a widow or child of a deceased veteran for a pension the income limitations applicable to such widow or child shall be increased $600 for the year in which the veteran's death occurs; to the Committee on Veterans' Affairs.

H.R. 257. A bill to amend title 38 of the United States Code to provide pensions for widows and children of veterans of World War II and of the Korean conflict on the same basis as pension is provided for widows and children of veterans of World War I; to the Committee on Veterans' Affairs.

H.R. 258. A bill to amend title 38 of the United States Code to provide that certain veterans suffering from active pulmonary tuberculosis shall be deemed to be permanently and totally disabled for pension purposes while they are hospitalized; to the Committee on Veterans' Affairs.

H.R. 259. A bill to amend chapter 11 of title 38, United States Code, to provide that the rates of peacetime disability and death compensation shall be the same as the rates for wartime disability and death compensation; to the Committee on Veterans' Affairs.

H.R. 260. A bill to provide that no application shall be required for the payment of statutory awards for certain conditions which, prior to August 1, 1952, have been determined by the Veterans' Administration to be service connected; to the Committee on Veterans' Affairs.

H.R. 261. A bill to amend title 38, United States Code, with respect to payment of Philippine pensioners; to the Committee on Veterans' Affairs.

H.R. 262. A bill to amend the definition of "veteran of any war" in chapter 17 of title 38, United States Code; to the Committee on Veterans' Affairs.

H.R. 263. A bill to provide direct aid to States and Territories for educational purposes only; to the Committee on Education and Labor.

H.R. 264. A bill to amend title 38 of the United States Code to provide an increased statutory rate of compensation for certain veterans; to the Committee on Veterans' Affairs.

H.R. 265. A bill to amend title 38, United States Code, to prohibit the payment of pension, under applications hereafter filed, to aliens who are not resident in the United States; to the Committee on Veterans' Affairs.

H.R. 266. A bill to amend section 1502 of title 38, United States Code, to provide vocational rehabilitation to certain veterans in need thereof to overcome the handicap of a disability incurred in or aggravated by active service subsequent to the Korean conflict; to the Committee on Veterans' Affairs.

H.R. 267. A bill to amend title 38 of the United States Code to provide that multiple sclerosis developing a 10 percent or more degree of disability within 3 years after separation from active service shall be presumed to be service connected; to the Committee on Veterans' Affairs.

H.R. 268. A bill to amend title 38 of the United States Code to provide additional compensation for veterans having the service-incurred disability of deafness of both ears; to the Committee on Veterans' Affairs.

H.R. 269. A bill to amend title 38, United States Code, to provide certain allowances and benefits to personnel of the Veterans' Administration who are United States citizens and are assigned to the Veterans' Administration office in the Republic of the Philippines; to the Committee on Veterans' Affairs.

H.R. 270. A bill to amend title 38, United States Code, to increase the rate of special pension payable to certain persons awarded the Medal of Honor, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 271. A bill to amend title 38 of the United States Code to provide a further period for presuming service connection in the case of veterans suffering from Hansen's disease (leprosy); to the Committee on Veterans' Affairs.

H.R. 272. A bill to provide direct aid to States and Territories for educational purposes only; to the Committee on Ways and Means.

H.R. 273. A bill to authorize and provide for the construction of the Bardwell Reservoir; to the Committee on Public Works.

By Mr. TEAGUE of Texas (by request):

H.R. 274. A bill to provide waiver of premiums on national service life insurance policies for certain totally disabled veterans without regard to age limitations; to the Committee on Veterans' Affairs.

H.R. 275. A bill to amend section 410(a) of title 38, United States Code, to provide for the payment of dependency and indemnity compensation to the survivors of certain deceased veterans having serious service-connected disabilities; to the Committee on Veterans Affairs.

H.R. 276. A bill to amend section 3011 of title 38, United States Code, to establish a new effective date for payment of additional compensation for dependents; to the Committee on Veterans' Affairs.

H.R. 277. A bill to amend section 723 of title 38, United States Code, to provide World War II veterans an additional option for converting their national service life insurance; to the Committee on Veterans' Affairs.

H.R. 278. A bill to amend section 311 of title 38, United States Code, so as to afford a conclusive presumption of soundness under certain conditions in wartime cases; to the Committee on Veterans' Affairs.

H.R. 279. A bill to amend section 312 of title 38, United States Code, by providing a 2-year presumptive period of service connection for malignant tumors (cancer) which develop within 2 years from the date of separation from active service; to the Committee on Veterans' Affairs.

H.R. 280. A bill to amend section 312 of title 38, United States Code, by providing a 2-year presumptive period of service connection for the psychoses which develop within 2 years from the date of separation from active service; to the Committee on Veterans' Affairs.

H.R. 281. A bill to amend section 312(3) of title 38, United States Code, to include the reinfection type of pulmonary tuberculosis in the provision relative to presumptive service connection for active tuberculous disease; to the Committee on Veterans' Affairs.

H.R. 282. A bill to amend sections 210(c) and 355 of title 38, United States Code, to stabilize and "freeze" as of January 1, 1959, the Veterans' Administration Schedule for Rating Disabilities, 1945, edition, and the extensions thereto, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 283. A bill to amend section 314(k) of title 38, United States Code, to provide an increased statutory rate of compensation for veterans suffering the loss or loss of use of an eye in combination with the loss or loss of use of a limb; to the Committee on Veterans' Affairs.

By Mr. THOMPSON of New Jersey:

H.R. 284. A bill to amend the National Defense Education Act of 1958 to provide for 20,000 national defense scholarships, and for other purposes; to the Committee on Education and Labor.

H.R. 285. A bill to amend title 23 of the United States Code to provide that the Secretary of the Interior shall approve the acquisition of certain lands of national historical significance, or of interests therein, for highway purposes; and to insure that highway plans are developed with due regard to community planning; to the Committee on Public Works.

H.R. 286. A bill to provide for the appointment of an assistant to the Secretary of State to assure joint policy and planning and equitable budgeting of exchange-of-persons programs and administrative cooperation between staffs engaged in carrying out such programs; to the Committee on Foreign Affairs.

By Mr. TOLLEFSON:

H.R. 287. A bill to amend title XI of the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

H.R. 288. A bill to authorize the construction of a nuclear-powered icebreaking vessel for operation by the U.S. Coast Guard, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. TRIMBLE:

H.R. 289. A bill to amend Public Law 398, 76th Congress, to establish criteria for utilization by the Secretary of the Interior in determining the feasibility of constructing or modifying any reclamation project, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 290. A bill to make the evaluation of recreational benefits and wildlife development resulting from the construction of any flood control, navigation, or reclamation project an integral part of project planning, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 291. A bill to include as creditable service for purposes of the Civil Service Retirement Act certain unused sick leave to the credit of an employee; to the Committee on Post Office and Civil Service.

H.R. 292. A bill authorizing the modification of the general plan for the comprehensive development of the White River Basin to provide for additional hydroelectric power development, for the control of floods, and for other purposes; to the Committee on Public Works.

H.R. 293. A bill to amend the Internal Revenue Code of 1954 to provide more equitable tax treatment for wage earners; to the Committee on Ways and Means.

H.R. 294. A bill to allow additional income tax exemptions for a taxpayer or a spouse, or a dependent child under 23 years of age, who is a full-time student at an educational institution above the secondary level; to the Committee on Ways and Means.

H.R. 295. A bill to amend the Internal Revenue Code of 1954 so as to allow a taxpayer to deduct certain expenses incurred by him in obtaining a higher education; to the Committee on Ways and Means.

By Mr. VINSON:

H.R. 296. A bill to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy Scouts of America in connection with the World Jamboree of Boy Scouts to be held in the Philippines in 1959, and for other purposes; to the Committee on Armed Services.

H.R. 297. A bill to amend part IV of subtitle C of title 10, United States Code, to authorize the Secretary of the Navy to take possession of the naval oil shale reserves, and for other purposes; to the Committee on Armed Services.

H.R. 298. A bill to establish San Nicolas Island, San Miguel Island, and Prince Island, Calif., as a naval petroleum reserve, to be known as Naval Petroleum Reserve No. 5; to the Committee on Armed Services.

By Mr. WILLIS:

H.R. 299. A bill to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes; to the Committee on the Judiciary.

By Mr. DAWSON:

H.R. 300. A bill to protect and enforce the constitutional right of all persons to the equal protection of the laws, and for other purposes; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 301. A bill to authorize the Secretary of the Interior to construct the San Luis unit of the Central Valley project, California, to enter into an agreement with the State of California with respect to the construction and operation of such unit, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GUBSER:

H.R. 302. A bill to authorize the Secretary of the Interior to construct the San Luis unit of the Central Valley project, California, to enter into an agreement with the State of California with respect to the construction and operation of such unit, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ABERNETHY:

H.R. 303. A bill to provide for the conveyance of certain real property in the District of Columbia to the Association of the Oldest Inhabitants of the District of Columbia; to the Committee on the District of Columbia.

H.R. 304. A bill to amend title 28 of the United States Code to establish certain qualifications for persons appointed to the Supreme Court and to provide that persons who have held certain Federal and State offices shall be ineligible for appointment to any Federal judgeship within 5 years after leaving such offices; to the Committee on the Judiciary.

H.R. 305. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

H.R. 306. A bill to amend the Federal Crop Insurance Act; to the Committee on Agriculture.

H.R. 307. A bill to amend the Veterans' Benefits Act of 1957 to provide a 3-year presumption of service connection for active tuberculosis disease in peacetime cases; to the Committee on Veterans' Affairs.

H.R. 308. A bill to authorize the sale and permanent transfer of acreage allotments; to the Committee on Agriculture.

H.R. 309. A bill to create an Agricultural Research and Industrial Board; to define its powers and duties; and for other purposes; to the Committee on Agriculture.

H.R. 310. A bill to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Ways and Means.

H.R. 311. A bill to amend the Fair Labor Standards Act of 1938, to exempt employees of certain radio and television stations from the maximum hour provisions thereof; to the Committee on Education and Labor.

By Mr. ADDONIZIO:

H.R. 312. A bill to raise the minimum wage under the Fair Labor Standards Act of 1938, as amended, to $1.25 an hour, and for other purposes; to the Committee on Education and Labor.

H.R. 313. A bill to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in operation of industries affecting commerce, and to provide procedures for assisting employees in collecting wages lost by reason of any such discrimination; to the Committee on Education and Labor.

H.R. 314. A bill to provide for the establishment of the Bureau of Older Persons within the Department of Health, Education, and Welfare; to authorize Federal grants to assist in the development and operation of studies and projects to help older persons; and for other purposes; to the Committee on Education and Labor.

H.R. 315. A bill to amend and revise the laws relating to immigration, naturalization, nationality, and citizenship, and for other purposes; to the Committee on the Judiciary.

H.R. 316. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

H.R. 317. A bill to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of employers who are engaged in activities affecting interstate commerce, to eliminate certain exemptions, and for other purposes; to the Committee on Education and Labor.

H.R. 318. A bill to authorize a revision of the boundaries of the Edison Laboratory National Monument, N.J., and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 319. A bill to provide for assistance to and cooperation with States in strengthening and improving State and local programs for the diminution, control, and treatment of juvenile delinquency; to the Committee on Education and Labor.

By Mr. ALEXANDER:

H.R. 320. A bill to establish certain qualifications for persons appointed to the Supreme Court of the United States; to the Committee on the Judiciary.

By Mr. ANFUSO:

H.R. 321. A bill to amend title 18 of the United States Code to make the bombing of a church, synagogue, or other public building with an explosive transported in interstate or foreign commerce a crime punishable by death; to the Committee on the Judiciary.

By Mr. AUCHINCLOSS:

H.R. 322. A bill for the relief of Monmouth County, N.J.; to the Committee on the Judiciary.

By Mr. AVERY:

H.R. 323. A bill to provide for the appointment of a district judge for the district of Kansas; to the Committee on the Judiciary.

By Mr. BARRETT:

H.R. 324. A bill to provide for the admission of the State of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

By Mr. BENNETT of Florida:

H.R. 325. A bill to amend title XI of the Merchant Marine Act, 1936, relating to Federal ship mortgage insurance, in order to include floating drydocks under the definition of the term "vessel" in such title; to the Committee on Merchant Marine and Fisheries.

By Mr. BOGGS:

H.R. 326. A bill to authorize hospitalization in civil hospitals for retired members of the armed services under group insurance sick and accident policies, based on specified payment of premiums from retired pay; to the Committee on Armed Services.

By Mr. BOSCH:

H.R. 327. A bill to amend the Internal Revenue Code of 1954 to encourage the establishment of voluntary pension plans by individuals, to promote thrift, and to stimulate expansion of employment through investment; to the Committee on Ways and Means.

By Mr. BYRNES of Wisconsin:

H.R. 328. A bill to amend the Bankruptcy Act to provide that a discharge in bankruptcy shall release a bankrupt from provable debts due as a tax levied by the United States; to the Committee on the Judiciary.

H.R. 329. A bill to amend the Internal Revenue Code of 1954 to provide that no documentary stamp tax shall be imposed with respect to conveyances to which a State or political subdivision thereof is a party; to the Committee on Ways and Means.

H.R. 330. A bill to increase the basic compensation which may be paid civilian keepers of lighthouses from $3,750 per annum to $5,100 per annum; to the Committee on Merchant Marine and Fisheries.

H.R. 331. A bill to repeal the cabaret tax; to the Committee on Ways and Means.

H.R. 332. A bill to encourage the prevention of air and water pollution by allowing the cost of treatment works for the abatement of air and stream pollution to be amortized at an accelerated rate for income tax purposes; to the Committee on Ways and Means.

H.R. 333. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on Foreign Affairs.

H.R. 334. A bill to protect the public health by regulating the manufacture, compounding, processing, distribution, and possession of habit forming barbiturate and amphetamine drugs; to the Committee on Interstate and Foreign Commerce.

H.R. 335. A bill to provide for standards to be prescribed by the Secretary of Agriculture governing imported agricultural food products; to the Committee on Agriculture.

By Mr. COAD:

H.R. 336. A bill to exempt ultra-high-frequency television receiving sets from Federal excise tax; to the Committee on Ways and Means.

H.R. 337. A bill to amend the Internal Revenue Code of 1954 to provide an additional personal exemption for the taxpayer if he or his spouse is permanently and totally disabled; to the Committee on Ways and Means.

H.R. 338. A bill to amend the Internal Revenue Code of 1954 to provide an amortization deduction for small businesses which establish or expand facilities utilizing surplus agricultural commodities in new industrial products or uses; to the Committee on Ways and Means.

H.R. 339. A bill to amend the Internal Revenue Code of 1954 to change certain dates prescribed for making installment payments of estimated income tax by individuals so that such payments will be due at regular 3-months intervals; to the Committee on Ways and Means.

H.R. 340. A bill to amend section 25 of the Interstate Commerce Act to provide that the Interstate Commerce Commission shall make regulations requiring that freight and other cars be equipped with reflectors or luminous material so that they can be readily seen at night; to the Committee on Interstate and Foreign Commerce.

H.R. 341. A bill to amend the Internal Revenue Code of 1954 so as to prohibit the deduction of certain expenses incurred in the conduct of an illegal gambling enterprise; to the Committee on Ways and Means.

H.R. 342. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 343. A bill to amend chapter 3 of title 18, United States Code, so as to prohibit capturing or killing wild horses for commercial slaughter on land belonging to the United States; to the Committee on the Judiciary.

H.R. 344. A bill to establish a national emergency food storage and distribution program for the purpose of transforming Government-owned agricultural commodities into edible storables in order to provide subsistence for large numbers of the population of the United States who would be destitute in the event of a national or regional emergency or disaster; to the Committee on Armed Services.

H.R. 345. A bill to prohibit the advertisement in the District of Columbia of the retail sales price of certain products used for ophthalmic purposes; to the Committee on the District of Columbia.

H.R. 346. A bill to amend title 38, United States Code, to provide pension at the monthly rate of $100 for veterans of World War I; to the Committee on Veterans' Affairs.

H.R. 347. A bill to amend the National School Lunch Act to increase the minimum protein requirements for lunches provided under that act; to the Committee on Education and Labor.

H.R. 348. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

H.R. 349. A bill to amend the Small Business Act to provide a reduced rate of interest for business loans made to small business concerns to establish or expand facilities utilizing surplus agricultural commodities for new industrial products or uses; to the Committee on Banking and Currency.

By Mr. CRAMER:

H.R. 350. A bill to provide for the construction of a fish and wildlife marine laboratory and experiment station in the central gulf coast area of Florida; to the Committee on Merchant Marine and Fisheries.

By Mr. DINGELL:

H.R. 351. A bill to protect the rights of individuals to be free from discrimination or segregation by reason of race, color, religion, or national origin; to the Committee on the Judiciary.

H.R. 352. A bill to authorize the Attorney General to institute for the United States a civil action for preventive relief whenever any acts have been committed which would give rise to a cause of action under section 1980 of the Revised Statutes; to the Committee on the Judiciary.

H.R. 353. A bill to declare certain rights of all persons within the jurisdiction of the United States, and for the protection of such persons from lynching, and for other purposes; to the Committee on the Judiciary.

H.R. 354. A bill to prohibit discrimination in employment because of race, color, religion, national origin, or ancestry; to the Committee on Education and Labor.

By Mr. DORN of New York:

H.R. 355. A bill to provide that newspapermen shall not be required to reveal the source of their information in Federal courts or before committees of Congress, except where disclosure is found to be necessary in the interests of national security; to the Committee on the Judiciary.

By Mr. ELLIOTT:

H.R. 356. A bill to establish a temporary Presidential commission to study and report on the problems relating to blindness and the needs of blind persons, and for other purposes; to the Committee on Education and Labor.

H.R. 357. A bill to promote the welfare of the people by authorizing the appropriation of funds to assist the States and Territories in the further development of their programs of general university extension education; to the Committee on Education and Labor.

H.R. 358. A bill to amend section 631 of the Internal Revenue Code of 1954 with respect to the tax treatment of amounts realized from the disposal of iron ore with a retained economic interest; to the Committee on Ways and Means.

H.R. 359. A bill to modify the period of service requirement governing the payment of pension to certain veterans; to the Committee on Veterans' Affairs.

H.R. 360. A bill to provide for the admission to St. Elizabeths Hospital, in the District of Columbia, of certain citizens of the United States adjudged insane in foreign countries; to the Committee on Education and Labor.

H.R. 361. A bill to provide evaluation of rehabilitation potentials and rehabilitation services to handicapped individuals who as a result thereof can achieve such ability of independent living as to dispense with the need for expensive institutional care or who can dispense with or largely dispense with the need of an attendant at home; to assist in the establishment of public and private

nonprofit workshops and rehabilitation facilities; and for other purposes; to the Committee on Education and Labor.

H.R. 362. A bill to provide that measurement prior to planting of cotton acreage allotments made at the request of farmers shall be without cost to them; to the Committee on Agriculture.

By Mr. FLYNT:

H.R. 363. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

By Mr. FORD:

H.R. 364. A bill to allow a deduction for income tax purposes, in the case of a disabled individual, of expenses for transportation to and from work; to the Committee on Ways and Means.

By Mrs. GREEN of Oregon:

H.R. 365. A bill to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in operation of industries affecting commerce, and to provide procedures for assisting employees in collecting wages lost by reason of any such discrimination; to the Committee on Education and Labor.

By Mr. HARRIS:

H.R. 366. A bill to amend the Natural Gas Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HIESTAND:

H.R. 367. A bill to terminate section 702 of title VII of the Housing Act of 1954, as amended, relating to reserve of public works; to the Committee on Banking and Currency.

H.R. 368. A bill to provide the United States with a gold standard and redeemable currency, and to correct other defects in the monetary system of the United States; to the Committee on Banking and Currency.

H.R. 369. A bill amending the Bankhead-Jones Farm Tenant Act and certain other acts to provide that loan and insurance programs administered by the Farmers' Home Administration and the Federal Crop Insurance Corporation be administered on a self-supporting basis; to the Committee on Agriculture.

H.R. 370. A bill to amend the Internal Revenue Code of 1954 so as to deny tax exemption to rural electric cooperatives which engage in propaganda; to the Committee on Ways and Means.

H.R. 371. A bill to amend the Internal Revenue Code of 1954 with respect to the tax treatment of sales and exchanges of real property held for more than 1 year; to the Committee on Ways and Means.

H.R. 372. A bill to amend the Rural Electrification Act of 1936, so as to change the interest rate applicable to loans and to provide for the payment by borrowers of a fee to assist in paying the administrative costs incident to loans; to the Committee on Agriculture.

H.R. 373. A bill to regulate certain internal affairs of labor organizations by providing processes and procedures for insuring democratic control of such organizations by the rank-and-file membership thereof; to the Committee on Education and Labor.

H.R. 374. A bill to prescribe a standard of loyalty to the United States Government for military personnel, to prescribe procedure for the determination of the loyalty of such personnel, and for other purposes; to the Committee on Armed Services.

H.R. 375. A bill to restrict military aircraft maintenance, overhaul, and modification functions in Government-operated facilities to performance of strictly military requirements that cannot be procured from private enterprise; to the Committee on Armed Services.

H.R. 376. A bill to amend the Immigration and Nationality Act to provide more effectively for immigration and passport security, and for other purposes; to the Committee on the Judiciary.

H.R. 377. A bill to authorize certain investigative officers of the United States, with the approval of the Attorney General, to intercept and disclose under stated conditions wire and radio communications in the detection and prosecution of offenses against the security of the United States, and for other purposes; to the Committee on the Judiciary.

H.R. 378. A bill to repeal certain provisions of law exempting labor organizations from the antitrust laws, and for other purposes; to the Committee on the Judiciary.

H.R. 379. A bill to amend section 32 of the Trading With the Enemy Act of 1917, as amended, so as to permit the return under such section of amounts payable to aliens under trust funds created by American citizens; to the Committee on Interstate and Foreign Commerce.

H.R. 380. A bill to establish a Joint Committee on Foreign Intelligence; to the Committee on Rules.

By Mr. JOHNSON of Wisconsin:

H.R. 381. A bill to establish a national food-allotment program to augment the diets of low-income and needy persons and families, to encourage the constructive utilization of abundant food supplies, to improve the economic condition of agriculture and the food processing and marketing industries, and for other purposes; to the Committee on Agriculture.

By Mr. LANE:

H.R. 382. A bill relating to the Italian American War Veterans of the United States Inc., and the status of that organization under certain laws of the United States; to the Committee on the Judiciary.

By Mr. LESINSKI:

H.R. 383. A bill to authorize the annexation of certain real property of the United States by the city of Wyandotte, Mich.; to the Committee on Interior and Insular Affairs.

H.R. 384. A bill—

DECLARATION AND PURPOSE OF POLICY

To reaffirm the national public policy and the purpose of Congress in the laws against unlawful restraints and monopolies, commonly designated "antitrust" laws, which among other things prohibit price discrimination; to aid in intelligent, fair, and effective administration and enforcement thereof; and to strengthen the Robinson-Patman Anti-Price Discrimination Act and the protection which it affords to independent business, the Congress hereby reaffirms that the purpose of the antitrust laws in prohibiting price discriminations is to secure equality of opportunity to all persons to compete in trade or business and to preserve competition where it exists, to restore it where it is destroyed, and to permit it to spring up in new fields; to the Committee on the Judiciary.

H.R. 385. A bill to provide for a program of Federal loans to assist States and local communities in building schools; to the Committee on Education and Labor.

H.R. 386. A bill to amend the Fair Labor Standards Act of 1938 so as to increase the minimum hourly wage from $1 to $1.25; to the Committee on Education and Labor.

H.R. 387. A bill to amend title II of the Social Security Act to increase all benefits thereunder by 10 percent and to provide that full benefits (when based on attainment of retirement age) will be payable to both men and women at age 60, and for other purposes; to the Committee on Ways and Means.

H.R. 388. A bill to terminate the retailers and manufacturers excise taxes (other than taxes for the highway trust fund) and the excise taxes on facilities and services; to the Committee on Ways and Means.

H.R. 389. A bill to amend title 28, entitled "Judiciary and Judicial Procedure" of the United States Code to provide for the defense of suits against Federal employees arising out of their operation of motor vehicles in the scope of their employment, and for other purposes; to the Committee on the Judiciary.

By Mr. MACDONALD:

H.R. 390. A bill to provide a 5-year program of assistance to enable depressed segments of the fishing industry in the United States to regain a favorable economic status, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MACHROWICZ:

H.R. 391. A bill to amend section 37 of the Internal Revenue Code of 1954 to equalize for all taxpayers the amount which may be taken into account in computing the retirement income credit thereunder; to the Committee on Ways and Means.

H.R. 392. A bill to repeal the manufacturers excise taxes on automobiles and on parts and accessories, and to reduce the manufacturers excise tax on trucks and buses to 5 percent; to the Committee on Ways and Means.

H.R. 393. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

H.R. 394. A bill to provide for the recognition of the Polish Legion of American Veterans by the Secretary of Defense and the Administrator of Veterans' Affairs; to the Committee on Veterans' Affairs.

H.R. 395. A bill to authorize an emergency 2-year program of Federal financial assistance in school construction to States and local communities; to the Committee on Education and Labor.

By Mr. MERROW:

H.R. 396. A bill to permit an individual who retired before September 1954 under the Federal old-age and survivors insurance program to have his benefit amount recomputed, without acquiring any additional coverage, to take advantage of the "drop-out" provisions in title II of the Social Security Act; to the Committee on Ways and Means.

H.R. 397. A bill to provide a method for regulating and fixing wage rates for employees of Portsmouth, N.H., Naval Shipyard; to the Committee on Armed Services.

By Mr. MITCHELL:

H.R. 398. A bill to amend title 38 of the United States Code to provide an increased statutory rate of compensation for certain veterans; to the Committee on Veterans' Affairs.

H.R. 399. A bill to amend the definition of "veteran of any war" in chapter 17 of title 38, United States Code; to the Committee on Veterans' Affairs.

By Mr. MULTER:

H.R. 400. A bill to provide further means of securing and protecting the right of persons within the jurisdiction of the several States to the equal protection of the laws and other civil rights guaranteed by the Constitution or laws of the United States; to the Committee on the Judiciary.

By Mr. O'BRIEN of New York:

H.R. 401. A bill to amend title IV of the Housing Act of 1950 to authorize loans under the college housing loan program for the construction of science buildings and libraries at educational institutions; to the Committee on Banking and Currency.

H.R. 402. A bill to amend section 37 of the Internal Revenue Code of 1954 to permit individuals aged 65 or over to earn an additional $300 a year without diminishing their retirement income credit; to the Committee on Ways and Means.

H.R. 403. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

H.R. 404. A bill to amend section 9(a) of the Trading With the Enemy Act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. PASSMAN:

H.R. 405. A bill to amend the National Housing Act, as amended, with regard to insurance of accounts so as to provide uniform protection to all married savers in savings and loan associations; to the Committee on Banking and Currency.

By Mr. PERKINS:

H.R. 406. A bill to authorize Federal assistance to the States and local communities in financing an expanded program of school construction so as to eliminate the national shortage of classrooms; to the Committee on Education and Labor.

H.R. 407. A bill to establish an effective program to alleviate conditions of excessive unemployment in certain economically depressed areas; to the Committee on Ways and Means.

By Mr. ROBERTS:

H.R. 408. A bill to direct the Secretary of Commerce, acting through the National Bureau of Standards, to conduct research with respect to the effect on human health of certain products of fuel combustion, and for other purposes; to the Committee on Science and Astronautics.

H.R. 409. A bill to provide for the establishment of Fort Jackson as a national monument; to the Committee on Interior and Insular Affairs.

H.R. 410. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

H.R. 411. A bill to amend section 224 of the Social Security Act to provide that there shall be no offset against social security benefits for disabled persons on account of disability retirement pay for members of the uniformed services; to the Committee on Ways and Means.

H.R. 412. A bill to amend title II of the Social Security Act to provide insurance thereunder against the cost of hospitalization for insured aged persons and their dependents and survivors, and for insured disabled persons, and for other purposes; to the Committee on Ways and Means.

H.R. 413. A bill to amend the Internal Revenue Code of 1954 to increase the amount which a taxpayer may deduct on account of expenses paid for the care of his or her dependents; to the Committee on Ways and Means.

H.R. 414. A bill to amend section 207 of the Legislative Reorganization Act of 1946, to provide that the Boards for the Correction of Military or Naval Records shall give consideration to satisfactory evidence relating to good character and conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals, and for other purposes; to the Committee on Armed Services.

H.R. 415. A bill to amend title 10, United States Code, to permit a Representative in Congress to nominate as a candidate to a service academy, a person domiciled at any place in the State from which such Representative is elected; to the Committee on Armed Services.

H.R. 416. A bill to amend section 332 of title 10 of the United States Code to limit the use of the Armed Forces to enforce Federal laws or the orders of Federal courts; to the Committee on Armed Services.

By Mr. RODINO:

H.R. 417. A bill to provide for the establishment of a United States Foreign Service Academy; to the Committee on Foreign Affairs.

H.R. 418. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

H.R. 419. A bill to amend and revise the laws relating to immigration, naturalization, nationality, and citizenship, and for other purposes; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 420. A bill to amend the Internal Revenue Code of 1954 to provide that the full amount of any annuity received under the Civil Service Retirement Act shall be excluded from gross income; to the Committee on Ways and Means.

By Mr. ROGERS of Florida:

H.R. 421. A bill establishing certain qualifications for persons appointed to the Supreme Court; to the Committee on the Judiciary.

H.R. 422. A bill to amend title V of the Housing Act of 1949 to establish, in addition to the existing program of direct Federal farm housing loans, a new program of Federal insurance for farm housing loans made by private lenders; to the Committee on Banking and Currency.

By Mr. ROOSEVELT:

H.R. 423. A bill to amend the public assistance provisions of the Social Security Act to eliminate certain inequities and restrictions and permit a more effective distribution of Federal funds; to the Committee on Ways and Means.

H.R. 424. A bill to establish a comprehensive family farm income improvement and protection program, to provide additional consumer safeguards, to enable farmers to keep market supplies of farm commodities in reasonable balance with demand therefor, and for other purposes; to the Committee on Agriculture.

H.R. 425. A bill to study the use of conservation programs to provide healthful outdoor training for young men and to establish a pilot Youth Conservation Corps; to the Committee on Education and Labor.

H.R. 426. A bill to amend section 14(b) of the National Labor Relations Act so as to protect the rights of employees and employers, in industries affecting commerce, to enter into union shop agreements; to the Committee on Education and Labor.

H.R. 427. A bill to prohibit discrimination in employment because of race, color, religion, national origin, or ancestry; to the Committee on Education and Labor.

H.R. 428. A bill to reduce the maximum workweek under the Fair Labor Standards Act of 1938, as amended, to 35 hours, and for other purposes; to the Committee on Education and Labor.

H.R. 429. A bill to raise the minimum wage under the Fair Labor Standards Act of 1938, as amended, to $1.25 an hour, and for other purposes; to the Committee on Education and Labor.

H.R. 430. A bill to effectuate and enforce the constitutional right to the equal protection of the laws, and for other purposes; to the Committee on the Judiciary.

H.R. 431. A bill to amend the Internal Revenue Code of 1954 to increase the rate of surtax on corporate income while raising the exemption from such surtax from $25,000 to $75,000; to the Committee on Ways and Means.

H.R. 432. A bill to amend section 11 of the Clayton Act to provide for the more expeditious enforcement of cease and desist orders issued thereunder, and for other purposes; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H.R. 433. A bill to extend the benefits of the Federal Employees' Compensation Act to certain volunteer firemen injured while performing duty as firemen on real property under the exclusive jurisdiction of the United States, and for other purposes; to the Committee on Education and Labor.

H.R. 434. A bill to authorize the sale of certain vessels to Turkey for use in the coastwise trade of Turkey; to the Committee on Merchant Marine and Fisheries.

By Mr. SAYLOR:

H.R. 435. A bill to restate and amplify the provisions of the Federal reclamation laws respecting delivery of water to large landholdings; to the Committee on Interior and Insular Affairs.

By Mr. SELDEN (by request):

H.R. 436. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. SMITH of Mississippi:

H.R. 437. A bill to amend the Agricultural Adjustment Act of 1938 to permit a 1-year carryover of cotton farm acreage allotments where bad weather prevented planting; to the Committee on Agriculture.

H.R. 438. A bill to amend the Fair Labor Standards Act of 1938, as amended, with respect to handling of agricultural commodities, and for other purposes; to the Committee on Education and Labor.

By Mr. THOMSON of Wyoming:

H.R. 439. A bill to amend the act of June 4, 1920, as amended, providing for allotment of lands of the Crow Tribe, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 440. A bill to cancel irrigation maintenance and operation charges on the Shoshone Indian Mission School lands on the Wind River Indian Reservation; to the Committee on Interior and Insular Affairs.

H.R. 441. A bill to amend the Agricultural Adjustment Act of 1938; to provide allowance for summer fallow practices in determining acreage allotment; to the Committee on Agriculture.

By Mr. UTT:

H.R. 442. A bill to stabilize the tuna fishing industry; to the Committee on Merchant Marine and Fisheries.

H.R. 443. A bill to regulate the importation of tuna; to the Committee on Ways and Means.

H.R. 444. A bill to authorize the revestment of certain interests in land at the U.S. Naval Ammunition and Net Depot, Seal Beach, Calif.; to the Committee on Interior and Insular Affairs.

By Mr. VAN ZANDT:

H.R. 445. A bill to liberalize the pension program for veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. WILLIS:

H.R. 446. A bill to amend the National Housing Act with regard to insurance of accounts so as to provide uniform protection to all married savers in savings and loan associations; to the Committee on Banking and Currency.

By Mr. WILSON:

H.R. 447. A bill to stabilize the tuna fishing industry; to the Committee on Merchant Marine and Fisheries.

By Mr. ZELENKO:

H.R. 448. A bill to amend title 28 of the United States Code to permit actions on tort claims to be brought in the judicial district in which the act or omission complained of occurred; to the Committee on the Judiciary.

H.R. 449. A bill to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of large retail establishments whose activities affect interstate commerce, and for other purposes; to the Committee on Education and Labor.

H.R. 450. A bill to amend the Fair Labor Standards Act of 1938 to establish a $1.25 minimum hourly wage, and for other purposes; to the Committee on Education and Labor.

H.R. 451. A bill to amend the Longshoremen's and Harbor Workers' Compensation Act, with respect to the payment of compensation in cases where third persons are liable; to the Committee on Education and Labor.

H.R. 452. A bill to amend the Internal Revenue Code of 1954 to provide increased deductions for employers who employ individuals who are 45 years of age or over; to the Committee on Ways and Means.

H.R. 453. A bill to establish within the Department of Defense a civilian department

to be known as the Department of Civil Defense, and for other purposes; to the Committee on Armed Services.

H.R. 454. A bill to establish an effective program to alleviate conditions of excessive unemployment in certain economically depressed areas; to the Committee on Ways and Means.

H.R. 455. A bill to amend the Internal Revenue Code of 1954 to provide a partial tax credit for certain payments made to a public or private educational institution of higher education; to the Committee on Ways and Means.

H.R. 456. A bill to amend title II of the Social Security Act to provide that where a husband and wife are both entitled to benefits thereunder and one of them dies, the benefit of the survivor shall be equal to the total of the combined benefits to which they were entitled while both were living; to the Committee on Ways and Means.

H.R. 457. A bill to provide a deduction for income-tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income-tax purposes for a taxpayer or spouse who is physically or mentally incapable of caring for himself; to the Committee on Ways and Means.

By Mr. ABERNETHY:

H.R. 458. A bill to extend the death benefits of the Federal Employees' Compensation Act to dependents of certain Reserve members of the Navy, Marine Corps, and Coast Guard; to the Committee on Education and Labor.

H.R. 459. A bill to provide for the payment of pensions to veterans of World War I, World War II, and the Korean conflict, and their widows and children, at the same rates as apply in the case of veterans of the Spanish-American War, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 460. A bill to provide that pensions for non-service-connected death shall be extended to the widows and children of deceased World War II and Korean veterans under the same conditions as apply to the widows and children of deceased World War I veterans; to the Committee on Veterans' Affairs.

By Mr. ADDONIZIO:

H.R. 461. A bill to effectuate and enforce the constitutional right to the equal protection of the laws, and for other purposes; to the Committee on the Judiciary.

H.R. 462. A bill to amend the Social Security Act to provide that, for the purpose of old-age and survivors insurance benefits, retirement age shall be 60 years; to the Committee on Ways and Means.

H.R. 463. A bill to establish the Federal Agency for Handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

H.R. 464. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is physically or mentally incapable of caring for himself; to the Committee on Ways and Means.

H.R. 465. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives, and for other purposes; to the Committee on the Judiciary.

By Mr. AVERY:

H.R. 466. A bill to provide compensation for certain property losses in the Tuttle Creek Reservoir project, Kansas; to the Committee on Public Works.

By Mr. BALDWIN:

H.R. 467. A bill to repeal the tax of 20 percent of all amounts paid for admission, refreshment, service, or merchandise, at any roofgarden, cabaret, or other similar place; to the Committee on Ways and Means.

H.R. 468. A bill to amend the public assistance provisions of the Social Security Act to eliminate deductions due to home ownership; to the Committee on Ways and Means.

H.R. 469. A bill to amend the Federal-Aid Highway Act of 1958 to extend for an additional year the approval of the estimate of cost of completing the Interstate System; to the Committee on Public Works.

By Mr. BENNETT of Florida:

H.R. 470. A bill to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damage to, or loss of, property or personal injury or death, not cognizable under any other law; to the Committee on the Judiciary.

H.R. 471. A bill to amend chapter 561 of title 10, United States Code, to provide that the Secretary of the Navy shall have the same authority to remit indebtedness of enlisted members upon discharge as the Secretaries of the Army and Air Force have; to the Committee on the Judiciary.

H.R. 472. A bill to provide for the construction on a site in Jacksonville, Fla., of a hospital for the use of the Public Health Service; to the Committee on Public Works.

By Mr. BROWN of Missouri:

H.R. 473. A bill to amend the Internal Revenue Code of 1954 to assist small and independent business, and for other purposes; to the Committee on Ways and Means.

H.R. 474. A bill to authorize the utilization of a limited amount of storage space in Table Rock Reservoir for the purpose of water supply for a fish hatchery; to the Committee on Public Works.

By Mr. BYRNES of Wisconsin:

H.R. 475. A bill to amend section 445 of the Veterans' Benefits Act of 1957 to provide an exclusion from income for veterans' survivors eligible for pensions, for amounts paid by them for debts of the veteran and expenses of his last illness and burial; to the Committee on Veterans' Affairs.

By Mr. CANFIELD:

H.R. 476. A bill to amend the Internal Revenue Code of 1954 to permit taxpayers who are severely disabled to deduct certain transportation expenses; to the Committee on Ways and Means.

By Mr. COAD:

H.R. 477. A bill prohibiting lithographing, engraving, or printing on envelopes sold or furnished by the Post Office Department; to the Committee on Post Office and Civil Service.

By Mr. COLLIER:

H.R. 478. A bill to allow a deduction for income tax purposes of certain expenses incurred by the taxpayer for the education of a dependent; to the Committee on Ways and Means.

H.R. 479. A bill to amend the Internal Revenue Code of 1954 to repeal the tax on the transportation of persons; to the Committee on Ways and Means.

H.R. 480. A bill to repeal the excise tax on communications; to the Committee on Ways and Means.

By Mr. COLMER:

H.R. 481. A bill to provide that one floating ocean station shall be maintained at all times in the Gulf of Mexico to provide storm warnings for States bordering on the Gulf of Mexico; to the Committee on Merchant Marine and Fisheries.

H.R. 482. A bill to regulate the foreign commerce of the United States by establishing quantitative restrictions on the importation of hardwood plywood; to the Committee on Ways and Means.

H.R. 483. A bill to provide for an ad valorem duty on the importation of shrimp; to the Committee on Ways and Means.

H.R. 484. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

H.R. 485. A bill to provide for the appointment of an additional district judge for the southern district of Mississippi; to the Committee on the Judiciary.

H.R. 486. A bill to establish rules of interpretation of the effect of acts of Congress on State laws; to limit the appellate jurisdiction of the Supreme Court in certain cases; and to provide that confessions and other evidence shall be admissible in United States courts; to the Committee on the Judiciary.

By Mr. CORBETT:

H.R. 487. A bill to make permanent certain temporary increases in rates of compensation of employees of the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CRAMER:

H.R. 488. A bill to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence; to the Committee on the Judiciary.

H.R. 489. A bill to amend the Internal Revenue Code to provide that annuities received under the Civil Service Retirement Act shall be exempt from income tax; to the Committee on Ways and Means.

H.R. 490. A bill to provide for the establishment of a Bureau of Senior Citizens within the Department of Health, Education, and Welfare; to provide for an Assistant Secretary to the Department of Health, Education, and Welfare to direct said Bureau; to authorize Federal funds to conduct and encourage research and studies into the fields of gerontology, geriatrics, and allied problems of senior citizens; assist in the operation of projects to help senior citizens; and for other purposes; to the Committee on Education and Labor.

H.R. 491. A bill to amend section 2385 of title 18 of the United States Code to define the term "organize" as used in that section; to the Committee on the Judiciary.

H.R. 492. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws by amending chapter 1 of title 1 of the United States Code; to the Committee on the Judiciary.

H.R. 493. A bill to amend title 28 of the United States Code, so as to provide for the appointment of one additional district judge for the southern district of Florida; to the Committee on the Judiciary.

By Mr. DAVIS of Georgia:

H.R. 494. A bill to provide for Government contribution toward personal health service benefits for civilian officers and employees in the United States service and their dependents, to authorize payroll deductions for participants, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DENTON:

H.R. 495. A bill to provide for the enforcement of support orders in certain State and Federal courts, and to make it a crime to move or travel in interstate and foreign commerce, to avoid compliance with such orders; to the Committee on the Judiciary.

H.R. 496. A bill to provide for the construction of a new Federal building in Evansville, Ind.; to the Committee on Public Works.

H.R. 497. A bill to amend title II of the Social Security Act to permit an individual to waive his right to receive benefits thereunder in order to preserve his right to receive benefits under other laws; to the Committee on Ways and Means.

H.R. 498. A bill to permit all wheat farmers (including those who plant less than 15 acres of wheat) to vote in any wheat-marketing quota referendum; to the Committee on Agriculture.

By Mr. DEROUNIAN:

H.R. 499. A bill to establish and maintain the U.S. Maritime Service as a uniformed service; to the Committee on Merchant Marine and Fisheries.

By Mr. DINGELL:

H.R. 500. A bill to amend title 18 of the United States Code to prohibit the shipment

of explosives in interstate or foreign commerce for the purpose of endangering lives or illegally destroying property; to the Committee on the Judiciary.

H.R. 501. A bill to prohibit the use of Government property by any organization practicing segregation on the basis of race, creed, or color; to the Committee on Public Works.

By Mr. EDMONDSON:

H.R. 502. A bill to amend title I of the Social Security Act to provide that the first $50 per month of earned income shall not be taken into account in determining an individual's need for old-age assistance thereunder; to the Committee on Ways and Means.

H.R. 503. A bill to amend the public assistance provisions of the Social Security Act to provide that the value of restricted Indian lands shall not be taken into account in determining the need of any Indian for such assistance; to the Committee on Ways and Means.

By Mr. ELLIOTT:

H.R. 504. A bill to provide a residence for pages of the Senate and of the House of Representatives, under the supervision of a Capitol Pages' Residence Board, and for other purposes; to the Committee on House Administration.

H.R. 505. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 506. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

By Mr. FORD:

H.R. 507. A bill to amend title II of the Social Security Act to increase the amount of outside income which a widow with minor children may earn without suffering deductions from the benefits to which she is entitled under such title; to the Committee on Ways and Means.

By Mr. FORRESTER:

H.R. 508. A bill to provide that the lock and dam on the Chattahoochee River south of Columbia, Ala., shall hereafter be known and designated as the George W. Andrews lock and dam; to the Committee on Public Works.

By Mr. FRIEDEL:

H.R. 509. A bill to increase the personal income tax exemptions of a taxpayer, including the exemptions for a spouse and dependents and the additional exemptions for old age and blindness from $600 to $800; to the Committee on Ways and Means.

By Mr. FULTON:

H.R. 510. A bill to make permanent certain temporary increases in rates of compensation of employees of the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. GRANAHAN:

H.R. 511. A bill to correct the inequities of the Postal Field Service Compensation Act of 1955; to the Committee on Post Office and Civil Service.

H.R. 512. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees; to the Committee on Post Office and Civil Service.

By Mr. GRANT:

H.R. 513. A bill to provide a particular designation for the proposed dam and lock on the Chattahoochee River at Columbia, Ala.; to the Committee on Public Works.

By Mr. GREEN of Pennsylvania:

H.R. 514. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which may be received by an individual while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 515. A bill to amend title II of the Social Security Act to provide that full benefits thereunder, when based upon the attainment of retirement age, will be payable to men at age 60 and to women at age 55; to the Committee on Ways and Means.

By Mr. GROSS:

H.R. 516. A bill to permit involuntarily separated postmasters, when post offices are discontinued, to acquire classified civil service status through noncompetitive civil service examinations, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 517. A bill to prohibit the importation of pork and other agricultural commodities and products from the Soviet Union, Poland, and other Communist-dominated countries; to the Committee on Ways and Means.

By Mr. HARRIS:

H.R. 518. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

By Mr. HAYS:

H.R. 519. A bill to revise the laws relating to depository libraries; to the Committee on House Administration.

By Mr. HIESTAND:

H.R. 520. A bill to repeal sections 5 and 6 of the Federal Water Pollution Control Act; to the Committee on Public Works.

H.R. 521. A bill relating to the premiums to be charged for insurance issued by the Federal Crop Insurance Corporation; to the Committee on Agriculture.

By Mr. HOSMER:

H.R. 522. A bill to repeal the dual employment statute and amend the dual compensation statute, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 523. A bill to regulate the mailing of articles of merchandise weighing less than 16 ounces, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 524. A bill to amend title 35, United States Code, to permit the publication of patent applications, and for other purposes; to the Committee on the Judiciary.

H.R. 525. A bill to amend title 35, United States Code, to permit the publication of patent applications, and for other purposes; to the Committee on the Judiciary.

H.R. 526. A bill to amend title 18, United States Code, to make unlawful certain practices in connection with the placing of minor children for permanent free care or for adoption; to the Committee on the Judiciary.

By Mr. JOHNSON of Wisconsin:

H.R. 527. A bill to provide minimum price-support levels for whole milk and butterfat during the 2-year period beginning April 1, 1959; to the Committee on Agriculture.

By Mr. JONES of Missouri:

H.R. 528. A bill to amend section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended, to provide for administration of farm programs by democratically elected farmer committeemen; to the Committee on Agriculture.

By Mr. KARSTEN:

H.R. 529. A bill to discharge more effectively obligations of the United States under certain conventions and protocols relating to the institution of controls over the manufacture of narcotic drugs, and for other purposes; to the Committee on Ways and Means.

By Mr. KNOX:

H.R. 530. A bill to amend the Federal-Aid Highway Act of 1944 to provide for an addition to the National System of Interstate Highways; to the Committee on Public Works.

By Mr. LANE:

H.R. 531. A bill to recognize the Italian American War Veterans of the United States, Inc., a national nonprofit, nonpolitical war veterans' organization, for the purposes of bestowing upon it certain benefits, rights, privileges, and prerogatives; to the Committee on Veterans' Affairs.

By Mr. LESINSKI:

H.R. 532. A bill to provide for a Federal lottery to raise funds for Federal hospitals, the blind, recipients of old-age assistance, and disabled veterans; to the Committee on Ways and Means.

H.R. 533. A bill to confer jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon claims of customs officers and employees to extra compensation for Sunday, holiday, and overtime services performed after August 31, 1931, and not heretofore paid in accordance with existing law; to the Committee on the Judiciary.

H.R. 534. A bill to increase the rates of basic salary of employees in the postal field service; to the Committee on Post Office and Civil Service.

H.R. 535. A bill to provide that no more than 32 hours of service shall be required of employees of the postal field service during any week in which a holiday falls; to the Committee on Post Office and Civil Service.

H.R. 536. A bill to provide that the compensation of star route, panel body, and mail messenger contractors shall be increased if their costs are increased because of a Federal or State statute, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 537. A bill to authorize the construction of certain public works for flood control and other purposes on the Rouge River, Mich.; to the Committee on Public Works.

H.R. 538. A bill making an appropriation for grants-in-aid for the construction of civil-defense shelters and other protective facilities; to the Committee on Appropriations.

H.R. 539. A bill to amend the Internal Revenue Code of 1954 to increase the personal income tax exemptions from $600 to $800, and for other purposes; to the Committee on Ways and Means.

H.R. 540. A bill to eliminate certain inequities and to correct certain omissions relating to the compensation and the rights of postal field service employees, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 541. A bill to amend section 507 of the Classification Act of 1949 to include certain salary increases in connection with the preservation of the rates of basic compensation of certain officers and employees in cases involving downgrading actions, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 542. A bill to strengthen the Veterans' Preference Act of 1944, as amended; to the Committee on Post Office and Civil Service.

H.R. 543. A bill to amend the Classification Act of 1949, as amended, to provide a formula for guaranteeing a minimum increase when an employee is promoted from one grade to another; to the Committee on Post Office and Civil Service.

H.R. 544. A bill to grant longevity pay step increases to Federal employees on an equal basis upon the completion by them of 10, 13, and 16 years of service, respectively; to the Committee on Post Office and Civil Service.

H.R. 545. A bill to amend the Annual and Sick Leave Act of 1951, to increase the annual and sick leave which may be earned and accumulated by officers and employees of the Federal Government; to the Committee on Post Office and Civil Service.

H.R. 546. A bill to provide a more equitable system for the settlement of appeals from adverse personnel actions in the classified civil service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 547. A bill to provide an equitable system for the prompt and just settlement of grievances of Federal employees, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 548. A bill to make permanent certain temporary increases in rates of compensation of employees of the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 549. A bill to revise and clarify the laws relating to the furnishing of post office boxes; to the Committee on Post Office and Civil Service.

H.R. 550. A bill to preserve the rates of basic salary of postal field service employees in certain cases involving reductions in salary standing, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 551. A bill to provide for the recognition of the Polish Legion of American Veterans by the Secretary of Defense and the Administrator of Veterans' Affairs; to the Committee on Veterans' Affairs.

H.R. 552. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide that a private annual study and report of the retirement fund be made; to the Committee on Post Office and Civil Service.

H.R. 553. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide that accumulated sick leave be credited to retirement fund; to the Committee on Post Office and Civil Service.

H.R. 554. A bill to modernize certain provisions of the Civil Service Retirement Act relating to immediate retirement; to the Committee on Post Office and Civil Service.

H.R. 555. A bill to make permanent certain increases in annuities payable from the civil service retirement and disability fund; to the Committee on Post Office and Civil Service.

H.R. 556. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide annuities for additional personnel engaged in hazardous occupations; to the Committee on Post Office and Civil Service.

H.R. 557. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to base the calculation on a new formula; to the Committee on Post Office and Civil Service.

H.R. 558. A bill to amend the Civil Service Retirement Act to eliminate the reduction in annuity elected for a spouse when such spouse predeceases the person making the election; to the Committee on Post Office and Civil Service.

By Mr. McCORMACK:

H.R. 559. A bill to amend the Tariff Act of 1930, as amended, so as to prevent undue relaxation of customs supervision as a safeguard against smuggling and for the protection of the revenue, and for other purposes; to the Committee on Ways and Means.

By Mr. MACHROWICZ:

H.R. 560. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

H.R. 561. A bill to increase to $700 the amount a dependent may earn without loss of exemption to the taxpayer; to the Committee on Ways and Means.

H.R. 562. A bill to amend section 5051(a) of the Internal Revenue Code of 1954 to aid small business and discourage continued concentration in the brewing industry; to the Committee on Ways and Means.

H.R. 563. A bill to amend the Social Security Act to provide that, for the purpose of old-age and survivors insurance benefits, retirement age shall be 60 years; to the Committee on Ways and Means.

H.R. 564. A bill to recognize certain national nonprofit, nonpolitical war veterans' organizations, for purposes of bestowing upon them certain benefits, rights, privileges, and prerogatives; to the Committee on Veterans' Affairs.

By Mr. MICHEL:

H.R. 565. A bill to amend the Internal Revenue Code of 1954 to provide an exclusion of up to $50 per year from gross income for amounts received as interest on savings deposits; to the Committee on Ways and Means.

H.R. 566. A bill to amend the veterans regulations to provide additional compensation for veterans having the service-incurred disability of deafness of both ears; to the Committee on Veterans' Affairs.

By Mr. GEORGE P. MILLER:

H.R. 567. A bill to encourage the establishment of voluntary pension plans by individuals; to the Committee on Ways and Means.

H.R. 568. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees; to the Committee on Post Office and Civil Service.

H.R. 569. A bill to correct the inequities of the Postal Field Service Compensation Act of 1955; to the Committee on Post Office and Civil Service.

By Mr. MITCHELL:

H.R. 570. A bill to amend the Contract Settlement Act of 1944 so as to authorize the payment of fair compensation to persons contracting to deliver certain strategic or critical minerals or metals in cases of failure to recover reasonable costs, and for other purposes; to the Committee on the Judiciary.

H.R. 571. A bill to amend section 358 of title 38, United States Code, to provide for apportionment of compensation of veterans who disappear; to the Committee on Veterans' Affairs.

H.R. 572. A bill to amend title 38, United States Code, to increase the rate of special pension payable to certain persons awarded the Medal of Honor, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MORRISON:

H.R. 573. A bill to provide for the construction of a new Federal post office building in Baton Rouge, La.; to the Committee on Public Works.

By Mr. MULTER:

H.R. 574. A bill to amend the Immigration and Nationality Act to provide that clergymen who are naturalized citizens shall not lose their nationality by residence abroad, even though they are not representatives of American organizations, if they devote full time to their clerical duties, and for other purposes; to the Committee on the Judiciary.

H.R. 575. A bill to require the establishment of congressional election districts composed of contiguous and compact territories, and to require that the districts so established within any one State shall contain approximately the same number of inhabitants; to the Committee on the Judiciary.

H.R. 576. A bill to provide that certain Government officers and employees shall be excused from duty for a sufficient period of time to vote in elections; to the Committee on Post Office and Civil Service.

H.R. 577. A bill to amend the Classification Act of 1949, as amended, so as to authorize longevity step increases for officers and employees in grades above grade 15 of the general schedule; to the Committee on Post Office and Civil Service.

H.R. 578. A bill to repeal Public Law 769 of the 83d Congress, entitled "An act to prohibit payment of annuities to officers and employees of the United States convicted of certain offenses, and for other purposes"; to the Committee on Post Office and Civil Service.

H.R. 579. A bill to provide free postage for first-class letter mail matter sent by or to members of the Armed Forces of the United States; to the Committee on Post Office and Civil Service.

H.R. 580. A bill relating to the practice of law in the District of Columbia; to the Committee on the District of Columbia.

H.R. 581. A bill to amend section 103 of the Internal Revenue Code of 1954, to provide that the interest on certain obligations issued by the States and their political subdivisions shall not be tax exempt; to the Committee on Ways and Means.

H.R. 582. A bill to amend the act entitled "An act to promote export trade, and for other purposes," approved April 10, 1918, to provide that no export trade association shall restrict any foreign buyer from dealing, directly or through an agent of his own selection, with any producer, manufacturer, or seller; to the Committee on the Judiciary.

H.R. 583. A bill to amend the Tariff Act of 1930 with respect to the finality of determinations relating to the assessment of duties or charges on certain imported merchandise; to the Committee on Ways and Means.

H.R. 584. A bill to amend the Internal Revenue Code of 1954, to increase the deductions for personal exemptions; to the Committee on Ways and Means.

H.R. 585. A bill to exempt from income tax, annuities and pensions paid by the United States to its employees; to the Committee on Ways and Means.

H.R. 586. A bill to amend the Internal Revenue Code of 1954 to require every seller of property, who collects from the purchaser any amount as a charge for the transportation of such property, to furnish such purchaser a statement showing the amount of transportation charges, if any, taxable under section 4271(a) of such code, and the amount of tax imposed; to the Committee on Ways and Means.

H.R. 587. A bill to provide that communications relating to income tax which are mailed to a taxpayer shall not bear on the outer covering any markings which disclose information concerning such taxpayer's income or tax liability; to the Committee on Ways and Means.

H.R. 588. A bill to provide income-tax exemptions for members of the Armed Forces serving outside the United States; to the Committee on Ways and Means.

H.R. 589. A bill to amend section 1963 of title 28 of the United States Code to provide for the registration of that portion of divorce decrees providing for the payment of money or the transfer of property which have been entered in certain district courts of the United States; to the Committee on the Judiciary.

H.R. 590. A bill to amend title 28 of the United States Code with respect to the eligibility of members of the bar of the United States Supreme Court to practice before all courts of appeals and district courts of the United States; to the Committee on the Judiciary.

H.R. 591. A bill to amend title 28 of the United States Code to provide that State law shall, in certain cases, determine the number of jurors which constitute a jury and the number of jurors who must agree in order that there be a valid verdict; to the Committee on the Judiciary.

H.R. 592. A bill to provide that for the purpose of disapproval by the President each provision of an appropriation bill shall be considered a separate bill; to the Committee on the Judiciary.

H.R. 593. A bill to amend the Administrative Procedure Act, as amended, and for other purposes; to the Committee on the Judiciary.

H.R. 594. A bill to confer jurisdiction upon the Court of Claims to review de novo claims for benefits and payments under laws administered by the Veterans' Administration; to the Committee on the Judiciary.

H.R. 595. A bill to permit aliens registered on former quota waiting lists maintained prior to January 1, 1944, to be placed on the appropriate quota waiting lists maintained under authority of the Immigration and Nationality Act without loss of priority of their original registration; to the Committee on the Judiciary.

H.R. 596. A bill to provide for the payment of premiums on savings bonds and savings certificates, and for other purposes; to the Committee on Ways and Means.

H.R. 597. A bill to provide for the waiver of income taxes on series E U.S. savings bonds,

and for other purposes; to the Committee on Ways and Means.

H.R. 598. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. NATCHER:

H.R. 599. A bill to amend section 5 of the Civil Service Retirement Act of May 29, 1930, as amended, with respect to credit for service in post offices which are reclassified from third to fourth class; to the Committee on Post Office and Civil Service.

H.R. 600. A bill to amend the Civil Service Retirement Act to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PELLY:

H.R. 601. A bill to amend the Annual and Sick Leave Act of 1951 to prevent loss of annual leave by employees in certain cases, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 602. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees; to the Committee on Post Office and Civil Service.

H.R. 603. A bill to provide parking space for the automobiles of patrons and postal employees at postal installations; to the Committee on Post Office and Civil Service.

H.R. 604. A bill to extend to fishermen the same treatment accorded farmers in relation to estimated income tax; to the Committee on Ways and Means.

H.R. 605. A bill to facilitate the application and operation of the Fish and Wildlife Act of 1956, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 606. A bill to make the Civil Service Retirement Act Amendments of 1956 applicable to certain persons who retired under the automatic separation provisions of the Civil Service Retirement Act prior to the enactment of such amendments; to the Committee on Post Office and Civil Service.

H.R. 607. A bill to amend the Classification Act of 1949 with respect to the exclusion of crafts, trades, and labor positions therefrom; to the Committee on Post Office and Civil Service.

By Mr. PHILBIN:

H.R. 608. A bill to clarify the deduction for income tax purposes of allowances for salaries or other compensation for personal services; to the Committee on Ways and Means.

H.R. 609. A bill for the relief of sufferers of casualty losses, and for other purposes; to the Committee on Ways and Means.

H.R. 610. A bill to recognize the Italian-American World War Veterans of the United States, Inc., a national nonprofit, nonpolitical war veterans' organization, for purposes of bestowing upon it certain benefits, rights, privileges, and prerogatives; to the Committee on Veterans' Affairs.

H.R. 611. A bill to amend the Internal Revenue Code of 1954 to increase the amount exempted from the surtax on corporate taxable income from $25,000 to $50,000, and to permit a corporation with income tax liability for a taxable year of less than $100,000 to elect to pay its tax in four equal installments; to the Committee on Ways and Means.

H.R. 612. A bill to provide that all gifts made to aid a disaster area shall be allowed as deductions for income tax purposes; to the Committee on Ways and Means.

H.R. 613. A bill to amend section 201 of the Immigration and Nationality Act, so as to provide that all quota numbers not used in any year shall be made available to immigrants in oversubscribed areas in the following year, and for other purposes; to the Committee on the Judiciary.

H.R. 614. A bill to permit the naturalization of certain persons whose sons and daughters have served with the land or naval forces or the maritime service of the United States; to the Committee on the Judiciary.

By Mr. POAGE:

H.R. 615. A bill to provide for the construction of a new Federal building in Temple, Tex.; to the Committee on Public Works.

H.R. 616. A bill to designate the dam across the Lampasas River in Texas as Stillhouse Hollow Dam; to the Committee on Public Works.

By Mr. POWELL:

H.R. 617. A bill to assure all persons within the jurisdiction of the United States full and equal privileges with respect to public conveyances and places of public accommodation, resort, entertainment, amusement, assemblage, and institutions; to the Committee on the Judiciary.

H.R. 618. A bill to amend part III of the Civil Rights Act of 1957; to the Committee on the Judiciary.

H.R. 619. A bill to secure, protect, and strengthen the civil rights accruing to individuals under the Constitution and laws of the United States; to the Committee on the Judiciary.

By Mr. RAY:

H.R. 620. A bill to amend title II of the Social Security Act so as to provide that deductions on account of earnings shall not be made in the case of beneficiaries who have attained retirement age; to the Committee on Ways and Means.

H.R. 621. A bill to amend the Internal Revenue Code of 1954 so as to provide for scheduled personal and corporate income tax reductions and for other purposes; to the Committee on Ways and Means.

By Mr. REUSS:

H.R. 622. A bill to provide that the excise tax on automotive items shall not apply to electrolyte and special containers therefor sold in connection with the sale of dry-charge batteries; to the Committee on Ways and Means.

By Mr. ROGERS of Colorado:

H.R. 623. A bill to amend the Federal Water Pollution Control Act to remove a limitation on grants for construction of treatment works; to the Committee on Public Works.

By Mr. ROOSEVELT:

H.R. 624. A bill outlawing the poll tax as a condition of voting in any primary or other election for national officers; to the Committee on House Administration.

H.R. 625. A bill to prohibit the withholding or impoundment of appropriations; to the Committee on Appropriations.

By Mrs. ST. GEORGE:

H.R. 626. A bill to amend title II of the Social Security Act to provide for the deletion, from the records of the Secretary of Health, Education, and Welfare, of any entries showing wages paid for service as an employee of the Communist Party; to the Committee on Ways and Means.

H.R. 627. A bill to repeal the retailers excise tax on handbags; to the Committee on Ways and Means.

H.R. 628. A bill to amend the act of June 22, 1936, relative to flood control, and for other purposes; to the Committee on Public Works.

H.R. 629. A bill to provide for the erection in Arlington National Cemetery of an equestrian statue of General of the Armies of the United States John J. Pershing; to the Committee on House Administration.

H.R. 630. A bill to amend section 202 of the Agricultural Act of 1949 to provide that while butter is in surplus supply, it shall be part of the ration of the Army, Navy, and Air Force; to the Committee on Agriculture.

H.R. 631. A bill to discontinue the Postal Savings System established by the act of June 25, 1910 (36 Stat. 814), as amended, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 632. A bill to adjust the compensation of officers and employees of the United States, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 633. A bill to provide an additional rule with respect to the rendering of the national anthem of the United States of America; to the Committee on the Judiciary.

H.R. 634. A bill to limit the appellate jurisdiction of the Supreme Court in certain cases; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.R. 635. A bill to increase from $600 to $750 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Ways and Means.

H.R. 636. A bill to amend the Social Security Act to provide that, for the purpose of old-age and survivors insurance benefits, retirement age shall be 60 years; to the Committee on Ways and Means.

H.R. 637. A bill to amend the Internal Revenue Code of 1954 to increase the depletion allowance for coal and lignite; to the Committee on Ways and Means.

H.R. 638. A bill to establish quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

H.R. 639. A bill to provide for the issuance of a postage stamp bearing the phrase "Highway Courtesy Is Contagious"; to the Committee on Post Office and Civil Service.

H.R. 640. A bill to increase the income limitations applicable to veterans eligible for pension under part 3 of Veterans Regulation No. 1(a), and the Veterans' Benefits Act of 1957; to the Committee on Veterans' Affairs.

By Mr. SAYLOR (by request):

H.R. 641. A bill to amend Veterans Regulation No. 10 to provide that the widow of a peacetime veteran who married the veteran within 15 years after his last discharge or release from the service may be entitled to death compensation in case of the service-connected death of the veteran; to the Committee on Veterans' Affairs.

By Mr. SISK:

H.R. 642. A bill to provide flexibility in the operation of marketing agreement programs; to the Committee on Agriculture:

By Mr. SMITH of Mississippi:

H.R. 643. A bill to amend the Internal Revenue Code of 1954 to provide for public inspection of information required from certain organizations and trust exempted from taxation; to the Committee on Ways and Means.

H.R. 644. A bill to amend the Internal Revenue Code of 1954 with respect to information required from certain tax-exempt organizations; to the Committee on Ways and Means.

H.R. 645. A bill to provide Federal assistance to business enterprises, communities, and individuals injured by tariff reductions; to the Committee on Ways and Means.

H.R. 646. A bill to amend the Internal Revenue Code of 1954 with respect to the validity of a lien for taxes as against a mechanic's lien; to the Committee on Ways and Means.

H.R. 647. A bill to repeal the manufacturers excise tax on rebuilt automotive parts and accessories; to the Committee on Ways and Means.

H.R. 648. A bill to grant an additional income tax exemption to a taxpayer supporting a dependent who is blind or otherwise permanently and totally disabled; to the Committee on Ways and Means.

H.R. 649. A bill to provide that a manufacturer or producer of nonbeverage products containing distilled spirits shall not be

required to pay the tax imposed on such spirits by section 5001 of the Internal Revenue Code of 1954 if he is appropriately licensed and bonded, and for other purposes; to the Committee on Ways and Means.

H.R. 650. A bill to increase the amount of articles acquired abroad by residents of the United States which may be brought into the country without payment of duty; to the Committee on Ways and Means.

H.R. 651. A bill to amend section 202 of the Social Security Act to permit certain beneficiaries of an insured individual to meet the applicable proof-of-support requirements even though such individual was unable by reason of illness or injury to provide such support during a period ending with his death; to the Committee on Ways and Means.

H.R. 652. A bill to amend the Agricultural Act of 1956 (70 Stat. 202) to provide donations of surplus food commodities to State and local penal institutions; to the Committee on Agriculture.

H.R. 653. A bill to bring employees of agricultural stabilization and conservation county committees within the purview of the Civil Service Retirement Act and the Federal Employees' Group Life Insurance Act of 1954; to the Committee on Post Office and Civil Service.

H.R. 654. A bill to provide certain retirement benefits for certain widows of former Government civilian employees who died on or after February 29, 1948, and prior to October 1, 1956, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 655. A bill to amend the Civil Service Retirement Act to provide retirement credit for periods of sick leave; to the Committee on Post Office and Civil Service.

H.R. 656. A bill to provide for the establishment of policy of placing certain contracts in States having the lowest per capita income; to the Committee on Government Operations.

H.R. 657. A bill to provide that certain officers of the uniformed services who have been retired for disability incurred in line of duty, and who hold civilian office or employment with the United States, may receive retired pay and civilian pay totaling $6,000; to the Committee on Post Office and Civil Service.

H.R. 658. A bill to establish certain qualifications for Justices of the Supreme Court of the United States and for judges of United States courts of appeals; to the Committee on the Judiciary.

H.R. 659. A bill to limit and regulate the appellate jurisdiction of the Supreme Court of the United States; to the Committee on the Judiciary.

H.R. 660. A bill to amend the Veterans' Benefits Act of 1957 to provide that the Veterans' Administration shall not sever service connection of any veteran's disability when he has been in receipt of compensation for 10 or more years, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 661. A bill to amend title V of the Veterans' Benefits Act of 1957 to provide that each veteran treated in a Veterans' Administration facility shall, upon request, be assigned to a ward in which all patients are of the same race as the veteran making the request; to the Committee on Veterans' Affairs.

H.R. 662. A bill to amend section 532 of title 38, United States Code, to authorize the payment of pension to widows of Confederate veterans who do not meet the marriage date limitations prescribed in that section; to the Committee on Veterans' Affairs.

H.R. 663. A bill to amend the Veterans' Readjustment Assistance Act of 1952 to provide education and training rights for persons who enlisted in the Armed Forces of the United States during January 1955, but who were not on active duty on January 31, 1955; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas:

H.R. 664. A bill to amend the Federal Employees Salary Increase Act of 1958 to authorize the granting of certain salary increases to employees of the Agricultural Stabilization and Conservation county committees; to the Committee on Post Office and Civil Service.

By Mr. THOMPSON of Louisiana:

H.R. 665. A bill to amend the Annual and Sick Leave Act of 1951 to provide additional opportunity to employees to use their annual leave in certain cases, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. THOMSON of Wyoming:

H.R. 666. A bill to repeal the tax on transportation of persons; to the Committee on Ways and Means.

H.R. 667. A bill to amend the Internal Revenue Code of 1954 to repeal the excise tax on communications; to the Committee on Ways and Means.

H.R. 668. A bill to amend the Internal Revenue Code of 1954 to repeal the retailers excise tax on toilet preparations; to the Committee on Ways and Means.

H.R. 669. A bill to amend the Internal Revenue Code of 1954 to repeal the retailers excise tax on jewelry and related items; to the Committee on Ways and Means.

H.R. 670. A bill to extend the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930, and for other purposes; to the Committee on Ways and Means.

By Mr. UTT:

H.R. 671. A bill to encourage equity investment in new and small businesses, to relieve unemployment and provide additional revenue to the Federal Government to be applied to debt reduction, and for other purposes; to the Committee on Ways and Means.

H.R. 672. A bill to amend section 4242 of the Internal Revenue Code of 1954 to exempt from the club dues tax certain charges made by nonprofit clubs for the use of facilities; to the Committee on Ways and Means.

H.R. 673. A bill to regulate the importation of tuna; to the Committee on Ways and Means.

H.R. 674. A bill to amend the Servicemen's and Veterans' Survivor Benefits Act to provide that all retired members of the uniformed services who served not less that 25 years on active duty and who thereafter die shall be considered to have died service-connected deaths; to the Committee on Veterans' Affairs.

By Mr. VAN PELT:

H.R. 675. A bill to provide for the issuance of a special postage stamp to commemorate the National Flag Day; to the Committee on Post Office and Civil Service.

H.R. 676. A bill to amend title II of the Social Security Act to provide current insured status for certain additional individuals who served as employees of the State of Wisconsin and to whom social security coverage was retroactively extended in 1953; to the Committee on Ways and Means.

H.R. 677. A bill to amend title II of the Social Security Act to increase to $1,800 a year the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. VAN ZANDT:

H.R. 678. A bill to establish quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. WHITTEN:

H.R. 679. A bill to authorize the sale and transfer of acreage allotments and marketing quotas, and for other purposes; to the Committee on Agriculture.

H.R. 680. A bill to broaden use of disaster loan revolving fund; to the Committee on Agriculture.

By Mr. WILLIS:

H.R. 681. A bill to provide for the improvement of Fresh Water Bayou, La.; to the Committee on Public Works.

By Mr. WILSON:

H.R. 682. A bill to regulate the importation of tuna; to the Committee on Ways and Means.

H.R. 683. A bill to regulate the importation of tuna; to the Committee on Ways and Means.

H.R. 684. A bill to amend section 4242 of the Internal Revenue Code of 1954 to exempt from the club dues tax certain charges made by nonprofit clubs for the use of facilities; to the Committee on Ways and Means.

By Mr. YOUNG:

H.R. 685. A bill to provide for the establishment of a veterans' hospital in south Texas; to the Committee on Veterans' Affairs.

By Mr. YOUNGER:

H.R. 686. A bill relating to life insurance taken out to cover estimated liability for the Federal estate tax; to the Committee on Ways and Means.

By Mr. ZABLOCKI:

H.R. 687. A bill to increase from $600 to $700 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 688. A bill to repeal the tax of 20 percent of all amounts paid for admission, refreshment, service, or merchandise, at any roofgarden, cabaret, or other similar place; to the Committee on Ways and Means.

H.R. 689. A bill to amend the Internal Revenue Code of 1954 to provide that wages paid by States and political subdivisions to individuals employed on relief projects shall not be subject to the withholding tax; to the Committee on Ways and Means.

H.R. 690. A bill to provide a more equitable system for the settlement of disputes arising from personnel actions in the classified civil service, and of grievances and complaints of all Government personnel, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ZELENKO:

H.R. 691. A bill to amend the Classification Act of 1949 to provide three additional longevity step increases for officers and employees subject to such act, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 692. A bill to increase annuities payable to certain annuitants from the civil service retirement and disability fund, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 693. A bill to amend the public assistance provisions of the Social Security Act to eliminate certain inequities and restrictions and permit a more effective distribution of Federal funds; to the Committee on Ways and Means.

H.R. 694. A bill to provide that certain Government officers and employees shall be excused from duty for a sufficient period of time to vote in elections; to the Committee on Post Office and Civil Service.

By Mr. ABERNETHY:

H.R. 695. A bill to provide that certain real property under the jurisdiction of the Secretary of the Interior shall be transferred to the Secretary of the Army and made a part of the Arlington National Cemetery; to the Committee on Interior and Insular Affairs.

By Mr. ASHMORE:

H.R. 696. A bill to amend the provisions of law relating to the prevention of pernicious political activities (the Hatch Political Activities Act) to make them inapplicable to State and municipal officers and employees, to permit limited partisan political activities by Federal officers and employees in certain

designated localities, and for other purposes; to the Committee on House Administration.

By Mr. BALDWIN:

H.R. 697. A bill to authorize the Secretary of the Navy to acquire certain real property in the county of Solano, Calif., to transfer certain real property to the county of Solano, Calif., and for other purposes; to the Committee on Armed Services.

H.R. 698. A bill to amend the Federal Employees' Compensation Act to increase the benefits provided thereunder for paraplegics; to the Committee on Education and Labor.

H.R. 699. A bill to authorize assistance to States and local communities in remedying the inadequacies in the number of their teachers and teachers' salaries and the shortage in classrooms; to the Committee on Education and Labor.

H.R. 700. A bill to amend the act entitled "An act authorizing Federal participation in the cost of protecting the shores of publicly owned property," approved August 13, 1946; to the Committee on Public Works.

H.R. 701. A bill to define the status of retired officers of the Armed Forces, and for other purposes; to the Committee on Armed Services.

H.R. 702. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit the donation and other disposal of property to tax-supported public recreation agencies; to the Committee on Government Operations.

H.R. 703. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

H.R. 704. A bill to provide for the removal of the naval magazine at Port Chicago, Calif., to a site at Tubbs Island, Calif.; to the Committee on Armed Services.

H.R. 705. A bill to provide increases in annuities of certain individuals retired prior to April 1, 1948, under the Civil Service Retirement Act of May 29, 1930, as amended, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 706. A bill to provide travel pay and compensatory time off with respect to certain time in travel status for certain civilian officers and employees of the Government; to the Committee on Post Office and Civil Service.

H.R. 707. A bill to amend the Civil Service Retirement Act of May 29, 1930, to make certain benefits applicable to Canal Zone and other employees retired prior to April 1, 1948; to the Committee on Post Office and Civil Service.

H.R. 708. A bill to promote ethical standards of conduct among Members of Congress and officers and employees of the United States, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 709. A bill to provide that the rates of compensation of officers and employees subject to the Classification Act of 1949 shall hereafter be fixed and adjusted by wage boards on the basis of prevailing rates and practices; to the Committee on Post Office and Civil Service.

H.R. 710. A bill to make permanent certain increases in annuities payable from the civil service retirement and disability fund; to the Committee on Post Office and Civil Service.

H.R. 711. A bill making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers; to the Committee on House Administration.

H.R. 712. A bill to amend title 38, United States Code, to provide a 10-percent increase in the education and training allowances paid to individuals pursuing educational programs under laws administered by the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 713. A bill to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BENNETT of Florida:

H.R. 714. A bill to provide for a National Museum of Naval History; to the Committee on Armed Services.

H.R. 715. A bill to permit retired personnel of the uniformed services to receive benefits under the Federal Employees' Compensation Act without relinquishing their retirement pay; to the Committee on Education and Labor.

H.R. 716. A bill to provide that the United States shall reimburse the States for that portion of the construction cost of certain schools which is attributable to Negroes and Indians; to the Committee on Education and Labor.

H.R. 717. A bill to amend the Employment Act of 1946 to make relative stability of prices an explicit aim of Federal economic policy; to the Committee on Government Operations.

H.R. 718. A bill to amend section 602 of the Federal Property and Administrative Services Act of 1949 with respect to the utilization and disposal of excess and surplus property under the control of executive agencies; to the Committee on Government Operations.

H.R. 719. A bill to establish in the Department of Health, Education, and Welfare an Office for Senior Citizens, and for other purposes; to the Committee on Education and Labor.

H.R. 720. A bill to provide for the establishment of a United States Armed Forces Medical Academy; to the Committee on Armed Services.

H.R. 721. A bill to provide additional compensation for members of the uniformed services during certain periods of combat duty; to the Committee on Armed Services.

H.R. 722. A bill to require certain safety devices on motor vehicles sold, shipped, or used in interstate commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 723. A bill to provide for site acquisition and construction of a general medical and surgical Veterans' Administration hospital at Jacksonville, Fla.; to the Committee on Veterans' Affairs.

By Mr. BOSCH:

H.R. 724. A bill to provide for the display of the pledge of allegiance to the flag, certain excerpts from the writings and diaries of George Washington, and certain other material, in the offices in foreign countries of diplomatic and consular officers of the United States; to the Committee on Foreign Affairs.

By Mr. BROWN of Missouri:

H.R. 725. A bill to provide for the establishment of the Wilson's Creek Battlefield National Park, in the State of Missouri; to the Committee on Interior and Insular Affairs.

By Mr. BROYHILL:

H.R. 726. A bill to provide for Government contribution toward personal health service benefits for civilian officers and employees in the United States service and their dependents, to authorize payroll deductions for participants, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BROYHILL (by request):

H.R. 727. A bill to readjust size and weight limitations on fourth-class parcel post; to the Committee on Post Office and Civil Service.

By Mr. CANFIELD:

H.R. 728. A bill to amend sections 522 and 545 of title 38, United States Code, to increase the income limitations applicable to the payment of pension for non-service-connected disability or death to $1,800 and $3,000; to the Committee on Veterans' Affairs.

H.R. 729. A bill to amend section 151 of the Internal Revenue Code of 1954 to provide taxpayers an additional exemption of $600 for dependents who are attending educational institutions of higher learning; to the Committee on Ways and Means.

H.R. 730. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 731. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

By Mr. CHENOWETH:

H.R. 732. A bill to provide for two judicial districts and the appointment of an additional Federal judge for the State of Colorado; to the Committee on the Judiciary.

By Mrs. CHURCH:

H.R. 733. A bill to establish a Federal policy concerning the termination, limitation, or establishment of business-type operations of the Government which may be conducted in competition with private enterprise, and for other purposes; to the Committee on Government Operations.

H.R. 734. A bill to amend title II of the Social Security Act to eliminate the requirement that a husband or widower have been dependent upon his wife in order to qualify for husband's or widower's insurance benefits on the basis of her wage record, and for other purposes; to the Committee on Ways and Means.

H.R. 735. A bill to amend the Railroad Retirement Act of 1937 to eliminate the requirement that a husband or widower have been dependent upon his wife in order to qualify for a spouse's or widower's annuity on the basis of her wage record; to the Committee on Interstate and Foreign Commerce.

H.R. 736. A bill to amend the Civil Service Retirement Act to provide equality of treatment with respect to widows and widowers under such act; to the Committee on Post Office and Civil Service.

H.R. 737. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 738. A bill to establish a Joint Committee on Foreign Intelligence; to the Committee on Rules.

H.R. 739. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

By Mr. COLMER:

H.R. 740. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

By Mr. CRAMER:

H.R. 741. A bill to prohibit the using of improper methods to influence the acts or decisions of certain Federal regulatory agencies engaged in regulating activities or transactions in or related to interstate or foreign commerce and to repeal authority of the Federal Communications Commission members to receive certain fees; to the Committee on Interstate and Foreign Commerce.

H.R. 742. A bill to provide that the Secretary of the Interior shall investigate and report to Congress as to the advisability of establishing Fort De Soto as a national memorial; to the Committee on Interior and Insular Affairs.

H.R. 743. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

H.R. 744. A bill to amend section 5701(b)(2) of the Internal Revenue Code of 1954 so

as to adjust the rates of tax on cigars; to the Committee on Ways and Means.

H.R. 745. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted from $1,200 to $1,800 yearly without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. DENTON:

H.R. 746. A bill to provide for the payment of pensions to veterans of World War I and their widows and children at the same rates as apply in the case of veterans of the Spanish-American War, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 747. A bill to authorize Federal assistance to the States and local communities in financing an expanded program of school construction so as to eliminate the national shortage of classrooms; to the Committee on Education and Labor.

H.R. 748. A bill to amend the Fair Labor Standards Act of 1938 to prohibit the discrimination in employment against individuals on account of their age; to the Committee on Education and Labor.

H.R. 749. A bill to terminate the White County Bridge Commission, to transfer its assets, liabilities, functions, and authority to the Commissioner of Public Roads, and to authorize the transfer of the bridge operated by the commission to certain State agencies; to the Committee on Public Works.

H.R. 750. A bill to provide that certain cities in the United States having a population of 50,000 or more persons shall, upon application therefor, be connected with the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

H.R. 751. A bill to designate the portion of U.S. Highway No. 41 between Kentland, Ind., and Nashville, Tenn., a part of the National Highway System of Interstate and Defense Highways; to the Committee on Public Works.

H.R. 752. A bill to check the growth of unemployment by providing for Federal assistance to States and local governments for the construction of needed public works and public improvements; to the Committee on Public Works.

H.R. 753. A bill to provide for an annual audit of the accounts of the White County Bridge Commission; to provide a new method of appointment for the commissioners and for staggered terms of office; to exempt the income of the commission from Federal taxation; and to clarify the authority of the commission to transfer all its assets to certain public agencies; to the Committee on Public Works.

H.R. 754. A bill to provide for the procurement and installation of mechanism for recording and counting votes in the House of Representatives; to the Committee on House Administration.

H.R. 755. A bill to increase the annual income limitations governing the payment of pensions for permanently and totally disabled wartime veterans, and for the widows and children of veterans of World War I, World War II, and the Korean conflict; to the Committee on Veterans' Affairs.

By Mr. DOLLINGER:

H.R. 756. A bill to withhold Federal aid from schools which discriminate between students by reason of their race, color, religion, ancestry, or national origin; to the Committee on Education and Labor.

H.R. 757. A bill to establish in the Department of Commerce a Consumers' Advisory Bureau, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 758. A bill making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers; to the Committee on House Administration.

H.R. 759. A bill to provide further means of securing and protecting the right of persons within the jurisdiction of the several States to the equal protection of the laws and other civil rights guaranteed by the Constitution or laws of the United States; to the Committee on the Judiciary.

By Mr. EDMONDSON:

H.R. 760. A bill to authorize Federal assistance to the States and local communities in financing a program of atomic and disaster shelters in the Nation's schools; to the Committee on Armed Services.

H.R. 761. A bill to make the evaluation of recreational benefits resulting from the construction of any flood-control, navigation, or reclamation project an integral part of project planning, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ELLIOTT:

H.R. 762. A bill to amend the National School Lunch Act to permit junior colleges to participate therein, and for other purposes; to the Committee on Education and Labor.

H.R. 763. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. FOLEY:

H.R. 764. A bill to provide for Government contribution toward personal health service benefits for civilian officers and employees in the U.S. service and their dependents, to authorize payroll deductions for participants, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FRIEDEL:

H.R. 765. A bill to amend the Railroad Retirement Act of 1937 to increase the amount of outside income which a survivor annuitant may earn without deduction from his or her annuity thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 766. A bill to amend section 5 of the act of July 16, 1914, relating to penalties for the use of Government-owned vehicles for other than official purposes; to the Committee on Government Operations.

H.R. 767. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 768. A bill to amend the Federal Trade Commission Act, as amended, so as to equalize rights in the distribution of identified merchandise; to the Committee on Interstate and Foreign Commerce.

By Mr. GARMATZ:

H.R.769. A bill to provide for the procurement by the Government of insurance against risk to civilian personnel of liability for personal injury or death, or for property damage, arising from the operation of motor vehicles in the performance of official Government duties, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 770. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees; to the Committee on Post Office and Civil Service.

By Mr. GRAY:

H.R. 771. A bill to extend for 1 year certain programs established under the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956; to the Committee on Interior and Insular Affairs.

By Mrs. GREEN of Oregon:

H.R. 772. A bill to provide for assistance in strengthening and improving State and local programs for the diminution, control, and treatment of juvenile delinquency; to the Committee on the Judiciary.

H.R. 773. A bill to amend section 203 of the Social Security Act to increase the amount of earnings individuals are permitted to earn without suffering deductions from their benefits; to the Committee on Ways and Means.

H.R. 774. A bill to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of large retail establishments whose activities affect interstate commerce, and for other purposes; to the Committee on Education and Labor.

H.R. 775. A bill to provide that certain survivor benefits received by a child under public retirement systems shall not be taken into account in determining whether the child is a dependent for income tax purposes; to the Committee on Ways and Means.

By Mr. GREEN of Pennsylvania:

H.R. 776. A bill to authorize the Secretary of the Army to convey to the city of Philadelphia, Pa., certain piers and other facilities of the United States located in such city; to the Committee on Armed Services.

H.R. 777. A bill to amend the Fair Labor Standards Act of 1938 so as to increase the minimum hourly wage from $1 to $1.50; to the Committee on Education and Labor.

By Mrs. GRIFFITHS:

H.R. 778. A bill to provide for the distribution of certain surplus food commodities to needy persons in the United States, by use of a food-stamp plan; to the Committee on Agriculture.

H.R. 779. A bill to establish a Federal Agency for Handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

H.R. 780. A bill to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in operations affecting commerce, and to provide procedure for the collection of wages lost by employees by reason of any such discrimination; to the Committee on Education and Labor.

H.R. 781. A bill to create a Department of Urban Affairs, and for other purposes; to the Committee on Government Operations.

H.R. 782. A bill to amend the Federal Property and Administrative Services Act of 1949 to make municipalities eligible for donations of surplus real and personal property; to the Committee on Government Operations.

H.R. 783. A bill to amend title 18 of the United States Code so as to prohibit certain acts involving the importation, transportation, possession, or use of explosives, and for other purposes; to the Committee on the Judiciary.

H.R. 784. A bill to grant natives of the Dependency of Malta unlimited access to the immigration quota for Great Britain; to the Committee on the Judiciary.

H.R. 785. A bill to provide for a national cemetery at Fort Custer, Mich.; to the Committee on Interior and Insular Affairs.

By Mr. GROSS:

H.R. 786. A bill to make permanent certain temporary increases in rates of compensation of employees of the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 787. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

H.R. 788. A bill to amend titles 10 and 14 of the United States Code to provide that cadets and midshipmen entering the service academies hereafter shall agree to serve 8 years on duty after graduation; to the Committee on Armed Services.

H.R. 789. A bill to provide that individuals enlisted into the Armed Forces of the United States shall take an oath to support and defend the Constitution of the United States; to the Committee on Armed Services.

By Mr. HÉBERT:

H.R. 790. A bill to authorize the acquisition of land for Chalmette National Historical Park, provide for the enlargement of the national cemetery therein, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HECHLER:

H.R. 791. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HEMPHILL:

H.R. 792. A bill to increase personal income tax exemptions of the taxpayer (including exemptions for a spouse, exemptions for a dependent, and an additional exemption for old age and blindness from $600 to $1,200 under provisions herein defined); to the Committee on Ways and Means.

By Mr. HENDERSON:

H.R. 793. A bill to amend section 335(f) of the Agricultural Adjustment Act of 1938, as amended, relating to wheat fed or used for seed or food on the farm; to the Committee on Agriculture.

H.R. 794. A bill to provide for the issuance of a special postage stamp in honor of the American farmer; to the Committee on Post Office and Civil Service.

H.R. 795. A bill to amend the Internal Revenue Code of 1954 to provide a credit against income tax for certain employers who employ individuals 50 years of age and over; to the Committee on Ways and Means.

By Mr. HIESTAND:

H.R. 796. A bill to establish a Central Security Office to coordinate the administration of Federal personnel loyalty and security programs, to prescribe administrative procedure for the hearing and review of cases arising under such programs, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 797. A bill to insure greater consistency among Federal loan programs, to avoid hidden subsidies, and to achieve more effective coordination between Federal loan programs and fiscal and credit policies of the Federal Government; to the Committee on Ways and Means.

H.R. 798. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

By Mr. HOLLAND:

H.R. 799. A bill to repeal section 14(b) of the National Labor Relations Act; to the Committee on Education and Labor.

H.R. 800. A bill to provide for the gathering, evaluation, and dissemination of information, and for the formulation of plans which will aid in the maintenance of a high level of prosperity in the United States, and for other purposes; to the Committee on Education and Labor.

H.R. 801. A bill to provide for the admission of the State of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

By Mr. HORAN:

H.R. 802. A bill to validate and confirm a contract entered into between the United States and the town of Bridgeport, Wash.; to the Committee on Public Works.

H.R. 803. A bill to provide a minimum initial program of tax relief for small business and for persons engaged in small business; to the Committee on Ways and Means.

H.R. 804. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Spokane Valley Federal reclamation project, Washington and Idaho, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HOSMER:

H.R. 805. A bill to amend section 203 of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits, and to liberalize the provisions under which such earnings are charged for purposes of such deductions; to the Committee on Ways and Means.

H.R. 806. A bill to increase the annual income limitations governing the payment of pension to certain veterans and their dependents; to the Committee on Veterans' Affairs.

H.R. 807. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

H.R. 808. A bill to authorize the Secretary of State to evaluate in dollars certain financial-assistance loans expressed in foreign currencies arising as a result of World War II, and for other purposes; to the Committee on Foreign Affairs.

H.R. 809. A bill to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon claims of customs service officers and employees, and Immigration and Naturalization Service officers and employees, for extra compensation for Sunday, holiday, and overtime services not theretofore paid according to law; to the Committee on the Judiciary.

H.R. 810. A bill to provide recognition as veterans of the Indian wars for persons who took part in the capture of the Ute Indians in 1906, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 811. A bill to permit retired personnel of the uniformed services to receive benefits under the Federal Employees' Compensation Act without relinquishing their retirement pay; to the Committee on Education and Labor.

H.R. 812. A bill to provide for Federal cooperation with the State of California in the construction of the San Luis unit of the Feather River project, to authorize the Secretary of the Interior to negotiate an agreement therefor, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HOSMER (by request):

H.R. 813. A bill to amend chapter 67 of title 10, United States Code, to provide retired pay under that chapter for reservists who served on active duty during World War I and World War II, and the Korean conflict, and who have 15 or more years of satisfactory Federal service; to the Committee on Armed Services.

By Mr. JARMAN:

H.R. 814. A bill to provide for the procurement and installation of mechanism for recording and counting votes in the House of Representatives; to the Committee on House Administration.

H.R. 815. A bill to provide for the establishment of a national cemetery in the State of Oklahoma; to the Committee on Interior and Insular Affairs.

H.R. 816. A bill to set aside certain lands in Oklahoma for the Cheyenne and Arapaho Indians; to the Committee on Interior and Insular Affairs.

By Mr. JOHANSEN:

H.R. 817. A bill to provide for a national cemetery at Fort Custer, Mich.; to the Committee on Interior and Insular Affairs.

By Mr. JOHNSON of California:

H.R. 818. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Auburn unit, American River division, Central Valley project, California, under Federal reclamation laws; to the Committee on Interior and Insular Affairs.

By Mr. JONES of Missouri:

H.R. 819. A bill to change the name of the Legislative Reference Service, to clarify its functions, and for other purposes; to the Committee on House Administration.

By Mrs. KELLY:

H.R. 820. A bill to amend the Annual and Sick Leave Act of 1951 to grant officers and employees of the Federal Government with service-connected disabilities of 10 percent or more sick leave with pay at the rate of 26 days per year; to the Committee on Post Office and Civil Service.

H.R. 821. A bill to preserve rates of compensation of wage-board employees whose positions are reduced in grade; to the Committee on Post Office and Civil Service.

H.R. 822. A bill providing that there shall be equal pay for equal work for women; to the Committee on Education and Labor.

H.R. 823. A bill to repeal the retailers excise tax on handbags; to the Committee on Ways and Means.

H.R. 824. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education; to the Committee on Ways and Means.

H.R. 825. A bill to amend section 214 of the Internal Revenue Code of 1954 (relating to deduction of expenses for the care of certain dependents); to the Committee on Ways and Means.

H.R. 826. A bill to provide that the United States shall reimburse the States and their political subdivisions for real property taxes not collected on real property owned by a foreign government and therefore exempt from taxation; to the Committee on Foreign Affairs.

By Mr. KING of California:

H.R. 827. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of the State of California; to the Committee on the Judiciary.

BY Mr. KNOX:

H.R. 828. A bill to amend title II of the Social Security Act to authorize payment of old-age insurance benefits to all individuals who have attained age 70, and to increase the minimum amount of all monthly insurance benefits payable under such title; to the Committee on Ways and Means.

By Mr. LESINSKI:

H.R. 829. A bill to promote the safety of employees and travelers upon common carriers by railroads engaged in interstate commerce by requiring such carriers to maintain tracks, bridges, roadbed, and permanent structures for the support of way, trackage, and traffic in safe and suitable condition, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 830. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

By Mr. LIBONATI:

H.R. 831. A bill to authorize the establishment of a youth camp recreation program to assist those organizations which have for their purpose the providing of healthful outdoor and camp training for indigent children and to inculcate the principles of Americanism and loyalty to the Republic in these children who are its citizens of the future; to the Committee on Education and Labor.

By Mr. LOSER:

H.R. 832. A bill to amend title 28 of the United States Code so as to provide for the appointment of one additional district judge for the middle district of Tennessee; to the Committee on the Judiciary.

H.R. 833. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 834. A bill to amend the Servicemen's Readjustment Act of 1944, as amended, so as to authorize the Administrator of Veterans' Affairs to furnish space and facilities, if available, to State veteran agencies; to the Committee on Veterans' Affairs.

By Mr. McMILLAN:

H.R. 835. A bill to amend the Code of Law for the District of Columbia by modifying the provisions relating to the attachment and garnishment of wages, salaries, and commissions of judgment debtors, and for other purposes; to the Committee on the District of Columbia.

H.R. 836. A bill to amend the Code of Law for the District of Columbia by modifying the provisions relating to the attachment and garnishment of wages, salaries, and commissions of judgment debtors, and for other purposes; to the Committee on the District of Columbia.

By Mr. MACHROWICZ:

H.R. 837. A bill to offset declining employment by providing for Federal assistance to States and local governments in projects of construction, alteration, expansion, or repair of public facilities and improvements; to the Committee on Public Works.

By Mr. MARSHALL:

H.R. 838. A bill to enable American farmers to conduct their own programs; to establish production and marketing goals at prices fair to consumers and profitable to farmers, and for other purposes; to the Committee on Agriculture.

By Mrs. MAY:

H.R. 839. A bill to approve an order of the Secretary of the Interior adjusting, deferring, and canceling certain irrigation charges against non-Indian-owned lands under the Wapato Indian irrigation project, Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MITCHELL:

H.R. 840. A bill to provide for the sale of certain real property of the United States located in the State of Georgia and acquired by the United States under the provisions of title III of the Bankhead-Jones Farm Tenant Act; to the Committee on Agriculture.

H.R. 841. A bill to amend title 38 of the United States Code to provide that in determining eligibility of a widow or child of a deceased veteran for a pension the income limitations applicable to such widow or child shall be increased $600 for the year in which the veteran's death occurs; to the Committee on Veterans' Affairs.

H.R. 842. A bill to amend title 38 of the United States Code to provide pensions for widows and children of veterans of World War II and of the Korean conflict on the same basis as pension is provided for widows and children of veterans of World War I; to the Committee on Veterans' Affairs.

H.R. 843. A bill to amend title 38 of the United States Code to provide that certain veterans suffering from active pulmonary tuberculosis shall be deemed to be permanently and totally disabled for pension purposes while they are hospitalized; to the Committee on Veterans' Affairs.

H.R. 844. A bill to provide that no application shall be required for the payment of statutory awards for certain conditions which, prior to August 1, 1952, have been determined by the Veterans' Administration to be service connected; to the Committee on Veterans' Affairs.

H.R. 845. A bill to amend title 38 of the United States Code to provide a further period for presuming service connection in the case of veterans suffering from Hansen's disease (leprosy); to the Committee on Veterans' Affairs.

H.R. 846. A bill to amend title 38 of the United States Code to provide that multiple sclerosis developing a 10 percent or more degree of disability within 3 years after separation from active service shall be presumed to be service connected; to the Committee on Veterans' Affairs.

H.R. 847. A bill to amend title 38 of the United States Code to provide additional compensation for veterans having the service-incurred disability of deafness of both ears; to the Committee on Veterans' Affairs.

By Mr. MONTOYA:

H.R. 848. A bill to reaffirm the national public policy and the purposes of Congress in enacting the Robinson-Patman Antiprice Discrimination Act entitled "An act to amend section 2 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, as amended (U.S.C., title 15, sec. 13), and for other purposes," and to clarify the intent and meaning of the aforesaid law by providing for the mandatory nature of functional discounts under certain circumstances; to the Committee on the Judiciary.

H.R. 849. A bill to amend the act of August 5, 1954 (68 Stat. 674), and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MORGAN:

H.R. 850. A bill to establish quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

H.R. 851. A bill to amend the Social Security Act to provide that, for the purpose of old-age and survivors insurance benefits, retirement age shall be 60 years; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 852. A bill to amend titles 10 and 14 of the United States Code to provide that cadets and midshipmen entering the service Academies hereafter shall agree to serve 10 years on duty after graduation; to the Committee on Armed Services.

H.R. 853. A bill to amend the Fair Labor Standards Act of 1938 so as to increase from $1 to $1.25 the minimum hourly wage prescribed by section 6(a)(1) of that act; to the Committee on Education and Labor.

H.R. 854. A bill to amend the Fair Labor Standards Act of 1938, as amended; to the Committee on Education and Labor.

H.R. 855. A bill providing equal pay for equal work for women, and for other purposes; to the Committee on Education and Labor.

H.R. 856. A bill to amend the Federal Employees' Compensation Act to extend coverage to certain persons engaged in civil defense; to the Committee on Education and Labor.

H.R. 857. A bill to promote certain prisoners of war in Korea upon their discharge from the Armed Forces; to the Committee on Armed Services.

H.R. 858. A bill to amend section 70, title 5, United States Code (18 Stat. 109), and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 859. A bill to provide for the issuance of a special postage stamp in honor of Col. David (Mickey) Marcus; to the Committee on Post Office and Civil Service.

H.R. 860. A bill to check the growth of unemployment by providing for Federal assistance to States and local governments for the construction of needed public works and public improvements; to the Committee on Public Works.

H.R. 861. A bill to promote the safety of employees and travelers upon common carriers by railroads engaged in interstate commerce by requiring such carriers to maintain tracks, bridges, roadbed, and permanent structures for the support of way, trackage, and traffic in safe and suitable condition, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 862. A bill to increase annuities payable to certain annuitants from the civil service retirement and disability fund, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 863. A bill to remove inequalities between the compensation to which members of the Reserve components of the Armed Forces are entitled for death or disability incurred in line of duty and that to which other members of the Armed Forces are entitled; to the Committee on Armed Services.

H.R. 864. A bill to withhold Federal aid from National Guard organizations which practice discrimination or segregation on account of race, color, or creed; to the Committee on Armed Services.

H.R. 865. A bill to provide that the next cruiser commissioned in the United States Navy shall be named the *Brooklyn*; to the Committee on Armed Services.

H.R. 866. A bill to require the Surgeon General to undertake a special research program with respect to cystic fibrosis; to the Committee on Interstate and Foreign Commerce.

H.R. 867. A bill to provide for a nationally uniform system of automobile registration; to the Committee on Interstate and Foreign Commerce.

H.R. 868. A bill to amend the Civil Aeronautics Act of 1938, with respect to the practice of "overbooking" passenger space reservations; to the Committee on Interstate and Foreign Commerce.

H.R. 869. A bill to provide a residence for pages of the Senate and of the House of Representatives, under the supervision of a Capitol Pages' Residence Board; to the Committee on House Administration.

H.R. 870. A bill to abolish the death penalty under all laws of the United States except the Uniform Code of Military Justice, and authorize the imposition of life imprisonment in lieu thereof; to the Committee on the Judiciary.

H.R. 871. A bill to provide a method for determining Presidential inability, and for other purposes; to the Committee on the Judiciary.

H.R. 872. A bill to amend the Bankruptcy Act with respect to the priority of debts owed by a bankrupt to workmen, servants, clerks, and certain salesmen; to the Committee on the Judiciary.

H.R. 873. A bill to provide an additional remedy for persons having a claim against the United States arising out of contracts relating to certain vessels; to the Committee on the Judiciary.

H.R. 874. A bill to provide for a dual banking system in the District of Columbia; to the Committee on the District of Columbia.

H.R. 875. A bill to amend the act of July 8, 1932 (relating to dangerous weapons in the District of Columbia) to create a presumption in connection with the possession of certain dangerous weapons; to the Committee on the District of Columbia.

H.R. 876. A bill to amend the Hatch Act to permit all officers and employees of the Government to exercise the full responsibility of citizenship and to take an active part in the political life of the United States; to the Committee on House Administration.

H.R. 877. A bill to amend section 201(c) of the Legislative Reorganization Act of 1946 to authorize the employment of administrative assistants by Members of the House of Representatives; to the Committee on House Administration.

H.R. 878. A bill to amend the Tariff Act of 1930 to provide for the refund of duties paid on certain merchandise stolen while in the custody of the Post Office Department; to the Committee on Ways and Means.

H.R. 879. A bill to amend title II of the Social Security Act to provide that certain military service of a veteran entitled to a civil service retirement annuity may be counted for social security purposes if he irrevocably elects to exclude such service from the computation of such annuity; to the Committee on Ways and Means.

H.R. 880. A bill to require certificates of fitness in the sale of automobiles, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 881. A bill to provide for the regulation of motor vehicles on the highways of the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 882. A bill to prevent the sale of automobiles with unauthorized equipment, parts, and accessories, and for other purposes; to

the Committee on Interstate and Foreign Commerce.

H.R. 883. A bill to amend title 15 of the United States Code with respect to the operation of speedometers on motor vehicles, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 884. A bill to amend section 3 of the Securities Act of 1933 so as to remove the exemption of securities offered for sale and sold in only one State; to the Committee on Interstate and Foreign Commerce.

H.R. 885. A bill to provide for the procurement of judge advocates and law specialist officers for the Army, Navy, Air Force, and Coast Guard, and for other purposes; to the Committee on Armed Services.

By Mr. NATCHER:

H.R. 886. A bill to amend the Watershed Protection and Flood Prevention Act with respect to measures for erosion control; to the Committee on Agriculture.

H.R. 887. A bill to extend veteran benefits to persons serving in the Armed Forces between November 12, 1918, and July 2, 1921; to the Committee on Veterans' Affairs.

By Mr. O'BRIEN of New York:

H.R. 888. A bill to provide for the admission of the Territory of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

By Mr. PELLY:

H.R. 889. A bill to legalize maritime and building trades hiring halls; to the Committee on Education and Labor.

H.R. 890. A bill to amend the Davis-Bacon Act to extend its application to Federal contracts for the demolition of existing buildings; to the Committee on Education and Labor.

H.R. 891. A bill to provide for the procurement by the Government of insurance against risk to civilian personnel of liability for personal injury or death, or for property damage, arising from the operation of motor vehicles in the performance of official Government duties, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PERKINS:

H.R. 892. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PHILBIN:

H.R. 893. A bill to provide immediate annuities to certain widows and widowers otherwise entitled to deferred annuities under the Civil Service Retirement Act of May 29, 1930; to the Committee on Post Office and Civil Service.

H.R. 894. A bill authorizing the President to make permanent replacements of public facilities and public and private school buildings, damaged or destroyed in a major disaster, and for other purposes; to the Committee on Public Works.

H.R. 895. A bill to amend the Armed Services Procurement Act of 1947, with respect to the procurement of supplies from small business concerns; to the Committee on Armed Services.

H.R. 896. A bill to amend the Armed Services Procurement Act of 1947; to the Committee on Armed Services.

H.R. 897. A bill to amend section 207 of the Legislative Reorganization Act of 1946, to provide that the boards for the correction of military or naval records shall give consideration to satisfactory evidence relating to good character and conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals, and for other purposes; to the Committee on Armed Services.

H.R. 898. A bill to provide for a special bronze gravemarker for the graves of members and former members of the Armed Forces who were awarded the Congressional Medal of Honor; to the Committee on Armed Services.

H.R. 899. A bill to provide for the reimbursement of the town of Lancaster, Mass., for the loss of taxes on certain property in such town acquired by the United States for use for military purposes; to the Committee on Interior and Insular Affairs.

By Mr. POAGE:

H.R. 900. A bill to amend section 7 of the act of August 18, 1941, to provide that 75 percent of all moneys derived by the United States from certain recreational activities in connection with lands acquired for flood control and other purposes shall be paid to the State; to validate certain payment; and for other purposes; to the Committee on Public Works.

By Mr. POLK:

H.R. 901. A bill to amend section 303(c) of the Career Compensation Act of 1949 to provide that the allowance for transportation of house trailers upon permanent change of station by members of a uniformed service shall be increased to not more than 34 cents per mile; to the Committee on Armed Services.

H.R. 902. A bill to promote the safety of employees and travelers upon common carriers by railroad engaged in interstate commerce by requiring such carriers to maintain tracks, bridges, roadbed, and permanent structures for the support of way, trackage, and traffic in safe and suitable condition, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 903. A bill to establish a national cemetery near Chillicothe, Ohio; to the Committee on Interior and Insular Affairs.

H.R. 904. A bill to rename the New Richmond Dam in the State of Ohio as the Captain Anthony Meldahl Dam; to the Committee on Public Works.

H.R. 905. A bill to increase the annual income limitations governing the payment of pension to certain veterans and their dependents; to the Committee on Veterans' Affairs.

By Mr. POLK (by request):

H.R. 906. A bill to amend the Classification Act of 1949 to authorize the establishment of pay differentials for hazardous employment for civilian fire fighters employed at installations of the Department of Defense; to the Committee on Post Office and Civil Service.

H.R. 907. A bill to amend the Civil Service Retirement Act with respect to the retirement of fire fighters in or under the Department of Defense; to the Committee on Post Office and Civil Service.

By Mr. POWELL:

H.R. 908. A bill to prohibit discrimination in employment because of race, color, religion, national origin, or ancestry; to the Committee on Education and Labor.

H.R. 909. A bill to authorize Federal assistance to the States and local communities in financing an expanded program of school construction so as to eliminate the national shortage of classrooms; to the Committee on Education and Labor.

H.R. 910. A bill to eliminate discrimination and segregation in the National Guard and Air National Guard, and to prohibit the use of the National Guard and the Air National Guard to aid or abet the violation of Federal law; to the Committee on Armed Services.

H.R. 911. A bill providing relief against certain forms of discrimination in interstate transportation and facilities furnished or connected therewith; to the Committee on Interstate and Foreign Commerce.

H.R. 912. A bill making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers; to the Committee on House Administration.

H.R. 913. A bill to effectuate and enforce the constitutional right to the equal protection of the laws, and for other purposes; to the Committee on the Judiciary.

H.R. 914. A bill for the better assurance of the protection of citizens of the United States and other persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 915. A bill to authorize the establishment of the Ice Age National Park in the State of Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. RHODES of Arizona:

H.R. 916. A bill to amend title 28 of the United States Code so as to provide for the appointment of one additional district judge for the district of Arizona; to the Committee on the Judiciary.

By Mr. RHODES of Pennsylvania:

H.R. 917. A bill to amend title II of the Social Security Act to eliminate the requirement that an individual must have attained the age of 50 in order to become entitled to disability insurance benefits; to the Committee on Ways and Means.

H.R. 918. A bill to amend title II of the Social Security Act to reduce the age at which individuals may become entitled to benefits thereunder from 65 to 62 in the case of men, and to 60 in the case of women; to the Committee on Ways and Means.

By Mr. ROBERTS:

H.R. 919. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer fire-fighting organizations and rescue or lifesaving squads, and for other purposes; to the Committee on Government Operations.

H.R. 920. A bill to require certain safety devices on automobiles shipped by automobile manufacturers in interstate commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 921. A bill to amend paragraph (7) of section 101 of the Federal Aviation Act of 1958 to include parachutists in the definition of "airman"; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS of Colorado:

H.R. 922. A bill to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Ways and Means.

H.R. 923. A bill to provide that tips and other cash gratuities received by an individual in the course of his employment (or self-employment) may be considered self-employment income for old-age, survivors, and disability insurance purposes; to the Committee on Ways and Means.

H.R. 924. A bill to provide for the appointment of an additional district judge for the district of Colorado; to the Committee on the Judiciary.

H.R. 925. A bill to authorize the coinage of special 50-cent pieces in commemoration of the 100th anniversary of the founding of Denver, Colo.; to the Committee on Banking and Currency.

H.R. 926. A bill to grant civil service employees retirement after 30 years' service; to the Committee on Post Office and Civil Service.

H.R. 927. A bill to reaffirm the national public policy and the purposes of Congress in enacting the Robinson-Patman Antiprice Discrimination Act entitled "An act to amend section 2 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, as amended (U.S.C., title 15, sec. 13), and for other purposes," and to clarify the intent and meaning of the aforesaid law by providing for the mandatory nature of functional discounts

under certain circumstances; to the Committee on the Judiciary.

H.R. 928. A bill referring to the United States Court of Claims certain matters relative to the War Production Board Limitation Order L–208; to the Committee on the Judiciary.

H.R. 929. A bill to reaffirm the national public policy and the purpose of Congress in the laws against unlawful restraints and monopolies, commonly designated "antitrust" laws, which among other things prohibit price discrimination; to aid in intelligent, fair, and effective administration and enforcement thereof; and to strengthen the Robinson-Patman Antiprice Discrimination Act and the protection which it affords to independent business, the Congress hereby reaffirms that the purpose of the antitrust laws in prohibiting price discriminations is to secure equality of opportunity to all persons to compete in trade or business and to preserve competition where it exists, to restore it where it is destroyed, and to permit it to spring up in new fields; to the Committee on the Judiciary.

By Mrs. ROGERS of Massachusetts (by request):

H.R. 930. A bill to amend section 315 of title 38, United States Code, to provide additional compensation for dependents in cases rated by the Veterans' Administration as not less than 10 percent, and to include children in excess of 3; to the Committee on Veterans' Affairs.

H.R. 931. A bill to encourage employment of veterans with compensable service-connected disabilities through Federal reimbursement to any employer, insurer, or fund, of amounts of workmen's compensation paid on account of disability or death arising out of such employment; to the Committee on Veterans' Affairs.

H.R. 932. A bill to provide for the establishment of a Veterans' Administration convalescent hospital and domiciliary facility in the vicinity of Boston, Mass.; to the Committee on Veterans' Affairs.

By Mr. ROGERS of Texas:

H.R. 933. A bill to increase the personal income tax exemption of a taxpayer and the additional exemption for his spouse from $600 to $1,000, and to increase the exemption for a dependent from $600 to $750; to the Committee on Ways and Means.

By Mr. ROOSEVELT:

H.R. 934. A bill to amend the Longshoremen's and Harbor Workers' Compensation Act, so as to provide that an injured employee shall have the right to select his own physician, and for other purposes; to the Committee on Education and Labor.

H.R. 935. A bill to check the growth of unemployment by providing for Federal assistance to State and local governments for the construction of needed public works and public improvements; to the Committee on Public Works.

H.R. 936. A bill to amend title 18 of the United States Code so as to prohibit certain acts involving the importation, transportation, possession, or use of explosives, and for other purposes; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H.R. 937. A bill to provide that Fort Montgomery, N.Y., may tap the West Point water supply line, and for other purposes; to the Committee on Armed Services.

H.R. 938. A bill to define service as a member of the Women's Army Auxiliary Corps as active service under certain conditions; to the Committee on Armed Services.

H.R. 939. A bill to amend title II of the Social Security Act to provide maximum benefits for individuals who, although deaf and mute, have acquired insured status by continuing in covered employment or self-employment during their working years; to the Committee on Ways and Means.

H.R. 940. A bill to amend the Federal-Aid Highway Act of 1956 to permit States having toll and free roads, bridges, and tunnels designated as part of the National System of Interstate and Defense Highways to designate other routes for inclusion in the Interstate System; to the Committee on Public Works.

H.R. 941. A bill to provide that railroad employees may retire on a full annuity at age 60 or after serving 30 years; to provide that such annuity for any month shall be not less than one-half of the individual's average monthly compensation for the 5 years of highest earnings; and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 942. A bill to provide for an additional payment of $165,000 to the village of Highland Falls, N.Y., toward the cost of the water-filtration plant constructed by such village; to the Committee on Armed Services.

H.R. 943. A bill to amend the Internal Revenue Code of 1954 so as to provide for scheduled personal and corporate income-tax reductions and for other purposes; to the Committee on Ways and Means.

H.R. 944. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 945. A bill to provide for the establishment of national cemeteries in the Commonwealth of Pennsylvania; to the Committee on Interior and Insular Affairs.

H.R. 946. A bill to permit the interment of the last survivor of the Union Army and the last survivor of the Confederate Army within the Gettysburg National Cemetery and to provide for the erection of a suitable memorial therein; to the Committee on Interior and Insular Affairs.

H.R. 947. A bill to amend the Veterans' Benefits Act of 1957 to provide a court to which appeals may be taken from the Board of Veterans' Appeals in the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 948. A bill to provide pension for widows and children of veterans of World War II and of the Korean conflict on the same basis as pension is provided for widows and children of veterans of World War I; to the Committee on Veterans' Affairs.

H.R. 949. A bill to prohibit the severance of a service-connected disability which has been in effect for 10 or more years; to the Committee on Veterans' Affairs.

H.R. 950. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 951. A bill to preserve permanently as a national park, an area of national significance in Colorado and Utah, such park to be known as the Dinosaur National Park, which shall supersede the Dinosaur National Monument, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 952. A bill to amend the act of June 28, 1958, to provide for a National Outdoor Recreation Resources Review Commission and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 953. A bill to establish the Chesapeake and Ohio Canal National Historical Park and to provide for the administration and maintenance of a parkway in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 954. A bill to provide for the admission of the Territory of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

By Mr. SHELLEY:

H.R. 955. A bill to amend the Fair Labor Standards Act of 1938 so as to increase from $1 to $1.50 the minimum hourly wage prescribed by section 6(a)(1) of that act; to the Committee on Education and Labor.

H.R. 956. A bill to amend section 14(b) of the National Labor Relations Act so as to protect the rights of employees and employers, in industries affecting commerce, to enter into union shop agreements; to the Committee on Education and Labor.

By Mr. SIKES:

H.R. 957. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

H.R. 958. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 959. A bill to provide for the admission of the Territory of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

By Mr. SMITH of Mississippi:

H.R. 960. A bill authorizing the Secretary of the Interior to make a comprehensive survey and study of the ground-water resources of the Mississippi Valley embayment area; to the Committee on Interior and Insular Affairs.

H.R. 961. A bill to amend the Armed Forces Leave Act of 1946, to provide that members of the Armed Forces shall be granted leave upon the critical illness or death of a close relative; to the Committee on Armed Services.

H.R. 962. A bill to require that whenever an officer or member who is discharged from the Armed Forces is so mentally deranged or unstable as to be potentially dangerous, his family and certain other persons are to be placed on notice of such potential danger; to the Committee on Armed Services.

H.R. 963. A bill to amend title I of the Federal-Aid Highway Act of 1956 to provide that the Secretary of the Interior shall approve the acquisition of certain lands of national historical significance, or interests therein, for highway purposes; to the Committee on Public Works.

By Mr. THOMPSON of Louisiana:

H.R. 964. A bill to amend the act of December 22, 1928, relating to the issuance of patents to tracts of public land held under color of title, to provide that patents may be issued under such act without reservation of minerals, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. THOMPSON of New Jersey:

H.R 965. A bill to provide financial assistance for the support of public schools by appropriating funds to the States to be used for constructing school facilities and for teachers' salaries; to the Committee on Education and Labor.

By Mr. THOMSON of Wyoming:

H.R. 966. A bill to amend the act of August 5, 1954 (68 Stat. 674), and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ULLMAN:

H.R. 967. A bill to provide for Federal assistance for the construction and expansion of public community junior colleges; to the Committee on Education and Labor.

H.R. 968. A bill to provide fcr the construction by the Secretary of the Interior of the Bully Creek Dam and other facilities, Vale Federal reclamation project, Oregon; to the Committee on Interior and Insular Affairs.

By Mr. VAN PELT:

H.R. 969. A bill to extend pension benefits under the laws reenacted by Public Law 269, 74th Congress, August 13, 1935, as now or hereafter amended, to certain persons who served with the U.S. military or naval forces engaged in hostilities in the Moro Province, including Mindanao, or in the islands of Samar, Leyte, and Luzon, after July 4, 1902, and prior to January 1, 1914, and to their unremarried widows, child, or

children; to the Committee on Veterans' Affairs.

By Mr. VAN ZANDT (by request):

H.R. 970. A bill to provide that railroad employees may retire on a full annuity at age 60 or after serving 30 years; to provide that such annuity for any month shall be not less than one-half of the individuals average monthly compensation for the 5 years of highest earnings; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. VAN ZANDT:

H.R. 971. A bill to amend the Railroad Retirement Act of 1937 to permit an annuitant to receive his annuity even though he renders compensated service for the outside employer by whom he was last employed before his annuity began to accrue; to the Committee on Interstate and Foreign Commerce.

H.R. 972. A bill to amend the Railroad Retirement Act of 1937, as amended, so as to eliminate certain deductions from a spouse's annuity; to the Committee on Interstate and Foreign Commerce.

By Mr. WEAVER:

H.R. 973. A bill to provide for Federal cooperation with the Nebraska Mid-State Reclamation District, Nebraska, in the construction of the midstate project; to the Committee on Interior and Insular Affairs.

By Mr. WHITTEN:

H.R. 974. A bill to provide a 1-year period during which certain veterans may be granted national service life insurance; to the Committee on Veterans' Affairs.

H.R. 975. A bill to provide for determination through judicial proceedings of claims for compensation on account of disability or death resulting from disease or injury incurred or aggravated in line of duty while serving in the active military or naval service, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WILLIAMS:

H.R. 976. A bill to provide that the provisions of the Natural Gas Act shall not apply to the sale of natural gas, as an incident of its production and gathering, by an independent producer not engaged in the interstate transmission of natural gas; to the Committee on Interstate and Foreign Commerce.

H.R. 977. A bill to repeal the provisions of the Railroad Retirement Act which reduce the annuities of the spouses of retired employees, and the survivors of deceased employees, by the amount of certain monthly benefits payable under the Social Security Act; to the Committee on Interstate and Foreign Commerce.

H.R. 978. A bill to amend the Federal Employees' Group Life Insurance Act of 1954 to provide for insurance to be granted thereunder to certain employees of States whose positions are financed entirely from Federal funds; to the Committee on Post Office and Civil Service.

H.R. 979. A bill to extend rural mail delivery service; to the Committee on Post Office and Civil Service.

H.R. 980. A bill to provide for the appointment of an additional district judge for the southern district of Mississippi; to the Committee on the Judiciary.

H.R. 981. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

By Mr. WILLIS:

H.R. 982. A bill to amend the act of December 22, 1928, relating to the issuance of patents to tracts of public land held under color of title, to provide that patents may be issued under such act without reservation of minerals, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. YATES:

H.R. 983. A bill to provide for the establishment of the Bureau of Older Persons within the Department of Health, Education, and Welfare; to authorize Federal grants to assist in the development and operation of studies and projects to help older persons; and for other purposes; to the Committee on Education and Labor.

By Mr. YOUNGER:

H.R. 984. A bill to create a Department of Urbiculture, and to prescribe its functions; to the Committee on Government Operations.

H.R. 985. A bill to create a Department of Transportation and Communications, and to prescribe its functions; to the Committee on Government Operations.

H.R. 986. A bill to provide that certain surplus property of the United States may be donated for park or recreational purposes; to the Committee on Government Operations.

H.R. 987. A bill to provide for the adjustment of the basic salaries of postal field service employees on a regional basis in accordance with prevailing wage rates; to the Committee on Post Office and Civil Service.

H.R. 988. A bill to simplify payroll administration in the House of Representatives by providing that the salaries of certain employees of the House, and the clerk-hire allowance of Members, shall consist of aggregate annual amounts rather than basic annual amounts plus additional amounts, and for other purposes; to the Committee on House Administration.

H.R. 989. A bill to amend the Internal Revenue Code of 1954 and the Internal Revenue Code of 1939 to provide that no documentary stamp tax shall be imposed with respect to any conveyance to which a State or political subdivision is a party; to the Committee on Ways and Means.

H.R. 990. A bill to amend the Railway Labor Act to classify yardmasters with train- and yard-service employees for the purpose of that act; to the Committee on Interstate and Foreign Commerce.

H.R. 991. A bill to create a United States Academy of Foreign Service; to the Committee on Foreign Affairs.

By Mr. ZABLOCKI:

H.R. 992. A bill to create a United States Academy of Foreign Service; to the Committee on Foreign Affairs.

H.R. 993. A bill to authorize Federal assistance to the States and local communities in financing an expanded program of school construction so as to eliminate the national shortage of classrooms; to the Committee on Education and Labor.

H.R. 994. A bill to provide for the establishment of the Bureau of Older Persons within the Department of Health, Education, and Welfare; to authorize Federal grants to assist in the development and operation of studies and projects to help older persons; and for other purposes; to the Committee on Education and Labor.

By Mr. ZELENKO:

H.R. 995. A bill to amend the War Risk Insurance Act so as to provide relief for victims of disasters resulting from the forces of nature; to the Committee on Interstate and Foreign Commerce.

By Mr. ADDONIZIO:

H.R. 996. A bill to amend title I of the Housing Act of 1949 to provide that a portion of the assistance authorized thereby may be made available for the nonresidential redevelopment of urban renewal areas containing only nonresidential structures or vacant land; to the Committee on Banking and Currency.

By Mr. ANDERSON of Montana:

H.R. 997. A bill to authorize Federal grants to assist States to survey the need for, to plan the construction of, and to construct needed homes for the aged; to the Committee on Banking and Currency.

By Mr. BALDWIN:

H.R. 998. A bill to amend section 8e of the Agricultural Adjustment Act (1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to provide for the extension of the restrictions on imported commodities imposed by such section to shelled walnuts; to the Committee on Agriculture.

By Mr. BROWN of Missouri:

H.R. 999. A bill to divest the Secretary of Agriculture of any legislative authority to fix prices on milk and dairy products; to direct the Secretary of Agriculture to call a National Dairy Producers' Constitutional Convention whereby bona fide dairy producers may formulate their own self-financing programs for stabilizing milk prices at fair and equitable levels; and to create a regulatory commission to protect the public interest in the production and marketing of milk; to the Committee on Agriculture.

By Mr. COLMER:

H.R. 1000. A bill to provide a new farm program for basic agricultural commodities under which excessive and burdensome Federal controls on agriculture will be eliminated, and under which American agriculture will be restored to a free-enterprise basis; to the Committee on Agriculture.

By Mr. DENTON:

H.R. 1001. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

By Mr. DOLLINGER:

H.R. 1002. A bill to provide that Federal funds shall not be used for loans, grants, or other financial assistance to provide housing with respect to which there is any discrimination against occupancy on account of race, religion, color, ancestry, or national origin; to the Committee on Banking and Currency.

By Mr. FASCELL:

H.R. 1003. A bill to amend the National Housing Act; to the Committee on Banking and Currency.

H.R. 1004. A bill to amend section 203(i) of the National Housing Act to authorize the Federal Housing Commissioner to insure mortgages on existing homes thereunder; to the Committee on Banking and Currency.

By Mr. FORD:

H.R. 1005. A bill to direct the Interstate Commerce Commission to make regulations that certain railroad vehicles be equipped with reflectors or luminous material so that they can be readily seen at night; to the Committee on Interstate and Foreign Commerce.

By Mr. GREEN of Pennsylvania:

H.R. 1006. A bill to establish a body corporate within the Department of Commerce to extend financial assistance to public and private companies providing transit and commuter service in our major metropolitan areas; to the Committee on Banking and Currency.

By Mrs. GRIFFITHS:

H.R. 1007. A bill to establish an emergency community facilities and public works program in the Community Facilities Administration of the Housing and Home Finance Agency; to the Committee on Banking and Currency.

By Mr. GROSS:

H.R. 1008. A bill to amend part I of the Interstate Commerce Act to direct the Interstate Commerce Commission to make regulations requiring that freight and other unlighted cars be so equipped that they can be readily seen at night; to the Committee on Interstate and Foreign Commerce.

H.R. 1009. A bill to amend the Packers and Stockyards Act to prevent sudden and unreasonable decreases in the price of hogs and cattle which are sold at stockyards or

to packers subject to that act; to the Committee on Agriculture.

By Mr. HAGEN:

H.R. 1010. A bill to amend section 8e of the Agricultural Adjustment Act (of 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to provide for the extension of the restrictions on imported commodities imposed by such section to all imported citrus fruits, and to sliced figs, dried figs, fig paste, and shelled walnuts; to the Committee on Agriculture.

By Mr. HARRIS:

H.R. 1011. A bill to amend the Federal Airport Act in order to extend the time for making grants under the provisions of such act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1012. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BENNETT of Michigan:

H.R. 1013. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HÉBERT:

H.R. 1014. A bill to amend the National Housing Act with regard to insurance of accounts so as to provide uniform protection to all married savers in savings and loan associations; to the Committee on Banking and Currency.

By Mr. HIESTAND:

H.R. 1015. A bill to establish a Federal policy concerning the termination, limitation, or establishment of business-type operations of the Government which may be conducted in competition with private enterprise, and for other purposes; to the Committee on Government Operations.

H.R. 1016. A bill to provide the United States with a gold standard and redeemable currency, and to correct other defects in the monetary system of the United States; to the Committee on Banking and Currency.

By Mr. HOLLAND:

H.R. 1017. A bill to prohibit Federal loans, grants, or other financial assistance to provide housing with respect to which there is or may be any discrimination against occupancy on account of race, religion, color, ancestry, or national origin; to the Committee on Banking and Currency.

By Mr. McFALL:

H.R. 1018. A bill to amend section 8e of the Agricultural Adjustment Act (of 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to provide for the extension of the restrictions on imported commodities imposed by such section to all imported limes, grapefruit, lemons, mandarins, all types of oranges including temples, tangerines, murcotts, and tangeloes, dried figs, fig paste, sliced dried figs, shelled walnuts, dates with pits, dates with pits removed, and products made entirely of dates; to the Committee on Agriculture.

H.R. 1019. A bill to amend section 8e of the Agricultural Adjustment Act (of 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to provide for the extension of the restrictions on imported commodities imposed by such section to all imported shelled walnuts; to the Committee on Agriculture.

By Mr. McGOVERN:

H.R. 1020. A bill to authorize the Secretary of the Army to provide for bank-erosion control along the Missouri River below Gavins Point Dam between Yankton, S. Dak., and Ponca, Nebr.; to the Committee on Public Works.

By Mr. McSWEEN:

H.R. 1021. A bill to amend the National Housing Act with regard to insurance of accounts so as to provide uniform protection to all married savers in savings and loan associations; to the Committee on Banking and Currency.

By Mr. MACHROWICZ:

H.R. 1022. A bill to provide for the conveyance of certain lands of the United States to the board of education of the school district of the city of Hamtramck, Mich.; to the Committee on Government Operations.

By Mr. MONTOYA:

H.R. 1023. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

By Mr. MORGAN:

H.R. 1024. A bill to establish an effective program to alleviate conditions of excessive unemployment in certain economically depressed areas; to the Committee on Banking and Currency.

By Mr. MULTER:

H.R. 1025. A bill to authorize the President, under certain conditions to control, regulate, and allocate the use and distribution of medicinal substances for the purpose of protecting and preserving the health of the American people; to the Committee on Banking and Currency.

H.R. 1026. A bill to amend the Federal Trade Commission Act with respect to certain contracts and agreements between manufacturers of motor vehicles and their franchised dealers, to permit the establishment of exclusive representation by dealers and to restrict franchised dealers from reselling to certain unauthorized persons, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1027. A bill to amend the Civil Aeronautics Act of 1938, so as to provide for the protection of holders of air carrier reservations who are booked for flights which do not leave on schedule; to the Committee on Interstate and Foreign Commerce.

H.R. 1028. A bill to amend the Securities Exchange Act of 1934 to require officers and directors of any issuer of registered securities to periodically report the extent to which, and the purposes for which, their holdings of such securities are pledged, hypothecated, or loaned; to the Committee on Interstate and Foreign Commerce.

H.R. 1029. A bill to prohibit the Administrator of Veterans' Affairs from consolidating any offices under his jurisdiction, or directing reductions in force of Veterans' Administration personnel, without notifying the Congress, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1030. A bill to establish an emergency community facilities and public works program in the Community Facilities Administration of the Housing and Home Finance Agency; to the Committee on Banking and Currency.

H.R. 1031. A bill to establish an emergency program of grants to accelerate the construction of State and local public works, and for other purposes; to the Committee on Banking and Currency.

H.R. 1032. A bill to amend the provisions of section 19 of the Federal Reserve Act relating to reserve balances of member banks; to the Committee on Banking and Currency.

H.R. 1033. A bill to provide for fuel allocations and priorities during emergencies; to the Committee on Banking and Currency.

H.R. 1034. A bill to alleviate conditions of excessive unemployment and underemployment in depressed industrial and rural areas; to the Committee on Banking and Currency.

H.R. 1035. A bill to protect the integrity and independence of national banks by strengthening the laws relating to ownership of stock in such banks; to the Committee on Banking and Currency.

H.R. 1036. A bill relating to the establishment of national mutual savings banks; to the Committee on Banking and Currency.

H.R. 1037. A bill to amend section 608 of the National Housing Act to prevent the charging of excessive rents, resulting from unduly high estimates of costs, in the case of property covered by a mortgage insured under such section; to the Committee on Banking and Currency.

H.R. 1038. A bill to amend section 5210 of the Revised Statutes to provide that lists of the shareholders of national banks shall be available for inspection by committees of Congress, and for other purposes; to the Committee on Banking and Currency.

H.R. 1039. A bill to amend section 6 of the Federal Deposit Insurance Act to provide for the holding of public hearings in connection with the issuance of certain certificates and the making of certain findings and determinations and for other purposes; to the Committee on Banking and Currency.

H.R. 1040. A bill to aid in controlling inflation, and for other purposes; to the Committee on Banking and Currency.

H.R. 1041. A bill to authorize the regulation of the solicitation of proxies in respect of securities issued by certain banks, and for other purposes; to the Committee on Banking and Currency.

H.R. 1042. A bill to amend section 402(a) of the National Housing Act to change the name of the Federal Savings and Loan Insurance Corporation; to the Committee on Banking and Currency.

H.R. 1043. A bill to provide for the grading of meat and for informing the ultimate user of such grade; to the Committee on Agriculture.

H.R. 1044. A bill to prohibit coercion by automobile manufacturers in the sale of parts, accessories, equipment, or tools, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1045. A bill to amend the Federal Reserve Act to require United States obligations to be sold at not less than par value, and for other purposes; to the Committee on Banking and Currency.

By Mr. NATCHER:

H.R. 1046. A bill creating the City of Cannelton Bridge Commission, defining the authority, power, and duties of said commission; and authorizing the commission and its successors and assigns to construct, maintain, and operate a bridge across the Ohio River at or near Cannelton, Ind., and Hawesville, Ky., to purchase and operate a ferry at such location, and for other purposes; to the Committee on Public Works.

H.R. 1047. A bill to create a National Coal Research and Development Commission; to the Committee on Interior and Insular Affairs.

By Mr. PELLY:

H.R. 1048. A bill to amend section 9 of the Federal Reserve Act, as amended; to the Committee on Banking and Currency.

By Mr. PHILBIN:

H.R. 1049. A bill to amend the act of May 29, 1944, providing annuities for persons who participated in the construction of the Panama Canal, by extending the class to whom annuities may be paid; to the Committee on Merchant Marine and Fisheries.

H.R. 1050. A bill to provide for the establishment of the Cape Cod National Park, in the State of Massachusetts; to the Committee on Interior and Insular Affairs.

By Mr. POLK:

H.R. 1051. A bill to grant a pension of $100 per month to all honorably discharged veterans of World War I who are over 62 years of age; to the Committee on Veterans' Affairs.

By Mr. PORTER:

H.R. 1052. A bill to amend the National Housing Act to reduce downpayments and increase loan maxima and maturities in the case of insured mortgages covering residential housing, to increase the funds available for the special assistance program of the Federal National Mortgage Association, and for other purposes; to the Committee on Banking and Currency.

By Mr. POWELL:

H.R. 1053. A bill to provide that the Federal Government shall not extend any financial or other assistance to provide housing with respect to which there is or may be any discrimination against occupancy on account of race, religion, color, ancestry, or national origin; to the Committee on Banking and Currency.

H.R. 1054. A bill to provide that Federal funds shall not be used for loans, grants, or other financial assistance to provide housing with respect to which there is any discrimination against occupancy on account of race, religion, color, ancestry, or national origin; to the Committee on Banking and Currency.

By Mr. ROBERTS:

H.R. 1055. A bill to amend the Railroad Retirement Act of 1937 to provide that benefits payable under such act or the Railroad Retirement Act of 1935 shall not be considered as income in determining eligibility of veterans for non-service-connected disability pensions; to the Committee on Interstate and Foreign Commerce.

H.R. 1056. A bill to amend the Federal Airport Act in order to extend the time for making grants under the provisions of such act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1057. A bill to provide that seat belts sold or shipped in interstate commerce for use in motor vehicles shall meet certain safety standards; to the Committee on Interstate and Foreign Commerce.

H.R. 1058. A bill to promote safety in transportation by motor vehicle in interstate commerce by assisting the States to conduct research into and maintain facilities for driver training programs; to the Committee on Interstate and Foreign Commerce.

H.R. 1059. A bill to amend the Civil Service Retirement Act to provide that benefits payable thereunder shall not be considered as income in determining eligibility of veterans for non-service-connected disability pensions; to the Committee on Post Office and Civil Service.

By Mr. SAYLOR:

H.R. 1060. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

H.R. 1061. A bill to establish a program of financial and technical assistance designed to alleviate conditions of substantial and persistent unemployment in economically depressed areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. SISK:

H.R. 1062. A bill to amend section 8e of the Agricultural Adjustment Act (of 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to provide for the extension of the restrictions on imported commodities imposed by such section to all imported limes, grapefruit, lemons, mandarins, all types of oranges including temples, tangerines, murcotts, and tangeloes, dried figs, fig paste, sliced dried figs, shelled walnuts, dates with pits, dates with pits removed, and products made entirely of dates; to the Committee on Agriculture.

H.R. 1063. A bill to make certain assistance by a State, municipality, or other public body eligible as local grants-in-aid under section 110(d) of the Housing Act of 1949; to the Committee on Banking and Currency.

H.R. 1064. A bill to amend the United States Housing Act of 1937 to permit a local public housing agency to pay the cost of public services and facilities furnished by the local government to low-rent public housing projects under its jurisdiction; to the Committee on Banking and Currency.

By Mrs. ST. GEORGE:

H.R. 1065. A bill to authorize the coinage of 50-cent pieces in commemoration of the 150th anniversary of the graduation from the U.S. Military Academy of Sylvanus Thayer; to the Committee on Banking and Currency.

By Mr. TELLER:

H.R. 1066. A bill to establish a commission to study the adequacy of compensation for real property acquired by the United States; to the Committee on Public Works.

H.R. 1067. A bill to amend the Small Business Act of 1953 to provide low-cost loans for those engaged in a business dislocated by a project under title I of the Housing Act of 1949; to the Committee on Banking and Currency.

H.R. 1068. A bill to amend title I of the Housing Act of 1949 to increase relocation payments and assistance to those displaced by urban renewal projects; to the Committee on Banking and Currency.

By Mr. THOMPSON of Louisiana:

H.R. 1069. A bill to amend the National Housing Act with regard to insurance of accounts so as to provide uniform protection to all married savers in savings and loan associations; to the Committee on Banking and Currency.

By Mr. ULLMAN:

H.R. 1070. A bill to amend certain sections of the Agricultural Adjustment Act (1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to extend the applicability and coverage of marketing agreements and orders; to the Committee on Agriculture.

By Mr. VANIK:

H.R. 1071. A bill to amend section 4(c) of the Natural Gas Act with respect to proposed increases in rates or charges for natural gas; to the Committee on Interstate and Foreign Commerce.

By Mr. VAN ZANDT:

H.R. 1072. A bill to establish a program of financial and technical assistance designed to alleviate conditions of substantial and persistent unemployment in economically depressed areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. WHITTEN:

H.R. 1073. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to establish a certificate and domestic parity plan for upland cotton, to enable the American cotton farmers to farm and secure a fair return from the users of their products for their labor and investment, to preserve the historical relationship of cotton and competing fibers in domestic markets in the interest of the general welfare, and for other purposes; to the Committee on Agriculture.

By Mr. WILLIAMS:

H.R. 1074. A bill to repeal the act of August 9, 1939, creating the Louisiana-Vicksburg Bridge Commission; to the Committee on Public Works.

H.R. 1075. A bill to amend section 610 of the Civil Aeronautics Act of 1938 to prohibit the serving of alcoholic beverages to airline passengers while in flight; to the Committee on Interstate and Foreign Commerce.

H.R. 1076. A bill to amend the Civil Aeronautics Act of 1938 in order to authorize free or reduced rate transportation for retired employees of air carriers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1077. A bill to strengthen the Commissioned Corps of the Public Health Service through revision and extension of some of the provisions relating to retirement, appointment of personnel, and other related personnel matters, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WITHROW:

H.R. 1078. A bill to extend certain benefits to persons who served in the Armed Forces of the United States in Mexico or on its borders during the period beginning May 9, 1916, and ending April 6, 1917, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1079. A bill to provide for a national self-help dairy stabilization program and to provide for an adequate balanced and orderly flow of milk and dairy products in interstate and foreign commerce, and for other purposes; to the Committee on Agriculture.

By Mr. YOUNGER:

H.R. 1080. A bill to amend section 406(b) of the Civil Aeronautics Act of 1938 to provide that if it is determined that a domestic trunkline carrier is not entitled to subsidy for any period such carrier shall thereafter be ineligible for subsidy with respect to its domestic operations; to the Committee on Interstate and Foreign Commerce.

H.R. 1081. A bill to amend the Civil Aeronautics Act of 1938 in order to authorize free or reduced rate transportation for retired employees of air carriers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ZELENKO:

H.R. 1082. A bill to repeal section 9(c)(3) of the National Labor Relations Act; to the Committee on Education and Labor.

H.R. 1083. A bill to repeal section 14(b) of the National Labor Relations Act; to the Committee on Education and Labor.

H.R. 1084. A bill to provide for assistance to and cooperation with States in strengthening and improving State and local programs for the diminution, control, and treatment of juvenile delinquency; to the Committee on Education and Labor.

H.R. 1085. A bill to establish the Federal Agency for Handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

H.R. 1086. A bill to amend the Civil Aeronautics Act of 1938 to require the owners of civil aircraft to be financially responsible for damages arising out of the operation of such aircraft for which they are liable; to the Committee on Interstate and Foreign Commerce.

H.R. 1087. A bill to promote the safety of employees and travelers upon common carriers by railroad engaged in interstate commerce by requiring such carriers to maintain tracks, bridges, roadbed, and permanent structures for the support of way, trackage, and traffic in safe and suitable condition, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1088. A bill to amend section 207 of the Legislative Reorganization Act of 1946, to provide that the Boards for the Correction of Military or Naval Records shall give consideration to satisfactory evidence relating to good character and conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals, and for other purposes; to the Committee on Armed Services.

H.R. 1089. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

H.R. 1090. A bill to provide for the recomputation of annuities of certain officers and employees of the Federal Government retired under section 1(d) of the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Post Office and Civil Service.

H.R. 1091. A bill to amend the Civil Service Retirement Act to increase by an additional one-half of 1 percent the annuity

computation formula for determining annuities for certain Federal employees; to the Committee on Post Office and Civil Service.

H.R. 1092. A bill to prohibit the use of Government property by any organization practicing segregation on the basis of race, creed, or color; to the Committee on Public Works.

H.R. 1093. A bill to amend the Federal-Aid Highway Act of 1956 to increase the mileage of the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

H.R. 1094. A bill to amend the Internal Revenue Code of 1954 to provide an income tax deduction for depletion of human resources; to the Committee on Ways and Means.

H.R. 1095. A bill to amend title 28 of the United States Code to provide that State law shall, in certain cases, determine the number of jurors which constitute a jury and the number of jurors who must agree in order that there be a valid verdict; to the Committee on the Judiciary.

H.R. 1096. A bill to amend and revise the laws relating to immigration, naturalization, nationality, and citizenship, and for other purposes; to the Committee on the Judiciary.

By Mr. BAILEY:

H.R. 1097. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

H.R. 1098. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. BALDWIN:

H.R. 1099. A bill prescribing the manner in which the claims of the Indians of California against the United States shall be presented to the Indian Claims Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1100. A bill to enforce the provision of the 14th amendment to the Constitution of the United States relating to equal protection of the laws by providing a system of racial integration for the public schools in the several States and a method for enforcing such integration; to the Committee on Education and Labor.

By Mr. BARRETT:

H.R. 1101. A bill to extend the application of the Classification Act of 1949 to certain positions in, and employees of, the executive branch of the Government; to the Committee on Post Office and Civil Service.

H.R. 1102. A bill to amend the act of September 11, 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. BENTLEY:

H.R. 1103. A bill to guarantee the democratic control of labor organizations in the rank-and-file membership thereof; to the Committee on Education and Labor.

H.R. 1104. A bill to amend the Vocational Rehabilitation Act to provide additional Federal support to States and certain nongovernmental agencies to enable them to carry out adequate demonstration programs for the vocational rehabilitation of the homebound; to the Committee on Education and Labor.

H.R. 1105. A bill to amend the Immigration and Nationality Act in order to allow credit for certain periods of civilian employment abroad by the Government of the United States in satisfying the requirements of 5 years' residence within the United States immediately preceding the date of filing petition for naturalization; to the Committee on the Judiciary.

By Mr. BERRY:

H.R. 1106. A bill to provide for the admission of the Territory of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

By Mr. BOSCH:

H.R. 1107. A bill to amend the Labor Management Relations Act, 1947, to require that unfair labor practice cases be tried in Federal district courts, and for other purposes; to the Committee on Education and Labor.

By Mr. BUDGE:

H.R. 1108. A bill to abolish free transmission of official Government mail matter and certain other mail matter; to the Committee on Post Office and Civil Service.

H.R. 1109. A bill to amend the Fair Labor Standards Act of 1938 to include in the definition of "agriculture" the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained and operated for farming purposes, and for other purposes; to the Committee on Education and Labor.

By Mr. CARNAHAN:

H.R. 1110. A bill to amend the Contract Settlement Act of 1944 so as to authorize the payment of fair compensation to persons contracting to deliver certain strategic or critical minerals or metals in cases of failure to recover reasonable costs, and for other purposes; to the Committee on the Judiciary.

By Mr. CHELF:

H.R. 1111. A bill to create the office of Guest Member in the Senate and in the House of Representatives of the United States for former Presidents of the United States of America, and for other purposes; to the Committee on the Judiciary.

By Mr. COAD:

H.R. 1112. bill to amend the National Defense Education Act of 1958 to provide for the award of 10,000 college scholarships annually for 4 years; to the Committee on Education and Labor.

By Mr. COLLIER:

H.R. 1113. A bill to prohibit discrimination because of age in the hiring and employment of persons by Government contractors; to the Committee on the Judiciary.

By Mr. DAGUE:

H.R. 1114. A bill to provide for the establishment of national cemeteries in the State of Pennsylvania; to the Committee on Interior and Insular Affairs.

H.R. 1115. A bill to provide that amounts received under life insurance contracts on account of the death of the insured shall not be considered in determining eligibility for benefits under laws administered by the Veterans' Administration; to the Committee on Veterans' Affairs.

By Mr. DEROUNIAN:

H.R. 1116. A bill to prohibit certain acts involving the importation, transportation. possession, or use of explosives; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 1117. A bill to provide for the appointment of an additional district judge for the southern district of Florida; to the Committee on the Judiciary.

H.R. 1118. A bill to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities; to the Committee on the Judiciary.

By Mr. FOGARTY:

H.R. 1119. A bill to provide evaluation of rehabilitation potentials and rehabilitation services to handicapped individuals who as a result thereof can achieve such ability of independent living as to dispense with the need for expensive institutional care or who can dispense with or largely dispense with the need of an attendant at home; to assist in the establishment of public and private nonprofit workshops and rehabilitation facilities; and for other purposes; to the Committee on Education and Labor.

By Mr. GRANT:

H.R. 1120. A bill to permit certain additional services to count for retirement purposes; to the Committee on Armed Services.

By Mrs. GREEN of Oregon:

H.R. 1121. A bill to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes; to the Committee on Education and Labor.

By Mr. HECHLER:

H.R. 1122. A bill to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes; to the Committee on Education and Labor.

By Mr. HOLTZMAN:

H.R. 1123. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

By Mr. HORAN:

H.R. 1124. A bill to authorize a survey and investigation with respect to the relocation of the Ferry County Highway, paralleling Lake Roosevelt, Columbia Basin project; to the Committee on Interior and Insular Affairs.

H.R. 1125. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees; to the Committee on Post Office and Civil Service.

H.R. 1126. A bill to provide for the procurement by the Government of insurance against risk to civilian personnel of liability for personal injury or death, or for property damage, arising from the operation of motor vehicles in the performance of official Government duties, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HOSMER:

H.R. 1127. A bill to provide that for the purposes of all laws administered by the Veterans' Administration, gain from the sale of a home by a beneficiary shall not be considered as income; to the Committee on Veterans' Affairs.

H.R. 1128. A bill to make unlawful the transports in interstate or foreign commerce of any explosive, combustible, or other material whatsoever for the purposes of unlawfully damaging or destroying religious, educational, or public buildings; to the Committee on the Judiciary.

H.R. 1129. A bill to amend the Servicemen's and Veterans' Survivor Benefits Act to provide that all retired members of the uniformed services who served not less than 25 years on active duty and who thereafter die shall be considered to have died service-connected deaths; to the Committee on Armed Services.

By Mr. HUDDLESTON:

H.R. 1130. A bill to amend Veterans Regulation No. 9(a) to provide for payment of the burial allowance in certain cases where funeral expenses are met in whole or in part by a burial association; to the Committee on Veterans' Affairs.

H.R. 1131. A bill to amend the Federal Employees' Group Life Insurance Act of 1954 to authorize the optional purchase of additional amounts of group life and accidental death and dismemberment insurance by individual employees in certain cases; to the Committee on Post Office and Civil Service.

H.R. 1132. A bill to amend section 42(a) and the first paragraph of section 43 to title 18, United States Code, to prohibit the importation of injurious species of wildlife and to prohibit the transportation or importation of wild animals in violation of national, State, or foreign laws; to the Committee on the Judiciary.

H.R. 1133. A bill to limit and regulate the appellate jurisdiction of the Supreme Court of the United States; to the Committee on the Judiciary.

H.R. 1134. A bill to amend the Dependents' Medical Care Act to provide that periods of

active duty for training shall be taken into account in determining whether or not a retired member of a uniformed service has 8 years of service so as to qualify for benefits thereunder; to the Committee on Armed Services.

H.R. 1135. A bill to provide that members of a uniformed service entitled to severance pay, disability severance pay, or readjustment payment may receive such pay or payment in two equal annual installments; to the Committee on Armed Services.

H.R. 1136. A bill to clarify paragraph 4 of section 15 of the Pay Readjustment Act of 1942 (56 Stat. 368); to the Committee on Armed Services.

H.R. 1137. A bill to establish the Civic Health Through Athletic and Mental Proficiency Society of the United States; to the Committee on Education and Labor.

By Mr. JUDD:

H.R. 1138. A bill to provide for the appointment of additional circuit and district judges, and for other purposes; to the Committee on the Judiciary.

By Mr. LAIRD:

H.R. 1139. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

H.R. 1140. A bill to amend the Labor Management Relations Act, 1947, as amended, so as to clarify the authority of the States and Territories with respect to certain cases within the purview of such act; to the Committee on Education and Labor.

By Mr. LESINSKI:

H.R. 1141. A bill to provide for Government contribution toward personal health service benefits for civilian officers and employees in the United States service and their dependents, to authorize payroll deductions for participants, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McDONOUGH:

H.R. 1142. A bill to amend paragraph (A) (1) of the Public Law No. 662, 79th Congress, chapter 869, 2d session, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1143. A bill to amend Public Law 361, 77th Congress, to provide for admission of certain combat veterans to hospitalization in Veterans' Administration facilities pending adjudication of service connection of the disabilities for which they need treatment; to the Committee on Veterans' Affairs.

H.R. 1144. A bill establishing a general policy with respect to payments to State and local governments on account of Federal real property and tangible personal property by providing for the taxation of certain Federal property and for payments in connection with certain other Federal property, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1145. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide that accumulated sick leave be credited to retirement fund; to the Committee on Post Office and Civil Service.

H.R. 1146. A bill to provide parking space for the automobiles of patrons and postal employees at postal installations; to the Committee on Post Office and Civil Service.

H.R. 1147. A bill to make Flag Day a legal public holiday; to the Committee on the Judiciary.

H.R. 1148. A bill to amend the Vocational Rehabilitation Act to provide additional Federal support to States and certain nongovernmental agencies to enable them to carry out adequate demonstration programs for the vocational rehabilitation of the physically handicapped; to the Committee on Education and Labor.

H.R. 1149. A bill to provide for advancement on the retired list of persons retired for disability after 30 years' service or more; to the Committee on Armed Services.

By Mr. MARSHALL:

H.R. 1150. A bill to authorize the partition or sale of inherited interests in trust and restricted allotted lands and restricted purchased allotted lands in the State of Minnesota, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1151. A bill to provide for the orderly termination and liquidation of the Postal Savings System established by the act of June 25, 1910 (36 Stat. 814), as amended, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1152. A bill to amend title 18 of the United States Code to require manufacturers of farm machinery sold in interstate commerce to identify each such machine by a serial number; to the Committee on the Judiciary.

By Mr. MORGAN:

H.R. 1153. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. MULTER:

H.R. 1154. A bill to amend title 18, Criminal Code, to declare certain papers, pamphlets, books, pictures, and writings nonmailable, to provide a penalty for mailing same, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1155. A bill to amend sections 512 and 513 of the Servicemen's Readjustment Act of 1944 to provide direct loan funds, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. NATCHER:

H.R. 1156. A bill to extend certain benefits to persons who served in the Armed Forces of the United States in Mexico or on its borders during the period beginning May 9, 1916, and ending April 6, 1917, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PRICE:

H.R. 1157. A bill to provide for promotion of economic and social development in the Ryukyu Islands; to the Committee on Armed Services.

By Mr. RABAUT:

H.R. 1158. A bill to establish the Federal Agency for Handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

H.R. 1159. A bill to authorize an emergency 2-year program of Federal financial assistance in school construction to States and local communities; to the Committee on Education and Labor.

H.R. 1160. A bill to provide that in determining income of World War I veterans and their widows for the purpose of ascertaining eligibility for pensions, payments under title II of the Social Security Act shall not be taken into account; to the Committee on Veterans' Affairs.

By Mr. REES of Kansas:

H.R. 1161. A bill to amend the act of August 26, 1950, relating to the suspension of employment of civilian personnel of the United States in the interest of national security; to the Committee on Post Office and Civil Service.

H.R. 1162. A bill to provide for the appointment of a district judge for the district of Kansas; to the Committee on the Judiciary.

By Mr. RHODES of Arizona:

H.R. 1163. A bill to adjust the limitations imposed on veterans' outpatient dental care; to the Committee on Veterans' Affairs.

H.R. 1164. A bill directing the Administrator of Veterans' Affairs to permit retired officers and enlisted men to use available hospital facilities; to the Committee on Veterans' Affairs.

H.R. 1165. A bill to amend section 1 of the act of June 25, 1948 (62 Stat. 915; 28 U.S.C. 631), as amended, to provide for appointment of a United States commissioner for Grand Canyon National Park; to the Committee on the Judiciary.

H.R. 1166. A bill to amend the National School Lunch Act to permit junior colleges to participate therein, and for other purposes; to the Committee on Education and Labor.

H.R. 1167. A bill to designate the Glen Canyon Dam, to be constructed in connection with the Colorado River storage project, as the Eisenhower Dam; to the Committee on Interior and Insular Affairs.

By Mr. ROOSEVELT:

H.R. 1168. A bill to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations and for other purposes; to the Committee on Education and Labor.

By Mr. SANTANGELO:

H.R. 1169. A bill to amend section 9(e) of the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Post Office and Civil Service.

By Mr. SHEPPARD:

H.R. 1170. A bill to provide retirement benefits for fire fighters employed by the Federal Government; to the Committee on Post Office and Civil Service.

By Mr. SISK:

H.R. 1171. A bill to name the Veterans' Administration hospital at 2615 Clinton Avenue, Fresno, Calif., the B. W. Gearhart Veterans' Hospital; to the Committee on Veterans' Affairs.

H.R. 1172. A bill to provide pension for widows and children of veterans of World War II and of the Korean conflict on the same basis as pension is provided for widows and children of veterans of World War I; to the Committee on Veterans' Affairs.

H.R. 1173. A bill to assist States in the construction, expansion, remodeling, and alteration of buildings of State or Territorial soldiers' homes by providing grants to subsidize in part the capital outlay cost; to the Committee on Veterans' Affairs.

H.R. 1174. A bill to correct inequities arising in the enrollment of the Indians of California; to the Committee on Interior and Insular Affairs.

By Mr. STAGGERS:

H.R. 1175. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. TOLLEFSON:

H.R. 1176. A bill to amend the act of August 9, 1946 (60 Stat. 968), providing for the preparation of a membership roll of the Indians of the Yakima Reservation; to the Committee on Interior and Insular Affairs.

H.R. 1177. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees; to the Committee on Post Office and Civil Service.

H.R. 1178. A bill to provide financial assistance for the support of public schools by appropriating funds to the States to be used for constructing school facilities and for teachers' salaries; to the Committee on Education and Labor.

By Mr. VAN ZANDT:

H.R. 1179. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1180. A bill to prohibit unjust discrimination in employment because of age; to the Committee on Education and Labor.

H.R. 1181. A bill to amend chapter 15 of title 38, United States Code, to provide for payment of a pension of $100 per month to World War I veterans who have attained the

age of 60 years; to the Committee on Veterans' Affairs.

By Mr. WALTER:

H.R. 1182. A bill to amend the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

H.R. 1183. A bill to amend the Civil Service Retirement Act to increase to 2½ percent the multiplication factor for determining annuities for certain Federal employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

H.R. 1184. A bill to amend the Clayton Act to allow the courts discretion in awarding damages, and for other purposes; to the Committee on the Judiciary.

H.R. 1185. A bill to amend section 1861 of title 28, United States Code, in relating to the qualifications of jurors, and for other purposes; to the Committee on the Judiciary.

H.R. 1186. A bill to create additional district judges for the eastern district of Pennsylvania; to the Committee on the Judiciary.

H.R. 1187. A bill to provide that each member of the bar of the highest court of a State or of a Federal court shall be eligible to practice before all administrative agencies; to the Committee on the Judiciary.

H.R. 1188. A bill to define the application of the Clayton and Federal Trade Commission Acts to certain pricing practices; to the Committee on the Judiciary.

By Mr. WIER:

H.R. 1189. A bill to establish the Federal Agency for Handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

H.R. 1190. A bill to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of employers who are engaged in activities affecting interstate commerce, to eliminate certain exemptions, and for other purposes; to the Committee on Education and Labor.

H.R. 1191. A bill to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of large retail establishments whose activities affect interstate commerce, and for other purposes; to the Committee on Education and Labor.

H.R. 1192. A bill to provide certain increases in annuity for retired employees under the Civil Service Retirement Act of May 29, 1930, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1193. A bill to increase annuities payable to certain annuitants from the civil service retirement and disability fund, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1194. A bill to increase the rates of basic compensation of officers and employees in the field service of the Post Office Department; to the Committee on Post Office and Civil Service.

H.R. 1195. A bill to provide for the establishment of the Bureau of Older Persons within the Department of Health, Education, and Welfare; to authorize Federal grants to assist in the development and operation of studies and projects to help older persons and for other purposes; to the Committee on Education and Labor.

H.R. 1196. A bill to provide an additional method for computing certain benefits payable under the Federal Employees' Compensation Act to persons who continue their employment after sustaining injury, and for other purposes; to the Committee on Education and Labor.

H.R. 1197. A bill to repeal the Labor Management Relations Act, 1947, to reenact the National Labor Relations Act of 1935, and for other purposes; to the Committee on Education and Labor.

H.R. 1198. A bill to amend the Fair Labor Standards Act of 1938 to establish a $1.25 minimum hourly wage, and for other purposes; to the Committee on Education and Labor.

By Mr. WINSTEAD:

H.R. 1199. A bill to amend the Veterans' Benefits Act of 1957 to provide that the Veterans' Administration shall not sever service connection of any veteran's disability when he has been in receipt of compensation for 10 or more years, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1200. A bill relating to appointments to the Supreme Court; to the Committee on the Judiciary.

H.R. 1201. A bill to amend title V of the Veterans' Benefits Act of 1957 to provide that each veteran treated in a Veterans' Administration facility shall, upon request, be assigned to a ward in which all patients are of the same race as the veteran making the request; to the Committee on Veterans' Affairs.

H.R. 1202. A bill to provide for determination through judicial proceedings of claims for compensation on account of disability or death resulting from disease or injury incurred or aggravated in line of duty while serving in the active military or naval service, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1203. A bill to amend section 332 of title 10 of the United States Code to limit the use of the Armed Forces to enforce Federal laws or the orders of Federal courts; to the Committee on Armed Services.

H.R. 1204. A bill to amend title 10 of the United States Code to prohibit the calling of the National Guard into Federal service except in time of war or invasion or upon the request of a State; to the Committee on Armed Services.

By Mr. ZABLOCKI:

H.R. 1205. A bill—

DECLARATION AND PURPOSE OF POLICY

To reaffirm the national public policy and the purpose of Congress in the laws against unlawful restraints and monopolies, commonly designated "antitrust" laws, which among other things prohibit price discrimination; to aid in intelligent, fair, and effective administration and enforcement thereof; and to strengthen the Robinson-Patman Anti-Price Discrimination Act and the protection which it affords to independent business, the Congress hereby reaffirms that the purpose of the antitrust laws in prohibiting price discriminations is to secure equality of opportunity to all persons to compete in trade or business and to preserve competition where it exists, to restore it where it is destroyed, and to permit it to spring up in new fields; to the Committee on the Judiciary.

H.R. 1206. A bill to prohibit discrimination because of age in the hiring and employment of persons by Government contractors; to the Committee on the Judiciary.

By Mr. BAILEY:

H.R. 1207. A bill to regulate the foreign commerce of the United States by establishing import quotas under specified conditions, and for other purposes; to the Committee on Ways and Means.

H.R. 1208. A bill to amend the Internal Revenue Code of 1954 to impose an import tax on natural gas; to the Committee on Ways and Means.

H.R. 1209. A bill to impose a duty on the importation of residual fuel oil; to the Committee on Ways and Means.

H.R. 1210. A bill to prohibit the charging of a fee to view telecasts in private homes; to the Committee on Interstate and Foreign Commerce.

H.R. 1211. A bill to establish a program of economic relief for distressed areas through a system of loans and grants-in-aid; to the Committee on Banking and Currency.

H.R. 1212. A bill to check the growth of unemployment by providing for Federal assistance to States and local governments for the construction of needed public works and public improvements; to the Committee on Public Works.

By Mr. BENTLEY:

H.R. 1213. A bill to amend title II of the Social Security Act to provide that an individual may become entitled to husband's insurance benefits thereunder if he is dependent on his insured wife when he files his application for such benefits, even though he was not dependent on her when she became entitled to old-age insurance benefits; to the Committee on Ways and Means.

H.R. 1214. A bill to amend title II of the Social Security Act to provide that the divorced wife or husband of an insured individual shall be eligible for benefits as such individual's wife or husband, or as such individual's widow or widower, if neither has remarried; to the Committee on Ways and Means.

H.R. 1215. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer or spouse who is a student; to the Committee on Ways and Means.

H.R. 1216. A bill to amend title II of the Social Security Act to provide that service actually performed by an individual in the employ of his son, daughter, spouse, or parent shall constitute covered employment for purposes of the old-age, survivors, and disability insurance program; to the Committee on Ways and Means.

H.R. 1217. A bill to amend the Tariff Act of 1930 to provide for the free importation of amorphous graphite; to the Committee on Ways and Means.

H. R. 1218. A bill to amend the Internal Revenue Code of 1954 to reduce from 65 to 60 the age at which the additional personal exemption on account of age becomes allowable; to the Committee on Ways and Means.

H.R. 1219. A bill to amend section 2038 of the Internal Revenue Code of 1954 (relating to revocable transfers); to the Committee on Ways and Means.

H.R. 1220. A bill to permit one-half of the budget surplus for any fiscal year to be applied against the public debt and to provide that one-half of such surplus shall be applied as tax credits against individual income taxes; to the Committee on Ways and Means.

H.R. 1221. A bill to amend title II of the Social Security Act to increase from $1,200 to $1,800 a year the amount of outside income permitted without deductions from benefits, and to provide that all types of income shall be taken into account in determining whether an individual's benefits are subject to such deductions; to the Committee on Ways and Means.

H.R. 1222. A bill to repeal the manufacturers' excise tax on passenger automobiles and trucks; to the Committee on Ways and Means.

H.R. 1223. A bill to repeal the manufacturers' excise taxes on refrigeration equipment, self-contained air-conditioning equipment, and electric, gas, and oil appliances; to the Committee on Ways and Means.

H.R. 1224. A bill to authorize Commodity Credit Corporation to acquire title to unredeemed loan collateral without obligation to make equity payments; to the Committee on Agriculture.

H.R. 1225. A bill to amend the Employment Act of 1946 so as to include stable prices as a specific objective of national policy, and for other purposes; to the Committee on Government Operations.

H.R. 1226. A bill to establish a Joint Committee on Foreign Intelligence; to the Committee on Rules.

H.R. 1227. A bill to amend the Agricultural Adjustment Act of 1938 with respect to the determination, in certain cases, of the past acreage of wheat on a farm for purposes of establishing the acreage allotment for the farm; to the Committee on Agriculture.

H.R. 1228. A bill to provide that an individual who is not eligible upon reaching retirement age for old-age insurance benefits under title II of the Social Security Act may obtain a refund of the social security taxes which he has paid; to the Committee on Ways and Means.

By Mr. BENTLEY (by request):

H.R. 1229. A bill to amend title II of the Social Security Act to provide that where a husband and wife are both entitled to benefits thereunder and one of them dies, the benefit of the survivor shall be equal to the total of the combined benefits to which they were entitled while both were living; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 1230. A bill to provide direct aid to States and Territories for educational purposes only; to the Committee on Ways and Means.

H.R. 1231. A bill to provide an improved farm program; to the Committee on Agriculture.

By Mr. BOSCH:

H.R. 1232. A bill to create a United States Foreign Service Academy; to the Committee on Foreign Affairs.

H.R. 1233. A bill to amend section 2 of Public Law 927, 84th Congress, 2d session, and to repeal section 6 of Public Law 927, 84th Congress, 2d session; to the Committee on Ways and Means.

By Mr. BUDGE:

H.R. 1234. A bill to require Federal officers, agencies, and employees to act in accordance with and submit to the laws of the several States relative to the control, appropriation, use, and distribution of water and providing that the United States shall sue and be sued in the courts of such State in litigation arising therefrom; to the Committee on Interior and Insular Affairs.

H.R. 1235. A bill to authorize the Secretary of the Interior to construct, operate, and maintain a reregulating reservoir and other works at the Burns Creek site in the upper Snake River Valley, Idaho, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1236. A bill to provide that the highway between McCammon, Idaho, and Granger Junction, Wyo., shall be a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

H.R. 1237. A bill to amend the Internal Revenue Code of 1954 to provide that unemployment compensation and other unemployment benefits received by railroad workers shall not be subject to the income tax; to the Committee on Ways and Means.

By Mr. BURLESON:

H.R. 1238. A bill to provide for the construction of a fireproof annex building for use of the Government Printing Office, and for other purposes; to the Committee on Public Works.

By Mr. BURNS of Hawaii:

H.R. 1239. A bill to require the leasing or disposition of at least 20,000 acres of the Hawaiian home lands in any calendar 5-year period; to provide for a Federal contribution to the Hawaiian home loan fund, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CELLER:

H.R. 1240. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

By Mr. CHELF:

H.R. 1241. A bill to increase from $600 to $900 the income tax exemption allowed each taxpayer, each dependent, and $1,200 for a dependent child (until said dependent reaches 24 years of age) while attending any accredited business school, college, or university; to the Committee on Ways and Means.

By Mr. CHENOWETH:

H.R. 1242. A bill to authorize private transactions involving the sale, acquisition, or holding of gold within the United States, its Territories and possessions, and for other purposes; to the Committee on Banking and Currency.

By Mr. COLLIER:

H.R. 1243. A bill to provide for the preservation of audio recordings of historical importance; to the Committee on House Administration.

By Mr. COLMER:

H.R. 1244. A bill to prohibit the importation into the United States of polluted shellfish; to the Committee on Ways and Means.

By Mr. DAGUE:

H.R. 1245. A bill to provide an exemption from participation in the Federal old-age and survivors insurance program for individuals who are opposed to participation in such program on grounds of conscience or religious belief; to the Committee on Ways and Means.

By Mr. FARBSTEIN (by request):

H.R. 1246. A bill to amend section 303 of the International Claims Settlement Act of 1949, as amended; to the Committee on Foreign Affairs.

By Mr. FASCELL:

H.R. 1247. A bill to amend title V of the Housing Act of 1949 to authorize loans for the acquisition, construction, improvement, repair, alteration, or replacement of dwelling accommodations and related buildings and structures for the use of migratory farm laborers, and for other purposes; to the Committee on Banking and Currency.

H.R. 1248. A bill to provide that the highway running from Tampa, Fla., through Bradenton, Fla., Punta Gorda, Fla., Fort Myers, Fla., Naples, Fla., and Miami, Fla., to Homestead, Fla., shall be a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. GRAY:

H.R. 1249. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

H.R. 1250. A bill to stabilize production of copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines; to the Committee on Interior and Insular Affairs.

By Mrs. GREEN of Oregon:

H.R. 1251. A bill to authorize a 5-year program of grants and scholarships for collegiate education in the field of nursing, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mrs. GRIFFITHS:

H.R. 1252. A bill to provide for the conveyance of a portion of the former naval industrial facilities at Center Line, Mich., to the State of Michigan, and for other purposes; to the Committee on Government Operations.

By Mr. HARRIS:

H.R. 1253. A bill to amend the Federal Trade Commission Act, as amended, so as to equalize rights in the distribution of merchandise identified by a trademark, brand, or trade name; to the Committee on Interstate and Foreign Commerce.

By Mr. HÉBERT:

H.R. 1254. A bill to prohibit the withholding or impoundment of appropriations; to the Committee on Government Operations.

By Mr. HECHLER:

H.R. 1255. A bill to establish an effective program to alleviate conditions of excessive unemployment in certain economically depressed areas; to the Committee on Banking and Currency.

By Mr. HORAN:

H.R. 1256. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to establish a domestic parity plan for wheat; to the Committee on Agriculture.

By Mr. HOSMER:

H.R. 1257. A bill to provide for research into and development of practical means for the utilization of solar energy, and for other purposes; to the Committee on Science and Astronautics.

By Mr. HUDDLESTON:

H.R. 1258. A bill to authorize the donation and transfer of series E savings bonds to tax-exempt charitable organizations; to the Committee on Ways and Means.

H.R. 1259. A bill to permit bad-debt deductions for payments by guarantors of corporate obligations which had become worthless; to the Committee on Ways and Means.

H.R. 1260. A bill to revise the Internal Revenue Code of 1954 with respect to deductions from gross income for percentage depletion in the case of mines, wells, and other natural mineral deposits; to the Committee on Ways and Means.

H.R. 1261. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for interest and taxes paid by the taxpayer for his spouse or for a dependent; to the Committee on Ways and Means.

H.R. 1262. A bill to amend section 17 of the War Claims Act of 1948 so as to increase the classes of persons entitled to receive payment of certain claims under such section, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1263. A bill to establish a Medical Advisory Committee on Alcoholism in the Department of Health, Education, and Welfare; to the Committee on Interstate and Foreign Commerce.

By Mr. HULL:

H.R. 1264. A bill to amend the Internal Revenue Code of 1954 to allow income tax deductions for certain payments to assist in providing higher education; to the Committee on Ways and Means.

By Mr. JUDD:

H.R. 1265. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

By Mr. KNOX:

H.R. 1266. A bill to amend the Social Security Act to increase the maximum amount of monthly insurance benefits payable for any month under title II of such act on the basis of the wages and self-employment income of an insured individual in cases where there is a disabled child over age 18 entitled to child's insurance benefits; to the Committee on Ways and Means.

By Mr. LAIRD:

H.R. 1267. A bill to provide financial assistance to the States by returning to the States a portion of the Federal income taxes collected therein; to the Committee on Ways and Means.

H.R. 1268. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax of amounts paid as tuition or fees to certain public and private institutions of higher education and high schools; to the Committee on Ways and Means.

H.R. 1269. A bill to provide for a national self-help dairy stabilization program and to provide for an adequate balanced and orderly flow of milk and dairy products in interstate foreign commerce, and for other purposes; to the Committee on Agriculture.

H.R. 1270. A bill to provide a minimum initial program of tax relief for small business and for persons engaged in small business; to the Committee on Ways and Means.

H.R. 1271. A bill to raise the price of manufacturing milk for the marketing year ending March 31, 1960, and thereafter, by providing for an improved method of computing parity prices for manufacturing milk; to the Committee on Agriculture.

H.R. 1272. A bill to amend the provisions of the Social Security Act to consolidate the

reporting of wages by employers for income tax withholding and old-age, survivors, and disability insurance purposes, and for other purposes; to the Committee on Ways and Means.

By Mr. LANE:

H.R. 1273. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McDONOUGH:

H.R. 1274. A bill to permit local taxation of the private interest in personal property and work in process and inventories of material acquired by the Federal Government for military security and the national defense but in the possession of contractors with the Federal Government; to the Committee on Ways and Means.

H.R. 1275. A bill to exempt from the Federal income tax income received by individuals who have reached age 65 if their adjusted gross income does not exceed $3,500 in the case of married couples or $2,000 in the case of single individuals; and to increase all personal income tax exemptions from $600 to $800; to the Committee on Ways and Means.

H.R. 1276. A bill to amend title I of the Social Security Act to provide that the first $50 per month of an individual's earned income shall be disregarded by the State agency in determining his need for old-age assistance; to the Committee on Ways and Means.

H.R. 1277. A bill to amend chapter 1, subchapter C, of the Internal Revenue Code; to the Committee on Ways and Means.

H.R. 1278. A bill to repeal section 1701(a)(2) of the Internal Revenue Code so as to exempt from tax admissions to certain events conducted for the benefit of religious, educational, and charitable organizations; to the Committee on Ways and Means.

H.R. 1279. A bill to repeal the retailers' excise tax on toilet preparations; to the Committee on Ways and Means.

H.R. 1280. A bill to repeal the retailers' excise tax on purses, handbags, and certain other articles; to the Committee on Ways and Means.

H.R. 1281. A bill to amend the Internal Revenue Code of 1954 to exempt from tax amounts paid for admissions to certain rodeos; to the Committee on Ways and Means.

H.R. 1282. A bill to amend section 218 of the Social Security Act to provide that coverage by referendum for State and local employees shall be decided by a majority of those actually voting rather than by a majority of those eligible to vote; to the Committee on Ways and Means.

H.R. 1283. A bill to amend section 23(i) of the Internal Revenue Code of 1939 and to amend section 165(b) of the Internal Revenue Code of 1954 with respect to tax treatment of certain casualty losses; to the Committee on Ways and Means.

H.R. 1284. A bill to amend section 1701 of the Internal Revenue Code with respect to exemptions from the tax on admissions; to the Committee on Ways and Means.

H.R. 1285. A bill to amend the Social Security Act to provide for the payment of benefits thereunder to certain Gold Star Mothers; to the Committee on Ways and Means.

H.R. 1286. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

H.R. 1287. A bill to amend the Internal Revenue Code of 1954 by adding thereto a new chapter imposing an excise tax in respect of tips; to the Committee on Ways and Means.

H.R. 1288. A bill to increase from $1,200 to $2,400 the amount which may be taken into account in computing the retirement income credit under section 37 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

H.R. 1289. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for income tax purposes of certain expenses incurred by the taxpayer for the education of a dependent; to the Committee on Ways and Means.

H.R. 1290. A bill to amend section 102 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

H.R. 1291. A bill to amend the Internal Revenue Code so as to allow, as a deduction from gross income, certain amounts paid as life insurance premiums, and to provide more liberal income tax treatment for amounts paids for hospitalization insurance and amounts paid under voluntary medical care plans; to the Committee on Ways and Means.

H.R. 1292. A bill to amend the Internal Revenue Code to provide a 3-year carryover for medical and dental expenses in excess of the maximum deduction allowable under section 23(x); to the Committee on Ways and Means.

H.R. 1293. A bill to allow to corporations an exemption of $25,000 for income tax purposes, and to provide that the combined normal tax and surtax rate of 38 percent shall be applicable to corporations having taxable incomes of less than $50,000; to the Committee on Ways and Means.

H.R. 1294. A bill to establish a Federal policy concerning the termination, limitation, or establishment of business-type operations of the Government which may be conducted in competition with private enterprise, and for other purposes; to the Committee on Government Operations.

H.R. 1295. A bill to exempt States and political subdivisions thereof from the tax on conveyances, and for other purposes; to the Committee on Ways and Means.

H.R. 1296. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit the negotiated lease of certain excess real property; to the Committee on Government Operations.

H.R. 1297. A bill to prohibit the manufacture, sale, or use in commerce of any motor vehicle which discharges unburned hydrocarbons and other noxious gases in amounts dangerous to human health; to the Committee on Interstate and Foreign Commerce.

H.R. 1298. A bill to provide that the Secretary of Commerce shall furnish weather reports to certain air pollution control agencies; to the Committee on Interstate and Foreign Commerce.

H.R. 1299. A bill to create a U.S. Academy of Foreign Service; to the Committee on Foreign Affairs.

H.R. 1300. A bill to amend the National Housing Act to increase the permissible loan-to-value ratio and maturity in the case of mortgages covering rental housing designed for elderly persons, and to establish a special revolving fund to be used by the Federal National Mortgage Association in purchasing such mortgages; to the Committee on Banking and Currency.

By Mr. McGOVERN:

H.R. 1301. A bill to establish a comprehensive family farm income improvement and protection program, to provide additional consumer safeguards, to enable farmers to keep market supplies of farm commodities in reasonable balance with demand therefor, and for other purposes; to the Committee on Agriculture.

H.R. 1302. A bill to amend the Soil Bank Act; to the Committee on Agriculture.

By Mr. McINTIRE:

H.R. 1303. A bill to amend the Internal Revenue Code of 1954 to provide an income tax deduction for certain expenses of attending colleges and universities; to the Committee on Ways and Means.

H.R. 1304. A bill to prohibit trading in Irish potato futures on commodity exchanges; to the Committee on Agriculture.

H.R. 1305. A bill to provide a preliminary examination and survey of Prospect Harbor, Maine, in the interest of navigation; to the Committee on Public Works.

By Mr. MAGNUSON:

H.R. 1306. A bill to amend section 2(b) of the Columbia Basin Project Act, as amended; to the Committee on Interior and Insular Affairs.

H.R. 1307. A bill to permit articles imported from foreign countries for the purpose of exhibition at the World Science-Pan Pacific Exposition to be held at Seattle, Wash., in 1961 to be admitted without payment of tariff, and for other purposes; to the Committee on Ways and Means.

H.R. 1308. A bill to facilitate the application and operation of the Fish and Wildlife Act of 1956, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MARSHALL:

H.R. 1309. A bill to amend section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431), as amended; to the Committee on Agriculture.

By Mr. MEADER:

H.R. 1310. A bill to amend the Federal Property and Administrative Services Act of 1949 to provide for making payments in lieu of taxes with respect to certain industrial manufacturing plants owned by the United States; to the Committee on Government Operations.

H.R. 1311. A bill to amend Reorganization Plan No. 8 of 1953; to the Committee on Government Operations.

H.R. 1312. A bill to establish a Commission on Overseas Investment and Trade; to the Committee on Foreign Affairs.

H.R. 1313. A bill to permit the construction of certain public works on the Great Lakes for flood control, and for protection from high water levels, and for other purposes; to the Committee on Public Works.

By Mr. MORGAN:

H.R. 1314. A bill to amend the national defense amendment, and for other purposes; to the Committee on Ways and Means.

By Mr. NATCHER:

H.R. 1315. A bill to provide for the erection of a suitable memorial, in or near Calhoun, Ky., in honor of the late Cpl. James Bethel Gresham; to the Committee on House Administration.

H.R. 1316. A bill to provide for the disposal of federally owned property at an obsolescent canalized waterway and for other purposes; to the Committee on Public Works.

H.R. 1317. A bill to provide for Federal participation and cooperation with States and local interests in developing water supplies in connection with the construction, maintenance, and operation of Federal navigation, flood control, or multiple-purpose projects; to the Committee on Public Works.

By Mr. PELLY:

H.R. 1318. A bill to permit articles imported from foreign countries for the purpose of exhibition at the World Science-Pan Pacific Exposition to be held at Seattle, Wash., in 1961 to be admitted without payment of tariff, and for other purposes; to the Committee on Ways and Means.

By Mr. PORTER:

H.R. 1319. A bill to amend section 13(h)(2) of the Surplus Property Act of 1944 so as to eliminate the requirement that property conveyed for historic monument purposes under such section must have been acquired by the United States on or before January 1, 1900; to the Committee on Government Operations.

H.R. 1320. A bill to protect consumers and others from misbranding and the unrevealed presence of substitutes and imitation materials in shoes and related products, and for

other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PRICE:

H.R. 1321. A bill to amend Reorganization Plan No. 2 of 1953; to the Committee on Government Operations.

H.R. 1322. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

By Mr. QUIE:

H.R. 1323. A bill to amend the Federal Unemployment Tax Act to provide for the payment of unemployment compensation in amounts determined by the average wages of the unemployed person and of all other wage earners in the State in which he resides; to the Committee on Ways and Means.

H.R. 1324. A bill to provide that the milk ordinance and code—1953 recommendations of the Public Health Service will be in effect in the District of Columbia; to the Committee on the District of Columbia.

H.R. 1325. A bill to amend title II of the Social Security Act to increase to $3,000 a year the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 1326. A bill to provide for the substitution of the model milk ordinance and code recommended by the Surgeon General for State or local laws which impose unnecessary economic barriers to interstate commerce in milk and milk products; to the Committee on Interstate and Foreign Commerce.

H.R. 1327. A bill to authorize the modification of the existing project for improvement of the Mississippi River between the Missouri River and Minneapolis, Minn., to provide for enlargement of the harbor at Red Wing, Minn.; to the Committee on Public Works.

By Mr. RABAUT:

H.R. 1328. A bill to amend section 5051(a) of the Internal Revenue Code of 1954 to aid small business and discourage continued concentration in the brewing industry; to the Committee on Ways and Means.

H.R. 1329. A bill to provide for the distribution of certain surplus food commodities to needy persons in the United States, by use of a food stamp plan; to the Committee on Agriculture.

H.R. 1330. A bill to amend section 112(n) of the Internal Revenue Code to provide that gain from the sale or exchange of the taxpayer's home will not be taxed whether or not he replaces it with another residence; to the Committee on Ways and Means.

H.R. 1331. A bill to amend title II of the Social Security Act to provide that full benefits (when based upon the attainment of retirement age) will be payable to both men and women at age 60; to the Committee on Ways and Means.

H.R. 1332. A bill to increase from $600 to $700 the personal income tax exemption of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 1333. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

H.R. 1334. A bill to provide for grants to States and local governments to enable them to construct needed public works and improvements and thus to provide employment for persons for are unemployed; to the Committee on Public Works.

By Mr. RHODES of Arizona:

H.R. 1335. A bill authorizing the Commissioner of Public Housing to convey certain land to the State of Arizona for National Guard purposes; to the Committee on Banking and Currency.

H.R. 1336. A bill to amend the Tariff Act of 1930; to the Committee on Ways and Means.

H.R. 1337. A bill to provide that the President shall include in the budget submitted to the Congress under section 201 of the Budget and Accounting Act, 1921, an item for not less than $2 billion to be applied toward reduction of the national debt; to the Committee on Government Operations.

H.R. 1338. A bill to amend the act of August 5, 1954 (68 Stat. 674), and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1339. A bill to amend the act of June 28, 1958, to provide for a National Outdoor Recreation Resources Review Commission and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1340. A bill to provide for the utilization of the Colorado River development fund in the States of the lower division; to the Committee on Interior and Insular Affairs.

By Mr. ROBERTS:

H.R. 1341. A bill to require passenger-carrying motor vehicles purchased for use by the Federal Government to meet certain safety standards; to the Committee on Government Operations.

By Mr. SANTANGELO:

H.R. 1342. A bill to provide that tips and gratuities received from customers of an individual's employer may be included as part of such individual's wages for old-age, survivors, and disability insurance purposes; to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H.R. 1343. A bill to amend sections 4081 and 4082 of the Internal Revenue Code of 1954 to include wholesale distributors within the definition of "producers" of gasoline, and for other purposes; to the Committee on Ways and Means.

By Mr. SISK:

H.R. 1344. A bill to provide for the orderly marketing of turkeys and to assure consumers an adequate supply of turkeys and turkey products of wholesome quality; to the Committee on Agriculture.

By Mr. ROBISON:

H.R. 1345. A bill to amend section 9(a) of the Trading With the Enemy Act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHENCK:

H.R. 1346. A bill to prohibit the use in commerce of any motor vehicle which discharges substances in amounts which are found by the Surgeon General of the Public Health Service to be dangerous to human health; to the Committee on Interstate and Foreign Commerce.

By Mr. SISK:

H.R. 1347. A bill to authorize the project for the Hidden Reservoir on the Fresno River, San Joaquin Valley, Calif., for flood control purposes; to the Committee on Public Works.

H.R. 1348. A bill authorizing a monetary contribution for the flood-control accomplishments of the multiple-purpose Merced River Development, including the Bagby, New Exchequer, and Snelling Dams and Reservoirs, proposed to be constructed on the Merced River by the Merced Irrigation District of the State of California; to the Committee on Public Works.

H.R. 1349. A bill to authorize a project for the Buchanan Reservoir on the Chowchilla River, San Joaquin Valley, Calif., for flood control purposes; to the Committee on Public Works.

By Mr. STAGGERS:

H.R. 1350. A bill to increase the personal income tax exemptions (including the exemptions for dependents and the additional exemptions for old age and blindness) to $1,000 for 1959 and succeeding years; to the Committee on Ways and Means.

H.R. 1351. A bill to amend title II of the Social Security Act to reduce from 65 to 60 the age at which old-age and other monthly insurance benefits shall be payable thereunder; to the Committee on Ways and Means.

H.R. 1352. A bill to create a Department of Peace; to the Committee on Government Operations.

H.R. 1353. A bill to authorize and request the President to undertake to mobilize at some convenient place in the United States an adequate number of outstanding experts, and coordinate and utilize their services in a supreme endeavor to discover means of curing and preventing cancer; to the Committee on Interstate and Foreign Commerce.

H.R. 1354. A bill to amend the Standard Time Act of March 19, 1918, so as to provide that the standard time established thereunder shall be the measure of time for all purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1355. A bill to provide that standard time shall be the measure of time for all purposes and to authorize Congress to establish daylight saving time for any year by concurrent resolution; to the Committee on Interstate and Foreign Commerce.

H.R. 1356. A bill to amend the Federal Aviation Act of 1958 in order to authorize free or reduced rate transportation for retired employees of air carriers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1357. A bill to establish a policy of Congress with respect to sustained-yield and multiple-use management of the national forests; to the Committee on Agriculture.

By Mrs. SULLIVAN:

H.R. 1358. A bill to amend title II of the Social Security Act to eliminate the provisions which reduce the old-age or wife's insurance benefits of a woman becoming entitled to such benefits before she attains age 65; to the Committee on Ways and Means.

H.R. 1359. A bill to provide for the establishment of a food-stamp plan for the distribution of $1 billion worth of surplus food commodities a year to needy persons and families in the United States; to the Committee on Agriculture.

H.R. 1360. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act so as to provide for the safety of chemicals in cosmetics; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMSON of Wyoming:

H.R. 1361. A bill to amend section 302 of the Sugar Act of 1948, as amended; to the Committee on Agriculture.

By Mr. TOLLEFSON:

H.R. 1362. A bill to allow credit or refund of gift tax erroneously paid by reason of treating nontaxable divisions of community property as gifts; to the Committee on Ways and Means.

H.R. 1363. A bill relating to the income tax basis, in the hands of a surviving spouse, of certain property previously held as community property; to the Committee on Ways and Means.

By Mr. VAN ZANDT:

H.R. 1364. A bill to amend the Internal Revenue Code of 1954 to repeal the tax presently imposed on the transportation of persons; to the Committee on Ways and Means.

H.R. 1365. A bill to provide for the increase, modernization, and stockpiling of railroad equipment in order to meet the needs of the commerce of the United States, of the postal service, and of the national defense; to create and establish a public agency with powers to carry out the provisions of this act; and for other purposes; to the Committee on Ways and Means.

H.R. 1366. A bill to amend title II of the Social Security Act to provide that full benefits (when based upon the attainment of retirement age) will be payable to both men

and women at age 60; to the Committee on Ways and Means.

H.R. 1367. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct expenses paid during the taxable year for the repair (including painting and papering) of his home to the extent that such expenses do not exceed $500; to the Committee on Ways and Means.

H.R. 1368. A bill to amend the Internal Revenue Code of 1954 to increase the depletion allowance for coal and lignite; to the Committee on Ways and Means.

H.R. 1369. A bill to amend the act to prohibit State plan provisions requiring transfer to State of title or control of property or a lien or other encumbrance for purpose of recovery; to the Committee on Ways and Means.

H.R. 1370. A bill to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act so as to provide increases in benefits and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1371. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

H.R. 1372. A bill to amend the War Claims Act of 1948, as amended, and the Trading With the Enemy Act, as amended, and to provide for the payment of certain American war damage claims; to the Committee on Interstate and Foreign Commerce.

H.R. 1373. A bill to amend the Railroad Unemployment Insurance Act so as to provide increases in benefits and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1374. A bill to amend the Railroad Retirement Act of 1937 so as to provide a 20-percent increase in widows' annuities; to the Committee on Interstate and Foreign Commerce.

By Mr. WALTER:

H.R. 1375. A bill to amend title II of the Social Security Act to permit an individual to waive his right to receive benefits thereunder in order to preserve his right to receive benefits under other laws; to the Committee on Ways and Means.

H.R. 1376. A bill to provide an appropriation for the enlargement of the U.S. courthouse at Philadelphia; to the Committee on Appropriations.

H.R. 1377. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

By Mr. WIER:

H.R. 1378. A bill to amend the District of Columbia Unemployment Compensation Act, as amended; to the Committee on the District of Columbia.

H.R. 1379. A bill to provide an elected mayor, city council, school board, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 1380. A bill to amend the District of Columbia Unemployment Compensation Act, as amended; to the Committee on the District of Columbia.

H.R. 1381. A bill to establish a Missouri Valley Authority to provide for unified water control and resource development on the Missouri River, its tributaries and watershed, to prevent floods, reclaim and irrigate lands, encourage agriculture, stimulate industrial expansion, develop low-cost hydroelectric power, promote navigation, increase recreational possibilities, protect wildlife, strengthen the national defense, and for other purposes; to the Committee on Public Works.

H.R. 1382. A bill to check the growth of unemployment by providing for Federal assistance to States and local governments for the construction of needed public works and public improvements; to the Committee on Public Works.

H.R. 1383. A bill to authorize the coinage of 50-cent pieces to commemorate the centennial of the admission of the State of Minnesota into the Union; to the Committee on Banking and Currency.

By Mr. WINSTEAD:

H.R. 1384. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1385. A bill to repeal the provisions of the Railroad Retirement Act which reduce the annuities of the spouses of retired employees, and the survivors of deceased employees, by the amount of certain monthly benefits payable under the Social Security Act; to the Committee on Interstate and Foreign Commerce.

By Mr. BOGGS:

H.J. Res. 1. Joint resolution providing for a study of the possibility and desirability of establishing a University of the Americas; to the Committee on Foreign Affairs.

By Mr. BOLAND:

H.J. Res. 2. Joint resolution providing for a study to be conducted to determine and report to the Congress on ways and means of expanding and modernizing the Foreign Service of the United States; to the Committee on Foreign Affairs.

By Mr. CELLER (by request):

H.J. Res. 3. Joint resolution to establish a policy for the determination of rights of the Government and its employees in inventions made by such employees and to set forth criteria to be used in making such determinations; to the Committee on the Judiciary.

By Mr. CELLER:

H.J. Res. 4. Joint resolution to authorize the Attorney General to establish an Institute of Corrections for the training and instruction of corrections personnel selected by States and their municipal subdivisions in the field of correctional methods and techniques; to the Committee on the Judiciary.

H.J. Res. 5. Joint resolution proposing an amendment to the Constitution of the United States relating to the inability of the President to discharge the powers and duties of his office; to the Committee on the Judiciary.

H.J. Res. 6. Joint resolution relating to the inability of the President to discharge the powers and duties of his office; to the Committee on the Judiciary.

H.J. Res. 7. Joint resolution to establish a commission on the legal status of women in the United States, to declare a policy as to distinctions based on sex, in law and administration, and for other purposes; to the Committee on the Judiciary.

H.J. Res. 8. Joint resolution to amend the Constitution to authorize governors to fill temporary vacancies in the House of Representatives; to the Committee on the Judiciary.

By Mr. COLLIER:

H.J. Res. 9. Joint resolution designating the 22d day in April of each year as National Prayer for Peace Day, requesting the President to issue a proclamation setting aside a period of such day for a nationwide prayer for peace, and declaring one-half of such day to be a legal holiday; to the Committee on the Judiciary.

H.J. Res. 10. Joint resolution designating October 31 of each year as Youth Honor Day; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.J. Res. 11. Joint resolution requesting the President to instruct the permanent representative of the United States to the United Nations to request the Security Council without delay to convene the Arab States and the State of Israel and other interested nations in a peace conference; to the Committee on Foreign Affairs.

By Mrs. GREEN of Oregon:

H.J. Res. 12. Joint resolution proposing an amendment to the Constitution of the United States relative to qualifications for voting for presidential and vice presidential electors; to the Committee on the Judiciary.

By Mr. JUDD:

H.J. Res. 13. Joint resolution designating the corn tassel as the national floral emblem of the United States; to the Committee on House Administration.

By Mr. LANE:

H.J. Res. 14. Joint resolution to provide for the American Joint Commission To Assist in the Unification of Ireland; to the Committee on Foreign Affairs.

By Mr. McSWEEN:

H.J. Res. 15. Joint resolution proposing an amendment to the Constitution of the United States providing a different method for the election of a President and Vice President; to the Committee on the Judiciary.

By Mr. MASON:

H.J. Res. 16. Joint resolution proposing an amendment to the Constitution of the United States relative to taxes on incomes, inheritances, and gifts; to the Committee on the Judiciary.

H.J. Res. 17. Joint resolution proposing an amendment to the Constitution of the United States limiting the taxing and spending powers of the Congress; to the Committee on the Judiciary.

H.J. Res. 18. Joint resolution proposing an amendment to the Constitution of the United States relating to prohibitions upon the giving or lending of property of the United States to any foreign government or international governmental organization; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.J. Res. 19. Joint resolution to authorize the issuance of a gold medal in honor of the late Prof. Robert H. Goddard; to the Committee on Banking and Currency.

H.J. Res. 20. Joint resolution to designate payments to disabled veterans as partial repayment of debt owed, and not as gratuities; to the Committee on Veterans' Affairs.

By Mr. POFF:

H.J. Res. 21. Joint resolution proposing an amendment to the Constitution of the United States empowering the Congress to authorize the President to approve and disapprove separate items or provisions in appropriation bills; to the Committee on the Judiciary.

H.J. Res. 22. Joint resolution to authorize transfer of a percentage of tax collections from individual and corporate income taxes to the States and Territories for use for educational purposes only, and for other purposes; to the Committee on Ways and Means.

By Mr. UTT:

H.J. Res. 23. Joint resolution proposing an amendment to the Constitution of the United States relative to abolishing personal income, estate, and gift taxes and prohibiting the United States Government from engaging in business in competition with its citizens; to the Commitee on the Judiciary.

By Mr. PRICE:

H.J. Res. 24. Joint resolution authorizing the creation of a Federal memorial commission to consider and formulate plans for the construction in the city of Washington, D. C., of an appropriate permanent memorial to the memory of the great Italian navigator and discoverer of America, Christopher Columbus; to the Committee on House Administration.

By Mr. PUCINSKI:

H.J. Res. 25. Joint resolution designating the 7-day period beginning January 11, 1959, as National Printing Week; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.J. Res. 26. Joint resolution designating the 7th day of December in each year as Preparedness Day; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H.J. Res. 27. Joint resolution providing for the revision of the Status of Forces Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; to the Committee on Foreign Affairs.

H.J. Res. 28. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.J. Res. 29. Joint resolution providing for the establishment of the New Jersey Tercentenary Celebration Commission to formulate and implement plans to commemorate the 300th anniversary of the State of New Jersey, and for other purposes; to the Committee on the Judiciary.

By Mr. THOMPSON of Louisiana:

H.J. Res. 30. Joint resolution proposing an amendment to the Constitution of the United States to enable the Congress, in aid of the common defense, to function effectively in time of emergency or disaster; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H.J. Res. 31. Joint resolution to establish a Joint Committee on Central Intelligence; to the Committee on Rules.

By Mr. ABERNETHY:

H.J. Res. 32. Joint resolution proposing an amendment to the Constitution of the United States prescribing the term of office of members of the Supreme Court; to the Committee on the Judiciary.

By Mr. ADDONIZIO:

H.J. Res. 33. Joint resolution proposing an amendment to the Constitution prohibiting a State from taxing certain income of a nonresident; to the Committee on the Judiciary.

By Mr. ASHLEY:

H.J. Res. 34. Joint resolution designating the 7-day period beginning on the second Sunday of January in each year as National Amelia Earhart Scholarship Week; to the Committee on the Judiciary.

By Mr. BENNETT of Florida:

H.J. Res. 35. Joint resolution to establish a Commission on Ethics in the Federal Government to interpret the application of the Code of Ethics for Government Service, to recommend modifications and improvements therein, as well as in criminal or other statutes relating to ethics, to investigate complaints of unethical conduct in Government service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BETTS:

H.J. Res. 36. Joint resolution to provide interim authorization for home mortgage insurance, urban renewal, and college housing; to the Committee on Banking and Currency.

By Mr. BOSCH:

H.J. Res. 37. Joint resolution authorizing the President of the United States of America to proclaim September 17 of each year General Von Steuben Memorial Day for the observance and commemoration of the birth of Gen. Friedrich Wilhelm von Steuben; to the Committee on the Judiciary.

H.J. Res. 38. Joint resolution declaring Inauguration Day to be a legal holiday; to the Committee on the Judiciary.

By Mr. BROWN of Missouri:

H.J. Res. 39. Joint resolution to authorize the placing of suitable memorials by the American Battle Monuments Commission marking and commemorating the Spanish-American War of 1898; to the Committee on Foreign Affairs.

By Mr. BROYHILL:

H.J. Res. 40. Joint resolution to adopt a specific version of the Star-Spangled Banner as the national anthem of the United States of America; to the Committee on the Judiciary.

H.J. Res. 41. Joint resolution to designate the airport being constructed at Chantilly, Va., pursuant to the act of September 7, 1950, as the "Chantilly International Airport"; to the Committee on Interstate and Foreign Commerce.

By Mr. BYRNES of Wisconsin:

H.J. Res. 42. Joint resolution proposing an amendment to the Constitution of the United States relating to appropriations; to the Committee on the Judiciary.

By Mrs. CHURCH:

H.J. Res. 43. Joint resolution to provide that the final resting place in the Memorial Amphitheater of the National Cemetery at Arlington, Va., of the three unknown American servicemen of World War I, World War II, and the Korean conflict shall continue to be known as the "Tomb of the Unknown Soldier"; to the Committee on Armed Services.

H.J. Res. 44. Joint resolution designating the Saturday before Palm Sunday in each year as Crippled Children's Day; to the Committee on the Judiciary.

H.J. Res. 45. Joint resolution authorizing and requesting the President to issue a proclamation designating the fourth Sunday in the month of June as National Children's Day; to the Committee on the Judiciary.

By Mr. DOLLINGER:

H.J. Res. 46. Joint resolution to establish a Commission on Utilization of Manpower in the United States; to the Committee on Education and Labor.

By Mr. ELLIOTT:

H.J. Res. 47. Joint resolution placing certain individuals who served in the Armed Forces of the United States in the Moro Province, including Mindanao, and in the islands of Leyte and Samar after July 4, 1902, and their survivors, in the same status as those who served in the Armed Forces during the Philippine Insurrection and their survivors; to the Committee on Veterans' Affairs.

By Mr. FALLON:

H.J. Res. 48. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FASCELL:

H.J. Res. 49. Joint resolution providing for a study of the possibility and desirability of establishing a University of the Americas; to the Committee on Foreign Affairs.

H.J. Res. 50. Joint resolution to create the Quadricentennial Anniversary Commission of Florida, Inc., and to set forth the dates and places thereof; to the Committee on the Judiciary.

By Mrs. GRIFFITHS:

H.J. Res. 51. Joint resolution extending an invitation to the International Olympic Committee to hold the 1964 Olympic games at Detroit, Mich.; to the Committee on Foreign Affairs.

By Mr. GROSS:

H.J. Res. 52. Joint resolution providing that each member of the Armed Forces sent overseas shall be notified of the fact that, because of certain international agreements, he may be subject to the criminal jurisdiction of a foreign country without the safeguards provided by the Constitution and laws of the United States; to the Committee on Armed Services.

By Mr. HENDERSON:

H.J. Res. 53. Joint resolution designating the 3d day of February in each year as Chaplains' Day; to the Committee on the Judiciary.

By Mr. HIESTAND:

H.J. Res. 54. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. HOSMER:

H.J. Res. 55. Joint resolution proposing an amendment to the Constitution of the United States relative to disapproval of items in general appropriation bills; to the Committee on the Judiciary.

H.J. Res. 56. Joint resolution proposing an amendment to the Constitution of the United States relating to the inability of the President of the United States to discharge the powers and duties of his office, and providing new duties for the Vice President of the United States; to the Committee on the Judiciary.

By Mr. JONES of Missouri:

H.J. Res. 57. Joint resolution authorizing the President to issue annually a proclamation designating the second week in October as National Poison Prevention Week, in order to aid in bringing to the American people the dangers of accidental poisoning; to the Committee on the Judiciary.

By Mr. KING of California:

H.J. Res. 58. Joint resolution authorizing the President to designate Los Angeles, Calif., as the site of the next world's fair to be held in the vicinity of such city in 1963, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MEADER:

H.J. Res. 59. Joint resolution to authorize the President to proclaim an appropriate day of each year as National Family Day; to the Committee on the Judiciary.

By Mr. MULTER:

H.J. Res. 60. Joint resolution proposing an amendment to the Constitution of the United States with respect to the term of office and qualifications of Members of the House of Representatives; to the Committee on the Judiciary.

H.J. Res. 61. Joint resolution declaring Inauguration Day to be a legal holiday; to the Committee on the Judiciary.

H.J. Res. 62. Joint resolution requesting the President to instruct the permanent representative of the United States to the United Nations to request the Security Council without delay to convene the Arab States and the State of Israel and other interested nations in a peace conference; to the Committee on Foreign Affairs.

H.J. Res. 63. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

H.J. Res. 64. Joint resolution designating the 6th day of January of each year as Haym Salomon Day; to the Committee on the Judiciary.

By Mr. O'BRIEN of New York:

H.J. Res. 65. Joint resolution providing for a study to be conducted to determine and report to the Congress on ways and means of expanding and modernizing the Foreign Service of the United States; to the Committee on Foreign Affairs.

H.J. Res. 66. Joint resolution proposing an amendment to the Constitution of the United States relating to the procedure for amending the Constitution; to the Committee on the Judiciary.

By Mr. PELLY:

H.J. Res. 67. Joint resolution to permit articles imported from foreign countries for the purpose of exhibition at the Washington State Eighth International Trade Fair, Seattle, Wash., to be admitted without payment of tariff, and for other purposes; to the Committee on Ways and Means.

By Mr. RODINO:

H.J. Res. 68. Joint resolution proposing a constitutional amendment prohibiting States from taxing incomes of nonresidents; to the Committee on the Judiciary.

H.J. Res. 69. Joint resolution to punish the imparting of false information concerning bombs and to prohibit their placement in interstate commerce; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.J. Res. 70. Joint resolution to amend the Internal Revenue Code of 1954 so as to establish an equitable depletion rate for oil shale with those depletion rates now allowed for oil and gas wells; to the Committee on Ways and Means.

By Mr. ROGERS of Texas:

H.J. Res. 71. Joint resolution proposing an amendment to the Constitution with respect to the admission of new States as sovereign States of the United States; to the Committee on the Judiciary.

H.J. Res. 72. Joint resolution providing for a study to be conducted to determine and report to the Congress on ways and means of expanding and modernizing the Foreign Service of the United States; to the Committee on Foreign Affairs.

H.J. Res. 73. Joint resolution proposing an amendment to the Constitution to authorize Congress to limit the power of courts of the United States to determine that statutes of the United States or of any State are repugnant to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H.J. Res. 74. Joint resolution to establish a Committee on the Office of the Vice President; to the Committee on the Judiciary.

By Mr. SIKES:

H.J. Res. 75. Joint resolution to create the Quadricentennial Anniversary Commission of Florida, Inc., and to set forth the dates and places thereof; to the Committee on the Judiciary.

By Mr. TELLER:

H.J. Res. 76. Joint resolution designating the fourth Sunday in September of each year as Interfaith Day; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.J. Res. 77. Joint resolution to provide interim authorization for home mortgage insurance, urban renewal, and college housing; to the Committee on Banking and Currency.

By Mr. WILLIAMS:

H.J. Res. 78. Joint resolution proposing an amendment of the Constitution of the United States to prevent interference with, and to eliminate limitations upon, the power of the States to regulate health, morals, education, domestic relations, all property rights, transportation wholly within their borders, the election laws, with the limitations contained in this proposed amendment, and good order therein; to the Committee on the Judiciary.

By Mr. HIESTAND:

H.J. Res. 79. Joint resolution proposing an amendment to the Constitution of the United States relating to the legal effect of certain treaties and other international agreements; to the Committee on the Judiciary.

By Mr. BENTLEY:

H.J. Res. 80. Joint resolution providing for the erection of a memorial tablet at Garden Key, Fla., in honor of Dr. Samuel Alexander Mudd; to the Committee on Interior and Insular Affairs.

By Mr. CURTIN:

H.J. Res. 81. Joint resolution proposing an amendment to the Constitution of the United States to establish a commission to determine the inability of a President to discharge the powers and duties of the office of President; to the Committee on the Judiciary.

By Mr. HARRIS:

H.J. Res. 82. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

H.J. Res. 83. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HOLLAND:

H.J. Res. 84. Joint resolution designating March 30 of each year as "Shut-In's Day"; to the Committee on the Judiciary.

By Mr. JONAS:

H.J. Res. 85. Joint resolution providing for the establishment of an Annual Youth Appreciation Week; to the Committee on the Judiciary.

By Mrs. KELLY:

H.J. Res. 86. Joint resolution requesting the President to instruct the permanent representative of the United States to the United Nations to request the Security Council without delay to convene the Arab States and the State of Israel and other interested nations in a peace conference; to the Committee on Foreign Affairs.

By Mr. LAIRD:

H.J. Res. 87. Joint resolution proposing an amendment to the Constitution of the United States relative to the balancing of the budget; to the Committee on the Judiciary.

H.J. Res. 88. Joint resolution designating the month of June of each year as National Dairy Month; to the Committee on the Judiciary.

By Mr. McDONOUGH:

H.J. Res. 89. Joint resolution to provide interim authorization for home-mortgage insurance, urban renewal, and college housing; to the Committee on Banking and Currency.

H.J. Res. 90. Joint resolution providing for the designation of the first Sunday in June of each year as National Teachers Day; to the Committee on the Judiciary.

H.J. Res. 91. Joint resolution requesting the President to proclaim June 1, 1959, as National Teachers Day; to the Committee on the Judiciary.

H.J. Res. 92. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

H.J. Res. 93. Joint resolution providing for the revision of the Status of Forces Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; to the Committee on Foreign Affairs.

H.J. Res. 94. Joint resolution proposing an amendment to the Constitution of the United States relative to the effect of treaties and international agreements upon the civil and property rights of citizens of the United States; to the Committee on the Judiciary.

By Mr. RHODES of Arizona:

H.J. Res. 95. Joint resolution providing for a study to be conducted to determine and report to the Congress on ways and means of expanding and modernizing the Foreign Service of the United States; to the Committee on Foreign Affairs.

H.J. Res. 96. Joint resolution directing the Secretary of State and the Secretary of the Interior, through the Bureau of Reclamation, to study the economic and engineering feasibility of acquiring riparian rights from the Republic of Mexico to water in the Gulf of California for the piping and pumping of water from the Gulf of California to Arizona for irrigation purposes; to the Committee on Foreign Affairs.

By Mr. TOLLEFSON:

H.J. Res. 97. Joint resolution declaring the right of sovereignty of the United States over certain areas of the Antarctic Continent, and for other purposes; to the Committee on Foreign Affairs.

By Mr. VAN ZANDT:

H.J. Res. 98. Joint resolution to exempt State clubs and fraternal organizations from filing form 990; to the Committee on Ways and Means.

H.J. Res. 99. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. WALTER:

H.J. Res. 100. Joint resolution proposing an amendment to the Constitution to redefine treason; to the Committee on the Judiciary.

H.J. Res. 101. Joint resolution authorizing the President of the United States of America to proclaim May 11 of each year Colonel Kovats Memorial Day for the observance and commemoration of the death of Colonel-Commandant Michael Kovats; to the Committee on the Judiciary.

By Mr. WHITTEN:

H.J. Res. 102. Joint resolution to restore to the States certain rights affected by recent Supreme Court decisions; to the Committee on the Judiciary.

H.J. Res. 103. Joint resolution providing that the United States shall not participate in any civil action except as a party to such civil action; to the Committee on the Judiciary.

By Mr. WIER:

H.J. Res. 104. Joint resolution to provide for the observance and commemoration of the 50th anniversary of the founding and launching of the conservation movement for the preservation of the natural resources of the United States; to the Committee on the Judiciary.

H.J. Res. 105. Joint resolution placing certain individuals who served in the Armed Forces of the United States in the Moro Province, including Mindanao, and in the

islands of Leyte and Samar after July 4, 1902, and their survivors, in the same status as those who served in the Armed Forces during the Philippine Insurrection and their survivors; to the Committee on Veterans' Affairs.

H.J. Res. 106. Joint resolution to establish a national policy for the production and utilization of food and fiber, so as to make full economic use of the productive capacity of United States farms to improve domestic nutrition and clothing standards and buttress the foreign policy of the United States and to restate explicitly the longstanding national policy to preserve and strengthen the family-farm pattern of American agricultural production; to the Committee on Agriculture.

By Mr. PRICE:

H. Con. Res. 2. Concurrent resolution to promote through the United Nations an effective and enforcible system of worldwide disarmament and calling for a crusade for world peace and freedom; to the Committee on Foreign Affairs.

By Mrs. KELLY:

H. Con. Res. 3. Concurrent resolution establishing a Joint Committee on Intelligence Matters; to the Committee on Rules.

By Mr. SMITH of Mississippi:

H. Con. Res. 4. Concurrent resolution establishing a Joint Committee on Intelligence Matters; to the Committee on Rules.

By Mr. BOLAND:

H. Con. Res. 5. Concurrent resolution to establish a Joint Committee on Central Intelligence; to the Committee on Rules.

By Mrs. BOLTON:

H. Con. Res. 6. Concurrent resolution requesting the President to designate the month of March in each year as "Neighborhood House Month"; to the Committee on the Judiciary.

By Mr. EDMONDSON:

H. Con. Res. 7. Concurrent resolution declaring the sense of Congress on the closing of Indian hospitals; to the Committee on Interior and Insular Affairs.

By Mr. JUDD:

H. Con. Res. 8. Concurrent resolution establishing a Joint Committee on Intelligence Matters; to the Committee on Rules.

By Mr. PHILBIN:

H. Con. Res. 9. Concurrent resolution favoring universal disarmament; to the Committee on Foreign Affairs.

By Mr. PRICE:

H. Con. Res. 10. Concurrent resolution to establish a Joint Committee on Central Intelligence; to the Committee on Rules.

By Mr. ZABLOCKI:

H. Con. Res. 11. Concurrent resolution to establish a Joint Committee on Central Intelligence; to the Committee on Rules.

By Mr. ADDONIZIO:

H. Con. Res. 12. Concurrent resolution requesting the President, through the U.S. delegation to the United Nations, to bring about the establishment of a U.N. military force; to the Committee on Foreign Affairs.

H. Con. Res. 13. Concurrent resolution to establish a Joint Committee on Consumers; to the Committee on Rules.

By Mr. BECKER:

H. Con. Res. 14. Concurrent resolution providing that the U.S. Mission to the United Nations shall take such steps as might be necessary to have each day's session in the United Nations opened with a prayer; to the Committee on Foreign Affairs.

By Mr. BENNETT of Florida:

H. Con. Res. 15. Concurrent resolution providing for the printing of the "Code of Ethics for Government Service" as a House document; to the Committee on House Administration.

By Mr. BOSCH:

H. Con. Res. 16. Concurrent resolution calling for the publication and reexamination of the Yalta and Potsdam agreements; to the Committee on Foreign Affairs.

By Mr. BUSH:

H. Con. Res. 17. Concurrent resolution authorizing and requesting the President to designate the period beginning June 14, 1959, and ending June 20, 1959, as National Little League Baseball Week; to the Committee on the Judiciary.

By Mr. BYRNES of Wisconsin:

H. Con. Res. 18. Concurrent resolution favoring congressional recognition of the National Railroad Museum to be located at Green Bay, Wis.; to the Committee on House Administration.

By Mr. DOLLINGER:

H. Con. Res. 19. Concurrent resolution to establish a Joint Committee on Consumers; to the Committee on Rules.

By Mr. HIESTAND:

H. Con. Res. 20. Concurrent resolution establishing a joint committee to investigate and study the advisability of making labor organizations subject to the antitrust laws; to the Committee on Rules.

By Mr. MULTER:

H. Con. Res. 21. Concurrent resolution expressing the sense of the Congress with respect to the establishment of uniform traffic laws throughout the United States; to the Committee on Interstate and Foreign Commerce.

H. Con. Res. 22. Concurrent resolution to establish a Joint Committee on Consumers; to the Committee on Rules.

By Mr. TAYLOR:

H. Con. Res. 23. Concurrent resolution proposing the recognition of the village of Whitehall, Washington County, N.Y., as the birthplace of the United States Navy; to the Committee on the Judiciary.

By Mr. BENTLEY:

H. Con. Res. 24. Concurrent resolution expressing the sense of the Congress with respect to the deferment from induction of schoolteachers under the Universal Military Training and Service Act; to the Committee on Armed Services.

By Mrs. KELLY:

H. Con. Res. 25. Concurrent resolution to establish a Joint Committee on Consumers; to the Committee on Rules.

H. Con. Res. 26. Concurrent resolution expressing the sense of the Congress that efforts should be made to invite Spain to membership in the North Atlantic Treaty Organization; to the Committee on Foreign Affairs.

By Mr. LESINSKI:

H. Con. Res. 27. Concurrent resolution expressing the sense of the Congress with respect to the utilization of Post Office Department vehicles and personnel for first-aid and other emergency purposes in the event of enemy attack or other emergency; to the Committee on Post Office and Civil Service.

By Mr. ROGERS of Colorado:

H. Con. Res. 28. Concurrent resolution to print the proceedings in connection with the acceptance of the statue of Dr. Florence Rena Sabin; to the Committee on House Administration.

By Mr. WALTER:

H. Con. Res. 29. Concurrent resolution expressing the sense of the Congress that efforts should be made to invite Spain to membership in the North Atlantic Treaty Organization; to the Committee on Foreign Affairs.

By Mr. WIER:

H. Con. Res. 30. Concurrent resolution relative to a definition of the phrase "peace-loving state" in the United Nations Charter; to the Committee on Foreign Affairs.

By Mr. HOEVEN:

H. Res. 3. Resolution designating employees of the House of Representatives; to the Committee on House Administration.

By Mr. VINSON:

H. Res. 19. Resolution authorizing the Committee on Armed Services to conduct a full and complete investigation and study of all matters relating to procurement by the Department of Defense, personnel of such Department, laws administered by such Department, use of funds by such Department, and scientific research in support of the armed services; to the Committee on Rules.

H. Res. 20. Resolution to provide for the expenses of the investigation and study authorized by House Resolution 19; to the Committee on House Administration.

By Mr. FARBSTEIN:

H. Res. 21. Resolution to authorize the Committee on Foreign Affairs to conduct an investigation and study of certain problems arising from population migrations within the United States and between the United States and the Commonwealth of Puerto Rico; to the Committee on Rules.

By Mrs. KEE:

H. Res. 22. Resolution to authorize the Committee on Ways and Means to investigate and study the administration of the Social Security Act; to the Committee on Rules.

By Mr. BENNETT of Florida;

H. Res. 23. Resolution to provide a residence for pages; to the Committee on House Administration.

By Mr. BOSCH:

H. Res. 24. Resolution creating a select committee to conduct an investigation and study of the forced repatriation program carried out by our military and civilian authorities in the years 1945–47; to the Committee on Rules.

H. Res. 25. Resolution creating a select committee to conduct an investigation and study of the advisability and feasibility of a governmental lottery; to the Committee on Rules.

H. Res. 26. Resolution creating a committee to conduct an investigation and study the plight of the Transylvania-Saxons; to the Committee on Rules.

By Mr. CELLER:

H. Res. 27. Resolution authorizing the Committee on the Judiciary to conduct studies and investigations relating to certain matters within its jurisdiction; to the Committee on Rules.

H. Res. 28. Resolution to continue in effect House Resolution 190 and House Resolution 386, 83d Congress; to the Committee on the Judiciary.

By Mr. FOGARTY:

H. Res. 29. Resolution to provide for the unity of Ireland; to the Committee on Foreign Affairs.

By Mrs. GRIFFITHS:

H. Res. 30. Resolution authorizing the Committee on Banking and Currency to investigate the rising cost of living; to the Committee on Rules.

H. Res. 31. Resolution to provide for the broadcasting by radio and television of committee hearings in the House; to the Committee on Rules.

H. Res. 32. Resolution to provide equal access for all news media before proceedings of the House; to the Committee on Rules.

By Mr. GROSS:

H. Res. 33. Resolution creating a standing Committee on Small Business in the House of Representatives; to the Committee on Rules.

H. Res. 34. Resolution creating a select committee to conduct an investigation and

study of the subsidies paid by the Federal Government; to the Committee on Rules.

H. Res. 35. Resolution to provide funds for the expenses of the investigation and study authorized by H. Res. 34; to the Committee on House Administration.

By Mr. HAYS:

H. Res. 36. Resolution providing a clerk for the House delegation of the United States group of the North Atlantic Treaty Parliamentarians' Conference; to the Committee on House Administration.

By Mr. HIESTAND:

H. Res. 37. Resolution amending the Rules of the House of Representatives so as to create a standing committee to be known as the Committee on Independent Unions to the Committee on Rules.

By Mr. LANE:

H. Res. 38. Resolution establishing a select committee of the House to choose five outstanding persons (none of whom shall be living) who have served in the House of Representatives; to the Committee on Rules.

H. Res. 39. Resolution to provide that the Committee on Education and Labor shall conduct investigation and study of discrimination in employment against persons 40 or more years of age; to the Committee on Rules.

H. Res. 40. Resolution to authorize the Committee on Interstate and Foreign Commerce to investigate and study safety of design of motor vehicles used in interstate commerce; to the Committee on Rules.

H. Res. 41. Resolution to authorize the Committee on Interstate and Foreign Commerce to conduct an investigation and study of the textile industry of the United States; to the Committee on Rules.

By Mr. McDOWELL:

H. Res. 42. Resolution creating a Select Committee on Consumer Interests; to the Committee on Rules.

By Mr. MULTER:

H. Res. 43. Resolution to increase personal income tax exemptions; to the Committee on Ways and Means.

H. Res. 44. Resolution authorizing the Committee on Banking and Currency to conduct studies and investigations relating to matters within its jurisdiction; to the Committee on Rules.

H. Res. 45. Resolution amending the rules of the House of Representatives to provide that the Committee on Banking and Currency shall have jurisdiction over all consumer problems; to the Committee on Rules.

H. Res. 46. Resolution creating a Select Committee on Consumer Interests; to the Committee on Rules.

H. Res. 47. Resolution authorizing the Committee on Banking and Currency to conduct studies and investigations relating to matters within its jurisdiction; to the Committee on Rules.

By Mr. MUMMA:

H. Res. 48. Resolution to print additional copies of "Washington's Farewell Address"; to the Committee on House Administration.

By Mr. O'HARA of Illinois:

H. Res. 49. Resolution to create a select committee to investigate and report on relations with Latin American countries; to the Committee on Rules.

By Mr. PATMAN:

H. Res. 50. Resolution calling for an investigation of monetary and debt management policies; to the Committee on Rules.

H. Res. 51. Resolution creating a select committee to conduct a study and investigation of the problems of small business; to the Committee on Rules.

By Mr. ROGERS of Texas:

H. Res. 52. Resolution creating a select committee to conduct an investigation with respect to the real property owned by the United States; to the Committee on Rules.

By Mr. ROOSEVELT:

H. Res. 53. Resolution providing for amendments to House rules X and XI which deal with standing committees, and powers and duties of committees; to the Committee on Rules.

By Mr. YOUNGER:

H. Res. 54. Resolution to provide a residence for pages; to the Committee on House Administration.

By Mr. ZABLOCKI:

H. Res. 55. Resolution providing for the commemoration of the death of Gen. Casimir Pulaski on October 11 of each calendar year; to the Committee on the Judiciary.

By Mr. HARRIS:

H. Res. 56. Resolution to authorize the Committee on Interstate and Foreign Commerce to conduct investigations and studies with respect to certain matters within its jurisdiction; to the Committee on Rules.

By Mr. JOHANSEN:

H. Res. 57. Resolution creating a select committee to conduct an investigation and study of the seizure and detention of American citizens in foreign countries; to the Committee on Rules.

By Mrs. KELLY:

H. Res. 58. Resolution expressing the sense of the House of Representatives concerning the convoking of a special session of the General Assembly of the United Nations on the refugee problem; to the Committee on Foreign Affairs.

H. Res. 59. Resolution to provide for the unity of Ireland; to the Committee on Foreign Affairs.

By Mr. LAIRD:

H. Res. 60. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. LIPSCOMB:

H. Res. 61. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. McDONOUGH:

H. Res. 62. Resolution expressing the sense of the House of Representatives with respect to the more frequent display of the flag of the United States; to the Committee on the Judiciary.

By Mr. McGOVERN:

H. Res. 63. Resolution creating a standing Committee on Small Business in the House of Representatives; to the Committee on Rules.

By Mr. MEADER:

H. Res. 64. Resolution to amend rule XI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. RHODES of Arizona:

H. Res. 65. Resolution creating a Select Committee To Conduct a Study of the Fiscal Organization and Procedures of the Congress; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred to as follows:

By Mr. ADDONIZIO:

H.R. 1386. A bill for the relief of Waldemar Strohschein; to the Committee on the Judiciary.

H.R. 1387. A bill for the relief of Mrs. Mary D'Agostino; to the Committee on the Judiciary.

H.R. 1388. A bill for the relief of Elise Hatchadourian; to the Committee on the Judiciary.

By Mr. ANFUSO:

H.R. 1389. A bill for the relief of Miriam Mermelstein; to the Committee on the Judiciary.

H.R. 1390. A bill for the relief of Rosario Buscemi; to the Committee on the Judiciary.

By Mr. AUCHINCLOSS:

H.R. 1391. A bill for the relief of Viktors Neimanis; to the Committee on the Judiciary.

H.R. 1392. A bill for the relief of Tong Yuan; to the Committee on the Judiciary.

H.R. 1393. A bill for the relief of Lea Kummer O'Connell; to the Committee on the Judiciary.

By Mr. BAILEY:

H.R. 1394. A bill for the relief of Mrs. Drina Sinovcic and Vincence (Vincent) Sinovcic; to the Committee on the Judiciary.

By Mr. BALDWIN:

H.R. 1395. A bill for the relief of Natividad Bontia, Liliosa Uy Bontia and Proceso Bontia; to the Committee on the Judiciary.

H.R. 1396. A bill for the relief of Maria German Zurita; to the Committee on the Judiciary.

H.R. 1397. A bill for the relief of Jimmy Ines; to the Committee on the Judiciary.

H.R. 1398. A bill for the relief of Manda Wilkinson; to the Committee on the Judiciary.

H.R. 1399. A bill for the relief of Dionysius Georgatos; to the Committee on the Judiciary.

H.R. 1400. A bill for the relief of Berta Reitberger; to the Committee on the Judiciary.

H.R. 1401. A bill for the relief of Luigi Filice; to the Committee on the Judiciary.

H.R. 1402. A bill for the relief of Leandro Pastor, Jr., and Pedro Pastor; to the Committee on the Judiciary.

H.R. 1403. A bill for the relief of Jose Clemente Perez-Martinez; to the Committee on the Judiciary.

H.R. 1404. A bill for the relief of Clemente Mariscal-Rodriguez; to the Committee on the Judiciary.

H.R. 1405. A bill for the relief of Prudencio Lodia; to the Committee on the Judiciary.

By Mr. BARING:

H.R. 1406. A bill for the relief of John Russell Sinclair; to the Committee on the Judiciary.

By Mr. BARRETT:

H.R. 1407. A bill for the relief of Mrs. Anna Caporossi Crisconi; to the Committee on the Judiciary.

H.R. 1408. A bill for the relief of Ezekiel A. Anderson; to the Committee on the Judiciary.

H.R. 1409. A bill for the relief of Rosalia La Licata Pitti; to the Committee on the Judiciary.

By Mr. BECKER:

H.R. 1410. A bill for the relief of Mrs. Maria Lagomarsino Rosasco and her son, Andrew Rosasco; to the Committee on the Judiciary.

By Mr. BENNETT of Florida:

H.R. 1411. A bill for the relief of T. V. Cashen; to the Committee on the Judiciary.

H.R. 1412. A bill for the relief of Mrs. Serfina Fernandez Maldonado; to the Committee on the Judiciary.

By Mr. BENTLEY:

H.R. 1413. A bill for the relief of Joseph Di Folco; to the Committee on the Judiciary.

By Mr. BOGGS:

H.R. 1414. A bill for the relief of the Kroger Co.; to the Committee on the Judiciary.

By Mr. BOLAND:

H.R. 1415. A bill for the relief of Sergis Cehennemoglu; to the Committee on the Judiciary.

H.R. 1416. A bill for the relief of Hubert Alonzo Fletcher and George Arlington Patrick Fletcher; to the Committee on the Judiciary.

H.R. 1417. A bill for the relief of Sylvia Botta; to the Committee on the Judiciary.

H.R. 1418. A bill for the relief of Burnetta A. Shaw; to the Committee on the Judiciary.

H.R. 1419. A bill for the relief of Annemarie Gaskins; to the Committee on the Judiciary.

By Mrs. BOLTON:

H.R. 1420. A bill for the relief of Raymond H. Hsieh; to the Committee on the Judiciary.

H.R. 1421. A bill for the relief of Vincenzo Lauria; to the Committee on the Judiciary.

H.R. 1422. A bill for the relief of Alessandro Maraessa; to the Committee on the Judiciary.

H.R. 1423. A bill for the relief of William E. Mayer; to the Committee on the Judiciary.

By Mr. BOSCH:

H.R. 1424. A bill for the relief of Elly M. Moschides; to the Committee on the Judiciary.

H.R. 1425. A bill for the relief of Aneida Alonso Amaral; to the Committee on the Judiciary.

H.R. 1426. A bill for the relief of Eva Bromberger; to the Committee on the Judiciary.

H.R. 1427. A bill for the relief of Domenico Romano; to the Committee on the Judiciary.

H.R. 1428. A bill for the relief of Elfrieda and Johan Krische; to the Committee on the Judiciary.

By Mr. BROWN of Mississippi:

H.R. 1429. A bill for the relief of Harry E. Brockman; to the Committee on the Judiciary.

H.R. 1430. A bill for the relief of Fred Foster and George Morris, doing business as Independent Cab Co.; and for the relief of Pulaski Cab Co., Inc.; to the Committee on the Judiciary.

By Mr. BROWN of Ohio:

H.R. 1431. A bill for the relief of John E. Doyle; to the Committee on the Judiciary.

By Mr. BYRNES of Wisconsin:

H.R. 1432. A bill for the relief of Katarina Zappel; to the Committee on the Judiciary.

By Mr. CANFIELD:

H.R. 1433. A bill for the relief of Mr. and Mrs. James H. McMurray; to the Committee on the Judiciary.

By Mr. CARNAHAN:

H.R. 1434. A bill for the relief of Mrs. Elba Haverstick Cash; to the Committee on the Judiciary.

By Mr. CEDERBERG:

H.R. 1435. A bill for the relief of Henry L. Lahar; to the Committee on the Judiciary.

H.R. 1436. A bill for the relief of Stanley A. Luczak; to the Committee on the Judiciary.

By Mr. COAD:

H.R. 1437. A bill for the relief of Mr. and Mrs. Christian Voss; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 1438. A bill for the relief of James H. Starr; to the Committee on the Judiciary.

H.R. 1439. A bill for the relief of Ludwik Panocha; to the Committee on the Judiciary.

H.R. 1440. A bill for the relief of Manda Butkovic, Anka Butkovic, Maria Butkovic, Marko Butkovic, Reza Butkovic, Yadranka Butkovic, Ivica Butkovic, and Dane Bicancic; to the Committee on the Judiciary.

H.R. 1441. A bill for the relief of Louise Drab, Stanley Drab, and Anton Drab; to the Committee on the Judiciary.

H.R. 1442. A bill for the relief of Dimitrois Andriopoulos; to the Committee on the Judiciary.

H.R. 1443. A bill for the relief of Anna Prelec and Frank Prelec; to the Committee on the Judiciary.

By Mr. CURTIN:

H.R. 1444. A bill for the relief of Mrs. Louis (Georgette) Mezei; to the Committee on the Judiciary.

H.R. 1445. A bill for the relief of Jean Pierre Baer; to the Committee on the Judiciary.

H.R. 1446. A bill for the relief of Mrs. Yousra Haddad and her three minor children, Daad Haddad, Latifeh Haddad, and Marie Haddad; to the Committee on the Judiciary.

H.R. 1447. A bill for the relief of Miss Anica Mahovlic; to the Committee on the Judiciary.

By Mr. DENTON:

H.R. 1448. A bill for the relief of Dr. Iluminada C. Hernadez; to the Committee on the Judiciary.

H.R. 1449. A bill for the relief of Chew So Cheong and Chew Wing Cheong; to the Committee on the Judiciary.

H.R. 1450. A bill for the relief of Dr. Adoracion A. Marquinez; to the Committee on the Judiciary.

By Mr. DEROUNIAN:

H.R. 1451. A bill for the relief of Edward Minsky; to the Committee on the Judiciary.

H.R. 1452. A bill for the relief of Beddo Terzian; to the Committee on the Judiciary.

By Mr. EDMONDSON:

H.R. 1453. A bill for the relief of Mrs. Mathilde Ringol; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 1454. A bill authorizing the presentation of the Distinguished Service Cross to Sidney Clinton Stern; to the Committee on Armed Services.

By Mr. FASCELL:

H.R. 1455. A bill conferring United States citizenship posthumously upon Gerardo A. Dobarganes; to the Committee on the Judiciary.

H.R. 1456. A bill for the relief of Universal Trades, Inc.; to the Committee on the Judiciary.

H.R. 1457. A bill for the relief of Mrs. Sue Pyle; to the Committee on the Judiciary.

By Mr. FASCELL (by request):

H.R. 1458. A bill for the relief of Fernando Fuentes Coba; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 1459. A bill for the relief of Pasquale Marrone; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 1460. A bill for the relief of Violet Faramarzpur; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 1461. A bill for the relief of Angela Calajo; to the Committee on the Judiciary.

By Mr. FORRESTER:

H.R. 1462. A bill for the relief of Logan Duff; to the Committee on the Judiciary.

By Mr. GARMATZ:

H.R. 1463. A bill for the relief of Johan Karel Christoph Schlicter; to the Committee on the Judiciary.

By Mrs. GRANAHAN:

H.R. 1464. A bill for the relief of Dr. Josephine L. Go and Dr. Welles P. Go; to the Committee on the Judiciary.

By Mrs. GRIFFITHS:

H.R. 1465. A bill for the relief of Cesare Tambornini; to the Committee on the Judiciary.

H.R. 1466. A bill for the relief of Marija Veresan; to the Committee on the Judiciary.

By Mr. HAGEN:

H.R. 1467. A bill for the relief of Hrepsime Sheklian (Chikhlian); to the Committee on the Judiciary.

H.R. 1468. A bill for the relief of Maria Donatilde Pacheco Lima; to the Committee on the Judiciary.

H.R. 1469. A bill for the relief of Pierino Renzo Picchione; to the Committee on the Judiciary.

H.R. 1470. A bill for the relief of Marcos Legaspi, Jr.; to the Committee on the Judiciary.

H.R. 1471. A bill for the relief of Jim B. Hill; to the Committee on the Judiciary.

By Mr. HOLTZMAN:

H.R. 1472. A bill for the relief of Yenovk and Siranouche Shegerian; to the Committee on the Judiciary.

H.R. 1473. A bill for the relief of Ardemis Eden; to the Committee on the Judiciary.

H.R. 1474. A bill for the relief of Alessandro Orlassino; to the Committee on the Judiciary.

H.R. 1475. A bill for the relief of Mrs. Safura Rahmatulla; to the Committee on the Judiciary.

H.R. 1476. A bill for the relief of Mrs. Rosilde P. Aghib; to the Committee on the Judiciary.

H.R. 1477. A bill for the relief of Giuseppina Battellino; to the Committee on the Judiciary.

H.R. 1478. A bill for the relief of Branko Franovic; to the Committee on the Judiciary.

H.R. 1479. A bill for the relief of Matthias O. Grant and his wife, Frances C. Grant; to the Committee on the Judiciary.

H.R. 1480. A bill for the relief of Mrs. Rosa Povarchik De Rosenberg; to the Committee on the Judiciary.

H.R. 1481. A bill for the relief of Shlomo A. H. Murad; to the Committee on the Judiciary.

H.R. 1482. A bill for the relief of Anahid and Vahan Murachanian; to the Committee on the Judiciary.

H.R. 1483. A bill for the relief of Chaskel Fichtenbaum; to the Committee on the Judiciary.

H.R. 1484. A bill for the relief of Mr. and Mrs. Yung-shu Wu; to the Committee on the Judiciary.

H.R. 1485. A bill for the relief of José Fraga; to the Committee on the Judiciary.

H.R. 1486. A bill for the relief of David Tao Chung Wang; to the Committee on the Judiciary.

H.R. 1487. A bill for the relief of Mrs. Isgouhie Agopian; to the Committee on the Judiciary.

By Mr. HOSMER:

H.R. 1488. A bill for the relief of Abram H. Blaisdell; to the Committee on the Judiciary.

H.R. 1489. A bill for the relief of Roderick (Robert) Joseph Grant; to the Committee on the Judiciary.

By Mr. HUDDLESTON:

H.R. 1490. A bill for the relief of Manuel Martinez-Lopez; to the Committee on the Judiciary.

H.R. 1491. A bill for the relief of Ford D. Cromer; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 1492. A bill for the relief of Olga Masloff; to the Committee on the Judiciary.

H.R. 1493. A bill for the relief of Antonio Mendez Garcia and Palmira Lavin Garcia; to the Committee on the Judiciary.

H.R. 1494. A bill for the relief of Angelina Burdo; to the Committee on the Judiciary.

H.R. 1495. A bill for the relief of Samuel Ismach; to the Committee on the Judiciary.

H.R. 1496. A bill for the relief of Pepi Bach; to the Committee on the Judiciary.

By Mr. JOHANSEN:

H.R. 1497. A bill for the relief of the Air Engineering Co.; to the Committee on the Judiciary.

H.R. 1498. A bill for the relief of Jeanine Ruth Tabacnik; to the Committee on the Judiciary.

H.R. 1499. A bill for the relief of Gordon Langlands Johnston; to the Committee on the Judiciary.

H.R. 1500. A bill for the relief of Hinako Ishii; to the Committee on the Judiciary.

H.R. 1501. A bill for the relief of Stefani Szerdahelyi; to the Committee on the Judiciary.

My Mr. JUDD:

H.R. 1502. A bill for the relief of Jean M. Graham; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 1503. A bill for the relief of Fotini Thomas; to the Committee on the Judiciary.

H.R. 1504. A bill for the relief of Tonia Zanger; to the Committee on the Judiciary.

H.R. 1505. A bill for the relief of Herbert E. Potter, Enelda Potter, and Herbert Alfredo Potter; to the Committee on the Judiciary.

H.R. 1506. A bill for the relief of Hugh Winston Foster (also known as Hugh Winston Griffith) and Una Yvonne Foster; to the Committee on the Judiciary.

H.R. 1507. A bill for the relief of Violet E. Weekes; to the Committee on the Judiciary.

H.R. 1508. A bill for the relief of Gwendolyn Taylor; to the Committee on the Judiciary.

H.R. 1509. A bill for the relief of Leon Oswald Dickey; to the Committee on the Judiciary.

H.R. 1510. A bill for the relief of Dr. Miklos Kornel Berenkey; to the Committee on the Judiciary.

H.R. 1511. A bill for the relief of Mary C. Bartlett; to the Committee on the Judiciary.

H.R. 1512. A bill for the relief of Hannah Jane Jackson; to the Committee on the Judiciary.

H.R. 1513. A bill for the relief of Pacifico de Jesus Catli, Elena M. Catli, and Joselito M. Catli; to the Committee on the Judiciary.

H.R. 1514. A bill for the relief of Dorothy Elaine Mitchell, Irvin Garth Mitchell, and Jean Elaine Mitchell; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 1515. A bill conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Cuban-American Sugar Co, against the United States; to the Committee on the Judiciary.

H.R. 1516. A bill for the relief of Juan D. Quintos, Jaime Hernandez, Delfin Buencamino, Soledad Gomez, Nieves G. Argonza, Felididad G. Sarayba, Carmen Vda de Gomez, Perfecta B. Quintos and Bienvenida San Agustin; to the Committee on the Judiciary.

H.R. 1517. A bill for the relief of Oerlikon Machine Tool Works Buehrle & Co.; to the Committee on the Judiciary.

H.R. 1518. A bill for the relief of Romeo Magagna; to the Committee on the Judiciary.

H.R. 1519. A bill for the relief of the legal guardian of Edward Peter Callas, a minor; to the Committee on the Judiciary.

H.R. 1520. A bill for the relief of Eva Gurman; to the Committee on the Judiciary.

H.R. 1521. A bill for the relief of Paul Bernstein; to the Committee on the Judiciary.

H.R. 1522. A bill for the relief of Jose Soriano; to the Committee on the Judiciary.

H.R. 1523. A bill for the relief of Luigi Lazzinnaro; to the Committee on the Judiciary.

By Mr. KILBURN:

H.R. 1524. A bill for the relief of Roukous Salimon Roukous; to the Committee on the Judiciary.

H.R. 1525. A bill for the relief of Matilda M. Schwarzmer and minor children; to the Committee on the Judiciary.

By Mr. KILGORE:

H.R. 1526. A bill for the relief of F. P. Tower, Lillie B. Lewis, Manuel Branco, John Santos Carinhas, Joaquin Gomez Carinhas, and Manuel Jesus Carinhas; to the Committee on the Judiciary.

H.R. 1527. A bill for the relief of Moises Garza Barriga; to the Committee on the Judiciary.

By Mr. KING of California:

H.R. 1528. A bill for the relief of Salvatore Guerra; to the Committee on the Judiciary.

H.R. 1529. A bill for the relief of Alfredo A. Guinitaran; to the Committee on the Judiciary.

H.R. 1530. A bill for the relief of Mrs. Fusa Honbo; to the Committee on the Judiciary.

H.R. 1531. A bill for the relief of Cesar Garcia; to the Committee on the Judiciary.

H.R. 1532. A bill for the relief of Annette Pamela Cooke; to the Committee on the Judiciary.

H.R. 1533. A bill for the relief of Mrs. Lidia Concepcion Lorenzana Castro; to the Committee on the Judiciary.

H.R. 1534. A bill for the relief of Mrs. June Desormeaux Bushnell; to the Committee on the Judiciary.

By Mr. KIRWAN:

H.R. 1535. A bill for the relief of Sister Mary Damion (Maria Saveria D'Amelio), Sister Maria Tarcisia (Maria Giovanna Fenuta), and Sister Mary Regina (Maria Lizzi); to the Committee on the Judiciary.

H.R. 1536. A bill for the relief of Nancy Mae Floor; to the Committee on the Judiciary.

By Mr. LAFORE:

H.R. 1537. A bill for the relief of Gaudencio C. Cristobal, M. D.; to the Committee on the Judiciary.

By Mr. LANE:

H.R. 1538. A bill to provide for the award of a suitable medal to George E. Clark; to the Committee on Banking and Currency.

H.R. 1539. A bill for the relief of Adolphe C. Verheyn; to the Committee on the Judiciary.

H.R. 1540. A bill for the relief of Edward F. Stefan; to the Committee on the Judiciary.

H.R. 1541. A bill for the relief of John F. Linehan; to the Committee on the Judiciary.

H.R. 1542. A bill for the relief of Biagio D'Agata; to the Committee on the Judiciary.

H.R. 1543. A bill for the relief of Angela D'Agata Nicolosi; to the Committee on the Judiciary.

H.R. 1544. A bill for the relief of George N. Panagiotou; to the Committee on the Judiciary.

H.R. 1545. A bill for the relief of Joseph Aboudi or Joe Abood; to the Committee on the Judiciary.

H.R. 1546. A bill for the relief of Georg Gahn and Margarete Gahn; to the Committee on the Judiciary.

H. R. 1547. A bill for the relief of T. Sgt. Walter Casey; to the Committee on the Judiciary.

By Mr. LENNON:

H.R. 1548. A bill for the relief of Simon Beriro; to the Committee on the Judiciary.

By Mr. LESINSKI:

H.R. 1549. A bill for the relief of Margherita Zebri; to the Committee on the Judiciary.

H.R. 1550. A bill for the relief of Angja Nikolovska Stoyanovska; to the Committee on the Judiciary.

By Mr. LIBONATI:

H.R. 1551. A bill for the relief of Young Soon Hwang; to the Committee on the Judiciary.

H.R. 1552. A bill for the relief of Dr. Woo Hyang Hwang; to the Committee on the Judiciary.

H.R. 1553. A bill for the relief of Katherine Au-Young; to the Committee on the Judiciary.

H.R. 1554. A bill for the relief of Miss Tomoko Uehara; to the Committee on the Judiciary.

H.R. 1555. A bill for the relief of Maizie Au-Young; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H.R. 1556. A bill for the relief of Agnesa Rosa Modano; to the Committee on the Judiciary.

H.R. 1557. A bill for the relief of Adela A. Nones; to the Committee on the Judiciary.

H.R. 1558. A bill for the relief of Alan Doctors; to the Committee on the Judiciary.

H.R. 1559. A bill for the relief of Francis G. Brown and his wife, Yoshi Kitao Brown; to the Committee on the Judiciary.

H.R. 1560. A bill for the relief of Mrs. Chi-Wen Liu (nee Hsu Dzoh-Tsung); to the Committee on the Judiciary.

H.R. 1561. A bill for the relief of Anna Greco; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 1562. A bill for the relief of Miss Hilda M. Johnson; to the Committee on the Judiciary.

By Mr. McDONOUGH (by request):

H.R. 1563. A bill for the relief of Mrs. Lucy Seraydarian Vartanian; to the Committee on the Judiciary.

H.R. 1564. A bill for the relief of Mrs. Marie Seraydarian; to the Committee on the Judiciary.

By Mr. McDONOUGH:

H.R. 1565. A bill for the relief of Mrs. Soledad C. Upton and Wilhelmina C. Brady; to the Committee on the Judiciary.

H.R. 1566. A bill for the relief of Jose Vicente Becerra; to the Committee on the Judiciary.

By Mr. McDONOUGH (by request):

H.R. 1567. A bill for the relief of Hironobu Kacho; to the Committee on the Judiciary.

By Mr. McDONOUGH:

H.R. 1568. A bill for the relief of Mladen Kirigin; to the Committee on the Judiciary.

H.R. 1569. A bill for the relief of Mrs. F. Savelson; to the Committee on the Judiciary.

H.R. 1570. A bill for the relief of Benedicto Villanueva Delos Santos; to the Committee on the Judiciary.

H.R. 1571. A bill for the relief of Max Magder; to the Committee on the Judiciary.

H.R. 1572. A bill for the relief of Issa Morcos Issa; to the Committee on the Judiciary.

By Mr. McDONOUGH (by request):

H.R. 1573. A bill for the relief of Rabbi Yehuda Isacsohn; to the Committee on the Judiciary.

H.R. 1574. A bill for the relief of Mrs. Chana Isacsohn and Bracha Isacsohn; to the Committee on the Judiciary.

H.R. 1575. A bill for the relief of Tadashi Onuki; to the Committee on the Judiciary.

By Mr. McDONOUGH:

H.R. 1576. A bill for the relief of Kuo Hsien Li, also known as Catherine Li; to the Committee on the Judiciary.

H.R. 1577. A bill for the relief of Col. W. E. Dosser; to the Committee on the Judiciary.

H.R. 1578. A bill for the relief of Col. Adolph B. Miller; to the Committee on the Judiciary.

By Mr. McMILLAN:

H.R. 1579. A bill for the relief of Basile Ignatios Mavridis; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H.R. 1580. A bill for the relief of Mary Ray; to the Committee on the Judiciary.

H.R. 1581. A bill for the relief of Inocencio Mausisa, and Eduardo Mausisa; to the Committee on the Judiciary.

H.R. 1582. A bill for the relief of Francisca Mortell Grepo; to the Committee on the Judiciary.

H.R. 1583. A bill for the relief of Carmela DeBono; to the Committee on the Judiciary.

H.R. 1584. A bill for the relief of Anayis Adrouny; to the Committee on the Judiciary.

H.R. 1585. A bill for the relief of Luningning Seballos Queri and Paul Queri; to the Committee on the Judiciary.

H.R. 1586. A bill for the relief of Kurt Rietmann; to the Committee on the Judiciary.

H.R. 1587. A bill for the relief of Luisa Turqueza; to the Committee on the Judiciary.

H.R. 1588. A bill for the relief of Julius F. Steinhoff; to the Committee on the Judiciary.

By Mr. MARSHALL:

H.R. 1589. A bill for the relief of Lee Kuhn Wui; to the Committee on the Judiciary.

By Mr. MASON:

H.R. 1590. A bill for the relief of citizens of the State of Illinois and of the State of New Jersey, organizers and owners of First, Second, and Third National Steamship Companies; to the Committee on the Judiciary.

By Mrs. MAY:

H.R. 1591. A bill for the relief of Ronald Dee Tedrow and Jock Angus Tedrow; to the Committee on the Judiciary.

By GEORGE P. MILLER:

H.R. 1592. A bill for the relief of Willard L. Gleeson-Broadcasting Corp. of America; to the Committee on the Judiciary.

By Mr. MILLER of New York:

H.R. 1593. A bill for the relief of Melvin H. Baker and Frances V. Baker; to the Committee on the Judiciary.

By Mr. MITCHELL:

H.R. 1594. A bill for the relief of Marvin R. Ray; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 1595. A bill for the relief of Victor Hoffer; to the Committee on the Judiciary.

H.R. 1596. A bill for the relief of Vincenzo Ligammari; to the Committee on the Judiciary.

By Mr. MUMMA:

H.R. 1597. A bill for the relief of Lambrini Mellas; to the Committee on the Judiciary.

H.R. 1598. A bill for the relief of Mrs. Annunziata Julietta Plijnaer; to the Committee on the Judiciary.

By Mr. O'BRIEN of New York:

H.R. 1599. A bill for the relief of Dr. Felix S. Ira; to the Committee on the Judiciary.

H.R. 1600. A bill for the relief of Francis M. Haischer; to the Committee on the Judiciary.

By Mr. PATMAN:

H.R. 1601. A bill for the relief of Thomas A. Howe; to the Committee on the Judiciary.

H.R. 1602. A bill for the relief of Jimmy I-Chen Chiang; to the Committee on the Judiciary.

H.R. 1603. A bill for the relief of Dr. Yoshio Kurosu; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 1604. A bill for the relief of Prentis I. Frazier; to the Committee on the Judiciary.

H.R. 1605. A bill for the relief of Harry F. Lindall; to the Committee on the Judiciary.

H.R. 1606. A bill for the relief of Shomei Murata; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.R. 1607. A bill for the relief of Mrs. Anne Morgan; to the Committee on the Judiciary.

By Mr. PHILBIN (by request):

H.R. 1608. A bill for the relief of Gray Television & Research, Inc., of Boston, Mass.; to the Committee on the Judiciary.

By Mr. POAGE:

H. R. 1609. A bill for the relief of Tadao Kameshima Littlecook; to the Committee on the Judiciary.

H. R. 1610. A bill for the relief of Mr. Marion M. Bostick; to the Committee on the Judiciary.

By Mr. POFF:

H.R. 1611. A bill for the relief of Olin Fred Rundlett; to the Committee on the Judiciary.

By Mr. POLK:

H.R. 1612. A bill for the relief of the estate of Charles H. Biederman; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 1613. A bill for the relief of Dr. Julia Ramirez Santos; to the Committee on the Judiciary.

H.R. 1614. A bill for the relief of Emilio Poglianich; to the Committee on the Judiciary.

H.R 1615. A bill for the relief of Beatrix Alexander (formerly Ayako Sagawa) and Odelia Alexander (formerly Kazuyo Hatano); to the Committee on the Judiciary.

H.R. 1616. A bill for the relief of Daisy Iris Lalor; to the Committee on the Judiciary.

H.R. 1617. A bill for the relief of Thomas A. Harris, Mrs. Lydia E. Harris, and Olney Elva Harris; to the Committee on the Judiciary.

H.R. 1618. A bill for the relief of Emil Zic; to the Committee on the Judiciary.

H.R. 1619. A bill for the relief of George V. Parker; to the Committee on the Judiciary.

By Mr. PRICE:

H.R. 1620. A bill to provide for the advancement of Maj. Gen. Leif J. Sverdrub, U.S. Army Reserve (retired), to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

H.R. 1621. A bill to provide for the renewal of patent No. 1,596,994 issued August 14, 1926, relating to shoe button-snaps; to the Committee on the Judiciary.

H.R. 1622. A bill for the relief of Antoni Stanislaw Blicharski; to the Committee on the Judiciary.

H.R. 1623. A bill for the relief of Loren H. Scrivner; to the Committee on the Judiciary.

H.R. 1624. A bill for the relief of Hannelore Zincel-Steeger; to the Committee on the Judiciary.

H.R. 1625. A bill for the relief of Seu Shuit Wong; to the Committee on the Judiciary.

H.R. 1626. A bill for the relief of Herman Wobbe; to the Committee on the Judiciary.

H.R. 1627. A bill for the relief of Ivan Henec; to the Committee on the Judiciary.

H.R. 1628. A bill for the relief of Jose Rodriguez; to the Committee on the Judiciary.

H.R. 1629. A bill for the relief of Nuvart Donikian; to the Committee on the Judiciary.

By Mr. RABAUT:

H.R. 1630. A bill for the relief of George Maurice De Neef; to the Committee on the Judiciary.

H.R. 1631. A bill for the relief of Joseph B. Kane, Jr.; to the Committee on the Judiciary.

H.R. 1632. A bill for the relief of Dean E. Fosmoe; to the Committee on the Judiciary.

By Mr. RAY:

H.R. 1633. A bill for the relief of Louis Di Giovanni; to the Committee on the Judiciary.

H.R. 1634. A bill for the relief of Sister Eucharia (Miss Philomena Iannucci); to the Committee on the Judiciary.

H.R. 1635. A bill for the relief of Sister Marie Bernard (Miss Nicolina Ossa); to the Committee on the Judiciary.

H.R. 1636. A bill for the relief of Sister Alphonsus Marie (Miss Mary Grace Padovano); to the Committee on the Judiciary.

H.R. 1637. A bill for the relief of Sister Mary Dulcis (Miss Mary Teresa Di Ioia); to the Committee on the Judiciary.

H.R. 1638. A bill for the relief of Bela Bernat; to the Committee on the Judiciary.

H.R. 1639. A bill for the relief of Patrick Muldoon; to the Committee on the Judiciary.

H.R. 1640. A bill for the relief of Giovanni Budano; to the Committee on the Judiciary.

H.R. 1641. A bill for the relief of William Zao; to the Committee on the Judiciary.

H.R. 1642. A bill for the relief of Biondina Timpani; to the Committee on the Judiciary.

H.R. 1643. A bill for the relief of Francesco Carozza; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 1644. A bill for the relief of Ali Mohammed Ayesh; to the Committee on the Judiciary.

By Mr. RHODES of Arizona:

H.R. 1645. A bill for the relief of David H. Forman and Julia Forman; to the Committee on the Judiciary.

H.R. 1646. A bill for the relief of Thomas B. Appleton; to the Committee on the Judiciary.

H.R. 1647. A bill to exempt certain real and personal property of the Association for Childhood Education International from District of Columbia property taxes; to the Committee on the District of Columbia.

H.R. 1648. A bill for the relief of Giovanni Battista Pelle; to the Committee on the Judiciary.

By Mr. ROBERTS:

H.R. 1649. A bill for the relief of Norman H. Cunningham; to the Committee on the Judiciary.

H.R. 1650. A bill for the relief of Mrs. Carrie E. Vincent; to the Committee on the Judiciary.

H.R. 1651. A bill for the relief of Mr. and Mrs. Richard J. Smith; to the Committee on the Judiciary.

H.R. 1652. A bill for the relief of Lee Dock On, his wife, and two minor daughters; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 1653. A bill for the relief of Evelyn Albi; to the Committee on the Judiciary.

H.R. 1654. A bill for the relief of Ella Mathez; to the Committee on the Judiciary.

H.R. 1655. A bill for the relief of Kalliope Giamnias; to the Committee on the Judiciary.

H.R. 1656. A bill for the relief of The Outlet Stores, Inc.; to the Committee on the Judiciary.

H.R. 1657. A bill for the relief of G. C. Muckenthaler; to the Committee on the Judiciary.

H.R. 1658. A bill for the relief of Yoshiko Hirano; to the Committee on the Judiciary.

By Mr. ROGERS of Texas:

H.R. 1659. A bill for the relief of John Teiber; to the Committee on the Judiciary.

H.R. 1660. A bill for the relief of Muhidin Spahic; to the Committee on the Judiciary.

By Mr. ROONEY:

H.R. 1661. A bill for the relief of Ciro Picardi; to the Committee on the Judiciary.

H.R. 1662. A bill for the relief of Francesco Grisanzio; to the Committee on the Judiciary.

H.R. 1663. A bill for the relief of Ezekiel Cohen; to the Committee on the Judiciary.

H.R. 1664. A bill for the relief of Maria Savona; to the Committee on the Judiciary.

H.R. 1665. A bill for the relief of Mrs. Vassiliki P. Theodorou; to the Committee on the Judiciary.

H.R. 1666. A bill for the relief of Peter Sposito; to the Committee on the Judiciary.

H.R. 1667. A bill for the relief of Felix Rincon; to the Committee on the Judiciary.

H.R. 1668. A bill for the relief of James Busuttil; to the Committee on the Judiciary.

H.R. 1669. A bill for the relief of Salvatore Mazzella; to the Committee on the Judiciary.

H.R. 1670. A bill for the relief of Ralph Moschitta; to the Committee on the Judiciary.

H.R. 1671. A bill for the relief of Hans E. T. Hansen; to the Committee on the Judiciary.

H.R. 1672. A bill for the relief of Francesco Lo Piccolo; to the Committee on the Judiciary.

H.R. 1673. A bill for the relief of Mark Kohn; to the Committee on the Judiciary.

H.R. 1674. A bill for the relief of Jean Malandrino; to the Committee on the Judiciary.

H.R. 1675. A bill for the relief of Deeb Abu Gheida; to the Committee on the Judiciary.

H.R. 1676. A bill for the relief of David Abraham; to the Committee on the Judiciary.

H.R. 1677. A bill for the relief of Giuseppe and Teresa Belluardo; to the Committee on the Judiciary.

H.R. 1678. A bill for the relief of Paula Bernstein; to the Committee on the Judiciary.

H.R. 1679. A bill for the relief of Serafin Llorca Domingo; to the Committee on the Judiciary.

By Mr. ROONEY (by request):

H.R. 1680. A bill for the relief of Mrs. Theodora Bourlotos (nee Hangepetros); to the Committee on the Judiciary.

H.R. 1681. A bill for the relief of Maurice Devlin; to the Committee on the Judiciary.

H.R. 1682. A bill for the relief of Luis Gustavo Garcia-Oliva; to the Committee on the Judiciary.

H.R. 1683. A bill for the relief of Leonard Pignatello; to the Committee on the Judiciary.

H.R. 1684. A bill for the relief of Antonio Rosa; to the Committee on the Judiciary.

H.R. 1685. A bill for the relief of Vito Recchia; to the Committee on the Judiciary.

H.R. 1686. A bill for the relief of Bernardo Prano; to the Committee on the Judiciary.

By Mr. SHELLEY:

H.R. 1687. A bill for the relief of Dr. Pao Chao Hsieh; to the Committee on the Judiciary.

H.R. 1688. A bill for the relief of Josefina Formalejo; to the Committee on the Judiciary.

H.R. 1689. A bill for the relief of Mrs. Grace Pisciotta Barbera; to the Committee on the Judiciary.

H.R. 1690. A bill for the relief of Alejandro Clar de Jesus Gutierrez; to the Committee on the Judiciary.

By Mr. SHEPPARD:

H.R. 1691. A bill for the relief of Oliver O. Newsome; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 1692. A bill for the relief of Amelia Maria Angela Taccola; to the Committee on the Judiciary.

H.R. 1693. A bill for the relief of Hyung Il Kim; to the Committee on the Judiciary.

H.R. 1694. A bill for the relief of Matilde Ponzo Spinelli; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H.R. 1695. A bill for the relief of Lt. Col. Francis E. Resta; to the Committee on Armed Services.

H.R. 1696. A bill for the relief of Seymour Robertson; to the Committee on the Judiciary.

H.R. 1697. A bill for the relief of Livia Tintorini; to the Committee on the Judiciary.

H.R. 1698. A bill for the relief of Giovanni Moschella; to the Committee on the Judiciary.

H.R. 1699. A bill for the relief of Katherine Duggan; to the Committee on the Judiciary.

H.R. 1700. A bill for the relief of Erazm Grezegorzewski; to the Committee on the Judiciary.

By Mr. TELLER:

H.R. 1701. A bill for the relief of Mrs. Ellen Leschner; to the Committee on the Judiciary.

H.R. 1702. A bill for the relief of Eden Wong; to the Committee on the Judiciary.

H.R. 1703. A bill for the relief of Dr. Shirley S. Chang, also known as Shin Shie Chang; to the Committee on the Judiciary.

H.R. 1704. A bill for the relief of Nikolaos Vlamis; to the Committee on the Judiciary.

H.R. 1705. A bill for the relief of Louis J. DeWinter and Simone H. DeWinter; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 1706. A bill for the relief of Mrs. Karen Julie (Carstensen) Allfather; to the Committee on the Judiciary.

H.R. 1707. A bill for the relief of Imola Moretti; to the Committee on the Judiciary.

H.R. 1708. A bill for the relief of Mrs. Esfira (Esther) Berkowitz; to the Committee on the Judiciary.

By Mr. THOMPSON of Texas:

H.R. 1709. A bill for the relief of Gisele Marcia Bougania; to the Committee on the Judiciary.

H.R. 1710. A bill for the relief of Koa Lim; to the Committee on the Judiciary.

H.R. 1711. A bill for the relief of the Galveston, Houston & Henderson Railroad Co.; to the Committee on the Judiciary.

By Mr. THOMSON of Wyoming:

H.R. 1712. A bill for the relief of Mrs. Tow Yook Ping; to the Committee on the Judiciary.

H.R. 1713. A bill for the relief of Dr. Jack McGillivray Tedford; to the Committee on the Judiciary.

H.R. 1714. A bill for the relief of Elena Moczulski; to the Committee on the Judiciary.

By Mr. THORNBERRY:

H.R. 1715. A bill for the relief of Mrs. Ida Louise Duesterhoft; to the Committee on the Judiciary.

By Mr. TOLLEFSON (by request):

H.R. 1716. A bill for the relief of Frank Clark; to the Committee on the Judiciary.

By Mr. TRIMBLE:

H.R. 1717. A bill for the relief of Herman Adams, Charleston, Ark., doing business as the Adams Manufacturing Co.; to the Committee on the Judiciary.

H.R. 1718. A bill for the relief of Oather S. Hall; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 1719. A bill for the relief of Franz Deschner; to the Committee on the Judiciary.

H.R. 1720. A bill for the relief of J. S. Barrett; to the Committee on the Judiciary.

By Mr. VAN PELT:

H.R. 1721. A bill for the relief of Henry and Edna Robinson; to the Committee on the Judiciary.

H.R. 1722. A bill for the relief of Miguel Rios-Nieves; to the Committee on the Judiciary.

By Mr. VAN ZANDT:

H.R. 1723. A bill for the relief of Albert and Marie Stummer; to the Committee on the Judiciary.

By Mr. WALTER:

H.R. 1724. A bill for the relief of Ilda Mato Martinez; to the Committee on the Judiciary.

H.R. 1725. A bill for the relief of Martin Pysz; to the Committee on the Judiciary.

H.R. 1726. A bill for the relief of James Walter or Wongo Alfonso Walter; to the Committee on the Judiciary.

H.R. 1727. A bill for the relief of Dimitrios Kondoleon (also known as James Kondolous); to the Committee on the Judiciary.

H.R. 1728. A bill for the relief of Vito Villani; to the Committee on the Judiciary.

H.R. 1729. A bill for the relief of Harry Vondas; to the Committee on the Judiciary.

H.R. 1730. A bill for the relief of Harry Vondas; to the Committee on the Judiciary.

H.R. 1731. A bill for the relief of Bronislawa Nowak; to the Committee on the Judiciary.

H.R. 1732. A bill for the relief of Maria Salamone De Franco; to the Committee on the Judiciary.

By Mr. WALTER (by request):

H.R. 1733. A bill for the relief of Oong Choi, to the Committee on the Judiciary.

By Mr. WATTS:

H.R. 1734. A bill for the relief of the heirs of J. B. White; to the Committee on Agriculture.

By Mr. WHITTEN:

H.R. 1735. A bill to provide for conveyance of certain real property of the United States in Yalobusha County, Miss., to W. A. Nolen and Wiley W. Walker; to the Committee on Interior and Insular Affairs.

By Mr. WIER:

H.R. 1736. A bill for the relief of John C. Matlon; to the Committee on the Judiciary.

H.R. 1737. A bill to for the relief of Peter James O'Brien; to the Committee on the Judiciary.

H.R. 1738. A bill for the relief of Mrs. Ern-Gret Birkholz Seim; to the Committee on the Judiciary.

By Mr. WILLIS:

H.R. 1739. A bill for the relief of Lt. Col. John M. Brizzard; to the Committee on the Judiciary.

By Mr. WILSON:

H.R. 1740. A bill for the relief of Mary Stathacopoulos and Evangelia Stathacopoulos; to the Committee on the Judiciary.

H.R. 1741. A bill for the relief of Jesus Garcia; to the Committee on the Judiciary.

H.R. 1742. A bill for the relief of Karl Johan Sell; to the Committee on the Judiciary.

H.R. 1743. A bill for the relief of Jeronimo Casas; to the Committee on the Judiciary.

H.R. 1744. A bill for the relief of Gordon E. Martin; to the Committee on the Judiciary.

H.R. 1745. A bill for the relief of Comdr. Hal C. Jones, U.S. Navy, retired; to the Committee on the Judiciary.

H.R. 1746. A bill for the relief of Jesus Torres Jaramillo; to the Committee on the Judiciary.

H.R. 1747. A bill for the relief of Nicola Perretta; to the Committee on the Judiciary.

H.R. 1748. A bill for the relief of Mrs. Edith Roden; to the Committee on the Judiciary.

H.R. 1749. A bill for the relief of Mrs. Maxine L. Cowan Harrison; to the Committee on the Judiciary.

H.R. 1750. A bill for the relief of Yuen Q. Low; to the Committee on the Judiciary.

H.R. 1751. A bill for the relief of Raul Banuelos-Felix; to the Committee on the Judiciary.

H.R. 1752. A bill for the relief of Wilhelmina Ordonez; to the Committee on the Judiciary.

H.R. 1753. A bill for the relief of Joseph Rashid Jibran; to the Committee on the Judiciary.

H.R. 1754. A bill for the relief of Maria Teresa Dichiara; to the Committee on the Judiciary.

H.R. 1755. A bill for the relief of Rudolph Almaguer; to the Committee on the Judiciary.

By Mr. YATES:

H.R. 1756. A bill for the relief of Hsuan Wei; to the Committee on the Judiciary.

By Mr. YOUNGER:

H.R. 1757. A bill for the relief of Stavroula T. Antoneos; to the Committee on the Judiciary.

H.R. 1758. A bill for the relief of Gerald M. Cooley; to the Committee on the Judiciary.

H.R. 1759. A bill for the relief of Mrs. Josefa Pidlaoan and daughter Annabelle Pidlaoan; to the Committee on the Judiciary.

H.R. 1760. A bill for the relief of Thalia I. Demetrakopoulos; to the Committee on the Judiciary.

H.R. 1761. A bill for the relief of Josefa Maneru Aramburu; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H.R. 1762. A bill for the relief of Ming-Ming Voo (Wu); to the Committee on the Judiciary.

H.R. 1763. A bill for the relief of George Kharouf; to the Committee on the Judiciary.

H.R. 1764. A bill for the relief of Mrs. Antonio Ferrise; to the Committee on the Judiciary.

By Mr. ZELENKO:

H.R. 1765. A bill for the relief of Dr. Helen Kodza (Dr. Helen Codzavouyuki); to the Committee on the Judiciary.

H.R. 1766. A bill for the relief of Mr. and Mrs. Moses Glikowsky; to the Committee on the Judiciary.

H.R. 1767. A bill for the relief of Maria Pszenyczny; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XXII,

By the SPEAKER: Memorial of the Legislature of the Territory of Guam, memorializing the President and the Congress of the United States to extend to Guam the National Guard; to the Committee on Armed Services.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1. By Mr. BENTLEY: Resolution adopted by the Common Council of the City of Detroit, Mich., on November 18, 1958, urging that the Senate and House of Representatives take immediate steps to implement whatever measures may be necessary to arrest inflation; to the Committee on Banking and Currency.

2. Also, resolution adopted by Latvians of Detroit, Mich., assembled at the Veterans' Memorial Building on November 16, 1958, to commemorate the 40th anniversary of the independence of the Republic of Latvia; to the Committee on Foreign Affairs.

3. By Mr. HOSMER: Petition of certain residents of the 18th Congressional District of California who request Congress to take the necessary action to insure continuation of the Un-American Activities Committee, the past achievements of which have been of inestimable value to our national security; to the Committee on Rules.

4. By the SPEAKER: Petition of the Secretary, Governors' conference, Chicago, Ill., with reference to the preservation of the strength of the National Guard; to the Committee on Armed Services.

5. Also, petition of the commander, Gragg-Sherrill Post No. 248, the American Legion, Corpus Christi, Tex., with reference to opposing an order that the O. and R. Department at U.S. Naval Air Station, Corpus Christi, Tex., be completely closed by July 1, 1959; to the Committee on Armed Services.

6. Also, petition of M. Arroyo Zeppenfeldt, acting president, Consejo Puertorriqueno de la Paz, San Juan, P.R., with reference to asking the Defense Department to reconsider its decision to erect a directed missile rampart and training station at the Roosevelt Roads Naval Base in Ensenada Honda, P.R.; to the Committee on Armed Services.

7. Also, petition of T. M. McCormick, secretary-treasurer, Oil, Chemical and Atomic Workers International Union, Denver, Colo., with reference to Congress taking the necessary steps to establish a scientific constitutional monetary system, and better control inflation; to the Committee on Banking and Currency.

8. Also, petition of representatives of committees and business organizations, city of Schenectady, Schenectady, N.Y., with reference to requesting the Government to give their areas priority consideration in the awarding of Government contracts and in the assignment of Government activity or business; to the Committee on Banking and Currency.

9. Also, petition of the president, Whiteruthenian (Byelorussian) Congress, Committee of America, New York City, N.Y., with reference to the Soviet Russian policy in occupied Byelorussia; to the Committee on Foreign Affairs.

10. Also, petition of Miguel Salvedia, Sampaloc, Manila, with reference to securing additional war damage payment; to the Committee on Foreign Affairs.

11. Also, the petition of the ex-Deputy Food Administrator for Aklan Sector, Madyaas Institute, Numancia, Aklan, Philippines, with reference to their appeal for fairness and justice for compensation for services of the members of the Volunteer Service Organization, Food Administration Office; to the Committee on Foreign Affairs.

12. Also, petition of the commanding officer, Fil-American Guerrilla Brigade, Manila, Philippines, with reference to reconsidering the recognition and compensation claims of the group as requested by reason of active guerrilla service between 1942 and 1945; to the Committee on Foreign Affairs.

13. Also, petition of the Municipal Court of the District of Columbia, Washington, D.C., with reference to adjournment of the court out of respect to the memory of the late Honorable Sid Simpson; to the Committee on House Administration.

14. Also, petition of the secretary, Illini Community Hospital, Pittsfield, Ill., with reference to a room to be designated as room No. 207 in the new wing of the hospital be set aside as a memorial to the late Sid Simpson; to the Committee on House Administration.

15. Also, petition of the executive secretary, 1958 Nisei Veterans Reunion, Los Angeles, Calif., with reference to enactment of legislation enabling Hawaii to become the 50th State of the Union; to the Committee on Interior and Insular Affairs.

16. Also, petition of the county clerk, County of Maui, Wailuku, Maui, T.H., with reference to Congress granting immediate statehood to the Territory of Hawaii; to the Committee on Interior and Insular Affairs.

17. Also, petition of the executive director, Hawaiian Governent Employees' Association, Honolulu, T.H., with reference to expressing their appreciation to Hon. John A. Burns for his successful efforts in behalf of these employees in securing amendments to the Organic Act so that civil service status is now enjoyed; to the Committee on Interior and Insular Affairs.

18. Also, petition of international president, International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators of the United States and Canada, New York City, N.Y., with reference to legislation to the effect that all senior citizens of 60 years of age and over be provided with free medical, surgical and hospital care; to the Committee on Interstate and Foreign Commerce.

19. Also, petition of the grand knight, Knights of Columbus, Bishop Armstrong Council, No. 4443, Sacramento, Calif., with reference to requesting the President of the United States to grant to Dr. Andrija Artukovic and his family the right of permanent residence; to the Committee on the Judiciary.

20. Also, petition of Mrs. Cornelia Dabney Tucker, Charleston, S.C., with reference to proposals for qualifications for U.S. Supreme Court appointments; to the Committee on the Judiciary.

21. Also, petition of Jacinto Font, Santurce, P.R., petitioning consideration of testimonies concerning his moral and civic qualifications in connection with his application for disability insurance benefits under the Social Security Act; to the Committee on the Judiciary.

22. Also, petition of the officers of "Bolo Battalion in the Field," Dumaguete City, Philippines, with reference to a claim in the amount of $1 million against the U.S. Government for commandeered services during World War II; to the Committee on the Judiciary.

23. Also, petition of the director of public affairs, Orlando Junior Chamber of Commerce, Orlando, Fla., with reference to favoring the adoption, as the subject of the regular issue stamp of the denomination required for the first ounce of first class mail, the American flag in its true colors, to be sold at all United States post offices on a continuing basis; to the Committee on Post Office and Civil Service.

24. Also, petition of the secretary, Governor's conference, Chicago, Ill., with reference to highway mileage allocation for Hawaii; to the Committee on Public Works.

25. Also, petition of Alexander Meiklejohn, Berkeley, Calif., with reference to Clara A. Lee and others endorsing the petition of Alexander Meiklejohn relating to a redress of grievance pertaining to the House Committee on Un-American Activities; to the Committee on Rules.

26. Also, petition of Alexander Meiklejohn, Berkeley, Calif., with reference to Eason Monroe and others endorsing the petition of Alexander Meiklejohn relating to a redress of grievance pertaining to the House Committee on Un-American Activities; to the Committee on Rules.

27. Also, petition of William McGlue Post, No. 144, the American Legion, L'Anse, Mich., with reference to a resolution favoring legislation providing for a pension of $100 a month for all Veterans of World War I; to the Committee on Veterans' Affairs.

28. Also, petition of Macario A. Bernasor, Tagbilaran, Bohol, with reference to laws and enactments that grant benefits to U.S. veterans or their widows, heirs, or assignees, with special reference to the case of his father, the late Ciriaco G. Bernasor, World War I veteran; to the Committee on Veterans' Affairs.

29. Also, petition of the Secretary, Governors' Conference, Chicago, Ill., with reference to the protection of the national security and the domestic economy; to the Committee on Ways and Means.

REGULATION OF LOBBYING ACT

In compliance with Public Law 601, 79th Congress, title III, Regulation of Lobbying Act, section 308 (b), which provides as follows:

(b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the CONGRESSIONAL RECORD.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received.

QUARTERLY REPORT

The following reports for the second calendar quarter of 1958 were received after October 20, 1958, too late to be included in the published reports for that quarter:

A. Active-Retired Lighthouse Service Employees Association, Post Office Box 2169, South Portland, Maine.
D. (6) $660. E. (9) $561.29.

A. Aircraft Service Association, 1195 Rancheros Road, Pasadena, Calif.
D. (6) $11,000. E. (9) $5,166.19.

A. American Hospital Association, 18 East Division Street, Chicago, Ill.
D. (6) $15,238. E. (9) $11,388.

A. American Library Association, 50 East Huron Street, Chicago, Ill.
D. (6) $214.25. E. (9) $4,489.28.

A. American Legion National Headquarters, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $6,984.28. E. (9) $20,298.36.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D. C.
B. Commissioner of Baseball, 30 Rockefeller Plaza, New York, N. Y.
D. (6) $3,000. E. (9) $767.12.

A. Ash, Bauersfeld & Burton, 1921 Eye Street NW., Washington, D. C.
B. Edwin W. Pauley, 717 North Highland Avenue, Los Angeles, Calif.
E. (9) $99.70.

A. Edward Atkins, 51 East 42d Street, New York, N. Y.
B. National Association of Shoe Chain Stores, Inc., 51 East 42d Street, New York, N. Y.
D. (6) $11,890. E. (9) $18,406.49.

A. Baldwin and Mermey, 205 East 42d Street, New York, N. Y.
B. Bureau of Education on Fair Trade, 205 West Wacker Drive, Chicago, Ill.
D. (6) $11,890. (9) $18,406.49.

A. Balfour, Guthrie & Co., Ltd., 72 Wall Street, New York, N. Y.
D. (6) $5,510.63. E. (9) $3,450.16.

A. James M. Barnes, 1025 Connecticut Avenue NW., Washington, D. C.
B. Reciprocal Inter-Insurers Federal Tax Committee, 400 United Artists Building, Detroit, Mich.
D. (6) $3,000. E. (9) $21.32.

A. Ralph E. Becker, 1700 K Street NW., Washington, D. C.
B. American National Theater and Academy, 1545 Broadway, New York, N. Y.
E. (9) $65.17.

A. Ralph E. Becker, 1700 K Street NW., Washington, D. C.
B. Comision de Defensa del Azucar y Fomenco de la Cana, Ciudad Trujillo, Dominican Republic.
D. (6) $2,000. E. (9) $3.50.

A. Ralph E. Becker, 1700 K Street NW., Washington, D. C.
B. The League of New York Theaters, Inc., and the National Association of the Legitimate Theater, Inc., 137 West 48th Street, New York, N. Y.
D. (6) $700. E. (9) $130.32.

A. J. A. Beirne, 1808 Adams Mill Road NW., Washington, D. C.
B. Communications Workers of America, 1808 Adams Mill Road NW., Washington, D. C.

A. Adm. Frederick J. Bell, 2000 K Street NW., Washington, D. C.
B. National Automobile Dealers Association, 2000 K Street NW., Washington, D. C.
D. (6) $3,346.14. E. (9) $50.05.

A. Carl H. Berglund, 1219 Washington Building, Tacoma, Wash.
E. (9) $22.50.

A. Helen Berthelot, 1808 Adams Mill Road NW., Washington, D. C.
B. Communications Workers of America, 1808 Adams Mill Road NW., Washington, D. C.
D. (6) $2,687.73. E. (9) $2,687.73.

A. Charles B. Blankenship, 1808 Adams Mill Road NW., Washington, D. C.
B. Communications Workers of America, 1808 Adams Mill Road NW., Washington, D. C.
D. (6) $3,707.56. E. (9) $3,707.56.

A. A. Dewey Bond, 727 National Press Building, Washington, D. C.
B. American Meat Institute, 59 East Van Buren Street, Chicago, Ill.
D. (6) $250. E. (9) $203.21.

A. Boston and Maine Railroad, 150 Causeway Street, Boston, Mass.

A. Roland Boyd, 202 Central National Bank Building, McKinney, Tex.
B. Wherry Housing Association, 1737 H Street NW., Washington, D. C.
D. (6) $8,280. E. (9) $442.99.

A. C. Blake Brown, 839 17th Street NW., Washington, D. C.
B. National Association of Motor Bus Operators, 839 17th Street NW., Washington, D. C.

A. Mrs. Rollin Brown, 1134 North Orange Drive, Los Angeles, Calif.

A. George B. Burnham, 132 Third Street SE., Washington, D. C.
B. Numerous stockholders of the Burnham Chemical Co., 132 Third Street SE., Washington, D. C.
D. (6) $121. E. (9) $121.

A. Bernard N. Burnstine, 900 F Street NW., Washington, D. C.
B. Retail Jewelers of America, Inc., 551 Fifth Avenue, New York, N. Y.

A. H. St. John Butler, 1624 I Street NW., Washington, D. C.
B. City of Long Beach, Long Beach, Calif.
D. (6) $3,750. E. (9) $3,789.66.

A. Butler & McKinney, 1624 I Street NW., Washington, D. C.
B. Mr. and Mrs. Laurence Lerno, Westminster, Calif.; Mr. Prudent Bovendaerde, Los Alamitos, Calif.; Mrs. Genevieve Bovendaerde, Montebello, Calif.
E. (9) $100.

A. Albert E. Carter, 1026 16th Street NW., Washington, D. C.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.
D. (6) $3,000. E. (9) $1,983.90.

A. Clarence B. Carter, Post Office Box 798, New Haven, Conn.
B. Railroad Pension Conference, Post Office Box 798, New Haven, Conn.

A. Chapman, Wolfsohn & Friedman, 425 13th Street NW., Washington, D. C.
B. American Taxicab Association, Inc., 4415 North California Avenue, Chicago, Ill.

A. Chapman, Wolfsohn & Friedman, 425 13th Street NW., Washington, D. C.
B. L. L. McCandless Estate, Oahu, T. H.

A. Citizens Committee on Natural Resources, 2140 P Street NW., Washington, D. C.
D. (6) $5,746.50. E. (9) $4,034.55.

A. Classroom Periodical Publishers Association, 38 West Fifth Street, Dayton, Ohio.
D. (6) $2,346.39. E. (9) $2,346.39.

A. Ernest W. Clausen, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Locomotive Firemen and Enginemen, 318 Keith Building, Cleveland, Ohio.
D. (6) $735.

A. Herman Clott, 711 14th Street NW., Washington, D. C.
B. International Union of Mine, Mill & Smelter Workers, 941 East 17th Avenue, Denver, Colo.
D. (6) $1,540.50. E. (9) $2,063.41.

A. Colorado Railroad Legislative Committee, 615 C. A. Johnson Building, Denver, Colo.
E. (9) $1,902.35.

A. Committee for Oil Pipe Lines, 418 Munsey Building, Washington, D. C.
E. (9) $800.

A. Committee for Return of Confiscated German and Japanese Property, 926 National Press Building, Washington, D. C.
D. (6) $200. E. (9) $100.

A. Communications Workers of America, 1808 Adams Mill Road NW., Washington, D. C.
D. (6) $1,185,358.41. E. (9 $6,546.41.

A. Communities for Sustained Yield Units, Title Insurance Building, Shelton, Wash.

A. Leo E. Connor, Chairman of the Legislation Committee of the Council for Exceptional Children, 1201 16th Street NW., Washington, D. C.
B. Lexington School for the Deaf, 904 Lexington Avenue, New York, N. Y.

A. Eugene P. Conser, 36 South Wabash Avenue, Chicago, Ill.
B. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill.
D. (6) $875.

A. Contracting Plasterers' and Lathers' International Association, 622 Sheraton Building, Washington, D. C.
D. (6) $175. E. (9) $175.

A. Council for Exceptional Children (a department of the National Education Association), 1201 16th Street NW., Washington, D. C.
D. (6) $37.63. E. (9) $195.81.

A. Donald M. Counihan, 1000 Connecticut Avenue NW., Washington, D. C.
B. American Corn Millers' Federation, 140 South Dearborn Street, Chicago, Ill.
E. (9) $31.90.

A. Donald M. Counihan, 1000 Connecticut Avenue NW., Washington, D. C.
B. Classroom Periodical Publishers Association, 38 West Fifth Street, Dayton, Ohio.
D. (6) $2,346.39. E. (9) $2,346.39.

A. Covington & Burling, 701 Union Trust Building, Washington, D. C.
B. Copper & Brass Research Association, 420 Lexington Avenue, New York, N. Y.
E. (9) $312.91.

A. Robert W. Coyne, 1501 Broadway, New York, N. Y.
B. Council of Motion Picture Organizations, Inc., 1501 Broadway, New York, N. Y.
D. (6) $623.29. E. (9) $410.70.

A. A. M. Crawford, 704 Title and Trust Building, Phoenix, Ariz.
B. Southern Pacific Co., 65 Market Street, San Francisco, Calif., and the Atchison, Topeka & Santa Fe Railway, 121 East Sixth Street, Los Angeles, Calif.
D. (6) $1,100. E. (9) $1,340.

A. Leo J. Crowley, 840 Equitable Building, Denver, Colo.
B. Colorado Railroad Legislative Committee, 615 C. A. Johnson Building, Denver, Colo.
D. (6) $1,902.35. E. (9) $1,902.35.

A. John L. Crull, 1808 Adams Mill Road NW., Washington, D. C.
B. Communications Workers of America, 1808 Adams Mill Road NW., Washington, D. C.

A. S. P. Deas, 520 National Bank of Commerce Building, New Orleans, La.
B. Southern Pine Industry Committee.

A. Robert J. Demichelis, 640 Central Avenue, Deerfield, Ill.
B. The National Committee for Insurance Taxation, the Hay-Adams House, Washington, D. C.
D. (6) $1,575. E. (9) $43.25.

A. John M. Dickerman, 1625 L Street NW., Washington, D. C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D. C.
D. (6) $1,031.25. E. (9) $55.49.

A. Cecil B. Dickson, 1600 I Street NW., Washington, D. C.
B. Motion Picture Association of America, Inc., 1600 I Street NW., Washington, D. C.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D. C.
B. Sacramento-Yolo Port District, 705 California Fruit Building, Sacramento, Calif.
D. (6) $2,790.15. E. (9) $165.15.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D. C.
B. Westlands Water District, Post Office Box 4006, Fresno, Calif.
D. (6) $3,339.63. E. (9) $339.63.

A. William C. Doherty, 100 Indiana Avenue NW., Washington, D. C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D. C.
D. (6) $3,125.

A. William M. Dunn, 1808 Adams Mill Road NW., Washington, D. C.
B. Communications Workers of America, 1808 Adams Mill Road NW., Washington, D. C.

A. John W. Edelman, 1025 Vermont Avenue NW., Washington, D. C.
B. Textile Workers Union of America, AFL–CIO., 99 University Place, New York, N. Y.
D. (6) $2,556.66. E. (9) $796.73.

A. John W. Emeigh, 1040 Warner Building, Washington, D. C.
B. The National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D. C.
D. (6) $452.87. E. (9) $21.

A. Lawrence E. Ernst, 301 East Capitol Street, Washington, D. C.
B. National Star Route Mail Carriers Association, 301 East Capitol Street, Washington, D. C.
E. (9) $36.

A. Far East Group, Inc., Room 501, 1000 Connecticut Avenue NW., Washington, D. C.

A. Mrs. Albert E. Farwell, Box 188, Route 2, Vienna, Va.
B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. James Finucane, 926 National Press Building, Washington, D. C.
B. Committee for Return of Confiscated German and Japanese Property, 926 National Press Building, Washington, D. C.
D. (6) $100.

A. Maurice H. Fouracre, 1201 16th Street NW., Washington, D. C.
B. Teachers College, Columbia University, 120th Street, New York, N. Y.

A. Donald G. Fletcher, 820 Midland Bank Building, Minneapolis, Minn.
B. Rust Prevention Association, 820 Midland Bank Building, Minneapolis, Minn.
D. (6) $3,000. E. (9) $1,723.90.

A. General Federation of Women's Clubs, 1734 N Street NW., Washington, D. C.

A. Miss Chloe Gifford, 1734 N Street NW., Washington, D. C.

A. William A. Hanscom, 100 Indiana Avenue NW., Washington, D. C.
B. Oil, Chemical, and Atomic Workers International Union, AFL–CIO, 1840 California Street, Denver, Colo.
D. (6) $1,062.50. E. (9) $360.

A. F. Eberhart Haynes, 940 Investment Building, Washington, D. C.
B. Cooke Trust Co., Ltd., Honolulu, T. H., receiver for Trent Trust Co., Ltd., Honolulu, T. H.

A. Hedrick and Lane, 1001 Connecticut Avenue NW., Washington, D. C.
B. Motorola, Inc., 4545 West Augusta Boulevard, Chicago, Ill.
D. (6) $450. E. (9) $45.

A. Chas. H. Heltzel, 1700 K Street NW., Washington, D. C.
B. Pacific Power & Light Co., Public Service Building, Portland, Oreg.
D. (6) $930. E. (9) $183.05.

A. Joseph D. Henderson, 431 Balter Building, New Orleans, La.
B. American Association of Small Business, Inc., 431 Balter Building, New Orleans, La.
D. (6) $1,500.

A. Jake D. Hill, 1005 Security Federal Building, Columbia, S. C.
B. South Carolina Railroad Association, 1003 Security Federal Building, Columbia, S. C.
E. (9) $974.50.

A. Ray L. Hulick, 1040 Warner Building, Washington, D. C.
B. The National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D. C.
D. (6) $542.87. E. (9) $40.

A. John M. Hurley, 302 Hoge Building, Seattle, Wash.
B. Washington Railroad Association.
D. (6) $1,469.79. E. (9) $2,844.98.

A. W. J. Hynes, 611 Idaho Building, Boise, Idaho.
B. Union Pacific Railroad Co., 1416 Dodge Street, Omaha, Nebr.
E. (9) $3,038.27.

A. International Association of Machinists, Machinists Building, Washington, D. C.
E. (9) $1,909.

A. International Union of Electrical, Radio, and Machine Workers, AFL–CIO, 1126 16th Street NW., Washington, D. C.
E. (9) $1,128.

A. Ray L. Jenkins, 700 Washington Building, Washington, D. C.
B. Societe Internationale, Pour Participations Industriales et Commerciales, S. A., Peter Merianstr 19, Basle, Switzerland.

A. Jewelry Industry Tax Committee, 820 Highland Avenue, Newark, N. J.
D. (6) $14,284. E. (9) $7,197.46.

A. Jewish War Veterans of the United States of America, 1712 New Hampshire Avenue NW., Washington, D. C.
D. (6) $2,749.98. E. (9) $318.04.

A. Jerome J. Keating, 100 Indiana Avenue NW., Washington, D. C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D. C.
D. (6) $1,873.

A. Francis V. Keesling, Jr., 605 Market Street, San Francisco, Calif.
B. West Coast Life Insurance Co., 605 Market Street, San Francisco, Calif.

A. George J. Kelly, 730 15th Street NW., Washington, D. C.
B. American Bankers Association, 12 East 36th Street, New York, N. Y.
D. (6) $375. E. (9) $99.90.

A. Franklin E. Kepner, Berwick Bank Building, Berwick, Pa.
B. Associated Railroads of Pennsylvania, Room 1022, Transportation Center, Philadelphia, Pa.

A. W. A. Key, 401 Third Street NW., Washington, D. C.
B. Order of Railway Conductors and Brakemen, ORC Building, Cedar Rapids, Iowa.
D. (6) $567.

A. King & Noble, 1028 Connecticut Avenue NW., Washington, D. C.
D. (6) $1,005.89. E. (9) $1,005.89.

A. Rowland F. Kirks, 2000 K Street NW., Washington, D. C.
B. National Automobile Dealers Association, 2000 K Street NW., Washington, D. C.
D. (6) $3,807.66. E. (9) $183.16.

A. James F. Kmetz, 1435 K Street NW., Washington, D. C.
B. United Mine Workers of America, 900 15th Street NW., Washington, D. C.
D. (6) $2,046.

A. A. W. Koehler, 839 17th Street NW., Washington, D. C.
B. National Association of Motor Bus Operators, 839 17th Street NW., Washington, D. C.

A. Russell A. Langdon, 20th Street at New Hampshire Avenue NW., Washington, D. C.
B. Fleet Reserve Association, 20th Street at New Hampshire Avenue NW., Washington, D. C.

A. Dillard B. Lasseter, Post Office Box 381, Washington, D. C.
B. Organization of Professional Employees of the United States Department of Agriculture, Post Office Box 381, Washington, D. C.
D. (6) $450.

A. Francis E. Law, 1001 Connecticut Avenue NW., Washington, D. C.
B. Great Western Savings & Loan Association, 4401 Crenshaw Boulevard, Los Angeles, Calif.
D. (6) $6,000. E. (9) $160.

A. Gordon C. Locke, 418 Munsey Building, Washington, D. C.
B. Committee for Oil Pipe Lines.
E. (9) $300.

A. LeRoy E. Lyon, Jr., 530 West Sixth Street, Los Angeles, Calif.
B. California Railroad Association, 215 Market Street, San Francisco, Calif.
D. (6) $2,833.32. E. (9) $1,511.78.

A. Charles E. McCarthy, 1501 Broadway, New York, N. Y.
B. Council of Motion Picture Organizations, Inc., 1501 Broadway, New York, N. Y.
D. (6) $390. E. (9) $158.79.

A. William A. McClintock, Jr., 7447 Skokie Boulevard, Skokie, Ill.
B. National Committee for Insurance Taxation, the Hay-Adams House, Washington, D. C.

A. Edward F. McGinnis, 375 Park Avenue, New York, N. Y.
B. Joseph E. Seagram & Sons, Inc.

A. Joseph B. McGrath, 1625 L Street NW., Washington, D. C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D. C.
D. (6) $1,812.50. (9) $261.52.

A. George McLain, 200 C Street SE., Washington, D. C.
B. National Institute of Social Welfare, 1031 South Grand Avenue, Los Angeles, Calif.
D. (6) $2,210.

A. Francis J. McNamara, 610 Wire Building, 1000 Vermont Avenue NW., Washington, D. C.
B. Veterans of Foreign Wars of the United States.
D. (6) $2,250. E. (9) $12.95.

A. MacLeish, Spray, Price & Underwood, 134 South La Salle Street, Chicago, Ill.
B. National Committee for Insurance Taxation, 221 North La Salle Street, Chicago, Ill.
D. (6) $8,180. E. (9) $337.69.

A. James D. Mann, 714 Sheraton Building, Washington, D. C.
B. Private Truck Council of America, Inc., 714 Sheraton Building, Washington, D. C.

A. James Mark, Jr., 1435 K Street NW., Washington, D. C.
B. United Mine Workers of America, 900 15th Street NW., Washington, D. C.
D. (6) $3,796.

A. Marks & Trowbridge, Ring Building, Washington, D. C.
B. Basic Industries Power Committee, 400 Erie County Savings Bank Building, Buffalo, N. Y.

A. Mason, Knudsen, Dickeson & Berkheimer, 714 Stuart Building, Lincoln, Nebr.
B. Roberts Dairy Co., 4469 Farnam Street, Omaha, Nebr.

A. Kenneth A. Meiklejohn, 1908 Q Street NW., Washington, D. C.
B. Retail, Wholesale and Department Store Union, 132 West 43d Street, New York, N. Y.
D. (6) $675.

A. Miller & Chevalier, 1001 Connecticut Avenue, Washington, D. C.
B. Amherst College, Amherst, Mass.; and Deerfield Academy, Deerfield, Mass.
D. (6) $15,633.33. E. (9) $25.17.

A. Joseph L. Miller, 1025 Connecticut Avenue, Washington, D. C.
B. Northern Textile Association, The Maytag Co., and Quinebaug-French Rivers Manufacturers Association.
E. (9) $982.42.

A. Moot, Sprague, Marcy & Gulick, 400 Erie County Savings Bank Building, Buffalo, N. Y.
B. Basic Industries Power Committee, 400 Erie County Savings Bank Building, Buffalo, N. Y.

A. Motorola, Inc., 4545 West Augusta Boulevard, Chicago, Ill.
E. (9) $495.

A. Andrew P. Murphy, 1625 L Street NW., Washington, D. C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D. C.
D. (6) $1,500. E. (9) $118.54.

A. John H. Myers, 1224 Cleveland Street, Wilmette, Ill.
B. National Committee for Insurance Taxation, Hay-Adams House, Washington, D. C.

A. National Associated Businessmen, Inc., 910 17th Street NW., Washington, D. C.
D. (6) $2,111.40. E. (9) $1,574.43.

A. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N. Y.

A. National Association of Alcohol and Tobacco Tax Field Officers, 402 Fourth Avenue, New Kensington, Pa.
D. (6) $1,432.35. E. (9) $400.69.

A. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D. C.
D. (6) $25,777.58. E. (9) $15,255.92.

A. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D. C.
D. (6) $39,400.50. E. (9) $21,617.24.

A. National Association of Motor Bus Operators, 839 17th Street NW., Washington, D. C.
E. (9) $51.12.

A. National Association of Postmasters of the United States, 307 Pennsylvania Building, Washington, D. C.
D. (6) $20.563.10. E. (9) $1,500.

A. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill., and 1300 Connecticut Avenue NW., Washington, D. C.
E. (9) $18,600.20.

A. National Association of Wheat Growers, Wasco, Oreg.
D. (6) $975.05. E. (9) $975.05.

A. National Automobile Dealers Association, 2000 K Street NW., Washington, D. C.
E. (9) $20,343.47.

A. National Committee for Insurance Taxation, The Hay-Adams House, Washington, D. C.
D. (6) $22,000. E. (9) $22,366.92.

A. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. National Federation of Business and Professional Women's Clubs, Inc., 2012 Massachusetts Avenue NW., Washington, D. C.
D. (6) $19,877.64. E. (9) $2,114.89.

A. National Federation of Independent Business, Inc., 740 Washington Building, Washington, D. C.
D. (6) $7,543.10. E. (9) $7,543.10.

A. National Postal Committee for Books, 24 West 40th Street, New York, N. Y.
D. (6) $3,450. E. (9) $20,314.95.

A. National Rehabilitation Association, Inc., 1025 Vermont Avenue NW., Washington, D. C.
D. (6) $1,281.63. E. (9) $680.

A. National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D. C.
D. (6) $17,454. E. (9) $8,536.81.

A. National Tax Equality Association, 1000 Connecticut Avenue NW., Washington, D. C.
D. (6) $4,668.50. E. (9) $3,687.62.

A. Samuel E. Neel, 1001 15th Street NW., Washington, D. C.
B. Mortgage Bankers Association of America, 111 West Washington Street, Chicago, Ill.
D. (6) $4,500. E. (9) $3,136.41.

A. George R. Nelson, Machinists Building, Washington, D. C.
B. International Association of Machinists, Machinists Building, Washington, D. C.
D. (6) $1,500. E. (9) $409.

A. Robert J. O'Donnell, Majestic Theatre Building, Dallas, Tex.
B. Council of Motion Picture Organizations, Inc., 1501 Broadway, New York, N. Y.

A. Ohio Coal Association, 209 Hoge Building, St. Clairsville, Ohio.

A. Organization of Professional Employees of the United States Department of Agriculture, Post Office Box 381, Washington, D. C.
D. (6) $1,588.78. E. (9) $999.87.

A. Charles A. Parker, 1346 Connecticut Avenue NW., Washington, D. C.
B. National Aviation Trades Association, 1346 Connecticut Avenue NW., Washington, D. C.
D. (6) $515.55. E. (9) $862.43.

A. Mrs. James C. Parker, 1729 Union Boulevard SE., Grand Rapids, Mich.

A. Peoples Water Service Co., 1607 Mercantile Trust Building, Baltimore, Md.

A. Mrs. Esther Peterson, 815 16th Street NW., Washington, D. C.
B. Industrial Union Department, 815 16th Street NW., Washington, D. C.
D. (6) $2,076.90. E. (9) $601.57.

A. Kenneth Peterson, 1126 16th Street NW., Washington, D. C.
B. International Union of Electrical, Radio and Machine Workers, 1126 16th Street NW., Washington, D. C.
D. (6) $1,031.

A. Andrew A. Pettis, 1404 New York Avenue NW., Washington, D. C.
B. Industrial Union of Marine and Shipbuilding Workers of America affiliated with American Federation of Labor and Congress of Industrial Organizations, 534 Cooper Street, Camden, N. J.
D. (6) $3,156.49. E. (9) $1,152.45.

A. Philco Corp., Tioga and C Streets, Philadelphia, Pa.

A. Frederick T. Poole, 418 Munsey Building, Washington, D. C.
B. Committee for Oil Pipe Lines, 418 Munsey Building, Washington, D. C.
E. (9) $500.

A. Homer V. Prater, 900 F Street NW., Washington, D. C.
B. American Federation of Government Employees, 900 F Street NW., Washington, D. C.
D. (6) $2,289.12.

A. Gordon M. Quarnstrom, 7447 Skokie Boulevard, Skokie, Ill.
B. The National Committee for Insurance Taxation, The Hay-Adams House, Washington, D. C.

A. Railroad Pension Conference, Post Office Box 798, New Haven, Conn.
D. (6) $30.10. E. (9) $51.13.

A. H. B. Raskin, 5555 South Everett Avenue, Chicago, Ill.
B. Chicago Mercantile Exchange, Chicago, Ill.
D. (6) $2,250. E. (9) $794.89.

A. George L. Reid, Jr., 1010 Vermont Avenue NW., Washington, D. C.
B. National Association of Wheat Growers, Wasco, Oreg.
D. (6) $900. E. (9) $75.05.

A. John Arthur Reynolds, 653 Cortland, Fresno, Calif.
B. Western Cotton Growers Association of California, 2201 F Street, Bakersfield, Calif.
D. (6) $1,700. E. (9) $5,609.94.

A. Roberts Dairy Co., 4469 Farnam Street, Omaha, Nebr.

A. Maurice Rosenblatt, 316 A Street NE., Washington, D. C.
B. National Counsel Associates, 211 Wyatt Building, Washington, D. C.
D. (6) $1,300.

A. Kermit B. Rykken, 1712 G Street NW., Washington, D. C.
B. American Automobile Association, 1712 G Street NW., Washington, D. C.
D. (6) $5,250.

A. Francis J. Ryley, 519 Title and Trust Building, Phoenix, Ariz.
B. General Petroleum Corp., Richfield Oil Corp., Los Angeles, Calif.; Shell Oil Co.; Standard Oil Company of California, Tidewater Oil Co., San Francisco, Calif.; Union Oil Co., Los Angeles, Calif.
D. (6) $1,000.

A. Ira Saks, 1008 Standard Building, Cleveland, Ohio.

A. Ed D. Schorr, 33 North High Street, Columbus, Ohio.
B. The Ohio Coal Association, 209 Hoge Building, St. Clairsville, Ohio.

A. James D. Secrest, 1721 De Sales Street NW., Washington, D. C.
B. Electronic Industries Association, 1721 De Sales Street NW., Washington, D. C.

A. Selvage & Lee, Inc., 1625 I Street NW., Washington, D. C.
B. American Carpet Institute, Empire State Building, New York, N. Y.
D. (6) $3,000. E. (9) $367.13.

A. Selvage & Lee, Inc., 1625 I Street NW., Washington, D. C.
B. Chicago Mercantile Exchange, 110 North Franklin Street, Chicago, Ill.
E. (9) $478.28.

A. Selvage & Lee, Inc., 1625 I Street NW., Washington, D. C.
B. New York Coffee & Sugar Exchange, 79 Pine Street, New York, N. Y.
D. (6) $1,200. E. (9) $29.78.

A. P. L. Shackelford, 4545 Connecticut Avenue, Washington, D. C.
B. Sheet Metal Workers' International Association, 1000 Connecticut Avenue, Washington, D. C.
D. (6) $600.

A. William L. Shea, 1001 Connecticut Avenue NW., Washington, D. C.
B. Great Western Savings & Loan Association, 4401 Crenshaw Boulevard, Los Angeles, Calif.
D. (6) $6,000. E. (9) $160.

A. Paul Sifton, 1126 16th Street NW., Washington, D. C.
B. United Automobile, Aircraft, Agricultural Implement Workers of America (UAW).
D. (6) $2,821. E. (9) $457.

A. John A. Smith, Post Office Box 9063, Denver, Colo.
B. Continental Air Lines, Inc., Post Office Box 9063, Denver, Colo.
E. (9) $1,811.55.

A. Society for Animal Protective Legislation, Room 812, 745 Fifth Avenue, New York, N. Y.
D. (6) $1,172.20. E. (9) $2,565.08.

A. Southern Pine Industry Committee, 520 National Bank of Commerce Building, New Orleans, La.
D. (6) $353.56. E. (9) $191.27.

A. Dr. Spencer M. Smith, Jr., 1709 North Glebe Road, Arlington, Va.
B. Citizens Committee on Natural Resources, 2140 P Street NW., Washington, D. C.
D. (6) $1,061.35. E. (9) $149.03.

A. Stitt and Hemmendinger, 1000 Connecticut Avenue, Washington, D. C.
B. Sundries Division, Japanese Chamber of Commerce of N. Y., Inc., 149 Broadway, New York, N. Y.

A. Mrs. Ada B. Stough, 132 Third Street SE., Washington, D. C.
B. American Parents Committee, Inc., 132 Third Street SE., Washington, D. C.

A. Strasser, Spiegelberg, Fried & Frank, 1700 K Street NW., Washington, D. C.
B. Ben Blumenthal, 608 Fifth Avenue, New York, N. Y.
E. (9) $3.60.

A. William A. Stringfellow, 6004 Roosevelt Street, Bethesda, Md.
B. National Association of Mutual Insurance Agents, 829 Investment Building, Washington, D. C.
E. (9) $10.

A. Synthetic Organic Chemical Manufacturers Association of the United States, 41 East 42d Street, New York, N. Y.
D. (6) $53.50. E. (9) $53.50.

A. Dwight D. Taylor, Jr., 918 16th Street NW., Washington, D. C.
B. American Airlines, Inc., 918 16th Street NW., Washington, D. C.
D. (6) $3,000. E. (9) $500.

A. The Townsend Plan, Inc., 808 North Capitol Street NW., Washington, D. C.

A. Paul T. Truitt, 1700 K Street NW., Washington, D. C.
B. National Plant Food Institute, 1700 K Street NW., Washington, D. C.
E. (9) $35.24.

A. Herbert F. Walton, 7447 Skokie Boulevard, Skokie, Ill.
B. National Committee for Insurance Taxation, Hay-Adams House, Washington, D. C.

A. Henry B. Weaver, Jr., et al., 1225 19th Street NW., Washington, D. C.
B. Eastern Meat Packers Association, Inc., Statler Hotel, New York, N. Y.
D. (6) $500. E. (9) $112.13.

A. Henry B. Weaver, Jr., et al., 1225 19th Street NW., Washington, D. C.
B. National Electrical Contractors Association and the Council of Mechanical Specialty Contracting Industries, Inc., Ring Building, Washington, D. C.
D. (6) $12,000. E. (9) $809.77.

A. Henry B. Weaver, Jr., et al., 1225 19th Street NW., Washington, D. C.
B. The National Independent Meat Packers Association, 740 11th Street NW., Washington, D. C.
D. (6) $3,500. E. (9) $497.55.

A. Henry B. Weaver, Jr., et al., 1225 19th Street NW., Washington, D. C.
B. Philco Corp., Tioga and C Streets, Philadelphia, Pa.

A. Thomas D. Webb, Jr., 1001 Connecticut Avenue NW., Washington, D. C.
B. Great Western Savings and Loan Association, 4401 Crenshaw Boulevard, Los Angeles, Calif.
D. (6) $6,000. E. (9) $160.

A. Gene T. West, 1424 16th Street NW., Washington, D. C.
B. Munitions Carriers Conference, Inc., 1424 16th Street NW., Washington, D. C.

A. Joseph T. West, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Locomotive Firemen and Enginemen, 318 Keith Building, Cleveland, Ohio.
D. (6) $540.

A. John C. White, 838 Transportation Building, Washington, D. C.
D. (6) $750. E. (9) $129.89.

A. John J. Wicker, Jr., 501 Mutual Building, Richmond, Va.
B. Mutual Insurance Committee on Federal Taxation, 20 North Wacker Drive, Chicago, Ill.
D. (6) $1,844.24. E. (9) $1,844.24.

A. Myron Wiener, 1000 Connecticut Avenue NW., Washington, D. C.

B. The Far East Group, Inc., Room 501, 1000 Connecticut Avenue NW., Washington, D. C.

A. John Willard, Box 1172, Helena, Mont.
B. Montana Railroad Association, Helena, Mont.
D. (6) $372. E. (9) $142.87.

A. Kenneth Williamson, Mills Building, 17th and Pennsylvania Avenue NW., Washington, D. C.

B. American Hospital Association, 18 East Division Street, Chicago, Ill.

D. (6) $2,568.81. E. (9) $1,052.42.

A. W. F. Wimberly, 873 Spring Street NW., Atlanta, Ga.

B. The Pure Oil Co., 35 East Wacker Drive, Chicago, Ill.

D. (6) $220. E. (9) $404.10.

A. Harley Z. Wooden, 1201 16th Street NW., Washington, D. C.

B. National Education Association, 1201 16th Street NW., Washington, D. C.

D. (6) $55.

A. Albert Young Woodward, 1625 I Street NW., Washington, D. C.

B. Signal Oil & Gas Co., 811 West Seventh Street, Los Angeles, Calif.

QUARTERLY REPORTS

The following quarterly reports were submitted for the third calendar quarter 1958:

(NOTE.—The form used for reports is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE TWO COPIES WITH THE SECRETARY OF THE SENATE AND FILE THREE COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19_____ ◄

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:
(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)
(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".
(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:
(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.
(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:
1. State name, address, and nature of business.

2. If this Report is for an Employer, list names or agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (a) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (b) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(a) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).
(b) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).
(c) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (a) Short titles of statutes and bills; (b) House and Senate numbers of bills, where known; (c) citations of statutes, where known; (d) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (a) Description, (b) quantity distributed, (c) date of distribution, (d) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◄

AFFIDAVIT

[Omitted in printing]

PAGE 1◄

NOTE ON ITEM "D."—(a) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302(a) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN EMPLOYER.—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(c) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $_____Dues and assessments
2. $_____Gifts of money or anything of value
3. $_____Printed or duplicated matter received as a gift
4. $_____Receipts from sale of printed or duplicated matter

5. $_____Received for services (e.g., salary, fee, etc.)
6. $_____TOTAL for this Quarter (Add items "1" through "5")

7. $_____Received during previous Quarters of calendar year
8. $_____TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302(a).

9. $_____TOTAL now owed to others on account of loans
10. $_____Borrowed from others during this Quarter
11. $_____Repaid to others during this Quarter

12. $_____"Expense money" and Reimbursements received this Quarter

Contributors of $500 or more (from Jan. 1 through this Quarter)

13. Have there been such contributors? Please answer "yes" or "no": _____

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and Address of Contributor* ("*Period*" from Jan. 1 through _____, 19____)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE ON ITEM "E".—(a) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302(b) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

Expenditures (other than loans)

1. $_____Public relations and advertising services
2. $_____Wages, salaries, fees, commissions (other than item "1")
3. $_____Gifts or contributions made during Quarter
4. $_____Printed or duplicated matter, including distribution cost
5. $_____Office overhead (rent, supplies, utilities, etc.)
6. $_____Telephone and telegraph
7. $_____Travel, food, lodging, and entertainment
8. $_____All other expenditures

9. $_____TOTAL for this Quarter (Add "1" through "8")
10. $_____Expended during previous Quarters of calendar year

11. $_____TOTAL from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditures' includes a . . . *loan* . . ."—Sec. 302(b).

12. $_____TOTAL now owed to person filing.
13. $_____Lent to others during this Quarter
14. $_____Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7–11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7–15, 8–15, 9–15: Britten & Blatten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	TOTAL

A. J. Carson Adkerson, 976 National Press Building, Washington, D. C.
E. (9) $67.23.

A. Arthur F. Aebersold, 900 F Street NW., Room 906, Washington, D. C.
B. Retirement Federation of Civil Service Employees of the United States Government, 900 F Street NW., Room 906, Washington, D. C.
D. (6) $1,700.71. E. (9) $33.

A. AFL–CIO Maritime Committee, 132 Third Street SE., Washington, D. C.
D. (6) $5,000.60. E. (9) $7,011.38.

A. Aircraft Industries Association of America, 610 Shoreham Building, Washington, D. C.
D. (6) $4,368.05. E. (9) $4,368.05.

A. Aircraft Service Association, 1195 Rancheros Road, Pasadena, Calif.
D. (6) $11,000. E. (9) $5,166.19.

A. Alex Akerman, Jr., 1366 National Press Building, Washington, D. C.
B. National Anti-Price Fixing Association, 1366 National Press Building, Washington, D. C.

A. Louis J. Allen, 1121 Nashville Trust Building, Nashville, Tenn.
B. Class I Railroads in Tennessee.

A. Nicholas E. Allen & Merrill Armour, 1001 15th Street NW., Washington, D. C.
B. Music Operators of America, Inc., 128 East 14th Street, Oakland, Calif.
E. (9) $266.42.

A. W. L. Allen, 8605 Cameron Street, Room 418, Silver Spring, Md.
B. The Commercial Telegraphers' Union, International (AFL–CIO), 8605 Cameron Street, Room 418, Silver Spring, Md.

A. William B. Allen, 917 15th Street NW., Washington, D. C.
B. United Rubber, Cork, Linoleum and Plastic Workers of America, AFL–CIO, High at Mill Street, Akron, Ohio.
D. (6) $2,080.

A. Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D. C.

A. American Cancer Society, 521 West 57th Street, New York, N. Y.
E. (9) $7,841.45.

A. American Cotton Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N. C.
D. (6) $7,219.72. E. (9) $7,219.72.

A. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill., and 425 13th Street NW., Washington, D. C.
D. (6) $27,157. E. (9) $27,157.

A. American Federation of Labor and Congress of Industrial Organizations, AFL–CIO Building, Washington, D. C.
E. (9) $27,962.82.

A. American Federation of Musicians, 425 Park Avenue, New York, N. Y.
D. (6) $161,469. E. (9) $6,398.50.

A. American Heritage Publishing Co., Inc., 551 Fifth Avenue, New York, N. Y.
E. (9) $45,000.

A. American Hospital Association, 18 East Division Street, Chicago, Ill.
D. (6) $12,388.93. E. (9) $10,438.93.

A. American Hotel Association, 221 West 57th Street, New York, N. Y.
D. (6) $147,085.36.

A. American Humane Association, 896 Pennsylvania Street, Denver, Colo.
E. (9) $1,854.04.

A. American Library Association, 50 East Huron Street, Chicago, Ill.
D. (6) $214.25. E. (9) $4,489.28.

A. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
E. (9) $14,447.84.

A. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
D. (6) $10,864.35. E. (9) $3,570.86.

A. American Optometric Association, Inc., care of Dr. H. Ward Ewalt, Jr., 8001 Jenkins Arcade, Pittsburgh, Pa.
E. (9) $5,328.18.

A. American Osteopathic Association, 212 East Ohio Street, Chicago, Ill.
D. (6) $461.25. E. (9) $461.25.

A. American Paper & Pulp Association, 122 East 42d Street, New York, N. Y.

A. American Parents Committee, Inc., 132 Third Street SE., Washington, D. C., and 52 Vanderbilt Avenue, New York, N. Y.
D. (6) $12,601.53. E. (9) $4,380.85.

A. American Personnel & Guidance Association, 1534 O Street NW., Washington, D. C.
E. (9) $1,900.

A. American Petroleum Institute, 50 West 50th Street, New York, N. Y.
D. (6) $11,141. E. (9) $8,829.

A. American Pulpwood Association, 220 East 42d Street, New York, N. Y.

A. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D. C.
D. (6) $1,792.11. E. (9) $1,792.11.

A. American Steamship Committee on Conference Studies, Room 233, Barr Building, Washington, D. C.
D. (6) $5,250.

A. American Tariff League, Inc., 19 West 44th Street, New York, N. Y.

A. American Textile Machinery Association, 60 Batterymarch Street, Boston, Mass.
D. (6) $5.50.

A. American Tramp Shipowners Association, Inc., 11 Broadway, New York, N. Y.
D. (6) $4,168. E. (9) $4,513.23.

A. AMVETS (American Veterans of World War II), 1710 Rhode Island Avenue NW., Washington, D. C.
E. (9) $1,562.50.

A. American Veterinary Medical Association, 600 South Michigan Avenue, Chicago, Ill.
E. (9) $527.96.

A. American Zionist Committee for Public Affairs, 1737 H Street NW., Washington, D. C.
D. (6) $2,214.75. E. (9) $1,489.86.

A. America's Wage Earners' Protective Conference, 815 15th Street NW., Washington, D. C.
D. (6) $1,725. E. (9) $1,700.22.

A. Jerry L. Anderson, 2000 Florida Avenue NW., Washington, D. C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.

A. Walter M. Anderson, Jr., Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.
D. (6) $420. E. (9) $1,051.70.

A. Area Employment Expansion Committee, 1144 Pennsylvania Building, Washington, D. C.
E. (9) $1,282.97.

A. W. C. Arnold, 200 Colman Building, Seattle, Wash.
B. Alaska Salmon Industry, Inc., 200 Colman Building, Seattle, Wash.

A. George E. Arnstein, 1201 16th Street NW., Washington, D. C.
B. Division of Legislation and Federal Relations of the National Education Association of the United States, 1201 16th Street NW., Washington, D. C.
D. (6) $201.25.

A. Arthritis & Rheumatism Foundation, 10 Columbus Circle, New York, N. Y.
E. (9) $1,276.47.

A. Associated General Contractors of America, Inc., 20th and E Streets NW., Washington, D. C.

A. Associated Third Class Mail Users, Room 502, 1406 G Street NW., Washington, D. C.

A. Association of American Physicians and Surgeons, Inc., 185 North Wabash Avenue, Chicago, Ill.
D. (6) $1,500. E. (9) $1,500.

A. Association of American Railroads, 929 Transportation Building, Washington, D. C.
D. (6) $18,830.63. E. (9) $18,830.63.

A. Association of American Ship Owners, 76 Beaver Street, New York, N. Y.

A. Association of Casualty and Surety Companies, 60 John Street, New York, N. Y.
D. (6) $1,957.88. E. (9) $1,957.88.

A. Association of Western Railways, 224 Union Station Building, Chicago, Ill.
D. (6) $520.

A. Charles E. Babcock, Route 2, Box 406, Vienna, Va.
B. National Council, Junior Order United American Mechanics, 3027 North Broad Street, Philadelphia, Pa.
D. (6) $150. E. (9) $5.81.

A. Harry S. Baer, Jr., 1115 17th Street NW., Washington, D. C.
B. Aeronautical Training Society, 1115 17th Street NW., Washington, D. C.
D. (6) $2,500.

A. Charles B. Bailey, Sr., 2035 South Avenue, Toledo, Ohio.
B. Brotherhood of Railway Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $1,200. E. (9) $1,002.32.

A. George P. Baker, Soldiers Field Post Office, Boston, Mass.
B. Transportation Association of America, 6 North Michigan Avenue, Chicago, Ill.

A. John A. Baker, 1404 New York Avenue NW., Washington, D. C.
B. The Farmers' Educational and Co-Operative Union of America, 1404 New York Avenue NW., Washington, D. C.
D. (6) $2,683. E. (9) $259.60.

A. Baker, McKenzie & Hightower, 901 Barr Building, Washington, D. C.
B. Club Managers Asssociation of America, 1028 Connecticut Avenue NW., Washington, D. C.

A. Baker, McKenzie & Hightower, 901 Barr Building, Washington, D. C.
B. Roberts Dairy Co., 4469 Farnam Street, Omaha, Nebr.
D. (6) $850.

A. J. H. Ballew, 1103 Stahlman Building, Nashville, Tenn.
B. Southern States Industrial Council, Nashville, Tenn.
D. (6) $2,400.

A. Hartman Barber, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $2,243.04. E. (9) $878.37.

A. Arthur R. Barnett, 1200 18th Street NW., Washington, D. C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
D. (6) $1,937.73. E. (9) $89.25.

A. William G. Barr, 711 14th Street NW., Washington, D. C.
B. National Parking Association, Inc., 711 14th Street NW., Washington, D. C.

A. Roy Battles, 744 Jackson Place NW., Washington, D. C.
B. The National Grange, 744 Jackson Place NW., Washington, D. C.
D. (6) $3,450. E. (9) $3,450.

A. Ralph E. Becker, 1700 K Street NW., Washington, D. C.
B. American National Theatre and Academy, 1545 Broadway, New York, N. Y.
E. (9) $58.27.

A. Ralph E. Becker, 1700 K Street NW., Washington, D. C.
B. Comision de Defensa del Azucar y Fomento de la Cana, Ciudad Trujillo, Dominican Republic.
D. (6) $2,000.

A. Ralph E. Becker, 1700 K Street NW., Washington, D. C.
B. The League of New York Theatres, Inc., and The National Association of the Legitimate Theatre, Inc., 137 West 48th Street, New York, N. Y.
E. (9) $141.49.

A. E. F. Behrens, 1319 18th Street NW., Washington, D. C.
B. National Lumber Manufacturers Association, 1319 18th Street NW., Washington, D. C.
D. (6) $284. E. (9) $30.

A. Bert Bell, 1 Bala Avenue, Bala-Cynwyd, Pa.
B. National Football League, 1 Bala Avenue, Bala-Cynwyd, Pa.
E. (9) $1,160.28.

A. George L. Bell, 1025 Connecticut Avenue NW., Washington, D. C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D. C.

A. Ernest H. Benson, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $4,500.

A. Helen Berthelot, 1808 Adams Mill Road, NW., Washington, D. C.
B. Communications Workers of America, 1808 Adams Mill Road NW., Washington, D. C.
E. (9) $2,502.88.

A. Walter J. Bierwagen, 900 F Street NW., Washington, D. C.
B. Division 689, Amalgamated Association of Street, Electric Railway and Motor Coach Employes of America, 900 F Street NW., Washington, D. C.

A. Hudson Biery, 4517 Carew Tower, Cincinnati, Ohio.
B. Ohio Valley Improvement Association, Inc., 4517 Carew Tower, Cincinnati, Ohio.
D. (6) $3,498. E. (9) $164.79.

A. Bigham, Englar, Jones & Houston, 99 John Street, New York, N. Y., and 839 Shoreham Building, Washington, D. C.
B. The American Institute of Marine Underwriters, the Association of Marine Underwriters of the United States, American Cargo War Risk Reinsurance Exchange, American Hull Insurance Syndicate.
E. (9) $378.32.

A. Henry J. Bison, Jr., Munsey Building, Washington, D. C.
B. National Association of Retail Grocers, 360 North Michigan Avenue, Chicago, Ill.
D. (6) $3,000. E. (9) $1,016.14.

A. John H. Bivins, 50 West 50th Street, New York, N. Y.
B. American Petroleum Institute, 50 West 50th Street, New York, N. Y.
D. (6) $275.

A. James C. Black, 1625 K Street NW., Washington, D. C.
B. Republic Steel Corp., Republic Building, Cleveland, Ohio.
D. (6) $600. E. (9) $500.

A. William Rhea Blake, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $1,382.40. E. (9) $855.15.

A. C. B. Blankenship, 1808 Adams Mill Road NW., Washington, D. C.
B. Communications Workers of America, 1808 Adams Mill Road NW. Washington, D. C.
E. (9) $2,756.80.

A. Blue Cross Commission, 425 North Michigan Avenue, Chicago, Ill.

A. Eugene F. Bogan, 1108 16th Street NW., Washington, D. C.
B. National Association of Investment Companies, 61 Broadway, New York, N. Y.
D. (6) $333.34. E. (9) $103.66.

A. Alfred J. Bohlinger, 122 East 42d Street, New York, N. Y.
B. National Association of Manufacturers, 2 East 48th Street, New York, N. Y.
D. (6) $1,200. E. (9) $44.85.

A. Joseph L. Borda, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers, 918 16th Street NW., Washington, D. C.

A. Lyle H. Boren, Seminole, Okla.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.
D. (6) $520.

A. Robert T. Borth, 777 14th Street NW., Washington, D. C.
B. General Electric Co., 570 Lexington Avenue, New York, N. Y.
D. (6) $375. E. (9) $459.

A. G. Stewart Boswell, 1200 18th Street NW., Washington, D. C.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $390. E. (9) $25.33.

A. J. Wiley Bowers, Sixth and Cherry Streets, Chattanooga, Tenn.
B. Tennessee Valley Public Power Association, Sixth and Cherry Streets, Chattanooga, Tenn.
D. (6) $232. E. (9) $1,547.30.

A. Joseph E. Brady, 2347 Vine Street, Cincinnati, Ohio.
B. International Union of United Brewery, Flour, Cereal, Soft Drink, and Distillery Workers of America, 2347 Vine Street, Cincinnati, Ohio.

A. Harold P. Braman, 18th and M Streets NW., Washington, D. C.
B. National League of Insured Savings Associations, 18th and M Streets NW., Washington, D. C.
D. (6) $800.

A. Harry H. Brashear, 610 Shoreham Building, Washington, D. C.
B. Aircraft Industries Association of America, Inc., 610 Shoreham Building, Washington, D. C.

A. Frank P. Brennan, Avoca, Iowa.
B. Iowa Power & Light Co., Des Moines, Iowa.
E. (9) $506.59.

A. W. Kenneth Brew, 122 East 42d Street, New York, N. Y.
B. American Paper and Pulp Association, 122 East 42d Street, New York, N. Y.

A. W. S. Bromley, 220 East 42d Street, New York, N. Y.
B. American Pulpwood Association, 220 East 42d Street, New York, N. Y.

A. Milton E. Brooding, 215 Fremont Street, San Francisco, Calif.
B. California Packing Corporation, 215 Fremont Street, San Francisco, Calif.
D. (6) $700. E. (9) $375.

A. Derek Brooks, 1028 Connecticut Avenue NW., Washington, D. C.
B. National Retail Furniture Association, 666 Lake Shore Drive, Chicago, Ill.
D. (6) $600. E. (9) $521.59.

A. Brotherhood of Locomotive Engineers, 1122 Engineers Building, Cleveland, Ohio.

A. Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $9,351.23. E. (9) $9,351.23.

A. J. Olney Brott, 730 15th Street NW., Washington, D. C.
B. American Bankers Association, 12 East 36th Street, New York, N. Y.
D. (6) $537.50. E. (9) $315.58.

A. Bryant C. Brown, 425 13th Street NW., Washington, D. C.
B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.

A. J. D. Brown, 1025 Connecticut Avenue NW., Washington, D. C.
B. American Public Power Association, 1025 Connecticut Avenue NW., Washington, D. C.
D. (6) $315.

A. Brown & Lund, 1625 I Street NW., Washington, D. C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
D. (6) $1,211.25. E. (9) $1,199.30.

A. Russell B. Brown, 1110 Ring Building, Washington, D. C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D. C.
E. (9) $30.70.

A. George S. Buck, Jr., Post Office Box 9905, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.

A. Henry H. Buckman, 54 Buckman Building, Jacksonville, Fla.
B. Florida Inland Navigation District, Citizens Bank Building, Bunnell, Fla.
D. (6) $1,350. E. (9) $38.92.

A. Henry H. Buckman, 54 Buckman Building, Jacksonville, Fla.
B. The Florida Ship Canal Navigation District, 720 Florida Title Building, Jacksonville, Fla.
D. (6) $1,350. E. (9) $8.77.

A. George J. Burger, 250 West 57th Street, New York, N. Y., and 740 Washington Building, Washington, D. C.
B. Burger Tire Consultant Service, 250 West 57th Street, New York, N. Y., and National Federation of Independent Business, 740 Washington Building, Washington, D. C.

A. Burley & Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.
E. (9) $394.15.

A. F. Hugh Burns, 821 Cafritz Building, Washington, D. C.
B. Great Lakes-St. Lawrence Association, 821 Cafritz Building, Washington, D. C.
D. (6) $1,800. E. (9) $54.79.

A. Orrin A. Burrows, 1200 15th Street NW., Washington, D. C.
D. (6) $2,874.99.

A. Hollis W. Burt, Room 1212, Munsey Building, Washington, D. C.
B. National Association of Supervisors of State Banks, Munsey Building, Washington, D. C.
D. (6) $41.25.

A. Sherman E. Burt, 1625 I Street NW., Washington, D. C.
B. American Coal Sales Association, 1625 I Street NW., Washington, D. C.

A. Charles C. Butler, 425 13th Street NW., Washington, D. C.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $275. E. (9) $1.29.

A. C. G. Caffrey, 1145 19th Street NW., Washington, D. C.
B. American Cotton Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N. C.
D. (6) $760.20. E. (9) $41.50.

A. Gordon L. Calvert, 425 13th Street NW., Washington, D. C.
B. Investment Bankers Association of America, 425 13th Street NW., Washington, D. C.
D. (6) $300. E. (9) $371.35.

A. Campaign for the 48 States, Cotton Exchange Building, Memphis, Tenn.

A. Carl C. Campbell, 1200 18th Street NW., Washington, D. C.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $25. E. (9) $67.30.

A. James A. Campbell, 900 F Street NW., Washington, D. C.
B. American Federation of Government Employees, 900 F Street NW., Washington, D. C.
D. (6) $2,538.48. E. (9) $253.85.

A. John T. Carlton, 2517 Connecticut Avenue NW., Washington, D. C.
B. Reserve Officers Association of the United States, 2517 Connecticut Avenue NW., Washington, D. C.

A. Braxton B. Carr, 1025 Connecticut Avenue, Washington, D. C.
B. The American Waterways Operators, Inc., Suite 502, 1025 Connecticut Avenue, Washington, D. C.
D. (6) $3,000. E. (9) $272.10.

A. Robert S. Carr, 1220 Pennsylvania Building, Washington, D. C.
B. Hiram Walker & Sons, Inc., Penobscot Building, Detroit, Mich.

A. T. C. Carroll, 12050 Woodward Avenue, Detroit, Mich.

A. Henderson H. Carson, 600 First National Bank Building, Canton, Ohio., and 744 Pennsylvania Building, Washington, D. C.
B. East Ohio Gas Co., 1405 East Sixth Street, Cleveland, Ohio.
D. (6) $1,000. E. (9) $730.

A. Clarence B. Carter, Post Office Box 798, New Haven, Conn.
B. Railroad Pension Conference, Post Office Box 798, New Haven, Conn.

A. Francis R. Cawley, Room 1005, 1101 Vermont Avenue NW., Washington, D. C.
B. Magazine Publishers Association, Inc., 232 Madison Avenue, New York, N. Y.
D. (6) $840. E. (9) $454.82.

A. Jay H. Cerf, 300 Independence Avenue SE., Washington, D. C.
B. Foreign Policy Clearing House, 300 Independence Avenue SE., Washington, D. C.
D. (6) $2,000. E. (9) $1,278.39.

A. Chamber of Commerce of the U.S.A., 1615 H Street NW., Washington, D. C.

A. Justice N. Chambers, 2521 Connecticut Avenue NW., Washington, D. C.
B. M. Golodets & Co., 120 Wall Street, New York, N. Y.
D. (6) $2,500.

A. Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.
D. (6) $6,861.15. E. (9) $3,712.15.

A. Earl W. Clark, 132 Third Street SE., Washington, D. C.
B. Labor-Management Maritime Committee, 132 Third Street SE., Washington, D. C.
D. (6) $900. E. (9) $129.30.

A. Omer W. Clark, 1701 18th Street NW., Washington, D. C.
B. Disabled American Veterans, 5555 Ridge Avenue, Cincinnati, Ohio.
E. (9) $3,432.29.

A. Robert M. Clark, 525 Shoreham Building, Washington, D. C.
B. The Atchison, Topeka & Santa Fe Railway Co., 80 East Jackson Boulevard, Chicago, Ill.

A. Ernest W. Clausen, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Locomotive Firemen and Enginemen, 318 Keith Building, Cleveland, Ohio.
D. (6) $225.

A. Clear Channel Broadcasting Service (CCBS), 532 Shoreham Building, Washington, D. C.

A. Clarence E. Cleveland, Montpelier, Vt.
B. Vermont State Railroads Association, Montpelier, Vt.
D. (6) $64.68. E. (9) $206.43.

A. Herman Clott, Room 600, 711 14th Street NW., Washington, D. C.
B. International Union of Mine, Mill and Smelter Workers, 941 East 17th Avenue, Denver, Colo.
D. (6) $1,540.50. E. (9) $1,057.58.

A. A. C. Cocke, 821 Gravier Street, New Orleans, La.
B. American Steamship Committee on Conference Studies, Room 233, Barr Building, Washington, D. C.
E. (9) $175.48.

A. Coles & Goertner, 1000 Connecticut Avenue, Washington, D. C.
B. American Tramp Shipowners Association, Inc., 11 Broadway, New York, N. Y.
E. (9) $343.57.

A. Committee for Broadening Commercial Bank Participation in Public Financing.
D. (6) $35.

A. Committee for Collective Security, 90 John Street, New York, N. Y.
D. (6) $180. E. (9) $348.70.

A. Committee on Laws, National Board of Fire Underwriters, 85 John Street, New York, N. Y.
D. (6) $2,238. E. (9) $1,200.

A. Committee for Oil Pipe Lines, 418 Munsey Building, Washington, D. C.

A. Committee for Study of Revenue Bond Financing, 149 Broadway, New York, N. Y.
D. (6) $1,000. E. (9) $4,173.44.

A. John C. Cone, 815 15th Street NW., Washington, D. C.
B. Pan American World Airways System, 815 15th Street NW., Washington, D. C.

A. Leo E. Connor, 1201 16th Street NW., Washington, D. C.
B. Lexington School for the Deaf, 904 Lexington Avenue, New York, N. Y.
E. (9) $10.

A. Julian D. Conover, Ring Building, Washington, D. C.
B. American Mining Congress, Ring Building, Washington, D. C.
D. (6) $1,500. E. (9) $49.05.

A. Eugene P. Conser, 36 South Wabash Avenue, Chicago, Ill.
B. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill.
D. (6) $662.60.

A. Orval R. Cook, 610 Shoreham Building, Washington, D. C.
B. Aircraft Industries Association of America, Inc., 610 Shoreham Building, Washington, D. C.

A. Raymond A. Cook, 2200 Gulf Building, Houston, Tex.
B. Hughes Tool Co., Houston, Tex.

A. J. Milton Cooper, 1100 Bowen Building, Washington, D. C.
B. New York Stock Exchange, 11 Wall Street, New York, N. Y.

A. J. Milton Cooper, 1100 Bowen Building, Washington, D. C.
B. R. J. Reynolds Tobacco Co., Winston-Salem, N. C.

A. Cooper and Silverstein, 1100 Bowen Building, Washington, D. C.
B. Association of Advanced Life Underwriters, 708 Bowen Building, Washington, D. C.

A. Cooper and Silverstein, 1100 Bowen Building, Washington, D. C.
B. Fountain Pen & Mechanical Pencil Manufacturer's Association, Inc., 1426 G Street NW., Washington, D. C.

A. Cooper & Silverstein, 1100 Bowen Building, Washington, D. C.
B. National Coal Association, Southern Building, 15th and H Streets NW., Washington, D. C.

A. Wilmer A. Cooper, 104 C Street NE., Washington, D. C.
B. Friends Committee on National Legislation, 104 C Street NE., Washington, D. C.
D. (6) $181.73.

A. Cordage Legislation Committee, 350 Madison Avenue, New York, N. Y.
E. (9) $53.78.

A. Ben C. Corlett, 730 15th Street NW., Washington, D. C.
B. American Bankers Association, 12 East 36th Street, New York, N. Y.
D. (6) $1,250. E. (9) $81.32.

A. Edward J. Coughlin, Room 901, 900 F Street NW., Washington, D. C.
B. American Federation of Technical Engineers, Room 901, 900 F Street NW., Washington, D. C.
D. (6) $195. E. (9) $20.

A. Council of Conservationists, Inc., 588 Fifth Avenue, New York, N. Y.
B. Fred Smith & Co., Inc., 588 Fifth Avenue, New York, N. Y.

A. Council for Exceptional Children, 1201 16th Street NW., Washington, D. C.
D. (6) $19.80. E. (9) $115.

A. Council of Mechanical Specialty Contracting Industries, Inc., 610 Ring Building, Washington, D. C.
E. (9) $15,712.98.

A. Edsall Lee Couplin, 441 East Jefferson, Detroit, Mich.
B. Michigan Hospital Service, 441 East Jefferson, Detroit, Mich.
D. (6) $1,200. E. (9) $11.60.

A. Covington & Burling, 701 Union Trust Building, Washington, D. C.
B. Chicago & North Western Railway System, 400 West Madison Street, Chicago, Ill.
E. (9) $19.86.

A. Covington & Burling, 701 Union Trust Building, Washington, D. C.
B. Committee on Joint Resolution 1955 Legislature, Post Office Box 3170, Honolulu, Hawaii.

A. Covington & Burling, 701 Union Trust Building, Washington, D. C.
B. Copper & Brass Research Association, 420 Lexington Avenue, New York, N. Y.
E. (9) $391.47.

A. Covington & Burling, 701 Union Trust Building, Washington, D. C.
B. Embassy of Denmark, 2374 Massachusetts Avenue NW., Washington, D. C.
D. (6) $5,000. E. (9) $108.28.

A. Covington & Burling, 701 Union Trust Building, Washington, D. C.
B. Mutual Savings Banks Committee on Taxation, 60 East 42d Street, New York, N. Y.

A. Covington & Burling, 701 Union Trust Building, Washington, D. C.
B. National Machine Tool Builders' Association, 2071 East 102d Street, Cleveland, Ohio.

A. Covington & Burling, 701 Union Trust Building, Washington, D. C.
B. Ohio Deposit Guarantee Fund, 1303 Fifth Third Bank Building, Cincinnati, Ohio.
E. (9) $31.19.

A. A. M. Crawford, 704 Title & Trust Building, Phoenix, Ariz.
B. Southern Pacific Co., 65 Market Street, San Francisco, Calif., and The Atchison, Topeka & Santa Fe Railway, 121 E. Sixth Street, Los Angeles, Calif.
D. (6) $350. E. (9) $806.

A. Edward B. Crosland, 195 Broadway, New York, N. Y., and 1001 Connecticut Avenue NW., Washington, D. C.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N. Y.
D. (6) $4,999.99.

A. John W. Cross, 729 15th Street NW., Washington, D. C.
B. Deutsche Amerikakohlen-Transportgesellschaft (American German Coal Transport Co.), 17 Grabenstrasse, Dusseldorf, Germany.

A. Leo J. Crowley, 840 Equitable Building, Denver, Colo.
B. Colorado Railroad Legislative Committee, 615 C. A. Johnson Building, Denver, Colo.
D. (6) $1,974.22. E. (9) $1,974.22.

A. Paul Cunningham, 575 Madison Avenue, New York, N. Y.
B. American Society of Composers, Authors, and Publishers, 575 Madison Avenue, New York, N. Y.

A. Ralph E. Curtiss, 917 15th Street NW., Washington, D. C.
B. National Licensed Beverage Association, 420 Seventh Street, Racine, Wis.
D. (6) $750.

A. Bernard Cushman, 1001 Connecticut Avenue NW., Washington, D. C.
B. O. David Zimring, 1001 Connecticut Avenue NW., Washington, D. C.

A. Charles L. Cusumano, 42 Broadway, New York, N. Y.
B. Vincenzo Buttaro, 64 Nelson Street, Brooklyn, N. Y., and Miss Domenica Buttaro, Via Zuccarino, 76, Mola di Bari, Province of Bari, Italy.
D. (6) $750. E. (9) $60.

A. Charles L. Cusumano, 42 Broadway, New York, N. Y.
B. Fathy A. Kashmiry, 1945 West 24th Street, Erie, Pa.
D. (6) $50. E. (9) $21.

A. John R. Dalton, 1508 Merchants Bank Building, Indianapolis, Ind.
B. Associated Railways of Indiana, 1508 Merchants Bank Building, Indianapolis, Ind.

A. D. C. Daniel, 1627 K Street NW., Washington, D. C.
B. National Independent Dairies Association, 1627 K Street NW., Washington, D. C.
D. (6) $150. E. (9) $5.

A. John C. Datt, 425 13th Street NW., Washington, D. C.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $1,150. E. (9) $36.88.

A. Joan David, 4737 36th Street NW., Washington, D. C.
B. National Counsel Associates, 211 Wyatt Building, Washington, D. C.
D. (6) $600.

A. Joffre C. David, 4401 East Colonial Drive, Orlando, Fla.
B. Florida Fruit & Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.
D. (6) $166.65. E. (9) $173.37.

A. Bertram G. Davis, 1608 K Street NW., Washington, D. C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $1,905.

A. Charles W. Davis, 1 North La Salle Street, Chicago, Ill.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

A. Charles W. Davis, 1 North La Salle Street, Chicago, Ill.
B. The Singer Manufacturing Co., 149 Broadway, New York, N. Y.
E. (9) $3,266.72.

A. Joseph B. Davis, 1523 L Street NW., Washington, D. C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $600. E. (9) $8.85.

A. Donald S. Dawson, 731 Washington Building, Washington, D. C.
B. Hilton Hotels Corp., 720 South Michigan Avenue, Chicago, Ill.

A. Donald S. Dawson, 731 Washington Building, Washington, D. C.
B. Schenley Industries, Inc., Empire State Building, New York, N. Y.

A. Michael B. Deane, 1700 K Street NW., Washington, D. C.
B. American Watch Association, Inc., 1700 K Street NW., Washington, D. C.
D. (6) $4,250.22.

A. Tony T. Dechant.
B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1404 New York Avenue NW., Washington, D. C., and 1575 Sherman Street, Denver, Colo.

A. Richard A. Dell, 2000 Florida Avenue NW., Washington, D. C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.
D. (6) $36.27.

A. Mary S. Deuel, 3026 Cambridge Place NW., Washington, D. C.
B. Washington Home Rule Committee, Inc., 924 14th Street NW., Washington, D. C.

A. Philip M. DeVeny, 1102 Ring Building, Washington, D. C.
B. American Mining Congress, Ring Building, Washington, D. C.
D. (6) $1,000.

A. R. T. DeVany, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D. C.
B. Sacramento Yolo Port District, California Fruit Building, Sacramento, Calif.
D. (6) $2,666.95. E. (9) $41.95.

A. Timothy V. A. Dillon, 1001 Fifteenth Street NW., Washington, D. C.
B. Westlands Water District, Post Office Box 4006, Fresno, Calif.
D. (6) $3,269. E. (9) $269.

A. Disabled American Veterans, National Headquarters, 5555 Ridge Avenue, Cincinnati, Ohio.
E. (9) $5,384.58.

A. Disabled Officers Association, 1604 K Street NW., Washington, D. C.
E. (9) $3,750.

A. District of Columbia Petroleum Industries Committee, 1625 K Street NW., Washington, D. C.
B. Petroleum Industry Trade Association.
D. (6) $300. E. (9) $300.

A. District Lodge No. 44, International Association of Machinists, Room 303, 1029 Vermont Avenue NW., Washington, D. C.
D. (6) $26,836.34. E. (9) $20,945.64.

A. George J. Dietz, 425 13th Street NW., Washington, D. C.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $750. E. (9) $15.92.

A. Division 689, Amalgamated Association of Street, Electric Railway and Motor Coach Employes of America, AFL–CIO, 900 F Street NW., Washington, D. C.

A. Division of Legislation and Federal Relations of the National Education Association of the United States, 1201 16th Street NW., Washington, D. C.
E. (9) $25,134.95.

A. William H. Doherty, 338 Fore at Exchange Street, Portland, Maine.
B. The American Tariff League, Inc., 19 West 44th Street, New York, N. Y.
D. (6) $500. E. (9) $24.40.

A. Robert C. Dolan, 1200 18th Street NW., Washington, D. C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
D. (6) $386.25. E. (9) $118.32.

A. Paul R. M. Donelan, 1523 L Street NW., Washington, D. C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $550. E. (9) $10.28.

A. James L. Donnelly, 200 South Michigan Avenue, Chicago, Ill.
B. Illinois Manufacturers' Association, 200 South Michigan Avenue, Chicago, Ill.
E. (9) $207.48.

A. Robert F. Donoghue, 239 Wyatt Building, Washington, D. C.
B. Pacific American Tankship Association, 25 California Street, San Francisco, Calif.
D. (6) $1,625.01.

A. Thomas J. Donovan, 155 East 44th Street, New York, N. Y.

A. J. Dewey Dorsett, 60 John Street, New York, N. Y.
B. Association of Casualty and Surety Companies, 60 John Street, New York, N. Y.
D. (6) $118.75.

A. C. L. Dorson, 900 F Street NW., Washington, D. C.
B. Retirement Federation of Civil Service Employees of the United States Government, 900 F Street NW., Washington, D. C.
D. (6) $1,767. E. (9) $123.

A. Robert E. Dougherty, 1145 19th Street NW., Washington, D. C.
B. Hardwood Plywood Manufacturers Committee, 1145 19th Street NW., Washington, D. C.
D. (6) $834. E. (9) $86.59.

A. W. A. Dozier, Jr., 17 Molton Building, Montgomery, Ala.
B. Medical Association of the State of Alabama, 17 Molton Building, Montgomery, Ala.
D. (6) $2,500. E. (9) $225.

A. Ben DuBois.
B. Independent Bankers Association, Sauk Centre, Minn.

A. Stephen M. DuBrul, 11–134 General Motors Building, Detroit, Mich.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. J. R. Dunkerley, 12 East 36th Street, New York, N. Y.
B. American Bankers Association, 12 East 36th Street, New York, N. Y.
D. (6) $500. E. (9) $225.

A. Read P. Dunn, Jr., Room 502, Ring Building, 1200 18th Street NW., Washington, D. C.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $255. E. (9) $6.29.

A. Stephen F. Dunn, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers of the United States of America, 918 16th Street NW., Washington, D. C.

A. William E. Dunn, 20th and E Streets NW., Washington, D. C.
B. The Associated General Contractors of America, Inc., 20th and E Streets NW., Washington, D. C.

A. Henry I. Dworshak, Ring Building, Washington, D. C.
B. American Mining Congress, Ring Building, Washington, D. C.
D. (6) $1,000.

A. Eastern Meat Packers Association, Inc., 740 11th Street NW., Washington, D. C.
D. (6) $13.32. E. (9) $38.24.

A. Herman Edelsberg, 1640 Rhode Island Avenue NW., Washington, D. C.
B. Anti-Defamation League of B'nai B'rith, 515 Madison Avenue, New York, N. Y.
D. (6) $140. E. (9) $15.

A. Lynn R. Edminster, 1025 Connecticut Avenue NW., Washington, D. C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D. C.
D. (6) $400. E. (9) $17.15.

A. Bernard H. Ehrlich, 1002 Ring Building, Washington, D. C.
B. National Association and Council of Business Schools, 2400 16th Street NW., Suite 407, Washington, D. C.
D. (6) $1,425. E. (9) $450.37.

A. John Doyle Elliott, 808 North Capitol Street, Washington, D. C.
B. Townsend Plan, Inc., 808 North Capitol Street, Washington, D. C.
D. (6) $1,342.

A. John M. Elliott, 5025 Wisconsin Avenue NW., Washington, D. C.
B. Amalgamated Association of Street, Electric Railway, and Motor Coach Employees of America, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D. C.

A. Perry R. Ellsworth, 1145 19th Street NW., Washington, D. C.
B. Milk Industry Foundation, 1145 19th Street NW., Washington, D. C.

A. John H. Else, 302 Ring Building, Washington, D. C.
B. National Retail Lumber Dealers Association, 302 Ring Building, Washington, D. C.
D. (6) $3,550. E. (9) $293.20.

A. Ely, McCarty and Duncan, 1200 Tower Building, Washington, D. C.
B. American Public Power Association, 1025 Connecticut Avenue NW., Washington, D. C.

A. Ely, McCarty and Duncan, 1200 Tower Building, Washington, D. C.
B. Department of Water and Power of the City of Los Angeles, 207 South Broadway, Los Angeles, Calif.
D. (6) $1,500.

A. Ely, McCarty and Duncan, 1200 Tower Building, Washington, D. C.
B. Department of Water Resources, State of California, Sacramento, Calif.
D. (6) $3,250. E. (9) $43.29.

A. Ely, McCarty and Duncan, 1200 Tower Building, Washington, D. C.
B. East Bay Municipal Utility District, 2130 Adeline Street, Oakland, Calif.
D. (6) $1,200. E. (9) $65.20.

A. Ely, McCarty and Duncan, 1200 Tower Building, Washington, D. C.
B. Imperial Irrigation District, El Centro, Calif.
D. (6) $2,100.

A. Ely, McCarty and Duncan, 1200 Tower Building, Washington, D. C.
B. Six Agency Committee and Colorado River Board of California, 909 South Broadway, Los Angeles, Calif.
D. (6) $5,777.50. E. (9) $86.99.

A. Myles W. English, 966 National Press Building, Washington, D. C.
B. National Highway Users Conference, Inc., 966 National Press Building, Washington, D. C.

A. Family Tax Association, 2110 Girard Trust Building, Philadelphia, Pa.
D. (6) $5,500. E. (9) $5,947.45.

A. Farmers' Educational and Co-Operative Union of American (National Farmers Union), 1575 Sherman Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D. C.
D. (6) $26,992.50. E. (9) $20,819.50.

A. Joseph G. Feeney, 201 World Center Building, Washington, D. C.
B. Association of American Railroads, Transportation Building, Washington, D. C.
D. (6) $3,000. E. (9) $150.

A. Harold E. Fellows, 1771 N Street NW., Washington, D. C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D. C.

A. John A. Ferguson, 918 16th Street NW., Washington, D. C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D. C.

A. Josiah Ferris, 510 Union Trust Building, Washington, D. C.
B. American Sugar Cane League of the United States of America, New Orleans, La.; United States Sugar Corp., Clewiston, Fla.; Fellsmere Sugar Producers Association, Fellsmere, Fla.; and Okeelanta Sugar Refinery, Inc., South Bay, Fla.
D. (6) $6,099.96.

A. Joel H. Fisher, 1001 Connecticut Avenue NW., Washington, D. C.
B. Civil Aviation Medical Association, 1402 East Washington Street, Bloomington, Ill.
D. (6) $225.

A. John B. Fisher, Suite 1112, Pennsylvania Building, Washington, D. C.
B. American Coal Shipping, Inc., 17 State Street, New York, N. Y.

A. John B. Fisher, Suite 1112, Pennsylvania Building, Washington, D. C.
B. Bangor and Aroostook Railroad, 84 Harlow Street, Bangor, Maine.

A. John B. Fisher, Suite 1112, Pennsylvania Building, Washington, D. C.
B. Jenney Manufacturing Co., 250 Boylston Street, Chestnut Hill, Mass.

A. John B. Fisher, Suite 1112, Pennsylvania Building, Washington, D. C.
B. C. H. Sprague & Son Co., 10 Post Office Square, Boston, Mass.

A. John B. Fisher, Suite 1112, Pennsylvania Building, Washington, D. C.
B. Suffolk Farms Packing Co., 152 Pearl Street, Chelsea, Mass.

A. Berchmans T. Fitzpatrick, 1025 Connecticut Avenue NW., Washington, D. C.
B. Wood, King & Dawson, 48 Wall Street, New York, N. Y.
E. (9) $1,000.

A. Norman A. Flaningam, 425 13th Street NW., Washington, D. C.
B. Consolidated Natural Gas Co., 30 Rockefeller Plaza, New York, N. Y.

A. Roger Fleming, 425 13th Street NW., Washington, D. C.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $1,250. E. (9) $13.70.

A. Donald G. Fletcher, 820 Midland Bank Building, Minneapolis, Minn.
B. Rust Prevention Association, 820 Midland Bank Building, Minneapolis, Minn.
D. (6) $3,000. E. (9) $728.05.

A. Florida Citrus Mutual (Legislative Fund), Lakeland, Fla.
E. (9) $1,854.32.

A. Florida Fruit & Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.
D. (6) $1,117.31. E. (9) $1,117.31.

A. Florida Inland Navigation District, Citizens Bank Building, Bunnell, Fla.
E. (9) $1,388.92.

A. Florida Railroad Association, 404 Midyette-Moor Building, Tallahassee, Fla.
D. (6) $13,222.50. E. (9) $7,077.71.

A. Florida Ship Canal Navigation District, 720 Florida Title Building, Jacksonville, Fla.
E. (9) $1,358.77.

A. A. J. Ford, 808 North Capitol Street, Washington, D. C.
B. Townsend Plan, Inc., 808 North Capitol Street, Washington, D. C.

A. Foreign Policy Clearing House, 300 Independence Avenue SE., Washington, D. C.
D. (6) $335. E. (9) $5,397.77.

A. James W. Foristel, 1523 L Street NW., Washington, D. C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $737.50. E. (9) $25.58.

A. Ronald J. Foulis, 195 Broadway, New York, N. Y., and 1001 Connecticut Avenue NW., Washington, D. C.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N. Y.
D. (6) $2,250.

A. Maurice H. Fouracre, 1201 16th Street NW., Washington, D. C.
B. Teachers College, Columbia University, 120th Street, New York, N. Y.

A. Fowler, Leva, Hawes & Symington, 1701 K Street NW., Washington, D. C.
B. Bulova Watch Co., Inc., Bulova Park, Flushing, N. Y.

A. Fowler, Leva, Hawes & Symington, 1701 K Street NW., Washington, D. C.
B. Waterways Council Opposed to Regulation Extension, 21 West Street, New York, N. Y.

A. L. S. Franklin, 2309 Pine Croft Road, Greensboro, N. C.
B. National Tax Relief Coalition.
D. (6) $80. E. (9) $475.

A. Robert W. Frase, 812 17th Street NW., Washington, D. C.
B. American Book Publishers Council, Inc., 24 West 40th Street, New York, N. Y.
D. (6) $1,443.75. E. (9) $1,082.25.

A. George H. Frates, 1163 National Press Building, Washington, D. C.
B. The National Association of Retail Druggists.
D. (6) $3,900. E. (9) $1,124.

A. Elmer M. Freudenberger, 1701 18th Street NW., Washington, D. C.
B. Disabled American Veterans, 5555 Ridge Avenue, Cincinnati, Ohio.
E. (9) $1,952.29.

A. Philip P. Friedlander, Jr., 1012 14th Street NW., Washington, D. C.
B. The National Tire Dealers and Retreaders Association, Inc., 1012 14th Street NW., Washington, D. C.

A. Friends Committee on National Legislation, 104 C Street NE., Washington, D. C.
D. (6) $8,149.84. E. (9) $7,129.10.

A. Wallace H. Fulton, 1707 H Street NW., Washington, D. C.
B. National Association of Securities Dealers, Inc.

A. Henry T. Gage, 1100 National Press Building, Washington, D. C.
B. Wine Institute, 717 Market Street, San Francisco, Calif.

A. Lawrence H. Gall, 918 16th Street NW., Washington, D. C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D. C.

A. M. J. Galvin, 207 Union Depot Building, St. Paul, Minn.
B. Minnesota railroads.
D. (6) $500. E. (9) $1,182.06.

A. Earl H. Gammons, 1735 DeSales Street NW., Washington, D. C.

A. Marion R. Garstang, 1731 Eye Street NW., Washington, D. C.
B. National Milk Producers Federation, 1731 Eye Street NW., Washington, D. C.
D. (6) $10.

A. Gas Appliance Manufacturers Association, Inc., 60 East 42d Street, New York, N. Y.

A. Gus F. Geissler.
B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1404 New York Avenue NW., Washington, D. C., and 1575 Sherman Street, Denver, Colo.

A. J. M. George, 165 Center Street, Winona, Minn.
B. The Inter-State Manufacturers Association, 163–165 Center Street, Winona, Minn.

A. J. M. George, 165 Center Street, Winona, Minn.
B. National Association of Direct Selling Companies, 163–165 Center Street, Winona, Minn.
D. (6) $3,000.

A. Stanley Gewirtz, 1000 Connecticut Avenue NW., Washington, D. C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D. C.

A. Ernest Giddings, 1201 16th Street NW., Washington, D. C.
B. Division of Legislation and Federal Relations of the National Education Association of the United States, 1201 16th Street NW., Washington, D. C.
D. (6) $1,766.25. E. (9) $154.25.

A. Joseph S. Gill, 16 East Broad Street, Columbus, Ohio.
B. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.
D. (6) $1,100. E. (9) $395.

A. Leif Gilstad, 1000 Connecticut Avenue NW., Washington, D. C.
B. Transportation Association of America, 6 North Michigan Avenue, Chicago, Ill.

A. Henry W. Goodall, 209 South La Salle Street, Chicago, Ill.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.
D. (6) $2,250.

A. John A. Gosnell, 801 19th Street NW., Washington, D. C.
B. National Small-Business Men's Association, 801 19th Street NW., Washington, D. C.
D. (6) $1,500.

A. Lawrence L. Gourley, 1757 K Street NW., Washington, D. C.
B. American Osteopathic Association, 212 East Ohio Street, Chicago, Ill.
D. (6) $375.

A. Government Employees' Council, 100 Indiana Avenue NW., Washington, D. C.
D. (6) $6,211.34. E. (9) $7,637.35.

A. Government Relations Committee, 777 14th Street NW., Washington, D. C.

A. James L. Grahl, 1025 Connecticut Avenue NW., Washington, D. C.
B. American Public Power Association, 1025 Connecticut Avenue NW., Washington, D. C.
D. (6) $185.

A. Grain & Feed Dealers National Association, 400 Folger Building, Washington, D. C.
D. (6) $5.77.

A. Grand Lodge of the Brotherhood of Locomotive Firemen & Enginemen, 318–418 Keith Building, Cleveland, Ohio.
D. (6) $16,264.80. E. (9) $17,199.89.

A. Mrs. Edward R. Gray, 3501 Williamsburg Lane NW., Washington, D. C.
B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. Mrs. Virginia M. Gray, 3501 Williamsburg Lane NW., Washington, D. C.
B. Citizens Committee for UNICEF, 132 Third Street SE., Washington, D. C.
D. (6) $90. E. (9) $27.37.

A. Richard D. Green, 515 Investment Building, Washington, D. C.
B. National Editorial Association, 608 South Dearborn Street, Chicago, Ill.
D. (6) $50. E. (9) $35.

A. Jerry N. Griffin, 731 Washington Building, Washington, D. C.
B. National Coal Association, 15th and H Streets NW., Washington, D. C.
D. (6) $1,875.

A. Weston B. Grimes, 1001 Bowen Building, Washington, D. C.
B. Cargill, Inc., 200 Grain Exchange, Minneapolis, Minn.
D. (6) $6,000. E. (9) $1.20.

A. I. J. Gromfine, 1001 Connecticut Avenue NW., Washington, D. C.
B. O. David Zimring, 1001 Connecticut Avenue NW., Washington, D. C.

A. Carl O. Gustafson, 588 Fifth Avenue, New York, N. Y.
B. Council of Conservationists, Inc., 588 Fifth Avenue, New York, N. Y.
E. (9) $25,268.14.

A. Frank E. Haas, 280 Union Station Building, Chicago, Ill.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. Hoyt S. Haddock, 132 Third Street SE., Washington, D. C.
B. AFL–CIO Maritime Committee, 132 Third Street SE., Washington, D. C.
D. (6) $1,560. E. (9) $304.04.

A. Hoyt S. Haddock, 132 Third Street SE., Washington, D. C.
B. Labor-Management Maritime Committee, 132 Third Street SE., Washington, D. C.
D. (6) $900. E. (9) $235.84.

A. Hal H. Hale, 423 Transportation Building, Washington, D. C.
B. Association of American Railroads, Transportation Building, Washington, D. C.
D. (6) $40. E. (9) $6.

A. Harold T. Halfpenny, 111 West Washington Street, Chicago, Ill.

A. Hugh F. Hall, 425 13th Street NW., Washington, D. C.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $725. E. (9) $7.83.

A. Radford Hall, 801 East 17th Avenue, Denver, Colo.
B. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
D. (6) $3,000. E. (9) $208.45.

A. E. C. Hallbeck, 711 14th Street NW., Washington, D. C.
B. National Federation of Post Office Clerks, 711 14th Street NW., Washington, D. C.
D. (6) $3,624.96. E. (9) $218.39.

A. Harold F. Hammond, 1000 Connecticut Avenue NW., Washington, D. C.
B. Transportation Association of America, 6 North Michigan Avenue, Chicago, Ill.

A. Hardwood Plywood Manufacturers Committee, 1145 19th Street NW., Washington, D. C.
D. (6) $200. E. (9) $3,051.81.

A. Eugene J. Hardy, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers.

A. Conrad P. Harness, Suite 1117, Barr Building, Washington, D. C.
B. Home Manufacturers Association, Suite 1117, Barr Building, Washington, D. C.
D. (6) $1,250.

A. Robert E. Harper, 1913 I Street NW., Washington, D. C.
B. National Business Publications, Inc., 1913 I Street NW., Washington, D. C.

A. Herbert F. Harris II, 425 13th Street NW., Washington, D. C.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $683.33. E. (9) $15.53.

A. Merwin K. Hart, 7501 Empire State Building, New York, N. Y.
B. National Economic Council, Inc., 7501 Empire State Building, New York, N. Y.
D. (6) $300.

A. Stephen H. Hart, 520 Equitable Building, Denver, Colo.
B. National Livestock Tax Committee, 801 East 17th Avenue, Denver, Colo.
D. (6) $1,799.

A. Robert N. Hawes, 1145 19th Street NW., Washington, D. C.
B. Hardwood Plywood Manufacturers Committee, 1145 19th Street NW., Washington, D. C.
D. (6) $1,666. E. (9) $477.64.

A. Paul M. Hawkins, 1701 K Street NW., Washington, D. C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D. C.
D. (6) $416.50. E. (9) $199.67.

A. Joseph H. Hays, 280 Union Station Building, Chicago, Ill.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. John C. Hazen, Suite 801, 711 14th Street NW., Washington, D. C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N. Y.
E. (9) $57.75.

A. Health Insurance Association of America, 1701 K Street NW., Washington, D. C.
E. (9) $396.41.

A. Patrick B. Healy, 1731 I Street NW., Washington, D. C.
B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
D. (6) $150. E. (9) $81.20.

A. George J. Hecht, 52 Vanderbilt Avenue, New York, N. Y., and 132 Third Street SE., Washington, D. C.
B. American Parents Committee, Inc., 132 Third Street SE., Washington, D. C.

A. Robert B. Heiney, 1133 20th Street NW., Washington, D. C.
B. National Canners Association, 1133 20th Street NW., Washington, D. C.
D. (6) $875. E. (9) $254.01.

A. Kenneth G. Heisler, 907 Ring Building, 18th and M Streets NW., Washington, D. C.
B. National League of Insured Savings Associations, 907 Ring Building, 18th and M Streets NW., Washington, D. C.
D. (6) $600.

A. Joseph D. Henderson, 431 Balter Building, New Orleans, La.
B. American Association of Small Business, 431 Balter Building, New Orleans, La.
D. (6) $1,500.

A. Willon A. Henderson, 612 South Flower Street, Los Angeles, Calif.
B. General Petroleum Corp., 612 South Flower Street, Los Angeles, Calif.

A. Jerome O. Hendrickson, 1016 20th Street NW., Washington, D. C.
B. National Association of Plumbing Contractors, 1016 20th Street NW., Washington, D. C.

A. Edmund P. Hennelly, 150 East 42d Street, New York, N. Y.
B. Socony Mobil Oil Co., Inc., 150 East 42d Street, New York, N. Y.
D. (6) $1,844.08. E. (9) $719.08.

A. Maurice G. Herndon, 1002 Washington Loan & Trust Building, Washington, D. C.
B. National Association of Insurance Agents, 96 Fulton Street, New York, N. Y., and 1002 Washington Loan & Trust Building, Washington, D. C.
D. (6) $166.15. E. (9) $166.15.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D. C.
B. National Football League, 1 Bala Avenue, Bala Cynwyd, Pa.
E. (9) $546.62.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D. C.
B. Boston Wool Trade Association, 263 Summer Street, Boston, Mass.
D. (6) $600. E. (9) $46.50.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D. C.
B. National Association of Hot House Vegetable Growers, Post Office Box 659, Terre Haute, Ind.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D. C.
B. National Wool Trade Association, 263 Summer Street, Boston, Mass.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D. C.
B. Philadelphia Wool & Textile Association, Post Office Box 472, Station E, Philadelphia, Pa.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D. C.
B. United States Brewers Foundation, 535 Fifth Avenue, New York, N. Y.
D. (6) $5,000. E. (9) $65.28.

A. W. J. Hickey, 2000 Massachusetts Avenue NW., Washington, D. C.
B. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D. C.
D. (6) $218.75.

A. M. F. Hicklin, 507 Bankers Trust Building, Des Moines, Iowa.
B. Iowa Railway Committee, 507 Bankers Trust Building, Des Moines, Iowa.
E. (9) $281.12.

A. Ray C. Hinman, 150 East 42d Street, New York, N. Y.
B. Socony Mobil Oil Co., Inc., 150 East 42d Street, New York, N. Y.
D. (6) $1,492.03. E. (9) $242.03.

A. L. S. Hitchner, 1145 19th Street NW., Washington, D. C.

A. Claude E. Hobbs, Room 204, 1625 I Street NW., Washington, D. C.
B. Manufacturing Chemists' Association, Inc., 1625 I Street NW., Washington, D. C.
D. (6) $1,250.

A. John R. Holden, 1710 Rhode Island Avenue NW., Washington, D. C.
B. AMVETS (American Veterans of World War II), 1710 Rhode Island Avenue NW., Washington, D. C.
D. (6) $1,000. E. (9) $75.

A. George C. Holdrege, 1416 Dodge Street, Omaha, Nebr.
B. Union Pacific Railroad Co., 1416 Dodge Street, Omaha, Nebr.
D. (6) $4,750. E. (9) $288.47.

A. Richard C. Holmquist, 570 Lexington Avenue, New York, N. Y.
B. General Electric Co., 570 Lexington Avenue, New York, N. Y.

A. Home Manufacturers Association, Suite 1117, Barr Building, Washington, D. C.
D. (6) $1,250. E. (9) $2,200.

A. Winfield M. Homer, 1001 Connecticut Avenue NW., Washington, D. C.
B. O. David Zimring, 1001 Connecticut Avenue NW., Washington, D. C.

A. J. M. Hood, 2000 Massachusetts Avenue NW., Washington, D. C.
B. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D. C.
D. (6) $318.75.

A. Samuel H. Horne, Munsey Building, Washington, D. C.
B. The Singer Manufacturing Co., 149 Broadway, New York, N. Y.
E. (9) $3,266.72.

A. Lawrence W. Horning, 1010 Pennsylvania Building, Washington, D. C.
B. New York Central Railroad Co., 466 Lexington Avenue, New York, N. Y.

A. Donald E. Horton, 222 West Adams Street, Chicago, Ill.
B. American Warehousemen's Association, 222 West Adams Street, Chicago, Ill.

A. J. Cline House, 711 14th Street NW., Washington, D. C.
B. National Federation of Post Office Clerks, 711 14th Street NW., Washington, D. C.
D. (6) $3,500.

A. Harold A. Houser, 1616 I Street NW., Washington, D. C.
B. Retired Officers Association, 1616 I Street NW., Washington, D. C.
D. (6) $1,950.

A. Harold K. Howe, Mills Building, Washington, D. C.
B. American Institute of Laundering, Box 1187, Joliet, Ill.
D. (6) $2,649.99. E. (9) $1,265.89.

A. Harold K. Howe, 207 Mills Building, Washington, D. C.
B. The Lawn Mower Institute, Inc., 207 Mills Building, Washington, D. C.
D. (6) $2,400.

A. Erma D. Hubbard, 509 Ridgely Avenue, Annapolis, Md.
B. Military Survivors, Inc., 509 Ridgely Avenue, Annapolis, Md.

A. William T. Huff, 918 16th Street NW., Washington, D. C.

B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D. C.

A. Robert L. Humphrey, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers.

A. C. E. Huntley, 2000 Massachusetts Avenue NW., Washington, D. C.
B. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D. C.
D. (6) $298.75.

A. Illinois Railroad Association, Room 1526, 33 South Clark Street, Chicago, Ill.
E. (9) $1,811.48.

A. Bernard J. Imming, 777 14th Street NW., Washington, D. C.
B. United Fresh Fruit and Vegetable Association, 777 14th Street NW., Washington, D. C.

A. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D. C.
D. (6) $15,756.34.

A. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D. C.
D. (6) $13,856.29. E. (9) $13,856.29.

A. Institute of American Poultry Industries, 59 East Madison Street, Chicago, Ill.
D. (6) $1,596.50. E. (9) $1,596.50.

A. Institute of Scrap Iron & Steel, Inc., 1729 H Street NW., Washington, D. C.
D. (6) $300. E. (9) $34.79.

A. International Union of Electrical, Radio, and Machine Workers, AFL–CIO, 1126 16th Street NW., Washington, D. C.
E. (9) $1,116.

A. Inter-State Manufacturers Association, 163–165 Center Street, Winona, Minn.
D. (6) $3,000.

A. Iron Ore Lessors Association, Inc., W–1481 First National Bank Building, St. Paul, Minn.
E. (9) $1,413.87.

A. Chester W. Jackson, 744 Jackson Place NW., Washington, D. C.
B. The National Grange, 744 Jackson Place NW., Washington, D. C.
D. (6) $3,000.

A. Robert C. Jackson, Suite 504, 1145 19th Street NW., Washington, D. C.
B. American Cotton Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N. C.
D. (6) $2,000. E. (9) $175.

A. David A. James, Shelton, Wash.
B. Simpson Logging Co., Shelton, Wash.

A. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif.
D. (6) $400. E. (9) $375.

A. Daniel Jaspan, Post Office Box 2013, Washington, D. C.
B. National Association of Postal Supervisors, Post Office Box 2013, Washington, D. C.
D. (6) $3,233.75. E. (9) $25.

A. Ray L. Jenkins, 700 Washington Building, Washington, D. C.
B. Societe Internationale, Pour Participations Industrialies Et Commerciales, S. A., Peter Merianstr 19, Basle, Switzerland.

A. Robert G. Jeter, Dresden, Tenn.
B. H. C. Spinks Clay Co., Paris, Tenn., et al.
D. (6) $2,359.30.

A. Jewish War Veterans of the United States of America, 1712 New Hampshire Avenue NW., Washington, D. C.
D. (6) $2,749.98. E. (9) $423.43.

A. Peter Dierks Joers, 810 Whittington Avenue, Hot Springs, Ark.
B. Dierks Forests, Inc., 810 Whittington Avenue, Hot Springs, Ark.

A. Gilbert R. Johnson, 1208 Terminal Tower, Cleveland, Ohio.
B. Lake Carriers' Association, 305 Rockefeller Building, Cleveland, Ohio.

A. Hugo E. Johnson, 1400 Hanna Building, Cleveland, Ohio.
B. American Iron Ore Association, 1400 Hanna Building, Cleveland, Ohio.

A. Reuben Lee Johnson (legislative assistant), 1575 Sherman Street, Denver, Colo.
B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1404 New York Avenue NW., Washington, D. C.
D. (6) $1,447.68. E. (9) $29.50.

A. W. D. Johnson, 401 Third Street NW., Washington, D. C.
B. Order of Railway Conductors and Brakemen, ORC&B Building, Cedar Rapids, Iowa.

A. George Bliss Jones, Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.
D. (6) $660. E. (9) $1,646.78.

A. L. Dan Jones, 1110 Ring Building, Washington, D. C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D. C.
E. (9) $15.75.

A. Lyle W. Jones, 705 Warner Building, Washington, D. C.
B. The United States Potters Association, East Liverpool, Ohio.
D. (6) $1,666.68. E. (9) $288.73.

A. John E. Kane, 1625 K Street NW., Washington, D. C.
B. American Petroleum Institute, 50 West 50th Street, New York, N. Y.
D. (6) $3,780. E. (9) $914.19.

A. John E. Kane, 1625 K Street NW., Washington, D. C.
B. District of Columbia Petroleum Industries Committee, 1625 K Street NW., Washington, D. C.
D. (6) $300.

A. Francis V. Keesling, Jr., 605 Market Street, San Francisco, Calif.
B. West Coast Life Insurance Co., 605 Market Street, San Francisco, Calif.

A. James C. Kelley, 1900 Arch Street, Philadelphia, Pa.
B. American Machine Tool Distributors' Association, 1900 Arch Street, Philadelphia, Pa.

A. George J. Kelly, 730 15th Street NW., Washington, D. C.
B. American Bankers Association, 12 East 36th Street, New York, N. Y.
D. (6) $375. E. (9) $25.

A. Elizabeth A. Kendall, 2310 Connecticut Avenue, Washington, D. C.
E. (9) $10.

A. I. L. Kenen, 1737 H Street NW., Washington, D. C.
B. American Zionist Committee for Public Affairs, 1737 H Street NW., Washington, D. C.

A. William J. Kennard, M. D., 1523 L Street NW., Washington, D. C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $725. E. (9) $256.85.

A. Harold L. Kennedy, the Ohio Oil Co., 420 Cafritz Building, Washington, D. C.
B. The Ohio Oil Co., Findlay, Ohio.
D. (6) $500. E. (9) $347.70.

A. Miles D. Kennedy, 1608 K Street NW., Washington, D. C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $3,500. E. (9) $68.15.

A. Ronald M. Ketcham, Post Office Box 351, Los Angeles, Calif.
B. Southern California Edison Co., Post Office Box 351, Los Angeles, Calif.
D. (6) $446.49. E. (9) $872.25.

A. Omar B. Ketchum, 610 Wire Building, 1000 Vermont Avenue NW., Washington, D. C.
B. Veterans of Foreign Wars of the United States.
D. (6) $3,500. E. (9) $212.50.

A. Jeff Kibre, 1341 G Street NW., Washington, D. C.
B. International Longshoremen's and Warehousemen's Union, 150 Golden Gate Avenue, San Francisco, Calif.
D. (6) $1,340.44. E. (9) $1,325.10.

A. John A. Killick, 740 11th Street NW., Washington, D. C.
B. Eastern Meat Packers Association, Inc., 740 11th Street NW., Washington, D. C.
D. (6) $12.50.

A. John A. Killick, 740 11th Street NW., Washington, D. C.
B. National Independent Meat Packers Association, 740 11th Street NW., Washington, D. C.
D. (6) $221.25.

A. H. Cecil Kilpatrick, 912 American Security Building, Washington, D. C.
B. Minot, DeBlois & Maddison, 294 Washington Street, Boston, Mass.
E. (9) $177.77.

A. Kenneth L. Kimble, 1701 K Street NW., Washington, D. C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.
D. (6) $97.50. E. (9) $1.22.

A. Ludlow King, 2071 East 102d Street, Cleveland, Ohio.
B. National Machine Tool Builders' Association, 2071 East 102d Street, Cleveland, Ohio.

A. T. Bert King, 812 Pennsylvania Building, Washington, D. C.
B. United States Savings and Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $1,250. E. (9) $19.50.

A. Mr. and Mrs. Harry L. Kingman.
D. (6) $520. E. (9) $520.

A. Clifton Kirkpatrick, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $315. E. (9) $12.28.

A. Rowland F. Kirks, 2000 K Street NW., Washington, D. C.
B. National Auto Dealers Association, 2000 K Street NW., Washington, D. C.
D. (6) $4,442.27. E. (9) $114.79.

A. Clarence C. Klocksin, 2649 North Hackett Avenue, Milwaukee, Wis.
B. National Board of Fire Underwriters, 85 John Street, New York, N. Y.
D. (6) $500. E. (9) $450.

A. James F. Kmetz, 1435 K Street NW., Washington, D. C.
B. United Mine Workers of America, 900 15th Street NW., Washington, D. C.
D. (6) $2,052.

A. Burt L. Knowles, 20th and E Streets NW., Washington, D. C.
B. The Associated General Contractors of America, Inc., 20th and E Streets NW., Washington, D. C.

A. Robert M. Koch, 1015 12th Street NW., Washington, D. C.
B. National Agricultural Limestone Institute, Inc., 1015 12th Street NW., Washington, D. C.
E. (9) $25.

A. Robert M. Koch, 1015 12th Street NW., Washington, D. C.
B. National Crushed Limestone Institute, Inc., 1015 12th Street NW., Washington, D. C.
E. (9) $10.

A. Germaine Krettek, 200 C Street SE., Washington, D. C.
B. American Library Association, 50 East Huron Street, Chicago, Ill.
E. (9) $2,204.97.

A. Frank W. Kuehl, 1523 L Street NW., Washington, D. C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $575. E. (9) $68.09.

A. Catherine G. Kuhne, 2012 Massachusetts Avenue NW., Washington, D. C.
B. National Federation of Business and Professional Women's Clubs, Inc., 2012 Massachusetts Avenue NW., Washington, D. C.

A. Labor-Management Maritime Committee, 132 Third Street SE., Washington, D. C.
D. (6) $3,753.32. E. (9) $5,005.41.

A. Lake Carriers' Association, Cleveland, Ohio.

A. A. M. Lampley, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Locomotive Firemen and Enginemen, 318 Keith Building, Cleveland, Ohio.
D. (6) $5,500.

A. Fritz G. Lanham, 2737 Devonshire Place NW., Washington, D. C.
B. American Fair Trade Council, Inc., 1434 West 11th Avenue, Gary, Ind.
D. (6) $249.96.

A. Fritz G. Lanham, 2737 Devonshire Place NW., Washington, D. C.
B. National Patent Council, Inc., 1434 West 11th Avenue, Gary, Ind.
D. (6) $999.96.

A. Fritz G. Lanham, 2737 Devonshire Place NW., Washington, D. C.
B. Trinity Improvement Association, Inc., 718 Insurance Building, Fort Worth, Tex.
D. (6) $1,275.

A. J. Austin Latimer, Suite 1138, 1001 Connecticut Avenue NW., Washington, D. C.
D. (6) $450.

A. Alan Latman, 210 East 38th Street, New York, N. Y.
B. National Committee for Effective Design Legislation, Suite 2501, 122 East 42d Street, New York, N. Y.
D. (6) $1,249.98.

A. John V. Lawrence, 1424 16th Street NW., Washington, D. C.
B. American Trucking Association, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $627. E. (9) $4.40.

A. Warren Lawrence, 225 Bush Street, San Francisco, Calif.
B. Standard Oil Company of California, 225 Bush Street, San Francisco, Calif.
D. (6) $200. E. (9) $200.

A. Elton J. Layton, 4730 Arlington Boulevard, Arlington, Va.
B. The National Association of Retail Druggists, 205 West Wacker Drive, Chicago, Ill.
D. (6) $400. E. (9) $508.41.

A. H. Harold Leavey, 2020 L Street, Sacramento, Calif.
B. California-Western States Life Insurance Co., 2020 L Street, Sacramento, Calif.
D. (6) $796. E. (9) $1,278.14.

A. Ivy Lee & T. J. Ross, 405 Lexington Avenue, New York, N. Y.
D. (6) $6,249.99. E. (9) $7,433.74.

A. G. E. Leighty, 401 Third Street NW., Washington, D. C.

A. Hal Leyshon, 122 East 42d Street, New York, N. Y.
B. American Federation of Musicians, 425 Park Avenue, New York, N. Y.
D. (6) $4,166.65. E. (9) $2,864.08.

A. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y., and 1701 K Street NW., Washington, D. C.
D. (6) $8,665.23. E. (9) $8,665.23.

A. L. Blaine Liljenquist, 917 15th Street NW., Washington, D. C.
B. Western States Meat Packers Association, Inc., 604 Mission Street, San Francisco, Calif.
D. (6) $3,125. E. (9) $154.59.

A. Lester W. Lindow, 1735 De Sales Street NW., Washington, D. C.
D. (6) $24.

A. Donald Linville, 205 West Wacker Drive, Chicago, Ill.
B. Hardboard Association, 205 West Wacker Drive, Chicago, Ill.
D. (6) $1,250. E. (9) $118.

A. Robert G. Litschert, 1200 18th Street NW., Washington, D. C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
D. (6) $1,499.99. E. (9) $148.92.

A. Walter J. Little, 944 Transportation Building, Washington, D. C.
B. Association of American Railroads, Transportation Building, Washington, D. C.
D. (6) $704.22. E. (9) $1,310.20.

A. John M. Littlepage, 840 Investment Building, Washington, D. C.
B. The American Tobacco Co., Inc., 150 East 42d Street, New York, N. Y.

A. Arthur Y. Lloyd, 1025 Connecticut Avenue NW., Washington, D. C.
B. Burley & Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.
D. (6) $330. E. (9) $64.15.

A. Gordon C. Locke, 418 Munsey Building, Washington, D. C.
B. Committee for Oil Pipe Lines.

A. George E. Long, 10 East 40th Street, New York, N. Y.
B. Eugene R. Pickrell, 10 East 40th Street, New York, N. Y.

A. Leonard Lopez, Room 303, 1029 Vermont Avenue NW., Washington, D. C.
B. District Lodge No. 44, International Association of Machinists, Room 303, 1029 Vermont Avenue NW., Washington, D. C.
D. (6) $2,492.10. E. (9) $15.

A. Harold O. Lovre, 821 15th Street NW., Washington, D. C.
B. Chicago Mercantile Exchange, 110 North Franklin Street, Chicago, Ill.
D. (6) $3,000. E. (9) $956.78.

A. Harold O. Lovre, 821 15th Street NW., Washington, D. C.
B. Porter Brothers Corp., Post Office Box 667, Boise, Idaho.
D. (6) $600. E. (9) $214.82.

A. Otto Lowe, Cape Charles, Va.
B. National Canners Association, 1133 20th Street NW., Washington, D. C.
D. (6) $750.

A. Lowenstein, Pitcher, Spence, Hotchkiss, Amann & Parr, 25 Broad Street, New York, N. Y.
B. Aircraft Industries Asssociation of America, Inc., 610 Shoreham Building, Washington, D. C.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. American Finance Conference, 176 West Adams Street, Chicago, Ill.
D. (6) $1,250.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Emmco Insurance Co., South Bend, Ind.
D. (6) $500.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Mobile Homes Manufacturers Association, 20 North Wacker Drive, Chicago, Ill.
D. (6) $1,000.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Roadside Business Association, 646 North Michigan Avenue, Chicago, Ill.
D. (6) $500.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Joseph E. Seagram & Sons, Inc., 375 Park Avenue, New York, N. Y.
D. (6) $1,250.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Western Medical Corp., 415–423 West Pershing Road, Chicago, Ill.
D. (6) $1,000.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. World Commerce Corp., 445 Park Avenue, New York, N. Y.
D. (6) $1,250.

A. Lucas & Thomas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Adolph von Zedlitz, 60 Sutton Place South, New York, N. Y.

A. H. B. Luckett, 311 California Street, San Francisco, Calif.
B. American Steamship Committee on Conference Studies, Room 233, Barr Building, Washington, D. C.

A. John M. Lumley, 1201 16th Street NW., Washington, D. C.
B. Division of Legislation and Federal Relations of the National Education Association of the United States, 1201 16th Street NW., Washington, D. C.
D. (6) $250.

A. Milton F. Lunch, 2029 K Street NW., Washington, D. C.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D. C.
D. (6) $750.

A. John C. Lynn, 425 13th Street NW., Washington, D. C.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $2,025. E. (9) $34.02.

A. A. E. Lyon, 401 Third Street NW., Washington, D. C.
B. Railway Labor Executives' Association.
D. (6) $900.

A. Robert J. McBride, 1424 16th Street NW., Washington, D. C.
B. Regular Common Carrier Conference of American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $1,375.

A. J. A. McCallam, 1507 M Street NW., Washington, D. C.
E. (9) $527.96.

A. John A. McCart, Room 716, 900 F Street NW., Washington, D. C.
B. American Federation of Government Employees, 900 F Street NW., Washington, D. C.
D. (6) $2,301.72. E. (9) $25.20.

A. J. L. McCaskill, 1201 16th Street NW., Washington, D. C.
B. Division of Legislation and Federal Relations of the National Education Association of the United States, 1201 16th Street NW., Washington, D. C.
D. (6) $1,999.50. E. (9) $178.94.

A. Alfred R. McCauley, 1108 16th Street NW., Washington, D. C.
B. Imported Hardwood Plywood Association, Inc., San Francisco, Calif.; Plywood Group, National Council of American Importers, New York, N. Y.; and American Association of Hardwood Plywood Users, Washington, D. C.

A. Alfred R. McCauley, 1108 16th Street NW., Washington, D. C.
B. Scandinavian Fur Farm Organizations.

A. McClure & McClure, 626 Washington Building, Washington, D. C.
B. The Coca-Cola Export Corp., 515 Madison Avenue, New York, N.Y.

A. McClure & McClure, 626 Washington Building, Washington, D. C.
B. Twenty Grand Towing Corp., Offshore Oil Center, Morgan City, La., and Tidewater Marine Service, Inc., 211 The Warwick, New Orleans, La.
E. (9) $320.72.

A. Angus McDonald.
B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1404 New York Avenue NW., Washington, D. C.
D. (6) $1,674.24. E. (9) $198.05.

A. Joseph T. McDonnell, 425 13th Street NW., Washington, D. C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.

A. Robert P. McElroy, Suite 801, 711 14th Street NW., Washington, D. C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N. Y.
E. (9) $53.20.

A. E. D. McElvain, 1625 I Street NW., Washington, D. C.
B. Phillips Petroleum Co., Bartlesville, Okla.
D. (6) $500. E. (9) $320.

A. Thomas Edward McGrath, 4012 14th Street NW., Washington, D. C.
B. Taxpayers, U. S. A., 4012 14th Street NW., Washington, D. C.
D. (6) $225. E. (9) $225.

A. William F. McKenna, 1200 Wyatt Building, Washington, D. C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $583. E. (9) $106.46.

A. James H. McKenzie, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $1,151.32.

A. William H. McLin, 1201 16th Street NW., Washington, D. C.
B. Division of Legislation and Federal Relations of the National Education Association of the United States, 1201 16th Street NW., Washington, D. C.
D. (6) $1,622.50. E. (9) $67.87.

A. W. H. McMains, 1132 Pennsylvania Building, Washington, D. C.
B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D. C.

A. Clarence M. McMillan, 1424 K Street NW., Washington, D. C.
B. National Candy Wholesalers Association, Inc., 1424 K Street NW., Washington, D. C.

A. Ralph J. McNair, 1701 K Street NW., Washington, D. C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.
D. (6) $648.38. E. (9) $11.34.

A. Charles R. McNeill, 730 15th Street NW., Washington, D. C.
B. American Bankers Association, 12 East 36th Street, New York, N. Y.
D. (6) $425. E. (9) $19.60.

A. William P. MacCracken, Jr., 1000 Connecticut Avenue, Washington, D. C.
B. American Association of University Women, 1634 I Street NW., Washington, D. C.
E. (9) $5.25.

A. William P. MacCracken, Jr., 1000 Connecticut Avenue, Washington, D. C.
B. American Optometric Association, Inc., Development Fund, 8001 Jenkins Arcade, Pittsburgh, Pa.
D. (6) $5,250. E. (9) $72.04.

A. William P. MacCracken, Jr., 1000 Connecticut Avenue, Washington, D. C.
B. Frankel Brothers, 521 Fifth Avenue, New York, N. Y.

A. John G. MacFarlan, 1503 H Street NW., Washington, D. C.
B. Railway Express Agency, Inc., 1503 H Street NW., Washington, D. C.
D. (6) $1,720.42. E. (9) $853.50.

A. Maclay, Morgan & Williams, 76 Beaver Street, New York, N. Y.
B. Association of American Ship Owners, 76 Beaver Street, New York, N. Y.

A. MacLeish, Spray, Price & Underwood, 134 South La Salle Street, Chicago, Ill.
B. United States Gypsum Co., 300 West Adams Street, Chicago, Ill.
D. (6) $3,525. E. (9) $1,540.50.

A. James B. Madaris, Room 303, 401 Third Street NW., Washington, D. C.
B. Brotherhood Railway Carmen of America, 4929 Main Street, Kansas City, Mo.
D. (6) $1,750.

A. Don Mahon, Box 959, Ben Franklin Station, Washington, D. C.
E. (9) $196.02.

A. William J. Mahon, 1 Gracie Terrace, New York, N. Y.
B. Associated Railroads of New York State.

A. John H. Mahoney, 80 Broad Street, New York, N. Y.
B. Seaboard & Western Airlines, Inc., 80 Broad Street, New York, N. Y.
D. (6) $160.

A. Carter Manasco, 4201 Chesterbrook Road, McLean, Va.
B. National Business Publications, Inc., 1913 I Street NW., Washington, D. C.
D. (6) $600.

A. Carter Manasco, 4201 Chesterbrook Road, McLean, Va.
B. National Coal Association, Southern Building, Washington, D. C.
D. (6) $3,000. E. (9) $241.90.

A. Manufacturing Chemists' Association, Inc., 1625 I Street NW., Washington, D. C.
D. (6) $2,375. E. (9) $2,375.

A. Olya Margolin, 1637 Massachusetts Avenue NW., Washington, D. C.
B. National Council of Jewish Women, Inc., 1 West 47th Street, New York, N. Y.
D. (6) $1,682.40. E. (9) $49.36.

A. James Mark, Jr., 1435 K Street NW., Washington, D. C.
B. United Mine Workers of America, 900 15th Street NW., Washington, D. C.
D. (6) $3,802.

A. Rodney W. Markley, Jr., 1200 Wyatt Building, Washington, D. C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $2,800. E. (9) $319.38.

A. Edwin E. Marsh, Salt Lake City, Utah.
B. National Wool Growers Association, Salt Lake City, Utah.
D. (6) $2,499.99. E. (9) $1,609.11.

A. Winston W. Marsh, 1012 14th Street NW., Washington, D. C.
B. National Tire Dealers & Retreaders Association, Inc., 1012 14th Street NW., Washington, D. C.

A. Fred T. Marshall, 1112 19th Street NW., Washington, D. C.
B. The B. F. Goodrich Co., 500 South Main Street, Akron, Ohio.

A. J. Paull Marshall, 944 Transportation Building, Washington, D. C.
B. Association of American Railroads, Transportation Building, Washington, D. C.
D. (6) $367.51. E. (9) $97.95.

A. Mike M. Masaoka, Suite 1217, Hurley-Wright Building, Washington, D. C.
B. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif.
D. (6) $200. E. (9) $75.

A. Mason, Knudsen, Dickeson & Berkheimer, 714 Stuart Building, Lincoln, Nebr.
B. Roberts Dairy Co., 4469 Farnam Street, Omaha, Nebr.

A. David Mathews, Jr., 345 Fourth Avenue, Pittsburgh, Pa.
B. Pittsburgh Coal Exchange, 345 Fourth Avenue, Pittsburgh, Pa.

A. P. H. Mathews, 944 Transportation Building, Washington, D. C.
B. Association of American Railroads, Transportation Building, Washington, D. C.
D. (6) $993.43. E. (9) $143.93.

A. Joe G. Matthews, 944 Transportation Building, Washington, D. C.
B. Association of American Railroads, Transportation Building, Washington, D. C.

A. C. V. and R. V. Maudlin, 1111 E Street NW., Washington, D. C.
B. National Association of Waste Material Dealers, Inc., 271 Madison Avenue, New York, N. Y.

A. Cyrus H. Maxwell, M. D., 1523 L Street NW., Washington, D. C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $750.50. E. (9) $52.82.

A. Medical Association of the State of Alabama, 17 Molton Building, Montgomery, Ala.
D. (6) $695. E. (9) $2,725.

A. Medical Society of the District of Columbia, 1718 M Street NW., Washington, D. C.

A. Ellis E. Meredith, 635 Southern Building, Washington, D. C.
B. American Association of Nurserymen, 635 Southern Building, Washington, D. C.
E. (9) $3.

A. J. T. Metcalf, 1002 L. & N. Building, Louisville, Ky.
E. (9) $480.20.

A. Michigan Hospital Service, 441 East Jefferson, Detroit, Mich.
E. (9) $1,219.15.

A. Louis J. Michot, 1000 Connecticut Avenue NW., Washington, D. C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D. C.
D. (6) $650. E. (9) $38.70.

A. G. R. Milburn, Grassrange, Mont.
B. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
E. (9) $362.41.

A. Clarence R. Miles, 1615 H Street NW., Washington, D. C.
B. Chamber of Commerce of the U. S. A.

A. John R. Miles, 1615 H Street NW., Washington, D. C.
B. Chamber of Commerce of the U. S. A.

A. Military Survivors, Inc., 509 Ridgeley Avenue, Annapolis, Md.
D. (6) $85. E. (9) $604.42.

A. Milk Industry Foundation, 1145 19th Street NW., Washington, D. C.

A. Miller & Chevalier, 1001 Connecticut Avenue, Washington, D. C.
B. Kensington Co., San Diego, Calif.
D. (6) $10,000.

A. Dale Miller, Mayflower Hotel, Washington, D. C.
B. Dallas (Tex.) Chamber of Commerce.
D. (6) $1,500.

A. Dale Miller, Mayflower Hotel, Washington, D. C.
B. Intracoastal Canal Association of Louisiana and Texas, 2211 South Coast Building, Houston, Tex.
D. (6) $2,250.

A. Dale Miller, Mayflower Hotel, Washington, D. C.
B. Texas Gulf Sulphur Co., Newgulf, Tex., and New York, N. Y.
D. (6) $2,250.

A. Edwin Reid Miller, 1004 Farnam Street, Omaha, Nebr.
B. Nebraska Railroads Legislative Committee, 1004 Farnam Street, Omaha, Nebr.
D. (6) $2,430. E. (9) $755.11.

A. Harold C. Miller, 1001 Connecticut Avenue, Washington, D. C.
B. American Society of Composers, Authors and Publishers, 575 Madison Avenue, New York, N. Y.
D. (6) $1,200. E. (9) $275.69.

A. Lloyd S. Miller, 1001 Connecticut Avenue NW., Washington, D. C., and 195 Broadway, New York, N. Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N. Y.
D. (6) $4,500.

A. Seymour S. Mintz, 810 Colorado Building, Washington, D. C.
B. Tennessee Products & Chemical Corp., Nashville, Tenn.

A. Seymour S. Mintz, William T. Plumb, Jr., Robert K. Eifler, and Richard A. Mullens, 810 Colorado Building, Washington, D. C.
B. Hughes Tool Co., Houston, Tex.

A. Clarence Mitchell, 100 Massachusetts Avenue NW., Washington, D. C.
B. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N. Y.
D. (6) $1,875. E. (9) $50.

A. Mitchell & Conway, Board of Trade Building, Chicago, Ill.
B. National Security Committee of National Electrical Manufacturers Association, 155 East 44th Street, New York, N. Y.
D. (6) $10,000. E. (9) $711.64.

A. M. D. Mobley, 1010 Vermont Avenue NW., Washington, D. C.

A. Harry L. Moffett, 1102 Ring Building, Washington, D. C.
B. American Mining Congress, Ring Building, Washington, D. C.
D. (6) $1,500.

A. Albert H. Monacelli, 161 East 42d Street, New York, N. Y.
B. National Committee for Municipal Bonds, Inc., 161 East 42d Street, New York, N. Y.

A. Donald Montgomery, 777 14th Street NW., Washington, D. C.
B. American Hotel Association, 221 West 57th Street, New York, N. Y.
D. (6) $400. E. (9) $71.35.

A. Walter H. Moorman, 465 East-West Highway, Bethesda, Md.
B. Maryland Railroad Association, 2 North Charles Street, Baltimore, Md.
D. (6) $2,500. E. (9) $58.51.

A. Kenneth R. Morefield, 4401 East Colonial Drive, Orlando, Fla.
B. Florida Fruit & Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.
D. (6) $27.77. E. (9) $75.70.

A. Jo V. Morgan, Jr., 815 15th Street NW., Washington, D. C.
B. Whiteford, Hart, Carmody & Wilson, 815 15th Street NW., Washington, D. C.
D. (6) $1,249.98.

A. Morison, Murphy, Clapp & Abrams, 1144 Pennsylvania Building, Washington, D. C.

A. Morison, Murphy, Clapp & Abrams, Pennsylvania Building, Washington, D. C.
B. American Reciprocal Insurance Association, Kansas City, Mo.
D. (6) $2,500.

A. Morison, Murphy, Clapp & Abrams, Pennsylvania Building, Washington, D. C.
B. Area Employment Expansion Committee, 1144 Pennsylvania Building, Washington, D. C.
E. (9) $11.72.

A. Morison, Murphy, Clapp & Abrams, 1144 Pennsylvania Building, Washington, D. C.
B. Brewers' Association of America, 188 West Randolph Street, Chicago, Ill.

A. Morison, Murphy, Clapp & Abrams, Pennsylvania Building, Washington, D. C.
B. Ford Motor Co., 3000 Schaefer Road, Dearborn, Mich.

A. Morison, Murphy, Clapp & Abrams, Pennsylvania Building, Washington, D. C.
B. Lewis, Field, DeGoff & Stein, DeYoung Building, San Francisco, Calif.

A. Morison, Murphy, Clapp & Abrams, Pennsylvania Building, Washington, D. C.
B. The Sperry & Hutchinson Co., 114 Fifth Avenue, New York, N. Y.
D. (6) $1,500.

A. Giles Morrow, Suite 610, 1111 E Street NW., Washington, D. C.
D. (6) $4,999.98. E. (9) $82.41.

A. H. S. Mosebrook, 220 East 42d Street, New York, N. Y.
B. American Pulpwood Association, 220 East 42d Street, New York, N. Y.

A. Harold G. Mosier, 610 Shoreham Building, Washington, D. C.
B. Aircraft Industries Association of America, Inc., 610 Shoreham Building, Washington, D. C.
D. (6) $4,056. E. (9) $299.55.

A. William J. Mougey, 802 Cafritz Building, Washington, D. C.
B. General Motors Corporation, 3044 West Grand Boulevard, Detroit, Mich.

A. Bernard R. Mullady, 1200 15th Street NW., Washington, D. C.
B. International Brotherhood of Electrical Workers.
D. (6) $2,600.

A. Vincent S. Mullaney, 777 14th Street NW., Washington, D. C.
B. General Electric Co., 570 Lexington Avenue, New York, N. Y.
D. (6) $875. E. (9) $683.

A. T. H. Mullen, 711 14th Street NW., Washington, D. C.
B. American Paper and Pulp Association, 122 East 42d Street, New York, N. Y.

A. T. H. Mullen, 711 14th Street NW., Washington, D. C.
B. American Pulpwood Association, 220 East 42d Street, New York, N. Y.

A. Walter J. Munro, Hotel Washington, Washington, D. C.
B. Brotherhood of Railroad Trainmen.

A. Dr. Emmett J. Murphy, 5737 13th Street NW., Washington, D. C.
B. National Chiropractic Insurance Co., National Building, Webster City, Iowa.
D. (6) $300. E. (9) $300.

A. Mutual Savings Banks Committee on Taxation, 60 East 42d Street, New York, N. Y.

A. Paul A. Nagle, Room 403, 1300 Connecticut Avenue NW., Washington, D. C.
B. National Postal Transport Association, 1300 Connecticut Avenue NW., Washington, D. C.
D. (6) $3,000.

A. National Agricultural Limestone Institute, Inc., 1015 12th Street NW., Washington, D. C.
D. (6) $1,202. E. (9) $1,202.

A. National Anti-Price Fixing Association, 1366 National Press Building, Washington, D. C.
D. (6) $105. E. (9) $27.55.

A. National Association & Council of Business Schools, Suite 407, 2400 16th Street NW., Washington, D. C.

A. National Association of Direct Selling Companies, 163–165 Center Street, Winona, Minn.
D. (6) $13,875.

A. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
D. (6) $2,326.25. E. (9) $26,683.76.

A. National Association of Frozen Food Packers, 1415 K Street NW., Washington, D. C.

A. National Association of Insurance Agents, Inc., 96 Fulton Street, New York, N. Y.
D. (6) $3,394.81. E. (9) $5,452.60.

A. National Association of Margarine Manufacturers, 545 Munsey Building, Washington, D. C.

A. National Association of Mutual Savings Banks, 60 East 42d Street, New York, N. Y.
D. (6) $208.07. E. (9) $208.07.

A. National Association of Plumbing Contractors, 1016 20th Street NW., Washington, D. C.
E. (9) $1,500.

A. National Association of Postal Supervisors, Post Office Box 2013, Washington, D. C.
D. (6) $8,500. E. (9) $5,859.25.

A. National Association of Social Workers, Inc., 95 Madison Avenue, New York, N. Y., and 1346 Connecticut Avenue NW., Washington, D. C.
D. (6) $2,235. E. (9) $2,235.

A. National Association of Soil Conservation Districts, League City, Tex.
D. (6) $437.71. E. (9) $278.69.

A. National Association of Travel Organizations, 1424 K Street NW., Washington, D. C.
D. (6) $25,898.68. E. (9) $682.50.

A. National Audio-Visual Association, Inc., Box 337, Fairfax, Va.
D. (6) $38.36. E. (9) $148.49.

A. National Board of Fur Farm Organizations, Inc., 152 West Wisconsin Avenue, Milwaukee, Wis.
D. (6) $1,250. E. (9) $1,446.34.

A. National Bureau for Lathing & Plastering, 311 Tower Building, 1401 K Street NW., Washington, D. C.

A. National Business Publications, Inc., 1913 I Street NW., Washington, D. C.

A. National Canners Association, 1133 20th Street NW., Washington, D. C.
D. (6) $428,431.48. E. (9) $2,506.48.

A. National Coal Association, 802 Southern Building, Washington, D. C.

A. National Conference for Repeal of Taxes on Transportation, 1000 Connecticut Avenue NW., Washington, D. C.
E. (9) $103.48.

A. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. National Committee for Effective Design Legislation, Suite 2501, 122 East 42d Street, New York, N. Y.
D. (6) $5,500. E. (9) $2,148.43.

A. National Committee for Municipal Bonds, Inc., 161 East 42d Street, New York, N. Y.
D. (6) $1,497. E. (9) $1,741.73.

A. National Committee on Parcel Post Size and Weight Limitations, Room 601, 1625 I Street NW., Washington, D. C.

A. National Cotton Compress & Cotton Warehouse Association, 1085 Shrine Building, Post Office Box 23, Memphis, Tenn.
E. (9) $31.

A. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $9,033.25. E. (9) $9,033.25.

A. National Council on Business Mail, Inc., 1028 Connecticut Avenue NW., Washington, D. C.
D. (6) $156.50. E. (9) $662.86.

A. National Counsel Associates, 211 Wyatt Building, Washington, D. C.
B. Association of First Class Mailers, 352 Fourth Avenue, New York, N. Y.

A. National Counsel Associates, 211 Wyatt Building, Washington, D. C.
B. Independent Airlines Association, 1328 I Street NW., Washington, D. C.
D. (6) $5,500. E. (9) $1,990.08.

A. National Crushed Limestone Institute, Inc., 1015 12th Street NW., Washington, D. C.
D. (6) $252.35. E. (9) $252.35.

A. National Economic Council, Inc., 7501 Empire State Building, New York, N. Y.
D. (6) $812.75. E. (9) $738.58.

A. National Electrical Contractors Association, Inc., 1200 18th Street NW., Washington, D. C.

A. National Electrical Manufacturers Association, 155 East 44th Street, New York, N. Y.
D. (6) $16,739.95. E. (9) $16,739.95.

A. National Federation of Federal Employees, 1729 G Street NW., Washington, D. C.
D. (6) $108,130.72. E. (9) $11,485.24.

A. National Federation of Post Office Clerks, Suite 502, 711 14th Street NW., Washington, D. C.
D. (6) $138,620.40. E. (9) $23,221.47.

A. National Food Brokers Association, 1916 M Street NW., Washington, D. C.
D. (6) $1,456. E. (9) $1,456.

A. National Grange, 744 Jackson Place NW., Washington, D. C.
E. (9) $10,200.

A. National Housing Conference, Inc., 1025 Connecticut Avenue NW., Washington, D. C.
D. (6) $20,867.85. E. (9) $19,368.65.

A. National Independent Dairies Association, 1627 K Street NW., Washington, D. C.
D. (6) $328.71. E. (9) $328.71.

A. National Independent Meat Packers Association, 740 11th Street NW., Washington, D. C.
D. (6) $824.75. E. (9) $2,502.48.

A. National League of Insured Savings Associations, 907 Ring Building, Washington, D. C.
D. (6) $2,915.16. E. (9) $1,928.12.

A. National Live Stock Tax Committee, 801 East 17th Avenue, Denver, Colo.
D. (6) $1,799.

A. National Lumber Manufacturers Association, 1319 18th Street NW., Washington, D. C.
D. (6) $611.31. E. (9) $620.01.

A. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
D. (6) $3,634.79. E. (9) $3,634.79.

A. National Multiple Sclerosis Society, 257 Fourth Avenue, New York, N. Y.
E. (9) $850.96.

A. National Parking Association, Inc., 711 14th Street NW., Washington, D. C.

A. National Postal Transport Association, 1300 Connecticut Avenue NW., Washington, D. C.
D. (6) $8,550.40. E. (9) $8,550.40.

A. National Reclamation Association, 897 National Press Building, Washington, D. C.
D. (6) $8,467.67. E. (9) $10,491.54.

A. National Retail Furniture Association, 666 Lake Shore Drive, Chicago, Ill.

A. National Retail Merchants Association, 100 West 31st Street, New York, N. Y.
D. (6) $4,125. E. (9) $4,672.91.

A. National Rivers and Harbors Congress, 1028 Connecticut Avenue NW., Washington, D. C.
D. (6) $3,683.25. E. (9) $7,393.55.

A. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.
E. (9) $1,063.47.

A. National Small Business Men's Association, 801 19th Street NW., Washington, D. C.
D. (6) $5,000. E. (9) $2,608.03.

A. National Society of Professional Engineers, 2029 K Street NW., Washington, D. C.
D. (6) $39,834.75. E. (9) $2,329.10.

A. National Tire Dealers & Retreaders Association, 1012 14th Street NW., Washington, D. C.
D. (6) $172. E. (9) $172.

A. National Wool Growers Association, 414 Crandall Building, Salt Lake City, Utah.
D. (6) $4,232. E. (9) $9,808.42.

A. Nation-Wide Committee of Industry, Agriculture & Labor on Import-Export Policy, 815 15th Street NW., Washington, D. C.
D. (6) $4,758.52. E. (9) $14,795.92.

A. Robert R. Neal, 1701 K Street NW., Washington, D. C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D. C.
E. (9) $89.86.

A. William S. Neal, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers.

A. Samuel E. Neel, 1001 15th Street NW., Washington, D. C.
B. Mortgage Bankers Association of America, 111 West Washington Street, Chicago, Ill.
D. (6) $4,500. E. (9) $2,968.99.

A. A. Z. Nelson, 1319 18th Street NW., Washington, D. C.
B. National Lumber Manufacturers Association, 1319 18th Street NW., Washington, D. C.
E. (9) $3.20.

A. Paul Nelson, 2000 Florida Avenue, Washington, D. C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.
D. (6) $22.

A. George S. Newcomer, 900 First National Bank Building, Baltimore, Md.
B. The Peoples Water Service Co., 1607 Mercantile Trust Building, Baltimore, Md.

A. Herschel D. Newsom, 744 Jackson Place NW., Washington, D. C.
B. The National Grange, 744 Jackson Place NW., Washington, D. C.
D. (6) $3,750.

A. New York and New Jersey Dry Dock Association, 161 William Street, New York City.
D. (6) $4,192.60. E. (9) $4,024.06.

A. New York Stock Exchange, 11 Wall Street, New York, N. Y.
E. (9) $3,000.

A. Henry G. Nolda, 1729 G Street NW., Washington, D. C.
B. National Federation of Federal Employees, 1729 G Street NW., Washington, D. C.
D. (6) $2,692.34. E. (9) $14.05.

A. O. L. Norman, 1200 18th Street NW., Washington, D. C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
D. (6) $1,575. E. (9) $137.86.

A. Harry E. Northam, 185 North Wabash Avenue, Chicago, Ill.
B. Association of American Physicians and Surgeons, Inc., 185 North Wabash Avenue, Chicago, Ill.

A. Northern Hemlock & Hardwood Manufacturers Association, Northern Building, Green Bay, Wis.
D. (6) $100. E. (9) $6.55.

A. E. M. Norton, 1731 I Street NW., Washington, D. C.
B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
D. (6) $100. E. (9) $107.50.

A. Brice O'Brien, 1102 Ring Building, Washington, D. C.
B. American Mining Congress, Ring Building, Washington, D. C.
D. (6) $750.

A. George J. O'Brien, 225 Bush Street, San Francisco, Calif.
B. Standard Oil Company of California, 225 Bush Street, San Francisco, Calif.

A. E. H. O'Connor, 176 West Adams Street, Chicago, Ill.
B. Insurance Economics Society of America, 176 West Adams Street, Chicago, Ill.
D. (6) $6,787.21.

A. R. E. O'Connor, 122 East 42d Street, New York, N. Y.
B. American Paper and Pulp Association, 122 East 42d Street, New York, N. Y.

A. Herbert R. O'Conor, 1701 K Street NW., Washington, D. C.
B. American Merchant Marine Institute, Inc., 1701 K Street NW., Washington, D. C., and 11 Broadway, New York, N. Y.

A. Herbert R. O'Conor, 10 Light Street, Baltimore, Md.
B. Beneficial Finance Co. and Beneficial Management Corp., 50 Church Street, New York, N. Y.
D. (6) $625. E. (9) $59.85.

A. Eugene O'Dunne, Jr., Southern Building, Washington, D. C.
B. The Associated Business Publications, 305 East 42d Street, New York, N. Y.
D. (6) $2,000. E. (9) $73.47.

A. Eugene O'Dunne, Jr., Southern Building, Washington, D. C.
B. National Association of Wool Manufacturers, 386 Fourth Avenue, New York, N. Y.
E. (9) $78.95.

A. Ohio Coal Association, 209 Hoge Building, St. Clairsville, Ohio.

A. Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.
E. (9) $2,439.15.

A. Alvin E. Oliver, 400 Folger Building, Washington, D. C.
B. Grain & Feed Dealers National Association, 400 Folger Building, Washington, D. C.
D. (6) $5.77. E. (9) $1.00.

A. E. L. Oliver, 1001 Connecticut Avenue NW., Washington, D. C.
B. Labor Bureau of Middle West, 1001 Connecticut Avenue NW., Washington, D. C.

A. Fred N. Oliver, 110 East 42d Street, New York, N. Y., and Investment Building, Washington, D. C.
B. National Association of Mutual Savings Banks, 60 East 42d Street, New York, N. Y., and Mutual Savings Banks Committee on Taxation, 60 East 42d Street, New York, N. Y.

A. Robert Oliver, 1026 17th Street NW., Washington, D. C.
B. Morison, Murphy, Clapp & Abrams, 1144 Pennsylvania Building, Washington, D. C.

A. Clarence H. Olson, 1608 K Street NW., Washington, D. C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $2,490. E. (9) $7.80.

A. Samuel Omasta, 1015 12th Street NW., Washington, D. C.
B. National Agricultural Limestone Institute, Inc., 1015 12th Street NW., Washington, D. C.
E. (9) $10.

A. Order of Railway Conductors and Brakemen, O. R. C. & B. Building, Cedar Rapids, Iowa.
E. (9) $5,599.25.

A. Clayton L. Orn, 539 South Main Street, Findlay, Ohio.
B. The Ohio Oil Co., Findlay, Ohio.

A. Morris E. Osburn, Central Trust Building, Jefferson City, Mo.
B. Missouri Railroad Committee.
E. (9) $407.62.

A. Kermit Overby, 2000 Florida Avenue NW., Washington, D. C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.
D. (6) $160.

A. Vaux Owen, 1729 G Street NW., Washington, D. C.
B. National Federation of Federal Employees, 1729 G Street NW., Washington, D. C.
D. (6) $3,365.39. E. (9) $18.45.

A. Pacific American Tankship Association, 25 California Street, San Francisco, Calif.
D. (6) $200. E. (9) $1,625.01.

A. Edwin F. Padberg, 1223 Pennsylvania Building, Washington, D. C.
B. The Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. Everett L. Palmer, 901 Hamilton Street, Allentown, Pa.
B. Pennsylvania Power & Light Co., 901 Hamilton Street, Allentown, Pa.
E. (9) $499.

A. Lew M. Paramore, Town House Hotel, Post Office Box 356, Kansas City, Kans.
D. (6) $3,375.

A. Joseph O. Parker, 531 Washington Building, Washington, D. C.
B. Florida Fruit & Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.
D. (6) $625. E. (9) $2.50.

A. Joseph O. Parker, 531 Washington Building, Washington, D. C.
B. Institute of American Poultry Industries, 59 East Madison Street, Chicago, Ill.
D. (6) $562.50. E. (9) $14.13.

A. Joseph O. Parker, 531 Washington Building, Washington, D. C.
B. The National Grange, 744 Jackson Place NW., Washington, D. C.
D. (6) $750. E. (9) $2.40.

A. Mrs. Karla V. Parker, 1729 Union Boulevard SE., Grand Rapids, Mich.

A. A. Lee Parsons, 1145 19th Street NW., Washington, D. C.
B. American Cotton Manufacturers Institute, 1501 Johnston Building, Charlotte, N. C.
D. (6) $350. E. (9) $196.90.

A. W. D. Partlow, Jr., Tuscaloosa, Ala.
E. (9) $4,667.32.

A. Perry S. Patterson, 800 World Center Building, Washington, D. C.
B. Automatic Phonograph Manufacturers Association, 1603 Orrington Avenue, Evanston, Ill.

A. James G. Patton.
B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D. C.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 575 Madison Avenue, New York, N. Y.
B. American Heritage Publishing Co., Inc., 551 Fifth Avenue, New York, N. Y.
E. (9) $89.30.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 575 Madison Avenue, New York, N. Y.
B. Saturday Review, Inc., 25 West 45th Street, New York, N. Y.
E. (9) $29.88.

A. Edmund W. Pavenstedt, New York, N. Y.

A. Albert A. Payne, 1300 Connecticut Avenue NW., Washington, D. C.
B. National Association of Real Estate Boards, 1300 Connecticut Avenue NW., Washington, D. C.
D. (6) $2,000. E. (9) $221.28.

A. Philip G. Pendleton, Second Street Pike, Bryn Athyn, Pa.
B. Family Tax Association, 1616 Walnut Street, Philadelphia, Pa.
D. (6) $5,300. E. (9) $639.95.

A. Peoples Water Service Co., 1607 Mercantile Trust Building, Baltimore, Md.

A. Francis E. Perkins, 21 School Street, Concord, N. H.
B. Boston & Maine Railroad, North Station, Boston, Mass.

A. J. Hardin Peterson, Post Office Box 111, Lakeland, Fla.
B. Florida Citrus Mutual, Lakeland, Fla.
D. (6) $1,800. E. (9) $54.32.

A. J. Hardin Peterson, Post Office Box 111, Lakeland, Fla.
B. Peoples Lobby, Inc., 2147 O Street NW., Washington, D. C.

A. J. Hardin Peterson, Post Office Box 111, Lakeland, Fla.
B. West Coast Inland Navigation District, Courthouse, Bradenton, Fla.
D. (6) $600. E. (9) $21.

A. Kenneth Peterson, 1126 16th Street NW., Washington, D. C.
B. International Union of Electrical, Radio, and Machine Workers, AFL–CIO, 1126 16th Street NW., Washington, D. C.
D. (6) $1,031.

A. J. E. Phillips, 225 Bush Street, San Francisco, Calif.
B. Standard Oil Company of California, 225 Bush Street, San Francisco, Calif.
D. (6) $500.

A. Eugene R. Pickrell, 10 East 40th Street, New York, N. Y.

A. Albert T. Pierson, 54 Meadow Street, New Haven, Conn.
B. New York, New Haven & Hartford Railroad Co., 54 Meadow Street, New Haven, Conn.
D. (6) $548.40. E. (9) $781.

A. Albert Pike, Jr., 488 Madison Avenue, New York, N. Y.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.
D. (6) $67.50.

A. T. E. Pinkston, 101 East High Street, Lexington, Ky.
E. (9) $358.19.

A. Piper & Marbury, 900 First National Bank Building, Baltimore, Md.
B. The Peoples Water Service Co., 1607 Mercantile Trust Building, Baltimore, Md.
E. (9) $10.32.

A. Ralph D. Pittman, 500 Wire Building, Washington, D. C.
B. George B. Soto, 1801 Calvert Street NW., Washington, D. C.

A. Kenneth M. Plaisted, 152 West Wisconsin Avenue, Milwaukee, Wis.
B. National Board of Fur Farm Organizations, Inc., 152 West Wisconsin Avenue, Milwaukee, Wis.
D. (6) $439.92.

A. J. Francis Pohlhaus, 100 Massachusetts Avenue NW., Washington, D. C.
B. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N. Y.
D. (6) $765.25.

A. James K. Polk, 40 Wall Street, New York, N. Y.
B. Consolidated Edison Co. of New York, Inc., 4 Irving Place, New York, N. Y.
D. (6) $225. E. (9) $1.50.

A. James K. Polk, 40 Wall Street, New York, N. Y.
B. The Western Pacific Railroad Co., 526 Mission Street, San Francisco, Calif.
D. (6) $195. E. (9) $5.50.

A. Frederick T. Poole, 418 Munsey Building, Washington, D. C.
B. Committee for Oil Pipe Lines, 418 Munsey Building, Washington, D. C.

A. Frank M. Porter, 50 West 50th Street, New York, N. Y.
B. American Petroleum Institute, 50 West 50th Street, New York, N. Y.

A. Nelson J. Post, 1731 I Street NW., Washington, D. C.
B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
D. (6) $50. E. (9) $258.07.

A. Powell, Dorsey, Blum & White, 1741 K Street NW., Washington, D. C.
B. Committee for the Study of Revenue Bond Financing, 149 Broadway, New York, N. Y.
D. (6) $1,402.50. E. (9) $89.95.

A. Powell, Dorsey, Blum & White, 1741 K Street NW., Washington, D. C.
B. National Association of Securities Dealers, Inc.

A. William I. Powell, 1110 Ring Building, Washington, D. C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D. C.
E. (9) $11.30.

A. Homer V. Prater, 900 F Street NW., Washington, D. C.
B. American Federation of Government Employees, 900 F Street NW., Washington, D. C.
D. (6) $2,289.12.

A. William H. Press, 1616 K Street NW., Washington, D. C.
B. Washington Board of Trade, 1616 K Street NW., Washington, D. C.
D. (6) $4,800.

A. Herman P. Pressler, Post Office Box 2180, Houston, Tex.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.

A. Allen I. Pretzman, 150 East Broad Street, Columbus, Ohio.
B. Scioto-Sandusky Conservancy District, 150 East Broad Street, Columbus, Ohio.
D. (6) $120. E. (9) $7.30.

A. Harry E. Proctor, 319 Investment Building, Washington, D. C.
B. National Association of Mutual Savings Banks, 60 East 42d Street, New York, N. Y.
D. (6) $135. E. (9) $4.80.

A. Public Information Committee of the Cotton Industries, 304 Empire Bank Building, Dallas, Tex.

A. Purcell & Nelson, 910 17th Street NW., Washington, D. C.
B. Detroit Bakery Employers' Council, 2901 Grand River Avenue, Detroit, Mich.
E. (9) $30.27.

A. Purcell & Nelson, 910 17th Street NW., Washington, D. C.
B. Government Development Bank of Puerto Rico.
E. (9) $57.32.

A. Ganson Purcell, 910 17th Street NW., Washington, D. C.
B. Insular Lumber Co., 1406 Locust Street, Philadelphia, Pa.
E. (9) $1.50.

A. Alexander Purdon, 1000 Connecticut Avenue NW., Washington, D. C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue NW., Washington, D. C.
D. (6) $937.50. E. (9) $275.84.

A. C. J. Putt, 920 Jackson Street, Topeka, Kans.
B. The Atchison, Topeka, and Santa Fe Railway Co., 920 Jackson Street, Topeka, Kans.
E. (9) $191.55.

A. Luke C. Quinn, Jr., Room 607, 1001 Connecticut Avenue NW., Washington, D. C.
B. American Cancer Society, Arthritis & Rheumatism Foundation, United Cerebral Palsy Associations, National Multiple Sclerosis Society, New York, N. Y., National Committee for Research in Neurological Disorders, Association of American Medical Colleges, Rochester Portland Cement Corp., Rochester, N. Y.
D. (6) $13,249.99. E. (9) $6,483.39.

A. Alex Radin, 1025 Connecticut Avenue NW., Washington, D. C.
B. American Public Power Association, 1025 Connecticut Avenue NW., Washington, D. C.
D. (6) $181.72.

A. Edward F. Ragland, 6917 Marbury Road, Bethesda, Md.
B. The Tobacco Institute, Inc., 1017 Barr Building, 910 17th Street NW., Washington, D. C.
D. (6) $400. E. (9) $9.10.

A. Railroad Pension Conference, Postoffice Box 798, New Haven, Conn.
D. (6) $25. E. (9) $34.26.

A. Railway Labor Executives' Association, 401 Third Street NW., Washington, D. C.

A. Alan T. Rains, 777 14th Street NW., Washington, D. C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D. C.

A. Donald J. Ramsey, 1612 I Street NW., Washington, D. C.
B. Silver Users Asssociation, 1612 I Street NW., Washington, D. C.
D. (6) $425. E. (9) $135.75.

A. H. B. Raskin, 5555 South Everett Avenue, Chicago, Ill.
B. Chicago Mercantile Exchange, Chicago, Ill.
D. (6) $2,250. E. (9) $794.89.

A. Thomas M. Raysor, 1366 National Press Building, Washington, D. C.

A. Joseph H. Ream, 1735 De Sales Street NW., Washington, D. C.
B. Columbia Broadcasting System, Inc., 485 Madison Avenue, New York, N. Y.
E. (9) $50.71.

A. Stanley Rector, Hotel Washington, Suite 506, Washington, D. C.
B. Unemployment Benefit Advisors, Inc.
D. (6) $1,000.

A. William T. Reed, 5800 Connecticut Avenue, Chevy Chase, Md.
B. Standard Oil Co., 910 South Michigan Avenue, Chicago, Ill.
D. (6) $1,500. E. (9) $325.

A. J. B. Reeves, Atchison, Topeka & Santa Fe General Office Building, 9th and Jackson, Topeka, Kans.
B. Atchison, Topeka & Santa Fe Railway Co., 9th and Jackson, Topeka, Kans.
E. (9) $422.38.

A. Regular Common Carrier Conference of American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $2,444.29. E. (9) $2,444.29.

A. Herbert S. Reid, 466 Lexington Avenue, New York, N. Y.
B. Associated Railroads of New York State, 466 Lexington Avenue, New York, N. Y.
E. (9) $601.90.

A. James Francis Reilly, 1625 K Street NW., Washington, D. C.
B. Potomac Electric Power Co., 929 E Street NW., Washington, D. C.
D. (6) $8,000. E. (9) $125.

A. Louis H. Renfrow, 1000 Connecticut Avenue, Washington, D. C.
D. (6) $5,833.33. E. (9) $11,597.90.

A. Retirement Federation of Civil Service Employees of the United States Government, 900 F Street NW., Washington, D. C.
D. (6) $19,061.25. E. (9) $12,174.72.

A. Retired Officers Association, 1616 I Street NW., Washington, D. C.
D. (6) $44,762.48.

A. Reserve Officers Association of the United States, 2517 Connecticut Avenue NW., Washington, D. C.

A. Theron Jennings Rice, 1615 H Street NW., Washington, D. C.
B. Chamber of Commerce of the United States of America.

A. Edward McGee Rider, 545 Munsey Building, Washington, D. C.
B. National Association of Margarine Manufacturers.

A. Siert F. Riepma, 545 Munsey Building, Washington, D. C.
B. National Association of Margarine Manufacturers.

A. C. E. Rightor, 3300 Rolling Road, Chevy Chase, Md.
B. Committee for Study of Revenue Bond Financing, 149 Broadway, New York, N. Y.
D. (6) $1,083.34. E. (9) $1,429.

A. John J. Riley, 1128 16th Street NW., Washington, D. C.
B. American Bottlers of Carbonated Beverages.

A. John J. Riley, 20th and E Streets NW., Washington, D. C.
B. The Associated General Contractors of America, Inc., 20th and E Streets NW., Washington, D. C.

A. E. W. Rising, 328 Pennsylvania Avenue SE., Washington, D. C.
B. Western Sugar Beet Growers Association, Post Office Box 742, Great Falls, Mont.
D. (6) $300. E. (9) $489.26.

A. Paul H. Robbins, 2029 K Street NW., Washington, D. C.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D. C.
D. (6) $250.

A. Frank L. Roberts, 1700 K Street NW., Washington, D. C.
B. Chrysler Corp., 341 Massachusetts Avenue, Detroit, Mich.
D. (6) $250. E. (9) $100.

A. Roberts Dairy Co., 4469 Farnam Street, Omaha, Nebr.
E. (9) $850.

A. Charles A. Robinson, Jr., 2000 Florida Avenue NW., Washington, D. C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.
D. (6) $80.25.

A. Rochester Portland Cement Corp., 361 Boxart Street, Rochester, N. Y.
E. (9) $2,500.

A. Edward O. Rodgers, 1000 Connecticut Avenue NW., Washington, D. C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D. C.
D. (6) $950. E. (9) $48.50.

A. Frank W. Rogers, Suite 801, 1701 K Street NW., Washington, D. C.
B. Western Oil and Gas Association, 609 South Grand Avenue, Los Angeles, Calif.
D. (6) $4,213.50.

A. Watson Rogers, 1916 M Street NW., Washington, D. C.
B. National Food Brokers Association, 1916 M Street NW., Washington, D. C.
D. (6) $1,000.

A. George B. Roscoe, 1200 18th Street NW., Washington, D. C.
B. National Electrical Contractors Association, 1200 18th Street NW., Washington, D. C.

A. Maurice Rosenblatt, 211 Wyatt Building, Washington, D. C.
B. National Counsel Associates, 211 Wyatt Building, Washington, D. C.
D. (6) $1,300.

A. Royall, Koegel, Harris & Caskey, Wire Building, Washington, D. C.
B. National Tax Equality Association, 231 South La Salle Street, Chicago, Ill.
D. (6) $3,115.06. E. (9) $2,460.99.

A. Robert M. Ruddick, 738 Shoreham Building, Washington, D. C.
B. United Air Lines, 5959 South Cicero Avenue, Chicago, Ill.

A. John Forney Rudy, 902 Ring Building, Washington, D. C.
B. The Goodyear Tire & Rubber Co., Akron, Ohio.

A. Albert R. Russell, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $630. E. (9) $145.37.

A. Horace Russell, 221 North La Salle Street, Chicago, Ill.
B. United States Savings and Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $481.25. E. (9) $126.79.

A. M. O. Ryan, 777 14th Street NW., Washington, D. C.
B. American Hotel Association, 221 W. 57th Street, New York, N. Y.
D. (6) $500. E. (9) $348.05.

A. William H. Ryan, Room 303, 1029 Vermont Avenue NW., Washington, D. C.
B. District Lodge No. 44, International Association of Machinists, Room 303, 1029 Vermont Avenue NW., Washington, D. C.
D. (6) $2,988.18. E. (9) $60.

A. Robert A. Saltzstein, 508 Wyatt Building, Washington, D. C.
B. Associated Business Publications, 205 East 42d Street, New York, N. Y.
D. (6) $3,000. E. (9) $395.52.

A. Robert A. Saltzstein, 508 Wyatt Building, Washington, D. C.
B. Smaller Magazines Postal Committee, Post Office Box 975, New Canaan, Conn.
D. (6) $1,000. E. (9) $30.73.

A. Kimball Sanborn, 4000 Massachusetts Avenue NW., Washington, D. C.
B. Boston & Maine Railroad, Boston, Mass.
D. (6) $1,166.66. E. (9) $1,231.40.

A. L. R. Sanford, 21 West Street, New York, N. Y.
B. Shipbuilders Council of America, 21 West Street, New York, N. Y.

A. Harrison Sasscer, 1201 16th Street NW., Washington, D. C.
B. Division of Legislation and Federal Relations of the National Education Association of the United States, 1201 16th Street NW., Washington, D. C.
D. (6) $161.40.

A. Satterlee, Warfield & Stephens, 460 Park Avenue, New York, N. Y.
B. American Nurses' Association, 2 Park Avenue, New York, N. Y.
D. (6) $350. E. (9) $45.29.

A. O. H. Saunders, 1616 I Street NW., Washington, D. C.
B. Retired Officers Association, 1616 I Street NW., Washington, D. C.
D. (6) $1,350.

A. Schoene & Kramer, 1625 K Street NW., Washington, D. C.
B. Railway Labor Executives' Association, 401 Third Street NW., Washington, D. C.

A. Ed D. Schorr, 33 North High Street, Columbus, Ohio.
B. The Ohio Coal Association, 209 Hoge Building, St. Clairsville, Ohio.

A. C. E. Schwab, Box 29, Kellogg, Idaho.
B. Emergency Lead-Zinc Committee, Room 1102, Ring Building, Washington, D. C.
D. (6) $3,730. E. (9) $5,730.

A. J. A. Schwab, 1223 Pennsylvania Building, Washington, D. C.
B. The Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. Seaboard & Western Airlines, Inc., 80 Broad Street, New York, N. Y.
E. (9) $280.

A. Durward Seals, 777 14th Street NW., Washington, D. C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D. C.

A. Hollis M. Seavey, 532 Shoreham Building, Washington, D. C.
B. Clear Channel Broadcasting Service (CCBS), 532 Shoreham Building, Washington, D. C.

A. Harry See, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Railroad Trainmen.
E. (9) $18.45.

A. Fred G. Seig, 944 Transportation Building, Washington, D. C.
B. Association of American Railroads, Transportation Building, Washington, D. C.

A. Leo Seybold, 1000 Connecticut Avenue NW., Washington, D. C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D. C.
D. (6) $1,125. E. (9) $53.

A. Alvin Shapiro, 1701 K Street NW., Washington, D. C.
B. American Merchant Marine Institute, Inc., 1701 K Street NW., Washington, D. C., and 11 Broadway, New York, N. Y.
D. (6) $1,500. E. (9) $189.01.

A. Sharp & Bogan, 1108 16th Street NW., Washington, D. C.
B. Imported Hardwood Plywood Association, Inc., San Francisco, Calif.; Plywood Group, National Council of American Importers, New York, N. Y.; and American Association of Hardwood Plywood Users, Washington, D. C.
D. (6) $2,000. E. (9) $3,750.26.

A. Sharp & Bogan, 1108 16th Street NW., Washington, D. C.
B. Scandinavian Fur Farm Organizations.
D. (6) $500.

A. James R. Sharp, 1108 16th Street NW., Washington, D. C.
B. Imported Hardwood Plywood Association, Inc., San Francisco, Calif.; Plywood Group, National Council of American Importers, New York, N. Y.; and American Association of Hardwood Plywood Users, Washington, D. C.

A. James R. Sharp, 1108 16th Street NW., Washington, D. C.
B. Scandinavian Fur Farm Organizations.

A. A. Manning Shaw, 1625 I Street NW., Washington, D. C.
B. Brown & Lund, 1625 I Street NW., Washington, D. C.
D. (6) $759.05.

A. Leander I. Shelley, 608 Fifth Avenue, New York, N. Y.
B. American Association of Port Authorities, Inc., Washington, D. C., and Airport Operators Council, Inc., Washington, D. C.
D. (6) $1,249.98. E. (9) $1,178.19.

A. Bruce E. Shepherd, 488 Madison Avenue, New York, N. Y.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.
D. (6) $150.

A. Laurence P. Sherfy, 1102 Ring Building, Washington, D. C.
B. American Mining Congress, Ring Building, Washington, D. C.
D. (6) $750.

A. Richard C. Shipman, 1575 Sherman Street, Denver, Colo.
B. The Farmers' Educational and Cooperative Union of America (National Farmers Union), 1404 New York Avenue NW., Washington, D. C.
D. (6) $645.60.

A. Robert L. Shortle, 801 International Building, New Orleans, La.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.
D. (6) $2,958.33. E. (9) $438.37.

A. Charles B. Shuman, Merchandise Mart Plaza, Chicago, Ill.
B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
D. (6) $625.

A. Silver Users Association, 1612 I Street NW., Washington, D. C.
E. (9) $779.81.

A. Leonard L. Silverstein, 1100 Bowen Building, Washington, D. C.
B. National Association of Women's and Children's Apparel Salesmen, Inc., Atlanta, Ga.

A. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.
D. (6) $7,000. E. (9) $4,176.99.

A. Stephen Slipher, 812 Pennsylvania Building, Washington, D. C.
B. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $1,687.50. E. (9) $57.10.

A. Elizabeth A. Smart, 144 Constitution Avenue NE., Washington, D. C.
B. National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.
D. (6) $606.12. E. (9) $162.04.

A. T. W. Smiley, Room 807, 135 East 11th Place, Chicago, Ill.
B. Illinois Railroad Association, Room 1526, 33 South Clark Street, Chicago, Ill.
E. (9) $986.48.

A. Fred Smith & Co., Inc., 588 Fifth Avenue, New York, N. Y.
B. Edward Mallinckrodt, 16 Westmoreland Place, St. Louis, Mo.
D. (6) $9,203.34.

A. Harold Arden Smith, 605 West Olympic Boulevard, Los Angeles, Calif.
B. Standard Oil Company of California, 225 Bush Street, San Francisco, Calif.
D. (6) $225. E. (9) $30.

A. James R. Smith, 719 Omaha National Bank Building, Omaha, Nebr.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.
D. (6) $3,750.

A. Lloyd W. Smith, 416 Shoreham Building, Washington, D. C.
B. Chicago, Burlington & Quincy Railroad Co., 547 West Jackson Boulevard, Chicago, Ill., and Great Northern Railway Co., 175 East Fourth Street, St. Paul, Minn.
D. (6) $4,257.

A. Wallace M. Smith, 425 13th Street NW., Washington, D. C.
B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.

A. Lyle O. Snader, 944 Transportation Building, Washington, D. C.
B. Association of American Railroads, Transportation Building, Washington, D. C.
D. (6) $713.48. E. (9) $639.68.

A. Edward F. Snyder, 104 C Street NE., Washington, D. C.
B. Friends Committee on National Legislation, 104 C Street NE., Washington, D. C.
D. (6) $1,282.02. E. (9) $3.06.

A. J. D. Snyder, Room 1150, La Salle Hotel, Chicago, Ill.
B. Illinois Railroad Association, Room 1526, 33 South Clark Street, Chicago, Ill.
D. (6) $825.

A. Society for Animal Protective Legislation, Room 812, 745 Fifth Avenue, New York, N. Y.
D. (6) $2,137.50. E. (9) $2,185.75.

A. Marvin J. Sonosky, 1028 Connecticut Avenue NW., Washington, D. C.

A. J. Taylor Soop, 401 Third Street NW., Washington, D. C.
B. International Brotherhood of Electrical Workers, 330 South Wells Street, Chicago, Ill.
D. (6) $1,187.25.

A. Southern States Industrial Council, 1103 Stahlman Building, Nashville, Tenn.
D. (6) $15,726.64. E. (9) $24,316.88.

A. W. W. Spear, Fremont, Nebr.
B. Standard Oil Co., 910 South Michigan Avenue, Chicago, Ill.
D. (6) $900. E. (9) $408.40.

A. Lyndon Spencer, 305 Rockefeller Building, Cleveland, Ohio.
B. Lake Carriers' Association, 305 Rockefeller Building, Cleveland, Ohio.

A. Howard M. Starling, 837 Washington Building, Washington, D. C.
B. Association of Casualty & Surety Companies, 60 John Street, New York, N. Y.
D. (6) $150. E. (9) $6.50.

A. Mrs. C. A. L. Stephens, Post Office Box 6234, Northwest Station, Washington, D. C.

A. Russell M. Stephens, 900 F Street NW., Washington, D. C.
B. American Federation of Technical Engineers, 900 F Street NW., Washington, D. C.
D. (6) $240. E. (9) $20.

A. Herman Sternstein, 1001 Connecticut Avenue NW., Washington, D. C.
B. O. David Zimring, 1001 Connecticut Avenue NW., Washington, D. C.

A. B. H. Steuerwald, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Railroad Signalmen of America, 503 Wellington Avenue, Chicago, Ill.

A. Stevenson, Paul, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. Ampex Corp., Redwood City, Calif.

A. Stevenson, Paul, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. N. R. Caine and Co., 40 Exchange Place, New York, N. Y.
E. (9) $21.85.

A. Stevenson, Paul, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. Howard F. Knipp, 3401 South Hanover Street, Baltimore, Md.
E. (9) $14.04.

A. Stevenson, Paul, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. National Committee for Insurance Taxation, The Hay-Adams House, Washington, D. C.
E. (9) $65.57.

A. Charles T. Stewart, 1300 Connecticut Avenue NW., Washington, D. C.
B. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill.
D. (6) $1,500.

A. Erskine Stewart, 1028 Connecticut Avenue NW., Washington, D. C.
B. National Council on Business Mail, Inc., 1028 Connecticut Avenue NW., Washington, D. C.
E. (9) $62.86.

A. Edwin L. Stoll, 1300 Connecticut Avenue NW., Washington, D. C.
B. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill.
D. (6) $1,125.

A. Joseph M. Stone, 821 15th Street NW., Washington, D. C.
B. Local 1, AFSCME, AFL–CIO, 333 National Press Building, Washington, D. C.

A. W. S. Story, 1729 H Street NW., Washington, D. C.
B. Institute of Scrap Iron & Steel, Inc., 1729 H Street NW., Washington, D. C.
D. (6) $300. E. (9) $1.25.

A. Sterling F. Stoudenmire, Jr., 61 St. Joseph Street, Mobile, Ala.
B. Waterman Steamship Corp., 61 St. Joseph Street, Mobile, Ala.
D. (6) $1,250.

A. Francis W. Stover, 610 Wire Building, 1000 Vermont Avenue NW., Washington, D. C.
B. Veterans of Foreign Wars of the United States.
E. (9) $55.20.

A. O. R. Strackbein, 815 15th Street NW., Washington, D. C.
B. America's Wage Earners Protective Conference, 815 15th Street NW., Washington, D. C.
D. (6) $1,615.38.

A. O. R. Strackbein, 815 15th Street NW., Washington, D. C.
B. International Printing Trades Association, Box 728, Indianapolis, Ind.
D. (6) $625.

A. O. R. Strackbein, 815 15th Street NW., Washington, D. C.
B. Nation-Wide Committee of Industry, Agriculture, and Labor on Import-Export Policy, 815 15th Street NW., Washington, D. C.
D. (6) $5,416.66.

A. William A. Stringfellow, 6004 Roosevelt Street, Bethesda, Md.
B. National Association of Mutual Insurance Agents, 829 Investment Building, Washington, D. C.
E. (9) $9.

A. Norman Strunk, 221 North La Salle Street, Chicago, Ill.
B. United States Savings and Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $950. E. (9) $213.06.

A. William L. Sturdevant, Jr., 8300 Burdette Road, Bethesda, Md.
B. National Counsel Associates, 211 Wyatt Building, Washington, D. C.
D. (6) $1,300.

A. J. E. Sturrock, Box 2084, Capitol Station, Austin, Tex.
B. Texas Water Conservation Association, Box 2084, Capitol Station, Austin, Tex.
D. (6) $1,800. E. (9) $121.84.

A. Frank L. Sundstrom, 350 Fifth Avenue, New York, N. Y.
B. Schenley Industries, Inc., 350 Fifth Avenue, New York City.

A. Joseph C. Swidler, 415 Nashville Trust Building, Nashville, Tenn.
B. Tennessee Valley Public Power Association, Power Building, Chattanooga, Tenn.
D. (6) $800. E. (9) $373.54.

A. Charles P. Taft, 1025 Connecticut Avenue NW., Washington, D. C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D. C.
D. (6) $730. E. (9) $145.74.

A. Glenn J. Talbott.
B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1404 New York Avenue NW., Washington, D. C., and 1575 Sherman Street, Denver, Colo.

A. Edward D. Taylor, 777 14th Street NW., Washington, D. C.
B. Office Equipment Manufacturers Institute (OEMI), 777 14th Street NW., Washington, D. C.

A. Temporary Committee on Taxation of Mutual Life Insurance Companies, Mutual of New York, 1740 Broadway, New York City, N. Y.
D. (6) $64,600. E. (9) $2,041.31.

A. Texas Water Conservation Association, Box 2084, Capitol Station, Austin, Tex.
D. (6) $11,275. E. (9) $4,796.69.

A. Oliver A. Thomas, 125 North Center Street, Reno, Nev.
B. Nevada Railroad Association, 125 North Center Street, Reno, Nev.
D. (6) $350. E. (9) $635.51.

A. William B. Thompson, Jr., 944 Transportation Building, Washington, D. C.
B. Association of American Railroads, Transportation Building, Washington, D. C.
D. (6) $180.04. E. (9) $112.20.

A. Eugene M. Thore, 1701 K Street NW., Washington, D. C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.
D. (6) $2,505. E. (9) $34.41.

A. G. D. Tilghman, 1604 K Street NW., Washington, D. C.
B. Disabled Officers Association, 1604 K Street NW., Washington, D. C.
D. (6) $3,750.

A. William H. Tinney, 1223 Pennsylvania Building, Washington, D. C.
B. Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. M. S. Tisdale, 2355 Alameda Street, Vallejo, Calif.
D. (6) $295. E. (9) $337.76.

A. Tobacco Associates, Inc., 1025 Connecticut Avenue NW., Washington, D. C.
E. (9) $537.

A. H. Willis Tobler, 1731 I Street NW., Washington, D. C.
B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
D. (6) $300. E. (9) $243.17.

A. John H. Todd, 1085 Shrine Building, Memphis, Tenn.
B. National Cotton Compress and Cotton Warehouse Association, 1085 Shrine Building, Memphis, Tenn.

A. F. Gerald Toye, 777 14th Street NW., Washington, D. C.
B. General Electric Co., 570 Lexington Avenue, New York, N. Y.
D. (6) $1,000. E. (9) $108.16.

A. Transportation Association of America, 6 North Michigan Avenue, Chicago, Ill.

A. Richard S. Tribbe, 1508 Merchants Bank Building, Indianapolis, Ind.
B. Associated Railways of Indiana, 1508 Merchants Bank Building, Indianapolis, Ind.

A. Matt Triggs, 425 13th Street NW., Washington, D. C.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $1,537.50. E. (9) $63.64.

A. Glenwood S. Troop, Jr., 812 Pennsylvania Building, Washington, D. C.
B. United States Savings and Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $875. E. (9) $45.

A. Paul T. Truitt, 1700 K Street NW., Washington, D. C.
B. National Plant Food Institute, 1700 K Street NW., Washington, D. C.
E. (9) $47.22.

A. J. T. Trullinger, National Bank of Commerce Building, Olympia, Wash.
B. General Petroleum Corp., 612 South Flower Street, Los Angeles, Calif.; Richfield Oil Co., 555 South Flower Street, Los Angeles, Calif.; Shell Oil Co., Shell Building, San Francisco, Calif.; Standard Oil Company of California, 225 Bush Street, San Francisco, Calif.; Tidewater Oil Co., 79 New Montgomery Street, San Francisco, Calif.; Union Oil Company of California, 617 West Seventh Street, Los Angeles, Calif.

A. Stanley R. Tupper, 154 State Street, Augusta, Maine.
B. Boston & Maine Railroad, North Station, Boston, Mass.
D. (6) $750. E. (9) $23.77.

A. Harold J. Turner, Henry Building, Portland, Oreg.
B. Spokane, Portland & Seattle Railway Co., Southern Pacific Co., and Union Pacific Railroad Co., Henry Building, Portland, Oreg.

A. William S. Tyson, 821 15th Street NW., Washington, D. C.
B. Local No. 30, Canal Zone Pilots, Post Office Box 601, Balboa, C. Z.
E. (9) $131.04.

A. Lewis H. Ulman, 1001 Connecticut Avenue NW., Washington, D. C., and 195 Broadway, New York, N. Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N. Y.
D. (6) $2,250.

A. Union Producing Co. and United Gas Pipe Line Co., 1525 Fairfield Avenue, Shreveport, La.

A. United States Citizens' Association, Box 354, Balboa, C. Z.
D. (6) $1,626.40. E. (9) $10.77.

A. United States Gypsum Co., 300 West Adams Street, Chicago, Ill.
E. (9) $5,330.95.

A. United States Savings and Loan League, 221 North La Salle Street, Chicago, Ill.
E. (9) $15,053.75.

A. The United States Trotting Association, 1349 East Broad Street, Columbus, Ohio.
D. (6) $181,285.92. E. (9) $13,179.80.

A. George J. VanLink, 323 South Main, Columbia, Ill.
B. International Brotherhood of Firemen and Oilers, 100 Indiana Avenue NW., Washington, D. C.
D. (6) $976.

A. L. T. Vice, Suite 1204, 1700 K Street NW., Washington, D. C.
B. Standard Oil Company of California, Suite 1204, 1700 K Street NW., Washington, D. C.
D. (6) $280. E. (9) $93.66.

A. R. K. Vinson, 1346 Connecticut Avenue NW., Washington, D. C.
B. Machinery Dealers National Association, 1346 Connecticut Avenue NW., Washington, D. C.

A. Carl M. Walker, 1731 I Street NW., Washington, D. C.
B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
D. (6) $50. E. (9) $148.85.

A. Paul H. Walker, 1701 K Street NW., Washington, D. C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.
D. (6) $385. E. (9) $3.14.

A. Stephen M. Walter, 1200 18th Street NW., Washington, D. C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.

A. Thomas G. Walters, 100 Indiana Avenue NW., Washington, D. C.
B. Government Employees' Council, AFL–CIO, 100 Indiana Avenue NW., Washington, D. C.
D. (6) $3,000.

A. Washington Board of Trade, 1616 K Street NW., Washington, D. C.

A. Washington Home Rule Committee, Inc., 924 14th Street NW., Washington, D. C.
D. (6) $153.31. E. (9) $1,530.39.

A. Vincent T. Wasilewski, 1771 N Street NW., Washington, D. C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D. C.

A. Jeremiah C. Waterman, 165 Broadway, New York, N. Y.
B. Southern Pacific Co., 165 Broadway, New York, N. Y.
D. (6) $952. E. (9) $225.04.

A. Waterways Council Opposed to Regulation Extension, Room 1610, 21 West Street, New York, N. Y.
D. (6) $13,490. E. (9) $563.44.

A. J. R. Watson, Room No. 1, ICRR Passenger Station, Jackson, Miss.
B. Mississippi Railroad Association, Room No. 1, ICRR Passenger Station, Jackson, Miss.
E. (9) $1,269.52.

A. Watters & Donovan, 161 William Street, New York, N. Y.
B. New York & New Jersey Dry Dock Association, 161 William Street, New York, N. Y.
D. (6) $3,750.

A. William H. Webb, 1028 Connecticut Avenue NW., Washington, D. C.
B. National Rivers and Harbors Congress, 1028 Connecticut Avenue NW., Washington, D. C.
D. (6) $1,880.40. E. (9) $375.65.

A. Donald D. Webster, Room 233, Barr Building, Washington, D. C.
B. American Steamship Committee on Conference Studies, Room 233, Barr Building, Washington, D. C.
E. (9) $2,060.40.

A. E. E. Webster, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $2,450.

A. William E. Welsh, 897 National Press Building, Washington, D. C.
B. National Reclamation Association, 897 National Press Building, Washington, D. C.
D. (6) $3,750. E. (9) $69.10.

A. West Coast Inland Navigation District, Court House, Bradenton, Fla.
E. (9) $621.

A. Joseph T. West, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Locomotive Firemen and Enginemen, 318 Keith Building, Cleveland, Ohio.
D. (6) $540.

A. Western Cotton Growers Association of California, 2201 F Street, Bakersfield, Calif.
D. (6) $144.22. E. (9) $8,924.55.

A. George Y. Wheeler, II, 1625 K Street NW., Washington, D. C.
B. Radio Corporation of America, 1625 K Street NW., Washington, D. C.

A. Wherry Housing Association, 1737 H Street NW., Washington, D. C.
D. (6) $50,988. E. (9) $9,053.06.

A. Carroll M. White, 737 Warner Building, Washington, D. C.
B. Special Industrial Radio Service Association, 737 Warner Building, Washington, D. C.

A. Don White, Box 337, Fairfax, Va.
B. National Audio-Visual Association, Inc., Box 337, Fairfax, Va.
D. (6) $3,250. E. (9) $1,118.65.

A. J. M. White.
B. Railroads in North Carolina.

A. Richard P. White, 635 Southern Building, Washington, D. C.
B. American Association of Nurserymen, 635 Southern Building, Washington, D. C.
D. (6) $3,750. E. (9) $112.44.

A. Whiteford, Hart, Carmody & Wilson, 815 15th Street NW., Washington, D. C.
D. (6) $1,249.98.

A. H. Leigh Whitelaw, 80 East 42d Street, New York, N. Y.
B. Gas Appliance Manufacturers Association, Inc., 80 East 42d Street, New York, N. Y.

A. Louis E. Whyte, 918 16th Street NW., Washington, D. C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D. C.

A. Warren E. Whyte, 535 North Dearborn Street, Chicago, Ill.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,218. E. (9) $91.44.

A. Claude C. Wild, Jr., 1625 K Street NW., Washington, D. C.
B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.
D. (6) $450. E. (9) $50.

A. John Willard, Box 1172, Helena, Mont.
B. Montana Railroad Association, Helena, Mont.

A. Franz O. Willenbucher, 1616 I Street NW., Washington, D. C.
B. Retired Officers Association, 1616 I Street NW., Washington, D. C.
D. (6) $2,250.

A. Edward Brown Williams, 411 Washington Building, Washington, D. C.
B. United Fresh Fruit & Vegetable Association, the Wyatt Building, Washington, D. C.
D. (6) $2,600.

A. John C. Williamson, 1300 Connecticut Avenue NW., Washington, D. C.
B. National Association of Real Estate Boards, 1300 Connecticut Avenue NW., Washington, D. C.
D. (6) $3,200. E. (9) $477.29.

A. Kenneth Williamson, 17th and Pennsylvania Avenue NW., Washington, D. C.
B. American Hospital Association, 18 East Division Street, Chicago, Ill.
D. (6) $2,568.87. E. (9) $404.83.

A. John J. Wilson, 815 15th Street NW., Washington, D. C.
B. Whiteford, Hart, Carmody & Wilson, 815 15th Street NW., Washington, D. C.
D. (6) $1,249.98.

A. W. E. Wilson, 1525 Fairfield Avenue, Shreveport, La.
B. Union Producing Co., 1525 Fairfield Avenue, Shreveport, La., and United Gas Pipe Line Co., 1525 Fairfield Avenue, Shreveport, La.

A. W. F. Wimberly, 873 Spring Street NW., Atlanta, Ga.
B. The Pure Oil Co., 35 East Wacker Drive, Chicago, Ill.

A. Everett T. Winter, 1978 Railway Exchange Building, St. Louis, Mo.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.
D. (6) $4,125.

A. Theodore Wiprud, 1718 M Street NW., Washington, D. C.
B. Medical Society of the District of Columbia, 1718 M Street NW., Washington, D. C.

A. Frank G. Wollney, 59 East Madison Street, Chicago, Ill.
B. Institute of American Poultry Industries, 59 East Madison Street, Chicago, Ill.
D. (6) $290. E. (9) $119.84.

A. Wood, King & Dawson, 48 Wall Street, New York, N. Y.
B. Committee for Broadening Commercial Bank Participation in Public Financing, 50 South La Salle Street, Chicago, Ill.

A. Harley Z. Wooden.
B. The Council for Exceptional Children, 1201 16th Street NW., Washington, D. C.
D. (6) $55.

A. Walter F. Woodul, 1828 Bank of the Southwest Building, Houston, Tex.
B. Angelina & Neches River Railroad Co., Keltys, Tex., et al.
D. (6) $6,350.95. E. (9) $1,093.77.

A. Walter F. Woodul, 1828 Bank of Southwest Building, Houston, Tex.
B. Humble Oil & Refining Co., Houston, Tex.
D. (6) $1,287.63. E. (9) $1,091.61.

A. Frank K. Woolley, 425 13th Street NW., Washington, D. C.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $1,662.50. E. (9) $72.06.

A. Edward W. Wootton, 1100 National Press Building, Washington, D. C.
B. Wine Institute, 717 Market Street, San Francisco, Calif.

A. Donald A. Young, 1615 H Street NW., Washington, D. C.
B. Chamber of Commerce of the U. S. A.

A. J. Banks Young, Room 502, 1200 18th Street NW., Washington, D. C.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $1,890.

A. O. David Zimring, 11 South La Salle Street, Chicago, Ill., and 1001 Connecticut Avenue NW., Washington, D. C.
B. Amalgamated Association of Street, Electric Railway & Motor Coach Employees of America, AFL–CIO.

REGISTRATIONS

The following registrations were submitted for the period from July 21, 1958, to October 20, 1958, inclusive.

(NOTE.—The form used for registration is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE TWO COPIES WITH THE SECRETARY OF THE SENATE AND FILE THREE COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19_____

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:
(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)
(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".
(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:
(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.
(ii) Employes subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:
1. State name, address, and nature of business.

2. If this Report is for an Employer, list names or agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (a) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (b) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(a) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).
(b) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).
(c) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (a) Short titles of statutes and bills; (b) House and Senate numbers of bills, where known; (c) citations of statutes, where known; (d) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (a) Description, (b) quantity distributed; (c) date of distribution, (d) name of printer or publisher (if publications were paid for by person filing) or name of donor if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.

AFFIDAVIT

[Omitted in printing]

PAGE 1

A. American Steamship Committee on Conference Studies, Room 233, Barr Building, Washington, D. C.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D. C.
B. Yuba Consolidated Industries, San Francisco, Calif.

A. Marcia Musicant Bernstein, 1564 Mount Eagle Place, Alexandria, Va.
B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D. C.

A. Gerhard D. Bleicken, 1740 Broadway, New York City, N. Y.

A. Alfred J. Bohlinger, 122 East 42d Street, New York, N. Y.
B. National Association of Manufacturers, 2 East 48th Street, New York, N. Y.

A. T. A. Bradshaw, 1740 Broadway, New York City, N. Y.

A. A. C. Cocke, 821 Gravier Street, New Orleans, La.
B. American Steamship Committee on Conference Studies, Room 233, Barr Building, Washington, D. C.

A. Covington & Burling, 701 Union Trust Building, Washington, D. C.
B. Ohio Deposit Guarantee Fund, 1303 Fifth Third Bank Building, Cincinnati, Ohio.

A. Robert W. Coyne, 1501 Broadway, New York City.
B. Commissioner of Baseball, 30 Rockefeller Plaza, New York, N. Y.

A. H. C. Crotty, 12050 Woodward Avenue, Detroit, Mich.

A. Louis W. Dawson, 1740 Broadway, New York City, N. Y.

A. John H. Dougherty, Warner Building, Washington, D. C.

A. Richard J. Hallinan, 20 Exchange Place, New York, N. Y.
B. Shearman & Sterling & Wright, 20 Exchange Place, New York, N. Y.

A. Noel Hemmendinger, 1000 Connecticut Avenue, Washington, D. C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue, Washington, D. C.

A. Edwin W. Kaler, 547 Washington Building, Washington, D. C.
B. Waterman Steamship Corporation, 61 St. Joseph Street, Mobile, Ala.

A. Joseph A. Klausner, 310 Washington Building, Washington, D. C.

A. Alan Latman, 210 East 38th Street, New York, N. Y.
B. National Committee for Effective Design Legislation, Suite 2501, 122 East 42d Street, New York, N. Y.

A. H. B. Luckett, 311 California Street, San Francisco, Calif.
B. American Steamship Committee on Conference Studies, Room 233, Barr Building, Washington, D. C.

A. John E. Lyle, 707 Wilson Tower, Corpus Christi, Tex.
B. Shell Oil Co., 50 West 50th Street, New York, N. Y.

A. William F. McKenna, 535 Lincoln Building, 60 East 42d Street, New York, N. Y.
B. National Association of Mutual Savings Banks, 60 East 42d Street, New York, N. Y.

A. George A. McNulty, 5148 Westminster, St. Louis, Mo.
B. Mrs. Clara Busch Von Gontard Liengme, 1030 Fifth Avenue, New York, N. Y., and Mrs. Consuelo Von Gontad, Huntleigh Village, St. Louis County, Mo.

A. Miller & Chevalier, 1001 Connecticut Avenue, Washington, D. C.
B. Ampex Audio, Inc., Sunnyvale, Calif.

A. National Committee for Effective Design Legislation, Suite 2501, 122 East 42d Street, New York, N. Y.

A. National Institute of Social Welfare, 1031 South Grand Avenue, Los Angeles, Calif.

A. H. Ladd Plumley, 1740 Broadway, New York, N. Y.

A. Luke C. Quinn, Jr., Room 607, 1001 Connecticut Avenue NW., Washington, D. C.
B. Rochester Portland Cement Corp., 361 Boxart Street, Rochester, N. Y.

A. Rochester Portland Cement Corp., 361 Boxart Street, Rochester, N. Y.

A. Selvage & Lee, Inc., 1625 I Street NW., Washington, D. C.
B. Ivanhoe Trading Co., Inc., 274 Madison Avenue, New York, N. Y.

A. Joseph C. Swidler, Nashville Trust Building, Nashville, Tenn.
B. Tennessee Valley Public Power Association, Power Building, Chattanooga, Tenn.

A. Walter G. Voecks, 1740 Broadway, New York City, N. Y.

A. Donald D. Webster, Room 232, 910 17th Street NW., Washington, D. C.
B. American Steamship Committee on Conference Studies, 910 17th Street NW., Washington, D. C.

A. Albert Y. Woodward, 1625 I Street NW., Washington, D. C.
B. The Flying Tiger Line, Inc., Lockheed Air Terminal, Burbank, Calif.

A. Paul D. Yager, 916 Investment Building, Washington, D. C.
B. The Income Fund of Boston, Inc., 294 Washington Street, Boston, Mass.

SENATE

THURSDAY, JANUARY 8, 1959

The Senate met at 10 o'clock a.m.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, Father of all men, who putteth down the mighty from their seats and exalteth the humble and the meek, without whom life has no spiritual source, no meaning above the dust on which we tread, but with whom there is power for the present and hope for the future; in this day of destiny, we seek Thee as our fathers have sought Thee in every generation, when the problems they faced were as frowning heights before their climbing feet. In this high and solemn Chamber of debate and decision, may the great causes that concern Thy human family, the selfless ministries that help to heal the open sores of the world, gain the utter allegiance of our labor and our love, as we march with fearless tread in the gathering armies of friendship whose armor is the shield of Thy truth and whose sword is the invincible might of Thy love, against which all the spears of hate cannot ultimately prevail. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, January 7, 1959, was dispensed with.

CALL OF THE ROLL

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Fulbright	McNamara
Allott	Goldwater	Monroney
Anderson	Gore	Morse
Bartlett	Green	Morton
Beall	Gruening	Moss
Bennett	Hart	Mundt
Bible	Hartke	Murray
Bridges	Hayden	Muskie
Bush	Hennings	O'Mahoney
Butler	Hickenlooper	Pastore
Byrd, Va.	Hill	Prouty
Byrd, W. Va.	Holland	Proxmire
Cannon	Hruska	Randolph
Capehart	Humphrey	Robertson
Carlson	Jackson	Russell
Carroll	Javits	Saltonstall
Case, N.J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Johnston, S.C.	Scott
Chavez	Jordan	Smathers
Church	Keating	Smith
Clark	Kefauver	Sparkman
Cooper	Kennedy	Stennis
Cotton	Kerr	Symington
Curtis	Kuchel	Talmadge
Dirksen	Langer	Thurmond
Dodd	Lausche	Wiley
Douglas	Long	Williams, N.J.
Dworshak	Magnuson	Williams, Del.
Eastland	Mansfield	Yarborough
Ellender	Martin	Young, N. Dak.
Engle	McCarthy	Young, Ohio
Ervin	McClellan	
Frear	McGee	

Mr. MANSFIELD. I announce that the Senator from Oregon [Mr. NEUBERGER] is absent because of illness.

The VICE PRESIDENT. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that a quorum of the House of Representatives had assembled; that Honorable SAM RAYBURN, a Representative from the State of Texas, had been elected Speaker; and Ralph R. Roberts, of Indiana, was elected Clerk of the House of Representatives of the 86th Congress.

AMENDMENT OF THE RULES

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, will the Senator from Texas yield time to me?

Mr. JOHNSON of Texas. I yield to the Senator from Oklahoma.

Mr. MONRONEY. Mr. President, I strongly urge the Members of the Senate to support the motion of the majority leader to proceed to the immediate consideration of the resolution to amend rule XXII.

Mr. JOHNSON of Texas. Mr. President, may we have order?

The VICE PRESIDENT. The Senate will be in order.

Mr. MONRONEY. Mr. President, I urge such support regardless of any Senator's individual views on the specific amendment of rule XXII which is proposed in the resolution.

If the resolution is made the pending business of the Senate, each Senator will be assured an opportunity to propose whatever alternative he wishes, and to have the Senate express its approval or disapproval of such alternative by majority vote. We are assured, by the adoption of this motion, of an immediate opportunity to vote on a more strict rule of cloture.

This has been the objective which some Members have sought to reach by another means, namely, by a motion that the Senate proceed to adopt rules.

I suggest to those Senators who have supported such a motion in the past and those who were prepared to support it at the beginning of this Congress, that this objective—an opportunity to adopt a new cloture rule by majority vote—is achieved just as surely by the adoption of the motion of the majority leader that the Senate proceed to consider amendment of rule XXII.

Not only is our objective served by support of the motion of the majority leader, but we avoid what I sincerely believe are the very grave dangers involved in the motion to consider the entire body of rules. The arguments of past Congresses are compelling that the Senate is a continuing body but I have concluded that this is really a debate over semantics. For most purposes the Senate functions, and must function, as a continuing body for this is inherent in its constitutional place in the American Government. For some purposes where there is joint responsibility with the House the Senate is not continuing, but begins anew at the beginning of each Congress.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. MANSFIELD. I should like to ask the Senator from Oklahoma to yield to me for the purpose of propounding a number of parliamentary inquiries.

Mr. MONRONEY. I yield.

Mr. MANSFIELD. With the understanding, of course, that the Senator from Oklahoma does not lose the floor.

Mr. MONRONEY. I yield with that understanding.

Mr. ANDERSON. Mr. President, may I ask the Senator from Oklahoma by what right he obtained the floor?

Mr. MANSFIELD. My parliamentary inquiry is as follows: I should like to lead up to the inquiry by saying that I am in favor of the Johnson resolution, which I hope will very soon become the pending business. If it does become the pending business, will it be in order to offer a substitute to it in the form of an amendment, to be proposed by the distinguished Senator from Illinois [Mr. DOUGLAS], the distinguished Senator from New York [Mr. JAVITS], the distinguished Senator from New Jersey [Mr. CASE], the distiguished Senator from Minnesota [Mr. HUMPHREY], and other Senators?

The VICE PRESIDENT. The resolution will be open to amendment and substitution by any action the Members of the Senate may desire to take in regard to it.

Mr. MANSFIELD. I would be opposed to such a substitute proposal. However, if it is offered on that basis, then, under the rules of the Senate, we would vote, first, on the Douglas-Javits-Case-Humphrey proposal. Is that correct?

The VICE PRESIDENT. If an amendment or substitute is offered, such amendment or substitute would come before the Senate first.

Mr. MANSFIELD. Therefore the Senate would have a chance to work its will, on a clear-cut division of votes, first on the bipartisan proposal of the Senators from Illinois, Minnesota, New Jersey, and New York. Is that correct?

The VICE PRESIDENT. If the Senate so desires, it may so proceed.

Mr. MANSFIELD. If Senators desire a yea-and-nay vote, all they have to do is to ask for it, and they will receive it. Is that correct?

The VICE PRESIDENT. That is correct.

Mr. MANSFIELD. Referring to the Anderson resolution, which I am also opposing, could that be offered as a substitute or as an amendment to either the Douglas or Johnson resolution?

The VICE PRESIDENT. It could be offered as a substitute.

Mr. MANSFIELD. On that basis, Mr. President, we could come to a clear-cut vote on that issue, if the Senate so desired.

The VICE PRESIDENT. That is correct.

Mr. MANSFIELD. So, according to the responses to the parliamentary inquiries which have been raised, it would be possible to act on the Anderson resolution by a yea-and-nay vote and on the Douglas-Humphrey-Javits-Case resolution on a yea-and-nay vote, before voting on the Johnson proposal, which, although it was offered first, might well be considered last. Is that correct?

The VICE PRESIDENT. Will the Senator restate his parliamentary inquiry?

Mr. MANSFIELD. Does the Chair wish me to restate my inquiry?

The VICE PRESIDENT. Yes.

Mr. MANSFIELD. On the basis of the rulings or the advisory opinions stated by the Chair, it would be possible, by a clear-cut yea-and-nay-vote, to vote on the Anderson proposal, and thereby say that the Senate is or is not a continuing body. If the Anderson proposal is agreed to it will mean that the Senate has the right to make its own rules with the convening of each session. Is that correct?

The VICE PRESIDENT. That question could come before the Senate by a motion to lay aside the resolution of the Senator from Texas [Mr. JOHNSON], and then to propose the Anderson resolution to the Senate.

Mr. MANSFIELD. No; I must beg to differ with the Chair, on the basis of the opinions he has already rendered. The postulate I raised was that if the resolution of the Senator from Texas [Mr. JOHNSON] were made the pending business—because, after all, it was offered first—then would it be possible to offer as a substitute the Douglas-Humphrey-Case of New Jersey-Javits resolution? If my memory serves me correctly, the Chair answered in the affirmative.

My next postulate was that if the resolution proposed to be offered by the Senator from New Mexico [Mr. ANDERSON] were offered, could it be offered as a substitute for or as an amendment to either the Douglas resolution or the Johnson of Texas resolution? Again, I believe the Chair answered in the affirmative.

What I am trying to have made clear is this: There has been talk of hijacking and blackjacking because the majority leader, by reason of his position, was recognized first yesterday and submitted a resolution. As I understand the rulings of the Chair, every Member of the Senate will have a chance to vote yea or nay on the Anderson proposal, on the Douglas proposal, and on the Johnson of Texas proposal. Is that not correct?

The VICE PRESIDENT. The Senator from Montana is correct.

Mr. MANSFIELD. As to all three of the resolutions, we can express our will, we can make our choice known, and we can make the record clear, so far as we as individual Senators are concerned. I thank the Chair.

Mr. ANDERSON. Mr. President, will the Senator from Oklahoma yield for a further parliamentary inquiry?

Mr. MONRONEY. Under the same condition on which I yielded to the assistant Democratic leader, I am happy to yield to the Senator from New Mexico.

Mr. ANDERSON. I wish to ask under what rule the Senator from Oklahoma obtained the floor. Is the Senate operating in the morning hour? Is there any business pending before the Senate?

Mr. MONRONEY. I sought and received recognition from the Chair and was proceeding under that recognition.

Mr. ANDERSON. Then is recognition open to any Senator who may rise?

The VICE PRESIDENT. Yes.

Mr. LAUSCHE. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I am happy to yield.

Mr. LAUSCHE. Having in mind the answers given by the Chair to the Senator from Montana to the effect that the Senate will have the right to pass its judgment on each of the issues raised, I now ask this question: By what number of votes would a measure be carried if the procedure described by the Senator from Montana were carried out? Would it be by a majority vote or a two-thirds vote?

The VICE PRESIDENT. If the Chair correctly understands the question of the Senator from Ohio, the adoption of a motion to lay aside the resolution of the Senator from Texas or the adoption of an amendment to the rules would be by majority vote.

Mr. LAUSCHE. Let us assume that the proposal of the four Senators previously mentioned came before the Senate. Would that proposal have to be carried by a majority vote of the Senators voting, or would its adoption require a two-thirds vote?

The VICE PRESIDENT. It would require a majority vote.

Mr. HUMPHREY. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. Under the same conditions on which I yielded to the assistant majority leader, I am happy to yield to the Senator from Minnesota.

Mr. HUMPHREY. I thank the Senator from Oklahoma.

In reference to the parliamentary inquiries which were made by the distinguished Senator from Montana [Mr. MANSFIELD], I wish to call the attention of the Chair to rule XL of the Senate rules of the 85th Congress, the rules which the Chair has said, at least for the moment, are guiding the operations of the Senate during this particular debate.

Do I understand correctly that the Chair has ruled that any amendment or amendment in the nature of a substitute to Senate Resolution 5, submitted by the majority leader, could be voted upon without the application of the language of rule XL which provides:

> No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order, except on 1 day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended, and the purpose thereof.

The VICE PRESIDENT. An amendment to the resolution submitted by the Senator from Texas [Mr. JOHNSON] would not require 1 day's notice under rule XL. On the other hand, if an entirely new question were presented, it would, in the opinion of the Chair, be bound by the provisions of rule XL.

Mr. HUMPHREY. Does the Chair rule, or is the Chair of the opinion, that an amendment in the nature of a substitute would fall beyond the precise language of rule XL, and that the requirement of the rule would be satisfied by the fact that Senate Resolution 5 has laid over for 1 day?

The VICE PRESIDENT. If the substitute involved matters other than the two rules covered by the resolution submitted by the Senator from Texas, it would be the opinion of the Chair that the provisions of rule XL would apply. On the other hand, if the substitute applied only to the rules covered by the resolution submitted by the Senator from Texas, rule XL would not apply.

Mr. HUMPHREY. I wish to propound a further inquiry. The Chair is familiar with the general proposition which was offered in 1957, and will again be offered in this year, 1959, by the distinguished Senator from New Mexico [Mr. ANDERSON]. Would the language of that motion or amendment or amendment in the nature of a substitute, which is that the Senate shall proceed under the terms of article I, section 5, of the Constitution, for the purpose of providing rules——

The VICE PRESIDENT. The adoption of new rules.

Mr. HUMPHREY. The adoption of new rules. Is the Chair of the opinion that such language would qualify as being an amendment or an amendment in the nature of a substitute which could be offered to Senate Resolution 5 and be voted upon without the requirement, under rule XL, that it lie over for 1 day?

The VICE PRESIDENT. In the opinion of the Chair, such a proposal would have to lie over 1 day under rule XL.

Mr. HUMPHREY. Will the Chair be so kind as to elucidate in some detail, for the edification of Senators who are deeply interested in the matter, the reasoning by which the Chair holds such an opinion?

The VICE PRESIDENT. In the opinion of the Chair, as he has expressed it both yesterday and at the beginning of the first session of the last Congress, the rules of the Senate continue from session to session until the Senate, at the beginning of a session indicates its will to the contrary.

In the opinion of the Chair, also, however, any rule of the Senate adopted in a prior Congress, which has the express or implied effect of restricting the constitutional power of the Senate to make its own rules, is inapplicable when rules are before the Senate for consideration at the beginning of a new Congress.

It has been the opinion of the Chair, for example, that subsection 3 of rule XXII would fall in that category, because it has the practical effect, or might have the practical effect, of denying to a majority of the Senate at the beginning of a new Congress its constitutional power to work its will with regard to the rules by which it desires to be governed.

On the other hand, in the opinion of the Chair, the requirement that any proposal to amend or adopt rules lie over for a day, under rule XL, would not have such an inhibiting effect. Consequently, the Chair believes that rule XL is one which can properly apply in connection with consideration of the rules by the Senate at this point.

Mr. HUMPHREY. If the Chair will indulge me for an additional moment, and with the cooperation and kindness of the Senator from Oklahoma, let me say that I ask these questions because I am in a quandary as to the ultimate meaning of the responses of the Chair to the inquiries of the Senator from Montana [Mr. MANSFIELD], because I understood the Chair to say in response to the inquiries of the Senator from Montana that the Anderson proposal in the form of an amendment in the nature of a substitute could be offered to the proposal of the Senator from Texas [Mr. JOHNSON], and could be voted either up or down by majority vote as soon as the debate terminated or as soon as the issue was called up for action.

Now I understand from the Chair that because of the nature and the fundamental scope of the Anderson proposal—namely, its reference to the provisions of article 1, section 5, of the Constitution and to the adoption of entirely new rules—it would fall under the proscription of rule XL, and therefore would have to lie over for a day.

I may be in error in my judgment or evaluation of this matter, I say most respectfully; but it seems to me that there is a conflict here which I believe it proper to have reconciled at this time.

I realize that our rights are not being cut off, and that the Chair in his rulings has protected the rights which we believe to be so fundamental in connection with the rule-making power. But some of us believe that a vote either up or down should be taken as of today, if debate can be concluded today.

The Chair now has indicated that if the proposal offered in 1957 were offered now—the proposal which the Senator discussed with the Chair and with other Members of the Senate—it would have to lie over for a day. Will the Chair clarify this point for my information? There is no argument on my part; I am interested in orderly procedure.

The VICE PRESIDENT. The Senator from Minnesota is correct when he says that the Anderson motion in the opinion of the Chair would have to lie over for a day before it could be considered.

With regard to the various inquiries propounded by the Senator from Montana, the Chair understood that the Senator was referring to possible questions which might arise in connection with consideration of the resolution of the Senator from Texas. It was the intention of the Chair to indicate, for the benefit of the Senate, that the resolution the Senator from Texas [Mr. JOHNSON] has offered, and which is open to amendment, provides the Senate with an opportunity to work its will on the provisions of the resolution in any way the Senate may desire to do.

On the other hand, the Chair did not intend to express the opinion that if a new proposal, such as the one the Senator from New Mexico has suggested, were presented to the Senate, and were moved as a substitute for the resolution submitted by the Senator from Texas, it would be treated as an amendment and would not be subject to the 1-day provision under rule XL.

Mr. HUMPHREY. I wish to thank the Chair.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Oklahoma yield to me for a clarification?

Mr. DOUGLAS. Mr. President, will the Senator permit me——

Mr. MONRONEY. Mr. President, I yield first to the distinguished majority leader, under the same conditions under which I previously yielded.

Mr. JOHNSON of Texas. Mr. President, if I correctly understood the inquiry of my able and distinguished friend, the Senator from Minnesota, I wish to say that the Chair has ruled that if the so-called Anderson motion, which was planned to be made yesterday, were made now, under rule XL it would have to follow the same procedure that the Johnson resolution did, and would have to lie over for 1 day. I wish to make clear to the Senator from Minnesota and the Senator from New Mexico that I would not make any objection or point of order which would require it to lie over for 1 day. If the Senator from New Mexico desires to make a motion to displace or postpone or supersede the Johnson proposal to amend rule XXII and thereby broaden it, so as to take in all the rules, and to have no rules at all for a time, the Senator from Texas would not wish to be picayunish about the matter, and would not make any objection. Instead, he would agree to have that motion considered; he would even agree to a time certain to vote, if that was satisfactory to the Senator from New Mexico and the Senator from Minnesota.

As I have explained, I think, fully in detail, the purpose of my resolution—and, incidentally, I explained it for 2 hours to the authors of the various resolutions, the day before; and yesterday morning I gave them notice that I anticipated following this procedure—is to make it possible for the Senate to work its will to amend rule XXII if it desires to do so. I am aware that some Senators do not want to amend it. I am aware that some Senators want to amend it so as to have it provide for majority cloture. My proposal is to have it amended in such a way as to permit the imposition of cloture by the votes of two-thirds of the Senators present and voting, and to make cloture apply to rule changes, as well. But any amendment to that specific resolution is in order. Although the Anderson proposal is not in order, and although the rules—which I think are very sacred, and I am glad the Vice President has held that they apply today—would require that motion to go over, I certainly would have no objection to taking it up immediately, and, if agreeable to my colleagues on both sides of the aisle, to entering into an agreement to let the Senate express its will today on the question of whether to proceed to displace the Johnson attempt to amend rule XXII by a motion which would embrace the adoption of an entirely new set of rules. If the majority decided it wanted to go into the rule-making business and wanted to consider each rule separately and to adopt a new set of rules, the Senate could work its will.

So I would not make a point of order. I would not request that the Anderson motion go over a day. I was sorry that on yesterday a request was made that my resolution go over for a day.

Mr. HOLLAND. Mr. President, will the Senator from Oklahoma yield to me?

Mr. MONRONEY. I yield under the same conditions I have previously stated.

Mr. HOLLAND. I thank the Senator from Oklahoma.

Mr. President, I am a little fearful that a part of the ruling made by the distinguished Vice President might be misunderstood if left unexplained at this time. Therefore, I propound the following parliamentary inquiry: Was there any intention on the part of the Vice President to indicate by his rulings that the customary rule in regard to perfecting amendments, if offered—namely, that they be considered before the consideration of amendments in the nature of a substitute—would be changed? Was there in the mind of the Vice President, when he made his earlier rulings, any intention to change that rule?

The VICE PRESIDENT. The Senator from Florida has very properly made the parliamentary inquiry. Perfecting amendments would have the right-of-way over amendments in the nature of a substitute.

Mr. HOLLAND. I thank the Chair.

Then, as I understand, the customary procedure in the Senate in regard to the order of consideration of amendments of various types would prevail; and although it is completely true that the proposal of the distinguished Senator from New Mexico and other Senators, which is an amendment in the nature of a substitute, might be voted upon, if offered, by means of a yea-and-nay vote, if such a vote were requested by a sufficient number of Senators, there was no intention in any way to indicate that perfecting amendments would not be voted upon before that time.

The VICE PRESIDENT. Perfecting amendments can be offered at any time while the motion or amendment in the nature of a substitute is before the Senate, and would have the right-of-way insofar as consideration is concerned.

Mr. RUSSELL, Mr. JAVITS, and other Senators addressed the Chair.

The VICE PRESIDENT. Does the Senator from Oklahoma yield; and, if so, to whom?

Mr. MONRONEY. I yield first to the Senator from Georgia, under the conditions previously stated.

Mr. RUSSELL. Mr. President, I desire to propound a parliamentary inquiry. The Chair has stated on several occasions, and has reiterated this morning, that he is of the opinion that most of the rules of the Senate are applicable here today, and therefore are continuing. There are other rules, to which the Chair referred by rule and by number, as to which the Chair is of the opinion that they are not applicable, for the reason the Chair has stated—namely, that he thinks they are unconstitutional.

I should like to ask the Chair on what rule or what statute or what provision of the Constitution of the United States the Chair, as Presiding Officer of the Senate, relies for this attempt to exercise the right to select which rules of the Senate are applicable and which are not applicable, and which are constitutional and which are unconstitutional.

The VICE PRESIDENT. The Chair is bound by the rules of the Senate, as adopted by the Senate. The Chair also has a constitutional responsibility. The Chair has indicated on several occasions, moreover, that while it is the opinion of the Chair that the Senate rules, in the respects to which the Chair has referred, are not in accordance with constitutional mandate, it is only the Chair's opinion, and that question, if it is raised, will be submitted to the Senate itself for its decision.

Mr. RUSSELL. Does the Chair arrive at that conclusion of his right to render these advisory opinions under his constitutional position as a member of the executive branch of the Government, or in his status as Presiding Officer of the Senate?

The VICE PRESIDENT. The Chair renders that opinion in his status as Presiding Officer of the Senate. The Chair should point out he renders this opinion only in response to parliamentary inquiries which have been propounded by various Members of the Senate.

Mr. RUSSELL. They have been very freely propounded, and the Chair has freely answered; but can the Chair point to any precedent where any Presiding Officer of the Senate has sought to rule that any rule of the Senate is unconstitutional? I realize precedents are considered by some today to be obnoxious. Some persons today consider it indelicate to mention precedents.

The VICE PRESIDENT. The Chair has no precedent at hand, but the Chair points out that it is very common for Presiding Officers to indicate their opinions with regard to the rules of the Senate and other matters. If there is any doubt about it, the Chair suggests that Members of the Senate read the various briefs presented to the Presiding Officer on this question.

Mr. RUSSELL. I have labored through a brief which was submitted to the Chair, but I found in the brief nothing which, in my opinion, would give the Chair the right to declare a rule of the Senate unconstitutional. Of course, the Chair has a right to construe the rules and apply them; but to strike one down by an advisory opinion is, in my opinion, something new.

The VICE PRESIDENT. If the Senator will allow the Chair to state his position correctly, the Chair has not been so presumptuous as to strike down a rule of the Senate. The Chair has been careful to state that he was expressing his opinion only as to constitutionality.

Mr. RUSSELL. It would be a rather effective death of a rule if the Chair were convinced it was unconstitutional.

The VICE PRESIDENT. The Chair is of the opinion that that is true, but the Chair has made it clear that it was only within the jurisdiction and discretion of the Senate to make the decision. The Senator from Georgia may disagree with the Chair's opinion, as the Chair realizes he does. The Senator from Georgia certainly has every right to express that opinion. But the Chair believes that when a parliamentary inquiry is propounded to him he should attempt to respond to the inquiry as fully as the facts seem to require response for the guidance of the Senate, and its consideration.

Mr. RUSSELL. If the Senator from Oklahoma will indulge me for one more

moment, I may say I am a great believer in free speech in the Senate of the United States, and I am perfectly willing to accord that privilege to the member of the executive branch who presides over this body; but I have had some question about the rulings of the Chair on rules of the Senate which have been developed in a period of more than 170 years—opinions that some rules were applicable, and that, in his opinion, some were inapplicable.

Mr. JOHNSON of Texas. I ask the Chair to lay before the Senate Resolution 5.

Mr. DOUGLAS. Mr. President, who has the floor?

The VICE PRESIDENT. The Chair lays before the Senate——

Mr. DOUGLAS. Mr. President, a point of order.

The VICE PRESIDENT laid before the Senate Senate Resolution 5, which was read by the legislative clerk, as follows:

Resolved, That subsection 2 of rule XXII of the Standing Rules of the Senate is amended (1) by striking out "except subsection 3 of rule XXII,", and (2) by striking out "two-thirds of the Senators duly chosen and sworn" and inserting in lieu thereof "two-thirds of the Senators present and voting."

SEC. 2. Subsection 3 of rule XXII of the Standing Rules of the Senate is amended by striking out "and of subsection 2 of this rule."

SEC. 3. Rule XXXII of the Standing Rules of the Senate is amended by inserting "1." immediately preceeding "At", and by adding at the end thereof a new paragraph as follows:

"2. The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules."

Mr. JOHNSON of Texas. Mr. President, I ask the Senator from Oklahoma if he will permit me to make a brief statement.

Mr. MONRONEY. I yield, and ask unanimous consent that I may be permitted to resume my remarks following the statement of the majority leader.

The VICE PRESIDENT. Is there objection? The Chair hears none and the Senator from Texas may proceed.

Mr. JOHNSON of Texas. Mr. President, I should like to say that with respect to the motion proposed by the Senator from New Mexico [Mr. ANDERSON] yesterday, or with respect to any motion he may intend to propose today, which involves submitting to the Senate the question of whether it wants to displace the Johnson resolution and go into the question of an entire new set of rules, I will be glad to ask unanimous consent that it be in order to consider that motion today, without having it lie over a day under rule XL; and I make such a request.

The VICE PRESIDENT. Is there objection? Without objection——

Mr. CASE of New Jersey. Mr. President, reserving the right to object, may I ask the majority leader——

Mr. MANSFIELD. Mr. President, has the Senator from New Jersey objected?

Mr. JOHNSON of Texas. No; he has reserved the right to object.

Mr. CASE of New Jersey. I hope it will not be necessary to object. May I ask if the request applies not only to today, but during the entire consideration of the amendment or the motion or resolution of the Senator from Texas?

Mr. JOHNSON of Texas. It means it would be in order to discuss and debate the question, and the Senate would have before it the motion of the Senator from New Mexico. Until a vote is taken on that motion, we shall have it before the Senate.

Mr. CASE of New Jersey. I have no objection.

Mr. ANDERSON. Mr. President, I think the proposal of the Senator from Texas is adequate. I shall today send to the desk a resolution that complies with rule XL. I may say the action of the Senator from Texas is perfectly satisfactory.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from New Mexico may make his motion.

Mr. JAVITS. Mr. President, reserving the right to object, in connection with the reservation I propound a parliamentary inquiry. The Presiding Officer of the Senate has spoken a few times about the opening or the beginning of the Senate in terms of this session. I ask, therefore, as a parliamentary inquiry, whether the motion of the Senator from New Mexico to adopt rules will be considered a motion made at the opening of the session, within the words used by the Vice President.

The VICE PRESIDENT. In the opinion of the Chair, that would be correct.

Mr. JAVITS. As another parliamentary inquiry, because I think this was the point of my friend and colleague from New Jersey [Mr. CASE], may we know whether the word "today," which I think was used by the majority leader, perhaps inadvertently, had been excised from the unanimous consent request, so that the unanimous consent request applies to the consideration of the resolution which has just been called up by the majority leader?

Mr. JOHNSON of Texas. The unanimous-consent request was to take it up today, instead of having it go over until tomorrow. That does not mean that when we conclude today we shall conclude deliberations on the resolution. We will not conclude them until we have a vote. I hope there will be a vote today.

I ask the Senator from New Mexico if he is prepared to join in the hope I have expressed.

Mr. ANDERSON. I will say to the Senator from Texas, he and I both have found that the debate will take quite a little time, and I am not in control of it.

Mr. JOHNSON of Texas. I want to make clear that there is no disposition on the part of the majority leader to delay an expression of the Senate's judgment on this question.

Several Senators addressed the Chair.

Mr. MONRONEY. I yield to the Senator from Minnesota [Mr. HUMPHREY] with the same understanding.

Mr. HUMPHREY. As one of the sponsors of the Anderson resolution, I may say that there is no desire on the part of the proponents of a sensible and reasonable modification of the Senate rules to delay action upon that very important proposition. If the Anderson motion is made the pending business, as has been suggested, very cooperatively, by the majority leader, we will proceed to good, constructive debate, and the resolution of the issue, in the hope that the Senate will exercise its constitutional right to adopt rules.

Mr. CASE of New Jersey. Mr. President, reserving the right to object——

Mr. DIRKSEN. Mr. President——

Mr. MONRONEY. Mr. President, I ask unanimous consent——

The VICE PRESIDENT. The Senator from Oklahoma has the floor.

Mr. MONRONEY. Mr. President, I ask unanimous consent that I may yield to the distinguished minority leader without losing my right to the floor.

Mr. ANDERSON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. ANDERSON. Did the Senator from Texas [Mr. JOHNSON] not propound a unanimous-consent request?

The VICE PRESIDENT. Does the Senator from Texas desire——

Mr. JOHNSON of Texas. I have not made the Anderson motion the pending business. I have asked that it be in order to consider it. I have not made such a request, because the Senator has not submitted his motion.

Mr. ANDERSON. I am just saying that we should have action on the unanimous-consent request which the majority leader has proposed.

Mr. JAVITS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas desire action on his unanimous-consent request?

Mr. JOHNSON of Texas. If the Senator from New Mexico will submit his motion. Has the Senator submitted his motion?

I ask unanimous consent that the Senator may submit his motion.

The VICE PRESIDENT. Is there objection?

Mr. HOLLAND. Mr. President, reserving the right to object——

Mr. DIRKSEN. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I have yielded to the distinguished majority leader for the completion of his unanimous-consent request, which is pending. After action on that I should like to ask unanimous consent to yield to the distinguished minority leader, without losing my right to the floor.

Mr. HOLLAND. Mr. President, may I ask one question about the contents of the proposed unanimous-consent agreement?

Mr. MONRONEY. Since I have yielded to the majority leader, I believe it should be an inquiry of the majority leader, in the time I yielded to him.

Mr. JOHNSON of Texas. I yield to the Senator from Florida.

Mr. HOLLAND. In listening to what has been said about the request of the distinguished majority leader for unanimous consent, I am in doubt whether that proposal would give carte blanche authority to the Senator from New Mexico to introduce whatever he might see fit or, rather, would give consent to

the Senator to submit his proposed motion solely as a substitute for the resolution which was offered by the Senator from Texas. I wish the Senator would clarify that point.

Mr. JOHNSON of Texas. I will say to the Senator that earlier in the day, while a quorum call was proceeding, the Senator from New Mexico [Mr. ANDERSON], the Senator from Georgia [Mr. RUSSELL], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Texas met with the Vice President and discussed various parliamentary courses. At that time it was my understanding that the Senator from New Mexico desired to move to displace the Johnson resolution, and that the motion would contain language which would have the effect of having the Senate proceed to adopt new rules. I did not read the language, but the Senator changed it somewhat at the desk.

The first suggestion, I think, called for postponing the Johnson resolution. The second called for a substitute. I do not have the proposed language of the distinguished author.

All I desire to make clear is that I do not want to invoke rule XL and further delay this matter. I am willing to have the Senator submit his motion, and then I shall be glad to propound my request. Then the motion can speak for itself.

The VICE PRESIDENT. Is there objection to the Senator from New Mexico submitting his motion?

Mr. JOHNSON of Texas. I think the Senator from Minnesota [Mr. HUMPHREY] was in error in his statement a while ago, but I do not speak for the Senator from Minnesota. I think we did not have the understanding which he expressed.

Mr. HUMPHREY. To what statement does the Senator refer?

Mr. ANDERSON. Mr. President, I submit the motion.

The VICE PRESIDENT. Without objection, the clerk will read the motion.

The CHIEF CLERK. Mr. ANDERSON moves "that the Senate, in accordance with article I, section 5 of the Constitution which declares that 'each House may determine the rules of its proceedings' now proceed to the immediate consideration of the adoption of rules for the Senate of the 86th Congress."

The VICE PRESIDENT. Will the Senator now state his unanimous-consent request?

Mr. JOHNSON of Texas. Mr. President, the Anderson motion reads:

> I move that the Senate, in accordance with article I, section 5 of the Constitution which declares that "* * * each House may determine the rules of its proceedings * * *" now proceed to the immediate consideration of the adoption of rules for the Senate of the 86th Congress.

It is the ruling of the Presiding Officer that we cannot consider the motion until it has lain over 1 day, under rule XL. Is that not true?

The VICE PRESIDENT. Except by unanimous consent.

Mr. JOHNSON of Texas. Very well. I ask unanimous consent that, notwithstanding the provisions of rule XL, it may be in order to consider this motion as a substitute for the Johnson resolution. If adopted, of course, it would displace the Johnson resolution and prolong debate even further, in my opinion.

The VICE PRESIDENT. Is there objection to the unanimous-consent request of the Senator from Texas? Without objection, the unanimous-consent request is agreed to.

Mr. MONRONEY. Mr. President——

The VICE PRESIDENT. The Senator from Oklahoma has the floor.

Mr. MONRONEY. I ask unanimous consent that I may yield to the distinguished minority leader [Mr. DIRKSEN] without losing my right to the floor.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, I believe this is a good opportunity to clarify for the Senate a matter which was discussed yesterday and also today. It was referred to by the distinguished Senator from Georgia [Mr. RUSSELL] today, and was referred to yesterday, as recorded in column 3 on page 9 of the CONGRESSIONAL RECORD for January 7, 1959.

The language to which I refer, Mr. President, quoting now from the remarks of the distinguished Senator from Georgia, is:

> The Chair has made a great many rulings, including the one in 1957 which declared the rules of the Senate unconstitutional. Of course, I have been of the opinion that the Chair was a member of the executive branch of the Government who was given the duty of presiding over a parliamentary body; and that was the first time I had heard that the Chair exercised judicial powers, and could declare a rule of the Senate unconstitutional. But I assume that if that were done, the Senate might, on an appeal, have a right to pass on that issue.

I invite the attention of the Senate particularly to the word "declare," which appears in the paragraph twice. I am not aware that the Presiding Officer has declared any rule of the Senate to be unconstitutional. So far as I recall—and I went back to the earlier opinion of January 4, 1957—the Presiding Officer has always been very circumspect and very meticulous in apprising the Senate of the fact that he was only expressing an opinion and that wherever a constitutional issue was involved it had to be submitted to the Senate.

The long ruling to which I refer was given on the 4th of January 1957. It came about as a result of a parliamentary inquiry which was propounded by the distinguished Senator from Minnesota [Mr. HUMPHREY]. It appears in the CONGRESSIONAL RECORD, volume 103, part 1, page 178. I do not believe I violate the spirit of the ruling by lifting two paragraphs from its context. At that time, as a part of the ruling, the Presiding Officer said—and I believe this is an appropriate place to insert it as a part of these proceedings—what I now quote from the ruling at that time:

> It is the opinion of the Chair that while the rules of the Senate have been continued from one Congress to another, the right of a current majority of the Senate at the beginning of a new Congress to adopt its own rules, stemming as it does from the Constitution itself, cannot be restricted or limited by rules adopted by a majority of the Senate in a previous Congress.

I invite attention to the fact that the Chair was very careful to say, "It is the opinion of the Chair." The Chair made no declaration. The Chair made no categorical pronouncement. The Chair made no endeavor to take upon himself jurisdiction and authority to strike down any rule of the Senate. He was only expressing an opinion as the Presiding Officer. In that opinion, the Chair continued:

> Any provision of Senate rules adopted in a previous Congress which has the expressed or practical effect of denying the majority of the Senate in a new Congress the right to adopt the rules under which it desires to proceed is, in the opinion of the Chair, unconstitutional. It is also the opinion of the Chair that section 3 of rule 22 in practice has such an effect.

That has been the nub of the controversy all along. It has been section 3 of rule XXII, under which cloture could not be applied with respect to a rule change. The Chair merely stated his opinion. He did not strike down that section. Obviously he does not operate in a vacuum as the Presiding Officer of the Senate. That duty is entrusted to him by the Constitution. It is not discretionary. The Constitution provides that the Vice President shall be the Presiding Officer of the Senate.

Shall he give only a limited opinion in response to a parliamentary inquiry? Shall he withhold what is necessary for a proper judgment by the Senate when it passes upon a constitutional question?

In the same opinion in 1957 the Chair finally summarized what he had to say in this language:

> In summary, until the Senate at the initiation of a new Congress expresses its will otherwise, the rules in effect in the previous Congress, in the opinion of the Chair, remain in effect, with the exception that the Senate should not be bound by any provision in those previous rules which denies the membership of the Senate the power to exercise its constitutional right to make its own rules.

There was no declaration. There was no effort on the part of the Chair to impose his will with respect to the rules as such. I have known no occasion during the time I have been a Member of this body when a constitutional issue was raised, when the Chair did not make it abundantly clear to the Senate that the decision on a constitutional question is the prerogative of the Senate itself. But is there any reason why the Chair should not express an opinion as to the constitutionality or unconstitutionality of some section of the rule? His opinion is not binding upon any Member of the Senate. It is not directory. It is hardly advisory, as a matter of fact. It expresses only the opinion of the Presiding Officer, and nothing more. But I think he would be rather recreant in his duty to the Senate if he did not, upon the basis of opportunity to examine the precedents, to examine his own thinking, and to draw upon his own experience as the Presiding Officer of this body, acquaint the Senate with his opinion, and the basis for it, prior to the time

when a constitutional issue was submitted for adjudication by the Senate itself.

I believe that in full justice to the Chair this summary should be included in this part of the RECORD, so that there may be no doubt that at no time did the Chair use the word "declare" or, by implication or otherwise, arrogate to himself any authority whatsoever to declare that there was something wrong, that there was an impaired rule, which was, in truth and in fact, unconstitutional. It would be a singular performance indeed for the Presiding Officer of the Senate, who is entrusted with this responsibility, not to acquaint the Senate with his opinion, and then let the Senate work its will.

Mr. RUSSELL. Mr. President, will the Senator from Oklahoma yield to me?

Mr. MONRONEY. Mr. President, I yield to the Senator from Georgia under the same conditions under which I have yielded to other Senators.

Mr. RUSSELL. Mr. President, I do not desire to discuss this question at this time. I hope the Senator from Illinois did not think I was unduly critical of the Chair. I was very critical of his ruling, with which I disagree, but I certainly did not intend to be critical of the Chair.

However, I have certain rights and obligations under my oath, and I have my own opinion as to the rules of the Senate. I shall not hesitate at any time to express my opinion, the opinion of any other person or persons to the contrary notwithstanding.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. DIRKSEN. I know how careful and meticulous the Senator from Georgia is, and I always highly respect his opinion. I know that statements made on the floor are read in the RECORD, and perhaps it is possible to misinterpret them at times. However, the word "declare" was used in the statement which the distinguished Senator from Georgia made yesterday, which I read this morning to refresh my memory. I thought it would convey an erroneous impression, and I thought the situation should be clarified at this time. I did not mean to be critical of my distinguished friend from Georgia.

Mr. RUSSELL. I do not mind criticism. I dislike to have it come from my distinguished friend from Illinois; but if it comes from him, I shall bear it, as my portion.

In my opinion, if a court handed down an opinion in the express terms in which the Chair ruled in 1957, there would be no question on earth but that the subject matter had been declared unconstitutional. I rely only on the language which the Senator from Illinois read. Reading from the opinion of the Chair of 1957:

> Any provision of Senate rules adopted in a previous Congress which has the expressed or practical effect of denying the majority of the Senate in a new Congress the right to adopt the rules under which it desires to proceed is, in the opinion of the Chair, unconstitutional.

If we were to strike out "Chair" and insert "Court", it would read:

> Any provision of Senate rules adopted in a previous Congress which has the expressed or practical effect of denying the majority of the Senate in a new Congress the right to adopt the rules under which it desires to proceed is, in the opinion of the Court, unconstitutional.

That would render any act with which a court was dealing clearly unconstitutional; and it would be declared unconstitutional.

I follow with the other language which the Senator read:

> It is also the opinion of the Chair that section 3 of rule XXII in practice has such an effect.

If we were to strike out the word "Chair" and insert the word "Court" the language would read:

> It is also the opinion of the court that section 3 of rule XXII in practice has such an effect.

That would absolutely strike down and declare to be unconstitutional the subject matter before the court. I think that is even more evident in the summary which the distinguished Senator from Illinois read:

> In summary, until the Senate at the initiation of a new Congress expresses its will otherwise, the rules in effect in the previous Congress in the opinion of the Chair remain in effect, with the exception that the Senate should not be bound by any provision in those previous rules which denies the Membership of the Senate the power to exercise its constitutional right to make its own rules.

Yesterday I thanked the Chair—and I hope the Senator from Illinois read that expression in the RECORD—for his statement that he would submit any constitutional issue to the Senate for determination. I do not wish to split hairs over technicalities. I had hoped that we would not go over this subject time and time again by way of parliamentary inquiries, because that issue is not involved at this time. But whenever an effort is made to have the Chair undertake to declare rules of the Senate unconstitutional, when I honestly and conscientiously do not believe the Chair has any right even to persuade the Senate that they are unconstitutional, I shall have to object.

I regretted that the question was raised yesterday. I did not raise it. I had not raised it since 1957; but I must say, in all candor, that I believe that, so far as the Chair was permitted or empowered to do so, he did invalidate rules of the Senate.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. DIRKSEN. Of course, a court has authority and jurisdiction to declare a provision of law to be unconstitutional. That is one of the attributes of a court. During my term of service in this body, when any question of this kind has arisen, I have no recollection of any occasion when the Chair did not make it abundantly clear that the question must be decided by the Senate itself. So the Chair has never arrogated to himself the authority to determine the constitutional question when a rule of the Senate was involved. I thought that was clear.

Mr. RUSSELL. The Chair did say that the constitutional issue should be submitted to the Senate. However, I recall that in the past a great many questions have been submitted to the Senate. During the past 6 years, in the tenure of the distinguished Vice President, there have been very few parliamentary controversies as to the application of the rules and the power of the Presiding Officer to influence the course of conduct in the Senate.

I will modify my statement by saying that the Chair declared that, in his opinion, the rules of the Senate were unconstitutional.

Mr. MORSE. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. Mr. President, the distinguished Senator from Oregon has been on his feet for a long time. I ask unanimous consent that I may yield to him without losing my right to the floor.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I shall be very brief and shall close my comment with a parliamentary inquiry. First, I wish to join the Senator from Illinois [Mr. DIRKSEN] in expressing my very high compliments to the Presiding Officer of the Senate for what I consider to be the very able manner in which he is presiding over the Senate as we consider the very difficult procedural problem which confronts the Senate. I believe it will stand to his credit.

The Presiding Officer of the Senate serves in that capacity by direction of the Constitution of the United States. It is from that grant of authority that he derives his ruling power in the Senate. As the Senator from Illinois has pointed out, the Presiding Officer in 1957, and again in his rulings thus far in this session of Congress, has made very clear that in his opinion, as the Presiding Officer of the Senate and exercising his constitutional authority, article I, section 5, of the Constitution means exactly what it says, namely, that each House of Congress shall have authority to decide upon its own rules.

Therefore, in 1957, the Presiding Officer of the Senate said that under that section of article I of the Constitution, in his opinion, the Senate had the right at the beginning of a Congress to proceed to adopt the rules which it wishes to have binding upon it during that Congress.

He made it clear also in his ruling that in his opinion certain sections of the then existing rules of the Senate were in violation of the Constitution, in the sense that they aimed at denying to a majority of the Senate the power to determine its own rules. However, he said at that time, and repeated it again in meaning effect this year, that the issue as to the constitutionality of this particular section of the rules would by him be submitted to the Senate for its own determination. That is a very sound position for him to take, and I commend the Vice President for taking that position.

Mr. President, what is all this fencing and lancing about? I believe the pro-

cedural record has been made clear. What confronts us now is the question whether the Senate will, by exercise of majority rule in carrying out the business of the Senate, which I insist was clearly contemplated by our constitutional fathers, except in those particulars in which the constitutional fathers provided for other than majority rule in the Constitution itself, put itself in the position of invoking the basic majority rule principle of our form of government, and adopt rules which shall bring about an end to filibusters in the Senate. I believe that, on the record, I have a right to speak about filibusters. [Laughter.]

I have engaged in filibusters. I believe I am the only liberal Senator who has publicly confessed that he filibusters. I have done so in the past, and if the present rule is retained, I shall probably filibuster again in the future. I shall filibuster on the same principle on which I have filibustered in the past; never for the purpose of preventing the final majority opinion of the Senate from prevailing, but filibustering only long enough so, first of all, that the Senate may be apprised of what is involved in the issue. Sometimes it is necessary to speak at some length in the Senate, as my good friend the Senator from New Mexico [Mr. ANDERSON] knows, when, in 1954, we filibustered against the atomic energy bill. As a result of that filibuster, we succeeded in adding certain amendments to that bill which would not have been added had we not engaged in prolonged debate.

As a result of that filibuster we stopped a steamroller in the Senate.

Second. The Senator from Oregon assures the Senate that he will filibuster to stop a steamroller in order to inform the American people as to what is involved in connection with a substantive issue before the Senate. However, after that time has elapsed, a majority of the Senate ought to have the authority, under the rules of the Senate, to end debate.

That is why I have always started a filibuster by offering the Morse antifilibuster resolution. Under that resolution the Senate would lay aside the pending business until the Morse antifilibuster resolution had been adopted, and that resolution provides that a majority shall be able to close debate. That is why I am in favor of the Douglas-Case-Javits proposal, because it provides for majority rule.

After one further observation I shall close by raising a parliamentary inquiry. It seems to me that in order to proceed with the problems facing the people of this country, the Senate of the United States should come to grips with the substance of both the Johnson proposal and the Anderson proposal. We ought to do it, not by seeking to take advantage of each other in respect to any rule which may or may not now be on the books, but with the clear understanding that, under the Constitution, as the Presiding Officer has ruled, a majority of the Senate has the authority, and ought to be recognized as possessing the authority, to adopt rules for the Senate.

If a majority does not wish to change the rules, as the Presiding Officer has made clear, nothing has been held thus far which would deny the majority the right to refuse to change the rules. If it wished to change the rules so as to require a vote of two-thirds of those present and voting to invoke cloture, three-fifths, or any other arithmetical formula, it should have the power to do so. This the Presiding Officer has made clear, and I commend him for it.

I now state my parliamentary inquiry. If we proceed with the Anderson motion today and come to a vote on it, can the Anderson motion be disposed of by a majority vote, or will it require a two-thirds vote? That is my parliamentary inquiry to the Presiding Officer.

The VICE PRESIDENT. That question would be determined by a majority vote.

Mr. MORSE. I thank the Presiding Officer.

Mr. ERVIN. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. Mr. President, I ask unanimous consent that I may yield to the Senator from North Carolina under the same condition, that I do not lose the floor.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. ERVIN. Mr. President, does not a majority of the Senate have the power to alter any of its rules?

The VICE PRESIDENT. The Senator is correct.

Mr. ERVIN. Does not this power of the majority of the Senate to alter any of its rules exist throughout the session of the Senate, as well as at the beginning of a session?

The VICE PRESIDENT. The Senator is correct.

Mr. ERVIN. It being true that a majority of the Senate has the power to change any of the rules of the Senate at any time while the Senate is in session, I submit that it necessarily follows that the Senate can alter rule XXII, and that in substance rule XXII does not deprive a majority of the Senate of the right to exercise its constitutional powers, and that an advisory opinion or ruling to the effect that rule XXII is unconstitutional merely glorifies form and crucifies substance?

In other words, the majority of the Senate has the power at any time to alter rule XXII or any other rule of the Senate. Therefore, rule XXII of the Senate does not annul the right of the majority of the Senate to exercise its constitutional powers.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MONRONEY. Mr. President, I ask unanimous consent that, without losing the floor, I may yield to the Senator from New York, who has been seeking the floor for some time.

The PRESIDING OFFICER. Without objection, the Senator from Oklahoma may yield to the Senator from New York.

Mr. JAVITS. Mr. President, I rise only because I think the statement made by the Senator from North Carolina [Mr. ERVIN] may lead us into some confusion. The Senator from North Carolina has spoken about the power of a majority of the Senate to change a rule at any time. I do not think anyone doubts that. But I propound this parliamentary inquiry:

If we go beyond the beginning of a session, and the rules of the Senate remain in effect, as the Vice President in his opinion has said they do, does not that include, therefore, rule XXII? Therefore, for the duration of the session, debate would be under the provisions of all of rule XXII, including paragraphs 2 and 3. But in the view of the Vice President, if action were taken at the beginning of the session to change the rules, would not the Senate be proceeding according to its right under the Constitution and, therefore, not be inhibited by paragraphs 2 and 3 of rule XXII? I make that as a parliamentary inquiry.

The VICE PRESIDENT. If the Senate proceeded to conduct its deliberations and its business under the existing rules, and by acquiescence adopted those rules, the Senate would be bound by the provisions of rule XXII for the remainder of this Congress.

Mr. JAVITS. Whereas the Vice President has said that, in his opinion, without a declaration, as my dear friend, the distinguished minority leader, made so clear, if the Senate proceeds at the beginning of a session under the Constitution, then the Senate would not be inhibited by those paragraphs so as to prevent it from changing its own rules.

The VICE PRESIDENT. It is the opinion of the Chair that at the beginning of a new Congress a majority of the Senate has the constitutional right to work its will with regard to the rules by which it desires to be governed, and that that right cannot be restricted by the membership of the Senate in one Congress imposing its will on the membership of the Senate in another Congress.

Mr. JAVITS. It has also been made clear this morning, as I understand, in a response by the distinguished Presiding Officer to a parliamentary inquiry of mine, that the Anderson motion and the Johnson of Texas motion are both within the confines of motions made at the beginning of a new Congress.

The VICE PRESIDENT. The Senator from New York is correct. The Chair may add one other comment. Once the Senate, either by acquiescence or by action, adopts its rules at the beginning of a new Congress, it is bound by those rules for the remainder of that Congress. This includes the rules governing changes in the rules.

Mr. JAVITS. I thank the Chair. I understand his statement very clearly.

I join with my colleagues in expressing great appreciation for the way in which the Chair has helped us all in the handling of this matter. I may say, with all deference, that he has helped the country by his views.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MONRONEY. Mr. President, I ask unanimous consent that, without losing the floor, I may yield to the distinguished majority leader.

Mr. JOHNSON of Texas. I wanted to ask the Senator from New York to yield.

Did I understand the Vice President to hold that when new rules were adopted, that would conclude the rulemaking power of Congress?

The VICE PRESIDENT. For the remainder of that Congress.

Mr. JOHNSON of Texas. Did the Vice President mean by his statement that the Senate could not amend today the rules in accordance with the Johnson resolution?

The VICE PRESIDENT. What the Chair intended to indicate was that the Senate, for the remainder of a given Congress, would be bound by the rules which it adopted at the initiation of the Congress, including the rule with regard to changing the rules.

Mr. JOHNSON of Texas. That is correct; but that would not conclude the rulemaking power of the Senate. We could amend the rules as I am attempting to do now. Is not that correct?

The VICE PRESIDENT. The Senator from Texas is correct. The Chair would distinguish between the position of the Senate at the beginning of a new Congress and during the Congress. At the initiation of a Congress, it is the opinion of the Chair that any rule of the Senate which inhibits the constitutional right of the current membership of the Senate to make its rules would not apply. During the course of the Congress, after the original decision as to adoption of rules has been made, the Senate would be bound by whatever rules it adopted whether by acquiescence or by action.

Mr. JOHNSON of Texas. But what I wanted to have abundantly clear in the record was that if the Senate in its wisdom, or lack of wisdom, should embark on a chase for a new set of rules and operate for a period without any rules, and if when we wrote those rules we included rule XL as it is now written in the rules, we could always amend the rules from time to time by a majority vote, provided we got that vote.

The VICE PRESIDENT. The Senator from Texas is correct.

Mr. ERVIN. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield to the Senator from North Carolina, without losing my right to the floor.

Mr. ERVIN. I believe the Chair, as a result of the question asked by the majority leader, has corrected what I considered to be an inconsistency between the statement of the Chair to me and the statement of the Chair to the Senator from New York [Mr. JAVITS].

As I understood the Chair to say in substance, when the Senate once adopts or acquiesces in rules, those rules remain in force, but they are subject to being changed at any time, in any respect, by a majority of the Senate during the continuance of the Senate.

The VICE PRESIDENT. That is correct.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that the Senator from Oklahoma may yield to me without losing his right to the floor, so that I may propound a parliamentary inquiry.

Mr. MONRONEY. Mr. President, with that understanding, I yield to the distinguished Senator from Wyoming.

Mr. O'MAHONEY. I am one of those who feel that great clarification has been brought about this morning by the rulings of the Chair as to the precise meaning of the questions which are before the Senate. Before asking the question which I have in mind, I wish to refer to the Constitution of the United States. I shall read to the Senate, so that all may hear, from section 5, article I. It will be remembered that article I is the very first article of the Constitution, and is the article which deals with the legislative power of the U.S. Government. It places all legislative power in Congress.

Clauses 2 and 3 of section 5, article I, read as follows:

> 2. Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member.
>
> 3. Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy—

I call the attention of the Presiding Officer to the fact that three rules of procedure with respect to the power of each House of the Congress are laid down here: First, that each House may determine the rules of its proceedings; second, that, by the concurrence of two thirds, either House may expel a Member; and, third, that each House—meaning both the House and the Senate—shall keep a journal of its proceedings.

The first clause is permissive; it does not say when or where or how the respective Houses may determine their rules.

The third clause is mandatory; each House shall keep a journal.

I understand that the ruling of the Chair now is that the constitutional power of the Senate to adopt its rules is not confined to the beginning of the session, but may apply at any time during the session. Is not that the ruling of the Chair?

The VICE PRESIDENT. The Senator from Wyoming is correct.

Mr. O'MAHONEY. So it is not essential that all of the responsibility of this body be laid aside for an interminable period, merely to exercise the power to change the rules at the beginning of the session. There is no constitutional mandate to that effect, is there?

The VICE PRESIDENT. The Chair would agree with the statement of the Senator from Wyoming, with this exception: The key problem around which this discussion has revolved is with regard to the question of whether the Senate can move to bring a question of change of the rules to a vote, as the Senator from Wyoming is aware. It is the opinion of the Chair that insofar as that problem is concerned, at the beginning of a new Congress the Senate can proceed to adopt new rules or to amend old rules without being inhibited by any previous rule which might restrict or deny the constitutional right or power of a majority of the membership of the Senate to determine its rules.

Mr. O'MAHONEY. I call to the attention of the Presiding Officer the fact that the leadership on both sides of the aisle have offered a resolution to modify and amend an existing rule by liberalizing it, namely by making it more difficult to conduct a filibuster, by enabling two-thirds of those present and voting to apply cloture, instead of requiring the vote of two-thirds of the constitutional membership of the body.

In the resolution submitted by the Senator from Texas, on behalf of the leadership, there is not before the Senate now, is there, anything which falls within the category just now mentioned by the Presiding Officer?

The VICE PRESIDENT. The Chair should point out that that question will arise when the Senate reaches the point where it desires to work its will by coming to a vote on the question of the liberalization of the rules.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to a resolution (H. Res. 5) providing that a committee of three Members be appointed by the Speaker on the part of the House of Representatives to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House had been assembled, and that Congress is ready to receive any communication that he may be pleased to make.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 1) that the two Houses of Congress assemble in the Hall of the House of Representatives on Friday, January 9, 1959, at 12:30 o'clock in the afternoon, in which it requested the concurrence of the Senate.

The message communicated to the Senate the intelligence of the death of Hon. Herman P. Eberharter, late a Representative from the State of Pennsylvania, and transmitted the resolutions of the House thereon.

The message also communicated to the Senate the intelligence of the death of Hon. Sid Simpson, late a Representative from the State of Illinois, and transmitted the resolutions of the House thereon.

The message further communicated to the Senate the intelligence of the death of Hon. J. Harry McGregor, late a Representative from the State of Ohio, and transmitted the resolutions of the House thereon.

AMENDMENT OF THE RULES

The VICE PRESIDENT. The hour of 12 o'clock has arrived. The morning hour is now terminated; and, under the precedents, Resolution No. 5, submitted by the Senator from Texas, will be placed on the calendar.

Mr. JOHNSON of Texas. Mr. President, I ask the Senator from Oklahoma to yield to me, so that at this time I may make a motion.

Mr. MONRONEY. I yield to the distinguished majority leader, provided I may do so without losing the floor. After yielding to the majority leader, I desire to continue to yield to the distinguished Senator from Wyoming [Mr. O'MAHONEY].

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I should like to make a very brief statement: When a similar Anderson motion was before this body in 1953, there was debate on it for 3 hours and 50-odd minutes. If the motion I am about to make is agreed to by the Senate, it is my understanding that the Senate will have before it at that time, under the previous unanimous-consent request, the present Anderson motion. Is that correct?

The VICE PRESIDENT. The Senator from Texas is correct.

Mr. JOHNSON of Texas. Then, Mr. President, I move that the Senate proceed to the consideration of Senate Resolution No. 5.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas. [Putting the question.]

The motion was agreed to.

Mr. JOHNSON of Texas. Mr. President, I should like to notify the attachés on both sides of the aisle and the leadership of the Senate minority that we are hopeful that the Senate may be able to obtain a vote on a motion which I plan to make after Senators who wish to speak on the Anderson motion have done so—namely, a motion to table that motion. I expect to make my motion with the concurrence of the minority leader, at some time agreeable to him, either late this afternoon or perhaps early in the evening, if that course seems to be acceptable to a goodly number of our colleagues.

Mr. DIRKSEN. Mr. President, will the distinguished majority leader yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. DIRKSEN. Certainly we would not have any objection to such an arrangement. However, I point out that there are so many visitors to the Capitol, from all over the country, and so many functions have been arranged, that certainly it would be embarrassing to a great many Members of the Senate and to others if the session today were to continue to an unseemly hour, so that they could not attend these meetings. Therefore, I believe we should have a reasonable understanding as to what will transpire this evening, so that Senators may be able to attend meetings which have been arranged for a considerable period of time.

Mr. JOHNSON of Texas. I assure the Senator from Illinois that I shall consider that situation. However, I hope we shall be able to obtain a vote before the holding of the various meetings, because this question is a very important one, and we should reach a decision on rule XXII. The Senate has heard the discussion of this theory for several Congresses. I believe that most Senators who wish to speak on this question are prepared to speak, and I am informed that they are prepared to speak at not too great length. So, if possible, I should like to give them an opportunity to speak before I make such a motion, perhaps late in the evening, but not at such an hour as to inconvenience any Senator who has important responsibilities elsewhere.

Mr. President, I shall talk to the various proponents of this measure, because all of us understand that a motion to lay on the table is not debatable. But it should be understood that we do not expect to make such a motion until Members have had an adequate opportunity to express their views.

Mr. MONRONEY. Mr. President, I ask unanimous consent that I may continue to yield to the distinguished Senator from Wyoming [Mr. O'MAHONEY], if he wishes me to do so.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

Mr. O'MAHONEY. Mr. President, I was addressing an inquiry to the Presiding Officer, with respect to his ruling, after I had read to the Presiding Officer pertinent provisions of the Constitution. Now calling his attention to the text of Senate Resolution 5, which was submitted to this body by the Senator from Texas [Mr. JOHNSON], on behalf of himself, the Senator from Arizona [Mr. HAYDEN], the Senator from Montana [Mr. MANSFIELD], the Senator from Illinois [Mr. DIRKSEN], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from New Hampshire [Mr. BRIDGES], I know that the Presiding Officer is well aware of the contents of the resolution—namely, that it deals with a modification, a liberalization of subsection 2 of rule XXII, by striking out this language from the existing rule: "except subsection 3 of rule XXII."

That is the language which, in the present rule, adopted in 1949, makes it impossible to suppress a filibuster against an amendment to a rule. The resolution also strikes out the words "two-thirds of the Senators duly chosen and sworn." They are the words in the existing rule XXII which require a constitutional two-thirds majority, that is to say, two-thirds of all the Senators duly chosen and qualified. The resolution would insert in lieu thereof the words "two-thirds of the Senators present and voting."

So that all this resolution does is provide a restraint upon the present rule under which filibusters are conducted.

Section 2 of the resolution also provides for striking out these words from subsection 3 of the present rule XXII: "and of subsection (2) of this rule."

So that there is no provision, under the resolution now before the Senate, which, in any way, shape, or effect, strengthens or makes more rigid the present rule permitting filibusters. Indeed, it ameliorates that rule.

So I ask the Presiding Officer, as a parliamentary inquiry, Is there anything in the pending Senate Resolution 5 that involves a constitutional question by which the resolution would deprive a majority of any right to make the rules of the Senate?

The VICE PRESIDENT. The Senator's parliamentary inquiry relates to what would be the situation with regard to amending rules in the event Senate Resolution 5 were adopted. What the Chair has constantly referred to is not that situation, but the situation under which Senate Resolution 5 would have to be considered, which means the rules of the Senate currently existing, which the Senator has very properly, in the opinion of the Chair, said permit an unlimited filibuster. That is why the Chair has indicated his opinion that in the consideration of either Senate Resolution 5, if the Senate decides to proceed along that line, or in the consideration of the Anderson substitute, if the Senate decides to proceed along that line, the provisions of Senate rule XII to the effect that unlimited debate on a change in the rules is permitted is not binding.

Mr. O'MAHONEY. Does it not also follow that if Senate Resolution 5 were adopted, there would be no possibility of unlimited filibuster under the present rules, to which the Chair has just referred?

The VICE PRESIDENT. As the Senator from Wyoming of course, is not only an authority on constitutional law, but an authority on the rules of the Senate, as the Chair is well aware, the Senator will recognize that is not a parliamentary inquiry. The Senator is asking the Chair to express an opinion on a resolution which may be acted upon by the Senate. The Chair feels that is a subject inappropriate to be commented on by the Chair.

Mr. O'MAHONEY. There have been several efforts during the day to determine what the Presiding Officer had in mind when he referred to the possibility that a constitutional question would be before the Senate. What I am trying to address to the Chair is what I conceive to be a parliamentary inquiry, so that all Members of the Senate may know what the Vice President has in mind that would comprise a constitutional question, if the resolution were acted upon.

The VICE PRESIDENT. The Chair will answer that question as he previously has done. A constitutional question would be presented if the time should come during the course of the debate when action on changing the rules should seem unlikely because of extended debate. At that point any Member of the Senate, in the opinion of the Chair, would have the right to move to cut off debate. Such a motion would be questioned by raising a point of order. At that point the Chair would submit the question to the Senate on the ground that a constitutional question had been raised because of the Chair's opinion that the Senate, at the commencement of a new Congress, has the power to make its rules. That power, in the Chair's opinion, cannot be restricted even by action of the Senate itself, which would be the case where the memship of the Senate in one Congress has attempted to curtail the constitutional right of the membership of the Senate in another Congress to adopt its rules.

Mr. O'MAHONEY. That the Senate itself cannot restrict that power? Did not the Presiding Officer, only a few moments ago, rule that a majority may change the rules, and that it may be done at any time?

The VICE PRESIDENT. The Senator from Wyoming is referring to another and an entirely different subject. Whenever a vote on the merits of the question

of a change in the rules is taken by the Senate, the question, of course, is decided by majority vote; but when we are concerned as we are here with getting to a vote on the merits—in other words, cutting off debate—as the Senator is well aware, majority rule does not apply under the present rules.

Mr. O'MAHONEY. The Presiding Officer, then, is basing his answer to my inquiry, not upon the assumption on which I presented it—namely, on the question now before the Senate—but on something that may possibly happen, and that may never come to pass?

The VICE PRESIDENT. The Senator from Wyoming, as well as other Senators, have been propounding hypothetical questions of this type throughout the course of proceedings in the past 2 days, and the Chair, as he believes, consistent with his responsibilities as Presiding Officer, has been attempting to indicate what he believes the parliamentary situation will be, so that Members of the Senate may be guided by an indication of what action will be taken.

Mr. O'MAHONEY. I may say to the Presiding Officer I recognize that fact, and I applaud the diligence with which the Presiding Officer has attempted to answer hypothetical questions. I point out to him, however, that my question is not a hypothetical question; it is based on the facts which are before the Senate. I am trying to determine if it is not the opinion of the Chair, in the present realistic situation, that no constitutional question is raised by the resolution of the Senator from Texas.

The VICE PRESIDENT. The Chair will reiterate what he has said previously, that it would be inappropriate for the Chair to indicate his opinion as to the merits of the resolution of the Senator from Texas. That is the question which the Senator from Wyoming has put.

Mr. O'MAHONEY. The Vice President has misunderstood the Senator from Wyoming. I do not ask for his decision on the merits of the question; I ask for his ruling on a parliamentary problem—whether or not, in his opinion, there is a constitutional question involved in Senate Resolution 5.

The VICE PRESIDENT. As the Chair understood the Senator from Wyoming earlier, he read Senate Resolution 5 and pointed out the language which provides for cutting off debate by two-thirds of the Senators present and voting. The Senator then propounded a parliamentary inquiry as to whether the provision was one which the Chair would consider to be unconstitutional. The Chair replied then, as the Chair does now, that it would be inappropriate for the Chair to comment on the merits of a resolution which may be before the Senate. If the Senator's question relates to that proposition, the Chair will have to persist in the statement he previously made.

Mr. CASE of South Dakota. Mr. President, will the Senator from Wyoming yield to me for a question on that point?

Mr. O'MAHONEY. I will say to the Senator from South Dakota that the time belongs to the Senator from Oklahoma [Mr. MONRONEY].

I will yield the floor by asking unanimous consent that the full text of Senate Resolution 5 be printed in the RECORD at this point so that it may be a part of the RECORD for those who read this colloquy.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Resolved, That subsection 2 of rule XXII of the Standing Rules of the Senate is amended (1) by striking out "except subsection 3 of rule XXII,", and (2) by striking out "two-thirds of the Senators duly chosen and sworn" and inserting in lieu thereof "two-thirds of the Senators present and voting."

SEC. 2. Subsection 3 of rule XXII of the Standing Rules of the Senate is amended by striking out "and of subsection 2 of this rule."

SEC. 3. Rule XXXII of the Standing Rules of the Senate is amended by inserting "1." immediately preceding "At", and by adding at the end thereof a new paragraph as follows:

"2. The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules."

Mr. O'MAHONEY. I should also like to point out that the resolution does not in any way whatsoever deal with legislation. It deals only with the power of cloture, not with the right of the majority of the Senate to make its rules. It provides that cloture could no longer be applied only by a two-thirds vote of all duly qualified Senators but by two-thirds of those present and voting. The present rule exempting from cloture any motion to amend the rules, thus permitting unlimited filibuster will also be killed by the resolution. Therefore, this is a liberal movement toward ending filibusters.

I thank the Senator from Oklahoma.

Mr. MONRONEY. Mr. President, I ask unanimous consent that I may yield to one other colleague without losing my right to the floor. Then I should like to ask unanimous consent to proceed for about 15 minutes, to complete my remarks.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from South Dakota?

Mr. MONRONEY. I yield.

Mr. CASE of South Dakota. If I may be recognized under the permission given to the Senator from Oklahoma, Mr. President, apropos of the query propounded by the Senator from Wyoming I should like to propound a parliamentary inquiry.

My understanding is that the Chair has consistently ruled, both 2 years ago and this year, that the Senate has a constitutional right to determine its rules at the beginning of a new Congress. My question is, would action upon Senate Resolution 5, the Johnson resolution, liquidate such rights; that is, if Senate Resolution 5 were acted upon, either agreed to or rejected, would the Presiding Officer hold that it constituted an exercise of a constitutional right to consider revision of the rules?

The VICE PRESIDENT. In the opinion of the Chair that would be the case. The right to which the Chair has referred, and the right which the Chair believes cannot be restricted by rules of the Senate adopted in a previous Congress, is a constitutional right which exists at the beginning of a new Congress. That right will no longer exist once the Senate has proceeded to the consideration of substantive matters and by acquiescence—as it has over the past 160 years—has indicated its approval of the previous rules of the Senate; or, as in this instance, once the Senate acts on a rules proposal. The Chair believes either the Johnson proposal or the Anderson proposal would be in that category.

Mr. CASE of South Dakota. Is the Presiding Officer saying——

The VICE PRESIDENT. In other words, once the Senate has the opportunity to consider the matter of rules at the beginning of a Congress and proceeds to other business, after either approving a proposal which is before it, or proceeding to lay that proposal on the table, the opinion of the Chair is that the constitutional right to which the Chair has referred is one which at that point no longer exists. But the Chair should point out that there always exists in the Senate, of course, the right to proceed to change the rules at any time during the course of the session under the rules which the Senate itself, either by acquiescence or action, has adopted.

Mr. CASE of South Dakota. The Senator from South Dakota respectfully points out that Senate Resolution 5 deals with only two rules; in fact, with only portions of two rules. If the consideration of the resolution were to liquidate the constitutional right of the Senate, the part would be equal to the whole, unless the Chair would also hold that any amendment to the Johnson resolution would be in order if it dealt with rules. Otherwise, the Chair would be holding we could only exercise a constitutional right with respect to one clause in the rules that we had liquidated our right to consider the rules as a whole.

The VICE PRESIDENT. The Chair should point out to the Senator from South Dakota that the Senate at the initiation of this session has the opportunity to consider either the Johnson resolution or the Anderson motion. The Senate by its decision on the matter which will be taken up later today, through a motion to lay on the table, will, in the opinion of the Chair, have the opportunity to work its will with respect to the whole body of rules.

Mr. JOHNSON of Texas. Mr. President, in that connection, if the Senator will yield to me, I should like to add that it is not necessary to obtain unanimous consent as to the hour to vote on this matter, but I remind Senators again that a motion to table is in order. We do not want to take any Senator by surprise. We want all Senators to be informed that unless developments to the contrary justify our cancelling such action, we anticipate making a motion to table sometime in the latter part of the afternoon.

After consultation with the Senator from New Mexico [Mr. ANDERSON], and the Senator from Illinois [Mr. DIRKSEN],

the Senator from Texas will make such a motion.

I have just talked with the Senator from New Mexico; and he anticipates no long discussion.

I do not care to ask for a unanimous consent agreement, because we plan to make a motion to table, and such an agreement is not necessary. However, I warn all Members that perhaps a motion to table will be made, if it is agreeable to the Senators with whom I have talked, sometime between 4 and 6 o'clock. I would not want them to be inaccessible during that period.

The VICE PRESIDENT. Did the Senator say between 4 and 6 o'clock?

Mr. JOHNSON of Texas. Between 4 and 6 o'clock today. It depends on the time the proponents want to use in support of the proposition.

Has the Senator from Oklahoma about concluded his address? [Laughter.]

Mr. MONRONEY. The Senator from Oklahoma has concluded the first paragraph of his address. The Senator from Oklahoma has held the floor for approximately one and a half hours and has proceeded through one paragraph. As a result of the colloquies and interrogations on parliamentary procedure, I have educated, illuminated and instructed the Senate more in this subject by my silence than I have ever achieved in an hour and a half speech. [Laughter.]

Mr. JOHNSON of Texas. I agree with the Senator, and I thank him for his patience and understanding. I think he has served a very good purpose. I hope the Senator will be able to complete his address some time during the day.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. MONRONEY. I should like briefly to go through the material I have prepared, and should be happy to yield at the conclusion for any questions. I think the distinguished Senator from South Dakota has completed his parliamentary inquiry.

Mr. JOHNSON of Texas. I thank the Senator from South Dakota for yielding to me. I am sorry it was necessary to interject, but I thought I should serve notice on the Senate that the motion to table will be made.

Mr. CASE of South Dakota. I should like to conclude by observing that the Presiding Officer's ruling would apparently say to those who must vote on this matter this afternoon that if we want to amend any other part of the rules we must vote against the motion to table the Anderson resolution.

Mr. JOHNSON of Texas. Certainly the Chair has not made any such ruling as that.

Mr. CASE of South Dakota. The Senator from South Dakota understood the Chair to say that if the Senate were to table the Anderson motion and act upon the Johnson resolution, it would have liquidated the constitutional right which the Chair has said exists, to consider the determination of our rules as a whole.

The VICE PRESIDENT. The Chair believes that the Senator from South Dakota is perhaps discussing a different question from that to which the Chair referred. The Chair indicated that the constitutional right, in the opinion of the Chair, is one which accrues to the membership of the Senate at the beginning of a new Congress. It must be exercised at the beginning of a new Congress, and can be exercised without regard to any inhibiting rules restricting that right adopted in a previous Congress.

The Chair should point out, however, that at any time during the course of the Congress the Senate may move to amend its rules, but during the course of the Congress, the Senate would be bound by whatever rules it adopted at the beginning of a Congress.

Mr. CASE of South Dakota. The Senator from South Dakota does not misunderstand the position of the Chair in that respect at all. However, the Chair has said that if the Senate were to table the Anderson motion and then consider the Johnson resolution, it would have liquidated the constitutional right to consider the whole body of rules at this time. Is not that correct?

Let me add this observation to clarify the point: The Senator from South Dakota happens to believe that a rule of germaneness is even more important than the question of cloture, and the Senator from South Dakota would like an opportunity to present at this time, while the Senate is considering its right to adopt rules, an amendment to the rules dealing with the question of germaneness. The Senator from South Dakota does not wish to be foreclosed with respect to that right. Under the ruling of the Chair, as I understand, I shall have to vote against tabling the Anderson motion if I wish to have considered at this time my proposal of a rule of germaneness.

The VICE PRESIDENT. At the conclusion of the consideration of the Johnson resolution, Senate Resolution 5, the Senator from South Dakota could, through the usual procedures, move to take up his proposal relating to the rule of germaneness.

Mr. CASE of South Dakota. Would the Chair then hold that if the Senator from South Dakota were to offer a separate resolution dealing with the rule of germaneness, he would be entitled to have the proposal considered at this time, without reference to committee, in the same manner in which the Johnson resolution is being considered?

The VICE PRESIDENT. The Senator from South Dakota would have to proceed under rule XL.

Mr. JOHNSON of Texas. Mr. President, will the Senator from South Dakota yield to me for a clarifying statement?

Mr. CASE of South Dakota. I shall yield the floor back to the Senator from Oklahoma [Mr. MONRONEY], who yielded to me.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Oklahoma yield to me?

Mr. MONRONEY. I thank the Senator from South Dakota.

I now yield to the majority leader.

Mr. JOHNSON of Texas. Mr. President, I desire to read from the CONGRESSIONAL RECORD for November 8, 1954. The report of the select committee to study censure charges in the case involving the late Senator McCarthy, of Wisconsin, submitted its report on November 8, 1954. The committee consisted of the then Senator from Utah, Mr. Watkins, the then Senator from Colorado, Mr. Johnson, the Senator from Mississippi [Mr. STENNIS], the Senator from Kansas [Mr. CARLSON], the Senator from South Dakota [Mr. CASE], and the Senator from North Carolina [Mr. ERVIN]. The report contains the following language——

Mr. CASE of South Dakota. The Senator from South Dakota is familiar with that language.

Mr. JOHNSON of Texas. If I may, I should like to complete my statement, and then I will yield to the Senator.

I read from the CONGRESSIONAL RECORD for November 8, 1954:

> The fact that the Senate is a continuing body should require little discussion. This has been uniformly recognized by history, precedent, and authority. While the rule with reference to the House, whose Members are elected all for the period of a single Congress may be different, the Senate is a continuing body, whose Members are elected for a term of 6 years, and so divided into classes that the seats of one-third only become vacant at the end of each Congress. Senate Document No. 99, 83d Congress, 2d session, Congressional Power of Investigation, page 7.

As I understand the inquiry of the Senator from South Dakota, he says that if the motion of the Senator from Texas [Mr. JOHNSON] to table the motion of the Senator from New Mexico [Mr. ANDERSON] should prevail, the Senate would then be precluded from amending its rules during the remainder of the session.

Mr. CASE of South Dakota. No.

Mr. JOHNSON of Texas. I wish to make it abundantly clear that we now have at the desk a proposed amendment to rule XXII. We would change rule XXII in two respects. We would make an addition to rule XXXII. When and if we reach a vote on that question, the Senator from Texas is prepared to make a suggestion to rewrite rule XXV completely.

At every session of the Congress the rules are amended. They are amended with respect to the constitution of our committees, and the ratio of majority and minority members. That is usually done by unanimous consent. But I point out again for the RECORD that the majority of the Members of the Senate can rewrite the rules, each one of them, all 40 of them. Substitutes may be submitted for each of the 40 rules. The Senate can amend them in any respect it may desire, at any time a majority of the Senate shall so decide. I say "majority," because I was shocked to hear two very able Members say they thought any amendment to the rules required a two-thirds vote.

Our distinguished forefathers did provide a requirement for a two-thirds vote to expel a Senator. They provided for a two-thirds vote to impeach a President. They provided for a two-thirds

vote in other instances. But the Senate of the United States, by majority vote, can amend any of its rules or rewrite all its rules.

I assure the Senate that instead of allowing this debate to go on and on and on, as to whether we should adopt all the rules at one time, or one at a time, or amend them, operating for days without any rules at all, operating under Robert's Rules of Order, or general parliamentary practice, as some Senators say—and I do not know who would determine what general parliamentary practice is—if the motion to table should prevail, we could then obtain an immediate vote on the question of majority rule, in the form of the Humphrey-Douglas-Javits proposal.

If the majority of the Senate should not agree to go along with that proposal, we could obtain a vote on the proposal for a three-fifths vote, if any Senator should care to offer it. If a majority of the Senate should not care to go along with that proposal, we could obtain a vote on Senate Resolution 5, proposed by the leadership on both sides.

In any event, it is the intention of the leadership to remain here early and late, as long as may be necessary, in an attempt to amend rule XXII in two respects; and to amend rule XXXII in another respect. The Senate cannot function unless there is an amendment to rule XXV, because after the election the percentages in the Senate changed considerably, and the ratio of the parties on committees will be changed substantially.

Mr. O'MAHONEY. Mr. President, will the Senator from Oklahoma permit me to address a question to the Senator from Texas?

Mr. MONRONEY. I yield to the distinguished Senator from Wyoming with the understanding that I do not lose the floor.

Mr. O'MAHONEY. Let me say to the Senator from Texas that I understand perfectly the statement he has just made, and I agree entirely with it. We cannot proceed day by day, changing the rules one by one, if we so desire, by majority vote, and no Senator, new or old, is denied the right to suggest any changes of any rule he desires.

However, the Senator from South Dakota [Mr. CASE] understood the answer of the Vice President just as I understood it. The Vice President, in attempting to answer my parliamentary inquiry, stated that if the resolution submitted by the Senator from Texas, on behalf of both the majority and minority leaderships should prevail, the Senate would not thereafter have the constitutional right to change its rules. In other words, the Vice President is telling us that the Senate of the United States, by majority vote, may amend the Constitution—a perfect absurdity.

When he attempted to answer my inquiry as to where in the Constitution there is any line to indicate that a failure of the Senate to adopt all its rules at the beginning of a session would cut off the right of the Senate to act, he could not answer. He raised then the hypothetical situation of what might happen if rule XXII of the present Standing Rules of the Senate were to be invoked on a filibuster. I have been trying to point out that the Senator from Texas is endeavoring to liberalize the rule, to strike out the exemption from cloture which is granted by the present rule, the so-called Wherry rule, when dealing with motions to change the rules.

Mr. JOHNSON of Texas. The Senator from Texas is attempting to do something else also.

Mr. O'MAHONEY. Yes.

Mr. JOHNSON of Texas. He is attempting also to say that the rules will continue from one session to another. We know that is the case now, but we have found some very unusual and unique positions being taken by certain Members of the Senate. When it serves the purpose to censure a Senator, the Senate is a continuing body and then our rules do carry over. On such occasion we must act under those rules, we adopt committee reports and we take action.

However, when it comes to another matter, and the heat is on from another direction, we say, "We do not have any rules now. Let us not have any rules. We will proceed under Robert's Rules of Order, if we can borrow a copy of them at the city library." [Laughter.]

Mr. O'MAHONEY. In answer to my parliamentary inquiry, the Vice President said that the rules of the previous Congress could not be invoked to prevent a change of a rule by majority vote. But in the next breath he said that this Congress may deny it the right to change the rule.

Mr. JOHNSON of Texas. I understand that to be the position of the Vice President.

Mr. O'MAHONEY. It cannot possibly be the parliamentary rule. It cannot possibly be the constitutional rule. It cannot possibly be the logical rule. I ask the Senator from Oklahoma [Mr. MONRONEY] whether he was not one of the leading Members in the group of Senators who worked upon the reorganization bill?

Mr. MONRONEY. I had the distinction of being vice chairman of that group, in conjunction with the great Senator from Wisconsin, the late Bob La Follette.

Mr. O'MAHONEY. And the Senator brought before the Senate a bill which changed the rules, did he not?

Mr. MONRONEY. The most extensive changes in the Senate rules in our history were made by the Legislative Reorganization Act. More than half of the then standing committees were consolidated into those in our present committee structure. Jurisdictions were clearly defined. This committee structure is contained in rule XXV, which the Anderson amendment would nullify, and would require that it be considered de novo at each session.

Mr. O'MAHONEY. May I ask the Senator from Oklahoma when the Legislative Reorganization Act was passed?

Mr. MONRONEY. In the summer of 1946.

Mr. O'MAHONEY. Was it at the beginning of a session?

Mr. MONRONEY. It was not at the beginning of the session.

Mr. O'MAHONEY. Did anyone suggest when the Senator was working on that bill that he had lost his constitutional right to amend the rules because he did not do it at the beginning of the session?

Mr. MONRONEY. It would be perfectly ridiculous for anyone to assume the Senate ever loses its right to change its rules. We have rules which make it possible for a majority to work its will in connection with the rules of the Senate on any day of the year. It is not necessary to have the proposals go to the Committee on Rules and Administration. It is our practice to refer such a proposal to the committee, but the rule merely provides that such a resolution may be referred to the Committee on Rules and Administration.

Mr. O'MAHONEY. Does not the Senator agree that there is no paragraph, no section, no article, and no clause in the Constitution which denies to the Senate the right to change its rules whenever it wishes to do so?

Mr. MONRONEY. Rather, the provisions of the Constitution, in effect since 1789, necessarily permit the Senate to change its rules whenever the Senate wishes.

Mr. O'MAHONEY. The ruling we have heard here today, that the Senate would be constitutionally prohibited from changing its rules if it did not do so at the beginning of a session, is not upheld by any single law, constitutional or statutory?

Mr. MONRONEY. I know of no authority that has ever raised a shadow of doubt in that regard.

Mr. O'MAHONEY. I thank the Senator.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MONRONEY. I now yield to the Senator from Oregon for a question.

Mr. MORSE. I am so anxious to hear the speech of the Senator from Oklahoma that I shall not at this time answer the Senator from Wyoming and the Senator from Texas in regard to their interpretation of the Vice President's ruling. I shall speak in my own time later. I believe the Senators have completely misinterpreted the ruling of the Vice President, as I shall show later. Therefore, I shall listen to the Senator from Oklahoma at this time and discuss this matter in my own right when I get the floor later, and I shall do so at some length.

Mr. MONRONEY. I am deeply flattered by the statement of my distinguished colleague. I trust that I shall be able to complete my remarks within 20 or 30 minutes.

Mr. President, in all seriousness, the colloquies and parliamentary inquiries which have been going on during the 2 hours I have held the floor have contributed greatly to the education and enlightenment of the Senate in connection with this complex problem of rules and the adoption of rules. It has been highly instructive to the Senate. All Senators have benefited by the inquiries addressed to the Chair. They have had the advantage of the expressions by authorities such as the Senator from Geor-

gia [Mr. RUSSELL], the Senator from Oregon [Mr. MORSE], and many other Senators, on the interpretation of the rules.

However, it seems to me that the important thing—and it speaks more eloquently than anything I could ever say on the subject—is that the enlightenment of the Senate which has resulted was based on the little black book I hold in my hand. It is called the Senate Manual. It contains the 40 rules which have come down to us after surviving many periods of change. All the answers which have been given are in the rule book. We are able to proceed today to change the rules in an orderly way, as proposed by the Johnson amendment to change rule XXII, only because we have these rules in the first place.

If the Anderson proposal were to supplant the Johnson proposal, we would have no rules under which to proceed. We would proceed de novo. There would be no limitation on debate, and any Senator who had the floor could hold it. I say that because there would be no rules. There would be no rule that a Senator must proceed in order, or that he must refrain from making derogatory references to his colleagues in the Senate. We would be flying blind, without instruments and without any control points to check. Under the Anderson proposal we would throw out the rule book and say that the Senate rules are not continuing.

The proposal of the Senator from New Mexico sets forth that—

> In accordance with article I, section 5 of the Constitution, which declares that * * * "each House may determine the rules of its proceedings" * * * I now move that this body take up for immediate consideration the adoption of rules for the Senate of the 86th Congress.

That motion provides for the taking up for immediate consideration the question of the adoption of rules. It does not say "a rule" or "an amendment to rule XXII." It is proposed to take up the rule book, and there would be no rule which would apply. The Anderson proposal would take us into a blind area.

Our problem is not a theoretical one, as to whether the Senate is a continuing body or a noncontinuing body. Our problem is whether the precedent of continuing the rules of the Senate from one Congress to another, unless they are changed in accordance with the rules, is in the public interest. That is what the Senate must consider.

Stated in another way, our problem is whether it is in the public interest to establish the precedent. Let me emphasize the word "precedent" that the Senate shall adopt new rules without prior committee study, at the beginning of each new Congress. I submit that to establish such a precedent would be a great disservice to the Senate, to the American people, and perhaps to the world.

I am not afraid of this Congress. I am not afraid of the Members of the Senate. I know the Senators who are proposing that the rules be changed. I know the Senators who are sponsors of the Anderson proposal. They are sincere in their endeavor.

I favor changing rule XXII according to the Johnson proposal. I am not in favor of establishing a precedent of adopting brand new rules every 2 years which would haunt the Senate in years to come. I know not what the vicissitudes of political life will bring into the Senate. I do not look with favor upon the possibility of wrecking Senate rules which have been passed down to us since 1790.

As the majority leader has asked, Will the Senate operate under Robert's Rules of Order? Under those rules, a two-thirds vote is required to move the previous question. So those who say the Senate rules are restrictive will not find Robert's Rules of Order to be less so.

Therefore, it seems to me that we would be foolish in the extreme to adopt the Anderson motion, not because of the fight over rule XXII, not because of the Senators we know and respect who wish to make these changes, but because we cannot see, in the future of this great Nation, what the position of a future Senate may be and what purpose would be served by this precedent in the future.

We should not lose sight of the fact—and I assure the Senate that it is a fact—that the most tempting permanent target of rules change is the Senate's committee structure. The demand has been, and will always be, for more and more committees. Not only personal ambition, but more frequently deep personal interest in particular fields, will continually generate demands for new committees.

The present committee structure of both the House and Senate is the result of 2 years of study and hearings by the joint committee on legislative reorganization, which culminated in the Legislative Reorganization Act of 1947.

When that committee began its work the multiplication of committees had over the years reached the point of absolute absurdity. The Senate boasted more than 30 standing committees, with many Senators serving on 7 or 8. Their development represented a little known variant of Parkisons Law—year after year there were more and more committees accomplishing less and less. There was constant confusion and bickering over jurisdiction. No Senator could possibly keep up with the business of more than a few of the committees on which he served.

To create a tempting opportunity to create pet committees at the beginning of each Congress would all but insure that we would begin a return to that same sorry mess.

There will of course be need for change in the present committee system to meet new problems as they arise. An excellent illustration of this occurred in the last Congress with the creation of the Committee on Aeronautics and Space Sciences. But if such need is genuine it can withstand the careful study by the Committee on Rules, with a full hearing on the pros and cons.

I know that there are those who contend that because the House adopts its rules at the beginning of each Congress, the Senate can do the same. I can only say, on the basis of service in both bodies, that they are not the same, and that procedures which work well in one would not work in the other. I would also remind the Senate that even in the House, the practice has already resulted in the creation of a new standing committee before most members knew what was happening.

Today, all appropriation bills must be referred to the Committee on Appropriations. What might happen in the future, if some dissatisfied Senators, who had been disappointed with the careful consideration given to a matter by the Committee on Appropriations, got together with members of legislative committees, such as the Committee on Interstate and Foreign Commerce, the Committee on Foreign Relations, or the Committee on Public Works, and attempted to change rule XXV so as to strip the Committee on Appropriations of its right to recommend appropriations, and there should be a return to the practice which was once followed in the last century, when legislative committees recommended their own appropriations?

The present Senate rules have been carefully designed to give definite jurisdiction to each committee. The number of committees has been reduced by more than half. Senators no longer serve on 7 or 8 committees; their service has been reduced to 2 or 3 committees, so as to enable them to concentrate more effectively on their work. Committees have been provided with staff experts, so as to afford Congress the best information and know-how, instead of having to take legislation spoon-fed from the executive departments.

I observed the work of Bob La Follette during the 2 years I worked with him on the revision of the rules. He knew the rules could be changed. But he knew there was a right way to do it, and that was to bring about an orderly change through orderly consideration and orderly discussion. He did not act in haste. I fear that under the Anderson motion the Senate would be rushing to do something which would haunt us down through the years.

The debate has better informed Senators and should demonstrate the wisdom of the Democratic leadership, speaking through the Senator from Texas [Mr. JOHNSON], in offering a specific amendment to rule XXII. The colloquies and parliamentary inquiries have shown how rule XXII, which is at issue here, can be amended. It can be amended so as to provide that two-thirds of the Senators present and voting may invoke cloture. It can be amended so as to provide that one-half the Members present and voting may invoke cloture. It can be amended, if a majority of the Senate wishes to do so, so as to provide that 10 percent of the membership may invoke cloture. We have that right, and the majority can work its will through the resolution before us.

In this moment of reflection, when we are asked to reverse a precedent of 170 years and to vote that the Senate has no rules—because that is what we shall do if we adopt the Anderson motion—we should consider whether we should not

instead only amend rule XXII. I have heard no argument made that most of the present rules are not good rules. The objection is to rule XXII. I should like to propose and have adopted a rule of germaneness. But I would rather present that proposal to the Committee on Rules and Administration. I should like to have such a proposal considered in the quiet of a committee room and then have it brought before the Senate for discussion and consideration.

The adoption of an entirely new set of rules could destroy the individual rights and prerogatives of Senators. In a few words, it could strip away the jurisdiction of the Committee on Finance to write tax laws. It could transfer the jurisdiction of that committee to, perhaps, the Committee on Post Office and Civil Service. Any jurisdiction could be shifted around by the changing of a few words. Certainly that could be the jugular vein which some future Senate might hit.

We are asked, by the Anderson motion, to throw overboard the precedents which have been carefully developed since 1790, and to say that on the opening day of a Congress we shall rewrite the entire book of rules and make them subject to adoption. Thus any group of Senators having a strong majority behind them could write rules which could gag the minority.

I like our rules. I think our rules generally are good, because they not only protect the right of a majority to work its will, but they protect the right of the minority to be heard and to be dealt with fairly and with justice. If the rules do not give the majority the proper balance, or if the minority is too powerful, then the Senate can change the rules.

I would add a rule of germaneness requiring that debate must be germane to the pending business of the Senate; a rule which would give further power to the majority to work its will, but still leave the minority in this great Chamber opportunity to be heard.

Throughout history there have been moments in the Senate when great men who walked this floor, sometimes only a handful, seemed to be a voice in the wilderness, men who had the courage to stand up and advocate principles which led to great reforms, sometimes a score of years later. Many of those men are included in the great hall of fame of the Senate. These rules let them speak.

The British common law was not a written document at first; it was a product of tradition. This is what we have in our own rules. We have rules which are mellowed with the patina of age. The Senate as a legislative body should be able to assert its will; and under orderly processes, we can work our will, understanding and knowing what we can do.

I feel that the Anderson proposal, particularly with respect to our committee system, will open up in some future Congress, a bargain day for the crackpots to tear up the rule book and adopt 40 new rules. No one can know what the final result of that will be in practice.

On the other hand, if we can change laws by majority vote, we can change the rules of the Senate by majority vote. We do not at each session, de novo, enact a brand new code of laws; we merely change the laws which need to be changed. By the same token, the rules, which are the cornerstone of our lawmaking operations must be changed in similar fashion.

Senators should not think it will not be used if today the Senate establishes this precedent that the Senate is a de novo, new body every 2 years. During the year-long hearings before Senator La Follette, there was not one word of testimony which would show that there was ever a belief that the Senate was a non-continuing body; and those hearings were attended by all the great governmental authorities, including Members of the Senate. At that time no one questioned that the Senate was a continuing body; the continuing nature of the Senate was a great tradition of history, like the British common law which by usage and acceptance became even more firm than legislation or written law itself.

So I plead with the Members of the Senate, regardless of what their position about rule XXII may be, to remember that the rules of the Senate provide for orderly procedure, which can be changed today, tomorrow, or at any other time, but which should be changed only in the case of individual points regarding which changes or corrections may be needed, rather than to throw away the entire book of rules. Certainly that is the position all Senators should take.

Therefore, I plead with all Senators to support the resolution of the Senator from Texas [Mr. JOHNSON]. I plead with all Senators to stay with the rock of ages. I plead with them to vote to change the rules in any way they need to be changed, but not to vote to throw away the entire rule book and open the way for a bargain day for crackpots in some future Senate.

Mr. GORE. Mr. President, will the Senator from Oklahoma yield to me?

The PRESIDING OFFICER (Mr. CASE of New Jersey in the chair). Does the Senator from Oklahoma yield to the Senator from Tennessee?

Mr. MONRONEY. I yield to my distinguished colleague.

Mr. GORE. Mr. President, the distinguished junior Senator from Oklahoma has delivered a speech which should attract the attention of every Member of this body and also the attention of all other students of government, many of whom have been expressing opinions in regard to the question today before the Senate.

The able Senator from Oklahoma has urged caution in changing the rules of the Senate. He has demonstrated his own desire to be cautious in approaching the subject, by saying that although he believes that a rule of germaneness should be applied with respect to the procedure in connection with rule XXII, yet he is not certain—as I understand him—whether he will offer that proposal as an amendment to the pending measure or whether he will submit it as an individual suggestion or resolution to be referred to the Committee on Rules and Administration.

His suggestion of the application of a rule of germaneness if a point of order regarding germaneness is made, strikes me as having great merit; and I hope he will consider offering his proposal as an amendment to the Johnson resolution, or that at least, he will give further consideration to the possibility of doing so.

Mr. MONRONEY. Mr. President, I deeply appreciate what my friend of 20 years in the Congress, the distinguished junior Senator from Tennessee, has said.

My belief is that it would be wise for the Senate to have the right to require that debate be germane, so that pending questions could be disposed of at certain points during the procedure. But I believe careful study is necessary in regard to the rule-making function. Unless the adoption of a rule of germaneness were needed in order to form a bridge which would help solve the problem in regard to rule XXII, which all of us understand, I would prefer to wait, and to present my ideas to the Committee on Rules and Administration, because I believe it proper that great care be used in connection with all rule changes.

All Senators are familiar with rule XXII. It has been before the Senate for a long time.

I am reluctant to ask the Senate to go along with my idea until it has been carefully studied, unless its adoption would bring the two sides closer together in finding a better way to dispose of the difficulties and problems regarding rule XXII.

Therefore, I intend at this time to withhold my suggestion or resolution in regard to a rule of germaneness; but I intend to go before the Committee on Rules and Administration and to urge that committee to bring my proposal before the Senate under the regular procedure, so firmly do I believe in the exercise of care in regard to the rules under which this great body operates.

Mr. GORE. I agree with the distinguished Senator from Oklahoma. I should like to point out that a rule of germaneness would give, not only to the majority of the Senate, but also to any Member or Members of the Senate, a weapon by which they could hold the debate to the subject under consideration, if such a rule of germaneness were to be invoked.

Of course there are many rules of the Senate which customarily are not invoked. For instance, both the junior Senator from Oklahoma and the junior Senator from Tennessee are now violating certain rules of the Senate which the junior Senator from Michigan could invoke if he now desired to do so, inasmuch as the junior Senator from Tennessee is speaking away from his desk, and the junior Senator from Oklahoma is resting his arm on his desk. If the Senator from Michigan were to object, then, under the rules of the Senate, the Presiding Officer would call us to order.

The junior Senator from Oklahoma has now suggested another means by which a Senator who might be engaged or who was thought to be engaged in dilatory debate for the purpose of preventing the taking of action could be

held to debate on the subject under consideration. I think that proposal has merit.

Mr. MONRONEY. Mr. President, under my proposal a majority of the Senate would have to vote on a motion to require germaneness; but such a requirement still would permit freedom of debate in the normal processes of business. However, following the adoption of such a rule by the Senate, Senators would have a right, at a point which to them seemed wise, to invoke the rule of germaneness regarding further debate on the business then before the Senate. I believe that would be a good idea. However, again I say that I wish to be most cautious and to exercise great care in regard to the rulemaking process. Nevertheless, if a compromise is to be made—and of course all of us realize that compromises are necessary in connection with the making of the rules—perhaps my idea should be considered. I appreciate the comment made by my distinguished colleague, the junior Senator from Tennessee, who has had so much experience and is so wise regarding this field.

Mr. ROBERTSON. Mr. President, will the Senator from Oklahoma yield to me?

Mr. MONRONEY. Yes; or I am prepared to yield the floor.

Mr. ROBERTSON. I wish to commend the Senator from Oklahoma for the fine statement he has made; and then I wish to make some comments in my own behalf.

Mr. MONRONEY. Very well; I am glad to yield.

Mr. ROBERTSON. I thank the Senator from Oklahoma.

Mr. President, I wish to join the Senator from Tennessee [Mr. GORE] in commending our distinguished colleague, the junior Senator from Oklahoma [Mr. MONRONEY], for his very clear, lucid, emphatic statement in regard to a very fundamental principle, namely, that the Senate is a continuing body. That was intended by the framers of the Constitution. It was so considered by the first Members of the Senate, who were closest to the time of the drafting and ratification of the Constitution. The vote which will be taken this afternoon will be a direct vote on the question whether the Senate shall break the thus-far-unbroken precedent—unbroken since the Senate was first established.

My distinguished friend did not discuss in detail two points, namely, that in providing that two-thirds of the Senate always would hold over, and in providing that the President would send nominations to the Senate while it was in recess—not to a new Senate, but to the same, continuing Senate—the framers of the Constitution intended that the Senate should be a continuing body. That was so stated at that time in the Federalist papers, by Madison, Hamilton, and Jay. In two United States Supreme Court decisions which have dealt with the functioning of Senate committees during a recess of the Senate—and of course the committees of the Senate would not be able to function and would not exist during a recess of the Senate if the Senate itself were not then continuing and alive—the Supreme Court has held that the Senate is a continuing body, and that its committees function while the Senate is in recess, although that does not apply to the House of Representatives. I cannot emphasize too strongly the point which has been so well brought out by the Senator from Oklahoma, that if we take the position that the Senate has no rules when it meets for a new session, there will be an opening for any proposal of a temporary majority, whereas undoubtedly in our early history the new Union of sovereign States, with equal rights in this body, would not have come about unless there had been the great compromise. The keystone of that arch is the right to protect the sovereignty of our several States, and the assurance that the Senate, as a continuing body, would have rules definitely established for the protection of the minority. That theory is not inconsistent with the provision of the Constitution that the Senate can change its own rules whenever it wants to. There is no question about that. But the Senator from Oklahoma is exactly right in his statement that by tradition, by precedent, by the clear meaning of the Constitution, by two Supreme Court decisions, the Senate is a continuing body, and we should never change that fundamental principle of our unique form of government.

I appreciate the kindness of the Senator from Oklahoma in yielding to me. With his permission, I ask unanimous consent that at the conclusion of his remarks there may be printed in the RECORD an extended discussion I had prepared on the subject of the Senate's being a continuing body. It has been so universally accepted that the Senate is a continuing body that the speech of the Senator from Oklahoma is the first extended speech that has been made in this body on the question since 1915, when one was made by Senator Elihu Root, of New York. Not in the past 35 or 40 years has there been a speech dealing specifically with the point made by the Senator from Oklahoma.

The junior Senator from Virginia felt this would be the time and place for us to put into the RECORD not only evidence as to where we stand on this question, but to get all the authorities about the question into the record, so we would not be plagued every 2 years with the recurrent assertion that "the Senate is not a continuing body; let us throw out the rulebook and start afresh."

Mr. MONRONEY. I am grateful to my colleague, the distinguished Senator from Virginia. I appreciate his remarks and his very able statement.

Mr. ROBERTSON. Mr. President, I ask unanimous consent that the statement to which I have referred may be printed in the RECORD at the conclusion of the remarks of the Senator from Oklahoma.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR ROBERTSON

THE SENATE AS A CONTINUING BODY

Evidence that the Senate was intended to be a continuing body and has so functioned throughout its history is so overwhelming I am frankly surprised that we find it necessary to argue the point at this time.

It is true that in January 1957, the Vice President, offered an informal opinion that Senate continuity is of limited application and that the Senate was not bound to respect a standing rule permitting unlimited debate on proposals to change the rules. The Senate chose not to take up that isolated challenge and I had hoped we would continue to accept the theory of former President Buchanan who said the Senate had existed as a permanent body since the day of its meeting in 1789 and would continue to so exist as long as the Government should endure.

The question has been raised again this year, however, and the Vice President has said that while the rules which governed the Senate at its previous session are in effect when we convene, the Senate has the right to adopt new rules at the start of the session without regard to the binding restrictions of the old rules as to how changes in them shall be made.

This seems to mean that while a new session of the Senate inherits rules, it can deny its inheritance and proceed as if rules did not exist. The net effect is the same as saying the Senate is not a continuing body, even though no reference is made to that particular term.

Under these circumstances I want to take my position emphatically on the side of the framers of our Constitution, of several former Presidents, of innumerable Members of this body, of distinguished historians and writers on the theory of government and of at least two Supreme Court decisions, all holding that the Senate is a continuing body with rules that survive intact from one session to the next, subject to change only under terms which the rules themselves provide.

I take this position not for reasons of expediency, with respect to legislative objectives, but because I am convinced that to give up the concept of the Senate as a continuing body will undermine a cornerstone of our Government and will threaten the foundation of State sovereignty and States rights on which our Federal Union was founded.

In my discussion, I shall review briefly the traditions of the Senate and the history underlying them; I shall point to features of our organizational structure which are characteristic only of continuing bodies and I shall quote from only a few of the authorities I have mentioned who, over the years, have reiterated their conviction that the Senate never dies.

It is my hope that this recitation of facts will convince any doubting colleagues of the wisdom of Woodrow Wilson when he said in his authoritative book on "Constitutional Government in the United States" (p. 127) that "the continuity of the government lies in the keeping of the Senate more than in the keeping of the Executive, even in respect of matters which are the especial prerogative of the Presidential office."

The Committee on Rules and Administration of the Senate on May 12, 1953 in reporting on Senate Resolution 20 stated: "Traditionally the Senate was created as a curb upon hasty action by the House of Representatives. It is a continuing body with one-third of its membership elected every 2 years, whose members, moreover, come from component parts of the Union."

To understand how true that simple statement is we must examine the history and traditions of this body.

What our Founding Fathers intended

The supreme objective of our Founding Fathers was to create a more effective union without conferring upon the new Federal Government enough power to destroy the sovereignty of the States. The keystone of that arch was the Senate, only one-third of

which would be elected every 2 years as compared with the election every 2 years of the entire House membership. The need for maturity and experience in the legislative branch of the Government influenced the decision with respect to the continuity of the Senate. Alexander Hamilton in letter No. 63 of the Federalist referred to this point in clear and unmistakable terms when he said that the House of Representatives elected for the short term of 2 years should not be answerable for the final result of matters on which the general welfare may essentially depend. Then he added:

"The proper remedy for this defect must be an additional body in the legislative department, which, having sufficient permanency to provide for such objects as require a continued attention and a train of measures may be justly and effectually answerable for the attainment of those objects."

John Jay's "Federalist Letter No. 64" is to the same effect. In writing about the Convention's deliberations concerning Senators, he stated that it was felt that "they should continue in place a sufficient time to become perfectly acquainted with our traditional concerns and to form and introduce a system of the management of them. The duration prescribed is such as will give them an opportunity of greatly extending their political information, and of rendering their accumulating experience more and more beneficial to their country.

"Nor has the Convention discovered less prudence in providing for the frequent elections of Senators in such a way as to obviate the inconvenience of periodically transferring these great affairs entirely to new men—for, by leaving a considerable residue of old ones in place, uniformity, and order, as well as a constant succession of official information will be preserved."

In the Federalist No. 63 another pertinent statement appears:

"The necessity of a Senate is not less indicated by the propensity of all single and numerous assemblies, to yield to the impulse of sudden and violent passions, and to be seduced by factious leaders into intemperate and pernicious resolutions. The mutability in the public councils arising from a rapid succession of new members, however qualified they may be, points out in the strongest manner the necessity of some stable institution in the Government."

Senate rules history

That the framers of the Constitution intended for the Senate to be a continuing body is clearly indicated by article II, section 2 of the Constitution which says: "The President shall have the Power to fill up all Vacancies that may happen during the recess of the Senate, by granting Commissions which shall expire at the end of their next session." Note that the reference is to a recess and the next meeting of one and the same Senate and not to appointments which will go to a new Senate. This principle applies to several of its continuing powers such as treaty ratifying powers and committee hearings between sessions of Congress, and those closest to the framing of the Constitution applied it to standing rules of procedure of the Senate—a precedent that never has been violated.

Except for a brief interval in the War Between the States action on Senate rules limiting debate has been taken only twice in the last 152 years. In 1917 Senator Thomas S. Martin, of my own Commonwealth of Virginia, submitted a resolution which became rule XXII and which remained in force until the Wherry-Hayden amendment was adopted in 1949. Two years prior to the 1917 change, the eminent Senator Elihu Root, of New York, delivered a masterful address on the Senate as a continuing body and the wisdom of unlimited debate (February 15, 1915, CONGRESSIONAL RECORD 3793) in which he said:

"The Senate is a continuous body and its rules once adopted continue until they are changed."

The Senator from Kentucky [Mr. James] had asked "Shall we be bound by these old dead hands?" "Yes," answered Root "unless we see fit to change the rule. Nor is it the dead hand alone that binds us; it is the observance and recognition of the rule at every session of the Senate for these 108 years. Bound by the men of a hundred years ago? No, bound by all the great and patriotic and wise and able men who have made the Senate of the United States for that century.

"The Senate not a continuing body? Why, sir, what happened here 2 years ago come the 4th of March? It was here in the Senate of the United States you were inducted into office. What happens when Congress adjourns? The House goes out of existence; there is a new House, and until that House is organized the statute says the Senate Committee is the Joint Committee of Congress on the Library. No reorganization is required."

The distinguished Senator from New York added "the purpose of rules is to establish a course of conduct which shall be a protection to the minority and preserve them in the performance of their duties against arbitrary repression on the part of the majority—and sir, there is no right of liberty in a republic more essential and vital than is the preservation and the protection of the minority in the performance of their duty.

"Otherwise, sir, why are we here at all? Why should not all of the members of the minority go to their homes? But, sir, if you do that there is an end of representative government; if you do that there is no occasion for the majority. If they destroy the functions of the minority they equally destroy the functions of the majority for they cannot perform the duties of representative government by holding a secret conclave.

"Sir, the only protection for this system of government by representation is to be found in these rules."

For the first time in its history the fact that the Senate is a continuing body was officially challenged from the Chair in an opinion of the Vice President delivered in January 1957, in which he said:

"Any provision of Senate rules adopted in a previous Congress which has the expressed or practical effect of denying the majority of the Senate in a new Congress the right to adopt the rules under which it desires to proceed, is in the opinion of the Chair unconstitutional. It is also the opinion of the Chair that section 3 of rule XXII in practice has such an effect.

"The Chair emphasizes that this is only his own opinion because under Senate precedents a question of constitutionality can only be decided by the Senate itself" (CONGRESSIONAL RECORD, vol. 103, pt. 1, pp. 178–179). The Senate did not vote on the point of constitutionality, as the motion to lay on the table the proposal to amend the rules carried.

The Vice President in his statement of January 4, 1957, admitted that there is a great volume of written comment and opinion to the effect that the Senate is a continuing body with continuing rules. "The constitutional provision," he said, "under which only one-third of the Senate membership is changed by election in each Congress can only be construed to indicate the intent of the framers that the Senate should be a continuing parliamentary body for at least some purposes. By practice for 167 years the rules of the Senate have been continued from one Congress to another."

The Vice President, however, then stated that the provision of the Constitution that each House may determine the rules of its proceedings bothered him and he said that section 3 was unconstitutional. With this I disagree. It is a refutation of the traditional concept of the continuity of the Senate, a refutation of the clear intent of the framers of the Constitution that the Senate be a continuing body, not for some purpose as claimed by the Vice President but for all purposes. As a continuing body we have adopted rules of procedure to fit our unique legislative functions. Those rules are constitutional and they are binding on us today. There can be no cloture on a motion to proceed to consider changing the rules and the requirements of the rules remain effective unless and until changed.

* * * * *

Views on continuity a century ago

Some of the most direct statements on the Senate being a continuing body were made in 1841 in the controversy over the Senate printers. The Senate in the 26th Congress had elected printers on February 20, 1841, as its printers for the succeeding Congress. On March 4 of that year the political complexion of the Senate changed. The Senate organized by reelecting its President pro tempore and sat in special session until March 14. The House of Representatives adjourned sine die and was not in session after March 4. On March 4 a resolution was introduced to dismiss the printers. Irrespective of the Senate's right to dismiss printers for cause, contractual or otherwise, the debate involved as a collateral item the continuous nature of the Senate. Some even stated that the next Senate would be a new Senate, to which Senator Allen, of Ohio, replied, according to the Congressional Globe, as follows:

"And as to the assertion that this was a new Senate, he denied the fact. The argument so much relied on in this discussion and on which so much logic and reasoning had been wasted in opposition to these printers was untrue. There was no such thing as a new Senate known to the Constitution of this Republic. They might as well speak of a new Supreme Court as of a new Senate. There was a new House of Representatives—but not so the Senate. The Constitution replenishes that body every 2 years by the election of a class of Senators, and thereby gives eternity to the duration of the body. There was no new, nor was there any old Senate."

On March 8, 1841, Senator Buchanan, of Pennsylvania, later President of the United States, made a most pertinent statement, which was summarized in the Globe as follows:

"There could be no new Senate. This was the very same body, constitutionally and in point of law, which had assembled on the first day of its meeting in 1789. It has existed without any intermission from that day until the present moment, and would continue to exist as long as the Government should endure. It was emphatically a permanent body. Its rules were permanent and were not adopted from Congress to Congress like those of the House of Representatives. For many years after the commencement of the Government its Secretary was a permanent officer, though our rules now require that he should be elected at stated intervals. The Senate always had a President, and there were always two-thirds of its actual Members in existence, and generally a much greater number. It would be useless to labor this question. Every writer, without exception, who had treated on the subject had declared the Senate to be a permanent body. It never dies; and it was the sheet anchor of the Constitution on account of its permanency. Senators were thus deprived of the poor apology that one Senate had no right to bind its successors." (Congressional Globe, 26th Cong., 2d sess., vol. 9, p. 240.)

It may be noted in this controversy in which the printers were ultimately dismissed

that Senator Henry Clay, of Kentucky, although he personally was in favor of limiting debate at times as opposed to John C. Calhoun who was a forceful and outspoken proponent of unlimited debate, voted to dismiss the printers but argued that the Senate was a continuing body. On this the Legislative Reference Division, Library of Congress, in commenting on the Congressional Globe of March 11, 1841, stated:

"But a vote to dismiss its printers was not necessarily a vote that the Senate was discontinuous. One of the Senators who advocated and voted for the dismissal, Henry Clay, of Kentucky, agreed with the opposition that the Senate was everlasting. And if the proponents of the discontinuity view were, in fact, more numerous than its opponents the reports in the Congressional Globe—wholly fail to indicate it." (Senate Rules and the Senate as a Continuing Body, Doc. No. 4, 83d Cong., 1st sess., p. 31 appendix.)

Other illustrations of continuity

There are four fields that warrant special attention as illustrating the continuing nature of the Senate. These are (1) officers of the Senate, (2) Senate committees, (3) the Senate as an executive body, and (4) the treaty ratifying power.

Officers of the Senate serve no stated term of office. They serve until their successors are selected. Benjamin Harrison, former President of the United States and U.S. Senator, pointed this out in his book entitled "This Country of Ours," page 51. George H. Haynes in "The Senate of the United States," volume 1, page 261, points out the same thing as an illustration of the continuing nature of the Senate. Senator Anthony on March 24, 1879, while the Senate was in the process of replacing some of its officers with others along purely political lines, observed: "The Senate never dies. The same which it was when it met in 1789, it is now, and has held continuous and unbroken existence ever since. Its officers have naturally partaken of its permanent character. Its elective officers are chosen, not for a definite period, but during the pleasure of the Senate." (CONGRESSIONAL RECORD, vol. 9, pt. 1, p. 147.)

With respect to the President pro tempore of the Senate, there have been several significant expressions regarding the continuing nature of the Senate applying to that office. In Senate Report 3, 44th Congress, 1st session, page 2, dated January 10, 1876, the Committee on Privileges and Elections made a survey of the customary procedure regarding the office of President pro tempore. It cited 49 instances where the office held over after the first recess and only 4 where it did not. The report also stated:

"The custom of the Vice President to vacate the chair before the close of a session to enable the Senate to choose a President pro tempore did not begin until after the passage of the act of March 1, 1792, and was obviously instituted to meet the contingency contemplated in the act by providing a President pro tempore of the Senate during the vacations of that body. The Senate in contemplation of law is a perpetual body, and the officers of the Senate are as much its officers during its vacations as during its sessions."

A resolution providing that the tenure of office of President pro tempore of the Senate does not expire at the meeting of Congress after the first recess, the Vice President not having appeared to take the chair was unanimously adopted January 10, 1876. (CONGRESSIONAL RECORD, vol. 4, p. 316.) Senator Merriman made the following statement:

"I want to emphasize the matter. This resolution is adopted unanimously. It is a resolution that affects the organization of the body for all time to come and establishes a precedent.

Two days later the Senate adopted a resolution stating that "The office of President pro tempore is held at the pleasure of the Senate." (CONGRESSIONAL RECORD, Jan. 12, 1876, pp. 360–373.)

On March 2, 1891, Senator Charles F. Manderson was elected President pro tempore to hold office during the pleasure of the Senate in accordance with the resolution of March 12, 1890 (CONGRESSIONAL RECORD, vol. 22, p. 3637) with the intention apparently that his office would continue over into the following Congress. Subsequent Presidents pro tempore were regularly elected with reference to this same resolution. Numerous instances in history are cited in Gilfry's compilation "President of the Senate pro tempore" of those officers holding over from one Congress to the next.

It is a well-accepted custom that the Senate can and does order investigations, interim reports, final reports, and recommendations by its committees, without reference to the ending of one Congress or the beginning of another. Even when there is some change in the composition of the committee membership, this procedure is not affected. While the House has no such rule, the Senate has provided by rule XXV that all standing committees continue until their successors are appointed. Haynes, in his treatise on the U.S. Senate, not only recognizes this point but attributes the growth of Senate committee activity to it. He states (p. 551): "But increasingly, beginning with the last quarter of the 19th century, the House has seemed to be relinquishing such activities, while the Senate has been greatly expanding its exercise of the investigative function in the number, variety, and importance of its inquiries. The explanation of this remarkable shift is to be found in the contrast between the rules and procedure of the House and of the Senate."

The functions of the Senate for various executive rather than purely legislative purposes offer further arguments on behalf of continuity. The Constitution gives the Senate prerogatives in giving or withholding "advice and consent" to certain Presidential appointments and with respect to treaty-making. Prior to enactment in 1933 of the 20th amendment to the Constitution which, among other things, abolished the so-called "lameduck" sessions of the Congress and which advanced the commencement of the Presidential term from March 4 to January 20, many special sessions of the Senate as distinguished from special sessions of the Congress were convened for executive purposes.

It is appropriate to note that while executive nominations not disposed of in the Senate die with the Congress in which they are submitted, treaties transmitted to the Senate for ratification do not so die. Rule XXXVII of the Senate provides that all proceedings on treaties shall terminate with the Congress but that they shall be resumed at the commencement of the next Congress as if no proceedings had previously been had thereon. Thus unless withdrawn by the President or failing from lapse of time a treaty continues to be live matter and, as such, continues as pending in the Senate.

Continuity as a matter of law

Now, Mr. President, I am not unmindful of the fact that the Senate can resolve this issue as it pleases. It can close its eyes to the clear meaning of the Constitution and precedents in support thereof and its ears to all arguments as to what is best for the preservation of our democratic institution. But since many of my colleagues proclaim court decisions as "the law of the land" I take pleasure in citing two Supreme Court decisions that hold that the Senate is a continuing body.

In *McGrain* v. *Dougherty* (273 U.S. 135, 180–182) the Court stated:

"The rule may be the same with the House of Representatives, whose Members are all elected for the period of a single Congress; but it cannot well be the same with the Senate which is a continuing body whose Members are elected for a term of 6 years and so divided into classes that the seats of one-third only become vacant at the end of each Congress, two-thirds always continuing into the next Congress, save as vacancies may occur through death or resignation.

"Mr. Hinds in his collection of precedents says 'The Senate as a continuing body may continue its committees through the recess following the expiration of Congress' and after quoting the above statement of Jefferson's Manual, he says: 'The Senate, however, being a continuing body, gives authority to its committees during the recess after the expiration of Congress' * * *. This being so, the Senate being a continuing body, the case cannot be said to have become moot in the ordinary sense." (See also Hinds' Precedents, vol. 4, secs. 4396, 4400, 4404, 4405.)

The Supreme Court reiterated the doctrine of *McGrain* v. *Dougherty* in the case of *Sinclair* v. *U.S.* (279 U.S. 263, 295–296 (1928)). A witness at a Senate committee hearing refused to answer a question on the grounds that the investigation and the question were unauthorized. He was prosecuted for contempt and convicted. The appeal involved the point that the same Congress was not in session. The Court quoted the resolution of the Senate authorizing the committee to sit after the expiration of the then current Congress and until otherwise ordered by the Senate, and stated:

"The sole purpose was to authorize the committee to carry on the inquiry. It would be quite unreasonable if not indeed absurd for the Senate to direct investigation by the committee and to allow its power to summon and swear witnesses to lapse." The conviction was affirmed. Since the continuing nature of the Senate was a necessary point in the appeal, this case is a holding by the Court that the Senate is a continuing body. The reference thus is not merely dictum.

Both of these Supreme Court cases have been cited in numerous Federal decisions. For example, the McGrain case was cited in *Merford* v. *U.S.* (176 F. 2d 54 (D.C. 1949)) to show that the basic intent of Congress in establishing committees must be followed and in *Barsh* v. *U.S.* (167 F. 2d 241 (D.C. 1948)) on the point of a question being authorized as within the powers of a committee. The Sinclair case appears frequently in Federal citations. In *U.S.* v. *Josephson* (165 F. 2d 82 (2d circuit, 1948)) on the point of the courts turning to congressional practice to show congressional intent. The Sinclair case, citing the McGrain case, settled the issue of Senate continuity insofar as the Supreme Court is concerned.

An analogous decision is to be found in a State court. In the New York case of *People ex rel. Lazarus* v. *Coleman* (91 N.Y.S. 432, 433 99 App. Div. 88), the question was on a writ of mandamus running against a governmental board for a wrong done by a previous board. The terms of office of board members expired at different times somewhat analogous to the U.S. Senate. The court held that it was a continuing body and allowed the writ. The court stated:

"The terms of office expire at different times. It is therefore a continuing body and a writ of mandamus running against the board to reinstate the relator would accomplish that result whether the board was composed of the same persons who passed the resolution resulting in his dismissal or not."

The same principle involved in this case has been upheld in the Supreme Court of

the United States in the case of *Thompson v. U.S.* (103 U.S. 480 26 L. Ed. 521).

The legal approach and the court decision I have cited may be summarized as follows:

1. The Constitution provides that two-thirds of the Members of the Senate shall be continuous at all times in their tenure of office, and that the President shall have power to fill vacancies "during the recess of the Senate."

2. The Senate is more than an upper house as the terms "upper and lower houses" are often used historically or parenthetically. The Senate at law is assigned definite and distinct duties and prerogatives.

(a) It has the sole power to try all impeachments.

(b) It has the power to give or withhold advice and consent in the making of treaties and the nomination and appointment of Ambassadors, Judges of the Supreme Court, and certain officers of the executive branch of the Government.

(c) With the exception of bills for raising revenue, in which it may propose or concur with amendments, it may originate legislation.

3. The Senate may constitute committees with duties and powers to operate continuously or for times certain irrespective of the beginnings or endings of the terms of Congress. This point has been litigated in the courts and the continuing nature of committees of the Senate has been clearly recognized. If it were not such a body itself, its committees could not be continuous.

4. There are definitions at law of what is continuous which by comparison apply to the factual position of the Senate. In cases where courts have had jurisdiction over governmental bodies composed of members elected or appointed at different times on a successive basis such bodies at law have been held to be continuing bodies.

I submit that by all legal, factual and traditional standards the Senate of the United States is a continuing body.

Time has fixed the true character of our Government—a Federal union of sovereign States, with a Senate as a continuing body. How pertinent to the proposal to abandon that time-tested principle are these words from George Washington's farewell address:

"In all the changes to which you may be invited remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions; that experience is the surest standard by which to test the real tendency of the existing constitution of a country; that facility in changes upon the credit of mere hypothesis and opinion exposes to perpetual change, from the endless variety of hypothesis and opinion."

The Senate as a continuing body is an integral part of our unique form of Government and by the sure standard of experience Senate rules that carry over from one session to the next are essential to the proper discharge of the duties we owe to our respective States and the people thereof.

Mr. MONRONEY. Mr. President, I yield to my distinguished colleague the Senator from South Carolina [Mr. THURMOND].

Mr. THURMOND. Mr. President, the junior Senator from Oklahoma has delivered a magnificent dissertation affirming the proposition that the Senate is a continuing body. I feel the statements he has made in the Senate today are worthy of the attention of the American people. A little later in the day I myself hope to have a few remarks to make. I did not want this opportunity to pass without commending the Senator from Oklahoma for the splendid statement he has made on this subject.

Mr. MONRONEY. I am very grateful to my colleague.

Mr. President, I yield the floor.

Mr. ANDERSON. Mr. President——

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. ANDERSON. I think a statement should be made as to the purpose of the motion——

Mr. DOUGLAS. Mr. President, will the Senator yield to me to present a unanimous-consent request? The request is that there be a quorum call, but that the Senator from New Mexico will retain his right to the floor.

The PRESIDING OFFICER. Does the Senator from New Mexico yield for that purpose?

Mr. ANDERSON. Yes.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that there may be a quorum call, but that at the conclusion of the call the Senator from New Mexico will retain the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ANDERSON. Mr. President, my interest in the proposal to adopt rules at the beginning of the session is based upon enough experience to know that if we do not act on the rules now, we will never have opportunity to act during this session. We have been discussing this situation through a number of sessions of Congress.

In 1953 a motion was made that the Senate proceed to the adoption of rules. At that time there was a considerable discussion about the possibility that a new proposal would soon be before us; that it could be acted upon and that the Senate in an orderly fashion could proceed to deal with the question.

The late Senator Taft on January 6, 1953, when he was commenting on the matter, pointed out how vitally necessary it was that the Senate be regarded as a continuing body, so that its rules would carry over from Congress to Congress, and so that when the 20th of January arrived and new Cabinet officers took office, we would not be involved in a whole series of arguments about rules.

I quote from him:

If we should be involved in a rules fight the discussion could go on forever. In fact, I would venture to say that if there were a majority in the Senate who wished to adopt the procedure suggested by the Senator from New Mexico [Mr. ANDERSON], the discussion would proceed almost indefinitely. We would continue the debate for a month in order to break the filibuster that might develop under such circumstances. Therefore I believe it is exceedingly unfortunate to raise the controversy regarding the rules at this time, and contend the Senate must begin all over again at the beginning of the session and confront all the uncertain and difficult questions which could arise under those circumstances.

After he finished that statement, there were many comments. Among other things was a comment by the distinguished Senator from Illinois [Mr. DIRKSEN] who referred to the proceedings in the Committee on Rules and Administration. He said:

If I recall correctly from conversations with the distinguished Senator from Indiana [Mr. Jenner], if he assumes the chairmanship of the Rules Committee I am confident one of his first acts will be to try to bring such modification to the floor of the Senate.

Senator Jenner left no one in doubt as to what his program was to be. He said:

When the order of business calling for the introduction of bills and resolutions is reached, I shall offer the resolution which is based upon a report, Report No. 1256, which came from the Rules Committee at the last session. I think its adoption will take care of a great deal of the controversy which has arisen over the cloture rule. I propose to offer the resolution to which I have referred at the first opportunity during the present session of the Congress.

He did so; and the resolution came from the committee. It did exactly what everyone expected it to do. It remained on the Calendar of the Senate without any thought that it would ever be acted upon. No one would have been foolish enough to believe that it would be called up and actually debated, because there was a constant repetition of the statement that if that should happen, it might lead to the passage of some other legislation; and, of course, that would have been tragic to the hopes and beliefs of some Members of the Senate.

That situation occurs every 2 years, as Senator Jenner pointed out in 1953, The previous Congress, which had finished its business in 1952, had tried to wrestle with the same problem. The Committee on Rules and Administration, after long hearings, had submitted a report. That report was referred to by the then Senator from Indiana, and he was willing to concede that when it reached the floor of the Senate everything would be wonderful.

However, I point out that nothing happened. So, in 1957, an attempt was again made to see if it would be possible, at the beginning of the session, to adopt rules which might be more representative of majority will in the Senate, or might lead to the ability more quickly to change the rules if the Senate thought it necessary.

As in 1953, that resolution, proposing the adoption of new rules, came to the floor of the Senate. A motion was made to table it, and the 1953 procedure was duplicated.

I point out that in 1953 the motion was made by the then majority leader, and it was concurred in by a great many other Members. Those wanting to adopt new rules were able to receive the support of only 21 Members of the Senate.

In 1957 there was a somewhat different situation. We had considerably more support; but again the same statement was made—"Do not worry about this. Within a very short time something will happen." I refer to the CONGRESSIONAL RECORD, volume 103, part 1,

page 210, in which the then able minority leader [Mr. KNOWLAND] was speaking. He said:

I believe the correct procedure would be to have the bill introduced next Monday, when Senators will be able to introduce bills, to urge early committee hearings, to have it reported to the Senate, and to debate it fairly and fully, as it should be debated, affecting as it does many citizens in all parts of our country. We shall have a committee to which to refer such a bill next Monday, if the Senate has any rules under which to proceed. We shall have a Committee on Foreign Relations to which to refer the President's message which will be delivered tomorrow, if the Senate has rules tomorrow. But whether the Senate has rules or not apparently will depend to no small extent upon whether this body in its judgment lays on the table the motion of the Senator from New Mexico [Mr. ANDERSON].

I point out that that might have been a very sound position. I know that it was an honest position, taken by a very honest man. At the same time, I think it should be pointed out that the situation since has changed considerably, by reason of the ruling by the Vice President that the Senate continues to operate under rules of the previous Congress until they are changed.

The Vice President says that, in his opinion, the old rules are not applicable as to certain sections, which may be unconstitutional—I hope I am quoting him correctly—but that as to the remainder of the rules, in the absence of some affirmative action, the Senate could properly be regarded as proceeding under them.

Therefore, I do not see how it can be said that if we take the proposed action there will be a great legislative hiatus, in which nothing can be done because we shall have no rules. If Senators rely on the assurance of the Vice President that we have some sort of rules in the meantime, they should not say in the next breath, "We shall have no rules whatever if the so-called Anderson motion is adopted."

I continue to quote from the then minority leader, former Senator Knowland:

On Monday next, when it will be possible to introduce proposed legislation in the Senate, I shall introduce, and I shall ask all my colleagues on this side of the aisle, and I hope many of them on the other side of the aisle to join with me, a proposal to amend rule 22 of the Senate. I cannot introduce such a proposal now, under the general agreement, but I should like to read it to the Senate.

I do not say this proposal is the final solution. I do not say, after a committee has met, after hearings have been had, after testimony has been taken, after there has been a study made of the traditions of 167 years and the needs of the present, that the proposal may not be greatly improved. That is what we have committees for. But I propose to introduce, on behalf of myself and any other Senator who cares to join me, a proposal which reads:

"That subsection 2 of rule 22 of the Standing Rules of the Senate is amended (1) by striking out 'except subsection 3 of rule 22,' and (2) by striking out 'two-thirds of the Senators duly chosen and sworn,' and inserting in lieu thereof 'two-thirds of the Senators present and voting.' "

Section 2 would read:

"Subsection 3 of rule 22 of the Standing Rules of the Senate is repealed."

That is what the then minority leader thought he would be able to do. He said he planned to do it. Certainly he felt that some action would be taken. He submitted a resolution very similar to the language which I have quoted. There was a change in reference to the terms of subsection 3. Instead of repealing it, a provision was written in for continuing action.

That resolution was joined in by the majority leader and by many other Members of the Senate. Many believed that it might see the light of day, but there were some of us who did not. I know that I did not, because, if we look back to the CONGRESSIONAL RECORD, volume 103, part 1, page 213, it will be found that I said:

Oh, Mr. President, the Senator from California will find that he can send his resolution to the Committee on Rules and Administration, but that after weeks and after months it will not see the light of day on the floor of the Senate. It will not see the light of day on the floor, any more than did the resolution of the Senator from Indiana [Mr. Jenner].

I ask Senators: Who was right and who was wrong? It is true that the committee wrestled with this problem and reported a resolution.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield to the Senator from Illinois.

Mr. DOUGLAS. Is it not true that the resolution which the committee reported was not the so-called Johnson-Knowland resolution, but, rather, Senate Resolution 17, proposed by the Senator from Illinois and 14 other Senators, and that it was that resolution which by a vote of 5 to 4 was reported to the Senate by the Committee on Rules and Administration?

Mr. ANDERSON. Yes. I was only trying to point out that all we were saying then was that this question can be settled by majority action on the floor of the Senate, and that what the Committee on Rules and Administration reported, even though it might have approved the original suggestion of the Senator from Illinois, became the action of the committee, and that if it had come to the floor of the Senate I believe it would have become the action of the Senate.

However, once it got on the calendar, it hit the biggest stone wall in existence in the city of Washington. We may change the portion of the Capitol front which faces the place where we inaugurate Presidents, and that granite may not be too secure, but the stone wall that stood against that resolution reaching the floor of the Senate will never be broken unless we do it at the beginning of a session, and in the fashion I have proposed, which has been studied for a long while, and which is being presented to the Senate today.

It was well known then that that resolution would not reach the floor of the Senate and would not be adopted. I pointed out that the Committee on Rules and Administration wrestled with the matter. It labored for a long time in the previous session. I said that it labored and brought forth a mouse. That is what happened last year. The resolution was placed on the calendar, and there it remained quietly; no one ever moved to consider it.

So here we are again. I only say that with that sort of experience, I do not understand how it can be contended that the proposal will be taken up in due course later in the session. For example, in the resolution which has been submitted, Senate Resolution 5, there is a provision to which some persons take pretty strong exception. That section of the resolution provides that the rules of the Senate shall continue in force. An effort may be made to strike that section from the resolution. If it should be made, it could result in a discussion which would go on for weeks on end.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield to the Senator from Rhode Island.

Mr. PASTORE. In view of what the Senator from New Mexico has just said with relation to section 2 of Senate Resolution 5, the so-called Johnson resolution, does not the Senator from New Mexico feel that section 2 is in contravention of the Constitution of the United States, which gives to the Senate, as it gives to each branch of Congress, the right to make its own rules?

Mr. ANDERSON. Oh yes. I wish to say to the Senator from Rhode Island that I feel very deeply that that is true. I say that because I was a Member of the Senate which perpetrated on the Senate a very bad rule. In 1949 we had a controversy on this subject, and we emerged with a very bad rule.

Mr. PASTORE. Mr. President, will the Senator yield further?

Mr. ANDERSON. I yield.

Mr. PASTORE. Yesterday we witnessed a very historic event in the Senate. We swore in two Senators from the new State of Alaska. In effect, under section 2 of Senate Resolution 5—and let us assume that Hawaii will also become a State in the future—we would be saying to the newly elected Senators from Alaska and from Hawaii: "Your States may send you here to the Senate. You come here with the full importance and prestige of Senators of the United States, but you cannot make the rules which will guide your action. That will have to be left to someone else who was here years before—perhaps 10 years before—when these rules were adopted. They made the rules for you, and you cannot exercise your right under the Constitution of the United States to assist in making the rules which will guide your actions, even though you will serve as the duly elected representatives of the great States of Alaska and Hawaii."

That is what we are asked to do. Mr. President, we are not talking about expediency. We have before us a fundamental constitutional legal question which must be decided. It is true we are faced with the question of expediency, on the one hand, but, on the other, the question is whether we have a right to adopt our own rules. We are not debating the expediencies of the moment.

We are debating the fundamental and constitutional legal question involved, which is the question of whether the Senate shall have the right to make the rules which will guide its actions.

We are saying to the Senators from the great State of Alaska: "You have been sent here to serve your people and to serve your State. We have provided you with a beautiful desk and we have provided you with a fine chair in which you can sit comfortably. However, you cannot do one thing, and that is, you cannot pass on the rules which will govern your actions in the Senate."

Mr. ANDERSON. The Senator from Rhode Island is completely right. Not only are we dealing with a new State, the State of Alaska, but we are also dealing with a great many other States which have changed their positions recently. For example, the State of West Virginia very recently had two Senators in the Senate from one political party. Now it has two Senators from another political party. Yet we say to these two Senators, "You have come to the Senate because the people of your State desired to change its representation. You can come into our body, but you must accept the rules which we have adopted."

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. DOUGLAS. The Senator from Rhode Island and the Senator from New Mexico have made two very significant points. Of the 98 Senators who are now serving in the Senate, only 28 voted or were announced for the existing rule in 1949. Sixty Members of the present Senate were not in the Senate at that time. Ten Members of the Senate who are now in the Senate—and the Senator from *Illinois* is one of them—who were Members in 1949 voted or were announced against the resolution.

The question which the Senator from Rhode Island and the Senator from New Mexico have brought up is this: Shall the vote of 28 Senators in 1949 be binding upon 98 Senators in 1959?

Mr. ANDERSON. Mr. President, the Senator from Illinois is entirely correct. That is the one principle which has moved me in this whole consideration. I was a Member of the Senate in 1949. At that time it could have been provided that it should take 64 or 74 or 84 or 94 or 95 Senators to change the rules. The advocates of the proposal at that time had the votes to do it. They might just as well have said that the rules of the Senate shall never be changed except by the vote of 90 Senators or 94 Senators or 95 Senators—yes; they could just as well have said that it shall be by unanimous vote.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. PASTORE. The argument has been made here—and it has been made dramatically and graphically—that Senate Resolution 5 presents an opportunity for a majority to exert its will. How paradoxical can we become? The resolution reads, in section 2:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

We are telling a future majority, which may come here in the next 2 years, "You have no business to pass upon these rules. You must abide by the rules which were adopted by a previous Congress, because they said then—whether they are here now or not—that these are the rules that will bind you."

That is undemocratic. Beyond the fact that such procedure violates the Constitution of the United States, which gives to each Senate the right to make its own rules, it is dynasty in its worst form. How pretentious can we become?

Mr. LONG. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield to the Senator from Louisiana.

Mr. LONG. Reference has been made to the book I hold in my hand. It has been called the rulebook. Of course, it is the "Senate Manual," which contains the rules of the Senate. It contains some rules written by Thomas Jefferson, in "Jefferson's Manual." We have followed some of the precedents in "Jefferson's Manual." Thomas Jefferson has not been here for 150 years. Do my colleagues wish with regard to Thomas Jefferson and with respect to the rest of the rules to do the same thing that is proposed?

The book also contains the "Declaration of Independence." Do the Senators wish to throw that out, too, now that Thomas Jefferson is gone?

I see in the book also the Constitution, which was written by men who have not been here for a 150 years. Do Senators wish to do away with those portions of the "Manual"?

Mr. PASTORE. Mr. President, will the Senator yield so that I may propound a question?

Mr. ANDERSON. I yield.

Mr. PASTORE. I should like to ask the Senator from Louisiana, For what rules of the Senate did Thomas Jefferson vote?

Mr. LONG. I did not hear the question.

Mr. PASTORE. For what rules of the Senate did Thomas Jefferson vote, that we are violating now? We are talking about the right of the Senate to make its own rules. If we do not have rules, we can vote for the parliamentary rules which have been prescribed by Thomas Jefferson, or we can adopt "Robert's Rules of Order." That may be so. All I am saying is that fundamentally, under the Constitution, it has been decided that the Senate can make its own rules. But which Senate? The Senate of 1800 or the Senate of 1959? I say that if the Senate of 1959 has the responsibility to do the people's business, it ought to have the responsibility of adopting its own rules.

Mr. LONG. That is what we are trying to do. We are attempting to change some of our rules. Our rules include precedents which have been handed down to us. Those precedents oftentimes are binding on the Senate. They have been adopted together with the rules.

If we look at "Jefferson's Manual," we find that the rules do not provide for certain things in certain circumstances.

Mr. ANDERSON. I was just about to quote Thomas Jefferson. He said:

> Can one generation bind another, and all others, in succession forever?
>
> I think not. The Creator has made the earth for the living, not the dead.

In the Senate of the United States, I say to the Senator from Louisiana, we ought to write rules for the living, not the dead. New Senators come to this body, and there is no reason why those new Senators should be told that they are Senators in every respect except in the right to make rules. They should not be told, "You are vassals when it comes to writing rules. The Senators who were present in 1949 have said how you should live here. You have not a word to say for yourselves about how you shall live."

The Senator from Louisiana was present at that time, as I was, but there are Senators here today who were not Senators in 1949. Those Senators, when they took the oath of office, had just as many rights here as the Senator from Louisiana, the Senator from Illinois, and the Senator from New Mexico had when they became Senators.

Mr. LONG. The Senator from New Mexico helped to write those rules.

Mr. ANDERSON. I helped in trying to keep from changing them.

Mr. LONG. I voted for the rule which the Senator is discussing. I cannot recall whether the Senator from New Mexico voted for it or not. But I know he was here to vote on it.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. O'MAHONEY. I have listened to the interrogations and the answers which have been given, and I should like to ask the Senator from New Mexico another question. Will he be so kind as to tell me why the adoption of the Johnson resolution would deprive the Senate of any power to change rules by a majority vote?

Mr. ANDERSON. The Johnson resolution contains section 3, which provides a new section 2, and that section 2 will read:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

Mr. O'MAHONEY. Are not the rules of the Senate as they now exist, with the exception of rule XXII, against which I shall vote, amply sufficient to allow the Senate to change its rules by majority vote at any time?

Mr. ANDERSON. No. I think the ruling has been made, round after round, that it requires a sizable vote—no; not a sizable vote, but a majority vote, to get the question before the Senate.

Mr. O'MAHONEY. But the Johnson amendment strikes out that provision.

Mr. ANDERSON. It would still require a two-thirds vote to impose cloture.

Mr. O'MAHONEY. I beg the Senator's pardon. That provision is stricken out by the Johnson amendment, so that it cannot continue from generation to generation or from Congress to Congress if the amendment is adopted.

Mr. ANDERSON. I am sorry, but that still does not happen to be the case, in

my opinion. This provision says that the rules are to continue in effect unless they are changed.

In the succeeding Congress, the one which will begin in 1961, the able Senator from Wisconsin [Mr. PROXMIRE] might rise and say, "I move that the rules of the Senate be changed in the following particulars." He must be able to enforce cloture to secure consideration of his motion. He must obtain a two-thirds vote of the Senate to reach that point.

Mr. O'MAHONEY. Not if the Johnson amendment prevails.

Mr. ANDERSON. Oh, yes. The Johnson amendment abolishes the provision which has to do with the inability to apply cloture. There was a provision written in 1949 which was a part of the sacrifice we went through, a part of the enslaving operation we went through.

I only want to say—and I say it with reluctance, because for a long time I was a member of a committee presided over by the able Senator from Wyoming, and I have tremendous respect for his legal and parliamentary ability—that the Johnson resolution would have a tendency to accomplish three things. One is to change "two-thirds of those duly chosen"—which means 64—to "two-thirds of those present and voting."

Mr. O'MAHONEY. That is correct.

Mr. ANDERSON. That might involve one vote, possibly two votes at times, but would result in practically nothing.

The second modification is in that provision of the rule which provides that we shall never have cloture on a proposal to change the rules. There can be cloture on a change in the rules, but there is no change in the two-thirds requirement to obtain cloture.

The third thing which the resolution does, and it is a dangerous thing, which ought to bring about its defeat, is that at the beginning of each session the rules are to continue in force unless they are changed by the Senate.

Mr. O'MAHONEY. The Senator from New Mexico is not answering my simple question. I should like to know how, by the adoption of the Johnson resolution, we shall deny to the Senate the power, by a majority vote, to change its rules whenever it wants to do so.

Mr. ANDERSON. There is nothing said about a majority vote. I have said it takes a two-thirds vote to get the question up. We could change that if a resolution to change the rules were acted upon, but we could not get such a resolution before the Senate.

Mr. O'MAHONEY. No one is objecting to bringing up the Johnson resolution except the Senator from New Mexico and his associates.

Mr. ANDERSON. The Senator from Wyoming should not say that.

Mr. O'MAHONEY. That is the Senator's argument.

Mr. ANDERSON. No.

Mr. O'MAHONEY. Is not the Senator's argument now precisely this, That if the Johnson resolution shall be adopted, the two-thirds requirement and the requirement forbidding the application of rule XXII to motions to change the rules would still persist in spite of the adoption of the resolution?

Mr. ANDERSON. Yes.

Mr. O'MAHONEY. How could that be so? If we adopted by a majority vote a rule which struck out the exception in section 3 of the present rule providing that cloture shall never apply to a motion to change the rules—we are trying to abandon that; we want to kill it—what complaint would the Senator have against the resolution?

Mr. ANDERSON. We have had a ruling by the Chair that we can proceed to adopt rules by a majority vote at the beginning of a session. The resolution is intended to bring about a situation in which the Senate cannot adopt rules at the beginning of a session. I think that would be just as unconstitutional as the present situation.

Mr. O'MAHONEY. There is nothing at all in the resolution which changes the time when a change in the rules may be brought about. We are simply undertaking now to change one rule, to liberalize it so as to destroy one of the basic, fundamental foundations upon which the filibuster rests. If we kill that—and those of us who are supporting the Johnson resolution say it does that—and if a majority of the Senate votes for that proposal, then what change has been made?

Year after year, throughout the existence of the Senate, the rules of the Senate have continued unless changed, and they would continue now. No constitutional right to change the rules is interfered with at all.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. PASTORE. I think, strictly speaking and legalistically speaking, the Senator from Wyoming is correct.

Mr. ANDERSON. I do, too.

Mr. PASTORE. But we are missing an important point. It is true that the resolution which is now pending before the Senate is the basis for the majority of the Senate to exert its will. There is no question at all about that. It is true that we can, by a motion to strike out, knock out subsection 2 of section 3.

But we are losing sight of the fact that the Johnson resolution tries to establish the fact that the Senate is a continuing body. What the Senator from New Mexico is trying to do is to preserve for all posterity the right of each Senate to make its own rules. That is where we differ.

Mr. O'MAHONEY. We are not trying to do anything of the kind. There is nothing in anything which is pending before the Senate—there is nothing in the Johnson resolution—which will prevent any future Senate from changing the rules.

Mr. PASTORE. Absolutely, because in the future the Senate will have to change the rules not by majority vote, but under the existing rules.

Mr. O'MAHONEY. Not at all.

Mr. PASTORE. And the existing rule does not provide that cloture can be invoked by only two-thirds of the Senators present and voting.

In debating this question, Senators can be as nice as they please; but, fundamentally by means of this resolution we are trying to preserve the existing rule, which permits a Senator who is joined by one-third of his colleagues to thwart the will of a majority.

Mr. O'MAHONEY. Mr. President, let me say——

Mr. PASTORE. Mr. President, I have the floor.

Mr. O'MAHONEY. Yes, but I was begging the Senator to permit me to say a word.

Mr. PASTORE. I shall yield later, if the Senator will permit me to finish.

Mr. O'MAHONEY. Of course. Let me ask the Senator to read rule XL of the existing rules of the Senate. When he reads it, he will see that all that is necessary is that a Senator file a notice that a change of a rule is desired——

Mr. PASTORE. But if such a notice is filed, it will have to be referred to a committee.

Mr. O'MAHONEY. What is wrong with that?

Mr. PASTORE. But if the rule is not changed before such a motion is called up, cloture cannot be invoked in any way.

Mr. O'MAHONEY. I beg my colleague's pardon. If the notice is given and if there is agreement that it will not have to go over to the next day, it will not have to go over.

Mr. PASTORE. But if one-third of the Senators talk and talk and continue to talk—and that is all that the word "filibuster" means—in order to prevent the taking of a vote, a vote will not be taken. I say very frankly that if that is not the reason why that provision was originally written into the rule, all of us are wasting our time in speaking about this matter. What is being sought here is to preserve the right of a small minority to filibuster. Why? In order to prevent the exercise of the will of a majority of the Senate. No matter how one may state the matter, that is what it is sought to do.

Mr. ANDERSON. Mr. President, when we seek to read the history of the Senate rules, we find that even the Library of Congress does not have a copy of them. One has to hunt for a long time, in order to find some of these things—as I have done over the past 6 or 7 years.

But when we read the debate which occurred in 1917, we realize that when Senator Thomas Walsh made his statements and his proposals, he thought he was plugging up the loophole and was establishing a workable cloture rule; he thought so very firmly, and so did other Senators. But when that rule actually went into operation, it was found—at a later date—that the rule applied only to a question which was before the Senate and was the business of the Senate, and that there could be no effective cloture on a motion to take up. That was an astonishing proposition; and some of us are worried that if the language about the rules continuing in force is included, it may be found, at a later date, that a Presiding Officer may hold that the rules continue in force, and

that therefore a two-thirds vote would be required.

I realize that the Senator from Wyoming wishes to permit such action to be taken by majority vote at the beginning of a session.

Mr. O'MAHONEY. Yes. I dispute the proposition that if it is not done then by majority vote, it cannot be done later. My view is that at any time we please, we can change rule XL; and my view is that when the cloture rule was established in 1917—and at that time I was here; I was the secretary to a Senator when that debate occurred, and I know what the decision was—the decision made was to make two-thirds of the Senators present and voting the authority which could stop debate. That decision was made because the great bulk of the Members of the Senate believed that the Senate, being the only forum for free debate, should not run the risk of enabling a mere majority of a quorum to cut off debate. In the present Senate there are 98 Members; a quorum consists of 51 Members; a majority of a quorum, therefore, consists of only 26 Members. It was the feeling of the Senate in 1917 that two-thirds of the Senators present and voting should be required to shut off debate, rather than leaving that decision—to limit debate on any subject—to a mere 26 Members.

Mr. ANDERSON. But I have tried to point out that things which sometimes are not anticipated do develop, and that a provision that the rules are continuous can grow into something quite different.

The Senator from Wyoming suggests that all that is necessary is to file a notice, under rule XL, and then the matter will go to the Senate calendar, and it will be necessary only for a Senator to be recognized, in order to call it up. But the actual practice of the Senate is—as everyone knows—that the majority leader is recognized. Some of us found that out yesterday, and have found it out steadily. The majority leader is recognized. If he chooses to yield, in order to permit another Senator to make a motion to bring some matter before the Senate, well and good. But if the majority leader does not yield for that purpose, a Senator can file a motion, and it can be on the calendar for 40 days and 40 nights, but nothing will happen in connection with his motion, any more than anything happened when a proposal to change the rules of the Senate was reported. It got on the calendar, but no Senator was foolish enough to believe that it would ever leave the calendar and be taken up on the floor of the Senate.

Of course, it is true that if such a question came before the Senate, action on it could be taken by majority vote. But that is one of the things that it is absolutely impossible to have taken up on the floor, if there is opposition by the leadership.

Mr. CLARK. Mr. President, will the Senator from New Mexico yield to me?

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). Does the Senator from New Mexico yield to the Senator from Pennsylvania?

Mr. ANDERSON. I yield.

Mr. CLARK. In view of this colloquy, I believe it to be of the gravest importance that all Senators understand that Senators who vote in favor of the Johnson resolution will be voting in favor of a continuation of the right to engage in a filibuster, and will be voting in favor of continuing to permit a small minority to have the ability to hold up the taking of action by the Senate, and in effect will be voting to prevent the making of any substantial change in the rule which is not desired by almost a unanimous Senate.

When my good friend, the Senator from Wyoming—for whom I have the highest regard, and under whose tutelage I have learned so much in the past 2 years—says that if the Johnson resolution is adopted, the rules of the Senate can be changed by majority vote, let me say, with all due deference, that he is being far from realistic, because every Senator knows that cloture can be invoked only by the votes of 66 Senators, and without cloture a change in the rules will never be made.

The Johnson resolution will permit a continuing filibuster. If the Johson resolution is adopted, the Senate will not have the power to act as it should in the space age, and will not have the power to do the things necessary to be done in order to rehabilitate our country and to put it back in the forefront of freedom. On the contrary, that power of the Senate will be seriously handicapped if the Johnson amendment is adopted, because in that event Senators will have immobilized themselves from the taking of effective action, and will have put themselves into the hands of a small minority who wish to preserve the status quo, not only in our country, but throughout the free world.

Mr. JAVITS. Mr. President, will the Senator from New Mexico yield to me?

Mr. ANDERSON. I yield.

Mr. O'MAHONEY. Mr. President——

Mr. JAVITS. Mr. President, the Senator from New Mexico has yielded to me.

Mr. O'MAHONEY. I understand; but I ask the Senator from New York to withhold his request for a moment.

Mr. JAVITS. Very well.

Mr. ANDERSON. In that case, I yield now to the Senator from Wyoming.

Mr. O'MAHONEY. I wish to speak now in response to what was stated by the Senator from Pennsylvania [Mr. CLARK]. He said that 66 votes would be necessary. However, that is not correct, because the Johnson resolution would reduce the cloture majority required from two-thirds of the constitutional number of Senators to two-thirds of the Senators present and voting.

Mr. CLARK. Let us settle, then, for 64 or 63 votes. The Senator from Wyoming has seen many an ailing Senator come into the Chamber in a wheelchair, in order to participate in the voting on an important question; and I am sure that the Senator from Wyoming knows that few Senators would be absent when the vote on such an important question was taken.

Mr. O'MAHONEY. But conceivably cloture could then be invoked by the votes of 34 Senators.

Mr. CLARK. Mr. President——

Mr. O'MAHONEY. The Senator from New Mexico, instead of discussing the question and the issue now before us, spoke of the leadership, and said that the leadership would not bring up a proposal to change the rules or would not permit such a proposal to be brought before the Senate. However, I desire to point out that the leadership will do what the majority wants it to do. We can require that. So I absolutely dissent from any such aspersion upon the leadership or upon our ability to control the leadership when we want to.

Mr. ANDERSON. I am sure that the first time a civil rights bill is reported in the next session, it would be put on the calendar.

I beg the pardon of the Senator from New York. I was going to yield to him.

Mr. JAVITS. I should like to have the Senator complete his thought.

I should like to sum up the matter by saying, first, that as a member of the Committee on Rules and Administration, I heard all the witnesses who wanted to be heard in the most comprehensive set of hearings on rule XXII that had been held in years. We then made our report. The facts in that report which bear directly on the issue of two-thirds present and voting are these: Cloture has been applied only 4 times, and all those instances occurred prior to 1949, before the present rule, when the rule was two-thirds of those present and voting. Since 1927, for 32 years, no cloture had been applied. If there had been a rule of a two-thirds constitutional majority, which is in effect today, when those 4 votes were taken on whether cloture should be applied, it would have knocked out only 1 of them, and there still would have been 3. So the proposal by the majority leader—and I say this advisedly—is meaningless. It is not a proposed amendment of rule XXII that means anything.

I believe it would get us much deeper into the morass, for this reason: The Vice President has not made any ruling. The Vice President has not ruled on any point of order. The Vice President has said, with respect to debate on a rule change, that cloture could be applied by a majority, under normal rules of parliamentary procedure. But he has not ruled. On the contrary, he has said he will submit this question to the Senate in due course, when it arises.

I should like to point out what I think is fundamental. The Senate, when it votes on the Anderson motion, is voting on the legal question which would be put before it 2 or 3 weeks from now, when the question might arise on the closing of debate. The resolution of the majority leader puts before the Senate the question whether the rules of the Senate shall be continuing. It is a clear implication that the rule of the Senate adopted by the Senate in that resolution shall be binding on all future Senates. The Senate will at least have an opportunity, if the majority agrees, to make a finding against the view taken by the Vice President. I think the action might be questioned by Senators in the future, but the Senate has an opportunity to make that choice in an effort to do what

I consider to be an unconstitutional act, to bind future Senates.

One cannot make a point of order against an unconstitutional act, but every Senator can consult his own conscience as to whether he is going to support or vote for a rule which is unconstitutional.

Therefore, the only opportunity which the whole Senate has to act within the constitutional framework to implement what has been outlined in the advisory opinion of the Presiding Officer, which, in my opinion, is workable, is to vote for the Anderson motion.

On the one hand, we are faced with an attempt to close the door on the constitutional right of every Senate by adopting a meaningless amendment to rule XXII, or to do what should have been done a long time ago—restore to the Senate the right to provide its own procedures.

It has been contended that Pandora's box would be opened and confusion would reign if the Anderson motion were adopted. Over in the other body of Congress, in which I served from 1947 to 1954, this whole job was done in 3 minutes. The House does it every 2 years. Its Members are not mad. They have made it work for decades.

I thank the Senator.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield to the Senator from Rhode Island.

Mr. PASTORE. I think we are losing sight of the issue, and are losing sight of a very important matter. There is no question that if we are going to be fair, the Johnson resolution affords an opportunity for the majority to express its will, because the majority can amend, delete, or modify the resolution in any way it chooses. It can change the cloture formula from two-thirds of those present and voting to a majority, if it has the number of votes to do it. I do not think we ought to confuse the issue. The important point we ought to bear in mind is that the difference between doing it the Anderson way and doing it the Johnson way is that the Johnson way preserves the spirit of the continuity of the rules of the Senate, whereas the Anderson way makes the claim and expresses the philosophy and declares the proposition that each Senate has the right to make its own rules.

The net result can be accomplished by the Johnson route or by the Anderson route. If the Anderson motion should be adopted, the Senate would have agreed to adopt new rules at the beginning of each new Congress. The Senate might decide to adopt all the rules with the exception of rule XXII. Then it would have to adopt or modify rule XXII, if rule XXII as rewritten were acceptable.

I think we would be confusing Members of the Senate if we created the impression that the Johnson resolution would not accord the majority an opportunity to express its view. The Senate can do anything it desires with the resolution, because it serves as a basis for action. The only purpose of the Johnson resolution—though I may be wrong, and I stand corrected if I am—is that it preserves the philosophy of the continuity of the Senate. To my way of thinking, it involves the constitutional question whether the Senate has the right to adopt its own rules under the Constitution of the United States.

One thing that has brought up the question sharply is the fact that we now have admitted the new State of Alaska. Two new Senators have been sent from that State. We are telling these new Senators that they cannot even act on the rules which will guide the Senate until a motion is made to amend a rule adopted by a previous Senate. I think we must emphasize that point. Otherwise we are going to mislead everyone.

The important point is that the end result can be accomplished by either method. If one believes in the continuity of the Senate, let him vote for the Johnson proposal. If one believes that each Senate has the right to make its own rules, let him support the Anderson motion. That is the only issue.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield to the Senator from Colorado.

Mr. CARROLL. I may say that what the junior Senator from Rhode Island has said in 5 minutes has been more to the point than anything which has been said in all these hours of debate. These are the basic issues. In my opinion these are the issues we are asked to vote on. I think the junior Senator from Rhode Island has expressed it so simply that even the lawyers in the Senate ought to be able to understand the issue. The distinguished Senator from Rhode Island has clarified the entire question.

What gives rise to the issue before this body? It was the unconstitutional action the Senate took in 1949. Some of us believe that the action of 1949 was so politically unconscionable and reprehensible that it must be changed because it imposes a straitjacket upon future Members of the Senate.

In 1957 the Presiding Officer told us in his advisory opinion that the rule was unconstitutional, and that this body does have a right, by majority vote, under constitutional mandate, to pass upon the very issue that the distinguished junior Senator from Rhode Island has so clearly presented to us.

This is the real issue: Let us assume that the Anderson motion will be agreed to. What will happen then? As the able Senator from Rhode Island has said, we would move to the next legislative position. What would that be? Next would be the Johnson resolution. Nevertheless by agreeing to the Anderson motion we would have preserved one thing, namely, the constitutional right of future new Members of the Senate to work their will on the Senate rules. That is all we would do. We would then move to consider the Johnson resolution.

Let us assume that we should lose on the Anderson motion. Let us assume the Johnson resolution will be agreed to. Then the majority will have spoken. But it would not be binding on Members coming into the Senate in 1961. We will have preserved their constitutional right, as so clearly explained by the junior Senator from Rhode Island.

I think I have expressed what I understand to be the position we arrived at in the several conferences we have had on this question. In my opinion the Johnson resolution is designed to wipe out whatever body of precedent exists that the Senate rules are not continuous. I think we have a right to pass upon that issue, and I hope the Senate will vote in favor of the Anderson motion.

Mr. ANDERSON. Mr. President, a few moments ago the able Senator from Louisiana [Mr. LONG] asked me how I voted on the resolution in 1949. I believe I know, because I have been smarting under it ever since.

There are 10 Members now in the Senate who were opposed to the resolution at that time. The able Senator from Vermont [Mr. AIKEN]; the junior Senator from New Mexico; the Senator from Illinois [Mr. DOUGLAS]; the dean of the Senate in terms of years and age but not of service, the able Senator from Rhode Island [Mr. GREEN]; the Senator from Minnesota [Mr. HUMPHREY]; the Senator from North Dakota [Mr. LANGER]; the Senator from Washington [Mr. MAGNUSON]; and the Senator from Oregon [Mr. MORSE] are the eight who were present, who actually voted against the resolution. In addition the distinguished chairman of the Senate Committee on Interior and Insular Affairs [Mr. MURRAY] was not present but was paired against the resolution and the able Senator from Wyoming [Mr. O'MAHONEY] was not present but was paired against it. Those were the 10 Senators against the proposition.

I speak for no one but myself, but that night we learned how this was done. It was by the circulation of a round robin, which pledged other Senators to vote in a certain way if a vote were granted by the Senators from the Deep South. They promised they would do certain things and no other things, and in that way they proceeded to shove this down the throats of Members of the United States Senate.

Mr. MORSE. Mr. President, will the Senator yield on that point?

Mr. ANDERSON. I made up my mind that if I ever had a chance to work against such procedure in the Senate of the United States I would do so, and I have done so.

Mr. MORSE. Mr. President, will the Senator yield on that point, because I think the point just made ought to be a part of the record.

Mr. ANDERSON. I yield.

Mr. MORSE. The Senator will recall that we could not get to a vote in 1949 until the southern bloc released the Senate so that it could vote, after the signing of the round robin which pledged Senators in advance, guaranteeing that the so-called Wherry resolution would be adopted; is that not the case?

Mr. ANDERSON. That is absolutely the case.

Mr. MORSE. I want to stress it.

Mr. ANDERSON. We could not get to any kind of a vote. Hour after hour new records were being set. Some of us

took courses on how to filibuster. One Senator said, "Tilt back and forth." It was said one should not take liquids for 24 hours before starting. We were told to teeter back and forth on our feet, so that the muscles would not get sore. Some others had different devices. We had a whole course on filibustering given to us in the U.S. Senate.

Mr. MORSE. Mr. President, will the Senator yield for one further comment?

Mr. ANDERSON. But the important thing is that nobody in the U.S. Senate could vote on one important thing. No committee could meet. Nobody could do anything until we had a round robin by the Members of the U.S. Senate, surrendering without firing a shot.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. ANDERSON. I am happy to yield.

Mr. MORSE. I simply want to underwrite that statement. The Senator from New Mexico is correct. We did not get the Wherry resolution on the books until first there was a cloakroom surrender by the majority of the Senate to a minority filibuster threat in the Senate of the United States in 1949. That is why the Senator from Oregon has always said we have to drive the filibuster rule from the floor of the Senate.

Mr. ANDERSON. Mr. President, that explains to me, if it explains to no one else, the attitude I have had from that day to this.

I do not subscribe to everything all of my colleagues subscribe to on the question of cloture, but I believe, as I believed that night, it was an improper surrender.

I have not enjoyed time after time getting on my feet to make this motion. I particularly dislike being in opposition to the majority leader, who has done a magnificient job for my party, and whom I try to follow round after round. However, there are things in one's system one cannot get out.

The night of the round robin was a night long to remember. It was a night we were told, "You will never have a chance to vote on anything until, on your hands and knees, you agree this sort of thing will be done."

Round robins were circulated by which Senators pledged themselves to vote for this one thing and this one thing only, and nothing else would come to the floor of the Senate until that was done. The Senate was tied up for weeks, and could not do a thing until that action was taken. I believed then, and I believe now, that that sort of force should be blocked. I believed then, and I believe now, that the only way to do this is by the motion I have put forward. If I thought there were an easy or simple way to do it, I would have done it long ago, because this has been on my heart steadily from that day on.

What did I say only a short time ago? On June 17, 1957, I was commenting on something the able Senator from Minnesota [Mr. HUMPHREY] had said. I agree with much the Senator says and I was in agreement with him at that time. He was making a fine talk. I said:

I would also remind the Senator from Minnesota that when we had a discussion of this matter in the early days of the session, when the question was one of a change in rule XXII, there was considerable discussion about the rules of the Senate and the rights of Senators. At that time I tried to make it clear that that was probably the only chance any Member of the Senate would have at this session to vote in regard to anything even remotely resembling that subject. Since then, a number of months have come and gone; and now it is apparent that my prediction was not too bad.

The Senator from Minnesota [Mr. HUMPHREY] said:

Mr. President, the Senator from New Mexico was a good prophet.

It did not take much ability to prophesy, because it was easy to know what was going to happen.

I then further said:

I said to the Senators who stood beside me then that we might not have another chance to vote on that subject at this session or, indeed, at any session, until we vote on a proposal to change rule XXII.

Those are the facts of the situation. The then able minority leader, the former Senator from California, Mr. Knowland, in a great display of honesty and integrity, stood up in January 1957, and said, "I think this other thing should be done." He was as honest as could be. He was wrong. There was not a possibility that he could get the matter to the floor. He thought that if he could get 35 Senators with him, the leadership would have to bring the matter to the floor, particularly if the majority and minority leaders were sponsors of it. But he was mistaken. If he had had 90 Senators with him I do not think it would have gotten the matter to the floor.

I remember when we had a "clean politics" bill for consideration at one time. Everybody rushed to be a sponsor. Eighty-eight of the ninety-six Senators sponsored the "clean politics" bill, but the bill never saw the light of day.

I remember once a man in a political convention said to me, "Oh, CLINT, won't you nominate me for the job of Secretary of State? Ninety percent of the delegates are for me, but nobody will nominate me."

When I observed that there were 88 names on the bill, I remarked, "That bill is dead, although it would pass if it ever got to the floor of the Senate. We would have to pass the 'clean politics' bill because so many of us have put our names upon it." The bill never saw the light of day on the floor of the Senate. It is one thing to get a bill reported and something else to get it up for consideration and action.

Mr. CLARK. Mr. President, will the Senator yield for a question?

Mr. ANDERSON. I say again, I hope nobody will forget that if we do not vote for what is called the Anderson motion we will be through for this session.

Mr. HUMPHREY and Mr. CLARK addressed the Chair.

Mr. ANDERSON. If the Senator from Pennsylvania does not mind, I should like to yield to the Senator from Minnesota. I mentioned the Senator a minute ago.

Mr. HUMPHREY. First, I wish to say to the Senator from New Mexico my inability to be present at the beginning of his remarks was due to the fact that I was engaged on unofficial business of the Senate Committee on Foreign Relations, at a luncheon for the Finance Minister of Kenya. I had extended the invitation some time ago, and, out of courtesy and respect for a visiting dignitary, I kept that luncheon date.

Mr. ANDERSON. My dear friend from Minnesota never has to explain to me his conduct. I have watched him, and have enjoyed his presence in the Senate.

Mr. HUMPHREY. I would have benefitted greatly from what I am sure has been and will continue to be the very brilliant presentation on the part of the Senator from New Mexico.

One of the strange paradoxes of the situation relating to the Senate rules is the fact that the Senator from New Mexico is standing on the floor today defending the great constitutional principle, the Federal principle, the principle of States rights; and some of the advocates of States rights are attempting to destroy it. Let me explain what I mean.

The so-called Connecticut compromise on the Constitution, relating to the large States and the small States involved in the constitutional convention, provided that, regardless of the size of the State or the population of the State, each State should have two Senators, and each Senator should have equal voting rights and equal privileges. Senators who are trying to deny to the U.S. Senate the privilege of exercising its constitutional right of adopting rules are doing so in violation of a fundamental principle of the American Constitution.

I ask my colleagues to bear with me on this point. What right is there on the part of any group in the Senate to deny to 18 newly elected U.S. Senators the opportunity to have something to say about the rules under which they are to participate in the deliberations of this body?

What right has any Senator to say to my distinguished colleague from Minnesota [Mr. MCCARTHY], to the distinguished Senator from Maine [Mr. MUSKIE], the distinguished junior Senator from Indiana [Mr. HARTKE], and other Senators, that we who have been here 2 years, 8 years, 10 years, 15 years, or 20 years before the new Senators arrived have omniscient wisdom to tell them how they are to govern themselves? What right have we to say to them, "You shall have no opportunity whatsoever to express your rights or to utilize your constitutional rights to decide how the procedures of the Senate are to be conducted"?

I say to my colleagues that procedural rights in the Senate are as important as procedural rights in the courts of the United States; and procedural rights in the courts frequently determine whether or not justice will be rendered, whether or not the courts themselves will administer principles of justice.

What we are talking about, and what the Senator from New Mexico is pleading for, is the right of every State to have two Senators to vote upon the rules of the Senate. I do not believe it is fitting and proper for the State of Pennsylvania to have only one Senator with the

right to vote upon rules of the Senate. As a matter of fact, the distinguished senior Senator from Pennsylvania has never had an opportunity to vote on the rules which govern the Senate.

Mr. CLARK. The Senator is correct.

Mr. HUMPHREY. Very few Senators have had the right to vote on the rules governing the Senate.

While I have all the respect in the world for our predecessors, I do not believe that they were necessarily blessed with the kind of omniscient wisdom which some may feel they presently possess.

The argument of the Senator from New Mexico is the argument of the Founding Fathers of the Constitution. The argument of the Senator from New Mexico is the argument which was fought out in the First and Second Congresses. It is the argument of Thomas Jefferson.

We talk about precedents and rules. For a period of time there was the precedent that the Senate could change its rules on the basis of each new Congress. Then there was a period of time, after the Civil War, when the reconstructionist advocates were in control, when a dominant group in the Senate construed the rules of the Senate to their benefit.

Subsequently, because of the very capable talents and intellectual qualities of some of our brethren from the South and elsewhere, they were able to utilize the rules to dominate the Senate.

All the Senator from New Mexico is saying is that if anyone is to dominate the Senate, it should be the majority of the United States Senators, who are given the opportunity to act upon the body of rules which are to govern the activities of the Senate. Reasonable men know that most of the rules would be reenacted time after time, as is the case in the House of Representatives. That would not mean that we would give up the constitutional right of exercising our responsibility for the conduct of the business of the Senate.

There are Members of this body who have never exercised their constitutional duty—not only their privilege, but their constitutional duty—to decide upon the rules which should govern the procedures of the Senate.

Mr. ANDERSON. Sixty of them have never had such an opportunity.

Mr. CLARK. Mr. President, will the Senator yield for a question?

Mr. ANDERSON. I yield for a question.

Mr. CLARK. A few moments ago the Senator from New Mexico was discussing with great eloquence the situation in 1949, and the difficulty which was then inherent in even having a vote on a motion to change the rules.

Let me ask the Senator whether, if the Johnson resolution were to prevail, we would not be going back substantially to the same cloture rule which existed in 1949, before the fight which the Senator from New Mexico so ably described.

Mr. ANDERSON. I think so, with one exception. In the 1949 situation there was no restriction on a motion to take up; and this proposal would provide a restriction on a motion to take up.

Mr. CLARK. If the Johnson resolution is to prevail, will we not be faced, in 1961, with the same unfortunate situation which confronted the Senator from New Mexico in 1949, namely, the inability to obtain any action on the floor without making some deal in the cloakrooms and signing a round robin?

Mr. ANDERSON. That would be the situation unless there should be a Vice President who would rule as the present Vice President has ruled. The Senator from Pennsylvania has had no real opportunity to vote on the rules. His junior colleague from Pennsylvania has now come to the Senate. Pennsylvania is a large and important State, but it has no legal standing in this body when it comes to rules. Its Senators may vote on appropriations and on taxes to provide money for the Treasury, but must not vote on rules.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. HUMPHREY. I should like to invite the Senator's attention to a certain portion of Senate Resolution 5, submitted by the majority leader and other Senators, which, when the Senator from New Mexico shall have commented upon it, will appear slightly different than what was just stated in response to the Senator from Pennsylvania——

Mr. ANDERSON. We have been dealing with the "continuous" phase.

Mr. HUMPHREY. This provision was not in the rules of the Senate prior to 1949.

Mr. ANDERSON. That is correct.

Mr. HUMPHREY. Let me say further that the very presence in section 3 of the proposed language in subsection 2 indicates to me a doubt in the minds of the authors of the resolution as to whether the rules of the Senate are continuing. I say most emphatically that if the rules of the Senate are continuing, and if everyone is sure that they are continuing, there is no necessity for legislation now.

Mr. ANDERSON. It is a part of the "package" deal.

Mr. HUMPHREY. A part of the "package" deal is that up to date a willful minority in the Senate has been able to impose upon the Senate the misguided theory that the rules of the Senate are continuing. Now that there seems to be the possibility of a majority which may set aside this theory of doubtful validity, the minority is trying to pin it down by tying it into a package relating to the amendment of rule XXII.

We shall argue the merits of the Johnson proposal, which has some very constructive features. I do not wish to be placed in the position of saying that there are not many constructive features in the Johnson proposal, but the Johnson proposal does not get at the heart and core of the principle involved before the U.S. Senate.

I ask every one of my colleagues who has just come to this body, Do you wish to deny yourself the right to have anything to say about the rules of the Senate which shall govern your activities? Are you going to say that, somehow or other, we have a sort of "divine right of kings" in the sense that we can hand down from generation to generation binding rules of procedure, or are you going to exercise your constitutional right—not only a right, but a mandate—to comply with the provision that the Houses of Congress shall——

Mr. HOLLAND. "May."

Mr. HUMPHREY. I accept the correction—the constitutional provision that the Houses of Congress may provide rules for their proceedings? Are the Senators to whom I have alluded going to cast aside that opportunity, or are they going to take advantage of it? It seems to me that that is the issue.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. CLARK. The point I wished to make clear for the record was that if we adopt the Johnson resolution, we will not be better off than in 1949, when the Senator from New Mexico had his difficult time with this subject; instead, we will probably be worse off.

Mr. RUSSELL. Mr. President, will the Senator yield on that point?

Mr. ANDERSON. I yield.

Mr. RUSSELL. I had not intended to get into this debate. However, the distinguished Senator from New Mexico, as I recall, was a Member of the Senate in 1949.

Mr. ANDERSON. That is correct. I have just testified to that fact.

Mr. RUSSELL. He is an honest man, and I do not believe he will permit the statement to stand that the Senate would be under a more restrictive rule if the Johnson resolution were adopted than we are under the rule adopted in 1949. The Senator from New Mexico well knows that prior to 1949 no cloture petition of any kind could be applied to a motion to proceed to consider a bill. Is that not correct?

Mr. ANDERSON. The Senator is correct. I said that a moment ago.

Mr. RUSSELL. The Senator from New Mexico must have said it in a very low tone of voice, and the Senator from Pennsylvania must not have heard it, because the Senator from Pennsylvania has repeated three times that we would be worse off. That is not supported by facts. As the Senator from New Mexico knows, prior to 1949, no cloture petition was applicable to a motion to bring up a bill. We had had this question up in the Senate and had voted on it three or four times. After 1949, a motion to proceed to the consideration of a bill was subject to a cloture petition, except in the case of a change in the rules of the Senate. The Johnson resolution proposes to wipe out that latter provision. That is one reason why I am unalterably opposed to the Johnson resolution. There is a glaring difference between the Johnson resolution and what was done in 1949.

The Senator from New Mexico will admit that what I say is true. I hear Senators say on the floor of the Senate that rule XXII is a filibuster rule, that it encourages filibusters. They have convinced members of the press that rule XXII encourages filibusters. There was no restriction on debate of any kind in

connection with a motion to bring up a bill until rule XXII was adopted. Instead of the rule encouraging filibusters, the adoption of that rule made it possible to stop filibusters. It is not a rule which encourages filibusters.

It is tragic indeed that history should be so distorted to the effect that rule XXII is a rule which encourages filibusters. The only thing which could be worse than that would be to leave unchallenged and unanswered the repeated statement that the Johnson resolution, if adopted, would throw the Senate into a worse position than it was as a result of the rule fight in 1949.

Mr. ANDERSON. I only wish to say to the distinguished Senator from Georgia that that could be a matter of opinion. The Senator from Georgia thinks it is bad to tie down that portion relating to a motion to take up a bill and make it subject to cloture.

There are those Senators who worry a great deal about the innocent-looking third part, which tries to make the rules continuous. We are afraid that at some later date a Vice President might say: "By the action in 1959, we have said that these rules are continuing rules, and under those rules it is not possible to make a motion to adopt rules de novo." That is what we are trying to do now, adopt rules de novo.

I will say to the Senator from Georgia that while he does not think it is any worse, it is a matter of judgment.

I quite agree that there is value in tightening up the ability to handle a motion on cloture.

In that respect the Johnson resolution is good. I do not believe that there is much difference between two-thirds of those present and voting and two-thirds of those who have been duly chosen Senators.

I should like to quote from an Associated Press dispatch of January 8, 1959, in which the Senator is quoted as follows:

> And he added—
>
> The Senator from Georgia—
>
> significantly, that two-thirds of those present and voting is little different from two-thirds of the full membership, because "most members would be present, anyway, on a disputed question."

Mr. RUSSELL. That is correct.

Mr. ANDERSON. We find one area of agreement.

Mr. RUSSELL. I recall making that statement. I do not recall making it to the Associated Press. I was interviewed by a representative of the United Press and was correctly quoted in the newspapers which carried that interview. Then some of the columnists picked up that statement and twisted it around until I did not recognize my own statement. I am sure my colleagues have had the same experience.

Mr. ANDERSON. Perhaps I had better read the remainder of the statement before the Senator from Georgia leaves the floor. The dispatch continues:

> Senator RUSSELL said that the southerners opposing any change in the rules would not filibuster against a motion to take up JOHNSON'S proposal tomorrow or at any other time.

Mr. RUSSELL. Is that a recent article?

Mr. ANDERSON. Yes.

Mr. RUSSELL. I was wondering. I thought the Senator was referring to something that was said a long time ago.

Mr. ANDERSON. I read further from the AP dispatch of today:

> Asked if the southerners were reconciled to accepting the Johnson proposal, RUSSELL said he and others would oppose it on the merits but he did not expect as many or as long speeches against it as there would have been on ANDERSON'S motion.

Mr. RUSSELL. I do not recall that that distinction was drawn.

Mr. ANDERSON. Is it not correct to say that some of those in the Senator's group are opposed to it on its merits?

Mr. RUSSELL. To the Johnson proposal?

Mr. ANDERSON. Yes.

Mr. RUSSELL. I am unalterably opposed to it. Any rule that gags the representatives of sovereign States from exercising their right to speak in the forum of States does not meet with my approval. What I had in mind was that it was less obnoxious to have two-thirds of those present and voting than to permit a mere majority to gag the representatives of sovereign States in this forum of States. Until recently we considered the Senate to be a great forum of the States, in which Senators serve as ambassadors of their States. It would never meet with my approval to adopt a rule under which a majority could gag their colleagues, even if it were a substantial majority, and deny them a voice on the floor of the Senate.

Mr. ANDERSON. I thank the Senator from Georgia. He refers to the fact that Senators are regarded as ambassadors from their States. The Senator from Pennsylvania who believes himself to be an ambassador of the State of Pennsylvania thinks he is an ambassador without portfolio, because he cannot vote on the question of rules.

Mr. RUSSELL. The Senator voted 2 years ago on the question of rules. I am amazed at that statement. We had the question up 4 and 6 years ago. Senators voted for it and they will have another opportunity to vote for it. I do not wish anyone to tell me that Senators have no chance to vote on the rules. The Vice President ruled on that point very clearly 2 years ago. He ruled very clearly as to the effect of the vote. There was not a Member of the Senate who was so stupid that he did not understand that ruling. They all voted on January 4 or 5 of 1957. Prior to that time the Senator from New Mexico had raised the question, in January 1953. The Senate voted on it. Yet he says that the Senator from Pennsylvania is an ambassador without portfolio. I do not know what he means by that. He was certificated. He was sworn in. He has drawn compensation as a Senator. He has been an active and able Senator on the floor and in committee. I do not know where he has lost any portfolio. [Laughter.]

Mr. CLARK. The Senator has brought my name into the debate.

Mr. RUSSELL. I did not bring the Senator's name into the debate.

Mr. CLARK. I am highly honored that he should have brought it in. After a little thought, I am sure he will agree that he did mention me.

Mr. RUSSELL. I believe I did.

Mr. CLARK. I should like to say, in my own defense, that, despite the high regard I have for the views of the able and distinguished senior Senator from Georgia, in all good conscience I must say first that if the Johnson resolution is adopted, the Senate, with respect to being able to defeat a filibuster, will be worse off than it was in 1949 because of section 3 of the resolution, which makes the rules of the Senate continue from one Congress to the next Congress, and therefore freezes the two-thirds cloture rule on any attempt to change the rules. Second, I can say to my good friend that I am perfectly willing to admit that I may be one of the most stupid Members of the Senate, but I do not think I had any chance to vote on the rules 2 years ago.

Mr. RUSSELL. The Senator from Pennsylvania did have a chance.

Mr. CLARK. I voted against a motion to table: I never had an opportunity to vote on the rules.

Mr. RUSSELL. Of course, when we are in the minority, we can always discuss what happened. On several occasions, I have been very badly abused when I said that the Senate had taken foolish action because a majority did not vote as I did. But the Senator was here, and he voted. He voted against tabling the motion of the Senator from New Mexico. Unfortunately, the majority did not agree with him.

Mr. CLARK. I feel no sense of abuse of any sort. I am happy to be a Member of this distinguished body. I glory in the friendship of my good friend from Georgia.

Mr. RUSSELL. I thank the Senator from Pennsylvania, and I reciprocate his compliment.

Mr. CLARK. I still feel that I did not have a chance to vote on the rules 2 years ago.

Mr. RUSSELL. The Senator did not have an opportunity to vote on a great many matters. There are some 10,000 or 11,000 bills introduced every year. We pass 600 or 700 of them. The Senator did not have an opportunity to vote on 9,000 of them; they never came up. That will always be the case.

The Senator had more opportunity to vote in the case of the proposed rules change than he did on numerous bills that never saw the light of day in committee.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. HUMPHREY. I think every Senator has always benefited from the advice and, I may say most respectfully, of the views of the distinguished senior Senator from Georgia, particularly when it comes to the matter of Senate rules.

Mr. RUSSELL. I thank the Senator from Minnesota. I will prepare myself for the shock which I know is coming. [Laughter.]

Mr. HUMPHREY. The senior Senator from Minnesota cannot in any way shock the distinguished senior Senator from

Georgia, nor would he want to. He respects the senior Senator from Georgia highly.

I listened to the argument that a representative of a sovereign State should not be gagged or denied the opportunity to participate fully here to protect the interests of his State by any kind of rule of the Senate which would deny him full participation. I believe that is the sum and substance and feeling of many Senators relating to the right of unlimited debate. There is a good argument which can surely be made for that particular case.

But I say in all sincerity that if two-thirds of the Senators are not supposed to be able to shut off debate, according to the views of some, then indeed a majority of the Senators ought not to be able to deny other Senators, who have never had the right or have never been able to exercise the right to formulate their rules, the opportunity to vote on that particular issue.

I submit that in the instance of the Anderson motion in the 85th Congress, the question of rules of the Senate was never before the Senator from Pennsylvania or any other Senator. The Senator from New Mexico moved that the Senate proceed to the consideration of a motion to adopt rules for the Senate. At that point a motion was made to table, and Senators were asked to vote either to table the motion or to continue the debate. As a result, a majority of the Senators in that instance said that they were not going to permit other Senators even to have the privilege of taking up the consideration of the preparation of rules of the Senate which would have something to say about the conduct of proceedings in this body.

There may be Senators who will be able to go home to their constituents and say, "Thanks for electing me. Thanks for all the things you have been able to do for me. But when I got to the U.S. Senate, I simply decided that I did not have any views on how the Senate should be conducted. I decided I would rely upon my great, great grandfather or somebody else's great, great grandfather to determine how we would proceed to conduct the affairs of the Senate. So I forfeited for my particular State a right I have under the Constitution to say something about the rules of conduct in the Senate."

Senators can do that. It has been done again and again; Senators have said that they were so unconcerned about the rules of procedure in this body that they would not exercise the right which article I, section 5, of the Constitution gives to them, if they wish to exercise it.

All the Senator from New Mexico is attempting to do is to provide, in the name of States rights and in the name of the Constitution of the United States, that when a Senator is elected—and there are only two Senators from each State, regardless of the size or population of the State—when he takes his oath of office, before he is asked to serve on a committee, before he is asked to debate a bill, before he is asked to cast a vote on a substantive measure, that Senator from a sovereign State having equal rights and equal responsibilities in the Federal Union, shall have the right or shall exercise the right of prescribing rules of procedure for this body.

It is one thing to have a rule in substance. We can disagree about rules. I have said to the distinguished majority leader that I am not merely so much concerned about the arithmetic—whether the majority be two-thirds, three-fifths, or a simple majority—as I am about the principle of the right of every U.S. Senator to have something to say about the rules under which he will live.

If Senators will insist upon having a vote on the rules under which their constituents shall live, they will insist that they will always exercise the right to repeal laws without any interference, on the basis of a majority vote, and to write new laws relating to every man, woman, and child in the United States and in the Territories thereof on the basis of a majority vote. The Supreme Court has ruled, again and again, that one legislative body cannot bind another on the basis of the substance of their legislative proposals.

This is not a personal matter. We are not here as Mr. CLARK or Mr. ANDERSON or Mr. HUMPHREY. We are not here in that capacity. We are here as two United States Senators, a senior Senator and a junior Senator, from each State. When we deny our States the right to have something to say about the procedure of this body, which determines the laws of the land, I ask whether we have fulfilled our obligations to the States which we represent. There are Senators of the United States in the Congress of the United States.

Mr. RUSSELL. If the Senator from New Mexico will yield to me for a moment, I may say that I always find my delightful friend from Minnesota most plausible. No one who has known him for as much as 5 minutes could suspect that he is ever at a loss for words. It is easy for me to understand how Mr. Khrushchev asked the senior Senator from Minnesota one question, and then for 8 hours heard a lot of good, democratic, capitalistic doctrine. [Laughter.]

Mr. ANDERSON. Mr. President, if the Senator from Georgia will permit me, I should like to insert another pleasantry. Someone wanted to know how it was that Mao Tse-tung decided to drop out as leader of the Chinese people. It was because he found out that he was next on Senator HUMPHREY'S calling list. [Laughter.]

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. HUMPHREY. I may say most respectfully that the only other two countries in the world besides the United States which still respect this rather, what I would call, shadow of a filibuster happen to be the Communist Republic of China and the Soviet Union. I should like to extricate myself from those surroundings.

Mr. RUSSELL. I know the Senator is an expert on Russia, but he would be hard put to prove that Mr. Khrushchev would permit a filibuster in the Presidium of the Soviet Union.

I wonder how we are going to conduct the business of the Senate if we carry out the thesis of the Senator from Minnesota that every Senator has the right to review every rule when he comes into this body. Would the Senator from Minnesota discriminate against a Senator who became a Member later? Would such a Senator have the right, under that construction of the Constitution, to rise and say: "I move that we proceed to consider the rules of the Senate, because I have not been able to participate in the making of these rules"?

For 169 years the Senate of the United States has served the people of the Nation without this issue having been raised at all. Great men have come here. Of course, I realize that we say the whithering hands of men dead and gone shall not bind us. But great men have come into the Senate under the rules. They did not feel they were being penalized because they could not get up on the first day of a session and say: "I have to pass on these rules" in this unusual manner.

At the last session the Senate selected five great Senators and ordered their portraits hung in the anteroom. They were great Senators. All of them came to the Senate and accepted the situation as they found it. They served their people, their country, and humanity well. They departed and joined the ranks of those dead men who are now spoken of so disparagingly. They never felt that they had been penalized because they had not, on the first day of every new Congress, had a chance to express themselves on rule I, rule II, rule III, and on on down to rule XL.

I do not think any present Senator has lost anything because of it, for he has a right to bring up a proposal to change the rules in the method prescribed by the rules. Many former Senators, almost as able as some of our colleagues today, have served under those conditions without feeling that they were penalized because at the beginning of a session they could not change the rules.

Senators have referred to the Supreme Court. Of late I have not been able to keep up with the Supreme Court; but I know that in the case of *McGrain* v. *Daugherty* (273 U.S. 135), the Supreme Court took the position that the Senate was a continuing body.

We know that the Constitution provides for three classes of Senators. Yesterday, we saw the two Senators from Alaska draw, in order to be placed in two of those classes. The purpose of the constitutional provision for three classes of Senators is to have the Senate continue from Congress to Congress; and the two-thirds of the membership who continue from one Congress to another are replenished or added to by the one-third who are elected. Similarly, we know that the Vice President of the United States is not elected for a 2-year term. Instead, he is elected for a 4-year term; and he presides over a continuing body.

The Senator from Minnesota himself invoked the ruling by the Presiding Officer to which I have referred, when he

said the vote would be on the rules of the Senate. I relied on that in my statement about the Senator from Pennsylvania. At that time the Senator from Minnesota was congratulated by all his colleagues who were associated with him in the drive to remake the rules and to impose gag rule by a majority of Senators, because he had gotten that ruling from the Vice President. I thought he would be proud of it for 2 years more, and would not be discouraged about it or would not forget it.

I did not agree with the Vice President. From time to time I have tried to make it clear that I do not wholeheartedly embrace his views in this field. But he stated the ruling that was invoked by the Senator from Minnesota—namely, that—

> At the beginning of a session in a newly elected Congress, the Senate can indicate its will in regard to its rules in one of three ways:
>
> First. It can proceed to conduct its business under the Senate rules which were in effect in the previous Congress and thereby indicate by acquiescence that those rules continue in effect. This has been the practice in the past.
>
> Second. It can vote negatively when a motion is made to adopt new rules and by such action indicate approval of the previous rules.
>
> Third. It can vote affirmatively to proceed with the adoption of new rules.

After that ruling, the Senate proceeded to vote.

After the Senator from Minnesota evoked that ruling by the Presiding Officer, I assumed he would agree that in 1957 the Senate did vote on something having to do with the rules—just as the Senate will vote today or tomorrow on that issue.

Mr. President, I do not wish to delay. The Senator from New Mexico has been more than generous in yielding. I had hoped to have a few minutes on my own time to discuss some phases of this matter. I shall not impose further on the time of the Senator from New Mexico, but shall strive to obtain about 15 minutes later to discuss briefly the argument that, because some of these rules were brought forth by Senators who now are dead, we should not consider them valid, but should proceed to change and to alter them.

Mr. ERVIN. Mr. President, will the Senator from New Mexico yield to me?

Mr. ANDERSON. I yield.

Mr. ERVIN. I desire to call the attention of the Senate to the decision the able and distinguished senior Senator from Georgia [Mr. RUSSELL] mentioned a moment ago. I obtain a good deal of consolation from this debate, because last summer we had a debate in which some of us expressed our disapproval of certain decisions by the Supreme Court of the United States; and although the Senator from New Mexico did not participate in that debate some of our colleagues who now are aiding and abetting him in the presentation of his proposal took us to task for not making complete obeisance to the decisions of the Supreme Court I am afraid that at that time we set a precedent which they are now following.

In the case of McGrain against Daugherty, which is reported in volume 273 of the Reports of the U.S. Supreme Court, a Senate investigating committee tried to get Mally S. Daugherty, a brother of the then former Attorney General to come before it and testify. He refused to do so. An election came along; and a new House of Representatives was elected, and one-third of the Members of the Senate were elected; and the old Congress died, and a new Congress came into being. The President of the Senate issued an order for the arrest of Daugherty; and he was arrested by the Deputy Sergeant at Arms of the Senate. Daugherty then went into the Federal District Court and applied for a decree for his release, upon the allegation that since the Congress at which the Senate committee authorizing the investigation had been created had terminated, the Senate committee had lost its power to act in any parliamentary manner. The district court adopted the theory now held by some of the Members of the Senate—other than the Senator from New Mexico—who are indicating their approval of the motion of the Senator from New Mexico.

So there was squarely presented the question of whether parliamentary proceedings of the Senate in a previous Congress still had legal force and effect. The Supreme Court of the United States reversed the decree of the district court releasing Daugherty upon this reasoning:

> Another question has arisen which should be noticed. It is whether the case has become moot. The investigation was ordered and the committee appointed during the 68th Congress. That Congress expired March 4, 1925.

Then the Court set out the position of the arrested party, to the effect that the power of both the House and the Senate to exercise parliamentary functions after that Congress had gone out of existence had ceased, and cited the rule to that effect which had been held in England with reference to the British Parliament.

But the Court rejected this position, saying:

> The rule may be the same with the House of Representatives whose Members are all elected for the period of a single Congress; but it cannot well be the same with the Senate, which is a continuing body whose Members are elected for a term of 6 years and so divided into classes that the seats of one-third only become vacant at the end of each Congress, two-thirds always continuing into the next Congress, save as vacancies may occur through death or resignation.

There was a square decision by the Supreme Court of the United States in 1926; the decision was to the effect that the Senate is a continuing body, a body which never goes out of existence. Furthermore, the Constitution provides in express terms that the Senate may adopt rules to govern its proceedings.

But here a very ridiculous constitutional position is taken, namely, that a body which is continuous in its existence, a body which never dies, a body which always remains in being, and which is declared by the Supreme Court to be a continuing body, cannot adopt continuous rules. To my mind, from the standpoint of constitutional law, that is an absurd position to take.

I wish to say another word: At the last session we authorized the publication of a manual on Senate procedure which had been prepared by our very able Parliamentarian and our very able assistant Parliamentarian. On page 544 of that book, which was approved by the Senate when the Senate authorized its publication, we are told that the standing rules of the Senate may be amended by a majority vote.

So there is nothing here to deprive the majority of the Senate of the right to make rules. They can be changed. But since 1789 the Senate has always considered that its rules continued, just like the Senate continued, from Congress to Congress.

That has been the rule since 1789—that a continuous body can adopt rules which are continuous. Otherwise it is no continuous body.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. ERVIN. I do not have the floor. The Senator from New Mexico has kindly yielded to me.

Mr. EASTLAND. Will the Senator from New Mexico permit me to ask the Senator from North Carolina a question?

Mr. ANDERSON. I do. I took a pledge that I would not yield further, but would surrender the floor.

Mr. President, I ask unanimous consent that I may yield to the Senator from Mississippi to ask the Senator from North Carolina a question.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EASTLAND. Is it not true that the Constitutional Convention had 55 delegates? Nineteen of those 55 delegates came to the Senate of the United States. They helped organize the first Senate. They helped write the rules of the Senate. They recognized at all times that the Senate was a continuing body, and that its rules would stand. What better proof would one want than from the men who framed the Constitution and who came to the Senate and who established it as a continuing body?

Mr. ERVIN. That is enough proof for me. In addition, we have the further fact that only four times in 169 years have general revisions of the Senate rules been made.

Some persons say that the men who wrote the rules of the Senate are dead. I do not know how far they want to carry that argument. The prophet Moses is dead. He brought the Ten Commandments down from Mount Sinai. Moses is dead. Are the Ten Commandments, therefore, no longer binding? Thomas Jefferson, who wrote the Declaration of Independence, is dead, too. Does that fact destroy the value of the Declaration of Independence? George Washington, who presided over the Constitutional Convention, is dead. James Madison, the father of the Constitution, James Wilson, Benjamin Franklin, Alexander Hamilton, and all those other great men who sat in the Constitutional Convention are dead.

Does this fact destroy the value of the Constitution?

Be this as it may, we are told that we ought now to ignore all the rules of the Senate written by men who served in the Senate and knew how it operated in times past, and proceed to rewrite all of them anew. I respectfully submit that wisdom requires that we regard the rules of the Senate as continuing in being until they are amended as they have been regarded for 169 years, and that we proceed to consider repealing or changing such rules only as we consider them inadvisable. We are told that the men who have been recently admitted from the new State of Alaska and other new Members from the other States ought to be permitted to write the rules of the Senate. I doubt seriously whether these men who have had no experience in the Senate, would like to take that responsibility.

Mr. EASTLAND. Mr. President, will the Senator yield for one more question?

Mr. ANDERSON. Yes.

Mr. EASTLAND. Does the distinguished Senator from North Carolina realize that George Mason refused to sign the draft of the Constitution, and that his reason was that the United States Senate was a constant, existing body, and that therefore it destroyed the balance of power in the Government? That is the reason he assigned for not signing the draft of the Constitution of the United States.

Mr. ERVIN. That is correct, but George Mason is dead, too.

NOTIFICATION TO THE PRESIDENT

Mr. JOHNSON of Texas. Mr. President, the joint committee appointed by the Senate and the House of Representatives yesterday to notify the President that quorums of the two Houses have assembled, and are ready to receive any communication he may desire to make, have performed that duty, and now report that in the Hall of the House of Representatives the President will submit in person his annual message to the two Houses at 12:30 o'clock tomorrow, January 9, 1959.

I should like Senators to be informed that we expect to assemble and march to the House of Representatives about 12:10. I would like all Members to be on notice that we shall precede our leaving the Chamber with a rollcall.

ORDER FOR RECESS UNTIL 10 O'CLOCK A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 10 o'clock a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF THE RULES

The Senate resumed the consideration of the resolution (S. Res. 5) proposing to amend Senate rules XXII and XXXII.

Mr. ANDERSON. Mr. President, I desire to yield the floor. I know there are Members of the Senate who desire to speak on the subject. Therefore, out of a desire to accommodate those who wish to speak, I yield the floor.

Mr. JOHNSON of Texas. Mr. President——

The PRESIDING OFFICER. The Senator from Texas.

Mr. JOHNSON of Texas. I do not know how many more speakers desire to address themselves to the Anderson motion before we make a motion to table. I hope we shall be able to do that sometime between 4 and 5 o'clock. If we could do it by that time, I would like to accommodate all Senators who desire to speak, and notify those who are absent that we would expect a tabling motion at about that hour. There is a dinner being held this evening for the minority leader. We have other meetings. We hope all Senators may be notified when we do have the vote on the tabling motion. I should like to inquire if there are any Senators on the floor who desire to address themselves to the Anderson motion, and, if so, how much time they desire.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. JAVITS. I would expect to speak for no more than 30 minutes. I will do my best to make it 20 minutes.

Mr. JOHNSON of Texas. I thank the Senator. Does the Senator from Illinois desire to speak?

Mr. DOUGLAS. If time permits—and I do not intend to delay the vote of the Senate by speaking—I should like to be recognized for a period of not to exceed 15 minutes.

Mr. JOHNSON of Texas. Does the Senator from Oregon desire to speak?

Mr. MORSE. I indicated earlier today I intended to speak.

Mr. JOHNSON of Texas. Would the Senator care to indicate how much time he desires?

Mr. MORSE. It will be at some length.

Mr. JOHNSON of Texas. I should like to inform Senators I have no desire to seek recognition to make a motion to table, which is not debatable, but I do plan to do that. I want to give Senators as good an indication as I can as to what time that motion may be made, so they will know when there will be a vote and come back to the Chamber.

Mr. MORSE. I suppose the Senator from Oregon and the majority leader have an understanding that the Senator from Texas is always free to exercise whatever parliamentary rights he is entitled to. The Senator from Oregon was on his feet at the time of adjournment yesterday. He has been trying to discuss the subject on its merits. I am interested in the question of what free debate exists. Of course, the majority leader can cut debate off by a motion to table. I shall wait with interest to see what happens.

Mr. JOHNSON of Texas. The Senator from Texas intends to make the motion, if he can obtain the floor. He thinks the Senator from New York and the Senator from Illinois have been cooperative. We knew we could not have a vote before 4 o'clock. If the Senator from Oregon would care to have an additional hour, hour and a half, or 2 hours, I could tell Senators they could not expect a vote before 6 or 7 o'clock. I have no particular choice of a time, except to try to inform Senators so they can come to the Chamber. The motion will be a motion to table. If it prevails, then we can expect debate on the merits of the resolution or on amendments. In view of the arrangements which have been made and worked out, and the fact that a motion to table is not debatable, I think, in fairness to the other Members of the Senate, we ought to give them as good an indication as we can of the time of the motion. If the Senator from Oregon cares to speak at some length, say 2 hours, I could give them information about going to dinner, and we would withhold a vote until the Senator had concluded.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. MORSE. On a matter that I consider to be of such great importance to the country as this particular matter is, the Senator from Oregon is never going to pledge himself to limit debate. I do not know how long the debate will take, in view of the colloquies my discussion may arouse on the floor of the Senate. All I can say is that I intend to speak at some length. If the Senate majority leader proposes to cut off this debate today, because there is something about today which is of such special importance we ought to end the debate today, by exercising his right to make a motion to table, he certainly has the right to do that, but I serve notice on the majority leader that I am not going to commit myself to any time limitation in this debate, and I am also going to serve notice that if I get the floor in my own right I shall speak at some length.

Mr. JOHNSON of Texas. Then, Mr. President, the Senator from Oregon not only serves notice on the majority leader, but he serves notice on all Senators that he is going to speak at some length and he does not care to indicate how great the length will be. We are all aware that the Senator holds one of the all-time records for speaking at length in this body. The Senator may desire to establish another record while we are on this matter. I will inform Senators that they leave here at their own peril.

Mr. JAVITS. Mr. President, I should like to take a modest period of time to discuss the pending motion, the Anderson motion.

Mr. President, may we have order? It is not easy for me to speak or for others to hear.

Mr. KUCHEL. Mr. President, may we have order?

The PRESIDING OFFICER. Let there be order in the Chamber, please. The Senator from New York will suspend until the Senate is in order.

The Senator from New York may proceed.

Mr. JAVITS. Mr. President, I think the first thing which is very important in this debate is to ascertain the critical character of the vote which will be

cast on the Anderson motion. I think there is a feeling in the Chamber, which is unwarranted by the facts, that this is merely one of those interim votes which Senators will have a chance to repair, if they do not like the result, in the course of other votes which may be cast.

That is not my opinion, Mr. President. On the contrary, I think this is the decisive vote on the whole question of whether we shall or shall not have an amelioration of rule XXII.

I say that this is the decisive vote advisedly, Mr. President, because I believe the advisory opinion of the Vice President, the Presiding Officer of this body, has set it up that way.

The Vice President has said, in practical effect, that he will submit to the Senate the fundamental question of whether the rules made by one Senate can bind a new Senate in a new Congress. The Vice President has, in his advisory opinion, stated his beliefs. But, Mr. President, it is a question a majority of the Senate will finally decide.

It seems to me that in voting upon the Anderson motion, if we have an opportunity to do so, the Senate will be deciding the question in the affirmative, exactly as the Vice President has outlined it. On the other hand, if the Senate takes the contrary view, it will be making at least its own precedent that it takes a view different from that outlined by the Vice President.

That is why, Mr. President, I think the decision upon the Anderson motion is very important. I know there has been an enormous amount of discussion in the country in the course of the last campaign, and before and since, as to the attitude of individual Senators upon the question of a rules change. I think it is only fair to look these facts clearly in the face now and to realize that the vote upon the Anderson motion will be the determinative vote in respect to the performance of pledges which deal with a meaningful change in the rules.

I should like to repeat that statement, because I believe it is very important. I think it should be clear that the vote on the Anderson motion will be the decisive vote as to whether a meaningful change in the rules will be made.

Why do I say that? It is easy in the course of a debate, when Senators wish the other Members to take a particular point of view, to make everything sound mild and pleasant and not barbed and difficult. I point out to my colleagues that it has been said here, very smoothly and calmly, that if we go to work on the Johnson resolution the Senate can work its will and have any kind of an amendment to rule XXII it wishes.

But what is so critically important in this whole debate is not said. True, the Senate by a majority at any time can work its will on any piece of legislation, including a change in the rules, but the question is, What does it take to get to the point where the majority can manifest its will? Question: What does it take to get to the point where the majority can manifest its will?

Are we to have an insuperable obstacle in the form of rule XXII, even with the change the majority leader proposes, or are we to go directly at the matter in terms of the Constitution of the United States? This is the fundamental issue in the Anderson motion. Are we going to follow the Constitution of the United States or are we going to follow a rule made by one Senate for all succeeding time, to bind all Senates? In other words, are we going to try to give ourselves an extraconstitutional power or are we going to obey the Constitution?

In that regard, my colleagues, there is no court. In that regard the Presiding Officer cannot rule for us. The Presiding Officer cannot sustain a point of order to any part of any motion or resolution on the ground it is unconstitutional. That is for us to decide. The Presiding Officer can only give us his advice; he can go no further. We must decide in our own consciences whether we are going with the Constitution or whether we are not.

I think that is the fundamental issue involved in the Anderson motion. If we needed any confirmation of that fact, if we needed anything to keep us from being "taken in" by the idea that we can go to work on the Johnson resolution—and I believe we would be "taken in" if we did not agree to the Anderson motion, or at least we would be "taken in" if we did not have our eyes open and did not vote as we should—we had the "tipoff" yesterday by the action of my distinguished colleague, the senior Senator from Georgia [Mr. RUSSELL], for when the majority leader asked unanimous consent to present his resolution for immediate consideration, instead of having it put over for a day—and I was quite prepared to go along with that, then being on my feet reserving the right to object—the Senator from Georgia [Mr. RUSSELL] served notice on all of us that if the unanimous consent were granted he would use it as a reason why a point of order could not be made against the resolution and for any other purposes he thought he could use it to advantage.

That indicated something which is very important to those who may have some doubt about whether to vote for the Anderson motion. It indicated that once we are "taken in" the rule book will be thrown at us and every advantage which would derive from the adoption of the Johnson resolution, whether the majority leader contemplates it or not—I will give the majority leader all the credit in the world for good faith—can nevertheless be utilized by any other Member of this body. The majority leader cannot control that. Even in the debate on his own resolution, regardless of how the Senator may desire to bring the matter to a vote, if we defeat the Anderson motion we will give a tremendous edge to those who will then claim in this body that by having defeated the Anderson motion we have endorsed the position that cloture must be imposed against a filibuster on the Johnson resolution under the very rules which we are now debating.

Therefore, my friends will see that the Johnson motion itself seeks to get away from the rules but it cannot, whereas the Anderson motion does get away from the rules for the purpose of enabling the Senate to work its will. Indeed, this is the only way in which it can be done.

We are asked another question. Why do we not move to strike the objectionable material from the Johnson resolution? Why is that not a perfectly adequate course of procedure? Why do we have to agree to the Anderson motion? My answer is that if we seek to do it that way we quite literally beg the question because we may find ourselves up against an extended debate or a filibuster in that very effort, and by a vote against the Anderson motion we will have confirmed those who allege that rule XXII in all its phases persists because we have turned down the opportunity given the Senate by the Anderson resolution, to say it does not persist.

I make this point with all deference to the Vice President of the United States, who presides over this body. He is only one man. He has given his advice. He has told us what he thinks. That does not control the majority. The majority will have to make up its mind. In my opinion, once the majority is committed against the Anderson resolution, we can count on the fact that every effort will be made to convince the majority that it is also committed to applying rule XXII, in all its aspects, to the debate on the Johnson resolution. By voting for the Anderson motion we avoid all that, and we are able to carry out in practice exactly the course of procedure which the Vice President, in his advisory opinion, has outlined.

In short, the Anderson motion takes the Vice President at his word in his advisory opinion. It says, in practical effect, that the rules continue until changed; but once the engine of change is set in motion, then the Constitution applies.

It has been said that if the Constitution applies, we are left up in the air with respect to rules and procedure. That argument, in my opinion, is specious, for this reason: The Constitution provides that each House may determine the rules of its proceedings. At the time the Constitution was written—and in that respect it remains unchanged—there were no rules of the Senate. In short, the body which would adopt its own rules had to proceed under normal parliamentary rules, whatever they were at that time. In this body there are normal parliamentary rules. For example, the session opens with a prayer, and the roll is called after Senators are sworn in. This is not according to any specific set of rules, but it represents what Vice President Barkley called a few years ago, when ruling on exactly the same kind of situation, the inherent right of a constitutional body to organize.

If we have any doubts, we have Jefferson's Manual, which gives us guides in terms of the fundamental rules of parliamentary procedure, which we can follow in the absence of a codified set of rules.

The codification of rules is our act. The codification of rules should be the act of no other body; and the codification of rules is permitted by the Con-

stitution itself. Therefore, when we proceed to codify our rules under the Constitution, we are guided by a body of parliamentary precedent which is full and effective, in terms of all our needs.

If we need any further proof of that, the point has been made time and again that the House of Representatives complies exactly with the Constitution. At the beginning of every Congress there are no rules of any kind except general parliamentary law; but the House does its business very efficiently and promptly. There is no gag rule, and no capability for closing debate except under general parliamentary rules. The rules of the House end with the end of every Congress, and at the beginning of the next Congress they are established all over again. That is the position which we take.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. KUCHEL. Is the Senator aware of any State legislative body in the American Union, either upper house or lower house, where the theory of a continuing body is applied?

Mr. JAVITS. So far as I know—and we analyzed all precedents—we have been unable to find a State senate which takes such a position. In nearly every instance there are specific rules for closing off debate by majority action—some by moving the previous question, and some in other ways. The entire chronology is referred to in the report which the Senator from Georgia [Mr. TALMADGE] and I made, and in the body of evidence taken before our subcommittee.

Mr. KUCHEL. I thank the Senator.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CARROLL. The able Senator from New York makes a very important point. I wish to see if I understand it.

Let us assume that the Anderson motion prevails. What will then be the pending business before the Senate?

Mr. JAVITS. The pending business before the Senate will be the adoption of rules for the Senate.

Mr. CARROLL. Let us assume that the Johnson resolution should be the pending business before the Senate; also let us assume that the Anderson motion prevails. Will the Johnson resolution then be subject to rule XXII, or will it be subject to the opinion given by the Vice President?

Mr. JAVITS. That would depend—and that is the whole burden of my argument—on the action of the majority of this body. The Vice President says he will submit that question at the appropriate time, but he gives us his advice as to how he thinks it should be decided.

What I am pointing out is, first, that the "appropriate time" may not come. Second, it may come at a time when our resolution has been completely dissolved by time and discussion, which pull the thread of the argument completely apart, whereas, on the Anderson motion, the Senate would be making its decision clean cut, to follow the Vice President's advisory views, given an opportunity to do so by the Anderson motion, and to proceed from that point to deal with its own rules, uninhibited by the fact that rule XXII is in the existing rules. That, as I see it, is the only clean and direct way in which Senators who wish to vote that way can manifest their will.

Mr. CARROLL. Let me see if I correctly understand the position of the Senator from New York. If the Senate sustains the Anderson motion, it then proceeds by majority rule.

Mr. JAVITS. Exactly.

Mr. CARROLL. If the Anderson motion is defeated, in all probability the Senate will be operating under rule XXII, which contains severe restrictions on cloture.

Mr. JAVITS. At least we would deprive ourselves of the opportunity of saying that the way we want to operate is by majority rule, and we would leave the question open until some later time, when it could come up for decision, first by the Vice President, and then by the Senate. By that time our resolution may be dissolved, and the whole argument may be so threadbare and pulled apart that no one will recognize it.

The Anderson motion is clear and precise. The majority would exercise its determination that debate can be closed by majority vote, once the Anderson motion is adopted. As I see it, that is the only clean and precise way in which the object can be achieved.

That is my reason for saying that Senators who have made pledges or campaign promises, or have otherwise given assurances to their constituents can, by a decisive vote on the Anderson motion, manifest a basic position, a position which they have taken before the country, that position being that a majority can prevent a filibuster in connection with a rule change at the beginning of a Congress. That is what it comes down to. An affirmative vote on the Anderson motion is the clean, direct, and immediate way in which that position can be manifested.

Mr. CARROLL. I think that is a very important point.

Let us assume that the Anderson motion is voted down. Then clearly the pending business will be the Johnson resolution. Will not the Johnson resolution, as the pending business, be subject to rule XXII?

Mr. JAVITS. The Vice President says in his advisory opinion that it would not be, but the Senate must decide that question. The circumstances, the time, and the conditions under which it will decide it, no one knows. What I am pointing out is that under the Anderson motion the Senate would have the opportunity to decide the question then and there, and to know where it was going. It is vitally important that we all know that we are to have such opportunity.

As we all know, often it is not the fact that a filibuster is in progress, but the fact that a filibuster is overhanging the situation, which conditions the kind of legislation we pass. The only way for the Senate to give itself a clear shot at making rule XXII what it wants to make it is by adopting the Anderson motion. Otherwise we proceed under the Johnson resolution. I cited what the Senator from Georgia [Mr. RUSSELL] said yesterday. We might be thwarted or compelled to accept some undesirable compromise in order to get what we can and run.

If we vote for the Anderson motion we end that threat. The threat of a filibuster is removed. A majority has the capability not only for voting a rule change, but also for knowing that it will have the opportunity to vote. The Anderson proposal is the only way of insuring such opportunity.

All the argument to the effect that the majority can change the rules at any time is so much dust thrown in the eyes of those who wish to reach the end of the rule XXII question. The dust arises because of the fact that the question is not whether a majority can vote a change—there is no question about that; it can vote a change at any time—but a question of when the majority can reach a vote. The only clear way to settle that question is to settle it now, by an affirmative vote on the Anderson motion. Then the majority will know that they will not only be entitled to vote but that they can get a vote whenever they consider the debate to have gone on long enough.

Mr. CARROLL. I thank the Senator from New York.

Mr. JAVITS. That is the issue. Let us not kid ourselves about it or be confused. Whatever Members choose to do, is there own judgment, but they should realize that this is the decisive question and that it is being decided on the Anderson motion. I am very grateful that, notwithstanding all the sound and fury of yesterday and today, we shall have a clear opportunity to vote yea or nay on this question whenever the majority leader makes his motion to table. That is the decisive vote. That is the vote that ought to go on the records. That is the vote that ought to go in the rule books. That is the vote that should be cited in the arguments. If I have done nothing else in my brief discussion this afternoon but to point out the fact that this is the decisive vote, I shall be well satisfied by what I have done today.

The next question is, What is so important about the proposed change of rule XXII? Why is it so vital? An examination of all the efforts which have been made to protect the filibuster will show why it is so vital. In the first place, until some of our colleagues realized that there would have to be some kind of civil rights bill in 1957, the prospect was that the debate would be protracted or difficult. Except for the civil rights bill, rule XXII would have been quickly amended, and we would have had a better civil rights bill in 1957. The fact that the threat of a filibuster overhung Members of the Senate resulted in many compromises, the principal one being the excising, by a relatively close vote, of the so-called part 3 of the civil rights bill.

We have now found, much to our national difficulty, that the absence of part 3, which deprives the Attorney General of the right to initiate civil proceedings in courts to deal with questions in connection with desegregation of public

schools and in other fields, has brought us into great national difficulty, as shown by Little Rock and by the closing of schools in Virginia and in other States, and has created a great situation of tension, because it is hard for moderates in the South to feel other than that they do not have adequate backing. So, therefore, I say we ought to profit by experience.

I realize that filibusters have not only prevented civil rights legislation, but they have also thwarted the enactment of all kinds of other legislation, as a mere reading of a list of such proposed legislation will show. Successful filibusters were conducted in 18 out of 22 efforts. Eighteen is a very large number out of 22. Filibusters have succeeded in thwarting legislation dealing with officers of World War I, the Colorado River development, the Banking Act, the British Loan, Public Housing, and other measures. That gives a concept of the fact that we are dealing with the basic climate in which legislation shall be passed. It is a question whether that climate shall be dominated by a section or whether it shall be free of such shackles. That is the fundamental issue which confronts the Senate. We have an historic opportunity to decide that issue, and I hope we will not forego that opportunity.

Mr. President, I hazard a guess and I make a prediction. I say that, unless we act meaningfully—and I shall come to that in a moment, and then I shall conclude—unless we act meaningfully on rule XXII, the shadow of the threat of the filibuster will overhang and condition every measure in this body, as it has for years. I thoroughly agree with my colleague from Pennsylvania that in this space age we must spring these shackles.

Finally, as to the meaningless change which is proposed by the majority leader, I said before and I repeat that the figures are most eloquent. The last successful cloture motion was decided on February 15, 1927, nearly 32 years ago. The rules of the Senate then permitted cloture by two-thirds of the Senators present and voting, which is exactly the kind of proposal made to us by the majority leader. For 32 years since that time there has been no successful cloture motion.

That is true notwithstanding the fact that even a 60 percent rule would have imposed cloture, even on civil rights bills. As late as July 12, 1950, even a 60 percent rule would have done that. However, we were not permitted to do it. On July 12, 1950, there were 55 votes against 33 votes to enforce cloture on a fair employment practice bill. I voted in favor of that bill in the other body. The bill fell by the wayside in the Senate, notwithstanding the fact that 55 Members wanted it passed, because a determined 33 Senators said, "You shall not pass it."

Mr. President, this is an extraconstitutional power which we cannot tolerate in this day and age. The change which is proposed by the majority leader is not even a sop; it is absolutely meaningless, and is intended to divert us from the fundamental purposes involved.

There are not many Members present in the Chamber at the moment. However, there are certain human values involved. There are certain things we must express. Do we wish to manage our own destiny or not? Are we going to do meaningless things when we are able to bring about some real change? Are we going to do a meaningless thing, which will be put forth as a rule change, when all intelligent men must know that it is meaningless?

I hope the Senate will not debase its own high character by doing a meaningless thing. It would be much better to table both proposals than to adopt the Johnson resolution as an effort to do anything meaningful about the situation. It would be better to do nothing than to do something to which Senators could not point as being a realistic effort to change rule XXII so as to stop filibusters. That would be worse than nothing, and an affront to our own character.

I conclude as I began, by emphasizing the importance of the vote on the Anderson motion. I emphasize it. This is the pay-off in this controversy. The vote on the Anderson motion will determine whether the Senate can work its will in a meaningful way. If the Anderson motion is turned down, the result will be a weak and completely inadequate solution of this whole controversy.

This is the first time a Senate committee—by a vote of 5 to 4, it is true, but still by a vote of a Senate committee, the Committee on Rules and Administration—has reported a meaningful resolution to change rule XXII. This is the first time that it has been done in conjunction with and immediately following—or relatively immediately following—a vote on the floor of the Senate. When we have the benefit of all the hearings, the benefit of all the consideration, and the benefit of the determination of a majority of the committee, if we kick that away at this time, a historic opportunity will be missed to do something which is meaningful.

We will miss the opportunity of doing something which will better equip the Senate and better equip our country in terms of the danger of complete extinction which faces our Nation and the rest of the free world.

Mr. CARROLL. Mr. President, I wish to commend the very able Senator from New York for his clear and penetrating analysis of the important issue before us. I desire to associate myself with his remarks. We have worked together, not only in the Senate, but also in the House of Representatives, particularly in connection with proposed FEPC legislation. He has cited for the record accurately what happened and what is happening again. I wish to join him in what he has said on the Anderson motion.

Mr. JAVITS. I thank the Senator from Colorado. Mr. President, I yield the floor.

Mr. DOUGLAS. Mr. President, I congratulate my good friend, the Senator from New York [Mr. JAVITS], for the very clear exposition which he has made of the points at issue.

I shall try to speak briefly, but I shall try to make clear why we believed the Anderson motion is essential.

We are sometimes asked, "Why is it that you insist upon taking the Anderson route rather than the Johnson route? Why is it that you are first seeking to establish the right of the Senate to adopt rules rather than to move directly into the question of a new rule XXII?"

I think the reason should now be quite clear to the Members of the Senate, but it is probably not very clear to the people of the Nation. In the few minutes I shall take, I should like to make those reasons clear.

We are afraid that unless we pass the Anderson motion, once we start to debate a substantive proposal for a change in rule XXII, by indirection, by acquiescence, or by rule, we will be held to operate under the existing rule XXII.

Section 3 of the existing rule XXII, as all Senators know, but as few of the people in the Nation know, provides that there can be no cloture or limitation of debate on any motion to consider a change in the rules; that so long as one man can hold the floor and keep on talking, or so long as a small group of Senators can hold the floor and keep on talking, it will be impossible for the rest of the Senate to bring the question of a change in the rules to a vote; and, therefore, although we may have the legal right, as the Senator from Wyoming emphasized this afternoon, for a majority, once the vote is ordered, to make a change in the rules, still, as a practical matter, we will never, as the Senator from New York [Mr. JAVITS] has pointed out, be able to bring a substantive change in the rules to a vote, so long as a small group of determined men are able to talk the proposal to death.

Furthermore, under section 2 of existing rule XXII, after the proposed rule change is made the pending business before the Senate it cannot be brought to a vote as long as 33 Senators resist it by prolonged debate and vote against cloture, or are absent on such a vote. Under that section of the existing rule XXII also, therefore, a majority of the Senate could not reach a vote on a rule change.

What we are afraid of is that by acquiescence or otherwise we may, somewhere along the route, be construed as having accepted the existing rules of the Senate and will be governed by section 3 and section 2 of rule XXII and, therefore, in effect, effectively stopped from proposing or carrying through any substantive change in the rules.

Underneath all the verbiage, underneath all the parliamentary maneuvers, is that fact. We are trying to establish at the very beginning of the Senate the right of the Senate, by a majority vote, to adopt rules, and not to be governed by the straitjacket which was imposed in 1949.

Section 2 of rule XXII is bad enough. It provides that cloture or limitation of debate on a bill can be carried through only by a two-thirds vote of the entire membership of the Senate. That really imprisoned a number of bills, including those relating to civil rights, in a cell very difficult for the public to locate, or even

to unlock. It put them in a straitjacket and guaranteed that they would not be released from that straitjacket unless so greatly weakened as not to give serious offense to the minority who threatened a filibuster.

But the third section of rule XXII threw away the key to the straitjacket, because it provided that even though a large group in the Senate—even though two-thirds, three-fourths, three-fifths, or five-sixths—were determined to change the rules, they could not do so because unanimous consent was needed to change the rules.

(At this point Mr. DOUGLAS yielded to Mr. JOHNSON of Texas. The statement by Mr. JOHNSON of Texas and the colloquy connected therewith appear in the RECORD following the remarks of Mr. DOUGLAS.)

Mr. DOUGLAS. Mr. President, let the record show that between what I previously stated and what I am about to say, a long delay has ensued, during which statements which will be printed at the conclusion of my remarks have been made.

At this time I shall try to resume as best I can the theme of my remarks.

What we are afraid of is that if the proceedings of the Senate go on much longer, we shall be deemed to be operating under the old rules of the Senate, including section 3 of rule XXII, which virtually prohibits any limitation of debate, and section 2, and that therefore a small and determined group of Senators by exercising their rights under sections 2 and 3 of rule XXII may so tie up the proceedings of the Senate, that the Senate—and the country—in disgust will lay aside the whole matter, and the Senate will continue with the present rules and the filibuster will flourish and exercise its evil influence.

Therefore, many of us, after studying this question rather thoroughly, have reached the conclusion that the only safe method of establishing clearly the right of the Senate to adopt rules is to do so at the beginning of the session, when the Senate would not be crippled by the straitjacket for which there was no key; namely, rule XXII.

That has been the motive behind all the parliamentary maneuvers in 1953, 1957, and this year; and it is important that the purpose be known.

I know it will be asked, "Why not delay this issue until the matter is raised? Has not the Vice President ruled that although he believes the rules of the Senate to be continuing"—and let me say that I believe he is mistaken on that point—"nevertheless, rule XXII is not operative, because in his judgment it violates the provision of the Constitution that each House may determine the rules of its proceedings; and under the Constitution, unless it is specifically stated to the contrary, majority vote is presumed to prevail."

Well, Mr. President, we are very appreciative of that advisory opinion by the Vice President. We believe it to be sound, at least insofar as rule XXII is concerned. But it has not yet become the rule of the Senate. It was quite clear that the distinguished majority leader did not agree with this proposal, or opinion. It is quite clear that the extremely able field marshal of the Southern forces, who has graced the Senate for so many years, and whom I see sitting near me at this time, the distinguished senior Senator from Georgia [Mr. RUSSELL], does not agree with me or with the Vice President on this point.

Mr. RUSSELL. I thank the Senator for his kind comments.

Mr. DOUGLAS. Since we lack the skill and parliamentary adroitness of the Senator from Texas and the Senator from Georgia, we have, I think, well founded fears that at some time it may be decided that the trap is sprung, that the previous rules of the Senate are in operation now, that by some act or other we have acquiesced in the previous rules of the Senate, and that, therefore, this trap would be so strong, that we could not escape from it and it would be impossible to limit debate on a motion to change the rules.

That is why we do not want to take the immediate course of the Johnson resolution, and that is why we are pushing, instead, for this prior action, to clear away the underbrush, to sweep away the traps, to make it perfectly obvious and clear that a majority of the Senate, at the beginning of a session, prior to the adoption of rules, can adopt those rules. I cannot put it any more simply than that. That is the purpose.

Now, I know it will be said, as indeed it has been said, that once we throw this matter open, all kinds of proposals for changes in the rules will be offered, and that we can be tied up for days and months.

In the first place, Mr. President, let me assure the Nation, that those of us who are struggling for a change in rule XXII will not, under any conditions, propose any change other than in rule XXII. If rule XXV is brought into question, if rule XL is brought in, if rule XXXII is brought in, if rule XIV is brought in, it will be by other hands than ours. I think I can make the pledge, though it is always difficult to make a pledge on behalf of a considerable body of liberals, since we do not operate under the iron discipline under which our friends to the south seem to operate, that any such widened attempt to change the rules will not come from us. Indeed, as the Senator from Pennsylvania has just said, we are now contemplating, and I personally favor, the adoption of an amendment to the Anderson motion which will confine the Anderson motion to considering a change in rule XXII.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DOUGLAS. Yes. I shall be glad to yield for a question, but not for a speech.

Mr. HOLLAND. Will the Senator be good enough to tell us whether the members of the group with which he is associated, and of which he is such an eminent member, have agreed on the provision of change, which they wish to write into rule XXII?

Mr. DOUGLAS. No. That would be left open.

Mr. HOLLAND. Then the Senator is, in effect, asking that the matter be thrown open so that the various proponents of change may have an opportunity to discuss varied convictions as to what the change should be?

Mr. DOUGLAS. In rule XXII, certainly. But not on other rules.

Mr. HOLLAND. I thank the distinguished Senator.

Mr. DOUGLAS. The adoption of the Anderson motion, therefore, will not lead to the broad questions about all other rules, as claimed by the opponents. It will result in the Senate's having before it the narrow question of its filibuster rule, which is the heart of the controversy. But the adoption of the Anderson motion will establish the basic principle that a majority of the Senate in a new Congress can adopt or amend Senate rules for that new Senate, free from the restrictions of the old rules, which in effect rigidly limit that rule-making power.

The adoption of the Anderson motion and the Senate's action on the next motion—because either the Anderson motion will carry with it the fact that all other rules except rule XXII will be in operation, or it will be followed immediately by another motion by the Senator from New Mexico that all rules except rule XXII shall be in effect—will demonstrate that we can move in an orderly manner, as our associates in the House of Representatives do, at the start of a new Congress.

I am astounded by the contention that the Senate, which is declared to be such a deliberative body, composed of such noble and reasonable men, who have a high sense of the values of the Nation, will simply prove itself inferior to the House of Representatives, which deals with this issue very quickly—very quickly indeed—at the opening of a new Congress. I do not claim that we are the higher body. I do not say that we are superior to the House, although I notice that a great many Members of the House like to run for the Senate, and not many Members of the Senate like to resign their seats and run for the House. I do not claim that we are superior to the House. But I do say we are at least as sensible as the House and as coordinated as the House, and that if the House can adopt new rules at every session, the Senate also can do it. I do not say that everything the House can do, the Senate can do better; but I do say everything the House can do, the Senate can do as well.

There is another interesting point. Our friends from the South seem to worry a great deal about the possibility that the debate at some time or another may be limited. They are great statesmen. Our southern friends, in the creation of rules for their State legislatures in the South, virtually without exception have provided for a method of closing debate. The method which they provide is the device known as the previous question, which is the affirmative analog of a motion to table. Once a motion to move the previous question is put forward, there can be no debate upon that motion. If it is carried, the motion

before the House must be immediately put, without any debate upon it. The device of the previous question is a complete guillotine. Yet in the South our good friends in the State legislatures provide for this guillotine, which we would not dare, and not only would not dare, but would not desire, to impose upon the Senate when it is considering legislation, even though it might be used after long debate in the consideration of rules and if a filibuster was evident.

The men who founded the Confederate States of America were, I think, mistaken in wanting to split off from the Union. But as a matter of parliamentary procedure, they had a very effective device for closing debate in the Confederate Senate, namely, the moving of the previous question and the power of a majority to carry it.

Why do our southern friends want to impose upon the Senate of the United States rigid restrictions against the limitation of debate and against the amendment of our rules which their own State senates do not impose on themselves and which the Senate of the Confederate States, beloved by their predecessors, did not impose upon itself.

I regret that my good friend from Georgia used the expression this afternoon that the Senate consisted of ambassadors from their sovereign States. That, perhaps, was the interpretation, under the Articles of Confederation, and the Delegates to the Continental Congress I think, perhaps, primarily regarded themselves as such.

But we are a United States now—and have been a United States for at least 93 years. I regret to see the pre-1860 language used upon the floor of the Senate at the present time. We are not merely Senators from Minnesota, Pennsylvania, Illinois, Alaska, Ohio, Michigan, Utah, North Carolina, Florida, Louisiana, Georgia, Alabama, and South Carolina; we are also Senators of the United States of America. It is about time that fact is realized.

My friend, Carl Sandburg, says that the war of 1861 to 1865 was fought on the question of grammar; whether the proper phrase should be "the United States are" or "the United States is"; whether we are a mere federation of sovereign States or whether we are a nation.

I am not here to wave the bloody shirt or to refight that war. I will merely say that since 1865, at least, the United States is a nation—is a nation. There perhaps are some people who do not realize this fact now, but I want to predict that they are going to realize it. The United States is a nation, and we meet in one House of that Nation, representing our State interests, it is true, but also representing our national interests, and the national interests should be controlling and predominant.

What bearing does that have on this dispute? It has this bearing: that the Senate is not an assembly of the United Nations. Neither is it a Security Council of the United Nations. No one in this body should have the power of the veto. No small groups should have the power of the veto.

The Constitution provides that the majority will is to prevail except in those matters which are specifically stated to the contrary, and there are only five such. The Constitution states that amendments to the Constitution must be submitted by a two-thirds vote of both Houses; that treaties must be ratified by a two-thirds vote of the Senate; that impeachment requires a two-thirds vote; that expulsion of a Member requires a two-thirds vote; and that to override a veto a two-thirds vote is required.

But on every other subject a majority is supposed to prevail, in default of specific language to the contrary. There is no such language about House rules or Senate rules. There is no such provision in the Constitution in connection with civil rights laws. It is not stated that one must have a two-thirds vote on a civil rights law. It is not stated that one must have a two-thirds vote on a commerce law. A two-thirds vote is not required for a declaration of war.

As a matter of fact, in the Constitutional Convention itself one of the delegates arose and proposed that a two-thirds vote be made necessary for interstate and foreign commerce laws, and that was voted down. There was one other feature of the Constitutional Convention also—navigation laws, I believe—in which a two-thirds vote was proposed and was defeated.

It is therefore perfectly clear where the Constitution stands. The Constitution stands for majority rule, but a majority rule which is carefully guarded—which requires the assent of both Houses, which is subject to a Presidential veto and subject to review by the courts.

We already have built-in protections for minorities and other groups, and long may we continue to have them.

Furthermore, by the so-called Connecticut compromise, to which my friend the Senator from Minnesota referred this afternoon, we have equality of representation in the Senate of all States regardless of size.

My State has about 9½ million people. I voted for the admission of Alaska as a State, though Alaska has only a little over 200,000 people. I was very glad to see my two good friends from Alaska sworn in yesterday—long may they stay in this body—but I want to point out the tremendous power which we in the big States gave to the small States when we voted for the admission of Alaska and when we voted for the admission of other smaller States.

As a matter of fact, 17 States with only 8 percent of the population could, if acting in a bloc, under the existing rules of the Senate and under the rules as proposed by the Senate from Texas, by filibustering, tie up the Senate and prevent the representatives of the other 92 percent of the population from having their will.

On the other hand, the 8 largest States in the Union, of which my State is one, with a total population of 75 million, or about 43 percent of the population of the Nation, have only the same representation in the Senate as the 8 smallest States, with a very small percentage of the population. They are already shackled.

Mr. CASE of South Dakota. Mr. President, will the Senator yield for a question?

Mr. DOUGLAS. I would prefer to finish my statement and then yield for a question.

Mr. CASE of South Dakota. The question is on the point the Senator just mentioned.

Mr. DOUGLAS. I yield.

Mr. CASE of South Dakota. Does the Senator recall that when Illinois was admitted as a State the population of Illinois was only 34,620?

Mr. DOUGLAS. The Senator is correct. The Senator from South Dakota, however, need not be reminded of the fact that I voted for the admission of Alaska as a State and worked for it on every occasion. I shall vote for the admission of Hawaii as a State.

I merely want to remind this body of the fact that we who come from the big States have been willing to subordinate our local interests in the national interest. It was against the narrow interest of my State to admit Alaska as a State, because I know the pressures which will operate upon the Senators from Alaska for very large improvements, for which the citizens of my State and of other large States of the Nation will pay most of the taxes. I am willing to take that chance and be governed by a majority vote in which we who represent large States can be outvoted by those who represent small States.

What I am trying to say is that we already have built-in protections for minorities even under a majority provision; protection in the form of two Houses of Congress, protection in the form of the presidential veto; protection in the form of judicial review; and protection to the small States on the basis of equality of representation.

If on top of all this we have heaped upon us the power of a small group in the Senate to prevent us even from coming to a vote, there will be placed mighty and powerful chains upon us.

Mr. President, this is the opening battle. I hope it is not the only battle, but it is the opening battle in an important struggle on this issue. While logically I should perhaps confine myself to procedural problems, it may be well to dissipate some unfounded fears. Let me assure the Members of the Senate and of the Nation that we do not propose to shut off debate.

We believe in full debate, full discussion—protracted debate, because many issues need to be made clear, not merely to the Senate, but to the country. But we believe that there is also the right of a majority at some time to reach a vote. The right of the majority to rule does not mean merely that when the ballot is cast the majority shall prevail. The right of the majority also to have a measure ultimately brought up for a vote is also an essential part of the right of majority rule. That is what we are contending for.

This is not the place to discuss in detail the proposed rule XXII which I shall offer later in behalf of a distinguished

group of Senators. Under that proposed rule, there could be made available 8 weeks of debate. I would be willing to extend it so that there could be 10 or 12 weeks of debate.

It must be remembered that in the first place the petition for a limitation of debate would not be presented by 16 Senators until the debate had continued for some time, and it became evident that we were facing a filibuster.

Under the first alternative, it would be necessary to have a two-thirds vote, after 2 days, to apply a limitation thereafter of 1 hour for each Senator. This is the same as the proposal of the Senator from Texas.

But we go beyond that, to give the ultimate power to a majority of the entire membership of the Senate—and I emphasize the words "majority of the entire membership of the Senate"—15 days, not including Sundays or holidays, after the filing of the petition by 16 Senators, to limit debate thereafter to 1 hour. That ought to be enough even for a Senator.

Mr. HUMPHREY. One hour for each Senator?

Mr. DOUGLAS. One hour for each Senator.

As the beloved former Senator from New York, Herbert Lehman, who led the struggle for many years, pointed out in a very able letter to the Washington Evening Star, that this long process could be twice repeated. A determined minority could filibuster on a motion to proceed to consider a measure, and the majority would not be able to limit debate on that question for 5 or 6 weeks. Then on the measure itself the minority could filibuster and the majority would not be able to limit debate for 5 or 6 weeks more. At least 8 or 10 weeks could be taken advantage of. There would be full discussion. There would be no danger of premature or hasty decision.

If there were weaknesses in the pending measure, they would be revealed in the course of the debate. Mr. Lippmann and others have been saying that Claude Pepper and Bob Taft showed up the weaknesses in connection with the Truman proposal in 1946 to draft railway labor. They did it in 6 days. If Taft and Pepper could do it in 6 days, certainly it would be possible for others to do it in 60 days.

Discussion is a very important thing. Free debate is essential for decision. Truth and error contest against each other, and error is sifted out in the long run and truth is accepted. If certain proposals are advanced which are partly correct and have some errors in them, the errors can be corrected. But discussion is not an end in itself. The ultimate end of legislative discussion is decision, whether this be positive or negative. The process of free debate and ultimate decision is what we believe in within a democracy.

Those are the principles for which we are contending. The Anderson motion would make it possible for us to decide every one of the issues involved in the proposed changes in rule XXII without experiencing a filibuster in the process of deciding.

Mr. LONG. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LONG. I was interested in the Senator's discussion of his proposed substitute. The Senator knows that I am for free debate in the Senate. I am against provisions that impose a gag rule. However, if the Senator wishes to close off debate, it seems to me that the present rule, or even the Johnson substitute, would be preferable to what the Senator is advocating, which would permit 60 days of debate. It seems to me that if the leadership were determined to reach a vote, they could simply table any amendment. That would leave each Senator in a position where he could make only two speeches. With only two speeches on a particular measure the debate would not extend for 60 days.

Mr. DOUGLAS. Perhaps I erred in discussing the substantive features of the proposed new rule XXII. Perhaps it would have been better if I had confined myself to the narrow limits of the Anderson motion. I do not wish to prolong the discussion too long, because my friend, the Senator from New Jersey [Mr. CASE] will shortly address the Senate. He is one of the finest spirits in the Senate and in the country, and I expect to listen with interest to what he has to say. So I do not wish to argue this point at great length now. We shall meet later at Philippi.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks editorials from the New York Times, the St. Louis Post-Dispatch, and Commonweal, and other materials, containing significant statements relative to the Anderson proposals and our proposals for an effective curb on filibusters, together with letters from Senator Clark and Senator Lehman, Irving Brant the eminent historian, and myself—and perhaps most important of all, the brief which a group of us Senators presented to the Vice President some days ago, which lays a thorough basis for our contention.

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 7, 1959]

THE MAJORITY HAS RIGHTS TOO

When the Senate organizes for business today it will have before it a proposal by Senator PAUL H. DOUGLAS, of Illinois, supported by other liberal Senators, to permit the majority, after a decent interval for reflection and debate, to get on with the country's business. This proposal is perhaps the most important single subject that will come before either House of the 86th Congress. Senator DOUGLAS and his associates propose that rule XXII be amended so that a simple majority of the whole Senate may impose closure after 15 days. After this interval debate could continue until each Senator had had an ample chance to speak, but a filibuster could not continue. The whole process of bringing a measure to vote over the opposition of an entrenched minority might take a month or more, but at the end of that time a vote could be had and the majority would prevail.

We admit the existence of honest arguments against this reform. There are those who fear that unwise legislation may be steamrollered through Congress. But the choice seems to us to be between a reasonable delay and a reasonable amount of discussion, on the one hand, and, on the other hand, the actual rule of a minority. It is easy to find arguments against what has been called the tyranny of the majority, but the tyranny of the minority is and always has been infinitely worse. For instance, there is no reason under heaven why a minority in the South or anywhere else should prevent this Nation from enacting a modern bill of civil rights.

There will be an effort in the House of Representatives to reduce the power of the Rules Committee, which now is usually able to put bills in the deep freeze and keep them there. This machinery, which the leadership of the low House controls, has the same result that rule XXII effectuates in the Senate—namely, to prevent bills which a minority dislikes from being brought to the floor at all. But the situation in the House, with SAM RAYBURN in the Speaker's chair, is not as bad as the situation in the Senate with an unamended rule XXII.

The election wave of last November was not merely a Democratic wave, it was also an expression of a reviving liberalism. We shall be deeply disappointed if this liberalism does not reveal itself in a democratic revision of rule XXII.

[From the St. Louis Post-Dispatch, Dec. 13, 1958]

THE POWER OF DECISION

As lines form for the Senate fight on the filibuster, that tactic of obstruction is once more being defended as a vital instrument of freedom. The power to paralyze legislation by unlimited talk is described as an essential protection of minorities against the tyrannous majority, a necessary element in the checks and balances of our governmental system.

How much validity is there in these claims? Not much. Minorities are entitled to reasonable protection against the hasty, illegal, or oppressive acts of a runaway majority, but they are not entitled to the privilege of paralyzing the legislative process itself. The safeguards which they can legitimately claim are embedded in the structure of our system in the two branches of Congress, each having a different basis of representation; in the committee system of both branches in the Executive veto; in the power of judicial review.

To say that all of these very real protections for minority rights come to naught unless a handful of Senators shall have the right to abuse the very nature of parliamentary debate is to abandon all sense of proportion.

The purpose of debate is to enlighten, to inform, to bring out the merits and evils of proposed legislation. None of these ends is served by permitting a Senator to read the telephone book and a shelf full of encyclopedias until his colleagues out of sheer exhaustion give up their right to come to a decision.

The filibuster is not debate. It is an act of coercion. It is as undemocratic as a shillelagh, and the use of it is as disruptive of parliamentary process as would be the defeat of a bill at the point of a gun.

Those who paint the filibuster as a sacred element of our constitutional system neglect to mention some of the facts brought out often by Senator DOUGLAS. The British Parliament, which supplied so many of the precedents for our Congress, has always had machinery for closing debate by a simple majority. The Continental Congress had such machinery. The House has always had it. And the Senate itself not only could but did close debate by majority vote in the first 20 years of its existence. The filibuster was invented, not to protect minorities, but to give a handful of Senators disproportionate power to control legislation.

We think the defenders of the filibuster have damaged their case by offering to accept a rule under which debate can be ended by two-thirds of those attending, instead of two-thirds of the Senate membership as at present. If it is true, as they say, that to alter the filibuster means altering the institutional character of the Senate, then they ought to offer no compromise at all. By temporizing with the growing Senate demand for a change in the rules, they tacitly confess that they are defending not principle but power.

Nobody is contending for any serious strictures upon real debate. The Douglas proposal would allow more than ample time for full discussion of an issue before the majority could move to close debate, and even then each speaker would have an hour for more talk before closure went into effect. What this rule would do is to insure that the Senate could fulfill the ultimate function of every legislative body—to decide.

Is that uncharacteristic of the Senate, dangerous to minorities, or hostile to constitutional balance? If so, then so is democracy.

[From the St. Louis Post-Dispatch, Jan. 4, 1959]

TEST FOR THE SENATE

Probably the first, and certainly one of the most important, issues to face the new Senate when it convenes this week will be the question of the filibuster. At present, the votes of 64 Senators—an "absolute two-thirds"—are required to bring debate on any measure to an end—which means that a determined minority can usually block a vote on a measure by talking it to death. Should the rules be changed to permit fewer than 64 Senators to close debate?

We believe the answer is Yes, and we believe the new rule should be the one supported by Senator DOUGLAS, of Illinois, and other liberals in both parties.

Senator DOUGLAS would permit two-thirds of the Senators present to close debate after 2 days; but if debate continued for more than 15 days, it could then be terminated by a majority of Senators on the floor. In actual practice, the Douglas plan would permit a debate to run as long as 8 or 9 weeks—certainly long enough to air the most controversial issue—before a majority could bring the issue to decision.

Senator LYNDON JOHNSON is supporting a milder rules change in an effort to head off the Douglas plan. The Democratic majority leader would provide simply that debate could be closed at any time by two-thirds of the Senators present and voting. Various kinds of arithmetic can be used to argue that this rule would be an improvement. The best answer is that precisely the same rule was in effect in the Senate from 1917 to 1949—and filibusters were no easier to break during that period than they are now.

That is why the Johnson plan is not enough and the Douglas plan should be adopted. Basically, the question is whether the Senate should have the power to come to a decision, or whether a minority should retain the power to block any decision by abusing the privilege of debate.

We cannot agree with Walter Lippmann and others who argue that this minority power to block a decision is a necessary part of our constitutional balance. Plenty of checks and balances exist—in the two-house system, the workings of seniority, the presidential veto, and the power of judicial review—but the anarchic principle of the filibuster is not and was never meant to be one of them. Nor is it true that the filibuster is needed for the protection of individual rights. The Douglas proposal would permit quite as much protection as individual rights ever get in the Senate—and in addition it would permit the Senate to come to a decision on vital issues of controversy, including civil rights.

Every Senator will be measured by the way he votes on the filibuster this week.

[From the Commonweal, Dec. 19, 1958]

CURBING FILIBUSTERS

As it has developed through the years the American system of governmental checks and balances has few equals among parliamentary democracies of the world. Such things as the separation of powers, local autonomies, and the lengthy procedure for the making of the Nation's laws are of the essence—as are the rights and freedoms prescribed for the individual citizen. Even the possibility that an upsurge of popular feeling might lead to tyrannical dictation by a democratic majority is provided against through the procedure of the senatorial filibuster.

This obstructive parliamentary device goes back for more than a century to the days when opponents of financial bills sponsored by Henry Clay resorted to it. One of its theoretical bases is that no U.S. Senator should be limited in his discussion of any question. And in recent times, at least, filibustering Senators have been permitted to talk or read endlessly on any subject as a demonstration of opposition so determined that the Senate should think twice before enacting a proposed law.

For three-quarters of a century opponents of legislation resorted to filibusters without restriction. A number of bills and an even greater number of appropriations met death in this fashion. Often a serious threat of a filibuster sufficed to defeat legislation. Then on the eve of World War I a handful of Senators, "11 willful men," held up Woodrow Wilson's plan to arm American merchantmen against German U-boats. As a result a cloture rule was passed setting forth the conditions under which debate could be closed and a vote taken. These provisions supplied the basis in 1949 for rule XXII, still in force.

In order to break up a filibuster and proceed to a vote, 66 Senators must now be present and approve. After that, further debate is limited in that each Senator who speaks can do so for not more than an hour. In view of senatorial courtesies, a voting margin as large as this is difficult to attain under most circumstances. When civil rights legislation is involved, as at present, the vehement southern minority has proved large enough, with the help of a few friends from other sections, to block a cloture of debate.

When the 86th Congress opens next month it will consider two types of revision for rule 22. The first is a bipartisan measure sponsored by Senators DOUGLAS, HUMPHREY, CASE and JAVITS. For emergency legislation it would still require a two-thirds vote of Senators present for cloture. For other legislation a constitutional majority of 50 Senators would be sufficient after 3 intervals of protracted debate. And 15 days of further debate would then be permitted—involving 2 months' discussion in all.

The other proposed revision, favored by Senator LYNDON JOHNSON, is offered as a compromise. Instead of 66 Senators, two-thirds of those present and voting could bring about the end of a filibuster. Here again the determination of a minority such as the representatives of the South would be virtually impossible to overcome. Their own 20 votes plus the dozen or so of conservative colleagues from the West and North would be marshaled with greater effectiveness than the less organized, scattered senatorial majority. A study of similar votes in the past 40 years discloses that cloture would not have been obtained on any civil rights bill under such requirements. The chances of restricting filibusters would remain virtually unchanged even with the complexion of the new Congress.

The terms of the bipartisan cloture bill appear, however, eminently reasonable. There is ample opportunity for full-scale debate. By the time a proposed piece of legislation is reported out of committee and goes through the various steps envisaged there is no chance of its being hasty or ill-considered. The American system of checks and balances will remain, both structurally and in the persons of widely differing, highly placed representatives. The possibility that a majority can tyrannize will continue to remain remote.

To say this is not to deny that the filibuster still has a useful place in American political life. It is not to ignore the fact that it is a device that can on occasion be put to good use both by political liberals and conservatives. It is not to imply that only a filibuster stands between the present impasse in the South and the formulation and enactment of a truly wise and effective civil rights bill at this difficult stage of transition. But support of a real if limited change in the Senate's rule of cloture is one prerequisite, and it would be a congressional achievement of the first rank.

[From the New York Times, Dec. 9, 1958]

EXCERPT FROM STATEMENT ON POLICY ISSUED BY THE DEMOCRATIC PARTY'S ADVISORY COUNCIL—CONGRESSIONAL PROCEDURES

The Senate will face a challenge that can only be met in its opening days.

The challenge is to change Senate rule XXII which now requires a two-thirds vote of the total members to shut off debate and which provides for no limitation whatsoever of debate on proposals for changes in any rule of the Senate, including rule XXII.

The Democratic Advisory Council, as it did on January 4, 1957, once again takes its stand on the relevant 1956 Democratic platform plank. The language of that plank—the Republican platform is altogether silent—unequivocally calls for improved congressional procedures so that majority rule prevails, and decisions can be made after reasonable debate without being blocked by a minority in either House.

We reaffirm this position and state these propositions:

First, we believe that every new Senate, like every new House, has the constitutional and democratic right to make its own rules of procedure.

Second, in any new rule for the limitation of debate, the need for full and searching discussion in which all Senators may speak and in which public opinion can make its own influence felt, must be duly respected. But the new rule must also be such that after a respectable interval of time, the Senate shall be able to give relevance to the debate by bringing the matters under discussion to a terminal vote where the decision of the majority of the total membership shall close the debate. There can be no compromise with this ultimate, democratic right of the majority to say yes or no on legislative issues.

[From the New York Times, Dec. 30, 1958]

FORTHCOMING SENATE ISSUE—SENATOR CLARK QUESTIONS RECENT ANTIFILIBUSTER DRIVE COMMENTS

To the EDITOR OF THE NEW YORK TIMES:

Arthur Krock's November 19 column provided a valuable preview of the epic liberal-conservative struggle which is bound to take place in the Senate of the United States as soon as the opening formalities have been dispensed with on January 7, 1959.

The value of Mr. Krock's column, however, could hardly be said to lie in its impartiality. His assertion that the antifilibuster drive is

an assault on the "continuing body" concept that has made the Senate a "fortress of the minority" invites two observations:

The "minority" referred to in the quotation is not the Negro people; and the "continuing body" argument has repeatedly been demonstrated as irrelevant to the question of whether Senate rule XXII should be amended to prevent filibusters.

This argument holds that since two-thirds of the Members of the Senate are not up for election in any given year by virtue of their staggered 6-year terms, the Senate is a "continuing body," therefore (in smaller print) the rules of past Senates have a "continuing" effect and bind each new Senate. The conclusion does not follow the premise.

The "therefore" portion of this argument was supported by Mr. Krock, unquestionably Washington's leading legal layman, by citation of a statement by a deceased Senate historian and a 1927 Supreme Court opinion.

CHALLENGE BY SENATE

The historian's assertion that the Senate rules "have continued in force without reaffirmation until amended or abolished" amounts only to a record of acquiescence on the part of past Senates which creates no legal bar to the challenge to be posed by the incoming Senate.

The cited reference to the Senate as a "continuing body" by Justice Van Devanter in *McGrain* v. *Daugherty* (1927) had nothing to do with Senate rules and consequently carries little weight with the legal profession. All that the Court held in that case was that a warrant of arrest issued and served by the Senate of the 68th Congress for contempt of a Senate committee by a witness could not be contested in a habeas corpus proceeding solely on the ground that the Congress had adjourned. It was noted in the opinion that the committee still had the power to convene and that it could be continued or revived by the incoming Senate.

Omitted from Mr. Krock's pro and con presentation of the issues was any reference to the only authority directly on point in this matter: the opinion of the Vice President on January 4, 1957, in response to a parliamentary inquiry as to whether "the rules of the Senate continue from one Congress to another." It read in part as follows:

"Where the membership of the Senate changes as it does from the election of each Congress, it is the Chair's opinion that there can be no question but that the majority of the new existing membership of the Senate, under the Constitution, has the power to determine the rules under which the Senate will proceed."

CHANGING RULES

When we turn from law to fact the contention that the Senate is a continuing body seems even sillier. No bill introduced in the 85th Congress can be passed by the 86th without reintroduction and reference to committee; the committees of the 85th Congress must be reconstituted and have no continuing power over matters pending when the 85th Congress dies; the authority of the majority and minority leaders, the whips, the President pro tempore, all expire. How absurd to suppose the rules continue if a majority decides it wants to change them.

Those of us who favor the restoration of true majority rule in the Senate by amendment of rule XXII to permit full but limited debate on any given issue are confident of success in January. There will be few real tears shed at that time for the long-overdue burial of that old fraud, the "continuing body."

JOSEPH S. CLARK.

WASHINGTON, *December 7, 1958.*

[From the Washington Evening Star, Dec. 1, 1958]

ON THE SENATE FILIBUSTER RULE

To the EDITOR OF THE STAR:

I would like to comment on a recent column by William S. White dealing with the impending effort to modify the Senate filibuster rule. In general, I am an admirer of Mr. White's writing and reportorial talents, but the column in question was not, I fear, an impartial commentary. It was too much slanted in a southerly direction.

I was certainly taken aback by Mr. White's implicit thesis, namely, that the Senate's present filibuster rule is a safeguard for liberal causes and principles. I was a Member of the Senate from 1949 to 1957, and had some experience fighting for liberal causes and principles. I always found the filibuster rule (rule XXII) working against those causes and principles rather than for them.

As a matter of fact, the present form of rule XXII, as adopted in 1949, was drafted with only one purpose in mind; to perpetuate the power of southern Senators to block civil rights legislation, even if such legislation was desired by a substantial majority of the Senate and of the country.

I know something of the history of the filibuster rule, and of previous Senate filibusters, dating back to the early days of the Republic. Until 1806, the Senate had no rule protecting the filibuster. The Senate and the country got along pretty well without it.

In a compilation of Senate filibusters dating back to 1841, made by the Legislative Reference Service of the Library of Congress in 1951, 41 filibusters are recorded. During that period, 36 legislative bills and 82 appropriation bills were killed by means of filibusters. Until about 20 years ago, filibusters were frequently conducted against appropriation bills, and rivers and harbor bills, seeking to force the inclusion of some local pork barrel item into these bills.

Since 1938, almost all filibusters have been conducted against civil rights bills. In general, the filibuster, and the threat of filibuster, are responsible for the fact that until 1957 the Senate had not, for 75 years, been able to reach a vote on a civil rights bill.

When I use the word "filibuster," I mean genuine filibusters. A true filibuster, by definition, is an effort to prevent a proposal from coming to a vote. A speech or a series of speeches, intended solely to delay a vote to a later time, is not a filibuster. It is a filibuster only when its purpose is to prevent a vote entirely. Mr. White accepts this definition, when he says that a filibuster "is endless talking to prevent a vote."

But Mr. White forgets about his own definition, when, in asserting that liberal Senators have used the filibuster to further their own views and principles, he cites a marathon speech by Senator WAYNE MORSE in 1953, in opposition to the tidelands oil giveaway bill. Mr. White overlooks the fact that Senator MORSE's speech on that occasion was not a true filibuster. It was not an effort to prevent a vote. It was an effort to present a case so that public opinion could be mobilized prior to the vote. The opponents of the tidelands oil giveaway repeatedly asserted at the time that they were not trying to prevent a vote, but would, at the conclusion of the presentation of their case, welcome a vote. There was a vote.

Mr. White makes his further departure from the standards of impartial commentary when he refers to the current proposal being urged by Senators DOUGLAS, HUMPHREY, JAVITS, CASE, and others to amend the filibuster rule.

Under the terms of the Douglas, Humphrey, Javits, Case proposal, Mr. White says, "The slimmest Senate majority, after 15 days, could adopt any kind of a bill under public pressure, informed or uninformed." This proposed change in rule XXII is sweepingly characterized by Mr. White as "so extreme that its adoption would end the Senate as a unique deliberative body."

This is a very misleading and untrue statement. The Douglas, Humphrey, Javits, Case proposal is actually a very moderate one, which carefully preserves the role of the Senate as a deliberative forum for extended debate and appeal to the public conscience and opinion. But under the terms of this proposed change in the rules, practical means are provided to bring controversial legislation eventually to a vote—and I mean, eventually.

The Douglas, Humphrey, Javits, Case proposal provides for an end to debate, in the case of emergency legislation, by a vote of two-thirds of those present, or, for other legislation, by a vote of a constitutional majority (a majority of the total membership of the Senate) after three periods of extended debate: (a) Unlimited debate up to the time of the filing of a cloture petition signed by at least 16 Senators; (b) 15 days of debate following the filing of a cloture petition; and (c) a limited debate in which each Senator is permitted to speak for 1 hour after cloture has been ordered by the affirmative vote of at least 50 Senators.

Moreover—and this is frequently forgotten—the first cloture motion to limit debate would ordinarily be applied to a necessary preliminary motion to take up the substantive measure. In other words, there could be a practical minimum of 1 month of debate on just a preliminary procedural motion. Then there could be at least another month of debate on the substantive measure itself until all debate could be shut off and the Senate could proceed to vote on the legislation.

Can a proposed rule which would permit a practical minimum of 2 months of debate, before a piece of legislation could be forced to vote, be properly described as extreme or dangerous to the status of the Senate as a deliberative body? I scarcely think so. Of course, Mr. White in his analysis of the Douglas, Humphrey, Javits, Case proposal seems to admit that the present filibuster rule is not a perfect one. Indeed his analysis seems to point in the direction of a particular modification which has been referred to as the Lyndon Johnson proposal—to permit cloture by a vote of a simple two-thirds—two-thirds of the Senators present—instead of a constitutional two-thirds now required. In fact this is a mere shadow proposal without substance. A study of the cloture votes of the past 40 years shows that not a single motion on a civil rights bill would have prevailed even if the requirement had been a simple two-thirds, instead of a constitutional two-thirds. This change in the filibuster rule would be virtually meaningless.

There is much more I could say in support of the Douglas, Humphrey, Javits, Case proposal for a change in the filibuster rule. But I have already gone on too long.

Basically, this is a complex and technical subject, although its essence is simple. Surely the effect of the present filibuster rule is very simple. It prevents the Senate from considering and voting on any legislation to which there is a determined opposition by a minority which is willing to paralyze the work of the Senate, of the Congress, and of the Government, in order to frustrate the will of the majority.

Mr. White has unfortunately sought to justify the present rule. In my judgment, it cannot be justified.

In my judgment, the present rule—rather than the proposed change in the rule—threatens not only the status of the Senate, but the most vital interest of our country.

By preventing the Congress from dealing constructively with the subject of civil rights—which Congress should have done years ago—the filibuster rule has helped to bring about the present civil rights crisis.

The hour is already very late on the clock of history. But if the new Senate, with a fresh mandate given by the people on November 4, moves promptly to rectify past errors, it may still not be too late.

HERBERT H. LEHMAN.

NEW YORK CITY.

(This letter by former Senator Herbert H. Lehman (Democrat, New York) is in reply to a column by William S. White published November 19, 1958, in the Washington (D.C.) Star and other papers.)

[From the Washington Post, Dec. 31, 1958]

HOW MUCH DEBATE IS NEEDED?

It seems to me that Walter Lippmann showed distrust of the principles of American Government in his December 25 column, "Majorities and Civil Rights." In opposing the Douglas resolution for limiting senatorial debate, he does not argue that it would make the debate too short. On the contrary, he grants that "8 or 9 weeks of debate is quite sufficient for any measure." That is the practical minimum provided for in the proposed rule, which would permit ultimate limitation by a majority of the entire Senate membership.

The question is, he says, "under what conditions should you override" a minority that tries to prevent a vote by filibustering tactics even after adequate debate. His conclusion is that it should never be overridden at any time by less than two-thirds of those present and voting because the decision of controversial questions by a narrow majority increases "the prospect of resistance and nullification."

The Senate in 1917 authorized limitation of debate by two-thirds of those present and voting. In 1949 it stiffened the rule to require two-thirds of the entire membership. The moderate revisionists say, let's go back to the 1917 rule.

How did that rule work? Since 1917, cloture has been moved 22 times and failed 18 times, including all civil rights cases. If the 1917 rule had been in force all the time it would have failed 18 times. So let's go back from Tweedle Dum to Tweedle Dee. Under the Douglas proposal, only 9 of the 22 filibusters, including 2 on civil rights, would have been broken by a majority of the full Senate. Does that constitute a peril to government?

To sustain his argument Mr. Lippmann cites the case of President Truman's request for a law to draft striking railroad workers into the Army. "The House," he writes, "was stampeded into passing this bill two hours after the President's message by a vote of 306 to 13. But Senators Taft and Wagner held it up in the Senate, and after six days of debate its sponsors were compelled to omit the provisions for a draft." So, six days' debate in the Senate produced a majority against a dangerous bill which had passed the House almost unanimously. Does that mean that a majority of the entire Senate membership cannot be trusted to require a vote on any measure, good or bad, after eight or nine weeks of debate?

Mr. Lippmann names the instances in which the Constitution requires a two-thirds vote for affirmative action—on constitutional amendments, treaties, overriding of Presidential vetoes, impeachment, expulsion of Members.

By the mere fact of citing these constitutional restrictions, as an argument against control of filibusters by a majority of the entire Senate, Mr. Lippmann in effect proposes two amendments to the Constitution, to be enforced by a rule of the Senate without submission to the States or ratification by them. In one aspect his argument adds limitation of debate in the Senate to the constitutional list requiring a two-thirds vote. In another aspect it removes the power of enforcing the Bill of Rights, and especially the 14th amendment, from the category of legislation which Congress is constitutionally empowered to enact by the votes of a majority of both Houses.

The framers of the Constitution faced that very question when the demand was made in the Convention of 1787 that no navigation laws be passed by less than a two-thirds vote. They rejected it, in spite of the intense Southern fear of Federal regulation of commerce by and for the North. Discord followed. Would paralysis have been better?

The choice, as Mr. Lippmann sees it, is whether the indisputable rights of Negroes should be obtained by simple majorities in Congress (supporting unanimous decisions of the Supreme Court) or by winning the assent of the rapidly growing enlightened opinion of the South. By this he means white opinion.

The real choice is quite different. It is whether whole generations of Negroes shall be deprived of their indisputable rights (the words are Mr. Lippmann's) while awaiting a possible change of heart in those who deny them their lawful rights and flout the courts. The question is whether the enlightened white southerners of this present day shall continue to be choked into humiliating silence as the alternative to economic ruin, while Congress and the President fail to face up to a crisis made ever more acute and dangerous by their inaction.

President Eisenhower is restrained by his chronic unwillingness to measure up to his legal and moral responsibilities—a condition which he can change tomorrow if he has the will to do so. The Senate is restrained by a stultifying filibuster rule, changeable next week.

It will be a sad day for this country, and for all the peoples of the world who look to us for leadership, if the dodging of legislative responsibility is to be rationalized into distrust of a thoroughly informed congressional majority. That attitude dooms millions of American citizens to indefinite continuation of a semiservile status. It proclaims to the entire world that we lack faith in our own capacity for self-government through representatives chosen by the people and subject to the restraints of public opinion and the Constitution.

IRVING BRANT.

WASHINGTON.

UNITED STATES SENATE,
Washington, D.C., December 26, 1958.

EDITOR, LETTERS TO THE EDITOR COLUMN,
The Washington Post and Times Herald,
Washington, D.C.

DEAR SIR: Walter Lippmann's opposition (Washington Post, December 25) to a change in Senate rules to enable a majority of those elected to shut off a filibuster and come to a vote after full debate, is especially regrettable in view of the thoughtful character of his general comments on national and world events.

Basically it seems to me that his is a counsel of nullification and despair.

He does not, like some, charge that the rule change we propose would endanger full and fair debate. Indeed he frankly concedes that our proposal would permit about 8 weeks of debate by a determined opposition before a majority of the whole Senate could end a filibuster and vote. He also concedes that Senator Johnson's proposed change is little different from the present filibuster rule.

Instead he bases his opposition on the claim that on a very controversial issue—like equal protection of the laws for our Negro citizens—a majority of the whole Senate should not have the power to act. It should not, he asserts, be able to override the opposition of the South, which has traditionally used filibustering tactics in the Senate to block a vote on such measures.

This doctrine is obviously in the tradition of John C. Calhoun.

Clearly this is a principle of allowing the elected representatives of a section of our country to veto action believed necessary by most of the Nation, including much enlightened opinion in the South. In the face of widespread denials of constitutional rights to equal protection of the laws in many sections of the country, it would deny Congress the power to act. The 14th amendment, which grants these rights and expressly gives Congress the power to enforce them, and the historic decisions of the Court interpreting them would thus continue to be nullified. Only with the assent of the South's elected representatives would Mr. Lippmann allow the Nation to act.

I cannot believe such a surrender to nullification is in the best interests of the country. It places a premium upon resistance to the Constitution and the orders of the Court—and in extreme situations, upon lawlessness. It takes away the hope of orderly, thoroughly debated legislative assistance for those deprived of their rights. It prevents the Nation from marshalling its resources of reason and law to make a deliberate transition to compliance with the Constitution and the moral principles that undergird it.

And I believe Mr. Lippmann in this case ignores another overriding factor to which he is ordinarily so sensitive, the responsibility of our country in leading the forces of freedom in the world. The two-thirds of the peoples belonging to various colored races and the one-third subject to Communist tyranny are carefully watching our treatment of our racial minorities. We gravely damage the whole Nation in its struggle against tyranny if we allow it to renege on its promises to its own colored citizens.

But that is what the present filibuster rule in the Senate does, and what the slight modification proposed by Senator JOHNSON to a simple two-thirds limitation would do. That was the rule from 1917 to 1949. It did not work. No debate limitation on a civil rights bill was passed even once, though it was tried eight times and secured large majorities—but not two-thirds—twice, in 1950.

Mr. Lippmann correctly points out that the Constitution provides for a two-thirds vote in some cases—treaties, overriding vetoes, expulsion, impeachment, and constitutional amendments.

But those cases are carefully and specifically provided. They furnish no justification for the Senate by its rules in effect to amend the Constitution further so that on civil rights bills or other controversial measures a two-thirds vote in the Senate is required. Mr. Lippmann would in effect compel the Senate to secure the same two-thirds vote to enforce the 14th amendment that the Constitution required for its initial passage.

The issue of whether or not to declare war and many other life-and-death matters are not thus put at the mercy of a small Senate minority by the Constitution. And neither those issues, nor the equal protection of the laws, should be thus subjected to a minority veto by the Senate rules.

Furthermore, beyond the opportunities for prolonged debate which our proposed filibuster-limitation rule still affords, the smaller States and Southern States already have the built-in protection in the Senate of having 2 Senators for each State, regardless of population. Thus the 24 smallest States with less than 20 percent of our population can block action in the Senate by

the 24 largest States with over 80 percent of our population even with majority rule, which Mr. Lippmann decries.

In addition the operation of the seniority system gives these small States and Southern States a heavy preponderance of the powerfull congressional committee chairmanships. Surely the foregoing factors confer enough power on the representatives of a minority even under majority rule in the Senate, without giving to 33 Senators the right to block action by 65, as the present rule does.

It is worthwhile to recall that the smallest 17 States, whose Senators the present and the proposed two-thirds cloture rule would permit to block all action, have but 8 percent of the population. The 11 southern and 6 border States have only 33 percent of the population. And the voter participation in most of the Southern States is much less than in the rest of the Nation.

Beyond all this, the House of Representatives, the President with his veto power, and the Supreme Court are all instruments of government that can and do restrain impetuous and improper congressional action.

Mr. Lippmann's example of President Truman's emergency strike legislation hardly strengthens his argument. If 6 days' debate in the Senate stopped the bad features of that bill, as he points out, surely the 8 weeks permitted under our proposal could do the same.

Thus the brakes upon the tyranny of majorities, which Mr. Lippmann fears, are already very substantial. To enshrine the filibuster, as he argues the Senate should do, is to paralyze the Congress in this crucial area of human rights. The bipartisan group working for the change in rule 22 believe, on the contrary, that the time for reasonable but definite action is now, and only if majority rule is restored in the Senate—with all the safeguards I have mentioned—can we hope to carry out our responsibilities to our own citizens and to free peoples everywhere.

Sincerely,

PAUL H. DOUGLAS.

RESOLUTION ADOPTED BY THE PARLIAMENTARY PROCEDURE INTEREST GROUP, SPEECH ASSOCIATION OF AMERICA, AT THE ANNUAL BUSINESS MEETING DECEMBER 28, 1958, CONRAD HILTON HOTEL, CHICAGO, ILL.

Whereas the parliamentary procedure interest group of the Speech Association of America is greatly concerned with the processes of free discussion and action by majority will in legislative bodies; and

Whereas, under rule XXII, the filibuster and the threat of filibuster in the U.S. Senate now interfere with free debate and may prevent consideration of and eventual action on proposals, and thus interfere with the democratic functioning of that legislative body; and

Whereas there will be presented in the January session of the 86th Congress proposals for making cloture practically feasible in the Senate; and

Whereas it is recognized that the Senate's rights as a full deliberative body should in no way be infringed, and that any measures for cloture should be designed not to stifle discussion but rather to make possible bringing matters to a vote eventually; therefore

Resolved, That we endorse the statement of the President of the Senate (Jan. 4, 1957) that: "It is the opinion of the Chair that * * * the right of a current majority of the Senate at the beginning of a new Congress to adopt its own rules, stemming as it does from the Constitution itself, cannot be restricted or limited by rules adopted by a majority of the Senate in a previous Congress;" and be it further

Resolved, That we endorse the principle of ending debate by two-thirds of those present and voting, a quorum being present; and be it further

Resolved, That after extensive debate, and due notice, a majority of Senators elected and sworn are sufficient to end debate; and be it further

Resolved, That motions to proceed to consideration of matters, or to change standing rules, should be subject to the same provisions of cloture; and be it further

Resolved, That copies of this resolution be sent to the President of the Senate, and to the President pro tempore.

Attest:

WAYNE BROCKRIEDE,
Chairman, University of Illinois.
CARL A. DALLINGER,
Secretary, State University of Iowa.

[From the Washington Star, Jan. 5, 1958]

FILIBUSTER DEBATE

(By Nora R. DeMent)

In his charge against "advanced liberals," William S. White again gets entangled in the transitory issue of civil rights and McCarthyism. The real issue is the fundamental one that this Government, if we are to honor our traditions, must be one which "derives its just powers from the consent of the governed." A government which derives its powers from less than a majority of a Senate quorum is not such a government.

Mr. White says that the Senate was "deliberately designed" to act as a check upon majority rule. He is wrong. The Constitution does not sustain him. He attempts to convert a "power," which the Senate has arrogated to itself, into a "right" which the Constitution does not give it.

The Constitution gives the Senate exclusive jurisdiction in three classes of cases. It ratifies treaties, tries cases of impeachment and confirms certain classes of presidential appointments. In the first two it is required to act by the vote of two-thirds of a quorum; in the third it acts by a majority of a quorum. It is apparent that even in those matters where the Senate exercises sole jurisdiction it has no inclusive duty or right to act by a two-thirds vote of a quorum.

In all other cases the Senate has the same rights and duties as the House. It passes its own legislation by majority vote and acts upon that of the House by the same vote. Both Houses can only override a presidential veto by two-thirds vote; neither can initiate proposals for constitutional amendments except by two-thirds rule.

Those of us who oppose Mr. White are not "advanced liberals"; we are "reactionary fundamentalists." This assumes that "reactionary" means looking backward to the Declaration of Independence and the Constitution, in this case longingly; and "fundamentalist" means one who believes that the Senate has no right to arrogate a "power" which the Constitution does not give it as a "right."

The American people have lived for 200 years with and under the philosophy of democracy; if they cannot now correctly evaluate its benefits, then there is no way to save them from themselves.

CHARLES M. LAFOLLETTE.

DECEMBER 31, 1958.

BEFORE THE VICE PRESIDENT OF THE UNITED STATES (ACTING AS PRESIDENT OF THE SENATE OF THE UNITED STATES) IN THE MATTER OF THE VICE PRESIDENT'S DECISION ON MOTION TO TAKE UP RULES

BRIEF IN SUPPORT OF PROPOSITION THAT MOTION TO TAKE UP RULES OF SENATE OF 86TH CONGRESS IS IN ORDER AND IN ACCORDANCE WITH THE CONSTITUTION OF THE UNITED STATES

Questions presented

1. Whether the motion to be presented by certain Senators on January 7, 1959, to take up for immediate consideration the adoption of rules for the Senate of the 86th Congress, is in order?

2. Whether the Constitution, and particularly article I, section 5 thereof, authorizes the Senate of each new Congress to determine its own rules?

3. Whether action by the Senate of an earlier Congress can prevent the Senate of the 86th Congress from adopting the rules which the majority of the duly-elected Senators of the 86th Congress believe will best facilitate the business of the Senate and the implementation of the mandate of the electorate?

4. What rules would prevail in the Senate during the consideration of, and prior to the adoption of, rules for the Senate of the 86th Congress?

(The question is not whether the Senate is a continuing or continuous body. As we shall show in this brief, the terms "continuing" and "continuous" are simply adjectives used to convey the fact that two-thirds of the Members of the Senate carry over from Congress to Congress. They are adjectives resulting from this one aspect of the Senate; they are not a cause of anything. The question is not whether the words "continuing" and "continuous" are appropriate adjectives to describe the Senate of the United States, but whether the majority of Senators meeting for the first time in the new Congress have the power to adopt their own rules free from obstructions laid down many years earlier. While we are confident that this brief successfully disproves the general applicability of these adjectives to the Senate,[1] our case does not depend upon proving, as an academic exercise, that those who take comfort in references to the Senate as a continuing or continuous body have used the wrong adjectives. In sum, the question is not whether the Senate is a continuing or continuous body, but whether the majority of the Senate of the 86th Congress may adopt its own rules free of the fetters of earlier senatorial actions and rules.)

Significance of ruling

The decision of the Vice President upon the motion to take up the rules of the Senate of the 86th Congress may well prove to be the most significant ruling ever made by a Presiding Officer of the Senate. For the Vice President's ruling may determine whether the Senate of the United States will, in the critical years ahead, be in a position to reflect the views of the majority of its Members and of the people who elected them, or will be chained to inaction by the veto power of an unyielding minority. What is at stake is far more than civil rights legislation, important as that is; what is at stake is the ability of the Senate to function as a democratic and effective legislative body in the interests of justice and peace.

The question that will be placed before the Vice President by the motion to take up rules has never been placed squarely before the Presiding Officer of the Senate, although it has been raised in the past, as in 1917, 1953, and 1957. In each of these instances, which will be discussed at greater length below, the issue was left undecided. No doubt it was because Vice President Barkley was prepared to rule the Anderson motion in order in 1953 (see e.g. Newsweek, Jan. 19, 1953)[2] that no point of order was made

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[1] Upon request the Legislative Reference Service of the Library of Congress prepared two briefs (one on each side) prior to the opening of the 85th Congress on Jan. 3, 1957, on the question "Is the Senate a Continuing Body?" While the briefs are helpful on this academic issue, they are not directed at the real questions before the Vice President.

[2] Vice President Barkley was undoubtedly influenced by the brief of the Leadership Conference on Civil Rights which was made available to him prior to the opening of Congress in 1953 (see 99 CONGRESSIONAL

against the motion and no opportunity was given him to make the ruling in question here. Similarly, Vice President NIXON was prepared to rule in 1957 that the Anderson motion was in order, and no point of order was made against the motion, but the issue was again determined on a motion to table; in a historic advisory opinion, replying to a parliamentary inquiry by Senator HUMPHREY, the Vice President indicated that he believed it was in order for the Senate to proceed to the consideration of rules. Thus, there is no direct precedent presently available to guide the Vice President in reaching his historic decision. He must therefore be guided by the letter and spirit of the Constitution and by the precedents on related issues; so guided he can only reach the decision which accords with the fundamental principle that the living shall determine the destinies of the living and that a democracy rests upon the majority will of the governed.

Statement of facts

The Senate of the 86th Congress will convene at 12 o'clock meridian on January 7, 1959. Immediately after the prayer, the formalities of presenting credentials and administering the oath to new members, and the election of officers, the following motion will be made:

"In accordance with article I, section 5 of the Constitution which declares that '* * * each House may determine the rules of its proceedings * * *,' I now move that this body take up for immediate consideration the adoption of rules for the Senate of the 86th Congress."

Consideration has been given to presenting the motion to take up rules before the election of officers and other routine business. We have, nevertheless, deemed it appropriate to withhold the motion to take up the rules until the officers have been elected. This order of proceeding would appear to be in the interest of the organization and expeditious operation of the Senate. It has been the order of proceeding generally in the House of Representatives. It is also the procedure that was followed in 1953 and 1957. Furthermore, in 1953 Vice President Barkley, after the election of officers had been completed, answered a query as to the rules governing the election with the statement that "the organization of the Senate is an inherent right of the Senate, as it is of any sovereign body, and all that has taken place up to date has been under that inherent right" (99 CONGRESSIONAL RECORD 10). In the same vein, Senator Taft stated that "it is fair to say that none of the matters that have been acted on today have been taken up under the provisions of any particular rules * * *" (99 CONGRESSIONAL RECORD 10). In light of these considerations, we do not believe that proceeding to the election of officers could possibly constitute an acquiescence in the rules of the Senate of the 85th Congress or a waiver of the right to move to take up the rules of the Senate of the 86th Congress. The brief submitted to the Vice President prior to the opening of the 85th Congress requested that, if he should not agree with this analysis and the proposed timing of the motion to take up rules, he so indicate before January 3. He did not do so and the motion was made as indicated. As it is the intention of the Senators joining in the motion to adopt rules again to follow this procedure, the Vice President is again requested that, should he disagree with the proposed timing and the analysis upon which it is based, he indicate such disagreement before January 7, 1959.

Once the motion to take up rules has been made, those supporting the filibuster and opposing new rules may either: (a) Raise a point of order against the motion; or (b) move to table it, first allowing reasonable debate as Senator JOHNSON of Texas did in 1957, and Senator Taft did in 1953.[3]

If those opposing the motion raise a point of order against the motion on the ground that the Senate of the 86th Congress already has rules (carried over from the Senate of the previous Congress), the Vice President will be called upon to make a ruling upon the question whether the old rules carry over to the Senate of the 86th Congress.[4] Actually, such a point of order rather than a motion to table would appear to be the appropriate method of determining whether the old rules carry over to the Senate of the 86th Congress. For such a motion would clearly put the issue to the Senate which, as the Vice President has pointed out, is the final arbiter on questions of constitutionality (103 CONGRESSIONAL RECORD 178). The motion to table does do this in an indirect fashion, as was pointed out by the Vice President in 1957,[5] though it may still leave open the final constitutional issue which must be determined by the Senate itself.[6]

If the motion to take up rules is held in order and is then adopted by the Senate, a motion will be made to adopt, as the rules of the Senate of the 86th Congress, the old rules with a revised rule XXII. The new rule XXII might well be that reported to the Senate by the Committee on Rules and Administration on April 30, 1958, in Senate Resolution 17 (S. Rept. 1509) which provides for a limitation on debate if, after 2 days' notice, two-thirds of the Senators present and voting supported cloture or if, after 15 days' notice (exclusive of Sunday and legal holidays), a majority of the Senators duly chosen and sworn supported cloture (i.e., 50 Senators, now that Alaska is represented in the Senate). This proposal would permit prompt action on emergency measures supported by two-thirds of the Senators present and voting, while, at the same time, it would assure full, free, and even prolonged debate on legislation (including debate on the motion to take up, a minimum of 5 weeks and normally 8 weeks) before a majority of Senators duly chosen and sworn could obtain cloture. An alternative would be to allow cloture after 15 days' notice upon a majority vote of the Senators present and voting. Other alternatives the Senate will possibly have presented to it are to allow cloture only by two-thirds of the Senators present and voting, or by 60 percent of the Senators present and voting, or to retain the existing rule XXII or even to do away with cloture entirely (i.e., recognize the practicalities of the existing situation). All the proposals for a new rule XXII that have been made allow full debate before cloture can be applied and all Senators supporting the motion to take up rules for the Senate of the 86th Congress are strongly committed to the proposition that cloture should only be applied after full debate.

But the question as to which cloture rule will ultimately be adopted is irrelevant to the question whether the motion to take up rules is in order. What is at issue here is the power of a majority of the Senators of the 86th Congress to make the decision on the rules that will bind them in their work in that Congress. The existence of that power is clear. It resides in the Constitution itself.

ARGUMENT I

The majority of the Senate in each Congress has a constitutional right to adopt rules of proceedings for the Senate of that Congress unfettered by action or rules of the Senate of any preceding Congress

Article I, section 5 of the Constitution of the United States declares that "each House may determine the rules of its proceedings." Although there are no directly relevant judicial or legislative precedents interpreting this provision of the Constitution, it seems quite clear from the language and context that "each House" means not only the separate branches of the Congress—that is, the House and the Senate—but also the separate branches of each succeeding Congress. No reason has been or can be adduced to interpret this constitutional provision as a grant of rulemaking authority to the Members of the House and the Senate meeting for the first time in 1789 and a withholding of this

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RECORD 181–201). A similar brief was submitted to the present occupant of the chair, Vice President NIXON, prior to the opening of the 85th Cong. in 1957 (see 103 CONGRESSIONAL RECORD 24). These briefs were probably the most complete studies ever made of the power of the Senate of a new Congress to adopt its own rules unfettered by the actions or rules of the Senate of any preceding Congress. We urge the Vice President to give careful consideration to these briefs. We have borrowed liberally from these documents in the preparation of this brief.

[3] Both Senators JOHNSON and Taft provided for a vote on the motions to table only after substantial debate on the motion to take up rules had been permitted. In 1953 this was done by postponing the actual motion until debate had taken place, while in 1957, Senator JOHNSON submitted a unanimous consent agreement providing for 6 hours of debate on the motion to table.

[4] Although it would be technically possible for the Vice President to avoid a ruling by placing the point of order before the Senate for a vote without rendering a decision upon the point of order himself, it is not believed that the Vice President, acting in his constitutional role as President of the Senate, would deprive the body of guidance from its presiding officer on so vital and significant an issue, particularly in view of the outstanding guidance provided in this matter in his advisory opinion of January 4, 1957.

[5] The Vice President stated as follows:

"At the beginning of a session in a newly elected Congress, the Senate can indicate its will in regard to its rules in one of three ways:

"First. It can proceed to conduct its business under the Senate rules which were in effect in the previous Congress and thereby indicate by acquiescence that those rules continue in effect. This has been the practice in the past.

"Second. It can vote negatively when a motion is made to adopt new rules and by such action indicate approval of the previous rules.

"Third. It can vote affirmatively to proceed with the adoption of new rules.

"If the motion to table should prevail, a majority of the Senate by such action would have indicated its approval of the previous rules of the Senate, and those rules would be binding on the Senate for the remainder of this Congress unless subsequently changed under those rules.

"If, on the other hand, the motion to lay on the table shall fail, the Senate can proceed with the adoption of rules under whatever procedures the majority of the Senate approves."

[6] If the motion to take up rules for the Senate of the 86th Congress is tabled, it will still be open to Senators to raise the question whether the rules of the earlier Congresses carry over to the Senate of the 86th Congress. After tabling, a Senator might arise and ask the Vice President to state under what rules the Senate was proceeding; one side or the other could then appeal from the Vice President's ruling. Another method of accomplishing the same result would be for a Senator to make a point of order against a particular action of the Senate under the old rules on the ground that they did not carry over and then either side could appeal from a ruling on that point of order.

same authority from the Members of the House and the Senate of later Congresses. Both language and logic lead to the conclusion that the constitutional authority to make rules is granted to each House of each Congress.

The Vice President clearly pointed this out in his advisory opinion in response to Senator HUMPHREY'S parliamentary inquiry of January 4, 1957, although this, too, as was pointed out at the time, is in the nature of dictum (103 CONGRESSIONAL RECORD 10). He stated:

"The Constitution also provides that 'each House may determine the rules of its proceedings.' This constitutional right is lodged in the membership of the Senate and it may be exercised by a majority of the Senate at any time. When the membership of the Senate changes, as it does upon the election of each Congress, it is the Chair's opinion that there can be no question that the majority of the new existing membership of the Senate, under the Constitution, have the power to determine the rules under which the Senate will proceed.

* * * * *

"It is the opinion of the Chair that while the rules of the Senate have been continued from one Congress to another, the right of a current majority of the Senate at the beginning of a new Congress to adopt its own rules, stemming as it does from the Constitution itself, cannot be restricted or limited by rules adopted by a majority of the Senate in a previous Congress.

"Any provision of Senate rules adopted in a previous Congress which has the expressed or practical effect of denying Congress the right to adopt the rules under which it desires to proceed is, in the opinion of the Chair, unconstitutional. It is also the opinion of the Chair that section 3 of rule 22 in practice has such an effect."

It is significant that article I, section 5, is an identical grant of rulemaking authority to each House of Congress. It is not disputed that the House of Representatives of each new Congress has the power to, and does, adopt new rules at the opening of each Congress (see point V). The identical constitutional provision cannot reasonably be given a different interpretation as applied to the Senate, a coordinate branch of the Congress of the United States (art. I, sec. 1). For not only do the two bodies act as a team in the Congress, but the rulemaking authority of the House can be rendered meaningless if the Senate is not also in a position to adopt rules that will make possible the expression of the majority will of the Senate and thus of the Congress.

Every principle of constitutional construction supports the interpretation of article I, section 5, which gives the majority of the Senate present on January 7, 1959, the right to "determine the rules of its proceedings" unfettered by action or rules of the Senate of any preceding Congress. The Constitution of the United States should be interpreted in the light of the intention of its framers to build a democratic government reflecting the will of the governed not only for the day but for an enduring future. What Chief Justice Marshall said in *McCulloch* v. *Maryland* (4 Wheat. 316, 415), of the congressional power to pass "unnecessary and proper" legislation, is equally applicable to its power to make its own rules without the impediments of the past:

"The subject is the execution of those great powers on which the welfare of a nation essentially depends. It must have been the intention of those who gave these powers, to insure, as far as human prudence could insure, their beneficial execution. This could not be done by confiding the choice of means to such narrow limits as not to leave it in the power of Congress to adopt any which might be appropriate, and which were conducive to the end. This provision is made in a constitution intended to endure for ages to come, and, consequently, to be adapted to the various crises of human affairs. To have prescribed the means by which government should, in all future time, execute its powers, would have been to change, entirely, the character of the instrument, and give it the properties of a legal code. It would have been an unwise attempt to provide, by immutable rules, for exigencies which, if foreseen at all, must have been seen dimly, and which can be best provided for as they occur. To have declared that the best means shall not be used, but those alone without which the power given would be nugatory, would have been to deprive the legislature of the capacity to avail itself of experience, to exercise its reason, and to accommodate its legislation to circumstances."

The suggestion that rules enacted by men long since dead or retired from public life should prevent the majority of the Senate of the Eighty-sixth Congress from adopting its own rules is contrary to the very spirit of democracy upon which the Constitution is predicated. There is no more basic principle of democracy than that the living shall determine their own destinies unhampered by the dead hand of the past. It becomes an absurdity to argue that rules adopted years or even generations earlier can bind new Senators who are elected on pledges to particular programs which the old rules make impossible.

We cannot state this proposition as well as Thomas Jefferson did many years ago:

"Can one generation bind another, and all others, in succession forever? I think not. The Creator has made the earth for the living, not the dead. * * * A generation may bind itself as long as its majority continues in life; when that has disappeared, another majority is in place, holds all the rights and powers their predecessors once held, and may change their laws and institutions to suit themselves. Nothing, then, is unchangeable but the inherent unalienable rights of man." (The Jefferson Cyclopedia, vol. VII, pp. 377, 378.)

As one generation cannot bind another, so one legislature cannot bind its successor. This fundamental principle of the independence and full authority of each new legislature, recognized by all authorities, has been well stated by Judge Cooley ("Constitutional Limitations," 6th ed., 1890, pp. 146–147):

"To say that the Legislature may pass irrepealable laws, is to say that it may alter the very constitution from which it derives its authority; since, insofar as one legislature could bind a subsequent one by its enactments, it could in the same degree reduce the legislative power of its successors; and the process might be repeated until, one by one, the subjects of legislation would be excluded altogether from their control, and the constitutional provision that the legislative power shall be vested in two Houses would be to a greater or less degree rendered ineffectual."

The inherent right of legislative bodies to be unfettered by previous assemblies has been forcefully recognized by the Supreme Court of the United States in cases dating back over a long period. This right, as analyzed by the Supreme Court, does not arise from any particular phraseology in Federal and State constitutions; it arises from the very nature of successive legislatures in a democratic society .

In one of the leading cases dealing with this problem, the Supreme Court stated:

"Every succeeding legislature possesses the same jurisdiction and power with respect to them as its predecessors. The latter have the same power of repeal and modification which the former had of enactment, neither more nor less. All occupy, in this respect, a footing of perfect equality. This must necessarily be so in the nature of things. It is vital to the public welfare that each one should be able at all times to do whatever the varying circumstances and present exigencies touching the subject involved may require. A different result would be fraught with evil" (*Newton* v. *Board of County Commissioners of Mahoning County, Ohio* (100 U.S. 548, 559)).

Again, in response to the argument that Congress could not change the use of certain public lands, Mr. Justice (later Chief Justice) Stone said:

"By dedicating the lands thus acquired to a particular public use, Congress declared a public policy, but did not purport to deprive itself of the power to change that policy by devoting the lands to other uses. The dedication expressed no more than the will of a particular Congress which does not impose itself upon those to follow in succeeding years. See *Newton* v. *Mahoning County Commissioners* (100 U.S. 548, 559); *Connecticut Mutual Life Insurance Co.* v. *Spratley* (172 U.S. 602, 621)." *Reichelderfer* v. *Quinn* (287 U.S. 315, 318).

This principle, that no legislature can act so as to fetter its successors in expressing public policy and public will, has been repeatedly expressed. See *Town of East Hartford* v. *Hartford Bridge Co.* (10 How. 511, 533); *Ohio Life Insurance and Trust Co.* v. *Debolt* (16 How. 416, 431); *Connecticut Mutual Life Ins. Co.* v. *Spratley* (172 U.S. 602, 621); *Toomer* v. *Witsell* (334 U.S. 385, 393 (n. 19)). Who would maintain that, for example, if the Congress enacts a law providing that it can be repealed only by a two-thirds vote, that a majority could not subsequently repeal both that provision and the law itself by a simple majority? Such a theory would be the first, irreversible step toward the destruction of democratic government. Yet this is the very argument which is being made by those who would assert the permanency of the rules.

Article I, section 5 of the Constitution, empowering each House to "determine the rules of its proceedings" must be interpreted in the light of these fundamental democratic principles upon which the Constitution is based; so interpreted, it can only be read to give each branch of each succeeding Congress the same power of making its own rules that the branches of the first Congress had when they met in 1789. Any other interpretation would lead to the antidemocratic formulation that one legislature, whose members were long since dead and gone, could prevent action by the duly elected and existing representatives of the people. This, as we have seen, cannot be done.

What we have here is a clear illustration of the evils inherent in the members of a legislative body seeking to bind their successors. What we have here is not simply a rule of the past whose incidental effect is to bind the present and the future; what we have here a purposeful effort to restrict the authority of future Congresses by preventing changes in the rules. Clause 3 of the Hayden-Wherry resolution of 1949, which amended rule XXII, provides that there shall be no cloture whatever on any proposal to change the rules of the Senate. The Senate of the 81st Congress thus attempted to fasten its will on the Senate of all future Congresses; it attempted to perpetuate the present rule XXII for all time. This was not a simple effort to provide rules for the Senate's own governance, but was rather a deliberate attempt to foist those rules upon the Senate of all future Congresses. As Senator RUSSELL so aptly said of clause 3, "the rules of the Senate hereafter are not subject to cloture on a motion to proceed to the consideration of a change in the standing rules . . . it [clause 3] permits Senators who have the courage to do so to protect the parliamentary integrity of this body from assaults that will come in the days that lie ahead." (Vol. 95 CONGRESSIONAL RECORD p. 2722.) See also CONGRESSIONAL RECORD, volume 95, pages 2230, 2415, 2582–2584, 2673–2675. Clause 3 was, in a word, a deliberate effort boldly

stated to flout the basic principle that the Members of one Congress cannot bind their successors. It cannot be that such a stratagem has effectively given a minority of Senators a perpetual veto power over the national legislative process. The Vice President's advisory opinion clearly stated his belief that clause 3 was unconstitutional.

It might be helpful and clarifying to consider some other possible courses that the Senate of the 81st Congress might have followed to perpetuate rule XXII. Suppose that, instead of adopting clause 3 of rule XXII, the Hayden-Wherry resolution had provided that rules of the Senate "may be amended hereafter only by unanimous consent." Certainly no one would contend that the Senators meeting on January 7, 1959, would be bound by any such rule and yet this is exactly the purpose and effect of clause 3 of rule XXII. As long as there is one Senator on his feet and ready to talk, there can be no change in the rules of the Senate. There is little difference between substance, the only effect of which is to create a certain result, and the actual form. When the practical effect of a provision is unconstitutional, it does not matter that the draftsmen have carefully avoided a clear expression thereof.

Or let us take a second case. Suppose the Senate in 1949 instead of enacting clause 3 of rule XXII had adopted a rule that no "equal rights" legislation could be considered for 25 years or some other terms of years. Again no one would dream of arguing that this rule would bind a majority of the Senate of the incoming 86th Congress. Yet, again as a practical matter, that is exactly the purpose and effect of the action of the Senate of 1949.

The Senate of 1949, by clause 3 of rule XXII, tried to bind the future just as much as if had required unanimous consent to any change in the rules or had provided that the Senate of no future Congress could take up "equal rights" legislation. Its efforts to prevent the Senate from responding to the will of the people cannot succeed under the authorities cited and principles outlined above.

Rule XXII is substance masquerading as procedure. Rules are generally intended to facilitate the conduct of business, not to prevent it. The purpose of rules is to facilitate and provide, by orderly procedures, what a legislative body desires to do; a rule which defeats the purpose for which rules are established is hostile to democratic processes.

Rule XXII is not a procedural means of getting business done; it is a substantive means of preventing business from being done.

It is a means of the Senate of one Congress seeking to bind its successors to its own rules and its own inaction.

It is means of keeping the majority of the Senate and of the people from determining vital substantive issues.

The answer to this attempt to bind the future lies in article I, section 5, which gives the majority of the Senate of the 86th Congress, meeting for the first time on January 7, 1959, the power and the duty to make its own rules, unfettered by efforts of the Senate of an earlier Congress to deprive this majority of its constitutional power and responsibility. Rules adopted by Senators long departed cannot prejudice the explicit constitutional authority in article I, section 5.

II. The four closest precedents in the history of the Senate all support the proposition that a majority of the Senate of a new Congress can act to adopt its own rules without the obstruction of actions and rules of the Senate of an earlier Congress

A. Precedent 1—The Dismissal of the Senate Printer in 1841

A joint resolution of 1819 authorized each House of Congress to chose the Printer for the next succeeding House; it provided the method, rights of pay, and other matters of detail. Pursuant to this joint resolution, the Democratic Senate in 1840 chose as printer for the Senate of the following Congress (the 27th Congress) the firm of Blair & Rives. Mr. Blair was editor of the Washington Globe, an intensely partisan newspaper which supported the Democratic administration. The Whigs had given notice during the last days of the second session of the 26th Congress that they did not consider that the Democrats had any constitutional or moral right to choose a printer for the next Congress. Despite these warnings, the Democratic Senate awarded the contract for the printing for the next Senate to Blair & Rives.

Immediately upon the opening of a special session of the Whig-controlled 27th Congress, Senator Mangum of North Carolina introduced a resolution that Blair & Rives be dismissed as Printer to the Senate (9 Congressional Globe, p. 236). The resolution was heatedly opposed, largely on the authority of the established usage under the Joint Resolution of 1819. The opponents argued that a printer had been elected 10 times under the authority of the resolution and that now, on the occasion of the 11th election, the unconstitutionality of the authorizing resolution was claimed too late. Senator Allen of Ohio, in a statement quoted several times during the 1953 Senate debates, summed up the position of those contending for the binding effect of the action of the previous Senate in these words:

"And as to the assertion that this was a new Senate, he denied the fact. * * * There was no such thing as a new Senate known to the Constitution of this Republic. They might as well speak of a new Supreme Court as of a new Senate."

Senator Buchanan and others supported Senator Allen, arguing for the theory of the Senate as a permanent and continuous body bound by the actions of the Senate of an earlier Congress.

Rejecting the appeals of Senators Allen, Buchanan, and the other Democrats, those in favor of the dismissal of the Printer designated the resolution of 1819 as a nullity because it attempted to bind the actions of future Houses of Congress. The argument that the Senate of one Congress could not bind its successors prevailed; the resolution to dismiss the Printer was adopted 26 to 18.

In a word, the Senate of 1841 rejected the theory that the action of the Senate of one Congress could bind the Senate of a later Congress. The Senate rejected this theory in the face of the same arguments of permanence and continuity that are now being made by the supporters of rule XXII. Indeed, it is significant that Senator Taft, leading the battle against the Anderson motion in 1953, relied heavily upon the quotation from Senator Allen in the 1841 debate, despite the fact that Senator Allen's statement and his theory had been repudiated by a majority of the Senate when it voted to dismiss the Printer. In other words, those who relied upon the statements of Senators Allen, Buchanan, and their colleagues were relying upon the arguments of the defeated side; it was as though, in arguing to a court, a lawyer had relied upon a decision that had been overruled.

B. Precedent 2—Abrogation of the Joint Rules in 1876

The story of the abrogation of the Joint Rules and their relevance to the present issue was well stated in the Leadership Conference Brief (99 CONGRESSIONAL RECORD 187), and quoted in the 1957 brief submitted by Senators joining in the motion to take up rules (103 CONGRESSIONAL RECORD 24, 26). We again quote that statement in full:

"In the first Congress the Senate and House adopted joint rules to govern the relationship and necessary business between them. Annals of Congress, 57–58, 987. Thereafter, these joint rules of the two Houses were treated as in force and revised and amended, although the Senate and House did not adopt them at the beginning of each Congress.

"In 1865, rule XXII of the joint rules was adopted in an attempt to settle the long-standing controversy on the method of counting electoral votes. In 1869, there was a violent quarrel between the two Houses of Congress over the effect of this particular joint rule. This led to a determination by a portion of the Senate to rescind that rule, in anticipation of any problems over the counting of electoral votes which might arise from the 1876 Presidential election (Haynes, op. cit. supra, p. 245 et seq.) The desire of the Senate to eliminate joint rule XXII led to the end of acquiescence of each new Senate in the continuation of the joint rules and the Senate in the 1st session of the 41st Congress, after 87 years of unbroken historical usage, demonstrated its right to adopt new joint rules at the beginning of each new Congress.

"On December 15, Senator Edmunds, of Vermont, introduced a resolution to adopt the joint rules in force at the close of the last session of Congress. Senator Bayard, of Delaware, asked whether this was necessary, and Senator Edmunds answered:

" 'That, as a celebrated Englishman said, is past finding out. The object of this resolution is to ascertain from the proper Committee on Rules (which had jurisdiction over the joint rules as well as the Standing Rules of the Senate) whether the joint rules that were in force at the last session of Congress are in force now without any vote; and, if so, upon what principle of law or joint proceeding; and, if not, of course to take some steps to have some joint rules between the two Houses' (4 CONGRESSIONAL RECORD 220).

"The resolution was referred to the Committee on Rules, which reported it back favorably with a technical amendment making it a concurrent resolution. Senator Hamlin argued that the joint rules operated only by acquiescence (4 CONGRESSIONAL RECORD, p. 309). Considerable heated discussion ensued, in which widely different theories as to the effect and validity of the joint rules were stated. The one point receiving constant reiteration was that the joint rules had operated by acquiescence, and must be subject to change. Senator Hamlin, as he gave the committee report, stated it as follows:

" 'It is only by acquiescence in long years that they have been treated and regarded as rules, and not by an affirmative vote either of the House or of the Senate' (4 CONGRESSIONAL RECORD 309).

"Recognition that common consent or acquiescence could give validity to that which was otherwise doubtful only so long as the acquiescence continued was voiced by Senator Merrimon, who said in the course of this debate (4 CONGRESSIONAL RECORD 431–432):

" 'It seems, as the venerable Senator from Maine, Mr. Hamlin, stated on a former occasion, that this matter has passed uniformly from the beginning of the Government down to this time without question. The question is now raised, and if today some action of Congress should be required under the joint rules, and a Senator should rise and say "I object," there would be the end of it. It is only by common consent that the practice to which I have referred has prevailed.'

"Despite the appeals to history, long-standing practice, and the venerability of the joint rules, the Senate voted to reject

a substitute resolution which would have treated the rules as in force and provided for an amendment of those rules, and accepted the initial resolution which was framed on the theory that no joint rules existed at the opening of the new Congress (4 CONGRESSIONAL RECORD 519).

"Thus, the Senate passed a concurrent resolution adopting the joint rules anew for the 44th Congress. The House never passed this resolution. The Senate, at various times since then has made an effort to have joint rules passed but they never have succeeded (Gilfrey, "Precedents," 1914, p. P-441; Hinds, sections 6782-6787). In most respects the House and Senate now operate in the same manner as they did under the joint rules on some theory of usage.

"The decision, by vote of the Senate, that the joint rules were not in effect demonstrated that the joint rules had existed only by acquiescence and that the acquiescence of even 87 years was in no way binding when a majority manifested its will to the contrary. It also showed conclusively that the method by which the majority in such a situation manifests its will is by the adoption of new rules and not by amendment of the old ones."

C. Precedent 3—Senator Walsh's Resolution and Arguments in 1917

At the opening of the 65th Congress in March 1917, Senators Owen of Oklahoma and Walsh of Montana raised the question whether the rules of the preceding Senate were binding upon the new body.

Senator Owen, on the first business day of the Senate of the new Congress, March 6, 1917, refused to permit a bill to be referred to committee on the ground that committees were not in existence at the beginning of this new Congress, and Senator Walsh supported Senator Owen's contention.

On March 7, Senator Walsh presented a resolution squarely raising the issue whether the rules carried over from Senate to Senate and presented his now famous argument against the old rules being applied to the Senate of the new Congress. Said the Senator: "A majority may adopt the rules in th first place. It is preposterous to assert that they may deny to future majorities the right to change them."

On the evening of March 7, after Senator Walsh's resolution and speech, caucuses of both parties voted to approve a change in rule XXII to provide for cloture by a two-thirds vote. The resolution was debated by unanimous consent without ever being referred to committee and was adopted on March 8, 1917 (76 yeas, 3 nays). Senator Walsh, who had accomplished his purpose of obtaining the cloture rule he sought, dropped his resolution.

D. Precedent 4—Vice President NIXON's Advisory Opinion in 1957

At the opening of the 85th Congress on January 3, 1957, Senator ANDERSON and others again raised the question of whether the Senate had any rules in effect at this time. The events following Senator ANDERSON's motion to adopt rules are discussed in detail elsewhere in this brief and need not be repeated here.

On January 4, Senator HUMPHREY squarely raised the issue of whether the rules continue from one Congress to another by asking in a parliamentary inquiry "* * * under what rule is the Senate presently proceeding?" In response, the Vice President rendered his historic opinion, previously quoted in this brief, that the Senate, at the beginning of each Congress, has the power to adopt rules and that it has in effect done so, albeit by acquiescence in the rules of the previous Congress.

Although Senator JOHNSON's motion to table Senator ANDERSON's motion was successful on a vote, this was clearly no repudiation of the Vice President's opinion, since this contingency had been taken into consideration when the Vice President stated:

"Turning to the parliamentary situation in which the Senate now finds itself, if the motion to table should prevail, a majority of the Senate by such action will have indicated its approval of the previous rules of the Senate. * * *

"If, on the other hand, the motion to lay on the table fails, the Senate can proceed with the adoption of rules under whatever procedure the majority of the Senate approves."

There was no challenge to this evaluation of the parliamentary situation in the debate following the Vice President's opinion, although there was ample opportunity to do so, either in the debate itself or by making a point of order against the motion to adopt rules which would have placed the issue squarely before the Senate. Silence on this point may well be taken as tacit acceptance of this principle.

* * * * *

Thus, in the four closest precedents, the Senate, while some of its Members talked continuous body and others talked in a contrary vein, each time supported the right of the Senate to adopt new rules. The printer was dismissed despite the argument that this could not be done in the face of the action of the Senate of the earlier Congress; new joint rules were adopted despite the action and acquiescence of the Senate of the earlier Congresses; a new cloture rule was adopted by overwhelming agreement once the argument was made that the old rules did not carry over; and the Vice President's advisory opinion was received by the Senate, without challenge in subsequent debate.

The action of the Senate in 1953 and 1957, while admittedly not free from ambiguity, would also appear to be favorable precedents.

On January 3, 1953, Senator ANDERSON on behalf of himself and 18 other Senators moved that the Senate take up for immediate consideration the adoption of rules for the Senate of the 83d Congress. If, in fact, the rules of the Senate of the earlier Congress had automatically carried over, this motion was out of order. Yet not a single member of the majority opposing the motion to take up rules raised a point of order against the motion, despite the fact that this would have been the proper parliamentary procedure if the group had cared to test out the question whether the old rules carried over. Instead of a point of order, the then majority leader, Senator Taft, moved to lay the motion on the table, an implicit recognition of the fact that the motion had been in order. Many Senators undoubtedly voted for the tabling motion because they sought to avoid any direct issue on the rules at that time, even thought they would have supported a ruling by the Vice President that the resolution was in order.[7] Indeed, one such Senator, Senator Potter, stated subsequently that he voted to table because he did not want anything to interfere with the organization of the new administration and the confirmation of the new cabinet. New York Times, December 12, 1956, page 31. No such issue is presently before the Senate.

[7] It is generally believed that such a ruling would have been forthcoming had a point of order been raised and the Vice President given the opportunity to rule. Actually Vice President Barkley made a partial ruling to this effect when he stated, in connection with the election of officers, that "the organization of the Senate is an inherent right of the Senate, as it is of any sovereign body, and all that has taken place up to date has been under that inherent right" (99 CONGRESSIONAL RECORD 10). Had the rules actually carried over from the previous Congress, the election of officers would have taken place under these rules, not under "inherent right."

The effect of the motion to table was well stated by Senator Lehman at the conclusion of the debate in 1953:

"The adoption of the motion to table the resolution of the Senator from New Mexico is implicit recognition of the fact that our main contention that each Senate has the constitutional right to adopt its own rules is sound.[8] No point of order was raised against the Anderson motion. A majority of the Senate has laid that motion on the table. I believe the opposition did not dare to raise a point of order because of the fear that such a point against the Anderson motion would have been overruled. * * * I believe it to be an incontrovertible fact that the Senate has the constitutional right—even the obligation—to adopt its own rules at the beginning of a new Congress. It is incontrovertible because the right to do so is expressly set forth in the Constitution. It is, moreover, basically inherent in the nature of a democratic parliamentary body" (99 CONGRESSIONAL RECORD 232).

On January 3, 1957, Senator Anderson made a similar motion on behalf of himself and 30 other Senators, and the ensuing events closely paralleled those of 1953. Thus the same implications stated by Senator Lehman to apply to the 1953 motion to table apply equally to the 1957 motion. They both demonstrate that the opposition did not wish to face that issue.

III. The Senate of each new Congress makes a fresh start on all activities; it has a right to make a fresh start on its rules

In every major activity the Senate recognizes a constitutional right of the Senate of each new Congress to determine both legislative and executive business anew. All consideration of bills,[9] resolutions, treaties and nominations starts at the beginning of each Congress without reference to or continuation of what has taken place in the past; new officers and committee members are elected in the Senate of each new Congress; when the Senate finally adjourns, the slate is wiped clean; the proceedings begin again in the next Congress.

For convenience, we present the following analysis of the operations of the U.S. Senate in tabular form.

[8] Senator LEHMAN's interpretation of the action of the Senate in 1953 appears to be more accurate than that contained in the Watkins committee report in 1954. Furthermore, the entire discussion of the question of continuing body in the Watkins report was irrelevant to its conclusion that a Senator can properly be censured for actions occurring during a prior term as Senator. The Senate's power to censure arises from the necessity of maintaining the dignity and good repute of the Senate, and, therefore, the authority to censure exists as long as a Senator is a Member of the Senate and exists by virtue of his presence in the Senate. Indeed, the same rule that past conduct may be considered for censure and expulsion purposes applied in the House (2 Hinds, Precedents, sec. 1286; H. Rept. No. 570, 63d Cong., 2d sess., 1914), whose rules do not carry over from Congress to Congress.

[9] As was well said in the 1957 brief of the Legislative Reference Service of the Library of Congress, in referring to the fact that no action in connection with bills carries over from the Senate of one Congress to the Senate of the next Congress:

"This necessary practice is not grounded upon a rule only but upon art. I, sec. 1, of the Constitution of the United States which vests all legislative power in the Congress. As the legislative business of one Congress cannot carry over to a subsequent Congress, a fortiori, the legislative business of one part of the Congress cannot carry over to that part of a subsequent Congress."

Analysis of the operations of the U.S. Senate

Activity	Senate acts anew in each Congress	Senate carries over from Senate of preceding Congress	Comment
1. Introduction of bills	X		See Senate rule XXXII.
2. Committee consideration of bills.	X		Do.
3. Debate on bills	X		Do.
4. Voting on bills	X		Do.
5. Election of officers	X		While the old officers carry over until new ones are elected, the carryover does not prove rules carry over. It is a mere convenience. Even in the House, the Clerk carries over until the new one is elected. Obviously this does not prove that House rules carry over; they do not.[1]
6. Consideration of validity of senatorial elections.	X		Although credentials of a Senator-elect are often presented to the Senate prior to the beginning of his term, the validity of the credentials can only be considered by the Senate to which he was elected and not before.
7. Consideration of treaties	X		See Senate rule XXXVII(2).
8. Submission and consideration of nominations.	X		See Senate rule XXXVIII(6).
9. Election of committee members.	X		See rule XXV. While old committees carry over until new ones are elected, the carryover does not prove rules carry over. It is a mere convenience. Even in the House, the Clerk carries over until the new one is elected. Obviously this does not prove that House rules carry over; they do not.
10. Adjournment	X		Adjourns sine die. When Congress ends at noon of a particular day, and a special session of the Senate of the new Congress is called, the Senate adjourns at noon, and 1 minute afterward opens the new session.
11. Rules	?	?	Past practice of Senate on rules is ambiguous. It can be explained as acquiescence in past rules, which can either be repeated at the opening of the Senate of any new Congress by beginning to operate under them or which can be refused by the adoption of new rules.

[1] Similarly, the fact that the President pro tempore carries over until there is a change of party control of the Senate is no evidence of rules carryover. On the contrary, the fact that an election of a President pro tempore automatically follows a shift in party control (see 99 Congressional Record 9, Jan. 3, 1953) is evidence that the Senate of each new Congress responds to the will of the majority of the Senate of that Congress.

The thing that stands out in the above analysis is that everything starts afresh with the possible exception of the rules.[10] And these, too, it is submitted start afresh the moment a majority of the Senators at the opening of the Senate of a new Congress so will it and so vote. All that has happened over the past years is that there has been acquiescence in the carryover of rules of the Senate from Congress to Congress.[11] Carryover of the rules based on acquiescence is certainly no precedent for carryover in the absence of acquiescence. Absent acquiescence, the rules do not carry over and the Senate of the new Congress must adopt new rules or readopt the old. The acquiescence will be ruptured and will end by the motion to take up new rules on January 7, 1959.

[10] It has been suggested that the very fact that the Senate rules referred to in the above analysis provide that Senate bills, resolutions, treaties, nominations, etc., start afresh is evidence that, in the absence of these rules, Senate activities and business would not start afresh. There are several answers to this suggestion: (i) The rules codified rather than reversed existing practice. (ii) At least with respect to legislative business, starting afresh is a constitutional necessity. See note 9, supra. (iii) Senate rule XXXII provides for the continuation of legislative business from session to session of the same Congress; the existence of this rule hardly proves that the opposite would be true in the absence of rule XXXII. No more does the existence of the various rules providing that Senate business and activities start afresh in a new Congress prove that the opposite would be true in the absence of these rules.

[11] Except, of course, in 1917, when Senators Walsh and Owen refused to acquiesce until the Senate adopted the cloture rule they sought, and in 1953 and 1957 when Senators joining in the Anderson motion refused to do so and the Senate, in voting to table the motions, indicated its acquiescence in the old rules.

IV. The talk about the Senate being a continuing body is both misleading and irrelevant; whether or not the Senate is properly termed a continuous body as an academic matter does not determine whether a majority of the Senate of the 86th Congress may adopt its own rules unobstructed by the actions and rules of the Senate of earlier Congresses

As we have seen in points II and III, the Senate has not in the past acted as a continuous body.

It did not act as a continuous body in 1841 when it dismissed the printer chosen by the Senate of the earlier Congress; it did not act as a continuous body in 1876 when it adopted new joint rules; and it did not act as a continuous body in 1917 when it yielded to the contrary arguments of Senator Walsh and adopted the cloture rule he demanded; and it did not act as a continuing body in 1953 and 1957 when it proceeded under motions to adopt rules, in voting to table (point II).

It does not today act as a continuous body; it wipes the slate clean on bills, resolutions, treaties and nominations at the beginning of each new Congress (point III).

It would be circular reasoning indeed to argue that, despite these actions, the Senate is a continuous body because it has acquiesced in the carryover of rules in the past and is now bound to continue to acquiesce in the carryover of rules because it is a continuous body.

No one would deny that many Senators have talked in terms of a continuous body and that textbook writers have accepted this talk in their academic works. But the talk has been largely by those who tried—unsuccessfully—to use the phrase to prevent Senate action departing from that of the Senate of an earlier Congress and who have failed in their efforts.[12]

[12] We have already seen (point II, A) how Senator Taft and others quoted Senator Allen and his colleagues who were on the losing side in the 1841 debate over the dismissal of the printer.

The essence of the matter, of course, is that the term "continuous" is an adjective resulting from the two-thirds carryover of Senators, not a cause of anything. Also, it can be appropriate when considering one aspect of the Senate and inappropriate when considering another. The adjective may, for example, be well used when it is simply meant to convey the fact that two-thirds of the Members of the Senate carry over to the succeeding Congress; but, equally clearly, the adjective "continuing" is inappropriate when it is intended to convey the idea of a body which wipes the slate clean in regard to bills, treaties, nominations, etc. (see point III). But whether or not the term "continuing" is a good or a bad adjective,[13] it has not been a successful adjective when utilized against concrete proposed action. It cannot prevail over article I, section 5 of the Constitution empowering each House "to determine the rules of its proceedings" nor sanction a device by which the Senate of a previous Congress attempted to fasten its will upon the future. Whether the Senate be continuous or not for other purposes, its bylaws (rules) are void where they conflict with its charter (Constitution). If, by saying that the Senate is a continuous body, it is intended to assert that the rules of yesterday can bind the Senate of the Congress of today, the simple answer is that the first obligation of the Senate is not to its rules but to the people and the Constitution from whence its power derives. There cannot be a constitutional obligation of this House to observe rules whose purpose and effect is to deprive it of its constitutional right to make its own rules. The Vice President considered this issue in his 1957 opinion, indicating his belief that "at least for some purposes" the Senate is a continuing body, but that for others, such as the continuation of the rules, it may not be.

Actually, parliamentary bodies generally have both continuous and discontinuous aspects. The House of Representatives, as we shall show in point V, has continuous aspects and yet no one refers to it as a continuous body and no one disputes its right to adopt new rules at the beginning of each Congress. By the same token, the Senate has both continuous and discontinuous aspects; its limited continuous aspects do not support the proposition that its rules carry over to the Senate of a new Congress if a majority of the Senators desire to adopt new rules.

[13] The passing reference to the Senate as a continuing body in *McGrain* v. *Daugherty* (273 U.S. 135), is much discussed and little analyzed. That case involved an investigation into the malfeasance of Attorney General Daugherty, which was begun in the 68th Congress, and the validity of a subpena to the Attorney General's brother which had been issued during the life of that Congress. Before the Supreme Court handed down its decision, the 68th Congress had expired. In considering whether the case had become moot as a result of this fact, the Supreme Court pointed out that the Senate could now revive the committee "by a motion to that effect" and therefore there was a potential need for the information sought from Daugherty. All the Court held was that the Senate had power to revive a committee started in one Congress by action taken by the Senate in the next Congress. This decision did not involve the determination that the Senate was a continuing body for all purposes, since it dealt only with the problems of continuing investigations; actually, even the finding of the Senate's continuity in this respect is open to question, since a truly continuing body would not require a new motion to continue the work of the committee. In a word, the Court disproved its own dictum.

The relevant difference between the House and the Senate, which causes the latter to be described sometimes as a continuous body, is the fact that two-thirds of the Senators carry over from Congress to Congress. But the fact that two-thirds of the Senators carry over to the new Congress is not relevant to the question whether the rules of the Senate of one Congress bind the Senate of the next Congress. What is relevant is the fact that one-third of the Senators do not carry over and that, in the course of a very few years, a majority of the Senators do not carry over; and in the course of a little more than a generation, no Senator carries over.

The argument for the carryover of the rules seems to come down to this: Because two-thirds of the Senators carry over, the Senate is a continuous body; because the Senate is a continuous body, the rules carry over. Striking the words "continuous body" out of this formula, the argument comes down to this: Since two-thirds of the Senators carry over, the rules carry over. But this is a patent non sequitur. It assumes that the carryover of two-thirds of the Senate always carries over a majority in favor of the rules. The infusion of one-third newly elected Senators may very well change the majority view on rules and it is this majority view that is determinative under our constitutional democracy, not who carries over. That the new one-third may change the majority on any matter is well illustrated by the shifting of the Senate from party to party over the years. The argument that the two-thirds carryover prevents the new majority from acting on the rules disenfranchises not only the newly elected one-third, but the new majority who are prevented from exercising their powers and duties to make the rules for their own work and laws for the people.

Furthermore, the initial two-thirds which carry over to the next succeeding Congress will be dissipated in later Congresses until the initial two-thirds is less than a majority and finally is gone entirely. The chain does not last forever. To say that the Senate of the 86th Congress in 1959 is the same as the Senate of the 1st Congress in 1789 because two-thirds of its Members carried over to the Senate of the 2d Congress is to prefer romantic form to rational substance and dubious academic theory to practical reality.

Some Senators genuinely believe the Senate is a continuous body. Others genuinely believe that it is not, that it acts as a discontinuous body. Both have the right to their opinions. But when a descriptive term resulting from nothing more than the carryover of two-thirds of the Senators is used as a reason for preventing the majority of the body from determining the Senate's actions, an adjective is being confused with a reason and an effect with a cause.[14] The parliamentary deadfall dug by the Senate of a dead Congress, harmless enough as an abstraction, should not be permitted to stultify and destroy the power of the Senate and of the entire Congress in the present.

[14] Senator O'MAHONEY summed up the argument well on December 2, 1956: "I think that the present rule which makes it impossible to apply cloture to a debate upon a rule is just absurd. The Wherry amendment, which requires a two-thirds vote of all the Members of the Senate was passed long before any Member of the Senate had the opportunity last to go before the people. Senator HAYDEN, now the dean of the Senate, was elected in 1956 and the Wherry amendment was adopted, as I recall, in 1949. So there is not a sitting Member of the Senate who has not been before the people for election since the rule was passed, and I don't believe the Senate is bound by the rule—it's not the law of the Medes and the Persians—it can be changed."

V. The practice of the House of Representatives in readopting its rules in each new Congress is a relevant precedent for the Senate

As we have noted many times in this brief, article I, section 5, of the Constitution provides that "each House may determine the rules of its proceedings." Article I, section 1, provides that "all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives." The Constitution contains reference after reference to the Congress of which the Senate is a coordinate part. Where any differences in the conduct or authority of the two Houses are intended, they are set forth in express terms in the Constitution and no difference is expressed in relation to the determination of rules. We believe, therefore, that the Senate can properly consider the history and practice of the House of Representatives in the adoption of its rules.

A. Brief History of House Practice on Adoption of the Rules

The House in the First Congress, as one of its first acts, adopted rules of procedure, based on those used in the Continental Congress (Galloway, Congress at the Crossroads (1946), p. 13; Annals of Congress 121). The House of the Second Congress instituted the system, now in use, of adopting the rules of the prior House at the beginning of the session (3 Annals of Congress 143). This practice apparently continued until 1860. However, for the 30-year period from 1860 to 1890, the House operated under a system of acquiescence in past rules, without necessarily formally adopting new rules at the beginning of each Congress. During this period the House operated under a resolution providing that the 1860 rules of the House should be the rules "of the present and subsequent Congresses unless otherwise ordered." This rule remained in existence until 1890 and operated as the source of authority for the rules of the House.

In 1890, there occurred perhaps the most famous example of a change in basic legislative procedure in our country. Speaker Reed ruled that at the beginning of each new Congress the House operates under general parliamentary law until new rules are adopted. By so ruling, he made it possible for the majority of the House to adopt new rules which were designed to promote effective majority exercise of legislative functions and to prevent minority obstructionism (21 CONGRESSIONAL RECORD 1347; 99 CONGRESSIONAL RECORD 188, 189). Since 1890, House rules have been adopted anew by each incoming Congress. The 1890 episode demonstrates that acquiescence in the carryover of rules does not prevent the majority from acting when they no longer deem such acquiescence in the public interest.

B. Current House Practice on Adoption of the Rules

Very early in the first session of each new Congress, on the first or second day, the ranking member of the (old) Committee on Rules offers a resolution adopting rules for the new Congress (Galloway, "Legislative Procedure in Congress" (1955), p. 15). The resolution often is phrased in terms of reference to the rules of the preceding Congress, although the rules are sometimes set out in full (see 99 CONGRESSIONAL RECORD, pp. 15–24). Unless a major change is proposed, debate is nonexistent or perfunctory and the rules are adopted within a few minutes (see adoption of rules for 84th and 85th Congresses at 101 CONGRESSIONAL RECORD, p. 11; 103 CONGRESSIONAL RECORD, p. 47). Even when a controversial change has been proposed, the debate does not run on unduly. (See adoption of new rules for the 81st and 82d Congresses at 95 CONGRESSIONAL RECORD, p. 10; 97 CONGRESSIONAL RECORD, p. 9.)[15] During the period preliminary to the adoption of the rules, the House operates under general parliamentary procedure (21 CONGRESSIONAL RECORD, pp. 740–749; 99 CONGRESSIONAL RECORD, p. 24) and under general parliamentary procedure debate on the rules can always be effectively closed by a call for the previous question (99 CONGRESSIONAL RECORD, p. 24). The experience of the House within the last 50 years in adopting rules has proved conclusively that the necessity for periodic adoption every 2 years at the opening of each new Congress does not delay either the organization of the legislative body or the prompt consideration of legislative business.

C. Carryover of House Clerk

Perhaps the most striking example of a House procedure which, at first glance, is inconsistent with the House's view of itself as a discontinuous body is the carryover of the Clerk of the old House for the purpose of opening the new session of Congress in the new House. This procedure is described at 100 CONGRESSIONAL RECORD 188 (see also Cannon's Procedure in House of Representatives sec. 175). It is now authorized by statute, although, of course, that statute, like the provisions of the Legislative Reorganization Act, is subject to change by the House in the exercise of its constitutional right to make its own rules. That statute, moreover, merely codifies a long-standing custom and House rule, under which the House operated prior to the statute. The carryover procedure is not limited solely to the Clerk, for, in case the Clerk is absent, the duty falls upon the Sergeant at Arms and next on the Doorkeeper (Hinds, Precedents, sec. 15). This well-known and unquestioned procedure offers a further convincing demonstration that necessary procedural, carryovers, acquiesced in over a long period of time, do not change the nature of a legislative body and cannot obliterate nor diminish the constitutional and moral right of a majority of an American legislative body to make its own rules.

The House also carries over certain other functions. These are listed in sections 6748–6754 of Hinds, Precedents. Hinds, in summarizing these carryover procedures, points out that, although the House becomes "functus officio" at the end of its term, in practice certain rules extend into the new Congress. But the carryover of the Clerk and of other items by acquiescence does not deprive the House of its right to make new rules at the opening of a new Congress no more does past acquiescence of the Senate in rules carryover deprive it of the right to make new rules at the opening of a new Congress when a majority of the Senators then elected and present so decide.

* * * * *

These practices and procedures of the House of Representatives are relevant to the debate concerning the adoption of new rules by the Senate. Because the House and the Senate operate as a team in a 2-year Congress, the Senate in each Congress starts anew with respect to legislative business. So does the House. (The Senate also starts anew in each new Congress the business relating to its special functions in connection with nominations and treatymaking.) Both organize their activities on a 2-year basis.

The sole significant difference between the two legislative bodies in our Congress is the duration of the individual Senators' terms and the rotation of one-third of the number of Senators every 2 years. The historical materials demonstrate that the longer term for

[15] In 1951 the proposed rules were amended and then adopted without undue interruption of House business even though efforts to close debate by use of the previous question motion were unsuccessful.

Senators was established in order to provide a moderating force in Congress, a body which would have stability and the opportunity via its longer term to acquire specialized knowledge in the field of foreign affairs and some independence from the pressures of politics. (See Prescott, Drafting the Federal Constitution, pp. 247–260.) It is equally clear from the debates in the Constitutional Convention that there was a firm desire to avoid the establishment of a permanent upper house similar to the House of Lords. Thus the Convention dismissed without even a vote a suggestion made that tenure might be for life. It rejected the proposal of a 9-year term in favor of the shorter 6-year term. The fact that the Founding Fathers desired to give a measure of stability to one branch of the Congress cannot support any artificial theories abrogating the right of new Senators in each new Congress to have an equal voice in establishing the rules of its proceedings. If the rules cannot as a matter of actual fact be changed at the will of the majority, as in the House, the Senate will have been converted into that permanent, undemocratic, and irresponsive body which it was the particular intention of the drafters of the Constitution to prevent.

VI. Majority rule is the basic principle of legislative action prescribed by the Constitution of the United States: the ruling of the Vice President should be made in the light of the fact that his decision may well determine whether constitutional majority rule is to be regained in the Senate of the United States

Majority rule has not existed in the Senate of the United States for many years. The filibuster and the threat of filibuster have prevented the majority from carrying out its will in the Senate and thus in the Congress. This is in direct opposition to the letter and spirit of the Constitution which established majority rule as the basic principle of our Government, and the basis of the enacting power of the Houses of Congress. The Supreme Court has aptly described the principle of majority rule as one "sanctioned by our governmental practices, by business procedure, and by the whole philosophy of democratic institutions" *N.L.R.B.* v. *A. J. Tower Co.* (329 U.S. 324, 331).

The pervasive need for majority rule was recognized at the Constitutional Convention. Alexander Hamilton, writing in "The Federalist," No. XXII, strongly emphasized this need as follows:

"To give a minority a negative upon a majority (which is always the case where more than a majority is requisite to a decision) is, in its tendency, to subject the sense of the greater number to that of the lesser. * * * If a pertinacious minority can control the opinion of a majority, respecting the best mode of conducting it, the majority, in order that something may be done, must conform to the views of the minority; and thus the sense of the smaller number will overrule that of the greater, and give a tone to national proceedings."

The authors of the Constitution prescribed majority rule as the rule for congressional action by expressly enumerating all the instances in which more than a majority vote was to be required. These special cases were limited to five. There are two-thirds requirements in connection with: (1) The power of Congress to override the veto; (2) senatorial ratification of treaties; (3) the initiation by Congress of proposals to amend the Constitution; (4) the impeachment power; and (5) the expulsion of Members of Congress. In these rare instances, where it was felt necessary to make exceptions to majority rule, the Constitution expressly said so (art. I, sec. 7; art. II, sec. 2; art. V; art. I, sec. 3; art. I, sec 5).

This detailed specification of the two-thirds requirement in connection with particular powers demonstrates that, when Congress was to operate other than by majority rule, it was so instructed by definite language in the Constitution. When a document, as carefully drafted and considered as was the Constitution, enumerates particular exceptions to a general rule, it must be concluded that no other exceptions were intended to be made. As the Supreme Court said in *Addison* v. *Holly Hill Co.* (322 U.S. 607 at 617): "Exemptions made in such detail preclude their enlargement by implication."

The framers of the Constitution gave further evidence of their intent that the majority rule should govern in all except the five specified instances by the great care with which they limited the two-thirds requirement. At least two separate instances are recorded in which the Convention rejected efforts to impose a two-thirds requirement on legislation:

(1) On August 29, a motion to limit the national power over interstate and foreign commerce by a two-thirds provision was made and rejected. Mr. Sherman, in arguing against the motion, stated that "to require more than a majority to decide a question was always embarrassing, as had been experienced in cases requiring the votes of nine States in Congress" (referring to the Congress under the Articles of Confederation).

(2) On September 15, another attempt to fetter Congress' control over navigation by a two-thirds limitation was unsuccessful (Farrand, Records of the Federal Convention of 1787).

In addition to the rejected attempts that were made to limit the majority principle in connection with substantive powers, the motion in the Constitutional Convention to raise the quorum provision (art. I, sec. 5) from a majority to two-thirds was overwhelmingly put down. Some members of the Convention even feared that a majority was too large a number. George Morris pointed out that "the secession of a small number" might "in the national councils * * * be fatal," and this fear of his was concurred in by a number of others who spoke on the subject (Prescott, Drafting the Federal Constitution, p. 425 et seq.). Accordingly, the Congress was given power to compel the attendance of absent Members so that a majority could be gathered together and the business of the Congress dispatched.

Majority rule is the constitutional measure for legislative action. As Senator Thomas of Colorado pointed out in debating the cloture rule of 1917, "majority rule is an essential principle in American Government" (55 CONGRESSIONAL RECORD 33). Yet this fundamental constitutional principle can only be reestablished in the U.S. Senate through the route of a motion to take up rules at the opening of the Senate of a new Congress. If this route is blocked by a ruling of the Vice President or otherwise, there will be no way to carry out this basic principle of the Constitution and to implement the Supreme Court's statement that a House of Congress "may not by its rules ignore constitution restraints" *United States* v. *Ballin* (144 U.S. 1, 5).

VII. Prior to the adoption of rules for the Senate of the 86th Congress, the Senate will be governed by general parliamentary practice

Much has been made of the fact that the Senate would, for a period of time necessarily be governed by general parliamentary practice, if the rules were found to expire with the termination of each Congress. During the 1957 debate on the motion to adopt rules Senator Knowland, after reading off a list of existing rules of order, drew pictures of a "jungle," in which the Senate is in the position of having "to take 2 weeks, or a month, to decide what temporary rules we can use." This description credits today's Senate of the United States with less ability to organize and determine its future procedures than existed in the first Senate, and exists in the House of Representatives and every other representative body and democratic organization in the world.

As has been indicated previously in this brief, the situation in the House of Representatives is just the opposite of that pictured by Senator KNOWLAND. The House, in an orderly fashion, often in a matter of minutes, organizes itself, adopts rules, and then proceeds thereunder. When there is a dispute as to the rules to be adopted, as there was in 1953, the question is settled, not by Robert's Rules of Order or any other specific code, but by "general parliamentary law." (See 99 CONGRESSIONAL RECORD 24). Numerous precedents in the House have indicated that "general parliamentary usage" governs proceedings prior to the adoption of rules and that is is founded upon Jefferson's Manual and the practice of American legislative assemblies, especially of the Senate and the House of Representatives. (See Cannon's Precedents, Nos. 3383–3386; Hind's Precedents, Nos. 6758–6763). Though they do not carry over, the carefully worked out rules of the Senate in previous Congresses are one of the foremost precedents of parliamentary practice and may be given great weight, insofar as they do not interfere with the right of a majority of the Senate to adopt new rules.

The record of the Senate of the First Congress indicates equally well that procedure under general parliamentary principles is in order until specific rules are adopted for the conduct of the body. The Senate met, communicated with absent Members in order to secure a quorum, joined the House for a count of electoral votes, appointed committees to prepare a judiciary bill, joint rules and separate Senate rules, and generally carried on its business under general parliamentary practice from the time a quorum appeared on April 6, 1789, until the adoption of the first rules of the Senate on April 16, 1789. (See "Debates and Proceedings in the Congress of the United States," vol. I, pp. 15–21.)

In similar fashion, representative bodies, membership associations and other groups meet for the first time all over the world without being immediately paralyzed for lack of rules, as some would have us think. The adoption of rules is usually among the first orders of business, but until that is accomplished, general parliamentary principles prevail.

The Senate, even in the absence of specified rules of procedure, is not without clear guidance in proceeding prior to the adoption of rules. Such guidance comes from the commands of the Constitution itself, from statutes, and from the precedents of Jefferson's Manual, prior Senate rules, the Rules of the House of Representatives and practice in other parliamentary bodies. The Constitution is quite explicit with respect to certain basic procedure. It provides a presiding officer in the person of the Vice President (art. I, sec. 3, clause 4), for the election of a President pro tempore (art. I, sec. 3, clause 5), a time for meeting (art. I, sec. 4, clause 2), the size of the quorum and the manner of compelling attendance (art. I, sec. 5, clause 1); the method of expelling a Member (art. I, sec. 5, clause 2); the manner of voting and the number required for recording the yeas and nays (art. I, sec. 5, clause 3); the manner of passing bills (art. I, sec. 7, clause 2); and the required oath (art. VI, clause 3). Thus a constitutional framework always exists for convening and organizing the Senate. In addition, legislative enactments have spelled out some of these provisions further, as with respect to the administration of the oath (act of June 1, 1789; act of April 18, 1876; 2 U.S.C. secs. 21–24). Within this framework, the example of the House of Representatives points out that there is a body of general parlia-

mentary law which includes the rules of a preceding Congress. However, the previous rules are not precedent, where they would conflict with the orderly process of adopting new rules. The Vice President pointed this out in his 1957 opinion when he concluded:

"The Senate should not be bound by any provision in those previous rules which denies the membership of the Senate the power to exercise its constitutional right to make its own rules."

Whenever doubt exists as to the applicable rule under general practice, the Chair would make a ruling, as has always been the case in matters not covered by the rules, and such ruling would, of course, be subject to appeal to the Senate and decision by majority vote.

For example, conflict of the type described by the Vice President clearly exists with respect to the provisions of rule XXII, and other methods of ending debate and bringing an issue to a vote. Under general parliamentary usage the motion for the previous question is applicable in such a case. This is so under Jefferson's Manual, which is used both in the Senate and House of Representatives in the absence of specific rules (see 53 CONGRESSIONAL RECORD 3732)[10] and is printed as part of both manuals. It is also the case under the procedure in the House of Representatives both before and after adoption of rules, and generally in other manuals of parliamentary procedure. The Speaker of the House has on a number of occasions ruled that "the motion for the previous question is in order under general parliamentary law." (Cannon's Precedents, vol. 8, sec. 3386, and other sections previously cited.)

The motion is now generally made in the form "I move the previous question" or "I move that the question be now put," and if successful cuts off debate and requires an immediate vote on the main question. (See Rules of the House of Representatives; Jefferson's Manual of Parliamentary Practice; Mason's Manual of Legislative Practice; Rules of the Confederate Congress; rules of the upper house of 36 State legislatures and the lower house of 47; Rules of the House of Commons. See also 103 CONGRESSIONAL RECORD 6669–6680; S. Rept. 1509, 85th Congress, p. 19, et seq.). It generally requires a majority vote of those present and voting.

If, at some stage of the debate on adopting rules for the Senate of the 86th Congress, a filibuster should ensue whose purpose is to deny the membership of the Senate the power to exercise its constitutional right to make its own rules, a motion may be made for the previous question. Consideration has also been given to the alternative of raising a point of order against such a filibuster as being an interference with the Senate's constitutional right to make its own rules. We have, however, deemed it more appropriate to use the motion for the previous question if such a filibuster takes place, as it would let the Senate itself, in the first instance, determine whether or not debate is to end.

VIII. Conclusion

Article I, section 5 of the Constitution gives the Senate of each succeeding Congress, just as it gives the House of each succeeding Congress, the power to make its own rules and this power exists without regard to anything that the Senate of an earlier Congress may have done (point I).

We have seen how the fundamental principles of democratic government require that the majority of the Senators of each new Congress have the right to act unfettered by an earlier majority (point I). We have seen how the Senate has refused to be bound by the action of the Senate of earlier Congresses whenever its own majority desired to take action (point II). We have seen how the Senate wipes the slate clean at the opening of each new Congress (point III). We have seen how the Senate has talked continuity and acted discontinuously (point IV). We have seen that the history and practice of the House of Representatives is a relevant precedent in favor of a ruling that the motion to take up rules of the Senate of the 86th Congress is in order (point V). We have seen that this is the only method to restore the constitutional principle of majority rule to the Senate of the United States (point VI), and we have seen that prior to the adoption of rules the Senate would be governed by and effectively operated under general parliamentary practice (point VII).

For all these reasons we urge the Vice President, acting as President of the Senate, to hold the motion to take up rules in order and thus to make possible a return to the constitutional principle of majority rule.

Respectfully submitted by Senators joining in motion to take up rules.

[From the AFL–CIO News]

AFL–CIO President George Meany today said the 13½ million member federation supports attempts by liberals in both Houses of Congress to "make the deliberations of the Congress more democratic."

In a signed editorial in the current issue of the American Federationist, official monthly magazine of the AFL–CIO published today, Meany urged the Members of the Senate to liberalize rule XXII and the Members of the House to curb the powers of the Rules Committee.

These votes, he said, "will be as important as any vote the Members of Congress are called upon to cast in the next 2 years."

"We urge the Members of both bodies," he wrote, "to vote for a return to the basic concept of a democratic republic—majority rule."

The text of Meany's editorial, entitled "Democracy in the Congress," follows:

Before the 86th Congress is even hours old, the American people will have an opportunity to measure the level of democracy in both Houses.

In the Senate, the test will come over the much-publicized rule XXII, which now thwarts the will of the majority.

In the House, where there has been less public notice of the fight, it will center on an attempt to make the all-powerful House Rules Committee less dictatorial.

The AFL–CIO, which firmly believes in majority determination, supports both attempts to make the deliberations of the Congress more democratic.

The Senate battle has been labeled as a civil rights fight. It is that, of course, but it is much more. Civil rights legislation has been throttled from time to time by the use of the filibuster which is made possible by the continued existence of rule XXII.

But there is more than civil rights at stake, as important as is the need for meaningful and inclusive legislation to wipe discrimination and segregation from the American scene.

All sorts of social and economic welfare legislation has been hampered, compromised down, and even defeated because of the threat of a filibuster.

Certainly the rights of the minority must be protected. Certainly the need for full and free debate in the Senate must be preserved.

But it is a travesty to pretend that by denying equal justice to America's minority groups through the use of rule XXII that that we are actually defending minority rights.

It is equally unjust to distort freedom of debate into a license for the destruction of legislation vital to the implementation of America's proud promise of equality for all her people.

It would be a mistake, however, to become so engrossed in the rule XXII fight in the Senate as to ignore the equally important struggle in the House to curb the legislative life-and-death power now exercised by the Rules Committee.

No believer in the democratic process can countenance a legislative structure which permits a tiny group in the House of Representatives to throttle the legislative will of the majority. Certainly the committee should be so constituted as to be representative of the entire House.

In the past, when the House contained as many liberal and progressive Members as does the 86th Congress, the committee's powers were limited. For example, a 21-day rule, was in existence—a rule that recognized the need for some sort of House "traffic control" system but equally recognized that the House "traffic cops" could not be the undisputed bosses of this representative body. Under the 21-day rule, of course, the majority's will could only be delayed, not denied.

In the House, even more than in the Senate, it is not only civil rights but economic and social welfare measures that are endangered by the present procedure. The legislative history is clear on this point. The House has demonstrated by its actions a far greater sense of moral responsibility in the civil rights picture than has been displayed in the Senate.

We in the AFL–CIO believe the Members of Congress face a major test on these issues—a test which will be resolved in the very early hours of the first session.

The vote on rule XXII in the Senate and the vote on curbing the powers of the Rules Committee in the House will be as important as any vote the Members of Congress are called upon to cast in the next 2 years.

We urge the Members of both bodies to vote for a return to the basic concept of a democratic republic—majority rule.

Mr. HUMPHREY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Does the Senator from Illinois yield to the Senator from Minnesota?

Mr. DOUGLAS. I yield.

Mr. HUMPHREY. The Senator from Illinois has advanced in his discussion both the case in behalf of the Anderson motion, and, as he indicated to the Senator from Louisiana, the argument in support of the substantive provisions which, in due time, we shall offer as a basic change in rule XXII.

I wonder if the Senator from Illinois would not agree with me that at this stage of our deliberations and discussion those of us who support the proposal of the Senator from New Mexico [Mr. ANDERSON], are doing so, first, on the basis that it is a constitutional privilege which was extended to the Houses of Congress to determine their respective rules. That is the first proposition.

Mr. DOUGLAS. That is perfectly clear from article I, section 5, of the Constitution, which provides that each House may determine the rules of its proceedings.

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[10] On Mar. 8, 1916, while the Senate was considering legislation, a Member interrupted the Speaker with a point of order and in presenting his objection inquired of the Chair if Jefferson's Manual was to be considered as an authority in the procedure and practice of the Senate. The President pro tempore, Senator Clarke of Arkansas, replied: "It has a certain degree of influence, but it is not a direct authority."

Mr. HUMPHREY. Secondly, the Senator from Illinois, as I understand, is stating that procedure in the Senate or in any other parliamentary body is of such significance and importance, so far as concerns its ultimate relationship to the conduct of that body and the substance of legislation which emanates from the body, that each Member of the body should be entitled to a voice in the decision on the rules which become the guiding principles of legislative conduct.

Mr. DOUGLAS. I quite agree.

Mr. HUMPHREY. As I understand the Senator's proposal, he has argued that, while only a maximum of one-third of the Senate may change in any 2-year period, it is presumptuous to presume that the other two-thirds of the Senate will not in any way have changed their minds relative to the rules of the Senate. So the doctrine of a continuing body does not pertain to the concept of rules. It pertains to other concepts or relationships of the Senate, but not to the subject of rules.

Mr. DOUGLAS. That is true. Earlier in the afternoon the Senator from Illinois referred to the fact that of the 98 present Members of the Senate, 60 were not present in 1949, when the existing rule XXII was adopted. Ten either voted against the rule which was then adopted, or registered themselves in opposition, and only 28 of the present 98 Members of the Senate voted or were announced in favor of rule XXII—when it was adopted in 1949. We hope that a considerable number of them have seen the error of their way, and would now be willing to vote for a change.

Mr. HUMPHREY. Mr. President, will the Senator yield further?

Mr. DOUGLAS. I am glad to yield.

Mr. HUMPHREY. So that we may have this matter in the simple and direct language and tie down the principal points and the argument being made by the proponents of the Anderson motion, there are those who have attempted to confuse the American people and even Members of the Senate. I do not say that the attempt has been made with premeditation, but, rather, because of misunderstanding. The attempt has been made to confuse people on the subject of the Senate being a continuing body, when in fact, as has been pointed out repeatedly in the debate, that phrase, which has been applied to the Senate, applies to the two-thirds membership of the Senate, not to its legislative responsibility.

Mr. DOUGLAS. That contention, as W. S. Gilbert has mentioned in the Mikado, like the flowers that bloom in the spring, tra la, has nothing to do with the case. The question is whether the existing Senate shall be bound by rules, adopted long ago, which operate in many cases to prevent a vote on a proposal which the majority of the Senate wishes to adopt.

Mr. HUMPHREY. So that we may finally settle this point, every Member of the Senate knows, and every reporter in the press gallery knows, and every citizen of the United States knows, and everyone else knows that at the end of every Congress bills which have cleared committees and remain on the Senate calendar but have not been acted upon by the Senate are dead, that they lose their hold on life. The calendar of the Senate, which is the official record of the Senate, is nonexistent.

Mr. DOUGLAS. It is wiped clean.

Mr. HUMPHREY. Yes; wiped clean. The calendar of the Senate of the 85th Congress is consumed in flame, and all that is left is the ashes. The calendar represents the legislative responsibilities and actions of the duly authorized committees of Congress.

Likewise, treaties must be submitted anew, even though they may have cleared the Committee on Foreign Relations, where there is a special responsibility of the Senate of the United States in the treatymaking function. Treaties, likewise, lose their life at the end of a particular Congress. Resolutions and joint resolutions and all other attributes of the legislative process die at the end of a session. Therefore, it is fair to say, is it not, that, with the exception of where the Constitution prescribes unusual duties for either the House or the Senate, the rules of the Senate and of the House pertain to majority rule. Secondly, in the instance of the Senate, the two-thirds provision, as the Senator from Illinois has pointed out, deals only with certain instances.

Finally, under the constitutional requirements of the Senate, we have the opportunity and privilege of writing the rules by which we will be governed.

I am pleased to associate myself with the Senator's remark and to join him in this matter, because I believe it to be sound legislative practice and one that is long overdue.

Mr. DOUGLAS. I thank the Senator.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CLARK. A minute or two ago the distinguished Senator from Illinois had occasion to comment on the continuing body theory in terms of Gilbert and Sullivan's "Mikado." I should like to recall to my good friend some lines from the "Mikado" which immediately follow the lines he has quoted and which I believe are equally pertinent to the continuing body theory. As I recall those lines from my youth, they run something like this:

I've got to take under my wing,
Tra la,
A most unattractive old thing,
Tra la.

Mr. DOUGLAS. "With a caricature of a face."

Mr. CLARK. With a caricature of a face.

I suggest that those lines are equally applicable to that theory.

Mr. DOUGLAS. Now that we are speaking in a lighter vein, I should like to refer to Tennyson's "Brook." The theory upon which the advocates of the continuing body rely reminds me of these lines from Tennyson's "Brook":

Men may come and men may go, but I go on forever.

That, I believe, is the contention of those who say the rules of the Senate adopted in 1789 and 1949 are now continuing. They are not. The Anderson motion will help to clear the path for action. If it is tabled, the friends of the filibuster will have gained an initial victory.

(The following are the matters ordered to be printed in the RECORD at the conclusion of the address by Senator DOUGLAS:)

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. DOUGLAS. I will yield with the understanding that I do not lose my right to the floor.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Illinois may yield to me, so that I may make a brief statement, with the understanding that the Senator from Illinois does not lose the floor.

Mr. DOUGLAS. May I ask the Senator: Does he intend to make a reply to me?

Mr. JOHNSON of Texas. No; I simply desire to make a brief statement for the information of Senators.

Mr. DOUGLAS. Oh, certainly; I yield for that purpose.

Mr. JOHNSON of Texas. The Senator from New Jersey [Mr. CASE] desires to make a statement in connection with the Anderson motion. The Senator from Oregon [Mr. MORSE] expects to speak on that motion this evening, and to conclude his statement this evening. I expect to have the Senate remain in session until the Senator from Oregon shall have had an opportunity to conclude his statement.

The Senate will go to the Chamber of the other body tomorrow at 12:10 p.m. I should like to ask unanimous consent that I be recognized at 11:30 o'clock tomorrow morning—the Senate will convene at 10 o'clock—for the purpose of making my motion to lay the Anderson motion on the table. At that time we can have a quorum call and a yea-and-nay vote. Then we can proceed to the Chamber of the other body.

Mr. President, I ask unanimous consent that I be recognized at 11:30 tomorrow morning for the purpose of suggesting the absence of a quorum and then having the Senate vote on a motion to table, which I shall make at that time. There will be no votes this evening.

Mr. BUSH. Mr. President, will the Senator yield for a question?

Mr. JOHNSON of Texas. I yield.

Mr. BUSH. Will there be a morning hour tomorrow?

Mr. JOHNSON of Texas. No; it is not customary to have a morning hour until after the President has addressed Congress.

Mr. LONG. Mr. President, will there be an opportunity for Senators who oppose the motion to speak against it?

Mr. JOHNSON of Texas. There will be an hour and a half in the morning in which to speak, and there will be some time this evening, perhaps, if the Senator from Oregon concludes his speech early. At any rate, there will be an hour and a half tomorrow morning.

Mr. LONG. I thank the Senator from Texas.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. KUCHEL. Some of my colleagues on this side of the aisle did not understand the Senator's statement. Am I correct in stating that it is the intention of the majority leader to ask now for unanimous consent that he be recognized at 11:30 o'clock tomorrow morning?

Mr. JOHNSON of Texas. Yes. So that all Senators may be informed, that will be the time when the motion to table will be made.

It is my purpose to have the Senate remain in session for such time this evening as the Senator from New Jersey [Mr. CASE] and the Senator from Oregon [Mr. MORSE] may desire to speak.

Mr. LONG. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. LONG. Will the Senator from Texas be so kind as to arrange, if he can, that the hour and a half tomorrow morning will be equally divided, so that Senators on both sides of the question may be heard? Otherwise, one Senator could take the entire hour and a half.

Mr. JOHNSON of Texas. I will attempt to arrange that Senators who desire to speak in the morning may have reasonable time in which to do so.

The PRESIDING OFFICER. Is there objection to the unanimous consent of the Senator from Texas?

Mr. MORSE. Reserving the right to object—and I shall not object—in deference to the majority leader and other Senators, I think this statement ought to be made for the RECORD: The majority leader certainly reserves the right under the unanimous-consent request that if he discovers tomorrow that he wants to postpone, because some other Senator raises the same type of objection I have raised to an early meeting and vote on this matter, to make his motion at his own discretion, and at such time as he cares to do so.

I think that that parliamentary prerogative ought to be guaranteed to the majority leader, and that he not be placed in such a position here tonight that he is bound to make his motion to lay on the table at 11:30 tomorrow morning. The majority leader has notified the Senate that that is his intention and his time schedule. He should certainly be in the position of making his motion to lay on the table whenever his discretion so dictates.

Mr. JOHNSON of Texas. I understand that I would be in that position and that I would not be foreclosed in such a situation.

Earlier today I assured several Senators, after canvassing the situation as best I could and after hearing the proponents and opponents, and looking over the history of the debates on the identical motion before—we used 3 hours and 50 minutes the last time, and 4 hours one time before—that there would not be lengthy discussion. But many Senators were not present at that time. Some of those Senators have not had the opportunity to speak. Nevertheless, we estimated that we would vote today at some time between 4 and 6 o'clock. However, it will inconvenience some Senators to return later in the evening, and there is no necessity for them to do so.

The Senator from Oregon [Mr. MORSE] has assured me that he desires to speak shortly and will speak at some length. I certainly have no desire to attempt to foreclose his speaking. I think his speech will be of benefit to the Senate and to the country. I think we will want to have the benefit of his views.

Therefore, I have made the request that I be recognized at this time, to point out to the Senate that I feel that every Senator who wants to speak will have the chance to speak.

Tomorrow I expect to make a motion to table the Anderson motion. However, if a situation develops which makes it compelling or desirable that that motion be withheld, I shall withhold it.

I did not want Senators who were here this evening and expecting to vote between 4 and 6 o'clock to remain with that understanding. Several Senators wired to their States that they could not attend important meetings because this was the best estimate we could make. Now the best estimate we can make is that there will be Senators who will speak this evening. There will be an hour and a half tomorrow morning, and I will try to divide that time equally between the proponents and opponents of the motion.

Then I plan at 11:30 to make a motion to table, and I ask unanimous consent that at that time I be recognized for that purpose, if I desire to do so.

Mr. MORSE. Mr. President, still reserving the right to object, let me say that in order to avoid as much misunderstanding as possible of my position, although I know it will always be misunderstood by some, I want the RECORD to show that I have been waiting since yesterday to discuss this issue. I happen to believe that my conversation with new Members of the Senate shows unquestionably that in their minds the issue is a very complex one, and that many of them are confronted with it for the first time.

At the meetings of the liberal groups that have been caucusing about this matter, I have said that I do not think this matter can be segmentized. I believe that before the voting begins, it is necessary for us to consider all phases and facets of this general problem. That is why I wish to place in the RECORD, for the benefit of anyone who may be interested, if anyone is, the point of view I have held for 14 years in the Senate, because during the first year I was a Member of the Senate I began this effort in regard to proposals to change the cloture rule of the Senate, in order to try to establish a rule which would make possible the exercise of majority rights in the Senate.

The majority leader has said very truthfully to me that he was of the impression, from the discussions held this morning at the desk, and I was not a party to them, that the understanding in regard to finishing the debate today put him in a position in which he could proceed, later today, to move to lay on the table. But I was not a party to that discussion, and neither were certain other Senators.

Of course I assure the majority leader that he has a parliamentary right to make that motion whenever he wishes. But I wish to state that if he did so before I had finished my remarks, that would amount to the application of cloture against me.

The Senator from Texas has been very gracious in pointing out to me that he understands my point of view—even though, of course, that does not mean that he agrees with it—and that he has no intention of preventing me from making my speech tonight. With that explanation in the RECORD, I do not object.

The PRESIDING OFFICER (Mr. CHURCH in the chair). Is there objection to the request of the Senator from Texas?

Mr. CLARK. Mr. President, reserving the right to object—although I hope I shall not have to object—let me say that some Members of the Senate have under consideration an amendment to the motion of the Senator from New Mexico; and we wish to have an opportunity to think about that amendment this evening, and perhaps to submit it tomorrow when the Senate convenes. The precise language of the amendment has not yet been agreed upon; but, in general, the effort would be to narrow the rules in a manner—which would not be determined immediately—so there could be no question, as some Senators have suggested, that we would be offering a Pandora's box.

Mr. JOHNSON of Texas. If it is parliamentary, it can be offered; Senators will have 1½ hours for that, tomorrow.

Mr. CLARK. Then I shall not object.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears no objection; and the request is agreed to unanimously.

Mr. MANSFIELD. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. Yes.

Mr. MANSFIELD. Can the Senator from Texas assure the Senate that no votes will be taken this evening?

Mr. JOHNSON of Texas. I cannot give such assurance; but I can assure the Senate that so far as I am concerned, I have no intention to have a vote taken this evening. I know of no vote to be taken this evening, and I will try to avoid the taking of a vote this evening. But any Senator could suggest the absence of a quorum, and the Senate could become involved in matters. However, I do not anticipate any vote this evening.

Mr. MORSE. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. MORSE. If the Senator from Montana wants that assurance, I will give it to him. [Laughter.]

Mr. MANSFIELD. I thank both the majority leader and the distinguished Senator from Oregon, and I hope they will be found to be good prophets.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the colloquy which has occurred be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

JOINT MEETING OF THE TWO HOUSES ON FRIDAY, TO RECEIVE COMMUNICATIONS FROM THE PRESIDENT OF THE UNITED STATES

Mr. JOHNSON of Texas. Mr. President, if my colleague will indulge me a moment further, I shall be very grateful to him. I ask him to yield with the same understanding.

Mr. DOUGLAS. Very well; I yield.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I send to the desk House Concurrent Resolution 1, and request its immediate consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution (H. Con. Res. 1) was read, and considered by unanimous consent, and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Friday, January 9, 1959, at 12:30 o'clock postmeridian, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

AMENDMENT OF RULES—AMENDMENT

Mr. MORTON submitted an amendment, intended to be proposed by him, to the resolution (S. Res. 5) amending rules XXII and XXXII of the Standing Rules of the Senate, which was ordered to lie on the table and to be printed.

AMENDMENT OF THE RULES

The Senate resumed the consideration of the resolution (S. Res. 5) proposing to amend Senate rules XXII and XXXII.

Mr. THURMOND. Mr. President, I cannot help but feel that the Senate itself, as an institution, is at this moment under attack and in peril of destruction. As is so often the case, the most imminent danger to this, as to many other institutions, lies from within rather than from without. Surely the proponents of the pending motion do not envisage the depth and breadth of their proposal.

Tradition, in and of itself, is no complete answer to any problem. Nevertheless, longstanding traditions are seldom maintained without sufficient reason. Almost invariably, traditions serve as a warning beacon of obscure, but sound and logical, purposes. A beacon of more than 170 years unbroken tradition stands as a warning of the seriousness of the proposal before this body. Should the motion to proceed to a consideration of the rules be favorably considered by this body, this 170-year tradition will be destroyed, and regardless of a subsequent return to the same method of procedure by this body after sober reflection, the tradition will be broken, and the beacon extinguished forever.

Even more vital, however, are the logical purposes which prompted the unshattered existence of this tradition. Foremost among these purposes is that of insuring an orderly procedure, so vital in such an authoritative body.

Complaints have been made that this body is not only deliberative, but on occasions, dilatory, when operating under its present rules. Yet some of those who voice these complaints would have this body declare itself, by an affirmative vote to proceed to the adoption of rules, to be a noncontinuing body and, therefore, without any rules whatsoever. It has been suggested that during the interim between this vote and the adoption of new rules by a majority vote of this body, that the Senate proceed under general parliamentary law or, as one self-styled authority suggested, under "Robert's Rules of Order." I cannot conceive of a more perfect example of jumping from the frying pan into the fire than to proceed from a disagreement as to what the rules should be, to a disagreement on what the rules are, as would be the case if this body attempted to operate under general parliamentary law, or even "Robert's Rules of Order."

The Senate is not an ordinary parliamentary body. Analogies to the procedure of other parliamentary bodies have little, if any, relevancy to the question before us. For instance, the House of Representatives is exclusively a legislative body. The Senate is far more. In addition to being a legislative body, it performs, by constitutional mandate, both executive and judicial functions. Article II, section 2 of the Constitution provides that the President shall share with the Senate his executive treaty-making power and his power of appointment of the officers of the United States. Article I, section 3 of the Constitution requires of the Senate a judicial function by reposing in the Senate the sole power to try all impeachments.

The uniqueness of the Senate is not confined, by any means, to its variety of functions. There are innumerable other aspects about this body which prevent its orderly operation at any time under parliamentary law other than its own rules, adopted in accordance with the provisions of those rules. For example, almost all parliamentary procedures presuppose that any main question, after due notice, can be decided by at least a majority of the members of the particular body using the parliamentary procedure. Any Senate rules which presupposed such a conclusion would be inoperable, for the Constitution itself specifies the necessity for two-thirds majority for action on many matters. Among these issues requiring a two-thirds majority by constitutional mandate are for conviction on impeachment; to expel a Member; to overide a Presidential veto; to concur in a treaty; to call a constitutional convention; to propose a constitutional amendment to the States and to constitute a quorum when the Senate is choosing a Vice President. The very fact that each State, regardless of its population, has equal representation in this body belies the thought of simple majority rule in its deliberation.

It is this very uniqueness which has compelled so many to conclude that the Senate had a degree of continuity unknown to other parliamentary bodies.

The Founding Fathers themselves, in drafting the Constitution, provided for this continuity by establishing a 6-year term of office for each Senator, so that a minimum of two-thirds of the entire body would continue from one session to the next. Had the Founding Fathers desired continuity only, but less than a continuing body, they could have provided for a staggered term of 4 years for a Senator with one-half of the Senate returning from one session to the next. This would not have provided the necessary quorums to do business at all times, and the Senate would not have been a continuing body.

The Senate itself has reenforced the premise that it is a continuing body by the unbroken precedent of continuing its rule from one session to the next. In recent years there are two clearcut precedents upholding the Senate's status as a continuing body, and even more specifically, that its rules continue from one session to the next. In 1953 and again in 1957, this body tabled a motion that it proceed to take up the adoption of rules for the Senate.

In 1954, the Senate voted to condemn the late Senator McCarthy for his conduct in a previous session. The committee report accompanying the resolution stated:

> The fact that the Senate is a continuing body should require little discussion. This has been uniformly recognized by history, precedent, and authority.

In addition, the Senate has jealously maintained its authority to continue its committees in their operations between adjournment and the commencement of the next ensuing session. The Supreme Court in the 1926 case of McGrain against Daugherty specifically ruled that the Senate was a continuing body and that, therefore, its committees were authorized to act during the recess after the expiration of a Congress.

Is the purpose sought to be accomplished by the drastic action proposed so worthy as to justify the risk of stripping the Senate's committees of their authority to function after the date of adjournment? Is it so imperative that it justifies the abandonment of orderly procedure for the jungle of "general parliamentary law"?

The proponents of the pending motion aver that the real target for this all-out effort is one Senate rule, and only one—the one which primarily governs the limitation of debate. This much maligned rule has been made the scapegoat by many groups. Its greatest distinction, however, appears to be its seclusion from objective consideration.

In discussing the history of limitation of debate in the United States Senate, many newspapers and newspaper col-

umnists appear to be under the impression that a limitation of debate existed in the United States in the period between 1789 and 1806. Their assumption is based on the fact that, during that period, the Senate rules allowed the use of a motion called the previous question. During the debate on this subject in previous years, the point was discussed, and it appears that the debate would have established in the mind of a reasonable person that there was no limitation on debate in the Senate during this period. Nevertheless, some newspaper editorials and columnists apparently still labor under the misapprehension that "the previous question," which existed in the Senate between 1789 and 1806, was a motion to end debate. For this reason, I believe it would be well to review this matter to some extent so that any lingering doubts that there was a limitation of debate in the Senate between the years 1789 and 1917 will be dispelled.

For all the attention they have been given, it appears that the comments on "the previous question" in "Robert's Rules of Order" have not been presented in debate on this subject previously. The passage to which I refer appears on page 117 of "Robert's Rules of Order, Revised," 75th anniversary edition, as follows:

Note on the previous question: Much of the confusion heretofore existing in regard to the previous question has arisen from the great changes which this motion has undergone. As originally designed, and at present used in the English Parliament, the previous question was not intended to suppress debate, but to suppress the main question, and therefore, in England, it is always moved by the enemies of the measure, who then vote in the negative. It was first used in 1604, and was intended to be applied only to delicate questions; it was put in this form, "shall the main question be put?" and being negatived, the main question was dismissed for that session. Its form was afterward changed to this, which is used at present, "Shall the main question be now put?" and if negatived the question was dismissed, at first only until after the ensuing debate was over, but now, for that day. The motion for the previous question could be debated; when once put to vote, whether decided affirmatively or negatively, it prevented any discussion of the main question, for, if decided affirmatively, the main question was immediately put, and if decided negatively (that is, that the main question be not now put), it was dismissed for the day.

Our Congress has gradually changed the English previous question into an entirely different motion, so that, while in England, the mover of the previous question votes against it, in this country he votes for it. At first the previous question was debatable; if adopted it cut off all motions except the main question, which was immediately put to vote; and if rejected the main question was dismissed for that day as in England. Congress, in 1805, made it undebatable. In 1840 the rule was changed so as not to cut off amendments but to bring the House to a vote first upon pending amendments, and then upon the main question. In 1848 its effect was changed again so as to bring the House to a vote upon the motion to commit if it had been made, then upon amendments reported by a committee, if any, then upon pending amendments, and finally upon the main question. In 1860 Congress decided that the only effect of the previous question, if the motion to postpone were pending, should be to bring the House to a direct vote on the postponement, thus preventing the previous question from cutting off any pending motion. In 1860 the rule was modified also so as to allow it to be applied, if so specified, to an amendment or to an amendment of an amendment, without affecting anything else, and so that if the previous question were lost the debate would be resumed. In 1880 the rule was further changed so as to allow it to be applied to single motions, or to a series of motions, the motions to which it is to apply being specified in the demand; and 30 minutes' debate, equally divided between the friends and the enemies of the proposition, was allowed after the previous question had been ordered, if there had been no debate previously. In 1890 the 30 minutes' debate was changed to 40 minutes. The previous question now is simply a motion to close debate and proceed to voting on the immediately pending question and such other pending questions as it has been ordered upon.

From this discussion it should be clear that between 1789 and 1806 "the previous question" used in the Senate was not intended to suppress debate, but to suppress the main question, and, therefore, to avoid a vote on a particular piece of legislation.

In 1816, the House of Representatives debated the issue of free debate. They adopted a strict cloture by a perversion of the meaning of "the previous question."

Mr. Gaston, speaking in favor of free debate, pointed out that the original purpose of "the previous question" was to postpone one subject in order to take up another. In other words, it was simply a demand that the House should first announce whether it was then expedient to decide the question under debate or to turn temporarily to other business.

The Continental Congress had followed this procedure and had made proper use of "the previous question."

Over the years after the first Congress, there were attempts to pervert the meaning of "the previous question." That was the reason for the debate in 1816. Mr. Gaston pointed out at that time that the House, in attempting to change the historic and true meaning of "the previous question," was abandoning its true principles.

On this particular question the elder Senator Henry Cabot Lodge said in 1893:

There never has been in the Senate any rule which enabled the majority to close debate or compel a vote. "The previous question," which existed in the earliest years and was abandoned in 1806, was "the previous question" of England, and not that with which everyone is familiar today in our House of Representatives. It was not in practice a form of cloture, and it is, therefore, correct to say that the power of closing debate in the modern sense has never existed in the Senate.

Through the years the Senate has debated the pros and cons of unlimited debate, but it remains a fact that for 125 years, from 1789 to 1917, the Senate had no cloture rule at all. During that time the parade of great men to the Senate continued, and most of them were firm advocates of free debate. Since 1917, we have had a two-thirds requirement for cloture in one form or another.

In the interest of objectivity, let us compare rule XXII with rule XXIX, "The Previous Question," of the suddenly popular Reuther's proposal of Robert's Rules of Order.

Rule XXII requires a two-thirds vote of the membership to end debate on any particular measure, except the rules themselves. A parliamentary body acting under "Robert's Rules of Order" can end debate and force a vote on the pending question by passing a motion of the previous question by a two-thirds majority of those present and voting. Even under "Robert's Rules of Order," a majority vote, even with notice, cannot end debate.

The difference, in practical effect, is not overly large. For example, had the limitation of debate in the Senate always been governed by "The Previous Question" in the present "Robert's Rules of Order," no result on previous efforts to invoke cloture would have been different from the result under the rules as they have existed. Had the present rule XXII of the Senate always controled the limitation of debate, only in one instance would the result on cloture attempts have been changed. The particular instance to which I refer was a cloture vote which prevailed in 1927 under a rule requiring two-thirds of those present and voting to end debate.

The distinction between rule XXII and "The Previous Question," though slight in practical effect, is not without a strong basis in reason. "Robert's Rules of Order" was designed for the general use of societies, which, not being governmental bodies, have no authority to compel attendance of delegates "Robert's Rules" therefore recognize the impracticality of making the actions of those bodies for whom his rules were designed contingent on membership. "Robert's Rules" used the most practical basis for his purposes for protecting the rights of minorities in societies generally.

The U.S. Senate, to understate the matter, occupies a position greatly different from the general societies for which "Robert's Rules" was designed. Its membership is under oath to support the Constitution and well and faithfully to discharge the duties of their offices. Surely a presumption by the rules of regular attendance is not unduly harsh. If it be too harsh, why has there been no attack on the provision of rule V which authorizes the Sergeant at Arms to compel the attendance of absent Senators?

So far as limitation of debate is concerned, the only distinction between rule XXII of the Senate and the rules designed for Podunk's local Liar's Club is the presupposition by the Senate rules of the regular attendance of its Members. Is this distinction too great for what has been called the greatest deliberative body on earth?

Consider what the Senate is being asked to risk in an effort to erase this distinction, possibly in favor of a greater distinction in the other direction. The proponents of the pending motion would have the Senate declare itself without rules. My research having failed to find the "general parliamentary law" codified, I presume the Senate would next have to determine temporary rules under which to proceed to adopt permanent rules. As

I have indicated, Mr. Reuther has recommended "Robert's Rules of Order." It is quite possible, even probable, that a majority of Senators would prefer even temporary rules other than Robert's. There are numerous others, such as "Parliamentary Procedure," by Rose Marie Crugan; "Handbook of Parliamentary Procedure," by Henry A. Davidson; "Lex Parliamentaria Americana," by Luther Stearns Cushing; "Manual of Parliamentary Practice," by Luther Stearns Cushing; "Rules of Proceeding and Debate in Deliberative Assemblies," by Luther Stearns Cushing; "Precedents of Proceedings in the House of Commons," by John Hatsell; "A Manual of Parliamentary Practice," by Thomas Jefferson; "Manual of Legislative Procedure," by Paul Mason. It is even conceivable that no one of these or other complete set of rules would be acceptable to a majority. Can anyone anticipate the confusion which might result from opening such a Pandora's box? The Senate could easily spend several months debating and deciding on temporary rules. After that would come the more difficult and more time consuming task of debating and agreeing on each section of each of the permanent rules. It would be slow work under the order provided by our existing rules; but in the jungle in which we are urged to jump, it would be almost impossible.

Mr. President, in the meantime, it behooves us to remember that the existence of every committee of the Senate stems from the Senate rules, and, therefore, the committees of the Senate would pass with the rules. During the succeeding indeterminable period until new permanent rules were adopted, our committees would not be working. Legislative business would be at a standstill. The emergencies of the country, both domestic and foreign, would have to run their course while we of the Senate wrangled in an attempt to extricate ourselves from the self-made jungle of "general parliamentary confusion." Heaven forbid that we place ourselves in such a position.

Nor would that be the end. Should we so abandon order for confusion, a precedent would be set for future Congresses, many of which would then want to assert their independence and draft their own rules. Each group could flex its muscles and determine its gain or loss of strength among new Members. It is conceivable to me that eventually the first year of each session would have to be set aside for the Senate to make its rules under which to act on substantive matters during the second year of the session. It may be said that this is the wildest sort of speculation—and it is. That is just the point. We are asked to sacrifice the traditionally orderly procedure of the Senate for something as to the nature of which we can only speculate; and I may add that the only guide that is offered to limit our speculation is our individual imagination.

I sincerely hope and trust that the Senate has not degenerated to the point at which it will, at one grand sweep, shatter the cornerstone of its existence. It deserves a better fate than strangulation in a parliamentary jungle of its own making.

Mr. CASE of New Jersey. Mr. President, I rise in support of the motion of the Senator from New Mexico [Mr. ANDERSON].

I have joined in sponsoring the resolution to proceed to the adoption of rules because I believe it is both wrong and dangerous to deny the Senate as a whole the exercise of its constitutional right to determine the rules of its proceeding—and to do this in order to perpetuate a situation in which the membership as a whole is placed at the mercy of a small minority.

That this is the situation is well known to all of us. It has been demonstrated on a number of occasions when an actual or threatened filibuster has foreclosed the Senate from consideration or action despite the wishes of Senators generally.

The Senate has frequently been described as the "greatest deliberative body in the world." But how does this square with the fact that a handful of its Members can reduce it to legislative impotence? How does it comport with the attempt now being made to deny the Senate the right to pass on the rules that govern its conduct?

Mr. President, to me the issue seems simple and clear. It is, no more or no less, whether the Members of the Senate shall be allowed to review the rules under which they must operate.

I realize that, as in the past, those opposing amendment of the Senate rules argue that, unlike the House, the Senate is a continuing body, and that therefore its rules continue, without readoption, from one Congress to the next. Whether the Senate is a continuing body is an interesting question. Plausible argument can be mustered in support of the proposition. Certainly, there can be no doubt that in the sense that two-thirds of its membership carries over from one Congress to the next, it is a continuing body. But even more convincing arguments can be made to the contrary.

In every major activity the Senate recognizes a constitutional right of the Senate of each new Congress to determine anew both legislative and executive business. All consideration of bills, resolutions, treaties, and nominations starts at the beginning of each Congress without reference to, or continuation of, what has taken place in the past; new officers and committee members are elected in the Senate of each new Congress; when the Senate finally adjourns, the slate is wiped clean; the proceedings begin again in the next Congress.

Indeed, the thing that stands out in any thorough analysis is that—apart from membership—everything starts afresh. And rules, too, start afresh the moment a majority of the Senators at the opening of the Senate of a new Congress so will it and so vote. All that has happened over the past years is that there has been acquiescence in the carryover of rules of the Senate from one Congress to the next Congress. But a carryover of the rules, based on acquiescence, is certainly no precedent for carryover in the absence of acquiescence. And we most certainly do not acquiesce.

But whatever one's views as to the Senate as a continuing body, this question is not relevant to the issue presently before us; indeed, it obscures, rather than illuminates, the real question we have to decide. For, even if it be conceded for purposes of argument that the Senate is a continuing body, this cannot affect, as I see it, the right of the Senate to establish its rules pursuant to the constitutional provision that "each House may determine the rules of its proceedings."

The advisory ruling of the Vice President at the opening of the last Congress ably states the matter, as follows:

> The statement which the Chair now makes relates specifically to the question of what the parliamentary situation will be as the Senate votes on the matter currently being discussed. That question, and others which have been discussed in the debate today, in effect, go back to the basic question, Do the rules of the Senate continue from one Congress to another?
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> Although there is a great volume of written comment and opinion to the effect that the Senate is a continuing body with continuing rules, as well as some opinion to the contrary, the Presiding Officer of the Senate has never ruled directly on this question. Since there are no binding precedents, we must first turn to the Constitution for guidance.
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> The constitutional provision under which only one-third of the Senate membership is changed by election in each Congress can only be construed to indicate the intent of the framers that the Senate should be a continuing parliamentary body for at least some purposes. By practice for 167 years the rules of the Senate have been continued from one Congress to another.
>
> The Constitution also provides that "each House may determine the rules of its proceedings." This constitutional right is lodged in the membership of the Senate and it may be exercised by a majority of the Senate at any time. When the membership of the Senate changes, as it does upon the election of each Congress, it is the Chair's opinion that there can be no question that the majority of the new existing membership of the Senate, under the Constitution, have the power to determine the rules under which the Senate will proceed.
>
> The question, therefore, is, "How can these two constitutional mandates be reconciled?"
>
> It is the opinion of the Chair that while the rules of the Senate have been continued from one Congress to another, the right of a current majority of the Senate at the beginning of a new Congress to adopt its own rules, stemming as it does from the Constitution itself, cannot be restricted or limited by rules adopted by a majority of the Senate in a previous Congress.
>
> Any provision of Senate rules adopted in a previous Congress which has the expressed or practical effect of denying the majority of the Senate in a new Congress the right to adopt the rules under which it desires to proceed is, in the opinion of the Chair, unconstitutional.
>
> It is also the opinion of the Chair that section 3 of rule XXII in practice has such an effect.

Then, at the end of the Vice President's advisory opinion he said:

> In summary, until the Senate at the initiation of a new Congress expresses its will otherwise, the rules in effect in the previous Congress in the opinion of the Chair remain in effect, with the exception that the Senate should not be bound by any provision in those previous rules which denies the mem-

bership of the Senate to exercise its constitutional right to make its own rules.

I know of no clearer statement of the point. I think it is noteworthy that it was not disputed from the floor at the time when the Vice President handed down his advisory opinion.

This position of the Vice President is supported by a number of precedents in the history of the Senate. Several of them were cited in the brief which the Senator from Illinois earlier asked to have included in the RECORD in connection with the remarks he made on this point. I do not wish to go into those precedents in detail, but I should like to ask unanimous consent that the summary of the precedents, which I shall hand to the clerk, be included in the body of the RECORD at this point in my remarks.

There being no objection, the statement of precedents was ordered to be printed in the RECORD, as follows:

A. Precedent 1. The dismissal of the Senate Printer in 1841

A joint resolution of 1819 authorized each House of Congress to choose the printer for the next succeeding House; it provided the method, rights of pay, and other matters of detail. Pursuant to this joint resolution, the Democratic Senate in 1840 chose as Printer for the Senate of the following Congress (the 27th Congress) the firm of Blair & Rives. Mr. Blair was editor of the Washington Globe, an intensely partisan newspaper which supported the Democratic administration. The Whigs had given notice during the last days of the 2d session of the 26th Congress that they did not consider that the Democrats had any constitutional or moral right to choose a Printer for the next Congress. Despite these warnings, the Democratic Senate awarded the contract for the printing for the next Senate to Blair & Rives.

Immediately upon the opening of a special session of the Whig-controlled 27th Congress, Senator Mangum of North Carolina introduced a resolution that Blair & Rives be dismissed as Printer to the Senate (9 Cong. Globe p. 236). The resolution was heatedly opposed, largely on the authority of the established usage under the joint resolution of 1819. The opponents argued that a Printer had been elected 10 times under the authority of the resolution and that now, on the occasion of the 11th election, the unconstitutionality of the authorizing resolution was claimed too late. Senator Allen of Ohio, in a statement quoted several times during the 1953 Senate debates, summed up the position of those contending for the binding effect of the action of the previous Senate in these words:

"And as to the assertion that this was a new Senate, he denied the fact. * * * There was no such thing as a new Senate known to the Constitution of this Republic. They might as well speak of a new Supreme Court as of a new Senate."

Senator Buchanan and others supported Senator Allen, arguing for the theory of the Senate as a permanent and continuous body bound by the actions of the Senate of an earlier Congress.

Rejecting the appeals of Senators Allen, Buchanan, and the other Democrats, those in favor of the dismissal of the Printer, designated the resolution of 1819 as a nullity because it attempted to bind the actions of future Houses of Congress. The argument that the Senate of one Congress could not bind its successors prevailed; the resolution to dismiss the Printer was adopted 26 to 18.

In a word, the Senate of 1841 rejected the theory that the action of the Senate of one Congress could bind the Senate of a later Congress. The Senate rejected this theory in the face of the same arguments of permanence and continuity that are now being made by the supporters of rule XXII. Indeed, it is significant that Senator Taft, leading the battle against the Anderson motion in 1953, relied heavily upon the quotation from Senator Allen in the 1841 debate, despite the fact that Senator Allen's statement and his theory had been repudiated by a majority of the Senate when it voted to dismiss the Printer. In other words, those who relied upon the statements of Senators Allen, Buchanan, and their colleagues were relying upon the arguments of the defeated side; it was as though, in arguing to a court, a lawyer had relied upon a decision that had been overruled.

B. Precedent 2. Abrogation of the joint rules in 1876

The story of the abrogation of the joint rules and their relevance to the present issue was well stated in the leadership conference brief (99 CONGRESSIONAL RECORD), and quoted in the 1957 brief submitted by Senators joining in the motion to take up rules (103 CONGRESSIONAL RECORD, 24, 26). We again quote that statement in full:

"In the first Congress the Senate and House adopted joint rules to govern the relationship and necessary business between them. Annals of Congress, 57–58, 987. Thereafter, these joint rules of the two Houses were treated as in force and revised and amended, although the Senate and House did not adopt them at the beginning of each Congress.

"In 1865, rule XXII of the joint rules was adopted in an attempt to settle the long-standing controversy on the method of counting electoral votes. In 1869, there was a violent quarrel between the two Houses of Congress over the effect of this particular joint rule. This led to a determination by a portion of the Senate to rescind that rule, in anticipation of any problems over the counting of electoral votes which might arise from the 1876 presidential election. (Haynes, op. cit. supra, p. 245 et seq.) The desire of the Senate to eliminate joint rule XXII led to the end of acquiescence of each new Senate in the continuation of the joint rules and the Senate in the 1st session of the 41st Congress, after 87 years of unbroken historical usage, demonstrated its right to adopt new joint rules at the beginning of each new Congress.

"On December 15, Senator Edmunds, of Vermont, introduced a resolution to adopt the joint rules in force at the close of the last session of Congress. Senator Byard, of Delaware, asked whether this was necessary, and Senator Edmunds answered:

" 'That, as a celebrated Englishman said, is past finding out. The object of this resolution is to ascertain from the proper Committee on Rules (which had jurisdiction over the joint rules as well as the Standing Rules of the Senate) whether the joint rules that were in force at the last session of Congress are in force now without any vote, and, if so, upon what principle of law or joint proceeding; and, if not, of course, to take some steps to have some joint rules between the two Houses' (4 CONGRESSIONAL RECORD 220).

"The resolution was referred to the Committee on Rules, which reported it back favorably with a technical amendment making it a concurrent resolution. Senator Hamlin argued that the joint rules operated only by acquiescence (4 CONGRESSIONAL RECORD, p. 309). Considerable heated discussion ensued, in which widely different theories as to the effect and validity of the joint rules were stated. The one point receiving constant reiteration was that the joint rules had operated by acquiescence, and must be subject to change. Senator Hamlin, as he gave the committee report, stated it as follows:

" 'It is only by acquiescence in long years that they have been treated and regarded as rules, and not by an affirmative vote either of the House or of the Senate' (4 CONGRESSIONAL RECORD, p. 309).

"Recognition that common consent or acquiescence could give validity to that which was otherwise doubtful only so long as the acquiescence continued was voiced by Senator Merrimon, who said in the course of this debate (4 CONGRESSIONAL RECORD, pp. 431–432):

" 'It seems, as the venerable Senator from Maine, Mr. Hamlin, stated on a former occasion, that this matter has passed uniformly from the beginning of the Government down to this time without question. The question is now raised, and if today some action of Congress should be required under the joint rules, and a Senator should rise and say, "I object," there would be the end of it. It is only by common consent that the practice to which I have referred has prevailed.'

"Despite the appeals to history, long-standing practice, and the venerability of the joint rules, the Senate voted to reject a substitute resolution which would have treated the rules as in force and provided for an amendment of those rules, and accepted the initial resolution which was framed on the theory that no joint rules existed at the opening of the new Congress (4 CONGRESSIONAL RECORD, p. 519).

"Thus, the Senate passed a concurrent resolution adopting the joint rules anew for the 44th Congress. The House never passed this resolution. The Senate, at various times since then has made an effort to have joint rules passed but they never have succeeded. (Gilfrey, Precedents, 1914, p. P–441; Hinds, sections 6782–6787.) In most respects the House and Senate now operate in the same manner as they did under the joint rules on some theory of usage.

"The decision, by vote of the Senate, that the joint rules were not in effect demonstrated that the joint rules had existed only by acquiescence and that the acquiescence of even 87 years was in no way binding when a majority manifested its will to the contrary. It also showed conclusively that the method by which the majority in such a situation manifests its will is by the adoption of new rules and not by amendment of the old ones."

C. Precedent 3. Senator Walsh's resolution and arguments in 1917

At the opening of the 65th Congress in March 1917, Senators Owen, of Oklahoma, and Walsh, of Montana, raised the question whether the rules of the preceding Senate were binding upon the new body.

Senator Owen, on the first business day of the Senate of the new Congress, March 6, 1917, refused to permit a bill to be referred to committee on the ground that committees were not in existence at the beginning of this new Congress, and Senator Walsh supported Senator Owen's contention.

On March 7, Senator Walsh presented a resolution squarely raising the issue whether the rules carried over from Senate to Senate and presented his now famous argument against the old rules being applied to the Senate of the new Congress. Said the Senator: "A majority may adopt the rules in the first place. It is preposterous to assert that they may deny to future majorities the right to change them."

On the evening of March 7, after Senator Walsh's resolution and speech, caucuses of both parties voted to approve a change in rule XXII to provide for cloture by a two-thirds vote. The resolution was debated by unanimous consent without ever being referred to committee and was adopted on March 8, 1917 (76 yeas, 3 nays). Senator Walsh, who had accomplished his purpose

of obtaining the cloture rule he sought, dropped his resolution.

D. Precedent 4—Vice President Nixon's advisory opinion in 1957

At the opening of the 85th Congress on January 3, 1957, Senator ANDERSON and others again raised the question of whether the Senate had any rules in effect at this time. The events following Senator ANDERSON's motion to adopt rules are discussed in detail elsewhere in this brief and need not be repeated here.

On January 4, Senator HUMPHREY squarely raised the issue of whether the rules continue from one Congress to another by asking in a parliamentary inquiry "* * * under what rule is the Senate presently proceeding?" In response, the Vice President rendered his historic opinion, previously quoted in this brief, that the Senate, at the beginning of each Congress, has the power to adopt rules and that it has in effect done so, albeit by acquiescence in the rules of the previous Congress.

Although Senator JOHNSON's motion to table Senator ANDERSON's motion was successful on a vote, this was clearly no repudiation of the Vice President's opinion, since this contingency had been taken into consideration when the Vice President stated:

"Turning to the parliamentary situation in which the Senate now finds itself, if the motion to table should prevail, a majority of the Senate by such action will have indicated its approval of the previous rules of the Senate * * *.

"If, on the other hand, the motion to lay on the table fails, the Senate can proceed with the adoption of rules under whatever procedure the majority of the Senate approves."

There was no challenge to this evaluation of the parliamentary situation in the debate following the Vice President's opinion, although there was ample opportunity to do so, either in the debate itself or by making a point of order against the motion to adopt rules which would have placed the issue squarely before the Senate. Silence on this point may well be taken as tacit acceptance of this principle.

* * * * *

Thus, in the four closest precedents, the Senate, while some of its Members talked continuous body and others talked in a contrary vein, each time supported the right of the Senate to adopt new rules. The Printer was dismissed despite the argument that this could not be done in the face of the action of the Senate of the earlier Congress; new point rules were adopted despite the action and acquiescence of the Senate of the earlier Congresses; a new cloture rule was adopted by overwhelming agreement once the argument was made that the old rules did not carry over; and the Vice President's advisory opinion was received by the Senate, without challenge in subsequent debate.

The action of the Senate in 1933 and 1957, while admittedly not free from ambiguity, would also appear to be favorable precedents.

On January 3, 1953, Senator ANDERSON, on behalf of himself and 18 other Senators, moved that the Senate take up for immediate consideration the adoption of rules for the Senate of the 83d Congress. If, in fact, the rules of the Senate of the earlier Congress had automatically carried over, this motion was out of order. Yet not a single member of the majority opposing the motion to take up rules raised a point of order against the motion, despite the fact that this would have been the proper parliamentary procedure if the group had cared to test out the question whether the old rules carried over. Instead of a point of order, the then majority leader, Senator Taft, moved to lay the motion on the table, an implicit recognition of the fact that the motion had been in order. Many Senators undoubtedly voted for the tabling motion because they sought to avoid any direct issue on the rules at that time, even though they would have supported a ruling by the Vice President that the resolution was in order.[1] Indeed, one such Senator, Senator Potter, stated subsequently that he voted to table because he did not want anything to interfere with the organization of the new administration and the confirmation of the new Cabinet (New York Times, Dec. 12, 1956, p. 31). No such issue is presently before the Senate.

The effect of the motion to table was well stated by Senator Lehman at the conclusion of the debate in 1953:

"The adoption of the motion to table the resolution of the Senator from New Mexico is implicit recognition of the fact that our main contention that each Senate has the constitutional right to adopt its own rules is sound.[2] No point of order was raised against the Anderson motion. A majority of the Senate has laid that motion on the table. I believe the opposition did not dare to raise a point of order because of the fear that such a point against the Anderson motion would have been overruled. * * * I believe it to be an incontrovertible fact that the Senate has the constitutional right—even the obligation—to adopt its own rules at the beginning of a new Congress. It is incontrovertible because the right to do so is expressly set forth in the Constitution. It is moreover, basically inherent in the nature of a democratic parliamentary body" (99 CONGRESSIONAL RECORD 232).

On January 3, 1957, Senator ANDERSON made a similar motion on behalf of himself and 30 other Senators, and the ensuing events closely paralleled those of 1953. Thus the same implications stated by Senator Lehman to apply to the 1953 motion to table apply equally to the 1957 motion. They both demonstrate that the opposition did not wish to face that issue.

Mr. CASE of New Jersey. Mr. President, there have been repeated statements that until 1917 there was no cloture in the Senate, no limitation on debate. The fact is that so-called unlimited debate in the Senate is a myth. History shows clearly that up to the time of the Civil War a majority of the Senate, under its rules and precedents, and under the dignity of its customs, did have the authority to, and for the most part effectively did, limit debate and prevent filibusters. The Senate did it by insisting that Senators confine their remarks and speeches to the question at issue, and that they conduct themselves in a manner in keeping with the traditional courtesy and dignity of a Senator. There may be exceptions, but the truly representative picture of the Senate before the Civil War, as shown by our historical records, is that the body observed dignity and restraint in debate, and did not consider talking to consume time a parliamentary instrument appropriate for the Senate. When delays by speech were tolerated, the Senators engaged in such dilatory tactics either kept their talks germane or the majority did not choose to insist on the strict observance of the rules and precedents.

In short, the evidence clearly shows that the filibuster as a device, not merely to delay, but to prevent, action is a modern institution which has no support or sanction in early Senate history and practice.

I could go on at great length in demonstration of the correctness of the statements I have just made and in producing evidence as to the precedents and history of debate in the Senate. I do not wish to delay my colleagues in addressing themselves to the question at this time, but I ask respectfully that they refer to several documents on the point. One of them is the report of the Committee on Rules and Administration in the 85th Congress on Senate Resolution 17. That report was made in two parts. Both of them are pertinent to these questions, which are discussed in great detail.

I should also like to refer my colleagues to the remarks I, and other Senators, made last July, appearing in the CONGRESSIONAL RECORD for July 28 and 29, 1958, when we discussed all these questions at great length. We showed, conclusively, I believe, that the idea of unlimited debate, in the sense of debate for the purpose of preventing action by a majority of this body, is not and never has been a tradition of the Senate in any historical and honored sense; that it is a practice of modern origin, and was unheard of prior to the Civil War.

Mr. President, there are several other points I should like to make, briefly, before yielding.

Everybody concedes that the Senate has the right to adopt rules by majority vote, and to change rules by majority vote—a right inherent in the nature of this body and expressed in the Constitution. Simple logic and commonsense dictate that there has to be as an inherent part of that right, the right of a majority to prevent a minority from interfering with the majority's exercise of that right. Unless we concede that a minority has the right to prevent a majority from the majority's exercise of its power and duty to adopt rules, then a majority has that power. Therefore, inherent in the power to adopt rules is the power to bring to a close a filibuster or unlimited debate on the part of a minority which would prevent the majority

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[1] It is generally believed that such a ruling would have been forthcoming had a point of order been raised and the Vice President given the opportunity to rule. Actually Vice President Barkley made a partial ruling to this effect when he stated, in connection with the election of officers, that "the organization of the Senate is an inherent right of the Senate, as it is of any sovereign body, and all that has taken place up to date has been under that inhert right" (99 CONGRESSIONAL RECORD). Had the rules actually carried over from the previous Congress, the election of officers would have taken place under these rules, not under "inherent right."

[2] Senator Lehman's interpretation of the action of the Senate in 1953 appears to be more accurate than that contained in the Watkins committee report in 1954. Furthermore, the entire discussion of the question of continuing body in the Watkins report was irrelevant to its conclusion that a Senator can properly be censured for actions occurring during a prior term as Senator. The Senate's power to censure arises from the necessity of maintaining the dignity and good repute of the Senate and, therefore, the authority to censure exists as long as a Senator is a Member of the Senate and exists by virtue of his presence in the Senate. Indeed, the same rule that past conduct may be considered for censure and expulsion purposes applied in the House (2 Hinds, Precedents, sec. 1286; H. Rept. No. 570, 63d Cong., 2d sess., 1914), whose rules do not carry over from Congress to Congress.

from effectively carrying out that power. This is an essential power, particularly in the beginning of a session. Then, as everyone knows, there is much business waiting to be done, important business which has accumulated during the time when the Congress has not been in session. Then the pressures upon us to act in carrying out our constitutional mandate to legislate, are very great, and properly so. Then the power of obstruction of a minority can be very effectively applied at a time when all of us, and the country, are anxious to get to work on legislative responsibilities, and, in the Senate, executive duties as well. More than at any other time during our sessions and deliberations, it is essential that at the beginning of each session the Senate have the power, by majority vote, after reasonable debate, to bring to a close and to bring to action the question of the Senate's adoption of the rules of its procedure for the session which will follow.

Mr. President, I wish to insert in the RECORD one further statement. I ask unanimous consent that an editorial which appeared in the New York Times of January 7, 1959, be printed in the RECORD at the conclusion of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE MAJORITY HAS RIGHTS TOO

When the Senate organizes for business today it will have before it a proposal by Senator PAUL H. DOUGLAS, of Illinois, supported by other liberal Senators, to permit the majority, after a decent interval for reflection and debate, to get on with the country's business. This proposal is perhaps the most important single subject that will come before either House of the 86th Congress. Senator DOUGLAS and his associates propose that rule XXII be amended so that a simple majority of the whole Senate may impose cloture after 15 days. After this interval debate could continue until each Senator had had an ample chance to speak, but a filibuster could not continue. The whole process of bringing a measure to vote over the opposition of an entrenched minority might take a month or more, but at the end of that time a vote could be had and the majority would prevail.

We admit the existence of honest arguments against this reform. There are those who fear that unwise legislation may be steamrollered through Congress. But the choice seems to us to be between a reasonable delay and a reasonable amount of discussion, on the one hand, and, on the other hand, the actual rule of a minority. It is easy to find arguments against what has been called the tyranny of the majority, but the tyranny of the minority is and always has been infinitely worse. For instance, there is no reason under heaven why a minority in the South or anywhere else should prevent this Nation from enacting a modern bill of civil rights.

There will be an effort in the House of Representatives to reduce the power of the Rules Committee, which now is usually able to put bills in the deep freeze and keep them there. This machinery, which the leadership of the lower House controls, has the same result that rule XXII effectuates in the Senate—namely, to prevent bills which a minority dislikes from being brought to the floor at all. But the situation in the House, with SAM RAYBURN in the Speaker's chair, is not as bad as the situation in the Senate with an unamended rule XXII.

The election wave of last November was not merely a Democratic wave, it was also an expression of a reviving liberalism. We shall be deeply disappointed if this liberalism does not reveal itself in a democratic revision of rule XXII.

Mr. CASE of New Jersey. Mr. President, I yield the floor.

Mr. TALMADGE. Mr. President——

The PRESIDING OFFICER. The Senator from Georgia.

Mr. TALMADGE. Mr. President, the proposal that the Senate adopt new rules involves considerably more than a mere question of the procedure to be followed in this Chamber.

Its ramifications extend to the very heart of our form of government and candor compels the conclusion that the effect of its approval would be to repudiate the Senate's assigned constitutional role.

It is vital, therefore, Mr. President, that this question be resolved not from the standpoint of any transient advantage which might accrue to some partisan group but rather on the basis of its implications for the future of constitutional, republican government in this Nation.

The United States Senate, in the light of history and the Constitution, is much more than another legislative body.

It is, in reality, a continuing council of States sitting as an integral part of the Federal establishment—a protective repository on the national level for the sovereignty of the sovereign States.

It was with plain design that our Founding Fathers created it as a watchman over all operations of our National Government.

And it was with deliberate intent that they conferred upon it the broadest powers to act as a checkmate on unwarranted centralization of authority.

Our far-seeing forefathers well realized that the House of Representatives would be both too large and too impermanent to fulfill those desired objectives.

They knew there could never be free debate in the House and that important bills would pass that Chamber without sufficient study and deliberation.

And, perceiving those problems, they put their faith in the United States Senate and bestowed upon it the major responsibility for keeping faith with posterity.

To this date the Senate has kept that faith and I am humbly proud, Mr. President, to have the privilege of sitting in this honored body which has so faithfully discharged its appointed constitutional duty to serve as a bridge between the States and the Nation and a liaison between the past and the future.

The Senate has afforded continuity and stability to our Government.

The Senate has stood as a bulwark against usurpations of power.

Since it first effected its organization on April 6, 1789, there has not been a time in our national history when the Senate was not available as an organized body to answer the summons of the President and to fulfill its responsibilities in the transaction of public business.

Its first rules, adopted only 10 days after the Senate came into being, have continued in force without reaffirmation until amended or abolished by the Senate.

The Senate has proved itself worthy of the rules which have governed it for the past 169 years.

And common sense dictates that they should not be subjected to whimsical tampering on the slightest provocation as it now is being insisted that we of this 86th Congress do.

At the outset, Mr. President, it is important that this Senate face the reality that the true purpose of those who would have it renounce its constitutional continuity is their desire to use that renunciation as a vehicle for destroying freedom of debate in this Chamber.

They are attacking not only the Senate itself but also the stature, perquisites and prerogatives of each Senator in national affairs and every other responsibility incident to the senatorship.

It is an attack which threatens the whole fabric of our form of government.

It is an attack which strikes at the very vitals of representative government.

It is an attack which aims a death blow to the States as political entities.

Mr. President, it is with sincere emphasis that I submit that we are not dealing here with constructive evolution in the rules of the Senate.

To the contrary, the proposals that the Senate adopt new rules and impose gag rule on its Members are nothing short of destructive revolution for this body and its unique and essential governmental role.

Furthermore, Mr. President, I would warn this body that if the Senate elects to surrender on this issue, its action will mark the beginning of a sustained campaign to destroy the Senate as an institution of government.

The assaults next will turn to the seniority system and all of the other safeguards which have given stability and responsibility to the Senate of the United States.

In fact, one of the witnesses before the Senate Committee on Rules and Administration in 1951 made it very clear in his testimony that the next target in the shooting gallery of his organization is the seniority system by which the Senate presently operates.

It would be a grave mistake to overlook the patent dangers ahead for the Senate and its individual members if we abandon its time-tested rules.

Should minority rights ever be trampled in the Senate there will remain only one remedy to those who do not happen at any given time to be a member of the majority; that is, affiliation with a multiplicity of splinter parties.

And I can think of no greater catastrophe befalling our Nation than the destruction of our two-party system.

It does not take much vision to see that under such circumstances any small militant minority exercising a balance of power could be thrust into a position where it could inflict great harm on the country.

Since its establishment the Senate of the Unitd States has refused to be bound in a straitjacket.

Despite the protestations of some of its detractors, the Senate enjoys the respect and admiration of the masses of this Nation and of the world.

The Senate is looked upon as a guardian of American liberties.

Mr. President, I consider this attack on the rules of the U.S. Senate far more serious than the fundamental constitutional objections to proposed force bills in the field of civil rights.

Under the guise of agitating for passage of such legislation, efforts are being made to alter our form of government.

It is not amiss to observe that throughout the course of history tyrants have seized power through the camouflage of some allegedly worthwhile cause.

The very groups which today are advocating the imposition of gag rule in the Senate very well may be the first to suffer under it when the pendulum of national politics swings.

The sum and substance of all good legislation can be stated in one simple rule.

It is a rule about which all Americans should know.

It is the rule that under no circumstances should extreme and far-reaching Federal legislation affecting the basic rights of all the people of the Nation be adopted without substantial unanimity and support of all citizens.

National legislation should reflect mature, careful, and deliberate thought and discussion.

And, above all else, it should be conducive to unity, not division and disruption among our people.

Over the years the continuing goal of the Senate has been to promote such unity.

When we hear the cry of "majority rule" by proponents of majority cloture we should take into account a few simple facts about the origin and composition of the Senate.

It is impossible to apply to this body with any degree of accuracy the principle of popular majority rule as we usually consider it. The very composition of the U.S. Senate where all States have an equal vote prevents such an application.

It is possible for various combinations of 50 Senators to represent anywhere from 20 to 80 percent of the country's population.

All of the great injustices of history have been committed in the name of unchecked and unbridled majority rule.

The late Senator James A. Reed, of Missouri, in one of the most forceful speeches ever delivered before the Senate, observed with great truth that:

> The majority crucified Jesus Christ.
>
> The majority burned the Christians at the stake.
>
> The majority drove the Jews into exile and to ghetto.
>
> The majority established slavery.
>
> The majority chained to stakes and surrounded with circles of flame martyrs through all the ages of the world's history.
>
> The majority jeered when Columbus said the world was round.
>
> The majority threw him into a dungeon for having discovered a new world.
>
> The majority said that Galileo must recant or that Galileo must go to prison.
>
> The majority cut off the ears of John Pym because he dared advocate the liberty of the press.

Representatives of the various partisan groups advocating this change have offered lengthy testimony and voluminous briefs purporting to show the circumstances attendant to the adoption of our Constitution and the creation of the United States Senate.

No doubt if Thomas Jefferson, Alexander Hamilton, James Madison, and John Jay could return to the scene today they would be shocked at how some of their writings have been distorted out of context.

Two good examples of that can be found in a brief filed in 1951 by proponents of majority cloture.

In that brief excerpts from letters by Hamilton in "The Federalist" are quoted in support of their position.

An examination of those quotations in light of their context and the language of the whole series of letters discloses such to be a complete distortion of truth.

The entire spirit of "The Federalist" and its elucidation regarding the foundation of the Senate cries out for the maintenance of freedom of debate in this body.

Properly assaying the true meaning of "The Federalist" requires an understanding of the times in which the letters comprising it were written.

It must be borne in mind that Hamilton and the other patriots of that day were writing about inadequacies of the loosely drawn Articles of Confederation and in favor of the adoption of a clear-cut new Constitution. In the quotations attributed to Hamilton in the brief to which I have referred, he was detracting from the Articles of Confederation in a concerted effort to convince the people that the new Constitution was good for the country and should be ratified by the States.

One of the quotations attributed to Hamilton in that brief was taken from Letter XXII in which he stressed the weakness of the requirement that legislation adopted by the Continental Congress receive the approval of three-fourths of all the States.

The quotation, while applicable to that situation, hardly can rightly be applied to free debate in the Senate.

The other quotation attributed to Hamilton, which proponents of majority cloture claim supports their position, refers to the treatymaking power and other resolutions. There must have been strong sentiment for a constitutional two-thirds requirement before Senate approval, for Hamilton sought to allay the fears of the people by urging the view that a simple two-thirds would be sufficient in such circumstances for protection against abuses.

By no stretch of the imagination can the language quoted from Hamilton in Letter LXXV be applied to the fundamental right of a State to be heard from fully through its Senators in Senate debate.

Thus, Mr. President, it is the grossest distortion when we have those of the present seeking to apply the words of the great patriots of the past in an effort to detract from the Constitution and the principles of government which they established, when, in reality, those quotations when written were in reference to the Articles of Confederation.

It behooves us to examine carefully the Articles of Confederation, the Constitutional Convention and the Constitution itself. And, if we are to arrive at a proper perspective and present a true reflection of the facts surrounding the origin of our constitutional form of government and the place of the United States Senate in it, we must consider each in the light of the other and the conditions prevailing at the time.

The Articles of Confederation, standing alone, proved insufficient for successful operation of a central government.

Each State had one vote in the Continental Congress.

And on most major issues a three-fourths vote of all States was required.

The States and their people were wary of the tyrannny of central governments and despotic rulers. They were, by instinct, hesitant to surrender any portion of their newly won sovereign powers and their blood-won liberties.

The price at which they agreed to surrender a portion of them was the creation of the United States Senate.

We must remember that the delegates to the Constitutional Convention were chosen either by the Governors or the legislators of their States. They were instructed to press for either revision or amendment of the Articles of Confederation; but, in no event, to give up the principle of sovereignty and equality of the States.

Though the Articles of Confederation afforded no basis for a worthwhile scheme of amendment or revision, many of the delegates nonetheless held fast to the principle that any new Constitution must include equality of State representation.

From first to last the Convention stood for the protection of private economic interests, a stronger central authority, a stabilized monetary system, orderly legal processes, and a republican form of government; but not for an unlimited democracy.

The motivating spirit of the Convention—not expressed, but clearly understood—was to make the Nation safe from unlimited democracy. Madison's own notes, as well as the papers of most of the other delegates, make such an intention unmistakable.

But, Mr. President, there remains one obvious defect in our Constitution.

There is nothing in the document to prevent the United States Senate from surrendering its powers and prerogatives by its own action.

Its only protection in that regard rests with the courage, conscience, and patriotism of its individual members and their collective determination to preserve the integrity of the senatorship.

Now, as we proceed to an examination of the origin of the Government of the United States, let us first dispose of one salient misconception.

Our country is a new experiment in government.

It is not a pure democracy.

It is not a pure republic.

Our national structure is a product of compromise.

It is a mixture of necessity.

It was welded by great men.

It is not like any other government on this earth.

It is strictly ours.

While the question of the ratification and adoption of the new Constitution was before the people of the country Alexander Hamilton, James Madison, and John Jay—over the common pseudonym of "Publius"—wrote and published in the press of that day a series of 94 articles explaining the various passages of the new instrument.

Those essays are unrivaled in the whole mass of constitutional literature for clarity, power, and illumination.

After their appearance they were brought together and published in one volume entitled "The Federalist."

That volume is recognized by historians as the most authoritative source of contemporaneous interpretation and construction of the origin of the United States Constitution.

For an exposition of the precise effects of this new form of government, we must turn to Letter IX by Alexander Hamilton as it appears in the 1877 edition of "The Federalist." In it he wrote:

> The proposed Constitution, so far from implying an abolition of the State governments, makes them constituent parts of the national sovereignty, by allowing them a direct representation in the Senate, and leaves in their possession certain exclusive and very important portions of sovereign power.

Hamilton was joined in that view by Madison who later wrote in Letter XLV as follows:

> The State governments may be regarded as constituent and essential parts of the Federal Government; whilst the latter is nowise essential to the operation or organization of the former.

Our Government was never purely national in character where unlimited majorities might trample a helpless minority.

It is not that today.

James Madison in Letter XXXIX of "The Federalist" cited several propositions of constitutional construction to prove that point, concluding in these words:

> The proposed Constitution, therefore, even when tested by the rules laid down by its antagonists, is, in strictness, neither a national nor a federal Constitution, but a composition of both.

Madison explained that ratification of the Constitution by sovereign States was a federal act; representation in the House, a national act; representation in the Senate, a federal act; election of the executive, a compound national-federal act, with emphasis on the former; in exercising its delegated powers, a federal act; and in amending the Constitution, again a compound national-federal act.

Those, Mr. President, are the checks and balances written into the organic law to protect the people, to protect the people's rights and to protect the sovereignty of the several States.

Discussing the sources from which the powers of government were to be derived, Madison said of Congress:

> The House of Representatives will derive its powers from the people of America, and the people will be represented in the same proportion, and on the same principle as they are in any legislature of a particular State.
>
> The Senate, on the other hand, will derive its powers from the States, as political and co-equal societies; and these will be represented on the principle of equality in the Senate, as they are in the existing Congress.

Mr. President, let us observe that language closely. It says "as they are in the existing Congress."

That was the Continental Congress and we know that it was based, without exception, on equality of the States as sovereign entities.

And that is the heritage of the Senate.

Thus, as I already have pointed out, the Senate was—and the Senate today is—the great repository of State sovereignty on the national level.

So-called majority rule, cloture, and unlimited democracy are as foreign to the constitutional concept of this body as it is possible to be.

What then, Mr. President, is the origin of the United States Senate?

It was created as the result of compromise.

The delegates to the Constitutional Convention were deadlocked hopelessly over the Virginia plan which was favored by the larger States and the Jersey plan which has the support of the less populous States.

Out of that conflict came a suggestion for resolving the differences. Dr. William Samuel Johnson, of Connecticut, according to the Secret Debates of the Convention, was the first to take the floor; and, in the course of his remarks, made a suggestion which subsequently was adopted and gave a leading character to the Constitution.

It appears to me,

He observed,

> that the Jersey plan has for its principal object, the preservation of State governments. * * * I could have wished that the supporters of the Jersey system could have satisfied themselves with the principles of the Virginia plan; and that the individuality of the States could be supported. It is agreed that on all hands, that a portion of the government is to be left to the States. How can this be done? It can be done by joining the States in their legislative capacity with the right of appointing the second branch of the legislature to represent the States individually.

With those words, Mr. President, was born the plan for the creation within the National Government of a protective repository for the sovereign powers of the sovereign States.

The discussion which followed that important suggestion naturally related to the make up and composition of the Senate.

James Madison urged that the Senate be so constituted as to have "permanency and stability."

Alexander Hamilton had this cogent appraisal as progress was being made toward the new Government:

> We are now forming a republican government. Real liberty is neither found in despotism, nor in the extremes of democracy, but in moderate governments.

That, Mr. President, is the very genesis of the U.S. Senate.

That, Mr. President, is what we are being asked to destroy here today.

It is interesting to note at this juncture that, after the close of debate on the subject, the States were divided five to five with the vote of Maryland split.

To resolve that impasse, a committee of compromise consisting of one member from each State was appointed. Its report, which was adopted by the Convention, declared that the first branch of the National Legislature should represent the people and that, in the Senate, "each State shall have an equal vote."

Which brings us to the consideration of the questions of whether the U.S. Senate is a continuing body and whether the Senate is the sole judge of the rules under which it functions.

"The Federalist" sheds important light on those subjects.

For instance, Hamilton in Letter LXII stressed that the Senate is more than just an appendage of the House. He alluded to the qualifications required of Senators and the nature of the senatorial trust as contradistinguished from membership in the lower branch.

He wrote of the Senate with great wisdom:

> The mutability in the public councils, arising from a rapid succession of new members, however qualified they may be, points out, in the strongest manner, the necessity of some stable institution in the Government.
>
> The internal effects of a mutable policy are calamitous. It poisons the blessings of liberty itself. * * *
>
> The want of confidence in the public councils, damps every useful undertaking; the success and profit of which may depend on a continuance of existing arrangements.
>
> * * * No government, any more than an individual, will long be respected, without being truly respectable, without possessing a portion of order and stability.

Commenting further along that same line in Letter LXIII on the permanence of the Senate as a continuing institution, Hamilton said:

> The objects of government may be divided into two general classes; the one depending on measures which have singly an immediate and sensible operation; the other depending on a succession of well-chosen and well-connected measures, which have gradual and perhaps unobserved operation. The importance of the latter description to the collective and permanent welfare of every country, needs no explanation.
>
> An assembly (the House of Representatives) elected for so short a term (2 years) as to be unable to provide more than one to two links in a chain of measures, on which the general welfare may essentially depend, ought not to be answerable for the final result, any more than a steward or tenant, engaged for one year, could be justly made to answer for plans or improvements, which could not be accomplished in less than half a dozen years.
>
> The proper remedy for this defect, must be an additional body in the legislative department, which, having sufficient permanency to provide for such objects as require a continued attention, and a train of measures, may be justly and effectually answerable for the attainment of those objects.

Now, Mr. President, those words adequately describe the role of the Senate

and prove beyond all doubt the deliberate intent of the framers of our Government to create it as a continuing body.

Let us listen further to Hamilton's words from the same letter:

As the cool and deliberate sense of the community ought in all governments, and actually will in all free governments, ultimately prevail over the views of its rulers; so there are particular moments in public affairs, when the people, stimulated by some irregular passion, or some illicit advantage, or misled by the artful misrepresentations of interested men, may call for measures which they themselves will afterwards be the most ready to lament and condemn. In these critical moments, how salutary will be the interference of some temperate and respectable body of citizens, in order to check the misguided career, and to suspend the blow meditated by the people against themselves, until reason, justice, and truth, can regain their authority over the public mind?

We do not have to wonder, Mr. President, of what time he spoke.

This is that hour.

I read further from Letter LXII which emphasizes that the Senate is more than an "upper house":

I am not unaware of the circumstances which distinguish the American from other popular governments, ancient as well as modern. * * * Many of the defects, as we have seen, which can only be supplied by a senatorial institution, are common to a numerous assembly frequently elected by the people, and to the people themselves. * * * The people can never willfully betray their own interests; but they may possibly be betrayed in the hands of one body of men, than where the concurrence of separate and dissimilar bodies is required in every public act.

We must not forget, Mr. President, that our Constitution may very likely have been rejected had it not been for the explanations of its true meaning as set forth in The Federalist.

A further evidence of the intention of the framers of our Constitution to create the Senate as a permanent and continuing body is found in the Constitution itself—in article II, section II, paragraph 3 which confers on the President the "power to fill up all vacancies that may happen during the recess of the Senate."

I would call the particular attention of the Members of this body, Mr. President, to the use by the framers of the word "recess" rather than the word "adjournment" in describing the periods during which the Senate would not be in session.

It would be well in this connection for us to refer to the legal definition of the word "recess."

In the case of *State ex rel. Landis, Attorney General* v. *Thompson* (170 So. 464, 125 Fla. 466), the Supreme Court of Florida set forth this definition:

A "recess" operates to continue the assembly in sesssion pursuant to its original convocation but with the interposition of an interval in its program of parliamentary business during which the membership must remain within call of the presiding officers and are not permitted to disperse but are required to remain available to be called to order for resumption of parliamentary business when the period agreed upon for the recess has expired.

And the Court of Appeals of New York put it this way in the case of *Reynolds* v. *Cropsey* (150 N.E. 303, 241 N.Y. 389):

A recess of a term of court decisively and inevitably indicates a temporary suspension of its proceedings. It denotes that its proceedings have been suspended for a short time for some purpose, and everybody having business with it naturally understands that, after such brief suspension, it will resume its proceedings.

It is only logical to assume, therefore, Mr. President, that our Founding Fathers considered the Senate to be a permanent and continuing body which would be available for service at the call of the President at any time.

As a matter of fact the Supreme Court of the United States so held in 1926 in the case of *McGrain* v. *Daugherty* (273 U.S. 135). In that instance, it ruled:

The rule may be the same with the House of Representatives whose Members are all elected for the period of a single Congress; but it cannot well be the same with the Senate, which is a continuing body whose Members are elected for a term of 6 years and so divided into classes that the seats of one-third only become vacant at the end of each Congress, two-thirds always continuing into the next Congress, save as vacancies may occur through death or resignation.

Now, as to the question of whether the rules of the Senate carry over from session to session and are permanent, valid and subsisting until changed by proper procedure, let us look to John Jay for information. He provided us with the incontrovertible answer in letter LXIV of "The Federalist."

It was wise, therefore, in the (constitutional) convention to provide, not only that the power of making treaties should be committed to able and honest men, but also that they should continue in place of a sufficient time to become perfectly acquainted with our national concerns, and to form and introduce a system for the management of them. The duration prescribed, is such as will give them an opportunity of greatly extending their political information, and of rendering their accumulating experience more and more beneficial to their country.

Nor has the convention discovered less prudence in providing for the frequent elections of Senators in such a way, as to obviate the inconvenience of periodically transferring these great affairs entirely to new men—for, by leaving a considerable residue of the old ones in place, uniformity and order, as well as a constant succession of official information will be preserved.

That language shatters once and for all time the contention that the life of the Senate is only 2 years and that its rules must be altered from session to session.

Furthermore, the Senate itself has twice during this decade reaffirmed the continuing status of the Senate and its rules—by a vote of 70 to 21 at the beginning of the 1st session of the 83d Congress in 1953 and by a vote of 55 to 38 at the beginning of the 1st session of the 85th Congress in 1957.

Mr. President, the system "formed and introduced" in the Senate to manage and resolve grave issues of national concern has served the country well.

The tragic inconvenience of periodic upheaval in this institution of the Government has been prevented and "uniformity and order" have been insured.

How has this been done?

There can be only one answer in the light of history.

It is that the Senate has functioned through wise and just rules which have withstood the tortuous test of time.

And the guarantee of free debate for all its Members is the most important of them.

If there were any doubt about that point, the Founding Fathers resolved it by writing into the Constitution in article I, section V, paragraph 2 that each House is sole judge in determining the rules of its proceedings.

We have seen from the quotations I have read from "The Federalist" that the Senate is not an "upper house" of the Congress in any sense of the word.

The Senate exercises quasi-executive functions in relation to the treatymaking power.

The Senate sits as a judicial body in impeachment proceedings.

The Senate must give its advice and consent to the appointments of the Executive.

The Senate is the safeguard of State sovereignty on the national level.

The point has been made that the Senate's cloture rule is more liberal than the similar rules of most State senates.

The truth of the matter is that the Senate of the United States cannot legitimately be compared in any terms with either State senates or with assemblies of foreign nations.

To attempt to make such comparisons is to misconstrue totally the unique position which the United States Senate occupies in our Federal-State structure.

It is essential to our interests as a Nation that we keep vital and inviolate our system of checks and balances of which the continuing nature of the Senate and freedom of debate within it are integral parts.

With continuity of direction and unlimited debate in the United States Senate, all Americans have the assurance that no act jeopardizing their rights ever will be proposed without some Member of the Senate having the opportunity to resist it and to warn the Nation of its consequences.

Those who would cite Thomas Jefferson as their authority for gagging the Senate can get no comfort from his actual words on the subject.

In Jefferson's Manual of Parliamentary Procedure, he wrote:

The rules of the Senate which allow full freedom of debate are designed for protection of the minority, and this design is a part of the warp and woof of our Constitution. You cannot remove it without damaging the whole fabric. Therefore, before tampering with this right, we should assure ourselves that what is lost will not be greater than what is gained.

Another quotation from Jefferson contained in the preface to his manual reads as follows:

Mr. Onslow, the ablest among the Speakers of the House of Commons, used to say it was a maxim he had often heard when he was a young man, from old and experienced

members, that nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority against the attempts of power. So far the maxim is certainly true and is founded in good sense; that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and have become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check and which the wantonness of power is but too often apt to suggest to large and successful majorities.

And whether these forms be in all cases the most rational or not, is really not of so great importance. It is much more material that there should be a rule to go by, than what that rule is; that there may be a uniformity of proceeding in business not subject to the caprice of the Speaker or captiousness of the members. It is very material that order, decency, and regularity be preserved in a dignified public body.

On a subsequent occasion, Jefferson had this to say concerning the protection of minority interests:

Bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will to be rightful, must be reasonable; that the minority possess their equal rights, which equal laws must protect, and to violate would be oppression.

There has been much ado about the early rules of the Senate having included authority for moving the previous question.

Though such was the case, the rule was carried over automatically from the Continental Congress and, after being used only four times in 22 years, was discarded during Jefferson's term as President.

It would be wrong to conclude that cloture could be imposed in the Senate during that period through a motion for the previous question. To the contrary, such a motion was debatable and consequently did not have the effect of limiting debate.

It is argued by the opponents of free debate that here in the Senate of the United States is the only place in the world where gag rule does not prevail.

My answer to that, Mr. President, is "So what."

The patriots who established this Government were free men and did not elect to surrender their new and hard-won liberties nor to copy the governments of foreign lands where freedom either did not exist or came and went with the political tide.

Through the medium of free debate, Mr. President, the Senate provides the machinery by which all measures affecting the lives, fortunes, and sacred honor of the American people can be put to the critical test of unhurried examination by the collective intellect of a body expressly created as one of our governmental checks and balances.

Those who would destroy that right contend it imperils democracy and thwarts the wishes of the majority. In their zeal they forget that its very purpose is to provide a restraint upon the abuses of unbridled majority rule and, even more important, to protect the rights of the minorities of this Nation.

Our wise Founding Fathers were aware that the excesses of democracy can be as fearful in their consequences as are the excesses of totalitarianism. To safeguard against both extremes they gave us our republican form of government with its delicately contrived system of checks and balances of which freedom of debate in the Senate is at least an implied, if not actual, part.

Now is no time to forget the lessons of history.

If the United States Senate commits suicide by repudiating the continuity of its rules or by moving another step closer to majority cloture, we will see the day when it is regarded by the American people as nothing more than a useless appendage of the House of Representatives.

As a newcomer, but one who has worked long and hard to be entrusted by my fellow Georgians with a seat here, I fear for the future of this institution if the stature of its continuing nature is diminished or if freedom of speech in it is further curtailed.

Before tearing down a Chamber that has served the United States and its people well, Senators should search for truth by asking:

"Will we destroy the checks and balances so obviously afforded under our present system?

"Are we so blind as not to realize that if free debate perishes in the Senate that our leaders in the future will be rising like jacks-in-the-box to move the previous question?

"Do we not know that this evil thing will become the weapon of the majority party or coalition to be resorted to habitually in stifling all opposition?

"Do we not know that when such an event comes to pass that minority thought and opinion will lie prostrate and defenseless against the tyrannical abuses of any transient majority that might for the moment occupy the seats of the Senate?

"Have we forgotten that everyone, at one time or another, belongs to a minority?

"Have we lost sight of the unchanging truth that unbridled majority sway without proper restraint is mob rule?

"Are our memories so short that we have forgotten the maxim that free government destroying dissenting opinion, thereby destroys itself?

"Have we forgotten that in such circumstances dictatorship of one form or another steps into the vacuum thus created to wrest all rights from the people, minorities and majorities alike?"

The alternative to unlimited debate is gag rule which was aptly defined by the late Senator Reed as "the last resort of the legislative scoundrel."

The issue at stake here is far more fundamental than any mere question of legislation. It is as basic as freedom itself. Gag rule, and its stepchild, censorship, are abhorrent to and incompatible with our American heritage.

Franklin D. Roosevelt, while Governor of New York, foresaw just such dangers to the Republic, in a radio address on States rights, delivered March 2, 1930, when he warned:

The moment a mere numerical superiority by either States or voters in this country proceeds to ignore the needs and desires of the minority, and, for their own selfish purposes or advancement, hamper or oppress that minority or debar them in any way from equal privileges and equal rights—that moment will mark the failure of our constitutional system.

His warning, valid then, is even more so today.

It is a concern Americans share fullest in this hour.

It is a concern which the Senate can ignore only at its own peril.

It is a concern which the Senate can allay only by upholding the continuity of all its rules as they are written.

Let no man forget that central governments of general and unlimited power are like the grave. They cry incessantly: Give! Give! Give!

Mr. President, freedom is a fragile flower and must be tended by the people and their spokesmen in this Senate with that close watchfulness necessary to keep our Government responsive at all times to the will of the people.

Mr. President, I hold fealty for both my State and my Nation.

In no instance has there even been any conflict or problem in that for me for I know, Mr. President—as every loyal American knows—that what is best for my State also is best for the country as a whole.

That is the reason, Mr. President, that I shall vote to uphold the integrity of the Senate as a continuing repository of State sovereignty and as an instrumentality through which individual freedoms are protected in the manner envisioned by the men who founded this great Nation.

The prayer of all Americans who cherish their freedom and their form of government will be, Mr. President, that the majority of the Senate will vote likewise.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. TALMADGE. I yield to the Senator from North Carolina.

Mr. ERVIN. I read a great many editorials and a great many columns and hear a great many remarks of commentators on the radio which accuse those of us who happen to represent States in the South with the capacity to prevent the passage of legislation. There are in the Senate 98 Members, are there not?

Mr. TALMADGE. The Senator from North Carolina is correct.

Mr. ERVIN. There are only 22 Senators from the Southern States, even in

those rare cases when none of the 22 secede from the Confederacy.

Mr. TALMADGE. The Senator is correct.

Mr. ERVIN. If all 22 Senators from the Southern States were to stand together they would constitute only 22.45 percent of the membership of the Senate, whereas the other 76 Senators from other areas would constitute 77.55 percent of the membership of the Senate.

Mr. TALMADGE. The Senator is correct.

Mr. ERVIN. Does the Senator from Georgia think that the southern Senators, who are used so often as whipping boys by columnists, editorial writers, and others, and who constitute 22.45 percent of the membership of the Senate, can be justly convicted of having the power to thwart the will of the other 77.55 percent of the Senate?

Mr. TALMADGE. The Senator is entirely correct. To sustain a filibuster requires one more than one-third of the Senate; and, as the Senator has so ably pointed out, if all the southern Senators were to unite, which they have never done since I have been a Member of the Senate, and make every effort to sustain a filibuster, they would not have sufficient numbers to do so.

I have been a Member of this honorable body only 2 years. The only filibusters I have seen in the Senate were conducted by Senators who said they were opposed to filibusters. Undoubtedly the Senator has noticed the same thing.

Mr. ERVIN. Does not the Senator agree that there is no validity in the premise that the rules of the Senate must be changed on this point in order to prevent the 22.45 percent of southern Senators from thwarting the will of the other 77.55 percent of the Members of the Senate?

Mr. TALMADGE. The Senator is entirely correct. The thinking is wholly fallacious; and I might add, as the Senator so well knows, that if we were to establish a policy of voting every 2 years that the Senate had no rules whatever, even though such rules have been in effect since 1789, a period of 169 years, and have been confirmed by every Senate since that time, including among the membership such men as John C. Calhoun and other able Members who have served from 1789 to date, and even though such rules have been approved by the Supreme Court of the United States, instead of being the United States Senate, this body would suddenly become a mob of 98 men.

Mr. ERVIN. The able and distinguished junior Senator from Georgia has, to my knowledge, made a very profound study of this entire question, and also the history relating to the subject.

Mr. TALMADGE. We endeavored to do so in a subcommittee of the Committee on Rules and Administration. The subcommittee held hearings for several weeks during the 85th Congress. One hundred and thirty-four witnesses appeared before the subcommittee, either in person or by way of statements. Representatives of such organizations as the American Legion, the Veterans of Foreign Wars, the Daughters of the American Revolution, and many other organizations testified in favor of the rules of the United States Senate as written.

Mr. ERVIN. I think the colloquy between the Senator from Georgia and myself has demonstrated the fact that the mountain has been in labor and has brought forth one nonsensical mouse, namely, the absolutely invalid premise that 22.45 percent of the membership of the Senate, consisting of Senators from Southern States, can thwart the will of the other 77.55 percent. I ask the Senator from Georgia if he has noticed a great amount of argument in editorials and heard arguments over the radio, to the effect that the reason some drastic change in the Senate rules is needed is that rule XXII has been used either exclusively or almost exclusively to prevent the passage of so-called civil rights legislation.

Mr. TALMADGE. The Senator is entirely correct. They go even further with the proposal which is now pending before the Senate. They think they have apprehended a mouse in the barn, and they believe that the way to eradicate the mouse is to burn down the barn.

Mr. ERVIN. Exactly. Has not the Senator from Georgia learned, as a result of his study of this subject, that since 1850 there have been approximately 45 or 50 filibusters in the Senate, excluding from consideration filibusters which were conducted by Senators who said they were opposed to filibusters, and who were merely engaging in unlimited educational debate?

Mr. TALMADGE. The Senator is correct.

Mr. ERVIN. If we were to add the filibusters conducted under the name of educational debate, by Senators who denied that they were engaged in filibustering, there would be in the neighborhood of 100 filibusters in the Senate.

Mr. TALMADGE. The Senator is correct. The filibusters have represented every area of the United States, and every type of thought, including that of those who usually style themselves as liberals.

Mr. ERVIN. The first time I ever learned anything about filibusters was when I was 12 years of age. I was brought to the Senate gallery by my father. The elder Bob La Follette, of Wisconsin, was conducting a filibuster. He was one of the greatest liberals the country ever had, in the good, old-fashioned sense of the term "liberal." That was back in the days when liberals did not seek to make everyone conform to their ideas. He was a true liberal. He was not illiberal.

Mr. TALMADGE. His idea was to protect the people from the Government, instead of making the people the creatures of government.

Mr. ERVIN. The Senator is correct.

Mr. LAUSCHE. Mr. President, I did not hear what the Senator from North Carolina said a moment ago.

Mr. ERVIN. I said that the first time I ever heard anything about filibusters was when I was 12 years of age. I was brought to the Senate gallery by my father. I heard my first filibuster. It was being conducted by the elder Senator Robert M. La Follette, one of the greatest true liberals ever to grace the North American continent.

I ask the Senator if the RECORD does not show that there have been only seven filibusters against so-called civil rights bills?

Mr. TALMADGE. The Senator is correct.

Mr. ERVIN. I ask the Senator if the RECORD does not show that four of those filibusters occurred in the following years: 1942, 1944, 1946, and 1947?

Mr. TALMADGE. The Senator is correct.

Mr. ERVIN. They were filibusters against a proposal to abolish, by Federal statute, laws of States imposing poll taxes as a prerequisite to registration and voting.

Mr. TALMADGE. The Senator is correct.

Mr. ERVIN. I ask if each of those four filibusters was not conducted within a period of 11 years after the Supreme Court of the United States had handed down the decision—still in effect—in the case of Breedlove against Suttles, reported in 302 U.S. 267, under which decision each of the four bills which were filibustered against would have been held to be unconstitutional if they had been enacted into law?

Mr. TALMADGE. The Senator is correct.

Mr. ERVIN. That leaves three filibusters, besides filibusters against the unconstitutional proposal relating to civil rights. Is not that correct?

Mr. TALMADGE. The Senator is correct. As the Senator will recall, during the War Between the States a so-called filibuster saved the right of habeas corpus itself, which is guaranteed by the Constitution of the United States.

Mr. ERVIN. That was at a time when southerners were not in the Senate.

Mr. TALMADGE. That is correct.

Mr. ERVIN. I ask the Senator from Georgia if history does not show that two other filibusters were conducted against civil rights bills, one being conducted in 1922 and another in 1938, against so-called antilynching laws.

Mr. TALMADGE. The Senator is correct.

Mr. ERVIN. Those filibusters were conducted against antilynching laws at a time when lynching had become probably the most infrequently committed crime in the United States.

Mr. TALMADGE. The Senator is correct.

Mr. ERVIN. I ask the Senator if the other filibuster against so-called civil rights bills was not conducted against the FEPC bill, which proposed, in effect, to say to the people that those who put up their hard-earned money to conduct a business should not have the right to determine for themselves whom they should hire, promote, or discharge, but that that power should be exercised by some politician who did not know anything whatever about the business which was being conducted.

Mr. TALMADGE. The Senator is entirely right.

Mr. ERVIN. As I said before, the fact is that the mountains have labored and have brought forth two mice. The first is that 22 southern Senators can work their will on the other 76 Members of the Senate; the other is that filibusters have been conducted against civil rights bills almost exclusively.

Mr. TALMADGE. During the 85th Congress a civil rights bill was passed without resort to cloture, although most of the southern Senators were opposed to the bill.

Mr. ERVIN. Is it not true that the history of the use of the filibuster in the Senate shows that the right to filibuster has been exercised in 80 percent of the cases by Senators who come from above the Mason-Dixon line, and that in the great majority of that 80 percent the filibusters were conducted by Senators who are liberals and who insisted on the right of having a reasonable amount of debate guaranteed to them as the only method by which minorities, especially liberal minorities, could exercise their functions as U.S. Senators?

Mr. TALMADGE. The Senator is entirely correct.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. TALMADGE. I am delighted to yield to the distinguished Senator from Pennsylvania.

Mr. CLARK. I thank my friend from Georgia. Speaking only for myself, I should like to associate myself with the comment just made by the distinguished senior Senator from North Carolina. I too agree that civil rights legislation is not the only important matter in connection with the changing of rule XXII. To my mind there are other issues which require an amendment of that rule. They involve such measures as mutual security, foreign policy, trade policy, urban renewal, slum clearance, highway programs—all those programs for which the senior Senator from Pennsylvania and various other members of the party to which the Senator from Georgia and I are proud to belong are eager to see written on the statute books by the 86th Congress.

The senior Senator from North Carolina is quite right when he says that this issue should not be, and must not be, an issue of civil rights. The issue is whether the Senate will modernize its procedures so as to meet the challenge of the modern world. I thank my friend from Georgia.

Mr. TALMADGE. I will say to my good friend from Pennsylvania that bills relating to every subject he has enumerated were passed by the last several Congresses without any effort on the part of anyone to filibuster against any of them.

Mr. CLARK. I am sure that we will not agree on this point—and I do not wish to have the last word in the discussion, because the Senator from Georgia has the floor—but to my way of thinking the threat of the filibuster has hung over the passage of legislation in all the categories of legislation to which he has referred, much of which was not passed and much of which when passed was passed in forms, to my way of thinking at least, not so effective as might otherwise have been, had majority rule prevailed.

Mr. TALMADGE. I recall no attempt on the part of any Member of the Senate in the past 2 years, since I have been a Member of the Senate, to filibuster or attempt to filibuster in any way against any piece of legislation enumerated by my distinguished friend from Pennsylvania. The legislation might not have been passed in the form I had desired or that the Senator from Pennsylvania had desired, but in the final analysis it was passed by the Senate in accordance with the desires of the majority of the Members of the Senate.

Mr. CLARK. In all candor I would have to agree with my friend from Georgia that one cannot put his finger on a specific piece of legislation passed since he and I have been Members of the Senate when an active, open filibuster prevented a bill from being passed. The point is that the threat of the filibuster is constantly present in the mind of every Member of every committee as legislation is being considered, and in my humble judgment—and I am sure the Senator from Georgia and I will not agree on this point—it is that threat which is making it difficult for the Senate to modernize its procedures.

Mr. TALMADGE. I am sorry to have to disagree with the Senator from Pennsylvania. I have heard of no intimation of any threat of any filibuster on the part of any Member of the Senate with respect to any piece of legislation which the Senator from Pennsylvania has enumerated.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. TALMADGE. I yield.

Mr. ERVIN. Does not the Senator from Georgia agree with me that this is what the Senator from Pennsylvania, in substance, has said? "While I do not have any evidence to prove my case, I am satisfied that my case exists."

Mr. TALMADGE. I believe that might be a correct summary of the allegation which the Senator from Pennsylvania has made.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. TALMADGE. I am delighted to yield.

Mr. CLARK. I am sure that since the Senator from North Carolina has brought my name into the discussion, the Senator from Georgia will yield briefly to me once more.

Mr. TALMADGE. I am delighted to yield to the distinguished Senator from Pennsylvania.

Mr. CLARK. I should like to say to my good friend from North Carolina that every now and then even in the Senate we must sometimes indulge in the practice of amateur psychiatry.

Mr. TALMADGE. Mr. President, I yield the floor.

Mr. SPARKMAN obtained the floor.

Mr. CASE of South Dakota. Mr. President, will the Senator from Alabama yield briefly to me so that I may ask that a motion I intend to make may be read at the desk?

Mr. SPARKMAN. I ask unanimous consent that that may be done without my losing my right to the floor.

The PRESIDING OFFICER (Mr. McGEE in the chair). Without objection, it is so ordered.

Mr. CASE of South Dakota. Mr. President, I submit a notice of motion to amend a rule of the Senate. A copy of it is at the desk, and I ask that it be read.

The PRESIDING OFFICER. The Secretary will read the notice of motion.

The legislative clerk read as follows:

NOTICE OF MOTION TO AMEND THE RULES

In accordance with the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention hereafter to submit a resolution proposing to amend rule XIX, relating to debate, by inserting after paragraph No. 1 of the said rule the new paragraph, No. 2, as follows:

"2. At any time during the consideration of a bill, resolution, or other matter pending before the Senate, it shall be in order to offer a motion that the Senate proceed with the consideration of amendments, which motion shall be privileged and decided with not more than 1 hour of debate, to be equally divided between opponents and proponents.

"If such a motion shall be determined in the affirmative, any amendment thereafter proposed, together with debate thereon, and all debate under the order for pending business shall be required to be germane to the subject matter before the Senate. All questions of relevancy under this rule, when raised, including appeals, shall be decided without debate.

"Change the numbers of the succeeding paragraphs of the rule.

"The purpose of the proposed amendment is to provide for the consideration and germaneness of amendments, together with debate thereon, to a matter pending before the Senate."

Mr. CASE of South Dakota. I thank the Senator from Alabama for his courtesy.

Mr. CLARK. Mr. President, will the Senator from Alabama yield briefly to me?

Mr. SPARKMAN. I ask unanimous consent that I may be permitted to yield to the Senator from Pennsylvania for the purpose of offering an amendment, without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, on behalf of the Senator from New Mexico [Mr. ANDERSON], the Senator from Colorado [Mr. CARROLL], the Senator from Oregon [Mr. MORSE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Illinois [Mr. DOUGLAS], the Senator from California [Mr. KUCHEL], the Senator from New Jersey [Mr. CASE], the Senator from New York [Mr. JAVITS], and myself, I send to the desk an amendment to the motion submitted by the Senator from New Mexico [Mr. ANDERSON], and I ask that the amendment may be printed and placed on the desk of all Senators tomorrow and lie on the table. I also ask unanimous consent that the text of the amendment may appear in the CONGRESSIONAL RECORD at this point in the proceedings.

The PRESIDING OFFICER. Is there objection?

There being no objection, the amendment will be received, and printed, and will lie on the table; and without objection, the amendment will be printed in the RECORD.

The amendment submitted by Mr. CLARK, for himself and other Senators is as follows:

Resolved, That, in accordance with article 1, sec. 5 of the Constitution which declares that "each House may determine the Rules of its proceedings" this body proceed now to the immediate consideration of the adoption of Rules for the Senate of the 86th Congress.

SEC. 2. The Standing Rules of the Senate of the 86th Congress shall be the same as the Standing Rules, other than rule XXII, of the Senate of the 85th Congress.

SEC. 3. Consideration of the form of rule XXII for the Senate of the 86th Congress shall be the next order of business of the Senate.

Mr. SPARKMAN. Mr. President, the known evidence is overwhelming that the Senate is a continuing body. For one thing, according to the Constitution, custom and judicial precedent, the Senate of today is the Senate that was set up by the Constitution.

This concept of a continuing Senate is borne out by the writings of many authoritative authors, including Hamilton, Madison, and Jay in the Federalist papers. In many of the Federalist papers, we see a marked feeling on the part of those persuasive writers that the Senate should be organized as a stabilizing factor to counterbalance the ever-changing lower House, which re-formed completely every 2 years; that the upper House would continue to exist from session to session despite the changes in the House of Representatives.

The following quotations from the Federalist papers have especial importance in this regard:

Those who can best estimate the value of a steady administration will be most disposed to prize a provision which connects the official existence of public men with the appropriation or disappropriation of that body (the Senate) which, from the greater permanency of its own composition (as compared with the Office of the Presidency), will in all probability be less subject to inconstancy than any other member of the Government (No. 77, pp. 476–477).

By leaving a considerable residue of the old ones (Senators) in place, uniformity and order, as well as a constant succession of official information, will be preserved (No. 76, p. 402).

According to most of the recognized authorities in the field of government, there is little doubt that the Senate of the United States is a continuing body. Former Senator Henry Cabot Lodge wrote in his "Senate of the United States," page 11, that—

The Senate had never required reorganization since the beginning of the Government.

According to William F. Willoughby, former Director of the Institute for Government Research:

It [the Senate] * * * meets fully organized and provided with rules determining its method of procedure.

Willoughby, "Principles of Legislative Organization Administration," page 243:

[It] * * * is a continuing body.

Haynes, "Senate of the United States," page 341.

Prof. Edward S. Corwin, editor of the annotated volume of the Constitution published by the Library of Congress, says:

The Senate is a continuing body. * * * Hence its rules remain in force from Congress to Congress except as they are changed from time to time, whereas those of the House are readopted at the outset of each new Congress.

Mr. President, earlier today, the distinguished Senator from North Carolina [Mr. ERVIN] quoted from a very valuable book which is a part of the material in every Senator's desk and was made available to Senators last year. It is entitled "Senate Procedure" and was written by our Parliamentarians, Mr. Charles L. Watkins and Mr. Floyd M. Riddick. Reference is made to this question in that book. The Senator from North Carolina did not quote one statement, however, which I think should be quoted in addition to what he said. On page 545, this statement is made by our two eminent authorities:

On two occasions in recent years, at the beginning of the last two Congresses, motions to proceed to the consideration of the adoption of new rules were tabled and the Senate proceeded under the old rules which has been the practice and custom of the entire history of the Senate.

I think it is rather significant that our Parliamentarians saw fit to include that statement in their book, "Senate Procedure," which has been placed in the hands of every Senator to assist him in his duties in the Senate.

Although judicial authority for the proposition that the Senate is a continuing body is rare, there is an important Supreme Court case which has pronounced directly on this question. In *McGrain* v. *Daugherty* (273 U.S. 135 (1926)), the Court held that the Senate is a continuing body and made the following pertinent observation:

(The Senate) is a continuing body whose Members are elected for a term of 6 years and so divided into classes that the seats of one-third only become vacant at the end of each Congress, two-thirds always continuing into the next Congress, save as vacancies may occur through death or resignation.

The highest courts of two States recognize the rule of decision in the *McGrain* case: *Robertson* v. *State* ((Indiana, 1887), 79 N.E. 582), and *Swing* v. *Riley* ((California, 1939), 90 p. 2d 313).

It is true that article I, section 5 of the Constitution provides that "each House may determine the rules of its proceedings." No legislative assembly can function without the power to organize its proceedings according to its lights.

I may say that that statement applies not only to any legislative body; it applies to any organization or any group of persons who form themselves into an organization. We all know that usually the first thing which is done is to establish rules; or if the organization does not write its own rules, it adopts an existing system of rules of order. Some times the organization adopts what is known as a constitution and bylaws. It is quite significant, I think, that in every instance one of the rules adopted is a rule setting forth the procedure by which the rules may be amended.

I think there is some analogy in the Constitution of the United States, which, after all, establishes the rules under which the Federal Government shall operate. It is quite significant that one of the articles in the Constitution was utilized for the purpose of stating how those rules might be amended. It may be worthy of note that two ways were named; and in neither way was it to be done by a simple majority. More than a simple majority is required for each House of Congress to propose to the States a constitutional amendment. More than a simple majority is required for the States to ratify such a proposal. Or if the States want to initiate action to amend the Constitution, more than a simple majority of States is required to do so.

There is nothing unusual about that kind of procedure, either in the Constitution of the United States, under which the Federal Government operates, or in the rules of any other legislative body, organization, or group who form themselves into an organization for the purpose of carrying on regular business. But the United States Senate is not an ordinary legislative body, as has been pointed out. It must function according to the design of its organization. This design, as has been mentioned, envisaged the Senate as a body that was to have continuity, that would "outlive" the lower House and furnish stability as well as deliberation to the national legislature. Therefore, the rules that have been adopted by the Senate are passed along to succeeding Senates, and they, of course, can be altered only in conformity with the procedures which have been incorporated in those rules for the purpose.

Thus, those who support rule XXII, or any other rule of the Senate, do not contend that the Senate lacks power to choose its own rules, but that it must continue to fulfill the role laid out for it over a period of a century and a half; it must preserve its link with previous Senates by adhering to custom, practice, and constitutional dictates.

The customs and practices of the Senate also bear out the idea of a continuing body. The Senate does not formally adopt new rules at the beginning of a new Congress. It proceeds to business without the necessity of doing so—unlike the House, which must formally adopt a new set of rules—for the reason that it is not really a different entity than its predecessor. Therefore, it operates under the same rules. To assert that the Senate has actually been tacitly readopting previous rules by acquiescence, as do opponents of rule XXII, is to ignore the actual practice of past Senates or to attempt to explain it away with legal fictions.

In addition to these customs, the rules of the Senate and the Legislative Reorganization Act of 1946 appear to be predicated upon the basic concept that the Senate is a continuing body. According to Senate rule 25(2) each standing committee shall continue to have the power to act until their successors are appointed. Section 134 of the Reorgani-

zation Act provides that each standing committee of the Senate is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate as it deems advisable. In accordance with its well-established customs, the Senate continues in operation its various committees and officers without regard to the expiration of a particular Congress.

The executive activities of the Senate further illustrate its nature as a continuing body: Treaties submitted by the President do not have to be resubmitted at the next term of Congress—they remain the Senate's business; executive activities may be conducted, when necessary, at special sessions called by the President, according to the Constitution article II, section 3; were the Senate not designed as a continuing body, we should hardly find the Founding Fathers drafting such a provision.

These long-continued, contemporaneous and practical precedents, necessarily predicated upon the concept of the Senate as a continuing body, must be given great weight. A congressional instruction of the Constitution which has been followed since the founding of the Federal Government is entitled to great respect.

During the debate in the Senate on the question of whether to censure the late Senator McCarthy, attention was focused on the report of the committee headed by Senator Watkins. In this report was incorporated the idea that the Senate was a continuing body. It was necessary to resolve the question before the vote could be taken due to parliamentary technicalities. In voting in favor of the censure, the Senators so voting were also placing their approval on the continuing body doctrine.

If the Senate were to decide that it must adopt new rules at the outset of a new term, it might well be that parliamentary chaos would result. Were entirely new rules to be adopted, it would be exceedingly difficult to determine under which set of rules of the many that exist the Senate would proceed. Few, if any, Senators have had a voice in the drawing up of the various sets of precedents and rules that are to be chosen from. As each new rule would be debatable, an intolerable length of time might well elapse before the Senate could organize itself.

Often one hears it asserted by those opposed to rule XXII that, somehow, the notion of majority rule is inherent in the democratic system. Such is not the case. The Senate itself was expressly designed for the purpose of slowing down the process of lawmaking so that calm and due deliberation might be given to measures rushed through the lower House, even though a majority there might be in favor of them.

Majority rule is valid only as opposed to minority rule. Outside of that equation, it does not characterize the democratic way of life as it exists in this country.

Amendments to the Constitution, approval of treaties, impeachment trials and overriding the Presidential vetoes are examples of cases wherein more than a simple majority is required.

The Senate is sometimes compared with the upper house in several State legislatures, which do not regard themselves as continuing bodies and which have rather liberal cloture rules. This is very misleading. The Senate can in no really valid way be compared with any other legislative body in the country.

It is unique. As pointed out above, it is the embodiment of the Federal-State relationship upon which the Union was founded; its Members represent not small segments of their States, arbitrarily chosen, but the whole State. In a very real sense they come to the National Government as ambassadors from their respective States, and not as representatives of an inferior and subservient entity.

A State legislature is an entirely different matter. It was not created under the special conditions that attended the birth of the Republic. It has its own constitution and may order the procedure in its own Legislature as it sees fit. It represents only the people of that particular State.

The Constitution offers further proof that the framers of that document thought it desirable that provision be made for dilatory tactics, so that the majority of the moment might not override a minority. Article I, section 5, provides that, at the desire of one-fifth of those present, the years and nays of any vote must be entered on the Journal.

The use of dilatory tactics, such as the filibuster, has not by any means wrought the damage claimed by the opponents of rule XXII. No really meritorious bill, sincerely desired by a majority, has ever been defeated permanently by a filibuster. On the other hand, many unwise measures have been defeated by this method. It should be noted that the Senate, without majority cloture, passes a larger amount of bills introduced in that body than does the House of Representatives, which has a strict limitation of debate.

Of course, Mr. President, those who would force the Senate to adopt rules at the beginning of each Congress, usually have in mind the modification or change of rule XXII, the rule that permits free and extended debate. Thus the debate going on now really relates to this proposed change.

In considering the vital question of changing Senate Rule 22, one should also know and understand the nature and purpose of the Senate.

The upper House of the National Legislature is not just another assembly of lawmakers. It is a very special organization and this must be kept in mind whenever the expediencies of the moment seem to necessitate some changes in its mode of operating.

The kind of body that the Senate is will readily be understood on examination of the basis upon which the Republic was founded and the Constitution adopted. In order to induce the several States to cede a portion of their sovereignty to the National Government, it was necessary to insure to the States that the portion of sovereignty not given up would be protected, and that all States, regardless of their size and population, would have an equal voice in the Senate. In order to accomplish these purposes, the Senate was created, composed of two Members from each State, at first chosen by the State legislatures. The Senate was originally envisioned as an assemblage of ambassadors from the States, in part at least, wherein could be heard the voices of those representing the States as States.

The Members of the House of Representatives speak as representatives of special districts within their States and for the interests of their own particular localities. But when a United States Senator stands up to speak in the Senate, he speaks not for an arbitrarily marked-off district within his State, but for the whole State and all its people. Whenever he addresses the Senate, one is necessarily reminded of that special relationship existing between the Federal Government and the States, created by the Constitution when it bestowed certain enumerated powers upon the National Government and reserved the rest to the States.

This necessary delineation of power was clearly and specifically spelled out in the 10th amendment.

Let me read this amendment. Without it the Constitution would never have been ratified by several of the Thirteen Original Colonies, nor accepted by many within those Colonies that had ratified it prior to the amendment's adoption.

It is an amendment that each of us should read often and follow implicitly.

It says:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

The Senate is the embodiment and preserver of this relationship between the State government and the National Government. Diminish it to the level of the ordinary body of elected representatives and the federation of States which makes up the Union will turn into another power state, with a strong and dominant central government and 49 provinces.

Since the Senate is the only forum in which can be heard the voice of one chosen by the people of a State to represent them, it is essential that the right of such a one to be heard should not be trammeled, confined, and ultimately choked off at the whim of a group which might well be moved by special interests.

Rule XXII may well be viewed as a device for the protection of the minority against the dictation of the majority of the moment. This rule, insuring the right of reasonably unhampered debate, exists from Congress to Congress—as will be shown later—and assures to all the right to be heard. It would not be abolished to fit what some conceive to be the interests of the moment. It is a wise rule embodying a fundamental principle adhered to by the Senate since the formation of the Republic. It protects not only what may be the minority of today, but also what may well become the minority of tomorrow. As the noted

columnist, William White, pointed out a few days ago:

The ultimate victims of halting Senate debate by simple majority would be any or every minority and any or every minority interest or issue, given a favorable atmosphere for the majority.

In this regard, Mr. President, I have had letters from many parts of our Nation outside the South expressing grave concern over both the argument that the Senate is not a continuing body and the proposal to change the Senate rule of free and extended debate.

A typical letter is one from Wisconsin. Let me read it to the Senate:

DEAR SENATOR SPARKMAN: If we are to believe what we read in the papers (and I guess most of us do), it is most likely the first session of the new Congress will open with a fight which I believe is of great importance to us all. The subject of which I am sure you are well aware is the contemplated move to bring about a changing of the Senate rules. This disturbs me very much.

It is not at all that I believe in the status quo—far be that from true. You no doubt are more familiar with the motives behind this plan than I am. It is my belief the motive is precisely one which the current rule on filibusters was devised to make secure. This is the protection of minority groups. The recent election to the contrary, I am sure it would be provable that a vast majority of the people in this country, if they were brought to understand the full meaning of the rule, would not vote for any individual on the basis of supporting a change.

The proponents of this rule change are endeavoring to alter the basic foundation of our democratic form of government under which you were given by your constituents so great a responsibility. It seems to me the stability of our whole Federal system relies heavily on the Senate maintaining itself as a continuing body. There have been wide swings in political thought many times during our history. A relatively true course has been maintained, primarily because of the steadying influence of the Senate. At this precarious time in world history, to jeopardize the one Government which stands above all others by such an expeditious move as has been proposed by some, seems to me traitorous in nature.

I am making this appeal to you to stand firm, not because the company for which I work has extensive industrial interests in your State, but because I as an ordinary citizen with a family have a deep concern that I discharge my responsibility to them. This is the least I can do.

Sincerely,

———— ————.

Rule XXII also protects the Senate against being turned into a body dominated by the machine rule of a few "bosses," who could then direct the proceedings of the Senate through the party-caucus method, dispensing favors and patronage to the faithful Members.

The processes of the U.S. Senate have purposely been made slower and more deliberate than the House of Representatives in order that proposed legislation can be thoroughly examined and debated and so that the full force of informed public opinion can be brought to bear upon the measures being considered by Congress.

Inherent in the idea of popular representative government is the belief that the elected representatives of the people should remain responsive to the well-informed and enlightened will of the people. It is becoming increasingly difficult to keep the representatives of the people in real touch with those who chose them, but to a very real extent this is done in the case of the Senate. In that body, both by tradition and according to the fundamental concepts of the Constitution, a great measure of free debate and deliberation exists. This enables the Members of the Senate to slow down the impetus given to proposed legislation by the headlong procedures of the House, and hold new measures, so to speak, up before the public gaze.

The Senate sits in a sort of appellate capacity with respect to proposed laws. It is its duty to go carefully over them, and this can hardly be done without ample freedom of debate. Debate is limited in the House of Representatives. This may be quite fitting for a body with such a broad and popular basis of membership as the House of Representatives, but it hardly suits the Senate. It is essential that one place be left for thorough-going debate, and this is only possible in the Senate.

Another important aspect of the Senate's function is its force as a check upon the executive branch of the Government. For this purpose it is imperative that the Senate be permitted complete freedom to express itself; otherwise, it would fall submissive on many occasions to presidential and party autocracy, thus vitiating the idea of the separation of powers so essential to our system of Government.

No doubt many Senators, if not all, have read the most excellent statement in letter form made by the distinguished Senator from North Dakota [Mr. LANGER] about a month or so ago on the question of rule change.

It is well to repeat his statement here. He said:

I have been advised that another effort will be made to change rule XXII when the 86th Congress convenes.

After 18 years experience in the U.S. Senate, I am unalterably opposed to limiting debate in the Senate, the one place left in this world for free and untrampled discussion. My views upon this have been stated so often on the Senate floor that it is not necessary for me to fully restate them here.

Don't you think it mighty strange when oldtimers like Bob La Follette and Charles McNary and men of their fine type totally rejected the limitation of debate that some Senators on the pretext of passing some civil rights bill, are going to give those opposed to liberal legislation the chance to wreck the passage of liberal bills. As Senator McNary so well stated, "A good bill never has been killed by a filibuster, but many a bad bill has been prevented from becoming a law by a few fighting liberals."

To go back even further into the history of unlimited debate in the Senate, I quote Senator Harris, of Tennessee, who, in 1891, states as follows: "So I assert with absolute confidence that from the 26th day of March 1806, there has been no proposition to limit general debate in the Senate that has not been rebuked as an attack upon free speech and upon the rights of the States and the people and dangerous to well-considered legislation as well as to civil liberty. They have been, as they ought to have been, invariably defeated."

It is interesting to note from Senator Harris' quotation that unlimited debate is most necessary to protect our civil liberty, whereas today the proponents of the change of rule XXII would destroy that protection to civil liberties just because they feel that a civil rights bill cannot pass under existing rule XXII.

I would like to reiterate what I said on the Senate floor on March 11, 1949, in discussing rule XXII when I stated, "I wish to say that during the 8 years I have been here, I have voted for every bill, without exception, calling for the establishment of civil rights in this country. So, today, I wish to make it very plain that I vote to override the decision of the Vice President, I am still a firm, fighting friend of civil rights—just as strong a friend of civil rights as I ever was: and if the Democrats will begin tomorrow or Monday with a really serious effort to carry out Mr. Truman's civil rights program, I assure my friend the distinguished majority leader [Mr. Lucas] that he will find me voting with him every single time. I hope the Democratic Party will do that. I hope they begin on it right away, and never quit until they secure the enactment of that civil rights program. I think they will receive a great deal of support from Senators on this side of the aisle."

I believe that we, the members of the Senate can best understand the great need to have complete debate on the Senate floor if we would study the speeches of our predecessors in office. For example, read the speech of Senator La Follette of March 8, 1917, beginning on page 40 in the CONGRESSIONAL RECORD in which he also quotes from Senator George Gray (Delaware); Senator John Coit Spooner (Wisconsin); Senator Henry Moore Teller (Colorado) who spoke on this subject on the 22d of January 1891. Speeches by other distinguished Senators, can be found in volume 116 of the CONGRESSIONAL RECORD, 51st Congress, 2d session, beginning on page 1670 and running through pages 1740, where, in 1841, many distinguished Senators from all sections of the country expressed the great need for unlimited debate.

In closing, I regret to see such fine men as the proponents for a change of Senate rule XXII deceiving themselves in doing something, which if they succeed, I believe they will live to regret.

Critics of so-called filibusters in the U.S. Senate say that extended debate is a violation of majority rule.

Actually the present Senate rule does not provide an opportunity to set up an absolute barrier against action. The rule is that a vote of two-thirds of the full membership of the Senate is necessary to shut off debate. But two-thirds can do so.

The idea is that it should be hard to shut off debate. That is a good idea. There are other provisions in our governmental structure which make it hard to take certain action, such as amending the Constitution.

Protection of the individual and of minorities is an underlying purpose in certain basic provisions of the Constitution. Making such provisions is essential to a genuinely free system.

The Senate rule as to shutting off debate does make it harder at times for a majority to act. But it also can protect a minority.

Broad freedom of discussion, like other freedoms, does involve risks. But they are risks essential to true liberty.

Perhaps it would be helpful to review briefly how the present Senate rule XXII came into being.

The present Senate rule XXII took its form in February 1949, during the 1st session of the 81st Congress, and reads as follows:

1. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, except subsection 3 of rule XXII, at any time a motion signed by 16 Senators to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day but 1, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question: Is it the sense of the Senate that the debate shall be brought to a close?

2. And if that question shall be decided in the affirmative by two-thirds of the Senators duly chosen and sworn, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

3. The provisions of the last paragraph of rule VIII (prohibiting debate on motions made before 2 o'clock and of subsection 2 of this rule) shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the Standing Rules of the Senate.

When the first Senate convened in 1789, a rule was adopted providing that, when a question was before the Senate, no motion shall be received unless for an amendment, for the previous question, or for postponing the main question, or to commit, or to adjourn. In 1806 the rules were modified and reference to the previous question was omitted; no other cloture provisions were made.

In 1807, debate on an amendment at the third reading of a bill was forbidden and from this time until 1846 there were no further limitations on debate in the Senate. In that year a species of cloture came in known as the unanimous-consent agreement, a device for limiting debate and expediting the passage of legislation. During the Civil War debate in secret session on matters relating to the war was limited by rule to 5 minutes by any Member and was confined to the subject.

In 1868 the Senate adopted a rule providing that motions to take up or proceed to the consideration of any question should be determined without debate.

In 1870 the Senate adopted the Anthony rule limiting debate on the call of the calendar to one 5-minute speech per Senator on any question. The Anthony rule was made a standing rule in 1880—rule VIII. During the 1870's Senate debate on appropriations bills was limited by the 5-minute rule.

In 1881 the Senate agreed, for the remainder of the session, to limit to 15 minutes debate on a motion to consider a bill or resolution, no Senator to speak more than once, or for longer than 5 minutes.

In 1884 the Senate amended its rules, so as to provide that all motions, made before 2 o'clock, to proceed to the consideration of any matter shall be determined without debate—rule VIII. In the same year the Senate amended its 10th rule, so as to provide that all motions to change the order of precedence on special orders, or to proceed to the consideration of other business, should be decided without debate. Also in that year the Senate provided by rule that motions to lay before the Senate any bill or other matter sent to the Senate by the President or the House of Representatives should be determined without debate—rule VII.

In 1908 it was decided that Senators could, by enforcement of the rules, be restrained from speaking on the same subject more than twice in the same legislative day.

The next important change in the Senate rules came in March 1917, when Senator Walsh's amendment of rule XXII was adopted. This permitted debate to be brought to a close by the affirmative vote of two-thirds of the Senators present and voting, assuming a quorum. In February 1949,during an attempt further to liberalize this rule, the requirement was added, by the Wherry-Hayden amendment, that the two-thirds vote must be made up out of the Senate as constitutionally organized, not just those present. Since then, a vote of 64 Senators has been required for debate to be ended. With the coming of 2 Senators from Alaska the number now required is 66.

The question before us now is basic: Is the Senate a continuing body? All the decisions, precedents, and practices over the years have been to the effect that the Senate is a continuing body.

Believing that, I shall vote against the Anderson motion.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "Rule 22," which was published yesterday in the Washington Evening Star.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

RULE XXII

The most important issue which will have to be faced at the outset of the 86th Congress, opening today, is concerned with the fate of something known as Senate rule XXII—the so-called filibuster rule.

At stake are two sections of this rule. One, on the theory that the Senate is a continuing body, provides that its rules carry over from one Congress to the next, and that debate on a proposal to change the rules cannot be limited. The other section provides that debate on any proposal except a rules change can be limited only if two-thirds of all the members vote for such action.

Thus, at the outset, the liberal Senators are faced with two problems. Unless there is some kind of compromise, they must wear out a filibuster against a proposal to change Rule 22, or they must find some hitherto undiscovered parliamentary device for getting around it. Then, assuming that the unlimited debate phase of the rule is changed, they must persuade the Senate to adopt a modified cloture, or debate limitation, rule.

As a practical matter, the choice probably will come down to a decision between the positions taken by Majority Leader LYNDON JOHNSON and Senator PAUL DOUGLAS of Illinois. Senator JOHNSON favors a change by which cloture could be invoked by two-thirds of the Senators actually present and voting. The Douglas proposal, in the last analysis, would permit cloture by a simple majority vote. As between the two, we think Senator JOHNSON'S plan is greatly to be preferred.

The Senators who support the Douglas plan say that they are doing so in the interests of securing "civil rights." No doubt they are sincere. But there are at least two good reasons for looking with grave misgiving on their approach.

One is that this "majority rule" formula is a two-edged sword. Today it may cut through procedural obstructions to what a "liberal" majority thinks of as desirable civil rights laws—laws designed to improve the lot of minority groups. But rule by a majority of one can be, and often has been, an instrument of oppression. Furthermore, the political coloration of majorities is subject to change. If in the future the reactionaries should get control of the Senate, we suspect that the "liberal" Senators, and the minority population groups, would take a very dim view of simple majority rule.

The second and perhaps more important reason has to do with the nature of the immediate objectives of the rule changers. They believe and they probably are right that, given simple majority rule, they can pass much tougher legislation directed against resistance in the South to integration and other civil rights measures. For our part, we doubt that such tough legislation would be wise or desirable. It is one thing to pass tough laws which may have a vote-getting appeal outside the South. It is something else to enforce those laws without violent upheavals which, in the long run, could do much harm to the legitimate objectives of a civil rights program.

It may be undemocratic, un-American, or what have you, to argue, in today's circumstances, against "majority rule." Nevertheless we hope that the Senate will not let itself be stampeded or pressured into accepting a simple majority limitation on debate—a change which could plague this country for a long time to come.

Mr. SPARKMAN. Mr. President, I yield the floor.

Mr. MORSE. Mr. President, at the beginning of this speech I wish to call attention to rule XIX, and then I wish to propound a parliamentary inquiry.

Paragraph 1 of rule XIX reads as follows:

1. When a Senator desires to speak, he shall rise and address the Presiding Officer, and shall not proceed until he is recognized, and the Presiding Officer shall recognize the Senator who shall first address him. No Senator shall interrupt another Senator in debate without his consent, and to obtain

such consent he shall first address the Presiding Officer, and no Senator shall speak more than twice upon any one question in debate on the same day without leave of the Senate, which shall be determined without debate.

My parliamentary inquiry is as follows: Am I correct in my assumption that this is my first speech on the issue now before the Senate, under rule XIX?

The PRESIDING OFFICER (Mr. McGEE in the chair). The pending question is the proposal of the Senator from New Mexico; and this is the first speech of the Senator from Oregon on that proposal.

Mr. MORSE. Mr. President, I ask for the ruling because in the very introduction of this speech I wish to make clear the purposes of the speech; and it has more than one purpose.

The first purpose is to speak to this RECORD in regard to the overall subject of modifying the rules of the Senate so that rule by the minority—now permitted under rule XXII of the Senate—will come to an end.

As I have said to my liberal friends in the Senate, in a series of conferences in recent days, I do not think this issue is as separable as the procedures attempted thus far in the debate in the Senate this year would seem to indicate. In those conferences with liberal Senators, I have taken the position, that first in this debate we ought to make an overall record, particularly for the benefit of the new Members of the Senate and for the benefit of the people of the country, as to the pros and cons on the compilation of issues that are involved. In those conferences with my liberal friends in the Senate, it has been my position that we should not be voting on the Anderson motion or the Johnson resolution or the proposal of the Senators from Illinois, Minnesota, New Jersey, and New York until there has first been presented for this RECORD a body of discussion and argument on the many facets of the overall subject. Mr. President, it is important that I make that statement at least for the information of my colleagues in the Senate, so they will better understand the procedure which I am following tonight in the Senate.

Mr. President, on yesterday I sought to participate in discussing this overall issue. I was on my feet several times for that purpose. In fact, I was on my feet, seeking the floor in my own right, when the majority leader moved that the Senate adjourn.

Mr. President, the comment I now make is not in any way meant as a personal reflection on the majority leader or on any other Member of the Senate. It is a very impersonal comment; but it goes to the same basic, procedural safeguards in the Senate accruing to the parliamentary rights of all Senators that, so long as I sit in the Senate, I am going to seek to protect; and it matters not to me who may be the majority leader at any time or what party he may represent.

Mr. President, I am so dedicated to the proposition that the procedural rights of all Members of this body, including the rights of minority Members, must be protected at all times, that I have no intention of following any majority leader at any time on any proposal which in my judgment transgresses upon those rights.

So, Mr. President, when, on yesterday, while the majority leader was holding the floor in his own right after having made his speech on the issue pending before the Senate, we were confronted with a motion that the Senate adjourn, I immediately asked for a yea-and-nay vote, because I thought it important to make a record vote on that matter.

Now, there is no question about the parliamentary right of the majority leader to make his motion to adjourn. But making the motion to adjourn did not, Mr. President, protect what I always thought was the proposal of those holding to the point of view of the majority leader on the merits of the general legislative issue before the Senate—that they believed in full debate in the Senate.

And so I took the position, Mr. President, that at least the motion to adjourn should not have been made until the majority leader had yielded the floor and given an opportunity to other Senators to speak in their own right on the merits of the issue. What it involved in effect, Mr. President, was an imposition of cloture upon Members of the Senate who wanted to proceed yesterday to discuss the issue on its merits.

Oh, I know it can be said that a majority of the Senate voted to adjourn. Of course, they did. But there is a lot of difference between what a paper record will show and what those of us who have been in the Senate for many years know happens to be the real desire of many Members of the Senate.

And I tell you, Mr. President, it is my opinion, based upon what many Members of the Senate said to me yesterday and again today, that what the vote really represented, more than anything else, was whether or not we were going to support the leadership of the majority leader on a procedural matter on that date—not that individuals thought on the merits we ought to shut off debate by this form of cloture.

It always pains me when I cannot support my majority leader on a procedural matter. But, Mr. President, I shall always oppose the kind of procedure that the majority leader followed yesterday, because I believe after one Senator has had his say on the merits of an issue, those on the other side of that issue ought to have an opportunity, immediately thereafter, to present their case on the merits.

This is a great educational body. What is said in this body, Mr. President, has a great effect on American public opinions. The American people were entitled yesterday to our answers to the position taken by the majority leader; but the exercise of his great prestige and influence in the Senate as majority leader, by a motion to adjourn, had the effect of cutting us off from that opportunity of full debate. I made very clear to the majority leader I did not like it, as did some others in the Senate yesterday.

The procedure followed today, Mr. President, was also procedure that I do not intend to support, so long as I am in the Senate.

There was a series of conferences this morning by some Senators, and it was reported that out of those conferences came an understanding by those in attendance at the conferences that a motion to lay on the table would be made by the majority leader some time this afternoon, and voted on some time between 4 and 6 p.m.—thus, it was said, making it possible for Members of the Senate who have social engagements tonight to arrange to accommodate themselves to those engagements.

Well, as I have already explained on the floor of the Senate today, anybody who entered into that understanding did not enter into it on my behalf or on behalf of other Senators who have come to me and made clear to me that they share exactly the position I have taken on this procedural matter.

So I made clear that if the majority leader made his motion to lay on the table, he certainly was within his parliamentary rights. There was not anything I could do to stop him, if he got the floor, as I was sure he would get the floor, because as we all know, it is the standard practice, and rightly so, that when the majority leader seeks recognition, he is recognized. After all, we could not conduct the work of the Senate, in my judgment, unless those privileges and courtesies were granted to the majority leader.

But I also made clear that if he made the motion to lay on the table, he would, in effect, be applying a form of cloture against members of the Senate who wished to discuss this matter, and its many ramifications, on its merits, before any vote was taken on any phase of the subject matter. That was a decision for him to make; but I stated I would always exercise my parliamentary rights under the rules of the Senate, in accordance with what my best judgment dictated.

That is no new position for liberals. Mr. President, for decades liberals in the Senate of the United States have had to protect their minority rights by exercising their rights under the rules of the Senate. I remember that after the first speech I made in the Senate in 1945, young Bob La Follette, a distinguished Senator from Wisconsin at that time, came over and sat down along side of me after I had finished. He said to me, "I have a bit of advice to give to you. Make a study of the rules of the Senate and, as a liberal, be ready to exercise your prerogatives under those rules, when movements are on in the Senate to use the rules for the purpose of steamrolling tactics or to defeat the type of legislation that the public interest calls for, and for which liberals are renowned to stand."

I have followed that advice through 14 years in the Senate, and I am following it tonight, because in my judgment it would be unfair to permit this issue to go to a vote tonight. At least the new Members of the Senate should have an opportunity to read the RECORD of today's proceedings, because in my opinion a very important record has been made today by previous speakers. I think before new Members of this body

are called upon to make their records on this issue, with which they are going to have to live throughout their political lives in the future, they should at least have time to do their book work. The new Members should have an opportunity to at least read the pros and cons on this great issue as presented today in this historic debate.

Mr. President, every new Member of the Senate is going to discover, as those of us who have been here for some time have already discovered, that many people in this country are familiar with the importance of this issue and the democratic process in passing legislation in the Senate of the United States. I have said many times, and I repeat tonight, that I think the people of the country are way ahead of the Senate of the United States on this issue. It is my opinion that the overwhelming majority of the people of this country who have taken the time to give consideration to this parliamentary problem share the point of view of those of us who think the rule should be modified so that the principle of majority vote can prevail in the Senate on the passage of legislation, which means, of course, that the principle of majority vote also would have to prevail with respect to rules for the implementation of the legislative process in the Senate of the United States.

In fairness to these new Members who in my judgment are about to be called upon to cast a vote with which they are going to have to live on their record with their constituents for years ahead. I think they should be given more time than was proposed to be allowed by the suggestion that a motion to lay on the table would be made some time between 4 o'clock and 6 o'clock this afternoon, and voted upon in that period of time.

Several colleagues who were not parties to any conference at the Vice President's desk in the Senate this morning have told me they were not bound by any understanding which was reached at that desk, and that they completely shared my point of view that, if possible, a vote on this matter today should be prevented.

I have served for a long time as somewhat of a watchdog in the Senate on such matters as this, so I agreed to follow the parliamentary course which at least had a good chance of preventing a vote from occurring tonight. I made perfectly clear to the majority leader that if I were recognized before he was recognized to make his motion to lay on the table, there would be no vote tonight. I made very clear that I did not think it right or fair to impose that type of cloture upon the Senate today; that I had always stood in the Senate for a procedure which would permit adequate time to discuss the merits of issues before a vote.

Of course, the rules provide for a motion to lay on the table, and of course the motion is nondebatable, and of course it could have been made by the majority leader at any time. But I made clear that in making the motion he would have to assume full responsibility for denying to those in the Senate who I knew wanted to discuss this matter on the merits a full opportunity to discuss it on the merits. When the majority leader understood that I was irrevocably adamant in regard to my position, being the very able leader that he is, and recognizing the importance of at least trying to reconcile conflicting points of view, he made the suggestion earlier this afternoon, that he would seek recognition at 11:30 tomorrow morning to make his motion at that time, reserving, as the RECORD will show he did reserve, the right to exercise his wise discretion in case the debates tomorrow morning on the part of others indicate that a longer period of time for discussion of the merits would be desirable.

I appreciate the position which the majority leader took, and I make these statements about it because my cards are always on the top of the table.

Therefore, the purposes of my speech tonight are at least twofold. First, my purpose is to prevent a vote from occurring tonight, until the written RECORD can be made available to the Members of the Senate for their study before they vote tomorrow; and my second purpose is to make my case on the record with respect to the merits of the overall problem which confronts the Senate.

Mr. President, in the last 2 hours, since it became known that I would exercise my parliamentary right under the rules to prevent a vote tonight, I have had many conversations with my colleagues. Some of them have said that they would be delighted to stay if I wished them to stay. In each instance I told them, "You can read, and I see no reason why you should stay if you have another engagement."

My views have been stated over 14 years, from time to time, in the RECORD. They are familiar to the older Members of the Senate. I shall insert many of them in the RECORD tonight, and give a synopsis of others, but I want the RECORD to show I appreciate the courteous statements made to me by colleagues who gave me their assurance of their appreciation for the parliamentary course of action which I am taking.

It is not easy or pleasant, so far as the first purpose of my speech is concerned, to follow this course of action. It is much more pleasant to be in a situation where I am not in conflict with the leadership of my party in the Senate on any matter. But I feel that this particular matter, under the procedure which has been proposed, involves the rights of all of us, and that we would not have an adequate opportunity for full debate.

I shall never hesitate, Mr. President, no matter how impolitic or unpopular it may be, to exercise my rights in keeping with the very sound advice that Bob La Follette gave me in 1945, to protect what I consider to be some very precious safeguards under the rules of the Senate in respect to full debate.

Therefore I shall speak on the merits of the filibuster issue which I think should be discussed and made a matter of record, prior to a vote on the Anderson motion tomorrow, and then suggest a recess until 10 o'clock a.m. tomorrow. But if that does not meet with the pleasure of the Senate, I shall then make, under rule XIX, my second speech of the day, and see Senators in the morning.

As to the merits of this issue, I have never been one who held to the point of view that the Senate of the United States is not a continuing body. I have always taken the position that the Senate is a continuing body. There is nothing whatsoever inconsistent between that position and the position that, at the beginning of each new Congress, the Senate has the constitutional right to adopt rules.

The whole discussion of whether the Senate is a continuing body or not is completely irrelevant to the issue which confronts us, as to whether or not the power to end debate in the Senate should be based upon a majority vote and majority rule.

There has been discussion this afternoon by the distinguished Senator from North Carolina [Mr. ERVIN], a great and able lawyer, a distinguished former judge in North Carolina. He made reference to the case of McGrain against Daugherty, to be found in volume 273, United States Reports, at page 135. I have always said that I consider it controlling of the issue, so far as a judicial determination is concerned, as to whether or not the Senate is a continuing body. But I do not believe that we need this decision to determine that point. I think the Constitution of the United States determined it. I think it was determined when, in the Constitution, the terms of Members of the Senate and the provisions for their election were set up.

In all this discussion, it is an elemental fact that only one-third of the Senators happen to be elected every 2 years. Senatorial prerogatives, senatorial privileges, and senatorial powers of office, including investigative powers, are continued in respect to the other two-thirds—in fact, in respect to more than the other two-thirds; in respect to all those running for reelection as well.

But one does not have to rely upon such a constitutional interpretation as I have just made, in view of the fact that we do have McGrain against Daugherty. I shall read at this point a portion of McGrain against Daugherty, dealing with the question as to whether or not the Senate is a continuing body. But I ask that at the close of my speech there be printed in the CONGRESSIONAL RECORD the entire opinion in the case of McGrain against Daugherty, because other sections of the decisions besides those which I shall now read have a great bearing upon the entire question of the powers of the Senate. Those powers of the Senate are powers which it can exercise during the recess period after an adjournment sine die.

The PRESIDING OFFICER (Mr. MCGEE in the chair). Without objection, the decision will be printed as requested. (See exhibit 1.)

Mr. MORSE. Mr. President, I turn now to page 180 of volume 273, United States Reports in the case of McGrain against Daugherty:

> Another question has arisen which should be noticed. It is whether the case has become moot. The investigation was ordered

and the committee appointed during the 68th Congress. That Congress expired March 4, 1925. The resolution ordering the investigation in terms limited the committee's authority to the period of the 68th Congress; but this apparently was changed by a later and amendatory resolution authorizing the committee to sit at such times and places as it might deem advisable or necessary. It is said in Jefferson's Manual: "Neither House can continue any portion of itself in any parliamentary function beyond the end of the session without the consent of the other two branches. When done, it is by a bill constituting them commissioners for the particular purpose." But the context shows that the reference is to the two houses of Parliament when adjourned by prorogation or dissolution by the King. The rule may be the same with the House of Representatives, whose Members are all elected for the period of a single Congress; but it cannot well be the same with the Senate, which is a continuing body, whose Members are elected for a term of 6 years, and so divided into classes that the seats of one-third only become vacant at the end of each Congress, two-thirds always continuing into the next Congress, save as vacancies may occur through death or resignation.

Mr. Hinds in his collection of precedents says: "The Senate, as a continuing body, may continue its committees through the recess following the expiration of a Congress"; and, after quoting the above statement from Jefferson's Manual, he says: "The Senate, however, being a continuing body, gives authority to its committees during the recess after the expiration of a Congress." So far as we are advised, the select committee having this investigation in charge has neither made a final report nor been discharged; nor has it been continued by an affirmative order. Apparently its activities have been suspended pending the decision of this case. But, be this as it may, it is certain that the committee may be continued or revived now by motion to that effect, and if continued or revived will have all its original powers. This being so, and the Senate being a continuing body, the case cannot be said to have become moot in the ordinary sense. The situation is measurably like that in *Southern Pacific Terminal Co.* v. *Interstate Commerce Commission* (219 U.S. 498, 514–516), where it was held that a suit to enjoin the enforcement of an order of the Interstate Commerce Commission did not become moot through the expiration of the order where it was capable of repetition by the Commission and was a matter of public interest. Our judgment may yet be carried into effect and the investigation proceeded with from the point at which it apparently was interrupted by reason of the habeas corpus proceedings. In these circumstances we think a judgment should be rendered as was done in the case cited.

What has been said requires that the final order in the district court discharging the witness from custody be reversed.

Mr. President, I respectfully say that, on the basis of the Constitution itself, interpreted with great clarity by the Supreme Court in the Daugherty case, I have never been able to understand the argument of my colleagues in the Senate to the effect that the Senate is not a continuing body.

We all know that for all time within the memory of Members of the Senate, past and present, committees of the Senate have functioned during the so-called recess period, and that they have exercised subpena powers and have brought witnesses before them, who did not want to come voluntarily, by the exercise of those powers. The very exercise of those powers must be based upon the constitutional theory that the Senate is a continuing body, finally made so crystal clear in the Daugherty case, to which I have referred.

It is not pertinent or relevant to the argument to talk about the situation which exists in the House, except that as a matter of interest it ought to be pointed out—so I have been informed by the Parliamentarian, as I sought to do my book work on this subject—that the practice in the House in some specific instances is by resolution to provide for the continuation of the work of a committee of the House during a recess period or following adjournment sine die, but always under the provision that the work of that committee must be concluded prior to the taking up by a new House.

Therefore, I say, even in regard to the procedures within the House, it has been the practice by special resolution, adopted during the life of a given session of the House, to authorize the continuation of committee functions during a recess period, provided or with the understanding or under the mandate that the work of that committee and the report of that committee must be consummated before the taking up of a new session of the House of Representatives.

I mention it because in the course of the debate it has been said by some of my colleagues in the Senate that a Pandora's box would be opened if we took the position that all rules of the Senate were subject to formulation and adoption at the beginning of each new Congress.

Has anyone witnessed any Pandora's box being opened in the House over the decades in respect to this matter? It so happens that that is exactly what is done in the House. The House adopts new rules, I am advised, sometimes in a couple of minutes, usually at least in 3 minutes, by making a motion to reinstitute the rules of the last session of the House.

Therefore I have not been very much impressed by the fear arguments offered in this debate, that terrible conditions would take place in the Senate if we proceeded on the assumption that on the opening of a new Congress we could proceed to adopt new rules.

In some of our conferences with some of the leaders in the Senate who are opposed to the Anderson resolution and opposed to the Douglas-Javits-Case-Humphrey resolution, I listened to such arguments as this: "Look at the terrible position you would put the Senate in. You could not stop Senators from smoking on the floor of the Senate. You could not stop Senators from drinking on the floor of the Senate. You could not prevent them from brawling."

Mr. President, I thought I had heard a great many absurd arguments in my years of service in the Senate, but I have never heard an argument like that. I am sure we cannot imagine U.S. Senators engaging in the kind of conduct on the floor of the Senate which this scarecrow argument would imply. I just laughed at it, because that is the only way an argument like that should be treated; it is a laughable argument. Common decency, a sense of responsibility to the great trust the people of our State have placed in us, a dedication to democratic processes, and a great respect for self-government would be the checks against any such danger as that, just as they operate as checks over in the House.

It was said in one of those conferences, by one of our colleagues in the Senate presenting the leadership point of view: "You might get into the position that existed in the House some time ago when Representative Rankin took advantage of the situation to move that the Un-American Activities Committee should be made a standing committee of the House, and before the House knew what had happened, that had come to pass."

Well, Mr. President, there are a great many procedural safeguards in the House to prevent it if the will is there to exercise it. The argument is based on the false notion that a procedural mistake is irrevocable. It was made on the basis of the false assumption that something like that could happen in the Senate.

First, let me say, out of great respect for the House of Representatives, that the record of the House of Representatives in regard to this exercise of its constitutional prerogative to determine its own rules, as provided in article I, section 5, of the Constitution, has been an admirable record. It has been one which, in my judgment, supplies a complete answer to those who are trying to scare the Senate into believing that a Pandora's box would be opened up and that chaos would prevail on the floor of the Senate if we simply proceeded to exercise our rights under article I, section 5, of the Constitution.

It is an argument without substance. It is an argument which the experience of the House, over the decades, completely rebuts. It is an argument which does not take into account the inherent procedural right of any parliamentary body, such as the United States Senate, when organizing itself at the beginning of a new session of Congress, to adopt such new rules as it may deem necessary.

Mr. President, we do not act in a vacuum here. The Constitution itself provides clearly for the Senate of the United States the inherent power parliamentarily to govern itself. Under those inherent powers, I am at a complete loss to understand how anyone could seriously contemplate that a group of 98 Senators, elected by the people of the country, and having tremendous trust and responsibility imposed upon us, would convene in this Chamber and let chaos, pandemonium, and what has been exercised as a Pandora's box characterize its actions. It is simply pure nonsense. I happen to believe that those who make the argument know it to be so.

That leads me, Mr. President, to the next premise in my argument, because I must answer the question: "If you believe the Senate is a continuing body, then why do you support the Anderson resolution?"

I have answered that question so many times in the past, but will do so once again, for the record: Because the Senate has the right to proceed under article I, section 5, of the Constitution. So that the exact language will be in the RECORD, I will read it.

SECTION 5. Each House shall be the Judge of the Elections, Returns and Qualifications of

its own Members, and a Majority of each [House] shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two-thirds, expel a Member.

There are other parts to the section, but they do not relate to the matter before the Senate.

I have already pointed out that under the Constitution one-third of the membership of this body is elected every 2 years. We need to keep that operative fact in mind when we come to interpret article I, section 5, and its application to the exercise of the constitutional power by the Senate of the United States.

That is what the Vice President discussed in 1957; that is what he has discussed on several occasions during the past 2 days in this session of Congress—ably, with legal brilliance, and, up until this moment, unanswerably. There has not been a person in this debate who has made any rebuttal dent on the analysis made by the Vice President of the United States concerning the power of the Senate at the beginning of each new Congress to adopt rules governing its own procedure.

I said this morning that at a later time today I would answer what I consider to be the tortured construction given to the rulings made by the Vice President in the course of the debate today. Mr. President, I am a lawyer. In connection with the discussion of a legal issue, I am always concerned about the premises which are laid down both by the proponents and the opponents on the two sides of the issue.

Time and time again in the Senate, whenever I think anyone on the Republican side of the aisle is right on the merits of any issue before the Senate, I have been with him, because my job is to sit in the Senate and represent the legislative interests of the Nation, and not to represent partisan politics. I never have and I never will represent partisan politics.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. KUCHEL. I want to bear witness to the fact that today the able senior Senator from Oregon did a very courageous and a very fine thing when he commended the Vice President, the Presiding Officer of the Senate, who happens to belong to a different political party, but who nevertheless demonstrated, as the able senior Senator from Oregon today said, an independence of judgment 2 years ago in rendering a decision which the able Senator from Oregon and I and many other Senators approved and applauded. Yet that decision was denounced here today.

So far as I am concerned, I merely want the RECORD to show that my friend from Oregon demonstrated once again his courage and his independence of judgment in what he did.

Mr. MORSE. I appreciate the kind remarks of my friend from California. He knows the high regard in which I hold him. On another occasion, as we make a report concerning a joint venture we took during the recent recess as delegates from the Senate to a foreign country for the inauguration of the President of Mexico, I shall discuss the wonderful representation which the senior Senator from California gave to this country in his capacity as a delegate from the Senate.

I want the Senator from California to know that I have always appreciated his friendship and his unfailing professional attitude of fairness when he and I found ourselves in disagreement in our respective views as to the merits of some issue. The comment he has just made is particularly appreciated because all I did this morning was to be true to the same principle to which the senior Senator from California has been true on many occasions in the Senate.

This morning I simply exercised again my obligation to the people of my State. I was exercising an honest independence of judgment on the merits of the issue in accordance with where the facts led. That is my job; it is a primary responsibility, under my code of political obligation, that each Senator owes his constituents—namely, to follow where the facts lead, not where the politicians lead. Of course, many times there is quite a difference.

So I wish to return to the rulings by the Vice President.

First, Mr. President, when the rulings were made, the question was raised, in what capacity did the Vice President rule? Did he rule as an officer of the executive branch of the Government? If not, in what capacity did he rule?

I am sure that when any Senator asked such a question, he knew it was a rhetorical question, if not a heckling one, because all Members of the Senate know that the Vice President of the United States sits in the chair by direction of the Constitution, as the Presiding Officer of the Senate.

That is the capacity in which he sits; and in that capacity he sits as an officer of the Senate. And as an officer of the Senate he even has, under some circumstances, voting privileges in the Senate—for instance, the privilege of casting his vote to break a tie. That is the capacity in which the Vice President sits. The innuendo of some of the questions which were put to the effect that here was an officer of the executive branch of the Government, seeking to impose his will upon a legislative body, simply had no merit to them.

So we proceed from that premise. He sits, under the Constitution, as the Presiding Officer of the Senate, and, in that capacity, as an officer of the Senate.

It was implied—none too kindly, I thought, in view of the form which some of the questions took—that he seemed to think he was sitting there as a judicial officer. But certainly nothing in the conduct of the Vice President or nothing in the rulings of the Vice President would justify that implication.

The Vice President pointed out—and now I shall paraphrase his remarks, but I shall do so accurately—that such rulings as the ones he has made both in 1957 and in 1959 were in answer to parliamentary inquiries put to him. That happens to be his duty as Presiding Officer of the Senate. Senators can disagree with the conclusions he reaches in his rulings; and Senators are adequately protected, under the procedures of the Senate; we can appeal from the decision of the Chair. Any of us who has been here any number of years knows that has occurred on many occasions.

He was not seeking to lay down a judicial decree at all. On the contrary, in each one of those rulings the Vice President has very ably and very meticulously made clear that he was not deciding the question as to whether a given rule or proposed rule or part of any rule was unconstitutional. If we read the transcript of the Vice President's statements every time he has spoken on this matter to the Senate, both in 1957 and in 1959, we find that he very carefully pointed out that when a proposed rule or a proposed action on a rule came to issue before this body, and when in his judgment it involved a constitutional question, he would put that constitutional question to the Senate itself for determination.

Mr. President, what could be fairer? What could be a more careful exercise of his functions as Presiding Officer of the Senate?

In answering parliamentary inquiries which were put to him—for instance, in 1957—in regard to a subsection of rule XXII, and again on yesterday and today, the Vice President said that in his opinion the parts of the rule which sought to impose upon a Senate, at the beginning of a new Congress, a voting requirement other than a majority vote requirement for the ending of debate were unconstitutional.

But having said that, he did not bind the Senate; and, therefore, I am at a loss to know what all the forensic shooting is about. He said, in effect, "When we get to that issue, I will put it to the Senate for determination as to whether the Senate believes it to be unconstitutional."

Then, Mr. President, as I interpreted some of the colloquy, I reached the conclusion that there were among us those who seemed to think the Vice President would be guilty of some violation of his rights and prerogatives as Presiding Officer if he, in making a ruling from the Chair, said, "Because I think this rule is unconstitutional, I now submit it to the Senate, tne determination of the question as to whether an objection which might be raised by a point of order or by other procedural process is valid on the ground that the rule or the subsection of the rule in question is in violation of the Constitution."

Mr. President, it is obvious that not only would he not be in violation of his prerogatives as Presiding Officer, but also that he would not be much of a Presiding Officer if, holding to the view that a given proposal involved an unconstitutionality subject to a point of order, he would not submit it to the Senate for determination.

But then it is said, in the next criticism of the ruling of the Vice President, that there is some inconsistency in the ruling that the Senate, under article I, section 5, has the right to determine its

own rules of procedure, and the holding that at some later time it will have lost that right in respect to a rule which requires the limitation of debate by two-thirds vote.

Those who make that argument, I respectfully say, are not reading the Vice President's ruling from its four corners. They try, figuratively speaking, to take a forensic scissors and cut the Vice President's rulings in parts, and then take up just one part and discuss it as though it were his entire ruling. That, Mr. President, is a common forensic tactic sometimes exercised by those who have very weak arguments.

But it would be better, Mr. President, if they did not argue at all than to use that tactic, because what the Vice President said, when one takes his rulings from their four corners and reads them in their entirety, is that under article I, section 5, of the Constitution, each new Congress has the constitutional authority to determine its own procedures. And so, at the beginning of each session of the Congress, in the determination of those procedures the principle of majority vote shall prevail.

That is what the Vice President said, in legal meaning. It is easy to gloss over it. The Vice President did not say the Senate can lose a constitutional right. What the Vice President said is this, and I want to repeat it in the interest of clarity, and for the benefit of a political science graduate student who, sometime in the future, may be writing a master's thesis on this debate. By the way, I think the subject is worth a master's thesis for a political science department.

For the benefit of that thesis writer, Mr. President, I want to reiterate: The Vice President did not say a constitutional right was going to be lost. The Vice President said that, under the Constitution, at the beginning of each session of Congress, the Senate of the United States has the constitutional authority to determine its own rules.

Then he said, in effect, that in making that determination, a majority vote shall prevail. He did not say that in adopting rules for a given Congress, it could not bind itself in respect to a particular bit of Senate business, to a vote requiring other than a majority. That is the controlling point here, Mr. President, if Senators will not lose sight of the meaning of what the Vice President said.

Then the Vice President goes on in his ruling to say, in effect, if the Senate does not, in the beginning of a new Congress, exercise its constitutional right to adopt new rules, but proceeds without taking any rule action to run the Senate as it was run in the last Congress, it is to be presumed the Senate is proceeding under the rules of the last session of Congress.

There is nothing novel about that doctrine, Mr. President. We lawyers know what that doctrine is. If we proceed to make a record of conduct based upon the rules of the last session of the Congress, there comes a time—and it is not a very long time—when it is to be presumed that we have acquiesced to the proposition that the previous rules shall prevail in the new Congress.

I do not see how one can read the Vice President's ruling and reach any other meaning. I think the Vice President is absolutely right. That is why, Mr. President, yesterday some of us tried to be very careful. Some of our spokesmen got the floor—the Senator from New York [Mr. JAVITS], the Senator from New Jersey [Mr. CASE], the Senator from New Mexico [Mr. ANDERSON], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Illinois [Mr. DOUGLAS], and the Senator from Pennsylvania [Mr. CLARK]—who are the ones I remember offhand—and carried out the instructions which we had all agreed upon in so-called liberal conferences, that an effort should be made at the beginning of the session to make clear that we would not acquiesce in the rules of the Senate which prevailed in the last Congress.

That is why the RECORD shows these parliamentary inquiries: Under what rule is the Senator from Texas proceeding? Under what rule is the Senator from Georgia proceeding? The fact that article I, section 5, of the Constitution provides that the Senate of the United States may adopt rules of procedure does not mean at the beginning of each new Congress it must adopt new rules.

The Vice President is quite correct in my opinion. Any failure at the beginning of a new session of Congress to adopt new rules and the actual performance—or, as it is called the specific performance—of proceeding under the old rules by the Senate constitute acquiescence in the old rules. That is what the Vice President held, and I think unanswerably it is correct.

We then move to the next premise or tenet involved in this series of rulings by the Vice President, about which there were many dissents or at least reservations expressed in the debate in the Senate. That is the reference to that subsection of rule XXII which imposes a two-thirds voting requirement of the membership of the Senate in order to limit debate.

The Vice President never said that in carrying out the procedures of the Senate it could not formally adopt a voting requirement other than a majority vote to carry out the parliamentary business of the Senate. But the Vice President did say that if such a rule is sought to be enforced upon a new Senate at a time when Members of a new Senate are trying to revise the two-thirds requirement, such a voting requirement reaching him at the desk would be held by him to be an unconstitutional voting requirement because of the clear implication that under article I, section 5 of the Constitution a majority rule should prevail.

As I read the Vice President's rulings that is what he said. Again I say it is completely correct. I interpret that to be one of the reasons why the Vice President has been so careful in his rulings to discuss the question of acquiescence in the old rules.

It has always been my position that if under the constutitional provision of the power of the Senate to adopt its own rules we want to change the rule, it is important and necessary to do it at the beginning of a new Congress. That is not because we are not a continuing body, but because in a new Congress, with one-third of the Members new Members or reelected Members, that is the time, if the Senate is going to determine formally what its rules shall be, to make the rules decision under article I, section 5. At that time it is quite proper for the Presiding Officer of the Senate to rule that in an issue before the Senate which raises the question whether new rules shall be adopted in toto—or a specific new rule—a question of constitutionality is involved, in that an old rule may be in violation of the exercise of the constitutional right to adopt new rules under article I, section 5.

That is the argument of the Vice President as I interpret it, and I think it is unanswerably sound. The Vice President says in his ruling, "If you take this issue to the new Senate, as is proposed by the Anderson motion, and the Senate then seeks to implement the Anderson motion with the Douglas-Humphrey-Javits-Case of New Jersey rule XXII proposal, you can do it by a majority vote, because the old rule XXII would not be applicable at that point; and if an attempt is made to bind the Senate with the old rule XXII then as the Presiding Officer of the Senate I express to you my opinion that such rule is unconstitutional with respect to its two-thirds vote requirement because it is in conflict with the clear implication of article I, section 5; and I shall put that constitutional question to the Senate for its own determination."

So, a clear, consistent, unwavering line of holding on this matter has been given us by the Vice President both in 1957 and 1959.

In warning us about the danger of an acquiescence which might be looked upon as an application of the rule of laches on the part of the Senate in regard to its right to adopt a rule by majority vote with respect to rule XXII, the Vice President over and over again made clear that we could become bound by the old rules of the Senate by our own affirmative conduct and action on the floor of the Senate, by proceeding under the old rules.

Mr. President, I think that is a fair summary of the Vice President's position, as I interpret his position. It should be added that there has been a very loose use in the debate by some debaters of two legal terms: constitutional right and constitutional privilege. There has been an attempt to leave the impression that the Vice President has ruled that one can lose a constitutional right. The Vice President has not so ruled at all. The Vice President has ruled that under the Constitution the constitutional fathers provided the Senate with the privilege of determining its own rules.

Mr. President, those rules can take a variety of forms. Hypothetically, the first Senate could have said, "The rules of procedure of the Senate shall be the parliamentary rules provided in such and such a parliamentary manual." "Robert's Rules of Order" was not in existence at that time. The reference might have been made to any manual.

Or in subsequent years the Senate could have said, "The parliamentary

procedures of the Senate shall be the procedures of 'Robert's Rules of Order,' subject to the following modifications." The Senate has not seen fit to do that. It has drawn heavily upon standard works on parliamentary procedure, but it has written its own rules.

The Vice President has pointed out that we have carried out our constitutional prerogative from Congress to Congress. If we wish to be really technical, the fact is that we have adopted rules of the Senate on the basis of our conduct, actions, and acquiescence, time and time and time again. The record is replete with instances in which rules have been challenged, and attempts have been made to change them. In some instances such attempts have succeeded. But in the absence of specific action taken, we have adopted rules of the Senate at the beginning of each new Congress by our conduct of acquiescence. The Vice President did not spell it out in his able rulings, but I think it is clearly implied in his discussion that the time may come when, by acquiescence, the rules of a previous Congress, so far as the Senate is concerned, will apply.

Related to this subject is the question of a majority vote in the Senate. It has been said in this debate that those of us who argue that under the Constitution, in the absence of a provision to the contrary, the principle of majority vote is the rule are in error. Yet I think it is the clear implication of the Constitution of the United States that in the transaction of the legislative processes of the United States, a majority vote shall prevail on legislative matters unless there is specific provision to the contrary.

Our constitutional fathers knew how to provide for a voting requirement other than a majority vote when they desired to do so. I now read into the RECORD a list of specific instances in the Constitution in which they have provided for a vote other than majority vote.

Article I, section 3: Two-thirds of Members of Senate present required for conviction in cases of impeachment.

Article I, section 5: Each House may, with concurrence of two-thirds, expel a Member.

Article I, section 7: Veto may be overridden if two-thirds of each House agree to pass bill.

Article II, section 2: President may make treaties with concurrence of two-thirds of Senators present.

Article V: Congress may propose amendments whenever two-thirds of both Houses may deem it necessary; a convention to propose amendments must be called on the application of the legislatures of two-thirds of the States; amendment must be ratified by the legislatures or conventions of three-fourths of the States.

Amendment XIV, section 3: Congress may by a vote of two-thirds of each House, remove disability imposed by this section on persons who have engaged in rebellion against the United States.

As we lawyers would say, those are the words of limitation in the Constitution of the United States in regard to voting.

So far as the Constitution is concerned, the clear implication is that, in the absence of being confronted with one of the issues raised by the particular sections just referred to, the vote shall be by majority vote. Therefore, when we come to article I, section 5, in respect to the constitutional power of both Houses of Congress to adopt their own rules of procedure, the clear implication of the Constitution is that the exercise of rulemaking power under that article and section of the Constitution shall be by majority vote.

In my judgment that is what the Vice President has been telling us—and I think rightly so—but now we come to what I consider to be the most difficult question of all connected with this subject.

Does it follow, therefore, that in adopting our own parliamentary rules of procedure we cannot impose upon ourselves, through our rules, a voting percentage other than a majority in the transaction of Senate business? My answer is that, of course, we can. We have done it many times. Any parliamentary body can do it, in the absence of some organic law prohibition.

There is nothing in the Constitution, for example, which prohibits a cloture rule in the Senate requiring two-thirds of the membership of the Senate, two-thirds of the Senators present and voting, three-fifths, or any other percentage we might name to close debate.

The Vice President never has held, either by word or implication, that we could not adopt such a rule; yet in the debate today we found that some of our colleagues are apparently laboring under the false notion that the Vice President is saying that if we adopt a new cloture rule in the Senate it must provide for cloture by a majority vote.

He never even hinted at such a ruling. What the Vice President held was that when a new Congress proceeds to adopt new rules under article I, section 5, we do not have imposed upon us an old rule requiring a two-thirds vote; and that this is so because article I, section 5 clearly implies that the authority can be exercised by a majority vote, the simple reason being that the constitutional fathers set out by their words of limitation, those instances in which they sought to apply a vote other than a majority vote. However, they did not say in the Constitution, and it is not implied in the Constitution, that when we come to adopt these rules, they must be limited to requirements for majority votes.

That has been lost sight of in this debate. To put it in another way, there has been a forensic jumping from one facet of this issue to another facet of the issue in regard to the application of article I, section 5. To repeat it for purpose of clarity—and I hope it will be clear—when the Vice President ruled on the application of article I, section 5, of the Constitution, he did not say that in the adoption of new rules of the Senate we must limit ourselves to a majority vote rule for ending debate. However he did say, and rightly so, that in exercising that right to make our own rules, it shall be done by a majority of a quorum of the Senate, and that the majority of a quorum of the Senate would have the right, under article I, section 5 of the Constitution to adopt any percentage for limiting debate in the Senate it wished to provide.

I respectfully submit that that is the clear meaning of the Vice President's rulings in answer to the parliamentary inquiries which have been put to him. Consistent, clear, sound.

Sometimes this morning my colleagues seemed to be going on the assumption that if we went ahead and operated under the old rule XXII, and it was proposed to modify the old rule XXII, it could not be done by a majority vote. What the Vice President said was that in his opinion we could change it by majority vote, because any attempt to prevent a majority from determining its own rules under article I, section 5 would be in violation of that article and section. However, that majority could impose whatever percentage it wished to impose in order to end debate in the Senate.

In other words, what the Vice President said was that the act of adopting the rule is one thing, and the content of the rule that we adopt to govern us is quite another thing. So a majority could conscientiously and sincerely believe that a majority should not end debate and provide in adopting a new rule that a two-thirds percentage would thereafter be necessary to close debate for the life of that Congress, unless changed by the Senate in accordance with the rules it had adopted.

Again I say that no matter from what angle we approach these rulings of the Vice President, they stand up and are sound.

I believe I have covered those things I had in mind this morning when I said to my colleagues I would answer the arguments which had been made in the debate against the position taken by the Vice President.

Now I turn to an entirely different phase of the problem of seeking to adopt a new set of rules in the Senate in relation to governing the debate to the end of limiting filibusters.

Of all the specious arguments that have been offered in defense of the present rule XXII, none is any more specious than the argument that the Founding Fathers intended their Constitution to provide not only checks upon unbridled majority rule, but to give to a minority an outright veto power over the majority.

That the Constitution affords the most admirable and delicate balance of power ever drawn up to govern human affairs is a universal truism. Such a balance is not achieved except by providing for divisions of power and authority.

But the Constitution contains nothing approaching a minority veto power in the legislative process. The theory of John Calhoun that the Constitution was supposed to require the consent of all contending parties in the formulation of public policy has been thoroughly demolished by history. Now the diehards have fallen back upon the Senate rules in their effort to sustain the notion that nullification of some kind or another was intended by the Founding Fathers.

Since this argument found its way into public print some weeks ago, I have

gone to the one best single source of the intents and purposes of the Founding Fathers to see just what they did intend to create with their Constitution. I have reread the "Federalist Papers" completely, and gave special care to the sections dealing with the protection of minorities. Nowhere in these documents, written by Hamilton, Madison, and Jay, is there a shred of evidence to sustain the proposition we have heard that the filibuster in some way carries out a basic principle or purpose of the Constitution, or of the people who wrote it and presented it to the American people for their consideration.

In brief, the filibuster argument is the old nullification issue with a new twist. Instead of urging nullification after the fact, the defenders of the two-thirds rule, either two-thirds of the membership of the Senate or of those voting, are saying that nullification should exist before the fact. By use of the filibuster, they would enable a minority to prevent a public policy from being formulated at all.

The answer of Hamilton, Madison, and Jay remains the same. The main reason they advocated the Constitution to the American people was that a minority was then able to exercise a veto over the majority under the Articles of Confederation.

In "The Federalist, No. 15" Hamilton wrote as follows about the nature of government and the Articles of Confederation:

> But if we are unwilling to be placed in this perilous situation; if we still will adhere to the design of a national government or, which is the same thing, of a superintending power, under the direction of a common council, we must resolve to incorporate into our plan those ingredients which may be considered as forming the characteristic difference between a league and a government; we must extend the authority of the Union to the persons of the citizens, the only proper objects of government.
>
> Government implies the power of making laws. It is essential to the idea of a law that it be attended with a sanction; or, in other words, a penalty or punishment for disobedience. If there be no penalty annexed to disobedience, the resolutions or commands which pretend to be laws will, in fact, amount to nothing more than advice or recommendation * * *.
>
> There was a time when we were told that breaches by the States of the regulations of the Federal authority were not to be expected; that a sense of common interest would preside over the conduct of the respective members, and would beget a full compliance with all the constitutional requisitions of the Union. This language, at the present day, would appear as wild as a great part of what we now hear from the same quarter will be thought, when we shall have received further lessons from that best oracle of wisdom, experience.

Hamilton went on, in this exceedingly interesting writing, to say:

> If, therefore, the measures of the confederacy cannot be executed without the intervention of the particular administrations, there will be little prospect of their being executed at all. The rulers of the respective members, whether they have a constitutional right to do it or not, will undertake to judge of the propriety of the measures themselves. They will consider the conformity of the thing proposed or required to their immediate interests or aims; the momentary conveniences or inconveniences that would attend its adoption. All this will be done; and in a spirit of interested and suspicious scrutiny without that knowledge of national circumstances and reasons of state, which is essential to a right judgment and that strong predilection in favor of local objects, which can hardly fail to mislead the decision. * * *
>
> In our case, the concurrence of 13 distinct sovereign wills is requisite, under the confederation, to the complete execution of every important measure that proceeds from the Union. It has happened as was to have been foreseen. The measures of the Union have not been executed; the delinquencies of the States have, step by step, matured themselves to an extreme, which has, at length, arrested all the wheels of the National Government, and brought them to an awful stand.

Mr. President, Hamilton was deploring the power of the minority to jeopardize the interests of the Union. This philosophy of the principles of political science runs through Hamilton's writings. I care not where one reads his writings; there it is, Mr. President.

In Hamilton's view, it was the lack of a national enforcing power, the absence of national supremacy, which was the fatal defect of the "Articles of Confederation." In papers 15 through 22—that is, in 8 of them—the failures of the confederation are enumerated. The absence of national supremacy over the Union is the key to nearly all these failures.

In more specific terms, Hamilton in No. 22 deals with the provision of the "Articles of Confederation" which gave an equal vote to each State in the Congress, regardless of its population or the size of its delegation. I quote:

> The right of equal suffrage among the States is another exceptionable part of the confederation. Every idea of proportion and every rule of fair representation conspire to condemn a principle, which gives to Rhode Island an equal weight in the scale of power with Massachusetts, or Connecticut, or New York; and to Delaware an equal voice in the national deliberations with Pennsylvania, or Virginia, or North Carolina. Its operation contradicts the fundamental maxim of republican government, which requires that the sense of the majority should prevail. Sophistry may reply that sovereigns are equal, and that a majority of the votes of the States will be a majority of confederated America. But this kind of logical legerdemain will never counteract the plain suggestions of justice and common sense. It may happen that this majority of States is a small minority of the American people; and two-thirds of the people of America could not long be persuaded, upon the credit of artificial distinction and syllogistic subtleties, to submit their interests to the management and disposal of one-third.

That was Hamilton's view. O Mr. President, how history repeats itself. Sometimes one thinks there is nothing new. At least, I think that is about true when it comes to the statement that there is nothing new in the current argument, in the year 1959, because the framework of the argument and the debate over the rules of the Senate involve many of the same differences in regard to the vesting of political power about which Madison and Hamilton wrote.

Hamilton goes on to say that in the Constitution "two-thirds of the whole number must consent to the most important resolutions."

Then he says:

> But this does not obviate the impropriety of an equal vote between States of the most unequal dimensions and populousness. * * * To give a minority a negative upon the majority (which is always the case where more than a majority is requisite to a decision), is, in its tendence, to subject the sense of the greater number to that of the lesser.

That could be 1959, could it not? Mr. President, when you talk to me about a constitutional theory, you simply have to talk to me about the political and governmental philosophy which dominated the thinking of the Founding Fathers and which brought this constitutional system into being. A little research and homework usually supply one with such facts as I am presenting to the Senate this evening; namely, that as a principal exponent of the new Constitution, Hamilton made very clear in the Federalist papers his position on majority rule and his point of view that a majority should not be controlled by a minority.

It is a general principle about which I am talking, a principle to be applied to specific issues as they arise from time to time in the administration of Government. We have such an issue before us. My longstanding opposition to the Senate rule of cloture is based upon this historic principle, enunciated so clearly in the Federalist papers. In fact, I have expressed the point of view many times that the Constitution really cannot be interpreted outside "The Federalist" papers; and the Federalist papers might generally be described simply as statements of the principles of political philosophy which governed the thinking of the men who brought the Constitution into being.

Professorial as it may be, let me say to the present Presiding Officer of the Senate that there comes a time, in carrying out his duties, when the Presiding Officer owes it to the people he represents to go to the books, particularly when it is argued in debate as it has been so many times during the forensic battles here over the filibuster issue, that at the time when the Union came into being, it never was contemplated that the principle of majority rule should prevail.

Library research shows to the contrary. "The Federalist" papers, in my judgment—and now my words should be set forth in quotation marks—are really part and parcel of the Constitution, in the sense that they are so essential to an interpretation of it, so far as the intentions and purposes of the constitutional fathers are concerned.

So I say that a study of those expressed intentions shows very clearly that our constitutional fathers did not contemplate that a minority should be able to control a majority, as has been possible for so long in the Senate under the cloture rule; and later tonight, when I leave this section of my speech, I shall speak at some length concerning the legitimacies of a filibuster and the limitations upon those legitimacies.

Mr. President, is it conceivable that the authors of the Constitution meant a minority to have an outright veto over the majority in the adoption of legislation but kept quite about it in expound-

ing and explaining the Constitution to the American people of their time? That is just about what the defenders of the filibuster are saying when they try to invoke the blessing of the Founding Fathers upon the present rule XXII or the Johnson substitute.

Hamilton thought it bad enough that the States had an equal vote in the Congress of the Confederation. I say it is simply unthinkable that he or any of the other framers of the Constitution intended to give a minority of States a veto power over the majority.

It is quite true that in addition to the checks and balances between the three branches of the Federal Government and those created through federalism itself, the Senate also has, in its constitutional establishment, elements that provide checks upon majority rule.

I do not for a moment deny that the Senate of the United States, as created by the Constitution, was intended to supply certain checks upon an unbridled majority. It was, and is, an important check upon the majority of the American people. But the question is, what are the checks, and do they include the use of rules to prevent a majority of the Senate's Members from coming to a decision? Do the checks upon the majority extend to a veto power for the minority? It is from "The Federalist" papers that I intend to show that the checks inherent in the Senate are limitations, and do not include any minority veto power through the filibuster.

I have already cited the objections to equal representation of the States in the Congress under the Articles of Confederation that was one of the principal reasons for the failure of that organization; it was also one of the principal objections to it discussed by Hamilton.

In "The Federalist No. 58," attributed to either Hamilton or Madison, the representation of the States under the new Constitution is discussed. The compromise that gave representation to the States on the basis of population in the House of Representatives and on a equal basis in the Senate is, of course, the most famous of all the compromises in the constitutional convention.

I quote:

There is a peculiarity in the Federal Constitution which insures a watchful attention in a majority both of the people and of their representatives to a constitutional augmentation of the latter. The peculiarity lies in this, that one branch of the legislature is a representation of citizens, the other of the States; in the former, consequently, the larger States will have most weight; in the latter, the advantage will be in favor of the small States. From this circumstance it may with certainty be inferred that the larger States will be strenuous advocates for increasing the number and weight of that part of the legislature in which their influence predominates. And it so happens that four only of the largest will have a majority of the whole votes in the House of Representatives. Should the representatives or people, therefore, of the smaller States oppose at any time a reasonable addition of Members, a coalition of a very few States will be sufficient to overrule the opposition; a coalition which, notwithstanding the rivalship and local prejudices which might prevent it on ordinary occasions, would not fail to take place, when not merely prompted by common interest, but justified by equity and the principles of the Constitution.

The author felt that any disposition on the part of the thinly populated States to prevent, through their representation in the Senate, an enlargement of the House of Representatives, would be overridden by the House by its power of the purse strings. The discussion in this section clearly implies that the Senate will be motivated more in proportion to the interests of the States with small populations, while the House will be motivated more by the States with large populations. Yet the author goes into detail to show how the House will be able to prevail.

If it were intended that the Senate should be able to block outright a decision of the majority of people, instead of balancing it only with a disproportionate representation of the smaller States, surely that fact would have been brought out in this discussion.

But it was not. The point of the author's discussion of the House of Representatives would seem to be to show that even though the Senate consists of States, rather than people, still the States will not be able to thwart or forestall the wishes of the majority of people. To check them, yes; to delay, and perhaps modify, yes; but never to block them.

In "The Federalist No. 62," also attributed to either Hamilton or Madison, the Senate itself is discussed in detail. It lists the purposes of a Senate, as follows:

First:

A Senate, as a second branch of the legislative assembly, distinct from, and dividing the power with, a first, must be in all cases a salutary check on the Government. It doubles the security to the people by requiring the concurrence of two distinct bodies in schemes of usurpation or perfidy, where the ambition or corruption of one would otherwise be sufficient.

Second:

The necessity of a Senate is not less indicated by the propensity of all single and numerous assemblies to yield to the impulse of sudden and violent passions, and to be seduced by factious leaders into intemperate and pernicious resolutions.

Third:

Another defect to be supplied by a Senate lies in a want of due acquaintance with the objects and principles of legislation. It is not possible that an assembly of men called for the most part from pursuits of a private nature, continued in appointment for a short time, and led by no permanent motive to devote the intervals of public occupation to a study of the laws, the affairs, and the comprehensive interests of their country should, if left wholly to themselves, escape a variety of important errors in the exercise of their legislative trust * * *.

Fourth:

The mutability in the public councils arising from a rapid succession of new members, however qualified they may be, points out in the strongest manner the necessity of some stable institution in the Government. Every new election in the States is found to change one-half of the representatives. From this change of men must proceed a change of opinions; and from a change of opinions, a change of measures. But a continual change even of good measures is inconsistent with every rule of prudence and every prospect of success.

Fifth:

A fifth desideratum, illustrating the utility of a Senate, is the want of a due sense of national character. Without a select and stable member of the Government, the esteem of foreign powers will not only be forfeited by an unenlightened and variable policy, proceeding from the causes already mentioned, but the national councils will not possess that sensibility to the opinion of the world, which is perhaps not less necessary in order to merit, than it is to obtain, its respect and confidence.

Sixth:

The want, in some important cases, of a due responsibility in the Government to the people, arising from that frequency of elections which in other cases produces this responsibility. * * * The proper remedy for this defect must be an additional body in the legislative department which, having sufficient permanency to provide for such objects as require a continued attention, and a train of measures, may be justly and effectually answerable for the attainment of those objects.

Mr. President, I digress from the manuscript long enough to make this comment on "Federalist Paper No. 62." The argument I now make is by way of implication, but I think it is a very fair interpretation of this portion of "Federalist Paper No. 62." I do not see how anyone can read it and study its meaning without finding there pretty good evidence of the position of those of us who have held that the Senate is a continuing body.

Do not forget, Mr. President, that these portions of "The Federalist Papers," in part, point out the views of the writers of the papers on position of the House of Representatives and of the Senate in the structure of our Government. Here is a paper which deals with the Senate. How can one reach any other conclusion, from what is said here about the importance of having a branch of the Government which possesses these features and qualities, than that it was contemplated the Senate would be a body which carried on from year to year? Listen, Mr. President:

A fifth desideratum, illustrating the utility of a senate is the want of a due sense of national character. Without a select and stable member of the government, the esteem of foreign powers will not only be forfeited by an unenlightened and variable policy, proceeding from the causes already mentioned, but the national councils will not possess that sensibility to the opinion of the world, which is perhaps not less necessary in order to merit, than it is to obtain its respect and confidence.

I do not mean to read anything into the papers, but is it not obvious that it was contemplated from the very beginning, as the practice of the Senate from the beginning shows, that this body was to be considered a continuing and stable part of the Government to carry on the work of the national councils and maintain our governmental relations with foreign powers?

I do not want to overdraw the argument. But the language of "The Federalist Papers" themselves indicates very clearly, I think, that this body, the Senate, was set up to represent the States, and that the representation was a continuous representation of the States. The States did not go out of existence every 2 years. The Senate was set up to carry out procedures in connection

with the business of the National Government essential to the Union. Therefore, from the very beginning, we find Senate committees functioning during recess periods, carrying on Government business. Not so with the House, save and except in connection with the qualifications which I mentioned earlier in this discussion.

In my opinion, one of the most interesting examples in the early history of Congress of the recognition of the difference between the Senate and the House in respect to what and whom each body represents—the Senate, the States; and the House, the people—is to be found in the early practice that, when a constituent came from a certain State to Washington, he did not come to the office of a Senator.

He came to the office of a Representative, and the Representative took him to the office of the Senator if the constituents' business involved State business, which concerned the attention of the Senate. Of course, I do not have to tell my colleagues in the Senate that that situation no longer prevails. In fact, it sometimes seems to me constituents come to the Senator first. The Senate in some instances has come to do work which was originally intended by the constitutional fathers to be performed by the Representatives and not by the Senators.

I have joshed some of my House colleagues about this, Mr. President, and they are very good natured about it. They agree to the historical fact, and point out that really what has happened is a recognition on the part of constituents that a Senator has a joint obligation to represent both the State and the people of the State. That was not always the case. The 17th amendment had a great deal to do with the change.

Mr. President, these are the reasons for inclusion of the Senate in the Constitution. There is nothing here about a veto power. There is nothing here about a concurrent majority, or the need for all parties or sections to agree to a public policy.

And how was the Senate constituted so as to fulfill its purposes? First, certain qualifications for membership were provided. A Member must be at least 30 years of age and a citizen for at least 9 years. The second means of creating a Senate to meet the needs listed was to require that its Members be selected by the State legislatures. That requirement no longer concerns us.

The third means of distinguishing the Senate was to give the States equal representation. I quote again from the Federalist papers:

> The equality of representation in the Senate is another point which, being evidently the result of compromise between the opposite pretensions of the large and the small States, does not call for much discussion. If indeed it be right, that among a people thoroughly incorporated into one nation, every district ought to have a proportional share in the government, and that among independent and sovereign States, bound together by a simple league, the parties, however unequal in size, ought to have an equal share in the common councils, it does not appear to be without some reason that in a compound republic, partaking both of the national and federal character, the government ought to be founded on a mixture of the principles of proportional and equal representation. * * *
>
> In this spirit it may be remarked, that the equal vote allowed to each State is at once a constitutional recognition of the portion of sovereignty remaining in the individual States, and an instrument for preserving that residuary sovereignty. So far the equality ought to be no less acceptable to the large than to the small States; since they are not less solicitous to guard, by every possible expedient, against an improper consolidation of the States into one simple Republic.
>
> Another advantage accruing from this ingredient in the Constitution of the Senate is the additional impediment it must prove against improper acts of legislation. No law or resolution can now be passed without the concurrence, first, of a majority of the people, and then, of a majority of the States. It must be acknowledged that this complicated check on legislation may in some instances be injurious as well as beneficial; and that the peculiar defense which it involves in favor of the smaller States would be more rational, if any interest common to them, and distinct from those of the other States, would otherwise be exposed to peculiar danger. But as the larger States will always be able, by their power over the supplies, to defeat unreasonable exertions of this prerogative of the lesser States, and as the facility and excess of the lawmaking seem to be the diseases to which our governments are most liable, it is not impossible that this part of the Constitution may be more convenient in practice than it appears to many in contemplation.

The treatise also makes clear that the 6-year term was intended to give to Senators the tenure they need to serve the purposes for which the Senate was created.

There are two other citations from "The Federalist" papers to which I wish to refer. One occurs in the discussion of representation in "The Federalist," No. 54. The subject under discussion is that of the counting of slaves in establishing representation. But in it is found this statement:

> Under the proposed Constitution, the Federal acts will take effect without the necessary intervention of the individual States. They will depend merely on the majority of votes in the Federal Legislature, and consequently each vote, whether proceeding from a large or small State, or a State more or less wealthy or powerful, will have an equal weight and efficacy.

I invite attention to this statement again, Mr. President, because it is very important in this discussion of the philosophy which should be followed by the Senate on this whole issue of whether the Senate ought to adopt a rule for majority vote to limit debate. "The Federalist" papers state:

> They—
>
> Meaning the Federal acts—
>
> will depend merely on the majority of votes in the Federal Legislature.

Certainly that statement will not appear if the writers of the Constitution intended that a minority in either House could forestall and prevent legislation it opposed.

And finally, in "The Federalist No. 58," there is an even more explicit declaration of the meaning of the Founding Fathers. The paper discusses certain charges against the House of Representatives by opponents of the Constitution, but I think the tenor of the reply is such that it applies as much to the Senate as it does to the House. Certainly if the Senate were meant to be excepted, that exception would have been noted.

The treatise is attributed either to Hamilton or to Madison, and I quote from it:

> As connected with the objection against the number of representatives may properly be here noticed that which has been suggested against the number made competent for legislative business. It has been said that more than a majority ought to have been required for a quorum; and in particular cases, if not in all, more than a majority of a quorum for a decision. That some advantages might have resulted from such a precaution, cannot be denied. It might have been an additional shield to some particular interests, and another obstacle generally to hasty and partial measures. But these considerations are outweighed by the inconveniences in the opposite scale. In all cases where justice or the general good might require new laws to be passed, or active measures to be pursued, the fundamental principle of free government would be reversed.

I leave the quotation for a moment, Mr. President, to place emphasis upon the statement. I do not know where one can go in historical documents to find a clearer statement of the philosophy and beliefs of our constitutional fathers in regard to the principle of majority vote rule. It is pointed out that they might have adopted a rule requiring more than a majority for a quorum in order to transact business. It is said:

> That some advantages might have resulted from such a precaution, cannot be denied. It might have been an additional shield to some particular interests, and another obstacle generally to hasty and partial measures. But these considerations are outweighed by the inconveniences in the opposite scale. In all cases where justice or the general good might require new laws to be passed, or active measures to be pursued, the fundamental principle of free government would be reversed.

The fundamental principle of free government would have been reversed, they say, had they required more than a majority of a quorum for a decision. That is what I meant when I said earlier this afternoon that there is hardly anything new in argument. At least there is hardly anything new in arguments about respective contentions concerning the procedural administration of government. The argument advanced at the birth of our Nation is the same argument which some of us have been using for years on the floor of the Senate, in support of a rule in the Senate that would permit the passage of legislation by a majority vote.

It cannot be passed by majority vote in the Senate so long as we tolerate a rule which permits a minority to stop us from ever reaching a vote. That is an illustration of what I shall discuss at greater length tonight when I take up the relationship between procedural rights and substantive rights.

It is a procedure of the Senate which denies to the American people their substantive legislative rights in these halls. It is a procedure which must be modified if the people of the country are to enjoy the right to have legislation passed by majority vote in the Senate,

that legislation, in turn, to be subjected to the other checks which are available under the Constitution for protecting the public interest from a runaway majority.

As I shall say later tonight—I mention it now only in passing—there has been a great deal of discussion in the debate this year, as there has been in past years, about the two-thirds vote being a check upon a misguided majority. Of course, that argument does not take into account the clear constitutional checks which run throughout our governmental system, protecting the American people from runaway majorities. One of the difficulties in any debate on the so-called checks-and-balances theory is that usually someone wants to talk about a tiny, narrow segment of the subject matter, and ignore the totality of checks which exist in our constitutional system.

To impose the will of the minority upon the Senate by a cloture rule such as now exists, or one such as is proposed by the Senator from Texas [Mr. JOHNSON] is not necessary to protect the American people from a runaway majority, for reasons I shall point out later.

There is nothing new in what I have just stated. Here were the creators of this great constitutional system of checks and balances. In the very act of creating it, they pointed out to us that if we deny the principle of majority vote on legislation, then the principle of free government will be reversed. That is our position as we plead year after year for the modification of a rule which permits of minority control of the Senate and the passage of legislation at the sufferance of a willful minority.

Coming back to the "Federalist Papers," I continue with the quotation:

> It would be no longer the majority that would rule: the power would be transferred to the minority. Were the defensive privilege limited to particular cases, an interested minority might take advantage of it to screen themselves from equitable sacrifices to the general weal, or, in particular emergencies, to extort unreasonable indulgences. Lastly, it would facilitate and foster the baneful practice of secessions; a practice which has shown itself even in States where a majority only is required; a practice subversive of all the principles of order and regular government; a practice which leads more directly to public convulsions, and the ruin of popular governments, than any other which has yet been displayed among us.

That is pretty strong language. That is not the language of any of the liberals in the Senate in 1959. That is the language of the constitutional fathers which we liberals heartily endorse and applaud.

We would not phrase language stronger than the language found in the Federalist papers themselves, in support of the principle of majority rule; and yet in this debate there are colleagues in the Senate who have sought to give the American people the impression that there is no basis in constitutional theory for our point of view, namely, that it was contemplated that majority rule should prevail in the Senate. To those Senators I say, "Go to the library and do some book work. You need it. Reread the Federalist papers if you ever read them."

The Federalist papers stand as a great epitome of the point of view which we liberals have urged in the Senate for years, in support of the principle of majority rule.

FOUNDING FATHERS WERE EXPLICIT

From these quotations I think it is clear that the men who drafted the Constitution were explicit about the checks and balances they wrote into it. They explained what they were. It makes no sense to me for a dissident minority of Americans to come along some 172 years later and try to maintain that the Founding Fathers meant something else, too, even though they did not say at the time what it was.

I think it is also perfectly clear that no nullification was ever written into the Constitution. Certainly it was not contemplated that States or their subdivisions could defy a national policy once it was established. It is pure sophistry to argue that nullification by a minority was to be permitted instead by use of a parliamentary device that would prevent the policy from being established at all.

The question we have to decide is whether the Senate wants to permit this device to continue. In my opinion the requirement of two-thirds to close debate, whether two-thirds of the Members or two-thirds of those present, amounts to a thwarting of the purpose of the Constitution. It is a constitutional amendment in disguise that has gained a certain amount of acceptance through acquiescence.

It is time we got back to the original purpose of the Founding Fathers and of the U.S. Senate.

That purpose is to give reflection, continuity, and dispassion to legislation. These certainly do not extend to giving a veto power to the dissident minority. That is a usurpation that has occurred through rule XXII, and it is one we should put a stop to.

The Constitution is clear about when a two-thirds vote is required to make a decision. Those who want to add to those instances might better be honest about their intentions and come forward with a constitutional amendment than to seek to achieve their purpose by means of the Senate rules.

I am simply opposed to nullification in any form. No one has taken to the floor of the Senate more often than I to defend protection for a minority. But protecting a minority right does not include the destruction of a majority right. The right of a majority of legislators to come to a decision is just as important to this democracy as the "supreme law of the land" clause of the Constitution.

I hope, therefore, Mr. President, that in this historic debate Senators will find enough time to do their book work and will go back and study the great documents which brought this Republic into being, and rededicate themselves to the proposition that the people of this country have a right to have them uphold, namely, that a rule of majority vote in the Senate will control in the passage of legislation. If it is to control in the passage of legislation, then it means control, I may say, in connection with the procedures which permit of the passage of legislation.

That brings me to a discussion of how we are going to protect minority rights in the Senate in connection with the passage of legislation while at the same time permit the majority to exercise the wisdom of its judgment on legislation? It is this position of the senior Senator from Oregon which seems to be most misunderstood. At least it is this position which is so frequently represented by those critics of the senior Senator from Oregon who would try to make of him a walking house of inconsistency. There is nothing inconsistent about my position on filibusters. I wish to restate it very briefly.

I have always stood for the modification of the rule of cloture in the Senate which prohibits a vote from ever occurring on a matter of business before the Senate. It is that kind of filibuster that I have always opposed with complete consistency, and always will, because a filibuster designed and permissible now under rule XXII to prevent a vote from ever occurring subjects the Senate to a rule by minority. It permits a minority to destroy majority rights in the Senate. Our objective should be to protect the minority but to see to it that the minority has an adequate opportunity and time to try to change itself into a majority. That goes to the whole heart of the matter, so far as I am concerned.

Mr. President, as I said earlier today, I am one liberal who admits that he filibusters. I am the only one I know of in the Senate who has ever stood on the floor of the Senate and said, "I am participating in a filibuster."

I suppose in a certain sense this is a filibuster tonight. I said in the beginning that one of the purposes of my speech is to stop a vote on the Anderson motion tonight. I expect to be successful in that objective, at least on the basis of my present good feeling.

It is one thing to filibuster to stop what is called a steamroller in the Senate, to stop a majority from taking advantage of a parliamentary minority; it is quite another thing to filibuster in the Senate under a program which is aimed to defeat the right of the majority to express itself by way of the passage of legislation, which in turn will be subject to the checks which our constitutional system provides, and about which I shall speak later.

I have filibustered, and will again, for the length of time necessary to make certain that we have laid before the Senate the evidence on the merits of a legislative issue, and which we believe the Senate and the country ought to consider before a final vote is taken on the issue. I have participated in that kind of filibuster.

Two come to mind immediately, the first, my filibuster on the tidelands legislative issue of 1953; the second, my filibuster in respect to the atomic-energy bill of 1954. We protected minority rights. I have frequently said that if only a few more Senators had joined our small group for just a few more days, we would have become a majority in the tidelands fight. Let us look at the record. Let us look at the shift that started. The final evidence shows that quite a bit

of shifting took place during that debate. Senators who had earlier announced they were opposed to us, finally voted with us. What happened? I believe two things happened. First, I believe that our appeal to reason caused them to change their judgment on the merits of the issue, because we did not let it come to a vote immediately, and thus forced a consideration of it on the merits. Second, I believe they heard from the country.

That is another justifiable purpose of a filibuster. It is not aimed at preventing a vote from ever occurring. I believe that the filibuster on the tidelands issue caused many people in this country to inform themselves about the tidelands issue.

As they informed themselves and had their attention called, as we called their attention to it, time and time again, to the fact that on two great historic occasions the Supreme Court of the United States had held that the paramount interest in the tidelands lay in all the people of the country, and not only in those of the coastal States, the people started to make known to Senators that they thought the tidelands should be preserved for all the people, and not be given away to the coastal States.

In any event, as was brought out by the Senator from New Mexico [Mr. ANDERSON] in the debate already this year, when he reflected upon the famous tidelands filibuster of 1953, there can be no doubt that our discussion of tidelands and the Continental Shelf, both of which we said were involved in the issue, made it possible for us to get an agreement relative to the Continental Shelf. We were thus able to protect the interests of the American people in the Continental Shelf, under which there is more oil than there is under the tidelands.

In my judgment, that kind of filibuster is always justified. But it could have been turned into an unjustifiable filibuster. However, I made it clear—if Senators will go to the CONGRESSIONAL RECORD, they will see that I stated it not once, but several times—that I would not participate in a filibuster on the tidelands bill beyond a period of time when it was perfectly clear that we had accomplished all the good we could accomplish in getting the facts before the American people and before the Senate.

Of course, Mr. President, I never have filibustered, and never will, off the subject matter before the Senate. I find there is always plenty to say on any of these major issues, and one has a duty, I think—and a rather sacred duty—in the use of this desk in the Senate to confine oneself in debate, even though it is a prolonged debate, to the educational process of presenting to the American people what one considers to be the facts and the contentions which ought to be considered by his constituency concerning the issue which has been the subject of filibuster.

In 1953 we did not filibuster to prevent a vote from ever occurring on the tidelands bill. We could have done so, but we would not, although I think the debate ought to have gone on for about a week longer. Had it gone on for about a week longer, I think the bill would have failed of passage, because I believe public opinion was fast coming to our position. It has been my observation that this body has a canny ability to reflect public opinion, once public opinion has been stirred up.

Then we had the famous filibuster of 1954 on the atomic energy bill, when the Republican majority leader brought to the Senate of the United States in midafternoon an atomic energy bill of more than 100 pages in length, which had been rushed through the House of Representatives that afternoon with less than 2½ hours of debate. As the CONGRESSIONAL RECORD will show, the majority leader asked for a unanimous consent agreement to vote on that atomic energy bill before the close of the session that day. I could not believe my ears. It was perfectly obvious that an overwhelming majority of the Senate had never read the bill. In view of the nature of the workload which confronts us in the Senate, those of us who were not on the committee could not have been expected to be familiar with the bill. We needed the education which goes along with debate in the Senate and a discussion of the committee report on the bill. Therefore, I objected.

That displeased the majority leader. The RECORD will show that he charged me with trying to exercise some kind of one-man dictatorial power over the Senate. That, of course, was a laughable charge. I replied that what he really was proposing was a repeal of the unanimous-consent rule of the Senate. I suggested that if he thought that was desirable, he should propose it and see how many votes he would get.

The RECORD will show that I assured him I knew how many votes he would not get—95; and that if he considered it a bit further, he would not even get his own vote, because the unanimous-consent rule was adopted by the Senate to protect the Senate from just such steamroller tactics as he tried to stage on that afternoon.

The majority leader then made clear to me that unless I acceded to his unanimous-consent agreement, I could start talking. I told him I would do that with pleasure. What he overlooked was that there was an army of Senators behind me, to use a figure of speech. He soon discovered that there was a whole group in the Senate who joined forces immediately, although we had not had a single meeting in advance. In fact, as the Senator from New Mexico [Mr. ANDERSON] would tell us if he were here tonight, as I proceeded to talk the liberal forces in the Senate organized themselves around the Senator from New Mexico. I received messages from them from time to time as I proceeded to discuss the subject and consumed the time long enough for the forces in the Senate to organize a prolonged debate against the atomic energy bill of 1954, a bill under which the Republican administration sought to give away the whole atomic energy program of this country, amounting to from $12 billion to $14 billion, which had been paid for by the taxpayers. The administration sought to give it away to the private monopolies of the Nation. It was one of the most unconscionable legislative programs which have come out of the Eisenhower administration—and there have been many unscionable legislative proposals by it.

But the interesting thing, Mr. President, is that we organized a bipartisan opposition to the atomic energy giveaway bill. We debated the bill for 13 days and 6 nights, as I recall. I held down the graveyard shift for 2 nights out of the 6.

We added to that bill, as a result of that debate, a whole series of amendments, not one of which would have been added had we yielded to the steamroller request of the majority leader that afternoon for a vote on the bill before the Members of the Senate even had time to read it.

In my opinion, that was a legitimate use of the filibuster. That was a filibuster which illustrated, again, the blocking of a steamroller and the consuming of enough time to inform the Senate and the Nation of the merits of an issue.

Mr. President, such action does not violate any majority right, because inherent in the doctrine of majority rule is the corollary of the right of the minority to have an opportunity to turn itself into the majority, if it can, by full, fair, and reasonable debate.

But, dedicated though I have been as demonstrated by my record in support of minority rights, I have always proposed in the Senate, in the so-called Morse antifilibuster resolution, a procedure which while protecting the right of the majority to rule, guarantees to the minority the right to fair debate and an opportunity to present its case in an endeavor to change itself from a minority to a majority. I have offered it year after year. Tonight I am going to offer it again for the RECORD. I have no more illusions about its adoption in 1959 than I have had about its adoption in past years. I think it is perfectly clear, however, that there is a growing sentiment in the country for a modification of rule XXII. This is a fairly good indication that those of us—and for many years, now, there have been a large number of us—who have been discussing this matter in the Senate and elsewhere in the country are receiving more and more public support. I believe—although I may be wrong—that a majority of the American people support a majority rule for ending debate in the Senate by imposing cloture—at least, a majority of the people who have taken the time to study the merits of the issue involved.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the plank of the Democratic Party's platform of 1956 in regard to the matter of proposals for changing the Senate rule with respect to cloture.

The PRESIDING OFFICER (Mr. MCGEE in the chair). Is there objection?

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

IMPROVING CONGRESSIONAL PROCEDURES

In order that the will of the American people may be expressed upon all legislative proposals, we urge that action be taken at the beginning of the 85th Congress to im-

prove congressional procedures so that majority rule prevails and decisions can be made after reasonable debate without being blocked by a minority in either House.

Mr. MORSE. Mr. President, a reading of that plank of the Democratic Party's platform of 1956 shows that the Democratic Party, certainly through its platform, supports the principle of majority rule. I am never one to say "Because their political party's convention has adopted a platform, Senators of that party are under obligation to try to put the planks of that platform, without change, into legislation." Of course, all of us know the conditions under which the party platforms are adopted. We know that time does not exist for a thorough consideration of all the minute details which have to be considered or should be considered when we come to the passage of proposed legislation.

But, Mr. President, I do take the position that when a political party pledges itself to a principle of governmental policy, then the elected representatives of that party have an obligation to seek to implement into legislation that principle of policy.

Mr. President, I believe that a proposal such as the one I have previously offered or the proposal of the Humphrey-Douglas-Javits-Case of New Jersey or even the proposal which I understand has been made by the Senator from Kentucky [Mr. COOPER] in regard to a three-fifths vote requirement would carry out the objectives of the Democratic Party's political platform. I think my proposal and the Humphrey-Douglas-Javits-Case of New Jersey proposal come much nearer to carrying out the platform.

Be that as it may, tonight I wish to say to my Democratic colleagues that I do not believe they can vote for the Johnson proposal and still carry out the principle of that plank of the Democratic Party's platform of 1956.

I have been heard to say on other occasions, as the other day I said during the conference of liberal Democratic Senators, that if we go along with a compromise which destroys the principle of the Democratic Party's platform plank of 1956, I believe that, come 1960, the voters of the country will impose upon the Democratic Party political consequences which I am afraid most Senators are not envisioning. I say to my Democratic colleagues, it is my view that Senators cannot continue to impose on the Senate a rule which permits of minority rule in the Senate and still maintain the support of the Democratic and the Independent voters and the support of millions of Republican voters in this country.

I happen to think—to talk politics for a moment, Mr. President—that the issue now before the Senate is more pregnant with political implications than I believe many of my Democratic colleagues realize or are willing to admit. Mr. President, I think that in this atomic age the American people are making perfectly clear to the Senate, "Put your house in order, so that the will of the American people, through a majority vote in the Senate, can prevail, or we will elect to the Senate a sufficient number of Senators to change that rule."

In fact, Mr. President, under the auspices of the Democratic National Committee, in the late campaign I campaigned in 16 States. I am advised that I made more speeches in behalf of Democratic candidates for election to the Congress than did any other Democratic Senator who himself was not then a candidate for office. And tonight I testify on the floor of the Senate that, in my judgment, in the States in which I campaigned, there is a great public undercurrent of support for a change of the rules of the Senate, so that majority opinion can prevail in the Senate.

Mr. President, I would be perfectly willing to take that issue into any of the States in which I campaigned, with any Democratic Senator from any of those States, and debate it with him before his constituents, to let them render the verdict, because I am satisfied that American democracy is making very clear to the Senate that American democracy wants to prevail in the Senate the historic principle of majority-rule government which has been referred to in the quotations given tonight from the Federalist Papers.

Mr. President, to that end I have submitted a resolution, which in the last session of Congress was known as Senate Resolution 21. That resolution reads as follows:

Resolved, That subsection 2 of rule XXII of the Standing Rules of the Senate, relating to cloture, is hereby amended to read as follows:

"If at any time, notwithstanding the provisions of rule III or VI or any other rule of the Senate, a motion, signed by 16 Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by a majority vote of those voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same; except that any Senator may yield to any other Senator all or any part of the aggregate period of time which he is entitled to speak; and the Senator to whom he so yields may speak for the time so yielded in addition to any period of time which he is entitled to speak in his own right. It shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate."

SEC. 2. Subsection 3 of such rule is hereby repealed.

Mr. President, I send to the desk this resolution, and ask unanimous consent that it be printed and lie on the table for future reference.

The PRESIDING OFFICER. The resolution will be received, printed, and lie on the table.

The resolution (S. Res. 6) was received and ordered to lie on the table, as follows:

Resolved, That subsection 2 of rule XXII of the Standing Rules of the Senate, relating to cloture, is hereby amended to read as follows:

"If at any time, notwithstanding the provisions of rule III or VI or any other rule of the Senate, a motion, signed by 16 Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by a majority vote of those voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same; except that any Senator may yield to any other Senator all or any part of the aggregate period of time which he is entitled to speak; and the Senator to whom he so yields may speak for the time so yielded in addition to any period of time which he is entitled to speak in his own right. It shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate."

SEC. 2. Subsection 3 of such rule is hereby repealed.

Mr. MORSE. Now, Mr. President, I wish to discuss the procedures of that resolution for a moment, because it carries out, I think, as clearly as the English language permits, a guarantee that the rights of a minority of the Senate in debate will be protected in all respects to which a minority is entitled. It guarantees, Mr. President, that the same rule for applying a cloture petition shall prevail; namely, there must be signatures of 16 Senators before cloture can be filed. They are not easy to get. Every Member of this body knows this to be so. Every Senator knows that there is a great hesitancy on the part of each one of us ever to sign a cloture petition until each one of us is convinced that there is really a filibuster under

way, and that the filibuster seeks to impose the will of a minority upon the rights of a majority.

But under my resolution, Mr. President, after the cloture petition has been filed—in other words, after 16 Members of the Senate have said, "We think we ought to start procedure for the ending of debate"—it does not mean debate will automatically end. The resolution provides first for the period of time that is necessary for the cloture petition itself to remain at the desk. Then, second, it provides, after a vote has been taken—and it is a majority vote of those present and voting; it is a majority vote of a quorum if only a quorum is present—that each Senator has a right to speak for 1 hour on the merits of the issue and on the merits, as the resolution provides, of amendments which may be before the Senate for consideration in connection with the issue, which amendments had already been submitted and had been at the desk prior to the vote to end debate.

Simple arithmetic shows that theoretically the debate could last for 96 hours. It would not. We all know it would not. It would vary in the case of different issues. In fact, I think with the adoption of my antifilibuster resolution, probably it would be years before it would ever be necessary to apply it. I think the resolution itself, once adopted, would make perfectly clear the foolishness of an attempt at a filibuster which would seek to prevent a vote from ever occurring.

I say that, Mr. President, because the advantage of such a resolution as mine is that it provides for the fixing of a date certain for final vote. That date certainly would be a variable one, depending on how much time Senators used in debate on the merits. It will be noticed I provide that a Senator who does not want to use his time may, if he cares to, farm it out to other Senators. We all know, under the custom of courtesy in the Senate, ordinarily, in a hypothetical situation in which Senator X had no opportunity to use his hour, Senator Y, even though he was on the other side of the issue, would ask Senator X, "Senator, can I have a part or all of your hour?" He would almost automatically, as a matter of courtesy, get an answer such as this, "Well, Senator, I do not know whether I am going to use all my time, but I doubt that I shall use my whole hour. I will tell you what I will do. I will give you 30 minutes now. If you need any more, come back and ask me." Or the Senator would say, "I am not going to use any of my time. Take it."

Speaking hypothetically, if we should be in such a situation that cloture was imposed, the time provision of my resolution would guarantee, in my judgment, adequate opportunity for debate on the merits, so far as a minority is concerned.

That is all I am interested in. I respectfully submit that, in my opinion, this is all any other Senator should be interested in on this issue. I think it is our duty to adopt a procedure that protects the minority right to full and fair debate on the merits of a question, but certainly not the right to thwart the will of the majority to prevent a vote from ever occurring.

The Douglas-Humphrey-Javits-Case proposal is somewhat similar. It is sufficiently similar, in my judgment, that I shall have no hesitancy in supporting it. In effect, with some variations as to the time element, it accomplishes the same purpose. It provides that the majority vote requirement shall not be imposed unless or until the debate has proceeded for 15 days.

In other words, for the first 15 days a vote of two-thirds of those present and voting would prevail, but after 15 days a majority vote would prevail. This is a very reasonable approximation of the objective which I have in mind in the resolution I have submitted for many years in the Senate. My proposal is from the very beginning for the straight majority-vote principle with respect to cloture. The other proposal recognizes a sort of compromise approach, a two-thirds vote requirement for 15 days and a majority vote requirement thereafter. I am willing to vote for the proposal.

I prefer my own suggestion, but I think this is a very good compromise of differences of opinion within the liberal group in the Senate. Whenever I am satisfied a conscionable compromise has been offered me, I will compromise in the legislative process, because a concionable compromise never involves a compromise of principle.

I try to understand the point of view that a minority ought to be allowed to block legislation from passing. Try hard as I can, I cannot reconcile it with constitutional history, I cannot reconcile it with logic, and I cannot reconcile it with simple fair play in the conduct of a parliamentary body such as the Senate of the United States. I certainly cannot accept it on the basis of the argument which so many of my good friends from the South use in support of a filibuster which permits the preventing of a vote from ever occurring on an issue, on the ground that it is a part of our system of checks and balances. This point of view has been developed from one degree to another in some of the recent columns in our newspapers by columnists for whom I have an exceptionally high regard and opinion, but who, in my judgment, on this particular matter have not done their bookwork, either.

The phrase "checks and balances" is used very loosely in the debates in the Senate. Our system of checks and balances is very complex and complicated running through all branches of the Government. Interestingly enough, a check exercised within one branch frequently and in fact usually has influences upon the actions of other branches.

Let us take a look at the system of checks and balances so frequently referred to in the Senate debate. It is said, "We must protect the American people from a runaway majority." What protection do the people have under a majority-vote rule? First, there is the action of the House of Representatives in the many instances in which a bill first arises in the House. If the bill first arises in the Senate and is passed, it will subsequently come up in the House of Representatives. Is there any one among us who really thinks that the House of Representatives rubberstamps the actions of the Senate of the United States?

I quoted from the Federalist papers in my speech tonight. There is no question about what our Constitutional Fathers intended when they established the two Houses. They told us in the quotations I cited what they intended. They made perfectly clear that the idea was for one House to check the other, but by the exercise of the principle of majority vote. We have that check.

Mr. President, we have many other checks within our own body, the Senate. We have the check of the committee hearings. Every one of us knows what an important check such hearings are. Through the committee hearings we have the check of the people themselves, as they make known through the hearings varying points of view and public opinion with respect to a given proposal. That is an extremely important check which protects the minority.

Certainly a minority cannot take the position, with any logic, that the operations of a Senate committee, which functions as the medium of the petitions of the people of this Nation as they come through representatives and spokesmen to testify before it, endanger minorities. To the contrary, that procedure itself is a great protection to minorities.

I said earlier I would comment on a principle which I respectfully say is being lost sight of in this debate, although I consider it to be one of the controlling principles which ought to be recognized when coming to a vote upon the specific issue before us. I refer to the substantive legislative rights of the American people, which are determined in no small measure by the procedural rights in the Senate of the United States and likewise, of course, those in the House of Representatives. Because of that very elementary principle, but nevertheless one of great importance in the legislative process, the rules of the Senate really do not belong to us. We are simply trustees. I like to look upon the rules of the Senate of the United States as belonging to the American people, because these procedural rules determine in large measure what kind of legislation the people can pass by the efforts of their elected representatives. As elected representatives, I respectfully submit we have no right to defeat the right of our people to majority rule in the Senate of the United States.

The procedures of our committees are very important procedural checks which guarantee to the minority their day, so to speak, in the "legislative court." They help to guarantee that there shall be thorough consideration of a bill on its merits.

But it is asked, "Senator, what are you going to do with a galloping committee? What are you going to do if you have a committee which is controlled by a majority which betrays its trust to see to it that the check of a legislative committee hearing is exercised?" Our check is on the floor of the Senate. It is one of the internal checks of the Senate. We see it operative and exercised week after week and month after month during a session of the Congress.

The questions are raised as to how long the committee hearings were, who testified at the committee hearings, and whether adequate opportunity was given to all to be heard. A committee chairman must stand on the floor and defend the parliamentary course of action of his committee in assuring the Senate that the internal check I am talking about was exercised by his committee.

We have the check of the debate itself, and we have the check of the vote. If the bill pases both Houses, we have the check of the veto by the Executive.

But it is said, "Suppose you are living at a time when, on a particular issue, both Houses of Congress are stampeded, the President is stampeded, and a bill is railroaded through the Congress which is not in the public interest." My answer to this is: "That is a risk of self-government—and thank God for it." It is part of the price of being free. It is one of the privileges of freedom, under rule by the majority, which exists for the American people. I have no intention of sacrificing that principle of freedom for any police state doctrine of rule by the few. I know that what I have just said is not pleasant hearing to some ears, but we cannot escape the conclusion that either we are going to be governed by the majority or we are going to be ruled by the few.

There is one check which I have not yet mentioned, but which I shall mention in a moment. With all these checks, both the majority and the minority are pretty well protected under our legislative process in free America.

But there is still the check of the judiciary. It is not applicable to every legislative case, but I dare say that in most cases which really involve any question of basic governmental rights which are alleged to have been transgressed upon by a runaway Congress or a runaway President, that check is available.

Let us take a look at the judicial history. What a great record the judiciary of America has made over the life span of this Republic, in protecting both the rights of the majority and of the minority.

At a later date, in connection with various proposals to restrict the American judiciary, I intend to present to the Senate a study plan on which I am now working, in defense of the United States Supreme Court and the subsidiary Federal courts in protecting the principles of constitutional rights which all add up to what we refer to as American freedom. I mention the subject tonight only in passing, to point out that the argument of so many of my friends in the Senate that a majority can do such wrong to a minority is another fear argument. It is but another emotional scarecrow appeal being made to frighten the American people into believing that there is something of vital importance in maintaining rule XXII of the Senate in its present form, which permits of what I call legislative blackmail in the operation of the United States Senate.

It has been said in this debate that the threat of a filibuster is no real threat to the passage of legislation by the Senate. It has been said, "Cite an example." I stand before the Senate as a witness to many examples in 14 years in the Senate. Before I cite some of those examples I wish to state my thesis.

The filibuster is a very dangerous parliamentary instrument on the floor of the Senate in defeating needed legislation, and it has been used for that purpose time and time again in the history of the Senate. But the greater danger of the filibuster, the greater injury done by the filibuster, is in the committees of the Senate and in conferences and caucuses of the Senate among its leaders.

I testify that both in committee and in conferences, during my 14 years in the Senate, I have been confronted time and time again with the threat of a filibuster if certain proposed legislation were reported by a committee, or if a group of us in the Senate were to insist upon the passage of legislation without proposed amendments being adopted on the floor of the Senate.

In those 14 years I have seen Members of the Senate yield time and time again to this type of legislative blackmail, although I have protested against it time and again, in committee and in conference. My reply to colleagues in committee who have threatened to filibuster is, "Go ahead and filibuster. I hope there will be enough Senators who will remain in the Chamber day in and day out, and night after night, to break it."

I have never been moved by the threat of a filibuster. I have been saddened by the fact that so frequently in the Senate there has been a surrender to it. I do not believe that on any issue that has substantial public support, any group—South, North, East, or West—can conduct a filibuster beyond 20 days, in these modern times.

I believe that if they tried to do it, and it became clear that the purpose of that filibuster was to prevent the exercise of a majority vote rule in the Senate in the passage of legislation, which in the opinion of the Senate was in the public interest, the great policeman of the Senate, American public opinion, would drive the participants in such a filibuster to the political storm cellars within 20 days. I believe that the uprising of the American public opinion against any group of willful men in the Senate who sought to prevent, by way of the filibuster, the passage of legislation for a period of 20 days would result in such a storm of public protest that those men would soon work out in the Senate a quick agreement for the ending of the filibuster.

The difficulty has been our own. Let us face it. The difficulty has been of our own making. The sad fact is that when filibusters have been started, because the proponents of them could not have their own way either in committee or in party caucus, we have not been willing to stay here tenaciously the clock around until we broke them. In my judgment, in my 14 years in the Senate, there has never been a real, concerted attempt to break a filibuster. There has been a great deal of shadow boxing. There has been a great deal of window dressing. There has been a great deal of going so far only in order to put on a public appearance, and then there has always been a surrender.

It was not so long ago, in 1957, that in the Senate the argument was made to us in party conference after party conference and in bipartisan meetings that if we did not agree to certain amendments to the civil rights bill of 1957 we would be confronted with a filibuster. We were told if we would accept cloakroom agreements concerning certain amendments to the 1957 civil rights bill, southern Senators would not filibuster and we could go home. I know that people do not like to hear me say that, but it happens to be true. Witness after witness in the Senate can be called to so testify.

I spoke out time and time again against what I considered to be legislative blackmail. I refused to vote for that so-called civil-rights bill. I was the only northern Democrat who voted against it. My vote was completely misrepresented by a great many liberals, by liberal organizations and by the press. The false charge was made that I had voted against it because I had made some kind of trade with southern Senators—a complete and unadulterated falsehood—on the Hells Canyon Dam. I said then and I repeat now that no person so saying can produce a southern Senator who will testify that I agreed with him in regard to any trade or understanding in connection with the Hells Canyon Dam issue. What brought us the votes on the Hells Canyon Dam issue, and what caused some Members on the Republican side to change their position, and a great many on this side also, was the unconscionable tax write-off proposal offered to the Idaho Power Co. Their deathbed repentance on the tax writeoff did not change the votes which had already been changed in the Senate, because Senators knew they could change the other way again once the bill was defeated. That is what gave me the votes, in my judgment, which passed the Hells Canyon Dam bill in the Senate.

However, one thing I do wish the RECORD to show. It is that the senior Senator from Oregon entered into no trade and no agreement and no understanding with any southern Senator for his vote in favor of the Hells Canyon Dam. I protest such a reflection on any of my colleagues from the South. My colleagues from the South voted on that bill in accordance with the merits, as they saw them, and in keeping with their judgment.

I voted against the civil rights bill because I disagreed with many of my colleagues in the Senate on its being a good bill. I shall not take the time to review all the reasons why I voted against it, other than to say that if I had no other reason this one would be enough: When title III of the civil rights bill was stricken, so far as I was concerned the heart of the civil rights bill was destroyed.

In the cloak rooms and in the conferences we were told over and over: "You do not have a chance of passing a civil rights bill with title III in it. You will have a filibuster for weeks. If you take out title III, and if you add the jury trial provision"—there were some other proposals made, but I mention these

two—"the southern bloc will not filibuster the civil rights bill."

I wish to say this, not because I like to say it, but only because it has been said in debate: "What threat of filibuster has been made on what legislation in the Senate?" That is one. I can mention another one. We had a great contest in the last session of Congress on school legislation, involving Federal aid to education. It went on for weeks. I want the RECORD to show that it was represented to us time and time again in conference and in committee discussions that if those of us who were holding out for a true Federal aid to education bill were not willing to accede to what I considered to be emasculating amendments to a good Federal aid education bill, there would be no education legislation passed. It was held up in committee for weeks. I do not like to say these things. However, I am a witness to the proposition that in my 14 years in the Senate the threat of the filibuster has been the greatest evil of the filibuster.

Mr. President, there has also been in this debate some discussion to the effect that liberals of the past have been inclined to oppose the imposition of cloture. Certainly Senator Lenroot of Wisconsin was never considered a reactionary, and I find, as this table shows, that Senator Lenroot moved to close debate twice.

Senator Johnson, of California, also on one occasion moved to close debate. He was a great liberal. Senators Norbeck, Tyson, and Jones certainly were not conservatives.

The record, I say, simply refutes the argument that all liberals of bygone days used the filibuster as a refuge for protecting minority rights. There is no question that there were great liberals of bygone days, such as the great fighting Bob La Follette, of Wisconsin, who were out-and-out supporters of the unchecked filibuster procedure.

Much proposed legislation, in my judgment, will come out of committee in much better form, so far as the public interest is concerned, with rule XXII changed in order to provide for a straight majority vote, with the safeguards and protection of the minority, which I have previously referred to in this speech.

Mr. President, there are many other phases of this problem which I could discuss, and will if necessary, in my second speech. But I am inclined now to devote the remainder of my remarks to some insertions in the RECORD, in the interest of time. Then, unless I am advised that it would not be in accordance with the pleasure of the leadership of the Senate, I should be glad, after the insertion of these materials, to move, in accordance with the previous understanding, to recess until 10 o'clock tomorrow morning. I announce that as an intention on my part, hoping that the staff will communicate it to the leadership of the Senate and will advise me accordingly, because I have covered the major body of material which I rose to cover.

Mr. President, I now ask unanimous consent to have printed in the RECORD some material which I first used in 1949, in a rather long speech in the Senate on this same general problem, in which I pointed out that the two-thirds vote requirement of those present and voting, for the period of time which that requirement prevailed in the Senate, had not been successful in imposing cloture on a single civil rights issue. There were some instances in which the two-thirds vote of those present and voting was attained on noncivil rights matters, but there were many times when it was not. I know that some of my southern friends will probably raise their eyebrows in doubt or surprise when I say this. But let me make perfectly clear my position that the filibuster rule which requires either two-thirds of those present and voting or two-thirds of the entire membership, as under the present rule, is not limited to my position on civil rights legislation.

I believe that the filibuster, or the threat of a filibuster, does great damage to the legislative process in relation to a great many economic and social issues other than civil rights issues. But in respect to the civil rights issues, the statistics show that never has the two-thirds vote been attained in order to impose cloture on a civil rights matter.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD statistical material which I used in 1949, and which has been used again in the brief which the Senator from Illinois [Mr. DOUGLAS] and other Senators have presented on this matter, under the heading "Simple Two-thirds Cloture Won't Stop Filibusters on Civil Rights Bills."

There being no objection, the statistical matter was ordered to be printed in the RECORD, as follows:

SIMPLE TWO-THIRDS CLOTURE WON'T STOP FILIBUSTERS ON CIVIL RIGHTS BILLS

The new rule 22 proposed by Senator JOHNSON provides for cloture by two-thirds of those Senators present and voting, and for the rules of the Senate to continue from one Congress to the next. (S. Res. 30, 85th Cong.)

It is subject to the following objections:

1. Cloture by two-thirds of those present was the rule from 1917–49 and proved unworkable (see Library of Congress summary below);

2. In all of the eight cases of attempted cloture on a civil rights bill, it was impossible to secure a two-thirds vote of those present—although in several cases a heavy majority wanted to proceed to a vote (52–32 and 55–33 on FEPC in 1950);

3. Since attendance now is virtually complete on crucial civil rights issues (93 Senators voted on the 1957 rules issue and again on the jury trial amendment to the civil rights bill in 1957), two-thirds of those present is little different from two-thirds of those elected;

4. To try to make the rules continuing is a transparent attempt, as the first New York Times' report described it, "to make it more difficult to amend the rules in the future," that is, to nullify the explicit Constitutional power upon which the motion to take up Senate rules is based;

5. Walter Lippmann, although he opposes majority rule on controversial issues in the Senate, still conceded (December 25) that "the Johnson proposal is not substantially different from the existing rule."

Senate votes on invoking cloture rule [1]

Congress session, and date	Subject	Senator offering motion	Yeas	Nays	CONGRESSIONAL RECORD, volume, page	Cloture
66th, 1st, Nov. 15, 1919	Treaty of Versailles	Lodge	78	16	58-8555-56	Yes.
66th, 3d, Feb. 2, 1921	Emergency tariff	Penrose	36	35	60-2432	No.
67th, 2d, July 7, 1922	Fordney-McCumber tariff	McCumber	45	35	62-10040	No.
69th, 1st:						
Jan. 25, 1926	World Court	Lenroot	68	26	67-2678-79	Yes.
June 1, 1926	Migratory-bird refuges	Norbeck	46	33	67-10392	No.
69th, 2d:						
Feb. 15, 1927	Branch banking	Pepper	65	18	68-3824	Yes.
Feb. 26, 1927	Retirement of disabled emergency officers of the World War	Tyson	51	36	68-4901	No.
Do	Colorado River development	Johnson	32	59	68-4900	No.
Feb. 28, 1927	Public buildings in the District of Columbia	Lenroot	52	31	68-4985	No.
Do	Creation of Bureau of Customs and Bureau of Prohibition	Jones (Washington)	55	27	68-4986	Yes.
72d, 2d, Jan. 19, 1933	Banking Act	Robinson	58	30	76-2077	No.
75th, 3d:						
Jan. 27, 1938	Antilynching	Neely	37	51	83-1166	No.
Feb. 16, 1938	do	Wagner	42	46	83-2007	No.
77th, 2d, Nov. 23, 1942	Antipoll tax	Barkley	37	41	88-9065	No.
78th, 2d, May 15, 1944	do	do	36	44	90-2550-51	No.
79th, 2d:						
Feb. 9, 1946	Fair Employment Practices Commission	do	48	36	92-1219	No.
May 7, 1946	British loan	Ball	41	41	92-4539	No.
May 25, 1946	Labor disputes	Knowland	3	77	92-5714	No.
July 31, 1946	Antipoll tax	Barkley	39	33	92-10512	No.
81st, 2d:						
May 19, 1950	Fair Employment Practices Commission	Lucas	52	32	96-7300	No.
July 12, 1950	do	do	55	33	96-9982	No.
83d, 2d, July 26, 1954	Atomic Energy Act	Knowland	44	42	100-11942	No.

[1] Many cloture petitions have also been withdrawn or held out of order since 1917.

Mr. MORSE. Mr. President, as every Member of this body knows, no one could have a greater respect for the record of old fighting Bob La Follette than the senior Senator from Oregon. I know of no one in American political history who has influenced my own political philosophy more than has the senior Senator La Follette. But that does not mean that I agreed with every position he took. I did not agree with his position on the filibuster. I did not agree with his position in respect to World War I. But I agreed with his philosophy enough so that in 1924 I campaigned, in speech after speech, in the State of Minnesota for the election of Senator La Follette to the Presidency of the United States.

Mr. President, on March 10, 1949, I spoke at considerable length in the Senate in support of my proposal for the adoption of a rule which would provide for cloture by a majority vote. Because so many of the points which I made in that speech are applicable to the debate this year, and in the interest of not taking the time to restate them or to read the speech, unless at some time in the future it becomes necessary as a parliamentary matter in this debate to do so, I ask unanimous consent that certain excerpts from my speech of March 10, 1949, beginning at page 2142, be printed at this point and made a part of my speech this year.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Mr. MORSE. Mr. President, I rise to support and defend the President of the United States, who I think has made the one and only sound proposal for the elimination from the Senate of the United States of what I consider to be the evil practices of filibuster.

I point out that the President has had a considerable amount of experience in the Senate of the United States as a Senator from Missouri; and on the basis of that experience and on the basis of his experience in the White House, I understand that it is correct—and I do not believe it will be denied—that the President of the United States in recent days has expressed his approval of a reform of the Senate rules for which some of us have been fighting for some time past—a reform which would truly restore to the Senate the principle of majority rule. I understand that the President has expressed himself in favor of the cloture petition or cloture procedure which some of us have been proposing for the past several years; namely, that under certain procedural steps in the Senate of the United States, we shall end debate by the same vote we use in passing major legislation, such as an Economic Cooperation Administration plan or lend-lease; yes, by the same vote rule we follow when we find it necessary to declare war; namely, a majority-vote rule.

I am a little at a loss, to say nothing about being somewhat disappointed, to find a complete retreat, apparently, on the Democratic side of the aisle from the President of the United States, the Democratic leader, insofar as giving to him the support he so justly deserves, in my opinion, for his proposal that we end debate in the Senate of the United States under a cloture rule which will permit of a majority-rule principle. I had hoped that for my antifilibuster resolution, which provides for a majority-vote rule, I would get some Democratic support. I do not want the present Presiding Officer of the Senate or any other Democratic Senator to think for a moment that I am the least bit embarrassed about standing here on the floor of the Senate and defending the President of the United States. On the contrary, I consider it a great privilege and a high honor. I only wish I had some Democrats joining me in defending the President of the United States this afternoon, because I think the President of the United States in his recommendation, which happens to correspond with my own recommendation and resolution, is standing for the only sound procedure which would make it possible for the Senate to operate efficiently and would give voice in the Senate of the United States to the people's business by taking care of it in accordance with what I am satisfied an overwhelming majority of the people think is basic to American democracy; namely, rule by the majority. Yet I understand that my good friend the Senator from Illinois [Mr. Lucas], the majority leader, has said, in effect, that on this particular matter he is sorry that he cannot follow his chief. I do not quote him verbatim, of course, but I am sure I correctly quote his meaning, if he has been correctly quoted in the newspapers.

I have just listened to the speech of the Democratic whip, the Senator from Pennsylvania [Mr. Myers], who earlier in this session submitted a resolution on cloture which provided for the principle of majority rule, and which differed from my resolution only in one particular. My resolution, as I subsequently perfected it, provided for a majority-vote principle; and, provided that after the adoption of cloture, through a petition filed by 16 Senators—as is the case under the present rule—and after 96 hours of debate would be permitted, each Senator who did not wish to make use of the full hour of debate after cloture—allowed to him by my resolution—would have the right and privilege of farming out his time, if some other Senator wished to take it and add it to the hour which the resolution automatically would provide to each Member of the Senate. I went to the Senator from Pennsylvania and suggested to him that we try to combine our two resolutions. My resolution, when first submitted, as the Presiding Officer will recall, sought to give to each Senator a 2-hour period for debate, after the adoption of cloture, with the farming-out privilege; but I proceeded to make an investigation of the statistics shown in the history of filibusters in the Senate, and I discovered that not even the 96-hour period has ever been used, after cloture. So I decided that the minority would be adequately protected, so far as giving them adequate time to debate the merits of the case, if I changed my proposal so that, instead of providing a 2-hour period, it would provide a 1-hour period, and I so notified the Committee on Rules when I testified before it at the hearings.

At that time it was my understanding the Democratic whip was of opinion the majority-rule principle should prevail, save and except he thought the time should be limited to but 1 hour for each Senator, without the farming-out provision. I suggested to him we combine our two resolutions by my giving up the 2-hour provision and adopting his 1-hour provision, and in turn, by his agreeing to the farming-out provision of my resolution. He was very courteous, as he always is, and in fact, as all my colleagues always are to me and as I try to be to them. He said that under all the circumstances—and I think I quote him accurately—he thought perhaps it would be better if each one of us pressed for his individual resolution. I understood that language. I took it for granted the distinguished Senator from Pennsylvania had good reasons, which he was not at the moment discussing with me, for not accepting my compromise proposal; but I did not have the slightest notion that what he had in mind was that at a subsequent date he would further modify his position by adopting a constitutional-majority principle in place of a simple-majority principle. But that is what he subsequently did; and so even the very distinguished and exceedingly able Democratic whip left the President of the United States on this issue and adopted a constitutional-majority principle for his resolution.

I have not been able to find out for a certainty, but it may be I stand here this afternoon as the only Member of the Senate solidly in support of the President on this issue. Be that as it may, if it is true, I am proud of it, because I am satisfied the President is absolutely right in the position he has taken; and I hope I have demonstrated by this time during my service in the Senate that whenever I think the President or any other Democrat is right, I am going to be nonpartisan enough to support him. I take it for granted the people of my State sent me here to support and fight for what I think is right. I am convinced, for reasons I shall hereafter set forth in this speech, that the simple-majority-vote principle for which the President is standing, if I have been correctly informed as to his position, is the absolutely sound way to eliminate the filibuster evil from the Senate.

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So I desire to state for the RECORD my reasons in support of the Morse antifilibuster resolution, and I want to reply briefly to some very able, but I think fallacious, arguments which have been made on this issue by some of my distinguished colleagues on the other side.

I agree with the distinguished senior Senator from Georgia [Mr. GEORGE] this is a momentous debate. I think it is but another chapter in a great fight that is going to continue to be waged in the Senate until the coming of that happy day when the people's will will prevail and a rule in the Senate will be adopted making it possible for the will of the people through a majority vote of their elected representatives to be registered in this august body.

I do not think we are going to win the fight this time. I wish I could be more optimistic about it. But I expect now as in the other rounds of the fight in times gone by, the proponents of an antifilibuster resolution will lose. Why? Because neither party in the Senate, Republican or Democratic, in my opinion, has stood up in the fight and made it clear it is willing to take those steps necessary to win the fight. Thus it must go back to the people, and the people once again are going to have to impress upon more Senators at the ballot boxes their determination to see to it that the fight is won in the Senate, either by getting men now in the Senate, once they come again face to face with the people on this issue in campaigns, to change their thinking on the issue, or by supplanting men already here, at future elections, with other candidates for the Senate, who will come here and make the fight which I think should be made now, and, as I have said on the floor on this issue in times past, which should have been made in previous battles.

We cannot win unless we are willing, as we have not been thus far in the fight, to continue in session for as many days, weeks, and months as may be necessary to demonstrate to the minority that we do not propose to have the majority will trampled by minority tactics in the Senate. It must be done some time; why not now?

* * * * *

I repeat, Mr. President, that the rights of the people in legislation before the Congress of the United States are no better than their procedural rights in the Senate of the United States. So long as the rules of the Senate permit, through a filibuster, the defeat of the will of the great, overwhelming majority of the American people on various

issues, then there must be eliminated the procedures which produce such an unconscionable result, if this is to be a truly representative government. To me it is a very simple issue. I am either right or wrong. Mr. President, in saying that the most fundamental tenet of a democratic form of government is that which says the majority will shall prevail, subject to the checks and balances of the Constitution, through a judiciary, and the veto of the President, in case the majority of the Senate and the House pass legislation which cannot be squared with the fundamental constitutional guarantees of the document which gave us all of our rights and liberties.

That is why I never have been able to accept, and cannot now accept, the able arguments of distinguished Democrats on the other side of the aisle, that the Constitution guarantees to them that, under the rules of the Senate, they shall have preserved to them the right to block the majority through procedural tactics, because in their judgment, they do not believe certain legislation which the majority otherwise would pass is constitutional. Mr. President, that defines, in my judgment, our whole theory of government, not only of checks of powers but separation of powers as well.

The American people need to reflect once again on the fact that under our system of government, if we pass legislation which, in fact, is unconstitutional, the courts will pass on it, unless, before it gets to the court, the President of the United States exercises his veto, which, under the Constitution, requires a two-thirds vote to override.

When the Founding Fathers were faced with the problem of establishing the checks in the Constitution they did not have any difficulty in providing a two-thirds vote requirement when they wanted a two-thirds vote requirement as a check. They understood the effect of a two-thirds vote requirement as well as we do; and in the magnificent document which they wrote they checked us, the Senate of the United States, in the passing of unconstitutional legislation, by giving to the President the veto power over us and requiring that his veto shall stand unless a two-thirds vote of the Senate, as well as of the House, overrides it. But they did not anywhere in that document provide that the debate in the Senate of the United States shall be unlimited in the sense that a handful, a minority, of Senators can organize and block the will of the majority by preventing a vote ever occurring on a piece of legislation. If they wanted to place that power in any minority group in the Senate, the English language was perfectly capable of being so used. But they did not do it. What did they provide? They provided that the House and the Senate shall be allowed to make their own rules governing procedure.

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In the speech of the Senator from Georgia, delivered on February 28, 1949, he said, at page 1606 of the RECORD, that had someone suggested a limitation on debate in a conference of the States, before the formation of the Constitution, it would have dissolved the conference.

The Senator from Georgia can assert it, but it is an assumption, which, in my judgment, does not rest upon historical probability. Why do I say that? Because, Mr. President, the Continental Congress, which preceded these great constitutional debates, operated on the basis of a rule which permitted of the previous question. It did not dissolve over that parliamentary practice which limited debate. At the very time the constitutional fathers sat it was the common practice in parliamentary bodies, colonial, and, to the extent we had them, combinations of colonial bodies such as the Continental Congress to use the previous question technique as the device for limiting debate.

I most respectfully say to my good friend from Georgia that I know of no basis in history to support his assumption that had any such proposal been made at the Constitutional Convention to limit debate in the Senate of the United States, the convention would have dissolved. To the contrary, I think the assumption ought to be that, in view of the parliamentary practice which prevailed at that time, by way of the previous question as a device for limiting debate, just the opposite conclusion from that reached by the Senator from Georgia is the one which we should accept.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. MORSE. I shall be very glad to yield for a question.

Mr. GEORGE. Does the Senator not know that the previous question, at the time of the adoption of the Constitution, was itself a debatable question, and that it has little relationship to the previous question as now known in the House of Representatives?

Mr. MORSE. I am perfectly aware of that, but I am sure, also, that the Senator from Georgia would agree with me that at the time of the Constitutional Convention, at the time of the Continental Congress, the usages or practices which grew up around the use of the previous question did not fall into the evil way of a filibuster as it has developed on the floor of the Senate. Rather, the fact is that Members voted on the previous question for limiting debate on a majority-vote basis. In other words, the practice was that men who assembled in parliamentary bodies, after full and fair debate on the merits of an issue, recognized the right of the majority eventually to end debate by the previous question.

In defending that right of unlimited debate in the Senate, Senators George and Connally, for example, relate it somehow to State sovereignty, to the sovereignty of the individual State.

Sovereignty means supreme power. The question of the location of sovereign power in the United States is to be answered, not by reference to the political theory of the American Constitution, but by reference to the hard facts of American life. Whatever the original design, the stubborn fact is that supreme power has come to reside in the central government (if it resides anywhere) as a result of the outcome of the War Between the States, the industrial revolution, and the onward march of science and technology. The intellectual edifice of State sovereignty and States rights, with its corollary doctrines of nullification and withdrawal, treating the National Government as the mere agent of associated States, which was elaborated by Calhoun, collapsed with the defeat of the South in the Civil War.

State sovereignty, in a narrow sense, no longer fits the cold hard facts of modern industrial society. It has passed away forever down the irreversible stream of time. Yet it lingers on in the southern mind like the nostalgic echo of a voice that is still. "But, oh, for the touch of a vanished hand, and the sound of a voice that is still."

Mr. President, the Senator from Georgia, in his very able speech on February 28, said that a right which attaches to the sovereign State is this right of unlimited debate. As I have just said, the Constitution does not say so. Article I, section 5, paragraph 2, of the Constitution provides that each House may determine the rules of its proceedings. Therefore I do not think there can be any reasonable doubt, certainly no reasonable constitutional doubt, concerning the power of the Senate under the Constitution to adopt a rule regulating debate in this body. If that premise is sound under article I, section 5, paragraph 2, then certainly there is no invasion of sovereign powers of the States under the Constitution for this body to adopt a majority-vote rule, because article I, section 5, paragraph 2, contains no word of limitation on the power of the Senate of the United States to adopt its rules.

Mr. GEORGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Georgia?

Mr. MORSE. I yield.

Mr. GEORGE. Of course, the Senator is familiar with the Constitution, and he recognizes, does he not, that there are some things which cannot be done by the Congress except by the consent of the States, and the one and foremost provision is that no State can be deprived of its equal representation or equal suffrage without its consent?

Mr. MORSE. That is correct.

Mr. GEORGE. I also call the Senator's attention to another constitutional provision, namely, that there can be no subdivision of a State, or the creation of a new State out of an old State, or the creation of a new State by combination of parts of two States, except by the consent of the States.

Mr. MORSE. That is true.

Mr. GEORGE. The Senator would not contend, would he, that by mere rule or regulation those constitutional prohibitions could be written out of the Constitution?

Mr. MORSE. Not at all, but I do contend that the observation just made by the Senator from Georgia is entirely irrelevant to the issue before the Senate, as to whether or not under article I, section 5, paragraph 2, of the Constitution the Senate of the United States has the right to adopt a rule governing debate in the Senate which will provide that a majority vote may limit debate. Such a proposed rule has not the slightest connection with the sovereign right of any State.

Mr. President, of course there are rights given to the States under the Constitution which the Senate of the United States cannot take away from the States, but I cannot go along with what I consider to be a fallacious conclusion in the logic of the Senator from Georgia, that because certain rights of the States are guaranteed to them under the Constitution, there is any connection whatsoever with the grant of rights and powers in article I, section 5, paragraph 2, which specifically reserve to the House of Representatives and the Senate the right to adopt rules governing their proceedings. I most respectfully say that the implication of the argument of the Senator from Georgia is a clear non sequitur.

* * * * *

I say, Mr. President, that the safeguard of States rights is to be found in the equal representation of the States in the Senate, and not in its parliamentary procedure. I repeat, my first answer to the able argument of the Senator from Georgia is that the safeguard of States rights is to be found in the equal representation of the States in the Senate, not in its parliamentary procedure.

The Hayden resolution proposes no change in the voting requirements for the application of cloture, nor any reduction in the time allowance for debate following the vote on the cloture motion. No apprehension of the impairment of the rights of the States was voiced in the debate preceding the adoption of the existing cloture rule in 1917, for which all the southern Democratic Senators voted on that memorable day. Were State rights jeopardized during the 5-year period from 1917 to 1922, before the first breach in the ramparts of the present rule was found by a Presiding Officer? The States rights argument in this connection, I say most respectfully, Mr. President, is unsound, and designed to catch timid and unwary souls.

Mr. President, let us consider what an examination of the facts shows about the debates which occurred in 1917 at the time the present cloture rule was adopted.

The date was March 8, 1917. The debate consumed 6 hours, or 26 pages of the RECORD. Of the Senators who participated in the de-

bate, six expressed their preference for majority rather than two-thirds cloture. They were:

Hollis, of New Hampshire, whose comments appear on pages 26 and 27 of the RECORD for March 8, 1917.

Norris, of Nebraska, whose comments in support of majority rule appear on pages 27 and 28 of the RECORD for that date.

Stone, of Missouri, whose support of majority rule cloture appears on page 31.

Owen, of Oklahoma, whose comments appear on page 32.

Thomas, of Colorado. Read his support of majority rule on page 33.

Vardaman, of Mississippi. Note his comment on page 39.

Senator Stone on that occasion prophesied that the two-thirds cloture rule would prove ineffective, and I venture in my humble way to prophesy this afternoon that, even with the adoption of the Hayden resolution, we will not solve the filibuster problem in the Senate, and we will never solve it until we adopt the majority-vote principle in this body.

On March 8, 1917, Senator Owen, of Oklahoma, stated that at least 40 Senators then favored majority cloture, but were bound by a gentlemen's agreement to vote for a two-thirds rule. It is my understanding that what happened behind the scenes in 1917 was that some 40 Senators expressed preference for a simple majority-vote rule in the Senate of the United States for limiting debate, but the leadership prevailed upon them, as so often happens in the Senate now, to modify their views or compromise their position by going along with a two-thirds vote rather than the majority vote which they preferred. It was that understanding and that arrangement which I assume Senator Owen was referring to when on March 8, 1917, he said that at least 40 Senators then favored majority cloture, but were bound by a gentlemen's agreement to vote for the two-thirds rule.

The RECORD shows, Mr. President, that Senator Thomas, of Colorado, on that day said:

"The principle of majority rule is an established and essential principle in American government from the Nation to its smallest hamlet. The majority should have and exercise the power of determining what its policy will be not only with regard to legislation, but, as well, the methods by which legislation is to be accomplished. Two-thirds cloture," he said, "will bring no real measure of relief. It will provide a delusion and a snare. Unless the rules be amended by providing cloture by majority the practical operation of this amendment will prove a deep disappointment to the hopes of its sponsors."

If prophetic words were ever uttered in the Senate of the United States, Mr. President, on March 8, 1917, Senator Thomas, of Colorado, uttered them in connection with the quotation from his speech I have just read to the Senate, because I think it is perfectly clear that the two-thirds vote rule in regard to cloture has proved to be a delusion and a snare.

On that same historic day, the Senator from Mississippi, Mr. Vardaman, stated that he recognized that unlimited debate has served the people of the South—

"But"—

He added—

"I would prefer that the rule would provide for the invocation of the cloture by a majority rather than by a two-thirds vote."

Mr. President, the two-thirds cloture rule was adopted on March 8, 1917, by a vote of 76 to 3. Of the 16 Senators not voting, it was announced that 11 would have voted "Yea." Thus, at least 87 of the 96 Senators then favored a limitation of debate in the Senate of the United States. Where were the southern protests on that day when the sovereignty of the States was being invaded? Where were the southern protests on that day that a great constitutional safeguard was being destroyed in the Senate of the United States? Southern Senators on that day voted for the rule. I think it is also quite obvious that they voted for the rule, thinking, as was the practice for the 5 years thereafter, that it applies to all matters of business before the Senate, be it a motion to take up a bill, or to approve the Journal, or to consider a measure in the sense of the subsequent interpretation of the word "measure" being limited, as the Presiding Officer 5 years later ruled, to a pending bill.

No; I am not impressed, Mr. President, with the argument that the sovereignty of the States is being invaded by putting into application the simple majority-vote principle in the Senate of the United States so that we can transact the people's business and protect the people from the obstructionist tactics of men who seek to talk a bill to death so that no vote can ever occur on it.

I repeat now what I think I have said before on the floor of the Senate—I certainly have said it in committee—that there is all the difference in the world between a prolonged debate on the merits of an issue and a prolonged debate that is intended to continue until such time as the majority yields to an agreement or understanding that no vote on the measure at all shall take place, but, rather, that the majority shall surrender to the minority and the proposed legislation shall be laid on the table or be withdrawn. That has happened since I have been in the Senate, and the CONGRESSIONAL RECORD is filled with many instances of its happening before I came to the Senate. I say that that type of prolonged debate in the Senate of the United States defeats what I consider to be one of the fundamental purposes and principles of democratic government—majority rule.

Not only that, but let it be understood that one of the most costly prices we pay for the filibuster tactics in the Senate of the United States is in committee—not on the floor of the Senate, but in committee. The American people, I am sure, are not fully aware of the fact that the threat of the filibuster is a common weapon that profilibusterers use frequently in committee, where, after a committee by a clear majority is of one mind as to what kind of legislation should be recommended to the floor of the Senate, a minority of the committee will say, in effect, "If you vote the bill out in that form, we warn you we will talk it to death on the floor of the Senate." I call that parliamentary intimidation and, in my judgment, it is used too often in the Senate of the United States, with the result that too frequently committees bring to the floor of the Senate, not legislation by way of recommendation which corresponds to their real desires as a majority; not legislation which the majority of the committee thinks would be in the public interest; but legislation which has been whiplashed out of them by way of a threat of a filibuster if they do not yield in committee to the will of the minority.

Mr. President, if I had to state what I think is the greatest evil in the filibuster, I would not mention first the tremendous waste of time and expense involved in holding up the people's business on the floor of the Senate in actual debate, bad as I think that is. I should say that the great cost of the rule which permits a filibuster is paid in committee, in executive sessions of the committee, away from the public view, where the public is not aware of what is going on behind committee doors. We are confronted there with the threat that if we do not yield to the whiplash of the minority by writing into the bill provisions which we do not think ought to be in the bill, we either cannot get a bill at all, or if we get it to the floor of the Senate, the minority will talk it to death, to use the exact phrase which I have heard on several occasions in committees of which I have been a member since I have been in the Senate.

That is not good government. I do not think it is democratic government. Thus I repeat that I am proud to stand here today shoulder to shoulder with Harry S. Truman in support of a principle of good government which I think in some way, somehow, we must make prevail in America—that the Senate of the United States shall operate and function on the basis of a majority vote principle. My invitation is an open one, and will continue to be extended over the months and years ahead, so long as I am in the Senate, for Democrats and Republicans alike to join with me in support of President Truman on this issue, because he is right.

Returning to the argument of the Senator from Georgia [Mr. George], in this very able argument he said, on February 28:

"We can have absolutism in a legislative body. We can bring about absolutism in the Congress by a gag rule."

Mr. President, absolutism means despotism. Absolutism is the doctrine or practice of unlimited authority and control. I repeat that there are ample limits upon public authority in our constitutional system of checks and balances; but unlimited debate in the Senate has never been a part of American political theory.

I quote from the scholarly book by W. F. Willoughby, "Principles of Legislative Organization and Administration," published in 1934. I read excerpts from pages 495 and 499. In that book Willoughby says:

"The real issue involved in obstruction in the Senate is simply this: Shall majority rule and responsible party government prevail? Impartial students of the question have concluded that it is desirable that the Senate should provide by its rules for greater freedom of debate than obtains in the House, but that it should at the same time provide means by which an abuse of this freedom may be prevented. * * * Obstruction which goes beyond that of legitimate debate is an evil that should be brought under control, both because it consumes the time of the Chamber and because it places undue obstacles in the way of proper working of party government. * * * As in all cases where power is granted, the opportunity for its abuse exists and * * * reasonable safeguards against such abuse should be provided. Such safeguards, however, should not go as far as to enable the minority, in an open contest, to make its will prevail over the majority. While a majority can use its powers in an illegitimate way, the same is true of the minority; and as between the two, the former * * * is the lesser evil."

Mr. President, I fail to see any basis in merit for the fear of the Senator from Georgia that the adoption even of a majority-vote rule in the Senate of the United States would run any danger whatsoever of absolutism. The Senator from Georgia was speaking of the Hayden resolution. I am sure that he would deplore even more my resolution. However, even under my resolution, I do not see any basis for the fear which he has expressed, if we constantly keep in mind the other checks against a majority which might seek to abuse its powers, as suggested by Mr. Willoughby in the book from which I have quoted; if we keep constantly in mind the veto power of the President, the two-thirds vote under the Constitution in regard to overriding the veto, and the great judicial safeguards of the United States Supreme Court in protecting constitutional rights both of individuals and of States.

That leads me to repeat for the RECORD the protection to minority rights contained in the resolution for which I am fighting and which adopts majority-vote-rule principle. It has been suggested in the course of this

debate—in fact, in the committee the distinguished Senator from Arizona [Mr. HAYDEN] suggested it—that if we adopt a majority-vote principle in a resolution which provides for 96 hours of debate, as my resolution does, and which accords to each Senator the right to farm out his time, as my resolution does, there is nothing thereafter which would stop the Senate from further modifying such a rule so as to reduce the 96 hours to 48, the 48 to 24, the 24 to 12, the 12 to 6, or to use the argument of reducing it to an absurdity, wiping out entirely—so those who fear that danger say—any right to debate after cloture has been adopted.

I know that reducing things to an absurdity is frequently a very effective technique when someone wishes to argue from fear rather than from the realities. I believe that those who make that argument fly in the face of the realities of practice of the Senate. Why do I say that? I say it because, as I shall show later by certain statistics which I shall offer, it is most difficult to get 16 Members of the Senate to sign a cloture petition in the first instance. They are not going to do it, and they do not do it, unless and until they become convinced that there is in progress a filibuster which seeks to prevent a vote from ever occurring on an issue.

After the petition is signed, there is another safeguard reality. Those who employ the fear argument tell us that there is a danger that a majority may subsequently further modify the rule or overlook it. The safeguard is that after 16 Members have signed a cloture petition, under my resolution it would require a majority of the Members of the Senate to apply cloture. Has that happened very frequently? In the cases in which cloture petitions have been filed, we find that out of 19 times when such a petition was filed, it was possible to get a majority vote only 12 times. Incidentally, it was possible to get a two-thirds vote only four times. That is why I say that the proposal which is being offered here for a two-thirds vote is ineffective. Statistically it is shown to be little more than a gesture. A two-thirds vote was obtained only 4 times out of 19, and a majority vote 12 times out of 19. So it is evident that a majority of the Members of the Senate will hesitate a long time before they stop their colleagues from discussing the merits of an issue, unless they are convinced that the minority have organized in an endeavor to prevent the majority from even voting. Then I say it is proper for the Senate rule to vest in the majority the right to vote, as provided in my resolution. Although there are some Members of the Senate who seem to think that this type of a practical check in the Senate is not effective, I think the matter of fair play in the Senate and the matter of senatorial courtesy is one of the very practical safeguards protecting the minority from any steamroller tactics which those who have protested my use of the so-called senatorial courtesy argument seem to fear. History supports me, Mr. President, for the statistics which I shall shortly present show that the majority is very hesitant, as it should be, to apply any gag upon the minority, save and except in instances when it is satisfied that the minority is seeking to deny to the majority its democratic right to reach a vote on the issue in question.

So I say that when we examine the realities of Senate practices, the fear arguments, which are being advanced by the opponents of my resolution providing for a majority-vote rule, deserve very little weight.

But the Senator from Georgia apparently feels that there is a great danger of this, because in his speech on February 28 he said:

"Senate Resolution 15 is a grant of power which ultimately will be used to perpetuate a great wrong."

Mr. President, I do not share that opinion. I do not agree with the Senator from Georgia that Senate Resolution 15 is a grant of power. I say it is naught but a rule of procedure prescribing the conditions under which debate may be closed. It can be successfully invoked, under the Hayden resolution, only if two-thirds of the Senators present vote in favor of it. Two-thirds of the Senate will not perpetrate any great wrong upon the American people; in fact, the statistics show that, on the average, 83 Senators have voted on each of the 19 cloture petitions or motions which have been submitted since 1917. We see, therefore, that when a cloture fight arises in the Senate, and when the time comes for voting on that question, there are not very many empty seats in the Senate Chamber. The record shows that to be so. I repeat that, on the average, 83 Senators have been in their seats at the time of the vote on 19 different occasions since 1917 when cloture petitions have been filed and the question of invoking cloture has been voted on.

Mr. President, cloture does not take away any part, I submit, of the right of the smaller States of the Union to have their say in regard to what they wish to say.

In his speech on February 28 the Senator from Georgia also said, "The smallest State in this Union * * * can say what it wishes to say."

I agree with the Senator from Georgia, but I deny his conclusion that Senate Resolution 15 will in any way take away that right. There will be ample opportunity for every State, large or small, to be heard upon the merits of a question, under Senate Resolution 15 or under my resolution providing for cloture by majority vote, if you will, Mr. President, both during the pre-petition stage, during the 2-day interval between the filing of the cloture petition and the vote on it, and during the 96 hours of potential debate after cloture has been adopted, if it is adopted. Under those procedural steps, I ask, can one really imagine a situation in the Senate of the United States in which the smaller States will not have ample opportunity or time to have their say, and all they want to say, on the merits of any issue pending before the Senate of the United States? Let us keep in mind, first, the reluctance of any 16 Members of the Senate to file a cloture petition unless they are convinced that a filibuster has started—which means that prior to that moment there has been adequate and ample time for debate on the merits of the issue in question—and, second, the fact that after the filing of the petition there is a 2-day interval which permits of two continuous days of debate on the merits of the issue involved in the cloture petition; and the further fact that after the adoption of cloture, if it is adopted, 96 hours of debate are permitted under the Hayden amendment, if each Senator wishes to use his hour, to discuss the merits of the issue; and the further fact that under my resolution 96 hours of debate is permitted, with the farming-out privilege, which I think is an additional safeguard to minority interests in the Senate—which I, too, wish to protect; I simply do not wish to give the minority the right to trample the majority underfoot. That is the difference. I do not wish to give to the minority the right to deny effectively to the majority the right to pass proposed legislation, which the present rule permits the minority to do.

No, Mr. President; the talk about taking away from the smaller States their right to say what they wish to say on an issue is a fear argument. It simply will not work out that way in practice. It does not work out that way in practice and I submit it cannot work out that way in practice. My proposal does give—and its great merit is to be found in its strength—to the majority in the Senate the right to prevent any minority group of Senators from denying to the majority the right finally to pass proposed legislation.

My good friend the Senator from Georgia said on February 28:

"If a man's soul recoils from such a proposition as that, is he not justified in saying that, so long as he can prevent it, it shall not even be submitted to the Congress of the United States for decision?"

My answer to him is that I do not think such a right should be recognized under the rules of the Senate of the United States, because I believe such a claimed right, if allowed to be exercised, is equivalent to a license to defeat a fundamental tenet of democratic government, namely, the will of the majority. For one Senator or a minority of Senators to refuse to permit the Senate to vote upon a proposition, simply because the minority believe it is unconstitutional or is contrary to some sectional interest, in my judgment is an arrogant substitution by the minority of their judgment for that of the entire Senate and of the courts of the land. The final arbiters of the civil rights and liberties of the American people are and should be the courts, not transient minorities in the Senate of the United States, whose Members may come from only one section of the country or from only one political party, and none of whom may have been elected recently. The fifth amendment to the Constitution did not enact Herbert Spencer's proposed social station. Neither should rule XXII enable a handful of Senators to prevent consideration of legislation passed by the House of Representatives and desired by an overwhelming majority of the American people.

Let me say a word about the interesting question of political science and political ethics, as to just whom we represent in the Senate. Reasonable men may differ, as they differ on the point I now make; but so far as I am concerned it is a crystal-clear dictate that I feel was vested in me when the people of my State sent me to the Senate. They did not send me to the Senate from Oregon for Oregon. They sent me under our representative system of government from Oregon for the Nation; not to sit here and vote a blind partisan sectional interest on any piece of legislation. Great as the temptation sometimes is to vote and act in that way, weak and inclined as some of us at times may be to yield to the temptation, if and when we do, I say, in my judgment, we do not measure up to the great trust the people of our States placed in us when they sent us to the Senate.

I look upon the Senate as a part of our representative government, as a part of a legislative government, I may say to my good friend from Georgia, as a part of one of the legislative branches of the Government, sent here to legislate in the interests of all the people from the Pacific to the Atlantic and from the Canadian border to the Gulf of Mexico. The people of Oregon did not send me here as an ambassador from Oregon. I thought we answered and found the solution to that issue, terrible as it was, costly as it was, in the War Between the States. I thought as the outcome of that war the notion of Calhoun that we sat here as ambassadors from our respective States was repudiated, and that from that time on we were to sit in the Senate, not as ambassadors from particular States, fighting for the selfish sectional interests, economic, political, and social, of various sections of the country, but fighting for the welfare of the Nation. At least it is in that spirit I propose to stand always on the floor of the Senate and fight as a representative in the Senate from the great State of Oregon, believing that by so doing I am carrying out the great principle of representation to which I pledged myself when I took the oath at the Presiding Officer's desk when I first came into the Senate.

to support and defend the Constitution—which means all the rights set forth in the Constitution for the benefit of the whole Nation—and to pass legislation, if necessary, to see to it that millions of people in this country who may not be getting the full fruits of their constitutional rights as set forth in the letter of the Constitution shall be able to live in terms of those rights. That is my conception of my duty of representation in the Senate. I am perfectly aware of the fact, as I read the able speech of the distinguished Senator from Georgia, delivered on February 28, that he has a considerably different notion as to what representation in the Senate imposes upon him by way of duties and rights and obligations.

Since I have come to the Senate I have been saddened several times because I felt on both sides of the aisle alinements were formed on the basis of selfish sectional interests on various economic and social problems before the Senate for consideration. I know the pressure to do that is great, and I know that sometimes when one does not yield to the pressure his failure to do so may be at great cost to his own political fortunes. I have been able to practice it thus far, and I pray I shall have the strength and the courage to continue to practice it on specific issues; namely, that whenever I am satisfied a vote for a measure that would be of great benefit to my State would not at the same time be in the public interest, I intend to vote against the measure.

Mr. President, I ask to have incorporated as a part of my remarks at this point this list of filibusters in the Senate for the years mentioned, as set forth on pages 17 to 19 of the Galloway pamphlet.

The VICE PRESIDENT. Is there objection?

There being no objection, the list was ordered to be printed in the RECORD, as follows:

"OUTSTANDING SENATE FILIBUSTERS FROM 1841 TO 1948

"1841: A bill to remove the Senate printers was filibustered against for 10 days. A bill relating to the Bank of the United States was filibustered for several weeks and caused Clay to introduce his cloture resolution.

"1846: The Oregon bill was filibustered for 2 months.

"1863: A bill to suspend the writ of habeas corpus was filibustered.

"1876: An Army appropriation bill was filibustered against for 12 days, forcing the abandonment of a rider which would have suspended existing election laws.

"1880: A measure to reorganize the Senate was filibustered from March 24 to May 16 by an evenly divided Senate, until two Senators resigned, giving the Democrats a majority.

"1890: The Blair education bill was filibustered. The force bill, providing for Federal supervision of elections, was successfully filibustered for 29 days. This resulted in the cloture resolution introduced by Senator Aldrich which was also filibustered and the resolution failed.

"1893: An unsuccessful filibuster lasting 42 days was organized against a bill for the repeal of the Silver Purchase Act.

"1901: Senator Carter successfully filibustered a river-and-harbor bill because it failed to include certain additional appropriations.

"1902: There was a successful filibuster against the tri-State bill proposing to admit Oklahoma, Arizona, and New Mexico to statehood, because the measure did not include all of Indian Territory according to the original boundaries.

"1903: Senator Tillman, of North Carolina, filibustered against a deficiency appropriation bill because it failed to include an item paying his State a war claim. The item was finally replaced in the bill.

"1907: Senator Stone filibustered against a ship-subsidy bill.

"1908: Senator La Follette led a filibuster lasting 28 days against the Vreeland-Aldrich emergency currency law. The filibuster finally failed.

"1911: Senator Owen filibustered a bill proposing to admit New Mexico and Arizona to statehood. The House had accepted New Mexico, but refused Arizona because of her proposed constitution. Senator Owen filibustered against the admission of New Mexico until Arizona was replaced in the measure. The Canadian reciprocity bill passed the House and failed through a filibuster in the Senate. It passed Congress in an extraordinary session but Canada refused to accept the proposition.

"1913: A filibuster was made against the omnibus public building bill by Senator Stone, of Missouri, until certain appropriations for his State were included.

"1914: Senator Burton, of Ohio, filibustered against a river and harbor bill for 12 hours. Senator Gronna filibustered against acceptance of a conference report on an Indian appropriation bill. In this year also the following bills were debated at great length, but finally passed: Panama Canal tolls bill, 30 days; Federal Trade Commission bill, 30 days; Clayton amendments to the Sherman Act, 21 days; conference report on the Clayton bill, 9 days.

"1915: A filibuster was organized against President Wilson's ship-purchase bill by which German ships in American ports would have been purchased. The filibuster was successful and as a result three important appropriation bills failed.

"1917: The armed-ship bill of President Wilson was successfully filibustered, and caused the defeat of many administration measures. This caused the adoption of the Martin resolution embodying the President's recommendation for a change in the Senate rules, on limitation of debate.

"1919: A filibuster was successful against an oil and mineral leasing bill, causing the failure of several important appropriation bills and necessitating an extraordinary session of Congress.

"1921: The emergency tariff bill was filibustered against in January 1921, which led Senator Penrose to present a cloture petition. The cloture petition failed, but the tariff bill finally passed.

"1922: The Dyer antilynching bill was successfully filibustered against by a group of southern Senators.

"1923: President Harding's ship-subsidy bill was defeated by a filibuster.

"1925: Senator Copeland (New York) talked at length against ratification of the Isle of Pines Treaty with Cuba, but the treaty was finally ratified.

"1926: A 10-day filibuster against the World Court Protocol was ended by a cloture vote of 68 to 26, the second time cloture was adopted by the Senate. A bill for migratory bird refuges was talked to death by States rights advocates in the spring of 1926, a motion for cloture failing by a vote of 46 to 33.

"1927: Cloture again failed of adoption in 1927 when it was rejected by 32 yeas against 59 nays as a device to end obstruction against the Swing-Johnson bill for development of the lower Colorado River Basin.

"One of the fiercest filibusters in recent decades succeeded in March 1927 in preventing an extension of the life of a special campaign investigating committee headed by James A. Reed, of Missouri. The committee's exposé of corruption in the 1926 senatorial election victories of Frank L. Smith in Illinois and of William S. Vare in Pennsylvania had aroused the ire of a few Senators who refused to permit the continuance of the investigation despite the wishes of a clear majority of the Senate.

"1933: Early in 1933 a 2-week filibuster was staged against the Glass branch-banking bill in which Huey Long first participated as a leading figure. 'Senators found him impervious to sarcasm and no man could silence him.' Cloture was defeated by the margin of a single vote. Finally, the filibuster was abandoned and the bill passed.

"1935: The most celebrated of the Long filibusters was staged on June 12–13, 1935. Senator Long spoke for 15½ hours, a feat of physical endurance never excelled in the Senate, in favor of the Gore amendment to the proposed extension of the National Industrial Recovery Act. But the amendment was finally tabled.

"1938: A 29-day "feather duster" filibuster in January-February 1938 defeated passage of a Federal antilynching bill, although an overwhelming majority of the Senate clearly favored the bill.

"1939: An extended filibuster against adoption of a monetary bill, extending Presidential authority to alter the value of the dollar, continued from June 20 to July 5, 1939, but finally failed by a narrow margin.

"1942, 1944, 1946, 1948: Four organized filibusters upon the perennial question of Federal anti-poll-tax legislation were successful in these years. An attempt to pass fair employment practice legislation in 1946 was also killed by a filibuster. The present Senate cloture rule proved ineffective in these cases as a device for breaking filibusters.

"LIMITATION OF DEBATE IN STATE LEGISLATURES

"Examination of the rules of procedure in effect in the several State legislatures indicates that four major approaches are followed in an effort to limit debate. These are: (1) limitation on the number of times a member may speak to any single question; (2) limitation on the length of time a member may speak; (3) use of the previous-question motion to cut off debate; and (4) special forms of cloture.

"1. Limitation on number of times a member may speak: With but isolated exceptions the rules of State senates and houses of representatives alike limit the number of times any member may speak on a single question at a single stage in procedure. The number specified is commonly twice, with a proviso that a member may not even speak the second time until all who desire to speak once have done so. Exceptions are, however, commonly made in favor of committee chairmen, bill sponsors, etc.

"2. Duration of normally permitted debate: About half of the legislative chambers go further and specify that, at least on a given day or at a given stage in procedure, a member may not speak in excess of a limited period of time without unanimous consent or other permission. Periods as short as 5 to 10 minutes are found (Oklahoma House and Senate, respectively); a 30-minute limitation is common; while 1-hour (Alabama Senate and Arizona House) and 2-hour specifications (South Carolina and Colorado Senates) are also found. In some instances there are even more restrictive time limits in force for debate on special subjects, e.g., questions of privilege.

"3. Previous question: Most State legislatures specifically permit use of the motion for the previous question as a device for cutting off debate, and word their rules so as to facilitate its use. Only two legislative chambers (the Senates of Utah and Vermont) are known to forbid the motion.

"4. Other forms of cloture: In view of the frequency of provisions of the above types it is obvious that the State legislatures do not have any great need for other forms of cloture. The following are some examples of those special cloture rules known to exist.

New York Senate, rule XIV, section 1, paragraphs 3 and 4:

"'When any bill, resolution, or motion shall have been under consideration for 2 hours, it shall be in order for any senator to move to close debate, and the president

shall recognize the senator who wishes to make such motion. Such motion shall not be amendable or debatable and shall be immediately put, and if it shall receive the affirmative vote of a majority of the senators present, the pending measure shall take precedence over all other business.

" 'The vote shall thereupon be taken upon such bill, resolution, or motion with such amendments as may be pending at the time of such motion, according to the rules of the senate, but without further debate, except that any senator who may desire to do so shall be permitted to speak thereon not more than once and not exceeding 5 minutes; upon the rollcall any senator may speak not to exceed 5 minutes in explanation of his vote.' (New Mexico Senate has a variant of this applicable after 6 hours with 30 minutes allowed subsequently.)

"Alabama Senate, rule 34:

" 'The committee on rules may at any time report a special rule that debate on a pending measure shall cease at a certain hour, and a vote be taken on the measure. The consideration of such special rule shall not exceed 30 minutes, when a vote shall be taken thereon.'

"Indiana Senate, rule 51, paragraph 2:

" 'The senate at any time, by resolution adopted by a majority of the senators-elect, may further limit the time of debate.' (E.g., shorten normal half-hour allowed each member.)

"Louisiana Senate, rule 9, second paragraph:

" 'The senate may at any time, by a majority vote, limit debate so that no senator shall be permitted to speak longer than 1 hour at one time without permission of the senate, and a motion to that effect shall be in order at any time, taking precedence over every other motion, except a motion to adjourn.' (Par. 1 prohibits a member from speaking more than twice to any question without permission of the senate.)

"Massachusetts Senate, rule 47:

" 'Debate may be closed at any time not less than 1 hour from the adoption of a motion to that effect. On this motion not more than 10 minutes shall be allowed for debate, and no member shall speak more than 3 minutes.' (Motion has high priority under rule 46.)

"Colorado Senate, rule X, paragraph 2:

" 'Debate may be closed at any time not less than 1 hour from the adoption of a motion to that effect, and upon a majority vote of the members-elect an hour may be fixed for a vote upon the pending measure. On either of these motions not more than 10 minutes shall be allowed for debate, and no Senator shall speak more than 3 minutes; and no other motion shall be entertained until the motion to close debate, or to fix an hour for the vote on the pending question, shall have been determined.'

"Rhode Island Senate rule 23 is the most comprehensive existing, to our knowledge, and is quoted below:

" 'When any bill, resolution or motion shall have been under consideration for 2 hours it shall be in order for any senator to move to close debate, and the president shall immediately recognize the senator who wishes to make such motion. Such motion shall not be amendable or debatable and shall be immediately put. The motion to close debate may be moved and ordered upon a single motion, or an amendment or amendments, or may be made to embrace all pending amendments and include the bill, resolution, or motion to its passage or rejection. If such motion to close debate shall receive the affirmative votes of a majority of the senators present, a vote without further debate shall thereupon be taken upon such bill, resolution, or motion, provided that any senator who desires so to do shall be permitted to speak thereon not more than once and not exceeding 5 minutes, and provided further that one motion to adjourn shall be in order before such vote is taken. Should said motion to adjourn be carried, the measure under consideration shall be the unfinished business of the senate until disposed of. All incidental questions of order pending at the time of such motion to close debate is made, and on such questions arising after a motion to close debate has been made and before the final vote has been taken on the matter or matters to which the motion to close debate shall have been directed whether the same be an appeal or otherwise, shall be decided without debate.' "

Mr. MORSE. Mr. President, I also ask unanimous consent to have inserted at this point in the RECORD, as a part of my remarks, a tabulation of the rules of the various State legislatures in respect to the following points: The number of times a member may speak without leave; the duration of permitted remarks; the motion for previous question authorized; and other cloture rules. This tabulation is complete, and I ask consent to have it incorporated at this point in the RECORD.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

	Number of times member may speak without leave [1]		Duration of permitted remarks [2]		Motion for previous question authorized [3]		Other cloture rules (for text of statute)	
	Senate	House	Senate	House	Senate	House	Senate	House
Alabama	2	2	1 hour	10 minutes		Yes	Rule 34	
Arizona		[4] 2		1 hour [5]	Yes	Yes		Rule 9(9).
Arkansas	1	1	1 hour [5]	1 hour [5]	Yes	Yes	Rule [6]	Rule 15.
California	[4] [7] 2	[7] 1		1 minute	Yes	Yes		
Colorado	[7] 2	1	2 hours [5]	50 minutes [5]		Yes	Rule 10(2)	
Connecticut	2	2				Yes		
Delaware	[7] 2	2				Yes		
Florida	[4] 2	[4] 2	30 minutes	30 minutes [8]		Yes		
Georgia	[4] 2	[4] 2	30 minutes	1 hour [5]	Yes	Yes		
Idaho	[7] 2	[4] 2		1 hour	Yes	Yes		
Illinois	[4] 2	1	15 minutes	30 minutes	Yes	Yes		
Indiana	1	[4] 2	30 minutes [9]		Yes	Yes	Rule 15(2)	
Iowa		[9] 1		([10])	Yes	Yes		
Kansas	[7] 2	1			Yes	Yes		
Kentucky	([4])	[4] 2	1 hour [5]	30 minutes [5]	Yes	Yes		Rule 12.
Louisiana	2	[4] 2		30 minutes	Yes	Yes	Rule 9	
Maine	[11] 3	2				Yes		
Maryland	([4] [12])	[4] 2				Yes		
Massachusetts	([4])	([4])				Yes	Rule 47	Rule 85.
Michigan	[7] 2	1			Yes	Yes		
Minnesota	[7] 2	[4] 2	([13])		Yes	Yes		
Mississippi	[4] 2	([4])	5–20 minutes [14]	5–10 minutes [15]	Yes	Yes	Rule [16]	
Missouri	1	[4] 2		15 minutes [12]	Yes	Yes		
Montana	[7] 2	1		30 minutes [5]	Yes	Yes		
Nebraska	72				Yes			
Nevada	[4] [7] 2	[4] [7] 2			Yes	Yes		
New Hampshire	[7] 2	[4] 2			Yes	Yes		
New Jersey	3	2		5–15 minutes [5] [17]		Yes		
New Mexico	[4] [7] 2	([4] [7])	([18])		Yes	Yes	Rule 65	Rule 78.
New York	[7] 2	2		15 minutes [8]		Yes	Rule 14(3)(4)	
North Carolina	[7] 2	[20] 2	30 minutes [7]	10–30 minutes [21]	Yes	Yes		Rule 19.
North Dakota	[4] 2	[4] 2	5–10 minutes [22]	5–10 minutes [22]	Yes	Yes		

[1] These are the general provisions as to the number of times a member may speak on a given issue. Where 2 is the rule, it is commonly stated that no member may speak his second time until all desiring to speak once have done so. Special provisos are often made, but not listed here, for committee chairmen, bill sponsors, movers of the question, etc. Moreover, special allowances are usually found for committee of the whole and certain types of business.

[2] These are the general provisions as to the length of debate. Special limits sometimes exist for particular classes of members or types of business.

[3] Frequently accompanied by special provisions tending toward an immediate vote.

[4] No member may speak more than once on a question until every other member desiring to be heard has spoken.

[5] In the aggregate on any question.

[6] Unnumbered rule on previous question, sec. 2.

[7] In any one day on the same question.

[8] During the last 25 days of the session members shall not speak longer than 10 minutes at any one time.

[9] Members may speak only once without leave, and may not speak more than twice to a question until every member desiring to speak has spoken.

[10] When bills are being considered prior to their last reading, debate thereon is limited to 10 minutes to each member.

[11] No senator may speak more than once to the exclusion of others, if objection is made without leave.

[12] Except by unanimous consent.

[13] In discussing any resolution, senators are limited to 5 minutes each.

[14] 20 minutes is allowed a member to speak to the main question, and 5 minutes on a subsidiary question; when the time of a senator is extended by leave of the senate, it must be for a specific period.

[15] No member may ordinarily speak more than 10 minutes on any main question, or 5 minutes on an amendment, without leave.

[16] Rule on motions and amendments in listing the precedence of motions (preceding Rule 64) lists the motion to close debate at a specific time.

[17] No member shall speak on any question longer than 15 minutes the first time or 5 minutes the second time, without leave.

[18] During the last 3 days of the session no member may speak longer than 10 minutes on any one question.

[19] Except by consent of two-thirds of the members present.

[20] No member may speak more than once on amendments or certain motions.

[21] No member may speak on a question longer than 30 minutes for the first speech and 15 minutes for the second speech, without leave; nor may he speak longer than 10 minutes on an amendment or certain motions.

[22] No member may speak to a question longer than 10 minutes the first time or 5 minutes the second time, except by unanimous consent.

	Number of times member may speak without leave [1]		Duration of permitted remarks [2]		Motion for previous question authorized [3]		Other cloture rules (for text of statute)	
	Senate	House	Senate	House	Senate	House	Senate	House
Ohio	2	[5] 2		20 minutes [7]	Yes	Yes		
Oklahoma	[4] [23] 2	[4] 2	5–10 minutes [24]	5 minutes	Yes	Yes		Rules 36, 37.
Oregon	2	[4] 2	([25])		Yes	Yes		
Pennsylvania	2	2			Yes	Yes	Rule 9	
Rhode Island	[4] 2	[4] 2			Yes	Yes	Rule 23	Rule 21.
South Carolina	[7] 2	[5] 2	2 hours [7]			Yes	Rule 14	
South Dakota	[4] 2	[5] 2	10 minutes	10 minutes	Yes	Yes		
Tennessee	[4] 2		10–20 minutes [26]	10–15 minutes [27]	Yes	Yes		
Texas	[4] 2	[4] 2		10 minutes [28]	Yes	Yes		
Utah	[4] [7] 2	[4] [7] 2			Prohibited	Yes		Rule 29.
Vermont	[4] 2	[4] 2			Prohibited			
Virginia	[4] 2	[4] 2			Yes	Yes		
Washington	[4] [7] 2	[29] 2		10 minutes [29]	Yes	Yes		
West Virginia	[5] 2	[5] 2			Yes	Yes		Rule 38.
Wisconsin	[5] 2	[5] 2			Yes	Yes		
Wyoming	[7] 2	[4] [7] 2	([30])		Yes	Yes		

[23] Members may speak only once to an amendment to a question or a substitute question.

[24] No member may consume more than 10 minutes in debate on a question without the unanimous consent of the senate; and he may consume only 5 minutes when considering bills on general order, without such consent.

[25] During the last 10 days of the session, no member except the author of a bill shall be permitted to speak on its final passage for longer than 5 minutes, but members may waive their time in favor of another member; during those 10 days no member may speak on a motion or resolution longer than 3 minutes.

[26] No member may speak to a question longer than 20 minutes in the first speech and 10 minutes in the second.

[27] No member may speak to a question longer than 15 minutes in the first speech and 10 minutes in the second.

[28] The house by vote may extend the time allowed for only 10 minutes; but during the last 10 days of a regular session and the last 5 days of a special session the extension may be for 5 minutes only, and such extension requires unanimous consent.

[29] After the first 50 days of the session no member shall ordinarily speak more than once to the same question, without leave, or longer than 3 minutes.

[30] Any member is limited in debate on bills on third reading or amendments thereto to speaking not more than twice on the bill or on any one amendment, and may consume not more than 5 minutes each time he speaks.

Alabama Senate Rule 34: "The committee on rules may at any time report a special rule that debate on a pending measure shall cease at a certain hour, and a vote be taken on the measure. The consideration of such special rule shall not exceed 30 minutes, when a vote shall be taken thereon."

Arizona House Rule IX, par. 9: "There shall be no debate at the third reading of a bill except by a two-thirds vote of all members elected to the house."

Arkansas Senate Unnumbered Rule on Previous Question, sec. 2: "The previous question is the only motion used for closing debate in the senate itself except the motion to immediately consider * * *."

Arkansas House Rule XV, sec. 2: "The previous question is the only motion used for closing debate in the house itself except the motion to immediately consider * * *."

Colorado Senate Rule X, par. 2: "Debate may be closed at any time not less than 1 hour from the adoption of a motion to that effect, and upon a majority vote of the members-elect an hour may be fixed for a vote upon the pending measure. On either of these motions not more than 10 minutes shall be allowed for debate, and no senator shall speak more than 3 minutes; and no other motion shall be entertained until the motion to close debate, or to fix an hour for the vote on the pending question, shall have been determined."

Indiana Senate Rule 51: "Second.— * * * The senate at any time, by resolution adopted by a majority of the senators-elect, may further limit the time of debate."

Kentucky House Rule 12: "A motion to limit debate being moved and seconded, the question from the Chair shall be, 'Shall debate be limited?' A majority of the members present may limit debate to the time specified in the motion at any time. The speaker shall proportion the time each member may speak under the motion to limit debate."

Louisiana Senate Rule 9: "* * * The senate may at any time, by a majority vote, limit debate so that no senator shall be permitted to speak longer than 1 hour at one time without permission of the senate, and a motion to that effect shall be in order at any time, taking precedence over every other motion, except a motion to adjourn."

Massachusetts Senate Rule 47: "Debate may be closed at any time not less than 1 hour from the adoption of a motion to that effect. On this motion not more than 10 minutes shall be allowed for debate, and no member shall speak more than 3 minutes."

Massachusetts House Rule 85: "Debate may be closed at any time not less than 30 minutes from the adoption of a motion to that effect. In case the time is extended by unanimous consent, the same rule shall apply at the end of the extended time as at the time originally fixed."

Mississippi Senate unnumbered rule: "Chamber provides for a motion to close debate but rule gives no details."

New Mexico Senate Rule 65: "When any bill, resolution or motion shall have been under consideration for 6 hours, it shall be in order for any senator to move to close the debate, and the president shall recognize the senator who wishes to make such motion. Such motion shall not be amendable as debatable and shall be immediately put, and if it shall receive affirmative votes of a majority of the senators present, the pending measure shall take precedence over all other business. The vote shall thereupon be taken upon such bill, motion or resolution, with such amendments as may be pending at the time of such motion, according to the rules of the senate, but without further debate, except that any senator who may desire so to do shall be permitted to speak thereon not more than once and not exceeding one-half hour. After such motion to close debate has been made by any senator no other motion shall be in order until such motion has been voted upon by the senate. After the senate shall have adopted the motion to close debate, as hereinbefore provided, no motion shall be in order but one motion to adjourn and a motion to commit. Should said motion to adjourn be carried, the measure under consideration shall be the pending question when the senate shall again convene, and shall be taken up at the point where it was at the time of such adjournment. The motion to close debate may be ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments and include the bill, resolution or motion to its passage or rejection. All incidental questions of order, or motions pending at the time such motion is made to close debate, whether the same be on appeal or otherwise, shall be decided without debate. Provided, however, that debate upon contested election cases shall be limited to 60 minutes. Upon such question no senator shall consume more than 3 minutes in debate thereof and no senator shall speak more than once."

New Mexico House Rule 78: "When any bill, resolution or motion shall have been under consideration for 3 hours it shall be in order for any member to move to close debate, and the speaker shall recognize the member who wishes to make such motion. Such motion shall not be amendable or debatable and shall be immediately put, and if it shall receive the affirmative votes of a majority of the members present, the pending measure shall take precedence over all other business. The vote shall thereupon be taken upon such bill, motion or resolution, with such amendments as may be pending at the time of such debate. After such motion to close debate has been made by any member no other motion shall be in order until such motion has been voted upon by the house. After the house shall have adopted the motion to close debate, as hereinbefore provided, no motion shall be in order but one motion to adjourn and a motion to recommit. The motion to close debate may be ordered upon a single motion, a series of motions allowable under the rules, or may be made to embrace all authorized motions or amendments and include the bill, resolution or motion to its passage or rejection. All incidental questions or orders, or motions pending at the time such a motion is made to close debate, whether the same be an appeal or otherwise, shall be decided without debate."

New York Senate Rule 14, secs. 3 and 4:

"SEC. 3. When any bill, resolution or motion shall have been under consideration for two hours, it shall be in order for any senator to move to close debate, and the president shall recognize the senator who wishes to make such motion. Such motion shall not be amendable or debatable and shall be immediately put, and if it shall receive the affirmative vote of a majority of the senators present, the pending measure shall take precedence over all other business.

"SEC. 4. The vote shall thereupon be taken upon such bill, resolution or motion with such amendments as may be pending at the time of such motion, according to the rules of the senate, but without further debate, except that any senator who may desire so to do shall be permitted to speak thereon not more than once and not exceeding 5 minutes; upon the rollcall any senator may speak not to exceed 5 minutes in explanation of his vote. After such motion to close debate has been made by any senator, no other motion shall be in order until such motion has been voted upon by the senate. After the senate shall have adopted the motion to close debate, as hereinbefore provided, no motion shall be in order but one motion to adjourn or for a call of the senate by the temporary president, and a motion to commit. Should said motion to adjourn be carried, the measure under consideration shall be the pending question when the senate shall again convene, and shall be taken up at the point where it was at the time of such adjournment. The motion to close debate may be ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments, and include the bill, resolution or motion to its passage or rejection. All incidental questions of order or motions pending at the time such motion is made to close debate, whether the same be on appeal or otherwise, shall be decided without debate."

North Carolina House Rule 19: "No member shall speak more than twice on the main question, nor longer than 30 minutes for the first speech and 15 minutes for the second speech, unless allowed to do so by the affirmative vote of a majority of the members present; nor shall he speak more than once upon an amendment or motion to commit or postpone, and then not longer than 10 minutes. But the house may, by consent of a majority, suspend the operations of this rule during any debate on any particular question before the house, or the committee on rules may bring in a special rule that shall be applicable to the debate on any bill."

Oklahoma House Rules 36 and 37: "These rules give each side 30 minutes in the aggregate to debate on final passage of a bill; provided, that when a bill or resolution carries an emergency section such section shall constitute a separate question, to be debatable for an aggregate of 10 minutes, 5 minutes to be allotted each side. When there is a majority and minority committee report, 5 minutes is allotted each side for debate on the question of receiving the majority or minority report."

Pennsylvania Senate Rule 9: This rule lists a motion to limit or extend the limits on debate, but the rule gives no details.

Rhode Island Senate Rule 23: "When any bill, resolution, or motion shall have been under consideration for 2 hours it shall be in order for any senator to move to close debate, and the president shall immediately recognize the senator who wishes to make such motion. Such motion shall not be amendable or debatable and shall be immediately put. The motion to close debate may be moved and ordered upon a single motion, or an amendment or amendments, or may be made to embrace all pending amendments and include the bill, resolution, or motion to its passage or rejection. If such motion to close debate shall receive the affirmative votes of a majority of the senators present, a vote without further debate shall thereupon be taken upon such bill, resolution or motion, with such amendments as may be pending at the time of such motion, provided that any senator who desires so to do shall be permitted to speak thereon not more than once and not exceeding 5 minutes, and provided further that one motion to adjourn shall be in order before such vote is taken. Should said motion to adjourn be carried, the measure under consideration shall be the unfinished business of the senate until disposed of. All incidental questions of order pending at the time of such motion to close debate is made, and on such questions arising after a motion to close debate has been made and before the final vote has been taken on the matter or matters to which the motion to close debate shall have been directed whether the same be an appeal or otherwise, shall be decided without debate."

Rhode Island House Rule 21: This rule provides for a motion to fix a time for closing debate, but the rule gives no details.

South Carolina Senate Rule 14: "* * * the debate on any question and the time when such question shall be voted upon may be fixed by a vote of two-thirds of the senate; and the debate on the question of fixing such time shall be limited within the discretion of the chair; and such motions shall have precedence of [other designated] motions * * *."

Utah House Rule 29: This rule provides for a motion to limit debate, but the rule gives no details.

West Virginia House Rule 38: "* * *. The house by majority vote may limit debate on any question."

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

"LIMITATIONS ON DEBATE ADOPTED BY THE SENATE IN THE PAST

"1. From 1789 to 1806 the Senate rules provided for a previous question motion which, if adopted by majority vote, had the effect of ending debate and bringing a question to a vote.

"2. Since 1846 the Senate has frequently adopted unanimous-consent agreements which are a species of cloture.

"3. During the Civil War debate in secret session on matters relating to the rebellion was limited by rule to 5 minutes by any Member and was confined to the subject matter.

"4. In 1868 the Senate adopted a rule providing that motions to take up or proceed to the consideration of any question should be determined without debate.

"5. In 1870 the Senate adopted the Anthony rule limiting debate on the call of the calendar to one 5-minute speech per Senator on any question. The Anthony rule was made a standing rule in 1880. (Rule VIII.)

"6. During the 1870's Senate debate on appropriation bills was limited by the 5-minute rule.

"7. In 1881 the Senate agreed, for the remainder of the session, to limit debate to 15 minutes on a motion to consider a bill or resolution, no Senator to speak more than once or for longer than 5 minutes.

"8. In 1884 the Senate amended its rules to provide that all motions made before 2 o'clock to proceed to the consideration of any matter shall be determined without debate. (Rule VIII.)

"9. In 1884 the Senate amended its 10th rule so as to provide that all motions to change the order of precedence on special orders, or to proceed to the consideration of other business, should be decided without debate.

"10. In 1884 the Senate provided by rule that motions to lay before the Senate any bill or other matter sent to the Senate by the President or the House of Representatives should be determined without debate. (Rule VII, 7.)

"11. In 1908 it was decided that Senators could, by enforcement of the rules, be restrained from speaking on the same subject more than twice in the same legislative day.

"12. In 1917 the Senate adopted its present cloture rule. (Rule XXII.)

"13. In 1939 and 1945 the Senate passed executive reorganization acts containing an antifilibuster rule."

Mr. MORSE. The memorandum will show that such a generalization as the one advanced by those who have made the argument I am attempting to rebut is not sound. It will also show the matter of limitation of debate has been one of frequent discussion in the Senate. It has in recent years been successfully defeated so far as changing the existing rule is concerned, by way of the filibuster technique itself. Thus, we are confronted with the paradoxical situation that in order to eliminate the filibuster technique from the Senate we first have to defeat a filibuster. I do not know how many times the Senate is going to be willing to surrender in the face of that intimidation. I can merely go on hoping, as I said earlier in my remarks, that the happy day will come and come soon when both the Republican and Democratic Parties in the Senate will awaken to the fact—and I believe it to be a fact—that the great majority of the American people want us to end the filibustering technique in the Senate by the adoption of a rule that will successfully banish it from the Senate.

There was another very able speech made during the course of the debate which I want to answer very briefly. I refer to the speech by the distinguished Senator from Mississippi [Mr. STENNIS]. He made his speech on March 1, 1949. The Senator challenged the proponents of the Hayden resolution to show how the American people have ever been harmed by the filibuster. I have already had inserted in the RECORD a list of the filibusters, as set forth in the corrected copy of the Galloway report, and I say one need only read that list and take into account the implications of the legislation filibustered to recognize that the public interest did suffer and has suffered as the result of many filibusters in the Senate. I would answer him further that the public interest has suffered, the rights of millions of fellow Americans have suffered, because the filibuster technique has made it possible to date to prevent the passage of civil-rights legislation, for example.

Of course the Senator from Mississippi does not agree with me on the merits of civil-rights legislation. But the fact that he does not agree with me on civil-rights legislation does not make his argument a sound one when he says, "Wherein has the public interest suffered as a result of the filibuster technique?" It has suffered not only in respect to civil-rights legislation but it has suffered in my judgment because of the many compromises, as I stated earlier in my remarks this afternoon, which frequently have to be made in committee before we can even get legislation to the floor of the Senate, under a threat that if we do not yield to minority demands the bill will be talked to death on the floor of the Senate. That is a terrible cost to have to pay for minority rule in the Senate.

The public interest has suffered also, as is evident from a statement of the legislation involved in bills held up by filibusters, as set forth in the Galloway report, because of the compromise changes that had to be made before the legislation was subsequently passed. The argument has been made in the course of the debate that eventually the legislation was passed. But the proponents of that argument do not tell us in what form it was finally passed. In many instances it was passed in compromised form, compromises having been forced by the threat of filibuster. That is rule by intimidation, not by majority vote. That is rule by legislative blackmail, not by democratic processes.

Let us not forget that over the years of the history of the filibuster there is a filibuster on bill X or issue X, and a whole series of bills behind it never get to a vote in that session because of the delay caused by the filibuster. That is a tremendous loss to the public. The record will show that in many instances many appropriation bills were lost. Is it any answer when the Senator from Mississippi says, "But eventually the bills were passed, eventually the appropriations were made?" I say that is no answer at all. How much of a loss is it to the people of the United States to have postponed for 1 or 2 or 3 years a very important appropriation for some great public development that ought to have been passed at the very time a filibuster backlogged it and prevented it from getting to the floor of the Senate for passage?

If we want to add up the great cost to the people of the United States caused merely by delay alone to bills which were held up and never got to the floor of the Senate for a vote because another bill was filibustered, the delay cost alone would be a complete answer to the Senator from Mississippi, who says, "In what way has the public interest suffered from filibustering practices in the Senate?" I answer, in a multitude of ways, at terrific cost to the public welfare; and we ought to end it. The more quickly we end it, the better for the people of the United States.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks a table entitled "Citations to later action on filibustered bills."

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Citations to later action on filibuster bills

Bills	Year of filibuster	Citations to later acts on same subjects
River and harbor bill.	1901	32 Stat. 331, June 13, 1902.
Do	1903	33 Stat. 1117, Mar. 3, 1903.
Do	1914	38 Stat. 1049, Mar. 4, 1915.
Colombian Treaty	1903	33 Stat. 2234, Feb. 23, 1904.
Canadian reciprocity.	1911	37 Stat. 4, July 26, 1911.
Arizona-New Mexico statehood.	1911	37 Stat. 39, Aug. 21, 1911.
Ship-purchase bill	1915	39 Stat. 728, Sept. 7, 1916.
Mineral lands leasing bill.	1919	41 Stat. 437, Feb. 25, 1920.
Migratory-bird conservation.	1926	45 Stat. 1222, Feb. 18, 1926.
Colorado River bill	1927	45 Stat. 1011, May 29, 1928.
Do	1928	45 Stat. 1057, Dec. 21, 1928.
Emergency officers' retirement.	1927	45 Stat. 735, May 24, 1928.
Washington public buildings bill.	1927	45 Stat. 51, Jan. 13, 1928.
Oil-industry investigation.	1931	49 Stat. 30, Feb. 22, 1935.
Work relief bill, prevailing wage amendment.	1935	49 Stat. 1609, June 22, 1936.
Flood-control bill	1935	49 Stat. 1570, June 22, 1936.
Coal-conservation bill.	1936	50 Stat. 72, Apr. 26, 1937.

Mr. MORSE. Mr. President, in my remarks in 1949, I presented historical information on outstanding filibusters from 1841 to 1948. I have brought that list up to date. I ask unanimous consent that the material additional to the information contained in the CONGRESSIONAL RECORD, volume 95, part 2, page 2148, on the subject, "Outstanding Senate Filibusters From 1841 to 1948," be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

1949: A motion to take up a resolution (S. Res. 15) to amend the cloture rule was debated at intervals in the Senate from February 28 to March 17 when it was amended and agreed to.

1950. A motion to take up the FEPC bill (S. 1728) was debated in the Senate, May 8–9, 1950, a total of 9 days. Ten Senators spoke in favor of the motion to take up (really in support of the bill) and 8 Senators spoke against the motion. According to a rough calculation, the proponents of the motion and bill used 35 percent, and the opponents used 65 percent, of the space in the CONGRESSIONAL RECORD devoted to the subject. During the 9-day period 3,414 inches of the RECORD were consumed with discussion of FEPC and 2,835 inches with other matters.

Mr. MALONE filibustered for 11 hours against the conference report on the slot-machine bill (S. 3357) in December 1950.

1953: A prolonged debate took place on the so-called tidelands offshore oil bill. It began April 1 and ended May 5. The tidelands debate lasted for 35 days, one of the longest on record. During this debate Senator MORSE established a new record for the longest single speech. On April 24–25 he spoke for 22 hours and 26 minutes.

1954: An extended debate occurred in July 1954, on a bill to amend the Atomic Energy Act of 1946 (S. 3690). The debate lasted 13 days. On July 26 Senator Knowland sought to invoke cloture on S. 3690, but his motion failed by a vote of 44 yeas to 42 nays.

Mr. MORSE. Mr. President, in 1949, I presented the material which was referred to by the Senator from Illinois

[Mr. DOUGLAS] and the Senator from Pennsylvania [Mr. CLARK] today on the subject matter of the limitation of debate requirements in State legislatures. It is very interesting. It is a part of the material which has already been authorized by the ruling of the Presiding Officer for insertion in the RECORD. But I want to join the Senator from Pennsylvania [Mr. CLARK] and the Senator from Illinois [Mr. DOUGLAS] in calling attention to the provisions of State laws in regard to limitation of debate in State legislatures. I wish to point out that it is very interesting that in Southern State after Southern State, in an overwhelming majority of them, provision is made for ending debate by a procedure which no United States Senator has proposed in the Senate—namely, by means of a simple motion for the previous question. That can be done by majority vote. At that point no provision is made for protection of the minority. At that point the previous question is put, and it is nondebatable; the vote is taken; and, in effect, cloture is slapped on the minority, in southern legislatures, as a general rule. However, Mr. President, we insist that Senators from the South, Senators from the North, Senators from the East, and Senators from the West be protected, under our proposal, by a very generous time provision for debate after cloture is invoked.

In addition, Mr. President, you will find in the material I am having inserted in the RECORD a table, which I prepared in 1949, in regard to what later happened to bills which were blocked in the Senate by filibusters. As you know, Mr. President, it is said that no good proposed legislation is ever defeated by a filibuster. However, that simply is not so. The statistics show it; the record is clear. Sometimes it takes a long time; but, Mr. President, if the eventual legislation was good when it was passed finally, ultimately, eventually, in most instances it was good proposed legislation, too, when it was blocked by filibuster. All that happened was that the people suffered a delay to which they never should have been subjected, in obtaining legislation to which they were entitled. So I have included that material.

Then, Mr. President, let me say—unless all Senators have lost their sense of humor—that in 1949 I was a Republican; and the first part of a speech I made then was in defense of a proposal of a Democratic President to limit debate in the Senate. In recent days I have not had a chance to talk to that great man. I am a little confused by some of the newspaper articles I have read about what his position is at the present time. Of course, I respect his right, as well as the right of anyone else, to change his mind, if he has changed it. I also know that in American public life there are few men whose position has been misrepresented more than has that of the great Harry Truman. But I do know what his position was in 1949; and then I stood up on the other side of the aisle and defended his position, and I did so against almost a solid bloc of Democratic Senators on this side of the aisle; and I had a little something to say about that in that speech.

It is interesting to me, at least, to see to what an extent opinion on this side of the aisle has changed since 1949, because now we find this great group of Democratic Senators joining with a group consisting of Republican Senators, who have joined forces in a bipartisan effort to try to return the Senate to rule by the majority; and in 1949 that was the position of the Democratic President, which I discussed and defended.

Mr. President, while waiting for word from a staff member as to the pleasure of the leadership of the Senate as to whether I shall make a motion for the Senate to take a recess, I do not need to read what I was going to read. Instead, I am having printed in the RECORD the position of the Democratic President of 1949 on cloture.

Mr. President, I have closed this first speech, and obviously the only speech I shall have to make before the vote is taken, on tomorrow, on the Anderson motion.

I shall vote for the Anderson motion, not on the theory—as I have said—that the Senate is not a continuing body, but on the theory that under the Constitution of the United States, in article I, section 5, the Senate has the right to proceed to adopt rules, including a modification of rule XXII as contained in the Douglas-Humphrey-Javits-Case of New Jersey proposal, and to do so by a majority vote.

I shall vote against the Johnson motion to lay on the table the Anderson motion. It is my opinion that those interested in full debate on the merits of the issue should vote against it.

In this instance, the tabling motion amounts to a cloture rule without adequate time for Senators, and particularly new Senators, to give the necessary study and consideration to the issue.

The motion to lay on the table is not an appropriate motion at this time because both the Senate and the people are entitled to a vote on the merits of the Anderson motion after full debate, rather than on a motion that seeks to bill it by a parliamentary device.

And if given the opportunity, I shall vote for the Douglas proposal to amend rule XXII. It reestablishes the principle of majority rule in the Senate in keeping with what our Founding Fathers intended.

For the same reason, I shall vote against the Johnson proposal to amend rule XXII.

What is sorely needed is a new Emancipation Proclamation, one to give parliamentary freedom to the people's representatives in the Senate and thereby guaranteeing protection to the people from the prospect of police-state rule by the few.

The fact that some of the supporters of the Anderson motion support it on one theory, whereas I support it on another theory, in no way, in my judgment, shows any inconsistency in objective.

So, Mr. President, I shall vote for the Anderson motion. I shall vote—when given an opportunity—for the Douglas-Humphrey-Javits-Case of New Jersey proposal.

I have no illusions; I think the probabilities are that an effective amendment of rule XXII will not be adopted at this session of the Senate. I think that is tragic. I think that in all probability a compromise along the lines of the Johnson compromise will be adopted. I hope not, but I am afraid it will be. In so doing, Mr. President, it will be without substance insofar as any effective check upon rule by minority in the Senate is concerned; and in the months ahead I shall be opposed to it on the platforms of America, as I have been opposed to the action taken by the Congress in 1957 on civil rights legislation.

Mr. President, I hope to live long enough, either as a Member of the Senate or outside the Senate, to see the Senate of the United States return to the principle of democratic government as laid down in "The Federalist Papers" from which I have quoted so extensively tonight.

EXHIBIT 1

MCGRAIN VERSUS DAUGHERTY

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO

(No. 28. Argued December 5, 1924. Decided January 17, 1927)

1. Deputies, with authority to execute warrants, may be appointed by the Sergeant at Arms of the Senate, under a standing order of the Senate, such appointments being sanctioned by practice and by acts of Congress fixing the compensation of the appointees and providing for its payment.

2. Such deputy may serve a warrant of attachment issued by the President of the Senate and addressed only to the Sergeant at Arms, in pursuance of a Senate resolution contemplating service by either.

3. A warrant of the Senate for attachment of a person who ignored a subpena from a Senate committee is supported by oath within the requirement of the fourth amendment when based upon the committee's report of the facts of the contumacy, made on the committee's own knowledge and having the sanction of the oath of office of its members.

4. Subpenas issued by a committee of the Senate to bring before it a witness to testify in an investigation authorized by the Senate, are as if issued by the Senate itself.

5. Therefore, in case of disobedience, the fact that the subpena and the contumacy, related only to testimony sought by a committee, is not a valid objection to a resolution of the Senate, and warrant issued thereon, requiring the defaulting witness to appear before the bar of the Senate itself, then and there to give the desired testimony.

6. Each House of Congress has power, through its own process, to compel a private individual to appear before it or one of its committees and give testimony needed to enable it efficiently to exercise a legislative function belonging to it under the Constitution.

7. This has support in long practice of the House, separately, and in repeated acts of Congress, all amounting to a practical construction of the Constitution.

8. The two Houses of Congress in their separate relations have not only such powers as are expressly granted them by the Constitution, but also such auxiliary powers as are necessary and appropriate to make the express powers effective, but neither is invested with "general" power to inquire into private affairs and compel disclosures.

9. A witness may rightfully refuse to answer where the bounds of the power are exceeded or the questions are not pertinent to the matter under inquiry.

10. A resolution of the Senate directing a committee to investigate the administration of the Department of Justice—whether its functions were being properly discharged or were being neglected or misdirected, and particularly whether the Attorney General and his assistants were performing or neglecting their duties in respect of the institution and prosecution of proceedings to punish crimes and enforce appropriate remedies against the wrongdoers, specific instances of alleged neglect being recited—concerned a subject on which legislation could be had which would be materially aided by the information which the investigation was calculated to elicit.

11. It is to be presumed that the object of the Senate in ordering such an investigation is to aid it in legislating.

12. It is not a valid objection to such investigation that it might disclose wrongdoing or crime by a public officer named in the resolution.

13. A resolution of the Senate, directing attachment of a witness who had disobeyed a committee subpena to such an investigation, and declaring that his testimony is sought with the purpose of obtaining "information necessary as a basis for such legislative and other action as the Senate may deem necessary and proper," supports the inference, from the earlier resolution, of a legislative object. The suggestion of other action does not overcome the other part of the declaration and thereby invalidate the attachment proceedings.

14. In view of the character of the Senate as a continuing body, and its power to continue or revive, with its original functions, the committee before which the investigation herein involved was pending, the question of the legality of the attachment of the respondent as a contumacious witness did not become moot with the expiration of the Congress during which the investigation and the attachment were ordered (299 Fed. 620, reversed).

Appeal from a final order of the district court, in habeas corpus, discharging the respondent, Mally S. Daugherty, from the custody of John J. McGrain, Deputy Sergeant at Arms of the Senate, by whom he had been arrested, as a contumacious witness, under a warrant of attachment, issued by the President of the Senate in pursuance of a Senate resolution.

Mr. George W. Wickersham, special assistant to the Attorney General, with whom Attorney General Stone and Mr. William T. Chantland, special assistant to the Attorney General, were on the brief, for the appellant.

Each House of Congress has power to conduct an investigation in aid of its legislative functions, to compel attendance before it of witnesses and the production of books and papers which may throw light upon the subject of inquiry; subject, of course, to protection against the invasion of such privileges as those against unreasonable searches and seizures, self-incrimination, and the like. This power is for the purpose of aiding each House more fitly to discharge its legislative duties. The investigation ordered by the Senate resolution of March 1 was of that character; and the court below erred in the construction it put upon the resolution and in holding the entire proceeding void. For many years it has been the practice of both Houses of Congress to conduct investigations into matters of public interest within the general domain of Federal jurisdiction, and to summon witnesses to appear and give testimony and produce books and papers bearing upon the questions under investigation. (See secs. 102 and 104, Rev. Stat.) The power of the respective Houses to compel the attendance and testimony of witnesses in order to secure information necessary or useful to enable them to perform their legislative functions was thus recognized by law, and defiance of that power made punishable as a crime against the United States. This was without impairing in the slightest the right of a House to employ the power regarding contempt to compel obedience to its orders. (*In re Chapman* (166 U.S. 661.)) The power of each House was asserted from the beginning, not because it was exercised by the House of Commons in England, but because it is "necessary or proper for carrying into execution" the powers vested by the Constitution in Congress, and each House thereof.

In December 1859 the Senate, by resolution, appointed a committee to inquire into the facts concerning the invasion and seizure of the armory and arsenal at Harper's Ferry and to report facts and recommended legislation, the committee to have power to send for persons and papers. In February 1860 a resolution was adopted directing the Sergeant at Arms to take into his custody the body of Thaddeus Hyatt, and to have the same forthwith before the bar of the Senate to answer as for a contempt of its authority. Pursuant to this resolution, Hyatt was brought before the bar, and a resolution was adopted, after a long debate, by a vote of 44 ayes and 10 noes, directing him to be committed by the Sergeant at Arms to the common jail of the District of Columbia, to be kept in close custody until he should signify his willingness to answer the questions propounded by the Senate. (Congressional Globe, 1st sess., 36th, pp. 1102, 1105.) In upholding the existence of the power, the Senate did not divide on sectional lines, and the vote was overwhelmingly in support of the asserted power.

The question seems never to have been squarely decided in this Court. In some cases, the point was expressly reserved for future decision; in others there are expressions of opinion strongly favoring the existence of the power. (*Kilbourn* v. *Thompson*, 103 U.S. 168. See *Burnham* v. *Morrissey*, 14 Gray (Mass.) 226; *Anderson* v. *Dunn*, 6 Wheat. 204.)

The Massachusetts court in the above case did not reach its conclusions from any analogy to the privileges of Parliament, nor from any residuum of power left in the legislature because not taken away by the State constitution. The power was recognized as necessary to the functions expressly delegated to the legislature by the Constitution. The same principle is equally applicable to each House of Congress under the Constitution of the United States.

The point was reserved, in *Harriman* v. *Interstate Commerce Comm.* (211 U.S. 407) and *Henry* v. *Henkel* (235 U.S. 219). *Kilbourn* v. *Thompson*, supra, and *Interstate Commerce Comm.* v. *Brimson* (154 U.S. 447), seem slightly hostile to such a power. *Marshall* v. *Gordon* (243 U.S. 521, 543), contains an argumentative dictum in favor of the right. See the instances of legislative action cited, with approval, on the margin of the report. (Cf. Hinds' Precedents, vol. 3: 21, 24.)

A final proof that the express constitutional grant of certain judicial powers to Congress, or a House thereof, does not negative the implication of further powers of that nature (see *Anderson* v. *Dunn* (6 Wheat. at p. 232)) exists in the fact that the Constitution expressly forbids the exercise of the parliamentary judicial power of passing bills of attainder (art. I, sec. 9). Where there are both express grants and express prohibitions, the application of the principle expressio unius is self-contradictory, and so the field is left clear for ordinary implication with no bias ab initio against it.

The matter in the Kilbourn case was a settled debt, an executed transaction, one that should not be undone by legislative but only by judicial act, if at all, and which was being considered in the district court which was the proper forum of the bankruptcy proceedings. *In re Chapman* (166 U.S. 661) is of value here chiefly for the presumption of validity conceded to the Senate's resolution. The opinion shows that the usual presumption of validity of legislative acts applies to the resolution of a single House, indicates a qualification on the Kilbourn case, and disposes of the district court's point in the present case, that a legislative purpose was not expressly averred in the original resolution but only in the one directing Daugherty's arrest. It also shows that that case is not to be distinguished on the ground that the proceedings were under the statute, but that the Senate could have proceeded directly.

In *Marshall* v. *Gordon* (243 U.S. 521), "the contempt relied upon was not intrinsic to the right of the House to preserve the means of discharging its legislative duties" (p. 546). That is to say, while the right to punish contempts obstructing legislation was upheld, the letter sent by Marshall was not deemed to amount to an obstruction.

The rule to be derived from these contempt cases may be summarized thus: in addition to the express power to "punish its Members for disorderly behavior," (Constitution, art. I, sec. 5), each House has an implied power to punish outsiders for contempts (*Anderson* v. *Dunn*, supra); but no such power is implied in aid of a proceeding outside the jurisdiction of the House (*Kilbourn* v. *Thompson*, supra); however, a presumption of validity attaches to a resolution of either House, just as to legislation of both Houses jointly, so that all doubts are to resolve in its favor (*In re Chapman*), and an investigation of a public officer or department is therefore presumed legislative in purpose and therefore valid until the contrary is shown (*Marshall* v. *Gordon*, semble).

The power rests upon the well-settled rule of unexpressed power necessary or proper to the exercise of express powers, being recognized by the courts as necessarily a part of the constitutional grant. The leading case, of course, is *McCulloch* v. *Maryland* (4 Wheat. 316). That the principle of that case justifies the implication in favor of either House of Congress having power to punish contempts, is recognized in *Marshall* v. *Gordon* (p. 537). Multiplication of the cases following *McCulloch* v. *Maryland*, or of the practical arguments to show that the gathering of information by the compulsion of contempt proceedings is appropriate, if not imperative, for legislation under modern conditions, seems unnecessary.

A similar question arises where boards or commissions exercising delegated legislative power seek to compel testimony and the production of documents in the aid of its exercise. (*Harriman* v. *Interstate Commerce Comm.* (211 U.S. 407), and the language of the majority opinion is qualified by *Smith* v. *Interstate Commerce Comm.* (245 U.S. 33).) While the cases last cited are not controlling, they indicate a trend away from the idea expressed in the earlier cases and the opinion in the court below, that testimony can be compelled only in an investigation into a specific breach of existing law—a judicial inquiry. Furthermore, the case for a House of Congress investigating by its own committee is much stronger than that of an administrative body acting under delegated powers.

The question of the power of either House to compel testimony in aid of legislation has not been decided adversely in any of the inferior Federal courts. (See *Ex parte Nugent* (Fed. Cas., 10375 (1848)); *In re Pacific Railway Comm.* (32 Fed. 241); *Henry* v. *Henke*, supra; and 207 Fed. 805; *Briggs* v. *Mackellar* (2 Abbott's Practice, N.Y., 30); *United States* v. *Sinclair* (52 Wash. L. Rep. 451 (July 1924).)

A number of State court decisions have upheld the existence of the power here contended for (*Briggs* v. *Mackellar* (2 Abbott's Practice, N.Y., 30 (1835)); *People* v. *Keeler*

(99 N.Y. 462 (1885)); *Matter of Barnes* (204 N.Y. 108 (1912)); *Burnham* v. *Morrissey* (14 Gray 226); *State v. Guilbert* (75 Ohio St. 1, distg.); *State* v. *Brewster* (89 N.J.L. 658 (1916)); *In re Falvey* (7 Wis. 630 (1858)); *Ex parte Parker* (74 S.C. 466 (1906).)

It is submitted that the district court's distinction between the rule which obtains in States where the whole legislative power is vested in the legislature and those where all powers not expressly granted are reserved to the people, is wholly unsound in its application to the powers of Congress under the Constitution. The rule finally worked out by the courts and expressed by Chief Justice White in *Marshall* v. *Gordon*, supra, is based upon the doctrine of the grant by the Constitution of all powers necessary or proper to the use of the powers expressly granted. Each House has power to do whatever is customarily required to enable it intelligently to participate in the making of laws. Such implied power cannot be reserved to the States, respectively, or to the people, for it can only be exercised by the House itself. If it be not vested in such House, it exists nowhere. That is does exist in each House, and constantly has been exercised for nearly a century past, is abundantly demonstrated.

The English cases dealing with the powers of the House of Commons to compel testimony and punish for contempt of its process are interesting as furnishing a historical background but are not otherwise of great importance, their authority having been rejected by the Supreme Court (*Kilbourn* v. *Thompson*, supra); disregarded in Massachusetts and rejected in New York, both of which uphold the power (*Burnham* v. *Morrissey*, supra; *People* v. *Keeler* (99 N.Y. 463, 473)); and rejected in Ohio which denies it (*State v. Guilbert*, supra) (*Regina* v. *Paty* (2 Ld. Raym., 1105); *Murray's case* (1 Wils. 299); *Brass Crosby's Case* (3 Wils., 188); *Rex* v. *Flower* (8 T.R., 314); *Burdett* v. *Abbott* (14 East, 1); *Stockdale* v. *Hansard* (9 Ad. & E. 1); *Stockdale* v. *Hansard* (11 Ad. & E. 253); *Case of Sheriff of Middlesex* (11 Ad. & E. 273).)

Colonial cases: *Beaumont* v. *Barrett* (1 Moo. P.C., 59); *Kielley* v. *Carson* (4 Moo. P.C., 63); *Fenton* v. *Hampton* (11 Moo. P.C. 347); *Doyle* v. *Falconer* (L.R., 1 P.C., 328); *Ex parte Dansereau* (XIX Lower Canada Jurist, 210); *Ex parte Brown* (5 B. & S., 280).

The investigation ordered by the Senate, in the course of which the testimony of appellee and the production of books and records of the bank of which he is president were required, was legislative in its character. The investigation of the Attorney General's office was the exact action ordered. It is impossible to separate the person occupying that office, and his assistants from the office; and the resolution of March 1 directed the committee to investigate circumstances and facts concerning the alleged failure of the Attorney General to prosecute and defend cases wherein the Government of the United States was interested, and to inquire into his activities and those of his assistants in the Department, which would in any manner tend to impair their efficiency or influence as representatives of the Government. The resolution of April 26th, by which the issuance of a warrant was ordered to bring the body of the appellee before the bar of the Senate, then and there to answer questions pertinent to the matter under inquiry, is predicated upon a recital that "the appearance and testimony of the said M. S. Daugherty is material and necessary in order that the committee may properly execute the functions imposed upon it and may obtain information necessary as a basis for such legislative and other action as the Senate may deem necessary and proper." (See *Chapman* case (166 U.S. 661; *People* v. *Keeler*, supra; *Kilbourn* v. *Thompson*, supra; *In re Falvey*, supra; *People* v. *Webb* (5 N.Y. Supp., 855); *People* v. *Milliken* (185 N.Y. 35); *Matter of Barnes*, supra.

The Department of Justice is one of the great executive branches of the Government. It is created by statute (Rev. Stats., title VIII). The duties of the Attorney General and his assistants are in great measure defined by law. Annually Congress, with the concurrence of both Houses, appropriates large sums of money to be expended for the purpose of enforcing the law or defending the Government against claims in the courts, under the direction of the Attorney General and his assistants. Can it possibly be said that the discovery of any facts showing the neglect or failure of the Attorney General or his assistants properly to discharge the duties imposed upon them by law cannot be and would not naturally be used by Congress as the basis for new legislation safeguarding the interests of the Government and making more improbable in the future the commission of any illegal or improper acts which might be shown to have been committed in the past? Appellee by refusing to appear in response to either subpena and be sworn to testify, can only succeed in this case by establishing that the entire proceeding was void as beyond the constitutional powers of the Senate. Questions as to the materiality or relevancy of evidence are for later consideration.

Messrs. Arthur I. Vorys and John P. Phillips, with whom Mr. Webb I. Vorys was on the brief, for the appellee.

The arrest is the result of an attempt of the Senate to vest its committee with judicial power in a case which is not among those specifically enumerated. The Court must determine the nature of the power which the Senate is attempting to exercise, and is not concluded by any post litem avowal made after the summons was issued, served, and resisted, and after a court of competent jurisdiction had enjoined the exercise of the power. In *Kilbourn* v. *Thompson* (103 U.S. 168), *In re Chapman* (166 U.S. 661), and *Marshall* v. *Gordon* (243 U.S. 521), this Court examined the resolutions under which the investigations were being conducted and found that they were sufficient to exhibit the nature of the investigations and the purpose of the investigators. But the Court is not limited to the formal words of this resolution, for it is the fact which is determinative and which this Court must find. What the Senate intends to do and in fact is doing determines the character of its proceeding. It cannot be said that, as the Senate has not declared what it intends to do at the conclusion of the investigation, therefore the investigation is not judicial and not executive, and consequently it must be legislative in character. Nor that, as the Senate at the end of the investigation can do nothing in a judicial or executive capacity, therefore it must be assumed that its action, if any, will be in a legislative capacity.

The preamble of Senate Resolution 157, which clearly indicates its purpose, was stricken out upon final passage of the resolution, not because the purpose of the Senate had changed in any particular but because the Senate did not desire to condemn the Attorney General without a trial. Throughout the debate upon the resolution the idea recurs constantly that the Attorney General is to be placed on trial. There is no suggestion of legislative action, or in fact of any action other than the ascertainment of facts with respect to the charges of malfeasance in office of Harry M. Daugherty and the publication of the same for the purpose of forcing him to resign. Only twice during the whole debate was there any pretense that the investigators were to engage in anything other than a trial of Mr. Daugherty.

The committee has assumed all of the functions of prosecutor, judge, and jury with apparently none of the customary rules governing evidence and procedure. The Court, however, need go no further than the resolution which, in apt words, reposes in the investigating committee judicial duties, and judicial duties alone. The personal cast of the resolution, the inability of the committee to do anything except to try the facts concerning the charges contained in the resolution and the total inability of the Senate to use the findings of the investigating committee for any purpose other than to pillory Harry M. Daugherty before the American people, clearly demonstrate that the proceeding is an attempt to usurp the judicial function. Of most important significance is the fact that the first hint of any pretense that this inquisition was being conducted for legislative purposes was the ex post facto recital of a "basis for such legislation and other action" in the resolution of April 26, 1924, authorizing a warrant for the arrest of the appellee. This afterthought was inserted after the proceeding and injunction in the Fayette County court and when the Senate knew that the validity of its resolution had been challenged in that proceeding on the ground that it conferred judicial authority. The Senate of the United States cannot override the constitutional rights of a private citizen by a mere additional word of gesture.

The Senate when acting in its legislative capacity has no power to arrest in order to compel testimony; the Senate can compel testimony only in cases where it has judicial power specifically granted by the Constitution. Any argument which begins with an assertion that citizens owe a duty to give testimony and thereupon asserts that Congress, or a branch thereof, may enforce this duty by its own processes, will result in nullifying the express division of powers among the three branches of Government.

At the time our Constitution was adopted the process of arrest resided solely in the judiciary. (*Marshall* v. *Gordon* (243 U.S. 521, 533).) In England the power to arrest and punish was retained by the House of Commons because of ancient privilege and prescription and not because of legislative right. The power of arrest has never been accorded to inferior legislative or administrative bodies. In the few instances in which such an attempt has been made, the power has been denied whenever it has been challenged in the courts. *Langenberg* v. *Decker* (131 Ind. 471); *Re Sims* (54 Kans. 1); *Kielley* v. *Carson* (4 Moore P.C. 63); *Fenton* v. *Hampton* (11 Moore P.C. 347); *Ex parte Dansereau* (19 Lower Canada Jurist, 210).

This Court has never decided that the Congress, or either branch of it, has power, in its legislative capacity, to cause the arrest of a witness in order to compel him to testify. The intimations of the learned jurists to the contrary are so plain that it is impossible to piece out what opposing counsel have called "expressions strongly favoring the existence of the power." (*Kilbourn* v. *Thompson* (103 U.S. 168); *Interstate Commerce Comm.* v. *Brimson* (154 U.S. 447); *In re Chapman* (166 U.S. 661); *Harriman* v. *Interstate Commerce Comm.* (211 U.S. 407); *Marshall* v. *Gordon, supra; Boyd* v. *United States* (116 U.S. 616); *Ellis* v. *Interstate Commerce Comm.* (237 U.S. 434); *Federal Trade Comm.* v. *American Tobacco Co.* (264 U.S. 298); *Ex parte Nugent* (Fed. Cas. 10375); *Re Pacific Railway Comm.* (32 Fed 250); *Smith* v. *Interstate Commerce Comm.* (245 U.S. 33).)

Congress, under the Federal Constitution, has only those powers which are granted to it, but many of the State legislatures differ from the English Parliament only in the degree of their powers, having all powers not expressly or impliedly denied by the State constitutions. From this it follows that the same canons of interpretation do not apply to the State legislatures and the National Congress. (*People* v. *Keeler* (99 N.Y. 463); *Ex parte Parker* (74 S.C. 466); *Burnham* v. *Morrissey* (14 Gray (Mass.) 226); *Whitcomb's* Case

(120 Mass. 118).) Those who have contended that the power to compel testimony is a legislative power have urged it as a necessity. The proponents of this argument resort to the famous definition and amplification of the word "necessary" of Mr. Chief Justice Marshall in *McCulloch* v. *Maryland* (4 Wheat. 306). The reasoning is fallacious and circuitous. Marshall was considering the power of the United States to establish a national bank. He referred to clause 18 of article I, section 8, of the Constitution, in which Congress was given power to make laws which shall be necessary and proper for carrying into execution the powers expressly given. He was not implying a grant of power which, because it might be convenient, or appropriate in the exercise of another power, would therefore be permitted to override the constitutional guaranties of the private citizen. In the cases which have followed and adopted Mr. Chief Justice Marshall's definition, no case has implied such a grant from convenience so as to override the express guaranties of the Bill of Rights contained in the first 10 amendments. Not even when Congress is given an express power can that power be exercised in derogation of the express guaranties of individual liberty. (*Interstate Commerce Comm.* v. *Brimson* (154 U.S. 447).) If Congress has no such power where there is a specific grant, certainly Congress cannot destroy personal guaranties through any implied grant incidental to the general power to enact laws. The only satisfactory determination of the substantive question in this case should be that the power to arrest a recusant witness is a judicial process and confined to the jurisdiction of the courts, and that the Senate has no power to arrest a recusant witness except in the cases in which the Constitution gives the Senate judicial power.

If Congress has power to compel the production of evidence, to aid Congress in formulating further legislation, then Congress both Houses concurring, must declare its purpose, and the demand for the information. The Senate cannot legislate, and the Senate cannot compel testimony relating to proposed legislation which the Senate alone has in mind. (Const., art. I, sec. 1; see *State* v. *Guilbert* (75 O.S. 1).)

If a witness may be compelled to testify in order to aid the Senate in the formulation of legislation, then it must be shown what legislation the Senate has in view and that the evidence sought is pertinent to the subject matter of legislation under consideration, and the testimony of the witness can be compelled only through judicial process of the Court. In order to justify the compulsory discovery of evidence it must appear for what purpose the testimony is sought and the materiality of the evidence must be affirmatively shown. (*Federal Trade Comm.* v. *American Tobacco Co.* (264 *U.S.* 298); *Hale* v. *Henkel* (201 U.S. 43). *Matter of Barnes* (204 N.Y. 108); *United States* v. *Searles* (25 Wash. L. Rep. 384).)

Senate Resolution 157 not only does not show what subjects of legislation were in contemplation, but does show the purpose of the investigation, namely, to determine as to the alleged guilt of Harry M. Daugherty. There is nothing in the record to show what proposed subject matters of legislation were under consideration, and in no way can it be seen that the testimony of the appellee or the books and records of the bank and the accounts of the bank's customer could furnish information that would be useful in framing any legislation shown to have been in the mind of the Senate or of any member thereof.

The warrant issued by the President pro tempore of the Senate was not supported by oath or affirmation as required by the Federal Constitution. Even a bench warrant must be supported by oath. No arrest or attachment for contempt can issue from any court where the contempt is constructive or outside of the presence of the court without a supporting affidavit.

The arrest of Mr. Daugherty is illegal for the reason that it was made under a warrant to bring him forcibly before the Senate to answer the Senate's questions before he had been subpenaed by the Senate and had refused to obey the Senate.

This Court will respect the jurisdiction and order of the State court, and will make no order which may effectuate a violation of the injunction or conflict with the purpose and spirit of the injunction.

The law does not provide for any deputy Sergeant at Arms. If there were such a officer, this warrant could not be executed by him because it is directed to the Sergeant at Arms and not to a deputy.

Mr. Justice Van Devanter delivered the opinion of the Court.

This is an appeal from the final order in a proceeding in habeas corpus discharging a recusant witness held in custody under process of attachment issued from the U.S. Senate in the course of an investigation which it was making of the administration of the Department of Justice. A full statement of the case is necessary.

The Department of Justice is one of the great executive departments established by congressional enactment and has charge, among other things, of the initiation and prosecution of all suits, civil and criminal, which may be brought in the right and name of the United States to compel obedience or punish disobedience to its laws, to recover property obtained from it by unlawful or fraudulent means, or to safeguard its rights in other respects; and also of the assertion and protection of its interests when it or its officers are sued by others. The Attorney General is the head of the department, and its functions are all to be exercised under his supervision and direction.[1]

Harry M. Daugherty became the Attorney General March 5, 1921, and held that office until March 28, 1924, when he resigned. Late in that period various charges of misfeasance and nonfeasance in the Department of Justice after he became its supervising head were brought to the attention of the Senate by individual Senators and made the basis of an insistent demand that the Department be investigated to the end that the practices and deficiencies which, according to the charges, were operating to prevent or impair its right administration might be definitely ascertained and that appropriate and effective measures might be taken to remedy or eliminate the evil. The Senate regarded the charges as grave and requiring legislative attention and action. Accordingly it formulated, passed, and invited the House of Representatives to pass (and that body did pass) two measures taking important litigation then in immediate contemplation out of the control of the Department of Justice and placing the same in charge of special counsel to be appointed by the President; [2] and also adopted a resolution authorizing and directing a select committee of five Senators—"to investigate circumstances and facts, and report the same to the Senate, concerning the alleged failure of Harry M. Daugherty, Attorney General of the United States, to prosecute properly violators of the Sherman Antitrust Act and the Clayton Act against monopolies and unlawful restraint of trade; the alleged neglect and failure of the said Harry M. Daugherty, Attorney General of the United States, to arrest and prosecute Albert B. Fall, Harry F. Sinclair, E. L. Doheny, C. R. Forbes, and their coconspirators in defrauding the Government as well as the alleged neglect and failure of the said Attorney General to arrest and prosecute many others for violations of Federal statutes, and his alleged failure to prosecute properly, efficiently, and promptly, and to defend, all manner of civil and criminal actions wherein the Government of the United States is interested as a party plaintiff or defendant. And said committee is further directed to inquire into, investigate, and report to the Senate the activities of the said Harry M. Daugherty, Attorney General, and any of his assistants in the Department of Justice which would in any manner tend to impair their efficiency or influence as representatives of the Government of the United States."

The resolution also authorized the committee to send for books and papers, to subpena witnesses, to administer oaths, and to sit at such times and places as it might deem advisable.[3]

In the course of the investigation the committee issued and caused to be duly served on Mally S. Daugherty—who was a brother of Harry M. Daugherty and president of the Midland National Bank of Washington Court House, Ohio,—a subpena commanding him to appear before the committee for the purpose of giving testimony bearing on the subject under investigation, and to bring with him the "deposit ledgers of the Midland National Bank since November 1, 1920; also note files and transcript of owners of every safety vault; also records of income drafts; also records of any individual account or accounts showing withdrawals of amounts of $25,000 or over during above period." The witness failed to appear.

A little later in the course of the investigation the committee issued and caused to be duly served on the same witness another subpena commanding him to appear before it for the purpose of giving testimony relating to the subject under consideration—nothing being said in this subpena about bringing records, books or papers. The witness again failed to appear; and no excuse was offered by him for either failure.

The committee then made a report to the Senate stating that the subpenas had been issued, that according to the officer's returns—copies of which accompanied the report—the witness was personally served; and that he had failed and refused to appear.[4] After a reading of the report, the Senate adopted a resolution reciting these facts and proceeding as follows: [5]

"Whereas the appearance and testimony of the said M. S. Daugherty is material and necessary in order that the committee may properly execute the functions imposed upon it and may obtain information necessary as a basis for such legislative and other action as the Senate may deem necessary and proper: Therefore be it

"*Resolved*, That the President of the Senate pro tempore issue his warrant commanding the Sergeant at Arms or his deputy to take into custody the body of the said M. S. Daugherty wherever found, and to bring the said M. S. Daugherty before the bar of the Senate, then and there to answer such questions pertinent to the matter under inquiry as the Senate may order the President of the

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[1] Rev. Stats. secs. 346, 350, 359, 360, 361, 362, 367; Judicial Code, secs. 185, 212; c. 382, secs. 3, 5, 25 Stat. 858, 859; c. 647, sec. 4, 26 Stat. 209; c. 3935, 34 Stat. 816; c. 323, sec. 15, 38 Stat. 736; *United States* v. *San Jacinto Tin Co.* (125 U.S. 273, 278); *Kern River Co.* v. *United States* (257 U.S. 147, 155); *Ponzi* v. *Fessenden* (258 U.S. 254, 262).

[2] CONGRESSIONAL RECORD, 68th Cong., 1st sess., pp. 1520, 1521, 1728; c. 16, 43 Stat. 5; CONGRESSIONAL RECORD, 68th Cong., 1st sess., pp. 1591, 1974; c. 39, 43 Stat. 15; c. 42, 43, Stat. 16.

[3] For the full resolution and two amendments adopted shortly thereafter see CONGRESSIONAL RECORD, 68th Cong., 1st sess., pp. 3299, 3409–3410, 3548, 4126.

[4] S. Rept. No. 475, 68th Cong., 1st sess.

[5] CONGRESSIONAL RECORD, 68th Cong., 1st sess., pp. 7215–7217.

Senate pro tempore to propound; and to keep the said M. S. Daugherty in custody to await the further order of the Senate."

It will be observed from the terms of the resolution that the warrant was to be issued in furtherance of the effort to obtain the personal testimony of the witness and, like the second subpena, was not intended to exact from him the production of the various records, books, and papers named in the first subpena.

The warrant was issued agreeably to the resolution and was addressed simply to the Sergeant at Arms. That officer on receiving the warrant endorsed thereon a direction that it be executed by John J. McGrain, already his deputy, and delivered it to him for execution.

The deputy, proceeding under the warrant, took the witness into custody at Cincinnati, Ohio, with the purpose of bringing him before the bar of the Senate as commanded; whereupon the witness petitioned the Federal district court in Cincinnati for a writ of habeas corpus. The writ was granted and the deputy made due return setting forth the warrant and the cause of the detention. After a hearing the court held the attachment and detention unlawful and discharged the witness, the decision being put on the ground that the Senate in directing the investigation and in ordering the attachment exceeded its powers under the Constitution (299 Fed. 620). The deputy prayed and was allowed a direct appeal to this Court under section 238 of the Judicial Code as then existing.

We have given the case earnest and prolonged consideration because the principal questions involved are of unusual importance and delicacy. They are (a) whether the Senate—or the House of Representatives, both being on the same plane in this regard—has power, through its own process, to compel a private individual to appear before it or one of its committees and give testimony needed to enable it efficiently to exercise a legislative function belonging to it under the Constitution, and (b) whether it sufficiently appears that the process was being employed in this instance to obtain testimony for that purpose.

Other questions are presented which in regular course should be taken up first.

The witness challenges the authority of the deputy to execute the warrant on two grounds—that there was no provision of law for a deputy, and that, even if there were such a provision, a deputy could not execute the warrant because it was addressed simply to the Sergeant at Arms. We are of opinion that neither ground is tenable.

The Senate adopted in 1889 and has retained ever since a standing order declaring that the Sergeant at Arms may appoint deputies to serve process or perform other duties in his stead, that they shall be "officers of the Senate," and that acts done and returns made by them "shall have like effect and be of the same validity as if performed or made by the Sergeant at Arms in person."[6] In actual practice the Senate has given full effect to the order; and Congress has sanctioned the practice under it by recognizing the deputies, sometimes called assistants, as officers of the Senate, by fixing their compensation and by making appropriations to pay them.[7] Thus there was ample provision of law for a deputy.

The fact that the warrant was addressed simply to the Sergeant at Arms is not of special significance. His authority was not to be tested by the warrant alone. Other criteria were to be considered. The standing order and the resolution under which the warrant was issued plainly contemplated that he was to be free to execute the warrant in person or to direct a deputy to execute it. They expressed the intention of the Senate; and the words of the warrant were to be taken, as they well could be, in a sense which would give effect to that intention. Thus understood, the warrant admissibly could be executed by a deputy if the Sergeant at Arms so directed, which he did.

The case of *Sanborn* v. *Carleton* (15 Gray 399) on which the witness relies, related to a warrant issued to the Sergeant at Arms in 1860, which he deputed another to execute. At that time there was no standing rule or statute permitting him to act through a deputy; nor was there anything in the resolution under which the warrant was issued indicative of a purpose to permit him to do so. All that was decided was that in the absence of a permissive provision, in the warrant or elsewhere, he could not commit its execution to another. The provision which was absent in that case and deemed essential is present in this.

The witness points to the provision in the fourth amendment to the Constitution declaring "no warrants shall issue but upon probable cause supported by oath or affirmation" and contends that the warrant was void because the report of the committee on which it was based was unsworn. We think the contention overlooks the relation of the committee to the Senate and to the matters reported, and puts aside the accepted interpretation of the constitutional provision.

The committee was a part of the Senate, and its members were acting under their oath of office as Senators. The matters reported pertained to their proceedings and were within their own knowledge. They had issued the subpenas, had received and examined the officer's returns thereon (copies of which accompanied the report), and knew the witness had not obeyed either subpena or offered any excuse for his failure to do so.

The constitutional provision was not intended to establish a new principle but to affirm and preserve a cherished rule of the common law designed to prevent the issue of groundless warrants. In legislative practice committee reports are regarded as made under the sanction of the oath of office of its members; and where the matters reported are within the committee's knowledge and constitute probable cause for an attachment such reports are acted on and given effect without requiring that they be supported by further oath or affirmation. This is not a new practice but one which has come down from an early period. It was well recognized before the constitutional provision was adopted, has been followed ever since, and appears never to have been challenged until now. Thus it amounts to a practical interpretation, long continued, of both the original common law rule and the affirming constitutional provision, and should be given effect accordingly.[8]

The principle underlying the legislative practice has also been recognized and applied in judicial proceedings. This is illustrated by the settled rulings that courts in dealing with contempts committed in their presence may order commitments without other proof than their own knowledge of the occurrence,[9] and that they may issue attachments, based on their own knowledge of the default, where intended witnesses or jurors fail to appear in obedience to process shown by the officer's return to have been duly served.[10] A further illustration is found in the rulings that grand jurors, acting under the sanction of their oaths as such, may find and return indictments based solely on their own knowledge of the particular offenses, and that warrants may be issued on such indictments without further oath or affirmation;[11] and still another is found in the practice which recognizes that where grand jurors, under their oath as such, report to the court that a witness brought before them has refused to testify, the court may act on that report, although otherwise unsworn, and order the witness brought before it by attachment.[12]

We think the legislative practice, fortified as it is by the judicial practice, shows that the report of the committee—which was based on the committee's own knowledge and made under the sanction of the oath of office of its members—was sufficiently supported by oath to satisfy the constitutional requirement.

The witness also points to the provision in the warrant and in the resolution under which it was issued requiring that he be "brought before the bar of the Senate, then and there" to give testimony "pertinent to the subject under inquiry," and contends that an essential prerequisite to such an attachment was wanting, because he neither had been subpenaed to appear and testify before the Senate nor had refused to do so. The argument in support of the contention proceeds on the assumption that the warrant of attachment "is to be treated precisely the same as if no subpena had been issued by the committee, and the same as if the witness had not refused to testify before the committee." In our opinion the contention and the assumption are both untenable. The committee was acting for the Senate and under its authorization; and therefore the subpenas which the committee issued and the witness refused to obey are to be treated as if issued by the Senate. The warrant was issued as an auxiliary process to compel him to give the testimony sought by the subpena; and its nature in this respect is not affected by the direction that his testimony be given at the bar of the Senate instead of before the committee. If the Senate deemed it proper, in view of his contumacy, to give that direction it was at liberty to do so.

The witness sets up an interlocutory injunction granted by a State court at Washington Court House, Ohio, in a suit brought by the Midland National Bank against two members of the investigating committee, and contends that the attachment was in violation of that injunction and therefore unlawful. The contention is plainly ill-founded. The injunction was granted the same day the second subpena was served, but whether earlier or later in the day does not appear. All that the record discloses about the injunction is comprised in the paragraph copied in the margin from the witness's petition for habeas corpus.[13] But

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[6] "Senate Journal" (47, 51–1, Dec. 17, 1889); "Senate Rules and Manual," 68th Cong., p. 114.

[7] 41 Stat. 632, 1253; 42 Stat. 424, 1266; 43 Stat. 33, 580, 1288.

[8] *Prigg* v. *Pennsylvania* (16 Pet. 539, 620–621); *The Laura* (114 U.S. 411, 416); *McPherson* v. *Blacker* (146 U.S. 1, 35–36); *Ex parte Grossman* (267 U.S. 87, 118); *Myers* v. *United States* (272 U.S. 52).

[9] *Ex parte Terry*, (128 U. S. 289, 307, *et seq.*); *Holcomb* v. *Cornish*, (8 Conn. 375; 4 Blackst. Com. 286).

[10] *Robbins* v. *Gorham*, (25 N. Y. 588); *Wilson* v. *State*, (57 Ind. 71).

[11] *Hale* v. *Henkel*, (201, U. S. 43, 60–62); *Regina* v. *Russell*, (2 Car. & Mar. 247); *Commonwealth* v. *Hayden*, (163 Mass. 453, 455); Decision of Mr. Justice Catron reported in Wharton's Cr. Pl. & Pr., 8th ed., pp. 224–226.

[12] See *Hale* v. *Henkel*, *supra*; *Blair* v. *United States*, (250 U. S. 273); *Nelson* v. *United States*, (201 U. S. 92, 95); Equity Rule 52, (226 U. S. Appendix, 15); *Heard* v. *Pierce*, (8 Cush. 338).

[13] "On the 11th day of April 1924, in an action in the court of common pleas of said Fayette County, Ohio, in which said the Midland National Bank was plaintiff and said B. K. Wheeler and Smith W. Brookhart were defendants, upon the petition of said bank said court granted a temporary restraining order enjoining and restraining

it is apparent from what is disclosed that the injunction did not purport to place any restraint on the witness, nor to restrain the committee from demanding that he appear and testify personally to what he knew respecting the subject under investigation; and also that what the injunction did purport to restrain has no bearing on the power of the Senate to enforce that demand by attachment.

In approaching the principal questions, which remain to be considered, two observations are in order. One is, that we are not now concerned with the direction in the first subpena that the witness produce various records, books, and papers of the Midland National Bank. That direction was not repeated in the second subpena; and is not sought to be enforced by the attachment. This was recognized by the court below (299 Fed. 623), and is conceded by counsel for the appellant. The other is that we are not now concerned with the right of the Senate to propound or the duty of the witness to answer specific questions, for as yet no questions have been propounded to him. He is asserting—and is standing on his assertion—that the Senate is without power to interrogate him, even if the questions propounded be pertinent and otherwise legitimate—which for present purposes must be assumed.

The first of the principal questions—the one which the witness particularly presses on our attention—is, as before shown, whether the Senate—or the House of Representatives, both being on the same plane in this regard—has power through its own process, to compel a private individual to appear before it or one of its committees and give testimony needed to enable it efficiently to exercise a legislative function belonging to it under the Constitution.

The Constitution provides for a Congress consisting of a Senate and House of Representatives and invests it with "all legislative powers" granted to the United States, and with power "to make all laws which shall be necessary and proper" for carrying into execution these powers and "all other powers" vested by the Constitution in the United States or in any department or officer thereof (art. I, secs. 1, 8). Other provisions show that, while bills can become laws only after being considered and passed by both Houses of Congress, each House is to be distinct from the other, to have its own officers and rules, and to exercse its legislative function independently [14] (art. I, secs. 2, 3, 5, 7). But there is no provision expressly investing either House with power to make investigations and exact testimony to the end that it may exercise its legislative function advisedly and effectively. So the question arises whether this power is so far incidental to the legislative function as to be implied.

In actual legislative practice power to secure needed information by such means has long been treated as an attribute of the power to legislate. It was so regarded in the British Parliament and in the colonial legislatures before the American Revolution; and a like view has prevailed and been carried into effect in both Houses of Congress and in most of the State legislatures.[15]

This power was both asserted and exerted by the House of Representatives in 1792, when it appointed a select committee to inquire into the St. Clair expedition and authorized the committee to send for necessary persons, papers, and records. Mr. Madison, who had taken an important part in framing the Constitution only 5 years before, and four of his associates in that work, were Members of the House of Representatives at the time, and all voted for the inquiry. (3 Cong. Ann. 494). Other exertions of the power by the House of Representatives, as also by the Senate, are shown in the citations already made. Among those by the Senate, the inquiry ordered in 1859 respecting the raid by John Brown and his adherents on the armory and arsenal of the United States at Harper's Ferry is of special significance. The resolution directing the inquiry authorized the committee to send for persons and papers, to inquire into the facts pertaining to the raid and the means by which it was organized and supported, and to report what legislation, if any, was necessary to preserve the peace of the country and protect the public property. The resolution was briefly discussed and adopted without opposition. (Congressional Globe, 36th Cong., 1st sess., pp. 141, 152.) Later on the committee reported that Thaddeus Hyatt, although subpenaed to appear as a witness, had refused to do so; whereupon the Senate ordered that he be attached and brought before it to answer for his refusal. When he was brought in he answered by challenging the power of the Senate to direct the inquiry and exact testimony to aid it in exercising its legislative function. The question of power thus presented was thoroughly discussed by several Senators—Mr. Sumner, of Massachusetts taking the lead in denying the power and Mr. Fessenden, of Maine, in supporting it. Sectional and party lines were put aside and the question was debated and determined with special regard to principle and precedent. The vote was taken on a resolution pronouncing the witness' answer insufficient and directing that he be committed until he should signify that he was ready and willing to testify. The resolution was adopted—44 Senators voting for it and 10 against. (Congressional Globe, 36th Cong., 1st sess., pp. 1100–1109, 3006–3007.) The arguments advanced in support of the power are fairly reflected by the following excerpts from the debate:

Mr. Fessenden, of Maine: "Where will you stop? Stop, I say, just at that point where we have gone far enough to accomplish the purposes for which we were created; and these purposes are defined in the Constitution. What are they? The great purpose is legislation. There are some other things, but I speak of legislation as the principal purpose. Now, what do we propose to do here? We propose to legislate upon a given state of facts, perhaps, or under a given necessity. Well, sir, proposing to legislate, we want information. We have it not ourselves. It is not to be presumed that we know everything; and if any body does presume it, it is a very great mistake, as we know by experience. We want information on certain subjects. How are we to get it? The Senator says, ask for it. I am ready to ask for it; but suppose the person whom we ask will not give it to us: what then? Have we not power to compel him to come before us? Is this power, which has been exercised by Parliament, and by all legislative bodies down to the present day without dispute—the power to inquire into subjects upon which they are disposed to legislate—lost to us? Are we not in the possession of it? Are we deprived of it simply because we hold our power here under a Constitution which defines what our duties are, and what we are called upon to do?

"Congress have appointed committees after committees, time after time, to make inquiries on subjects of legislation. Had we not power to do it? Nobody questioned our authority to do it. We have given them authority to send for persons and papers during the recess. Nobody questioned our authority. We appoint committees during the session, with power to send for persons and papers. Have we not that authority, if necessary to legislation?

* * * * *

"Sir, with regard to myself, all I have to inquire into is: is this a legitimate and proper object, committed to me under the Constitution; and then, as to the mode of accomplishing it, I am ready to use judiciously, calmly, moderately, all the power which I believe is necessary and inherent, in order to do that which I am appointed to do; and, I take it, I violate no rights, either of the people generally or of the individual, by that course."

Mr. Crittenden of Kentucky: "I come now to a question where the cooperation of the two branches is not necessary. There are some things that the Senate may do. How? According to a mode of its own. Are we to ask the other branch of the Legislature to concede by law to us the power of making such an inquiry as we are now making? Has not each branch the right to make what inquiries and investigation it thinks proper to make for its own action? Undoubtedly. You say we must have a law for it. Can we have a law? Is it not, from the very nature of the case, incidental to you as a Senate, if you, as a Senate, have the power of instituting an inquiry and of proceeding with that inquiry? I have endeavored to show that we have that power. We have a right, in consequence of it, a necessary incidental power, to summon witnesses, if witnesses are necessary. Do we require the concurrence of the other House to that? It is a power of our own. If you have a right to do the thing of your own motion, you must have all powers that are necessary to do it.

"The means of carrying into effect by law all the granted powers, is given where legislation is applicable and necessary; but there are subordinate matters, not amounting to laws; there are inquiries of the one House or the other House, which each House has a right to conduct; which each has, from the beginning, exercised the power to conduct; and each has, from the beginning, summoned witnesses. This has been the practice of the Government from the beginning; and if we have a right to summon the witness, all the rest follows as a matter of course."

The deliberate solution of the question on that occasion has been accepted and followed on other occasions by both Houses of Congress, and never has been rejected or questioned by either.

The State courts quite generally have held that the power to legislate carries with it by necessary implication ample authority to obtain information needed in the rightful exercise of that power, and to employ compulsory process for the purpose.

In *Burnham* v. *Morrisey* (14 Gray 226, 239), the Supreme Judicial Court of Massachusetts, in sustaining an exertion of this power by one branch of the legislature of that Commonwealth, said:

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said defendants and their agents, servants, and employees from entering into said banking room and from taking, examining, or investigating any of the books, accounts, records, promissory notes, securities, letters, correspondence, papers, or any other property of said bank or of its depositors, borrowers, or customers in said banking room and from in any manner molesting and interfering with the business and affairs of said bank, its officers, agents, servants, and the business of its depositors, borrowers, and customers with said bank until the further order of said court. The said defendants were duly served with process in said action and duly served with copies of said temporary restraining order on said 11th day of April 1924, and said injuction has not been modified by said court and no further order has been made in said case by said court, and said injunction is in full force and effect."

[14] Story Const., secs. 545 et seq.; 1 Kent's Com., p. 222.

[15] May's "Parliamentary Practice," 2d ed., pp. 80, 295, 299; Cushing's "Legislative Practice," secs. 634, 1901–03; 3 Hinds' "Precedents," secs. 1722, 1725, 1727, 1813–1820; Cooley's "Constitutional Limitations," 6th ed., p. 161.

"The house of representatives has many duties to perform, which necessarily require it to receive evidence and examine witnesses.* * * It has often occasion to acquire certain knowledge of facts, in order to the proper performance of legislative duties. We therefore think it clear that it has the constitutional right to take evidence, to summon witnesses, and to compel them to appear and testify. This power to summon and examine witnesses it may exercise by means of committees."

In *Wilckens* v. *Willet* (1 Keyes 521, 525), a case which presented the question whether the House of Representatives of the United States possesses this power, the Court of Appeals of New York said:

"That the power exists there admits of no doubt whatever. It is a necessary incident to the sovereign power of making laws; and its exercise is often indispensable to the great end of enlightened, judicious, and wholesome legislation."

In *People* v. *Keeler* (99 N. Y. 463, 482, 483), where the validity of a statute of New York recognizing and giving effect to this power was drawn in question, the court of appeals approvingly quoted what it had said in *Wilckens* v. *Willet*, and added:

"It is difficult to conceive any constitutional objection which can be raised to the provision authorizing legislative committees to take testimony and to summon witnesses. In many cases it may be indispensable to intelligent and effectual legislation to ascertain the facts which are claimed to give rise to the necessity for such legislation, and the remedy required, and, irrespective of the question whether in the absence of a statute to that effect either house would have the power to imprison a recusant witness, I cannot yield to the claim that a statute authorizing it to enforce its process in that manner is in excess of the legislative power. To await the slow process of indictment and prosecution for a misdemeanor, might prove quite ineffectual, and necessary legislation might be obstructed, and perhaps defeated, if the legislative body had no other and more summary means of enforcing its right to obtain the required information. That the power may be abused, is no ground for denying its existence. It is a limited power, and should be kept within its proper bounds; and, when these are exceeded, a jurisdictional question is presented which is cognizable in the courts." * * * "Throughout this Union the practice of legislative bodies, and in this State, the statutes existing at the time the present Constitution was adopted, and whose validity has never before been questioned by our courts, afford strong arguments in favor of the recognition of the right of either house to compel the attendance of witnesses for legislative purposes, as one which has been generally conceded to be an appropriate adjunct to the power of legislation, and one which, to say the least, the State legislature has constitutional authority to regulate and enforce by statute."

Other decisions by State courts recognizing and sustaining the legislative practice are found in *Falvey* v. *Massing* (7 Wis. 630, 635–638); *State* v. *Frear* (138 Wis. 173); *Ex parte Parker* (74 S.C. 466, 470); *Sullivan* v. *Hill* (73 W. Va. 49, 53); *Lowe* v. *Summers* (69 Mo. Ap. 637, 649–650). An instructive decision on the question is also found in *Ex parte Dansereau* ((1875), 19 L. C. Jur. 210), where the legislative assembly of the Province of Quebec was held to possess this power as a necessary incident of its power to legislate.

We have referred to the practice of the two Houses of Congress; and we now shall notice some significant congressional enactments. May 3, 1798 (c. 36, 1 Stat. 554), Congress provided that oaths or affirmations might be administered to witnesses by the President of the Senate, the Speaker of the House of Representatives, the Chairman of a Committee of the Whole, or the chairman of a select committee, "in any case under their examination." February 8, 1817 (c. 10, 3 Stat. 345), it enlarged that provision so as to include the chairman of a standing committee. January 24, 1857 (c. 19, 11 Stat. 155), it passed "An act more effectually to enforce the attendance of witnesses on the summons of either House of Congress, and to compel them to discover testimony." This act provided, first, that any person summoned as a witness to give testimony or produce papers in any matter under inquiry before either House of Congress, or any committee of either House, who should willfully make default, or, if appearing, should refuse to answer any question pertinent to the inquiry, should, in addition to the pains and penalties then existing,[16] be deemed guilty of a misdemeanor and be subject to indictment and punishment as there prescribed; and secondly, that no person should be excused from giving evidence in such an inquiry on the ground that it might tend to incriminate or disgrace him, nor be held to answer criminally, or be subjected to any penalty or forfeiture, for any fact or act as to which he was required to testify, excepting that he might be subjected to prosecution for perjury committed while so testifying. January 24, 1862 (c. 11, 12 Stat. 333), Congress modified the immunity provision in particulars not material here. These enactments are now embodied in sections 101–104 and 859 of Revised Statutes. They show very plainly that Congress intended thereby (a) to recognize the power of either House to institute inquiries and exact evidence touching subjects within its jurisdiction and on which it was disposed to act; [17] (b) to recognize that such inquiries may be conducted through committees; (c) to subject defaulting and contumacious witnesses to indictment and punishment in the courts, and thereby to enable either House to exert the power of inquiry "more effectually"; [18] and (d) to open the way for obtaining evidence in such an inquiry, which otherwise could not be obtained, by exempting witnesses required to give evidence therein from criminal and penal prosecutions in respect of matters disclosed by their evidence.

Four decisions of this Court are cited and more or less relied on, and we now turn to them.

The first decision was in *Anderson* v. *Dunn* (6 Wheat. 204). The question there was whether, under the Constitution, the House of Representatives has power to attach and punish a person other than a Member for contempt of its authority—in fact, an attempt to bribe one of its Members. The Court regarded the power as essential to the effective exertion of other powers expressly granted, and therefore as implied. The argument advanced to the contrary was that as the Constitution expressly grants to each House power to punish or expel its own Members and says nothing about punishing others, the implication or inference, if any, is that power to punish one who is not a Member is neither given nor intended. The Court answered this by saying:

"There is not in the whole of that admirable instrument, a grant of powers which does not draw after it others, not expressed, but vital to their exercise; not substantive and independent, indeed, but auxiliary and subordinate" (p. 225).

"This argument proves too much; for its direct application would lead to annihilation of almost every power of Congress. To enforce its laws upon any subject without the sanction of punishment is obviously impossible. Yet there is an express grant of power to punish in one class of cases and one only, and all the punishing power exercised by Congress in any cases, except those which relate to piracy and offenses against the laws of nations, is derived from implication. Nor did the idea ever occur to any one, that the express grant in one class of cases repelled the assumption of the punishing power in any other. The truth is, that the exercise of the powers given over their own Members, was of such a delicate nature, that a constitutional provision became necessary to assert or communicate it. Constituted, as that body is, of the delegates of confederated States, some such provision was necessary to guard against their mutual jealousy, since every proceeding against a Representative would indirectly affect the honor of interests of the State which sent him" (p. 233).

The next decision was in *Kilbourn* v. *Thompson* (103 U.S. 168). The question there was whether the House of Representatives had exceeded its power in directing one of its committees to make a particular investigation. The decision was that it had. The principles announced and applied in the case are—that neither House of Congress possesses a "general power of making inquiry into the private affairs of the citizen"; that the power actually possessed is limited to inquiries relating to matters of which the particular House "has jurisdiction" and in respect of which it rightfully may take other action; that if the inquiry relates to "a matter wherein relief or redress could be had only by a judicial proceeding" it is not within the range of this power, but must be left to the courts, conformably to the constitutional separation of governmental powers; and that for the purpose of determining the essential character of the inquiry recourse may be had to the resolution or order under which it is made. The court examined the resolution which was the basis of the particular inquiry, and ascertained therefrom that the inquiry related to a private real-estate pool or partnership in the District of Columbia. Jay Cooke & Co. had had an interest in the pool, but had become bankrupts, and their estate was in course of administration in a Federal bankruptcy court in Pennsylvania. The United States was one of their creditors. The trustee in the bankruptcy proceeding had effected a settlement of the bankrupts' interest in the pool, and of course his action was subject to examination and approval or disapproval by the bankruptcy court. Some of the creditors, including the United States, were dissatisfied with the settlement. In these circumstances, disclosed in the preamble, the resolution directed the committee "to inquire into the matter and history of said real estate pool and the character of said settlement, with the amount of property involved in which Jay Cooke & Co. were interested, and the amount paid or to be paid in said settlement, with power

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[16] The reference is to the power of the particular House to deal with the contempt. *In re Chapman* (166 U.S. 661, 671–672).

[17] In construing section 1 of the act of 1857 as reproduced in section 102 of the Revised Statutes, this Court said in *In re Chapman* (166 U.S. 661, 667):

"It is true that the reference is to 'any' matter under inquiry, and so on, and it is suggested that this is fatally defective because too broad and unlimited in its extent; but nothing is better settled than that statutes should receive a sensible construction, such as will effectuate the legislative intention, and, if possible, so as to avoid an unjust or an absurd conclusion, *Lau Ow Bew* v. *United States* (144 U.S. 47, 59); and we think that the word 'any', as used in these sections, refers to matters within the jurisdiction of the two Houses of Congress, before them for consideration and proper for their action; to questions pertinent thereto; and to facts or papers bearing thereon."

[18] This Court has said of the act of 1857 that "it was necessary and proper for carrying into execution the powers vested in Congress and in each House thereof," (*In re Chapman* (166 U.S. 661, 671).)

to send for persons and papers and report to the House." The court pointed out that the resolution contained no suggestion of contemplated legislation; that the matter was one in respect to which no valid legislation could be had; that the bankrupts' estate and the trustee's settlement were still pending in the bankruptcy court; and that the United States and other creditors were free to press their claims in that proceeding. And on these grounds the court held that in undertaking the investigation "the House of Representatives not only exceeded the limit of its own authority, but assumed power which could only be properly exercised by another branch of the Government, because it was in its nature clearly judicial."

The case has been cited at times, and is cited to us now, as strongly intimating, if not holding, that neither House of Congress has power to make inquiries and exact evidence in aid of contemplated legislation. There are expressions in the opinion which, separately considered, might bear such an interpretation; but that this was not intended is shown by the immediately succeeding statement (p. 189) that "This latter proposition is one which we do not propose to decide in the present case because we are able to decide the case without passing upon the existence or nonexistence of such a power in aid of the legislative function."

Next in order is *In re Chapman*, 166 U.S. 661. The inquiry there in question was conducted under a resolution of the Senate and related to charges, published in the press, that Senators were yielding to corrupt influences in considering a tariff bill then before the Senate and were speculating in stocks the value of which would be affected by pending amendments to the bill. Chapman appeared before the committee in response to a subpena, but refused to answer questions pertinent to the inquiry, and was indicted and convicted under the act of 1857 for his refusal. The Court sustained the constitutional validity of the act of 1857, and, after referring to the constitutional provision empowering either House to punish its Members for disorderly behavior and by a vote of two-thirds to expel a Member, held that the inquiry related to the integrity and fidelity of Senators in the discharge of their duties, and therefore to a matter "within the range of the constitutional powers of the Senate" and in respect of which it could compel witnesses to appear and testify. In overruling an objection that the inquiry was without any defined or admissible purpose, in that the preamble and resolution made no reference to any contemplated expulsion, censure, or other action by the Senate, the Court held that they adequately disclosed a subject matter of which the Senate had jurisdiction, that it was not essential that the Senate declare in advance what it meditated doing, and that the assumption could not be indulged that the Senate was making the inquiry without a legitimate object.

The case is relied on here as fully sustaining the power of either House to conduct investigations and exact testimony from witnesses for legislative purposes. In the course of the opinion (p. 671) it is said that disclosures by witnesses may be compelled constitutionally "to enable the respective bodies to discharge their legitimate functions, and that it was to effect this that the act of 1857 was passed"; and also "We grant that Congress could not divest itself, or either of its Houses, of the essential and inherent power to punish for contempt, in cases to which the power of either House properly extended; but, because Congress, by the act of 1857, sought to aid each of the Houses in the discharge of its constitutional functions, it does not follow that any delegation of the power in each to punish for contempt was involved." The terms "legitimate functions" and "constitutional functions" are broad and might well be regarded as including the legislative function, but as the case in hand did not call for any expression respecting that function, it hardly can be said that these terms were purposely used as including it.

The latest case is *Marshall* v. *Gordon* (243 U.S. 521). The question there was whether the House of Representatives exceeded its power in punishing, as for a contempt of its authority, a person—not a member—who had written, published, and sent to the chairman of one of its committees an ill-tempered and irritating letter respecting the action and purposes of the committee. Power to make inquiries and obtain evidence by compulsory process was not involved. The Court recognized distinctly that the House of Representatives has implied power to punish a person not a member for contempt, as was ruled in *Anderson* v. *Dunn*, supra, but held that its action in this instance was without constitutional justification. The decision was put on the ground that the letter, while offensive and vexatious, was not calculated or likely to affect the House in any of its proceedings or in the exercise of any of its functions—in short, that the act which was punished as a contempt was not of such a character as to bring it within the rule that an express power draws after it others which are necessary and appropriate to give effect to it.

While these cases are not decisive of the question we are considering, they definitely settle two propositions which we recognize as entirely sound and having a bearing on its solution. One, that the two Houses of Congress, in their separate relations, possess not only such powers as are expressly granted to them by the Constitution, but such auxiliary powers as are necessary and appropriate to make the express powers effective; and, the other, that neither house is invested with general power to inquire into private affairs and compel disclosures, but only with such limited power of inquiry as is shown to exist when the rule of constitutional interpretation just stated is rightly applied. The latter proposition has further support in *Harriman* v. *Interstate Commerce Commission* (211 U.S. 407, 417–419), and *Federal Trade Commission* v. *American Tobacco Company* (264 U.S. 298, 305–306).

With this review of the legislative practice, congressional enactments and court decisions, we proceed to a statement of our conclusions on the question.

We are of opinion that the power of inquiry—with process to enforce it—is an essential and appropriate auxiliary to the legislative function. It was so regarded and employed in American legislatures before the Constitution was framed and ratified. Both Houses of Congress took this view of it early in their history—the House of Representatives with the approving votes of Mr. Madison and other Members whose service in the Convention which framed the Constitution gives special significance to their action—and both Houses have employed the power accordingly up to the present time. The acts of 1798 and 1857, judged by their comprehensive terms, were intended to recognize the existence of this power in both Houses and to enable them to employ it more effectually than before. So, when their practice in the matter is appraised according to the circumstances in which it was begun and to those in which it has been continued, it falls nothing short of a practical construction, long continued, of the constitutional provisions respecting their powers, and therefore should be taken as fixing the meaning of those provisions, if otherwise doubtful.[19]

We are further of opinion that the provisions are not of doubtful meaning, but, as was held by this Court in the cases we have reviewed, are intended to be effectively exercised, and therefore to carry with them such auxiliary powers as are necessary and appropriate to that end. While the power to exact information in aid of the legislative function was not involved in those cases, the rule of interpretation applied there is applicable here. A legislative body cannot legislate wisely or effectively in the absence of information respecting the conditions which the legislation is intended to affect or change; and where the legislative body does not itself possess the requisite information—which not infrequently is true—recourse must be had to others who do possess it. Experience has taught that mere requests for such information often are unavailing, and also that information which is volunteered is not always accurate or complete; so some means of compulsion are essential to obtain what is needed. All this was true before and when the Constitution was framed and adopted. In that period the power of inquiry—with enforcing process—was regarded and employed as a necessary and appropriate attribute of the power to legislate—indeed, was treated as inhering in it. Thus there is ample warrant for thinking, as we do, that the constitutional provisions which commit the legislative function to the two Houses are intended to include this attribute to the end that the function may be effectively exercised.

The contention is earnestly made on behalf of the witness that this power of inquiry, if sustained, may be abusively and oppressively exerted. If this be so, it affords no ground for denying the power. The same contention might be directed against the power to legislate, and of course would be unavailing. We must assume, for present purposes, that neither House will be disposed to exert the power beyond its proper bounds, or without due regard to the rights of witnesses. But if, contrary to this assumption, controlling limitations or restrictions are disregarded, the decisions in *Kilbourn* v. *Thompson* and *Marshall* v. *Gordon* point to admissible measures of relief. And it is a necessary deduction from the decisions in *Kilbourn* v. *Thompson* and *In re Chapman* that a witness rightfully may refuse to answer where the bounds of the power are exceeded or the questions are not pertinent to the matter under inquiry.

We come now to the question whether it sufficiently appears that the purpose for which the witness's testimony was sought was to obtain information in aid of the legislative function. The court below answered the question in the negative and put its decision largely on this ground, as is shown by the following excerpts from its opinion (299 Fed. 638, 639, 640):

"It will be noted that in the second resolution the Senate has expressly avowed that the investigation is in aid of other action than legislation. Its purpose is to 'obtain information necessary as a basis for such legislative and other action as the Senate may deem necessary and proper.' This indicates that the Senate is contemplating the taking of action other than legislative, as the outcome of the investigation, at least the possibility of so doing. The extreme personal cast of the original resolutions; the spirit of hostility toward the then Attorney General which they breathe; that it was not avowed that legislative action was had in view until after the action of the Senate had been challenged; and that the avowal then was coupled with an avowal that other action was had in view—are calculated to create the impression that the idea of legislative action being in contemplation was an afterthought.

"That the Senate has in contemplation the possibility of taking action other than legislation as an outcome of the investigation, as thus expressly avowed, would seem of itself to invalidate the entire proceeding.

[19] *Stuart* v. *Laird* (1 Cranch 299, 309); *Martin* v. *Hunter's Lessee* (1 Wheat, 304, 351); *Ames* v. *Kansas* (111 U.S. 449, 469); *Knowlton* v. *Moore* (178 U.S. 41, 56, 92); *Fairbank* v. *United States* (181 U.S. 283, 306, et seq.).

But, whether so or not, the Senate's action is invalid and absolutely void, in that, in ordering and conducting the investigation, it is exercising the judicial function, and power to exercise that function, in such a case as we have here, has not been conferred upon it expressly or by fair implication. What it is proposing to do is to determine the guilt of the Attorney General of the shortcomings and wrongdoings set forth in the resolutions. It is 'to hear, adjudge, and condemn.' In so doing it is exercising the judicial function.

"What the Senate is engaged in doing is not investigating the Attorney General's office; it is investigating the former Attorney General. What it has done is to put him on trial before it. In so doing it is exercising the judicial function. This it has no power to do."

We are of opinion that the court's ruling on this question was wrong, and that it sufficiently appears, when the proceedings are rightly interpreted, that the object of the investigation and of the effort to secure the witness's testimony was to obtain information for legislative purposes.

It is quite true that the resolution directing the investigation does not in terms avow that it is intended to be in aid of legislation; but it does show that the subject to be investigated was the administration of the Department of Justice, whether its functions were being properly discharged or were being neglected or misdirected, and particularly whether the Attorney General and his assistants were performing or neglecting their duties in respect of the institution and prosecution of proceedings to punish crimes and enforce appropriate remedies against the wrongdoers—specific instances of alleged neglect being recited. Plainly the subject was one on which legislation could be had and would be materially aided by the information which the investigation was calculated to elicit. This becomes manifest when it is reflected that the functions of the Department of Justice, the powers and duties of the Attorney General and the duties of his assistants, are all subject to regulation by congressional legislation, and that the Department is maintained and its activities are carried on under such appropriations as in the judgment of Congress are needed from year to year.

The only legitimate object the Senate could have in ordering the investigation was to aid it in legislating; and we think the subject matter was such that the presumption should be indulged that this was the real object. An express avowal of the object would have been better; but in view of the particular subject matter was not indispensable. In the Chapman case, where the resolution contained no avowal, this Court pointed out that it plainly related to a subject matter of which the Senate had jurisdiction, and said, "We cannot assume on this record that the action of the Senate was without a legitimate object," and also that "it was certainly not necessary that the resolutions should declare in advance what the Senate meditated doing when the investigation was concluded" (166 U.S. 669–670). In *People* v. *Keeler* (99 N.Y. 463), where the Court of Appeals of New York sustained an investigation ordered by the senate of that State where the resolution contained no avowal, but disclosed that it definitely related to the administration of a public office the duties of which were subject to legislative regulation, the court said (pp. 485, 487): "Where public institutions under the control of the State are ordered to be investigated it is generally with the view of some legislative action respecting them, and the same may be said in respect of public officers." And again: "We are bound to presume that the action of the legislative body was with a legitimate object if it is capable of being so construed, and we have no right to assume that the contrary was intended."

While we rest our conclusion respecting the object of the investigation on the grounds just stated, it is well to observe that this view of what was intended is not new, but was shown in the debate on the resolution.[20]

Of course, our concern is with the substance of the resolution and not with any nice questions of propriety respecting its direct reference to the then Attorney General by name. The resolution, like the charges which prompted its adoption, related to the activities of the department while he was its supervising officer; and the reference to him by name served to designate the period to which the investigation was directed.

We think the resolution and proceedings give no warrant for thinking the Senate was attempting or intending to try the Attorney General at its bar or before its committee for any crime or wrongdoing. Nor do we think it a valid objection to the investigation that it might possibly disclose crime or wrongdoing on his part.

The second resolution—the one directing that the witness be attached—declares that his testimony is sought with the purpose of obtaining "information necessary as a basis for such legislative and other action as the Senate may deem necessary and proper." This avowal of contemplated legislation is in accord with what we think is the right interpretation of the earlier resolution directing the investigation. The suggested possibility of "other action" is deemed "necessary or proper" is, of course, open to criticism in that there is no other action in the matter which would be within the power of the Senate. But we do not assent to the view that this indefinite and untenable suggestion invalidates the entire proceeding. The right view, in our opinion, is that it takes nothing from the lawful object avowed in the same resolution and rightly inferable from the earlier one. It is not as if an inadmissible or unlawful object were affirmatively and definitely avowed.

We conclude that the investigation was ordered for a legitimate object; that the witness wrongfully refused to appear and testify before the committee and was lawfully attached; that the Senate is entitled to have him give testimony pertinent to the inquiry, either at its bar or before the committee; and that the district court erred in discharging him from custody under the attachment.

Another question has arisen which should be noticed. It is whether the case has become moot. The investigation was ordered and the committee appointed during the 68th Congress. That Congress expired March 4, 1925. The resolution ordering the investigation in terms limited the committee's authority to the period of the 68th Congress; but this apparently was changed by a later and amendatory resolution authorizing the committee to sit at such times and places as it might deem advisable or necessary.[21] It is said in "Jefferson's Manual": [22] "Neither House can continue any portion of itself in any parliamentary function beyond the end of the session without the consent of the other two branches. When done, it is by a bill constituting them commissioners for the particular purpose." But the context shows that the reference is to the two Houses of Parliament when adjourned by prorogation or dissolution by the King. The rule may be the same with the House of Representatives whose Members are all elected for the period of a single Congress; but it cannot well be the same with the Senate, which is a continuing body whose Members are elected for a term of 6 years and so divided into classes that the seats of one-third only become vacant at the end of each Congress, two-thirds always continuing into the next Congress, save as vacancies may occur through death or resignation.

Mr. Hinds in his collection of precedents says: "The Senate, as a continuing body, may continue its committees through the recess following the expiration of a Congress"; [23] and, after quoting the above statement from Jefferson's Manual, he says: "The Senate, however, being a continuing body, gives authority to its committees during the recess after the expiration of a Congress."[24] So far as we are advised the select committee having this investigation in charge has neither made a final report nor been discharged; nor has it been continued by an affirmative order. Apparently its activities have been suspended pending the decision of this case. But, be this as it may, it is certain that the committee may be continued or revived now by motion to that effect, and, if continued or revived, will have all its original powers.[25] This being so, and the Senate being a continuing body, the case cannot be said to have become moot in the ordinary sense. The situation is measurably like that in *Southern Pacific Terminal Co.* v. *Interstate Commerce Commission* (219 U.S. 498, 514–516), where it was held that a suit to enjoin the enforcement of an order of the Interstate Commerce Commission did not become moot through the expiration of the order where it was capable of repetition by the Commission and was a matter of public interest. Our judgment may yet be carried into effect and the investigation proceeded with from the point at which it apparently was interrupted by reason of the habeas corpus proceedings. In these circumstances we think a judgment should be rendered as was done in the case cited.

What has been said requires that the final order in the district court discharging the witness from custody be reversed.

Final order reversed.

Mr. Justice Stone did not participate in the consideration or decision of the case.

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[20] Senator George said: "It is not a trial now that is proposed, and there has been no trial proposed save the civil and criminal actions to be instituted and prosecuted by counsel employed under the resolution giving to the President the power to employ counsel. We are not to try the Attorney General. He is not to go upon trial. Shall we say the legislative branch of the Government shall stickle and halt and hesitate because a man's public reputation, his public character, may suffer because of that legislative action? Has not the Senate power to appoint a committee to investigate any department of the Government, any department supported by the Senate in part by appropriations made by the Congress? If the Senate has the right to investigate the department, is the Senate to hesitate, is the Senate to refuse to do its duty merely because the public character or the public reputation of someone who is investigated may be thereby smirched, to use the term that has been used so often in the debate? * * * It is sufficient for me to know that there are grounds upon which I may justly base my vote for the resolution; and I am willing to leave it to the agent created by the Senate to proceed with the investigation fearlessly upon principle, not for the purpose of trying but for the purpose of ascertaining facts which the Senate is entitled to have within its possession in order that it may properly function as a legislative body." (CONGRESSIONAL RECORD, 68th Cong., 1st sess., pp. 3397, 3398.)

[21] "CONGRESSIONAL RECORD," 68th Cong., 1st sess., p. 4126.

[22] "Senate Rules and Manual, 1925," p. 303.

[23] Vol. 4, sec. 4544.

[24] Vol. 4, sec. 4545.

[25] "Hinds' Precedents," vol. 4, secs. 4396, 4400, 4404, 4405.

RECESS UNTIL 10 A.M. TOMORROW

Mr. MORSE. Mr. President, in accordance with the previous order, I now move that the Senate stand in recess until tomorrow morning, at 10 o'clock.

The motion was agreed to; and (at 10 o'clock and 10 minutes p.m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Friday, January 9, 1959, at 10 o'clock a.m.

SENATE

FRIDAY, JANUARY 9, 1959

(Legislative day of Thursday, January 8, 1959)

The Senate met at 10 o'clock a.m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, before whose eyes the ages pass, apart from Thee all the schemes of our devising are as futile as a painted ship upon a painted ocean.

In the midst of things as they are, so tangled and tragic, we thank Thee for stirrings of discontent within us, for visions of a glory yet to transfigure the earth, for the rainbow arch across the stormy sky, with its hope of brotherhood and justice and abiding peace.

For our Nation we pray. Upon our President and all who counsel with him, upon the Congress, and upon all who represent our strength, administer our responsibilities, and are entrusted with power to work weal or woe on the earth, we ask Thy sustaining grace. Above all other acclaim or reward, we crave the assurance of Thy approving "well done." "Blessed are the peacemakers: for they shall be called the children of God."

We ask it in the name of the Prince of Peace. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 8, 1959, was dispensed with.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

AMENDMENT OF THE RULES

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the resolution (S. Res. 5) proposing to amend Senate rules XXII and XXXII.

Mr. JOHNSTON of South Carolina. Mr. President, as I open my remarks on the question of changing rule XXII of the Senate rules, I wish to bring these somber words to the attention of the Senate:

> Someday freedom may depend on a Senate filibuster.

Yes, Mr. President, someday freedom may depend on a Senate filibuster.

Mr. President, the words I have quoted are the title to the lead editorial of the January 3, 1959, issue of the Saturday Evening Post, one of the Nation's leading liberal magazines. The title of the editorial presents a brief, concise, accurate, and straightforward reason or argument why we should protect, and not change, the freedom of unlimited debate in the United States Senate.

For the benefit of the Senate, Mr. President, I shall now read the editorial from the Saturday Evening Post. The editorial was written by Draper Phillips:

SOMEDAY FREEDOM MAY DEPEND ON A SENATE FILIBUSTER

The Democratic liberals are swooping down upon the Senate's rule 22, which protects free debate in the Senate. If they are successful, they will have knocked down a bulwark of the States against complete national control of local affairs. They will have destroyed a fortress which has prevented many efforts of the majority to tyrannize over the minority.

Those who would limit debate to the wishes of the Senate's majority profess to speak in the sacred name of civil rights. Actually, the filibuster has been used scores of times by minorities of all parties and from every section of the country to defeat bills which were repugnant to localities, or were regarded as in violation of a State's constitutional rights. Even majorities have used free debate to prevent minorities from defeating legislation. A majority filibuster in 1917 was at least partly responsible for the establishment of the cloture rule under which two-thirds of the Senators may limit debate.

Senators Elihu Root and Henry Cabot Lodge looked upon the filibuster as a defense weapon against repressive majorities. Their threatened use of it was sufficient to force reconsideration of an appropriation for new post-office construction. Senator George F. Hoar, of Massachusetts, recalled that the prolonged debate against the force bill in 1890, which would have authorized Federal supervision of elections, actually altered the opinion of the majority which had proposed the bill. Progressive Senator La Follette, who held the all-time record for an individual filibuster until Senator WAYNE MORSE broke it in a filibuster which he refused to describe as a filibuster—

But I believe he now calls it a filibuster.

Mr. MORSE. Mr. President, will the Senator from South Carolina yield to me?

Mr. JOHNSTON of South Carolina. I yield.

Mr. MORSE. I do not know whether at times I have actually filibustered but have said I was not filibustering. I believe I am the only liberal who not only filibusters, but defends the purpose for which I filibuster; and that purpose was quite different from the purpose for which my good friend from South Carolina filibusters.

Mr. JOHNSTON of South Carolina. Of course we disagree on that point. But we do agree that we filibuster in order to enlighten the public.

Mr. MORSE. Oh, yes; on that point we are in agreement.

Mr. JOHNSTON of South Carolina. Yes; we are in agreement on that.

Mr. President, I read further from the editorial:

> [He] offered to fight any cloture that would limit free and unlimited debate. Walter Lippmann, in opposing cloture in 1949, said the real issue is whether any majority, even of two-thirds, shall assume power to override the opposition of a large minority of the States.

Mr. President, I ask unanimous consent that the remainder of the editorial, which deals with the same line of thought, be printed at this point in the RECORD.

There being no objection, the remainder of the editorial was ordered to be printed in the RECORD, as follows:

We need have no real fear that vital national legislation will be defeated by the filibuster. If the whole people want a law badly enough, it will be passed in spite of delaying tactics. Thus, when Senator Herbert Lehman led a small group in 1952 to filibuster against the important national-origins quota system for admission of immigrants, the filibusterers were quickly routed. The vast majority in nearly every section of the country wanted the law and they got it.

The liberals, in their zeal to secure the vote of, or to protect, the Negro in his civil rights, ignore history. Our Federal system was founded on the principle that the Senate represents the States, not a majority of the people of the Nation. Conditions vary among the States and among groups of States. The advantage of a Federal system over a national system of government is that we can accommodate ourselves to these variations. That was the reason for allowing equal representation in the Senate and unlimited debate.

We ought to count 10 before changing the Senate rules to limit debate substantially. Such a change would rival F. D. R.'s court-packing bill as a challenge to established concepts of government. It required hard work by leaders in both parties and unlimited debate to dispel that threat. It is to be hoped that there are enough Senators left with sufficient courage to resist this politically tempting assault on an important bulwark of the Federal structure.

Mr. JOHNSON of Texas. Mr. President, will the Senator from South Carolina yield briefly to me?

Mr. JOHNSTON of South Carolina. I yield.

Mr. JOHNSON of Texas. Mr. President, I understand that the Senator from South Carolina will soon conclude his remarks. I ask unanimous consent that at the conclusion of his remarks, the time remaining between then and 11:30 a.m. be divided equally between the Senator from New Mexico [Mr. ANDERSON] and myself.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

Mr. JOHNSTON of South Carolina. Mr. President, it is my intention not to speak at length at this time. I have prepared very extended remarks in regard to this particular matter, in which I am vitally interested. But at this time, in view of the agreement made in the Senate, I have agreed to make my discourse very brief.

In view of the editorial I have read, I believe it is obvious that even such northern publications as the Saturday Evening Post are alarmed over the attacks

now being made upon our sound and proven democratic processes and today especially on our rule XXII in the Senate, but, aside from the final and most important reasoning set forth in the Saturday Evening Post editorial for maintaining rule XXII, there are other reasons for not changing our rules.

One of the base arguments made against our keeping Senate rule XXII, and, for that matter, any other Senate rule, is that the Senate is not a continuing body and therefore a majority of the Senate present each new session should adopt new rules.

This has been discounted in and out of the Senate since the first day our Government was founded.

For example, on page 29 of Senate Document No. 4 of the 83d Congress, 1st session, is reported debate on this question in the Senate in 1841:

CONTROVERSY OVER THE SENATE PRINTERS IN 1841

A joint resolution of March 3, 1819, had provided that "as soon as this resolution shall have been approved by the President of the United States, each House shall proceed to ballot for a printer, to execute its work during the next Congress." (The resolution is reprinted in Congressional Globe, 26th Cong., 2d sess., vol. 9, p. 238.)

An amendatory joint resolution adopted in 1829 provided that "within 30 days before the adjournment of every Congress, each House shall proceed to vote for a printer to execute its work for and during the succeeding Congress." (Reprinted ibid., p. 189.) Accordingly, on February 20, 1841, during the 2d session of the 26th Congress, the Senate elected Blair and Rives as its printers for the 27th Congress. (Ibid., p. 197.)

On March 4, 1841, the political complexion of the Senate changed. (Ibid., p. 186.) The Senate organized by reelecting its President pro tempore; (ibid., p. 231), and sat in special session until March 14. The House of Representatives duly adjourned sine die, and was not in session after March 4.

On March 4, 1841, a resolution was introduced "that Blair and Rives be dismissed as printers of the Senate for the 27th Congress." (Ibid., p. 236.) On March 5 a motion to take up this resolution for consideration was debated at length. In February, at the time of the election of the printers, it had been urged that the "next Senate" should be allowed to elect its own printers. (Ibid., p. 186.)

Mr. Allen, of Ohio:

"And as to the assertion that this was a new Senate, he denied the fact. The argument so much relied on in this discussion and on which so much logic and reasoning had been wasted in opposition to the election of these printers was untrue. There was no such thing as a new Senate known to the Constitution of this Republic. They might as well speak of a new Supreme Court as of a new Senate. There was a new House of Representatives because the entire House expired at the expiration of the second year and because the 4th of March terminated the life of that body. But not so the Senate. The Constitution replenishes that body every 2 years by the election of a class of Senators, and thereby gives eternity to the duration of the body. There was no new, nor was there any old, Senate. The same Senate, therefore, which elected Blair and Rives now without charge or allegation proposes to rescind the act, but he would not go into that." (Ibid., p. 236.)

Mr. Wright of New York (as the Senate was in special session and the House of Representatives was not sitting, the Senate could properly consider no other business than nominations and treaties):

"He had never heard it pretended that the rules of the Senate are not perpetual from Congress to Congress, unless they were changed by the body. The rules were not now changed; and what, then, were they doing? Why, they were debating this matter in violation of their rules, and by their action were assuming to exercise legislative powers." (Ibid., p. 236.)

* * * * *

James Buchanan, of Pennsylvania, contended that the printers were not officers of the Senate, but were entitled under a binding contract to do the Senate printing. But what if they were officers?

"Senators had contended that one Senate or one Congress had no right to elect officers for their successors; and that, therefore, the joint resolution violated the Constitution, because it gave the election of a printer for the next Senate to that which had expired on the 3d of March. This was as strange a position as any which had been assumed throughout the argument. An old Senate and a new Senate.

"There could be no new Senate. This was the very same body, constitutionally and in point of law, which had assembled on the first day of its meeting in 1789. It has existed without any intermission from that day until the present moment, and would continue to exist as long as the Government should endure. It was emphatically a permanent body. Its rules were permanent and were not adopted from Congress to Congress like those of the House of Representatives. For many years after the commencement of the Government its Secretary was a permanent officer, though our rules now require that he should be elected at stated intervals. The Senate always had a President, and there were always two-thirds of its actual Members in existence, and generally a much greater number. It would be useless to labor this question. Every writer, without exception, who had treated on the subject had declared the Senate to be a permanent body. It never dies; and it was the sheet anchor of the Constitution on account of its permanency. Senators were thus deprived of the poor apology that one Senate had no right to bind its successors." (Ibid., p. 240.)

On page 34 of the same document, debate concerning joint rules of Senate and House, made on January 10, 1876, the following appears:

Senator Hamlin, from the Committee on Rules, reported the following resolution (CONGRESSIONAL RECORD, vol. 4, p. 309):

"*Resolved by the Senate (the House of Representatives concurring)*, That the joint rules of the Senate and House of Representatives in force at the close of the last session of Congress be, and the same are hereby, adopted as the joint rules of the two Houses for the present session."

Senator Hamlin, in supporting the resolution, said:

"The Senate has its rules. The Senate is an existing body, and its rules exist with the body. The House of Representatives is a body which expires once in 2 years, and its rules expire, of course, with each expiring Congress."

Senator Bayard, speaking on the same resolution January 17, 1976, said (ibid., p. 431):

The question comes at once whether a joint rule adopted by the two Houses falls and becomes void by the expiration of the Congress in which that rule was adopted. So far as the Senate is concerned, it will not, I think, be suggested, because this is a continuing body; there is always and at all times a quorum continuing from one Congress to another. It is not so with the House of Representatives, the termination of whose legal existence is at the end of every 2 years. * * * So far as the Senate is concerned, we all know that the Senate's rules continue, but the question is what effect the different constitution of the other House of Congress has upon a joint rule."

Upon a joint rule Senator Kelly said, as appears on page 35 of the document (Ibid., p. 434):

"The Senate has never considered it necessary to adopt the rules of a previous Congress, probably for the reason which has been stated, that it is always an organized body; that is, it always has a quorum to do business. Being an organized body it has never since 1789 adopted the rules of a previous Congress."

Senator Morton said (Ibid., p. 435):

"I have always understood the theory of the two Houses to be this: First, that the Senate is a continuing body. That results from the nature of its organization and also because it is a part of the executive department of the Government. * * * When the Senate adjourns from one session to another it is nothing more than a recess of the Senate. I believe I have never before heard it said that the House of Representatives was a continuing body. * * * We have a President pro tempore, a Sergeant at Arms, and a Secretary, and they continue until the Senate itself makes a change. Therefore the organization of the body is not lost, and every adjournment of the Senate is simply in the nature of a recess."

Senator Maxey said (Ibid., p. 438):

"It is said that the House of Representatives is a continuous body; and that reason is assigned by a Senator for whose legal judgment I have great respect; but I do not concur in it; I do not think it is true. I believe that there is a cessation of the organization of the House of Representatives every 2 years. The very fact that this body requires the President of the Senate (whoever that may be) to call the Senate together, that it is a perpetual body, that it never ceases to exist, that while one-third goes out every second year one-third comes in at the same time, makes it a perpetual body. * * *

"There never has been a time since the organization of this Government that two-thirds of the Senate were not in existence. It is, therefore, a perpetual body, so laid down in all the works on the subject. The House is not so. It is true of the House of Lords; it is not true of the House of Commons. Precisely what is true of the House of Lords is true of the Senate; precisely what is true of the House of Commons is true of the House of Representatives." (Edgerton, April 30, 1915; McClenon, November 22, 1915.)

The weight of legal precedent, custom, and practice support the view that the Senate of the United States is a "continuing body." So viewed, its rules, in effect in one form or another since the first Senate assembled in 1789, cannot and should not be changed with each new Congress.

Although it is recognized that the Constitution provides that "each House may determine the rules of its proceedings"—article I, section 5—this does not mean that new rules must be adopted at each new Congress, and that has not been the practice in the past.

Those who argue that previous Senates have merely acquiesced in the rules already existing, and have in actuality readopted them by tacit consent while in the process of organizing themselves, overlook the fact that, when a new Congress opens, the Senate of that Congress is not a completely new body, like the

House of Representatives, but, historically and constitutionally, a very real part of that first Senate which met in 1789.

Those who support the present Senate rule 22 do not contend that the Senate is without the power to choose the rules by which it is to be governed; they do hold that that particular rule and every other one are the rules that govern the Senate and that they do not cease to operate when one Congress expires, necessitating the adoption of new rules for the next term of Congress. Thus, the Senate may change its rules whenever it so chooses, but it must do so in conformity with the rules that pertain to amendments in the rules, and this is so because the Senate is in constitutional truth a body in continuous being from the time the Constitution went into effect, and has been so down to the present time. That this is so will be demonstrated in the paragraphs to follow:

While there is no direct precedent on the question as to whether the Senate is a continuing body, most of what might be called collateral precedents flowing from the customs and rules of the Senate, as I have previously pointed out from earlier debates and other sources, definitely point to the acceptance of the theory that the Senate is a continuing body.

It has been the custom of the Senate since its organization to begin the operation of each new Congress without readopting or reaffirming its rules and to continue its elected officers from Congress to Congress, except when there has been a change in party control. This hardly bespeaks the idea of the Senate as a completely new body with every Congress.

In addition to these customs, the rules of the Senate and the Legislative Reorganization Act of 1946 would appear to be predicated upon the underlying concept that the Senate is a continuing body. Senate rule XXV(2) provides that "each standing committee shall continue and have the power to act until their successors are appointed." Section 134 of the Legislative Reorganization Act provides that "each standing committee of the Senate is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses and adjourned periods of the Senate as it deems advisable." It has always been the practice of the Senate to continue in operation its various committees and officers without regard to the expiration of a particular Congress. The Senate gives evidence of its continuous nature when seen in its various "executive" activities, such as the confirmation of Presidential appointments and the ratification of treaties.

These activities it may conduct, when necessary, at special sessions called by the President, according to the Constitution—article II, section 3. Were the Senate not envisaged as a continuing body, we should hardly find the Founding Fathers drafting such a provision. In addition, treaties do not have to be resubmitted to a "new" Senate, although they are customarily treated de novo.

These long-continued, contemporaneous and practical precedents, necessarily predicated on the Senate being a continuing body, must be given great weight—see *United States* v. *State Bank of North Carolina* (6 Pet. 29 (1832). A congressional construction of the Constitution which has been followed since the founding of the Federal Government is entitled to great respect—ex parte quirin (317 U.S. 1 (1942)).

There is judicial precedent, also, for the concept of the Senate as a body continuing down to us from the First Congress. In *McGrain* v. *Daugherty* (273 U.S. 135 (1926)), the U.S. Supreme Court held that the Senate is a continuing body. The following language of the court is worthy of special note:

[The Senate] is a continuing body whose Members are elected for a term of 6 years and so divided into classes that the seats of one-third only become vacant at the end of each Congress, two-thirds always continuing into the next Congress, save as vacancies may occur through death or resignation.

The highest courts of two States recognize the rule of decision in the McGrain case: *Robertson* v. *State* ((Indiana, 1887), 79 N.E. 582), and *Swing* v. *Riley* ((California, 1939), 90 p. 2d 313).

Many of the authoritative writers in the field of government have stated categorically that the U.S. Senate is a continuing body.

The Senate had never required reorganization since the beginning of the Government (Lodge, "Senate of the United States," p. 11).

It * * * meets fully organized and provided with rules determining its methods of procedures (Willoughby, "Principles of Legislative Organization and Administration," p. 243).

[It] * * * is a continuing body (Haynes, "Senate of the United States," p. 341). (See IV Hinds Precedents, 4396, 4400, 4404–4405 for similar statements.)

The reasoning of distinguished writers and the unbroken rule followed by the Senate may be considered in determining the meaning of provisions of the Constitution—see *Stockton* v. *McFarland* (160 p. 2d 328 (Arizona, 1940)).

Prof. Edward S. Corwin, editor of the annotated volume of the Constitution published by the Library of Congress, says:

The Senate is a continuing body * * * hence its rules remain in force from Congress to Congress except as they are changed from time to time, whereas those of the House are readopted at the outset of each new Congress.

In the writings of Hamilton, Madison, and Jay in "The Federalist Papers," Nos. 59, 62, 64, and 77, a feeling is evidenced that the Senate should be viewed as a stabilizing factor to set off the changes concomitant upon a House of Representatives which changes completely every 2 years, a body which would continue to exist, as a majority, from session to session, despite changes in the lower House. The following excerpts bear especially on the continuing body theory:

Those who can best estimate the value of a steady administration will be most disposed to prize a provision which connects the official existence of public men with the appropriation or disappropriation of that body [the Senate] which, from the greater permanency of its own composition (as compared with the office of the Presidency), will in all probability be less subject to inconstancy than any other member of the Government (No. 77, pp. 476–477).

By leaving a considerable residue of the old ones [Senators] in place, uniformity and order, as well as a constant succession of official information, will be preserved (No. 64, p. 402).

In 1954 the Senate voted on the question of censuring the late Senator McCarthy, of Wisconsin. The main legal question involved was whether the Senate was a continuing body. The censure could not have been voted without first adopting the report of the Watkins committee to the effect that the Senate was a continuing body. All of the Democratic Senators and one-half the Republicans voted for this report. This may be of interest when this issue is raised again.

Rule XX is also—and quite naturally—viewed as a protection against dictation by the majority. Legislative independence disappears in exact proportion to the diminishing of deliberation. Cloture is the foundation of machine rule. Once that foundation is established, the mechanics of machine rule will become very simple, and the Senate will pass into the hands of a few "bosses," who could then direct the proceedings of the Senate through the party-caucus method, dispensing favors and patronage to the faithful Members.

Rule XXII insures due deliberation over legislative measures which come before the Senate. The Senate has not only a duty to legislate, but to inform the people on matters of great importance. If measures are rushed through, the public has no chance to deliberate on them, and thus the great factor of public opinion cannot make itself felt on the lawmakers, thus rendering them less responsive to the national will.

It is the special duty of the Senate, sitting in an appellate capacity, carefully to inspect proposed legislation, a duty not readily performed without freedom of debate. In our system of government, where legislation can be gaveled through the House of Representatives at breakneck speed with only scanty debate under special rules framed by a partisan committee, it is essential that one place be left for thoroughgoing debate.

Further, it is the unique function of the Senate to act as a check upon the Executive, a responsibility it could not perform without full freedom of debate; and certainly not if it were not a continuing body. Unrestricted debate in the Senate is the only check upon Presidential and party autocracy. It is justified by the nature of our governmental system of separated powers.

The Senate is the embodiment of that special relationship between the Federal Government and the States created by the Constitution, when it gave certain enumerated powers to the National Government, and reserved the rest to the States.

The Senate is the only place in the Federal governmental structure wherein can be heard the voices of those representing the States as States. Members of the lower House speak as Representatives of special districts within their States and for the interests of those particular localities only.

Senators speak for the State as a whole, as sort of ambassadors from their States to the National Government, and they speak on the basis of that special compromise that went into the adoption of the Federal Constitution, wherein all "powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people—amendment X." If the rules and concepts that have guided the Senate since its beginning were to be swept away and new rules adopted at each new Congress, where will these safeguards for the States be? They will be swept out of existence.

If a completely new set of rules were to be adopted at the beginning of each new session of the Senate, then that body might not be able to function for some days or even weeks, parliamentary chaos ensuing.

Furthermore, if the Senate voted, at the beginning of a new Congress, to do away with the existing rules, under what system of rules of the many conflicting ones that exist, would it proceed? There are numerous systems from which to choose, in the framing of none of which did any Member of the Senate have any part. As each new rule would be debatable, an intolerable length of time might well elapse before the Senate could organize. The very argument that the Senate is not a continuing body would lay the groundwork for more bickering and filibusters each session than the Senate, under its existing rules, has seen in its entire history.

It has been argued by those who favor a more liberal cloture rule that the idea of majority rule is inherent in the Constitution and in the democratic way of life. It is no such thing. One of the distinguishing characteristics of our Constitution is the denial of rule by the majority. In order to change the Constitution itself, a three-fourths vote of the States is required. In the Senate, treaties and impeachment proceedings require more than a simple majority vote. These are all safeguards against punitive legislation or unwise, hasty action by a collusion of selfish interests.

It is misleading to compare the Senate with the upper houses of State legislatures, which may not regard themselves as continuing bodies. The Senate is an altogether different body. It was created as the result of a compromise in order to form the Republic. It represents the interests of the States as sovereign entities, as well as their inhabitants, and is bound to protect those interests. This is what the States sought in return for a cession of a portion of their sovereignty to the Federal Government. To hold now that the Senate never was a continuing body and that its rules may be changed every 2 years is to flout the rights of the minority and actually take away a part of that minority's suffrage in the Senate contrary to the Constitution—article V—to the extent that its right to be fully heard would be denied by a diminishing of the cloture rule. A State legislature is an entirely different matter. It was not created under the special conditions that attended the birth of the Republic. A State has its own constitution and may order the procedures in its own legislature as it sees fit. It represents only the people of that particular State.

In the Constitution itself we see evidence that the Founding Fathers thought it desirable that provision be made for dilatory tactics for the protection of the minority. Article I, section 5, provides that at the desire of one-fifth of those present, the yeas and nays of any vote must be entered on the Journal. This is an intentional safeguard allowing the minority to delay proceedings.

Lastly, the use of the so-called filibuster has not wrought the great damage that has been asserted. Of all the legislative measures that it has been used against, all have subsequently been passed and enacted into law with the exception of the Force bill—Federal elections, 1890–91—the armed ship resolution—to arm American merchant ships against German submarines, 1917—the antilynching bills—1922, 1935, 1937–38—the antipoll tax measures—1942, 1944, 1946, 1948—and the fair employment practices bills—1945, 1950. No really meritorious measure has ever been permanently defeated, and many vicious proposals have been killed. The filibuster has killed more bad bills than good ones. They always provide time for a thorough consideration of measures. It is worthy of note that the Senate, without majority cloture, actually passes a larger percentage of bills introduced in that body than does the House of Representatives with cloture.

Mr. President: In essence, we are confronted with a parliamentary situation strikingly similar to that which confronted us in the Senate in January of 1957. It is urged with great sincerity that the rules of the Senate require a change in order to promote the rule of the majority. It is argued with great feeling that the present rules of the Senate stifle majority rule. It is contended that democracy in our Government is defeated in instances by the application of the existing Senate rules.

I deny these and the other contentions raised in support of a change in our rules. For 171 years the Senate has succeeded in its legislative efforts under the existing rules. They have on occasion been changed. They have been amended. But the great body of our rules has not been changed. From session to session precedents have been established and are embodied in our procedure so that the Senate has been elevated to its present prestige not only in the estimation of our own people but throughout the countries of the free world.

Mr. President, I want it plainly understood that I oppose any change in the Senate's rules that would reduce the two-thirds constitutional majority vote now necessary to invoke cloture.

I have been tempted to speak at greater length on this subject, but I understand that prior agreements make it necessary for us to conclude this phase of the debate in order that we receive the message from the President on the state of the Union.

That being so, I shall conclude my remarks at this point; but I shall be speaking more in opposition to any change in the Senate's rule 22.

The PRESIDING OFFICER (Mr. KUCHEL in the chair). The Chair recognizes the Senator from Illinois.

Mr. JOHNSON of Texas. Mr. President, under the unanimous-consent agreement, the Senator from New Mexico controls half of the remaining time and the majority leader half of the remaining time.

I yield to the Senator from Illinois [Mr. DIRKSEN] 10 minutes.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 10 minutes.

Mr. DIRKSEN. Mr. President, when this matter was before the Senate 2 years ago I voted for the motion to table. Since that time there has been ample opportunity to examine a considerable body of material. In this matter, last year, and, I must assume, all other things being equal at this time, in the absence of any other specific proposal that was not on the horizon at the time, I would support the Anderson proposal. But the situation before us today is entirely different.

I allude to other material. I had opportunity, first of all, to examine the report, or extracts and excerpts from the report submitted by the Senator from Arizona [Mr. HAYDEN] early in 1958.

Then, on the 30th of April 1958, there was a very extensive report from the Committee on Rules and Administration.

On August 21, 1958, the individual views of the distinguished Senator from New Jersey [Mr. CASE] were then in printed form.

I think one of the most important statements put forth at the time was a mimeographed copy of what is known as background material, which was subscribed by four distinguished Senators, the Senator from Minnesota [Mr. HUMPHREY], the Senator from New Jersey [Mr. CASE], the Senator from Illinois [Mr. DOUGLAS], and the Senator from New York [Mr. JAVITS], dealing with this whole matter, and setting forth what they had intended to do.

There is an entirely changed picture before us at the present time. First we have before the Senate a new, and a specific resolution. As a matter of fact, there are now four specific resolutions.

One of them, of which I am a cosponsor, I think embodies the view I have cherished for quite a long time. So I intend to vote against the Anderson proposal and to support Senate Resolution 5, which does embody my views.

It seems to me rule XXII was actually the only issue which was before us, and it was the only issue embraced in the background memorandum, which was circulated some time late in the fall.

I shall read from page 4 of that memorandum, because I think it sets forth the case pretty clearly. I intend to insert the whole memorandum in the RECORD, but at the bottom of page 4 appears a paragraph styled, "A Majority Can Change Rule 22 if It Has the Will To Do So," and it reads as follows:

The actual mechanics of obtaining majority rule will be simple enough if the

majority of the Senators of the new Congress meeting on January 7, 1959, wills it that way.

On January 7, 1959, a motion, modeled on the 1953 and 1957 motions, will be made to take up for immediate consideration the adoption of rules for the Senate of the 86th Congress.

Those supporting the filibuster and opposing new rules will then have two alternatives. They can either (a) raise a point of order against the motion, or (b) move to table it, as Senator Taft did in 1953 and Senator JOHNSON did in 1957.

Then there is a paragraph under the caption, "Proceedings After Defeat of Motion To Table," which reads as follows:

Once the motion to table is defeated, the next vote will be on the adoption of our motion to take up for immediate consideration the adoption of rules for the Senate of the 86th Congress. Although the opponents of this motion might attempt a filibuster once their motion to table is defeated, such an attempted filibuster could be stopped by moving the previous question under general parliamentary law which would then be applicable.

Then there is this very significant paragraph:

Then once the motion to take up rules is adopted by the Senate, a motion will be made to adopt as the rules of the Senate of the 86th Congress, the old rules with a revised rule XXII.

There is nothing in this entire theme that relates to any other rule except rule XXII.

Then there is a paragraph which is styled, "Can Decide on New Rule XXII Later."

So this background data, some 5 or 6 pages in length, applies exclusively to rule XXII. The only interest that it manifested in having a vote on the proposal for the adoption of new rules was that something might be done about rule XXII. I have shared that feeling, and I so stated in December 1958. But in view of all the specific proposals which are before us, including one which embodies my views, I certainly will vote against the Anderson proposal so that we can come to grips with this question directly, and have a vote with the least delay on Senate Resolution 5.

While I find myself frequently in disagreement with the Washington Post and Times Herald, I think the editorial which was published this morning summarizes in admirable fashion the whole situation which is before the Senate at the present time, so in connection with my remarks, I ask unanimous consent, Mr. President, that the editorial from today's edition of the Washington Post and Times Herald entitled "Taming the Filibuster," and the "Background Memorandum Concerning Bipartisan Effort To Change Rule XXII at the Opening of the Senate of the 86th Congress," subscribed by the distinguished Senator from Illinois [Mr. DOUGLAS], the distinguished Senator from Minnesota [Mr. HUMPHREY], the distinguished Senator from New Jersey [Mr. CASE], and the distinguished Senator from New York [Mr. JAVITS], be printed as a part of my remarks.

There being no objection, the editorial and memorandum were ordered to be printed in the RECORD, as follows:

TAMING THE FILIBUSTER

The Senate is being treated to a unique spectacle of a filibuster on behalf of efforts to curb the filibuster. Despite the extended talk by Senator MORSE, who has employed this technique as much as any southerner, all sides in the debate can take satisfaction from the way in which the discussion has moved to the heart of the issue.

There has been virtually universal recognition that the present ineffective cloture provision in rule XXII is sure to be changed and that some means will be adopted for shutting off debate over rules changes themselves, which rule XXII explicitly forbids. Even the strong profilibuster southerners so far have accepted this prospect without the threat of a filibuster of their own on the change itself—though whether Mr. MORSE'S example will stimulate their vocal cords remains to be seen.

In any event, the liberal bloc associated with the proposal of Senator DOUGLAS for cloture by a majority of the Senate will be afforded an opportunity today for a fair vote on the merits. This will come in the motion of Majority Leader JOHNSON to table the motion of Senator ANDERSON to consider new rules. If the Anderson motion survives a tabling motion, then consideration of the Douglas proposal will be in order. If it fails, those who believe with Senator JOHNSON in a more limited cloture rule—cloture by two-thirds of those present and voting, with the provision also applying to debate over rules changes—will have their say on the Johnson proposal to amend the present rule XXII.

The whole procedure is an enormously complex parliamentary maneuver. There has been criticism from the liberal group that Senator JOHNSON was highhanded in moving at the outset to proceed directly to the rule XXII discussion, and then moving for adjournment. Some conservative southerners, on the other hand, find it difficult to stomach even the Johnson proposal (although it makes substantial concession to their fear of tyranny by a bare majority).

But the virtue of Mr. JOHNSON'S move to proceed directly to the rule XXII issue is that it makes possible a vote without first undergoing a long harangue over whether the Senate is a continuing body. This is a question about which there are divisions on all sides. Vice President NIXON'S ruling says in effect that the continuing status of the Senate cannot foreclose the right of a majority to change the rules and to impose cloture on such debate by majority vote. Mr. JOHNSON'S amendment states affirmatively that Senate rules continue unless they are changed, but discussion of this point would come on adoption of the amendment itself rather than as a preliminary necessity.

As we understand it, the principal argument for facing the question now of whether the Senate is a continuing body is to establish the right of a majority to change the rules and impose cloture on rules debate. We agree fully that it is important to establish such a right. It seems to us, however, that this right is now established.

Rule XL, now in existence, says that Senate rules may be amended by a majority at any time. The hitch always has been the inability to apply cloture to debate on rules changes. But the Nixon ruling establishes the right to impose cloture on rules debate, and it will prevail unless it is overturned by a majority vote. In other words, despite the language of Mr. JOHNSON'S amendment, a majority of 50 Senators will be able to bring up a change of the rules on any opening day. The Johnson amendment provides for cloture on debate on rules changes.

That being the case, there is no necessity to consume days in debate over whether the Senate is a continuing body. Senators who wish to change the rules already have been assured the opportunity for a vote.

On the change itself, we believe that psychological considerations in the South, as well as the desirability of protecting large minorities elsewhere (which could on occasion be the more populous States), argue strongly for a requirement of more than a simple majority of the Senate to vote cloture. The argument is especially compelling, it seems to us, when there is no great issue warranting a divisive procedural fight, and when Senate rules clearly can be amended by a majority in the future (with means of imposing cloture on rules debate) if abuses should arise.

For this reason we hope that the Senate will dispose of the Anderson-Douglas plan, will adopt an amendment for cloture by two-thirds of those present and voting, and will move on quickly to the urgent national business which demands united attention.

BACKGROUND MEMORANDUM CONCERNING BIPARTISAN EFFORT TO CHANGE RULE XXII AT THE OPENING OF THE SENATE OF THE 86TH CONGRESS

THE ISSUES AT STAKE ON JANUARY 7, 1959

(1) The success or failure of the efforts that will be made on the opening day of the 86th Congress to end the filibuster and bring majority rule to the Senate may very well determine the outcome of much of the important legislation that will be presented to the new Congress.

For rule XXII is not only the gravedigger of civil rights legislation, it is also the threat under which other vital legislation has been defeated, delayed, or compromised to meet the views of the minority.

It would not be too much to say that what is at stake in the fight for reasonable majority rule to be made at the opening of the new Congress is nothing more nor less than the dignity of the Senate and its ability to function as a democratic and representative legislative body.

The impossible hurdle of 64 votes

(2) The existing rule XXII, adopted in 1949, permits the closing of debate only if two-thirds of the total Senate (not two-thirds of those present and voting) vote affirmatively to close debate. In other words, 64 Senators (66 after Alaska is admitted) must be on the floor and must affirmatively vote for closing debate or a filibuster can continue forever. It has never been possible in the past to obtain such a 64-Senator vote to close debate on any civil rights bill, and there is no reason to believe it will ever be possible in the future.

How rule XXII is designed to perpetuate itself

(3) Furthermore, even this theoretical possibility of closing debate by 64 Senators being present and voting in the affirmative, academic though it is, does not apply to a motion to consider a change in rule XXII itself. Subsection 3 of rule XXII expressly states that the cloture rule (64 votes) shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the Standing Rules of the Senate. Thus, even 90 Senators present and voting cannot close debate on a motion to consider a proposed change in rule XXII. (Although as to constitutionality of this, see discussion of Vice President's opinion in 1957.)

No escape from filibuster rule after rule XXII is accepted

(4) Thus, once the Senate of the 86th Congress meeting in January 1959, accepts rule XXII by acquiescing in the full body of existing rules of the Senate, there is no way of changing rule XXII later on in the session. The possibility of breaking a filibuster against an attempt to bring up a rule change

without any applicable cloture provision whatsoever, and then changing rule XXII, is and has proved to be over the years, wholly academic and illusory.

Bitter experiences in last four Congresses

(5) That there is no escape from the filibuster after rule XXII is accepted by the new Congress is shown by what has happened since the present rule XXII was adopted in 1949. Efforts have been made in each of the intervening four Congresses—the 82d, 83d, 84th, and 85th Congresses—to change rule XXII. In the 82d and 83d Congresses, a change in rule XXII was favorably reported to the Senate by the Rules Committee, but in both Congresses the threat of a filibuster kept the issue from the floor of the Senate. In the 84th Congress, nothing happened on rule XXII.

In this 85th Congress, the Rules Committee on April 30, 1958, reported out Senate Resolution 17 to amend rule XXII to provide for majority rule after full and fair debate. On July 28, 1958, a bipartisan group of a dozen Senators took the floor and urged action on Senate Resolution 17 at this session. They made it clear that if the proposed rule change were not called up and acted upon at this session, they hoped they would not hear the suggestion made again in January 1959, that action should be deferred until later in the new Senate session.

These experiences, therefore, demonstrate that the only time that this issue can be brought to the floor of the Senate is on opening day of the Senate of a new Congress when there are no existing rules to bind the majority will of the Senate of the new Congress.

Only time to change the rule is at the start of a new Congress

(6) There is one moment and one moment only when this matter can be resolved and that is the moment at which the Senate of the 86th Congress opens on January 7, 1959. At that point, the Senate can proceed under the Constitution and under general principles of parliamentary law, including those set forth in Jefferson's Manual, on the basis that it has no other set rules, and a majority of its Members can adopt any rules of procedure that they deem proper to govern the business of the Senate. Then and then only, by moving the previous question under general parliamentary law, can we hope to close debate and reach a vote on a change in the rules free from the shackles which rule XXII places on the amending process itself.

The Senate's rulemaking power is undiminished

(7) In the past, it has been the practice of the Senate of a new Congress simply to acquiesce in the old rules and thereby make them the rules of the newly convening Senate. In past practice (other than 1917, 1953, and 1957) were followed, nothing would be said about the rules at the opening of the 86th Congress, and the old Senate rules would, by acquiescence, govern the conduct of business of the new Senate.

But the question whether to acquiesce in the old rules or adopt new rules is up to the Senators sitting on January 7, 1959, including those newly elected in 1958; there is no requirement that they acquiesce in the old rules and all the limitations which those rules set upon the rulemaking power itself. The Senate that meets on January 7, 1959, will have the same right to adopt its own rules as the first Senate had to adopt its rules when it met in 1789.

The power is in the Constitution itself

(8) Article I, section 5, of the Constitution, declares that "Each House may determine the rules of its proceedings," and there can be no doubt that the Senate of the 86th Congress meeting on January 7, 1959, has this constitutional right just as did the Senate of the First Congress in 1789. The House adopts its rules at the start of each new Congress and does so without any interference with the expeditious handling of its business. The Senate of the 86th Congress, therefore, will clearly have the right to adopt its own rules on January 7, 1959.

Fresh start is made by Senate in each new Congress

(9) In every major activity, the Senate recognizes the constitutional right of the Senate of each new Congress to determine both legislative and executive business anew.

All consideration of bills, resolutions, treaties, and nominations starts at the beginning of each Congress without reference to or continuation of what has taken place in the past. The slate is wiped clean; the proceedings begin again.

The fact that two-thirds of the Senate membership regularly hold over their office from one Congress to the next does not limit the express constitutional grant of power over rules, and it does not eliminate the necessity of starting all business anew in a new Congress. There is no possible reason for any differentiation in the matter of rules or for telling the newly elected Senators that they must accept the fetters which the old rules seek to put upon them.

Continuous body theory, contradicted by Senate practice, cannot perpetuate old rules

(10) The argument will be made that the Senate is a continuous body, and, therefore, the rules automatically carry over from Congress to Congress. But the Senate does not act as a continuous body for bills, resolutions, treaties, nominations, etc.; indeed, it does not act as a continuous body for any known purpose.

The proponents of the continuous body theory are actually arguing completely in a circle; they say that the Senate is a continuous body because the rules carry over from Senate to Senate, and then turn around and argue that the rules should carry over from Senate to Senate because it is a continuous body. As far as is known, this is the only case in American history in which anyone has tried to thwart the will of the majority of the Senate with an adjective.

New Senators must have share in making the rules

(11) Furthermore, even if the Senate could be deemed a continuous body for some unstated purpose, this could not deprive new Senators of the right to participate in making the rules under which they must operate.

Every Senator elected since the adoption of the present rule XXII in 1949, must have restored to him his right to help make the rules to govern his actions.

It becomes an absurdity to argue that rules adopted years or even generations earlier can bind new Senators who are elected on pledges to particular programs which the old rules make impossible. As Thomas Jefferson said:

"Can one generation bind another, and all others, in succession forever? I think not. The Creator has made the earth for the living, not the dead. * * * A generation may bind itself as long as its majority continues in life; when that has disappeared, another majority is in place, holds all the rights and powers their predecessors once held, and may change their laws and institutions to suit themselves. Nothing, then, is unchangeable but the inherent unalienable rights of man."

Issued raised three times in recent history

(12) The question of new rules for the Senate of a new Congress has been raised three times in recent history—in 1917, 1953, and 1957.

Senator Walsh succeeded in 1917

(13) At the opening of the 65th Congress in March 1917, Senators Owen, of Oklahoma, and Walsh, of Montana, raised the question whether the rules of the preceding Senate were binding upon the new body.

Senator Owen, on the first business day, March 6, 1917, refused to permit a bill to be referred to committee on the ground that committees were not in existence at the beginning of this new Congress, and Senator Walsh supported Owen's contention.

On March 7, Senator Walsh presented a resolution squarely raising the issue whether the rules carried over from Senate to Senate and presented his now famous argument against the old rules being applied to the new Senate. Said the Senator: "A majority may adopt the rules in the first place. It is preposterous to assert that they may deny to future majorities the right to change them."

On the evening of March 7, after Senator Walsh's resolution and speech, caucuses of both parties voted to approve a change in rule 22 to provide for cloture by a two-thirds vote. The resolution was debated by unanimous consent without ever being referred to committee, and was adopted on March 8, 1917 (76 yeas, 3 nays). Senator Walsh, who had accomplished his purpose of obtaining the cloture rule he sought, dropped his resolution.

In 1953 opponents avoided head-on debates

(14) The second attempt to deal with the problem of the rules at the opening of a session of Congress was on January 3, 1953, the 1st day of the 83d Congress. On the opening day, Senator ANDERSON, on behalf of himself and Senators Ives, Lehman, Tobey, Green, Humphrey, Hendrickson, Neely, Duff, Pastore, Kilgore, Murray, Mansfield, Magnuson, Jackson, Douglas, Kennedy, Morse, and Hunt moved as follows: "In accordance with article I, section 5, of the Constitution which declares that 'each House may determine the rules of its proceedings,' I now move that this body take up for immediate consideration the adoption of rules for the Senate of the 83d Congress."

Proponents of this motion set forth their arguments in support of the right of the new Senate under the Constitution to adopt its own rules.

Opponents of the resolution refused to meet these arguments head-on; their primary contention was the purely negative one that the continuous Senate had not in the past undertaken to establish new rules at the beginning of each new Congress and, therefore, should not do so now.

The group which opposed the motion to take up consideration of new rules for the newly convened Senate did not raise a point of order against it, a maneuver which would have been the proper one if the group had been sure of the soundness of its position. Vice President Barkley was reported (Newsweek, January 19, 1953) to have been prepared to rule that the Senate could then adopt new rules, like the House. No opposing Senator, however, made any move to get a direct vote on the issue.

Instead, the then majority leader, Senator Taft, avoided such a vote by moving to lay the resolution on the table. As was subsequently pointed out by Senator Lehman, this was an implicit recognition of the fact that the resolution had been in order. The motion to table was passed by a vote of 70 to 21 (this included 18 of those who cosponsored the motion—all except Senator MAGNUSON, who was absent, plus Senators HENNINGS, KUCHEL, and SYMINGTON).

In 1957 opponents again avoided head-on debate

(15) The third attempt to deal with the problem of rule XXII at the opening of Congress occurred on January 3, 1957, the first day of the 85th Congress, when a bipartisan group made the same motion that had been made 4 years earlier. This time the majority leader was Senator LYNDON JOHNSON and on

January 4, 1957, he moved to lay the resolution to take up rules on the table. This time, however, 41 Senators, twice as many as in 1953, opposed the motion to table (38 so voted and Senators Wiley, Neely, and Javits announced their position against the motion to table). A switch of only 7 votes in 1959 will defeat the motion to table the proposal to take up rules for the Senate of the 86th Congress. If Alaska is admitted 50 votes will be required.

Vice President Nixon's ruling

(16) During the debate on January 4, 1957, Vice President NIXON, responding to a parliamentary inquiry from Senator HUMPHREY made his position abundantly clear in a brilliant and historic opinion.

While conceding that the method of election of Senators indicated the intention of the framers that the Senate should be a continuing parliamentary body for some purposes, he stated his opinion categorically that "there can be no question that the majority of the new existing membership of the Senate, under the Constitution, have the power to determine the rules under which the Senate will proceed." The Vice President then continued:

"It is the opinion of the Chair that while the rules of the Senate have been continued from one Congress to another, the right of a current majority of the Senate at the beginning of a new Congress to adopt its own rules, stemming as it does from the Constitution itself, cannot be restricted or limited by rules adopted by a majority of the Senate in a previous Congress.

"Any provision of Senate rules adopted in a previous Congress which has the expressed or practical effect of denying the majority of the Senate in a new Congress the right to adopt the rules under which it desires to proceed is, in the opinion of the Chair, unconstitutional. It is also the opinion of the Chair that section 3 of rule XXII in practice has such an effect."

A majority can change rule XXII if it has the will to do so

(17) The actual mechanics of obtaining majority rule will be simple enough if the majority of the Senators of the new Congress meeting on January 7, 1959, wills it that way.

On January 7, 1959, a motion, modeled on the 1953 and 1957 motions, will be made to take up for immediate consideration the adoption of rules for the Senate of the 86th Congress.

Those supporting the filibuster and opposing new rules will then have two alternatives. They can either (a) raise a point of order against the motion, or (b) move to table it, as Senator Taft did in 1953, and Senator JOHNSON did in 1957.

It seems likely that the latter course will be followed a third time. Our opponents will hardly venture a point of order since Vice President NIXON made clear in his answer to Senator HUMPHREY'S parliamentary inquiry that he would rule against any such point of order. Our opponents will undoubtedly prefer to have the significant vote on their motion to table rather than on their appeal from the Vice President's ruling in favor of the proposal to take up rules for the newly convened Senate.

It can, therefore, be assumed that the opponents of our motion will once again seek to table it. Presumably they will allow some reasonable debate before the tabling motion is voted upon. It should be noted, however, that despite the fact that the vote will probably thus come on a motion to table rather than on an appeal from the Vice President's ruling on a point of order, the Vice President has for all practical purposes made clear his view against the tabling motion and a vote to table will in effect be a vote against the Vice President.

The vote on the motion to table will be the first major vote; once we have defeated the motion to table we can proceed to take the necessary action to adopt new rules.

Proceedings after defeat of motion to table

(18) Once the motion to table is defeated, the next vote will be on the adoption of our motion to take up for immediate consideration the adoption of rules for the Senate of the 86th Congress. Although the opponents of this motion might attempt a filibuster once their motion to table is defeated, such an attempted filibuster could be stopped by moving the previous question under general parliamentary law which would then be applicable.

Then once the motion to take up rules is adopted by the Senate, a motion will be made to adopt as the rules of the Senate of the 86th Congress, the old rules with a revised rule XXII. Again any attempted filibuster could be stopped by moving the previous question under general parliamentary law. A majority of the Senate will, at long last, determine the cloture rule by which they desire to be bound.

Can decide on new rule XXII later

(19) It is not necessary to decide at this stage what the new rule XXII should be. If the motion to take up the rules of the Senate is adopted, then, as pointed out in the previous paragraph, a motion would be made to adopt the old rules with a new rule XXII.

The new rule XXII might provide for a limitation on debate if, after 2 days' notice, two-thirds of the Senators present and voting supported cloture or if, after 15 days' notice, a majority of the total Senate (i.e., 49 Senators) supported cloture. This proposal would permit prompt action on emergency measures supported by two-thirds of the Senators present and voting, while, at the same time, it would assure no less than 2—and more likely 4—weeks of debate on legislation before a majority of the total Senate could obtain cloture. Such a proposal is incorporated in Senate Resolution 17 which had extensive hearings during the 85th Congress and thereafter received the approval of the Senate Committee on Rules and Administration following thorough committee consideration.

Variations of this new rule XXII will be proposed by various Senators. But this matter can be worked out after the principle has been established that the new Senate has a right to determine its own rules. Certainly, those who believe in the dignity and effective operation of the Senate under majority rule should combine to bring this about.

A new rule XXII can be adopted in January 1959

(20) The attached pages from the CONGRESSIONAL RECORD for July 28, 1958, report the unsuccessful effort by our bipartisan group of Senators (see par. (5) above) to get action on rule XXII before the close of the 85th Congress.

They contain additional material about the importance of rule XXII and about the ways and means of bringing about a new rule XXII in January 1959, if you or your staff have time to consider the problem more fully than this memorandum does.

One thing these attached pages will also show you is the determination of our bipartisan group to bring about a new rule XXII in January 1959.

With the help of newly elected Senators of both parties committed to a forward-looking program for the Senate, this effort can and will be successful.

PAUL H. DOUGLAS.
HUBERT H. HUMPHREY.
JACOB K. JAVITS.
CLIFFORD P. CASE.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. DIRKSEN. I yield.

Mr. LANGER. Mr. President, I am slightly confused. I have the greatest respect for the opinion of the distinguished Senator from Illinois and for the opinions of many of my other distinguished colleagues. What puzzles me is that Senators who advocate a change of this rule at the same time rave about the United Nations as such a great institution, yet under its charter, one country of the 82 countries in the United Nations has a veto power. There is no talk about changing that, because, as we know, the charter cannot be amended. The advocates of the United Nations, the men who scream about its being a great and glorious institution, know that in its operations one country can overrule 81 others.

I want the distinguished Senator to know I am in favor of retaining rule XXII, because it provides that two-thirds of a constitutional majority of the Senate must act in order to invoke cloture. I should like to have the distinguished Senator explain to me, if he will, the inconsistency between the two situations.

Mr. DIRKSEN. I must say to my very distinguished friend from North Dakota that the vagaries of the human mind are quite beyond me at times. I often find myself in a position where some of these foibles not only intrigue me, but baffle me, in point of fact.

A case in point would be the views of the very distinguished former and lamented Senator from Nebraska, Mr. George Norris, who, while liberal in so many fields, made an impassioned plea on the Senate floor long ago in behalf of the protection of minorities and the protection of the freedom of debate, so that any subject matter which was of great interest to the people would be adequately ventilated before it came to a vote.

I will go along with the idea of requiring concurrence by two-thirds, because I think it is reasonable. When we include the application of that principle to a modification of rules of the Senate, my approval goes even further. That represents my best thinking. I think the resolution is reasonable. I think it is rational. For that reason I hope it will prevail, and that all the other amendments and motions which are pending will ultimately be voted down.

The PRESIDING OFFICER. The time of the distinguished Senator from Illinois has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 1 additional minute to the Senator.

The PRESIDING OFFICER. An additional minute has been yielded.

Mr. LANGER. The Senator mentioned George Norris, who almost single-handedly and alone saved Muscle Shoals. That shows the great value of one objection and what it can do to help the country.

Mr. DIRKSEN. It indicates a passionate devotion to freedom of speech and freedom of debate, until all the truth has been sucked out of any proposition before it is resolved.

The PRESIDING OFFICER. The question is——

Mr. MANSFIELD and Mr. ANDERSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. JOHNSON of Texas. Mr. President, the Senator from New Mexico plans to yield 10 minutes to the Senator from Missouri.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. ANDERSON. I yield 10 minutes to the distinguished Senator from Missouri [Mr. HENNINGS].

The PRESIDING OFFICER. The Senator from Missouri is recognized for 10 minutes.

Mr. HENNINGS. Mr. President, I thank my distinguished friend for giving me this opportunity to add a few words to the already extensive enlightening debate which we have heard on the question of amending rule XXII, the question of limitation of debate.

Mr. President, I had intended to speak upon this subject at some length. However, I believe the main propositions which bear upon the case have been covered, and I think there is a respectable segment of opinion on the other side.

As a supporter of the motion of the distinguished Senator from New Mexico [Mr. ANDERSON] of which I have the honor to be a cosponsor, I believe that I am doing what I think is right in terms of expediting the business of the Senate.

The Senate has for many years been shackled in its operation by the lack of a workable method to bring debate to a conclusion. As a result, we all know that a determined minority has been able to block completely the passage of some legislation; and in many instances the minority has been able to force substantial compromises, far out of proportion to the number of whichever minority might have been involved.

Mr. President, I have always favored exhaustive debate, so that the Nation, and, indeed even this august body, might be completely informed as to the legislative proposals under consideration and the significance of the enactment of such proposals. However, after a reasonable time, it seems to me that reasonable and thoughtful men should come to a conclusion.

I do not think I am saying anything which will startle any Member of the Senate today when I say that there are very few speeches which change the minds of Senators. We know that the Members have studied the issues—certainly they have studied the important issues—which are presented by the various legislative proposals which come before us; and we know that most Members have made up their minds before they come to the floor to vote.

I recognize also the fact that there are certain aspects of questions which need expansion and which require enlightenment. The distinguished occupant of the chair, the Senator from California [Mr. KUCHEL] will recall that during the closing days of the last Congress some of us made a determined effort to preserve the integrity of the Supreme Court of the United States. We were successful, by a very narrow margin, in defeating all the proposals which came before this body to diminish, constrict, and otherwise impede—and, indeed, possibly degrade—the Supreme Court of the United States before the country and before the world. It is my conviction that in that instance the debate was most helpful.

The distinguished and able Senator from New Mexico [Mr. ANDERSON] has taken the lead in this fight upon three occasions. Irrespective of what legislation may ultimately evolve, I think he deserves the warm commendation of the country and of the people for his efforts. Other Senators who have joined with him in exhaustive preparation upon this subject are also entitled to commendation for their efforts, their persistence, and their indefatigable labors.

This is not a simple and easy subject to discuss. We lawyers know that there are many technicalities, both procedural and substantive, which arise to confront us when we discuss any question of the importance of this one.

I believe that we should amend rule XXII. The proposal which I urge upon my colleagues—with great respect to those who do not agree with my point of view—is that debate may be terminated by a two-thirds vote of the Senators present and voting, 2 days after a motion signed by 16 Senators is presented to the Senate, or by a majority vote of the Senators duly chosen and sworn, 15 days after such motion, signed by 16 Senators, is presented to the Senate. The moving Senators, of course, must adopt one or the other procedure. They have two alternatives. In both instances, however, if the motion is adopted by the Senate, each Senator is entitled to speak for 1 hour before a vote is taken on the pending question.

As we lawyers all know, it is entirely possible to discuss almost anything adequately in an hour's time. The courts of the country limit the time allotted to counsel for argument before juries. I have tried cases involving substantial matters, and in which I have been limited to an argument of an hour, an hour and a half, or 2 hours. In this time, I have reviewed all the evidence, discussed the law, and presented the case to the jury.

It seems to me that the Senate often hears unnecessary, repetitious, redundant, and tautological discussion of some of the issues before it. I believe that one weakness in the present system is that discussions upon legislation are not sufficiently germane, at times, to the pending question. They serve to delay and often frustrate the membership of this body, which is awaiting a vote and an opportunity to reach a conclusion upon subjects which are of great importance to the country and the world.

Senate Resolution 17 of the 85th Congress, of which I had the honor to be a cosponsor, was referred to the Senate Committee on Rules and Administration. I happen to be chairman of that committee. At that time I appointed a special committee, composed of the distinguished junior Senator from Georgia [Mr. TALMADGE] and the distinguished senior Senator from New York [Mr. JAVITS], to study the question of amending rule XXII. Those Senators labored diligently and held exhaustive hearings. The hearings were full and complete. Their findings were presented to the full Committee on Rules and Administration. The distinguished Senator from Georgia took a view adverse to the resolution which I am now advocating. The distinguished Senator from New York took a view in harmony with it.

We often talk about regular procedure. It might be of interest to the Senate to know that on April 30, 1958, by a vote of 5 to 4 the Committee on Rules and Administration reported Senate Resolution 17 without amendment. I supported this proposal at that time. I have supported the proposal upon two other occasions. I see no reason to change my views regarding it. I still believe that this is the most constructive, and, indeed, the most workable, cloture rule which could be adopted by the Senate.

The PRESIDING OFFICER (Mr. KUCHEL in the chair). The 10 minutes allocated to the Senator from Missouri have expired.

Mr. HENNINGS. May I have 1 more minute?

Mr. ANDERSON. Mr. President, I yield an additional minute to the Senator from Missouri.

Mr. HENNINGS. I shall rush to a conclusion. I thank the distinguished Senator from New Mexico.

It should be noted that the Senate Committee on Rules and Administration had before it at the time it reported Senate Resolution 17, Senate Resolution 30 which required a two-thirds vote of the Senators present and voting as the only method to bring debate to an end. The committee rejected this proposal.

If the U.S. Senate is to retain the respect and confidence of the country, it must have the capacity to dispose of legislation important to the Nation and the world with reasonable diligence and speed.

Mr. President, at this time I ask unanimous consent to have printed in the RECORD at this point as part of my remarks, several outstanding editorials and articles on this subject. They are an editorial entitled "New Battle On Filibuster," published in the St. Louis Globe-Democrat of December 5, 1958; an editorial entitled "Test for the Senate," published in the St. Louis Post-Dispatch of January 4, 1959; an editorial entitled "The Power of Decision," published in the St. Louis Post-Dispatch of December 12, 1958; an editorial entitled "The Majority Has Rights Too," published in the New York Times of January 7, 1959; an article entitled "'King Filibuster' Heads the Agenda," which was written by a distinguished Washington reporter, Mr. Robert C. Albright, and which appeared in the Washington Post for November 30, 1958.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From the St. Louis Globe Democrat, Dec. 5, 1958]

NEW BATTLE ON FILIBUSTER

That frustrating anachronism of Capitol Hill tradition, the Senate filibuster, will be the target of a concentrated fight immediately upon the opening of Congress in January. Battle lines are forming and the issue promises a furious engagement.

Almost every new Congress in recent years talks about changing the filibuster rule. Almost every Congress fails. But the prospect for success in 1959 seems brighter as leaders join in what promises to be a bipartisan offensive.

The Senate filibuster—it rarely occurs in the House which has better debate rules—is a most obstructionist device of democratic legislation. It enables a bitter-end minority literally to talk bills to death.

This maneuver, masquerading under the high-sounding principle of unlimited debate, is in reality a gimmick to balk majority rule in Congress and smother legislation by endless windbagging.

It is, of course, not always successful. It too often defeats needed law.

Every intelligent student of democratic government wants to protect the rights of minorities. There also is the profound duty to protect rights of the majority. The filibuster is an insupportable instrument for control by the minority.

Under the Senate rule XXII, cloture or a limit on debate can only be invoked by two-thirds of the constitutional membership of the Senate. Now, with Alaska's Senators, that would mean a cloture vote of 66, practically impossible to obtain.

Another rule says there can be no limitation of debate whatever on changing a session's rules. Senators for decades have held theirs is a continuing session, with no hiatus created by new Congresses. This conceit holds little sense, but it makes it virtually impossible to change the two-thirds rule.

Vice President NIXON has expressed his opinion that the Senate is not a continuing body and so can change its rules at the beginning of a new Congress, by majority ballot, which cannot be balked by filibuster.

Stanch champions of an end for the filibuster hobble will demand such a ruling and are set for a hard-hitting fight to establish cloture rule that could limit debate upon majority vote. The core of this anti-filibuster group is composed of Senator DOUGLAS, Democrat of Illinois; Senator CLIFFORD P. CASE, Republican of New Jersey, and Senator JACOB J. JAVITS of New York.

They are banking in their campaign on the fact that the recent elections brought more liberal Democrats into the Senate. November's influence can also change former antagonism of old Members.

One segment that certainly won't be changed, of course, is the delegation from the solid South, who know a primary reason for pulling teeth from the filibuster is to pass more civil rights legislation.

Evidence already shows a change is being wrought in Senate sentiment. Conservative Senator DIRKSEN, Republican of Illinois, who voted against opening Senate rules to revision in 1957, now asserts he has changed his mind.

Democratic Senate Leader LYNDON JOHNSON was strongly against curbing the filibuster several years ago. Now he proposes a compromise to limit debate by two-thirds of those voting, instead of two-thirds of the whole membership. This plan is acceptable to some southerners, not to Messers. DOUGLAS, CASE, JAVITS, et al.

The filibuster is a bad implement, used by so-called liberals as well as southerners, to block legislation by windjamming, by stultifying talkathons that emasculate decisions of Congress.

No change proposed would obviate adequate debate. None should. But the filibuster is not debate. It is an unconscionable violation of democratic processes.

It should be now and forever abandoned.

[From the St. Louis Post-Dispatch, Jan. 4, 1959]

TEST FOR THE SENATE

Probably the first, and certainly one of the most important, issues to face the new Senate when it convenes this week will be the question of the filibuster. At present, the votes of 64 Senators—an "absolute two-thirds"—are required to bring debate on any measure to an end—which means that a determined minority can usually block a vote on a measure by talking it to death. Should the rules be changed to permit fewer than 64 Senators to close debate?

We believe the answer is yes, and we believe the new rule should be the one supported by Senator DOUGLAS of Illinois and other liberals in both parties.

Senator DOUGLAS would permit two-thirds of the Senators present to close debate after 2 days; but if debate continued for more than 15 days, it could then be terminated by a majority of Senators on the floor. In actual practice, the Douglas plan would permit a debate to run as long as 8 or 9 weeks—certainly long enough to air the most controversial issue—before a majority could bring the issue to decision.

Senator LYNDON JOHNSON is supporting a milder rules change in an effort to head off the Douglas plan. The Democratic majority leader would provide simply that debate could be closed at any time by two-thirds of the Senators present and voting. Various kinds of arithmetic can be used to argue that this rule would be an improvement. The best answer is that precisely the same rule was in effect in the Senate from 1917 to 1949—and filibusters were no easier to break during that period than they are now.

That is why the Johnson plan is not enough and the Douglas plan should be adopted. Basically, the question is whether the Senate should have the power to come to a decision, or whether a minority should retain the power to block any decision by abusing the privilege of debate.

We cannot agree with Walter Lippmann and others who argue that this minority power to block a decision is a necessary part of our constitutional balance. Plenty of checks and balances exist—in the two-house system, the workings of seniority, the Presidential veto, and the power of judicial review—but the anarchic principle of the filibuster is not and was never meant to be one of them. Nor is it true that the filibuster is needed for the protection of individual rights. The Douglas proposal would permit quite as much protection as individual rights ever get in the Senate—and in addition it would permit the Senate to come to a decision on vital issues of controversy, including civil rights.

Every Senator will be measured by the way he votes on the filibuster this week.

[From the St. Louis Post-Dispatch, Dec. 12, 1958]

THE POWER OF DECISION

As lines form for the Senate fight on the filibuster, that tactic of obstruction is once more being defended as a vital instrument of freedom. The power to paralyze legislation by unlimited talk is described as an essential protection of minorities against the tyrannous majority, a necessary element in the checks and balances of our governmental system.

How much validity is there in these claims? Not much. Minorities are entitled to reasonable protection against the hasty, illegal or oppressive acts of a runaway majority, but they are not entitled to the privilege of paralyzing the legislative process itself. The safeguards which they can legitimately claim are embedded in the structure of our system: in the two branches of Congress, each having a different basis of representation; in the committee system of both branches; in the Executive veto; in the power of judicial review.

To say that all of these very real protections for minority rights come to naught unless a handful of Senators shall have the right to abuse the very nature of parliamentary debate is to abandon all sense of proportion.

The purpose of debate is to enlighten, to inform, to bring out the merits and evils of proposed legislation. None of these ends is served by permitting a Senator to read the telephone book and a shelf full of encyclopedias until his colleagues out of sheer exhaustion give up their right to come to a decision.

The filibuster is not debate. It is an act of coercion. It is as undemocratic as a shillelagh, and the use of it is as disruptive of parliamentary process as would be the defeat of a bill at the point of a gun.

Those who paint the filibuster as a sacred element of our constitutional system neglect to mention some of the facts brought out often by Senator DOUGLAS. The British Parliament, which supplied so many of the precedents for our Congress, has always had machinery for closing debate by a simple majority. The Continental Congress had such machinery. The House has always had it. And the Senate itself not only could but did close debate by majority vote in the first 20 years of its existence. The filibuster was invented, not to protect minorities, but to give a handful of Senators disproportionate power to control legislation.

We think the defenders of the filibuster have damaged their case by offering to accept a rule under which debate can be ended by two-thirds of those attending, instead of two-thirds of the Senate membership as at present. If it is true, as they say, that to alter the filibuster means altering the institutional character of the Senate, then they ought to offer no compromise at all. By temporizing with the growing Senate demand for a change in the rules, they tacitly confess that they are defending not principle but power.

Nobody is contending for any serious strictures upon real debate. The Douglas proposal would allow more than ample time for full discussion of an issue before the majority could move to close debate, and even then each speaker would have an hour for more talk before closure went into effect. What this rule would do is to insure that the Senate could fulfill the ultimate function of every legislative body—to decide.

Is that uncharacteristic of the Senate, dangerous to minorities, or hostile to constitutional balance? If so, then so is democracy.

[From the New York Times, Jan. 7, 1959]

THE MAJORITY HAS RIGHTS TOO

When the Senate organizes for business today it will have before it a proposal by Senator PAUL H. DOUGLAS, of Illinois, supported by other liberal Senators, to permit the majority, after a decent interval for reflection and debate, to get on with the country's business. This proposal is perhaps the most important single subject that will come before either House of the 86th Congress. Senator DOUGLAS and his associates propose that rule XXII be amended so that a simple majority of the whole Senate may impose cloture after 15 days. After this interval debate could continue until each Senator had had an ample chance to speak, but a filibuster could not continue. The whole process of bringing a measure to vote over the opposition of an entrenched minority might take a month or more, but at the end of that time a vote could be had and the majority would prevail.

We admit the existence of honest arguments against this reform. There are those who fear that unwise legislation may be steamrollered through Congress. But the choice seems to us to be between a reasonable delay and a reasonable amount of discussion, on the one hand, and, on the other hand, the actual rule of a minority. It is easy to find arguments against what has been called the tyranny of the majority, but the tyranny of the minority is and always has

been infinitely worse. For instance, there is no reason under heaven why a minority in the South or anywhere else should prevent this Nation from enacting a modern bill of civil rights.

There will be an effort in the House of Representatives to reduce the power of the Rules Committee, which now is usually able to put bills in the deep freeze and keep them there. This machinery, which the leadership of the lower House controls, has the same result that rule XXII effectuates in the Senate—namely, to prevent bills which a minority dislikes from being brought to the floor at all. But the situation in the House, with SAM RAYBURN in the Speaker's chair, is not as bad as the situation in the Senate with an unamended rule XXII.

The election wave of last November was not merely a Democratic wave, it was also an expression of a reviving liberalism. We shall be deeply disappointed if this liberalism does not reveal itself in a democratic revision of rule XXII.

[From the Washington Post, Nov. 30, 1958]

"KING FILIBUSTER" HEADS THE AGENDA

(By Robert C. Albright)

Is King Filibuster dead or dying? Not yet, perhaps, but the incoming 86th Congress is making elaborate plans for his demise.

Already Capitol Hill liberals are preparing the funeral oration. Some Senate "moderates" are chiseling happily away at his epitaph.

It may take another filibuster by his most devout Senate subjects, to bury King Filibuster. But never in modern times has his rule been so seriously threatened.

Modification of the Senate's highly vulnerable filibuster rules appears indicated as one of the very first acts of the heavily Democratic 86th Congress.

If that seems a sweeping statement, the implications are even more portentous.

It could mean that starting with this Congress it will be increasingly more difficult in the Senate to talk legislation to death. Depending on how much the rule is modified, it could mean also that from here on out it will be easier to pass civil-rights measures.

In a word, the once formidable southern caucus is slipping in its ability to bar the door to any given legislation, including a change in Senate rules.

The remarkable fact is that a month before the new Congress assembles, substantial doubt remains on only one point—how far the rules modification will go.

At present, the Senate's famed rule XXII requires a vote of two-thirds of the entire Senate (or 66 Members of the new 98-Member body) to halt debate. Small wonder that the rule never has been successfully invoked since it was last modified in 1949. In fact, only 4 times in the rule's entire history, dating from 1917, has it been used successfully.

How will the Senate alter this rule to make it easier to get legislative action?

At the very minimum, two-thirds of the Senators present and voting on any cloture (debate shutoff) motion are likely to be given authority to crack down on a filibuster. Supporting this limited change are the Senate's so-called moderates, led by Senate majority leader LYNDON B. JOHNSON, Democrat of Texas.

At the maximum, a majority of the total Senate (or 50 Members of the new 98-Member Senate), would be permitted to impose cloture after 15 days of debate. This alternative would permit cloture by two-thirds of those present and voting after only 2 days of debate. Each Senator, however, would be entitled to speak for 1 hour after cloture was voted.

Supporting this sharper restriction on the Senate's now almost unlimited right to talk is a bipartisan coalition of liberals. This group is headed by Illinois' PAUL DOUGLAS and Minnesota's HUBERT HUMPHREY on the Democratic side of the aisle, and New Jersey's CLIFFORD P. CASE and New York's JACOB K. (JACK) JAVITS in the GOP corner.

The Senate possibly will wind up voting for a rules change somewhere between these two major reform proposals. The extent of the modification will probably be determined by those 15 new Democrats and 3 new Republicans swept into the Senate in the November 4 election upheaval and last week's Alaskan election. These are the men who will hold the balance of power in the new Senate, which explains why their votes are being assiduously courted.

In wooing the new Members, the liberal bloc argues that anything less than authority to stop talkathons by a majority vote of the total Senate, after 15 days debate, would be virtually accepting the principle of the filibuster.

Seeking a milder modification, the moderates reply that the right of unlimited debate was once a part of refuge for the liberals themselves and could be so again if a conservative coalition returned to power in some future Congress.

The Senate struggle between these two groups—and, inevitably, a third bloc, the southern Senators opposed to any rules change—will get under way on January 7, the day the new Senate meets, on a dramatic collateral issue.

On that day the liberals will move, before the Senate can take up anything else, to proceed at once to the adoption of Senate rules for the session by a majority vote of the Senate.

This is the key motion on which the outcome of the rules fight may hinge. The theory of the motion is that the Senate is not a continuing body, despite its long tradition of continuing rules, but like the House, under the Constitution, must proceed to the adoption of its rules by majority vote every 2 years.

Twice before at the outset of a new Congress (Jan. 7, 1953, and Jan. 4, 1957), substantially the same bipartisan liberal bloc has presented the same motion only to have it shelved by a majority of the Senate.

But on the last try, two significant things happened. The thin line of 21 Senators supporting their original 1953 motion rose in 1957 to within striking distance of a majority (38 votes and 3 absentees who favored the move). The liberals now claim that gains in the November election will carry them well over the majority mark.

Of equal if not greater importance was the emergence of Vice President RICHARD M. NIXON, the Senate's chief presiding officer, as an ally of the bipartisan liberal bloc in the January 1957 showdown.

In an advisory opinion which had no immediate binding effect but held sweeping implications for the future, NIXON ruled that the liberal bloc leaders were proceeding in order when they moved at the outset of the session to adopt a new set of Senate rules.

More than that, NIXON ruled—and this was the really serious blow to the South's long reliance on rule 22—that section 2 of the rule, permitting endless debate on any motions to change the rules, was itself unconstitutional.

In so ruling, NIXON tolled the bell for rule 22 in its present form, and it was so recognized at the time. What he did in effect was to serve notice that if a point of order was ever raised on this question, he would uphold the point.

His ruling, of course, could be appealed to the Senate, but here is the interesting payoff. A simple majority of the Senators present and voting could uphold the Vice President's stand.

So, one way or another, history is very likely to be made when the new Senate, considerably freshened by 18 new faces, convenes on January 7.

If recent practice is followed, the Senate probably will proceed to swear in new Senators before taking up the question of rules.

The man who will make the test motion to "proceed to the consideration of Senate rules" will probably be Senator CLINTON P. ANDERSON, Democrat, of New Mexico, the Senator who made it in 1953 and 1957. If the motion is successful, the parliamentarians may be in for a field day, and so may the Senate.

Some of the tantalizing points raised by this situation are these:

What rules would the Senate use in proceeding to adopt new ones? Vice President NIXON has indicated that the Senate would continue to operate under the old rules, with the single exception of the so-called unconstitutional ban in rule XXII. In other words, he would hold that the Senate could write its new rules by majority vote.

Theoretically at this stage, extreme southerners could open a filibuster which conceivably could continue for days.

The opportunity would present itself even if a majority of northern liberals were clearly in control of the Senate. Presumably the southerners could propose an endless number of amendments to the rules and assert the right to speak at length on each one.

There is no guarantee that this will not happen, but the men who run the Senate can be counted on to do all in their power to reach some advance agreement to prevent the proceedings from degenerating to this point.

In the first place, thoughtful southerners are not anxious to stage an extended filibuster—knowing their chances for winning one at the start of a new session are practically nil.

The most realistic among them is probably none other than the chairman of the southern caucus himself, Senator RICHARD B. RUSSELL (Democrat of Georgia). In a recent interview, RUSSELL virtually conceded that rule XXII will be modified to some degree, although he said he would oppose any change.

Will the southerners fall back on the filibuster as a weapon, in a dramatic sort of Custer's last stand?

Here again the answer may hinge on the degree of modification attempted.

Should the liberals decide to go for broke for majority vote cloture, king filibuster almost certainly will reign again in the Senate, albeit his days are numbered.

A more likely prospect is that the Senate's "liberals" and "moderates" will eventually get together, possibly in advance of the new session, on some effective debate limitation plan which can be imposed without a return to bedlam.

Mr. ANDERSON. Mr. President, I yield myself 1 minute.

I modify my resolution to the terms of the resolution submitted yesterday afternoon by the distinguished Senator from Pennsylvania [Mr. CLARK], for himself and other Senators, and in accordance with the printed text of that resolution. I do so in order that there may be no confusion about any legislative hiatus which has been suggested.

The House deals with this question of rules right along. Extensive claims are being made to the effect that there will be a legislative no man's land. In order that there may be no confusion, I adopt the language proposed yesterday by the Senator from Pennsylvania and other Senators, confining the final decision to rule XXII only, and moving to adopt the other rules in a body. I therefore modify my resolution in accordance with that statement.

The PRESIDING OFFICER. The Senator has the right to modify his proposal.

Mr. RUSSELL. Mr. President, I have just read the new proposal, which is apparently the one which has been submitted by the distinguished Senator from Pennsylvania [Mr. CLARK] in behalf of the Senator from New Mexico and other Senators.

The PRESIDING OFFICER. Does the Senator yield himself additional time?

Mr. ANDERSON. I yield myself 1 additional minute.

Mr. RUSSELL. I do not wish to be splitting hairs, but I doubt very much whether the Senator from Pennsylvania had the right to offer the substitute, although I do not raise any question about it.

The PRESIDING OFFICER. Does the Senator raise a point of order?

Mr. RUSSELL. No, I do not. I merely expressed a doubt as to whether he had the right to do so.

Mr. ANDERSON. I believe the Senator from Georgia is laboring under a misapprehension in that regard. I offered the motion to proceed to the adoption of rules on behalf of myself. The original one was submitted by 34 Senators.

Mr. RUSSELL. The amendment before us now is a substitute. Is that correct?

Mr. ANDERSON. That is correct.

Mr. RUSSELL. It is the third edition?

Mr. ANDERSON. No; it is not the third edition.

Mr. RUSSELL. The Senator from New Mexico originally had one of his own, as I understand. Perhaps I should say that originally some 34 Senators submitted a resolution. Then the Senator from New Mexico submitted one on behalf of himself. Now we have the present amendment which is before us.

Mr. ANDERSON. It was altered only because of the change in the situation. The Senator from Texas had a motion pending.

Mr. RUSSELL. The Senator from Texas had a resolution pending. Is that correct?

Mr. ANDERSON. That is correct.

Mr. RUSSELL. The resolution of the Senator from Texas, the unfinished business, is a proposal to rewrite rule XXII. Is that not correct?

Mr. ANDERSON. Yes.

Mr. RUSSELL. That proposal is subject to amendment or substitution or change in any way in which a majority of the Senate see fit to act. Is that correct?

Mr. ANDERSON. Yes. However, the essential point which the Senator from Georgia overlooks is that this is now being done in accordance with the constitutional right of the Senate; the other is being done by way of sufferance.

The PRESIDING OFFICER. Does the Senator yield himself additional time?

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the Senator from Georgia.

Mr. RUSSELL. I merely wish to observe that this matter has apparently almost reached the point of being ridiculous. If the Senator's amendment is adopted, from a parliamentary standpoint we would be where we would be if it had not been offered at all. Section 3 of the amendment states:

> Consideration of the form of rule XXII for the Senate of the 86th Congress shall be the next order of business of the Senate.

That is already the order of the business of the Senate. It eventually would have the effect of delaying the order of business which has already been proposed by the Senator from Texas, which is to change rule XXII. I am opposed to any change in rule XXII. However, the Johnson proposal is the pending business. It is a parliamentary fact that under the proposal of the Senator from Texas a majority of the Senate can work its will with respect to rule XXII. It can provide for a majority vote or a four-fifths or three-fifths vote, or take any other step it sees fit to take with respect to rule XXII. We have reached the stage of hairsplitting when it is said that the new proposal is in accordance with the Constitution. How did our present rules come into being? They came into being as a result of the constitutional provision which empowers the Senate to write its own rules. I do not know what all this shadowboxing means. Certainly under the original resolution offered by the Senator from Texas we can rewrite rule XXII. Unless it is a striving for pride of authorship, I do not know what this discussion is all about.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 10 minutes to the Senator from Montana.

Mr. MANSFIELD. Mr. President, the present discussion is one which offers great scope for the talents of lawyers and parliamentarians. As the Senate knows, we have in our midst many brilliant lawyers. We have among us many outstanding parliamentarians.

We have already heard from several of these able Members. Before we are done with this debate, I am sure that we shall have heard from them all. They will marshal the relevant precedents. Through them, great voices of the past which once thundered on the same issues may be expected to speak to us again. Some shall be made to speak on one side of the issues. Others on the other side. And still others on both sides. We shall hear not only from the able Senators from the North and the able Senators from the South who are with us today; we shall hear also from the able Senators of another era, from North, South, East and West.

That is the way with legal debate. It takes us back, far back into the past. The Senate is indeed fortunate in having so many brilliant lawyers, so many outstanding parliamentarians to serve as guides for those of us who are not lawyers. The experience of being led into the great treasure house of legal and parliamentary wisdom is indeed exhilarating and exalting. But, I regret to say, it is also exhausting. If it is exhausting to us who have some experience with parliamentary maneuver, I can imagine how it must strike those who have not, those who merely vote as citizens in the expectation that we shall act in a rational fashion in their behalf.

A debate on this plane, I fear, reaches a point of diminishing return and, eventually, a point of no return. Legal hairsplitting, at some point, begins to harm the head. What sets out to clarify begins to confuse. We find ourselves informed of all the legal, historic and parliamentary reasons for doing or not doing some particular thing. The only trouble is that, by that time, we have forgotten what it was that we had set out to do.

Mr. President, the Senator from Montana is not a brilliant lawyer; indeed, he is not a lawyer of any kind. Nor is he an outstanding parliamentarian, his experience in those matters being largely limited to many years of trying to convert bills in which his State is concerned into law.

But, if the Senator from Montana is neither lawyer nor parliamentarian, at least he has some experience with forestry. His State has some of the great forests of the Nation. Some of them are very large and very dense. To try to penetrate them is something akin to trying to penetrate the forest of words with which we are fast surrounding this issue. Before the growth becomes any more dense, the Senator from Montana believes that it is time to climb a tall tree, so to speak, and try to see where it is we are heading in this matter.

Mr. President, unless my perception deceives me, what is basically at issue in this discussion is not the continuity of the Senate. The issue is not civil rights. It is not even the majority will and how it is to be expressed in voting. The basic issue is far more profound and at the same time far more simple than is indicated by the debate which has so far taken place. What we are really concerned with is the place of the Senate in the pattern of political institutions which holds together this vast, complex, living and changing Nation. We shall not get on the main path of that issue, however, if we run down the sidepaths, deeper and deeper into the thickets of continuing body, civil rights and majority rule.

Consider for a moment, Mr. President, how much of this debate has already centered on the question of whether the Senate is or is not a continuing body. We have had or we shall have before we are finished references to McGrain against Dougherty, to "Jefferson's Manual," and to eminent writers and statesmen to prove that it is. And we have or we shall have reference to other court decisions, to the practices of long since forgotten Senators, and to other eminent writers and statesmen to prove that it is not.

But, Mr. President, the Senate is here, regardless of whether eminent gentlemen of the past or present say it is not supposed to be. We are here, Mr. President. This session of the Senate, as have the Senates in 85 Congresses before us, shall eventually get to its business. I should like to reassure our new colleagues on that point. The Senate is here, and it is here to stay.

We are not talking about the Senate as an institution when we talk about continuity; we are talking about the continuity of its actions and authority from one session of Congress to the next. Specifically, we are talking about the

continuity of its rules. Let us be clear on that point. Let us not confuse continuity of the institution with continuity of its rules.

The facts in this matter are clear, Mr. President. Some action and authority of the Senate continues from Congress to Congress and some does not. As for its rules, Mr. President, let us say that the issue has never been clearly met. In this debate, there are some Members who apparently have a vested interest in proving that the rules do carry over and there are others who have a vested interest in proving that they do not. But what does our conscience tell us? What does reason tell us in this matter? Reason tells us that rules are made to serve those who must live with them. Since life changes, rules must be subject to change. Where rules are rules in perpetuity, we find not a living institution but an institution that is in or on its way to the graveyard of history.

To say that, Mr. President, is not the same as saying that we must turn our backs on the past. There is a line of political wisdom which stretches from the very beginning of this Nation to the present and the experiences of the Senate are a part of it. What logic dictates that the line—as far as the Senate is concerned—must be cut at the outset of each new Senate?

What this suggests with respect to the rules, Mr. President, is that it is wise that they be carried over from Congress to Congress, provided that they are amendable to rational change by those who must live and work with them in any given Congress. That is the real problem before us, and we must seek to solve it in a reasonable fashion, if for no other purpose than to obviate the need for this legal and parliamentary debate each time the Senate convenes in a new Congress. We do not help to solve it if we lose ourselves in the academic exercise of trying to determine whether or not the Senate continues, discontinues, or both continues and discontinues at the same time.

I trust that the Senate will be capable of meeting the real problem in a rational fashion. It would indeed be a sad day in the history of responsible government if we were to find ourselves so incapable of accommodation in this matter that we would have to turn to the courts for guidance.

Let us turn back, Mr. President, from the dead end of continuity in this forest of words. And let us see, too, that the issue before us is not civil rights. I can assure you, Mr. President, that I do not underestimate the importance of unresolved problems of civil rights to millions of Americans in all sections of the country or their particular importance to particular States of the Union. But that is not at issue here, even though civil rights may be profoundly affected by the outcome of this issue. I repeat: The fundamental issue in this debate is the place of the Senate in the pattern of political institutions which holds together the Nation. What affects that place undoubtedly will affect the problem of civil rights but it will also affect every other significant aspect of our society.

The PRESIDING OFFICER. The time of the Senator from Montana has expired.

Mr. JOHNSON of Texas. I yield to the Senator from Montana 2 additional minutes.

Mr. MANSFIELD. Mr. President, I shall touch upon that basic question in a moment. Let me first, however, beckon the Senate to return from still another dubious path into which this debate has strayed. I refer to the contention that, in some fashion, "majority rule" is at stake. The concept of majority rule is one of the most sacred in the lexicon of freedom. It is also one of the most frequently distorted. Its use in this debate serves to befog, not to clarify, the fundamental issue: What, we may well ask ourselves, is the relevance of majority rule in this matter? We might well ask ourselves, as the distinguished journalist, Walter Lippmann, has asked: "A majority of what?" What kind of majority are we talking about?

Is a simple majority in the Senate to be construed as a sacred principle? If it is, we had better not stop in this debate at insisting upon this principle solely for the rules of the Senate. We had better go on. We had better proceed promptly to correct the inadvertence in the Constitution which requires a two-thirds vote of the Senate in matters of treaty ratification and confirmation of appointments. I hear no challenges to these provisions of the Constitution on the grounds of the sacredness of simple majority rule. Moreover, does this concept of simple majority rule as it applies in the Senate have any relationship to the premise of representative government that authority resides ultimately in a majority of the people? If it does, then we had better proceed promptly to the modification of still another aspect of the Constitution. We had better see to it that this body ceases to be composed of two Senators from each State. We had better see to it that the Senate's membership is apportioned, as is the membership of the House, on the basis of population. Then, at least, when we speak of majority rule being at issue in this matter, the phrase will have some relevance to the popular will.

The PRESIDING OFFICER. The time of the Senator from Montana has again expired.

Mr. JOHNSON of Texas. I yield 1 additional minute to the Senator from Montana.

Mr. MANSFIELD. No, Mr. President, we hear no clamor for a change in these constitutional provisions. Majority rule is no more at issue here than are the questions of the continuity of the Senate and civil rights. I come back to my point, Mr. President, that what is at issue in this matter is the place of the Senate, as one instrument among several, in the responsible Government of the United States.

What is it that the Senate is? Why do we have this institution? These are the questions which we must raise and answer before we can grapple intelligently with the problem of its rules.

Clearly, this institution is different from the Presidency and the Supreme Court. Perhaps less clearly but no less significantly it is different from the House of Representatives. We know the obvious difference between the two bodies. We know, Mr. President, that Representatives are elected for 2 years and that Senators are elected for 6. We know that Representatives are chosen by apportioned constituencies and we are chosen by States. We know that this is so, Mr. President, but have we thought of why this is so?

It is not enough to attribute the existence of the two different legislative bodies in our Government to the wisdom or whim of the Founding Fathers. They were not whimsical men. And wise as they were, they could not have foreseen the subsequent evolution of the Nation and its institutions in all its aspects. No, Mr. President, we cannot take refuge from thought on this matter under the cloak of what the Founding Fathers wanted us to do or not to do with the Senate of 1959. The Founding Fathers would have been the first to guide, but they would have been the last to try to control us. The job of understanding the role of the Senate today is our job, not theirs. It is essential that we ask ourselves what unique role it is that this great institution plays, must play, in the drama of responsible Government in the United States. One part of this role has been touched upon many times, in discussions and commentary on the nature of the Senate. We are, it is said, the long-termers; and we are the few. Some writers even go so far as to call us the solons. These characteristics presumably permit us to remain unmoved by the sudden tidal waves which from time to time descend upon the political life of popular government. So long as the Senate is, by its constitutional membership and longer tenure, insulated from these sudden swells of passion, it can spare the Nation from the impetuous reactions which the more responsive House may make to them. Or, so the reasoning goes.

I think that the record bears out the contention to some degree. In any event, as a Senator I can hardly resist such a flattering description of one of our functions.

Assuming that we do have the function of standing against the tidal waves, does it follow that, in the exercise of this function, the Senate may block the long tides of our history? That is not the exercise of the function; that is an abuse of the function. In that direction would lie tyranny, and it is against tyranny which the total complex of our institutions was designed to operate. In the end, any institution which sought to curb the long tides of freedom would not be tolerated by a free people.

If one function of the Senate, then, is to stand against the tidal waves without blocking the tides, another is to facilitate, to regulate the adjustment of all sections of the Nation to these tides. As the Senate knows, and as I have been at pains to emphasize here today, we do not represent the majority will of the national population. The Senate may be so composed in a particular Congress in such a fashion that it does. That, however, is incidental and irrelevant to

the Senate's functions. We represent, Mr. President, not on the basis of total national population but on the basis of 49 separate and unequal segments of that population.

Now, what reason is there in that arrangement? Is there no reason in it, Mr. President? Is it simply a device which the Founding Fathers had to employ to obtain the original Union and all the generations which have come after have simply been saddled with it? I suggest, Mr. President, that such is not the case. I suggest that there was reason in the arrangement at the time it was established. I suggest that there is reason in it today.

There are strong bonds which unite all Americans, regardless of where they may live. But, let us face it: There are also sectional differences in predominant mores and customs, in predominant interests, hopes, and fears. This body, perhaps, more than any other in the Federal system should serve—indeed, it must serve—to prevent these differences from widening into unbridgeable gulfs. To put it another way, Mr. President, the parts of this huge Nation are uneven. They are also changing at an uneven rate. The Senate can do much to adjust these unevennesses. It can prevent them from producing irreparable schisms between the regions. It can prevent the North from running roughshod over the South or the South from trampling over the North, or the West from rolling over both.

The PRESIDING OFFICER. The time of the Senator from Montana has again expired.

Mr. JOHNSON of Texas. I yield 1 additional minute to the Senator from Montana.

Mr. MANSFIELD. Mr. President, if we see the Senate, not as a representatives body in the sense of the House, but as body responsive to the uneven segments of the Nation; if we see it as a rock against tidal waves but not against the tides—if we see it in that fashion, we can arrive at the nub of the issue. We arrive at it not in the context of whether or not the Senate is a continuing body, not in the context of the problem of civil rights, or not in the context of majority rule. We arrive at it, rather, in the context of the living role of the Senate—the unique functions of the Senate—in the total scheme of the American constitutional system.

To discharge these unique functions, a primary tool of the Senate is the rule of full discussion. The tool is needed to inform; it is needed to prevent unthinking action.

There has been wise use of the instrument of full discussion in the Senate through the years. History is replete with examples, and we shall hear of them all before this debate is through. There has also been whimsical use and also abuse of this tool, and we shall hear examples of this as well.

Lest there be any doubt, what the Senate is now considering is a rule to curb the abusive use of this instrument of full discussion without impairing the unique functions of the Senate which depend so heavily upon it. Strip away the lawyer's arguments, strip away the parliamentary intricacies, and that is what remains. That is the issue.

Let me say, Mr. President, there is room for differences as to how we shall resolve the change, but, in my opinion, change is essential. For my part, Mr. President, I should rather move more slowly than more quickly in adjusting the instrument of full discussion. Even a slight change here is bound to have profound repercussions in the manner in which the Senate disposes of the great issues which will come before it.

As I have already made clear, I shall support the resolution of the distinguished majority leader [Mr. JOHNSON of Texas]. That resolution, as the Senate knows, has two principal features. It seeks, first, to provide a rational way of avoiding an interminable wrangle over how to proceed each time a new Congress convenes. Second, it provides for cloture on the basis of a two-thirds vote of those present and voting. I disagree with those who argue that this is not a significant change; that it will simply restore the ineffectual procedure which operated before the even more stringent rule which has existed since 1949. Leaving aside the question of whether the pre-1949 practice was effective or ineffective, the fact is that this resolution, if I interpret it correctly, will mean one thing. It will mean what it says. It will mean that when two-thirds of the Members of this body say there has been enough debate, enough talk, then the talk shall end, without legal or parliamentary ifs, ands, or buts. I am confident, Mr. President, that if there is abuse or frivolous use of this essential tool, we shall find that from now on a sufficient proportion of the membership will be prepared to protect the dignity and the unique utility of this institution of the Senate in the Government of the United States.

Mr. ANDERSON. Mr. President, I yield 5 minutes to the distinguished Senator from Ohio.

Mr. LAUSCHE. Mr. President, I joined with the Senator from New Mexico in sponsoring the original resolution, which contemplated a declaration that would provide the power in each Senate, when it assembled in a new Congress, to adopt its own rules without restrictions imposed by preceding Senates. A considerable number of words have been spoken on this subject, and I am quite certain that I shall not be able to add much enlightenment to the subject. I feel, however, that I should give the reasons which motivated me in joining with the Senator from New Mexico and my other colleagues who sponsored the resolution.

I begin with the proposition that conceding the Senate is a continuing body, I would be remiss in the fulfillment of my responsibility if I did not also declare that the words and the provisions of the Constitution of the United States are continuing in life and power. To yield to the arguments which have been advanced that the Senate does not have the power to adopt its own rules except in compliance with restrictions imposed upon it by a preceding Senate would be to say bleakly that the Constitution of the United States adopted in 1787 is not living and applicable to the business which is to be transacted by the Senate in session in the year 1959.

The Constitution provides:

> Each House may determine the Rules of its Proceedings.

There are nine simple, plain, direct words, each having a connotation which is generally understood. Those words are direct. They do not require any external evidence to interpret the meaning which the framers of our Constitution had in mind when they wrote them.

> Each House may determine the Rules of its Proceedings.

The Senate is a House. It has the power to determine the rules of its proceedings. That power is absolute, unrestricted, and uninhibited by any declaration made by any preceding Senate. Those who wrote this provision chose plain, simple words. This provision lived and was full of strength when it was written. It has the same strength today.

It is with reluctance that I have reached my conclusion. But I have reached it because I am not an iconoclast. I believe in giving respect to the wisdom of those who preceded us. I am not one who rejects precedents, by saying that they are mere traces of where the cows walked, and that what was once a cowpath has now become a big highway. I revere the wisdom of the past; I want to follow it.

The PRESIDING OFFICER (Mr. KUCHEL in the chair). The time yielded to the Senator from Ohio has expired.

Mr. LAUSCHE. May I have further time, Mr. President?

Mr. ANDERSON. Mr. President, I yield 2 additional minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 2 additional minutes.

Mr. LAUSCHE. I thank the Senator from New Mexico.

Mr. President, the Senate can be a continuing body vested with all the forces and powers necessary for the establishment of stability. But while that is true, the constitutional provisions can also be a continuing, vital force, effective and operative with every Senate that meets for the many and eternal years our country will be in existence.

For the reasons I have given, Mr. President, I support the proposal of the Senator from New Mexico.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, how many minutes remain under my control?

The PRESIDING OFFICER. Eleven minutes remain under the control of the Senator from Texas. Sixteen minutes remain under the control of the Senator from New Mexico.

Mr. ANDERSON. Mr. President, I yield 3 minutes to the Senator from Illinois [Mr. DOUGLAS].

The PRESIDING OFFICER. The Senator from Illinois is recognized for 3 minutes.

Mr. DOUGLAS. Mr. President, the initial form of the Anderson motion was perfectly plain, and would have cleared away the parliamentary underbrush, so that we could have proceeded to the substantive features of the proposals to check filibusters. The one objection which seemed to have any merit was that if all the rules were opened up at the beginning of a session, it might be possible for some Senators to indulge in a covert filibuster by proposing changes in rules other than rule XXII. So far as the proponents of the Anderson motion were concerned, there was no such danger; we were concerned only with amending rule XXII. However, we recognize the fact that if the Anderson motion should prevail, there might be opponents of the Anderson proposal who would propose other changes, with the purpose of preventing a full discussion of rule XXII and wearing out the patience of the public.

Therefore, the amendment the Senator from New Mexico submitted this morning provides that if his motion carries, the standing rules of the Senate for this Congress shall be the same as the standing rules of the Senate in the preceding Congress, with the exception of rule XXII. So the Anderson motion in its present form removes the last logical objection which could be made to it; and the issue now is a very stark and direct one, namely, are we going to maintain all the outer defenses in favor of the filibuster, which may, and probably will, prevent us from coming to a definite vote; or are we going to sweep away those outer defenses, and come immediately to the issue?

Mr. President, let me say that the whole country will be watching the vote which soon will be taken on the motion to lay on the table. That vote will be one of the decisive votes in this Congress.

Mr. ANDERSON. Mr. President, I yield 3 minutes to the distinguished minority whip, the able senior Senator from California [Mr. KUCHEL].

The PRESIDING OFFICER (Mr. MORTON in the chair). The Senator from California is recognized for 3 minutes.

Mr. KUCHEL. Mr. President, now pending before the Senate is the modified proposal, accepted a very few minutes ago by the Senator from New Mexico. It is simple, and it is clear. First, it recognizes that the Senate, under the United States Constitution, has the right to adopt rules. Then, after recognizing that constitutional right, it accepts and adopts the rules of the preceding Senate as the rules for the current Senate, with, however, one clear exception set forth in part in the last three lines of the proposal now before us which read as follows:

> Consideration of the form of rule XXII for the Senate of the 86th Congress shall be the next order of business of the Senate.

That is what is before us.

Mr. President, my service here has been short; but in 6 years I have seen filibusters. As an American Senator, I do not like them. I do not think the American people like them. I wish to see complete debate had on every public question; but complete debate is not at all repugnant to the Senate now assuming the responsibility of adopting rules, and particularly the responsibility of adopting a change in rule XXII, so long and woefully overdue.

Mr. CASE of South Dakota. Mr. President, will the Senator from California yield to me?

Mr. KUCHEL. I yield to my able friend from South Dakota.

Mr. CASE of South Dakota. Mr. President, I have listened with interest and at considerable length to the explanations of what this proposal will do. Let me ask this question: If the amended or changed proposal closes the Pandora's box for this particular session, is it not true, however, that the first part, with its declaration, will open the Pandora's box for every succeeding new Congress?

Mr. KUCHEL. I wish to answer as best I can the question the able Senator from South Dakota has asked.

First, if there is a Pandora's box involved here, which I deny, the Pandora's box is grounded in the Constitution of the United States, which gives the Senate the responsibility of determining by what rules it desires the transaction of the public business to be governed. Here, however, in an effort to eliminate the so-called Pandora's box argument, the pending proposal provides that the Senate accept its constitutional responsibility to adopt its rules, and, after accepting that responsibility, adopt the rules of the Senate in the preceding Congress, with one exception.

The PRESIDING OFFICER. The time yielded to the Senator from California has expired.

Mr. ANDERSON. Mr. President, I yield the Senator from California 1 additional minute.

The PRESIDING OFFICER. The Senator from California is recognized for 1 additional minute.

Mr. KUCHEL. I thank the Senator from New Mexico.

Mr. CASE of New Jersey. Mr. President, will the Senator from California yield to me?

Mr. KUCHEL. I yield.

Mr. CASE of New Jersey. Mr. President, I wish to congratulate the distinguished assistant minority leader for his excellent statement.

If I may, I should like to refer to the question raised a moment ago by the Senator from South Dakota [Mr. CASE], I think the answer the Senator from California gave to it was a correct one. But, in addition, does he not agree with me that the question about a Pandora's box is based upon the argument that Senators in succeeding Congresses are going to be completely irresponsible?

Mr. KUCHEL. The Senator from New Jersey is correct; and in asking that question, I think he demonstrates the complete invalidity of the so-called Pandora's box argument.

The PRESIDING OFFICER. The additional time yielded to the Senator from California has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 3 minutes to the Senator from Idaho [Mr. CHURCH].

The PRESIDING OFFICER. The Senator from Idaho is recognized for 3 minutes.

Mr. JOHNSON of Texas. Mr. President, how much time do we have remaining on this side?

The PRESIDING OFFICER. The Senator from New Mexico has 9 minutes remaining. The Senator from Texas has 10 minutes remaining, exclusive of the time yielded to the Senator from Idaho.

Mr. CHURCH. Mr. President, the vote which I shall cast on the motion of the Senator from New Mexico that the Senate proceed, under article 1, section 5, to the adoption of rules, will require me, regretfully, to fail to support him. Two years ago, when I voted against the motion to table his motion, substantially identical on its face, I supported my good friend from New Mexico.

I desire briefly to outline the considerations which impelled me then, and those which impel me now. Although my vote will be different, my position remains unchanged.

There is a difference, a critical difference, in the alternatives the Senate then faced—and the alternatives before us now. In 1957, simply stated, the choice before the Senate was to retain or not to retain rule XXII as it then was framed. Realistically, it was then apparent that the Senate would not get another opportunity in the 85th Congress to vote for a changed rule XXII. The various proposals offered for amendment of rule XXII all were referred to the Rules Committee. Senate Resolution 17, Senate Resolution 19, and Senate Resolution 21 all were offered and referred on January 7. Senate Resolution 28, Senate Resolution 29, Senate Resolution 30, and Senate Resolution 32 all were offered and referred on January 9. None of these proposals ever reached the floor.

A different situation now prevails. The Senate is now in a position to rewrite rule XXII as it will. It can act upon Senate Resolution 5, or upon amendments or substitutes for it, all without intervening committee reference, unless a majority of the Senate orders such reference to be made.

In 1959, the circumstances differ from those which obtained in 1957. I expect to have the opportunity to vote for a liberalization of rule XXII regardless of the outcome of the vote on the motion of the Senator from New Mexico.

I made my position clear as to the amendment to rule XXII, which I favor, when, 2 years ago, on January 9, 1957, I sponsored, with a number of other Senators, Senate Resolution 30.

The provisions of Senate Resolution 5 now before the Senate are identical with the provisions of Senate Resolution 30, which I sponsored in 1957. This is the amendment of rule XXII which I now favor and which I expect to have the opportunity to have passed upon by a majority vote in the Senate. It is the amendment to rule XXII which I shall support.

Mr. ANDERSON. Mr. President, I yield 2 minutes to the Senator from Pennsylvania [Mr. CLARK].

The PRESIDING OFFICER. The Senator from Pennsylvania [Mr. CLARK] is recognized for 2 minutes.

Mr. CLARK. Mr. President, I should like to address myself primarily to the newly elected Members of the Senate. I suspect that those gentlemen are about half as confused as I was when I became a Member of this body 2 years ago and had to face up to this difficult problem.

There is a vital difference between the Johnson and Anderson proposals. The Anderson motion preserves the right of new Senators, and the right of every other Senator, to have a voice every 2 years, this year included, to determine the rules under which the Senate will proceed.

The Johnson resolution will not do that. If adopted in its present form, it would mean there could be a filibuster if we wanted to change the rules in 1961.

The Senator from Georgia [Mr. RUSSELL] has said that the majority could work its will on rule XXII. With due deference to the Senator from Georgia, I say that is not the case, because it is almost an impossible task for the majority to work its will, under rule XXII, when nearly 66 votes are required to break a filibuster.

Pandora's box is closed by the Anderson motion, and, if adopted, it will make it possible for this body, as is true of every other civilized parliamentary body today, to proceed to make its own rules and be free to add to, change, or amend the rules of this body if it desires to do so at the beginning of each session. I hope the motion of the Senator from New Mexico will be adopted.

Mr. ANDERSON. Mr. President, I yield 2 minutes to the Senator from Colorado [Mr. CARROLL].

The PRESIDING OFFICER. The Senator from Colorado is recognized for 2 minutes.

Mr. CARROLL. Mr. President, in the debate yesterday afternoon I was shocked to learn that of those Senators who had voted to impose this extremely restrictive cloture rule on this body in 1949, as we were informed by the Senator from Illinois [Mr. DOUGLAS] yesterday, at least 60 of the present Members of this body had no voice in the imposition of that unconstitutional rule.

I agree with the junior Senator from Pennsylvania. We had to meet this issue head on when we met in the Senate 2 years ago. The question arose in my mind as to what right I had, representing the people of my State, to waive a constitutional privilege. That is the real issue. I shall have to assert the privilege now or I shall have waived it.

That is the very purpose of the Anderson motion. It does not state that we cannot proceed to enact other legislation. It does not mean we shall not have an opportunity to vote for majority vote, for a constitutional two-thirds vote, or for any other similar percentage measure. However, we shall meet that question later. This is an entirely separate issue.

This proposal came up in 1953. Only 21 Senators asserted their contitutional privilege at that time. The attempt was defeated, but that did not stop us. So again in 1957, 38 votes were recorded by those exercising their constitutional privilege.

All I am suggesting to the new Members of the Senate is that this is the time to stand, to assert, and to exercise your constitutional privilege. If our effort is knocked down, this undoubtedly will be an issue in the 1960 election campaign. Also, if we are defeated in this attempt we shall have established another precedent for the Senate convening in 1961.

Mr. ANDERSON. Mr. President, I yield 2 minutes to the Senator from New York [Mr. JAVITS].

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. JAVITS. Mr. President, as we proceed to a vote on the Anderson motion, there are two fundamental questions before us. Question No. 1 is the Pandora's box question. According to the generally agreed opinion, we have the opportunity to close Pandora's box by voting for the Anderson proposal. What we vote now will bind the Senate when it meets 2 years from now.

The second question is, What is the difference between the Anderson and the Johnson proposals? If the Anderson motion is adopted, rule XXII will be debated under the Constitution, which means that action will be taken by a majority vote. If the Anderson motion is rejected and the Johnson proposal is adopted, the Senate will still be operating under the existing rule XXII, unless a majority in this Chamber chooses to sustain the Vice President.

Those of us who are for a meaningful change in the rules, in view of the fact that the Johnson resolution will bind future Congresses, should take this clear opportunity to lay that question at rest. Those are the two issues. Those who are in favor of a meaningful change in rule XXII should vote for the Anderson motion.

Mr. ANDERSON. Mr. President, I yield one-half minute to the Senator from Colorado [Mr. ALLOTT].

Mr. ALLOTT. Mr. President, I simply desire to make my own position in this matter clear. I have on several other occasions discussed this matter at great length. I feel implicitly that the constitutional provision gives the Senate the right to change its rules. I shall support the Anderson motion.

While I do not agree with my colleagues who believe cloture should be invoked by a majority under some circumstances, nevertheless I will later support a measure in the general terms of that which the majority leader offered the other day.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ANDERSON. Mr. President, I yield such time as remains to the Senator from Minnesota [Mr. HUMPHREY].

The PRESIDING OFFICER. The Senator from Minnesota is recognized for the remainder of the time.

Mr. HUMPHREY. Mr. President, I should like to invite the attention of my colleagues to the question: Why is it we have before us today Senate Resolution 5, the so-called Johnson resolution? Why did we not have Senate Resolution 5, may I say, offered in the 85th Congress? I will tell my colleagues why. It is because at the time of the 85th Congress no Member of the Senate thought we would ever be able to change rule XXII, because of the nature of that rule despite its unconstitutional features, but the 38 votes on the Anderson resolution in 1957 made some Members of this body think, "Perhaps we had better come up with something, or we who are sponsors of Senate Resolution 5 are apt to have something we do not want."

If we turn back the Anderson motion today, if we reject it and ultimately accept Senate Resolution 5, we are going to nail down again the kind of inflexibility and the kind of inaction from which we have suffered in this body for years. Whatever 1957 may have done in terms of the Senate rules, the 38 votes cast then were 38 votes of Senators who believed in constitutional procedures in the United States Senate, which finally made possible Senate Resolution 5 today.

Mr. President, I wish to answer one other little point. I listened to the argument with respect to Pandora's box and the statement that if we did what the Senator from New Mexico [Mr. ANDERSON] asked us to do originally we would open wide Pandora's box. This is an insult to the Founding Fathers of our Government, who held a Constitutional Convention without the Senate rules. The Founding Fathers were able to design a rather important document without the use of Senate rules. In fact, Mr. President, the constitutional fathers, regardless of what the Senate rules might be, said, "Each House may decide what kind of rules it wants."

I have all the admiration in the world for my distinguished friends and colleagues who are opposed to the Anderson motion, but in this instance I am going to line up on the side of George Washingington, Benjamin Franklin, and a few others at the Constitutional Convention. I am afraid I have to admit publicly they may have had more wisdom about these matters than some of us who now sit in the Senate.

Finally, Mr. President, the issue involved here is an issue of the Federal principle. I repeat, I am rather surprised to find that those who have argued for States rights and that those who have said each Senator must be considered a representative of a sovereign State are willing to disenfranchise any one who did not happen to be in the Senate at the time the rules were adopted. If there were ever a kind of paradox in the life of the Senate it is now. Now we have to argue for the protection of States rights.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. JOHNSON of Texas. Mr. President——

The VICE PRESIDENT. The Senator from Texas is recognized.

Mr. JOHNSON of Texas. I yield myself the time remaining to me.

Mr. President, this discussion has been full and complete. I am amazed, surprised and shocked that some of our Members failed to realize that we are already where we would be if the Anderson motion were adopted. We do not

have to adopt the Anderson motion in order to have an opportunity to amend rule XXII. We have been trying to amend the rule for 2 or 3 days. We have had rather full discussion of it. All the Anderson motion would do, would be at one fell swoop, to adopt all the old rules, and to put the stamp of approval of the Senate on rule XXV, which provides that there shall be 8 Democrats and 7 Republicans on each committee.

Mr. President, I know Senators do not want to do that. We are going to have an amendment to rule XXV as soon as we get through with rule XXII. We are going to have an amendment to rule XXXII, I trust. This new-born baby which arrived some time in the twilight hours, which is on our desks this morning, again confirms the danger of following the impetuous course outlined in the Anderson motion.

Mr. President, there is one way to amend rule XXII, and that way is to vote on it. We are prepared to vote on it. We have at the desk a resolution, sponsored by several Members of this body, which provides that cloture can apply to rule changes; which substitutes a vote of two-thirds of the Senators present and voting for two-thirds of the Senators sworn; and which provides that the Senate rules shall continue from one Congress to another.

I was amazed, Mr. President, after we decided that we were going to take up rule XXII, to learn that many experienced Senators believed that in order to amend a rule it was necessary to have a two-thirds vote. Many experienced Senators—and I heard some of them speak this morning—apparently did not realize that the Senate at almost each session amends its rules. Many experienced Senators did not realize that any time any Senator wants to amend any rule he can do so if he has a majority vote and can get a vote. [Laughter.]

Mr. DOUGLAS. If he can get a vote.

Mr. JOHNSON of Texas. I would remind my friends who have been here for some time that we have been getting votes. In the last Congress for the first time in 80 years we passed a civil rights bill. That was supposed to be the reason for changing rule XXII, yet we passed it under rule XXII. We did get votes. We got votes of every conceivable kind. We got so many votes that the whole Nation wondered what all this propaganda was about, when it was said that the Senate could not work its will or that a majority could not work its will. The Senate voted on part III of the civil rights bill. It voted on the jury trial provision. We listened and we learned. We searched and got the facts. We did what a majority of this body thought it ought to do. We did not make anybody do anything.

I think there should be an opportunity to close debate on a rule change. Whether we ought to close debate by a majority vote or a two-thirds vote or a three-fourths vote is for the Senate to decide, but we can decide it. We are going to decide it, in my opinion, just as soon as we get through running around Robin Hood's barn and going up the hill and down the hill.

I do not know why any Member of the Senate should want to say to the new Members that on this, the 9th day of January, we are going to provide that the standing rules of the Senate of the 86th Congress shall be the same as the standing rules of the Senate of the 85th Congress other than rule XXII. I do not want the rules to be the same. We won an election. We have twice as many Senators as the other side has. We are entitled to twice the representation on committees the other side has.

Under the modified Anderson motion apparently its effect on Rule XXV has not been considered because we are asked to vote to have an 8 to 7 committee membership instead of a 10 to 5 committee membership. Where are the parliamentarians? Where are the thinkers? It is proposed to act on a moment's notice on 40 rules and say, "We want them all to remain as they are for the rest of this Congress, except for rule XXII."

We can change rule XXII, and we shall have plenty of opportunity to change rule XXII. In my opinion, it will be changed in at least two respects, and perhaps more. Whether we impose cloture by majority vote will be up to the majority of the Senate. Whether it will be by a two-thirds vote will also be up to a majority of the Senate.

I have said to my colleagues that the sponsors of this resolution on this side of the aisle are prepared to meet at 10 o'clock in the morning and remain in session until late in the evening, until we reach a vote on an amendment to rule XXII. That is all any Senator ought to ask. That is all any Senator ought to want. Any Senator ought to know, if he does not, that a majority of the Senate can amend the rules, has done so, and will continue to do so at any time the majority votes to do it.

The VICE PRESIDENT. The time of the Senator has expired. All time has expired.

Under the order previously entered, the Senator from Texas [Mr. JOHNSON] is recognized.

Mr. JOHNSON of Texas. Mr. President, I move to lay on the table the modified amendment of the Senator from New Mexico [Mr. ANDERSON], in the nature of a substitute for Senate Resolution 5.

I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Cotton	Holland
Allott	Curtis	Hruska
Anderson	Dirksen	Humphrey
Bartlett	Dodd	Jackson
Beall	Douglas	Javits
Bennett	Dworshak	Johnson, Tex.
Bible	Eastland	Johnston, S. C.
Bridges	Ellender	Jordan
Bush	Engle	Keating
Butler	Ervin	Kefauver
Byrd, Va.	Frear	Kennedy
Byrd, W. Va.	Fulbright	Kerr
Cannon	Goldwater	Kuchel
Capehart	Gore	Langer
Carlson	Green	Lausche
Carroll	Gruening	Long
Case, N. J.	Hart	Magnuson
Case, S. Dak.	Hartke	Mansfield
Chavez	Hayden	Martin
Church	Hennings	McCarthy
Clark	Hickenlooper	McClellan
Cooper	Hill	McGee
McNamara	Proxmire	Symington
Monroney	Randolph	Talmadge
Morse	Robertson	Thurmond
Morton	Russell	Wiley
Moss	Saltonstall	Williams, N. J.
Mundt	Schoeppel	Williams, Del.
Murray	Scott	Yarborough
Muskie	Smathers	Young, N. Dak.
O'Mahoney	Smith	Young, Ohio
Pastore	Sparkman	
Prouty	Stennis	

Mr. MANSFIELD. I announce that the Senator from Oregon [Mr. NEUBERGER] is absent because of illness.

The VICE PRESIDENT. A quorum is present.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. JOHNSON of Texas. First, I ask for the yeas and nays on the motion to table.

The yeas and nays were ordered.

Mr. JOHNSON of Texas. As I understand, the vote will be on the Johnson motion to lay on the table the most recent proposal of the Senator from New Mexico [Mr. ANDERSON], namely, his modified amendment in the nature of a substitute for Senate Resolution 5.

The VICE PRESIDENT. The Senator is correct. The question is on agreeing to the motion of the Senator from Texas [Mr. JOHNSON] to lay on the table the modified amendment of the Senator from New Mexico, in the nature of a substitute for Senate Resolution 5.

Mr. JOHNSON of Texas. So a vote "yea" is a vote to table, and a vote "nay" is a vote against tabling.

The VICE PRESIDENT. The Senator is correct.

The motion is not debatable. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. CHURCH (when his name was called). On this vote I have a pair with the junior Senator from Oregon [Mr. NEUBERGER]. If he were present and voting he would vote "nay." If I were permitted to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

The result was announced—yeas 60, nays 36, as follows:

YEAS—60

Bartlett	Frear	Martin
Bennett	Fulbright	McClellan
Bible	Goldwater	McGee
Bridges	Gore	Monroney
Butler	Green	Mundt
Byrd, Va.	Gruening	Murray
Byrd, W. Va.	Hartke	O'Mahoney
Cannon	Hayden	Randolph
Capehart	Hickenlooper	Robertson
Carlson	Hill	Russell
Case, S. Dak.	Holland	Saltonstall
Chavez	Hruska	Schoeppel
Cotton	Johnson, Tex.	Smathers
Curtis	Johnston, S. C.	Sparkman
Dirksen	Jordan	Stennis
Dodd	Kefauver	Talmadge
Dworshak	Kerr	Thurmond
Eastland	Langer	Williams, Del.
Ellender	Long	Yarborough
Ervin	Mansfield	Young, N. Dak.

NAYS—36

Aiken	Douglas	Kuchel
Allott	Engle	Lausche
Anderson	Hart	Magnuson
Beall	Hennings	McCarthy
Bush	Humphrey	McNamara
Carroll	Jackson	Morse
Case, N. J.	Javits	Morton
Clark	Keating	Moss
Cooper	Kennedy	Muskie

Pastore	Scott	Wiley
Prouty	Smith	Williams, N. J.
Proxmire	Symington	Young, Ohio

NOT VOTING—2

Church Neuberger

So the motion of Mr. JOHNSON of Texas was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the motion to lay on the table was agreed to.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion of the Senator from Montana to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, I wish to inform the Senate that at about 12:10 o'clock we will proceed to the Chamber of the other body. After hearing the President's address, we plan to return to the Senate Chamber. Then it will be in order for Senators to introduce bills and submit resolutions.

We expect to ask the Senate to stay in session late this evening, in the hope that a vote can be reached on some of the amendments to rule XXII. If all Senators who wish to offer amendments to rule XXII will return to the Chamber, we shall consider whatever amendments may be called up and try to dispose of them as early as possible.

BIRTHDAY ANNIVERSARY OF THE VICE PRESIDENT

Mr. DIRKSEN. Mr. President, there is one civil right which cannot be alien to anyone, and that is the celebration of a man's birthday. Today is the 46th anniversary of the birth of the Vice President of the United States. [Applause, Senators rising.]

I recall when RICHARD NIXON came to the House of Representatives in the 80th Congress. I remember, although I was not there then, that he served in the 81st Congress; that he came to the Senate in 1950; and that he graces his present chair by a determination of the people in 1952.

So I think we should fittingly observe this day, the birth anniversary of the Vice President of the United States.

Mr. JOHNSON of Texas. Mr. President, I join with the distinguished minority leader in wishing the Vice President a very happy birthday. I did not realize that this was his birthday; otherwise I would have extended my best wishes to him earlier. I hope he enjoys the day.

The Senate is a great body, over which he presides with dignity. There is no one in the country who, I think, is more concerned with the problems of our country and their solution than the distinguished occupant of the chair. Although upon occasions we find ourselves in disagreement, we never find ourselves disagreeable.

Mr. KUCHEL. Mr. President, on behalf of my colleague, the distinguished junior Senator from California [Mr. ENGLE], and myself, let the record clearly show that the people of California, and the country, wholeheartedly salute the Vice President of the United States, a distinguished son of the State of California, on the occasion of the anniversay of his birthday.

Let one from Anaheim say to a distinguished American from Yorba Linda, just a few miles away: Many happy returns of the day, Mr. Vice President.

Mr. SALTONSTALL. Mr. President, I simply wish to add to what the Senator from California has said that his remarks extend beyond the limits of California and include the best wishes of the people of the entire country.

Mr. GOLDWATER. Mr. President, I would not want the opportunity to pass without calling attention to the fact that the distinguished Vice President spent several years of his life in Arizona and has been made the healthy, intelligent man he is by Arizona's water. [Laughter.]

AMENDMENT OF THE RULES

The Senate resumed the consideration of the resolution (S. Res. 5) proposing to amend Senate rules XXII and XXXII.

Mr. BUSH. Mr. President, will the Senator from Texas yield for a question?

Mr. JOHNSON of Texas. I yield.

Mr. BUSH. Is the business now before the Senate the Johnson resolution? Is that now the pending business?

Mr. JOHNSON of Texas. That is correct. I assume the Vice President will confirm my understanding.

The VICE PRESIDENT. That is correct.

Mr. JOHNSON of Texas. Mr. President, I apologize to my friend, the distinguished Senator from Arkansas [Mr. FULBRIGHT]. He had asked for a brief time in which to speak before the debate on the motion to table was concluded. I forgot that completely. I just looked in his direction and was reminded of that fact. I assure him that I will try not to make that error again. I was very much concerned about the motion to table and almost forgot to make it. I will yield now to the Senator from Arkansas if he desires to say anything at this time, or desires to have his statement appear in the RECORD.

Mr. FULBRIGHT. No; I will speak later.

Mr. CASE of South Dakota. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from South Dakota will state it.

Mr. CASE of South Dakota. Understanding that the pending business is the consideration of Senate Resolution 5, the so-called Johnson resolution, will amendments to that resolution be in order if they deal with rules other than rule XXII and rule XXXII, which are mentioned in that resolution?

The VICE PRESIDENT. Unless previous notice has been given, amendments will not be in order.

Mr. CASE of South Dakota. Yesterday I gave notice of an intent to offer a motion which would change rule XIX to provide a rule of germaneness. Would it be in order for me to offer that motion, if I determined to do so, as an amendment to the Johnson resolution?

The VICE PRESIDENT. The amendment or motion of the Senator from South Dakota would be in order in view of the fact that he has given 1 day's notice.

Mr. CASE of South Dakota. In view of the fact that not many Senators were in the Chamber at the time my notice was read yesterday, may I be recognized at this time to read the content of the motion?

The VICE PRESIDENT. Without objection, the Senator from South Dakota may proceed.

Mr. CASE of South Dakota. The motion to establish a rule of germaneness, of which I gave notice yesterday, and which I am debating whether to offer as an amendment to the Johnson resolution or to ask that it come up later separately, reads as follows:

NOTICE OF MOTION TO AMEND THE RULES

In accordance with the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention hereafter to submit a resolution proposing to amend rule XIX, relating to debate, by inserting after paragraph No. 1 of the said rule the new paragraph, No. 2, as follows:

"2. At any time during the consideration of a bill, resolution, or other matter pending before the Senate, it shall be in order to offer a motion that the Senate proceed with the consideration of amendments, which motion shall be privileged and decided with not more than 1 hour of debate, to be equally divided between opponents and proponents.

"If such a motion shall be determined in the affirmative, any amendment thereafter proposed, together with debate thereon, and all debate under the order for pending business shall be required to be germane to the subject matter before the Senate. All questions of relevancy under this rule, when raised, including appeals, shall be decided without debate.

"Change the numbers of the succeeding paragraphs of the rule.

"The purpose of the proposed amendment is to provide for the consideration and germaneness of amendments, together with debate thereon, to a matter pending before the Senate."

Mr. President, that proposal, if adopted as a rule, would, I think, go to the heart of the question of delay in the business of the Senate. It would require the same germaneness as we now seek occasionally to get by unanimous consent. It would not establish a time limitation for debate, but it would require that amendments and debate on the pending business be germane. I think it would save a great deal of time for the Senate. It would move our business with more expedition and dispatch. I commend my proposal to consideration and study by the Members of the Senate.

RECESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate stand in recess, subject to the call of the Chair; after which the Senate will proceed to the Hall of the House of Representatives.

The VICE PRESIDENT. Without objection, the Senate will stand in recess, subject to the call of the Chair.

(At 12 o'clock noon, the Senate took a recess, subject to the call of the Chair; and at 12 o'clock and 9 minutes p.m. the Senate was called to order by the Presiding Officer (Mr. MANSFIELD in the chair).)

JOINT SESSION OF THE TWO HOUSES

The PRESIDING OFFICER. Under the provisions of House Concurrent Resolution 1, the Senate will now proceed to the Hall of the House of Representatives, to assemble in joint session to hear the message of the President of the United States.

Thereupon, the Senate, preceded by the Secretary (Felton M. Johnston), the Sergeant at Arms (Joseph C. Duke), the Vice President, and the President pro tempore, proceeded to the Hall of the House of Representatives for the purpose of attending the joint session to hear the address to be delivered by the President of the United States of America.

(For the address delivered by the President, see House proceedings in today's CONGRESSIONAL RECORD.)

LEGISLATIVE SESSION

The joint session of the two Houses having been dissolved, the Senate returned to its Chamber at 1 o'clock and 30 minutes p.m., and was called to order by the President pro tempore.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there be the usual morning hour for the introduction of bills and resolutions, the submission of petitions and memorials, and the transaction of other routine business, with statements limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT TO 10 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate adjourns today, it adjourn until 10 a. m. tomorrow.

The PRESIDENT pro tempore. Without objection, it is so ordered.

REPORT OF LEND-LEASE OPERATIONS — MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, received by the Secretary of the Senate on November 24, 1958, which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

I am transmitting herewith the "Thirty-ninth Report to Congress on Lend-Lease Operations" covering the calendar year 1957.

Most of the countries are making scheduled payments on their lend-lease accounts. During 1957, collections and credits on these accounts amounted to $28,340,686.34, comprising payments of $13,996,262.83 on principal and $14,344,423.51 on interest.

All of the lend-lease silver returned to the United States during 1957 had not been assayed by December 31, 1957. The amount assayed totaled 89,779,704.01 fine troy ounces.

Details on these and other lend-lease activities are provided in the report.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *November 24, 1958.*

ADDITIONAL REPORTS OF COMMITTEES SUBMITTED DURING SINE DIE ADJOURNMENT

Under authority of the order of the Senate of August 24, 1958, Mr. SMATHERS, from the Select Committee on Small Business, submitted on September 30, 1958, a report (No. 2499) entitled "The Role of Small Business in Defense Missile Procurement," which was printed.

Under authority of the order of the Senate of August 24, 1958, Mr. FULBRIGHT, from the Committee on Banking and Currency, on October 10, 1958, submitted a report (No. 2500), entitled "Federal Reserve Policy and Economic Stability 1951–57," which was printed.

Under authority of the order of the Senate of August 1, 1958, Mr. HUMPHREY, from the Committee on Foreign Relations, on October 13, 1958, submitted a report (No. 2501) entitled "Control and Reduction of Armaments," which was printed.

Under authority of the order of the Senate of August 21, 1958, Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, on October 13, 1958, submitted a report (No. 2502) of that committee, entitled "Summary of Activities," which was printed.

Under authority of the order of the Senate of August 23, 1958, Mr. FULBRIGHT, from the Committee on Banking and Currency, on November 4, 1958, submitted a report (No. 2503) of that committee, entitled "Summary of Activities," which was published.

Under authority of the order of the Senate of August 15, 1958, Mr. HUMPHREY, from the Select Committee on Small Business, on November 28, 1958, submitted a report (No. 2504) entitled "Discount House Operations," which was printed.

Under authority of the order of the Senate of August 22, 1958, Mr. SMATHERS, from the Select Committee on Small Business, on December 30, 1958, submitted a report (No. 2505) entitled "Small Business Participation in Government Procurement—1958," which was printed.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON CONTRACTS NEGOTIATED BY NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

A letter from the Executive Secretary, National Advisory Committee for Aeronautics, Washington, D.C., transmitting, pursuant to law, a report covering the contracts negotiated by that Committee during the period January 1 to June 30, 1958 (with an accompanying report); to the Committee on Aeronautical and Space Sciences.

REPORT OF COOPERATIVE EXTENSION SERVICE

A letter from the Secretary of Agriculture, transmitting, pursuant to law, the annual report of the Cooperative Extension Service, for the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORT ON AGRICULTURAL CONSERVATION PROGRAM SERVICE

A letter from the Under Secretary of Agriculture, transmitting, pursuant to law, a report on the Agricultural Conservation Program Service, for the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORT ON FEDERAL CROP INSURANCE CORPORATION

A letter from the Assistant Secretary of Agriculture, transmitting, pursuant to law, a report of the Federal Crop Insurance Corporation, for calendar year 1958 (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORTS ON COMMODITY CREDIT CORPORATION SALE POLICIES, ACTIVITIES, AND DISPOSITION

A letter from the Acting Secretary of Agriculture, transmitting, pursuant to law, a report concerning the policies, activities, and developments, including all sales and disposals, with regard to commodities which the Commodity Credit Corporation owns or which it is directed to support, for the month of June, 1958 (with an accompanying report); to the Committee on Agriculture and Forestry.

Three letters from the Assistant Secretary of Agriculture, transmitting, pursuant to law, reports for the months of July, August, and September 1958, concerning the policies, activities, and developments, including all sales and disposals, with regard to commodities which the Commodity Credit Corporation owns or which it is directed to support (with accompanying reports); to the Committee on Agriculture and Forestry.

A letter from the Assistant Secretary of Agriculture, transmitting, pursuant to law, a report of the General Sales Manager concerning the policies, activities, and developments, including all sales and disposals, with regard to each commodity which the Commodity Credit Corporation owns or which it is directed to support, for the month of October 1958 (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORTS ON COOPERATION WITH MEXICO IN CONTROL AND ERADICATION OF FOOT-AND-MOUTH DISEASE

Two letters from the Assistant Secretary of Agriculture, reporting, pursuant to law, that during the months of July and September there were no significant developments relating to the cooperative program of the United States with Mexico for the control and eradication of foot-and-mouth disease; to the Committee on Agriculture and Forestry.

A letter from the Assistant Secretary of Agriculture, reporting, pursuant to law, that during the month of October 1958, a team of veterinarians from the Mexico-United States Commission for the Prevention of Foot-and-Mouth Disease investigated reports of conditions suspected of being of a vesicular nature in the states of Jalisco and Queretaro, Mexico; to the Committee on Agriculture and Forestry.

A letter from the Assistant Secretary of Agriculture, reporting, pursuant to law, that as of September 22, 1958, there have been no significant developments to report for the past 6 months relating to the cooperative program of the United States with Mexico for the control and eradication of foot-and-mouth disease; to the Committee on Agriculture and Forestry.

A letter from the Assistant Secretary of Agriculture, reporting, pursuant to law, that during the month of November 1958, there were no significant developments to report relating to the cooperative program of the United States with Mexico for the control and eradication of foot-and-mouth disease; to the Committee on Agriculture and Forestry.

A letter from the Acting Secretary of Agriculture, reporting, pursuant to law, that during the month of August 1958, there were no significant developments relating to the cooperative program of the United States with Mexico for the control and eradication of foot-and-mouth disease; to the Committee on Agriculture and Forestry.

Reports on Agreements Under Agricultural Trade Development and Assistance Act of 1954

A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, reporting, pursuant to law, that during the month of August 1958, no agreements were concluded under title I of the Agricultural Trade Development and Assistance Act of 1954, as the authority to enter into such agreements expired June 30, 1958 (with an accompanying document); to the Committee on Agriculture and Forestry.

A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, a report on a supplemental agreement entered into with the Government of Spain on October 31, 1958, under title I of the Agricultural Trade Development and Assistance Act of 1954 (with an accompanying paper); to the Committee on Agriculture and Forestry.

A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, Washington, D. C., reporting, pursuant to law, that agreements had been concluded under title I of the Agricultural Trade Development and Assistance Act of 1954, during the month of November 1958, with the Governments of Israel and Pakistan (with accompanying papers); to the Committee on Agriculture and Forestry.

A letter from the Acting Administrator Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law a report relating to an agreement entered into with the Government of India on September 26, 1958, under title I of the Agricultural Trade Development and Assistance Act of 1954 (with accompanying papers); to the Committee on Agriculture and Forestry.

Report on Puerto Rican Hurricane Relief Loans

A letter from the Director, Agricultural Credit Services, Department of Agriculture, Washington, D.C., reporting, pursuant to law, on Puerto Rican hurricane relief loans; to the Committee on Agriculture and Forestry.

Report on National Forest Reservation Commission (S. Doc. No. 3)

A letter from the President, National Forest Reservation Commission, Washington, D.C., transmitting, pursuant to law a report of that Commission, for the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on Agriculture and Forestry, and ordered to be printed, with an illustration.

Lump-Sum Appropriation for Crediting Postal Revenues

A letter from the Assistant Postmaster General, requesting a lump-sum appropriation in the amount of $3,591,000 be made to the Post Office Department for crediting postal revenues, for the fiscal year 1958, relating to franked mail by Members of Congress and others, and penalty mail of the Government Printing Office; to the Committee on Appropriations.

Reports on Reapportionment of Appropriations

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation for the Post Office Department for "Transportation" for the fiscal year 1959 had been apportioned on a basis indicating a need for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Defense for "Cemeterial expenses," for the fiscal year 1959, had been apportioned on a basis indicating a need for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Labor for "Salaries and expenses, Bureau of Employment Security," for the fiscal year 1959 had been apportioned on a basis indicating a need for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Justice for "Salaries and expenses, United States Attorneys and Marshals," for the fiscal year 1959, had been reapportioned on a basis indicating a need for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of the Air Force for "Military personnel, Air Force," 1959, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Health, Education, and Welfare for "Hospitals and medical care" for the fiscal year 1959 had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Labor for "Unemployment compensation for veterans and Federal employees" for the fiscal year 1959, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Health, Education, and Welfare for "Grants to States for public assistance," for the fiscal year 1959, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that certain appropriations to the Department of Justice for the fiscal year 1959, have been reapportioned on a basis which indicates the necessity for supplemental estimates of appropriations; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation for the Railroad Retirement Board for "Salaries and expenses," for the fiscal year 1959, had been reapportioned on a basis which indicates a necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that certain 1959 appropriations had been apportioned on a basis indicating a necessity for supplemental appropriations to meet certain pay increases (with an accompanying paper); to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Veterans' Administration for "Inpatient care," for the fiscal year 1959, had been apportioned on a basis indicating a need for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Veterans' Administration for "Outpatient care," for the fiscal year 1959, had been apportioned on a basis indicating a need for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation for the Department of the Interior for "Management of lands and resources," Bureau of Land Management, for the fiscal year 1959, had been apportioned on a basis indicating the need for a supplemental estimate of appropriation for increased pay costs; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of State for "Operation and maintenance," International Boundary and Water Commission, United States and Mexico, for the fiscal year 1959, had been reapportioned on a basis indicating the need for a supplemental estimate of appropriation for increased pay costs; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Bureau of Customs for "Salaries and expenses," for the fiscal year 1959, had been reapportioned on a basis indicating a need for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of State for "Emergencies in the Diplomatic and Consular Service," for the fiscal year 1959, had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Civil Service Commission for "Annuities, Panama Canal construction employees and Lighthouse Service widows," for the fiscal year 1959, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that certain appropriations to the Department of Agriculture for the fiscal year 1959, have been reapportioned on a basis which indicates the necessity for supplemental estimates of appropriations; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of the Interior for "Maintenance and rehabilitation of physical facilities," National Park Service, for the fiscal year 1959, had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the General Services Administration for "Salaries and expenses, Office of the Administrator," for the fiscal year 1959, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the General Services Administration for "Operating expenses, Public Buildings Service," for the fiscal year 1959, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Defense for "Medical care, Navy," for the fiscal year 1959, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting pursuant to law, that the appropriation to the Veterans' Administration for "Compensation and pensions," for the fiscal year 1959, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Veterans' Administration for "Maintenance and operation of supply depots," for the fiscal year 1959, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Veterans' Administration for "Inpatient care," for the fiscal year 1959, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Veterans' Administration for "Outpatient care," for the fiscal year 1959, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of State for "Operation and maintenance," International Boundary and Water Commission, United States and Mexico, for the fiscal year 1959, had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Commerce for "Salaries and expenses," Coast and Geodetic Survey, for the fiscal year 1959, had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of the Interior for "Operation and maintenance," Southwestern Power Administration, for the fiscal year 1959, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Agriculture for "Forest protection and utilization, Forest Service," for the fiscal year 1959, had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation for civilian pay increases and for fighting forest fires; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Health, Education, and Welfare for "Salaries and expenses, Food and Drug Administration," for the fiscal year 1959, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Health, Education, and Welfare for "Salaries and expenses, Office of the General Counsel," for the fiscal year 1959, had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriations to the General Services Administration for "Expenses, supply distribution" and "Operating expenses, National Archives and Records Service," for the fiscal year 1959, have been reapportioned on a basis which indicates the necessity for supplemental estimates of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Treasury Department for "Salaries and expenses, Division of Disbursement," for the fiscal year 1959, had been reapportioned on a basis indicating the need for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Labor for "Salaries and expenses, Bureau of Labor Sandards," for the fiscal year 1959, had been reapportioned on a basis indicating the need for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the National Labor Relations Board for "Salaries and expenses," for the fiscal year 1959, had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation for increased pay costs; to the Committee on Appropriations.

A letter from the Comptroller General of the United States, reporting, pursuant to law, that the appropriation to the General Accounting Office for "Salaries and expenses," for the fiscal year 1959, had been reapportioned on a basis indicating the need for a supplemental estimate of appropriation; to the Committee on Appropriations.

Reports on Overobligation of Appropriations

A letter from the Acting Secretary of Defense, transmitting, pursuant to law, 68 reports covering 84 violations of appropriations within the Department of Defense (with accompanying papers); to the Committee on Appropriations.

A letter from the Secretary of Defense, transmitting, pursuant to law, a report on overobligation of the appropriation "Administrative Control of Appropriations within the Department of Defense" (with an accompanying report); to the Committee on Appropriations.

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law, 56 reports covering 69 violations of appropriations within the Department of Defense (with accompanying papers); to the Committee on Appropriations.

A letter from the Secretary of the Interior, reporting, pursuant to law, the overobligation of an appropriation occurring in the Bureau of Land Management; to the Committee on Appropriations.

A letter from the Acting Secretary of Agriculture, reporting, pursuant to law, on the overobligation of appropriations in the Department of Agriculture; to the Committee on Appropriations.

A letter from the Administrator, Veterans' Administration, Washington, D. C., reporting, pursuant to law, six overobligations of appropriations in that Administration; to the Committee on Appropriations.

A letter from the Administrator, General Services Administration, reporting, pursuant to law, the overobligation of an appropriation within that Administration; to the Committee on Appropriations.

A letter from the Assistant Deputy Administrator, Veterans Administration, Washington, D.C., reporting, pursuant to law, two overobligations of appropriations; to the Committee on Appropriations.

A letter from the Chairman, Civil Aeronautics Board, Washington, D.C., reporting, pursuant to law, the overobligation of an appropriation; to the Committee on Appropriations.

A letter from the Acting Secretary of the Treasury, reporting, pursuant to law, the overobligation of a limitation in the fund allotment for the second quarter of fiscal year 1958 from the appropriation "Salaries and Expenses, Internal Revenue Service" (with an accompanying paper); to the Committee on Appropriations.

A letter from the Acting Secretary of the Treasury, reporting, pursuant to law, the overobligation of a fund allotment for the fourth quarter of fiscal year 1958 from the appropriation "Salaries and Expenses, Internal Revenue Service"; to the Committee on Appropriations.

A letter from the Assistant Secretary of Agriculture, reporting, pursuant to law, the overobligation of an appropriation in the Department of Agriculture; to the Committee on Appropriations.

A letter from the Governor, United States Soldiers' Home, Washington, D.C., transmitting, pursuant to law, a report on the overobligation of an appropriation within that Home (with an accompanying report); to the Committee on Appropriations.

Report of Appropriations and Transfers Made To Cover Cost of Salary Increases

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, the report of appropriations and transfers made to cover the fiscal year 1958 cost of salary

increases (with an accompanying report); to the Committee on Appropriations.

STATEMENT OF JUDGMENTS RENDERED BY UNITED STATES COURT OF CLAIMS (S. DOC. NO. 4)

A letter from the Clerk, United States Court of Claims, Washington, D. C., transmitting, pursuant to law, a statement of all judgments rendered by the United States Court of Claims, for the year ended October 4, 1958 (with an accompanying document); to the Committee on Appropriations, and ordered to be printed.

AMENDMENT OF ACT RELATING TO AUTHORIZED PERSONNEL STRENGTHS OF ARMED FORCES

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to amend the act of August 3, 1950, as amended, to continue in effect the provisions relating to the authorized personnel strengths of the Armed Forces (with an accompanying paper); to the Committee on Armed Services.

AMENDMENT OF CODE RELATING TO THE UNIFORM CODE OF MILITARY JUSTICE

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, as relates to the Uniform Code of Military Justice (with accompanying papers); to the Committee on Armed Services.

TONNAGE COMPOSITION OF NAVY WITH RESPECT TO VESSELS

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to provide for the tonnage composition of the United States Navy with respect to vessels, and for other purposes (with accompanying papers); to the Committee on Armed Services.

AMENDMENT OF CODE RELATING TO ACTIVE DUTY AGREEMENTS FOR RESERVE OFFICERS

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, with respect to active duty agreements for Reserve officers, and for other purposes (with accompanying papers); to the Committee on Armed Services.

REPORT ON MILITARY PROCUREMENT ACTIONS FOR EXPERIMENTAL, DEVELOPMENTAL, OR RESEARCH WORK

A letter from the Assistant Secretary of Defense (Supply and Logistics), transmitting, pursuant to law, a report on Military procurement actions for experimental, developmental, or research work negotiated by the Departments of the Army, Navy, and Air Force, for the period January 1 through June 30, 1958 (with an accompanying report); to the Committee on Armed Services.

REPORT ON REAL AND PERSONAL PROPERTY, DEPARTMENT OF DEFENSE

A letter from the Acting Secretary of Defense, transmitting, pursuant to law, his report on real and personal property of that Department, as of June 30, 1958 (with an accompanying report); to the Committee on Armed Services.

PAYMENT OF CERTAIN TRANSPORTATION AND TRAVEL ALLOWANCES

A letter from the Acting Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, and certain other laws to authorize the payment of transportation and travel allowances to escorts of dependents of members of the uniformed services under certain conditions, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

CREDITING OF CERTAIN SERVICE FOR PURPOSE OF RETIRED PAY

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to authorize the crediting of certain service for purpose of retired pay for nonregular service, and for other purposes (with accompanying papers); to the Committee on Armed Services.

AMENDMENT OF CODE RELATING TO SALE OF MILITARY CLOTHING AND TEXTILE MATERIAL IN CERTAIN CASES

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize the sale of military clothing and textile material to contractors for use in the performance of United States contracts (with an accompanying paper); to the Committee on Armed Services.

AMENDMENT OF CODE RELATIVE TO EXTENSIONS OF ENLISTMENT

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, relative to extensions of enlistment (with an accompanying paper); to the Committee on Armed Services.

AMENDMENT OF CODE WITH RESPECT TO CREDITING CERTAIN SERVICE AS A MEMBER OF THE WOMEN'S ARMY AUXILIARY CORPS

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, with respect to crediting certain service as a member of the Women's Army Auxiliary Corps, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

REPEAL OF SECTION 7474, UNITED STATES CODE, RELATING TO AUTHORITY TO ESTABLISH RATES OF WAGES FOR CERTAIN EMPLOYEES

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, by repealing section 7474, which grants to the Secretary of the Navy the authority to establish rates of wages for certain employees of naval activities (with an accompanying paper); to the Committee on Armed Services.

AMENDMENT OF TITLE 10 OF UNITED STATES CODE TO AUTHORIZE THE SECRETARY OF THE NAVY TO FURNISH CERTAIN SUPPLIES AND SERVICES

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize the Secretary of the Navy to furnish supplies and services to foreign vessels and aircraft, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

CAREER PATTERN FOR OFFICER-LAWYERS IN REGULAR OFFICER STRUCTURE OF MARINE CORPS

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to establish a career pattern for officer-lawyers in the regular officer structure of the United States Marine Corps, and for other purposes (with accompanying papers); to the Committee on Armed Services.

AMENDMENT OF CODE RELATING TO CERTAIN MEDALS

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend ttile 10, United States Code, with respect to certain medals (with an accompanying paper); to the Committee on Armed Services.

APPOINTMENT OF BOARDS OF MEDICAL OFFICERS

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend the Act of June 21, 1950, relating to the appointment of boards of medical officers (with an accompanying paper); to the Committee on Armed Services.

PEACETIME LIMITATION ON NUMBER OF LIEUTENANT GENERALS IN MARINE CORPS

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to establish a peacetime limitation on the number of lieutenant generals in the Marine Corps (with an accompanying paper); to the Committee on Armed Services.

ELIMINATION OF CHAPLAIN REPORTS TO SECRETARY OF THE NAVY

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to eliminate the requirement that each chaplain make an annual report to the Secretary of the Navy (with an accompanying paper); to the Committee on Armed Services.

REPORTS ON MILITARY CONSTRUCTION CONTRACTS

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on contracts for military construction entered into by the Department of the Army, for the period January 1 through June 30, 1958 (with an accompanying report); to the Committee on Armed Services.

A letter from the Acting Chief, Bureau of Yards and Docks, Department of the Navy, transmitting, pursuant to law, a report on military construction contracts awarded by that Department for the period January 1 through June 30, 1958 (with an accompanying report); to the Committee on Armed Services.

A letter from the Director, Legislative Liaison, Department of the Air Force, transmitting, pursuant to law, a report on contracts awarded for military construction by that Department, for the period January 1 through June 30, 1958 (with an accompanying report); to the Committee on Armed Services.

REPORT ON NUMBER OF COMMISSIONED AND WARRANT OFFICERS ASSIGNED TO HEADQUARTERS AGENCIES OF DEPARTMENT OF THE ARMY

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on the number of commissioned officers and warrant officers assigned to headquarters agencies of the Department of the Army, as of September 30, 1958 (with an accompanying report); to the Committee on Armed Services.

APPOINTMENT OF PHILIP FERDINAND LINDEMAN AS PERMANENT COLONEL IN REGULAR ARMY

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize the appointment of Philip Ferdinand Lindeman as permanent colonel of the Regular Army (with an accompanying paper); to the Committee on Armed Services.

APPOINTMENT OF ROBERT WESLEY COLGLAZIER, JR., AS PERMANENT BRIGADIER GENERAL OF REGULAR ARMY

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize the appointment of Robert Wesley Colglazier, Jr., as permanent brigadier general of the Regular Army (with an accompanying paper); to the Committee on Armed Services.

REPORT ON NUMBER OF OFFICERS ON DUTY WITH DEPARTMENT OF THE ARMY AND ARMY GENERAL STAFF

A letter from the Acting Secretary of the Army, transmitting, pursuant to law, a report on the number of officers on duty with the Department of the Army and the Army General Staff, as of June 30, 1958 (with accompanying papers); to the Committee on Armed Services.

REPORT ON FLIGHT PAY OF CERTAIN ARMY OFFICERS

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on the flight pay of Army aviation personnel above the rank of major, for the period July 1–December 31, 1958 (with an accompanying report); to the Committee on Armed Services.

REPORT ON FLIGHT PAY FOR CERTAIN OFFICERS OF THE NAVY AND MARINE CORPS

A letter from the Assistant Secretary of the Navy (Air), reporting, pursuant to law, on flight pay for certain officers of the Navy and Marine Corps, for the 6-month period preceding December 15, 1958; to the Committee on Armed Services.

REPORT ON RESEARCH AND DEVELOPMENT CONTRACTS, DEPARTMENT OF THE ARMY

A letter from the Director of Research and Development, Department of the Army, transmitting, pursuant to law, a report on research and development contracts of that Department, for the period January 1 through June 30, 1958 (with an accompanying report); to the Committee on Armed Services.

REPORT ON RESEARCH AND DEVELOPMENT PROCUREMENT ACTION, DEPARTMENT OF THE AIR FORCE

A letter from the Director, Legislative Liaison, Department of the Air Force, transmitting, pursuant to law, a report on research and development procurement action by that Department, for the period January 1 to June 30, 1958 (with an accompanying report); to the Committee on Armed Services.

REPORT OF FLIGHT PAY FOR CERTAIN OFFICERS OF AIR FORCE

A letter from the Director, Legislative Liaison, Department of the Air Force, transmitting, pursuant to law, a report on flight pay for officers of the Air Force above the grade of major, for the period March 1 through August 31, 1958 (with an accompanying report); to the Committee on Armed Services.

REPORT ON PROGRESS OF FLIGHT TRAINING PROGRAM

A letter from the Director, Legislative Liaison, Department of the Air Force, transmitting, pursuant to law, the annual report on the progress of the flight training program, covering the period August 1, 1957 to November 30, 1958 (with an accompanying report); to the Committee on Armed Services.

REPORT ON NUMBER OF OFFICERS OF THE AIR FORCE ASSIGNED TO DUTY AT SEAT OF GOVERNMENT

A letter from the Director, Legislative Liaison, Department of the Air Force, reporting, pursuant to law, that as of September 30, 1958, there were 2,501 officers of the Air Force assigned to duty at the seat of Government; to the Committee on Armed Services.

PROPOSED TRANSFER BY NAVY DEPARTMENT OF MOTORBOAT TO WOODRIDGE CONGREGATIONAL CHURCH, CRANSTON, R.I.

A letter from the Under Secretary of the Navy, reporting, pursuant to law, that the Woodridge Congregational Church, of Cranston, R.I., had requested the Navy Department to transfer a 40-foot motorboat for use by its Sea Adventure Group composed of boys 14 to 16 years of age; to the Committee on Armed Services.

REPORT ON RESEARCH AND DEVELOPMENT PROCUREMENT ACTIONS, DEPARTMENT OF THE NAVY

A letter from the Assistant Chief of Naval Material (Procurement), Department of the Navy, transmitting, pursuant to law, a report on research and development procurement actions of that Department, for the period January 1 through June 30, 1958 (with an accompanying report); to the Committee on Armed Services.

REPORT ON TRANSACTIONS UNDER PERSHING HALL MEMORIAL FUND

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a report on transactions for the account of the Pershing Hall Memorial Fund, for the fiscal year 1958 (with an accompanying report); to the Committee on Armed Services.

REPORT ON PURCHASES AND CONTRACTS FOR PROPERTY OR SERVICES

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a report on contracts for property or services for experimental, developmental, or research work for the period May 19 to November 19, 1958 (with an accompanying report); to the Committee on Armed Services.

STOCKPILE REPORT

A letter from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, transmitting, pursuant to law, a report on strategic and critical materials for the period January 1 to June 30, 1958 (with an accompanying report); to the Committee on Armed Services.

REPORT ON PROPERTY ACQUISITIONS, OFFICE OF CIVIL AND DEFENSE MOBILIZATION

A letter from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, reporting, pursuant to law, on property acquisitions, for the quarter ended September 30, 1958; to the Committee on Armed Services.

REPORTS ON FEDERAL CONTRIBUTIONS, CIVIL DEFENSE PROGRAM

Two letters from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, reporting, pursuant to law, on Federal Contributions, Civil Defense Program, for the quarters ended June 30, and September 30, 1958 (with accompanying papers; to the Committee on Armed Services.

NOTICE OF PROPOSED DISPOSITION OF AGAR HELD IN NATIONAL STOCKPILE

A letter from the Administrator, General Services Administration, transmitting, pursuant to law, a copy of a proposed disposition of approximately 198,173 pounds of agar held in the national stockpile (with an accompanying paper); to the Committee on Armed Services.

REPORT ON EXPORT CONTROL

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on export control, for the third quarter, fiscal year 1958 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON SURVEY OF OPERATIONS UNDER DEFENSE PRODUCTION ACT

A letter from the Attorney General, transmitting, pursuant to law, his report on operations under the Defense Production Act of 1950, dated November 10, 1958, relating to defense minerals exploration assistance (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF SECURITIES AND EXCHANGE COMMISSION

A letter from the Chairman, U.S. Securities and Exchange Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on Banking and Currency.

INTERIM AUTHORIZATION FOR HOME MORTGAGE INSURANCE, URBAN RENEWAL, AND COLLEGE HOUSING

A letter from the Acting Administrator, Housing and Home Finance Agency, Washington, D.C., transmitting a draft of proposed legislation to provide interim authorization for home mortgage insurance, urban renewal, and college housing (with accompanying papers); to the Committee on Banking and Currency.

REPEAL OF OBSOLETE PROVISIONS OF LAW RELATING TO THE MINTS AND ASSAY OFFICES

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to repeal obsolete provisions of law relating to the mints and assay offices (with accompanying papers); to the Committee on Banking and Currency.

REPORT OF SMALL BUSINESS ADMINISTRATION

A letter from the Administrator, Small Business Administration, Washington, D.C., transmitting, pursuant to law, a report of that Administration, for the period January 1, 1958, through June 30, 1958 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON ESTIMATED OBLIGATIONS OF PRINCIPAL ACTIVITIES OF SMALL BUSINESS ADMINISTRATION

A letter from the Administrator, Small Business Administration, Washington, D.C., transmitting, pursuant to law, a report on estimated obligations of principal activities of that Administration, for the period January 1 through June 30, 1958 (with an accompanying report); to the Committee on Banking and Currency.

PROPOSED REGULATIONS UNDER SMALL BUSINESS INVESTMENT ACT OF 1958

A letter from the Administrator, Small Business Administration, Washington, D.C., transmitting, for the information of the Senate, the proposed initial regulations under the Small Business Investment Act of 1958, issued by that Administration, and published in the Federal Register on October 29, 1958 (with accompanying papers); to the Committee on Banking and Currency.

REPORTS ON LIQUIDATION OF RECONSTRUCTION FINANCE CORPORATION

A letter from the Administrator, Small Business Administration, Washington, D.C., transmitting, pursuant to law, a report covering the progress made in liquidating the assets formerly held by the Reconstruction Finance Corporation, for the quarter ended June 30, 1958 (with an accompanying report); to the Committee on Banking and Currency.

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report on the Reconstruction Finance Corporation Liquidation Fund, for the quarter ended September 30, 1958 (with an accompanying report); to the Committee on Banking and Currency.

REPORTS ON MILITARY PRIME CONTRACTS WITH SMALL AND LARGE BUSINESS FIRMS FOR WORK IN THE UNITED STATES

Three letters from the Assistant Secretary of Defense (Supply and Logistics), transmitting, pursuant to law, reports on military prime contracts with small and large concerns for work in the United States completed during the months of June, July, and August, 1958 (with accompanying papers); to the Committee on Banking and Currency.

REPORT OF NATIONAL ADVISORY COUNCIL ON INTERNATIONAL MONETARY AND FINANCIAL PROBLEMS

A letter from the Chairman, National Advisory Council on International Monetary and Financial Problems, Washington, D.C., transmitting, pursuant to law, a report on the operations and policies of the International Monetary Fund, the International Bank for Reconstruction and Development, and the International Finance Corporation, for the 2-year period April 1, 1956–March 31, 1958 (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF EXPORT-IMPORT BANK OF WASHINGTON

A letter from the President, Export-Import Bank of Washington, Washington, D. C., transmitting, pursuant to law, a report of that bank as of the close of business June 30, 1958 (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF FEDERAL DEPOSIT INSURANCE CORPORATION

A letter from the Chairman, Federal Deposit Insurance Corporation, Washington,

D. C., transmitting, pursuant to law, a report of that Corporation for the calendar year 1957 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON BORROWING AUTHORITY

A letter from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, transmitting, pursuant to law, a report on borrowing authority, for the quarter ended June 30, 1958 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON LAND ACQUISITIONS BY NATIONAL CAPITAL PLANNING COMMISSION

A letter from the Director, National Capital Planning Commisison, Washington, D. C., transmitting, pursuant to law, a report on land acquisitions by that Commission for the fiscal year 1958, for the development of the park, parkway, and playground system of the National Capital (with an accompanying report); to the Committee on the District of Columbia.

REPORT ON REVIEW OF CERTAIN ACTIVITIES OF BUREAU OF INDIAN AFFAIRS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of the programing, budgeting, accounting, and reporting activities of the Bureau of Indian Affairs, Department of the Interior, dated November 1958 (with an accompanying report); to the Committee on Government Operations.

REPORT ON EXAMINATION OF ARMY CONTRACT WITH A. O. SMITH CORP., MILWAUKEE, WIS.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of the Department of the Army Contract DAI–28–017–501–ORD (P)–1467 with the A. O. Smith Corp., of Milwaukee, Wis., dated December 1958 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report of the Federal Savings and Loan Insurance Corporation, supervised by the Federal Home Loan Bank Board, for the fiscal year 1958 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON NATIONAL BUREAU OF STANDARDS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the National Bureau of Standards, Department of Commerce, for the fiscal years 1955–57 (with an accompanying report); to the Committee on Government Operations.

SPECIAL REPORT ON WASHINGTON CITY POST OFFICE BUILDING

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a special report on the Washington City Post Office Building, Post Office Department, dated October 1958 (with an accompanying report); to the Committee on Government Operations.

REPORT ON LAND ACQUISITIONS BY NATIONAL CAPITAL PLANNING COMMISSION

A letter from the Director, National Capital Planning Commission, Washington, D.C., transmitting, pursuant to law, a report on land acquisitions by that Commission for the fiscal year 1958, for the development of the park, parkway and playground system of the National Capital (with an accompanying report); to the Committee on the District of Columbia.

REPORT OF DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

A letter from the Chairman, District of Columbia Redevelopment Land Agency, Washington, D.C., transmitting pursuant to law, a report of that Agency, for the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on the District of Columbia.

REPORT OF THE CHESAPEAKE & POTOMAC TELEPHONE CO.

A letter from the vice president, the Chesapeake & Potomac Telephone Co., Washington, D.C., transmitting, pursuant to law, a report of that company, for the year 1958 (with an accompanying report); to the Committee on the District of Columbia.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954, RELATING TO DEDUCTIONS FOR PERSONAL EXEMPTIONS

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend section 152(b)(3) of the Internal Revenue Code of 1954 for the purpose of including nationals of the United States within the definition of the term "dependent" in connection with deductions for personal exemptions (with an accompanying paper); to the Committee on Finance.

REPORT OF RENEGOTIATION BOARD

A letter from the Chairman, the Renegotiation Board, Washington, D.C., transmitting, pursuant to law, a report of that Board for the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on Finance.

FINANCIAL STATEMENT OF THE AMERICAN LEGION

A letter from the director, the American Legion, Washington, D.C., transmitting, pursuant to law, the financial statement of that Legion, up to and including October 31, 1958 (with an accompanying document); to the Committee on Finance.

REPORTS ON THE INTERNATIONAL EDUCATIONAL EXCHANGE PROGRAM

A letter from the Secretary of State, transmitting, pursuant to law, a report on the international educational exchange program of the Department of State for the period July 1–December 31, 1957 (with an accompanying report); to the Committee on Foreign Relations.

A letter from the Secretary of State, transmitting, pursuant to law, a report on the international educational exchange program conducted by that Department, covering the years 1948–58 (with an accompanying report); to the Committee on Foreign Relations.

AMENDMENT OF FOREIGN SERVICE ACT OF 1946

A letter from the Acting Secretary of State, transmitting a draft of proposed legislation to amend the Foreign Service Act of 1946, as amended, and for other purposes (with accompanying papers); to the Committee on Foreign Relations.

NOMINATIONS FOR NOBEL PEACE PRIZE

A letter from the Assistant Secretary of State, transmitting, for the information of the Senate, a circular concerning nominations for the Nobel Peace Prize, to be awarded in December 1959 (with an accompanying paper); to the Committee on Foreign Relations.

RESOLUTION OF GRATITUDE, HOUSE OF REPRESENTATIVES, WEST INDIES

A letter from the Assistant Secretary of State, transmitting the text of a diplomatic note dated November 26, 1958, from the British Embassy, quoting a resolution passed by the House of Representatives in the West Indies, relating to appreciation and gratitude for the cordial greetings and affirmation of friendship received from the Government of the United States, as conveyed in Senate Concurrent Resolution 77, 2d session, 85th Congress; to the Committee on Foreign Relations.

REPORT OF UNITED STATES INFORMATION AGENCY

A letter from the Director, United States Information Agency, Washington, D. C., transmitting, pursuant to law, a report of that Agency, for the period January 1 to June 30, 1958 (with an accompanying report); to the Committee on Foreign Relations.

REPORT ON ACTIVITIES UNDER FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

A letter from the Secretary of State, transmitting, pursuant to law, a report of that Department on its activities, exclusive of those of the International Cooperation Administration, under the Federal Property and Administrative Services Act of 1949, covering the calendar years 1956 and 1957 (with an accompanying report); to the Committee on Government Operations.

REPORT ON AVAILABILITY AND DISTRIBUTION TO CERTAIN INSTITUTIONS OF REAL PROPERTY

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report covering personal property made available for distribution to public health and educational institutions and civil defense organizations, and all real property disposed of to public health and educational institutions (with an accompanying report); to the Committee on Government Operations.

REPORTS ON RESTORATION OF BALANCES WITHDRAWN FROM APPROPRIATIONS

Three letters from the Acting Secretary of the Treasury, transmitting, pursuant to law, reports on the restoration of balances withdrawn from appropriation and fund accounts under the control of the Treasury Department (with accompanying reports); to the Committee on Government Operations.

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report prior to restoration of balances previously withdrawn from the appropriation "Operation and regulation, Civil Aeronautics Administration" (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Secretary of Commerce, transmitting, pursuant to law, a report relating to the restoration of balances previously withdrawn from appropriations in the Treasury (with an accompanying report); to the Committee on Government Operations.

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, 13 reports prior to restoration of balances, as of June 30, 1958 (with accompanying reports); to the Committee on Government Operations.

A letter from the Administrative Assistant Attorney General, transmitting, pursuant to law, a report relating to the restoration of balances withdrawn from appropriation and fund accounts of the Department of Justice (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Assistant Secretary for Administration, Department of State, transmitting, pursuant to law, a report relating to the restoration of unobligated balances to appropriation accounts of the Department of State (with an accompanying report); to the Committee on Government Operations.

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law, reports with respect to restorations of previously withdrawn unobligated balances, as of June 30, 1958 (with accompanying reports); to the Committee on Government Operations.

A letter from the Acting Secretary of Agriculture, transmitting, pursuant to law, six restoration reports in that Department (with

accompanying reports); to the Committee on Government Operations.

A letter from the Director of Administration, Office of Civil and Defense Mobilization, Executive Office of the President, Battle Creek, Mich., transmitting, pursuant to law, a report for restoration of unobligated balances previously withdrawn (with an accompanying report); to the Committee on Government Operations.

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, four reports prior to restoration of balances (with accompanying reports); to the Committee on Government Operations.

A letter from the Acting Deputy Comptroller, Department of the Navy, Washington, D.C., transmitting, pursuant to law, a report prior to restoration of balances for the account "Emergency Fund for the President, National Defense, Prior Years (17–11M0036.54)" (with an accompanying report); to the Committee on Government Operations.

A letter from the Chairman, Interstate Commerce Commission, Washington, D.C., transmitting, pursuant to law, a report prior to restoration of balances (with an accompanying report); to the Committee on Government Operations.

A letter from the Chairman, Federal Trade Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission requesting restoration of $336.96 from the unobligated balance of the appropriation for fiscal year 1946 which had been previously withdrawn (with an accompanying report); to the Committee on Government Operations.

A letter from the Director, Administrative Office, of the United States Courts, Washington, D.C., transmitting pursuant to law, a report for restoration to the appropriation "Salaries of Supporting Personnel, The Judiciary, 1956" (with an accompanying report); to the Committee on Government Operations.

A letter from the Chairman, Civil Aeronautics Boards, Washington, D.C., transmitting, pursuant to law, a report prior to restoration of balances of that Board (with an accompanying report); to the Committee on Government Operations.

A letter from the Chairman, Airways Modernization Board, Washington, D.C., transmitting, pursuant to law, a report on unexpended balances, as of June 30, 1958, and a report on the restoration of balances (with accompanying reports); to the Committee on Government Operations.

A letter from the Architect of the Capitol, Washington, D.C., transmitting, pursuant to law, a report prior to restoration of balance of appropriation, structural and mechanical care, Library buildings and grounds, for the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on Government Operations.

Report on Abaca Fiber Operations

A letter from the Acting Administrator, General Services Administration, transmitting, pursuant to law, a report on abaca fiber operations, during fiscal year 1958 (with an accompanying report); to the Committee on Government Operations.

Report on Contracts for Experimental, Developmental, or Research Work

A letter from the Acting Administrator, General Services Administration, transmitting, pursuant to law, a report on contracts negotiated for experimental, developmental, or research work, during the 6-month period ended June 30, 1958 (with an accompanying report); to the Committee on Government Operations.

Assistance Program for Vietnam

A letter from the Acting Director, International Cooperation Administration, Washington, D. C., transmitting, for the information of the Senate, a copy of his letter dated November 17, 1958, to the Comptroller General of the United States relating to the assistance program for Vietnam (with accompanying papers); to the Committee on Government Operations.

Violation of Armed Services Procurement Act

A letter from the Comptroller General of the United States, transmitting a copy of his letter to the Secretary of the Air Force, dated July 21, 1958, relating to Contract No. AF 61(514)–609 with Curtiss-Wright Europa, N. V., concluding that existing statutes had been violated (with an accompanying paper); to the Committee on Government Operations.

Report on Examination of Certain Pricing of Department of the Air Force Contracts and Subcontracts

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on examination of the pricing of Department of the Air Force negotiated contracts and subcontracts with Avtron Manufacturing, Inc., of Cleveland, Ohio, dated December 1958 (with an accompanying report); to the Committee on Government Operations.

Report on Examination of the Pricing of the Department of the Air Force With General Motors Corp.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of the pricing of the Department of the Air Force on Contract AF 33(600)–29507 with the General Motors Corp., AC Spark Plug Division, Milwaukee, Wis., dated December 1958 (with an accompanying report); to the Committee on Government Operations.

Report on Review of Settlement of Certain Shipbuilders' Requests

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of the settlement of shipbuilders' requests for price increases for damages arising from Government delays in furnishing plans and materials, Bureau of Ships, Department of the Navy, dated December 1958 (with an accompanying report); to the Committee on Government Operations.

Audit Report of Farmers' Home Administration

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report of the Farmers' Home Administration, Department of Agriculture, for the fiscal years 1956 and 1957 (with an accompanying report); to the Committee on Government Operations.

Audit Report on Arkansas, White, and Red River Basins and Southwestern Power Administration

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Arkansas, White, and Red River Basins water resources development program, Corps of Engineers (Civil Functions), Department of the Army, and the Southwestern Power Administration, Department of the Interior, for the fiscal year 1957 (with an accompanying report); to the Committee on Government Operations.

Audit Report on Columbia River Power System and Related Activities

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Columbia River Power System and related activities, fiscal year 1958 (with an accompanying report); to the Committee on Government Operations.

Audit Report on Farm Credit Administration

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Farm Credit Administration, fiscal year 1958 (with an accompanying report); to the Committee on Government Operations.

Audit Report on Veterans Canteen Service

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Veterans Canteen Service, Veterans' Administration, fiscal year 1958 (with an accompanying report); to the Committee on Government Operations.

Audit Report on Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc., for the fiscal year 1958 (with an accompanying report); to the Committee on Government Operations.

Report on Review of Slum Clearance and Urban Renewal Program

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on a review of the slum clearance and urban and renewal program, Urban Renewal Administration, Housing and Home Finance Agency, as of June 1957 (with an accompanying report); to the Committee on Government Operations.

Report on Examination of Subcontracts With Firestone Tire and Rubber Company

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of subcontracts with the Firestone Tire and Rubber Co., Los Angeles, Calif., for aircraft fuel cells, dated October 1958 (with an accompanying report); to the Committee on Government Operations.

Audit Report on Inland Waterways Corporation

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Inland Waterways Corporation, for the fiscal year 1958 (with an accompanying report); to the Committee on Government Operations.

Report on Examination of Department of the Navy Negotiated Contracts

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of Department of the Navy negotiated contracts with Collins Radio Co., of Cedar Rapids, Iowa, for AN/ARC–27 Airborne Radio Equipment, dated September 1958 (with an accompanying report); to the Committee on Government Operations.

Audit Report on Direct Distribution Program, Agricultural Marketing Service

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the direct distribution program, Agricultural Marketing Service, Department of Agriculture, for the fiscal year 1957 (with an accompanying report); to the Committee on Government Operations.

Audit Report on the 1957 Soil Bank Programs

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the 1957 soil bank programs, Commodity Stabilization Service, Department of Agriculture, dated January 1958 (with an accompanying report); to the Committee on Government Operations.

Report on Examination of Certain Subcontracts Under Department of the Air Force Prime Contracts

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of subcontracts awarded to the Goodyear Aircraft

Corp., Arizona Division, Litchfield Park, Ariz., under Department of the Air Force Prime Contracts, dated August 1, 1958 (with an accompanying report); to the Committee on Government Operations.

REPORT ON DEFICIENCIES IN MANAGEMENT OF REQUIREMENTS AND CONTROL OF RELATED PROCUREMENT FOR CERTAIN AIRCRAFT SPARE PARTS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on deficiencies in management of requirements and control of related procurement for Hi-Value aircraft spare parts, Sacramento Air Materiel Area, Department of the Air Force, dated November 1958 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF SELECTED ACTIVITIES OF THE AVIATION SEGMENT OF THE NAVY SUPPLY SYSTEM

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of selected activities of the aviation segment of the Navy supply system, as of September 1958 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON GENERAL SUPPLY FUND, GENERAL SERVICES ADMINISTRATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the general supply fund, General Services Administration, for the fiscal year 1957 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON FEDERAL FACILITIES CORPORATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Federal Facilities Corporation, General Services Administration, for the fiscal year 1958 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON WAGE ACCOUNTING AND UNEMPLOYMENT CONTRIBUTION COLLECTION ACTIVITIES, RAILROAD RETIREMENT BOARD

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on wage accounting and unemployment contribution collection activities, Railroad Retirement Board, dated January 1958 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON PUBLIC HOUSING ADMINISTRATION, HOUSING AND HOME FINANCE AGENCY

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Public Housing Administration, Housing and Home Finance Agency, for the fiscal year 1957 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON ACCOUNTS OF NAVY DISBURSING OFFICERS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the accounts of Navy disbursing officers, for the fiscal years 1956 and 1957 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF FINANCING AND CONSTRUCTION, POST OFFICE AND COURTHOUSE PUBLIC BUILDING PROJECT, ROCK ISLAND, ILL.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of financing and construction of the post office and courthouse public building project, at Rock Island, Ill., under the lease-purchase program, General Services Administration, as of June 1958 (with an accompanying report); to the Committee on Government Operations.

REPORT ON EXAMINATION OF THE ECONOMIC AND TECHNICAL ASSISTANCE PROGRAM FOR LAOS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of the economic and technical assistance program for Laos, International Cooperation Administration, Department of State, for the fiscal years 1955–57 (with an accompanying report); to the Committee on Government Operations.

REPORT ON EXAMINATION OF ECONOMIC AND TECHNICAL ASSISTANCE PROGRAM FOR THE GOVERNMENT OF THE REPUBLIC OF CHINA (TAIWAN)

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of the economic and technical assistance program for the Government of the Republic of China (Taiwan), International Cooperation Administration, Department of State, for the fiscal years 1955–57 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF SELECTED ACTIVITIES OF THE SHIPS PARTS CONTROL CENTER, MECHANICSBURG, PA.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of selected activities of the Ships Parts Control Center, Mechanicsburg, Pa., Department of the Navy, dated August 1958 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON ACCOUNTS OF MARINE CORPS DISBURSING OFFICERS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report of the accounts of Marine Corps Disbursing Officers, Department of the Navy, fiscal years 1956 and 1957 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF ACTIVITIES OF SUPPLY DEPARTMENT, NAVAL AIR STATION, ALAMEDA, CALIF.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of the activities of the Supply Department, Naval Air Station, Alameda, Calif., Department of the Navy, dated December 1958 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the St. Lawrence Seaway Development Corporation, fiscal year 1958 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF ATOMIC ENERGY COMMISSION CONTRACT WITH CONSUMED PUBLIC POWER DISTRICT

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of Atomic Energy Commission Contract No. AT (11–1)–513 with Consumers Public Power District, August 1958 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF REQUIREMENTS DETERMINATION AND RELATED PROCUREMENT FOR GROUND COMMUNICATION-ELECTRONIC EQUIPMENT, ROME AIR FORCE DEPOT

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of requirements determinations and related procurement for ground communication-electronic equipment, Rome Air Force Depot, Department of the Air Force, dated December 1958 (with an accompanying report); to the Committee on Government Operations.

REPORT OF ATTORNEY GENERAL ON RENEWAL OF INTERSTATE COMPACT TO CONSERVE OIL AND GAS

A letter from the Attorney General, transmitting, pursuant to law, his report consenting to the renewal of the Interstate Compact To Conserve Oil and Gas, as of September 1, 1958 (with an accompanying report); to the Committee on Interior and Insular Affairs.

ELIGIBILITY REQUIREMENTS FOR BURIAL IN NATIONAL CEMETERIES

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to revise eligibility requirements for burial in national cemeteries, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

CONSTRUCTION, OPERATION, AND MAINTENANCE OF DELUZ DAM, CALIF.

A letter from the Acting Secretary of the Navy, relating to the construction, operation, and maintenance of the DeLuz Dam on the Santa Margarita River in the State of California; to the Committee on Interior and Insular Affairs.

A letter from the Solicitor General, Washington, D.C., referring to the letter of the Acting Secretary of the Navy, dated August 30, 1958, in connection with the construction, operation, and maintenance of the DeLuz Dam on the Santa Margarita River in the State of California; to the Committee on Interior and Insular Affairs.

REPORT ON REVOLVING CREDIT FUND TRANSACTIONS, DEPARTMENT OF THE INTERIOR

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report of that Department relating to revolving credit fund transactions, for the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on Interior and Insular Affairs.

CERTIFICATIONS OF ADEQUATE SOIL SURVEYS AND LAND CLASSIFICATIONS

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, that an adequate soil survey and land classification has been made of the lands in the Saucelito Irrigation District, California, and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation (with an accompanying paper); to the Committee on Interior and Insular Affairs.

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, that an adequate soil survey and land classification has been made of the lands in the Porterville Irrigation District, California, and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation (with an accompanying paper); to the Committee on Interior and Insular Affairs.

A letter from the Under Secretary of the Interior, reporting, pursuant to law, that an adequate soil survey and land classification has been made of the lands in the Vernal unit, central Utah project, Utah, and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REPORT ON PLAN OF REHABILITATION FOR DONNA IRRIGATION DISTRICT, TEXAS

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, that the Donna Irrigation District, Hidalgo County No. 1, in Texas, has applied for a loan of $4,067,000 for a project estimated to cost $4,400,000, to be used for the rehabilitation and betterment of an existing irrigation and drainage

system within that district; to the Committee on Interior and Insular Affairs.

REPORT ON COLORADO RIVER STORAGE PROJECT

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on the status of the Colorado River storage project and participating projects (with an accompanying report); to the Committee on Interior and Insular Affairs.

REPORTS ON SETTLEMENT OF CERTAIN CLAIMS

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, that proceedings in the claim of James Strong, et al., as the representatives and on behalf of all members by blood of the Chippewa Tribe of Indians, plaintiffs, against The United States of America, defendant, docket No. 13–M, had been finally concluded (with an accompanying paper); to the Committee on Interior and Insular Affairs.

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, that proceedings in the claim of the Quechan Tribe of the Fort Yuma Reservation, California, petitioner, against The United States of America, defendant, docket No. 86, had been finally concluded (with an accompanying paper); to the Committee on Interior and Insular Affairs.

PROVISION OF CERTAIN INSURANCE FOR AMERICAN PUBLIC

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on the provisions of war risk insurance and certain marine and liability insurance for the American public, as of September 30, 1958 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

REPORT OF CERTAIN ACTIVITIES OF MARITIME ADMINISTRATION

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report of the Maritime Administration of the Department of Commerce and its activities under the Merchant Ship Sales Act of 1946, for the period July 1, 1958 through September 30, 1958 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

INTERIM REPORT ON CAUSES AND CHARACTERISTICS OF THUNDERSTORMS AND OTHER ATMOSPHERIC DISTURBANCES

A letter from the Secretary of Commerce, transmitting, pursuant to law, an interim report entitled "Causes and Characteristics of Thunderstorms and Other Atmospheric Disturbances," for the fiscal year 1958 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

REPORT OF COMMISSARY ACTIVITIES OF CIVIL AERONAUTICS ADMINISTRATION OUTSIDE CONTINENTAL UNITED STATES

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on the commissary activities of the Civil Aeronautics Administration outside the continental United States, for the fiscal year 1958 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

AUTHORIZATION FOR UNITED STATES COAST GUARD TO SELL CERTAIN UTILITIES

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to amend title 10, United States Code, section 2481, to authorize the U.S. Coast Guard to sell certain utilities in the immediate vicinity of a Coast Guard activity not available from local sources (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

AMENDMENT OF FEDERAL AVIATION ACT, RELATING TO SALE OF CERTAIN GOODS AND SERVICES

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend section 1107 of the Federal Aviation Act of 1958 to authorize the sale of goods and services by any department or independent establishment to the owner of an aircraft or his agent in an emergency, and for other purposes (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

REPORT ON FEDERAL AID IN FISH RESTORATION PROGRAM

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on the Federal aid in the fish restoration program, for fiscal year 1958 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

RULES AND REGULATIONS RELATING TO BOATING SAFETY

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a copy of the rules and regulations, relating to boating safety, published in the Federal Register dated December 25, 1958 (with an accompanying document); to the Committee on Interstate and Foreign Commerce.

REPORT OF INTERSTATE COMMERCE COMMISSION

A letter from the Chairman, Interstate Commerce Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

REPORTS ON BACKLOG OF PENDING APPLICATIONS AND HEARING CASES, FEDERAL COMMUNICATIONS COMMISSION

Five letters from the Acting Chairman, Federal Communications Commission, Washington, D.C., transmitting, pursuant to law, reports on backlog of pending applications and hearings cases in that Commission, as of June 30, July 31, August 31, September 30, 1958, and October 31, 1958 (with accompanying reports); to the Committee on Interstate and Foreign Commerce.

PUBLICATIONS OF FEDERAL POWER COMMISSION

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting for the information of the Senate, a copy of its publications entitled "Major Natural Gas Pipelines Map, June 30, 1958," "Typical Electric Bills, Cities of 50,000 Population and More, 1958," and "Hydroelectric Power Resources of the United States, 1957" (with accompanying documents); to the Committee on Interstate and Foreign Commerce.

REPORTS OF FEDERAL POWER COMMISSION

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting pursuant to law, reports on licensed hydroelectric projects and on personnel of that Commission, for the fiscal year ended June 30, 1958 (with accompanying reports); to the Committee on Interstate and Foreign Commerce.

REPORT OF MIGRATORY BIRD CONSERVATION COMMISSION

A letter from the Chairman, Migratory Bird Conservation Commission, Washington, D.C., transmitting, pursuant to law, his report for the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

REPORT OF PACIFIC MARINE FISHERIES COMMISSION

A letter from the Chairman, Pacific Marine Fisheries Commission, Portland, Oreg., transmitting, pursuant to law, a report of that Commission for the year 1957 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

REPORT ON CLAIMS OF PERSONS OF JAPANESE ANCESTRY

A letter from the Attorney General, transmitting, pursuant to law, his report on claims of persons of Japanese ancestry, for the calendar year 1958 (with an accompanying report); to the Committee on the Judiciary.

LT. COL. JAMES A. BEPLAT

A letter from the Secretary of the Army, transmitting a draft of proposed legislation for the relief of Lt. Col. James A. Beplat (with an accompanying paper); to the Committee on the Judiciary.

REPORT ON CLAIMS PAID UNDER MILITARY PERSONNEL CLAIMS ACT

A letter from the Assistant Secretary of the Air Force, transmitting, pursuant to law, a report of claims paid under the Military Personnel Claims Act, for the fiscal year 1958 (with an accompanying report); to the Committee on the Judiciary.

EXTENSION OF STATUTE OF LIMITATION IN CERTAIN CLAIMS

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend section 2734 of title 10, United States Code, to extend the statute of limitations in the case of certain foreign claims (with an accompanying paper); to the Committee on the Judiciary.

REPORT ON PAYMENT OF CLAIMS ARISING FROM CORRECTION OF MILITARY OR NAVAL RECORDS

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law, a report on the payment of claims arising from the correction of military or naval records, for the period January 1, through June 30, 1958 (with an accompanying report); to the Committee on the Judiciary.

SETTLEMENT OF CLAIM AGAINST ALASKA STEAMSHIP COMPANY, SEATTLE, WASH.

A letter from the Acting Secretary of the Treasury, reporting, pursuant to law, the settlement of the claim of the United States against the Alaska Steamship Company, Seattle, Washington, regarding damages to the CG–40423 caused by the steamship *Iliamna;* to the Committee on the Judiciary.

REPORT ON SETTLEMENT OF CERTAIN ADMINISTRATIVE CLAIMS BY DEPARTMENT OF THE AIR FORCE

A letter from the Assistant Secretary of the Air Force, transmitting, pursuant to law, a report on the settlement of claims arising under section 9802, 9803, or 9804 of title 10, United States Code, for the fiscal year 1958 (with an accompanying report); to the Committee on the Judiciary.

REPORT OF SUBVERSIVE ACTIVITIES CONTROL BOARD

A letter from the Chairman, Subversive Activities Control Board, Washington, D.C., transmitting, pursuant to law, a report of that Board, for the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on the Judiciary.

REPORT ON AUDIT OF ACCOUNTS OF FUTURE FARMERS OF AMERICA

A letter from the chairman, board of directors, Future Farmers of America, Washington, D.C., transmitting, pursuant to law, a report on the audit of the accounts of that organization, for the fiscal year ended June 30, 1958 (with accompanying papers); to the Committee on the Judiciary.

CLAIM OF MILTON BEATTY, ET AL. *v.* THE UNITED STATES

A letter from the Clerk, United States Court of Claims, Washington, D.C., transmitting, pursuant to law, and Senate Resolution 115, 84th Congress, 1st session, the opinion of that court in the case of *Milton*

Beatty, et al. v. *The United States* (Cong. No. 8–55) (with an accompanying document); to the Committee on the Judiciary.

Lois K. Alexander

A letter from the Administrator, Housing and Home Finance Agency, Washington, D. C., transmitting a draft of proposed legislation for the relief of Lois K. Alexander (with accompanying papers); to the Committee on the Judiciary.

Compensation for Certain World War II Losses

A letter from the Chairman, Foreign Claims Settlement Commission of the United States, Washington, D. C., transmitting a draft of proposed legislation to amend the War Claims Act of 1948, as amended, to provide compensation for certain World War II losses (with accompanying papers); to the Committee on the Judiciary.

Report and Recommendation on Claim of Ellis Timber Company *v.* United States

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report and recommendation relating to the claim of the *Ellis Timber Company* v. *United States* (with an accompanying paper); to the Committee on the Judiciary.

Report and Recommendation on Claim of Sterilon Corporation *v.* United States

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report and recommendation relating to the claim of *Sterilon Corporation* v. *United States* (with an accompanying paper); to the Committee on the Judiciary.

Settlement of Certain Claims

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to amend section 2734 of title 10, United States Code, so as to authorize the Secretary of the Treasury to settle claims arising in foreign countries incident to noncombat activities of the Coast Guard (with accompanying papers); to the Committee on the Judiciary.

Reports on Payments of Tort Claims

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a report of tort claims paid by the Treasury Department during the fiscal year 1958 (with accompanying papers); to the Committee on the Judiciary.

A letter from the Deputy Postmaster General, transmitting, pursuant to law, a report on tort claims paid by the Post Office Department during the fiscal year 1958 (with an accompanying report); to the Committee on the Judiciary.

A letter from the Acting Secretary of Commerce, transmitting, pursuant to law, a report on tort claims paid by the Department of Commerce during the fiscal year 1958 (with an accompanying report); to the Committee on the Judiciary.

A letter from the Assistant Secretary of the Air Force, transmitting, pursuant to law, a report on tort claims paid by the Department of the Air Force during the fiscal year 1958 (with an accompanying report); to the Committee on the Judiciary.

A letter from the General Manager, Atomic Energy Commission, Washington, D.C., transmitting, pursuant to law, a report on tort claims paid by that Commission for the period July 1, 1957, to June 30, 1958 (with an accompanying report); to the Committee on the Judiciary.

A letter from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, Washington, D.C., reporting, pursuant to law, that during the fiscal year 1958, there were no tort claims paid by that Office; to the Committee on the Judiciary.

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report on tort claims paid by that Administration during the fiscal year 1958 (with an accompanying report); to the Committee on the Judiciary.

Admission of Certain Aliens

Four letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications of certain aliens found admissible into the United States (with accompanying papers); to the Committee on the Judiciary.

Admission of Certain Aliens Afflicted With Tuberculosis

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports concerning individuals admitted to the United States notwithstanding affliction with tuberculosis (with accompanying papers); to the Committee on the Judiciary.

Granting Temporary Admission Into the United States of Certain Aliens

Five letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered, granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

Granting Admission Into the United States of Certain Defector Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

Suspension of Deportation of Aliens—Withdrawal of Names

Three letters from the Commissioner, Immigration and Naturalization Service, Department of Justice withdrawing the names of Pablo or Paul Martinez, Agostino Sbrana, and Hans Theodore Max Blanke from reports relating to aliens whose deportation has been suspended, transmitted to the Senate on January 15, 1958, and July 15, 1958, respectively (with accompanying papers); to the Committee on the Judiciary.

Audit Report on Sons of Union Veterans of the Civil War

A letter from the national secretary-treasurer of the Sons of Union Veterans of the Civil War, Trenton, N.J., transmitting, pursuant to law, an audit report of the accounts, together with a report of the activities of that organization, for the fiscal year ended June 30, 1958 (with accompanying papers); to the Committee on the Judiciary.

Publications of Joint Commission on Mental Illness and Health

A letter from the Director, Joint Commission on Mental Illness and Health, Cambridge, Mass., transmitting pursuant to law, copies of volume 1 and volume 2 of the Monograph Series of that Commission entitled "No. 1: Current Concepts of Positive Mental Health," and "No. 2: Economics of Mental Illness" (with accompanying documents); to the Committee on Labor and Public Welfare.

Report on Professional Nurse Traineeship Program

A letter from the Surgeon General, Public Health Service, Department of Health, Education, and Welfare, transmitting, pursuant to law, a report on professional nurse traineeship program, evaluation conference relating to said program having been held August 13, 14, and 15, 1958 (with an accompanying report); to the Committee on Labor and Public Welfare.

Report of National Labor Relations Board

A letter from the Chairman, National Labor Relations Board, Washington, D.C., transmitting, pursuant to law, a report of that Board, for the fiscal year 1958 (with accompanying papers); to the Committee on Labor and Public Welfare.

Report of National Conference on Public Health Training

A letter from the Surgeon General, Department of Health, Education, and Welfare, Washington, D.C., transmitting, pursuant to law, a report of the National Conference on Public Health Training, held on July 28–30, 1958 (with an accompanying report); to the Committee on Labor and Public Welfare.

Salaries and Personnel Practices for Certain Teachers and School Officers

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to govern the salaries and personnel practices for teachers, certain school officers, and other employees of the Dependents Schools of the Department of Defense in foreign countries, and for other purposes (with an accompanying paper); to the Committee on Post Office and Civil Service.

Provision of Certain Administrative Authorities for National Security Agency

A letter from the Acting Secretary of Defense, transmitting a draft of proposed legislation to provide certain administrative authorities for the National Security Agency, and for other purposes (with accompanying papers); to the Committee on Post Office and Civil Service.

Report on Professional and Scientific Positions Established in Department of Defense

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law, his report on the professional and scientific positions established in the Department of Defense, for the calendar year ended December 31, 1958 (with an accompanying report); to the Committee on Post Office and Civil Service.

Report on Scientific or Professional Positions, Department of the Interior

A letter from the Acting Secretary of the Interior, reporting, pursuant to law, on scientific or professional positions within that Department, for the calendar year 1958; to the Committee on Post Office and Civil Service.

Report of the Postmaster General

A letter from the Postmaster General, transmitting, pursuant to law, his annual report, for the fiscal year 1958 (with an accompanying report); to the Committee on Post Office and Civil Service.

Report on Bonding of Certain Officers and Employees

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a report on operations in connection with the bonding of Government officers and employees, for the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on Post Office and Civil Service.

Report on Positions Filled in Certain Grades of Classification Act of 1949

A letter from the Administrative Assistant Secretary of the Interior, reporting, pursuant to law, that two positions had been filled under the Classification Act of 1949, in grades GS–17 and GS–18; to the Committee on Post Office and Civil Service.

Report of Board of Actuaries, Civil Service Retirement System (S. Doc. No. 1)

A letter from the Chairman, U.S. Civil Service Commission, Washington, D.C.,

transmitting, pursuant to law, the report of the Board of Actuaries of the Civil Service Retirement System, for the fiscal year ended June 30, 1957 (with an accompanying report); to the Committee on Post Office and Civil Service.

REPORT OF SECRETARY OF THE SENATE

A letter from the Secretary of the Senate, transmitting, pursuant to law, his report of receipts and expenditures for the period July 1, 1957, to June 30, 1958 (with an accompanying report); ordered to lie on the table and to be printed.

WORKS OF ART IN FEDERAL BUILDINGS

A letter from the Chairman, The Commission of Fine Arts, Washington, D.C., transmitting a draft of proposed legislation to provide for suitable works of art in Federal buildings (with an accompanying paper); to the Committee on Public Works.

REPORT OF TENNESSEE VALLEY AUTHORITY

A letter from the Chairman of the Board and the Directors, Tennessee Valley Authority, Wilson Dam, Ala, transmitting, pursuant to law, a report on the activities of that Authority, during the fiscal year beginning July 1, 1957, and ended June 30, 1958 (with an accompanying report); to the Committee on Public Works.

REPORT OF PERMANENT COMMITTEE FOR THE OLIVER WENDELL HOLMES DEVISE

A letter from the Librarian of Congress, as Chairman of the Permanent Committee for the Oliver Wendell Holmes Devise, Washington, D.C., transmitting, pursuant to law, a report of the affairs of that Committee for the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on Rules and Administration.

INTERIM REPORT OF FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

A letter from the Chairman, Franklin Delano Roosevelt Memorial Commission, Washington, D.C., transmitting, pursuant to law, the Third Interim Report of that Commission, dated January 2, 1959 (with an accompanying report); to the Committee on Rules and Administration.

REPORT OF THE NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

A letter from the Secretary, Smithsonian Institution, Washington, D.C., transmitting, pursuant to law, the 60th Annual Report of the National Society, Daughters of the American Revolution, for the year ended April 1, 1957 (with an accompanying report); to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Legislature of the Territory of Guam; to the Committee on Armed Services:

"Resolution 298

"Resolution relative to requesting and memorializing the Department of Defense and the U.S. Congress to extend to Guam the National Guard

"Be it resolved by the Legislature of the Territory of Guam:

"Whereas Guam is a vital defense installation in the free world and an important bastion in the battle line drawn between that world and that of Communist domination; and

"Whereas Guamarians have in large number enlisted in the Armed Forces of the United States and have served valiantly in such a capacity, thereby exemplifying the patriotism and good citizenship of the people of Guam; and

"Whereas in spite of the foregoing, the Territory has never enjoyed the benefit of being within the framework of the National Guard, thus lessening its effectiveness as a defense base and frustrating its desire to in every way take part in the national security effort: Now, therefore, be it

"Resolved, That the Department of Defense and the United States Congress be and they are hereby respectfully requested and memorialized to initiate legislation whereby the Territory of Guam can take active part in the National Guard program; and be it further

"Resolved, That the recipients of this request consider it as an expression of the sincere desire of the people of Guam to in every way undertake the responsibilities and duties of their fellow Americans within the continental United States; and be it further

"Resolved, That the speaker certify to and the legislative secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the Secretary of Defense, to the President of the Senate, to the Speaker of the House of Representatives, and to the Governor of Guam."

The petition of Arthur Kenneth Smith, of Seabright, N.J., relating to his "Citizen's Plan for an Adequate Civil Defense"; to the Committee on Armed Services.

A paper in the form of a petition signed by Eduarda Griswold Keith, of Post Falls, Idaho, relating to a secret agreement between Russia and Germany for Communist conquest of the free world; to the Committee on Armed Services.

A resolution adopted by the Southern Governors' Conference at Lexington, Ky., relating to the preservation of the strength of the National Guard; to the Committee on Armed Services.

A letter in the nature of a petition from Joseph E. Camp, of Redondo Beach, Calif., relating to the construction and use of outer space ships; to the Committee on Aeronautical and Space Sciences.

A resolution adopted by the Southern Governors' Conference, at Lexington, Ky., relating to the protection of the national security and the domestic economy; to the Committee on Finance.

A letter in the nature of a petition from the Propeller Club of the United States, New York, N.Y., signed by T. P. Wynkoop, national president, praying for the enactment of legislation to repeal the transportation tax on passenger travel; to the Committee on Finance.

The petition of Mrs. Adam Eye, of Dinuba, Calif., relating to the spiralling of taxes, and so forth; to the Committee on Finance.

A resolution adopted by a convention of the Military Order of World Wars, at San Juan, P.R., expressing support for the President in his decision to stand firm in the Formosa Straits; to the Committee on Foreign Relations.

Resolutions adopted by the American Unitarian Association, of Boston, Mass., relating to cultural interchange and aid to underdeveloped countries; to the Committee on Foreign Relations.

A resolution adopted by the Citizens Transit Improvement Association, Washington, D.C., relating to the creation of a Federal Department of Urbaculture and a permanent joint congressional committee on metropolitan regions; to the Committee on Government Operations.

A resolution adopted by the Hawaiian Government Employees' Association, Honolulu, T.H., expressing its appreciation to the Honorable JOHN A. BURNS, Delegate to Congress from Hawaii, for his efforts in securing the coverage of the Department of Public Lands and the Board of Harbor Commissioners of the Territory of Hawaii under civil service; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Board of Supervisors of the County of Maui, T.H., favoring statehood for Hawaii; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Board of Supervisors of the city and county of Honolulu, T.H., favoring the enactment of legislation to designate Hawaii as one of the sites for the construction and operation of a plant for converting soft and brackish water into fresh water; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Association of Local and Territorial Airlines, Washington, D.C., favoring the enactment of legislation to provide statehood for Hawaii; to the Committee on Interior and Insular Affairs.

A resolution adopted by a convention of the Military Order of the World Wars, at San Juan, P.R., favoring the enactment of legislation to protect the words and music of the national anthem; to the Committee on the Judiciary.

A resolution adopted by a convention of the Military Order of the World Wars, at San Juan, P.R., relating to the enforcement of State sedition laws; to the Committee on the Judiciary.

A resolution adopted by the American Unitarian Association, Boston, Mass., relating to separation of church and state; to the Committee on the Judiciary.

A resolution adopted by the Caldwell Parish School Board, Columbia, La., favoring the enactment of legislation to curb the powers of the United States Supreme Court, and so forth; to the Committee on the Judiciary.

A resolution adopted by the Bossier Parish School Board, of Benton, La., favoring the enactment of legislation to curb the power of the United States Supreme Court, and so forth; to the Committee on the Judiciary.

The petition of Harry Sutch, of New Orleans, La., favoring the enactment of legislation designed to make communism illegal in the United States, and so forth; to the Committee on the Judiciary.

The petition of John S. Dimolitsas, of Allison Park, Pa., favoring the enactment of legislation to abolish the position of justice of the peace, and so forth; to the Committee on the Judiciary.

A resolution adopted by the American Unitarian Association, of Boston, Mass., relating to racial discrimination, and so forth; to the Committee on the Judiciary.

The petition of Ohio Bell, of Chicago, Ill., praying for a redress of grievances; to the Committee on the Judiciary.

A letter in the nature of a petition from Nicolas Estates (Eugenio C. Nicolas) Inc., of Manila, P.I., signed by Eugenio C. Nicolas, president and chairman of the board of directors, praying for a redress of grievances; to the Committee on the Judiciary.

The petition of Jodie Aldridge, of Nashville, Tenn., relating to the decision of the Supreme Court in the school integration cases, and the use of Federal troops in Little Rock, Ark.; to the Committee on the Judiciary.

The petition of Florence Bloom, of New York, N.Y., praying for a redress of grievances; to the Committee on the Judiciary.

A resolution adopted at a meeting of mayors and business leaders of communities located within the 5 counties of the 32d Congressional District, held at Schenectady, N.Y., relating to unemployment problems in certain depressed areas; to the Committee on Labor and Public Welfare.

A resolution adopted by a convention of the Military Order of the World Wars, at San Juan, P.R., favoring an investigation by the

Congress of the International Labor Organization; to the Committee on Labor and Public Welfare.

A resolution adopted by the board of directors of the Junior Chamber of Commerce, Orlando, Fla., favoring the enactment of legislation to provide for the use of the American flag as a symbol on stamps for first-class mail; to the Committee on Post Office and Civil Service.

A resolution adopted by the City Council of the City of Headland, Ala., favoring the enactment of legislation to provide for the designation of the George W. Andrews Lock and Dam on the Chattahoochee River at Columbia, Ala., and so forth; to the Committee on Public Works.

A resolution adopted by the Citizens Transit Improvement Association, Washington, D.C., favoring the enactment of legislation to curtail the federally aided construction of highways and expressways in urban and suburban areas; to the Committee on Public Works.

A resolution adopted by the Air Pollution Control Board of the Air Pollution Control District of the County of Los Angeles, Calif., relating to problems of air pollution; to the Committee on Public Works.

A resolution adopted by the Western Governors' Conference, at Honolulu, T. H., relating to highway mileage allocation for Hawaii; to the Committee on Public Works.

The petition of Porter Freeman, a citizen of the State of Tennessee, relating to alleged violations of the Federal election laws in the State of Tennessee; to the Committee on Rules and Administration.

A petition signed by George S. McCracken, and sundry other citizens of the State of New York, favoring a modification of Senate rule XXII, relating to cloture; to the Committee on Rules and Administration.

A petition signed by Margaret Mayers, and sundry other citizens of Los Angeles, Calif., praying for a modification of rule XXII of the Senate, relating to cloture; to the Committee on Rules and Administration.

A petition signed by Howard E. Jensen, and sundry other citizens of the State of North Carolina, favoring a modification of rule XXII of the Senate, relating to cloture; to the Committee on Rules and Administration.

A resolution adopted at a convention of the International Typographical Union, at San Francisco, Calif., favoring the enactment of legislation to provide a shorter workweek for certain employees of the Government Printing Office; to the Committee on Rules and Administration.

A memorial signed by Fred J. Brown, president, and sundry members of the Arizona State, AFL–CIO committee on political education, all of the State of Arizona, remonstrating against the seating of Senator-elect BARRY GOLDWATER, of that State (with accompanying papers); to the Committee on Rules and Administration.

A resolution adopted by the American Unitarian Association, of Boston, Mass., relating to the control of nuclear weapons testing by the United Nations; to the Joint Committee on Atomic Energy.

A letter in the nature of a petition from the Florida Voters League, Inc., of Tampa, Fla., signed by Edward D. Davis, president, praying for a modification of Senate rule XXII, relating to cloture; ordered to lie on the table.

A resolution adopted at the annual business meeting of the parliamentary procedure interest group, Speech Association of America, at Chicago, Ill., favoring a modification of Senate rule XXII, relating to cloture; ordered to lie on the table.

A petition signed by W. Burton Eliason, and sundry other citizens of the State of Wisconsin, praying for a modification of Senate rule XXII, relating to cloture; ordered to lie on the table.

PETITIONS AND MEMORIALS OF ORGANIZATIONS OF STATE OF NEW YORK

Mr. JAVITS. Mr. President, I submit, for appropriate reference, sundry petitions and memorials of organizations in the State of New York. I ask unanimous consent that they be printed in the RECORD.

The PRESIDENT pro tempore. The petitions and memorials will be received and appropriately referred; and, without objection, the petitions and memorials will be printed in the RECORD.

The petitions and memorials were received and referred as follows:

To the Committee on Appropriations:

"Whereas continued Federal spending at the present rate can only result in higher taxes or a larger deficit endangering the economic stability of our Nation: Therefore be it

"*Resolved*, That the Suffolk County Pomona Grange urge its representatives to examine carefully all Federal spending and approve only those that are essential for the general welfare of the United States.

"Passed by Suffolk County Pomona Grange meeting in Calverton on December 13, 1958.

"DORIS S. HALSEY,
"Secretary."

To the Committee on Agriculture and Forestry:

"Whereas subsidies have been established to encourage infant industries and to encourage production in times of national emergency; and

"Whereas these subsidies, including those to farmers, have been continued long after the need has passed: Therefore be

"*Resolved*, That Suffolk County Pomona Grange urge the discontinuance of all farm and industrial subsidies in times of prosperity.

"Passed by Suffolk County Pomona Grange at Calverton December 13, 1958.

"DORIS S. HALSEY,
"Secretary."

"At the regular meeting of the New York State Soil Conservation Committee held at the Hotel Utica, Utica, N.Y., on December 1, 1958, the following resolution was unanimously adopted:

" 'Whereas there is urgent need for information on water conservation, utilization and management in the northeast and for information on soil management and conservation as it relates to said water conservation, utilization and management; and

" 'Whereas such information can be obtained only through a well-coordinated regional program of research; and

" 'Whereas there is at present inadequate facilities and personnel at existing research stations to supply the needed information on soil and water conservation utilization, and management: Therefore be it

" '*Resolved*, That the New York State Soil Conservation committee endorse in general the November 24, 1958, report on "Soil and Water Conservation Research Facility Needs in the Northeast" prepared by representatives of the Land Grant College Experiment Stations and that active support of this proposal be given by the committee in cooperation with other organizations in the Northeast; Be it further

" '*Resolved*, That this resolution be forwarded to the national committee on soil and water conservation research facility needs appointed by the Secretary of Agriculture and to our Congressmen and other individuals and groups who are interested in soil and water conservation, development and use in the Northeast.'

"HARRY A. KERR,
"Executive Secretary."

To the Committee on Armed Services:

"Whereas the Navy Department has announced that it will close the Scotia Naval Supply Depot by December 31, 1959; and

"Whereas, said closing will terminate the employment of approximately 675 persons, many of whom are residents of the city of Amsterdam, N.Y.; and

"Whereas the loss of said employment by local residents and those living in the areas surrounding the city of Amsterdam, N.Y. affects the economic welfare of this community: It is therefore

"Resolved, by the Common Council of the City of Amsterdam, N.Y., that the Defense Department is hereby urged to give thorough reconsideration to the closing of the Scotia Naval Supply Depot and that all possible be done to preserve the jobs of this large group of employees; and be it further

"Resolved, That the city clerk forthwith forward certified copies of this resolution to the following: The Honorable Wilfred J. McNeil, Assistant Secretary of Defense, The Pentagon, Washington, D.C.; Senator JACOB K. JAVITS, 911 Park Avenue, New York, N.Y.; Senator-elect KENNETH B. KEATING, Rochester, N.Y.; Congressman-elect SAMUEL S. STRATTON, 51 Spruce Street, Schenectady, N.Y.; Governor-elect Nelson Rockefeller, New York City, N.Y.; H. E. Cole, commanding officer, Naval Supply Depot, Scotia, N.Y.

"Adopted.

"Approved December 29, 1958.

"THOMAS F. GUGG,
"Mayor."

"RESOLUTION PROTESTING CLOSING OF NAVAL SUPPLY DEPOT AT SCOTIA, N.Y.

"Whereas recent information has been released indicating that the Federal Government plans to close the Naval Supply Depot, at Scotia, N.Y.; and

"Whereas it appears that said Naval Supply Depot is a place of employment of a number of residents of the county of Montgomery and of other nearby communities; and

"Whereas said Naval Supply Depot has been established at considerable cost to the Government and is still a modern and useable facility; and

"Whereas it appears that said Naval Supply Depot is located in what has been termed a depressed business area: Now, therefore, be and it hereby is

"Resolved, That the Montgomery County Board of Supervisors does hereby express its opposition to the closing of said Naval Supply Depot, as such closing is not in the best interest of the people of the county of Montgomery; and it is further

"Resolved, That copies of this resolution be mailed to the several United States Congressmen in the State of New York, and to Senators KEATING and JAVITS, with the request that they exert all efforts in order to obtain the continuance of said Naval Supply Depot, as the same is now maintained.

"TED A. PASTIK,
"Clerk, Board of Supervisors.
"WM. J. STEWART,
"County Attorney."

"RESOLUTION OF SULLIVAN COUNTY, N.Y., AMERICAN LEGION

"Whereas the 1957 American Legion National Convention urged the Congress of the United States to authorize the awarding of the Congressional Medal of Honor to the Four Army Chaplains of the Dorchester; and

"Whereas Congress has as yet taken no action on this matter: Therefore, be it

"Resolved by The American Legion in national convention assembled, September 1–4, 1958, in Chicago, Ill., That it does hereby urge the Congress of the United States to enact the necessary legislation for the purpose of authorizing the award, posthumously, to these four Army chaplains of the Congressional Medal of Honor as a suitable observance in commemoration of the deaths and heroic actions of these dedicated and courageous officers who acted above and beyond the call of duty and in accordance with the highest traditions of consecrated men of God."

"Whereas it has been brought to the attention of this Board that a certain contract between the Defense Department of the United States and Fairchild Engine & Airplane Corp. has been canceled by the Defense Department; and

"Whereas as a result of said cancellation of contract approximately 2,000 of Suffolk County residents have lost gainful employment and more particularly in the town of Babylon approximately 650 families have been deprived of their weekly earnings; and

"Whereas the economy of the County of Suffolk has been set back to the extent of approximately $200,000 per week, represented by the earnings of the discharged employees of Fairchild Engine & Airplane Corp.; and

"Whereas the loss of said payroll to this area will have an extremely adverse effect on other businesses and thereby directly affect the livelihood of many other persons engaged in local retail activity; and

"Whereas the economy and growth of this community has been developed primarily with the advent of the defense factories in the area upon which this community has grown to rely as a main source of revenue for the maintenance of our schools, churches, commercial and retail establishments, subcontracting manufacturing industries, service industries, and other branches of our economy too numerous to mention; and

"Whereas in the opinion of this Board the cancellation of the aforementioned contract will have a shocking effect on the whole of the economy of the town of Babylon and the county of Suffolk: Now, therefore, be it

"Resolved, That the supervisor be and hereby is directed to communicate with the President of the United States, Secretary of Defense McElroy, Senator Jacob Javits, Senator Kenneth Keating, Congressman Stuyvesant Wainwright, Gov. Nelson Rockefeller, State Senator Elisha T. Barrett, Assemblymen James R. Grover, Prescott Huntington, and Irving Price, and also Commissioner of the State Department of Commerce, for the purpose of informing them of the serious setback to the economy of the county of Suffolk, and more particularly in the town of Babylon, by reason of the Defense Department's cancellation of its contract with the Fairchild Engine & Airplane Corp., located at Deer Park, town of Babylon, county of Suffolk, and State of New York; and be it further

"Resolved, That the persons above named be requested to do all that is necessary and proper in order to effect the reinstatement of said contract, or, in the alternative, the awarding of such a contract to said Fairchild Engine & Airplane Corp. that will assist in the restoration of a stable economy within the town; and be it further

"Resolved, That the above named persons be requested to do all in their power to have the town of Babylon and surrounding communities of Suffolk and Nassau Counties be declared a distress area by reason of the population growth of said area due to the development of the defense installations upon which the economy of this area has to rely necessarily for its economic existence and which is required to stabilize the weekly income of the employees of said defense industries who are required to support our educational, religious, commercial, and industrial institutions and activities."

"Whereas there are various inequalities existing in the treatment and benefits of Reserves and Regulars in the Department of Defense; and

"Whereas in time of emergency there is (or at least should be) no discrimination between Regulars and Reservists in times of danger; and

"Whereas they are all endeavoring to protect the United States of America, according to the same orders from the commander-in-chief, and

"Whereas the Reservist sacrifices more than the Regular when serving on active duty, in that he is taken away from his normal way of life while the Regular is following his chosen way of making a living, and

"Whereas Congress has repeatedly endeavored to eliminate the inequalities erected by the services: Now, therefore, be it

"Resolved by the Queens County (N.Y.) Chapter of the Reserve Officers Association of the United States, in regular meeting assembled on the 19th day of November 1958, That we endorse the principle of equalization of benefits for Reserves and Regulars with special emphasis on endeavoring to secure legislation as embodied in H.R. 689 and S. 1085 of the 85th Congress and urge that similar bills be introduced and passed into law; and be it further

"Resolved, That copies of this resolution be forwarded through the Department of New York Convention to the National Convention, for determined and forceful action to obtain such legislation; and be it further

"Resolved, That copies of this resolution be forwarded to our Congressmen and Senators urging them to work for the passage of such legislation.

"(The above resolution was adopted unanimously by the Queens County Chapter, ROA, on November 19, 1958.)

"ALBERT J. POWELL,
"Major, Arty-USAR, Secretary."

To the Committee on Finance:

"RESOLUTION ON GAS TAX INCREASE BY AUTOMOBILE CLUB OF NEW YORK, INC.

"Recent news stories report that serious consideration is being given to a State gas tax increase of 1 or 2 cents a gallon, without provision that the revenue from the proposed increase would be constitutionally dedicated to highway purposes exclusively. It is again being proposed by at least one proponent of such an increase, as it has been in the past, that this revenue be legislatively earmarked and placed in a highway fund account. This latter expedient, obviously, would be unacceptable to motorists in that it would have the effect of releasing highway user taxes collected on the present basis to other than highway purposes.

"In 1955, the voters of this State decisively rejected a highway bond issue that would have imposed a 2-cent-a-gallon gas tax increase. They did so because this gas tax increase was not constitutionally assured for highways. To attempt, again, to impose such an increase without dedicating the revenue for highways through a constitutional amendment would be running distinctly contrary to the already expressed will of the people.

"As a matter of fact, we know that the majority of the public is distinctly opposed to the use of any portion of the State's highway user tax revenue for other than highway purposes, and that given the opportunity to be heard on this issue, it would clearly demonstrate its desire to have constitutional protection for such revenue.

"Throughout the years, motorists have been vigorously opposed to the diversion of highway user taxes to nonhighway purposes, first, out of concern for our highway system and also as a matter of equity since, in addition to the special taxes they pay as motorists, they also share in paying all other taxes levied on the citizens of the State: Therefore, be it

"Resolved, That this annual meeting of members of the Automobile Club of New York, Inc., in conformity with the policy taken by the New York State Automobile Association, reaffirms its opposition to any increase in the State's gasoline tax unless and until initial legislative steps are taken to submit to the people of the State a constitutional amendment dedicating all highway user tax revenue for highway purposes exclusively."

"Be it resolved, That Gowanda (N.Y.) Post 409, American Legion, at its regular meeting on November 20, 1958, does hereby go on record as being in favor of proposed legislation now in Congress to provide a pension of $100 a month to all veterans of World War I, II, and Korean action, who have attained an age of 62 years; and be it further,

"Resolved, That a copy of this resolution, with an accompanying letter urging appropriate action, be forwarded to the Congressmen and Senators representing western New York at Washington, D.C."

RESOLUTION No. 2

"Whereas the vast number of retired and jobless railroad workers are in urgent need of increased benefits in order to keep up with the constantly rising cost of living; and

"Whereas benefits for those covered by social security were increased by the 85th Congress; and

"Whereas this same 85th Congress did not pass the necessary legislation to increase benefits under the Railroad Retirement Act and the Railroad Unemployment Insurance Act: Therefore, be it

"Resolved, That the membership of the New York State Association, Brotherhood of Railroad Trainmen and Ladies' Auxiliary to the Brotherhood of Railroad Trainmen, assembled in the city of Albany, N.Y., this 24th day of September 1958, go on record as being sorely disappointed in the failure of the 85th Congress to pass this legislation; and be it further

"Resolved, That copies of this resolution be forwarded to the United States Senators and Members of the House of Representatives, from the State of New York; and be it further

"Resolved, That our Senators and Representatives are hereby urged to give immediate and favorable attention to this problem when the 86th Congress convenes next.

"This committee recommends its approval.

"E. A. MARTIN, *Chairman.*
"LILLIAN C. DRUMM.
"R. W. DRUMM.
"LEO M. RILEY.
"MARGARET WYKLE.

"This resolution adopted, unanimously, by the New York State Association.

"GORDON A. BRANDON,
"Chairman."

To the Committee on Foreign Relations:

"RESOLUTION, UKRAINIAN CONGRESS COMMITTEE OF AMERICA, INC., BRANCH OF AMSTERDAM, N.Y., THE 25TH ANNIVERSARY OF A HEINOUS CRIME, PERPETRATED BY COMMUNIST MOSCOW IN UKRAINE

"The Communist empire of the Moscow dictators came into being, grew, spread, gained power, existed and exists by terror, genocide, and injustice, violating God's commandments

and trampling the rights of man, enslaving, subjugating and destroying entire nations.

"Lenin, Stalin, Khrushchev—different names, but the same rule; different persons, but the same methods of a merciless dictatorship; an uninterrupted chain of crimes against mankind, based on relentless physical terror and mass murder.

"The massacre of the innocent population of the capital of Ukraine, Kiev, and her towns and villages in the spring of 1918—Lenin.

"The massacre of the population of Budapest and Hungarian towns and villages in the fall of 1956—Khrushchev.

"Murder in the King's palace of Baghdad in 1958—Khrushchev.

"Mass deportations and murder of the population of Ukrainian villages in the thirties—Stalin.

"Mass deportations of Ukrainian youth from their homeland to the deserts of Kazakhstan, now—Khrushchev. A chain with innumerable links.

"Lenin, Stalin, Khrushchev: Merely stages of Moscow's Communist imperialism, moves toward ever more perfect methods of aggression, toward subjugation of the entire world.

"Ukraine was the first one to experience Communist Moscow's aggression in its most deadly form. It paid for this experience with the loss of millions of people, and its nationally independent existence.

"This gathering is dedicated to the memory of one of the most horrible manifestations of Moscow's aggression: Twenty-five years ago Communist Moscow, in its role as occupant of Ukraine, committed a crime unprecedented in the history of mankind. It organized and fostered an artificial famine on the Ukrainian territories, thus destroying more than 6 million Ukrainians.

"Today, we observe the 25th anniversary of this tragedy. We honor the memory of the dead, and call the attention of the world to this dreadful crime perpetrated by Communist Moscow, at a moment when contemporary Moscow became a constantly growing menace to the free world, and to this great country of ours.

"We declare:

"Whereas Moscow's aggression began 40 years ago when it first attacked the then free and independent Republic of the Ukrainian People;

"Whereas the Ukrainians were the first to fight the aggressor and to defend their freedom and the right to their own territory;

"Whereas the Ukrainian people, by rendering stanch resistance, kept Moscow from subjugating the countries of Europe still feeble after the war, thus enabling them to live in freedom for many more years;

"Whereas Communist Moscow paralyzed the resistance of the Ukrainian population by means of terror and destruction and, in order to subdue the freedom-loving people, in 1932 and 1933, staged a manmade famine that exterminated more than 6 million Ukrainians;

"Whereas Communist Moscow perpetrated genocide in Ukraine and for this crime should be condemned by the free world;

"Whereas one of the accomplices in this crime and the organizer of other criminal activities committed in Ukraine, is the present dictator and responsible leader of the Communist Moscow empire;

"Whereas Communist Moscow, and especially its present dictators, used similar though less extensive methods of genocide after having occupied the territories of other nations;

"Whereas Communist Moscow's aggressive aspirations have become an ever-growing menace to all nations of the free world, and also to the freedom-loving and independent people in this great country of liberty; and

"Whereas the Ukrainian people who still struggle for freedom from captivity and for their own, independent state, should be rendered support and assistance by the free world.

"Now, therefore, we Americans of Ukrainian descent, at our gathering in Amsterdam, N.Y., on the 12th day of October, in commemoration of the 25th anniversary of the famine in Ukraine:

"1. Denounce before the free world and history this horrible crime, perpetrated by Communist Moscow on Ukrainian territory in consequence of which more than 6 million of our brothers and sisters starved to death.

"2. Pay our tribute to the memory of their sufferings, and join the Ukrainian people in mourning the victims of the famine.

"3. Call on the nations of the free world, above all the people of our great country of liberty, to condemn this crime perpetrated by Communist Moscow in Ukraine, and to do everything in their power to prevent Moscow from committing like crimes on their territories.

"4. Request the Government of our country and all governments in the free world to direct their representatives at the United Nations, to take action pertaining to the placement of the crime of genocide, committed by Communist Moscow in Ukraine, in 1932–33, on the agenda for discussion and the adoption of appropriate resolutions.

"5. Call on all countries in the free world to sign the Convention on Genocide.

"October 12, 1958.

"LINCON L. HUASKOWSRY,
Chairman.

"SMY LEO LYMY,
Schocat."

"Whereas the present government of Red China depended for its creation and existence upon the blood of the innocent, and that no change in this policy has been effected by the leaders of Red China; and

"Whereas a nation which has been bathed in the blood of the innocent would be anathema to an organization whose entire purpose and existence is dedicated to the fostering and maintenance of international peace; and

"Whereas the present Red China regime represents a counterfeit rule dedicated to the purposes of the U.S.S.R. rather than to the peaceful progress and development of the rights and interests of the peoples of China; and

"Whereas the insincerity of the ruling officials of Red China is notorious in its lack of morals and respect for the inherent dignity of human beings; and

"Whereas Secretary John Foster Dulles has said in commenting upon Red China that 'such recognition and the seating of the Chinese Communists in the U.N. would so increase their prestige in the Far East * * * that the Communist subversive efforts would almost surely succeed': Now, therefore, be it

"Resolved, that the New York Chapter Knights of Columbus, representing all members of the Knights of Columbus in the counties of Bronx and New York, in the city and State of New York, does hereby register its unalterable opposition to the consideration, much less the recognition, of membership in the United Nations for Red China; and be it further

"Resolved, That the President of the United States, the Secretary of State of the United States, the two United States Senators from the State of New York, the Members of the United States House of Representatives from the counties of the Bronx and New York, and our permanent representative to the United Nations to whom copies of this resolution shall be directed, are called upon to use the power of their respective offices to accomplish the necessary implementation of the foregoing resolution.

"JAMES E. FOLEY,
Chairman, Catholic Interest Committee, New York Chapter Knights of Columbus."

"Whereas the present government of Hungary depends for its existence upon the murderous and barbarous military forces of the U.S.S.R.; and

"Whereas the present government of Hungary is merely an alter ego or amanuensis of the Russian cult dedicated to the deprivation and oppression of the basic freedoms inherent to all peoples; and

"Whereas the United Nations General Assembly has previously declared Hungary to have been deprived of its liberty and political independence, and the people of their human rights, through the armed intervention of the U.S.S.R.; and

"Whereas true freedom of religion is nonexistent in Hungary as evidenced by the terroristic suppression and persecution of the Primate of Hungary, His Eminence Josef Cardinal Mindszenty: Now, therefore, be it

"Resolved, that the New York Chapter Knights of Columbus, representing all members of the Knights of Columbus in the Counties of Bronx and New York, in the City and State of New York, does hereby urge that the United Nations General Assembly immediately and overwhelmingly vote to reject the credentials of the representatives of the present Hungarian Government; and be it further

"Resolved, that the President of the United States, the Secretary of State of the United States, the two United States Senators from the State of New York, the Members of the U.S. House of Representatives from the Counties of the Bronx and New York, and our permanent representative to the United Nations to whom copies of this resolution shall be directed, are called upon to use the power of their respective offices to accomplish the necessary implementation and passage of the foregoing resolution.

"JAMES E. FOLEY.
"Chairman, Catholic Interest Committee, New York Chapter Knights of Columbus."

To the Committee on the Judiciary:

TEMPLE MENORAH,
Little Neck, N.Y., December 12, 1958.

Senator JACOB JAVITS,
Senate Office Building,
Washington, D.C.

DEAR MR. JAVITS: "Whereas various anti-American groups in various sections of this country have made statements calling for the obliteration of the Jews and other minorities; and

"Whereas these same groups have actually carried out bombings of Jewish houses of worship and integrated schools: Therefore be it

"Resolved, That we, members of the Board of Trustees of Temple Menorah of Little Neck-Douglaston, call upon the Congress of the United States to enact into law the anti-dynamite bills proposed in the last session of Congress by Senator KENNEDY and Representative KEATING; and be it further

"Resolved, That copies of this resolution be sent to the President of the United States, the United States Senators from New York State and our local Representative to Congress."

Sincerely,

WILLIAM KRAMBERG,
President.

"RESOLUTION OF BETH SHOLEM CONGREGATION OF CAMBRIA HEIGHTS JEWISH CENTER, CAMBRIA HEIGHTS, N.Y.

"We submit the following resolution for your immediate attention:

" 'Whereas certain revolutionary anti-American groups in various sections of this country have been making statements calling for the obliteration of the Jews and other minorities;

" 'Whereas these same groups have carried on actual bombings of Jewish houses of worship and have even threatened further such actions; be it

" '*Resolved*, That we, the members of the board of directors of the Cambria Heights Jewish Center, call upon the properly constituted Federal law enforcement agencies to exert all immediate possible means to put an end to these criminal groups and their dastardly perpetrations which tend to undermine the basic democratic principles on which these United States were founded.'

"These following paragraphs were appended to the above resolutions and we trust you and your organizations will see fit to take appropriate action in this important situation: Be it further

" '*Resolved*, That copies of this resolution be sent to the President of the United States, Attorney General of the United States, local Congressmen, U.S. Senators from New York, to all Queens synagogues and temples; and be it further

" '*Resolved*, That a copy of this resolution be sent to the Long Island Daily Press.'

"MITCHELL J. DIAMOND,
"President.
"STANLEY M. KLEBANOFF,
"Chairman."

To the Committee on Labor and Public Welfare:

"Whereas State and local subdivisions can adequately finance public schools and can do so more economically than the Federal Government: Therefore be it

"Resolved, That Suffolk County Pomona Grange opposes any so-called school aid by the Federal Government.

"Passed by Suffolk County Pomona Grange meeting in Calverton on December 13, 1958.

"DORIS S. HALSEY,
"Secretary."

"Whereas congressional committees have brought to official light the fact known to most citizens, namely, that unscrupulous labor leaders are assuming dictatorial and criminal powers to the detriment of both union members and the country at large; and

"Whereas it appears that present Federal laws are inadequate to correct these abuses: Be it

"Resolved, That corrective legislation should get top priority in the next Congress.

"Passed by Suffolk County Pomona Grange meeting in Calverton on December 13, 1958.

"DORIS S. HALSEY,
"Secretary."

"STATE OF NEW YORK,
"Buffalo, N. Y., December 29, 1958

"Whereas the Niagara Frontier is in the throes of a prolonged critical unemployment situation, adversely affecting every man, woman, and child in the area; and

"Whereas according to the U.S. Department of Labor, this area has deteriorated from class 'E' to a class 'F' labor market, indicative of a very serious percentage of unemployed people with only a discouraging future outlook; and

"Whereas the unemployment, public assistance and welfare rolls continue their unabated upward trend, and industry is leaving this State at an alarming rate; and

"Whereas other areas, by highlighting the problem and joining diverse groups within their communities into a united front have successfully combated similar situations; and

"Whereas the leaders of industry, civic leaders, fraternal and charitable organizations, elected officials on city, county, State, and Federal level, retail merchants and business associations, members of the clergy, labor organizations, chambers of commerce and the family of every employed and unemployed person in the county of Erie vigorously protest the unemployment crisis in this area and the inadequate measures taken to alleviate a situation that directly or indirectly adversely affects every person in Erie County and surrounding environs: Now, therefore, be it

"Resolved, That this board of supervisors memorialize the State legislature and the Congress of the United States to conduct a survey and investigation into the unemployment situation in Erie County; and be it further

"Resolved, That the chairman of this board of supervisors appoint a committee to work with the mayor's committee on full employment and assist Governor-Elect Rockefeller in his efforts to bring back full employment in New York State; and be it further

"Resolved, That the clerk of this board is hereby authorized and directed to forward certified copies of this resolution to the clerk of the assembly, secretary to the senate, the representatives of Erie County in the legislature and to the Senator and Congressmen representing Erie County in the Federal Government.

"Attest:

"LEON J. HINKLEY,
"Deputy Clerk of the Board of Supervisors of Erie County."

"Whereas the Niagara Frontier is in the throes of a prolonged critical unemployment situation adversely affecting every man, woman, and child in the area; and

"Whereas according to the U.S. Department of Labor, this area has deteriorated from a class 'E' to a class 'F' labor market, indicative of a very serious percentage of unemployed people with only a discouraging future outlook; and

"Whereas the unemployment, public assistance and welfare rolls continue their unabated upward trend; and

"Whereas other areas, by highlighting the problem and joining diverse groups within their community into a united effort, have successfully combated similar situations; be it

"Resolved, That the leaders of industrial, civic, labor, fraternal, and charitable organizations, elected officials on city, county, State, and Federal levels, retail merchants and business associations, members of the clergy, chambers of commerce, and the family of every employed and unemployed person in the counties of Erie and Niagara protest vigorously the deplorable unemployment crisis in this area, and the inadequate measures taken to alleviate a situation that directly or indirectly adversely affects every person in Niagara and Erie counties and the surrounding environ; and be it further

"Resolved, That copies be sent to Earl Brydges, Senator, Ernest Curto and Harold Altro, Assemblymen, William E. Miller, Congressman, Kenneth Keating and Jacob Javits, Senators.

"The resolution was adopted."

To the Committee on Post Office and Civil Service:

"RESOLUTION CONCERNING PROPOSED INCREASED RATES ON FOURTH-CLASS MAIL

"Whereas several of our major industries and retailers utilize fourth-class mail almost exclusively in the distribution of their products; and

"Whereas in competition with other markets postage increases cannot be passed on to the consumer and therefore become an increased cost of operation which must be absorbed; and

"Whereas each increase in rate for parcel post results in loss of revenue to the Post Office Department through diversion of mail to other carriers; and

"Whereas the Postmaster General has not exercised his authority to reform parcel post sizes and weights thereby regaining the $73 million of revenue lost as a result of Public Law 199; and

"Whereas the Congress in the last session passed legislation creating certain credits which would have an effect on cost of fourth-class mail that has not been taken into account in constructing the proposed rate schedule; and

"Whereas the public service value of second-, third-, and fourth-class post office costs over revenue have not been calculated or applied; and

"Whereas there is no other public entity which can provide a small parcel delivery service universally to service the American people at reasonable cost; and

"Whereas the Appropriations Committee has not had time to act in accordance with the directives of the Congress in evaluating the amount of credit applicable:

"Therefore, the Newark Chamber of Commerce goes on record as opposed to the proposed schedule as being out of all reasonable proportion:

"(A) The rates are not uniformly progressive which upsets the entire basic rate structure which has been in effect for many years.

"(B) The proposed schedule places an unnecessary burden on the lower zones and lighter weight packages.

"(C) This proceeding should be deferred until full supporting evidence is made available and until factors have been considered and reflected in the rates proposed.

"Adopted October 21, 1958.

"NEWARK CHAMBER OF COMMERCE,
"JOHN D. MEYERS,
"Secretary-Treasurer."

Mr. JAVITS submitted miscellaneous petitions and memorials.

Also introduced several bills for appropriate reference.

Mr. LANGER. Mr. President, I send to the desk three bills, with explanations of each one, and ask that they be printed in the body of the RECORD. They are very important measures.

EIGHTH ANNUAL REPORT OF JOINT COMMITTEE ON DEFENSE PRODUCTION (S. REPT. NO. 1)

Mr. ROBERTSON, from the Joint Committee on Defense Production, submitted a report entitled "Eighth Annual Report of the Activities of the Joint Committee on Defense Production," pursuant to section 712 (b) of the Defense Production Act of 1950, which was ordered to be printed.

SUMMARY OF MONTHLY PERSONNEL REPORTS ON CIVILIAN EMPLOYMENT—JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on

Reduction of Nonessential Federal Expenditures, I submit a summary of monthly personnel reports on civilian employment in the executive branch of the Federal Government issued during the recess of the Congress. These reports were concerned with employment and payrolls during the period June–November 1958 inclusive.

In accordance with the practice of several years' standing, I request that it be printed in the body of the RECORD as a part of my remarks, together with a statement by me.

There being no objection, the summary of reports and statement were ordered to be printed in the RECORD, as follows:

Personnel and pay summary, June through November 1958

Total and major categories	Civilian personnel in executive branch			Payroll (in thousands) in executive branch		
	In November numbered	In June numbered	Increase (+) or decrease (−)	In October was	In May was	Increase (+) or decrease (−)
Total [1]	2,354,717	2,367,104	−12,387	$1,068,439	$942,347	+$126,092
Agencies exclusive of Department of Defense	1,262,239	1,269,938	−7,699	560,214	488,620	+71,594
Department of Defense	1,092,478	1,097,166	−4,688	508,225	453,727	+54,498
Inside continental United States	2,157,324	2,168,703	−11,379			
Outside continental United States	197,393	198,401	−1,008			
Industrial employment	575,291	572,762	+2,529			
Foreign nationals	203,409	216,695	−13,286	24,712	[2] 26,145	−1,433

[1] Exclusive of foreign nationals shown in the last line of this summary.

[2] Revised on basis of later information.

TABLE I.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during November 1958, and comparison with June 1958, and pay for October 1958, and comparison with May 1958*

Department or agency	Personnel				Pay (in thousands)			
	November	June	Increase	Decrease	October	May	Increase	Decrease
Executive departments (except Department of Defense):								
Agriculture	89,464	101,193		11,729	$39,603	$32,559	$7,044	
Commerce [1]	59,188	56,600	2,588		31,568	25,733	5,835	
Health, Education, and Welfare	56,821	55,247	1,574		26,345	22,959	3,386	
Interior	50,144	55,950		5,806	26,382	23,044	3,338	
Justice	30,477	30,760		283	18,014	15,450	2,564	
Labor	5,894	5,943		49	3,297	2,766	531	
Post Office	545,304	538,416	6,888		223,567	195,159	28,408	
State [2]	35,124	[3] 35,181		57	16,253	13,886	2,367	
Treasury	76,079	77,467		1,388	39,474	35,433	4,041	
Executive Office of the President:								
White House Office	401	400	1		256	233	23	
Bureau of the Budget	425	440		15	347	299	48	
Council of Economic Advisers	33	28	5		26	22	4	
Executive Mansion and Grounds	71	72		1	30	26	4	
National Security Council [4]	61	64		3	44	41	3	
Office of Civil and Defense Mobilization [5]	1,622		1,622		1,096		1,096	
Office of Defense Mobilization [5]		253		253		153		$153
President's Advisory Committee on Government Organization	6	6			4	3	1	
President's Committee on Fund Raising Within the Federal Service [6]	4		4		4		4	
Independent agencies:								
Airways Modernization Board [7]		174		174	206	71	135	
Alaska International Rail and Highway Commission	1	4		3		3		3
American Battle Monuments Commission	543	554		11	94	92	2	
Atomic Energy Commission	6,863	7,107		244	4,493	3,891	602	
Board of Governors of the Federal Reserve System	605	602	3		352	310	42	
Boston National Historic Sites Commission	3	2	1		1	1		
Civil Aeronautics Board	714	701	13		478	401	77	
Civil Service Commission	3,903	[3] 3,936		33	2,149	1,837	312	
Civil War Centennial Commission	5	5			4	3	1	
Commission of Fine Arts	4	4			3	2	1	
Commission on Civil Rights	56	33	23		30	11	19	
Corregidor Bataan Memorial Commission		2		2		1		1
Development Loan Fund [8]	53		53		35		35	
Export-Import Bank of Washington	222	210	12		152	127	25	
Farm Credit Administration	851	859		8	512	463	49	
Federal Aviation Agency [7]	322		322					
Federal Civil Defense Administration [5]		1,409		1,409		757		757
Federal Coal Mine Safety Board of Review	7	7			4	4		
Federal Communications Commission	1,226	1,238		12	764	649	115	
Federal Deposit Insurance Corporation	1,230	1,228	2		718	618	100	
Federal Home Loan Bank Board	937	898	39		540	428	112	
Federal Mediation and Conciliation Service	339	339			270	233	37	
Federal Power Commission	770	764	6		491	402	89	
Federal Trade Commission	720	738		18	486	426	60	
Foreign Claims Settlement Commission	81	86		5	57	50	7	
General Accounting Office	5,277	5,381		104	2,920	2,551	369	
General Services Administration	28,084	27,899	185		12,091	10,949	1,142	
Government Contract Committee	26	27		1	14	13	1	
Government Printing Office	6,492	6,423	69		3,196	3,159	37	
Housing and Home Finance Agency	10,855	10,279	576		6,072	5,209	863	
Hudson-Champlain Celebration Commission [9]	2		2					
Indian Claims Commission	17	17			14	13	1	
Interstate Commerce Commission	2,238	2,260		22	1,359	1,169	190	
Jamestown-Williamsburg-Yorktown Celebration Commission [10]		2		2		1		1
Lincoln Sesquicentennial Commission	8	8			5	1	4	

[1] November figure includes 291 seamen on the rolls of the Maritime Administration and their pay.

[2] November figure includes 12,680 employees of the International Cooperation Administration as compared with 12,375 in June, and their pay. These ICA figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The November figure includes 2,054 of these trust fund employees and the June figure includes 2,060.

[3] Revised on basis of later information.

[4] Exclusive of personnel and pay of the Central Intelligence Agency.

[5] Reorganization Plan No. 1 of 1958 abolished the Office of Defense Mobilization and the Federal Civil Defense Administration and transferred their functions and duties to the Office of Defense and Civilian Mobilization, a new agency created under the reorganization plan, effective July 1, 1958. Public Law 85-763 changed the name from Office of Defense and Civilian Mobilization to Office of Civil and Defense Mobilization.

[6] Established as an independent agency Aug. 14, 1958, pursuant to Executive Order 10728, Sept. 6, 1957.

[7] The Federal Aviation Agency was created pursuant to Public Law 85-726. The Airways Modernization Board was abolished thereby and its functions and duties were transferred to the new Federal Aviation Agency effective Nov. 1, 1958.

[8] Established as independent Government corporation by Public Law 85-477. Included in figures for ICA, Department of State through July 1958.

[9] New agency created pursuant to Public Law 85-614.

[10] Ceased to exist June 30, 1958.

TABLE I.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during November 1958, and comparison with June 1958, and pay for October 1958, and comparison with May 1958*—Continued

Department or agency	Personnel				Pay (in thousands)			
	November	June	Increase	Decrease	October	May	Increase	Decrease
Independent agencies—Continued								
National Advisory Committee for Aeronautics [11]		7,818		7,818		4,290		4,290
National Aeronautics and Space Administration [11]	8,299		8,299		4,921		4,921	
National Capital Housing Authority	290	270	20		131	115	16	
National Capital Planning Commission	31	34		3	22	20	2	
National Gallery of Art	327	338		11	124	112	12	
National Labor Relations Board	1,383	1,148	235		896	685	211	
National Mediation Board	121	115	6		102	87	15	
National Science Foundation	450	404	46		245	167	78	
Outdoor Recreation Resources Review Commission [12]	2		2					
Panama Canal	14,229	14,620		391	2,927	4,681		1,754
Railroad Retirement Board	2,412	2,593		181	1,135	1,021	114	
Renegotiation Board	316	326		10	238	213	25	
Saint Lawrence Seaway Development Corporation	174	175		1	95	38	57	
Securities and Exchange Commission	906	879	27		572	480	92	
Selective Service System	6,365	6,338	27		1,846	1,591	255	
Small Business Administration	1,654	1,471	183		958	756	202	
Smithsonian Institution	968	1,092		124	445	377	68	
Soldiers' Home	1,005	1,031		26	266	280		14
Subversive Activities Control Board	32	32			25	23	2	
Tariff Commission	224	219	5		151	129	22	
Tax Court of the United States	153	150	3		107	98	9	
Tennessee Valley Authority	15,480	16,056		576	$8,642	$7,784	$858	
Theodore Roosevelt Centennial Commission	2	8		6	3	3		
United States Information Agency	10,736	10,901		165	3,800	3,315	485	
Veterans' Administration	172,372	172,005	367		68,638	60,612	8,026	
Virgin Islands Corporation	736	699	37		105	132		$27
Total, excluding Department of Defense	1,262,239	1,269,938	23,245	30,944	560,214	488,620	78,594	7,000
Net change, excluding Department of Defense			7,699				71,594	
Department of Defense:								
Office of the Secretary of Defense	1,680	1,662	18		1,189	1,027	162	
Department of the Army	413,353	[3] 415,934		2,581	189,112	165,408	23,704	
Department of the Navy	360,383	363,732		3,349	174,431	159,252	15,179	
Department of the Air Force	317,062	315,838	1,224		143,493	128,040	15,453	
Total, Department of Defense	1,092,478	1,097,166	1,242	5,930	508,225	453,727	54,498	
Net change, Department of Defense			4,688				54,498	
Grand total, including Department of Defense	2,354,717	2,367,104	24,487	36,874	1,068,439	942,347	133,092	7,000
Net change, including Department of Defense			12,387				126,092	

[11] Public Law 85-568 created a new agency, the National Aeronautics and Space Administration, which assumed the functions and duties of the National Advisory Committee for Aeronautics abolished thereby.

[12] New agency created pursuant to Public Law 85-470.

TABLE II.—*Federal personnel inside continental United States employed by the executive agencies during November 1958, and comparison with June 1958*

Department or agency	November	June	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	88,080	99,756		11,676
Commerce [1]	54,718	52,053	2,665	
Health, Education, and Welfare	55,020	53,418	1,602	
Interior	47,027	52,317		5,290
Justice	29,942	30,231		289
Labor	5,782	5,801		19
Post Office	542,699	535,863	6,836	
State [2]	8,618	[3] 8,644		26
Treasury	75,081	76,463		1,382
Executive Office of the President:				
White House Office	401	400	1	
Bureau of the Budget	425	440		15
Council of Economic Advisers	33	28	5	
Executive Mansion and Grounds	71	72		1
National Security Council [4]	61	64		3
Office of Civil and Defense Mobilization [5]	1,622		1,622	
Office of Defense Mobilization [5]		253		253
President's Advisory Committee on Government Organization	6	6		
President's Committee on Fund Raising Within the Federal Service [6]	4		4	
Independent agencies:				
Airways Modernization Board [7]		174		174
Alaska International Rail and Highway Commission	1	4		3
American Battle Monuments Commission	14	14		
Atomic Energy Commission	6,831	7,078		247
Board of Governors of the Federal Reserve System	605	602	3	
Boston National Historic Sites Commission	3	2	1	
Civil Aeronautics Board	709	697	12	
Civil Service Commission	3,886	3,920		34
Civil War Centennial Commission	5	5		
Commission of Fine Arts	4	4		
Commission on Civil Rights	56	33	23	
Corregidor Bataan Memorial Commission		2		2
Development Loan Fund [8]	53		53	
Export-Import Bank of Washington	222	210	12	
Farm Credit Administration	841	849		8
Federal Aviation Agency [7]	322		322	
Federal Civil Defense Administration [5]		1,409		1,409
Federal Coal Mine Safety Board of Review	7	7		
Federal Communications Commission	1,199	1,214		15
Federal Deposit Insurance Corporation	1,228	1,226	2	
Federal Home Loan Bank Board	937	898	39	
Federal Mediation and Conciliation Service	339	339		
Federal Power Commission	770	764	6	
Federal Trade Commission	720	738		18
Foreign Claims Settlement Commission	81	86		5
General Accounting Office	5,195	5,302		107
General Services Administration	28,028	27,847	181	
Government Contract Committee	26	27		1
Government Printing Office	6,492	6,423	69	
Housing and Home Finance Agency	10,663	10,094	569	
Hudson-Champlain Celebration Commission [9]	2		2	
Indian Claims Commission	17	17		
Interstate Commerce Commission	2,238	2,260		22
Jamestown-Williamsburg-Yorktown Celebration Commission [10]		2		2
Lincoln Sesquicentennial Commission	8	8		
National Advisory Committee for Aeronautics [11]		7,818		7,818
National Aeronautics and Space Administration [11]	8,295		8,295	

[1] November figure includes 291 seamen on the rolls of the Maritime Administration.

[2] November figure includes 1,785 employees of the International Cooperation Administration as compared with 1,827 in June.

[3] Revised on basis of later information.

[4] Exclusive of personnel of the Central Intelligence Agency.

[5] Reorganization Plan No. 1 of 1958 abolished the Office of Defense Mobilization and the Federal Civil Defense Administration and transferred their functions and duties to the Office of Defense and Civilian Mobilization, a new agency created under the reorganization plan, effective July 1, 1958. Public Law 85-763 changed the name from Office of Defense and Civilian Mobilization to Office of Civil and Defense Mobilization.

[6] Established as an independent agency Aug. 14, 1958, pursuant to Executive Order 10728, Sept. 6, 1957.

[7] The Federal Aviation Agency was created pursuant to Public Law 85-726. The Airways Modernization Board was abolished thereby and its functions and duties were transferred to the new Federal Aviation Agency effective Nov. 1, 1958.

[8] Established as independent Government corporation by Public Law 85-477. Included in figures for ICA, Department of State, through July 1985.

[9] New agency created pursuant to Public Law 85-614.

[10] Ceased to exist June 30, 1958.

[11] Public Law 85-568 created a new agency, the National Aeronautics and Space Administration, which assumed the functions and duties of the National Advisory Committee for Aeronautics abolished thereby.

TABLE II.—*Federal personnel inside continental United States employed by the executive agencies during November 1958, and comparison with June 1958*—Continued

Department or agency	November	June	Increase	Decrease
Independent agencies—Continued				
National Capital Housing Authority	290	270	20	
National Capital Planning Commission	31	34		3
National Gallery of Art	327	338		11
National Labor Relations Board	1,361	1,130	231	
National Mediation Board	121	115	6	
National Science Foundation	450	404	46	
Outdoor Recreation Resources Review Commission [12]	2		2	
Panama Canal	413	393	20	
Railroad Retirement Board	2,412	2,593		181
Renegotiation Board	316	326		10
Saint Lawrence Seaway Development Corporation	174	175		1
Securities and Exchange Commission	906	879	27	
Selective Service System	6,182	6,153	29	
Small Business Administration	1,628	1,451	177	
Smithsonian Institution	957	1,081		124
Soldiers' Home	1,005	1,031		26
Subversive Activities Control Board	32	32		
Tariff Commission	224	219	5	
Tax Court of the United States	153	150	3	
Tennessee Valley Authority	15,480	16,056		576
Theodore Roosevelt Centennial Commission	2	8		6
United States Information Agency	2,656	2,625	31	
Veterans' Administration	171,173	170,814	359	
Total, excluding Department of Defense	1,195,682	1,202,159	23,280	29,757
Net decrease, excluding Department of Defense			6,477	
Department of Defense:				
Office of the Secretary of Defense	1,640	1,619	21	
Department of the Army	353,211	355,942		2,731
Department of the Navy	327,534	331,630		4,096
Department of the Air Force	279,257	277,353	1,904	
Total, Department of Defense	961,642	966,544	1,925	6,827
Net decrease, Department of Defense			4,902	
Grand total, including Department of Defense	2,157,324	2,168,703	25,205	36,584
Net decrease, including Department of Defense			11,379	

[12] New agency created pursuant to Public Law 85-470.

TABLE III.—*Federal personnel outside continental United States employed by the executive agencies during November 1958, and comparison with June 1958*

Department or agency	November	June	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	1,384	1,437		53
Commerce	4,470	4,547		77
Health, Education, and Welfare	1,801	1,829		28
Interior	3,117	3,633		516
Justice	535	529	6	
Labor	112	142		30
Post Office	2,605	2,553	52	
State [1]	26,506	[2] 26,537		31
Treasury	998	1,004		6
Independent agencies:				
American Battle Monuments Commission	529	540		11
Atomic Energy Commission	32	29	3	
Civil Aeronautics Board	5	4	1	
Civil Service Commission	17	[2] 16	1	
Farm Credit Administration	10	10		
Federal Communications Commission	27	24	3	
Federal Deposit Insurance Corporation	2	2		
General Accounting Office	82	79	3	
General Services Administration	56	52	4	
Housing and Home Finance Agency	192	185	7	
National Aeronautics and Space Administration	4		4	
National Labor Relations Board	22	18	4	
Panama Canal	13,816	14,227		411
Selective Service System	183	185		2
Small Business Administration	26	20	6	
Smithsonian Institution	11	11		
United States Information Agency	8,080	8,276		196
Veterans' Administration	1,199	1,191	8	
Virgin Islands Corporation	736	699	37	
Total, excluding Department of Defense	66,557	67,779	139	1,361
Net decrease, excluding Department of Defense			1,222	
Department of Defense:				
Office of the Secretary of Defense	40	43		3
Department of the Army	60,142	[2] 59,992	150	
Department of the Navy	32,849	32,102	747	
Department of the Air Force	37,805	38,485		680
Total, Department of Defense	130,836	130,622	897	683
Net increase, Department of Defense			214	
Grand total, including Department of Defense	197,393	198,401	1,036	2,044
Net decrease including Department of Defense			1,008	

[1] November figure includes 10,895 employees of the International Cooperation Administration as compared with 10,548 in June. These ICA figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The November figure includes 2,054 of these trust fund employees and the June figure includes 2,060.

[2] Revised on basis of later information.

TABLE IV.—*Industrial employees of the Federal Government inside and outside continental United States employed by the executive agencies during November 1958, and comparison with June 1958*

Department or agency	November	June	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	3,204	3,251		47
Commerce	2,743	2,658	85	
Interior	6,776	7,023		247
Treasury	5,438	5,692		254
Independent agencies:				
Atomic Energy Commission	158	180		22
Federal Communications Commission	13	14		1
General Services Administration	1,244	1,136	108	
Government Printing Office	6,492	6,423	69	
National Advisory Committee for Aeronautics [1]		7,818		7,818
National Aeronautics and Space Administration [1]	8,299		8,299	
Panama Canal	7,046	7,372		326
Tennessee Valley Authority	12,674	13,185		511
Virgin Islands Corporation	736	699	37	
Total, excluding Department of Defense	54,823	55,451	8,598	9,226
Net decrease, excluding Department of Defense			628	
Department of Defense:				
Department of the Army:				
Inside continental United States	[2] 138,875	[3] 134,083	4,792	
Outside continental United States	[2] 9,800	[3] 9,820		20
Department of the Navy:				
Inside continental United States	204,010	204,678		668
Outside continental United States	5,217	5,199	18	
Department of the Air Force:				
Inside continental United States	158,455	158,166	289	
Outside continental United States	4,111	5,365		1,254
Total, Department of Defense	520,468	517,311	5,099	1,942
Net increase, Department of Defense			3,157	
Grand total, including Department of Defense	575,291	572,762	13,697	11,168
Net increase, including Department of Defense			2,529	

[1] Public Law 85-568 created a new agency, the National Aeronautical and Space Administration, which assumed the functions and duties of the National Advisory Committee for Aeronautics abolished thereby.

[2] Subject to revision.

[3] Revised on basis of later information.

TABLE V.—*Foreign nationals working under U.S. agencies overseas, excluded from tables I through IV of this report, whose services are provided by contractual agreement between the United States and foreign governments, or because of the nature of their work or the source of funds from which they are paid, as of November 1958 and comparison with June 1958*

Country	Total		Army		Navy		Air Force	
	November	June	November	June	November	June	November	June
Belgium	11	10					11	10
Denmark		1						1
England	4,692	5,090				34	4,692	5,056
France	22,894	22,864	17,164	16,348			5,730	6,516
Germany	85,435	87,972	73,175	74,931	59	65	12,201	12,970
Japan	77,468	89,076	32,861	44,449	15,926	[1] 16,107	28,681	28,526
Korea	7,538	6,294	7,538	6,294				
Malta	78	74			78	74		
Morocco	4,636	4,658	48	68	876	860	3,712	3,730
Netherlands	42	47					42	47
Norway	25	27					25	27
Spain	2						2	
Trinidad	588	582			588	[1] 582		
Total	203,409	216,695	130,786	142,090	17,527	17,722	55,096	56,883

[1] Revised on basis of later information.

STATEMENT BY SENATOR BYRD

Civilian employment in the executive branch of the Federal Government decreased 12,387 during the period June through November 1958. The total in June was 2,367,104. In November there were 2,354,717 civilian employees.

Employment by civilian agencies of the Federal Government showed a net decrease of 7,699 during the period from June through November 1958, decreasing from 1,269,938 in June to 1,262,239 in November. Civilian employment in the Department of Defense decreased 4,688 during the same period, dropping from 1,097,166 in June to 1,092,478 in November.

In the Department of Defense white collar employment decreased 7,845 from 579,855 in June to 572,010 in November, and industrial employment increased 3,157 from 517,311 in June to 520,468 in November.

In May the Federal civilian payroll was running at an annual rate of $11,308 million, and in October it was running at an annual rate of $12,821 million.

These figures summarize compilations of monthly personnel reports, certified by executive agencies to the Joint Committee on Reduction of Nonessential Federal Expenditures since Congress adjourned August 23, 1958.

In addition to this regularly reported civilian employment, there were foreign nationals working under U.S. military agencies overseas, excluded from usual personnel reporting, whose services are provided by contractual agreement between the U.S. and foreign governments, or because of the nature of their work or the source of funds from which they are paid. These numbered 216,695 in June and 203,409 in November, a decrease of 13,286.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MONRONEY (for himself, Mr. MAGNUSON, Mr. PASTORE, Mr. SMATHERS, Mr. BIBLE, Mr. YARBOROUGH, Mr. BARTLETT, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CARROLL, Mr. CHAVEZ, Mr. CHURCH, Mr. CLARK, Mr. ENGLE, Mr. FULBRIGHT, Mr. GORE, Mr. GREEN, Mr. GRUENING, Mr. HART, Mr. HARTKE, Mr. HENNINGS, Mr. HILL, Mr. HUMPHREY, Mr. JACKSON, Mr. JAVITS, Mr. JOHNSON of Texas, Mr. JORDAN, Mr. KENNEDY, Mr. KEFAUVER, Mr. KERR, Mr. KUCHEL, Mr. LANGER, Mr. LONG, Mr. MANSFIELD, Mr. MCCARTHY, Mr. MCGEE, Mr. MCNAMARA, Mr. MOSS, Mr. NEUBERGER, Mr. RANDOLPH, Mr. SPARKMAN, Mr. STENNIS, Mr. SYMINGTON, and Mr. YOUNG of North Dakota):

S. 1. A bill to amend the Federal Airport Act in order to extend the time for making grants under the provisions of such act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MONRONEY when he introduced the above bill, which appear under a separate heading.)

By Mr. MURRAY (for himself, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CHAVEZ, Mr. CHURCH, Mr. CLARK, Mr. COOPER, Mr. DODD, Mr. ENGLE, Mr. GREEN, Mr. GRUENING, Mr. HENNINGS, Mr. HUMPHREY, Mr. JACKSON, Mr. KEFAUVER, Mr. KERR, Mr. LANGER, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MARTIN, Mr. MCGEE, Mr. MCNAMARA, Mr. MONRONEY, Mr. MORSE, Mr. MOSS, Mr. NEUBERGER, Mr. RANDOLPH, and Mrs. SMITH):

S. 2. A bill to provide financial assistance for the support of public schools by appropriating funds to the States to be used for constructing school facilities and for teachers' salaries; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. MURRAY when he introduced the above bill, which appear under a separate heading.)

By Mr. MCCLELLAN (for himself, Mr. BRIDGES, Mr. THURMOND, Mr. HOLLAND, Mr. MARTIN, Mr. ROBERTSON, Mr. HILL, Mr. BENNETT, Mr. SPARKMAN, Mr. RUSSELL, Mr. MUNDT, Mr. SCHOEPPEL, Mr. YOUNG of North Dakota, Mr. LONG, Mr. BIBLE, Mr. STENNIS, Mr. HICKENLOOPER, Mr. WILLIAMS of Delaware, Mr. TALMADGE, Mr. SMATHERS, Mr. BUTLER, Mr. CURTIS, Mr. ERVIN, Mr. GOLDWATER, Mr. FULBRIGHT, Mr. ELLENDER, Mr. JORDAN, Mr. BYRD of Virginia, Mr. CAPEHART, and Mr. EASTLAND):

S. 3. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

(See the remarks of Mr. MCCLELLAN when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 4. A bill to provide for the establishment of the Padre Island National Park, in the State of Texas; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate heading.)

By Mr. SMATHERS:

S. 5. A bill to repeal the tax on transportation of persons; to the Committee on Finance.

By Mr. ELLENDER:

S. 6. A bill to provide for the conveyance of certain real property of the United States to Sophronia Smiley Delaney and her sons; to the Committee on Agriculture and Forestry.

By Mr. ELLENDER (for himself and Mr. LONG):

S. 7. A bill to amend the National Housing Act with regard to insurance of accounts so as to provide uniform protection to all married savers in savings and loan associations; to the Committee on Banking and Currency.

By Mr. MCNAMARA (for himself and Mr. HART):

S. 8. A bill to authorize an emergency 2-year program of Federal financial assistance in school construction to the States; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. MCNAMARA when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of Delaware:

S. 9. A bill for the relief of Knud Erik Didriksen; to the Committee on the Judiciary.

By Mr. WILLIAMS of Delaware (for himself, Mr. AIKEN, and Mrs. SMITH):

S. 10. A bill to reduce the depletion allowance for oil and gas; to the Committee on Finance.

By Mr. KEFAUVER (for himself, Mr. CHAVEZ, Mr. HUMPHREY, Mr. GREEN, Mr. LANGER, Mr. MAGNUSON, Mr. MCCARTHY, Mr. LONG, Mr. HILL, Mr. SPARKMAN, Mr. MCNAMARA, Mr. CARROLL, Mr. NEUBERGER, Mr. MORSE, Mr. MURRAY, Mr. MOSS, Mr. WILEY, Mr. SMATHERS, Mr. JACKSON, Mr. MCGEE, Mr. CHURCH, Mr. DOUGLAS, and Mr. O'MAHONEY):

S. 11. A bill to amend the Clayton Act as amended by the Robinson-Patman Act with reference to equality of opportunity; to the Committee on the Judiciary.

(See the remarks of Mr. KEFAUVER when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself and Mr. SCHOEPPEL):

S. 12. A bill to expedite the utilization of television transmission facilities in our public schools and colleges, and in adult training programs; to the Committee on Interstate and Foreign Commerce.

By Mr. ENGLE (for himself and Mr. KUCHEL):

S. 13. A bill to provide for Federal assistance in the development of irrigation in connection with non-Federal municipal and

industrial water projects, and for other purposes; to the Committee on Public Works.

S. 14. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Auburn unit, American River division, Central Valley project, California, under Federal reclamation laws; to the Committee on Interior and Insular Affairs.

By Mr. SYMINGTON:

S. 15. A bill to provide for the establishment of a United States Foreign Service Academy; to the Committee on Foreign Relations.

S. 16. A bill to provide for the stockpiling, storage, and distribution of essential foodstuffs and other essential items for the sustenance of the civilian population of the United States, its territories, possessions, and the District of Columbia in the event of enemy attack or other disaster; to the Committee on Armed Services.

(See the remarks of Mr. SYMINGTON when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mrs. SMITH:

S. 17. A bill to authorize the National Potato Grade Labeling Act, which provides quality requirements for, and the inspection, certification, and labeling of Irish potatoes; to the Committee on Agriculture and Forestry.

S. 18. A bill to amend title 10, U.S. Code, with respect to the promotion of reserve commissioned officers of the Air Force, and for other purposes; and

S. 19. A bill to provide a method for regulating and fixing wage rates for employees of Portsmouth, N.H., Naval Shipyard; to the Committee on Armed Services.

S. 20. A bill to provide for the establishment and operation of a mining and metallurgical research establishment in the State of Maine; to the Committee on Interior and Insular Affairs.

S. 21. A bill to provide a 5-year program of assistance to enable depressed segments of the fishing industry in the United States to regain a favorable economic status, and for other purposes;

S. 22. A bill to regulate the interstate transportation of lobsters; and

S. 23. A bill to amend the Fisheries Cooperative Marketing Act; to the Committee on Interstate and Foreign Commerce.

S. 24. A bill to repeal section 10 of the Act entitled "An Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," approved June 30, 1936 (the so-called Walsh-Healey Act); and

S. 25. A bill to amend the Fair Labor Standards Act of 1938, as amended, to exempt homeworkers in rural areas from the minimum wage and maximum hours provisions of that act in certain cases; to the Committee on Labor and Public Welfare.

S. 26. A bill to require that collectors of customs and certain other officers of the Bureau of Customs be appointed in accordance with the civil service laws; to the Committee on Post Office and Civil Service.

S. 27. A bill to authorize certain improvement of the Southwest Harbor, Maine; to the Committee on Public Works.

By Mr. BEALL:

S. 28. A bill for the relief of Kristofer Marie Guersey and Kyle Anne Guersey;

S. 29. A bill for the relief of Magda Kusen Canjuga;

S. 30. A bill for the relief of Shoshanna Preiss;

S. 31. A bill for the relief of Alyda M. J. Kalmeijer;

S. 32. A bill for the relief of Uwe-Thorsten Scobel;

S. 33. A bill for the relief of Bertha Glickmann; and

S. 34. A bill for the relief of Gideon Genova Mercurio and Rosalina Dirige Mercurio; to the Committee on the Judiciary.

By Mr. MANSFIELD:

S. 35. A bill for the relief of Araxi Nazarian; and

S. 36. A bill for the relief of Page A. Wilson; to the Committee on the Judiciary.

By Mr. MANSFIELD (for himself and Mr. MURRAY):

S. 37. A bill to provide for the relocation of the Fort Peck-Great Falls transmission line in the vicinity of the city of Glasgow, Mont.; to the Committee on Interior and Insular Affairs.

By Mr. MANSFIELD (for himself and Mr. MURRAY) (by request):

S. 38. A bill to authorize the rehabilitation of the Sherburne Lake Dam and outlet works, Milk River project, Montana, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MANSFIELD (for Mr. NEUBERGER):

S. 39. A bill authorizing the construction of certain projects for flood control and allied purposes; to the Committee on Public Works.

By Mr. SYMINGTON:

S. 40. A bill to provide for the advancement of Maj. Gen. Leif J. Sverdrup, United States Army Reserve (retired), to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

By Mr. SYMINGTON (for himself and Mr. HENNINGS):

S. 41. A bill to authorize the construction of a Federal office building in Kansas City, Mo., and for other purposes; to the Committee on Public Works.

S. 42. A bill to authorize the utilization of a limited amount of storage space in Table Rock Reservoir for the purpose of water supply for a fish hatchery; to the Committee on Public Works.

By Mr. MUNDT:

S. 43. A bill to provide for the increased use of agricultural products for industrial purposes; to the Committee on Agriculture and Forestry.

By Mr. KUCHEL (for himself and Mr. ENGLE):

S. 44. A bill to authorize the Secretary of the Interior to construct the San Luis unit of the Central Valley project, California, to enter into an agreement with the State of California with respect to the construction and operation of such unit, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. KUCHEL when he introduced the above bill, which appear under a separate heading.)

By Mr. PROXMIRE:

S. 45. A bill to amend the Internal Revenue Code of 1954 to provide that wages paid by States and political subdivisions to individuals employed on relief projects shall not be subject to the withholding tax; to the Committee on Finance.

(See the remarks of Mr. PROXMIRE when he introduced the above bill, which appear under a separate heading.)

By Mr. HILL:

S. 46. A bill for the relief of Ben Chassin; to the Committee on the Judiciary.

By Mr. HILL (for himself and Mr. SPARKMAN):

S. 47. A bill to direct the Administrator of General Services to convey to the city of Mobile, Ala., all the right, title, and interest of the United States in and to certain land; to the Committee on Government Operations.

By Mr. SCHOEPPEL:

S. 48. A bill to provide for the appointment of a district judge for the district of Kansas; to the Committee on the Judiciary.

By Mr. DIRKSEN (for himself, Mr. MURRAY, Mr. ALLOTT, Mr. BYRD of West Virginia, Mr. CLARK, Mr. COOPER, Mr. MORTON, Mr. O'MAHONEY, Mr. RANDOLPH, and Mr. SCOTT):

S. 49. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MURRAY (for himself, Mr. ALLOTT, Mr. ANDERSON, Mr. BARTLETT, Mr. BEALL, Mr. BENNETT, Mr. BIBLE, Mr. CANNON, Mr. CARROLL, Mr. CASE of South Dakota, Mr. CASE of New Jersey, Mr. CHAVEZ, Mr. CHURCH, Mr. CLARK, Mr. COOPER, Mr. DIRKSEN, Mr. DOUGLAS, Mr. ENGLE, Mr. FREAR, Mr. GOLDWATER, Mr. GREEN, Mr. GRUENING, Mr. HART, Mr. HARTKE, Mr. HENNINGS, Mr. HOLLAND, Mr. HUMPHREY, Mr. JACKSON, Mr. JAVITS, Mr. KENNEDY, Mr. KUCHEL, Mr. LONG, Mr. MCCARTHY, Mr. MCGEE, Mr. MCNAMARA, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MORSE, Mr. MORTON, Mr. MOSS, Mr. MUSKIE, Mr. NEUBERGER, Mr. O'MAHONEY, Mr. PASTORE, Mr. PROXMIRE, Mr. RANDOLPH, Mr. SALTONSTALL, Mr. SCOTT, Mrs. SMITH, Mr. WILEY, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota):

S. 50. A bill to provide for the admission of the State of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. MURRAY when he introduced the above bill, which appear under a separate heading.)

By Mr. MURRAY:

S. 51. A bill to provide for the sale or lease of Indian lands; to the Committee on Interior and Insular Affairs.

S. 52. A bill to provide for the distribution of motor-vehicle tires, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MURRAY (for himself and Mr. MANSFIELD):

S. 53. A bill to amend the acts approved April 16 and July 27, 1906 (34 Stat. 116 and 519), so as to authorize the Secretary of the Interior to convey certain lands on the Huntley reclamation project, Yellowstone County, Mont., to school district No. 24, Huntley Project Schools, Yellowstone County, Mont.; to the Committee on Interior and Insular Affairs.

By Mr. MURRAY (for himself and Mr. MANSFIELD) (by request):

S. 54. A bill to provide that certain lands shall be held in trust for Indian tribes on the Fort Peck, Fort Belknap, and Blackfeet Reservations, and to provide that such lands shall become part of such reservations; to the Committee on Interior and Insular Affairs.

By Mr. MURRAY (for himself, Mr. MANSFIELD, Mr. MCGEE, and Mr. O'MAHONEY):

S. 55. A bill to amend the act of June 4, 1920, as amended, providing for allotment of lands of the Crow Tribe, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MURRAY (for himself, Mr. ANDERSON, Mr. GOLDWATER, Mr. BIBLE, Mr. CANNON, Mr. MORSE, Mr. NEUBERGER, Mr. CHURCH, Mr. MANSFIELD, and Mr. MOSS):

S. 56. A bill to amend the act of August 5, 1954 (68 Stat. 674), and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. MURRAY when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN (for himself, Mr. FULBRIGHT, Mr. YARBOROUGH, Mr. RANDOLPH, Mr. BYRD of West Virginia, Mr. MORSE, and Mr. MONRONEY):

S. 57. A bill to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. SPARKMAN when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN (for himself and Mr. HILL):

S. 58. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide for lease and transfer of acreage allotments; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. SPARKMAN when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN (for himself, Mr. HUMPHREY, and Mr. KEFAUVER):

S. 59. A bill to provide a program of tax adjustment for small business and for persons engaged in small business; to the Committee on Finance.

(See the remarks of Mr. SPARKMAN when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK:

S. 60. A bill for the relief of Lilly Matta, also known as Susan Matta Armanious; to the Committee on the Judiciary.

By Mr. STENNIS:

S. 61. A bill to authorize the Secretary of the Army or his designee to convey a portion of the former Camp McCain Military Reservation, Mississippi, to the State of Mississippi; to the Committee on Armed Services.

S. 62. A bill to amend the Agricultural Adjustment Act of 1938, as amended, relating to the preservation of acreage allotment history of farms; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. STENNIS when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. BUSH:

S. 63. A bill to authorize the Federal Reserve Board to impose controls over installment credit in connection with sales of consumers' durable goods; to the Committee on Banking and Currency.

(See the remarks of Mr. BUSH when he introduced the above bill, which appear under a separate heading.)

By Mr. BUSH (for himself, Mr. BENNETT, Mr. CAPEHART, Mr. CLARK, and Mr. PROXMIRE):

S. 64. A bill to amend the Employment Act of 1946 to make relative stability of prices an explicit aim of Federal economic policy; to the Committee on Banking and Currency.

(See the remarks of Mr. BUSH when he introduced the above bill, which appear under a separate heading.)

By Mr. CAPEHART (for himself, Mr. BUSH, Mr. BENNETT, and Mr. BEALL):

S. 65. A bill to provide interim authorization for home mortgage insurance, urban renewal, and college housing; to the Committee on Banking and Currency.

(See the remarks of Mr. CAPEHART when he introduced the above bill, which appear under a separate heading.)

By Mr. ANDERSON:

S. 66. A bill to provide that, for Federal income tax purposes, certain amounts received as reimbursement for moving expenses by employees of corporations formed exclusively to operate laboratories for the Atomic Energy Commission shall not be included in gross income; to the Committee on Finance.

S. 67. A bill for the conveyance of certain property in New Mexico to the Pueblo of Santo Domingo; to the Committee on Labor and Public Welfare.

S. 68. A bill to provide for continued delivery of water under the Federal reclamation laws to lands held by husband and wife upon the death of either; and

S. 69. A bill to amend the Colorado River Storage Project Act with respect to the interest rate applicable to each unit of a storage project and each participating project constructed pursuant to such act; to the Committee on Interior and Insular Affairs.

S. 70. A bill to provide for the issuance of a special series of postage stamps in commemoration of the sesquicentennial of the birth of Christopher (Kit) Carson; to the Committee on Post Office and Civil Service.

By Mr. ANDERSON (for himself and Mr. CHAVEZ):

S. 71. A bill to provide for the construction by the United States of a sanitary sewer system for the Zuni Indian Tribe, Zuni, N. Mex.; and

S. 72. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Navajo Indian irrigation project and the initial stage of the San Juan-Chama project as participating projects of the Colorado River storage project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KEATING (for himself, Mr. JAVITS, Mr. SCOTT, Mr. CASE of New Jersey, Mr. ALLOTT, Mr. BEALL, Mr. BENNETT, Mr. BRIDGES, Mr. BUSH, Mr. COOPER, Mr. KUCHEL, Mr. LANGER, Mr. MARTIN, Mr. PROUTY, and Mrs. SMITH):

S. 73. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

By Mr. CURTIS:

S. 74. A bill to provide for the increased use of agricultural products for industrial purposes; to the Committee on Agriculture and Forestry.

By Mr. CURTIS (for himself and Mr. RUSSELL):

S. 75. A bill to establish the Rural Electrification Administration as an independent agency, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. CURTIS when he introduced the above bill, which appear under a separate heading.)

By Mr. CURTIS:

S. 76. A bill to amend the Labor Management Relations Act, 1947, as amended and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. BEALL:

S. 77. A bill to establish the Chesapeake and Ohio Canal National Historical Park and to provide for the administration and maintenance of a parkway, in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HOLLAND:

S. 78. A bill for the relief of Patrick W. Gowan, David Dooling, Harlie L. Mize, James H. Blaes and William L. Perkins; to the Committee on the Judiciary.

S. 79. A bill to amend the Federal Food, Drug, and Cosmetic Act to permit the temporary listing and certification of Citrus Red No. 2 for coloring mature oranges under tolerances found safe by the Secretary of Health, Education, and Welfare, so as to permit continuance of established coloring practice in the orange industry pending congressional consideration of general legislation for the listing and certification of food color additives under safe tolerances; and

S. 80. A bill to amend the Railway Labor Act with respect to the settlement of labor disputes involving common carriers by air; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HOLLAND when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. HOLLAND (for himself and Mr. SMATHERS):

S. 81. A bill for the relief of the Inter-County Telephone & Telegraph Co. of Fort Myers, Fla.; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself, Mr. MURRAY, Mr. KUCHEL, Mr. CARROLL, Mr. ALLOTT, Mr. MUNDT, Mr. NEUBERGER, and Mr. ENGLE):

S. 82. A bill to amend the act of June 28, 1958, to provide for a National Outdoor Recreation Resources Review Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CARLSON:

S. 83. A bill for the relief of certain persons who died as a result of injuries received while participating in a civilian pilot training course as naval aviation cadets;

S. 84. A bill to provide for the appointment of a district judge for the district of Kansas;

S. 85. A bill for the relief of Mary A. Ford; and

S. 86. A bill for the relief of Dr. Kedar N. Bhasker; to the Committee on the Judiciary.

S. 87. A bill to extend the second-class mailing privilege to bulletins of State industrial development agencies; and

S. 88. A bill to amend the Civil Service Retirement Act so as to provide for recomputation of annuities where persons designated to receive survivor annuities predecease the annuitants; to the Committee on Post Office and Civil Service.

By Mr. JOHNSTON of South Carolina:

S. 89. A bill to increase the equipment maintenance allowance for rural carriers;

S. 90. A bill to repeal the provisions of law establishing 6-year terms for Civil Service Commissioners;

S. 91. A bill to amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the application and operation of such act, and for other purposes;

S. 92. A bill to grant civil service employees retirement after 30 years' service;

S. 93. A bill to provide for the appointment of the heads of regional and district offices of the Post Office Department by the President by and with the advice and consent of the Senate;

S. 94. A bill to provide for Government contribution toward personal health service benefits for civilian officers and employees in the United States service and their dependents, to authorize payroll deductions for participants, and for other purposes;

S. 95. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees;

S. 96. A bill to govern the salaries and personnel practices applicable to teachers, certain school officers, and other employees of the dependents schools of the Department of Defense in overseas areas, and for other purposes;

S. 97. A bill to establish a plan and appropriate procedures for the promotion of employees of the Government on the basis of merit;

S. 98. A bill to grant equitable compensatory time to postal employees; and

S. 99. A bill to preserve rates of compensation of wage board employees whose positions are reduced in grade; to the Committee on Post Office and Civil Service.

S. 100. A bill to provide for the procurement by the municipal government of the District of Columbia of insurance against risk to its employees of liability for personal injury or death, or for property damage, arising from the operation of motor vehicles in the performance of their official duties, and for other purposes; to the Committee on the District of Columbia.

S. 101. A bill to amend title 28, entitled "Judiciary and Judicial Procedure," of the United States Code to provide for the defense of suits against Federal employees arising out of their operation of motor vehicles in the scope of their employment, and for other purposes; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 102. A bill for the relief of Stanislawa Wojczul;

S. 103. A bill for the relief of Paul Burkhart;

S. 104. A bill establishing certain qualifications for persons appointed to the Supreme Court; and

S. 105. A bill to provide scientific scholarships and fellowships for children of veterans and other individuals from interest resulting from the investment of certain funds obtained under the provisions of the Trading With the Enemy Act, and to provide for the repayment from such funds of certain American war claims against Germany and Japan; to the Committee on the Judiciary.

S. 106. A bill to authorize an Under Secretary of State for Western Hemisphere Affairs; to the Committee on Foreign Relations.

S. 107. A bill to amend title XI of the Merchant Marine Act, 1936, relating to Federal ship mortgage insurance, in order to include floating drydocks under the definition of the term "vessel" in such title; to the Committee on Interstate and Foreign Commerce.

By Mr. SMATHERS (for himself and Mr. HOLLAND):

S. 108. A bill to amend title II of the Social Security Act to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Finance.

By Mr. SMATHERS (for himself and Mr. MANSFIELD):

S. 109. A bill to provide for the establishment of a U.S. Foreign Service Academy; to the Committee on Foreign Relations.

By Mr. JAVITS:

S. 110. A bill for the relief of Yaeko Inouye;

S. 111. A bill for the relief of Aristogiton Zahariadis;

S. 112. A bill for the relief of Martin Pysz; and

S. 113. A bill to amend the Bankruptcy Act with respect to the priority of debts owed by a bankrupt to workmen, servants, clerks, and certain salesmen; to the Committee on the Judiciary.

S. 114. A bill to provide for equal treatment of all State-owned hydroelectric power projects with respect to the taking over of such projects by the United States; to the Committee on Public Works.

By Mr. JAVITS (for himself and Mr. KEATING):

S. 115. A bill for the relief of certain hospitals which received loans pursuant to the Federal Civil Defense Act of 1950; to the Committee on Armed Services.

S. 116. A bill to permit certain alien spouses of members of the Armed Forces to reenter the United States without payment of visa fees; to the Committee on the Judiciary.

S. 117. A bill to amend the definition of the term "construction" in the Federal-Aid Highway Act of 1944 in order to authorize the inclusion of certain right-of-way costs in such term; to the Committee on Public Works.

S. 118. A bill to provide for granting employees of the postal field service time off for one State holiday each year; to the Committee on Post Office and Civil Service.

S. 119. A bill to provide for an additional payment of $165,000 to the village of Highland Falls, N.Y., toward the cost of the water filtration plant constructed by such village; to the Committee on the Judiciary.

By Mr. JAVITS (for himself, Mr. KEATING, Mr. ALLOTT, Mr. BEALL, Mr. BENNETT, Mr. COOPER, Mr. KUCHEL, Mr. LANGER, and Mr. MARTIN):

S. 120. A bill to make unlawful the transmission in interstate commerce of certain communications with intent to interfere with the execution of Federal or State statutes or court decrees;

S. 121. A bill to make unlawful the mailing of threatening communications with intent to interfere with the execution of Federal or State statutes or court decrees;

S. 122. A bill to make unlawful mailing of matter tending to incite crimes of violence;

S. 123. A bill to amend title 18 of the United States Code relating to threats or injury to Federal officers in the discharge of their duties; and

S. 124. A bill to make unlawful interstate travel to avoid prosecution for willful destruction or damaging of any building; to the Committee on the Judiciary.

S. 125. A bill to authorize the exclusion from the mails of matter relating to the solicitation of funds for, and the distribution of information relating to certain unlawful activities; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. JAVITS when he introduced the above bills, which appear under a separate heading.)

By Mr. LANGER:

S. 126. A bill to amend title II of the Social Security Act to permit all citizens of the United States to receive at least minimum old-age and survivors insurance benefits; and

S. 127. A bill to amend the Internal Revenue Code so as to increase the individual exemption for income tax purposes from $600 to $1,000; to the Committee on Finance.

S. 128. A bill for the relief of Dr. Arturo M. Monteiro; to the Committee on the Judiciary.

(See the remarks of Mr. LANGER when he introduced the first two of the above bills, which appear under a separate heading.)

By Mr. CAPEHART:

S. 129. A bill to amend the Agricultural Adjustment Act of 1938, as amended, so as to authorize temporary acreage allotment increases under certain conditions; to the Committee on Agriculture and Forestry.

S. 130. A bill to provide medals of honor for persons who perform heroic acts in preventing serious accidents on the highways, or in saving lives endangered as a result of any such accidents;

S. 131. A bill to amend section 2(b) of the Bank Holding Company Act of 1956 to exclude from coverage under such act certain corporations the entire net income of which is turned over to an exempt organization;

S. 132. A bill to amend the Securities Exchange Act of 1934, as amended, so as to require that proxies given with respect to certain securities disclose the beneficial ownership of such securities; and

S. 133. A bill to insure greater consistency among Federal loan programs, to avoid hidden subsidies, and to achieve more effective coordination between Federal loan programs and the fiscal and credit policies of the Federal Government; to the Committee on Banking and Currency.

S. 134. A bill to amend section 203 of the Social Security Act, as amended; and

S. 135. A bill to require equal tax treatment for similarly situated taxpayers; to the Committee on Finance.

S. 136. A bill to amend the Federal Property and Administrative Services Act of 1949 to provide that surplus real property of the United States shall be disposed of only after giving former owners thereof an opportunity to repurchase such property; to the Committee on Government Operations.

S. 137. A bill to amend the Merchant Marine Act, 1936, in order to authorize Federal ship-mortgage insurance for fireboats; to the Committee on Interstate and Foreign Commerce.

S. 138. A bill to define the application of the Clayton and Federal Trade Commission Acts to certain pricing practices; and

S. 139. A bill for the relief of Margaret Dick; to the Committee on the Judiciary.

S. 140. A bill granting the consent of the Congress to the consolidation for investment purposes by the State of Indiana of certain congressional township funds in such State; and

S. 141. A bill to amend the Fair Labor Standards Act by clarifying the definition of "employee," and for other purposes; to the Committee on Labor and Public Welfare.

S. 142. A bill to amend and extend the Public Buildings Purchase Contract Act of 1954, as amended, the Post Office Department Property Act of 1954, as amended, and to require certain distribution and approval of new building projects, and for other purposes; to the Committee on Public Works.

S. 143. A bill to amend certain provisions of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939, and for other purposes; to the Committee on Rules and Administration.

By Mr. HUMPHREY (for himself and Mr. MANSFIELD):

S. 144. A bill to amend Reorganization Plan No. 2 of 1953; to the Committee on Government Operations.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE of South Dakota:

S. 145. A bill to cede to the State of South Dakota concurrent police jurisdiction over certain public highways located in the State of South Dakota; to the Committee on Interior and Insular Affairs.

S. 146. A bill to authorize the Secretary of the Army to provide for bank erosion control along the Missouri River below Gavins Point Dam between Yankton, S. Dak., and Ponca, Nebr.; to the Committee on Public Works.

By Mr. YOUNG (for himself and Mr. LANGER):

S. 147. A bill to make certain provisions in connection with the construction of the Garrison diversion unit, Missouri River Basin project, by the Secretary of the Interior; to the Committee on Public Works.

By Mr. ROBERTSON:

S. 148. A bill for the relief of Jamshed Burjorji Fracis; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 149. A bill for the relief of Nicholas Constantine Rocos; to the Committee on the Judiciary.

By Mr. HUMPHREY (for himself and Mr. MCCARTHY):

S. 150. A bill authorizing the enlargement of the harbor on the Mississippi River at Red Wing, Minn.; to the Committee on Public Works.

S. 151. A bill to declare that the United States holds certain lands in trust for the Minnesota Chippewa Tribe; to the Committee on Interior and Insular Affairs.

By Mr. KERR:

S. 152. A bill to amend the Internal Revenue Code of 1954 with respect to the application, payment, and refund of the tax on use of highway motor vehicles; to the Committee on Finance.

By Mr. KERR (for himself and Mr. MONRONEY):

S. 153. A bill to amend the Watershed Protection and Flood Prevention Act to provide that its loan provisions shall be applicable to certain other projects; to the Committee on Agriculture and Forestry.

S. 154. A bill to extend the rights, benefits, and privileges granted to World War II veterans to certain citizens of the United States who entered the armed forces of governments allied with the United States during World War II, and to their dependents; to the Committee on Finance.

S. 155. A bill to amend the Federal Property and Administrative Services Act of 1949 so as to permit donations of surplus property to libraries which are tax-supported or publicly owned and operated; to the Committee on Government Operations.

S. 156. A bill to authorize the establishment, maintenance, and operation of auxil-

iary communication networks composed of licensed amateur radio operators for military radio communications; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. KERR when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. KERR:

S. 157. A bill for the relief of Giovannina Echelle; and

S. 158. A bill for the relief of Dr. Chi Tien; to the Committee on the Judiciary.

By Mr. KERR (for himself, Mr. CASE of South Dakota, and Mr. MONRONEY):

S. 159. A bill to make the evaluation of recreational benefits resulting from the construction of any flood control, navigation, or reclamation project an integral part of project planning, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. KERR when he introduced the above bill, which appear under a separate heading.)

By Mr. ALLOTT:

S. 160 A bill to preserve permanently as a national park, an area of national significance in Colorado and Utah, such park to be known as the Dinosaur National Park, which shall supersede the Dinosaur National Monument, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ALLOTT (for himself and Mr. CARROLL):

S. 161. A bill for the relief of Satenik Damlama; to the Committee on the Judiciary.

By Mr. ALLOTT:

S. 162. A bill for the relief of Henri Polak; and

S. 163. A bill for the relief of Evelyn Albi; to the Committee on the Judiciary.

By Mr. BARTLETT:

S. 164. A bill to permit the sale of gold within the United States and any Territory or possession thereof, and for other purposes; to the Committee on Banking and Currency.

S. 165. A bill relating to the income tax treatment of cost-of-living allowances received by certain caretakers and clerks employed by the National Guard outside the continental United States, or in Alaska; and

S. 166. A bill relating to income tax refunds for the taxable year 1949; to the Committee on Finance.

S. 167. A bill to supplement the land grant provisions of the Alaska Mental Health Enabling Act; and

S. 168. A bill to authorize the conveyance of certain lands in Alaska to Martha L. Babinec, as administratrix of the estate of Laurence Starns, deceased; to the Committee on Interior and Insular Affairs.

S. 169. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims for basic and overtime compensation of employees of the Alaska Road Commission (now the Bureau of Public Roads);

S. 170. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon certain claims for basic and overtime compensation;

S. 171. A bill to confer jurisdiction upon the District Court for the Territory of Alaska to hear, determine, and render judgment upon the claim, or claims, of Scotty James, of Sitka, Alaska;

S. 172. A bill to provide cost-of-living allowances to judicial employees stationed outside the continental United States or in Alaska; and

S. 173. A bill to confer jurisdiction upon the Court of Claims to determine the amounts due and owing and render judgment upon the claims of certain employees of the Alaska Railroad for overtime work performed; to the Committee on the Judiciary.

S. 174. A bill to authorize the construction of a post office and courthouse in Juneau, Alaska, and for other purposes; to the Committee on Public Works.

By Mr. BARTLETT (for himself and Mr. MAGNUSON):

S. 175. A bill to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska, and between Hyder, Alaska, and other points in the United States outside Alaska, either directly or via a foreign port, or for any part of the transportation; to the Committee on Interstate and Foreign Commerce.

By Mr. BARTLETT (for himself and Mr. GRUENING):

S. 176. A bill to permit payment in Alaska of certain cost-of-living allowances at rates in excess of 25 percent of the rate of basic compensation; to the Committee on Post Office and Civil Service.

By Mr. JOHNSTON of South Carolina:

S.J. Res. 1. Joint resolution to establish a commission to study the problem of alcoholism in the United States and to make recommendations for the more adequate provision of facilities for the treatment, rehabilitation, and cure of alcoholics, and for the prevention of alcoholism; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. JOHNSTON of South Carolina when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. CARLSON:

S.J. Res. 2. Joint resolution to investigate the advisability of establishing national monuments in certain areas of the State of Kansas; to the Committee on Interior and Insular Affairs.

By Mr. SMATHERS:

S.J. Res. 3. Joint resolution proposing an amendment to the Constitution to provide that a new State may be admitted only with the consent of two-thirds of both Houses of Congress; and

S.J. Res. 4. Joint resolution proposing an amendment to the Constitution relating to the nomination and election of candidates for President and Vice President, and to succession to the Office of President in the event of the death or inability of the President; to the Committee on the Judiciary.

S.J. Res. 5. Joint resolution to establish a Commission to study and propose improvements in the methods of nominating and electing the President and Vice President; to the Committee on Rules and Administration.

By Mr. SMATHERS (for himself and Mr. HOLLAND):

S.J. Res. 6. Joint resolution to create the Quadricentennial Anniversary Commission of Florida, Incorporated, and to set forth the dates and places thereof; to the Committee on the Judiciary.

By Mr. JOHNSTON of South Carolina:

S.J. Res. 7. Joint resolution proposing an amendment to the Constitution to provide for the reappointment or reconfirmation each 6 years of justices and judges of the courts of the United States who are not appointed for prescribed terms; to the Committee on the Judiciary.

(See the remarks of Mr. JOHNSTON of South Carolina when he introduced the above joint resolution, which appear under a separate heading.)

AMENDMENT OF FEDERAL AIRPORT ACT

Mr. MONRONEY. Mr. President, on behalf of myself, the Senator from Washington [Mr. MAGNUSON], the Senator from Rhode Island [Mr. PASTORE], the Senator from Florida [Mr. SMATHERS], the Senator from Nevada [Mr. BIBLE], the Senator from Texas [Mr. YARBOROUGH], the Senator from Alaska [Mr. BARTLETT], the Senator from West Virginia [Mr. BYRD], the Senator from Nevada [Mr. CANNON], the Senator from Colorado [Mr. CARROLL], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from California [Mr. ENGLE], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Oklahoma [Mr. KERR], the Senator from Rhode Island [Mr. GREEN], the Senator from Alaska [Mr. GRUENING], the Senator froh Michigan [Mr. HART], the Senator from Indiana [Mr. HARTKE], the Senator from Missouri [Mr. HENNINGS], the Senator from Alabama [Mr. HILL], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Washington [Mr. JACKSON], the Senator from New York [Mr. JAVITS], the Senator from Texas [Mr. JOHNSON], the Senator from North Carolina [Mr. JORDAN], the Senator from Massachusetts [Mr. KENNEDY], the senior Senator from Tennessee [Mr. KEFAUVER], the junior Senator from Tennessee [Mr. GORE], the Senator from California [Mr. KUCHEL], the Senator from Louisiana [Mr. LONG], the Senator from Montana [Mr. MANSFIELD], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from Michigan [Mr. MCNAMARA], the Senator from Utah [Mr. MOSS], the Senator from Oregon [Mr. NEUBERGER], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Alabama [Mr. SPARKMAN], the Senator from Mississippi [Mr. STENNIS], the Senator from Missouri [Mr. SYMINGTON], and the Senator from North Dakota [Mr. YOUNG], I introduce a bill for Federal aid to aviation. This bill, which has 40 cosponsors, is designed to eliminate the present horse-and-buggy national airport system and to make a wise investment in the future of aviation. To insure our progress in the air, we must ready this Nation for the jet age. If we can afford $38 billion—which I favor—for a national superhighway system, on a 90–10 matching basis, we dare not neglect the dynamic and current needs of aviation, which would require, on a 50–50 matching basis, only $100 million a year for 5 years, with a $75 million emergency fund to prepare our airfields for the jet air traffic of today and the future.

I ask unanimous consent that, accompanying my statement, I may have printed at this point in the RECORD an explanation of the proposed amendments to the Federal Airport Act, and that the bill may lie at the desk until the close of business today for the addition of the names of other sponsors, without prejudice to its being introduced first.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Oklahoma.

The bill (S. 1) to amend the Federal Airport Act in order to extend the time for making grants under the provisions of such act, and for other purposes, introduced by Mr. MONRONEY for himself and other Senators was received, read twice by its title, and referred to the

Committee on Interstate and Foreign Commerce.

The statement submitted by Mr. MONRONEY is as follows:

STATEMENT BY SENATOR MONRONEY

This bill, entitled "A bill to amend the Federal Airport Act in order to extend the time for making grants under the act, and for other purposes," is practically identical to S. 3502 which was passed by the Senate in 1958 without a dissenting vote. S. 3502 was later passed by the House with some changes and vetoed by the President.

The Federal Airport Act was originally enacted in 1946. In 1955 it was extended and amended to authorize the obligation of $63 million annually to provide matching funds to local authorities for the construction and improvement of our national airport system. The present act expires June 30, 1959.

This bill provides for the following:

1. It extends the act through fiscal year 1964—a period of 5 years—at an increased level of $100 million annually in comparison with the present $63 million level, on a matching-fund basis.

2. It provides for a separate special fund of $75 million for discretionary allocation beginning July 1, 1959, also on a matching-fund basis. This fund can be used without regard to the limitations of State apportionment requirements.

3. It eliminates parking lots and certain concession areas in terminal buildings from eligible Federal matching funds.

4. It provides for Federal assistance on a matching-fund basis to certain small airports for the sealing and filling of joints on runway pavements.

5. It requires publication by January 1 of each year of the proposed program of airport developments for the next fiscal year.

SCHOOL SUPPORT ACT OF 1959

Mr. MURRAY. Mr. President, on behalf of myself and Senators BYRD of West Virginia, CANNON, CHAVEZ, CHURCH, CLARK, COOPER, DODD, ENGLE, GREEN, GRUENING, HENNINGS, HUMPHREY, JACKSON, KEFAUVER, KERR, LANGER, MAGNUSON, MANSFIELD, MARTIN, MCGEE, MCNAMARA, MONRONEY, MORSE, MOSS, NEUBERGER, RANDOLPH, and SMITH, I introduce, for appropriate reference, the School Support Act of 1959. The purpose of this bill is to strengthen the financial structure of our public schools by authorizing appropriation of funds to the States, on a grant basis, for construction of school facilities, payment of teachers' salaries, or a combination of these two purposes, as each State sees fit.

The number S. 2 has been reserved for this bill, to emphasize the priority which it should, and I trust will, receive in this Congress. Companion legislation has been introduced in the other house by my colleague from Montana, Representative LEE METCALF. This bill is substantially the same as the Murray-Metcalf bill (S. 3311) in the 85th Congress.

S. 2 authorizes appropriation, in the fiscal year beginning July 1, 1959, of $25 for each school-age child—between the ages of 5 to 17, inclusive; $50 per child the second year; $75 the third year; and $100 the fourth and each succeeding year. This authorization amounts to $1.1 billion the first year, $2.2 billion the second year, $3.4 billion the third year, and $4.7 billion the fourth year. A table I shall insert at the conclusion of these remarks shows how much money would go to each State.

These are large sums of money. They are large because the need is great. Right now the Nation has a shortage of more than 135,000 classrooms. Based on an average construction cost of $40,000 per classroom, as estimated by the U.S. Office of Education, $5.4 billion is needed merely to construct the classrooms needed during the present school term.

There is also a shortage of approximately 135,000 teachers. We need that many teachers to reduce class sizes to manageable proportions, for replacement of retiring teachers or others leaving the profession, for increased enrollment, sufficient additional staff trained in particular fields, such as mathematics and science, and to replace persons who are unqualified to teach.

Mr. President, in view of the great need I have cited for an adequate program of Federal education support, it is appalling that the President, in his state of the Union message just delivered, has asked that we simply study, in some new kind of commission, the needs of education. What mockery that proposal is. He says we need a national goal. I will tell him right now what that goal is. We must provide safe, suitable, and adequate education for the schoolchildren of America.

To begin to meet that goal, we need 135,000 classrooms and 135,000 teachers to meet present shortages, and the teachers need salaries that will permit them to continue in their profession. It is a tragic thing when an administration is so far removed from reality and public opinion that it does not recognize the need for leadership now in the field of education, not a return to one of Herbert Hoover's 1931 formulas for delaying any action. I intend to do all within my power to see that the Congress furnishes the leadership which the President has abdicated.

The teachers of this country's public school children are as badly underpaid as they are badly overworked. The average salary of classroom teachers for 1958–59 is estimated at $4,775. One classroom teacher out of six receives less than $3,500 annually. I hope all Senators will think for a moment about that stark fact. There are 1,292,000 classroom teachers in our public schools. Of that total, almost one-quarter of a million receive a gross weekly salary, over a 40-week period, of $87.50, or less. And, of course she or he is expected to save up enough, during the school year, to go to summer school and earn enough credits to return to teaching and, frequently, coaching, counseling, and otherwise devoting practically every waking hour either to the job itself or to extracurricular, noncompensated duties.

The Nation should be ashamed of the shabby way it is treating its teachers, as well as its schoolchildren. I say it is time to do something about this; and we can do so by prompt passage of Senate bill 2 and subsequent appropriations.

While the perennial opponents of this kind of legislation will no doubt again cry doomfully that this bill means Federal control of education, reasonable men can agree that, on the contrary, the passage of the bill will give the local school boards actual, instead of only nominal, control of education. A school district which is bonded to the limit, and is holding classes in churches and community halls, and is taking any teachers it can get, despite their lack of qualifications, does not have control of education. This bill would give to the States funds which could provide both the classrooms and the salaries necessary to return actual control of education to districts such as I have described, and to assure that other districts faced with similar situations will be able to retain control of education.

Some persons hold that State and local spending for schools is inherently good, and that Federal spending for schools is inherently bad. This fallacy is cultivated by the self-interest groups that have as their primary goal the reduction of taxes, regardless of what may happen to our school system. Some of the same persons regard a balanced Federal budget as a sacred thing, but look the other way when it is pointed out that some State and local governments are in much worse shape financially.

Between 1948 and 1957, State and local governments increased revenues by 119 percent, but their bonded indebtedness increased by 182 percent. During the same period, Federal revenues increased 81 percent, but Federal indebtedness increased by only 7.2 percent.

As a percentage of national income, our national debt dropped from 113 percent, in 1948, to 74 percent, in 1957. Thus, in terms of our national income, our national debt has been cut by almost 40 percentage points during the past decade.

In 1948, our national income was $223.5 billion. By 1957 it had risen to $364 billion. In 1948, our national debt was $252 billion. By 1957 it had risen to $270 billion. Thus, as a Nation we are like the man who 10 years ago bought a house with a $6,000 mortgage when he made $5,000 a year. He recently bought a bigger house which had a $7,000 mortgage; however, his salary is now more than $8,000 a year. He obviously is in a much better position to pay for his new house. And he certainly is in a better position than the man who, like many local school districts, is in debt so far, according to his ability to pay, that the banker waves him out the door.

Assuming that school financing must be done on borrowed money, let us compare the cost of borrowing money by Federal, State, and local governments. Since 1957, yields on high-grade municipal bonds, which include school bonds, have been consistently higher than those on Federal bonds. As of November 1958, high-grade municipal bonds sold at 3.84 percent, while long-term Federal bonds sold at 3.70 percent interest. This is despite the fact that interest on Federal bonds is taxable and the interest on State and local bonds is tax exempt.

The exemption from Federal taxes is also costing the Federal Government a considerable sum annually, through the loss of Federal income tax on these tax-exempt bonds. This tax exemption—a back-door type of Federal subsidy—is proving insufficient to assure State and local government preferential interest

rates, among competitive types of securities on the market.

If a taxpayer happens to live in a school district that has already strained itself to provide school buildings for a growing number of children, and as a result has a low rating for bonding purposes, he may have to pay interest rates that are 20 percent or more higher than those required if his Federal Government had borrowed money to build the same school buildings. If a taxpayer happens to live in a school district that has reached its bonding capacity, but where there is still an urgent need for additional classrooms, the taxpayer is unable to provide for educating children in his community.

Mr. President, many of us on both sides of the aisle are persuaded that the Federal Government should act now, during this session, to bolster education by the kind of a program which Senate bill 2 provides. In the light of what I am about to say, I want to make it clear, so as to avoid any possible embarrassment to my friends across the aisle who support this proposed legislation, that I am speaking only for myself, and not for all the cosponsors and other supporters of this bill. But because of the outcries sure to come from opponents of school-support legislation, it is necessary to take the halo off the balanced budget which the administration permitted a peek at a few weeks ago.

The so-called balanced budget may actually be the most out-of-balance budget in the history of our Republic. While the entire budget has not been unveiled, it may be out of balance with the basic needs of our Nation. It may be out of balance with both domestic and foreign needs, with our present and future and our growing population. It may be out of balance with the needs of our economy; in fact, it may be out of balance with everything except an estimate of revenue for the next fiscal year. And this estimate is out of balance with the revenue that our national economy should be supporting, and would be supporting if the administration had the vision and courage and confidence to implement the Employment Act of 1946 and otherwise furnish the leadership the United States deserves.

What kind of blindness affects us, that we see so clearly the need for planes and rockets to protect the free world, but fail to see the need to provide teachers and classrooms for the children of a free people?

However, even those who would sacrifice investments in human beings for investments in military hardware must be sobered by the reports on Soviet education. Last year, Commissioner of Education Lawrence Derthick spent some time inspecting the Soviet educational system. Upon his return he said:

> What we have seen has amazed us in one outstanding particular; we were simply not prepared for the degree to which the U.S.S.R. as a nation, is committed to education as a means of national advancement. Everywhere we went we saw indication after indication of what we could only conclude amounted to a total commitment to education. Our major reaction therefore is one of astonishment * * * at the extent to which this seems to have been accomplished. * * *
>
> We saw no evidence of any teacher shortage. Teacher workloads and other working conditions are advantageous. Teacher prestige is high. Salaries are at the levels of those of doctors and engineers. * * * Only the best are chosen to teach—one out of six who apply.

In the light of these Soviet accomplishments, we can ill afford to lie back and neglect our obligation to the children of America and the future strength of the Nation.

Mr. President, no Senator need oppose or fail to support this bill because he thinks that his constituency is opposed to Federal support for schools. An objective study of public opinion polls made since 1950 shows that an ever-increasing percentage of the American people are in favor of Federal support for education.

In 1957, George Gallup reported, after conducting an opinion poll on a Federal-aid measure, that every major segment of our population was in favor of it, and that not any major segment polled was less than 70 percent in favor of it.

A Roper poll also conducted in 1957 showed 73 percent of the American population to be in favor of Federal aid for schools. In reporting on results of his poll, Elmo Roper concluded:

> If the Federal Government were to take its courage in both hands and decide tomorrow morning that our crippling educational shortages were something for which it must now take a heavy measure of responsibility * * * the heavens would not fall. More people favor such a course than favor any other single one.

Mr. President, no Senator need oppose this bill or fail to support it because he believes that this measure would in any way hinder the local and State control of our public schools. On the contrary, this measure will bolster and strengthen State and local control of our schools and make it a reality.

No Senator need fail to support this bill because he believes that Federal support for education is new and unprecedented. The bill I am introducing today has ample precedent.

To cite but one precedent, the Northwest Ordinance of 1785 was enacted under the Articles of Confederation 3 years before our Federal Constitution was ratified. In this ordinance, our Founding Fathers set aside the 16th section of land in every township in the new Territories for the maintenance of public schools. The proceeds from the 16th section were the original nest egg that established the public schools in my own State of Montana, as happened in many other States. For the first few decades in the history of Montana these funds provided a substantial percentage of the monetary support for public schools. Even today the proceeds from school lands amount to more than 10 percent of the total operating expenditures for public schools in Montana. The same is true for many of the other States.

Federal financial support for education is not new; indeed, it is older than our Republic. The bill introduced today would not launch the Nation on a new and adventuresome program; it would merely intelligently build on the foundation laid down long ago by our Founding Fathers.

Many sitting in this Chamber today owe much of their own education to the national endowment of public schools established by the foresight of our Nation's founders. Can we who owe so much fail to invest, in turn, in the education of our own children and grandchildren?

The minimum birthright our Nation owes to all American children is the opportunity to be taught by competent, well-trained teachers in safe and suitable schools. To continue to deprive large numbers of our youth of their minimum birthright is to perpetuate a national shame.

We must remember, however, that good teachers and suitable classrooms, the fundamental ingredients of quality education, are infinitely more than the birthright of our children. They are also the best and most fundamental investment that we can make in our vigor as a free people, in our continued economic growth, in our defense potential, and in our continued leadership in the free world.

Mr. President, I ask unanimous consent to have printed in the RECORD, immediately following these remarks, the text of Senate bill 2 and a table showing the estimated allotments to individual States under the bill, and that the bill be held on the table until January 15, so that other Senators may, if they wish, join in cosponsoring the bill. Let us hope that this is the year in which Congress will act in behalf of the school children of America.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and table will be printed in the RECORD, and the bill will lie on the table, as requested by the Senator from Montana.

The bill (S. 2) to provide financial assistance for the support of public schools by appropriating funds to the States to be used for constructing school facilities and for teachers' salaries, introduced by Mr. MURRAY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc.,

SHORT TITLE

SEC. 1. This act may be cited as the "School Support Act of 1959."

FINDINGS AND PURPOSE OF ACT

SEC. 2. The Congress finds that despite sustained and vigorous efforts by the States and local communities, which have increased current school construction to unprecedented levels and which have increased expenditures for teachers' salaries, there is still a serious shortage of classrooms and of qualified teachers which requires immediate action on the part of the Federal Government. The financial resources available to many communities are inadequate to support construction programs sufficient to eliminate classroom shortages, and practically all communities face the problem of providing compensation to teachers commensurate with the salaries received by persons with comparable education, experience, and responsibilities. These inadequacies are seriously restricting

the quality of the educational program of the Nation.

The Congress strongly affirms that the control of the personnel, program of instruction, formulation of policy, and the administration of the Nation's public elementary and secondary schools resides in the States and local communities. The Congress also affirms that a major portion of the responsibility for financing the costs of these schools resides in the States and local communities.

However, the Congress recognizes that without sufficient financial resources at their disposal to provide necessary educational facilities and to employ competent teaching personnel, the control of our Nation's schools is not directed by State and local school boards but is dictated by the harsh demands of privation. Without the means to pay for alternatives, school boards have no freedom of choice.

In order to provide State and local school boards with actual, as well as nominal, control of schools, the Congress has the responsibility for appropriately sharing in their financial support. The purpose of this act, therefore, is to provide Federal financial support to help meet both the immediate and continuing problems of financing adequate school facilities and teachers' salaries and thereby to strengthen the schools of the Nation.

AUTHORIZATION OF APPROPRIATIONS

SEC. 3. There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1959, and for succeeding fiscal years, amounts equal to the product of the estimated number of the school-age population of all the States as of such year and the following amounts: For the fiscal year beginning July 1, 1959, $25; for the fiscal year beginning July 1, 1960, $50; for the fiscal year beginning July 1, 1961, $75; and for each fiscal year thereafter, $100.

ALLOTMENTS TO STATES

SEC. 4. (a) The Commissioner shall allot for each fiscal year to each State, from the total amount appropriated for such year pursuant to section 3, an amount which bears the same ratio to such total as such State's estimated school-age population bears to the total estimated school-age population of all such States, subject to such adjustments, if any, as result from the application of section 8.

(b) The State education agency of each State which desires to receive an allotment under the provisions of this act shall specify annually to the Commissioner the proportion of its State's allotment that will be expended for each of the two purposes: (1) School construction and (2) teachers' salaries.

SCHOOL CONSTRUCTION PORTION

SEC. 5. The State education agency of each State which desires to use a portion of its allotment under this act for the construction of school facilities shall certify to the Commissioner that such funds allocated within the State for this purpose will be—

(1) Expended solely for the construction of school facilities in school districts in accordance with this act; and

(2) So distributed that priority is given to school districts which have the greatest need for additional school facilities and which in terms of the economic resources available to them are least able to finance the cost of needed school facilities.

TEACHERS' SALARY PORTION

SEC. 6. The State education agency of each State which desires to use a portion of its allotment under this act for teachers' salaries shall certify to the Commissioner that such funds allocated within the State for this purpose will be—

(1) Distributed among its school districts to be used solely for teachers' salaries and

(2) So distributed that each school district in the State will receive at least three-fourths of the amount which bears the same ratio to the total portion of the States allotment specified for teachers' salaries under section 4(b) as the number of teachers in each school district bears to the number of teachers of all the school districts in the State.

VERIFICATION OF EXPENDITURES

SEC. 7. The State education agency shall verify annually to the Commissioner that funds received under this act were distributed and expended in accordance with the provisions of this act.

MAINTENANCE OF STATE AND LOCAL FINANCIAL SUPPORT OF SCHOOLS

SEC. 8. (a) The amount allotted to any State under section 4 for any year shall be reduced by the percentage (if any) by which its State school effort index for such year is less than the national school effort index for such year, with the exception that during the first 3 years that allotments are made this provision shall not be applicable. The total of such reductions shall be reallotted among the remaining States by proportionately increasing the amounts allotted to them under section 4 for such year.

(b) For purposes of subsection (a)—

(1) the "State School Effort Index" for any State for a fiscal year is the quotient obtained by dividing (A) the revenue for schools per public school child for the State by (B) the personal income per child of school age for the State; except that the State school effort index shall be deemed to be equal to the national school effort index in the case of Hawaii, Puerto Rico, the Virgin Islands, Guam, Wake Island, American Samoa, and the District of Columbia.

(2) the "National School Effort Index" for any fiscal year is the quotient obtained by dividing (A) the revenue for schools per public school child for the total States of the Union by (B) the personal income per child of school age for the total States of the Union.

(c) (1) The revenue for schools per public school child for any State for purposes of determining its State school effort index for any fiscal year means the quotient obtained by dividing (A) the total current revenue receipts derived from State and local sources in the State for support of elementary and secondary education, as determined by the Commissioner on the basis of data for the most recent school year for which satisfactory data for the several States are available to him, by (B) the number of children in average daily attendance in public elementary and secondary schools in such State, as determined by the Commissioner for such most recent school year.

(2) The revenue for schools per public school child for the total States of the Union for purposes of determining the national school effort index for any fiscal year means the quotient obtained by dividing (A) the total current revenue receipts derived from State and local sources for support of elementary and secondary education in the total States of the Union, as determined by the Commissioner for the same school year as is used under paragraph (1), by (B) the number of children in average daily attendance for such year in public elementary and secondary schools in the total States of the Union, determined as provided in paragraph (1).

(3) The income per child of school age for the several States and for the total States of the Union shall, for purposes of subsection (b), be determined by the Commissioner on the basis of the personal income per child of school age for the most recent year for which satisfactory data are available from the Department of Commerce.

LABOR STANDARDS

SEC. 9. (a) The State education agency shall give adequate assurance to the Commissioner that all laborers and mechanics employed by contractors or subcontractors in the performance of work on school construction financed in whole or in part under this act will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a–5).

(b) With respect to the labor standards specified in subsection (a) of this section the Secretary of Labor shall act in accordance with Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267), and section 2 of the act of June 13, 1934, as amended (40 U.S.C. 276c).

APPROPRIATION FOR ADMINISTRATION

SEC. 10. There are hereby authorized to be appropriated for each fiscal year to the Department of Health, Education, and Welfare such sums as may be necessary for the administration of this act.

ASSURANCE AGAINST FEDERAL INTERFERENCE IN SCHOOLS

SEC. 11. In the administration of this act, no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over policy determination, personnel, curriculum, program of instruction, or the administration of any school or school system.

DEFINITIONS

SEC. 12. For purposes of this Act—

(a) The term "Commissioner" means the United States Commissioner of Education.

(b) The term "State" means a State, Hawaii, Puerto Rico, Guam, Virgin Islands, Wake Island, American Samoa and the District of Columbia.

(c) The term "State education agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the governor or by State law.

(d) The term "school district" means any public-school administrative unit in a city, county, township, school district or other political subdivision in a State that is under the direction of a board of education or other legally constituted local school authority having administrative control and direction over tax-supported public education.

(e) The term "school facilities" means classrooms and related facilities (including furniture, equipment, machinery, and utilities necessary or appropriate for school purposes) for education which is provided by a school district for elementary or secondary education, in the applicable State, at public expense and under public supervision and direction; and interests in land (including site, grading, and improvement) on which such facilities are constructed.

(f) The terms "constructing" and "construction" mean the preparation of drawings and specifications for school facilities; erecting, building, acquiring, altering, remodeling, improving, or extending school facilities; and the inspection and supervision of the construction of school facilities.

(g) The term "child of school age" means a child who is between the ages of 5 and 17, both inclusive.

(h) The term "school-age population" means that part of the population which is between the ages of 5 and 17, both inclusive, as determined on the basis of either the actual or estimated population between such ages for the most recent year for which satis-

factory data are available from the Department of Commerce.

(i) The term "teacher" means any member of the instructional staff of a public school district as defined by the education agency of each State.

(j) The term "teachers' salaries" means the monetary compensation paid to teachers for services rendered in connection with their employment.

The table presented by Mr. MURRAY is as follows:

Estimated allotments to individual States under the Murray-Metcalf bill for school years, 1959–60, 1961–62, and 1962–63, based on projections of each State's school-age population (5 to 17 years) for these years

States	1959–60 allotments: $25 per estimated child, 5 to 17 years	1960–61 allotments: $50 per estimated child, 5 to 17 years	1961–62 allotments: $75 per estimated child, 5 to 17 years	1962–63 allotments: $100 per estimated child, 5 to 17 years	States	1959–60 allotments: $25 per estimated child, 5 to 17 years	1960–61 allotments: $50 per estimated child, 5 to 17 years	1961–62 allotments: $75 per estimated child, 5 to 17 years	1962–63 allotments: $100 per estimated child, 5 to 17 years
(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Continental United States	$1,085,000,000	$2,243,100,000	$3,450,900,000	$4,745,900,000	Missouri	$24,900,000	$51,200,000	$78,375,000	$107,400,000
Alabama	22,275,000	44,950,000	67,425,000	90,100,000	Montana	4,525,000	9,350,000	14,475,000	20,000,000
Alaska	1,350,000	3,000,000	4,950,000	7,100,000	Nebraska	8,900,000	18,350,000	28,200,000	38,400,000
Arizona	7,975,000	16,950,000	26,850,000	38,000,000	Nevada	1,750,000	3,800,000	6,150,000	8,800,000
Arkansas	11,675,000	23,150,000	33,900,000	44,200,000	New Hampshire	3,425,000	7,000,000	10,725,000	14,700,000
California	87,800,000	185,600,000	291,750,000	410,500,000	New Jersey	33,225,000	69,250,000	107,025,000	148,700,000
Colorado	11,100,000	23,300,000	36,450,000	50,700,000	New Mexico	6,300,000	13,150,000	20,475,000	28,300,000
Connecticut	13,525,000	28,150,000	43,350,000	60,000,000	New York	90,350,000	186,450,000	285,300,000	392,200,000
Delaware	2,775,000	5,850,000	9,300,000	13,200,000	North Carolina	31,325,000	63,900,000	97,125,000	131,100,000
District of Columbia	4,025,000	8,450,000	12,975,000	17,800,000	North Dakota	4,400,000	9,000,000	13,650,000	18,300,000
Florida	26,700,000	56,800,000	90,525,000	128,800,000	Ohio	58,650,000	122,300,000	189,825,000	264,300,000
Georgia	26,725,000	54,750,000	83,550,000	113,600,000	Oklahoma	13,925,000	28,000,000	42,000,000	55,900,000
Idaho	4,525,000	9,250,000	14,100,000	19,000,000	Oregon	11,250,000	23,200,000	35,550,000	48,600,000
Illinois	57,950,000	120,200,000	185,550,000	257,100,000	Pennsylvania	64,925,000	132,900,000	201,900,000	275,100,000
Indiana	29,250,000	60,750,000	93,825,000	129,600,000	Rhode Island	4,875,000	10,050,000	15,300,000	20,900,000
Iowa	17,250,000	35,250,000	53,700,000	73,000,000	South Carolina	17,925,000	36,700,000	55,800,000	75,300,000
Kansas	13,250,000	27,500,000	42,450,000	58,300,000	South Dakota	4,600,000	9,450,000	14,475,000	19,600,000
Kentucky	20,475,000	41,400,000	62,250,000	83,400,000	Tennessee	22,900,000	46,500,000	70,050,000	94,200,000
Louisiana	22,050,000	45,600,000	70,350,000	96,700,000	Texas	63,825,000	132,950,000	206,475,000	285,300,000
Maine	5,825,000	11,850,000	17,850,000	24,000,000	Utah	6,425,000	13,350,000	20,625,000	28,500,000
Maryland	19,000,000	39,700,000	61,575,000	85,800,000	Vermont	2,325,000	4,700,000	7,050,000	9,500,000
Massachusetts	27,050,000	55,250,000	83,775,000	113,800,000	Virginia	25,450,000	52,550,000	80,625,000	110,400,000
Michigan	51,400,000	107,450,000	167,400,000	233,700,000	Washington	17,675,000	36,100,000	56,250,000	77,200,000
Minnesota	21,550,000	44,500,000	68,325,000	93,800,000	West Virginia	13,175,000	26,250,000	38,775,000	51,100,000
Mississippi	15,625,000	31,450,000	47,100,000	62,400,000	Wisconsin	24,675,000	51,050,000	78,525,000	108,100,000
					Wyoming	2,175,000	4,500,000	6,900,000	9,400,000

RULES OF INTERPRETATION GOVERNING QUESTIONS OF THE EFFECT OF ACTS OF CONGRESS ON STATE LAWS

Mr. MCCLELLAN. Mr. President, for myself, the senior Senator from New Hampshire [Mr. BRIDGES], and 28 others of my colleagues, I introduce for appropriate reference a bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws.

The bill is co-sponsored by Senators BRIDGES, THURMOND, HOLLAND, MARTIN, ROBERTSON, HILL, BENNETT, SPARKMAN, RUSSELL, MUNDT, SCHOEPPEL, YOUNG of North Dakota, LONG, BIBLE, STENNIS, HICKENLOOPER, WILLIAMS of Delaware, TALMADGE, SMATHERS, BUTLER, CURTIS, ERVIN, GOLDWATER, FULBRIGHT, ELLENDER, JORDAN, BYRD of Virginia, CAPEHART, and EASTLAND.

This bill is identical in language with an amendment in the nature of a substitute which many of us offered to Senate bill 654, the so-called Bridges bill, on August 20, 1958, in the last session of Congress.

It will be recalled that a motion to recommit that bill was carried, I believe by a vote of 41 to 40. This is a bill which is identical with the amendment which was offered then as a substitute, except for two clarifying language changes. It is identical to House bill 3 in the last session of Congress, which passed the House of Representatives.

The bill is also known as the Federal anti-preemption bill. I shall not discuss it in detail, but I point out that it is designed to correct the situation which exists under present rulings of the United States Supreme Court, to the effect that where Congress has enacted legislation on any subject, the States are deprived of the power to enact or enforce similar laws on the same subject, even though not in conflict with a Federal statute.

To correct this situation the bill would do two things. First, acts of Congress would not repeal State laws or nullify them, or preempt a field of legislation unless Congress specifically so provided.

Second, State laws would not be declared by the Supreme Court as being ineffective and incapable of enforcement, unless they were in inreconcilable conflict with the Federal law.

I ask unanimous consent that the bill may lie on the desk until the close of business on next Monday in order that other Senators who may desire to do so may join as sponsors.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Arkansas.

The bill (S. 3) to establish rules of interpretation governing questions of the effect of acts of Congress on State laws, introduced by Mr. MCCLELLAN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

PADRE ISLAND NATIONAL PARK

Mr. YARBOROUGH. Mr. President, I introduce for appropriate reference a bill to create Padre Island National Park in the State of Texas. Most of us are keenly aware of the fact that one of America's greatest recreation resources is our public shoreline. But, unfortunately, in many sections of the country the shoreline has vanished from public use.

A national survey of our coastlines shows that of the 3,700 miles of shoreline constituting the Atlantic and gulf coasts, only 240 miles are in Federal and State ownership for public recreation use; and more than half of that 240 miles is embraced in the Cape Hatteras National Seashore Recreation Area, in North Carolina; the Acadia National Park, in Maine; and the Everglades National Park, in Florida; and none of those national parks contains much beach frontage that is suitable for seashore recreation. Not enough land is available for this purpose. With the great population increases and the industrial growth of our country, tens of millions of future Americans will be deprived of public use of beaches if we do not act now.

Mr. President, in this country very few areas of undeveloped beach line are still available for public use. One of the great, undeveloped beaches of the country is Padre Island, a beautiful stretch of sand which extends the southernmost 115 miles of the Texas coast along the Gulf of Mexico. The island's width ranges from one-third to one-half a mile; and one tip of it, Padre Beach, is already under commercial resort development.

Mr. President, Texas has the longest coast line on the Atlantic and the gulf coasts—367 miles.

There is no question that as a national park, Padre Island would become the winter park of America, just as Yellowstone, Yosemite, Glacier National, and the Great Smoky Mountains are summer playgrounds.

National Park Board officials say that Padre Island is one of the unique natural regions of America, in that its combination of geology, scenery, climate, and wildlife cannot be duplicated anywhere else in the Nation. It is the last substantial strip of American coastline still almost entirely in its natural state, undeveloped or unchanged from its condition in the very early days of this country.

Looked at from a standpoint of historical interest, Padre Island is one of the closest links the United States has with the past, for it was there that one of the earliest explorers set foot on New World soil. The explorer, Alonso Alvarez de Pineda, a Spaniard, in 1519 sailed the gulf shore from Florida to the Mexican port of Tampico. He was followed by Cabeza de Vaca, David Ingram, and other explorers who are responsible for many pages of the history of the European exploration of the North American Continent.

Mr. President, I ask unanimous consent that the bill, which provides for the establishment of Padre Island as a national park, be printed at this point in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 4) to provide for the establishment of the Padre Island National Park, in the State of Texas, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That (a) the Secretary of the Interior shall acquire by gift, purchase, transfer from any Federal agency, or otherwise, such lands (together with any improvements thereon), as he shall consider necessary or desirable for the purpose of establishing a national park on Padre Island situated in the coastal waters of the State of Texas and extending from near Corpus Christi to near Brownsville, except that the Secretary of the Interior shall not exercise any authority under the provisions of this act unless and until the State of Texas by appropriate legislative action has consented to the establishment of such park.

(b) Any Federal agency is authorized to transfer, without consideration, to the Secretary of the Interior any lands (together with any improvements thereon) which are excess to the needs of such agency for use by the said Secretary in carrying out the provisions of this act.

SEC. 2. (a) The lands acquired under the first section of this act shall be set aside as a public park for the benefit and enjoyment of the people of the United States, and shall be designated as the Padre Island National Park. The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop the park, subject to the provisions of the act entitled "An act to establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat. 535).

(b) In order to provide for the proper development and maintenance of the park, the Secretary of the Interior shall construct and maintain therein such roads, trails, markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

FEDERAL AID TO SCHOOL CONSTRUCTION

Mr. McNAMARA. Mr. President, I introduce, for appropriate reference, a bill to authorize an emergency 2-year program of Federal financial assistance in school construction to the States. The bill, which I introduce on behalf of myself, and my colleague, the junior Senator from Michigan [Mr. HART], is no stranger to the Senate.

A bill similar to this one was the first bill introduced on the floor of the Senate in the 85th Congress. Last August, the provisions of the bill were offered as an amendment to the National Defense Education Act.

It was the first Federal aid to school construction measure to be voted on in this body in the past 8 years.

Although it failed to pass as an amendment, the size of the vote in favor of it was an encouraging omen of things to come.

The members of the Senate are as aware as I am of the hard facts of today's world. Unless we discover our best minds, and give them the education they must have, we are in for serious trouble.

We cannot hope to begin this education unless we have more and better school buildings. This is the heart of the problem.

The National Defense Education Act gave some relief to our colleges and universities. But it did not provide an iota of help to the basic units of our educational system, the compulsory school level.

We have witnessed a staggering increase in school enrollment in the years after World War II, and the population experts tell us that the worst, if we do not act swiftly, is yet to come.

This year more than 34.5 million youngsters attend our public schools, 3.9 percent more than last year, and a phenomenal 40.5 percent more than attended in 1949.

Mr. President, the contents of this bill are quite uncomplicated. It would provide a billion dollars a year for 2 years for school construction.

Each State would receive a grant based on the number of its school-age children, and each State would be required to match the Federal contribution.

It is estimated that enactment of this bill would effect the construction of almost 100,000 new classrooms over the 2-year period.

It would also permit the States to channel money into the improvement of teachers' salaries.

I want to make it clear that this bill is intentionally drafted to prevent any Federal interference in local school programs or policies.

I share the rightful distaste of the vast majority of my colleagues for Federal control over any phase of our traditionally local school system.

State after State has made a mighty effort to solve its own school problems. We are proud in Michigan about the progress we have made in the last decade.

Unfortunately, tax resources at the local level are strained. Further substantial increases will mean an almost intolerable load for an already overburdened property owner.

Enactment of this bill would mean that the more equitable tax base of the Federal Government would be used to meet this emergency.

This Senate has seldom been confronted by such an important problem for which the solutions were so readily apparent and so easy to provide.

If we are to secure the future of this country, this is the time for action.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 8) to authorize an emergency 2-year program of Federal financial assistance in school construction to the States, introduced by Mr. McNAMARA (for himself and Mr. HART), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

AMENDMENT OF CLAYTON ACT WITH REFERENCE TO EQUALITY OF OPPORTUNITY

Mr. KEFAUVER. Mr. President, on behalf of myself, and Senators CHAVEZ, HUMPHREY, GREEN, LANGER, MAGNUSON, McCARTHY, LONG, HILL, SPARKMAN, McNAMARA, CARROLL, NEUBERGER, MORSE, MURRAY, MOSS, WILEY, SMATHERS, JACKSON, McGEE, CHURCH, DOUGLAS, and O'MAHONEY, I introduce, for appropriate reference, a bill to amend the Clayton Antitrust Act, as amended by the Robinson-Patman Act, with reference to equality of opportunity. The bill would make more effective the act's prohibitions against price discrimination by eliminating the defense of meeting in good faith the equally low price of a competitor in those instances where it is affirmatively shown that the price discrimination may substantially lessen competition or tend to create a monopoly. Where the effect of the discrimination is not so severe as this, meeting competition in good faith would continue as a defense.

The necessity for the bill arises from the 1951 decision of the Supreme Court in the Standard Oil of Indiana case—340 U.S. 231. In this decision the Court held that price discriminations, unlawful under section 2(a) of the Clayton Act because of their substantial adverse effect upon competition, could be continued upon a showing that the discriminations were made in good faith.

This decision stands for the proposition that substantial lessening of competition or tendency toward monopoly is in the public interest if the business practices which produce these results are done in good faith.

The bill, on the other hand, is based on the proposition that substantial lessening of competition or tending toward monopoly is not in the public interest regardless of whether the business practices which produce those results are done in good faith or bad faith. The bill says that good faith monopoly is as repugnant to America as bad faith monopoly.

This is the third time I have introduced this bill in the Senate. A similar bill is being introduced also for the third time in the House by Representative WRIGHT PATMAN, of Texas, coauthor of the Robinson-Patman Act and a lifelong friend of small business. This proposed legislation has been numbered H.R. 11 in the House and S. 11 in the Senate in both the 84th and 85th Congresses and is known as the equality of opportunity bill.

Having failed of enactment in the two preceding Congresses, the bill is obviously highly controversial. In the 84th Congress, the bill passed the House by a vote of 393 to 3, but was never considered in the Senate having been caught in the closing days. In the 85th Congress, the bill was reported to the Senate by the Judiciary Committee with an amendment in the nature of a substitute, but again was caught in the closing days.

The bill which I have introduced is in the form in which it was reported in the last Congress by the Antitrust and Monopoly Subcommittee to the Judiciary Committee, and not as it was reported by the Judiciary Committee to the Senate after an amendment in the nature of a substitute. Although I voted to report the bill to the Senate as amended by the Judiciary Committee, I did so only to get the bill before the Senate where I hoped to restore the original language.

As I have stated, the bill is controversial. The issue involved is whether good faith monopoly shall continue to be permitted under the Standard Oil of Indiana case, or whether good faith monopoly as well as bad faith monopoly shall be condemned under the bill.

In order that all Senators who believe with me that good faith as well as bad faith monopoly must be prevented may have an opportunity to add their names as cosponsors, I ask unanimous consent that the bill lie on the desk for 1 week.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Tennessee.

The bill (S. 11) to amend the Clayton Act as amended by the Robinson-Patman Act with reference to equality of opportunity, introduced by Mr. KEFAUVER (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

FOREIGN SERVICE ACADEMY

Mr. SYMINGTON. Mr. President, I introduce, for appropriate reference, a bill for the establishment of a Foreign Service Academy.

As has so often been said, the ultimate future of the world, whether it is to be free or slave, will not be settled on battlefields, but rather in the minds of men.

Dedicated, well-trained representatives are at work for the Communist cause, all over the world.

We have not matched this effort; either in size or degree of training.

As a result of their unprecedented efforts to perform diplomatic services by means of these trained representatives, the Communists are steadily winning friends for their side.

And every convert to communism increases the threat to the free world; and to our own way of life.

We hear and read much of the struggle for the uncommitted nations of Asia, of Africa, and of Latin America.

If these areas are lost to communism, it will be increasingly clear that our survival is in jeopardy.

A recent much discussed book, "The Ugly American," reports in story form some of our failures in this field.

The failures in Foreign Service as recounted in this book did not come about because the Communists were 10-feet tall; or more intelligent, but because they were better trained.

Such mistakes by our representatives were not deliberate. Rather they resulted from a lack of background, especially with respect to the language, the history, and the customs of the country in question.

These are basic faults; and if we are to win this struggle they must be corrected.

The measure I introduce today is designed primarily to provide better training for the men and women who represent us abroad.

This Foreign Service Academy Act will establish a 4-year college for the training of our overseas representatives.

This Academy will be under the direction of the Secretary of State, with a board of trustees. I want to emphasize, however, that it is not designed to train people exclusively for State Department service.

The course of instruction will equip graduates to serve in foreign posts with all the branches of our Government which have overseas operations.

Students at this Academy would come from all parts of the country. They would be selected in the same manner as are appointees to the Service Academies.

Surely if we can afford three Service Academies for possible hot war, we can afford one Foreign Service Academy to handle the cold war which is now going on.

By means of the training proposed in this bill, first hundreds, later thousands of dedicated men and women who desire to serve their country effectively will have that opportunity.

I ask unanimous consent that this bill be printed at this point in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 15) to provide for the establishment of a U.S. Foreign Service Academy, introduced by Mr. SYMINGTON, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That this act may be cited as the "United States Foreign Service Academy Act."

SEC. 2. The Secretary of State is authorized and directed to establish and maintain, in the middle western region of the United States, a United States Foreign Service Academy (hereinafter referred to as the "Academy") for the instruction and training of foreign representatives of the United States Government.

SEC. 3. The Secretary of State may appoint or assign such officers and civilian instructors as the needs of the Academy require.

SEC. 4. The supervision and charge of the Academy shall be in the Department of State, under such officer or officers as the Secretary of State may appoint for or assign to that duty, and under such regulations as the Secretary of State may prescribe.

SEC. 5. In the operation of the Academy the Department of State shall work in conjunction with the Board of Trustees.

SEC. 6. (a) The Board of Trustees shall consist of

(1) The Secretary of State;

(2) Two educators of prominence appointed by the President;

(3) Two Members of the United States Senate, of different political parties, appointed by the President of the Senate; and

(4) Two Members of the House of Representatives of different political parties, appointed by the Speaker of the House of Representatives.

(b) Members of the Board of Trustees shall be appointed for 2-year terms and shall be eligible for reappointment.

SEC. 7. (a) The authorized number of students at the Academy shall be as follows:

(1) Four students from each State, two nominated by each Senator from the State;

(2) Two students from each congressional district, nominated by the Representative from the district;

(3) Two students from each Territory, nominated by the Delegate in Congress from the Territory;

(4) Two students from Puerto Rico, nominated by its Resident Commissioner;

(5) Three students from the District of Columbia, one nominated by each of the Commissioners of the District of Columbia;

(6) One hundred and twenty-seven students from the United States at large—

(A) One nominated by the Governor of each State;

(B) Seventy-five nominated by the President; and

(C) Three nominated by the Vice President.

(b) No person may be nominated under clauses (1) to (6), inclusive, of subsection (a), unless he is domiciled in the State or Territory, or in the congressional district from which he is nominated, or in the District of Columbia or Puerto Rico, if nominated from one of those places.

(c) If as a result of redistricting a State the domicile of a student, or a nominee, nominated by a Representative falls within a congressional district other than that from which he was nominated, he shall be charged to the district in which his domicile so falls. For this purpose, the number of students otherwise authorized for that district shall be increased to include him. However, the number as so increased shall be reduced by one if he fails to become a student at the Academy or when he is finally separated from the Academy.

SEC. 8. In order to permit an orderly increase in the number of students at the Academy during the period ending not more than 4 years after the entrance of the initial class at the Academy, the board of trustees may limit the number of students appointed each year during such period.

SEC. 9. The Academy shall operate as a coeducational institution and students shall be appointed thereto on the basis of merit, as determined by a competitive examination to be given annually in each State and Territory, the District of Columbia, and the Commonwealth of Puerto Rico, at such time, in such manner, and covering such subject matter as the Secretary of State may prescribe. Students shall be appointed in the order of their merit as established by such examination.

SEC. 10. The students of the U.S. Foreign Service Academy shall receive the same pay and allowances as are received by cadets at West Point.

SEC. 11. The course of instruction and training for students at the Academy shall be prescribed by the Secretary of State, and shall be the equivalent of the curriculum prescribed by accredited colleges and universities as a prerequisite to the granting of the degree of bachelor of arts. In prescribing such course of instruction and training, the Secretary of State shall provide that special emphasis be placed on the study of the history, culture, customs, folklore, and language or languages of the nations in which cadets may serve and provide for field studies in such nations. The Academy may arrange to assign temporarily selected students to the Air, Military, and Naval Academies of the United States for instruction in military observation. Upon satisfactory completion of the prescribed course of instruction and training, students shall be granted the degree of bachelor of arts.

SEC. 12. Each student selected for admission to the Academy shall sign an agreement that, unless sooner separated, he will—

(1) Complete the course of instruction at the Academy; and

(2) Accept an appointment and service, as an officer or employee of the United States in any position for which he is qualified by reason of his special training at the Academy, for at least the 3 years immediately following the granting of his degree from the Academy.

SEC. 13. (a) The course of study at the Academy shall, during each year of its operation, be organized as follows:

(1) The months of September to May, inclusive, shall be devoted to classroom instruction of students at the Academy;

(2) The period from June 1 to June 30, inclusive, shall be devoted to annual leave for all students;

(3) The months of July and August shall be devoted to practical field training for students at the Academy.

(b) Such field training shall consist of assigning students for service positions under appropriate departments of the government, whether within or outside the United States, by a faculty board on field training, with the approval of the Secretary of State.

SEC. 14. (a) Each graduate of the Academy shall be available for appointment as an officer or employee of the United States, in any position for which he is qualified by reason of his special training at the Academy, in accordance with the following priorities:

(1) The Department of State;

(2) The Department of Commerce;

(3) The Department of Agriculture;

(4) The Department of the Treasury;

(5) The Department of Health, Education, and Welfare; and

(6) Any other department, agency, or instrumentality of the United States.

(b) The Secretary of State may, notwithstanding any provision of the Foreign Service Act of 1946, appoint a graduate of the Academy as an officer in the Foreign Service of the United States.

SEC. 15. (a) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

(b) The U.S. Foreign Service Academy shall have power to acquire and hold real and personal property and may receive and accept gifts, donations, and trusts.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to my friend from Tennessee.

Mr. KEFAUVER. I congratulate the Senator from Missouri upon the introduction of this measure. I think it is one of the most important proposals for peace and for our proper representation abroad which will be before Congress. I certainly hope the bill will be passed at an early date.

Mr. SYMINGTON. I thank the distinguished Senator from Tennessee for his kind statement.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. YARBOROUGH. I commend the distinguished Senator from Missouri upon the introduction of his bill. It was my privilege in the past session to be a cosponsor of a similar bill introduced by the distinguished Senator from Montana [Mr. MANSFIELD]. I think the Senator from Missouri by introducing the bill this early in the session and urging its immediate consideration has shown leadership in this important matter.

Mr. SYMINGTON. I thank the Senator from Texas for his remarks. I have discussed this matter with the distinguished junior Senator from Montana [Mr. MANSFIELD]. There is a difference between the bill which I have introduced and the bill which the Senator from Montana introduced in the last session, and which was cosponsored by the Senator from Texas. Their bill provided for graduate study. I believe it is important that we have an undergraduate academy for the training of foreign service personnel comparable to our military academies.

CONSTRUCTION OF SAN LUIS UNIT, CENTRAL VALLEY PROJECT, CALIF.

Mr. KUCHEL. Mr. President, the great and constantly growing State of California continues to grapple with tremendous problems which have a decided national as well as local interest. Foremost among these is our seemingly perpetual question of making most effective use of natural resources and the pressing matter of meeting an ever-mounting demand for water.

On behalf of my colleague, the junior Senator from California [Mr. ENGLE], and myself, I am introducing a new version of a bill which has been before the Congress for approximately 4 years, a bill to authorize construction of the San Luis project on the west side of the San Joaquin Valley.

This bill is a refinement of the legislation which last year was favorably reported by our Interior and Insular Affairs Committee, after two sets of hearings and considerable negotiation between Federal and State authorities, and which shortly before final adjournment was passed by the Senate.

From time to time during my service in this body, I have had occasion, Mr. President, to discuss the importance of Federal assistance to California in the fields of flood control and water conservation. In view of the fact that we now have a substantial number of new colleagues, I feel it is incumbent upon me to mention the reason why this particular San Luis bill is regarded as deserving of very high priority by my distinguished colleague and myself.

In introducing this measure, I wish to point out to the Senate that I have the privilege of joining in presenting legislation on water matters with an experienced attorney and legislator who long has been concerned with natural resources. The Senate will have the benefit of the knowledge gained by my colleague during his years of service in the other body where he ultimately became chairman of the important Committee on Interior and Insular Affairs.

It has been my own policy never to propose a water project in California for Federal construction until the responsible officials of my State have formally recommended Federal participation in efforts to assure the maximum utilization and conservation of our precious water resources. This is particularly true in the case of the measure I am introducing today.

The San Luis bill, which would authorize an integrated project to be jointly financed and operated by the Bureau of Reclamation and the State of California, has been drafted in consultation with both Federal and State agencies. It is definitely in response to the desires of the State department of water resources and will mean a working partnership to supply a variety of needs.

California has unique water problems. For a large part of our State, the vagaries of nature subject our people to literal feast-or-famine cycles. In the current rainy season now well advanced, most of California is becoming uneasy about the smallest amount of precipitation in decades, even in generations. Yet many of my distinguished colleagues will recall that only 3 years ago, at the opening of the 2d session of the 84th Congress, I was taking an active part in proposing emergency measures for flood relief because of the devastation suffered over extensive sections of central and northern California from unseasonable storms.

The San Luis project would be another vital step toward more efficient and more orderly utilization of water. It would supply water for nearly 500,000 acres of agricultural land in an area where farming necessarily has been reduced and curtailed because of lowering water tables. It would provide storage and regulating facilities for a gigantic interbasin exchange by which the State of California intends to move surplus Feather River water from northern California to the water-hungry and thickly settled Los Angeles-San Diego area.

The State of California is embarked on a plan of self-help in this field. However, it definitely needs the cooperation and assistance of the Federal Government. This bill will provide for the maximum efficiency and greatest return on a substantial investment by allowing the Federal and the State agencies to join hands in building a feasible and an urgent project.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 44) to authorize the Secretary of the Interior to construct the San Luis unit of the Central Valley project, California, to enter into an agreement

with the State of California with respect to the construction and operation of such unit, and for other purposes, introduced by Mr. KUCHEL (for himself and Mr. ENGLE), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

EXCLUSION OF CERTAIN WAGES FROM WITHHOLDING TAX

Mr. PROXMIRE. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to provide that wages paid by States and political subdivisions to individuals employed on relief projects shall not be subject to the withholding tax.

There is clear justification and important need for this improvement in our Federal tax policies as they concern payments by welfare departments to persons employed on work relief projects.

The maximum amount which can be paid on a work relief project is limited to the amount determined by welfare agencies as necessary to meet the minimum needs of the beneficiary and his dependents for food, clothing, shelter, and personal needs.

Obviously, if Federal income taxes are withheld from payments determined at the level of minimum needs, the take-home pay remaining will not be sufficient to meet those needs. Therefore, it becomes necessary for the local government to increase the size of the payment sufficiently to cover the income tax withheld. In effect, the local government is required to pay the individual income tax in addition to providing support for the dependent person and his family.

Under the existing situation, local governments which provide work relief instead of direct relief payments are penalized.

This problem is a particularly serious one for Milwaukee County. County officials estimate that passage of this bill would result in savings to the county of more than $35,000 per year.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 45) to amend the Internal Revenue Code of 1954 to provide that wages paid by States and political subdivisions to individuals employed on relief projects shall not be subject to the withholding tax, introduced by Mr. PROXMIRE, was received, read twice by its title, and referred to the Committee on Finance.

STATEHOOD FOR HAWAII

Mr. MURRAY. Mr. President, I send to the desk for appropriate reference a bill to admit the populous and prosperous American Territory of Hawaii into the Union as a State of the United States. Appropriately, I have requested that the symbolic number S. 50 be assigned to this measure.

Joining me as sponsors of this historic legislation are more than 50 distinguished Senators from both sides of the aisle and from all sections of the United States. This number of cosponsors, plus those other Senators who have assured me that, although for one reason or another they did not wish to cosponsor the bill, they nevertheless would support the measure and vote for it, means that a clear and undisputed majority of the Members of the Senate of the 86th Congress believe that Hawaii should have statehood this session of this Congress. This conviction is also, I am certain, that of the great majority of the American people.

Mr. President, I ask unanimous consent that the names of the distinguished Senators who are cosponsors to the Hawaii statehood bill be printed at this point in the RECORD.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

Mr. ALLOTT, Mr. ANDERSON, Mr. BARTLETT, Mr. BEALL, Mr. BENNETT, Mr. BIBLE, Mr. CANNON, Mr. CARROLL, Mr. CASE of South Dakota, Mr. CASE of New Jersey, Mr. CHAVEZ, Mr. CHURCH, Mr. CLARK, Mr. COOPER, Mr. DIRKSEN, Mr. DOUGLAS, Mr. ENGLE, Mr. FREAR, Mr. GOLDWATER, Mr. GREEN, Mr. GRUENING, Mr. HART, Mr. HARTKE, Mr. HENNINGS, Mr. HOLLAND, Mr. HUMPHREY, Mr. JACKSON, Mr. JAVITS, Mr. KENNEDY, Mr. KUCHEL, Mr. LONG, Mr. MCCARTHY, Mr. MCGEE, Mr. MCNAMARA, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MORSE, Mr. MORTON, Mr. MOSS, Mr. MUSKIE, Mr. NEUBERGER, Mr. O'MAHONEY, Mr. PASTORE, Mr. PROXMIRE, Mr. RANDOLPH, Mr. SALTONSTALL, Mr. SCOTT, Mrs. SMITH, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, Mr. YOUNG of North Dakota.

Mr. MURRAY. Mr. President, it is significant that this list of sponsors includes so many able Senators from both parties and from all parts of the country. This year, as in past years, Hawaii statehood is bipartisan and a nonpartisan cause. It has had, and has now, the support of President Eisenhower, as it had that of Presidents Truman and Roosevelt.

Mr. President, proposed legislation on statehood for Hawaii has been before the Congress of the United States, off and on, for four decades, beginning with H.R. 15865 in 1919, in the 65th Congress. Hearings and investigations of the issue by Congress began in 1935.

EIGHTEEN CONGRESSIONAL HEARINGS HELD

Since that time no less than 18 full-scale hearings and investigations have been conducted by committees of Congress on the issue of statehood for Hawaii, both in the Territory itself and here in the National Capital. Few, indeed, are the issues that come before us that have been as thoroughly and as well explored and considered as has statehood for Hawaii.

The measure the majority of Senators, including myself, are sponsoring today is identical with S. 50, as reported by the Committee on Interior and Insular Affairs in the 85th Congress. That bill, in turn, was similar in its substantive provisions to the Hawaii statehood bill in the 84th Congress, which was based on the statehood bill that was debated for a full month in this body in 1954, and was finally approved by a substantial majority.

I cite this long and impressive legislative history, Mr. President, only to emphasize that the facts and issues concerning statehood for Hawaii already are well known. A most complete record is before this body.

OPPONENTS TO HAVE OPPORTUNITY TO BE HEARD

I cannot believe that any public purpose would be served by long and protracted public hearings again this year. However, I do urge that hearings be held, but that they be limited, as far as possible, to any new evidence that may be pertinent and to the reception of the views of those in opposition to Hawaiian statehood. It is most important that the hearings be held at an early date in this 1st session of the 86th Congress.

Mr. President, I have been a student of statehood for Hawaii for many years, and recently I made a personal inspection trip to the Territory, on behalf of the committee. I visited all of the islands of the Territory, and talked with persons in all walks of life and of various political persuasions.

From my long study and my personal findings, I am convinced that the 600,000 American citizens of Hawaii meet each and every one of our historic tests of readiness for statehood and fitness for it. The overwhelming majority of the people want statehood, and are ready, willing and able to support it.

STATEHOOD IN BEST INTERESTS OF NATION

I am equally convinced that statehood for Hawaii would be in the best interests of the Nation as a whole, as well as in the best interests of the more than a half million Americans of Hawaii. The Territory is blessed with great riches of soil, climate, and people. It has the highest productivity in the entire world for sugar and pineapples. Its climate, scenic beauty, accessibility, and facilities make it one of the foremost recreation spots of the world. Its people are industrious, well-educated in one of the top-ranking school systems under the American flag, and imbued with an unflagging zeal and patriotism for America, as shown by their record on the battlefields of Europe and Korea.

The admission of Hawaii would also constitute a singular achievement in diplomacy. What could be a better argument than this to the critical Far Eastern area that the United States is still the land of promise for people of all backgrounds? The Hawaiian Americans of Japanese and other oriental backgrounds will be the living example that we live by principles of freedom and self-determination for all people. These thoroughly American people of oriental background can be a catalyst of untold value in accomplishing understanding where understanding is most needed.

Mr. President, Hawaii is the sole remaining incorporated Territory under the American flag. It is the only remaining area that has met our historic tests for statehood.

Hawaii, with its long period of tutelage for statehood as an incorporated Territory, with its large, thoroughly American population, its economic development, the splendid war record of its people in fighting and dying for American ideals in both Europe and Asia, and the desire of its people for statehood, fits perfectly into the historic

pattern under which our Nation has grown great.

I most earnestly urge that we follow this path of greatness.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 50) to provide for the admission of the State of Hawaii into the Union, introduced by Mr. MURRAY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AMENDMENT OF ACT OF AUGUST 5, 1954, RELATING TO INDIAN HEALTH

Mr. MURRAY. Mr. President, on behalf of the Senators from Arizona [Mr. HAYDEN and Mr. GOLDWATER], the Senators from Nevada [Mr. BIBLE and Mr. CANNON], the Senators from Oregon [Mr. MORSE and Mr. NEUBERGER], the junior Senator from Idaho [Mr. CHURCH], the junior Senator from Utah [Mr. MOSS], the junior Senator from Montana [Mr. MANSFIELD] and myself, I introduce, for appropriate reference, a bill to amend the act of August 5, 1954, which transferred responsibility for Indian health from the Department of the Interior to the Public Health Service.

The purpose of the bill is to authorize the Public Health Service to provide basic sanitation facilities on Indian reservations. The bill we introduce today is identical to S. 3694, as approved unanimously during the 2d session of the 85th Congress by the Senate Committee on Labor and Public Welfare, the Senate, and the House Committee on Interstate and Foreign Commerce. A single objection in the other House during the closing hours of the 85th Congress prevented its passage.

The administration favors this bill, and so reported to the Committee on Labor and Public Welfare last year. The Indians favor this bill, as evidenced by the editorial from the December 1, 1958, "NCAI Bulletin" published by the National Congress of American Indians, which will appear following these remarks.

The need for improved Indian sanitation facilities is great and urgent, as indicated by an article entitled, "Indian Health, 1958," appearing in the fall, 1958, issue of "Calumet," published by the Marquette League. The author of the article is Forrest J. Gerard, tribal relations officer of the Indian Health Division of the Public Health Service. Mr. Gerard, I am proud to add, is a member of the great Blackfeet Tribe of Montana, where last year a tragic outbreak of polio resulted from inadequate sanitation facilities.

Mr. Gerard's article will appear following these remarks, but I want to call particular attention to some of the grim statistics he cites, as follows:

Twenty-two percent of all Indian deaths occur before the first year of life, compared to only 7 percent for corresponding age groups in the general population. Moreover, nearly a third of all Indian deaths are accounted for before the fifth year of life, compared to 8 percent in the population as a whole. This high infant mortality rate is largely responsible for the early average age at the time of death for Indians—39 years compared to the national figure of 61 years.

Mr. Gerard reports that a recent Public Health Service survey covering environmental sanitation conditions on a large Southwest Indian reservation revealed the following:

Forty-five percent of the Indians have no facilities for excreta disposal, other than the grounds around the dwellings.

Sixty-two percent of the houses have no screening.

Twenty-five percent live in "wickiups", which are constructed of saplings, yucca fronds, or other wild long-leaved plants.

Eighty-eight percent use unsafe, contaminated water supplies.

Great strides have been made in Indian health during the past few years, under the Public Health Administration. Yet, as Mr. Gerard has pointed out, "it is a hard fact that more than half of the deaths and most of the illnesses among the Indians are caused by diseases and conditions that can be prevented or controlled."

My distinguished and most able colleague from Montana [Mr. MANSFIELD], who obtained speedy Senate approval of S. 3694 last year, is particularly aware of the need for this legislation. Only last month the Montana State Board of Health reported that on the Fort Belknap and Rocky Boy Reservations, in Montana, only about 5 percent of the Indians have a safe water supply within one-quarter of a mile from their homes, and less than 10 percent have safe water storage and proper garbage disposal.

"Treasure State Health," published by the State board of health, concluded that "the passage of the sanitary facilities bill by Congress is of utmost importance to help improve this horrible condition."

It is my hope that this bill will become one of the first public laws of the 86th Congress.

Mr. President, it may be that additional Senators who have not had an opportunity to study this problem during these busy opening days of the new session may wish to cosponsor this bill. Therefore, I ask unanimous consent that the bill lie on the table until Tuesday, January 13.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MURRAY. Mr. President, I also ask unanimous consent that the editorial entitled "These Children Must Live," from the December 1, 1958, issue of the "NCAI Bulletin," and the article "Indian Health, 1958," from the fall, 1958, issue of "Calumet," be printed in the RECORD immediately following these remarks.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

INDIAN HEALTH—1958

(By Forrest J. Gerard)

Historically, responsibility for Indian health dates from the time the Indians were located on reservations by the Federal Government, and were under the jurisdiction of the War Department. Thus the first contact that the Indian had with the white man's medicine was through the Army medical officers on their reservations. In 1849, the Department of the Interior was made responsible for Indian affairs, and a more comprehensive program for medical care began to evolve.

Only July 1, 1955, this responsibility was transferred from the Department of the Interior's Bureau of Indian Affairs to the U.S. Public Health Service. In assuming its new role as family doctor, community hospital, and local health department for some 380,000 Indians and Alaska natives, the Public Health Service accepted a mandate from Congress to raise the level of health among these peoples to one which will compare favorably with that of the population as a whole.

Significant progress has been made by the Public Health Service's Division of Indian Health since the transfer in 1955. Facts and figures relating to this progress become more meaningful when considered against the background of serious Indian health problems. In many respects health conditions among the Indians today are similar to those which prevailed generally in this country a half century ago. Despite recent progress in health and medicine, our Indian citizens bear undue burdens of preventable illness and early loss of life. Such a conclusion is backed by hard facts.

Infant mortality is excessively high in the Indian population of the United States; 22 percent of all Indian deaths occur before the first year of life, compared to only 7 percent for corresponding age groups in the general population. Moreover, nearly a third of all Indian deaths are accounted for before the fifth year of life, compared to 8 percent in the population as a whole. This high infant mortality rate is largely responsible for the early average age at the time of death for Indians—39 years compared to the national figure of 61 years.

Communicable diseases, which for the most part have been brought under control in the general population by known and proven public health measures, continue to cause a disproportionate amount of illness and resultant deaths among Indians in the continental United States. The Indian death rate from tuberculosis is 4 times that of our general population. The death rate from gastroenteric diseases is 6 times greater, and from influenza and pneumonia it is 4 times greater than corresponding death rates for the rest of the country.

Adverse environmental conditions play an important role in the substandard health status of Indians. A recent Public Health Service survey covering environmental sanitation conditions on a large Southwest Indian reservation reveals the following grim picture:

Housing: 71 percent live in frame houses; 25 percent live in "wickiups" (constructed of saplings, yucca fronds or other wild long-leaved plants); 76 percent live in 1- or 2-room houses as compared with 20 percent for the entire State; 42 percent live in houses with 3 or more persons per room. A mere 20 percent of the houses have electricity.

Wastes: 45 percent have no facilities for excreta disposal other than the grounds around the dwellings; 28 percent have privies of faulty construction; 23 percent have satisfactory privies; 4 percent have inside toilets.

Premise sanitation: 7 percent of houses have refrigeration; 12 percent of houses have full screening; 26 percent of houses have partial screening; 62 percent of houses have no screening.

Water supply: 12 percent use approved sources which are safe; 88 percent use unsafe, contaminated supplies; 5 percent of houses have water piped inside; 95 percent must haul water distances up to 3 miles.

Water must be hauled by hand, donkey, or burro, and by car.

Sources include wells, infiltration galleries, irrigation ditches, rivers, and springs.

Conditions similar to these are to be found on practically every Indian reservation now being served by the Public Health Service. Such environmental conditions have a direct relationship to the high incidence of tuberculosis, gastroenteric diseases, influenza and pneumonia, and other communicable diseases that are prevalent on the Indian reservation.

Progress in the improvement of Indian health reflects advancements made in both the prevention and treatment of important disease categories. Tuberculosis, which for many years was the leading cause of death among Indians, now ranks seventh as a death cause. Between 1954 and 1956, the death rate from this disease dropped 25 percent among Indians outside Alaska. Among Alaska natives, the rate dropped 57 percent during the same period. New cases of tuberculosis reported among Indians outside Alaska have dropped 25 percent since 1954—from 570 cases per 100,000 population in 1954 to 425 in 1957.

At the time of the transfer in July 1955, hundreds of Indians with active tuberculosis could not receive needed hospital treatment due to a lack of beds. To remedy this situation the Public Health Service launched a "crash program" obtaining on a contract basis sorely needed hospital beds and the services of medical specialists required for the treatment of tuberculosis. So successful was this effort that all known tuberculosis patients who are beneficiaries of the Indian health program in need of hospital care and willing to accept it are receiving such treatment.

In the isolated, scattered, and remote Alaska villages, our tuberculosis casefinding activities and chemotherapy service have been intensified and expanded. As a result only 1 out of every 50 Alaska natives now is under hospital treatment for this disease, compared with 1 out of 30 2½ years ago. There are no Alaska patients on waiting lists.

Important progress is being made in the task of reducing premature death among the Indian population. From 1954 to 1957, the Indian infant death rate has dropped from 65.5 deaths in each 1,000 babies born alive, to 54.6 percent. The effectiveness of the team approach, comprising the physician, nurse, health education worker, and sanitation specialist is beginning to be reflected by the decline in infant mortality. The Indian people themselves are recognizing the necessity of making greater use of medical services as a means of improving their health status. Hospital admissions in Public Health Service hospitals (55) and contract facilities (about 160) were 32 percent higher in 1957 than in 1955. The 7,300 births reported in hospitals operated directly for Indians represent an increase of 10 percent over 1955. Services provided by hospital staffs at outpatient clinics increased 33 percent over 1955.

The major challenge in Indian health continues to be the prevention of disease. Much of the effort for prevention is carried on in the larger Indian health centers and smaller health facilities, located in close proximity to the localities where Indians live. Since the transfer of the Indian health program to the Public Health Service, field health services have been extended on a regularly scheduled basis to 70 health stations and their satellite locations in the United States where no services, or only emergency services, were provided in the past. All together (in the United States exclusive of Alaska), a total of 19 health centers, 175 health stations, and 50 satellite locations now are providing one or more types of health service, such as dentistry, public health nursing, sanitation, and health education. In Alaska, 75 villages are being provided with health services.

The 19 Indian health centers which have full-time physicians' services provide therapeutic and preventive care on an outpatient basis. Services through these facilities increased 29 percent between 1955 and 1957. Visits to dental clinics increased 34 percent in the same period. At the 16 school health centers, most of which are off-reservation boarding schools operated by the Bureau of Indian Affairs outside Alaska, visits to doctors and nurses increased by 13 percent, and completed immunizations doubled in the 1 year 1956–57.

Personnel in the Indian health program have been materially increased during the past 3 years. The number of physicians has been nearly doubled; 230 are now on duty. Pharmacists have increased from 7 to 32. The sanitation staff has been more than doubled, and now is serving 60 percent of the beneficiary population. Dentists have been increased to a total of 77, almost twice the number on duty in 1955. Indian workers are being trained to assist in two important phases of the program. As community workers in health education, and as sanitarian aids in the activities conducted on reservations, they are bringing the knowledge of better health practices directly to the Indian beneficiaries in a manner that is understandable and acceptable.

While progress in Indian health is encouraging, it is a hard fact that more than half of the deaths and most of the illnesses among the Indians are caused by diseases and conditions that can be prevented or controlled. The Public Health Service is making a good beginning; much more remains to be done.

[From the National Congress of American Indians Bulletin, Dec. 1, 1958]

THESE CHILDREN MUST LIVE

Hundreds of Indian children die each year from preventable diseases. Hundreds more are crippled, or have shortened life expectancies.

According to the U.S. Public Health Service, more than a fourth of the Indian babies born in the Dakotas and Nebraska die before they are a year old. Most of the infant deaths occur during the first month, shortly after many of the babies are taken from the safety of a hospital nursery to cold, often unsanitary homes.

Though the chief causes of this alarming death rate are listed as diarrhea and dysentery, the real killer is poverty. Indian tribes are too poor to provide adequate water supplies and sanitation facilities to the people on their underdeveloped reservations. The average Indian family—still earning less than $1,000 annually—is too poor to build and maintain the kind of home in which healthy children can grow.

Public Health officials admit that with appropriations for Indian health services at the present $40 million level it will take a century to bring sanitation on the reservations up to minimum standards. Until these standards—adequate supplies of safe water and sanitary preparation of food and disposal of waste—are met, Indian children will continue to face early death or illness.

This is why the Public Health Service asked the last Congress to pass legislation which would permit it to help Indian tribes and families improve sanitation on the Nation's reservations.

Despite strong support from the National Congress of American Indians and other organizations, the so-called sanitation bill was blocked after Senate passage by one Congressman's objection.

We are confident that bills providing basic assistance to tribes and individuals in the improvement of reservation sanitation will be introduced early in the coming session of Congress.

NCAI is pledged to support such legislation and to work for increased appropriations for operation of Public Health Service activities in the Indian field. We are sure that these drives will receive overwhelming support from all Indians and those concerned with their welfare.

Our Indian children must be given a chance to live.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 56) to amend the act of August 5, 1954 (68 Stat. 674), and for other purposes, introduced by Mr. MURRAY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

HOUSING ACT OF 1959

Mr. SPARKMAN. Mr. President, on behalf of myself, and Senators FULBRIGHT, YARBOROUGH, RANDOLPH, BYRD of West Virgina, MONRONEY, and MORSE, I introduce, for appropriate reference, a bill to rejuvenate the Nation's housing programs and ask for its appropriate referral. Under the parliamentary procedures of many assemblies, this bill would be considered under the heading of unfinished business. I think we may consider this bill as unfinished business of the 85th Congress.

With certain exceptions, which are obviously necessary and which I shall explain, this bill is identical with the omnibus housing bill, S. 4035, that passed the Senate by voice vote on July 11, 1958. It was amended in several respects by the House Committee on Banking and Currency; and, in its amended form, it received 251 votes for passage and only 134 votes against passage.

S. 4035 failed to pass the House because it was maneuvered into a parliamentary situation enabling an opposition vote of one-third to defeat the bill. Repeated efforts to compromise controversial features of the bill were rebuffed by the administration, and the 85th Congress closed without overcoming an adamant executive branch.

Subsequently, the Nation overwhelmingly expressed its confidence in the democratic leadership of the Congress. I believe that housing legislation was one issue which contributed to this confidence. In this belief, I hope that this unfinished business—housing legislation—will be quickly enacted and forwarded to the President for signature.

Many of the provisions of this bill relate to programs which have suffered critically in the intervening months. Some of the more urgent matters are the FHA insurance authorization, the funds for urban renewal, contracting authority for public housing, the revolving fund for college housing loans, and authority to erase the backlog in applications for home loans to veterans.

In the interest of expediting Senate action, I have tried to retain the bill exactly as it passed the Senate last year, except where the passage of time or new evidence of need make changes absolutely necessary. I have made only nine changes in the bill, and I will explain briefly each change.

First, FHA mortgage insurance authorization: As passed by the Senate, S. 4035 increased this authorization in the amount of $4 billion a year for each of 4 years, beginning July 1, 1959. Since adjournment of the 85th Congress, insurance authorization available to the

FHA has been, for all practical purposes, exhausted. It is necessary, therefore, to provide additional authorization to enable the agency to operate for the remainder of the current fiscal year. Consequently, this bill would authorize $4 billion for the current fiscal year, and an additional $4 billion to become available on July 1, 1959.

This bill does not attempt to supply FHA authorization beyond the year beginning July 1, 1959, because experience has shown that estimates of the agency's needs are subject to great error. During consideration of this bill in committee, the Senate can obtain the views of the agency and will have an opportunity to consider the adequacy of this proposed increase.

Second. Funds for urban renewal: As passed by the Senate last year, S. 4035 authorized a 6-year urban renewal program, with an annual capital grant authorization of $300 million, which amount could be increased by $150 million in any 1 year. Since that time, complete figures have become available regarding the activity under this program for the fiscal year 1958. These figures show that during fiscal year 1958 the gross amount of applications received totaled $680 million, and after processing adjustments and other types of attrition the net demand for funds totaled $447 million. Only $300 million was available to meet this demand during 1958. Thus, a need of approximately $150 million was not served for lack of funds.

There is every reason to suppose that the momentum of this program will not diminish and that the net demand for fiscal year 1959 will equal or exceed the $447 million experience in 1958. There is likewise no reason to suppose that essential slum clearance and urban renewal activities throughout the Nation can be achieved at a lower level of Federal participation in future years. Consequently, in the face of this convincing evidence of need, this bill proposes a 6-year urban renewal program with an annual capital grant authorization of $350 million which may be increased by $150 million in any 1 year; and the amount provided for fiscal 1959 would become available upon enactment.

Third. Urban planning grants: The Housing Act of 1954 established a program of grants to facilitate urban planning for smaller communities which lack adequate planning resources; $5 million dollars was authorized for this purpose in 1954, and an additional $5 million was authorized in 1956. Of this $10 million authorization, less than $1 million remains to be appropriated, and a backlog of over $3 million in applications is now on hand in the housing agency.

This is a matter which has become critical since adjournment of the 85th Congress and this bill would increase the authorization for urban planning grants for small communities by $10 million.

Fourth. Low-rent public housing: As passed last year, S. 4035 extended for 1 year the unused portion of the 35,000-unit authorization which expired on July 1, 1958, and extended for 1 year the 35,000-unit authorization which will expire on July 1, 1959. In addition, S. 4035 authorized 17,500 units to become available on July 1, 1959, and to remain available until July 1, 1962. Since the bill I introduce is designed to cover the period through fiscal year 1960, the dates have been advanced 1 year. Under this bill, the 35,000 units initially made available in 1956 are extended until July 1, 1960, the 35,000 units which became available on July 1, 1957, are extended to July 1, 1961, and the 17,500 new units will remain available until July 1, 1963.

Fifth. Par purchase under FNMA special assistance functions: S. 4035 extended the par purchase requirement for activity of the Federal National Mortgage Associations under its special assistance functions until August 8, 1959. Since this bill is designed to operate through the present session of Congress, the bill moves this termination date forward 1 year and extends the par purchase provision until August 8, 1960.

Sixth. Direct loans for veterans: Last year's bill expressed recognition by the Senate that the direct home loan program administered by the Veterans' Administration could not function under the burden of the huge backlog existing last summer. As of last May, this backlog consisted of approximately 35,000 veterans on the waiting list, and the Senate authorized an additional $150 million to help bring the program to a current status. At the present time, this backlog contains over 50,000 veterans on the waiting list, and the $150 million contained in last year's bill is hopelessly inadequate. Consequently, based upon these changed circumstances, this bill proposes that $300 million be made available immediately for direct home loans to eligible veterans. These loans can be made only in areas where credit is not otherwise available.

Seventh. Voluntary Home Mortgage Credit Program: Under existing law, this program, designed to assist veterans in obtaining home loans without using the direct loan facilities of the Veterans' Administration, will expire on July 31, 1959. This program has been a great help to veterans and has operated at nominal expense to the Federal Government. Since its expiration was not imminent at the time of passage of S. 4035, an extension of the program was not included. The bill I introduce, therefore, extends the Voluntary Home Mortgage Credit Program until July 1, 1960, and insures its continued operation through the present session of Congress.

Eighth. Special provisions for the State of Alaska: Certain provisions of existing law refer to the State of Alaska as a Territory and recognize special construction cost conditions in that State. Alaska has been admitted to the Union since adjournment of the 85th Congress and it is necessary to recognize the change in status while retaining the provisions of law formerly applicable to the Territory.

Ninth. Military housing: One provision in last year's bill was designed to expedite acquisition by the Federal Government of so-called Wherry housing projects at or near military installations. Subsequent to the passage of S. 4035, the Congress passed other legislation on this subject. Since there has not been time to evaluate the effectiveness of the amended law, I have deleted this provision from this bill.

Mr. President, the introduction of this bill should not be construed to represent my personal views regarding the best or ultimate solutions to any of the housing problems which the programs concerned have been designed to solve. As many of my colleagues know, I supported many features of last year's bill which the Senate wisely, or unwisely, chose to modify or eliminate.

In an effort to obtain early passage of a housing bill, I am not quarreling with the wisdom of the Senate and I am not raising new controversies. The Senate knows that I respect the necessity for moderation and for honorable compromise between those of opposing views. But in my opinion this bill has already been compromised. It was compromised in committee and it was compromised on the floor of the Senate.

Mr. President, I believe this is a good bill. I hope it may receive early attention and approval. I will urge that the committee and the Senate approve a housing bill as quickly as possible.

Mr. President, I ask unanimous consent that at this point in my remarks there be inserted a section-by-section summary of the provisions of the bill which I introduce.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the section-by-section summary will be printed in the RECORD.

The bill (S. 57) to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes, introduced by Mr. SPARKMAN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Banking and Currency.

The section-by-section summary presented by Mr. SPARKMAN is as follows:

DIGEST OF BILL

TITLE I—FHA INSURANCE PROGRAMS

Property improvement loans

SEC. 101. Amends section 2(a) of the National Housing Act to extend the title I property improvement program of the FHA 1 year until September 30, 1960.

Technical

SEC. 102. Makes cross-references between FHA section 204 (payment of insurance) and the six insurance programs to which this provision applies.

Mortgage ceilings for sales housing

SEC. 103. (a) Amends section 203 (b) (2) of the National Housing Act (regular sales housing program) to increase the maximum mortgage amount which may be insured by FHA on sales housing, as follows: From $20,000 to $22,500 on 1-family homes; from $20,000 to $25,000 on 2-family homes; and from $27,500 to $30,000 on 3-family homes. The existing ceiling of $35,000 on 4-family homes would not be changed.

(b) Amends section 203(b)(8) of the National Housing Act (regular sales housing program) to increase the nonoccupant owner's maximum loan to the maximum permitted the homeowner—the nonoccupant owner would put into escrow 15 percent of the mortgage amount for 18 months or until he

sells the property. (A nonoccupant owner is now permitted 85 percent of the mortgage amount available to a homeowner.)

(c) Amends section 203(i) of the National Housing Act (housing in rural and outlying areas) to permit an increase from $8,000 to $9,000 in the maximum insurable loan.

Regular rental housing program

SEC. 104. Amends section 207 of the National Housing Act to delete all provisions relating to housing for elderly persons, since the proposed bill (in title II) establishes a new FHA section 229 program of mortgage insurance for elderly persons' housing.

The present dollar limitations on the maximum amount of a section 207 mortgage would be increased, as follows:

	Present		Proposed	
	Per room	Per unit if under 4 rooms	Per room	Per unit if under 4 rooms
Garden type	$2,250	$8,100	$2,500	$9,000
Elevator type	2,700	8,400	3,000	9,400
Increase for high-cost areas	1,000	---	1,250	---

Amends section 207(c)(3) to increase the mortgage limits for trailer courts or parks from $1,000 to $1,500 per space, and from $300,000 to $500,000 per mortgage.

Cooperative housing

SEC. 105. (a) Amends section 213(b)(2) of the National Housing Act to—

(1) Increase the maximum loan ratio from 90 percent of replacement cost (95 percent of replacement cost if 50 percent of the cooperators are veterans) to 97 percent of replacement cost; and

(2) Increase the present dollar limitations on the maximum loan amount to the same amounts allowed for section 207.

(b) Amends section 213(d) to permit the inclusion of community (but not commercial) facilities in mortgages on property held by sales-type and investor-sponsored cooperatives.

Mortgage ceilings for Alaska, Guam, and Hawaii

SEC. 106. Amends section 214 of the National Housing Act to provide that the 50-percent higher mortgage amount which the FHA Commissioner, at his discretion, may allow in Alaska, Guam, and Hawaii, may be applied to high-cost-area mortgage amounts in the programs where such high-cost area provisions pertain.

General mortgage insurance authorization

SEC. 107. Amends section 217 of the National Housing Act to increase FHA's general mortgage insurance authorization by $4 billion for each of the fiscal years 1959 and 1960.

Repeal of obsolete provision

SEC. 108. Repeals section 218 of the National Housing Act, an obsolete provision, which permitted the transfer of application fees from the FHA section 608 program to the section 207, regular rental housing program.

Housing in urban renewal areas

SEC. 109. (a) Amends section 220(d)(3)(A) of the National Housing Act (urban renewal housing) to increase the maximum mortgage amount which may be insured by FHA on sales housing, as follows: From $20,000 to $22,500 on 1-family homes; from $20,000 to $25,000 on 2-family homes; and from $27,500 to $30,000 on 3-family homes. The existing ceiling of $35,000 on 4-family homes would not be changed.

(b) Amends section 220(d)(3)(B) of the National Housing Act (housing in urban renewal areas) to establish higher dollar limitations on the maximum amount of the mortgage on multifamily housing in urban renewal areas. The new ceilings would be the same as those proposed for FHA's section 207 (regular rental housing) program.

Amends section 220(d)(3)(B) to change the maximum permissible loan ratio from 90 percent of replacement cost (which may include a 10-percent allowance for builder's and sponsor's profit and risk) to 100 percent of replacement cost (excluding any allowance for builder's and sponsor's profit and risk).

Permits exterior land improvements (as defined by the FHA Commissioner) to be included in the mortgage without being computed as part of the per room or per unit cost limitations.

Relocation housing

SEC. 110. Amends section 221 of the National Housing Act (relocation housing) to extend the benefits of the program to any family displaced within the environs of a community that has a workable program.

SEC. 111. (a) Amends section 221(d)(2) in order to—

(1) Increase the maximum insurable loan for the construction or rehabilitation of sales housing from $9,000 to $10,000 in normal cost areas, and from $10,000 to $12,000 in high-cost areas; and

(2) Make eligible for mortgage insurance two, three, and four-family dwellings which meet FHA minimum property standards and appropriate State and local housing ordinances or regulations.

Cost certification

SEC. 113. Amends section 227 of the National Housing Act to revise the cost certification requirements affecting FHA section 220, section 221, and the proposed section 229 in accordance with amendments made by other sections of this bill.

TITLE II. HOUSING FOR THE ELDERLY

SEC. 201. Adds a new section 229 to the National Housing Act to provide a new program of housing for elderly persons.

(1) The dollar limits on the maximum amount of the mortgage would be the same as those proposed for FHA's section 207 (regular rental housing) program.

(2) Would permit insurance of mortgages up to 100 percent of replacement cost for nonprofit corporations, and 100 percent of replacement cost (excluding any allowance for builder's and sponsor's profit and risk) for other than nonprofit corporations.

(3) Would require that not less than 50 percent of the living units in the project be designed specially for use and occupancy by elderly persons. Elderly persons would be given a preference or priority of opportunity to rent all units.

(4) The economic soundness test of FHA's regular rental housing program (sec. 207) would not be applicable to the new program for elderly persons.

(5) The FHA Commissioner would be authorized to establish regulations and restrictions as to rents, charges, capital structure, rate of return, and methods of operation.

(6) The provisions of FHA section 212 would apply the prevailing wage requirement of the Davis-Bacon Act, except that the wages which must be certified under the Davis-Bacon Act may be reduced by such amount as the FHA determines to have been fully credited to a nonprofit mortgagor.

(7) Would include a provision making proprietary nursing homes eligible for FHA mortgage insurance, up to 75 percent of the value of the new or rehabilitated property.

TITLE III. URBAN RENEWAL

Statewide planning

SEC. 301. Amends section 101(b) of the Housing Act of 1949 by directing the HHFA Administrator to encourage the utilization of State agencies to provide effective solutions for urban renewal problems of smaller communities.

Grant authorization

SEC. 302. Amends section 103(b) of the Housing Act of 1949 to provide a 6-year, $2.1 billion slum clearance and urban renewal program, with an annual capital grant authorization of $350 million, which could be increased by $150 million in any one year.

Repayment of uncollectible advances

SEC. 303. Amends section 103(b) of the Housing Act of 1949 to authorize the use of urban renewal grant funds to repay Treasury loans made to finance urban planning advances which are now uncollectible because of cancellation of the project.

Community renewal programs

SEC. 304. Amends section 103 of the Housing Act of 1949 by adding a new subsection (c) to authorize planning grants for the preparation of community renewal programs, which would enable a community to survey its urban renewal needs and resources, and schedule projects.

Technical

SEC. 305. Amends section 105(b) of the Housing Act of 1949 to facilitate public improvements involving the Federal Government and the District of Columbia in connection with urban renewal projects.

SEC. 306. Amends section 106(e) of the Housing Act of 1949 to eliminate the provision in existing law that not more than 12½ percent of the total loan authorization may be obligated in any one State; does not alter the 12½ percent State limitation on grant authorization.

Relocation payments

SEC. 307. (a) Amends section 106(f) of the Housing Act of 1949 to authorize relocation payments when the displacement is a result of governmental activity in an urban renewal area, and of programs of voluntary repair and rehabilitation; increases from $100 to $200 the maximum amount of relocation payments to individuals and families.

(b) Amends section 106 by adding a new subsection (g) to give business concerns which are displaced from urban renewal areas a priority of opportunity, insofar as practicable and desirable (as determined by the local governing body), to purchase or lease commercial or industrial facilities provided in connection with area redevelopment.

Planning requirements

SEC. 308. Amends section 110(b) of the Housing Act of 1949 to authorize the HHFA Administrator to expedite urban renewal projects by permitting him to omit or to simplify present detailed requirements for the urban renewal plan.

Nonresidential development

SEC. 309. Amends section 110(c) of the Housing Act of 1949 to permit up to 15 percent (now 10 percent) of the total capital grant authorization to be used for areas which are not predominantly residential, and which are not to be redeveloped for predominantly residential uses, even if such areas do not include a substantial number of slum dwellings as presently required.

Noncash grants-in-aid

SEC. 310. Amends section 110(d) of the Housing Act of 1949 to provide that where a community has an approved community renewal program, improvements and facilities that are otherwise eligible may be credited as local grants-in-aid to urban renewal projects, provided their commencement does not precede the loan and grant contract for the project by more than 5 years. The same would apply to similar improvements and facilities provided in connection with any renewal project covered by a general neighborhood renewal program.

Credit for interest payments

SEC. 311. Amends section 110(e) of the Housing Act of 1949 to authorize the HHFA to include interest on advances by a city (local public funds) as an item of gross project cost for an urban renewal project.

Uniform date

SEC. 312. Amends section 110(g) of the Housing Act of 1949 to make uniform the date for determining the application of the going Federal rate of interest under urban renewal contracts.

Technical

SEC. 313. Makes conforming amendments.

Federal recognition

SEC. 314. Waives the requirement in section 110(d) of the Housing Act of 1949 for communities whose projects could not obtain Federal recognition during the period from January 1, 1957, through December 31, 1958, because of limitations on the HHFA Administrator to make capital grants or to reserve funds. Under existing law, such Federal recognition is required to enable the local community to include local activities and facilities as noncash grants-in-aid.

Urban planning

SEC. 315. (a) Amends section 701 of the Housing Act of 1954 (grants to assist urban planning) to extend the scope of the urban planning grant program to include any group of adjacent communities, having a total population of less than 25,000, and having common or related urban planning problems resulting from rapid urbanization.

(b) Amends section 701 to increase the authorization for grants to assist urban planning by $10 million (present ceiling is $10 million).

TITLE IV—LOW-RENT HOUSING

Declaration of policy

SEC. 401. Amends section 1 of the U.S. Housing Act of 1937 by adding to the declaration of policy the following new objective: to give local public agencies more responsibility for the operation of their projects.

Rents and income limits

SEC. 402. Amends several sections of the U.S. Housing Act of 1937 to permit local public agencies to set rents and income limits for their low-rent projects, subject to a statutory ceiling on income limits.

(a) and (b) technical. Amend sections 2(1) and 15(7)(b) to delete provisions to be covered by other sections of the act.

(c) Amends section 15(8)(a) to authorize the local agency to fix maximum income limits for admission and continued occupancy: (1) The present $100 exemption for each minor or adult dependent is eliminated, (2) the 20-percent gap requirement is waived for displaced families. Also removes the Public Housing Administration's authority to require the prior approval of specific income limits set by the local agency.

(d) and (e) amend sections 15(8)(b) and 15(8)(d) to remove references to the Public Housing Administration's power of prior approval of specific income limits.

(f) Repeals section 502(b) of the Housing Act of 1948, relating to the exemption of benefits for disability or death occurring in connection with military service, which is incorporated in the basic act by subsection (c) above.

Annual contributions and residual receipts

SEC. 403. (a) Amends section 10(b) of the U.S. Housing Act of 1937 to provide that fixed annual contributions be equal to level debt service (principal plus interest) on outstanding debt.

(b) Amends section 10(c) to provide that residual receipts (rental income minus operating costs) be divided on the basis of two-thirds for advance amortization of capital debt and one-third to the local agency solely for low-rent housing use.

Also require a local agency to submit an independent audit and independent certification of compliance with the act, and provides that such certification shall, in the absence of fraud or of evidence of violation of the 1937 act, or waste or extravagance or neglect, or expenditures which are not reasonably compatible with the operation of low-rental public housing disclosed by financial post-audits pursuant to sections 814 and 816 of the Housing Act of 1954, be accepted as final and conclusive by all officers of the Federal Government.

(c) Technical. Amends section 22(b) to delete a reference which would no longer appear in the act, as amended.

Authorization

SEC. 404. Amends section 10(i) of the act of 1937 by increasing the authorization for new annual contribution contracts by an additional 17,500 units to become available July 1, 1959. It would also extend from 2 to 4 years the period during which the existing authorizations would be available. This would make available for 2 additional years, until July 31, 1960, any units not contracted for under the first authorization of 35,000 units which expired July 31, 1958, would extend the second authorization of 35,000 units to July 1, 1961, and make the new authorization of 17,500 units available until July 1, 1962.

Amendments to existing contracts

SEC. 405. Amends the United States Housing Act of 1937 by adding a new section 30 to provide that existing annual contribution contracts shall be revised, upon request of local agencies, in accordance with the terms of the act of 1937 as it is amended at any time, provided that the interest of the holders of outstanding bonds is not jeopardized.

Low-rent housing in urban renewal areas

SEC. 406. Amends section 107 of the Housing Act of 1949 to facilitate the development of low-rent housing in urban renewal areas. Under existing law, when a new public housing project is located outside of an urban renewal area, the locality is required to make a local contribution in the form of tax exemption, but if located within an urban renewal area a further local contribution is required equal to one-third of the write-down in land value. The proposed amendment would eliminate this difference by accepting tax exemption as the only required local contribution for low-rent projects in urban renewal areas.

TITLE V. COLLEGE HOUSING

SEC. 501. Amends section 401(d) of the Housing Act of 1950 to increase the revolving fund for college housing loans by $400 million (the present ceiling is $925 million). Of the $400 million increase, $50 million is reserved for other educational facilities increasing the reservation for this purpose from $100 million to $150 million, and $50 million is reserved for student-nurse and intern housing facilities, increasing the reservation for this purpose from $25 million to $75 million.

SEC. 502. (a) Amends title IV of the Housing Act of 1950 by adding new sections 405 and 406 which authorize the Administrator to make and guarantee loans to educational institutions for the construction of new, or rehabilitation of existing classrooms, laboratories, and related facilities, including equipment and utilities.

(b) Authorizes a revolving fund of $125 million to finance the new loan program, and $250 million to finance the new guaranty program.

TITLE VI. ARMED SERVICES HOUSING

SEC. 601. (a) Amends section 803(a) of the National Housing Act to extend the military housing program (secs. 803 and 809) for 1 year, until June 30, 1960.

(b) Amends section 803(b) to increase from 25 years to 30 years the maximum maturity of mortgages insured under this section.

SEC. 602. (a) Amends title VIII of the National Housing Act by adding a new section 810 to authorize the FHA Commissioner to insure mortgages on single-family and multifamily projects, the need for which is certified by the Secretary of Defense. Insurance would be on an acceptable-risk rather than an economic-soundness basis. The projects would be held for rental for a period of not less than 5 years unless released by the military for sale. Priority in rental or sale is given to military personnel and essential civilian personnel of the armed services as evidenced by certification issued by the Secretary of Defense.

(b) Amends section 808 of the National Housing Act to make applicable the provisions of section 227 of the National Housing Act (cost certification).

(c) Amends section 212(a) of the National Housing Act to make applicable the prevailing wage requirements of the Davis-Bacon Act.

(d) Amends section 305(f) of the National Housing Act to make section 810 mortgages eligible for purchase by the Federal National Mortgage Association under its special assistance function.

SEC. 603. (a) and (b) Amend sections 404 (a) and (b) of the Housing Amendments of 1955 to permit the Secretary of Defense to acquire FHA section 207 rental projects, if completed prior to July 1, 1952, and certified by the Department of Defense as necessary for military housing purposes, and to make the acquisition of such projects mandatory if section 803 housing is constructed in the area of the FHA section 207 projects.

(c) Amends section 407(f) of the act entitled "An act to authorize certain construction at military installations, and for other purposes," approved August 30, 1957, in order to exempt FHA section 207 rental projects covered by this section from being declared substandard because the units in such projects do not meet minimum floor area prescribed for other military housing.

TITLE VII. MISCELLANEOUS

Federal National Mortage Association

SEC. 701. (a) Amends section 302(b) of the National Housing Act to increase from $15,000 to $20,000 the dollar limit for mortgages purchased under the Federal National Mortgage Association's secondary market operations.

(b) Amends section 305(b) of the National Housing Act to extend for 2 years (until August 7, 1960) the requirement that the Federal National Mortgage Association purchase mortgages under its special assistance functions at par.

Farm housing research

SEC. 702. Amends section 603 (c) of the Housing Act of 1957 to extend the farm housing research program for a period of 3 years, beginning July 1, 1959, and authorizes an annual appropriation of $100,000.

Surveys of public works planning

SEC. 703. Amends section 702 of the Housing Act of 1954 by adding a new subsection (f) to authorize the Administrator to use, in any one fiscal year, up to $50,000 of the revolving fund to conduct surveys of the status and current volume of State and local public works planning and surveys of estimated requirements for State and local public works.

Servicemen's Readjustment Act of 1944

SEC. 704. (a) Amends section 500(d) of the Servicemen's Readjustment Act of 1944 to permit the VA to expand the existing class of "supervised lenders" to include a

new category of mortgage lenders. A "supervised lender" is entitled to make a VA loan without prior approval by the VA. The new category would consist of "approved mortgagees" under the certified agency program of the FHA. The inclusion of the new category would not be automatic; each applicant must be acceptable to the VA.

(b) Amends sections 504(c) and 514 of the Servicemen's Readjustment Act of 1944 to authorize the Administrator of Veterans' Affairs to prohibit builders and lenders from participating in the VA home loan programs, if such builders or lenders have been barred from the benefits of the National Housing Act by the Federal Housing Commissioner.

(c) Amends section 513(d) of the Servicemen's Readjustment Act of 1944 to provide an additional $300 million for the VA direct home loan program.

Disposal of projects

SEC. 5. (a) Amends section 607 of the act of October 14, 1940 (Lanham Act) to authorize the PHA Commissioner to modify the terms of any contract relating to any housing projects disposed of by him to cooperatives.

(b) Amends section 406(c) of the Housing Act of 1956 to extend for a period of 2 years the time in which military personnel may continue to occupy war housing projects PA–36011 and PA–36012 (Passyunk) which are presently owned by the Housing Authority of Philadelphia, Pa.

Voluntary home mortgage credit program

SEC. 706. Amends section 610 of the Housing Act of 1954 to extend the voluntary home mortgage credit program for 1 year, until July 31, 1960.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the bill may lie on the desk through Tuesday, January 13, so as to give an opportunity for other Senators to cosponsor it should they so desire.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, I also ask unanimous consent that the bill may be printed in the RECORD at this point.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (S. 57) is as follows:

Be it enacted, etc., That this act may be cited as the "Housing Act of 1959."

TITLE I—FHA INSURANCE PROGRAMS

SEC. 101. Section 2(a) of the National Housing Act is amended by striking out "September 30, 1959" and inserting in lieu thereof "September 30, 1960."

SEC. 102. (a) Section 8(g) of the National Housing Act is amended by striking out "and (h) of section 204" and inserting in lieu thereof "(h), (j), and (k) of section 204."

(b) Sections 213(e), 220(f)(1), 221(g)(1), 222 (e), and 809(e) of such act are amended respectively by striking out "and (j) of section 204" and inserting in lieu thereof "(j) and (k) of section 204."

SEC. 103. (a) Section 203(b)(2) of the National Housing Act is amended by striking out all that precedes the second semicolon and inserting in lieu thereof the following:

"(2) Involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Commissioner shall approve) in an amount not to exceed $22,500 in the case of property upon which there is located a dwelling designed principally for a one-family residence; or $25,000 in the case of a two-family residence (whether or not such one- or two-family residences may be intended to be rented temporarily for school purposes); or $30,000 in the case of a three-family residence."

(b) Section 203(b)(8) of such act is amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: *"Provided,* That such 85 percent limitation shall not be applicable if the mortgagor and mortgagee assume responsibility in a manner satisfactory to the Commissioner for the reduction of the mortgage by an amount not less than 15 percent of the outstanding principal amount thereof in the event the mortgaged property is not, prior to the due date of the 18th amortization payment of the mortgage, sold to a purchaser acceptable to the Commissioner who is the occupant of the property and who assumes and agrees to pay the mortgage indebtedness."

(c) Section 203(i) of such act is amended by striking out "$8,000" and inserting in lieu thereof "$9,000."

SEC. 104. Section 207 of the National Housing Act is amended—

(1) by striking out the following parenthetical phrases in subsection (b): "(except provisions relating to housing for elderly persons)", and "(except with respect to housing designed for elderly persons, with occupancy preference therefor, as provided in the paragraph following paragraph (3) of subsection (c))";

(2) by striking out in paragraph (3) of subsection (c)—

(i) "$2,250" in both places where it appears therein and inserting in lieu thereof "$2,500";

(ii) "$8,100" in both places where it appears therein and inserting in lieu thereof "$9,000";

(iii) "$2,700" and inserting in lieu thereof "$3,000";

(iv) "$8,400" and inserting in lieu thereof "$9,400";

(v) "$1,000 per room" and inserting in lieu thereof "$1,250 per room";

(vi) "$1,000 per space" and inserting in lieu thereof "$1,500 per space"; and

(vii) "$300,000" and inserting in lieu thereof "$500,000";

(3) by striking out in subsection (c) the unnumbered paragraph following paragraph (3); and

(4) by striking out in both places where it appears in subsection (f) "section 210 and section 213" and inserting in lieu thereof the following: "sections 210, 213, and 229."

SEC. 105. (a) Section 213(b)(2) of the National Housing Act is amended to read as follows:

"(2) not to exceed, for such part of the property or project as may be attributable to dwelling use $2,500 per room (or $9,000 per family unit if the number of rooms in such property or project is less than four per family unit), and not to exceed 97 per centum of the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed physical improvements are completed: *Provided,* That as to projects which consist of elevator type structures the Commission may, in his discretion, increase the dollar amount limitation of $2,500 per room to not to exceed $3,000 per room and the dollar amount limitation of $9,000 per family unit to not to exceed $9,400 per family unit, as the case may be, to compensate for the higher costs incident to the construction of elevator-type structures of sound standards of construction and design: *Provided further,* That the Commissioner may, by regulation, increase any of the foregoing dollar amounts limitations by not to exceed $1,250 per room, without regard to the number of rooms being less than four, or four or more, in any geographical area where he finds that cost levels so require: *Provided further,* That in the case of a mortgagor of the character described in paragraph (3) of subsection (a) the mortgage shall involve a principal obligation in an amount not to exceed 85 per centum of the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed physical improvements are completed: *And provided further,* That upon the sale of a property or project by a mortgagor of the character described in paragraph (3) of subsection (a) to a nonprofit cooperative ownership housing corporation or trust within two years after the completion of such property or project the mortgage given to finance such sale shall involve a principal obligation in an amount not to exceed the maximum amount computed in accordance with this subsection without regard to the preceding proviso."

(b) Section 213(d) of such act is amended by adding at the end thereof a new sentence as follows: "Property held by a corporation or trust of the character described in paragraph numbered (2) of subsection (a) of this section or by a mortgagor of the character described in paragraph numbered (3) of subsection (a) of this section which is covered by a mortgage insured under this section may include such community facilities as the Commissioner deems adequate to serve the occupants."

SEC. 106. Section 214 of the National Housing Act is amended—

(1) by striking from the first sentence "the Territory of"; and

(2) by striking from such sentence "mortgage amounts provided in this act," and inserting in lieu thereof "mortgage amounts (including increased mortgage amounts in geographical areas where cost levels so require) provided in this act,".

SEC. 107. (a) Section 217 of the National Housing Act is amended by striking out "$7,000,000,000" and inserting in lieu thereof "$11,000,000,000."

(b) Section 217 of such act is amended, effective July 1, 1959, by (1) striking out "July 1, 1956", and inserting in lieu thereof "July 1, 1959", and (2) striking out "$11,000,000,000" and inserting in lieu thereof "$4,000,000,000."

SEC. 108. Section 218 of the National Housing Act is repealed.

SEC. 109. (a) Clause (i) of subsection (d)(3)(A) of section 220 of the National Housing Act is amended by striking out all that precedes the second semicolon and inserting in lieu thereof the following:

"(A) (i) involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Commissioner shall approve) in an amount not to exceed $22,500 in the case of property upon which there is located a dwelling designed principally for a one-family residence; or $25,000 in the case of a two-family residence; or $30,000 in the case of a three-family residence."

(b) Subsection (d)(3)(B) of section 220 of such act is amended to read as follows:

"(B) (i) not exceed $12,500,000, or, if executed by a mortgagor coming within the provisions of paragraph (2) (B) of this subsection (d), not exceed $50 million; and

"(ii) not exceed (in the case of a property or project approved for mortgage insurance prior to the beginning of construction) the Commissioner's estimate of the replacement cost of the property or project when the proposed improvements are completed (the replacement cost may include the land, the proposed physical improvements, utilities within the boundaries of the land, architect's fees, taxes, interest during construction, and other miscellaneous charges incident to construction and approved by the Commissioner, but shall not include any allowance for builder's and sponsor's profit and risk; or

"(iii) not exceed 90 per centum of the Commissioners estimate of the value of the property or project when the proposed improvements are completed if the proceeds of the mortgage are to be used for the repair or rehabilitation of a property or project; and

"(iv) not exceed, for such part of such property or project as may be attributable to dwelling use (excluding exterior land improvements as defined by the Commissioner), $2,500 per room (or $9,000 per family unit if the number of rooms in such property or project is less than four per family unit): *Provided,* That the Commissioner may, in his discretion, increase the dollar amount limitation of $2,500 per room to not to exceed $3,000 per room, and the dollar amount limitation of $9,000 per family unit to not to exceed $9,400 per family unit, as the case may be, to compensate for the higher costs incident to the construction of elevator-type structures: *And provided further,* That the Commissioner may, in his discretion, increase any of the foregoing dollar amount limitations by not to exceed $1,250 per room without regard to the number of rooms being less than four, or four or more, in any geographical area where he finds that cost levels so require."

SEC. 110. (a) The first paragraph of section 221(a) of the National Housing Act is amended to read as follows:

"This section is designed to supplement systems of mortgage insurance under other provisions of the National Housing Act in order to assist (1) in relocating families from urban renewal areas, (2) in relocating families to be displaced as the result of governmental action in a community respecting which (A) the Housing and Home Finance Administrator has made the certification to the Commissioner provided for by subsection 101(c) of the Housing Act of 1949, as amended, or (B) there is being carried out a project covered by a Federal aid contract executed, or prior approval granted, by the Housing and Home Finance Administrator under title I of the Housing Act of 1949, as amended, before the effective date of the Housing Act of 1954, or (C) there is being carried out an urban renewal project assisted under section 111 of the Housing Act of 1949, as amended, and (3) in relocating families residing in the environs of a community described in clause (2) which are to be displaced as the result of governmental action."

(b) The second paragraph of section 221 (a) of such act is amended—

(1) by inserting before the colon preceding the first proviso a comma and the following: "and in the environs of such communities as provided in clause (3) above";

(2) by striking out "in any such community" in the second proviso and inserting in lieu thereof "in or near any such community";

(3) by striking out "(1)" in the third proviso and inserting in lieu thereof "(2)(A)"; and

(4) by striking out "(1)", "(2)", and "(3)", wherever they appear in the last proviso, and inserting in lieu thereof respectively, "(2)(A)", (2)(B)", and "(2)(C)".

(c) Section 101 (c) of the Housing Act of 1949 is amended by striking out "if the mortgaged property is in a community referred to in clause (2) of section 221(a) of said act", and inserting in lieu thereof "if the mortgaged property is in an area described in clause (3) of section 221(a) of said act, or in a community referred to in clause (2)(B) of said section".

(d) Section 101(c) of the Housing Act of 1949 is further amended by striking out "in a community" in clause (iii) of the last proviso.

SEC. 111. (a) Section 221(d)(2) of the National Housing Act is amended to read as follows:

"(2) be secured by property upon which there is located a dwelling conforming to applicable standards prescribed by the Commissioner under subsection (f) of this section, and meeting the requirements of all State laws, or local ordinances or regulations, relating to the public health or safety, zoning, or otherwise, as may be applicable thereto, and shall involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Commissioner shall approve) in an amount (A) not to exceed (i) $10,000 in the case of a property upon which there is located a dwelling designed principally for a single-family residence, except that the Commissioner may by regulation increase this amount to not to exceed $12,000 in any geographical area where he finds that cost levels so require, (ii) $18,000 in the case of a property upon which there is located a dwelling principally designed for two-family residence, except that the Commissioner may by regulation increase this amount to not to exceed $20,000 in any geographical area where he finds that cost levels so require, (iii) $25,000 in the case of a property upon which there is located a dwelling designed principally for a three-family residence, except that the Commissioner may by regulation increase this amount to not to exceed $27,500 in any geographical area where he finds that cost levels so require, (iv) $32,000 in the case of property upon which there is located a dwelling designed principally for a four-family residence, except that the Commissioner may by regulation increase this amount to not to exceed $35,000 in any geographical area where he finds that cost levels so require; and (B) not to exceed the appraised value (as of the date the mortgage is accepted for insurance) of any such property, less such amount, in the case of any mortgagor, as may be necessary to comply with the succeeding provisos: *Provided,* That if the mortgagor is the owner and an occupant of the property at the time of the insurance, he shall have paid on account of the property at least (i) $200 in the case of a single-family dwelling, (ii) $400 in the case of a two-family dwelling, (iii) $600 in the case of a three-family dwelling, and (iv) $800 in the case of a four-family dwelling, in cash or its equivalent which amount may include amounts to cover settlement costs and initial payments for taxes, hazard insurance, mortgage insurance premium, and other prepaid expenses: *Provided further,* That nothing contained herein shall preclude the Commissioner from issuing a commitment to insure, and insuring a mortgage pursuant thereto, where the mortgagor is not the owner and an occupant of the property, if the property is to be built or acquired and repaired or rehabilitated for sale, and the insured mortgage financing is required to facilitate the construction, or the repair or rehabilitation, of the dwelling and to provide financing pending the subsequent sale thereof to a qualified owner who is also an occupant thereof, but in such instances the mortgage shall not exceed 85 per centum of the appraised value: *And provided further,* That the Commissioner shall prescribe such procedures as in his judgment are necessary to secure to families, referred to in subsection (a) above, priorities in occupancy of the remaining units of two-, three-, and four-family dwellings after occupancy of one unit by the owner; or".

(b) Section 221 of such Act is further amended—

(1) by striking out "$9000" and "$10,000" in paragraph (3) of subsection (d) and inserting in lieu thereof "$10,000" and "$12,000", respectively;

(2) by striking out of paragraph (3) of subsection (d) "not in excess of the Commissioner's estimate of the value of the property or project when constructed or repaired and rehabilitated, for use as rental accommodations for 10 or more families eligible for occupancy as provided in this section; and", and inserting in lieu thereof "not in excess of (1) in the case of new construction, the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed improvements are completed (the replacement cost may include the land, the proposed physical improvements, utilities within the boundaries of the land, architect's fees, taxes, interest during construction, and other miscellaneous charges incident to construction and approved by the Commissioner), or (2), in the case of repair and rehabilitation, the Commissioner's estimate of the value of the property when the proposed repair and rehabilitation is completed: *Provided,* That such property or project, when constructed, or repaired and rehabilitated, shall be for use as rental accommodations for 10 or more families eligible for occupancy as provided in this section; or";

(3) by inserting the following new paragraph (4) in subsection (d) and renumbering the present paragraph (4) of subsection (d) as paragraph (5):

"(4) if executed by a mortgagor which is not a nonprofit organization, and which is approved by the Commissioner—

"(i) not exceed (in the case of a property or project approved for mortgage insurance prior to the beginning of construction) the Commissioner's estimate of the replacement cost of the property or project when the proposed improvements are completed (the replacement cost may include the land, the proposed physical improvements, utilities within the boundaries of the land, architect's fees, taxes, interest during construction, and other miscellaneous charges incident to construction and approved by the Commissioner, but shall not include any allowance for builder's and sponsor's profit and risk);

"(ii) not exceed the Commissioner's estimate of the value of the property or project when the proposed repair and rehabilitation is completed if the proceeds of the mortgage are to be used for the repair and rehabilitation of a property or project: *Provided,* That such property or project when constructed, or repaired and rehabilitated, shall be for use as rental accommodations for 10 or more families eligible for occupancy as provided in this section: *And provided further,* That the Commissioner may, in his discretion, require the mortgagor to be regulated or restricted as to rents or sales, charges, capital structure, rate of return and methods of operation, and for such purpose the Commissioner may make contracts with and acquire for not to exceed $100 stock or interest in any such mortgagor as the Commissioner may deem necessary to render effective such restrictions or regulations, with such stock or interest being paid for out of the section 221 Housing Insurance Fund and being required to be redeemed by the mortgagor at par upon the termination of all obligations of the Commissioner under the insurance; and"; and

(4) by striking out "paragraph (3)" in paragraph (2) of subsection (g) and inserting in lieu thereof "paragraphs (3) and (4)."

(c) Section 212(a) of such act is amended by adding at the end thereof the following:

"The provisions of this section shall apply to the insurance of any mortgage under section 221 which covers property on which there is located a dwelling or dwellings designed principally for residential use for 10 or more families."

SEC. 112. Section 222(b) of the National Housing Act is amended—

(1) by inserting "or 203(i)" after "203 (b)" in clause (1); and

(2) by striking out "$17,100;" in clause (2) and inserting in lieu thereof the following: "$20,000, except that in the case of a mortgage meeting the requirements of section 203(i) such principal obligation shall not exceed $8,000;".

SEC. 113. Section 227 of the National Housing Act is amended—

(1) by striking out in subsection (a) clause (iv) and everything following clause

(iv) and inserting in lieu thereof "(iv) under section 221 if the mortgagor meets the requirements of paragraph (3) or paragraph (4) of subsection (d) thereof, (v) under section 229, or (vi) under section 803 or 810:": and

(2) by striking out in subsection (c) the last two sentences and inserting in lieu thereof the following: "In the case of a mortgage insured under section 220(d)(3)(B)(ii), section 221(d)(4), or section 229(c)(4), the 'actual cost' computed pursuant to the provisions of this paragraph (c) shall not include any allowance for builder's and sponsor's profit and risk."

TITLE II. HOUSING FOR THE ELDERLY

SEC. 201. (a) Title II of the National Housing Act is amended by adding at the end thereof the following new section:

"SEC. 229. (a) The purpose of this section is to assist in relieving the shortage of housing for elderly persons and to increase the supply of rental housing for elderly persons. It is further the purpose of this section to assist in the provision of urgently needed nursing homes for the care and treatment of persons, particularly elderly persons.

"For the purposes of this section—

"(1) The term 'housing' means eight or more new or rehabilitated living units, not less than 50 percent of which are specially designed for the use and occupancy of elderly persons;

"(2) The term 'elderly person' means any person, married or single, who is 60 years of age or more;

"(3) The term 'nursing home' means a proprietary facility which is or will be licensed or regulated by law, which provides continuous medical and nursing care to the long-term, convalescent, infirm, or elderly patient in a home-like atmosphere, furnishing facilities and comforts normally found in a patient's home, and which provides, in addition thereto, such specialized service, equipment, and safety features as may be required for the safe, proper, and adequate care of patients at all times; and

"(4) The terms 'mortgage', 'mortgagee', 'mortgagor', and 'maturity date' shall have the meanings respectively set forth in section 207 of this act.

"(b) The Commissioner is authorized to insure any mortgage (including advances on mortgages during construction) in accordance with the provisions of this section upon such terms and conditions as he may prescribe and to make commitments for insurance of such mortgages prior to the date of their execution or disbursement thereon.

"(c) To be eligible for insurance under this section, a mortgage to provide housing for elderly persons shall—

"(1) involve a principal obligation in an amount not to exceed $12,500,000 or, if executed by Federal or State instrumentalities, municipal corporate instrumentalities of one or more States, or nonprofit development or housing corporations restricted by Federal or State laws or regulations of State banking or insurance departments as to rents, charges, capital structures, rate of return, or methods of operation, not to exceed $50,000,000;

"(2) not exceed, for such part of such property or project as may be attributable to dwelling use, $9,000 per dwelling unit: *Provided*, That the Commissioner may, in his discretion, increase the dollar amount limitation of $9,000 per unit to not to exceed $9,400 per unit to compensate for the higher costs incident to the construction of elevator-type structures and may increase each of the foregoing dollar amount limitations by not to exceed $1,250 per room in any geographical area where he finds that cost levels so require;

"(3) if executed by a mortgagor which is a private nonprofit corporation or association or other acceptable private nonprofit organization regulated or supervised under Federal or State laws or by political subdivisions of States, or agencies thereof, or by the Commissioner under a regulatory agreement or otherwise, as to rents, charges, and methods of operation, in such form and in such manner as, in the opinion of the Commissioner, will effectuate the purpose of this section, involve a principal obligation not in excess of the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed improvements are completed (the replacement cost may include the land, the proposed physical improvements, utilities within the boundaries of the land, architect's fees, taxes, interest during construction, and other miscellaneous charges incident to construction and approved by the Commissioner);

"(4) if executed by a mortgagor approved by the Commissioner but which is not a nonprofit organization, involve a principle obligation not in excess of the Commissioner's estimate of the replacement cost of the property or project when the proposed improvements are completed (the replacement cost may include the land, the proposed physical improvements, utilities within the boundaries of the land, architect's fees, taxes, interest during construction, and other miscellaneous charges incident to construction and approved by the Commissioner, but shall not include any allowance for builder's and sponsor's profit and risk): *Provided*, That the Commissioner may in his discretion require such mortgagor to be regulated or restricted as to rents or sales, charges, capital structure, rate of return and methods of operation, and for such purpose the Commissioner may make contracts with and acquire for not to exceed $100 stock or interest in any such mortgagor as the Commissioner may deem necessary to render effective such restrictions or regulations; such stock or interest shall be paid for out of the section 207 Housing Insurance Fund and shall be redeemed by the mortgagor at par upon the termination of all obligations of the Commissioner under the insurance;

"(5) provide for a complete amortization by periodic payments within such terms as the Commissioner shall prescribe;

"(6) bear interest (exclusive of premium charges for insurance) at not to exceed 4½ per centum per annum on the amount of the principal obligation outstanding at any time;

"(7) cover a property or project which is approved for mortgage insurance prior to the beginning of construction, with 50 per centum or more of the units therein specially designed for the use and occupancy of elderly persons in accordance with standards established by the Commissioner, and which may include such commercial and special facilities as the Commissioner deems adequate to serve the occupants.

"(d) In order to carry out the purpose stated in the second sentence of subsection (a), the Commissioner is authorized to insure any mortgage which covers a new or rehabilitated nursing home, subject to the following conditions:

"(1) The mortgage shall be executed by a mortgagor approved by the Commissioner. The Commissioner may in his discretion, require any such mortgagor to be regulated or restricted as to charges and methods of operation, and, in addition thereto, if the mortgagor is a corporate entity, as to capital structure and rate of return. As an aid to the regulation or restriction of any mortgagor with respect to any of the foregoing matters, the Commissioner may make such contracts with and/or acquire, for not to exceed $100, stock or interest in any such mortgagor as he may deem necessary. Any stock or interest so purchased shall be paid for out of the section 207 Housing Insurance Fund, and may be redeemed by the mortgagor at par upon the termination of all obligations of the Commissioner under the insurance.

"(2) The mortgage shall involve a principal obligation in an amount not to exceed $12,500,000, and not to exceed 75 per centum of the estimated value of the property or project when the proposed improvements are completed.

"(3) The mortgage shall—

"(i) provide for complete amortization by periodic payments within such terms as the Commissioner shall prescribe; and

"(ii) bear interest (exclusive of premium charges for insurance) at not to exceed 4½ per centum per annum of the amount of the principal obligation outstanding at any time.

"(e) In carrying out the provisions of this section with respect to the insurance of mortgages on properties or projects designed for use as nursing homes, the Commissioner shall consult with and secure the advice and recommendations of the Public Health Service of the Department of Health, Education, and Welfare.

"(f) The Commissioner may consent to the release of a part or parts of the mortgaged property or project from the lien of any mortgage insured under this section upon such terms and conditions as he may prescribe, and shall prescribe such procedures as in his judgment are necessary to secure to elderly persons a preference or priority of opportunity to rent the dwellings included in such property or project.

"(g) The provisions of subsections (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), and (p) of section 207 shall apply to mortgages insured under this section and all references therein to section 207 shall refer to this section."

(b) Section 212(a) of such act is amended by adding at the end thereof the following: "The provisions of this section shall also apply to the insurance of any mortgage under section 229 except that compliance with such provisions may be waived by the Federal Housing Commissioner in such cases or classes of cases in which laborers or mechanics, not otherwise employed at any time on the project, voluntarily donate their services without compensation for the purpose of lowering the costs of construction and the Federal Housing Commissioner determines that any amounts thereby saved are fully credited to the nonprofit corporation association or other organization undertaking the construction."

TITLE III.—URBAN RENEWAL

SEC. 301. Section 101(b) of the Housing Act of 1949 is amended by adding at the end thereof a new sentence as follows: "The Administrator shall particularly encourage the utilization of local public agencies established by the States to operate on a statewide basis in behalf of smaller communities within the State, whenever that arrangement provides an effective solution to community development or redevelopment problems in such communities, and is approved by resolution or ordinance of the governing bodies of the affected communities."

SEC. 302. The first sentence of section 103(b) of the Housing Act of 1949 is amended to read as follows: "The Administrator, on and after July 1, 1949, may, with the approval of the President, contract to make capital grants, with respect to projects assisted under this title, and to make grants pursuant to subsection (c) of this section, aggregating not to exceed $1,250 million which limit shall be increased by $850 million on the date of enactment of the Housing Act of 1959, and by $350 million on July 1 in each of the years 1959 through 1963; except that any such authorized increase may be increased by additional amounts aggregating not more than $150 million in any fiscal year upon a determination by the Administrator, with the approval of the

President, that such additional amounts are necessary to carry out the urban renewal objectives of this title: *Provided*, That the amount of capital grants contracted for under this title prior to July 1, 1964, shall not exceed an aggregate of $3,350 million."

SEC. 303. Section 103(b) of the Housing Act of 1949 is amended by inserting before the period at the end thereof a colon and the following: "*Provided*, That any amounts so appropriated shall also be available for repaying to the Secretary of the Treasury, for application to notes of the Administrator, the principal amounts of any funds advanced to local public agencies under this title which the Administrator determines to be uncollectible because of the termination of activities for which such advances were made, together with the interest paid or accrued to the Secretary (as determined by him) attributable to notes given by the Administrator in connection with such advances, but all such repayments shall constitute a charge against the authorization to make contracts for capital grants contained in this section: *Provided further*, That no such determination of the Administrator shall be construed to prejudice the rights of the United States with respect to any such advance".

SEC. 304. Section 103 of the Housing Act of 1949 is amended by adding at the end thereof a new subsection as follows:

"(c) The Administrator may contract to make grants for the preparation or completion of community renewal programs, which may include, without being limited to, (i) the identification of slum areas or blighted, deteriorated, or deteriorating areas in the community, (ii) the measurement of the nature and degree of blight and blighting factors within such areas, (iii) determination of the financial, relocation, and other resources needed and available to renew such areas, (iv) the identification of potential project areas and, where feasible, types of urban renewal action contemplated within such areas, and (v) scheduling or programing of urban renewal activities. Such programs shall conform, in the determination of the governing body of the locality, to the general plan of the locality as a whole. The Administrator may establish reasonable requirements respecting the scope and content of such programs. No contract for a grant pursuant to this subsection shall be made, unless the governing body of the locality involved has approved the preparation or completion of the community renewal program, and the submission by the local public agency of an application for such a grant. Notwithstanding section 110 (h) or the use in any other provision of this title of the term 'local public agency' or 'local public agencies', the Administrator may make grants pursuant to this subsection for the preparation or completion of a community renewal program to a single local public body authorized to perform the planning work necessary to such preparation or completion. No grant made pursuant to this subsection shall exceed two-thirds of the cost (as such cost is determined or estimated by the Administrator) of the preparation or completion of the community renewal program for which such grant is made."

SEC. 305. Section 105(b) of the Housing Act of 1949 is amended by adding the following before the semicolon at the end thereof: ": *And provided further*, That, with respect to any improvements of a type which it is otherwise authorized to undertake, any Federal agency (as defined in section 3(b) of the Federal Property and Administrative Services Act of 1949, as amended, and also including the District of Columbia or any agency thereof) is hereby authorized to become obligated in accordance with this subsection (c), except that clause (ii) of this subsection shall apply to such Federal agency only to the extent that it is authorized (and funds have been authorized or appropriated and made available) to make the improvements involved".

SEC. 306. Section 106(e) of the Housing Act of 1949 is amended by striking out all before the proviso and inserting in lieu thereof the following: "Not more than 12½ per centum of the grant funds provided for in this title shall be expended in any one State:".

SEC. 307. (a) (1) The first sentence of section 106(f)(2) of the Housing Act of 1949 is amended to read as follows:

"(2) As used in this subsection, the term 'relocation payments' means payments by a local public agency to individuals, families, and business concerns for their reasonable and necessary moving expenses and any actual direct losses of property except goodwill or profit (which are incurred on and after August 7, 1956, and for which reimbursement or compensation is not otherwise made) resulting from their displacement from an urban renewal area made necessary by (i) the acquisition of real property by a local public agency or by any other public body, (ii) code enforcement activities undertaken in connection with an urban renewal project, or (iii) a program of voluntary rehabilitation of buildings or other improvements in accordance with an urban renewal plan: *Provided*, That such payments shall not be made after completion of the project or if completion is deferred solely for the purpose of obtaining further relocation payments."

(2) The second sentence of section 106(f)(2) of the Housing Act of 1949 is amended by striking out "$100" in each place it appears and inserting in lieu thereof "$200."

(3) No relocation payments under section 106(f) of the Housing Act of 1949 shall be made for expenses or losses incurred prior to the effective date of this act, except to the extent that such payments were authorized by such section as it existed prior to such effective date.

(b) Section 106 of such act is further amended by adding at the end thereof a new subsection as follows:

"(g) The Administrator shall require in connection with any urban renewal project—

"(1) with respect to which a contract for capital grants is executed under this title, and

"(2) which involves the redevelopment of any part of an urban renewal area for commercial or industrial purposes,

that business concerns which are displaced from such urban renewal area be granted, if and to the extent determined by the governing body of the locality to be practicable and desirable, a priority of opportunity to purchase or lease commercial or industrial facilities provided in connection with such redevelopment."

SEC. 308. Section 110(b) of the Housing Act of 1949 is amended by striking out clause (2) and inserting in lieu thereof the following:

"(2) shall be sufficiently complete to indicate, to the extent required by the Administrator, the general nature of such redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal areas, the general land uses, and general nature of building requirements and density standards."

SEC. 309. Section 110(c) of the Housing Act of 1949 is amended by striking out the second paragraph following the paragraph numbered (6) and inserting in lieu thereof the following:

"Financial assistance shall not be extended under this title with respect to any urban renewal area which is not predominantly residential in character and which, under the urban renewal plan therefor, is not to be redeveloped for predominantly residential uses: *Provided*, That if the governing body of the local public agency determines that the redevelopment of such an area for predominantly nonresidential uses is necessary for the proper development of the community, the Administrator may extend financial assistance under this title for such a project: *Provided further*, That the aggregate amount of capital grants contracted to be made pursuant to this title with respect to such projects shall not exceed 15 per centum of the aggregate amount of grants authorized by this title to be contracted for."

SEC. 310. Section 110(d) of the Housing Act of 1949 is amended by adding at the end thereof the following new paragraph:

"Notwithstanding any other provision of this subsection, in any community for which there exists a General Neighborhood Renewal Plan meeting the requirements of subsection (d) of section 102 hereof or a community renewal program meeting the requirements of the Administrator established pursuant to section 103(c) hereof, no subsequent donation or provision of a public improvement or public facility of a type falling within the purview of this subsection shall be deemed to be ineligible as a local grant-in-aid for any project in conformity with such General Neighborhood Renewal Plan or such community renewal program solely on the basis that the construction of such improvement or facility was commenced without notification to the Administrator or prior to Federal recognition of such project, if such construction was commenced not more than five years prior to the authorization by the Administrator of a contract for loan or capital grant for the project."

SEC. 311. Section 110(e) of the Housing Act of 1949 is amended by striking out the first sentence and inserting in lieu thereof the following:

"(e) 'Gross project cost' shall comprise (1) the amount of the expenditures by the local public agency with respect to any and all undertakings necessary to carry out the project (including the payment of carrying charges, but not beyond the point where the project is completed), and (2) the amount of such local grants-in-aid as are furnished in forms other than cash. There may be included as part of the gross project cost, under any contract for loan or grant heretofore or hereafter executed under this title, with respect to moneys of the local public agency which are actually expended and outstanding for undertakings (other than in the form of local grants-in-aid) necessary to carry out the project, in the absence of carrying charges on such moneys, an amount in lieu of carrying charges which might otherwise have been payable thereon for the period such moneys are expended and outstanding but not beyond the point where the project is completed, computed for each 6-month period or portion thereof, at an interest rate equivalent to the simple average per annum on new issues of U.S. Government 91 day Treasury bills issued during the 10 weeks immediately prior to January 1 and July 1 of such 6 month period: *Provided*, That such amount may be computed on the net total of all such moneys of the local public agency remaining expended and outstanding, less other moneys received from the project undertaken in excess of project expenditures, in all projects of the local public agency under this title, and allocated, as the Administrator may determine, to each of such projects. With respect to a project for which a contract for capital grant has been executed on a three-fourths basis pursuant to the proviso in the second sentence of section 103 (a), gross project cost shall include, in lieu of the amount specified in clause (1) above, the amount of the expenditures by the local public agency with respect to the following

undertakings and activities necessary to carry out such project:

"(i) acquisition of land (but only to the extent of the consideration paid to the owner and not title, appraisal, negotiating, legal, or any other expenditures of the local public agency incidental to acquiring land), disposition of land, demolition and removal of buildings and improvements, and site preparation and improvements, all as provided in paragraphs (1), (2), (3), (4), and (6) of section 110(c); and

"(ii) the payment of carrying charges related to the undertakings in clause (i) (including amounts in lieu of carrying charges as determined above), exclusive of taxes and payments in lieu of taxes but not beyond the point wher such a project is completed;

but not the cost of any other undertakings and activities (including, but without being limited to, the cost of surveys and plans, legal services of any kind, and all administrative and overhead expenses of the local public agency) with respect to such project."

SEC. 312. Section 110(g) of the Housing Act of 1949 is amended—

(1) by striking out of the first sentence "is approved" and inserting in lieu thereof "for any project under this title is authorized";

(2) by inserting in the second sentence after "Any" the word "such"; and

(3) by striking out of the second sentence "contract is revised or superseded by such later contract" and inserting in lieu thereof "later contract is authorized."

SEC. 313. The Housing Act of 1949 is amended—

(1) by striking out the word "capital" in section 100, the second sentence of section 103(b), and in sections 106(a)(3), 106(c)(6), 106(c)(8), and 106(e);

(2) by inserting in section 101(a) after the word "title" in the first place where it appears therein "or for grants pursuant to subsection (c) of section 103 hereof"; and

(3) by adding at the end of section 110 a new subsection as follows:

"(k) 'Federal recognition' means execution of any contract for financial assistance under this title or concurrence by the Administrator in the commencement, without such assistance, of surveys and plans."

SEC. 314. The requirement in section 110 (d) of the Housing Act of 1949 that the assistance given by a State, municipality, or other public body under that section shall be in condition with a project on which a contract for capital grant has been made under title I of that act shall not apply to assistance provided during the period from January 1, 1957, through December 31, 1958, in connection with (1) urban renewal activities which, at the time that the assistance was given, had not been extended recognition as a project to be assisted under that title solely because of then existing limitations on the authority of the Housing and Home Finance Administrator to make capital grants under that title or to reserve funds for such purpose, or (2) urban renewal activities which were extended such recognition within 60 days after the provision of such assistance was initiated.

SEC. 315. (a) Section 701 of the Housing Act of 1954 is amended by striking out in the first sentence the language after the parenthetical clause and inserting in lieu thereof the following: "to (1) cities and other municipalities having a population of less than 25,000 according to the latest decennial census, and (2) to any group of adjacent communities, either incorporated or unincorporated, having a total population of less than 25,000 according to the latest decennial census and having common or related urban planning problems resulting from rapid urbanization."

(b) Such section is further amended by striking out "$10,000,000" and inserting in lieu thereof "$20,000,000."

TITLE IV. LOW-RENT HOUSING

SEC. 401. The first section of the United States Housing Act of 1937 is amended by adding at the end thereof the following: "In the development of public housing it shall be the policy to make adequate provision for larger families and for elderly families, and to acquire existing dwellings for public housing use when appropriate and economical. In the administration of public housing it shall be the policy to vest in local public agencies full responsibility for the establishment of rents and eligibility requirements (subject to income limit ceilings hereinafter provided), the preparation of budgets, the control of expenditures, and the provision of such social and recreational guidance as is necessary in assisting families to become good tenants and citizens of the larger community."

SEC. 402. (a) Paragraph (1) of section 2 of the United States Housing Act of 1937 is amended to read as follows:

"(1) The term 'low-rent housing' means decent, safe, and sanitary dwellings within the financial reach of families of low income, and developed and administered to promote serviceability, efficiency, economy, and stability, and embraces all necessary appurtenances thereto. The dwellings in low-rent housing shall be available solely for families of low income."

(b) Paragraph (7)(b) of section 15 of such act is amended to read as follows:

"(b) The Authority shall not make any contract for loans (other than preliminary loans) or for annual contributions pursuant to this Act with respect to any low-rent housing project initiated after March 1, 1949, unless the governing body of the locality involved has entered into an agreement with the public housing agency providing for the local cooperation required by the Authority pursuant to this Act."

(c) Paragraph (8)(a) of section 15 of such Act is amended to read as follows:

"(a) the public housing agency shall fix maximum income limits for the admission and for the continued occupancy of families in such housing, and shall also fix the exemptions, if any, from net family income which shall be allowed in applying such income limits. In fixing income limits, the public housing agency shall determine (with the approval of the Authority), for dwellings of various sizes, the lowest annual rentals (or equivalent costs of owned homes), including the value or cost to the tenants of water, gas, other heating and cooking fuels, and other utilities, at which private enterprise unaided by public subsidy is providing (through new construction and available existing structures) a substantial supply of decent, safe, and sanitary housing toward meeting the need of an adequate volume thereof. The income limits fixed by the public housing agency for families of various sizes and compositions shall be such that (A) no family shall be eligible for admission whose net annual income, less exemptions, exceeds five times such lowest annual rental, less 20 per centum, of a dwelling of the size needed by such family, except that in the case of a family entitled to a first preference as provided in section 10(g) 20 per centum need not be deducted from such lowest annual rental; and (B) no family shall be eligible for continued occupancy whose net annual income, less exemptions, exceeds five times such lowest annual rental of a dwelling of the size needed by such family. In determining eligibility for admission the public housing agency may exempt not more than $600 of the income of each member of the family other than the principal income recipient and not more than the annual payments made by the U.S. Government to any member of the family for disability or death occurring in connection with military service; and in determining eligibility for continued occupancy the public housing agency may exempt (i) not more than the total annual income of minor members of the family, other than the principal income recipient and his spouse, (ii) not more than $600 of the income of any other member of the family, other than the principal income recipient, and (iii) not more than the annual payments made by the U.S. Government to any member of the family for disability or death occurring in connection with military service;".

(d) Paragraph (8)(b) of section 15 of such Act is amended by striking out clause (i) and inserting in lieu thereof the following: "(i) had an income for eligibility not exceeding the maximum income limits fixed by the public housing agency;".

(e) Paragraph (8)(d) of section 15 of such Act is amended by striking out "(and approved by the Authority)".

(f) Section 502(b) of the Housing Act of 1948 is amended by striking out the last sentence thereof.

SEC. 403. (a) Section 10(b) of the United States Housing Act of 1937 is amended to read as follows:

"(b) Annual contributions shall be strictly limited to the amounts necessary, in the determination of the Authority, to assure the repayment of all sums borrowed by the public housing agency to finance the development or acquisition cost of a project together with the interest, as contracted for from time to time, on the sums so borrowed; except that the fixed contribution payable annually under any contract shall in no event exceed a sum equal to the annual yield, at the applicable going Federal rate plus 2 percent, upon the development or acquisition cost of the low-rent housing or slum clearance project involved. The contract for annual contributions shall provide for their payment over a fixed period of years, to be determined by the Authority, which shall in no event exceed 40 years from the date the first annual contribution for the project is paid. When payment of all sums borrowed (or provisions for such payment) has been made, annual contributions shall cease."

(b) Section 10 (c) of such act is amended to read as follows:

"(c) Every contract for annual contributions shall provide that whenever in any year the receipts of a public housing agency in connection with a low-rent housing project exceed its expenditures (including debt service, administration, maintenance, establishment of reserves, and other costs and charges), an amount equal to such excess shall be divided (i) one-third to the public housing agency solely for low-rent housing use, which use shall be reported by the public housing agency in its annual certification to the Authority pursuant to this subsection, and (ii) two-thirds for repayment of outstanding development or acquisition loans in connection with the project either through immediate repayment or establishment of a sinking fund. Every contract for annual contributions shall require that the public housing agency and its chairman shall annually, after an independent audit made by and certified to by the State auditor or other appropriate State official or by a public accountant of recognized standing of the books and accounts of the public housing agency, transmit a copy of such audit and certify to the Authority that the agency has complied with the provisions of this act and that the financial statements are true and correct. Such certification shall, in the absence of fraud or of evidence of waste or neglect, or expenditures which

are not reasonably compatible with the operation of low-rent public housing, or extravagance, disclosed by financial post-audits pursuant to sections 814 and 816 of the Housing Act of 1954, and in the absence of evidence of violation of the provisions of this act, be accepted as final and conclusive by all officers of the Federal Government: *Provided*, That no provision of this section limits or reduces the authority of the General Accounting Office to audit expenditures under this act."

(c) Section 22(b) of such act is amended by striking out in the proviso thereto the following: "proviso of subsection 10(b), or, where applicable, the second proviso of subsection 10(c)", and inserting in lieu thereof the following: "sentence of section 10(b)."

SEC. 404. Section 10(i) of the U.S. Housing Act of 1937 is amended—

(1) by striking out "by 35,000 additional dwelling units on July 1, 1957" and inserting in lieu thereof "(1) by 35,000 additional dwelling units on July 1, 1957, and (2) by 17,500 additional dwelling units on July 1, 1959"; and

(2) by striking out the first proviso and inserting in lieu thereof the following: "*Provided*, That the authority to enter into new contracts for annual contributions with respect to each such 35,000, or 17,500, additional dwelling units, as the case may be, shall terminate 4 years after the first date on which such authority may be exercised under the foregoing provisions of this subsection:".

SEC. 405. (a) The U.S. Housing Act of 1937 is amended by inserting after section 29 a new section as follows:

"SEC. 30. Upon the request of any local public agency the Authority is authorized and directed to amend any or all of its contracts with the local public agency so as to bring such contracts into conformity with the provisions of this Act in effect on the date of such request: *Provided*, That contracts may not be amended or superseded in a manner which would impair the rights of the holders of any outstanding obligations of the public housing agency involved which are secured by any of the provisions of such contracts."

(b) Sections 30 and 31 of such act, as they existed prior to the amendment made in subsection (a) of this section, are redesignated as sections 31 and 32, respectively.

SEC. 406. Section 107 of the Housing Act of 1949 is amended to read as follows:

"SEC. 107. When it appears in the public interest that an urban renewal project area should be used in whole or in part as a site for a low-rent housing project assisted under the United States Housing Act of 1937, as amended, the site shall be made available to the local housing agency undertaking the housing project at a price equal to the amount, as determined by the Administrator, which would be charged if it were disposed of to private enterprise for lowest rental housing, and such amount shall be included as part of the development cost of the low-rent housing project: *Provided*, That the local contribution in the form of tax exemption or tax remission required by section 10(h) of the said act with respect to the low-rent housing project into which such land is incorporated shall (if covered by a contract which, in the determination of the Public Housing Commissioner, and without regard to the requirements of the first proviso of said section 10(h), will assure that such local contribution will be made during the entire period that the project is used as low-rent housing within the meaning of the said act) be accepted as a local grant-in-aid equal in amount, as determined by the Administrator, to one-half (or one-third in the case of a project on a three-fourths capital grant basis) of the difference between the cost of such land (including costs of clearance if any) and its sales price, and shall be considered a local grant-in-aid furnished in a form other than cash within the meaning of section 110(e) of this title."

TITLE V.—COLLEGE HOUSING

SEC. 501. Section 401(d) of the Housing Act of 1950 is amended to read as follows:

"(d) To obtain funds for loans under this title, the Administrator may issue and have outstanding at any one time notes and obligations for purchase by the Secretary of the Treasury in an amount not to exceed $1,325 million: *Provided*, That the amount outstanding for other educational facilities, as defined herein, shall not exceed $150 million: *Provided further*, That the amount outstanding for hospitals, referred to in clause (2) of section 404(b) of this title, shall not exceed $75 million."

SEC. 502. (a) Title IV of the Housing Act of 1950 is amended by adding at the end thereof new sections as follows:

"Loans for classroom buildings and other academic facilities

"SEC. 405. (a) In addition to the other purposes for which financial assistance may be extended under this title, the Administrator may make loans to educational institutions for (1) the construction of new structures suitable for use as classrooms, laboratories, and related facilities (including initial equipment, machinery, and utilities) necessary or appropriate for the instruction of students or the administration of the institution, and (2) the rehabilitation, alteration, conversion, or improvement of existing structures for the uses described above if such structures are otherwise inadequate for such uses. As used in this section, the term 'educational institution' means any educational institution offering at least a 2-year program acceptable for full credit toward a baccalaureate degree, including any public educational institution, or any private educational institution no part of the net earnings of which inures to the benefit of any private shareholder or individual.

"(b) Any educational institution which, prior to the effective date of this section, has contracted for the construction, rehabilitation, alteration, conversion, or improvement of any structures for the uses described in subsection (a) above may, in connection therewith, receive loans authorized by this section, as the Administrator may determine, but no such loan shall be made in connection with the construction, rehabilitation, alteration, conversion, or improvement of any such structure if the work thereon was commenced prior to the effective date of this section, or was completed prior to the filing of an application under this section.

"Guaranty contracts

"SEC. 406. (a) In addition to his other authority under this title, the Administrator may enter into a contract, to be known as a debt service guaranty contract, pursuant to which the Administrator may guarantee the payment of the principal of and interest on the bonds of an educational institution, if the bonds are to be issued and sold to investors other than the United States in financing (1) the construction of new structures suitable for use as classrooms, laboratories, and related facilities (including the initial equipment, machinery, and utilities) necessary or appropriate for the instruction of students or the administration of the institution, and (2) the rehabilitation, alteration, conversion, or improvement of existing structures for the uses described above if such structures are otherwise inadequate for such uses: *Provided*, That no application for a loan under section 405 of this title service be denied approval because a debt service guaranty contract may be available to the applicant. The debt service guaranty contract shall obligate the Administrator, so long as such bonds are outstanding, to pay to a trustee under an indenture securing the bonds, such amounts which, when added to the moneys available from the revenues or funds pledged by such institution as security for the bonds (including all reserve funds therefor), may be needed to make the payments due on the bonds. The aggregate principal amount of such guaranteed bonds outstanding at any one time shall not exceed $250 million.

"(b) (1) For the purposes of this section the Administrator is authorized to establish a fund to be known as the College Housing Guaranty Fund.

"(2) All fees received in connection with guaranties issued under this section, all funds borrowed from the Secretary of the Treasury pursuant to subsection (d), all earnings on the assets of the College Housing Guaranty Fund, all appropriations for carrying out functions under this section, and all other receipts of the Administrator in connection with the performance of his functions under this section shall be deposited in the Fund. All payments to trustees under subsection (a), repayments to the Secretary of the Treasury of sums borrowed from him pursuant to subsection (d), and all administrative expenses and any other expenses of the Administrator in connection with the performance of his functions under this section shall be paid from the College Housing Guaranty Fund. Moneys in the Fund may be invested in obligations of the United States, or in obligations guaranteed as to principal and interest by the United States, or in obligations eligible for investment of public funds. Such obligations may be sold and the proceeds derived therefrom may be reinvested, as herein provided, if deemed advisable by the Administrator. Income from such investment or reinvestment shall be deposited in the Fund.

"(c) The Administrator is authorized to charge and collect a fee, as a consideration for the Government's guaranty of the loan, to cover administrative and other expenses in carrying out his functions under this section and to establish a reserve for losses. Such fee may be included in the amount of the bonds guaranteed.

"(d) To carry out the purpose of this section the Administrator is authorized to issue to the Secretary of the Treasury from time to time notes or other obligations for purchase by the Secretary of the Treasury in amounts sufficient, together with any funds in the College Housing Guaranty Fund, to make payments of principal and interest on all bonds guaranteed under this section in accordance with the Debt Service Guaranty Contract. In the issuance of such notes or other obligations, the Administrator and the Secretary of the Treasury shall be governed by the provisions of, and exercise the authorities granted them respectively by section 401 (e), it being the intention hereof to make the provisions and authorities of said section 401(c) applicable to the notes and other obligations authorized and issued pursuant to this section.

"(e) The provisions of paragraph (b) of section 402 shall be inapplicable to funds made available to the Administrator in carrying out his functions under this section."

(b) Title IV of such act is further amended by—

(1) striking out "Housing" in the heading of such title and inserting in lieu thereof "Loans";

(2) striking out "Federal" in the heading of section 401 and inserting in lieu thereof "College Housing";

(3) inserting after "loan" in clause (1) of the first proviso to section 401(a) the following: "(including any loan under sec. 405 of this title)";

(4) striking out "A loan to an educational institution may be in an amount not exceeding the total development cost of the facility, as determined by the Administrator" in section 401(c) and inserting in lieu thereof the following: "A loan under this section to an

educational institution may be in an amount not exceeding the total development cost of the facility, as determined by the Administrator, and a loan under section 405 of this title to an educational institution may be in an amount not exceeding the cost of construction of the structures involved (including related facilities), and the land on which the structures are located, as determined by the Administrator";

(5) inserting "(1)" immediately before the text of subsection (d) of section 401, by striking out "under this title" in such subsection (d) and inserting in lieu thereof "under subsection (a) of this section," and by adding at the end of such subsection (d) a new paragraph as follows:

"(2) In addition to the notes and other obligations authorized in paragraph (1) of this subsection, the Administrator may issue to the Secretary, from time to time and have outstanding at any one time, in an amount not exceeding $125 million, notes and other obligations for the purpose of carrying out the provisions of section 405 of this title.";

(6) striking out section 401(f) and inserting in lieu thereof the following:

"(f) There are hereby authorized to be appropriated to the Administrator such sums as may be necessary to carry out the purposes of this title."

(7) inserting before the semicolon in section 402(c)(2) a colon and the following: "*Provided*, That the Administrator shall extend financial assistance to educational institutions under section 405 only after consultation with, and in accordance with the advice and recommendations of, said Office of Education."

(8) inserting "or guaranteed" after "made" in the first sentence of paragraph (4) of section 402 (c);

(9) adding the following new subsection at the end of section 402:

"(e) The provisions of section 309 of the Independent Offices Appropriation Act, 1950 (Public Law 81–266; 63 Stat. 662), which are applicable to corporations or agencies subject to the Government Corporation Control Act, shall also be applicable to the activities of the Administrator under this title.";

(10) inserting after "For the purposes of this title," in section 404 the following: "except as otherwise provided in section 405,".

(11) adding a new subsection at the end of section 404 as follows:

"(i) 'Bonds' mean any bonds, notes, interim certificates, certificates of indebtedness, debentures, or other obligations."

TITLE VI. ARMED SERVICES HOUSING

SEC. 601. (a) Section 803(a) of the National Housing Act is amended by striking out "June 30, 1959" and inserting in lieu thereof "June 30, 1960."

(b) The second sentence of paragraph 3 of section 803(b) of such act is amended by striking out "25" and inserting in lieu thereof "30."

SEC. 602. (a) Title VIII of the National Housing Act is amended by adding at the end thereof a new section as follows:

"SEC. 810. (a) Notwithstanding any other provision of this title, the Commissioner may insure and make commitments to insure any mortgage under this section which meets the eligibility requirements hereinafter set forth.

"(b) No mortgage shall be insured under this section unless the Secretary of Defense or his designee shall have certified to the Commissioner that (1) the housing which is covered by the insured mortgage is necessary in the interest of national defense in order to provide adequate housing for military personnel and essential civilian personnel serving or employed in connection with an installation of one of the armed services of the United States, (2) there is no present intention to curtail substantially the number of such personnel assigned or to be assigned to the installation, (3) adequate housing is not available for such personnel at reasonable rentals within reasonable commuting distance of such installation, and (4) the mortgaged property will not so far as can be reasonably foreseen substantially curtail occupancy in any existing housing in the vicinity of the installation if such housing is covered by mortgages insured under this act. Any such certificate issued by the Secretary of Defense or his designee shall be conclusive evidence to the Commissioner of the eligibility of the mortgage for insurance in accordance with the requirements of this subsection.

"(c) The Commissioner may accept any mortgage for insurance under this section without regard to any requirement in any other section of this act that the property or project be economically sound.

"(d) The Commissioner shall require each project covered by a mortgage insured under this section to be held for rental for a period of not less than 5 years after the project or dwelling is made available for initial occupancy or until advised by the Secretary of Defense or his designee that the housing may be released from such rental condition. Priority in the sale or rental of dwellings covered by a mortgage insured under this section shall be required and given to military personnel and essential civilian employees of the armed services, and employees of contractors for the armed services, as evidenced by certification issued by the Secretary of Defense or his designee. Such certificate shall be conclusive evidence to the Commissioner of the employment status of the person requiring housing and of such person's need for the housing.

"(e) For the purpose of providing multifamily rental housing projects or housing projects consisting of individual single family dwellings for sale, the Commissioner is authorized to insure mortgages (including advances on such mortgages during construction) which cover property held by (1) Federal or State instrumentalities, municipal corporate instrumentalities of one or more States, or limited dividend or redevelopment or housing corporations restricted by Federal or State laws or regulations of State banking or insurance departments as to rents, charges, capital structure, rate of return or methods of operation, or (2) private corporations, associations, cooperative societies, or trusts. Any such mortgagor shall possess powers necessary therefor and incidental thereto and shall until the termination of all obligations of the Commissioner under such insurance be regulated or restricted as to rents or sales, charges, capital structure, rate of return, and methods of operation to such extent and in such manner as to provide reasonable rentals to tenants and a reasonable return on the investment. The Commissioner may make such contracts with, and acquire for not to exceed $100 such stock or interest in, any such corporation, association, cooperative society, or trust as he may deem necessary to render effective such restriction or regulation. Such stock or interest shall be paid for out of the Armed Services Housing Mortgage Insurance Fund, and shall be redeemed by the corporation, association, cooperative society, or trust at par upon the termination of all obligations of the Commissioner under the insurance.

"(f) To be eligible for insurance under this section, a mortgage of any multifamily rental property or project shall involve a principal obligation in an amount (1) not to exceed $12,500,000 or, if executed by a mortgagor coming within the provisions of subsection (e)(1) of this section, not to exceed $50 million, or (2) not to exceed, for such part of such property or project as may be attributable to dwelling use, $2,500 per room (or $9,000 per family unit if the number of rooms in such property or project is less than four per family unit), and not to exceed 90 per centum of the estimated value of the property or project when the proposed physical improvements are completed: *Provided*, That as to projects which consist of elevator-type structures and to compensate for the higher costs incident to the construction of elevator-type structures of sound standards of construction and design, the Commissioner may, in his discretion, increase the aforesaid dollar amount limitations per room or per family unit (as may be applicable to the particular case) within the following limits: (i) $2,500 per room to not to exceed $3,000; (ii) $9,000 per family unit to not to exceed $9,400; except that the Commissioner may, by regulation, increase any of the foregoing dollar amount limitations per room contained in this paragraph by not to exceed $1,000 per room in any geographical area where he finds that cost levels so require.

"(g) To be eligible for insurance under this section, a mortgage on any property or project constructed for eventual sale of single family dwellings shall involve a principal obligation in an amount not to exceed $12,500,000 and not to exceed a sum computed on the basis of a separate mortgage for each single family dwelling (irrespective of whether such dwelling has a party wall or is otherwise physically connected with another dwelling or dwellings) comprising the property or project equal to the total of each of the maximum principal obligations of such mortgages which would meet the requirements of section 203(b)(2) of this Act, if the mortgagor were the owner and occupant who had made the required payment on account of the property prescribed in such paragraph.

"(h) Any mortgage insured under this section shall provide for complete amortization by periodic payments within such terms as the Commissioner may prescribe but not to exceed the maximum term applicable to mortgages under section 207 of this Act and shall bear interest (exclusive of premium charges for insurance) at not to exceed the rate applicable to mortgages insured under section 207, except that individual mortgages of the character described in subsection (g) covering the individual dwellings in the project may have a term not in excess of the maximum term applicable to mortgages insured under section 203 of this Act or the unexpired term of the project mortgage at the time of the release of the mortgaged property from such project mortgage, whichever is the greater, and shall bear interest at not to exceed the rate applicable to mortgages insured under section 203. The Commissioner may consent to the release of a part or parts of the mortgaged property from the lien of the mortgage upon such terms and conditions as he may prescribe and the mortgage may provide for such release, and a mortgage of the character described in subsection (g) of this section may provide that, at any time after the release of the project from the rental period prescribed by subsection (d), such mortgage may be replaced, in whole or in part, by individual mortgages covering each individual dwelling in the project in amounts not to exceed the unpaid balance of the blanket mortgage allocable to the individual property. Each such individual mortgage may be insured under this section. Property covered by a mortgage insured under this section may include eight or more family units and may include such commercial and community facilities as the Commissioner deems adequate to serve the occupants.

"(i) The provisions of subsections (d), (e), (g), (h), (i), (j), (k), (l), (m), (n), and (p) of section 207 of this title shall be applicable to mortgages insured under this section except individual mortgages of the character described in subsection (g) of this section covering the individual dwellings in the project, and as to such individual mortgages the provisions of subsections (a), (c), (d), (e), (f), (g), (h), and (j) of section

204 shall be applicable: *Provided*, That wherever the words 'Fund,' 'Mutual Mortgage Insurance Fund,' or 'Housing Insurance Fund' appear in section 204 or 207, all such references shall refer to the Armed Services Housing Mortgage Insurance Fund with respect to mortgages insured under this section.

"(j) The provisions of sections 801, 802, 803(c), 803(i), 803(j), 804(a), 804(b), and 807 and the provisions of section 803(a) relating to the aggregate amount of all mortgages insured and the expiration date of the Commissioner's authority to insure under this title shall be applicable to mortgages insured under this section.

"(k) If the Commissioner determines that insurance of mortgages on any housing of the type described in this section is not an acceptable risk, he may require the Secretary of Defense to guarantee the Armed Services Housing Mortgage Insurance Fund from loss with respect to mortgages insured pursuant to this section. There are hereby authorized to be appropriated such sums as may be necessary to provide for payment to meet losses arising from such guaranty."

(b) Section 808 of such act is amended by striking out "The" and inserting in lieu thereof the following: "Except in the case of mortgages on multifamily rental housing projects insured under section 810, the".

(c) Section 212(a) of such act is amended by striking out "or under title VIII" and inserting in lieu thereof "or under section 803 or 810 of title VIII".

(d) Section 305(f) of such act is amended by inserting "or 810" after "809".

SEC. 603. (a) The first sentence of section 404(a) of the Housing Amendments of 1955 is amended to read as follows: "Whenever the Secretary of Defense or his designee deems it necessary for the purpose of this title, he may acquire by purchase, donation, condemnation, or other means of transfer, any land or (with the approval of the Federal Housing Commissioner) (1) any housing financed with mortgages insured under title VIII of the National Housing Act as in effect prior to August 11, 1955, or (2) any housing situated adjacent to a military installation which was (A) completed prior to July 1, 1952; (B) certified by the Department of Defense, prior to construction, as being necessary to meet an existing military family housing need and considered as military housing by the Federal Housing Commissioner, and (C) financed with mortgages insured under section 207 of the National Housing Act."

(b) Section 404(b) of the Housing Amendments of 1955 is amended by striking out "constructed under the mortgage insurance provisions of title VIII of the National Housing Act (as in effect prior to the enactment of the Housing Amendments of 1955)", and inserting in lieu thereof the following: "described in clause (1) or (2) of subsection (a) of this section."

(c) Section 407(f) of the act entitled "An act to authorize certain construction at military installations, and for other purposes", approved August 30, 1957, is amended to read as follows:

"(f) This section shall have no application to any housing described in clause (1) or (2) of section 404(a) of the Housing Amendments of 1955, as amended."

SEC. 604. (a) Section 404(c) of the Housing Amendments of 1955 is amended to read as follows:

"(c) (1) Condemnation proceedings instituted pursuant to this section shall be conducted in accordance with the provisions of the act of August 1, 1888 (25 Stat. 357; 40 U.S.C. 257), as amended, or any other applicable Federal statute. Before any such condemnation proceedings are instituted, an effort shall be made to acquire the property involved by negotiation. In any such condemnation proceedings, and in the interests of expedition, the issue of just compensation shall be determined by a commission of three persons to be appointed by the court. One of the persons so appointed shall be selected from a panel of qualified, disinterested persons submitted by the Secretary of Defense, or his designee, and one of the persons so appointed shall be selected from a panel of qualified, disinterested persons submitted by the owner of the property with respect to which the proceedings are instituted. Any commission appointed hereunder shall give full consideration to replacement costs and fair depreciation, and shall have the powers of a master provided in subdivision (c) of Rule 53 of the Federal Rules of Civil Procedure and proceedings before it shall be governed by the provisions of paragraphs (1) and (2) of subdivision (d) of such rule. Its action and report shall be determined by a majority and its findings and report shall have the effect, and be dealt with by the court in accordance with the practice prescribed in paragraph (2) of subdivision (e) of such rule. Trial of all issues, other than just compensation, shall be by the court.

"(2) In any condemnation proceedings instituted pursuant to this section, the court shall not order the party in possession to surrender possession in advance of final judgment unless a declaration of taking has been filed, and a deposit of the amount estimated to be just compensation has been made, under the first section of the act of February 26, 1931 (46 Stat. 1421), providing for such declarations. Unless title is in dispute, the court, upon application, shall promptly pay to the owner at least 75 percent of the amount so deposited, but such payment shall be made without prejudice to any party to the proceeding. In the event that condemnation proceedings are instituted in accordance with procedures under such act of February 26, 1931, the court shall order that the amount deposited shall be paid in a lump sum or over a period not exceeding 5 years in accordance with stipulations executed by the parties in the proceedings. In connection with condemnation proceedings which do not utilize the procedures under such act, the Secretary or his designee, after final judgment of the court, may pay or agree to pay in a lump sum or, in accordance with stipulations executed by the parties to the proceedings, over a period not exceeding 5 years the difference between the outstanding principal obligation, plus accrued interest, and the price for the property fixed by the court. Unless such payment is made in a lump sum, the unpaid balance thereof shall bear interest at the rate of 4 percent per annum."

(b) The amendment made by this section shall be applicable to any condemnation proceedings instituted pursuant to section 404 of the Housing Amendments of 1955 in which a final adjudication of just compensation has not been made on the date of enactment of this act.

TITLE VII—MISCELLANEOUS

Federal National Mortgage Association

SEC. 701 (a) Section 302(b) of the National Housing Act is amended by adding the following before the period: ", except that with respect to mortgages purchased under section 304 the principal obligation shall not exceed $20,000."

(b) The second sentence of section 305(b) of such act is amended by striking out "1958" and inserting in lieu thereof "1960."

Farm Housing Research

SEC. 702. Section 603(c) of the Housing Act of 1957 is amended to read as follows:

"(c) The authority of the Housing and Home Finance Agency to make grants under subsection (b) shall expire June 30, 1962. The total amount of such grants shall not exceed $300,000 during each of the fiscal years ending June 30, 1958, and June 30, 1959, and shall not exceed $100,000 during each of the fiscal years beginning July 1, 1959, and ending June 30, 1962."

Surveys of Public Works Planning

SEC. 703. Section 702 of the Housing Act of 1954 is amended by adding at the end thereof the following new subsection:

"(f) The Administrator is authorized to use during any fiscal year not to exceed $50,000 of the moneys in the revolving fund (established under subsection (e)) to conduct surveys of the status and current volume of State and local public works planning and surveys of estimated requirements for State and local public works: *Provided*, That the Administrator, in conducting any such survey, may utilize or act through any Federal department or agency with its consent."

Servicemen's Readjustment Act of 1944

SEC. 704. (a) Section 500(d) of the Servicemen's Readjustment Act of 1944 is amended by inserting before the period at the end of the first sentence a comma and the following: "or (3) by any Federal Housing Administration approved mortgagee designated by the Federal Housing Commissioner as a certified agent and which is acceptable to the Administrator."

(b)(1) Section 504(c) of such act is amended by adding at the end thereof a new sentence as follows: "The Administrator may also refuse to appraise any dwelling or housing project owned, sponsored, or to be constructed by any person refused the benefits of participation under the National Housing Act pursuant to a determination of the Federal Housing Commissioner under section 512 of that act."

(2) Section 514 of such act is amended by adding at the end thereof a new sentence as follows: "The Administrator may also refuse either temporarily or permanently to guarantee or insure any loans made by a lender or holder refused the benefits of participation under the National Housing Act pursuant to a determination of the Federal Housing Commissioner under section 512 of that act."

(c) Section 513(d) of such act is amended by adding at the end of the first sentence a new sentence as follows:

"In addition, the Secretary shall make available to the Administrator such additional sums not in excess of $300 million as the Administrator may request."

Disposal of Projects

SEC. 705. (a) Section 607 of the act of October 14, 1940, as amended (42 U.S.C. 1587), is amended by adding at the end thereof a new subsection as follows:

"(h) Notwithstanding any other provision of law, the Administrator may, whenever he deems it desirable, in the public interest, and in the fulfillment of the purposes of this title, consent to the modification, with respect to purchase price, repayment period, rate of interest, time of payment of any installment on principal or interest, security, or any other term, of any contract, sale, mortgage, or other agreement to which he is a party, or which has been transferred to him pursuant to this title: *Provided*, That, in any such modification of a contract, sale, mortgage, or other agreement relating to housing projects heretofore disposed of as a whole or in other portions, exceeding four family dwelling units per portion, under paragraph (c) of this section by sale to a group organized on a mutual or cooperative basis, the Administrator shall endeavor to make such modifications as may be necessary to enable such group to retain possession, wherever this result can be achieved without undue sacrifice of the interest of the Federal Government."

(b) The use of projects PA-36011 and PA-36012 (which were conveyed to the Housing Authority of Philadelphia, Pa., under section 406(c) of the Housing Act of 1956) for the housing of military personnel and civilians employed in defense activities without regard to their income and the giving of a prefer-

ence in respect to 700 dwelling units in such projects for such military personnel as the Secretary of Defense or his designee prescribes for a period of 5 years after the date of the conveyance is hereby authorized. Such use and the giving of such preferences shall not deprive the housing projects of their status as "low-rent housing" as that term is used and defined in the United States Housing Act of 1937 and within the meaning of that term as used in section 606(b) of an act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes, approved October 14, 1940, as amended. The Housing and Home Finance Administrator is authorized and directed to agree to any amendments to the instruments of conveyance required to give effect to the purposes of this act.

Voluntary Home Mortgage Credit Program

SEC. 706. Section 610(a) of the Housing Act of 1954 is amended by striking out "1959" and inserting in lieu thereof "1960."

AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT OF 1938, RELATING TO LEASE AND TRANSFER OF ACREAGE ALLOTMENTS

Mr. SPARKMAN. Mr. President, on behalf of myself, and my colleague, the senior Senator from Alabama [Mr. HILL], I introduce, for appropriate reference, a bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide for lease and transfer of acreage allotments. I ask unanimous consent that an explanation of the bill, prepared by me, may be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the explanation will be printed in the RECORD.

The bill (S. 58) to amend the Agricultural Adjustment Act of 1938, as amended, to provide for lease and transfer of acreage allotments, introduced by Mr. SPARKMAN (for himself and Mr. HILL), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The explanation presented by Mr. SPARKMAN is as follows:

EXPLANATION OF BILL

The bill, as proposed, provides that a farmer may lease any commodity acreage allotment established for his farm to another farmer in the same county and the acreage so leased shall be transferred to the farm of the lessee for one year. The terms and conditions of the lease shall be those agreed to by the farmers concerned.

This legislation will be helpful to a farmer who does not desire to grow the crop for which an allotment is made for his farm since he will be able to realize some income by leasing the allotment to other farmers. This is a significant consideration in view of the fact that such a farmer will most likely not be able to supplement his income in 1959 through the acreage-reserve provisions of the soil bank. It will be helpful also to a farmer who needs an increase in acreage allotment in order to be able to devote an entire field to an allotment crop. For example, a farmer with a 10-acre cotton allotment may have one field containing 12 acres. If he could lease two acres from a neighbor and transfer such acreage to his farm, he would then be in position to plant the entire field to the crop. There are also other advantages.

The bill provides that the ASC county committees would maintain control of the lease and transfer of allotments. No lease would be effective until a copy thereof is filed with and approved by the county committee. The county committee would also maintain control with respect to the problem of transferring acreage allotments from low-producing farms to farms with a higher productivity index.

The lease and transfer of allotment acreage under provisions of this bill would not adversely affect the determination of future State, county, or farm allotments since the acreage leased would be considered as devoted to the crop on the farm of the lessor.

TAX ADJUSTMENT PROGRAM FOR SMALL BUSINESS

Mr. SPARKMAN. Mr. President, on behalf of myself, the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Tennessee [Mr. KEFAUVER], I introduce, for appropriate reference, a tax bill, the purpose of which is to help make it possible for millions of small businessmen to stay in business.

It is one of the facts of economic life today that a business enterprise must grow and expand in step with our expanding economy. Survival often depends on the ability of a small concern to match, at least on a relative basis, the tremendous strides of their larger competitors. To stand still is to invite disaster.

Several factors make it extremely difficult for many small businessmen to find the money needed to finance the growth of their companies. One of these factors is the deep bite which Federal income taxes take out of their often slender earnings. Another is the difficulty small businessmen encounter in trying to borrow funds for needed improvements in their factories and in the stores which line the main streets of America.

The purpose of my bill is to provide at least a partial solution for these drawbacks by permitting a tax deduction on small business earnings which are plowed back into the business. This is not a complex piece of tax legislation. It simply provides for a deduction from taxable income of either $30,000 or 20 percent, whichever is the lesser, of net income which is reinvested in the business.

I am certain, Mr. President, that this proposal to help preserve literally hundreds of thousands of small concerns will receive sympathetic consideration by many Members of the Senate. Few there are indeed who are not aware of the high rate of small business failures in recent years compared with the tremendous growth of the Nation's largest corporations. The trend is fully in evidence. It would be folly to ignore it.

Last year I introduced an omnibus small business tax adjustment bill which contained a reinvestment provision. Fifty Senators cosponsored this bill. For that reason, Mr. President, I ask unanimous consent that my present bill lie on the table for 1 week.

The bill that I offer today provides for somewhat more extensive tax assistance to promote the growth of small concerns than did the reinvestment provision of the tax bill I introduced during the 85th Congress. This reflects my increasing concern that unless our Government is willing to extend this type of help to small business concerns, we may with unhappy assurance witness within the next few years a disastrous deterioration in the position small business will come to occupy in our national economy.

It affords me encouragement to state that in the House, Congressmen FRANK IKARD and TOM CURTIS are sponsoring a bill to give small business the benefits of a reinvestment deduction.

Later in the session, Mr. President, I shall introduce additional bills which, in my opinion, would provide small businessmen the kind of tax relief which is essential for their economic well-being.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 59) to provide a program of tax adjustment for small business and for persons engaged in small business, introduced by Mr. SPARKMAN (for himself, Mr. HUMPHREY, and Mr. KEFAUVER), was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT OF 1938, RELATING TO PRESERVATION OF ACREAGE ALLOTMENT HISTORY OF FARMS

Mr. STENNIS. Mr. President, over the years I have been very much concerned over the loss of cotton acreage to farmers and counties resulting from under planting allotments. The national allotment has already been cut much below an economical level and further reductions permitted, due to under planting of acreage, would cause undue hardships on cotton farmers and the local economy.

The Congress recognized this critical problem in 1957 when it adopted an amendment to automatically preserve farm allotments for cotton and other basic crops for the years 1957, 1958, and 1959. This provision will expire at the end of the current crop year and unless extended many farm and county allotments will be unfairly reduced because of circumstances beyond their control.

Mr. President, on behalf of myself, and my colleague, the senior Senator from Mississippi [Mr. EASTLAND], I introduce, for appropriate reference, a bill which would make permanent the provisions in present law which would preserve acreage history credits for the full allotment regardless of whether it was planted. This provision, which has been in effect since 1957, has been most successful in bringing about stability in cotton acreage and has been less costly to administer. Acreage allotments, county by county and farm by farm, are based on statutory formula involving the acreage planted over a period of years. When allowable acreage is underplanted and necessary legal precaution not taken to preserve history credits, allowable acreage not only on farms but within the county is proportionately diminished in the future.

Prior to the automatic protection of acreage history, many inequitable acreage shifts at the farm and county levels

were experienced. Farmers in most cases felt it necessary to plant their full allotment in order to protect their history and thereby contributed to building up surpluses. If the automatic provision is not extended, farmers can preserve their allotments only by planting 90 percent of their allotment or by releasing their allotment to the county committee for reapportionment to other farmers. These procedures are not understood by many farmers, and as a result underplanting of allotment will cause counties to lose acreage and thereby penalize other farmers in the county.

Because of the lack of understanding of these legal requirements and complicated change in the law from year to year, many of our farmers will lose cotton acreage. Administration of exemptions is a burden on the county committee and other agricultural workers. It is also a burden on the individual farmer who is keenly interested in preserving his history. Unless this amendment is extended, farmers will be required to come to the county office on their own time and own expense to execute the required documents to preserve history prior to planting time.

Mr. President, I believe that the primary purpose of the exemption provided by law can be more easily accomplished both for the Government and the farmer by continuing on a permanent basis the provisions which automatically compute acreage history regardless of whether farm allotments have been fully planted. This feature has worked exceptionally well for the past 2 years, and the bill which I have introduced would extend this provision on a permanent basis and as provided in present law would cover all basic crops. The undesirable results from underplanting would be removed as an obstacle to effective operations of the programs at the farm and county level. This would continue to result in great savings to the Government at an estimated $1 million annually in administrative expenses. I hope that the Agriculture Committee will give special attention to this proposed legislation and report it to the Senate at the earliest possible date.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 62) to amend the Agricultural Adjustment Act of 1938, as amended, relating to the preservation of acreage allotment history of farms, introduced by Mr. STENNIS, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

CONTROL OF EXCESSIVE CONSUMERS' INSTALLMENT CREDIT

Mr. BUSH. Mr. President, I introduce, for appropriate reference, a bill to authorize the Federal Reserve Board to impose controls over installment credit in connection with the sale of consumers' durable goods, and ask that it be referred to the Committee on Banking and Currency.

In seeking methods of keeping inflation under control, the Congress should consider the advisability of giving the Federal Reserve Board standby powers to control the excessive use of consumers' installment credit. The bill I am introducing is intended to raise this issue before the Committee on Banking and Currency, and I am hopeful that early hearings will be scheduled.

I ask unanimous consent that the text of the bill be printed in the RECORD, following these remarks, together with an address entitled "Consumer Credit—a Rose or Thorn," delivered by C. Conley Balderston, vice chairman of the Board of Governors of the Federal Reserve Board, on October 23, 1958.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and address will be printed in the RECORD.

The bill (S. 63) to authorize the Federal Reserve Board to impose controls over installment credit in connection with sales of consumers' durable goods, introduced by Mr. BUSH, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That it is the policy of the Federal Government, as declared in the Employment Act of 1946, to promote maximum employment, production, and purchasing power. In order to accomplish these objectives in a significant fashion, they must be brought about in an economy in which the general level of prices is relatively stable. One of the principal factors leading to increases in the general level of prices which can interfere with the meaningful attainment of the objectives of the Employment Act of 1946 is the excessive use of installment credit in connection with the purchase of consumers' durable goods. It is the purpose of this act to provide authority for the control of such credit, in order to prevent such excessive use thereof as may threaten the stability of the general level of prices and the effective attainment of the goals of maximum employment, production, and purchasing power.

SEC. 2. (a) In order to assist in carrying out the objectives of this Act, the Board of Governors of the Federal Reserve System is authorized to regulate and control installment credit in connection with the purchase of consumers' durable goods, and for that purpose the Board may make such rules, regulations, and orders as it may deem necessary and appropriate.

(b) Any regulation or order under this Act may be established in such form and manner, may contain such classifications and differentiations, and may provide for such adjustments and exceptions as in the judgment of the Board of Governors are necessary or proper to effectuate the purposes of this Act or to prevent circumvention or evasion, or to facilitate enforcement of this Act, or any rule, regulation, or order issued under this Act. Such regulations may, among other things, prescribe maximum loan or credit values, minimum downpayments in cash or property, trade-in or exchange values, maximum maturities, aggregate amounts of credit extended by or to any person, rules regarding the amount, form, and time of various payments, rules against credit in specified circumstances, rules regarding consolidations, renewals, revisions, transfers, pledges, or assignments of credit, and rules regarding other similar or related matters.

(c) In prescribing or suspending such regulations, including making changes from time to time to take account of changing conditions, the Board of Governors shall consider, among such other factors as the Board may deem appropriate, the general credit situation and the need in the public interest for preventing or reducing excessive or untimely use of or fluctuations in various kinds of credit.

SEC. 3. No person (whether acting as principal, agent, broker, vendor, or otherwise and whether or not in connection with the selling of consumer durable goods or any other business) shall extend or maintain any installment credit in connection with the purchase of consumers' durable goods, or renew, revise, consolidate, refinance, purchase, sell, discount, or lend or borrow on, any obligation arising out of any such credit, or arrange for any of the foregoing, in contravention of any regulation prescribed by the Board of Governors pursuant to this Act.

SEC. 4. Any person who extends or maintains any installment credit in connection with the purchase of consumers' durable goods, or renews, revises, consolidates, refinances, purchases, sells, discounts, or lends or borrows on, any obligation arising out of any such credit, or arranges for any of the foregoing, shall make, keep, and preserve for such periods, such accounts, correspondence, memorandums, papers, books, and other records, and make such reports, under oath or otherwise, as the Board of Governors may by regulation require as necessary or appropriate in order to effectuate the purposes of this Act; and such accounts, correspondence, memorandums, papers, books, and all other records shall be subject at any time to such reasonable periodic or other examinations as the Board may deem necessary or appropriate in order to effectuate the purposes of this Act.

SEC. 5. All the present provisions of sections 21 and 27 of the Securities Exchange Act of 1934, as amended (relating to investigations, injunctions, jurisdictions, subpenas, and related matters), shall be as fully applicable with respect to the exercise by the Board of Governors of functions under this Act as they are now applicable with respect to the exercise by the Securities and Exchange Commission of its functions under that Act, and the Board shall have the same powers in the exercise of the functions conferred by this Act as the Commission now has under sections 21 and 27 of that Act. The Board by regulation may require transactions or persons or classes thereof subject to this Act to be registered and, after notice and opportunity for hearing, the Board by order may suspend any such registration for violation of this Act or any regulations prescribed by the Board pursuant to this Act. The provisions of section 25 of the Securities Exchange Act of 1934, as amended, shall apply in the case of any such order of the Board in the same manner as such provisions apply in the case of orders of the Securities and Exchange Commission under that Act. In administering this Act, the Board may utilize the services of the Federal Reserve banks and any other agencies, Federal or State, which are available and appropriate.

SEC. 6. For the purposes of this Act, unless the context otherwise requires, the following terms shall have the following meanings:

(1) "Installment credit" means credit which is for the purpose of purchasing, carrying, or financing, or involves a right to acquire or use, any consumers' durable goods for personal, family, or household purposes other than the construction or purchase of a residential building; if the credit is extended in consideration of regular partial repayments over an extended period; or any closely related form of credit deemed by the Board of Governors to be necessary for inclusion as installment credit in order to effectuate the purposes of this Act or to prevent evasions thereof. "Consumers' durable goods" means any article or commodity which is durable or semidurable and is used or usable for per-

sonal, family, or household purposes, and any services, benefits, or materials connected with the acquisition of any such article or commodity or any interest therein.

(2) "Credit" means any loan, mortgage, deed of trust, advance, or discount; any conditional sale contract; any contract to sell or sale or contract of sale, of property or services, either for present or future delivery, under which part or all of the price is payable subsequent to the making of such sale or contract; any rental-purchase contract; any contract or arrangement for the hire, bailment, or leasing of property; any option, demand, lien, pledge, or other claim against, or for the delivery of, property or money; any purchase, discount, or other acquisition of, or any credit upon the security of, any obligation or claim arising out of any of the foregoing; and any transaction or series of transactions having a similar purpose or effect.

(3) "Person" includes any individual, partnership, association, business trust, corporation, or unincorporated organization.

SEC. 7. Any person who willfully violates any provision of this Act or any rule, regulation, or order issued thereunder, upon conviction thereof, shall be fined not more than $5,000 or imprisoned not more than one year, or both.

SEC. 8. Public Law 386, 80th Congress (61 Stat. 921), is hereby repealed.

The address presented by Mr. BUSH is as follows:

CONSUMER CREDIT: A ROSE OR A THORN?

(Address of C. Canby Balderston, Vice Chairman, Board of Governors of the Federal Reserve System, at the New York State Bankers Association Management Conference on Installment Credit, Hotel Commodore, New York City, October 23, 1958)

In his essay on Compensation, Emerson observed that "Every sweet hath its sour; every evil its good. * * * For every benefit which you receive, a tax is levied. * * * Every thing has two sides, a good and an evil."

The age-old problem of how to have roses without thorns is well illustrated by consumer credit. Consumer credit may properly be referred to as a rose because of the role that it has played in advancing the scale of living of citizens generally. Doubtless technical advance would have permitted Americans to achieve eventually the wide ownership of homes, autos, bathtubs and television that they have now achieved. But consumer credit enabled them to get these things sooner than otherwise. The saving process is so slow for a young family with children that they prefer to go into debt to own a home of their choice and to equip it rather than to wait indefinitely. Even those who are critical of the gadgets that surround us must admit that an astounding proportion of Americans now have the physical basis for a pleasanter life. And those who were skeptical of the consumers' ability to handle debt must recognize that the record of financial responsibility has been remarkably good.

Like most roses, consumer credit also has its thorns. The recession from which we are emerging, in part a consumer-durable-goods recession, reminds us of the influence of consumer credit in the consumer boom of 1955. In that year the outstanding volume of installment credit increased $5½ billion or almost 25 percent. This increase was accompanied by a significant easing in the terms on which consumer credit was extended, particularly credit to purchase new automobiles. By mid-1955, 30-month installment contracts on new automoblies were typical as against 24 months the year before, and contracts with 36-month maturities were becoming common. At that time, the downpayments standard of one-third of the transaction price was still being adhered to, but overallowances on trade-ins were lowering the effective downpayment and the buyer's equity. With this impetus, 7.4 million new cars were sold in the domestic market, an increase of more than one-third over 1954. The same liberalization of terms was evident in the use of credit to expand residential construction at an accelerated rate. You will remember that in 1955 new housing starts reached 1,329,000.

In the second half of that year the thorns began to appear in the shape of increases in the prices of industrial products amounting to almost 4 percent. The chain of events that followed has caused many thoughtful persons to question whether the obvious gains from the use of consumer credit are bought at too high a social cost if it accelerates an already booming market for consumer durables. You will recall that the consumer boom of 1955 was followed by an expansion of inventories in every consumer-durables industry during 1956 even though the sale of automobiles declined sharply. This industry, a mighty force in the economy, appeared to have overextended itself and to have slowed down for a while. Automobile executives and workers must have regretted that the 1955 market was oversold by at least a million cars.

This consumer boom was no small factor in inducing subsequent management decisions that were not altogether prudent. In 1956 businessmen expanded their outlays for plant and equipment at a rate 22 percent faster than in the year before. Thus a plant-expansion boom, triggered in part by the consumer boom of 1955, drove the cost of building materials and labor higher and higher. This upward movement led some manufacturers to believe that if they were going to need expanded capacity, they had better get it promptly before costs rose still higher. As a result, many of them discounted the growth in demand for their product for years ahead. When the awakening came during the last half of 1957, many industries became aware of excess capacity.

Most tragic of all was the unemployment that resulted. Having obtained the consumer durables that they needed most, having automobiles that were still good for thousands of miles, and becoming disenchanted with the increased prices, consumers went on a buyers' holiday. There developed an oversupply of stoves, refrigerators, washing machines, radios and television sets. Production schedules were cut back and men were laid off. The construction boom also languished and here again men were laid off. And so, in 1957 and 1958, society paid in unemployment, lost salaries and lost profits the price of another bust that followed in the wake of a boom which we must, in all honesty, recognize was helped on its way by the excessively rapid growth of consumer credit.

This poses the question as to whether it is socially desirable to have selective control over consumer credit, in addition to general fiscal and monetary control. The decision must represent a value judgment based upon a balancing of gains against disadvantages. To diminish the unstabilizing effects of consumer credit has strong appeal to those who feel that, despite its benefits, excessive fluctuations in its use should be prevented in order to minimize economic instability. But if selective control is to be employed, the disadvantages of such control need to be faced up to and removed if possible. In the use of margin requirements to prevent excessive flow of credit into the stock market, supervision and enforcement are not too difficult. In three previous efforts to regulate consumer credit, however, the administrative difficulties were so great that the Federal Reserve System, which had the task of enforcement, and the 200,000 retailers and financial institutions to whom the regulation applied breathed a sigh of relief when the ordeal was over.

To gain a proper perspective of the role of selective controls, one must compare them with general fiscal and monetary policy. Fiscal policy acts through governmental surpluses or deficits, which reflect both governmental spending and taxing. The direct responsibility rests upon the Congress and the Treasury. General monetary control, entrusted by the Congress to the Federal Reserve System, has the particular role of regulating the reserves available to the commercial banks so that bank credit may contract and expand flexibly in accordance with the fluctuating needs of the economy. The Federal Reserve has the task of controlling the supply of money and credit in total, leaving its allocation to the competitive forces of the free market. Credit is allocated in the market place to those creditworthy borrowers who are willing to pay the going price. The apportionment among individual borrowers is left to competition between private borrowers and private lenders, even though the responsibility for influencing the total supply of credit rests with the central bank.

In contrast to this relatively impersonal allocation of the money supply are so-called selective or direct controls. Broadly speaking, they embrace rationing, and price and wage controls, as well as regulation of specific uses of credit. If any of these is used, government intervenes in the operation of the free market. Of course it also intervenes when it uses subsidies, price supports, and guarantees to shelter particular groups of citizens. It is clear that even if these supplementary controls are helpful in meeting emergencies, they are no substitute for general fiscal and monetary controls. Without the general controls, inflationary pressures will break loose eventually.

Through the use of general credit measures, supplemented by stock-margin regulations, economic fluctuations have been greatly moderated in the period since 1950, despite a sharp increase in both public and private debt. Since 1950 we have added $20 billion to consumer installment credit outstanding, $90 billion to mortgage debt, and $85 billion to corporate debt—in considerable part to finance additions to plant and equipment. We have also added to the Federal debt, largely as a result of the need to reorganize and reequip the defense establishment in view of the rapid technical advances which have taken place in a world of continuing international tensions. At the same time State and local governments have borrowed $30 billion to finance schools and highways and for other purposes.

When one contemplates these magnitudes and the rates of increase they imply, both in credit and in our stock of real wealth—homes, automobiles, factories, and public facilities—it seems almost a miracle that we have been able to accomplish so much growth and still maintain as much stability as we have had in prices and employment. I am convinced that we could not have done even this well if we had not clung tenaciously to a sound, flexible monetary policy.

Reliance on general credit measures alone, of course, has limitations. Despite the manifest necessity for a sound general credit policy, and despite the manifest advantages of permitting the market to carry out the function of credit allocation, conditions may at times develop in specific areas that to some people would justify selective credit controls. Developments in a particular area may be unsound in themselves; or the area may be absorbing too much of the total credit expansion that is appropriate to the situation. Under such circumstances, public opinion may come to insist upon selective controls to supplement general ones.

The Federal Reserve System made a study of the consumer-credit field almost 2 years

ago and concluded that selective controls of consumer credit were not called for at that time. It is possible, however, that developments in the future might call for a reconsideration of that view. They might create a widespread public demand for consumer-credit controls as an alternative to enhanced cyclical fluctuations or to an increased degree of general credit restraint. Such feeling might be generated, for example, if terms were once more eased radically at a time when credit demand and consumer spending were on the increase. In that case, society might decide that the benefits to be gained by consumer-credit regulation would outweigh the difficulties. If so, we should benefit from the experience during periods of regulation so as to minimize administrative difficulties.

And so I return to the question posed at the beginning of my remarks. This question has been put into verse by the economist, Kenneth Boulding:

"The fruits of the financial system
Are quite impressive, once you list 'em,
Although the system has the power
To turn its fruits extremely sour." [1]

AMENDMENT OF EMPLOYMENT ACT OF 1946

Mr. BUSH. Mr. President, I introduce, for appropriate reference, a bill to amend the Employment Act of 1946 to make relative stability of prices an explicit aim of Federal economic policy, and ask that it be referred to the Committee on Banking and Currency.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 64) to amend the Employment Act of 1946 to make relative stability of prices an explicit aim of Federal economic policy, introduced by Mr. BUSH (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. BUSH. Mr. President, I am privileged to have as cosponsors of the bill four of my colleagues on the Committee on Banking and Currency, namely, the distinguished senior Senator from Utah [Mr. BENNETT], the distinguished senior Senator from Indiana [Mr. CAPEHART], the distinguished senior Senator from Pennsylvania [Mr. CLARK], and the distinguished junior Senator from Wisconsin [Mr. PROXMIRE].

I ask unanimous consent that the bill may lie on the desk until the close of business on Monday, January 12, so that other Senators may join in sponsorship if they so desire.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BUSH. The proposed amendments to the Employment Act are directed against the dangerous inflationary trends which persist in our economy, and, if unchecked, can do serious damage to our defense effort and, indeed, undermine our society.

Concern has been expressed that a relatively stable cost of living can be accomplished only at the expense of serious unemployment. I strongly repudiate that defeatist attitude. There is no necessity of choosing between a sound currency and a high level of employment. Both are within our reach, if we have the wisdom and courage to adopt sound policies to attain them.

Adoption of the amendments would strengthen the Employment Act. It would help to avoid the "boom and bust" cycles which have been the source of serious unemployment in the past. It would fortify confidence in the future of the American dollar and stimulate the savings and investment essential to create jobs in a growing America.

I was pleased to read news accounts of a recent speech by the distinguished majority leader [Mr. JOHNSON] indicating his awareness of the grave danger to our national economy created by inflation.

However, with all respect, I must disagree with his proposal to have the problem of inflation investigated by a committee without responsibility for recommending legislation to the Congress.

The American people have had enough talk about inflation. They are looking to Congress to do something about it.

I have therefore urged the chairman of the Senate Committee on Banking and Currency [Mr. FULBRIGHT] to schedule hearings on the bill as early in the present session as possible. This committee is the committee which drafted the Employment Act, and has the basic responsibility for considering proposals to amend that act and to prevent the debasing of our currency by inflation.

I shall have more to say later on the subject of inflation, in methods which I believe might help keep it under control, including fiscal responsibility in the Government of the United States.

I ask unanimous consent that the text of portions of the Employment Act of 1946, as it would be affected by my amendment, be printed in the RECORD following these remarks.

There being no objection, the text was ordered to be printed in the RECORD, as follows:

THE EMPLOYMENT ACT OF 1946 AS PROPOSED TO BE AMENDED

[New language in italic; language to be omitted in brackets]

SEC. 2. The Congress hereby declares that it is the continuing policy and responsibility of the Federal Government to use all practicable means consistent with its needs and obligations and other essential considerations of national policy, with the assistance and cooperation of industry, agriculture, labor, and State and local governments, to coordinate and utilize all of its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare, conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power.

The Congress further declares that the foregoing objectives must be attained, if they are to be meaningful, in an economy in which the level of prices remains relatively stable under free competitive enterprise.

SEC. 3. (a) The President shall transmit to the Congress at not later than January 20 of each year an economic report (hereinafter called the Economic Report) setting forth (1) the levels of employment, production, and purchasing power obtaining in the United States and such levels needed to carry out the policy declared in section 2; (2) current and foreseeable trends in the levels of employment, production, and purchasing power; (3) a review of the economic program of the Federal Government and a review of economic conditions affecting employment in the United States or any considerable portion thereof during the preceding year and of their effect upon employment, production, and purchasing power; [and (4)] *(4) current and foreseeable trends in price levels prevailing in the economy and the steps, if any, which have been taken to counter inflationary or deflationary pressures arising within the economy; and* (5) a program for carrying out the policy declared in section 2, together with such recommendations for legislation as he may deem necessary or desirable.

SEC. 4. (a) There is created in the Executive Office of the President a Council of Economic Advisers (hereinafter called the Council). The Council shall be composed of three members who shall be appointed by the President, by and with the advice and consent of the Senate, and each of whom shall be a person who, as a result of his training, experience, and attainments, is exceptionally qualified to analyze and interpret economic developments to appraise programs and activities of the Government in the light of the policy declared in section 2, and to formulate and recommend national economic policy to promote employment, production, [and purchasing power under free competitive enterprise.] *purchasing power, and a relative stable price level under free competitive enterprise.* The President shall designate one of the members of the Council as chairman and one as vice chairman, who shall act as chairman in the absence of the chairman.

* * * * *

(c) It shall be the duty and function of the Council—

* * * * *

(4) to develop and recommend to the President national economic policies to foster and promote free competitive enterprise, to avoid economic fluctuations or to diminish the effects thereof, and to maintain employment, production, [and purchasing power] *purchasing power, and a relatively stable price level.*

INTERIM AUTHORIZATION FOR HOME MORTGAGE INSURANCE, URBAN RENEWAL, AND COLLEGE HOUSING

Mr. CAPEHART. Mr. President, on behalf of myself, the Senator from Connecticut [Mr. BUSH], the Senator from Utah [Mr. BENNETT], and the Senator from Maryland [Mr. BEALL], I introduce for appropriate reference a bill to provide for the quick authorization of funds which the Federal Housing Administration needs to carry on continuous insurance of loans for housing, college housing, and urban renewal housing.

I ask unanimous consent that the bill together with an explanation of it be printed in the body of the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred. Without objection, the bill and the explanation of it will be printed in the RECORD.

The bill (S. 65) to provide interim authorization for home mortgage insurance, urban renewal, and college housing, introduced by Mr. CAPEHART (for himself, Mr. BUSH, Mr. BENNETT, and Mr. BEALL), was received, read twice by its

[1] "Principles of Economic Policy," by Kenneth E. Boulding, p. 210.

title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That section 217 of the National Housing Act is amended by striking out "$7,000,000,000" and inserting in lieu thereof "$13,000,000,000."

SEC. 2. Section 103 (b) of the Housing Act of 1949 is amended by—

(1) Striking out in the first sentence all before the proviso and inserting in lieu thereof the following: "The Administrator, on and after July 1, 1949, may, with the approval of the President, contract to make capital grants with respect to projects assisted under this title aggregating not to exceed $1,450,000,000:", and

(2) Striking out in the proviso ", and any such authorized increase therein."

SEC. 3. Section 401 (d) of the Housing Act of 1950 is amended by striking out "$925,000,000" and inserting in lieu thereof "$1,125,000,000" and by striking out "$100,000,000" and inserting in lieu thereof "$125,000,000."

The explanatory statement presented by Mr. CAPEHART is as follows:

EXPLANATION

This bill would provide immediate increases in authorizations urgently needed to permit continuation of three major programs of the Housing and Home Finance Agency. Under this resolution, the programs could continue until the Congress has an opportunity to more fully consider these and other operations administered by the Agency. The sections of the bill are summarized as follows:

SECTION 1. Increase in FHA mortgage insurance authorization: This section would increase the FHA general mortgage insurance authorization by $6 billion and thus assure the availability of FHA insurance programs during the crucial months of spring. It is estimated that this amount would be adequate for operations until June 30, 1959.

Because of the unexpected and unprecedented heavy volume of new and existing home applications for insurance from May through September 1958, the $4 billion authorization provided in June 1948 was approaching exhaustion by mid-October. Net use of more than $900 million of authorization occurred in the month of September alone. In order to conserve the available authorization and obtain maximum benefit from the inflow of authorization from expiration of commitments and repayment of insured mortgages, special procedures were put into effect by FHA in mid-October.

Under these procedures, for home-mortgage applications which do not involve owner occupants (i.e., applications for firm or conditional commitments on new construction for builders and for conditional commitments on existing construction), FHA issues agreements to insure. These are accompanied by unsigned commitments and are convertible at a later date into firm commitments for the benefit of owner-occupant mortgagors upon the condition that FHA insurance authorization is available. Through these special procedures, the home-financing industry can operate for a limited period with a substantially reduced net use of FHA insurance authorization. In time, however, the conversion of these agreements to insure into commitments and the reduced volume of expirations of commitments would raise the net use of authorization to the same levels which would otherwise occur under normal commitment procedures.

Issuance of commitments in exchange for all outstanding agreements to insure and the issuance of commitments for applications under examination and for additional applications received during the remainder of the fiscal year for both home and project operations would require between $5 billion and $6 billion of additional insurance authorization. This estimate contemplates a reduction of application volume by 10 to 15 percent from the unprecedented levels of last August and September and maintenance of project applications at the levels of recent months.

SEC. 2. Increase in URA capital-grant authorization: This section would make available to the Housing Administrator additional capital-grant obligational authority in the amount of $100 million. In addition, it would reestablish the authority of the President to make available not more than an additional $100 million.

Because of the failure of omnibus housing legislation in the 85th Congress, the urban-renewal program was left at the start of the current fiscal year with only $54 million in unreserved capital grant authority, whereas the administration had proposed a program level of $254 million in capital grant authority for the year. In order to keep the program operating until the 86th Congress convened, it was necessary for the President to release the $100 million reserve of capital grant authority that had been provided in the Housing Act of 1949. This provided a total of $154 million that was available for capital grant needs in the current fiscal year. These funds have now been virtually exhausted by the capital grant reservations and contract commitments that have been made by the housing agency since July 1, 1958. The small amount of remaining grant authority will be needed for increases in the capital grant requirements of projects that have been approved in the past, leaving no funds available for the initiation of new projects until Congress provides additional capital grant authority.

The grant authority provided in this section would keep the program operating until the end of the fiscal year on the level anticipated by the President's budget proposals, and would also reconstitute the reserve of capital grant authority for release by the President at any future time the public interest so dictates.

SEC. 3. Increase in college housing loan authorization: This section would increase the college housing loan authorization by $200 million (from $925 million to $1,125 million). The $100 million limit on the part of this authorization which can be used for other educational facilities would also be increased by $25 million. At June 30, 1958, the uncommitted balance of the present total authorization was $26.7 million. This sum was rapidly committed during the next few months, so that at the present time the only uncommitted loan funds are those which are being held in reserve to cover cost overruns on loans hitherto approved. In the interim and in accord with the President's statement of August 27, 1958, the housing agency has continued to accept applications and has allocated funds on a contingency basis. As of December 31, 1958, 103 applications totaling $84 million had been filed during fiscal year 1959. Present trends of application receipts indicate that the authorization contained in this section would be committed by the end of this fiscal year.

The need for college housing is largely a reflection of college enrollments. From 1950 to 1958 fall college enrollment increased from 2,297,000 to 3,623,000, a rise of 58 percent. During the next 10–15 years enrollment is expected to double, exceeding 6 million students in 1970. Both the college age group and the percentage of that group enrolling in colleges is expected to rise annually throughout this period. High construction costs and the difficulty of obtaining private financing upon reasonably comparable terms have complicated the problem.

Under existing law, not more than $100 million of the above authorization can be used for other educational facilities. This section of the bill would increase that ceiling to $125 million to permit loans to be made to the many colleges, particularly the urban institutions whose students largely live at home, for facilities containing dining and related accommodations. Providing a student with necessary dining facilities is equally as important as the provision of housing accommodations.

RESTORATION OF RURAL ELECTRIFICATION ADMINISTRATION AS AN INDEPENDENT AGENCY

Mr. CURTIS. Mr. President, I have decided, after much study of all aspects of the problem, to introduce legislation which proposes to restore the Rural Electrification Administration to the independent status it held at the time of its creation. I am delighted that my distinguished colleague, the senior Senator from Georgia [Mr. RUSSELL], is joining me in introduction of this legislation. The Senator from Georgia has long been a devoted supporter of our REA programs and I doubt that any men in the Congress can exceed his knowledge and understanding of the operations of the Rural Electrification Administration.

The Administration set up by the Congress in 1936 was an independent agency until it was placed in the Department of Agriculture, "under the general direction and supervision of the Secretary of Agriculture," by President Roosevelt in his Reorganization Plan Number Two in May 1939. In 1953, Reorganization Plan Number Two of that year transferred further operations of the REA to the control of the Secretary of Agriculture.

Since that time there has been much strife as the result of the transfer. One of the most acute issues as a result of the 1953 plan is that the Secretary of Agriculture is authorized to review any loans in excess of $500,000 made by the REA. Because of this, legislation was introduced in the last Congress to nullify the 1953 Reorganization Plan. I sat through the hearings on this legislation and noted the intense feeling over the 1953 plan although every witness who appeared in opposition to it stated that, at no time in his experience, had the review of loans defeated any loan in excess of $500,000 approved by Administrator Hamil.

It does seem to me that no sound purpose can be served by leaving the Rural Electrification Administration within the Department of Agriculture. It can operate independently in the highly successful manner it was originally conceived to do. This independent operation will, I am sure, meet with the approval of the vast majority of leaders in our rural electric communities. During hearings on the 1953 Reorganization Plan a brief filed by Clyde Ellis, executive secretary for the National Rural Electric Cooperative Association, stated:

> Rural electric leaders have never become reconciled to the placing of REA in the Department of Agriculture and have continued to feel that the program would be better served by a completely independent agency.

I have witnessed the great benefit of rural electrification to farms in this country. This has, perhaps, been the greatest gain for farmers in our generation. To me, it appears very sound to

re-create REA as an independent agency with all the powers and duties which were originally intended. At the same time this can also serve the original purpose of operating this agency as a nonpartisan service organization for all farmers. My legislation, if enacted, will authorize a complete and unhampered operation of the Rural Electrification Administration.

To conform with accepted procedure, this legislation proposes appointment of the Administrator for a 10-year term upon the reestablishment of the independent status of the agency. It is most certainly to be assumed that the present Administrator, David A. Hamil, will be reappointed subsequent to enactment of this bill by the 86th Congress. Mr. Hamil has done an excellent job as REA Administrator. He enjoys the confidence of the Executive, the Congress and REA consumers throughout the country. We are deeply indebted to him for an able and thorough performance as REA Administrator.

My sole purpose is to further the cause of rural electrification, a program which I have consistently supported throughout the entire 20 years of my service in Congress.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 75) to establish the Rural Electrification Administration as an independent agency, and for other purposes, introduced by Mr. CURTIS (for himself and Mr. RUSSELL), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

SETTLEMENT OF LABOR DISPUTES INVOLVING COMMON CARRIERS BY AIR

Mr. HOLLAND. Mr. President, I introduce for appropriate reference a bill to amend the Railway Labor Act with respect to the settlement of labor disputes involving common carriers by air, and ask that it be appropriately referred.

The bill provides for the compulsory arbitration of a dispute between a common carrier by air and its employees, in lieu of the present provision for the appointment of an emergency board contained in the Railway Labor Act, if in the judgment of the President of the United States any lockout, strike, or other concerted stoppage of work resulting, or which threatens to result, from such dispute, would substantially interrupt commerce to such a degree as to deprive persons of transportation by air to or from any point in the United States, to and from which such transportation is normally provided by such carrier, and severe hardship would result therefrom.

The board of arbitration would consist of one public member appointed by the President and one member designated by each of the parties to the dispute. If either party to the dispute fails or refuses to designate its member within one week after appointment of the public member the President shall appoint such member in the same manner as the public member is appointed. A decision of the majority shall constitute a decision of the board. Each member of the board of arbitration named by the parties to the dispute will be compensated by the party naming him. The Federal Government shall pay to the public member reasonable compensation for his services in an amount fixed by the President and shall reimburse him for expenses incurred.

The board shall hold hearings at which parties to the dispute will have an opportunity to be heard, and its findings and award shall be handed down within 60 days after its appointment, except that the President may for good cause extend such period up to 30 additional days. The award of the board shall become binding upon and shall control the relationship between the parties from the date of filing until expiration of 1 year from such date, but the award may be changed by mutual agreement of the parties.

Within 15 days from the date of the award either party to the dispute may petition the U.S. district court for the district in which the award was filed for a review of such award on the ground that (a) parties were not given reasonable opportunity to be heard; (b) the board of arbitration exceeded its powers; (c) the award is unreasonable in that it is not supported by the evidence, or (d) that the award was procured by fraud, collusion, or other unlawful means or methods. Such court, without a jury, shall hear the evidence with respect to the issue raised and its decision shall be final unless within 10 days either party shall apply to the appropriate U.S. court of appeals for a review of such decision.

If through the above court procedure the award of the arbitration board is reversed the mediation board shall promptly notify the President, and he shall reconvene the board or appoint a new board of arbitration and the board shall proceed to take such action as may be required by the court's decision.

Under this bill it would be unlawful during any period beginning with the date of an order by the President to the parties concerned to submit their dispute to an arbitration board and ending on the date on which an award of a board of arbitration ceases to be in effect, first, for any carrier to engage in a lockout; second, for employees of such carrier to engage in a strike or any other concerted stoppage of work; third, for any labor organization representing employees of such carrier to engage or encourage such employees to engage in any strike or concerted work stoppage; fourth, for any carrier, labor organization, or individual to willfully fail or refuse to carry out any duty imposed by an award of the board of arbitration; or fifth, for either party to the dispute to make any change in the conditions out of which the dispute arose except as provided in the award or agreed upon by both parties. Appropriate penalties and court procedures are provided in the bill for enforcing these provisions.

Mr. President, I am not unaware of the fact that this is a controversial proposal, but recent strikes in some of our major airlines have forcefully brought out the fact that the greatest sufferer in these strikes is the general public—particularly in those strikes timed to take place at the height of the Christmas season when thousands of people expect to take advantage of fast travel provided by airlines to spend Christmas with their loved ones. Not only do I think it is proper to prohibit strikes and lockouts in this industry to protect the traveling public and the communities which are served by the airlines, but I feel that Congress has a definite responsibility to do so in view of the fact that the American taxpayer has made, and will continue to make, a substantial financial contribution to the safe and continuous operation of airlines in this country.

As chairman of the Appropriations Subcommittee which handles requests for civil aviation affairs, I feel I have a duty to the Senate and to the general public to call attention to the financial support the Federal Government gives to civil aviation, and thus to the airlines.

The airline industry in America is unique in that the Federal Government—the American taxpayer, the one who suffers as a result of airline strikes—has expended billions of dollars for construction of airports and facilities; for the installation, operation, and maintenance of expensive navigational aids; and for the payment of subsidies to the airlines. This industry is almost completely controlled by the Federal Government. A Federal agency determines the routes an airline will be permitted to fly. The rates to be charged on every commercial flight are controlled by a Federal agency. The Federal Government even controls licensing of personnel such as pilots and mechanics.

Mr. President, to illustrate the financial interests of the American taxpayer in civil aviation, I ask unanimous consent to have printed at this point in my remarks a table of appropriations and other authorizations for civil aviation activities in the last 10 years.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Appropriations and other authorizations for civil aviation activities (1950–59)

[In millions of dollars]

Fiscal year	Airports	Facilities	Maintenance and operation	Payments to air carriers
1950	39.5	33.1	102.5	(1)
1951	24.2	28.6	105.5	(1)
1952	18.7	7.1	112.6	(1)
1953	14.3	8.4	110.9	(1)
1954	----------	5.0	109.2	80.7
1955	----------	3.2	103.0	48.9
1956	63.0	16.0	112.6	52.5
1957	63.0	75.0	136.8	16.2
1958	63.0	124.6	181.7	37.2
1959	63.0	158.5	241.7	40.8
	348.7	459.5	1,316.5	276.3

[1] Not available—included in post office mail pay.

And in addition $82,280,500 for Washington airports; $31,500,000 for the Airways Modernization Board; $4,844,094 for Alaskan airports; and $42,397,500 for administrative expenses of the Civil Aeronautics Board.

RECAPITULATION

[In millions of dollars]

Airports	348.7
Facilities	459.5
Maintenance and operation	1,316.5
Subsidies	276.3
Other	161.6
Total	2,562.6

Mr. HOLLAND. Mr. President, I have included "other authorizations" in this compilation solely for the purpose of bringing in the money expended for airport construction, most of which has already been appropriated and the remainder will be appropriated at the proper time.

I hope Senators will take time to read in the RECORD tomorrow this complete recapitulation of Federal moneys expended for civil aviation, but in order that those present may have some idea of the vast sums expended for this purpose let me say that for airport construction $348.7 million in Federal funds have been or will be expended over this 10-year period. Of interest also is the fact that over the 10-year period of 1947–56, which is the latest compilation available, State and local governments expended $324,998,000 for airport construction.

For construction of facilities the Federal Government has expended $459.5 million since 1950, and for maintenance and operation of same $1,316,500,000.

Prior to fiscal year 1954 we did not have a breakdown between airmail pay and actual subsidy, but since these have been reported separately—the last 6 years—the Federal Government has paid $276.3 million as subsidy to the airlines.

Mr. President, the total Federal expenditure since 1950 for the purposes which I have just been discussing is approximately $2,562,600,000.

Senators may remember that in the current fiscal year we embarked on a 5-year Federal airway modernization plan. I call to their attention the fact that the anticipated costs for the next 4 years of this program is now estimated at $852 million, and during the next 4 years the expected costs for maintenance and operation of facilities under the new plan is in excess of $1½ billion.

If this contribution by the general public for facilities which are made available to the airlines, as well as other aircraft, does not justify the public's demand for continuous services, and place this industry in a unique position with reference to its obligation to provide uninterrupted service, then I am sadly mistaken.

With reference to subsidizing airlines, I am sure Senators will be interested to know that a recent Court decision requires the CAB to take into consideration in determining eligibility for subsidy, and the amount of same, the loss due to a strike, unless the Board determines that it would not have occurred under "honest, economical, and efficient management." Therefore, Mr. President, not only is the general public inconvenienced in its travel, both business and pleasure; not only are thousands of communities in the United States dealt a devastating blow to their economy by airline strikes, the recent one in Eastern Air Line costing Florida communities approximately $25 million; not only does the American taxpayer pay vast sums to make possible a thriving and safe airline industry; not only do the Federal and State Governments expend funds for unemployment payment to thousands of persons out of work due to the strikes, most of whom are not strike participants; but under existing law if an airline is forced by a normal strike to seek subsidy, the American taxpayer must once more dig into his pocket to pay part of the loss suffered by the airline because of the refusal of a certain segment of its employees to perform their necessary functions.

Mr. President, again I say that I know full well the controversial aspects of the proposal I make today, but I do not believe in the history of this Nation a better case has been made for the need, and right, of the American public to have protection against a strike by so few which vitally affects so many.

I have not brought into my discussion the loss a strike causes to thousands of stockholders—large and small—or the loss of their livelihood by thousands of airline employees who are not on strike, or the delays and interruptions to our defense efforts which call for numerous flights on commercial airlines, all of which are important. I base my appeal for compulsory arbitration solely on the right of the general public—which heavily subsidizes this industry—to have available the service which has become a vital part of our everyday life.

Mr. President, I hope this measure will be acted upon speedily. I ask unanimous consent to have printed at this point in my remarks the text of the bill.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 80) to amend the Railway Labor Act with respect to the settlement of labor disputes involving common carriers by air, introduced by Mr. HOLLAND, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That section 10 of the Railway Labor Act, as amended, is amended by inserting "(a)" after the section number, and by adding at the end thereof the following:

"The foregoing provisions of this section shall not apply to common carriers by air.

"(b)(1) If a dispute between a common carrier by air and its employees be not adjusted under the foregoing sections of this Act the Mediation Board shall notify the President. If, in the judgment of the President, any lockout, strike, or other concerted stoppage of work resulting, or which threatens to result, from such dispute would substantially interrupt commerce to such a degree as to deprive persons seeking transportation by air to or from any point in the United States to and from which such transportation is normally provided by such carrier of such transportation, and severe hardship would result therefrom, he may order the submission of such dispute to a board of arbitration as provided in this subsection.

"(2) A board of arbitration under this subsection shall consist of one public member appointed by the President, and one member designated in writing by each of the parties to the dispute. If either party to the dispute shall fail or refuse to designate its member within one week after appointment of the public member, the President shall appoint such member in the same manner as the public member is appointed. Each member of the board of arbitration named by the parties to the dispute shall be compensated by the party naming him. Any arbitrator appointed by the President shall be paid reasonable compensation for his services in an amount to be fixed by the President, and shall be reimbursed for his necessary traveling expenses and expenses actually incurred for subsistence while serving as an arbitrator. The provisions of subparagraphs (b), (c), (d), (f), (g), and (h) of paragraph Third of section 7 of this Act (45 U.S.C. 157, Third, (b), (c), (d), (f), (h)) shall apply to the organization and procedure of a board of arbitration under this subsection.

"(3) A board of arbitration appointed under this subsection shall promptly hold hearings at which both parties to the dispute shall have an opportunity to be present, both personally and by counsel, and to present such oral and documentary evidence as the board of arbitration shall deem relevant to the issue or issues in controversy. The board of arbitration shall make written findings of fact and shall promulgate a written award upon the issue or issues in dispute. In making such findings the board of arbitration shall consider only, and be bound only, by the evidence submitted. When a valid contract is in effect defining the rights, duties, and liabilities of the parties with respect to any matter in dispute, the board of arbitration shall have power only to determine the proper interpretation and application of the contract provisions which are involved. Where wage rates and other conditions of employment under a proposed new or proposed amended contract are in dispute, the board of arbitration shall establish rates of pay and conditions of employment which are fair and equitable to the parties. No award of the board of arbitration relating to wages or rates of pay shall be retroactive to a date before the date of the termination of any contract which may have existed between the parties. The findings and award of the board of arbitration shall be handed down within 60 days after its appointment, except that the President may, for good cause, extend such period for not to exceed 30 days. A decision of a majority of the members of the board of arbitration shall constitute a decision of such board. Upon the filing of copies of the award as provided in subparagraph (f) of paragraph 3d of section 7 of this act (45 U.S.C. 157, 3d(f)) such award, together with such agreements as the parties may themselves have reached, shall become binding upon and shall control the relationship between the parties from the date of such filing until the expiration of 1 year from such date, but such award may be changed by mutual consent or agreement of the parties.

"(4) Either party to the dispute may, within 15 days from the date the award is filed as provided in subparagraph (f) of this paragraph 3 of section 7 of this act (45 U.S.C. 157, 3(f)), petition the United States district court for the district in which such award was so filed for a review of such award on the ground (A) that the parties were not given reasonable opportunity to be heard, (B) that the board of arbitration exceeded its powers, (C) that the award is unreasonable in that it is not supported by the evidence, or (D) that the award was procured by fraud, collusion, or other unlawful means or methods. Such court, without the intervention of a jury, shall hear the evidence adduced by the parties with respect to the issue raised by the petition and may reverse the award only if it finds that (1) one of the parties was not given reasonable opportunity

to be heard, (ii) that the board of arbitration exceeded its powers, (iii) that the order is unreasonable in that it is not supported by the evidence, or (iv) that the order was procured by fraud, collusion, or other unlawful means or methods. The decision of the district court shall be final unless within 10 days either party shall apply to the appropriate United States court of appeals for a review of such decision. If the district court reverses the award for one of the reasons stated in this paragraph and no appeal is taken or the reversal of such award is affirmed on appeal, or if an order of the district court affirming an award is reversed on appeal, the Mediation Board shall promptly notify the President. Upon such notification the President may reconvene the board of arbitration or may appoint a new board of arbitration and such reconvened or newly appointed board of arbitration shall proceed to take such action as may be required by the court's decision.

"(5) It shall be unlawful during any period beginning with the date of issuance of an order by the President under paragraph (1) of this subsection and ending on the date on which an award of a board of arbitration under this subsection ceases to be in effect—

"(A) For any carrier which is a party to a dispute with respect to which an order was issued under paragraph (1) of this subsection to engage in a lockout;

"(B) For employees of such carrier to engage in a strike or other concerted stoppage of work;

"(C) For any labor organization representing the employees of such carrier to engage, or encourage such employees to engage, in any strike or other concerted stoppage of work;

"(D) For any carrier, labor organization, or individual to willfully fail or refuse to carry out any duty imposed by an award of a board of arbitration under this subsection; or

"(E) For either party to the dispute to make any change in the conditions out of which the dispute arose except as provided in the award or agreed upon by both such parties.

"(6) Whoever violates the provisions of paragraph (5) shall be guilty of a misdemeanor and shall be punished by a fine of not more than $1,000 or by imprisonment for not more than 1 year, or both.

"(7) In any case in which, during any period beginning with the date of issuance of an order by the President under paragraph (1) of this subsection and ending on the date on which an award of a board of arbitration under this subsection ceases to be in effect, a carrier which is a party to the dispute with respect to which such order was issued engages in any lock-out, or a labor organization which is a party to such dispute orders or encourages the employees of such carrier to engage in a strike or other concerted stoppage of work, or a substantial number of the members of such labor organization engage in any concerted or simultaneous action, which results in an interruption in or suspension of the operation of such carrier, such carrier or labor organization, as the case may be, shall be subject to a penalty of not to exceed $10,000 for each day that such interruption or suspension continues, which penalty shall be recoverable in a civil suit brought by the United States for that purpose.

"(8) Any person adversely affected by reason of any violation of the provisions of this subsection may file an action in the United States district court for the district in which such violation occurred to restrain and enjoin such violation and to compel the performance of the duties imposed by this subsection. The provisions of section 6 and 20 of the act entitled 'An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes', approved October 15, 1914, as amended (15 U.S.C. 17; 29 U.S.C. 52), and the provisions of the act entitled 'An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes', approved March 23, 1932 (29 U.S.C. 101 et seq.), shall not be applicable to proceedings commenced under this paragraph."

PROPOSED LEGISLATION RELATING TO HATE BOMBINGS, AND SO FORTH

Mr. JAVITS. Mr. President, my colleague, the junior Senator from New York [Mr. KEATING] has today introduced a bill to prohibit certain acts involving the importation, transportation, possession or use of explosives in interstate commerce, the so-called antibombing bill, with 14 sponsors. I am today introducing six other bills, which represent the antihate bombing package of the junior Senator from New York [Mr. KEATING] and myself, generally directed to the same subject.

Mr. President, I have the honor to announce as cosponsors, in addition to the two Senators from New York, on the first bill, the bill introduced by my colleague [Mr. KEATING], Mr. ALLOTT, Mr. BEALL, Mr. BENNETT, Mr. COOPER, Mr. KUCHEL, Mr. LANGER, Mr. MARTIN, Mr. SCOTT, Mr. BRIDGES, Mr. CASE of New Jersey, Mr. PROUTY, and Mrs. SMITH.

I have the honor to announce, as to the other six bills, the cosponsorship of the following Senators: Mr. ALLOTT, Mr. BEALL, Mr. BENNETT, Mr. COOPER, Mr. KUCHEL, Mr. LANGER, and Mr. MARTIN.

Mr. President, the genesis of these measures arises from the shocking bombings—shocking alike to men and women in every section of the country—of schools, places of worship without regard to faith, homes and business places, so connected with the tensions arising from efforts at desegregation in a number of our Southern States.

Following the congressional campaign of 1958 the junior Senator from New York [Mr. KEATING] and I made a trip to three major cities: Jacksonville, Atlanta, and Birmingham. These are cities where such outrages had occurred. I am very proud to state that we found the greatest feeling of resentment and outrage on the part of all citizens, as well as officialdom. We did our best to come modestly and learn all we could. Having advised our colleagues from those States in advance that we were coming, we were received very graciously by the local municipal officials and had an opportunity to learn something about the situation right on the ground. Unfortunately in one place there was the experience, which we deprecated, of a meeting which did not have any participation of Negro leadership, but we did our best to repair that by interviewing some of the Negro leaders ourselves.

Mr. President, in respect to the introduction of this proposed legislation, I describe it as the following seven proposals:

A bill to make interstate transportation of explosives a crime when the intent is to damage or destroy any building for the purpose of interfering with its use or to intimidate any person.

That is the bill introduced by the junior Senator from New York [Mr. KEATING] with 13 additional sponsors. The next six bills are introduced by me, and in each case the junior Senator from New York [Mr. KEATING] is a cosponsor, with seven additional Senators as cosponsors, for a total of nine Senators in sponsorship. The bills relate to the following:

An amendment to the fugitive felon statute, 18 U.S.C. 1073, which forbids travel across State lines to avoid prosecution or imprisonment, to include among the crimes of violence listed the "willful destruction of any building or structure."

A bill to extend to Federal officials protection against threats and violence.

A bill to ban from the mails material tending to incite specific acts of violence such as murder, arson, assault, rape and willful destruction of any building or structure, etc., listed in the fugitive felon statute, as amended.

An amendment to the postal laws, 39 U.S.C. 259, to give the Postmaster General the authority to enforce provisions banning such mail.

An amendment to the interstate threats statute, 18 U.S.C. 875, to ban such threats where their purpose is to interfere with Federal or State laws or decrees.

A similar amendment to the mail threats statute, 18 U.S.C. 876, to bar such threats.

Hate mail has become an increasingly serious problem. The Post Office Department reports that complaints about it quadrupled in 1958. Officers who arrested the Atlanta Temple bombing suspects reported finding large supplies of anti-Semitic and anti-Negro literature in their homes. Mass mailings of this kind of material which tries to exploit bigotry, lawlessness and discrimination have reportedly closely preceded some of the recent bombings.

It is becoming increasingly difficult to separate the propaganda of hate from the actual terror, the bombings and the threats to determine which comes first.

There is no doubt in our minds that the average citizen in the South is as deeply shocked and outraged by the nearly 70 bombings and attempted bombings reported since 1954, including 27 incidents last year, as is the Nation as a whole. We found considerable support among southern officials for a law such as we now propose to give the FBI concurrent jurisdiction in hate bombing cases so that it can act immediately, just as it does now in kidnapings as authorized by the Lindbergh Act.

Although law enforcement officials in these southern communities told us they were doing their utmost to catch the hate bombers, many of them emphasized that lack of jurisdiction and resources severely limit their ability to track down and bring to justice what their evidence indicates is probably a well-organized gang (or gangs) of hate terrorists operating in several States. Florida officials in particular forecast that a Federal antibombings statute

would not be the signal for the slackening off in local police efforts but would instead initiate the kind of coordinated action by Federal, State and city authorities most apt to result in the most effective police work.

In the one instance where the FBI did move in at once, after the bombing of a Temple in Atlanta last October, a group of suspects were speedily rounded up and indicted for the crime.

Seldom have we—speaking for Senator KEATING and myself—examined an emergency situation which so urgently requires Federal legislation to help remedy it. Local law enforcement agencies have for the most part been unable to apprehend or convict the hate bombers or check the flood of hate mail inciting to violence which together have created a climate of severe tension in certain southern communities.

The dimensions of the damage wrought by the dynamiting of private homes, schools, houses of worship, community centers and places of business in several States take us beyond an obvious attempt at mass intimidation of minority groups. The terrorists responsible are assaulting a doctrine essential to the preservation of our democratic society, the maintenance of law and order to which the overwhelming majority of Americans, regardless of individual differences on civil rights, are genuinely devoted.

I close with the statement that we believe that the comprehensive legislation we are introducing in cosponsorship with so many Senate colleagues will help to more effectively curb the activities of fanatics and racists trying to establish a reign of terror, particularly in communities where official resistance to court orders on desegregation of the public schools tend to invite other acts of lawlessness. In our opinion, our group of seven bills will achieve that objective without infringing upon our traditional freedoms of speech and press or the essential responsibilities and jurisdiction of local law enforcement officials.

The PRESIDENT pro tempore. The bills will be received and appropriately referred.

The bills, introduced by Mr. JAVITS (for himself and other Senators), were received, read twice by their titles, and referred, as indicated:

To the Committee on the Judiciary:

S. 120. A bill to make unlawful the transmission in interstate commerce of certain communications with intent to interfere with the execution of Federal or State statutes or court decrees;

S. 121. A bill to make unlawful the mailing of threatening communications with intent to interfere with the execution of Federal or State statutes or court decrees;

S. 122. A bill to make unlawful mailing of matter tending to incite crimes of violence;

S. 123 A bill to amend title 18 of the U.S. Code relating to threats or injury to Federal officers in the discharge of their duties; and

S. 124. A bill to make unlawful interstate travel to avoid prosecution for willful destruction or damaging of any building.

To the Committee on Post Office and Civil Service:

S. 125. A bill to authorize the exclusion from the mails of matter relating to the solicitation of funds for, and the distribution of information relating to certain unlawful activities.

OLD-AGE AND SURVIVORS INSURANCE BENEFITS—INCREASE OF EXEMPTIONS FOR INCOME TAX PURPOSES

Mr. LANGER. Mr. President, I introduce, for appropriate reference, two bills. The first bill would permit all citizens to receive at least minimum old-age and survivors insurance benefits. The second bill would enable all citizens an increase in individual exemptions for income tax purposes.

From time to time, I shall introduce new bills as well as reintroduce other bills into the Senate which were introduced by me in the 85th Congress but which were not enacted into law. It is my hope that the 86th Congress will look favorably upon these bills which benefit many people throughout the country.

The PRESIDENT pro tempore. The bills will be received and appropriately referred.

The bills, introduced by Mr. LANGER, were received, read twice by their titles, and referred to the Committee on Finance, as follows:

S. 126. A bill to amend title II of the Social Security Act to permit all citizens of the United States to receive at least minimum old-age and survivors insurance benefits; and

S. 127. A bill to amend the Internal Revenue Code so as to increase the individual exemption for income tax purposes from $600 to $1,000.

AMENDMENT OF REORGANIZATION PLAN NO. 2 OF 1953

Mr. HUMPHREY. Mr. President, on behalf of myself, and the Senator from Montana [Mr. MANSFIELD], I introduce, for appropriate reference, a bill to amend Reorganization Plan No. 2 of 1953. I ask unanimous consent that this bill lie over on the desk until the close of business on Monday, January 12, in order to permit the addition of names of other cosponsors.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Minnesota.

The bill (S. 144) to amend Reorganization Plan No. 2 of 1953, introduced by Mr. HUMPHREY (for himself and Mr. MANSFIELD), was received, read twice by its title, and referred to the Committee on Government Operations.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that an explanatory statement of the bill, prepared by me, may be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The explanatory statement presented by Mr. HUMPHREY is as follows:

STATEMENT BY SENATOR HUMPHREY

I am introducing on behalf of myself and Senator MANSFIELD, for appropriate reference, a bill to amend the Reorganization Plan No. 2 of 1953 so that hereafter section 1 of the plan will no longer apply to the Rural Electrification Administration. The bill also specifies that the approval or denial of REA loans will be the sole responsibility of the REA Administrator, regardless of the provisions of any other law.

The bill provides for the transfer to the Administrator of REA all functions which were transferred from the Administrator to the Secretary of Agriculture under Reorganization Plan No. 2 or any other reorganization plan or law.

Many of the Senators will remember that I introduced a similar bill in the last Congress. Extensive hearings were held on it by the Subcommittee on Reorganization of the Committee on Government Operations. No formal action was taken, but the hearings convinced me, and I believe a number of other Senators, that this legislation is vital to the continued stability and progress of the rural electrification program.

I think the hearings clearly proved that the Secretary of Agriculture has reduced the REA Administrator to nothing more than a good will ambassador. The REA Administrator can no longer make important loans on his own initiative; before he can sign a loan for more than $500,000 he has to send it over to the Secretary's office for review.

The making of loans is supposed to be the major duty of the REA Administrator. That is why his position exists—why REA itself exists. Loans are supposed to be made if they come within the law and if they meet REA's standards of feasibility. Certainly they are not supposed to be influenced in any way by political considerations.

Congress made sure of this, or thought it did, when REA was established. The REA Administrator is appointed for a 10-year term. He must be confirmed by the U.S. Senate. The law throws what should be a cloak of political immunity around him, so that he will not be tempted to let political philosophies influence his decisions on loan applications.

Under this concept, the rural electrification program has been an enormous success. Today, more than 95 percent of our rural homes and institutions have been electrified. I know of no other Government program that has done so much good for so many people. I know of no other lending program, public or private, that can match the fantastic repayment record of the REA borrowers.

A shadow has fallen on this great program. The REA Administrator is no longer his own man. He no longer can judge an important loan application on its merits and make the loan himself if it should be made.

We discovered in 1957 that the REA Administrator had been ordred to check loans of more than $500,000 with Kenneth Scott, Director of Agricultural Credit Services. Mr. Scott is appointed by the Secretary of Agriculture. He has no fixed tenure, and he is not confirmed by the Senate.

I submit that there can only be one reason for having loans reviewed in the Secretary's office. They are sent there to pass some sort of political or philosophical test. There is just no other explanation.

The only loans which go to Mr. Scott are those which the professional staff at REA have thoroughly checked and approved. They are the loans which the Administrator would be expected to sign. They have been approved by the legal division, the engineering division, and all the others that are involved in the loan procedure. They are certified to be within the law and to be feasible.

Why should some top political figure in the Department of Agriculture review such loans? Why should he pass on them? If he makes a thorough technical review, then I submit it is the clearest example of government waste and duplicity I have ever come across.

But he does not make a technical review. He checks to see whether the loans fit the

philosophy of the administration. There is no other answer, and I think that practice poses a real threat to the rural electrification program. I would think the same thing if we had a Democratic administration or any other kind of administration.

I am not saying that this practice has resulted in any great abuses to date. My point is that as a matter of principle the decision on REA loans should be made by the Administrator who by law is free from political pressure and philosophy.

Reorganization Plan No. 2 gave the Secretary of Agriculture broad powers to redistribute the functions of the agencies in the Department. Secretary Benson told our subcommittee at the time we were considering this plan that he would make no major changes without consulting the Congress and interested individuals and associations. He told us this repeatedly, and on these assurances, we gave our approval to the plan. But he did not carry out this pledge when he took away the major loanmaking authority of the REA Administrator—and if that action was not a major change then I don't know that a major change would be.

This bill is designed to restore the full loanmaking authority of the REA Administrator. It makes sure that the Administrator, and he alone, has final authority for making or rejecting an individual loan. The bill does not take REA out of the Department of Agriculture. It does not make REA an independent agency. The Department of Agriculture will still have full policy control over REA, but not over individual loans.

I think the record will show that I have consistently supported reorganization proposals in the past, under this administration and the one which preceded it. When we received the assurances of Secretary Benson, I supported Reorganization Plan No. 2 of 1953.

Since those assurances were not carried out I feel no obligation to continue to support that plan insofar as it applies to REA.

This proposed legislation has the enthusiastic support of rural electric people throughout the country. It was unanimously approved by the 6,000 people who attended the annual meeting of the National Rural Electric Cooperative Association last year. Last fall, after the 85th Congress had adjourned, all 10 of the regional meetings of NRECA unanimously passed resolutions to support this legislation in this Congress.

Mr. HUMPHREY. I ask unanimous consent that a resolution adopted at the region VI meeting in Bismarck, S. Dak., on October 28, 1958, may be printed in the RECORD and appropriately referred.

I also ask unanimous consent that this bill lie on the desk until the close of business on Monday, January 12, in order to permit the addition of names of other cosponsors.

The PRESIDENT pro tempore. Without objection the resolution will be printed in the RECORD, and the bill will lie on the table, as requested by the Senator from Minnesota.

The resolution is as follows:

RESOLUTION ADOPTED AT REGION VI MEETING OF NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION

REA REORGANIZATION

Whereas the original REA Act of 1936 provided for strictly nonpartisan administration of REA and provided for the appointment of an Administrator by the President, with confirmation by the Senate for a 10-year term to insure nonpartisan, nonpolitical administration; and

Whereas Secretary of Agriculture, Ezra Taft Benson, pledged himself to a congressional committee to make no changes in REA without first consulting the proper congressional committees and other interested groups; and

Whereas, in June 1957, the Secretary did reorganize REA by requiring that all loans of $500,000 or more, and that all loans of whatever amount, to new borrowers, be reviewed by the Secretary's office; and

Whereas Secretary Benson has supported a bill in Congress which would drastically increase interest rates and drive electric and telephone cooperatives to Wall Street for their financing: Now, therefore, be it

Resolved, That we are vigorously opposed to any reorganization of REA; and be it further

Resolved, That as soon as the new Congress convenes in 1959 a bill identical or similar to the Humphrey-Price bill of 1953, which would restore to the REA Administrator all of the functions and authority vested in him by the original act of 1936, be introduced and passed.

AMENDMENT OF WATERSHED PROTECTION AND FLOOD PREVENTION ACT

Mr. KERR. Mr. President, on behalf of myself and my colleague, the junior Senator from Oklahoma [Mr. MONRONEY], I introduce, for appropriate reference, a bill to amend the Watershed Protection and Flood Prevention Act to provide that its loan provisions shall be applicable to certain other projects. I ask unanimous consent that a statement by me relating to a similar bill introduced by me in the 85th Congress, and appearing at page 4181 of the CONGRESSIONAL RECORD, may be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 153) to amend the Watershed Protection and Flood Prevention Act to provide that its loan provisions shall be applicable to certain other projects, introduced by Mr. KERR (for himself and Mr. MONRONEY), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The statement presented by Mr. KERR is as follows:

Mr. KERR. Mr. President, on behalf of myself, and my colleague, the junior Senator from Oklahoma [Mr. MONRONEY], I introduce, for appropriate reference, a bill to amend the Watershed Protection and Flood Prevention Act to provide that its loan provisions shall be applicable to certain other projects.

This bill, if enacted, would amend Public Law 566, 83d Congress, as amended by Public Law 1018, 84th Congress. The purpose of the amendment is to extend the authorization of loans contained in Public Law 1018 to 11 watershed projects authorized under section 13 of the Flood Control Act of 1944.

Construction of watershed works of improvement in these 11 projects has been under way for a period of 10 years. They are generally identical in character to the types of improvements provided for in Public Law 566, as amended. The 11 watersheds include a total of about 30 million acres in New York, Pennsylvania, Maryland, Virginia, West Virginia, Georgia, Mississippi, Oklahoma, Texas, Iowa, and California.

Because the programs in these 11 watersheds were already authorized, the Department has not accepted applications for assistance within their boundaries under the provisions of Public Law 566, as amended. The only form of assistance not available in these 11 watersheds which can be obtained under authority of Public Law 566, as amended, is the securing of Federal loans under the provisions of section 8 of Public Law 566, as amended.

The purpose of the bill is to further amend Public Law 566 to make the provisions of section 8 applicable to the 11 watersheds authorized in the Flood Control Act of 1944 in the same manner as it is applicable to all projects originated under Public Law 566 throughout the remainder of the United States.

EVALUATION OF RECREATIONAL BENEFITS FROM CONSTRUCTION OF CERTAIN WORKS OF IMPROVEMENT

Mr. KERR. Mr. President, on behalf of myself, the Senator from South Dakota [Mr. CASE], and my colleague, the junior Senator from Oklahoma [Mr. MONRONEY], I introduce, for appropriate reference, a bill to make the evaluation of recreational benefits resulting from the construction of any flood-control, navigation, or reclamation project an integral part of project planning, and for other purposes. I ask unanimous consent that a statement prepared by me on February 11, 1957, relating to this subject matter may be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 159) to make the evaluation of recreational benefits resulting from the construction of any flood-control, navigation, or reclamation project an integral part of project planning, and for other purposes, introduced by Mr. KERR (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Public Works.

The statement presented by Mr. KERR is as follows:

STATEMENT BY SENATOR KERR

Federal water projects have become a major portion of the playgrounds for the Nation. I believe it is time that the Federal law recognizes the great economic value of these recreation benefits and increases the opportunity for their development.

Under present law, the value of the recreation benefits expected from water projects cannot be counted in computing the economic justification. Furthermore, there is insufficient provision for a full development of recreation opportunities to insure wider usage and more economic benefits to the areas.

Senator MONRONEY and I are, therefore, today introducing new legislation to correct this situation. The only limitation will be that the recreation program does not conflict with the major purposes of the project, such as flood control, power, etc. The general result will be to speed authorization and construction of projects with recreational opportunities, and to improve such facilities of those projects already in operation.

The primary purpose of the bill is to improve the benefit-cost ratio by counting potential recreation benefits up to 15 percent of the total cost of the project. This portion would not be repaid to the Federal Government by users. Such benefits would be computed on the basis of $1 per person on the estimated number of visitors annually, a figure obviously much less than experience

proves would be fed into the local economy by the booming tourist trade.

Our bill would allow and encourage full cooperation and coordination of all agencies, local, State and Federal, to promote the maximum development and usage of recreation facilities. It covers the projects built both by the Corps of Army Engineers and the Bureau of Reclamation.

This proposal to recognize officially recreation benefits has been endorsed by the Chief of the Corps of Army Engineers. He recently cited the tremendous popularity of the lake projects, and indicated the need of new and clarifying legislation.

The proven value and popularity of these great projects demonstrate the logic and necessity of recognizing recreation as an important benefit.

For instance, in 1955, there was a total of 62 million visitors at the Army Engineers projects, which was more than the combined total at all national parks, and many, many more than the total visiting national forests.

Last summer, there were 64,000 boats licensed for operation on the Army Engineer reservoirs, with the number growing at a rapid rate. Water skiing in the land-locked Middle West has become a booming fad.

In our own Oklahoma, there were about 13.5 million visitors reported at our 9 big lakes, including about 6.6 million at Lake Texoma. Already, the tourist business is feeding millions of dollars annually into our economy, and the increase of population, with the increase of leisure time, is calculated to multiply this total many times in the future.

Senator MONRONEY, of Oklahoma, is cosponsoring this bill with me in the Senate, and a companion bill is being introduced in the House by Representatives CARL ALBERT and ED EDMONDSON, of Oklahoma.

We have spent many months in conference on this bill, working with representatives of State and local agencies, and the Federal agencies affected. We believe it is adequate and satisfactory. It will greatly strengthen our soil and water program, provide better recreation facilities for the people, and spur the economy where the projects are located.

COMMISSION TO STUDY PROBLEMS OF ALCOHOLISM

Mr. JOHNSTON of South Carolina. Mr. President, I introduce for appropriate reference a joint resolution, the purpose of which is to establish a commission to study the problem of alcoholism in the United States and to make recommendations for the more adequate provision of facilities for the treatment, rehabilitation, cure of alcoholics, and for the prevention of alcoholism.

I conducted an intense personal study into alcoholic problems which entailed the examination of records and statistics furnished me by nearly every State in the Nation and also information provided by doctors, industries, and other organizations such as Alcoholics Anonymous which are working on this problem.

I have prepared a statement in support of this resolution which incorporates generally facts on alcoholism and what it is costing America in broken homes, broken lives, dollars and cents, and which, I think, clearly demonstrates that alcoholism is a cancer on our spirit.

At this time I would like to thank the Governors and alcoholism commissions of the various States which assisted me in compiling facts on the effects of alcoholism in this country. I have retained this information and I shall gladly make this material available to the committee of the Senate to which my resolution may be referred for appropriate action.

Mr. President, I ask unanimous consent to have printed along with my remarks a statement in support of the joint resolution on alcoholism.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The joint resolution (S. J. Res. 1) to establish a Commission to study the problem of alcoholism in the United States and to make recommendations for the more adequate provision of facilities for the treatment, rehabilitation, and cure of alcoholics, and for the prevention of alcoholism, introduced by Mr. JOHNSTON of South Carolina, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The statement presented by Mr. JOHNSTON of South Carolina is as follows:

STATEMENT OF SENATOR JOHNSTON

One of the major problems confronting modern society is alcoholism.

This addictive disease accounts for an almost countless number of woes: it makes life a living hell for more than 5 million Americans and their families. It is a disease which brings pain, mental, financial, and physical suffering to victims, causes personality breakdowns, broken homes, high divorce rates, delinquency, adult and juvenile, crimes of various sorts, an appalling toll of accidents, industrial and traffic, serious financial loss to business and industry. Not the least ill desired byproduct of alcoholism is the corrosion of morale it brings to substantial segments of the population and the yet undetermined physical damage to human minds and bodies. Alcoholism, in short, is a problem of great national concern.

Alcoholism is not a new problem to man. It has been with civilization for centuries. For a long, long time it has been a serious problem. But only in recent years has it been recognized as a disease. We know now the alcoholic should not be treated with social shame, but as one who is ill with a disease. In the opinion of many experts in the field of alcoholism, the changed public attitude toward the alcoholic is one of the major gains of the past several decades.

Compassion rather than condemnation must be the keynote in dealing with alcoholics. It is with this view that I address myself to the challenging problem of alcoholism. It was with the thought that we can further the good work already being done by the several States and others in this vital field by developing national interest and providing leadership and auxiliary help that I undertook a comprehensive survey and study of this whole problem.

The results indicate to me and others that a challenging task confronts us in the extension of activity to deal with alcoholism. In the areas of education, prevention, treatment, and rehabilitation, much remains to be done despite the excellent efforts of the several States in their respective programs.

Before proceeding with the presentation of the material recruited in my study of alcoholism, I am pleased to acknowledge the very splendid cooperation of the governors of the several States as well as the respective directors of the various State commissions on alcoholism. I have had a most hearty and prompt response from those officials in my request for information on what their States are doing for the treatment and prevention of alcoholism. I also want to record my thanks to the many private and public organizations that have given their wholehearted and valuable cooperation.

An impressive volume of achievement has been realized over the country in programs on alcoholism. It is readily apparent from the encouraging results through the Nation that the attitude of the public, the medical fraternity and Government has taken a tremendous change for the better.

Most encouraging is the realization that something worthwhile in the way of a cure can be effected, that individuals can be reclaimed from the rubble heap and brought back to sound health, self-respect, and useful places in society. The work of Alcoholics Anonymous has been most effective in this field—the activities of this group is a saga of understanding, tolerance, helpful support and practical therapy. It is most heartening to read the accomplishments of Alcoholics Anonymous and it is all the more noteworthy because the work was started originally by two men who had been addicted to drinking. From this humble, spontaneous operation Alcoholics Anonymous has spread to a nationwide organization which commands the voluntary, inspired services of thousands of men and women who have been fellow sufferers.

Giving credit to all the pioneers in the field of alcoholism, public officials, lay men and women, and members of the medical profession, social workers and others, I am of the opinion, based on my studies, that despite the vast amount of good that has been accomplished, the surface really has been only scratched. Present programs in many States are the beginnings of what hold the promise of real achievement. In State after State, the start has been made and the course has been charted. But facilities, personnel, and funds are at a bare minimum. The foundation is here upon which we can build the pillars of solid achievement to universally overcome alcoholism.

A significant aspect of the reclamation work being done on alcoholics in the several States is the genuine enthusiasm with which the work has been undertaken. As I remarked earlier, we have come a far way in our thinking on alcoholism in the past 20 years. And this is one of the most promising things about the whole problem, for the alcoholic is a super-sensitive person, quick to detect hostility, just as he responds to kindness that respects him as a person and attributes to him the dignity which he has largely forfeited. As Dr. Selden D. Bacon, Ph.D., an expert in the field, states: "The greatest number of clients (alcoholics) are lost at the diagnostic interview."

It has been well said that "alcoholics are not drinkers—they are compulsive consumers of alcohol." This is the considered opinion of Dr. Bacon. Actually, in the consideration of the subject of alcoholism we must realize that for millions of Americans social drinking is no problem. Dr. Bacon points this out in the following words: "It should be noted that the use of alcohol is not alcoholic for more than 60 million of the 65 million drinkers of this country." We do well to keep this fact in mind as we proceed with our consideration of this problem. Otherwise, we are going to build walls of resentment that will militate against an overall effective program on rehabilitation of alcoholics. Public understanding, public cooperation are essential to spur the rehabilitation activities now underway in the Nation to the goal of impressive accomplishment.

My purpose is not to present something that will gobble up the various State programs on alcoholism. To the contrary, I

propose by a centralized review, a fair appraisal, the suggestion of fairly uniform standards and the providing of assistance in research and leadership to strengthen and give encouragement to those who are already valiantly progressing this good work. It is my hope that in this way we can lend moral support, guidance, and supplement the work of the several States which see the greater need but are not able to go all the way because of their limited resources. National attention for the several programs would be most helpful, additional research, as I have said, the amplification of the literature of the subject and a wider educational program—all of these would aid the cause.

It is an interesting fact that since the first State study of alcoholism was set up in Oregon in 1943 all but 6 of the 48 States have given recognition in some kind of legislation that alcoholism is a public health problem. Of further interest is the fact that 33 States and the District of Columbia have enacted enabling legislation providing for State-sponsored treatment, research and/or educational programs. In three States, action has been taken to admit alcoholics to certain State institutions. At the end of 1956, two additional States, Illinois and Iowa, had appointed study commissions to review the problem with a view toward recommending suitable legislation.

According to the American Medical Association, which is giving increased attention to the problem of alcoholism, one quarter of all the hospitals in the country treat alcoholics routinely. An encouraging growth of recognition of the disease nature of alcoholism is that the Blue Cross and Blue Shield insurance plans as well as a number of other commercial insurance companies are accepting alcoholics as beneficiaries.

The statistics on alcoholics and alcoholism are rather appalling and I propose to submit a number of them in certain essential categories for information. At the same time I hasten with the reminder that the extent and scope of the problem must not blind us to the possibilities and the accomplishments in rehabilitation.

Dr. Marvin A. Block, chairman of the Committee on Alcoholism of the Council on Mental Health, American Medical Association, is authority for the statement that the annual cost of accidents due to alcoholism is $125 million, while the annual cost of alcoholics in mental hospitals is $30 million, and the annual cost of alcoholics in penal institutions is $25 million. Dr. Block also presents the further impressive figures that the sum of $40 million is spent annually by public and private agencies for the care of families of alcoholics, $20 million by the public agencies and another $20 million by the private agencies.

In the opinion of Raymond G. McCarthy and Edgar M. Douglass in an informed article in the Journal of Studies in Alcohol, Inc., entitled "Alcohol and Social Responsibilities," the information is furnished that "alcoholism costs society more than $1 billion ($1,168,354,750) according to an estimate for the single year 1946." Later figures, I am certain, will revise even this large cost upward.

On the economic front we further find, according to Harrison M. Trice, of the New York State School of Industrial Labor Relations, of Cornell University, that "on the average, 3 percent of the work force are problem drinkers." In "Problem Drinking," by Henderson and Bacon, dealing with the findings of the Yale plan for business and industry, it is set forth that "the alcoholic loses an average of 22 working days each year from alcoholism alone." The same source also claims that "alcoholics lose a total of over 36 million working days each year." It is likewise claimed by their authorities that "the alcoholic's lifespan is 12 years less than that of the nonalcoholic."

The annual loss in wages alone because of excessive drinking is $432 million, according to Benson Y. Landis, in Public Affairs Committee Pamphlet No. 118, published in 1946.

It is an interesting fact that the public has the image of an alcoholic as a visible Skid Row type. As a matter of an educated estimate by Robert Straus, Ph. D., professor of medical sociology, Medical Center, University of Kentucky, "the remaining 85 to 90 percent (alcoholics) are to be found in homes, offices, places of business, in every walk of life, apparently trying to lead normal lives."

The scope of this problem is realized in the statement that: "Seven million adult Americans are 'heavy, addictive drinkers'; and the number is increasing at the rate of 250,000 a year. One in nine Americans is destined to become an alcoholic * * * the great difficulty now is that the young people are not being told the complete and scientific facts of this problem." This is the opinion of Dr. Andrew C. Ivy, chairman of the Institute of Scientific Studies for Prevention of Alcoholism, Loma Linde, Calif. I am sure the religious and school and social leaders of any American community can confirm this fact.

Consider these dismally impressive statistics from the National Safety Council in the category of alcoholism and fatal driving accidents:

Twenty-two out of every 100 had been drinking; over the Christmas holidays, the percentage jumped to 55 percent; over the Labor Day holiday, the total was 48 percent.

In like manner, the percentage was high in the number of pedestrians who had figured in fatal automobile accidents. Out of every 100 persons so involved, 22 had been drinking.

These statistics are all the most discouraging in view of the intensive educational and warning campaign put on by the American Automobile Association on the eve of the holidays.

The National Council on Alcoholism in a special report to the National Institute of Mental Health states that Dr. Leo Bartemeier reported that a recent Gallup poll showed 14 percent of families interviewed were found to have some problem regarding drinking.

This finding shows the corrosive penetration of alcoholism into the American home, into our contemporary civilization.

Each alcoholic is an individual with individual problems. One responds to one set of stimuli, one to another. Dr. Bacon states: "Rehabilitation may start in the jail, in the home, in a hospital, even on the street corner. It is important to remember, however, that wherever it starts it must continue in and be oriented to the individual's ordinary life situation."

What is the goal of rehabilitation? Again, according to Dr. Bacon, "the Connecticut Commission on Alcoholism (which I might add parenthetically is among the leaders in the field) has stated its goal in rehabilitation to be the return of the individual—more acceptable to himself, increasingly independent, and not using alcohol—to the community in which he should be an accepted member. The commission believes that there are varying degrees of success in rehabilitation and that cases should be followed at least 3 years."

Let us not delude ourselves that the disease of alcoholism is a simple one. It is not just the problem of overconsumption of alcohol. Just what strange motivations prompt a man, a woman or a teen-ager to blot out consciousness in a drunken stupor is something to puzzle the experts. Dr. Sidney Vogel, engaged in the private practice of psychiatry and a member of the National Council of Alcoholism makes this pertinent contribution:

"Treatment of the alcoholic is not the sole province of the psychiatrist, internist, endocrinologist, sociologist, minister, or any one scientific or lay discipline. Recognition of this is fundamental. A total 'push' and mobilization of all methods and facilities is necessary to improve results and make help available to more alcoholics.

"We must not follow in the footsteps of the six blind sages of Hindustan who on touching an elephant described him variously as a fan, a rope, a snake, a tree, a spear, and a wall. Rather we must coordinate and synthesize psychiatric, biological and sociological research and knowledge to understand and master the problem of alcoholism. Only with this newfound knowledge will further inroads be made on this widespread and devastating disease."

In like vein, Corwin states: "Best informed modern opinion calls for the appliance to the problem of alcoholism of all such available research techniques as have been used in the study of other serious individual afflictions. This can best be done in medical institutions such as hospitals and clinics where all the resources of modern medicine and psychiatry can be utilized to contribute toward the understanding of the causes of uncontrolled drinking and the nature of its developmental process. Only in such well-equipped surroundings can adequate therapeutic and rehabilitative techniques be devised and methods for the prevention of the disorder developed."

The involuntary commitment of alcoholics to suitable places of treatment and cure has some supporters among those who have made a study of alocoholism. One such is Dr. Melvin L. Selzer, psychiatrist at the University of Michigan's Department of Mental Hygiene. Dr. Selzer is convinced the alcoholic will not admit to his drinking or invoke voluntary treatment, hence something has to be done about compelling treatment. He states:

"State laws regarding commitment for uncomplicated alcoholism are inadequate or nonexistent. Many States still require evidence of psychosis before committing alcoholics, a rather archaic approach since it implies that only far advanced cases will be considered for treatment * * * courts tend to commit only persons who are called to their attention by obnoxious behavior. Without enforced commitment and treatment, it is safe to say that the bulk of the alcoholic population will remain alcoholic most or all of their shortened lives."

Dr. Selzer insists that psychiatrists and public officials gradually are acknowledging the futility of the efforts to rehabilitate alcoholics without some method of enforcing an initial period of abstinence and therapy.

Dr. Selzer adds the additional point that "alcoholism is malignant." He states that about 65 percent of the unobtrusive alcoholics die between the ages of 35 and 39. He adds that enforced treatment pioneered in North Carolina and Michigan hospitals indicates a sufficiently high percentage of rehabilitation—up to 40 percent or better—to make the procedure worthwhile.

"The alcoholics received very little specific treatment other than supportive psychotherapy, reassurance, medical treatment if they are ill, an opportunity to keep occupied and a period of time to discover that sobriety was not a threat to their existence. A period of sobriety is essential for these individuals to learn that they can handle their anxieties without alcohol—an important fact that they may never discover if a bottle can be readily obtained, or if they can desert the hospital at will."

It is an interesting aspect of this whole problem that 9 out of 10 alcoholics can-

not be detected as such other than by their families or close friends and intimate associates. The alcoholic in many instances possesses real talent for secret drinking, for covering up. Many an individual the public respected as an outstanding person has been addicted to secret, heavy drinking. This frequently happens with women who are given to lone drinking in the home. Only about 10 percent of alcoholics are of the identifiable "skid-row" type.

"The ability of the alcohol addict to conceal his excessive drinking is well documented," Dr. Selzer states. "They learn to drink quickly and silently with a minimum of activity afterwards so as not to betray themselves by clumsy motions or slurred speech. Driving is usually avoided since this may readily call their attention to their inebriety."

In an excellent article on alcoholism in the Washington Sunday Star of May 11, 1958, Phil Yeager and John Stark, in discussing Dr. Selzer's views and findings, quoted Dr. Selzer's apt example of the quiet drinker covering up in the following language:

"Dr. Selzer quotes this passage from Betty Smith's 'A Tree Grows in Brooklyn' as a penetrating observation of the camouflage employed by the majority of alcoholics today:

" 'Francie got to know when (her father) was drinking more than usual. He walked straight coming home. He walked carefully and slightly sidewise. When he was drunk, he was a quiet man. He didn't brawl, he didn't sing, he didn't grow sentimental. He grew thoughtful. People who didn't know him thought he was drunk when he was sober because he was full of song and excitement. When he was drunk, strangers looked on him as a quiet, thoughtful man who minded his own business.' "

This is a masterly treatment of the addictive drinker—the character portrayed so ably has many thousands of counterparts throughout the country today.

All of us know the part alcoholism plays in that scourge of society—the broken home. Let us look then to the views of an expert in juvenile delinquency, Dr. John Otto Reinemann, director of probation for the municipal court in Philadelphia. Dr. Reinemann states that broken homes are the leading cause of juvenile delinquency. "Sociologists and psychologists agree that such a broken home is one of the most significant factors contributing to juvenile misbehavior and delinquency. Girls seem to be even more affected than boys by the lack of normal family life, as evidenced by the fact that only 29 percent of all delinquent girls live in their own family home with both natural parents."

The parents, who through overindulgence in alcohol, cause a home to be broken sets in motion a chain reaction of antisocial activities that frequently roll up to a costly toll of violence.

In connection with this aspect of the problem of alcoholism, it is worthy of note that the latest figures from the Federal Bureau of Investigation reveal that juvenile arrests in 1,220 cities throughout the United States increased by the high figure of 9.8 percent. Consider the fact that the FBI concluded that youths under 18 years of age accounted for 12.3 percent of the overall arrest increase of 4.3 percent. The statistics show the juveniles committing the startling total of 67.6 percent of auto thefts, 54.8 percent of burglaries and 51.3 percent of larcenies. Also juveniles committed 9 percent of aggravated assaults and 6 percent of the murders. Major crimes committed during the year amounted to 2,796,400, an increase of 9.1 percent over 1956 and 23.9 percent over the average for the last 5 years. City crimes rose 9 percent and rural offenses 11 percent.

Holding this mirror up to the face of society does not produce a very pleasing reflection. It is not my intent or purpose to endeavor to tax alcoholics with this total of crime, but there is a very definite and substantial relationship, as we have shown, between alcoholism and broken homes and juvenile delinquency and crime. The newspapers these days only too frequently carry distressing stories of the latter-day offender, the direct perpetrator of crime, the juvenile, under the influence of alcohol, who strikes out in violence, usually upon any innocent person who has the misfortune to cross his path at the moment he wants to wreak his revenge upon society.

This raises the obvious question: Is alcoholism inherited? In the booklet, "Facts and Fancies About Alcoholism," by Helena H. Shea, of the Rhode Island State Division of Alcoholism, there is this interesting answer to this question: "As yet there is not much reason to believe that the tendency toward compulsive drinking is inherited from the parents, but alcoholic parents tend to have more alcoholic children than nondrinking parents do. Also, children tend to imitate their elders, and in a family upset by alcoholism there will be more instability, more maladjustment, and more drinking than in a normal family group. However, since science has not ruled out the physical causes, it is possible that a constitutional factor may be responsible, at least to some extent, for a psychological craving for drink."

What one of us does not cringe when we see the wrecks in human form barely able to beg for a pittance so they can buy something more with alcohol in it to blot out reality? These are the living without hope; these are the truly dead, they who trod the streets of forgotten men; they are the wound stripes of our civilization.

We haye seen men in their animal cravings drinking "smoke," the diabolical concoction of the "jungle." We have seen addicts resort to the desperate expedient of consuming radiator alcohol. We have seen them embrace slow suicide in liquid mixtures that four-legged animals would repulse.

Who knows what dark motivations cause men, born in the image and likeness of God, to do such degrading harm to themselves? What gushing springs of self-pity are at work drowning the self-respect of individuals when they literally sink in a sea of alcohol. What real or fancied wrongs have caused them to indulge in such spiritual and physical lacerations? Where along the line has the damage been done to their healthy ego-strengths? What was the first step that caused this headlong plunge down the ladder of self-debasement? What hidden guilts goad the alcoholic into despair?

What a vista of enriching exploration beckons in this troubled and challenging disease of alcoholism. What an opportunity presents itself to our society to go forward in research, armed with charity, equipped with compassion and tolerance, with kindness and a sense of fellowship as members of the human race, to get the answers that will light the way of hope for curing this dread disease.

From the viewpoint of the public's interest in the problem of alcoholism, the case is simply and well put in the following words by Dr. Anthony Zappla, Director of the Alcoholic Rehabilitation Program Clinic in the Department of Public Health, District of Columbia:

"The community loses in many ways when it has disabled persons among its residents. An alcoholic is handicapped because of his behavior, which is often unacceptable to the community. His illness makes him nonproductive during many of his working hours. In the long run a community will gain by working to prevent alcoholism before the excessive drinker has reached an advanced stage of the illness and, where alcoholism exists, by bringing the alcoholic back to productivity and usefulness."

In this vein there is an excellent statement of the problem in the 1957 edition of the booklet published by the Licensed Beverage Industries, Inc., entitled: "Programs on Alcoholism Research, Treatment and Rehabilitation in the United States and Canada." In its introduction, the organization states: "A public health problem may be defined as any problem affecting the health and well-being, directly or indirectly, of people, the solution of which is attainable through organized community efforts. Within this framework alcoholism is a public health problem. During the past two decades, by this definition, it has proved to be amenable to solution through group effort." It further states—"The recognition in recent years that alcoholism was a disease amenable to treatment in public understanding and action concerning this problem marked the beginning of a new era. Public action in the form of State medical care, research and treatment programs were an inevitable and predictable consequence."

From the studies of the Licensed Beverages Industries, Inc., we learned that the sum of $4 million was allocated by the States for programs on alcoholism in 1956. These moneys were divided on the following basis: 14 percent for research; 9 percent for education; 13 percent for administration; 3 percent for other purposes; and 61 percent for treatment. In 1956, a total of 22,906 were treated in State operated or supported treatment facilities, hospitals or clinics.

Thus we can see that already a fine start has been made in this troubled field. Of course, as I stated before, many of the State programs are marginal, are the beginnings, represent, in fact, what may be properly termed pilot programs. But from them considerable has been learned, valuable experience has been reaped, standards are being established, and the road for future progress well marked with directional signs.

Alcoholics Anonymous has a total of 6,859 groups, so-called. Of these, 4,755 are in the United States and 706 in Canada. In other parts of the world, excluding the United States and Canada, there are an additional 790 groups. They have 287 groups affiliated with hospitals, and 321 groups serving with correctional institutions. Then there is a classification known as "loners." These represent several hundred men and women living in isolated areas throughout the world (or in areas where it has not been possible to form a local group) are registered at general service headquarters as lone members. They correspond with headquarters and with their counterparts in others sections of the world. It is stated of them by the national organization: "in a number of cases, notably in U.S. military installations overseas, loners have been responsible for establishing local groups."

Another interesting development of the A.A idea is the group of international seamen. This includes about 150 persons, including a handful of women, in naval service or the merchant marines. They correspond with each other and have been responsible for starting and encouraging local A.A. groups in many foreign ports.

The recognition of alcoholism as a medical responsibility is gaining new adherents each passing year. There is a significant increase in the number of hospitals that are admitting alcoholics, including the out-patient departments. The American Medical Association's Council on Mental Health reports on the aspect of alcoholism as a medical problem as follows:

"1. Alcoholic symptomatology and complications which occur in many personality disorders come within the scope of medical practice.

"2. Acute alcoholic intoxication can be and often is a medical emergency. As with any other acute case, the merits of each individual case should be considered at the time of the emergency.

"3. The type of alcoholic patient admitted to a general hospital should be judged on his individual merits, consideration being given to the attending physician's opinion, cooperation of the patient, and his behavior at the time of admission. The admitting doctors should then examine the patient and determine from the history and his actions whether he should be admitted or refused.

"4. In order to offer house officers well-rounded training in the general hospital, there should be adequate facilities available as part of the hospital program for care of alcoholics. Since the house officer in a hospital will eventually come in contact with this type of patient in practice, his training in treating this illness should come while he is a resident officer. Hospital staffs should be urged to accept patients for treatment and cooperate in this program.

"5. With improved means of treatment available and the changed viewpoint which places the alcoholic in the category of a sick individual, most of the problems formerly encountered in the treatment of an alcoholic in a general hospital have been greatly reduced. In any event, the individual patient should be evaluated rather than have general objection on the grounds of alcoholism.

"It is recognized that no general policy can be made for all hospitals. Administrators are urged to give careful consideration to the possibility of accepting such patients in the light of the newer available measures and the need for providing facilities for treating these patients. In order to render a service to the community, provision should be made for such patients who cooperate and who wish such care.

"In order to accomplish any degree of success with the problem of alcoholism, it is necessary that educational programs be enlarged, methods of case finding and follow-up be ascertained, research encouraged, and general education toward acceptance of these sick people be emphasized. The hospital and its administration occupy a unique position in the community which allows them great opportunities to contribute to the accomplishment of this purpose. It is urged that general hospitals and their administrators and their staffs give thought to meeting this responsibility."

This is impressive evidence of the increased medical and hospital interest in alcoholism, a most heartening development of the past several years.

Thus we can see progress being made on many fronts in the battle against alcoholism.

For a clue to an understanding of how deep-seated are the impulses which move the alcoholic, I would urge a reading of "Motivation of the Alcoholic for Recovery" by Dr. Lorant Forizs, from the March 1958, "Quarterly Journal of Studies on Alcohol."

I know of no better way to bring this whole matter into proper focus than to quote, in part, from the forword of the annals from which I have selected several of these expert articles. The section of the foreword I have chosen, you almost say as a text, reads as follows:

"Because alcoholism is an emergent condition stemming from chemical, physiological, psychological, and sociologic preconditions, because responses to alcoholism cut across every segment and institution of our society, and because the painful and destructive impact of the condition is not only extensive but is experienced and for generations has been experienced in almost every sector of our society, there is practically no subject relevant to American life which is not relevant to alcoholism."

No segment of American life is wholly free from the problem, directly or indirectly; somewhere it cuts across all our paths and so it has become a common responsibility and a challenge to all.

Let us not turn our backs on the fact that alcoholism has been a national scourge of such proportions in some countries that it has brought on a condition of decadence, followed by national decline. America, let it be noted, holds no monopoly on the problem. Alcoholism is no respecter of national boundaries—its realm is the world-at-large—it plys its damaging work in Africa and south of the Sahara as well as in our own rural areas and effete cafe society. Hollywood may get the headlines because of the antics of its celebrated addictive drinkers but lesser known victims around the globe are struggling with "the demon of the bottle" 'round-the-clock. The problem is not unknown to the United Nations. Human nature in its universality is the target of alcoholism.

It is with a keen sense of my limitations before this limitless subject, but propelled by the unremitting necessity to endeavor to do something constructive about it, that I have drawn up a resolution which, I fervently hope, will mark the beginning of an effort on a national scale to deal adequately with the problem of alcoholism.

The resolution was the logical outcome of my studies on this engrossing subject. I am encouraged to suggest this course of action because of the very splendid work the several States are doing in this field, as well as the outstanding programs of private organizations and agencies.

As I have remarked before, pioneers have broken the trail in this prior social jungle, the way has been marked, much has been accomplished—so much in fact that the Nation would be letting down the movement's pioneers if something were not done at the national level.

The resolution I have the privilege to present calls for the establishment of a commission, comprising members from the executive branch of the Government and the Congress and qualified professional people to make a complete and exhaustive study of alcoholism in all its forms and manifestations with a view to reporting back to the Congress its findings for appropriate action.

As I have indicated, the several States in their programs on alcoholism have pointed the way for future accomplishments. There is need, as I have shown, for education of the public of the true nature of alcoholism, for extended research, for facilities in which rehabilitation may be carried on.

I am satisfied that when such a commission is created and its findings have been brought in and the results made known, this body will be convinced that in authorizing this comprehensive study of alcoholism it will have done one of the most truly constructive and meritorious works in its distinguished history. It is my great hope that a concerted effort to bring the resources of our mighty country to grips with the problems of alcoholism will evolve and finally strike down this terrible cancer of the spirit.

PROPOSED AMENDMENT TO CONSTITUTION RELATING TO REAPPOINTMENT OR RECONFIRMATION OF JUSTICES OF U.S. COURTS

Mr. JOHNSTON of South Carolina. Mr. President, I introduce, for appropriate reference, a joint resolution which proposes an amendment to the U.S. Constitution to provide for the reappointment or reconfirmation each 6 years of justices and judges of the courts of the United States who are now appointed for life terms.

I have a few remarks to make to the Senate in support of this measure. First, I wish to state that there is a great need to halt the march of Federal courts, particularly the Supreme Court, into the legislative field of government. There must be a brake applied to the present trend in courts to supplant justice with psychology, sociology, and ideology. The men in our courts are more and more becoming modern witch doctors of sociology and psychology rather than dispensers of justice and supporters of law.

The most practical approach to this, in my opinion, is to make those who are now securely appointed for life, answerable to the people by means of recurring review. My proposed amendment to the Constitution would require these men to come up, every 6 years, on a staggered basis, so that the entire Court would not be in review at one time, for reappointment or reconfirmation.

Some may think this is a radical departure, but this course was seriously considered by able men who founded this Nation. No less than Thomas Jefferson, himself, strongly supported the position of periodical review of Federal judges and justices.

The first three articles of the Constitution of the United States establish the three respective branches of the tripartite system of Federal Government.

The first two of these articles provide for the legislative and the executive branches respectively, with the third providing for a Federal judicial system. It is noteworthy that while the first two articles are comparatively explicit in the definitions and limitations vested in both the executive and legislative branches, the third of these articles is far less explicit and describes the position and power of the judiciary in vague and general terms.

This article empowers the Congress to ordain and establish, as necessity may dictate, inferior courts within the Federal judiciary, defines the jurisdiction of the court both in its appellate and original aspects, and makes provision for the establishment of judgeships. It is in this latter provision, Mr. President, that we find the language of the article to be most vague, and it is from this vagueness that the uniquely independent and autonomous nature of the Federal judiciary has arisen. The amendment presently being introduced is designed to place, in effect, a limit upon the arbitrary and politically irresponsible behavior of the Federal courts.

In order to understand the existence of a governmental body within the present framework of the Federal system which operates outside the purview of public opinion, either directly or as manifest indirectly by the Congress, one must briefly examine some of the circumstances which surrounded the inception of the Federal judiciary system and attempt to examine these circumstances as they led to a relatively unlimited function of both the Supreme Court and its subsidiary tribunals.

The Federal Convention of 1787 which was called to formulate a Federal Constitution, drew upon many of the respective State constitutions for its inspiration. One of these State constitutions was that of Virginia. The provi-

sions of this constitution were introduced in the Federal Convention of 1787 as the so-called "Virginia plan." This plan, similar to that of other States such as my native State, South Carolina, sets forth a tripartite system of government, with one of the branches being vested with judiciary power.

Mr. President, much debate centered about the means of procurement of judges, their responsibility to the Federal legislative body, and/or the Federal executive. The eventual outcome of these debates led to the now familiar phrasing of the third article which prescribes that "the judges, both of the Supreme and inferior courts, shall hold their offices during good behavior."

As Bates, Alfange, Beard, Smith, and other constitutional authorities have pointed out, the members of the Constitutional Convention, 55 in number, represented to a large extent the conservative interests of established wealth. The major interest of this body of men seems to have been to establish a judiciary which would act as an effective means of limitation or annulment upon the acts of a legislative branch composed of representatives of the popular will.

Having established such a judiciary body largely autonomous and unanswerable to any other authority, it would appear that the choice of justices and judges of such a judiciary system would be made from the ranks of those who reflected the interests of the wealthy conservatives of this era. The alleged necessity of an independent judiciary, that is, a judiciary relatively uninfluenced by political or other extraneous factors, was expounded by Hamilton and others in the Federalist Papers.

However, Hamilton seems to have adopted this attitude purely as a public position in order to placate elements within the population which would have demanded, in all probability, a judiciary system answerable to the will of the people or through their duly elected representatives. Hamilton's notorious contempt for the popular will belies the fact that he or other members of the group were essentially interested in establishing an unbiased, impartial judicial system for the administration of justice in an equitable manner for all the people.

The existence of such a body within a Democratic framework has continued to be a source of debate among constitutional scholars, legislators and jurists, as well as others.

Bound up inherently with the question of an independent judiciary is the concept of judicial review which had developed from an earlier decision rendered in England by Coke in the Bonham case in 1610, in which the famed English jurist asserted that "in many cases the common law will control acts of Parliament and sometimes adjudge them to be utterly void."

This concept of judicial review failed to gain a foothold in England. However, in Colonial America it gained popularity mainly because of its employment in two different sets of circumstances in this country. One of these circumstances consisted of instances wherein State courts had ruled upon the constitutionality of acts and laws of State legislative bodies. The second set of circumstances emanated from a court of appeals that existed as an institution from 1780 adjudicating the disposition of prizes captured at sea and other cases arising under international relations. Thusly, the doctrine of judicial review and its exercise by a Federal Supreme Court came into being.

Thus, Mr. President, the early years of the Supreme Court were devoted to a number of decisions pertinent to the present discussion—notably the Marbury against Madison case—which were attempts to define the proper jurisdiction and power of the Supreme Court. The judiciary act of 1789 had been the enabling act which provided for a Supreme Court and an inferior system of courts with territorial jurisdiction known as circuit and appeals courts.

This act, as Bates pointed out, gave the Supreme Court, by virtue of the theory of judicial review, practically unlimited powers of nullification over acts of Congress, decisions of State courts, and acts of State legislative bodies. In the early 1800's with the rise to power of the forerunner of the Democratic Party under the Presidency of Thomas Jefferson, there were a number of attempts to revitalize the whole question of judicial tenure and place such tenure or limitations thereof among the prerogatives of the legislative and/or the executive branches.

In the Constitutional Convention of 1789, Dickinson, the delegate from Delaware, had attempted, along with others, to insert a provision for tenure of judges within the Constitution. This provision was apparently of a more precise nature than that which eventuated in the third article. President Jefferson was of the opinion that a "better remedy, I think, would be to give future commissions to judges for 6 years with reappointment by the President with the approbation of both Houses."

Mr. President, the provision proposed in my present joint resolution calls for each such justice or judge appointed before or after the ratification of this section shall vacate his office after serving therein for 6 years, or after 6 months have passed following the ratification of this section, whichever period ends later, unless within 6 months before the date on which he would otherwise vacate his office he has been reappointed to such office by the President, by and with the advice and consent of the Senate.

Various legislators from time to time during the next 9 years under the sponsorship of Jefferson's administration introduced amendments of this nature. The most prominent of these amendments was introduced in 1805 by John Randolph, from Virginia. This amendment provided for the removal of judges by the President on the joint address of both Houses of Congress.

All of these bills failed, largely because of the declining powers of the Chief Justice, John Marshall. This decline of power somewhat mitigated the tensions between the executive, legislative, and judicial branches of the Government. From 1803, the year of the Marbury against Madison decision, until 1855, the year of the Dred Scott decision, the Supreme Court did not exercise any powers of nullification vested in its authority by the Judiciary Act of 1789.

Thus, Mr. President, the question of judicial tenure seems to have become dormant and to have been abandoned in its original form until 1937 when, in effect, it seems to have assumed another form in the famous court-packing policies of President Roosevelt. It was here again that a President, representing the will of the popular majority, found himself embroiled, as Jefferson had been, in conflict with a Court consisting of judges whose socio-economic backgrounds predisposed them to an almost unmitigated series of nullifications of socioeconomic reforms which the President and Congress were attempting to bring about under the New Deal.

Resorting to an expedient presented to him somewhat fortuitously, namely, that the majority of the justices of the Supreme Court were approaching the age of 70, Roosevelt fostered a bill providing for a doubling of the number of Supreme Court Justices and a retirement age of 70 for those and subsequent justices on the highest Federal tribunal.

Mr. President, I have briefly reviewed the history of the Supreme Court. I believe the facts indicate clearly that the members of the Federal judiciary periodically should come up for review and reappointment.

These judges and justices are not responsible to the people or anyone else, except for "good behavior," which is a broad and almost undefinable term when dealing with judges. The appointment of Federal judges and justices to life terms is not a democratic process, to say the least, although it does exist under our Constitution.

The vast growing importance of the Federal courts makes it even more imperative today that we correct this situation than it was when Jefferson and others pointed it out.

It stands to reason that the only practicable and possible way to bring democracy to our Federal court structure without endangering its dignity is to bring them up for review and reconfirmation or reappointment every 6 years, as was suggested by Thomas Jefferson and as my proposed constitutional amendment would do.

While we have a division of the peoples' powers in our triumvirate system of Government, only two branches are directly responsible back to the people for application of this power and return to the people for periodic "reappointment" or "reconfirmation." The legislative membership must be reelected periodically as are the President and Vice President in the executive branch; but the court memberships are made for life and ascend a position from which it is virtually impossible to be dislodged by us, the President, or the people, regardless of what they inject into the courts disguised behind the name of justice.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 7) proposing an amendment to the Constitution to provide for the reappointment or reconfirmation each 6 years of justices

and judges of the courts of the United States who are not appointed for prescribed terms, introduced by Mr. JOHNSTON of South Carolina, was received, read twice by its title, and referred to the Committee on the Judiciary.

PRESIDENTIAL ITEM VETO POWERS

Mr. BUSH. Mr. President, on behalf of myself, the Senator from Virginia [Mr. BYRD], and the Senator from Delaware [Mr. WILLIAMS], I submit, for appropriate reference, a concurrent resolution proposing an amendment to the Joint Rules of the House and Senate to give the President item veto powers over appropriation bills and over nonappropriation bills which contain authorizations to borrow money directly from the Treasury.

I am privileged to have the distinguished senior Senator from Virginia [Mr. BYRD] and the Senator from Delaware [Mr. WILLIAMS] as cosponsors of the concurrent resolution.

The PRESIDENT pro tempore. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 1), submitted by Mr. BUSH, for himself and other Senators, was received and referred to the Committee on Rules and Administration, as follows:

Resolved, etc., That, effective on the 1st day of the 2d regular session of the 86th Congress, the joint rule of the Senate and of the House of Representatives contained in section 138 of the Legislative Reorganization Act of 1946 is amended by adding at the end thereof the following new subsection:

"(c) No bill or joint resolution making appropriations or authorizing the borrowing of money directly from the Treasury shall be reported to or considered in either House unless it contains a section which shall read as follows ((1) in the case of any bill (or joint resolution) making an appropriation or (2) in the case of any bill (or joint resolution) authorizing the borrowing of money directly from the Treasury):

"(1) SEC. . When this bill (or joint resolution) shall have been presented to the President as required by section 7 of article I of the Constitution, the President shall have power to disapprove any amount or any provision, whether or not related to an amount, which is contained herein, in the same manner as he may, under said section 7, disapprove as a whole any bill so presented to him. The provisions of said section 7 which relate to reconsideration shall also apply to any amount or provision or part thereof so disapproved to the same extent as they apply to a bill that has been disapproved in its entirety.

"(2) SEC. . When this bill (or joint resolution) shall have been presented to the President as required by section 7 of article I of the Constitution, the President shall have power to disapprove any authorization for borrowing money directly from the Treasury, which is contained herein, in the same manner as he may, under said section 7, disapprove as a whole any bill so presented to him. The provisions of said section 7 which relate to reconsideration shall also apply to any authorization or part thereof so disapproved to the same extent as they apply to a bill that has been disapproved in its entirety."

Mr. BUSH. Mr. President, I ask unanimous consent that the concurrent resolution may lie at the desk until the close of business on Monday next, in order that other Senators may join in sponsorship, if they so desire.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BUSH. I regard the provision of the item veto as one of the steps which must be taken to enable the administration and the Congress to recapture control of the financial affairs of the United States.

The concurrent resolution proposing the item veto represents a reform long overdue. It is one of the steps which must be taken to enable the administration and the Congress to recapture control of the financial affairs of the United States.

I ask unanimous consent to have printed in the RECORD at this point a statement by a former General Counsel of the Treasury, Mr. Elbert B. Tuttle, discussing the constitutionality of proposals to amend the rules so as to give the President the item veto power.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF ELBERT P. TUTTLE, GENERAL COUNSEL OF THE TREASURY DEPARTMENT, ON THE CONSTITUTIONALITY OF THE ITEM VETO, BEFORE A SUBCOMMITTEE ON THE COMMITTEE ON RULES AND ADMINISTRATION, U.S. SENATE, MAY 19, 1953

Mr. Chairman and members of the committee, I appreciate the privilege you have accorded me of appearing here today to discuss the constitutionality of the proposal for giving the President the power to disapprove individual items and provisions in appropriation bills. I consider it an honor that the subcommittee has asked me to express my views.

I understand that the matter specifically under discussion is the constitutionality of a provision proposed as a concurrent resolution which would be an exercise of the rule-making power of the Senate and the House of Representatives requiring that each appropriation measure include an authorization for the President to disapprove individual items or provisions. I will, therefore, limit my remarks to the issue of constitutionality, not touching upon the question of the desirability of the proposal except to indicate here at the outset that the Treasury Department is very much in favor of such a provision if the Congress should see fit to adopt it.

Before beginning my discussion of the constitutional question I would like to say that my years of practice as a lawyer have fostered in me a jealous regard for the Constitution. I could not support or defend any proposal for item veto if I had any doubts concerning its constitutionality. I should like to disclaim in advance any pretensions that I am an expert on a subject on which all of you gentlemen know far more than I will ever know. I refer to the power of the Houses of Congress to make their own rules.

As we all know, article I, section 7, of the Constitution describes in general language the procedure for enacting a bill. Among other things it provides that "every bill which shall have passed the House of Representatives and the Senate, shall * * * be presented to the President * * *; if he approves he shall sign it, but if not he shall return it."

Neither this nor any other provision of the Constitution defines or indicates what shall constitute a bill, however. From the history of the Constitutional Convention it seems clear that the framers of the document meant that details such as this should be entrusted to congressional determination, not embodied in rigid constitutional provisions. In this respect the authority of the Congress is greater than that of the legislatures of many States whose constitutions contain provisions dealing with the form and essential requirements of bills.

But the Constitution does expressly give the two Houses of the Congress the power to determine the rules of their proceedings. The Supreme Court has said that this power to make rules is "absolute and beyond the challenge of any other body or tribunal." In *United States* v. *Ballin* (144 U.S. 1), the Court called attention to the fact that while the Constitution requires the presence of a quorum, it sets up no method of making this determination, and that it is therefore within the power of each House to prescribe any method which would be reasonably certain to ascertain the fact.

Under this explicit provision of the Constitution, then, it seems eminently reasonable that each of the two Houses may prescribe its own rules as to the form and consideration of bills. A bill, after all, is nothing but a vehicle for carrying a proposed law through the legislative process; it is simply a device by which the legislative will is expressed.

I think that clause 6 of rule XXIV of the House is particularly relevant here, because it shows that rules of this character have in fact been adopted. That rule provides that after an omnibus private relief bill has passed the House under certain circumstances "said bill shall be dissolved into the several bills and resolutions of which it is composed." The rule also provides that in the consideration of any omnibus bill the proceedings "shall have the same force and effect as if each Senate and House bill or resolution therein contained or referred to were considered by the House as a separate and distinct bill or resolution." This seems to indicate clearly that the House had no doubt that it could legislatively determine under its own rules what constitutes a "bill." It shows clearly that it is not a novel concept that there can be a "bill" within a "bill," as we ordinarily use that term. Thus, the reference to "bill" in article I, section 7, need not, if the Congress wishes to provide otherwise, mean exclusively the single package presented to the President.

Not only can the Senate and House prescribe their own separate rules of this character, but they can and have made joint rules. In my opinion, they have done this in the statutes which set out the form of enacting or resolving clauses, the form of appropriation act titles, and the procedure for engrossing, enrolling, signing by officers of Congress, and so on. While these joint rules happen to be in the form of statutes, there does not appear to be any reason why they would not be equally effective had they been adopted merely as joint rules.

There cannot be any doubt that the Congress could take each item or provision in an appropriation measure and set it up as a separate bill. If this were done the President would of course have the authority to disapprove each item. Since the result can be achieved by Congress if it desires, and since the Congress has the authority to prescribe by joint rules what it considers a bill, there appears to be no reason why the Congress should have to resort to the cumbersome device of physically separating the items to achieve the desired result. It does not seem reasonable to believe that the framers of the Constitution intended giving the word "bill" such a rigid and limited meaning that the Congress would be required to enact thousands of separate bills rather than one inclusive bill simply to enable the Congress to carry out its own intent with respect to the Executive veto. Surely such a construction of the Constitution would subordinate substance to form.

Article I, section 7, simply means that all legislation which has passed the Congress must, before it becomes law, be presented to the President for his approval. The intent of the Constitution is that legislation shall be a meeting of the minds of the Congress and the Executive—the Congress affirmatively creating the legislation and the President exercising a right of approval or disapproval.

The Constitution has left the method by which this result is to be accomplished largely in the discretion of the Congress. I believe that the method adopted in the proposal before you is clearly within the competence of Congress.

There are not, as you will readily understand from the nature of this subject as I have discussed it, Federal court decisions which supply precedents in our inquiry. I would like to close my remarks, however, by referring to the words of a State court when it dealt with a similar subject. The case is *State* v. *Platt* (2 S. C. 150; 16 Am. Repts. 647), and while it does not of course deal with the Federal Constitution nor with precisely the same issue, I think the views expressed are especially pertinent. I attach a quotation from this decision as an annex to my remarks:

"EXCERPTS FROM STATE *v.* PLATT (2 S.C. 150; 16 AM. REPTS. 647)

"Section 22, article II, of the (South Carolina) constitution, declares that 'every bill or joint resolution which shall have passed the general assembly, except on a question of adjournment, shall, before it becomes a law, be presented to the Governor, and if he approves of it, he shall sign it.'

"There are but two modes of viewing this clause as it regards the present question: Either the term 'bill' is to be regarded as exclusively applicable to the entire enactment as a whole, or else each substantial part thereof is to be regarded as a separate bill, dependent for its force upon its relation to the several stages of legislative and executive action.

* * * * *

"In a technical sense, the term 'bill' is applicable properly to the enactment as a whole. Although the technical sense of words should prevail, where not inconsistent with the clear intent of the instrument, yet when such intent requires that words should be used in the larger sense, it is competent so to regard them. If we should hold that the constitution regards the enactment as a whole, in an exclusive sense, we would be led to the inevitable conclusion that to become a law all the substantial parts of the measure must have together passed through all the requisite stages.

* * * * *

"Forced upon the opposite construction, that every substantial part of a bill is to be regarded as a bill in the sense of the constitution, we find nothing in our way but the technical import of the term 'bill.' It is not easy to perceive why, if any detached part of a statute is a law within the meaning of the Constitution of the United States forbidding States passing laws impairing the obligation of contracts, any part of a bill is not a bill under a clause intended to secure deliberation on the passage of legislative enactments. Such a conclusion is inevitable, if regard is had to the fixed principles governing constitutional construction. The objects had in view, by a constitution of government, are habitually substantial; matters of form are usually left to the legislative body, as subject to change with the progress of ideas and events. The great objects in view, in framing a constitution, are the division and distribution of the powers of Government, the establishment of limits and boundaries beyond which they shall not be exercised, and the creation of an efficient responsibility tending to restrain and furnish the means to correct abuse of public authority. Clauses having for their object the creation of responsibility in the exercise of political functions, are, to a large extent, intended to act upon the motive, either by way of creating inducements for right action, or removing the temptation or opportunity to such abusive exercises. This is, in part, accomplished by fixing the responsibility for all political action in some defined person, or body of persons, by securing deliberation in the performance of public acts, and by ascertaining modes of authentication and action in important cases vitally affecting the welfare of the State. It is obvious that, in construing clauses of this class, substance, rather than form, is to be considered. The object to be secured is to be sought for, not alone in the formal expressions of the constitution, nor yet in the technical character of the means employed to secure its ends, but, in the nature of the subject, intended to be acted upon through such means. In a word, the language of the constitution, in such cases, is to be construed in the largest sense fairly attributable to it, and that will best subserve the objects it has in view."

ADDITIONAL CLERICAL ASSISTANT FOR COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. JOHNSTON of South Carolina submitted the following resolution (S. Res. 7), which was referred to the Committee on Post Office and Civil Service:

Resolved, That the Committee on Post Office and Civil Service is authorized, from February 1, 1959, through January 31, 1960, to employ one additional clerical assistant to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with the provisions of Public Law 4, 80th Congress, approved February 19, 1947, as amended.

INVESTIGATION OF CERTAIN MATTERS WITHIN JURISDICTION OF COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. JOHNSTON of South Carolina submitted the following resolution (S. Res. 8), which was referred to the Committee on Post Office and Civil Service.

Resolved, That the Committee on Post Office and Civil Service, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) the administration by the Post Office Department of the postal service, particularly with respect to (a) research and development, (b) quality and frequency of mail service rendered the public, and (c) postal policy;

(2) the desirability of the acquisition by the Post Office Department of the equipment and facilities of the Railway Express Agency;

(3) the effect of postage rate increases on business enterprises and on the national economy generally;

(4) a group medical and hospitalization program for Federal employees; and

(5) the administration of the Federal employee group life insurance program by the Civil Service Commission.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $90,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

MARY A. FORD—REFERENCE OF BILL TO COURT OF CLAIMS

Mr. CARLSON submitted the following resolution (S. Res. 9); which was referred to the Committee on the Judiciary:

Resolved, That the bill (S. 819) entitled "A bill for the relief of Mary A. Ford," now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. LANGER submitted the following resolution (S. Res. 10); which was referred to the Committee on Rules and Administration:

Resolved, That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) striking out subparagraphs 10 through 13 in paragraph (h) of section (1);

(2) striking out subparagraphs 16 through 19 in paragraph (l) of section (1); and

(3) inserting in section (1) after paragraph (o) the following new paragraph:

"(p) Committee on Veterans' Affairs, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pensions of all wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care, and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life."

SEC. 2. Effective for the remainder of the Eighty-fifth Congress, section (4) of rule XXV of the Standing Rules of the Senate is amended to read as follows:

"(4) (a) Each Senator shall serve on two standing committees and no more; except that not to exceed twenty-one Senators of the majority party, and not to exceed nine Senators of the minority party, who are members of the Committee on the District of Columbia, the Committee on Government Operations, the Committee on Post Office and Civil Service, or the Committee on Veterans' Affairs may serve on three standing committees and no more.

"(b) In the event that during the Eighty-fifth Congress members of one party in the Senate are replaced by members of the other party, the thirty third-committee assignments shall in such event be distributed in accordance with the following table:

"Senate seats		Third-committee assignments	
Majority	Minority	Majority	Minority
48	48	23	7
49	47	21	9
50	46	19	11
51	45	17	13"

SEC. 3. Effective at the beginning of the Eighty-sixth Congress, section (4) of rule XXV of the Standing Rules of the Senate is amended to read as follows:

"(4) Each Senator shall serve on two standing committees and no more; except that not to exceed nineteen Senators of the majority party, and not to exceed seven Senators of the minority party, who are members of the Committee on the District of Columbia, Committee on Government Operations, the Committee on Post Office and Civil Service, or the Committee on Veterans' Affairs may serve on three standing committees and no more."

SEC. 4. The Committee on Veterans' Affairs is authorized and directed as promptly as feasible after its appointment and organization to confer with the Committee on Finance and the Committee on Labor and Public Welfare for the purpose of determining what disposition should be made of proposed legislation, messages, petitions, memorials, and other matters theretofore referred to the Committee on Finance and the Committee on Labor and Public Welfare during the Eighty-fifth Congress which are within the jurisdiction of the Committee on Veterans' Affairs.

INVESTIGATION OF CERTAIN MATTERS PERTAINING TO PUBLIC AND PRIVATE HOUSING

Mr. SPARKMAN (for himself and Mr. CAPEHART) submitted the following resolution (S. Res. 11), which was referred to the Committee on Banking and Currency:

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to public and private housing.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $114,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

PROPOSED AMENDMENT TO RULE XXV

Mr. MAGNUSON. Mr. President, I send to the desk an amendment in the nature of a resolution to the pending resolution, which amendment would amend rule XXV of the "Standing Rules of the Senate" so as to create a Committee on Veterans' Affairs.

I ask, as a parliamentary inquiry, whether the proposed amendment, if not acted upon during the course of debate on the Johnson resolution, would be referred to the Committee on Rules and Administration for its consideration.

The PRESIDENT pro tempore. The Parliamentarian advises the Chair that in order to make the proposed amendment in order on the Johnson resolution, notice in writing under rule XL would have to be given. If the proposed amendment were submitted as a separate resolution, it would be referred to the Committee on Rules and Administration.

Mr. MAGNUSON. I submit the resolution and ask that it be referred to the Committee on Rules and Administration.

There being no objection, the resolution (S. Res. 12) was referred to the Committee on Rules and Administration, as follows:

Resolved, That rule XXV of the "Standing Rules of the Senate" (relating to standing committees) is amended by—

(1) striking out subparagraphs 10 through 13 in paragraph (h) of section (1);

(2) striking out subparagraphs 16 through 19 in paragraph (l) of section (1); and

(3) inserting in section (1) after paragraph (o) the following new paragraph;

"(p) Committee on Veterans' Affairs, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pensions of all wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care, and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life."

SEC. 2. Effective for the remainder of the 85th Congress, section (4) of rule XXV of the Standing Rules of the Senate is amended to read as follows:

"(4) (a) Each Senator shall serve on two standing committees and no more; except that not to exceed 21 Senators of the majority party, and not to exceed 9 Senators of the minority party, who are members of the Committee on the District of Columbia, the Committee on Government Operations, the Committee on Post Office and Civil Service, or the Committee on Veterans' Affairs may serve on three standing committees and no more.

"(b) In the event that during the 85th Congress members of one party in the Senate are replaced by members of the other party, the thirty third-committee assignments shall in such event be distributed in accordance with the following table:

"Senate seats		Third-committee assignments	
Majority	Minority	Majority	Minority
48	48	23	7
49	47	21	9
50	46	19	11
51	45	17	13"

SEC. 3. Effective at the beginning of the 86th Congress, section (4) of rule XXV of the Standing Rules of the Senate is amended to read as follows:

"(4) Each Senator shall serve on two standing committees and no more; except that not to exceed 19 Senators of the majority party, and not to exceed 7 Senators of the minority party, who are members of the Committee on the District of Columbia, the Committee on Government Operations, the Committee on Post Office and Civil Service, or the Committee on Veterans' Affairs may serve on three standing committees and no more."

SEC. 4. The Committee on Veterans' Affairs is authorized and directed as promptly as feasible after its appointment and organization to confer with the Committee on Finance and the Committee on Labor and Public Welfare for the purpose of determining what disposition should be made of proposed legislation, messages, petitions, memorials, and other matters theretofore referred to the Committee on Finance and the Committee on Labor and Public Welfare during the 85th Congress which are within the jurisdiction of the Committee on Veterans' Affairs.

AMENDMENT OF RULES—AMENDMENTS

Mr. RUSSELL submitted an amendment, intended to be proposed by him to the resolution (S. Res. 5) amending rules XXII and XXXIII of the Standing Rules of the Senate, which was ordered to lie on the table and to be printed.

Mr. CASE of New Jersey submitted an amendment, intended to be proposed by him to Senate Resolution 5, supra, which was ordered to lie on the table and to be printed.

Mr. JAVITS submitted an amendment, intended to be proposed by him to Senate Resolution 5, supra, which was ordered to lie on the table and to be printed.

Mr. DOUGLAS (for himself, Mr. HUMPHREY, Mr. JAVITS, Mr. CASE of New Jersey, Mr. MORSE, Mr. KUCHEL, Mr. HENNINGS, Mr. SCOTT, Mr. CLARK, Mr. KEATING, Mr. MCNAMARA, Mr. NEUBERGER, Mr. HART, and Mr. MCCARTHY), submitted an amendment, intended to be proposed by them, jointly, to Senate Resolution 5, supra, which was ordered to lie on the table and to be printed.

Mr. CASE of South Dakota submitted an amendment, intended to be proposed by him to Senate Resolution 5, supra, which was ordered to lie on the table and to be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. BYRD of Virginia:

Address delivered by him in Chicago, Ill., on December 11, 1958, before the Illinois Manufacturers' Association.

DAVIS ELKINS, OF WEST VIRGINIA

Mr. DIRKSEN. Mr. President, a very distinguished West Virginia pioneer and statesman passed away this week. His name is Davis Elkins. His is a remarkable family. His father was a U.S. Senator. Davis Elkins himself was a U.S. Senator. In addition his father-in-law was a U.S. Senator; and his wife has been an active participant in Republican politics, and on several occasions was a candidate for the House of Representatives from a West Virginia district.

Davis Elkins was a pioneer in developing the resources of his State, and he was a great civic-minded leader. Among other things, he was the donor of Davis-Elkins College, which is under Presbyterian sponsorship; and he had a great war record, not only in the Spanish-American War, but also in World War I.

Mr. President, I ask unanimous consent to have printed in the RECORD, as a part of my remarks, a brief statement on Davis Elkins.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

FORMER SENATOR DAVIS ELKINS

Former U.S. Senator Davis Elkins of West Virginia died today from an extended illness. Death came in his sleep at a hospital in Richmond, Va., where he had been a patient.

With the death of Senator Elkins there passed from the industrial scene of West Virginia one of the last of a long list of pioneers in the development of much of the natural wealth of the State. The former U.S. Senator Stephen B. Elkins, father of Davis Elkins, had collaborated with former U.S. Senator Henry Gassaway Davis, his father-in-law, in processing and marketing timber and coal and in building many of the original railroads of the State.

It was from the late Stephen B. Elkins that the city of Elkins received its name.

Senator Elkins is survived by his widow, three children and six grandchildren. His children are Mrs. Charles J. Kelly (Katherine) of New York City; Davis Elkins, Jr., of Elkins, W. Va., and Mrs. A. Thomas Zirpolo (Maureen) of Cleveland, Ohio.

The family has been active in Republican politics in West Virginia and the Nation for three-quarters of a century.

Davis Elkins was born in Washington, D.C., in 1876 while his father was serving as a Delegate in the U.S. Congress representing the Territory of New Mexico. His mother, the former Hallie Davis, daughter of the then U.S. Senator Henry Gassaway Davis, met and married his father when he came to Washington as a congressional Delegate.

He attended Lawrenceville, N.J., preparatory school; Phillips Academy, Andover, Mass., and Harvard University.

He was a veteran of the Spanish-American War, having served as a first lieutenant with Company E of the First West Virginia Volunteer Infantry. He reentered the active service of his country during World War I and served as a major in Europe. It was during his service in the Army that he was elected to the U.S. Senate from West Virginia in November of 1918. He did not seek reelection at the conclusion of his term in 1925.

Upon leaving the U.S. Senate, Senator Elkins undertook the active management of his coal and timber holdings, principally in northern West Virgina. He actively pursued this interest until his retirement due to ill health several years ago.

He had helped shape the Republican Party activities at the end of World War I and had played an important role in the party's financing during the period from 1920 until his health no longer permitted his active participation.

It was upon this withdrawal from a leading role that his wife, Mary R. Elkins, began to represent him in active participation on the political stage and was sent from their home congressional district in West Virginia as a delegate to the 1952 Republican National Convention. Following that Mrs. Elkins was twice a candidate for Congress in the Second District.

The Elkins family has been one of the political and social leaders in the Nation since Stephen B. Elkins came to Washington in the 1870's. During the period of Davis Elkins' business career in West Virginia, he also maintained a home in Washington and most of the Nation's political leaders were frequent guests with him and his family.

The Davis and Elkins College in Elkins, W. Va., was an original joint gift to the Presbyterian Church by the two families who had lived in and developed that part of the State. Their original homes still serve as dormitories on the campus of the school.

Funeral arrangements are incomplete, but the body will be interred in the family plot at Elkins.

ADDRESS BY THE POSTMASTER GENERAL BEFORE THE 63D CONGRESS OF AMERICAN INDUSTRY OF THE NATIONAL ASSOCIATION OF MANUFACTURERS

Mr. DIRKSEN. Mr. President, on December 5, 1958, the Honorable Arthur E. Summerfield, the Postmaster General, delivered an address at the 63d Congress of American Industry by the National Association of Manufacturers, in New York City. His address has been widely acclaimed for its courageous approach to some of our more difficult and controversial problems, and I believe it merits much wider currency through the CONGRESSIONAL RECORD. Therefore, I ask unanimous consent that it be printed in the RECORD as a part of my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TEXT OF ADDRESS BY THE POSTMASTER GENERAL OF THE UNITED STATES BEFORE THE 63D CONGRESS OF AMERICAN INDUSTRY OF THE NATIONAL ASSOCIATION OF MANUFACTURERS, WALDORF-ASTORIA HOTEL IN NEW YORK CITY, ON DECEMBER 5, 1958

It is not easy for me to put into words the pleasure and sense of challenge that I feel in appearing before this distinguished audience. But I do find it easy to say this—I feel very much at home. For here I meet men whose philosophy of government is the same as that which I hold—men who practice the sound economic concepts that I have struggled all my life to advance—leaders of our incomparably productive capitalistic system, the system on which the future of our country, the well-being of our people, depend.

I realize that few groups in America are better informed on our country's problems than this group. That being so, tonight, at the close of your 63d Annual Congress, I shall not lay new facts before you. On the contrary, I want you to consider for a moment with me some familiar facts, but facts that are all too often forgotten, or ignored.

MAJOR NATIONAL PROBLEMS

As President Lightner emphasized in his keynote speech, the major problems facing our Nation today are not technological or material. Rather, they are problems in human relationships.

As I see them, they are these:

First. How to maintain peace and national safety in a troubled world.

Second. How to promote the well-being and growth of our economy.

Third. How to make sure that our Government will continue to serve all of our people and not merely the special interest groups who seek to dominate its policies.

All of these problems are political. Indeed, they constitute the principal basis of the political controversies of our times. And more than that, they are interrelated.

It is my hope that the solutions I propose will make sense to America's businessmen as being economically sound, politically feasible, and in the best interest of all the American people. And I am quite sure that these solutions which I propose have the strong support of a great many able, dedicated members of both political parties.

SECURITY AND WORLD PEACE

Let me turn, first, to the most important one of them all—the problem of national security and world peace.

Here I want to quote two statements. First this one:

"We declare war upon you. We will win over the United States. * * * We are relentless in this and will prove the superiority of our system."

Then, this one:

"We will bury you."

These quotations, as you know, are Soviet in origin. They put us on notice that we are today at war. We are warned that the American way of life, the free way of life, is slated for extinction.

We must not discount the Soviet's firmness of purpose—their diabolical desire for world mastery—the grimness of their determination to destroy all that we value in life.

The Soviets mean what they say. We can expect them to act accordingly.

With you, I pray to God that the unfolding events of coming years will not visit again upon our Nation and people, and upon the millions who with us treasure liberty, the holocaust of another global conflict.

This we know for certain: The next war, should it ever come will be tremendously destructive.

Yet, despite this appalling possibility, my confidence in the security of our country and in our capacity to maintain peace has never wavered.

Here is why.

LAUDS ADMINISTRATION OFFICIALS

Looking to the next 2 years, I see still managing the Nation's foreign affairs, two of the finest and ablest men I have ever known or can ever expect to know—Dwight D. Eisenhower and John Foster Dulles.

And while we pay proper tribute here to a great President and a great Secretary of State, let us not forget that looming ever larger on the scene of world affairs is the figure of the President's next in command—the ablest, best equipped, and hardest working Vice President ever to serve the people of this Republic—RICHARD NIXON.

These are truly great men and the Communists know it.

The Reds admired Ike in war. They respect him in peace.

They have had many opportunities to know Foster Dulles' great talents in negotiation, and they have seen his mettle tested and proven under fire.

The Soviets and their enslaved millions have seen these extraordinary Americans in action—men with steel in their spines—men who face them down in tests of power—in Indochina—in Iran—in Guatemala—in Lebanon—in Quemoy, and Matsu.

Nor will the Reds ever forget the magnificent conduct of our Vice President in South America.

The Reds already have a good idea, I believe, of what forlorn results they will likely achieve if things are allowed to get too testy in Berlin.

AMERICANISM NOT BRINKMANSHIP

Some call this brinkmanship. I call it courageous Americanism.

The Reds now know that America will stand firm in the face of force or bluster.

They know that we will hold to principle.

They know that we will not truckle to an international bully.

They know that, under our present leadership, we will unflinchingly stand for the right in world affairs.

Those, my friends, are solid grounds for confidence in the continuance of world peace.

And this, I believe everyone should understand.

If ever the Soviet madmen should unleash an attack upon this Nation, the combined striking powers of our military forces will retaliate within the instant with crushing, irresistible force—leaving their heartland devastated—an eternal monument to the stupidity of their leaders and to the utter futility of war.

No one knows better than the Soviet leaders themselves that by waging war they can only destroy themselves. That plain, inescapable fact leads me to be confident of the continuance of peace. Even a Communist will not deliberately seek his own and his nation's destruction.

Looking to the immediate future, I see no reason for greater difficulty in world affairs because our Government happens to be politically divided. Americans do not divide on Americanism.

CONTINUE FIGHT FOR PEACE

Our course of action must consist of a tireless pursuit of a lasting peace; continuation of efforts to win a trustworthy disarmament; persistent development of the peaceful uses of the atom; steadiness in the face of force combined with a steadfast refusal to renege on principle; a constant strengthening of our vital alliances such at NATO, SEATO, and the Organization of American States; unswerving support of the United Nations; and here at home, so long as hostile forces are arrayed against this citadel of freedom, the continued maintenance of a solid and secure economy and the world's most powerful military force.

Yes, we can and we have every right to be confident of America's future in the world.

Now, let me turn to our second problem, which concerns affairs at home.

KEEP FREE ENTERPRISE HEALTHY

I am certain we have every right to expect that the business leadership of America which is so well represented here tonight, will keep our free enterprise system vital and expanding. Only thus can we extend and perfect our national defenses, checkmate the Soviet menace, and satisfy the rightful aspirations of Americans for further improvements in their material welfare.

But to do this, America requires a sound economic pholosophy, and sound policies firmly based on that philosophy.

What is that philosophy?

It was best expressed, I believe, when President Eisenhower said that America should be conservative when it comes to economic matters and liberal in dealing with human wants and aspirations.

This means that the Federal Government will discharge every legitimate obligation to its citizens—and I emphasize that word "legitimate"—but that it will do this within the framework of a responsible fiscal policy—with a concern not just to today's problem, but with an eye to tomorrow's problems as well—and with a solemn determination to reject any proposal that would socialize our trade and industry, or expand the Federal Government at the expense of State and local governments.

This philosophy does not seek political advantage by attempting to dig a gulf between the people and the business activities on which they depend for their livelihood and well-being.

It precludes promising the people more and more benefits and services to be paid for in the false coin of inflation.

It opposes policies which, under the guise of social progress, would hamper and harass the industrial and business activities which provide the wherewithal for social progress.

This is the political philosophy of greater opportunity for every American and the realization of his legitimate aspirations for himself and his children.

That is the political philosophy that I firmly believe the people of America will choose, once they come to understand that the true road to the realization of their hopes lies in the vigor and unlimited potential of their free enterprise economy.

Therefore, the initial step in the solution of the second problem I mentioned—the problem of promoting maximum well-being and economic growth—is to sell this philosophy and to eliminate the fantastic idea that there is a conflict betweeen the interests of the people and the industrial and business system from which they make their living.

The time has come—and let me warn you that the hour is late—for the American business community to marshal its forces in a carefully organized and boldly executed plan to accomplish this result.

To promote the well-being and growth of our economy it will be necessary to deal frankly and courageously with the factors which inhibit it.

THREAT OF INFLATION

There are two principal factors I want to talk about:

One is inflation; the other is onerous taxation.

They go hand in hand. When they exist in large degree there can never be enduring strength.

There is nothing mysterious about the causes of inflation.

It comes about sometimes because of an excess of spending.

This is the familiar case of too much money chasing after too few goods.

This can be private spending that goes far beyond private income; or it can be public spending that goes far beyond the revenues of Government.

To avoid inflation, we must keep our own private financial affairs in order and we must avoid abuse and misuse of private credit.

SOUND FEDERAL FISCAL POLICIES

But, we must also keep the financial affairs of Government in order.

Through sensible and courageous fiscal policy we must block the reckless plans for Federal spending that would create deficits, even when our economy is going at full blast, and which would feed endlessly the fires of inflation.

We are well out of the recession of this past year. Our recovery has been rapid and healthy. This is due to the steadfast refusal of the administration to accept the spending schemes that were being proposed less than a year ago.

The wild spending proposals that are being rumored for introduction before this coming Congress constitute a reckless tampering with our recovery. If this Congress doesn't meddle with the economy, 1959 should see it reach a higher plateau than it has ever yet attained.

The economic philosophy of the administration of which I am proud to be a member, has no room for the red-ink spending plans of which you will hear a great deal in the not-too-distant future.

If Congress had listened to our proposals, my own department would be out of the red and no longer chargeable with a share in the national deficit.

We expect the support of the American business community in the fight we propose to make against all forms of financial recklessness.

But there is another cause of inflation and it is all the more dangerous because it is less well understood.

UNION SPONSORED WAGE-PRICE SPIRAL

It is found in the demands of union bosses—the new monopolists—for wage increases not warranted by productivity gains.

Such demands raise production costs and push prices upward.

A combination of these two forces—a pull from the side of demand, reinforced by reckless Federal spending programs and a push from wage increases that outrun productivity gains, forced on American business by union bosses with monopolistic power—is the perfect formula for inflation.

What is to be done about wage increases that outrun productivity gains?

Whatever else is done, I am sure of this: We will make very little progress in eliminating this cause of inflation until it is better understood by the public generally and by the wage earners of America in particular.

Americans must understand that even those who get this kind of wage increase do not really benefit.

The price side of the wage-price spiral promptly catches up with them. And meanwhile, tens of millions of consumers who can least afford it have had their purchasing power cut.

These are the people on fixed incomes or whose incomes are slow to rise in response to inflationary pressures—pensioners, social security recipients, beneficiaries of life insurance policies, school teachers, clergymen, Government workers, and salaried employees generally.

All of these are robbed by inflation of part of the purchasing power they have every right to count on.

Lost purchasing power means fewer productive jobs.

To prevent the extension of these inflationary wage increases we need legislation to restore democracy and responsibility in our labor unions, to curb the present powers of the union dictators, and no less necessary in the public interest to redress the balance of power as between unions and management.

URGE ANTITRUST APPLIED TO UNION

The principle of antitrust should be applied to this labor boss monopoly.

Such legislation is not antiunion. Nor is it antilabor.

The cause of labor and of unionism will benefit by the application of proper checks and balances, just as the business community and the entire Nation benefited by laws which put a limit on the exercise of corporate power and prevented business organizations from taking advantage of one another and of the public.

Our third problem is to make sure our Government will continue to serve all of our people and not merely special interest groups.

I am certain that the President will once again propose corrective legislation to the Congress to protect our working people and businessmen, large and small, from exploitation by unscrupulous and corrupt union bosses.

I fervently hope that the Congress will rise to its responsibility of meeting the real requirements of the situation.

I say the American people will not again be fooled by the Congress trying to pass a milktoast bill, like the Kennedy-Ives bill.

Surely no thoughtful American can have listened to the revelations of the McClellan committee without realizing that the Government has very urgent legislative work to do in this field.

I feel the imperative necessity for a clean-up of labor racketeering.

WOULD CURB UNION-POLITICAL MACHINES

I feel no less deeply about the political onrush of the organized part of American labor, gathered up in phalanx, its millions of dollars and thousands of trained political manipulators drawn up in battle formation to seize control over our governmental processes.

It is reported that more than half of the Congressmen just elected are the beneficiaries of organized labor support, financial or otherwise.

This union success merely whets the bosses' appetite for a greater conquest in 1960, as it whets their appetites for legislative rewards to be ground out between now and then.

My friends, there was no victory, last November 4, for the Democrat Party as such.

Like the Republican Party, the Democrats have no full-time precinct workers, no full-time organizers, no nationwide slush fund amounting to millions of dollars with which to elect favorite sons, no means by which to discipline nonconformists, no way to extract dues dollars for the support of whomever the bosses pick.

But union bosses have these weapons, and it is these union bosses with the help of the Democrat Party, who won that fateful Tuesday a month ago—not the Democrat Party with the help of labor.

Americans will watch with fascinated interest these next 2 years as the minions of this rampaging political combine move to reward their masters.

FEARS LABOR-BOSSED CONGRESS

The bald truth is that America today teeters on the precipice of a labor-bossed Congress—not Congress under either of the present political parties as they have been known through the years. This means that the Congress will not be guided by the traditional principles of either party.

I know of no time in our country's history when the forces of intelligent conservatism have been in greater danger of obliteration.

Nor has there been a time when this Government by, for, and of all the people has been in greater danger of becoming by, for, and of a minority—not simply a minority of the American people, mind you, but a small minority even of our total working force.

Right here I want to express myself as clearly as I can on a phase of this matter that I consider of the utmost importance.

I think it is high time that the American people demand that the political activity of organized labor be brought within reasonable bounds, and clearly governed by law—just as the political activity of all other individuals and groups in this Nation are governed by law.

I think it is absolutely un-American for labor bosses to be permitted to spend union dues in political efforts that are often in direct opposition to what the dues-paying union member himself wants.

This must be corrected by law.

If it is not, the march of political affairs in our country is easily predictable. There will be no escaping Government dominated by a militant group of labor union bosses.

Now I want to repeat an extremely fundamental point.

There are those who assert that any remark critical of any activity of organized labor is antiunion in spirit and purpose.

This is demagoguery at its very worst.

Abuse in labor is just as bad for the workingman as any other abuse in our system.

I say that the best interests of America's working people and of the labor movement as a whole will be served by these badly needed reforms I have here proposed.

Yet, in the face of all this, many businessmen believe that politics and business do not mix. Today, politics and business, just as politics and labor, are inseparable—and the businessmen of our country, by holding back from active participation in politics, are only contributing to the destruction of the way of life in which they believe and on which they depend.

PUT SOUND GOVERNMENT BEFORE PEOPLE

I dare to hope that this gathering will mark the beginning of a planned and vigorously implemented effort to put the philosophy of constructive government clearly before the American people and back into the legislative halls of our State and National Governments.

Sound political leadership, beginning with the President, must have the understanding and active support of those who want sound government.

Little can be accomplished by legislators who place the public interest above group interests if, on election day, they go down to defeat because of lack of support from responsible citizens.

Those who want sound government cannot leave political activity entirely to others, either at campaign time or between campaigns.

Businessmen, especially, because of their knowledge of our economy, and their intimate awareness of the dangers of fallacious economic policies, must become active participants in political affairs.

BUSINESSMEN MUST TELL ECONOMIC STORY

They must seize every opportunity to acquaint their employees, their associates, their neighbors in the community, and their civic leaders with the truth about economic growth and about inflation and its causes.

They must understand that the political party of their choice is what they make it—either by their participation or lack of participation in its affairs and in its choice of candidates for office.

Unless businessmen devote more of their time and effort and organizing ability—as well as their money—to unselfish politics directed to the greatest common good, government by pressure groups will continue to grow.

Only by doing this can we be sure that the Government will serve all the people—not some special interest.

Candidates hand-picked by union bosses and elected by the campaign activities directed by union bosses will come to dominate the Halls of Congress and, heaven forbid, eventually perhaps the White House itself.

It has been made all too evident by union bosses what kind of policies we could expect from such a Government.

There would be heightened pressures for inflation all along the line and whatever economic expansion we would get would be through the investment of Government money or credit rather than through private enterprise.

This brings me back to the other factor which militates against our economic well-being and growth: taxation.

Excessive taxation interferes with our economic growth just as surely as does a dollar whose value tomorrow is doubted.

It interferes with the continuous private savings and investment of capital.

It is the savings and investment of all of us, and of our fathers and grandfathers, that have built our country into the productive marvel it is today. It is our continued savings and the savings of our children that will keep it that way and make it grow.

Thus are the means provided to create and develop new products, to install new and more efficient machines, to exploit the boundless scientific advances which are within our grasp.

For the most part, this capital must be private capital, accumulated and invested by individual citizens or retained from the earnings of business enterprises.

And we cannot have a vigorously growing economy within the framework of traditional American institutions unless we give greater incentives to private investment.

How are these obstacles to be removed?

RESPONSIBLE TAX REFORM

We must do this by thoughtful, responsible tax reduction and reform.

We must all recognize that our present tax structure is seriously outdated.

It is a set of laws reflecting largely the prejudices and emergencies of the past, especially of World War II, when the goal was the confiscation of war profits, not the building of a sound peacetime economy.

There is nothing to prevent our making plans now for a step-by-step program of progress toward a tax system more conducive to economic growth and improvement, and the effective initiation of this program should be timed with the improved Federal fiscal position that we can confidently expect in the very near future.

The present administration has a demonstrated record of success in tax reform and reduction.

The Revenue Act of 1954 was one of the most fundamental revisions of our tax structure ever undertaken. The time has come to plan for another bold and imaginative breakthrough on tax policy that will benefit and encourage all taxpayers, large and small.

This is not the place to go into details, but the major outlines of the needed reforms are clear.

We need a lower total Federal tax burden.

INCENTIVES OF TAX REFORM

We need schedules of personal and business tax rates that will give greater incentives to all Americans—individual and corporate—to work, to save, and to invest.

We need greater flexibility in the tax treatment of depreciation to encourage the rapid rate of investment in new machines and facilities on which an expanding economy and rising levels of living depend.

We need a simpler excise system. It is inconceivable that anyone could endorse the present haphazard conglomeration of varying excise rates on different products.

The time has come for this Nation to pledge itself to a program for achieving a tax structure more conducive to economic growth and rising levels of living for all Americans.

In the absence of such a program, the American people as a whole are hurt through having fewer job opportunities than would otherwise be available;

The progress of our society is hurt because we fail to produce the abundance that we would otherwise have for human betterment;

The Nation's safety is endangered by failing to achieve the rate of industrial growth of which we are capable; and

The fiscal position of our Government is hurt by losing the additional revenues which a lively, more rapidly expanding economy would produce.

And I dare remind you that Russia is already challenging American industry for our

export trade. Her capacity to produce is presently growing substantially faster than America's—an estimated 8 percent for the past year, as compared to our recent 1.2 percent.

If these rates remain unchanged, Russia's total production can equal or surpass ours during the next 20 years.

It requires little imagination to contemplate what would have happened to the American economy were this to come to pass.

This does not need to happen. It is not inevitable.

It is, however, an important part of a challenge confronting us today.

THE CHALLENGE TO AMERICA

In conclusion, then, the thoughts I would leave with you are these:

First. We must keep our strength both military and economic in the face of our avowed enemy.

Second. We can do this only through maintaining economic well-being and continued growth.

Third. This requires a stable dollar, achieved in the main through provident Government financing along with control of pressures on prices caused by the insatiable and reckless wage and political demands of a few union labor bosses.

Fourth. Private savings, private investment, private initiative, and above all, private incentive, made us what we are today. We must strengthen these forces in American life by incentive—restoring tax reduction and tax reform. Let no one be deceived into thinking that State investment and State planning are worthwhile substitutes.

Finally, this is a time for all good Americans to join with our President and our responsible leaders in a program to successfully meet these challenges.

That, to my mind, is the essence of political leadership and necessary to the security and well-being of America.

It is also the essence of true liberalism—the kind of liberalism which knows that the strength and glory of our Nation is the strength and glory of free men organizing and conducting their lives in freedom, and which seeks to spread the life of freedom to all the peoples of the world.

There is our challenge, my friends—let us not merely face it together.

Rather, let us go out and work to meet it with all our hearts; so that our America will stay strong and free both for ourselves and our children who too deserve to know a land of liberty and opportunity.

SETTLEMENT OF AMERICAN AIRLINES STRIKE

Mr. MONRONEY. Mr. President, I am happy to announce, on the advice of Mr. Leverett Edwards, of the United States Mediation Service, that an agreement has been reached between American Airlines and the pilots' negotiating committee on all phases of their disagreement, that the language of the agreement has been nine-tenths drafted and approved by both the airline and the pilots, and that only one-tenth remains to be written.

This means that, subject to the approval of the executive council, which will meet tomorrow, the airline will again be in operation. It seems to me that Mr. Edwards deserves a great deal of credit for the diligent and sustained effort he has made to solve this labor dispute. Both the Pilots' Association and the officials of American Airlines also deserve much credit for bringing into compromise the elements of disagreement.

Furthermore, the many thousands of other employees of American Airlines who have been furloughed and who have been without work since January 4, will rejoice in this return-to-work movement, as will also the citizens of hundreds of cities throughout the country who have been greatly inconvenienced and subjected to a loss of major transportation facilities by the shutdown.

MY MARATHON TALK WITH RUSSIA'S BOSS

Mr. MANSFIELD. Mr. President, one of the historic events of 1958 was the 8-hour conference between the distinguished senior Senator from Minnesota [Mr. HUMPHREY] and the secretary of the Communist Party and Premier of the Soviet Union, Mr. Khrushchev.

A very good report of the conference is contained in the January 12, 1959, issue of Life magazine. I believe we will hear a great deal about the results of this conference in the months and years ahead. I ask unanimous consent that the article may be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MY MARATHON TALK WITH RUSSIA'S BOSS

(By Senator HUBERT H. HUMPHREY, of Minnesota)

My guess would be that the two people in all the world who were most surprised by the extraordinary length and nature of my talk with Nikita S. Khrushchev in the Kremlin last December 1 were HUMPHREY and Khrushchev. As a U.S. Senator visiting Moscow on business that concerned both our governments, and also because I have as much curiosity as the next man, I had requested an appointment with the Premier of the U.S.S.R. But I did not count on it and I am sure that Khrushchev had no idea when he decided to receive me that we would be together in his office for 8 hours and 25 minutes—a longer period, I am told, than any other American has spent at one time with a Soviet chief of state.

It was long enough, certainly, for this interesting, powerful, and dangerous man to reveal himself in many moods. Khrushchev's eyes were damp when he spoke of a son who was killed in the last World War. They gleamed in sentimental remembrance when he recalled the poverty of his boyhood, his Christian upbringing and his turn to atheism. They narrowed, sharpened, and seemed to burn when he shook a forefinger in my face and said, "Don't you threaten me." Khrushchev eloquently denounced racial and religious prejudice, but he sneered at my country's concern for the freedom of the people of West Berlin. He pleaded for more understanding of the Communist system, but he derided the best known tenet of Marxist dogma: "From each according to his abilities, to each according to his needs."

A SENSE OF NATIONAL INSECURITY

Khrushchev tried at times to frighten me with his reports of Soviet advances in the development of missiles and hydrogen bombs, but at another moment he assured me that there will never be a war of his making. He spoke with intense confidence and pride of the growing economic and military might of his country. But he displayed, though, of course he never acknowledged, a deep sense of national insecurity and inferiority.

Without minimizing the importance of my talk with Khrushchev, I wish to make it clear that it was not at all the reason for my trip to Europe. My chief business in Moscow and in the seven other capitals I visited was to further international cooperation in medical research for the good of people everywhere. At Geneva I participated briefly as a Senate observer in the United States-Soviet negotiations on the suspension of nuclear tests and the prevention of surprise attack. Before going to Moscow I visited Berlin for the specific purpose of stating, on the spot, that all Americans stand together in their determination to keep West Berlin free. During my 7 days in Moscow, I spent much more time with the leaders of research in medicine, health, and agriculture than with politicians. Mrs. Humphrey, who traveled with me at our expense, broadened our nonpolitical experience by separate visits to schools, hospitals, and libraries, and on our Sunday in Moscow we did what we would have done at home: we went to church.

Partisan politics played no part in our trip. Otherwise I would have taken along a good Democrat as my staff assistant. The only assistant who accompanied me was a Republican, Julius N. Cahn, the able project director of the Senate Committee on Government Operations. (Dr. Michael Shimkin, of the National Cancer Institute, was also along for part of the time as a medical consultant). As for my meeting with Premier Khrushchev, I realize that some people might misunderstand my motives in talking with the world's No. 1 Communist and reporting what he had to say. I am confident, however, that most Americans understand that anything which adds to our knowledge of the man and the mind at the summit of Soviet power is valuable information for the free world. My record as a working anti-Communist in Minnesota goes back more than 20 years, and I noticed with interest that Khrushchev had been accurately briefed on my Senate record. Throughout our conversation he treated me as a confirmed anti-Communist who was obviously beyond persuasion. And, all of that aside, I have never believed that I was put on earth to lead a dull life.

At 2:30 p.m. on December 1, one of the officials handling my appointments suddenly told me that "the first minister" expected to receive me at 3 o'clock. In a matter of minutes, I was at the Kremlin with two official escorts and an intourist photographer. We walked at least 150 feet down a tremendous, carpeted corridor on the second floor, then another 100 feet or so along a similar corridor to our right, and entered the outer office of the Premier's suite.

INSIDE KHRUSHCHEV'S OFFICE

At 3 minutes to 3 o'clock I was ushered into Khrushchev's office. It appeared to be some 50 feet long by 35 feet wide, big but not particularly ornate or impressive. Khrushchev was seated at a very plain desk of dark wood, measuring perhaps 6 by 4 feet, just about the size of my desk in Washington. As he got up and walked around the desk to meet me with his hand outstretched, I could see that he was well groomed in a dark blue suit, a light tie, a white shirt with simple cuff links, and two small decorations in the form of red stars on his jacket lapel. After we had greeted each other he asked if I would mind having a few photographs taken. The Soviet photographers ordered Khrushchev and me around just as they would have done in Washington, and I said something to the effect that photographers were the same everywhere—always one more. Khrushchev laughed and asked me to pose for one more with him.

A long conference table with nine chairs on each side stood at right angles to the center of Khrushchev's desk, with about 4 feet between the desk and the near end of the table. Khrushchev motioned me to a chair at the side of this table, near the desk, and sat down opposite me. The very skillful interpreter Oleg Troyanovsky took a seat

between us at the end of the table and we got down to business.

Troyanovsky, who is a son of the former Soviet Ambassador in Washington, was a very important figure to me for the next 8 hours. He had lived and gone to school in the United States and he seemed to know every shading of American idiom and its Russian equivalent. He even had the Russian word for "lousy." Khrushchev often talked for up to 5 minutes at a time, but Troyanovsky took notes and never lost the track. He was so skillful and unobtrusive that I felt as if Khrushchev and I were talking without a go-between. Even though Khrushchev did not speak a word of English, I suspected that he understood some things I said before they were translated, and from his tone and mannerism I often got his drift before I heard the English version. At least three time during the conversation I asked Troyanovsky if I was overstaying my welcome, and he said to leave that to Khrushchev: "If he wants you to go he will let you know." When Troyanovsky finally mentioned my qualms to Khrushchev, he waved his hands and said, "Nyet, nyet, stay—we have much to talk about." And it was Troyanovsky who supplied me with paper and a pencil to take notes. I took none during the first hour and a half, figuring that Khrushchev might be offended or talk less freely if I did. When I finally asked if it would be all right he said, "Of course, take all you wish," and Troyanovsky gave me a tablet of heavy paper. When I left, I had 24 pages of notes.

The substance of our discussion may have more meaning if I first describe the impression Khrushchev made on me.

Nikita Khrushchev is a serious figure, never to be taken lightly. He laughed, cracked jokes and had a way of veering suddenly from the gravest topics with a quick jest or some soothing banality. But there was always a serious undertone. I got the feeling that Khrushchev is a man with no time to waste.

He is very conscious of his age. He remarked several times that he is 65, adding that he "won't be around forever." (He observed that Chancellor Konrad Adenauer, who is 83, can hardly be conducting West Germany's affairs much longer.) Khrushchev did not "talk old." He was brimming with life. But it was interesting that he should bring up the matter of age as often as he did. As always, he probably was making a point. In this instance I think his point was that the next man in charge of Soviet policy may not be as reasonable as Khrushchev professes to be, and therefore Western leaders had better come to terms with him.

Khrushchev is an outgoing man who just loves to talk. He seems to be under a driving compulsion to explain himself, and when he explains himself he reveals himself. I am sure that I learned much more from him and about him by coming back at his points with points of my own—points that he had to meet and discuss—than I would have learned if I had made some abrupt rejoinder. Here, I believe, is a cue for our Government and allies. We will never settle the world's problems just by talking with Khrushchev, but we cannot lose by it and we may learn something useful.

I have mentioned Khrushchev's many assertions of pride and confidence in the power of the Soviet Union and the sense of insecurity and inferiority that can also be detected in him. These two characteristics are not as contradictory as they may seem. Khrushchev reminded me of somebody who has risen from poverty and weakness to wealth and power but is never wholly confident of himself and his new status. Khrushchev was a little too assertive, a little too confident. Here, I concluded, was a man who might be capable of attempting just about anything in order to prove—to himself as well as to others—that he and his country are as strong and invincible as he wants to believe they are.

As a politician, I found one of Khrushchev's characteristics particularly engaging. He, too, is a politician who seems to enjoy the great game of politics. His game is played in a very limited circle of a few hundred or perhaps a few score Communists in the top ranks. But he talked with apparently genuine delight of the way in which (to hear him tell it) he had outwitted Molotov, Zhukov, Bulganin, Kaganovich, Malenkov, and others whom he has publicly denounced as "antiparty" scoundrels. Stalin would probably have had them killed, and I do not doubt that Khrushchev would do the same if he figured he had to and could get by with it. But, listening to his off-record account of his recent maneuvers for power, I got a distinct impression that Khrushchev enjoys the party infighting. I gathered that he would rather outtalk and outsmart his opponents than exile or liquidate them. He gives you the idea that his way is more fun.

During the early part of our talk, before things warmed up, Khrushchev sat well back in his chair—relaxed, not disinterested, but detached. When we got to subjects of immediate interest to him, he sat up, leaned forward, and occasionally emphasized his remarks with a pointed finger or a tap on the felt cover of the table. I am sure that at times he was utterly furious. But he never once pounded the table or so much as slapped it. He never spoke in a tone of anger. In an emotional moment his voice, normally a conversational monotone, might take on what I can only describe as a kind of rounded force, full and resonant. Or it might sharpen and rise (still without obvious anger), and he would speak in a rather staccato manner. When I replied with what I hope was courteous firmness, he invariably moderated his tone and often changed the subject.

Besides his words, Premier Khrushchev talked a great deal with his eyes. They appeared to be a kind of bluish hazel, just a shade this side of brown. They were sharp eyes, but I would not call them "hard." Most of the time they were wide open, almost as if they were distended. When Khrushchev was enjoying himself—maybe kidding someone or recalling his political bouts—they had a happy sparkle. In moments of great intensity, however, his brows would furrow and his eyes would narrow. I saw then what is meant by "burning eyes."

We were together a good hour and a half before Khrushchev displayed much emotion of any sort. I did most of the talking in this period. It has long been my belief that despite the political differences between the United States and the Soviet Union there are many areas of nonpolitical cooperation that are open to our governments and people. I urged him to take a personal interest in these subjects. My chief emphasis was upon the great need and opportunity for international cooperation in medical research—for example, jointly combating cancer and heart disease—the approach that I call "health for peace." Khrushchev agreed (or professed to agree) with practically everything that I had to say on this vital subject. Among other things, he said the Soviet Union will give enthusiastic support to my proposal that the U.N. sponsor a worldwide International Public Health and Medical Research Year, probably in 1961, somewhat similar to the successful International Geophysical Year. He also promised to do his powerful best at the Moscow end to remove bureaucratic and political obstructions in the way of the cultural exchange program that the Soviet and American governments agreed upon a full year ago. With frequent ejaculations of "Da, da, da," Khrushchev indicated that he believes as strongly as I do that both our countries stand to benefit from the maximum exchange of visitors and knowledge.

This aspect of our discussion was much more important than the limited space given it here suggests. Just before we parted, our talk returned to the matter of collaboration in medical research, and Khrushchev again assured me of his interest and agreement. Whatever may come of it, I made a good try in a good cause.

Khrushchev's enthusiasm on this subject seemed to be genuine. Obviously, however, it was the restrained enthusiasm of a man who is discussing things that he normally leaves to other people. It was only when we took up the subjects of greatest interest to him—Berlin, nuclear armaments, and trade—that he really warmed up.

Khrushchev's evident desire to have his full say on these subjects was, I believe, one of two main reasons that our talk ran as long as it did. The other reason was indicated in his reply to my statement that on everything except medical cooperation I was in Moscow unofficially, as an individual who did not speak for the American Government or even for the Democratic Party. "I know that you do not decide these affairs," Khrushchev answered, "but you will play a part. You are a member of the Democratic majority and a member of the Senate Foreign Relations Committee." He knew all about the Democratic victory in the last elections, and I suspect that any other member of the enlarged Senate majority would have been welcomed as cordially as I was. A third reason for the length of our discussion may have been simply that there was much to talk about. Certainly I was not bored and Khrushchev clearly wanted me to stay for a dinner that had not been planned.

Before quoting the passage that best indicates Khrushchev's mood on Berlin, I wish to make it completely clear that his remarks neither frightened me nor altered my conviction that the United States and its allies can preserve free Berlin without war if they define a sound position and maintain it without wavering. With this said, I quote Khrushchev:

"Now the three powers want to maintain troops in Berlin, but why? Your troops in Berlin are of no importance unless you want to make war. Why do you maintain this thorn? A free city, a free Berlin, could lead to the breaking of the ice between the U.S.S.R. and the U.S.A."

He became very firm and his voice rose as he continued: "Some of your military men have made stupid statements lately, statements to the effect that the United States will break through with tanks if the East German Republic tries to get in the way. The Soviets have tanks, too, lots of them, and I warn you that we will use them. We have rockets, too, and we don't even have to fire them from East Germany. We can send them from the U.S.S.R. So don't threaten me by talking about breaking through with tanks. Might does not make right. Right makes might. The military argument is no answer. Our troops are not the ones to play cards, our tanks are not there to show you the way to Berlin. We mean business. Unless there is an agreement satisfactory to the Soviet Union, the Soviet Union will carry through as it has suggested."

To Khrushchev it clearly was intolerable that thousands of American, British, and French troops should be based in Berlin, in the heart of a Communist country. "It is a bone in my throat," he said, and I am sure that he meant it.

It was during this part of the discussion that Khrushchev jabbed his forefinger at me and said several times (in reference to the

United States, of course), "Don't you threaten me." But it was said in a tone of restrained emotion, not of bluster, and a little later Khrushchev was also saying, "I have the deepest respect for President Eisenhower, I like President Eisenhower. We want no evil to the United States or to free Berlin. You must assure the President of this."

KHRUSHCHEV'S CHILBLAIN TREATMENT

When Khrushchev made this kind of switch, I thought of my late father-in-law in South Dakota and the way he treated chilblains. He put his feet first in cold water, then in hot water. I was getting the Communist chilblain treatment from Dr. Khrushchev.

Next to Berlin, the topic that appeared to concern Khrushchev most was nuclear armament. Reviewing all that he said about it, I judge that he wanted to convey three principal points: (1) the Soviet Union now has a superabundance of atomic and hydrogen bombs of all sizes, and the missiles to deliver them anywhere it chooses; (2) the Soviet Union seriously wants an agreement to suspend further tests of nuclear weapons and may make some concessions in order to get it; and (3) the Soviet Union has no intention of agreeing to anything that will restrict its ability to deliver surprise attacks.

The subject of nuclear weapons came up in connection with the current United States-Soviet negotiations at Geneva on the suspension of tests and the prevention of surprise attack.

Khruchchev said that he was troubled by the American offer to suspend tests for a year while a permanent agreement is being worked out. "Whom are you trying to fool?" he said. "You know that it takes almost a year to set up a new series of tests. Your proposal is no proposal at all. It is a fraud." I explained that this part of our proposal was a demonstration of good faith, a show of willingness to proceed on trust until a satisfactory control system is evolved. He did not appear to be convinced. But he said that he agreed, and had already instructed his delegation, that a single document should cover both the agreement to suspend in principle and the controls adopted to enforce suspension—an important concession, in my view.

The American suggestion that a certain number of tests for peaceful purposes be exempted from any suspension agreement also bothered Khrushchev. He repeated the familiar argument that all nuclear tests have some military value and said with much emphasis that he preferred "no explosions at all." But if some had to be allowed in order to reach an agreement, "your side and our side must have an equal number." This was one of many indications that equality with the United States in all things—and American acceptance of the Soviet Union as an equal—is of great importance to Khrushchev. "Look how you always put us in the minority," he complained at another point, referring to the Soviet position in the U.N. "If anything is to be accomplished, there must be agreement between the Great Powers."

In a similar vein, he implied that the United States should be discussing questions of outer space directly with the Soviet Union instead of raising them in the U.N. "So now," Khrushchev said, "the United States discusses outer space with Guatemala—but Guatemala does not seem to be too advanced in outer-space science."

I repeat that the Soviet Union cannot always expect to have its own way. Cooperation requires concessions and adjustments. "You give a formidable reply," Khrushchev said, "but what can we do? We have made many proposals to make a start on agreements with the United States, but they are always rejected."

He dismissed the Geneva negotiations on surprise attack with the accusation that the United States was merely seeking military intelligence and had no real desire for an agreement. "Your delegation has only one purpose: to spy on the Soviet Union," he said. When I answered that the Soviet Union was "too suspicious," he dropped the subject.

Talking about the Soviet Union's wealth in nuclear bombs, Khrushchev said it had so many that he was thinking of diverting some fissionable materials to industrial uses. At this point he told me about the now famous five-megaton bomb. "I am going to tell you a secret," he said. In his most serious tone he then said that Soviet scientists had recently developed "a 5-million-ton bomb" using less than one-tenth of the fissionable material that previously would have been required to produce an explosion of this magnitude.

"That is very interesting," I said, indicating to Khrushchev that I was not overly impressed.

I knew enough about the subject to realize that his reference to the amount of material used in the bomb was more significant than the explosive capacity he claimed. He was suggesting that the Soviet Union has a superbomb that can be carried in a relatively small warhead.

Khrushchev led with equal skill into his other big "secret," his 8,700-mile missile. The discussion had shifted from bombs to trade, and he explained rather loftily that the Soviet Union has no need to buy military weapons or materials from the United States. Suddenly he laughed and said, as if making a great joke, "Maybe we ought to have competition on rockets." Watching me carefully, he continued, "You know, we are having trouble testing our intercontinental ballistic missiles. They shoot too far. Now you Americans, you have lots of space to shoot your rockets, but we are short of space."

"Well," I said, going along with his mood, "if you are having all this trouble, we will be glad to test your rockets for you." "Nothing doing," he replied. Only Soviet technicians could run his rockets. Then he got to his point: "You know, I will tell you something that you do not know and your government doesn't know. We have a new one that we haven't been able to test adequately. We have to test it in stages." He then said that it was a missile with a range of 14,000 kilometers (8,700 miles). His reference to testing it "in stages" may have meant that it had not actually been fired the full distance. I did not ask.

When he proceeded to rib me on the general superiority in weapons that he claimed for the Soviet Union, I told him flatly that we were fully satisfied with ours, too.

Khrushchev brought his argument for expanded trade and economic rather than military competition between the Soviet Union and the Western Powers into most of the situations we discussed. Why not compete economically instead of through NATO? Why not substitute economic competition for the present conflict over Berlin? "Let's test our mutual strength by economic competition," he said again and again.

Naturally, I am all for economic competition—but only so long as it does not weaken the Western economic and military alliance. Khrushchev would like to see the United States slacken its military defenses, and he would like to see the NATO alliance crumble and split, in the delusion that trade and his brand of economic competition would make military precautions unnecessary. I trust that nobody falls for this line, but I was interested in the persistence and skill with which he pursued it.

If I do say so, one of my replies was also interesting. I told him that a lot of young and vigorous Democrats, fellows who made me look like an old man (I'm 47), were coming up and that things would be very different after the 1960 elections. "Mr. Premier," I said, "you and your system have been living on borrowed time. You have just had it easy with the Republicans. Just wait until the Democrats come in. You want economic competition? We'll run you right out of Gorki Park."

"I welcome it," Khrushchev said, smiling as if I had made a joke. We were both in good humor at the time, but I was not joking.

One of the few subjects that Khrushchev was reluctant to discuss was Communist China and his government's relations with it. When I edged up to the subject he said, "Nyet, nyet. You are a subtle man, you are trying to trap me into talking about China. They are our allies, our good relations," and here he stopped. I then said that without getting him "into the ally business," I'd like to ask just one question: what did he thinks of the new communes, the centers of compulsory communal living that Mao Tse-tung was forcing upon China? With this, Khrushchev made possibly the most interesting statement of the whole interview.

"They are old-fashioned, they are reactionary," he said of the communes. "We tried that right after the revolution. It just doesn't work. That system is not nearly so good as the state farms and the collective farms.

"You know, Senator, what those communes are based on? They are based on that principle, 'From each according to his abilities, to each according to his needs.' You know that won't work. You can't get production without incentive."

I felt as if I were about to fall out of my chair. Here was the leader of world communism rejecting the very core of Marxist theory. It was as if I, a life-long Christian, had said that the Golden Rule just would not work.

"That is rather capitalistic," I commented, speaking of his reference to the need for incentive.

"Call it what you will," Khrushchev replied. "It works."

Shortly afterward the Peking government announced that the further spread of the commune system was being slowed down.

A HINT OF COMING EVENTS

Khrushchev called another shot without naming the target. He said that he intended to diminish the secret police forces and reduce the numbers of Soviet policemen in the Kremlin and elsewhere. "There are going to be significant changes in the police," he said. A few days later I read that Gen. Ivan A. Serov, chief of state security, who was thought to be one of Khrushchev's closest supporters, had been removed.

The gulf between Khrushchev and me was never wider than when we got into a debate over the nature of capitalism and socialism (meaning Soviet communism). Our argument forcefully reminded me that we need more anti-Communist Americans who can talk the language of Marxism with Marxists. Certainly I am going to review my early reading of Marx and Engels before I return to the Soviet Union (as I hope to do). As it was, Khrushchev and I were talking different political languages. I told him that he was sadly misinformed as to how American capitalism really works and he told me Americans "just plain don't understand us." His remark included a remarkable statement of the Communist idea of freedom:

"In the U.S.S.R. there is freedom," Khrushchev said. "In the capitalist world there is freedom of enterprise, freedom just to take care of yourself. In the U.S.S.R. freedom means every member taking care of all the others. The citizen of the U.S.S.R. regards the country's welfare as his own welfare. This needs to be understood. As a religious man believes in God, so does a citizen of a Socialist country depend on the welfare of the country as a whole. You

believe in God and you believe that your welfare is really in the hands of God. We believe the individual's welfare is the welfare of the state and is in the hands of the state."

Khrushchev spoke with varying degrees of approval of several prominent Americans. When I referred to President Eisenhower as a man of integrity, Khrushchev agreed: "He is a very honest man who wants peace." Ex-President Truman got a mixed and oddly familiar mention: "I did not like Truman, I did not like Truman's policies, but Truman did make decisions." The newspaper reports that Adlai Stevenson and Walter Lippmann wrote after interviewing Khrushchev were "the best of the worst." Even a recent speech by Vice President NIXON came in for warm approval: Khrushchev thought the Vice President's call upon the West to put more effort into economic competition with the Soviet Union was just fine.

Khrushchev spoke of Secretary of State Dulles with bitterness and disdain. "I am sorry that the policies of the United States are made by Dulles," Khrushchev said. "He is a man of a very special kind of character. This is your own internal matter, but that is not only my view. Throughout the whole world he is regarded in the same way. It is not just I who do not like Mr. Dulles. If you don't think so, read the British press and the French press and the press of other countries. However I will tell you that the Soviet Union will survive. We have survived many secretaries of state."

At one point Khrushchev characterized Mr. Dulles as "imperialist" and "warlike," and I sharply disagreed. If that were so, I said, President Eisenhower would not have him as his Secretary of State and the people wouldn't have him, either. "Let us hear no more of this," I said, and we heard no more of it.

Khrushchev once ticked me off in somewhat the same fashion. We had been talking about colonialism and I remarked that, after all, Americans were "the original anti-colonials."

"We will not speak of this, we may disagree," Khrushchev said.

Khrushchev used some of his harshest language—but in a tone of gleeful good humor—when he discussed President Eisenhower's rejection last July of a request for credits to finance Soviet purchases of consumer goods in the United States. Khrushchev said that in our propaganda we had been telling the Soviet people how badly off they were and how sorry Americans were for them, and that he "just got tired of it." So he wrote a personal letter to President Eisenhower, requesting the credits. Khrushchev continued that he was delighted when the President rejected the request. "You helped me," he said. "You showed my people that you did not really care about them. You walked right into it. You were stupid, you were fools!"

He then recalled that Peter the Great had been very grateful to King Charles XII of Sweden for defeating the Russian armies time after time in the 18th century. Peter, finally forced to modernize his armies in order to defeat the Swedes, later felt that Charles had done him a great favor. The United States, Khrushchev implied, had done the Soviet Union the same kind of favor with its embargoes and other restrictions by "compelling us to depend on our own resources."

We had been talking without pause for 4 hours, when, at 7, Khrushchev said, "Let's go to the toilet." During this interlude, while Khrushchev was in the private dressing quarters that adjoin his office, I said to Troyanovsky that "I have been here far too long," but the interpreter said I should not leave unless Khrushchev suggested it. Instead of bidding me goodby, Khrushchev proposed that we have a snack in the office and continue our talk. "We will be like you Americans, off the record," he said. That was my cue to stop taking notes, and we talked for the next 3 hours with the understanding that what was said would not be reported. However, nothing of great moment was lost to history. Berlin and Geneva negotiations were never once mentioned, for example.

It was obvious from the scurrying of office aides and waiters that no meal had been planned. We proceeded from small sandwiches of bologna, cheese, and crabmeat through caviar and fresh fruits to broiled slices of beef and a fowl I never did identify. Khrushchev had told me earlier that he had kidney trouble, and during dinner he drank only mineral water, tea, and one small glass of Armenian brandy. I had mineral water, coffee, and a single glass of brandy.

At around 9 o'clock I remarked that I had met Anastas Mikoyan at a diplomatic reception, and Khrushchev said a talk with him about trade and economic competition would be good for me. Thereupon he pressed a button on his desk. When nobody responded, he pressed another button. An aide who appeared from the outer office was told to find Mikoyan. A few moments later he reported that the deputy premier was on the way from his home. I judged from this sequence of button work that Khrushchev expects Mikoyan and presumably other Soviet ministers to be around at any hour, and that when they are in their offices he summons them by buzzer.

Mikoyan arrived within 15 minutes and for another 2 hours the three of us carried on the same sort of discussion that I have already reported. The hands of the clock on the office wall pointed to 11:25 when Mikoyan stood up and said, "I am tired. It is time to go home." As far as I could tell when I said goodby to Nikita Khrushchev he would have been good for another 8 hours if his deputy minister had not broken up the party.

INAUGURAL ADDRESS BY HON. GAYLORD NELSON, GOVERNOR OF WISCONSIN

Mr. PROXMIRE. Mr. President, on Monday, January 5, a new Democratic administration took office in Wisconsin. For the first time in 25 years my State elected a Democratic Governor. As a citizen of Wisconsin, as well as a Democrat, I am very proud of the unusual ability of the newly elected constitutional officers in my State.

The new Governor of Wisconsin, Gaylord Nelson, has already demonstrated a high degree of intelligence, imagination, idealism, and aggressiveness as a 10-year member of the State Senate. I am convinced, Mr. President, that Governor Nelson is destined to become not only one of the finest Governors of Wisconsin's history, but one of the outstanding chief executives in this country.

As an indication of the remarkable competency of the new chief executive of my State, I ask unanimous consent that the superb inaugural address which he delivered on January 5 in the State Capitol at Madison be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

On this 5th day of January, 1959, I am happy to greet all of you—friends, neighbors, and good citizens of Wisconsin. I appreciate the great honor you have conferred upon me and I assure you in all humility that I am keenly aware of the responsibility that goes with that honor. I must confess to you, however, that I am really ill prepared with words to express my feelings adequately.

I am here today to speak briefly about the future—the future of Wisconsin and its citizens. But first may I say to those who supported me—I shall work hard to justify your confidence. To those who were disappointed in the outcome I give my assurance that this administration will work unceasingly to promote the welfare of all the people of Wisconsin. No group, large or small, will be favored over any other.

In almost every formal speech on important occasions the speaker likes to tell us that we now stand at some great crossroads. The direction we take, he informs us, will determine the fate of mankind for all time to come. This kind of speechmaking has been going on for many centuries. Strangely, if not humorously, each of our speakers knows the crossroad to take but no two of them agree on which one it must be.

Perhaps each is partly right in his own way. There is no single, simple solution to all of our problems. Furthermore, solutions today become outmoded customs tomorrow. No matter how hard we strive, the affairs of society refuse to be settled with any reasonable degree of finality. Where we have one problem today, we will have two tomorrow. The test of survival for any attempt to advance representative government is how well it meets the challenge of the changing times and the profusion of problems that go with it. This means more than just passively drifting with the forces of change. It means positive creative adaptation to that change. It means utilization of this force to promote the well-being of our citizens. We have it in our power to formulate our purpose and determine our direction.

We live in a dangerous age. In strategic areas of the world the democratic ideals to which we are dedicated are under relentless attack. Many of the problems associated with that struggle are beyond the reach of State government. But it is equally true that the sound and progressive resolution of issues on the State, county, and local levels will go far toward strengthening the inner fortress of freedom. Certainly history confirms the conclusion that a single State, our own State of Wisconsin, made tremendous contributions toward fortifying the social and economic foundations of American life, and thus helped immeasurably to prepare us to withstand the assaults against our way of life over the past quarter century.

Nor does the threat to democracy come wholly from outside our borders. These words of the late Robert Marion La Follette Sr., are amazingly appropriate today:

"We have long rested comfortably in this country upon the assumption that because our form of Government was democratic, it was therefore automatically producing democratic results. Now, there is nothing mysteriously potent about the forms and names of democratic institutions that should make them self-operative. Tyranny and oppression are just as possible under democratic forms as under any other. We are slow to realize that democracy is a life; and involves continual struggle. It is only as those of every generation who love democracy resist with all their might the encroachments of its enemies that the ideals of representative government can even be nearly approximated."

To these words of the late Robert Marion La Follette, Sr., I would add that political leadership in our system must accept the responsibility to lead. It must respond swiftly and decisively to combat any form of tyranny and oppression. Affirmatively, it must help formulate the purpose, point the direction, and propose the program that will translate the aspirations of our people into reality. This is easy when the cause is popular—difficult when it is not. I hope for the courage to make those hard decisions which distinguish responsible leadership from irresponsible demagoguery.

I do not wish to suggest here that we now stand at one of those mythical crossroads of the future—but I will say to you that we are at a significant moment in our history. The decisions we make now, the actions we take tomorrow and the next day, will permanently affect the welfare of our State and its people. For many reasons there is more urgency in our situation today than at any other time in this century.

Some of the problems we face are of our own making, but many more are the natural outgrowth of an economic, industrial, and cultural revolution which has virtually engulfed us in the past 25 years. Moreover, this revolution, which has set a pace too fast for us to accommodate it, continues to increase its tempo month by month and year by year.

Every year more children enter our schools. Each fall more girls and boys show up at our college doors. Not only are the numbers greater, but the percentage who demand the opportunity increases every year. We must build the buildings, pay the teachers, and help finance the students.

The number, size, and speed of our automobiles has outmoded the highways and congested our city streets.

The rapid growth and expansion of our metropolitan areas has thrown cities, villages, towns, and counties into confusion and conflict.

Advances in science have given us better insight to the problems of mental illness and its treatment. Because of this very fact we face more pressing and justifiable demands for more money, more intensive treatment, and better facilities.

More people and more leisure have put an ever-increasing burden upon our recreation resources. We need more parks and playgrounds, more wetlands, more streams, and more careful husbanding of our wilderness areas.

This is but a fleeting mention of a few of our problems. It gives us just a glimpse of the scope and magnitude of the issue before us.

Unfortunately, we are handicapped in meeting our problems by archaic governmental structures at both the State and local level.

If we are to have the tools for effective action we must bring modern methods and efficient organization to our governmental units.

Another problem, quite as serious as any other, doggedly plagues us at every turn. It is not only a question of how many more dollars we need to provide essential services but, far more puzzling and provocative, where will the dollars come from? This issue will be faced sooner or later whether we like it or not. I propose that we face it now.

We must face this issue head on in two ways. First, by a comprehensive analysis and revision of our tax structure; second, by a vigorous promotion and encouragement of economic growth and industrial expansion. In the long pull our hopes and plans for raising the necessary dollars without increasing taxes too sharply will depend upon our rate of economic growth. Here is our area of hope for the most fruitful effort.

In the meantime, we still face the immediate problem of paying for critically needed services out of a revenue structure producing insufficient dollars.

We can close our eyes but the problem will not go away. To those who would neglect our schools, our colleges, and public welfare activities and institutions, our highways and conservation resources, I say this—you spend more money on cigarettes, liquor, cosmetics, and other luxuries than the total cost of your State government. If we have not completely lost our sense of values in the fast pace of this modern world, then the question in its proper perspective is really this—are you willing to give up a few personal luxuries in exchange for a creative investment in our future?

While the issues I have discussed here speak loudly for the necessity of bold action, I shall not seek action for the sake of motion or change for the sake of doing something different. Rather, I simply suggest that we can reflect with Lincoln that "The dogmas of the quiet past are inadequate to the story present. We must think anew and act anew."

To meet our problems I shall, in the course of time, make a series of important proposals for action by the Legislature. They will be made in a nonpartisan spirit, and I am hopeful they will be weighed and considered in the same spirit. The major problem areas I have mentioned today are nonpartisan in character. While we all may have differences over the approach to a solution, our differences, I hope, will be on the merits arising from honest individual conviction.

I would ask only two things of the citizens of Wisconsin: When you believe we are right, support us; when you believe we are wrong, oppose us; but let us all have a free and open discussion of our problems so that we can work toward an honest adjustment of our differences without sacrifice of principles. This is the key to every successful democratic society the world has known.

In these requests I ask no more of my political opponents than of my friends. If each of you will support our proposals as far as your own conscience carries you and halt opposition at the border of mere partisanship, the gain will be great for the citizens of our State.

An exciting and challenging future lies before us. The decisions made this year will provide the impetus for the progress of the future or the chains that will shackle us to the dogmas of the quiet past.

I can think of no better expression of our situation than the words written by Franklin D. Roosevelt before his death: "The only limit to our realization of tomorrow will be our doubts of today. Let us move forward with a strong and active faith."

This is the note on which I would end—that we move forward with a strong and active faith to build today for a better tomorrow. Working together—you who have elected us and we who have been elected—we can make Wisconsin once again the proud pioneer in the quest for a more abundant and more significant life for all our people, whatever their race or color or creed. This is the goal to which I am dedicated as I assume the office of Governor of Wisconsin.

RULE XXII

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an excellent editorial entitled "Rule XXII," which was published in the Evening Star of Wednesday, January 7, 1959.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

The most important issue which will have to be faced at the outset of the 86th Congress, opening today, is concerned with the fate of something known as Senate rule XXII—the so-called filibuster rule.

At stake are two sections of this rule. One, on the theory that the Senate is a continuing body, provides that its rules carry over from one Congress to the next, and that debate on a proposal to change the rules cannot be limited. The other section provides that debate on any proposal except a rules change can be limited only if two-thirds of all the Members vote for such action.

Thus, at the outset, the "liberal" Senators are faced with two problems. Unless there is some kind of compromise, they must wear out a filibuster against a proposal to change rule XXII, or they must find some hitherto undiscovered parliamentary device for getting around it. Then, assuming that the unlimited debate phase of the rule is changed, they must persuade the Senate to adopt a modified cloture, or debate limitation, rule.

As a practical matter, the choice probably will come down to a decision between the positions taken by Majority Leader LYNDON JOHNSON and Senator PAUL DOUGLAS, of Illinois. Senator JOHNSON favors a change by which cloture could be invoked by two-thirds of the Senators actually present and voting. The Douglas proposal, in the last analysis, would permit cloture by a simple majority vote. As between the two, we think Senator JOHNSON's plan is greatly to be preferred.

The Senators who support the Douglas plan say that they are doing so in the interests of securing civil rights. No doubt they are sincere. But there are at least two good reasons for looking with grave misgiving on their approach.

One is that this majority rule formula is a two-edged sword. Today it may cut through procedural obstructions to what a liberal majority thinks of as desirable civil rights laws—laws designed to improve the lot of minority groups. But rule by a majority of one, can be, and often has been, an instrument of oppression. Furthermore, the political coloration of majorities is subject to change. If in the future the reactionaries should get control of the Senate, we suspect that the liberal Senators, and the minority population groups, would take a very dim view of simple majority rule.

The second and perhaps more important reason has to do with the nature of the immediate objectives of the rule changers. They believe and they probably are right that, given simple majority rule, they can pass much tougher legislation directed against resistance in the South to integration and other civil rights measures. For our part, we doubt that such tough legislation would be wise or desirable. It is one thing to pass tough laws which may have a vote-getting appeal outside the South. It is something else to enforce those laws without violent upheavals which, in the long run, could do much harm to the legitimate objectives of a civil rights program.

It may be undemocratic, un-American, or what have you, to argue, in today's circumstances, against majority rule. Nevertheless we hope that the Senate will not let itself be stampeded or pressured into accepting a simple majority limitation on debate—a change which could plague this country for a long time to come.

AMENDMENT OF THE RULES

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that further proceeding under the call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, will the Chair state the pending business?

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, Senate Resolution 5.

The Senate resumed the consideration of the resolution (S. Res. 5) proposing to amend Senate rules XXII and XXXII.

Mr. JOHNSON of Texas. Mr. President, I am prepared to vote on Senate Resolution 5. In the Senate we have discussed a proposed rule change every year for several years. It has been 10 years since rule XXII was revised.

I am informed some of my colleagues desire to deliberate in private before concluding just what course will be followed in connection with certain amendments. I am also informed many Senators would like to be free this evening to attend certain meetings they have arranged. But I am hopeful the Senate can proceed with dispatch on this very important matter and try to resolve it.

We have followed a rather circuitous route thus far. We have acknowledged that some rules exist, and contended that some do not. We have exercised points of order under rule XL, and required my resolution, Senate Resolution 5, to go over 1 day. Then the next day some Senators contended there were no rules at all.

What Senate Resolution 5 does is very plain, it is very simple, and everyone can understand it. It says cloture shall be applied and can be invoked as to any rule change—and that meets one serious criticism of the rule. It says that the constitutional two-thirds vote now required shall be changed to two-thirds of those present and voting. That is very clear. It provides that the Senate rules shall continue from one Congress to another. That is simple.

Committees have given days, weeks, and months of hearings to this matter. I think every Senator knows how he is going to vote, and has known since he came here. There have been great pressures attempted to be applied on certain persons, trying to get them to embrace a certain philosophy. I have been in the Senate for more than 10 years. I have not seen any votes changed except as a result of discussion and debate and committee consideration.

I hope those who really earnestly and genuinely desire relief under rule XXII, instead of having it as an issue, will come to the floor and discuss the subject, and that we shall not have to waste time with quorum calls. We can continue the session into the evening. Senators can offer any amendments they wish to offer. Any time any Senator desires to have Senate Resolution 5 amended he can accomplish that, if he can get a majority of his colleagues to vote with him. I believe we can get a vote on the resolution. I think we can vote on it today, if those who oppose it are willing to have a vote, or on any substitutes they desire to submit.

I am prepared to enter into a unanimous-consent agreement on the majority vote proposal, the substitute which would provide for a majority vote, if that is agreeable to the proponents.

I understand there is going to be advanced a proposal on germaneness. I am willing to have a unanimous-consent agreement on that.

I understand there is going to be advanced a three-fifths vote proposal. We could get a unanimous-consent agreement on that.

I think it is important that the Members of the Senate who have made plans not be called upon to follow a course if they do not know where it leads. I think if Senators do not want to have the resolution voted on they should simply say so, as they did last night. It can go over and not be voted on today.

I do not want to mislead anyone, but I do want to transact business. I want to amend rule XXII, if a majority of the Senate wants to amend it. I am one who believes the rule ought to be amended. I have made my recommendations. I am willing to listen to the recommendations of any other Senator and help him get a record vote on any proposal he may desire to advance.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. HICKENLOOPER. I certainly am sympathetic with the majority leader in his desire to expedite the matter, but I should like to ask if he is prepared to state at this time whether he contemplates a session on Saturday, tomorrow.

Mr. JOHNSON of Texas. Unless we have finished this resolution we do. We announced that yesterday and today.

Mr. HICKENLOOPER. The reason I ask is that I have an engagement at some distance, which I fixed especially 2 months ago for the first Saturday of the session, thinking, so far as I was concerned, it would be unprecedented if we had a meeting on Saturday. I felt safe in making the engagement. I of course stand ready to do whatever I have to do here.

Mr. JOHNSON of Texas. I would dislike very much to inconvenience the Senator. I think he acted reasonably, and he had a right to expect that he would be able to keep the engagement.

Mr. HICKENLOOPER. It is not so much a question of my inconvenience as it is a question of the inconvenience of other people, who are relying on me. I assured them there would be no question.

Mr. JOHNSON of Texas. If we could obtain a vote this afternoon, this evening, or tonight we would not have a Saturday session. Otherwise, we plan to have the Senate meet at 10 a.m. tomorrow. The Senate has already entered an order to do that.

I do not want anyone to question my good faith, and I know the Senator from Iowa does not. I do not mean to imply the Senator does. I am sincere about trying to amend rule XXII. I think the best way to get it amended is to have the Senate meet early, to stay late, to stay on the job, to discuss the matter, to make any proposals Senators desire to make, to vote on them, and to let the majority resolve the issue.

Mr. HICKENLOOPER. I hope the majority leader understands I am perfectly willing to stay.

Mr. JOHNSON of Texas. I understand.

Mr. HICKENLOOPER. It is a matter of some embarrassment, but that is beside the point with me. It is only a question of timeliness, as to when I shall know whether I can leave this evening or tomorrow morning.

Mr. JOHNSON of Texas. I will give the Senator the information as soon as I have it. We have planned a Saturday session in the event we do not finish this evening. How many amendments will be offered I do not know.

Mr. HICKENLOOPER. I understand the situation.

Mr. JOHNSON of Texas. I will inform the Senator as soon as I hear from some colleagues about the amendments they may want to offer.

Mr. JAVITS rose.

Mr. JOHNSON of Texas. I yield to my colleague, the Senator from New York.

Mr. JAVITS. I have some amendments to offer and some things to say. If the majority leader desires to yield the floor, I will seek the floor in my own right.

Mr. DOUGLAS. Mr. President, will the majority leader yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. DOUGLAS. Is it the intention of the majority leader to make an affirmative argument for Senate Resolution 5, or is he going to press for a vote without any affirmative argument on Senate Resolution 5?

Mr. JOHNSON of Texas. The Senator from Texas has made affirmative arguments several times. The Senator from Illinois can read them if he did not care to hear them or was not present to hear them. The Senator from Texas did that when he submitted the resolution, and he has done it again today. He reserves the right to control his own speech in such a manner as he may determine to be in the best interests of the country and of the Senate.

Mr. DOUGLAS. I know the Senator from Texas will do that, but I also observe he is pushing for a very quick vote. I think the Senate and the country would be interested in a rather full explanation of the reasons why the Senator believes his resolution is superior to all the other alternatives.

Mr. JOHNSON of Texas. Why this resolution is superior?

Mr. DOUGLAS. If the Senator does not do that, then some of us who favor other methods will be compelled to deal with his resolution. We would prefer, in the interest of fair play, that the Senator should make his own case for the proposal, rather than for us to come forward with a negative attack upon it in the beginning.

Mr. JOHNSON of Texas. Will the Senator——

Mr. DOUGLAS. In other words, we would normally expect that those presenting the resolution would argue in some detail the alleged merits of the proposal which the Senator from Texas is advancing.

Mr. JOHNSON of Texas. And if they did argue it in very much detail it would be criticized as being a southern filibuster.

Mr. DOUGLAS. No; not at all.

Mr. JOHNSON of Texas. I suggest that the Senator from Illinois attempt to guide himself and control his own conduct without attempting to direct the activities of his colleagues.

Mr. DOUGLAS. I was not trying to guide the activities of the Senator from Texas in the slightest. In the first place, I would have no desire to do so. In the

second place, I know I would be completely ineffective if I did offer such suggestions.

I thought possibly the Senator from Texas, feeling his high obligation to the tradition of the Senate, would not try to railroad his proposal through——

Mr. JOHNSON of Texas. Oh, the Senator——

Mr. DOUGLAS. Just a moment, please—without an adequate explanation as to what it is he is proposing.

Mr. JOHNSON of Texas. First, I will say to the Senator that I do not know how long it takes to explain a thing to him, but the resolution has been explained in two speeches since it was submitted in this Congress. The speeches may not have had the quality the Senator from Illinois would expect, but they represented my best efforts.

Second, I say to the Senator for his information, that the resolution is in identical form with one previously submitted. I thought perhaps, if the Senator were really genuinely determined to get rule XXII amended—if he wanted an amendment instead of an issue—he would support it some 2 years ago. It has been presented for 2 years, for anyone who wanted to consider it. It is only a few lines long. I will explain it again for the Senator if he wants me to do so.

Mr. DOUGLAS. I think I understand what it is.

Mr. JOHNSON of Texas. If the Senator understands it why does he want to postpone a vote? What purpose is served by trying to deliberately stall a vote? I do not care whether we have the vote tonight or whether we have the vote tomorrow or whether we have the vote Monday. If the Senator wants to stall things and prolong them and will so inform me, then I will tell my colleagues, as I did last night, that there are Senators who do not desire a vote at the present time.

Mr. DOUGLAS. That is very interesting.

Mr. JOHNSON of Texas. They do not want to face up to this issue they have been talking about. They want to talk about it some more.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Georgia.

Mr. RUSSELL. I will say that the Senator is being very politic. If the position now being taken by my distinguished friend from Illinois were taken by a Senator from a southern State, cries of "filibuster" would already be rising to the heavens and would be going out over the airwaves and printed in the press.

Mr. JOHNSON of Texas. I have already observed that, and I think it is accurate.

Mr. DOUGLAS. Mr. President——

Mr. JOHNSON of Texas. If the Senator wants me to yield and will ask me, I will be glad to yield.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from North Carolina.

Mr. ERVIN. I will say to the able and distinguished senior Senator from Georgia, those who disagree with him and me do follow a precedent set by one of the southerners.

North Carolina at one time had a governor, who also once served in the Senate. His name was Zeb Vance. Zeb Vance was at one time discussing religious professions of people, what people professed to believe in religion and how religious professions sometimes did not coincide with practices. He said, "Take my brother Bob Vance"—who, incidentally, was a Representative in Congress. He said, "My brother Bob is a Methodist. He believes in falling from grace, in accordance with the old Methodist doctrine, but he never falls. I am a Presbyterian. I do not believe in falling from grace, but I am always falling."

I have been in the Senate for 4½ years, and I have observed a curious paradox during that time. Senators who are, as we say in North Carolina, "low rated" as those who love filibusters are Senators who are Spartanlike in their speeches on the floor of the Senate. They speak in a very laconic manner, whereas Senators who profess to abhor filibusters the most are the most loquacious in their speeches on the floor of the Senate. In other words, they emulate the good example of our Governor and Senator, Zeb Vance. They do not believe in falling from grace and indulging in filibusters, but they are always doing it.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. Mr. President, I am prepared to make a unanimous-consent request for next week, if that is satisfactory to the Senate. I should like to see if the minority would be willing to agree to have a session on Saturday, and a session on Monday, and proceed to vote on amendments after the morning hour on Monday, with 2 hours allotted to each amendment. I make such a unanimous consent request.

The PRESIDING OFFICER. Is there objection?

Mr. DOUGLAS. Mr. President, reserving the right to object, I wonder if the eminent and distinguished Senator from Texas would be willing to clarify his request a bit. Is he proposing that there be 2 hours on Monday on each amendment?

Mr. JOHNSON of Texas. Yes.

Mr. DOUGLAS. And how much time on final passage?

Mr. JOHNSON of Texas. Whatever is desirable—perhaps an hour to a side. Senators have heard these questions thoroughly discussed.

Mr. DOUGLAS. I wonder if the Senator from Texas would be willing to write out his proposal, so that we may see whether or not there is any fine print in it, and be able to study it in some detail.

Mr. JOHNSON of Texas. I shall be glad to do that, if the Senator can see better than he can hear. [Laughter.]

Mr. DOUGLAS. I think it is always important to study the fine print in a document submitted by the Senator from Texas.

Mr. JOHNSON of Texas. The Senator reminds me of an old friend in the mountains of Texas. He was called Uncle Ezra. He went to see his doctor because he had great difficulty with his hearing. The doctor said it seemed that he was consuming too much alcohol—I do not associate the Senator from Illinois with alcohol—and that he would have to cut down on his drinking.

Uncle Ezra went home, and returned a month or two later. He said, "Doctor, my hearing is getting worse all the time."

The doctor said, "Uncle Ezra, did you cut down on your drinking?"

Uncle Ezra replied, "No; I have stepped it up a little."

The doctor said, "You are not following my instructions."

Uncle Ezra replied, "No."

"Why are you not following my instructions?" asked the doctor.

"Well," said Uncle Ezra, "I like what I drink so much better than what I hear." [Laughter.]

It may be that the Senator from Illinois likes what he sees much better than what he hears. However, I have been laboring under the assumption that Senators were seriously and genuinely interested in amending rule XXII. I realized that when Congress convened this year that would be the first order of business. I plead with Senators to roll up their sleeves and get on with the job. I am prepared to do so.

I reiterate my request. I ask the Parliamentarian to write it down, or type it, if necessary, and present it to the Senator from Illinois. I ask the Parliamentarian to be sure that it is written in the largest print available, because the Senator from Illinois has difficulty in seeing the fine print.

The request is that, following the morning hour on Monday, there be 2 hours on each amendment, to be equally divided between the proponents of the amendment and the majority leader, if he is opposed to it, or the minority leader if the majority leader is in favor of it; and that there be 2 hours on the resolution, to be equally divided.

I believe anyone can understand that request without reading it. But if not, we shall have it written and submitted. I hope it will be agreeable to all Senators. If so, we shall remain in session, as we did last evening with the cooperation of my friend from Oregon [Mr. MORSE].

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Oregon.

Mr. MORSE. I missed the Senator from Texas very much last night. I had much to say to him. I think he owes me a cup of coffee for making it possible for him to keep his social engagement.

Mr. JOHNSON of Texas. I was here when the Senator concluded. My social engagement was at my desk, answering letters. I always use my time as profitably as possible. I was at my desk when the bell rang. I was there an hour or so later.

I appreciate the cooperation of the Senator from Oregon. He does not always agree with me. He is not always correct. I do not find him correct this year as he was so often last year. I do not know what the fall season did to him. But he does say where he stands, and we know how to plan. If we can obtain

an agreement with him, we know that it will be kept.

Yesterday he said that he did not intend to have the Senate vote until he had concluded his remarks, and he did not intend to conclude his remarks until the cool of the evening. I knew what that meant. I realize that I could have made a motion to table, and cut him off, but I would have been cutting myself off at the same time, and I did not choose to do that. I think a great deal of the Senator from Oregon, but I also think a great deal of myself. We shall have to work together all year. I have learned that in this world one gets just about what he gives. I have a little Golden Rule charm on my watch—"Do unto others as you would have them do unto you."

I thought that if I had a speech on this subject and wished to make it, and the Senator from Oregon had a motion to table, I would expect the Senator from Oregon to reserve his motion to lay on the table until I had made my speech. So I extended to him the same courtesy I would have expected for myself.

If Senators have speeches they desire to make, I am prepared to keep the Senate in session late this evening. The Senate will meet at 10 o'clock in the morning, under the order previously entered. We plan to keep the Senate in session late tomorrow evening—until midnight, if necessary. The Senate will assemble early Monday morning. At the conclusion of the morning hour we can have a unanimous-consent agreement providing for 2 hours on each amendment, the time to be equally divided, and 2 hours on the resolution, to be equally divided.

I do not know of anything that would be fairer than that. The people of the country ought to know that we intend to give every Senator an opportunity to vote on proposed amendments to rule XXII. Any Senator can have any amendment adopted at any time if he has a majority vote. That is simple. People can understand that. We are going to pull the curtain back and take all the decorations and illusions away. We are going to remove what I sometimes think might be considered hypocrisy, and say to Senators, "If you want to amend this rule you can amend it at any time you have an amendment which can command a majority vote."

I have found experienced Senators, who have been in Congress more than 20 years, telling me that they thought it required as many votes to change the rules as would be required to impeach a President. I said, "That is just not so. Read rule XL."

I do not wish to reflect on my colleagues. Not many of them said that to me, but at least two of them told me that. Even after reading rule XL they still thought so, and stated that they would have to debate the question with me on Monday.

One of them called me and said, "I have read it and have had it briefed. You are correct." He cast his vote with me today for that very reason. He had been laboring under the illusion that it required two-thirds of the Senators sworn to amend the rules. There is no such requirement.

I think there is an imperfection in rule XXII. I am convinced that we ought to have cloture in connection with a rule change; and we are going to get it if we can only vote on the question.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. HUMPHREY. I am sure the Senator will have no difficulty with his unanimous-consent agreement; but he must be a little tolerant in this connection.

Mr. JOHNSON of Texas. The Senator from Texas is always tolerant.

Mr. HUMPHREY. The Senator is always tolerant.

Mr. JOHNSON of Texas. I thank the Senator.

Mr. HUMPHREY. I know that he will be characteristically tolerant today. After all, for many years the Senate has been operating under the system of unlimited debate with reference to rules. Even to those of us who believe in majority rule procedure, it is quite a shock to be confronted with a proposal to cut off debate suddenly. We would like the transfer from the extreme of unlimited debate to the cutoff of debate to be accomplished by a reasonable proposal, such as the one the Senator is advancing.

Mr. JOHNSON of Texas. I do not want the wrong impression to go out to the country. I am reminded of an old cow I used to milk. I would get the pail full, and then she would drag her tail through it and ruin all the milk. I do not want any of my colleagues to get the impression that I am trying to cut off debate. I am not trying to do that at all. Two of my colleagues in the Senate desire to know what my plan is, and I am sure that the other 95 Senators would also like to know the plan. I should like to find out what the desires of my colleagues are, but I certainly do not desire to talk any more. I am willing to enter into an agreement. If the Senator from Minnesota wishes to talk for a week, I am willing to withdraw my request. In that case it will be his responsibility. If the Senator from Illinois wishes to talk for a long time, I am willing to withdraw my request for his benefit also. If the Senator from New York desires to talk at great length, I am willing to withdraw my proposed agreement. The same goes for any other Senator. I am sure that will include also the distinguished Senator from South Carolina [Mr. THURMOND].

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I am happy to yield to the Senator from Minnesota.

Mr. HUMPHREY. The good Senator from Texas knows full well that the Senator from Minnesota has always been in favor of expediting the business of the Senate, and that I have been in favor of entering into such arrangements to that end ever since I came to the Senate.

Mr. JOHNSON of Texas. I am sure the Senator has been.

Mr. HUMPHREY. Let us get that on the RECORD.

Mr. JOHNSON of Texas. I agree with the Senator from Minnesota.

Mr. HUMPHREY. The good Senator from Texas knows also that this sudden burst of enthusiasm for modifying the rules is just a little more than some of us who have starved on the rules diet can take all at once.

Mr. JOHNSON of Texas. I assure the Senator from Minnesota that this is not a sudden burst. It is something which was proposed in the Senate 2 years ago. If the Senator wishes to call it a burst, and if for any reason he wishes to delay a vote on the matter, I am willing to delay it.

Mr. HUMPHREY. The Senator from Texas knows—and I say this in all good humor—that he has been told that the Douglas proposal would be called up as a substitute, and that we hoped we would be successful with the Douglas substitute. I also indicated that if we were unable to have that proposal substituted, other amendments would be offered.

Mr. JOHNSON of Texas. The Senator indicated before the lunch hour that he was not sure his proposal would be called up. I should like to enter into an agreement. If the Senator does not want to vote——

Mr. HUMPHREY. I wish the Senator would not try to put words in my mouth. We are prepared to agree on a time limitation.

Mr. JOHNSON of Texas. What time would the Senator suggest?

Mr. HUMPHREY. The Senator's proposal is an excellent one. Speaking only for myself, I do not object to the unanimous-consent request. The sooner we stop arguing about details and tidbits, such as who will bring up amendments, the better off we will be.

Mr. JOHNSON of Texas. I could not agree more with the Senator from Minnesota about anything.

Mr. HUMPHREY. I say we should get back to the job of running the Senate.

Mr. JOHNSON of Texas. We are in complete agreement.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Illinois.

Mr. DOUGLAS. I may say to the distinguished and able senior Senator from Texas that it is my understanding—and I hope he will correct me if I am wrong—that he had a conference with another Senator, a very able Member of this body, immediately after the President's address today, in which he said he would try to get a vote this afternoon; that he did not intend to make a long statement himself, and that he wanted to get the whole matter over with today. If I am in error as to that conversation, I will withdraw the statement, and it will not be printed in the RECORD.

Mr. JOHNSON of Texas. The Senator from Illinois is in error. The Senator from Texas wants to get——

Mr. DOUGLAS. Did not the Senator from Texas tell another Member of the Senate that he wanted to get an immediate vote on the whole proposition today?

Mr. JOHNSON of Texas. I should like to have a vote as early as possible.

Mr. DOUGLAS. Did he not say he wanted to get a vote today?

Mr. JOHNSON of Texas. I am prepared to give every Member of the Senate such time as he desires or needs to express himself. If Senators will tell me how long they wish to speak, we will multiply the figure by two and make our plans accordingly.

Mr. DOUGLAS. I may say that the Senator from Illinois was raising the question because, on the basis of the alleged conversation, which the Senator from Texas has not yet denied——

Mr. JOHNSON of Texas. I have no knowledge at all about any such conversation. I do not know what the Senator from Illinois is talking about. I do not have to resort to rumors or gossip. I wish to have this matter resolved as quickly as possible and as early as possible, consistent with every Member of the Senate having a full opportunity to express himself. The Senator from Minnesota has agreed to the plan I have suggested. He feels it is satisfactory to him. If the Senator from Illinois feels it is acceptable to him, I should like to have him so indicate. Incidentally, I believe the proposed unanimous-consent agreement has been written.

Mr. DOUGLAS. I have a copy of it.

Mr. JOHNSON of Texas. Is it satisfactory to the Senator from Illinois?

Mr. DOUGLAS. As I read it, it is satisfactory to me. However, I should like to have the privilege of consulting with some of my colleagues who feel as I do on the subject. Therefore I ask that the Senator from Texas withhold his proposed agreement for about 10 minutes, until we have an opportunity to examine it.

Mr. JOHNSON of Texas. I shall be delighted to do that.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. DIRKSEN. I wish to ask a question only for clarification. After all, some of our Members have engagements out of town, and I should like to avoid as much embarrassment to them as I possibly can with respect to cancellation of engagements, and so forth. I wish to ask the majority leader this question. Is my understanding correct that no votes will be had until Monday?

Mr. JOHNSON of Texas. There will be none if I can avoid it, certainly none on the merits of the proposal.

Mr. DIRKSEN. I understand that the unanimous-consent agreement is to become effective on Monday.

Mr. JOHNSON of Texas. That is correct.

Mr. DIRKSEN. Not today.

Mr. JOHNSON of Texas. That is correct. However, if a Senator moved to expel another Member, and the yeas and nays were requested, and no Senator wished to speak all evening, we might have a vote. The other day, in accordance with custom, we had intended to have a very brief session, and I did not plan to go into great detail in connection with my resolution. I wished to make a brief statement, and then I was going to move to adjourn, so that we could attend parties. Some Senators felt, for some reason or other, that because I did that, it was improper procedure. As nearly as I can control it, there will be no votes until the unanimous-consent agreement goes into effect on Monday, if the agreement is entered into.

Mr. DIRKSEN. Then it is very definite that there will be no votes on any amendment until Monday. Is that correct?

Mr. JOHNSON of Texas. That is correct; on any amendment to the resolution.

Mr. DIRKSEN. I can speak only for myself, but I wish to say that in the present state of senatorial felicity and our passion for cloture, this self-imposed cloture proposal is very reasonable and should appeal to the Members of the Senate. However, I certainly would not wish to speak for those who have other ideas.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. JAVITS. I appreciate the Senator's yielding to me at this time. Laying aside the pleasantries and bearing in mind the fact that we debated the civil rights bill almost continuously from July 8 to August 29, 1957, and that the proposed rule change has a great deal to do with what may happen to other similar bills, I cannot shed tears over the fact that we seek to debate it for a few days. I do not believe the country should get the impression that we are being unreasonable. I do not understand why those who are fighting bitterly for the right to filibuster should shed crocodile tears now over the fact that we wish to talk for a few days. So much for the country.

Mr. JOHNSON of Texas. I wish to interject, if I still have the floor, that I do not want the country to get any false impression. I am not shedding any tears. I am rather enjoying myself. If I were to shed tears, they would not be crocodile tears. I do not want the Senator to leave the impression that anyone is shedding any kind of tears, at least at my expense.

Mr. JAVITS. Will the Senator yield further?

Mr. JOHNSON of Texas. I yield.

Mr. JAVITS. The Senator from Texas is beloved by all of us, including myself.

Mr. JOHNSON of Texas. I thank the Senator from New York.

Mr. JAVITS. He knows that I was speaking in no personal sense. The Senator from Texas is always gracious and engaging to his colleagues. I appreciate that we must have a schedule, and I am sure that my friends will join us in trying to work the thing out.

Mr. JOHNSON of Texas. I realize that we always have problems on Friday and Saturday.

Mr. JAVITS. I hope Senators, therefore, will bear with us for a few minutes. I desire to introduce some bills. That will take about 10 minutes. I should then be willing to meet with the Senator from Texas and try to arrange a time for a vote which I think will be agreeable.

Mr. DOUGLAS. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

Mr. DOUGLAS. Would the Senator from New York be willing to withhold his introduction of bills until I have had a chance to try to clarify the proposed unanimous-consent agreement?

Mr. JAVITS. If the Senator from Illinois will do so on the floor——

Mr. DOUGLAS. I should like to make it a matter of record.

Mr. JAVITS. If the Senator wishes to make the clarification on the floor of the Senate, I think we ought to have a few minutes in which to discuss it among ourselves.

Mr. DOUGLAS. Oh, yes; this should not be regarded as an acceptance.

Mr. JAVITS. As I understand, the majority leader graciously said he would withhold his request.

Mr. JOHNSON of Texas. The Senator from Illinois asked me to withhold it. I have no desire to rush the matter. If two or more Senators are not interested in staying here on Friday night and on Saturday, but desire to put the whole matter off until next week and then let it run on ad infinitum, I shall not pursue the matter vigorously. But I have made a proposal. I think it is a wise one. I think we ought to be able to tell Senators whether or not a vote will be taken soon.

Last night many Senators had to cancel engagements in their States. They wired to their States and explained that they were needed on the floor of the Senate. But when it was determined that the Senate could not reach a vote, and we realized that situation, the Senators were so notified, and they made their plans accordingly. As I recall, I myself attended several meetings given in honor of our colleagues.

We shall do the same thing tonight, the same thing tomorrow, and the same thing on Monday, if that is the desire of any Senator. But I thought it might be possible to get a vote tonight. If any Senator wishes to postpone the vote, let him stand up and say so, and we will postpone it.

Mr. President, I had hoped to be able to get an agreement on Senate Resolution 5 and any amendments intended to be proposed to it. If Senators do not want to agree, but simply want to continue to talk about the matter, I will attempt to work out an agreement at some later time.

But I should like all Senators to be on notice that until such an agreement has been obtained, it is the plan of the leadership, if Senators will follow it, to stay late this evening and to come in early tomorrow and stay until we can get a vote.

VISIT TO THE SENATE BY MEMBERS OF THE CANADIAN PARLIAMENT

Mr. AIKEN. Mr. President, many of us have been looking forward to this day with great pleasure. Senators will recall that on August 8, 1958, the Senate adopted Senate Resolution 359 reading as follows:

Resolved, That the Senate Committee on Foreign Relations shall establish a subcommittee for the purpose of exploring, with appropriate officials of the Government of the United States and with members of the Canadian Parliament, the desirability and feasibility of increased systematic discussion

between legislators of the two countries on problems of common concern.

I shall read two sentences from the committee report of Senate Resolution 359 to indicate the motivation behind the resolution:

It was the feeling of the Committee on Foreign Relations that an attempt should be undertaken to strengthen the bonds between the United States and its great neighbor, the Commonwealth of Canada. In these critical times, it is of crucial importance that the friendship and understanding between our nations be deepened in every possible way.

Mr. President, this Senate resolution did not simply happen. For some years, members of the Senate Committee on Foreign Relations and of the House Committee on Foreign Affairs have been keenly aware of the special relationship between the United States and Canada and the useful results which might flow from increased contact between legislators of the two countries. In May, 1957 a report by Representative FRANK M. COFFIN and Representative Brooks Hays suggested that some form of parliamentary consultation between the two countries be established. In a speech at Wesleyan University on June 8, 1958, Prime Minister Diefenbaker referred to this concept. The subject was further discussed last July by the Prime Minister of Canada and the President of the United States.

Pursuant to Senate Resolution 359, I was privileged to be named by Chairman GREEN of the Committee on Foreign Relations to be the chairman of a liaison committee. My colleagues on that committee are Senators MANSFIELD, CAPEHART, and MORSE. Last September I went to Ottawa where I was joined by Senator CAPEHART and we had a preliminary discussion with members of the Canadian Parliament, some of whom are here today. Later in September, Representative Brooks Hays and Representative FRANK M. COFFIN held similar discussions in Canada. As a result of these discussions it was determined that a delegation of members of the Canadian Parliament would come to Washington at this time. Acting Chairman MORGAN of the House Foreign Affairs Committee has appointed a liaison committee composed of Representative EDNA F. KELLY, chairman, and Representatives FRANK COFFIN, WALTER H. JUDD, and CHESTER E. MERROW.

Mr. President, this is in brief the background of the introduction which I am about to make. A delegation of most distinguished members of the Canadian Parliament is now with us to continue the consultations begun in Canada last fall. Mr. President, I ask unanimous consent to insert in the RECORD at this point in my remarks certain biographic information about the Canadian delegation.

There being no objection, the biographic information was ordered to be printed in the RECORD, as follows:

CANADIAN DELEGATES TO A MEETING WITH REPRESENTATIVES OF THE UNITED STATES SENATE AND HOUSE OF REPRESENTATIVES, IN WASHINGTON, JANUARY 9 AND 10, 1959

FROM THE CANADIAN SENATE

Hon. Mark Robert Drouin, B.A., LL.B., Q.C., Speaker of the Senate: Born October 24, 1903, at Quebec, Que., son of Ulric Francois Drouin and Anita Ross Cote. Educated at Quebec Seminary and Laval University. Barrister Quebec Bar, 1926; Secretary Quebec Bar, 1934; Created K.C., in 1942. Married June 29, 1929, to Jeanne, daughter of Henri Grandbois of Quebec, Que. One daughter: Julie. President of "Le Theatre du Nouveau Monde"; Governor of Dominion Drama Festival; Legal Adviser to Montreal Festival. Director of Thrift Stores Limited. First Vice President Quebec Senior Hockey League, Montreal, 1937–1954. Member: Quebec Garrison Club; Quebec Flying Club; Quebec Nautical; Royal Quebec Golf Club; Quebec Winter Club; Cercle Universitaire; Renaissance Club; Laurentian Fish and Game Club and St. James Club, Montreal. Chairman of the Quebec Conservative Organization, 1949; 1953; 1957. First Vice President, National Progressive Conservative Party of Canada, 1955. Conservative candidate, Quebec East, against the Right Hon. Louis St. Laurent, P.C., 1949. Party Politics, Progressive Conservative. Summoned to the Senate and appointed Speaker, October 4, 1957. Religion, Roman Catholic. Address: 1265 Avenue de Laune, Sillery, Quebec, Que.

Hon. Wm. R. Brunt, B.A., Q.C., of Hanover, Ontario: Born October 24, 1902, at Hanover, Ontario. Son of Ralph Brunt (Irish) and Lyda Berry (English and Irish). Educated at Hanover Public and High Schools, St. Andrew's College, University of Toronto and Osgoode Hall. Degree: B.A. Married June 26, 1930, to Helen, daughter of Mr. and Mrs. William Richardson of Rosetown, Sask. Two children: F. Elizabeth (Mrs. R. D. Carter) and William R., Jr., Barrister and Solicitor. Director: McHaffie-Birge Construction Co., Ltd., Falgar Rental Enterprises, Ltd. Member: Hanover Kinsman Club, Director of Albany Club, Engineers Club of Toronto, a Mason. Summoned to the Senate of Canada, October 12, 1957. Party Politics: Progressive Conservative. Religion: United Church, Forest Hill. Address: Hanover, Ont.

Hon. Sidney John Smith of Kamloops, British Columbia: Born, September 23, 1892, at Ottawa, Ontario. Son of John Henry Smith, Scotch-Canadian, and Elizabeth Olmstead, Irish-Canadian. Education at Ottawa Public School, Ottawa Collegiate, and Regina Collegiate. Married November 26, 1914, to Marion Shelburn, daughter of Ulysses G. Holloway of Minnesota, U.S.A. Four children: F/O Wm. F., RCAF, killed in action in 1944, Patricia (Mrs. W. L. Portman), Gordon E., and H. Maxwell. Farmer and automobile dealer. President: Syd. Smith, Ltd., Syd. Smith, U. Drive, Ltd., Union Discount Co., Ltd., Sudmar Estates, Ltd., Highway Equipment Co., Ltd., Tongo Mining Co., Ltd. Director: Kamloops United Dairies, Ltd., Campbell Creek Hop Plantations, Ltd. Alderman and mayor, Gull Lake, Saskatchewan, 1921–25; inspector, Saskatchewan Farm Loan Board, 1934–37; past president, Saskatchewan Motor Club, 1930–31; member, British Columbia Government Tourist Council, 1942–49; chairman, British Columbia Government Hospital Insurance Inquiry Board, 1951–52; past president, Kamloops Board of Trade; Rotary Club, Shrine Club, A.F. & A.M., B.P.O.E.; elder, Kamloops United Church. President, British Columbia Liberal Association, 1953 to date. Was candidate in Saskatchewan general election, 1933, and defeated. Elected to British Columbia Legislature at general election, 1949. Defeated in 1952. Summoned to the Senate, January 3, 1957. Party politics, Liberal. Religion, United Church of Christ. Address: "Sydmar," Kamloops, British Columbia.

FROM THE CANADIAN HOUSE OF COMMONS

Hon. Roland Michener, Q.C., M.A., B.C.L., Speaker of the House of Commons: Born April 19, 1900, at Lacombe, Alberta. Son of late Senator Edward Michener and Mary Edith Roland, both Canadian. Education, University of Alberta, Oxford, and Middle Temple. Degrees: B.A. (Alberta), M.A. and B.C.L. (Oxon), LL.D. (honorary), Ottawa. Barrister, Middle Temple (England), 1923; Ontario, 1924; K.C., 1943. Married to Norah E., daughter of Robert Willis of Manitoba. Three children: Joan (married to Donald Rohr, professor), Diana, and Wendy (married to Leslie G. Lawrence), barrister. Practicing lawyer in Toronto from 1924 to 1957, with Lang, Michener & Cranston. Served with R.A.F., 1918. General Secretary for Canada for the Rhodes Scholarships, 1936 to date. Governor of Toronto Western Hospital. Member: University and Albany Clubs. First elected to Ontario Legislature at general election, 1945, Progressive-Conservative. Appointed Provincial Secretary and Registrar, 1946–48. Progressive-Conservative candidate, 1949. First elected to House of Commons at general election, August 10, 1953. Reelected general election, June 10, 1957. Elected Speaker of House of Commons, October 14, 1957. Religion, Angelican. Address: House of Commons, Ottawa; resident, 5 Rosedale Road, Toronto 5, Ontario.

Hon. Lionel Chevrier, QC., P.C., Member for Montreal-Laurier: Born April 2, 1903, at Cornwall. Son of Joseph Elphege Chevrier and Malvina DeRepentigny, deceased. Educated at Primary School, Cornwall, Cornwall College Institute, Ottawa University, and Osgoode Hall. Degrees: B.A., Ph. B. (Ottawa) LL.D. (Hon.) Ottawa University, 1946, Laval University, 1952, Queen's University, 1956. Called to the Bar of Ontario, 1928. Appointed K.C., 1938. Called to the Bar of Quebec, 1957. Member of firm Geoffrion & Prud'homme, Montreal. Married October 22, 1932, to Lucienne, daughter of Thomas J. Brule, of Ottawa. Six children: Lucie (Mrs. Pierre Thomas), Robert, Jean, Bernard, Adele, and Marie. A Barrister. Member of Country Club, Aylmer, Quebec, Rideau Club, Ottawa, Reform Club, Montreal, Phi Delta Phi Legal Fraternity. Secretary, Board of Trade, Cornwall (1928–34). Hon. Col. S.D. and G. Highlanders. Appointed Department Chief Government Whip, 1940, Chairman, Special Parliamentary Subcommittee on War Expenditures, 1942. Delegate Empire Parliamentary Association, Washington 1943. Appointed Parliamentary Assistant to the Minister of Munitions and Supply, 1943. Delegate, Bretton Woods Conference, 1945. Sworn of the Privy Council and appointed Minister of Transport in Mr. King's Cabinet, April 1945. Chairman Canadian Delegation to U.N. General Assembly, Paris, 1948. Reappointed Minister of Transport in Rt. Hon. L.S. St. Laurent's Cabinet, November 15, 1948. First elected to House of Commons at general election 1935 for the constituency of Stormont. Reelected general election, 1940, 1945, 1949, and 1953. Resigned as Minister of Transport when appointed President of the St. Lawrence Seaway Authority, July 1, 1954. Appointed President of the Privy Council April 25, 1957, in Rt. Hon. L.S. St. Laurent's Cabinet. Reelected to House of Commons, general election June 10, 1957, for the constituency of Laurier. Party politics, Liberal. Religion, Catholic. Address: 1200 St. Alexander Street, Montreal, Quebec, and 5 Linden Terrace, Ottawa, Ontario.

Hazen Robert Argue, B.S.C., Member for Assiniboia: Born January 6, 1921. Son of Howard B. Argue and Legia Scharf, both of Irish descent. Family came to Canada in 1821. Educated at Avonlea Public and High Schools, and University of Saskatchewan. Degree of Bachelor of Science in Agriculture. Married July 24, 1945, to Jean, daughter of Arcade Ignatescu, of Kayville. A farmer. Graduated with distinction. Specializing in farm management. First elected to the House of Commons at general election 1945. Reelected at general election, 1949, 1953, and June 10, 1957. Party politics: CCF. Religion U.C. of Canada. Address: Kayville, Saskatchewan.

William Limburg Houck, Member for Niagara Falls: Born May 10, 1893, at Buffalo, N.Y. Son of William Houck and Mary Limburg, both American. Came to Canada 1915. Naturalized 1926. Educated at Lafayette High School, Buffalo, N.Y., and Cornell University, Ithaca, N.Y., Degree: Bachelor of science. Married February 1, 1917, to Rae, daughter of John McPherson, of Ailsa Craig, Ontario. One daughter, Dorothy Louise (Mrs. Boyd Slemon). Fuel dealer. Mayor of Niagara Falls 1946–49. Vice chairman H.E.P.C., 1937–43. Member Erie Downs Golf Club, Cherry Hill Golf Club, Niagara-on-the-Lake Golf Club, senior and junior chambers of commerce, Niagara Falls, Lions Club, Canada Club, Niagara Falls. First elected to Ontario Legislature at general election 1934; reelected at general election 1937. Appointed Minister Without Portfolio in Mr. Hepburn's Cabinet, October 1937–43. Defeated in 1943–45. Reelected at general election 1948 and 1951. First elected to House of Commons at general election, August 10, 1953. Reelected at general election, June 10, 1957. Party politics, Liberal. Religion, United Church. Address, 2140 Culp Street, Niagara Falls, Ontario, and Chateau Laurier Hotel, Ottawa, Ontario.

Erick Nielsen, Member for Yukon: First elected to House of Commons at a by-election December 16, 1957. Party politics, Progressive Conservative. Address, Whitehorse, Yukon Territory.

Richard Devere Thrasher, Member for Essex South: Born March 5, 1922, at Amherstburg, Ontario. Son of Charles D. Thrasher (English-Scotch) and Irene Agnes Richard (French). Educated at elementary schools, Amherstburg, Ontario. Degree: Bachelor of arts, University of Western Ontario. Married, November 23, 1940, to Norma Jean, daughter of Francis Edwin Whittal, of Amherstburg, Ontario. Five children: Linda Jeanne, Heather Ann, Richard Devere, Jr., Bradley James, Daniel Edwin. Barrister and solicitor. Assistant Crown Attorney County of Essex, September 1954 to September 1956. Flying officer, R.C.A.F., World War II. Director, Catholic Family Service Bureau, Windsor. Director, Essex County Automobile Club. Member Canadian Legion. First elected to House of Commons at general election June 10, 1957. Party politics, Progressive Conservative. Religion, Roman Catholic. Address: Business, Canada Building, Windsor, Ontario; resident, Box 418, Amherstburg, Ontario.

Mr. AIKEN. Mr. President, it is indeed a high privilege to present to this body the Speaker of the Senate of Canada, the Honorable Mark Drouin. [Applause, Senators rising.]

Mr. President, it is also a high privilege to present to the Senate the Speaker of the House of Commons of Canada, the Honorable Roland Michener. [Applause, Senators rising.]

Speaker Drouin is accompanied by two of his colleagues, the Honorable Sydney John Smith and the Honorable William R. Brunt. [Applause, Senators rising.]

Speaker Michener of the House of Commons is accompanied by five of his colleagues, the Honorable Lionel Chevrier, the Honorable Hazen Argue, the Honorable William L. Houck, the Honorable Richard D. Thrasher, and the Honorable Erik Nielsen. [Applause, Senators rising.]

Mr. President, if the rules of the Senate permitted it, I would call attention to the fact that the wives of seven members of the Canadian delegation and the daughter of one member are in the gallery. [Applause.]

Mr. President, I know that other Members of the Senate wish to pay their respects to our distinguished guests. I am happy to yield at this time for that purpose; and after they leave the floor, they will go to the office of the Vice President, where other Senators may meet them.

Mr. CAPEHART. Mr. President——

Mr. JOHNSON of Texas. Mr. President, before I yield to my delightful friend, the Senator from Indiana, I wish to commend the Senator from Vermont for bringing into the Chamber these very able and distinguished Canadian neighbors of ours. There is no nation for which we have more love or affection, and we are pleased beyond compare that they are here to visit with us. I look forward with great anticipation to meeting them in the office of the Vice President, and listening and learning.

I yield now to my friend, the Senator from Indiana.

Mr. CAPEHART. Mr. President, last fall I had the pleasure and the good fortune of visiting with these gentlemen in Ottawa, along with the Senator from Vermont [Mr. AIKEN]. I urge all other Members of this body and also all Members of the House of Representatives to visit with these distinguished members of the Canadian Parliament. I do not know how these gentlemen could have been any nicer to us than they were. If my colleagues want to encounter real hospitality and real friendship, I suggest that they visit Canada and these gentlemen.

I say to our distinguished guests that we in the United States need their cooperation and support, and we appreciate their cooperation and support. I hope we can have many meetings similar to the ones Senator AIKEN and I enjoyed with them in Ottawa; and I hope that they and all other members of their Parliament will visit us here.

Mr. DIRKSEN. Mr. President——

Mr. JOHNSON of Texas. I yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, understanding and friendship are a two-way street. Out of friendship comes understanding, and out of understanding comes friendship; and of course, that process makes our relationships so pleasant and makes understanding so very easy.

Our course, our two countries have the common experience of Anglo-Saxon background and a common language; and out of that has come, over a long period of time, the felicity which makes you call us your neighbor, and makes us call you our neighbor.

I am glad you are here; and I believe that from parliamentary meetings such as this one and the one I enjoyed attending in Europe so recently, there comes better understanding which advances the whole cause of progress. So I am delighted to see you here.

Mr. LANGER. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield to the distinguished Senator from North Dakota.

Mr. LANGER. Mr. President, I wish to say to our distinguished guests and friends that I am their neighbor; I live in North Dakota. I have had many delightful experiences in meeting citizens of Canada who have visited North Dakota.

Of course, I, in turn, like to visit Canada, both to enjoy my experiences there and meetings with its fine citizens and to enjoy the fishing. In addition, we have the benefit of the great Peace Garden.

I want to compliment our distinguished visitors for the fine way their Government treated the farmers of Canada after World War I. Within a year Canada canceled every seed and feed loan. But in North Dakota alone there were 34,000 farmers; and today our Government still is charging 4,000 of them 6 percent interest a year, and the result is that the interest amounts to a great deal more than the principal.

So when we meet in the Peace Garden and when our farmers join your farmers in celebrating, our farmers are very much distressed to find that they have not received from their Government the fine treatment that your Government has given to the farmers of Canada.

I join my colleagues in bidding you welcome. It is most delightful and indeed a very great pleasure to see you here.

Mr. MORSE. Mr. President——

Mr. JOHNSON of Texas. Mr. President, I yield to my distinguished friend, the Senator from Oregon, who is a member of the Foreign Relations Committee.

Mr. MORSE. Mr. President, I wish to say to our Canadian friends that I have the privilege of serving under the leadership of Senator AIKEN, who is chairman of our so-called Canadian Subcommittee of the Foreign Relations Committee, of which the Senator from Indiana [Mr. CAPEHART] is also a member; and then I have the privilege of having them serve with me in my capacity as chairman of the Subcommittee on Latin-American Affairs.

The message I would leave with our distinguished Canadian brothers is that in my opinion we have a comity of interest and obligations in respect to Latin America. I have said at meetings of the Foreign Relations Committee, and I wish to say now to our distinguished guests, that in my judgment Canada and the United States should proceed as brothers in the attempt to solve the relationships with Latin America, to the end that they may be improved and that there will be a better understanding throughout Latin America in regard to her two northern neighbors.

My conversations with members of the Canadian Parliament in the past lead me to believe that you gentlemen share that point of view. Therefore, in my capacity as a member of Senator AIKEN's subcommittee and as chairman of the Latin-American Subcommittee, I invite you to join with us in a partnership arrangement, to the end that we may strengthen the policies toward Latin America on the part of both Canada and the United States.

Mr. JAVITS. Mr. President——

Mr. JOHNSON of Texas. I yield to my friend, the Senator from New York.

Mr. JAVITS. Mr. President, I, too, would like to join my distinguished colleagues in a word of welcome to our dear friends, these distinguished members of the Parliament of Canada. I represent in part the State of New York, a State with which they have many important relationships, both in the economic field, in social terms, and in governmental matters. I hazard the guess that they visit my State perhaps more than any other State in our Nation.

Of course Canadians are always very welcome in New York, as they know. We count them as brothers, and we mean that very literally. Furthermore, the State of New York prides itself on its economic relations with Canada. Canada joins us in connection with the St. Lawrence Seaway and in connection with the use of the waters of the Niagara River and its tremendous power development and the great community of interest that exists between us.

I think I speak advisedly when I say that today our new Governor, Nelson Rockefeller, has very close to his heart the entire matter of United States-Canadian relations, particularly in terms of the interests of our own State; and as these gentlemen have experienced with our Governors prior to Governor Rockefeller, I believe they will find a welcome hand, a warm understanding, and a spirit of great cooperation added to a spirit of new enterprise in terms of the government of the State of New York. I know I certainly bespeak the views of my colleague from New York, who does not happen to be on the floor at the moment.

Mr. MANSFIELD. Mr. President——

Mr. JOHNSON of Texas. I yield to my friend from Montana.

Mr. MANSFIELD. Mr. President, I wish to join my colleagues in welcoming our neighbors from across the border, members of the Parliament of Canada.

Because I represent, in part, the State which has perhaps the closest contact with the most Canadian provinces, since Montana borders on British Columbia, Alberta, and Saskatchewan, and because I know something about the many problems which sometimes cause us trouble and difficulty, but never divide us, I am delighted that these members of the Canadian Parliament are here to visit with us, to discuss these difficulties, and to arrive at common understandings.

I wish to commend the distinguished Senator from Vermont [Mr. AIKEN] for taking the initiative in the establishment of this interparliamentary group, so to speak, and I wish to point out that he got the idea from Premier Diefenbaker, who, while visiting Trinity College, in Connecticut, made a speech to the effect that a liaison group of this kind would be in the best possible interest of both countries.

So I am delighted that these gentlemen are here. I hope this meeting is only the beginning of many similar meetings in the future; and I know that from them will come a better understanding, a better feeling, and an accentuation of the good will which has marked the relationships between our two countries, not only since both of our countries became independent, but even before then.

Mr. HUMPHREY. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield to my friend, the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I wish to join my colleagues today in extending the warm hand of friendship and welcome to these distinguished members of the Parliament of Canada.

It is my privilege to represent, in part, in this body the great State of Minnesota. Of course, Minnesota joins territorially and geographically the great country of Canada; and our relationships are cordial, friendly, and, indeed, helpful to both areas.

Likewise, we are at the end of the great St. Lawrence Seaway. So that our relationships in the area of commerce with Canada are closer than ever. Many people from Minneapolis and St. Paul travel to Winnipeg, Canada, and many persons from Winnipeg come to the Twin Cities.

When I was mayor of Minneapolis, I visited Winnipeg, and the mayor of Winnipeg came to our area. Those relationships are very happy memories. But I believe now, as has been suggested today, we would do well to talk of the future, and resolve to solve our problems as good friends do, respecting the rights of each other, and making such accommodations as will provide for unity through understanding and mutual respect.

I join with the Senator from Vermont [Mr. AIKEN], and wish to commend him upon his worthy endeavors and leadership in establishing, on our part, this very fine example of cooperation between two great countries. I am looking forward to the coming days when we can be together again.

Mr. CASE of South Dakota. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. I think probably I am one of the very few Members of the U.S. Senate who found it convenient and desirable to go home last August by way of Canada. I live in South Dakota, but I went to New England, and, from Lake Champlain, went to Canada. I visited Ottawa, and saw the Government House, and some of the very fine and outstanding buildings there. In fact, it was my thought at the time that Ottawa was splendidly equipped to be the scene of international conferences and international groups, as it has been in the past. I am sure it will be in the future.

From there I went north, to Algonquin Provincial Park. I may say to my colleague from North Dakota that I saw a shorthorn cow which I thought was the largest cow I had ever seen. [Laughter.]

I have a picture of it. I am exhibiting it to my friends in South Dakota and saying, "Take a look at that, and do your best." We spent a few days at Huntsville, in the beautiful lake country of that area. It is magnificent. I was proud that it was a part of a country that is our friend, Canada.

You are most welcome here. I hope some of you will visit us in South Dakota.

Mr. YARBOROUGH. Mr. President, will the Senator yield to me?

Mr. JOHNSON of Texas. I yield to my colleague.

Mr. YARBOROUGH. Mr. President, as one of the representatives in the Senate from the State of Texas and as a member of the Senate Interstate and Foreign Commerce Committee, I want to join in these words of welcome to our friends, the members of the Canadian Parliament with us in the Senate today. The Senate Interstate and Foreign Commerce Committee has no jurisdiction over legislation dealing with foreign relations but does have jurisdiction over laws relating to foreign commerce.

In the last session we had the privilege of passing two bills which furthered commerce between Canada and the United States. One of those bills extended the time during which a Canadian-owned steamship line may serve the 49th State by furnishing service between Alaska and the other 48 States. I think it is an anomaly that the only regular steamship service between Alaska and the other 48 States is furnished by a Canadian steamship line.

Many citizens from my State have been to Alaska. The only way they can get to Alaska overland is by going through Canada over the Alcan Highway. The only transportation ties between our old 48 States and the new 49th State by land or water have been by Canadian aid, either through using Canadian steamship service, or overland, across Canada itself. Such transportation bridge between our newest State, Alaska, and the older 48 States across the Dominion of Canada, serve to strengthen the ties of commerce and bonds of friendship that link our two nations and peoples.

In the last session of the Congress there also was passed a bill which permitted foreign-owned vessels—British and Canadian owned barges primarily—to use the inland waterways of the United States. Such laws deal with commerce, and not with treaties. They deal with people-to-people relations, further promoting the commercial relations of our two nations.

There is another phase of this subject in which our people are directly interested, and that is gas and oil lines from the great reserves in Canada to markets in the United States. More gas and oil pipelines have been projected.

Our friends will recall that during the dark days of World War II our war effort was crippled by the fact that so many ships were sunk by German submarines. The enemy at that time had only about one-eighth the number of submarines now possessed by countries behind the Iron Curtain.

In the event another such tragedy should befall us, the oil and gas pipelines which link these energy reserves with the industrial centers of our two nations would provide the means of furnishing fuel and energy to both of our countries.

to help us survive in any assault which might possibly be made against us.

We want our Canadian friends to know we are appreciative of their cooperation. You have permitted the building of the DEW line, the radar observation chain, in your northern territories, so that the first warning of attack on the United States or Canada will come from your territory. We are grateful to you for the great friendship and cooperation of your people in these endeavors.

I am glad to help welcome you to the floor of the U.S. Senate.

Mr. COTTON. Mr. President, will the Senator yield to me?

Mr. JOHNSON of Texas. I yield to the Senator from New Hampshire.

Mr. COTTON. As a representative of the State of New Hampshire, and on behalf of Senator BRIDGES and myself, I want to express my sincere sympathy to you for having had to listen to all these long speeches, and to join in bidding you welcome.

Mr. LAUSCHE. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield to the Senator from Ohio.

Mr. LAUSCHE. As the senior Senator from the State of Ohio, which is in physical contact with Canada except for Lake Erie, I wish to extend a welcome to you in your visit to the United States. I believe I speak the will of the people of Ohio when I say to you we have recognized the mutual interdependence which exists between Canada and the United States.

I feel positive that the people of Ohio recognize that the things which hurt Canada will eventually hurt Ohio. We believe that as Canada grows stronger, the United States will grow stronger. We believe that if we grow weak, Canada will inevitably grow weak. We are neighbors standing shoulder to shoulder, lifted and dropped by every good thing or every bad thing that affects us.

As a Member of the Senate, I should like to say to you that in my approach to my responsibilities with respect to Canada, I will constantly have in mind that anything imprudent which I did, prejudicially affecting your Dominion, inevitably will affect my Nation. I think I speak the thinking and the will of the citizens of Ohio when I deliver that message to you.

Mr. WILEY. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield to the Senator from Wisconsin.

Mr. WILEY. My friends from Canada, as a representative of a State bordering on Lake Superior, a large part of which provides the southern line of Canada, and speaking also on behalf of the Senator who now occupies the Chair, the junior Senator from the State of Wisconsin [Mr. PROXMIRE], I bid you welcome. It is good to see some old acquaintances in this delegation, friends I made in connection with meetings of those interested in the St. Lawrence development. One I knew when attending sessions of the United Nations..

Canada has been of interest to me from the days when I was a boy and read the story of Evangeline. As I grew into manhood, I visited the cities of Quebec and Montreal. I traveled through the lake country and across the continent on the Canadian Pacific, up to Lake Louise and Banff, and on to the west coast. It seemed to me that God Almighty had created this continent to be one geographically, to be one in its political approaches, although our Governments were separate as nations, one in the religious approach of our people, and one in the economic approach to domestic and world problems.

I think it is a wonderful thing, gentlemen, that this exchange of members of parliamentary bodies has gotten underway to such a point that groups such as yours, who really are the ambassadors of good thinking and good living, visit their neighbors. It makes for the constructive building up of relationships in every direction. We welcome you, and may you begin today to have the time of your lives in the good old U.S.A.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from South Carolina.

Mr. THURMOND. I thank the Senator from Texas.

Mr. President, since I come from one of the States of the far South, South Carolina, I take this opportunity to extend the glad hand of welcome to these distinguished gentleman from the far North, from the great Republic of Canada.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I may say to you gentleman from Canada that I come from Massachusetts. I was in Ottawa when the idea was first fostered of the exchange of greetings between members of the Parliament of Canada and ourselves. As a Massachusetts Senator, knowing that many good Canadians are in Massachusetts and that they generally vote Republican, I am very glad to see you here.

Mr. AIKEN. Mr. President, I wish to thank the majority leader, the Senator from Texas, for yielding the time for the paying of tributes by the Members of our body to our Canadian friends who are visiting us today. I think this is a great day for the United States and for Canada. As I stated earlier, our friends will be in the Vice President's room for a short time, where they will be glad to meet any Members of the Senate. I hope all those who have not spoken, at least, as well as all those who have spoken, will meet our friends personally.

AMENDMENT OF THE RULES

The Senate resumed the consideration of the resolution (S. Res. 5) proposing to amend Senate rules XXII and XXXIII.

Mr. JOHNSON of Texas. Mr. President, if no other Senator wishes to address the Senate, I suggest the absence of a quorum.

Mr. DOUGLAS. Mr. President, may I ask who has the floor?

The PRESIDING OFFICER (Mr. THURMOND in the chair). The Senator from Texas has the floor.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

Mr. DOUGLAS. May I address the Senate? Has the Senator from Texas yielded?

Mr. JOHNSON of Texas. I suggested the absence of a quorum, Mr. President.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. Mr. President, a few minutes ago the Senator from Texas offered a unanimous consent agreement that we proceed to vote on various amendments on next Monday. I am sure he does not wish to carry over the implication, which was unfortunately present in his original statement, that those of us who are trying to curb filibusters are themselves indulging in a filibuster. That, of course, is not the case, and I am sure the Senator from Texas will wish to correct the RECORD so far as his remarks on that point are concerned.

I have consulted on this subject with my colleagues, and we are very glad to accept the main features of the proposal of the Senator from Texas, that we proceed to vote on Monday, or on such other day as may immediately follow, on both the amendments and the resolution itself.

We suggest two changes. We suggest, first, that on the motion which will probably be the initial motion, namely, the one proposing an ultimate limitation of debate by majority vote, debate be limited to 3 hours, to be equally divided; and that debate on other amendments be limited to 2 hours. We are willing to provide that the agreement apply only to amendments which are at the desk at the conclusion of the session today, and that the debate on the final adoption of the resolution be limited to 4 hours.

I believe this is a very clear indication of good faith on the part of those of us who wish to curb filibusters. I hope the Senator from Texas will be willing to accept it on behalf of the advocates of the filibuster.

Mr. JOHNSON of Texas. Mr. President, I believe we shall have to reserve judgment on the classifications which are sought to be applied to various amendments. I am interested in entering into an agreement with respect to debate on proposals to amend rule XXII. If the Senator cares to call up his amendment now, he can speak on it as long as he desires to speak on it today, and as long as he desires to speak on it tomorrow. It would be the pending amendment on Monday. On Monday the debate on the amendment would be limited to 2 hours. That would mean not only 2 hours of debate on Monday, but the Senator could speak also for the remainder of today and all of tomorrow, if he desires to speak tomorrow. If he

does not, we need not have a session tomorrow.

Mr. DOUGLAS. Do I understand that the Senator from Texas does not wish to accord 4 hours of debate to the so-called majority rule amendment?

Mr. JOHNSON of Texas. The Senator from Texas does not wish to waste Friday. He is not a Monday, Wednesday, and Friday man. He is a 6-day man.

Mr. DOUGLAS. So is the Senator from Illinois.

Mr. JOHNSON of Texas. The Senator from Illinois would have all day tomorrow to discuss the amendment.

Mr. DOUGLAS. The proposal is merely a proposal for a vote. It is not, as I understood the Senator from Texas, a proposal to shut off any discussion today or tomorrow. We could still have discussion of it today and tomorrow, as the Senator from Texas has originally proposed.

It is merely that, in accordance with the proposal of the Senator from Texas, we are ready to proceed to vote on Monday, after preliminary discussion today and tomorrow, and I am willing to provide for 2 hours of debate on each amendment.

Mr. JOHNSON of Texas. If the Senator wishes more than 2 hours on his amendment, he could now make his amendment the pending business and then could address himself to it for the remainder of the day, and speak into the evening. If he cared to do so, he could also speak on it tomorrow, Saturday. I believe we will have to be clear about that. So far as I am concerned, we could have a session tomorrow, if any Senator wanted to discuss the amendment of the Senator from Illinois.

Mr. DOUGLAS. I had hoped that the Senator from Texas would be willing to have discussed at somewhat greater length than other amendments an amendment which seeks to effect the pledge made by the Democratic Party in the 1952 and 1956 platforms. But if he is unwilling to do that, then, in order to get an agreement with the Senator from Texas, I shall be perfectly willing to accept the provision for 2 hours on each amendment.

Mr. JOHNSON of Texas. That is what I proposed. I think that is agreeable.

Mr. DOUGLAS. I would suggest, however, that on final passage 4 hours of debate be provided.

Mr. JOHNSON of Texas. I think that would be reasonable. I shall be glad to suggest 4 hours. I modify my proposal accordingly.

Mr. DOUGLAS. Would the Senator from Texas clarify the proposal and state whether the definition of an amendment applies to all amendments when offered or to amendments at the desk at a specific time?

Mr. JOHNSON of Texas. The Senator from Illinois was walking toward the wall. I did not hear him.

Mr. DOUGLAS. I beg the Senator's pardon.

Mr. JOHNSON of Texas. The Senator from Illinois was speaking in a low voice.

Mr. DOUGLAS. I sometimes have difficulty hearing the Senator from Texas in the Chamber.

Mr. JOHNSON of Texas. I am aware of that. I sometimes have difficulty hearing—period.

Mr. DOUGLAS. I thank the Senator from Texas for his characteristic courtesy.

Mr. JOHNSON of Texas. I thank the Senator from Illinois for reciprocating that courtesy in his characteristic fashion.

Mr. DOUGLAS. I thank the Senator from Texas. Now, if I may start again——

Mr. JOHNSON of Texas. The Senator may start.

Mr. DOUGLAS. What does the Senator from Texas believe should be the procedure concerning amendments? Should the debate on amendments be limited to amendments which are at the desk at the conclusion of the session today, or should it include any amendments which may be offered at the time? So far as I am concerned——

Mr. JOHNSON of Texas. Will the Senator let me answer his question?

Mr. DOUGLAS. May I finish?

Mr. JOHNSON of Texas. If the Senator from Illinois is asking a question——

Mr. DOUGLAS. I wanted to indicate my position.

Mr. JOHNSON of Texas. I understand.

Mr. DOUGLAS. We shall be very glad to limit the amendments to those which are at the desk at the conclusion of the business of the Senate today.

Mr. JOHNSON of Texas. I suggested to the Senator in writing, before he made his last statement, the form of proposal which would be agreeable to me. I told him earlier that I wanted to have as many Senators as possible present. I had a quorum called for that purpose.

I do not know of any other amendments to be offered, but I would not want any Senator to come in and say that he could not offer an amendment.

The proposed unanimous-consent agreement is in writing before the Senator. I have modified it in only one respect, namely, by changing the 2 hours on final passage to 4 hours.

Mr. DOUGLAS. I may say that the proposal is acceptable to us.

Mr. DIRKSEN. Mr. President, who has the floor?

The PRESIDING OFFICER. The senior Senator from Illinois has the floor.

Mr. DOUGLAS. I shall be glad to yield to my colleague from Illinois.

Mr. DIRKSEN. The Anderson amendment, in the first place, was amended by the Clark amendment. What about amendments to the amendments which will be pending as of the conclusion of business today?

Mr. DOUGLAS. I suppose that would depend on the judgment of the Parliamentarian and the Presiding Officer.

Mr. DIRKSEN. The situation should not be left in that condition. Under the unanimous-consent agreement, we should have pretty fair knowledge of what the proceeding is to be.

Mr. DOUGLAS. Mr. President, who has the floor?

The PRESIDING OFFICER. The senior Senator from Illinois has the floor.

Mr. DOUGLAS. Mr. President, I offer an amendment for myself and on behalf of Mr. HUMPHREY, Mr. JAVITS, Mr. CASE of New Jersey, Mr. MORSE, Mr. KUCHEL, Mr. HENNINGS, Mr. SCOTT, Mr. CLARK, Mr. KEATING, Mr. MCNAMARA, Mr. NEUBERGER, Mr. HART, and Mr. MCCARTHY. It is the so-called ultimate majority amendment, the constitutional majority amendment. I have offered it so that it may become the pending question and be discussed at such length today as the Senator from Texas may desire. If he wishes to have it discussed on Saturday, it would be the pending question, and it would be the first order of business on Monday.

Mr. BRIDGES. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New Hampshire will state it.

Mr. BRIDGES. Has action been taken on the unanimous-consent request?

The PRESIDING OFFICER. Will the Senator from New Hampshire please restate his question?

Mr. BRIDGES. The Senator from New Hampshire has just entered the Chamber. He is inquiring, first, whether a unanimous-consent request has been made for a vote; and, second, if such a request has been made, if action has been taken on it.

The PRESIDING OFFICER. Such a request has been made, but no action has been taken thereon.

Mr. DOUGLAS. Mr. President, I send the amendment to the desk and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. Beginning with line 7, page 1, it is proposed to strike out all of section 2 and insert in lieu thereof the following:

SEC. 2. Subsection 3 of rule XXII of the Standing Rules of the Senate is amended to read as follows:

"3. If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by 16 Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant to this subsection, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the 15th calendar day thereafter (exclusive of Sundays and legal holidays), he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without further debate, submit to the Senate by a yea-and-nay vote the question:

"'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by a majority vote of the Senators duly chosen and sworn, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous

consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate."

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

Mr. DOUGLAS. Mr. President, who has the floor?

The PRESIDING OFFICER. The senior Senator from Illinois has the floor.

Mr. DOUGLAS. I do not want to debate the amendment at this time, although we are ready to continue the discussion this afternoon and tomorrow. I simply wish to say that the amendment has now become, I believe, the pending question. We have agreed, on our side, to a 2-hour limitation of debate. We hope the debate will proceed and that we may have a vote on Monday on this amendment and on any other amendment which may be offered.

Mr. DIRKSEN. Mr. President, will my colleague yield for an inquiry?

Mr. DOUGLAS. I yield.

Mr. DIRKSEN. Under the rule, obviously any amendment to an amendment lying at the desk would also be entitled to 2 hours under the unanimous consent request. I think that point should be made clear.

The PRESIDING OFFICER. The Senator from Illinois is correct.

Mr. JOHNSON of Texas. Mr. President, on behalf of the distinguished minority leader and myself, I submit a proposed unanimous-consent agreement.

The PRESIDING OFFICER. The agreement will be read:

The legislative clerk read, as follows:

Ordered, That, effective on Monday, January 12, 1959, at the conclusion of routine morning business, during the further consideration of the resolution (S. Res. 5) to amend rules XXII and and XXXII of the Standing Rules of the Senate, debate on any amendment, or amendments to amendments, motion, or appeal, except a motion to lay on the table, shall be limited to 2 hours, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said resolution shall be received.

Ordered further, That on the question of the final passage of the said resolution debate shall be limited to 4 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders or either of them, may, from the time under their control on the passage of said resolution, yield additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. Will the agreement take effect immediately, or is it to apply on Monday?

Mr. JOHNSON of Texas. I think the agreement states that it is to take effect at the conclusion of morning business on Monday. It is the intention to enter an order, if it be agreed to, to have the Senate convene at 10 o'clock on Monday morning. The agreement, as I understand, provides that it shall become effective at the conclusion of morning business on Monday. That could be 9, 10, 11, or 12 o'clock, depending on when the Senate convenes on Monday. It will take effect at the conclusion of morning business on Monday.

The PRESIDING OFFICER (Mr. THURMOND in the chair). That is what the proposal provides.

Mr. ELLENDER. Mr. President, reserving the right to object, I should like to ask a question of the distinguished majority leader. I notice that a provision in regard to amendments to the amendment is included in the proposed agreement. Are we to understand that in the case of any amendment which would be sent to the desk and would be on the desk this evening, the entire amount of time proposed to be allowed could be consumed in speaking on such an amendment to the amendment?

Mr. JOHNSON of Texas. The proposed agreement will not go into effect until next Monday.

Mr. ELLENDER. I understand.

Mr. JOHNSON of Texas. The Senator from Louisiana said "this evening."

Mr. ELLENDER. But I should like to ask this question: Suppose the pending amendment is before the Senate, as it will be, when the Senate begins to vote on Monday. Suppose several amendments are proposed to the pending amendment.

Mr. JOHNSON of Texas. Two hours will be available on each one, as the Chair has just ruled.

Mr. ELLENDER. Then, as I understand, it will be possible——

Mr. JOHNSON of Texas. That has always been the case; the time on any amendment to an amendment is the same as the time on the amendment itself. Is that correct, Mr. President?

The PRESIDING OFFICER. That is correct.

Mr. ELLENDER. So, if 40 amendments are proposed to the amendment, it will be possible for the proponents of those 40 amendments to the amendment to have 80 hours——

Mr. JOHNSON of Texas. But I do not wish to think in such terms.

Mr. ELLENDER. But it would be possible, would it not?

Mr. JOHNSON of Texas. Yes, it would be possible. The time available on every amendment to an amendment will be the same time as the time available on the amendment itself. The Presiding Officer has already ruled that the time available on an amendment to the amendment will be 2 hours, the same as the time available on the amendment itself.

Mr. President——

Mr. DOUGLAS. Mr. President, I believe I have the floor. I yield further to the Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, today the Senator from New Mexico modified his amendment. But if his modified amendment had been considered as an amendment to the amendment, he would have been allowed an additional 2 hours, if the agreement now proposed had been in effect.

Mr. CASE of South Dakota. Mr. President, reserving the right to object——

Mr. DOUGLAS. Mr. President, if the Senator from Texas has finished, and only if he has finished, let me remove the fears of the Senator from Louisiana by saying that we have no intention to pile up amendments to the amendment, and there will be no filibuster.

Mr. JOHNSON of Texas. I am sure of that.

Mr. ELLENDER. I think a distinction should be made in the case of amendments to the amendment—perhaps by providing a limit of 15 minutes to a side, in the case of amendments to the amendment.

Mr. JOHNSON of Texas. But the Chair's ruling was that the time available on amendments to an amendment would be the same as the time available on the amendment itself. Does the Senator from Louisiana favor the provision of less time in the case of amendments to the amendment?

Mr. ELLENDER. Yes; in the case of amendments to the amendment.

Mr. JOHNSON of Texas. But the Chair ruled that the time available on amendments to the amendment would be the same as the time available on the amendment itself; and we wished to be sure of that.

Of course we shall yield back any time that is not needed.

Mr. MORTON and Mr. CASE of South Dakota addressed the Chair.

Mr. DOUGLAS. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. DOUGLAS. I shall be glad to yield; and I yield now to the Senator from Kentucky.

Mr. MORTON. I thank the Senator from Illinois.

Mr. President, as I understand the request of the majority leader, there would be no requirement that an amendment be on the desk tonight.

Mr. JOHNSON of Texas. Mr. President, if the Senator will yield, let me say that is correct.

Mr. MORTON. Let me ask the Chair to ascertain whether an amendment which I submitted on yesterday—and the amendment has been printed, and is numbered 1–8–59–B—is at the desk.

The PRESIDING OFFICER. The amendment is at the desk.

Mr. MORTON. I thank the Chair.

Mr. CASE of South Dakota. Mr. President——

Mr. DOUGLAS. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. DOUGLAS. I am glad to yield to the Senator from South Dakota, if I may do so with the understanding that thereby I shall not lose my right to the floor.

Mr. CASE of South Dakota. Mr. President, I do not care to object or to reserve the right to object to the proposed unanimous-consent agreement

until a parliamentary inquiry I have in mind is answered.

Mr. DOUGLAS. I am glad to yield for that purpose.

Mr. CASE of South Dakota. Mr. President, on yesterday I gave notice of an intention to submit an amendment which would be in order if the Johnson resolution were to be considered today. But under the proposed unanimous-consent agreement, as I have heard it read, I understand that amendments would be limited to those which would be germane. The amendment I propose deals with one of the rules, but with a rule other than those dealt with by the Johnson resolution. Would I be foreclosed from offering the amendment, on which I have given notice, in view of the fact that the amendment deals with rule XIX, rather than with rules XXII or XXXII?

The PRESIDING OFFICER. It is the opinion of the Chair that such an amendment would not be in order under the proposed unanimous-consent agreement.

Mr. CASE of South Dakota. Then, Mr. President, I would have to object to the proposed agreement. I do not think the majority leader would want to foreclose me from an opportunity to submit the amendment. It is one which under the rules of the Senate would be in order, because I carefully gave notice of it on yesterday.

Mr. JOHNSON of Texas. Mr. President, did I correctly understand the ruling of the Chair to be that the amendment to which the Senator from South Dakota has referred would not be germane—not as germane, for instance, as the Douglas amendment?

The PRESIDING OFFICER. Yes; under the unanimous-consent agreement as proposed.

Mr. JOHNSON of Texas. Then I would have no objection to excepting the amendment of the Senator from South Dakota from the provision in the unanimous-consent request requiring an amendment to be germane, and I so modify my request.

Mr. CASE of South Dakota. I thank the Senator from Texas.

The PRESIDING OFFICER. Is there objection to the request, as modified?

Mr. BRIDGES. Mr. President, reserving the right to object, I should like to inquire whether consideration could be given—because of the proposed absence of one or two Members of the Senate—to postponing this matter until Tuesday, rather than Monday. I refer to the actual vote, not to the beginning of the time limitation; I refer only to the time for the beginning of the vote.

Mr. DOUGLAS. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. DOUGLAS. Let me say to my good friend, the Senator from New Hampshire, that we had hoped to proceed on Monday, because we are not anxious to delay matters by even a single minute. But if the Senator from New Hampshire and his colleagues find it impossible to be in the Senate on Monday, even though his request, if granted, would mean a delay of the decision, we, in the interest of friendship and of comity, would be willing, I am sure, to postpone the debate to Tuesday. But let the record be abundantly clear that this proposal does not come from those who are supporting the move to curb the filibuster.

Mr. BRIDGES. Mr. President, will the Senator from Illinois yield further to me?

Mr. DOUGLAS. Yes; if I may do so without losing my right to the floor.

Mr. BRIDGES. I do not wish to delay even 1 minute. So let us proceed to vote tonight. In other words, I take the Senator from Illinois at his word. If he says he is ready to vote now, then I should like to have the Senate vote tonight.

Mr. DOUGLAS. Oh, no; I said that I will be ready to vote on Monday.

Mr. BRIDGES. But I do not want the Senator from Illinois to delay even the extra minute to which he referred.

Mr. DOUGLAS. Or I shall be ready to vote on Tuesday.

Mr. President, it is very interesting to find the Senator from New Hampshire pleading that he has other engagements so important that on Monday he cannot come to the Senate to discuss what probably is the most important matter that will be before the Senate this year. I know the high sense of duty which animates the Senator from New Hampshire; and I am sure that, on mature reflection, he will be here on Monday, or, if that is physically impossible, that he will be here on Tuesday; and so we shall waive our desire, and the desire the majority leader expressed, in favor of dealing with this matter on Tuesday. We are willing to make a great many concessions to the Senator from New Hampshire, and I hope he will show a due sense of reciprocal trade.

Mr. LANGER. Mr. President, will the distinguished Senator from Illinois yield, so that I may ask a question of the distinguished majority leader, provided it is understood that the Senator from Illinois will not thereby lose his right to the floor?

Mr. DOUGLAS. I will yield for that purpose, with the understanding that I shall not thereby lose my right to the floor.

Mr. LANGER. As I understand the unanimous-consent request, it will, if agreed to, result in a vote finally, on Monday, on the Johnson resolution?

Mr. JOHNSON of Texas. No; I do not know when we shall ever get to the Johnson resolution, because there will be offered many amendments to the Johnson resolution. We cannot vote on the resolution until we have disposed of the amendments.

I hope that once we get a unanimous-consent agreement, it will be with the understanding that the Senate will convene at 10 o'clock on Monday. I hope to get a vote on all the amendments, and on the resolution itself, as early as possible, and that could be Monday. I am not informed as to how many amendments will be offered at the desk, but I would hope the vote may come on Monday.

Mr. LANGER. I thank the Senator; but the unanimous-consent request does include the Johnson resolution?

Mr. JOHNSON of Texas. Yes; and all amendments to it.

I thank the Senator from Illinois for yielding.

Mr. DOUGLAS. Mr. President, I desire again to make it clear that we desire to accommodate the majority leader, and we desire to accommodate the distinguished chairman of the Republican policy committee, and we shall agree to vote on either Monday or Tuesday, whichever date is most satisfactory to them.

I see no further purpose in holding the floor, and I am prepared to yield, but first I should like to make one parliamentary inquiry, if I may be permitted to make it.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DOUGLAS. Is the amendment which I sent to the desk the pending question?

The PRESIDING OFFICER. It is the pending question.

Mr. DOUGLAS. I thank the Chair.

Mr. JOHNSON of Texas. Mr. President——

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON of Texas. Mr. President——

The PRESIDING OFFICER. The Senator from Texas.

Mr. JOHNSON of Texas. So that no Senator may be misled, I think I should say there are several Senators who do not desire to vote tonight. I do not think their motives should be questioned. I am one who is prepared to vote without a minute's delay. When I say that, I mean it. There are some Senators who do not want to vote tomorrow, because they have made other plans, and some of them are supporting the proposal of the Senator from Illinois, and the Senate should know that.

Because of those circumstances, I suggested, in an attempt to accommodate some of the proponents of the amendment, that the Senate also go over Sunday, so that they would have that additional day for any propaganda efforts, since propaganda is very heavy in the corridors of the Capitol now, in connection with this issue, and we want to give everybody adequate opportunity to do as much educational work as he may desire to do.

I am told that there are a few Senators on the minority side who are not going to be here Monday. I had hoped that Senators who had wanted to vote without a minute's delay would give pairs. I would gladly pair with any Senator if he did not have the same view I entertain. Last year I agreed with Senator Knowland that any time he had to be away from the Senate I would give him a live pair. He did the same for me. He did pair with me on votes when I had to be away.

I hope the proponents of amendments, on one side or the other, will try to accommodate at least two members of the minority who desire to oppose the amendments to the Johnson resolution

and who support the resolution since they are sponsors. If there are any accommodating souls on either side of the aisle who happen to be proponents of the pending amendment and are willing to enter into an agreement to pair, then I think we could solve all our difficulties by arranging two pairs. We could then convene at 10 o'clock on Monday morning, and vote on Monday.

I regret very much we have gotten away from the practice of pairing in the Senate. I am told that many years ago Senator Robinson and Senator McNary had live pairs on all matters, and that other Senators followed the same practice. It was a great accommodation, and it really expedited the business of the Senate. I should like to see a return to that practice in the Senate, because Senators would be surprised to learn how many times we have to hold up votes because certain Senators cannot be here Friday or Saturday. Then, when they are away on Friday or Saturday, attending to other business, they do not want to come back on Monday.

Many times in the Senate I have found it impossible to transact business, so far as voting is concerned, except on Tuesday, Wednesday, and Thursday. I am not a Tuesday, Wednesday, and Thursay man, myself. I have to be here 7 days a week. On occasions when I leave I get a pair, if I can do so. I do not hold up any votes.

I remember one time I anticipated what was going to happen in connection with the road bill. I thought we would not have any important action taken. I consulted the leadership. I became inspired and said, "Now is the time to go to Mayo's." After I got up there I called up and asked what had happened in the Senate that day. I was told, "We had seven votes today."

I wonder if the Senator from Illinois, or anyone else, knows of any proponent of this amendment or any other amendment who will agree to give Senator BRIDGES a pair.

Mr. DIRKSEN. The minority leader will be happy to give a pair at any time, but, unfortunately, he cannot have a pair with anybody who has an identical view.

Mr. JOHNSON of Texas. Is there anyone among the proponents who will give a pair?

Mr. KUCHEL. Mr. President, I wish to say, frankly, that I have tried to accommodate Senators when they have wanted to be accommodated. However, I consider a rollcall, where possibly one vote may provide sufficient strength to assure defeat or victory, of great importance. It would be extremely embarrassing if, as a result of a live pair, that took place. Under those circumstances, I feel I should not accommodate one of my colleagues who may be required to be elsewhere on Monday. Under those circumstances, I hope we may be able to continue with a vote on these several proposed amendments until Tuesday.

Mr. ANDERSON. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield to the Senator from New Mexico.

Mr. ANDERSON. I am extremely anxious to have these votes promptly. I probably have as much interest in voting on some of these matters as has any other Senator. I do not know if I shall be on the opposite side from the Senator from New Hampshire at all times, but if I am, I shall be glad to pair with him, in order to have this unanimous-consent proposal agreed to. I hope it may be agreed to.

Mr. JOHNSON of Texas. I thank the Senator from New Mexico. I appreciate his cooperation. I hope that will be satisfactory to the Senator from New Hampshire.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from South Dakota.

Mr. MUNDT. I would also like to have a pair. I am scheduled to be out of town. I thought we were going to have a vote on Saturday. It would be inconvenient—not to me, but to others—to change my plans.

Mr. JOHNSON of Texas. I think we can arrange a pair for the Senator on the amendment in question. I hope the unanimous-consent request will be agreed to. We have worked long and hard. If it is agreed to, we hope we shall have no votes until Monday. I would like the Chair to put the question.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is entered.

ORDER TO CONVENE AT 10 O'CLOCK A. M. ON MONDAY NEXT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate convenes on Monday, it convene at 10 o'clock a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. RUSSELL and Mr. DOUGLAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. RUSSELL. Mr. President, I wish to make a few observations with respect to the proposed amendment.

Mr. STENNIS. Mr. President, will the Presiding Officer suspend the session of the Senate until there is order and until the speaker can be heard?

The PRESIDING OFFICER. The Senate will be in order. Attachés will please remain quiet or leave the Chamber. Senators will take their seats.

The Senator from Georgia may proceed.

Mr. RUSSELL. Mr. President, this is the first opportunity I have had to read this famous amendment about which I have read so much in the press. I have seen various analyses which were submitted by the distinguished Senator from Illinois and by other authors of the amendment, in which they protested that under the amendment the debate could last 4 or 5 weeks—that Senators would be given an opportunity to speak 4 or 5 weeks under the amendment.

While I was not satisfied with the 4 or 5 weeks, since I have seen Senators speak on important legislation for 8 or 10 weeks without anyone ever attributing a filibuster to anybody, I did think that would give the Senate some chance to debate. I wondered how it would be done.

I have now read the proposed amendment. I want to say, Mr. President, that if there has ever been a gag rule with a vengeance which was submitted to the Senate of the United States it is embraced in this proposed amendment. Give any good parliamentarian a majority of one vote in the Senate and under the proposed amendment he could forever prevent a minority in the Senate from opening its mouth to speak until after a cloture rule had been voted upon them.

We talk about giving Senators a right to speak. Why, there has never been as complete a gag submitted to the Senate of the United States as this. It would enable a mere majority to meet and recess from day to day for 15 days, then gag the Senate with a cloture rule, and cram it down Senators' throats. If this happened, the people of this country would never know what was involved in the proposed legislation.

Mr. President, there have been times in this country when the predatory interests of this land could have used such an amendment to take away what was left to the people of the United States. Under such a rule there would be times when pressure groups in this country could, by using a mere majority of the Senate, pass legislation without the minority ever having a chance to speak until after cloture had already been invoked. It would not be necessary for the Senate to meet each day. It only would be necessary to meet every third day, then move that the Senate take a recess, and meet and recess again until the gag could be imposed.

We talk about 1 hour being a long time to speak. Why, Mr. President, in the days of the great liberals—and I mean the real liberals in the real liberal tradition—men like Norris, La Follette, and Borah—Senators spoke from 4 to 5 hours at a time to alert the people of this country to the dangers which were inherent in certain legislative proposals which were before the Senate.

Under this proposition, Mr. President, the minority of the Senate would have no opportunity at all, if it were faced with a ruthless majority.

I am amazed to hear Senators talk about 5 or 6 weeks of debate being possible if this amendment were approved when, under this proposal, the Senate could be absolutely and completely gagged by a simple majority.

Mr. President, it is well enough to talk about civil rights—an important issue in this country and a popular one—and to use it as an instrument for changing the rules of the Senate. But it so happens that when the last civil rights bill was pending before the Senate, those of us who opposed the bill could not have conducted a filibuster under the existing rules to have saved our lives, and nobody knows it better than those who are pressing this proposed change in rule XXII. We could not have stopped the bill by filibuster. We could have been gagged by cloture just as soon as the formalities had been complied with. If

that had not been the case the bill would not have passed. We simply did not have the votes to sustain a filibuster.

If, in the name of some imaginary civil rights necessity, the Senate passes such a rule as is now proposed, I want the prediction to be recorded now, Mr. President, that it will be utilized for other legislation and in other ways that will be detrimental to the country long before a cloture rule will ever be invoked on any new civil-rights bill.

I could not refrain, Mr. President, from making these comments after reading the proposed amendment. I have never seen a proposal which could be utilized more completely as an instrument to completely gag the Senate of the United States than this proposed amendment to the rule.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DOUGLAS. Mr. President——

Mr. RUSSELL. I am glad to yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, I have heard with a great deal of interest, and I think with understanding, the point so ably made by my distinguished colleague from Georgia. It occurs to me, however, that the point might easily be extended to cover considerably more territory.

Is it not true that in the event of the pendency, ready for consideration, of a conference report on a very controversial bill, notice could be filed, and the conference report could be called up as a matter which was entitled to privileged consideration, and the time of the Senate could be occupied for the next 15 days as much as the majority of the Senate might decide, even including all of the time?

Mr. RUSSELL. Of course that is the case. Not only that, Mr. President, but under the proposal, the right to offer amendments, which is so vital to the Senate, could be made absolutely meaningless.

What is it that makes the Senate a great deliberative body? It is not the fact that there are only 98 Members in the Senate, from the population of 170 million. It is the fact that Senators heretofore have been permitted to "speak their piece," and to explain their views to the country. The Senate is a great deliberative body because of the fact that we have had an unbridled amendment opportunity in the Senate, not even encumbered with the rule of relevancy. There has been an unlimited right to offer amendments.

Under this proposal, the right of amendment would be precluded, as would the right of freedom of debate. It would give a temporary majority in the Senate greater power than ever has been conferred.

We talk about the Senate being a great deliberative body, but adoption of this proposal would mean that henceforth and forevermore it would be only another legislative body.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. RUSSELL. I yield.

Mr. HOLLAND. Is the proposed rule not also susceptible of misuse and abuse in still another way? Let us assume that some treaties were on the Executive Calendar ready for consideration, or that some nominations were ready for consideration. I remember full well, in the period since I have been a Member of the Senate, which has not been very long, that the debate regarding the confirmation of the nomination of Mr. Lilienthal consumed a good many days of debate on the floor of the Senate. Matters of that kind, constituting executive business, might be so used during the allotted 15 days as to consume entirely the time of the Senate and to preclude a full discussion of the issue, much less a discussion of amendments, to which the Senator has already referred.

Mr. RUSSELL. It could be used in a great many ways. If the Presiding Officer happened to be with the majority of one he could recognize only Members of the majority to speak, thus presenting only one side of the question, a highly distorted side, and permeating the airways and the press of the country with the views of the majority alone. The minority would never have an opportunity to speak in an effort to protest passage of the proposed legislation, except during the 1 hour which would be available after it had been gagged and the issue had been determined. Even that would not afford the right of offering perfecting amendments to the legislation.

Mr. HOLLAND. I think the Senator has persuaded the Senator from Florida, and that the Senator from Florida is well persuaded that he should oppose this amendment with all possible vigor. If he had not been of that opinion heretofore, he would have been persuaded by the eloquence and by the irrefutable facts which have been advanced by his distinguished friend from Georgia.

Mr. RUSSELL. I thank the Senator.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. ERVIN. I should like to ask the Senator a question, and I should like to make a statement as a premise to the question.

The first time I ever heard of a filibuster I was a boy 12 years of age, and was brought into the Senate gallery by my father. A great liberal was speaking. He was a true liberal, not the kind of liberal who is so illiberal that he wants to make everyone conform to his thoughts and actions. He was one of the great liberals, who was perfectly willing that other people should have different opinions and should express them. I refer to Robert M. La Follette the elder. He was conducting a filibuster by himself, against a bill which he considered iniquitous.

If the proposal advanced by the able and distinguished Senator from Illinois were adopted by the Senate, I ask the Senator from Georgia if all the debate that could possibly ensue under the most liberal use of the proposal by a great liberal or a great conservative fighting a filibuster himself would be limited to 1 hour. The only information he would be permitted to give to the American people from the floor of the U.S. Senate would be what little he could say in an hour. Is that not true?

Mr. RUSSELL. If the majority were ruthless enough to utilize this proposal to the utmost, that would be the case. Everyone knows that after cloture is voted it is impossible to disseminate very much information.

Mr. ERVIN. If the majority elected to remain silent, 1 hour would be all the time allotted for speaking by a man who might be on the side of truth, on the side of justice, and on the side of liberty. That would be all the time he could have.

Mr. RUSSELL. Absolutely; and in many cases he would not have an opportunity even to get around the edges of the problem and expose some great delinquency or some great danger in a bill, or call attention to some way in which it could be used to exploit a vast segment of the people of the country. He would have only 1 hour in which to do it, and that would be after the die had been cast and cloture had been invoked.

Mr. ERVIN. Under the press of senatorial duties and the necessity of a man's preparing himself to make a speech even of 1 hour's duration, if he were restricted to such a time, I ask the distinguished Senator from Georgia if he would not be denied any opportunity to make preparation for the speech, which could last for only an hour, when he would be gagged.

Mr. RUSSELL. I think the adoption of such a rule as is proposed would be a major change in our form of Government.

We talk about our vaunted system of checks and balances. The veto is a check and a balance. The right to override a veto is an outstanding check and balance. But after all, the greatest of all checks, and the surest of all balances, which has kept the Ship of State on an even keel down through 170 years, has been the right of amendment and the right of free debate in the U.S. Senate. If we destroy that right, we destroy the most important check upon the arbitrary power of an Executive. That is the most salutary check on a temporary majority inflamed by passion, or, in some instances, misled by misinformation.

In this day of highly organized pressure groups we must remember that a temporary majority in the Senate does not always represent a majority of the people of the United States. In some instances it does not even represent a substantial number of the people of the United States. Yet it is proposed to give to a temporary majority the power, if it is ruthless in its approach, the power to gag their colleagues and deny them the right to be heard and the right to offer amendments to proposed legislation.

Mr. ERVIN. Mr. President, will the Senator yield for one further question?

Mr. RUSSELL. I yield.

Mr. ERVIN. In order to ask the question, I will first lay down this premise:

I had the honor at one time to represent my district in the House of Representatives. A proposal came before the House which I considered to be of supreme importance for the preservation

of the freedom of the free world. I wished to express my views on that proposal, and in order to express my views on a proposal which I believed dealt with the possibility of the existence of the free world, I had to borrow 2 minutes from the Democrats and 2 minutes from the Republicans. In that way I could get 4 minutes in that legislative body to speak on the most important question that came before that Congress.

I ask the distinguished Senator from Georgia if the adoption of a rule such as is proposed would not indicate the danger that the Senate might be reduced to the same kind of legislative body as the House, in which a Member does very well to get 4 minutes to speak on the most important question coming before the body.

Mr. RUSSELL. I sat in my seat today and heard three Members of this body use the illustration of the approach of the House of Representatives to the adoption of rules as the criterion we should follow, and the reason why we should take the action urged. I was utterly appalled.

The House of Representatives is a great body in its way, but under its rules Members are often denied the right of amendment and are unable to get any time at all to speak. God forbid that Senators should have to come as mendicants, imploring and pleading for 3 minutes to express their views on the floor of the Senate, as is the case in the House.

Mr. O'MAHONEY rose.

Mr. RUSSELL. I yield to the Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, I desire to be recognized for the purpose of making a statement of my own.

Mr. RUSSELL. Mr. President, I yield the floor.

Mr. O'MAHONEY. Mr. President——

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. First, let me say that I am very happy to have the Senator from Wyoming speak, but is it customary for one Senator to bequeath the floor to another, or must a Senator obtain recognition from the Chair?

Mr. O'MAHONEY. Mr. President, I was standing at my desk waiting for the Chair to recognize me, and I was recognized by the Chair. When the Senator from Georgia offered to yield to me I said distinctly that I did not ask him to yield, but that I wanted the floor in my own right. I was standing waiting for recognition by the Chair.

The PRESIDING OFFICER. The Senator is correct.

Mr. O'MAHONEY. The Senator from Illinois was in his seat.

Mr. DOUGLAS. Mr. President, I am very happy to withdraw my parliamentary inquiry.

Mr. O'MAHONEY. I thank the Senator.

Mr. President, I desire to make this statement, which I dictated this morning, for the purpose of sending it to some constituents in my State as well as to supply a summary of my views on this question to certain Members of the Senate who were kind enough to request them. So I ask the opportunity to read the statement now without interruption.

ISSUE IS WISDOM OF CLOTURE BY A MERE MAJORITY

The issue posed here is not majority rule.

It is not civil rights.

It is not even the general question of the constitutional power of a majority of the Senate to adopt rules or to change rules.

It is only the question whether it is wise to permit a majority of a Senate quorum to impose cloture, that is to say to stop debate of any issue whenever a majority of a Senate quorum is so disposed.

A quorum of the present Senate with 98 Members is 50. A majority of that quorum is 26.

When Thomas Jefferson said that the living generation should not be controlled by the decisions of the generations of the past, he was talking of the whole people of a Nation. He was not talking about a legislative body.

U.S. SENATE REPRESENTS THE STATES

We must remember first that the Senate was established by the men who drafted the Constitution as a body to represent the States, not as a body to represent all the people of the United States. True, the Senators are elected by the people in the several States, but no State, no matter how great its population may be, has more than 2 Senators. I heartily approve of the constitutional amendment by which the election of Senators was taken away from the legislatures and reposed in the voting populace of the several States.

The purpose of the framers of the Constitution was to make certain that in one of the two legislative bodies the States should all be equal.

A new State, Alaska, has just been admitted to the Union. Its population, as estimated by the Bureau of the Census on July 1, 1958, was 167,000. The population of the State of New York is 16,229,000, but Alaska has 2 Senators and New York has 2 Senators.

The 13 States having the smallest population, according to the Bureau of the Census, account for 7,445,000 of the 172,602,000 who inhabit the United States. These 13 States have 26 Senators, a majority of a quorum. They have the power to rule the Senate because they constitute a majority of a quorum, but obviously they represent a small minority of the whole people of the United States.

We cannot possibly, therefore, be talking about majority rule when we are talking about the imposition of cloture in the Senate of the United States.

I have heard some of my colleagues say to the newly elected Senators that they never have had an opportunity to vote upon the Senate rules. Neither have they ever had an opportunity to vote on Robert's Rules of Order.

PROTECTION OF RIGHTS OF MINORITIES IS AT STAKE

Those who ask the Senate to risk the danger of being obliged to tie itself up at the beginning of every Congress in a battle over the adoption of rules are not fighting for majority rule but they are fighting against the protection of the rights of minorities.

Thomas Jefferson had a word about this. In his first inaugural message as President of the United States he said:

> All, too, will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will to be rightful must be reasonable; that the minority possess their equal rights, which equal law must protect, and to violate would be oppression. Let us, then, fellow citizens, unite with one heart and one mind. Let us restore to social intercourse that harmony and affection without which liberty and even life itself are but dreary things.

EQUALITY OF STATES IS THREATENED

If we are to set a precedent now that a mere majority of a quorum of the Senate shall have the power to cut off debate, we shall be sacrificing the rights of most of the States which have less than half of the total population. We shall be sacrificing, indeed, the constitutional principle that in the Senate of the United States the States shall be equal.

It is my position that free speech is so elementary a principle of free government that we cannot afford to sacrifice it to the control of a mere majority of a quorum any more than the framers of the Constitution were willing to permit a mere majority of a quorum to expel a Member.

FREE SPEECH IN THE SENATE IS ENDANGERED

I should like to add, Mr. President, that since I dictated the statement, which I have now finished reading, I have been advised by Members of the Senate that representatives of organized labor have approached them and have threatened them if they did not vote for majority rule in the Senate. I cannot imagine how any group of laboring men could conceive the idea that they were working in their interests if they sought to support an amendment which would have the effect of putting into the hands of 26 Members of the Senate the right to give up free speech in this only forum where free speech now exists.

MINORITIES WOULD BE DEPRIVED OF REPRESENTATION

I am a liberal. I have always been a liberal. I have followed Thomas Jefferson. I have followed Woodrow Wilson. I have followed Harry Truman. I have followed Franklin Roosevelt. I have enjoyed supporting Adlai Stevenson. I have always been alined in my votes on the floor of the Senate on the side of liberalism. However, I say to my colleagues in deep sincerity that if they vote to cut off free speech in the Senate they are voting to deprive minorities of the people of the United States, whether they be farmers, whether they be laborers, whether they be small businessmen, or whatever category they may fall into, of the right to representation, and are putting them under a gag rule which is worse by far than rule XXII now on the books.

Mr. DOUGLAS obtained the floor.

Mr. CASE of South Dakota. Mr. President, will the Senator from Illinois yield so that I may suggest the absence

of a quorum, with the understanding that he does not lose the floor?

Mr. DOUGLAS. I will be glad to do so.

Mr. CASE of South Dakota. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that Senators who wish to do so may add their names as cosponsors of my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. Mr. President, we are now moving into the crucial question which will decide whether we are to enact any civil rights legislation of an effective nature in this Congress, and perhaps even in this generation, or whether our efforts will be defeated by the proposed rule XXII which has been advanced by the Senator from Texas [Mr. JOHNSON].

I think it is very interesting to review the history of this proposal and the reasons why the sponsors of the amendment now before the Senate feel that it is essential for the cause of democracy and for the passage of legislation which the overwhelming majority of the public demands.

RULE IN 1917–49 FOR LIMITATION OF DEBATE BY TWO-THIRDS OF SENATORS VOTING WAS UNWORKABLE

Let us go back to the period from 1917 to 1949. During that period, the rule governing filibusters in the Senate was that they could be curbed and ultimately broken by a two-thirds vote of Senators present and voting. Under this rule, some 20 efforts were made to break a filibuster.

In only four cases did they succeed. In the remainder of the cases the requirement of a two-thirds majority of the Senators present and voting was sufficient to prevent the taking of action by the Senate. In particular, the experience with two measures was so striking that it was felt a liberalization of the cloture provisions was necessary.

In February 1946 the late and well beloved Senator Alben Barkley, of Kentucky, and other Senators sponsored a Fair Employment Practices Act; but it was subjected to a filibuster which took rather extraordinary form. Objection was made, from day to day, that the Senate Journal—not the CONGRESSIONAL RECORD, but the Senate Journal, which has a limited circulation, and is seen by only a few persons—did not contain a proper reference to the Deity; and day after day Senators from the South arose and protested against that indignity to divine providence—namely that the name of the Lord was not referred to in the Journal. So objection was made to the reading of the Journal. That went on day after day. At that time I happened to be in the Bethesda Naval Hospital; but I read the CONGRESSIONAL RECORD each morning. My wife was then a Member of the other body; and we followed this matter with great interest. To me, at the time, the objections seemed almost sacrilegious. However, they were effective.

Finally, on February 9, Senator Barkley moved to invoke limitation of debate, or what is commonly known as cloture. He obtained 48 affirmative votes, as against 36 negative votes. So a clear majority of the Senate was in favor of limiting debate. But the 1917 requirement of a two-thirds majority of the Senators present and voting was able to prevent the application of cloture; and therefore the FEPC bill was laid aside, and did not become law, although it had been passed by the House, and although a very respectable majority of the Senate desired to have the bill passed.

Later in the same year an anti-poll-tax bill was brought up. A filibuster was conducted against that bill, also. Finally, in an effort to break the filibuster, and to give the Senate an opportunity to vote on that measure, Senator Barkley again sought to invoke cloture. He obtained 39 affirmative votes. There were 33 negative votes. Therefore, a majority of the Senators then voting were in favor of limiting debate. But since a two-thirds majority was not in favor of limiting debate, debate could not be limited; and in the face of that southern opposition, the measure was laid aside.

NINETEEN HUNDRED AND FORTY-NINE CHANGE IN RULE XXII MADE IT MORE DIFFICULT TO END A FILIBUSTER

Mr. President, as a result of all that, when the Democratic Party won a sweeping victory in the elections of 1948, the President of the United States and the leaders of the Democratic Party decided to make an effort to loosen the rule in regard to filibustering; and they introduced a measure to that effect to provide for majority rule, in order to make it easier to end a filibuster.

As I recall, that was done early in March 1949. The debate proceeded for a time. Then there happened what the Senator from New Mexico described on yesterday; namely the bipartisan alliance between the southern Senators and the conservative branch of the Republican Party once again sprang into action, and there was circulated a round robin which pledged the signers to a tightening of the antifilibuster rule. As a result, rule XXII was amended, not in such a way as to make it easier to break a filibuster, but to make it a bit more difficult.

Mr. HOLLAND. Mr. President, at this point will the Senator from Illinois yield?

Mr. DOUGLAS. I yield for a question.

Mr. HOLLAND. Is it not true that the Senators who participated in that successful effort constituted a majority of the Senate?

Mr. DOUGLAS. Yes; that is true.

Mr. HOLLAND. I thought the Senator from Illinois had been calling for action by a majority of the Senate, when they wished it.

Mr. DOUGLAS. I was describing the sequence of events.

Mr. HOLLAND. But it is a fact, is it not, that a majority of the Senate elected to put an end to that fruitless debate, and did so by taking the action, as a majority of the Senate, which the distinguished Senator from Illinois has described? That is true, is it not?

Mr. DOUGLAS. Yes.

Mr. HOLLAND. Does the Senator from Illinois object to the right of a majority of the Senate to take action of that kind?

Mr. DOUGLAS. They had a right to take that action for the Senate which then was sitting. But in the argument which we advanced on yesterday, I believe we made it clear to all Members but the Senator from Florida, that that action was improper insofar as binding future Senates was concerned.

(At this point Mr. DOUGLAS yielded to enable the Presiding Officer to lay before the Senate messages from the House of Representatives announcing the death of three Members of that body, and to permit appropriate action to be taken by the Senate. The proceedings in connection therewith appear in the RECORD at the conclusion of the speech of Mr. DOUGLAS.)

Mr. DOUGLAS. Let the RECORD show that there has been considerable interval between the time the Senator from Illinois was speaking on the subject and the present moment, during which other matter was entered into the RECORD.

Mr. HOLLAND. Mr. President, if the Senator will permit, perhaps it would be well for me to continue the colloquy in which we were engaged.

Mr. DOUGLAS. I thank the Senator from Florida. I shall be glad to yield for a question in a moment. I should like to regain the thread of my discussion, if I may, and then I will yield for a question.

Mr. HOLLAND. Very well.

Mr. DOUGLAS. The effort of the Truman administration and the supposed support of the Truman administration was for a proposal to substitute majority cloture for the provision requiring two-thirds of those present and voting, which had prevailed from 1917.

What we wound up with, however, was a slight tightening—and a very slight tightening, as it has turned out—of rule XXII, whereby the number required to impose limitation on debate was changed from two-thirds of those present and voting to two-thirds of those duly elected and sworn. That is sometimes referred to as a constitutional two-thirds, or two-thirds of the constitutional number of the Members of the Senate.

There was also added section 3, which we have been discussing for the past two days, which in effect provided that there could be no cloture whatsoever on any motion to bring up a change in the rules. Then there was a further proviso, which was a slight loosening of the rule, that cloture could be applied not merely to proposed legislation itself but to the motion to take it up.

Those were the changes made in 1949, when only 38 of the present members were Senators. It has been under those

rules that we have operated for the past 10 years.

NINETEEN HUNDRED AND FORTY-NINE CLOTURE RULES ALSO PROVED UNWORKABLE

In the spring and summer of 1950 the Democratic Party in the Senate brought out of committee an FEPC bill, and in May that was brought up in the Senate and again subjected to a filibuster.

After the debate had continued for some time the majority leader moved to enable the Senate to impose cloture and limit debate. He received 52 affirmative votes, and only 32 negative votes were cast. The motion failed to carry, and it would have failed to carry under the 1917 provision as well as under the 1949 provision, which was then in effect.

Two months later, in August, the majority leader, my friend and colleague, Senator Lucas, again brought up FEPC and sought to reach a vote by a motion under rule XXII. The vote on limiting debate at that time was 55 affirmative votes and 33 negative votes. Once again the movement for cloture failed, and it would have failed under the 1917 rule as well as under the 1949 rule.

CLOTURE RULES IN 1917 AND 1949 WERE ALMOST EQUALLY INEFFECTIVE

I think we can summarize the entire situation since 1917 as follows: There have been 22 attempts at cloture, 9 of which have commanded a majority of the total Senate membership, but only 4 of which were successful under the rule then prevailing, the 1917 rule. The introduction of the 1949 rule would have reduced this number to three. In other words, in the entire history of attempts to curb the filibuster, the difference between two-thirds of those present and voting, which was the rule from 1917 to 1949, and two-thirds of the entire membership of the Senate, which has been the rule for the past 10 years, was infinitesimal—only 1 out of 22 occasions.

I think it should also be noted that no cloture has ever been applied on a civil rights measure. No cloture has ever been obtained on any measure whatsoever since 1927, when the Bureau of Customs and the Bureau of Prohibition were created.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield to the Senator from New York, who has done extremely good work as chairman of the subcommittee of the Committee on Rules and Administration which considered this question.

Mr. JAVITS. I should like to address an inquiry to my colleague from Illinois bearing exactly on the point he is discussing. Does my colleague agree with me that the use of the word "meaningless" in reference to the Johnson resolution, and the use of the word "reasonable" in reference to the Douglas proposal is justified by the following facts, which the Senator from Georgia [Mr. TALMADGE] and I learned in our work on the subcommittee?

First, there is the fact that the Vice President has already given an advisory opinion, which knocks out the idea that there can be indefinite debate on a change of the rules. Then there is the fact that if we establish the standard of the Johnson resolution, namely, two-thirds of the Senators present and voting, we go back to the 1917 rule.

If we add those two facts together, is it not true that we are faced, in the Johnson resolution, with a meaningless measure?

JOHNSON RESOLUTION IS A RETURN TO THE INEFFECTIVE 1917 CLOTURE RULE

Mr. DOUGLAS. The Senator from New York is entirely correct. What the Johnson resolution proposes is that we go back to the 1917 rule, a rule which proved to be virtually completely ineffective so that the will of the majority during the 32 years it was in operation was thwarted time and again.

Mr. JAVITS. What we are told we are getting is that from that point on, if we adopt the Johnson resolution, we can invoke cloture by two-thirds of the Senators present and voting, on a proposal to amend the rules, whereas now, according to the rules, we could never invoke cloture. In view of the fact that the Vice President has already given an advisory constitutional opinion, and that my sensory nerve tells me that many Senators agree with him, that certainly makes the Johnson resolution meaningless. We are not only getting nothing, but we are getting less than nothing, because we are getting less than what the advisory opinion would give us.

Mr. DOUGLAS. That is correct.

Mr. JAVITS. As to the reasonableness of the proposal of the Senator from Illinois, if the Senator's rule had been applied to 22 cloture votes, cloture would have been successful on 9 occasions—not 20, 21, or 19, but 9.

Despite the argument of Senators whom I honor and respect, in regard to unlimited debate and the right to be heard, there is cloture now. It is only a question of degree. Two-thirds of those elected and sworn can close off debate now, and invoke all the thunderbolts from heaven that have been described. So we are dealing with questions of degree. Shall it be by two-thirds, by a majority, or shall it be by 50 or 66? If we were to apply the 50 rule, there would have been 9 successful cloture votes out of 22.

I respectfully submit that no one could say that it would be unreasonable to apply cloture if in 9 cases out of 22, less than a majority, the effort would have been successful under the rule. I therefore ask the Senator if it does not seem to him that, on the merits, and based upon the facts, the record, and the history, rather than the pronouncements today, the solution which the Senator from Illinois is proposing is reasonable, fair, and moderate.

Mr. DOUGLAS. I thank the Senator from New York. He is exactly correct. The proposal of the Senator from Illinois and his colleagues is really a middle-of-the-road proposal. We are not proposing that cloture should be applied by a majority of those present and voting.

PENDING (DOUGLAS) AMENDMENT PROVIDES FOR CLOTURE BY MAJORITY OF ALL SENATORS, OR 50 VOTES

I regret that my good friend from Wyoming [Mr. O'MAHONEY] is not present, because he seems to have fallen into a misapprehension on the subject. He said that 26, a majority of a quorum, could impose cloture. That is not true.

The Senator from Oregon [Mr. MORSE] has favored a rule providing for limitation by a majority of those voting.

The Senator from Illinois does not favor that proposal. He and his colleagues are now proposing that cloture be applied by a majority of Senators elected and sworn, which would be 50 out of the present number of 98 Senators. The Senator from Illinois and his colleagues are therefore adopting a very moderate, middle-of-the-road position.

We regret that the Senator from Texas [Mr. JOHNSON] has become an extremist on this subject. He has gone far over to the right. The much celebrated moderation does not characterize him on this issue. What he is proposing is the old 1917–49 rule. He does not propose to go forward. He proposes to go backward. He proposes to restore a rule which operated very poorly for a third of a century.

FILIBUSTER DEFENDERS ACKNOWLEDGE JOHNSON RESOLUTION IS LITTLE DIFFERENT FROM PRESENT RULE XXII

Those who are experienced know this very well. The distinguished senior Senator from Georgia [Mr. RUSSELL], one of the most charming Members of this body, and perhaps the most skilled parliamentarian in this body, made the following statement yesterday, as reported in Associated Press dispatch No. 24, which I took from the ticker in the lobby:

> Senator RUSSELL said that the southerners opposing any change in the rules would not filibuster against a motion to take up JOHNSON'S proposal tomorrow or at any other time.
>
> Asked if the southerners were reconciled to accepting the Johnson proposal, RUSSELL said he and others would oppose it on the merits but did not expect as many or as long speeches against it as there would have been on ANDERSON'S motion.
>
> And he added, significantly, that two-thirds of those present and voting is little different from two-thirds of the full membership because "most Senators would be present, anyway, on a disputed question."

How right he is. The distinguished commentator, Mr. Walter Lippmann, who unfortunately is supporting the Johnson proposal, in an article in the Washington Post and Times Herald on Christmas Day, correctly stated:

> So the Johnson proposal is not substantially different from the existing rule.

The point is that during the consideration of civil rights measures there are not many absentees. The pressure from home compels Senators to attend. Therefore the number of those voting tends to be very close to the total of those elected. In the old days, when the press was less alert, and when organizations back home were not sufficiently informed, it was possible for Senators to dodge yea-and-nay votes on these measures by very convenient attacks of the flu or other diseases, which made it impossible for them to attend. In that way they could always say, "Well, I would

have voted for the civil rights measure if I had attended, but, being unable to attend, I could not do so."

Yea-and-nay votes are now being watched very carefully. As a result, in the last few years, the number of those who have voted on important civil rights tests has been very close to the total membership of the Senate.

In 1957, the motion to table the motion of the Senator from New Mexico [Mr. ANDERSON] was made by the Senator from Texas [Mr. JOHNSON]. That tabling motion carried. There were 55 votes in favor of tabling it, and 38 votes against tabling it, or a total vote of 93. There were then 96 Members of the Senate. That means that only three Senators did not vote.

Then there was another crucial vote in 1957 on the so-called jury trial amendment. The vote to require jury trials obtained 51 votes. The votes against the amendment were 42. A total of 93 Senators voted. Once again, only three Senators did not vote.

Today the vote on the motion to table the Anderson motion was 60 to 36. That is a total of 96 Senators out of the 98, who now form the Senate. Only one Senator was absent, Senator NEUBERGER, who is ill in Oregon. The Senator from Idaho [Mr. CHURCH] obligingly gave him a live pair. Therefore, in reality, only one Senator was absent today.

I believe we can be pretty certain, therefore, that in the future, on civil rights measures, and at least on a measure of which the public is keenly aware, the number of absentees will not be great and that, in effect the number of Senators voting will be virtually equivalent to the number elected and sworn. Moreover the opponents of civil rights will have all of their votes here.

Therefore what the Senator from Texas is doing is offering us, in effect, the old rule, with a blue ribbon tied around its chin. It is the old rule. It is the old straitjacket.

In my judgment, the RECORD of the last few days indicates that probably on crucial measures we cannot expect more than three absentees. Therefore we would not expect fewer than 95 Senators to vote. Two-thirds of the entire membership of the Senate, which is the present rule, would require the affirmative vote of 66 Senators. Two-thirds of 95 Senators would require 64 affirmative votes.

Therefore, all we can say is that the Johnson resolution at most means the difference of only two votes. So far as this morning is concerned, it meant a difference of only one vote.

Therefore, in effect, we are not being offered anything new. We are being offered the old rule, which has largely been in operation since 1917. It is being passed off on the public as something new, something constructive, something near the middle of the road, something to represent the homogenized intellectual quality in most public discussions.

Those who stand for majority rule in accordance with the Constitution are being branded as extremists who have their daggers at the throat of the leadership.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CLARK. Would the Senator from Illinois comment on section 2 of the Johnson resolution? It seems that at least some of our colleagues believe it to be a substantial improvement over the present rule. The Senator will recall that it eliminates the provision in the present rule which would permit an unlimited filibuster on a motion to change the rule.

Mr. HOLLAND. On a motion to take up.

Mr. CLARK. On a motion to take up a change in the rule; yes.

Mr. DOUGLAS. It is a slight improvement. However, the next section worsens the rule by providing that the rules of the Senate shall continue from one Congress to the next.

Mr. CLARK. I was going to have something to say about the next point, but I have agreed to defer my question until after the Senator from Illinois has concluded his colloquy with the Senator from Florida, in the event the Senator from Florida desires to continue his colloquy.

Mr. HOLLAND. I thank my distinguished friend from Pennsylvania and also my distinguished friend from Illinois. At the time the House messages came to the Senate, we interrupted our colloquy, and at that time I believe the distinguished Senator from Illinois had conceded that action taken in 1949 was action by a substantial majority of the Senate, and that they had the right to take that action.

Mr. DOUGLAS. They had the right, but I believe it was extremely unwise for them to do so. Furthermore, I do not believe they had the constitutional right to bind future Senates.

Mr. HOLLAND. I understood that to be the Senator's position. I wish to address my next question to this point: Is it not true that in its action upon the Anderson amendment this morning, which was taken by a vote of 60 to 36—with the showing of the 2 remaining Senators dividing the Senate along the line of 61 to 37—the Senate took action by a decidedly strong majority?

Mr. DOUGLAS. Yes; that is true. However, I am reluctant to believe that the vote this morning represents the opinion of the Senate or the country on the general question of filibuster. I believe it represents in the minds of many a parliamentary technicality. We tried to warn Senators that it was likely to be cited as a strong vote in favor of protecting the filibuster. However I am afraid there were some Senators, particularly new Members, who did not fully realize the significance of the vote they cast.

Mr. HOLLAND. I do not share the distinguished Senator's feeling that some Members of the Senate do not share the intelligence possessed by the Senator from Illinois and by other Senators. I thought we all understood the action we took. The point I am trying to get at is this: The action taken was taken by a very large majority of the Senate. Is that not so?

Mr. DOUGLAS. Yes. Is the Senator from Florida contending that those who voted to table the Anderson motion were in effect voting to continue the rule which has prevailed from 1917 to 1949?

Mr. HOLLAND. The Senator from Florida is contending that the action taken this morning in tabling the Anderson motion, which had been approved by the advisory opinion of the Vice President, the Presiding Officer of the Senate, was rather clear notice to the country and rather clear action by a heavy majority of the Senate that the Senate did not propose to take action which would open up the Senate on the beginning of each Congress to an attempt such as that made by the motion of the Senator from New Mexico and by the similar attempt of the Senator from New Mexico in 1957.

The Senator from Florida sees no other conclusion which can reasonably be drawn to explain the vote or the position of those Senators who this morning—61 of them in number—opposed the approval of the motion offered by the Senator from New Mexico [Mr. ANDERSON].

The Senator from Florida is also of the opinion that the Senator from Illinois is underestimating the understanding of other Senators who, he says, in his opinion, did not understand the vote which they cast and the effect of the proposal offered by the Senator from New Mexico, which they voted to table.

Mr. DOUGLAS. I think the effect of that vote, psychologically and procedurally, has been to support those who are opposed to any meaningful change in the rules governing filibusters. That has been the effect. I have sufficient faith in a number of Senators, however, to believe that this was not the intention of some of them. I agree that the effect has been to strengthen the forces who, under Senator JOHNSON, want to defend the filibuster. It is my faith in my fellow men which leads me to believe that this was not their purpose.

Mr. HOLLAND. Mr. President, will the Senator yield for another question, which has already been touched upon ably by the Senator from Pennsylvania [Mr. CLARK]?

Mr. DOUGLAS. I yield.

Mr. HOLLAND. The next point I was about to make was that instead of being ungenerous, as the Senator from Illinois has suggested, the Senator from Texas [Mr. JOHNSON] was generous in the concessions he was making in his resolution, especially, it seems to me, in the additional provision proposed to be added to the cloture rule, just mentioned by the Senator from Pennsylvania, namely, that under the rule as suggested by the Senator from Texas there would not be allowed unlimited debate on a motion to take up a proposed change of the rule, but, instead, the same cloture machinery would lie against such a proposal as would lie against any other motion to take up, or against any other pending measure.

It seems to me that that is not only a distinct change in the cloture rule as proposed now by the resolution of the Senator from Texas, but is also a very

meaningful change. I remember numerous instances when those who did not want to have any inhibitions at all placed upon actions by a bare majority of the Senate have cited that particular provision in the pending resolution as being most objectionable—that is, that cloture does not lie at all, under the present cloture rule, to a motion to take up a proposed change in a rule. Yet if I have understood the distinguished Senator correctly, he feels that that proposed addition to the rule, a very meaningful change in the rule as proposed by the Senator from Texas, is without meaning, and is, as I believe he termed it, a mere blue ribbon tied to the present cloture rule.

Mr. DOUGLAS. A blue ribbon tied to the neck of Cerberus who guards the gates of hell.

Mr. HOLLAND. May I ask the Senator from Illinois if he does not think he was a little severe in his judgment and that, to the contrary, the proposal made by the Senator from Texas is a meaningful one and a rather generous departure from the existing rule?

Mr. DOUGLAS. No. I am really astonished at my own moderation, both in the proposal which I make and in the comments I have just made about the proposal of the Senator from Texas.

As a matter of fact, if we proceed under rule XXII, as proposed by the Senator from Texas [Mr. JOHNSON], the two-thirds requirement is sufficiently effective to protect a filibuster on matters to which a given section of the country, although a minority of the whole Nation, is opposed.

We know what is behind all this. It is the civil rights question which is behind it. We all know that the articulate white population of the South, although not the entire white population of the South—and certainly not the Negro population of the South—is opposed to Federal action to protect the rights of minorities within the States. We know that. I believe they are a minority, and a very small minority, in the Nation.

But because of their representation in the Senate, because of alliances which they form with other States, generally small States, they are able to prevent debate from being limited, and therefore, by interminable discussion and by the threats of a filibuster, are able to prevent a measure from coming to a vote.

I think it should be crystal clear by now that the attempt to say what was said today—that a majority can at any time pass a measure if it is put to a vote—begs the question.

The point is that with rules governing a filibuster it is impossible to bring many vital measures to a vote. There will be interminable discussion. It will not be possible to get cloture, and the measure will die, even though a majority—and a large majority—of the Nation desires it.

Thus I say, so far as rule XXII is concerned, that two-thirds is about as effective as unanimous consent.

There is one other point I want to make, although I am a little afraid I may be giving away our hand to the opposition.

Mr. HOLLAND. We will have no objection to the Senator's doing so, if he cares to do it.

Mr. DOUGLAS. I know that; but the Senator from Florida is opposed to the principle for which some of us are trying to contend. I was greatly intrigued yesterday when the majority leader invoked, not rule XXII, but rule XL, in order to get action within 1 day on a motion to change a rule.

It is possible—and I am sure the astute parliamentarian considered it—that this is an escape hatch by which we can operate in the future to produce a change in the rules. But I throw this in simply as an aside and to indicate that no real concession has been made by section 2 of the Johnson resolution.

Mr. HOLLAND. Mr. President, will the Senator yield for another question?

Mr. DOUGLAS. I am glad to yield.

Mr. HOLLAND. No one can doubt the astuteness of the distinguished Senator from Illinois. I have generally been willing to concede that he has a quite generous disposition. But I have not yet heard him either recognize or acknowledge the fact that the Senator from Texas was supported by a very generous position on the part of many who do not favor any change in the present rule, in that no objection at all was made to the taking up of Senate Resolution 5; whereas, as the Senator well knows, under the present rule, an unlimited filibuster could have been directed at that action.

I wonder why the Senator from Illinois has not given voice to the generous feeling of appreciation which he no doubt has because of that action, or lack of action, on the part of many who want no change at all in the present cloture rule.

Mr. DOUGLAS. I am glad the Senator from Florida has raised that question, because I will explain the situation to him very concretely.

This is a matter of history. In 1953, much the same group which is now seeking a meaningful change in the filibuster rule developed the plan under which one of our number, the Senator from New Mexico [Mr. ANDERSON], offered the same motion which he presented today. It was substantially the same motion. It obtained only 21 votes. The newspapers and some of the anti-civil-rights commentators declared that the little group of despicable liberals had gone down to inglorious defeat.

We, I thought, made a mistake in 1955 when we did not raise the issue again, because we wanted to preserve party harmony and to enable the Senator from Texas to proceed with the minimum of friction. So the issue was not raised in 1955. I took a part in deciding that it should not be raised in 1955. Former Senator Lehman, of New York, felt that we should raise it. In retrospect, I am convinced that Senator Lehman was right, and I was wrong.

But in 1957 we made the same effort, and in the days which followed once again the same columnists and pundits all said that the little group of liberals would be ingloriously swamped.

The vote came; and instead of getting 21 votes, we polled 38 votes. The three Senators who did not vote declared themselves to be in favor of the Anderson motion. So in effect 41 Members of the Senate said they favored the Anderson motion and, therefore, were in favor of a meaningful change in rule XXII. This threw the defenders of the filibuster into a cold sweat. They realized that the drive against the filibuster was gathering weight and momentum—and this comment applies to the leaders of both parties—and they looked around for a measure which would retain the essence of the filibuster, although appearing to make a concession to the advocates of reform. So they came up with the so-called Johnson-Knowland amendment, or Senate Resolution 30, of the 85th Congress. That amendment is identical to the resolution which now has been submitted by the Senator from Texas.

RULES COMMITTEE IN 1958 FAVORABLY REPORTED RULE CHANGE RESOLUTION LIKE PENDING (DOUGLAS) AMENDMENT

A number of us sponsored another resolution, namely, Senate Resolution 17, which contained the substance of the amendment we now are proposing. That resolution provided for ultimate cloture—and I emphasize the word "ultimate"—by a majority of the Senators elected and sworn.

Those two alternatives, plus the proposal of the Senator from Oregon [Mr. MORSE], were before the Committee on Rules and Administration. They were referred to a subcommittee consisting of the Senator from New York [Mr. JAVITS] and the Senator from Georgia [Mr. TALMADGE]. Those two Senators held long hearings, and went into those matters thoroughly. The hearings have been published in a volume comprising 364 pages.

Incidentally, Mr. President, I was somewhat surprised when the distinguished senior Senator from Georgia said he never had read that proposal, which is the same as the proposal now before the Senate. The pending proposal is the same as the proposal which was submitted to the Senate Committee on Rules and Administration on January 7, 1957. It was printed at the time. It was printed in the hearings of that committee. Testimony was taken on it; and—and this is the important point—after a full discussion of the various alternatives, the Senate Committee on Rules and Administration on April 30, 1958, by a vote of 5 to 4 reported it favorably; and therefore it went on the calendar, for action.

I wish to pay tribute to the members of the Committee on Rules and Administration for their action—and particularly to three members of the committee, namely, our good friend, the Senator from New York [Mr. JAVITS]; our good friend, the Senator from New Jersey [Mr. CASE]; and the fine chairman of the Committee on Rules and Administration, the Senator from Missouri [Mr. HENNINGS]. I wish to say that the historical material which the Senator from New York [Mr. JAVITS] and the Senator from New Jersey [Mr. CASE] submitted illuminated and made clear many features of senatorial history and procedure which until that time had been unknown or forgotten.

When we read the report and the supplemental statements made by the Senator from New Jersey [Mr. CASE] as of last summer, we see that there was full control over debate in the Senate up to approximately the time of the Civil War; that there was no tradition of unlimited debate; that for a time the moving of the previous question applied; that when that was discontinued, the Presiding Officer of the Senate always had the power to call Members to order for speaking tediously or beside the point; that, in reality, the principle of full and unlimited debate without any limitation whatever came in only in the 1870's, largely when in 1872 Vice President Schuyler Colfax ruled "under the practice of the Senate, the Presiding Officer could not restrain a Senator in remarks which the Senator considers pertinent to the pending issue"; and that from the 1870's to 1917 there was no limitation; that then, as a result of a filibuster in connection with the attempt to arm the merchant marine, the rule that debate could be limited by the affirmative votes of two-thirds of the Senators present and voting was instituted; and that this continued to 1949; and so forth, and so on.

The result was that Senate Resolution 17 was reported to the Senate; and, in July, a full debate was had on the floor of the Senate. I well remember the very able speeches which were made by the Senator from New York and the Senator from New Jersey. Every opportunity was given to consider the measure. Yet it was not called up for action.

Mr. HOLLAND. Did the Senator from Illinois ever make a motion to call it up for action?

Mr. DOUGLAS. As the Senator from Florida well knows, control of the floor is in the hands of the majority leader. I defy any Senator to attempt to take the floor away from the majority leader; and I think we all know that. The majority leader stands in the center aisle, and takes control of the floor, and lets it out only to the Senators whom he wants to have given the floor.

Furthermore, the majority leader always has a motion or a measure pending before the Senate, so that other Senators had no opportunity to secure action. So the decision not to bring up this measure was the decision of the majority leader and of the Democratic Policy Committee, and I think the responsibility should be clearly placed at their doors.

It pains me to say that, because I think I am a loyal Democrat. But I have to tell the truth; and the record is that the Democratic leadership of the Senate prevented the Senate for even considering that measure. We anticipated that. We urged them to permit the Senate to consider it; but then we said that if they did not permit the Senate to consider it, we would bring it up in the first days of the coming Congress. So that is what we are doing now.

Therefore, the Senator from Georgia has had full and ample opportunity to study this measure. If he has not studied it—and I accept his word—that has been because of the burden of other duties, and perhaps because his administrative assistant has not kept him precisely informed in regard to what was going on.

Mr. HOLLAND. Mr. President, the Senator from Illinois is going far afield. I wonder whether he was remiss in not pointing out that the Senator from Texas was consistent in attempting to bring out a measure such as Senate Resolution 5, and was not included among those who favor filibustering to death such a measure, as is now permitted under the existing Senate rule. I have not heard the Senator from Illinois reply to my question.

Mr. DOUGLAS. If the Senator from Florida wishes a reply, I shall give it. Because the defenders of the filibuster knew they could not stop a change, and knew they had to permit some sort of change to be made, they devised a strategy which would have the appearance of change, but without making any change of substance. That is precisely what the Johnson resolution is.

Mr. President, this afternoon many references were made by Members to their boyhood. When I was a boy, I went to a county fair in Maine. I did not have much money, but I always liked root beer. In one of the side shows, I saw an enormous stein of root beer; it contained at least a quart and a half, and it was advertised for sale at a price of only one nickel. I think I had three nickels in my pocket at the time. The idea of getting a quart and a half of root beer appealed very much to me and I considered buying it. The day was a hot one. So I took the nickel out of my pocket, and paid my 5 cents, and got that huge stein of root beer, and started to drink it. But then I found it was nothing but water with some coloring matter in it.

In this case, I wish to say that is about what the Senator from Texas and the defenders of the filibuster are now trying to put over on the American people; they are giving us a fake—in other words, root beer with a little coloring matter, but no substance to it. I only hope that the Senate and the country do not fall for this flimflam.

Mr. HOLLAND. Mr. President, will the Senator from Illinois yield at this point?

Mr. DOUGLAS. I shall be glad to yield.

Mr. HOLLAND. I noticed the Senator's reference to the attitude of the pundits. I do not believe he would put Mr. William S. White among the group of persons to whom he refers as pundits, would he?

Mr. DOUGLAS. Oh, yes; I would.

Mr. HOLLAND. If that be the case, I think the Senator from Illinois will be interested in the following comment appearing today in the column of William S. White, who I think is one of the best informed men about the Senate that there is in the Nation. He said this, and I think the Senator will be interested in his statement:

> The advanced liberals in both parties have got off to a very poor start in trying to change the Senate filibuster rule. * * * Naturally they set out under the leadership of Senators PAUL H. DOUGLAS, Democrat of Illinois, and JACOB K. JAVITS, Republican of New York, with impossible rather than attainable demands. They wish to have the Senate agree that a filibuster can be halted hereafter by a bare majority or a margin of one vote—

Mr. DOUGLAS. I may say, our amendment requires a majority of the entire membership of the Senate, not a bare majority of those voting.

Mr. HOLLAND. The Senator has just said it is no trick to get Senators to be present when a question of this kind is being considered.

I continue to quote from Mr. White as follows:

> The obvious reality is that most of the Senate (including many authentic liberals) knows this to be indefensible extremism.

I desist from quoting at that point. I am going to ask the distinguished Senator if he is willing to confess that his effort at this time is as stated by one of the leading constitutional authorities of the Nation, at least as to the objectives sought to be attained by establishing the Senate, and as to the history of the Senate, and that this characterization of Mr. White as indefensible extremism is a sound and appropriate term to apply to his present effort.

Mr. DOUGLAS. Of course not, and I regret that the Senator from Florida has brought in the name of Mr. White into this discussion. Mr. White is a very charming gentleman. He is a master of style. He happens to be a southerner who has come north and has prospered greatly with the property of northern newspapers. He is in fact a great admirer of Senator JOHNSON, and his views nearly always agree with those of the Senator from Texas.

In fact he has said in his book that "the Senate might be described without too much violence to fact as the South's unending revenge upon the North for Gettysburg"—page 68. As I have viewed the proceedings here, during the last 10 years, I sometimes wonder who won the war from 1861 to 1865.

Mr. HOLLAND. It is Mr. White, is it not, who terms the Senate as the last citadel of freedom, and has titled his book on the Senate "The Citadel"?

Mr. DOUGLAS. I would say that he regards the Senate as the last citadel of the southern opponents of human rights.

Mr. HOLLAND. If the Senator will yield for one more question, I should like to ask him his comments on this quotation. Mr. White says:

> The obvious reality is that most of the Senate (including many authentic liberals) knows this to be indefensible extremism.

In that number Mr. White would include the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Arizona [Mr. HAYDEN], the Senator from Idaho [Mr. CHURCH], and many of the other Senators who, in addition to the 18 southern Senators, have voted to adopt the rule of 1949, and who voted to defeat ingloriously the amendment offered by the Senator from New Mexico [Mr. ANDERSON], for himself, the Senator from Illinois, and other Senators this morning.

I am wondering if the Senator from Illinois is going to deny the statement by

Mr. White that many authentic liberals, including the ones I have named, and many others, regard the present effort, the present amendment of the Senator from Illinois, as indefensible extremism.

Mr. DOUGLAS. I am sure Mr. White regards it as indefensible extremism. I am sure the Senator from Texas regards it as indefensible extremism. I am sure the Senator from Florida regards it as indefensible extremism. I am sure the advocates of white supremacy regard it as indefensible extremism.

Mr. HOLLAND. What about the Senator from Wyoming [Mr. O'MAHONEY]?

Mr. DOUGLAS. But it is interesting to note that the paper which used to employ Mr. White, and which does not now, the New York Times, in two editorials, including an editorial this morning, came out very strongly for the proposal which some 16 of us are advocating.

I may say to my good friend, I do not think it matters what Mr. White thinks, or what Mr. Lippmann thinks. These matters should be considered on their merits.

Mr. HOLLAND. What about Mr. Krock?

Mr. DOUGLAS. Yes. They are all decent men, but their views are not controlling. We can take them into consideration, but they are not Members of the Senate.

Mr. HOLLAND. The views of 61 Senators are controlling, and they were controlling, were they not, on the Anderson amendment this morning?

Mr. DOUGLAS. I have not admitted we are going to be defeated either on this motion or on the motions which, if my amendment is rejected, will follow.

I think the Senator from Florida, if I may be forgiven for this statement, has been expressing a sort of lean-to philosophy. He leans on other people rather than being able to stand alone on the merits of the question.

I have never been afraid of taking a position which I thought was right, even though a majority of a given body might think it wrong.

DEMOCRATIC PARTY PLATFORMS OF 1952 AND 1956 ENDORSED PRINCIPLE OF PENDING (DOUGLAS) AMENDMENT

Now, the Senator from Florida is ostensibly a member of the Democratic Party. I should like to remind the Senator of the platform which our party adopted, both in 1952 and in 1956, which I shall now read:

> In order that the will of the American people may be expressed upon all legislative proposals, we urge that action be taken at the beginning of the 86th Congress to improve congressional procedures—

Now listen to this—

> so that majority rule prevails and decisions can be made after reasonable debate without being blocked by a minority in either House.

That was the plank which our party adopted in 1952. Identical language was adopted in 1956. The leadership of our party here in the Senate rejected it in 1953, although, I am happy to say, a considerable number of us supported it. The leadership of our party in the Senate did not act upon it in 1955. The leadership of our party, including the Senator from Florida, defeated it in 1957.

We are now proposing this amendment in an effort to make good this pledge at long last. That is what we are trying to do this year. Again we find the leadership of our party in the Senate opposing it.

One of the tragedies of this situation—and I dislike to say this—is that we adopt planks in our conventions, pledging ourselves to these principles; then we come into the Senate and find we are hogtied by the rules of the Senate, and that men who ran on the Democratic platform repudiate in practice the declarations of their platform.

If I am taking a position of "indefensible extremism," as Mr. White suggests, so is the Democratic Party taking a position of indefensible extremism; but I did not notice, in the campaigns of 1952 or 1956, that many Democrats repudiated the Democratic Party platform. But if we do not carry out the pledge this time, we shall be accused, and I think properly so, of going back upon campaign promises which we have made. And, believe me, the American people will know. One cannot fool the American people all the time. If in 1960 we once again put such a declaration in our platform, having defeated the proposal this time, one can imagine the guffaws which will go up all over the country. Our friends on the other side of the aisle will not be slow in pointing this out.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DOUGLAS. So, my friends, the honor of our party as well as the welfare of our Nation is at stake. I do not propose to stand here and be crucified by being called an indefensible extremist when I am merely proposing that we carry out the program of the Democratic Party.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HOLLAND. Does the Senator regard the Senator from Arizona [Mr. HAYDEN], the distinguished senior Senator of all the Senate, as well as the senior Senator of the Democratic Party, the distinguished senior Senator from Wyoming [Mr. O'MAHONEY], and the distinguished Senator from Idaho [Mr. CHURCH] as ostensible Democrats only, because their convictions differ from his in this important regard and because they are opposing him on this matter?

Mr. DOUGLAS. I imagine what the Senator from Florida is trying to do is to inveigle me into indulging in personal comments.

Mr. HOLLAND. I have not attempted to do so, but that has been the result.

Mr. DOUGLAS. I am glad the Senator has confessed that he is trying to range me against these other Senators. I thought that was the purpose. I make no judgment on the motives of these Senators. They are my personal friends. He has not succeeded in his efforts to sow personal discord.

I merely say that the action of the Democratic leadership in the Senate has been contrary to the pledges of the National Democratic Party, and that is one of the tragedies of the situation.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DOUGLAS. No, I want to finish this thought.

Mr. HOLLAND. I should like to make one comment only, if I may.

Mr. DOUGLAS. The Senator can make the comment afterward.

Mr. HOLLAND. The use of the word "ostensible" brings back memories to me, because I served as a member of the drafting committee in Chicago which brought forth the platform.

Mr. DOUGLAS. Did the Senator approve of it?

Mr. HOLLAND. I did not, and a good many who served on the committee did not.

Mr. DOUGLAS. Did the Senator repudiate the platform?

Mr. HOLLAND. No, but I voted against it.

Mr. DOUGLAS. Did the Senator feel himself bound?

Mr. HOLLAND. Not in this particular, just as the Senator has not been bound by all provisions of the platform.

Mr. DOUGLAS. The Senator is correct. Let me say that I think a candidate of the Democratic Party or of the Republican Party has the right and indeed the duty, if he disagrees with a plank in the party platform, to say so and to free himself from any obligation.

But if he campaigns on the platform and does not specifically repudiate the platform, and then later votes against a provision which was in the platform, I say he has broken faith with the people and with the party.

I do not know what any of the circumstances were in connection with the Senators referred to. They are all my friends. I like them very much. I am not going to pass judgment on them. I am going to argue on the merits of the case, rather than upon the virtue or lack of virtue of individuals. I am quite prepared to admit that they are far more virtuous than I am, and probably have a much better chance with St. Peter than I will have.

Mr. HOLLAND. In closing on this matter, Mr. President, I will say the Senator from Florida regards it as unusually ungenerous on the part of his distinguished friend from Illinois to have termed the Senator from Florida an ostensible Democrat, when he has run for office on his convictions, on his own platform, before his own people, and was renominated last September in the Democratic primary by the largest majority ever received by a senatorial candidate in a hotly contested race in the history of Florida, and when other distinguished colleagues of the Senator from Illinois who are Democrats, such as the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Arizona [Mr. HAYDEN], and the Senator from Idaho [Mr. CHURCH], who are only a small part of those who join with the 18 southern Senators in comprising the huge majorities which have been rolled up for a fair cloture rule, take the same position. The Senator should not term us all ostensible Democrats simply because our convictions happen to differ with his. I hope that the Senator will recall those words.

Mr. DOUGLAS. I will say I got into this part of the discussion only to rebut the charge that our proposal was one of "indefensible extremism," which the Senator from Florida seemed to believe. I wish to make no reflection upon the Senator, and I should like to have the word "ostensible" stricken from the RECORD.

Mr. HOLLAND. I thank the Senator. I am sure the Senator takes the same position with reference to the Senator from Arizona [Mr. HAYDEN], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Idaho [Mr. CHURCH].

Mr. DOUGLAS. It was the Senator from Florida, not the Senator from Illinois, who brought in their names. I made no reflection against them despite the fact that the Senator seems to be trying to make it appear that I have.

Mr. HOLLAND. The Senator gives them the right to have convictions?

Mr. DOUGLAS. Certainly they have a right to have convictions. I merely point out that those who vote against the ability of the majority to limit debate are voting against the Democratic platform. That is true. The Democratic platform of 1952 and the Democratic platform of 1956 so provided. Those are facts and one cannot get around those facts.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. DOUGLAS. I shall be glad to yield to the Senator, provided I do not lose my right to the floor.

Mr. MORTON. Mr. President, I ask unanimous consent that the Senator from Illinois may yield to me without losing his right to the floor.

The PRESIDING OFFICER (Mr. HARTKE in the chair). Is there objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

Mr. MORTON. Mr. President, I ask unanimous consent that the names of the Senator from New Mexico [Mr. ANDERSON] and the Senator from Kentucky [Mr. COOPER] be added as cosponsors of the amendment which I submitted yesterday, which is now at the desk, numbered 1–8–59–B.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield for a question.

Mr. CLARK. Returning, after a brief interruption, to the subject of my good friend, Mr. White, and the comments which were made about him by the distinguished Senator from Florida [Mr. HOLLAND], it occurs to me that the record should show that the definition of a liberal is largely in the eyes of the beholder, and that what may seem to be a liberal in Mr. White's eyes—and I suspect in the eyes of the late Alton B. Parker, who ran for President on the Democratic ticket, as I recall, in 1904—would not be the definition of a liberal in the eyes of some of those who have had the great good fortune to join this distinguished body in the Year of our Lord 1959.

While I read with the greatest interest a book about the Senate, entitled "The Citadel," which Mr. White wrote, and while I am more than honored to have a presentation copy of that book, which was given by the distinguished majority leader to all new Democrats who joined the Senate in 1956, while I value not only the majority leader's signature on the book, but also the signature of the author, Mr. White, I am afraid that after a brief period of 2 years in this body I would not like to think that the Senate was what Mr. White thinks it is.

So with the greatest of friendship toward him—and I have it, and I think he is fond of me, because he has said so—I do not believe that Mr. White's views on the filibuster problem are exactly contemporary. I think they are just a little obsolescent, and possibly even obsolete.

In that connection, I ask my friend from Illinois if he had the privilege of reading a column on the filibuster which Mr. White wrote perhaps 6 weeks ago, and the answer to that column written by a distinguished former member of this body, former Senator Lehman, of New York, and published in the Washington Evening Star.

Mr. DOUGLAS. I read both Mr. White's column and Senator Lehman's reply. I placed Senator Lehman's reply in the RECORD. It was published this morning.

I have never seen any argument demolished so thoroughly as Mr. White's argument was demolished by Senator Lehman. The demolition of Mr. White's argument was almost equivalent to the demolition by some of the armies in 1865.

Mr. CLARK. My friend uses strong words in connection with those columns. I would not go quite that far. However, I would express my view that it seems to me that, to the objective and modern observer, Senator Lehman had substantially the better of the argument. Mr. White was entitled to his views then. He is entitled to his views now. But it seems to me that when he suggests that those of us who are supporting the proposal of the Senator from Illinois [Mr. DOUGLAS], the Senator from Minnesota [Mr. HUMPHREY], the Senator from New York [Mr. JAVITS], and the Senator from New Jersey [Mr. CASE], are characterized as "indefensible extremists," or rather that our point of view is that of "indefensible extremism," he is going pretty far. I suppose we would look pretty extreme to Louis XVI. I suppose some of the Bourbons would have thought that those of us who want to establish majority rule in the Senate were going pretty far. All I can say is that it seemed to me, as it seemed to a majority of the Committee on Rules and Administration last year, and as it seemed to the Democratic Party when it wrote its platforms in 1952 and 1956, that this is a pretty moderate measure which is being brought forward now to bring the Senate into line with practically every other civilized deliberative body in the free world.

My friends, who are more erudite than I, can correct me, I am sure, if I am mistaken, but at the moment I do not know of any other legislative body in which it is so easy to prevent the will of the majority from becoming effective. The only precedent I can think of is that of the Polish Diet back in the 18th century, shortly before that country was carved up between Austria, Russia, and Prussia. It was necessary to obtain unanimous approval in the upper body of the Polish Diet in order to pass any legislation. It is thought by many historians that that particular provision played a greater part than anything else in the extinction of Poland as a free nation.

If I may have the attention briefly of my friend from Illinois, having said all I care to say about my good friend Mr. White, I should like to pass very briefly to a comment made by my good friend from Florida [Mr. HOLLAND], who I note is still in the Chamber.

Mr. HOLLAND. Mr. President, will the Senator from Illinois yield to me in order that I may make a statement with reference to Mr. White at this time?

Mr. DOUGLAS. I am delighted to yield.

Mr. HOLLAND. Of course, this column was written before the vote of today. The burden of his statement was that an impossible and impractical program had been advanced under the leadership of the distinguished Senators named by him.

It seems to me that he was an excellent prophet, when we consider the vote today of 61 to 37, including the expressions of the two Senators who did not vote, indicating that the great majority of the Senate agrees with Mr. White, that the suggestions made by the small group of flaming liberals are anything but practical, and are extreme.

Mr. CLARK. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. I yield.

Mr. CLARK. I do not wish unduly to detain my good friend from Florida, who, I know, has a dinner engagement with guests, but I do intend to ask my good friend from Illinois a couple of questions on that subject a little later. If the Senator from Florida desires to remain, we shall be very happy indeed to have him join our friendly little discussion.

Mr. JAVITS. Mr. President, will the Senator from Pennsylvania permit the Senator from Illinois to yield to me?

Mr. DOUGLAS. Mr. President, who has the floor?

Mr. CLARK. The Senator from Illinois has the floor. I am happy to withhold my comments.

Mr. JAVITS. I apologize to my colleague from Pennsylvania. However, my observation bears directly on the question of our being extreme in our view.

I point out the history of the limitation of debate in the upper bodies of every American legislature. That is pretty good evidence. If the Senator will allow me, I shall ask unanimous consent to have this tabulation printed in the RECORD at this point as a part of my remarks, without the Senator from Illinois losing the floor.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the tabulation be printed in the RECORD at this point.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

LIMITATION OF DEBATE IN STATE SENATES

1. Alabama (1951): Debate may be limited by a vote of two-thirds of all the elected members upon a motion to that effect offered by the committee on rules (rule 19). No member shall speak more than twice on any question under debate, and none shall, without leave of the senate, consume more than 1 hour each time (rule 37).

2. Arizona (1951): Previous question authorized (rule XVIII). Presumably requires majority vote. "Jefferson's Manual" governs when not inconsistent (rule XXIX).

3. Arkansas (1951): Previous question authorized if seconded by at least five members (rule XV). Presumably required majority vote. Dilatory motions forbidden (rule XIV, sec. 19).

4. California (1951): Previous question authorized by majority vote (rule 41).

5. Colorado (1951): Previous question authorized by majority vote (rule IX, subdivision 2). Debate may be limited not less than 1 hour after adoption of motion to that effect by majority vote (rule IX, 3).

6. Connecticut (1951): No previous question allowed (rulings, p. 39). No member may, without leave, speak more than twice on same question (rule 11). Remarks must be germane (rulings, p. 44).

7. Delaware (1951): "Robert's Rules of Order, Revised," to settle all parliamentary procedure (rule 38).

8. Florida (1951): A senator may not speak longer than 30 minutes nor more than twice on any one question without leave of the senate (rule 20). "Jefferson's Manual" governs whenever applicable and not inconsistent with standing rules (rule 77).

9. Georgia (1957): Previous question authorized by majority vote (rule 58). All individual speeches on bills and resolutions shall be limited to 30 minutes unless by leave of the senate (rule 15). The president of the senate "shall in his discretion suspend irrelevant debate and command silence whenever he may deem it needful" (rule 1).

10. Idaho (1947): Previous question authorized (rule 4), presumably by majority vote. General rules of parliamentary practice to govern in all cases not provided for (rule 23).

11. Illinois (1951): Previous question authorized (rule 54). No senator may speak more than 15 minutes at any one time without the consent of the senate (rule 33). "Robert's Rules of Order" govern provided not inconsistent (rule 72).

12. Indiana (1949): Previous question authorized (rule 17), presumably by majority vote. "Jefferson's Manual" applies to all points not covered (rule 52).

13. Iowa (1951): Previous question authorized by majority vote (rule 20). "Robert's Rules of Order" govern where not inconsistent (rule 42).

14. Kansas (1949): Previous question authorized (rule 27), apparently by majority vote (rule 20). No senator may speak more than twice on the same day on the same subject without leave of the senate (rule 7). "Robert's Rules of Order" apply whenever senate rules do not apply (rule 76).

15. Kentucky (1954): Previous question authorized by majority of senators voting (sec. 50).

16. Louisiana (1948): Previous question authorized by majority vote (rule 17). Debate may be limited by majority vote so that no senator shall speak longer than 1 hour at one time without leave (rule 9).

17. Maine (1957): No rule on limitation of debate but "Reed's Rules and Cushing's Law and Practice" to govern whenever aplicable and not inconsistent with standing rules (rule 37).

18. Maryland (1950): "Jefferson's Manual" to govern when not inconsistent with standing rules (rule 92).

19. Massachusetts (1956): Debate may be closed not less than 1 hour after adoption of motion to that effect (rule 47), presumably by majority vote. Cushing's Manual shall govern when not inconsistent with standing rules (rule 62).

20. Michigan (1951–52): Previous question authorized by majority vote of the senators present and voting (rule 65).

21. Minnesota (1955): Previous question authorized by majority vote (rule 24). "Jefferson's Manual" to govern when not inconsistent with standing rules (rule 51).

22. Mississippi (1948–52): Previous question authorized (rule 65), presumably by majority vote since Rules of United States House of Representatives govern on all questions not in conflict with rules (rule 59).

23. Missouri (1951): Previous question authorized by majority vote (rule 76).

24. Montana (1951): Previous question authorized by majority vote (rule XIV). No senator shall speak more than twice in any one debate on the same day and at the same stage of the bill in exclusion of those who have not spoken (rule XII, 4).

25. Nebraska (1950): Previous question authorized by majority of elected members (rule 10, sec. 9). Gregg's Handbook shall govern when not inconsistent (rule 1). No member shall speak more than twice upon any one question during one legislative day (rule 4, sec. 10). Each day shall be considered a legislative day unless majority votes otherwise (rule 7, sec. 6).

26. Nevada (1951): Previous question authorized by majority vote (rule 18). "Mason's Manual" shall govern (rule 55).

27. New Hampshire (1951): Previous question authorized (rule 9) presumably by majority vote. No member shall speak more than twice on same question on same day without leave (rule 4).

28. New Jersey (1951): No Senator shall speak more than three times "on any subject of debate" without the leave of the senate (rule 47).

29. New Mexico (1951–52): Previous question authorized on demand of majority of members present (rule 54). "Robert's Rules of Order" to govern in all cases not inconsistent with standing rules (rule 74).

30. New York (1951): Debate may be limited by majority vote wherever any bill, resolution, or motion shall have been under consideration for 2 hours (rule XIV, sec 3).

31. North Carolina (1951): Previous question authorized (rule 57), presumably by majority vote (rule 63).

32. North Dakota (1951): Previous question authorized (rules 18, 21), presumably by majority vote. Ordinary member may speak only 10 minutes on same subject, then 5 minutes, until every other member choosing to speak shall have spoken, without unanimous consent (rule 13). Robert's Rules to govern when applicable and not inconsistent (rule 77).

33. Ohio (1951): Previous question authorized on demand of 3 senators (rule 89), presumably by majority vote. No senator shall speak more than twice on the same question except by leave (rule 74) and may read relevant matter "of reasonable length" (rule 75). Any recognized standard authority on parliamentary procedure may be received as authority for all cases not provided for (rule 117).

34. Oklahoma (1951): Previous question authorized by majority vote (rule 39). No senator shall speak more than 20 minutes on any question without the unanimous consent of the senate, and only 10 minutes during debate in considering bills on general order (rule 107).

35. Oregon (1951): Previous question authorized (rule 38) by majority vote (rule 69). No member shall speak more than twice on any question without leave (rule 25). After 50th day of session, member may not speak longer than minutes but may yield his time (rule 26). "Robert's Rules of Order, Revised" to govern.

36. Pennsylvania (1951–52): Previous question authorized by majority vote (rule 41). "Jefferson's Manual" to govern whenever applicable (rule 34).

37. Rhode Island (1951): Previous question authorized (rule 21). Debate may be closed on motion (presumably by majority vote) after any matter shall have been considered for 2 hours (rule 23).

38. South Carolina (1951): Debate may be limited by two-thirds of the senate (rule 14). No senator may speak more than 2 hours in any one legislative day on any one bill or resolution (rule 8).

39. South Dakota (1951): Motion for previous question authorized but must be seconded by one-seventh of the members elected and approved by a majority of those present (rule 53).

40. Tennessee (1949): Previous question authorized by vote to two-thirds of members present: if rejected, committee of rules may, upon demand of a majority of the members of the senate, submit rule fixing of limiting time for debate for adoption by majority of senate (rule 20).

41. Texas (1949): Previous question authorized by majority vote (rule 101).

42. Utah (1945): Previous question specifically forbidden (rule 45). No senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill without leave (rule 42). "Robert's Rules of Order" govern whenever applicable and not inconsistent with senate rules.

43. Vermont (1950): Previous question forbidden (rule VIII, 55). No senator shall speak more than twice to same question without leave (rule X, 65). "Robert's Rules of Order" shall prevail (rule XIII, 82), on parliamentary questions not covered by the rules.

44. Virginia (1950): Previous question authorized if seconded by majority of senators present (rule 50), presumably by majority vote. "Jefferson's Manual" to be used to construe rules (rule 68).

45. Washington (1951): Previous question authorized by majority vote (rule 30).

46. West Virginia (1951): Previous question authorized by majority vote (rule 53).

47. Wisconsin (1949): Previous question authorized by majority vote (Manual, p. 40) on demand of six senators (82).

48. Wyoming (reprinted 1951): Previous question authorized when seconded by 3 members and approved by majority vote (pp. 19, 20).

APPENDIX

PREVENTION OF OBSTRUCTIVE TACTICS

"Robert's Rules of Order, Revised (1943)": Debate may be closed by a two-thirds vote of the assembly or by adopting the motion for the previous question which requires a two-thirds vote of those present and voting (sec. 44). No dilatory, absurd, or frivolous motions are allowed (sec. 40). "Whenever the Chair is satisfied that members are using parliamentary forms to obstruct business, he should either not recognize them or else rule them out of order" (sec. 40).

"Jefferson's Manual (1797)": "No one is to speak impertinently or beside the question, superfluously or tediously" (see XVII). No man may speak more than once on the same bill except to clear up a matter of fact or to explain a material part of his speech (sec. XVII). Previous question authorized by majority vote (see XXXIV, SLL).

It is ironical to note, Mr. President, that many of the States whose Senators have opposed effective limitation of debate here in the Senate have most effective rules limiting debate in their own upper chambers.

LIMITATION OF DEBATE IN AMERICAN STATE SENATES

Forty-five out of the forty-eight States, either by the previous question or other parliamentary devices, forbid filibustering in their upper chambers.

The motion for the previous question by majority vote is specifically authorized in 22 States—California, Colorado, Georgia, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Montana, Nevada, New Mexico, New York, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Washington, West Virginia, and Wyoming. In an additional 15—Arizona, Arkansas, Idaho, Illinois, Indiana, Kansas, Massachusetts, Mississippi, New Hampshire, North Carolina, North Dakota, Ohio, Rhode Island, Virginia, and Wisconsin—the previous question is specifically authorized but the rule does not state the size of the majority required. It is apparent, however, from the other rules in these State manuals that a simple majority is all that is required. In addition to these 37 States, one State—Nebraska—provides for the previous question by the vote of the majority of those elected.

In four States—Delaware, Florida, Maryland, and Maine—there is no rule fixing debate but there are provisions that standard manuals of parliamentary procedure shall govern when not inconsistent with the standing rules. Robert's Rules of Order and other comparable manuals forbid filibustering of obstructive techniques and give the presiding officer effective powers to prevent such tactics. Two States—Utah and Vermont—specifically forbid the previous question but Robert's Rules of Order is specifically made applicable so that they might be added to the four States listed above which effectively prevent filibustering.

Finally, South Carolina, which provides for limitation of debate by a two-thirds vote, limits debate to 2 hours on any one bill, an effective protection against obstruction.

Of the remaining three States, Alabama has a rule which is almost identical with that of the U.S. Senate, namely, providing for limitation of debate by a vote of two-thirds of all elected members. Connecticut forbids the previous question and has no other rule to limit debate. New Jersey, likewise, has no effective rule except perhaps, the provision that no State senator may speak more than three times on any subject.

[From the Library of Congress, Legislative Reference Service]

RULES FOR CONDUCTING BUSINESS IN THE SENATE OF THE CONFEDERATED STATES OF AMERICA (1862)

Rule IV: "No Senator shall speak more than twice in any one debate, on the same question and on the same day, without leave of a majority of the Senators present."

Rule VIII: "* * * every question of order shall be decided by the President without debate, subject to an appeal to the body."

Rule XI: "No motion shall be debated until the same shall receive a second, and when a motion shall be made and seconded, it shall be reduced to writing, if desired by the President or any Senator, delivered in at the table and read, before the same shall be debated."

Rule XIV: "* * * the motion to adjourn shall always be in order and decided without debate."

Rule XXV: "No motion for the previous question shall be entertained, but upon the call of any Senator for the question, if seconded by a majority of the Senators present, the vote shall immediately be taken on the pending question, whatever it may be, without further debate."

Rule XXVIII: "When the yeas and nays shall be called for by one-fifth of the Senators present, each Senator called upon shall declare openly and without debate his assent or dissent to the question, unless for special reason he be excused by the Senate."

Rule XLVIII: "The rules may be amended by a majority of Senators, on one day's notice being given."

JUNE 20, 1957.

Mr. DOUGLAS. I ask the Senator from New York this question: Is it not true that the Florida House, the house of the State from which the Senator from Florida comes, permits motions for the previous question?

Mr. JAVITS. The Florida rule provides that a Senator may not speak longer——

Mr. DOUGLAS. I am speaking of the house.

Mr. JAVITS. I do not have information as to the house; only with respect to the upper body.

Mr. DOUGLAS. The rule of the Florida House, according to a memorandum furnished me by the Library of Congress, reads as follows:

Motions for the previous question shall be decided without debate, provided the introducer of a resolution, bill, or motion * * * shall be allowed 5 minutes within which to discuss the same.

That is the Florida House, the house of the State from which the Senator from Florida comes.

SOUTHERN LEGISLATURES HAVE MORE RIGID CLOTURE RULES THAN PENDING (DOUGLAS) AMENDMENT

Is it not true that the vast majority of the southern legislatures permit the moving of the previous question?

Mr. JAVITS. The Senator has allowed me to put in the RECORD the table which shows the situation in the various legislatures. That is exactly the case. I should like to read what the present situation is. The situation in Florida described here came into being a little later than when the distinguished Senator from Florida served in that body. I read from this memorandum:

Florida (1951): A Senator may not speak longer than 30 minutes nor more than twice on any one question without leave of the Senate (rule 20). "Jefferson's Manual" governs whenever applicable and not inconsistent with standing rules (rule 77).

"Jefferson's Manual," of course, states that the previous question may be authorized by majority vote.

Mr. DOUGLAS. Is it not extraordinary that southern Senators, whose own State legislatures have a most rigid guillotine, should object to a mild limitation on debate which would permit from 5 to 8 weeks of debate?

Mr. JAVITS. I certainly agree with my colleague. The summary attached to the memorandum shows the following:

Forty-five out of the forty-eight States either by the previous question or other parliamentary devices, forbid filibustering in their upper chambers.

The motion for the previous question by majority vote is specifically authorized in 22 States.

In an additional 15 States the previous question is specifically authorized, but the rule does not state the size of the majority required.

Generally it refers to the "Robert's Rules of Order," which requires two-thirds of those present and voting, or to "Jefferson's Manual," which requires a majority.

That accounts for most of the States.

In four States there is no rule fixing debate, but there are provisions that standard manuals of parliamentary procedure shall govern when not inconsistent with the standing rules.

Two States specifically forbid the previous question, but "Robert's Rules of Order" is specifically made applicable, so that they might be added to the four States listed above which effectively prevent filibustering.

South Carolina has a unique situation. It provides for a limitation of debate by a two-thirds vote, and a limitation on debate of 2 hours on any one bill.

In three States there are no set rules. Alabama has a rule which is almost identical with that of the U.S. Senate. Connecticut forbids the previous question and has no other rule to limit debate. New Jersey—the distinguished senior Senator from New Jersey was in the Chamber a moment ago—has no effective rule, but it does provide that no State senator may speak more than three times on any subject.

One other point should be made, which may be interesting to the Senate. We find in most State legislatures rather strict control over germaneness and a rather strict administration of control, so far as presiding officers are concerned, about speaking beside the question, superfluously, or tediously, as Jefferson's Manual provides.

I believe it can be properly said that in the American legislative practice there is not allowed the possibility for such a situation as we face here, where legislation can be literally killed by talking it to death.

Mr. DOUGLAS. In view of all that, I should like to ask the Senator from New York what Mr. White should have to say about these southern legislatures, if our mild provision for cloture after from 5 to 8 weeks of debate is indefensible extremism. Are not those rules of the southern senates and the southern lower houses "indefensible extremism?"

Mr. JAVITS. I certainly must say to my colleague that we can always use descriptions, but that facts are the heaviest artillery. When we marshal the facts with respect to the 48 States, the rules of the Senate, which have persisted for so many years and which have frustrated so much legislation, become an anachronism almost intolerable in this modern day.

Mr. DOUGLAS. May I ask the Senator from New York if the Senate of the Confederate States of America provided for moving the previous question?

Mr. JAVITS. Attached to the memorandum I have inserted in the RECORD is a statement dealing with the rules for conducting business in the Senate of the Confederate States of America. I read from that statement:

No motion for the previous question shall be entertained, but upon the call of any Senator for the question, if seconded by a majority of the Senators present, the vote shall immediately be taken on the pending question, whatever it may be, without further debate.

Mr. DOUGLAS. In other words, the principle of the previous question was

contained in the rules of the Senate of the Confederate States?

Mr. JAVITS. Let us say, because it expressly says that they do not allow the previous question, that the principle of cloture by majority vote, upon the call of any member, was in effect in the Confederate Senate.

Mr. DOUGLAS. That was a complete guillotine. It did not permit 15 days of debate. It did not require the filing of a petition by 16 Senators. It did not require any of the other procedural safeguards to be found in our amendment.

Mr. JAVITS. It did not require a majority of 50 Senators, of those elected and sworn, which is a very strong requirement contained in the Douglas proposal.

Mr. DOUGLAS. It is not merely the Douglas proposal. It is the proposal of 16 Senators.

Mr. JAVITS. I am delighted and honored to be a cosponsor.

Mr. DOUGLAS. The Senator from New York, the Senator from New Jersey, the Senator from Pennsylvania, and other Senators are very valued Members of the group. Therefore I do not wish any unpopularity which the Senator from Illinois may have to be attached to so worthy a measure.

Mr. JAVITS. I thank the Senator. While I am on my feet I should like to say that I would appreciate it if the Senator from Illinois would ask unanimous consent to have printed in the RECORD at this point excerpts from the report of the Committee on Rules and Administration on proposed amendments to rule XXII of the Standing Rules of the Senate. It is Report No. 1509, Calendar No. 1534. It contains the full disclosures, together with the considered arguments by the very distinguished and able Senator from Georgia [Mr. TALMADGE] and myself on the subject. I believe it would be very useful. I also ask unanimous consent that the individual views of the Senator from New Jersey [Mr. CASE] be printed in the RECORD.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

The Committee on Rules and Administration, to whom was referred Senate Resolutions 17, 19, 21, 28, 29, 30, 32, and 171, having considered these resolutions report favorably Senate Resolution 17 without amendment and recommend that this resolution be agreed to. Senate Resolution 17 would amend section 2 and would repeal section 3 of rule XXII of the Standing Rules of the Senate, relating to the procedure to limit debate in the Senate.

S. Res. 17, if adopted by the Senate, would effect the following changes in rule XXII of the Standing Rules of the Senate:

[Omit the part in black brackets and insert the part printed in italic]

"RULE XXII

"*Precedence of motions*

"1. When a question is pending, no motion shall be received but—

"To adjourn.

"To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

"To take a recess.

"To proceed to the consideration of executive business.

"To lay on the table.

"To postpone indefinitely.

"To postpone to a day certain.

"To commit.

"To amend.

"Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

["2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, except subsection 3 of rule XXII, at any time a motion signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question.

[" 'Is it the sense of the Senate that the debate shall be brought to a close?'

[" And if that question shall be decided in the affirmative by two-thirds of the Senators duly chosen and sworn, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

[" Thereafter no Senator shall be entitled to speak in all, more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.]

"2 (a) If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant to this subsection, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by a two-thirds vote of the Senators present and voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

"(b) If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by 16 Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant to this subsection, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the 15th calendar day thereafter (exclusive of Sundays and legal holidays), he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without further debate, submit to the Senate by a yea-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by a majority vote of the Senators duly chosen and sworn, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

[*"3. The provisions of the last paragraph of rule VIII (prohibiting debate on motions made before 2 o'clock) and of subsection 2 of this rule shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the Standing Rules of the Senate."*]

The Senate Committee on Rules and Administration on June 12, 1957, appointed a special subcommittee consisting of Senator HERMAN E. TALMADGE, of George, and Senator JACOB K. JAVITS, of New York, as cochairmen to hold public hearings on and consider proposed amendments to rule XXII of the Standing Rules of the Senate. This subcommittee held extensive hearings on June 17, 24, 25, and 28 and July 2, 9, and 16, 1957.

Other hearings on rule XXII have been held before—in 1947, 1949, 1951—and the Committee on Rules and Administration has recommended amendment in its reports of April 3, 1947, February 17, 1949, March 6, 1952, and May 12, 1953. The issue was also involved in the debate which developed on the unsuccessful motion to adopt rules at the beginning of the 83d and 85th Congresses.

Senator TALMADGE and Senator JAVITS having filed their individual views with the full committee, the committee met on March 26, 1958, and a majority voted to report favorably Senate Resolution 17.

In the opinion of the majority of the committee the United States Senate as a parliamentary body of a constitutional democracy should, in order to fulfill more fully its historic function, provide under its rules of procedure for the two basic functions of all parliamentary bodies: (1) The opportunity to debate fully and adequately all questions

which come before it, and (2) the opportunity of a majority of the body to act on issues after proper debate—to act in the only way in which a parliamentary body can act—by voting.

Viewed in somewhat different terms the problem of control of parliamentary debate can be stated as one of protecting minorities—sectional, economic, or of whatever description—against hasty and, at times, unsound action by the majority (often only a temporary majority) and of permitting the majority after reasonable procedural delays to prevail.

The majority of the committee, after carefully considering the conflicts of interest and the complex questions involved in devising a fair and effective rule, have concluded that standing rule XXII in its present form is inadequate and that Senate Resolution 17 would provide a great improvement over the present rule.

Rule XXII as it now reads provides that 2 calendar days after presentation to the Senate of a written motion for cloture signed by 16 Senators, cloture may be imposed by affirmative vote of two-thirds of the Senators "duly chosen and sworn" (i. e., usually 64). If such cloture motion be adopted each Senator is thereafter limited to a total of 1 hour's time in debate on the pending matter. The rule further provides that even this difficult cloture may not be imposed on any motion or resolution to change any of the standing rules of the Senate including rule XXII itself. (This further restriction is, in our opinion, beyond the power of the Senate to adopt, as the advisory opinion of Vice President NIXON, January 4, 1957, concluded.)

Rule XXII prevents the imposition of cloture unless 64 Senators appear and vote in favor of a cloture motion.

It is important to bear in mind that under the present rule a Senator does not have to vote against a cloture motion to help prevent its adoption. If fewer than 64 Senators vote in favor of cloture it is not imposed. All that is needed under the present rules to prevent a limitation on debate is for 33 Senators either to vote against the cloture motion or to fail to be present to vote for it. Absence is made equivalent to a vote against cloture.

The realistic effect of the present rule is that a small minority of Senators (far fewer than 33 as a practical matter), if sufficiently determined, can by use of a filibuster absolutely prevent the Senate from taking action even though a great majority of Senators desires to come to a vote on any particular issue. Voting is the final method of resolution of national issues contemplated in the Constitution. Protracted speaking which is not intended to illuminate that decision but to prevent its occurrence, makes a mockery of freedom of speech by confusing it with freedom to obstruct.

Insofar as rule XXII permits a minority of the Senate to frustrate the majority in reaching a determination of an issue, we think it is contrary to the spirit of the Constitution and to the consensus of the Founding Fathers of our Government and to the early precedents of Senate history.

In the early Senate, the simple majority cloture was used, and the "previous question" as a parliamentary device was available under Senate rules and in Jefferson's Manual to bring an issue to a vote. Even after reference to the "previous question" was dropped from the standing rules (in 1806), the presiding officer's power to rule on questions of relevancy and order could have prevented abuse brought about through unrestrained irrelevancies. The conjunction of the lack of cloture and the lack of enforcement of a rule of relevancy (after 1872) made possible the modern veto-type filibuster.

Subsection 3 of rule XXII deserves separate attention for it is a built-in filibuster device, which, if held valid, makes the whole rule so unjust as to require it to fall of its own weight of unfairness. It is difficult to obtain the affirmative vote of 64 Senators to limit a filibuster on any subject. But when a motion to change rule XXII itself (or for that matter any rule of the Senate) is involved, subsection 3 requires, in effect, unanimous consent. It raises minority control to such a degree that Vice President NIXON found that it is in principle unconstitutional.

Pursuant to the Constitution each House determines its own rules of procedure, and in this context action by each House means a majority of each House. A practical delegation of that power to one Senator or to 33 Senators is beyond the power of this body. Its responsibilities are derived from the Constitution and, short of amending that document, there is no way of qualifying this power.

Senate Resolution 17 provides that debate may be limited by a vote of two-thirds of the Senators present and voting 2 days after 16 Senators have filed a petition for this purpose. It further provides that 15 days, exclusive of Sundays and holidays, after the presentation to the Senate of a petition signed by 16 Senators, the Senate by a majority vote of those "duly chosen and sworn" (49 of the 96 Senators) may also impose cloture. Moreover, it eliminates the exemption to any form of cloture of a motion to change the Senate's standing rules (subsec. 3). As in the present rule, even after cloture is voted each Senator may speak for 1 additional hour before the vote.

In the opinion of the majority of the committee neither freedom of speech nor the right of full debate in the Senate is at issue in this recommendation that Senate Resolution 17 be adopted by the Senate. In advocating a change in rule XXII to permit effective cloture while allowing for full and adequate debate, we seek no abridgement of the liberty of speech, but a just and necessary restraint upon an abuse which hinders or frustrates the performance by the Senate of its constitutional duty and perverts the reasonable function and objective of the spoken word.

The deep responsibility which rests on the Senate in this matter is highlighted by the emergency character of issues facing our country, issues of peace or oblivion, issues in the resolving of which the United States Senate will play a leading role. As our country and our world move forward at this present rapid pace, we cannot continue a procedural roadblock which can paralyze the functioning of the Senate. Important at any time, that fact is of a crucial nature now.

THOMAS C. HENNINGS, Jr.
THEODORE FRANCIS GREEN.
JOHN SHERMAN COOPER.
JACOB K. JAVITS.
CLIFFORD P. CASE.

INDIVIDUAL VIEWS OF MR. COOPER

I voted with the majority of the committee to report Senate Resolution 17 to the Senate favorably because I think the issues involved in the problem of Senate cloture should be thoroughly discussed and settled during this session and prior to the beginning of the 1st session of the 86th Congress next January.

Rules XXII as presently worded acts as an effective obstacle, in my opinion, to action by the Senate in the form of a vote on any question on which a small but determined minority desires that the Senate be frustrated. I believe in majority rule, save as our Federal Constitution has placed certain fundamental restraints on such action in behalf of minorities.

I believe that the Senate—that a majority of the Senate except in the cases enumerated in the Constitution—should be permitted ultimately in the course of a deliberation and debate on a great national question to act by voting. I am not sure that Senate Resolution 17 is the best rule that can be devised but on the other hand I am certain that the present rule at times stultifies the Senate as an effective parliamentary body. I would not be opposed to a longer waiting period than that proposed in Senate Resolution 17 before cloture would become effective, to remove any question about adequate debate.

Two things in this issue are important in my opinion: The first is that there should be an opportunity to debate fully all controversial questions. The second is that a majority of the Senate, if it so desires, should be permitted, under the rules that govern this great deliberative body, to reach ultimately a vote on any question before it.

In joining the majority in reporting Senate Resolution 17 favorably, I reserve the right to sponsor or support amendments in the Senate which in my opinion will more effectively achieve the goals of parliamentary procedure outlined above.

JOHN SHERMAN COOPER.

INDIVIDUAL VIEWS OF MR. JAVITS

Summary statement

After careful study of the hearing testimony and of the historic conceptions of the function of the Senate, I am convinced that rule XXII needs amendment to end its veto power on behalf of a small minority; while at the same time assuring the opportunity for full debate and discussion of any subject in the Senate, which has been called the greatest deliberative body on earth.

I do not believe that the present rule XXII serves the purpose of deliberation within the Senate or of education of the public generally. No one questions those two objectives. What I do question is a delegation of the power and responsibility of the majority to a determined minority, which has been and can be again and again an arbitrary block to action, contrary to the will of the majority of this body and of the people to whom they are responsible. Indeed, it seems to me prophetic that this report is filed at an hour of basic crisis in the defense of our country when the weapons which challenge us are precisely so mortally dangerous because of the speed with which they may be effectively used to destroy us. In such a time—and there is nothing temporary about this new frame of reference—there is a justifiable demand for making our organs of decision conform to the challenge. How appropriate, then, to consider now a rule of debate which can and has paralyzed decision in the Senate and which can be used by a determined minority to paralyze it on any subject—not alone civil rights. Rule XXII as now written was archaic long before the first Russian earth satellite was launched and is even more so now.

Careful research on the development of the United States Government from its initial period under the Articles of Confederation, through the Constitutional Convention of 1787, when studied in the light of the contemporaneous writings of the Foundling Fathers, convinces me that the power which now stems from rule XXII was not even contemplated at the time. On the contrary, from the expressed views of Madison, Hamilton, and others, a method of parliamentary procedure premised on rule XXII would have been violently opposed had it been suggested.

For the premise of rule XXII violates fundamental parliamentary law. It is at odds with early Senate procedures, British Parliamentary practice, and, almost without exception, is contrary to all our State legislative rules of procedure.

In the early Senate, simple majority cloture was used and the "previous question" as a parliamentary device was available under Senate rules and in "Jefferson's Senate Manual" to close debates. Even after reference to the "previous question" was dropped from the standing rules (in 1806),

the presiding officer's power to rule on questions of relevancy and order could have prevented abuse through unrestrained irrelevancies. The conjunction of the lack of cloture and the lack of enforcement of a rule of relevancy (after 1872) made possible the modern veto-type filibuster.

Its fullest development and its most flagrant abuses have occurred following the Civil War in opposition to civil rights legislation—mostly in the last 35 years.

While rule XXII did not prevent enactment of the Civil Rights Act of the last session, I believe it did profoundly affect its final formulation, as I shall set forth in more detail subsequently.

Neither national interest, history, nor commonsense support the retention of the present provisions of the Senate rule, and I recommend it be amended for the reasons set forth in this report.

Present rule—Context of problem

Rule XXII as it now reads provides that 2 calendar days after presentation to the Senate of a written motion for cloture signed by 16 Senators, cloture may be imposed by affirmative vote of two-thirds of the Senators "duly chosen and sworn" (i.e., 64). If such cloture motion be adopted each Senator is thereafter limited to a total of 1 hour's time in debate on the pending matter. The rule further provides that even this difficult cloture may not be imposed on any motion or resolution to change any of the standing rules of the Senate including rule XXII itself. (This further restriction is probably beyond the power of the Senate to adopt, as the advisory opinion of Vice President NIXON, January 4, 1957, concluded.)

Rule XXII prevents the imposition of cloture unless 64 Senators appear and vote in favor of a cloture motion.

It is important to bear in mind that under the present rule a Senator does not have to vote against a cloture motion to help prevent its adoption. If fewer than 64 Senators vote in favor of cloture it is not imposed. All that is needed under the present rules to prevent a limitation on debate is for 33 Senators either to vote against the cloture motion or to fail to be present to vote for it. Absence is made equivalent to a vote against cloture.[1]

The realistic effect of the present rule is that a small minority of Senators (far fewer than 33 as a practical matter), if sufficiently determined, can by use of a filibuster absolutely prevent the Senate from taking action (in the only way it can—by voting) even though a great majority of Senators desire to come to a vote. Voting is the final method of resolution of national issues contemplated in the Constitution. Protracted speaking which is not intended to illuminate that decision, but to prevent its occurrence, makes a mockery of freedom of speech by confusing it with freedom to obstruct. It does not require great imagination to grasp the significance of this potential power in the hands of Members bent on influencing enactment or the course of particular proposals, without the necessity for persuasion.

Issue

The basic issue underlying the problem of cloture is whether we shall permit the Senate, resting as it does on the premise of majority rule, to function at all; to fulfill its legislative purpose; or whether we shall permit the Congress to be stultified by the undemocratic and, in essence, unparliamentary device of filibuster in the Senate—even though cloaked in the senatorial toga of rule XXII.

In analyzing their impact on representative government, I would hazard at least three classifications of filibusters:

1. Those conducted by a very few Senators, sometimes by only one Senator. The speeches may or may not be relevant, but, relevant or not, although they are not utilized to convince, neither can they usually prevent action.

2. Those conducted by a substantial number of Senators and, again, usually not intended to prevent action, but only to delay it, while the people of the country become better acquainted with the issues (either through senatorial exposition or upon independent reflection), and obtain an opportunity to make their views known to their Senators.

3. Those conducted by a substantial minority of Senators organized and intended to prevent Senate action—to stop it absolutely or materially to alter its character, not through Senate persuasion or public awareness, but simply through the filibuster—or even the threat of it, expressed or implied. (These are the stultifying filibusters with which this report is primarily concerned.)

My colleague, Senator DOUGLAS of Illinois, has said that the term "filibuster" should properly be applied only to this stultifying variety. While I think this is accurate, the term has been used to cover all types of speeches where the length of the speech is not reasonably designed for persuasion.

The first two types in any given situation may be a waste of the Senate's time or a great benefit, depending on one's own point of view, in the circumstances; but, at least, neither of them prevents the Senate from seasonably acting, and if immediate action is not vital, these, at worst, are tolerable and at best are an enlargement of the opportunity for full discussion, so characteristic of the Senate.

The power of the filibuster as a veto, with a case history of the civil rights bill of 1957

The ability to carry on a filibuster can affect the kind of legislation passed by the Senate even though no actual filibuster is undertaken. The incidence of a filibuster or the certain knowledge that a filibuster would be organized has made the majority come to terms before. The mere threat that a filibuster of great length would be undertaken against some proposal or unless amendment to a bill was accepted has in effect resulted in the majority of the Senate acquiescing in changes in legislation which otherwise they would probably not have considered wise or desirable.

Careful study of the legislative background and history of the civil rights bill of 1957 and the changes that occurred during the long Senate debate bears out this conclusion and illustrates the pervasive and subtle effect of rule XXII. The bipartisan effort which bypassed the usual procedure of referral of the House bill to committee clearly showed that the majority of Senators were determined to act upon civil rights legislation. It was generally conceded that a reasonable time would be allocated to the discussion of whether the Senate should adopt the procedure of bypassing the committee. No actual filibuster took place at this point—although, clearly, the possibility had to be reckoned with. The vote for direct Senate consideration of the House bill as opposed to committee referral was 45 to 39.

Following this vote, it became apparent that a bloc of Senators had selected part III as the most objectionable feature of the bill from their viewpoint; and that they were prepared to use every parliamentary device to prevent the enactment of a law which would contain the authorization for the Attorney General on his own motion to enforce through civil action (as an alternative to criminal prosecutions in existing law) the provisions of the 14th amendment to the Constitution. I believe that a number of Senators, among whom were some who favored the retention of part III, felt that insistence on part III would inevitably force the Senators from the South into a filibuster, with the ensuing possibility that no bill at all might be passed. That may well have been the case, although personally I believed then, and I believe now, that the risk should have been taken. In my mind it had become clear that the Federal Government had the responsibility of assuring reasonable civil enforcement powers under the 14th amendment; especially since a number of States in the South had passed laws which had the effect of making privately initiated litigation very difficult—the so-called anti-barratry and similar statutes. Thus, I felt that justice and conscience required the issue to be met on principle; and not on the sole ground of procedural difficulties which such a fight would entail. The vote which struck part III was 52 to 38.

The reasons which motivated the Senators to vote against part III undoubtedly were many and varied. Certainly, no one can say for sure that without the threat of organized filibuster, part III would have been retained; but, it is my belief that a critical number of Senators did become convinced of the impossibility—or at least the improbability—of passing a bill with part III, and that their views were necessarily affected by this consideration. It must remain conjectural why part III was lost to the legislation. I have no doubt that if part III had been retained in the bill the Senate would have faced the necessity of a long filibuster which could be blocked only if a large majority were sufficiently determined to sit out the long dreary months that would have been involved. In that interim, no other business could have been transacted and Congress would have been at a standstill. In these times, with important pending legislation, this was a risk to which, naturally, Members of the Senate should give thoughtful consideration. The determined proponents of part III were fully aware of consequences of insisting upon it. Schedules were worked out for around-the-clock coverage of the Senate floor, Members had beds installed in their offices, the staff details were worked out for a 24-hour operation. Senator RUSSELL of Georgia, the leader of the southern bloc of Senators, was interviewed on a nationwide television program, Face the Nation, on July 21, 1957. Pertinent excerpts of the interview transcript inserted in the CONGRESSIONAL RECORD of July 22, 1957, indicate clearly the position of the minority:

"Mr. SHADEL. But, Senator, is there any feeling in the Senate that this bill is going to go through, as is, without modifications?

"Senator RUSSELL. Not on my part because I will certainly die fighting it in my tracks before this vicious bill could go through, and I would feel the same way if it were aimed at any section of the country. * * *

* * * * *

"Mr. LAWRENCE. Well, would it be the intention of the South, under the circumstances that I can foresee and that you can foresee at the moment, to talk this bill to death?

"Senator RUSSELL. I can't say that, Mr. Lawrence, without seeing the bill and if it has these very vicious provisions in it, well, you may be sure that we will use every means at our command to fight it to the very death because it is a very vicious piece of legislation in its present form."

Decision by ordeal was imminent.

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[1] The average voting attendance on motions to impose cloture in the Senate between the initiation of the rule in 1917 and the 1949 amendment was 84. Two-thirds of those voting would be 56. The 1949 requirement of 64 affirmative votes, therefore, greatly increased the previous difficulty of imposing cloture under the 1917 rule. On the basis of this experience the change meant three-fourths of the Senators "present and voting" would have to favor cloture in order to impose it. The 1949 amendment, therefore, in this respect, was a retrogressional step.

No one who participated in the Senate's deliberations could escape the sense of drama, or the mounting tension and concern over the threat inherent in a filibuster. It was in this atmosphere that crucial decisions were made resulting in a number of changes in the legislation, including the elimination of part III.

There were other amendments to the civil rights bill, although not as vital as part III, which demonstrated the power of the filibuster possibilities inherent in rule XXII to condition and to modify legislation. Even the proponents of a strong civil rights bill joined in amending the bill to grant additional power over commission staff selection to the Senate or remove certain features which were felt most objectionable to the southern Members. These amendments, although they have not yet proved crucial, reflected again the power of the filibuster threat. They included striking out of the specific power of the President to enforce Federal court decrees. As demonstrated by developments in Little Rock, this specific grant of power was unnecessary. The President retained the power as a necessary incident of his Executive responsibility. The appointment of the Executive Director of the Commission was made subject to Senate confirmation, with the practical effect of giving additional authority to the opponents of civil rights who are powerful members of the committee which will initially pass upon his selection. These amendments were approved, among other reasons, to help insure no filibuster.

Once part III had been eliminated and the other concessions given, and even after the Senate had interposed the jury trial requirement in the voting rights provision, it was not at all clear that there would not be a filibuster against the remaining bill. But, ironic as it may seem, at this point rule XXII well may have had an unexpected effect upon the chances for passage of the bill. Rule XXII is the final inner citadel of the opponents of civil rights legislation. It is the last fortress in the legislative arm for a determined minority to prevent altogether or to water down substantially legislation that they violently oppose. As a consequence, there came a point at which the minority had to face the realization that reckless opposition to a very mild civil rights bill would build up tremendous forces for a direct assault on rule XXII itself. Having drawn a number of teeth from the civil rights bill the decision was seemingly made to keep rule XXII as impregnable as possible by permitting the bill to come to a vote.

On the one hand, without question the southern Senators on the civil rights issue had accomplished a great deal, from their point of view. Senator RUSSELL of Georgia summed up this matter for the opposition in retrospect on August 30, 1957, when he said in the Senate:

"When it is considered that there were only 18 out of 96 Senators, all of us suspect because we were from the South, who were willing to wage an all-out fight on this bill, I think that I can, in all modesty, say for myself and my associates that the legislative history of the Senate does not reveal as great a victory from so small a group as the one we attained."

At the same time, Senator RUSSELL admitted that the use of the filibuster was often discussed by the southern bloc, but that it was generally decided to avoid it. This decision was not universally accepted. Senator THURMOND established a record of speaking for over 24 hours—a feat which turned out to be completely unrelated to effective opposition to the final version of the bill. It did, however, serve to emphasize, if it were necessary, that rule XXII contains a coercive power that could not be underestimated. The other southern Members who did not join in a filibuster had apparently weighed its use against graver consequences. My cochairman, Senator TALMADGE, following Senator THURMOND'S recordbreaking stint, stated the dilemma thus (on August 30, 1957):

"Because of the present complexion of the Rules Committee, it is well known that any filibuster attempt would result in the reporting of one or more of these pending resolutions and the imposition of a much stronger cloture rule, which would further limit the ability of individual Senators to protect their constituents."

On August 7 in the Senate, Senator MCNAMARA, of Michigan, stated the case somewhat differently:

"The defenders of segregation have won a great defensive victory which, in the opinion of some of us, will cost our country dearly, internally and in our standing among the nations and peoples of the world.

"The defenders of segregation fought with skill and determination. They were united. They were able to win the support of many who were and, I believe, still are, opposed to the continuance of segregation and first- and second-class citizenship in this country. Why?

"Without attempting to detract from the skill, stamina, and success of those who are opposed to civil-rights legislation, it must be said that their victory was won, not on July 24, when part III was stricken from the House bill by a vote of 52 to 38, nor on August 1 when part IV was largely nullified for Negroes in large areas of the South by the 51-to-42 vote for the so-called jury-trial amendment, but on January 4, 1957. That was when the Senate voted, 55 to 38, to put King Filibuster back on his invisible but very real throne overlooking and dominating this Chamber."

I believe that the Senate will not pass needed civil-rights legislation until rule XXII has been modified so that it no longer holds its effective restraint on this body in the area of enforcing constitutional rights.

In closing on this point, I should like to add that Little Rock has demonstrated that the decision taken by the Senate to eliminate part III was unwise and that the risk of a stubborn filibuster should have been faced in the last session.

Close observers of the legislative process in Congress are aware of this force—of the filibuster—in other legislative compromises which have been adopted, and could cite other examples of the effect of the filibuster on legislation. Vice President Charles G. Dawes, a keen student of Senate proceedings, described the effect of the filibuster in the following words:

"The right of filibuster does not affect simply legislation defeated but, in much greater degree, legislation passed, continually weaving into our laws which should be framed in the public interest alone, modifications dictated by personal and sectional interest as distinguished from the public interest."

It is no answer to say, as some do say, that such power prevents or softens bad legislation. Of course, it may do that; because legislative proposals subject to a successful filibuster do not get enacted. If any specific action is bad, inaction may be preferred. If all change were bad, then whatever inhibited it would be wise. But the millennium is not here and events do not wait, even if governments do. This built-in stalemate as a permanent method of procedure is opposed to our American spirit and genius.

If the men who conceived our Constitution had thought we needed the concurrence of the majority of two Houses, the assent of the President, and in addition the forebearance of 33 Senators to make law, I assume they would have said so. If this additional check on governmental action is necessary, let us amend the Constitution. The standing rules of the Senate were not drafted in Philadelphia in 1787. The American people neither concurred in them nor agreed to be bound by them—nor did the States. In each Congress, as adopted or acquiesced in, and, to the extent they are constitutional, they bind our Senate procedure so long as they remain unchanged, but they are not the supreme law. They are not the bulwark of free speech and States rights; nor are they immutable.

In answer to principal argument favoring rule XXII

In my study I have given close attention to the arguments put forward by many of those opposed to any change in rule XXII and who appeared before our subcommittee. Some of these are superficial and based upon an erroneous conception of our Government. However, there are impressive lines of reasoning employed in defense of the present wording of rule XXII, and much of this, too, was brought out during the hearings. One of the most distinguished arguments in opposition to a change in the rule in my opinion was made by my colleague, Senator STENNIS, of Mississippi. Excerpts from his testimony follow:

"Now, the phrase 'State rights' is often used. I am thinking of this in terms of States powers. We are down to the last nub of representation of States as States. * * *

"It is only in the Senate that the States as such have representation. Their rights and powers are deposited in the Senate Chamber. It is their only forum in Government. It is the only place where their rights and powers, which were not delegated but were reserved under the 9th and 10th amendments, find their protectors.

"If this be true, and it is true, then it must follow that the Senators elected from their States are the trustees of their States rights and powers.

"Members of the Senate had nothing to do with creating these rights and powers. That was accomplished when the Bill of Rights was adopted.

"They have a responsibility, where legislation involves the creation of new Federal power, to see that their States rights are protected. * * *

"They have a duty to go forward in protecting the rights of States which have entrusted them with the power of a senatorial vote.

"On the specific issues which come before the Senate, I feel that the question of support or opposition to any measure should depend not only on the individual Member's opinions on the effect of this legislation at the national level, but should also reflect the searching of his conscience as to whether the power of the State he represents would be effectively diminished in derogation of the constitutional balance and whether, in effect, he is violating the trust placed in him by the people of the State he represents by assenting to a loss of some incident of sovereignty of the State. * * *

"I think that the Government must be kept close to and responsible to the people, and that the effectiveness of local and State governments should not be further diminished by ill-considered and unwise legislation. * * *

"This rule, and the underlying principle of full and free discussion of major national issues, more than any other single thing determines the power of the States in their representation in the Senate. As much as any other single thing, the principle of free discussion without the threat of a gag rule determines the nature of the Senate and contributes to its stability.

"Now there is your Senate as an institution.

"If this rule were eliminated and cloture were made possible by a mere majority vote of the Senate, the deliberative function of the Senate would be destroyed. It would

be a mere annex of the House of Representatives, and would be merely another legislative body * * *."

The heart of this argument against amendment is contained in the rhetorical questions (1) whether "the power of the State he [a Senator] represents would be effectively diminished in derogation of the constitutional balance and whether, in effect, he is violating a trust by assenting to a loss of some incident of sovereignty of the State"; (2) whether "the deliberative function of the Senate would be destroyed."

On the first question, one may, of course, argue that the existence of rule XXII by which any substantial group of Senators can conduct a filibuster so as to act as a veto, constitutes a "power" which may be exercised on behalf of the States represented by the filibustering Senators; but it is the power neither of persuasion nor of public education. It is an arbitrary power unsanctioned by the Constitution and indeed in direct conflict with its spirit.

Far from securing any constitutional balance, rule XXII seriously disturbs it. The Constitution, in article I, section 5, clause 1, states that "a majority of each [House] shall constitute a quorum to do business."

That is, 49 Senators are sufficient for the transaction of legislative business. A majority of this quorum is required to assent to the passage of a normal bill. Yet cloture may not be invoked unless at least 64 Members are present and vote for cloture. Legislation of the most profound national effect requires the assent of fewer than half of those required to bring a filibuster to a reasonable close so that that very legislation may be acted upon. I fail to see what balance is here maintained by continuance of the present rule. Alexander Hamilton in arguing, in the Federalist Papers, for the adoption of the Constitution he had helped frame, set forth the need for a totally different balance (Federalist Papers No. 22):

"To give a minority a negative upon the majority (which is always the case where more than a majority is requisite to a decision), is, in its tendency, to subject the sense of the greater number to that of the lesser * * *. This is one of those refinements which, in practice, has an effect the reverse of what is expected from it in theory. The necessity of unanimity in public bodies, or of something approaching toward it, has been founded upon a supposition that it would contribute to security. But its real operation is to embarrass the administration, to destroy the energy of the Government, and to substitute the pleasure, caprice, or artifices of an insignificant, turbulent, or corrupt junto, to the regular deliberations and decisions of a respectable majority * * *. The public business must, in some way or other, go forward. If a pertinacious minority can control the opinion of a majority respecting the best mode of conducting it, the majority, in order that something may be done, must conform to the views of the minority; and thus the sense of the smaller number will overrule that of the greater, and give a tone to the national proceedings. Hence, tedious delays; continual negotiation and intrigue; contemptible compromises of the public good, and yet, in such a system, it is even happy when such compromises can take place: for upon some occasions things will not admit of accommodation; and then the measures of government must be injuriously suspended, or fatally defeated. It is often, by the impracticability of obtaining the concurrence of the necessary number of votes, kept in a state of inaction. Its situation must always savor of weakness, sometimes border upon anarchy * * *.

"When the concurrence of a large number is required by the Constitution to the doing of any national act, we are apt to rest satisfied that all is safe, because nothing improper will be likely to be done; but we forget how much good may be prevented, and how much ill may be produced, by the power of hindering the doing what may be necessary; and of keeping affairs in the same unfavorable posture in which they may happen to stand at particular periods."

To be sure, there are times when more than a majority is required under the Constitution; but even in these instances only two-thirds of those present is required on any vote. Strangely enough it takes more Senators to shut off a filibuster by one Senator than it takes to expel a Member from the Senate.

There was a great question of the proper balance of State representation in the Congress in 1787. A study of the debates of the Constitutional Convention shows very clearly that the decision to establish 2 Houses, one to be based on a reference to population, and the other to have 2 Senators from each State regardless of size or population, was the compromise between the delegates from big States and the delegates from the small States. This was the only basis on which the small States would agree to join the Federal Union. This was the great compromise that gave the small States an equal measure of legislative power with the more populous States in this body.

As far as the big States are concerned, according to Madison and others devoted to the principle of proportional representation, they had given enough and more than enough when they finally agreed that each State should have two votes in the Senate. No one then dreamed that in the future Senators would want to upset this balance and add an additional check by a small minority of one-third upon the power of a majority of the Senate as so constituted. This, of course, was long prior to the time when John C. Calhoun developed his theory of concurrent majorities under which legislation favored by a majority in the country as a whole or in the Congress would be subject to the veto of a majority of each and every sectional interest in the country.

This kind of balance, which the opponents of civil-rights legislation wish to retain in the Senate, is a modern version of Calhoun's "concurrent majorities." It was such a sectional right of veto and interposition that Calhoun and other States-rights advocates urged during the debates, in and out of Congress, that led up to the Civil War. This type of imbalance, however, finds no support in the Constitution nor in current practice outside of rule XXII.[2]

On Senator STENNIS' second point: that to make cloture easier would bring about "gag rule" and destroy the unique characteristic of the Senate—its role as a deliberative body—I wish first to note that I, too, consider the U.S. Senate a great deliberative body and with great pride serve as a Member.

I submit, however, that the Senate is a distinguished body, not because of filibusters or the license to engage in them enjoyed under the present rules, but in spite of them and in spite of the present license to engage in them. No one who has examined some of the filibusters in the Senate would seriously describe them as scenes of great deliberation in keeping with the dignity and prestige of the Senate.

Those who have used the filibuster as an instrument of veto have been under no illusion that they were always thereby contributing to a "full and free discussion" of national issues. Some former Senators have been quite candid about the purpose of the filibuster. In 1922 Senator Underwood of Alabama said, with respect to the filibuster against the Dyer antilynching bill, as follows:

"We are not disguising what is being done on this side of the Chamber. It must be apparent, not only to the Senate but to the country, that an effort is being made to prevent the consideration of a certain bill, and I want to be perfectly candid about it. It is known throughout the country generally as a 'force' bill. * * *

"I do not say that captiously. I think all men here know that under the rules of the Senate when 15 or 20 or 25 men say that you cannot pass a certain bill, it cannot be passed. * * *

"I want to say right now to the Senate that if the majority party insists on this procedure they are not going to pass the bill, and they are not going to do any other business. * * *

"You know you cannot pass it. Then let us go along and attend to the business of the country."

Shortly thereafter he posed the dilemma which the Senate faced even more concisely:

"There is but one way for the Senate now to get down to work and transact the business of the Government before the 4th of March, and that is to get a final disposition of this force bill before anything else is done. Pass it if you can; abandon it if we force you to do so. * * *

"So long as the Senate has the rules that it has now, you know just as well as I know that I am standing here that you cannot pass it; and, more than that, the country does not want you to pass it."

The reality of the use of the filibuster as a veto has been borne out by the experience of the intervening years.

As my colleague, Senator KUCHEL, of California, put it last summer in the hearings before this subcommittee:

"How can any reasonable person uphold such tactics as those which occurred some years ago when the Senate ludicrously debated for 2 weeks a motion to amend the Chaplain's prayer?"

Permitting a Senator or a group of Senators to talk for hours and days on any conceivable subject or on no subject in order to consume time and prevent the Senate from voting, affords no dignity to the Senate and adds nothing to its deliberative function. Reading recipes for "pot licker," fried oysters, quoting from "Aesops Fables,"[3] and otherwise talking in utter irrelevancies does nothing to enhance the Senate's standing as a great deliberative body.

Senators have a right—and freely exercise it—to express their views on any question before the Senate or before the country. Without doubt it would be a violation of the letter and the spirit of the Constitution to deny or even seriously abridge the right of debate. But, it is also a most flagrant violation of the spirit of the Constitution to clothe this body with forms of procedure by which it may be blocked in the exercise of the legislative powers, and thereby suspended of every other function except that of speaking. The Senate has a duty to debate, but it is likewise a constitutional duty of a majority of this body to act, and with some reasonable expedition. We are obligated not only to pass laws, but also to pass them in time to meet the public need and the general welfare of the country.

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[2] The paralyzing effect of the minority veto is clearly evident in the deliberations of the United Nations Security Council.

[3] During the filibuster against the extension of a skeletonized NRA, Senator Long discussed various recipes at great length. This talk continued for 15½ hours and included the reading of long passages from works of Victor Hugo and a reading and discussion of the United States Constitution, article by article, without any necessary reference to the pending business. (See vol. 79, pt. 8, pp. 9122 et seq.)

On June 20, 1936, Senator Rush D. Holt of West Virginia successfully filibustered against passage of a coal conservation bill by reading "Aesops Fables" to the Senate. The Senate finally adjourned, sine die, without ever voting on the bill.

Some observers have declared that, far from enhancing the Senate's deliberative function, the right to filibuster has all but destroyed it. Vice President Dawes, for example, said of the veto power of the filibuster:

"The Senate is not and cannot be a properly deliberative body, giving due consideration to the passage of all laws, unless it allots its time for work according to the relative importance of its duties, as do all other great parliamentary bodies. It has, however, through the right of unlimited debate surrendered to the whim and personal purposes of individuals and minorities its right to allot its own time. Only the establishment of majority cloture will enable the Senate to make itself a properly deliberative body. This is impossible when it must sit idly by and see time needed for deliberation frittered away in frivolous and irrelevant talk, indulged in by individuals and minorities for ulterior purposes."

Yet, the Senators who argue that rule XXII should be retained in its present form support this retention as necessary to its deliberative character. I certainly agree that the Senate is a forum of great debate, deliberation, and revision; but I submit that it owes nothing to rule XXII for achieving this distinction. It has achieved that eminence despite the rule.

History of the previous question and cloture

Having considered why the present rule serves neither the constitutional balance of States rights nor the deliberative function of the Senate, it is useful to review the development of cloture and the closely connected motion for the "previous question" in order to evaluate the pending proposals for amendment of rule XXII.

In "Mason's Manual of Legislative Procedure (1953)" the motion is described thus:

"The previous question may be used to close debate on any debatable question * * *. The effect of the motion, if adopted, is to require that the question [before the legislative body] be put to vote immediately. It would be more aptly designated 'vote immediately' * * *."

While the result of passing a motion for the previous question under general parliamentary law is to bring on the main question for immediate vote, the effect of defeating it is to postpone the main question. The almost universal use of the motion in American parliamentary bodies is to bring about cloture.

It was recognized in the early days that a motion for the previous question could close debate in both Houses of the Congress. This is to be expected when one studies the proceedings in the British Parliament, which was the model for our own. The use in that body of the motion for the previous question apparently dates from 1604, and after 1640 it became a prime instrument of cloture.

Its use to end debate and force a vote in the House of Representatives and States' legislatures has been incorrectly called a perversion of the British practice. Fortunately, due to the thorough scholarship of Irving Brant, the eminent biographer of James Madison,[4] we now have an accurate historical review of this motion practice in the British Parliament and in the U.S. Senate. I think it would be helpful to quote from testimony given by him before the special subcommittee. Mr. Brant said:

"As is well known, the U.S. House of Representatives began to limit debate in 1811 by means of the motion for the previous question. It was confronted with persistent filibustering against the 'measures short of war' that preceded the War of 1812.

"The alternatives were to surrender to the minority, or to use the power of the majority to end a purely obstructive debate. The majority acted, not arbitrarily, but after many day-and-night sessions, with the clock running toward a compulsory sine die adjournment.

"The United States Senate had a previous-question rule from 1789 until 1806, when it was dropped. The rule read as follows:

" 'The previous question being moved and seconded, the question from the Chair shall be: "Shall the main question be now put?" And if the nays prevail, the main question shall not then be put.'

"The previous question was moved in the Senate on four occasions. In 1789, the nays won and the subject was postponed. In 1792, the question was worded in reverse. It was moved 'That the question be not now put.' This carried and resulted in postponement. In 1799, the question was moved in the wording required by the rules, 'Shall the main question be now put?' The affirmative won, producing cloture. The main question was then put, and it also carried.

"On the fourth and last occasion, in 1804, the previous question was moved during the impeachment trial of Judge Pickering. The complicated details of this controversy are set forth in my memorandum on the previous question, and may be found in the CONGRESSIONAL RECORD, volume 103, part 5, page 6684. Instead of summarizing them here, I shall merely quote two sentences from the diary of Senator John Quincy Adams concerning these proceedings:

" 'On this resolution it was not without the utmost difficulty that any discussion whatsoever could be obtained.'

"Again:

" 'The next struggle was to prevent all debate upon the resolution.'

"The majority actually did cut off the debate and proceeded at once to defeat the resolution.

"Looking into British treatises on parliamentary practice, I found the previous question described as a method of postponement in which the mover voted against his own motion. But if the motion should happen to carry, the effect would be to cut off debate and force an immediate vote on the main question.

"I therefore examined the Journals of the House of Commons from 1604 down to the present time and found a truly remarkable record. In the 20th century, the previous question has been moved only twice in the House of Commons, and not once since 1911. In the 17th century, it was moved 736 times. It resulted in cloture 491 times and in postponement 235 times.[5]

"Now, it may be asked, why was it that when the House of Commons came to establish a cloture rule, it didn't simply utilize the previous question for that purpose? Well, that is what it did. On February 25, 1881, a year and a half before the word 'cloture' was applied to the practice, the wording of the motion for the previous question was employed for the avowed purpose—a purpose set forth in the Journals—of stopping debate, and the motion is recorded in the index as a motion for the previous question.

"A year later, the House incorporated some special provisions and changed the name to 'cloture.' Thus we have before us, not an American perversion of the British motion, but a kindred line of development in both countries.

"To this, let me add one more fact. Before the House of Commons converted the motion for the previous question into a cloture rule, it had been dealing with obstructive debate for some years by treating it as contempt of the House, punishable by suspension. That was done under parliamentary practices dating back to 1604, which gave the Speaker power to stop 'superfluous motions, and tedious or impertinent speeches.'

"These same rules were incorporated in Jefferson's 'Manual,' as a guide to Senate conduct, at a time when the Vice President had unappealable power to decide points of order. Here is evidence, then, that if the question of altering the rules of the Senate comes before that body under the general rules of parliamentary practice, it will make no difference whether those general rules are looked for in the pactices of our 48 State legislatures or in the British House of Commons.

"The question of cloture in the Senate must be considered in relation to the nature of that body. The Senate can control the filibuster, it can free itself from the will of a rampaging minority, without the slightest danger of acquiring the ills that afflict the House of Representatives [Mr. Brant has reference to the large membership of the House] and without any possibility of moving into the discipline that marks the [still larger] House of Commons."

Various theories have been advanced to explain why the practice of filibustering as a power of veto developed much more slowly in the Senate than in the House. In fact it was largely brought under control in the House long before it reached the peak of its development in the Senate. One of the reasons that it has been difficult to discover with certainty the history of the early period is that during its first 5 years the Senate sat in secret behind closed doors and only occasionally published extracts from the journal of its proceedings. What knowledge we have of this period has been gained almost entirely from diaries, letters, and other documents written during the period. Furthermore, neither House published verbatim accounts of its proceedings until 1873 and therefore the evidence for some of the early periods is rather meager. In spite of the research difficulties, certain facts have clearly emerged.

The motion for the previous question was from the beginning available in both Houses to close debate and bring an issue to a vote. All that was required was a majority vote. In both Houses the motion for the previous question was itself originally open to debate but not, as some have contended, "without let or hindrance." Certainly, in the early Senate the presiding officer could, pursuant to Jefferson's Manual, rule a Senator out of order for speaking "impertinently or beside

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[4] Mr. Brant, a former newspaper editor and editorial writer, has been engaged for many years in historical research and writing. Five volumes of his "Life of James Madison" have been published.

Henry Steele Commager, professor of history at Columbia University and Amherst College, describing Mr. Brant's scholarship, said:

"Brant's Madison, which has now reached five volumes, is, by universal agreement of American historians, one of the most impressive achievements of American historical writing of our generation. Thorough, critical, judicious, comprehensive, well-written, it has the quality that so few biographies have, of doing the job so completely and so well that it does not have to be done over. What is perhaps most impressive about Brant's work is that it is based entirely on original research, that it takes nothing for granted but goes to the sources, that it maintains the very highest standards of rigid scholarship. Whatever may be said of Brant's interpretations—and there will always be differences of interpretation—this can be said with confidence, that Brant's historical scholarship is impeccable and unimpeachable."

[5] In a supplementary letter to me, dated December 21, 1957, Mr. Brant made an exhaustive historical analysis of the prevalent misconception that the "previous question" was used primarily in the British House of Commons for the purpose of postponement, showing clearly that the motion was in fact primarily used for cloture.

the question, superfluously, or tediously."[6] In other words, the Senate originally had the motion for the previous question, supplemented by the unappealable authority of the Vice President to rule on questions of order, to prevent a filibuster. When necessary, a majority in the early Senate could, with the cooperation of the Vice President, end filibustering tactics and act on legislation.

Thus the early Senate (from 1789 to 1806) had at its disposal the motion for the previous question supplemented by the Vice President's unappealable authority to stop a Senator in debate for using speech as a dilatory device. The previous question motion, used apparently only four times, was omitted from the rules when they were given a general revision at the beginning of a session in 1806. The deletion occurred without any recorded comment or debate. The reason for dropping this motion from the amended rules in 1806 may well have been that it was not needed to control obstructive speech, which was little used. Also order remained subject to control through the unappealable rulings of the Chair on relevancy and obstruction. The technique of the filibuster as a powerful weapon of obstructing and defeating the majority will in the Senate was still in the future.

Until 1828, the unappealable authority of the Vice President to rule on questions of order remained unchanged. This power to prevent filibusters was supported by the long previous tradition of Senate dignity which frowned on tedious and impertinent speech.[7]

[6] Both John Adams and Thomas Jefferson were forceful presiding officers during their service as Vice President. It is apparent that they maintained the dignity and decorum of debate in the Senate by vigorous application of the rules.

In section XVII of Jefferson's Manual of Parliamentary Practice, Jefferson stated the guiding rule to be: "No one is to speak impertinently or beside the question, superfluously, or tediously," citing precedents from the British Parliament.

In the preface to his manual written while he was serving as Vice President (1797 to 1801), Jefferson said:

"The Constitution of the United States, establishing a legislature for the Union under certain forms, authorizes each branch of it 'to determine the rules of its own proceedings.' The Senate has accordingly formed some rules for its own government but these going only to few cases, it has referred to the decision of its President, without debate and without appeal, all questions of order arising either under its own rules or where it has provided none. This places under the discretion of the President a very extensive field of decision and one which, irregularly exercised, would have a powerful effect on the proceedings and determinations of the House. * * *

"Considering, therefore, the law of proceedings in the Senate as composed of the precepts of the Constitution, the regulations of the Senate, and, where these are silent, of the rules of Parliament, I have here endeavored to collect and digest so much of these as is called for in ordinary practice, collating the parliamentary with the senatorial rules, both where they agree and where they vary."

[7] From the records of the debate in February 1828 concerning the powers of the Vice President to rule on points of order, two propositions emerge:

(1) In the opinion of the presiding officers of the Senate after Jefferson they had the authority to rule a Senator out of order for irrelevant speech and they generally considered Jefferson's Manual controlling on the point; and

In the House of Representatives, protracted speech, while used to some extent in a mild form prior to 1800, did not become an obvious instrument for obstruction until developed by the erratic genius, John Randolph of Virginia, between 1806 and 1811. After extreme provocation by Randolph and others acting with him, the House in desperation, on February 27, 1811, by a vote of 66 to 13 reversed its previous position and decided that a majority vote in favor of a motion for the previous question closed debate on the pending issue. The written rules of the House were thereafter amended on December 21, 1811, to conform to this decision.

In December 1825, John Randolph was elected to fill an unexpired Senate term. He came over to the Senate from the House bringing with him his penchant for irrelevant and lengthy speeches. John C. Calhoun, then Vice President, refused to maintain the same rigid discipline over debate that most of his predecessors had done.

As a result of Calhoun's failure to control irrelevant and tedious debate, the Senate amended the rule to provide explicitly that the Vice President had this authority on his own initiative and made his rulings subject to appeal. In making the Vice President's rulings appealable the Senate did not intend to weaken Senate discipline but rather, in all probability, to strengthen it by adding the weight of the majority to the decision on questions of order when an appeal was taken.

This change in the rules in 1828 apparently restored to the Senate discipline which had been temporarily lost, and the question of controlling debate in this body was not again a subject of major discussion until 1841. This fact suggests the vigor with which presiding officers after 1828 enforced the rules to prevent obstructive delays. In 1841 during an extra session of Congress called by President Harrison to consider the Government's fiscal policy and the rechartering of the national bank, Henry Clay, the Whig leader in the Senate, threatened the minority with bringing forward some form of cloture rule. The records of this session indicate that while debate was extended no real filibuster took place and probably for this reason no such rule was adopted. At this time the rule of relevancy was still available, and as late as the year 1848 the Senate voted (27 to 2) to require a Senator to take his seat for being out of order because of irrelevancy.

But by 1872, when Vice President Schuyler Colfax ruled that under the practice of the Senate the presiding officer could not restrain a Senator in remarks which the Senator considers pertinent to the pending issue, the Senate abandoned its effective control over debate.

From 1872 to 1917, there was neither any cloture rule nor any enforced rule of relevancy. It was during this period that the filibuster matured more or less into its present form.

The first formalized modern cloture rule was not adopted until March 8, 1917. From 1917 until 1949 rule XXII provided that limitation of debate could only be imposed by two-thirds of those Senators voting. In 1949 this percentage was increased to require two-thirds of the entire membership of the Senate to be present and affirmatively voting to end debate. The 1949 revision also amended the rule to subject any measure, motion, or other matter, or the unfinished business, to cloture control. By such change the Senate was no longer bound by former decisions which had held, in brief, that limitation on debate could be had only on a pending measure. The 1949 revision thus eliminated correction of the Journal and presentation of credentials, both highly privileged matters, as well as motions to take up new business, as possible sources of filibusters. It also added subsection 3 to rule XXII, which provides in effect that debate could not be limited on any proposal to amend the Standing Rules of the Senate. (See appendix A, p. 27.)

(2) The tradition of the Senate for dignity in debate down through 1828 at least was a heavy deterrent against filibustering.

Since 1917, 22 votes have been had under rule XXII. On only four occasions was such cloture invoked. Had the 1949 version of the rule been in effect during this time it would have been successful only three times.[8]

Such a self-imposed obstacle to legislation is rare in the history of parliamentary development. All but 12 States of the Union expressly permit the motion for the previous question to close debate in their upper legislative chambers; 4 of these 12 States have another form of cloture rule. Apparently, only in the senate in Utah and Vermont is the use of the previous question specifically prohibited. It is ironical that many of the Senators most opposed to a reasonable limitation on filibusters have the most effective rules for limiting debate in the upper chambers of their own State legislatures. (A tabulation referring to the rules of State senates is set forth in appendix B to this report (p. 27).)

The British Parliament accepts a specialized form of the previous question as a cloture rule and even the Senate of the Confederate States of America in 1862 provided for the previous question as a method of cloture.

Subsection 3 of rule XXII

Subsection 3 deserves separate attention for it is a built-in filibuster device which, if held valid, makes the whole rule so unjust as to require it to fall of its own weight of unfairness. Difficult as it is to obtain the affirmative vote of 64 Senators to limit a filibuster on the usual subjects, on a motion to change rule XXII itself (or for that matter any rule of the Senate), because of this provision unanimous consent is required—short of forcing physical exhaustion. It raises minority control to such a degree that the Vice President found it offended the Constitution.

In an advisory opinion the Vice President on January 4, 1957, held in part as follows:

"The Constitution also provides that 'each House may determine the rules of its proceedings.' This constitutional right is lodged in the membership of the Senate and it may be exercised by a majority of the Senate at any time. When the membership of the Senate changes, as it does upon the election of each Congress, it is the Chair's opinion that there can be no question that the majority of the new existing membership of the Senate, under the Constitution, have the power to determine the rules under which the Senate will proceed.

"Any provision of Senate rules adopted in a previous Congress which has the expressed or practical effect of denying the majority of the Senate in a new Congress the right to adopt the rules under which it desires to proceed is, in the opinion of the Chair, unconstitutional. It is also the opinion of the Chair that section 3 of rule XXII in practice has such an effect."

Pursuant to the Constitution each House determines its own rules of procedure, and in this context action by each House means

[8] Under the 1917 requirement of two-thirds of those voting the motion for cloture succeeded four times:

	Vote
(1) 1919—Treaty of Versailles	78 to 16
(2) 1926—World Court	68 to 26
(3) 1927—Branch banking	65 to 18
(4) 1927—Bureau of Customs and Bureau of Prohibition	55 to 27

Under the present rule requiring 64 affirmative votes the last cloture motion would have failed by 9 votes.

a majority of each House. A practical delegation of that power to 1 Senator or to 33 Senators is beyond the power of this body. Its responsibilities are derived from the Constitution and, short of amending that document, there is no way of qualifying this power.

The Supreme Court has held that a House of Congress "may not by its rules ignore constitutional restraints" (*U.S.* v. *Ballin*, 144 U.S. 1, 5).

To illustrate, assume that the Congress passes a statute which by its terms provides that it may not be amended except by unanimous consent of both Houses. Surely no one would thereafter contend that that law might not be amended by a simple majority vote. In other words, Congress cannot impose such a limitation on itself or on future Congresses which is not imposed by the Constitution. In *Newton* v. *Board of County Commissioners* (100 U.S. 548), the Supreme Court has held in reference to legislation:

"Every succeeding legislature possesses the same jurisdiction and power with respect to them as its predecessors. The latter have the same power of repeal and modification which the former had of enactment, neither more nor less. All occupy, in this respect, a footing of perfect equality. This must necessarily be so in the nature of things. It is vital to the public welfare that each one should be able at all times to do whatever the varying circumstances and present exigencies touching the subject involved may require. A different result would be fraught with evil."

As a question of power a majority of a quorum of this body may at any time abolish its rules or change its rules. Whatever the rules may say they can be changed by the same power that adopted them. As a matter of power this is necessarily so. That it exists is shown by the fact that on the two most recent occasions efforts to change the rules (1953 and 1957) were defeated by motions to lay on the table, both decided by a majority vote. Of course, Senators may choose to be bound by any restrictions which they care to follow.

I recognize that the problem cannot be solved on the basis of constitutional power alone but must be worked out within both the parliamentary law and the traditions of this body. I am convinced that this can be done, but I think it is important to set at rest any possible question of power to change the rules. The restriction attempted in practical effect in subsection 3 is unconstitutional precisely because it seeks to limit the power granted by the Constitution inherent in the Senate and the responsibility that goes with it.

If subsection 3 is unconstitutional, the method of so deciding, according to the opinion of the Vice President, would be by determination of the Senate itself. Obviously this determination would be by a majority vote. Assuming that it is unconstitutional and therefore of no effect, then it follows that on any motion to change the rules under which the Senate is operating the present cloture provisions of rule XXII, inadequate as they are, nevertheless are available for closing debate which is simply and obviously a filibuster against any proposed change in that rule.

Pending proposals

A number of resolutions proposing amendments to rule XXII were introduced during the 1st session of the 85th Congress. They are before the special subcommittee, and may be summarized as follows:

Senate Resolution 17 provides that debate may be limited by a vote of two-thirds of the Senators present and voting 2 days after 16 Senators have filed a petition for this purpose. It further provides that 15 days, exclusive of Sundays and holidays, after the presentation to the Senate of a petition signed by 16 Senators, the Senate by a majority vote of those "duly chosen and sworn" (49 of the 96 Senators) may also impose cloture. Moreover, it eliminates the exemption to any form of cloture of a motion to change the Senate's standing rules (subsec. 3). As in the present rule, even after cloture is voted each Senator may speak for 1 additional hour before the vote.

Senator Resolution 19 would amend rule XXII by providing that cloture may be imposed by a favorable vote of two-thirds of the Senators present and voting, but in no case less than a majority of Senators "duly chosen and sworn."

Senate Resolution 21 would provide for cloture by a majority of Senators voting (if a quorum be present). It would also permit any Senator to yield to another Senator all or part of the 1 hour time for debate allotted to him after cloture is imposed. This resolution also eliminates subsection 3.

Senate Resolution 28 would make cloture subject to an affirmative vote of a majority of the authorized membership of the Senate (49 Senators) after a waiting period of 12 calendar days (excluding Sundays and legal holidays) following the filing of a written motion for cloture signed by 16 Senators. It would also delete subsection 3.

Senate Resolution 29 would simply declare subsection 3 of the rule unconstitutional.

Senate Resolution 30 permits cloture by a vote of two-thirds of the Senators present and voting and eliminates the exception contained in subsection 3. But, in addition, Senate Resolution 30 provides that the Standing Rules of the Senate would continue from one Congress to the next unless duly changed. This last provision attempts to resolve a question of great complexity which is outside the immediate substantive concern with cloture, although being intimately connected with past and future attempts to deal with the problem.

Senate Resolution 32 would provide a waiting period of 5 days (exclusive of Sundays and legal holidays) in lieu of 2 days under the present rule and would then permit two-thirds of the Senators present and voting to impose cloture. Senate Resolution 32 would also delete subsection 3.

Senate Resolution 171 would allow two-thirds of the Senators present and voting to bring about cloture in lieu of the present rule.

These eight resolutions, even with very considerable differences, have one characteristic in common. They all would make the imposition of cloture easier. Senate Resolution 29 does not do this directly, but does ease the way to change the rule in order to do it.

As I have previously pointed out, since 1917, when the first standing rule on cloture was adopted, there have been 22 votes on motions to impose cloture, but only 4 have been successful. Merely changing a constitutional two-thirds to two-thirds of those voting would have had no effect on the historical results—only four would still have won. By requiring a constitutional majority, a significant difference occurs; nine attempts would have been successful. If only a simple majority had been required, the motion would have carried 15 times.

I do not believe the simple change to a two-thirds voting requirement of Senate Resolutions Nos. 19, 30, 32, and 171 makes significant enough change. I believe the simple majority rule of Senate Resolution 21 is too great a departure to reasonably expect this body to undertake. A table showing the effect of each resolution on past cloture votes follows:

The success of the various proposals if applied to rule XXII cloture votes since 1917

Senate Resolution 17: 9 out of 22 (constitutional majority).

Senate Resolution 19: 4 out of 22 (two-thirds voting).

Senate Resolution 21: 15 out of 22 (majority voting).

Senate Resolution 28: 9 out of 22 (constitutional majority).

Senate Resolution 29: (Only effect is to eliminate subsec. 3 from rule XXII).

Senate Resolution 30: 4 out of 22 (two-thirds voting).

Senate Resolution 32: 4 out of 22 (two-thirds voting).

Senate Resolution 171: 4 out of 22 (two-thirds voting).

On balance, I recommend approval of Senate Resolution 17 as being both moderate and effective. I believe it will enhance the dignity of this body.

As a practical matter we know from the history of the Senate that 16 or more signatures cannot be secured on any cloture petition unless the debate has already become a filibuster.

Conclusion

I am a new Member of the Senate and cannot pretend to be an expert in its procedures and traditions, but I have had considerable parliamentary experience in my public life and I have studied constitutional history and the development of Senate procedures to the best of my ability. In addition, I have had the unique opportunity of serving in the Senate at the time of enactment of the first significant civil rights legislation since that enacted immediately following the Civil War.

I respectfully emphasize to the full Committee on Rules and Administration in its deliberations of suggested amendments to rule XXII that neither freedom of speech nor the right of full debate in the Senate is at issue. In advocating a change in rule XXII to permit effective cloture while allowing for full and adequate debate, I seek no abridgement of the liberty of speech, but a just and necessary restraint upon an abuse which hinders or frustrates the performance by the Senate of its constitutional duty and perverts the reasonable function and objective of the spoken word.

The deep responsibility which rests on the Committee on Rules and Administration in this matter is highlighted by the emergency character of issues facing our country, issues of peace or oblivion, issues which the U.S. Senate will play a leading role in resolving. As our country and our world move forward at this rapid pace, we cannot permit a procedural roadblock that can paralyze the functioning of the Senate. Important at any time, that fact is of a crucial nature now. I deem it our committee's duty to report to the floor of the Senate a recommendation to eliminate that roadblock.

I submit that Senate Resolution 17 would work a reasonable and necessary change in the rule against filibusters and I recommend that the committee report it favorably to the Senate as soon as possible.

JACOB K. JAVITS.

"APPENDIX A

"RULE XXII, STANDING RULES OF THE SENATE

"(As presently existing with the italic designating the change from the 1917 rule)

"2. *Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, except subsection 3 of rule XXII,* at any time a motion signed by 16 Senators, to bring to a close the debate upon any measure, *motion or other matter* pending before the Senate, *or the unfinished business,* is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate,

submit to the Senate by a yea-and-nay vote the question:

"'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by two-thirds *of the Senators duly chosen and sworn*, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, *motion, or other matter* pending before the Senate, *or the unfinished business*, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

"3. *The provisions of the last paragraph of rule VIII (prohibiting debate on motions made before 2 o'clock) and of subsection 2 of this rule shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the Standing Rules of the Senate.*

"APPENDIX B

"LIMITATION OF DEBATE IN STATE SENATES

"1. Alabama (1951): Debate may be limited by a vote of two-thirds of all the elected members upon a motion to that effect offered by the committee on rules (rule 19). No member shall speak more than twice on any question under debate, and none shall, without leave of the Senate, consume more than 1 hour each time (rule 37).

"2. Arizona (1951): Previous question authorized (rule XVIII). Presumably requires majority vote. 'Jefferson's Manual' governs when not inconsistent (rule XXIX).

"3. Arkansas (1951): Previous question authorized if seconded by at least five members (rule XV). Presumably required majority vote. Dilatory motions forbidden (rule XIV, sec. 19).

"4. California (1951): Previous question authorized by majority vote (rule 41).

"5. Colorado (1951): Previous question authorized by majority vote (rule IX, subdivision 2). Debate may be limited not less than 1 hour after adoption of motion to that effect by majority vote (rule IX, 3).

"6. Connecticut (1951): No previous question allowed (rulings, p. 39). No member may, without leave, speak more than twice on same question (rule 11). Remarks must be germane (rulings, p. 44).

"7. Delaware (1951): 'Robert's Rules of Order, Revised,' to settle all parliamentary procedure (rule 38).

"8. Florida (1951): A senator may not speak longer than 30 minutes nor more than twice on any one question without leave of the senate (rule 20). 'Jefferson's Manual' governs whenever applicable and not inconsistent with standing rules (rule 77).

"9. Georgia (1957): Previous question authorized by majority vote (rule 58). All individual speeches on bills and resolutions shall be limited to 30 minutes unless by leave of the senate (rule 15). The president of the senate 'shall in his discretion suspend irrelevant debate and command silence whenever he may deem it needful' (rule 1).

"10. Idaho (1947): Previous question authorized (rule 4), presumably by majority vote. General rules of parliamentary practice to govern in all cases not provided for (rule 23).

"11. Illinois (1951): Previous question authorized (rule 54). No senator may speak more than 15 minutes at any one time without the consent of the senate (rule 33). 'Robert's Rules of Order' govern provided not inconsistent (rule 72).

"12. Indiana (1949): Previous question authorized (rule 17), presumably by majority vote. 'Jefferson's Manual' applies to all points not covered (rule 52).

"13. Iowa (1951): Previous question authorized by majority vote (rule 20). 'Robert's Rules of Order' govern where not inconsistent (rule 42).

"14. Kansas (1949): Previous question authorized (rule 27), apparently by majority vote (rule 20). No senator may speak more than twice on the same day on the same subject without leave of the senate (rule 7). 'Robert's Rules of Order' apply whenever senate rules do not apply (rule 76).

"15. Kentucky (1954): Previous question authorized by majority of senators voting (sec. 50).

"16. Louisiana (1948): Previous question authorized by majority vote (rule 17). Debate may be limited by majority vote so that no senator shall speak longer than 1 hour at one time without leave (rule 9).

"17. Maine (1957): No rule on limitation of debate but Reed's Rules and Cushing's Law and Practice to govern whenever applicable and not inconsistent with standing rules (rule 37).

"18. Maryland (1950): Jefferson's Manual to govern when not inconsistent with standing rules (rule 92).

"19. Massachusetts (1956): Debate may be closed not less than 1 hour after adoption of motion to that effect (rule 47), presumably by majority vote. Cushing's Manual shall govern when not inconsistent with standing rules (rule 62).

"20. Michigan (1951–52): Previous question authorized by majority vote of the senators present and voting (rule 65).

"21. Minnesota (1955): Previous question authorized by majority vote (rule 24). Jefferson's Manual to govern when not inconsistent with standing rules (rule 51).

"22. Mississippi (1948–52): Previous question authorized (rule 65), presumably by majority vote since Rules of United States House of Representatives govern on all questions not in conflict with rules (rule 59).

"23. Missouri (1951): Previous question authorized by majority vote (rule 76).

"24. Montana (1951): Previous question authorized by majority vote (rule XIV). No senator shall speak more than twice in any one debate on the same day and at the same stage of the bill in exclusion of those who have not spoken (rule XII, 4).

"25. Nebraska (1950): Previous question authorized by majority of elected members (rule 10, sec. 9). Gregg's Handbook shall govern when not inconsistent (rule 1). No member shall speak more than twice upon any one question during one legislative day (rule 4, sec. 10). Each day shall be considered a legislative day unless majority votes otherwise (rule 7, sec. 6).

"26. Nevada (1951): Previous question authorized by majority vote (rule 18). 'Mason's Manual' shall govern (rule 55).

"27. New Hampshire (1951): Previous question authorized (rule 9) presumably by majority vote. No member shall speak more than twice on same question on same day without leave (rule 4).

"28. New Jersey (1951): No senator shall speak more than three times 'on any subject of debate' without the leave of the senate (rule 47).

"29. New Mexico (1951–52): Previous question authorized on demand of majority of members present (rule 54). 'Robert's Rules of Order' to govern in all cases not inconsistent with standing rules (rule 74).

"30. New York (1951): Debate may be limited by majority vote wherever any bill, resolution, or motion shall have been under consideration for 2 hours (rule XIV, sec. 3).

"31. North Carolina (1951): Previous question authorized (rule 57), presumably by majority vote (rule 63).

"32. North Dakota (1951): Previous question authorized (rules 18, 21), presumably by majority vote. Ordinary member may speak only 10 minutes on same subject, then 5 minutes, until every other member choosing to speak shall have spoken, without unanimous consent (rule 13). Robert's Rules to govern when applicable and not inconsistent (rule 77).

"33. Ohio (1951): Previous question authorized on demand of three senators (rule 89), presumably by majority vote. No senator shall speak more than twice on the same question except by leave (rule 74) and may read relevant matter 'of reasonable length' (rule 75). Any recognized standard authority on parliamentary procedure may be received as authority for all cases not provided for (rule 117).

"34. Oklahoma (1951): Previous question authorized by majority vote (rule 39). No senator shall speak more than 20 minutes on any question without the unanimous consent of the senate, and only 10 minutes during debate in considering bills on general order (rule 107).

"35. Oregon (1951): Previous question authorized (rule 38) by majority vote (rule 69). No member shall speak more than twice on any question without leave (rule 25). After 50th day of session, member may not speak longer than minutes but may yield his time (rule 26). Robert's Rules of Order, Revised, to govern.

36. Pennsylvania (1951–52): Previous question authorized by majority vote (rule 41). 'Jefferson's Manual' to govern whenever applicable (rule 34).

"37. Rhode Island (1951): Previous question authorized (rule 21). Debate may be closed on motion (presumably by majority vote) after any matter shall have been considered for 2 hours (rule 23).

"38. South Carolina (1951): Debate may be limited by two-thirds of the senate (rule 14). No senator may speak more than 2 hourse in any 1 legislative day on any one bill or resolution (rule 8).

"39. South Dakota (1951): Motion for previous question authorized but must be seconded by one-seventh of the members elected and approved by a majority of those present (rule 53).

"40. Tennessee (1949): Previous question authorized by vote of two-thirds of members present: if rejected, committee of rules may, upon demand of a majority of the members of the senate, submit rule fixing of limiting time for debate for adoption by majority of senate (rule 20).

"41. Texas (1949): Previous question authorized by majority vote (rule 101).

"42. Utah (1945): Previous question specifically forbidden (rule 45). No senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill without leave (rule 42). 'Robert's Rules of Order' govern whenever applicable, and not inconsistent with senate rules.

"43. Vermont (1950): Previous question forbidden (rule VIII, 55). No senator shall speak more than twice to same question without leave (rule X, 65). 'Robert's Rules of Order' shall prevail (rule XII, 82) on parliamentary questions not covered by the rules.

"44. Virginia (1950): Previous question authorized if seconded by majority of senators present (rule 50), presumably by majority vote. 'Jefferson's Manual' to be used to construe rules (rule 68).

"45. Washington (1951): Previous question authorized by majority vote (rule 30).

"46. West Virginia (1951): Previous question authorized by majority vote (rule 53).

"47. Wisconsin (1949): Previous question authorized by majority vote ('Manual,' p. 40) on demand of six senators (82).

"48. Wyoming (reprinted 1951): Previous question authorized when seconded by three members and approved by majority vote (pp. 19, 20).

"GENERAL PARLIAMENTARY MANUALS ON PREVENTION OF OBSTRUCTIVE TACTICS

"'Robert's Rules of Order, Revised (1943)': Debate may be closed by a two-thirds vote of the assembly or by adopting the motion for the previous question which requires a two-thirds vote of those present and voting (sec. 44). No dilatory, absurd, or frivolous motions are allowed (sec. 40). 'Whenever the Chair is satisfied that members are using parliamentary forms to obstruct business he should either not recognize them or else rule them out of order' (sec. 40).

"'Jefferson's Manual (1797)': 'No one is to speak impertinently or beside the question, superfluously or tediously' (sec. XVII). No man may speak more than once on the same bill except to clear up a matter of fact or to explain a material part of his speech (sec. XVII). Previous question authorized by majority vote (secs. XXXIV, XLI)."

INDIVIDUAL VIEWS OF MR. TALMADGE

Any proposal for further limiting debate in the U.S. Senate is a matter of grave consequence which, by its very nature, demands that it not be acted upon capriciously or without the benefit of thorough study and full consideration of all its ramifications.

It is out of that deep conviction that I insisted upon comprehensive hearings on the eight resolutions which sought that end, that I have given long and careful study to the transcript of testimony taken at those hearings and to all related materials, and that I herewith set forth in the most earnest terms at my command the compelling reasons why Senate rule XXII must be upheld as written.

Although the question of cloture has been a recurring issue before the Senate since 1917 and hearings previously were held on the subject in 1947, 1949, and 1951, it was not until 1957 that any effort was made to determine the thinking and wishes of the American people on this issue so fundamental to the protection and preservation of their constitutional freedoms.

At my urging a Special Rules Subcommittee composed of Senator JACOB K. JAVITS, of New York, and myself held extensive hearings during last June and July and heard, either in person or by prepared statement, from 132 Senators, spokesmen for organizations with national memberships, and other knowledgeable individuals. While previous hearings had been confined largely to testimony from Senators and paid spokesmen for partisan pressure groups, the 1957 hearings heard from such well-known and respected organizations as the American Legion, the Veterans of Foreign Wars, and the Sons and Daughters of the American Revolution.

As the result of the labors of the subcommittee a printed transcript of 364 pages—which unquestionably is the most comprehensive document of its kind ever assembled—now is a matter of official record and, for the first time, Senators have as a basis for informed action on this subject a presentation which encompasses the grassroots sentiments of their constituents.

It must be recognized that the Senate of the United States, as an instrumentality of the States and their citizens, is the property of every American and does not belong to the individuals who transiently occupy the seats in its Chamber. Individual Senators have no proprietary rights in the operation of the Senate except as they act as creatures of the will of the States and constituents they represent.

Therefore, it is certain that no Senator honestly seeking to be responsive to the will of those he serves will wish to close his mind on this issue before giving careful study and consideration to the transcript compiled by this special subcommittee and the unmistakable conclusions of public opinion it affords.

An analysis of that transcript discloses that more than three-fourths of those presenting their views to the subcommittee expressed approval of Senate rule XXII as it now stands and confidence in it as the major bulwark of the people in the maintenance of constitutional government and individual liberty in this Nation.

Further analysis makes plainly evident the fact that those favoring a further erosion of freedom of speech on the floor of the U.S. Senate could offer no sounder reason for their position than their desire to see enacted into law force legislation of the character which was resoundingly defeated by the 1st session of the 85th Congress.

Those who predicated their support of changes in Senate rule XXII on the contention that no civil rights measure could be enacted under its present provisions saw their argument exploded in the action of the 1st session of the 85th Congress in placing the Civil Rights Act of 1957 on the statute books without resort to rule XXII.

That argument thus disposed of, there is only one conclusion which can be drawn logically and dispassionately from the actions of those who persist in their efforts to change rule XXII: That their onslaught to stifle freedom of speech on the floor of the Senate is an attack not only on the Senate itself but also on the stature, perquisites, and prerogatives of each Senator in national affairs and every other responsibility incident to the senatorship.

It is an attack which threatens the whole fabric of our form of government and strikes at the very vitals of representative government.

It is an attack which seeks to destroy the constitutional balance of Federal and State power and deal a death blow to the States as political entities.

It is an attack which seeks to make big government bigger and to centralize more and more power in Washington in a government less responsive to the wishes of the citizenry.

It is an attack which seeks to eliminate the spirit of compromise and respect for divergent views which has characterized the Senate for more than one and one-half centuries and to substitute for it the brute force of numbers.

It is an attack which seeks to put Congress only a short step from the unicameral system and which has as its ultimate aim the destruction of the seniority system which has given Congress its stability and sense of responsibility over the years.

Standing Senate rule XXII is a wise rule—the result of compromise—which protects full and free discussion of legislative proposals yet serves as a barrier to thwart those few Members who would abuse the privilege of free speech.

Standing Senate rule XXII is fair and to change it again would be to militate against the historic tradition of unlimited debate in the Senate.

The first change in rule XXII to authorize cloture was adopted in 1917 following a bitter controversy over the failure in the Senate of a proposal for arming American merchant ships prior to this Nation's entry into World War I. It was offered by Senator MARTIN as a "war measure" and, after debate at length, was adopted March 8, 1917, by an overwhelming vote of 76 to 3.

It required the votes of two-thirds of the Senators present and voting to invoke cloture.

Under a later ruling in 1948 by President Pro Tempore Arthur H. Vandenberg, it was held that the words "pending measure" in the Martin cloture amendment to rule XXII applied only to bills and resolutions and not to motions. That meant, of course, that debate on a motion to take up a bill was not subject to cloture under any circumstance.

It was in 1949 that the compromise on rule XXII was effectuated whereby its provision for cutting off debate was extended, not only to apply to any "pending measure" but also to "any measure, motion, or other matter pending before the Senate," and the requirement of "two-thirds of those voting" was changed to "two-thirds of the Senators duly chosen and sworn."

That was the compromise which still is in effect today.

While the two-thirds vote requirement to shut off debate was strengthened by the compromise, at the same time the dread threat of gag rule was extended over every facet of Senate procedure.

Those now attempting to make cloture easier and thus ultimately destroy freedom of debate in the Senate are not satisfied with what is a fair and reasonable compromise.

They complain that Standing Rule XXII in its application thwarts the wishes of the majority. However, authoritative observers of the American legislative process hold that a determined majority of Senators can find ways of passing any measure it desires without resorting to changing the very character and complexion of the body itself. The 1st session of the 85th Congress affords a case in point.

To argue that rule XXII by holding forth a threat of prolonged debate serves to prevent Senators from insisting upon legislation with controversial features is to challenge the depth and sincerity of the convictions of all 96 Senators.

Ample means are available at present to overcome what a majority at any time may feel to be needless obstruction in debate. The use of protracted sessions and strict enforcement of all Senate rules afford adequate safeguards to bring to an end even the most determined and prolonged debate. Whenever any issue of overriding importance to the welfare of the Nation arises, it goes without saying that debate will be limited accordingly.

Standing rule XXII permits limitation of debate by two-thirds of the Senate membership (64 Senators) 2 days after a petition has been submitted by 16 Senators. Thereafter debate is limited to 1 hour for each Senator. Cloture cannot be applied to a proposal to change the rules.

Frankness compels the observation that the ultimate objective of opponents of free debate in the Senate is cloture by a simple majority vote of Senators present at any given time. Eventual adoption of such a rule would make it possible for 25 Senators, a majority of a quorum, to impose gag rule.

Historically, freedom of debate in the Senate is not a party or sectional device. It has served the whole country and both political parties well at one time or another. History records the fact time and again that the benefits of free debate far outweigh the few instances where the privilege to speak thoroughly may have been abused—and only the most partisan would not admit there have been some abuses.

Any further concession on the part of proponents of free debate will have the disastrous eventual result of majority cloture. Then the process of erosion will turn to the seniority system and other long established and heretofore unchallenged procedures and precedents.

Under our plan of government the U.S. Senate is the great safety valve. It is a body which can prevent impasses from developing in our Nation and it is the best instrument for resolving seemingly irreconcilable conflicts. It has afforded a permanent basis for American unity; and that

basis has its foundation in the right of every Senator, regardless of the size of the State from which he comes, to talk things out before the country.

The only real protection remaining for States which find themselves from time to time in the minority on any given issue in the Senate is a safe two-thirds rule on limiting debate.

Through the medium of free debate, the Senate provides the machinery by which all measures affecting the lives, fortunes, and sacred honor of the American people can be put to the critical test of unhurried examination by the collective intellect of a body expressly created as one of our governmental checks and balances.

Those who would destroy this right contend it imperils democracy and thwarts the wishes of the majority. In their zeal they forget that its very purpose is to provide a restraint upon the abuses of unbridled majority rule and, even more important, to protect the rights of the minorities of this Nation.

Our wise Founding Fathers were aware that the excesses of democracy can be as fearful in their consequences as are the excesses of totalitarianism. To safeguard against both extremes they gave us our republican form of government with its delicately contrived system of checks and balances of which freedom of debate in the the Senate is at least an implied, if not actual, part.

If minority rights are trampled in the Senate there is only one remaining remedy available to those who do not happen to be with the majority; that is, affiliation with a multiplicity of splinter parties. No greater catastrophe could befall our country than such enforced destruction of the two-party system and substitution of a countless number of political parties.

It does not take much vision to perceive that under such circumstances, a small militant minority, exercising the balance of power, could be catapulted into a position of leadership where it could inflict great harm on constitutional government and democratic processes.

Since its establishment the Senate of the United States has refused to be bound in a straitjacket. Its rules have had the flexibility the nature of the body demands.

Despite the protestations of some of its detractors, it is respected as the guardian of fundamental liberty in this country and enjoys the confidence and admiration of the masses of this Nation and of the world.

By and large, the Senate has adhered to the cardinal rule that no extreme or far-reaching legislation affecting the basic rights of the people of the United States be adopted without substantial unanimity and support of the Senators and their constituents.

Union, not division, has been the Senate goal.

The right of every Senator to freedom of debate is the great buffer which protects both the smaller and larger States from imposing upon each other.

Freedom of debate is the only effective screen which the people have against hidden defects, both unintentional and calculated, which escape detection in the hasty process of passage by the House of Representatives. Without this backstop for the people, unfairness, discrimination, and special privilege for the favored few might well come to be the rule rather than the exception.

Even a cursory study of constitutional history and an examination of contemporary documents penned at the time of the drafting of the Constitution and its approval by the States show beyond any doubt that the creation of the Senate, as a continuing council of States wherein each has an equal voice, was the price of forming the general Government.

At the formation of this Government the Constitutional Convention stood for the protection of private economic interests; a stronger central authority; a stabilized monetary policy; orderly legal processes; and for a republican form of government as opposed to an unlimited democracy.

The whole motivating spirit of the Convention—not expressed but clearly understood—was to make the Nation safe from the tyranny of unchecked majorities. The intention is unmistakable as one may deduce from James Madison's own notes and also from the papers of most of the delegates.

No doubt if Madison, Thomas Jefferson, Alexander Hamilton, and John Jay could return to the scene today they would be shocked at the manner in which some of their writings have been distorted out of context, particularly with reference to the question of the nature of the Senate and freedom of debate therein.

A favorite of the advocates of gag rule is to quote Alexander Hamilton's contributions to "The Federalist" in support of their position.

An examination of these quotations in the light of context and the theme of the entire series of letters reveals such quotation to be a complete distortion of truth.

The whole spirit pervading "The Federalist" and the elucidation of its component letters regarding the foundation of the Senate cry out for the maintenance of freedom of debate in that body.

Properly assaying the true meaning of "The Federalist" requires an understanding of the times in which the letters were written.

It must be borne in mind that Hamilton and the other patriots of that day were writing about inadequacies of the loosely drawn "Articles of Confederation" and in favor of the adoption of a clear-cut new Constitution. In the quotations most frequently attributed to Hamilton on this subject, he was detracting from the "Articles of Confederation" in a concerted effort to convince the people that the new Constitution was good for the country and should be ratified by the States.

Hamilton is often quoted from letter XXII in which he stressed the weakness of the requirement that legislation adopted by the Continental Congress receive the approval of three-fourths of all the States. That quotation, while applicable to that situation, by no stretch of the imagination can rightly be applied to free debate in the Senate.

Another quotation frequently attributed to Hamilton by proponents of majority cloture is the one referring to the treaty-making power and other "resolutions." There must have been strong sentiment for a constitutional two-thirds requirement before Senate approval, for Hamilton sought to allay the fears of the people urging the view that a simple two-thirds would be sufficient in any circumstance for protection against abuses.

By no rule of logic can the language quoted from Hamilton in letter LXXV be applied to the fundamental right of a State to be heard from fully through its Senators in Senate debate.

Thus, it is a gross distortion when we have those of the present seeking to apply the words of the great patriots of the past in an effort to detract from the Constitution and the principles of government which they established when, in reality, those quotations when written were in reference to the Articles of Confederation.

There is no comfort for any proponent of gag rule in the Senate in the words of any of these founders of our system of government. Jefferson, for example, wrote in his "Manual of Parliamentary Procedure":

"The rules of the Senate which allow full freedom of debate are designed for protection of the minority, and this design is a part of the warp and woof of our Constitution. You cannot remove it without damaging the whole fabric. Therefore, before tampering with this right, we should assure ourselves that what is lost will not be greater than what is gained."

Hamilton foresaw just such a day as this when he wrote in "The Federalist":

"There are particular moments in public affairs, when the people, stimulated by some irregular passion, or some illicit advantage, or misled by the artful misrepresentations of interested man, may call for measures which they themselves will afterwards be the most ready to lament and condemn. In these critical moments, how salutary will be the interference of some temperate and respectable body of citzens, in order to check the misguided career, and to suspend the blow meditated by the people against themselves until reason, justice, and truth can regain their authority over the public mind?"

It is significant that, in urging the adoption of the Constitution by the States, Hamilton emphasized that the Senate is far more than an "upper house" in the commonly accepted sense of the term:

"I am not unaware of the circumstances which distinguish the American from other popular governments, ancient as well as modern * * *. Many of the defects, as we have seen, which can only be supplied by a senatorial institution, are common to a numerous assembly frequently elected by the people, and to the people themselves * * *. The people can never willfully betray their own interests; but they may possibly be betrayed in the hands of one body of men, than where the concurrence of separate and dissimilar bodies is required in every public act."

Another phase of this question is whether the United States Senate is a continuing body and whether the Senate is the sole judge of the rules under which it functions.

"The Federalist" sheds important light on these subjects.

For instance, Hamilton in letter LXII stresses that the Senate is more than just an extended version of the House. He alludes to the qualifications required of Senators, the nature of the senatorial trust as contradistinguished from membership in the lower branch, and emphasizes the "necessity of some stable institution in the Government."

In letter LXIII he wrote:

"An assembly (the House of Representatives) elected for so short a term (2 years) as to be unable to provide more than one to two links in a chain of measures, on which the general welfare may essentially depend, ought not to be answerable for the final result, any more than a steward or tenant, engaged for one year could be justly made to answer for plans or improvements, which could not be accomplished in less than half a dozen years.

"The proper remedy for this defect must be an additional body in the legislative department, which, having sufficient permanency to provide for such objects as require a continued attention, and a train of measures, may be justly and effectually answerable for the attainment of those objects."

Those words adequately describe the role of the Senate and prove beyond all doubt the deliberate intent of the framers of our Government to create it as a continuing body.

Now, as to the question of whether the rules of the Senate carry over from session to session and are permanent, valid, and subsisting until changed by proper procedure, let us look to John Jay's Federalist letter LXIV for the incontrovertible answer:

"It was wise, therefore, in the [Constitutional] Convention to provide, not only that the power of making treaties should be committed to able and honest men, but also that they should continue in place a sufficient time to become perfectly acquainted

with our national concerns, and to form and introduce a system of the management of them. The duration prescribed is such as will give them an opportunity of greatly extending their political information, and of rendering their accumulating experience more and more beneficial to their country.

"Nor has the Convention discovered less prudence in providing for the frequent elections of Senators in such a way, as to obviate the inconvenience of periodically transferring these great affairs entirely to new men—for, by leaving a considerable residue of old ones in place, uniformity and order, as well as a constant succession of official information will be preserved."

That language shatters once and for all time the contention that the life of the Senate is only 2 years and that its rules must be altered from session to session.

The system formed and introduced in the Senate to manage and resolve grave issues of national concern has served the country well.

The tragic inconvenience of periodic upheaval in this institution of the Government has been prevented; uniformity and order insured.

How has this been done?

There can be only one answer in the light of history: this body has functioned through wise and just rules that have withstood the tortuous test of time.

It is only reasonable and logical, therefore, that any proposed change in those rules should be open to the fullest and most completely unfettered debate.

If freedom of debate, the committee system, and the seniority system are destroyed or weakened in the Senate, this body will become nothing more than a useless appendage of the House of Representatives.

There has been much ado about the authority for moving the previous question having been included in the early rules of the Senate.

Though such was the case, the rule was resorted to only 4 times and used only 3 times in 22 years.

It can safely be concluded from that experience that any limitation on free expression was obnoxious to the patriots of that day. Certainly, it may be assumed further that this was the underlying reason that the rule was dropped by the Senate during the time Jefferson was President.

The fact of the rule being in existence during these first years is hardly significant. It means merely that it was carried over automatically from the Continental Congress and was later discarded.

It is argued by the opponents of free debate that the Senate of the United States is the only place in the world where the gag rule does not prevail.

My answer to that is: "So what?"

The patriots who established this Government were free men and did not elect to surrender their new and hard-won liberties nor to copy the governments of foreign lands where freedom either did not exist or came and went with the political tide.

The point also has been made that the Senate's cloture rule is more liberal than similar rules of most State senates. To make such a comparison is to misconstrue totally the unique position which the U.S. Senate occupies in our Federal-State structure.

As we have seen from Alexander Hamilton's writings, the Senate is not an "upper house" of a national legislature in any sense of the word.

The Senate exercises quasi-executive functions in relation to the treaty-making power.

The Senate sits as a judicial body in impeachment proceedings.

The Senate must give its advice and consent to the appointments of the Executive.

The Senate is the repository of State sovereignty on the national level.

The Senate cannot legitimately be compared in any terms with either State senates or with the assemblies of foreign nations.

One reason given by those advocating that the Senate of the United States surrender its freedom of debate is that the House of Commons of the British Parliament has done so.

What they either forget or choose deliberately to ignore is that much of the difficulty experienced by Great Britain as a nation and as a world power has stemmed directly from the loss of freedom of debate in the House of Commons and a steady diminution in the power of the House of Lords.

The British system of government is not and never has been comparable to the constitutional system of government created here.

Every right the Englishman has is at the mercy of a majority in the House of Commons.

It was not always so.

A little over 75 years ago unlimited debate in Commons and the veto power in the House of Lords served as mighty barriers against the evils of state socialism. Those two safeguards restrained competing political parties from inflicting too great harm on each other or on the country, but they were thorns in the flesh of the Liberal and later the Labor Party.

The former Deputy Prime Minister of the Labor government, Herbert Morrison, writes in his book, "Government and Parliament," of how free debate was lost in the House of Commons:

"Although there had been talk about the need to expedite business by curtailing private members' rights, it was only in the panic which followed the successful Irish obstruction in the 1880's that the House parted with its long preserved liberties. One of the most far-reaching of these reforms was the closure (that is to say, the motion 'that the question be now put'). It was first used by Mr. Speaker Brand, on February 2, 1881, who, in the course of long debate and considerable obstruction, decided to put the question without further debate. (Before the introduction of the closure members could proceed with debate indefinitely.) * * * And it was eventually decided that a 3 to 1 majority would be required for a closure in a house of not less than 300 members."

Mr. Morrison goes on to explain that the standing order governing closure in Commons today requires only a simple majority which cannot be less than 100 members.

Before 1911, Lords possessed absolute veto power over Commons. As a result of the rejection of the finance bill of 1909 by the Lords, the Liberal Government of that day appealed to the people and won a majority on the issue. A measure to curb the powers of Lords was offered, and a promise obtained from the King that, should the Lords reject the bill, he would create a sufficient number of peers to insure its passage.

The threat was effective and in 1911 the Parliament Act became law. By it the veto of Lords was curtailed for a period of 2 years for bills passed by the Common in three successive sessions (whether of the same Parliament or not) and was abolished altogether in respect to appropriations.

The Labor Party in its pre-election platform of 1945 stated:

"We give clear notice that we will not tolerate obstruction of the people's will by the House of Lords."

On October 31, 1947, the Parliament bill was presented to the House of Commons and passed on December 10. It was rejected by the House of Lords on June 9, 1948.

The bill provided that, in the future, such legislation might be passed into law, notwithstanding the rejection of the House of Lords, if (1) it had been passed by the House of Commons in two successive sessions, instead of three as provided for by the Parliament Act of 1911, and (2) 1 year (instead of 2 years) had elapsed between the date of the first second reading in the House of Commons and the date on which it was passed finally by Commons for a second time.

The bill further restricting the power of Lords was again passed by the Commons on September 21, 1948, and again rejected, September 23, 1948.

The bill was passed for the third time by the Commons on November 14, 1949. It was rejected by the Lords on November 29, but received the royal assent and became law on December 16, 1949, under the terms of the Parliament Act of 1911.

Thus was removed from the Government of Britain a great measure of its stability and strength and the whole world was the loser.

We know the rest and those who have the vision to see beyond the transitory objectives of political advantage should be able to detect the grave danger of this bit of history repeating itself in the United States today.

It is interesting to note in retrospect that the House of Lords—although liquidated in all but name by an unbridled majority in its sister chamber—has clung steadfastly to the principle of freedom of debate. It still has only two standing rules governing debate: that a peer can speak only once on the same motior and debate must be relevant to the question before the House.

Much has been made of the fact that Standing Rule XXII gives "power" to the individual Senator which those so contending maintain should be possessed by the majority, right or wrong. Such a view is contrary to the origin of the Senate as the voice of the individual States in the Federal establishment.

There is no escaping the fact that proposals for further limiting debate in the Senate would have the effect of negating the power, the prestige, and the perquisites of the Senator as an individual officeholder and of the Senate as a protective instrumentality of the Federal Government.

The smaller States rightly were given equal representation in the Senate but this influence will be dissipated in direct proportion to the degree of any revision of rule XXII.

During the last quarter of a century we have seen an unending encroachment on the powers of Congress by both the executive and judicial branches. One by one its powers, and the prerogatives of its Members, have been dissipated either by delegation or acquiescence.

Congressional powers over the purse, over patronage, over the budget, over trade, over war powers and all other phases of government operation have slipped away or have been greatly reduced.

It is time to reverse this trend and the proper place to start is by refusing to surrender the right of freedom of speech on the floor of the Senate.

No more eloquent defense of the right of the individual Senator to the power which comes through freedom of debate has ever been penned than that written by the distinguished and erudite journalist, William S. White of the New York Times, in his book "Citadel—The Story of the United States Senate." It is appropriate that his conclusions be considered here:

"Conscious though one is of the abuse of senatorial power, one glories nevertheless in the circumstances that there is such a place, where big Senators may rise and flourish from small States.

"For the Institution protects and expresses that last, true heart of democratic theory, the triumphant distinction and oneness of the individual and of the little State, the infinite variety in each of which is the juice of national life.

"It is perhaps often forgotten that the democratic ideal is not all majority; that, indeed, at its most exquisite moments the ideal is not for the majority of all but actually for the minority of one.

"The Senate, therefore, may be seen as a uniquely constitutional place in that it is here, and here alone, outside the courts—to which access is not always easy—that the minority will again and again be defended against the majority's most passionate will.

"This is a large part of the whole meaning of the Institution. Deliberately it puts Rhode Island, in terms of power, on equal footing with Illinois. Deliberately by its tradition and practice of substantially unlimited debate, it rarely closes the door to any idea, however wrong, until all that can possibly be said has been said, and said again. The price sometimes is high. The time killing, sometimes, seems intolerable and dangerous. The license, sometimes, seems endless; but he who silences the cruel and irresponsible man today must first recall that the brave and lonely man may in the same way be silenced tomorrow. * * *

"For illustration, those who denounce the filibuster against, say, the compulsory civil rights program, might recall that the weapon has more than one blade and that today's pleading minority could become tomorrow's arrogant majority. They might recall, too, that the techniques of communication, and with them the drenching power of propaganda, have vastly risen in our time when the gaunt aerials thrust upward all across the land. They might recall that the public is not always right all at once and that it is perhaps not too bad to have one place in which matters can be examined at leisure, even a leisure uncomfortably prolonged. * * *

"It is, in the very nature of the Senate, absolutely necessary for the small States to maintain the concept of the minority's veto power, having in mind that it is only within the Institution that his power can be asserted or maintained. * * *

"Where a powerful majority really wants a bill it will find means to have its way, cloture or no cloture."

In considering the implications of "majority rule," one must not lose sight of a few simple facts about the origin and composition of the Senate.

It is impossible to apply to the Senate with any degree of accuracy the principle of popular majority rule as we usually consider it. The very composition of the United States Senate where all States have an equal vote prevents such an application.

It is possible for various combinations of 40 Senators to represent anywhere from 20 to 80 percent of the population of the Nation.

All of the great injustices of history have been committed in the name of unchecked and unbridled majority rule. The late Senator James A. Reed of Missouri, in one of the most forceful speeches ever delivered before the Senate, observed with great truth:

"The majority crucified Jesus Christ.

"The majority burned the Christians at the stake.

"The majority drove the Jews into exile and to the ghetto.

"The majority established slavery.

"The majority chained to stakes and surrounded with circles of flame martyrs through all the ages of the world's history.

"The majority jeered when Columbus said the world was round.

"The majority threw him into a dungeon for having discovered a new world.

"The majority said that Galileo must recant or that Galileo must go to prison.

"The majority cut off the ears of John Pym because he dared advocate the liberty of the press."

Some of the terms of reference to Standing Rule XXII are both shocking and disturbing not only because they insult the intelligence and integrity of those privileged to serve their States in the Senate but also because of the manner in which they distort facts and ignore history to support partisan ends.

A few choice current examples are that Senate rule XXII—

Must be changed to conform with the challenge of Russian missiles and sputniks.

Paralyzes decision in the Senate.

Is archaic.

Would have been opposed at the time of the adoption of the Constitution.

Is contrary to the views of the Founding Fathers.

Violates fundamental parliamentary law.

Is at odds with early Senate procedures.

Is not supported by the national interest.

Is not supported by commonsense.

Is not supported by history.

Stultifies Congress.

Violates the Constitution.

Is offensive to the dignity of the Senate.

Has destroyed the Senate's deliberative function.

Thwarts discipline in the Senate.

These and many more similar unfounded assertions and puerile implications which could be cited are offensive to the character of every Member of the Senate and to the memory of those now departed who either served under or helped draft Standing Rule XXII.

I am indignant at the implication that I, or any other Member of the Senate, would consent to serve under, let alone defend, any rule of procedure which could to any degree be as reprehensible and alien to the American concept as opponents of Standing Rule XXII would picture it to be.

Now is no time to forget the lessons of history.

Before tearing down a chamber that has served the United States and its people well, Senators should search for truth by asking themselves:

Are we so blind as not to realize that if free debate perishes in the Senate our leaders in the future will be rising like jacks-in-the-box to move the previous question?

Do we not know that this evil thing will become the weapon of the majority party or coalition to be resorted to habitually in stifling all opposition?

Do we not know that when such an event comes to pass minority thought and opinion will lie prostrate and defenseless against the tyrannical abuses of any transient majority that might for the moment occupy the seats of the Senate?

Have we forgotten that everyone, at one time or another, belongs to a minority?

Have we lost sight of the unchanging truth that unbridled majority sway without proper restraint is mob rule?

Are our memories so short that we have forgotten the maxim that free government destroying dissenting opinion, thereby destroys itself?

Have we forgotten that in such circumstances dictatorship of one form or another steps into the vacuum thus created to wrest all rights from the people, minorities and majorities alike?

The alternative to unlimited debate is gag rule, which was aptly defined by the late Senator Reed as "the last resort of the legislative scoundrel."

The issue at stake here is far more fundamental than any mere question of legislation. It is as basic as our freedom itself. Gag rule, and its stepchild, censorship, are abhorrent to and incompatible with our American heritage.

The Senate has proved itself worthy of the rules by which it now operates.

Commonsense and the Nation's survival dictate that our time-honored procedures should not be subjected to whimsical tampering on the slightest provocation.

It is essential to our interests as a nation that we keep vital and inviolate our system of checks and balances.

With unlimited debate in the U.S. Senate, all Americans have the assurance that no act jeopardizing their rights will ever be proposed without some Member of the Senate having the opportunity to resist it and to warn the Nation of its consequences.

Franklin D. Roosevelt, while Governor of New York, foresaw just such dangers to the Republic, in a radio address on States rights, delivered March 2, 1940, when he warned:

"The moment a mere numerical superiority by either States or voters in this country proceeds to ignore the needs and desires of the minority, and, for their own selfish purposes or advancement, hamper or oppress that minority or debar them in any way from equal privileges and equal rights—that moment will mark the failure of our constitutional system."

His warning, valid then, is even more so today.

It is a concern Americans share fullest in this hour.

It is a concern which the Senate can ignore only at its own peril.

It is a concern which the Senate can allay only by upholding Standing Rule XXII as written.

HERMAN E. TALMADGE.

INDIVIDUAL VIEWS OF MR. CURTIS

I do not favor Senate Resolution 17.

A number of scholarly statements have been written setting forth the historical background of the rule in the U.S. Senate allowing unlimited debate. Rather than attempt to add to such statements, I wish, briefly, to state my own views which have been arrived at by observing the Senate for 20 years.

1. I believe that the right of unlimited debate is a force for the preservation of individual liberty, the maintenance of a government of law, and the adherence to the Constitution and the rights of our sovereign States. It places the rights of a minority, regardless of how small, and the rights of the individual in proper focus.

2. I believe that unlimited debate in the Senate tends to slow down and prevent the passage of legislation, thereby retarding the growth of big government and lessening the burdens of government on our people.

3. I believe that in some place in our large and complex government there should be unlimited discussion of public issues and that the Senate by reason of its size and its tradition and history is the logical place for unlimited debate.

4. I believe that the present cloture rule is an adequate restraint upon the right of unlimited debate in any time of emergency.

For the foregoing reasons I am opposed to Senate Resolution 17.

CARL T. CURTIS.

At the time the Committee on Rules and Administration filed its report (S. Rept. 1509) on Senate Resolution 17 (Calendar No. 1534) I had not completed compiling certain historical data which I felt should be included in that report. Thus I obtained permission of the committee to file this information at a later date as part 2 of the report.

This report, in the form of my individual views, is in no sense a dissent to the brief majority views, to which I fully subscribe. This second part of Report No. 1509 is intended to supplement and support the fine work already done by giving more fully the history of control over debate in the Senate.

This history clearly shows, I believe, that up to about the time of the Civil War a majority of the Senate, under its rules and precedents and the dignity of its customs, did have the authority to—and for the most part did—effectively control debate and prevent filibusters by insisting that Senators

confine their speeches to the question at issue and that Senators conduct themselves in a manner in keeping with the traditional courtesy and dignity of the Senate. Exceptions may be cited, but the truly representative picture of the Senate prior to the Civil War, as shown by the historical records of the Senate, is that of a body of men who observed dignity and restraint in debate, who did not consider talking to consume time a parliamentary instrument appropriate for use by the Senate. When delay by speech was tolerated the Senators engaged in this dilatory device either kept their remarks germane to the issue or the majority did not choose at the moment to insist upon strict observance of the rules and precedents. In short, as the evidence presented below demonstrates, the filibuster as a device not merely to delay but to prevent Senate action is a modern institution which finds no support or sanction in early Senate history and practice.

Under the present rules, moreover, there is an ever-present danger of this kind of stultifying filibuster. This is the evil which a majority of Senators desire to root out. Filibusters which are staged by one or more Senators merely for the purpose of delaying a vote in the Senate for a time to bring the question dramatically to the attention of the country may or may not be justified in particular instances, depending on one's point of view.

But these filibusters do not prevent the majority from ultimately acting and are not the kind of conduct against which Senate Resolution 17 is aimed.

THE PRESENT RULE AND PROPOSALS FOR CHANGE

By their cosponsorship of Senate resolutions designed to amend rule XXII, at least 53 Senators in Congress have expressed themselves in favor of changing the Standing Rules of the Senate, in order to make it easier to control filibusters. Thirty-eight Senators were cosponsors of Senate Resolution 30, submitted by the distinguished Senate minority leader, Mr. Knowland, in behalf of himself, the distinguished majority leader, Mr. JOHNSON of Texas, and 36 other Senators. The senior Senator from Illinois [Mr. DOUGLAS] submitted Senate Resolution 17, on behalf of himself and 14 other Senators, including the junior Senator from New Jersey. In short, a majority of the Members of the Senate are in favor of amending rule XXII in one way or another, having in mind the general objective of strengthening the control of the Senate over debate.

Senate Resolution 17 was reported from the Rules Committee on April 30, 1958, and, therefore, has been a pending item on the Senate Calendar for more than 3 months.

Under the present wording of rule XXII, a limitation on debate may be imposed only by the affirmative vote of two-thirds of the Senators duly chosen and sworn; that is, 64 Senators at the present time. This means that in order to prevent the imposition of cloture, only 33 Senators need to vote against it or to fail to appear in the Senate, to vote either way. An absent Senator in effect votes against cloture, under the present wording of rule XXII.

Senate Resolution 30 provides that cloture may be imposed on the affirmative votes of two-thirds of the Senators present and voting. Senate Resolution 17, on the other hand, provides two routes to cloture. One route, similar to that under Senate Resolution 30, is that two-thirds of the Senators present and voting may impose cloture. The other route is that cloture may be provided after a waiting period of 15 days on the affirmative vote of a majority of the Senators duly chosen and sworn, which at the present time would be 49 Senators. The difficulty with Senate Resolution 30, so far as the voting requirement is concerned, is that it would not constitute any significant change from the present rule. A further difficulty with Senate Resolution 30, which I only mention at this point, is that it would attempt to nullify the constitutional power of each Senate to make its own rules.

We know from the history of efforts to impose cloture from the beginning of the cloture rule in 1917 up to 1949—when the wording of rule XXII was changed from "two-thirds of those present and voting" to "two-thirds of those duly chosen and sworn"—that out of the 19 attempts to invoke cloture, only 4 were successful. Since 1949, 3 more attempts to impose cloture failed, and would have failed even if the rule had been "two-thirds of those present and voting," as it read prior to 1949. Since 1927, 12 attempts have been made to impose cloture. All of them failed.

In summary, since 1917, in 22 attempts to adopt cloture, 4 succeeded under the requirement that two-thirds of those Senators present and voting favor it. If rule XXII had always required two-thirds of the entire membership of the Senate, the successful attempts to impose cloture would have numbered 3—only 1 less than under the former rule requiring two-thirds of those Senators present and voting. This is the same wording as that contained in Senate Resolution 30. On the other hand, if rule XXII had, from 1919 on, permitted cloture on the basis of a majority of the entire membership of the Senate—49 Senators—the successful attempts to impose cloture would have numbered 9. These facts indicate the insignificance of the change proposed in Senate Resolution 30.

The change proposed in Senate Resolution 17 would restore[1] at least a modicum of control of debate in the Senate, and permit a fair application of majority rule in the deliberations.

Free debate versus filibuster

The basic issue involved in the effort to secure reasonable control over debate in the Senate has been greatly confused by the very different meanings that have come to be given to the term "free debate."

It is, therefore, of first importance to distinguish at the outset between the right to debate fully the merits of a controversial subject—a right sometimes spoken of as "the right of full or free debate"—and the right to filibuster—the right to talk without any limitation other than that imposed by physical strength. The latter assumes the right to speak, not to the issue in an effort to influence a vote on its merits, but merely to consume time and thus to thwart a majority of Senators (and the Senate insofar as it has power to act as a body) in their desire to come to a vote. Nonetheless, it is often labeled by the champions of "filibuster" as "the right of free debate."

The confusion over the term "free debate" has not come about entirely by accident. Rather than appear as champions of the absolute right to filibuster, the opponents of amending rule XXII cast themselves in the role of defenders of minority opinion and free debate. They rest their case largely on the emotional impact of this term "free debate" and the myth that the "early Senate" deliberated under rules permitting Senators to engage in irrelevant and dilatory speech under a right of free or unlimited debate. For instance, no responsible opponent of amending rule XXII who offered testimony at the hearings of the Talmadge-Javits special subcommittee contended for no limitation whatsoever on debate in the Senate. Rather they declared for a "moderate" or "reasonable" cloture rule designed to protect the country from the "tyranny of a temporary majority." They argued that the present rule provided such "reasonable" protection.

As already indicated, however, the experience over the last decades demonstrates that under the present rule cloture as a practical matter cannot be imposed in the face of determined opposition by even a small number of Senators. Because of this very practical fact, those who wish to defend the right to filibuster can, without seeming to be inconsistent, safely say that they advocate a "reasonable" cloture rule even while relying on the filibuster or the threat of it to avoid the passage of legislation which they strongly oppose. Thus it is that many people, in their attempt to understand the problem of filibusters have been confused by the semantic shell game played so deftly with the words "the right of free debate."

The problem is seen with far greater clarity if it is viewed in the light of the basic requirements of an effective and democratic legislative process. They are:

1. The minority on any pending question must have an opportunity to debate fully the merits of that question, and

2. The majority, after opportunity to the minority to debate fully any question, must have the right, if it so desires, to reach a vote on the question.

Within the scope of these two principles, I, too, believe strongly in the "right of free debate." At the same time I reject absolutely "the right to filibuster" as repugnant to democratic procedures and as violative of the spirit of the Constitution.

Those opposed to changing the rule to make filibusters more difficult have advanced many arguments, but their main case has rested on the alleged right of a minority of Senators, usually representing a large sectional interest in the Nation (such as the South), to prevent by filibuster legislative action by a majority of Senators (but less than 64 Senators). This argument is a restatement in modern terms of the theory of concurrent majorities so ably formulated by John C. Calhoun. Under his theory legislation favored by a majority in the country as a whole should be subject to the veto of a sectional interest. The country rejected Calhoun's theory of government at the time of the Civil War, but its spirit has been reborn in the form of the modern filibuster. The only difference is that where Calhoun would have given the minority a direct veto, the filibuster applies an indirect veto. And the opposing minority need not be a sectional interest though it usually has been so.

Early Senate precedents on freedom of debate

In support of their argument that the rules should not be changed to prevent a minority from imposing a bar to legislation by veto, the opponents of rule change rely on their interpretation of the spirit of the Constitution as shown by selected excerpts from the records available to us of the debates in the Constitutional Convention of 1787 and by selected passages from "The Federalist Papers." The one source they do not rely on is the wording of the Constitution itself, which clearly states that except for the situations specifically mentioned therein, a majority of the whole Senate "shall constitute a quorum to do business."

They refer to the Constitution as a magnificent compromise worked out by the Founding Fathers between the big States and the little States. They speak of its checks and balances and refer to Senators as ambassadors from sovereign States. Out of all this, they have conjured up the power, even duty, of Senators to protect States rights by the senatorial privilege of filibustering permitted under the present rules.

[1] I use the word "restore" advisedly because the problem for the present Senate as a body is to restore a semblance of the control over debate that the early Senate had during the years when the Senate earned its reputation as the greatest deliberative body in the world.

The fact is, however, that the available information concerning the debates in the Constitutional Convention of 1787 as well as the views expressed in "The Federalist Papers" which even remotely touch on the question of debate are both meager, and when taken out of context, conflicting.

The junior Senator from New York [Mr. JAVITS] in his analysis [2] of the ideas which governed the deliberations of the Constitutional Convention clearly showed, I think, that the prevailing view among the delegates favored majority control of the Senate and would have opposed the right to filibuster if that issue had been squarely raised. I am content to let this point rest on his brilliant analysis and shall not duplicate the evidence here.

The other principal bulwark of the case made out by those opposed to amending the cloture rule is the myth, previously alluded to, that from the Senate's early days the license of unrestrained and irrelevant speech—"the right to free debate"—has been a traditional and historic senatorial prerogative. The opponents to rule change rely on this myth as a strong precedent, taken alone, and also as support for their claims that the spirit of the Constitution would be somehow violated if the Senate rules were changed to make cloture a practical possibility.

The opponents of change do have trouble, however, with the fact that the first Senate rules did provide for a motion for the previous question, which under general parliamentary law, immediately closes debate and brings the pending issue to a vote. We can take it for granted, I am sure, that the Members of the first Senate, some of whom were delegates to the Convention of 1787, had freshly in mind, at the time they adopted their rules, the ideas which prevailed during the deliberations at Philadelphia.[3]

The opponents of rule change attempt to avoid this difficulty by contending that the modern use of the previous question is a perversion of that motion as used in the 17th century British Parliament and as inherited and used by the Continental Congress and the early U.S. Congress. They are aided in their contention by the confusion which has in recent years surrounded the early use of the previous question motion. Senator JAVITS in his incisive historical account of this motion, supported by the thorough and brilliant scholarship of Mr. Irving Brant, the eminent biographer of James Madison, has dispelled the confusion and made it clear that in the 17th and 18th century House of Commons the motion for the previous question was a most effective instrument of cloture.

I shall therefore not burden this discussion with the historical details of the use of the previous question motion in the House of Commons but refer those interested in a full discussion to Senator JAVITS' individual views.

In the Continental Congress the motion for the previous question was available to close debate.

In the U.S. Senate and the House of Representatives [4] also this motion was a device to bring debate to a close. That this motion could also be put to other uses such as delaying further consideration of an issue is beside the point. The use the motion would serve in any given situation depended upon how the Members of the body voted. A majority by their affirmative or negative vote determined the effect of the motion.

A stronger argument available to opponents of rule change based upon the early use of this motion in the Senate (and in the House too, for that matter) is that debate was originally permitted both on the motion for the previous question and thereafter, even if it carried, on the main question. This fact has led some students of this motion to the erroneous conclusion that debate on a motion for the previous question could be had "without let or hindrance." [5] Those who so hold, however, overlook two controlling factors: (1) Under the Senate rules in effect until 1828 the Vice President, as the President of the Senate, had authority to decide all questions of order and decorum without appeal; and (2) Thomas Jefferson's "Manual of Parliamentary Practice," which codified the general parliamentary law in effect at the time it was compiled and which was regarded as controlling on all questions not specifically covered by Senate rules, provided in section XVII: "No one is to speak impertinently or beside the question superfluously or tediously." In other words, in the British practice and the later American practice, an affirmative vote on a motion for the previous question usually was followed immediately by a vote on the main question without debate. This was so because the Members of these parliamentary bodies knew that when a favorable vote was obtained on a motion for the previous question, the sense of the House was to close debate and vote on the main question. If, however, a Member or two desired to develop a point considered by them important to the issue, the courtesy which prevailed in those Houses would permit the additional remarks to be made, except in times of great political tension as in the years of the Cromwellian revolution in England in the middle of the 17th century or in the turbulent days in the House of Representatives in 1811 leading up to the War of 1812. Amendments could even be offered, and I do not doubt that on occasion a Senator, after a motion for the previous question had been made or following a favorable vote thereon, was indulged while he talked germanely, even though tediously, in order to allow a colleague to reach the Chamber from some nearby place in the Capital in time to vote. I daresay that on a few rare occasions a Senator or two was even permitted to engage in extended debate in this manner while a few or more much needed votes were hurrying by stagecoach, by horseback, or by boat to reach the Senate Chamber in time. Such situations, however, were usually cared for by adjourning the debate for a day or two.

Thus it is that both sides to the controversy about the effect of a motion for the previous question are in part correct. Those who have held that the motion did bring debate to a close are right—that was certainly the usual practice. But the opponents of the rule change are also right in saying that a motion for the previous question did not shut off the opportunity to offer remarks, especially if they were brief and to the point at issue. But they are grossly incorrect in representing that in the House of Commons, in the Continental Congress, in the early Senate, or in the early House of Representatives, a Member could speak "impertinently, superfluously, or tediously without let or hindrance." The majority was always there to cut off a member who was so foolish as to step beyond the boundaries of traditional parliamentary propriety and decorum and thus tempt too far the patience of the majority.[6] In short, majority rule was absolute in those days—at least insofar as "free debate" was concerned. The privilege was generally extended fully because it was rarely abused. The privilege varied inversely with the abuse.

A look at the record is persuasive.

Rules of 1789

The pertinent rules of 1789 are as follows:

"The report of the committee appointed to determine upon rules for conducting business in the Senate, was agreed to. Whereupon,

"*Resolved*, That the following rules, from No. I to XIX, inclusive, be observed.

* * * * *

"III. Every Member, when he speaks, shall address the Chair, standing in his place, and when he has finished, shall sit down.

"IV. No Member shall speak more than twice in any one debate on the same day, without leave of the Senate.

* * * * *

"VI. No motion shall be debated until the same has been seconded.

* * * * *

"VIII. While a question is before the Senate, no motion shall be received unless for an amendment, for the previous question, or for postponing the main question, or to commit it, or to adjourn.

"IX. The previous question being moved and seconded, the question from the Chair shall be: 'Shall the main question be now put?' And if the nays prevail, the main question shall not then be put.

* * * * *

"XVI. When a Member shall be called to order, he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, without debate; but, if there be a doubt in his mind, he may call for the sense of the Senate."

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"Jefferson's Manual"

The following excerpts from "Jefferson's Manual" also have evidential value on the early Senate usages concerning debate.

"Section XVII. Order in Debate

* * * * *

"When a Member stands up to speak, no question is to be put, but he is to be heard unless the House overrule him (4 Grey, 390; 5 Grey 6, 143).

* * * * *

"In the Senate of the United States the President's decision is without appeal.

"No man may speak more than once on the same bill on the same day; or even on another day, if the debate be adjourned. But if it be read more than once in the same day, he may speak once at every reading (Co. 12, 115; Hakew, 148; Scob., 58; 2 Hats., 75). Even a change of opinion does not give

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[2] See the first part of S. Rept. No. 1509, 85th Cong., 2d sess., issued April 30, 1958.

[3] By the time the Senate adopted its first rules on April 16, 1789, 20 Senators had been chosen and 16 had appeared to take their seats in the Senate. Of these, 13 were present on April 16, of whom 9 had served in the Continental Congress. Of these nine, six had also served as delegates to the Constitutional Convention of 1787. Of the committee of five Senators elected to draft rules, the chairman and one other had served in the Continental Congress and another one had been a delegate to the 1787 Convention. When the first Senate reached its full strength on June 25, 1790, 18 of the 26 Senators had served in the Continental Congress and 12 had been delegates to the Convention.

In his inaugural address to the Senate on April 21, 1789, Vice President John Adams said: "It would be superfluous, to gentlemen of your great experience, to urge the necessity of order."

[4] And later, in the Senate of the Confederacy.

[5] This contention was made during the debate in January 1957 on Senator Anderson's motion to adopt rules at the beginning of the 85th Cong.

[6] In the House of Commons and in the Continental Congress it was the patience of the Speaker as supported by the majority that would be tempted, and in the Senate down to 1828 it was the patience of the Vice President.

a right to be heard a second time (Smyth's Comw. L., 2, c. 3; Arcan. Parl., 17).

"But he may be permitted to speak again to clear a matter of fact (3 Grey, 357, 416), or merely to explain himself (2 Hats., 73) in some material part of his speech (Ib., 75), or to the manner or words of the question, keeping himself to that only, and not traveling into the merits of it (Memorials in Hakew., 29), or to the orders of the House, if they be transgressed, keeping within that line, and not falling into the matter itself (Mem. Hakew., 30, 31).

* * * * *

"No one is to speak impertinently or beside the question, superfluously, or tediously (Scob., 31, 33; 2 Hats., 166, 168; Hale, Parl., 133).

"Nevertheless, if a Member finds that it is not the inclination of the House to hear him, and that by conversation or any other noise they endeavor to drown his voice, it is his most prudent way to submit to the pleasure of the House, and sit down; for it scarcely ever happens that they are guilty of this piece of ill manners without sufficient reason, or inattentive to a Member who says anything worth their hearing (2 Hats., 77, 78).

"Section XXXII. Reading Papers

* * * * *

"It is equally an error to suppose that any Member has a right, without a question put, to lay a book or paper on the table, and have it read, on suggesting that it contains matter infringing on the privileges of the House (2 Hats., 117, 118).

"For the same reason, a Member has not a right to read a paper in his place, if it be objected to, without leave of the House. But this rigor is never exercised but where there is an intentional or gross abuse of the time and patience of the House.

"A Member has not a right even to read his own speech, committed to writing, without leave. This also is to prevent an abuse of time, and therefore is not refused but where that is intended (2 Grey, 227)."

But most important is the preface to his Manual which is quoted in full with emphasis supplied by italics:

"Jefferson's Manual[7] of Parliamentary Practice with references to analogous Senate rules

Preface

"The Constitution of the United States, establishing a legislature for the Union under certain forms, authorizes each branch of it 'to determine the rules of its own proceedings.' The Senate has accordingly formed some rules for its own government; but these going only to few cases, it has referred to the decision of its President, without debate and without appeal, all questions of order arising either under its own rules or where it has provided none. This places under the discretion of the President a very extensive field of decision, and one which, irregularly exercised, would have a powerful effect on the proceedings and determinations of the House. The President must feel, weightily and seriously, this confidence in his discretion, and the necessity of recurring, for its government, to some known system of rules, that he may neither leave himself free to indulge caprice or passion nor open to the imputation of them. But to what system of rules is he to recur, as supplementary to those of the Senate? To this there can be but one answer. To the system of regulations adopted for the government of some one of the parliamentary bodies within these States, or of that which has served as a prototype to most of them. This last is the model which we have all studied, while we are little acquainted with the modifications of it in our several States. It is deposited, too, in publications possessed by many and open to all. Its rules are probably as wisely constructed for governing the debates of a deliberative body, and obtaining its true sense, as any which can become known to us; and the acquiescence of the Senate, hitherto, under the references to them, has given them the sanction of its approbation.

"Considering, therefore, the law of proceedings in the Senate as composed of the precepts of the Constitution, the regulations of the Senate, and, where these are silent, of the rules of Parliament, I have here endeavored to collect and digest so much of these as is called for in ordinary practice, collating the parliamentary with the senatorial rules, both where they agree and where they vary. I have done this as well to have them at hand for my own government as to deposit with the Senate the standard by which I judge and am willing to be judged. I could not doubt the necessity of quoting the sources of my information, among which Mr. Hatsel's most valuable book is preeminent; but as he has only treated some general heads, I have been obliged to recur to other authorities in support of a number of common rules of practice to which his plan did not descend. Sometimes each authority cited supports the whole passage. Sometimes it rests on all taken together. Sometimes the authority goes only to a part of the test, the residue being inferred from known rules and principles. For some of the most familiar forms no written authority is or can be quoted; no writer having supposed it necessary to repeat what all were presumed to know. The statement of these must rest on their notoriety.

"I am aware that authorities can often be produced in opposition to the rules which I lay down as parliamentary. An attention to date will generally remove their weight. The proceedings of Parliament in ancient times, and for a long while, were crude, multiform, and embarrassing. They have been, however, constantly advancing toward uniformity and accuracy, and have now attained a degree of aptitude to their object beyond which little is to be desired or expected.

"Yet I am far from the presumption of believing that I may not have mistaken the parliamentary practice in some cases, and especially in those minor forms, which, being practiced daily, are supposed known to everybody, and therefore have not been committed to writing. Our resources in this quarter of the globe for obtaining information on that part of the subject are not perfect. But I have begun a sketch, which those who come after me will successively correct and fill up till a code of rules shall be formed for the use of the Senate, the effects of which may be accuracy in business, economy of time, order, uniformity, and impartiality."

This evidence alone suffices, I believe, to make clear that the early Senate would never have tolerated being rendered impotent days and weeks by the unseemly spectacle of Senators one after another taking turns in speaking irrelevantly and tediously merely to consume time. The very size of the Senate made a successful filibuster almost impossible. The first Senate had only 26 Members. By the time of the admission of Missouri as a State in 1821, the number of Senators had grown to 48. It was still only 66 in 1859, when Oregon was admitted. In fact it was my faith in the Senate as a great deliberative body which first made me suspicious of the myth of "free debate" and caused me to reexamine the entire question.

Seventeen hundred and eighty-nine through eighteen hundred and twenty-eight

Both John Adams and Thomas Jefferson presided with firmness and dignity over the Senate during their respective terms. Certainly they did not tolerate, and no one thought of attempting, the modern type of filibustering during their terms as Vice President. In the case of Adams, one can find complaints that he talked more than any Senator and lectured Senators whenever he felt it advisable to do so on matters of decorum and order in debate.

In the case of Aaron Burr, the next Vice President, some advocates for retaining the present rules have suggested that it was at his initiative that reference to the previous question was deleted in the first general revision of the rules in March 1806. I have found no evidence to support this claim. In any case, the evidence we have indicates that Burr presided over the Senate in the tradition set by Adams and Jefferson and that if he suggested the deletion of the previous question from the rules it was because it was not needed. Furthermore, we know from his farewell address to the Senate that Aaron Burr was no advocate of unlimited and irrelevant debate. On page 71, volume 14 of the Annals of Congress—8th Congress, 2d session, March 2, 1805—the editor of the debates gave the following account:

"He [Vice President Burr] doubted not but that they [the Members of the Senate] found occasion to observe, that to act without delay was not always to act without reflection; that error was often to be preferred to indecision. * * *

"That his errors, whatever they might have been, were those of rule and principle and not of caprice. * * *

"That if, in the opinion of any, the discipline which had been established approached to rigor, they would at least admit that it was uniform and indiscriminate. * * *

"That the ignorant and unthinking affected to treat as unnecessary and fastidious a rigid attention to rules and decorum. * * *

"But he thought nothing trivial which touched, however remotely, the dignity of that body, and he appealed to their experience for the justice of this sentiment and urged them in language the most impressive, and in a manner the most commanding to avoid the smallest relaxation of the habits which he had endeavored to inculcate and establish."

Further evidence that Burr was no friend of irrelevant speech is provided by William Plummer, a Senator from New Hampshire at the time, and of the opposite political party from Burr, who recorded in his private journal that "Mr. Burr, the Vice President presides in Senate with great ease, dignity, and propriety. He preserves grand order, silence, and decorum in debate—he confines the speeches to the point."

A succinct review of the early Senate parliamentary practice was made by Senator Robert L. Owens, of Oklahoma, on February 13, 1915. He said:

"Mr. President, that was the rule of the Senate up until 1806. At that time the rules were modified so as to omit the reference to the previous question, not by putting in any rule denying the right of the previous question but merely omitting the previous question, on the broad theory that courtesy of free speech in the Senate would preclude any Member from the abuse of the courtesy of free speech extended to him by his colleagues, and would preclude a Senator from consuming the time of the Senate unduly, unfairly, or impudently, in disregard of the courtesy extended to him by his colleagues. The failure to move the previous question now is merely a matter of courtesy in this body, and carries with it, so long as it lasts, the reciprocal courtesy on behalf of those to whom this courtesy is extended that they shall not impose upon their colleagues who have extended the courtesy to them of freedom of debate or deny their courteous and long-suffering colleagues the right to a vote. Freedom of debate may not under such an interpretation be carried to the point of a

[7] Compiled by Thomas Jefferson during the time he served as Vice President of the United States and President of the Senate, 1798 to 1801.

garrulous abuse of the floor of the Senate by the reading of old records and endless speechmaking made against time, which has emptied the Senate Chamber and destroyed genuine debate in this body. At the time the previous question was dropped from the written rules of the Senate as a right under such written rules there had been no need for the 'previous question.' The previous question had only been moved four times and only used three times from 1789 to 1806—that is, during 17 years.

"There is no real debate in the Senate. Occasionally a Senator makes a speech that is worth listening to—occasionally, and only occasionally. The fact is that even speeches of the greatest value which are delivered on this floor have little or no audience now because of this gross abuse of the patience of the Senate, which has been brought to a point where men are no longer willing to be abused by loud-mouthed vociferation of robust-lunged partisans confessedly speaking against time in a filibuster, and are unwilling to keep their seats on this floor to listen to an endless tirade intended not to instruct the Senate, intended not to advise the Senate, intended not for legitimate debate, not for an honest exercise of freedom of speech, but for the sinister, ulterior, half-concealed purpose of killing time in the Senate and thereby preventing the Senate from acting, thus establishing a minority veto under the pretense, the bald pretense, the impudent and false pretense, of freedom of debate."

After Burr, the Vice Presidents down to the beginning of John C. Calhoun's term in 1825 apparently followed the pattern set by their predecessors. During a great part of this time, owing to deaths and illnesses of the successive Vice Presidents, John Gaillard, of South Carolina, as President pro tempore presided with great dignity and firmness over the Senate deliberations for many years. His firmness in controlling debate has specific significance as he was chosen President pro tempore again and again for a period extending more than 15 years.

During Calhoun's tenure as Vice President (1826), for reasons not beyond the suspicion of faction, the Senate lost control over debate and the deliberations became, for the first time, unseemly and chaotic. This created a crisis and brought on the debate over rules in 1828.

The crisis in Senate decorum and order was caused by John Randolph of Roanoke. Earlier he taught the House of Representatives to filibuster and caused the House to revise its precedents and change its rules to provide that a motion for the "previous question" immediately closed debate. Randolph came to the Senate in 1825 and during his 2 years as a Member of the Senate drove it to the point of desperation by endless days of talks for hours at a time without the slightest reference to the pending business, a state of affairs until then unknown to the punctilious and formal Senate. The then Vice President, John C. Calhoun—who never himself engaged in irrelevant speech—would not call Mr. Randolph to order, holding that he had no authority to call to order on a question of the latitude of debate.

Without a change in the rules the Senate was helpless to defend itself against Randolph's irrelevancies because under the rules the Presiding Officer's rulings on order and decorum in debate were final and could not be appealed. Calhoun was bitterly at odds with both President John Quincy Adams and Henry Clay, who was then Secretary of State. Randolph's tirades were directed mostly at these two men. Though he denied it, critics of Calhoun contended that he had broken with tradition and the precedents and refused to enforce the rules for partisan political reasons. In any case, charges and countercharges flew both in and out of the Congress.

In the fall of 1826 the Virginia Legislature relieved the distress of the Senate in the 20th Congress by replacing Randolph with John Tyler as one of the two Senators from Virginia. The Senate early in the 1st session of the 20th Congress set about to restore order and in February 1828 a thorough discussion of the rules governing decorum took place. It resulted in amendment of the rules to provide explicity that the Vice President had such authority on his own initiative, and made his rulings subject to appeal. In making the Vice President's ruling appealable the Senate intended two things: First, to strengthen Senate discipline by adding the weight of the majority to the decision of the Chair on questions of order when an appeal was taken; second, to provide protections against any possible arbitrariness on the part of a presiding officer.

The debate preceding the changes is of particular interest because it involved such a full discussion of Senate practices relating to order and decorum in debate. Excerpts from it are set out below:

[From Gales and Seaton's Register of Debates in Congress, 20th Cong., Feb. 11, 1828, pp. 295–296]

"Senator WILLIAM SMITH, of South Carolina. * * * It was a rule of the Senate for 35 years, for the President to call to order, and he, himself, had been the subject of it. He had been called to order by his late venerable friend, Mr. Gaillard. He had appealed to the Senate to say whether he was out of order, and the decision was, that there could be no appeal. It seemed to be assumed by some gentlemen, that they were going to place a tyrant in the chair, and that against his lawless rule it was necessary to provide. This did not produce any effect on his mind. * * * Or, suppose that a Senator were to go at length into the consideration of a subject entirely foreign to the question in hand, and talk of the Army or the Navy when the question of the proper location of a road was before the Senate? Or discuss the expediency of an appropriation, when no appropriation was contemplated? Would the Chair sit silent and permit this irrelevancy? Certainly not. If he did, an individual might talk here a whole day, and arrive at nothing. There were rules, the enforcement of which could not be taken from the Chair without making the Senate a mere nullity. It would be, in fact, throwing a new and inconvenient duty into the hands of the Members by setting them to watch over and administer the rules, which, in reality, belongs to the President. * * * He believed that every deliberative body must have a presiding officer, and that individual ought to have the requisite authority for conserving the order of the meeting, and advancing the progress of the public business."

"[From Gales and Seaton's Register of Debates in Congress, 20th Cong. Feb. 12, 1928, p. 305]

"Senator DAVID BARTON of Missouri. * * * Let me suppose, said Mr. B., that this Senate, being a permanent and continuous body of but a small number of men, had gone on, as it might have done, without any written rules at all for its government, to perform the duties imposed upon it by the Constitution, what then would have been the power and the duty of the presiding officer? The Constitution says in one brief sentence applicable to both Houses, "Each House may determine the rules of its proceedings." It does not say how the determination shall be made; whether the decisions of the Senate on each case as it might arise, growing up at length like the common law itself, into a code for the government of the body, shall be the rules of its proceedings; or, whether a set of arbitrary rules written a priori, and liable to be found either good or bad, upon experience, shall govern its proceedings. Either mode would be equally the determinations of the Senate, and equally obligatory on the Members and the President. Nay, sir, the long-settled practice of this body, that has gone on with the sanction of many years, might be considered a more deliberate determination of the Senate than any literal rule, even were there a literal rule to the contrary. Upon what principle is it that we daily hear the Chair declare that the unanimous consent of the Senate will dispense with a written rule, even in cases where there is no written rule to authorize such dispensation? Is it not upon the plain principle that the power that can create, can dispense with the rule? This Senate has the same right to form for itself a parliamentary law or code for its own government, that the British Parliament or any other legislative body has. Precedents made in good times were the materials of which the great system of the common law itself, so highly and so justly eulogized the other day by the Senator from Kentucky [Mr. Rowan] was composed. Mr. B. said, it is an axiom derived from the experience of mankind, that we are not to look for those precedents that are worthy of being followed, or of entering into a code for our guide, to times of the highest and the worst of party excitements, such as the session of 1825–26 was. He should, therefor, look beyond that epoch to the halcyon days of the predecessor of the present presiding officer, and see what he [Mr. Gaillard] did. He was placed in a situation that gave him decided advantages over the present presiding officer—a situation that gave peculiar weight and dignity to his decisions, and to the practice of the Senate under his long and benign administration. He presided in a time when the present rancor of party strife was unknown. He stood aloof, in that chair, from the parties of the day. He was not looked to as the head of any great party in this Nation, contending for rule; nor were his decisions subjected to the illiberal imputation of having any ulterior object in view. Drawing precedents, then, from those times (for his experience, he said, did not enable him to go back beyond that administration), he considered the law of the Senate clearly settled, that the vice president possessed, and ought to have exercised, the power of restraining the wholly irrelevant latitude of debate of that period, which has been so unnecessarily drawn into review upon the discussion of this amendment.

"The officer to whom he had alluded [Mr. Gaillard] was in the constant practice of preserving order in the body, by calling back a rambling Member to the subject before the Senate, when he had gone entirely from it, even in the language of the most decent and orderly style. True, he did those things in so mild and affable manner that the Member himself did not feel that he had been reproved; and the audience who witnessed the exercise of the power left the Senate Chamber without the impression that any Member had been out of order. His authority was the long practice of the Senate, sanctioning Mr. Jefferson's Manual as their parliamentary law, in conjunction with their few positive rules and practical determinations. Those long practices of the body, in its best days, with the uninterrupted sanction of the Senate, he contended, were as fair and as constitutional a determination of our rules of proceedings as if they had been written down and printed upon paper or parchment, subject to constant change, as experience should afterward either approve or condemn them. He thought, indeed, such long practice was the best mode of forming a code for the government of the Senate. He went on to instance some cases in which the present Presiding Officer had, as he thought, exercised the general power of preserving order in the cases where the written rules of the Senate were silent, as if an innumerable

train of amendments should be offered consecutively to each other; and in cases of considering votes carried or rules dispensed with, where no objection was heard; all of which owed its authority to the unwritten practice or determination of the body.

* * * * *

"He did not think the political friends of the Vice President ought to reject the offer to the other side of this House to settle the disputed power and duty of the Chair, to restrain the irrelevant or disorderly latitude of debate, restoring, at the same time, the right of appeal to the Senate, as a check upon the decisions of the Presiding Officer. He should, therefore, give to this amendment the support of his vote.

"Senator SAMUEL BELL, of New Hampshire. The Constitution creates the office of Vice President, and expressly imposes upon him the specific duty of presiding over the deliberations of the Senate. That duty cannot be performed, either usefully or efficiently, without the power of preserving order. The power to preserve order must therefore be necessarily incident to the office. The Senate itself cannot divest the Vice President of this power, because he holds it from the Constitution; but they may enlarge, or limit, or modify it, because this power is expressly vested in the body by the Constitution. When the Constitution gives to the Vice President the power of presiding over the Senate, it refers him to the well known usages of all legislative bodies for the extent and nature of his powers and duties. It was necessary that he should be invested with this power, because it was to be exercised from the first moment the Senate assembled, and before it was possible that they could establish rules for this purpose. There could be no assignable motive why the power so universally held and exercised by the presiding officers of all other deliberative bodies, should be withholden from the Vice President, since the Constitution gives to the Senate the power of modifying the rules he should adopt, or establishing others, as this body should think fit. The Vice President is required by the Constitution to conform to, and regulate his conduct, as a presiding officer, by the rules so amended or modified. Should he, from culpable motives refuse or neglect to conform to rules so established, he would be liable to impeachment and removal from office. Every exercise of the power of preserving order, however different in character, rests on the same principle for support. When the presiding officer calls the attention of the Members to business, or commands silence, he is performing an act of preserving order, equally as when he requires a Member to adhere to the rules of decorum in debate. The same power which authorized the one, authorizes the other; any attempt to distinguish between them is destitute of even a colorable foundation.

"But should we believe that the language of the Constitution, which invests the Vice President with the power of preserving order in the Senate, to be ambiguous, has not that ambiguity been removed, and its meaning long since settled by the uniform practice of all the presiding officers of the Senate, and that, too, by the assent and approbation of the Senate? That construction of the Constitution which gives to the Vice President the power of preserving order in cases where the Senate have not established any rules, is not of modern date, nor established with a view to any temporary object, but is as old as the Constitution itself. It commenced with the existence of this Government, and was continued without interruption for 35 years. Within that time, some of the ablest men this country has ever produced have presided in the Senate. When I name Jefferson and Gaillard as of the number of those presiding officers of the Senate, who believed that the Constitution invested the Vice President with this power, no man will have occasion to blush when he admits that he holds the same opinion. These were not of that class of men who are prone to claim or exercise powers which do not legitimately belong to them.

"Mr. Jefferson, in his 'Manual,' compiled expressly for the use of the Senate, declares expressly, that the Vice President possesses this contested power and gives us to understand distinctly that such had been the uniform practice in the Senate. Mr. Gaillard was a Member of the Senate more than 20 years, and for a great length of time discharged the duties of a presiding officer in it. His character is well known to every Member of this body. It will not be denied, that, to an unassuming and discriminating mind, he united a knowledge of the rules of proceeding in legislative bodies seldom equaled. That he not only adopted, but carried into practice, constant and uniform practice, the power of preserving order in the Senate, which Mr. Jefferson affirmed, but which is now denied to be constitutionally vested in the Vice President, is known to many of the Members of this body. It is true that all these distinguished men may have entertained erroneous opinions on this question, but I cannot admit it, unless upon stronger evidence than any I have yet heard. If the question were to be settled by the authority of names—and questions seem to be sometimes so settled—it would require no ordinary weight of such authority to outweigh that of such men as I have named, and several others that I might have named. I do not contend that this is the only way in which it should be settled, but I must be permitted to say that a construction of the Constitution so long and satisfactorily settled, and by such men, should not be overturned without great deliberation and reflection upon the consequence likely to result from it. By the unexpected course which the discussion of this question has taken, I have felt myself called upon to express my opinion on this question, and the grounds of that opinion. I have done it with reluctance, and with great respect for those who entertain a different opinion. It is a question on which an honest difference of opinion may exist, and as such it should be considered and treated. I do not feel any deep interest in the adoption of the amendment under consideration; yet, as I believe it will conduce to the better preservation of order under the present construction of the powers of the Presiding Officer of the Senate, I will give it my support."

[From Debates in Congress, 20th Congress, 1st sess., 1827–28, vol. 4, pt. 1, pp. 313–314–315]

"Mr. WILLIAM SMITH, Senator from South Carolina. For his own part, he never had a doubt but that the President of the Senate had the right to call to order. The very nature of his office implies that power. He was not one of those who relied upon constructive powers where they were not expressly given, but in this case he had the invariable practice of the Senate, from its commencement in 1789, up to the session of 1825, a term of 36 years, to sanction this opinion. He recollected very well that he had himself been called to order by the President of the Senate, more than once. On one occasion, a gentleman in the chair [Mr. Gaillard] for whose memory he entertained the most profound respect, had called him to order for words spoken in debate, when he, Mr. S. himself, conceived he was correct, which induced him to appeal to the Senate, and was again told by the Chair, there was no appeal from his decision; and the Senate supported the Chair.

* * * * *

"It is the invariable practice of the Presiding Officer in every legislative body in the United States, to keep order in their respective bodies, and if a member wanders from the question in debate, to call him to order.

"If the uninterrupted practice of the Senate for the first 36 years of its existence, for the President, in all cases, and more especially if a Member wander from the question before the Senate, in debate, to call him to order, and bring him back to that question, can weigh anything, or if the analogy of the universal usage in all other legislative bodies, and all public assemblies whatever, that look to their presiding officers to perform the office of calling to order, as an official duty, can have any weight in bringing us to a fair conclusion, we cannot doubt but that it belongs to the Chair, ex vi termini, to call to order. What higher duty can be required of the Chair? Merely putting the question upon bills and resolutions is certainly a minor duty. Such a duty as could well be discharged by an additional Clerk, as the reading is now by the Secretary.

"One gentleman had said, there was 48 Senators in this House, either of whom could call to order. It is admitted. But suppose any one Senator should so far forget himself as to make in the course of his argument indecorous and unkind remarks upon any other Member to whom he might be opposed that were foreign to the subject before the Senate; could it be expected that the Member assailed would rise to call the other to order in his own defense? There is no man of delicate sensibility who would do so. It would be a task too invidious for a Member who was not assailed, to take up the subject. And to what extravagance would it not lead, were the President to fold his arms and sit silent? Or suppose the question before the Senate to be upon an appropriation for a turnpike road, and a Senator should rise in his place, and address the Chair upon the subject of an Indian treaty, or upon a naval expedition, for an hour, without once touching the subject submitted by the Chair, for the consideration of the Senate; could the President of the Senate sit in dignified silence? It is impossible to imagine he would.

"[From Debates in Congress, 20th Cong., 1st sess., 1827–28, vol. 4, pt. 1, pp. 318–319, 322]

"Mr. EZEKIEL F. CHAMBERS, Senator from Maryland: * * * Then we are in this dilemma: We have rules, but no one has authority to call them into action. Our predecessors must have differed widely from ourselves on these matters, or they have applied their time and their talents to small account. The illustrious author of this book ('Jefferson's Manual') had intimated a very different opinion on this subject. He had prepared and presented to the Senate for their use a parliamentary rule, sanctioned by its usage for more than 200 years, which pointed to the Presiding Officer as the individual to move in questions of order. He then alluded to what had been called by the honorable gentleman from Delaware [Mr. McLane] and he must be permitted to think very incorrectly called, inherent power. If the honorable gentleman had reference to power of the Presiding Officer, not derived from the Constitution or laws of the United States, or rules of the Senate, he knew of none such, and utterly denied that they existed. If, on the contrary, he had reference to powers derived from these sources, he could not well perceive with what propriety the term 'inherent' could be applied to them.

* * * * *

"With the conviction of the constitutional existence of these powers in the Presiding Officer, and an entire willingness to rely on their exercise, the Senate, at an early period, 'formed,' to use Mr. Jefferson's language,

some rules for its own government, but these going only a few cases, they have referred to the decision of their President, without debate and without appeal, all questions of order arising under their own rules, or where they have provided none: thus placing 'under his discretion,' as he continues, 'a very extensive field of decision.'

"On some of the plainest as well as the most important items of legislative order, the Senate had no written rule whatever. He believed in every legislative body it was held necessary to restrain the speaker from subjects wholly and obviously foreign and irrelevant to the matter in hand. But yet, unless it had eluded his research, there was no written rule of the Senate to secure this necessary result. Not one word on the subject. If he were now to leave the subject of the rules and practice of this body, and indulge himself in a history of the beauty, the splendor, and the utility, of the Chesapeake & Delaware Canal, he would deny the authority of any individual in this Chamber, whether President or Member, to charge upon him a violation of order, on the hypothesis, that the lex scripta is the only rule of this House. If the lex non scripta, if anything beside the Constitution, laws of Congress, or written rules of the Senate could restrain me, I ask (said Mr. C.), where is it found, and when found I ask, does it confine the primary call to the Member, and refuse it to the President except on appeal? This is the question, and we must not lose sight of it, and gentlemen will find the same argument which proves the authority of the Member, proves the authority of the President; and if they deny the authority of either or both, they leave us in a miserable condition, totally unable to secure the preservation of order or decorum at all. This is a state of things from which we wish to escape, and the interesting inquiry is, by what mode can we do so?

"Mr. JOSIAH S. JOHNSTON, Senator of Louisiana. I believe the right of calling to order, preserving order, and deciding on all questions of order, belongs to the Presiding Officer. The Chair declines to exercise the power. [The Vice President rose and explained, that he stated specifically that he did call to order in all cases, except for words spoken.] I take the distinction of the Chair. As far as the decision goes it is correct. But it supports the very argument I have endeavored to maintain—that power by which you call to order in any case, which you distinguish as ministerial, is by virtue of a right inherent in the office. There is no rule that vests that power, in any case, in the Chair. But assuming that power, how is the distinction taken between those cases, where you can act from cases of disorder arising from words spoken? There is none in the rules. The distinction seems to be artificial. My mind cannot perceive the criterion on which the discrimination is made. The delicacy which declines the exercise of power, because it is doubtful, is meritorious. But I am sure the Chair will never avail itself of the pretense which has been urged in this debate, that the surrender of power is favorable to liberty. Power is delegated to be exercised for the security of liberty. Liberty depends not on its being without limits and without control, but on its being regulated. The power of the Presiding Officer is necessary to the despatch of business, and the order and dignity of the body. To release every Member from the restraints of the rules, and restore him his liberty to say and do what he pleases, instead of being favorable, will be fatal to liberty. It is not liberty in that sense for which Government was instituted; it was regulated liberty secured by law (pp. 336-337)."

Randolph's role as the precursor of the modern filibuster is further indicated in Dr. Franklin L. Burdette's book "Filibustering in the Senate." On page 16 he says:

"In any event, it seems likely that there were no major or extended filibusters in the dignified Senate prior to the advent of the remarkable John Randolph of Roanoke."

On page 19 he says:

"One is inclined strongly to suspect that the Senate's first extended and spectacular filibusters were staged by that southern opponent of the Adamses [John Randolph]. * * * If men filibustered in the years immediately following, they at least did so with gravity and beneath the cloak of relevancy."

Eighteen hundred and twenty-nine through eighteen hundred and forty-one

Not until 1837 was there another serious attempt at filibustering. In that year the opponents of the resolution to expunge from the Senate records the 1834 resolution of censure against President Jackson attempted an "incipient filibuster," in the words of Dr. Burdette. But an incipient filibuster is far short of the object of our attention today.

In the course of debate on July 3, 1840, Senator Oliver H. Smith of Indiana, called Senator Tappan to order—in the words of the editor of the debates—"for digressing from the question immediately before the Senate." The Chair ruled Senator Tappan out of order and he agreed that the entire debate was out of order. This appears at page 504 of volume 8 of the Congressional Globe.

A few minutes later Senator Robert Strange of North Carolina, speaking of the Senate rules said:

"When we met here at the beginning of this session, we adopted the rules lying upon our tables (p. 505, id.)

"And thereafter Senator Albert S. White, of Indiana, is quoted as follows:

"Mr. White said that the rules of the Senate were adopted every session, and the same power which adopted could modify or abrogate them at its pleasure. It had been frequently asserted in the discussion that the rules of the body were designed for the protection of the minority. This he denied. The protection thus afforded was only incidental. They were framed for the regulation of our proceedings and the guidance of our Presiding Officer."

Neither Senator was refuted by anyone at the time or thereafter.

I do not attach any particular significance to these remarks but perhaps those who contend that the Senate is a continuous body in all respects may want to ponder them.

A list of outstanding filibusters contained in Limitation of Debate in the U.S. Senate, by Dr. George B. Galloway, begins with the year 1841. I submit that a close study of the course of the debate on the rechartering of the National Bank in that year will not leave one convinced that a genuine filibuster occurred—at least not the destructive kind I am talking about. In fact, the bank bill passed and was vetoed by President Tyler. In speaking of this debate, Dr. Burdette said in his book at page 24:

"Not yet was filibusterism so organized that it could completely paralyze the program of the Senate."

That 1841 debate is significant, however, in supporting my main contention that the gentlemen of the old school of the pre-Civil War days, did not and could not under the Senate rules and precedents filibuster.

At various stages of the debate Henry Clay complained that the Democrats were engaging in protracted talk and were delaying the progress of the Senate's business. In answer to these charges John C. Calhoun and other Senators were vigorous in their denial of dilatory speech and also affirmed the traditions of the Senate for pertinent speech in the dispatch of public business. Excerpts from their remarks are given here:

"John C. Calhoun, of South Carolina, * * * but he must express his hope that the Senator would not depart from that generous, liberal, and courteous habit of proceeding, which was the real honor of the Senate. Very rarely was such a thing witnessed as the attempt to thwart a measure by the mere consumption of time, or by a resort to the technicality of rules. Seldom has it been attempted to stop debate by sitting out the question * * * (June 12, 1841, vol. 10, Congressional Globe, p. 46).

"It was not his intention, and he knew it could not be the intention of any of his friends, to waste unnecessarily one particle of the time of this session; but time they would require to amend the bill, and that was all they asked. Certain he was, that no other than a fair and open opposition, on principle, was meant. As long as discussion was necessary, they should have it—beyond that, they did not look (July 12, 1841, vol. 10, Congressional Globe, p. 184).

"There never had been a body in this or any other country, in which, for such a length of time, so much dignity and decorum of debate had been maintained. It was remarkable for the fact the range of discussion was less discursive than in any other similar body known. Speeches were uniformly confined to the subject under debate (July 15, 1841, vol. 10, Congressional Globe, p. 205).

"WILLIAM R. KING, of Alabama. Nobody on his side of the House wished to see the session prolonged; all concurred, he was sure, in desiring an early period of adjournment. Mr. K. never had concurred in any attempt to defeat measures by mere delay. * * *

"WILLIAM ALLEN, of Ohio. I have ever been unwilling to break the silence of the body (the Senate) for the mere purpose of talking * * * (June 12, 1841).

"THOMAS HART BENTON, of Missouri. With respect to debates, Senators have a constitutional right to speak; and while they speak to the subject before the House, there is no power any where to stop them. It is a constitutional right. When a member departs from the question, he is to be stopped: it is the duty of the Chair—your duty, Mr. President, to stop him—and it is the duty of the Senate to sustain you in the discharge of this duty. We have rules for conducting the debates, and these rules only require to be enforced in order to make debates decent and instructive in their import, and brief and reasonable in their duration. The Government has been in operation above 50 years, and the freedom of debate has been sometimes abused, especially during the last 12 years, when those out of power made the two Houses of Congress the arena of political and electioneering combat against the Democratic administration in power. The liberty of debate was abused during this time; but the Democratic majority would not impose gags and muzzles on the mouths of the minority; they would not stop their speeches; considering, and justly considering, that the privilege of speech was inestimable and inattackable—that some abuse of it was inseparable from its enjoyment—and that it was better to endure a temporary abuse than to incur a total extinction of this great privilege.

"But, sir, debate is one thing, and amendments another. A long speech, wandering off from the bill, is a very different thing from a short amendment, directed to the texture of the bill itself, and intended to increase its beneficial, or to diminish its prejudicial, action. These amendments are the point to which I now speak, and to the nature of which I particularly invoke the attention of the Senate."

At the end of the session Clay and Calhoun and King engaged in the following colloquy:

"Mr. Calhoun hoped the country would now be satisfied that there had been gross delusion in the attempt made to throw all the blame of delaying the business of this extra session on the opposition. On Saturday week he (Mr. Calhoun) and his friends proposed to take the final vote on the succeeding Monday; and who had delayed the bill ever since? Was it not the gentlemen themselves? But further delay is now asked for amendments that have been gone over twice already—in the Senate and in committee—with all the consideration that could be given to them. It was now surely obvious that the consent of the Senate had gone as far as the Senator from Kentucky could expect. The Senate was now full, and no good reason could be urged why the vote should not be taken on the engrossment, with a view of coming to the final vote tomorrow.

"Mr. Clay of Kentucky said there was such a thing as a ruse de guerre. He would put it to the candor of the gentlemen on the other side to say if such was not the case in the proposition made on Saturday week to go to the final vote on the succeeding Monday. He (Mr. Clay) was, however, willing to admit that his side of the Senate had occupied its share of time; but it was hardly fair to charge him and his friends with the whole of the delay. The gentlemen themselves, in 1 day, had made seven speeches in succession. But he would not now go into these matters. He had risen to say he would propose to the gentlemen to take the question tomorrow, at 12 o'clock, without debate.

"Mr. King said he had understood, when he made the proposition on Saturday week to take the question on the succeeding Monday, that the ostensible reason for delay arose out of the absence of the Senator from North Carolina [Mr. Graham] but knowing that could make no difference, he had acted in good faith; for he believed it was by arrangement that that Senator and the Senator from Virginia [Mr. Rives], who was understood to be opposed to the bill, were both absent, having paired off, so that they could, without affecting the vote on this bill, attend to the necessary call for their absence. Why, they, if the gentlemen opposite were in earnest in their proclaimed desire of coming to the vote on the Bank bill—why did they introduce their loan bill, and their bankrupt bill, not to interfere, but for the purpose of delaying the final vote on this Bank bill? As to the imputation that the amendments offered by his (Mr. King's) friends were intended to embarrass the measure, he could with confidence say that there was not one of these amendments which had not been offered in good faith.

"The Senator from Kentucky had alluded to the number of speches made in defense of these amendments by the Senators in the opposition; but the Senator seemed to forget that he himself had made nearly as many speeches as the whole of them put together. He and his friends had consumed by far the greater part of the time devoted to the discussion of this bill. The Senator has the command of a sufficient majority. He has been offered the immediate opportunity of acting with that majority. What, then, can be the reason that, instead of acting at once, further delay is asked for on the pretense of having more amendments to offer? He (Mr. King) now wanted the country to understand truly who it was that was causing the delay of business in this extra session of Congress. He wished the country to understand that the cause of delay does not rest with the minority."

Eighteen hundred and forty-six through eighteen hundred and fifty-six

The next outstanding filibuster listed by Dr. Galloway occurred in 1846. The debate over this bill, relating to the Oregon territorial dispute with Great Britain, lasted about 2 months but the bill did pass. The issue was of great importance to the Nation and many Senators on both sides wanted to make their views known. Though therefore protracted, the debate as recorded in the Congressional Globe was always relevant. Time was spent but the Senate was not frustrated. As the excerpts that follow indicate, the speaking was not for the purpose of deliberately delaying action by the Senate.

Senator William Allen of Ohio, chairman of the Committee on Foreign Relations, while opposed to the particular legislation, was nonetheless responsible for its progress as floor manager. In discharge of his responsibilities, on March 24, 1846, in the words of the editor of Globe, Mr. Allen—

"Rose and said he desired to ask the attention of the Senate to the question of determining upon what day the Senate would be willing to take the vote upon the passage of the Oregon resolution. It was now, he believed, 40 or 50 days since the debate upon this subject was opened. How the intervening time had been consumed was known to all. He had no personal right to complain of the time consumed by other Senators in the discussion, after having himself consumed 2 days of the time of the Senate; but he desired, for many reasons which it would not be necessary for him to state to the Senate, that there should be some day fixed, by a general understanding, on which to bring the discussion on the subject of the notice to a conclusion. He desired that the day should be made known, if practicable, before the arrival of the day itself, in order to accommodate those of his fellow Senators who were compelled by circumstances to absent themselves for a short time, and who had named to him the necessity which existed for such absence, and who strongly desired to be present when the vote was to be taken upon this important question. By fixing the day many of those gentlemen might probably regulate their absence so as to be present on that day. By leaving the time entirely indefinite, the Senate might suddenly come to a vote, to the surprise and mortification of those who chanced to be absent; and to this extent injustice would be done to those Senators.

"He named these circumstances without naming the still greater and more important considerations connected with the great interests of the country. After some 3 or 4 months devoted to the consideration of this subject in the two Houses of Congress, it seemed to him that the Senate ought to be able to fix some day, and that not a remote one, when the sense of the Senate could be taken upon the subject. He was aware that the previous question was not in use here; he was aware it was not the habit of the Senate to pass a resolution to take a subject out of discussion, and to direct the vote to be taken on a given day; but he was likewise aware that it had been their habit to have a conversational understanding that an end would be put to a protracted debate at a particular time. It was with this object that he now rose, and he would name Saturday next as the day on which the vote should be taken. This would leave sufficient time for the exposition of the views of those Senators who still desired to be heard upon the subject. He made this proposition in order that Senators might not be taken by surprise. Much had been said about quieting the apprehension of the country. He had never indulged in that description of remark, and he thought it was entirely out of place as connected with the subject to which his proposition now had reference. He made that proposition with a view of obtaining, if practicable, a general understanding as to the time when the vote should be taken.

"Mr. Morehead said he did not know to what extent the practice to which the honorable Senator had alluded had prevailed in the Senate, to fix some given day for the decision of a pending question. Even if there was a rule of this kind, or a practice which amounted to a rule, he trusted it would not be applied to a question like that which had been under discussion for several weeks past. It was, he believed, generally regarded as the most important question which had attracted the attention of Congress for many years. He could not perceive the necessity for fixing any particular day when the question must be decided; for if they were to do so, they might, to some extent, while aiming to promote the convenience of some Members of the Senate, inflict a very great inconvenience upon other Members by depriving them of the opportunity of delivering their views upon the question. That, he was sure, was not the object of the honorable Senator. It seemed to him, therefore, in view of the well-known courtesies of the Senate—of the well ascertained disposition of that body never, at any time, to press the vote upon any question when any considerable number were absent; and, regarding the well-known disposition which prevailed on all occasions to consult the convenience of Senators, it seemed to him that it would be quite safe to trust to that courtesy that the Senate would not, in the absence of any of its Members, insist upon a vote, or take any proceeding that would disoblige or prove a source of embarrassment or inconvenience to any. He supposed there were various Senators who yet desired to make some observations upon the subject. Being one, and the humblest of the body, and the least disposed to throw himself upon the indulgence of the Senate at any time, he should nevertheless feel disposed before the debate closed to submit his views to the Senate. There were Senators who might desire to be heard who were not present this morning, and, therefore, he would suggest to the honorable Senator from Ohio not to press his proposition, but to allow it to lie over until tomorrow.

"Mr. Allen observed that he would not protract the discussion at this time, because he was unwilling to consume the time which rightfully belonged to his honorable friend from Mississippi, [Mr. Chalmers]. His object in calling the attention of the Senate to the subject was, that Senators might reflect upon it, and unite in some informal understanding respecting the time for closing the debate."

On March 26, Senator Allen again touched on the subject of coming to a vote:

The debate on Oregon

"Mr. Allen rose and said, that if there were no more reports to be made, he desired the indulgence of the Senate, while he recurred to some observations which he had made 2 days ago, in reference to an informal understanding that the Senate would on a certain day proceed to vote upon the passage of the Oregon resolutions. The suggestions which he had offered on a former occasion were made with a view of attracting the attention of Senators to the question of fixing a definite day on which the vote might be taken. Subsequently to that time he had had an opportunity of ascertaining the views of many Senators on this subject, and he believed he might very safely express the hope that the Senate would proceed to vote on the question on Friday week, with a view to the final settlement of it by a vote of this body. This, it would be admitted, would afford ample time for the fullest discussion

of the question by those who desired to discuss it. And he would suggest, though it was a matter which was of course altogether within the power of the Senate, and in which he had no more right to have his wishes consulted than any other single Senator, still he would suggest, that, in order to afford the amplest opportunity to the Senators who had not yet spoken to deliver their views, the Senate continue to sit the whole week out.

"There was some excuse for asking the attention of the Senate to this matter, and it was found in the fact that there must of necessity be a definite period for the termination of the discussion. There was some excuse to be found in the fact that many Senators, in consequence of peculiar circumstances, would, after the next 10 days, be compelled to be absent from the body for some time, and all were anxious to be present when the vote was to be taken upon so important a question. He merely threw out these suggestions. Of course the Senate would act as they saw fit. He thought it proper, however, to suggest what he believed to be the prevalent opinion of the body as to the time for taking the vote on the question.

"Mr. J. M. Clayton said that he concurred with the Senator from Ohio that some time should be fixed for the termination of the debate, and he would be perfectly satisfied that the vote should be taken upon the day which the Senator had named. He was aware that many Senators, who would be reluctant to be absent when the vote was to be taken, would be compelled to be away for a time from the Senate. He had no desire whatever to prevent any Senator who desired to address the body upon the question from doing so; but he thought the time named by the Senator from Ohio was a reasonable time, and sufficient to allow every Senator an opportunity to express his views. He did not know that any debate which could now take place would change the opinion of a single Member of that body; still he was anxious to give everyone an opportunity to be heard. He could not conceive, after all that had been said, that it was possible that any benefit could be derived from protracting the debate beyond the time mentioned by the Senator from Ohio. He did not know what the proper mode was, whether by resolution or by a general understanding; he rose only for the purpose of saying that he, for one, was satisfied with the time named by the Senator.

"Mr. Allen said he had stated what he understood the practice of the Senate to be. It was known to Senators that the previous question was not in use, and it had never been the practice to introduce a resolution for fixing the time for terminating a debate. This was a practice which had grown up elsewhere, but had never been introduced into the Senate; the practice was to have an informal understanding, and to carry it out, by refusing to adjourn until the question was taken.

"Mr. Niles said he concurred in the remarks of both the honorable Senators who had just spoken. He was not in favor of curtailing debate upon any question especially upon one of great national importance like the present. At the same time Senators must be aware that it is necessary that the debate should be brought to a close; and it seemed to him that the termination of the discussion might reasonably be fixed for the day mentioned by the Senator from Ohio. The subject had been before the two Houses for a long time. In the British Parliament they denominated a debate which lasted 12 nights a 'monster debate;' this might, with great propriety, he thought, be styled a 'monster debate,' as it had lasted nearly 2 months, and had exercised an influence on the business affairs of the country. It appeared, therefore, to him, that it was very proper that the present undefined position of the subject should be changed by taking a vote. He thought the debate should be brought to a close at as early a day as that named by the Senator from Ohio, and, that every Senator who had not yet expressed his views might have an opportunity to do so, he for one would submit to any degree of personal inconvenience, and would be disposed to sit on the 2 days in the week on which the Senate was in the habit of adjourning, and to hear two speeches a day.

"Mr. Jarnagin said there was no proposition, he believed, before the Senate to adjourn over; and he would remark that he saw no probability of such a motion being made in the present state of the debate, which, he trusted, would be allowed to proceed until those who had not yet had an opportunity to address the Senate might have an opportunity to do so, and then the vote could be taken. There was no precedent, he believed, in that body, for limiting debate to a given period. There was no precedent for urging forward the close of a debate to such an extent that two speeches must be delivered in 1 day. Some gentlemen had taken 2 days for a single speech; and, having said all they purposed saying, were now anxious to hasten the debate to a close. He, for one, did not purpose addressing the Senate upon the Oregon question; but he now entered his protest against the adoption of any rule or practice by which debate should be stifled in that body. Gentlemen might determine for themselves upon a motion to adjourn; whether it were expedient to do so without having a rule to govern them. He did not understand the Senator from Ohio as proposing anything further than to bring the matter to the notice of Senators individually. But they were told that it was necessary to put an end to the debate; that it was highly proper to have a day fixed in their own minds for its termination. That was a matter which he protested against. And he would take occasion to say that, for one, he was ready to vote now, and had been ready for 2 or 3 weeks past. But when all who desired it had had an opportunity to address the Senate, it would be time enough to take the vote.

"Mr. Woodbridge said he did not hold to the expediency of adopting any artificial rule in this case; when gentlemen had had the opportunity, which they ought to have, of addressing the Senate, it would be time enough for the Senate to act. There were two Senators absent, and he knew they would be extremely desirous of being present when the vote was taken. The Senator from Connecticut [Mr. Huntington], and the Senator from Rhode Island [Mr. Simmons], the latter of whom, he believed, was desirous of expressing his views on the subject, were both absent. Though he was desirous that the debate should be brought to a close, yet he was also desirous of giving to every gentleman an opportunity of discussing the question if he desired it.

"Mr. Hannegan said if he had rightly understood the Senator from Ohio, and he was confident that he had, the Senator had proposed no rule, as he was represented by the Senator from Tennessee to have done. The Senator from Ohio simply suggested to the Senate the propriety of determining informally that on tomorrow week the question should be taken. The Senator did not propose to adopt a resolution or to fasten a rule upon the Senate from which there should be no departure; but he simply proposed, as an act of courtesy to the Senators present and to those who were absent, that the time for taking the vote should be known beforehand, that no one might be taken unawares. The Senator from Michigan [Mr. Woodbridge] suggested the absence of the Senator from Connecticut. If the health of that Senator were such as to permit him to be present, he would have timely notice; but if, as he had reason to believe, his health would not admit of his attendance, was the action of the Senate to be suspended on that account in a matter of this kind? He was not for preventing any Senator from expressing his views, but he held that the 9 days which would intervene between this morning and the day named by the Senator from Ohio would be amply sufficient. There were gentlemen on this side of the Chamber who, though they had spoken, would like to say more, but who were willing to waive their privilege in order that this protracted debate might be brought to a close. He thought it was due to the country that the Senate should come to some conclusion upon this subject."

On April 11 Senator Allen again spoke:

"Termination of the debate

"Mr. Allen rose and remarked that he thought it might be assumed as tolerably certain that some time within the present week the Senate would proceed to vote on the Oregon resolutions. This being the case, he was of the opinion that it would be an accommodation to many Senators to have an understanding as to the exact day on which the Senate would proceed to vote upon them. And he would here state that it was his intention when they came to the vote to move to lay upon the table the resolution reported by the Committee on Foreign Relations, and to take up that which was sent to them from the House of Representatives, in order to test the sense of the Senate upon that resolution. He was desirous that a day should be determined on, inasmuch as some of the Members of the body would be unavoidably absent, he understood, within a few days, and they would like to time their absence so that it should not fall on that day when the vote should be taken.

"Mr. R. JOHNSON. Does the Senator name a day?

"Mr. ALLEN. I would propose that it be Wednesday next, or Thursday, if the Senators prefer it.

"Mr. Morehead said that for one he had not the slightest objection to fixing upon some day for terminating the debate, provided it was not to be regarded as establishing a precedent.

"[Mr. Webster here intimated that such was not the intention.]

"Mr. M. was quite willing, then, that Thursday should be the day. He would remind the Senator, however, that discussion might arise on the various propositions by way of amendment to the resolution of notice, which would preclude the possibility of taking the final vote on that day.

"Mr. R. Johnson presumed that any gentleman desiring to speak on Thursday would not be cut off by this arrangement.

"Mr. HANNEGAN. Certainly not. But the Senate may refuse to adjourn.

"Mr. Allen stated that it was not proposed to establish any arbitrary rule, which would be contrary to the practice of the Senate. Nor was it his desire to interfere with the rights or wishes of any Senator who might desire to speak. But every Senator could resolve in his own mind that the debate should terminate, and not to adjourn before a vote was taken.

"Mr. WEBSTER. I have no objection.

"Mr. Allen then suggested that Wednesday might be fixed on.

"Mr. WEBSTER. Thursday.

"Mr. Allen acquiesced, and named Thursday.

"Mr. Moorehead suggested that a discussion, after the first vote, might arise on the various amendments, and the debate might thus be protracted beyond the day named.

"Mr. WEBSTER. Such debate would be short.

"Mr. ALLEN. It is not likely that a discussion on the amendments would be a very

protracted one. After a debate of such length, every Senator must have pretty clearly determined, in his own mind, as to the form of notice for which he will vote. As regards myself, such is my unwillingness to put off the final vote on this question that I will waive my right to reply to any remarks made during the discussion, reserving the privilege to answer on some occasion which may present itself hereafter. When a running discussion arises, it has been the usual practice of the Senate to sit it out; otherwise, we should no sooner see land than we might be at sea again.

"Here the conversation dropped."

Finally, on April 16, the Senate came to a vote, but first Senator Allen said:

"Mr. Allen then rose and said, that five-and-sixty-days ago, he had opened this discussion. In the intervening debate, many things had been said to which he could desire an opportunity to reply. But in view of the public interests, as well as with a becoming regard to the patience of the Senate, he would not longer protract the discussion, by a speech which might have the effect of reopening it altogether. He should waive any right that he might have to reply to arguments urged against those presented by him, or to observations which had been made in the course of the discussion, directed more against him personally than the positions which he had assumed. He should therefore fulfill the promise made by him to the Senate a few days ago, by now moving to lay upon the table the resolution reported from the Committee on Foreign Relations, and the accompanying proposition of amendment, with the view of now proceeding to the consideration of the resolution sent to the body from the House of Representatives, entitled 'A joint resolution of notice to Great Britain, to annul and abrogate the convention,' and so forth. This motion he made, not because he preferred the House resolution to that reported from the Committee on Foreign Relations. The very fact of having acquiesced in that resolution, and reported it, was a declaration of his own preference for it, as reported, and also of the preference of a majority of the Committee on Foreign Relations. But he should, nevertheless, make the motion to take up the House resolution first, because upon that resolution the Senate was obliged to act; and secondly, because although the latter clause of that resolution was objectionable to him, he was willing to vote for it as it stood, in deference to the House of Representatives, who had sent it there by so large and overwhelming a vote; and still farther, because the adoption of that resolution as it stood, by putting an end to the matter, would, in all probability, be followed by the sanction and signature of the President; whereas, if amended, and reported back, of if they passed the resolution of the Committee on Foreign Relations the whole matter would be again sent to the House, and the question exposed to the danger of delay from a renewal of the discussion there, probably resulting in a conflict between the two Houses themselves as to the form of the notice. These, then, were the reasons which induced him to offer the motion which he now made."

One indication that Senate tradition was holding firm through the 1840's was the action of the Presiding Officer on July 5, 1848, in ruling Senator Clayton, of Delaware, out of order for speaking on matters not pending before the Senate. Senator Clayton at first appealed the decision but after discussion withdrew it.

Again on August 12 of the same session the Chair by a vote of 27 to 2 was overruled on an appeal from a ruling that a Senator had not been irrelevant in his remarks. This was indeed a strong demonstration that the Senate meant to live by its rules.

On April 3, 1850, Vice President Fillmore took occasion to address the Senate on the subject of decorum in debate. He reviewed the rules relating to debate in its various aspects and traced the precedents on the subject. His remarks and those of Senator William R. King, of Alabama, who presided over the Senate during the 31st and 32d Congresses as President pro tempore after Fillmore's elevation to the Presidency on June 10, 1850, follow:

"Decorum in debate"[8]

"The VICE PRESIDENT. There being no further morning business, the Chair claims the indulgence of the Senate to submit a few remarks in relation to his own powers and duties to preserve order.

"On assuming the responsible duty as Presiding Officer of this body, I trusted that no occasion would arise when it would become necessary for the Chair to interpose to preserve order in debate. I could not disguise the fact that, by possibility, such a necessity might arise. I therefore inquired of some of the Senators to know what had been the usage on this subject, and was informed that the general practice had been, since Mr. Calhoun acted as Vice President, not to interfere unless a question of order was made by some Senator. I was informed that that distinguished and now lamented person had declined to exercise the power of calling to order for words spoken in debate, on the ground that he had no authority to do so. Some thought the rule had been since changed, and others not; but then there still seemed to be a difference of opinion as to the power. Under these circumstances, though my opinion was strongly in favor of the power, with or without the rule to authorize it, I thought it most prudent not hastily to assume the exercise of it, but to wait until the course of events should show that it was necessary. It appears to me that that time has now arrived, and that the Senate should know my opinion on this subject, and the powers which, after mature reflection, I think are vested in the Chair, and the corresponding duties which they impose. If I am wrong in the conclusion at which I have arrived, I desire the advice of the Senate to correct me. I therefore think it better to state them now, when there is the opportunity for a cool and dispassionate examination, rather than wait until they are called into action by some scene of excitement which may be unfavorable to dispassionate deliberation and advice; for while I should shrink from no responsibilities which the office with which I am honored imposes upon me, I would most scrupulously avoid the assumption of any power not conferred by the Constitution and rules of this body.

"The question then presents itself, 'Has the Vice President, as Presiding Officer of this body, the power to call a Senator to order for words spoken in debate?'

"The sixth rule of the Senate is in the following words:

" 'When a Member shall be called to order by the President or a Senator, he shall sit down, and every question of order shall be decided by the President without debate, subject to an appeal to the Senate; and the President may call for the sense of the Senate on any question of order.'

"It will be seen that this rule does not expressly confer the power of calling to order either upon the President or a Senator, but impliedly admits that power in each, and declares the consequences of such call.

"The constitutional provisions bearing upon this subject are very brief. The first is:

" 'The Vice President of the United States shall be President of the Senate, and shall have no vote unless they be equally divided.'

"The next is:

" 'Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and with the concurrence of two-thirds, expel a Member.'

"The first clause which I have quoted, confers no express powers, yet the general powers and duties of a Presiding Officer, in a parliamentary debate, were well understood by the framers of the Constitution, and it can hardly be doubted that they intended to confer upon the Vice President those powers, and required of him the performance of those duties. But the power expressly conferred to make rules to regulate its proceedings, clearly conferred upon the Senate authority to make rules regulating the conduct of its Members, including its Presiding Officer. What, then, are we to understand from this rule?

"I have availed myself of the leisure afforded by the last recess, to look into the history of this rule, that I might, if possible, gather from it the intent of the Senate in adopting it. I find that one of the first acts of this body, in 1789, was to appoint a committee to prepare a system of rules for conducting business in the Senate.

"The committee reported a number of rules, which were adopted, and among the rest the two following:

" 'Sixteenth. When a Member shall be called to order, he shall sit down until the President shall have determined whether he is in order or not. Every question of order shall be decided by the President without debate; and if there be a doubt in his mind, he may call for a sense of the Senate.

" 'Seventeenth. If a Member be called to order for words spoken, the exceptionable words shall be immediately taken down in writing, that the President may be better enabled to judge of the matter.'

"These rules remained the same until 1828; but in 1826, Mr. Calhoun, then Vice President, declared that, in his opinion, he had no authority to call a Senator to order for words spoken in debate. In 1828, the rules were referred to a committee for revision, and were reported without any amendment to these rules; but when they came up for consideration in the Senate, they were amended so as to read as they now do, namely:

" 'Sixth. When a Member shall be called to order by the President of the Senate, he shall sit down; and every question of order shall be decided by the President without debate, subject to an appeal to the Senate; and the President may call for the sense of the Senate on any question or order.

" 'Seventh. If a Member be called to order by a Senator for words spoken, the exceptionable words shall immediately be taken down in writing, that the President may be better enabled to judge of the matter.'

"It will be seen by the comparison, that the proposed rule expressly recognized the authority in the President to call to order, and gave an appeal from his decision, which the former rules did not.

"It also made a distinction between a call to order for words spoken by the President, and by a Senator for words spoken, by requiring in the latter case that the objectionable words should be reduced to writing, but not in the former. On this amendment, a long and interesting debate sprung up, which may be found in Gales and Seaton's Register of Debates, volume 4, part 1, pages 278 to 341; and in this debate, though Senators differed widely as to the power of the President to call to order without the amendment, and as to the policy of adopting it, yet all seemed to conclude that, if adopted, he would have less power, and the amendment was finally agreed to by a vote of more than 2 to 1; and thereupon it is reported that Mr. Calhoun—

" 'The Vice President then rose and said that he took this opportunity to express his entire satisfaction with that portion of the

[8] Pp. 631 and 632, the Congressional Globe, vol. XXI, pt. I, 31st Cong., 1st sess.

amendment giving to Senators the right of appeal from the decision of the Chair, as it was not only according to strict principle, but would relieve the Chair from a most delicate duty. As to the power conferred upon the Chair, it was not for him to speak, but he assured the Senate that he should always endeavor to exercise it with strict impartiality.'

"It appears to me, then, with all due respect to the opinions of others, that this rule recognized the power to call to order in the Vice President, and, by implication at least, conferred that power upon him.

"The next question is, Does the possession of the power impose any duty to exercise it?

"The power, it will be seen, is conferred equally upon the Chair and every Member of the Senate, and in precisely the same language. Is the duty, then, more imperative upon the President than upon any and every Member of the Senate, to perform the unpleasant but necessary task of exercising it? There is a marked distinction between this rule and the corresponding rule of the House of Representatives. By the 22d rule of that body, a Member may call to order, but it is made the imperative duty of the Speaker to do so. The words are:

" 'If any Member in speaking or otherwise transgresses the rules of the House, the Speaker shall, or any Member may, call to order,' and so forth.

"It is perhaps to be regretted, if the Senate desires that its Presiding Officer should perform this delicate and ungracious duty, that its rule had not been equally explicit with that of the House.

"The reason why Senators so seldom interfere by calling each other to order, is doubtless because they fear that their motives may be misunderstood. They do not like to appear as volunteers in the discharge of such an invidious duty. The same feeling must, to some extent, operate upon the Chair, unless his duty be palpable. But upon mature reflection, I have come to the conclusion, though the authority be the same, yet that the duty may be more imperative upon the Chair than upon the Senate, and that if the painful necessity shall hereafter arise, I shall feel bound to discharge my duty accordingly. I shall endeavor to do it with the utmost impartiality and respect. I know how difficult it is to determine what is and what is not in order, to restrain improper language, and yet not abridge the freedom of debate. But all must see how important it is that the first departure from the strict rule of parliamentary decorum be checked, as a slight attack, or even insinuation of a personal character, often provokes a more severe retort, which brings out a more disorderly reply, each Senator feeling a justification in the previous aggression. There is, therefore, no point so proper to interpose for the preservation of order as to check the first violation of it.

"If, in my anxiety to do this, I should sometimes make a mistake, I am happy to know that the Senate has the remedy in its own hands, and that, by an appeal, my error may be corrected without injury to anyone. Or if I have wholly mistaken my duty in this delicate matter, the action of the Senate will soon convince me of that fact, and in that even I shall cheerfully leave it to the disposition of the Senate. But I have an undoubting confidence that while I am right, I shall be fully sustained.

"I trust I shall be pardoned for making one or two suggestions on some points of minor importance. This body has been so long and so justly distinguished for its dignity and decorum, that I cannot but apprehend that some neglect on my part renders these remarks necessary. We all know that many little irregularities may be tolerated in a small body that would cause much disorder in a large one. The Senate has increased from 26 to 60 Members. The natural tendency of the increase of Members is to relax the discipline—that when the strict observance of rules is most essential to the dignity and comfort of the body, it is the most difficult to enforce.

"The second rule is a very salutary one, but perhaps too stringent to be always observed in practice. It reads as follows:

" 'No Member shall speak to another, or otherwise interrupt the business of the Senate, or read any newspaper while the Journals or public papers are reading, or when any Member is speaking in any debate.'

"Mr. Jefferson, in his Manual (p. 140), which seems to be a code of common law for the regulation of all parliamentary debates in the country, says that no one is to disturb another in his speech, etc., nor to pass between the Speaker and the speaking Member. These are comparatively trifling matters, and yet the rules and law of the Senate would seem to require that its Presiding Officer should see them enforced. I trust, however, that it is only necessary to call attention to them to insure their observance by every Senator. But the practice seems to have grown up of interrupting a Senator when speaking, by addressing him directly, instead of addressing the Chair, as required by the rule.

"The Manual declares that it is a breach of order for one Member to interrupt another while speaking, unless by calling him to order, if he departs from it. It seems to me that the objection should be a very urgent one, indeed, that can justify one Member in interrupting another while speaking, and that all would find it to their advantage if this rule were more strictly enforced than it has been, and that in all cases the Senator rising to explain should address the Chair, as required by the rule.

"As Presiding Officer of the Senate, I feel that my duty consists in executing its law, as declared by its rules and by its practice. If these rules are too strict, it would be better to modify than violate them. But we have a common interest and feel a common pride in the order and dignity of this body, and I therefore feel that I can appeal with confidence to every Senator to aid me in enforcing these salutary regulations. I feel it my duty to say this much before proceeding to the course of action I have decided upon.

* * * * *

"Mr. KING. I have listened with great attention to the statement of the Presiding Officer, and entirely concur in the views he expresses of the rights and duties appertaining to that position. It is necessary—it is essentially necessary, that those duties should be strictly performed by the Vice President, or any other Presiding Officer whom the Senate may select in his absence. They should feel it to be their imperative duty to enforce order, to protect persons in debate, and put down every species of disorder. I hope, therefore, that we may have this statement placed on the Journal, as a guide to other Presiding Officers, and I move that it be placed there, if it meets, as I trust it will, the full approbation of the Senate.

"The motion to enter the Vice President's statement on the Journal was agreed to unanimously."

In 1856 the question of Senate decorum again became a matter of debate. A Senate committee reported a motion to amend the rules to provide, among other things, that Senators when speaking were to confine themselves to the question under debate. The suggested amendment was not adopted by general assent, but the Senators for the most part also agreed that the suggested amendment merely recited the rule which had been controlling since the beginning of the Congress in 1789.

The pertinent parts of the 1856 debate with emphasis supplied by italics follow:

"[From the Congressional Globe, June 26, 1856, pp. 1477–1484]

"JESSE D. BRIGHT, Senator of Indiana (the President pro tempore). The Secretary read the proposed amendments to the 3d and 6th rules; which are, to amend the 3d rule by inserting, after the word 'place,' in line 2, 'and shall confine himself to the question under debate. He shall avoid personality, and shall not reflect improperly upon any State;' so that the rule will read:

" '3. Every Member, when he speaks, shall address the Chair, standing in his place, and shall confine himself to the question under debate. He shall avoid personality, and shall not reflect improperly upon any State; and when he has finished shall sit down.'

"Mr. JUDAH P. BENJAMIN, Senator of Louisiana. I have no objection to these amendments, except to the first clause, which I deem to be entirely unnecessary, and will probably give rise to more confusion and difficulty than would occur in its absence. The first clause, which requires the person speaking to confine himself to the subject under debate, will give opportunities for constant calls to order; but we all very well know that the Senate will never refuse to hear a gentleman if any line of remark that he thinks proper to make on any public subject, if he is not guilty of any indecorum or impropriety of speech. I think the provision useless—entirely so. It is a rule which will merely give opportunities for calls to order and wrangling, as to whether or not a gentleman is in order, and is confining himself to the subject under debate—one of the most difficult questions on earth to determine. I think we had better leave that out.

"Mr. CHARLES E. STUART, Senator of Michigan. I will only suggest, in reply to the honorable Senator, that I understand this to be the rule and the parliamentary law now. I understand the same thing of every amendment which is proposed by the committee to our rules. There has been a difference among gentlemen as to what is the strict law, and as to what is the duty of the Presiding Officer of the Senate in enforcing the rules. Every amendment, I believe, except that which relates to reflecting on a State, is, in my opinion, the true construction of the rules now. The committee were induced to present this report to make the matter certain. For myself, I have no solicitude about it.

"Mr. JOHN J. CRITTENDEN, Senator of Kentucky. Mr. President, I do not think the rules require any amendment whatever, and it is a dangerous experiment to attempt it. I can say, for one, without entering into the subject, that I am unwilling that the rules of this body shall be changed. They have grown up from the experience of a thousand years. If a gentleman supposes he can now, by some 20 or 30 lines, add to those rules which have grown out of the experience and wisdom of a thousand Parliaments and Senate, I think he is mistaken. I hope we shall make no innovation on them; and I concur with what the gentleman from Louisiana has suggested, that we shall have more controversies and disputes growing out of it than now exist. We have enough already. I do not want any amendments whatever to the general rules of our proceeedings.

"Mr. JOHN P. HALE, Senator of New Hampshire. I rise to express the hope that these amendments will not prevail, and that we shall not meddle with the rules. There is great danger, at a time when anything exciting occurs, of running into hasty legislation in passing rules or laws growing out of such events. If this is the parliamentary law now, it is well enough as it is, without an additional rule.

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"Mr. ANDREW P. BUTLER, Senator of South Carolina. I do not rise to add anything to what has been said by the Senator from Kentucky, or by the Senator from New Hampshire, on the point before the Senate, but simply to call the attention of the Senate to what I think was a very distinct declaration of this body in Mr. Fillmore's time, while he was Vice President, that the Chair had fully the power on any occasion to call any Member to order, when, in the opinion of the Chair, he was out of order. That right being conceded to the Chair—and I am willing that some declaration of the kind shall be made now—it is not likely to lead to abuse; because, if an appeal is taken from the Chair, we shall always have the opinion of the Senate on the point raised.

"My judgment is different from yours, Mr. President, and Mr. Calhoun's. I believe that the Chair has the power. Such certainly was the opinion of the Senate when Mr. Fillmore made the communication to which I allude, in reference to his powers. Mr. King, who was then on the floor—a very experienced parliamentarian—said at once that certainly was his understanding, and he moved that the paper communicated by the Vice President be filed as the opinion of the Senate.

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"Mr. JOHN M. CLAYTON, Senator from Delaware. * * * In the days when Gaillard occupied that seat, the order preserved in the Senate was vastly better than it has been since, as men were more cautious of what they said to each other in debate.

* * * * *

"It is generally understood by every Member, when he rises in debate here, that he should confine himself to the subject before the Senate. It is a matter that I think may very well be left to the sense of propriety and dignity of every gentleman here.

* * * * *

"Mr. STEPHEN ADAMS, Senator from Mississippi. Mr. President, the first objection made to this amendment is to the first clause, providing that a Member shall confine himself to the question under debate. No one whom I have heard speak objects to the propriety of the debater confining himself to the subject matter under consideration. All experience in legislation has shown the propriety and necessity of such a rule. I understand it to be the parliamentary law by which we are already governed, and yet it is not definite, fixed, and certain; it is not provided for by our rules or by the parliamentary law in such a manner as to give it practical effect. For this reason it is proposed to give effect to that which is recognized by every Senator, as proper in itself, by placing it in our rules.

"It is said, however, that Senators will be liable to be called to order when they are wandering from the subject, and others do not directly understand their meaning. Why, sir, the presumption is, that Senators will not intentionally violate a rule of the body. No one will say that it is wrong to require conformity to the rule, whether the departure be intentional or unintentional. Our experience proves that Senators will sit by and listen under all circumstances, and interfere with reluctance. Our experience proves, also, that the Chair with reluctance interrupts a Senator, when he is speaking, and particularly when he is in the heat of debate. He must be guilty of a palpable violation, before either the Chair or any Senator will call him to order. I think that the confusion which Senators apprehend will not result from the proposed rule, but that good will ensue from its adoption.

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"Mr. LEWIS CASS, Senator from Michigan. I say, then, we ought to do something. I am not very conversant with the rules; but if I understand the changes now proposed, I think they are very reasonable and proper.

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"Mr. ISAAC TOUCEY, Senator from Connecticut. * * * These provisions will conduce to the facility of business, and to the decorum of debate, very much indeed. The only danger, in my judgment, is that they may not be enforced. If every Member who rose in his place to speak to any subject confined himself to that subject—if he abstained from personalities and reflections on any State * * *

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"Mr. JOHN P. HALE, Senator of New Hampshire. * * * If it be, I should not like to see the liberty of debate infringed upon here. And when I speak of the liberty of debate, I do not mean the license of debate, for I will go as far as anybody to restrict and restrain that. But, sir, I would say of this liberty of debate, this freedom of speech (distinguishing it always from license), as was said in olden times, and as every man can say, with a great price it has been obtained; with a very great price it has come down to us through the struggles of our ancestors in thousands of years; it has been baptized in the blood of martyrs on the scaffold, and comes to us canonized by the blessings of the good and the true, who have manifested their fidelity to the great principles of civil liberty in the history of our country ages and ages back.

"Now, sir, while I will be second to no man in restraining license and doing what may be done to keep debate within its legitimate, its constitutional limits of propriety, I am unwilling to do anything which shall have a tendency to deprive the representatives of the people or of the States * * *.

* * * * *

"Mr. JUDAH P. BENJAMIN, Senator from Louisiana. * * * We have had no trouble here during the time I have been a Member of this body—I do not remember a single instance where the Senate has had the slightest difficulty in conducting its deliberations—from the fact that any gentleman was going out of the subject under discussion * * *.

* * * * *

"Mr. JAMES P. BENJAMIN, Senator from Louisiana. * * * The Senator, at the same time that he says this, declares his willingness to lay down, as broadly and clearly as any man can desire, the proposition, that freedom of debate is not to degenerate into license or licentiousness of debate, and that under freedom of debate he does not claim license. Well, sir, that distinction is as old as freedom or debate itself is.

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"Mr. CHARLES E. STUART, Senator from Michigan. Mr. President, I have listened for some time with, I confess, no little surprise, to the various discussions on the meaning of these amendments, and the meaning of the rules. Now, so far as I know, there is no single item in the amendments proposed that changes the parliamentary law which governs all deliberate assembles. That is my understanding of it. I repeat, there is not a rule of the Senate which regards debates, there is not anything in the amendments proposed, that affects this body differently from what it would be if it sat without a rule, under the parliamentary law.

* * * * *

"I am willing that they shall strike out the portion in reference to confining a Member to the subject under debate. It will not change the law in my opinion; but it will still remain in the privilege and power of the Presiding Officer to call a Senator to order whenever he thinks he is wandering from the question under debate, without these words as well as with them.

* * * * *

"Mr. JOHN J. CRITTENDEN, Senator from Kentucky. * * * I simply rise to ask him if he is of that opinion, and will withdraw all the rest he has proposed, which, he says, is but a repetition of rules already existing. If he will do this, we can have the question disposed of at once. I hope he will do it.

* * * * *

"Mr. JAMES A. PEARCE, Senator from Maryland. The rules of the Senate are not what are ordinarily so called. The few printed rules which we have were adopted for the purpose of varying, in some instances, the parliamentary law, and adding to that law in other particulars. The law which governs the proceedings of the Senate is generally the parliamentary law as laid down in the manual of Mr. Jefferson. The rules of the Senate, ordinarily so called, are altogether inadequate to the exigencies which arise in the transaction of the business of the Senate.

* * * * *

"This is an indecency for which he may and should be called to order. No Member shall digress from the subject matter to utter personality. If he does, says the parliamentary law, 'Mr. Speaker shall repress him,' that is the language.

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"Mr. WILLIAM BIGLER, Senator from Pennsylvania. * * * I think it would be clearly right to infer that the parliamentary law, as defined by Mr. Jefferson, is the rule governing the Presiding Officer. He has a large discretion here in calling a Member to order. In arriving at a conclusion as to the performance of that duty, I take it for granted that it is intended that the parliamentary law, as defined by Mr. Jefferson, shall be his rule of action.

"Mr. JAMES C. JONES, Senator from Tennessee. I do not know that any such provision is necessary. I understood the Senator from Maryland to assume, and I have heard no dissent from his position, that the parliamentary law, as defined by Mr. Jefferson, is the rule of the Senate, with such additions as the Senate has chosen, or may choose, to make for itself. I take it for granted that that parliamentary law is the rule of the Senate. It seemed to be the general impression of this body, as far as I could see, or hear, or ascertain, that they only desired the single question settled, that the Presiding Officer had the power and the right and the duty of calling a Member to order. * * * I take it for granted that the parliamentary law, as laid down by Mr. Jefferson in his manual, is the law of the Senate, unless where it conflicts with some special rule of this body. If it were necessary, I should be willing to so define it, but I do not think it necessary. I desire to arrive at a practical result, to give the power to the Presiding Officer, to whom, in my opinion, it belongs; but it would be as well to say so expressly, and thus to relieve him from all embarrassment."

The discussion of the rules in 1856 appears to have been the last one in which Senators were generally agreed that Jefferson's Manual was, in effect, a part of the rules and that Senators were required to be relevant in their remarks. Thereafter the picture began to change. In 1863 and again in 1865 the Senate was the scene of brief but intense filibusters staged a day or two just prior to final adjournment of the short session which ended on the 4th of March of each of those years.

The filibuster in 1863 was stopped by an arbitrary ruling of the Chair. The filibuster in 1865 was successful in defeating legislation to grant the State of Louisiana again the full rights of a State. This filibuster is listed by Dr. George Galloway in his study of filibusters as the first one successfully to block legislation. By 1872 the

Senate no longer required a Senator to be relevant in his remarks. In that year Vice President Schuyler Colfax ruled that "under the practice of the Senate the Presiding Officer could not restrain a Senator in remarks which the Senator considers pertinent to the pending issue."

With this ruling the Senate had abandoned effective control over debate. The day of the filibuster had arrived. In 1879 the Republicans, by successful filibuster, defeated legislation to repeal Federal election laws. In December 1890 and January 1891 in the 2d session of the 51st Congress, the Democrats staged a successful filibuster against passage of the so-called force bills. Thereafter almost every session of Congress witnessed one or more successful stultifying filibusters.

The chapter headings of Dr. Burdette's book "Filibustering" in the Senate significantly read as follows:

"An Instrument of Policy?" (This covers roughly the period from John Randolph's days in the Senate (1826) down through 1879); "Filibustering Unrestrained" (1880 through 1907); "The Modern Filibuster" (1908–17); and "Turmoil" (1917–40, date of publication of book).

In spite of the Senate's abandonment of Jefferson's Manual as controlling over debate, down through the years a Senator could be heard from time to time appealing to the Senate to return to the original practices. For instance, as recently as 1925 Senator Joseph T. Robinson, a distinguished and able Democratic senatorial floor leader, contended:

"No change in the written rules of the Senate is necessary to prevent irrelevant debate. Parliamentary procedure everywhere contemplates that a speaker shall limit his remarks to the subject under consideration. The difficulty grows out of the failure of the Presiding Officer of the Senate to enforce this rule."

Even today, however, the Senate does not have free or unlimited debate in certain aspects of its work. In its rule that an amendment may be tabled without prejudicing the principal measure under debate the Senate adopted a forceful check on debate—and one that was resisted for years.

For years one of the favorite but permissible and legitimate dilatory devices had been to offer amendments and then to talk about them at length.

Another instance is found in the Legislative Reorganization Act of 1949. It provides that debate on Presidential reorganization plans shall be limited to 5 hours on each side. Further evidence that it is not considered unreasonable to suggest that the Senate severely limit debate and prevent other dilatory tactics was recently provided in the reciprocal trade agreements bill as reported by the Senate Committee on Finance. While the bill did not pass the Senate as reported, the reported bill contained severe limitations on debate admittedly designed to prevent a filibuster against Senate action to support any Presidential decision to overrule the recommendations of the Tariff Commission. In reporting the bill with these provisions the committee said the provisions were intended to prevent a successful filibuster. Some Senators who have opposed any change in rule XXII voted for the committee's severe cloture language. Indeed, it seems that we do not hesitate to restrict ourselves except perhaps in one field—that of civil rights. If that issue be raised, then it is that we hear about the historic tradition of "free debate." But we have seen that this is a myth. It is time that the opponents of civil rights cease taking refuge in that argument and debate the issue on its merits.

The filibuster as seen from the Senate floor

Many of the Senate's outstanding Members have condemned the filibuster in the strongest terms. Some sample comments follow:

Senator Robert L. Owen, of Oklahoma:

"No one man, no matter how sincere he may be or how patriotic his purpose, should be permitted to take the floor of the Senate and keep the floor against the will of every man in the Senate except himself, and coerce, and intimidate the Senate. To do so is to destroy the most important principle of self-government—the right of majority rule. * * * My use of this bad practice to serve the people does not in any wise change my opinion about the badness of the practice of permitting a filibuster. I acted within the practice, but I think the practice is indefensible, and I illustrated its vicious character by coercing the Senate and compelling it to yield to my individual will."

Senator Thomas J. Walsh, of Montana:

"A majority may adopt the rules, in the first place. It is preposterous to assert that they may deny to future majorities the right to change them. A court would make itself the subject of ridicule that should attempt to adopt rules one of which should provide that they could be changed only by a vote of two-thirds of the judges. It would not be tyrannical to make such a rule; it would be futile. The court, when wiser men graced the bench, would contemptuously, by a majority, set it aside. It is scarcely less preposterous that a legislative body should by rule deny itself the right to bring debate to an end and to proceed to a vote; nay, that it should by rule provide that so long as any Member should hold the floor and pretend to debate, there should be no vote; that though such pretense should be persisted in until it became a hollow mockery, a transparent sham, a subject of open raillery and jocularity, there should be no vote; that so long as there remains one Member with physical strength to keep the floor there should be no vote."

Senator Oscar W. Underwood of Alabama (speaking in support of his motion for majority cloture by use of the motion for the previous question in 1925):

"Every Senator who knows me knows that I have been opposed to unlimited debate in the Senate ever since I have been a Member of the Senate; that I believe in a reasonable cloture rule. But if the Senate is going to play the game of allowing deuces to run wild, to have unlimited debate, and anybody can engage in a direct or concealed filibuster if he desires to do so, I want to assure my friends that when I thought the occasion was of sufficient importance I would not hesitate for a moment, now or any other time, to use the rules of the body by which we play the game to effect the legislation that I desired. I do not blame any Senator for using those rules as long as they are the rules. I am not critical of the Senator who plays the game according to the rules; and that is the rule."

Senator John Sherman, of Ohio:

"The rules of the Senate are made to expedite the public business in an orderly and proper manner. We are not here for any other purpose except to legislate, to make laws. * * * All the rules ought to aim for the accomplishment of that purpose and no other. * * * The right to debate a question broadly has been recognized by the Senate of the United States from the beginning of our Government; but when the rules of this body, intended to expedite legislation, are used as an obstruction by the minority in order to defeat the will of the majority in rules should as soon as possible be corrected, changed, and altered."

Senator James Hamilton Lewis, of Illinois:

"[The filibuster] is bringing upon this body the contempt of the Nation and the disrespect of mankind."

Senator Joseph T. Robinson, of Arkansas:

"The question involved, is whether at a time when the country is suffering from a depression unparalleled in its history, at a time when legislation is badly needed, the Senate will demonstrate its unfitness and its incapacity to do business. Why not debate these issues, determine them upon their merits, and let a majority of the Senate decide?"

Vice President Charles G. Dawes (describing the end of a session):

"The most determined obstructionists are fawned upon, cajoled, flattered—anything to get their acquiescence that the Senate may do its constitutional duty—but so far in vain. It is a shameful spectacle—and yet so common that it passes here as a matter of course."

On an earlier occasion Mr. Dawes stated:

"It is amusing to note the attitude toward cloture. So jealous are the Senators of the prerogatives given individuals through the power of obstruction made possible by the absence of the majority cloture rule obtaining in all other important parliamentary bodies that they are reluctant to make use of even this kind of cloture. The idea of giving precedence to the right of the majority to perform their duties over the 'sacred right of free speech' seems more or less obnoxious. This 'sacred right of free speech' in the Senate often translates itself in practice into the right of any individual to indulge for as long a time as he desires in oratory, relevant or irrelevant to the subject under consideration. This, of course, is no true definition of the right of free speech. When the Senators vote by two-thirds to limit debate under the present cloture rule they do subjugate this ridiculous privilege to the higher duty they owe the Government under the Constitution.

"The invoking of the present two-thirds cloture rule practically negatives the arguments against majority cloture, and this may account for the reluctance to use it. Such public demonstrations of the viciousness of the present rules are not welcomed, but they have to be made. There have been many able Senators, like Oscar W. Underwood, Charles S. Thomas, Atlee Pomerene and others who, in the past, have urged the reformation of the Senate rules and pointed out the outrages upon the public interest which they, in their present form, have made possible.

"No one in the Senate, however, has yet undertaken to reform the rules by the threat to use them against the proper conduct of business until they are reformed—in other words, to use them as a bludgeon to force a reform instead of to force through some personal or sectional legislation, generally to the public disadvantage."

Summary

We have seen how the early Senate by use of the motion for the previous question and the precedents in "Jefferson's Manual" and by the Vice President's unappealable authority to rule on questions of order and decorum held filibusters in effective check. We have noted the gradual erosion of that control over debate after the Civil War until finally it was lost.

Article I, section 5, clause 2 of the Constitution of the United States provides that each House may determine the rules of its proceedings. A majority of the Senate in the first instance adopted the Senate rules, and a majority of the Senate may amend the Senate rules. In view of this, is it not strangely undemocratic to require 64 Senators to vote affirmatively in order to close a debate on any measure and bring it to a vote? Is it not even more strange to have a provision (sec. 3, of rule XXII) under which the Senate may not vote on a motion to change the rules as long as even one Senator wishes to prevent the vote by speaking? Of course, one Senator acting by himself cannot for long prevent a vote on changing the rules, but a few Senators (far less than a majority) can do so.

The problem of controlling filibusters is of the first magnitude because the mere

threat of a filibuster affects, to more or less extent, all important and controversial legislation. In recent years successful filibusters have involved solely the legislative struggles to assure Negroes equality under the law in fact as well as in theory.

This is the emotionally charged background behind the entire controversy over cloture and the question of the Senate's adoption of "rules" (either new or old) at the beginning of each new Congress.

The country needs to find solutions to the problems involving civil rights. These problems cannot find adequate solutions as long as a minority of Senators can, by filibuster or the threat of filibuster, block legislation designed to assist Negroes in their efforts to achieve first-class citizenship. Moreover, this basic problem influences many other aspects of American life, such as education and housing. Until the Senate reforms rule XXII, we shall face almost insurmountable obstacles in our efforts to make progress in these fields.

In order for the Senate to become a more effective and democratic body, responsive to the desires and needs of the majority of American citizens, it must reform its rules and return to practices of the early days. Senate Resolution 17 is a very moderate step in this direction.

CLIFFORD P. CASE.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HOLLAND. I should like to ask unanimous consent, in connection with the unanimous consent just granted, that there may be printed in the RECORD extracts from the individual views of the Senator from Arizona [Mr. HAYDEN] on amending rule XXII relating to cloture. It is Report No. 87 of the 80th Congress, 1st session.

Mr. DOUGLAS. I should like to have that printed also, but I would suggest that it be printed at the conclusion of my remarks, rather than in the text of my address.

Mr. HOLLAND. That would be acceptable to me.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. HOLLAND. I wonder whether the Senator would yield one more time?

Mr. DOUGLAS. I yield.

Mr. HOLLAND. Then I shall go to dinner, as the Senator from Pennsylvania has suggested.

First I should like to say that the Senator from Florida is not unmindful of the fact that his distinguished friends are trying to prove that he and his colleagues are not good Confederates.

Mr. DOUGLAS. We are far more moderate than the southerners.

Mr. HOLLAND. That might not be hard to prove, but we would never confess it.

Secondly, I should like to say that while we appreciate the fact that the Senate of the Confederacy has been mentioned in the same breath with the Senate of the United States, we are a little bit reluctant to admit that the legislatures of the several States should be mentioned in the same breath, because it is well known that the sessions of most of the legislatures are limited in time—in Florida 60 days, including Sundays—and likewise that the members of the senate and the house of the various State legislatures are, as a rule, good citizens who are elected because they are willing to make sacrifices, and in most cases are not even paid expenses. Members of the Florida Legislature received $7 a day when I served in the Florida Senate.

Therefore the reasoning which would apply to the Senate of the United States, whose Members are selected and paid well for devoting their whole time to the duties of their office, is entirely different.

With that statement I shall go on my way, except to add that it seems to me the overwhelming defeat administered to the Anderson amendment this morning indicated that Mr. White evidently knew what he was talking about when he said that the leadership which is trying to force drastic amendments onto the cloture rule are attempting to use extreme and impracticable measures.

Mr. DOUGLAS. I should like to make it clear that I cast no reflection on the legislatures of Southern States or on the Confederate Senate. On the contrary, I cite their rules as authority for the reasonableness of our much more reasonable provisions. We are really reasonable, compared with the rules of the Southern States. We are really reasonable. Perhaps one difference may be that the dominant groups in the South do not accord to any minorities which may be present there the veto power which they claim for themselves here. They do not accord to others the privileges which they have obtained here and which they are fighting to hold.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I wish to make one more supplementary comment. I did not introduce the names of the Senators from Wyoming, Arizona, and Idaho into this discussion. That was done by the Senator from Florida. I want to make that perfectly clear. I do not question their sincerity or their right to hold any view they desire.

I have never criticized any Member of the Senate for any vote which he has cast. I make that as a rule. I do not pretend to know it all. I do not pretend to be infallible. I merely claim the right to present my views and to let the Senate and the public judge as to their reasonableness.

Now I shall be glad to yield to the Senator from Georgia for a question; or if he wishes to make a speech, I shall yield to him for that purpose.

Mr. TALMADGE. I thank the Senator from Illinois. Before I make my speech, I desire to make a comment.

The Senator from Illinois has seen fit to try to compare the cloture rule in the respective legislatures of the various States with that of the U.S. Senate. I point out to the distinguished Senator from Illinois that, as he well knows, the U.S. Senate is a council of 49 sovereign States, whereas the general assembly of a respective State represents only the State itself involved, and is not a council of the respective States.

Mr. DOUGLAS. Mr. President, I tried to deal with this subject yesterday, when the Senator from Georgia [Mr. RUSSELL] said that Senators were ambassadors from their sovereign States. That is a clear indication to me of a belief by the Senators from Georgia that this country is not a nation but is instead a confederation, and that the ultimate power rests in the States.

This issue was fought out for many decades prior to 1861. It was the constitutional issue upon which the Civil War was waged. We all regret that war. We are proud of the heroism which was displayed in it. My ancestors fought on the northern side, as I am sure the ancestors of the Senator from Georgia fought on the southern side. There were brave men on both sides, and we honor their memory.

But as a result of that war I thought it had been established that the United States is a nation, and that the Senate of the United States is not merely a council to which the sovereign States send their members, with the right of secession and with other rights of veto. I had thought that we were now a nation operating under the Constitution; operating under the amendments to the Constitution, including the 14th and 15th amendments to the Constitution. If others hold a different opinion, I can only say that if their point of view is pressed to its ultimate conclusion, this country will have unhappy experiences, which certainly I do not wish to see, and which I do not believe the men who are advancing this outmoded constitutional theory really wish in their hearts to see happen.

Mr. JAVITS. Mr. President, will the Senator from Illinois yield on that point?

Mr. DOUGLAS. I yield.

Mr. JAVITS. The Senator from Georgia [Mr. TALMADGE] and I had this out at great length in our report.

I think it is a fact that Senators who take the view held by the Senator from Georgia do not give, in our opinion, adequate weight to the fact that the Founding Fathers provided for two Senators from every State, no matter how small the State, exactly to compensate for that proposal; whereas the filibuster proposal is an extra constitutional safeguard imported only by the rules of the Senate.

The fundamental point of our argument is that if it is not in the Constitution, then we ought to excise it, or have the right to excise it, by the same power which put it in.

I thank the Senator from Illinois.

Mr. TALMADGE. Mr. President, will the Senator from Illinois yield further?

Mr. DOUGLAS. I yield.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the distinguished Senator from Illinois may yield to me, so that I may make some remarks, the remarks to appear at the conclusion of his address, and that the Senator from Illinois not lose his right to the floor.

Mr. DOUGLAS. I am very glad to yield for that purpose.

The PRESIDING OFFICER. Without objection, it is so ordered.

(At this point Mr. DOUGLAS yielded to Mr. TALMADGE, who addressed the Senate and whose remarks appear in the RECORD at the conclusion of Mr. DOUGLAS' speech.)

Mr. CLARK. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I am glad to yield for a question or a speech.

Mr. CLARK. The Senator from Illinois and the Senator from Florida engaged a few minutes ago in a colloquy in which the Senator from Florida suggested that we who favor a substantial change in the filibuster rule should indicate our appreciation of the generosity of our friends from the South for their failure to invoke a filibuster. I, for myself, am happy to comment on that generosity and to comment on it favorably. I must say, however, that I think that that generosity was induced, at least in part, by enlightened self-interest, and that there was a feeling on the part of those wise statesmen from the States below the Mason-Dixon line, that to threaten a filibuster at this point in the Nation's development would not be in the best interests of their own position.

Furthermore, I should like to make the point that many of us, I think, would much prefer to rely not on the generosity of our friends from the South, which is exceeded by no one, so far as I am concerned, but upon the rules of the Senate and our democratic rights as Members of this body.

So it seems to me that the comment about the generosity of our friends in not indulging in a filibuster is not a particularly relevant comment on the debate which is now taking place. I wonder if my friend from Illinois agrees with that point of view.

Mr. DOUGLAS. I quite agree.

Mr. CLARK. I wonder if my friend from Illinois will also agree with me that for obvious reasons some of our friends who are opposed to us in this regard are tending to make great weight out of the ability of the majority leader to adjourn the Senate with only 23 dissenting votes and the ability of the majority and minority leaders to hold us down to 36 votes on the Anderson motion.

I wonder, further, if the Senator from Illinois will agree with me that those 36 votes might well have been 56 votes if the Johnson resolution were not the next pending business on the floor, and if we did not have an opportunity to amend that resolution so as to make it conform more closely to what the Senator from Illinois and most of the rest of us would like to see done.

Mr. DOUGLAS. One of the chief arguments used in support of the Johnson motion to table was that we could change the present rule XXII by the proposed Johnson Senate Resolution 30 of the 85th Congress, or as it is at present, Senate Resolution 5. It was said that by tabling we were not giving away the chance to make substantive changes of a meaningful nature in rule XXII and that we could amend the Johnson resolution as we saw fit. I think the term he used was that we could "work our will."

A good many Senators, I think, voted with that in mind. To say now that because they voted for the motion to table, this is a defeat also for amendments to the Johnson motion, indicates that it was a flimflam practice, as I thought it was, which was being practiced at the time.

Mr. CLARK. I regret that almost of necessity at this time of the evening not only is the floor practically vacant, but the press gallery appears to be almost entirely vacant. I think the headlines which have been printed as a result of the votes taken Wednesday and today in this regard are to some extent deceptive to the country, because they indicate a smashing defeat for the liberal coalition. They take the position which is taken by the distinguished senior Senator from Florida [Mr. HOLLAND], who has left the Chamber. To my way of thinking, although we got only 23 votes to oppose a motion to adjourn, and 36 votes to sustain the Anderson motion, perhaps I am unduly optimistic, but I expect the next time we will get still more votes; and I believe that before the day is done and the battle is ended we shall have achieved a result, in connection with rule XXII, far more effective than the innocuous amendment which some of our colleagues have proposed. I wonder whether the Senator from Illinois shares my optimistic view.

Mr. DOUGLAS. I share that hope.

I remember the old Scottish song, which my ancestors used to sing, "I lay me doon and bleed a while, then rise and fight again."

We have done some bleeding today; but we will rise and fight again on Monday.

Mr. CLARK. Or the proverb that "He who fights and runs away will live to fight another day."

Mr. DOUGLAS. I wish to make clear that I have not run away. I never run away. I shall not become discouraged by any votes; neither will I be intimidated by any newspaper columnists or by any threats of any kind whatsoever.

Mr. CLARK. The Senator from Illinois, the Senator from Pennsylvania, and others of our colleagues, among whom is the distinguished majority leader, who has just now returned to the floor, certainly do not run away. But I suspect that some of our colleagues—both those who were in favor of the motion to adjourn and those who are opposed to the Anderson motion—are waiting and are postponing the submission of their more stringent measures until they see the whites of the eyes of their opponents—probably on Monday.

Mr. DOUGLAS. No doubt.

Mr. CLARK. However, during my few years of service in the Senate and during my colleague's large number of years in the Senate—I believe he has served in the Senate for 12 years——

Mr. DOUGLAS. This is my 11th year of service here.

Mr. CLARK. At any rate, I may say that during my service in the Senate, time after time I have seen the sentiment of this body lag days, months, and years behind the sentiment of the country.

Mr. DOUGLAS. I think it is already lagging behind the sentiment of the country; and I think it is now about time that the sentiment of the Senate caught up with the opinion of the country.

Mr. CLARK. Yes. As was pointed out the other day, certainly it is time to reduce that lag and to minimize it; and I think my colleagues and I are doing what we can to minimize it, when we propose this moderate change, in order to make majority rule prevail after debate which could easily last 4, 6, or 8 weeks.

Mr. DOUGLAS. I quite agree with the Senator from Pennsylvania.

Mr. CLARK. I believe that one purpose of the debate tonight is to try to change that attitude in the Senate.

I hope many of our colleagues will read what is being said here, and I hope that perhaps the press will take note of it. Certainly, one of our duties is to see to it that in the days ahead we do not become mesmerized by delusions of omnipotence and thoughts that we know best, and do not continue to use measures which have lost their usefulness, but, instead, do our utmost to render all the service we possibly can perform.

So I wish to commend the Senator from Illinois for his suport of a measure which at least to some extent will bring the thinking in the Senate more up to date or more nearly on a par with the thinking of the country at large.

If my friend will indulge me further, I should like to ask him to give careful consideration to the resolution which has been submitted by the majority leader, on behalf of himself, the President pro tempore, the minority leader, and other Senators. It is the resolution we are now seeking to amend. In the course of the enlightening presentation the Senator from Illinois already has made, he has pointed out that the first section of the resolution, which would make the change from "two-thirds of the Senators elected and qualified" to "two-thirds of the Senators present and voting," contains a minor but a relatively unimportant improvement of the filibuster rule—an improvement which the distinguished Senator from Georgia, who was opposed to the change, thinks is quite immaterial. Am I correct in that regard?

Mr. DOUGLAS. It can be seen with a microscope, but a very powerful microscope is required in order to detect it.

Mr. CLARK. We also agreed, did we not, that section 2 of the resolution makes some minor improvement in the present rule? Is that correct?

Mr. DOUGLAS. Again I say that the improvement can possibly be detected by using a powerful magnifying glass, but is hardly visible to the naked eye.

Mr. CLARK. It is true, is it not, that in 1949, one reason why the present unsatisfactory rule was adopted was that it was then impossible to bring to a vote a satisfactory change in the rule, because there was then a provision which prohibited the invoking of cloture on the debate on a motion to change a Senate rule? Is that correct?

Mr. DOUGLAS. The proponents of the rule change in 1949 claimed that it closed a loophole.

Mr. CLARK. Now let us consider the third section of Senate Resolution 5. I should like to ask my friend to comment rather specifically on the provision of Senate Resolution 5 that—

2. The rules of the Senate shall continue from one Congress to the next Congress un-

less they are changed as provided in these rules.

If that provision is adopted, in January 1961, shall not we be faced with the same old proposition of a filibuster against any rule change which confronts us now, and which has been withheld at this time only because the enlightened self-interest of our southern friends has indicated that that was a wise thing to do? Is not this part of the resolution one which perhaps makes it so completely unacceptable to those of us who would like to eliminate the lag in the sentiment of the Senate?

Mr. DOUGLAS. I think section 1 of the Johnson resolution is no improvement, and section 3 of that resolution has no virtue. It requires a two-thirds vote to change the rules. That will be just as ineffective a preventive or cure of a filibuster as the present requirement. At some time I should like to discuss the substantive features of why the two-thirds requirement is almost impossible to fulfill in the case of civil-rights measures.

Mr. CLARK. With respect to the third section of Senate Resolution 5, is it not correct to say that it takes a position diametrically opposite to the advisory opinion given us by the Vice President?

Mr. DOUGLAS. Oh, yes.

Mr. CLARK. And it would be a repudiation of the opinion given us by the Vice President, if we were to attempt to proceed along that line?

Mr. DOUGLAS. That is true. I hope our Republican friends across the aisle will not desert the Vice President in connection with this matter; and if they cannot support the principle on its own account, I hope that on this point, at least, they will have loyalty to the Vice President. I hasten to say that some of the Members across the aisle are beyond reproach in their attitude on this subject. I am merely referring to the party wheelhorses who go along. I say that if they vote for section 3, that action will be a repudiation of the very able Vice President of the United States, who in all probability will be the standard bearer of their party in 1960.

Mr. CLARK. I wish to ask a final question; and then I shall thank my friend for his indulgence, and shall desist.

I believe it would be very helpful if the Senator from Illinois would make a brief exposition in regard to how really moderate his amendment is, in view of the amount of extended debate which could take place in the Senate if the rule we sponsor were adopted, because I think there is a great misconception, throughout the country and among our colleagues, and certainly among the so-called pundits, as to how rigorous this limitation of debate by majority rule would be.

Mr. DOUGLAS. I had intended to do so somewhat later in my address, but I shall be very glad to do it now.

PENDING AMENDMENT PROVIDES FOR A REASONABLE AND MODERATE LIMITATION OF DEBATE

The proposal of our bipartisan group for a new, effective, antifilibuster rule, which was approved by a majority of the Senate Committee on Rules and Administration in 1958, provides for debate limitation in two ways.

First, it retains the provision of the Johnson resolution—in section 1 of Senate Resolution 5—dealing with cloture by two-thirds vote; namely, it provides for cloture by a vote of two-thirds of the Senators present and voting 2 days after the filing of a petition for limitation by 16 Senators. The Johnson resolution would resurrect the rule which was in effect prior to 1949.

Secondly, it provides for cloture by a vote of the majority of the Senators elected 15 days after a petition is filed by 16 Senators.

Mr. CLARK. How much debate could take place during those 15 days?

Mr. DOUGLAS. Fifteen days of debate; and, I may say, Sundays and holidays are not included. So there would be a minimum of 2½ weeks of debate after the filing of the motion.

Mr. CLARK. In that time would my friend agree that any Senator who had any opinions to express on the subject would have ample opportunity to be heard?

Mr. DOUGLAS. Yes; but this is only a small part of the debate which we would permit.

In either case, if the required affirmative votes are cast for limitation, the proposal provides that each Senator would thereafter be entitled to an additional hour of debate, or, potentially, 98 hours, before the bill or motion would be voted upon.

CLOTURE BY A MAJORITY OF ALL SENATORS, OR BY 50 VOTES, WOULD STILL PERMIT EXTENDED DEBATE UNDER PROPOSED AMENDMENT

In order that the full meaning of the proposal for majority limitation—the second of the proposals—may be clear, the following are the steps which would be involved, and this is very important, and the readers of the RECORD should note them with care:

First, since the petition for limitation requires the signatures of 16 Senators, in the absence of an emergency threatening national security, it is clear that no petition would be filed before there was some real evidence of a filibuster.

Mr. CLARK. I think that is important, and I thank the Senator for calling it to my attention.

Mr. DOUGLAS. Thus, from 2 to 3 weeks of debate would occur before such a substantial number of Senators would set a debate limitation procedure in motion.

Second, after the petition was filed, there would be 15 additional days of debate, excluding Sundays and holidays, before the vote on limiting debate could be taken.

Mr. CLARK. That is 1 month.

Mr. DOUGLAS. That is an additional 2½ weeks, but it would be a total of at least 4 or 5 weeks up to the time the petition was voted upon.

Mr. CLARK. It would be more than that, because then each Senator would have an hour in which to speak.

Mr. DOUGLAS. That is correct.

Third, if 50 votes were then cast for limitation of debate, each Senator would be allowed another hour in which to speak. If only 36 took advantage of this opportunity, it would add almost another week of normal Senate sessions. This adds up to a minimum of 5 or 6 weeks in all before a final vote on passage of a bill or action on a motion.

Now we come to the clincher:

Fourth, if extended debate were engaged in on the preliminary motion to bring up a bill—as former Senator Lehman pointed out in his letter to the Evening Star—then the 5 or 6 weeks of debate before a final vote on that motion could be secured could be followed by extending debate on the bill itself, necessitating a further or second limitation of debate, or cloture, to reach a vote on final passage of the bill itself.

Mr. CLARK. What was the word that the great William White applied to the proposal?

Mr. DOUGLAS. That it was "indefensible extremism."

Mr. CLARK. That is very interesting.

Mr. DOUGLAS. This procedure would add at least another 3 weeks, omitting the waiting period previously described. There would finally have been from 8 to 9 weeks of debate, at a minimum, before, by action of a majority of those elected, the Senate eventually reached a vote on the bill.

In this connection, I should like to point out that in the case of civil rights measures there has been extended debate on motions to consider such a bill. For example, in 1957 there were 8 days of debate on the motion merely to bring up a civil rights bill.

DEBATE OF 2 TO 3 MONTHS IS NOT GAG RULE

The pending proposal obviously permits full, fair, and even prolonged debate; but it also leaves it ultimately within the power of a majority of the whole Senate to reach the crux of the matter, namely, a vote on passage of the measure thus lengthily considered.

There is no basis whatsoever for the charge that this proposal would impose gag rule upon the Senate. On the contrary, there could be full and prolonged debate, going on for week after week, for even possibly 2 or 3 months, but ultimately a majority would have the power to bring a measure to a vote.

Mr. CLARK. I thank my friend for his excellent address and his comments, and for his courtesy in permitting me to engage in this colloquy.

Mr. DOUGLAS. I thank the Senator. He has been a tower of strength, not only for his courage, which is great, but for his legal ability, which is acute. I always thought the phrase "Philadelphia lawyer" was inappropriate, but after seeing the Senator from Pennsylvania in action, I am inclined to think that the reputation of the Philadelphia bar was well deserved, and that the modern generation has even surpassed those who from the period of the Civil War to 1880 put Philadelphia at the head of the Nation, both in the legal and in the medical fields.

Mr. CLARK. In the unhappy event that I should not come back to this body in 1962, I would like to use the encomium of the Senator from Illinois on my shingle where I would practice law.

Mr. DOUGLAS. I would indeed be ready to engage the Senator as my lawyer, but his talents are so great I am

afraid I would not be able to pay his fee, unless he did the job as a charity case.

Mr. CLARK. I thank my friend.

Mr. DOUGLAS. In answer to the point of the Senator from Georgia [Mr. RUSSELL] that a ruthless majority could adjourn every day and thus prevent debate on any of the 15 days following the filing of a cloture petition, I may say that if he will offer and support an amendment requiring the Senate to meet on the 15 days for at least 10 hours a day, except on adjournment by unanimous consent, I shall accept such an amendment.

BEHIND PROCEDURAL DEBATE LIE SUBSTANTIVE MEASURES OF GREAT NATIONAL IMPORTANCE

Mr. President, we have conducted the debate thus far on the question of procedure, the procedure of discussing measures. These problems of procedure were the ways the constitutional debates prior to the Civil War were handled, but everyone knew what was behind the constitutional debates of that period. The burning issue out of which those constitutional debates grew was the fact of slavery, which was the predominant social and labor institution of the Southern States, whereas in the North, not necessarily by superior virtue, but by climate and history, slavery did not exist, and the proportion of the Negro population to the total population was relatively slight.

That was the issue. I shall not go into such complexities as the efforts of the South to expand the institution of slavery, or the view of my namesake, Stephen A. Douglas, whose chair I now occupy, that the issue should be left to the people of the various Territories. Nor shall I go into the theory of Lincoln, that the power of the National Government should be used to prevent the spread of slavery into the Territories.

Out of that conflict of expansion on the one hand and resistance on the other a terrible Civil War was fought. As I said yesterday, I do not wish to wave the bloody shirt or dwell upon the details of that terrible conflict. There were heroes on both sides. But out of the conflict came the conclusion, as I have said before, that the United States is a nation. The constitutional theories of the South were rejected. The 13th amendment, which freed the slaves, was ratified.

The 14th amendment, which provides that all persons born in the United States or naturalized therein are citizens of the United States as well as citizens of the respective States, was adopted. There was to be no differentiation between citizens. There were to be no first-class citizens or second-class citizens, but all were to be citizens of equal stature and equal importance. The amendment also provided that no State should deprive any citizen of equal protection of the laws. Then there was a final section which stated that the Federal Government could enforce the amendment by appropriate legislation.

The 14th amendment was followed by the 15th amendment.

Mr. STENNIS. It was provided that Congress could enforce it.

Mr. DOUGLAS. The Senator from Mississippi invites my attention to the fact that Congress could enforce the amendment by appropriation legislation. The Senator is correct.

The 15th amendment provided that no citizen of the United States should be deprived of the right to vote because of race, color, or previous condition of servitude. Again it was stated that Congress could enforce the amendment by appropriate legislation.

These were two great amendments. I will say that I have studied the circumstances under which each was debated and adopted. After the Civil War legislation was enacted to give effect to them, but through repeal, disuse, and a very unfortunate decision of the Supreme Court in 1896, they became virtually inoperative.

In recent years, starting first with the courts, a series of decisions were handed down to protect the right to vote and to define more clearly the rights of citizens under the 14th amendment, such as the right of citizens to travel by means of public conveyance without segregation on the basis of race.

Then came the historic decision of the Supreme Court in the Brown case in 1954, with the declaration that the segregation of schoolchildren on the basis of race or color served to deprive citizens of the equal protection of the laws and therefore was in violation of the 14th amendment.

That was a unanimous opinion, concurred in by all nine Justices of the United States Supreme Court. It was handed down by the man who I believe to be the number one American at the present time, the great Chief Justice of the United States, Earl Warren, but it was concurred in by three Justices who came from the South: Mr. Justice Black, Mr. Justice Clark, and Mr. Justice Reed. It was concurred in by those who had previously been Democrats and those who had previously been Republicans. It was not a capricious decision of the Court. The case was argued twice. The facts were fully developed. Even then, the Court held conferences with the attorneys general of the various States to try to work out a method of operation under it.

Then in 1955 the Court rendered a supplementary opinion. It was ruled that the localities should move forward with all "deliberate speed." The Court did not prescribe a uniform method of desegregation or uniform timing, but did say that the method and the timing should not be used indefinitely to postpone compliance.

We have had a tangled history in this Nation during the last 4 years. I think the Federal courts have played their part in a magnificent fashion. I have no criticism of the judiciary of the United States. I have taken the floor of this body on numerous occasions and I shall, if necessary, take it again, to defend these opinions of the Supreme Court.

EXECUTIVE AND LEGISLATIVE ACTION NEEDED TO BRING COMPLIANCE WITH 14TH AMENDMENT

I am sorry to say I do not think the executive branch of the Government has shown much determination or much willingness to enforce this decision, and the legislative branch has taken no steps at all to protect the rights of individuals under the 14th amendment.

Our minds go back to the debate on what started out to be the civil rights bill of 1957 and what wound up to be a voting rights bill. It had both titles III and IV. Title III, I think, was very badly drafted. It did not state its real purpose. It was subject to attack on the ground that it was casuistical. I think the drafters of that title—probably in the Attorney General's office—did not fully inform Congress as to what they intended to do. However, on close analysis—and in this respect I think the Senator from Georgia deserves great credit—it became apparent that title III was designed to throw protection around the 14th amendment to the Constitution as interpreted by the Supreme Court. Despite the defects of draftsmanship and despite the—I will not say "duplicity" but I will say "casuistry" with which the language was drafted, the issue was presented, and I thought the general purposes were good and desirable. In company with a large number of my fellows, I supported the bill and title or part III.

We know what happened. Senators were told—and I think possibly the majority leader had a share in this—that if title III remained in the bill our southern friends would indulge in a filibuster against the whole bill and we would get nothing, not even title IV.

THREAT OF FILIBUSTER ALSO WEAKENS SUBSTANTIVE LEGISLATION

I desire now to emphasize a point which is extremely important. One cannot measure the evil effects of a filibuster merely on those occasions when the filibuster actually takes place. As the Senator from New York [Mr. JAVITS] and the Senator from New Jersey [Mr. CASE] have remarked, the threat of a filibuster is frequently more effective than the filibuster itself. There was a tacit threat of a filibuster against the bill if title III was included; and as a result of the threat many Senators who, had it not been for that threat, would have voted for title III, voted against it, and it was eliminated from the bill. In return for this concession the other Senators from the South, with the exception of the junior Senator from South Carolina [Mr. THURMOND], called off a possible filibuster against title IV.

Out of it we got some protection of voting rights, provided the Attorney General will actually take steps to seek injunctions restraining individuals or groups from interfering with the right to be registered or to vote.

I do not wish to be too censorious about the Attorney General. I can only say that up to date we have not seen much action in this direction. We hope there may be action later. But the point is that a large vacuum was left, and thus far the legislature has failed to take any action to implement the 14th amendment, so far as equal protection of the laws is concerned.

That is the real issue which lies behind this whole discussion. True, the filibuster has broad applications. It can prevent economic legislation which the

vast majority desires, but the real epicenter, so to speak, of the movement to protect the filibuster comes from the fear that if it does not exist, a civil rights bill will be passed.

PROPOSED CIVIL RIGHTS BILL OF 1958 IS CONSTRUCTIVE AND ESSENTIAL MEASURE FOR EQUAL PROTECTION OF THE LAWS

The Senator from Illinois, in cooperation with a large number of other Senators, including the Senator from New Jersey [Mr. CASE], the Senator from New York [Mr. JAVITS], and others, has introduced what he regards as a modest civil rights proposal. It went before the Judiciary Committee in 1958. The Judiciary Committee—I think very mistakenly—decided not to hold hearings upon it. This is a very moderate bill.

I wish our southern friends would not get the idea that we are trying to persecute them or be rough on them. We know the problems they have, and we know that such problems are particularly acute in those States and counties where the percentage of Negroes is extremely high.

We also wish to make it clear that we hope there is not the slightest touch of self-righteousness in the proposals which we make. The people in the North are no more virtuous than the people of the South. In fact, while the slave trade brought the slaves to the South, Yankee captains usually commanded the slave ships which brought the slaves over.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. ROBERTSON. Is it not a fact that in the Constitutional Convention the representatives from Virginia proposed that slavery be prohibited in the new Constitution after a given time, and that the representatives of the slave-trading States, including Massachusetts, said they would walk out, and there would be no Constitution?

Mr. DOUGLAS. I shall be glad to check that statement. I have always admired the humanitarianism of Jefferson, Madison, George Mason, and others. My only regret is that Virginia seems to have departed from the humane tradition of those great leaders.

Mr. ROBERTSON. If the Senator will yield, I think that statement was rather gratuitous.

Mr. DOUGLAS. The Senator brought up the subject.

We in the North are fortunate from the standpoint of climate, history, and geography. The climate of the South, the heat, the richness of the soil, and the level qualities of the soil along the so-called Black Belt, made it more adaptable to slavery. Slavery emerged as an institution of the South; and although the slaves were freed, the problem of the Negroes remained.

I hope my friends from the South who now sit in the Chamber will not think that I am indulging in any language which reflects upon them when I say that one of the tragedies of the South is that its people are the prisoners both of geography and history.

Attitudes of mind and institutions have grown up which imprison the white population of the South; and yet they find themselves in a world in which men are insisting that they are human beings in the sight of God, entitled to respect as human souls, with a touch of the divine in them, and therefore deserve to be accorded the dignity which should be accorded to every human being.

OUR FAILURES TO GRANT EQUAL JUSTICE INJURE OUR NATION IN EYES OF OTHER PEOPLES

This is true not only of the United States, but of the world. The populations of Asia and Africa in the 19th century were held by the colonial nations of Europe, and the colonial nations of Europe not only imposed political domination over those areas, but they treated the people of those countries as social and cultural inferiors, and as social pariahs. This was bitterly resented and properly so.

The demand for independence in those areas is therefore not merely a demand for political independence, as was the case with Canada in the 19th century. Is is also the demand that the Chinese, the Indians, the Malays, the Arabs, and Africans be treated as human souls, treated with the dignity to which every human is entitled.

Because this country finds itself imprisoned by the past, despite the ideals which we profess in the Declaration of Independence and in the Constitution—and I wish to pay tribute to Jefferson, Madison, George Mason, and others—and despite the great progress which we have made, there are many of our institutions and practices which are at variance with this new belief in human dignity.

I do not wish to lecture my friends from the South, but everyone who travels knows that the greatest cross which the prestige of America has to bear is our treatment of the Negro. This is the question which the Indian throws at us, the question which the Malay throws at us, and in particular the question which the Africans throw at us. Africa, which was a dark and slumbering continent only a few years ago, is now emerging as a continent where new nations are springing into being and people are desiring political independence and treatment as individuals.

CONSTRUCTIVE NOT PUNITIVE LEGISLATION IS NEEDED

Under those circumstances, some of us believe that this question needs national attention, that the interests of America require the Federal Government to take affirmative action. We do not propose to humiliate the South. We want to aid those sections in the South which need aid, and we want to aid the fine people in the South who wish to effect a peaceful, humane transition from the old day to the new.

Some of the men and women whom I most admire are the liberals of the South, who see that the old path is wrong, and leads into a blind alley, and that if continued, it may lead to disaster and bloodshed. They are seeking a better way; but they find themselves in an area, which, dominated by the past, means that if they take forward steps they may lose their jobs, may lose their businesses, and almost certainly lose their reputations. These good people of the South need to be liberated. They are held at present in something of a prison. We want to liberate them. I say that not with any touch of self-righteousness, but with sincere desire.

The bill to which I have referred means to do just that. It provides that the Department of Health, Education, and Welfare will counsel with communities on effecting a more peaceful transition from segregation to desegregation. If such helpful facilities had been available in 1957, it may be that the head-on conflict at Little Rock could have been avoided. The people of Little Rock wanted to desegregate. The local government and the school board were sympathetic toward putting into effect a minimum program. However, public opinion in the community had not been organized to support it. It was possible, therefore, for extremists to sweep the community off its balance. That happened with tragic results for the Nation, tragic results for Little Rock and tragic results to the South.

Is it not much better to take counsel together and try to work out methods of transition? It can be done. Louisville did it. Other cities have done it. I notice the distinguished junior Senator from Indiana [Mr. HARTKE], who has recently joined us, presiding in the chair. He comes from one of the fine cities of Indiana nearest to my State, and he has served as mayor of that fine city. He nods his head, and I take it to mean that Evansville has done it. Evansville is almost half a southern city. We have done it in my own State, in the southern portion of the State, which is primarily southern, rather than northern.

We want to be helpful. There are other provisions in the bill which state that if localities wish to desegregate—as is possible Norfolk does, and probably Arlington—and if financial aid is cut off by the States, the Federal Government will step in and make good the loss to the locality of State revenues. In other words, if the Federal Government insists on their obeying the Federal law, the Federal Government should have some responsibility for bearing the extra costs involved. Or if the expense of desegregation is greater than the cost of segregation, we believe the Federal Government should bear some of that cost.

It does not always follow that the cost of desegregation will be greater, because in many cases it will not be necessary to have a duplicate school system. It will not be necessary to build additional school buildings. It will be possible to use fewer school buildings and it may be possible to use fewer schoolteachers. In some cases however it will mean a greater cost, because what we do not want is to reduce the level of white education to the level which has been accorded to the Negroes. Rather, we would raise the level of Negro education to the level which applies in the case of white education. That may cost more money. Since it may entail added costs, we do not want to make a locality pay the full additional cost which may become necessary. In other words, we do not want virtue to be punished.

The Southern States, in proportion to their income, spend more for education than does the rest of the country. It is true that the level of education in the South is probably inferior to the average in the rest of the country. It is true that the average amount spent per pupil in the South is less than in the rest of the country. But that is merely because the per pupil income in the South is lower than in the North. In proportion to per pupil income, the Southern States as a whole spend a larger proportion of that income for education than other States in the Union, including even Massachusetts.

I do not wish my colleagues to think that I am castigating the South because of the lower level of education in the South. That is because of the lower economic prosperity in the South. Therefore, we in the North, or at least those who think as I do, believe that we should help bear a part of that burden.

BILL ALSO AUTHORIZES FEDERAL SUITS TO END DENIALS OF RIGHTS UNDER 14TH AMENDMENT

It is true that the bill contains straightforward language without any attempt to deceive, and without any casuistic declarations. We believe that the Department of Justice should take steps through proceedings in equity to enforce decisions of the United States Supreme Court. However, we limit that with the provision that the Department of Justice shall act only on the petition of an individual if that individual is found not to be financially or otherwise competent to carry the suit. Here we touch upon a matter which we dealt with in the basic voting rights bill in 1957.

I believe people can get justice in the Federal courts of this Nation. However, it is a costly business to get there.

I heard the Senator from Wyoming [Mr. O'MAHONEY] say that if a bill is brought to a vote in the Senate, the Senate can pass any bill. Yes; but that is a big "if." Filibusters will not permit many bills to be brought to a vote. It is possible to get justice in the Federal courts provided a person has the necessary monetary resources to bring the suit to the Federal district court, through the circuit court, and to the Supreme Court. Those who do not have the money do not have an equal chance to get equal justice under law.

When the debate on the voting rights bill was under way, I quoted from Anatole France's "Red Lilly." In that book the great French satirist put into the mouth of one of his characters a statement on the equality of laws. He apotheosized the equality of laws when he said:

> The majestic equality of the laws forbid the rich as well as the poor from sleeping under bridges and begging in the streets for bread.

That is true. A Parisian millionaire who slept under one of the bridges which span the River Seine would be arrested for vagrancy. If he took his hat in hand and begged in the Place de l'Opera, he would also be arrested for vagrancy. But because of his income, he would not have to do either. However, the poor fellow who had to do it would be arrested.

The poor fellow without economic resources is behind the 8-ball. Negroes like that are at the bottom of the social scale in southern communities. They are employed by others, or their relatives are employed by others. They are looked down upon. To ask them to finance the fight for their own rights is like pitting a pygmy against a giant. The David and Goliath story is not repeated many times in American life.

To help themselves, they have organized the National Association for the Advancement of the Colored People, and have pooled their funds, obtained for the most part from northern cities. However, a series of antibarratry laws in the South make it a penal offense for anyone to give financial or legal assistance to those folks. Whether those laws are constitutional or not, I do not know. In other words, the Negro people of the South lack the resources, and the antibarratry laws make it a penal offense for anyone to come to their aid. That is the situation.

I happen to be one who believes that the Federal Government should not merely provide the tribunal before which their claims of justice can be argued, but also help them to state their case. I believe that we should have, so to speak, a legal-aid society attached to the Government. That principle is embodied in no less than 38 laws of this country. Perhaps the most notable is the Wages and Hours Act, which embodies this principle. That is what title III of the 1957 bill was all about, but it was very badly worded in its meaning. That is conceded. But the principle is openly stated in our bill. We believe it should be discussed and adopted on its merits and not put over by concealment. That is the same civil-rights bill which we introduced in 1958, and upon which hearings were not held.

I say to my southern friends that whatever the result of these votes may be, that bill will again be introduced this year. This is not a threat; it is a statement. We cannot dodge this issue any longer. The best interests of the Nation require action. We are willing to have it apply to the North as well as to the South.

Not only was the absence of slavery in the North due to historic and geographic reasons; but any superior practices which we have had in the North have been largely due to the fact that there have not been so many Negroes in the North. It is quite likely that if the proportions had been interchanged, we would have been just like the South.

There are many things wrong with our treatment of the Negro in the North which we should rectify; but there are some things in which we have progressed. Discrimination in the main against Negroes—not universally, but in the main—is practiced by private individuals without the sanction of law. We have removed legal disabilities, and we are moving pretty rapidly toward greater actual equality. Individuals can still have their choice as to what associations they wish to have. I do not think that right should be taken away. But we are moving, and we do not have an organized system of repression or second-class citizenship.

Where we can improve, where we are at fault compared with the national standards to which we should conform, the condition should be corrected. We welcome such correction.

This is the goal toward which the majority of people in this country are moving. Our good friends from the South sense that the enforcement of the 14th amendment may become a matter of congressional action, so they want to defend their institutions by the practice of the filibuster. That is their last resort to prevent action. I hope I have made it abundantly clear that we who are seeking a change in the filibuster rule are not proposing to eliminate debate. To the contrary, the explanation I gave a moment ago indicates that there could be 6 or 8 weeks of debate. If there are weaknesses in the bill, we want to have them revealed and discussed.

But we believe that discussion is not the end of legislative action. Discussion is a necessary prerequisite for wise action, so that truth and error can combat against each other. Sometimes what seems to be the truth turns out to have weaknesses in it. Those flaws can then be corrected. But after the discussion has gone on for some time, the Legislature has to act. Some time the roll has to be called. This action can be either positive—affirmative—or negative. For negative action—rejecting a bill—is action. That is what we are contending for.

MAJORITY RULE INTENDED BY CONSTITUTION

In a sense we should be a debating society here, a debating society affording far greater prolongation of debate than was granted in the Confederate Senate or is now granted in the legislatures of the Southern States. But we contend that this discussion should at some time eventuate in action if a majority of the Members of the Senate so desire.

I do not think much argument is needed, after what has been developed to prove that it was the desire of those who framed the Constitution of the United States that the majority should have the power to act except in those specific matters upon which other provisions were expressly made. A two-thirds vote is required for the overriding of vetoes, for the ratification of treaties, for the submission of amendments to the Constitution, for judicial or executive impeachment, and for expulsion. A two-thirds vote is specifically provided in those categories. But those are the only subjects upon which there is an express requirement for a two-thirds vote. In all other matters, where no other provision is contained, the assumption is that the will of the majority, as expressed in the ballot, is ultimately to prevail.

There is no exception which provides that the Senate rules shall be approved only by a two-thirds vote. That would be a self-imposed chain, one which we put upon ourselves.

There is no provision that civil rights shall be required to have a two-thirds vote, or a two-thirds ability to break a filibuster, perhaps I should say.

Therefore, we say that so far from being indefensible extremists, we are founding our contention both in the resolution now before the Senate and in the proposed legislation which we intend later to submit upon the principles of the Constitution. That is our purpose.

I conclude with one further remark. I admire the southern ability, the southern graciousness, the southern kindliness when expressed in given channels. I think that if the South were once free, or partially free, from this incubus which hangs over it, then the great talents, the great political talents, of the South could be used in a constructive instead of in a destructive fashion.

It hurts me when I think of what is happening in many States. It hurts me not merely to think of what is happening to Negroes; it hurts me to think of what is happening to the whites. We want to free the talents of moderates, liberals, conservative-liberals, liberal-conservatives, and others in the South for the great tasks of effecting a transition from the old order to the new order, and to conserve the interests of the American people at home and abroad.

This has been a rather lengthy speech, Mr. President, and it has been delivered without many notes. I hope that if there is roughness of expression, I may be pardoned.

EXHIBIT I

LIMITATION ON DEBATE IN THE SENATE

(Extracts from individual views of Mr. HAYDEN included in the report of the Committee on Rules and Administration on S. Res. 25 amending rule XXII relating to cloture, 80th Cong., 1st sess., April 3, 1947)

From 1806 to 1917, a period of 111 years, there was no limitation of debate in the Senate. Thirty years ago Senate Rule XXII, in its present form, was adopted. In order that the Senate may determine whether that rule should be changed, it is proper to ascertain its origin and how it has actually operated.

The CONGRESSIONAL RECORD of March 8, 1917, shows that a resolution (S. Res. 5) containing the rule was presented by Senator Martin of Virginia, the majority leader, who obtained unanimous consent for its immediate consideration. The primary reason for proposing a limitation of debate was a filibuster which resulted in the failure to pass the armed merchant ship bill before the adjournment of the 64th Congress on March 4, 1917.

Senator Curtis, of Kansas, the minority leader, stated: "I am heartily in favor of this resolution which proposes to amend the rules of the Senate so that debate may be closed. * * * The change proposed by the resolution was agreed to by a joint committee of the majority and minority."

The Martin resolution was the subject of discussion in the Senate from noon until nearly midnight, when rule XXII was adopted by a vote of yeas 76, to nays 3. The three Senators who voted against the resolution were Gronna, of North Dakota; La Follette, of Wisconsin; and Sherman, of Illinois. While the rollcall was in progress announcements were made that of the 16 Senators who were absent 12 would have voted for the Martin resolution, if present.

During the debate Senator Sherman, of Illinois, stated:

"If this change is made it can or will be done by a majority vote of the Senate. A quorum being present, 49 or more, 25 or more, will adopt it. It provides that on the application of 16 Senators they may in effect by a two-thirds vote bring any pending measure within the time named in the rule, a very short one, to a rollcall.

"If it can be done by a two-thirds vote, and such a rule changed by a majority vote, to begin with, and another rule can be adopted, either today or at any time hereafter, by which the change of the rule can be made by a mere majority on the application of 16 Senators or fewer—by a mere majority, let it be remembered—and the two-thirds rule will be abolished."

Mr. Hardwick, of Georgia: "I am going to invite the Senator's attention to this fact, however: While it is true that the rules might be changed by a majority, yet you never would be able to get a vote on a proposition to change the rule unless two-thirds agreed to close debate on that proposition. So it amounts to the same thing."

Mr. Sherman: "But the Senator must bear in mind that when the precedent is established that two-thirds can bring a question of amending the rules to a rollcall, the proposed amendment itself can be adopted by a majority vote. That is the statement, and it will be the ruling of the Senate when the final decision comes. I only request the Senator to wait and see whether this rule itself will not in turn be some time amended by a mere majority vote."

Mr. Hardwick: "But it will always take two-thirds to bring the debate to an end, even on a proposition to change the rules."

THE UNDERWOOD RESOLUTION

The first attempt to modify rule XXII was of a temporary nature. Senator Underwood of Alabama introduced Senate Resolution 235 on May 4, 1818, which was reported from the Committee on Rules on May 31, modified so as to read:

"*Resolved*, That during the period of the present war the rules of the Senate be amended by adding thereto the following:

" 'That no Member shall occupy more than 1 hour in debate, except by unanimous consent, on any bill or resolution and not over 20 minutes on each amendment proposed thereto.' "

The following extracts are taken from remarks in opposition made by Senators during the course of the debate on Senate Resolution 235:

William Alden Smith, a Senator from Michigan, 1907–19:

"The proposed new rule is intended to curtail the individual right and power of Senators. How can a Senator represent his State appropriately in a crisis if a few Senators may decree in caucus and then absent themselves, leaving the State to its fate, shorn of the power to be effective?

"The instances where this rule of unlimited debate has been abused and has worked to the disadvantage of the Government are very rare indeed and the cases where it has been of tremendous advantage to the Government and to the people of the United States can be counted by hundreds and hundreds.

"The longer I stay here the less I speak. Some of the best men who ever served in this body have grown to dislike verbal controversy.

"Men get over the fascination of their own speech; but if the occasion should require, or if some injustice was sought to be done, unlimited debate would be a very desirable and potential weapon to reside in the senatorship.

"It is not that a Senator wishes to be heard at great length; it is the power to defend his State which you are attempting to curtail.

"Take away the right of unlimited debate and you take away the one great distinguishing characteristic of senatorial procedure."

Jacob H. Gallinger, a Senator from New Hampshire, 1891–1918:

"A great deal of agitation had been heard at varying times concerning the necessity for having some rule that would limit debate. There were those of us who did not think any rule at all was necessary. There were others who thought a somewhat drastic rule necessary. I speak now advisedly, as a member of the Committee on Rules, when I say that that rule was adopted as a compromise rule, and assurances were given that if it should be agreed to—as it was, without any controversy—it would end this matter of so-called cloture legislation. It has answered its purpose.

"During my somewhat protracted membership of this body a few filibusters have been engaged in. I was the victim of one of those filibusters, Mr. President. A bill in which I was deeply interested, which had been debated for weeks in this body, as I remember it, was at the end of a session defeated by a filibuster.

"At that time I felt very keenly on the subject but, when I came to look it all over, I was led to the conclusion that the evils that grew out of our present system were insignificant compared to the benefits that grew out of it.

"I think I have myself participated in two filibusters during the time I have been a Member of this body, and I have never had occasion to regret it. I believed that they were justified. I believe that great good came to the country because of those protracted discussions."

Henry Cabot Lodge, a Senator from Massachusetts, 1893–1924:

"The case for free debate in the Senate has never been better stated that in a paragraph I am about to read from a well-known book. It is there said:

" 'It is the proper duty of a representative body to look diligently into every affair of government and to talk much about what it sees. It is meant to be the eyes and the voice, and to embody the wisdom and will of its constituents. Unless Congress have and use every means of acquainting itself with the acts and the disposition of the administrative agents of the Government, the country must be helpless to learn how it is being served; and unless Congress both scrutinize these things and sift them by every form of discussion the country must remain in embarrassing, crippling ignorance of the very affairs which it is most important that it should understand and direct.

" 'The informing function of Congress should be preferred even to its legislative function. The argument is not only that discussed and interrogated administration is the only pure and efficient administration, but more than that, that the only really self-governing people is that people which discusses and interrogates its administration. The talk on the part of Congress which we sometimes justly condemn is the profitless squabble of words over frivolous bills or selfish party issues. It would be hard to conceive of there being too much talk about the practical concerns and processes of government. Such talk it is which, when earnestly and purposefully conducted, clears the public mind and shapes the demands of public opinion.' "

"That, Mr. President, is taken from 'Congressional Government,' pages 303 and 304, written by the present President of the United States [Woodrow Wilson], and I think it would not be easy to find a more powerful exposition of that necessity for debate which, I think, is infringed on by this proposed rule."

Warren G. Harding, a Senator from Ohio, 1915–20:

"I have been hearing about the reformation of the Senate since I first entered politics; and it was rather an ironical thing the other day that one of the most emphatic speeches made in favor of the adoption of this rule was uttered by the very latest arrival in this body.

"But the reformation of the Senate has long been a fad. I came here myself under the impression that there ought to be cloture and limitations on debate; and the longer I sit in this body, the more convinced do I become that the freedom of debate in the United States Senate is one of the highest guarantees we have of our American institutions.

"Mr. President, before I take my seat I wish to say that the length of a speech is not the measure of its merit.

"While the Senate may not listen, because the Senate does not listen very attentively to anybody, I discover, though Congress may not be apparently concerned and though the galleries of this body may not be filled to add their inspiring attention, I charge you now, Mr. President, that the people of the United States of America will be listening. This is the one central point, the one open forum, the one place in America where there is freedom of debate, which is essential to an enlightened and dependable public sentiment, the guide of the American Republic."

Charles E. Townsend, a Senator from Michigan, 1911–23:

"It will be a sad day for our Republic when the Senate ceases to be a free and open forum.

"When I was a Member of the other House, to me one of the attractive features of service in the Senate was that there was an opportunity for debate and full consideration. I did not expect to abuse that privilege, and I never have done so.

"Most new Senators are instinctively for re-forming the rules.

"We have been in the habit of condemning long speeches sometimes and I confess that at times I have criticized them, too; but I have recalled that subsequent events have shown that many Senators were right in appealing to the Senate to consider the question under discussion, and it was their duty to make those appeals to the Senate if by doing so they had any hope of changing the sentiments of the Senators."

James E. Watson, a Senator from Indiana, 1916–33:

"If this had been the rule of the U.S. Senate for the first 50 years of its existence John C. Calhoun would not have been able to thunder forth the doctrines in which he believed; Hayne could not have announced on the floor the ideas which he so eloquently espoused; Henry Clay would have been unable to deliver in full any one of the score of speeches that accomplished so much for his country; and Daniel Webster, imperious orator of American history, could not have blazed the pathway of the future in that historic utterance in which he announced the essential policies of the Republic if its institutions are to endure, for on the floor of the U.S. Senate and in the open forum of debate he in a sense shaped the destiny of the Republic and molded the future of the Nation.

Mr. Gallinger: "Speaking for 8 hours."

Mr. Watson: "And 8 hours, the Senator from New Hampshire informs me, he spent in delivering that masterful oration.

"If this had been the rule of the Senate even in our day, the great debates that have occurred upon the financial and economic problems which have engaged the thought and attention of the Republic could not have taken place to the full.

Reed Smoot, a Senator from Utah, 1903–33:

"The passage of this resolution means that running debate will be closed in the future, and I say now that there has been more information given to Senators, actual information, information that affected the votes of Senators, more real information gained, in a running debate where questions are freely asked, than there is in all the set speeches that were ever made in this body."

James D. Phelan, a Senator from California, 1915–21:

"It is the history of this body that there are empty benches occasionally when a Senator exceeds what, in the judgment of the absentees, may be a reasonable time limit. I believe it was held in the House of Commons that, whereas a man had a right to speak, he had no right to be heard.

"The Senate rules serve by arresting hasty action. Members of the House have appealed to me to save the power of the Senate on which the Members of the House themselves so often rely. On it the country relies to have time to deliberate and if necessary protest.

"Men are carried away by passion, heat, and rancor, and they enact laws thoughtlessly; again they enact laws ignorantly. Debate restrains passion; debate restrains heat; debate restrains rancor, and at the same time debate commands deliberation. Therefore I oppose the arbitrary rule and stand for the power and dignity of the Senate which has served the country so well in this war."

Frank B. Brandegee, a Senator from Connecticut, 1905–24:

"Mr. President, I look at this right of debate not as a right, much less a privilege, which we are conferring upon ourselves as a matter of favor. I look upon it as a right which attaches to the sovereign States of this Union, each of which is represented here by 2 Senators, and whose sole method of putting its case before the people of the United States and before this body is through the voice of its 2 Senators.

"So I say that this is the forum of the States. This is a federated Government, in which the States reserved the right of equal suffrage in the Senate of the United States, and made that the only provision of the Constitution which never should be subject to amendment."

VICE PRESIDENT DAWES

At the beginning of a special session of the Senate on March 4, 1925, Charles G. Dawes, who took the oath that day as Vice President, delivered an address to the Senate in which he said:

"Reform in the present rules of the Senate is demanded not only by American public opinion, but I venture to say in the individual consciences of a majority of the Members of the Senate itself."

With special reference to rule XXII, the new President of the Senate stated:

"That rule which at times enables Senators to consume in oratory those last precious minutes of a session needed for momentous decisions, places in the hands of one or of a minority of Senators a greater power than the veto power of the President of the United States, which is limited in its effectiveness by the necessity of an affirmative two-thirds vote.

Lynn Haines, the editor of a monthly publication, "The Searchlight on Congress," wrote letters to each Member of the Senate asking for a statement as to his opinion of the proposal of Vice President Dawes. The following are extracts from some of the replies printed in the May 1925 issue of that publication:

William E. Borah, a Senator from Idaho, 1907–40:

"I do not know what changes Vice President Dawes proposes with reference to the Senate rules. In a general way it seems that he would adopt strict cloture. I am opposed to cloture in any form.

"I have never known a good measure killed by a filibuster or a debate. I have known of a vast number of bad measures, unrighteous measures, which could not have been killed in any other way except through long discussion and debate.

"There is nothing in which sinister and crooked interests, seeking favorable legislation, are more interested right now than in cutting off discussion in Washington."

Smith W. Brookhart, a Senator from Iowa, 1922–33:

"I do not think the Senate rule of unlimited debate will be materially changed. It is this rule that makes the United States Senate the one great open legislative forum in all the world.

"The rule sometimes delays good legislation, but never kills it. Good legislation always comes back, and finally wins. The rule kills a great deal of bad legislation. That class of legislation which cannot stand the light of publicity will always be killed by unlimited debate."

THE SECOND UNDERWOOD RESOLUTION

On June 4, 1926, Senator Oscar W. Underwood, of Alabama, moved that consideration be given to Senate Resolution 225 which he had introduced on May 17 to amend the rules of the Senate to provide that:

"Whenever a bill raising revenue or a general appropriation bill has been under consideration by the Senate for more than 1 calendar day, as relating to such bills, there shall be a motion for the previous question, which, being ordered by a majority of Senators voting, if a quorum is present, shall have the effect to cut off all debate and bring the Senate to a direct vote upon the immediate question or questions on which it has been asked and ordered. * * *

Joseph T. Robinson, a Senator from Arkansas, 1913–37:

"The filibuster has been invoked comparatively few times in the history of the country, and every time it has been invoked and proved successful it has been justified in the judgment and in the conviction of the public. If it had not been for the filibuster that the Senator from Alabama himself waged, which he led and of which he boasted, we would not have been able to defeat a bill which authorized the Federal Government to permit judgments in damages against counties and municipalities for no alleged wrongful act, a bill which took away from the local governmental institutions the few remaining powers which they are permitted to exercise.

"The force bill would have become a law but for the organized and persistent opposition of Senators who saw in its provisions dangers to the fundamental institutions of this Republic. They defeated it by fighting and falling back and fighting again until the hosts which were assaulting them realized that the attack had failed."

Mr. Reed of Missouri: "The late Senator Lodge, sponsor for what is called the force bill, years afterward, indeed, only a year or two before his lamentable death, stated to me upon the floor of the Senate that he was convinced that the force bill was wrong and that the result of the filibuster had been a great blessing to the country."

"Mr. Robinson: Of course, the rules could be amended and improved, but that, Mr. President, is not the question. The proposition is, 'Shall the voice of the people through their Senators be stifled and suppressed?' I care not whether Senators come from New England or from the South, whether they come from the West or from the East the proposition is that here is one forum which, under traditions and precedents, affords an opportunity for the public to have expression of its views through the representatives of the people.

"When I recall the fact that under the rules of the House of Representatives one man on one side and another man on the other side, frequently both of them, really agreeing as to the proposition in dispute, actually control all the time that is allotted; that no Member may speak except by permission of someone else, and that his only remedy is to print in the RECORD a speech which frequently he himself does not comprehend and which nobody on God's earth will ever read, I am willing to vindicate this forum of open debate where fools may be arrogant, but where men who have studied problems still have a chance to speak."

James A. Reed, a Senator from Missouri, 1911–29:

"Cloture means the granting of a power. Whenever you grant a power you must assume that the power will be exercised. So, when we discuss this proposed rule, we must do so in the light, not of how it may be exercised so as to do no harm, but we must consider how it may be exercised to do harm.

"I need not pause to add to the argument already made, that when it is proposed to bring in a great measure involving the expenditure of vast sums of money, if it be a bill for the appropriation of money, or a bill for the collection of taxes from the entire country, affecting intimately the industries of the country, an hour's debate upon such a bill is utterly insufficient, utterly inadequate, and that a rule limiting debate to 1 hour would mean the end of debate. The truth is that this measure, if adopted, will empower a majority to throttle freedom of speech upon this floor and enable sinister and wicked measures to be carried to consummation without the country being advised of the inequities they bear.

"Gag rule is the last resort of the legislative scoundrel. Gag rule is the surest device of the rascal who presides over a political convention and proposes to accomplish something which will not bear discussion. Gag rule is the thing that men inexperienced in legislative proceedings always advocate at first, and if they have any sense, nearly always retire from as gracefully as possible after they have seen it in operation.

"There is justification for unlimited debate in this body. I am getting a little tired of hearing about the sacred rights of the majority; that this is a country ruled by the majority; and that the majority has the right to have its way. This is not a country ruled by the majority. This is not a country of majority rule. The Constitution of the United States was written, in large part, to prevent majority rule. The Declaration of Independence was an announcement that there are limitations upon majority rule.

"MAJORITY RULE

"Majority rule. Where is the logic or the reason to be found back of majority rule except in the mere necessity to dispatch business? The fact that a majority of 1 or 10 vote for a bill in the Senate is not a certification that the action is right. The majority has been wrong oftener than it has been right in all the course of time. The majority crucified Jesus Christ. The majority burned the Christians at the stake. The majority drove the Jews into exile and the ghetto. The majority established slavery. The majority set up innumerable gibbets. The majority chained to stakes and surrounded with circles of flame martyrs through all the ages of the world's history.

"Majority rule without any limitation or curb upon the particular set of fools who happen to be placed for the moment in charge of the machinery of a government. The majority grinned and jeered when Columbus said the world was round. The majority threw him into a dungeon for having discovered a new world. The majority said that Galileo must recant or that Galileo must go to prison. The majority cut off the ears of John Pym because he dared advocate the liberty of the press. The majority to the south of the Mason and Dixon's line established the horrible thing called slavery, and the majority north of it did likewise and only turned reformer when slavery ceased to be profitable to them.

"FREEDOM

"What is it has made this race great? It has not been the proud blood of any illustrious ancestry; it has not been because we could trace our lineage back to kings and a royal household; it has not been because of the peculiar graces or abilities of those immigrants who came to our shores and from whose loins we are sprung. It is simply because for once in the history of the world the chains were taken from the arms, the shackles from the brain, the shadows of fear were dissipated by the sunlight of liberty and freedom, and every brain of every human being, great or small, was at liberty to function, every arm and every limb was at liberty to move. So we unleashed the latent powers of a race of people; and from the cottage of poverty there came forth the genius, and from the house of the man of humble estate there emerged the child who could turn the dull and inexpressive canvas into pictured harmony of color, light, and shade, and paint the rainbow's mingling hues and marvelous tints.

"From the cottages of the impoverished, from the homes of ancestors who had been enslaved and enthralled, there came forth children who in the full liberty of our civilization were able to attack every problem and to undertake every great vocation of life; so that within one generation of time we produced here orators whose words of flame could fire the hearts of all the people of this land; poets whose words will be read so long as men shall love the music of our tongue, and a citizenry who have defended our soil and our flag with unexampled valor in every contest of this Republic. All these triumphs of intellect, all these great advances in the arts and in the sciences, all our wondrous advance in wealth are due to one great fact; that we have allowed the individual in this land the opportunity to develop, the opportunity to express himself.

FREE DEBATE

"Mr. President, what has this to do with the question I am discussing? Everything, sir. Before any law to bind 110 million people could be passed it should somewhere be subjected to free debate; somewhere it should encounter opposition; somewhere the fires of keen intellects should burn their heat about it and test it for its metal; somewhere and somehow it should be determined by all that the intellect can do and all that the tongue can express, whether the particular law which is proposed is fit to be insisted, be fastened upon 110 million people who think they are free and who once were free. That one forum reserved of all the places in the world is the Senate of the United States. Here a man can stand and express his views until exhaustion comes. And what of it? Some rules of common sense and decency and gentlemanly conduct have their effect. Not in all the nearly 16 years I have sat in this body have I ever seen but two or three instances of what might be really called a filibuster.

"Time and time again I have seen the opportunity under the rules for the minority to have stood and obstructed legislation, but as soon as debate was fairly over they have invariably given way and the vote has come. In the two or three instances which I remember a very simple expedient was adopted. Freedom of speech was not denied, but continuance of speech was demanded. It was insisted that the bill was before the Senate and that the opponents or advocates of the bill should speak for or against it and that no other business should intervene.

"We have been told here of two or three bills—one of them the force bill. The force bill, if it had been enacted, would have kept alive the fires of hatred between the North and the South almost as bright and as keen and as hot as they were at the close of the great civil strife.

NEW MEXICO AND ARIZONA

"Another example: It was sought here to admit New Mexico to statehood as a partisan measure and under a constitution that had been written by the corporations of New Mexico. It was insisted upon the other hand that New Mexico should not come into the Union except under a fairly adopted constitution, and that at the same time Arizona should be received. What happened? One or two men stood here and held their ground; and a short space of time, a few months, rolling by, both States were received into the Union with proper constitutions.

"Sir, I know it is popular to attack the Senate. So many an ass has stood and brayed at the lions. He who would claim for this body perfection would prove himself a fool. But the more imperfect we are, the more we need to counsel and to take advice. The less we know, the more we ought to strive to know. There may be some men of such supernatural power of intellect that they can gain nothing by the discussions their fellows may produce; but I have never seen an important bill upon the floor of the Senate, unless there was some political organization in control determined to pass it without the dotting of an 'i' or the crossing of a 't,' that has not been amended and amended to its benefit.

A FREE FORUM

"As long as we can keep this forum free, as long as a vigorous and determined minority can prevent the passage of a statute, so long as this country will be safe, reasonably safe, at least, for no great act of treachery can ever be consummated where there are not some brave souls to stand in its resistance and to stand to the end.

"But strike down this safeguard of public discussion, apply the gag, and imagine, if you please, that it is to be applied only to pass good measures, only to accomplish the virtuous and the wise and the holy, only to bring the thing of rectitude; imagine that, if you please. He is a fool, he is every kind of a fool, that has ever cursed this earth or cursed himself, who thinks that any power will always be used wisely and justly. Power is almost invariably abused."

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CASE of New Jersey. Mr. President, it is ironic that speeches of the kind which the Senator from Illinois has just made should so often be made to an almost empty chamber. During the day, apparently we do not have time to listen to such fine addresses. It is speeches such as this which, if anything warrants it, warrant for the Senate the title of the greatest deliberative body in the world.

If I am a little personal, I know the Senator from Illinois will forgive me; but I do not know a more honest man than the Senator from Illinois, a man more free from hypocrisy of any kind. Surely, he is a passionate man, sometimes partisan, but only in a proper sense. Because I have been so deeply moved by his speech tonight, I shall not take exception to the one or two little things which seemed to me to be slightly partisan in his remarks, so overshadowed have they been by the sweep and depth of what he had to say.

The Senator from Illinois is right when he says that the issue before the Senate is civil rights. He is right, too, in saying that there are those of us—and I think we are in the majority in Congress, both in the Senate and in the House—who do not think of civil rights in political terms; who do not believe in civil rights publicly and eschew them privately; who do not think of civil rights as a means of political advantage. I do not think such a contention can properly be made. I have never seen any

political advantage derived; I have seen a lot of political disadvantage. There are those of us who regard this matter as the greatest moral issue of our time, the greatest social issue, at least so far as our domestic life is concerned.

We are not in any sense looking down our noses at any other part of the country, particularly at our friends from the South, who suffer under this shame, which is not of their making, but is of their inheritance. But when the Senator from Illinois said that they are held in the grip of this awful thing, they are. They have to be. It is not that they want to be. They have to use every parliamentary device and practice to prevent action on any bill which anyone might even call, whether it is or not, a bill relating to civil rights.

Unless we are able to make it impossible for them to use parliamentary tricks and devices, they will be obliged to use them.

The bill the Senator from Illinois is about to reintroduce, with cosponsorship by the Senator from New Jersey and other Senators, is a step in the right direction, insofar as civil rights are concerned.

Mr. President, I predict that if we do not succeed in bringing about a more effective amendment to rule XXII, neither that bill as a whole nor any substantial part of it will ever see the light of day in either this Congress or a subsequent Congress. That will not happen until an amendment of rule XXII that is really effective is made.

So let the country know and ponder over the weekend, if it hears what we say here, that what we are talking about is civil rights. We favor the enactment of legislation not vengeful in any sense, but legislation which is necessary, and which will be a step in the right direction, and will prove the decency of American life, and will make it possible for a great section of the country to become wholly a part of the country.

I thank the Senator from Illinois.

Mr. DOUGLAS. I thank the Senator from New Jersey.

Mr. President, I yield the floor.

ORDER FOR ADJOURNMENT TO 10 O'CLOCK A.M. MONDAY

During the delivery of Mr. DOUGLAS' speech,

Mr. JOHNSON of Texas. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. Yes; with the understanding that I do not lose my right to the floor.

Mr. JOHNSON of Texas. Yes; with that understanding.

Mr. President, am I correctly informed that the Senator from Illinois and the Senators who are associated with him on the amendment do not desire the Senate to hold a session tomorrow?

Mr. DOUGLAS. Let me say that if the Senator from Texas wishes to hold a session on tomorrow, Saturday, we shall be perfectly willing to be here then. We are ready to be present whenever the Senator from Texas suggests. But if he does not desire to have the Senate hold a session on tomorrow, we shall acquiesce.

Mr. JOHNSON of Texas. It is totally immaterial to me whether the Senate meets tomorrow or does not meet. I understood that certain Senators desired to speak tomorrow, perhaps including the Senator from Pennsylvania [Mr. CLARK]. However, I have conferred with him. If no Senator now desires to address the Senate tomorrow, we are prepared to propose that the Senate not hold a session Saturday. On the other hand, I am committed to having the Senate hold a Saturday session if any Senator desires one; and I wish to keep faith with those with whom I am dealing.

Mr. DOUGLAS. That course would be acceptable, because we do not wish to put the Senator from Texas at a disadvantage in connection with this matter. So I would not insist on the holding of a Saturday session, if the Senator from Texas does not desire one to be held.

Mr. JOHNSON of Texas. The matter is wholly immaterial to me.

Mr. President, in light of the agreement which now has been entered into, and which will be in effect on Monday, and in view of the fact that I am informed that no Senator on either side of the aisle has expressed a wish to speak on Saturday, I ask unanimous consent that the order that the Senate convene at 10 o'clock tomorrow, Saturday, be rescinded and that an order be entered following the adjournment of the Senate today, it meet on Monday, at 10 o'clock a.m.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Is there objection? Without objection, it is so ordered.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that this colloquy be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

During Mr. DOUGLAS' speech,

Mr. JOHNSON of Texas. Mr. President, will the Senator from Illinois yield to me, to permit me to request the Chair to lay before the Senate three resolutions which have come from the House of Representatives with respect to the death of Members of that body—with the understanding that in yielding for that purpose he will not lose his right to the floor, and that the proceedings in connection with those measures will be printed in the RECORD following his remarks?

Mr. DOUGLAS. With that understanding, Mr. President, I yield.

DEATH OF REPRESENTATIVE EBERHARTER, OF PENNSYLVANIA

Mr. JOHNSON of Texas. Mr. President, I ask that the Chair lay before the Senate the resolutions coming from the House of Representatives relating to the death of Members of the House.

The PRESIDING OFFICER. The Chair lays before the Senate a resolution coming over from the House of Representatives, which will be read:

The legislative clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of the Honorable HERMAN P. EBERHARTER, a Representative from the State of Pennsylvania.

Resolved, That the clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. CLARK. Mr. President, I send to the desk a resolution, and ask that it may be immediately considered.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The legislative clerk read the resolution (S. Res. 13) as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. HERMAN P. EBERHARTER, late a Representative from the State of Pennsylvania.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased, the Senate, at the conclusion of its business today, adjourn until 10 a.m. on Monday next.

The Senate proceeded to consider the resolution.

Mr. CLARK. Mr. President, for the RECORD, I should like to say a brief word of tribute to a distinguished Member of the other body, HERMAN P. EBERHARTER, who labored in the vineyard of good government, and liberal government, for many a long year; who, despite a crippling illness, and frequently despite considerable physical pain, stuck to the job, and did his duty for his constituents and for the people of his Commonwealth.

The House of Representatives has sustained a loss in the death of my good friend. Allegheny County and the city of Pittsburgh have sustained a substantial loss.

I should like to pay my own personal tribute to a man who served his city, his State, and his country well.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was unanimously agreed to.

DEATH OF REPRESENTATIVE SIMPSON, OF ILLINOIS

The PRESIDING OFFICER. The Chair lays before the Senate a resolution coming over from the House of Representatives, which will be read.

The legislative clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of the Honorable SID SIMPSON, a Representative from the State of Illinois.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. DOUGLAS. Mr. President, I send to the desk a resolution, and ask that it be read and immediately considered.

The PRESIDING OFFICER. The resolution will be read.

The legislative clerk read the resolution (S. Res. 14) as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. SID SIMPSON, late a Representative from the State of Illinois.

Resolved, That the Secretary communicate these resolutions to the House of Representa-

tives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased, the Senate, at the conclusion of its business today, adjourn until 10 a.m. on Monday next.

The Senate proceeded to consider the resolution.

Mr. DOUGLAS. Mr. President, the late SID SIMPSON was a Representative from the State of Illinois for a period of 16 years, from the famous Illinois 20th District. It had always been a Democratic district. It was the district from which Henry T. Rainey was sent for many years. Representative Rainey, in due course of time, became Speaker of the House of Representatives, and died while he was in that office. Speaker Rainey was succeeded as a Representative by Scott Lucas, my good friend, who served with great distinction and credit not only in the House, but in the Senate to which he was elected in 1938 and where he served 12 more years. Following Scott Lucas, the late James M. Barnes was elected as a Representative of the district for two terms.

SID SIMPSON was elected in 1942, and we were never able to take the district away from him. He won no less than eight consecutive elections. This was a district which we had always regarded as strongly Democratic, a district which generally voted Democratic for other offices, but not Democratic for a Representative to Congress when SID SIMPSON was running.

I disagreed with the political views of Mr. SIMPSON, but I, as did everyone else, liked him as a person. That was the general sentiment of the people of the 20th District.

In my opinion, he would have been unbeatable so long as he lived and so long as he desired to run for reelection.

He was a good man, without the slightest touch of viciousness in him—generous, kindly, anxious to help people, and an extremely good citizen, who had a good father and good mother, and who was a credit to our country and to our State.

The loss has been very heavy. He has been succeeded by his widow, so the name of SID SIMPSON is continued from the 20th District.

I wish to join with his many friends in paying my respects to his fine qualities.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield to the Senator from New Jersey.

Mr. CASE of New Jersey. I desire to associate myself wholeheartedly with the sentiments expressed by the Senator from Illinois in regard to SID SIMPSON. I was a colleague of his in the House for the whole time I was in the House. He was a warm and close friend of mine, and a man for whom I had the deepest affection and respect.

Everything the Senator from Illinois has said about SID SIMPSON as a person is true, and is known to be true by his thousands of friends and all his associates.

I join with the Senator from Illinois in expressing my condolences to his family and to all of those close to him. He was a man we could not well afford to lose, and whom we shall find it very hard to replace.

Mr. DOUGLAS. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was unanimously agreed to.

Mr. DIRKSEN subsequently said: Mr. President, I understand that while I was in a committee session some words were spoken about our late lamented colleague, SID SIMPSON, of Illinois.

Mr. DOUGLAS. The Senator is correct.

Mr. DIRKSEN. Mr. President, I have known SID SIMPSON for a long, long time. To me he was one of the most gracious characters I ever knew. One testimony to him is that without compensation and only because of his fealty to party ideals he served, I think, as a precinct committeeman in the State for as long as anyone I can remember. I think it is a great testimony to any individual that he would take a humble party position and pursue it with great fidelity year after year, season in and season out, and do it only because of his interest in government and interest in politics in the very finest sense, believing, of course, that he could make a contribution to the wellbeing of the country.

One need not look very far for the reasons which compelled the electorate in the district to return SID SIMPSON to Washington term after term for a great many years. He was gracious, kindly, Christian, with a very fine family, whose friends were legion. We mourn his passing.

I was delighted indeed that the tradition of the district was carried on by the election of Mrs. EDNA SIMPSON, his widow, to the place SID SIMPSON occupied in the Congress. A rather interesting commentary is the fact that he passed away, as I recall, about 10 days before election day, and it became necessary to make some very hasty moves under the State law in order to engross the name of Mrs. SIMPSON upon the ballot, yet with so little preparation I think she was elected to the position she now occupies in the Congress by a majority in excess of 15,000 votes. It is a testimony to the Simpson name and to SID SIMPSON, who so effectively and so courageously represented the people of that district for a great many terms in the House of Representatives. As I say, we mourn his passing and we revere his memory as a statesman, as a fine citizen, a fine family man, and as a very durable friend.

DEATH OF REPRESENTATIVE McGREGOR, OF OHIO

The PRESIDING OFFICER. The Chair lays before the Senate a resolution coming from the House of Representatives which will be read.

The legislative clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of the Honorable J. HARRY MCGREGOR, a Representative from the State of Ohio.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. LAUSCHE. Mr. President, I send to the desk a resolution, and ask that it be read and immediately considered.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The legislative clerk read the resolution (S. Res. 15) as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. J. HARRY MCGREGOR, late a Representative from the State of Ohio.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased, the Senate, at the conclusion of its business today, adjourn until 10 a. m. on Monday next.

The Senate proceeded to consider the resolution.

Mr. LAUSCHE. Mr. President, I ask my colleagues to join in adopting the resolution which will express condolences to the family and friends of J. HARRY MCGREGOR, who recently passed away.

Mr. MCGREGOR was not of my political party, but I knew him intimately. He lived in an area where he was highly respected, especially by those who knew him. No finer tribute can be paid to him than to say that in biennium after biennium the people of the area in which he lived and served expressed unlimited confidence in him as a person and as a public official. Those who knew him best loved him most. He passed away at a comparatively early age after serving in the U.S. Congress for many years. His passing has been a loss not only to his family and to his friends but to the State of Ohio and to the Nation.

I ask my colleagues to agree to the resolution paying condolences to the family and friends at his passing.

Mr. CASE of New Jersey. Mr. President, on behalf of my colleagues on this side of the aisle I want to join in the statement and the expression of sympathy, respect, and admiration which the Senator from Ohio [Mr. LAUSCHE] has made in regard to our late colleague, HARRY MCGREGOR of Ohio.

As was the case with respect to SID SIMPSON, I served in the House for many years with HARRY MCGREGOR. For him I had, as did all his colleagues, affection, respect, and admiration. He was a good Member of Congress and a good citizen. He was a fine person, a happy and cheerful person, whose influence and whose touch on others' lives always brightened theirs. We shall miss him deeply.

On behalf of all my colleagues on this side of the aisle I join in the expression of the deepest grief, regret, and sympathy to the members of his family and his colleagues at his passing.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was unanimously agreed to.

AMENDMENT OF THE RULES

During the delivery of Mr. DOUGLAS' speech,

Mr. ROBERTSON. Mr. President, will the distinguished Senator from Illinois yield to the junior Senator from Virginia, without losing his right to the floor, so that I may make a brief speech?

Mr. DOUGLAS. Mr. President, I ask unanimous consent that I may yield to the junior Senator from Virginia with the understanding that I shall not lose my right to the floor and with the further understanding that the remarks of the Senator from Virginia will be printed in the RECORD after the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none, and it is so ordered.

Mr. ROBERTSON. Mr. President, I rise today, as I have on several previous occasions during my 12 years of service in this body, to defend the integrity of the U.S. Senate as a keystone in our system of constitutional government.

As I shall point out in the course of these remarks, the United States of America became a constitutionally bound political unit only through agreement of 13 independent States on a compromise plan. An essential feature of that plan was a Senate in which the largest and smallest States would be equally represented and in which minority rights would be fully protected. Changing our rules to allow a mere majority to stifle open protests of a minority would be a repudiation of the "great compromise" accepted by the Founding Fathers.

In opposing any such change, I speak as a representative of Virginia, which never would have ratified the Constitution without its built-in checks and balances and the additional assurance of prompt adoption of a Bill of Rights. And if Virginia, with her great influence, exercised through men like George Washington, Thomas Jefferson, and James Madison, had refused to ratify, the effort for union would have failed.

But I speak also for all those who believe in the sacredness of individual rights and who realize that those rights must have certain safeguards beyond the simple principle of majority rule.

The danger of a change in procedure which would erode and threaten to destroy the function of the Senate as a deliberative body should be recognized by thinking persons as outweighing temporary advantages which partisans would gain in obtaining prompt action on a few items of politically profitable legislation. And even those partisan advocates of change who might find themselves able to ride roughshod over a helpless minority today might themselves be on the losing side tomorrow and might then regret surrender of any part of the right to discuss questions of principle for as long as is necessary to make the people of the Nation realize fully what is involved.

What I have said about the changing fortunes of majorities and minorities under our system of party government should be obvious to members of a group which was materially reduced in the last election, but the facts should not be ignored by those now flushed with recent victory who could find their own circumstances changed at some future date.

Regardless of my rights under the Senate rules, it is not my intention to speak at length on this occasion. I want to discuss briefly, however, the following points:

First. A material limitation on Senate debate—and permitting cloture by majority vote would impose a material limitation—would be contrary to the basic philosophy of our plan of government. It would violate the spirit of the compact which made our constitutional Union possible. It would upset the carefully contrived balance among the branches of our Government. It would reduce the effectiveness of the Senate as a guardian of States rights and individual liberties.

Second. It is unnecessary to change the rules under which the Senate has functioned satisfactorily for a century and a half. The present cloture rule gives adequate protection against abuse of the privilege of extended debate by a few willful men. No important legislation has been permanently blocked by filibusters.

Third. Allowing a majority to cut off Senate debate would be a dangerous expedient because the weapon forged against one area of the country and one viewpoint could readily be turned against any other section or minority interest. Those who call themselves liberals should be especially careful, because in the past they have been the chief beneficiaries of a system which allows untrammeled expression of unpopular views.

It is extremely important for us to consider proposed changes in our rules not from the standpoint of immediate expediency but in the light of the background and traditions of this body and with an eye on the future.

Unlike many of our institutions, the Senate was not established as a copy of some existing governmental unit. It was uniquely and carefully designed, after long and arduous debate, to meet the specific needs of 13 proudly independent States which were willing to surrender to a Union only so much of their sovereignty as was essential to promote their common welfare.

The attitude with which the making of our Constitution was approached is evident from the language of the resolution of Congress adopted February 21, 1787, calling a convention to meet in Philadelphia the following May—

> for the sole and express purpose of revising the Articles of Confederation and reporting to Congress and the several legislatures such alterations and provisions therein as shall when agreed to in Congress and confirmed by the States render the Federal Constitution adequate to the exigencies of Government and the preservation of the Union.

The difficulties this convention faced are indicated by George Washington's statement quoted by Gouverneur Morris:

> It is too probable that no plan we propose will be adopted. Perhaps another dreadful conflict is to be sustained. If to please the people, we offer what we ourselves disapprove, how can we afterward defend our work? Let us raise a standard to which the wise and honest can repair. The event is in the hand of God.

From May to September, the Convention struggled to devise a plan of Federal Government which the delegates were willing to defend, and when that task was completed, the work of obtaining approval for the new Constitution had hardly begun. Ratification by nine States was necessary before it could be adopted. The people of the States must be made to understand the virtues of the plan and the necessity for concessions which had been made in compromise provisions that did not completely satisfy anyone, even the members of the Constitutional Convention.

Gov. Edmund Randolph, of Virginia, who had presented to the Convention the Virginia plan which became the primary basis for the final document said it contained features so odious that he doubted whether he should ever be able to agree with it. Luther Martin, of Maryland, who had backed a proposal by Charles Pinckney, of South Carolina, to require a two-thirds vote of the Congress for passage of any act regulating commerce, left Philadelphia in disgust before the Convention adjourned, complaining of the threat to States rights which he saw in the proposed Constitution.

Virginia, which had the largest population of any of the original States, had taken the lead in proposing an improvement over the Articles of Confederation, but Virginia also was in a key position in the contest over ratification. James Madison, during the debate in the Virginia ratifying convention, frankly said that if Virginia held out, the United States might never have a government.

The point I want to make about the relation of the United States Senate and its rules of procedure to the controversy over ratification of the Federal Constitution may not be obvious, but I believe it will be clear to anyone who will review the debate in the State ratifying conventions or the published arguments of the Federalists and the anti-Federalists of that period.

Without attempting a complete review at this time, let me illustrate by specific references to the Virginia convention, which, as I have indicated, played a decisive role.

Addressing the Virginia convention on June 4, 1788, Patrick Henry, who had been recognized as the sparkplug of the revolution said:

> The public mind as well as my own is extremely uneasy at the proposed change of government. * * * I consider myself as the servant of the people of this Commonwealth, as a sentinel over their rights, liberty, and happiness. I represent their feelings when I say, that they are exceedingly uneasy, being brought from that State of full security which they enjoyed, to the present delusive appearance of things. * * * And here I would make this inquiry of those worthy characters who composed a part of the late Federal convention. I am sure they were fully impressed with the necessity of forming a great consolidated government instead of a confederation. That this is a consolidated government is demonstrably clear; and the danger of such a government is to my mind very striking.
>
> I have the highest veneration for those gentlemen; but, sir, give me leave to demand, what right had they to say we the people? * * * who authorized them to speak

the language of, we the people, instead of we, the States? States are the characteristics, and the soul of a confederation. If the States be not the agents of this compact, it must be one great, consolidated, National Government of the people of all the States. I have the highest respect for those gentlemen who formed the convention. * * * The people gave them no power to use their name. That they exceeded their power is perfectly clear.

Henry continued by saying:

Here is a revolution as radical as that which separated us from Great Britain. It is as radical, if in this transition our rights and privileges are endangered, and the sovereignty of the States be relinquished; and cannot we plainly see that this is actually the case? The rights of conscience, trial by jury, liberty of the press, all your immunities and franchises, all pretensions to human rights and privileges are rendered insecure, if not lost, by this change. * * * You are not to inquire how your trade may be increased, nor how you are to become a great and powerful people, but how your liberties can be secured; for liberty ought to be the direct end of your Government.

Is it necessary for your liberty that you should abandon those great rights by the adoption of this system? Is the relinquishment of the trial by jury and the liberty of the press necessary for your liberty? Will the abandonment of your most sacred rights tend to the security of your liberty? Liberty, the greatest of earthly blessings—

Exclaimed Patrick Henry—

give us that precious jewel, and you may take everything else. * * * Guard with jealous attention the public liberty. Suspect everyone who approaches that jewel. Unfortunately nothing will preserve it but downright force: whenever you give up that force, you are inevitably ruined.

In that oratorical outburst, as Senators will recognize, Patrick Henry attributed to the proposed Federal Constitution the kind of all-embracing power which is claimed for it by your present-day Federalists, who insist that the Federal Government can go into local communities and supervise school systems, oversee voting, and exercise police powers. Therefore, it might be suggested that as a believer in States rights I have an adverse witness in Henry, who conceded points I will not admit. My point is, however, that if the Virginia convention of 1788 had accepted Henry's viewpoint, it would not have ratified the Constitution and there probably would not have been the kind of Union we have today.

Ratification occurred because the convention chose to accept the assurances of Washington and Madison and others who said, as I shall point out presently, that the rights of the States had been recognized by the framers of the Constitution but, to remove any possible doubt as to their intentions, a series of amendments could be adopted by the next Congress putting the implied bill of individual and States rights and the limitations on the Central Government in written form.

But, to continue for a moment with Henry's arguments: In addition to objecting to what he considered to be a consolidated government which changed fundamentally the relations the States had chosen to bear to each other, he said that the vast and alarming array of specific powers given to the General Government, and the wide door opened for an unlimited extension of those powers by the clause which authorized Congress "to pass all laws necessary to carry the given powers into effect," would enable Congress to do anything and everything it chose under the pretense of giving effect to some specified power.

Patrick Henry continued his argument by saying:

Congress by the power of taxation—by that of raising an army and navy—and by their control over the militia—have the sword in one hand and the purse in the other. Shall we be safe without either? Congress have an unlimited power over both; they are entirely given up by us. Let him [Mr. Madison] candidly tell me where and when did freedom exist, when the sword and purse were given up from the people? Unless a miracle in human affairs shall interpose, no nation ever did or ever can retain its liberty after the loss of the sword and the purse.

Henry argued that the right of trial by jury in civil cases would be lost because of the clause giving the Supreme Court appellate power over law and fact in every case, which would "enable that tribunal to annihilate both the verdict and judgment of inferior courts." He said that in criminal cases trial by jury was "worse than gone" because the common law which alone gave the challenge for favor would not be in force in the Federal courts, and juries could be packed to suit the purpose of the prosecutor.

He said also that Congress would be given the power "of involving the Southern States in all the horrors which would result from a total emancipation of their slaves," and that the Northern States, uninterested in the consequencies of such an act, and with a controlling majority possessing the power, probably would be inclined to do this.

Patrick Henry's prediction was fulfilled, of course, by Lincoln's Emancipation Proclamation and the legislation of the reconstruction era, which brought to the Southern States the "horrors" he had feared. And today we are facing a threat of new horrors which may result from actions of a majority, which has power but is uninterested in the consequences of wrecking the educational systems of the Southern States.

Henry's objections were reinforced by George Mason, who said the power to levy direct taxes given to the Central Government was "calculated to annihilate totally the State governments," and it is obvious that some convincing reassurance must have been given to the Virginia convention, and to those in New York and other hesitant States, to induce the acts of ratification.

These reassurances included the endorsement of George Washington, who threw his great influence on the side of the Constitution and said the choice was between "adoption or anarchy." They included also the support of John Marshall, who said later in one of his opinions:

No political dreamer was ever wild enough to think of breaking down the lines which separate the States, and compounding the American people into one common mass.

But, probably the most influential factor in producing ratification was the expositions of the Constitution presented by James Madison and Alexander Hamilton in the Federalist papers. Virginians of his day accepted with confidence the statements of Madison that the States would continue to be recognized as sovereign units which had delegated only specific powers to the Central Government. They were reassured also by the fact that Hamilton, who was the leading champion of a strong Central Government, stated his agreement with Madison on that point.

In "The Federalist," No. 14, Madison wrote:

In the first place, it is to be remembered that the General Government is not to be charged with the whole power of making and administering laws. Its jurisdiction is limited to certain enumerated objects, which concern all the members of the Republic but which are not to be attained by the separate provisions of any. The subordinate governments, which can extend their care to all those other objects which can be separately provided for, will retain their due authority and activity. Were it proposed by the plan of the convention to abolish the governments of the particular States, its adversaries would have some ground for their objection; though it would not be difficult to show that if they were abolished the General Government would be compelled, by the principle of self-preservation, to reinstate them in their jurisdiction.

Hamilton, in turn, in "The Federalist," No. 17, referred to the fears that allowing the Federal Government to deal directly with individual citizens would make the Central Government too powerful and enable it to absorb the residuary powers of the States and localities. He said it was improbable that Federal authorities would have a disposition to do this because "the attempt to exercise those powers would be as troublesome as it would be nugatory."

In "The Federalist," No. 39, Madison went into more detail to explain the nature of the proposed Government as part nationalist and part Federal. He said that—

If the Government be national with regard to the operation of its powers, it changes its aspect again when we contemplate it in relation to the extent of its powers. * * * In this relation the proposed Government cannot be deemed a national one; since its jurisdiction extends to certain enumerated objects only, and leaves to the several States a residuary and inviolable sovereignty over all other objects.

In the next paper, "Federalist," No. 40, Madison argued that the constitutional convention had not exceeded its authority because it had adhered to the Confederation principle of a general government of limited powers. "We have seen," he said, "that in the new government, as in the old, the general powers are limited; and that the States, in all enumerated cases, are left to the enjoyment of their sovereign and independent jurisdiction."

Hammering on the same point in "Federalist," No. 44, Madison wrote:

As their constitutions invest the State legislatures with absolute sovereignty, in all cases not excepted by the existing Articles of Confederation, all the authorities contained in the proposed Constitution, so far as they exceed those enumerated in the Confederation would have been annulled and the new

Congress would have been reduced to the same impotent conditions as their predecessors.

Because of this situation, he said it had been necessary to give the Central Government treatymaking powers without which it could not handle foreign affairs.

Continuing his exposition in "Federalist," No. 45, Madison said:

The powers delegated by the proposed Constitution to the Federal Government are few and defined. Those which are to remain in the State governments are numerous and indefinite. The former will be exercised principally on external objects, as war, peace, negotiation, and foreign commerce; with which last the power of taxation will, for the most part be connected. The powers reserved to the several States will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement and prosperity of the State. The operations of the Federal Government will be most important and extensive in times of war and danger; those of the State governments in times of peace and security.

Hamilton's agreement with these views was recorded in "Federalist," No. 82, where he wrote that the principles established in a former paper in the series—

teach us that the States will retain all preexisting authorities which may not be exclusively delegated to the Federal head; and that this exclusive delegation can only exist in one of three cases; where an exclusive authority is, in express terms, granted to the Union; or where a particular authority is granted to the Union, and the exercise of a like authority is prohibited to the States; or where an authority is granted to the Union, with which a similar authority in the States would be utterly incompatible.

Even in the light of these positive assurances of recognition of and respect for sovereign rights of the States, however, Massachusetts ratified the Constitution only under promise of amendments, Virginia with a demand for them and New York practically upon the condition of amendments. Virginia also made its position plain by naming as its first Senators, Richard H. Lee and William Grayson, who had been nominated by Patrick Henry, in preference to the nominees of James Madison.

The first Congress, which met in 1789, responded to the popular demand by proposing 12 amendments to the Constitution in a resolution which stated:

The conventions of a number of States having at the time of their adopting the Constitution expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government will best insure the beneficial ends of its institution, *Resolved* That the following articles be proposed as amendments.

These first amendments, 10 of which were adopted, included, as I need hardly remind Senators, the ninth, which says:

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people—

And the 10th, which says—

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

There can be no question, therefore, as to the intention of the Founding Fathers to protect States rights but since, as Patrick Henry said, the Central Government was given the power of the sword and the purse, how could the preservation of those rights be insured?

The Chief Executive of the Nation is sworn to uphold the Constitution, but if he interprets his duties as permitting interference in fields reserved for State action, who shall check him? The courts, and especially the Supreme Court, are interpreters of the law, but when the highest Court conceives of itself as a policymaking body and issues orders involving social reforms which interfere with State functions, how can this trend be checked? The Congress, in addition to having the power to make laws, has the power to impeach the President and other officials, but what if the popularly elected Representatives yield to public clamor and endorse proposals which infringe on States rights?

It is when an answer to these questions is sought that the unique position of the Senate in our system of government becomes apparent. This body is the one place where the sovereign States are represented as such and on a basis of equality. Even though Senators, since adoption of the seventeenth amendment, are elected by the people instead of being chosen by State legislatures, they still are representatives of their States as a whole and are insulated from temporary waves of popular sentiment by 6-year terms and by having no more than a third of the Senate seats at issue in any one election year.

Madison said:

The use of the Senate is to consist in its proceeding with more coolness, with more system and with more wisdom than the popular branch.

As Senators will recall, Washington described the Senate to Jefferson as a saucer in which legislation was poured to cool.

That traditional function of the Senate can be exercised effectively only so long as this body remains a truly open forum in which each spokesman for a sovereign State can expound his views for as long as his conscience dictates when the rights of his State or the integrity of the Constitution which protects those rights are threatened. The Senate will become no more than a slower House of Representatitves in its net results if a simple majority can decide when discussion should be stopped and a vote taken.

It was Thomas Jefferson who told the Senate in its early days that the only weapons by which minorities can defend themselves from the abuses which the wantonness of power is but too often apt to suggest to large and successful majorities are the forms and rules of proceedings which we have adopted.

Woodrow Wilson, in his book on constitutional government said:

An attempt was once made to bring the previous question into the practices of the Senate, but it failed of success, and so that imperative form of cutting off all further discussion has fortunately never found a place there. * * * The Senate's opportunity for open and unrestricted discussion and its simple, comparatively, and unencumbered forms of proceeding unquestionably enable it to fulfill with very considerable success its high function as a chamber of revision.

Therefore, I say that before we tamper with a plan of proceeding which has been carried on with such distinguished approval for a century and a half, we should be very certain that there is justification for a change.

That brings me to my second main point, which is that a change in the existing rules is unnecessary.

We are told that a majority must be given the power to cut off debate after some specified period of time in order to break the power of the filibuster.

What, then, is the power of the filibuster and how has it been used to the detriment of the United States?

The history of limitation of debate in the Senate and of incidents which led to attempts to impose limitation has been set forth so effectively in the Library of Congress' "Public Affairs Bulletin," No. 64, by Dr. George Galloway and that study is so well known to Members of the Senate that I shall not repeat the details here. Senators will recall that the device of the previous question for ending debate, which was allowed in the Continental Congress as well as the British Parliament was carried over into the rules of the Senate in 1789 and allowed to stand until 1806 before it was abolished and truly free debate instituted. During that first 17 years the previous question was invoked only four times and used only three times, but that was enough to make its dangers evident and when Henry Clay sought to have the rule revived in 1841 he failed.

Numerous later attempts have been made, as they are being made now, to impose restrictions on debate, but it is notable that the general tendency has been for new Members of the Senate, impatient with what seems to be its deliberate pace, to want the rules changed and then for those same Members, as they gain more experience, to recognize the virtues of free debate and to defend the existing rule.

What we now know as rule XXII was adopted in 1917 under pressure of a war emergency and on recommendation of Woodrow Wilson who, as I have indicated by quoting him, fully recognized the importance of free debate under normal conditions. Wilson thought this radical step was needed to provide authority to arm ships but it later was determined that he had the authority without resort to legislation and the tampering with Senate rules was a useless gesture.

From our perspective, there is more reasonableness in Wilson's calm writing on Government than in his impassioned plea for quick Senate action on one occasion and in his book on "Constitutional Government" he said:

The informing function of Congress should be preferred even to its legislative function. The argument is not only that discussed and interrogated administration is the only pure and efficient administration, but more than that, that the only really self-governing people is that people which discusses and interrogates its administration. The talk on the part of Congress

which we sometimes justly condemn is the profitless squabble of words over frivolous bills or selfish party issues. It would be hard to conceive of there being too much talk about the practical concerns and processes of government. Such talk it is which, when earnestly and purposefully conducted, clears the public mind and shapes the demands of public opinion.

The significant thing, in our consideration of whether there is need to change the Senate rules governing debate, is not whether there have been occasions when some time has been wasted by what Woodrow Wilson called "profitless squabble of words," but whether the ultimate effect of these incidents has been harmful.

The record, as set forth in the Library study to which I have referred, shows that many bills against which extended debate was directed ultimately were passed and I believe careful study would reveal that in most instances the legislation was improved by the cooling-off period.

In the entire history of the Senate only 11 bills have been completely blocked by filibusters. These include the Force bill of 1890, which would have provided for Federal supervision of elections; the armed ship resolution of 1917 which, as I have indicated, turned out not to be needed after we declared war on Germany, and nine so-called civil rights bills, all of which were unconstitutional in whole or in part.

Four poll tax bills would have interfered with the constitutionality granted right of the States to handle elections and invaded a field that can be legitimately reached only through a constitutional amendment. Three antilynching bills obviously infringed on the police powers of the States, entering the area which Hamilton said would be so troublesome he could not conceive of Federal officials attempting it. Two fair employment practices bills also would have dealt with private justice between citizens of the same State, an area in which Hamilton said the "transcendent advantage" belongs to the State governments.

Defeat of these few bills is the net cost of past filibusters. And what is the threat of future losses which makes a rules change at this time seem so urgent to some of its advocates? All they can mention are some more so-called civil rights bills which, under the guise of protecting specific rights claimed by certain minority pressure groups, actually threaten the broader rights of all the people to which Patrick Henry referred as the "precious jewel"—"public liberty."

These bills are not wanted by the great mass of the people of the country. If there were a genuine national demand for them, instead of merely a synthetic pressure to promote them, they could be passed under existing rules.

Debate can be ended now by a vote of two-thirds of the Members of the Senate. If a national emergency, such as that which Woodrow Wilson thought existed in 1917, should demand prompt action on some legislation, I am confident that more than two-thirds of the Members of this body would cooperate in silencing obstructionists. The necessary votes also would be obtainable to stop a filibuster even in peacetime against obstruction of any truly vital legislation.

I am proud of the fact, however, that my colleagues in the Senate have included enough believers in the principles of States rights and enough defenders of legitimate minority interests to prevent the gagging of anyone who has taken the time which he thought necessary to bring the viewpoint of his State to the attention of citizens of all the other States where questions of principle and of constitutionality were concerned, and I hope that attitude will continue to prevail on this floor.

Our present rule on limitation of debate is adequate and changing it is unnecessary.

My final point is that a radical change in the present rule would be dangerous and detrimental in the long run even to the interests which now advocate the change.

Newspaper writers and other commentators are inclined to describe those now advocating a change in our rules as liberals who have been frustrated in efforts to promote civil rights bills or social welfare measures and to associate defense of free debate with an ultraconservative viewpoint. The record shows, however, that free debate, including efforts which have been generally recognized as filibusters, often have been used and defended by liberal leaders.

A delay, during which the people of the country are made aware of the details of an issue, can be used, and has been used to help bring about reforms, as well as to block passage of oppressive measures.

There was, for example, the extended debate in 1863 against efforts to suspend the writ of habeas corpus. There was the filibuster against an Army appropriation bill in 1876 which carried a rider that would have suspended existing election laws. There was the successful filibuster in 1890 against the force bill, which would have provided for Federal supervision of elections.

Our distinguished former colleague, Senator George, of Georgia, testified during the 1947 hearings on proposals to limit Senate debate that if there had been such a limitation in 1937 it would have been impossible to rally enough support to block the effort of a powerful and popular President to pack the Supreme Court, and Members now in this body will recall that in 1946 the House passed in a matter of minutes a bill to draft striking railroad workers. That proposal, so violently objected to by organized labor, would have become law but for the opportunity of the Senate to analyze it in a deliberate manner.

In the 1957 Senate committee hearings a spokesman for the AFL–CIO said that powerful organization favored a change in rules to limit Senate debate primarily because of "the apparent need for more comprehensive Federal legislation in the field of civil rights." In 1925, however, when Vice President Dawes was trying to get the Senate to adopt a previous question rule he was denounced by the American Federation of Labor for trying to gag the Senate and threaten the rights of the people, and in 1946, as I have indicated, absence of such a gag rule may have been all that prevented striking railroad workers from being drafted into military service.

It was the great liberal leader, Senator La Follette, who fought the 1917 cloture rule, saying:

This Senate is the only place in our system where no matter what may be the organized power behind any measure to rush its consideration and to compel its adoption, there is a chance to be heard, where there is opportunity to speak at length, and where, if need be, under the Constitution of our country and the rules as they stand today, the constitutional right is reposed in a Member of this body to halt a Congress or a session on a piece of legislation which may undermine the liberties of the people and be in violation of the Constitution which Senators have sworn to support. When you take that power away from Members of this body, you let loose in a democracy forces that in the end will be heard elsewhere, if not here.

And it was William E. Borah, another liberal spokesman, who said in 1925 that he had never known a good measure to be killed by a filibuster or a debate but that he had known a vast number of bad measures and unrighteous measures which could not have been killed in any other way except through long discussion and debate.

One of the most eloquent defenses of free Senate debate was that delivered in 1918 by Senator Watson of Indiana, who said of the Underwood resolution to establish the previous question:

If this had been the rule of the U.S. Senate for the first 50 years of its existance John C. Calhoun would not have been able to thunder forth the doctrines in which he believed; Hayne could not have announced on the floor the ideas which he so eloquently espoused; Henry Clay would have been unable to deliver in full any one of the score of speeches that accomplished so much for his country; and Daniel Webster, imperious orator of American history, could not have blazed the pathway of the future in that historic utterance in which he announced the essential policies of the Republic if its institutions are to endure, for on the floor of the U.S. Senate and in the open forum of debate he in a sense shaped the destiny of the Republic and molded the future of the Nation.

It matters not, Mr. President, whether the minority at any particular time represents a basically liberal or a basically conservative viewpoint—the group which does not have a majority of votes needs some protection against unreasonable impositions and the U.S. Senate was designed to provide that protection.

The Christian Science Monitor, which I admire greatly for its sound handling of news although I do not always agree with its editorial positions, published an editorial on December 4, 1958, in which it frankly recognized the dangers of limiting debate.

This paper, which has endorsed civil rights legislation, said it was not persuaded that the plan to enable the Senate to act on any question by simple majority vote is wholly wise. The editorial said:

It might be well to note that the American system is not simply one of majority rule. It contains many provisions to hold up hasty majority action, which can have many of the aspects of mob action. * * * What are the

reasons for these curbs on majority rule? One was the necessity of overcoming the fears of governmental oppression. States and minority groups were concerned lest they be overwhelmed by sheer numbers in the national system. A second was the awareness that successful operation of free government requires the consent—if not enthusiastic support—of the bulk of the people.

In practice such government may find the volume of majority opinion balanced by the intensity of minority feeling. We are seeing a pertinent illustration today in the struggle over desegregation.

The editorial continued by saying that the filibuster usually becomes an issue only in connection with some great national question and has been used by liberals as well as conservatives and added:

It has been used genuinely to insure that the Nation became fully informed on proposals before decision was made.

Another recent newspaper comment which I believe worthy of attention here was that of William S. White, author of a penetrating book on the Senate, who said in his syndicated column on November 20, 1958, that if the Senate rules on debate are changed this year—

possible eventual losers may be all future minorities—economic, religious, racial or sectional—to the immediate gain of the currently mistreated minority, the Negroes.

Mr. White said:

A faction of advanced liberals is demanding an alteration so extreme that its adoption would end the Senate as a unique deliberative body.

And he added:

Many liberals forget that the filibuster weapon, deemed by them to be in unworthy hands, has many times halted vindictive legislation that a thoroughly democratic House was all too ready to approve.

In another of his columns this writer said:

The advanced liberals can fairly argue that the Senate ought to be a place of straight majority rule. But they cannot fairly argue that the Constitution has made it such. They intend to change the meaning of the constitutional structure; surely they ought to say so. And they cannot deny that there have been times when a simple-majority anti-filibuster rule could have imperiled all civil rights. In the twenties, for illustration, disinterested scholars estimated 26 States to be politically in the grip of the Ku Klux Klan. This could have meant not 50 but 52 votes to halt Senate debate—a majority no less. The ultimate victims of halting Senate debate by simple majority would be any or every minority interest or issue, given a favorable atmosphere for the majority.

I have been stressing the interest which liberals should take in the preservation of free Senate debate because those who claim to speak as liberal leaders have become the immediate advocates of a change. But the interests of those who call themselves conservatives, in the sense that they would preserve our great national heritage, also are deeply involved.

I was pleased to see recognition of this fact during the 1957 Senate committee hearings when the National Sons of the American Revolution put in the RECORD a resolution of unalterable opposition to any change which would substantialy alter the right of free discussion secured by Senate rule XXII. This resolution said:

Freedom of debate in the U.S. Senate performs the same essential function as freedom of the press under the first amendment, in keeping the people fully informed in respect to matters which may vitally affect their freedom and the security of constitutional rights.

I was pleased also that my fellow Virginian, Dan Daniel, as National Commander of the American Legion, authorized the Honorable John J. Wicker, Jr. to put him on record in those hearings as opposing any further limitation of Senate debate.

The love of liberty is not dead in our Nation, nor is there a lack of voices willing to speak in defense of those institutions on which our freedom was founded. But, to preserve a forum for those voices, we must respect the advice of Thomas Jefferson, who said in his "Manual of Parliamentary Procedure," on which our Senate rules are based:

As it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check and which the wantonness of power is but too often apt to suggest to large and successful majorities.

Mr. THURMOND. Mr. President, I am unalterably opposed to any change in the present cloture rule of the Senate which would increase the power of the majority to put a gag on the minority.

It is my firm opinion that the rule by which two-thirds of the membership can limit debate is as restrictive of free discussion as it can be, at the present time, without seriously infringing on the right of the minority to be heard, the right of the States to equal representation, and the preservation of the Senate as a great and unique institution.

The Senate is the last forum on earth where men can discuss matters of vital importance without severe restrictions on debate. This circumstance is one reason, perhaps the major reason, why the Senate has become known as the world's greatest deliberative body and why the great English statesman, Gladstone, described the Senate as "that remarkable body, the most remarkable of all inventions of politics."

I willingly accept the fact, so frequently pointed out by those who would impose gag rule on the Senate, that the rules of this body are unusual. Indeed, the Senate is unique among parliamentary bodies. It is a great legislative body, and all the greater because it has not been constrained to bend to any popular notion of what rules a parliamentary body should follow.

The roots of the Senate rules are founded in history. At the time our Constitution was being framed, there was a great reluctance, on the part of the individual States, to surrender any of their cherished liberties to a Federal Government.

At that time, there were some unusual laws and customs in most of the individual States. The people within these States were wary of surrendering State sovereignty to a Federal Government which might arbitrarily and hastily nullify State laws. They had recently freed themselves from tyranny and secured for themselves individual liberty in a great fight for independence. Consequently, numerous safeguards to protect the rights of the States were built into the Constitution. Before they would assent to the ratification of this supreme law, however, they won assurance of early approval of the first 10 amendments to the Constitution. These amendments, commonly referred to as the Bill of Rights, constitutes the greatest set of civil and individual rights to be found anywhere.

One of the principal safeguards built into the original Constitution was the formation of a Senate in which every State was given equal representation. The Senate was envisioned, by the Founding Fathers, as a body where the rights of States, and the views of minorities, would be given unusual consideration. During the course of the debates of the Philadelphia Constitutional Convention of 1787, the delegates reached agreement upon a House of Representatives to be elected by the people every 2 years and based upon a population ratio divided into congressional districts. After this action was taken, the smaller of the participating 13 States wondered how their minorities could be adequately protected from the capricious whims of a majority in the House.

After long debate which was at times most acrimonious and which actually threatened to break up the Convention, the solution was offered by the wise and venerable Benjamin Franklin; namely, equal representation in the Senate for every State. And, to make sure that that representation would be of a character that would calmly consider and patriotically and unselfishly act on laws under which all the people would have to live, it was provided in the original instrument that Members of the Senate should be elected by State legislators and not by popular vote and given a term of 6 years.

The Founding Fathers also wrote into the original Constitution other safeguards against what the advocates of a rules change term "majority rule." They provided in certain instances for votes requiring a majority of two-thirds. Here are some of these provisions as found in the Constitution:

No person shall be convicted on impeachment without the concurrence of two-thirds of the Senators present (art. I, sec. 3).

Each House, with the concurrence of two-thirds, may expel a Member (art. I, sec. 5).

A bill returned by the President with his objections may be repassed by each House by a vote of two-thirds (art. I, sec. 7).

The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur (art. II, sec. 2).

Congress shall call a convention for proposing amendments to the Constitution on

the application of two-thirds of the legislatures of the several States (art. V).

Congress shall propose amendments to the Constitution whenever two-thirds of both Houses shall deem it necessary (art. V).

When the choice of a President shall devolve upon the House of Representatives, a quorum shall consist of a Member or Members from two-thirds of the various States of the Union (amendment 12).

A quorum of the Senate, when choosing a Vice President, shall consist of two-thirds of the whole number of Senators (amendment 12).

The Constitution, therefore, does not give recognition, in all cases, to the right of the majority to control.

By analogy it requires a two-thirds vote of the Senate to expel one single Member.

Thus, we can see from a glance back into history how concerned our forefathers were for protecting the rights of individuals, minorities, and the States in drafting the fundamental principles of our Government. From the start, too, our forefathers recognized that these rights could only be secured if adequate protection was provided by established rules of procedure. They had the wisdom to realize that substantive rights contained in the supreme law might be later mutilated or trammeled if procedural safeguards were not provided to insure long and careful deliberation of the legislative issues which, if approved, might restrict the rights of the individuals, minorities, and the States.

Thus we find the great statesman and political philosopher, Thomas Jefferson, saying in the preface to his Manual, which he deposited with the Senate and which became the recognized guide for all our legislative bodies:

Mr. Onslow, the ablest among the Speakers of the House of Commons, used to say it was a maxim he had often heard when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority against the attempts of power. So far the maxim is certainly true, and is founded in good sense; that as it is always in the power of the majority, by their numbers, to stop any improper measure proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check and which the wantonness of power is but too often apt to suggest to large and successful majorities.

And whether these forms be in all cases the most rational or not, is really not of so great importance. It is much more material that there should be a rule to go by, than what that rule is; that there may be a uniformity of proceeding in business not subject to the caprice of the Speaker or captiousness of the Members. It is very material that order, decency, and regularity be preserved in a dignified public body.

On a subsequent occasion, Mr. Jefferson had this to say concerning the protection of minority interests:

Bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will to be rightful, must be reasonable; that the minority possess their equal rights, which equal laws must protect, and to violate would be oppression.

In accordance with the advice of Jefferson, the rules of the Senate were framed to provide for a check on the tyranny of the majority. The tradition has been preserved to the present day, although the rules of the Senate have been altered on some few occasions.

Throughout the history of our country, majorities have assailed the rules of the Senate, because the rules of the Senate act as a brake on the will of the majority, especially a radical majority.

I shall not assign base motives to the various majorities who, down through the years, have attempted to change the rules of the Senate. Fortunately for the United States, there have been relatively few cases in which a group of Senators, pressing for legislation, was not motivated by a sincere desire to benefit the country. We can take it as a general rule that the majority always thinks it is right.

Believing themselves to be right, the majority side, in any issue, is naturally vexed and even angry when it finds its will frustrated by a minority. It resents seeing a group which it believes to be in the wrong obstructing and delaying the enactment of legislation it believes to be useful.

This is a frustration which can cause a great mind to go astray and fall into error.

I think of Woodrow Wilson, for example. Wilson was one of the great students of our Government long before his election to the Presidency. Writing in 1881, in his "Congressional Government," he observed that "the Senate's opportunities for open and unrestricted discussion, and its simple, comparatively unencumbered forms of procedure, unquestionably enable it to fulfill with every considerable success its high functions as a chamber of revision."

In further expressing his views on free debate in the Senate, Mr. Wilson made this statement:

It is the proper duty of a representative body to look diligently into every affair of government and to talk much about what it sees. It is meant to be the eyes and the voice, and to embody the wisdom and will of its constituents. Unless Congress have and use every means of acquainting itself with the acts and the disposition of the administrative agents of the Government, the country must be helpless to learn how it is being served; and unless Congress both scrutinize these things and sift them by every form of discussion the country must remain in embarrassing, crippling ignorance of the very affairs which it is most important that it should understand and direct.

The informing function of Congress should be preferred even to its legislative function. The argument is not only that discussed and interrogated administration is the only pure and efficient administration, but more than that, that the only really self-governing people is that people which discusses and interrogates its administration. The talk on the part of Congress which we sometimes justly condemn is the profitless squabble of words over frivolous bills or selfish party issues. It would be hard to conceive of there being too much talk about the practical concerns and processes of government. Such talk it is which, when earnestly and purposefully conducted, clears the public mind and shapes the demands of public opinion.

Long afterward, a minority of the Senate killed President Wilson's armed neutrality ship bill. We all remember, I am sure, his classic excoriation of the Senate:

The Senate of the United States is the only legislative body in the world which cannot act when the majority is ready for action. A little group of willful men, representing no opinion but their own, have rendered the great Government of the United States helpless and contemptible.

This is one example, a classic one. There have been many cases of Senators who have argued for greater restrictions on debate while pressing for a majority point of view, who changed their opinions when the heat of debate had cooled.

This point was deeply impressed on my mind when I recently made a thorough study of the issue of free debate in the Senate. I am sure that many others have come to this same conclusion after their research efforts on this subject. The distinguished senior Senator from Georgia [Mr. RUSSELL], one of the Senate's most able parliamentary experts of all time, made a very similar observation when testifying before the Senate Rules Committee in 1952. Here is what he had to say:

I have studied this question of the proposal to institute a more restrictive gag rule in the Senate. I once spent a couple of weeks in going back over the various occasions in the history of the Senate when these motions, these efforts, have been made to change the rules. I was interested to note two things: That almost always those who sought to change the rules to gag his adversary of the minority when he was in power became a great advocate of freedom of debate when he was translated from the majority to the minority. Further, almost invariably men who came to the Senate determined to change the rules of the Senate, if they stayed there long enough, came to defend the rules.

Perhaps the best so-called proof of the pudding on this point lies in a statement made by a former President of the United States while serving as a Member of this distinguished body during the period of 1915–20. Listen to these words of the late Warren G. Harding:

I have been hearing about the reformation of the Senate since I first entered politics; and it was rather an ironical thing the other day that one of the most emphatic speeches made in favor of the adoption of this rule was uttered by the very latest arrival in this body.

But the reformation of the Senate has long been a fad. I came here myself under the impression that there ought to be cloture and limitations on debate; and the longer I sit in this body, the more convinced do I become that the freedom of debate in the United States Senate is one of the highest guarantees we have of our American institutions.

Mr. President, before I take my seat I wish to say that the length of a speech is not the measure of its merit.

While the Senate may not listen, because the Senate does not listen very attentively to anybody, I discover, though Congress may not be apparently concerned and though the galleries of this body may not be filled to add their inspiring attention, I charge you now, Mr. President, that the people of the United States of America will be listening. This is the one central point, the one open forum, the one place in America where there is freedom of debate, which is essential to an enlightened and dependable public sentiment, the guide of the American Republic.

More than a half century ago Senator Hoar of Massachusetts made this point on how experience can change minds:

There was a time in my legislative career when I believed that the absence of a cloture in the Senate was criminal neglect, and that we should adopt a system of rules by which business could be conducted; but the logic of my long service has now convinced me that I was wrong in that contention. There is a virtue in unlimited debate, the philosophy of which cannot be detected upon a surface consideration.

I believe that I understand the desire of some of my colleagues to change the rules of the Senate. They are anxious to rush into law certain proposals which they believe to be right and for which they believe they can count a majority of the Senate.

Let us suppose, for the sake of argument, that the majority has been right on every occasion during the deliberations of the 85th Congress. I do not believe this for a moment, but let us suppose it. If we accept this supposition, it follows that the work of the Senate would have proceeded more quickly, and more legislation would have been passed, if debate had been severely restricted. However, those who believe that the majority has always been right during the 85th Congress would hardly have the temerity to predict that the majority will always be right in the 86th Congress, or in the 186th.

There inevitably come times when the majority is dead wrong, and these are times when the will of the majority, if unchecked, can destroy our American Government. Some of the best examples of majority mistakes and wrongs were best summed up by former Senator James A. Reed, of Missouri, during the 1917 debate over rule XXII with these words:

Majority rule! Where is the logic or the reason to be found back of majority rule except in the mere necessity to dispatch business? The fact that a majority of 1 or 10 vote for a bill in the Senate is not a certification that the action is right. The majority has been wrong oftener than it has been right in all the course of time. The majority crucified Jesus Christ. The majority burned the Christians at the stake. The majority drove the Jews into exile and the ghetto. The majority established slavery. The majority set up innumerable gibbets. The majority chained to stakes and surrounded with circles of flame martyrs through all the ages of the world's history.

Majority rule without any limitation or curb upon the particular set of fools who happen to be placed for the moment in charge of the machinery of a government! The majority grinned and jeered when Columbus said the world was round. The majority threw him into a dungeon for having discovered a new world. The majority said that Galileo must recant or that Galileo must go to prison. The majority cut off the ears of John Pym because he dared advocate the liberty of the press.

Mr. President, in connection with this vitally important question of the preservation of rule XXII, I should like to quote briefly some comments made by two of the most outspoken opponents of the present rule.

In the course of an address delivered on March 29, 1957, at Ohio State University, the distinguished senior Senator from Illinois [Mr. DOUGLAS] made this statement, referring to the adoption of the present rule:

What, in effect, has been done is to adopt John C. Calhoun's theory of concurrent majorities, under which a majority in the country or in Congress is not permitted to pass legislation unless it also meets with the approval of the majority of each and every section of the country. The failure of Calhoun and the South to establish this principle prior to 1860 was one of the factors which led to the Civil War. Its quiet adoption in modern times may well lead us to reconsider just who in the long run won that war.

In the same vein, the senior Senator from New York [Mr. JAVITS] in his statement appearing in the report of the Committee on Rules and Administration, dated April 30, 1958, declared as follows, again referring to the principle embodied in rule XXII:

This kind of balance, which the opponents of civil rights legislation wish to retain in the Senate, is a modern version of Calhoun's "concurrent majorities." It was such a sectional right of veto and interposition that Calhoun and other States rights advocates urged during the debates, in and out of Congress, that led up to the Civil War. This type of imbalance, however, finds no support in the Constitution nor in current practice outside of rule XXII.

Both of these distinguished Senators imply very strongly that the principle of the concurrent majority is a bad thing, an undesirable thing, something which all good Americans should abhor. This basic and general objection on their parts, I shall discuss in a few moments. First, however, I wish to address myself to the further statement made by the Senator from New York, to the effect that the doctrine of the concurrent majority is a repudiated and rejected theory which does not even exist in our system outside of rule XXII—if I may again quote the Senator's words, for emphasis, "This type of imbalance, however, finds no support in the Constitution nor in current practice outside of rule XXII."

The Senator is very badly mistaken. How he can have been on the American political scene as long as he has and still make that statement, is beyond my comprehension. As a matter of fact, the principle of the concurrent majority—a principle, by the way, which was not invented by Calhoun, but rather was enunciated by him—is the very foundation and basis of the American political system. True, the specific factor involved in rule XXII is a very important aspect of the concurrent majority principle; but to say that concurrent majority does not exist in actual practice outside of rule XXII is to be blind to the entire political mechanism of our country.

A number of years ago there appeared in Harper's magazine—issue of November 1948—a most interesting and informative article by the very able and very liberal writer, Mr. John Fischer, who has since become editor of the magazine. This article, which is entitled "Unwritten Rules of American Politics," bears so directly on the issue before us today, and the author has set down his thoughts so ably and so clearly that I should like to quote several passages from this article at some length if I may.

In contrast to the two distinguished Senators, who apparently regard Calhoun's theories as suspect or sinister or, it would appear, downright un-American, Mr. Fischer, liberal though he is, subscribes wholeheartedly to the view—expressed previously by Dr. Peter F. Drucker, of Bennington College—that Calhoun's ideas are "a major, if not the only, key to the understanding of what is specifically and uniquely American in our political system."

Mr. Fischer writes as follows:

Calhoun summed up his political thought in what he called the doctrine of the concurrent majority. He saw the United States as a Nation of tremendous and frightening diversity—a collection of many different climates, races, cultures, religions, and economic patterns. He saw the constant tension among all these special interests, and he realized that the central problem of American politics was to find some way of holding these conflicting groups together.

It could not be done by force; no one group was strong enough to impose its will on all the others. The goal could be achieved only by compromise—and no real compromise could be possible if any threat of coercion lurked behind the door. Therefore, Calhoun reasoned, every vital decision in American life would have to be adopted by a "concurrent majority"—by which he meant, in effect, a unanimous agreement of all interested parties. No decision which affected the slaveholders, he argued, should be taken without their consent; and by implication he would have given a similar veto to every other special interest, whether it be labor, management, the Catholic church, old-age pensioners, the silver miners, or the corngrowers of the Middle West.

Now at this point, Mr. President, Mr. Fischer ventures his opinion that, "under the goad of the slavery issue, Calhoun was driven to state his doctrine in an extreme and unworkable form"; but he makes it clear that this fact does not detract from the basic soundness of the doctrine itself. Mr. Fischer goes on to explain the concurrent majority doctrine, as follows:

Government by concurrent majority can exist only when no one power is strong enough to dominate completely, and then only when all of the contending interest groups recognize and abide by certain rules of the game.

These rules are the fundamental bond of unity in American political life. They can be summed up as a habit of extraordinary toleration, plus equality in the peculiar American meaning of that term which cannot be translated into any other language, even into the English of Great Britain. Under these rules every group tacitly binds itself to tolerate the interests and opinions of every other group. It must not try to impose its views on others, nor can it press its own special interests to the point where they seriously endanger the interests of other groups or of the Nation as a whole.

Furthermore, each group must exercise its implied veto with responsibility and discretion; and in times of great emergency it must forsake its veto right altogether. It dare not be intransigent or doctrinaire. It must make every conceivable effort to compromise, relying on its veto only as a last resort. For if any player wields this weapon recklessly, the game will break up—or all the other players will turn on him in anger, suspend the rules for the time being, and maul those very interests he is trying so desperately to protect. * * *

This is the somewhat elusive sense, it seems to me, in which Calhoun's theory has been adopted by the American people. But elusive and subtle as it may be, it remains the basic rule of the game of politics in this country.

Mr. President, I do not wish to labor the point, but I do want to make sure that the Senator from New York realizes that he was very seriously mistaken—and I want all the Members of this body to realize that he was mistaken—when he said that the concurrent majority system "finds no support * * * in current practice outside of rule XXII." Therefore, I shall, for the benefit of all the Senators, read several additional passages from Mr. Fischer's brilliant article. As Mr. Fischer points out:

The way in which this tradition (the concurrent majority rule) works in practice can be observed most easily in Congress. Anyone who has ever tried to push through a piece of legislation quickly discovers that the basic units of organization on Capitol Hill are not the parties, but the so-called blocs, which are familiar to everyone who reads a newspaper. There are dozens of them—the farm bloc, the silver bloc, the friends of labor, the business group, * * * the public power bloc—and they all cut across party lines.

They are loosely organized and pretty blurred at the edges, so that every Congressman belongs at different times to several different blocs. Each of them represents a special interest group. Each of them ordinarily works hand in hand with that group's Washington lobby. In passing, it might be noted that these lobbies are by no means the cancerous growth which is sometimes pictured in civics textbooks. They have become an indispensable part of the political machine, the accepted channel through which American citizens make their wishes known and play their day-to-day role in the process of government.

Now it is an unwritten but firm rule of Congress that no important bloc shall ever be voted down, under normal circumstances, on any matter which touches its own vital interests. Each of them, in other words, has a tacit right of veto on legislation in which it is primarily concerned. The ultimate expression of this right is the institution, uniquely American, of the filibuster in the Senate.

Before I continue with Mr. Fischer's remarks, Mr. President, let me point out that Mr. Fischer is a supporter of so-called civil-rights legislation; this is clear from his use of the word "ruthlessly" in his next sentence, which I shall read to you. But this very fact renders all the more impressive what he has to say in regard to the rule permitting free debate, which is as follows:

Recently it has acquired a bad name among liberals because the southern conservatives have used it ruthlessly to fight off civil-rights legislation * * *. Not so long ago, however, the filibuster was the stoutest weapon of such men as Norris and the La Follettes in defending many a progressive cause, and * * * liberal Senators may well have cause to use it again.

But it is not only in the Congress, Mr. President, that the doctrine of concurrent majority holds sway. Let me quote further from Mr. Fischer's article:

Calhoun's principles of the concurrent majority and of sectional compromise operate just as powerfully, though sometimes less obviously, in every other American political institution. Our Cabinet, for example, is the only one in the world where the members are charged by law with the representation of special interests—labor, agriculture, commerce, and so on. In other countries, each agency of government is at least presumed to act for the nation as a whole; here most agencies are expected to behave as servants for one interest or another. The Veterans' Administration, to cite the most familiar case, is frankly intended to look out for our boys; the Maritime Commission is the spokesman for the shipping industry; the National Labor Relations Board, as originally established under the Wagner Act, was explicitly intended to build up the bargaining power of the unions.

* * * * *

Calhoun's laws also govern the selection of virtually every candidate for public office. The mystery of eligibility which has eluded most foreign observers simply means that a candidate must not be unacceptable to any important special-interest group—a negative rather than a positive qualification. A notorious case of this process at work was the selection of Mr. Truman as the Democrat's vice-presidential candidate in 1944. As Edward J. Flynn, the boss of the Bronx, has pointed out in his memoirs, Truman was the one man "who would hurt * * * least" as Roosevelt's running mate. Many stronger men were disqualified, Flynn explained, by the tacit veto of one sectional interest or another. Wallace was unacceptable to the businessmen and to many local party machines. Byrnes was distasteful to the Catholics, the Negroes, and organized labor. RAYBURN came from the wrong part of the country. Truman, however, came from a border State, his labor record was good, he had not antagonized the conservatives, and—as Flynn put it—"he had never made any 'radical' remarks. He just dropped into the slot."

The same kind of considerations govern the selection of candidates right down to the county, city, and precinct levels. Flynn, one of the most successful political operators of our time, explained in some detail the complicated job of making up a ticket in his own domain. Each of the main population groups in the Bronx—Italians, Jews, and Irish Catholics—must be properly represented on the list of nominees, and so must each of the main geographical divisions. The result is a ticket which sounds like the roster of the Brooklyn Dodgers: Loreto, Delagi, Lyman, Joseph, Lyons, and Foley.

Comparable traditions govern the internal political life of the American Legion, the Federation of Women's Clubs, university student bodies, labor unions, Rotary Clubs, and the thousands of other quasi-political institutions which are so characteristic of our society and which give us such a rich fabric of spontaneous local government.

As I said at the outset, the first step I was undertaking in this address was to show beyond any peradventure of a doubt that the Senator from New York was in error—utterly and completely in error—when he said that Calhoun's doctrine "finds no support in current practice outside of rule XXII." I believe that the passages which I have read from Mr. Fischer's article have served to prove my point, more than satisfactorily; and I am sure that the Senator will, upon fair consideration, admit that he was indeed in error.

So now that we have established the point that the doctrine of concurrent majorities, of which the rule permitting unlimited debate is a very vital part, is in actuality the very foundation-stone of our entire political system here in America—now we can turn to the question of whether it is desirable, or undesirable, that we continue that system.

Certainly I would not argue—I hope no one in the South would argue—that we ought to continue to follow any particular system or doctrine simply because it was enunciated and developed by a great southerner, Calhoun. Nor do I think that anyone would say that the fact that the concurrent majority doctrine is, and always has been, the basic doctrine of American politics is, in and of itself, sufficient reason not to scrap that doctrine if it can be successfully attacked on its merits.

So let us do just that, Mr. President, let us go to the merits of the case. Let us look at rule XXII, not only from the standpoint of its guarantee of the most thorough and searching debate of every minute—but often vital—detail of a proposed piece of legislation. Let us, for the moment, look at rule XXII in its vital role as a key mechanism of the concurrent majority system—as a sort of minority veto, if you will. And let us be quite frank to state that that is just what rule XXII actually is—for, in addition to guaranteeing full and complete exploration of the issues, rule XXII does, or may, fulfill the function of a sort of minority veto—at least a partial one—against hostile legislation passed by the majority.

I do not think that anyone can contend now, Mr. President, that we are not meeting the issue fairly and squarely. And, thus meeting it, I contend, Mr. President, that the principle embodied in rule XXII far from being harmful or undesirable, is on the contrary valuable, beneficial, indeed indispensable, to the national welfare; because, as a vital part of the concurrent majority system, it is the surest protection of the rights of minorities against the tyranny of numerical majorities.

That, Mr. President, is the primary reason why we must steadfastly oppose any weakening of the principle embodied in rule XXII—on that principle depends the protection of minority rights in this country.

At this point, let me make it clear, Mr. President, that when I speak of "minorities," I use the term in its broad and general and universal sense—as employed by Calhoun and by Mr. Fischer—as applying to any type of minority group, whether it be sectional, ethnic, economic, religious, or otherwise; and not in the narrow and restricted meaning of the term, given it in recent years by those who would appropriate it to the exclusive use of certain racial and ethnic groups, the members of which are, to a large extent, located in politically

strategic metropolitan areas of the North.

Bearing always in mind, then, Mr. President, this broad and true concept of the term "minority," I contend that rule XXII is in the long run a valuable, probably the most valuable, protection possessed by minority groups in this country. For minorities, of whatever kind, rule XXII is a shield against tyrannical legislation by the majority. It is, let me emphasize, a shield—never a sword, but only a shield; for it is a negative and not a positive power. It is a power by which the minority can, at the most, only prevent—and, usually, only modify—hostile legislation by the majority—it does not enable the minority to impose harmful legislation on the majority. It is a purely defensive weapon; and it is, I repeat, an indispensable one, if minorities in our society are to have any meaningful protection.

And why should not a minority be entitled to protection, where its own vital interest is concerned, against seriously harmful legislative action by a majority whose interests are not directly or vitally involved? I believe that such a minority should have such protection; I believe that such a minority is entitled to a defensive veto.

Evidently, the distinguished senior Senator from Illinois does not believe that a minority should be thus entitled to protection; either that, or he does not accord the great sectional minority known as the South the official status of being a "minority" at all—he being one of those, perhaps, whom I mentioned earlier as reserving the sacred term "minority" for the exclusive use of certain racial and religious groups which have a potent voting cencentration in certain key urban areas of the North—such as for instance, Cook County, Ill.

Mr. President, I hesitate to venture at this point into the area of civil rights, an area so emotionally charged, an area so complex—an area in which there are wheels within wheels, and problems within problems. But I know that members of the opposition will bring it up anyway—in fact, many of them are frank to state their primary reason for seeking to emasculate rule XXII is to facilitate the passage of more and more so-called civil rights legislation—and so I may as well go ahead and use this explosive field as my first example.

Mr. President, in the same address from which I quoted earlier today, the Senator from Illinois had this to say in regard to the use of the filibuster to block legislation:

> In practice it is probably limited . . . to those questions which a majority of the country as a whole favors, but which the voters of a large section bitterly oppose. . . . Civil rights legislation furnishes such an issue. The articulate sentiment of the South is vigorously opposed. And while public opinion in the North and West is on the whole favorable, it is in the main only tepidly so.

The Senator has put his finger right on it. Here is an issue, in which the minority section—the South—its own deepest interests being vitally concerned, is, as he puts it, "vigorously opposed" to the legislation, and in which the majority section—the North and West, that is, the United States outside the South—is, while on the whole favorable, only tepidly favorable—the reason for this tepidness being, of course, that in most areas of the majority section the problem is viewed only from the standpoint of theory and not that of practical conditions.

Now admittedly, this civil rights question is in some respects a somewhat atypical situation, in that, in addition to the usual elements of the tepid, not directly affected majority—the North and West as a whole—and the vitally concerned and immediately affected major minority—the South, we have in this case also another, smaller, minority, namely, the artifically, emotionally—let us simply say, politically—stimulated, and politically potent, minority known as the northern Negro. That is what I meant when I spoke of this problem as a complex one, having wheels within wheels. But the fact still remains that, speaking of the northern population as a whole, we have in this situation a majority not directly concerned and so only tepidly in favor, and on the other hand a minority—the South—which, since its vital interest—its most vital domestic interest—is directly and immediately at stake, is passionately opposed.

I say, Mr. President, that in such a situation, the minority is entitled to a form of partial veto by which it can prevent or at least modify extreme legislation—a protection which is now afforded by rule XXII. Here we have a large and important minority section of the country, the South, faced with legislation which would seriously and adversely affect it in its most vital domestic interest—by all means, that minority is entitled, under all the rules of our system as set forth so ably by Mr. Fischer, to the protection which rule XXII affords.

But let us turn from civil rights to another field, a field where the issues can be viewed more dispassionately than they possibly could, at the present time and in the present atmosphere, in any field involving questions of race. Let us leave the South and turn to the West.

Throughout far the greater part of this huge region, which comprises more than half of the Nation's area—all or part of 17 very large States—arid or semiarid climatic conditions prevail. The fact that rainfall is light and that water is therefore in short supply is perhaps the foremost fact that must be kept in mind in any consideration of the West. The historian Walter Prescott Webb has gone so far as to say that "the overriding influence that shapes the West is the desert."

I do not imagine that that is an overstatement. If it can be said that the cardinal problem of the South has been the problem of the Negro, it can also be said, perhaps even more truly, that the great problem of the West, throughout its history, has been the problem of water—or, rather, the lack of it.

Now I realize that, especially with the increasing industrial uses of water, the question of insufficient water supply is becoming a national problem, in a sense. But in a sense only, and never in the western sense. Nowhere in the humid East or South is water the problem, or even the kind of problem, that it is, and always has been, throughout the arid and semiarid West. To be sure, we in the Southeastern States have known periods of droughts, sometimes severe ones, and I am sure that the same has been true of New England and the Central States; but the farmers of our green and fertile and well-watered eastern half of the country have never known the life-or-death importance of water with quite the degree of immediacy and intimacy that has been the lot of the western farmer or rancher.

A drought such as those we occasionally have in the South can cause great harm to individual farmers and sometimes can even adversely affect the economies of considerable areas; but, comparatively speaking, the effect is generally only temporary, due to the blessed fact of our abundant average annual rainfall. But in the West, droughts have virtually depopulated whole sections of States and caused vast migrations of stricken farm families; and the scarcity of water, to begin with, has stifled the development, and in some cases completely prevented the settlement, of tremendous areas of the West. Small wonder then, that the problem of water looms so large in the western mind! No wonder at all that the question of control, development, and distribution of what water supplies do exist is, and long has been, a burning political, economic and social issue throughout the Western States—the West's most vital domestic concern.

Now, Mr. President, let us suppose that we are faced with a legislative proposal concerning water policy, one that would effect major and far-reaching changes in present water policy. It might be a bill which would have the effect of nullifying State water rights and vesting total control of water supplies in western areas in the Federal Government; it might deal with irrigation and reclamation projects; or it might be a bill dealing with watershed control which would forbid State or Federal public power projects or which would have the effect of handing over control of western water resources to utility holding companies. For the purposes of this argument, however, the exact proposal embodied in the bill does not matter. Let us simply say that it is a broad and far-reaching bill dealing with water policy.

Let us further assume, Mr. President, that public sentiment in the eastern half of the country is, in the main, favorable to the legislation. Only tepidly so, to be sure, to follow the wording of the Senator from Illinois—tepidly, because, their part of the country not being directly affected one way or the other, they really do not care very much about the issue. But still, on the basis of some editorials they have read in their newspapers, or some articles in picture magazines, and since, superficially at least, the announced purposes of the bill seem to be pretty much in accord with their political philosophies; since, in short, the proposal looks like a pretty fair deal which

might bolster the national economy—at least its proponents say so—they are in favor of it rather than opposed to it.

To make the situation a little more complex politically, and also to keep it somewhat analogous to the civil rights situation, let us add to this tepid majority of the national public a very untepid group of utility companies, headquartered in the East but with interests in the West, and their financier allies—the real proponents of this bill, who stand to gain incredibly enormous profits if it becomes law. This element having considerable political power and, as already stated, the majority of the public at large being in favor of the proposal, albeit tepidly so, a majority of Senators are lined up in favor of the bill.

But let us say, Mr. President, that the people of the Western States, are passionately and almost unanimously opposed to the bill, because they are convinced that its passage will seriously and adversely affect their most vital interests. Conceivably the bill could be fatally destructive of the entire economic and social structure of most of the West.

Now if this were the situation, under the present rules, Mr. President, you know what would happen to that bill. It would never get through the Senate; in fact, it would probably never even be seriously proposed, at least without substantial modification, for the prospect of a determined filibuster by 20 or 30 western Senators would, as the Senator from New York expressed it, "make the majority come to terms."

But take away rule XXII, that shield and buckler of minorities, and this or any other outrage could be imposed on the West or any other minority element in our country. My distinguished colleagues from New York and Illinois, and their allies, would have it so. They would give to a simple majority of this body virtually absolute power over minorities. Apparently, Mr. President, they worship King Numbers. I want to make it clear that, like John Randolph of Roanoke, I do not. And I want to say, Mr. President, that it will be a sad day for minorities in this country of ours when the Members of this body, in derogation of their long followed tradition of concurrent majority, shall scrap the benign and moderating influence of rule XXII and substitute instead the rule of King Numbers—the most tyrannical ruler that ever lived.

Mr. President, minority groups are not the only beneficiaries of rule XXII. The greatest beneficiary of rule XXII is the country as a whole. The emasculation of rule XXII would be a blow to minorities, but it would be also a tragedy to the whole country. For rule XXII—the mere existence of the rule—accomplishes two very great things for the country: First, by discouraging extreme legislation in any direction, and preventing violent swings from left to right, it promotes stability in Government. Second, by giving minorities a defensive shield againts tyranny, it discourages the arising of tensions and situations which could, and probably would, lead to various and frequent forms of civil strife, perhaps actual civil war.

By way of explaining what some may at first thought deem rather extravagant claims in behalf of rule XXII, let me read a paragraph from the previously mentioned individual views of the senior Senator from the State of New York. He says:

> The ability to carry on a filibuster can affect the kind of legislation passed by the Senate even though no actual filibuster is undertaken. The incidence of a filibuster or the certain knowledge that a filibuster would be organized has made the majority come to terms before. The mere threat that a filibuster of great length would be undertaken against some proposal or unless amendment to a bill was accepted has, in effect, resulted in the majority of the Senate acquiescing in changes in legislation.

The distinguished Senator is quite correct in his statement—I agree with his analysis completely. The state of facts is just as he has put it. That is the way it is. Furthermore—and this is where the Senator and I part company, unfortunately—I maintain that it is right and good and fortunate for the country that that is the way it is; and I hope and pray that that is the way it will continue to be.

For if the rule should be changed, as the Senator would have it changed, so that legislative power would be absolute in a bare majority of the Members of this body, our country would lose its political stability. Our society, instead of continuing to follow a generally middle-of-the-road course, would soon be characterized by violent swings from right to left, from conservative to radical and then back to ultraconservative, from aggrandizement of a given interest group to extreme oppression of that interest group. I submit, Mr. President, that our country would be much the poorer for all this.

As matters stand now, due to the mere existence of rule XXII, the mere overhanging threat of a filibuster by any minority whose vital interest would be seriously threatened by a proposed piece of legislation, exerts a healthy moderating influence against extremes in any direction, against unconscionable oppression of any minority interest.

Mark now, let me again emphasize, this by no means constitutes what the opposition would have it, "minority rule"—it is only a defensive power in the minority to prevent extreme tyranny by the majority. And, as Mr. Fischer pointed out, this veto is not used recklessly or with abandon; it is not something to be wielded lightly, but only when confronted by the most extreme peril; its use is reserved for only those issues deemed the very most vital to the well-being of the minority in question. The reason for this is, of course, two-fold: First, it is neither an easy nor a pleasant exercise to conduct a filibuster. Second, the minority which today is making use of the negative power of the filibuster in order to block legislation must always remember that tomorrow it will be needing legislative allies from among various other blocs in order to pass some desired piece of positive legislation. As. Mr. Fischer expresses it:

> The farm bloc, for instance, normally needs no outside aid to halt the passage of a hostile bill. As a last resort, three or four strong-lunged statesmen from the Corn Belt can always filibuster it to death in the Senate. If the bloc wants to put through a measure to support agricultural prices, however, it can succeed only by enlisting the help of other powerful special interest groups. Consequently, it must always be careful not to antagonize any potential ally by a reckless use of the veto.

But I have digressed somewhat. As I was saying, rule XXII as it now stands, providing as it does the ever-present threat of a filibuster by any minority which would be critically threatened, exerts a healthy and moderating influence on legislation. Take away that rule and the inherent protection for minorities which it provides, and a bare majority of Senators could, and would, ram through whatever legislation they might choose, no matter how extreme, how punitive, or how fatal to the interests of any segment of our society.

Given a sharp split on some clear-cut major issue, in one year a bill which goes to extremes in one direction would be passed; a slight shift in Senate membership in a succeeding session could result in a violent swing in the opposite direction. One year, in which the radical forces were in a slight majority in the Senate and also had the Presidency, a labor-relations code that was strongly prolabor and antimanagement could become law; a very slight shift in popular sentiment could result the next year—say it was a presidential year—in a conservative President, and in a Senate in which conservatives, instead of radicals, held a bare majority, and in place of the bill that was prolabor, a union-crippling, flagrantly promanagement bill would be passed. One Congress would nationalize the railroads, or the steel industry, the next would denationalize them; and so on and on, issue upon issue, ad infinitum. How long, Mr. President, could our Government, our economy and our society survive such intolerable instability?

But the moderating influence which rule XXII exerts on legislation does more than merely promote order and stability in our Government and in our society; it is not too much to say that rule XXII insures the very survival of that Government and that society. For, by preventing extreme oppression of sectional or other minorities in this country, it discourages the arising of those tensions and resentments and feelings of injustice and frustration which otherwise would explode in civil war. We would do well to remember that on one of the very few major occasions in our history that the rules of the game were suspended and an important minority was completely overridden by the majority—namely, when the South was overridden by the antislavery combination, resulting in the election to the Presidency of a totally sectional President and the dominance of a frankly sectional party which was nonexistent in the South—, the result was the dissolution of the Government and 4 years of bloody war. People today tend to think of serious domestic violence or war as something which happened in the distant past and which would never happen again. But

the reason why we have had internal stability in this country since the end of the Reconstruction has been precisely because, from 1877 to the present, with perhaps one exception, during the early years of the New Deal, the doctrine of the concurrent majority has been scrupulously followed. With the close of the experiment of Reconstruction, says Mr. Fischer:

> American politics * * * swing back into its normal path and has never veered far away from it since. Although Calhoun's cause was defeated, his political theory came through the Civil War stronger than ever.

Mr. President, if we in this country try to get away from Calhoun's eternal political truths; if we throw over the doctrine of the concurrent majority; or if we gravely weaken that doctrine, as we will do if we cast aside rule XXII, which is one of its cardinal features—if we do that, Mr. President, our country is headed for disaster. Let us be frank, let us be blunt, and say that our country is headed for civil upheaval. I am not threatening, Mr. President, or predicting, that the conflict or conflicts which will surely arise will be, as in 1860, between the North and the South. I cannot say, I do not know, at the present time, just where the lines of division will be drawn. I do not know whether the divisions will be along sectional lines at all, or whether they will be along economic or ideological lines, or an overlapping combination of all of these. But I do know this: that when a minority, especially if it is a fairly sizable or powerful one, feels the tyranny of the unrestrained majority, feels the oppression of extreme legislation which this unchecked majority will inevitably impose; when the minority can no longer defend itself by means of the shield that is rule XXII—then, Mr. President, then you are going to see that minority—perhaps, indeed probably, in concert with other minorities which have likewise felt majority oppression—take steps to protect itself by whatever means it finds at its disposal—by intrigue, conspiracy, and coup d'etat if possible, by bloody revolution if necessary. Nor could we blame them, we who had taken from them their peaceful defensive shield, their peaceful political form of protection—for there is no more harsh rule than the rule of "King Numbers," no worse tyranny than the tyranny of the unrestrained majority.

Yet that, Mr. President, is what the Senator from Illinois, the Senator from New York, and their allies, would impose upon us—although, of course, this result would be the farthest thing from their intention. How fatal is shortsightedness, how tragic the result of taking the short-range view. Here we have a group of Senators, with the avowed purpose of improving the status and well-being of minority groups in this country. And, tragically taking the short-range view instead of the long view, how do they propose to go about it? By introducing a measure which, if adopted, will do more, in the long run, to curtail the rights and destroy the well-being of minorities than any other measure ever introduced in this body; and which would, at the same time, be detrimental, perhaps fatal, to the well-being of the country as a whole.

Mr. President, the Members of this body now know the facts; they know what is at stake. It is within their power to prevent this tragedy's coming to pass. They have a terrible responsibility. May they have the vision to look beyond the short view and the strength to act in accordance with the long-range well-being, not only of minority groups, but of the United States of America.

During the delivery of Mr. DOUGLAS' speech:

Mr. TALMADGE. Mr. President, it is my deep conviction that proposals for further limiting debate in the United States Senate are matters of grave consequence which should not be adopted lightly without due deliberation, forethought and consideration being given to all the attendant ramifications.

Certainly, debate in the Senate should not be stifled to accomplish some other transient objective.

It was out of that conviction that I, as a member of the Senate Committee on Rules and Administration, insisted during the 1st session of the 85th Congress that comprehensive hearings be held on the various resolutions then pending to amend Senate rule XXII.

It was out of that conviction that I endeavored, as chairman of the special subcommittee named to conduct those hearings, to obtain for the first time an expression of "grassroots" sentiment on the question.

It was out of that conviction that I gave careful study to the transcripts of those and previous hearings and to all related materials available to me before writing my report in support of Senate rule XXII as presently written.

And it is out of that conviction, Mr. President, that I now rise to state to this Senate in the most earnest terms at my command the compelling reasons why I feel Senate rule XXII must be upheld unchanged.

Although the question of cloture has been a recurring issue before the Senate since 1917 and hearings previously had been held on the subject in 1947, 1949 and 1951, it was not until 1957 that any effort was made to determine the thinking of the American people about it.

The Special Rules Subcommittee composed of the Senior Senator from New York [Mr. JAVITS] and myself heard, either in person or by prepared statement, from 132 Senators, spokesmen for organizations with national memberships and other knowledgeable individuals. While previous hearings had been confined largely to testimony from Senators and paid spokesmen for partisan pressure groups, the 1957 hearings heard from such well-known and respected organizations as the American Legion, the Veterans of Foreign Wars and the Sons and Daughters of the American Revolution.

An analysis of the transcript of the 1957 hearings discloses that more than three-fourths of those presenting their views to the subcommittee expressed approval of Senate rule XXII as it now stands and confidence in it as the major bulwark of the people in the maintenance of constitutional government and individual liberty in this Nation.

That transcript, Mr. President, affords Senators for the first time a basis for informed action on this subject. And certainly no Senator who wishes to be responsive to the will of his constituents will wish to vote on any proposal involving this issue before giving careful study to the record of the hearings and the unmistakable conclusions of public opinion it affords.

One of the first things which one studying that transcript will find plainly evident is the fact that those favoring a further erosion of freedom of speech on the floor of this Senate could offer no sounder reason for their position than their desire to see enacted into law force legislation of the character which was resoundingly defeated by the 1st session of the 85th Congress.

Those who predicated their support of proposed changes in Senate rule XXII on the contention that no so-called "civil rights" legislation could be enacted under its present provisions saw their argument exploded in the action of the 1st session of the 85th Congress in placing Public Law 85–315—or, if one prefers, the Civil Rights Act of 1957—on the statute books without resort to rule XXII.

That argument, thus disposed of, there is only one conclusion which can be drawn logically and dispassionately from the actions of those who persist in their efforts to change Senate rule XXII: that their onslaught to stifle freedom of speech on the floor of the Senate is an attack not only on the Senate itself but also on the stature, perquisites, and prerogatives of each Senator in national affairs and every other responsibility incident to the senatorship.

It is an attack which seeks to destroy the best aspects of our Federal/national system and substitute therefor the worst aspects of a national system.

It is an attack which seeks to make big government bigger.

It is an attack which seeks to centralize more and more power in Washington and to set up a government far less responsive to order, honesty, service, and practicality in its dealings with the people.

It is an attack which seeks to put Congress only a short step from the unicameral system.

It is an attack which seeks to eliminate the spirit of compromise and respect for the opinions and feelings of all Senators which has pervaded this Chamber for more than a century and a half.

It is an attack which seeks to eliminate the wise procedure of give-and-take among responsible men and substitute for it the brute force of numbers.

It is an attack which seeks to transform the U.S. Senate from a Chamber where reason prevails to one where all considerations yield to the cry of "knuckle under."

Historically, Mr. President, freedom of debate in the Senate is not a party or sectional device.

It has served the whole country and both political parties well at one time or another.

Legislative matters running through the whole thread of American life, relating to every conceivable activity, have been exposed to full debate in the Senate.

No one can say rightly that the results have been evil or that the country has suffered.

In fact, the benefits of freedom of debate have far outweighed the few instances in which the privilege may have been abused.

Our Nation's progress furnishes ample proof of that.

Standing Senate rule XXII is a wise rule—the result of compromise—which protects full and free discussion of legislative proposals yet serves as a barrier to thwart those few Members who would abuse the privilege of free speech.

Standing Senate rule XXII is fair and to change it again would be to militate against the historic tradition of unlimited debate in the Senate.

The first change in rule XXII to authorize cloture was adopted in 1917 following a bitter controversy over the failure in the Senate of a proposal for arming American merchant ships prior to this Nation's entry into World War I. It was offered as a war measure and, after debate at length, was adopted March 8, 1917, by an overwhelming vote of 76 to 3.

It required the votes of two-thirds of the Senators present and voting to invoke cloture.

Under a later ruling in 1948 by President pro tempore Arthur H. Vandenberg, it was held that the words "pending measure" in original rule XXII applied only to bills and resolutions and not to motions. That meant, of course, that debate on a motion to take up a bill was not subject to cloture under any circumstances.

It was in 1949 that the compromise on rule XXII was effectuated whereby its provisions for cutting off debate was extended, not only to apply to any "pending measure" but also to "any measure, motion or other matter pending before the Senate," and the requirement of "two-thirds of those voting" was changed to "two-thirds of the Senators duly chosen and sworn."

That was the compromise which still is in effect today.

While the two-thirds vote requirement to shut off debate was strengthened by the compromise, at the same time the dread threat of gag rule was extended over every facet of Senate procedure.

Those now attempting to make cloture easier and thus ultimately destroy freedom of debate in the Senate are not satisfied with what is a fair and reasonable compromise.

They complain that Standing Rule XXII in its application thwarts the wishes of the majority. However, authoritative observers of the American legislative process hold that a determined majority of Senators can find ways of passing any measure it desires without resorting to changing the very character and complexion of the body itself. The 1st session of the 85th Congress, as I have pointed out, affords a case in point.

To argue that rule XXII, by holding forth a threat of prolonged debate, serves to prevent Senators from insisting upon legislation with controversial features is to challenge the depth and sincerity of the convictions of all 98 Senators.

Ample means are available at present to overcome what a majority at any time may feel to be needless obstruction in debate. The use of protracted sessions and strict enforcement of all Senate rules afford adequate safeguards to bring to an end even the most determined and prolonged debate.

Whenever any issue of overriding importance to the welfare of the Nation arises, it goes without saying that debate will be limited accordingly.

Frankness compels the observation that the ultimate objective of opponents of free debate in the Senate is cloture by a simple majority vote of Senators present at any given time. Eventual adoption of such a rule would make it possible for 26 Senators, a majority of a quorum, to impose gag rule.

I am convinced that any further concession on our part will bring that disastrous result. It will mean that it will be only a matter of time until that dark shadow completely engulfs and destroys the only free forum left on this earth.

Free debate is the greatest safeguard we have against hidden defects—either calculated or unintentional—in bills which might result in unfairness, discrimination and special privilege for a favored few.

In studying the testimony of representatives of some organizations advocating majority cloture in the Senate, I was shocked and disturbed by some of the language used.

In 1951, for example, there appeared witnesses who branded Senators a selfish, bigoted minority and who called the revered heritages and traditions of the Senate as an institution, myths and folklore. There were those testifying who complained of the absence of political morality in our two major political parties and who lectured Members of this body on what they called the sins of the seniority system.

During the hearings of 1957, such terms as "immoral," "undemocratic," "un-American," "preposterous," "paralyzing," "tyrannical," "absurd," "ugly," and "disgraceful" were applied by witnesses to Standing Rule XXII.

Some of the terms of reference to rule XXII found in the 1958 report favoring majority cloture after 15 days are equally shocking and disturbing.

A few examples of them are that Senate rule XXII: Must be changed to conform with the challenge of Russian missiles and sputniks; paralyzes decision in the Senate; is archaic; would have been opposed at the time of the adoption of the Constitution; is contrary to the views of the Founding Fathers; violates fundamental parliamentary law; is at odds with early Senate procedures; is not supported by the national interest; is not supported by common sense; is not supported by history; stultifies Congress; violates the Constitution; is offensive to the dignity of the Senate; has destroyed the Senate's deliberative function; and thwarts discipline in the Senate.

Those and many other similar unfounded assertions and puerile implications which are sprinkled throughout the testimony about, and reports favoring, cloture resolutions submitted over the years are offensive to the character of every Member of the Senate and to the memories of those now departed who either served under or helped draft Standing Rule XXII. Not only do they insult the intelligence and integrity of all Senators but also they ignore history and distort facts to support partisan ends.

Mr. President, such declarations demonstrate conclusively that those supporting the proposed initiation of gag rule in the Senate have declared war on the United States Senate as an institution.

I do not share their claim that the United States is "failing freedom" in the world.

I do not share their contention that this Senate is a decadent instrumentality "unresponsive to democracy."

I do not admit their assertion that any Member of this Senate lacks either vision or patriotism.

I am indignant at the implication that I, or any other Member of this Senate, would consent to serve under, let alone defend, any rule of procedure which could to any degree be as reprehensible and alien to the American concept as opponents of rule XXII would picture it to be.

One reason given by those advocating that the Senate of the United States surrender its freedom of debate is that the House of Commons of the British Parliament has done so.

What they either forget or choose deliberately to ignore is that much of the difficulty experienced by Great Britain as a nation and as a world power can be laid directly to loss of freedom of debate in the House of Commons and a steady diminution in the power of the House of Lords.

The British system of government is not and never has been comparable to the constitutional system of government created here.

Every right the Englishman has is at the mercy of a majority in the House of Commons.

It was not always so.

A little over 75 years ago unlimited debate in Commons and the veto power in the House of Lords served as mighty barriers against the evils of state socialism.

Those two safeguards restrained competing political parties from inflicting great harm on each other or on the country.

But they were thorns in the flesh of the Liberal, and later the Labor, Party, according to the book "Government and Parliament," by Herbert Morrison.

The former Deputy Prime Minister of the Labor Government, Mr. Morrison, writes interestingly of how free debate was lost in the House of Commons, and I quote from his book beginning on page 202:

> Although there has been talk about the need to expedite business by curtailing private members' rights, it was only in the panic which followed the successful Irish obstruction in the 1880's that the House

parted with its long-preserved liberties. One of the most far-reaching of these reforms was the closure (that is to say, the motion "That the question be now put.") It was first used by Mr. Speaker Brand, on February 2, 1881, who, in the course of long debate and considerable obstruction, decided to put the question without further debate. (Before the introduction of the closure members could proceed with debate indefinitely.)

And it was eventually decided that a 3-to-1 majority would be required for a closure in a House of not less than 300 members.

In these days such a rule appears to be distinctly timid and certain to be ineffective in a considerable proportion of Parliaments, but it must be remembered that * * * the principle of unrestricted debate was held in high esteem * * * the idea of closure at all was no doubt looked upon as a revolutionary departure from traditions.

Mr. Morrison explains that the standing order governing closure in Commons today requires only a simple majority which cannot be less than 100 members.

Before 1911 Lords possessed absolute veto power over Commons. As a result of the rejection of the finance bill of 1909 by the Lords, the Liberal Government of that day appealed to the people and won a majority on the issue. A measure to curb the powers of Lords was offered and a promise obtained from the King that, should the Lords reject the bill, he would create a sufficient number of peers to insure its passage.

The threat was effective, and in 1911 the Parliament Act became law. By it the veto of Lords was curtailed to a period of 2 years for bills passed by the Commons in three successive sessions—whether of the same Parliament or not—and abolished altogether in respect of money bills.

The Labor Party in its preelection platform of 1945, "Let Us Face the Future," stated: "We give clear notice that we will not tolerate obstruction of the people's will by the House of Lords."

On October 31, 1947, the Parliament bill was presented to the House of Commons, and passed on December 10. It was rejected by the House of Lords, June 9, 1948.

That bill provided that, in the future, such legislation might be passed into law, notwithstanding the rejection of the House of Lords, if, first, it has been passed by the House of Commons in two successive sessions, instead of three as provided for by the Parliament Act of 1911, and second, 1 year—instead of 2 years—had elapsed between the date of the first second reading in the House of Commons and the date on which it was passed finally by Commons for a second time.

The bill further restricting the power of Lords was again passed by the Commons on September 21, 1948, and again rejected, September 23, 1948.

The bill was passed for the third time by the Commons on November 14, 1949. It was rejected by the Lords on November 29, but received the royal assent and became law on December 16, 1949, under the terms of the Parliament Act of 1911.

Thus was removed from the Government of Britain a great measure of its stability and strength.

The whole world was the loser.

We know the rest and those who have the vision to see beyond the transitory objectives of political advantage should be able to detect the grave danger of that bit of history repeating itself in the United States today.

While the real power of the House of Lords in Parliament in England has been virtually destroyed, it is interesting to note that the House of Lords itself has clung steadfastly to the principle of freedom of debate. Quoting again from Mr. Morrison's book, we find this explanation of how the Lords function together:

A remarkable feature about the House of Lords is that although they have many standing orders, they have few rules or standing orders governing debate. There are two standing orders dealing specifically with debate, namely that a Peer can speak not more than once on any motion (except that the mover can reply) and that debate must be relevant to the question before the House. In addition, there are a number of unwritten rules sanctioned by custom, such as those forbidding quotations from nonministerial speeches in the other House, or the reading of speeches; but rules of debate are few and widely interpreted.

And it should be alluded to here that the Labor Party in Britain does not want, under any circumstances, an institution in that country like the United States Senate. On that point Mr. Morrison wrote:

We should be alarmed if our second Chamber had the great powers of the United States Senate. Whilst willing to respect the House of Lords for the standard and value of its debates, and for its capacity as a chamber of legislative revision, we would not tolerate from such an institution any undue interference with the will of the House of Commons or of the people. * * *

Every citizen of this Nation is thankful that the United States Senate is today the United States Senate in name and in fact.

Every citizen is thankful that its powers and the prerogatives of its Members, as guardians here of the reserved rights of their States and the people, have not been diminished or curtailed.

During the course of some of the hearings in past years on limitation of debate in this body, proponents of majority cloture have stressed the relative disparity in Federal internal revenue collections from the several States as compared with grants-in-aid among the States and have cited that as an argument for their point of view.

I do not agree with their premise in that regard nor do I believe that their argument is valid.

According to statistics of the Bureau of Census of the United States Department of Commerce, I find that a total of 56.3 percent of all Federal internal revenue collections from all sources come from the seven States of California, Michigan, New Jersey, New York, Ohio, Pennsylvania, and Texas.

More specifically, figures for the 1956 fiscal year reveal that of the total Federal internal revenue of $75,113 million collected in that year, $42,301 million or 56.3 percent, came from those seven States.

On the other hand, statistics on grants-in-aid for the same 1956 fiscal year show that those same States received only 34.9 percent of the total payments made by the Federal Government to all the States and their local subdivisions under various matching programs.

We find that in the fiscal year ending June 30, 1956, the seven States I have listed received $1,190,677,000, or 34.9 percent, in Federal grants-in-aid out of a total of $3,404,839,000 paid to the States and their local subdivisions by the Federal Government for that 12-month period.

Now some of the larger and richer States feel that the smaller and less populous States are imposing upon them in that regard.

But anyone who reflects on the character of our tax structure will know that that is not true.

United States internal revenue collections are based upon excise taxes levied on trade and business and upon individual and corporate incomes derived from such trade and business.

Concentrated industrialization in the large States which I named accounts for the greater collection of taxes in those areas.

We should not overlook the fact that goods and all manner of services created in those States are consumed in every State and that the productive income of all of our people thereby is channeled into them to pay for those goods and services.

All of us realize that Federal governmental programs must be uniform in their application to all States and that every American must share equally in their benefits.

The right of each Senator to freedom of debate in the United States Senate is a great bulwark protecting both the smaller States and the larger States from imposition on each other.

That is true both in the levying of taxes and in the spending of Government revenue.

If we destroy or further weaken the safeguard of free debate, the small States will be at the mercy of the large States and could very well reap the whirlwind of discrimination in the levying of Federal taxes and, particularly, in their expenditure.

Under such circumstances, outlays for major public improvements in the smaller States would be rare indeed.

Before any of us representing the smaller and less populous States vote to curb debate in this body, we should reflect on its consequences in all matters of legislative consideration.

Certainly, Mr. President, its effects go much further than one bill or any group of bills.

And, more certainly, the danger of cutting off debate when taxes are being levied or when money is being appropriated could lead to the gravest of abuses.

Much has been made of the fact that standing rule XXII gives power to the individual Senator which those so contending maintain should be possessed

by the majority, right or wrong. Such a view is contrary to the origin of the Senate as the voice of the individual States in the Federal establishment.

There is no escaping the fact that proposals for further limiting debate in the United States Senate would, if adopted, have the effect of negating the power, the prestige and the perquisites of the Senator as an individual officeholder and of the Senate as a protective instrumentality of the Federal Government.

A former distinguished member of this body, Senator William Knowland, of California, observed at a Rules Committee hearing on this subject in 1947 as follows:

The Senate by sanctioning unlimited debate * * * has in effect so amended the Constitution as to give veto rights to individual Senators and to make it possible for one over one-third of the Senate to confirm such a veto. On such a basis it takes the same two-third's vote to override a Senator bent on filibuster that it does to override a Presidential veto.

Mr. President, the smaller States rightly were given equal representation in the Senate but that influence will be dissipated almost entirely if authorization is voted here for a minority to be gagged on the vote of a simple majority of a quorum.

The former minority leader is not the only one who has recognized that unlimited debate is a vital perquisite incident to the senatorship.

Harry Reed, an official of the CIO, testified in 1951, as follows:

The Congress of Industrial Organizations stands wholly committed to the philosophy that an imperative need in this country is continuing expansion of the democratic process. The CIO does not exempt the Senate of the United States from the application of this philosophy.

One good accomplished by the Myers-Morse resolution was the bringing into full light of day the determination on the part of a willful minority of the Senate that democracy and majority rule should not be allowed to prevail. Appeals based on the so-called prerogatives of Senators operated to prevent any progress (majority cloture) being made at that time.

There are, of course, no such things as senatorial prerogatives. * * * To argue that Senators have special prerogatives is to hark back to the outmoded theory of the anointed one.

It is unthinkable that 34 men, not directly answerable to all of the American people, should be vested with any such tremendous weapon to use against the welfare of all the people. The distrust in the people which they reveal results in a much more logical distrust which the people have for them as public servants.

While I do not agree with Mr. Reed's conclusions nor do I sanction his criticism of the Senate and its Members, I do share his belief that each Senator is vested with a tremendous weapon which he may use to protect the people who sent him here.

One of the frankest and most outspoken witnesses to appear before the Rules Committee in the past to testify for further limitation on debate in the Senate was Will Maslow, general counsel of the American Jewish Congress.

He testified, in part, on October 3, 1951, as follows:

There are many Senators, not from the South, who believe as deeply as the southern Senators in the right of unlimited debate and the reason they believe it is a very simple one.

The prestige and influence of a single Senator is increased immeasurably because of the possibility of a filibuster or the possibility that his wishes must be considered; and it is the Senators from the small States who have to be persuaded that they must consider themselves no longer as ambassadors of sovereign States.

Today you have an assembly where one section of the country—it may be the Silver States one week, the South the next week and opponents of the St. Lawrence Waterway the third week—have a virtual veto power.

That, Mr. President, is what we of this Senate are being asked, among other things, to surrender here today.

Let me, at this time, bring up a fact which is unpleasant but which, nevertheless, cannot be ignored.

During the last quarter of a century we have seen an unending encroachment on the powers of Congress by both the executive and judicial branches. One by one its powers and the prerogatives of its members, have been eaten away.

Congressional authority over the purse, over patronage, over the budget, over war powers and over all other phases of Government operation have, either by delegation or acquiescence, slipped away or been greatly reduced.

It is time that this trend be reversed.

We can strike a mighty blow toward that end, Mr. President, by refusing to surrender our right of freedom of speech on the floor of the Senate.

No more eloquent defense of the right of the individual Senator to the power which comes through freedom of debate has ever been penned than that written by the able and talented reporter and writer, William S. White, in his book, "Citadel—The Story of the United States Senate."

Another distinguished and erudite journalist, Arthur Krock, described that book thusly:

Mr. White has accomplished three tasks I did not think could be done in one small volume, or in so brilliant a weave of highly readable information and deep political philosophy. He has reminded a forgetful people (1) that the United States was established, not as a democracy, but as a Federal Union and Republic; (2) that the State equality composition of the Senate was carefully designed to maintain this establishment; (3) that the design preserves the constitutional rights of minorities from the precipitate and emotional tyranny of majorities.

I join Mr. Krock in commending "Citadel" to the American people. It should be in every home, school, college, and public library in the land.

Mr. White, in having written his book, has performed a great service for his country.

A brief review of some of the most important points he makes regarding the function of the Senate as an institution and the role it plays in the stream of American life are in order here.

He writes:

Over the affairs of Republic, in short, the mandate of the Senate is for practical purposes limitless.

It is a checkmate on big government and big everything else, he says—even the big majority—for the Senate is the jewel in the cask where contraction, not expansion, is held most dear.

Writing eloquently of the precise role filled by the Senate in our Government, Mr. White stated:

Conscious though one is of the abuse of senatorial power one glories nevertheless in the circumstances that there is such a place, where big Senators may rise and flourish from small States.

For the institution protects and expresses that last, true heart of democratic theory, the triumphant distinction and oneness of the individual and of the little State, the infinite variety in each of which is the juice of national life.

It is perhaps often forgotten that the democratic ideal is not all majority; that, indeed, at its most exquisite moments the ideal is not for the majority of all but actually for the minority of one.

The Senate, therefore, may be seen as a uniquely constitutional place in that it is here, and here alone, outside the courts—to which access is not always easy—that the minority will again and again be defended against the majority's most passionate will.

This is a large part of the whole meaning of the institution. Deliberately it puts Rhode Island. in terms of power, on equal footing with Illinois. Deliberately by its tradition and practice of substantially unlimited debate, it rarely closes the door to any idea, however wrong, until all that can possibly be said has been said, and said again. The price sometimes is high. The time killing, sometimes, seems intolerable and dangerous. The license, sometimes, seems endless; but he who silences the cruel and irresponsible man today must first recall that the brave and lonely man may in the same way be silenced tomorrow.

For illustration, those who denounce the filibuster against, say, the compulsory civil-rights program, might recall that the weapon has more than one blade and that today's pleading minority could become tomorrow's arrogant majority. They might recall, too, that the techniques of communication, and with them the drenching power of propaganda, have vastly risen in our time when the gaunt aerials thrust upward all across the land. They might recall that the public is not always right all at once and that it is perhaps not too bad to have one place in which matters can be examined at leisure, even if a leisure uncomfortably prolonged.

Author White observes that from a small-State point of view to promote the idea of cloture is to sharpen a dangerous weapon. He draws this well-reasoned conclusion on the subject:

It is, in the nature of the Senate, absolutely necessary for the small States to maintain the concept of the minority's veto power, having in mind that it is only within the institution that his power can be asserted or maintained. (In the House, for example, New York State has 43 voices to a single one for Nevada.)

As one who has long been intimately associated with reporting the activities of the Senate, Mr. White makes this interesting observation:

Where a powerful majority really wants a bill it will find means to have its way, cloture or no cloture.

Without doubt the most eloquent defense of freedom of debate in the Senate was delivered by the late Senator James A. Reed, of Missouri, in speaking against the Underwood resolution in 1926, which, if adopted, would have authorized cloture on money bills.

During the course of the debate Senator Reed quoted the late Senator Lodge, sponsor of the force bill, as saying that he was convinced that the bill was wrong and that the result of the filibuster on it had been a great blessing to the country.

Senator Reed, in a brilliant address, emphasized with great clarity that ours is not a country of unbridled majority rule but that the Constitution was written, in large part, to protect against its excesses. The Declaration of Independence, he declared, proclaimed for our posterity that there are limitations on majority rule.

The majority has been wrong oftener than it has been right in all the course of time—

He observed.

Tracing majority wrongs from the Crucifixion of Christ to the "horrible thing called slavery," Senator Reed said that the real basis for our country's greatness lies in the one great fact that we have allowed the individual in this land the opportunity to develop and express himself.

And then he declared:

As long as we can keep this forum free, as long as a vigorous and determined minority can prevent the passage of a statute, so long this country will be safe, reasonably safe, at least, for no great act of treachery can ever be consummated where there are not some brave souls to stand in its resistance and to stand to the end.

Mr. President, I have compiled a few other selected quotations from several illustrious present and former Senators and from the late President Franklin D. Roosevelt sustaining the principle of free debate and the right of every State to an effective voice in our national councils. They are worthy of the careful consideration of each Member of this body and I shall read them at this time:

Vice President John C. Calhoun in 1841:

There never has been a body in this or any other country in which, for such a length of time, so much dignity and decorum of debate has been maintained.

Senator RICHARD B. RUSSELL on October 23, 1951:

The Senate * * * has never fundamentally failed the American people.

Senator Walter F. George on February 8, 1947:

The very genius of the American system of government is the judicial protection of the rights of one man against the ninety and nine.

Senator JOHN C. STENNIS on January 26, 1949:

I warn some of the Members of the Senate who espouse the cause of this change in rules, that if they are successful, their stature in national affairs will be reduced.

Senator William E. Borah in May, 1925:

I have never known a good measure killed by a filibuster or a debate. I have known of a vast number of bad measures, which could not have been killed in any other way except through long discussion and debate.

Senator HARRY F. BYRD on February 11, 1947:

I have seen many very bad bills killed by a free debate in the Senate that would otherwise have been passed, if we hadn't had such debate. I think one is the FEPC Act. Senator Millikin made one of the greatest speeches ever made in the United States Senate after that debate had gone on for about 10 days.

Senator LISTER HILL on February 1, 1949:

Take from the Senate this right of free and unlimited debate * * * and then your Senate is no more than any other legislative body * * * if you deny free and unlimited debate * * * you have changed the character of the Senate of the United States. You cannot change the character of the Senate of the United States without changing the Government of the United States.

Senator CARL HAYDEN on October 23, 1951:

In matters affecting the relationship of one State or one region of the United States with another, the principle of equality of States in the Union is one of the highest importance. In grave international situations the unity of the Nation becomes all important.

Senator WILLIAM J. FULBRIGHT on February 1, 1949:

The facts are that this rule (XXII), whether by design or accident, has become a part of our intricate system of checks and balances, some of which are rooted in the Constitution, others in custom, but all of which, to a large extent, have contributed to our stability as a government and our compatibility as a people.

Senator Eugene Millikin on February 9, 1946:

The majority of any party in power would find the suppression of free speech a convenient method of expediting what it considered useful and urgent legislation. It is always annoying to have errors exposed, and it would not be long before a majority of one decided that for political purposes it should retain the illusion of infallibility by preventing exposure here of its errors. And then it would not be long until corrupt and even more ominous legislation might be shepherded through this Chamber in enforced silence.

Senator Pat McCarran in a letter dated September 24, 1951:

To invoke cloture by a simple majority will prevent filibustering to be sure; but it would also stop all real deliberation. Cloture is the foundation of machine rule. Once that foundation is established, the mechanics of machine rule will become very simple. One or two, or a handful of bosses then will be able easily to obtain and exercise supremacy. They can use the party-caucus system, employing the principle of control through a majority of a majority which is inevitably a minority of the whole membership.

President Franklin D. Roosevelt in a radio address on States rights delivered March 2, 1930:

The preservation of this "home rule" by the States is not a cry of jealous Commonwealths seeking their own aggrandizement at the expense of sister States. It is a fundamental necessity if we are to remain a truly united country. The whole success of our democracy has not been that it is a democracy wherein the will of a bare majority of the total inhabitants is imposed upon the minority, but that it has been a democracy where through a division of government into units called States the rights and interests of the minority have been respected and have always been given a voice in the control of our affairs.

The moment a mere numerical superiority by either States or voters in this country proceeds to ignore the needs and desires of the minority, and, for their own selfish purposes or advancement, hamper or oppress that minority, or debar them in any way from equal privileges and equal rights—that moment will mark the failure of our constitutional system.

We have been told, Mr. President, that, unless the United States destroys freedom of speech in the Senate and adopts all manner of measures regulating human morals and racial and religious conduct, Russia will exploit it against us.

Mr. President, it is with all due deference and respect that I am constrained to inquire as to just whom we are trying to impress?

Why must we alter our internal policy and be panicked by the provocation of Soviet propaganda?

It is said that, if America would only destroy free debate in the Senate, she would "electrify the world."

Well, let us examine that contention a bit.

By destroying our heritage, we are trying to impress some of the South American countries where all rights are at the mercy of military juntas and our own Vice President is stoned and spat upon while on a good will visit?

Are we trying to impress the Communist butchers who bound the hands of American soldiers and machinegunned them in the backs after making them dig their own graves?

Are we trying to impress the Arab sheiks who inflict harsh and unusual punishments on their people such as cutting off the right hand of a hungry beggar caught stealing a crust of bread?

Are we trying to impress the savage tribal chieftains of Africa?

Are we trying to impress the Dictator Nasser of Egypt who knows no law but force?

Are we trying to impress Nehru and members of his Congress Party of India where the caste system, sacred cows, communalism, and astrology are election issues?

When this Nation reaches the point that our leaders are more concerned about what a foreign Communist propaganda agency does or says than they are about preserving the internal structure of our Government, protecting the rights and liberties of the American people and maintaining the reserved powers of the States and their citizens; then I say, Mr. President, we are in bad trouble.

Our system of government as it stands today is unmatched and unequaled anywhere in the world.

More important, our system has proved its worth and has always held this Nation together except on one unfortunate occasion.

Our Republic, and all that it connotes, forms the basis for American unity.

Our Founding Fathers planned it that way.

There is no room in this country today for cleavages among its regions and people.

Our country will not survive if all of our energies and resources are dissipated on fancied differences and internecine strife.

The U.S. Senate is our great safety valve which prevents impasses from developing in our Nation and where seemingly irreconcilable conflicts are amicably resolved.

And the basis for it is the right of every Senator, regardless of the size of the State he represents, to talk things out before the country.

The only real protection remaining for States which find themselves from time to time in the minority on any given issue in this Senate is a safe two-thirds rule on limiting debate.

That is what we have now, Mr. President, and it is my plea that we of this Senate will resoundingly uphold it as written.

No Senator concerned about the future of constitutional government in the United States can vote otherwise.

Mr. STENNIS. Mr. President, I have listened to the remarks of the Senator from Illinois [Mr. DOUGLAS]. Always he is entertaining, and he makes his points clearly and well.

At this late hour I shall not undertake to make a detailed answer to what he has said about the South. With all due deference to him, let me say that when he speaks of the problems which he acknowledges—and it is natural for him to do so—I believe his statements show that he really does not realize the practical side of many of the problems to which he refers.

He has referred to some sort of alleged combination or conspiracy of southern Senators with Senators in the conservative wing of the Republican Party, in 1949, who were said to have brought about the present rule XXII and to have formulated it in a way so injurious to the Nation. But, Mr. President, under the same rule of 1949 there was passed in 1958, as he has said, the civil rights bill which he says goes so far in meeting this problem, but which he says is not enforced properly.

Furthermore, it was under the same 1949 rule that section 3 of the civil rights bill was taken out of that measure. That was done here on the floor of the Senate, and was done by majority vote. The bill came before the Senate under the rules. The bill was passed under the rules. Title III, which the Senator from Illinois now says was poorly written, and which he wishes to have reenacted with more detailed provisions, was voted out of the bill here on the floor of the Senate. That action was taken by intelligent Senators who were acting under their responsibility; and that action was taken by majority vote. A majority was required in order to eliminate that provision from that measure. Furthermore, as I remember, the majority which voted to take such action was a fairly large majority, not merely a slim one.

Thus, Mr. President, in view of those facts, the present rule XXII must not be entirely bad; it must have some virtue. It must not be the cause of the problems of the country in the case of civil rights and other matters.

Mr. President, aside from the problem of so-called civil rights legislation, I firmly believe that another motive is prompting the groups promoting this change in the Senate Rules. I believe that once the protection that this rule offers to responsible and sound fiscal management of our Government has been destroyed or its effectiveness impaired, we may look forward to a host of new bills which could never survive the legislative process under the scrutiny and freedom of debate presently available under rule XXII. I believe that these proposals will range from the moderate liberalization of present Federal spending programs to what might, in my opinion and that of a number of others here, be considered irresponsible, reckless and socialistic.

For many years I have watched with growing concern the development of various blocs that wield great political influence, not only in special interest legislation, but also in general legislation. I believe that these blocs are a serious threat to our form of government. I believe this threat grows from year to year, and is one of the most serious problems facing our Nation in the decades ahead. We even hear serious talk of a Farm Party, and a Labor Party.

These blocs are well organized and well financed, and have demonstrated that they can also operate very effectively in the election of candidates to high office.

Even under the existing structure of our political organization and our system of government there is the ever-present danger that any one of a number of large and powerful pressure groups may, in effect, take over the power of government.

An alliance of two medium-sized but strongly organized and disciplined pressure groups could accomplish the same purpose. Only the statesmanlike self-restraint of certain leaders in some of these groups has prevented this power from reaching its full potential.

These groups already have a large voice in the selection of candidates, in the writing of party platforms, and in the formulation of legislative policy and administration policy.

The strongest and greatest stumbling block to purely special interest legislation has historically been the U.S. Senate. Here many unwise proposals have quietly died. Often these unlamented deaths have been attributed to the pigeonholing of bills in Senate committees or to the threat of filibuster.

If the Senate rules are changed materially, many of these Trojan horses will be revived and new ones will appear, their chances of passage materially enhanced. The last great barrier to domination of governmental policy by pressure groups will have been breached. Many measures will then pass the Senate under a gag rule imposed by majority vote.

Judgment will be sacrificed to political expediency, and the protection which the existing rule XXII now offers against an irresponsible legislative policy will have been lost. Some examples of what I refer to are:

First. The socialization of medicine, the iniquitous regimentation of all health and medical services under regulations prohibiting both the doctor and the patient from exercising the freedom of choice so necessary to inspire mutual confidence in the doctor-patient relationship.

Second. Bureaucratic dictation of the unemployment compensation program from Washington, with State participation becoming submerged.

Third. The housing program to be dictated at the whim of master planners in Washington who have little knowledge of, and less concern for, purely local conditions.

Fourth. The gradual taking over of our educational system by the Federal Government, through Federal appropriations.

Fifth. Many other socialistic and extravagant programs will be conceived, and could become realities. They will all be directed toward centralization of government through vast Federal expenditures, further usurping rights and powers now reserved to the States and to the individuals.

National bankruptcy may well be the price our country will pay for a major change in the Senate rules. The changes I have mentioned are only the immediate effects. If we tamper with these rules, I feel certain a gag rule will come within the next few years, and that within a decade the Senate will have ceased to be a major deliberative body. It will become a mere annex to the House of Representatives; the minorities now represented here will no longer enjoy the protection the Senate has offered. If the rules may be changed whimsically, these changes will come with every change in the political fortune of either party.

I do not believe that the Nation wants, or is prepared to pay, this exorbitant price of such a change.

Mr. President, I yield the floor.

Mr. CASE of New Jersey. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the role.

The Chief Clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

"SHALL THE MAIN QUESTION BE NOW PUT?"[1]

Mr. KUCHEL. Mr. President——

The PRESIDING OFFICER. The Senator from California.

Mr. KUCHEL. Mr. President, 6 years ago, 2 days after I had taken the oath to be a member of the Senate, I cast my vote against the filibuster. Once again in January 1957, I cast my vote in the same way. The intervening months

[1] The previous question being moved and seconded, the question from the Chair shall be: "Shall the main question be now put?" And if the nays prevail, the main question shall not then be put. (Rule IX, adopted April 16, 1789.)

have not changed my views. To the contrary, they have strengthened my views that the need to change the Senate rules governing debate in the Senate is even more imperative today than it was then. And I trust that now, as we enter the 86th Congress, the Senate will finally do what it should have done many years ago.

Within the last few days, millions of people throughout the world have heard President Eisenhower's message of "peace on earth, good will toward men," broadcast from the Atlas satellite now in orbit about the earth. And even more recently, the Russians have sent a satellite beyond the moon, although what it is broadcasting I cannot say. Here are dramatic reminders, if any were needed, that we live in a new age, an age marked on the one hand by grave peril to the cause of freedom, and on the other by the promise of man's conquest of all the alien forces of nature. It is altogether fitting that we in the Senate give sober consideration to an assessment of the adequacy of our institutions to meet both the threat and the promise of the space age. And we intend that the constitutional freedoms guaranteed to Americans since 1789 shall continue as part of the American system in this intriguing era on which we are now entered. Such a freedom is freedom of expression—freedom of speech, as the Constitution puts it. That will remain in all the days and years ahead a part of our way of life, in and out of Government.

But that right, like any right, ought not to be abused. Thus American laws of libel and slander place reasonable limits on our right of expression. And in the Senate, a rule exists to put an end, finally, to interminable debate—the unhappy fact being, however, that it has not proved a successful or useful means of terminating unlimited debate.

II. THE PRESENT RULE XXII

The present rule for limiting debate was adopted in 1949, although its real origins go back to the eve of America's entry into the First World War. As now written, rule XXII provides that 2 calendar days after presentation to the Senate of a written motion for cloture signed by 16 Senators, cloture may be imposed by an affirmative vote of two-thirds of the Senators duly chosen and sworn; that is 66 of the entire Senate membership of 98. If such cloture motion be adopted, each Senator is thereafter limited to a total of 1 hour's time in debate on the pending matter. The rule further provides that even this difficult cloture may not be imposed on any motion or resolution to change any of the Standing Rules of the Senate, including rule XXII itself. The present rule prevents the imposition of cloture unless 66 Senators appear and vote in favor of a cloture motion. This means, in practice, that it is not necessary to vote against a cloture motion to help prevent its adoption—if fewer than 66 vote in favor of cloture it cannot be imposed. Absence is thus made equivalent to a vote against cloture. A minority of 32 Senators can, by use of a filibuster, absolutely prevent the Senate from taking any action—in the only way it can, by voting—even though a great majority of Senators wish to vote up or down on the matter confronting them.

As matters now stand, this is more restrictive than the original cloture rule adopted in 1917, following the successful filibuster of the bill to arm merchant ships.

III. ORIGINS OF RULE XXII

President Wilson had asked Congress for authority to arm merchant ships on February 26, 1917, as a consequence of the German High Command's determination to resume unrestricted submarine warfare. The House of Representatives passed the President's bill by an overwhelming majority (403 to 14). A different fate was in store for the bill in the Senate, however, for here a small group of 11 Senators successfully filibustered the bill to death before adjournment on March 4, despite the fact that 75 Senators signed a statement which concluded by saying:

> We desire this statement entered in the RECORD to establish the fact that the Senate favors the legislation and would pass it, if a vote could be had.

Mr. Wilson issued a statement on March 4 expressive of his great wrath:

> In the immediate presence of a crisis fraught with more subtle and far-reaching possibilities of national danger than any the Government has known within the whole history of its international relations the Congress has been unable to act either to safeguard the country or to indicate the elementary rights of its citizens. More than 500 of 531 Members of the two Houses were ready and anxious to act; the House of Representatives had acted, by an overwhelming majority; but the Senate was unable to act because a group of 11 Senators had determined that it should not. * * * The Senate of the United States is the only legislative body in the world which cannot act when its majority is ready for action. A little group of willful men, representing no opinion but their own, have rendered the great Government of the United States helpless and contemptible * * *.
>
> The only remedy is that the rules of the Senate shall be so altered that it can act. The country can be relied on to draw the moral. I believe that the Senate can be relied on to supply the means of action and save the country from disaster.

The result came quickly in a special session of Congress and the adoption of a cloture rule in the Senate, which remained unaltered until amended in 1949. The original rule permitted the imposition of cloture by a two-thirds vote of those voting, a significant difference from the present requirement.

The rule adopted March 8, 1917, was as follows:

> If at any time a motion, signed by 16 Senators, to bring to a close the debate upon any pending measure is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon ascertaining that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by an aye-and-nay vote the question:
>
> "Is it the sense of the Senate that the debate shall be brought to a close?"
>
> And if that question shall be decided in the affirmative by a two-thirds vote of those voting, then said measure shall be the unfinished business to the exclusion of all other business until disposed of.
>
> Thereafter no Senator shall be entitled to speak in all more than 1 hour on the pending measure, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

The Constitution provides that "Each House may determine the rules of its proceedings." In the House of Representatives, each new Congress elected every 2 years is a new body that adopts its own rules. It did that the other day, as indicated, in a matter of seconds. Usually, when a new Congress convenes, the House votes to adopt the rules of its predecessors. Until that motion is adopted, the House has no rules of its own and must operate according to general parliamentary law.

In the Senate, procedure is different. With only one-third of its membership elected each 2 years, the other two-thirds holding over, the theory has been advanced that the Senate is a continuing body that need not adopt new rules at each new session of Congress. This theory has been repeatedly challenged with respect to the right of the Senate to adopt new rules. It has been challenged in this debate. I have challenged it. I repeat that challenge now.

It may be that the Senate is a continuing body for some purposes, but it is not for all purposes. For example, bills not enacted by both Houses during a session of Congress, need to be reintroduced. Moreover, committee assignments need to be made with each new session of Congress.

IV. EMERGENCY DECLARATION AND CONGRESSIONAL INACTION

Parliamentary paralysis of the kind encountered by President Wilson would today be fatal to the Nation. In fact, a filibuster or the suggestion of one, given the circumstances of our current defense posture could—indeed, I think would—bring down upon the Republic a constitutional crisis completely destructive of national unity at the very moment when the need for such unity would be paramount. In 1942, the late President Roosevelt spoke about inherent powers and powers borrowed from the people which he threatened to use in the absence of congressional action on legislation he deemed important. He said:

> In the event that the Congress should fail to act, and act adequately, I shall accept the responsibility, and I will act. * * * The President has the powers, under the Constitution and under congressional acts, to take measures necessary to avert a disaster which would interfere with the winning of the war.

The American people do not approve of the concept of government by executive fiat. That is not part of the American system. It must, however, realistically be conceded that in times of emergency—perhaps, only in the gravest of emergencies—some of the exactitudes of our constitutional process become bent and bruised, or cast aside. Another way of saying the same thing is simply to observe that the theory of "inherent powers" and its potential application looms largest in periods of crisis.

Suppose the Chief Executive asks the Congress for what he deems to be important legislation. Suppose the House approves it and suppose it is scheduled for debate in the Senate. Then suppose that one-third of the Senators plus one announce that they intend to filibuster it to death, in spite of the fact that two-thirds of the Senate less one are in favor of it? Do Senators not think that there would be infinitely greater impetus for the President to apply the "inherent powers" doctrine under these circumstances, than if, simply, on a rollcall vote in either House, the President's recommendations were defeated? A measure—any measure—not voted upon in the Senate because of filibustering proves nothing at all and establishes nothing at all, except, perhaps, that there is something wrong with the Senate rules of procedure. I suggest that the best interests of America abhor a vacuum equally with Mother Nature.

To his infinite credit President Eisenhower sought congressional confirmation for his authority to take what action he believed necessary in the Formosa Straits in 1955. Given the nature of the crises which have confronted us abroad, in Lebanon, in Suez, in Quemoy, in Berlin, the President could well have resorted to the application of the "inherent powers" doctrine. It is our great good fortune that he has restricted the use of his vast powers in deference to every safeguard of our constitutional system. Where by cleansing and improving our Senate procedures we can strengthen the machinery of our tripartite system, we will, I think, be making a real contribution to strengthening our government itself.

For it is indeed true that emergency government has become the norm for 20th century constitutional states. The health, welfare, and military effectiveness of a modern industrial nation depend upon the harmonious interaction of a complex, interdependent system of production and transportation facilities. The interruption of this process at any of a myriad of critical points would have ramifying effects which might disrupt the supply of essential civilian and military materials, possibly undermining the economic health or military security of the Nation. The urban concentration of population and the refinement of communication devices and techniques for manipulating public opinion make it increasingly possible to instill in the civilian population an hysteria and terror which could effectively thwart mobilization. Realization of the magnitude of the problem and a pervasive recognition of the seemingly never-ending Communist menace influence the process of continuous redefinition of the balance between delegated authority and individual liberty which is the essential task of democratic government in war as in peace.

All this is by way of saying that the Senate can be delayed, if not effectively prevented, from passing judgment on needed legislation if a determined minority so desires. Before considering briefly the history of action under rule XXII, I should like to emphasize another facet of Executive decisionmaking that led a former Member of this Chamber to seek a constitutional amendment to restrict Presidential bypassing of the Senate. I refer, of course, to the increasing use in recent years of "Executive agreements" as a means of circumventing the participation by the Senate in the treatymaking process. Mr. Walter Lippmann in a recent column called attention to the constitutional requirement of Senate ratification of treaties, noting that the votes of two-thirds of those present and voting is required.

From that, he argued that a two-thirds rule in the Senate on certain types of voting has constitutional precedent and reasonableness behind it. I would respectfully point out that by resort to "Executive agreements" the Chief Executive may today completely bypass the Senate in the business of foreign relations in a fashion unheard of when the Constitution was written. Thus, rather than a vote of two-thirds of the Senate participating in our foreign policy by constitutionally passing judgment on treaties, the use by the executive branch of "Executive agreements" eliminates the Senate from any participation at all in this field.

I do not desire to discuss here the theory and practice of Executive agreements for day-by-day or month-by-month transaction of our governmental business with other nations. For the purposes of these comments, I simply observe that, in my view, this constitutional two-thirds rule on treaty questions ought not to be an argument pro or con on the pending issue.

Certainly the last quarter of a century has produced far-reaching changes with which our present rules and procedures simply do not cope.

V. DEBATE IN THE SENATE, 1917–57

Twenty-two cloture votes were taken in the Senate after adoption of the first cloture rule in 1917. In the 32 years from the first cloture rule to its amended version in 1949, 19 cloture motions were voted on and only 4—2 of them during debates on the Versailles Treaty in 1919 and adherence to the World Court in 1926—received the necessary two-thirds vote.

(1) THE TREATY OF VERSAILLES

In November 1919, when it seemed evident that five irreconcilables intended to keep the ratification of the Treaty of Versailles under debate until the end of the session, a cloture motion was submitted, but was held by the Vice President to be out of order since it sought to limit debate only on the proposed reservations. Later, on the same day, November 13, Senator Lodge, chairman of the Committee on Foreign Relations, filed a cloture motion signed by 30 Republicans, and 2 days later this was adopted by a vote of 78 to 16. Debate under the cloture rule began at once, and continued during the sessions of 4 days, occupying in all about 20 hours. At least 50 Senators took part in the debate, but not more than 10 of them used themselves of the full 1-hour allowance. The final vote was taken at the end of the session of November 19.

(2) THE WORLD COURT PROTOCOL

January 22, 1926, when attempts to secure a unanimous consent agreement for a vote upon the resolution for adherence to the World Court had been repeatedly blocked by objections, a cloture motion was filed, signed by 43 Senators—3 times as many as the rule prescribed. In the 2-day interval before taking the test vote, resort to cloture was strongly opposed. Senator Reed of Missouri, for example, kept reminding his colleagues in the Senate, that only unlimited debate had saved them from the force bill and the antilynching bill, and he warned them that they were preparing a noose to choke themselves to death. "As long as I am in the Senate, if cloture is applied now, I will help to apply it at other times." To this Senator Robinson retorted: "I am not terrified when the Senator threatens that, if I do what I know to be right, he will do what he knows to be wrong in other instances."

It was recognized, however, that unless cloture were applied, the tactics of the World Court opponents would delay a vote until the revenue bill must be given the right of way, and thus postpone the decision indefinitely. Even at the appointed hour when the Vice President started to submit a cloture motion, one Senator made a last-minute effort to avoid recourse to the use of cloture by asking unanimous consent that he might offer a unanimous-consent agreement, setting a day for the vote, but this was blocked. By a vote of 68 to 26—all but two members voting—a cloture was applied.

The cloture rule of 1917 was originally criticized, because through the allowance of 1 hour of speaking time to each Senator, 96 hours, or 16 legislative days, might still be consumed in debate. But in this second successful application of the rule, the motion for cloture was carried on the afternoon of January 25, and the final vote on the World Court resolution was taken 2 days thereafter. Some 25 Senators took part in debate under the rule, most of them speaking in favor of the resolution. Several Senators explained that, though they had voted on principle against the application of cloture, they heartily advocated adherence to the World Court. The opponents presented reservations, most of them obviously hostile in intent. At the end of 2 days of debate the resolution for adherence to the World Court, modified by five reservations, was adopted by a vote of 76 to 17.

During the precloture period, debate upon the issue lagged, so that twice a decisive vote on the World Court was only prevented by one Senator's reading of Washington's Farewell Address with

interpolations of utterly irrelevant matter, and his reading of one of his own stump speeches delivered in the previous campaign. Although Senator Reed spoke repeatedly at length, he was criticized for holding back parts of his speeches from the RECORD, thus depriving his opponents of a definite basis for prompt rebuttal.

In a Chicago speech Senator Reed declared:

> By methods as revolutionary as they were detestable, we were rushed into the Court. * * * I appeal from the gag rule of the Senate to the ungagged judgment of the American people.

The RECORD makes it irrefutably plain that there was no rushing. In the precloture debate the two sides of this 3-year-old issue were ably presented by Senator Walsh, of Montana, and Senator Borah, of Idaho. Many of the Senate speeches were either duplications or dilutions of the main arguments. Senator Reed's suggestion, that the date fixed for ending the debate be postponed a month, came at a time when one of his supporters, who had succeeded in spreading his own speech over only 15 minutes, was acknowledging:

> I doubt very much if they—the discussion—can be materially enlarged except by tedious repetition.

Meanwhile, filibustering went on unchecked. Prior to 1933 a favorite time to launch such an effeort was the closing weeks or days of a short session, since all that was necessary to victory was to hold out until a fixed hour for adjournment—noon of March 4. The 20th amendment, putting an end to short sessions, was expected to make filibusters rarer. Yet, one of the most notable filibusters of the time, however, that of Senator Huey Long against a branch-banking bill, occurred in the very first session after the amendment was proclaimed. Finally, the filibuster was abandoned, and the bill subsequently passed.

We have seen that situation in the Senate in the past, and I suppose we shall see it again in the future. During the last hours of every session, each year, if certain Senators are opposed to what is then pending, the opportunity is immediately available to them to take the floor and hold it and prevent other Members of the Senate from voting either for or against the pending legislation.

One of the most candid declarations of the purposes of a filibuster occurred during the debate on the Dyer anti-lynching bill from November 20 to December 4, 1922. From the moment this bill was introduced it became impossible to transact all legislative business until the Dyer bill was formally abandoned on the last day of the session.

Once the Presiding Officer ruled that the motion to take up the bill was debatable, the first Senator to obtain recognition began:

> Mr. President, understanding that the motion is debatable, I wish to make some remarks upon the criticism that has been directed toward Monsieur Clemenceau.

And for the rest of the day Clemenceau and French policy remained the themes for discussion.

The purpose and strength of 10 opponents of the anti-lynching bill are best summarized in the words of the late Senator Oscar W. Underwood of Alabama:

> It is perfectly apparent that you are not going to get an agreement to vote on this bill * * *. I want to say right now to the Senate that if the majority party insist on this procedure, they are not going to pass the bill and they are not going to do any other business * * *. We are going to transact no other business until we have an understanding about this bill * * *. We are willing to take the responsibility.
>
> This is not the first time that I have ever engaged in a filibuster. I do not often do it, and I do not ever intend to do it without adequate justification * * *. This proposal is fundamental. We regard this bill as a rape of the Constitution * * *. If we agree that we are merely going to fight the Dyer bill, and let the majority lay it aside and transact such business as they want to transact, they will have it as a bumper against anything we may want to do.

Filibusters have occurred against all variety of subjects and proposed legislation. The technique has varied from time to time, sometimes a relay team system being used, sometimes only one man holding the floor.

Filibusters have occupied the time of the Senate on numerous occasions including some in the 1930's that did not enhance the reputation of the Senate.

Four well-organized filibusters upon the perennial question of Federal anti-poll-tax legislation succeeded in 1942, 1944, 1946, and 1948.

Other subjects besides those concerned with proposed civil rights legislation have been the basis for extended debate in the Senate, a noteworthy example being the so-called tidelands oil bill, which occurred shortly after I entered the Senate. Debate extended over a 35-day period and enabled one of our present colleagues to establish a new record for the longest single speech in the Senate—22 hours and 26 minutes.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a table entitled "Legislation Delayed or Defeated by Filibusters," prepared by the Legislative Reference Service of the Library of Congress.

The PRESIDING OFFICER. Without objection, the table will be printed in the RECORD, as requested.

(See exhibit 1.)

VI. THE FIGHT FOR REFORM OF THE SENATE RULES

Mr. KUCHEL. No other Vice President in our history ever undertook as forceful an attack upon the Senate rules as did the late Charles G. Dawes. He had scarcely assumed his duties as Vice President when he began a call for reform of the rules. Thoroughgoing reform was demanded "not only by American public opinion, but I venture to say in the individual consciences of the Members of the Senate itself." His strongest condemnation was reserved for that feature of the rules which made it possible for a minority, or even a single individual Senator to kill legislation providing the revenue to pay the expenses of Government, or to force the President of the United States to call a special session of Congress.

The memory of the First World War and the filibuster which killed appropriations to the Army, the Navy, and for the operation of defense transportation facilities, only a month before the United States entered the war, was still prominent in the Vice President's thinking: "Who would dare maintain that in the last analysis the right of the Senate to act should ever be subordinated to the right of one Senator to make a speech."

Throughout his term as President of the Senate, Vice President Dawes carried on his declared intention to see the Senate rules altered. And as he retired from office, he referred reproachfully to the Senate as being, among modern deliberative bodies, "the only one that has parted with the power to allot its time to the consideration of subjects before it in accordance with their relative importance."

A few years later the then majority leader of the Senate, the late Alben Barkley—I recall him most proudly because it was before him that I took my oath to serve in the United States Senate—declared in 1938:

> I agree that the rules of the Senate are the most archaic conglomeration of contradictory decisions that ever prevailed in any parliamentary or legislative body * * * I think the rules of the Senate ought to be revamped. They ought to be modernized. They ought to be so changed as to make the Senate a self-governing body, which it is not now.

The present rule was adopted in 1949 as a result of opposition to a proposed civil rights program revived by President Truman and requiring fair employment practices, prohibiting lynching, and forbidding poll-tax restrictions upon voting in Federal elections. With five different resolutions pending for strengthening the cloture rule—two of them supported by the President substituting a simple majority for two-thirds as the vote required for applying cloture—a strong bloc filibustered successfully against items in the President's program, and then pursuaded the rules and administration committee and finally the Senate itself to accept two compromise amendments to the cloture rule of 1917, the first requiring the prescribed two-thirds vote to be calculated, not as before, simply on the number of Senators present, but on the body's total membership, and the second expressly exempting from cloture any motion to consider a proposed change of existing Senate rules. With these modifications, the 1917 rule still stands. Time has proved the weakness of the present rule.

The proposal to amend rule XXII provides that debate may be limited by a vote of two-thirds of the Senators present and voting 2 days after 16 Senators have filed a petition for this purpose. It also provides that 15 legislative days, exclusive of Sundays and holidays, after the presentation to the Senate of a petition signed by 16 Senators, the Senate may impose cloture by a simple majority vote of the whole number of Senators duly chosen and sworn. In effect, this would mean no

less than 2, and more probably up to 4 weeks of debate on legislation before cloture could be obtained.

In light of these facts, it is difficult to understand how any charge that freedom of speech is about to be curtailed in the Senate can be made. All that is proposed is that obstruction in the form of a filibuster will not be allowed to prevent a vote on pending legislation in the Senate. I cannot agree with Professor Rogers, for example, "that the filibuster is no more than a modern auxiliary precaution against what one more than one-third of the Senators may consider an 'unjust combination' of the majority."

Vice President Nixon ruled in 1957 that each new Senate must have the power to determine its rules by majority vote. "Any provision of Senate rules," said the Vice President, "adopted in a previous Congress which has the express or practical effect of denying the majority of the Senate in a new Congress the right to adopt the rules under which it desires to proceed is, in the opinion of the Chair, unconstitutional."

If this view prevails, as I hope it will, in the opening days of this vital session of Congress, the Senate can adopt this reasonable proposal to place an eventual limit upon debate. While the nature of our constitutional system warrants the fullest deliberation in the enactment of laws, it never contemplated that the public business could be halted by irrelevant talkathons. The times are too critical, the needs of the Nation too great, to retain any longer an undemocratic anachronism which subjects the Senate to the scorn of world opinion and which makes a mockery of the legislative process.

EXHIBIT 1

Legislation delayed or defeated by filibusters [1]

Bills:	Year
Reconstruction of Louisiana	1865
Repeal of election laws	1879
Force bill (Federal elections)	1890–91
River and harbor bills (3)	1901, 1903, 1914
Tri-State bill	1903
Colombian Treaty (Panama Canal)	1903
Ship subsidy bills (2)	1907, 1922–23
Canadian reciprocity bill	1911
Arizona-New Mexico statehood	1911
Ship purchase bill	1915
Armed ship resolution	1917
Oil and mineral leasing bill and several appropriation bills	1919
Antilynch bills (3)	1922, 1935, 1937–38
Migratory bird bill	1926
Campaign investigation resolution	1927
Colorado River bills (Boulder Dam project) (2)	1927, 1928
Emergency officers retirement bill	1927
Washington public buildings bill	1927
National-origins provisions in immigration laws, resolution to postpone	1929
Oil industry investigation	1931
Supplemental deficiency bill	1935
Work relief bill ("prevailing wage" amendment)	1935
Flood-control bill	1935
Coal conservation bill	1936
Antipoll tax bills (4)	1942, 1944, 1946, 1948
Fair employment practices bill (2)	1946, 1950

[1] Thirty-six bills appear in this incomplete list, not including the many appropriation bills that have either been lost in the jam that resulted from filibusters or were talked to death because they failed to include items that particular Senators desired for the benefit of their States or because grants they made were considered excessive. Several successful filibusters have sought and achieved the enactment of legislation favored by the filibusters. Filibusters have succeeded not only in preventing the passage of legislation, but also in preventing the organization of the Senate, the election of its officers, and the confirmation of presidential appointees. They have also succeeded in modifying the terms of legislation; in delaying adjournment of Congress; in forcing special sessions, the adoption of conference reports, of neutrality legislation, and of a ship subsidy; in postponing consideration of legislation, and in raising the price of silver. Legislation has also often been defeated or modified by the mere threat of a filibuster. All the bills listed above, however, except the force bill, the armed ship resolution, and the so-called civil rights bills, were eventually enacted, in some form.

Numerous appropriation bills. For a partial list of 82 such bills failed from 1876 to 1916, see CONGRESSIONAL RECORD, June 28, 1916, pp. 10152–10153.

Of the 36 measures listed above, all but 11 eventually became law, in some cases after compromises had been made in their provisions following the failure of cloture. The table below, prepared at the direction of Senator HAYDEN shows the later action on 35 filibustered bills.

The 36th measure (the 2d FEPC bill) was filibustered in 1950, subsequent to the table that follows.

Later action on 35 filibustered bills

Bills	Filibustered	Passed	Not passed (5)
Reconstruction of Louisiana	1865	1868	
Election laws	1879	[1] 1909	
Force bill	1890–91		X
River and harbor bills (3)	1901, 1903, 1914	(2)	
Tri-State bill	1903	1907, 1912	
Colombian treaty	1903	[3] 1903	
Ship subsidy bills (2)	1907, 1922–23	1936	
Canadian reciprocity bill	1911	[3] 1911	
Arizona-New Mexico statehood	1911	[4] 1912	
Ship purchase bill	1915	1916	
Armed ship bill	1917		X
Mineral lands leasing bill	1919	1920	
Antilynch bills (3)	1922, 1935, 1937		X
Migratory bird conservation bill	1926	1929	
Campaign investigation resolution	1927	[1] 1927	
Colorado River bills (2)	1927, 1928	[1] 1928	
Emergency officers retirement bill	1927	1928	
Washington public buildings bill	1927	1928	
Resolution to postpone national-origins provision of immigration laws.	1929	1929	
Oil industry investigation	1931	1935	
Supplemental deficiency bill	1935	1936	
Prevailing wage amendment to work relief bill.	1935	1936	
Flood control bill	1935	1936	
Coal conservation bill	1936	1937	
Antipoll tax bills (4)	1942, 1944, 1946, 1948		X
FEPC bill	1946		X

[1] Repealed.
[2] At intervals.
[3] In special or subsequent sessions.
[4] Admitted.

NOTE.—Numerous appropriation bills—at intervals—passed in special or later sessions.

Source: Limitation on Debate in the Senate. Hearings before the Committee on Rules and Administration. U.S. Senate. 81st Cong., 1st sess. On resolutions relative to amending Senate Rule XXII relating to cloture. January and February 1949, p. 42.

Senate votes on invoking cloture rule [1]

Congress, session, and date	Subject	Senator offering motion	Yeas	Nays	Congressional Record		Cloture
					Volume	Page	
66th, 1st, Nov. 15, 1919	Treaty of Versailles	Lodge	78	16	58	8555–8556	Yes.
66th, 3d, Feb. 2, 1921	Emergency tariff	Penrose	36	35	60	2432	No.
67th, 2d, July 7, 1922	Fordney-McCumber tariff	McCumber	45	35	62	10040	No.
69th, 1st:							
Jan. 25, 1926	World Court	Lenroot	68	26	67	2678–2679	Yes.
June 1, 1926	Migratory-bird refuges	Norbeck	46	33	67	10392	No.
69th, 2d:							
Feb. 15, 1927	Branch banking	Pepper	65	18	68	3824	Yes.
Feb. 26, 1927	Retirement of disabled emergency officers of the World War	Tyson	51	36	68	4901	No.
Do	Colorado River development	Johnson	32	59	68	4900	No.
Feb. 28, 1927	Public buildings in the District of Columbia	Lenroot	52	31	68	4985	No.
Do	Creation of Bureau of Customs and Bureau of Prohibition	Jones (Washington)	55	27	68	4986	Yes.
72d, 2d, Jan. 19, 1933	Banking Act	Robinson	58	30	76	2077	No.

[1] Many cloture petitions have also been withdrawn or held out of order since 1917.

Senate votes on invoking cloture rule [1]—Continued

Congress, session, and date	Subject	Senator offering motion	Yeas	Nays	Congressional Record		Cloture
					Volume	Page	
75th, 3d:							
Jan. 27, 1938	Antilynching	Neely	37	51	83	1166	No.
Feb. 16, 1938	do	Wagner	42	46	83	2007	No.
77th, 2d, Nov. 23, 1942	Antipoll tax	Barkley	37	41	88	9065	No.
78th, 2d, May 15, 1944	do	do	36	44	90	2550-2551	No.
79th, 2d:							
Feb. 9, 1946	FEPC	do	48	36	92	1219	No.
May 7, 1946	British loan	Ball	41	41	92	4539	No.
May 25, 1946	Labor disputes	Knowland	3	77	92	5714	No.
July 31, 1946	Antipoll tax	Barkley	39	33	92	10512	No.
81st, 2d:							
May 19, 1950	FEPC	Lucas	52	32	96	7300	No.
July 12, 1950	FEPC	do	55	33	96	9982	No.
83d, 2d: July 26, 1954	Atomic Energy Act	Knowland	44	42	100	11942	No.

Mr. KUCHEL. Mr. President, I yield the floor.

ADJOURNMENT TO 10 A.M. ON MONDAY NEXT

Mr. STENNIS. Mr. President, as a further mark of respect to the memory of the late distinguished Representative from Ohio, J. HARRY MCGREGOR; the late distinguished Representative from Pennsylvania, HERMAN P. EBERHARTER; and the distinguished Representative from the State of Illinois, SID SIMPSON, I move that the Senate adjourn until 10 o'clock on Monday next.

The motion was unanimously agreed to; and (at 8 o'clock and 43 minutes p.m.) the Senate, as a further mark of respect to the memory of the late Representatives MCGREGOR, EBERHARTER, and SIMPSON adjourned until Monday, January 12, 1959, at 10 o'clock a.m.

HOUSE OF REPRESENTATIVES

FRIDAY, JANUARY 9, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

II Samuel 22: 4: *I will call upon the Lord, who is worthy to be praised.*

Almighty God, who art nearest when we need Thee most in these moments of prayer, may we be blessed with insight and inspiration as we seek to discharge faithfully the duties of our high vocation.

Grant that our President, our Speaker, and all the Members of this legislative body may be used by Thee in lifting and lessening the burdens and sorrows and fears which weigh so heavily on many members of the human family.

May we strive earnestly to be the messengers and mediators of hopefulness and helpfulness in bringing in that glorious day when the forces of evil shall be supplanted by the gracious and gentle spirit of the lowly Man of Galilee.

Hear us in His name. Amen.

The Journal of the proceedings of Wednesday, January 7, 1959, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 1. Concurrent resolution that the two Houses of Congress assemble in the Hall of the House of Representatives on Friday, January 9, 1959, at 12:30 o'clock in the afternoon.

SWEARING IN OF MEMBER

The SPEAKER. The Chair understands some Members-elect have not yet taken the oath of office. If they will appear at the bar of the House the Chair will administer the oath.

Mr. TEAGUE of California appeared at the bar of the House and took the oath of office as a Member of the House of Representatives.

RECESS

The SPEAKER. The House will stand in recess subject to the call of the Chair.

Thereupon (at 12 o'clock and 4 minutes p.m.) the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 12 o'clock and 15 minutes p.m.

JOINT SESSION OF THE HOUSE AND SENATE HELD PURSUANT TO THE PROVISIONS OF HOUSE CONCURRENT RESOLUTION 1 TO HEAR AN ADDRESS BY THE PRESIDENT OF THE UNITED STATES

The SPEAKER of the House presided.

The Doorkeeper announced the Vice President and Members of the United States Senate who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. On the part of the House, the Chair appoints as members of the committee to escort the President of the United States into the Chamber the gentleman from Massachusetts, Mr. MCCORMACK; the gentleman from Indiana, Mr. HALLECK; and the gentleman from Oklahoma, Mr. ALBERT.

The VICE PRESIDENT. On the part of the Senate, the Chair appoints as members of the committee of escort the Senator from Texas, Mr. JOHNSON; the Senator from Montana, Mr. MANSFIELD; the Senator from Illinois, Mr. DIRKSEN; and the Senator from California, Mr. KUCHEL.

The Doorkeeper announced the Ambassadors, Ministers, and Chargés d'Affaires of foreign governments.

The Ambassadors, Ministers, and Charges d'Affaires of foreign governments entered the Hall of the House of Representatives and took the seats reserved for them.

The Doorkeeper announced the Chief Justice of the United States and the Associate Justices of the Supreme Court.

The Chief Justice of the United States and the Associate Justices of the Supreme Court entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

The Doorkeeper announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 12 o'clock and 30 minutes p.m. the Doorkeeper announced the President of the United States.

The President of the United States, escorted by the Committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk. [Applause, the Members rising.]

The SPEAKER. Members of the Congress, I have the great pleasure, and I deem it a great honor to have the privilege, of presenting the President of the United States. [Applause, the Members rising.]

THE STATE OF THE UNION—ADDRESS OF THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 1)

The PRESIDENT. Thank you very much for the warmth of your welcome; and, Mr. President and Mr. Speaker, to you both a happy birthday.

Members of the 86th Congress and friends, first, I should like to assure the delegation of our newest State, Alaska, of my satisfaction that it now begins its participation with all of you in the work of Congress for the benefit of the United States. [Applause.]

May I voice the hope that before my term of office is ended I shall have the

opportunity and the great satisfaction of seeing the 50th star in our national flag. [Applause.]

Members of the Congress, this is the moment when Congress and the Executive annually begin their cooperative work to build a better America.

One basic purpose unites us: To promote strength and security, side by side with liberty and opportunity.

As we meet today, in the 170th year of the Republic, our Nation must continue to provide—as, indeed, all other free governments have had to do throughout time—a satisfactory answer to a question as old as history. It is: Can government based upon liberty and the God-given rights of man, permanently endure when ceaselessly challenged by a dictatorship, hostile to our mode of life, and controlling an economic and military strength of great and growing power?

For us the answer has always been found, and is still found in the devotion, the vision, the courage, and the fortitude of our people.

Moreover, this challenge we face, not as a single powerful nation, but as one that has in recent decades reached a position of recognized leadership in the free world.

We have arrived at this position of leadership in an era of remarkable productivity and growth. It is also a time when man's power of mass destruction has reached fearful proportions.

Possession of such capabilities help create world suspicion and tension. We, on our part, know that we seek only a just peace for all, with aggressive designs against no one. Yet we realize that there is uneasiness in the world because of a belief on the part of peoples that through arrogance, miscalculation, the fear of attack, catastrophic war could be launched. Keeping the peace in today's world more than ever calls for the utmost in the Nation's resolution, wisdom, steadiness, and unremitting effort.

We cannot build peace through desire alone. Moreover, we have learned the bitter lesson that international agreements, historically considered by us as sacred, are regarded in Communist doctrine and in practice to be mere scraps of paper. The most recent proof of their disdain of international obligations, solemnly undertaken, is their announced intention to abandon their responsibilities respecting Berlin.

As a consequence of these actions, we can have no confidence in any treaty to which Communists are a party except where such a treaty provides within itself for self-enforcing mechanisms.

Indeed, the demonstrated disregard of the Communists of their own pledges is one of the greatest obstacles to world success in substituting the rule of law for rule by force.

Yet step by step we must strengthen the institutions of peace—a peace that rests upon justice—a peace that depends upon a deep knowledge and clear understanding by all peoples including our own of the consequences of failure in this great purpose.

I

To achieve this peace we seek to prevent war at any place and in any dimension. If, despite our best efforts, a local dispute should flare into armed hostilities, the next problem would be to keep the conflict from spreading, and so compromising freedom. In support of these objectives we maintain forces of great power and flexibility.

Our formidable air striking forces are a powerful deterrent to general war. Large, and growing portions of these units can depart from their bases in a matter of minutes.

Similar forces are included in our naval fleets.

Ground and other tactical formations can move with swiftness and precision, when requested by friendly and responsible governments, to help curb threatened aggression. The stabilizing influence of this capacity has been dramatically demonstrated more than once over the past year.

Our military and related scientific progress has been highly gratifying.

Great strides have been made in the development of ballistic missiles. Intermediate range missiles are now being deployed in operational units. The Atlas intercontinental ballistic missile program has been marked by rapid development as evidenced by recent successful tests. Missile training units have been established and launching sites are far along in construction.

New aircraft that fly at twice the speed of sound are entering our squadrons.

We have successfully placed five satellites in orbit, which have gathered information of scientific importance never before available. Our latest satellite illustrates our steady advance in rocketry and foreshadows new developments in worldwide communications.

Warning systems constantly improve.

Our atomic submarines have shattered endurance records and made historic voyages under the North Polar Sea.

A major segment of our national scientific and engineering community is working intensively to achieve new and greater developments. Advance in military technology requires adequate financing but, of course, even more, it requires talent and time.

All this I give only as a matter of history, as a record of our progress in space and ballistic missile fields in no more than 4 years of intensive effort. At the same time we clearly recognize that some of the recent Soviet accomplishments in this particular technology are indeed brilliant.

Under the law enacted last year the Department of Defense is being reorganized to give the Secretary of Defense full authority over the Military Establishment. Greater efficiency, more cohesive effort and speedier reaction to emergencies are among the many advantages we are already noting from these changes.

These few highlights point up our steady military gains. We are rightfully gratified by the achievements they represent. New and greater developments preoccupy the major portion of the Nation's scientists. But we must remember that these imposing armaments are purchased at great cost.

National security programs account for nearly 60 percent of the entire Federal budget for this coming fiscal year.

Modern weapons are exceedingly expensive.

The overall cost of introducing Atlas into our Armed Forces will average $35 million per missile on the firing line.

This year we are investing an aggregate of close to $7 billion in missile programs alone.

Other billions go for research, development, test and evaluation of new weapons systems.

Our latest atomic submarines will cost $50 million each, while some special types will cost three times as much.

We are now ordering fighter aircraft which are priced at 50 times as much as the fighters of World War II.

We are buying certain bombers that cost their weight in gold, exactly.

These sums are tremendous, even when compared with the marvelous resiliency and capacity of our economy.

Such expenditures demand both balance and perspective in our planning for defense. At every turn, we must weigh, judge and select. Needless duplication of weapons and forces must be avoided.

We must guard against feverish building of vast armaments to meet glibly predicted moments of so-called maximum peril. The threat we face is not sporadic or dated: It is continuous. Hence we must not be swayed in our calculations either by groundless fear or by complacency. We must avoid extremes, for vacillation between extremes is inefficient, costly, and destructive of morale. In these days of unceasing technological advance, we must plan our defense expenditures systematically and with care, fully recognizing that obsolescence compels the never-ending replacement of older weapons with new ones.

The defense budget for the coming year has been planned on the basis of these principles and considerations. Over these many months I have personally participated in its development.

The aim is a sensible posture of defense. The secondary aim is increased efficiency and avoidance of waste. Both are achieved by this budgetary plan.

Working by these guidelines I believe with all my heart that America can be as sure of the strength and efficiency of her Armed Forces as she is of their loyalty. I am equally sure that the Nation will thus avoid useless expenditures which, in the name of security, might tend to undermine the economy and, therefore, the Nation's safety.

Our own vast strength is only a part of that required for dependable security. Because of this we have joined with nearly 50 other nations in collective security arrangements. In these common undertakings each nation is expected to contribute what it can in sharing the heavy load. Each supplies part of a strategic deployment to protect the forward boundaries of freedom.

Constantly we seek new ways to make more effective our contribution to this system of collective security. Recently I have asked a committee of eminent

Americans of both parties to reappraise our military assistance programs and the relative emphasis which should be placed on military and economic aid.

I am hopeful that preliminary recommendations of this committee will be available in time to assist in shaping the mutual security program for the coming fiscal year.

Any survey of the free world's defense structure cannot fail to impart a feeling of regret that so much of our effort and resources must be devoted to armaments. At Geneva and elsewhere we continue to seek technical and other agreements that may help to open up, with some promise, the issues of international disarmament. America will never give up the hope that eventually all nations can, with mutual confidence, drastically reduce these nonproductive expenditures.

II

The material foundation of our national safety is a strong and expanding economy. This we have—and this we must maintain. Only with such an economy can we be secure and simultaneously provide for the well-being of our people.

A year ago the Nation was experiencing a decline in employment and in output. Today that recession is fading into history, and this without gigantic, hastily improvised public works projects or untimely tax reductions. A healthy and vigorous recovery has been under way since last May. New homes are being built at the highest rate in several years. Retail sales are at peak levels. Personal income is at an alltime high.

The marked forward thrust of our economy reaffirms our confidence in competitive enterprise. But, clearly, wisdom and prudence in both the public and private sectors of the economy are always necessary.

The outlook is this: 1960 commitments for our Armed Forces, the Atomic Energy Commission, and military assistance, exceed $47 billion. In the foreseeable future they are not likely to be significantly lower. With an annual population increase of 3 million, other governmental costs are bound to mount.

After we have provided wisely for our military strength, we must judge how to allocate our remaining Government resources most effectively to promote our well-being and economic growth.

Federal programs that will benefit all citizens are moving forward.

Next year we will be spending increased amounts on health programs; on Federal assistance to science and education; on the development of the Nation's water resources; on the renewal of urban areas; and on our vast system of Federal-aid highways.

Each of these additional outlays is being made necessary by the surging growth of America.

Let me illustrate. Responsive to this growth, Federal grants and long-term loans to assist 14 major types of capital improvements in our cities will total over $2 billion in 1960—and this figure is double the expenditure of 2 years ago. The major responsibility for development in these fields rests in the localities, even though the Federal Government will continue to do its proper part in meeting the genuine needs of a burgeoning population.

But the progress of our economy can more than match the growth of our needs. We need only to act wisely and confidently.

Here, I hope you will permit me to digress long enough to express something that is much on my mind.

As I said in the beginning, the basic question facing us today is more than mere survival—the military defense of national life and territory. It is the preservation of a way of life.

We must meet the world challenge and at the same time permit no stagnation in America.

Unless we progress, we regress.

We can successfully sustain security and remain true to our heritage of freedom if we clearly visualize the tasks ahead and set out to perform them with resolution and vigor. We must first define these tasks and then understand what we must do to perform them.

If progress is to be steady we must have long-term guides extending far ahead, certainly 5, possibly even 10 years. They must reflect the knowledge that before the end of 5 years we will have a population of more than 190 million. They must be goals that stand high, and so inspire every citizen to climb always toward mounting levels of moral, intellectual and material strength. Every advance toward them cannot do other than serve to stir pride in individual and national achievements.

To define these goals, I intend to mobilize help from every available source.

We need more than politically ordained national objectives if we are to challenge the best efforts of free men and women. A group of selfless, able, and devoted individuals, outside of governments, could effectively participate in making the necessary appraisal of the potentials of our future.

The result would be the establishment of national goals that would not only spur us on to our finest efforts, but also would meet the stern test of practicality.

The committee I plan will comprise educators and representatives of labor, management, finance, the professions, and every other kind of useful activity.

Such a study would update and supplement, in the light of continuous changes in our society and its economy, the monumental work of the Committee on Recent Social Trends which was appointed in 1931 by President Hoover. Its report has stood the test of time and has had a beneficial influence on national development.

The new committee would be concerned, among other things, with the living standards of our people, their health and education, their better assurance of life and liberty and their greater opportunities. It would also be concerned with methods to meet such goals and what levels of government—local, State, or Federal, might or should be particularly concerned.

As one example, consider our schools, operated under the authority of local communities and States. In their capacity and in their quality they conform to no recognizable standards. In some places facilities are ample, in others meager. Pay of teachers ranges between wide limits, from the adequate to the shameful. As would be expected, quality of teaching varies just as widely. But to our teachers we commit the most valuable possession of the Nation and of the family—our children.

We must have teachers of competence. To obtain and hold them we need standards. We need a national goal. Once established I am certain that public opinion would compel steady progress toward its accomplishment.

Such studies would be helpful, I believe, to government at all levels and to all individuals. The goals so established could help us see our current problems in perspective. They will spur progress. [Applause.]

We do not forget, of course, that our Nation's progress and fiscal integrity are interdependent and inseparable. We can afford everything we clearly need, but we cannot afford one cent of waste. We must examine every item of governmental expense critically. To do otherwise would betray our Nation's future.

Thrift is one of the characteristics that have made this Nation great; why should we ignore it now? [Applause.]

We must avoid any contribution to inflationary processes, which could disrupt sound growth in our economy.

Prices have displayed a welcome stability in recent months and, if we are wise and resolute, we will not tolerate inflation in the years to come. [Applause.] But history makes clear the risks inherent in any failure to deal firmly with the basic causes of inflation. Two of the most important of these causes are the wage-price spiral and continued deficit financing.

Inflation would reduce job opportunities, price us out of world markets, shrink the value of savings and penalize the thrift so essential to finance a growing economy.

Inflation is not a Robin Hood, taking from the rich to give to the poor. Rather, it deals most cruelly with those who can least protect themselves. It strikes hardest those millions of our citizens whose incomes do not quickly rise with the cost of living. When prices soar, the pensioner and the widow see their security undermined, the man of thrift sees his savings melt away; the white collar worker, the minister, and the teacher see their standards of living dragged down.

Inflation can be prevented. But this demands statesmanship on the part of business and labor leaders and of government at all levels.

We must encourage the self-discipline, the restraint necessary to curb the wage-price spiral and except only in critical emergencies we must meet current costs from current revenue. [Applause.]

To minimize the danger of future soaring prices and to keep our economy sound and expanding, I shall present to the Congress certain proposals.

First, I shall submit a balanced budget for the next year [applause], a year expected to be the most prosperous in

our entire history. It is a realistic budget with wholly attainable objectives.

If we cannot live within our means during such a time of rising prosperity, the hope for fiscal integrity will fade; and if we persist in living beyond our means we make it difficult for every family in our land to balance its own household budget. [Applause.] But to live within our means would be a tangible demonstration to ourselves and to others of the self-discipline needed to assure a stable dollar.

The Constitution entrusts the Executive with many functions, but the Congress—and the Congress alone—has the power of the purse. Ultimately upon Congress rests responsibility for determining the scope and amount of Federal spending.

By working togther, the Congress and the Executive can keep a balance between income and outgo. If this is done there is real hope that we can look forward to a time in the foreseeable future when needed tax reforms can be accomplished.

In this hope, I am requesting the Secretary of the Treasury to prepare appropriate proposals for revising, at the proper time, our tax structure, to remove inequities and to enhance incentives for all Americans to work, to save, and to invest. [Applause.] Such recommendations will be made as quickly as our fiscal condition permits. These prospects will be brightened if 1960 expenditures do not exceed the levels recommended.

Second, I shall recommend to the Congress that the Chief Executive be given the responsibility either to approve or to veto specific items of appropriations and authorization bills. I assure you gentlemen that I know this recommendation has been made time and again by every President that has appeared in this hall for many years, but I say this, it still is one of the most important corrections that could be made in our annual expenditure program, because this would save tax dollars. [Applause.]

Third, to reduce Federal operations in an area where private enterprise can do the job, I shall recommend legislation for greater flexibility in extending Federal credit, and in improving the procedures under which private credits are insured or guaranteed. [Applause.] Present practices have needlessly added large sums to Federal expenditures.

Fourth, action is required to make more effective use of the large Federal expenditures for agriculture and to achieve greater fiscal control in this area.

Outlays of the Department of Agriculture for the current fiscal year for the support of farm prices on a very few farm products will exceed $5 billion. That is a sum equal to approximately two-fifths of the net income of all farm operators in the entire United States.

By the end of this fiscal year it is estimated that there will be in Government hands surplus farm products worth about $9 billion. And by July 1, 1959, Government expenditures for storage, interest, and handling of its agricultural inventory will reach a rate of $1 billion a year.

This level of expenditure for farm products could be made willingly for a temporary period if it were leading to a sound solution of the problem. But unfortunately this is not true. We need new legislation.

In the past I have sent messages to the Congress requesting greater freedom for our farmers to manage their own farms and greater freedom for markets to reflect the wishes of producers and consumers. Legislative changes that followed were appropriate in direction but did not go far enough.

The situation calls for prompt and forthright action. Recommendation for action will be contained in a message to be transmitted to the Congress shortly.

These fiscal and related actions will help create an environment of price stability for economic growth. However, certain additional measures are needed.

I shall ask Congress to amend the Employment Act of 1946 to make it clear that Government intends to use all appropriate means to protect the buying power of the dollar. [Applause.]

I am establishing a continuing Cabinet group on price stability for economic growth to study governmental and private policies affecting costs, prices, and economic growth. It will strive also to build a better public understanding of the conditions necessary for maintaining growth and price stability.

Studies are being undertaken to improve our information on prices, wages, and productivity.

I believe all citizens in all walks of life will support this program of action to accelerate economic growth and promote price stability.

III

I take up next certain aspects of our international situation and our progress to strengthen it.

America's security can be assured only within a world community of strong, stable, independent nations, in which the concepts of freedom, justice, and human dignity can flourish.

There can be no such thing as Fortress America. If ever we were reduced to the isolation implied by that term, we would occupy a prison, not a fortress. The question whether we can afford to help other nations that want to defend their freedom but cannot fully do so from their own means, has only one answer: we can and we must, as we have been doing so since 1947.

Our foreign policy has long been dedicated to building a permanent and just peace.

During the past 6 years our free world security arrangements have been bolstered and the bonds of freedom have been more closely knit. Our friends in Western Europe are experiencing new internal vitality, and are increasingly more able to resist external threats.

Over the years the world has come to understand clearly that it is our firm policy not to countenance aggression. In Lebanon, Taiwan, and Berlin—our stand has been clear, right, and expressive of the determined will of a united people. [Applause.]

Acting with other free nations we have undertaken the solemn obligation to defend the people of free Berlin against any effort to destroy their freedom. [Applause.] In the meantime we shall constantly seek meaningful agreements to settle this and other problems, knowing full well that not only the integrity of a single city, but the hope of all free peoples is at stake. [Applause.]

We need, likewise, to continue helping to build the economic base so essential to the free world's stability and strength.

The International Monetary Fund and the World Bank have both fully proven their worth as instruments of international financial cooperation. Their executive directors have recommended an increase in each member country's subscription. I am requesting the Congress for immediate approval of our share of these increases.

We are now negotiating with representatives of the 20 Latin American Republics for the creation of an inter-American financial institution. Its purpose would be to join all the American Republics in a common institution which would promote and finance development in Latin America. [Applause.] One great result of this would be to make more effective use of capital from the World Bank, the Export-Import Bank, and private sources.

Private enterprise continues to make major contributions to economic development in all parts of the world. But we have not yet marshaled the full potential of American business for this task, particularly in countries which have recently attained their independence. I shall present to this Congress a program designed to encourage greater participation by private enterprise in economic development abroad. [Applause.]

Further, all of us know that to advance the cause of freedom we must do much more than help build sound economies. The spiritual, intellectual, and physical strength of people throughout the world will in the last analysis determine their willingness and their ability to resist communism.

To give a single illustration of our many efforts in these fields: We have been a participant in the effort that has been made over the past few years against one of the great scourges of mankind—disease. Through the mutual security program public health officials are being trained by American universities to serve in less developed countries. We are engaged in intensive malaria eradication projects in many parts of the world in this work. America's major successes in our own country prove the feasibility of success everywhere.

By these and other means we shall continue and expand our campaign against the afflictions that now bring needless suffering and death to so many of the world's people. We wish to be part of a great shared effort toward the triumph of health. [Applause.]

I think most of us would agree that America is best described by one word, "freedom."

If we hope to strengthen freedom in the world we must be ever mindful of how our own conduct reacts elsewhere. No nation has ever been so floodlighted by world opinion as the United States is today. Everything we do is carefully scrutinized by other peoples throughout the world. The bad is seen along with the good.

Because we are human we err. But as free men we are also responsible for correcting the errors and imperfections of our ways.

Last January I made comprehensive recommendations to the Congress for legislation in the labor-management field. To my disappointment, Congress failed to act. The McClellan committee disclosures of corruption, racketeering, and abuse of trust and power in labor-management affairs have aroused America and amazed other peoples. [Applause.] Its disclosures emphasize the need for improved local law enforcement and the enactment of effective Federal legislation to protect the public interest and to insure the rights and economic freedoms of millions of American workers. Halfhearted measures will not do. [Applause.] I shall recommend prompt enactment of legislation designed:

To safeguard workers' funds in union treasuries against misuse of any kind whatsoever.

To protect the rights and freedoms of individual union members, including the basic right to free and secret elections of officers. [Applause.]

To advance true and responsible collective bargaining.

To protect the public and innocent third parties from unfair and coercive practices such as boycotting and blackmail picketing. [Applause.]

The workers and the public must have these vital protections.

In other areas of human rights—freedom from discrimination in voting, in public education, in access to jobs, and in other respects—the world is likewise watching our conduct.

The image of America abroad is not improved when schoolchildren, through closing of some of our schools and through no fault of their own, are deprived of their opportunity for an education. [Applause.]

The government of a free people has no purpose more noble than to work for the maximum realization of equality of opportunity under law. That is the concept under which our founding papers were written. This is not the sole responsibility of any one branch of our government. The judicial arm, which has the ultimate authority for interpreting the Constitution, has held that certain State laws and practices discriminate upon racial grounds and are unconstitutional. Whenever the supremacy of the Constitution of the United States is challenged I shall continue to take every proper action necessary to uphold it. [Applause.]

One of the fundamental concepts of our constitutional system is that it guarantees to every individual, regardless of race, religion, or national origin, the equal protection of the laws. Those of us who are privileged to hold public office have a solemn obligation to make meaningful this inspiring objective. We can fulfill that obligation by our leadership in teaching, persuading, demonstrating, and in enforcing the law.

We are now making noticeable progress in the field of civil rights—we are moving forward toward achievements of equality of opportunity for all people everywhere in the United States. In the interest of the Nation and of each of its citizens, that progress must continue.

Legislative proposals of the administration in this field will be submitted to the Congress early in the session. All of us should help to make clear that the Government is united in the common purpose of giving support to the law and the decisions of the courts. [Applause.]

Finally, by moving steadily toward the goal of greater freedom under law, for our own people, we shall be the better prepared to work for the cause of freedom under law throughout the world.

All peoples are sorely tired of the fear, destruction, and the waste of war. As never before, the world knows the human and material costs of war and seeks to replace force with a genuine rule of law among nations.

It is my purpose to intensify efforts during the coming 2 years in seeking ways to supplement the procedures of the United Nations and other bodies with similar objectives, to the end that the rule of law may replace the rule of force in the affairs of nations. Measures toward this end will be proposed later, including a reexamination of our own relation to the International Court of Justice.

And lastly, let us remind ourselves that Marxist scripture is not new; it is not the gospel of the future. Its basic objective is dictatorship, old as history. What is new is the shining prospect that man can build a world where all can live in dignity.

We seek victory not over any nation or people but over the ancient enemies of us all; victory over ignorance, poverty, disease, and human degradation wherever they may be found.

We march in the noblest of causes—human freedom.

If we make ourselves worthy of America's ideals, if we do not forget that our Nation was founded on the premise that all men are creatures of God's making, the world will come to know that it is free men who carry forward the true promise of human progress and dignity.

I thank you very much. [Applause, the Members rising.]

At 1 o'clock and 15 minutes p.m. the President, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Doorkeeper escorted the invited guests from the Chamber in the following order:

The Ambassadors, Ministers, and Chargés d'Affaires of foreign governments.

The Chief Justice of the United States and the Associate Justices of the Supreme Court.

The members of the President's Cabinet.

JOINT SESSION DISSOLVED

The SPEAKER. The Chair declares the joint session of the two Houses now dissolved.

Thereupon (at 1 o'clock and 20 minutes p.m.) the joint session of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

PRESIDENT'S MESSAGE REFERRED TO THE COMMITTEE OF THE WHOLE HOUSE AND ORDERED PRINTED

Mr. McCORMACK. Mr. Speaker, I move that the message of the President be referred to the Committee of the Whole House on the State of the Union and ordered printed.

The motion was agreed to.

RECESS

The SPEAKER. The House will stand in recess until 2 o'clock p.m.

Accordingly (at 1 o'clock and 21 minutes p.m.) the House stood in recess until 2 o'clock p.m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 o'clock p.m.

OATH OF OFFICE ADMINISTERED TO HON. DANIEL A. REED

Mr. TABER. Mr. Speaker, in accordance with your designation of me, pursuant to House Resolution 12, 86th Congress, adopted by the House of Representatives; to administer the oath of office to Representative-elect DANIEL A. REED, of the 43d District of New York, I have the honor to report that on Wednesday, January 7, 1959, at Washington, D.C., I administered the oath of office to Mr. REED, form prescribed by section 1757 of the Revised Statutes of the United States, being the form of oath administered to Members of the House of Representatives, to which Mr. REED subscribed.

Mr. Speaker, I offer a resolution (H. Res. 66) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Whereas DANIEL A. REED, a Representative from the State of New York, from the 43d District thereof, has been unable from sickness to appear in person to be sworn as a Member of this House, but has sworn to and subscribed to the oath of office before the Honorable JOHN TABER, authorized by resolution of this House to administer the oath, and the said oath of office has been presented in his behalf to the House, and there being no contest or question as to his election: Therefore be it

Resolved, That the said oath be accepted and received by the House as the oath of office of the said DANIEL A. REED as a Member of this House.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDMENT TO HOUSE RESOLUTION 8

Mr. HOEVEN. Mr. Speaker, I offer a resolution (H. Res. 67) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

That House Resolution 8, 86th Congress, is amended as follows:

(1) In line 2, strike out the word "six" and insert "five" in lieu thereof; and

(2) In line 3, strike out "January 7, 1959" and insert "January 3, 1959" in lieu thereof.

The resolution was agreed to.

A motion to reconsider was laid on the table.

UNITED STATES OF AMERICA v. JOHN WILLIAM POWELL, SYLVIA CAMPBELL POWELL, AND JULIAN SCHUMAN

The SPEAKER laid before the House the following communication:

JANUARY 7, 1959.

The Honorable the SPEAKER,
House of Representatives.

SIR: From the U.S. District Court for the Northern District of California, Southern Division, I have received a subpena duces tecum, directed to me as clerk of the Committee on Appropriations to appear before said court as a witness in the case of the *United States of America* v. *John William Powell, Sylvia Campbell Powell, and Julian Schuman*, defendants, and to bring with me certain and sundry papers therein described from the files of the House of Representatives. The original return date of September 22, 1958, has been postponed to January 28, 1959.

The rules and practice of the House of Representatives indicate that the clerk of a committee may not, either voluntarily or in obedience to a subpena duces tecum, produce such papers without the consent of the House being first obtained. It is further indicated that such clerk may not supply copies of certain of the documents and papers requested without such consent.

The subpena in question is herewith attached, and the matter is presented for such action as the House in its wisdom may see fit to take.

Very truly yours,

KENNETH SPRANKLE,
Clerk and Staff Director, Committee on Appropriations.

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

U.S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION—UNITED STATES OF AMERICA *v.* JOHN WILLIAM POWELL, SYLVIA CAMPBELL POWELL, AND JULIAN SCHUMAN

TO CLERK, COMMITTEE ON APPROPRIATIONS OF THE HOUSE OF REPRESENTATIVES.

You are hereby commanded to appear in the U.S. District Court for the Northern District of California at U.S. Post Office Building, 7th and Mission Streets, in the city of San Francisco on the 22d day of September 1958 at 10 o'clock a.m. to testify in the case of *United States* v. *Powell et al.*, and bring with you the documents, books, papers, records, and files identified and described on the list attached hereto.

This subpena is issued upon application of the defendants.

C. W. CALBREATH,
Clerk.

By WILLIAM J. FLINN,
Deputy Clerk.

JUNE 24, 1958.

DORIS BRIN WALKER, ESQ.,
Attorney for Defendants.

CASE OF UNITED STATES AGAINST JOHN P. GILBOY, JR., ET AL.

The SPEAKER laid before the House the following communication from the Clerk of the House:

JANUARY 8, 1959.

The Honorable the SPEAKER,
House of Representatives.

SIR: From the District Court of the United States for the Middle District of Pennsylvania, I have received a subpena duces tecum, directed to me as Clerk of the House of Representatives, to appear before said court as a witness in the case of the *United States* v. *John P. Gilboy, Jr., et al.* (No. 12880, criminal), and to bring certified copies of signed oaths of office executed by Congressman WILLIAM J. GREEN, Jr., for the 81st, 82d, 83d, 84th, and 85th Congresses, with certified copies of extracts of the Journal of the House of Representatives showing that Congressman GREEN was a member of the Armed Services Committee of the House of Representatives during the 81st, 82d, 83d, 84th, and 85th Congresses.

The subpena in question is herewith enclosed, and the matter is presented for such action as the House in its wisdom may see fit to take.

Very truly yours,

RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

U.S. DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA—UNITED STATES OF AMERICA *v.* JOHN P. GILBOY, JR., ET AL.—NO. 12880 CRIMINAL

TO RALPH R. ROBERTS,
Clerk, U.S. House of Representatives, Washington, D.C.

You are herby commanded to appear in the U.S. District Court for the Middle District of Pennsylvania at 307 Post Office Building in the city of Lewisburg, Pa. on the 13th day of January 1959 at 2 o'clock p.m. to testify in the case of *United States* v. *John P. Gilboy, Jr., et al.*, and bring with you certified copies of signed oaths of office executed by Congressman WILLIAM J. GREEN, JR., for the 81st, 82d, 83d, 84th and 85th Congresses, with certified copies of extracts of the Journal of the House of Representatives showing that Congressman GREEN was a member of the Armed Services Committee of the House of Representatives during the 81st, 82d, 83d, 84th and 85th Congresses.

This subpena is issued upon application of the United States.

T. H. CAMPION,
Clerk.

OLIVER DIBBLE,
Special Assistant to the Attorney General, Attorney for United States.

DECEMBER 18, 1958.

Mr. McCORMACK. Mr. Speaker, I offer a resolution (H. Res. 68) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Whereas in the case of the *United States* v. *John P. Gilboy, Jr., et al.* (criminal case No. 12880), pending in the U.S. District Court for the Middle District of Pennsylvania, a subpena duces tecum was issued by the said court and addressed to Ralph R. Roberts, Clerk of the House of Representatives, directing him to appear as a witness before the said court on the 13th day of January 1959, at 2 p.m. and to bring with him certain and sundry papers in the possession and under the control of the House of Representatives: Therefore be it

Resolved, That by the privileges of this House no evidence of a documentary character under the control and in the possession of the House of Representatives can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession but by its permission; be it further

Resolved, That when it appears by the order of the court or of the judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the House is needful for use in any court of justice, or before any judge or such legal officer, for the promotion of justice, this House will take such order thereon as will promote the ends of justice consistently with the privileges and rights of this House; be it further

Resolved, That Ralph R. Roberts, Clerk of the House, be authorized to appear at the place and before the court named in the subpena duces tecum before mentioned, but shall not take with him any papers or documents on file in his office or under his control or in possession of the Clerk of the House; be it further

Resolved, That when said court determines upon the materiality and the relevancy of the papers and documents called for in the subpena duces tecum, then the said court, through any of its officers or agents, have full permission to attend with all proper parties to the proceeding and then always at any place under the orders and control of this House and take copies of any documents or papers and the Clerk is authorized to supply certified copies of such documents and papers in possession or control of said Clerk that the court has found to be material and relevant, except minutes and transcripts of executive sessions, and any evidence of witnesses in respect thereto which the court or other proper officer thereof shall desire, so as, however, the possession of said documents and papers by the said Clerk shall not be disturbed or the same shall not be removed from their place of file or custody under said Clerk; and be it further

Resolved, That a copy of these resolutions be transmitted to the said court as a respectful answer to the subpena aforementioned.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT UNTIL MONDAY NEXT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

OUR RELATIONS WITH LATIN AMERICA

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, in announcing to the House the introduction by me of a resolution creating a select committee to conduct a sweeping investigation of all aspects of our relations with Latin America I wish to stress its importance to the people and the interests of the great Middle West and to Chicago.

It goes without saying that we cannot live safely in a world of discord if there is not existent among the nations and the peoples of our own hemisphere the greatest possible measure of understanding and of accord. We cannot hope to make felt our influence among the peoples of other hemispheres if on our own hemisphere there does not exist in the hearts and the minds of all the people in all our hemispheric neighbors an understanding of us and a sincere desire to cooperate with us in the attainment of the ideals to which we hold.

But today in these brief remarks it is my purpose to stress the especial interest of the great Middle West and of Chicago, second city in population of our country and now dynamically driving forward to the attainment of its destiny as the first inland ocean port of the world.

Our trade with Latin America is larger than with any other single area in all the world. Close to one-third of all our imports come from Latin America and about one-fourth of all our exports go to that area. In 1 year we exported to Latin America products that totaled in value $4.7 billion. Let me repeat that in 1 year we find a market for our exports in the countries of Latin America that reach a total in money value of $4.7 billion. I need not say that the loss or serious weakening of such a market would have serious repercussion upon our economy.

The Latin American countries in turn depend upon us as the major market for their exports. They find in the United States a market for more than three-fourths of their copper, two-thirds of their coffee, one-half of their raw wool, and three-fifths of their petroleum.

Our stake in the attainment of a real hemispheric solidarity through the dissolvement of existing differences in the working out of a program mutually advantageous is tremendously large. So too is the stake of our Latin American neighbors.

I feel strongly that this body should not leave largely this problem to the attention of the other body. We are not going to survive and fulfill our national destiny in the attainment of a better world for everyone in it unless our best friends, the friends who understand us and work with us, are our neighbors on this hemisphere. The creation by this body of a select committee especially delegated and with dedication to this task would in itself go far in the assurance to our Latin American neighbors of our interest and the sincerity of our purpose. This select committee properly should be composed of members of the Committee on Foreign Affairs and should be under the guiding influences of the great chairman of that committee, and the resolution which I have offered so provides.

But unless it is a select committee, provided with the authorization necessary and an adequate staff, it would be most difficult to do the thorough job that is required.

I have said that Chicago has a transcending interest in the development of our trade and the strengthening of our ties with Latin America. Under the dynamic leadership of Mayor Richard J. Daley, Chicago, in connection with the Pan American games, is planning the most pretentious series of events in the history of this hemisphere to bring together our people with the peoples of Latin America and to interweave our cultures. It is a program of tremendous import.

Mayor Daley time and again has pointed out that with the opening of the St. Lawrence seaway and the development of the Cal-Sag inland waterway from the Great Lakes to the Gulf of Mexico a new and dazzling era is opening for our country and for the ever expanding contribution of the Middle West to the future of our country.

The greatest percent of our industrial products are produced in the Midwest and much of the agricultural exports are either grown or processed in this region. Because of our position as a major transportation center, much of the commodities exported are either shipped through the area to coastal ports or transferred directly to overseas carriers operating in the Great Lakes. More than one-fifth of all truck sales are made to overseas customers, over one-quarter of the tractors produced in the United States are exported, and foreign purchases of other farm machinery represent 13 percent of the overall demand. Shipments abroad of construction equipment total 26 percent of total production, and overseas sales take 11 percent of the output of machine tools.

In all of these industries, Midwest firms predominate. Foreign purchases of United States fats and oils totaled $600 million in 1 year, largely soybean oil and animal fats. Over 50 percent of the U.S. soybeans are grown in Illinois, Indiana, and Iowa; and Middle West farms and meatpacking plants are important sources of animal fats.

The United States and in an especially large measure the Middle West cannot afford to have our large and profitable hemispheric trade threatened nor can we afford to have any hemispheric problems that through inattention may grow in their irritation and come to divide the peoples of our hemisphere who in their own interest should understand one another and should work together in cooperation to the advantage of all.

Mr. Speaker, we in Chicago and in the Middle West are vitally interested. The interest of other sections of our beloved country cannot be less than our own interest. The strengthening of our ties with the nations and the peoples of Latin America presents a challenge to the 86th Congress that we must accept and discharge its responsibility with thoroughness and in the spirit of dedication. I trust that the leadership and the House will react favorably to the creation of a select committee appointed from the membership of the Committee on Foreign Affairs, and from this will come an hemispheric harmony, a unity in working together, for which long we have reached and never quite have attained.

COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, as part of the "Operation Abolition" that we all know has been going on for some time in connection with the work of the Committee on Un-American Activities, there appeared in the Washington Post of January 7, 1959, an advertisement which I think has hit a new low with respect to deceit practiced in the attempt to divide our people. This advertisement states that the committee has "harassed Americans who work for racial equality and justice." It states that it has "increased the bitterness between racial and religious groups of our citizens."

Now I call upon any of the people whose names are attached to that advertisement to state wherein this committee has ever done anything that even resembles remotely the things that have been charged in this advertisement. In that connection, Mr. Speaker, I ask unanimous consent to include in my remarks the backgrounds of the signers or the majority of the signers, of this advertisement.

These people are for the most part well-known fellow travelers or members of Communist fronts, many of whom were active not too long ago in "the committee to secure justice" for the Rosenbergs. With our eyes wide open, I am sure that this advertisement will be given its proper place.

The advertisement referred to is as follows:

"The Un-American Activities Committee should be abolished, not reorganized and expanded." (Editorial, the Washington Post, Dec. 19, 1958.)

We, the undersigned, petition the 86th Congress to eliminate the House Committee on Un-American Activities as a standing committee.

We believe that the U.S. Supreme Court has, in the *United States* v. *Watkins*, made it clear that the committee has habitually misused its mandate in unconstitutional ways for political purposes; that it has become an agency for repression; that it has usurped the functions of the executive and judicial branches of our Government.

We are confident that only a return to constitutional procedures can protect us against subversion without at the same time subverting the very liberties we seek to protect.

For two decades the Congress has allowed the committee to function. For 2 decades the committee has condemned individual Americans, has wrecked the lives of some, and has denied them the due process of law that English and American courts have toilsomely evolved over many centuries. Now the Nation is reaping the bitter harvest:

1. The committee has perverted and thereby imperiled, the proper and necessary powers of the Congress to conduct investigations.

2. The committee has helped discourage free study and inquiry in working for peace while the world is threatened with destruction.

3. It has harassed Americans who work for racial equality and justice.

4. In has increased bitterness between racial and religious groups of our citizens, which in turn has imperiled our good relations with the people of Asia, Africa, and Latin America.

5. It has discouraged social and cultural contacts with our neighbors on this shrinking planet. It has discouraged U.S. students and scholars from studying in countries which we Americans desperately need to understand.

The House Committee on Un-American Activities has in these ways weakened America. At no time in history have we needed to be stronger. At no time have we needed to be wiser. Let us rid ourselves of this agent of weakness and of folly.

Rev. Benjamin J. Anderson, Dr. Stringfellow Barr, Dean John C. Bennett, Judge John O. Bigelow, Dr. Eugene Carson Blake, Bernarda Bryson, John M. Coe, Rev. Ray Gibbons, Jesse W. Gitt, John Hammond, Prof. Fowler Harper, James Imbrie, Prof. Erich Kahler, Robert W. Kenny, Bishop Edgar L. Love, Dr. John A. Mackay, Daniel G. Marshall, Mrs. Dorothy Marshall, Stewart Meacham, Prof. Alex. Meiklejohn, Rev. A. J. Muste, Rev. Claud D. Nelson, Dr. Reinhold Niebuhr, Leo Pfeffer, Judge Justine W. Polier, Clarence E. Pickett, Prof. Arnold W. Rogow, Mrs. Eleanor Roosevelt, Prof. Donald H. Riddle, Ben Shahn, Otto L. Spaeth, Prof. George F. Thomas, W. O. Tilenius, Prof. Paul Tillett, Aubrey Williams.

(Fill in coupon, clip, and mail)

H. W. IMBRIE,
Secretary, Postoffice Box 333,
Lawrenceville, N.J.:

I agree with the above petition and want to do something to help abolish the House Un-American Activities Committee as a standing committee.

I enclose $____ to aid in this program, and for further publication of your advertisement.

Name _____
Address _____
City _____ State _____

The records of some of the signers of this advertisement are as follows:

Stringfellow Barr, a sponsor of Communist fronts, who opposed the Internal Security Act but condemned the Supreme Court conviction of the first string Communist leaders.

John M. Coe, in 1950, attorney for the Communist Party of Alabama. Has sponsored Communist fronts over a number of years.

Ray Gibbons, supported the Communist opposition to our aid to England and France during Hitler-Stalin pact in 1941.

Fowler Harper, member of National Committee Emergency Civil Liberties Committee which is leading the drive against the committee and which was cited by the Senate Internal Security Subcommittee. In 1941 Harper defended the Communist Party in a statement to the President of the United States.

James Imbrie, supporter of Communist fronts over many years including the National Committee To Secure Justice for the Rosenbergs. Member of National Committee of Emergency Civil Liberties Committee.

Erich Kahler, supporter of Communist program of American Committee for Protection of Foreign Born. Member of National Committee of Emergency Civil Liberties Committee.

Robert W. Kenny, former president of Communist-controlled National Lawyers Guild. Sponsor of numerous Communist fronts, including National Committee To Secure Justice for the Rosenbergs, Member of National Committee of Emergency Civil Liberties Committee.

John A. MacKay, sponsor of Communist fronts such as the National Council of American-Soviet Friendship.

Daniel G. Marshall, former president of Los Angeles National Law Guild. Sponsor of Communist fronts such as National Committee To Secure Justice for the Rosenbergs.

Dorothy M. Marshall, supporter of many Communist fronts including the West Coast Communist newspapers the Peoples World. Defender of the Rosenbergs, she is a member of the National Committee of Emergency Civil Liberties Committee.

Prof. Alex. Meiklejohn. Not only has he affiliated himself with Communist-front organizations he has denounced the Court for their conviction of the top Communist leadership. He has been one of the most vocal leaders of the campaign of the Emergency Civil Liberties Committee to abolish the committee.

Erv. A. J. Musti, a pacifist, he has lent his name to certain Communist organizations over the last 25 years. As chairman of the recently formed American Forum for Socialist Education he refused to answer questions about the part Communists or the Communist Party played in its formation.

Dr. Reinhold Niebuhr, a supporter of Communist fronts such as the American Committee for Protection of Foreign Born prior to World War II. He has denounced the Communist Party of the United States in recent years, while at the same time seeking the release from prison of Communists convicted under the Smith Act.

Justine Wise Polier, a onetime member of the Communist-controlled National Lawyers Guild.

Clarence C. Pickett has affiliated with Communist-front organizations over a number of years.

Ben Shahn has sponsored organizations such as the American Continental Congress for World Peace which was held in Mexico City in 1949. This Congress was designed to support the Soviet foreign policy and condemn America's. An artist, he has contributed his works for use by the Communist Party in its publications.

Paul Tillett, a supporter of the Emergency Civil Liberties Committee which has led the Communist campaign to abolish the committee.

Aubrey Williams, a supporter of Communist fronts who refused to answer questions when questioned by a Senate committee.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield.

Mr. HOFFMAN of Michigan. I read the ad and gave quite a little consideration to the individuals who sponsored it.

Remembering what the Saviour said when crucified. Should not His words be here repeated. He said "Father, forgive them; for they know not what they do."

Mr. WALTER. Well, it is indeed unfortunate that some people have been unwilling dupes of this group which in order to destroy a committee of the House has now set out to raise some money. The potential contributors had better realize what movement they would be financing.

The SPEAKER. The time of the gentleman from Pennsylvania [Mr. WALTER] has expired.

CURB SCHOOL AND CHURCH BOMBING

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Speaker, today I introduced a group of seven bills which would empower the Federal Government to deal with crimes of violence such as hate bombings where they are the result of an interstate conspiracy and to ban such hate mail which directly incites to violence. I believe that this comprehensive legislation will help to more effectively curb the activities of fanatics and racists trying to establish a reign of terror, particularly in communities where official resistance to court orders on desegregation of the public schools tend to invite other acts of lawlessness. In my opinion, these bills will achieve that objective without infringing upon our traditional freedoms of speech and press or the essential responsibilities and jurisdiction of local law-enforcement officials.

These bills comprise the following proposals:

First. A bill to make interstate transportation of explosives a crime when the intent is to damage or destroy any building for the purpose of interfering with its use or to intimidate any person.

Second. An amendment to the fugitive felon statute, 18 U.S.C. 1073, which forbids travel across State lines to avoid prosecution or imprisonment, to include among the crimes of violence listed the "willful destruction of any building or structure."

Third. A bill to extend to Federal officials protection against threats and violence.

Fourth. A bill to ban from the mails material tending to incite specific acts of violence such as murder, arson, assault, rape, and willful destruction of any building or structure, and so forth, listed in the fugitive felon statute, as amended.

Fifth. An amendment to the postal laws, 39 U.S.C. 259, to give the Postmaster General the authority to enforce provisions banning such mail.

Sixth. An amendment to the interstate threats statute, 18 U.S.C. 875, to ban such threats where their purpose is to interfere with Federal or State laws or decrees.

Seventh. A similar amendment to the mail threats statute, 18 U.S.C. 876, to bar such threats.

Three of these proposals would broaden the scope of existing statutes to bar hate propagandists from using the mails to make threats intended to

interfere with existing laws or court orders, or for the purpose of inciting crimes of violence including unlawful destruction or damage to any building.

Hate mail has become an increasingly serious problem. The Post Office Department reports that complaints about it quadrupled in 1958. Officers who arrested the Atlanta Temple bombing suspects reported finding large supplies of anti-Semitic and anti-Negro literature in their homes. Mass mailings of this kind of material which tries to exploit bigotry, lawlessness, and discrimination have reportedly closely preceded some of the recent bombings. It is becoming increasingly difficult to separate the propaganda of hate from the actual terror, the bombings and the threats to determine which comes first.

There is no doubt in my mind that the average citizen in the South is as deeply shocked and outraged by the nearly 70 bombings and attempted bombings reported since 1954, including 27 incidents last year, as is the Nation as a whole. There is considerable support among southern officials for a law such as I now propose to give the FBI concurrent jurisdiction in hate bombing cases so that it can act immediately, just as it does now in kidnapings as authorized by the Lindbergh Act. Although these law enforcement officials are doing their utmost to catch the hate bombers, many of them feel that lack of jurisdiction and resources severely limit their ability to track down and bring to justice what their evidence indicates is probably a well-organized gang or gangs of hate terrorists operating in several States. Florida officials in particular forecast that a Federal antibombing statute would not be the signal for the slackening off in local police efforts but would instead initiate the kind of coordinated action by Federal, State, and city authorities most apt to result in the most effective police work. In the one instance where the FBI did move in at once, after the bombing of a temple in Atlanta last October, a group of suspects were speedily rounded up and indicted for the crimes.

Seldom have I examined an emergency situation which so urgently requires Federal legislation to help remedy it. Local law enforcement agencies have for the most part been unable to apprehend or convict the hate bombers or check the flood of hate mail inciting to violence which together have created a climate of severe tension in certain communities.

The dimensions of the damage wrought by the dynamiting of private homes, schools, houses of worship, community centers and places of business in several States take us beyond an obvious attempt at mass intimidation of minority groups. The terrorists responsible are assaulting a doctrine essential to the preservation of our democratic society, the maintenance of law and order to which the overwhelming majority of Americans, regardless of individual differences on civil rights, are genuinely devoted.

THE LATE HONORABLE JAMES MICHAEL CURLEY

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, James Michael Curley passed away in November 1958, after a long and colorful career as Congressman, mayor of Boston, and Governor of Massachusetts.

He was the "grand old man" of Bay State politics. The thousands who knew him personally always greeted him as "Governor" whenever they met him. And they will chuckle with affectionate remembrance of the life and times of Jim Curley.

In his youth he was a handsome son of Irish parents, with a commanding presence, and a voice that even fascinated his opponents.

He led the Democratic Party in Massachusetts from its decades of minority status, to equality, and then to its present control of government both in the State House and in the larger communities of the Commonwealth because he spoke for the common people and their bread-and-butter problems.

With his vast experience in government and his skill in human relations, he was more than a match for any powerful individual or any group that stood in the way of progress. At the same time he was one of the most charitable of men toward those who were in need. He not only gave of himself, but gave most of his worldly goods to the poor and the unfortunate.

The thousands of people from all walks of life who passed, hour after hour through the Hall of Flags in the State House to pay their last respects to an old friend was an unforgettable sight more eloquent than the statistics of the political battles that he won and lost.

How different from the cautious public administrators who would have government do as little as possible, without heart or vision or will.

Jim Curley was one of the last of the individualists in the art and science of government who may have been inefficient at times, but were rich in the human values that inspired public confidence and affection.

In this age of electronic brains and bureaucracy, people will miss men like Jim Curley.

Many a humble person kneeling by his bier paid him the greatest tribute of all as they whispered: "God bless you, Governor."

Already, his name is a legend.

As we approach the strange future, and the new social order that will evolve in response to scientific progress, many of us will think of him; of his generous heart, his sense of humor, and his profound faith in God and in the potentialities of the average man.

And thinking of Jim Curley will help us to build a world in which human beings will be the most important facts of all.

LEGISLATION ON LESS-THAN-HONORABLE DISCHARGES

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, I want to advise the membership that on Wednesday, the first day of this 86th Congress, I filed again the bill dealing with less-than-honorable discharges which bill 226 Members of this House were good enough to vote for near the close of the last session, with only 8 negative votes. I invite all of you Members to again join in passing this bill through the House at the earliest possible date. I cordially invite you to take the bill and make it yours. It is H.R. 88, and will be available in the next day or two at the House document room under H.R. 88.

We are going to try to get it through the House again as promptly as possible so that it will be sent over to the Senate in time to be considered by that body.

It has again been referred to the House Armed Services Committee of which I am a member and the distinguished chairman of which did in the last session appoint a special hearing committee to hold public hearings and to make report back to the full Armed Services Committee. This full Armed Services Committee approved the bill. It came to the House late in the session and, as I say, passed the House with a great majority of 226 aye votes and only 8 nay votes. About 30 Members of the House joined in the last session and gave weight to the merit of said bill by filing separate bills under their own authorship. I invite you to do the same thing again.

There is only one material change in the text of H.R. 88 different from the text of H.R. 8772. The change is this, to wit: Whereas in H.R. 8772 of the 85th Congress the committee recommended and the House approved the bill with the proviso therein that the document which the applicants would receive if the military review board approved their application would be called a "general discharge limited." However, last session the military strenuously opposed the use of this term, to wit, "general discharge limited," and upon further review and consideration it is believed that the term "exemplary rehabilitation certificate" is probably a more accurate and fitting name for the document which the bill proposes be given the lad who had received some type of less-than-honorable discharge but who had in fact made benefit of exemplary conduct and rehabilitation status for at least 3 years after being discharged from the military with some type of less-than-honorable discharge. Otherwise, the bill H.R. 88 is the same as H.R. 8772 of the 85th Congress. Therefore, H.R. 88 provides that the boards for correction of military records and boards of review will be authorized to correct military records or military discharges taking into consideration, in each case, the reasons for

the type of original discharge and the dismissal, including, but not limited to, the following: First, the conditions that prevailed at the time of the incident, statement, attitude, or act which led to the original discharge or dismissal; second, the age of the individual at the time of the incident, statement, attitude, or act which led to the original discharge or dismissal; third, the normal punishment that might have been adjudged had the act or incident been committed in civilian life; and fourth, the moral turpitude, if any, involved in the incident, statement, attitude, or act which led to the discharge or dismissal.

In addition to changing a discharge said board having the sole and exclusive jurisdiction in the premises and it being optional with the said military board, said boards under H.R. 88 will be authorized to issue an exemplary rehabilitation certificate instead of a general discharge limited. H.R. 88 contains all the same basic provisions which were in H.R. 8772, such as not granting to applicant any government benefits as a result of change in type of discharge or being issued the exemplary rehabilitation certificate. But the boards will be able to review all types of discharges, including those issued pursuant to the general court-martial. As you know, under existing law, the boards of review may not review dismissals or discharges issued by reason of the sentence of a general court-martial.

You will be encouraged to know that Hon. CARL VINSON, chairman of the Armed Services Committee, suggested I file H.R. 88 promptly in this 86th Congress and bring it before the full Armed Services Committee to which it was referred at the earliest possible date and then to process it further through the House as promptly as possible so that it would logically arrive before the Senate Armed Services Committee promptly and in due time for it to be considered by said committee. It arrived before said Senate Committee too late to be duly considered for movement to the floor of the Senate. It is suggested as likely there will not be need of repeated public hearings in view of the extended hearings last session and the fact that the hearings were printed and available for distribution.

THE HONORABLE JOSEPH W. MARTIN, JR.

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, it is my desire to pay brief tribute to a former Republican leader and Speaker of the House. It was my privilege to serve under Bert Snell, of New York, under Joseph W. Byrns, William Bankhead, and our present Speaker, all of whom gave us perfect service, as well as when our colleague from Massachusetts [Mr. MARTIN] was Speaker of the House in the 80th and 83d Congresses.

In my judgment, every Republican, as well as every Democrat, is under obligation to our former Speaker [Mr. MARTIN]; Democrats because of the exceptional consideration given them; Republicans because of his effective efforts in behalf of our party. Because I am brief at this time does not mean I am saying even a small fraction of what might truthfully be said.

Without in any way trying to make comparisons or to comment at all upon the qualifications of any other man who has served us so well and so faithfully, it is my desire to state that since 1935, which began my term of service, I have never known a man who has more accurately represented, faithfully and ably served, the Republican Party and its numbers than has our colleague, JOE MARTIN.

We have heard rumors now and then about Members of the House and members of the executive departments which have raised questions as to certain highly desirable qualities which every public servant should have. Never, so far as I know, and I have had my ears and eyes open all the time, have I ever heard any insinuations or even any indirect inference which at any time to any degree questioned the integrity, the ability, or the faithfulness to his party, to the duties of his office, of my colleague from Massachusetts [Mr. MARTIN]. For more than 30 years, his sincerity, his loyalty, his devotion to the people of his district, his State, and our Nation, have never been questioned by friend or foe.

The Republicans in their wisdom saw fit the other day to change the House leadership of our party. As an individual member of the party, I have no comment to make about that, except to add that ambition is a jealous mistress and kindly virtues are sometimes forgotten or disregarded when she is on her way to a desired goal. There is, however, one good thing that may come from that action at our conference, and that is the notification to the Speaker, his party and the public that we will have more aggressive action toward our opposition.

We may in recent years, have lacked aggressiveness toward our political opponents but our action of Tuesday is proof positive that we are able and willing to fight if not the political enemy, then each other. My hope is that we may in the future direct our fire in the right direction.

If I understood the Speaker's remarks correctly, and I hope I did, he will certainly welcome and get our suggestions and we will get an adequate return in kind.

This coming session promises to be real interesting, and I have no doubt but that it will be helpful to the country as a whole and also to our party.

JOE's successor will get from Republicans the same loyal service given our former Speaker [Mr. MARTIN]. I am quite sure that we over here are united behind our leader's efforts to give the country a sound, safe program. I know personally that I will try to make it interesting for the Speaker and the opposition and I am sure that the Members on that side will endeavor to improve on our efforts.

Permit me to repeat that never have I met a more loyal, kindly friend, a more considerate leader, one more faithful to the true interests of the Republican Party and the Nation than our friend and former leader, JOE MARTIN. Well and faithfully has he served the trust given him by the people of his district, by his colleagues in the House.

JOE may talk about fading away, but that we will not permit. We need his advice, his wise counsel and his sympathetic and kindly consideration more than ever. We wish him a speedy and complete return to good health and vigor. He will be of inestimable assistance to those who seek to lead us.

PANAMA CANAL: FREE AND OPEN WATERWAY OR ANOTHER BERLIN?

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 30 minutes.

Mr. FLOOD. Mr. Speaker, in the last session of the Congress I made a series of addresses to the House on the question of jurisdiction and control of the Panama Canal. Extensively documented, those statements aimed at clarifying the issues with respect to Canal Zone sovereignty, which since the 1956 Suez crisis have mounted in frequency and gravity. Thus, it was not surprising to read in the press of the United States on December 20, 1958, that President Ernesto de la Guardia, Jr., of Panama, had signed a measure passed by the National Assembly of that country declaring the extension of Panama's territorial waters from the internationally recognized 3-mile limit to a 12-mile limit.

It may be asked why President de la Guardia gave his approval to the act in question. He is said to be a man of thoughtful, conservative views and action. The explanation may rest in the fact that he has been the object of relentless effort on the part of radical elements in Panama to displace him; that is to say, to throw him out of the presidency, even if violence is required. He may thus be constrained to acquiesce in matters of this character—which are undoubtedly accomplished under radical leadership—to relieve himself of some of the radical pressure. He must know that, to say the least, for any nation to attempt to extend arbitrarily its maritime limits cannot be effective, as such extensions must be by general international agreement.

In practical terms what does this alleged extension mean to the United States? It would completely surround the two seaward ends of the Canal Zone with Panamanian waters between them and the high seas, making this constitutional acquisition of the United States a maritime enclave, in effect, another Berlin. This, Mr. Speaker, is a matter

that cannot be safely ignored, for it carries serious implications affecting all interoceanic commerce.

In consequence, agitations have renewed in the Spanish language press of Panama for still greater participation in the management of the Panama Canal enterprise. These include demands that vessels crossing Panamanian waters fly the flag of Panama, that Panama receive 50 percent of the gross income of the canal, and even that Panama charge rentals for buoys located in canal approaches. What further demands will be made by the Government of Panama, as a littoral state under international law, for the exercise of its police powers in the alleged belt, I cannot predict. But I do foresee that unless the present issue is adequately met that there will be more crises in the future.

Though the paramount principles in the Panama Canal setup were comprehensively covered in my previous addresses, some of them merit emphasis in the light of this latest development.

The first in importance is the Hay-Paunce fote Treaty requirement that the canal should be free and open to vessels of commerce and of war of all nations, on terms of entire equality. To meet this stipulation the framers of the 1903 treaty acquiring the Canal Zone provided for a strip of land and water that would include not only the artificially constructed waterway but also its maritime approaches to the high seas—approaches that were in nowise partial but altogether complete.

At the time of the 1903 treaty, the accepted principle governing the width of territorial waters authorized a limit of three nautical miles. Accordingly, the framers of this treaty defined the Canal Zone as beginning in the Caribbean Sea three marine miles from mean low water mark and extending to and across the Isthmus of Panama into the Pacific Ocean to a distance of three marine miles from mean low water mark. These limits, under international usage, were identical with those of the Republic of Panama.

Essential for providing free and open interocean transit of vessels of all nations, the maritime approaches to the Panama Canal are just as much parts of the waterway as its constructed channels, locks, lakes, and ports.

Is it to be assumed that the distinguished men who framed the canal treaties failed to recognize this obvious fact? Is it not clear that they laid out the Canal Zone to the high seas to prevent any exterior encroachments on free and open transit? Is it not also clear that, by their actions, they established the United States as the littoral state for the Canal Zone, with exclusive jurisdiction over Panama Canal approaches from the high seas to the entire exclusion of the exercise by Panama of any such right, power or authority in these approaches? Was it not necessary that all these conditions be established by treaty before the United States should, or would be justified, in undertaking the construction and operation of the canal? The answers to these questions must be obvious to anyone familiar with Isthmian history and the needs of shipping, for the sea approaches are just as necessary for efficient operation, maintenance, and protection of the Panama Canal as any other part of the project. Thus, the recent Panamanian act is a clear violation of treaty, for to be valid any extension of maritime territorial limits in the Isthmian region must automatically apply to the Canal Zone as well as to Panama.

Mr. Speaker, I have been living with the canal problem for a number of years. Our position in the Isthmian area has progressively deteriorated, not because of lack of strength but because of our mistaken policy of placation of elements hostile to the United States.

The current crisis at Panama I recognize as conforming to the familiar pattern of the long-range Communist plan for wresting ownership and control of the Panama Canal from the United States. Moreover, it conforms to the well-known technique of stating a position and building up a record for later negotiations or, in this case, for adjudication before an international tribunal, all with the idea of exacting a huge indemnity from the United States for the relinquishment of such marine claims.

It also follows the recent example of Iceland, where, in line with Communist policy, an attempted extension of Icelandic territorial waters to the 12-mile limit brought that country into direct conflict with Great Britain, which, by the way, properly and effectively ignored it. No such situation should be allowed to develop at Panama.

At this juncture, Mr. Speaker, I would point out to those in authority in Panama that the mounting series of unreasonable and unrealistic demands there will not result in United States or world approval. Instead, they will greatly strengthen the current pleas of communistic and other clamorous agitators for internationalizing the Panama Canal. In fact, they can have no other effect, for the canal can never be nationalized by Panama.

Here I wish to stress again the point I have made many times previously that if the United States should ever surrender its ownership and control of the Panama Canal, the great Isthmian waterway will not pass to Panamanian jurisdiction but to an international authority. Such organization would never be as liberal and understanding in its relations with Panama as the United States. Then, why do Panamanian leaders persist on a course that, in effect, amounts to Panama digging its own grave?

This leads me to state, Mr. Speaker, that the cause of internationalization, which is now being persistently pressed, has also been substantially aided and strengthened by reason of the fact that our own Government has practiced a policy of appeasement and silence rather than one of justice and fair play based solidly on the realistic facts involved—in other words, it has been playing possum in all these critical situations. It is abundantly evident that the Panama Canal problems thus arising are still drifting from bad to worse. Certainly, it is the solemn duty of those in responsible authority to reassert our long established and tested policies, the necessity for which have been so clearly and repeatedly demonstrated. We must not permit the piecemeal liquidation of the canal nor the creation of another Berlin at this artery of world commerce.

All of this, Mr. Speaker, emphasizes the imperative need for prompt approval by the Congress of House Concurrent Resolution 1, which is similar to House Concurrent Resolution 205, 85th Congress, and the formal refusal by the United States to recognize the present attempted stranglehold encirclement of the Canal Zone.

A news story in the Panama American of December 12, 1958, and an editorial in the Saturday Evening Post of October 25, 1958, supplying further documentation on the canal question, are commended for reading by all Members of Congress and others in policy positions. The indicated news story and editorial, together with House Concurrent Resolution 1, 86th Congress, follow:

[From the Panama American, Dec. 12, 1958]

SURROUND-CANAL-ZONE MEASURE OK'D—12-MILE-LIMIT LAW IS HEADED FOR PRESIDENCIA

A bill which could make the Canal Zone an area totally surrounded by the Republic of Panama—a sort of junior grade West Berlin—passed the main hurdle in the National Assembly last night and appeared headed smoothly for the desk of President Ernesto de la Guardia, Jr.

Whether the President will seek any changes in the present form of the bill before signing it into law could not be learned today.

By extending Panamanian territorial waters to 12 miles from the present 3 miles, the bill will have the effect of placing 9 miles of Panamanian territorial waters between the Canal Zone's 3 miles of jurisdiction and the open sea. Thus it will be impossible for a ship to approach or leave the Canal Zone without passing through Panamanian territorial waters, under direct Panamanian jurisdiction.

By unanimous vote the National Assembly passed the measure last night in second reading. Usually the passage of a bill in second reading is tantamount to enactment, since the third and final reading is more or less a formality.

The bill provides that the administration of the territorial waters will be in conformity with Panama's existing treaties.

In a committee report recommending the measure for passage, note is taken that the measure will not affect the 3-mile area to seaward granted to the United States at both the Atlantic and Pacific entrances of the canal.

The report adds, however, that the bill, if it becomes law, will give Panama a 9-mile zone of full sovereignty at both ends of the canal between the end of Canal Zone jurisdiction and the high seas.

When the bill was introduced into the assembly by Deputy Aquilino Boyd on December 1 it bore also the signature of one deputy of each of the major political factions in the assembly.

Besides Boyd, who was Foreign Minister until late last May, the deputies sponsoring the measure were Manuel R. Arias E., Diogenes Pino, Alfredo Aleman, Jr., Domingo Diaz Q., and Mario J. de Obaldia.

After the bill was sent to committee for study, two members of the present cabinet, Foreign Minister Miguel Moreno, and Education Minister Carlos Sucre testified before the body and suggested certain changes.

The text as approved yesterday is different from the original in some respects.

It provides that the Chief Executive will administer the law:

(a) In accordance with the constitution;

(b) In accordance with existing treaties;

(c) In accordance with the commitments of the United Nations Conference on the Rights of the Sea held in Geneva in 1958, and

(d) In accordance with Panama's position with regard to her historical waters. (This has reference to Panama's long-taken position that she has special rights in the Gulf of Panama.)

The law as initially introduced had the approval of Panama's delegation to the Conference on Rights of the Sea.

The committee report took note that the additional zone of 9 miles added to Panama's territorial waters embraces an area rich in fish.

It also notes that a number of other nations have extended their territorial waters to 12 miles. Among those named were: Egypt, Ecuador, Guatemala, Rumania, Honduras, the Soviet Union and Saudi Arabia.

The preamble to the law as introduced said also:

"It is of great importance for the Republic to declare that it extends its sovereign rights in a 12-mile zone of territorial sea along all its coasts, without prejudice to commitments in international treaties in force for the innocent passage of foreign ships which use the Panama Canal international navigation lane."

However, some press comments have indicated that if the law were passed it would permit Panama to stop and board such ships approaching or leaving the canal.

[From the Saturday Evening Post, Oct. 25, 1958]

THE UNITED STATES OF AMERICA CAN'T SURRENDER ITS RIGHTS IN THE PANAMA CANAL

Agitation in the Republic of Panama over the status of the Canal Zone features two claims: (1) "The canal is ours"; and (2) Panama and the United States are equal partners in the canal, and should therefore split its gross revenues 50–50, while we meet all expenses.

In this country, some voices, notably Mr. James Warburg's, have been raised to suggest that we should internationalize the canal, to set a good example to Colonel Nasser.

None of these proposals makes sense. There is no legitimate comparison between the position of the American Government at Panama and that of the Suez Company in Egypt. As Congressman FLOOD, (Democrat of Pennsylvania) has pointed out in several speeches, the Canal Zone is "constitutionally acquired territory of the United States." While the British Government owned 43.75 percent of the Suez Company, and its administration was largely French, the company was an Egyptian enterprise, operating on a 100-year lease, when Nasser expropriated it.

Our treaty of 1903 with the Republic of Panama gave us sovereign rights over a strip of land 10 miles wide across the isthmus. The stated purpose of the grant was that we might build, maintain, operate and defend an interoceanic canal, and the grant was perpetual.

We undertook to pay the Republic of Panama $10 million in 1903, and an annuity thereafter. The payments have been increased several times, and now stand at about $1,900,000. It is conceivable that this will be increased but the notion that Panama can rightfully claim a half share of the tolls is ridiculous. Yet it was put forward by the Deputy Foreign Minister of Panama, who now occupies a professor's chair at the University of Panama, where he instructs students in the fancied rights for which they riot periodically.

Charles Evans Hughes, Secretary of State in 1923, made this statement to the Minister from Panama, when he raised the question of sovereignty in the Canal Zone: "It is an absolute futility for the Panamanian Government to expect any American administration, no matter what it is, any President or any Secretary of State, ever to surrender any part of those rights which the United States has acquired under the treaty of 1903."

Considerations of international law and hemisphere security make the Hughes declaration of 1923 even more valid today.

COLLABORATION ON FISCAL POLICY

The SPEAKER pro tempore (Mr. THORNBERRY). Under previous order of the House, the gentleman from Washington [Mr. PELLY] is recognized for 15 minutes.

Mr. PELLY. Mr. Speaker, I should like to express a few thoughts which seem to me both timely and important.

Obviously this Congress is faced with the responsibility of providing as fully as possible against any military peril from enemy attack. Also, we are charged with the duty of meeting properly the domestic needs of the Nation. Furthermore, the challenge in both these fields should be accomplished within the framework of Federal Treasury revenue and in line with sound anti-inflation policy.

Mr. Speaker, I think the budget can be balanced and may I say I believe it can be done without compromising either our security or such Government service to the people as is needed and necessary. I think it can be done and service given without undue inflation of the national debt or dissipation of the value of our dollar.

I have in mind that more than 100 years ago, Mr. Speaker, Lord Macaulay, the famous British historian, in a letter to a biographer of Thomas Jefferson, predicted that the United States would be, as he expressed it, as fearfully plundered and laid waste by barbarians in the 20th century as the Roman Empire was in the 5th century.

Macaulay was not referring to Russians invading and pillaging this land as Rome had been ravaged by Hun and Vandal. Rather he envisaged our collapse due to our own institutions and on account of what transpires perhaps in this very Congress and in this very year 1959.

Nor was Macaulay alone in such a fear. Indeed Thomas Jefferson himself had warned of such a catastrophe due to fiscal imprudence. Jefferson pointed to the danger to our independence, as he said, if our leaders load us with perpetual debt.

Jefferson's own words—and they apply equally well today—were:

We must make our choice between economy and liberty or profusion and servitude.

He said he placed economy "among the first and most important virtues and public debt as the grestest of dangers to be feared."

Mr. Speaker, during the difficult days ahead I hope those words of warning of Thomas Jefferson will be remembered.

President Eisenhower has called for holding the lid down on inflationary Federal spending. He emphasizes that this Nation is in danger of pricing itself out of world markets. He seeks to limit Government expenditures to an overall amount within the total of anticipated Government revenue.

Since I have promised to support such an economy effort, I am taking this means of suggesting certain areas where savings can be effected.

For example, the other day I was reading about Bolivia. In our foreign aid we underwrite a third of the total Bolivian budget. We have contributed $120 million in the last 4 years. This aid was to a foreign government which nationalized Bolivia's major industry, her tin mines, which were operating profitably and paying taxes. Now the mines are losing money and not paying taxes. Instead, the taxpayers of the United States are footing the bill.

To help bolster up Bolivia's economy in 1956, we donated U.S. Government wheat and flour. These gifts in turn were sold by Bolivia to private firms there who resold to the public. These private dealers through well-timed abolishment of a "pegged" exchange rate made a windfall profit on these products equal to some $3 million.

I think a study of Bolivian aid will show we might as well save our money, and I am equally confident it would be the same with many other foreign countries receiving our aid.

Why not study our own farm program right here at home. I see by a summary of 16 months operations ended last October 31 that farm surplus transactions of the Commodity Credit Corporation cost the Nation a loss of $1.2 billion. In November 1957 some 30 economists testifying before a Congressional Joint Economic Subcommittee were polled as to where to reduce the nondefense budget; farm spending was listed as the number one area for cuts. The soil bank is only the latest of laws which try to firm up farm prices and control production which have proved ineffective and fail to cure farm problems. It should not be renewed.

I think our agricultural expenditures are running at the rate now of almost $7 billion per annum. That money comes out of the taxpayer's pocket or will be charged to the national debt. Incidentally, payments in excess of $10,000 were made in 1957 to some 77 residents of my State of Washington for not planting wheat, and yet the total crop keeps climbing under the soil-bank acreage reserve program, which I may say, I voted against. According to the Department of Agriculture's own figures for the past year, with 25 percent less acreage in the Pacific Northwest under wheat production we still had a total of 10 percent increase in bushel production resulting in an overall staggering surplus of 1.3 billion bushels.

In searching for ways to hold down the inflationary Federal budget our agricultural program, I repeat, should most certainly come in for closer scrutiny, but I am not suggesting a cut in programs that help the handicapped or the aged or needy; nor would I favor a reduction in essential public service.

In my opinion, no general tax increase is called for, although instituting charges

to those who use Government agencies could well be studied.

My thought is, Mr. Speaker, that since the Soviet Union expects a balanced budget with a comfortable surplus we had better get busy and think in terms of economic as well as scientific and military competition with Russia. I suggest it is the better part of wisdom for the Congress to forget partisanship and to forget, too, the 1960 elections. Congress should cooperate with the President and in this year of great prosperity, show the world some fiscal responsibility.

Incidentally, the people in this country who now enjoy a higher standard of living and greater freedom from want than ever before are entitled to have these gains protected. No group in America can gain, in fact, all will suffer unless the overall fiscal policy is sound. Let us collaborate on such a program during the ensuing months.

RAILROAD RETIREMENT LEGISLATION, 86TH CONGRESS, 1ST SESSION, 1959

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Virginia [Mr. POFF] is recognized for 15 minutes.

Mr. POFF. Mr. Speaker, no more important domestic legislation faces the Congress this year than the several bills already introduced and those which will later be introduced to amend and improve the Railroad Retirement Act, and I earnestly trust that the Committee on Interstate and Foreign Commerce will schedule prompt hearings and make a report at the earliest practicable date.

The record of the 85th Congress concerning such legislation was dismal indeed. Although several bills had been pending since January 1957, no legislation was reported until the summer of 1958, and the bill was not called up for floor action until the last week of the second session in August 1958. Even then, the bill had no opportunity to be considered on its own merits, because it was attached by the Senate as a rider to a longshoremen's bill which had absolutely nothing to do with railroad retirement. The railroad workers are familiar with this sorry performance and cannot understand why they were singled out for such discrimination. They are aware that Congress last year passed legislation of a related nature concerning other workers, including:

First. The pay increase bill for civil service workers and military personnel.

Second. The bill providing additional benefits for certain retired civil service workers.

Third. The bill authorizing a 6-percent increase in retirement benefits for military personnel.

Fourth. The bill extending by 50 percent the period of entitlement for unemployment benefits for all unemployed workers except railroad workers.

The railroad employees also recall that Congress last year passed legislation for the benefit of the railroads of this country, including:

First. S. 3778, the so-called Smathers report which was designed, among other things, to help equalize the competitive factor in the transportation industry.

Second. Legislation repealing the 3-percent freight tax and the excise tax on the transportation of coal.

In view of the continued furloughs and reduction in force, railroad employees quite naturally are asking how much of the $270 million savings resulting from this tax repeal went to stockholders, how much went to shippers, how much went to salaried employees of the railroad, and how much went to railroad wage earners.

What legislation should be considered when the committee schedules hearings? The list is almost endless, but to name just a few, the committee should carefully consider:

First. The bill to repeal the so-called "last employer" clause under which a railroad worker loses his retirement benefits if, at the time he retires, he is holding some little side job to earn a little additional income.

Second. The bill to repeal the "dual benefit restriction" on wives of retired railroad workers—happily, Congress has already repealed the restriction imposed in 1951 on employees and widows of employees.

Third. The bill to lower the wife's benefit age from 65 to 62 as has already been done for wives of retired social security workers.

Fourth. The bill to reduce the retirement age of women workers with less than 30 years' service from 65 to 62 as has already been done for women workers covered by social security—women workers with more than 30 years' service may retire under the present law at 60.

Fifth. The bill to reduce the retirement age of male workers after 30 years' service.

Sixth. The bill to repeal the antique test period of 1924–31 and inaugurate the 5 best years rule, under the application of which the retirement benefits of both active and retired workers would be increased.

Seventh. The bill to extend the period of entitlement for unemployment benefits for furloughed railroad workers. The need for prompt action on this bill is particularly urgent, because the period of entitlement authorized under the current law will expire for many furloughed workers sometime this month, in the dead of winter when the opportunity for reemployment is extremely remote.

Realistically, I know that all of this legislation cannot and will not be passed in this one session of Congress. Moreover, I realize that the passage of any of these bills would create an additional drain on the Railroad Retirement Fund which, according to the actuaries, is already operating at a deficit. Comparing the costs and benefits of the Railroad Retirement system with those of the Social Security System, I still find it hard to understand why there should have been an operating deficit in the last several years while employment was high and relatively stable. With so many unemployed today, the fund does not receive as much revenue and an operating deficit is more understandable. If unemployment is aggravating the deficit, and insofar as the deficit is not attributable to mismanagement and cannot be eliminated by economy in administrative expenditures, I believe the average railroad worker still fortunate enough to be employed would be willing to pay a higher tax rate to help liquidate the deficit and finance the cost of the additional benefits incorporated in some of the foregoing bills. However, I am convinced that the workers would vigorously oppose an increase in the tax base. An increase in the tax base from $350 to $400 as proposed in legislation introduced last year would reduce, and in some cases completely destroy, the private supplemental retirement programs in which many railroad workers participate.

The current tax rate is 6¼ percent on both the employee and the employer. How much that rate would have to be increased to liquidate the deficit and finance additional benefits would depend upon which benefits the committee decides to approve and could be calculated only by the members of the committee. If the benefits recommended by the committee are acceptable, if the rate increase recommended by the committee is reasonable and if the committee does not recommend an increase in the tax base, I believe the membership of the House will overwhelmingly support the bill reported by the committee. However, during the course of the hearings, the committee must be careful to solicit the advice and listen to the testimony of representatives not only of railroad management but of the railroad workers themselves who, we must never forget, help to finance and own the Railroad Retirement Fund. Railroad workers are reasonable men and women. They want to protect the solvency of their fund; and they will be willing to cooperate with management and with Congress in the drafting of a sensible program which will help relieve the problems of the unemployed, increase job opportunities by reducing the voluntary retirement age and meet the financial crisis of those already on the retirement rolls.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. POFF. I yield to the gentleman from Washington.

Mr. PELLY. I am very glad to know that the gentleman is interested in that particular legislation. It is something that interests me, and I join with him in the hope that there will be prompt action. I want to compliment the gentleman from Virginia for his very fine comments.

Mr. POFF. I thank the gentleman.

STUDY ADEQUACY OF COMPENSATION IN FEDERAL LAND ACQUISITIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. TELLER] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. TELLER. Mr. Speaker, I have reintroduced my bill to create a Commission To Study Adequacy of Compensation

in Federal Land Acquisitions. Now that almost a year has passed since my original proposal was introduced as H.R. 9994, 85th Congress, referred to the Committee on Public Works, and given study by the executive agencies, I believe we should be able to move to immediate consideration of this proposal and put an end to the haphazard piecemeal and uncorrelated efforts that have been made to patch the defects in the current procedures.

While the Constitution of the United States says that no private property shall be taken for public use without just compensation, there are many real losses suffered for which there is no compensation. The Federal courts have classed these losses as consequential damages, a term that has become so comprehensive as to include the special value of property to an individual; the disruption or even destruction of a business and the loss of its good will; accelerated depreciation of machinery in moving from one location to another; new or increased interest charges resulting from the move; and the difference between the value of the property required for public use and the price that must be paid for a replacement site.

The awareness of the Congress to these problems is evident from the fact that we have authorized the Defense Department, the Department of the Interior and the Urban Renewal Administrator to make limited payments for moving expenses. In doing so, however, we have not only not gone far enough, we have established dual standards. There is a different basis for the payments authorized in Defense Department projects from those allowed in urban renewal projects. While this limited reimbursement does not fully compensate those involved, no moving expenses can be paid by any other agency. The inequity suffered by those whose property is required for a post office building or, for example, a civil airport such as that for the Washington area, is thereby heightened. An article appearing in the January 1958 issue of the Appraisal Journal, a publication of the American Institute of Real Estate Appraisers, served to focus attention on the continuing piecemeal, and almost haphazard, approach to this subject. Entitled "Review of Efforts To Minimize Losses in Condemnation," by Milton A. Pearl, an attorney with the Department of the Army, the article discusses the need for action, the various proposals now pending before many of our committees, and comes to what I submit are these sound conclusions:

> If the many committees of Congress studying the adequacy of compensation in condemnation cases continue their separate paths it will lead inevitably to a further divergence in the legislative authorization. Economies of time, effort, and money, plus the obvious desirability of having all Federal agencies acquire land under the same rules, indicate the benefits that will be derived if a halt is called to the piecemeal approach and the task of finding a solution is given to one group having no other responsibilities.

Mr. Speaker, in the basic struggle in which we are engaged today our greatest asset is the fairness, freedom, and good will of the democratic way of life. If we are depriving even a small percentage of our citizens of their property, without compensating them in full for all of their losses, we are defeating our own purpose. It is submitted that we must review this problem with the same sense of urgency that we must give to the development of missiles and to the acquisition of the land and the establishment of facilities for their testing, launching, and use.

During the 2d session of the 85th Congress in 1958 a law was enacted authorizing the Secretary of the Interior to make payments for moving expenses resulting from land acquisitions. However, during this same session, Congress refused to pass a law authorizing similar payments to people forced to move because of the establishment of the second Washington airport at Chantilly, Va. Why the difference in treatment between the two types of projects? Will some acquisitions be singled out by this Congress and additional losses made compensable while repayment will be denied for losses in other cases despite the equally meritorious character of claims?

In the past few years, Mr. Speaker, many Members of our Congress have been faced with the problem of their constituents' inability to move without hardship when displaced by the condemnation of their homes or places of business. I think more and more of us are coming to a realization that an overall study to establish uniformity in all types of acquisitions is essential.

Although I am one of those who recognize the need for uniformity, I, too, have problems in my own district, problems which are encountered in other districts and are national in character. These problems are here today and will not be gone tomorrow unless the commission to study the adequacy of compensation is established without undue delay and accomplishes its mission expeditiously.

Since the Committee on Banking and Currency will be considering a housing bill in the near future and may desire to take action to relieve the plight of those displaced by urban renewal projects before Congress has enacted legislation for a study to establish uniformity, I have also reintroduced two bills which I first introduced last year designed to provide additional assistance for those who are displaced by urban renewal projects.

My proposals in connection with urban renewal projects would provide for reimbursement by the Federal Government to such displaced persons as follows:

First. They authorize payment for indirect as well as direct expenses and losses.

Second. The bills also permit payments to tenants for the difference in rental for 1 year between the old rental and the higher rental which they might be obliged to pay for new homes or businesses.

Third. The bills also allow payment to businessmen of a fair and reasonable value of their business if they cannot find a new location and if they are not offered a preference in the redevelopment project itself.

Fourth. The bills also increase the maximum payments to $500 in the case of an individual or family and $10,000 in the case of a businessman. Existing law authorizes payments for "reasonable and necessary moving expenses and any actual direct losses of property except goodwill or profit" limited to $100 in the case of an individual or family or $2,500 in the case of a business concern.

Fifth. Finally, the bills empower the Administrator of the Small Business Administration to make low-cost loans to those displaced by urban renewal projects.

Mr. Speaker, in the reintroduced bill "To establish a Commission To Study the Adequacy of Compensation," I have adopted suggestions for amendment made by Army Secretary Brucker in a letter to the chairman, Committee on Public Works. I have also made other modifications in the light of events during the past year. I think that this should be a nonpartisan undertaking. It is clearly one with which we are all concerned.

Although I have requested the views of the Bureau of the Budget, I have to date received no comment from Mr. Stans. Since the Army letter to the Public Works Committee stated that the Bureau of the Budget had no objection, I have concluded that the Army's position on behalf of the Department of Defense, recommending favorable consideration of my proposal, is the administration's position. Therefore I present my bill as a noncontroversial proposal, and I hope it will receive bipartisan support and early enactment.

THE CIVIL RIGHTS ACT OF 1959

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DAWSON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. DAWSON of Illinois. Mr. Speaker, I have today introduced a bill, H.R. 300, which I hope will be enacted as the Civil Rights Act of 1959. This bill is entitled "A bill to protect and enforce the constitutional rights of all persons to the equal protection of the laws, and for other purposes." It will provide a positive approach to aid in solving one of the major problems facing this country today—that of protecting and enforcing the constitutional rights of all persons to be equally protected under laws that conform to the Constitution.

As the national conscience struggles to free itself from its sad and ancient burden of racial discrimination, the dwindling minority of those who want to retain the outmoded relics of human slavery become more desperate in their fears and emotions. They foster strife and violence, they defy the law, and where they can they use the instruments of law in efforts to frustrate or at least delay the achievement of equality under law.

Schools, homes, and temples of worship have been bombed. Freedom of assembly and expression has been stifled. Thousands of schoolchildren have been locked out of their schools. Multitudes of

citizens are being denied the most basic right of democracy—the right to vote. Yet for 5 long years the President has followed a passive, do-as-little-as-possible policy, in the hope that somehow, sometime, the spirit of human kindness and fair play that is inherent in the American people will melt the organized defiance of those who would rather destroy the American Constitution than permit it to be applied equally to every American.

Events have shown, however, that such a policy is weak and ineffectual at best, and more often it incites and encourages resistance and violence. The problem cannot be wished away. A positive program is required to treat this illness in our national life.

This grave problem is not sectional. It is national. Its impact on the Nation is heavy. It cannot be solved solely by local and voluntary groups and individuals, nor can it be left to the cumbersome procedures of litigation. The Congress and the executive branch of the Federal Government, as well as the judicial branch, are duty bound to protect the constitutional rights of the people.

My bill provides practical means for fulfilling this constitutional duty. It will promote new avenues of understanding, communication, and persuasion, while at the same time furnishing necessary financial aid and legal sanctions. Title I will authorize the Secretary of Health, Education, and Welfare to provide technical assistance to aid, through educational means, in preventing or eliminating denials of constitutional rights based on racial or religious grounds. Title II will authorize Federal grants of funds needed by States or school districts in complying with the decisions of the Federal courts to end racial segregation. Title III will authorize the Secretary of Health, Education, and Welfare to work out plans for desegregation of public schools in cooperation with the affected committees.

My bill will also authorize the Attorney General to seek the aid of courts to achieve elimination of public school segregation, to protect the constitutional rights to equal protection of the laws for persons who, because of poverty or community hostility, are unable to institute court suits, to prevent interference with officials who are seeking to provide equal protection of the laws, to prevent interference with persons obeying a court order protecting such rights, and to protect those who are being denied their constitutional rights because they have protested actions which deny such rights to others.

The Nation can no longer afford to remain on the sidelines while the legal rights of its citizens are being violated, frustrated, and deferred. It is high time that the Federal Government fulfill its constitutional promise of equal protection of the laws.

Mr. Speaker, I devoutly hope that this bill will be enacted in this session of Congress. I call upon my colleagues in this Congress to join in the great cause of protecting and enforcing the constitutional rights of every American.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HOSMER, for January 12 to January 20, on account of official business in his district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ROOSEVELT, for 30 minutes, on Monday next.

Mr. BAILEY, on Wednesday next, for 30 minutes.

Mr. O'HARA of Illinois, on February 16, for 1 hour.

Mr. POFF, for 15 minutes today.

Mr. FLOOD, for 30 minutes today, after all other legislative business and any other special orders.

Mr. PELLY, for 15 minutes today, and to revise and extend his remarks.

Mr. SCHERER, for 45 minutes, on Monday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. BROWN of Ohio, relative to the life and death of former United States Senator Davis Elkins, of West Virginia.

Mr. LESINSKI in three instances and include extraneous matter.

Mr. MOELLER and include extraneous matter.

Mr. LANE and include extraneous matter.

Mr. SILER and include extraneous matter.

Mr. PELLY and include extraneous matter.

Mr. SPRINGER and include extraneous matter.

Mr. LINDSAY and include extraneous matter.

Mr. JENSEN.

Mr. UTT.

Mr. MACK of Washington and to include extraneous matter.

(At the request of Mr. ALBERT, and to include extraneous matter, the following:)

Mr. ANFUSO in two instances.

Mr. HOLTZMAN.

Mr. FOGARTY.

Mr. ASPINALL.

Mr. FLOOD.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 32 minutes p.m.), under its previous order, the House adjourned until Monday, January 12, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

297. A letter from the Secretary of Agriculture, transmitting the annual report of the Cooperative Extension Service for the fiscal year ended June 30, 1958, pursuant to section 7, Public Law 83, 83d Congress; to the Committee on Agriculture.

298. A letter from the Acting Secretary of the Treasury, transmitting a proposed draft of legislation entitled "A bill to amend section 2734 of title 10, United States Code, so as to authorize the Secretary of the Treasury to settle claims arising in foreign countries incident to noncombat activities of the Coast Guard"; to the Committee on the Judiciary.

299. A letter from the Acting Secretary of the Treasury, transmitting a proposed draft of legislation entitled "A bill to repeal obsolete provisions of law relating to the mints and assay offices"; to the Committee on Banking and Currency.

300. A letter from the Under Secretary of Agriculture, transmitting a report of operations, expenditures, and obligations under sections 7 through 14 of the Soil Conservation and Domestic Allotment Act for the fiscal year ending June 30, 1958, and the 1958 fiscal year Appropriations Act (71 Stat. 329), pursuant to the act of June 28, 1937, 75th Congress (50 Stat. 329); also report of the emergency hurricane and flood damage restoration measures authorized by Public Law 85–58 of June 21, 1957 (71 Stat. 176) Public Law 85–170 of August 28, 1957 (71 Stat. 426); to the Committee on Agriculture.

301. A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation entitled "A bill to amend title 10, United States Code, section 2481, to authorize the United States Coast Guard to sell certain utilities in the immediate vicinity of a Coast Guard activity not available from local sources"; to the Committee on Merchant Marine and Fisheries.

302. A letter from the Assistant Secretary of Agriculture, transmitting a report on the Federal Crop Insurance Corporation for 1958, pursuant to the requirements of the Federal Crop Insurance Act; to the Committee on Agriculture.

303. A letter from the Assistant Secretary of Agriculture, transmitting a report for the month of October 1958 of the General Sales Manager on Commodity Credit Corporation sales policies, activities and dispositions; to the Committee on Appropriations.

304. A letter from the Administrative Assistant Secretary, Department of Agriculture, transmitting a report of activities for the fiscal year ending June 30, 1958, with regard to the disposal of foreign excess property under title IV, pursuant to section 404(d) of the Federal Property and Administrative Services Act of 1949, Public Law 152, 81st Congress, as amended; to the Committee on Government Operations.

305. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 24, 1958, submitting a report, together with accompanying papers and illustrations, on a review of reports on Archey Fork of the Little Red River, Van Buren County, Ark., requested by a resolution of the Committee on Public Works, House of Representatives, adopted January 28, 1947; to the Committee on Public Works.

306. A letter from the Acting Maritime Administrator, Department of Commerce, transmitting the Annual Report of the Federal Maritime Board and Maritime Administration for the fiscal year 1958; to the Committee on Merchant Marine and Fisheries.

307. A letter from the Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to extend until July 1, 1963, the deductible provisions of the Universal Military Training and Service Act; the provisions of the act of August 3, 1950, suspending personnel strengths of the Armed Forces; and the Dependents Assistance Act of 1950"; to the Committee on Armed Services.

308. A letter from the Acting Administrator, Housing and Home Finance Agency, transmitting a draft of proposed legislation, entitled "A bill to provide interim authorization for home mortgage insurance, urban renewal, and college housing"; to the Committee on Banking and Currency.

309. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting reports concerning individuals admitted to the United States notwithstanding affliction with tuberculosis, pursuant to section 6 of the act of September 11, 1957; to the Committee on the Judiciary.

310. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases where the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of certain aliens, pursuant to section 212(d)(6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

311. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation, entitled "A bill to amend section 152(b)(3) of the Internal Revenue Code of 1954 for the purpose of including nationals of the United States within the definition of the term 'dependent' in connection with deductions for personal exemptions"; to the Committee on Ways and Means.

312. A letter from the Chairman, Interstate Commerce Commission, transmitting copies of final valuations of properties of several pipeline companies, pursuant to section 19a of the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

313. A letter from the Chairman, National Mediation Board, transmitting the 24th Annual Report of the National Mediation Board, including the report of the National Railroad Adjustment Board; to the Committee on Interstate and Foreign Commerce.

314. A letter from the Chairman, Securities and Exchange Commission, transmitting the 24th Annual Report, for the fiscal year ended June 30, 1958; to the Committee on Interstate and Foreign Commerce.

315. A letter from the Acting Secretary of the Treasury transmitting a draft of proposed legislation entitled "A bill to amend the Internal Revenue Code of 1954 to remove restrictions on charges for forms, copies and certifications"; to the Committee on Ways and Means.

316. A letter from the Acting Secretary of the Treasury, transmitting a communication showing the rules and regulations made necessary to carry out the provisions of the Federal Boating Act of 1958, pursuant to subsection 7(a) of Public Law 85-911; to the Committee on Merchant Marine and Fisheries.

317. A letter from the Chairman, Franklin Delano Roosevelt Memorial Commission, transmitting the third interim report of the Franklin Delano Roosevelt Memorial Commission; to the Committee on House Administration.

318. A letter from the Librarian of Congress, transmitting a report on persons in Grades 16, 17, and 18 in the Legislative Reference Service of the Library, within the purview of subsection (c) of section 505 of the Classification Act of 1949, as amended, pursuant to title V, section 503(a), Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BROWN of Georgia: Joint Committee on Defense Production. Eighth annual report of the Joint Committee on Defense Production (Rept. No. 1). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Montana:

H.R. 1768. A bill to amend the act of August 5, 1954 (68 Stat. 674), and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1769. A bill to amend the acts approved April 16 and July 27, 1906 (34 Stat. 116 and 519), so as to authorize the Secretary of the Interior to convey certain lands on the Huntley reclamation project, Yellowstone County, Mont., to school district No. 24, Huntley project schools, Yellowstone County, Mont.; to the Committee on Interior and Insular Affairs.

By Mr. ASHLEY:

H.R. 1770. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

H.R. 1771. A bill to expand the public facility loan program of the Community Facilities Administration of the Housing and Home Finance Agency, and for other purposes; to the Committee on Banking and Currency.

H.R. 1772. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees; to the Committee on Post Office and Civil Service.

H.R. 1773. A bill to amend section 207 of the Legislative Reorganization Act of 1946, to provide that the boards for the correction of military or naval records shall give consideration to satisfactory evidence relating to good character and conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals, and for other purposes; to the Committee on Armed Services.

H.R. 1774. A bill declaring the inundation of property because of, or aggravated by, wind, waves, or tidal effects on the Great Lakes to be properly within the flood-control activities of the Federal Government; to the Committee on Public Works.

H.R. 1775. A bill to amend the Federal Property and Administrative Services Act of 1949 to make rehabilitation facilities and sheltered workshops eligible for donations of surplus real and personal property; to the Committee on Government Operations.

By Mr. ASPINALL:

H.R. 1776. A bill to amend the act of June 28, 1958, to provide for a National Outdoor Recreation Resources Review Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1777. A bill to provide for continued delivery of water under the Federal reclamation laws to lands held by husband and wife upon the death of either; to the Committee on Interior and Insular Affairs.

H.R. 1778. A bill to amend section 17(b) of the Reclamation Project Act of 1939; to the Committee on Interior and Insular Affairs.

By Mr. BARING:

H.R. 1779. A bill to repeal the cabaret tax; to the Committee on Ways and Means.

H.R. 1780. A bill to create a United States Department of Mineral Resources and to prescribe the functions thereof; to the Committee on Government Operations.

By Mr. BECKER:

H.R. 1781. A bill to amend the Rural Electrification Act of 1936 with respect to the rate of interest payable on loans made by the Secretary of the Treasury to the Administrator of the Rural Electrification Administration and on loans made by the Administrator of the Rural Electrification Administration; to the Committee on Agriculture.

H.R. 1782. A bill to prohibit private employment agencies from recruiting minors for out-of-State employment without making certain findings; to the Committee on Education and Labor.

H.R. 1783. A bill to provide that members of the Armed Forces shall be paid compensation at the rate of $2.50 per day for each day spent in hiding during World War II or the Korean conflict to evade capture by the enemy; to the Committee on Interstate and Foreign Commerce.

By Mr. BENNETT of Florida:

H.R. 1784. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

By Mr. BERRY:

H.R. 1785. A bill amending the Packers and Stockyards Act, 1921, to permit deductions for a self-help meat promotion program; to the Committee on Agriculture.

H.R. 1786. A bill to amend Public Law 949, 84th Congress; to the Committee on Interior and Insular Affairs.

By Mr. BOGGS:

H.R. 1787. A bill to amend the Federal Airport Act in order to extend the time for making grants under the provisions of such act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BOW:

H.R. 1788. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

H.R. 1789. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal employees; to the Committee on Post Office and Civil Service.

H.R. 1790. A bill to provide that coverage under the Federal Old-Age and Survivors Insurance System for self-employed farmers and ranchers shall be on a voluntary basis; to the Committee on Ways and Means.

H.R. 1791. A bill to provide additional funds for education in the several States without Federal direction, control, or interference; to the Committee on Ways and Means.

H.R. 1792. A bill to amend section 802 of title 10 of the United States Code with respect to the jurisdiction of the military departments over crimes committed by members of the Armed Forces in foreign nations, to prescribe a procedure for the determination of the rights of such members when it is proposed that they be tried by foreign courts, and for other purposes; to the Committee on Armed Services.

By Mr. BOW:

H.R. 1793. A bill to authorize cooperative associations of producers to bargain with purchasers singly or in groups and for other purposes; to the Committee on the Judiciary.

H.R. 1794. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

H. R. 1795. A bill to create a body corporate known as Daughters of Union Veterans of the Civil War; to the Committee on the Judiciary.

By Mr. BOYLE:

H.R. 1796. A bill to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation and for other purposes; to the Committee on Public Works.

By Mr. BURNS of Hawaii:

H.R. 1797. A bill to provide for promotion of economic and social development in the Ryukyu Islands; to the Committee on Armed Services.

By Mrs. CHURCH:

H.R. 1798. A bill to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation and for other purposes; to the Committee on Public Works.

By Mr. COLLIER:

H.R. 1799. A bill to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation and for other purposes; to the Committee on Public Works.

By Mr. DENT:

H.R. 1800. A bill to provide for the admission of the State of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

By Mr. DOYLE:

H.R. 1801. A bill to provide for the conveyance of a portion of Hammer Field, Calif., to the State of California; to the Committee on Armed Services.

By Mr. DULSKI:

H.R. 1802. A bill to amend the National Labor Relations Act in order to permit supervisors to be considered as employees under the provisions of such act, and for other purposes; to the Committee on Education and Labor.

By Mr. FISHER:

H.R. 1803. A bill to amend the Internal Revenue Code of 1954 to increase the amount of the deduction allowed a taxpayer for the expenses of providing for the care of certain dependents, and to allow such deduction without regard to the taxpayer's income; to the Committee on Ways and Means.

H.R. 1804. A bill to provide for the reconveyance of certain lands in the San Angelo Reservoir project, Texas, to former owners of such lands; to the Committee on Public Works.

By Mr. FOLEY:

H.R. 1805. A bill to amend the act entitled, "An act to authorize the Secretary of the Interior to acquire property for the Antietam Battlefield site in the State of Maryland"; to the Committee on Interior and Insular Affairs.

By Mr. FORD:

H.R. 1806. A bill to authorize the Postmaster General to acquire space for offstreet parking facilities in connection with United States post offices; to the Committee on Post Office and Civil Service.

H.R. 1807. A bill to encourage the improvement and development of marketing facilities for handling perishable agricultural commodities; to the Committee on Agriculture.

H.R. 1808. A bill to provide that any child of a quota immigrant, if such immigrant is entitled to a fourth preference quota, shall also be entitled to a fourth preference quota; to the Committee on the Judiciary.

H.R. 1809. A bill to amend the act of May 10, 1956 (relating to the inspection of certain passenger-carrying vessels), to provide that a person must directly contribute consideration for his carriage in order to be considered a passenger for the purposes of that act; to the Committee on Merchant Marine and Fisheries.

By Mr. GATHINGS:

H.R. 1810. A bill to amend the Agricultural Act of 1949 to provide for the increased use of milled or enriched rice by the Armed Forces, Federal penal and correctional institutions, and in certain federally operated hospitals, and for other purposes; to the Committee on Agriculture.

By Mr. GRANT:

H.R. 1811. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide for lease and transfer of acreage allotments; to the Committee on Agriculture.

By Mr. GRAY:

H.R. 1812. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. GUBSER:

H.R. 1813. A bill to permit an individual to obtain coverage under title II of the Social Security Act on the basis of service which was not covered employment at the time it was performed, if service of that type has since become covered employment and such individual makes payment of the applicable social security taxes; to the Committee on Ways and Means.

By Mr. HALEY:

H.R. 1814. A bill to amend the Federal Food, Drug, and Cosmetic Act to permit the temporary listing and certification of Citrus Red No. 2 for coloring mature oranges under tolerances found safe by the Secretary of Health, Education, and Welfare, so as to permit continuance of established coloring practice in the orange industry pending congressional consideration of general legislation for the listing and certification of food color additives under safe tolerances; to the Committee on Interstate and Foreign Commerce.

By Mr. HALPERN:

H.R. 1815. A bill to authorize the exclusion from the mails of matter relating to the solicitation of funds for, and the distribution of information relating to, certain unlawful activities; to the Committee on Post Office and Civil Service.

H.R. 1816. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

H.R. 1817. A bill to make unlawful mailing of matter tending to incite crimes of violence; to the Committee on the Judiciary.

H.R. 1818. A bill to make unlawful the mailing of threatening communications with intent to interfere with the execution of Federal or State statutes or court decrees; to the Committee on the Judiciary.

H.R. 1819. A bill to make unlawful the transmission in interstate commerce of certain communications with intent to interfere with the execution of Federal or State statutes or court decrees; to the Committee on the Judiciary.

H.R. 1820. A bill to amend title 18 of the United States Code relating to threats or injury to Federal officers in the discharge of their duties; to the Committee on the Judiciary.

H.R. 1821. A bill to make unlawful interstate travel to avoid prosecution for willful destruction or damaging of any building; to the Committee on the Judiciary.

By Mr. HARRIS:

H.R. 1822. A bill to amend section 17 of the War Claims Act of 1948 to authorize rehearing of certain claims; to the Committee on Interstate and Foreign Commerce.

By Mr. HIESTAND:

H.R. 1823. A bill to further amend the Labor Management Relations Act of 1947; to the Committee on Education and Labor.

By Mr. HOLTZMAN:

H.R. 1824. A bill to reduce the premium rates for FHA insurance on cooperative housing to one-fourth of 1 percent; to the Committee on Banking and Currency.

By Mr. JUDD:

H.R. 1825. A bill to amend section 203 of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits, and to liberalize the provisions under which such earnings are charged for purposes of such deductions; to the Committee on Ways and Means.

By Mr. KING of California:

H.R. 1826. A bill to amend the Internal Revenue Code of 1954 with respect to the time prescribed for depositing tax payments in Government depositaries; to the Committee on Ways and Means.

By Mr. KLUCZYNSKI:

H.R. 1827. A bill to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation and for other purposes; to the Committee on Public Works.

By Mr. KNOX:

H.R. 1828. A bill to amend the Internal Revenue Code of 1954 so as to provide accounting procedures whereby dealers in personal property may exclude from gross income amounts withheld by banks and finance companies on notes purchased from such dealers employing the accrual method of accounting; to the Committee on Ways and Means.

H.R. 1829. A bill to amend section 4242 of the Internal Revenue Code of 1954 to exempt from the club dues tax certain charges made by nonprofit clubs for the use of facilities; to the Committee on Ways and Means.

H.R. 1830. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

H.R. 1831. A bill to regulate the foreign commerce of the United States by establishing quantitative restrictions on the importation of hardwood plywood; to the Committee on Ways and Means.

H.R. 1832. A bill to amend the Internal Revenue Code of 1954 to repeal the tax presently imposed on the transportation of persons; to the Committee on Ways and Means.

By Mr. LIBONATI:

H.R. 1833. A bill to provide for the admission of the State of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

H.R. 1834. A bill to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation, and for other purposes; to the Committee on Public Works.

By Mr. LINDSAY:

H.R. 1835. A bill to authorize the exclusion from the mails of matter relating to the solicitation of funds for, and the distribution of information relating to, certain unlawful activities; to the Committee on Post Office and Civil Service.

H.R. 1836. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

H.R. 1837. A bill to amend title 18 of the United States Code relating to threats or injury to Federal officers in the discharge of their duties; to the Committee on the Judiciary.

H.R. 1838. A bill to make unlawful mailing of matter tending to incite to crimes of violence; to the Committee on the Judiciary.

H.R. 1839. A bill to make unlawful interstate travel to avoid prosecution for willful destruction or damaging of any building; to the Committee on the Judiciary.

H.R. 1840. A bill to make unlawful the transmission in interstate commerce of certain communications with intent to interfere with the execution of Federal or State statutes or court decrees; to the Committee on the Judiciary.

H.R. 1841. A bill to make unlawful the mailing of threatening communications with intent to interfere with the execution of Federal or State statutes or court decrees; to the Committee on the Judiciary.

By Mr. McINTIRE:

H.R. 1842. A bill to regulate the foreign commerce of the United States by establishing quantitative restrictions on the importation of hardwood plywood; to the Committee on Ways and Means.

By Mr. McMILLAN:

H.R. 1843. A bill to authorize the State of South Carolina to construct a bridge

across the Intracoastal Waterway; to the Committee on Public Works.

H.R. 1844. A bill to amend the "Life Insurance Act" of the District of Columbia approved June 19, 1934, as amended by the acts of July 2, 1940, and July 12, 1950; to the Committee on the District of Columbia.

By Mr. MACDONALD:

H.R. 1845. A bill to amend the Internal Revenue Code of 1954, to reduce the rates of percentage depletion for oil and gas wells; to the Committee on Ways and Means.

By Mr. MADDEN:

H.R. 1846. A bill to authorize the exclusion from the mails of matter relating to the solicitation of funds for, and distribution of information relating to, certain unlawful activities; to the Committee on Post Office and Civil Service.

H.R. 1847. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

H.R. 1848. A bill to make unlawful interstate travel to avoid prosecution for willful destruction or damaging of any building; to the Committee on the Judiciary.

H.R. 1849. A bill to make unlawful mailing of matter tending to incite crimes of violence; to the Committee on the Judiciary.

H.R. 1850. A bill to amend title 18 of the United States Code relating to threats or injury to Federal officers in the discharge of their duties; to the Committee on the Judiciary.

H.R. 1851. A bill to make unlawful the mailing of threatening communications with intent to interfere with the execution of Federal or State statutes or court decrees; to the Committee on the Judiciary.

H.R. 1852. A bill to make unlawful the transmission in interstate commerce of certain communications with intent to interfere with the execution of Federal or State statutes or court decrees; to the Committee on the Judiciary.

By Mr. MATTHEWS:

H.R. 1853. A bill to provide for a Veterans' Administration neuropsychiatric hospital of 1,000 beds at Gainesville, Fla.; to the Committee on Veterans' Affairs.

H.R. 1854. A bill to amend the Agricultural Adjustment Act of 1938 to provide for lease and transfer of acreage allotments; to the Committee on Agriculture.

H.R. 1855. A bill for the establishment of a temporary National Advisory Committee for the Blind; to the Committee on Education and Labor.

H.R. 1856. A bill to establish a program of survival food depots in order to provide subsistence for the large numbers of the civilian population of the United States who would be evacuated from the devastated areas in the event of attack on the United States; to the Committee on Agriculture.

H.R. 1857. A bill to amend title II of the Social Security Act to increase from $1,200 to $1,800 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 1858. A bill to increase from $600 to $700 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 1859. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

H.R. 1860. A bill to prohibit the courts of the United States and all other Federal agencies from deciding or considering any matter drawing in question the administration by the several States of their respective educational systems; to the Committee on the Judiciary.

H.R. 1861. A bill to authorize the payment of claims resulting from sonic blasts; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 1862. A bill to amend the Internal Revenue Code of 1954 to provide that the full amount of any annuity received under the Civil Service Retirement Act shall be excluded from gross income; to the Committee on Ways and Means.

By Mr. CLEMENT W. MILLER:

H.R. 1863. A bill to provide for Federal assistance in the development of irrigation in connection with non-Federal municipal and industrial water projects, and for other purposes; to the Committee on Public Works.

By Mr. GEORGE P. MILLER:

H.R. 1864. A bill to provide that the Channel Islands off the coast of southern California shall be referred to as the Juan Rodrigues Cabrillo Islands; to the Committee on Interior and Insular Affairs.

H.R. 1865. A bill to amend section 207 of the Legislative Reorganization Act of 1946, to provide that the Boards for the Correction of Military or Naval Records shall give consideration to satisfactory evidence relating to good character and conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals, and for other purposes; to the Committee on Armed Services.

H.R. 1866. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

H.R. 1867. A bill to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MOULDER:

H.R. 1868. A bill granting independence to the Commonwealth of Puerto Rico; to the Committee on Interior and Insular Affairs.

By Mr. MURPHY:

H.R. 1869. A bill to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation and for other purposes; to the Committee on Public Works.

By Mr. MURRAY:

H.R. 1870. A bill to amend the act of August 26, 1950, relating to the suspension of employment of civilian personnel of the United States in the interest of national security; to the Committee on Post Office and Civil Service.

H.R. 1871. A bill to govern the salaries and personnel practices applicable to teachers, certain school officers and other employees of the dependent schools of the Department of Defense in overseas areas, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. O'HARA of Illinois:

H.R. 1872. A bill to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation and for other purposes; to the Committee on Public Works.

H.R. 1873. A bill to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. OSMERS:

H.R. 1874. A bill to amend the Internal Revenue Code of 1954 so as to provide for scheduled personal and corporate income tax reduction and for other purposes; to the Committee on Ways and Means.

H.R. 1875. A bill to provide voluntary coverage under the Federal old-age, survivors, and disability insurance system for self-employed physicians; to the Committee on Ways and Means.

By Mr. POFF:

H.R. 1876. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

H.R. 1877. A bill to amend section 1461 of title 18 of the United States Code with respect to the mailing of obscene matter, and for other purposes; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 1878. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

H.R. 1879. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 1880. A bill to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation and for other purposes; to the Committee on Public Works.

By Mr. REUSS:

H.R. 1881. A bill to amend sections 522 and 545 of title 38, United States Code, to increase the income limitations applicable to certain beneficiaries entitled to non-service-connected disability or death pension; to the Committee on Veterans' Affairs.

H.R. 1882. A bill to amend title II of the Social Security Act to provide that a minor child shall be deemed dependent upon an insured individual at the time required for entitlement to benefits if such individual (pursuant to court order) was then legally obligated to contribute to his support; to the Committee on Ways and Means.

H.R. 1883. A bill to amend the Internal Revenue Code of 1954 to provide that wages paid by States and political subdivisions to individuals employed on relief projects shall not be subject to the withholding tax; to the Committee on Ways and Means.

H.R. 1884. A bill to amend the public assistance provisions of the Social Security Act to provide that a bona fide resident of a State may not be denied assistance under the applicable State plan solely because of his failure to complete a minimum period of residence in such State; to the Committee on Ways and Means.

H.R. 1885. A bill to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROGERS of Texas:

H.R. 1886. A bill to amend title 28 of the United States Code, so as to provide for the appointment of an additional district judge for the northern district of Texas; to the Committee on the Judiciary.

By Mr. ANFUSO:

H.R. 1887. A bill to amend the Career Compensation Act of 1949 to provide that retired pay, disability retirement pay, or disability severance pay shall be granted to certain disabled former members of the uniformed services; to the Committee on Armed Services.

H.R. 1888. A bill to amend Public Law 650, 83d Congress, to provide benefits under laws administered by the Veterans' Administration for service in the Women's Army Auxiliary Corps; to the Committee on Veterans' Affairs.

By Mr. ASHLEY:

H.R. 1889. A bill to amend the act of April 14, 1910, to provide that the Interstate Commerce Commission shall prescribe rules, standards, and instructions for the installation, inspection, maintenance, and repair of certain parts on railroad cars, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BENNETT of Florida:

H.R. 1890. A bill to provide for studies by the United States Information Agency in

order to increase the effectiveness of United States postage stamps in promoting understanding in other countries of America and its objectives; to the Committee on Foreign Affairs.

By Mr. BURDICK:

H.R. 1891. A bill to make certain provisions in connection with the construction of the Garrison diversion unit, Missouri River Basin project, by the Secretary of the Interior; to the Committee on Interior and Insular Affairs.

By Mr. CARNAHAN:

H.R. 1892. A bill to include the fees for issuing money orders as a part of the gross postal receipts of post offices; to the Committee on Post Office and Civil Service.

By Mr. DENT:

H.R. 1893. A bill to authorize the establishment of a youth camp recreation program to assist those organizations which have for their purpose the providing of healthful outdoor and camp training for indigent children and to inculcate the principles of Americanism and loyalty to the Republic in these children who are its citizens of the future; to the Committee on Education and Labor.

H.R. 1894. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

H.R. 1895. A bill to amend title II of the Social Security Act to increase benefits, to increase the earnings includible in computing benefits, to eliminate age requirements for spouse's benefits, to reduce retirement age (with full benefits for both men and women) to 60, to reduce the outside earnings permitted without deductions from benefits, and for other purposes; to the Committee on Ways and Means.

H.R. 1896. A bill to amend part II of the Interstate Commerce Act, so as to clarify the authority and jurisdiction of the States in those portions of the motor carrier field in which Federal authority is exerted; to the Committee on Interstate and Foreign Commerce.

H. R. 1897. A bill to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Ways and Means.

H.R. 1898. A bill to exclude from taxable income taxes imposed upon employees under the social security, railroad retirement, and civil service retirement systems; to the Committee on Ways and Means.

H. R. 1899. A bill to reduce the maximum workweek under the Fair Labor Standards Act of 1938, as amended, to 35 hours, and for other purposes; to the Committee on Education and Labor.

By Mr. DEROUNIAN:

H.R. 1900. A bill to strengthen the criminal laws relating to bribery, graft, and conflicts of interest, and for other purposes; to the Committee on the Judiciary.

H.R. 1901. A bill to provide that for the purpose of disapproval by the President each provision of an appropriation bill shall be considered a separate bill; to the Committee on the Judiciary.

By Mr. DOLLINGER:

H.R. 1902. A bill for the better assurance of the protection of citizens of the United States and other persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

H.R. 1903. A bill to prohibit discrimination in employment because of race, religion, color, national origin, or ancestry; to the Committee on Education and Labor.

H.R. 1904. A bill to amend the Interstate Commerce Act so as to prohibit the segregation of passengers on account of race or color; to the Committee on Interstate and Foreign Commerce.

H.R. 1905. A bill to amend the Federal Employees' Compensation Act to provide that an employee who has received compensation for total disability continuously for 20 years shall thereafter be paid compensation for total disability for the remainder of his life; to the Committee on Education and Labor.

H.R. 1906. A bill to amend the Fair Labor Standards Act of 1938 so as to increase from $1 to $1.25 the minimum hourly wage prescribed by section 6(a)(1) of that act; to the Committee on Education and Labor.

H.R. 1907. A bill to amend the Veterans' Preference Act of 1944 to define mothers for purposes of such act; to the Committee on Post Office and Civil Service.

H.R. 1908. A bill to authorize the Public Housing Commissioner to enter into agreements with local public housing authorities for the admission of single persons, in hardship cases, to federally assisted low-rent housing projects; to the Committee on Banking and Currency.

H.R. 1909. A bill to repeal certain miscellaneous excise taxes; to the Committee on Ways and Means.

H.R. 1910. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to provide that full benefits thereunder, when based upon the attainment of retirement age, will be payable to men at age 60 and to women at age 55; and to eliminate the requirement that an individual must have attained the age of 50 in order to become entitled to disability insurance benefits; to the Committee on Ways and Means.

H.R. 1911. A bill to grant an additional income tax exemption to a taxpayer supporting a dependent who is permanently handicapped; to the Committee on Ways and Means.

H.R. 1912. A bill to amend the Internal Revenue Code of 1954 to provide an additional $2,500 exemption from income tax for amounts received as retirement annuities or pensions; to the Committee on Ways and Means.

H.R. 1913. A bill to provide an additional income tax exemption to certain physically handicapped individuals; to the Committee on Ways and Means.

H.R. 1914. A bill to increase from $600 to $800 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. DOWDY (by request):

H.R. 1915. A bill to amend the Career Compensation Act of 1949 to provide the maximum retired pay for certain retired enlisted men for the period from June 1, 1942, through June 30, 1946; to the Committee on Armed Services.

By Mr. FORD:

H.R. 1916. A bill to authorize the waiver of collection of certain erroneous payments made by the Federal Government to certain civilian and military personnel thereof; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 1917. A bill to provide for the admission of the State of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

By Mr. HOLT:

H.R. 1918. A bill to provide for the admission of the State of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

By Mr. HOSMER:

H.R. 1919. A bill to provide for the denial of passports to persons knowingly engaged in activities intended to further the international Communist movement; to the Committee on Foreign Affairs.

By Mr. KEARNS:

H.R. 1920. A bill to provide a plan for greater opportunities of employment in small business, for distribution to the owners and management of small business and to all other employees of small business certain amounts of corporate income of small business and for other purposes; to the Committee on Education and Labor.

H.R. 1921. A bill to provide a plan for greater opportunities of employment in small corporations engaged in manufacturing businesses employing fewer than 250 employees, and for distribution to the owners and management; to the Committee on Education and Labor.

H.R. 1922. A bill to provide a plan for greater opportunities of employment, for distribution to owners, management, and to all other employees certain amounts of corporate income, and for other purposes; to the Committee on Education and Labor.

By Mr. KING of California:

H.R. 1923. A bill to amend title X of the Social Security Act to enable the States to provide more adequate financial assistance to needy individuals who are blind and to encourage and stimulate needy blind individuals to become self-supporting; to the Committee on Ways and Means.

H.R. 1924. A bill to amend the Internal Revenue Code of 1954 to provide that annuitants may elect to have their annuities taxed in the manner provided by the Internal Revenue Code of 1939; to the Committee on Ways and Means.

H.R. 1925. A bill to extend to fishermen the same treatment accorded farmers in relation to estimated income tax; to the Committee on Ways and Means.

H.R. 1926. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 1927. A bill to increase from $600 to $700 the personal-income-tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. LANKFORD:

H.R. 1928. A bill to establish a commission to study and recommend revision in Federal pay systems and practices; to the Committee on Post Office and Civil Service.

By Mr. METCALF:

H.R. 1929. To establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MILLS:

H.R. 1930. A bill to encourage the discovery, development, and production of manganese-bearing ores and concentrates in the United States, its Territories and possessions, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. O'NEILL:

H.R. 1931. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

H.R. 1932. A bill to provide for the establishment of Minute Man National Historical Park in Massachusetts, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. OSMERS:

H.R. 1933. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

H.R. 1934. A bill to amend title 18 of the United States Code to prohibit the transmission through the mails of matter calculated to arouse racial hostility; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 1935. A bill to amend section 901(b) of the Merchant Marine Act, 1936, to provide for the carriage by United States-flag commercial vessels of certain cargo in excess of the 50 percent gross tonnage limitation contained in such section; to the Committee on Merchant Marine and Fisheries.

By Mr. PRICE:

H.R. 1936. A bill to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation, and for other purposes; to the Committee on Public Works.

By Mr. QUIE:

H.R. 1937. A bill to provide a permanent extension of the veterans' and Armed Forces dairy programs, and for other purposes; to the Committee on Agriculture.

H.R. 1938. A bill to provide a permanent extension of the special school milk program; to the Committee on Agriculture.

By Mr. RIVERS of South Carolina:

H.R. 1939. A bill to make certain exceptions to the appellate jurisdiction of the Supreme Court of the United States and of the U.S. courts of appeals and to the jurisdiction of the district courts of the United States in actions relating to the public schools; to the Committee on the Judiciary.

H.R. 1940. A bill to provide that any Federal employee who refuses to answer a question of a committee of the Congress with respect to Communist, Communist-front, or subversive affiliations, shall be removed immediately from the position or office held by him; to the Committee on Post Office and Civil Service.

H.R. 1941. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide annuities for those civilian employees engaged in hazardous occupations in any branch of the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1942. A bill to provide for research and technical assistance relating to the control of salt-marsh and other pest mosquitoes of public health importance and mosquito vectors of human disease; to the Committee on Interstate and Foreign Commerce.

H.R. 1943. A bill to amend the Civil Service Retirement Act of May 29, 1930; to the Committee on Post Office and Civil Service.

H.R. 1944. A bill to amend the Housing Act of 1956 to extend the period during which loans and grants may be made for the construction of hospitals under the Defense Housing and Community Facilities and Services Act of 1951, and to make additional funds available for that purpose; to the Committee on Banking and Currency.

H.R. 1945. A bill to regulate the foreign commerce of the United States by establishing quantitative restrictions on the importation of hardwood plywood; to the Committee on Ways and Means.

H.R. 1946. A bill to require that all agreements and understandings respecting the importation of foreign goods, entered into with foreign countries or their citizens, shall be reduced to writing and made public; to the Committee on Ways and Means.

H.R. 1947. A bill to amend the Internal Revenue Code to provide that a net operating loss for a taxable year shall be a net operating loss carryback for the 5 preceding taxable years; to the Committee on Ways and Means.

H.R. 1948. A bill to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine; to the Committee on Armed Services.

H.R. 1949. A bill to amend title 10 of the United States Code to prohibit the calling of the National Guard into Federal service except in time of war or invasion or upon the request of a State; to the Committee on Armed Services.

H.R. 1950. A bill to validate certain payments in settlement of unused accrued leave heretofore or hereafter made to certain members of the Army and the Air Force, and for other purposes; to the Committee on Armed Services.

H.R. 1951. A bill authorizing the Secretary of the Army to furnish headstones to mark the actual or honorary burial places of deceased members or former members of the military and naval forces; to the Committee on Armed Services.

H.R. 1952. A bill providing for the rank of certain officers in the Department of Defense; to the Committee on Armed Services.

H.R. 1953. A bill to create an Assistant Secretary of Defense for Reserve Affairs; to the Committee on Armed Services.

H.R. 1954. A bill to provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship by voting in a political election or plebiscite held in Greece on March 5, 1950; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 1955. A bill to amend title II of the Social Security Act to provide that full benefits (when based upon the attainment of retirement age) will be payable to both men and women at age 60; to the Committee on Ways and Means.

By Mr. ROOSEVELT:

H.R. 1956. A bill to amend subsection (c)(2) of section 3679 of the Revised Statutes of the United States, as amended; to the Committee on Government Operations.

H.R. 1957. A bill to amend section 802(b) of the Classification Act of 1949, as amended, to adjust the rates of basic compensation of certain officers and employees of the Federal Government promoted or transferred to a higher position; to the Committee on Post Office and Civil Service.

H.R. 1958. A bill to authorize the revestment of certain interests in land at the United States Naval Ammunition and Net Depot, Seal Beach, Calif.; to the Committee on Interior and Insular Affairs.

By Mr. SANTANGELO:

H.R. 1959. A bill to establish recognition and observance by Post Office Department of all State holidays; to the Committee on Post Office and Civil Service.

By Mr. SAYLOR:

H.R. 1960. A bill to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1961. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. SHELLEY:

H.R. 1962. A bill to provide that the unmarried children of certain former members of the Armed Forces of the United States or of the Philippine Scouts may be admitted to the United States as nonquota immigrants, during a 2-year period, without regard to their age; to the Committee on the Judiciary.

By Mr. SHORT:

H.R. 1963. A bill to make certain provisions in connection with the construction of the Garrison diversion unit, Missouri River Basin project, by the Secretary of the Interior; to the Committee on Interior and Insular Affairs.

By Mr. SLACK (by request):

H.R. 1964. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. SPRINGER:

H.R. 1965. A bill to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation and for other purposes; to the Committee on Public Works.

By Mr. TABER:

H.R. 1966. A bill relating to the Italian American War Veterans of the United States, Inc., and the status of that organization under certain laws of the United States; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of California:

H.R. 1967. A bill to amend the Federal Employees' Compensation Act to establish an additional wage basis for computing compensation in cases of recurrence of disability and in cases of death occurring subsequent to such recurrence; to the Committee on Education and Labor.

H.R. 1968. A bill to amend the Civil Service Retirement Act to provide that time spent in hospital treatment of a service-connected disability shall be creditable service under that act; to the Committee on Post Office and Civil Service.

H.R. 1969. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

H.R. 1970. A bill relating to the retired pay of certain retired officers of the Armed Forces; to the Committee on Armed Services.

H.R. 1971. A bill to validate certain payments made to members and former members of the Army or Air Force; to the Committee on Armed Services.

By Mr. THOMPSON of Texas:

H.R. 1972. A bill to direct the Secretary of the Army or his designee to convey a 7.4569-acre tract of land out of Fort Crockett Military Reservation, situated within the city of Galveston, county of Galveston, Tex., to the State of Texas; to the Committee on Armed Services.

H.R. 1973. A bill to amend the act of August 12, 1955, Public Law 378, 84th Congress (69 Stat. 707), so as to provide that certain claims for losses sustained in the Texas City disaster which have not been settled may be settled by the Secretary of the Army; to the Committee on the Judiciary.

By Mr. THOMSON of Wyoming:

H.R. 1974. A bill to provide that certain penalty charges against lands on Federal reclamation projects shall be nonreimbursable; to the Committee on Interior and Insular Affairs.

By Mr. UDALL:

H.R. 1975. A bill to provide that for the purpose of disapproval by the President each provision of an appropriation bill shall be considered a separate bill; to the Committee on the Judiciary.

H.R. 1976. A bill to amend title 13 of the United States Code to provide that a census of population, unemployment, and housing shall be taken in the year 1960 and every fifth year thereafter, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1977. A bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes; to the Committee on House Administration.

H.R. 1978. A bill to authorize assistance to States and local communities in remedying inadequacies in teachers' salaries, school facilities, and equipment; to the Committee on Education and Labor.

H.R. 1979. A bill to amend the act of August 5, 1954 (68 Stat. 674), and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1980. A bill to allow individuals to deduct for Federal income-tax purposes not to exceed $100 each year of political contributions made to candidates for elective Federal offices; to the Committee on Ways and Means.

H.R. 1981. A bill to expedite the utilization of television facilities in our public schools and colleges, and in adult training programs; to the Committee on Interstate and Foreign Commerce.

By Mr. UTT:

H.R. 1982. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

By Mr. VAN ZANDT:

H.R. 1983. A bill to authorize contributions to colleges and universities to provide buildings for instruction in military science; to the Committee on Armed Services.

By Mr. WAINWRIGHT:

H.R. 1984. A bill to provide that the Secretary of the Interior shall develop and carry out an emergency program for the eradication of starfish in Long Island Sound and adjacent waters; to the Committee on Merchant Marine and Fisheries.

H.R. 1985. A bill to provide for the establishment of a Federal Advisory Council on the Arts, and for other purposes; to the Committee on Education and Labor.

H.R. 1986. A bill to amend the Perishable Agricultural Commodities Act, 1930, to provide that it shall apply to fresh flowers; to the Committee on Agriculture.

H.R. 1987. A bill to provide for the appointment of an assistant to the Secretary of State to be known as the Assistant for International Cultural Relations; to the Committee on Foreign Affairs.

By Mr. WALTER:

H.R. 1988. A bill to amend the Foreign Agents Registration Act of 1938 to extend the application of section 4 to the importation of political propaganda by agents of foreign principals and to require labeling of such propaganda where such an agent is outside the United States but disseminates such propaganda within the United States; to the Committee on the Judiciary.

H.R. 1989. A bill to amend the act of August 26, 1950, relating to the suspension of employment of civilian personnel of the United States in the interest of national security; to the Committee on Post Office and Civil Service.

H.R. 1990. A bill to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes; to the Committee on the Judiciary.

H.R. 1991. A bill to amend section 2385, title 18, United States Code, to define the terms "advocate," "teach," "duty," "necessity," "force," and "violence," as used in that section; to the Committee on the Judiciary.

H.R. 1992. A bill to repeal section 791 of title 18 of the United States Code so as to extend the application of chapter 37 of title 18, relating to espionage and censorship; to the Committee on the Judiciary.

By Mrs. WEIS:

H.R. 1993. A bill to amend section 9(h) of the Civil Service Retirement Act to eliminate the requirement of good health with respect to unmarried employees or Members electing to provide survivor annuities to certain persons; to the Committee on Post Office and Civil Service.

By Mr. WESTLAND:

H.R. 1994. A bill to amend section 207 of the Legislative Reorganization Act of 1946, to provide that the Boards for the Correction of Military or Naval Records shall give consideration to satisfactory evidence relating to good character and conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals, and for other purposes; to the Committee on Armed Services.

H.R. 1995. A bill to provide that certain lands shall be held in trust by the United States for the Makah Tribe of Indians and that such lands shall become a part of the Makah Reservation, Wash.; to the Committee on Interior and Insular Affairs.

H.R. 1996. A bill to amend the Civil Service Retirement Act to eliminate the reduction in annuity elected for a spouse when such spouse predeceases the person making the election; to the Committee on Post Office and Civil Service.

By Mr. WILSON:

H.R. 1997. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

By Mr. WRIGHT:

H.R. 1998. A bill to make unlawful the use of subliminal advertising on television, and prescribing penalties; to the Committee on Interstate and Foreign Commerce.

H.R. 1999. A bill to amend the provisions of the Public Health Service Act which relate to grants for hospital construction to include institutions for the care and treatment of the mentally retarded; to the Committee on Interstate and Foreign Commerce.

H.R. 2000. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

H.R. 2001. A bill to facilitate the transfer of storage facilities between the military departments; to the Committee on Armed Services.

H.R. 2002. A bill to amend section 602 of the Federal Property and Administrative Services Act of 1949 with respect to the utilization and disposal of excess and surplus property under the control of executive agencies; to the Committee on Government Operations.

By Mr. YATES:

H.R. 2003. A bill to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation, and for other purposes; to the Committee on Public Works.

By Mr. YOUNGER:

H.R. 2004. A bill to provide for the admission of the State of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

H.R. 2005. A bill to amend the War Claims Act of 1948, as amended, to provide compensation for certain World War II losses; to the Committee on Interstate and Foreign Commerce.

By Mr. ANFUSO:

H.J. Res. 107. Joint resolution to establish December 15 of every year as Bill of Rights Day; to the Committee on the Judiciary.

By Mr. ASHMORE:

H.J. Res. 108. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BECKER:

H.J. Res. 109. Joint resolution providing for the revision of the Status of Forces Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; to the Committee on Foreign Affairs.

By Mr. BOW:

H.J. Res. 110. Joint resolution proposing an amendment to the Constitution of the United States, relating to the legal effect of certain treaties and other international agreements; to the Committee on the Judiciary.

H.J. Res. 111. Joint resolution providing for the revision of the Status of Forces Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; to the Committee on Foreign Affairs.

By Mr. DEROUNIAN:

H.J. Res. 112. Joint resolution proposing an amendment to the Constitution of the United States relating to appropriations; to the Committee on the Judiciary.

By Mr. DOLLINGER:

H.J. Res. 113. Joint resolution to provide for the honorary designation of St. Anne's Churchyard in the city of New York as a national historic site; to the Committee on Interior and Insular Affairs.

By Mr. FISHER:

H.J. Res. 114. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.J. Res. 115. Joint resolution to reserve a site in the District of Columbia for the erection of a memorial to Franklin Delano Roosevelt, to provide for a competition for the design of such memorial, and to provide additional funds for holding the competition; to the Committee on House Administration.

By Mr. MATTHEWS:

H.J. Res. 116. Joint resolution proposing an amendment to the Constitution of the United States providing for the popular election of President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. OSMERS:

H.J. Res. 117. Joint resolution to authorize and request the President to designate annually the third full week in May of each year as National Municipal Clerk Week; to the Committee on the Judiciary.

H.J. Res. 118. Joint resolution proposing an amendment to the Constitution prohibiting a State from discriminating on the basis of residence in taxing income; to the Committee on the Judiciary.

H.J. Res. 119. Joint resolution proposing an amendment to the Constitution prohibiting a State from taxing certain income of a nonresident; to the Committee on the Judiciary.

H.J. Res. 120. Joint resolution to authorize and request the President to designate the month of February in each year as American History Month; to the Committee on the Judiciary.

By Mr. RIVERS of South Carolina:

H.J. Res. 121. Joint resolution to provide that the United States shall withhold from representatives of foreign nations privileges which such nations withhold from representatives of the United States; to the Committee on Foreign Affairs.

H.J. Res. 122. Joint resolution to authorize the Secretary of Commerce to resell four C1–SAY–1 type vessels to the Government of the Republic of China for use in Chinese trade in Far East and Near East waters, exclusively; to the Committee on Merchant Marine and Fisheries.

By Mr. UDALL:

H.J. Res. 123. Joint resolution proposing an amendment to the Constitution of the United States providing for the popular election of President and Vice President of the United States; to the Committee on the Judiciary.

H.J. Res. 124. Joint resolution proposing an amendment to the Constitution of the United States to repeal the 22d amendment thereto; to the Committee on the Judiciary.

H.J. Res. 125. Joint resolution to authorize the making of surveys of the human and natural resources of the Papago Indian Reservation; to the Committee on Interior and Insular Affairs.

By Mrs. WEIS:

H.J. Res. 126. Joint resolution designating November 19, the anniversary of Lincoln's Gettysburg Address, as Dedication Day; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.J. Res. 127. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. BARING:

H. Con. Res. 31. Concurrent resolution to establish a commission to investigate the gold mining industry; to the Committee on Interior and Insular Affairs.

By Mr. BOW:

H. Con. Res. 32. Concurrent resolution relative to captive nations' days; to the Committee on the Judiciary.

By Mr. FLOOD:

H. Con. Res. 33. Concurrent resolution that it is the sense of the Congress that the United States will not surrender its jurisdiction or control over the Canal Zone or the Panama Canal; to the Committee on Merchant Marine and Fisheries.

By Mr. HAYS:

H. Con. Res. 34. Concurrent resolution favoring the meeting of the North Atlantic Treaty Parliamentary Conference for 1959 in Washington, D.C.; to the Committee on Foreign Affairs.

By Mr. MATTHEWS:

H. Con. Res. 35. Concurrent resolution expressing the sense of Congress with respect to political activities on the part of the Chief Justice of the United States and the Associate Justices of the Supreme Court of the United States; to the Committee on the Judiciary.

Mr. ANFUSO:

H. Res. 69. Resolution requesting the President to establish a Mission for Peace; to the Committee on Foreign Affairs.

By Mr. BECKER:

H. Res. 70. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. BENTLEY:

H. Res. 71. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. CEDERBERG:

H. Res. 72. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. HARRIS:

H. Res. 73. Resolution amending the Legislative Reorganization Act of 1946; to the Committee on House Administration.

By Mr. HIESTAND:

H. Res. 74. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

H. Res. 75. Resolution amending the rules of the House; to the Committee on Rules.

By Mr. HOSMER:

H. Res. 76. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. McMILLAN:

H. Res. 77. Resolution establishing a position of a stationery printing, stock paper, envelope and inventory stock clerk, in the Stationery Room, Office of the Clerk; to the Committee on House Administration.

By Mr. MURRAY:

H. Res. 78. Resolution to authorize the Committee on Post Office and Civil Service to conduct investigations and studies with respect to certain matters within its jurisdiction; to the Committee on Rules.

H. Res. 79. Resolution to provide funds for the expenses of the investigations and studies authorized by House Resolution 78; to the Committee on House Administration.

By Mr. POFF:

H. Res. 80. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. RAINS:

H. Res. 81. Resolution authorizing the Committee on Banking and Currency to conduct studies and investigations, and to make inquiries, relating to housing; to the Committee on Rules.

H. Res. 82. Resolution to provide funds for the expenses of the studies, investigations, and inquiries authorized by House Resolution 81; to the Committee on House Administration.

By Mr. RAY:

H. Res. 83. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

H. Res. 84. Resolution to amend the rules of the House to limit expenditures for fiscal year 1959; to the Committee on Rules.

By Mr. ROGERS of Florida:

H. Res. 85. Resolution to amend the rules of the House of Representatives so as to permit two or more Members to introduce jointly any public bill, memorial, or resolution; to the Committee on Rules.

H. Res. 86. Resolution to amend the rules of the House to require the yeas and nays in the case of final action on appropriation bills; to the Committee on Rules.

By Mr. YOUNGER:

H. Res. 87. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII,

By the SPEAKER: Memorial of the Legislature of the State of West Virginia, memorializing the President and the Congress of the United States regarding a program to provide work for the unemployed, food for the starving and relief for the destitute; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANFUSO:

H.R. 2006. A bill for the relief of Giovanna Zanna; to the Committee on the Judiciary.

By Mr. ASHMORE:

H.R. 2007. A bill for the relief of May Hourani; to the Committee on the Judiciary.

By Mr. BENNETT of Florida:

H.R. 2008. A bill for the relief of Recep (Ali) Onur; to the Committee on the Judiciary.

H.R. 2009. A bill for the relief of James V. Williams; to the Committee on the Judiciary.

By Mr. BERRY:

H.R. 2010. A bill authorizing the issuance of a patent in fee to Ruby Rogers Connery; to the Committee on Interior and Insular Affairs.

By Mr. BOLAND:

H.R. 2011. A bill for the relief of Leonora Holmes Mola; to the Committee on the Judiciary.

By Mr. BOW:

H.R. 2012. A bill for the relief of Lewis Dosa; to the Committee on the Judiciary.

H. R. 2013. A bill for the relief of Michaline, Antonio, and Pancrazio Montesano; to the Committee on the Judiciary.

H.R. 2014. A bill for the relief of Anna Dendrinos and Vassiliki Dendrinos; to the Committee on the Judiciary.

H.R. 2015. A bill for the relief of Anna Velliou and Athena Velliou; to the Committee on the Judiciary.

H.R. 2016. A bill for the relief of Fernando Melendez; to the Committee on the Judiciary.

H. R. 2017. A bill for the relief of Alma Kreislers; to the Committee on the Judiciary.

H.R. 2018. A bill for the relief of Wayne E. Kimball; to the Committee on the Judiciary.

By Mr. BOYLE:

H.R. 2019. A bill for the relief of Lien-pei Fung; to the Committee on the Judiciary.

H.R. 2020. A bill for the relief of Carlos (Charles) Licea Gomez; to the Committee on the Judiciary.

H.R. 2021. A bill for the relief of Milunika Stevanovic; to the Committee on the Judiciary.

H.R. 2022. A bill for the relief of Ilene Cibulski; to the Committee on the Judiciary.

H.R. 2023. A bill for the relief of Ivana Buek; to the Committee on the Judiciary.

H.R. 2024. A bill for the relief of Branislava V. Rasulich; to the Committee on the Judiciary.

H.R. 2025. A bill for the relief of Jerome Blaz; to the Committee on the Judiciary.

H.R. 2026. A bill for the relief of Pinkhas Argaman; to the Committee on the Judiciary.

H. R. 2027. A bill for the relief of Leonardo Anello; to the Committee on the Judiciary.

H.R. 2028. A bill for the relief of Olga Garcia; to the Committee on the Judiciary.

H.R. 2029. A bill for the relief of Marie Elena Vega de Alcala; to the Committee on the Judiciary.

H.R. 2030. A bill for the relief of Laszlo Hunyadi and his wife, Delina Hunyadi; to the Committee on the Judiciary.

H.R. 2031. A bill for the relief of Antonio De Risi and others; to the Committee on the Judiciary.

H.R. 2032. A bill for the relief of Robert Louis Schmidt; to the Committee on the Judiciary.

H.R. 2033. A bill for the relief of Mrs. Dorothea Aloisia Albert; to the Committee on the Judiciary.

H.R. 2034. A bill for the relief of Michael D. Kiriazis; to the Committee on the Judiciary.

H.R. 2035. A bill for the relief of Mrs. Aida S. Mansour; to the Committee on the Judiciary.

H.R. 2036. A bill for the relief of Louis Mavros (also known as Elias Mavrodontis); to the Committee on the Judiciary.

H.R. 2037. A bill for the relief of Albert Svarc, his wife, Tikva Svarc, and their daughter, Sulamit Svarc; to the Committee on the Judiciary.

H.R. 2038. A bill for the relief of Laszlo Weisz; to the Committee on the Judiciary.

H.R. 2039. A bill for the relief of Hermenio U. Dacones and Juana Edralin Dacones; to the Committee on the Judiciary.

H.R. 2040. A bill for the relief of Spiridoula G. Amarantos; to the Committee on the Judiciary.

H.R. 2041. A bill for the relief of Nikolaos Haralambos Vellianitis (alias Nick Vellas); to the Committee on the Judiciary.

H.R. 2042. A bill for the relief of Francesco Masiello; to the Committee on the Judiciary.

H.R. 2043. A bill for the relief of Mario Malandruccolo; to the Committee on the Judiciary.

By Mr. BURNS of Hawaii:

H.R. 2044. A bill for the relief of the estate of Richard Anthony Nunes, Jr.; to the Committee on the Judiciary.

H.R. 2045. A bill for the relief of Ricaredo Bernabe Dela Cena; to the Committee on the Judiciary.

H.R. 2046. A bill for the relief of Alfredo T. Ordonio; to the Committee on the Judiciary.

H.R. 2047. A bill for the relief of Priscilla Sook Chur Chiang, alias Sook Chur York; to the Committee on the Judiciary.

H.R. 2048. A bill for the relief of Cha Bai Kim; to the Committee on the Judiciary.

H.R. 2049. A bill for the relief of Desiderio Camarillo; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 2050. A bill for the relief of Nissim S. Tawil, Esther Tawil (nee Goldman), Solomn Tawil, Isaac Tawil, Kathy Tawil, Jacqueline Tawil, and Sarina Goldman; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.R. 2051. A bill for the relief of Androula N. Stephanon; to the Committee on the Judiciary.

H.R. 2052. A bill for the relief of Capt. Robert F. Emerson; to the Committee on the Judiciary.

H.R. 2053. A bill for the relief of Mario and Rita Baldino and their children, Filomena, Luigi, Silvana, and Marianna; to the Committee on the Judiciary.

H.R. 2054. A bill for the relief of John Kwan-Iu To and Mrs. Ling Fai To; to the Committee on the Judiciary.

By Mr. DENT:

H.R. 2055. A bill for the relief of Mary Prinsi Abore; to the Committee on the Judiciary.

H.R. 2056. A bill for the relief of Rose Mary Sproull; to the Committee on the Judiciary.

By Mr DOLLINGER:

H.R. 2057. A bill for the relief of Richard Leong (also known as Leong Kwon Jow); to the Committee on the Judiciary.

H.R. 2058. A bill for the relief of Mayer Jacobson (also known as Majer Zalma Jakobson); to the Committee on the Judiciary.

H.R. 2059. A bill for the relief of Lum Sum Git (also known as George Git Lum); to the Committee on the Judiciary.

H.R. 2060. A bill for the relief of Norma Hildred O'Neal; to the Committee on the Judiciary.

H.R. 2061. A bill for the relief of Androula G. Kyriacou; to the Committee on the Judiciary.

H.R. 2062. A bill for the relief of Kirkor Devecioglu (also known as Kirkor Devejian) and family; to the Committee on the Judiciary.

By Mr. DOWDY:

H.R. 2063. A bill for the relief of Otis Parks, W. B. Dunbar, and J. C. Dickey; to the Committee on the Judiciary.

By Mr. DULSKI:

H.R. 2064. A bill for the relief of Maria Babich; to the Committee on the Judiciary.

By Mr. FOLEY:

H.R. 2065. A bill for the relief of Arthur J. Dettmers, Jr.; to the Committee on the Judiciary.

By Mr. FORD:

H.R. 2066. A bill for the relief of Mah Ney Fong; to the Committee on the Judiciary.

H.R. 2067. A bill to authorize Hon. Thomas F. McAllister, judge of the United States Court of Appeals, to accept and wear the decoration tendered him by the Government of France; to the Committee on Foreign Affairs.

By Mr. FRIEDEL:

H.R. 2068. A bill for the relief of Howard F. Knipp; to the Committee on the Judiciary.

By Mr. GATHINGS:

H.R. 2069. A bill for the relief of James H. Presley; to the Committee on the Judiciary.

By Mr. GRANT:

H.R. 2070. A bill for the relief of Louis J. Cohen and his wife, Johanna Hilbers Cohen; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 2071. A bill for the relief of Walter Vali; to the Committee on the Judiciary.

H.R. 2072. A bill for the relief of Kim Mi Soo; to the Committee on the Judiciary.

H.R. 2073. A bill for the relief of Maria Burzio; to the Committee on the Judiciary.

H.R. 2074. A bill for the relief of Eric and Ida Mae Hjerpe; to the Committee on the Judiciary.

H.R. 2075. A bill for the relief of Elizabeth B. Phillips; to the Committee on the Judiciary.

H.R. 2076. A bill for the relief of Alfred E. Machado; to the Committee on the Judiciary.

H.R. 2077. A bill for the relief of Bernard Barrett; to the Committee on the Judiciary.

By Mr. HALEY:

H.R. 2078. A bill for the relief of Gannon Boggs; to the Committee on the Judiciary.

By Mr. HEALEY:

H.R. 2079. A bill for the relief of Chava Chaya Yarnicky; to the Committee on the Judiciary.

H.R. 2080. A bill for the relief of Raymond Levy; to the Committee on the Judiciary.

H.R. 2081. A bill for the relief of Sooren Alexander Skender; to the Committee on the Judiciary.

By Mr. HOLT (by request):

H.R. 2082. A bill for the relief of James Demetrios Chrysanthes, also known as James Demetrios Chrysanthacopoulos; to the Committee on the Judiciary.

By Mr. KEARNS:

H.R. 2083. A bill for the relief of Dr. Ching Ho; to the Committee on the Judiciary.

H.R. 2084. A bill for the relief of Miss Emiko Watanabe; to the Committee on the Judiciary.

H.R. 2085. A bill for the relief of Mrs. Margaret Baker; to the Committee on the Judiciary.

H.R. 2086. A bill for the relief of Marijca Bronic; to the Committee on the Judiciary.

H.R. 2087. A bill for the relief of Jozsef Schubert, his wife Lenke Schubert, and his son Tamas Schubert; to the Committee on the Judiciary.

By Mr. KLUCZYNSKI:

H.R. 2088. A bill for the relief of Bronislawa Francuz; to the Committee on the Judiciary.

H.R. 2089. A bill for the relief of Weronika Godlewska; to the Committee on the Judiciary.

By Mr. MADDEN:

H.R. 2090. A bill for the relief of Suor Candida Ferrante Giuseppa; to the Committee on the Judiciary.

H.R. 2091. A bill for the relief of Dr. Napoleon Martirez; to the Committee on the Judiciary.

H.R. 2092. A bill for the relief of Olga Vasilatos; to the Committee on the Judiciary.

H.R. 2093. A bill for the relief of Dr. Abelardo Vergara; to the Committee on the Judiciary.

H.R. 2094. A bill for the relief of Dr. Iluminada C. Hernandez; to the Committee on Judiciary.

H.R. 2095. A bill for the relief of Dr. Adoracion A. Marquinez; to the Committee on the Judiciary.

H.R. 2096. A bill for the relief of Spyridon Cappony; to the Committee on the Judiciary.

By Mr. MARTIN:

H.R. 2097. A bill for the relief of Lili Li; to the Committee on the Judiciary.

By Mr. MATTHEWS:

H.R. 2098. A bill for the relief of Adolf M. Bailer; to the Committee on the Judiciary.

H.R. 2099. A bill to provide for a posthumous cash award in recognition of the scientific contributions in the field of electronic ordnance made by the late Paul M. Tedder; to the Committee on the Judiciary.

By Mr. MOULDER:

H.R. 2100. A bill for the relief of John F. Carmody; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 2101. A bill for the relief of Mrs. Caroline M. Neumark and Melville Moritz; to the Committee on the Judiciary.

H.R. 2102. A bill for the relief of Luigi Argenziano; to the Committee on the Judiciary.

H.R. 2103. A bill for the relief of Salvatore Failla; to the Committee on the Judiciary.

H.R. 2104. A bill for the relief of Alfonso Giangrande; to the Committee on the Judiciary.

By Mr. OSMERS:

H.R. 2105. A bill for the relief of Anthony John Dayton Lewis; for the Committee on the Judiciary.

By Mr. RAY:

H.R. 2106. A bill for the relief of Kim Jin Moon; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 2107. A bill for the relief of Michael D. Ovens; to the Committee on the Judiciary.

By Mr. RIVERS of South Carolina:

H.R. 2108. A bill for the relief of Antonio C. Abelon; to the Committee on the Judiciary.

By Mr. SHELLEY:

H.R. 2109. A bill for the relief of Estela M. Nobida; to the Committee on the Judiciary.

H.R. 2110. A bill for the relief of Yen-An Kwan; to the Committee on the Judiciary.

H.R. 2111. A bill for the relief of Adrian H. Manzano and Mrs. Rosario Barrios Manzano; to the Committee on the Judiciary.

H.R. 2112. A bill for the relief of Chang Wah Cheung; to the Committee on the Judiciary.

H.R. 2113. A bill for the relief of Nick George Boudoures; to the Committee on the Judiciary.

H.R. 2114. A bill for the relief of Anthony Menezes; to the Committee on the Judiciary.

H.R. 2115. A bill for the relief of Mrs. Luisa E. Baier; to the Committee on the Judiciary.

H.R. 2116. A bill for the relief of Norma Vales; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 2117. A bill for the relief of Ireneo D. Brodit and Antonio D. Brodit; to the Committee on the Judiciary.

H.R. 2118. A bill for the relief of Anthony Corn; to the Committee on the Judiciary.

H.R. 2119. A bill for the relief of Pedro Diaz (Ramirez); to the Committee on the Judiciary.

H.R. 2120. A bill for the relief of Ralph Guzzo and his wife, Carmen Guzzo; to the Committee on the Judiciary.

H.R. 2121. A bill for the relief of Kazue Ikeda; to the Committee on the Judiciary.

H.R. 2122. A bill for the relief of Mario G. Jayubo; to the Committee on the Judiciary.

H.R. 2123. A bill for the relief of Jose Guadalupe Magdaleno-Acosta; to the Committee on the Judiciary.

H.R. 2124. A bill for the relief of Mrs. Teruko Teri Miyamoto (nee Ikeda); to the Committee on the Judiciary.

H.R. 2125. A bill for the relief of Akio Nomi; to the Committee on the Judiciary.

H.R. 2126. A bill for the relief of Robert L. Brooks; to the Committee on the Judiciary.

H.R. 2127. A bill for the relief of Jose Manuel Ortiz-Reyes; to the Committee on the Judiciary.

H.R. 2128. A bill for the relief of Maria Jesualda Reis; to the Committee on the Judiciary.

H.R. 2129. A bill for the relief of Tranquilino D. Tomas, Jr., and his wife, Dominga Guillermo Tomas; to the Committee on the Judiciary.

By Mr. THOMAS:

H.R. 2130. A bill for the relief of Mr. and Mrs. Alkos Giagtzis; to the Committee on the Judiciary.

By Mr. THOMSON of Wyoming:

H.R. 2131. A bill for the relief of Mr. Ying Fook Leo, his wife, Mrs. Ngan Shiu Chin, and their son, Mr. Art Hin Leo; to the Committee on the Judiciary.

By Mr. WAINWRIGHT:

H.R. 2132. A bill for the relief of Mrs. Caroline E. Behrens; to the Committee on the Judiciary.

By Mr. WESTLAND:

H.R. 2133. A bill for the relief of Mercedes Garcia; to the Committee on the Judiciary.

H.R. 2134. A bill to provide for the conveyance of certain real property of the United States situated in the State of Washington to Ruth A. Brown, Deer Harbor, Wash.; to the Committee on Merchant Marine and Fisheries.

By Mr. WITHROW:

H.R. 2135. A bill for the relief of A. W. Mussallem; to the Committee on the Judiciary.

H.R. 2136. A bill for the relief of Panagiotis Papathanassiou (also known as Peter Pappas); to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

30. By the SPEAKER: Petition of Ohio Bell, Chicago, Ill., petitioning consideration of his communication with reference to requesting restoration of citizenship; to the Committee on the Judiciary.

31. Also, petition of Clifford Crail, Cincinnati, Ohio, requesting consideration of his petition with reference to alleged deprivation of his rights as a U.S. citizen; to the Committee on the Judiciary.

32. Also, petition of Eugenio C. Nicolas, Manila, Philippines, requesting consideration of his petition with reference to requesting approval of the appropriation for the balances of the United States-Philippine war damages for the payment to the Nicolas Estates, Inc., represented by Eugenio C. Nicolas; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Address by Hon. Harry F. Byrd, of Virginia, Before the Illinois Manufacturers' Association

EXTENSION OF REMARKS
OF
HON. HARRY FLOOD BYRD
OF VIRGINIA
IN THE SENATE OF THE UNITED STATES
Friday, January 9, 1959

Mr. BYRD. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address I delivered in Chicago, Ill., on December 11, 1958, before the Illinois Manufacturers' Association.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ABSTRACT OF SPEECH DELIVERED BY SENATOR HARRY F. BYRD, DEMOCRAT, OF VIRGINIA, BEFORE THE ILLINOIS MANUFACTURERS' ASSOCIATION, AT THE CONRAD HILTON HOTEL, CHICAGO, ILL., DECEMBER 11, 1958

These are times when prudent men should analyze the changes which are occurring against the indisputable fact that free enterprise democracy is the source of this country's greatness.

There is no doubt that developments such as those in atomic energy, rocketry, and so forth, have placed us upon the threshold of a new era.

In addition, this country is experiencing great increase in population.

While we may have unduly exploited our resources, they are still tremendous.

Our productive know-how and capacity are yet unsurpassed.

These are elements on which free enterprise democracy should thrive, and proceed soundly and constructively for the good of all mankind.

Our free enterprise democracy is the greatest system the world has ever evolved. But there is one controlling requirement, and it must never be overlooked. The system is based on solvent government and sound money.

It is in this requirement that we have allowed ourselves to become weak. This basic requirement of our system is equally vital to all of us as individuals, and to every segment of our people—labor, management, agriculture, finance, professions, government, and so forth.

With fiscal soundness I would have no fear for the future, economically or militarily. I would anticipate the period ahead with enthusiasm for my children and with pride in the contribution of my own generation.

Without solvency and sound money there will be neither solid economic progress nor national security with military preparedness.

Assurance of fiscal soundness in the future does not now exist. This is my concern.

We cannot perpetuate national solvency and integrity of the dollar through continuous deficit spending, unchecked national debt, and spiraling inflation. This situation jeopardizes our system of government and our future.

With only two bona fide exceptions, we have been on a deficit financing basis for 29 years. The fiscal situation deteriorated faster this year than in any comparable peacetime period to my knowledge.

Between January and June, we moved from estimates of virtually balanced budgets in the past and current years to combined deficits totaling $15 billion.

At the present rate, Federal agencies would spend more than $400 billion in 5 years. This would mean a Federal debt of more than $300 billion is in immediate prospect. This would be the highest national debt in the history of the world.

During the past session of Congress we were forced to raise the statutory limit on the national debt twice within 7 months. This was unprecedented. But we are forewarned. Some people are now contending the recent election was a mandate for even more dangerous Federal spending activity.

If more programs for nonessential spending should be adopted by the new Congress to be convened next month, our fiscal situation will deteriorate faster next year.

From experience it is to be expected that, if such new programs are enacted they will be long-term in nature with huge multiyear commitments for the future. It is programs of this kind that make the Federal budget so difficult to reduce when the necessity is upon us.

Contrary to general understanding, recent great increases in Federal spending have not been for defense and foreign aid. They have been for domestic-civilian programs.

Since 1954, expenditures outside of defense, atomic energy, and foreign aid categories have increased from $19.1 billion a year to $33.4 billion. This is an increase of $14.3 billion, or 75 percent.

It is in this category where we find so many Federal programs which may be popular, or even desirable, but nonessential.

Much of the domestic-civilian spending is for subsidies. And many of these subsidy programs are bottomless pits for Federal spending and contribute to sky-high inflation. Most of the proposals following the recent election were of this nature.

The Federal Government of the United States cannot now pay its bills except by increasing debt and inflation. Revenue from present tax rates does not meet our commitments.

Interest on the Federal debt is now taking more than 11 cents out of every tax dollar, and chronic inflation has reduced the purchasing power of our money 52 percent. The American dollar is now worth 48 cents by the 1939 index.

Inflation destroys fixed incomes, provident investment, prudent business, sound financing, national security, and democratic government.

More than 20 years of destructive inflation in this country to date have led to continual demands for increased subsidization.

The Federal Government is now subsidizing business, industry, private finance, agriculture, transportation, power, health, education, States, localities, individuals, and so forth.

By the process of cheapening our money and centralizing power in the Federal Government, we have descended to a level of state socialism which is obvious, if not admitted.

Social democracy is a subterfuge for sound government and constructive enterprise. Its evils are historically documented wherever nations have stooped to it.

Herein lies my concern, as I indicated before. Our free enterprise democracy is being undermined. In our present position there is no assurance of fiscal soundness for the future. In these circumstances, how can we hope fully to develop the great potentialities which lie ahead?

I think the situation is urgent. We must start Federal fiscal recovery immediately. Such recovery must start with balancing the budget, reducing the debt, and stopping inflation.

This must be our goal. Responsibility for achieving it lies equally upon the President, the Congress, and the people of the United States, individually and collectively.

The President originates budget recommendations, and the Congress enacts the authority for Federal spending. Both respond to the expressed will of the people.

The budget for the new fiscal year, beginning July 1, is being formulated at the White House now. I discussed the situation with the President last August when Congress adjourned. I have noted his actions since that time, especially his orders of the last few weeks. I hope and believe he will recommend a balanced budget for next year.

I have come to Chicago today to emphasize the seriousness of the problems confronting us. I believe by your own examination you would find I do not exaggerate the conditions we have allowed to develop, or the consequences we might expect if we continue on our present course.

The Federal position alone is bad enough, but we must keep the whole picture in view.

As background keep these facts in mind:

Total public expenditures in this country—Federal, State, and local—this year will be approximately $145 billion.

Federal, State, and local governments this year will take approximately $130 billion out of the pockets of American taxpayers in revenue receipts from all sources.

In their regular budgets Federal, State, and local governments this year will run deficits totaling some $15 billion.

Public debt—Federal, State, and local—this year will approach $350 billion.

Private debt now totals more than $500 billion.

This means our economy is burdened with indebtedness amounting to between $800 billion and $900 billion. This is close to a trillion dollars. These are figures beyond ordinary comprehension.

When individuals become insolvent, they take bankruptcy and dispose of their obligations. When governments become insolvent their money becomes worthless, and they go through some kind of a revolution wringer. The nature and the process may vary. But invariably the form of government is

changed. Democratic government, as we have known it, could not survive.

Of course, I concede the necessity of deficits in extreme national emergencies.

For the first 150 years of our history we met our emergencies when they arose, but when they were over we promptly restored sound financing, characterized by balanced budgets, and began paying off the debt.

Under this practice, combined with our wealth and natural resources, this Nation grew great in the short span of a century and a half. But in our time we have not only continued exploitation of our resources, we have abandoned our traditional policy of fiscal soundness.

For 25 years, through 1955, we were on a deficit basis without real exception. In that period the Federal debt rose from about $16 billion to $274 billion, and from 1939 the value of the dollar dropped at an average of more than 3 cents a year.

Finally, in 2 consecutive fiscal years, 1956 and 1957, we brought the Federal budget back into real balance. At the same time we financed substantial tax reduction, reduced the debt, and slowed inflation down to a virtual stop.

After a quarter century of deficit financing, rising debt and spiraling inflation these balanced budgets gave us reason to hope we were back on an even peacetime keel.

But for reasons I shall never understand, the President in January 1957 brought in his budget for fiscal year 1958 proposing an $8 billion increase in expenditures. It was the biggest peacetime spending budget to that date.

You remember that budget 2 years ago. The country was shocked. There has never been anything like the opposition which developed spontaneously from the grassroots of this Nation.

Congress responded, and reduced appropriations by billions. But in the complexities of big government, with tremendous balances remaining in prior appropriations, expenditures rose notwithstanding. They were rising before sputnik and recession appeared on the scene.

This brought us to the conditions of the past fiscal year which ended June 30 and the present fiscal year which started July 1. Original estimates for these 2 years showed a combined surplus of $2.3 billion. By the latest figures this has changed to a combined deficit of $15 billion.

I emphasize these figures to tell the story of recordbreaking deterioration in the Federal fiscal situation.

Seizing upon sputnik and recession as justification, Congress in the past session insisted upon enactment of legislation which could require Federal expenditures at an annual rate of $80 billion for years to come.

All of the New Deal recovery programs from 1933 to 1939 combined cost us only about half of the current year expenditure budget.

This year's budget was exceeded only in the 2 peak years of World War II.

The Korean war has been over more than 5 years. But Federal budgets in that costly campaign never came close to the level of Federal expenditures reached this year.

When the present administration came into office it established a commendable record. It reduced expenditures in 2 consecutive fiscal years—1954 and 1955.

But from a low point of $64.5 billion in that period, expenditures have now been increased to this year's estimate of $81.7 billion. For accurate comparison this figure includes expenditures for highways and Federal National Mortgage Association which are now financed through so-called trust funds.

To show the tremendous increase in domestic-civilian expenditures—straight from the budget documents, here is the Federal spending record for the period from fiscal year 1954 to date:

1. In categories other than domestic-civilian:

Expenditures for military functions have been increased $500 million, from $40.3 billion to $40.8 billion.

Expenditures for stockpile and defense production have been decreased $600 million from $1 billion to $400 million.

Expenditures for atomic energy have been increased $700 million, from $1.9 billion to $2.6 billion.

Expenditures for foreign military assistance have been decreased $1.4 billion from $3.6 billion to $2.2 billion.

Expenditures for foreign economic aid have been increased $400 million from $1.5 billion to $1.9 billion.

Expenditures for international affairs have been increased $100 million, from $200 million to $300 million.

From these figures, it can be seen that Federal expenditures in categories other than domestic-civilian have been decreased $300 million since 1954, from $48.6 billion to $48.3 billion.

2. But in the same period since 1954, domestic-civilian expenditures have been increased $14.3 billion, from $19.1 billion to $33.4 billion.

Federal expenditures, fiscal years 1954–59

[In billions of dollars]

	1954	1955	1956	1957	1958	1959
National security:						
Military functions	40.3	35.5	35.8	38.4	39.0	40.8
Stockpile and defense production	1.0	.9	.6	.5	.6	.4
Atomic energy	1.9	1.9	1.7	2.0	2.3	2.6
Subtotal, national security	43.3	38.3	38.0	40.9	41.9	43.8
Foreign aid:						
Military assistance	3.6	2.3	2.6	2.4	2.2	2.2
Economic and other aid	1.5	2.0	1.6	1.7	1.9	1.9
Subtotal, foreign aid	5.1	4.3	4.2	4.0	4.1	4.1
International affairs	.2	.2	.2	.3	.3	.3
Total, other than domestic-civilian	48.6	42.8	42.5	45.2	46.3	48.3
Domestic civilian:						
Veterans services and benefits	4.3	4.5	4.8	4.8	5.0	5.2
Labor and welfare	2.5	2.6	2.8	3.0	3.4	4.3
Agriculture and agricultural resources	2.6	4.4	4.9	4.6	4.5	6.4
Natural resources	1.3	1.2	1.1	1.3	1.5	1.7
Commerce and housing [1]	.8	1.4	2.1	3.4	3.8	6.4
General government	1.2	1.2	1.6	1.8	1.4	1.7
Interest	6.5	6.4	6.8	7.3	7.7	7.6
Allowance for contingencies						.2
Total, domestic-civilian [1]	19.1	21.7	24.2	26.1	27.3	33.4
Grand total [1]	67.8	64.5	66.7	71.4	73.6	81.7

[1] For comparison, includes trust fund expenditures of Federal National Mortgage Association beginning fiscal year 1955, and highways beginning fiscal year 1957.

NOTE.—Figures are rounded and may not add to totals.

I suggest the new proposal to expand the urban renewal program as an example of domestic-civilian programs which are bottomless pits for Federal expenditures.

In the first place, I think people should keep up their own property. I know of no reason why the Federal Government should absorb two-thirds of the loss entailed in cleaning up huge city subdivisions to be used for private profit.

Federal funds already available for this program total $1 billion for loans and $1.2 billion for cash grants. These tremendous sums will not be a drop in the bucket if we are to undertake these projects in cities and towns from one end of this country to the other.

Federal subsidies generally constitute a vast field of domestic-civilian expenditures. The Joint Committee on Reduction of Nonessential Federal Expenditures is contemplating a study of the subject.

At the outset we are confronted with two questions: What is a subsidy? Who is subsidized?

Nearly 40 million people will receive direct payments from the Federal Treasury this year. This includes nearly 200,000 Federal employees working overseas. Generally speaking, these 40 million people with their families could reach a number equivalent to half of the population of the United States.

Nearly $80 billion is outstanding at this moment under so-called Federal credit programs for housing, veterans, agriculture, commerce, defense production, small business, and so forth. This has increased $12 billion in the last 3 years.

Grants to State and local governments now total $4.9 billion. There are now 62 programs for State and local subsidy.

When I came to the Senate 25 years ago, there was only one State aid program of any consequence. That was the highway program which was costing $250 million.

I mention these categories of Federal expenditures simply to illustrate the areas where there may be subsidies which do not meet the eye. There are others. For instance, who is subsidized by the postal deficit?

It may be contended that the foreign agricultural trade development programs are another subsidy to American agriculture.

Are the beneficiaries of government contracts with industry and institutions subsidized to the degree that they think they have a vested interest in the level of Federal expenditures? Reaction to justifiable reductions a year ago would indicate an affirmative answer.

A great fallacy has been built up around Federal payments, whether you call them subsidies or choose to avoid the ugly word. People have gotten the idea that they are getting something for nothing.

There is no greater mistake. American taxpayers sooner or later pay every dime of the expenditures through these programs, and more.

When we are on a sound basis we pay these costs directly from taxes. If we are on a deficit basis we charge them into the debt, pay interest on the loan until we pay off the obligation, and stimulate inflated prices in the process.

In either event, about 15 percent goes into overhead for Federal administration. Since I have been in the Senate, interest on the Federal debt has cost the taxpayers of this country more than $100 billion.

Until we get Federal expenditures down, balance the budget, and stop inflation, there is no hope for sound tax reduction. To reduce taxes when we are on a deficit basis simply charges the tax cut into the Federal debt. This aggravates the whole deficit-debt-inflation cycle.

Others may have their own programs for the coming new Congress. Mine would have two objectives. The first would be to balance the Federal budget. The second would be legislation to correct abuses practiced by unscrupulous labor leaders primarily against labor itself, but also against management and the public.

Practices revealed by the McClellan Labor Rackets Committee are a national disgrace. I voted for legislation in the past session of Congress to correct these abuses. I shall vote for it again this year. It should have the support of the rank and file of labor, management and the general public.

I am frequently accused of being against labor. This is because I support the best interest of the laboring man; not the powerful labor czar.

I favor the right to work. But statements by certain labor leaders make it definite that when the new Congress convenes, great effort will be made to enact legislation to make States right-to-work laws invalid.

This would be another usurpation of State authority and still further concentration of power at Washington. Such an effort should be resisted to the utmost.

It is certain, too, that these same labor leaders will attempt to federalize unemployment insurance now administered by the States.

A strong effort to this end was made last year. As chairman of the Senate Finance Committee, I fought the proposal and it was defeated.

The purpose of the move to federalize unemployment insurance is not only to standardize the law for all States, but also the payments for all business and industry.

To federalize unemployment insurance would mean that the powerful labor lobby would be constantly applying pressure on Congress for increased benefits and extension of the payment period.

Early introduction of both of these proposals is certain, and the need to resist them is obvious. In our present condition, I think the Government of the United States is dangerously vulnerable to the influence of ruthless labor dictators.

I am fully aware that the achievement of both of my objectives—correcting abuses by labor leaders and balancing the Federal budget—will be extremely difficult. I am the only man remaining in the Senate who voted against the Wagner Act and for 25 years I have analyzed the budgets submitted by three Presidents.

Year after year I have gone over every expenditure and appropriation item, and these number some 1,100.

I know the problems involved in our outmoded appropriation procedures. I know the devices which have been developed to bypass appropriation control, such as authority to spend directly from the public debt.

I know how difficult it is to reduce expenditures when unexpended balances in prior appropriations approach or exceed the new requests to which annual congressional action ordinarily is limited.

In the current year approximately $147 billion will be available to Federal spending agencies, $75 billion or more in new spending authorizations enacted this year, and approximately $72 billion in unexpended balances carried over from prior years.

The President has a dual responsibility: First, to originate the budget with requests for the new year and, second, to administer the expenditures from both old and new money. I hope he will take the lead not only in balancing the Federal expenditure budget for the coming year, but in the full recovery of our fiscal stability.

On my own experience I submit that expenditure reductions of the necessary magnitude, if applied with care and wisdom, would strengthen our economy, strengthen our Government, strengthen our national defense and strengthen our international position.

I am certain that such reductions can be made in all of the Federal spending categories—military, foreign aid, and domestic-civilian.

With respect to defense expenditures, we should rechart the whole military program and reevaluate the objectives of our spending in view of changing methods of warfare.

I yield to no one in advocacy of national defense but, as the President has said, there is waste and duplication in the military departments.

We unified the armed services. We adopted the Eberstadt amendments for businesslike operations in the Military Establishment. We passed the Military Procurement Act. We revised military pay scales and increased survivors benefits to allow the Armed Forces to compete for capable personnel. In the past session of Congress we enacted the military reorganization bill.

It is time these actions paid off in economy and efficiency for more defense at less money.

The waste in foreign aid, especially economic aid, has been obvious from its inception. We enacted the Marshall plan in 1948 for 4 years. Postwar foreign aid expenditures have now run more than a decade. To date our gross authorizations for foreign aid expenditures have totaled more than $80 billion.

Expenditures for economic aid should be sharply curtailed. Our best interests, and those of our allies, would be better served by preserving the integrity of the American dollar to stimulate international trade.

I know basic legislation will be required for substantial reduction in domestic-civilian expenditures. This will require the exercise of statesmanlike leadership by the President and the unwavering support of Congress and the public.

But I urge the President in his January budget message to submit a blueprint for substantial expenditure reductions in all categories and to follow through with specific legislative recommendations where they are necessary. I pledge him my support and I hope this objective will have yours.

I am aware of the cynical contention that what this country wants is continuing inflation and a fast-buck economy, with no regard for the certain consequences and the next generation.

But I feel certain that the great majority of the people of this Nation want the integrity of our money protected, want their form of government preserved, and want their free enterprise system to survive, in order that we may pursue this Nation's great mission in the world.

If this is what we want, we must have a national crusade from the grassroots to save our representative democracy which is founded upon the free enterprise system.

Such a crusade must be inspired and led by the President. It must be supported by the Congress—House and Senate. Most important of all, it must be fired by the people themselves.

From long experience in the Senate of the United States I can say the voice of the people in this country, if it is loud enough, will overcome selfish and highly organized minorities and will prevail—that is the great virtue of our constitutional democracy as contrasted with dictatorship.

So the job is up to you and every other citizen.

Our people must remember that the very foundation of our democracy rests upon the fact that people must support the Government. It is not the purpose of Government to support the people.

The national interest must come ahead of private gain.

So, to achieve our objectives, there must be sacrifice all down the line.

Bill To Repeal Certain Federal Excise Taxes

EXTENSION OF REMARKS
OF
HON. JOHN LESINSKI
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, January 9, 1959

Mr. LESINSKI. Mr. Speaker on January 7 I introduced H.R. 388, a bill which will directly benefit the great majority of our people and will make greatly needed revision in our tax structure. Everyone wants a simpler and fairer tax structure. My bill goes a long way toward effectuating this desire. It accomplishes this goal by providing for repeal of the Federal retailers' excise taxes, the manufacturers' excise taxes with the exception of those levied under our highway financing program, and the excise taxes levied on facilities and services.

At the present time, the federally imposed excise taxes create a heavy burden on the American people. True, we must impose burdensome taxes to pay for our heavy expenditures needed for defense, public welfare, interest on the debt, and other necessary Government functions. But a tax structure which imposes such a hodgepodge of taxes as the excise taxes requires substantial revision. These excises have been imposed indiscriminately, largely in emergency times, without much consideration of whom they are hurting or discriminating against. Subsequently they have been repealed, restored, revised, and amended many times, but in no systematic fashion. As a result, a host of inconsistencies, incongruities, and anomalies have become imbedded in the tax structure.

Although I would like to see all the Federal excise taxes discarded immediately, I have restricted my bill to the retailers' taxes, the manufacturers' taxes which are not used to finance the highway program, and the taxes on facilities and services. My bill, therefore, will repeal the retailers' taxes imposed on toilet preparations; luggage, handbags, and other leather articles; jewelry and related items; and furs. It will eliminate the manufacturers' taxes imposed on automobiles, parts and accessories; lubricating oil; automotive and related items; household type equipment; entertainment and recreational equipment; business machines; pens, mechanical pencils, and lighters; and matches. And, it will repeal the excise taxes imposed on telephone and other

communication facilities and services, which include also those levied on admissions, club dues, transportation of persons, and safe deposit boxes. Repeal will be effective after the date of the enactment of the act.

The manufacturers' taxes which are used to finance the highway program and which will not be repealed by my bill are those automotive taxes imposed on gasoline, trucks and buses, diesel fuel, tires and inner tubes, and tread rubber. These taxes provide funds which benefit the highway users, and consequently can be justified from that standpoint. Furthermore, it is a fair and expeditious way to finance an accelerated highway construction program. The bill does not affect the taxes on alcoholic beverages and tobacco, although I do believe some adjustment should be made with respect to the taxes on alcoholic beverages for it is my understanding that the additional appropriations needed to police this law offset the revenue received. Some of the miscellaneous excise taxes which impose relatively small general burdens are excluded.

Many of the excise taxes were imposed as temporary measures during emergency periods but are still with us today, many of them at even higher rates. Many industries have been hurt by the imposition of these taxes. Occasionally, after a long and bitter fight by the affected industries and individual businesses, some of these taxes were repealed or modified, but in many cases considerable damage was already done. What we need is the removal of the excise taxes that are imposed indiscriminately with no regard of the effect they have.

An important reason for my desire to repeal at least some of the excise taxes is that these taxes are contrary to our generally accepted principle of taxation in accordance with ability to pay. The greatest impact of the excise taxes falls on the consumers with the low incomes. They are regressive taxes. Through its various features, such as the progressive income tax rate schedule, our tax structure attempts to lessen inequalities in income; but the excise taxes work contrary to this objective. Regressivity results not only from taxes paid directly by the consumer on commodities and services they purchase, but also from the taxes paid by business on commodities and services it purchases. The impact of these latter taxes is felt indirectly, because they are a cost item which are reflected in higher prices charged to the consumer. We should, therefore, reduce our reliance on these regressive taxes and place more reliance on the other forms of taxes, principally the income tax which imposes tax burdens in accordance with our ability to pay.

Elimination of Federal excise taxes will be an important stride toward simplifying the problems of our Federal-State-local relations. In spite of all the studies, both official and nonofficial, on the problems of overlapping taxes in the United States the basic problems still remain with us. Essential to the solution of these problems is the removal of at least some of the Federal excise taxes. The Federal Government imposes numerous selected excise taxes on top of those imposed by the States and local governments. As a result of these multiple levels of taxation, State and local governments must limit their taxation of these sources, although they, too, are faced with increasing costs of financing their government activities. Withdrawal of the Federal Government from some of these sources would enable the States to tap some of these sources of revenue to help them be more self-sustaining and less dependent on aid from the Federal Government. This will help restore some of the sovereignty and independence which the States formerly had and should continue to have.

Some of the Federal excise taxes are imposed on what are essentially local services, such as local telephone calls and admissions. Others discriminate largely against certain sections of the country. Some discriminate against industries which are located largely in only a few geographic areas. Such discriminations should be eliminated, or at least mitigated by repealing the excise taxes enumerated in my bill.

We have recently experienced a serious economic downturn, from which we were fortunate in recovering before it reached a critical stage. One of the hardest hit areas was Detroit, the center of automobile production. This economic doldrum in Detroit had its repercussions in many sections of the country where parts and materials going into the production of automobiles come from. In spite of a serious curtailment of automobile production, no legislation was passed to reduce or repeal the 10-percent Federal excise tax on automobiles. Such action would have made it possible for the automobile industry to reduce car prices, and thereby stimulate automobile sales and general economic recovery. Repeal of this onerous tax on automobiles will be a welcome supplement to other Government action taken to avoid any recurrence of a similar depression of economic activity. The tax saving to the consumers will, I earnestly believe, help to maintain a thriving automobile industry, and, consequently, a thriving general economy through its effect on all industries concerned with supplying automotive parts and materials.

On the whole, repeal of the taxes included in my bill will increase business activity and generate higher incomes which will provide higher income tax revenues to the Government. It will do this because it will lead to a reduction in the prices of goods and services to the consumer. Lower prices will stimulate demand for more of these products. Greater sales by these businesses will in turn have favorable effects on other businesses. Resulting higher business incomes will provide a larger income tax base. Thus, any loss in revenues from the repeal of these excises will probably be largely offset or even possibly exceeded by additional income tax revenues to the Government.

In conclusion, let me urge every Member of Congress, particularly those on the Ways and Means Committee, to act favorably on my bill. Removal of these excise taxes will correct some of the undesirable features of the present complex and unreasonable "system" of excise taxes. It will alleviate some of the burden which falls heaviest on the low income groups. And, it will contribute to a simplification of Federal-State-local relationships. Although the Government will in the short run lose revenues from the repeal of these taxes, it will recoup the loss largely from additional business induced by the removal of these taxes. At the same time, it will promote a healthier economic climate for industry. In view of these desirable benefits which will result from enactment of my bill, I urge immediate and favorable action on it.

Will Congress Save Our Priceless Heritage?

EXTENSION OF REMARKS

OF

HON. BEN F. JENSEN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 1959

Mr. JENSEN. Mr. Speaker, the election of last November 4 gave the Democratic Party an overwhelming majority in both Houses of Congress, which, Mr. Speaker, imposes a greater responsibility on your party—and especially on you, as leader of the party in control—than you have ever experienced in all your years as Speaker of this august body. I am sure you are well aware of that fact, and that the future welfare of America depends to a very great degree on your every act and decision during this session of Congress.

The time has come to speak plainly. Many Members who had the contracted support of Reuther's so-called liberal labor party were elected last November and, of course, they are expected to blindly follow orders from the organization which contributed greatly to their campaign, since they are bought and paid for. But, I sincerely hope it is not yet too late for us to profit from the costly experience which England suffered under the Fabian Socialists, who also masqueraded under the banner of the liberal labor party, and who got control of Parliament shortly after World War II and immediately put into effect the identical program Reuther's A.D.A. and C.O.P.E. are now proposing for us here in the U.S.A. To learn the facts about the suffering of the English people, especially the laboring people, the farmers and the small businessmen who suffered first and most at the hands of the Fabian Socialists makes the blood of any good American run cold. It must not happen here.

Democrats and Republicans are hoping—yes, praying—that Congress will hold the line against those who for selfish reasons are bringing concerted pressure on us to follow their anti-American liberal concepts. Every well informed, unbiased, American citizen knows that the true definition of a "modern Reuther liberal" is one who is pri-

marily liberal with our constitutional rights and with our taxpayers' dollars.

Hence, under the circumstances as they now exist, were it not for my faith in you, Mr. Speaker, and in the good sense of most of my colleagues, I would shudder to contemplate the future of our blessed land. May God give us courage and the strength to meet the test, with the outspoken support of courageous men and women here in Congress and all over our broad land.

On this, the opening of the 86th Congress, I felt it in my heart to give expression—as I have here—to my innermost feelings, to be printed in the RECORD, that thousands, yea millions, might read and then do their part, and more, to preserve our precious American liberties.

Bombing Lawlessness Must Be Stopped

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, January 9, 1959

Mr. ANFUSO. Mr. Speaker, on Wednesday, January 7, the opening day of the 86th Congress, I introduced my first bill of the new session. It is a bill calling for the most severe penalties for anyone bombing or attempting to bomb a house of worship, a school, a community center, or any other public building. I consider the recent wave of bomb terrorism a most serious situation which we cannot afford to tolerate, and for this reason, I feel we should adopt the most stringent means to prevent and to stop such terrorism in the future.

In October of 1958, when this wave of bombings of churches, synagogues, and schools began, I announced that I would have a bill ready for introduction at the beginning of the 86th Congress which would provide severe punishment for such crimes. The bill I introduced, if enacted into law, would amend title 18 of the United States Code relating to crimes and criminal procedures by adding a new section to chapter 39 which would provide for the following:

Whoever uses, or attempts to use, an explosive which has been imported into the United States, or which has been introduced, delivered for introduction, or transported in commerce, to damage or destroy a church, synagogue, school, community center, or other public building without the consent of the owner thereof shall be punished by imprisonment of not less than 20 years or by death.

The United States is the showcase of the world. The means of communication are such today that what we do here, good or bad, is reflected all over the world. If a synagogue or a church is bombed in any State of the Union, the criticism is directed not against the particular State for its refusal to abide by the law of the land but against the United States as a whole.

Dictators and tyrants all over the world use the incident to justify their own misdeeds, while the Communists play it up as a breakdown in law enforcement in America, as hypocrisy and insincerity toward freedom of religion, and as a clear demonstration that we are not to be trusted with the moral leadership of the world.

Recognizing the fact that one of the major differences between communism and the free world is over the issue of religion, we cannot afford to weaken our cause as the chief advocate of freedom of worship by failing to take all necessary precautions to prevent all such incidents in our own country.

While most crimes of this nature can be prevented or discouraged by long prison sentences, the right of the courts to impose the death penalty whenever warranted will act as a strong deterrent when dealing with fanatics and otherwise distorted individuals who are perfectly sane in the eyes of the law.

I strongly advocated and supported legislation calling for the death penalty in kidnaping cases and those involving dope peddlers who, for all intents and purposes, were killing children addicts of the drugs. The passage of death penalty laws to deal with such cases greatly reduced the extent of these crimes.

I feel certain that the passage of a similar law applicable to persons who place bombs in a church, synagogue, school, or other public building, endangering the lives of not one but of many people, will help put an end to this new form of lawlessness and direct attack on all free institutions.

Address by Vice President Nixon Before the English Speaking Union of the Commonwealth at the Guildhall in London

EXTENSION OF REMARKS
OF
HON. WILLIAM L. SPRINGER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Friday, January 9, 1959

Mr. SPRINGER. Mr. Speaker, during November the Vice President made a trip to England to represent the President of the United States on the occasion of the dedication of the American Chapel at St. Paul's Cathedral.

On that evening the Vice President addressed the English Speaking Union of the Commonwealth at the Guildhall in London. The Vice President made one of the best speeches of his career in explaining the responsibilities of English-speaking people in international affairs, both on home soil and abroad.

Mr. Speaker, this very thoughtful and enlightening speech is herewith appended in full:

TEXT OF ADDRESS OF THE VICE PRESIDENT OF THE UNITED STATES OF AMERICA BEFORE THE ENGLISH SPEAKING UNION OF THE COMMONWEALTH, NOVEMBER 26, 1958, GUILDHALL, LONDON, ENGLAND

In the 6 years in which I have had the honor of serving as Vice President of the United States, it has been my privilege to visit many countries and to participate in many significant events. I can assure you that no occasion in that period will live more indelibly in my memory than the dedication of the American Chapel at St. Paul's which I attended this morning and the gathering in this historic hall which I am privileged to address this evening.

This meeting of the English Speaking Union dramatizes the enduring character of the friendship and alliance of our two countries. The activities of this organization have been most vital in cementing our bonds of comradeship.

I consider it a particular privilege to pay tribute to the thoughtful and inspiring leadership of His Royal Highness, Prince Philip, who has spared no sacrifices in this dedicated work. His recent visit to Canada was only one of many activities which indicate his vital interest.

You all may be justly proud, not only of the contribution you have made to better understanding between our two countries, but also the even greater work of building an enduring basis of friendship among all English-speaking peoples.

The dedication at St. Paul's this morning dramatizes the unity you have worked so hard to achieve. It was symbolic of the enduring ties that bind us. It brought to mind the dramatic events of earlier and more trying days—the magnificent leadership and the great sacrifices that made possible our victory in the Second World War.

Our thoughts went back to our great national leaders, Sir Winston Churchill and President Roosevelt, working together in intimate harmony. They will receive the ungrudging tribute of history for their capacity to marshal the forces of democracy.

Our thoughts turned also to our incomparable generals and admirals—Eisenhower and Montgomery, Cunningham and King. They were more than brilliant strategists and commanders. Because of their unwavering devotion to the concept that military ingenuity must be combined with recognition of civilian authority, they rank indeed among the great military leaders of all times.

But above all today we honored brave men, whose names are legion and whose sacrifices can never adequately be repaid. British and American—farmers and laborers, from cities and countryside, from offices and classrooms—these were the men who made possible our victory in the greatest war in history. Many events of that war will be forgotten as we turn our eyes to other tasks, but their deeds will live forever. They bequeathed to us a spirit, a sentiment, a national memory that will never fail to capture our admiration as we move side by side in the path of friendship and alliance.

As Abraham Lincoln said at Gettysburg, "The world will little note nor long remember what we say here, but it can never forget what they did here. It is for us, the living, rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced."

What is the unfinished work they leave for our generation? I believe that two American Presidents speaking in this same Guildhall have simply, but eloquently, answered that question.

Woodrow Wilson on December 28, 1918, said, "The peoples of the world want peace, and they want it now, not merely by conquest of arms, but by agreement of mind."

And Dwight D. Eisenhower, 27 years later on July 12, 1945 said "To preserve his freedom of worship, his equality before law, his liberty to speak and act as he sees fit subject only to provisions that he trespass not upon similar rights of others, a Londoner will fight. So will a citizen of Abilene."

To preserve freedom, to keep the peace, not only for themselves but for all people—this, then, is the cause for which the brave men we honored today gave their lives. It is the challenge and opportunity of our generation

to further the ultimate realization of this noblest goal of mankind.

Let us examine the policies we should follow if this goal is to be attained. We begin by recognizing that the free world must be militarily stronger than any potential aggressor. The existence of our military strength and our determination and ability to maintain it are the basic elements without which the objectives we seek would be impossible to realize.

But we recognize that military strength in and of itself will not keep peace unless it is combined with a wise and judicious diplomatic policy. Let us see what some of the guidelines for our policy should be.

We must retain the armed strength needed for security in a troubled world, but we should speak with the calm assurance of those who are not afraid.

We know that to the extent the law of the jungle prevails in any area of the world, weakness and indecision lead to disaster. Yet, firmness is not and should not be arrogance.

We will shun assurances based merely upon naive hope or even self-deception. But we must never tire in our search for enforceable agreements which will reduce tension.

We know that little is lost by discussion but that all may be lost by war. Yet, even in our tireless striving for peace, we must always be prepared to say that freedom and the rights of man are even more ultimate values.

Above all, our policies must represent the best thinking the free world can produce. We are indeed fortunate in the fact that in men like Macmillan and De Gaulle, Adenauer and Spaak, Fanfani and Eisenhower we have the kind of dedicated and experienced leadership which is superbly qualified for the difficult task of keeping the peace with honor for the free world.

In this connection, I wish to pay special tribute to your Prime Minister for his initiative in developing the enlightened concept of interdependence which has proved so useful in bringing about closer understanding between our two nations and which points the way for improving consultation and cooperation among all the countries in the free world.

If the struggles for peace and freedom were to be decided solely by the adequacy of our military strength and by the quality of our diplomacy, we could look to the future with justifiable confidence as to the prospects for our eventual success. But we must recognize that this is only one phase of the struggle.

Our military strength and our diplomatic policies are designed to avoid a war we might otherwise have to fight in the future. We must not overlook the fact that other policies must be designed to avoid losing the nonmilitary battle which has already begun and which is being waged in many areas of the world today.

Let us examine the battleground where this conflict is taking place—in Asia, in the Near East, in Africa, and in parts of Latin America. A great revolution is taking place among the people in these areas of the world. What I refer to is not a military or political revolt, but the revolution of peoples' expectations, the assertion of all peoples of their claim to a greater share of this world's goods.

Millions of people in these newly developing nations are determined to break the bonds of wretchedness and poverty that have enslaved them through the centuries. They wish to achieve in this very generation a decisive breakthrough in the struggle against misery and disease.

They would prefer to attain these objectives and retain their freedom. But we must make no mistake about it, if they believe they are offered no other choice, they will choose progress even without freedom.

What is their choice? On the one hand, they have the example of the Soviet Union and the Communist satellites. Here is a pattern that promises quick results. Thousands of leaders of these countries are being invited to visit the Soviet Union to see the very real changes accomplished in the 40 years since the Communist revolution.

It is not an adequate answer to this challenge to cite the far higher material standards in most Western nations. To the newly developing nations of the world, this is not the point. They are not particularly impressed by achievements primarily accomplished in the century of the industrial revolution. They are far more interested in what can be accomplished in the last half of the 20th century.

What must be made clear and unmistakable for all the world to see is that free peoples can compete with and surpass totalitarian nations in producing economic progress. No people in the world today should be forced to choose between bread and freedom.

To shape the world of tomorrow in a pattern compatible with freedom and human rights we must all take our part in a great offensive against the evils of poverty, disease, and misery. We cannot, for example, afford to allow the free Government of India to fail in its heroic effort to produce economic progress and retain freedom at the same time.

We need to apply in this field the same determination, willingness, and cooperation which enabled us to build the military strength which deters aggression today.

We must not be miserly, smallminded, and negative in our approach to this problem. And while it is wrong to favor change solely because it is change, it is worse blindly to insist that we have nothing better to offer than maintaining the status quo.

We must associate ourselves with the decent aspirations of people everywhere for the better life to which they are entitled.

Just a few weeks ago, Premier Khrushchev promised his people a revolution in living standards within the next 12 years. He claimed that the Communist system would overtake and surpass the economies of the Western World.

We should be happy that such claims have been made. We would be eager to match the Soviet leaders in putting less emphasis upon armies, military research, and the costly lethal weapons of modern warfare, and more stress upon better housing, food, clothing, and the other necessities for a good life.

If Mr. Khrushchev wishes to consider these steps as a form of competition or contest, I am sure that all of us would be delighted to accept the challenge. In such a contest no one could really lose. The world would be infinitely better off if man's energies were used for the welfare of families rather than the building of armies.

But our answer to the Soviet challenge should not stop here. We say, broaden this competition and include the spiritual and cultural values that have distinguished our civilization.

Material achievements, while necessary, do not meet the deeper needs of mankind. Man needs the higher freedoms, freedom to know, to debate freely, to write and express his views.

He needs the freedom that law and justice guarantee to every individual so that neither privilege nor power may make any man subservient before the law.

He wants the freedom to travel and to learn from other peoples and cultures.

He wants freedom of worship.

To us, these are the most precious aspects of our civilization. We would be happy if others were to compete in this sphere and try to surpass our achievements.

The free world is too often made to appear to be relying on our superior military power and economic strength. It is not worthy of those with the heritage of freedom we share to appear to be resting our case on materialism alone.

I know of no better example to illustrate the point I am trying to make than through an analysis of that much-maligned institution—British colonialism. It is understandable in view of the surging rise of nationalism that we have heard all that is bad and little that is good about colonialism in the past few years.

Colonialism has had its faults, but it also has had its virtues. I speak from some knowledge on this subject. I have visited 12 countries which at one time or another have passed through the status of British colonialism.

I have known personally and admired the dedicated and effective work of your superb colonial administrators. You can indeed be proud of the contributions that have been made by men like Grantham in Hong Kong, Templer in Kuala Lumpur, MacDonald in Singapore, Crawford in Uganda, and Arden-Clark in Ghana.

Let us examine some of the benefits British colonial policy has produced in the areas in which it has operated. It brought the military strength which provided the security from external attack. It brought in many areas the technical training which assured economic progress.

But more important than either of these, it brought the great ideas which provided the basis for progress in the future, ideas which will live on for generations after the nations concerned have acquired the independent status for which an enlightened policy has prepared them.

The common law, the Parliament, the English language, freedom of speech, assembly, press, and religion, these are the institutions which are the proud legacy of the British people in lands throughout the world.

And so today let us never forget that in the momentous struggle in which we are engaged our major advantage is not in the strength of our arms or even the productivity of our factories. It is in the quality and power of the great ideals of freedom which have inspired men through the ages.

Our responsibility then is clear. Here is a cause worthy of the descendants of brave men and women who crossed boundless oceans and settled in every area of the globe.

Once again we must venture forth not to seek untilled lands, but rather to bring encouragement, aid, guidance, and partnership to those peoples who want to live in freedom and decent prosperity.

We come to them as friends, as brothers in a shrinking world. We do not seek to impose upon them our economic system or our culture. It is theirs to choose the path to the future. But it is our responsibility to see that this choice is an informed one and a free one.

Let it never be said that because of our failure to present adequately the aims and ideals of freedom others chose the often irreversible path of dictatorship.

Let us speak less of the threat of communism and more of the promise of freedom.

Let us adopt as our primary objective not the defeat of communism but the victory of plenty over want, of health over disease, of freedom over tyranny.

With such a goal we shall give the lie to those who proclaim that we are witnessing the twilight of a dying Western civilization. Rather we shall see the onset of a glorious dawn of a new world based on the immortal ideals for which men have sacrificed their lives through the ages.

In this very hall, a century and a half ago an English Prime Minister gave a brief address that has been ranked by Lord Curzon as one of the indisputable masterpieces of English eloquence. After the news of Nelson's glorious victory at Trafalgar, William

Pitt was toasted as the savior of Europe. He responded in these words: "I return you many thanks for the honor you have done me. But Europe is not to be saved by any single man. England has saved herself by her exertions and will as I trust save Europe by her example."

Here is a challenge worthy of the brave men we honored today. May we, the English-speaking peoples, proud in the heritage we share, join with the friends of freedom everywhere and by our example save the cause of peace and freedom for the world.

Tax on Long-Term Capital Gains

EXTENSION OF REMARKS
OF
HON. JAMES B. UTT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, January 9, 1959

Mr. UTT. Mr. Speaker, it is my firm conviction that revision in our tax structure is a must if we are to encourage the individual capital investment so necessary for providing jobs for our ever-increasing working force.

The amount of new risk capital required to keep our economy healthy at any given time is obviously related to population—to the demographic facts of births, deaths, longevity, retirement, and other germane matters over a period of time. As I read the figures, it now requires over $15,000 of new risk capital to bring one new little job into the world. An examination of the available data on babies growing up and wanting jobs, on automation's replacement of old jobs with more costly new ones, and on inflation's toll on the cost of maintaining and replacing wornout or obsolete machinery, it would seem that we now need annually not only over $40 billion of new risk capital to meet our new job needs, but also at least another $40 billion of new capital each year to keep in good repair the tools of the jobs we already have.

This new capital can come directly or indirectly, from only one source—the invested savings of the individual citizen. And high taxes and unwise taxes which impede incentives to thrift, savings and investment, pose a serious threat to economic growth and full employment.

On the other hand, I well realize the fiscal plight of a Federal Treasury faced with a budget deficit of $8 billion and the inflationary consequences that might result at this time from intemperate tax reduction schemes that would merely shift our tax burdens from one group to another and thereby stifle economic growth and further choke off the reservoir from which all taxes must be paid—the excess margin of real productivity over consumption, which we call savings.

Nevertheless, there is one area of Fedral tax reform which would go far toward encouraging equity investment in new and small businesses, creating new job opportunities and providing additional revenues to the Federal Government. This area exists in that portion of our Revenue Code which deals with taxation of so-called long-term capital gains. To begin with, this tax is a very poor revenue producer because of its voluntary nature and because of its unrealistic high rate.

It is my firm belief that this is an unwise, and an unfair tax. It is largely a levy on capital and not on income. It penalizes elderly owners of homes and farms who wish to sell and retire into smaller and less expensive quarters. It penalizes owners of investments who wish gradually to shift their holdings into more conservative securities as they gradually attain their less productive years. It prevents many constructive business transactions that would be in the public interest, especially the ability of small and weaker enterprises to merge with stronger organizations rather than be forced to discontinue operations which provide our citizens with jobs. And last, but not least, it has sterilized vast pools of risk capital, substantial portions of which otherwise would find their way into risk investment in new and small business ventures and thereby afford vast new employment opportunities, new productive capacity, and new sources of tax revenues to the Treasury.

It is for these reasons that I am introducing today a resolution which provides that the alternate rate of tax on long-term capital gains be reduced from 25 percent to 12½ percent.

It is my firm conviction that this bill is a revenue producing measure.

If this tax rate were so changed, investment in our economic system would receive substantial encouragement, new jobs would be created and the Treasury would actually gain revenues as a result thereof. After all, no one has to sell his capital assets, but a great many would willingly do so if the tax rate were made more realistic.

I welcome the bipartisan support of my colleagues in bringing this bill to early committee consideration, separate and apart from other revenue measures. I am sure the evidence produced before them at the attendant hearings will convince them of the wisdom of enacting this legislation.

Bills Designed To Empower the U.S. Government To Deal With Certain Crimes of Violence

EXTENSION OF REMARKS
OF
HON. JOHN V. LINDSAY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, January 9, 1959

Mr. LINDSAY. Mr. Speaker, I have introduced today, January 9, a group of seven bills designed to empower the Federal Government to deal with crimes of violence such as hate-bombings, hate-mail, and threats directed at, or attempts to intimidate, Federal officers in the performance of their duties. These bills are substantially identical to a group of bills which the Honorable JACOB K. JAVITS and the Honorable KENNETH B. KEATING have advised me they intend to introduce in the Senate today. I wish to express here my wholehearted accord with those honorable gentlemen in the policy which these bills seek to effectuate. There may appear, upon committee examination and exegesis, the need for some technical revisions in some of these proposals in the interest of conformity to established Federal criminal law patterns. Such changes as may be necessary will not, I am sure, derogate from the fundamental thrust of these bills in the prevention and punishment of a program of conduct which has shocked and revolted us all.

Former Senator Davis Elkins, of West Virginia

EXTENSION OF REMARKS
OF
HON. CLARENCE J. BROWN
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, January 9, 1959

Mr. BROWN of Ohio. Mr. Speaker, former U.S. Senator Davis Elkins, of West Virginia, died today from an extended illness. Death came in his sleep at a hospital in Richmond, Va., where he had been a patient.

With the death of Senator Elkins there passed from the industrial scene of West Virginia one of the last of a long list of pioneers in the development of much of the natural wealth of the State. The former U.S. Senator Stephen B. Elkins, father of Davis Elkins, had collaborated with former U.S. Senator Henry Gassaway Davis, his father-in-law, in processing and marketing timber and coal and in building many of the original railroads of the State.

It was from the late Stephen B. Elkins that the city of Elkins received its name.

Senator Elkins is survived by his widow, three children and six grandchildren. His children are Mrs. Charles J. Kelly (Katherine), of New York City; Davis Elkins, Jr., of Elkins, W. Va.; and Mrs. A. Thomas Zirpolo (Maureen), of Cleveland, Ohio.

The family has been active in Republican politics in West Virginia and the Nation for three-quarters of a century.

Davis Elkins was born in Washington, D.C., in 1876 while his father was serving as a Delegate in the United States Congress representing the Territory of New Mexico. His mother, the former Hallie Davis, daughter of the then U.S. Senator Henry Gassaway Davis, met and married his father when he came to Washington as a Congressional Delegate.

He attended Lawrenceville, N.J., preparatory school; Phillips Academy, Andover, Mass.; and Harvard University.

He was a veteran of the Spanish-American War, having served as a first lieutenant with Company E of the First West Virginia Volunteer Infantry. He

reentered the active service of his country during World War I and served as a major in Europe. It was during his service in the Army that he was elected to the United States Senate from West Virginia in November of 1918. He did not seek reelection at the conclusion of his term in 1925.

Upon leaving the U.S. Senate, Senator Elkins undertook the active management of his coal and timber holdings, principally in northern West Virginia. He actively pursued this interest until his retirement due to ill health several years ago.

He had helped shape the Republican Party activities at the end of World War I and had played an important role in the party's financing during the period from 1920 until his health no longer permitted his active participation.

It was upon this withdrawal from a leading role that his wife, Mary R. Elkins, began to represent him in active participation on the political stage and was sent from their home Congressional District in West Virginia as a delegate to the 1952 Republican National Convention. Following that Mrs. Elkins was twice a candidate for Congress in the Second District.

The Elkins family has been one of the political and social leaders in the Nation since Stephen B. Elkins came to Washington in the 1870's. During the period of Davis Elkins' business career in West Virginia, he also maintained a home in Washington and most of the Nation's political leaders were frequent guests with him and his family.

The Davis and Elkins College in Elkins, W. Va., was an original joint gift to the Presbyterian Church by the two families who had lived in and developed that part of the State. Their original homes still serve as dormitories on the campus of the school.

Funeral arrangements are incomplete, but the body will be interred in the family plot at Elkins.

Francis E. Walter, Chairman of the Special International Meeting on Refugees Held in Geneva, Switzerland

EXTENSION OF REMARKS
OF
HON. WAYNE N. ASPINALL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Friday, January 9, 1959

Mr. ASPINALL. Mr. Speaker, during my most recent visit in Geneva, Switzerland, I was extremely happy to attend, on November 20, 1958, a special international meeting on refugees held by representatives of 29 governments immediately upon the termination of the ninth session of the Council of the Intergovernmental Committee for European Migration—ICEM.

Mr. Marcus Daly, the director of ICEM, stressed that the meeting convened at the suggestion of the U.S. Government for the purpose of exploring the present status of those refugees in Western Europe who, for a variety of reasons, have been so far unable to find new homes in the countries of resettlement.

I am informed that the result of the debates held in Geneva, as well as the results of the studies presently in progress, will be the subject of a special report to the House. Such report will be submitted at a later date, I understand, when the studies and statistical compilations are available. At the present time, however, it gives me great pleasure to submit to the attention of my colleagues that part of the proceedings of the special international meeting on refugees which pertain to the nomination and the unanimous election to the chair of our colleague, the gentleman from Pennsylvania [Mr. WALTER].

Under leave to insert my remarks in the RECORD, I hereby submit the verbatim transcript of the pertinent part of the Geneva proceedings.

Upon the conclusion of Mr. Daly's opening remarks, the delegate of Australia obtained the floor:

Mr. JOCKEL (Australia). Mr. Director, gentlemen. As you said, Mr. Director, this is a meeting of a very special character, called by the United States or, rather, suggested by the United States, to take advantage of the presence of the representatives who are here in Geneva. It is not in the formal sense an ICEM meeting and indeed when we look around the room and we see the governments assembled, the United Nations High Commissioner's Office, the Voluntary Agencies, rather would they be considered as representing a community of countries and organizations interested in refugee work. In this room this morning we have many men with special responsibilities in their governments for migration and refugee questions and among such a group of top-level and influential people a discussion of the remaining refugee problems and an assembly of the facts and information relating to these problems can do nothing but good in sustaining and expanding international effort.

Among us this morning we have a very distinguished gentleman who is especially well equipped by knowledge, experience and authority to direct these deliberations. It is indeed our good fortune to have with us Congressman FRANCIS E. WALTER, the chairman of the United States congressional delegation to the just-concluded ICEM Council. We believe we should take advantage of his presence and his interest in this work and it is my pleasure to nominate Congressman WALTER to preside over this meeting. The United States delegation has kindly offered to make his services available for this purpose.

It is not necessary for me to dwell upon the contribution that Congressman WALTER has made to the work of ICEM, which has, itself made such a contribution to the solution of refugee problems. He continues to be a tower of strength to the organization and my country is by no means the least to appreciate what his support means for ICEM and in related matters. I feel I should, however, place before you some indication of Congressman WALTER'S unflagging work in the refugee field in the last decade. For every United States legislation concerning refugees and migrants since the war, Congressman WALTER, in Congress, has been the author and the pilot. This extends from the Displaced Persons Act in 1948, through which 460,000 persons were admitted to the United States, the Refugee Relief Act providing for a further 110,000 admissions, right down to recent legislation for the admission of Dutch expellees. It includes also the 1957 legislation providing for the liberalization of the entry laws in immigrant cases involving sicknesses and diseases, thereby facilitating family reunions and the admission of refugees.

Generous ideas and practices have a way of spreading; the example of what the United States is doing and has done in this area is not lost on other governments and indeed there has seldom been a period of such constructive general effort in the refugee field. I am sure that you will all agree that to appoint as chairman today one of the greatest architects of this international work would be the best basis we could, in this meeting, have for further fruitful effort. Thank you, Mr. Director.

Mr. HAVEMANN (Netherlands). Mr. Director, it is a great privilege to me to support the proposal just made by the Australian representative. All of us know how much we owe to Mr. WALTER in the field of refugees and migration. With his great prestige and political leadership he has very successfully directed his efforts to helping many countries, many groups of refugees and innumerable individuals to alleviate or to solve their problems. It is right that we should ask him to take the chair, not only as an expression of our gratitude but still more because we badly need his guidance in our endeavors to deal effectively with the refugee problem. As a leading and outstanding politician, Mr. WALTER is not always easy to convince; he has a sound dose of skepticism which prevents him from believing in what he is accustomed to call international social workers pipedreams. But I have already noted many times that once Mr. WALTER is convinced of the urgency of a matter he kneads the circumstances like wax until the solution he has in mind is reached. For this reason I hope the nations represented here will call on Mr. WALTER to act as their leader and maybe in a later stage their trustee. I am certain that we can then hope to reach a solution of our problems pretty soon. Thank you.

Mr. DE LIERA (Spain) (translation from Spanish). Mr. Chairman, I wished to address the meeting for the express purpose of supporting the proposal of the representative of Australia but my colleague, the delegate of the Netherlands, anticipated my intention. I should now like to associate myself with that proposal by saying that I consider that the background and exceptional ability possessed by Mr. WALTER make him the most suitable person to preside over the meeting called for this morning. Thank you, Mr. Chairman.

Mr. RIVAS (Venezuela) (translation from Spanish). Mr. Chairman, the delegation of Venezuela has very great pleasure in supporting the proposal made by the representative of Australia, seconded by the representatives of the Netherlands and of Spain, that Congressman WALTER should be chairman of this special meeting on refugees.

In point of fact, my delegation is well acquainted with the efforts made by Mr. WALTER not only on behalf of expellees, but also on behalf of all the migrants in order to help them to build up a prosperous existence at the same time to contribute to the development of many countries which need the cooperation offered by these human resources. Thank you.

Mr. FALCHI (Italy) (translation from French). Mr. Chairman, I should like to give my wholehearted support to the proposal just made. The Director has told us of the importance of this meeting; we are most interested in this problem and we hope that the discussions which are about to take place will be successful. I firmly believe that there is no one who is better qualified than Mr. WALTER, by his experience and authority to preside over our work and to strengthen our hopes of achieving concrete results. In consequence, I asso-

ciate myself wholeheartedly with the proposal which has been made to entrust the chair to Mr. WALTER.

Mr. DALY. I would like to thank the delegates for their remarks. Are there any further remarks? Has any other representative the wish to put forward another candidate for the office of chairman? (No response.) It would appear to be the wish of this meeting that Congressman WALTER be, and he is, unanimously elected to be chairman. [Applause.] I should like to introduce our new chairman, Congressman WALTER.

Mr. WALTER (delegate of the United States). Gentlemen, in the first instance I wish to state that I deeply appreciate the very nice things that have been said about me and may I add, I trust that they will not go unnoticed by my potential political opponents in some forthcoming election campaign back home. In a more serious vein, I assure you that the purpose of this meeting is one that should stir all of us to attempt a solution of a problem that will become increasingly difficult unless solved early.

Up to now ICEM has been successfully dealing with the results of the failure to recognize a problem caused by overpopulation. I am sure that the nations of the world that are participating in an attempt to bring about a solution to that problem recognize the fact that there is another one which must be dealt with as intelligently as this great organization of ICEM dealt with the one presented to it in Brussels in 1951 when the organization was created.

I am sure that all will realize that this is merely, may I say, an exploratory meeting. First, I think it is extremely important that we know exactly what the problem is and the extent of the problem before us. After we realize just exactly what that is, then, of course, whatever steps must be taken can be taken intelligently.

I am sure that all of us are very much in the dark as to just exactly what the size and the nature of the "residual refugees" problem is, and I am sure that this informal meeting, attended by everyone who has exhibited an interest in this matter, will bear fruit. The Chair recognizes the representative of the United States to explain the position of the United States. Mr. O'Connor.

Statement by Hon. Walter H. Moeller of Ohio

EXTENSION OF REMARKS
OF
HON. WALTER H. MOELLER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, January 9, 1959

Mr. MOELLER. Mr. Speaker, on this, the second time that I have been present on the floor of the House as a Member of this distinguished body, I think it fitting to give voice to a few of the sentiments which have been in my mind and heart during the past few days, sentiments which I hope and pray will color and in a sense guide my future actions as the elected Representative of the people of the 10th Congressional District of Ohio.

First and foremost I am deeply grateful to Almighty God for having been granted the honor and entrusted with the solemn duty of helping to guide the destiny of this great Nation in these epochal times. With His constant help I shall do my utmost to prove myself worthy of that trust and to redeem the pledge that I have given to my constituents and to the whole people of the United States.

I feel also a strong sense of obligation to the voters and indeed to all of the citizens of the 10th Ohio District. I take this moment to assure each and every one of them that my door and my heart will always be open to them. Their legitimate concerns and their problems, great or small, will come first with me, either at home or here in the Nation's Capital. I ask only that they not spare me the opportunity to serve them.

I reflect also on the high privilege of being one of the chosen few to occupy these Chambers, dignified by history, by time, by the distinguished and even illustrious Members of years past, and made even more distinguished by the spirit of generations past, present, and to come which we feel in the atmosphere about us. Without thought of sacrilege I can honestly say that it is almost as though I were experiencing a second ordination. Only my life's calling as a member of the clergy can be said to have made me feel the depth of emotion and the feeling of consecration to a holy cause which now hold me, in my head and in my heart. Pray God that this spirit will abide with me always and that I do not lose it in the days and months to come.

Mr. Speaker, I do not wish to trespass upon the patience of my colleagues with more than these few words. I have spoken from a full heart and I pledge that whatever I may say from this floor in the future it will always be said in the same Christian spirit and with the same respect for truth and for the rights and feelings of my colleagues, my constituents, and the whole of humanity of whatever color or creed.

Depressed Areas Legislation

EXTENSION OF REMARKS
OF
HON. JOHN LESINSKI
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, January 9, 1959

Mr. LESINSKI. Mr. Speaker, among the 40 bills I introduced on January 7 was H.R. 830 to establish a program of Federal assistance to those areas which suffer from persistent economic depressions, an area redevelopment program.

In essence my proposal is similar to the legislation that was considered and approved by the 85th Congress.

I was shocked and amazed last year when President Eisenhower refused to sign the depressed areas bill, because the need for that type of legislation is clearly indicated. As I pointed out last year, when one segment of the Nation suffers economically, the entire country is affected. The depressed areas are not isolated islands, alone in a wide ocean with no ties to the mainland; they, like the other sections of our country should be contributing their share to the continuing prosperity of the Nation. These contributions would be not only for the benefit of the total economy but also to the Federal Government which is losing great potentials from individuals and businesses in such areas, and, in addition, is faced with increased costs of unemployment compensation and welfare aid.

It is true that the country appears to be recovering from the depression of last year. However, the picture in Michigan continues to loom dark and foreboding. Last year the unemployment rate was 15.4 percent of the labor force; this year it is being predicted that one worker in eight, or 12.5 percent, will be unemployed all through 1959. One certainly cannot view that situation as recovery. I am sure this condition is repeated in the other major depressed areas in the country.

An area redevelopment program is insurance in the future of America; it will pay rich dividends by aiding the growth and prosperity of this great Nation of ours. I urge the Committee on Banking and Currency and the Congress to take immediate favorable action on this legislation.

Charity Begins at Home

EXTENSION OF REMARKS
OF
HON. EUGENE SILER
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Friday, January 9, 1959

Mr. SILER. Mr. Speaker, charity begins at home. Who first said it, I do not know. Maybe it was out of the wisdom of King Solomon. But anyhow that old saying has always been a sparkling proverb of everlasting truth in my book and in the books of many others.

Way up in Harlan County, Ky., is a valley called Clover Fork, where I did some visiting this past December. But right now all the bloom is off the clover on Clover Fork. And no one is knee deep or even ankle deep in clover anymore up there. It is a narrow vale of mining camp dejection at present. The men look right at you out of solemn and desolate eyes. The women speak a silent, mournful language that says, "Yes, the hope is all gone but we still keep a brave front for the sake of our families." The children, the perennial chatterboxes of cheer, still hula their plastic hoops and blow their bubble gum full of air pockets. And the Kentucky cardinals still flash their bright colors in the native bushes on the mountainsides. And, too, the waters of the creek still gurgle their cheerful optimism as they roll over rough rocks, yet these waters seem to hasten along as if hurrying to leave forever Clover Fork Valley and its sad plague of poverty.

I look at that man over there with the miner's light cap and with shoulders considerably stooped by a thousand bent-over trips through low-room necks and narrow airways and long entries inside the dark, damp mines. And then I ask

along with the great poet, "Is this the thing the Lord God made and gave to have dominion over sea and land; to trace the stars and search the heavens for power; to feel the passion of eternity? What to him are Plato and the swing of Pleiades? What the long reaches of the peaks of song, the rift of dawn, the reddening of the rose?" Well, enough of poetry. It is poverty, not poetry, that is claiming our attention just now.

It was exactly 2 weeks and 2 days before Christmas, but the season failed somehow. Because the bloom was off the clover; the berries were off the Christmas holly. Whenever the people are worrying over coffee and pork chops, all the Santa Claus business in the world is merely as a sounding brass or a tinkling cymbal. There is just no harmony from it or jingle in it.

I stepped inside the dark hot room filled with several people and many odors. Someone with me said in a cheerful voice, "This is your Congressman come to see you." No one stirred. No one spoke. The introduction was flat. If Ike himself had come in, maybe someone would have gotten up and said, "Here, take a chair." But I have some doubt about that. The mind was on the unseen "vittles," on the unknown job out yonder in the beautiful and prosperous valley of somewhere. I tried to sound something of a hopeful note and to lift their spirits just a little bit, but I was a considerable amount of nothing and their gaze was still on the floor as I left the house. God help me. I could not raise their souls one bit. I was a failure at that undertaking. But somehow I do not believe my country nor its people would want to fail that vale up yonder on Clover Fork in Harlan County.

I am right now more interested in this valley's Evarts than Estonia and more concerned over this valley's Verda than Venezuela. It is just human nature. Maybe it is nearsightedness that makes a fellow see the thin seat of his neighbor's pants before he ever sees a faraway Arab needing a new pair of sandals for the desert road. I guess this Congressman from southeast Kentucky is just a little nearsighted.

Mr. Speaker, in my book, charity begins at home.

Panama Canal Zone: Constitutional Domain of the United States

EXTENSION OF REMARKS
OF

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 1959

Mr. FLOOD. Mr. Speaker, during the second session of the last Congress starting on March 26, 1958, I made a series of addresses dealing with various phases of Canal Zone diplomatic and legislative history and problems. Though the writings on these subjects are voluminous and at first sight bewildering, when reduced to their essentials they are relatively simple.

At the request of Maj. Gen. U. S. Grant 3d, president of the American Peace Society, I undertook to condense into a brief article for the fall 1958 issue of "World Affairs," the quarterly magazine of that organization, the basic points in the Canal Zone sovereignty question.

The article follows:

PANAMA CANAL ZONE: CONSTITUTIONAL DOMAIN OF THE UNITED STATES

(By Honorable DANIEL J. FLOOD, Representative from Pennsylvania)

SUEZ CRISIS FOCUSED ATTENTION ON PANAMA

The dramatic but "legally unjustifiable"[1] nationalization by Egypt on July 26, 1956, of the Suez Canal was an epochal event. It has focused world attention on the other great interocean waterway, the Panama Canal, to a degree not equaled since those memorable years near the start of this century when the key canal treaties, under which it was constructed and subsequently maintained and operated, were negotiated.

Originating in the Soviet Union and its satellites, the ensuing clamor has been featured by voluminous propaganda aimed at wresting ownership and control of the Panama Canal from the United States and transferring its jurisdiction to some international or other authority. This uproar, instead of tending to clarify and stabilize conditions on the American isthmus, has formed a sinister agitation that conforms to the well-known pattern of penetration and subversion so characteristic of the tactics of the international Communist conspiracy for world conquest. Moreover, the din is today being fanned by jingoistic elements in Panama, including high officials in the government of that Republic and has created a situation that is definitely hazardous.

Meanwhile, a widespread ignorance of the most elemental facts in canal history, prolonged silence by our government with respect to the rights and responsibilities of the United States at the isthmus,[2] and its weak policies of appeasement and giveaway, together have served to aggravate the situation, which truly needs rigorous clarification.

JURIDICAL BASE FOR ISTHMIAN CANAL POLICIES

Rooted in four centuries of history,[3] the foundations of the United States Isthmian canal policies find expression in three important canal treaties:

First. The Hay-Pauncefote Treaty of 1901 between Great Britain and the United States, which facilitated construction of an isthmian canal across Central America. In this treaty, Great Britain relinquished its own rights for the construction and control of such canal and recognized the exclusive right of the United States thereto. The United States, in assuming this responsibility, adopted the main points in the Convention of Constantinople of 1888, concerning the Suez Canal, as rules of the operation, and regulation of the American canal.

Second. The Hay-Bunau-Varilla Treaty of November 18, 1903, between the Republic of Panama and the United States. On the part of Panama, this treaty granted to the United States in perpetuity the use, occupation and control of the Canal Zone for the construction, maintenance, operation, sanitation and protection of the Panama Canal, and, most significantly, as if the United States were the sovereign of the territory and to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power or authority. On the part of the United States, the main point for the purposes of this paper was that it guaranteed the independence of the Republic of Panama, which had just seceded from Colombia and whose existence depended on the protection of the United States and the success of the canal undertaking.

Third. The Thompson-Urrutia Treaty of April 6, 1914, proclaimed March 30, 1922, between the United States and the Republic of Colombia, the sovereign of the isthmus prior to the Panama Revolution of November 3, 1903. This treaty aimed at removal of all misunderstandings growing out of political events in Panama in November 1903, restoration of the cordial relationship that had previously existed between Colombia and the United States, and definition of their rights and interests with respect to the Canal and the Panama Railroad.

The negotiation of these three treaties, it should be emphasized, was not accidental. Instead, it was the result of long-range interoceanic canal policies of the United States developed over many years and having in mind always the history of the affected territory.

Here, as a matter of special interest, it should be remarked that the Panama Railroad, running through the Canal Zone and constituting the first American transcontinental rail system and the first practical step in the construction of the canal, was built by United States citizens in 1849–55. Later, it was acquired by the French, and sold to the United States as part of the French canal holdings acquired in 1904.

Throughout the period of United States operation of the canal, the requirements of these treaties have been carefully followed. Their main provisions have stood the test of experience and fully justify their adoption. They form a splendid monument to those who evolved them, and today Public Law 841, 81st Congress (1950), governing the administration of the canal enterprise and popularly known as the Thompson Act, actually mentions these treaties and specifies that the levy of tolls is subject to their provisions.

PEAK OF U.S. ISTHMIAN INFLUENCE, 1903–39

Following the independence of Panama in 1903, the Hay-Bunau-Varilla Treaty was negotiated with the new sovereign of the Isthmus, instead of Colombia, pursuant to the Spooner Act of June 28, 1902, that had authorized negotiation of a treaty for canal purposes with Colombia.

As previously stated, this treaty authorized the acquisition and perpetual control of the Canal Zone for the primary objectives of constructing the Panama Canal and its perpetual maintenance, operation, sanitation, and protection, all exclusively by the United States and also wholly at U.S. expense.

In addition, it is also clear from the diplomatic and legislative history of that era that the aim of both the United States and Panama was to establish and maintain complete sovereignty over the Canal Zone by the United States. This was done not only to assure the construction, efficient operation, and protection of the Canal in perpetuity, as provided in the Spooner Act of 1902 and in the 1903 treaty, but also to guarantee that Colombia could never be able to reassert successfully its sovereignty over the Canal Zone, the Panama Canal, the Panama Railroad, or the Republic of Panama.

Except for the Caesarian operation known in history as the Panama Revolution, out of

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[1] George A. Finch, "Navigation and Use of the Suez Canal," Proceedings of the American Society of International Law (1957), p. 42.

[2] Hon. DANIEL J. FLOOD, "Panama Canal Zone: Constitutional Domain of the United States," CONGRESSIONAL RECORD, vol. 104, March 26, 1958.

[3] Miles P. DuVal, Jr., "Cadiz to Cathay," (2d ed.) and "And the Mountains Will Move" (Stanford University Press, 1947) tell the story of the acquisition of the Canal Zone and building the Panama Canal.

which the independence of Panama resulted, and the provisions of the Hay-Bunau-Varilla Treaty, the Republic of Panama would never have been created and could never have survived. Besides, the United States would never have undertaken construction of a project as vast as the Panama Canal in a region then justly described as the pesthole of the world and long characterized as a land of endemic revolution repeatedly requiring the presence of naval vessels to maintain freedom of transisthmian transit.[4]

These points were fully understood at that time by Panamanian as well as North American leaders. Both realized that political stability in the Isthmian area was imperative for the success of the Canal enterprise—its construction and subsequent maintenance, operation, sanitation, and protection. They also recognized that such stability could be obtained only by vesting complete and exclusive sovereignty over the Canal Zone in the United States.

The great North American statesman who developed our Isthmian policies included such eminent leaders as President Theodore Roosevelt, John Hay, John Bassett Moore, Adm. John G. Walker, William Howard Taft, and Elihu Root. President Roosevelt always viewed the Canal as the greatest accomplishment of his administration, and comparable in importance to the Louisiana Purchase. In essence, the results of their vision and efforts remained unimpaired until 1939—a period now recognized as the peak of United States influence on the isthmus.

COLOMBIA'S INTEREST PROTECTED BY TREATY

Because of the importance of the Thompson-Urrutia Treaty, and the fact that it is not as well known as it should be, its principal provisions are summarized.

In article I, Colombia recognizes the title to the Panama Canal and Panama Railroad as "vested entirely and absolutely in the United States, without any encumbrances or indemnities whatever." Furthermore, this article provides that Colombia shall enjoy certain rights, which include:

First. Transit through the Canal of Colombian troops, materials of war, and ships of war, without paying charges to the United States.

Second. Exemption of charges on products of Colombian soil and industry, as well as mails, other than those to which the products and mails of the United States are subject.

Third. Exemption of Colombian citizens, crossing the isthmus, from every toll, tax, or duty to which the citizens of the United States are not subject.

Fourth. Use of the Panama Railroad or any other railroad substituting therefor, in event of interruption of transit, for the transport of troops, materials of war, products, and mails of Colombia on the same basis as those of the United States.

In article II, the United States agreed to pay Colombia $25 million, which was done.

By article III, Colombia recognized Panama as an independent nation and agreed to conclude a treaty of peace and friendship and to establish regular diplomatic relations, all of which was accomplished together with a treaty agreement between the two countries as to their common boundary.

Thus, it is clear that Colombia not only has substantial rights with respect to the Canal, but also a treaty interest in the continued operation of the Panama Railroad, which is binding on the United States. As will be later shown, this treaty interest of Colombia in 1955 was overlooked or ignored in the formulation of the treaty between the United States and Panama of that year.

[1] FLOOD, "Panama Canal Zone: Constitutional Domain of the United States—Further Supplementary," CONGRESSIONAL RECORD, vol. 104, Apr. 2, 1958, lists many incidents of isthmian turmoil.

TREATY POWER UNDERMINES UNITED STATES AUTHORITY

With the passing of the years after opening the canal to traffic on August 15, 1914, the operation of the project became a matter of routine with decreased public interest and scrutiny in the United States and Colombia. In Panama, however, there developed determined efforts toward securing revision of major provisions in the treaty structure.

Thoughtful North American officials, stationed in the Canal Zone as early as 1931–32, recognized the dangers involved and expressed fear that such treaty revision might lead to the ultimate loss of exclusive control of the canal by the United States.

Not until 1936, however, was the first major step in this direction made with the signing of the Hull-Alfaro Treaty. This treaty, because of opposition in the Senate, was not proclaimed until July 27, 1939.

The Hull-Alfaro Treaty, unlike the 1903 treaty, was negotiated without authorization or direction by the Congress. It weakened the dike in the diplomatic setup of the Panama Canal, but without impairment of the fundamental principle of its exclusive sovereign control by the United States.

To understand better its important provisions, it should be borne in mind that, by the time of the 1936 treaty, Panamanian leaders felt, because of the 1914 treaty between the United States and Colombia, that their country's independence was secure. Thus, they sought and secured abrogation of the guarantee provision of the 1903 treaty together with the right of the United States to maintain order in the terminal cities. In addition, the 1936 treaty surrendered other important rights of the United States granted in the 1903 treaty, including the important right of the United States of eminent domain within the Republic of Panama for canal purposes, and raised the canal annuity from $250,000 to $430,000 to compensate for the devaluation of the gold dollar, all without consideration except of token character.

The crippling of United States accessory powers, however, did not stop there. After prolonged secret negotiations started in 1953, the process was advanced much further in the Eisenhower-Remon Treaty, proclaimed August 26, 1955, also negotiated without the authorization, direction, or suggestion by the Congress. This treaty gave to Panama additional valuable properties worth many millions and substantial rights, the latter including the authority of the United States to enforce sanitary ordinances in the terminal cities of Panama and Colon, which rights had been indispensable to building the canal. Moreover, the 1955 treaty increased the annuity by $1.5 million, from $430,000 specified in the 1936 treaty to $1,930,000.

The Congress, in implementing this treaty, did not accept the additional $1,500,000 as a charge on the Panama Canal enterprise but as foreign aid to Panama accorded by the Department of State as a diplomatic gesture. Thus, the annuity of $1,930,000 is now being carried as an item in the budget of that Department, with reimbursement for $430,000 of it to the Treasury, chargeable to the Panama Canal Company. This means that the annual cost of this diplomatic move ($1,500,000) is borne by U.S. taxpayers and not canal users, further illustrating the propensity of the State Department to give away tax money for purposes of political placation. What a paradox is thus presented and what a dangerous precedent for the future administration of the Panama Canal.

Because all the 1955 treaty benefits and surrenders to Panama were extended for no other than purely token considerations, their costs ultimately will have to be covered by either increased taxes or higher tolls. Furthermore, they have definitely weakened the police power of the United States in meeting its treaty responsibilities for the maintenance, operation, sanitation, and protection of the canal—a situation that might well prove fatal for the proper conduct of the canal enterprise in the future.

PANAMA RAILROAD LIQUIDATION NARROWLY AVERTED

One of the most objectionable features of the 1955 treaty was its surrender to Panama of valuable Panama Railroad property in the cities of Panama and Colon, even including the terminal freight yards and passenger station but excepting tracks in Colon necessary for Cristobal pier switching. Not only that, the treaty actually contemplated without the authority of the Congress the abandonment of the railroad itself, which, as shown previously, had been acquired with adequate compensation by the United States pursuant to both law and treaty. In addition, this move appears to have been taken with complete disregard or ignorance of the treaty rights of Colombia with respect to the Panama Railroad.

Apprised of the situation, congressional leaders intervened. An independent congressional inquiry[5] resulted in the reversal of the formal endeavor of the Directorate of the Panama Canal Company to liquidate the railroad—a congressional decision fully justified by subsequent operation of the railroad. This action, however, was too late to save the terminal facilities of this historic and strategic rail line.

Now where does this leave us? Because the treaty has no provision for replacement of the ceded facilities, we are going to have a transisthmian railroad without its originally designed and adequate terminal yards and stations. Could there be anything more absurd, or more ominous for the future conduct of our isthmian policies?

CANAL ZONE IS CONSTITUTIONAL TERRITORY OF THE UNITED STATES

The sustained surrenders of our isthmian rights and prerogatives, designed for proper maintenance, operation, sanitation, and protection of the canal, extend beyond the limits of the Canal Zone into the very foundation of our constitutional form of government.

The acquisition of the Canal Zone and Panama Railroad was accomplished with adequate compensation pursuant to the Spooner Act of 1902 and the 1903 Hay-Bunau-Varilla Treaty. Constructed and subsequently managed according to laws enacted by the Congress, the canal enterprise symbolizes to the people of the United States the productive benefits to be derived from our system of government.

Long recognized as part of the "coastline of the United States," the Canal Zone is not an occupied territory,[6] as was once erroneously reported to the United Nations by our Department of State, but a portion of the constitutionally acquired territory of the United States.

BASIC ISTHMIAN POLICIES MUST BE REAFFIRMED

Unfortunately, the tragic surrenders culminating in the present isthmian crisis represent a threat to our national power. In fact, the course pursued has resulted in the surrender without justification of our bargaining rights with Panama. It has created a situation that will require statesmanship of the highest order on the part of both Panama and the United States to correct.

[5] H. Rept. 2974, 84th Cong.

[6] Senate Hearings on Interlocking Subversion in Government Departments, pt. 19, Mar. 25, 1954, p. 1364.

In approaching this complicated task our leaders must realize that they are not dealing with a routine matter but one of transcendent importance for the indefinite future. History has shown that the canal question cannot safely be entrusted to minor negotiating officials of the executive departments alone but must be forthrightly faced by the Congress, which, as the ultimate authority, should reaffirm our canal policies in the light of all the basic considerations and realities involved.

The great lesson to be derived from a critical study of more than a century of experience in matters affecting security of transit, and the protection of the canal itself, is the imperative necessity for political stability on the isthmus, with no dilution or diminution of United States sovereignty and control over the Panama Canal enterprise.

Reduction of Premium Rates for FHA Insurance

EXTENSION OF REMARKS
OF
HON. LESTER HOLTZMAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, January 9, 1959

Mr. HOLTZMAN. Mr. Speaker, since February of 1955 I have had legislation before the House of Representatives providing for a reduction of the premium rates for FHA insurance on cooperative housing to one-fourth of 1 percent.

In June 1955 the Housing and Home Finance Agency reported unfavorably on my bill, H.R. 4443 to the Committee on Banking and Currency; and again in August of 1957 the Agency recommended that the bill, H.R. 8674 not be enacted.

At that time I had pointed out that it was obvious that the 213 cooperatives were in serious financial difficulty because of circumstances over which they had absolutely no control. Section 213 of the Housing Act was originally designed to alleviate critical shortage of housing for the middle income group—to fill the gap between public housing for the low income group and private homes and luxury apartments for the higher income group.

Unfortunately, inflation has also affected the operation of the 213's. Heavy increases in carrying charges have occurred over the years, and these increases have forced many of the tenant-stockholders, most of whom are veterans, to vacate their apartments because of their inability to meet such increased charges. There have been practically no foreclosures of section 213 cooperatives and thus the fund created by the mortgage insurance premiums has not been touched. Section 213 cooperatives have proven to be excellent insurance risks in the past, and there is no reason to believe that this condition will not continue in the future. These people are entitled to every possible consideration, and a reduction in the mortgage insurance premiums would be a tremendous help to the tenant-stockholders.

I am reintroducing this bill in the House again today. Several years have elapsed since there has been anything done and it would be particularly bad to keep accumulating this money when it would give many people who need the help, the benefit of it.

I am very happy to see that the Committee on Banking and Currency has just announced that it would now be in favor of such a reduction in the FHA insurance premium, and agrees with my efforts to reduce the premium to one-fourth of 1 percent. The committee has stated that the FHA now has reserves more than ample to weather a real estate crisis even as serious as the great depression.

Such a position by the committee certainly would indicate that we can finally look forward to some favorable action by the Congress on this legislation which I have been advocating for the last 4 years.

I urge my colleagues to join with me in passing this legislation promptly so that we can correct a basic inequity and thus discharge our obligations and responsibilities to the people.

Item Veto

EXTENSION OF REMARKS
OF
HON. THOMAS M. PELLY
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Friday, January 9, 1959

Mr. PELLY. Mr. Speaker, I am introducing a concurrent resolution to implement the recommendation of President Eisenhower in his state of the Union message on January 9, 1959, for giving the Chief Executive item veto power in connection with appropriation and authorization bills.

As the President said, the responsibility either to approve or to veto specific items is one of the most important corrections that could be made in our annual expenditure program because of the savings of tax dollars that would result.

My proposal, Mr. Speaker, is an amendment to the joint rules of the House and Senate not only providing veto power of individual items in appropriation bills but also veto power of authorizations for borrowing funds direct from the Federal Treasury. This is the only answer I see for eliminating nonessential spending and unnecessary projects.

I know that when this item veto power was requested by former Presidents, the argument was advanced by some Members of Congress that in the President's hands we would place the power to use pressure on or punish individual Members of Congress who did not vote the way a President wanted them to on his administration's measures.

Of course, Mr. Speaker, there have been times when Members have been subject to pressure, and we all have legislation which could be used against us. But our first responsibility is to the Nation and any vindictive veto would boomerang under the light of publicity; or it could be overridden by Congress. Certainly Members know in their hearts that the passage of this concurrent resolution is one necessary and important way of restoring fiscal responsibility and Federal economy to our Nation.

I hope the Judiciary Committee will consider this matter.

A Bill That Offers an Effective Way To Make This a Nation of Better Homes

EXTENSION OF REMARKS
OF
HON. RUSSELL V. MACK
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Friday, January 9, 1959

Mr. MACK of Washington. Mr. Speaker, on the opening day of Congress I introduced a bill—H.R. 196—which, if enacted, would grant to an American taxpayer an income tax deduction of up to $2,000 on money he spends during a calendar year to repair or modernize his owner-occupied home.

Under my bill the first 3 percent of income spent for such home repair and modernization cannot be claimed as a deduction. Everything expended on such work above this 3 percent, up to $2,000 in any one year, is deductible.

The citizen with a $5,000 gross income would obtain no deduction on the first $150 spent on such work. The person with a $10,000 gross income would obtain no deduction until after he had spent $300. The amount spent above the $150 or $300, as the case might be, would be deductible but not more than $2,000 by any one taxpayer in any one year.

This deduction is similar to that now allowed taxpayers on medical and hospital bills.

The obvious purpose of this proposed legislation is to speed up and increase home repairing and home modernization by homeowners. There are 6 million dwellings in the Nation that are rundown, dilapidated, and in desperate need of repair and modernization. The allowing homeowners tax credits for funds spent in improving their dwellings should encourage an enormous amount of home improvement and thereby make the Nation better housed.

How much would such a program of tax credits for home repair and modernization, as my bill proposes, cost in lost tax revenues. My reply is very little or perhaps nothing at all.

The tax credits granted, of course, will decrease the income taxes paid by the home owner. However, this loss in revenue quickly would be offset by creating many sources of additional income tax revenue.

First. The repair and modernization program this legislation would generate would provide tens of thouands of additional jobs for building tradesmen of all kinds—carpenters, plumbers, electricians, painters, brick masons and others—

and these, because of their increased earnings, will pay more taxes.

Second. Businessmen and corporations which deal in building materials of all kinds at the manufacturing, wholesale or retail level, all, will enjoy larger sales and profits. They as a result of this program will pay more income taxes into the Treasury, in the case of corporations, as much as 52 percent of their increased profits.

Third. The increased employment a great home repair and modernization program will create will lessen the drain on unemployment reserves.

Fourth. Improved homes also mean increased real estate values and automatically more tax revenues at the local level for States, counties, cities, and schools.

Fifth. The increased sales and profits and the increased employment and wages generated by such a program for the building industry and its employees will raise the general level of prosperity for all businesses which also then will pay more taxes into the Treasury.

The increased revenues created by such a program from all five of these sources will in large part or entirely overcome any loss of income tax revenues the Government would experience from this tax exemption.

Most of all the program would provide millions of Americans within a very few years with better, more beautiful, and more healthy homes. This intangible benefit may be far greater and more lasting even than the financial one.

I urge that home building contractors, members of the building trades unions, and dealers in and producers of building materials of all kinds give careful study to my bill. If they believe the idea sound and desirable, I urge that they discuss this bill—H.R. 196—with their associates and through their associations and unions pass resolutions urging enactment of this bill—H.R. 196—by the present 86th Congress. I, as Congressman, will use such resolutions to promote support by Congressmen of my bill. Such resolutions, or letters, I assure you, will be most helpful in obtaining enactment of this bill, which if enacted I am sure will help add materially to the prosperity of the Nation as well as providing the American people with a vast number of better homes.

Proposal To Increase Postage Rates

EXTENSION OF REMARKS
OF
HON. JOHN LESINSKI
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, January 9, 1959

Mr. LESINSKI. Mr. Speaker, I disagree most emphatically with President Eisenhower's proposal to increase first-class postal rates to a rumored 5 cents.

As a member of the House Committee on Post Office and Civil Service, I will not go along with another first-class postal rate increase; I think it is unfair to ask the average American, the small taxpayer and small businessman, who are already overburdened with taxes, to assume this additional tax load. This proposal of the President's is another clear indication of his complete subservience to the big business interests.

Take a look at the following statistics showing the differences between first-class mail, which is used by the average American when he writes a letter, and second-class mail, which is used by the big magazine publishers. The figures are for fiscal year 1958:

	First-class mail	*Second-class mail*
Pieces handled	32,218,319,000	7,147,956,000
Total weight	921,402,000	2,695,076,000
Total revenue	$1,092,441,000	$65,622,000

Total income from all classes of mail, $2,314,038,000.

Therefore, of the total income to the Post Office Department in fiscal year 1958—which, incidentally, was before the 4-cent rate went into effect—first-class mail was already producing over 47 percent, while the big business users of second-class mail contributed only a little over 2 percent. Add airmail revenue of $136,580,000 to first-class mail revenues and you will see that the everyday users of the 4-cent and 7-cent stamps are the ones who are carrying the burden of postal costs, while the postman who delivers your mail has to shoulder the burden of one-third of a pound on an average for each piece of second-class mail, but only one-thirty-second of a pound for each average piece of first-class mail.

I think that President Eisenhower would do well to devote his efforts toward closing the tax loopholes and special concessions to big business in order to get additional revenue for the Federal Government, instead of constantly trying to milk the small individual taxpayer and small businessman.

The Rehabilitation Act of 1959

EXTENSION OF REMARKS
OF
HON. JOHN E. FOGARTY
OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES
Friday, January 9, 1959

Mr. FOGARTY. Mr. Speaker, I have introduced H.R. 1119, entitled "The Rehabilitation Act of 1959." I wish to make a few comments about this bill and about the rehabilitation program in general.

As you know, I serve as chairman of the Labor-HEW Subcommittee of the House Appropriations Committee. In this capacity, I have reviewed the appropriation requests of the Office of Vocational Rehabilitation and have become intimately acquainted with the operations of the State-Federal program of rehabilitation. I have great confidence in its leadership on both State and Federal levels and in the general integrity of the program. Each year shows a greater number of handicapped persons completing their rehabilitation, 74,000 in 1958, and the quality of services is also improving, particularly for the severely handicapped.

At the same time, however, I have been conscious of the weaknesses in this program and have, from time to time, spoken out on this subject. My chief concern has been that some of the most severely handicapped persons are being denied services because such services do not appear to be feasible for them under the definition of rehabilitation found in present legislation. The present act, Mr. Speaker, is a vocational rehabilitation act. For a handicapped person to be served under this act there must be a reasonable expectation that he will be employable following services. There are many severely handicapped persons in this country who could profit substantially from rehabilitation services but who must be denied such services because of his restricted definition. This also means that many borderline cases may be rejected, because the chances of failure may be greater than the chances of success. The bill I have just introduced has been designed to correct some of the weaknesses which have been described above.

EVALUATION SERVICES

An adequate evaluation service is essential for all rehabilitation applicants, but particularly so for the most severely disabled. This evaluation is medical, psychological, social, and vocational. It takes time and is expensive, but it is essential if there is to be an adequate understanding of the rehabilitation potential of the individual. At the present time, there is no one place in most of our communities, or no one agency, which has the responsibility for providing an adequate diagnostic service for all handicapped adults. My bill would provide Federal assistance to the States to enable State rehabilitation agencies to establish such comprehensive evaluation services.

INDEPENDENT LIVING

One title of this bill sets up a program of independent living rehabilitation for severely handicapped people for whom there may not be a reasonable expectation of employability at the time they make application, but who can achieve a degree of independence which will enable them to dispense with the need for expensive institutional care or an attendant at home. This will mean that rehabilitation agencies may begin services for people who may not appear to be employable following services. Actually, experience has shown that many such individuals do achieve vocational rehabilitation.

REHABILITATION FACILITIES

At the present time, there is a program of rehabilitation facilities under the Hospital Survey and Construction Act, commonly called the Hill-Burton Act. This program has been useful in establishing, in the main, medical rehabilitation facilities. Under this act it is not possible to assist in the establishment of rehabilitation workshops or many other rehabilitation facilities. As

a result, there are many badly needed rehabilitation facilities for which there is no Federal assistance at this time. My bill sets up in the Office of Vocational Rehabilitation of the Department of Health, Education, and Welfare a program of rehabilitation facilities which would be used to establish workshops for the mentally ill, mentally retarded, cerebral palsied, and many other severely handicapped individuals; speech and hearing centers; rehabilitation centers for the blind, and many other types. Provisions are made for the coordination of this program with the Hill-Burton program, so as to prevent any possibility of duplication.

PRESIDENT'S COMMITTEE

One of the provisions of my bill would increase the appropriation authority for the President's Committee on the Employment of the Handicapped from $225,000 to $300,000. The President's Committee is an organization of private individuals and voluntary organizations dedicated to increasing employment opportunities for physically handicapped individuals. The Federal Government makes an appropriation annually to support a small staff which guides this voluntary activity. In my judgment, the committee is doing an excellent job in creating a climate favorable to the employment of the handicapped. The small increase in appropriation authority will take care of necessary increases in costs and provide for a modest expansion of services during the next 3 or 4 years.

Mr. Speaker, in this bill I have tried to fill the most significant gaps in present rehabilitation legislation. The bill provides for Federal assistance for a centralized, comprehensive evaluation system for all handicapped adults. It extends rehabilitation services to individuals for whom there cannot be at the beginning, a reasonable expectation of employability. It provides for a supplementary program of rehabilitation facilities under which will be built the many facilities which are needed to rehabilitate the handicapped. Finally, it increases the appropriation authority for the President's Committee on the Employment of the Handicapped. I sincerely hope that the House Committee on Education and Labor will conduct hearings on this legislation at an early date. The passage of this legislation will do much to increase rehabilitation opportunities for our most severely disabled citizens.

Annual Convention Banquet of Veterans of World War I, Springfield, Ill.

EXTENSION OF REMARKS

OF

HON. THOMAS J. LANE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 1959

Mr. LANE. Mr. Speaker, I wish to include herein my remarks made to the annual convention banquet of the Veterans of World War I, which was held at the Hotel Leland in Springfield, Ill., on Tuesday, September 16, 1958, as follows:

It is a happy choice that our first national convention, under a Federal charter, is taking place in Springfield, Ill.

As a native of Massachusetts, I am proud of the fact that many of the early settlers who built their own homes on this new land near the "River of Men," came from such places as Salem and Springfield in Massachusetts.

On this, my first visit to the capital city of Illinois, I am aware of this historical process at work. Those of us who traveled here from New England, are impressed by the beauty and charm of Springfield, but, even more, we sense the invisible presence of the man whose immortal spirit brought unity to our Nation.

It was many, many years ago that Abraham Lincoln rose to greatness, during a critical period in our history. It was almost midway between the Revolutionary War and the cold war of 1958.

And then, before his work was done, he came home to his last resting place in the Midwest. His remains are embraced by the good earth of Oak Grove Cemetery, the national shrine at Springfield, Ill.

He understood the agony that divided our Nation through 4 years of civil strife. Each furrow in his brow, each deepening line on that tragic face, bore witness to the pain and sacrifice that he suffered to bring freedom through that first and most awesome test of its young manhood.

Lincoln had compassion for the men in blue and the men in gray.

If death had not stilled his generous heart, just as it closed the life of another President in our own day, and in each case just before the final victory, I am sure that he would have made plans to provide for the Civil War veterans during the sunset years of their earthly journey.

It was in the final paragraph of his second inaugural address that Lincoln said: "Let us strive * * * to care for him who shall have borne the battle, and for his widow, and his orphan."

A little known fact to Americans of today, is the time and study and lengthy debate given to the question of providing compensation and pensions for war veterans from the 1st Congress up to the 85th which adjourned in August of the present year.

As far as we who gather at this convention are concerned, that debate goes on.

In the 86th Congress, which convenes in January of 1959, we shall work toward our objective, which is the enactment of a $100 pension per month for all honorably discharged veterans of World War I who are over 62 years of age.

And providing that the pension to which a person is entitled under this proposed legislation shall be in addition to any compensation to which such person may be entitled for service-connected disability.

As change is the law of life, the policies of the Federal Government toward the veterans who have served it so well in the various wars, have been shaped by many experiments and many experiences.

From disability compensation to a pure pension is a rough and twisting road where many Congresses have lost their way as they tried to find the right program for the aging veterans.

Public attitudes toward veterans as a whole, have gone through quite a transformation since the end of the Revolutionary War.

The first national pension law was passed by the Continental Congress on August 26, 1776. Every officer, soldier, or sailor losing a limb in any engagement or being so disabled in the service of the United States as to render him incapable of earning his livelihood, was promised half pay for life, or during disability.

The Revolutionary Service Pension Law of 1818, introduced a new principle into this field of legislation. Before this time, disability was the firm requirement for the payment of any pension. With the new law, mere service in the Armed Forces, together with poverty, became the basis for entitlement.

Congress adopted a pure service pension schedule for the Revolutionary War survivors, on June 7, 1832. This Act granted full pay for life to veterans who had served a minimum of 2 years.

The Mexican War Pension Act of 1887, granted a pension, if the veteran was suffering from disabilities to a pensionable degree. Veterans 62 years of age or older were entitled to a pension, regardless of any disability.

The trend was plain to see. Congress was becoming more liberal with the experience of each successive war.

In the debate on the Mexican War Pension Act Senator Hoar, af Massachusetts, pleaded for uniformity, for consistency of action on the part of Congress. He explained that if the Government were bound, as a matter of principle, to pension soldiers or sailors who do not need the pension, and who are under no disability, then it is a universal principle, and as such, the veterans of all wars are entitled to the pension. Enactment of the bill, said the Senator, would very shortly compel the Congress to take the next step—a pure service pension for the Civil War veterans.

The Mexican War Pension Act was debated for 3 years.

But the arguments in favor of it finally overwhelmed the opposition, and Congress passed the bill in January 1887.

The Dependent Pension Act of 1890 was a service-pension law. Pensioners, however, were required to demonstrate their inability to perform manual labor as a means of supporting themselves.

This law spawned many abuses, and gave rise to much dissatisfaction.

Widespread agitation led to the act of May 11, 1912, setting up a formula whereby the Civil War veteran must have served at least 90 days in that conflict, and that he must be 62 years of age or older. The amounts provided for on a graduated scale according to length of service, have been increased from time to time since 1912.

The act of June 5, 1920, was entitled "An act to pension soldiers and sailors of the war with Spain, the Philippine insurrection, and the China relief expedition."

It provided that any such person who has reached the age of 62 years, shall, upon making proof of such fact, be placed upon the pension roll.

As for pure service pensions, the Spanish American War still remains our most recent conflict for which pensions have been authorized by the Congress.

Obviously, the veterans of World War I are next in order.

When Congress passed a bill to provide adjusted compensation for the veterans of 1917–18 it was vetoed by President Harding on September 19, 1922. In the message explaining his action, the President was looking to the future when he said that it is inevitable as the years pass that pension provision for World War veterans will be made, as it has been made for those who served in previous wars.

That prophecy was made 36 years ago.

When we average out the length of time that the veterans of the five wars in American history, up to and including the Spanish-American War, had to wait before service pensions were authorized, we find that it takes nearly 43 years.

We, of World War I with 40 years behind us are close to the time of our entitlement.

When we consider that our good friends, the Spanish-American War veterans, only had to wait 22 years for their pensions, it

would appear that favorable action on our claim cannot be delayed much longer.

In the last session of the Congress, when my bill to provide a Federal charter for our organization was being debated, there were a few who opposed the bill. They insisted that our group was organized for the sole purpose of "lobbying through Congress a general penssion bill that would provide $100 monthly to all World War I veterans regardless of need or length of service."

We have never concealed the fact that this is one of our objectives.

There is nothing sudden or revolutionary in such a proposal 40 years after World War I and following a precedent that was established long ago.

We believe that the veteran who is 62 years of age or older is entitled to a pension of $100 per month upon proof of age and honorable service.

We are certain that this is the simplest and fairest method by which the Nation's obligation to the aging veterans of World War I will be honored.

In the school of practical experience we have learned that few people in positions of leadership and influence showed any interest in pensions for the veterans of World War I, until our organization was founded. Its astounding growth within the past few years has opened the eyes of our legislators, and is reminding a grateful but sometimes absent-minded Nation that the pension issue is approaching decision day.

As we have found unity, and strength, and inspiring comradeship through our membership in the Veterans of World War I of the U.S.A., Inc., we have come to realize that only by such mobilization of our forces, directed toward the goal of a pension for all veterans of that conflict, can we win to our side, the public support that is necessary to achieve victory in this campaign.

But this is not the single and exclusive purpose of our organization.

If that were so, our reason for being, and our rediscovered community of interest would melt away as soon as the pension battle is won.

We have other objectives, as well.

For the veterans of World War I of the U.S.A. have a mission to uphold the Constitution of the United States, and the individual States of the Union, and to foster the spirit and practice of true Americanism.

We must fight unceasingly for our national security in order to protect Americans from enemies within our borders, as well as those from without, to the end that our American way of life be preserved.

We are the senior veterans of our country, inheriting the responsibilities of those who preceded us.

As guardians of the home front we must be alert and positive concerning the needs of our country today in its struggle with a foe who employs unseen weapons to confuse us, and hypnotize us, weapons that are difficult to counteract if they should dull the minds and the will of the United States and its people.

The veterans of World War I fought on the field of battle, where we came to grips with the enemy, and finally defeated him after much pain and sacrifice.

Since the end of World War I, new aggressors have come to power, threatening the peace of the world. They are much more cunning in their methods. And much more dangerous.

First there was fascism, and now communism.

The evil that was hatched in Moscow and that spread over a number of independent nations before the free world took steps to contain it, wages war constantly, even while it is shaking your hand.

In the First World War, aggressors depended almost entirely upon military power.

Espionage was in its infancy, largely limited to a few individual agents.

Psychology was a new word that only professors understood.

The man who was able to support a telephone in his home and an automobile in the one-stall garage that was located in the backyard was looked up to as a person of distinction.

The airplane was a fragile, one-man flying machine of doubtful speed and range.

As for radio and television, they were just dreams.

In the past 40 years, as these techniques and inventions became commonplace facts, the free nations developed them for peacetime use, and as aids to a more abundant life for their people.

The dictatorships, however, applied this knowledge to serve the aggressive purposes of the all-powerful state.

Communism, because of its long experience in conspiracy, saw the possibilities of using this new knowledge to extend its control over the minds and lives of mankind.

And so the Communists developed the cunning weapons of indirect aggression; infiltration, subversion, propaganda, and brainwashing.

While fomenting trouble in Korea and Indochina, and diverting some of our strength and attention to those areas, they were making their plans to provoke unrest elsewhere.

They are aiding and abetting Nasser in his ambition to become lord and master of the Arab world and to become a tool of the Communists, although he does not seem to realize this danger as yet. You may be sure, at this very moment, while our attention is focused on the problems of one area, the Communists are sowing the seeds of confusion and turmoil in some other area. All for the purpose of bewildering the free world, causing it to react impulsively with too little and too late, keeping us always on the defensive with jabs that are intended to wear us down.

The Communists know how deep is the yearning for peace, and so they start a so-called peace offensive, calculating that many sincere people will be taken in by the mere repetition of the word "peace." In the process, the Communists make headway on their real, though hidden, purpose. They seek in this manner, to weaken the will of the free nations, to beguile them into a reduction of expenditures for defense by appealing to individual selfishness, and to spread the fatal belief that it is somehow possible to coexist with them. Even though the record proves that this tyranny will betray anything and everything to reach its goal of world conquest.

They know that people forget.

Less than 2 years ago, they sent their armed forces into Hungary to crush the brave people who had overthrown the Red government that had been imposed upon them. Only a few months ago, they announced the execution of those who led the freedom fighters, whom they had seized in violation of a safe-conduct pledge.

This summer, they self-righteously protested the arrival of American troops in Lebanon, and British troops in Jordan, in spite of the fact that these military units were invited by the duly constituted governments of those small nations, to protect them from indirect aggression.

On the face of it, the Russian demands for the immediate withdrawal of the allied forces was a flagrant example of Red hypocrisy.

How could they protest our peaceful and temporary intervention, in the light of their bloody invasion of Hungary that wiped out its newly won independence and while their troops still occupy that unhappy land in defiance of the United Nations?

Their brazen contempt for reason, and justice, and world opinion is based on their assurance that people forget.

Unfortunately many do forget.

The Communists know that if they press their initiative and keep repeating such attractive words as "peoples' republic," "democracy," and "peace" over and over again, the ignorant and the innocent alike will be deceived by slogans into believing that: "Well, maybe we can do business with them after all."

That is exactly the response that the Communists want.

The intended victims do not realize that anyone who trusts the Communists and let's down his guard is halfway into the trap with its bait to lure the unwary and its barbed wire that prevents their escape.

Never forget that it took only a handful of Bolshevik conspirators, who knew what they wanted, to secure control of Russia, when the long-suffering Russian people, further drained by military defeats, forced the abdication of Czar Nicholas.

The majority of Russians with moderate views could not get together on an effective program.

While they argued among themselves as to what they should do, the ruthless minority of Bolsheviks confused and tricked the debaters, while the Red strong-arm squads took over the war ministry, the police stations, and the communication centers.

That was in 1917.

Since then, they have built up a system of tight control over the Russian people. Mixing propaganda and terror, they have channeled and driven the energies of the Russian people in a tremendous effort to build up heavy industry, and military power.

Not content with that, they have reached out and have absorbed into their empire, a number of neighboring nations.

Operating from Moscow, communism has agents and dupes trying to subvert many other nations around the globe.

With fanatical zeal, communism has developed from a small band of conspirators in 1917, until now it is a present danger to every free nation in the world.

Back in that same year, 1917, the United States became a world power.

Since the beginning of our nation we had lived a protected existence, with two wide oceans that separated us from the problems in the rest of the world, while we concentrated on our internal growth and progress.

It was the maturing power and idealism of the United States that won victory for the Allies in World War I.

From that point on, even though we did not realize it, the burden and the responsibility of leading the free world was on our shoulders because there was no other nation with the faith backed by the material resources, to do the job.

Many of our people, including some in high places, closed their eyes to this fact.

The pacifism of the twenties, the neutrality of the thirties—these were the symptoms of our retreat from international realities.

That is why we were unprepared, both in our thinking and in our ability to defend ourselves on December 7, 1941.

Then we had time to recover from the blow.

Now, we have none, because intercontinental missiles with hydrogen warheads will soon be able to leap across the oceans that had isolated us from direct attack in the past.

There is no turning back to the uncomplicated days of our Nation's adolescence.

Communist Russia is determined to forge ahead in every field, and there is disturbing evidence that the Reds have gained the lead in two critical areas: in the number of engineers, technicians, and scientists that they graduate each year; and in their

development of the powerful rockets that will be the key to military supremacy, and to the control of outer space.

If our national reaction to this is a business-as-usual attitude, instead of vigilance, look-ahead policies, and extra effort, we shall find ourselves on the road to inevitable defeat.

We have some responsible leaders of government who are aware of this danger. There are competent officers in the Pentagon; and the scientists who are working on our rocket and space exploration programs are among the world's best.

All this, however, is not enough.

I am thinking of Abraham Lincoln, who would walk miles to get a book and study it by the uncertain light of the fireplace in his log cabin, to prepare himself for the time when the Nation needed him.

I am thinking of the American initiative that opened up the West; that ventured into the unseen and the unknown because it was not afraid to advance beyond comfort and security in order to dare and do.

In this wonderful land of ours, with all the blessings we enjoy, there are too many people in 1958 who want to play it safe and to avoid the hard thinking and the resolute actions without which there is no leadership.

The vision, courage, and effort of the people, as it was in Lincoln's time, is required to animate our Nation.

How can our Federal Government make up its mind and go forward toward the solution of international problems, and to discover the new worlds of outer space in freedom's name, unless it hears from us?

As the Declaration of Independence states: "Governments are instituted among men, deriving their just powers from the consent of the governed."

This does not simply mean the form and organization of government; the laws which define and limit its authority; and the routine services it performs for us.

Far more important is the confident mandate that it must receive from the people to embark on those programs that are imperative if freedom is not to mark time, and fall behind the dynamic drive of communism.

That clear call for constructive action, welling up from the people of the United States sounds but faintly in Washington today.

It must speak up and it must be heard.

Demanding that we strengthen our allies and strengthen the United Nations, but, let's face it, in the uncertain world of today, the fate of freedom depends on the leadership, or lack of leadership, of the United States and its people.

On January 23 the Preparedness Subcommittee of the U.S. Senate issued a unanimous report stating that the Soviet Union is ahead of us in missiles and in submarines. Experts testified that our competitors are producing scientists and technicians at a rate substantially greater than our own.

On August 28, American educators pointed out that Russian is putting 10 to 15 percent of its total income into educational channels, while Americans are spending only 3 to 5 percent on education.

Unless we get going, the Reds will not only catch up with us; they will overpower us.

If such should come to pass, it will do no good to think that we are far ahead of the Russians in the number of automobiles, ranchhouses, bank accounts, and insurance policies. These, together with our schools and universities, our churches and our free press, our labor unions, and our industries, would be seized, controlled, and used by the dictatorship that is communism. Such voluntary groups as the World War I Veterans of the United States of America would not be tolerated.

Our organization has the rare opportunity, because it is new, to dedicate itself to the task of rousing our Nation from its complacency.

I take the liberty of suggesting that our organization, by the united effort of our barracks that network the Nation shall organize and energize a drive to alert America.

We must have the most modern defense system; one that is constantly improving its efficiency under the realistic leadership of such men as the late Gen. Billy Mitchell, General Gavin, who recently resigned from the Army that he loved, so that he could tell the truth to the American people and Admiral Rickover, who overcame many service obstacles to develop a nuclear-powered submarine fleet.

To achieve this, and the economic system to sustain it, we must give top priority to education. For everything depends on applied knowledge; putting freedom to work, and putting science to work. We need to give more of our resources, more of our encouragement, and more of our honors to education. The old idea that education is completed by the award of a high school diploma, or a college degree, is one of the most dangerous of illusions. To keep ahead of the Russians it will be necessary for Americans, grownups as well as youngsters, to keep on learning, under an expanded educational system that will discover new ways and methods to bring forth the best in all.

Our Nation must also do a better job in reaching the peoples of this world with the truth concerning our principles and our policies. Within the United States, we have succeeded in developing the art of communication to a degree that is mutually beneficial to our people, to the economy, and to the free exchange of ideas. For some strange reason, we have not been able to communicate as effectively with our neighbors in other countries.

There is a powerful ferment at work throughout this world, as desperately poor and backward people are waking up and are reaching for the better life that should and can be theirs.

So far it is a peaceful revolution that the United States, above all nations should understand and assist.

If we fail them in their hour of need, they will have no other choice but to follow the siren call of communism.

Our Nation cannot rest upon its past.

It cannot close its eyes to new horizons if it is to be true to itself and to the submerged peoples who look to the United States for leadership.

We have the means but lack the firm and steady purpose.

This is the very heart of the problem.

We need the spirit of Paul Revere and the response of the Minutemen at Concord and Lexington. We need the humanity and courage of Abraham Lincoln. We need to measure up to the searchers in the wagon trains, the dauntless homesteaders who crossed the Mississippi to open up the unknown West.

Reviving, bringing to life within ourselves, the ability to make forward decisions.

For the rest of the world will not wait.

We have the last chance to create the most productive educational system in the world.

We have a short time left to find the serious purpose, and to start the bold actions that will lead the hunger of mankind toward the discovery of freedom and progress.

I sound the warning not to panic, but to wake up.

And I say to you, my comrades of World War I, that this is our opportunity and responsibility.

For here, in this hall, we feel close to the Great Emancipator.

With the wisdom of eternity, He is calling upon us to give the greatest service to humanity at a fateful hour in the life of man.

Out of this wealth of mind and soul, rising up from our membership, we must develop the program and the dedicated purpose that will inspire America to pioneer again.

Latin Americans Not Only Our Good Neighbors but Our Best Friends

EXTENSION OF REMARKS

OF

HON. VICTOR L. ANFUSO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 1959

Mr. ANFUSO. Mr. Speaker, during part of November and December 1958, I visited several South American countries, notably Argentina, Brazil, Uruquay, and some of the West Indies islands, in connection with my resolution to establish a Pan American Parliamentary Association—PAPA—to help unite the Western Hemisphere for its own well-being and security. On previous occasions I had visited other Latin American countries, that is, Mexico, Panama, Venezuela, and Cuba. In these countries I met with top government officials and parliamentary leaders with whom I discussed the aims and purposes of my resolution, and I also had the opportunity to familiarize myself with conditions there and with some of their pressing problems.

I came away with a feeling stronger than ever that the idea proposed in my resolution is not only most timely, but that its realization is most urgent. I am now revising and expanding the resolution on the basis of my findings during these Latin American trips, and I plan to introduce the revised version in the very near future.

You may recall, Mr. Speaker, that the original resolution which I had offered before the closing days of the 85th Congress had been approved in principle by 12 of the 20 Latin American countries, with not a single objection. Furthermore, I was encouraged by our State Department to visit South America and discuss the proposal further with legislators of those countries. I am now pleased to report to you and to all my colleagues of the House that my resolution and its central purpose was very well received in the countries I visited.

The chairman of the foreign affairs committee of Argentina's Chamber of Deputies, Juan Lopez, was extremely enthusiastic about my plan, as was also President Ranieri Mazzilli of the Brazilian Chamber of Deputies. Mr. Lopez made a public statement in which he said about the proposed Pan American Parliamentary Association:

> It could mean a new stage in the relations among our countries, a new era of good friendship.

Remembering how strained relations had been between Argentina and the United States during the Peron regime

and Argentina's recent $100 million loan deal with the Soviet Union, the words of Deputy Lopez were welcome indeed.

The major fault which the Latin Americans have found with us is that we have not dealt with them as equals. You must remember that Latin Americans are a very proud people. They do not want any charity from us, but neither do they desire to be looked down upon. Argentina is a striking example of this national pride. Although Peron milked the country dry, so to speak, and completely emptied its treasury before he fled, Argentina today will not accept anything from the United States or from any other country unless it be on a straight business basis.

We have been hearing a great deal in the past year regarding Communist inroads into the Latin American countries. I have found that the people of those countries do not want communism; in fact, they are very much opposed to it. Christianity is too strongly embedded all through Latin America. Those countries will take Communist help only as a last resort—that is, if we should turn our backs on them and refuse to recognize their legitimate aspirations and their desires for equality and mutual respect from their brother-Americans of the North.

There is a feeling among many of the Latin American leaders that in certain instances the United States had taken unilateral action in matters where they should have been consulted. They feel that our policy decisions have been formulated in such a way that only U.S. interests and the security of the United States alone appears to be the primary objectives, rather than the interests and the security of the whole Western Hemisphere. In seeking to promote our own self-interests, they say, we have given little or no regard to the government heads nor to the form of government of the Latin American countries. If it suited our purpose, we promoted or allowed to prosper oppressive dictators.

In such cases where we have been guilty of these practices we must revise our thinking and refuse to deal with, or give aid and comfort to, dictators who suppress human rights. This latter course would be more expressive of the true feelings of the people of the United States. It would also prevent the exploitation of our Latin American neighbors by the Communists. A policy which places the aspirations of all peoples of Latin America on a par with our own achieved goals of freedom and equal opportunity for all human beings, regardless of race, color, or creed, would be as successful in Latin America as it must be in any part of the world.

There is no doubt in my mind, based on discussions with leaders of the countries I visited, that they are strongly in favor of multilateral inter-American action against any possible foreign aggression. Furthermore, it is my sincere conviction that our neighbors to the South will enter into any agreement with us to help stem the tide of communism in the world and to join with us in any action aimed to enforce such agreement, provided it is arrived at by the joint and fair contributions of each of the participating nations of the hemisphere.

It is for these very reasons—equal treatment, fostering of human rights and joint participation—that my proposal to establish a Pan American Parliamentary Association has been not only welcomed but actually hailed by Latin Americans and called by them "the key to improved relations of the future." In PAPA each legislator will have an equal voice in the organization, whether he be a representative from the United States or from Uruguay, the smallest country in South America. This free exchange among the legislators of the Americas on all matters affecting their security, their cultural development and their economic well-being is the kind of recognition and mutual respect which they have always sought, but seldom obtained, from the United States.

In summarizing my views, I want to stress the following:

For the past few decades we have come to regard the Latin Americans as our good neighbors. But they are more than that. They are also our best friends. In Latin America today the United States has a golden opportunity of regaining much of the ground we have lost in other parts of the world, because of our failure to give due recognition to the aspirations of independent nations and by not hitting hard enough against colonialism.

The United States has a glorious chance to enhance its prestige and moral position in the eyes of all Latin Americans in becoming the champion of human rights, democratic principles, and true independence for all nations. But this must not be merely lipservice. We must cooperate with them as brother-Americans and as friendly neighbors to assist them in their hour of need.

May I also offer the suggestion that in our dealings with Latin America we take advantage of the help which our very strong and devoted ally Italy can render in this direction. Latin American countries are heavily populated by people of Italian origin. The strongest influence in Brazil, Argentina and Uruguay is Italian in nature. Italians occupy very important offices in these countries and are leaders in industry, business, commerce, and other phases of national life. São Paulo, Brazil, a city of 3,500,000 people—probably the fourth largest in the whole Western Hemisphere—is more than one-third Italian. This is also true in similar measure of Buenos Aires, the capital of Argentina, and Montevideo, the capital of Uruguay. The Speaker of the Chamber of Deputies of Brazil, Mazzilli, and the President of Argentina, Frondizi, are born of Italian immigrant parents.

It would seem most logical to utilize this friendly influence in the interests of democracy, and most especially in helping to cement the most cordial relationship among the nations of the Americas in a spirit of real neighborly cooperation. I might add that we should also extend the practice of utilizing our allies in other parts of the world where they are more familiar and in a better position to deal with certain problems in such areas affecting the United States and our allies, as well.

I now wish to cite some specific examples concerning Brazil, Uruguay, and Argentina—in the order that I visited them—where assistance would be appreciated, how such assistance could be most helpful, and how it would serve to achieve genuine friendship and inter-American cooperation.

BRAZIL

This is the largest country in all of Latin America, almost the size of the U.S., with a population of approximately 62 million.

Brazil has rich natural resources, which, if properly explored and utilized, could make her one of the wealthiest nations in the world. Its president, Juscelino Kubitschek, recognizes this fact and is exerting all his efforts to encourage his people to move out from the eastern areas and settle the Brazilian west, that part of the country which is today almost totally uninhabited. It is a fact that 93 percent of the Brazilian population inhabits only 36 percent of the country's territory, with their backs to the deserted hinterland. This is the area where the soil is richer than that presently explored and settled. Gold, crystals, diamonds and gems are hidden there. Throughout Brazil are also to be found rich deposits of iron ore, manganese, nickel and zinc.

In order to encourage Brazilians to leave the congested environs of Rio de Janeiro and São Paulo, Kubitschek is moving the national capital, which will be called Brasilia, from Rio de Janeiro to the interior in the hinterland. He is confronted by inadequate transportation and power, as well as many other obstacles, but present indications are that he will succeed in this effort if he obtains the necessary financing and technological assistance.

Here, then, is a country which hates communism so much so that up until this day Brazil has refused to have diplomatic relations with Soviet Russia. How long this situation will last depends largely upon our actions. Without any financial sacrifice on our part, we can help this country become self-sufficient and economically independent through reasonable loans from the International Bank for Reconstruction and Development, as well as by the proper exercise of our own Public Law 480, known as the Agricultural Trade Development and Assistance Act of 1954.

In 1958 Brazil had a 50 percent shortage in her production of wheat. At the same time, we have wheat bulging from our warehouses and rotting away. We could easily enlarge our Public Law 480 program for Brazil to make available to her some of our surplus wheat, corn, tobacco, cotton, and other commodities which we have in surplus. A large part of Public Law 480 funds could be used by Brazil to improve her transportation, power and communications systems. Thus, her settlement of the western areas and her goal for self-sufficiency would be realized.

URUGUAY

Here is the smallest country on the South American continent with a population of only 2,200,000. Of significance to us, however, is the fact that Uruguay has recognized Soviet Russia, is doing business with the Communists and allows them to mainatin an Embassy there which is the largest in South America, much larger than our own. The Soviet Union maintains a personnel force in Uruguay of 72 people—all spies. Obviously, their interest in not merely Uruguay. Russia uses Uruguay as a base through which she hopes to penetrate Brazil, Argentina and other Latin American countries. In this respect, she is aided and abetted by the embassies of the other Iron Curtain countries in Uruguay. It is common knowledge that the Communists have complete control over the waterfront in Montevideo and that they can tie up transportation at any time.

It may be asked: Do the people of Uruguay want communism? It is significant that in the recent elections held there the Communists polled less votes than they did in previous elections. At the present time there are only 2 Communist deputies out of a total of 99 in the Chamber of Deputies. But the control of the waterfront by the Communists and their strength in labor circles, in addition to their use of Uruguay as a port of entry for the penetration and infiltration of all of South America, presents a very serious threat which we must recognize and with which we must deal immediately.

Here again it takes only sympathetic understanding of the problems facing Uruguay and simple honest dealing to check the Communists and to nullify their influence. Let me give you several examples where we have failed in our relations with this tiny country and where the Communists utilized these incidents to their advantage:

I. In 1949, under GATT—the General Agreement for Trade and Tariffs—the United States concluded an agreement with Uruguay for certain reciprocal reductions in import duties. The U.S. Government postponed action in proclaiming these duty reductions because Uruguay was not yet formally a member of GATT. When Uruguay's membership in GATT was ratified in 1953, the Uruguayan Government also ratified the duty reductions promised by Uruguay. By that time, however, it was more difficult for the United States to put certain of its promised duty reductions on canned and preserved meats into force because U.S. producers of meat were not prospering as much as they had been in 1949. The United States, therefore, put into effect the other duty reductions it had agreed upon but did not proclaim the following duty reductions which were the ones most desired by Uruguay:

First. A reduction from 20 to 15 percent in the minimum ad valorem duty on corned beef.

Second. A reduction from 7½ cents per pound to 3¾ cents per pound duty on meat extract.

Third. A reduction from 20 to 10 percent in the minimum ad valorem duty on pickled or cured beef and veal.

The delay in proclaiming these duty reductions agreed upon in 1949 has now been the longest delay in any such pending action by the U.S. Government.

II. In 1953 the U.S. Treasury Department applied an 18 percent additional duty against Uruguayan wool tops—the longer, higher grade wool which has been combed out of the raw wool, leaving behind the short fibers or noils. The reason for this additional duty, which was called a countervailing duty, was that the combers of wool in the United States had protested that the Uruguayan Government was giving assistance to the exporters of Uruguayan wool tops by granting them a rate of exchange for their product that resulted in their receiving more pesos per dollar than the exporters of most other Uruguayan products. A calculation of this exchange benefit showed that the rate for export of wool tops provided, in fact, 18 percent more pesos than the weighted average of exchange rates on all other Uruguayan exports and imports. This is the only countervailing duty applied by the United States because of a subsidy granted by a foreign government through special incentive exchange rates.

A few years ago, the countervailing duty was decreased to 6 percent because the Uruguayan exchange rate incentive was calculated to have decreased to that amount. We now expect that it may soon be demonstrable—when certain new exchange rates are announced—that the incentive has been eliminated as compared with the average rate on all other Uruguayan exports and imports. The Treasury Department has indicated that, when that can be demonstrated, the countervailing duty will be abolished. It is the opinion of our Embassy officials in Montevideo that this measure, which the Uruguayan Government and public have considered to be discriminatory, has been prejudicial to U.S. relations with Uruguay to such an extent that serious question may logically be raised as to whether the maximum U.S. interest has been served by applying this isolated measure against Uruguayan wool tops.

III. For several years there has been in effect in the United States a tariff quota governing the importation of various classifications of textiles into the United States. The tariff quota for woolen textiles provides that a certain total quantity of these materials may be imported from all sources of supply at a 25-percent ad valorem rate of duty; when that quota is filled, which is usually in June of the calendar year, the rate of duty goes up to 40-percent ad valorem. Very good quality woolen suiting materials are manufactured in Uruguay, and since this product is made entirely out of Uruguayan raw material, it would seem to offer more hope than any Uruguayan manufactured product of finding an increasingly large market abroad with resulting obvious advantages to the Uruguayan economy. Uruguayan exporters, however, complain that they have difficulty in marketing their woolen suiting materials in the United States because their buyers can never be quite certain of the exact cost throughout the year in comparison with domestic sources of supply.

President Eisenhower requested, a year or so ago, that an interdepartmental committee be formed to determine upon a more workable system for governing the duty of this type of imports because of complaints about the tariff-quota system. It would be very beneficial for the Uruguayan economy if the tariff system could be arranged in some way that would provide some modest preference for this unique Western Hemisphere source of supply of woolen suiting materials. In fact, it would not seem unreasonable to exempt Western Hemisphere sources entirely from the higher ad valorem rate of duty on woolen textiles. Uruguay would be the only country that would profit from this and the quantity of material that could be imported from Uruguay, even with a very large increase, would probably not noticeably disturb the market for domestic manufactures of competitive materials in the United States.

Fourth. The largest Uruguayan export is wool, usually about 55 percent of total exports. The largest buyer of this wool is now the Soviet Union. In return, the Soviet Union offers crude petroleum at a bargain price—about 50 cents less per barrel than the same petroleum would cost in the regular world market. The Soviet Union has also recently sold a cargo of cotton to Uruguay—presumably cotton which Russia obtained from Egypt. The Uruguayans do not like to depend upon the Soviet Union as a market for their products, or even as a source of supply for essential imports, such as petroleum, because, first, they know that the market or the source of supply can be closed off arbitrarily at any time; second, they know that they are likely to be asked for cooperation of other kinds as a quid pro quo for continuation of this trade; and third, they do not wish to encourage the kind of relationships that naturally follow trading relationships. However, with the Soviet Union now purchasing about 20 percent of their total wool exports, and with other purchasers buying slowly at present prices and with greater demand for quality, the Uruguayans feel that they are trapped by the necessity of trading with the Soviet Union.

It has been suggested by Uruguayans that the U.S. Government might solve this problem by purchasing wool for stockpiling. Since there is no provision for such stockpiling, another possibility might be a reduction in the U.S. duty on raw wool. However, the extensive repercussions from such a measure would be obvious, and it would not seem logical to consider such a difficult solution until it has been demonstrated that the much simpler problems outlined in the preceding paragraphs can be solved.

ARGENTINA

Argentina is about half the size of the United States and has a population of approximately 20 million. It is more of a melting pot than any other Latin American republic and its population is based on European immigration rather

than on indigenous people. In contrast to most Latin American countries, 96 percent of Argentina's population is Caucasian. The country is predominantly Catholic and the literacy rate is about 85 percent—the highest in Latin America.

Argentina inherited serious economic problems from the Peron regime. Dictator Peron left an empty treasury which has stagnated economic growth and real per capita income, decapitalized industrial plants, deteriorated transportation networks, and has caused a serious domestic inflation of its currency. Argentina is not to be sold short, however. It still has one of the highest per capita gross national products in Latin America, the best average level of living in the area, and the largest middle class. Agriculture is still the chief source of wealth and provides about 90 to 95 percent of the country's export earnings. Chief products are meat, grains, vegetable oils and wool.

Argentina's basic problem, at present, is one of reconstruction and rehabilitation. Perhaps the basic requirement in this situation is the securing of capital to finance here needed rehabilitation and development program. I discussed this matter with our very able Ambassador to Argentina, the Honorable Willard L. Beaulac, and I gathered from such talks that our State Department was au courant with the situation in Argentina and sympathetic to the problems of the new administration of President Frondizi. I was happy to learn, immediately after my return to the United States, that Argentina is to receive a $329,000,000 loan from the U.S. Government, from the International Monetary Fund, and from 11 private banks in the United States and Canada in order to carry out sweeping economic reforms and its development program. In my opinion this is a great forward step.

President Arturo Frondizi, whom I had the pleasure of meeting at his residence, although he was supported by the Peronists in the general elections of February 23, 1958, shows no inclination of following Peron or encouraging anything for which the latter stood. He is an ardent foe of communism and gave me the impression of being desirous of maintaining the friendliest relations with the United States.

We must always remember that the Argentineans, perhaps more than any other Latin American people, are an extremely proud people. They want loans at reasonable rates to develop their potentially wealthy oilfields and to otherwise strengthen their economy. But they want these loans with no strings attached. In this respect they are behaving like all proud, freedom-loving peoples. We would be no different. If we recognize this fact and treat the Argentineans—as we must treat all peoples—fairly and squarely as equals, they can prove to be among our best friends in Latin America.

We have lost many friends in the Western Hemisphere and elsewhere in the world by giving the impression at times that we were a superior people, or by trying to outsmart in business and otherwise those whom we regarded as inferior. The sooner we correct these impressions, the better for all concerned.

From my conversations with President Frondizi and with Dr. Federico F. Monjardin, President of the Argentine Chamber of Deputies, I got the distinct impression that the Argentines have a strong admiration for their brother Americans in the United States, but they have a high regard for themselves, too. They want to join us as partners, not as servants to a master. In my estimation, they are most fitting partners and brothers as well. If we help Argentina now we risk nothing, but we shall have gained a very strong ally and a very valuable friend.

Finally, it should be understood that as the benefits of independence and economic self-sufficiency grow and continue to increase in the Latin American countries, they will want to align themselves —not with the Soviet Union—but with the United States, in order to protect their economic gains, their political freedom, their national independence, and the security of the whole Western Hemisphere. We have a marvelous opportunity here, let's not fritter it away.

To me, the race to better all mankind and life as we know it here on earth is far more important than the race to conquer other worlds. I believe that if world opinion were permitted to properly express itself, it would compel the search into the unknown, into other planets, to be directed by the combined efforts of all nations on this earth. In this way, the benefits or losses from such exploitation could be proportionately shared without unduly wasting the resouces, human and material, of the earth.

ACKNOWLEDGMENTS

In conclusion, I wish to express several acknowledgments of appreciation for the cooperation and assistance given me during my trip to South America. I am happy to report that our diplomatic representation in the countries visited is of the best. Ambassador Ellis O. Briggs in Brazil, Ambassador Willard L. Beaulac in Argentina, and Ambassador Robert F. Woodward in Uruguay are all careermen, each with an excellent background and understanding of Latin American affairs.

I also wish to acknowledge the inestimable assistance which I have received from the Moore-McCormack Lines, on whose ship, steamship *Brasil*, I made the trip, for allowing me to use their facilities in and out of ports in South America. Without their excellent cooperation, much of this simple report would not have been possible.

SENATE

MONDAY, JANUARY 12, 1959

The Senate met at 10 o'clock a.m.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, who committeth to us the swift and solemn trust of life, so teach us to number our days that we may apply our hearts unto wisdom. Thou hast ordained that not in cushioned seats of safety, but in danger and stern conflict shall we find our strength, and our triumph, in these troubled days, when all mankind stands in the valley of decision.

Facing duties and responsibilities in this hallowed Chamber that far outweigh our own strength, and our own wisdom, as the world's hope of a bright tomorrow is entrusted to our frail hands, join us, we pray, to the great company of unconquered spirits who, in evil times, have stood their ground preserving the heritage of man's best, and whose flaming faith has made them as lighted windows amid the encircling gloom.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, January 9, 1959, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule there will be the usual morning hour, and I ask unanimous consent that statements made thereunder be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

AMENDMENT OF THE RULES

Mr. JOHNSON of Texas. Mr. President, we are confronted with a very simple situation today. The Senate can do whatever the Senate wants to do regarding rule XXII. Nothing is required but a simple majority. Those who want majority cloture can have it—if they can get a majority to vote for it. An amendment providing for that is now the pending question before the Senate, and I expect it to be voted on before noon.

Those who want a reasonable modification of the present rule can have it—if they can get a majority of the Senate to vote for it.

I am not going to predict the outcome, Mr. President. I will leave that to my colleagues who were free with their predictions over the weekend. Each Senator will vote according to his own conscience, but the will of the majority will prevail. I am confident that the result will be a fair reflection of the will of the Senate, as well as the will of the Nation.

There is no doubt in my mind that the Senate can always work its will. In 1957 we passed—a Democratic Congress passed—the first civil rights bill to be passed by any Congress in 82 years, and we passed it by a majority vote. And, Mr. President, we passed it without cloture.

The 1957 bill did not satisfy everybody. It went further than some wanted it to go, and it did not go as far as some would have liked it to go. But there were clear-cut votes on almost every aspect of it, and it is apparent that the bill finally passed represented the will of the majority of the Members of the Senate and of the House. And in case further proposals come before the Congress, as I am informed they will upon the recommendation of the President, I am confident they can be handled in the same atmosphere.

There is no mystery, Mr. President, about the rules of the Senate. The rules of the Senate are intended to expedite the business of the Senate. They are intended to permit the Senate to help express its will.

In my judgment, rule XXII, as it stands at this moment, contains certain deficiencies. We can remedy those deficiencies. We are doing so in three respects.

First, we are clearly stating that we do have rules, instead of anarchy, and we are going to be guided by rules from one session to another.

Second, we are going to see that Senators must stand up and be counted; and, instead of having a constitutional two-thirds invoke cloture, require only two-thirds of those present and voting to invoke cloture. Therefore, Senators will have to stand up and be counted.

Third, we provide that cloture shall apply to all rule changes; and that meets the request and the argument made by so many people for so long—almost 10 years—that the weakness of the rule was that it did not apply to a change of the rules. So we are requiring that it shall apply to a change of the rules.

Mr. President, the Senate has a very heavy workload. As soon as we conclude the discussion of the one rule under consideration and arrive at a determination of the wishes of the majority of the Senate, we will proceed to offer amendments to other rules. It will not be very long, I hope, before we will be at work on substantive legislation.

I think it is a good omen, Mr. President, that we have started this year with the Senate voting on this issue. We are going to vote on it, in my opinion, in an orderly and an effective manner, without handcuffs and without force.

Mr. DIRKSEN. Mr. President, perhaps it is according to the modern mood that we speak of so often in hyperbole. Language can become so immoderate and so extreme. I try to pursue the reasonable course and embrace the rule of reason.

I have the idea, Mr. President, that if the rule XXII never were changed, the Republic would not fall. I do not think it would result in the cold war being converted into a hot war. I doubt whether constitutional government would be destroyed. I have some doubt the Senate would disintegrate, or that progress would be halted, or that the cause of peace would be delayed.

On the other hand, by the same rule of reason, Mr. President, if the rule were reasonably changed, I am sure it would not invoke a civil war. I do not believe there would be any imminence of our destruction as a free country. I doubt whether there would be a rash of harmful legislation. I do not believe there would follow the destruction of free speech. I doubt very much if there would be world-shaking reactions.

We are merely trying to find a reasonable solution. In my opinion, this whole contest can be compressed by asking, "Just how do we make parliamentary bodies work? How do we prevent unwarranted abuses? How do we safeguard the minority? How do we secure reasonable and full expression on all subjects, and keep a reasonable brake on emotions of the moment?" I believe when all is said and done, that is the package which confronts us.

I think it is rather interesting that the newest Republic on the face of the earth faces a bit of a problem now. Our very distinguished Vice President was present when the Republic of Ghana was born 18 months ago. The constitution of that Republic was fashioned, in large measure, by British parliamentarians. They had a brake in the form of a two-thirds requirement before their constitution could be amended.

Mr. President, I am speaking now of Ghana, and you were there when that Republic was born. The Constitution of Ghana provides, I understand, for a two-thirds requirement before the constitution can be amended. That amounts to a two-thirds vote in the House of Chiefs, which is their parliamentary body, and two-thirds of their regional assemblies. I see that those in authority are now seeking to get that changed. There is a great deal of protest. The gatherings of the protesters have been broken up by the police. It is singular that that would happen in a country which should have an extraordinary interest in civil rights. I have read that the leader of 80 of the 104 votes in the House of Chiefs is determined that the safeguard of the two-thirds requirement shall be stricken from the constitution, for, as he said, it is too easy for the other side to challenge necessary social legislation.

As I examined the whole account, I said to myself that we are doing the reasonable thing here, so that no matter what may have been said, what position may have been embraced at some former time, this is still the reasonable course, and under it parliamentary government will work, and I do not believe the foundations of the Republic will topple.

I yield the floor.

MORNING BUSINESS

The VICE PRESIDENT. Morning business is in order.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

EXTENSION OF UNIVERSAL MILITARY TRAINING AND SERVICE ACT

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to extend until July 1, 1963, the induction provisions of the Universal Military Training and Service Act; the provisions of the act of August 3, 1950, suspending personnel strengths of the Armed Forces; and the Dependents Assistance Act of 1950 (with accompanying papers); to the Committee on Armed Services.

EXTENSION OF CERTAIN ENLISTMENT PROGRAMS

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to extend the special enlistment programs provided by section 262 of the Armed Forces Reserve Act of 1952, as amended (with an accompanying paper); to the Committee on Armed Services.

AMENDMENT OF CERTAIN LAWS RELATING TO SECURITIES AND EXCHANGE

A letter from the Chairman, Securities and Exchange Commission, Washington, D.C., transmitting five drafts of proposed legislation, proposing amendments to the Securities Act of 1933, the Securities Exchange Act of 1934, the Trust Indenture Act of 1939, the Investment Company Act of 1940, and the Investment Advisers Act of 1940 (with accompanying papers); to the Committee on Banking and Currency.

REPORT ON DISPOSALS OF FOREIGN EXCESS PROPERTY

A letter from the Administrative Assistant Secretary of Agriculture, transmitting, pursuant to law, a report of the activities of the Department of Agriculture relating to the disposal of foreign excess property, for the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on Government Operations.

EXTENSION OF AUTHORITY OF ADMINISTRATOR OF GENERAL SERVICES TO PAY CERTAIN EXPENSES

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Property and Administrative Services Act of 1949 to extend the authority of the Administrator of General Services to pay direct expenses in connection with the utilization of excess real property and related personalty, and for other purposes (with accompanying papers); to the Committee on Government Operations.

FINAL VALUATIONS OF CERTAIN PROPERTIES

A letter from the Chairman, Interstate Commerce Commission, Washington, D.C., transmitting, pursuant to law, copies of final valuations of properties of certain carriers (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

FEES PAYABLE TO PATENT OFFICE

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation

to fix the fees payable to the Patent Office and for other purposes (with accompanying papers); to the Committee on the Judiciary.

ADMISSION OF CERTAIN ALIENS AFFLICTED WITH TUBERCULOSIS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports concerning individuals admitted to the United States notwithstanding affliction with tuberculosis (with accompanying papers); to the Committee on the Judiciary.

FINAL REPORT OF JAMESTOWN-WILLIAMSBURG-YORKTOWN CELEBRATION COMMISSION

A letter from the Chairman, Jamestown-Williamsburg-Yorktown National Celebration Commission, transmitting, pursuant to law, the final report of that Commission (with an accompanying report; to the Committee on the Judiciary.

REPORT OF NATIONAL MEDIATION BOARD

A letter from the Chairman, National Mediation Board, Washington, D.C., transmitting, pursuant to law, a report of that Board, including the report of the National Railroad Adjustment Board, for the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on Labor and Public Welfare.

REPORT OF SMITHSONIAN INSTITUTION

A letter from the Secretary, Smithsonian Institution, Washington, D.C., transmitting, pursuant to law, a report of that Institution, for the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on Rules and Administration.

PETITION

The VICE PRESIDENT laid before the Senate the petition of W. Hartpence, of Manila, P.I., praying for a final settlement of his claim against the United States, which was referred to the Committee on the Judiciary.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MANSFIELD (for Mr. NEUBERGER):

S. 177. A bill for the relief of Donald Herburt French; and

S. 178. A bill for the relief of Wong Bick Quon (Maria Wong); to the Committee on the Judiciary.

By Mr. LAUSCHE:

S. 179. A bill for the relief of Jadwiga Adamczak Dembowski;

S. 180. A bill for the relief of Shunji Mihori and his wife, Chieko Mihori;

S. 181. A bill for the relief of Mary (Marija) Grom; and

S. 182. A bill for the relief of Yong Chul Jurgens; to the Committee on the Judiciary.

By Mr. ENGLE (for himself and Mr. KUCHEL):

S. 183. A bill to authorize a project for the Buchanan Reservoir on the Chowchilla River, San Joaquin Valley, Calif., for flood control purposes; and

S. 184. A bill to authorize the project for the Hidden Reservoir on the Fresno River, San Joaquin Valley, Calif., for flood control purposes; to the Committee on Public Works.

By Mr. HILL:

S. 185. A bill to strengthen the Commissioned Corps of the Public Health Service through revision and extension of some of the provisions relating to retirement, appointment of personnel, and other related personnel matters, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. HENNINGS:

S. 186. A bill to amend section 3 of chapter 324 of the act of June 11, 1946 (60 Stat. 238) to clarify and protect the right of the public to information; to the Committee on the Judiciary.

(See the remarks of Mr. HENNINGS when he introduced the above bill, which appear under a separate heading.)

By Mr. ELLENDER (for himself, Mr. BENNETT, Mr. LONG, Mr. MANSFIELD, Mr. ENGLE, Mr. DWORSHAK, Mr. CARLSON, Mr. PROXMIRE, Mr. CURTIS, Mr. HOLLAND, and O'MAHONEY):

S. 187. A bill to make permanent the provisions of the Sugar Act of 1948; to the Committee on Finance.

(See the remarks of Mr. ELLENDER when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY (for himself, Mr. ALLOTT, Mr. ANDERSON, Mr. BIBLE, Mr. BUSH, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CARROLL, Mr. CASE of New Jersey, Mr. CHAVEZ, Mr. CHURCH, Mr. CLARK, Mr. DODD, Mr. DOUGLAS, Mr. ENGLE, Mr. GREEN, Mr. GRUENING, Mr. HART, Mr. HENNINGS, Mr. HUMPHREY, Mr. LANGER, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MARTIN, Mr. MCCARTHY, Mr. MOSS, Mr. MURRAY, Mr. PASTORE, Mr. RANDOLPH, Mr. SYMINGTON, Mr. YARBOROUGH, Mr. YOUNG of Ohio, and Mr. YOUNG of North Dakota):

S. 188. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

(See the remarks of Mr. KENNEDY when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY:

S. 189. A bill for the relief of Athanasios Kourkoulis;

S. 190. A bill for the relief of Malanie Hoffman;

S. 191. A bill for the relief of Marie Silk; and

S. 192. A bill for the relief of Clarinda Veiga; to the Committee on the Judiciary.

By Mr. CLARK (for himself and Mr. KENNEDY):

S. 193. A bill to amend and extend the laws relating to the renewal of urban communities, and for other purposes;

S. 194. A bill to amend title IV of the Housing Act of 1950 (college housing) to authorize loans to educational institutions for the construction, rehabilitation, alteration, conversion, and improvement of classroom buildings and other academic facilities; and

S. 195. A bill relating to the foreclosure of FHA insured mortgages; to the Committee on Banking and Currency.

(See the remarks of Mr. CLARK when he introduced the above bills, which appear under a separate heading.)

By Mr. BUSH:

S. 196. A bill for the relief of Grover J. Cole;

S. 197. A bill for the relief of Dante Guarnieri;

S. 198. A bill for the relief of Mrs. Gizela Hesshaimer nee Hild; and

S. 199. A bill for the relief of Stanislawa Siedlecka (Rejman); to the Committee on the Judiciary.

By Mr. FREAR:

S. 200. A bill to amend the Internal Revenue Code of 1954 so as to provide for nonrecognition of gain or loss upon certain distributions of stock made pursuant to orders enforcing the antitrust laws; to the Committee on Finance.

(See the remarks of Mr. FREAR when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND:

S. 201. A bill for the relief of Chiyoko Korematsu and Aiko Korematsu; and

S. 202. A bill for the relief of Guisseppe Glorioso; to the Committee on the Judiciary.

By Mr. BUSH:

S. 203. A bill for the relief of Emilio Magnotta; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota:

S. 204. A bill for the relief of Mr. and Mrs. Henry Ruff; to the Committee on the Judiciary.

By Mr. BIBLE:

S. 205. A bill for the relief of Antonio Llobregat-Giner;

S. 206. A bill for the relief of Yvonne Leung;

S. 207. A bill for the relief of Marcelino Ormaechea; and

S. 208. A bill for the relief of Juan Jose Elorriaga; to the Committee on the Judiciary.

By Mr. BIBLE (for himself and Mr. CANNON):

S. 209. A bill to permit articles imported from foreign countries for the purpose of exhibition at the World Congress of Flight to be held in April 1959 at Las Vegas, Nevada, to be admitted without payment of tariff and for other purposes; to the Committee on Finance.

By Mr. MAGNUSON:

S. 210. A bill for the relief of Pantaleon Ibarra, also known as Elmo Gomes Arcibal;

S. 211. A bill for the relief of Aurelia Marija Medvesek-Pozar; and

S. 212. A bill for the relief of Gerald Min-Cheng Chang; to the Committee on the Judiciary.

S. 213. A bill to regulate the interstate transportation of steelhead trout; to the Committee on Interstate and Foreign Commerce.

By Mr. MAGNUSON (by request):

S. 214. A bill to amend the Federal Seed Act so as to permit the importation screenings of rapeseed and mustard seed; to the Committee on Agriculture and Forestry.

By Mr. O'MAHONEY:

S. 215. A bill to supplement the antitrust laws of the United States by requiring that corporations, in industries so heavily concentrated that monopoly or the threat of monopoly is present, file advance notice and make public justification before effectuating price increases; to the Committee on the Judiciary.

By Mr. CARLSON:

S. 216. A bill to amend the Internal Revenue Code of 1954 so as to clarify the deductibility of premiums paid for flood insurance; to the Committee on Finance.

By Mr. HOLLAND (for himself and Mr. SMATHERS):

S. 217. A bill to provide that the highway running from Tampa, Fla. through Bradenton, Fla., Punta Gorda, Fla., Fort Myers, Fla., Naples, Fla., and Miami, Fla., to Homestead, Fla., shall be a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. BENNETT:

S. 218. A bill for the relief of Laurie Dea Holley and the legal guardian of Karmen Lael Holley, minor child; to the Committee on the Judiciary.

By Mr. HAYDEN:

S. 219. A bill to provide for the construction of a fireproof annex building for use of the Government Printing Office, and for other purposes; to the Committee on Public Works.

S. 220. A bill to direct the Secretary of the Interior to convey certain lands in Navajo County, Ariz.; to the Committee on Interior and Insular Affairs.

By Mr. BUTLER:

S. 221. A bill for the relief of Howard F. Knipp; to the Committee on the Judiciary.

By Mr. BUTLER (for himself and Mr. BEALL):

S. 222. A bill for the relief of the Union Trust Co. of Maryland; to the Committee on Finance.

By Mr. BEALL (for himself and Mr. BUTLER):

S. 223. A bill granting the consent of Congress to the Potomac Electric Power Co. for the construction of a dam on the Potomac River; to the Committee on Public Works.

(See the remarks of Mr. BEALL when he introduced the above bill, which appear under a separate heading.)

By Mr. SYMINGTON:

S. 224. A bill requiring the use of surplus agricultural commodities in carrying out certain foreign aid programs; to the Committee on Foreign Relations.

(See the remarks of Mr. SYMINGTON when he introduced the above bill, which appear under a separate heading.)

By Mr. ALLOTT (for himself and Mr. CARROLL):

S. 225. A bill to authorize the coinage of silver half-dollar pieces in commemoration of the establishment in Colorado of the United States Air Force Academy and the 100th anniversary of the settlement of the State of Colorado; to the Committee on Banking and Currency.

By Mr. MORSE (for himself, Mr. HILL, Mr. KENNEDY, Mr. MAGNUSON, Mr. ENGLE, Mr. YOUNG of North Dakota, Mr. COOPER, Mr. YARBOROUGH, Mr. RANDOLPH, Mr. MURRAY, Mr. MCNAMARA, Mr. LANGER, Mr. BIBLE, Mr. BYRD of West Virginia, Mr. MCCARTHY, Mr. KUCHEL, Mr. HUMPHREY, Mr. CLARK, Mr. GRUENING, Mr. CARROLL, Mr. MOSS, Mrs. SMITH, Mr. JAVITS, Mr. WILLIAMS of New Jersey, Mr. BEALL, and Mr. SCOTT):

S. 226. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. MORSE relating to the above bill which appear under a separate heading.)

By Mr. SPARKMAN:

S. 227. A bill to permit certain additional services to count for retirement purposes; to the Committee on Armed Services.

By Mr. O'MAHONEY:

S. 228. A bill for the relief of Mrs. Heleni Repana; and

S. 229. A bill for the relief of Mrs. Zoe Lianou; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 230. A bill for the relief of Estill H. Walker; to the Committee on the Judiciary.

By Mr. YARBOROUGH:

S. 231. A bill for the relief of Richard Peter Gustav Bredee and George Edward Bredee; to the Committee on the Judiciary.

By Mr. LANGER:

S. 232. A bill for the relief of Mohammed Ishmael Beauferris; to the Committee on the Judiciary.

By Mr. LANGER:

S. 233. A bill to amend title II of the Social Security Act to provide that full benefits thereunder, when based upon the attainment of retirement age, will be payable to individuals at age 60; to the Committee on Finance.

S. 234. A bill to provide for loans to individuals for the purpose of enabling them to obtain a college or university education; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. LANGER when he introduced the above bills, which appear under separate headings.)

By Mr. LANGER (for himself and Mr. YOUNG of North Dakota):

S. 235. A bill to relieve certain veterans from liability for repayment of amounts erroneously paid to them while members of the Armed Forces; to the Committee on the Judiciary.

(See the remarks of Mr. LANGER when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE of South Dakota:

S. 236. A bill to amend the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181), relating to practices in the marketing of livestock; to the Committee on Agriculture and Forestry;

S. 237. A bill to authorize the interment of Sfc. Donley M. Harris in the Black Hills National Cemetery in South Dakota; and

S. 238. A bill authorizing issuance of patent-in-fee to Ruby Rogers Connery; to the Committee on Interior and Insular Affairs.

By Mr. CASE of South Dakota (by request):

S. 239. A bill to amend title 32, United States Code, with respect to the system of courts-martial for the National Guard not in Federal service; to the Committee on Armed Services.

By Mr. KEFAUVER:

S. 240. A bill for the relief of Giuseppe Cagnini;

S. 241. A bill for the relief of Marek Fluss Vzocka; and

S. 242. A bill for the relief of Renata Najman; to the Committee on the Judiciary.

By Mr. MORSE:

S. 243. A bill for the relief of Donald D. Ellis, and individual trading as the Ellis Timber Co.;

S. 244. A bill for the relief of Alexander Antoniou; and

S. 245. A bill for the relief of Umeko Parker; to the Committee on the Judiciary.

(See the remarks of Mr. MORSE when he introduced the above bills, which appear under separate headings.)

By Mr. MORSE (for himself and Mr. NEUBERGER):

S. 246. A bill for the relief of Milan Boric; to the Committee on the Judiciary.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE (for himself and Mr. CANNON):

S. J. Res. 8. Joint resolution authorizing the President to invite foreign countries to participate in the First World Congress of Flight to be held at Las Vegas, Nev., from April 12 through April 19, 1959; to the Committee on Foreign Relations.

By Mr. MORSE (for himself and Mr. NEUBERGER):

S. J. Res. 9. Joint resolution to provide for the removal of a reservation of timber rights from a patent issued to Ivan H. McCormack; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. MORSE when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. MORSE:

S. J. Res. 10. Joint resolution to establish the District of Columbia Charter Commission, and for other purposes; to the Committee on the District of Columbia.

(See the remarks of Mr. MORSE when he introduced the above joint resolution, which appear under a separate heading.)

CONTINUANCE OF JOINT COMMITTEE ON WASHINGTON METROPOLITAN PROBLEMS

Mr. BIBLE (for himself, Mr. MORSE, and Mr. BEALL) submitted the following concurrent resolution (S. Con. Res. 2), which was referred to the Committee on the District of Columbia:

Resolved by the Senate (the House of Representatives concurring), That the Joint Committee on Washington Metropolitan Problems created by House Concurrent Resolution 172, agreed to August 29, 1957, is hereby continued through September 30, 1959.

SEC. 2. The Joint Committee is hereby authorized to make expenditures from February 1, 1959, through September 30, 1959, which shall not exceed $30,000, to the paid from the Contingent Fund of the Senate upon vouchers approved by the Chairman of the Joint Committee.

INVESTIGATION OF CERTAIN MATTERS BY SELECT COMMITTEE ON SMALL BUSINESS

Mr. SPARKMAN submitted the following resolution (S. Res. 16), which was referred to the Committee on Rules and Administration:

Resolved, That the Select Committee on Small Business, in carrying out the duties imposed upon it by S. Res. 58, Eighty-First Congress, agreed to February 20, 1950, and S. Res. 272, Eighty-First Congress, agreed to May 26, 1950, is authorized to examine, investigate, and make a complete study of the problems of American small and independent business and to make recommendations concerning those problems to the appropriate legislative committees of the Senate.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $100,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INTER-AMERICAN REGIONAL DEVELOPMENT BANK

Mr. SMATHERS submitted the following resolution (S. Res. 17), which was referred to the Committee on Foreign Relations:

Whereas the mutual interests of the United States and the Latin American countries can best be realized when the economies of the respective countries are in a strong and healthy condition;

Whereas the need for an Inter-American Regional Development Bank has long been recognized to assist in the economic development of Latin America;

Whereas the establishment of such a regional agency by the Latin American countries in full partnership with the United States would promote a better understanding of mutual problems by the participating countries; and

Whereas recent talks by representatives of the Latin American countries and the United States looking toward the establishment of such a regional agency provide a basis for hoping that this most worthwhile objective may be realized in the near future: Now, therefore, be it

Resolved, That it is the sense of the Senate that the establishment of an Inter-American Regional Development Bank is of vital mutual interest to the United States and the

Latin American countries, and that every effort should be made by representatives of the United States in negotiations with representatives of the Latin American countries to hasten the realization of this urgently needed instrumentality.

AMENDMENT OF RULE XIX RELATING TO DEBATE

Mr. CASE of South Dakota (for himself, Mr. CLARK, Mr. BUSH, Mr. LAUSCHE, and Mr. BYRD of West Virginia) submitted the following resolution (S. Res. 18), which was referred to the Committee on Rules and Administration:

Resolved, That rule XIX of the Standing Rules of the Senate, relating to debate, be, and it is hereby, amended by inserting after paragraph No. 1 of said rule a new paragraph No. 2, as follows:

"2. During the consideration of a bill, resolution, or other matter which has been pending before the Senate for 1 week or more, it shall be in order to offer motions that the Senate proceed with the consideration of amendments, which motions shall be privileged and decided with not more than 1 hour of debate, to be equally divided between opponents and proponents.

"If such a motion shall be determined in the affirmative, any amendment thereafter received, together with debate thereon, and all debate under the order for pending business shall be required to be germane to the subject matter before the Senate. All questions of relevancy under this rule, when raised, including appeals, shall be decided without debate."

Change the numbers of the succeeding paragraphs of the rule.

AMENDMENT OF RULE RELATING TO STANDING COMMITTEES

Mr. MORSE (for himself and Senators HOLLAND, TALMADGE, MOSS, MURRAY, CHAVEZ, LANGER, NEUBERGER, YOUNG of North Dakota, HUMPHREY, GRUENING, JAVITS, MARTIN, KUCHEL, CHURCH, ENGLE, BYRD of West Virginia, CANNON, KEFAUVER, MCGEE, KEATING, BARTLETT, RANDOLPH, and YARBOROUGH) submitted a resolution (S. Res. 19) to amend the standing rules of the Senate relating to standing committees, which was referred to the Committee on Rules and Administration.

AMENDMENT OF PUBLIC INFORMATION SECTION OF ADMINISTRATIVE PROCEDURE ACT

Mr. HENNINGS. Mr. President, I introduce, for appropriate reference, a bill to amend the public information section of the Administrative Procedure Act, 5 U.S.C. 1002, section 3 of the act of June 11, 1946, 60 Stat. 238.

This bill seeks to restore the public information section of the Administrative Procedure Act to its original function; that is, to insure that the public receives adequate information from administrative agencies concerning their operations and procedures. It is an outgrowth of studies being made by the Senate Judiciary Subcommittee on Constitutional Rights dealing with the subjects of freedom of information and secrecy in Government.

The Constitutional Rights Subcommittee has found that many agencies actually have been citing the public information section of the Administrative Procedure Act as authority for withholding information, and legislation clarifying both the purpose and the language of this section apparently is necessary if this practice is to be stopped.

Mr. President, this bill is identical with one which I introduced in the last Congress and which the Constitutional Rights Subcommittee has had under active consideration. Official comments already have been collected from various executive departments and administrative agencies, and the subcommittee plans to conduct public hearings on the general subject in the near future. Undoubtedly the bill can be improved, and its language refined—and I fully expect they will be—but meanwhile the bill should be valuable as a focal point of comment and discussion of the problems involved.

Mr. President, I ask unanimous consent that a statement I have prepared describing the bill in greater detail be printed in the RECORD as part of my remarks.

The PRESIDING OFFICER (Mr. CARLSON in the chair). The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 186) to amend section 3 of chapter 324 of the act of June 11, 1946 (60 Stat. 238) to clarify and protect the right of the public to information, introduced by Mr. HENNINGS, was received, read twice by its title, and referred to the Committee on the Judiciary.

The statement presented by Mr. HENNINGS is as follows:

STATEMENT BY SENATOR HENNINGS

In recent years, there has been an increasing tendency in this country toward secrecy in the conduct of governmental affairs. The trend toward secrecy has become so pronounced, in fact, that for several years the Senate Subcommittee on Constitutional Rights, of which I am chairman, has been making a careful and detailed study of the extent to which restrictions on freedom of information may be infringing the constitutional rights of the people. We plan to continue this study during the coming year.

The staff of the Subcommittee on Constitutional Rights has found many instances of what appear to be clearly unwarranted withholdings of information from both the public and Congress by various governmental departments and agencies. When the departments and agencies involved have been asked to show by what authority they justify such withholdings, they frequently have cited and attempted to rely upon section 1002 of title 5 of the United States Code.

If we turn to section 1002, however, and delve into its legislative history and the purposes for which it was enacted, we find no evidence that it was intended to authorize many of the limitations on the availability of information for which it has been cited.

It is to eliminate, or at least sharply curtail, the unjustified citation of section 1002 as authority for withholding information about public affairs that the following amendments to this section have been prepared. The effect of these amendments should be to force department and agency officials to seek proper statutory authority, or Presidential directives of indisputable constitutionality for their decisions to keep information from the public.

PROVISIONS OF 5 U.S.C. 1002

Section 1002 of title 5 of the United States Code presently reads:

"SEC. 1002. Publication of information, rules, opinions, orders, and public records.

"Except to the extent that there is involved (1) any function of the United States requiring secrecy in the public interest or (2) any matter relating solely to the internal management of an agency—

"(a) Every agency shall separately state and currently publish in the Federal Register (1) descriptions of its central and field organization including delegations by the agency of final authority and the established places at which, and methods whereby, the public may secure information or make submittals or requests; (2) statements of the general course and method by which its functions are channeled and determined, including the nature and requirements of all formal or informal procedures available as well as forms and instructions as to the scope and contents of all papers, reports, or examinations; and (3) substantive rules adopted as authorized by law and statements of general policy or interpretations formulated and adopted by the agency for the guidance of the public, but not rules addressed to and served upon named persons in accordance with law. No person shall in any manner be required to resort to organization or procedure not so published.

"(b) Every agency shall publish or, in accordance with published rule, make available to public inspection all final opinions or orders in the adjudication of cases (except those required for good cause to be held confidential and not cited as precedents) and all rules.

"(c) Save as otherwise required by statute, matters of official record shall in accordance with published rule be made available to persons properly and directly concerned except information held confidential for good cause found."

This section, enacted June 11, 1946, is the public information section of the Administrative Procedure Act. Its legislative history shows clearly that Congress intended that the section should serve as a means of insuring that the public would receive adequate information from government departments and agencies about their operations and procedures. As stated by the Senate Judiciary Committee in 1946:

"Section 1002 was drawn upon the theory that administrative operations and procedures are public property which the general public * * * is entitled to know or have the ready means of knowing with definiteness and assurance." (S. Doc. 248, 79th Cong., 2d sess. 198.)

It is ironic—but the studies of the Subcommittee on Constitutional Rights show that it is true—that this statute, "drawn upon the theory that administrative operations and procedures are public property which the general public is entitled to know," frequently has been invoked by a number of departments and agencies as authority for denying information to the public.

Part of the explanation for this patent perversion of section 1002's original purpose seems to lie in the way the section presently reads. Some of its terms and phrases are undefined and somewhat vague, giving secrecy-minded officials far too much latitude in interpreting and applying them. Included among these terms and phrases are: (1) any function requiring secrecy in the public interest; (2) any matter relating solely to the internal management of an agency; (3) required for good cause to be held confidential; (4) matters of official record; (5) persons properly and directly concerned; (6) information held confidential for good cause shown.

PROPOSED AMENDMENTS TO SECTION 1002

The amendments now proposed are aimed at tightening the language of section 1002 by replacing these loose terms and phrases with language of more definite meaning, making it clear beyond any doubt that the basic purpose of the section is to insure the dissemination (not the concealment) of the maximum amount of information reasonably possible.

Section 1002 as it is proposed to be amended would read as follows:

"SEC. 1002. Public information.

"In order to provide adequate and effective information for the public—

"(a) Organization and forms: Every agency shall separately state and promptly file for publication in the Federal Register and the Code of Federal Regulations; (1) descriptions of its central and field organizations, including delegations by the agency of final authority; (2) statements of the general course and method by which its functions are channeled and determined, including the nature and requirements of all formal or informal procedures available; (3) descriptions of all forms for public use and instructions related thereto including a statement of where and how such forms and instructions may be obtained; and (4) every reorganization, amendment, or revision of the foregoing.

"(b) Rules: Every agency shall separately state and promptly file for publication in the Federal Register and in the Code of Federal Regulations: (1) all procedural rules; (2) rules relating to the availability of information to be public; (3) all statements of general policy or interpretation formulated and adopted; (4) all other rules; and (5) every amendment, revision or repeal of the foregoing.

"(c) Orders and opinions: Every agency shall promptly file its orders and opinions, or make them available to the public in accordance with a rule published in the Federal Register and the Code of Federal Regulations stating where and how they may be obtained, copied or examined. No order or opinion shall be valid or effective until it has been published or made available for public inspection.

"(d) Public records: Every agency shall promptly make available to the public, in accordance with a published rule stating where and how such records may be obtained, examined, or copied, all records, files, papers and documents submitted to and received by the agency. Public records include, but are not limited to, all applications, petitions, pleadings, requests, claims, communications, reports or other papers and all records and actions by the agency thereon, except as the agency by published rule finds that withholding is required by subsection (f) hereof. Every individual vote and official act of an agency shall be entered of record and made available to the public.

"(e) Effect of failure to publish: No rule, order, opinion, or public record shall be relied upon or cited by any agency against any person unless it has been duly published or made available to the public in accordance with this section. No person shall in any manner be required to resort to any organization or procedure not so published.

"(f) Exceptions: The provisions of this section shall not require disclosure of subject matter which is (1) specifically exempt from disclosure by statute, (2) required to be kept secret in the protection of the national security, or (3) of such a nature that disclosure would be a clearly unwarranted invasion of personal privacy; however, nothing in this section authorizes withholding of information or limiting availability of records to the public except as specifically stated in this subsection."

These proposed changes should go far to make of section 1002 the public information section it was originally intended to be.

PERMANENCY OF PROVISIONS OF SUGAR ACT OF 1948

Mr. ELLENDER. Mr. President, on behalf of myself, and Senators BENNETT, LONG, MANSFIELD, ENGLE, DWORSHAK, CARLSON, PROXMIRE, CURTIS, HOLLAND, and O'MAHONEY, I introduce for appropriate reference a bill to make permanent the provisions of the Sugar Act of 1948. I ask unanimous consent that the bill may lie on the table for 1 week, so as to give other Senators who may wish to do so an opportunity to join with me in the introduction of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie at the desk, as requested by the Senator from Lousiana.

The bill (S. 187) to make permanent the provisions of the Sugar Act of 1948, introduced by Mr. ELLENDER (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

BOMBING OF HOMES, CHURCHES, SCHOOLS, ETC.

Mr. KENNEDY. Mr. President, on May 28 and again on August 23, 1958, I introduced bills dealing with the repeated defiance of law and authority evidenced by a series of bombings in which homes, churches, schools, and community centers had been damaged.

These unlawful and outrageous acts have continued. Although the Federal Bureau of Investigation has cooperated with local authorities in the most recent outbreaks, they have been handicapped by a lack of authority to initiate their own investigations.

I know that all Members of the Senate and all citizens condemn this use of force and the attempts at intimidation which usually precede the violence. We must put a stop to it. Senator ERVIN and I are therefore introducing, together with Senators ALLOTT, ANDERSON, BIBLE, BUSH, BYRD of West Virginia, CANNON, CARROLL, CASE of New Jersey, CHAVEZ, CHURCH, CLARK, DODD, DOUGLAS, ENGLE, GREEN, GRUENING, HART, HENNINGS, HUMPHREY, LANGER, MAGNUSON, MANSFIELD, MARTIN, MCCARTHY, MOSS, MURRAY, PASTORE, RANDOLPH, SYMINGTON, YARBOROUGH, YOUNG of Ohio, and YOUNG of North Dakota, a bill which should provide the necessary machinery to outlaw these bombings. I hope that hearings will be held promptly and that action can be taken soon to enact the bill into law.

The widespread support, both intersectional and bipartisan, which the proposals embodied in the bill have already received, is an encouraging augury for the speedy passage of the measure.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 188) to prohibit certain acts involving the importation, transportation, possession, or use of explosives, introduced by Mr. KENNEDY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield to the Senator from Montana.

Mr. MANSFIELD. I should like to ask the distinguished Senator from Massachusetts if the bill he is introducing is not, in effect, the same bill he introduced almost a year ago.

Mr. KENNEDY. The Senator is correct. I believe it was the first bill to be introduced in the Senate on that subject.

Mr. MANSFIELD. I believe that since that time the Senator from Massachusetts has joined the Senator from North Carolina [Mr. ERVIN], and the bill is now known as the Kennedy-Ervin bill. Is that correct?

Mr. KENNEDY. That is correct.

Mr. MANSFIELD. The bill now has approximately 40 cosponsors.

Mr. KENNEDY. That is correct.

Mr. MANSFIELD. It is anticipated that hearings will be held shortly on the bill, and that the bill or a similar one will be passed soon.

Mr. KENNEDY. Yes; it is my hope that it will be passed, because I believe the Senate, regardless of party or region, should pass a measure on that subject.

Mr. MANSFIELD. I commend the Senator from Massachusetts for taking the lead in trying to remedy this reprehensible situation, which affects all sections of the country, and I express the hope, as one cosponsor of the bill, under his leadership, that the bill will be reported to the Senate very shortly and be passed by both Houses and signed by the President.

I also express the hope that the penalties imposed, up to and including the death penalty, will be made a part of this very necessary legislation.

Mr. KENNEDY. I am delighted that the Senator from North Carolina has joined in the introduction of the bill, and I hope that we will receive prompt action on it in committee.

Mr. JAVITS and Mr. HENNINGS addressed the Chair.

The PRESIDING OFFICER. The Chair would remind Senators that the Senate is operating under a unanimous-consent agreement, proposed by the majority leader, that statements be limited to 3 minutes. The Chair would suggest that Senators observe the limitation and ask for additional time, if necessary.

Mr. KENNEDY. I ask unanimous consent that I may yield first to the Senator from Missouri and then to the Senator from New York, for 1 minute each; then I shall yield the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HENNINGS. Mr. President, I am very happy to be a cosponsor of the proposed legislation. I wish to commend the foresight and forehandedness and industry which always characterize the work of the distinguished Senator from Massachusetts, in introducing the bill. As a member of the Judiciary Committee, I assure the Senate that I will do all in my power to have hearings held promptly on it, and that we shall undertake to report the bill in as near to its present form as can be done.

Mr. KENNEDY. I thank the Senator from Missouri. As a member of the

Judiciary Committee, I know he will do all in his power to expedite matters.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. JAVITS. Together with my colleague from New York [Mr. KEATING], and 12 other Senators on this side of the aisle, I introduced a bill with the same objectives as are sought to be accomplished by the so-called Kennedy-Ervin bill. I should like to add, also, that we compliment the Senator on his effort, and assure him of our desire to make the effort as bipartisan as we can in dealing with this situation of terror in some communities, a situation which is completely reprehensible and completely antithetical to every principle for which we stand with regard to religious freedom and personal freedom.

I extend to my colleague from Massachusetts the pledge of complete bipartisanship, without regard to whatever bill may be reported, in seeking consideration and in getting legislation passed, as well as in extending my very best efforts in connection with whatever influence I may have with the President in seeing to it that whatever bill is passed will be signed by him.

My colleague from New York [Mr. KEATING] and I have visited the sections in the South involved in this situation—as I am sure also that the Senator from Massachusetts has visited that area and is familiar with the situation—and we know that the authorities there have also been shocked by what happened. I therefore hope that the bill will receive early committee hearing and early floor consideration.

I again pledge to the Senator, insofar as I can, the complete cooperation of Senators on this side of the aisle in a completely bipartisan effort in getting the bill signed.

Mr. KENNEDY. I appreciate the Senator's statement. I know we are united in our desire to effectively deal with this problem.

AMENDMENT OF HOUSING LAWS

Mr. CLARK. Mr. President, on behalf of myself, and the Senator from Massachusetts [Mr. KENNEDY], I introduce three bills to amend the housing laws, and ask for their appropriate referral.

On Friday of last week, the chairman of the Housing Subcommittee of the Banking and Currency Committee, the able and distinguished Senator from Alabama [Mr. SPARKMAN], introduced an omnibus housing bill which with some exceptions is identical with the bill which was passed by the Senate in the last Congress.

As a member of the Housing Subcommittee, I supported many of the provisions of that bill last year and am still in agreement with them. However, I felt that some of its provisions were inadequate last year and are still more inadequate this year, in view of the additional needs that have accumulated during the intervening period.

The bills I am offering deal with three subjects on which I urge that last year's bill be improved.

The first bill concerns urban renewal and housing of displaced families. It would authorize urban renewal grant reservations at the rate of $600 million annually for 10 years. This is in accord with the views of the mayors of the cities of America as to how rapidly the cities are prepared to proceed with urban renewal projects and put up their share of the money.

The expenditures under this authorization would not appear in the budget for 3 to 5 years, and would be spread over a period of 15 to 17 years.

The bill would also make certain revisions in the urban renewal program, based on experience to date, to expedite the program and make it fit better the needs of local planning.

Finally, this bill would meet squarely the critical problem of enabling persons displaced by urban renewal and other public action to obtain decent housing—first, by authorizing a greater volume of public housing; and, second, by a new program of private rental housing for those persons whose incomes are above public housing levels but too low to permit them to obtain decent private housing at the present time.

The problem of relocation housing has become critical because, under the law, urban renewal cannot proceed unless the families displaced can find safe and sanitary housing outside the urban renewal area. But the great bulk of families affected are in low-income brackets, and in most cities there is simply not now a sufficient supply of low-rent housing available to take care of the thousands of additional families that will be displaced as urban renewal and slum clearance proceed.

My second bill would authorize $250 million for the proposed program which would extend the college housing loan program to classrooms, libraries, laboratories, and other academic buildings.

My third bill would give the FHA authority, analogous to that which the VA now has, to intervene in order to prevent foreclosures in worthy hardship cases.

Mr. President, I ask unanimous consent that these bills remain at the desk until the close of business on Wednesday, January 14, in order that Senators who wish to join as cosponsors may have an opportunity to do so.

The PRESIDING OFFICER. Without objection, the bills will lie on the desk, as requested by the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point the text of the bills, together with a section-by-section summary of each of the bills.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills and analyses will be printed in the RECORD.

The bills, introduced by Mr. CLARK (for himself and Mr. KENNEDY), were received, read twice by their titles, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 193. A bill to amend and extend the laws relating to the renewal of urban communities, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Housing Amendments of 1959".

TITLE I. URBAN RENEWAL

Statewide planning

SEC. 101. Section 101(b) of the Housing Act of 1949, as amended, is hereby amended by adding at the end thereof a new sentence as follows: "The Administrator shall particularly encourage the utilization of local public agencies established by the States to operate on a statewide basis in behalf of smaller communities within the State which are undertaking, or propose to undertake urban renewal programs whenever that arrangement facilitates the undertaking of an urban renewal program by any such community, or provides an effective solution to community development or redevelopment problems in such communities, and is approved by resolution ordinance of the governing bodies of the affected communities."

Loan authorization

SEC. 102. Section 102(e) of the Housing Act of 1949, as amended, is hereby amended—

(1) by inserting after "respectively" the following: ", and on the date the Housing Amendments of 1959 become effective and on July 1, 1960, respectively", and

(2) by striking out "$1,000,000,000" and inserting in lieu thereof "$1,500,000,000".

Early land acquisition

SEC. 103. Section 102(a) of title I of the Housing Act of 1949, as amended, is hereby amended by adding at the end thereof the following new sentence:

"In any case where, in connection with its undertaking and carrying out of an urban renewal project, a local public agency is authorized (prior to the approval by the local governing body of the urban renewal plan for such project) to acquire real property in the urban renewal area and to demolish and remove from any real property so acquired any buildings or structures located thereon, the Administrator, notwithstanding any other provisions of this title, may make a temporary loan or loans to any such local public agency to finance the acquisition of such real property and the demolition and removal of any buildings or structures located thereon: *Provided,* That no contract for any temporary loan for such purpose shall be made unless the governing body of the locality involved shall have by resolution or ordinance approved the undertaking by the local public agency of the acquisition of real property in the urban renewal area and the demolition and removal of buildings or structures located on real property so acquired: *And provided further,* That, in any such case, the local public agency shall not dispose of any real property so acquired until the urban renewal plan for the project shall have been approved by the local governing body of the locality involved and any contract for any such temporary loan shall so provide."

Grant authorization; repayment of uncollectible advances; grant reservations; community renewal programs

SEC. 104. Section 103 of the Housing Act of 1949, as amended, is hereby amended—

(1) By striking out the first sentence of subsection (b) and inserting in lieu thereof the following: "The Administrator, on and after July 1, 1949, may, with the approval of the President, contract to make capital grants, with respect to projects assisted under this title, and to make grants pursuant to subsection (c) of this section, aggregating not to exceed $1,250,000,000, which limit shall be increased by $600,000,000 on the date the Housing Amendments of 1959 becomes effective and on July 1 in each of the years 1959 to 1967, both inclusive: *Provided,* That such limit, and any such authorized increase

therein may be increased, at any time or times, by additional amounts aggregating not more than $150,000,000 upon a determination by the President that such action is in the public interest."

(2) By striking out the period at the end of the second sentence and inserting in lieu thereof a colon and the following: *"Provided,* That any amounts so appropriated shall also be available for repaying to the Secretary of the Treasury, for application to notes of the Administrator, the principal amounts of any funds advanced to local public agencies under this title which the Administrator determines to be uncollectible because of the termination of activities for which such advances were made, together with the interest paid or accrued to the Secretary (as determined by him) attributable to notes given by the Administrator in connection with such advances, but all such repayments shall constitute a charge against the authorization to make contracts for capital grants contained in this section: *Provided further,* That no such determination of the Administrator shall be construed to prejudice the rights of the United States with respect to any such advance."

(3) By adding the following new subsections:

"(c) Notwithstanding any other provisions of this or any other Act, the Administrator shall, upon application by local public agencies, make reservations of capital grants (in advance of the dates on which the authorization to make contracts for such capital grants becomes available pursuant to this subsection) which thereafter may be contracted for by such local public agencies as the aggregate amount of contracts to make capital grants with respect of projects assisted under this title is increased as provided for in this subsection, and may make advances pursuant to subsection (d) of section 102 of this title, for any project or projects to be carried out by such local public agencies with the capital grants so reserved to be contracted for by such local public agencies: *Provided,* That the amount of capital grants so reserved together with the amount of capital grants contracted for and the amount of all grants reserved or contracted for pursuant to subsection (e) of this section shall not exceed at any time the aggregate amount of capital grants and grants authorized by this subsection to be contracted for on July 1, 1967: *And provided further,* That anything in this subsection to the contrary notwithstanding, the Administrator may from time to time reserve from the amount of the authorization to make capital grants and grants as shall be available at any time, and from the amounts of such authorization as is still to become available, such amounts as he deems necessary to provide for a reasonable reserve for overruns and contingencies.

"(d) Notwithstanding any other provisions of this or any other Act, if financial assistance authorized by this title to be made available to a locality or local public agency may be made available to any locality or local public agency within the limitations provided in sections 102(e), 103 (b) and 106(e) and the second paragraph following the paragraph numbered (6) of section 110(c) of this title, the amount of such financial assistance made available to any locality or local public agency upon submission and processing of proper application therefor shall not otherwise be restricted and, so long as such financial assistance is so available, applications therefor submitted by localities and local public agencies shall be processed, so far as practicable, in the order of their receipt, and there shall not be imposed any limitations upon the size of any urban renewal project which, otherwise, meets the requirements of this title.

"(e) The Administrator may contract to make grants for the preparation or completion of community renewal programs, which may include, without being liimted to, (i) the identification of slum areas or blighted, deteriorated, or deteriorating areas in the community, (ii) the measurement of the nature and degree of blight and blighting factors within such areas, (iii) determination of the financial, relocation, and other resources needed and available to renew such areas, (iv) the identification of potential project areas and, where feasible, types of urban renewal action contemplated within such areas, and (v) scheduling or programing or urban renewal activities. Such programs shall conform, in the determination of the governing body of the locality, to the general plan of the locality as a whole. The Administrator may establish reasonable requirements respecting the scope and content of such programs. No contract for a grant pursuant to this subsection shall be made, unless the governing body of the locality involved has approved the preparation or completion of the community renewal program, and the submission by the local public agency of an application for such a grant. Notwithstanding section 110(h) or the use in any other provision of this title of the term 'local public agency' or 'local public agencies', the Administrator may make grants pursuant to this subsection for the preparation or completion of a community renewal program to a single local public body authorized to perform the planning work necessary to such preparation or completion. No grant made pursuant to this subsection shall exceed two-thirds of the cost (as such cost is determined or estimated by the Administrator) of the preparation or completion of the community renewal program for which such grant is made."

Public improvements by Federal agencies in urban renewal

SEC. 105. Section 105(b) of the Housing Act of 1949 is amended by adding the following before the semicolon at the end thereof: ": *And provided further,* That, with respect to any improvements of a type which it is otherwise authorized to undertake, any Federal agency (as defined in section 3(b) of the Federal Property and Administrative Services Act of 1949, as amended, and also including the District of Columbia or any agency thereof) is hereby authorized to become obligated in accordance with this subsection (c), except that clause (ii) of this subsection shall apply to such Federal agency only to the extent that it is authorized (and funds have been authorized or appropriated and made available) to make the improvements involved".

State limitation

SEC. 106. Subsection (e) of section 106 of the Housing Act of 1949, as amended, is hereby amended by striking "$100,000,000" and inserting "$200,000,000".

Relocation payments

SEC. 107. (a) The first sentence of section 106 (f) (2) of the Housing Amendments of 1949 is amended to read as follows:

"(2) As used in this subsection, the term 'relocation payments' means payments by a local public agency to individuals, families, and business concerns for their reasonable and necessary moving expenses and any actual direct losses of property except goodwill or profit (which are incurred on and after August 7, 1956, and for which reimbursement or compensation is not otherwise made) resulting from their displacement from an urban renewal area made necessary by (i) the acquisition of real property by a local public agency or by any other public body, (ii) code enforcement activities undertaken in connection with an urban renewal project, or (iii) a program of voluntary rehabilitation of buildings or other improvements in accordance with an urban renewal plan: *Provided,* That such payments shall not be made after completion of the project or if completion is deferred solely for the purpose of obtaining further relocation payments."

(b) No relocation payments under section 106(f) of the Housing Act of 1949 shall be made for expenses or losses incurred prior to the effective date of the Housing Amendments of 1959, except to the extent that such payments were authorized by such section as it existed prior to such effective date.

(c) Section 106(f)(2) of such Act is further amended by striking out "$100" each place it appears and inserting in lieu thereof "$200", and by striking out "$2,500" and inserting in lieu thereof "$3,500".

Low-Rent Housing in Urban Renewal Areas

SEC. 108. Section 107 of the Housing Act of 1949, as amended, is hereby amended to read as follows:

"SEC. 107. When it appears in the public interest that an urban renewal project area should be used in whole or in part as a site for a low-rent housing project assisted under the United States Housing Act of 1937, as amended, the site shall be made available to the local housing agency undertaking the housing project at a price equal to the amount, as determined by the Administrator, which would be charged if it were disposed of to private enterprise for rental housing, with physical characteristics similar to those of the proposed low-rent housing project, and such amount shall be included as part of the development cost of the low-rent housing project: *Provided,* That the local contribution in the form of tax exemption or tax remission required by section 10(h) of the said Act with respect to the low-rent housing project into which such land is incorporated shall (if covered by a contract which, in the determination of the Public Housing Commissioner, and without regard to the requirements of the first proviso of said section 10(h), will assure that such local contribution will be made during the entire period that the project is used as low-rent housing within the meaning of the said Act) be accepted as a local grant-in-aid equal in amount, as determined by the Administrator, to one-half (or one-third in the case of a project on a three-fourths capital grant basis) of the difference between the cost of such site (including costs of land, clearance, site improvements, and a share, prorated on an area basis, of administrative, interest, and other project costs) and its sales price, and shall be considered a local grant-in-aid furnished in a form other than cash within the meaning of section 110(e) of this title."

Requirements for urban renewal plan

SEC. 109. Section 110(b) of the Housing Act of 1949 is amended by striking out clause (2) and inserting in lieu thereof the following:

"(2) shall be sufficiently complete to indicate, to the extent required by the Administrator, the general nature of such redevelopment, improvement, and rehabilitation, as may be proposed to be carried out in the urban renewal areas, the general land uses, and general nature of building requirements and density standards."

Nonresidential redevelopment

SEC. 110. Section 110(c) of the Housing Act of 1949 is amended by striking out the second paragraph following the paragraph numbered (6) and inserting in lieu thereof the following:

"Financial assistance shall not be extended under this title with respect to any urban renewal area which is not predominantly residential in character and which, under the urban renewal plan therefore, is not to be redeveloped for predominantly residential uses: *Provided,* That, if the governing body of the local public agency determines that the redevelopment of such an area for predominantly nonresidential uses is necessary

for the proper development of the community, the Administrator may extend financial assistance under this title for such a project: *Provided further*, That the aggregate amount of capital grants contracted to be made pursuant to this title with respect to such projects shall not exceed 25 per centum of the aggregate amount of grants authorized by this title to be contracted for."

Local grants

SEC. 111. (a) Section 110(d) of the Housing Act of 1949 is amended by adding at the end thereof the following new paragraph:

"Notwithstanding any other provision of this subsection, no donation or provision of a public improvement or public facility of a type falling within the purview of this subsection shall be deemed to be ineligible as a local grant-in-aid for any project solely on the basis that the construction of such improvement or facility was commenced without notification to the Administrator or prior to Federal recognition of such project, if such construction was commenced not more than five years prior to the authorization by the Administrator of a contract for loan or capital grant for the project."

(b) Section 110(d) of the Housing Act of 1949, as amended, is hereby amended by striking out of clause (3) the words "and revenue producing public utilities the capital cost of which is wholly financed with local bonds or obligations payable solely out of revenues derived from service charges".

Credit for loss of interest

SEC. 112. Section 110(e) of the Housing Act of 1949, is amended by striking out the first sentence and inserting in lieu thereof the following:

"(e) 'Gross project cost' shall comprise (1) the amount of the expenditures by the local public agency with respect to any and all undertakings necessary to carry out the project (including the payment of carrying charges, but not beyond the point where the project is completed), and (2) the amount of such local grants-in-aid as are furnished in forms other than cash. There may be included as part of the gross project cost, under any contract for loan or grant heretofore or hereafter executed under this title, with respect to moneys of the local public agency which are actually expended and outstanding for undertakings (other than in the form of local grants-in-aid) necessary to carry out the project, in the absence of carrying charges on such moneys, an amount in lieu of carrying charges which might otherwise have been payable thereon for the period such moneys are expended and outstanding but not beyond the point where the project is completed, computed for each six-month period or portion thereof, at an interest rate equivalent to the simple average yield per annum on new issues of United States Government ninety-one day Treasury bills issued during the ten weeks immediately prior to January 1 and July 1 of such six-month period: *Provided*, That such amount may be computed on the net total of all such moneys of the local public agency remaining expended and outstanding, less other moneys received from the project undertaken in excess of project expenditures, in all projects of the local public agency under this title, and allocated, as the Administrator may determine, to each of such projects. With respect to a project for which a contract for capital grant has been executed on a three-fourths basis pursuant to the proviso in the second sentence of section 103(a), gross project cost shall include, in lieu of the amount specified in clause (1) above, the amount of the expenditures by the local public agency with respect to the following undertakings and activities necessary to carry out such project:

"(i) acquisition of land (but only to the extent of the consideration paid to the owner and not title, appraisal, negotiating, legal, or any other expenditures of the local public agency incidental to acquiring land), disposition of land, demolition and removal of buildings and improvements, and site preparation and improvements, all as provided in paragraphs (1), (2), (3), (4), and (6) of section 110(c); and

"(ii) the payment of carrying charges related to the undertakings in clause (i) (including amounts in lieu of carrying charges as determined above), exclusive of taxes and payments in lieu of taxes but not beyond the point where such a project is completed; but not the cost of any other undertakings and activities (including, but without being limited to, the cost of surveys and plans, legal services of any kind, and all administrative and overhead expenses of the local public agency) with respect to such project."

Uniform date for interest rate determination

SEC. 113. Section 110(g) of the Housing Act of 1949 is amended—

(1) by striking out of the first sentence "is approved" and inserting in lieu thereof "for any project under this title is authorized";

(2) by inserting in the second sentence after "Any" the word "such"; and

(3) by striking out of the second sentence (contract is revised or superseded by such later contract" and inserting in lieu thereof "later contract is authorized".

Conforming amendments

SEC. 114. The Housing Act of 1949 is amended—

(1) by striking out the word "capital" in section 100, the second sentence of section 103(b), and in sections 106(a)(3), 106(b), 106)(c)(6), 106(c)(3), and 106(e);

(2) by inserting in section 101(a) after the word "title" in the first place where it appears therein "or for grants pursuant to subsection (c) of section 103 hereof"; and

(3) by adding at the end of section 110 a new subsection as follows:

"(k) 'Federal recognition' means execution of any contract for financial assistance under this title or concurrence by the Administrator in the commencement, without such assistance, of surveys and plans."

Urban planning

SEC. 115. Section 701 of the Housing Act of 1949, as amended, is hereby amended—

(1) by inserting after the words "planning agencies" in the first sentence thereof the following: ", or to an agency or instrumentality of government designated by the governor of the State and acceptable to the Administrator as capable of carrying out the intent of this section,";

(2) by striking out the language in the first sentence after the parenthetical clause and inserting in lieu thereof the following: "to (1) cities and other municipalities having a population of less than 50,000 according to the latest decennial census, and (2) any group of adjacent communities, either incorporated or unincorporated, having a total population of less than 50,000 according to the latest decennial census and having common or related urban planning problems resulting from rapid urbanization.";

(3) by striking the period at the end of the first sentence and inserting the following: "; and the Administrator is authorized to make such planning grants directly to cities and other municipalities having a population of less than 50,000 according to the latest decennial census, except where the State planning agency certifies that a planning grant will preclude or impede planning on a metropolitan or regional basis in the metropolitan or regional area of which such city or other municipality is a part."

(4) by striking out the figure "$10,000,000" in the last sentence thereof and inserting in lieu thereof the figure "$25,000,000".

Surveys of public works planning

SEC. 116. Section 702 of the Housing Act of 1954, as amended, is hereby amended by adding at the end thereof the following new subsection:

"(f) The Administrator is authorized to use during any fiscal year not to exceed $50,000 of the moneys in the revolving fund (established under subsection (e)) to conduct surveys of the status and current volume of State and local public works planning and surveys of estimated requirements for State and local public works: *Provided*, That the Administrator, in conducting any such survey, may utilize or act through any Federal department or agency with its consent."

TITLE II. LOW RENT HOUSING

Statement of policy

SEC. 201. The first sentence of section 1 of the United States Housing Act of 1937, as amended, is hereby amended by adding at the end thereof the following:

"In the development of low-rent housing it shall be the policy to make adequate provision for larger families and for families consisting of elderly persons, and, where a local public housing agency has determined that the acquisition and repair, rehabilitation or remodeling of existing dwellings by the local public agency for use as a low-rent housing project is in the public interest of the community, to provide that the powers, functions and duties vested by law in the Public Housing Commissioner and the Housing and Home Finance Administrator shall be employed in such manner as will encourage and facilitate the undertaking and carrying out of such project by such local public housing agency. In the administration of low-rent housing it shall be the policy to vest in local public agencies full responsibility for the establishment of rents and eligibility requirements (subject to income limit ceilings hereinafter provided), the preparation of budgets, the control of expenditures, and the provision of such social and recreational guidance as is necessary in assisting families to become good tenants and citizens of the larger community. It shall further be the policy to authorize local public agencies to permit families whose income increases beyond the limits for continued occupancy to remain in their homes either through group or individual purchase, or as tenants paying a nonsubsidized rent if private housing is not available to them."

Rents and income limits

SEC. 202. (a) Paragraph (1) of section 2 of the United States Housing Act of 1937, as amended, is hereby amended to read as follows:

"(1) The term 'low-rent housing' means decent, safe, and sanitary dwellings within the financial reach of families of low income, and developed and administered to promote serviceability, efficiency, economy, and stability, and embraces all necessary appurtenances thereto. The dwellings in low-rent housing shall be available solely for families of low income."

(b) Paragraph (7)(b) of section 15 of such Act is amended to read as follows:

"(b) The Authority shall not make any contract for loans (other than preliminary loans) or for annual contributions pursuant to this Act with respect to any low-rent housing project initiated after March 1, 1949, unless the governing body of the locality involved has entered into an agreement with the public housing agency providing for the local cooperation required by the Authority pursuant to this Act.

(c) Paragraph (8)(a) of section 15 of such Act is amended to read as follows:

"(a) the public housing agency shall fix maximum income limits for the admission and for the continued occupancy of families in such housing, and shall also fix the exemptions, if any, from net family income which

shall be allowed in applying such income limits. In fixing income limits, the public housing agency shall determine (with the approval of the Authority), for dwellings of various sizes, the lowest annual rentals (or equivalent costs of owned homes), including the value or cost to the tenants of water, gas, other heating and cooking fuels, and other utilities, at which private enterprise unaided by public susbsidy is providing (through new construction and available existing structures) a substantial supply of decent, safe, and sanitary housing toward meeting the need of an adequate volume thereof. The income limits fixed by the public housing agency for families af various sizes and compositions shall be such that (A) no family shall be eligible for admission whose net annual income, less exemptions, exceeds five times such lowest annual rental, less 20 per centum, of a dwelling of the size needed by such family, except that in the case of a family entitled to a first preference as provided in section 10(g) 20 per centum need not be deducted from such lowest annual rental; and (B) no family shall be eligible for continued occupancy whose net annual income, less exemptions, exceeds five times such lowest annual rental of a dwelling of the size needed by such family. In determining eligibility for admission, the public housing agency may exempt not more than $600 of the income of each member of the family other than the principal income recipient and not more than the annual payments made by the United States Government to any member of the family for disability or death occurring in connection with military service; and in determining eligibility for continued occupancy the public housing agency may exempt (i) not more than the total annual income of minor members of the family, other than the principal income recipient and his spouse, (ii) not more than $600 of the income of any other member of the family, other than the principal income recipient, and (iii) not more than the annual payments made by the United States Government to any member of the family for disability or death occurring in connection with military service;".

(d) Paragraph (8) (b) of section 15 of such Act is amended by striking out clause (i) and inserting in lieu thereof the following: "(i) had an income for eligibility not exceeding the maximum income limits fixed by the public housing agency;".

(e) Paragraph (8) (d) of section 15 of such Act is amended by striking out "(and approved by the Authority)".

(f) Section 502(b) of the Housing Act of 1948 is amended by striking out the last sentence thereof.

Use of existing dwellings for low-rent housing

SEC. 203. Section 7 of the United States Housing Act of 1937, as amended, is hereby amended by adding at the end thereof the following new subsection:

"(c) Where a local public housing agency has determined and certified to the Public Housing Commissioner and to the Housing and Home Finance Administrator that the acquisition and repair, rehabilitation or remodeling of existing dwellings by the local public agency for use as low-rent housing, the Commissioner and the Administrator shall employ the powers, functions, and duties vested in them by this or any other Act in such manner as shall facilitate and encourage the undertaking and carrying out of such a low-rent housing project by such local public housing agency, and the annual report referred to in subsection (b) of this section shall include information on the number of such cases and the manner in which such functions, powers and duties were so employed and exercised in such cases."

Low-rent housing in urban renewal areas

SEC. 204. Section 9 of the United States Housing Act of 1937, as amended, is hereby amended—

(1) by striking out "Sec. 9" and inserting in lieu thereof "Sec. 9(a)", and

(2) by inserting at the end thereof the following new subsection:

"(b) Where, as provided for in section 107 of the Housing Act of 1949, as amended, land to be acquired as part of an urban renewal project is made available to a public housing agency as a site for a low-rent housing project assisted under this Act an amount equal to the price for such land shall be included as a part of the development cost of said low-rent housing project and paid over by the public housing agency to the local public agency undertaking such urban renewal project as the purchase price for said land as provided in said section 107."

Residual receipts and audits

SEC. 205. (a) Section 10(b) of the United States Housing Act of 1937, as amended, is hereby amended by inserting in the third sentence after the words "persons housed," the words "encouragement of the use of existing dwellings for use as low-rent housing,".

(2) by striking out the proviso in the third sentence and inserting in lieu thereof the following:

"*Provided*, That subject to the limitation hereinafter set forth in this proviso, annual contributions shall not be less than the amounts necessary, in the determination of the Authority, to assure the repayment of all sums borrowed by the public housing agency to finance the development or acquisition cost of a project together with the interest, as contracted for from time to time, on the sums so borrowed; except that the fixed contribution payable annually under any contract shall in no event exceed a sum equal to the annual yield, at the applicable going Federal rate plus 2 per centum, upon the development or acquisition cost of the low-rent housing or slum clearance project involved. The contract for annual contributions shall provide for their payment over a fixed period of years, to be determined by the Authority, which shall in no event exceed 40 years from the date the first annual contribution for the project is paid. When payment of all sums borrowed (or provisions for such payment) has been made, annual contributions shall cease."

(b) Section 10(c) of such Act is hereby amended to read as follows:

"(c) Every contract for annual contributions shall provide that whenever in any year the receipts of a public housing agency in connection with a low-rent housing project exceed its expenditures (including debt service, administration, maintenance, establishment of reserves, and other costs and charges), an amount equal to such excess shall be applied to the repayment of outstanding developing or acquisition loans in connection with the project either through immediate repayment or establishment of a sinking fund. Every contract for annual contributions shall require that the public housing agency and its chairman shall submit to the Authority at the end of each fiscal year, a report containing financial statements for the fiscal year and an opinion thereon by the State auditor or other appropriate State official or by a public accountant of recognized standing based on an audit conducted in accordance with generally accepted auditing standards, and certify to the Authority that the agency has complied with the provisions of this Act. Such certification shall, in the absence of fraud or of evidence of waste or neglect, or expenditures which are not reasonably compatible with the operation of low-rent public housing, or extravagance, disclosed by financial post-audits pursuant to sections 814 and 816 of the Housing Act of 1954, and in the absence of evidence of violation of the provisions of this Act, be accepted as final and conclusive by all officers of the Federal Government: *Provided*, That no provision of this section limits or reduces the authority of the General Accounting Office to audit expenditures under this Act: *And provided further*, That, in lieu of such independent audit by any such State auditor or State official or public accountant and such certification by the public housing agency and its chairman, any public housing agency may, in its discretion, elect to have its books and accounts audited by employees of the Authority, and, if such election shall be made by the public housing agency and the Authority notified in writing thereof at least 60 days prior to the close of the accounting period, the Authority shall, in due course, audit the books and accounts of such public housing agency and shall transmit a copy of its audit report to the public housing agency."

(c) Section 22 (b) of such Act is amended by striking out in the proviso thereto the following: "proviso of subsection 10(b), or, where applicable, the second proviso of subsection 10(c)," and inserting in lieu thereof the following: "sentence of section 10(b)".

Restoration of the Housing Act of 1949

SEC. 206. (a) Section 10(i) of the United States Housing Act of 1937, as amended, is hereby amended to read as follows:

"(i) Notwithstanding any other provision of law, no new contract for annual contributions for additional units shall be entered into after July 31, 1956, except with respect to low-rent housing for a locality respecting which the Housing and Home Finance Administrator has made the determination and certification relating to a workable program as prescribed in section 101(c) of the Housing Act of 1949, as amended."

(b) There are hereby repealed—

(1) Subsection (j) of Section 10 of the United States Housing Act of 1937, as amended

(2) clause numbered (2) of the third proviso under the heading "Public Housing Administration; Annual contributions" of Public Law 455, Eighty-Second Congress, approved July 5, 1952";

(3) the last proviso under the heading "Public Housing Administration, Annual contributions" of Public Law 176, Eighty-Third Congress, approved July 31, 1953;

Over-income tenants

SEC. 207. (a) Section 15(8) of the United States Housing Act of 1937, as amended, is hereby amended by adding at the end thereof the following new paragraph:

"(e) Notwithstanding the provisions of paragraph (d) above, the public housing agency may permit any member of a family which would otherwise be required to move under said paragraph (d) to enter into a contract (either individually or as a member of a group) for the acquisition of his dwelling unit or another suitable dwelling unit in any project of the public housing agency on the following terms:

"(A) the purchaser shall pay at least (i) a pro rata share cost of any services furnished him by the public housing agency, including but not limited to, administration, maintenance, repairs, utilities, insurance, provision of reserves, and other operating expenses, (ii) local taxes on his dwelling unit, and (iii) monthly payments of interest and principal sufficient to amortize a sales price, equal to the appraised value (at the time such purchase contract is entered into) of the dwelling unit, in not more than 40 years;

"(B) the interest rate shall be fixed at not less than the average interest cost of loans outstanding on the project, except that in

the case of a project on which bonds are not outstanding the interest rate shall be fixed at not less than the going Federal rate applicable to such project;

"(C) the principal payments shall be not less than one-half per centum per annum of the sales price during the first five years after purchase, 1 per centum per annum during the next five years, 1½ per centum per annum during the third five years, and thereafter not less than the principal payments resulting from a level debt service of interest and principal over the balance of the payment period;

"(D) if at any time (i) a purchaser fails to carry out his contract with the public housing agency and if no member of his family who resides in the dwelling assumes such contract, or (ii) if the purchaser or a member of his family who assumes the contract does not reside in the dwelling, the public housing agency shall have an option to acquire his interest under such contract upon payment to him or his estate of an amount equal to his aggregate principal payments plus the value to the public housing agency of any improvements made by him, less an amount equal to 2½ per centum of the sales price.

"If the public housing agency determines with respect to any project that it is not feasible to enter into such contracts, it may permit a tenant family in such project whose income has increased beyond the limit for continued occupancy to continue in occupancy so long as (i) the public housing agency, after investigation (made at least annually), finds that it is impossible for the family to obtain through rental or purchase a decent, safe, and sanitary private dwelling suitable for its use and at a cost within its financial means, and (ii) the family pays a rental equal to the amount which it would be required to pay (during the first five years after purchase) if it purchased its dwelling unit under the foregoing terms of this paragraph (e). Actions taken pursuant to the provisions of this paragraph (e) shall not be deemed to violate the low-rent character of the project, and any such actions shall not be taken into account in making the determination required in the first proviso of section 10 (h)."

(b) The United States Housing Act of 1937 is further amended—

(1) by inserting before the period in paragraph (7) of section 2 the following: ", other than a project the title or possession of which is vested in the Authority pursuant to section 22";

(2) by inserting after the words "unless such project" in section 10 (h) the following: "(excluding any part thereof covered by a contract or conveyed pursuant to paragraph (8) (e) of section 15)";

(3) by inserting after "may be made" in section 10(1) the following: ", subject to any outstanding contracts made pursuant to paragraph (8) (e) of section 15,";

(4) by inserting after "acquisition" in paragraphs (1), (2), and (3) of section 15 of the following: "(except pursuant to paraparagraph (8) (e) of section 15)"; and

(5) by inserting before the semicolon at the end of paragraph (1) of section 22(a) a colon and the following: "*Provided*, That such conveyance or delivery of title shall be subject to the rights of third parties vested pursuant to paragraph (8) (e) of section 15".

Payments for services

SEC. 208. Section 15 of the United States Housing Act of 1937, as amended, is hereby amended by adding at the end thereof the following new paragraph:

"(10) Notwithstanding any other provision of law or any contract or other arrangement made pursuant thereto, any public housing agency which utilizes public services and facilities of a municipality or other local governmental agency making charges therefor separate from real and personal property taxes shall be authorized by the Authority (without any amendment to the contract for annual contributions or deductions from payments in lieu of taxes otherwise payable) to pay to such municipality or other local governmental agency the amount that would be charged private persons, or dwellings similarly situated for such facilities and services."

Amendment of existing contracts

SEC. 209. (a) The United States Housing Act of 1937, as amended, is hereby amended by inserting after section 29 a new section as follows:

"SEC. 30. Upon the request of any local public agency the Authority is authorized and directed to amend any or all of its contracts with the local public agency so as to bring such contracts into conformity with the provisions of this Act in effect on the date of such request: *Provided*, That contracts may not be amended or superseded in a manner which would impair the rights of the holders of any outstanding obligations of the public housing agency involved which are secured by any of the provisions of such contracts."

(b) Sections 30 and 31 of such Act, as they existed prior to the amendment made in subsection (a) of this section, are redesignated as sections 31 and 32, respectively.

Central administrative office facilities

SEC. 210. Paragraph (5) of section 2 of the United States Housing Act of 1937, as amended, is hereby amended by striking out the words "included in a low-rent housing project" and inserting in lieu thereof "in connection with its low-rent housing program" and by inserting after "1949" a comma and the following: "or in cases the public housing agency and the local public agency (as defined in title I of the Housing Act of 1949) operate under a combined central administrative office staff,"

Disposal and use of projects

SEC. 211. (a) Section 607 of the Act of October 14, 1940, as amended (42 U.S.C. 1587), is amended by adding at the end thereof a new subsection as follows:

"(h) Notwithstanding any other provision of law, the Administrator may, whenever he deems it desirable, in the public interest, and in the fulfillment of the purposes of this title, consent to the modification, with respect to purchase price, repayment period, rate of interest, time of payment of any installment on principal or interest, security, or any other term, of any contract, sale, mortgage, or other agreement to which he is a party, or which has been transferred to him pursuant to this title: *Provided*, That, in any such modification of a contract, sale, mortgage, or other agreement relating to housing projects heretofore disposed of as a whole or in other portions exceeding four family dwelling units per portion, under paragraph (c) of this section by sale to a group organized on a mutual or cooperative basis, the Administrator shall endeavor to make such modifications as may be necessary to enable such group to retain possession, wherever this result can be achieved without undue sacrifice of the interest of the Federal Government."

(b) The use of projects PA-36011 and PA-36012 (which were conveyed to the Housing Authority of Philadelphia, Pennsylvania, under section 406(c) of the Housing Act of 1956) for the housing of military personnel and civilians employed in defense activities without regard to their income and the giving of a preference in respect to seven hundred dwelling units in such projects for such military personnel as the Secretary of Defense or his designee prescribes for a period of five years after the date of the conveyance is hereby authorized. Such use and the giving of such preferences shall not deprive the housing projects of their status as "low-rent housing" as that term is used and defined in the United States Housing Act of 1937 and within the meaning of that term as used in section 606(b) of an Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended. The Housing and Home Finance Administrator is authorized and directed to agree to any amendments to the instruments of conveyance required to give effect to the purposes of this Act.

TITLE III—RELOCATION HOUSING FOR DISPLACED FAMILIES OR PERSONS

SEC. 301. (a) The purpose of this title is to assist private nonprofit corporations to provide relocation housing and related facilities for displaced families, or persons, of low or moderate income.

(b) In order to carry out the purpose of this title, the Administrator may make loans to any corporation (as defined in section 304(2)) for the provision of rental housing and related facilities for displaced families, or persons, of low or moderate income, except that (1) no such loan shall be made unless the corporation shows that it is unable to secure the necessary funds from other sources upon terms and conditions equally as favorable as the terms and conditions applicable to loans under this title, and (2) no such loan shall be made unless the Administrator finds that the construction will be undertaken in an economical manner, and that it will not be of elaborate or extravagant design or materials.

(c) A loan to a corporation under this title may be in an amount not exceeding 98 per centum of the total development cost (as defined in section 304(3)), as determined by the Administrator; shall be secured in such manner and be repaid within such period, not exceeding fifty years, as may be determined by him; and shall bear interest at a rate determined by him which shall be not more than the higher of (1) 2¾ per centum per annum, or (2) the total of one-quarter of 1 per centum per annum added to the rate of interest paid by the Administrator on funds obtained from the Secretary of the Treasury as provided in subsection (e).

(d) To obtain funds for loans under this title, the Administrator may issue notes and obligations for purchase by the Secretary of the Treasury in an amount not to exceed $250,000,000 outstanding at any one time.

(e) Notes or other obligations issued by the Administrator under this title shall be in such forms and denominations, have such maturities, and be subject to such terms and conditions as may be prescribed by the Administrator, with the approval of the Secretary of the Treasury. Such notes or other obligations issued to obtain funds for loans under this title shall bear interest at a rate determined by the Secretary of the Treasury which shall be not more than the higher of (1) 2½ per centum per annum, or (2) the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the issuance of such notes or other obligations by the Administrator and adjusted to the nearest one-eighth of 1 per centum. The Secretary of the Treasury is authorized and directed to purchase any notes and other obligations of the Administrator issued under this title, and for such purpose is authorized to use as a public-debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under such Act, as amended, are extended to include any purchases of such notes and other obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this section.

All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public-debt transactions of the United States.

SEC. 302. (a) In the performance of, and with respect to, the functions, powers, and duties vested in him by this title the Administrator shall (in addition to any authority otherwise vested in him) have the functions, powers, and duties set forth in section 402 (except subsection (c)(2)) of the Housing Act of 1950.

(b) The Administrator is authorized and directed to insure priority of occupancy to displaced persons or families in housing constructed with a loan under this title.

SEC. 303. (a) Housing constructed with a loan made under this title shall not be used for transient or hotel purposes while such loan is outstanding.

(b) As used in subsection (a), the term "transient or hotel purposes" shall have such meaning as may be prescribed by the Administrator, but rental for any period less than thirty days shall in any event constitute use for such purposes. The provisions of subsections (f) through (j) of section 513 of the National Housing Act (as added by section 132 of the Housing Act of 1954) shall apply in the case of violations of subsection (a) as though the housing described in such subsection were multifamily housing (as defined in section 513(e)(2) of the National Housing Act) with respect to which a mortgage is insured under such Act, except that for purposes of this section the Administrator shall perform the functions vested in the Commissioner by such section 513.

SEC. 304. As used in this title—

(1) The term "housing" means (A) new structures suitable for dwelling use by displaced families or persons, and (B) dwelling facilities provided by rehabilitation, alteration, conversion, or improvement of existing structures which are otherwise inadequate for proposed dwelling use by such families and persons.

(2) The term "corporation" means any incorporated private institution or foundation no part of the net earnings of which inures to the benefit of any private shareholder, contributor, or individual, if such institution or foundation is approved by the Administrator as to financial responsibility.

(3) The term "development cost" means costs of construction of housing and of other related facilities, and of the land on which it is located, including necessary site improvement.

(4) The term "displaced families or persons" means families or persons who are to be displaced by construction, development, redevelopment, or renewal activity undertaken by any public body, or by the action of a public body or court, either through the enforcement of housing standards or through the demolition, closing, or improvement of dwellings, or who were so displaced within 3 years prior to making application for admission to dwellings provided pursuant to this title. The Administrator shall prescribe such regulations as may be necessary to prevent abuses in determining, under the definitions contained in this paragraph, the eligibility of families and persons for admission to and occupancy of housing constructed with assistance under this title.

(5) The term "State" includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the Territories and possessions of the United States.

(6) The term "Administrator" means the Housing and Home Finance Administrator.

(7) The term "construction" means erection of new structures, or rehabilitation, alteration, conversion, or improvement of existing structures.

(8) The term "family or person of low or moderate income" means any family, or person, whose net income is insufficient to enable such family or person to obtain, without the assistance of this title, decent, safe, and sanitary housing accommodations in the locality at rentals within the ability of such family or person to pay.

The digest accompanying Senate bill 193 is as follows:

DIGEST OF S. 193

TITLE I. URBAN RENEWAL

Statewide planning

Section 101 directs the HHFA Administrator to particularly encourage the utilization of local public agencies established by the States to operate on a statewide basis in behalf of smaller communities undertaking urban renewal programs.

Most small cities have neither the trained staff nor the financial support to hire a staff to initiate and carry through an urban renewal project. A trained staff at the State level can be of great assistance by helping smaller communities initiate and complete urban renewal projects.

Loan authorization

Section 102 would increase the present $1 billion loan authorization by $500 million, half of such increase to become available on the date the Housing Act of 1959 becomes effective and half to become available on July 1, 1960.

Early land acquisition and clearance

Section 103 provides that in any case where, in connection with its undertaking and carrying out of an urban renewal project, a local public agency is authorized (prior to the approval by the local governing body of the urban renewal plan for such project) to acquire real property in the urban renewal area and to demolish and remove from any real property so acquired any buildings or structures located thereon, the Administrator, notwithstanding any other provisions of this title, may make a temporary loan or loans to any such local public agency to finance the acquisition of such real property and the demolition and removal of any buildings or structures located thereon. No contract for any temporary loan for such purpose could be made unless the governing body of the locality involved shall have by resolution or ordinance approved the undertaking by the local public agency of the acquisition of real property in the urban renewal area and the demolition and removal of buildings or structures located on real property so acquired. Also, the local public agency could not dispose of any real property so acquired until the urban renewal plan for the project shall have been approved by the local governing body of the locality involved and any contract for any such temporary loan must so provide.

Grant authorization; repayment of uncollectible advances; grant reservations; community renewal programs

Section 104 would—

(1) Increase the present $1,250 million capital grant authorization by $600 million on the date the Housing Act of 1959 becomes effective and by $600 million on July 1 in each of the years 1959 to 1967, both inclusive, with discretionary power in the President to increase any such annual authorization by not to exceed $150 million.

(2) Authorize the Administrator to pay out of appropriated capital grant funds amounts equal to sums he has borrowed from the Treasury and loaned to local public agencies as advances for urban renewal planning, if these advances have become uncollectible. To obtain funds for advances for urban renewal planning, the Administrator issues notes to the Secretary of the Treasury. From the funds thus obtained, the Administrator advances funds to the local public agency for such planning. These advances are repayable by the local public agency as moneys become available for the undertaking of actual urban renewal projects. However, where the planning work is not completed or projects are not undertaken, these advances become uncollectible. This amendment would permit the HHFA Administrator to repay the Secretary of the Treasury for these planning advances including interest, and eliminate the necessity of having these debts carried on the books and accumulating interest indefinitely. It would not affect the obligation of the local public agency to repay the Federal Government if funds should become available through subsequent activation of one of the projects involved;

(3) Direct the Administrator to make reservations of capital grants (in advance of the dates on which the authorization to make contracts for capital grants becomes available) which thereafter may be contracted for by local public agencies as the aggregate amount of the authorization to make such contracts is increased on the date the Housing Act of 1959 becomes effective and on July 1 in each of the years 1960 through 1968. In the past the administrative practice has been to make no capital grant reservations beyond the amount of the portion of the authorization which had at the time become available. For example, if the total authorization was $1 billion, of which $500 million had become available with the remaining $500 million becoming available at the rate of $250 million in each of the 2 succeeding years, if contracts plus reservations equaled $500 million, no further capital grant reservations would be made until the next annual increment of $250 million actually became available. This is a serious impediment to cities able and willing to develop and carry out comprehensive programs. The difficulties have been further increased by the so-called "rationing program" instituted by the Administrator during the latter part of 1958 in placing arbitrary limitations upon the amount of grant funds allocable to any community. Under this section of the bill (after reserving a reasonable amount of the total authorization for overruns and contingencies), the Administrator would make reservations of capital grants for future contract by local public agencies up to approximately the full authorization, provided, of course, the total amount of grant contracts plus the amount of grant reservations never exceeded the total authorizations. Under this arrangement, cities can plan comprehensive urban renewal programs with the assurance that the financial assistance required to carry out such programs has been reserved out of the total authorization and will be available when their projects reach the grant contract stage; and

(4) Provide that, notwithstanding any other provision of law, if financial assistance authorized by title I to be made available to a locality or local public agency may be made available to any locality or local public agency within the limitations provided in section 102(e), 103(b), and 106(e) and the second paragraph following the paragraph numbered (6) of section 110(c) of title I (i.e., the loan authorization, the grant authorization, the limitation on the amount available in any one State, and the limitation on the amount available for redevelopment of nonresidential areas for nonresidential uses), the amount of such financial assistance made available to any locality or local public agency, upon submission and processing of proper application therefor, shall not otherwise be restricted; that so long as such financial assistance is so available, applications therefor submitted by localities and local public agencies shall be processed, so far as practicable, in the order of their receipt; and that there shall not be imposed any limitations upon the size of

any urban renewal project which, otherwise, meets the requirements of this title I.

(5) Provide that grants may be made for community renewal programs.

At present, the Administrator may make advances of funds to local public agencies for (1) surveys and plans for specific urban renewal projects, (2) general neighborhood renewal planning, and (3) studies to determine the feasibility of proposed urban renewal projects. These advances cover the entire cost of planning work and are repayable solely from money becoming available when the contract is signed for a capital grant to the community.

Section 104(d) would add a new purpose for the use of grants, namely for the preparation or completion of "community renewal programs." Such programs would include (1) the identification of slum areas or blighted, deteriorated, or deteriorating areas in the community, (2) the measurement of the nature and degree of blight and blighting factors within such area, (3) determination of the financial, relocation, and other resources needed and available to renew such areas, (4) the identification of potential project areas and, where feasible, types of urban renewal action contemplated within such areas, and (5) scheduling and programing such urban renewal activities.

Federal assistance under this program would be limited to two-thirds of the cost of the preparation or completion of the community renewal program. The program must conform to the general plan of the locality as a whole and the application must be approved by the local governing body. Reasonable requirements governing the scope and nature of the program may be established by the Administrator to carry out the purposes of the program. These requirements are necessary because a survey of a community's total urban renewal needs could be extensive and involved.

The new "community renewal" planning would be financed through a grant rather than by an advance, as is the case with other planning funds. The Federal share would be two-thirds of the total cost, in keeping with the existing capital grant formula. The use of grants rather than advances would avoid the necessity of charging to one urban renewal project the cost of planning work which might be applicable to several projects. For some communities this would be an ideal way of proceeding before undertaking a specific project.

For other communities, however, there are reasons why citywide planning is not practicable and the community therefore would prefer to survey and develop plans for general neighborhood renewal, as provided in existing law. A community may also find it more practical to use planning advances to determine whether the undertaking of a specific urban renewal project is feasible.

Public improvements by Federal agencies in urban renewal areas

Section 105 authorizes a Federal agency (or the District of Columbia) to obligate itself and to agree to the statutory requirements applicable to redevelopers when purchasing urban renewal land. Every purchaser of urban renewal property from a local public agency must agree (1) to devote the property to the uses specified in the urban renewal plan, (2) to begin within a reasonable time any improvement of the property required by the plan, and (3) to comply with such other conditions as the Housing Administrator specifies.

In several instances where a Federal agency or the District of Columbia has sought to acquire such urban renewal land, it has been found that they lacked the statutory authority necessary to make the above agreements. This amendment would permit the District of Columbia or a Federal agency to make these required agreements. However, under the proposed amendment, neither the District of Columbia nor a Federal agency would be able to agree to item (2), above, only to the extent that it is authorized to construct improvements and has available funds.

State limitation

Under existing law, not more than 12½ percent of the funds provided for may be expended in any one State, except to the extent of $100 million. Section 106 increases the existing $100 million exception to $200 million.

Relocation payments

Section 107 would permit relocation payments to families and businesses displaced as a result of any governmental activity in an urban renewal area, and as a result of a program of voluntary repair and rehabilitation in connection with an urban renewal project. This provision would authorize payments by the local public agency out of capital-grant funds to families or business establishments displaced within an urban renewal area by such governmental activity as code enforcement and the construction of public roads, streets, buildings, or public works, even though they are not carried out in connection with the urban renewal project.

Under existing law, individuals, families, and businesses displaced from an urban renewal area are not eligible for relocation payments where their displacement results from the activity of a public body other than the local public agency (for example, where acquisition of a highway right-of-way within an urban renewal area is by the highway agency) or where displacement results from voluntary repair or rehabilitation in the urban renewal area.

This has created situations in a few communities where some displacees within an urban renewal area are receiving relocation payments and their neighbors across the street are not. To correct this inequity, the committee approved the extension of eligibility for relocation payments to all individuals, families, and businesses displaced by governmental activity from an urban renewal area.

The maximum payment authorized under the law is $100 for individuals or families and $2,500 for displaced business concerns. This maximum amount may compensate for reasonable and necessary moving expenses and any direct loss of property, except goodwill or profit, resulting from displacement. These would be increased to $200 and $3,500 respectively.

Low-rent housing in urban renewal areas

Section 108 amends section 107 of the Housing Act of 1949 to provide that where land to be acquired as part of an urban renewal project is to be used in whole or in part as a site for a low-rent housing project assisted under the United States Housing Act of 1937, as amended, the land to be used for such purpose shall be made available to the local housing agency undertaking the low-rent housing project at a price equal to the amount, as determined by the Administrator, which would be charged if it were disposed of to private enterprise for rental housing of similar character, and such amount shall be included as part of the development cost of said low-rent housing project, and paid over by the public housing agency to the local public agency undertaking such urban renewal project as the purchase price for said land. It also provides that the local contribution in the form of tax exemption or tax remission required by section 10(h) of the United States Housing Act of 1937, as amended, with respect to the low-rent housing project into which such land is incorporated shall be accepted as a local grant-in-aid equal in amount, as determined by the Administrator, to one-half (or one-third in the case of an urban renewal project on a three-fourths capital grant basis of the difference between the cost of such site and its sales price for public housing). (Corresponding provisions are included in the proposed amendments to the United States Housing Act of 1937, as amended. See section 404 of this bill.)

Requirements for urban renewal plan

Section 109 would permit the Administrator to omit or simply certain planning requirements which are unrealistic or which cause unnecessary delay. The urban renewal plan must still be found to be sufficiently complete to indicate the general nature of such redevelopment, improvements, and rehabilitation as may be proposed in the urban renewal area, including the general land uses and general nature of building requirements and density standards.

The proposed language for the statute eliminates a number of specific detailed requirements and mentions only general requirements which may be broadly interpreted by the Administrator.

Nonresidential redevelopment

Under existing law, urban renewal projects assisted by the Federal Government must be predominantly residential, either before or after redevelopment. An exception to this requirement, up to 10 percent of the capital grant authorization, is allowed for nonresidential projects where the site includes a substantial number of slum or blighted dwellings.

Section 110 of the bill would change the exception to the predominantly residential rule by increasing from 10 to 25 percent the amount of urban renewal grant authorization that can be used for nonresidential purposes. The exception would only be permitted in areas where the governing body of the locality determines that the redevelopment of such an area for predominantly nonresidential use is necessary for the proper development of the community.

The present requirement that the site for nonresidential development must include a substantial number of slum or blighted dwellings would be eliminated.

Local grants

Section 111(a) would permit the acceptance, as a noncash grant-in-aid of local public improvements commenced prior to the loan and grant contract provided that the loan and grant contract for the project is signed not more than 5 years after the commencement of the local public improvements to be accepted.

After the plans are completed and approved by the Administrator, it seems reasonable that any public improvements in connection with an urban renewal project should be credited toward the local grant-in-aid for that project, if the improvements are started within a reasonable time prior to the loan and grant contract date. Five years was selected as a reasonable time because many projects require 5 years to develop from initial planning to final planning and approval. Communities should not be penalized for proceeding with public improvements required in an urban renewal area.

Section 111(b) would correct an inequitable situation resulting from the present law.

In general, under title I of the Housing Act of 1949, as amended, the cost of a public facility provided by a municipality and necessary for carrying out in an urban renewal area the urban renewal objectives of title I and in accordance with the urban renewal plan approved by the Administrator is eligible as a local grant-in-aid. Under existing law, however, the eligibility of a revenue-producing public facility depends upon whether its construction was financed by general obligation bonds payable from ad valorem taxes assessed against all real property in the municipality or by revenue bonds payable from the public revenues, derived

from the service charges paid by all the users of the public facility in the municipality.

For example, assume that a new system of public water and sanitary sewer mains are required to be constructed in an urban renewal area. If such construction is financed by general obligation bonds, it is eligible as a local grant-in-aid, but, if it is financed by revenue bonds it is not eligible even though such revenue bonds are paid from the charges collected from all users of the system in the entire municipality (as distinguished from special assessments from the benefited real property).

The proper criteria in such type of case should be whether the citizens of the entire community (as distinguished from the owners of specially benefited property) bear the cost of providing the public facility. If the citizens of the entire community bear such cost, the particular method by which they bear it (i.e., taxes or service charges) should not be controlling as to eligibility for inclusion as a local grant-in-aid. After all, ad valorem taxes are no more than a service charge for services supplied by municipal government (such as police, fire protection, etc.) which, by their nature, are not in themselves revenue producing.

This amendment would permit the cost of such public improvements to be included as a local grant-in-aid when financed by revenue bonds payable from service charges against the users of the system.

To the extent that any public facility was financed by special assessments from benefited property in the urban renewal area, the amount of the cost financed by such special assessments would not be eligible for inclusion as a local grant-in-aid by reason of the third proviso of section 110(d) which provides as follows:

"And provided further, That in any case where a public facility furnished as a local grant-in-aid is financed in whole or in part by special assessments against real property in the project area acquired by the local public agency as part of the project, an amount equal to the total special assessment against such real property (or, in the case of a computation pursuant to the proviso immediately preceding, the estimated amount of such total special assessments) shall be deducted from the cost of such facility for the purpose of computing the amount of the local grants-in-aid for the project."

Credit for loss of interest

Section 112 would authorize the Housing and Home Finance Agency to include interest on advances by a city to the local urban renewal agency (local public funds) as an item of gross project cost for an urban renewal project. In most instances, the local urban renewal agency borrows funds from the Federal Government to undertake an urban renewal project. Interest on such loans obtained from the Federal Government is considered a proper project cost by the Housing and Home Finance Agency.

There are certain exceptions; for example, New York City, where the city has advanced its own funds to cover the original costs of the urban renewal project and has included interest on these funds as a proper cost in determining gross project cost.

The Housing and Home Finance Agency has questioned the city's claim to present these interest charges as a proper charge, and the General Accounting Office has rendered an opinion to the HHFA opposing inclusion of these charges without further legislative clarification and authority. The amendment contained in this section is intended to provide such legislative clarification and authority.

Uniform date for interest rate determination

The definition of "going Federal rate" in the Housing Act of 1949 is used as a basis for determining the interest rate on loans and advances for urban renewal projects. The committee has found that existing law inconsistently determines the applicable rate at different times for different types of contracts. One date (date is "approved" by HHFA Administrator) is provided for contracts executed after the enactment of the Housing Act of 1954; another date (date contract is "made") applies to contracts executed prior to the enactment of the 1954 act; and still a third date (date contract is revised or superseded) is used for amendatory contracts.

Section 113 of the committee bill would provide a single uniform date for the determination of the applicable going Federal interest rate. This amendment would fix the date for determining the applicable rate for all contracts as the date the contract, or amendatory contract, is "authorized" by the Administrator of the HHFA. Such authorization is evidenced by an internal allocation order, which allocates capital grant funds for the particular project. This allocation order would serve as a uniform and convenient date for determining the applicable interest rate. This change is merely technical and would not tend to either increase or decrease aggregate interest payments by localities.

Conforming amendments

Section 114 makes the required technical conforming amendments made necessary by the amendments contained in the other sections of the title.

Urban planning

Section 115 amends section 701 of the Housing Act of 1949 so as:

(1) To provide that, in any State where no "State planning agency" has been established, the Housing and Home Finance Administrator may extend assistance for urban renewal planning by making grants to any agency or instrumentality which is designated by the governor of the State and which is acceptable to the Administrator for operations under the program; under existing law such planning grants may be made only to "State planning agencies."

(2) To permit cities having a population of less than 50,000 to receive the benefits of the planning grant program; the program presently being limited to cities having a population of less than 25,000 and extend the scope of the urban planning grant program by including among the entities which may receive planning assistance through the State agency any group of adjacent communities having a total population of less than 50,000 and having common or related urban planning problems resulting from rapid urbanization.

(3) To authorize the Administrator to make planning grants directly to cities having a population of less than 50,000 except where the making of a direct planning grant would preclude or impede metropolitan or regional planning in the area of which the city is a part.

(4) To increase from $10 million to $25 million the amount authorized to be appropriated for urban planning grants.

Surveys of public works planning

Section 116 amends section 702 of the Housing Act of 1954 by adding a new subsection (f) to authorize the Administrator to use, in any one fiscal year, up to $50,000 of the revolving fund to conduct surveys of the status and current volume of State and local public works planning and surveys of estimated requirements for State and local public works.

TITLE II. LOW-RENT HOUSING

Declaration of policy

Section 201 amends section 1 of the United States Housing Act of 1937 to add the following policy objectives: that in the development of low-rent housing it shall be the policy to make adequate provision for larger families and for families consisting of elderly persons, and, where a local housing authority has determined that the acquisition and repair, rehabilitation or remodeling of existing dwellings by the local public agency for use as a low-rent housing project is in the public interest of the community, it shall be the policy to provide that the powers, functions and duties vested by law in the Public Housing Commissioner and the Housing and Home Finance Administrator shall be employed to encourage and facilitate such undertakings; that in the administration of low-rent housing it shall be the policy to vest in local housing authorities full responsibility for the establishment of rents and eligibility requirements (subject to income limit ceilings provided in the act), the preparation of budgets, the control of expenditures, and the provision of such social and recreational guidance as is necessary in assisting families to become good tenants and citizens of the larger community; and that authorization be given to local housing authorities to permit families whose income increases beyond the limits for continued occupancy to remain in their homes either through group or individual purchase, or as tenants paying a nonsubsidized rent if private housing is not available to them.

Rents and income limits

Section 202 amends several sections of the United States Housing Act of 1937 to permit local housing authorities to set rents and income limits for their low-rent projects, subject to a statutory ceiling on income limits.

Subsections (a) and (b) are technical, amending sections 2 (1) and 15 (7) (b) to delete provisions to be covered by other sections of the act.

Subsection (c) amends section 15 (8) (a) to authorize the local agency to fix maximum income limits for admission and continued occupancy. This statutory ceiling would differ from existing law in 2 respects: (1) the present $100 exemption for each minor or adult dependent is eliminated; (2) the 20 percent gap requirement is waived for displaced families. It also removes the Public Housing Administration's authority to require the prior approval of specific income limits set by the local agency.

Subsections (d) and (e) amend sections 15 (8) (b) and 15 (8) (d) to remove references to the Public Housing Administration's power of prior approval of specific income limits.

Subsection (f) repeals section 502 (b) of the Housing Act of 1948, relating to the exemption of benefits for disability or death occurring in connection with military service, which is incorporated in the basic act by subsection (c) above.

Use of existing dwellings

Section 203 provides that where a local housing authority determines and certifies to the Public Housing Commissioner and to the Housing and Home Finance Administrator that the acquisition and repair, rehabilitation or remodeling of existing dwellings for use as a low-rent housing project, the Commissioner and Administrator shall employ the powers, functions, and duties vested in them by the United States Housing Act of 1937, as amended, or any other act in such manner as shall facilitate and encourage the undertaking and carrying out of such a low-rent housing project by such local public housing agency, and the annual report of the Administrator shall include information on the number of such cases and the manner in which such functions, powers and duties were so employed and exercised in such cases.

Low-rent housing in urban renewal areas

Section 204 provides that where land to be acquired as part of an urban renewal project is made available to a local housing author-

ity as a site for a low-rent housing project assisted under the United States Housing Act of 1937, as amended, an amount equal to the price for such land shall be included as a part of the development cost of such low-rent housing project and paid over by the local housing authority to the local agency undertaking such urban renewal project as the purchase price for said land. (Corresponding provisions are included in the proposed amendments to title I of the Housing Act of 1949, as amended. See section 108 of this bill.)

Residual receipts and audits

Section 205(a) amends section 10(b) of the United States Housing Act of 1937, as amended, (1) by including the encouragement of the use of existing dwellings among the appropriate factors which PHA may consider in fixing the maximum contributions which may be available under different circumstances, and (2) provides that (subject to the limitation that the fixed annual contribution may in no event exceed a sum equal to the annual yield, at the applicable going Federal rate plus 2 percent on project development or acquisition cost) the annual contribution shall not be less than the amounts necessary to assure repayment of all sums borrowed to finance project development or acquisition cost, together with interest thereon.

Section 205(b) amends section 10(c) of such act, (1) to provide that all residual receipts shall be applied to advance amortization of capital debt, and (2) to require local housing authorities to submit an independent audit by a State official or public accountant and certification of compliance with the act, and to provide that such certification shall, in the absence of fraud or of evidence of gross waste or extravagance disclosed by financial post audits pursuant to sections 814 and 816 of the Housing Act of 1954, be accepted as final and conclusive by all officers of the Federal Government, except that such provision may not limit or reduce the authority of the Comptroller General to audit expenditures under the act. Also, it provides that, in lieu of such independent audit by a State official or public accountant, any local public housing agency may elect to have its books and accounts audited by the PHA.

Section 205(c) amends section 22(b) to delete a reference which would no longer appear in the act, as amended.

Restoration of Housing Act of 1949

Section 206(a) would restore the original provisions of the Housing Act of 1949 bearing on the number of low-rent housing units which could be assisted pursuant to section 10(e) of the United States Housing Act of 1937, as amended, in projects initiated after March 1, 1949.

As to such projects not more than 810,000 dwelling units may be constructed. The basic rate for any one year may not exceed 135,000 dwelling units. Such basic rate for any year may be increased by the President up to not exceednig 200,000 units for any one year or may be decreased by the President to not less than 50,000 units for any one year.

Of the 810,000 units authorized approximately 370,000 have been completed, or are under construction or under contract, leaving a balance of about 440,000 units. However, at the current levels of construction cost and prevailing interest rates, it appears that the remaining annual contribution authorization would be sufficient to cover the construction of not more than perhaps 190,000 additional units.

Section 206(b) would repeal subsection 10(j) which was adopted in 1954 and which requires local authorities to pay over to the Federal Government and the local governments all of their net receipts from their low-rent projects after their capital indebtedness is liquidated. The 1954 provision if not repealed will have the effect of continuing Federal supervision and control of local projects even after the 40-year period during which annual contributions are paid. The proposed amendment would at such time vest the full ownership and responsibility for the use of public housing in the local authority where it properly belongs.

Section 206(b) would also repeal provisions in two old appropriation acts which limit the use of the authorizations in the Housing Act of 1949.

Overincome Tenants

Section 207(a) amends section 15(8) of the United States Housing Act of 1937 by adding a new paragraph (e) to stipulate the terms on which a low-rent dwelling unit may be sold to a public housing tenant. The tenant would be required to pay local taxes, amortize the full purchase price of his home, and pay interest at not less than the cost of money to the local agency. The local agency would have an option to repurchase a dwelling if the family fails to carry out its contract. This plan is permissive with local agencies. If any agency finds it is not feasible to operate under this plan, it could permit overincome tenants to remain in occupancy if the local agency determines that it is impossible for the family to rent or buy a decent private dwelling, and if an unsubsidized rent is paid.

(b) Technical. Amends the act in a number of places to make possible the sale of low-rent units.

Payment for services

Section 208 amends section 15 of such act to permit local public housing agencies (without amendments to their contracts for annual contributions or deductions from payments in lieu of taxes) to pay for local governmental services and facilities furnished such agencies the same amounts that would be charged private persons for the same services and facilities.

Amendment of existing contracts

Section 209 amends the United States Housing Act of 1937 by adding a new section 30 to provide that existing annual contribution contracts shall be revised, upon request of local agencies, in accordance with the terms of the act of 1937 as it is amended at any time, provided that the interest of the holders of outstanding bonds is not jeopardized.

Central administrative office facilities

Paragraph 5 of section 2 of the United States Housing Act of 1937 provides that in cases where the public housing agency is also the local public agency for the purposes of title I of the Housing Act of 1949 an administration building included in a low-rent housing project to provide central administrative office facilities may also include sufficient facilities for the administration of its functions as such local public agency, and in such case, the Authority shall require that an economic rent shall be charged for the facilities in such building which are used for the administration of its functions as such local public agency and shall be paid from funds derived from sources other than the low-rent housing projects of such public housing agency.

Section 210 would amend this paragraph to include cases where the public housing agency and the local redevelopment agency are separate legal entities but operate through a combined central office administrative staff. It is not intended to require that such building for combined central office staffs must be located on the site of a low-rent housing project.

Disposal and use of projects

Section 211 (a) amends section 607 of the act of October 14, 1940 (Lanham Act), to authorize the PHA Commissioner to modify the terms of any contract relating to any housing projects disposed of by him to cooperatives.

Section 211 (b) amends section 406 (c) of the Housing Act of 1956 to extend for a period of 2 years the time in which military personnel may continue to occupy war housing projects PA-36011 and PA-36012 (Passayunk) which are presently owned by the Housing Authority of Philadelphia, Pa.

TITLE III. RELOCATION HOUSING FOR DISPLACED FAMILIES OR PERSONS

Under this title, the Housing and Home Finance Administrator would be authorized to make loans to private, nonprofit corporations to construct, rehabilitate, or convert structures providing rental housing and related facilities for displaced families and persons of low and moderate income (including land acquisition and site improvement).

Federal loans for housing for displaced persons

Section 301(a) states that it is the purpose of the title to assist private nonprofit corporations to provide housing and related facilities for displaced families and persons.

Section 301(b) authorizes the Administrator to make loans to carry out such purpose, but provides that no such loan may be made unless the corporation shows that it cannot secure the necessary funds from other sources upon terms and conditions equally as favorable as those applicable to loans from the Administrator. The proposed construction must be undertaken in an economical manner, and must not be of elaborate or extravagant design or materials.

Section 301(c) limits any such loan to 98 percent of the total development cost of the construction as determined by the Administrator, with a maximum maturity of 50 years. Such a loan would bear interest at a rate not more than the higher of (1) 2¾ percent or (2) one-fourth of 1 percent added to the rate of interest paid by the Administrator on funds obtained from the Secretary of the Treasury (see subsection (e)).

Section 301(d) authorizes the Administrator to obtain funds for loans under this title by issuing rates and obligations for purchase by the Secretary of the Treasury in an amount not to exceed $250 million outstanding at any one time.

Section 301(e) provides that rates or other obligations issued by the Administrator, with the approval of the Secretary of the Treasury shall bear interest at a rate determined by the Secretary which shall not be more than the higher of (1) 2½ percent or (2) average interest rate on all interest-bearing obligations of the United States adjusted to the nearest one-eighth of 1 percent. The Secretary of the Treasury is directed to purchase notes or other obligations issued by the Administrator and authorized to sell any of such notes or other obligations. All redemptions, purchases, and sales of such notes or other obligations are required to be treated as public-debt transactions.

Powers of Administrator

Section 302 confers upon the Administrator (in addition to any authority otherwise vested in him) the same functions, powers, and duties (except those not appropriate for this program) as are vested in him for purposes of the college housing program under the Housing Act of 1950. Under the authority granted to the Administrator under this section, he would have power to make necessary rules and regulations, sue and be sued, deal in various ways with any property acquired or held by him, obtain insurance against loss, modify the terms and conditions of loan contracts (which may contain such covenants, conditions, and provisions as he deems necessary), and contract without advertising in certain cases, and his operations under the program would be generally subject to the Government Corporation Control Act.

Prohibition of hotels

Section 303 prohibits the use of housing constructed under the new program for transient or hotel purposes while the loans made under this title for such construction are still outstanding. The Administrator would define the term "transient or hotel purposes," but rental for any period less than 30 days would, in any event, constitute use for such purposes.

Definitions

Section 304 contains definitions of terms used in this title. The term "displaced families or persons" would mean families or persons displaced by construction or renewal activity undertaken by any public body or by the action of a public body or court, either through the enforcement of local codes or through the demolition, closing or improvement of dwellings. The term "corporation" would be limited to private, nonprofit corporations which are approved by the Administrator as to financial responsibility. The term "family or person of low or moderate income" is any family or person whose net income is insufficient to enable such family or person to obtain, without the assistance of this title, decent, safe, and sanitary housing accommodations in the locality at rentals within the ability of such family or person to pay.

S. 194. A bill to amend title IV of the Housing Act of 1950 (College Housing) to authorize loans to educational institutions for the construction, rehabilitation, alteration, conversion, and improvement of classroom buildings and other academic facilities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title IV of the Housing Act of 1950 is amended by adding at the end thereof a new section as follows:

"Loans for classroom buildings and other academic facilities

"SEC. 405. (a) In addition to the other purposes for which financial assistance may be extended under this title, the Administrator may make loans to educational institutions for (1) the construction of new structures suitable for use as classrooms, laboratories, and related facilities (including initial equipment, machinery, and utilities) necessary or appropriate for the instruction of students, the administration of the institution, or the conduct of varied research activities, and (2) the rehabilitation, alteration, conversion, or improvement of existing structures for the uses described above if such structures are otherwise inadequate for such uses. As used in this section, the term 'educational institution' means any educational institution offering at least a two-year program acceptable for full credit toward a baccalaureate degree, including any public educational institution, or any private educational institution no part of the net earnings of which inures to the benefit of any private shareholder or individual.

"(b) Any educational institution which, prior to the effective date of this section, has contracted for the construction, rehabilitation, alteration, conversion, or improvement of any structures for the uses described in subsection (a) may, in connection therewith, receive loans authorized by this section, as the Administrator may determine, but no such loan shall be made in connection with the construction, rehabilitation, alteration, conversion, or improvement of any such structure if the work thereon was commenced prior to the effective date of this section, or was completed prior to the filing of an application under this section."

(b) The heading of title IV of such Act is amended by striking out "Housing" and inserting in lieu thereof "Loans".

(c) Title IV of such Act is further amended by—

(1) striking out "Federal" in the heading of section 401 and inserting in lieu thereof "College housing":

(2) inserting after "loan" in clause (1) of the first proviso to section 401 (a) the following: "(including any loan under section 405 of this title)";

(3) striking out "A loan to an educational institution may be in an amount not exceeding the total development cost of the facility, as determined by the Administrator," in section 401 (c) and inserting in lieu thereof the following: "A loan under this section to an educational institution may be in an amount not exceeding the total development cost of the facility, as determined by the Administrator, and a loan under section 405 of this title to an educational institution may be in an amount not exceeding the cost of construction of the structures involved (including related facilities), and the land on which the structures are located, as determined by the Administrator";

(4) inserting "(1)" immediately before the text of subsection (d) of section 401, by striking out "under this title" in such subsection (d) and inserting in lieu thereof "under subsection (a) of this section", and by adding at the end of such subsection (d) a new paragraph as follows:

"(2) In addition to the notes and other obligations authorized in paragraph (1) of this subsection, the Administrator may issue to the Secretary, from time to time and have outstanding at any one time, in an amount not exceeding $250,000,000, notes and other obligations for the purpose of carrying out the provisions of section 405 of this title,";

(5) inserting before the semicolon in section 402 (c) (2) a colon and the following: "*Provided,* That the Administrator shall extend fiscal assistance to educational institutions under section 405 only after consultation with such Office of Education"; and

(6) inserting after "For the purposes of this title," in section 404 the following: "except as otherwise provided in section 405,".

The digest accompanying Senate bill 194 is as follows:

DIGEST OF S. 194

LOANS FOR CLASSROOM BUILDINGS AND OTHER ACADEMIC FACILITIES

Section 1 amends title IV of the Housing Act of 1950 by adding at the end thereof a new section 405, authorizing the Housing and Home Finance Administrator to make loans to educational institutions for the construction or rehabilitation of classrooms, laboratories, and related fixed facilities and initial utilities necessary or appropriate for the instruction of students, the administration of the institution, or the conduct of varied research activities. Loans under the new section 405 would be made from a revolving fund which would be established by Treasury loans of a total amount not exceeding $250 million.

Sections 1(b) and (c) make technical and conforming amendments throughout title IV of such act in order to utilize the existing procedures and requirements of such title (already applicable to college housing loans) in carrying out the new classroom loan program.

S. 195. A bill relating to the foreclosure of FHA insured mortgages.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 204 (a) of the National Housing Act, as amended, is hereby amended by inserting immediately before the last proviso the following:

": *And provided further,* That with respect to any mortgage covering a one-, two-, three-, or four-family residence insured under this Act, if the Commissioner finds, after notice of default, that the default was due to circumstances beyond the control of the mortgagor and it is probable that the mortgage will be restored to good standing within a reasonable period of time, he may, under such regulations and conditions as he may prescribe, extend the time for curing default and enter into an agreement with the mortgagee providing that if the mortgage is subsequently foreclosed, any interest accruing after the date of the agreement which is not paid by the mortgagor may be included in the debentures".

SEC. 2. Title II of the National Housing Act, as amended, is hereby amended by adding the following new section:

"Acquisition of mortgages to avoid foreclosure

"SEC. 229. Upon receiving notice of the default of any mortgage covering a one-, two-, three-, or four-family residence heretofore or hereafter insured under this title, the Commissioner, in his discretion and for the purpose of avoiding foreclosure of the mortgage, may acquire the loan and the security therefor upon issuance to the mortgagee of debentures having a total face value equal to the unpaid principal balance of the loan plus any accrued interest and any proper advances theretofore made by the mortgagee under the provisions of the mortgage; and after the acquisition of such mortgage by the Commissioner such mortgagee shall have no further rights, liabilities, or obligations with respect thereto. The provisions of section 204 relating to the issuance of debentures incident to the acquisition of foreclosed properties shall apply with respect to debentures issued under this subsection, and the provisions of section 204 relating to the rights, liabilities, and obligations of a mortgagee shall apply with respect to the Commissioner when he has acquired an insured mortgage under this section, in accordance with and subject to regulations (modifying such provisions to the extent necessary to render their application for such purposes appropriate and effective) which shall be prescribed by the Commissioner."

The digest accompanying Senate bill 195 is as follows:

DIGEST OF S. 195

EXTENSION OF TIME FOR CURING MORTGAGE DEFAULT

Section 1 amends section 204(a) of the National Housing Act to authorize the Commissioner, where a mortgage covering a 1-, 2-, 3-, or 4-family dwelling insured under any FHA program is in default due to circumstances beyond the mortgagor's control and the default will probably be corrected within a reasonable period of time to extend the time for curing such default and to enter into an agreement providing for the payment to the mortgagee in debentures (if the mortgage is subsequently foreclosed) of any interest thereafter accruing.

ACQUISITION OF MORTGAGES TO AVOID FORECLOSURE

Section 2 adds to title II of the National Housing Act a new section 229, authorizing the Federal Housing Commissioner, for the purpose of avoiding foreclosure, to acquire any mortgage, covering a 1-, 2-, 3-, or 4-family dwelling which is insured under that title, by issuing debentures to the mortgagee. Upon such acquisition, the Commissioner would become the mortgagee, and the original mortgagee would have no further rights, liabilities, or obligations with respect to the mortgage.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954, RELATING TO NONRECOGNITION OF GAIN OR LOSS UPON CERTAIN DISTRIBUTIONS OF STOCK

Mr. FREAR. Mr. President, I introduce, for appropriate reference, a bill

to amend the Internal Revenue Code of 1954 so as to provide for nonrecognition of gain or loss upon certain distributions of stock made pursuant to orders enforcing the antitrust laws.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 200) to amend the Internal Revenue Code of 1954 so as to provide for nonrecognition of gain or loss upon certain distributions of stock made pursuant to orders enforcing the antitrust laws, introduced by Mr. FREAR, was received, read twice by its title, and referred to the Committee on Finance.

Mr. FREAR. Mr. President, in the latter days of the 85th Congress I advised the Senate of my intention to reintroduce early this year a bill which I first offered last June.

This proposed legislation which I now again introduce is to facilitate the administration of antitrust policy by correcting a serious inequity in our tax laws.

At an appropriate early date, I shall request the Finance Committee to hold hearings on this meritorious proposal, following which I am certain it will receive approval of both the Senate and House of Representatives.

Mr. President, when I first introduced this bill last year, I did not press for immediate hearings, believing instead that the appropriate Federal agencies would naturally desire a reasonable amount of time to examine its provisions.

The intervening 8 months have, I trust, been sufficient for this purpose, and I hope that these agencies will now be in a position to give their support in view of precedents established by the bank and utility holding company acts.

The problem presented, Mr. President, is technical and rather difficult to present in laymen's language.

In the interest of the Senate's time I shall not go into the matter in detail at this time, except to say, by way of brief explanation, that literally hundreds of our business concerns own stock in other businesses.

Generally speaking, if they distribute this stock to their own shareholders, the distribution is treated for tax purposes under existing law as a dividend.

The Congress has recognized, Mr. President, that when legislation in the public interest is enacted which requires a corporation to make such distributions, the imposition of ordinary income tax at that time would be unfair and inequitable.

As long ago as 1938, Congress acted to postpone the tax on distribution made in obedience to orders of the Securities and Exchange Commission under the Public Utility Holding Company Act, until the time when the recipient sells the stock.

As recently as 1956, Congress followed this precedent and wrote it into the Bank Holding Company Act with respect to involuntary distributions required by that legislation.

Thus, when Congress has enacted new law in the public interest, it has taken steps to protect citizens from unjustified taxation.

In the antitrust field, however, Congress has written statutes so broad so virtually to delegate legislative powers to the judiciary.

When, in exercising these powers, the courts feel they must order a corporation to distribute the stock of another corporation to its own stockholders, there is no way for the judiciary to provide tax relief.

My bill, if enacted, would extend to antitrust proceedings the protection which Congress has insisted upon in the other instances I have cited.

There would be no exemption from tax when the stockholder sells the stock, but its receipt would not be subject to income tax.

It is as simple as that.

The need for prompt action is emphasized by the Du Pont-General Motors case, but the problem is a continuing one involving antitrust enforcement for many years to come.

More than 40 years ago, the Du Pont Co., which then was owned by 7,200 stockholders, made a substantial investment in shares of the General Motors Corp.

Two years ago the Supreme Court by a 4-to-2 vote held that through this investment there is a "reasonable probability" of restraint in future trade relations of the two companies.

The case was returned to the lower courts for determination of a remedy, and the remedy asked by the Justice Department is a court order for the sale of one-third of this General Motors investment, on behalf of certain Du Pont common stockholders, and distribution of the remainder to the other Du Pont common shareholders on a pro rata basis.

Today there are 194,000 holders of Du Pont's common stock.

They include nearly 15,000 of my Delaware constituents, as well as constituents of every one of my colleagues who purchased this stock in good faith.

They paid a price for it which included their proportionate equity in Du Pont's General Motors holdings.

If the Court should order the Justice Department proposal into effect, a Du Pont stockholder would receive his pro rata share of Du Pont's 63 million shares of General Motors stock.

He would have two pieces of paper instead of one, and the value of his Du Pont stock would be reduced proportionately to the value of the General Motors stock received.

He would be no richer, Mr. President, but he would be poorer.

For the stockholders would collectively be subject to a tax estimated at $700 million.

Each individual shareholder would be subject to a Federal tax, not to mention State taxes, of from $5.60 to $30.45 or more for each share of Du Pont stock owned, assuming a market value of only $35 a share for General Motors.

I am very deeply concerned that other economic consequences could be even more disastrous, for competent financial analysts have estimated that forced sales would result in a $5 billion drop in the market value of Du Pont and General Motors stock.

Surely, Mr. President, this is grossly unfair to the 194,000 Du Pont stockholders, including 47,500 company employees in 27 States, who are innocent of any law violation or wrongdoing.

It is likewise unfair to the 322 insurance companies, the 1,234 charitable organizations, the 518 educational institutions, and the 119 fraternal organizations which own Du Pont stock.

And, it is similarly unjust to the more than 700,000 shareholders of General Motors, who also include similar institutions in ever larger numbers.

This is the penalty proposed—not upon the two companies, but upon innocent individuals and institutions.

Mr. President, the majority opinion of the Supreme Court in this case did not suggest penalties, but merely asked for a determination of the equitable relief necessary and appropriate in the public interest to eliminate the effects of the acquisition.

Only Congress has the power to make the relief sought by the Department of Justice possible without unwarranted injury to our citizens and the economy, in line with the precedents it has established in the past.

We should act, and act promptly, to give all parties in this case, as well as future cases certain to arise, the benefit of a simple solution which is fair to the Government, and to its citizens.

CONSTRUCTION OF DAM ON POTOMAC RIVER BY POTOMAC ELECTRIC POWER CO.

Mr. BEALL. Mr. President, on behalf of myself, and my colleague, the senior Senator from Maryland [Mr. BUTLER], I introduce, for appropriate reference, a bill to authorize the Potomac Electric Power Co. to construct, maintain, and operate, at its own expense, a dam on the Potomac River at a specified point.

The location of the proposed dam is suitable to the interests of navigation; it is approximately three-fourths of a mile downstream from the confluence of the Potomac and Monocacy Rivers in Montgomery County, Md.

Mr. President, as most of my colleagues are aware, Potomac Electric Power Co. is busily engaged in the construction of a new electric energy generating plant at Dickerson, Md., in the area near where the proposed dam would be constructed. The company has already expended between 22 and 23 million dollars on the construction of this plant. The first 175,000-kilowatt unit will start operations this summer, and the second should be in operation in 1960. With the completion of the two units, the company will have expended about $55 million on this new and modern generating plant.

However, in order that electric energy consumers in Maryland and in the entire Potomac Electric Power Co. service area may have the maximum use of the plant, the company should be able to construct two additional units, but it will be impossible to do so unless the proposed dam is authorized and constructed. This is necessary in order that the plant may have available the additional water

which would be provided by the proposed dam.

The third and fourth units would mean an additional expenditure of vast amounts of money on the part of the company.

I should point out here that the proposed legislation is in a form which is agreeable to the Department of the Army, Corps of Engineers. In fact, the location of the plant at Dickerson, Md., was decided after consultation with the Corps of Engineers. In addition, the legislation requires that the plans for the dam must be submitted to and approved by the Secretary of the Army and the Chief of Engineers.

The amazing growth of this area demands that the third and fourth units at the Dickerson plant be completed at the earliest possible date. The early enactment of this legislation will expedite the planning and completion of these vitally needed units. I urge the committee to which this legislation will be referred to hold early hearings on the proposed legislation to the end that the Senate may pass it at the earliest possible date.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 223) granting the consent of Congress to the Potomac Electric Power Co. for the construction of a dam on the Potomac River, introduced by Mr. BEALL (for himself and Mr. BUTLER), was received, read twice by its title, and referred to the Committee on Public Works.

USE OF SURPLUS AGRICULTURAL COMMODITIES IN CARRYING OUT CERTAIN FOREIGN AID PROGRAMS

Mr. SYMINGTON. Mr. President, I introduce, for appropriate reference, a bill to amend the Mutual Security Act so as to require greater use of surplus agricultural commodities in carrying out certain foreign aid programs.

For more than 10 years the United States has endeavored to aid nations of the free world so as to improve their position and their ability to contribute to the common goal of world peace and progress.

Our foreign aid programs have made significant contributions to that goal.

In view of the current world situation, and the prospects for the future, it would seem apparent that the need for certain types of foreign aid will continue.

In light of this prospect, it is important that the mutual security program be continually reviewed as to possible improvements of perfections in line with changing circumstances.

Mr. President, the bill which I have introduced endeavors to modify the Mutual Security Act in accordance with developments in our domestic agricultural situation.

The productive capacity of American agriculture is well known. Our 5 million farms are able to produce, and have been producing more food and fiber than our own population uses, and more than we have been exporting. Hence, inventories of surplus farm commodities have been accumulating.

All reliable estimates point to a continuation of this situation for some years to come.

Improperly used, this productive capacity can become an economic cancer—not only to agriculture but to the entire Nation.

On the other hand, if used wisely, our surplus production can be an important tool in furthering the aims and goals of our country and the entire free world.

The bill I have just introduced recognizes this fact, as well as the prospect of continuing agricultural surpluses and continuing need for foreign aid.

The bill requires that, beginning with fiscal year 1960, 25 percent of the funds available for the mutual security programs—excepting military assistance and the Development Loan Fund, shall be used to finance export and sale of surplus agriculture commodities. The funds generated through this action would be used in accordance with the general purposes of the Mutual Security Act.

Under the present language of the act, section 402, $175 million is earmarked for this purpose.

Under my proposed change, the funds available would be geared to a certain percentage of the total.

In the current fiscal year, the proposed language would result in a substantial increase in funds available under section 402.

I believe the increased use of surplus farm commodities in our foreign aid is desirable, particularly in view of the long-term prospects for a continuation of each.

Therefore, I respectfully request Members of the Senate to give this proposal full consideration.

AMENDMENT OF SOCIAL SECURITY ACT RELATING TO PAYMENT OF BENEFITS AT AGE 60

Mr. LANGER. Mr. President, I introduce, for appropriate reference, a bill to amend the Social Security Act which provides that full benefits will be paid to our people when they reach 60 years of age. I have received a tremendous amount of mail from constituents in North Dakota and from citizens in other parts of the country, who maintain that the present law should be amended to lower the age to 60 years of age, because of the many hardships that confront those depending upon social security who must wait the additional years to qualify under the present law.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 233) to amend title II of the Social Security Act to provide that full benefits thereunder, when based upon the attainment of retirement age, will be payable to individuals at age 60, introduced by Mr. LANGER, was received, read twice by its title, and referred to the Committee on Finance.

LOANS TO INDIVIDUALS TO OBTAIN A COLLEGE OR UNIVERSITY EDUCATION

Mr. LANGER. Mr. President, I introduce, for appropriate reference, a bill to provide that any high-school graduate may receive a loan to obtain a college or university education.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 234) to provide for loans to individuals for the purpose of enabling them to obtain a college or university education, introduced by Mr. LANGER, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

RELIEF FROM LIABILITY FOR REPAYMENT OF AMOUNTS ERRONEOUSLY PAID TO CERTAIN VETERANS

Mr. LANGER. Mr. President, on behalf of myself, and my colleague, the junior Senator from North Dakota [Mr. YOUNG], I introduce, for appropriate reference, a bill to relieve veterans from liability for repayment of amounts which were erroneously paid to them while a member of the Armed Forces.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 235) to relieve certain veterans from liability for repayment of amounts erroneously paid to them while members of the Armed Forces, introduced by Mr. LANGER (for himself and Mr. YOUNG of North Dakota), was received, read twice by its title, and referred to the Committee on the Judiciary.

DINOSAUR NATIONAL PARK, COLO. AND UTAH

Mr. ALLOTT. Mr. President, last Friday I introduced a bill S. 160 to establish Dinosaur National Park as our 30th national park. It would encompass that area now operated as a national monument in Utah and Colorado. The press of Senate business on Friday precluded my making this statement at that time.

This bill is virtually the same as S. 2577 which I sponsored in the 85th Congress. The earlier bill provided for a substantial expansion of the monument area while, under S. 160, the park boundaries would coincide with the present monument boundaries. Additionally, section 3 of the revised bill contains some minor changes as to the authority of the Secretary of the Interior concerning acceptance of lands for access roads into the park.

In this area, the Green and Yampa Rivers slash through picturesque gorges to come together deep in a canyon to form the great Colorado River. I believe strongly that this remote and beautiful scenery warrants the development, the accessibility, and the prestige which park status would bring.

Those who live in the region remember, as do many others, the controversy

over authorization of the Echo Park Dam within the borders of Dinosaur Monument. I am one of those who sought construction of that dam. As to my current feelings in this regard they are unchanged since July 17, 1957, at which time I said, in introducing the earlier bill:

For a brief period of time in its recent history Dinosaur was a controversial area, because it was to be the site of Echo Park Dam, one of the units of the upper Colorado River development. When this projected dam, important though it was to the project, became a matter of widespread public interest, the Congress subsequently eliminated it from the development so that the area would be preserved in its natural state.

As one of the proponents of the upper Colorado River storage project, including the Echo Park Dam, I have in this bill purposely omitted reference to power withdrawals, preferring to leave that issue where it stands. One Congress cannot bind a future Congress. We are not foresighted enough to determine for all time the best interests of the people of this country. The only purpose of this bill is to give national park status to this remarkable area, and to make available its great scenic values to millions of Americans to whom it is nothing more than a name.

Many of us, in and out of Congress, believe that we should now recognize the popularity of this remarkable area by making it, through congressional action, a full-fledged national park.

Hearings on my proposal have already been held—by the Senate Interior Committee on July 8, 1958. With this in mind, it is my hope that we may be able to proceed promptly to favorable consideration of this important bill, S. 160.

Mr. President, I ask unanimous consent that the bill be printed in full in the RECORD at this point as a part of my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That in order to preserve in a natural condition as a national park for the benefit and inspiration of present and future generations, the nationally important scenic grandeur, geologic phenomena, and scientific features of those portions of the canyons of the Yampa and Green Rivers that are now contained in the Dinosaur National Monument, Colo. and Utah, there is hereby established, as described in section 2 of this act, the Dinosaur National Park.

Such national park shall be preserved, protected, and administered by the Secretary of the Interior for the benefit of present and future generations in accordance with the basic policies established by the Congress for the preservation of the national parks, pursuant to the act of August 25, 1916 (39 Stat. 535; 16 U.S.C., 1946 ed., secs. 1–3), as amended and supplemented. Nothing contained in this act shall preclude the Secretary of the Interior from investigating, under the authority invested in him by the Federal reclamation laws, the suitability of reservoir and canal sites within Dinosaur National Park for development under those laws with a view to reporting thereon to the President and the Congress, but no such development shall be undertaken by the Secretary except under an act of Congress specifically authorizing the same.

SEC. 2. The Dinosaur National Park, as established pursuant to this act shall include, subject to valid existing rights, those lands in the States of Colorado and Utah, described as follows:

Beginning at a point on the Utah-Colorado boundary line at the northeast corner of section 12, township 3 south, range 25 east, Salt Lake meridian;

Thence westerly along section lines to the northwest corner of the east half of section 11;

Thence southerly along the west line of the east halves of sections 11 and 14, to the southwest corner of the east half of said section 14;

Thence westerly along section lines to the northwest corner of section 20;

Thence southerly along the section line to the southwest corner of said section 20;

Thence westerly along section lines to the northwest corner of section 26, to township 3 south, range 24 east;

Thence southerly along section lines to the southwest corner of section 35;

Thence westerly along the section line to the northwest corner of section 3, township 4 south, range 24 east;

Thence southerly along the section line to the southwest corner of said section 3;

Thence westerly along section lines to the northwest corner of what will probably be when surveyed section 7, township 4 south, range 24 east;

Thence northerly along the section line to the northeast corner of section 12, township 4 south, range 23 east;

Thence westerly along section lines to the northwest corner of section 9;

Thence southerly along section lines to the southwest corner of section 28;

Thence easterly along the south line of said section 28 to the right bank of the Green River;

Thence upstream along the right bank of the Green River to the intersection with the east line of section 35;

Thence northerly along the east line of section 35 to the northeast corner of said section 35;

Thence easterly along section lines to the southeast corner of section 25, township 4 south, range 24 east;

Thence northerly along section lines to the northeast corner of what will probably be when surveyed section 13;

Thence easterly along section lines to the southeast corner of section 12, township 4 south, range 25 east, Salt Lake meridian, on the Utah-Colorado boundary line;

Thence southerly along the Utah-Colorado boundary line to the southwest corner of section 11, township 6 north, range 104 west, sixth principal meridian;

Thence easterly along section lines to the southeast corner of section 10, township 6 north, range 103 west;

Thence southerly along section lines to the southwest corner of section 23;

Thence easterly along section lines to the southeast corner of section 24;

Thence southerly along the section line to the southwest corner of section 30, township 6 north, range 102 west;

Thence easterly along section lines to the southeast corner of section 25, township 6 north, range 101 west;

Thence southerly along the section line to the southwest corner of section 30, township 6 north, range 100 west;

Thence easterly along section lines to the southeast corner of section 29;

Thence southerly along the section line to the southwest corner of section 33;

Thence easterly along section lines to the southeast corner of the west half of section 32, township 6 north, range 99 west;

Thence northerly along the east lines of the west halves of sections 32, 29, 20, 17, 8, and 5 to the northeast corner of the west half of section 5;

Thence westerly along section lines to the northwest corner of section 6 township 6 north, range 101 west;

Thence northerly along section lines to the northeast corner of section 25, township 7 north, ranges 101 west;

Thence westerly along section lines to the northwest corner of what will probably be when surveyed section 28, township 7 north, range 102 west;

Thence northerly along section lines to the northeast corner of section 5;

Thence easterly along section lines to the southeast corner of section 34, township 8 north, range 102 west;

Thence northerly along section lines to the northeast corner of section 27;

Thence westerly along section lines to the northwest corner of section 28;

Thence northerly along section lines to the northeast corner of what will probably be when surveyed section 5;

Thence easterly along the section line to the southeast corner of section 33, township 9 north, range 102 west;

SEC. 3. (a) To provide suitable access to Dinosaur National Park the Secretary of the Interior is authorized to select the location of an entrance road or roads to the park and to points of interest in the park, and to acquire lands or interests in lands for such roads by donation only: *Provided,* The land so acquired shall consist of the fee title to a right-of-way of not more than 100 feet and such scenic easements over adjoining land as the Secretary finds are necessary to assure a parklike character to the roads.

(b) Upon acceptance of title to such lands, or interests therein, the Secretary is authorized to construct, reconstruct, improve, and maintain upon the land so acquired or otherwise in government ownership an entrance road or roads of parkway standards, including necessary bridges, and funds appropriated for the National Park Service shall be available for these purposes.

(c) The Secretary is authorized further to promulgate and enforce such rules and regulations for the administration of the said entrance road or roads as in his discretion may be necessary, or he may, by appropriate order or orders, revise the boundaries of Dinosaur National Park to include the parkway lands, such order or orders to be effective upon publication in the Federal Register.

SEC. 4. Where any Federal lands included within Dinosaur National Park by this Act were legally occupied or utilized on the date of approval of this Act for grazing purposes pursuant to a lease, permit, or license issued or authorized by any department, establishment or agency of the United States, the person so occupying or utilizing such lands, and the heirs, successors, or assigns of such person, shall upon the termination of such lease, permit, or license be entitled to have the privilege so possessed or enjoyed by him renewed from time or time, subject to such terms and conditions as the Secretary of the Interior shall prescribe, for a period of 25 years from the date of approval of this Act, and thereafter during the lifetime of such person and the lifetime of his heirs, successors, or assigns, but only if they were members of his immediate family on such date, as determined by the Secretary of the Interior: *Provided,* That grazing privileges appurtenant to privately owned lands located within Dinosaur National Park established by this Act shall not be withdrawn until title to the lands to which such privileges are appurtenant shall have vested in the United States, except for failure to comply with the regulations applicable thereto after reasonable notice of default. Nothing contained in this Act shall be construed as creating any vested right, title, interest, or estate in or to any Federal lands.

SEC. 5. The Presidential proclamations of October 4, 1915, and July 14, 1938, establishing and enlarging the Dinosaur National Monument are hereby superseded and any

remaining unexpended balances of funds appropriated for the Dinosaur National Monument shall hereafter be available for expenditure in connection with the administration of the Dinosaur National Park.

RULES OF INTERPRETATION GOVERNING QUESTIONS OF EFFECT OF ACTS OF CONGRESS ON STATE LAWS—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of January 9, 1959, the name of Mr. JOHNSTON of South Carolina was added as an additional cosponsor of the bill (S. 3) to establish rules of interpretation governing questions of the effect of acts of Congress on State laws, introduced by Mr. MCCLELLAN (for himself and other Senators) on January 9, 1959.

AMENDMENT OF REORGANIZATION PLAN NO. 2 OF 1953—ADDITIONAL COSPONSORS OF BILL

Under the authority of the order of the Senate of January 9, 1959, the names of Senators HENNINGS, MAGNUSON, YARBOROUGH, JOHNSTON of South Carolina, HILL, LANGER, MURRAY, HARTKE, JACKSON, KERR, PROXMIRE, MORSE, KEFAUVER, CARROLL, O'MAHONEY, THURMOND, JORDAN, KENNEDY, FULBRIGHT, YOUNG of North Dakota, and SPARKMAN were added as additional cosponsors of the bill (S. 144) to amend the Reorganization Plan No. 2 of 1953, introduced by Mr. HUMPHREY (for himself and Mr. MANSFIELD) on January 9, 1959.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. HUMPHREY:

Address delivered by Senator JOHNSON of Texas, at meeting of Democrats on January 7, 1959.

By Mr. DIRKSEN:

An address delivered by him at Freeport, Ill., on October 17, 1958, and one at Galesburg., Ill., on October 17, 1958, as a part of the anniversary series in commemoration of the Lincoln-Douglas debates in 1958.

By Mr. KEFAUVER:

Statement prepared by him relating to the Big Brother Week movement.

VICE PRESIDENT NIXON ON THE MISSILE RACE

Mr. SYMINGTON. Mr. President, an article in the press this morning states that Vice President NIXON contends the United States is now ahead of the Soviets in ballistic missiles. If Mr. NIXON made that statement, it is not correct, and I do not know a single impartial expert in the missile field who would support it.

There seems to be a continuing effort on the part of high officials in this administration to lull the people into a state of complacency not justified by the facts.

I therefore call on the Vice President to give the people, in percentages, the number of operational ICBM's this Nation will have at the end of this year as compared with the number our intelligence estimates the Soviets will have.

As further illustration of how far we are falling back, I now also call on the Vice President to tell the American people what percentage of intercontinental ballistic missiles it is planned for this Nation to have operational as of, say, January 1961, 2 years hence, as against the ICBM stockpile our intelligence estimates the Russians will have by that date.

The Vice President does not need to publish the actual figures, only the percentages.

There is now little if any time left.

Surely the people have the right to know the truth.

Therefore, if the Vice President does not release these percentages by the end of this week, I shall release them myself.

Mr. President——

The PRESIDING OFFICER (Mr. CARLSON in the chair). The Senator from Missouri has the floor.

THWARTING THE WILL OF CONGRESS ON DEFENSE

Mr. SYMINGTON. Mr. President, last year, after listening to the military experts, Congress appropriated $1,321,000,000 more for national defense than the amount requested by the President.

The able senior Senator from New Mexico has now brought to light what has happened to that additional $1.3 billion—and this is the story.

No more important new weapon is scheduled to come up than the Minuteman—the ICBM which will follow the Atlas and the Titan.

The Congress appropriated $90 million additional to expedite work on the Minuteman.

Not 1 cent of that money has been used, or is scheduled to be used during the present fiscal year.

The Hound Dog missile is an air-to-ground unit, designed to extend the range, and thereby increase the effectiveness, of long-range bombers. Its importance cannot be overemphasized.

Accordingly, the Congress appropriated $48 million additional for that missile.

Not 1 cent of this money has been used, or is scheduled to be used during the present fiscal year.

So that our strategic bombing force can be more truly intercontinental in range, the Congress appropriated $55 million for additional production of KC–135 tankers. The Strategic Air Force said last month that the production of these tankers represented their greatest shortage.

Not 1 cent of this money has been used or is scheduled to be used during the present fiscal year.

Our Army lacks mobility. The Chief of Staff recently spoke out emphatically for more airlift to correct that condition.

In effort to partially correct this condition, Congress appropriated $140 million for the production of modern strategic airlift aircraft.

Not one cent of this $140 million has been used, or is scheduled to be used in the present fiscal year.

The new atomic submarines, equipped with Polaris missiles, would appear to be one of the most effective methods of retaliation against any sudden surprise nuclear attack.

With that in mind, the Congress appropriated $609 million more to expand this Polaris-submarine program, from five such weapons systems to nine.

A few weeks ago the administration did allocate some of this money for one additional submarine. There is no plan to use the rest of this money during the present fiscal year.

Once again, money appropriated by the Congress for the personnel strength of the Marine Corps was either frozen, or used for other purposes not specified by the Congress.

This year the same action was true about additional money appropriated for the personnel of the Army.

In summary, out of the total of $1.3 billion appropriated by the Congress for additional security, only 34 percent has been allocated for use in the fiscal year 1959 for the purposes for which it was appropriated.

Another 8 percent of this total is being used for purposes for which it was not appropriated.

The remaining 58 percent has been frozen; and the Department of Defense states it does not plan to use the money during this fiscal year.

There have been previous cases where the administration has thwarted efforts of the Congress to give this Nation an adequate defense; but none as clear, or as large in scope, as the above action this year.

THE EQUALITY OF OPPORTUNITY BILL

Mr. WILEY. Mr. President, there lies on the desk, with many cosponsors, a bill which should commend itself to the cosponsorship of an increasing number of Senators. The trend toward bigness in American business units is causing inquiry and concern.

Many of the little fellows who are the backbone of America are being squeezed out.

Often this is done by the kind of price competition which leads to a monopoly or tends to reduce competition.

This continues to be legal because of a Supreme Court decision in the so-called Standard Oil case—(*Standard Oil Co.* v. *Federal Trade Commission* ((1951) 340 U.S. 231.) In order to plug a loophole found by the Supreme Court in the existing antiprice discrimination statute, S. 11 is introduced again. Many may differ as to the language which should be used to safeguard the competitive rights of small business, but I think none will deny that small business must be preserved for the benefit of all America.

I therefore invite attention to the opportunity of cosponsoring this bill so that it can have a fair hearing.

In order that our colleagues may inform themselves as to the specific language of this bill, and because it has not

yet been printed, I ask unanimous consent that the bill be printed as part of my remarks, together with my explanation of its effect.

There being no objection, the bill and statement were ordered to be printed in the RECORD, as follows:

S. 11

A bill to amend the Robinson-Patman Act with reference to equality of opportunity

DECLARATION OF PURPOSE AND POLICY

To reaffirm the national public policy and the purpose of Congress in the laws against unlawful restraints and monopolies, commonly designated "antitrust" laws, which among other things prohibit price discrimination; to aid in intelligent, fair, and effective administration and enforcement thereof; and to strengthen the Robinson-Patman Anti-Price Discrimination Act and the protection which it affords to independent business, the Congress hereby reaffirms that the purpose of the antitrust laws in prohibiting price discriminations is to secure equality of opportunity to all persons to compete in trade or business and to preserve competition where it exists, to restore it where it is destroyed, and to permit it to spring up in new fields.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 2 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1944, as amended (15 U.S.C. 13(b)), is hereby amended to read as follows:

"SEC. 2. (b) Upon proof being made, at any hearing on a complaint under this section, that there has been discrimination in price or services or facilities furnished, the burden of rebutting the prima facie case thus made by showing justification shall be upon the person charged with a violation of this section, and unless justification shall be affirmatively shown, the Commission is authorized to issue an order terminating the discrimination: *Provided, however,* That unless the evidence affirmatively shows that the effect of the discrimination may be substantially to lessen competition or tend to create a monopoly in any line of commerce, in any section of the country, it shall be a complete defense for a seller to show that his lower price or the furnishing of services or facilities to any purchaser or purchasers was made in good faith to meet an equally low price of a competitor, or the services or facilities furnished by a competitor: *Provided further,* That nothing contained herein shall be construed to alter the law applicable to the absorption of freight or of shipping charges."

EQUALITY OF OPPORTUNITY FOR SMALL BUSINESS

Mr. WILEY. Mr. President, as I have said on many occasions, among others during an address I delivered before the Retail Gasoline Dealers at their convention at Wausau, Wis., on June 25, 1956, I am heartily in favor of S. 11 to amend the Robinson-Patman Act so as to give greater equality of opportunity to small business.

S. 11, as H. R. 1840, was passed by the House by a vote, as I recall it, of 393 to 3. Hearings had been held in the House, but the Senate Antitrust Subcommittee also conducted comprehensive hearings. It is the American way to give all sides a fair opportunity to present their arguments. I believe all had a full and fair opportunity to be heard. Their testimony was fully considered.

The evidence confirmed me in my belief that the equality of opportunity provisions are sound and are needed to save small business.

What the bill would do to help the difficult situation in which small business finds itself is, to put it simply, this:

First. The Robinson-Patman Act was passed to outlaw price discrimination.

Second. We are accustomed to a one-price system when we go into a department store or a grocery store to buy at retail. The store does not offer me one price and my neighbor a different price. The act intended that big corporations in dealing with their wholesalers and retailers should act in a similar way, having in mind differences in costs and transportation rates and service rendered in return by the buyer.

Third. In 1951, the United States Supreme Court in the so-called Detroit Standard case—*Standard Oil Co.* v. *Federal Trade Commission* ((1951) 340 U.S. 231)—decided, in a prosecution for price discrimination, that it was a complete and final defense to prove that defendant had lowered his price to meet the legal price of a competitor, and had done so in good faith. The Supreme Court decided that this was an absolute and final defense, although it had been thought by the Government, on the basis of the legislative history, and the statutory language of the act, that such proof merely shifted back to the Government the burden of going ahead, and the burden of final proof that the defendant's action had also tended substantially to lessen competition. The Court's decision blocked the Government from going ahead to prove that defendant had hurt the competitive system.

Fourth. Up to that time, the Robinson-Patman Act had been pretty effective and the small people had not found it too difficult to do business. Since that decision, more and more small retailers have found themselves in serious trouble as a result of price discrimination by large interstate concerns who are moving into the territory of the small concerns. The pattern of this big-business attack often seems to be that the big concern takes advantage of a lowered price to make a similar price cut, and then extends it broadly so that there is such a price war that the small-business store is badly hurt or driven out of existence. Of course, if the Government could prove that these price wars were started through collusion, the law in its present state, even with the Supreme Court decisions, would permit prosecution. However, such collusion is very hard to prove in a court case.

Fifth. Under these circumstances, the proposed bill, which has been supported by hundreds of small people in Wisconsin and throughout the country, in both telegrams and letters to me, I believe, would restore the status quo ante, as it existed prior to the Supreme Court case. Now, meeting a competitor's price is a complete defense. However, this bill would permit the Government to go ahead and try to prove, if it could, that meeting the competitor's price had set off such a substantial price war as to injure or destroy enough competitive business to satisfy a court that the defendant's action had substantially lessened competition. This is a needed protection for the small fellow. We certainly do not want America to be just a series of assembly lines, with workmen sitting alongside doing routine tasks as the line of machinery or goods passes by. I hope that I shall never see this happen. And I believe this bill will help to delay, if not prevent, any such result. The independent is essential to the strength of the American way of life.

Sixth. It has been made clear, I believe, in the course of the subcommittee hearing, that S. 11 would not outlaw absorption of freight costs unless it was part of a discriminatory pricing practice, which would be illegal anyway. We have added a rider to make this clear. I believe it has also been made clear that a small man meeting a price of his next-door neighbor would not be substantially lessening competition, even though he might take business away from his immediate competitor. As in so many antitrust cases, the question of how many people have to be hurt before a violation occurs, is a question of degree, which it is impossible to specify by statute in advance. American pricing policies and American competitive practices are, by the very nature of our way of life, fluid and complex. Any rigid, overly specific statute dealing with them would freeze their flexibility unwisely. The best antitrust law is fluid and adaptable to a myriad of complex and differing situations.

I believe this bill meets these standards and helps our American way of life, and I hope we shall all promptly consider it on the floor and help to get it passed.

DEATH OF REPRESENTATIVE EBERHARTER, OF PENNSYLVANIA

Mr. SCOTT. Mr. President, I should like to associate myself with the remarks made by my friend, the distinguished senior Senator from Pennsylvania [Mr. CLARK], on Friday last in connection with Senate Resolution 13, referring to the passing of the Honorable HERMAN P. EBERHARTER, a distinguished Member of the other body.

Mr. EBERHARTER was known by all Members of the various Congresses in which he served. His courage was greatly admired. During a crippling illness, he came to the floor and served with his committee while suffering severe pain and at a considerable sacrifice to his already seriously impaired health. Members of this body and the other body regret that he will not be with us this session. We mourn his passing. We have lost a very dear friend.

DEATH OF FORMER SENATOR DAVIS ELKINS

Mr. RANDOLPH. Mr. President, last week the distinguished minority leader [Mr. DIRKSEN], with whom I have the remembered privilege of serving in the House, appropriately addressed this membership on the passing of the late U.S. Senator from West Virginia, Davis Elkins. I was not in the Chamber when those remarks were made. Today I desire to join in an expression of appreciation for the public service of the late Senator Davis Elkins.

I knew Senator Elkins personally, having first met him in 1926. I enjoyed his friendship. We were associated for several years, when I was a member of the faculty of Davis and Elkins College, an institution founded by Senators Henry Gassaway Davis and Stephen B. Elkins, the latter having been the father of the late Senator Davis Elkins.

During those years on the campus I was cognizant of the interest of Senator Davis Elkins in the work of that educational institution. Subsequently, we served together on its governing board. He supported the college in many constructive ways. It is also appropriate to mention that we in West Virginia revere the memory, not only of Senator Stephen B. Elkins, the father of Senator Davis Elkins, but also of Hallie Elkins, the mother of Senator Davis Elkins.

It is interesting—and I believe it is significant—to relate that Hallie Elkins

was the daughter of a U.S. Senator, the wife of a U.S. Senator, and the mother of a U.S. Senator—an unusual distinction. She was the daughter of the late U.S. Senator Henry Gassaway Davis, one time a Democratic vice presidential candidate. She became the wife of U.S. Senator Stephen B. Elkins, who also served in the Cabinet of the United States. Her son, to whom I have made reference today, the late Senator Davis Elkins, was also a Member of this body.

I share in the sentiments expressed by the illustrious minority leader [Mr. DIRKSEN]. Associated with me in this memorial to the late Senator Davis Elkins are the Members of the West Virginia congressional delegation, including my colleague, the able junior Senator from West Virginia [Mr. BYRD], and the Members of the House delegation. To the surviving widow and three children we express our sincere sympathy.

THE AMERICAN AIRLINES STRIKE

Mr. MORTON. Mr. President, along with all of my colleagues, I was happy to learn last Friday that the strike, which the Airlines Pilots Association had called against American Airlines on December 19, was settled. I join the Senator from Oklahoma [Mr. MONRONEY] in congratulating the parties concerned for reaching an agreement. However, Congress cannot shirk its responsibility in this field simply because the strike is settled.

For a number of days during the busy holiday season, both Eastern and American Airlines were completely grounded because of strikes. Both of these major airlines serve the State of Kentucky. When both of these lines were on strike, the passenger seats available at Standiford Field in Louisville, Ky., were reduced by approximately 83 percent. Such a situation not only causes a serious inconvenience to the traveling public, but it adversely affects the national economy as well.

Before the American Airlines strike begins to fade away as an unpleasant memory, I should like to review certain salient points which I think we should bear in mind.

First. Service to 23 States, the District of Columbia, Canada, and Mexico was disrupted by the strike.

Second. Twenty-two thousand passengers each day were without service on American Airlines because of the strike.

Third. Twenty thousand of the employees of American Airlines went off the payroll on January 5 because of this strike. American continued to pay its employees, other than pilots, during the 2 weeks of the Christmas and New Year season.

Fourth. American Airlines had been negotiating with the Pilots' Association, without success, for 16 months.

Fifth. The principal issues in the controversy were, first, shorter hours: The average workweek was 21¼ hours, but the pilots wanted shorter hours; second, more money; and third, rules, which have the effect of paying for work not done.

Sixth. The National Mediation Board, December 22, 1958, recommended to each of the parties a basis of settlement which the Board believed to be equitable.

The company accepted this recommendation by the Board, December 23, 1958. The Pilots' Association had given the Board no answer during the 2 weeks which followed, other than to say that it was considering the recommendation. In the meantime, the Pilots' Association continued to bring up new issues.

Seventh. The pilots refused the pay plan which the company offered, saying they must have more money. Prior to the strike, the estimated annual income for 85 hours of flying per month for senior pilots was as follows: For a Convair plane, $15,000; for a Douglas DC–6, $17,000; and for a Douglas DC–7, $19,000.

The company offered $17,500 for the Convair, $20,000 for the DC–6, and $22,500 for the DC–7. The company also offered to pay the senior pilots $23,500 in the case of the operation of the Lockheed Electra and $28,000 for the operation of the Boeing 707. Both of these models are scheduled to go into service this month, I regard this company offer as quite substantial in view of the fact that many of these pilots are able to arrange their 85-hour work month so that they can operate a small business of their own, run a ranch or farm, or pursue some remunerative trade or other line of endeavor.

The airlines today play a vital role in the economic welfare of the Nation. I agree with the Senator from Florida [Mr. SMATHERS], who classed the airlines as a "quasi-public utility." I hope the Committee on Interstate and Foreign Commerce will proceed to study this problem and recommend legislation to deal with it. No one wants to deny to the employees of our airlines the benefits of free collective bargaining. In order fully to achieve these benefits the employees must ultimately have the right to strike. However, we can certainly provide machinery, as we have done in the case of the railroads, so that the strike will indeed be a last resort. My study of the American Airlines case leads me to the conclusion that an equitable settlement could have been reached without discontinuing this vital service.

AN APPRAISAL OF THE AMERICAN MERCHANT MARINE

Mr. BUTLER. Mr. President, the vicissitudes of the American-flag merchant navy continue to be a matter of great concern to me. The Honorable Clarence G. Morse, Chairman, Federal Maritime Board, and Maritime Administrator, submitted a number of observations to the 13th convention of the National Defense Transportation Association in St. Louis, Mo., on November 12 last, and I attach such significance to Mr. Morse's speech that unanimous consent is requested to have it printed in the body of the RECORD at this point so that my colleagues may give consideration to his comments.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY CLARENCE G. MORSE, CHAIRMAN, FEDERAL MARITIME BOARD, MARITIME ADMINISTRATOR, U.S. DEPARTMENT OF COMMERCE, AT THE NATIONAL DEFENSE TRANSPORTATION ASSOCIATION CONVENTION IN ST. LOUIS, WEDNESDAY, NOVEMBER 12, 1958, AT THE USERS AND GOVERNMENT PANEL ON THE QUESTION OF "IS TRANSPORTATION IN BATTLE ARRAY"

Reporting for the American merchant marine, I feel that we can best go on record on the question of whether we are prepared to assume the responsibilities of defense or war emergency by saying that we are doing our level best under difficult and trying circumstances.

The major project for the American merchant marine continues to be the replacement of its older ships and on the success of this program depends our ability to have "in being" the number and types of ships necessary to meet our share of the Nation's mobilization and defense planning.

Last year at the National Defense Transportation Association parley in the Nation's Capital, I reported that for mobilization purposes we had need of all the ships presently under U.S. flag. That in respect to number of ships, we are in reasonably good shape but that in quality, we were deficient. That thumbnail report is applicable today. Since my last report we have made progress. The American merchant marine has acquired the new steamships *Santa Rose, Santa Paula,* and the new steamship *Brasil* in the cargo-passenger field and, before the end of the year, will acquire the new steamship *Argentina.* We are building some 16 new freighters of approximately 175,000 deadweight tons and 58 large tankers.

For our 450 American-flag foreign berth service ships the outlook is fairly bright. Three hundred and nine ships of this group are under subsidy contract and we have every reason to hope we can keep the replacement of these vessels on schedule and to continue to improve this segment of the American merchant marine in speed, carrying capacity, and ability to meet the specialized needs of the routes they serve. The approximately 150 ships not covered by subsidy contract are generally covered in pending subsidy applications and their replacement and suitability will be under Government survey in the event they are found to qualify for a Government contract under the Merchant Marine Act of 1936, as amended. Therefore in this liner category we are in reasonably good position.

The outlook for American tramp ship replacement has not improved. Slippage in earning capacity in this area has made even more difficult the problem of replacement of tramp tonnage. In this area there are some 123 privately owned Libertys, about 70 of which are now actively engaged in nonliner trade.

Now let us turn to the tanker segment of our fleet. Last year I was able to report to you that there was a reasonably good outlook for this privately owned 328-ship vital segment of the American Merchant Marine.

As of November 1, 1957, we were keeping approximately 300 of our tankers active and fully employed and had contracts for some 80 new tankers in pretty firm shape.

Now as of November 1, 1958, our active tanker fleet has dropped by 25 units to 275 vessels actively employed and there has been curtailment of tanker building plans, some being canceled and some of these we thought pretty firm taking on an air of definite uncertainty. Contracts in yards for tanker construction over the past year have dropped from about 80 to 50, a considerable per-

centage curtailment, the balance being accounted for largely by deliveries.

In all fairness, the tanker picture has been a complicated one. Tanker outlook was thrown out of focus by the closing of the Suez Canal and the resulting dislocations unduly stimulated tanker building. Another factor affecting world tanker operations and building is the United States policy of voluntary oil import curtailment. Our national policy of voluntary oil import curtailment is designed primarily to strengthen national security. It also is a factor affecting decisions in respect to world tanker operations and building for the present.

The most recent estimates of mobilization requirements for tankers by the Department of Defense, under current strategic concepts, continue to indicate a substantial deficit. In other words, the present available tanker tonnage is insufficient to meet our mobilization needs. Moreover, the fact that over 80 percent of the present U.S. tanker fleet will be overage within 5 to 8 years is a matter of serious concern. Emphasis is thus placed on the fact that a tanker building program, phased over the next 10 years, is essential to overcome our existing defense deficiencies.

If this new building is to be done for private account, as distinguished from Government building, with the taxpayer bearing the full brunt of the costs, a reasonable prospect for the employment of our tanker tonnage must exist.

Under the trade-out-and-build program, the Maritime Administration has approved transfers, with U.S. ownership, of older tankers in consideration of construction of new tanker tonnage in American yards for American-flag operation. Also, under the provisions of title XI of the Merchant Marine Act of 1936, as amended, mortgage insurance aid is available to U.S. citizens for the construction of tankers. These programs, from their inception, have stimulated the replacement and upgrading of tankers for U.S.-flag operation and have increased the number of such vessels under U.S. control.

It is clear to us at Maritime, that unless employment can be found for tankers a serious condition will exist which may frustrate our national defense planning for an adequate tanker fleet, may materially weaken the attitude of preparedness and defense that we are able to assume on the high seas, and may have an adverse impact on our title XI insured mortgages on tankers.

There is a bright spot in our defense readiness, gentlemen, that I should like to report on at this time, and that is in the area of troop-lift capacity.

The 85th Congress has authorized legislation for the construction of two new superliners, and it is our intention at the Maritime Administration to program for these two new vessels by seeking funds for their construction in fiscal 1960. If approved across the board, this program will bring to the American Merchant Marine two new splendid passenger lines—one, a sister ship to the steamship *United States* as a replacement for the aged *America* and the other a new superliner for Pacific travel. The thing I wish to point out here is that these Atlantic and Pacific superliners together will add a combined total of 9,500 emergency spaces to our instantly available troop lift. By rapid conversion, this capacity is capable of being increased to 14,000-plus troop spaces for the Atlantic superliner and 10,000-plus for the Pacific ship.

This means that these two ships will increase our instantly available troop-lift capacity by 30 percent before conversion and by a healthy 50 percent after conversion.

Now, gentlemen, for your consideration, I should like to make this point. Since these two ships will be built as commercial passenger-carrying vessels, with 45 percent of their cost of construction borne by private American shipping lines, who will operate them in peacetime, these ships save the American taxpayer money on defense.

For example, general Navy transports of the P–2 class carrying 4,000 troops each at a speed of 20 knots. The proposed sister ship of the steamship *United States* in the Atlantic would have a factor of 5.4 in comparison with the P–2 transports. This means that because one ship like the steamship *United States* can travel almost twice as fast as a P–2 and, when converted, carry more than three times as many troops, it is worth 5.4 times the $21 million it would cost the Navy to build a P–2 transport.

In other words it would cost the Navy a reported $113 million to build a P–2 troop-lift capability comparable in size, but still inferior in quality to that of this new Atlantic liner. But, because 45 percent of the cost of the Atlantic superliner will be borne by the shipping line, the Government will obtain this improved troop-lift capacity for approximately $83 million.

In addition to this 45-percent discount in the cost of troop-lift spaces, the Government will be spared the expense of peacetime crews and the cost of peacetime operation and maintenance of this stockpile of defense potential.

The Pacific superliner will mean comparable savings. Here the factor to a P–2 troop carrier will be 4.75 or in other words, to obtain a troop carrier capability equal to that of the Pacific ship the Navy would have to construct a reported $99 million worth of P–2's. The Pacific auxiliary will cost the Government $42 million, thus representing a savings to the taxpayer of $57 million in construction, to say nothing of what the Government will save by not having to man, operate, and maintain those P–2's.

Thus in these new ships the Government will not only get bargain-priced troop carriers available at the instant they are needed, but it will be getting faster ships and safer ships.

Thus, we are, gentlemen, working hard, within the framework of the maritime laws and statutes to provide, at the lowest possible cost to the Government, a merchant marine to serve our trade and commerce and ready to turn to the national defense in time of war or emergency.

Our weak spots are tramp replacement and a lack of bulk carriers in the ore transportation field. We are carefully watching our tanker potential and we are pushing the modernization of our liner vessels. All of our tasks are complicated and require continuous diligence and devotion.

These elements I feel are being applied in fullest measure.

AMENDMENT OF RULES

Mr. JAVITS. Mr. President, we have been treated over the weekend to a spate of articles appearing in the press about how the liberals, as we are told on the floor, have been outmaneuvered, have been badgered, have been generally defeated in the measure which is before the Senate which seeks to adopt some effective way to deal with filibusters. I number myself proudly among those who are engaged in this struggle, which I think is a historic struggle in our country.

I point out one thing which I think is extremely important to the Members of the Senate and to the country; that is, aside from all the badgering, and parliamentary maneuvering, the fact is that we have had a majority, in the two votes which have been cast—a decisive majority in this body—who have expressed their will on certain fundamental proposals, the latter of the proposals relating to the fundamental question which is also before us, namely, the continuing of the rules of the Senate, and who are concerned essentially for the right of a majority to express its will.

So I do not see how we can feel that we are being outmaneuvered or put upon if the majority is given an opportunity to express its will, as it has been up to now, and as it will be today.

The important thing is that with the right to vote goes also the responsibility. In the morning hour, while we are talking about general things, and about what has appeared in the press, I express the hope that Senators who are voting and will be voting today on even more critical matters with respect to rule XXII than they have been up to now—these will be the decisive votes for the country today—will understand that when they do vote, they will be making a record for which they will have to answer in the days ahead—in 1960, 1962, and 1964—because I am deeply convinced that what is at stake is not simply rule XXII and filibusters; what is at stake is the whole climate of legislation in Congress.

To me it is a real anachronism that in one and the same issue of the press yesterday there was published a report by a committee of the other body on the space age; but the Senate was fighting to perpetuate rules which relate to the horse and buggy age.

This is a fundamental issue, as I see it. But the point I wish to emphasize in the morning hour is that certainly a majority of the Senate can and will express its will. That is exactly what we are contending for. We are contending for some kind of enlightenment on the question of the filibuster. But let also those who vote in that group, as we go along in our voting, understand the issue, which is far greater than the mere question of how long we can talk on a particular issue, and also understand that this is a matter of historic responsibility, to which I and every other Senator can and should be held to account.

The PRESIDING OFFICER. Is there further morning business?

Mr. JOHNSON of Texas. Mr. President, if morning business is concluded, I yield to the Senator from Alabama [Mr. HILL], such time as he may desire.

The PRESIDING OFFICER. Morning business is closed. The Chair lays before the Senate the unfinished business.

AMENDMENT OF THE RULES

The Senate resumed the consideration of the resolution (S. Res. 5) proposing to amend Senate rules XXII and XXXII.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DOUGLAS], for himself and other Senators, providing for a majority vote on cloture after 15 days of debate.

The Senator from Alabama is recognized for such time as he may desire.

Mr. HILL. Mr. President, I am opposed to any change in the rules of the Senate which would deny free debate. The Senate for over a hundred years, from 1806 to 1917, had complete freedom of debate. I think history will record that the cloture rule which was adopted in 1917 would not have been adopted but for the fact that at that time we had not adopted the 20th amendment, the so-called lame duck amendment to the Constitution, which was ratified on January 23, 1933, and which ended the short sessions of Congress that under the Constitution had to come to an end on March 4.

We recall that Benjamin Franklin—and there was no wiser man than Franklin, who was a member of the Constitutional Convention and, as we recall, played an important part in writing the Constitution—spoke of the Senate as the saucer. It was a saucer into which the hot coffee was to be poured to give it time and opportunity to cool. The House of Representatives, if at any time it took any precipitate action, if it acted with too much speed and didn't thoroughly consider and thresh out the full significance and effect of that action, had always this saucer waiting for the measure to cool.

We recall that Mr. Gladstone, in speaking of the Senate, said:

That remarkable body, the most remarkable of all the inventions of modern politics.

What is it that makes the Senate remarkable? Nothing more nor less than the free debate in the Senate. Take from the Senate this right of free debate, invoke cloture in the Senate, and then your Senate is no more than any other legislative body that we might consider. It is remarkable, as Mr. Gladstone said, only because of this free debate.

The thing that I wish to emphasize with all the emphasis that I can bring to bear is that if you deny free debate in the Senate of the United States you have changed the character of the Senate of the United States. You cannot change the character of the Senate of the United States without changing the Government of the United States.

In considering proposals for denying free debate in the Senate we are not considering some simple matter of procedure in the Senate, some simple change of its rules. We are considering a proposed change in the Senate that would mean a fundamental and basic change in the Government of the United States as we have known that Government from the beginning down to the present.

That is the question before us. Are we going to change our Government—this constitutional Republic that we have had all these years and under which we have grown to be the mightiest Nation that the sun has ever shone upon, and under which our people have enjoyed the greatest freedom ever known to mankind?

Mr. President, the right of a Senator to get on the floor, to present all the facts in connection with an issue, to turn the light of truth and justice and fairness on that issue, goes to the very heart of the freedoms of the people of these United States and to the protection not only of the freedoms of the people and of the individual citizens but to the protection of the rights of the several States, to the protection of the rights of minorities of every kind.

It is suggested here that this freedom of debate be cut off, be denied by simply a majority vote in the Senate.

As Senators will recall, the Founding Fathers—men like James Madison, Gouverneur Morris, and George Washington—had a great fear when they brought this Government into being. That fear was the danger of what they termed party spirit.

As George Washington expressed it in his Farewell Address, "the baneful effects of party spirit."

Let me call to the attention of Senators an excerpt from his words. Now, weigh this, weigh it well, because, in my opinion, the thing that has averted this danger, the thing that has averted the baneful effects of party spirit that Washington feared, was the very free debate in the Senate of the United States. George Washington in his Farewell Address said to us:

> I have already intimated to you the danger of parties in the State with particular reference to the founding of them on geographical discrimination. Let me now take a more comprehensive view and warn you in the most solemn manner against the baneful effects of the spirit of party generally.
>
> This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed, but in those of the popular forum it is seen in its greatest rankness and is truly their worst enemy. Without looking forward to an extremity of this kind, which nevertheless ought not to be entirely out of sight, the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

I served in the House of Representatives for a good many years, as did our present distinguished Presiding Officer, the Senator from Kansas [Mr. CARLSON], and I am sure he shares my pride in the greatness of that body. I served in the House of Representatives for a good many years, and there I saw party government. Great as is the House of Representatives, and I am indeed proud of having once been one of its Members—there is no free debate in the House of Representatives. There cannot be any. The membership is too large.

We see in the House of Representatives the very thing about which Washington warned. What has saved us has been the free debate in the Senate of the United States.

We have had a good deal of discussion here about action by a majority. There are Members of the Senate today who served here when the majority party, which happened to be the Democratic Party, had 76 of the 96 votes. The Republican Party had only 16 votes. The other four votes were among the Progressives and the Farmer-Labor Party. Today, as we know, the Senate is composed of 64 Democrats and 34 Republicans.

The important thing is that parties do control this body so far as numbers are concerned, and we must have restraint on party spirit so that we may not suffer from the baneful effects of which Washington warned us.

Remember, Senators, we never know what the future may bring. Nobody knows what will be the story in the years ahead, and I say to the Senate that some of those who now press hardest, some of those who insist most determinedly for change in the Senate rules and denial of free debate, may be the very ones who tomorrow will find that free debate is needed for the protection of their rights.

We fought World War I, which, up to that time, was the greatest war in the history of the world, with free debate in the Senate. Then we fought World War II. Nothing in the history of the world has been comparable to our deeds and accomplishments in that war. We fought the war against the most terrible depression, the depression of the early thirties. We did not have to invoke cloture to win these wars. We won them with free debate in the Senate. We know the conscientiousness, the sense of responsibility, the devotion to duty that always triumphs among the membership of the Senate of the United States. Our country is not great because of laws and prohibitions. Our country is great because of the character of those who represent our people in their Government.

As "The Federalist," No. 51, tells us:

> A dependence on the people is, no doubt, the primary control on the government, but experience has taught mankind the necessity of auxiliary precautions.

The framers of the Constitution sought to have "in the society so many separate descriptions of citizens as will render an unjust combination of the majority of the whole very improbable, if not impracticable."

Has anyone been able to suggest a single important or beneficent measure which has been killed because we have had free debate in the Senate of the United States?

Since the Senate has had the present rule, cloture petitions have been filed, as I recall, some 20 times, and only 4 times did the Senate see fit to invoke cloture. What reason have we today, what arguments have been presented which would justify us in changing the character of the Senate, in changing the American constitutional republic as we have known it?

I have heard of no bill, no measure, which has gone down to defeat that should have been passed. Free debate has brought about some delays, that is true, and I would be the last to deny that there have been some abuses. But, so long as human nature is human nature and is not perfect, there will be abuses. However, regardless of the question of abuses, the benefits from free debate far outweigh the abuses which may have occurred under it.

The most famous measure which has ever been defeated by free debate was the Force bill of 1890, a bill somewhat in the same category with so-called civil rights bills.

Surely every Senator of the United States should know that there has never been a debate on these bills but that Senators who are far removed from any sectional thought or interest—Senators who considered the measures only on the basis of their constitutionality and what they might mean to the impairment of our institutions and the welfare of the whole country—have with great emphasis proclaimed their unconstitutionality.

One of the greatest constitutional speeches ever made in the Senate of the United States was the speech made by the late Senator from Idaho, William E. Borah, on the unconstitutionality of the antilynching bill. No one could accuse Senator Borah of having any sectional prejudices or any personal interest in the matter. He simply weighed the bill in the scales of constitutionality, and he was so shocked by its unconstitutionality, its contravention of the spirit of the letter of the Constitution, that he was moved to make his great and powerful speech on the floor of the Senate showing the unconstitutionality of the bill.

One of the greatest speeches made on the floor of the Senate was the speech of the senior Senator from Wyoming [Mr. O'MAHONEY] on the unconstitutionality of the anti-poll-tax bill.

As I have said, the most famous bill ever defeated by the free debate was the Force bill introduced in the House of Representatives and valiantly fought for by the late Senator Henry Cabot Lodge, Sr., of Massachusetts. He fought for the bill in the House of Representatives. He came over to the Senate. He was at the time very much opposed to free and unlimited debate; he favored cloture.

After he had served in the Senate a while, after he had had the experience of such service, after he had grown in wisdom and knowledge and experience—and as we know he was one of the most erudite men ever to sit in the Senate of the United States, a great student not only of our own Government but of all of the governments of the world—he gave to us and to our country the benefit of his ripened and seasoned and mature judgment.

I desire to take a minute to read a few excerpts from what Senator Lodge said. Senator Lodge said:

> It is not necessary to trace the long struggle between these opposing forces which ended in the most famous compromise of the Constitution of which the Senate was the vital element and which finally enabled the Convention to bring its work to a successful conclusion. It is sufficient here to point out that, as the Constitution was necessarily made by the States alone, they yielded with the utmost reluctance to the grants of power to the people of the United States as a whole and sought in every way to protect the rights of the several States against invasion by the national authority. The States, it must be remembered, as they then stood, were all sovereign States. Each one possessed all the rights and attributes of sovereignty, and the Constitution could only be made by surrendering to the General Government a portion of these sovereign powers. In the Senate, accordingly, the States endeavored to secure every possible power which would protect them and their rights. They ordained that each State should have two Senators without reference to population, thus securing equality of representation among the States. They then provided in article V of the Constitution that "No State without its consent should be deprived of its equal suffrage in the Senate."

What I am pleading for today is that the State of Iowa or Mississippi or Arizona or California or any other State shall not be denied its right to be heard in the United States Senate.

Then Senator Lodge went on:

> Except on some rare occasions, the Senate has been the conservative part of the legislative branch of the Government. The cloture and other drastic rules for preventing delay and compelling action which it has been found necessary to adopt and apply in the House of Representatives have never, except in a most restricted form, been admitted in the Senate. Debate in the Senate has remained practically unlimited, and despite the impatience which unrestricted debate often creates, there can be no doubt that in the long run it has been most important and indeed very essential to free and democratic government to have one body where every great question could be fully and deliberately discussed.

Senator Lodge continues:

> The Senate, I believe—

Here is the man whose bill was defeated by free debate, but listen:

> The Senate, I believe, has never failed to act in any case of importance where a majority of the body really and genuinely desired to have action and the full opportunity for deliberation and discussion characteristic of the Senate has prevented much rash legislation born of the passion of an election struggle and has perfected still more that which ultimately found its way to the statute books.

And then he closes with these words:

> The Members of the U.S. Senate have always cherished the freedom of debate which has existed in this Chamber. Senators have been reluctant to adopt any rule of cloture, and, even after the present rule was adopted in 1917, they have been reluctant to invoke it. Cloture is a gag rule. It shuts off debate. It forces all free and open discussion to come to an end. Such a practice destroys the deliberative function which is the very foundation for the existence of the Senate. It was the intent of the framers of the Federal Constitution to obtain from the upper Chamber of the Congress a different point of view from that secured in the House of Representatives. Thus the longer time, the more advanced age, the smaller number, the equal representation of all States. Careful and thorough consideration of legislation is more often needed than the limitation of debate.

Senator Lodge knew, even as we know, of the temptations and the pressures that come. He knew how a party or a majority in control, perhaps at the moment somewhat intoxicated with its new-found power or perhaps forgetful of the great responsibility of power, may be whipped on by pressure groups or spurred by some political expediency to act without full and complete deliberation and mature consideration and do the very thing against which George Washington warned us.

Some of us here today served in this body with the late Senator Charles L. McNary, of Oregon. He was not only a great Senator, much honored and beloved and esteemed by his colleagues as the leader of his party in the Senate, but we recall he was the Vice Presidential nominee of his party in 1940. This is what he said:

> Every Republican except two were for the bill—

The pending measure then pending before the Senate—

> and they were willing to remain here—

That was on the floor of the Senate—

> from sunrise to evening star and from evening star to sunrise in order to have the bill passed. But, Mr. President, I am not willing to give up the right of free speech and full and untrammeled opportunity for argument. That right is the last palladium. It is the last impregnable trench for those who may be oppressed or who are about to be oppressed. It may be the last barrier to tyranny.

If time permitted, I could quote Webster and Hoar, of Massachusetts; Moses, of New Hampshire, the elder La Follette, of Wisconsin; Beveridge, of Indiana; Sherman, of Illinois; Pittman, of Nevada; Johnson and Phelan, of California; George, of Georgia, and many other great Senators of the past in support of free debate in the Senate. Permit me, however, to present a statement from a former distinguished Presiding Officer of the Senate, the late Vice President of the United States, Adlai Stevenson. Vice President Stevenson declared:

> It must not be forgotten that the rules governing this body are founded deep in human experience, that they are the result of centuries of perilous effort in legislative halls to conserve, to render stable and secure the rights and liberties which have been achieved by conflicts. By its rules the Senate wisely fixes the limits of its own powers. To those who clamor against the Senate and its methods of procedure, it may truly be said "they know not what they do." In this Chamber alone are preserved without restraint two essentials of wise legislation and of good government: The right of amendment and of debate.
>
> Grave evils often result from hasty legislation, rarely from the delay which follows discussion and deliberation. In my humble judgment the historic Senate, preserving the unrestricted right of amendment and of debate, maintaining intact the time-honored parliamentarian methods and means, which unfailingly secure action after deliberation, possesses in our scheme of government a value which cannot be measured by words.

We recall the words of Benjamin Franklin when he was asked what the Constitutional Convention had done. His answer was: "We have given you a republic, if you can keep it." Senators, for some 170 years we have kept this Republic. I am here today pleading with you: Let us continue to keep it. Let us not remove the landmark which our fathers have set.

Mr. JOHNSON of Texas. Mr. President, I yield 5 minutes to the Senator from Mississippi [Mr. STENNIS].

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 5 minutes.

Mr. STENNIS. Mr. President, I am concerned primarily at this point with the serious espousal of the contention that a bare majority should have control of the fate of all measures, and I desire to emphasize the danger inherent in such a contemplation. Consideration must always be given to the rights of substantial minorities, and such consideration is

now assured by the institution of full and free debate in the Senate, as guaranteed by rule XXII.

Bare majority rule is no real yardstick by which the wisdom of legislation can be measured.

Substantial opposition to some legislative proposal from a number of States or a large minority of the people affected should always be considered in determining the fate of a legislative proposal.

A bare majority vote in the Senate, while adequate for many measures, does not, in the large sense, determine the majority sentiment of the people.

A majority vote in the United States Senate does not necessarily represent a majority of the States. Senators vote as individuals according to their own convictions, and the necessary absences on important matters have often turned the tide in a close vote.

Both the majority and the minority of the people and the States need the protection of a deliberative rule, rule XXII.

Mr. President, an additional point was recently raised by the columnist Mr. Walter Lippmann when he said:

> The real issue is not whether measures shall be wholly debated. The question is how they can be passed. There is no doubt that 8 or 9 weeks of debate is quite sufficient for any measure, and that after that there is no hope of anybody's mind being changed by the debate itself. The real question is what are you to do with a minority which is not open to being converted by a debate. Under what conditions should you override it?

Mr. President, a great many apt quotations from the Founding Fathers have been cited. Wise as they may have been, they could not anticipate anything like all the developments which would take place in this country almost two centuries later. But the experience of the intervening decades has dictated both the wisdom and the necessity of some rule along the lines of rule XXII, rather than decision by a mere majority rule.

As a practical matter, in the passage of highly important legislation in the economic field, as well as in other fields of activity, the present rules of the Senate are the most powerful ally of a Member of the Senate or a small group of Members of the Senate, whether they have been in the Senate only a day, or a week, or a month, or a year, or 20 years.

There have been notable illustrations of that fact, for instance, in the case of the Colorado River project, wherein, through debate, and through a spirit of compromise and some outright delay, a sounder bill for all of the States involved came forth.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. May I have 1 more minute?

Mr. JOHNSON of Texas. I yield 1 more minute to the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 1 additional minute.

Mr. STENNIS. Another example is the cotton acreage bill, a highly important measure to many cotton producers. A more just distribution of acreage was forced through the Senate by virtue of a liberal rule on debate.

A few years ago the atomic power bill hung in debate for 5 or 6 weeks as a result of the efforts of a relatively small group of Senators, including, I think, the Senator from Illinois. Perhaps I am incorrect in that statement. Anyway, an important small group of Senators forced important compromises and agreements which led to sounder legislation.

In the field of tactical legislation and the adjustment of differences of opinion, as well as in economic proposals, it is this rule of the Senate which has the great power to force saner and sounder and more equitable legislation. It is the greatest ally any Member of the Senate has for proper representation of his State or his area. It makes no difference whether he is a new Senator or whether he has been in the Senate for 20 years.

The PRESIDING OFFICER. The time of the Senator from Mississippi has expired.

Mr. DOUGLAS. Mr. President, I yield 5 minutes to the distinguished junior Senator from Wisconsin [Mr. PROXMIRE].

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 5 minutes.

Mr. PROXMIRE. Mr. President, if the last election was indicative of a mandate at all, it was a mandate for action.

As James Reston said in the New York Times yesterday, the spirit in Washington today is a spirit of "Let's get going."

I was encouraged to hear the speech made by our majority leader last Wednesday, in which he spoke these words:

> It is the indictment of those who presently hold the responsibility of the action arm of our leadership that in dynamic times they have exalted—and still exalt—the static.

Is that not exactly what the filibuster and the possibility of filibuster do in the legislative branch?

It exalts the static. I might say it does so in more ways than one.

These are times, above all, when the Congress of the United States must be able to enact legislation, and enact it without the foot-dragging veto power of a minority.

This is exactly what the Douglas amendment would do.

Mr. President, what we are asking in the Douglas proposal is a very moderate reform, when it is put in the context of how a bill moves through the Congress.

I am sure other Members of this body are far better acquainted with the process than I, but I have noticed in the debate on this issue—and I have read the RECORD very carefully—that there has been little reference to the safeguards against hasty or precipitous or unjust action we presently have.

When a bill is introduced in the House of Representatives it is up to the chairman of the committee to which it is referred to schedule a hearing if he so desires. The hearing may or may not be scheduled. The bill may die right there, and many good bills do die in this way. If a hearing is scheduled, it is then up to a majority of the committee members to decide whether they wish to report the bill favorably. If a majority of the committee thinks not, the bill dies here. Even if the bill is reported, it is necessary to get a rule in regard to the bill from the Rules Committee. The chairman of the Rules Committee may decide, or a majority of the members of the Rules Committee may decide, that they do not want the bill, for some reason, to receive a rule and, as is well known, many controversial bills die at that point. If a rule is granted, it is then up to a majority in the House of Representatives, at long last, to decide whether to pass the bill.

Even now the bill is barely halfway through. The bill must go to the Senate. It will go to a Senate committee. Again the chairman of the committee may decide or may not decide to schedule hearings. If the answer is no hearing, the bill dies here. In the event the hearings are scheduled and the majority of the committee reports the bill favorably, the matter then goes to the policy committee of the majority party in the Senate. If there is any degree of opposition at all, it is up to the policy committee of the Senate to decide whether the bill should come before the Senate for consideration and many bills die here. If the policy committee decides that the bill should be considered, then at last the bill comes to the floor of the Senate. It is only at this point—after careful, conservative scrutiny, that what the Senator from Illinois is asking and what the rest of us are asking would occur—only then would it be possible to limit debate by a determined minority, as pointed out, not to 2 weeks, but to limit debate, in effect, to 8 or 9 or 10 weeks, before a majority of the Senate could act.

After a bill is passed, of course it would be subject to a Presidential veto. Even then, if the bill were an unjust bill in any way it could and would be modified in many ways through its administration. It could and would be appealed by court procedures to square it with our Constitution, or it could be repealed.

The fact is, Mr. President, that we are indeed in a dynamic age, an age in which we must take action if we are going to preserve freedom and if we are going to do the job we must do.

I remind Senators of what our distinguished majority leader pointed out. As he said, it is time that we acted to improve our system of monetary control. Our budgetary processes were formed in another day. Our tax structure is obsolescent. We must not surrender to educational blight. We must not abandon either regions or citizens, of whatever class or age, to despair. There are many other legislative objectives a humane America must achieve.

If we are to achieve these objectives the filibuster is one obstacle to progress which we can and must eliminate.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. MORTON in the chair). Does the Senator from Illinois desire to yield time?

Mr. DOUGLAS. Mr. President, I suggest the absence of a quorum.

Mr. JOHNSON of Texas. Mr. President——

The PRESIDING OFFICER. The time necessary for the calling of the roll will be taken out of the time of the Senator from Illinois. Does the Senator from Illinois understand the time necessary will be taken from his time?

Mr. DOUGLAS. Mr. President, there are several Senators on our side of the aisle who wish to speak on the proposal who are not present in the Chamber, or whose remarks have not been prepared. I should be very glad to yield some time to our good friends of the other side of the aisle.

Mr. JAVITS. Mr. President, if the Senator from Illinois will yield, we are in much the same situation.

Mr. DOUGLAS. Mr. President, I yield 5 minutes to the very able and distinguished senior Senator from California [Mr. KUCHEL].

The PRESIDING OFFICER. The Senator from California is recognized for 5 minutes.

Mr. KUCHEL. Mr. President, the amendment sponsored by a group of bipartisan Senators headed by the able senior Senator from Illinois in my judgment represents a reasonable means by which, after full and free debate upon any issue is indulged in by the Senate, Senators may then agree, as they ought to agree, to proceed to vote, up or down, on the pending business. That, after all, Mr. President, is the reason for parliamentary government; it is the reason for the legislative process. There must come, finally, a decision on public questions.

Mr. President, in the recommendation which is now before the Senate, in which I have been glad to join as an author, it is recognized, first, that after 2 days two-thirds of the Members of the Senate present and voting may impose cloture, but it is also recognized that after 15 legislative days cloture may be imposed by a majority of Senators present and voting.

Fifteen legislative days, Mr. President, represent quite probably 3 or more weeks of debate in the United States Senate. Beyond that, I very much doubt it would be at all reasonable to assume that a Senator would begin agitating for a cloture petition at the opening of a debate on any subject. Thus, from the standpoint of mechanics, I think what is now pending in the Senate is completely reasonable and in the public interest.

More, much more, however, than that is involved in the debate in which we are now participating. The President of the United States in his message to the Congress the other day indicated that he shortly will send us his considered recommendations in the so-called civil rights field. Legislation is necessary in that field, Mr. President. Several days ago I read the text of the recent hearings in the State of Alabama by the Civil Rights Commission. It is tragic but true that in some places in the United States of America today that high-sounding constitutional phrase of "equal protection of the law" is a sham and a mockery, and citizens of the United States have been denied and now are being denied the right to participate in free American elections.

I venture to suggest, Mr. President, that the rollcall on the proposed amendment will go a long way toward determining the fate of the recommendations for civil rights legislation which President Eisenhower shortly will send to the Congress for its approval. I urge my colleagues to support the pending amendment.

The PRESIDING OFFICER. The time of the Senator from California has expired.

Does the Senator from Illinois desire to yield additional time?

Mr. DOUGLAS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The time necessary for the call of the roll will be taken from the time of the Senator from Illinois.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the time necessary for the calling of the roll not be taken from our time.

Mr. JOHNSON of Texas. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard. Does the Senator from Illinois still suggest the absence of a quorum?

Mr. DOUGLAS. Mr. President, I still suggest the absence of a quorum.

The PRESIDING OFFICER. The time necessary for the call of the roll will be taken from the time of the Senator from Illinois.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON of Texas. Reserving the right to object, how much time has been used on the quorum call?

The PRESIDING OFFICER. The Senator from Texas has used 14 minutes, and the Senator from Illinois has used 14 minutes, including the time used on the quorum call.

Mr. JOHNSON of Texas. That is, on the amendment?

The PRESIDING OFFICER. Yes.

Mr. JOHNSON of Texas. How much time did the quorum call take?

The PRESIDING OFFICER. Three minutes.

Mr. JOHNSON of Texas. I ask unanimous consent that that time be charged equally on both sides, to the time on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there objection to rescinding the order for the quorum call? The Chair hears none, and it is so ordered.

Mr. DOUGLAS. Mr. President, I yield 6 minutes to the very able senior Senator from Pennsylvania [Mr. CLARK].

Mr. CLARK. Mr. President, the purpose of this amendment is to enable a constitutional majority of the Senate to curb a filibuster.

What is a filibuster? The Encyclopedia Britannica defines it as follows:

> A name originally given to the buccaneers * * * The modern use of the word denotes one who engages in private warfare against any state. In the United States it is colloquially applied to legislators who practice obstruction. * * * Its practice has successfully defeated many pieces of legislation.

So much for what we seek to curb. We oppose private warfare against the United States.

With the exception of Cuba and Brazil, the United States of America was the last country in the civilized world to banish that "peculiar institution," as it came to be known, the institution of human slavery. Today, with the exception of the Union of South Africa, the United States is the only nation in the free Western World which denies to a substantial number of its citizens the equal protection of the laws without regard for race, color, or national origin.

The existence of the filibuster in the U.S. Senate is one reason why our country lags behind other civilized nations in protecting the rights of minorities.

The U.S. Senate is the only legislative body in the civilized world which permits the filibuster. What Woodrow Wilson said in 1917 is equally true in 1959:

> The Senate of the United States is the only legislative body in the world which cannot act when its majority is ready for action.

In 1917, 75 Senators signed a statement saying they would, if they could, vote to arm merchant ships against German aggression but were unable, because of a filibuster to bring the matter to a vote.

If the pending amendment fails, I fear similar statements may have to be signed by as many as 65 Senators in the 86th Congress, expressing our frustration at our failure to pass measures equally vital to our national security and our national well-being.

It must be clear to all objective observers that, if this amendment fails, no meaningful civil rights legislation will pass this Congress despite protestations to the contrary; and yet I think it equally clear that a substantial majority of the Members of this Senate would vote for substantial civil rights legislation if given the chance. That chance, I suggest, will never come if this amendment fails.

But this is not all. Distinguished conservative Members of this body have already stated during this debate that they rely on rule XXII and the filibuster to assist them in their strong opposition to measures which, I am confident, a majority of the Senate—but probably not two-thirds of those voting on a cloture petition—strongly approve. Among those measures are:

First. Legislation making even minimum health and medical services available to elderly American citizens regardless of their economic status. This legislation will be strongly fought by those who, erroneously in my opinion, consider such measures "socialized medicine."

Second. Legislation requiring State unemployment compensation laws to

meet minimum national standards in order to protect those thrown out of their jobs through no fault of their own.

Third. Slum clearance, urban redevelopment and housing legislation essential to prevent our great cities from becoming the ghettoes of the second half of the 20th century. This legislation will be strongly fought by those who contend State and local governments can find the money for these projects.

Fourth. Federal legislation which would help shore up our sorely tried educational system and enable it to face up to the Russian challenge. This legislation will be strongly opposed by States Rights advocates and $77 billion budget adherents.

Fifth. Legislation which will probably be necessary to close tax loopholes, balance the Federal budget by providing adequate revenues and thus prevent runaway inflation.

I fear that at least one-third, but not a majority, of the Members of this body are opposed to each of these necessary measures. Yet I suggest that most, if not all, of the newly elected Senators of both parties pledged themselves to support these many programs in their campaigns last fall.

Let me say to them, in all candor, that if they oppose the pending amendment their vote may well prevent effective measures in each of these areas from ever coming to a vote in the Senate of the 86th Congress.

If the pending amendment fails this Senate will have, in effect, prevented the establishment of majority rule on controversial legislation and determined that no hotly contested measure can come to a vote on the Senate floor unless almost two-thirds of the Members of this body feel strongly enough about the matter to sign a cloture petition. The filibuster threat will hand over all such measures until they are watered down or abandoned in committee or on the floor.

Let me again remind my Democratic colleagues of the plank which appeared in our party's platform in both 1952 and 1956. It reads as follows:

> In order that the will of the American people may be expressed upon all legislative proposals we urge that action be taken at the begininng of the Congress to improve congressional procedures so that majority rule prevails and decisions can be made after reasonable debate without being blocked by a minority in either House.

I ran on that platform in 1956. I consider myself bound by it when I vote today. Each Senator is, of course, the guardian of his own conscience and I shall never criticize any Member for any vote he may cast in this Chamber.

Late last Friday night, to an empty press gallery and a deserted Senate Chamber, the new minority whip, the distinguished senior Senator from California, summarized my views on this subject far better than I could when he said:

> The times are too critical, the needs of the Nation too great, to retain any longer an undemocratic anachronism which subjects the Senate to the scorn of world opinion and makes a mockery of the legislative process.

Mr. President, the critical issue this afternoon is clear: Do we want the Senate of the United States to continue to be the only legislative body in the world which cannot act when its majority is ready for action?

I urge support of the pending amendment.

Mr. JOHNSON of Texas. Mr. President, the leadership has no request for time in opposition to the pending proposal. Their views have already been expressed, I assume, and we are prepared to vote whenever it is agreeable to the other side.

Mr. DOUGLAS. I was in the rear of the Chamber and did not hear the remarks of the very able majority leader. Am I to understand that he does not wish to have his side debate this amendment any further?

Mr. JOHNSON of Texas. We have no further requests for time at this time. Later some Senator who wishes time may enter the Chamber, but I have canvassed the situation as thoroughly as possible, and we are prepared to vote.

Mr. DOUGLAS. I am deeply disappointed at the failure of the majority leader to produce more defenders of his position; but, of course, we cannot compel Senators to speak if they do not wish to speak, and if they think that by sheer pressure of votes they can get the measure through without discussion. But it is not for me to control the time of the majority leader. Therefore I yield 5 minutes to the very able senior Senator from Michigan [Mr. McNAMARA].

Mr. McNAMARA. Mr. President, there is no doubt that the Senate currently is engaged in one of its most historic debates.

Years from now parliamentarians and students of government will look back on these pages of the CONGRESSIONAL RECORD to study the words we are speaking here.

It is my hope that they will see this debate as a turning point, another victory in the continuing fight to further freedom and democracy, and not as just so many wasted words.

In a sense, those of us who have been carrying on this particular fight already have achieved a certain victory.

This can be seen by the fact that longtime opponents to any change in rule XXII are now proposing a change.

They would not be seeking this compromise if they did not feel that the strength on our side of this issue was considerably greater.

However, while progress thus has been made, there is a big difference between just any token change in rule XXII—and the proper change in rule XXII.

We propose that rule XXII be changed so that a constitutional majority of Senators, at least 50 in number, can effect a limitation on debate. But such limitation could be imposed only after a number of parliamentary steps which would actually permit weeks of debate on any issue.

The rule XXII change offered by the senior Senator from Illinois [Mr. DOUGLAS], and other Senators, has been subjected to much distortion in a conscious or unconscious effort to confuse its merits.

However, any fair-minded person who studies its provisions can see that it permits full, fair, and even prolonged debate.

Any rule that can allow up to 8 or 9 weeks of debate on a given issue can hardly be called a gag rule.

Leaving the eventual decision to a majority of the elected Members of the Senate, certainly is far more fair than the virtually meaningless proposal of two-thirds of those present and voting.

Mr. President, the opponents of a meaningful change or any change in rule XXII frequently exercise a strange double standard. They tell us, for example, that it is not necessary for us to change rule XXII to effect civil rights legislation because we got a civil rights bill through in 1957. But that bill, because of their efforts, was far weaker than it should have been.

Yet a study of the RECORD of those days will disclose that some of those who now almost brag about the passage of the Civil Rights Act are those who fought hardest against its passage.

And they seem to forget that they also chastised us for using another Senate rule—rule XIV—to bring that bill to the floor over their determined opposition.

We still have rule XIV, which permits us occasionally to crack the Iron Curtain blocking consideration of civil rights legislation in this body.

Determined Members of the Senate can—and will, if necessary—use every means at their disposal to bring to this floor legislation which insures the first-class citizenship of every American.

But the fact that we have done it—and perhaps can do it again—does not alter the injustice of a situation where an equally determined group of Senators can tie up this Chamber for weeks and months with senseless talk.

The PRESIDING OFFICER. The time of the Senator from Michigan has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 3 additional minutes to the Senator from Michigan.

Mr. McNAMARA. Mr. President, what I have stated is why our debate today is recognized all over the country as being aimed at two goals. One of these goals is the establishment of real democracy in the U.S. Senate. That goal is to bring an end to an intolerable situation where the filibuster and, more often, the threat of a filibuster, can exercise a governing hand over legislation in this body.

We all know that it is not the actual use of the filibuster that exercises its destructive influence. It is the mere threat that a filibuster will be launched which has far too often kept the great Senate of the United States on its knees.

The second goal of our efforts today, of course, is the further enactment of civil rights legislation—legislation which can be considered in this body on its merits, not dragged down by the destructive hand of the filibuster.

The people of the United States should not have to wait another 84 years for civil rights legislation.

The people of the United States need civil rights legislation far more meaningful than the weak-kneed version we passed in 1957.

We in the Senate who believe that such legislation should be permitted to come before us for consideration should not have to drag it through an "iron curtain" with rule XIV or fight off threats of filibusters under the present rule XXII.

As we were about to pass the Civil Rights Act in August 1957, I noted on the floor that opponents of the moderate bill we had begun with had won their real victory the previous January.

I said they had won their major victory on January 4, 1957, when the Senate voted 55 to 38 against adopting new rules, including a more equitable rule XXII.

That set the stage for debate on the Civil Rights Act which did not begin until the following July.

Despite the valiant effort made by many Members of this body to make that bill meaningful legislation, the real battle already had been lost at the time the Senate refused to topple King Filibuster.

We have already lost our fight to establish the constitutional right of the Senate to adopt its rules, but we have the opportunity to change the undemocratic rule XXII.

If we now refuse to budge that monster off his throne, Mr. President, we may well be writing the defeat of any worthwhile civil rights legislation during the 86th Congress.

That thought will hardly panic some members of this body who want no implementation of the constitutional rights of every American citizen.

It should disturb those who, outside this Chamber, champion civil rights legislation but who refuse to vote here to make it possible.

I am a Democrat, Mr. President, and proud of it.

The platform of the Democratic Party states that the party is committed to "support and advance the individual rights and liberties of all Americans."

Quite a number of Members of this body campaigned on that platform.

They supported it, and they accepted the support of the Democratic Party.

It seems to me, Mr. President, that it is time that Members who used the Democratic Party to win the votes of the people should now show a little reciprocation.

The PRESIDING OFFICER. The time of the Senator from Michigan has expired.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. May I ask how much time has been taken by the proponents of the amendment?

The PRESIDING OFFICER. The proponents of the amendment have 34 minutes remaining.

Mr. DOUGLAS. How much time has been taken by the opponents?

The PRESIDING OFFICER. The opponents have 46 minutes remaining.

Mr. DOUGLAS. The opponents?

The PRESIDING OFFICER. The opponents.

Mr. DOUGLAS. How much time do the opponents have remaining?

The PRESIDING OFFICER. Forty-six minutes.

Mr. DOUGLAS. In other words, they have taken 14 minutes.

The PRESIDING OFFICER. They have taken 14 minutes on the amendment, plus some time on other matters.

Mr. DOUGLAS. I hope that later in the morning the opponents will show their hand and begin to discuss the measure.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. I yield to the Senator from Texas with the understanding that I do not lose my right on the floor, and that the time does not come out of my time.

Mr. JOHNSON of Texas. I ask unanimous consent that the time I take be charged to the time under my control.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I suggest that the Senator from Illinois read his remarks of last week when he was informing the majority leader about how he should establish his case on Senate Resolution 5. If he does so, I am sure he will want to follow his own advice. I should not want to advise the Senator from Illinois, even though the Senator from Texas received much advice on how to establish his case. I have no request for time. If I had a request for time I would be glad to yield it.

We are not trying to conceal our hand. We are prepared to show it and to vote immediately. I do not wish to incur the wrath of any of our colleagues, or to justify the charge that we are trying to prolong debate or to educate the people unnecessarily. Most of the Members have already made up their minds. Some of them have made up their minds in favor of it. I believe they have some reservation, but, notwithstanding, they will vote for the amendment. I believe a substantial number of Senators who have gone into the matter thoroughly are prepared to vote against it. In any event, there is no Senator on either side of the aisle at this time who is asking for any time to argue with the Senator from Illinois. If there is, I shall be very glad to yield time to him.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. CLARK. I should like to make a friendly suggestion, which I hope the majority leader will be inclined to adopt. Of course, it is entirely up to him whether he will do so. If he does not wish to, I shall be content with his decision. I should like to suggest that we have a live quorum call, with the time consumed by it charged to neither side, and if, after a quorum has been established, no Senator desires to be heard, that we proceed immediately to vote. On the other hand, when a quorum has been established, a Senator may wish to speak.

Mr. JOHNSON of Texas. I would have no objection whatever to that procedure being followed. I believe every Senator knows how he is going to vote. I do not believe it is possible to make any Member of the Senate listen to another Senator. I have found that to be true. When I have started to talk, on some occasions, I have found that many of my delightful friends already had all the information they needed on the subject which I was discussing.

Mr. CLARK. I may say that the Senator from Texas is not alone in that regard.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may be permitted to suggest the absence of a quorum, and that 10 minutes of my time may be used for that purpose, in accordance with the very friendly suggestion of my good friend, the Senator from Pennsylvania.

The PRESIDING OFFICER. Is there objection?

Mr. CHAVEZ. Mr. President, will the Senator yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. CHAVEZ. I wonder if the Senator would be kind enough to yield a half minute to me.

Mr. JOHNSON of Texas. I yield to my friend from New Mexico such time as he may desire.

Mr. CHAVEZ. Mr. President, the oldest newspaper in the West is the Santa Fe New Mexican. It is now published and edited by Mr. Robert McKinney, formerly an efficient and intelligent member of the International Atomic Energy Agency.

Recently he wrote an editorial on the efforts being made to amend Senate rules, especially rule XXII. I ask unanimous consent to have the editorial inserted in the body of the RECORD following my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

One of the U.S. Senate's first orders of business will be to decide whether to amend its rules—and, specifically, rule XXII, which governs requirements for limiting debate.

Unfortunately, many of us lose sight of the extreme importance of the prompt and sound resolution of this question, because we see it only as a tactical maneuver forerunning a showdown on civil rights legislation.

It is true, of course, that there is danger, under rule XXII in its present form, that the North versus South struggle over school integration could grow into a long battle of attrition between immoderates on both sides, destroying chances for effective congressional action on a mass of other important legislation during this critical year when we are on the defensive not only on the earth but in infinite space.

The so-called filibuster issue is at heart the question of how to modernize the machinery of legislation without taking the governor off the steam engine—without destroying the historic safeguard of minorities against sometimes fleeting and often impulsive majorities.

Traditionally, the Senate has been the open forum of the world's most successful republic—the Chamber where the American philosophies of government were fully, carefully weighed. Six-year terms and the designation of only a third of the Senators in any one election are provided in our Constitution, not through chance, but to give this deliberative body insulation from the whims and tides tossing on the surface of that sea

of people which the 175 million of us make up.

So it's easy to understand why moderates supporting the proposed cloture amendment have been careful not to go too far—not to destroy the last defensive beachhead of minorities, within the battle and also above it.

For tomorrow's "burning issues" are bound to be different. The West may find itself defending a minority position on public lands; the Senator from Illinois and his neighbors may be battling the majority on inland waterways. The day could soon come when those now most anxious to cut off debate could find themselves in desperate need of the traditional open forum to stave off legislation they know to be unwise.

There have been times when unlimited debate has proved immensely valuable. As Senator CARL HAYDEN, of Arizona, points out, New Mexico and Arizona would have been a single State these past 46 years had not a handful of far-sighted and determined Senators maintained by filibuster that their minority view was the proper one, insisted on admission of each Territory under its own constitution, and finally won over the majority after long debate.

We believe that the present rule, which requires the assent of two-thirds of the total membership of the Senate to limit debate, has been outdated and should be revised.

We agree with those backing an amendment to rule XXII to permit cloture by a vote of two-thirds of those present and voting.

While the amendment would not abolish the filibuster, it would mean that an effective segment of the Senate would have to hold the minority view or a filibuster could be broken with relative ease.

We hope the moderate Senators representing the Western States will assert their leadership and bring an immediate vote—rejecting the Douglas proposal to apply cloture by a simple majority and adopting the compromise amendment—without allowing the situation to develop into the spectacle of a filibuster on the filibuster rule.

This newspaper supports LYNDON JOHNSON and the other statesmen of the center who are willing to face up to the civil rights issue, are purposed to modernize the Senate machinery without changing its character, and are determined to get down to the mass of other important business on which our world position demands action.

Mr. JOHNSON of Texas. Mr. President, in accordance with the unanimous consent given me by the Senate, in response to the suggestion of my friend, the Senator from Pennsylvania [Mr. CLARK], I now suggest the absence of a quorum. I ask the aides of the Senate to notify all absent Senators that the roll will be called. As I understand, 10 minutes have been yielded for that purpose.

The PRESIDING OFFICER. The Senator from Texas is yielded 10 minutes for that purpose.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Byrd, Va.	Church
Allott	Byrd, W. Va.	Clark
Anderson	Cannon	Cooper
Bartlett	Capehart	Cotton
Beall	Carlson	Curtis
Bennett	Carroll	Dirksen
Bible	Case, N. J.	Dodd
Bush	Case, S. Dak.	Douglas
Butler	Chavez	Dworshak
Eastland	Jordan	Pastore
Ellender	Keating	Prouty
Engle	Kefauver	Proxmire
Ervin	Kennedy	Randolph
Frear	Kerr	Robertson
Fulbright	Kuchel	Russell
Goldwater	Langer	Saltonstall
Gore	Lausche	Schoeppel
Green	Long	Scott
Gruening	Magnuson	Smathers
Hart	Mansfield	Smith
Hartke	Martin	Sparkman
Hayden	McCarthy	Stennis
Hennings	McClellan	Symington
Hickenlooper	McGee	Talmadge
Hill	McNamara	Thurmond
Holland	Monroney	Wiley
Hruska	Morse	Williams, N.J.
Humphrey	Morton	Williams, Del.
Jackson	Moss	Yarborough
Javits	Murray	Young, N. Dak.
Johnson, Tex.	Muskie	Young, Ohio
Johnston, S.C.	O'Mahoney	

Mr. MANSFIELD. I announce that the Senator from Oregon [Mr. NEUBERGER] is absent because of illness.

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from South Dakota [Mr. MUNDT] are absent on official business.

The PRESIDING OFFICER. A quorum is present.

Mr. DOUGLAS. Mr. President, I yield 10 minutes to the very able senior Senator from New Jersey [Mr. CASE].

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 10 minutes. The Senate will be in order. Time will be charged to neither side until the Senate is in order.

The Senator from New Jersey may proceed.

Mr. CASE of New Jersey. Mr. President, for the last few weeks there has been a widespread attempt to make it appear that the proposal offered by the distinguished majority leader offers a reasonable position midway between two extremes.

This is simply not so.

As has been pointed out, for all practical purposes the proposal of the distinguished Senator from Texas would leave the situation unchanged. So far as the third section is concerned, his proposal might well worsen the plight in which the Senate now finds itself.

The Johnson resolution proposes a return to the 1917 rule, insofar as a majority is concerned, which prevailed until 1949. Since 1917, there have been 22 votes on motions to impose cloture. Of those 22 votes, only 4 have been successful. Merely changing the requirement for a constitutional two-thirds to two-thirds of those present and voting would have had no effect on the historical results in those 22 cases. Only 4 attempts at cloture would have won, as 4 did win.

By requiring a constitutional majority, a significant difference would have occurred. Nine attempts would have been successful. The fact is that any issue which becomes the subject of a filibuster will compel a full attendance when and if a vote is reached.

The Douglas proposal, which I and other Senators support, is in fact a moderate one. It will permit the Senate effectively to stop filibusters, but only after several weeks have elapsed. In actual practice, I am sure, a minimum of from 6 to 8 weeks of debate would be assured. Only then could a constitutional majority of the Senate—that is, 50 votes of a total of 98—reach a vote.

That such a modest proposal should invoke the extremist label is hard to believe. Yet it has been alleged that, the advanced liberals—earnest men but in some cases inflamed by their long frustration in seeking full civil rights for Negroes—would fundamentally alter the Senate as an institution.

We are told that our proposed new rule might result in a profound change in what for nearly two centuries has been our most changeless institution, the United States Senate, and would end the Senate as a unique deliberative body.

We are accused of regarding conduct described as respect for constitutional tradition as reactionary hostility to civil rights.

Yet the same writer has elsewhere characterized the Senate as "to a most peculiar degree, a southern institution—the South's unending revenge upon the North for Gettysburg."

No, Mr. President; the Senate has not been our most nearly changeless institution. Constitutional tradition, such as there is of it, bearing on the rules issue, is on our side, and not on the side of reactionary hostility to civil rights.

The Senate has undergone radical changes from time to time, and the stultifying veto by filibuster is a comparatively modern curse unknown to the early Senate. The early Senate—at least down to the Civil War—under its rules, precedents, and customs, had the authority to control debate effectively, and, for the most part, did stop incipient filibusters by insisting that Senators confine their speeches to the question before the House, and that Senators so conduct themselves as to comport with the traditional dignity of the Senate.

This history has laid to rest forever the myth that in the sessions of the Senate prior to the Civil War, a Senator could speak impertinently, superfluously, or tediously, without let or hindrance, in violation of Jefferson's Manual. The period when the Senate was rendered impotent for days and weeks at a time by the unseemingly spectacle of Senators taking turns in speaking impertinently, superfluously, and tediously, not merely to delay, but to prevent, the Senate's acting, is of modern development, finding no sanction or support in early Senate history or practice.

To illustrate my point, I cite the fact that under the rules governing successive Senates down to 1828, the Vice President had complete authority to rule on matters of order and decorum in debate, and from his decision there was no appeal. Can one imagine John Adams, Thomas Jefferson, or Aaron Burr tolerating a filibuster? They did not. Nor did John Gaillard, the revered Senator from South Carolina, who presided over the Senate as President pro tempore for many years after Burr. With rare exceptions, the great tradition they set held through the years down to the Civil War.

Our proposal that a majority of the entire membership of the next Senate—that is, 50 of the 98 Senators—must favor cloture to impose it has been described in the press as a barest and

slimmest majority. This is indeed misleading.

As you know, Mr. President, the term "majority" as used in the working of our proposal, has a restricted or special meaning given to it by the words "entire membership of the Senate." The words are, "a majority of the entire membership of the Senate"—what has come to be known as a constitutional majority.

The PRESIDING OFFICER (Mr. CARLSON in the chair). The time of the Senator from New Jersey has expired.

Mr. DOUGLAS. Mr. President, I yield 5 more minutes to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 5 additional minutes.

Mr. CASE of New Jersey. I thank the Senator.

Under article I, section 5, of the United States Constitution, a majority of each House constitutes a quorum to do business. While the Constitution does not explicitly state the number of affirmative senatorial votes generally needed to pass a measure in either House—and neither do the standing Senate rules—it has always been agreed that, save for the several exceptions specifically mentioned in the Constitution, a majority of a quorum, which has come to be known as a simple majority, could pass measures. No one has ever disagreed with this proposition. In the case of the current Senate, this means that, generally speaking, a majority of a quorum—26 Senators—can by voting affirmatively, enact legislation.

Mr. DOUGLAS. Mr. President, the Senator from New Jersey is making a very able speech. I wonder if we might have order in the Chamber.

The PRESIDING OFFICER. The Senate will be in order.

The Senator from New Jersey.

Mr. CASE of New Jersey. A "simple majority" is quite different from a "constitutional majority." Usually when the term "majority" is used without further qualification, the person using it means a simple majority. Thus, when the adjectives "barest" and "slimmest" are used to describe a minimal Senate majority, the writer properly can have reference to no more than 26 Senators—not the 50 required by our modest proposal.

It has also been pointed out frequently that the Senate was deliberately designed as a frank check on unqualified majority rule. Certainly the Senate was frankly designed to act as a check on the kind of majority rule which would have resulted if the General Government had consisted of only one House, or even two Houses, the Members of which were apportioned among the States solely on the basis of population. The small—by population—States wanted protection from complete domination by the large States, and secured it by the great compromise, under which the Senate was to consist of two Senators from each State. So far as population is concerned, this was a frank nonmajority provision. But in 1789 nobody dreamed of providing that the Senate itself was to act as a parliamentary body other than on the basis of simple majority rule, except in the specific situations set forth in the Constitution, such as the two-thirds vote required in passing vetoed bills, and in proposing constitutional amendment to the States, and except for the proviso that a majority of the whole body is necessary to constitute a quorum to do business.

To read into the checks against total majority rule of the people of the Nation taken as a whole, the notion that the Senate itself is to act on some basis other than simple majority rule finds no warrant in history.

Surely, no one will deny that the Constitution requires only a simple majority of Senators—26 could do it—voting for a bill to pass it; nor will anyone deny that the Senate has now, and has always had, majority rule in voting on legislation. Under the Constitution it is perfectly clear that even a simple majority of Senators—even 26—could close debate if the Senate made such a rule. I submit that our proposal, which would require at least 50 Senators voting for cloture, is most modest and reasonable.

We do not mean to change the constitutional structure; we mean to implement it. And if the objection is to majority rule in the Senate, why not say so and let us debate the wisdom of a constitutional amendment?

Let us not hide behind the free debate myth if we want to have a further check on majority rule in Senate proceedings. Let us openly espouse Calhoun's theory of concurrent majorities, and openly provide that no bill shall pass unless two-thirds of those present vote affirmatively.

Finally, we are charged with blaming the filibuster for inability to enact civil rights legislation. We do, indeed. We know from bitter experience the difficulties and frustrations inherent in securing legislation to assure their constitutional rights to a minority. True, we finally achieved passage of a Civil Rights Act—of a sort—last year—the first such legislation in nearly 75 years. But we are still far from assuring effective protection of the constitutional rights of all our citizens.

This is the real heart of the objection to our proposal, and the objection that has been made to similar proposals in the Senate, and it goes back to a time long before I was a Member of this great body.

Mr. President, I yield the floor.

Mr. CASE of South Dakota. Mr. President, will the Senator yield me some time?

Mr. JOHNSON of Texas. Mr. President, I yield 4 minutes to the Senator from South Dakota [Mr. CASE].

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 4 minutes.

Mr. CASE of South Dakota. Mr. President, the history of man's struggle for liberty and freedom has been the story of his attempts to place limits upon unbridled power. It has been the story of man's attempt to make it possible for him to speak freely.

Whether the Magna Carta, our own Constitution, or the Bill of Rights, every one of them has been an attempt to place a bridle upon dictatorial power or the power of majorities to impose their will upon minorities without a hearing.

Every fight for liberty has been a fight to make it possible for the little man, or the minority, to have a voice and have a chance to be heard. In that way, ideas are tested on the anvil of debate. Debate is the means whereby truth and wisdom can be found.

The distinguished Senator from New Jersey has said that in the early history of the Senate filibusters were avoided as rules then confined debate to the matter before the House. That observation should point the true path we should pursue if we want to get away from dilatory or delaying debate. We should have a rule of germaneness. I have an amendment which I shall later present on that subject. But to propose that the right of any State to be heard through this Senate should be subject to gag rule to be imposed by simple majority strikes at the very center of freedom and liberty which the Senate should preserve.

The distinguished Senator from Illinois, if any Member of this body, should realize the value of having full and open debate, for certainly he and I know that 2 years ago, or was it 3 years ago—time passes so rapidly—had a simple majority been permitted to impose a gag rule on Senators, when there was a discussion of a certain bill on the floor of the Senate, the laws of this country today might have been different than they are.

As some of the ablest Senators who have served in this body have pointed out, legislation, if good, comes back. Smith W. Brookhart, who was a Progressive Senator from the State of Iowa, pointed out in debate on the floor, back in the 1920's:

> The rule sometimes delays good legislation, but never kills it. Good legislation always comes back, and finally wins. The rule kills a great deal of bad legislation. That class of legislation which cannot stand the light of publicity will always be killed by unlimited debate.

The immediate question before the Senate relates to the question of the majority which may cut off debate.

Article V of the Constitution specifically provides that "no State, without its consent, shall be deprived of its equal suffrage in the Senate." It provides that "no State, without its consent, shall be deprived of its equal suffrage in the Senate." It is here proposed that a simple majority may effectively stop the voice of States, by placing a gag rule upon their Senators.

Should we have a simple majority, or should we have something more than a simple majority if we are going to place a gag upon the voices of States in the Senate?

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I would yield if I had more time, but I have only been allotted 4 minutes.

Mr. DOUGLAS. Mr. President, I yield 1 minute of our time to the Senator from South Dakota.

Mr. CASE of South Dakota. I will be glad to yield if I can get the time reinstated.

Mr. DOUGLAS. The Senator has been arguing as though we were proposing a simple majority vote. Is the Senator

aware that what we are proposing is a so-called constitutional majority of the entire membership of the Senate? Furthermore, this limitation could not be imposed until 15 days after the presentation of a petition, and the petition would not be presented until the debate had gone on for a long time. Thereafter, even after cloture imposition, each Senator would be entitled to speak for 1 hour.

Mr. CASE of South Dakota. Mr. President——

Mr. DOUGLAS. Is the Senator aware of those facts, and that this procedure can be followed not merely on the motion itself but on the motion to take up, so that we could have from six to eight weeks of debate? The Senator is a fair-minded man, and I am sure he would not make the statement which he has made if he knew what the proposal is which is now before this body.

Mr. CASE of South Dakota. I am glad to have the Senator from Illinois clarify that point. Mr. President, am I reimbursed for the time taken by the Senator from Illinois?

Mr. DOUGLAS. I am glad to yield the Senator the time necessary to reply to the question.

The PRESIDING OFFICER. The Senator has yielded 1 minute.

Mr. DOUGLAS. I am glad to yield an additional minute to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator is recognized for an additional minute.

Mr. CASE of South Dakota. My response to the question, Mr. President, is that in every instance in which the Constitution deals with a situation which the Constitutional Fathers thought should require more than a simple majority of those present, two-thirds was the rule which was suggested in the Constitution.

This is not true merely on the matter of overriding a veto, but it is true in at least eight cases. The Constitution or the amendments thereto provide in at least eight cases for a two-thirds majority.

Impeachment convictions require the concurrence of two-thirds of the Members present.

Expulsion of a Member requires the concurrence of a two-thirds majority.

Overriding a veto requires approval by two-thirds of the Members.

A similar provision requiring a two-thirds vote of Senators is provided on certain other orders and resolutions.

Amendments to the Constitution may be presented by two-thirds of both Houses, when they deem it necessary.

Ratification of treaties requires the vote of two-thirds of the Senators present.

In the instance when the election of the Vice President should fall to the Senate, again the Constitution provides for a two-thirds vote.

On the removal of a disability for membership in the Congress, when caused by having been involved in an insurrection, a two-thirds vote is required.

So, there are at least eight instances of such requirements. In every instance where the Constitution deals with something more than a majority vote, there is a provision for a two-thirds vote. Why, then, when we are considering a proposal which would put a gag upon the right of Senators to speak and might deprive some States of their right to voice opinions on the floor of the Senate, why should we adopt anything other than a two-thirds requirement as set forth in the Constitution in all the instances I have related?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that I may have printed in the RECORD at this point a statement in support of the constitutional provisions on majorities.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

CONSTITUTIONAL PROVISIONS ON MAJORITIES

1. No impeachment without two-thirds of the Members present. Articel I, section 3, reads (clause 6):

"The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no person shall be convicted without the concurrence of two-thirds of the Members present."

2. Expulsion of a Member requires two-thirds majority. Article I, section 5, clause 2, reads:

"Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member."

3. Overriding veto: Article I, section 7, clause 2, reads:

"If after such reconsideration two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law."

A similar provision is found in the succeeding clause, which reads:

"Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill."

4. Amendments to the Constitution itself rest upon a proposal by "two-thirds of both Houses." Article V reads:

"The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: *Provided*, That no amendment which may be made prior to the year 1808 shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate."

That last phrase might be noted in passing—namely, that no State without its consent shall be deprived of its equal suffrage in the Senate. Any proposal to limit debate involves depriving some States of their voice, albeit not their suffrage. Respecting the thought guards the suffrage of the States in the Senate, and certainly suggests restraint in depriving a State of the presentation of its views in the Senate. This is an aspect of the matter which those who would limit debate by simple majority vote might well consider.

5. Again, the Constitution, in article II, section 2, requires concurrence of two-thirds of the Senators present for the ratification of treaties. Clause 2 of section 2 reads:

"He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

6. Again, where election of Vice President falls to the Senate, through failure of the electoral college to cast a majority, the Constitution, both in the original article II and in amendment 12, relies upon a two-thirds rule. The applicable clause in amendment 12 reads:

"The person having the greatest number of votes as Vice President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice."

7. Again, removal of a disability for membership in the Congress, when caused by having been involved in an insurrection, may be removed by a two-thirds vote of each House.

Thus, it would seem that the Founding Fathers sought to protect the rights of minorities by requiring more than simple majorities to override or silence them in matters of great moment.

And it scarcely need be said that the maintenance of this principle requires the availability of such a rule for every instance in which a minority might think that its rights were imperiled by the suppression of speech.

Mr. MONRONEY. Does the Senator desire more time? I am prepared to yield the Senator 2 additional minutes.

Mr. CASE of South Dakota. I should appreciate having a little more time.

Mr. MONRONEY. Mr. President, I yield 2 additional minutes to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 2 additional minutes.

Mr. CASE of South Dakota. I think in a time such as this we could well heed the words of some people whose position at least ought to be regarded as objective. I was impressed by the words from Woodrow Wilson's respected work on "Constitutional Government," which read:

The talk on the part of Congress which we sometimes justly condemn is the profitless squabble of words over frivolous bills or selfish party issues. It would be hard to conceive of there being too much talk about the practical concerns and processes of government. Such talk it is which, when earnestly and purposefully conducted, clears the public mind and shapes the demands of public opinion.

Walter Lippmann, who certainly ought not to be regarded or charged with being anything but objective in his approach to a matter such as this, said

in his column on the 6th of January 1959:

> The other consideration which moves us is that we do not wish to entrust the civil liberties of all our people, not only under the 14th and 15th amendments but under the whole Bill of Rights, to simple and narrow majorities. We live in a time of danger when panic is always possible and panics can easily produce a stampede away from liberty.

Mr. President, it is because of consideration of that principle enunciated by Mr. Lippmann, and it is because of the fact that the whole history of liberty has been a struggle to make it possible for minorities to speak, that I shall vote against the pending motion and other motions of that character.

Mr. JOHNSON of Texas. Mr. President, if the Senator from Oklahoma [Mr. MONRONEY] will permit, I should like to yield time to the Senator from Arkansas [Mr. FULBRIGHT]. I yield as much time as the Senator may need.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. FULBRIGHT. Mr. President, I have no desire at all to delay the business of the Senate by speaking at any great length on the pending resolution. Not only is it imperative that we move on to the consideration of the urgent problems confronting us, but we are all aware that the question before us is not a new one and I doubt if there is any facet of this problem which has not been thoroughly considered. It has been the subject of debate by learned men throughout the history of the Senate.

I have had the privilege, during my tenure in the Senate, of participating in what I consider to be historical debates on the question of limitation of debate in this body. Nevertheless, I again feel it an obligation and, indeed, a solemn duty briefly to restate the views I have expressed in the past. I recall the long hours devoted to the discussion of this issue when Senate rule XXII was amended in 1949. It was during the course of that debate that I inserted into the RECORD portions of an article by one of the most profound thinkers and certainly one of the most widely respected news commentators of our time, Mr. Walter Lippmann.

In that article, Mr. Lippmann so concisely stated the real essence of the problem which is before us today that I should like, for the benefit of Members who have come to this body since that time, and also for the purpose of again calling it to the attention of those who participated in the debate in 1949, to read the most significant parts of it as a preface to my brief remarks. The article began:

> Although the question before the Senate is whether to amend the rules, the issue is not one of parliamentary procedure. It is whether there shall be a profound and far-reaching constitutional change in the character of the American Government.

It went on to state that if the proposal to amend the Senate rules is successful—

> The existing power of a minority of the States to stop legislation will have been abolished * * * for the real issue is whether any majority, even a two-thirds majority, shall now assume the power to override the opposition of a large minority of the States.
>
> In the American system of government the right of democratic decision has never been identified with majority rule as such. The genius of the American system, unique I believe among the democracies of the world, is that it limits all power—including the power of the majority. Absolute power, whether in a king, a president, a legislative majority, a popular majority, is alien to the American idea of democratic decision.
>
> The American idea of a democratic decision has always been that important minorities must not be coerced. When there is strong opposition, it is neither wise nor practical to force a decision. It is necessary and it is better to postpone the decision—to respect the opposition and then to accept the burden of trying to persuade it.
>
> For a decision which has to be enforced against the determined opposition of large communities and regions of the country will, as Americans have long realized, almost never produce the results it is supposed to produce. The opposition and the resistance having been overridden, will not disappear. They will merely find some other way of avoiding, evading, obstructing, or nullifying the decision.
>
> For that reason it is a cardinal principle of the American democracy that great decisions on issues that men regard as vital shall not be taken by vote of the majority until the consent of the minority has been obtained. Where the consent of the minority has been lacking, as for example in the case of the prohibition amendment, the democratic decision has produced hypocrisy and lawlessness.
>
> This is the issue in the Senate. It is not whether there shall be unlimited debates. The right of unlimited debates is merely a device, rather an awkward and tiresome device, to prevent large and determined communities from being coerced.
>
> The issue is whether the fundamental principle of American democratic decision—that strong minorities must be persuaded and not coerced—shall be altered radically, not by constitutional amendment but by a subtle change in the rules of the Senate.
>
> For if that principle is abandoned, then the great limitations on the absolutism and the tyranny of transient majorities will be gone, and the path will be much more open than it now is to the demagogic dictator who, having aroused a mob, destroys the liberties of the people.

Mr. President, I submit that, in this article written almost 10 years ago, the very essence of this problem was condensed and stated in as concise a form as possible.

I believe, and have often said in the course of Senate debates involving this question, that one of the most significant aspects of our form of government is that we have devised a means whereby the individuality and the rights of each of the States in the Federal system is, to some extent, preserved and respected. The institution within our system which is, more than any other, responsible for the preservation of the rights of the individual States is the upper House of our Congress.

The Senate of the United States is unique among parliamentary bodies. It has no counterpart in any legislative body and it has become renowned as the greatest deliberative body in the world. It has a distinct and essential function in maintaining the delicate system of checks and balances so vital to the proper operation of the governmental system devised by the great and wise men who founded this Nation.

That the Senate functions in the manner it does and occupies the position it does in our system—that it has become such a great deliberative body is because of the existence of the tradition of free and, in a sense, unlimited debate.

Further abridgment of the freedom of debate in the Senate, in my view, can lead ultimately to abridgment of the freedoms of the people of this Nation. One need not be a world historian, a political scientist, or a Member of Congress to know that history is replete with examples of nations and peoples whose freedoms have been obliterated through ruthless assumption of absolute power by tyrants. In every such case the right of free speech, freedom of open public debate, was the first of the freedoms abolished. For when this right exists, where the voices of freely elected representatives of the people are not stilled, the rights of the people are not likely to be usurped by depots.

So long as each of the States of this Union is equally represented in the Senate of the United States, and so long as each State's elected representatives in that body have the right to freedom of expression—freedom from coercion—and are free to express their views as representatives of their States without fear of being smothered, stifled, or gagged, so long will the rights of the citizens of each of the States be protected.

One of the greatest Senate liberals of all times, the elder Senator La Follette, in discussing limitation of debate in the Senate had this to say:

> Believing that I stand for democracy, for the liberties of the people of this country, for the perpetuation of our free institutions, I shall stand while I am a Member of this body against any cloture—that denies free and unlimited debate. Sir, the moment that the majority imposes the restrictions imposed in the pending rule, that moment you will have dealt a blow to liberty, you will have broken down one of the greatest weapons against wrong and oppression that the Members of this body possess.

Those advocates of so-called majority rule in the Senate of the United States could well profit by considering these words spoken by Senator La Follette. They should ponder on exactly what unlimited majority rule can mean. The mere fact that a majority advocates a certain course of action has never been a guarantee of the right or the wisdom of the act.

We know that the greatest crimes in history have been committed by unchecked majorities. It was a rabid and inflamed majority that demanded of Pilate the crucifixion of Christ, though there was a significant minority who insisted he be freed.

History tells us that Roman majorities were entertained in the arenas by the spectacle of lions tearing the early Christians to shreds.

Majorities demanded of Martin Luther on pain of death that he recant the truths proclaimed in his 95 theses nailed to the church door at Wittenburg.

And it was a majority who willingly surrendered its freedom to the madman

Hitler and pleaded ignorance of the inhuman practices instituted by its leaders.

Martyrs throughout history have been consumed at the stakes by the flames kindled by passionate majorities.

So, to me there has never been anything sacrosanct in the theory of rule by the majority nor have I ever been able to equate the majority rule theory with the concept of democracy. Rather, one of the chief characteristics of a democratic society is the safeguards it provides to insure protection of the rights of minorities from the ruthless exercise of power by popular or transient majorities.

I do not believe that it was ever intended by the framers of our Constitution that unlimited majority rule should be its guiding principle. Rather, I believe that they intended to devise a system which would curb the absolute rule of the majority. Surely this is one of the things meant by Madison or Hamilton in a significant section of "The Federalist Papers:"

> The necessity of a Senate is not less indicated by the propensity of all single and numerous assemblies, to yield to the impulse of sudden and violent passions, and to be seduced by factious leaders into intemperate and pernicious resolutions.

Certainly the Founding Fathers did not endorse the simple majority rule theory when they determined the manner in which the Constitution was to be adopted nor when they provided for the manner in which that document could be changed by amendment. It is required that three-fourths of all the States ratify changes in the Constitution—not a simple majority of the States. The Constitution is full of denials of the principle of simple majority rule. Treaties cannot be ratified by a simple majority, nor can impeachments or expulsions of Members of Congress be decided in that manner. Presidential vetoes must be overridden by two-thirds of the Members of both of the Houses of Congress. All these, I submit, are examples of the denial of rule by a simple majority.

To sum up, it is my belief, one which has become more firm with the passage of time, that minorities have rights which should not be trampled upon with impunity by any group which happens to be a majority at any given time.

One of the great authors of the country, Mr. Herbert Agar, in his book, "The Price of Union," summarized the basic issue involved in this controversy. He said:

> If the majority demands its way too harshly, the Federal principle is broken, for the essence of federalism is the power of regional minorities to protect their interests.

The Senate of the United States, and that which distinguishes it, the right of free and extensive debate, is a cornerstone of our democratic form of government.

I, as a representative—in effect, as an ambassador of my State in the Congress—have a duty to protect the rights of the people of Arkansas, and so long as I represent my State in the Senate, I shall oppose with all the vigor I possess any measure designed to dilute the right of the Members of this body to debate freely the issues brought before us.

Mr. MONRONEY. Mr. President, I yield 7 minutes to the distinguished junior Senator from Idaho [Mr. CHURCH].

The PRESIDING OFFICER. The Senator from Idaho is recognized for 7 minutes.

Mr. CHURCH. Mr. President, first I wish to commend the distinguished Senator from South Dakota [Mr. CASE] for the remarks he has made, particularly with reference to the profound quotation of Woodrow Wilson.

I should like, Mr. President, to express my views on the pending amendment in the nature of a substitute to the so-called Johnson resolution. I do so, Mr. President, in full knowledge of the fact that my views are not of any great moment to the Senate. I have not been a Senator of the United States long. I have neither the seasoning nor the seniority to speak with authority on Senate procedures. Nevertheless, I feel constrained to make my views clear, if only because they require me to oppose a proposal which is sponsored by four Senators whom I esteem so highly.

Mr. President, the issue before us is not majority rule. That should be clear enough by now. The rules of the Senate of the United States provide for majority rule both with respect to substance and procedure, except in those few cases in which the Constitution of the United States expressly requires a two-thirds vote. Can there be any doubt that every bill which comes before this body is adopted, or rejected, or amended by action of the majority? This is true with respect to substantive matters, but it is equally true with respect to procedural matters, because under the rules of the Senate a majority retains the power to accept, to reject, or otherwise to modify any rule which governs us.

Mr. President, the real issue we confront is simply stated in this way: What rule shall the majority of this Senate adopt with reference to imposing a limit on debate as to all matters, substantive and procedural, which are to come before us? It has been argued, in the course of the past several days, that debate in the Senate of the United States ought not to be permitted under any rule which would allow a handful of determined men to prevent the Senate from voting on the matter at hand. Mr. President, I agree. For that reason, I think that subsection 3 of rule XXII as presently constituted, which would permit a small handful of Senators, by the device of unending debate, to prevent the great majority of this body from acting—since that portion of the rule allows no cloture at all if the matter before the Senate relates to a change in the rules—should be stricken. I remind the Senate that the Johnson resolution would strike subsection 3 from rule XXII and impose the same rule of cloture with respect to procedural matters as it would impose with respect to substantive matters.

But, Mr. President, I equally cannot agree with those who say that we should adopt such a rule for the Senate as would permit a group consisting of one more than half of our Members to terminate debate.

I oppose such a proposal because, essentially, if we adopt it in the coming vote, it means that by our act we shall have accepted the principle of majority cloture. I submit that a healthy respect for the rights of the minority in connection with all the issues to come before the Senate requires that we refuse to adopt or confirm the principle of majority cloture.

I know it has been said that ample debate would be permitted under the proposal now before us. It has been said that the debate might last 15 days, and some additional days besides. It has been said that on occasion the debate might last as long as 30 days.

Mr. DOUGLAS. Or 8 or 9 weeks.

Mr. CHURCH. Or, under optimum conditions, even as long as 8 or 9 weeks.

I know that no rule propounded by the distinguished Senator from Illinois [Mr. DOUGLAS], the distinguished Senator from Minnesota [Mr. HUMPHREY], the distinguished Senator from New York [Mr. JAVITS], or the distinguished Senator from New Jersey [Mr. CASE] would be an unreasonable rule. The point I wish to make is that the question is not whether a reasonable time for debate would be allowed under the proposal now pending. If, through the acceptance of the pending proposal, we adopt the principle of majority cloture, however reasonable the time allowed may now be, once the principle of majority cloture has been adopted, the cause celebre next year or the year after will be to reduce the time limit from 15, to 7, or 3 days. Once we embark on that course, there is no assurance whatever that the limits imposed upon debate will not become more and more restrictive, until at last we shall have made of the Senate another House of Representatives. Could liberals chart a course more strange?

It has been by our refusal to adopt the principle of majority cloture that we have set apart the Senate of the United States from the host of legislatures that exist elsewhere. It is the principle of majority cloture that underlies every gag rule that muffles other legislatures. The Senate of the United States has become the most important deliberative body in the world because it has steadfastly refused to adopt the principle of majority cloture, and has repeatedly guaranteed the right of extended debate. In this fact alone are we to be distinguished from other parliaments, elsewhere in the States and in the world at large.

It is said that we must adopt this proposal because of the transient interests of a single cause, namely, civil rights. I am for civil rights legislation; and let me give notice here and now that I will support with all my conviction and with all the power at my command the inclusion of part 3—previously stricken from the civil rights bill of 1957—under the procedural safeguards now contained in that bill. I pledge my support to that effort.

I am also very much interested, as many Members of this body know, in statehood for Hawaii. Statehood will be

more difficult to attain without majority cloture, but, Mr. President, some things are worth doing the hard way. If in the process there is required a little give and take; if the process requires some element of accommodation, remember that most historians will bear me out when I say that this process has served the country well, and we have benefited more from it than we have suffered.

These are the reasons why, as we consider all the questions which come before us, and decide upon the rule to govern us in connection with all of them, we should adhere to the well-established tradition of the Senate that has made it great.

The Johnson proposal involves a return to the rule of 1917, that two-thirds of the Senators present and voting may invoke cloture. I favor that proposal, because the present rule is too harsh.

The Johnson proposal would apply the same rule in a case in which the question before the Senate related to a change in the rules. I favor that proposal, because it is fitting, and in accord with the constitutional mandate. But let us vote down the present proposal. I say that in the furtherance of no ambition save that of preserving inviolate the prerogative which has made of this body the greatest deliberative parliament in the world.

Mr. HOLLAND. Mr. President, will the acting majority leader yield me 1 minute?

Mr. MONRONEY. I yield 1 minute to the Senator from Florida.

Mr. HOLLAND. I rise to express my very great appreciation and to voice the warmest of compliments for the position taken by the Senator from Idaho, and his eloquence in taking that position.

I am sure that most of us, in passing through Statuary Hall, have noted that the State of Idaho has one representative there, in the form of a statue of a distinguished predecessor of the Senator who has just spoken. I refer to the late Senator Borah.

In a study of the questions involved in the current debate, I have noted with appreciation over and over again that the position taken by the late distinguished Senator Borah of Idaho is identical with that which has just been voiced so eloquently by his successor, the present junior Senator from Idaho. I compliment and congratulate him for following so ably in the distinguished footsteps of his great predecessor.

Also I wish to voice my approval of the statement recently made by our distinguished colleague the Senator from South Dakota [Mr. CASE], and for his labor in compiling for the RECORD a list of the several instances in which constitutionally the Senate is committed to following the two-thirds rule.

For the purpose of voicing my compliments and also, if possible, strengthening that position, I invite attention to the fact that, although there is no rule on the subject, the position taken by the Senate time and time again, even in overruling a hostile ruling of a Presiding Officer, has been that, by a two-thirds vote of the Senate, the rules of the Senate may be suspended from time to time, and the Senate may take action which is not in accord with the rules, thus adopting and following the precedent and course of action so ably pointed out by the Senator from South Dakota, and which appears so many times in the Constitution itself.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. CASE of South Dakota. I appreciate very much the remarks the Senator has made, and particularly his comments regarding the two-thirds rule. In that connection, I also point out that in the House of Representatives a motion to suspend the rules always requires a two-thirds vote.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I shall be glad to yield a little later. I agreed earlier to yield to the Senator from Oregon [Mr. MORSE] for the purpose of making a statement.

THE SITUATION IN CUBA

Mr. MORSE. Mr. President, I should like to speak to the Senate for 2 minutes as chairman of the Subcommittee on Latin American Affairs of the Committee on Foreign Relations. I make these comments not merely because I happen to be opposed to capital punishment, not merely because I believe that the taking of human life is a decision for the Almighty and should never be the decision of man, but I make them because I am horror stricken by the new blood bath in Cuba.

There is great concern in our country at this hour over the blood bath which seems to be taking place in Cuba. I have long been a friend of freedom in Cuba. A few days ago I urged the recognition by the United States of the new Cuban Government. The RECORD shows that I have spoken out time and time again against the Fascist policies of Batista and have pointed out that there really is no difference, so far as human liberty is concerned, between the police state of fascism and the police state of communism.

In view of the events being reported to us almost hourly as to what is occurring in Cuba at the present time, I rise on the floor of the U.S. Senate to give this word of warning to the officials of the new Cuban Government. Killing their opponents is not the way for the leaders of the new regime in Cuba to win the support of free men and women around the world. I would give them the advice that it would be better to withhold their executions and to use their prisons for fair penal treatment until emotions calm down. Executions of Batista leaders and followers should be based at least upon public trials at which evidence can be presented and law and order can prevail. I am opposed on moral grounds to the law of the jungle which is all capital punishment amounts to. But in this instance the executions are not based upon a public trial and a public record. Vengeance seems to be the order of the day in Cuba.

As chairman of the subcommittee I deplore—as I happen to know others in this country are deploring at this hour—what appears to be the adoption on the part of the new regime of one of the techniques of the old police state—"Kill your enemies." It is not humane. It is not in keeping with the democratic processes of self-government. It is dictatorial. It is the old police state tactic of killing those who disagree. It is not Christian. It is not the way to build up good will among free men and women around the world.

AMENDMENT OF THE RULES

The Senate resumed the consideration of the resolution (S. Res. 5) proposing to amend Senate rules XXII and XXXII.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. How much time remains on each side on the pending amendment?

The PRESIDING OFFICER. The Senator from Illinois has 20 minutes remaining, and the Senator from Texas has 8 minutes.

Mr. DOUGLAS. Mr. President, I yield 5 minutes to the very able junior Senator from Colorado [Mr. CARROLL].

The PRESIDING OFFICER. The Senator from Colorado is recognized for 5 minutes.

Mr. CARROLL. Mr. President, as a new Member of the Senate, I have thoroughly enjoyed the able debate conducted by both sides on this vital issue. and have especially been interested in reading the report of the Committee on Rules and Administration. We have had before us the excellent report of the committee—principally authored by the Senator from New York [Mr. JAVITS] on one side, and by the Senator from Georgia [Mr. TALMADGE] on the other. Also, we have had splendid debates outlining in great detail the history and the precedents connected with the issue before us. Needless to say I have been greatly impressed.

However, it seems to me that in the debates most of the arguments have been made in a vacuum.

Actually, we are not confronted with a theory, but with a condition. The condition today is that the Johnson resolution gives the shadow of a change, but not the substance of a change. To me that is the basic point we should consider.

What brings this important issue before us today? Every Member of the Senate knows that there is urgent need for a change in rule XXII, based upon the unfortunate unconstitutional action taken by a majority of the Senate in 1949. It is this imperative need for a change which creates the controversy today. The proposal offered by the distinguished Senator from Texas [Mr. JOHNSON] in his resolution appears to make such a change. In my opinion it will bring about a change only of one or two votes so far as the 1949 rule is concerned.

I have read very carefully the message on the state of the Union delivered by the President of the United States, in which he outlined the problems which lie ahead. In the field of science, in the field

of medicine, and in almost every other field, except in the field of political science, we are moving ahead. In that field are we afraid to change? Are we afraid to experiment? If so, what is the reason for our timidity, for our fear?

If under the Constitution a majority of the Senate can effectuate a change, as we propose to do by the Douglas amendment, why cannot majorities in succeeding Congresses also make a change if our judgment today is in error? I agree with the distinguished Senator from Idaho that it is always possible to make an unwise change. However, a majority in a succeeding Congress can always correct the error if necessary.

We hear a great deal of criticism of the proposal to limit debate by a constitutional majority, which I believe the American people favor. In the debate on Friday, I heard the statement that 26 votes, that is, a majority of a bare quorum, could constitute a majority. It could in pure theory, but it is not the type of majority about which we are talking and I think we ought to lay away that ghost once and for all. We are talking about a constitutional majority of 50 Senators. When Hawaii becomes a State, it will be 51 Senators.

We hear much to the effect that two-thirds of the Senators present and voting, or as few as 34 Members, could theoretically close off debate, and that is pointed to as a danger implicit in this rule proposal. We hear much about a proposal of three-fifths, or 30 Members being able to limit debate.

However, actually, the amendment offered by the distinguished Senator from Illinois [Mr. DOUGLAS] and his colleagues is, in my opinion, a very moderate one. It is a sensible one. It meets all the needs of the time and the demands of the Nation. It would mean action by 50 Senators, probably after 8 or 9 weeks of debate, as the distinguished Senator from Wisconsin [Mr. PROXMIRE] has said in his fine speech, with all the checks and balances involved in a resolution going through a committee before it comes to the floor of the Senate. It must first meet the test imposed by committee consideration, coupled with all the other checks and balances which exist in the Senate and in the rules.

Therefore, I say that the argument in favor of a constitutional majority is very clear. Such a proposal has all the safeguards we need.

Recurring to the question of civil rights, it is too bad that the opposition party does not pay more attention to the President. What the President said is very important, and it has had a great deal to do with influencing my judgment as to whether debate should be closed by a constitutional majority or three-fifths or two-thirds. I quote from the President:

> The government of a free people has no purpose more noble than to work for the maximum realization of equality of opportunity and the law.

Under the Johnson proposal there would be extremely limited opportunity to work for that equality of opportunity.

I continue to quote from the President:

> That is the concept under which our founding papers were written. This is not the sole responsibility of any one branch of our Government. The judicial arm, which has the ultimate authority for interpreting the Constitution, has held that certain State laws and practices discriminate upon racial grounds and are unconstitutional. Whenever the supremacy of the Constitution of the United States is challenged I shall continue to take every proper action necessary to uphold it.

The PRESIDING OFFICER (Mr. CARLSON in the chair). The time of the Senator has expired.

Mr. DOUGLAS. I yield 3 more minutes to the Senator from Colorado.

Mr. CARROLL. I continue to read from the President's state-of-the-Union address:

> One of the fundamental concepts of our constitutional system is that it guarantees to every individual, regardless of race, religion, or national origin, the equal protection of the laws. Those of us who are privileged to hold public office have a solemn obligation to make meaningful this inspiring objective.

I say that unless we adopt the Douglas proposal, there will be little opportunity to make meaningful the objective of the constitutional system as described by the President. As the Senator from Illinois has so clearly pointed out, under the present system, it takes 64 votes to close debate. Under the Johnson proposal, it would probably take 62 or 63 votes. That is why I emphasize that the Johnson proposal is merely a shadow change, but no material change in substance.

Mr. DOUGLAS. Mr. President, how much time do we have remaining?

The PRESIDING OFFICER (Mr. GRUENING in the chair). The Senator from Illinois has 12 minutes remaining. The Senator from Texas has 8 minutes remaining.

Mr. DOUGLAS. I should like to ask the distinguished minority leader, my colleague from Illinois, who is in charge of the time in opposition to the bill itself, if he would yield us a half hour on the bill for debate on the pending amendment.

Mr. DIRKSEN. May I ask whether the Senator has some speakers who will take time now?

Mr. DOUGLAS. Yes.

Mr. DIRKSEN. I certainly would not wish to be arbitrary about it. I shall be glad to give the time to my colleague from Illinois.

Mr. DOUGLAS. I thank the Senator. I yield 15 minutes to the senior Senator from New York.

Mr. JAVITS. Mr. President, we have had a great deal of debate on the subject of a change in the rules. There has been referred to constantly the fact that we have had a report from the Committee on Rules and Administration. I had the honor to have had a hand in drafting the report, following hearings held by the Senator from Georgia [Mr. TALMADGE], and myself, as a two-man subcommittee.

Therefore what is very important to emphasize, I believe, at the very outset in the argument on the subject is that the proposal which is now before the Senate by way of an amendment to the pending measure is not the proposal of the Senator from Illinois and his colleagues. It is the proposal of the majority of the Committee on Rules and Administration. Let us understand that. It is the proposal of the majority of the Committee on Rules and Administration, by a vote of 5 to 4. The following Senators signed the majority report. The Senator from Missouri [Mr. HENNINGS], the Senator from Rhole Island [Mr. GREEN], the Senator from Kentucky [Mr. COOPER], the Senator from New Jersey [Mr. CASE], and I. The Senator from New Jersey and I are supposed to be marshaling the forces on this side of the aisle in favor of this position. The Senator from Missouri [Mr. HENNINGS], the Senator from Rhode Island [Mr. GREEN], and the Senator from Kentucky [Mr. COOPER] are not committed in the Senate to a particular position in terms of fighting for this particular plan. However, they are reasonable and dispassionate Senators, who have heard evidence and have read the record of our hearings, and have heard, I assure the Senate, very full discussion of the pros and cons on this subject in the Committee on Rules and Administration. They have come forward with the proposal which is before us for the closing of debate at long last by a constitutional majority, as it is called.

Bearing in mind that this is the proposal of the Committee on Rules and Administration, reported by a majority of that committee, let us see what they said. They say, first:

> Protracted speaking which is not intended to illuminate that decision, but to prevent its occurrence, makes a mockery of freedom of speech by confusing it with freedom to obstruct.

Then they say:

> In the opinion of the majority of the committee, neither freedom of speech nor the right of full debate in the Senate is at issue in this recommendation that Senate Resolution 17 be adopted by the Senate.

Mr. President, what those who oppose this plan are really contending for is the proposition that the power represented in the Senate by two Senators from each State is the power of the State rather than the power of the Senate. That is exactly what was implied by the Senator from Georgia [Mr. TALMADGE] in his minority views, when it is said, as I stated in my individual views:

> The power of the State he [a Senator] represents would be effectively diminished in derogation of the constitutional balance and whether, in effect, he is violating a trust by assenting to a loss of some incident of sovereignty of the State.

The whole concept of the argument against the proposal before us in the amendment is that the sovereignty of the States is what is represented by the Senators in this body. Obviously, this is completely contrary to the Constitution of the United States, which specifically said that this is not a chamber of States; it is a Chamber of Senators. If we have any doubt about that, the adoption of the amendment for the popular election of Senators certainly put an end to doubt on that question. Yet that

idea is contended for successfully, I might point out, in this Chamber; and it is voted for; and, let us not mistake this, it is voted for by Senators who consider themselves liberals, who have run for election on liberal platforms, and who have taken a position with the people in State after State of the United States who have elected them exactly to the contrary of that philosophy.

While I am on that subject, although there are not many Senators in the Chamber, let us be clear about one thing. I ask my colleagues, especially those who are newly elected, to put themselves in the positions of some of the rest of us who have run in many campaigns, who have cast votes in the Chamber, and who have listened to the statements of the majority leader, who is most persuasive. If they cast their votes in favor of his proposal, they will wake up to the fact that they have an albatross around their necks come campaign time, because this record will not make pretty reading to the people of the country who desire to unfetter the chains from the Senate, chains which date back long before the space age, long before the airplane age, yes, long before even the automobile age.

We have noted much confusion about the words "simple majority." I have even seen in one of the newspapers a statement by a very distinguished writer who wrote a book about the Senate, portraying the proposition which is before the Senate as the right of 26 Senators to close debate. In other words, a majority of a quorum. I do not know how many times it is necessary to nail to the wall a statement which is not a fact. But let us nail it now, once and for all. It will take 50 Senators to close debate. Fifty Senators is a whole quorum. It will take 50 Senators to close debate. Let us not fail to understand that very, very clearly.

This is a reasonable proposition; it is not an unreasonable proposition. We are faced, on the one hand, with the proposal of the Senator from Texas [Mr. JOHNSON], which I think is a meaningless proposal. It is a bogus proposal. I do not say that in any personal sense. All of us have protested our affection for the Senator from Texas. But I say it is bogus because, in effect, it would not have changed—and this is a fact—one single vote with respect to the filibuster, which has been cast since 1917. I repeat that the Johnson proposal would not change one single vote which has been cast with respect to a filibuster since 1917.

Again, how clearly do we have to state that, or how loud do we have to shout it, for the people of the United States to understand that the Johnson proposal is meaningless, and that if we vote for it, we are voting for something which is meaningless. It is worse than meaningless. It takes us backward. It takes us backward because it seeks, although I do not think it can do so under the Constitution, to perpetuate rules of the Senate unless undone by two-thirds of the Senators present and voting, and thus runs exactly contrary to the advisory opinion of the Vice President, which we at least have a chance to sustain, which holds that a majority may close debate at any time on a proposal to change the rules when the proposal is made at the beginning of a new Congress.

So it is not only a meaningless proposal; it is also a proposal which takes us backward instead of forward.

This is a nice, quiet Chamber; there are not many Senators present; but in my opinion, the record must plague, and the record will plague, every Senator who votes the other way.

In 1949, in just such a nice, quiet way, the Senate strangled itself worse than it had been strangled before. Senator after Senator knows that to be a fact, based upon the experience of the last decade. We may do it again today; and from what I can learn, we are very likely to do it. Certainly the power of the heaviest battalions, in terms of votes, is on the other side. All our colleagues are over the age of 21, and they know what they are doing. But certainly there should be no dearth of Senators to tell them, at least, what the facts are, what the situation is, and what the prospect is, so far as those of us who are on my side are concerned.

The whole essence of filibuster is extraconstitutional, and the Senator from South Dakota [Mr. CASE], who I am sorry is not in the Chamber at the moment, made that point very clear just a little while ago. He suggested that when we go back to the two-thirds vote, we go back to the provisions of the Constitution of the United States, which makes five separate actions by the Senate, including expulsion of a Senator, the overriding of a veto, the ratification of treaties, and so forth, subject to a two-thirds vote. But the Senator from South Dakota asked, where in the Constitution is there a provision for a filibuster? Is not that, after all, the most decisive argument that the filibuster is a concoction of this particular Chamber, which gives a power to the minority which is absolutely extraconstitutional?

If we want that power, then let us obtain it by a constitutional amendment. Let us not do it by fettering ourselves of our own volition with rules, which give the Senate extraconstitutional power. That is certainly clearly spelled out by what the Senator from South Dakota said about a minority.

Speaking about a minority, I shall read one sentence from what I consider to be a very excellent editorial published in the New York Times of January 7, 1959, which states the truth in terms of the free peoples of the world. This statement is so reminiscent of everything which is going on in this Chamber, that it ought to be written in large letters on the walls around us:

> It is easy to find arguments against what has been called the tyranny of the majority, but the tyranny of the minority is and always has been infinitely worse.

As we all know, in legislation there is always a choice between alternatives. The tyranny of the minority, which is what we are seeking to end in this debate, is infinitely worse than any tyranny of the majority, even if such tyranny were intended. That there is in filibusters a tyranny of the minority is something for which we have the words of the filibusterers themselves. The report of the Committee on Rules and Administration, to which reference has been made, has, on page 18, a number of quotations from Senator Underwood, of Alabama. He was filibustering the Dyer antilynching bill, a civil rights bill. Let me read two of the comments he made, very frankly disclosing the hand of the filibusterers to the Senate.

> I do not say that captiously. I think all men here know that under the rules of the Senate, when 15 or 20 or 25 men say that you cannot pass a certain bill, it cannot be passed.

Then Senator Underwood continued:

> There is but one way for the Senate now to get down to work and transact the business of the Senate before the 4th of March—

That was when a new Congress would take office—

> and that is to get a final disposition of this force bill before anything else is done. Pass it if you can; abandon it if we force you to do so.

Is that the way to legislate in the 20th century, let alone in 1959? I respectfully submit that it is not.

I shall make one other point; then I shall be finished. When this Chamber becomes realistic about filibusters and what we are discussing today, it takes very, very stern measures to protect itself. It knows when it wants to protect itself; it knows when it does not.

There are five separate statutes on the books which have the strictest kind of cloture written right into them as a part of the law. They are the Reorganization Act of 1939, the Reorganization Act of 1945, the Rubber Producing Facilities Disposal Act of 1953, the Department of Defense Reorganization Act of 1958, and the Trade Agreements Extension Act of 1958. Each of those laws makes it possible to close debate by a simple majority, once there has been debate for 10 hours, divided equally between the proponents and the opponents. Does not that clearly show the hand in this whole situation? When this body—or the other body—really knows that it wants to act, and wants to act uninhibited and unfettered by an extra constitutional power given to a minority by rule XXII, it knows exactly how to do it. We hear no protestations then about freedom of debate.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. DOUGLAS. I yield 2 minutes more to the Senator from New York.

Mr. JAVITS. We hear no protestations about freedom of debate and the fact that the minority must have the opportunity to elucidate its position. Apparently they are frequently satisfied, not with 8 weeks, but with 10 hours of debate, for the purpose elucidating their position.

I have rarely heard it said in the other body, where debates are, on the whole, limited to 1, 2, or 3 days, that that body does not express the democratic process.

To sum up, so far as we on this side are concerned, this is a great bipartisan

effort. It is an effort on behalf of civil rights. But I believe my colleagues will bear with me, especially the Senator from Illinois [Mr. DOUGLAS], who is particularly interested in what I am about to say, when I state that we on this side, if we have a trusteeship at all, have the trusteeship of Abraham Lincoln. Our colleagues have the trusteeship of Jefferson and other great leaders of our country. We, a newer party, have at least the trusteeship of Abraham Lincoln. This is an elementary oath which ought to be taken to contribute to the well-being of the United States and to the well-being of our national aspirations and our national spirit.

Let it be said, equally unequivocally, that there is no greater single barrier to the enjoyment by our citizens of their full constitutional rights than rule XXII as it now stands and as it is proposed to be amended by the resolution of the Senator from Texas [Mr. JOHNSON]. It will be exactly the same in terms of being an absolute roadblock to any really effective effort to put the majesty and the authority of the Federal Government behind constitutional guaranties.

Mr. President, if there is no other argument than that one, that argument should command the votes of the majority in this Chamber, because it commands the support of the majority of the people of the United States. Whether that is manifested here today or tomorrow, or in 1960 or 1962, Mr. President, this blot will not out until it is eradicated by a change, because, whether we like it or not, domestically we are going to have to face it abroad. We stand in grave danger of being "licked" by a question of this kind of politics at home. For that reason I appeal to my colleagues to support the Douglas amendment.

Mr. DOUGLAS. Mr. President, I personally thank the distinguished Senator from New York, not only for his speech, but for the magnificent work he has done in the struggle before us.

I now yield 5 minutes to the distinguished senior Senator from Minnesota [Mr. HUMPHREY].

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 5 minutes.

Mr. HUMPHREY. Mr. President, it is quite obvious that the purpose of these remarks is to state for the RECORD the conviction and opinions and facts which motivate some of us to support the Douglas amendment to Senate Resolution 5, an amendment which I am proud to cosponsor, along with several other of my colleagues, whose names have been entered in the RECORD long before this.

I should like to deal, for the few moments which are mine, with two or three points which have been developed this morning in the debate. Before I do so, I desire to publicly pay my respects to the distinguished junior Senator from Idaho [Mr. CHURCH] for what I thought was a very excellent presentation of his side of the case. It was one of the most lucid, concise, and logical presentations I have heard for a proposition which, I most respectfully say, I cannot support.

I believe I properly paraphrase, or quote exactly, the Senator from Idaho. He said the issue is, What rule shall the majority adopt to place a limit on debate? Then he restated the issue, to the effect that the issue is what number of Senators shall be able to impose cloture. The Senator from Idaho was able to strip this debate of all of its extra, peripheral coverage, and get right down to the heart and the core of the problem, and I thank him for it.

The Senators who have supported the Johnson resolution have made quite a point of the fact that in practically every area in our government we have majority rule, and particularly in the Senate, except in five instances, where the Constitution specifically states that two-thirds of the Members present and voting shall be controlling. In stating that argument, it seems to me they are making the best possible argument for the rule we advocate, because if the Founding Fathers of the Republic were so deeply concerned over the power of the majority to ride roughshod over the rights of the minority as the proponents of the Johnson resolution seem to indicate, then I should like to know why it was that in the first Congresses of the United States, and in the first Senates of the U.S. Congresses, a majority, a simple majority, a majority of those present and voting, could impose cloture.

Indeed, the framers of the Constitution were fully aware of the tyrannical power of a minority. They were fully aware of the tyranny of a majority. Theye were fully aware of every aspect of human rights, and constitutional rights. They were the authors of many of those rights. Yet when we hear our distinguished colleagues appeal to the so-called logic of history, it is to be found that the logic of history does not bear out their point; and that the constitutional premise on which this Government is founded is essentially that of majority rule for procedure. It is provided that a quorum shall constitute a majority for the purpose of doing business. Yet it was out of that simple quorum that the Founding Fathers were willing to have a majority of it impose cloture.

The Douglas proposal does not ask that. It is a very moderate proposal, providing for 50 of the 98 votes, with specifications as to the time involved in debate, before cloture may be applied.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. Yes.

Mr. DOUGLAS. Is it not also true that in the early Senate, debate could be shut off not merely by a majority of those voting, but could be shut off immediately, without delay, by the device of the previous question?

Mr. HUMPHREY. The Senator, of course, is correct.

As we know, the rules of the Senate were changed as time went on. The rules were extended and changed in one of the most controversial periods of American history, the period just prior to the War Between the States and the period immediately thereafter.

What does the Johnson rule propose? How progressive is this rule? I am not one who says it has no good within it. We have our right to personal viewpoints. I think it contains some beneficial features. But what does the Johnson rule do? Does it take us forward? Does it project us into the second half of the 20th century? Does it facilitate the processes of a deliberative body? It reverts back to 1917. It is better than the so-called Wherry compromise of 1949, but it takes us back to 1917.

The PRESIDING OFFICER (Mr. DODD in the chair). The time of the Senator has expired.

Mr. DOUGLAS. I yield 3 more minutes to the Senator from Minnesota.

Mr. HUMPHREY. It seems to me the American people are expecting something a little better than that. I am hopeful their expectation will be fulfilled in the Senate by adopting the majority vote proposal of the Douglas amendment.

The other point which is made is that the Senate is a great deliberative body, and we repeat that statement as if it were some kind of dogma although such iteration does not make it any more deliberative. We hear repeated the statement that the Senate is the greatest deliberative body in the world, and that allegation of statesmanship tides one over for the moment.

What does the expression "deliberative body" have to do with protracted, unlimited debate? The term "deliberative" is not exactly synonymous with the term "filibuster." It seems to me the Senate gained its reputation of being a deliberative body despite the abuses of unlimited debate. When one takes a look at the record which has been compiled by the Legislative Reference Service of the Library of Congress, he will note that an analysis of 22 cloture attempts since 1917, when a cloture rule was first adopted, reveals that 4 petitions received the required two-thirds majority; 9 obtained a majority of the entire membership of the Senate; 15 obtained a majority of those present and voting; 6 obtained only a minority of those present and voting; and 1 resulted in a tie vote.

The cloture rule was drafted by a bipartisan effort having as its purpose the termination of successful filibuster.

The Library of Congress goes on to point out that if the purpose of the cloture rule of 1917—which is the same as the Johnson resolution of 1959—is to terminate successful filibuster, experience shows it has failed to achieve its purpose in 18 of the 22 tests.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DOUGLAS. I yield 1 additional minute to the Senator from Minnesota.

Mr. HUMPHREY. I conclude by saying that those Members of the Senate who are in favor of preserving unlimited debate, which no one can any longer defend—I note at long last that the defense of the indefensible provisions of rule XXII has been dropped—those who insist on the two-thirds requirement, should be aware that it is by majority will that we tax the country half to death. It is by a majority action that social legislation is enacted. It is by majority action that war is declared. It is by majority action that the Government can conscript young men, and even young women. We can literally change the whole structure of our country by a vote of a majority

of those present and voting. The minute an attempt is made to stop somebody from talking forever, even on nongermane matters, then someone says that we are trespassing on the rights of the minority. One of the reasons why we want to go ahead and adopt a justifiable rule is that we may get somewhere in protecting rights of the American people. I think the Senate should be more concerned with the rights of the people, and not so much concerned with the privileges of the few.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DOUGLAS. Mr. President, I wonder if I could address a question to my colleague, the distinguished minority leader [Mr. DIRKSEN]. I do not see the majority leader on the floor. I wonder if the Senator from Illinois can inform me whether he is aware of the intentions of the majority leader. Is further discussion on the negative side of this amendment intended? Does the minority leader know whether the majority leader has speakers who are going to discuss it?

Mr. DIRKSEN. Mr. President, all I can say is that I know what the majority leader said on the floor, namely, that he did not have any other speakers unless some Senator should make a request for time.

Mr. DOUGLAS. I observe the distinguished majority leader is now entering the Chamber. May I ask the majority leader whether he has any additional speakers who want time?

Mr. JOHNSON of Texas. I am not aware of any. I have momentarily been off the floor, because some persons interested in the proposal are calling Senators off the floor.

Mr. DOUGLAS. Yes.

Mr. JOHNSON of Texas. I did not hear what the Senator said, except about the time. I have no knowledge of any request for time.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Texas has 8 minutes remaining on the amendment.

Mr. JOHNSON of Texas. One speaker has made a request. I recall one.

Mr. DOUGLAS. I wonder if the Senator from Texas would be willing to get the speaker to the floor, so that the usual rules of debate can be followed, and the affirmative can close the debate.

Mr. JOHNSON of Texas. How much time does the other side have, Mr. President?

The PRESIDING OFFICER. The Senator from Illinois has 12 minutes on the amendment.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, with the time to be taken from my side, with the understanding that the request for the quorum call may be withdrawn in a few minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I hope the RECORD will show that this is not to be considered a precedent that the affirmative always closes debate, because that is not correct. I have no desire to keep the Senator from closing the debate; as a matter of fact, I want him to close the debate and I want him to have a full opportunity to inform each Senator of his views on this subject. I want to be cooperative in that respect, but I do not want the Senate to establish a precedent that the Chair must recognize that the proponent of an amendment always concludes the debate.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I yield 5 minutes to the distinguished senior Senator from Ohio [Mr. LAUSCHE].

The PRESIDING OFFICER. The Senator from Ohio is recognized for 5 minutes.

Mr. LAUSCHE. Mr. President, with respect to the amendment which is pending before the Senate, after considering the arguments made and applying to the issue my own concepts of liberty and service to the people of the country, I have concluded to vote against it.

It is asserted that liberals are sponsoring the proposal which would give to the majority of the Senate the ability to bring to an end a legitimate debate or what might be termed a "filibuster." I submit to my colleagues that every doubt which might arise in the disposition of this issue should and must be resolved in favor of debate. To resolve the doubt against the need for adequate debate would be pointedly contrary to every concept of liberty which I have.

There has been no subject with respect to liberties in the United States which has been protected with greater zeal than the right of the people to speak. That right has been held inviolate when exercised by the humblest citizen of the country. An examination of the decisions of the Supreme Court will reveal that there is no civil right granted by the Bill of Rights, or by the Constitution otherwise, which has been protected with greater zeal than the right to speak.

The proposed amendment contemplates the limiting of the right to speak in that institution of our Government which is supposed to be the voice of the Nation, in discussing vital questions concerning its citizens. I humbly submit to my friends that if there is any doubt in the mind of any Senator such doubt should be resolved firmly and fearlessly for the preservation of debate on the floor of the Senate of the United States.

If I may, I should like to point out to Senators what might arise. Under the amendment offered by the Senator from Illinois, which provides for a majority vote of the entire membership of the Senate to bring debate to an end, we could have a situation in which the vote could be 50 to 48. I appeal to those who are urging the adoption of the amendment: Would not that condition demonstrate there was a doubt about the adequacy of the length of time the issue was discussed? By a majority of two votes the debate could be brought to an end.

I have a further thought which deals distinctly with the theory of majority rule. We believe in majority rule, but we likewise with fervor believe in the proposition that the minority must everlastingly be protected against the tyranny and despotism which might reside with the majority.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. JOHNSON of Texas. I yield one additional minute to the Senator from Ohio.

Mr. LAUSCHE. The majority of today is likely to become the minority of tomorrow. The majority of today should not attempt to alter rules solely to suit the convenience of the majority in achieving its objective. I have never seen it fail that when the majority tries to establish convenient rules to serve itself the time is not far distant when that rule operates against the very ones who fashioned it. Guard the minority of this country against the tyranny of the majority.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JOHNSON of Texas. Mr. President, I yield one additional minute to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, in conclusion, I desire to approach this problem not on the basis of extemporizing and adopting a rule to suit the convenience of the times. This rule should be approached from the standpoint of its eternal operation on all questions which will come before the Senate in the future. It is a mistake to approach the rule—solely for the purpose of solving only the immediate problem of the present time.

I should like to vote with the Senator from Illinois. I believe in the sincerity of his purpose. I know that he is not a professional liberal in the advocacy of this cause; but I simply cannot join him because I believe that what he has advocated is the very antithesis of liberty as we understand it to exist in our country.

Mr. DOUGLAS. Mr. President, the choice before the Senate is a simple one. Shall we protect the majority from the tyranny of the minority? Shall we have an effective rule to curb filibusters after a full and prolonged and protracted debate, or shall we adopt an almost meaningless gesture?

Shall we open the door to constructive action for equality of opportunity, or shall we close that door in the faces of our millions of Negro and Mexican-American citizens and their children?

Shall we show the world that we can act to carry out the promises of freedom to our own people, or shall we affront the colored peoples of other nations by condemning our own to continued second class citizenship?

CLOTURE PROVISIONS OF JOHNSON RESOLUTION ARE MEANINGLESS GESTURE

I chose my words carefully in describing the main proposal before us, the

resolution of the Senator from Texas for cloture by two-thirds of those present, as a meaningless gesture.

It is a return to the 1917–1949 rule. That rule proved unworkable by long, bitter experience. Cloture could not be secured under it on a single civil rights bill, though large majorities twice voted for such measures.

The statement by the late Senator Underwood of Alabama, which has been quoted earlier in this debate, and which was made openly on the floor of the Senate, was to the effect that a group of Senators could prevent a vote by interminable debate. That statement was made during the very period when the 1917 rule was in effect; and it is to that rule that the Senator from Texas is now proposing that the Senate return.

In the second place, we shall have, on such crucial questions as civil rights, and on other crucial measures, almost a full attendance; and when this happens, two-thirds of the Senators present and voting means virtually the same as two-thirds of all those elected. In the vote the other day only one Member of the Senate was absent. In the last two crucial votes on civil rights questions, only three Members were absent; and it is interesting to note that in all those cases the absentees were not on the southern side, but on the northern and western side.

Therefore there is virtually no difference between the two-thirds requirement under the present rule and the two-thirds requirement proposed by the Senator from Texas. This is admitted by the field marshal of the southern forces, the Senator from Georgia [Mr. RUSSELL], who stated to the Associated Press last week that a requirement for two-thirds of the Senators present and voting is little different from a requirement for two-thirds of the full membership, because in voting on a disputed question most Senators would be present, anyway.

The same thing is admitted by Mr. Walter Lippmann, one of the most eminent defenders of the proposal of the Senator from Texas, when he says:

> So the Johnson proposal is not substantially different from the existing rule.

While the able and astute majority leader has ably marketed this proposal for public consumption as a compromise to which all reasonable men should give their full support, it is nothing of the sort.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield on the time of the Senator from Texas.

Mr. JOHNSON of Texas. I yield myself half a minute.

First of all, the Senator puts words in my mouth. I have not branded my proposal as a compromise. That is the brand of others. I know not exactly who branded it.

Secondly, I remind the Senator that some 40 of his colleagues introduced a similar proposal in this body a year ago, and it has been pending. So it is not merely the proposal of the Senator from Texas.

Mr. DOUGLAS. The Senator from Texas is the leader of the movement.

Mr. JOHNSON of Texas. It is supported by 40 of the Senator's colleagues—a rather substantial number.

Mr. DOUGLAS. I thank the Senator.

This proposal of the Senator from Texas is in no sense a compromise. It is merely another line of defense for the filibuster, on virtually the same ground as the filibuster defenses in the present rules. Whatever the motives may be, the effect would be to deceive the American public into thinking it was getting something, when it was getting nothing.

Let me now add a word to Members of the Senate on my side of the aisle. The proposal of the Senator from Texas is contrary to the platform of our party in 1952 and 1956. Our party twice explicitly declared for a majority vote in determining the rules of the Senate at the beginning of a session and in bringing debate to a close on a bill. Upon that platform most Members of the Senate from the North and West campaigned. The public voted for them in the belief that they would support this proposal, among other measures.

The proposal of the Senator from Texas would not open the door to needed legislation for equal justice. It would leave the filibuster and the threat of filibuster hanging over the heads of Senators. We might as well place the crown of King Filibuster over the head of the Presiding Officer, with a cotton stalk and a tobacco leaf on either side, rather than the lion and unicorn. I would be opposed to operating under the Crown of Great Britain. I am also opposed to operating under the crown of King Filibuster.

PENDING (DOUGLAS) AMENDMENT WOULD PERMIT MAJORITY OF ALL SENATORS TO REACH A VOTE AFTER EXTENSIVE DEBATE

The pending amendment, which I have offered in behalf of myself and 14 other Senators, however, would restore to the Senate the power to act after prolonged and protracted debate, when a majority of all those elected to the Senate, or 50 Members, voted to limit debate.

The proposal which 15 of us are advancing is the heart of the rule change recommended by a majority of the Committee on Rules and Administration in 1958.

Let us be clear once again as to just what it provides. It provides that when 16 Senators join together in a motion for that purpose, after 15 days pass, excluding Sundays and holidays, following the making of the motion, the question shall be put to the Senate whether debate shall thereafter be limited; if a majority of those chosen and sworn, or 50 Members, vote in the affirmative, debate is thereafter limited to 1 hour for each Senator.

It should not be necessary at this hour to repeat that this is not cloture by a majority of a quorum, or 26 votes, as the Senator from Wyoming [Mr. O'MAHONEY] was apparently led to believe and stated in the Senate on Friday last, as shown on pages 313 and 314 of the CONGRESSIONAL RECORD, and as I understood the Senator from South Dakota [Mr. CASE] to say today. Perhaps the Senator from Wyoming was misled by a prominent newsman's magazine article mentioning "a mere majority of a quorum of the Senate," and later press references to a "bare majority."

Our proposal would require a majority of all the Senate, not a majority of a quorum. It would guarantee extended debate, up to 8 weeks or more, as I have outlined it in the Senate earlier, if the opposition chooses to debate both the motion to bring up a bill and the bill itself.

This is not a "gag rule" or "indefensible extremism," as its opponents have tried to paint it.

It is much more mild than the majority cloture provisions in effect in most of the State senates, including those in most of the Southern States, as well as that followed in the Confederate senate itself.

It is a higher requirement than the Constitution makes for legislation generally, as has been pointed out, including a declaration of war and the appropriation of billions of dollars.

Considering the guaranties of extended debate; the requirement of 16 Senators to join in the motion; the fact that no motion would thus be made until after 2 to 3 weeks of debate, which gave some evidence of a filibuster; the provision for a further lapse of 15 days after the motion is made; the provision for 1 hour of debate for each Senator after the debate is limited; and the chance of going through this process on the motion to take up, as well as on the bill itself, the moderation of this proposal must be obvious to all reasonable persons.

The Senate today has a chance to strike a blow for freedom. For its own freedom from the filibuster—for its own freedom to vote, after adequate discussion; for the freedom of millions of our fellow citizens who look to us to help end the denial of their rights.

The passage of the pending amendment is the pathway to those freedoms.

The whole Nation—and, indeed, the whole world—will be watching the roll-call which will come in just a moment.

Mr. JOHNSON of Texas. Mr. President, is the Senator from Illinois ready to vote?

Mr. DOUGLAS. Yes; I am prepared to vote.

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time on condition that the Senator from Illinois will do likewise.

Mr. DOUGLAS. Mr. President, I yield back the remainder of my time.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, and that at the conclusion of the quorum call, the Senate proceed to vote on the pending proposal.

The PRESIDING OFFICER (Mr. DODD in the chair). Is there objection? The Chair hears none, and the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Bush	Carroll
Allott	Butler	Case, N.J.
Anderson	Byrd, Va.	Case, S. Dak.
Bartlett	Byrd, W. Va.	Chavez
Beall	Cannon	Church
Bennett	Capehart	Clark
Bible	Carlson	Cooper

Cotton	Jackson	Muskie
Curtis	Javits	O'Mahoney
Dirksen	Johnson, Tex.	Pastore
Dodd	Johnston, S.C.	Prouty
Douglas	Jordan	Proxmire
Dworshak	Keating	Randolph
Eastland	Kefauver	Robertson
Ellender	Kennedy	Russell
Engle	Kerr	Saltonstall
Ervin	Kuchel	Schoeppel
Frear	Langer	Scott
Fulbright	Lausche	Smathers
Goldwater	Long	Smith
Gore	Magnuson	Sparkman
Green	Mansfield	Stennis
Gruening	Martin	Symington
Hart	McCarthy	Talmadge
Hartke	McClellan	Thurmond
Hayden	McGee	Wiley
Hennings	McNamara	Williams, N.J.
Hickenlooper	Monroney	Williams, Del.
Hill	Morse	Yarborough
Holland	Morton	Young, N. Dak.
Hruska	Moss	Young, Ohio
Humphrey	Murray	

The PRESIDING OFFICER (Mr. FREAR in the chair). A quorum is present.

Mr. JOHNSON of Texas. Mr. President, will the Chair state the question before the Senate?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DOUGLAS], on behalf of himself and other Senators, providing for a majority vote on cloture after 15 days of debate.

Mr. JOHNSON of Texas. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. All time for debate has expired. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. ANDERSON (when his name was called). During the colloquy the other day I agreed with the Senator from New Hampshire [Mr. BRIDGES] that on the voting on some of the amendments I would pair with him. I understand that he would vote "nay" on the pending amendment. I also desire to vote "nay" on it. Therefore I do vote "nay" regardless of any agreement.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Oregon [Mr. NEUBERGER] is absent because of illness.

I further announce that on this vote the Senator from Oregon [Mr. NEUBERGER] is paired with the Senator from South Dakota [Mr. MUNDT]. If present and voting, the Senator from Oregon would vote "yea," and the Senator from South Dakota would vote nay.

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent on official business, and, if present and voting, he would vote "nay."

The Senator from South Dakota [Mr. MUNDT], who is absent on official business, is paired with the Senator from Oregon [Mr. NEUBERGER]. If present and voting, the Senator from South Dakota [Mr. MUNDT] would vote "nay" and the Senator from Oregon [Mr. NEUBERGER] would vote "yea."

The result was announced—yeas 28; nays 67, as follows:

YEAS—28

Aiken	Case, N.J.	Douglas
Beall	Clark	Engle
Carroll	Dodd	Green
Hart	Magnuson	Proxmire
Hennings	McCarthy	Scott
Humphrey	McNamara	Symington
Javits	Morse	Wiley
Keating	Moss	Williams, N.J.
Kennedy	Muskie	
Kuchel	Pastore	

NAYS—67

Allott	Frear	McGee
Anderson	Fulbright	Monroney
Bartlett	Goldwater	Morton
Bennett	Gore	Murray
Bible	Gruening	O'Mahoney
Bush	Hartke	Prouty
Butler	Hayden	Randolph
Byrd, Va.	Hickenlooper	Robertson
Byrd, W. Va.	Hill	Russell
Cannon	Holland	Saltonstall
Capehart	Hruska	Schoeppel
Carlson	Jackson	Smathers
Case, S. Dak.	Johnson, Tex.	Smith
Chavez	Johnston, S.C.	Sparkman
Church	Jordan	Stennis
Cooper	Kefauver	Talmadge
Cotton	Kerr	Thurmond
Curtis	Langer	Williams, Del.
Dirksen	Lausche	Yarborough
Dworshak	Long	Young, N. Dak.
Eastland	Mansfield	Young, Ohio
Ellender	Martin	
Ervin	McClellan	

NOT VOTING—3

Bridges	Mundt	Neuberger

So the amendment offered by Mr. DOUGLAS on behalf of himself and other Senators was rejected.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MORTON. Mr. President, I call up my amendment designated "1–8–59B" and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 1, line 5, it is proposed to strike out the words "two-thirds" and insert in lieu thereof "three-fifths."

Mr. MORTON. Mr. President, I yield myself 10 minutes. I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Kentucky yield on my time?

Mr. MORTON. I yield.

Mr. JOHNSON of Texas. I have reviewed the legislative situation and the unanimous-consent agreement with the minority leader. With the amendments at the desk, if all time is used, it should be possible to conclude action on all the amendments today. I should like all Senators to be on notice that we expect to conclude with the amendments today, and shall make every effort to do so. Frequently all time allotted, either for or against the amendments, is not used. So Senators should be prepared, during the afternoon and the evening, to vote.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. DIRKSEN. I think the majority leader should clarify for the Senate whether he means that action will be concluded on all amendments which are still pending. I think four or five amendments are pending. Does he contemplate concluding action on all of them and also on the adoption of the resolution?

Mr. JOHNSON of Texas. Not necessarily on the adoption of the resolution, because 4 hours have been allotted for debate on the resolution. But it is my hope that we may conclude action on all the amendments today. If that requires the use of a part of the time allotted for debate on the adoption of the resolution, we shall have to determine that as we go along.

We do expect to conclude action on the Morton amendment and the amendments offered by the Senator from New Jersey [Mr. CASE], the Senator from South Dakota [Mr. CASE], and the amendment of the Senator from New York [Mr. JAVITS]. It may be that we will not conclude action on the resolution itself this afternoon; but we shall have to decide that in the light of the progress which is made on the amendments.

Mr. President, I again ask that the time for this announcement may come out of my time on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, as I understand, each side has 1 hour on this amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. JOHNSON of Texas. Is that time adequate for the Senator from Kentucky?

Mr. MORTON. It is more than adequate.

Mr. JOHNSON of Texas. Then, Mr. President, I should like all Senators to know that there is a possibility of a vote at any time between 3:15 and 4 o'clock. Under the unanimous-consent agreement, each side will have 1 hour. I do not know how many requests will be made for time; but in no event will there be a vote later than 4 o'clock, as I can anticipate events; and it should occur sometime between 3:30 and 4 o'clock.

Mr. MORTON. Mr. President, I offer the amendment on behalf of myself, my colleague, the senior Senator from Kentucky [Mr. COOPER], the Senator from New Mexico [Mr. ANDERSON], and the Senator from Pennsylvania [Mr. SCOTT]. I offered the amendment and asked that it be printed and lie on the desk late Thursday evening. At that time I thought there was a possibility that the Senate would dispose of the whole matter on Friday or Saturday. I had intended offering such an amendment, so I hurriedly prepared it and offered it so that it could be printed.

I know that my colleague, the senior Senator from Kentucky, had come to a conclusion similar to mine as to the substance of the amendment. I understand the Senator from New Mexico [Mr. ANDERSON] reached the same position. We came to those positions independently. I did not have time to circulate the amendment prior to having it printed, but I am happy now to accept and to welcome my colleagues as cosponsors. I desire that the RECORD show that we arrived at our positions independently as to the substance of the amendment, itself.

The amendment is a very simple one. It merely substitutes "three-fifths" for "two-thirds" in line 5 of the Johnson

resolution. In other words, three-fifths of the Senators present and voting could invoke cloture, rather than two-thirds.

I have consistently taken the position that there should be some change in the rules of the Senate so as to relax the requirement for invoking cloture. I have also consistently taken the position that such change should be moderate in nature, and I believe that the change which I propose is moderate in nature.

I opposed the Douglas amendment, on which the Senate has just voted, because I felt it went too far in relaxing the requirements for invoking cloture.

If I should be asked, "Why is not the Johnson proposal a moderate step toward relaxing the requirements for invoking cloture?" I would say it is, especially in one part, section 2, which, in effect, would apply to procedural matters before the Senate, such as rule changes, the same cloture rule which would apply to substantive matters. I am in accord with that section of the Johnson proposal.

The question might be asked, why this quibbling between two-thirds and three-fifths? In fact, as has been pointed out time and again in debate on the floor, I think there is little difference between two-thirds of those present and voting and two-thirds of those elected and sworn. The same statement applies to 50 percent, a majority, three-fifths, or any other number, because when the chips are down, we all get here. In my short service in the Senate, I have seen times when Senators have actually been brought into the Senate Chamber by ambulance from the naval hospital at Bethesda or Walter Reed Hospital. We know, and the RECORD was made clear by the Senator from Illinois, that when the chips are down, practically all Senators get here, and if two or three Senators are absent, chances are they can be paired on the vote. So that, in fact, the provision of two-thirds of those present is not much of a relaxation from the present provision of two-thirds of those elected and sworn.

I think the three-fifths proposal in the amendment which we have offered is a moderate change toward relaxing the rules and toward permitting the invoking of cloture. I say let us try it. It is a moderate step in this direction. I believe the Senate can pass any legislation it really wants to pass under the proposal which we are putting forward today.

The history of our country, I think, demonstrates that changes which have occurred in our legislative policy have been moderate changes, for the most part. We certainly did not undertake a full-blown program, let us say, of social security. The program has been built up over the last 20 years. We have not suddenly taken drastic steps, one way or another, except at certain times. When we have done so it generally has not been in the best interests of the country. In the history of the Nation we have taken drastic steps, in one direction or another, in the matter of tariffs. Our tariff policies have suddenly changed to a substantially greater protection or to a substantial lowering of trade barriers. When those great changes have been made, one way or another, the economic impact on the country has not been good. We made drastic changes in the fiscal policy of the United States in respect to the purchase of silver many years ago, and the effect was rather ill on the Nation's economy.

By and large, our great progress has occurred as a result of making moderate changes, in one direction or another; and our two-party system has given to this country a balance which leads to moderation in changes in legislative policy and in changes resulting from laws which had been enacted by the Congress of the United States. History shows we have gone forward as a Nation because we have been slow to swing the pendulum too violently in either direction.

For myself and my colleagues, therefore, I offer this amendment as one of moderation. I accept, and will support vigorously, section 2 of the Johnson proposal, which means that the cloture rule applies to procedure as well as to substance. I disagree with the proposal only in that I do not believe the provision for the two-thirds of those elected and present is a sufficient change from the rule which is now in effect. I therefore respectfully urge the adoption of the amendment I have proposed. I reserve the remainder of my time.

I yield 10 minutes to my colleague the Senator from Kentucky [Mr. COOPER].

The PRESIDING OFFICER (Mr. BIBLE in the chair). The Senator from Kentucky is recognized for 10 minutes.

Mr. COOPER. Mr. President, I have joined with my colleague, the junior Senator from Kentucky [Mr. MORTON], and with the junior Senator from New Mexico [Mr. ANDERSON], in offering the pending amendment. As my colleague has stated, each of us arrived at his decision to present such an amendment independently.

The amendment is simple. It would amend the resolution which is now before the Senate, and which has been offered by the majority leader, in one respect. It would provide that three-fifths of those present and voting would be able to invoke cloture instead of the two-thirds proposed by the senior Senator from Texas [Mr. JOHNSON].

I should like to state the considerations which lead me to support this amendment, and which I think give it substance. In the first place, I would say frankly, it is designed to find a middle ground between the two main proposals which have been before the Senate for several days, the resolutions of the majority leader and that of the Senator from Illinois [Mr. DOUGLAS]. I do not think I have to say that both of those proposals are met by the opposition of a substantial number of the Members of the Senate. And it is true, there is substantial opposition in the country to both of the main proposals which have been before the Senate.

In 1953, in 1957, and again in 1959, a vigorous effort was made by many Members of the Senate to assert the constitutional right of the Senate to fix its rules at the beginning of each new session. I supported this effort in 1957, and again in 1959, at the beginning of the Congress.

This effort represented the belief that the Senate has the constitutional right to fix its rules at the beginning of each new session. As a practical matter, we know that the principal reason which initiated the movement to adopt new rules was opposition to rule XXII.

In the Senate today, after able arguments presented by the distinguished Senator from Illinois [Mr. DOUGLAS], and by my colleagues and friends, the senior Senator from New York [Mr. JAVITS], the senior Senator from New Jersey [Mr. CASE] and other Senators, a decisive vote was cast against the closure of debate by a constitutional majority.

In this situation, with two large bodies of opinion in the Senate, one opposing the view of the other, as well as two bodies of opinion in the country opposing what can be called these main positions, one purpose of the pending amendment is to see if there is not some acceptable middle ground.

I know it can be assumed by some persons that three-fifths of the Senators voting is just a figure pulled from the air, that it is an arbitrary figure, and that there may be no rationale or reason for proposing it. I should like to suggest that there is a rationale for this amendment, one was suggested by the proponents of the two main issues which have been before the Senate.

Of course, the effort of the Senator from Illinois, the Senator from New York, and other Senators is directed toward attaining cloture by a smaller number of Senators than is now required by our rules, and namely, to do so by a constitutional majority. If the resolution of the Senator from Texas, the majority leader, means anything, his resolution presupposes that cloture can be attained by a smaller number than two-thirds of those duly chosen and sworn. If that were not true, there would be no reason for offering the resolution, for there would be no difference between his resolution and the existing rule, in this respect.

We can assume that if the proposition of the distinguished Senator from Texas is agreed to, it is expected that in some cases, at least, a smaller number than 66 Senators could achieve cloture.

It has been shown, also, by the very exhaustive records which have been placed in the CONGRESSIONAL RECORD by the Senator from New York [Mr. JAVITS] that usually 2 or 3 Senators are absent when some important vote is taken, so the practical result of the resolution offered by the Senator from Texas must be that he is saying that in some cases cloture could be obtained by the votes of 64 or 63 Members.

The effect of the amendment which my colleague has offered, and in which I have joined, would be to prescribe that in no case would more than 59 votes be required for cloture. Judging from the experience which has been elaborated for the record by the Senator from New York [Mr. JAVITS]—that is, that the experience of the Senate indicates an absence of 2 or 3 Senators on important issues—it is possible that in

many cases only 55 or 56 votes would be required to achieve cloture if our amendment is adopted.

It seems to us that our proposal would attain two objectives. In the first place, it would assure ample debate of any proposition before the Senate.

In the second place, this procedure would assure, we believe, that ultimately there could be a vote upon the major issues which come before the Senate. The fact that 55 to 59 Senators could cut off debate would tend to discourage filibusters and keep the debate to the issues.

I do not believe, myself, that there is much difference between the rule proposed by the Senator from Texas and the existing rule with respect to the two-thirds rule. It is an improvement in that it would make cloture apply to a motion to change the rules—not possible under existing rules.

I can argue, as can my colleague, that our proposal would offer to the Senate a better opportunity for an ultimate vote upon the great issues which will come before it than would the majority leader's resolution.

It was very difficult for me to vote against the Douglas amendment. It was a difficult matter because I do not like filibusters, which go beyond the purpose of full debate and whose purpose is to prevent an ultimate vote. I will say I disliked voting against the Douglas proposal because I know it is joined with the issue of civil rights. In my public life of nearly 30 years in different positions, I have by action and by vote attempted to express in action my belief that full freedom and full civil rights are the constitutional right and must be assured to every person in our country.

I know, from some short experience in other countries, that the failure to assure the civil rights of all our people has caused us and will continue to cause us great trouble, as we attempt to conduct our foreign relations, and as we attempt to convince the peoples of the world that we are on the side of freedom.

But I know also that there are many institutions in our Government designed to protect minorities. The process of true debate is not only intended to protect minorities, but also to guard against the passions, the bad judgment and the misinformation which at times sweep our country. Unfortunately, in the case of rule XXII, the rule is now being used against a minority. Taking into consideration both the long continuing problem——

The PRESIDING OFFICER. The time of the senior Senator from Kentucky has expired.

Mr. MORTON. I yield 3 additional minutes to the senior Senator from Kentucky.

The PRESIDING OFFICER. The senior Senator from Kentucky is recognized for 3 additional minutes.

Mr. COOPER. The problem of civil rights will be a continuing one, until civil rights are assured all our people. The problem of maintaining the institutions of our country, of protecting minorities of the country against the passions and bad judgment of a majority at a certain time—will always be with us.

I found myself unable to vote for the amendment offered by the Senator from Illinois and by my friend the Senator from New York, that a simple majority should cut off debate.

The amendment which has been offered by my colleague from Kentucky and which I cosponsor gives us an opportunity to better the existing situation. It would provide a middle ground. There is reason for the amendment; for it would effectively carry out what the Senator from Texas claims for his resolution. Third, if the amendment is agreed to and if it proves effective, it can meet the immediate problem of providing civil rights legislation, and at the same time preserve the tradition of extended debate and discussion in the Senate and before public opinion.

I hope that Senators will give consideration to the amendment, and that it will be agreed to by a large vote.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. CASE of New Jersey. While there is a disagreement between the Senator from Kentucky and me on the merits or demerits of so-called majority cloture, I nevertheless respect his view. At the present status of consideration of the pending measure, I find myself in complete agreement that the Morton amendment should be adopted.

In that connection, Mr. President, I should like very much to obtain unanimous consent—which I hereby request—to have printed in the RECORD at this point in my remarks an editorial from the Courier-Journal of Louisville, Ky., of January 6, 1959, in regard to the present suggestion by the Senator from Kentucky [Mr. MORTON]. The editorial ascribes it to the senior Senator from Kentucky [Mr. COOPER], but I am sure the editorial refers to both Senators. It is a real contribution to the debate at this point.

Again I will state I do not agree fully with the views as to majority cloture, but I fully agree as to the desirability of approval of the pending amendment at this juncture.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Jersey?

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HOW TO STOP A BLOODY BATTLE ON CHANGING SENATE RULE XXII

Senator JOHN SHERMAN COOPER is a true moderate in public life, though he is cast as the leader of the progressive wing of the Republican Party in the Senate. The Kentuckian has proposed a moderate compromise to the filibuster issue. It strikes us as decent, logical, and practical.

It is his suggestion that after a long period of Senate debate on any given issue, a limit might be placed on further discussion by a vote of three-fifths of the Members present, or of the entire Senate membership. In the latter case, such action would require 59 votes.

Nobody has proposed that any limit at all be imposed until after 6 or 8 weeks of debate on an issue. In our era of rapid communications, that should be ample time for the public to be informed of every relevant fact and opinion on the subject.

A group of Democratic and Republican Senators, ably led by PAUL DOUGLAS of Illinois, have proposed that debate be limited after such a considerable period by a straight majority vote of the Senate. The standpatters of both parties on this issue speak with the voice of Senator LYNDON JOHNSON. They want to preserve the present rule that two-thirds of the Senate membership, or 66 Members, must vote to impose "cloture," which means to limit debate.

AN UNACCEPTABLE PROPOSAL

The only compromise offered until COOPER spoke was not acceptable. Senator JOHNSON suggested action by two-thirds of the Senators present and voting, rather than by two-thirds of the total membership. But the Douglas reformers point out that this is really no compromise at all, since the party leadership can muster the full strength of the upper house to vote on a measure of this significance.

A split among the Democratic majority on this point threatens at the very opening of the new Congress tomorrow. It could result not only in a bitter factional fight among the Democrats, but in a long struggle that would hamper and obstruct other vital legislation.

That is why it is important for more than partisan reasons to find a true compromise that has some chance to be accepted. JOHN COOPER has put one forward that could be adopted with dignity by both sides.

Many well-informed citizens have been cautious on this issue. They realize that the filibuster question involves far more than the present heated controversy over civil rights legislation. They know that there have been other issues in the past, and that there will be more in the future, on which it is vital to safeguard the right of a Senate minority to state their case at great and even wearisome length.

Such people should be swayed by the moderate Cooper proposal. It would allow ample protection to minority voices in the Senate, yet it would have some power to prevent the sort of situation described with such indignation by Woodrow Wilson, when "a little group of willful men, reflecting no opinion but their own, have rendered the great Government of the United States helpless and contemptible."

A FULL TWO-THIRDS VOTE

Any change in the rule of unlimited debate in the past has been blocked by the fact that even the discussion of a change could be filibustered to death by a third of the Senate membership. Those who favor a change in the rules argue that each Senate is a new body, which should be free to adopt its own rules by majority vote. The opposition has held that the Senate is a continuing body, since only a third of its Members can be up for election between one session and the next.

The case for considering the incoming Senate a new entity has been stated with great clarity by Senator JOSEPH S. CLARK in a letter to the New York Times: "No bill introduced in the 85th Congress can be passed by the 86th Congress without reintroduction and reference to committee; the committees of the 85th Congress must be reconstituted, and they have no continuing power over matters pending when the 85th Congress dies; the authority of the majority and minority leaders, the whips, and the President pro tempore all expire."

This point of procedure could be settled by agreement if the main issue of how to limit debate were resolved. Senator JOHNSON, the most skillful party leader the Senate has seen for many a year, would be wise to accept the Cooper compromise, thus freeing himself to forge a united program of action for his party in its position of heavy congressional responsibility.

Senator DOUGLAS and his supporters, too, would be sensible to give some ground on this

issue, so as to meet the Johnson group at a logical middle point. Senator COOPER has suggested just such a meeting place.

Mr. MORTON. Mr. President, I yield 2 minutes to the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 2 minutes.

Mr. AIKEN. Mr. President, in voting on the various proposals for amending rule XXII I think it is a good idea to take into account the practical effects. I find that in the 22 times in which proposals for cloture have been considered since 1919 there has been an average of 85 Senators present in the Chamber. Assuming that the two Senators from Alaska will always be in their seats, as I presume they will be, if the average of the past prevails there will be 87 Senators on the floor whenever a proposal to close debate is made.

Under the Douglas proposal, in order to impose cloture, 50 Senators would have to vote for cloture. I voted for the Douglas proposal, but I am not unhappy it did not carry. My vote may be properly interpreted as an effort to give moral support to those who believe in improving the present situation.

Under the Morton proposal, or the 60 percent proposal, with such an average number of Senators present there would have to be 53 votes in favor of cloture. That would be 54 percent of the total number of Senators elected and seated.

Under the Johnson proposal, there would have to be 58 Senators voting in favor of cloture, assuming that the stated average number of Senators were in attendance at the time the motion was made.

Under the present rule, if there is no change made at all, there would be required the votes of 66 Senators to invoke cloture.

Therefore, Mr. President, we have a choice among 50, 53, 58, or 66 votes to invoke cloture. It seems to me that the proposal of the Senator from Kentucky is the best of these four routes which we may take, and therefore I shall support the amendment offered by the Senator from Kentucky.

Mr. MORTON. Mr. President, I yield 3 minutes to the Senator from Oregon [Mr. MORSE].

The PRESIDING OFFICER. The Senator from Oregon is recognized for 3 minutes.

Mr. MORSE. Mr. President, I shall support the Morton proposal for the imposing of cloture by a three-fifths vote.

In supporting the amendment, I want to make perfectly clear that I much prefer the majority rule principle of the Douglas proposal, which, as has been pointed out, did not provide for a majority vote of a quorum but provided for a majority vote of the membership of the Senate.

Mr. President, I wish to address a remark or two on this legislative problem to my liberal colleagues in the Senate.

When is a liberal justified in accepting a compromise involving a modification to his previously announced stand on proposed legislation? In my opinion, whenever a conscionable compromise is proposed, and when that compromise, in fact, does not destroy a basic principle for which the Senator has been standing.

The Senator from Vermont [Mr. AIKEN] has just called attention to what I consider to be the controlling vital statistics on this issue. As I pointed out the other night in my long speech in the Senate in opposition to the Johnson proposal, if we go back through the various filibuster fights in the Senate, we find that not once was the type of majority called for by the Johnson proposal ever attained on a civil rights issue. Therefore, as the Senator from Illinois [Mr. DOUGLAS] has pointed out, the Johnson proposal is no real improvement at all in the light of the great need in the Senate for an emancipation proclamation of parliamentary freedom, which will deliver the Senate from minority control.

On the other hand, as pointed out by the Senator from Vermont, the statistics show that a three-fifths vote would enable us, on the basis of the past record, to obtain cloture on civil rights as well as other issues. If history repeats itself, as I think it will, the adoption of the Morton amendment proposing a conscionable compromise would be a step forward. Therefore, because I think it is so much to be preferred to a further fixing upon the Senate of the principle of minority control, I shall vote for the Morton proposal. However, let me make it very clear that under no circumstances would I ever vote for the Johnson proposal, because that proposal offers no conscionable compromise. It offers a surrender. It is mere political window dressing. According to my code of liberalism, a liberal cannot vote for the Johnson pretense because he would not be voting for a real improvement in the rules of the Senate. He would be voting for what I respectfully say would be but a pretense of improvement, and I will not vote for anything which, in my judgment, is in fact a pretense.

It is said that the Johnson proposal would apply to motions to change the rules. The Senate can do that anyway at the beginning of a new Congress under Article I section 5 of the Constitution. This claim of the Johnson advocates is but a part of their smokescreen arguments. Let me warn the Senate that the political vision of the American voters will not be blinded by such a forensic smokescreen here in the Senate.

I have never been a party, and I do not propose, in the closing hours of this debate, to allow myself to be made a party, to what I consider to be one of the most fallacious arguments which has run through this issue over the years, namely, that a majority of the Senate cannot proceed, at the beginning of a new Congress, to consider its rules. My position is not based on any theory as to whether the Senate is or is not a continuing body. I have always held that it is a continuing body for many purposes. The Senate always has the authority to consider rules at the beginning of a new session, under the Constitution. Therefore, this particular section of the Johnson proposal is more pretense and more parliamentary window dressing, and I will not vote for it. I will vote for the Morton proposal; and if the Morton proposal is defeated, I shall vote against the Johnson proposal.

Mr. President, I close by saying that my party had better keep its commitments to the American people. The Democratic platforms of 1952 and 1956 cannot be reconciled with the Johnson proposal, and I do not propose to walk out on my pledges.

Mr. MORTON. Mr. President, I yield myself 30 seconds.

I do not wish to confuse the issue by having this question identified with the Democratic platform. That is not in my proposal at all.

I now yield 5 minutes to the Senator from Minnesota [Mr. HUMPHREY].

Mr. HUMPHREY. Mr. President, I appreciate the courtesy of the Senator from Kentucky in yielding me a few minutes. I also understand the conditions under which the yielding has been done, namely, that the proposal of the Senator from Kentucky is not to be construed in any way as a part of the Democratic platform.

Let us at least construe it as a constructive proposal in the Senate.

I believe we have debated this subject matter at sufficient length. I shall not detain the Senate for very long. I am for the three-fifths proposal—a rule requiring the votes of three-fifths of the Senators present and voting. This proposal has been offered by the Senator from Kentucky [Mr. MORTON]. I feel that it is better than a two-thirds rule. I still feel that the proposal of which I was privileged to be a cosponsor, the so-called Douglas proposal, is a truly meritorious one, and would have provided a substantially improved rule for Senate debates.

The Senator from Kentucky has offered an amendment which has been in the minds of many Members of the Senate. I have talked with at least half a dozen or more Senators, who have indicated to me that they were of the opinion that somewhere between a majority and two-thirds ought to be a reasonable figure, upon which we could agree. I believe the three-fifths proposal is just that. I have discussed this subject with the senior Senator from Kentucky [Mr. COOPER], the Senator from New Mexico [Mr. ANDERSON], and other Senators.

I conclude my remarks by saying that the Johnson proposal is nothing more nor less than a proposal to recoup the losses suffered in 1949. It would take us back to 1917. The Johnson proposal, or the rule requiring two-thirds of those present and voting, as the RECORD reveals, would do very little—at least in terms of the history of filibustering—to curb filibusters. The three-fifths proposal would at least be some improvement. It represents a most moderate and mild adjustment. I am hopeful that it will be adopted. I trust that before the debate is concluded some of our colleagues in the Senate who have long been interested in the issue of civil rights and the issue of the Senate rules will take a good look at the headlines which have been appearing in the newspapers of cities throughout the land.

For example, here is a headline from the Washington Post of January 10: "Senate Liberals Fail in Filibuster Test."

This headline is from the Washington Evening Star of January 9: "Liberals Lose Test on Filibuster."

From the New York Herald Tribune of January 10: "Civil Rights Bloc Loses in the Senate."

From the New York Times of January 10: "Foes of Filibuster Defeated."

There may be some parts of the United States where the principle of filibustering is popular. There may be some places in the United States where the rules question is not as important as elsewhere. But I believe that every one of our colleagues ought to recognize that the public has been told and is being told that those of us who are opposed to the filibuster are taking one defeat after another.

It seems to me that one way we can at least give ourselves a reasonably good record upon which to stand is to vote for the middle-of-the-road, moderate, sensible, and reasonable proposal which has been offered by the distinguished Senator from Kentucky.

I felt that the proposal upon which we voted a short time ago, the so-called Douglas proposal, had all those qualities. However, it was rejected by a very substantial vote. I am confident that if Members of the Senate really understand the change proposed by the Senator from Kentucky, his proposal will be adopted.

I thank the Senator from Kentucky for yielding to me in order that I might express my views.

Mr. MORTON. Mr. President, I yield 5 minutes to the Senator from New York [Mr. JAVITS].

Mr. JAVITS. Mr. President, first I wish to state that I intend to support the amendment of my colleague from Kentucky [Mr. MORTON], and my colleague from New Mexico [Mr. ANDERSON], because I think it is the logical next step in what we have been trying to do for the past week.

It is fair to say that this is the "last clear chance," as the courts say, that we shall have to do anything meaningful about the number of Senators who can cut off a filibuster. The debate on succeeding amendments will go to the question of what other Congresses can do. I believe this is the last clear opportunity in this Congress to do anything meaningful about actually dealing with the question in practical terms.

The figures have already been stated. They are very interesting. If we were to apply the Morton-Cooper proposal, 8 out of the last 22 filibusters since 1922 could have been shut off, as compared with 9 which might have been cut off had the Douglas proposal, which was rejected, been in effect.

This proposal is what the lawyers call de minimis, in terms of what should be done by this Congress. What is of great significance, in terms of the Morton-Cooper proposal, is that it would have succeeded in invoking cloture in respect to two civil rights bills. That is the field in which it really means something.

As I have said, this is the last clear opportunity that will mean something. The votes to which I refer were on May 19, 1950, and July 12, 1950. Those were votes on very mild fair employment practices bills. I happened to vote on them in the other body, as did my colleague from Kentucky [Mr. MORTON] I believe.

In this body the threat to impose cloture was decided in one case by a vote of 52 to 32, and in the other case by a vote of 55 to 33. Those two motions would have been successful if the rule had been as it is now proposed by the Senator from Kentucky to make it. I mention that fact, because it goes to the question of a fractional majority imposing cloture.

In that case, on May 19, 1950, the will of a decisive majority of the Senate was defeated by a vote of 52 Members out of 96. On July 12, 1950, the question was decided by the votes of 55 out of 96. The calculated judgment of the majority was completely frustrated because they could not succeed in having a cloture motion adopted, and hence those bills had to be laid aside.

I repeat, that this is the last clear chance to do anything practical about actually effecting cloture against a filibuster, which frustrates the will of the majority, and results in the rejection or laying aside of proposed legislation which a majority wishes to pass.

I sincerely believe that the power of the filibuster represents an extraconstitutional power in a minority which was never contemplated by the Founding Fathers, and which is inconsistent with the welfare of our country.

I very much hope, therefore, that the excellent amendment of my colleagues from Kentucky, upon which I compliment them, will represent a reasonable compromise which can be adopted by this body.

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the Senator from Wyoming.

POLITICAL AND ECONOMIC FREEDOM AT STAKE

Mr. O'MAHONEY. Mr. President, I recognize the deep sincerity with which Members of the Senate who have stood for various methods of shutting off debate have acted. Free speech can be abused and a filibuster is an abuse of free debate. I am willing to kill the filibuster but I will do everything I can to preserve free speech in the Senate.

During this debate we first had talk about the old parliamentary rules by which, for example, the previous question could be moved and carried by a majority of one of a quorum. Then there was the suggestion by the Senator from Illinois [Mr. DOUGAS] and his colleagues that a majority of 50 duly sworn and elected Senators could impose cloture. Now there is this new proposal to invoke it by three-fifths of the whole membership.

In each instance I applaud the sincerity of the sponsors of the proposals. However, I believe most deeply that they are acting in a misapprehension of the great dangers of the times in which we live. We cannot be at all apprised of the political and economic events of our times without knowing that a concentration of economic power and a concentration of political power are destroying free government.

It is because I am liberal and wish to maintain free government that I am against these limitations upon debate. They are unnecessary limitations.

The senior Senator from New York has just concluded citing some eight cases in which, he said, the filibuster killed a bill. In that connection he must prove that those bills which were killed by a filibuster were good bills. They might not have been. I have been a Member of the Senate, with the exception of about 20 months, since the first of January 1934. I say in all earnestness that I recall but few cases in which a filibuster succeeded against a bill the Senate really wanted unless it were being conducted against the hour of adjournment.

With respect to what the Senator from Minnesota [Mr. HUMPHREY] said a few moments ago, about newspaper publicity concerning filibusters and about liberals being defeated, all of that is based upon a false concept. It is a false concept that good legislation is always being defeated by filibusters. The opponents of the Johnson resolution talk about civil rights. Yet the Senate in the last session passed a civil rights bill without a filibuster and under the rule which the Johnson amendment would change and make filibusters practically impossible against Senate rules.

My reason for voting against the pending amendment can be explained in this fashion: Concentration of economic and political power is at the very basis of the struggle which is now going on between communism and the free world. Mr. Mikoyan of the Soviet Union is now in the United States—at least I believe he has not yet departed—talking about trade with Russia. We have heard nothing in the press about Soviet trade with Finland. The story as to Finland is that the Soviet government canceled innumerable contracts which it had made with businessmen in Finland in order to bring about a collapse of the government of a non-Communist nation, namely, Finland. The Communists are waging an economic war against us. To protect ourselves we must preserve free speech here.

Last July, as acting chairman of the Subcommittee on Antitrust and Monopoly Legislation, I submitted, in a letter to the Senator from Mississippi [Mr. EASTLAND], chairman of the Committee on the Judiciary, a report on the concentration of American industry. It came about as a result of an analysis of a census of manufacturers. It shows that most of the commodities which are manufactured in the United States and on which the people of the United States depend for their daily living are now being manufactured by a few giant corporations, that in some cases 4 companies—and in some cases 8 or less companies—out of 75 or 100 or even 1,000 companies, produce between 75 and 100 percent of the total output. Economic concentration leads to political concentration.

In my judgment, it is vitally important for the economic freedom of the United States and the economic freedom of the world to defeat every one of the amendments which would destroy the

Senate as the forum for the defense of the economic liberty of the people.

I am standing for the principle of free speech and the protection of minorities. I say to my colleagues that if we do not preserve it in the Senate, it is gone. Our object should be to defeat the pending and other suggested amendments which reduce the number of Senators who can put cloture into effect. I am in favor of the Johnson resolution.

The PRESIDING OFFICER. The time of the Senator from Wyoming has expired.

Mr. MANSFIELD. Mr. President, I yield 2 minutes to the Senator from North Carolina.

Mr. ERVIN. Mr. President, the Senator from Wyoming made a very wise remark a short time ago when he suggested that it is quite possible that some of the bills against which filibusters were directed were not good bills. I have heard frequent statements made indicating that filibusters are used against good bills only. I wish to read to the Senate two passages from the Constitution of the United States.

Article I, section 2, provides:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Then I should like to refer to the 17th amendment to the Constitution, which states, in connection with the election of Senators:

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

Under those two constitutional provisions the right to prescribe qualifications for voters rests in the legislatures of the States. Four of the filibusters which the able and distinguished Senator from New York has cited as justification for the adoption of a rule which would gag the Members of the Senate were filibusters against bills which were unconstitutional.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. I yield an additional minute to the Senator from North Carolina.

Mr. ERVIN. Those bills were clearly unconstitutional under the two provisions of the Constitution to which I have referred—because they attempted to outlaw by Federal statute State laws prescribing poll taxes as a prerequisite to registering and voting. The Supreme Court of the United States held, in Breedlove against Suttles, in 1937, that such State laws are constitutional. In consequence, four of the eight so-called filibusters mentioned by the senior Senator from New York, in 1942, 1944, 1946, and 1948, were filibusters which occurred 11 years after the Supreme Court had held that if the bills which were filibustered against had been passed they would have been unconstitutional and in violation of two sections of the Constitution. In other words, four filibusters against civil rights bills were against bills which would have been unconstitutional if they had been passed. Therefore, all the proposed legislation which has been killed by filibusters has not been good legislation. Some of it was bad and unconstitutional.

Mr. MANSFIELD. Mr. President, I yield 10 minutes to the Senator from Arkansas.

Mr. FULBRIGHT. Before I make a few remarks of my own on the pending amendment, I should like to compliment the Senator from Wyoming [Mr. O'MAHONEY] for what he has just said. He is getting this debate on the right track.

What is involved is really our system of free government, especially the principle of federalism which has served this country so well. I believe that many people confuse the issue or are confused by it because they use the analogy of a city council or club or small group, where there is no great diversity of opinion. That kind of reasoning applies quite properly to a small club or a city council or a fraternal group, but not to the U.S. Senate. What is involved is the integrity of the Federal system, of which the Senate is an integral and essential part. Anything which undermines the capacity and power of representatives of States in the Senate to bring about an agreement among the Members on vital issues undermines the Federal system. It is a remarkable fact that no great country in the history of the world, comparable to our own country, has ever been governed under a democratic system.

Every democratic society composed of many diverse elements generates within itself conflicts which have heretofore necessitated some kind of totalitarian system, some centralized dictatorship. I think the reason why this country has been served so well by the Federal system is that in the Senate the representatives of the States have been able to induce agreement upon issues which are of vital interest to the respective States.

I should like to remind the Senate and the country of a few simple observations on this subject which I think cannot be too often repeated. One which has been compelling to me since the time I was a university student is a quotation from De Tocqueville. I think we can all agree that De Tocqueville was one of the most astute observers of the American scene of more than 100 years ago. He said:

> If ever the free institutions of America are destroyed, that event may be attributed to the unlimited authority of the majority.

That particular quotation is, of course, more appropriate to the last amendment offered by the Senator from Illinois [Mr. DOUGLAS], than it is to the amendment now under consideration. But I think the difference between the proposal of the Senator from Illinois requiring a vote of a bare majority of the membership of the Senate to invoke cloture, and the proposal requiring a vote of a three-fifths majority is not a significant one.

I should like to read a few excerpts from a recent article written by Mr. Walter Lippmann. I do not think anyone would deny that Mr. Lippmann is one of the most respected and most learned commentators on the American Government. He has been commenting on it longer and more consistently over the years, I think, than has almost anyone else.

Mr. President, I ask unanimous consent that two of Mr. Lippmann's articles, published in the Washington Post and Times Herald of December 25, 1958, and January 6, 1959, be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Dec. 25, 1958]

MAJORITIES AND CIVIL RIGHTS

(By Walter Lippmann)

Having read carefully the material being circulated by Senator DOUGLAS, I have come to think that he has not dealth with the real issue. The real issue is not whether measures shall be fully debated. The question is how they can be passed. There is no doubt that 8 or 9 weeks of debate is quite sufficient for any measure, and that after that there is no hope of anybody's mind being changed by the debate itself. The real question is what are you to do with a minority which is not open to being converted by a debate. Under what conditions should you override it?

In my mind, the proposal to decide highly controversial questions by a vote of no more than one plus one-half of the Senate is not good enough. While the Constitution itself says nothing about the question, it is a fact that the Constitution is by no means devoted to the principle that a simple majority should rule. Treaties and impeachments require two-thirds of those present and voting. Constitutional amendments, the expulsion of Members, the overriding of the President's veto, require two-thirds of all the Senators elected. What is the reason for these exceptions to simple majority rule? Is it not that what is at stake is of such great moment that it should have the concurrence of more than half of the representatives of the States?

Why should it have this concurrence? Because when controversial matters are decided by a too narrow majority, the prospect of resistance and nullification is increased. To enforce difficult laws, there should be a very large majoriy which concurs in them.

* * * * *

In addition, we must not forget that majorities are not always liberal, and may indeed be quite tyrannical. It is a short view of history to equate simple majority rule, as does Senator DOUGLAS, with the defense of civil rights. He might ponder, for example, the case of President Truman's emergency strike legislation which proposed to break the railroad strike by drafting the railroad men into the Army. The House was stampeded into passing this bill 2 hours after the President's message by a vote of 306 to 13. But Senators Taft and Wagner held it up in the Senate, and after 6 days of debate its sponsors were compelled to omit the provisions for a draft.

That, too, was a civil rights case, and a very striking example of why simple majorities are not necessarily the guardians of civil rights.

[From the Washington Post, Jan. 6, 1959]

ARGUING WITH SENATOR DOUGLAS

(By Walter Lippmann)

With all due respect to Senator PAUL DOUGLAS, whom I admire very much, the question at issue in the Senate is not whether the majority shall rule. The question is what kind of majority shall rule. For there are many sorts of majorities.

Senator DOUGLAS wants 1 more than half of the Senators elected to rule, which would be 50 Senators. But on most of the business of the Senate 1 more than half of a quorum, which would be 26 votes, can pass a bill. Thus Senator DOUGLAS himself recognizes that on a question of closing debate, a bigger majority should be required than for ordinary legislation.

The present rules of the Senate require 66 Senators to close a debate, and excludes closure of a debate on a change in the rules. The Johnson-Knowland amendment, which will probably be adopted, requires a two-thirds majority of those present and voting, which can theoretically be as many as 66 and as few as 34, to close debate. Senator JOHN SHERMAN COOPER has now suggested that the majority be three-fifths, which would, theoretically, permit closure by as few as 30 Senators up to as many as 59 Senators, depending on how many Senators were present and voting.

Senator DOUGLAS is, therefore, begging the question when he talks as if majority rule were something simple and obvious to all men. Moreover, he ignores the nature of the Senate, which is the representative in our system of a federation of States. In the Senate, what does it mean to speak of majority rule? A majority of what? A majority of the States or a majority of the people of the United States?

In the House of Representatives the Members represent, more or less exactly, the voters themselves, and a Member from New York and a Member from Alaska or Nevada represents approximately the same number of people. But this is not true of the Senate.

Thus when Senator DOUGLAS wants 50 Senators to be able to close a debate and to pass a bill, he calls it majority rule which is the basic principle of our Government. But suppose the 50 Senators represent the 25 smallest States, do they represent a majority of the people of the United States? Taking the figures for the census of 1950, the 25 smallest States which have 50 Senators, represent about 29 million people or less than one-fifth of the population in 1950. Against these 25 States there were 3 States, New York, California, and Pennsylvania, which had 7 million more people in them than all the 25 combined.

The moral of all this is that in the Senate, majority rule is not something which all good men must favor and only reactionaries or worse can oppose. The question of what kind of majority shall prevail is one not of simple arithmetic or of absolute principle but of political wisdom.

For those of us who prefer the Johnson to the Douglas amendment of rule XXII, there are two outstanding considerations.

One, which refers to the civil rights of Negroes, is that we wish the Federal Government to proceed if not with the consent, then at least with the assent, of a large body of Southern opinion. We think that legislation which does not have at least the assent of the liberal South will prove to be unenforcible.

The other consideration which moves us is that we do not wish to entrust the civil liberties of all our people, not only under the 14th and 15th amendments but under the whole Bill of Rights, to simple and narrow majorities. We live in a time of danger when panic is always possible and panics can easily produce a stampede away from liberty.

The Johnson amendment to the rules, which requires at the most 66 votes to pass a controversial measure, is a reasonable rule. Legislation could be blocked by an unending filibuster only if all the Senators of 17 States participated in it. This would not, as some have suggested who side with Senator DOUGLAS, give the South an absolute veto on legislation to promote the civil rights of Negroes. In the Deep South there are only seven States in which there has been no desegregation at primary or secondary level and they have 14 Senators. In 10 other States of the South and the borderland there is some desegregation. All of these States would have to combine with the Deep South to impose a "veto."

Now legislation which is opposed by all the States of a whole section of the country, including the States which are beginning to comply with the new principle of desegregation, is very doubtful legislation indeed. It promises more trouble than anything else.

Presumably the Johnson amendment will be adopted, as Senator DOUGLAS himself forecast in his appearance on "Meet the Press" on Sunday evening. When it is adopted, it will not stop his long, persistent and invaluable labors on behalf of civil rights.

Mr. FULBRIGHT. Mr. President, I desire to call attention to one or two points which Mr. Lippmann has written of in such a concise manner—points which I consider to be of paramount importance in this debate.

He says:

The choice will be between the Johnson and the Douglas proposals, and in all probability the Johnson proposal will prevail. The real issue at the bottom of this complicated argument about the rules of the Senate is, I believe, a constitutional question. It is not what the letter of the Constitution says. For it says nothing. It is about what is in accord with the spirit of the Constitution.

The question is how big a majority must there be in order to overrule the opposition of a determined minority. Rule XXII, as it now exists, says that 66 Senators must favor the legislation before a determined minority can be overruled. The Johnson proposal says that a determined minority can be overruled, in theory at least, by as few as 34 Senators. In practice, on a controversial measure there is, of course, likely to be a very full attendance.

The article continues:

The real issue is not whether measures shall be fully debated. The question is how they can be passed. There is no doubt that 8 or 9 weeks of debate is quite sufficient for any measure, and that after that there is no hope of anybody's mind being changed by the debate itself. The real question is what are you to do with a minority which is not open to being converted by a debate. Under what conditions should you override it?

Further in his article of December 25, 1958, Mr. Lippmann says:

In addition, we must not forget that majorities are not always liberal, and may indeed be quite tyrannical. It is a short view of history to equate simple majority rule, as does Senator DOUGLAS, with the defense of civil rights.

In his second article on this subject, which was published in the Washington Post of January 6, 1959, there is one outstanding paragraph which I think sums up what we are really concerned about. Mr. Lippmann says:

The moral of all this is that in the Senate, "majority rule" is not something which all good men must favor and only reactionaries or worse can oppose. The question of what kind of majority shall prevail is one not of simple arithmetic or of absolute principle but of political wisdom.

I submit that that paragraph really puts the question as it should be put. The real issue is the wisdom of changing our rules toward enabling a majority, whether it be a bare majority or a majority of three-fifths, to force a decision on a very large and important minority, when that minority is not willing to make any adjustment.

The truth of the matter is that in the issues which have been mentioned by the proponents of rules changes, in almost every case of any real significance, all that the filibuster did was to force a delay. Even the civil rights issue, which is still a current one, and which I had thought would have lost much of its political appeal after the passage of the bill in 1957—even in that case, under the most strenuous set of rules we have ever had, the existing rules of the Senate, the Senate passed a bill which went very far toward answering the complaints of the advocates of the rule changes.

So I return to the first point I made, namely, that what is involved is not the significance of a few votes one way or the other in defiance of the majority, but the wisdom of changing a basic principle of our Government, which up to now has required that the majority in the Senate find some adjustment or make some adjustment with any strong minority. That does not mean one person or two persons, but a substantial minority, such as is represented by the South. As Mr. Lippmann has so well pointed out, even though a majority could force a decision involving interests which this large segment of people believe to be of vital importance to them, simply because there happens to be a majority, whether it be a majority of one or three-fifths, or two-thirds, it would be an unwise political move.

The PRESIDING OFFICER. The time of the Senator from Arkansas has expired.

Mr. FULBRIGHT. I certainly hope the Senate will not accept this amendment.

Mr. MORTON. Mr. President, I yield 3 minutes to the junior Senator from Pennsylvania.

Mr. SCOTT. Mr. President, much that has been said in advocacy of the Douglas amendment applies, it seems to me, with even greater force to the Morton amendment. Therefore, I support the Morton amendment as the road of moderation, as the desirable solution to be found somewhere between the two more extreme proposals.

In my opinion, the Johnson proposal makes very little difference in the rules of the Senate. I recognize that there was, certainly in the minds of many Senators, some merit in one argument advanced against the Douglas proposal, namely, that the action of Senators from 25 States having smaller populations might be operative in closing debate against the interests of States having very large populations. I recognize that there could well be some merit in that contention.

The Morton amendment, however, meets much more adequately this objection to which I have referred. Under the Morton amendment, if there were to be a coalition of States geographically, or States having the smaller populations, to secure something which States having

greater populations, or constituting a larger area of the country, might oppose, it would require the action of the Senators from 30 States, less 1 Senator, to invoke cloture. The Morton amendment thus assures full deliberation, without the disadvantages of the more restrictive features of the Johnson resolution.

Time permits me to state only one of many reasons why I support the Morton amendment. It is moderate. It is reasonable. It is a fair solution. It is a compromise between the Douglas and the Johnson proposals. Therefore, I hope the Morton amendment will be agreed to.

Mr. MANSFIELD. Mr. President, I will yield back the remainder of the time on this side if the Senator from Kentucky will do the same on his side.

Mr. MORTON. I am prepared to do so.

Mr. MANSFIELD. With the proviso that I may ask unanimous consent for a quorum call, and that after the quorum call has been completed, the Senate will proceed to vote on the Morton amendment.

Mr. MORTON. I yield back the remainder of my time.

The PRESIDING OFFICER. Is there objection to the request of the acting majority leader? The Chair hears none.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Kentucky [Mr. MORTON], offered for himself and other Senators. All time on the amendment has been yielded back, the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. ANDERSON (when his name was called). On this vote I have a pair with the senior Senator from New Hampshire [Mr. BRIDGES]. If he were present and voting he would vote "nay." If I were at liberty to vote I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Oregon [Mr. NEUBERGER] is absent because of illness.

I further announce that on this vote the Senator from Oregon [Mr. NEUBERGER] is paired with the Senator from South Dakota [Mr. MUNDT]. If present and voting, the Senator from Oregon would vote "yea" and the Senator from South Dakota would vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent on official business, and his pair has been previously announced by the Senator from New Mexico [Mr. ANDERSON].

The Senator from South Dakota [Mr. MUNDT] is absent on official business, and he is paired with the Senator from Oregon [Mr. NEUBERGER]. If present and voting, the Senator from South Dakota [Mr. MUNDT] would vote "nay" and the Senator from Oregon [Mr. NEUBERGER] would vote "yea."

The result was announced—yeas 36, nays 58, as follows:

YEAS—36

Aiken	Hennings	Morton
Allott	Humphrey	Moss
Beall	Jackson	Muskie
Carroll	Javits	Pastore
Case, N.J.	Keating	Prouty
Clark	Kennedy	Proxmire
Cooper	Kuchel	Randolph
Dodd	Lausche	Scott
Douglas	Magnuson	Symington
Engle	McCarthy	Wiley
Green	McNamara	Williams, N.J.
Hart	Morse	Young, Ohio

NAYS—58

Bartlett	Frear	McClellan
Bennett	Fulbright	McGee
Bible	Goldwater	Monroney
Bush	Gore	Murray
Butler	Gruening	O'Mahoney
Byrd, Va.	Hartke	Robertson
Byrd, W. Va.	Hayden	Russell
Cannon	Hickenlooper	Saltonstall
Capehart	Hill	Schoeppel
Carlson	Holland	Smathers
Case, S. Dak.	Hruska	Smith
Chavez	Johnson, Tex.	Sparkman
Church	Johnston, S.C.	Stennis
Cotton	Jordan	Talmadge
Curtis	Kefauver	Thurmond
Dirksen	Kerr	Williams, Del.
Dworshak	Langer	Yarborough
Eastland	Long	Young, N. Dak.
Ellender	Mansfield	
Ervin	Martin	

NOT VOTING—4

Anderson	Mundt	Neuberger
Bridges		

So the amendment offered by Mr. MORTON for himself and other Senators was rejected.

Mr. CAPEHART. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas [Mr. JOHNSON] to lay on the table the motion of the Senator from Indiana [Mr. CAPEHART] to reconsider.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The resolution is open to amendment.

Mr. JAVITS and Mr. CASE of South Dakota addressed the Chair.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. JAVITS. Mr. President, I call up my amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 2, lines 2 and 3, it is proposed to strike out the words "as provided in these rules."

The PRESIDING OFFICER. The Senate will be in order so that the Senator from New York may be recognized and proceed so as to be heard. The Chair recognizes the Senator from New York. How much time does the Senator yield himself?

Mr. JAVITS. Ten minutes, Mr. President.

The PRESIDING OFFICER. The Senator from New York is recognized for 10 minutes.

Mr. JAVITS. Mr. President, may I have the attention of the majority leader?

The PRESIDING OFFICER. The Senator from New York requests the attention of the majority leader.

Mr. JAVITS. Mr. President, since I intend to raise, by the amendment, an important constitutional question, I should like to have the yeas and nays. I hope the majority leader will go along with me on that point. This is a question which should be decided before us in the most deliberate way.

I had hoped my colleague from New Jersey [Mr. CASE] would be present, to present his amendment to strike out this particular part of the resolution, but in his absence—though I am sure he will be back in a moment—I believe my amendment adequately brings up the point.

Mr. President, the purpose of my amendment is to carry out, in the effect of this resolution, essentially what was the advisory opinion of the Vice President when we began this debate.

It will be recalled that the fundamental question before us when we began the debate was whether or not the Senate, in a new Congress, could proceed to the adoption of rules, I held the view that the Senate could do so, while other Senators held the view that the Senate was bound by its preceding rules, and could proceed to the adoption of new rules only under the old rules.

The Vice President was faced with that question in a parliamentary inquiry, as he had been faced with it in 1957, and his opinion was a sort of compromise between the opposing views as to the Constitution. What he said, in practical effect, was that the rules of the Senate continue and carry over from one Congress to another, but that the Senate in a new Congress may proceed, at the opening, to seek to change its rules, and that if it does so, it then acts under constitutional procedure, rather than rules. The Constitution provides that each House may determine its own rules, and therefore no rule of a House which inhibits constitutional procedure would be permitted to stand in the way of the constitutional responsibility being carried out.

Furthermore, the Vice President stated that, in his opinion, if we proceed with debate on changes in the rules at the opening of a new Congress, and an effort is made to stop that debate, it can be done under normal parliamentary practice, which is to end debate by majority vote. We do not have to seek to end debate by cloture under the continuing rules of the Senate.

The Johnson resolution—and this is one point which has not been adequately discussed—purports only to continue the rules of the Senate from Congress to Congress. It so states in so many words. But it also purports to prevent us from changing the rules unless we comply with

these rules. Let us read specifically the provision of section 2 of the Johnson resolution, with the change I propose to make. Section 2 reads:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed, as provided in these rules.

By my amendment I seek to excise the words "as provided in these rules." Hence the section, if my amendment should prevail, would read as follows:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed.

The physical situation would then be that we would attend the opening session of a new Congress, as we did the other day; and the rules of the Senate would be in effect, if my amendment were adopted, except that if an effort were made to amend the rules, that effort would be under constitutional safeguards of normal parliamentary procedure, rather than under these rules.

What the Johnson resolution seeks to do is to bind us to the very rules we have on the books now, as amended by the Johnson resolution. Hence, if we were to seek to amend the rules at the opening of the 87th Congress, according to the Johnson resolution we could not effect cloture except by a vote of two-thirds of those present and voting on any motion to change the rules, whereas if I am successful, and the Vice President's opinion is sustained—and that will be up to the majority in a succeeding Congress—debate on an amendment to the rules offered at the opening of a new Congress can be closed by majority vote under normal parliamentary practice.

That is the issue. Why is it so important? We know that this is a basic constitutional question, upon which the Vice President has taken a middle-of-the-road position. But his opinion is only an advisory opinion. In my view, if we adopt the Johnson resolution as it is written, we close the door on the Vice President's advisory opinion, so far as the point of view expressed by this Congress is concerned.

I also believe that, in all fairness, a new Congress could raise the question anew, and seek to decide it anew, and no one could stop it. We cannot amend the Constitution. No one knows that better than we. I think this is a constitutional question. But we pride ourselves on the fact that we have enough self-discipline and enough understanding of the law and the traditions of our country so that we will not consciously legislate what is unconstitutional. That is why I think it is so important that we record ourselves upon this fundamental issue, because this question is not only raised as an issue of constitutionality by me, but it has been raised as an issue by the second highest official of our Government, the Vice President, who has given an advisory opinion.

Mr. HENNINGS. Mr. President, will the Senator yield for a question?

Mr. JAVITS. I yield.

Mr. HENNINGS. I have listened with great interest to the remarks of the distinguished Senator from New York. Is it not true that, irrespective of what the Johnson resolution undertakes to say, the Senate has control over the situation, insofar as the Constitution contemplates?

Mr. JAVITS. That is my belief.

Mr. HENNINGS. So it makes little or no difference, in practical effect—unless I be grossly in error—what we say in this resolution. Under the Constitution we can proceed, if we have the votes, at the next session of Congress to consider the rules. Of course, we know that we are stating something in the last paragraph which is a conclusion predicated upon a constitutional provision.

Mr. JAVITS. I agree with my colleague; but I do not agree with my own committee chairman that it is meaningless. On the contrary, I think what we do is very meaningful, for this reason: If we decide, by a vote, to legislate in accordance with the way this provision is written, the majority of the Senate will have rendered its judgment on the constitutional law opinion given to us by the Vice President. I agree with the Senator from Missouri that this language is not binding as a matter of law upon the next Congress, but I believe that many will take issue with that statement.

Mr. HENNINGS. I may have gone a little far when I said it was meaningless. I will say that it is without final force or effect. Does the Senator agree with that statement?

Mr. JAVITS. I thoroughly agree with the Senator, and that is why I think the language should be excised, because I do not believe a body so distinguished as this one should perform an act which is not only vain, but which is contrary to the Constitution of the United States.

I have examined the precedents. A point of order will not lie against this provision, not because it is constitutional—I firmly believe that it is not—but only because the precedents of the Senate say that the presiding officer is not to entertain a point of order against a provision of a measure merely because it is said to be unconstitutional. Therefore, the only way in which this question can be decided is by the self-discipline of Members of the Senate who will vote upon the question today. I believe that if we were to reverse the Vice President, it would establish a precedent which, it would be argued in the next Congress, was very important. I believe that at the very least the question should be left in its present condition, leaving it to a future Congress to deal with. Then, if some Member wishes to close debate by a majority vote, he can obtain a final ruling and a final determination by the Senate.

I hope my distinguished colleague, who is an outstanding and distinguished lawyer, will agree with me in the feeling that a body of the distinction of this body should not deprive itself of this opportunity to discipline itself, in a sense, in terms of the Constitution and the traditions of our country and, indeed, of the Senate itself.

Mr. HENNINGS. Let me say to my able friend from New York, who is a most distinguished lawyer in his own right, that it is an anomaly to have a provision such as this in legislation. Does he not agree with me?

Mr. JAVITS. It certainly is. It is most unusual.

Mr. HENNINGS. As we lawyers would say, it is a conclusion, is it not?

Mr. JAVITS. It certainly is. It is a conclusion of law.

Mr. HENNINGS. It is a conclusion of law. It is not a decision of fact, but a conclusion of law.

Mr. JAVITS. I thoroughly agree with the Senator. I believe that the language is inserted in the effort to use it as a determination in a future Congress, and that is an additional reason why I think it would be very much against the interests of the Senate and the country to allow it to remain in this particular resolution.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. LAUSCHE. It is my understanding that the Senator from New York takes the position that the following language of the Constitution means exactly what the words connote, and that the U.S. Senate does not possess any constitutional power to adopt rules of procedure which restrict the right granted to the Senate in this language:

> Each House may determine the rules of its proceedings.

Has the Senator heard what I have said?

Mr. JAVITS. I think I have heard everything the Senator has said so far. I will listen more closely.

The PRESIDING OFFICER. The Senate is not in order. It is difficult for Senators to understand distinctly questions which are asked.

The Senator may proceed.

Mr. LAUSCHE. Am I correct in that understanding?

Mr. JAVITS. Will the Senator repeat his question, please? I was trying to listen to two conversations at the same time.

Mr. LAUSCHE. As I understand, the Senator takes the position that the language of the Constitution conferring power upon the Senate to adopt its rules of proceedings means exactly what the language states. Is that correct?

Mr. JAVITS. Exactly.

Mr. LAUSCHE. That is, that each House must determine the rules of its proceedings, and therefore the Senate has the power to determine the rules of its proceedings.

Mr. JAVITS. Exactly.

Mr. LAUSCHE. Is that correct?

Mr. JAVITS. That is correct.

Mr. LAUSCHE. Therefore, any effort on the part of the Senate to impose restrictions upon future Senates in the establishment of its rules of proceedings is violative of the Constitution insofar as it tries to restrict future Senates in the adoption of rules?

Mr. JAVITS. That is exactly my argument.

Mr. LAUSCHE. Therefore, it is the opinion of the Senator from New York that to comply with that constitutional

provision, all Senates in the future should be left unshackled in their power to adopt rules of procedures?

Mr. JAVITS. Exactly.

Mr. LAUSCHE. Because the moment this Senate attempts to impose restrictions upon future Senates, to that extent this Senate is usurping a power which resides only in the people of the United States, not in the Senators of the United States. Is that correct?

Mr. JAVITS. I thoroughly agree with my colleague except that I point out that the words should be "threatening to usurp" because under the Constitution of the United States I do not believe we can bind any future Senate. However these words in the Johnson resolution are presented to us in the hope and expectation that the future Congresses will consider themselves bound by the words of the proposed rule. Indeed I believe it is a damaging proposal because it will be considered a precedent for the next Congress. The Vice President has told us what he thinks. We have had the proposal made. The issue has been presented. It is an effort to do something which is unconstitutional. It is an effort to do it in such a way as not only to bind us but to bind all future Congresses. That is the reason for my amendment, and why I feel so strongly about it.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. LAUSCHE. May I have the opinion of the Senator from New York——

The PRESIDING OFFICER. The 5 minutes which the Senator from New York has yielded to himself have expired.

Mr. JAVITS. I yield myself 10 additional minutes.

Mr. LAUSCHE. May I have the opinion of the Senator from New York on the following proposition? The language in the Constitution is that each House may determine the rules of its proceedings. It does not differentiate in any manner between the power conferred upon the House of Representatives and the power conferred upon the Senate. Is that correct?

Mr. JAVITS. That is correct.

Mr. LAUSCHE. I should like to ask the distinguished Senator upon what theory, in the face of this constitutional language can we differentiate between the proceedings followed in the House of Representatives and those in the Senate?

Mr. JAVITS. I know of no theory upon which we could differentiate. I believe, however, that it is argued on the basis of the Senate being a continuing body. The theory which is argued, in other words, is the theory of the continuing body concept. That concept is attributable primarily to the fact that two-thirds of the Members of the Senate carry over. Support for that theory appears in the ruling of the Supreme Court in the case of McGrain against Daugherty.

With respect to my amendment, I shall lay aside, as the Vice President laid aside in his advisory opinion, the whole question of the continuing body concept. The Vice President stated that it was not necessary to decide that question one way or the other. The fact is that there is a clear and precise constitutional mandate with respect to the adoption of rules.

Therefore the Senate has the right to proceed under the Constitution, rather than under its rules.

My argument on the motion is that, while we can abdicate in this Congress—which we would do by adopting the Johnson resolution—our constitutional right, by binding ourselves as to any rules until the opening of the next session, we certainly cannot constitutionally bind future Congresses. Therefore, if we cannot bind future Congresses, why set up a precedent in an effort to do something which we cannot do, but which will be used on another occasion, especially when we cannot justify it under the Constitution, and have no reason to? We do not try to do it with respect to anything else. We cannot foreclose future Congresses with respect to money bills or other legislation, and the Supreme Court has held we cannot do it. Why, if we cannot do it with respect to laws affecting the lives of individuals, for example, should we do it in terms of the rules of the Senate? It does not make any sense. I do not believe the Senate ought to do something that does not make any sense.

Mr. HENNINGS. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HENNINGS. The Senator is well aware of the legal maxim that the law does not require the doing a useless thing. Is it the Senator's opinion that at any time during the present session of this Congress the Senate cannot amend its own rules?

Mr. JAVITS. It is my opinion that the Senate can amend its rules at any time.

Mr. HENNINGS. Irrespective of the proposed change?

Mr. JAVITS. No; I do not agree with that proposition. If we follow the advisory opinion of the Vice President, we are bound by the rules for the next 2 years.

Mr. HENNINGS. Does the Senator believe that the last paragraph under discussion is other than a conclusion and has no binding force and effect?

Mr. JAVITS. I thoroughly agree with the Senator that it does not.

Mr. HENNINGS. Why does the Senator believe it would inhibit the Senate from changing its own rules?

Mr. JAVITS. There is nothing in the discussion which inhibits the Senate from changing its rules. It can always change its rules if it can get to a vote. The question which we face is the question of getting to a vote.

We are a constitutional body until the end of 1960. We can guide ourselves to that extent, and we can restrict ourselves in certain ways. However, such action on our part is not binding on future Congresses. We can bind ourselves, but I do not see how we can go beyond that. The clear intent of the language of the proposal is to seek to take us into the authority of the next Congress. That we should not do.

Mr. HENNINGS. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HENNINGS. With all due deference to the Senator from New York, I do not understand how the language in this conclusion, which pertains to a constitutional question and which is contained in legislation, would bind any future Congress.

Mr. JAVITS. I should like to say to the Senator from Missouri that I am really——

Mr. HENNINGS. This has no place in legislation.

Mr. JAVITS. I should like to say that I am being the devil's advocate, for this reason. I thought we could better hit the target in terms of a discussion if we laid aside the continuing body question and took the Vice President at his word, giving it really what is not the most liberal construction, but the most confining construction, which is adequate for the purpose of our discussion. I certainly cannot see anything to a proposition which is sought to be put into the law by a resolution which seeks to bind future Congresses.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CASE of South Dakota. Possibly the answer to the question propounded by the Senator from Missouri, would be found by considering the other part of the advisory opinion of the Vice President, namely, that if the question of rules adoption is once faced at the beginning of the session, then he will advise that the same right to consider the rules de novo would not exist during that Congress. That would be the reason why the same situation would not continue to prevail.

Mr. HENNINGS. May I ask the Senator to yield to me for an inquiry?

Mr. CASE of South Dakota. If I am permitted to do so.

Mr. JAVITS. I shall be glad to yield for that purpose.

Mr. HENNINGS. May I make an inquiry of the Senator from South Dakota through the Senator from New York.

Mr. JAVITS. I yield for that purpose.

Mr. HENNINGS. Is it the Senator's opinion that the Senate cannot by its own vote undertake to set aside something which the Senate may do at this time, such as adopting a resolution which has an unconstitutional conclusion?

Mr. CASE of South Dakota. It is my opinion that the Vice President advised the Senate that, in his opinion, the right to change or adopt new rules exists at the opening of a new Congress, not thereafter.

Mr. HENNINGS. We can adopt new rules at any time, if we have the votes. Is that correct?

Mr. CASE of South Dakota. That is correct. I certainly believe that to be so.

Mr. HENNINGS. Any opinion of the Vice President to the contrary notwithstanding.

Mr. CASE of South Dakota. But the provision for the adoption or the changing of rules after that initial facing of the question would exist under the rules

of the Senate. If I may ask another question of the Senator from New York——

Mr. FULBRIGHT. Before the Senator leaves that point, I should like to ask him with respect to his statement "if we have the votes." He agreed with the Senator from Missouri on that point. May I inquire how many votes? Is it by a majority or two-thirds, or by what standard?

Mr. CASE of South Dakota. By a majority vote, I would say.

Mr. FULBRIGHT. On what basis does the Senator say a majority vote rather than a two-thirds vote?

Mr. CASE of South Dakota. That is as I understood the opinion of the Vice President, as it was given, that the question could be considered de novo by a majority vote. If a resolution to change the rules were brought before the Senate by a committee report, it would be subject to adoption by a majority vote.

Why did the able Senator from New York propose to put the period after the word "change"? Why did he not put it after "next Congress"? It seems to me that the language which would be left would be susceptible of two interpretations. It could be said that obviously the rules continue unless they are changed. Suppose the period were to be placed after the word "Congress," so that the sentence would read:

The rules of the Senate shall continue from one Congress to the next Congress.

Mr. JAVITS. I amend my amendment to that effect, so that it will now read to strike out, on page 2, line 2, the words "unless they are changed as provided in these rules." The period will appear after the word "Congress" in line 2. I accept that suggestion. I think it is better English.

The PRESIDING OFFICER. The Senator has the privilege of modifying his amendment without unanimous consent.

Mr. JAVITS. I did not ask for unanimous consent. I thank the Presiding Officer.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CASE of New Jersey. I wholly support the amendment of the Senator from New York. As a matter of fact, it is my intention, whether his amendment shall be adopted or not, to offer a further amendment after the disposition of his amendment, to strike out all of section 3 of the Johnson resolution. But certainly I agree that the action which is proposed to be taken by the amendment of the Senator from New York is an utterly desirable one.

I would like to ask the Senator from New York a question as to the meaning of the language of section 3. Specifically, my question is this: The new paragraph which section 3 would add reads as follows:

The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

Is it intended, by that language, in the opinion of the Senator from New York, that the rules shall continue up to the convening of a new Congress and then end, or that they shall continue on and on until they are changed?

Mr. JAVITS. I can only answer my colleague in terms of my purpose in making the amendment. It was my purpose to put into law the ruling of the Vice President; that is, the advisory opinion of the Vice President. As I understand that opinion, it is that when a new Senate convenes it convenes under the old rules. But it has a new and a different right under the Constitution to change the rules at that point. That is a right new and different from what it would have intervening between the opening of Congress and the end of a particular Congress.

So the answer, I think, to my colleague would be that on the convening of the Senate in a new Congress the same rules would still be the rules of the Senate, except that the way to change them would be under the Constitution rather than under the rules themselves.

I believe very deeply that this amendment should be adopted in order not to commit us to a proposition which is contrary to at least the immoral proposition I have described.

Mr. CASE of New Jersey. I agree that the Senator from New York has correctly stated, as I understand them, the views which the Vice President expressed so well on this point at the opening of the last session of Congress. I think the Senator from New York is undoubtedly right as to the intent of the proponents of the resolution, because it seems to me that their intention undoubtedly is that the rules shall continue on and on and on, forever, unless they are changed, as their language reads in the resolution, "as provided in these rules,"—that is, in the rules themselves.

Based upon that view, I shall, as I said before, move to strike the whole section, because it is not in accordance with my view as to the way the rules of the Senate should remain in existence.

Whether or not this is so, the amendment of the Senator from New York must be made, because as a matter affecting the dignity of the Senate and the common sense of the situation, for the Senate to incorporate into its rules something which cannot be defended upon constitutional grounds and which cannot have any effect, would be an utterly wrong action.

I do not have any doubt, even if this provision should not be changed, and the resolution of the Senator from Texas should be adopted without any change, that at the beginning of a new session it would be in order for Senators to propose amendments to the rules of the Senate or to propose new rules.

There is nothing the Senate can do which can change the constitutional rights of the next Senate. It is the height of absurdity for us to purport to bind the next Senate. The Senator from New York is right in attempting to strike the language which his amendment would strike from the resolution.

Mr. JAVITS. I thank the Senator from New Jersey for his support. I admire him not only as a colleague, but also as a distinguished lawyer. It makes me very happy to know that he agrees with my legal concept of what is involved here.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. JAVITS. How much time have I remaining?

The PRESIDING OFFICER. The senior Senator from New York has consumed 30 minutes.

Mr. JAVITS. May I inquire of the majority leader, through the Chair, whether the same practice will be followed in respect to this amendment as has been followed previously; namely, that there will be a quorum call before the vote, without the time for the quorum call being charged to my time?

Mr. JOHNSON of Texas. The Senator is correct.

Mr. JAVITS. I thank the majority leader.

Mr. President, I yield myself an additional 10 minutes, and I now yield to my friend, the senior Senator from Kentucky.

Mr. COOPER. Mr. President, I should like to address a question to the Senator from New York. When the Senate defeated the Anderson motion, in my judgment it simply made a policy decision that at that time it would not take up the question of new rules. Does the Senator from New York not consider the language of the Johnson resolution to be perhaps much more restrictive than the Anderson motion? The purpose of the Johnson resolution, as I understand, is to impose on the Senate of 1961 the present rules, including rule XXII, and whatever inhibitions may be placed in rule XXII at this session.

Mr. JAVITS. I thoroughly agree with the Senator from Kentucky. I am delighted that he made the point. The Anderson motion was complicated with Pandora's box questions of the possibility of other amendments to other rules, the whole concept of the idea of a continuing body, and the sharp separation of the Senate of one Congress from the Senate of the next Congress.

The question which I present to the Senate is exactly as the Senator from Kentucky has stated it, completely uncomplicated by all the other considerations. It concerns simply the narrow question whether we should attempt—I emphasize the word "attempt"—to bind future Senates on the question of rules. As a matter of fact, it seems to me that any constitutional lawyer should know that we cannot bind future Congresses in any way. We cannot bind future Vice Presidents either. We know that under the Constitution. We know, in all honesty, that under the Constitution we cannot and, indeed, have no right to do that, although we may try to prejudice them. That is exactly my point. I do not think we ought to try to do that. I think we ought to have enough self-discipline. I say that even to the majority. We have heard much to the effect that we are trying to liberalize the rules, and if we liberalize them it will work to our disadvantage some day. I say the same thing to the majority, which has had its will so far in respect to this matter: Do not jeopardize your

situation, in your zeal and enthusiasm, because it may come back to haunt you one day, because you have done it yourself.

Mr. COOPER. I agree that even if this language is allowed to remain in the resolution, we cannot inhibit the constitutional right of the Senate in 1961. Would the Senator agree, and this seems to be the purpose of the language, that the distinguished majority leader is trying to get the Senate to say at this time that when this question arises in 1961, the position has at least been stated, and it has been foreclosed in advance? It seems to me that that is his purpose. I do not think it would have any legal or constitutional effect, but certainly it might have some psychological effect.

Mr. JAVITS. I thoroughly agree with the Senator from Kentucky, except that I think we can hear echoing in this Chamber what will be argued the next time this matter comes up at the beginning of a Congress. It will be said that the 86th Congress considered the whole matter. The Vice President gave an advisory opinion, and the 86th Congress made up its mind that this is a precedent of the Senate, and it is a precedent by which the next Congress should be bound.

I say we should not, indeed, we dare not, in all constitutional fairness, and I say this to the majority, which has been triumphant throughout the whole debate, we dare not in all constitutional fairness try to do this thing ourselves, when we know we should not do it.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CHURCH. First, I concur in what the distinguished Senator from New York has said concerning the inability of this Senate to bind any future Senate, regardless of what determination is made on the pending amendment.

Would the Senator from New York agree with me that if the amendment he proposes is adopted or is rejected, the effect of that determination will be to establish a precedent one way or the other? In other words, is it not true that we now face a situation where, as a matter of fact, a precedent one way or the other automatically follows our vote?

Mr. JAVITS. In my opinion, the word "precedent" has to be construed in two ways. If the Senator asks me to agree with him that we are making a precedent, as we lawyers speak of a precedent, I say decidedly not, because we simply cannot make that kind of precedent in this kind of situation.

If the Senator suggests that we are giving our opinion as a whole Senate upon a subject which will be invoked as an opinion for the benefit of succeeding Senates, I say decidedly yes; and therefore, that is all the more reason for striking this language from the resolution, because we are wrong if we adopt it. I think we ought to know we are wrong, and we should not adopt it.

Mr. CHURCH. Within the latter sense I spoke of precedent in the inquiry I propounded to the Senator from New York. That being the case, does it not follow that, regardless of the fact that we cannot have any effect upon the constitutional powers which inhere in the Senate and nothing we do here can actually bind the hands of any future Senate, then, for such weight as the decision may have in the deliberations of a future Senate, does it not follow that we who prefer the two-thirds rule for invoking cloture best serve our cause by voting now in such a way as will be helpful in some future Senate to preserve that rule?

Mr. JAVITS. I do not think so, and I shall tell the Senator why. We are dealing with two separate questions. If I do nothing less than to make that clear in this debate, I shall be satisfied. I think we have been debating the whole question of the practicality of cloture and the protection of the right of the minority to speak. I do not think we have been dealing, except at the very inception of the debate, when the Vice President gave his advisory opinion, with the basic constitutional question involved. In my opinion, those who believe in the two-thirds provision are thinking along these lines: "Let us not go too fast. Let us handle this question wisely and slowly, in conformity with the fundamental precepts of our Government." If the majority so believes, it should vote with me, because I am contending for that. I am contending for the constitutional provision which is the safeguard of conservatism.

I cannot agree with my colleague that the two problems are in any way identical. To the contrary, I think they are completely dissimilar. Those who believe the strongest in the two-thirds provision should feel just as strongly about not allowing the Senate to purport to bind the hands of a future Senate, when it knows very well that, under the Constitution, the Senate has no such prerogative.

Mr. CHURCH. I appreciate the courtesies of the Senator from New York in answering my interrogatories. I wish to explain, only in a sentence, that we disagree about this matter, because I believe the two-thirds rule best serves the interests of my State and of my country. Therefore, I should like to safeguard it, without passing on the point that the constitutional powers of the Senate are affected one way or another.

Mr. JAVITS. If the Senator does not want to pass upon the point, he should vote for my amendment. My amendment does not pass on it, but leaves the Constitution as it is. However, the resolution as offered proposes to pass upon the question, and in a very dangerous and very inimical way in terms of danger to the country and power and control of the Senate.

Mr. President, if there are no other speakers who wish to be heard, I am prepared to yield back——

Mr. O'MAHONEY. Mr. President, is there any Senator who is assigning time against the amendment?

Mr. JOHNSON of Texas. Yes. Does the Senator desire some time? We are ready to vote on the amendment, unless the Senator wishes to have time to discuss it.

Mr. O'MAHONEY. I should like to discuss it.

Mr. JOHNSON of Texas. I yield the Senator from Wyoming 5 minutes.

VICE PRESIDENT'S POWERS ARE LIMITED

Mr. O'MAHONEY. Mr. President, I have been utterly unable to follow the arguments which have been presented throughout the debate to the effect that the Senate must, under the Constitution, adopt rules at the beginning of every Congress. There is not a line in the Constitution to that effect. I am also utterly unable to understand how anybody can argue that the Vice President of the United States has any constitutional power to declare unconstitutional a rule which the Senate may make.

CONSTITUTION AUTHORIZES SENATE TO WRITE ITS OWN RULES

The Constitution is clear. It is very simple. Nobody can misunderstand it.

Section 5 of article I provides:

Each House may determine the Rules of its Proceedings—

That is all it says about making of the rules. The authority is granted to the Senate and to the House to make their rules and to no other branch or official of the Government.

The Senator from New York offers an amendment to the pending resolution offered by the leadership for both sides to make paragraph 2 of section 3 of the pending resolution read as follows:

The rules of the Senate shall continue from one Congress to the next Congress unless they are changed.

The Senator from New York wants to strike out the words "as provided in these rules."

VICE PRESIDENT HAS NO AUTHORITY TO DECLARE RULES UNCONSTITUTIONAL

The Constitution of the United States, in the clause I have just read, gives to the Senate the right to write its rules. Who is it that has the right to prevent the Senate from writing its rules? It is said the Vice President has that right. I interrogated the Vice President a few days ago, in an effort to discover upon what basis he claimed this authority. I have been unable to find such authority in the Constitution and he has been unable to hand it down.

Of course, he made the ruling in a previous Congress, say those who claim that the Vice President has the right to declare a rule of the Senate to be unconstitutional. But it is impossible to find constitutional support for such a provision.

THESE ARE CONSTITUTIONAL DUTIES OF VICE PRESIDENT

Who is the Vice President? His office was created by the Constitutional Convention when the Founders were creating the Presidency. It was set forth in the Constitution that in the electoral college, when the votes were counted, the man who had the second largest vote for the Presidency should become Vice President. That was changed, of course, when it was provided by amendment that nominations should be made for Vice President as well as for President. But in the section which creates the Vice Presidency

we find a clause which prescribes his duty. This is paragraph 5 of section 1 of article II of the Constitution:

In case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

Having proceeded that far, the constitutional fathers, having found no duty for the Vice President to perform, decided they would make him President of the Senate. This is the only other clause of the Constitution I can find referring to the Vice President.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

That means that he may enforce the rules the Senate makes for itself. He cannot alter them. He cannot hold them unconstitutional.

VICE PRESIDENT HAS NO POWER OVER MAKING OF RULES

I find no word or phrase or clause in this provision saying that "the Vice President may give advisory opinions to prevent the Senate from exercising its constitutional powers to make its rules."

Can anybody point out such powers? Can anybody point to any provision in the Constitution which gives the Vice President authority to render the decision the present Vice President did when he assumed the right to find some rule already made by the Senate to be unconstitutional?

The Constitution does not give that power to the Vice President. The Constitution gives to the Senate, and only the Senate, the power to make its rules. It does not say "shall"; it says "may." It does not say "why." Why was it the Constitution provided that each House may make its own rules?

The PRESIDING OFFICER. The time of the Senator has expired. Does the Senator wish to yield himself additional time?

Mr. O'MAHONEY. I yield myself 3 more minutes.

The PRESIDING OFFICER. The Senator is recognized for 3 more minutes.

Mr. O'MAHONEY. The reason why the constitutional fathers said "may" instead of "shall" was that they realized the various legislatures of the various States had followed different rules of procedure; that the British Parliament had rules. Of course, Thomas Jefferson, as Vice President, prepared a very extensive and clear compendium of the British rules of procedure in Parliament. But when the Vice President rendered his advisory opinion, this is what he said:

Any provision of Senate rules adopted in a previous Congress which has the express or practical effect of denying the majority of the Senate in a new Congress the right to adopt rules under which it desires to proceed is, in the opinion of this Chair, unconstitutional. It is also the opinion of the Chair that section 3 of rule XXII in practice has such an effect.

IS OPPOSED TO FILIBUSTERS

I have always been against section 3 of rule XXII. I was reported the other day by the Senator from New Mexico [Mr. ANDERSON] as being one of the 10 listed Senators who were against exempting the rulemaking power from rule XXII, as brought in by former Senator Wherry, so I am a liberal against filibusters without any question.

What is the alternative? If we do not use the practical rules which the Senate itself has developed through the years, what are we going to use?

SOME GENERAL PARLIAMENTARY RULES ENDANGER FREE SPEECH

Some of those who have participated in the argument against the Johnson resolution have said that the Senate should then, at the beginning of the new Congress, proceed under general parliamentary rules. Some of those general parliamentary rules include the right to move the previous question, whereby a majority of one of a quorum could act. The rule of the previous question was abolished years ago by the Senate of the United States, because it wanted to make this Chamber a forum of free speech to protect the people of the United States.

There is not a line in the Constitution, Mr. President, which sustains the assumption made by the present Vice President, the President of the Senate, that he can rule unconstitutional a rule adopted by the Senate.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I am glad to yield.

The PRESIDING OFFICER. The time of the Senator from Wyoming has again expired.

Mr. O'MAHONEY. I yield myself 3 additional minutes, Mr. President.

The PRESIDING OFFICER. The Senator is recognized for 3 additional minutes.

Mr. LAUSCHE. I should like to ask the Senator from Wyoming where he finds in the Constitution any language which gives the right to one Senate to restrict a succeeding Senate in the exercise of the absolute grant of power in the making of rules of procedure.

Mr. O'MAHONEY. I find none, and there is none in the Johnson resolution.

Mr. LAUSCHE. It is my belief that under the Constitution the words dealing with this question are simple, direct, and plain. They are, "Each House may establish——"

Mr. O'MAHONEY. May "determine."

Mr. LAUSCHE. I think it is "may establish."

Mr. O'MAHONEY. No. The Constitution provides, "Each House may determine the rules of its proceedings."

Mr. LAUSCHE. Very well. That is a plain, direct, unrestricted, and unconditioned grant of power.

SENATE MAY MAKE RULES AT ANY TIME

Mr. O'MAHONEY. It does not say that shall be done at the beginning of a Congress. It does not say when it may be done or when it should not be done, but the Vice President attempts to tell us when it may not be done.

Mr. LAUSCHE. If it is an unconditional grant of power, may I ask the Senator from Wyoming on what theory one Senate can impose restrictions upon future Senates in the adoption of rules of procedure.

Mr. O'MAHONEY. It cannot. It cannot at all. Nothing in the resolution attempts to do that. My interpretation of the resolution is that it merely states the rules of the Senate shall continue until they are changed.

Mr. LAUSCHE. No.

Mr. O'MAHONEY. In accordance with the Constitution. Otherwise, every single one of the arguments which are made in support of the Anderson motion in the first place, and in support of the other proposals to amend the Johnson resolution is based upon the conception that the rules of parliamentary procedure instead of the rules of the Senate shall govern every future Senate. I, for one, say the Vice President has no right to tell the next Senate, "You will have to proceed under 'Robert's Rules of Order' instead of under rules adopted by the Senate itself and kept in effect for so long a period of time."

Mr. LAUSCHE. I am very thankful for the Senator's opinion to the effect that there is nothing in the Constitution which grants this Senate or any other Senate the power to impose restrictions on future Senates in respect to the adoption of rules of procedure. I have one further question to ask.

Mr. O'MAHONEY. May I say, first, before the Senator propounds the next question, I am speaking against the amendment offered by the senior Senator from New York [Mr. JAVITS], which seeks to amend the pending resolution by striking out on page 2 the words "as provided in these rules" and leaving the words "The rules of the Senate shall continue from one Congress to the next Congress unless they are changed."

Mr. LAUSCHE. I think the Senator from New York is indulging in the request for the adoption of a resolution which merely declares what the Constitution says, but I think he is correct in asking for that in the face of the construction which has been placed upon the provision by other Senators.

Mr. O'MAHONEY. This is no law.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. O'MAHONEY. I am happy to yield.

Mr. ERVIN. I should like to ask the able and distinguished Senator from Wyoming if the Constitution itself gives the Senate unrestricted power to determine rules of its proceedings.

Mr. O'MAHONEY. Of course it does. There is no restriction, but the Vice President would impose a restriction.

Mr. ERVIN. That is correct. I will ask the Senator from Wyoming if the amendment does not propose to amend the Constitution?

Mr. O'MAHONEY. I beg the Senator's pardon; which amendment?

Mr. ERVIN. The amendment offered by the Senator from New York. I ask the Senator if the amendment does not, in effect, propose to do as follows: Whereas the Constitution says that each House

may determine the rules of its proceedings the amendment offered by the Senator from New York proposes to say, "*Provided,* however, the Senate cannot adopt any rules relating to how the rules are to be amended."

Mr. O'MAHONEY. That seems to be what the Senator from New York is proposing.

Mr. ERVIN. We now have two rules in existence prescribing exactly how rules may be amended. The first provides a Senator may submit a resolution proposing to amend the rules, which can be referred to the Committee on Rules and Administration. The other provides that a Senator can give notice under rule XL that he is going to call up a proposed amendment to the rules. There is certainly no inconsistency between either of those rules and the Constitution, is there?

Mr. O'MAHONEY. The rules are perfectly consistent. In my thinking the rules are better than "Robert's Rules of Order" for the operation of the Senate, particularly since the Senate has complete power to change the rules whenever it so decides.

Mr. ERVIN. I will ask the Senator one other question——

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. ERVIN. Does the proposed amendment not say, in effect, that when the Senate attempts to amend the rules it must emulate the example set by the mule of Josh Billings which, according to Josh Billings, "didn't kick according to no rule." [Laughter.]

The PRESIDING OFFICER. The time of the Senator from Wyoming has expired.

Mr. O'MAHONEY. Mr. President, the Senator from New Jersey asked me to yield. May I ask the Senator to ask the question on his own time, and then I shall attempt to answer.

Mr. JAVITS. Mr. President, I yield 3 minutes to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey [Mr. CASE] is recognized for 3 minutes.

Mr. CASE of New Jersey. Mr. President, I have no desire to take up time, except to make an inquiry of the Senator from Wyoming. I should merely like to secure classification of the Senator's views about section 3.

Am I correct in my understanding that the Senator from Wyoming does not believe the rules of one Senate can bind the next Senate?

Mr. O'MAHONEY. Of course not. The Senate can make rules at any time; any week, any month, any day. We could spend the whole session talking about changing the rules, and do it in the next Congress, too.

Mr. CASE of New Jersey. So it is not possible for a provision of rules adopted in the present Congress to bind the Senate of the next Congress?

Mr. O'MAHONEY. Absolutely not.

Mr. CASE of New Jersey. I propose to offer an amendment, following the disposition of the pending amendment, to strike out all of section 3. If such an amendment is offered will the Senator from Wyoming be disposed to support it?

Mr. O'MAHONEY. No, I will not be disposed to support such an amendment, because I am supporting the Johnson resolution in order to prevent future Senates of the United States from being tied up at the beginning of the Congress with debates on the floor about the rules. The proposals should be sent to the Committee on Rules and Administration, where such changes could be considered and, if need be, subsequently made in order.

Mr. CASE of New Jersey. I should like to ask one further question. I think I understand the Senator's position. Though I disagree with him, I respect his position highly, of course.

Mr. O'MAHONEY. The Senator is very kind.

Mr. CASE of New Jersey. Does the Senator from Wyoming feel his position requires him to support or oppose the amendment now pending, offered by the Senator from New York?

Mr. O'MAHONEY. Yes.

Mr. CASE of New Jersey. Which is it? Does the Senator oppose it or support it?

Mr. O'MAHONEY. I oppose the amendment offered by the Senator from New York.

Mr. CASE of New Jersey. I thank the Senator.

Mr. DIRKSEN. Mr. President——

The PRESIDING OFFICER. The Senator from Illinois desires recognition. Does the Senator from New York yield time to the Senator from Illinois?

Mr. JAVITS. I shall be glad to yield 1 minute to the Senator from Illinois.

Mr. DIRKSEN. I will need only a half minute, Mr. President.

Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without the time necessary for the call of the roll being charged to either side.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I believe that immediately after the disposition of my amendment, the Senator from New Jersey [Mr. CASE] will offer an amendment to strike all of section 3. In order to expedite the business of the Senate, I now ask for a vote on my amendment, which is to strike the words "unless they are changed as provided in these rules" on page 2 of the Johnson resolution, lines 4 and 5, and I ask that that vote be by a division.

The PRESIDING OFFICER. Does the Senator yield back the remainder of his time?

Mr. JAVITS. I yield back the remainder of my time.

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York [Mr. JAVITS] as modified. Without objection, the vote will be by a division.

On a division, the amendment of Mr. JAVITS, as modified, was rejected.

Mr. CASE of New Jersey. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from New Jersey will be stated.

The LEGISLATIVE CLERK. On page 1, beginning after line 9, it is proposed to strike out section 3, as follows:

> SEC. 3. Rule XXXII of the Standing Rules of the Senate is amended by inserting "1." immediately preceding "At", and by adding at the end thereof a new paragraph as follows:
>
> "2. The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules."

The PRESIDING OFFICER. How much time does the Senator yield himself?

Mr. CASE of New Jersey. I yield myself 5 minutes. I shall be very brief in my presentation of this amendment.

The purpose of my amendment is to strike all of section 3 of the pending resolution. In other words, I would strike the new provision which would be added to the present Senate rules by the resolution. The language proposed to be stricken is as follows:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

The amendment of the Senator from New York [Mr. JAVITS], as modified, which was just defeated—unfortunately, in my view—would have struck from the sentence I have read the words "unless they are changed as provided in these rules." My amendment would strike the entire sentence, that is to say, all of section 3.

The arguments made so well by the Senator from New York and other Senators who supported his amendment apply equally to my amendment. In addition, in favor of my amendment is the consideration that the rules of the Senate do not continue indefinitely, but, in my view, must be adopted by the Senate in each new Congress, whether or not we place this language in the present rules of the Senate.

Many times in the past there has been no separate vote to adopt rules at the beginning of the first session of the Senate in a new Congress. Rather we have adopted the old rules by acquiescence. The fact that we have, by acquiescence, readopted or continued the old rules does not mean, however, that they continue in effect, or can continue in effect, when we do not acquiesce in such procedure. Certainly I and other Senators who have pressed for the adoption of new rules do not acquiesce in this instance. Nor can we acquiesce in the adoption of a provision which would attempt to freeze into the rules a contrary view.

I believe it is unnecessary to have extended debate on this section. Senators have long since made up their minds how

they are going to vote. It seems to me that we should come to a vote. I hope the vote will be favorable.

If the other side has no use for time in opposition to my amendment, I am prepared to yield back the remainder of my time.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CASE of New Jersey. I yield.

Mr. JAVITS. I do not know what I could add to the constitutional arguments which have already been made in this body. I very much hope that our action will be carefully noted throughout the country by students of constitutional law.

I firmly believe that the Senator from New Jersey and I would be less than true to ourselves if we did not emphasize, by what we have attempted to do by these two amendments, the separation between the arguments as to what kind of cloture can be effected by the Senate, and by how many Senators, and the fundamental constitutional issues involved.

I think we are about to set a precedent which the Constitution does not entitle us to set, and which will be very inimical to the group which is the present majority in this Chamber on this issue.

Let me say to my colleague that this is the final opportunity to say a word with respect to the debate on this issue. Although we have not been successful in this instance, and although we may have lost this battle, I think we shall be successful in winning the war. More and more the country will begin to realize that the things for which we fought did not involve the question whether 50 or 60 Senators should have the power to close debate, but rather the entire climate of legislation, which will condition the action of the Senate for the next 2 years.

Mr. CASE of New Jersey. I thank my colleague from New York. He is completely right. If we lose the vote on this amendment, as we have lost the vote on other proposals we have offered during the debate on this resolution, we shall have lost the battle, but we will not be the losers of the war.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. CASE of New Jersey. I yield.

Mr. CASE of South Dakota. I should like to make an observation. Personally, I believe that the pending resolution and the debate on it have been a useful contribution to the development of procedures in the Senate. I do not regard the pending resolution as a fruitless proposition. Not only does it involve a change from the requirement of a constitutional two-thirds to two-thirds of those present and voting, but I believe also that section 2 of the pending Johnson resolution is important. I doubt that it would have come up if the whole question had not been raised by those who have offered amendments which were not accepted, and those who have opposed the amendments. I would say that a constructive record will have been made if the Johnson amendment shall be adopted.

The second section of the resolution would make the rules on cloture applicable to changes proposed in the rules themselves. That is an exceedingly important change. I do not believe that Senators who have been responsible for raising the issue should feel that their endeavor has been wholly in vain. If cloture can be applied to a motion or resolution relating to the rules themselves, then something has been gained.

Mr. CASE of New Jersey. I thank the Senator. I appreciate his generous remarks. At this time I have not determined whether the resolution, if unchanged, should be supported by me.

The PRESIDING OFFICER. The time of the Senator from New Jersey has expired.

Mr. CASE of New Jersey. I yield myself 2 additional minutes.

As the Senator from South Dakota has pointed out, section 2 eliminates from the present rules of the Senate the provision which I regard not only as unwise and wrong, but also as unconstitutional. Since it is unconstitutional, we have not accomplished anything substantially if we delete it from the rules. To do so would be merely to confirm the constitutional provision.

The real question is whether the beneficient effect of section 2 of the resolution is not overshadowed by the malevolent effect of section 3.

It is just as bad to have an unconstitutional provision in rule XXXII as it is to have it in rule XXII. While I am reserving for the moment the question of my final action with respect to Resolution No. 5, if it is unchanged in all respects, I cannot be happy about the provisions which have not been amended in accordance with the proposal made by my colleagues and by myself during the debate.

Mr. JOHNSON of Texas. Mr. President, if the Senator from New Jersey is ready to yield back the remainder of his time, I shall do so also.

Mr. CASE of New Jersey. I yield back the remainder of my time.

Mr. JOHNSON of Texas. I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has been yielded back. All time for debate has expired.

Mr. JOHNSON of Texas. Does the Senator from New Jersey wish a division on his amendment?

Mr. CASE of New Jersey. Yes.

The PRESIDING OFFICER. The Senator from New Jersey calls for a division. The amendment will be read for the information of the Senate.

The LEGISLATIVE CLERK. It is proposed to strike out all after line 9 on page 1.

The Senate proceeded to divide, and Senators favoring the amendment rose.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. Is the Senate dividing on the pending amendment?

The PRESIDING OFFICER. A division is in process. The amendment has been read for the information of the Senate. Senators who have been counted will be seated. Those who oppose the amendment will rise and stand until counted.

On the division being completed, the amendment was rejected.

Mr. CASE of South Dakota. Mr. President, I desire to call up my amendment which is identified as "1–9–59—E."

The PRESIDING OFFICER. The amendment will be read for the information of the Senate.

The CHIEF CLERK. It is proposed to add a new section, as follows:

2. During the consideration of a bill, resolution, or other matter which has been pending before the Senate for 1 week or more, it shall be in order to offer motions that the Senate proceed with the consideration of amendments, which motions shall be privileged and decided with not more than 1 hour of debate, to be equally divided between opponents and proponents.

"If such a motion shall be determined in the affirmative, any amendment thereafter offered, together with debate thereon, and all debate under the order for pending business shall be required to be germane to the subject matter before the Senate. All questions of relevancy under this rule, when raised, including appeals, shall be decided without debate."

Change the numbers of the succeeding paragraphs of the rule.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The Senate will be in order.

Mr. CASE of South Dakota. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 10 minutes.

Mr. CASE of South Dakota. Mr. President, I yield 1 minute to the Senator from North Dakota.

Mr. LANGER. Mr. President, on March 11, 1949, I stated my position on rule XXII and again today I reiterate the stand that I took 10 years ago. I was then and I am now unalterably opposed to any limitation of debate in the U.S. Senate, the only legislative body left in the world where a legislator can freely debate the merits and demerits of all issues.

On November 21, 1958, I forwarded a letter to the 97 Senators who are the present Members of the U.S. Senate pointing out briefly my reasons for not changing rule XXII and sending them certain references from Senators who have spoken on this subject as far back as 1841.

For the information of the Members of the Senate, I ask unanimous consent that a copy of my letter be inserted at this point in the RECORD and also a copy of my remarks made on the subject on March 11, 1949; the remarks of the late Senator Robert La Follette given on March 8, 1917, and exhibits; and several selected quotations from Senators on the subject of unlimited debate made on the Senate floor January 22, 1891, in which they quoted Senators who spoke on the same subject on July 15, 1841.

Mr. President, the purpose of my inserting these quotations in the RECORD is to prove the point that the need for unlimited debate is just as strong today as it was in 1949, 1917, 1891, and 1841.

Mr. President, there have been references by the spokesmen for the Douglas-Humphrey-Javits-Case amendment to rule XXII that under the amendment there will be ample time for debate on any issue before debate will be terminated stating that there must be at least

15 days of debate before a majority of 50 Senators can cut off debate. However, Mr. President, if this amendment should pass and the protection now afforded under rule XXII will no longer be in effect, then the amendment offered by Senators DOUGLAS, HUMPHREY, JAVITS, and CASE can be further amended so that a majority of 50 or less Senators can limit debate after 5 days or 1 day or even one-half day of debate on any given issue.

In conclusion, for the reasons I have cited herein, my firm position is that there should be no change at all in rule XXII and that the power of unlimited debate should continue.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

NOVEMBER 21, 1958.

DEAR SENATOR: I have been advised that another effort will be made to change rule XXII when the 86th Congress convenes.

After 18 years experience in the U.S. Senate, I am unalterably opposed to limiting debate in the Senate, the one place left in this world for free and untrammeled discussion. My views upon this have been stated so often on the Senate floor that it is not necessary for me to fully restate them here.

Don't you think it mighty strange when oldtimers like Bob La Follette and Charles McNary and men of their fine type totally rejected the limitation of debate that some Senators on the pretext of passing some civil rights bill, are going to give those opposed to liberal legislation the chance to wreck the passage of liberal bills. As Senator McNary so well stated, "A good bill has never been killed by a filibuster, but many a bad bill has been prevented from becoming a law by a few fighting liberals."

To go back even further into the history of unlimited debate in the Senate, I quote Senator Harris of Tennessee, who, in 1891, stated as follows: "So I assert with absolute confidence that from the 26th day of March 1806, there has been no proposition to limit general debate in the Senate that has not been rebuked as an attack upon free speech and upon the rights of the States and the people and dangerous to well-considered legislation as well as to civil liberty. They have been, as they ought to have been, invariably defeated."

It is interesting to note from Senator Harris' quotation that unlimited debate is most necessary to protect our civil liberty, whereas today the proponents of the change of rule XXII would destroy that protection to civil liberties just because they feel that a civil rights bill cannot pass under existing rule XXII.

I would like to reiterate what I said on the Senate floor on March 11, 1949, in discussing rule XXII when I stated, "I wish to say that during the 8 years I have been here, I have voted for every bill, without exception, calling for the establishment of civil rights in this country. So, today, I wish to make it very plain that I vote to override the decision of the Vice President, I am still a firm, fighting friend of civil rights—just as strong a friend of civil rights as I ever was; and if the Democrats will begin tomorrow or Monday with a really serious effort to carry out Mr. Truman's civil-rights program, I assure my friend the distinguished majority leader [Mr. Lucas] that he will find me voting with him every single time. I hope the Democratic Party will do that. I hope they begin on it right away, and never quit until they secure the enactment of that civil-rights program. I think they will receive a great deal of support from Senators on this side of the aisle."

I believe that we, the Members of the Senate can best understand the great need to have complete debate on the Senate floor if we would study the speeches of our predecessors in office. For example, read the speech of Senator La Follette of March 8, 1917, beginning on page 40 in the CONGRESSIONAL RECORD in which he also quotes from Senator George Gray (Delaware); Senator John Coit Spooner (Wisconsin); Senator Henry Moore Teller (Colorado) who spoke on this subject on the 22d day of January 1891. Speeches by other distinguished Senators, can be found in volume 116 of the CONGRESSIONAL RECORD, 51st Congress, 2d session, beginning on page 1670 and running through pages 1740, where, in 1841, many distinguished Senators from all sections of the country expressed the great need for unlimited debate.

In closing, I regret to see such fine men as the proponents for a change of Senate rule XXII deceiving themselves in doing something, which if they succeed, I believe they will live to regret.

With kindest regards, I am,

Sincerely yours,

WILLIAM LANGER.

[From the CONGRESSIONAL RECORD, Mar. 11, 1949]

Mr. LANGER. Mr. President, very briefly I want to state my position on this motion. In the 80th Congress I led the fight to have the Republican Party carry out its pledges. The Republican Party at that time did not do so. On June 7, 1948, I brought to the attention of the Senate that in the Republican platform of 1944 the Republicans had placed the following planks. First:

"We pledge the establishment by Federal legislation of a permanent Fair Employment Practice Commission."

Second:

"ANTIPOLL TAX

"The payment of any poll tax should not be a condition of voting in Federal elections and we favor immediate submission of a constitutional amendment for its abolition."

Third:

"ANTILYNCHING

"We favor legislation against lynching and pledge our sincere efforts in behalf of its early enactment."

And, Mr. President, fourth:

"INDIANS

"We pledge an immediate, just, and final settlement of all Indian claims between the Government and the Indian citizenship of the Nation. We will take politics out of the administration of Indian affairs."

Mr. President, day after day I stood upon this floor, when the Republicans had a majority, begging them to carry out the solemn promises, the definite pledges they had made to the people of the United States, and it is significant to note that I got exactly 7 votes on 3 of the measures, and that only 1 of them was passed.

Mr. President, if I were assured that after this appeal had been decided my colleagues on the other side would make a sincere effort to carry out the wishes of President Truman, I would not take the few minutes I am taking. I have a definite idea as to their intentions. I wish to make perfectly clear the reason why I shall vote to overrule the decision of the Vice President yesterday afternoon.

In the first place, North Dakota holds a rather peculiar distinction. At the time rule XXII was adopted that grand and popular Viking, the late Senator Gronna, of North Dakota, was 1 of 3 Senators to vote against it. Also at that time there was in the Senate a man who was beloved all over the country, and particularly by the people of North Dakota. I refer to the late Senator Robert La Follette, Sr., one of the fighting champions—and one of the greatest—in behalf of the common people. Mr. La Follette was elected to the Senate in 1905. Because he had a lieutenant governor who disagreed with him politically, he waited until 1906 before he came to the Senate. In 1917, 11 long years after Mr. La Follette first became a Member of this body, the question of cloture came up.

Mr. President, I believe that no other question which has arisen in the Senate during the 8 years I have been a Member has resulted in my receiving more telegrams and more telephone calls than I have received in this case, after announcing a few days ago that I would vote not to sustain the anticipated ruling of the Vice President.

In order that my position may be very clear, I wish to say that I fully agree with the late Robert La Follette, Sr. On March 8, 1917, in speaking of rule XXII, just before the vote took place, Mr. La Follette said:

"With a rule such as is here proposed in force at that time, with an iron hand laid upon this body from outside, with a Congress that in 3 years has reduced itself to little more than a rubber stamp, let me ask you, Mr. President, if you do not think a rule of this sort would be bound to be pretty effective cloture? Especially is that true as some of the proposed legislation was of a character that appealed to certain Senators upon this side of the Chamber who, coming from States where the manufacture of munitions is a mighty important industry, are impressed with legislation that benefits the interests they represent?"

Mr. La Follette continued—and I invite this to the attention of every man who pretends to be a progressive. Everyone who has studied history knows that Rome, after 450 fine years, fell when Julius Caesar made himself a dictator and when he subjugated the Roman Senate to his will. The English Parliament was strong for many hundred years, until Gladstone succeeded in abolishing the right of free discussion, at the time when the matter of freedom for Ireland came up for debate in Parliament.

I read at this time what Senator La Follette said when a proposal for cloture was before the Senate 32 years ago:

"Mr. President, believing that I stand for democracy, for the liberties of the people of this country, for the perpetuation of our free institutions, I shall stand while I am a Member of this body against any cloture that denies free and unlimited debate. Sir, the moment that the majority imposes the restriction contained in the pending rule upon this body, that moment you will have dealt a blow to liberty, you will have broken down one of the greatest weapons against wrong and oppression that the Members of this body possess. This Senate is the only place in our system where, no matter what may be the organized power behind any measure to rush its consideration and to compel its adoption, there is a chance to be heard, where there is opportunity to speak at length, and where, if need be, under the Constitution of our country and the rules as they stand today, the constitutional right is reposed in a Member of this body to halt a Congress or a session on a piece of legislation which may undermine the liberties of the people and be in violation of the Constitution which Senators have sworn to support. When you take that power away from the Members of this body, you let loose in a democracy forces that in the end will be heard elsewhere, if not here."

I have not time to quote all of Mr. La Follette's speech. He gave one or two quotations. Here is one from a former Senator from Indiana, Senator Turpie, who, some 50 years previously, had made a statement in regard to limitation of debate. This is what Senator Turpie said:

"I heard this body characterized the other day as a voting body. I disclam that epithet very distinctly. I have heard it described elsewhere as a debating body. I disclaim that with equal disfavor. This body is best

determined by its principal characteristic. The universal law and genius of language have given a name to this body derived from its principal attribute. It is a deliberative body—the greatest deliberative body in the world."

That was the first time, so far as I have been able to ascertain, that that description of the United States Senate was given. He continued:

"Now, voting is an incident to deliberation, and debate is an incident to deliberation; but when a body is chiefly characterized as deliberative there is much deliberation apart from discussion and debate, and wholly apart from what is called the business of voting.

"The essence and the spirit of a body like ours, now over a century old, may be best gathered from its rules of action, the body of law governing it always very small, now very brief. Of the 21 rules properly affecting parliamentary procedure in this body 11 relate to the subject of deliberation. More than one-half relate exclusively to that subject and have nothing to do with debate or voting. I suppose that the form of law under which the will of the majority must control this body embraces at least the rules which govern us. Here is rule XXII, one which touches us every day. I think it is the most frequently operative of any rule in the Senate."

Mr. President, after referring to the pledges made by the Republican Party, which they did not keep, I now call attention to the Democratic Party—whose members now say that they stand for civil rights. Mr. Truman was a member of this body for 5 years. What does the cold record show as to what he did for civil rights? Did he lead any fight for them in this body, Mr. President? I was here during those 5 years. He did not lead one fight for them. Where is he today? He is not in Washington. Mr. President, he is out fishing, in Florida. That shows his great interest in this matter.

O Mr. President, these Negro votes are very fine on election day. Apparently the Democrats think they have to make a showing for civil rights this year and perhaps next year and perhaps the year after that—but not a serious effort to get these civil-rights measures enacted; and the effort here these past 10 days has not been serious.

Mr. PEPPER. Mr. President, will the Senator yield for a question?

Mr. LANGER. I refuse to yield at this time; I thank the Senator.

The PRESIDING OFFICER. The Senator from North Dakota declines to yield.

Mr. LANGER. Mr. President, the effort has not been serious. I imagine the Senator from Florida might give us some of Mr. Truman's votes on various measures. I think that he voted right when it came time to vote; but at no time did he lead a fight for civil rights.

Mr. President, what a difference. When two or three times at the last session I tried to prevent the passage of a bill which, under selective service, would draft the last remaining son of a family whose two other sons had been killed in the service, the Members of the Senate stayed here and had two sessions all night long—two long, long night sessions. But I have not seen any so far this session, Mr. President. So far in this session we have worked no later than 8 or 9 or 10 o'clock at night, and then we have quit until the next day at noon, not 11 o'clock. I, for one, want to make it very plain that at any time that the Democrats really want to pass these civil-rights measures, I am prepared to stay here all night or stay here a week or a month in order to enact the civil-rights program that Harry Truman has advocated since he has become President.

Not long ago the distinguished Senator from New York [Mr. Ives] said he thought he was perhaps as good a friend of civil rights as was any other Senator upon this floor. I think he is correct. I wish to say that during the 8 years I have been here, I have voted for every bill, without exception, calling for the establishment of civil rights in this country. So, today, I wish to make it very plain that when I vote to override the decision of the Vice President, I am still a firm, fighting friend of civil rights—just as strong a friend of civil rights as I ever was; and if the Democrats will begin tomorrow or Monday with a really serious, honest effort to carry out Mr. Truman's civil-rights program, I assure my friend the distinguished majority leader [Mr. Lucas] that he will find me voting with him every single time. I hope the Democratic Party will do that. I hope they begin on it right away, and never quit until they secure the enactment of that civil-rights program. I think they will receive a great deal of support from Senators on this side of the aisle.

Mr. President, apropos of the telegrams and telephone calls on this matter which have been received by Senators—and two of those communications are rather threatening, especially one from New York—I wish to say that it seems to me that the people who sent those messages do not really understand the problem we face here, which was so clearly set forth today by the distinguished senior Senator from Michigan [Mr. Vandenberg].

Mr. President, in closing, let me say that when I came to the Senate I had no better friend than Senator Charles McNary, of Oregon, who at that time occupied the desk next to the one I now have in this Chamber. He was then the minority leader. I shall never forget when he said to me that in his judgment one of the greatest safeguards of democracy was the fact that the right of unlimited debate exists in this Chamber, and I remember very well that when a distinguished Senator came to me and asked me to sign a cloture petition I talked with the senior Senator from Texas [Mr. Connally], and also secured the advice of Senator McNary, of Oregon, and I did not sign it. Certainly when a Member of the Senate like Senator La Follette, who was here 11 years, or a Member of the Senate like Senator McNary, gave me such advice, I did not sign it; I took the advice of the distinguished Senator Charles McNary, of Oregon.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. LANGER. I yield.

Mr. CONNALLY. I wish the Senator to be correct in his statement. I am sure he did not mean to say that I asked him to sign the cloture petition, for I was against signing it.

Mr. LANGER. That is correct; the Senator from Texas was against signing it. When such a petition was brought to me and I was asked to sign it, the distinguished Senator McNary, of Oregon, joined the Senator from Texas in saying that the right of free and unlimited debate in the Senate was one of the finest things about this body.

Mr. President, again I wish to assure my friend the Senator from Illinois [Mr. Lucas], the majority leader, that if he will bring up this question of civil rights he will find no better backer than myself, and I shall be one of those who will hold up his right arm in carrying on that fight.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. LUCAS. Do I correctly understand that the Senator from North Dakota is in favor of the Wherry-Hayden resolution?

Mr. LANGER. I am not certain; that is a question we shall take up after this one. So far as the question of invoking cloture by a two-thirds vote is concerned, I am not quite sure whether I favor it or am opposed to it. I may even be opposed to it. I know that I do not favor cloture by majority vote, under any consideration.

Mr. LUCAS. In any event, the Senator from North Dakota is in favor of free and unlimited debate, and he has been in favor of it all the time, I understand.

Mr. LANGER. That is correct.

Mr. LUCAS. If the Senator does not favor the Wherry-Hayden resolution, why would he wish to keep us here for a month?

Mr. LANGER. I may be in favor of that resolution; I have not stated that I am opposed to it. I wish to study it and go over it. I do not wish to commit myself regarding it until I look it over and study it and hear the debate on it. I may even wish to offer an amendment to it.

Mr. LUCAS. Mr. President, will the Senator yield further?

Mr. LANGER. I yield.

Mr. LUCAS. The Senator has been talking about breaking this filibuster, but he is in favor of free and unlimited debate. I do not quite follow his reasoning, if he is in favor of having the Senate stay here for a month and if he is in favor of free and unlimited debate.

Mr. LANGER. It is very simple. If the Senator needs help, I shall be glad to give it.

Mr. LUCAS. I shall need a great deal of help.

Mr. LANGER. All the Senator from Illinois has to do is keep the Senate in continuous session. If that is done, it will not be very long, as the Senator from Michigan said today, before we shall arrive at some understanding or agreement which will be mutually satisfactory.

Mr. LUCAS. Mr. President, will the Senator yield further?

Mr. LANGER. I yield.

Mr. LUCAS. What the Senator says may be correct; but I am not sure that I shall be able to depend on the Senator from North Dakota, when we finally attempt to break the filibuster, to help us to break it, because he may not be in favor of the Hayden-Wherry resolution. I hope I can depend on the Senator from North Dakota when the time comes for him to go along with us.

Mr. LANGER. I assure the Senator from Illinois that I shall go along in helping secure the enactment of the Truman civil-rights program.

Mr. LUCAS. But the Senator from North Dakota makes some qualifications in that respect.

Mr. LANGER. No; I make no qualifications. When the Senator from Illinois asks me whether I favor a resolution which I have not yet had ample opportunity to study, I say that I am not sure whether I shall favor it without the crossing of a "t" or the dotting of an "i."

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. MAYBANK. The Senator from North Dakota has mentioned the name of the great Senator Bob La Follette. I wish to ask the Senator a question, because we were here together with another great Senator from the West, Senator Wheeler. I am sure the Senator from North Dakota well remembers the debates on the floor of the Senate with that distinguished Senator from Montana. I wish to remind the Senator that many a time Senator Wheeler——

Mr. LANGER. Senator Wheeler stood first, last, and all the time for free and unlimited debate upon this floor.

Mr. MAYBANK. Also, as I remember, he was a candidate, along with the distinguished Senator Bob La Follette, of the liberal movement in America.

Mr. LANGER. That is right.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. LANGER. I yield.

Mr. KNOWLAND. I wish to inquire of the able Senator from North Dakota, in view of his statement and in view of the parliamentary situation with which the Senate is faced on the question of filibustering on a motion to take up a matter, how he anticipates he

will ever get a chance to vote on any civil-rights legislation if we cannot even get it before the Senate for a vote.

Mr. LANGER. It would be delightfully simple. Just as the Senator from Michigan said today in his magnificent address, it will be possible to enact civil-rights legislation just as soon as either party makes up its mind it is going to do it—any time Republicans will make the sacrifices necessary to do it. The Senator will remember last year I brought up these Republican platform pledges. The junior Senator from Oregon rose on the floor and said he would bring up his cot every day, he would stay here a week, or a month. Just as soon as either the Republicans or the Democrats make up their minds to get the civil-rights program through it can be done. Instead of that, we adjourned for 3 days at a time until toward the end of the session. Then, in the last 2 or 3 weeks, some of us who were opposed to the drafting of our boys under selective service were kept here 2 nights, before the Republican convention at Philadelphia, all tired out. We were kept in session because Senators wanted to adjourn and go to the convention. Although many days had been wasted during the month or 2 or 3 months before that, there was an adjournment 3 days ahead of time. So I close by telling the people of this country that I am unqualifiedly for the civil-rights program and will help to enact it—if only the Democratic majority will bring it up.

[From the CONGRESSIONAL RECORD, Mar. 8, 1917]

Mr. LA FOLLETTE. Mr. President, I did not intend to take any of the time of the Senate upon the pending resolution, but as I sat here listening to the debate I was reminded of another debate, many years ago, upon the subject of cloture which engaged the attention of the Senate while I was a Member of the House. That debate was in 1891, and it occurred to me to send for the CONGRESSIONAL RECORD. I also called for the volumes covering other periods when the same subject had been before the Senate. I have before me three volumes of the CONGRESSIONAL RECORD containing the reports of discussions which occurred in the Senate when attempts have been made to pass in some form a measure of cloture.

I know how prone we are, sir, in our youth, perhaps, to color somewhat the occurrences and events that then transpire. It has very often seemed to me—and I hope I will not offend against the proprieties if I say that I have had occasion to remark many times upon the public platform that it has seemed to me—that the level of statesmanship of our time in this body would scarcely measure up to that of the Senate as I knew it 30 years ago. As I listened to the debate today I trust my colleagues here will pardon me for saying that it occurred to me that the debate at this time hardly rose to the importance of the occasion. So, sir, I shall venture to trespass upon the Senate a sufficient time to put into the RECORD some quotations from the arguments made when a similar attempt at cloture heretofore was made in the Senate of the United States. This matter may not interest the Senate, but I shall read it into the RECORD in order that it may go elsewhere, to be read and considered.

The present resolution is not in the same form in which cloture resolutions were presented at other times. At one time it was proposed to make cloture depend upon the vote of the majority. I have been interested in the two views which Senators on either side take of the present resolution. By some Senators it is contended that this resolution is scarcely a cloture at all, while still others give expression to the hope that we shall very soon have cloture in its real form.

Mr. President—and until I shall have opportunity to do so in a more ample way, this is the only reference I propose to make at this time to the events of the last week—supposing the rule of cloture here proposed had been in force during the session of Congress just closed, would anybody question seriously that the exigencies of the occasion, as seen in some quarters and by at least a majority of this body, would have been sufficient to command at any time just as readily the two-thirds vote of this body as a majority vote?

Here we were in the closing days of a short session with the appropriation bills held back as perhaps rarely if ever before in the history of legislation—why, I do not pretend to say; I do not know. I do know that the Army appropriation bill, I do know that the naval appropriation bill, and some of the other appropriation bills, carried larger appropriations not only than ever before in the history of the Government, sir, but that the military and naval appropriation bills carried in themselves alone appropriations as large as were required for the entire purposes of our Federal Government only a little more than a decade ago.

Mr. President, were those bills so long in coming before the Senate because it was undesirable that they should be discussed here? In 1907 and 1908 the naval appropriations amounted to only $131 million. I remember the figures because I had taken some pains to make special investigation with respect to the naval appropriation bill of that year and participated in the debate upon it with other Senators of the same mind as myself on this floor. That was in 1908, and in the few years that have elapsed it has jumped, Mr. President, to the enormous total of $532 million. That such a bill should have been delayed somewhere until only 4 or 5 days before the close of the session; that the military appropriation bill did not come before the Senate at all for consideration and was reported from the committee—I will ask the Senator from Oregon what day he reported it?

Mr. CHAMBERLAIN. It came to the Senate from the House, I think, on Saturday, and was reported here on the following Wednesday.

Mr. LA FOLLETTE. What day of the month, and what month?

Mr. CHAMBERLAIN. I do not recall the day.

Mr. LA FOLLETTE. Well, Mr. President, I believe it was the Wednesday before the life of the Senate expired on Sunday. Less than 4 days, sir, were left of the life of this Senate when that great bill was brought in here. The general deficiency bill and the sundry civil bill, covering appropriations for the Government service in all parts of the country, were also delayed somewhere, as these bills, with other appropriation bills, came crowding in during the last hours of the session.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER (Mr. Hughes in the chair). Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. LA FOLLETTE. I do.

Mr. THOMAS. The Army bill was reported, according to the calendar, on the 28th day of February.

Mr. LA FOLLETTE. The 28th of February and we were to adjourn on the 4th of March.

Mr. President, that bill contained legislative provisions never before presented to an American Congress. Universal military training was embodied in it. With all of the other subjects involving great increases in expenditures, there was this proposition involving a complete change of policy, and the Senate must dispose of it within 5 days. There were piled up here these great appropriation bills carrying important and far-reaching changes in our law; propositions that should be thoroughly digested before action should be had; and on top of all that, about 50 hours before the Congress was to adjourn, there was brought in a bill of uncertain grant of power to another department, a bill which in the minds of the best students of constitutional government, the best authorities on international law, trenches upon the constitutional authority of Congress, and seeks to invest in another department of this Government powers denied by the Constitution. With your calendar loaded with these immense appropriation bills, carrying unheard-of propositions of legislation, you then bring in a bill of that character and demand that debate shall be made to conform to that condition of things.

With a rule such as is here proposed in force at that time, with an iron hand laid upon this body from outside, with a Congress that in 3 years has reduced itself to little more than a rubber stamp, let me ask you, Mr. President, if you do not think a rule of this sort would be bound to be pretty effective cloture? Especially is that true as some of the proposed legislation was of a character that appealed to certain Senators upon this side of the Chamber, who coming from States where the manufacture of munitions is a mighty important industry, are impressed with legislation that benefits the interests they represent?

Mr. President, believing that I stand for democracy, for the liberties of the people of this country, for the perpetuation of our free institutions, I shall stand while I am a Member of this body against any cloture that denies free and unlimited debate. Sir, the moment that the majority imposes the restriction contained in the pending rule upon this body, that moment you will have dealt a blow to liberty, you will have broken down one of the greatest weapons against wrong and oppression that the Members of this body possess. This Senate is the only place in our system where, no matter what may be the organized power behind any measure to rush its consideration and to compel its adoption, there is a chance to be heard, where there is opportunity to speak at length, and where, if need be, under the Constitution of our country and the rules as they stand today, the constitutional right is reposed in a Member of this body to halt a Congress or a session on a piece of legislation which may undermine the liberties of the people and be in violation of the Constitution which Senators have sworn to support. When you take that power away from the Members of this body, you let loose in a democracy forces that in the end will be heard elsewhere, if not here.

Now, sir, along that line, I want to put into the RECORD of the extraordinary proceeding that is to be carried out here the most thoughtful words and reflections of some of our ablest statesmen. I regret, sir, that I had not the time to examine the RECORD at greater length. The very fact that from its earlier days there has been free discussion in the Senate, and that the ablest and the most patriotic statesmanship of the country has overwhelmingly defeated the kind of a rule pending here today, seems to me should make Senators hesitate to bring in this resolution and secure its immediate consideration.

Had I been on the floor at the moment this resolution was reported—I came in a minute or two later—I would, of course, have interposed an objection to its being disposed of today. It is too vastly important. It has been considered in all time by the Senate of the United States as too vastly important to be disposed of in any summary way. Whenever it has been brought before this body heretofore it has been debated at great length and most seriously both by the Members who favored it and by the Members who opposed it.

I do not say, Mr. President, that arguments cannot be furnished for it. I do not say that the proceedings of the last hours of the recent session do not furnish such argument, and those proceedings made

the occasion for bringing forward this rule at this time. At another time it could not have been done. But when there is interposed here on this floor an obstacle to the execise of a constitutional right—for a constitutional right includes your rights under the rules which the Constitution says this body shall adopt, and in resisting legislation that overturns the Constitution—it includes the exercise of all of your rights under those rules, Mr. President.

I promised myself, when I took the floor, not to discuss that, so with that statement I stop.

Mr. President, I shall read the argument made by Mr. Turpie, of Indiana, when a similar resolution was before the Senate. It covers one or two pages of the CONGRESSIONAL RECORD. After that I shall quote from Mr. Spooner, and Judge Gray, then a Member of the Senate, Mr. Teller, and perhaps two or three others, whose names I have before me. I regret that I could not have had time to read through these debates and put into the CONGRESSIONAL RECORD such portions as I believe should be considered by Senators before they vote on this measure.

Let me say to the new Members who have been recently sworn in here that it may seem to you a very reasonable proposition. The Senators supporting it say, "Why, two-thirds must be in favor of it." But Senators, you will find before you have been here very long that there is an organization upon each side of this Chamber; that each organization arranges the committee assignments for its side; and that the way the committees are constructed at the beginning of the life of every Congress means the control of legislation for the entire Congress. Then, having so apportioned the Members of this body in committee arrangements, if it seems to be the will of the combined organizations, it is an easy matter to hold back the legislation in those committees until the last hours of the session. When that time comes, the desire of Senators to get away, to go to their homes, the desire to take care of the departments, to be out from under the criticism of having held up appropriation bills and starved the Government—all that, Mr. President, comes upon them with a weight that is irresistible; and one after another they break down and yield, and the program goes through, no matter what it may contain. This rule will furnish an additional incentive to hold back important legislation until the closing hours of a session, as it makes the majority certain of success in carrying through its program.

I think, sir, that I will first read a brief passage or two from the very able and extended address of former Senator Gray, now an honored member of the Federal judiciary. At one point in his discussion of the 22d of January 1891 (reading):

"Mr. GRAY. It is all a farce to talk about the reasonable limit of debate in the opinion of majorities."

This was a majority proposition. His reasoning would make it just as applicable to a majority of two-thirds.

"It is all a farce to talk about the reasonable limit of debate in the opinion of majorities, if you are to be content that free speech and liberty of debate have any place longer in American institutions.

"You say that the power of obstruction must be put down, must be taken from the minority, that it is intolerable, this opportunity and liberty of obstruction that the minority has, when the majority makes up its mind. Very well. Let us destroy the power of obstruction and you have destroyed free parliamentary government. Obstruction is the very weapon of liberty in all English-speaking countries There is no unimpeded path for a majority to walk in, no unobstructed road for its will to be worked through, unless that road and that path lead to despotism. Obstruction in parliamentary proceedings by a minority has been the fruitful source of some of the grandest achievements of human liberty that this world has known. You cannot do away with it. You cannot destroy it without at the same time doing away with the muniments of freedom and destroying liberty itself.

"We can put up with obstruction, we can pay the price of our liberties, Mr. President; we can dispense with the haste and with the so-called business methods that obtain in some parliamentary bodies, because we are willing to pay the price of liberty. If you want a smoothly working machine, if you want a governmental framework that will produce at the least expense and in the shortest time given results, then I say go to your despotism, go to a crowned czar, or go to an unrestrained majority, an unobstructed majority, and there you will get results speedily, quickly, and inexpensively, without cost of time. But you will get other results, too. The spirit of freedom will have to die and the spirit of American liberty will have to suffer a fatal lesion before that desirable state of things can be brought about."

I pass over some of this. Still quoting from former Senator Gray, from the same debate, I read the following. Let me say that he had been interrupted and reminded that the British Parliament, under the leadership of Gladstone, had adopted a cloture. His reply to that matter, which was brought to his attention by the Senator from Rhode Island, Mr. Aldrich, was as follows:

"Mr. President, Mr. Gladstone at the time he led his party in the adoption of that rule was the inveterate, uncompromising foe of home rule in Ireland. He was deaf to their appeals. He would not listen to the argument or to the speech of those who were defending its people and pleading for its women and children. But, sir, since that unhappy day Mr. Gladstone was great enough and big enough and grand enough to put behind him the errors he then committed, and to come out and place himself at the head of that gallant band of Englishmen who are fighting today for the liberty of Ireland."

Now:

"No, Mr. President, we do not need to cross the Atlantic yet for examples to follow in order that we may stifle debate on the floor of the Senate of the United States. That example does not commend itself to the good sense and to the patriotic instincts of the American people. Cloture, this foreigner, with strange air and mien, who cannot talk the English-American speech, who has not the accent of liberty on his tongue, comes here and is knocking at the door of the Senate for admission and to be taken in and made at home. It may do in France; it may do in Austria; it may do in Germany; but it will not thrive when transplanted on American soil—"

That great Democrat, Mr. President, will live to bow his head at the action forced upon the Senate of the United States by the great majority of his own party now here.

Listen to him further:

"and I predict that it will wither and die before another year has rolled around.

"What did Bentham say, that great political philosopher?

"'In France the terrible decrees of urgency for the closing of discussion may well be remembered with dread. They were formed for the subjugation of the minority and for the purpose of stifling argument which they dreaded.'

"And that is the purpose here. It is the purpose everywhere where it has ever been applied. In the countries where it obtained as an institution, censorship of the press went hand in hand with it. You cannot stifle free debate and also keep a free press. You will after a while get impatient of the strictures and the criticisms of a free, untrammeled press.

"Alien and sedition laws are of kindred blood with this rule. They did not flourish long in American soil. But they were good men who voted for these alien and sedition laws. I can see them now with their periwigged heads and their ruffled shirts and their buff vests and shadbelly coats, the very essence of respectability. They represented the conservative classes. They were good fathers, and good husbands, and good citizens, and good neighbors, and they were somewhat shocked and scandalized at the freedom of the press, and they said, as the Senator from Vermont would say or has said in substance, 'Oh, we do not oppose liberty; it is license that we oppose. We do not oppose freedom of debate; it is only unreasonable freedom of debate that we oppose.' And so they said, 'The liberty of the press is dear to us; but, my friend, you must recollect there is a difference between liberty and license.

"'License will not do.'"

He is still quoting from these gentlemen:

"'Liberty of the press—we grant that. Let us see the article. Well, that may do; it is coming very near the verge of license, though; and, if it does, then the alien and sedition law, scandalum magnatum, must apply, and the editor must abide the pains and penalties. You must recollect in conducting this sheet that you are not to cross the line. Liberty we ought to maintain. Liberty. We all love liberty. Liberty of the press is one of the watchwords of freedom. But license, oh, that is a different thing. License tends to the demoralization of the community; license tends to the sapping of the foundations of social order, and it will not do to tolerate it.'"

Resuming his argument he said:

"And so Senators will find, when you attempt to draw the distinction between freedom of debate and what is unreasonable freedom of debate, that you will run into the same shadowy ground, and you will find yourself trespassing upon the liberties that belong to all American citizens, and you will find you cannot erect any standard between liberty and license; you have got to leave it to work itself out by the good sense of the people themselves; and that has served from the beginning until now to save us from all the results that were prophesied from untrammeled liberty of the press.

"Mr. President, this measure is obnoxious to every sentiment of American freedom. Its companions are such as I have described. It must go hand in hand with alien and sedition laws and with the censorship of the press, as it has in all the countries whence the cloture, this foreigner, this exotic, has come.

"I do hope, I do believe, I express the confidence now as an American Senator, that there will be no line drawn in that alley that shall separate the friends and opponents of this measure, but that the votes will cross that line and there will be a majority—I trust not a partisan majority, but a majority of American Senators who will continue to vindicate the great principles of American liberty and parliamentary freedom as they have existed for a hundred years in the Senate of the United States."

Now, Mr. President, I read just a paragraph from former Senator Teller. He makes in his opening sentence some reference to the statehood bill, to which reference had been made in the course of the debate:

"Mr. TELLER. Mr. President, I am myself very much in favor of the statehood bill and prepared to do anything which I think is just and consistent with my duty here to further that object. I agree with the Senator from Wisconsin [Mr. Spooner], the chairman of the Committee on Rules, as to the desirability of maintaining in this body the right of free discussion. I have myself had occasion in the number of years I have served here to see the advantage of it.

"I agree with the Senator from Massachusetts [Mr. Hoar] that the bill, which he thinks did not have any element of force in it, would have become a law if we had had a cloture rule. I, myself, was an active opponent of that bill. If it did not have the element of force in it, it had in it, in my judgment at that time, the element of fraud, and created an opportunity for dishonest people to meddle with elections. But I do not care to discuss that question. I believe that discussion created a sentiment and belief in this body—and it was very much of the character which has been expressed in the debate which is going on here this morning—that it was not wise to pass that bill. While that bill was not voted on directly, the men who voted to displace it were the men who would have voted against it if there had been a vote taken upon it.

"Mr. President, I have been a little restive sometimes, and probably once or twice I have said some things which I ought not to have said as to the length of the discussion on the statehood bill, but I myself will not vote for anything, directly or indirectly, which will indicate the right of the majority to censure the minority, or that will look directly or indirectly to any method, either legal or moral, which may prevent any Senator from exercising his judgment in securing delay whenever he thinks he ought to do so.

"I believe that there ought to be somewhere in the Government of this country a place where unrestricted and untrammeled debate may be had. I believe it was the purpose of the creation of this body that deliberation and thought and delay might be secured for great questions which might for the time being unduly agitate the public mind, either because of intense partisanship or for any other reason."

He could not have had in mind, Mr. President, the impending horror of war, but some lesser excitement where he thought it would be justifiable for any Senator to exercise his rights on this floor to delay; and when I refer to a war measure I refer to one that does not threaten invasion, not one which infringes upon rights which have not already been surrendered "and I believe that there is nothing which can so secure to the American people righteous and just legislation as the right on this floor to discuss in every way and to delay by every method which shall meet the approval of Senators acting under oath all bills or measures which they think are improper and unwise."

Mark you, the attempt to get cloture here was following a debate protracted not only days but weeks.

"I was delighted" says Senator Teller. "I was delighted to hear the chairman of the Committee on Rules say what he has said this morning. I believe he expresses the best thought of this body when he says that he is in favor of untrammeled debate and unrestricted obstruction when, in the judgment of Senators, such a course is necessary."

I now turn to read a few words from former Senator Spooner, who was at that time chairman of the Committee on Rules. In the first statement that I will read many Senators who are altogether new to this body or have been here perhaps for only a term will find reflection in their own minds of the sentiment which he expresses as to how he was impressed when he first entered this body as to this matter.

"There was a time when I was in favor of cloture—"

Says Senator Spooner—

"There was a time when I was in favor of a cloture. I have been a Member of this body now for 12 years. I have been very constant in my attendance upon its sessions; I have been somewhat active in all controverted matters which have been before the Senate. I have seen times when Members of this body, impelled not by partisanship but only by the strongest possible motives of conscience, felt constrained to resist the passage of measures which they thought were unconstitutional, or which they thought, if constitutional and passed, would be subversive of great public interests.

"I am frank to admit that years ago, when I was first a Member of the Senate and a struggle of that kind came, I was very restive under it. I thought that a minority ought not to be able to obstruct the passage of legislation.

"But, Mr. President, I do not believe there is any legislative body in this world which accomplishes as much in a deliberate, thoughtful, and careful way as the Senate accomplishes under its existing rules. The very freedom which is accorded to Senators here assures debate, which would not occur if we had a previous question. There would of necessity be an exclusion of many from debate.

"I have often seen in the newspapers and I have often heard it said that debate is of no effect in this body. That is not true. I appeal to every Senator here if the contrary is not true, as is shown at every session repeatedly upon full debate, because Senators desire here to get at the right. Sometimes we are constrained by political prejudice and more or less of partisanship where proposed legislation may have a political phase, but in the matters of legislation almost universally debate in this body has had great weight, and many Members have risen and acknowledged a change of view because of a discussion which has taken place. It would be quite absurd to have it understood that debate is of no consequence here.

"This power to stop the hasty passage of bills by a single objection in the afternoon sometimes when we take up the calendar has been of infinite benefit to the country. We rely largely upon committees. Sometimes the committees act hastily and improvidently—all the committees. Sometimes bills are reported along toward the end of the session by a poll of the members of the committee, and it has often happened that objection to a bill has delayed it for an hour until the Senator in charge could explain it; and it has often happened the delay brought about a conference which disclosed a defect in the bill which was remedied by amendment.

"It is true that when a bill is objected to by a single Senator it is possible, under the rules, to move to proceed to its consideration. I appeal to Senators that that rarely becomes necessary, and by common consent, as a rule, when a measure is objected to it goes over for examination, and that delay seldom fails to be useful

"For one I have become convinced that under the rules of the Senate as they are the interest of the public, of the whole country, is better subserved than it would be had we a cloture."

Now, Mr. President, I want to invite the attention of Senators to a most remarkable argument, one which has impressed me very strongly. It contains views upon this question which, I think, should have a place in this debate; but I do not wish to take the time tonight. I know Senators are anxious to act upon this resolution, and if I can omit portions of this I will be very glad to do so. I understand that I have consent to print it all.

"Really, then, the true rule——"

Mr. OVERMAN. From whom is the Senator reading?

Mr. LA FOLLETTE. From Senator Turple, of Indiana. Senator Turpie was regarded in his service, and I think he has been since by all Senators familiar with the debates, as one of the ablest constitutional lawyers who ever sat in this body.

"Really, then, the true rule is there is but one way, and has been but one way since 1806, of procuring or bringing about a vote of the Senate upon any measure, and that way is the way of unanimous consent. Theoretically one might think, if that is the case and one Member of this body may at any time prevent a vote upon any measure, legislation has not been very frequent, has been very rare, has been very uncommon in this branch; but practically it will be seen that the one Member objecting to unanimous consent, this missing unit, has been always absent. He has been conspicuous by his absence. So that votes upon the passage of bills, final votes upon the determination of any questions whatever have been as frequent here as in the other branch of the National Legislature; and taking the whole body of legislation, subjected as it has been to this rule in the Senate that a vote cannot be taken without unanimous consent, whatever other effect the rule has had it has not had the effect to diminish the amount or quantity of legislation or the sum of useful, important, and effectual legislation upon all subjects which the people demanded.

"It is very often said, sir, that the majority in this country rules—I have heard it repeated once or twice in the discussion upon the question of cloture—and, therefore, that the majority in this body should rule. That statement is much too broad, whether it be applied to the whole country or to the Senate of the United States. It is much better made in this way, and can be only truly made in this way: the will of the majority expressed under the form of law, or in the form of law, or by the form of law, or in accordance with the form of law, governs in this country and governs in this body, as will be seen in the sequel.

"The first form of law to which the majority is subject is the Constitution of the United States, and with respect to this body the second form of law is its own rules. The majority in this body controls its action when action is taken. It passes a bill or defeats a bill. But the majority in this body has never decided either when action shall be taken or whether action shall be taken at all. That has always depended upon the unit, the smallest possible minority. It is the smallest conceivable minority of this body which determines the question when action or whether action shall be taken.

"I heard this body characterized the other day as a voting body. I disclaim that epithet very distinctly. I have heard it described elsewhere as a debating body. I disclaim that with equal disfavor. This body is best determined by its principal characteristic. The universal law and genius of language have given a name to this body derived from its principal attribute. It is a deliberative body—the greatest deliberative body in the world.

"Now, voting is an incident to deliberation, and debate is an incident to deliberation; but when a body is chiefly characterized as deliberative there is much deliberation apart from discussion and debate, and wholly apart from what is called the business of voting.

"The essence and the spirit of a body like ours, now over a century old, may be best gathered from its rules of action, the body of law governing it always very small, now very brief. Of the 21 rules properly affecting parliamentary procedure in this body 11 relate to the subject of deliberation. More than one-half relate exclusively to that subject and have nothing to do with debate or voting. I suppose that the form of law under which the will of the majority must control this body embraces at least the rules which govern us. Here is rule XXII, one which touches us every day. I think it is the most frequently operative of any rule in the Senate."

Then he gives rule XXII, as follows:

"RULE XXII. PRECEDENCE OF MOTIONS

" 'When a question is pending no motion shall be received, but—

" 'To adjourn,

" 'To adjourn to a day certain, or that when the Senate adjourn, it shall be to a day certain,

" 'To take a recess,

" 'To proceed to the consideration of executive business,

" 'To lay on the table,

" 'To postpone indefinitely,

" 'To postpone to a day certain,

" 'To commit,

" 'To amend;

" 'which several motions shall have precedence as they stand arranged."

"Now, there is not a single one of these motions which relates to a vote of this assembly, to debate by it, but all relate primarily to the business of this body, which is deliberation, and they are all what are called dilatory motions relating only to deliberation. Take, for instance, the motion to adjourn. What relation has that to the merits of any bill or measure pending before this body? Take the motion to adjourn, the first in precedence, taking precedence of any question pending here, what possible relation has that to the merits of any question pending? None.

"What is the reason, then, why the motion to adjourn has attached to it this superlative excellence that it shall be first in order and shall precede all others? I have heard it very frequently said the motion to adjourn is always in order, and it is very seldom out of order. The chair is bound almost in any circumstances to entertain it. It has become almost a maxim, the motion to adjourn is always in order. It has not been always in order. The rule is only as old as the revolution of 1688. Prior to that time the house could not adjourn (I am speaking of another parliamentary body) while the speaker remained in the chair; and the speaker, a servile tool of the Crown, remained in the chair 26, 48, even at one time, as it is said, 50 hours, failing to recognize the motion to adjourn, refusing to put it, refusing to consider it, and holding the body in session simply by his presence in the chair.

"It was under such necessity that the rule now become a maxim, the statute now worn out, has become the common law of parliamentary bodies, that the motion to adjourn shall always be in order; and the reason given for it is that private conference among members is preferable to debate, and that the body must always have an opportunity at least of resorting to privy conference if it so determine.

"I might go on and notice each of these nine dilatory motions in detail to show how every one of them relates solely to deliberation, to show how this rule XXII, connected as it is with all our procedure here, daily, hourly, was characterized and will characterize this body as long as it exists as preeminently deliberative.

"All these dilatory motions resting in rule XXII have their foundation in a rule yet older than any in this compilation. It is a rule older than the Senate of the United States itself. All these dilatory motions relating to deliberation, so carefully guarded, so long observed, so characteristic of the Senate of the United States, are founded upon a rule not published in this body of rules, neither numbered nor classified. The first rule to which all our rules are subject, sir, the first rule of parliamentary procedure proper, is found in the Constitution of the United States:

" 'The yeas and nays of the Members of either House on any question shall, at the desire of one-fifth of those present, be entered on the Journal.'

"The whole series of dilatory motions and parliamentary action upon subjects here rests for foundation upon the rule I have just read from the Constitution of the United States. I speak of it as the first rule of this body. It is the first. It is older than any of the other rules. It is the first; it is a part of the paramount law of the land.

"One might think, in reading it casually, that there had certainly been a mistake by the framers of the Constitution; that, as was said of Homer, they nodded when they put such a mere surface, at first thought, provision into and made it a part of the organic law, as they might have provided in that instrument, sir, that you should rise to your feet when putting a question to the body, or that a Senator in addressing you should rise from his seat.

"Sir, this provision does not belong to that class. Why is it found in the Constitution of the United States? Senators have claimed here that a provision to cut off debate is absolutely necessary and of the highest superlative importance. Why was not that made a part of the Constitution of the United States? Senators have claimed here that a provision that a vote shall be and must be taken at some stage, at a certain stage—in other words, the closure—is imperious, is, in the language of the honorable and learned Senator from Connecticut, absolutely necessary to the transaction of what is called the business of the Senate and the business of the country.

"Why, then, was not provision made for cloture in the Constitution of the United States? The question may be asked, Why should the Constitution makers have concerned themselves at all about a parliamentary rule for the government of this body? But as they have done so, it becomes very legitimate to ask why did they not provide for the cloture and for the cessation of debate, as it is said such rules exceed in necessity and importance all other parliamentary rules.

"Let us examine this parliamentary rule in the Constitution. What was the object of it? Some man might say the object of this was to make a record. Sir, there was no necessity of such a provision to make a record. Records were made long before this provision of the Constitution. The majority had always the power to require the record to be made of a vote, and that was the former method; and the minority, a minority of one, had always the power to have his vote entered of record, either 'nay' or 'yea,' and when all the nays were put in the record the absentees and the yeas were very apparent, and vice versa. There is not the slightest use in the intendment of common parliamentary law of the world then existing to have inserted for such a reason this provision in the Constitution of the United States.

"Then it is said that the object of this provision was to assist in the passage of bills, or in other words to assist the business of enactment as distinguished from the business proper of this body, deliberation. Let us look at it in that view. It is not said that the yeas and nays of Members shall, at the desire of one-fifth of those present, be entered on any bill pending, on the passage of any bill pending; it is said 'on any question,' the most immaterial, the most irrelevant, the one most remotely connected with the business pending before this body. For instance, on the question of adjournment, the question to postpone indefinitely or to a certain day, the question to commit, the question to amend, on any of these dilatory motions one-fifth of the Members present may demand a rollcall and a record; and that rollcall and record was not, as I have shown very clearly, for the purpose of showing how a bill was passed; it relates to any question. Making a record was amply provided for. The reason of the rollcall and record is that deliberation is the province of this body. It is the office of this body. Attendance may be compelled; deliberation is compelled by this rule. Voting is not compelled, can not be compelled.

"This rule, sir, is found, as I have said before, in the organic law. It is much aggrandized, it is glorified by the company in which it is associated. This rule that one-fifth of the Members of this body may at any time demand a rollcall is placed alongside of the inhibition against bills of attainder and ex post facto laws. It is placed alongside of the affirmative power of Congress to declare war, to conclude peace, to contract alliances. It is placed alongside of that great prerogative writ of personal liberty, habeas corpus.

"It belongs to that character of legislation, except that habeas corpus may be suspended, but not even in case of invasion, not even in case of rebellion, can the great power of the potent fifth of the membership here ever be questioned, delayed, or ignored, no matter what is pending or how irrelevant it may be to what is called or may be thought the chief business of this body. The object of this rule was not to facilitate the passage of laws; it was not to make a record; it was to compel deliberation. It was to give to the minority a day in court. It may be a long day, broken, interrupted, full of excitement, in which a question is tossed from side to side as a ball between two animated bands of players. It is just in the midst of this excitement that the rule of the Constitution comes; that it says with imperious mandate, let this cease. Let the roll be called. Let your communication be yea, yea, and nay, nay. It makes a pause. It compels a pause. This rule is and always has been an element of force. It is not the cloture; it forces and compels deliberation, not enactment. It is on the side of the minority, not on that of the majority.

"Now, take this form of law, the rule in the Constitution which I have just read, in connection with rule XXII in our own body of law to which I have referred. Establish the proper connections between them, as we have often here seen done, and the operative relations, with the rule in the Constitution compelling a record, a rollcall, and with the rule in our body compelling the entertainment in their order of nine different dilatory motions, having no possible reference to merits, it will be seen that under the form of law, the highest possible form of law, deliberation is distinctly the business, province, and the office of this body.

"It will be seen how impossible under the operation even of the rule in the Constitution and how thoroughly inconceivable under the operation of our own rules it will be that debate can ever cease or that a vote can ever be taken as long as there is a dissenting unit in this hall, assisted by one-fifth of the number. It would take a reconstruction of the entire body of laws of the Senate, if not an amendment to the Federal Constitution peremptorily to enact what seems to be aimed at by the resolution of the Senator from Connecticut, and those modifications of the same now upon the table of the Senate, and yet the will of the majority rules in this body.

"Is not the Constitution of the United States the will of the majority—a will of the majority, permanent, enduring; a law for all generations? Are not the rules of the Senate of the United States, most of them a hundred years old, the will of the majority, the permanent will? The will of the majority, it rules here in the same manner as elsewhere; the wish of the majority of the hour or of the day, the wish in regard to a pending measure, in regard to a pending bill, in regard to a pending enactment, in regard to

any parliamentary action here, does not control. It is itself controlled and governed by the will of the majority, the law of the land and of the Senate.

"The nine dilatory motions now compellable to be entertained by the Chair, the questions in relation to excuse, the questions in relation to appeal, without exhausting even a very small minority in this Chamber would in a parliamentary manner, in a distinctly constitutional manner, occupy the whole of the remainder of the present session of Congress. We must rely upon the assent of the fifth.

"I am aware, sir, that such action as I have alluded to, action confined entirely to what are known as dilatory motions, is called obstruction, but I am not prepared, and I never heard any Senator here who expressed himself ready, to define the difference between obstruction and deliberation. One thing is very certain, the Constitution of the United States makes no distinction between obstruction and deliberation. It provides in express terms for deliberation in the very method which we of the hour might call obstruction.

"It is the fortune, sir, of free parliamentary government to be subject to the sleepless vigil of dissent, of resistance, and of that sort of resistance which may end in revolution. The shadows of agitation and of revolution are constantly following the feet of those who are engaged in free parliamentary discussion and legislation. Behind obstruction at a greater or less distance is always agitation, and at some distance and at some time may be always revolution.

"We have been frequently entertained here with a description of the hardships, and I do not wish to disparage them, of continuous session, of night sittings. They are very feeble antetypes, they are very frail mimic representations of the campfire and bivouac, but they do foreshadow them. I very much doubt, and I have thought a great deal about it and read something on the subject also, whether the establishment of cloture in this body would tend to increase the chances of public order, of public security, of wholesome agitation, and of legitimate resistance.

"My impression is that the establishment of a cloture in this body would have the contrary tendency. I think that it would not diminish the real power of the minority. Cloture is after all suppression, repression here, to be harvested afterward in boundless expansion elsewhere; and the statesman repressed, the Member of this body suppressed, subjected to force and duress, returns for that very reason no longer of the minority, but with the majority behind him. A vote by force is not a vote either as to the time when it is taken or as to the character of the subject to which it relates or as to the place where it is cast. A vote by compulsion is not a free act; and yet the first definition of a vote is volition, the expression of the will, absolutely free, of the voter.

"After all, as I have had occasion to remark upon subjects somewhat cognate, the very highest official functions in a free government are not compulsory and cannot be made so. It is made the duty of the Vice President to recognize a Member who rises in this body and addresses him. Suppose he fails to do that; suppose he neglects to do that; suppose he wrongfully, knowingly, defiantly, refuses to recognize a Senator who addresses him, how shall we compel recognition? I am speaking of the action of the highest functionary. I know very well if the Secretary disobeys our orders, or if the Sergeant at Arms disobeys the rules governing him, the remedy is very swift, very complete, perfect; but with respect to the highest function and duty there is no remedial operation and can be none.

"Of course, it is possible that the officer might be punished; but that would not restore recognition. It is the duty of a Senator rising here to effect the Chair. It is the duty of a Senator under one of our rules to vote when his name is called. Suppose he does not vote and offers no excuse, how can we compel voting? That is a high function of a Member of this body, perhaps one of the highest; and the other, I think, is the very highest function belonging to the Chair, the function of recognition. It is the initiative in the great lesson of parliamentary liberty. Both these functions must depend—they do depend, Senators—upon the sanction of honor alone, stainless honor. They have no other sanction.

"There is no obligation upon a Senator or upon the Vice President in respect to these high functions, except the sense of duty and the love of country. Heretofore these great sanctions have been sufficient. They have sufficed for all hours, for all days, for all perils, all dangers; but if they ever prove to be insufficient, how shall the sublime duties and motives, such as love of country and the obligation of conscience and honor, be supplied by the adoption of a parliamentary rule?"

Formerly the edge of revolution came very near to obstruction. This was a parliamentary program of a body older than our own. Appropriation, revenue, and relief were put into the same budget and constituted a part of the same bill. For instance, such a proposition as the repeal of the Sherman Act, or any other conceivable relief, was not attached as an amendment to the budget, because that would have raised the question of cloture and of all other manner of deliberation, but it was placed originally in the same bill and reported with supplies, with appropriations.

Then, when the majority of the body defeated an appropriation and refused to grant supplies, defeating therewith relief, they attempted to take supplies by force, without the warrant of law, and that attempt to take supplies was resisted. The ayes and noes became bills and bows; obstruction blossomed into civil war. It was no uncommon thing, and happened three, four, or five times during the reign of the Stuarts and the sovereigns who preceded them.

I cite these examples for the purpose of showing, not that obstruction is illegitimate, but that it is an extreme remedy. Cloture itself belongs to the same class. I do not think that the rejection or establishment of cloture would determine much with respect to the right or power of a minority here or elsewhere; but I have been always of the opinion that constitutional deliberation, or, if you please to call it so, obstruction, is nearer the line of parliamentary freedom, of liberty of debate, than the other rule which is sought to be adopted, or at least is now being considered.

I am not taking the position that the cloture is unconstitutional, but it is in very sharp contrast—not in conflict, but in very sharp contrast—with the only parliamentary rule proper laid down in that instrument. There might be an extremity of emergency which might justify it, but I see none now, and in the calmest times I should much hesitate even to consider it.

We must continue to appeal to the wisdom and moderation and the well-known devotion to duty of our fellow Senators. I may submit whether there be enough of magnitude in the present question to justify a resort to the constitutional method of delay and that length of deliberation ordinarily called obstruction.

Whether we vote or do not vote, the ultimatum is appeal to the country. We must go to the country; we must go to our constituencies in either event; an appeal to the country is stronger, is more direct, on the basis of a vote, than that of abstention from voting. Responsibility for obstruction is infinitely greater than that of voting.

Mr. President, I shall be the last, here or elsewhere, to announce myself as being in favor of the legislation which was pending in the last hours of the preceding session, or to renounce my right under the rules and the Constitution to discharge my duty to the country as I see it. The argument made by Mr. Turpie against the cloture rule at that time applies to the situation that confronts the Senate now. I believed this resolution if presented today would not be immediately pressed for consideration, so I have had no opportunity to prepare and present to the Senate such views as I have upon this question. I could not, however, permit this vote to be taken without putting into the RECORD and reading to the Senate the views of such men as Judge Gray, the late Senators Teller and Turpie, and my one-time associate in this body, Senator Spooner.

I realize how the hysteria of the moment may be driving Senators to acquiesce here in a procedure which at another time they would resist with all their force. But so far as I am concerned I will never by my voice or vote consent to a rule which will put an end to freedom of debate in the Senate. The adoption of this rule marks a decline in the influence of the Senate in the Government. I know that the majority are determined. I believe that a majority of that majority are in this matter yielding their judgments, and that the time will come when the men who are now clamoring for this change and who by their votes are imposing cloture upon the Senate will see that rule invoked to deprive them and their States of what they deem their rights. I cannot prevent the adoption of this rule, so I am content at this time to protest and vote against it.

EXCERPTS FROM CONGRESSIONAL RECORD ON UNLIMITED DEBATE

Mr. Harris (Tennessee) January 22, 1891 (p. 1670): "So, I assert with absolute confidence that from the 26th day of March 1806, there has been no proposition to limit general debate in the Senate that has not been rebuked as an attack upon free speech and upon the rights of the States and the people and dangerous to well-considered legislation as well as to civil liberty. They have been, as they ought to have been, invariably defeated. * * *

"Legislation in a Government like ours should reflect none other than 'the mature, deliberate, and well-considered will of the people, their sober second thought.'

"Absolute freedom of debate, with the right of unlimited amendment, may be and doubtless is sometimes abused, but there are none of the privileges enjoyed by humanity that are not subject to abuse.

"As legislators we can better afford to submit to any amount of abuse of the right of free speech and amendment than to the passage of measures without full, mature, and deliberate consideration.

"The greatest evil that can possibly result from the abuse of the right of unlimited debate and amendment is the postponement of a measure to another Congress; but if such measure is demanded by public interest and a matured public sentiment, the people may be confidently relied upon to send men to Congress who will enact it into law.

"It is better, much better, that we make hast slowly than to dispose of great questions promptly, but without the fullest, most mature, and deliberate consideration.

"While one house of the legislative department is so fettered by its rules as to prevent full debate and amendment to great and important measures, is it wise or safe to the country to gag the other House so as to render it impossible to freely and fully debate and suggest amendments to important legislative propositions on the other."

Mr. Cockrell (Missouri) January 22, 1891 (p. 1688): "I now read what Mr. Benton, of

Missouri, on July 15, 1841, said: 'With respect to debates, Senators have a constitutional right to speak; and while they speak to the subject before the House there is no power anywhere to stop them. It is a constitutional right. * * *'

"I now quote from the other Senator from Missouri at that time, Mr. Linn: Mr. Linn said it was an old Scottish proverb that threatened people live longest. He hoped that liberties of the Senate would yet outlive the threats of the Senator from Kentucky. But, if the lash was to be applied, he would rather it was applied at once than to be always threatened with it. There is great complaint of delay; but who was causing the delay now growing out of the threat? Had it not been made, there would be no necessity for repelling it. He knew of no disposition on the part of his friends to consume the time that ought to be given to the public business. He had never known his friends, while in the majority, to complain of discussion. He knew very well and could make allowances that the Senator from Kentucky was placed in a very trying situation. If he brought forward measures that were questionable he had to encounter resistance. But he was in the predicament that he had pledged himself to carry those measures, and if he did not, it would be his political ruin. He had everything on the issue, hence his impatience to pronounce judgment against the right of the minority to discuss those measures. * * *"

Mr. Gorman (Maryland) January 22, 1891 (p. 1691): "* * * But, Mr. President, the length of debate, the time to be consumed upon a proposition, is determined by the circumstances and the importance of the measure. The proposition now pending, coming, as it does, under the peculiar circumstance and in the peculiar way in which it has been brought before this body, makes it necessary that we should proceed with caution and proper deliberation. We are taking a step which, in my judgment, overturns the whole history of this body. The measure itself comes before the body under most peculiar circumstances. It has been brought here by the decision of the Chair and the vote of the majority of this body in direct opposition to every rule of parliamentary law, both specific as provided by the rules of the body, and general parliamentary law, and no instance in the history of legislation can be cited where such action has been taken as was taken during this day's session; that is during the calendar day of yesterday, but of today's session, as we only had a recess from 6 o'clock last evening until 11 o'clock this morning.

"Good government and orderly conduct of the business of 62 million people, in my judgment, are involved in this proposition. Freedom of speech and all that follows in its wake are to be determined by the resolution now pending. In my judgment, Mr. President—and I speak alone for myself—I think it is the most revolutionary proposition which has been presented. I think if it is enacted and we should be bound by it, its consequences cannot be measured by any man, not to the South, but to the North, and to the West, and to the entire country. It jeopardizes all business interests in my judgment, and the good conduct of our local governments in all of the States of the Union. Mr. President, such a proposition, if I have properly characterized it, ought to have at least fair debate before we are brought to a vote upon it."

Mr. Cockrell (Missouri) January 22, 1891 (p. 1692): "Mr. Dickinson said: 'I have great distrust as to the propriety of invading any old parliamentary custom which has been practiced so long. There may be instances when it is desirable, for the sake of promoting the public interest, to get rid of debate; but those instances, I think, are very rare indeed in their occurrence. In my judgment, so far from restricting or condemning full debate, we ought, as a general rule, rather to encourage it. Freedom of discussion is the great safety valve of our institutions and doubtless saves us from the commission of many an error.

" 'Many questions are brought before us here which when first introduced we do not understand, and in order that we may understand them we are led into research; and thus the mind of this body not only becomes enlightened, but that of the public also. Anxious as I sometimes am to see matters acted upon speedily, I am still unwilling to see the whole parliamentary practice of the world overturned for the purpose of obtaining the end proposed. I shall therefore vote against this proposition in any form. * * *'

"Mr. President, I have detained the Senate longer than I anticipated or desired. I wanted to discuss this infamous cloture rule, a proposition to gag Senators, to cut off amendments, to stop debate, to rush measures through the Senate without due consideration, without any effort at proper amendment. I should like to have said more upon the force bill, and I had hoped while that bill was up that an opportunity would be offered me to speak upon the inequities of many of its provisions, the uselessness of many of its provisions, the extraordinary expense that will be imposed upon the American people by that measure, which will be anywhere from fifteen to thirty million dollars."

Mr. CASE of South Dakota. Mr. President, my amendment, which I have had placed on the desks of Senators, has for its purpose the establishment of a rule of germaneness or relevancy both for amendments and debate after, but only after, the motion to proceed to the consideration of the amendment has been adopted. The provision would be comparable to unanimous-consent agreements which are frequently entered into, except that under my amendment no time limit is involved. Debate on an amendment could continue as long as desired, provided it were germane. The intention is to improve the efficiency of the legislative process and to save time for everyone, as well as to produce more orderly procedure without in any way curtailing the right of any Senator to speak as long as he desires on the subject at hand.

When a unanimous-consent request is made, as it is frequently made after debate has run on for some time, it is generally coupled with a request to limit the time allotted to any amendment. It is also generally coupled with a request that amendments be germane and that debate be germane.

My proposal for a rule change deals wholly with the latter part, that is, the germaneness of amendments and the germaneness of debate.

In his remarks earlier this afternoon the able Senator from New Jersey [Mr. CASE] referred to the fact that in the early practice of the Senate, debate was required to be relevant. In his remarks a few days ago—I believe it was on last Thursday—the Senator from New Jersey said:

> The fact is that so-called unlimited debate in the Senate is a myth. History shows clearly that up to the time of the Civil War a majority of the Senate, under its rules and precedents, and under the dignity of its customs, did have the authority to, and for the most part effectively did, limit debate and prevent filibusters. The Senate did it by insisting that Senators confine their remarks and speeches to the question at issue, and that they conduct themselves in a manner in keeping with the traditional courtesy and dignity of a Senator. There may be exceptions, but the truly representative picture of the Senate before the Civil War, as shown by our historical records, is that the body observed dignity and restraint in debate, and did not consider talking to consume time a parliamentary instrument appropriate for the Senate. When delays by speech were tolerated, the Senators engaged in such dilatory tactics either kept their talks germane or the majority did not choose to insist on the strict observance of the rules and precedents.

The PRESIDING OFFICER. The Senator from South Dakota will suspend. The Chair will ask Senators who are conversing to retire to the cloakrooms or elsewhere, so that the speaker may be heard.

The Senator from South Dakota may proceed.

Mr. CASE of South Dakota. In Jefferson's Manual, which was the early guide for the Senate, in the very early years, Jefferson stated:

> No one is to speak impertinently or beside the question, superfluously, or tediously.

Jefferson cites three authorities, "Scob., Hats., and Hale."

Various Members of the Senate have spoken to me about the amendment. The distinguished Senator from Pennsylvania [Mr. CLARK] has asked that his name be added as a cosponsor of the amendment, and I was happy to include his name. The distinguished Senator from Connecticut [Mr. BUSH] has spoken to me about the amendment. I shall be glad to yield to him at this time.

Mr. BUSH. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from South Dakota yield time to the Senator from Connecticut?

Mr. CASE of South Dakota. I yield, but I reserve my right to the floor.

Mr. BUSH. I certainly support the amendment. I congratulate the Senator from South Dakota for bringing it before the Senate. I think it is a very constructive amendment. One of the weapons of the filibuster is to consume time on completely irrelevant and nongermane subjects; indeed, to harangue the Senate at times with reading from books and other writings. It is really an offensive practice. It is certainly out of keeping with the high traditions of this body in debate.

I believe those who sincerely favor the stopping of filibusters and of preventing issues from coming to a vote in the Senate should seize upon the amendment of the Senator from South Dakota and support it for that very reason. It is designed to bring to a vote the pending question by taking away the weapon of delay. It still leaves with the Senate, of course, the power of cloture under the rules of the Senate.

Mr. CASE of South Dakota. The amendment does not relate to cloture.

Mr. BUSH. No, it does not relate to cloture; it still leaves the cloture provision intact; but simply serves to bring debate to a close by eliminating all nonessential subjects.

Many Senators have often been present when the Senate was reaching the closing arguments on a particular measure. Suddenly recognition is accorded a Senator who may rise and talk for 3 or 4 hours on an entirely unrelated subject, thus delaying the action which might have taken place that very afternoon. The floor then becomes empty, Senators return to their offices, and the whole situation is delayed for as much as 24 hours, simply because one Senator, when a matter was approaching a decision, decided it was time for him to make a speech on foreign affairs or some other subject.

Under the Case amendment, the Senate will have a chance, after a week of debate on any particular issue, to invoke the provision of germaneness.

Mr. CASE of South Dakota. The Senator from Connecticut used the phrase "after a week." The Senator spoke to me about that. I should be glad to modify my amendment in that direction, if the Senator so suggests. But as the amendment is pending at present, it does not include that phrase.

Mr. BUSH. I understood, as the clerk read the amendment, that the Senator had modified his amendment. As the amendment was read at the desk, it incorporated the modification which the Senator from South Dakota had discussed with me. I am very glad that he so modified his amendment.

Mr. CASE of South Dakota. Someone, I think, was talking with me at the time the amendment was read. I assumed it was read in its original form. But I should like to state publicly that the suggestion to strike out "at any time" and to change the amendment so that it will read "during the consideration of a bill, resolution, or other matter pending before the Senate for one week or more" is agreeable to me. The change to provide for a week's free-running debate was made at the suggestion of the able Senator from Connecticut.

Mr. BUSH. I thank the Senator from South Dakota for that generous acknowledgement. I thank him, in conclusion, for yielding to me. I express my wholehearted support of his amendment in its present form. I hope the Senate will adopt it.

Mr. CASE of South Dakota. I appreciate the support given by the Senator from Connecticut.

Since we are speaking of a modification of the amendment, I should like to make a minor modification: in line 6, to strike "a motion" and insert in lieu thereof "motions"—in the plural; and also in line 7 to make the word "motion" in the plural—"motions" so that it will be possible, if a motion were once made and not agreed to, to have it made later on in the course of debate. The modification will simply be to change "motion" to "motions"—in the plural.

The PRESIDING OFFICER. The Chair is advised that the modifications proposed by the Senator from South Dakota have been made.

Mr. CASE of South Dakota. I thank the Chair.

I now yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, if the Senator from South Dakota will permit, I should like to have my name added as a cosponsor of the amendment offered by him.

Mr. CASE of South Dakota. I appreciate the opportunity to have the name of the senior Senator from Ohio added as a cosponsor of the amendment.

Mr. LAUSCHE. I should like to adopt as my own the remarks made by the Senator from South Dakota and the Senator from Connecticut regarding the reasons why this amendment should be adopted. When we speak of a debate, we speak of a discussion which is intended to enlighten Senators upon issues in controversy. Debate does not mean discussion which is not germane to the issue and does not at all aid Senators in reaching a sound judgment on the questions before them.

With these few words, I have given an indication why I believe germaneness of argument is necessary. Nothing is more painful than to live in the interior of the country and to find in the newspapers descriptions of Senators reading almanacs and other documents which have no relationship to the issue, and which are purported to be read under the guise of free speech and legitimate debate.

Mr. CASE of South Dakota. I think the able Senator from Ohio has pointed out a way in which the standing of the Senate before the country would be enhanced if we had a rule of germaneness applying to debate. I point out also that by adopting the suggestion offered by the Senator from Connecticut [Mr. BUSH] the debate would run for a week, at least, without any attempt to apply the rule of germaneness, at least unless it was done by unanimous consent. But after debate had run for a week on a bill or other measure before the Senate, it would be the privilege of any Senator to raise the question of germaneness. If the motion were accepted, then it still would be possible, if a Senator wanted to talk about something else, to ask for unanimous consent that he might do so, the same as he does now when unanimous consent agreements are entered limiting the time of debate and limiting the matters which are germane.

If a Senator wishes to present an important subject to the country, he today, under unanimous-consent agreement, may ask for time to speak on a subject which is not germane, or he may do so in the morning hour. But I think all Senators have experienced much frustration at times, when we have been busy in a committee meeting or busy in our offices, and have been advised that a quorum call is in progress, that the Senate is about to vote on such and such an amendment, and we are asked to come to the Senate Chamber as quickly as possible, to find when the quorum call has been completed, that some other Senator will take the floor and speak on a subject utterly foreign to the question at hand.

Such a practice takes the time of Senators and the time of important officials of the Government, who may be testifying before a committee which has permission to meet while the Senate is in session. It is disruptive of orderly procedure.

I honestly believe the adoption of the amendment and its presence in the rule book would make it possible to save hours of time for each individual Senator and many hours of time for other Government officials.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. BUSH. I do not know whether the Senator pointed this out earlier in his remarks, but if he did not, I should like to say that the question of germaneness is nothing new in the Senate. I hardly ever assent to a unanimous-consent agreement which does not contain a provision for germaneness. The Senate has many times approved the idea of germaneness when it has wanted to settle a question. The advantage of the Senator's amendment is that after a week, the Senate will have a chance to adopt a motion requiring germaneness, not by unanimous consent, but by majority vote, thus confining, by a majority vote, the argument and the debate from that time forth to the subject which is before the Senate.

Certainly, Senators who favor bringing the Senate to a decision in due course on any question should be willing to favor the amendment offered by the Senator from South Dakota.

Mr. COTTON. Mr. President, will the Senator yield for a question?

Mr. CASE of South Dakota. I yield.

Mr. COTTON. The Senator's amendment provides:

> If such a motion shall be determined in the affirmative, any amendment thereafter proposed, together with debate thereon, and all debate under the order for pending business, shall be required to be germane to the subject matter before the Senate.

Is it correct to interpret the Senator's amendment to mean that up until the time the rule of germaneness is invoked, any pending amendments which have been offered, or even those which are lying at the desk to be offered, would still be eligible for consideration, even though they were not germane? Is my understanding correct?

Mr. CASE of South Dakota. It is correct.

Mr. COTTON. I should like to make certain that there is nothing in the Senator's amendment which would hamstring the Senate or any Member thereof, when the time comes, as it frequently does, because of the rule about certain subjects—such as amendments to tax bills which must originate in the House, or for some other reason, when the only way whereby certain legislation is available to Senators is by amendment on some other subject. The Senator's amendment would not, would it, in any way preclude or make difficult or limit the freedom of the Senate to deal with those subjects under those circumstances?

Mr. CASE of South Dakota. That is certainly correct. I am glad to have the Senate emphasize that the word "thereafter" is included. It is any amendment thereafter proposed, after the affirmative acceptance of the motion. Certainly, with the many bills which come before

us and the leeway of a week, if a Senator felt he should offer to a pending bill an amendment which was not germane, he would have plenty of opportunity to do so. That would not change the situation.

Mr. HRUSKA. Mr. President, I am interested in the word "proposed" in that connection. Instead of the word "offered," in connection with the amendment which we are now considering, and which has been submitted by the distinguished Senator from South Dakota, it is entitled at its very inception with the words "intended to be proposed by Mr. CASE of South Dakota." That would seem to indicate that it is not proposed until it is called up. The language would seem to indicate that any amendment thereafter proposed is included, and we may get into trouble with the word "proposed."

Mr. CASE of South Dakota. Yes. I modify my amendment by using the word "offered" instead of "proposed."

The PRESIDING OFFICER. The clerk will make the modification of the amendment.

Mr. MONRONEY. Mr. President, I did not understand the modification.

Mr. CASE of South Dakota. On line 2, page 2, change the word "proposed" to "offered," so that the language would read, "any amendment thereafter offered," to get away from the technical interpretation that an amendment might be proposed without actually being offered.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. COTTON. This colloquy disturbs me. If the amendment means anything, and is clearcut, and brings about the result the Senator desires, and is not a rather loose and ineffective amendment, I still have the apprehension that somewhere along the line between the definition of "offered" and "intended to be offered," the adoption of the amendment to the rules of the Senate will result in depriving Senators and the Senate of one exceedingly valuable privilege—exceedingly valuable for the welfare of this country—of getting onto this floor some necessary proposed legislation which occasionally—we are talking about freedom of the Senate—it may be bottled up in a committee, or, when, because of conditions governing this body and the other body of the Congress, we can get to it only by amendment which is clearly not germane to the pending legislation.

Mr. CASE of South Dakota. The Senate would be in no different position than it is today when a unanimous consent agreement is entered into and amendments are limited to those which are germane.

Mr. President, how much time have I consumed?

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The Senator has consumed 27 minutes.

Mr. CASE of South Dakota. I ask for the yeas and nays on my amendment.

The yeas and nays were not ordered.

Mr. CASE of South Dakota. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senate is proceeding under a unanimous consent agreement. If the Senator calls for the quorum in his own time, that is permissible.

Mr. CASE of South Dakota. I withdraw the suggestion for the moment.

The PRESIDING OFFICER. The Senator withdraws his suggestion.

Mr. MONRONEY. Mr. President, I should like to have 5 minutes on my own time, if the Senator is prepared to yield the floor.

Mr. CASE of South Dakota. I yield the floor, and reserve the remainder of my time.

The PRESIDING OFFICER. The acting majority leader, the Senator from Oklahoma, is recognized for 5 minutes.

Mr. MONRONEY. Mr. President, I am in complete sympathy with the objectives and, in general, the proposals of my able and distinguished colleague, the Senator from South Dakota. I, myself, have prepared a resolution in the same direction, and had it ready to offer for consideration, had we needed a compromise amendment as between those who advocated majority cloture and those who advocated 60 percent or 66⅔ percent cloture.

I said in my speech to the Senate, which was to have taken 2 hours, but I used only about 20 minutes, that I had such great respect for the traditional and historic rulemaking customs of the Senate that I would much prefer, although I strongly advocate a majority rule of germaneness on pending business, to submit the question to the Committee on Rules and Administration. I do not believe that it is ever wise, excepting in cases of extreme urgency, to use shotgun methods to amend Senate rules. They are fundamental to our very procedures.

While the proposal of the distinguished Senator from South Dakota, which parallels mine in most degrees, is completely in the right direction, I, as one of the advocates, over the years, of reorganization of Congress and other efforts, have long felt the need for a majority motion to provide for germaneness in debate and amendments. However, I have learned in the reorganization of Congress that many times, when we are ready to enact certain bills, and we hear the testimony of experts, of Senators, of political scientists, and other authorities, the methods of application of the rules, and the entire Senate, are better served, and the functioning of the Senate is better served, if we do not try to change the basic cornerstones of the existence of this body in a few moments of open debate on the floor of the Senate.

I am in accord with the purposes of the amendment, but I call attention—and the errors of my resolution were called to my attention—to the fact that there are questions to be raised. I provided the same language in my resolution as is carried in the last paragraph of the amendment of the distinguished Senator from South Dakota, namely:

> All questions of relevancy under this rule, when raised, including appeals, shall be decided without debate.

With respect to most of the provisions in the rule he seeks to amend, namely, rule XIX, when a Senator is proceeding out of order, the offending words are taken down and are reported to the Senate. I can visualize many occasions, when a point of order might be made that a Senator was not proceeding germanely to the pending business, that there might be only a handful of Senators present to know what he was talking about and to know whether the remarks were germane or nongermane. I think some provision should be made at least to have the Official Reporters read the portion of debate against which the point is made that it is not germane. That was a fault of my resolution.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MONRONEY. Yes.

Mr. JOHNSON of Texas. Before the Congress convened the Senator from Oklahoma talked to me on the telephone about the study he had made in this field. He later came to my office and brought with him a great amount of material which he had assembled, and a draft of a resolution. The Senator from South Dakota discussed this matter with me before he offered the amendment. I have reviewed the proposal with the distinguished minority leader in some detail.

If we could act on Senate Resolution 5 today I would hope that some time this week we could have our committees organized and ready to start functioning.

I have agreed with the Senator from South Dakota [Mr. CASE], the Senator from Oklahoma [Mr. MONRONEY], and the minority leader [Mr. DIRKSEN], if this procedure will be agreeable to them, that the leadership on both sides of the aisle will ask the Committee on Rules and Administration, the distinguished chairman, the Senator from Missouri [Mr. HENNINGS], and the ranking minority member, to give prompt hearings on the whole subject of germaneness, at which time the Senator from South Dakota [Mr. CASE] and the Senator from Oklahoma [Mr. MONRONEY] could testify, and the committee could get information from any other Senators desiring to give it, as well as any other experts who would be available.

I would hope that procedure would be acceptable. I would hope that the suggestion could be followed. I believe it would expedite action on the resolution. I believe it would result in a thorough study of this subject, and I believe it would result in prompt action by the Committee on Rules and Administration.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. DIRKSEN. I well recall the days in the House of Representatives when the distinguished Senator from South Dakota brought an enduring interest and great skill and great resourcefulness to the question of a study of the rules. I think I can testify to that from long experience. His interest was retained when he came to the Senate, and I was delighted to hear him so many times when we had a discussion about the rules.

I always thought he had become a truly great scholar in the parliamentary field.

I concur in the sentiments expressed by the majority leader that often, in circumstances of this kind, situations arise which cannot be foreseen. When an attempt was made to get a unanimous-consent agreement on the pending resolution the other day it was necessary to make an exception with respect to the Case proposal, which is presently before the Senate. Sometimes questions develop, and the whole subject deserves a real study by the Committee on Rules and Administration. I concur in that sentiment, insofar as I have any authority in the matter. I would be more than happy to see the Committee on Rules and Administration give it a thorough and sustained hearing, and I think probably something could be done in this field, for the reason that much can be said in favor of germaneness in the field of enacting legislation.

If it were not for the rule on germaneness in the House of Representatives, it would become almost impossible for that unwieldy body to function in the field of legislation. That is the long and short of it.

Mr. CASE of South Dakota and Mr. BUSH addressed the Chair.

Mr. MONRONEY. Mr. President, do I still have the floor?

The PRESIDING OFFICER. The Senator from Oklahoma has the floor.

Mr. MONRONEY. I shall yield to my distinguished colleague from South Dakota, the author of the amendment, if the distinguished minority leader has finished.

The PRESIDING OFFICER. Does the Senator from Oklahoma yield himself an additional 10 minutes?

Mr. MONRONEY. I yield myself an additional 5 minutes, Mr. President.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 5 minutes.

Mr. CASE of South Dakota. Mr. President, I must say that the distinguished majority leader and the distinguished minority leader are always persuasive. However, in this instance I was a little bit chilled when the distinguished minority leader referred to sustained consideration in the Committee on Rules and Administration. [Laughter.]

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I remember the other day when the distinguished majority leader was speaking he said, in effect, "You can always change the rules if you can get the votes and can get the question to a vote." I have been around Congress long enough to learn that sometimes it is as difficult to get a matter to a vote as it is to get a bill to the Senate floor. It is precisely because I would like to see the Senate get to a vote that the amendment was proposed.

I should like to say a word or so with respect to my asking the other day that it be in order to consider the amendment notwithstanding the fact that it was not germane to the resolution. I recognized that the amendment was not germane under the rule, when the Senate has a resolution before it which proposed to amend two particular specified sections of the rules. The germaneness amendment was drawn by the Parliamentarian for me, and he thought it should have been applied to rule XIX. The pending resolution, Senate Resolution 5, proposes to amend rules XXII and XXXII, so obviously I recognized it might not be germane to consider the proposed amendment. The very fact that, recognizing that, I asked to have it made in order, illustrates the value of having a rule of germaneness, so that we can keep amendments on the track.

From a parliamentary standpoint, if I wanted to, I think I could force a vote on the proposed amendment. I think that is my right and privilege. However, I have also been around the Senate long enough to know that one gets further if he works with the leadership, particularly if he has the leadership on both sides on his side. I do not mean by that statement to infer that the leadership has made any commitment as to supporting necessarily what might come out of the Committee on Rules and Administration, but, if the matter should go to the Committee on Rules and Administration with the request of the majority leader and the request of the minority leader that it be given active and careful consideration and reported expeditiously, I know that the distinguished Senator from Oklahoma [Mr. MONRONEY], who certainly has spent a great deal of time on organization and procedure of legislative bodies, and I might go before the Committee on Rules and Administration and be assured of a constructive and careful hearing. On that basis I would be willing to withdraw the amendment.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MONRONEY. I thank my colleague of the House and of the Senate for his very kind remarks.

I now yield to the Senator from Illinois.

Mr. DIRKSEN. I am sorry I am a victim of my own semantics, being so feeble in my selection of words. I could give my friend from South Dakota some comfort. I was interested in an amendment to the rule to prevent dual sponsoring of bills. We were able to get the bill reported by the Committee on Rules and Administration and to have the bill placed on the calendar. I hope a similar proposal at this session will get to the calendar, and I hope it will have action by the Senate.

Mr. CASE of South Dakota. Mr. President, a parliamentary inquiry.

Mr. MONRONEY. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. Could the proposed amendment be referred to the Committee on Rules and Administration for consideration?

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that it could not be. A resolution in the same words or of the same substance could be submitted at the convenience of the Senator and referred to the Committee on Rules and Administration.

Mr. CASE of South Dakota. If it is not out of order, then, Mr. President, I should like to ask that I may submit the language of the amendment as it has been modified as a resolution to be referred appropriately to the Committee on Rules and Administration.

Mr. BUSH. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota?

Mr. BUSH. Mr. President, I asked the Senator to yield so that I might have my name added to the resolution as a cosponsor.

Mr. CASE of South Dakota. I would be happy to have the Senator from Connecticut or any other Senator who might so wish become a cosponsor.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. JOHNSON of Texas. I concur in what the Senator from South Dakota has said. I would not want to be committed to the language of any resolution, but I feel committed to urge the Committee on Rules and Administration to give expeditious action to a hearing on a resolution on this subject and to attempt to come to some decision as to the wisdom of reporting it to the Senate. The Senator may be assured of my good faith in that connection.

The PRESIDING OFFICER. The Senator from South Dakota has asked unanimous consent that the pending amendment, as modified, may be at this stage submitted by him as a resolution for reference to the proper committee. Is there objection to the request of the Senator from South Dakota? The Chair hears none, and it is so ordered. The amendment is now withdrawn.

Mr. JOHNSON of Texas. Mr. President, are there further amendments at the desk?

The PRESIDING OFFICER. The Chair is advised that there are no further amendments at the desk.

Mr. JOHNSON of Texas. Mr. President——

The PRESIDING OFFICER. The Senator from Texas.

Mr. JOHNSON of Texas. A resolution, of course, does not require a third reading, but I desire to yield time on the resolution. I therefore ask unanimous consent that no further amendments be in order, so that we may proceed to yield time on the resolution to any Senator who cares to make statements about it.

The PRESIDING OFFICER. The majority leader has asked unanimous consent of the Senate that no further amendments shall be in order or be offered to the pending resolution. Is there objection to the request of the Senator from Texas?

Mr. MORTON. Mr. President, reserving the right to object, do I correctly understand there are no further amendments at the desk?

The PRESIDING OFFICER. The Chair is so advised. The Parliamentarian advises that there is another printed amendment, but there has been no indication given it will be offered.

Mr. MORTON. I have no objection.

The PRESIDING OFFICER. The Chair, of course, has no independent information on this matter. Does any Senator have any further amendment

which he wishes to offer? If not, is there objection to the proposed unanimous-consent agreement?

Mr. SALTONSTALL. Mr. President, reserving the right to object—and I shall not object—do I correctly understand there will be an opportunity to speak on the resolution itself?

Mr. JOHNSON of Texas. A resolution is not subject to a third reading, as is a bill. I have been trying to proceed as I have suggested. Is there objection, Mr. President?

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the majority leader? The Chair hears none, and unanimous consent is given.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. How much time remains unallocated on the resolution?

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that 117 minutes remain for the proponents of the resolution, and 88 minutes remain unused by the opponents of the resolution.

Mr. JOHNSON of Texas. Mr. President, if Senators who desire to speak on the resolution will communicate with me I shall be glad to yield to them. First I shall yield to the Senator from Georgia [Mr. RUSSELL].

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. How much time does the Senator desire?

Mr. ROBERTSON. Ten minutes.

Mr. JOHNSON of Texas. Mr. President, I yield first 7 or 8 minutes to the Senator from Georgia.

Mr. RUSSELL. Mr. President. I do not know that I shall take all the time allotted. I realize opposing the resolution at this hour is not likely to be very effective.

In the course of this debate, Mr. President, some questions have been raised which I desire to discuss briefly for the benefit of the RECORD. I refer to the statement made first on January 4, 1957, by the Vice President of the United States, and which has been repeated again and again on the floor, that section 2 of rule XXII is unconstitutional.

Mr. President, to me that is the most fantastic assertion that I can possibly imagine. The Constitution of the United States expressly provides that each House may determine the rules of its proceedings. Under this provision, any rule which the Senate sees fit to adopt is constitutional until and unless it is changed by the Senate itself. I do not see how anyone can possibly dispute that conclusion.

Mr. STENNIS. Mr. President, it is not possible to hear the speaker. I ask for order in the Senate.

The PRESIDING OFFICER (Mr. ENGLE in the chair). The Senator will suspend until the Senate is in order. The Senate will be in order.

The Senator from Georgia may proceed.

Mr. RUSSELL. Mr. President, if the fantastic conclusion to which I have referred is correct, the Senate of the United States has been acting in an unconstitutional manner for 170 years, because for 170 years this body has met, acted on legislation, changed its rules, and adjourned without there being any provision in the rules making it possible to apply cloture to a motion to take up a resolution to change the rules of the Senate.

Why, Mr. President, we voted expressly upon this issue as late as March 11, 1949, when the rule was last changed. The then Presiding Officer, the able former Vice President of the United States, the late Alben Barkley, ruled that rule XXII did apply to a motion to take up a change in the rules. That contention was challenged, and by a vote of 46 to 41, the Senate overrode the decision and declared that under the Constitution the rules of the Senate permitted free and unlimited debate upon a motion to change the rules as well as to any other proposed legislation coming before the Senate.

Out of that vote came the new rule XXII, which specifically permitted the application of cloture to motions to proceed to the consideration of bills. As I look back down the lane of years, I am sure that the great men who adorned this body in years gone by would be startled and surprised to hear it said today that they acted in an unconstitutional manner, and that the rules under which they proceeded were unconstitutional.

Any limitation whatever on debate in the Senate is of comparatively recent origin. The assertion has been made time and again that in the early days of the Republic the Senate had a "previous question" rule. The Senate for a few years did have a "previous question" rule; but it was the rule of the old English House of Commons which did not shut off debate but merely laid aside temporarily the matter pending before the body if the motion were approved.

I was interested a year or two ago when the distinguished Senator from Illinois [Mr. DOUGLAS] placed in the RECORD extracts from the old Congressional Globe, as the original RECORD was called, which showed the use of the "previous question" motion. He said that this showed that the "previous question" was used to cut off debate in the Senate. I had an opportunity to look over the material a few days later. There was no proposal to change the rules then, but I became quite busily involved in what was called the civil rights legislation of 1957, so I did not undertake to correct the error at that time. But the RECORD which the Senator from Illinois offered to support his contention showed that the man who moved the "previous question" followed his motion with a speech in behalf of the motion. The RECORD showed that the Senator who moved the previous question urged the Senate in a speech to adopt his motion. That RECORD shows on its face that the motion for the "previous question" was clearly debatable and that it did not shut off debate. I do not have all the RECORDS before me today, but I have studied the RECORDS of the Senate—and have read the debates of years gone by.

One of the clearest statements on the use of the "previous question" was made by a distinguished Senator from Kentucky, Senator Carlisle, who, I believe, served as Speaker of the House of Representatives prior to the time he came to the Senate. He obviously had given a great deal of study to this question. He made a lengthy speech in the Senate, citing exactly what was proved by the RECORD quoted by the Senator from Illinois; namely, that the motion for the "previous question" was merely a parliamentary device to get rid of a pending matter without voting on it on that particular day. Senator Carlisle showed conclusively that the "previous question" was in nowise related to a gag rule to deny Senators the right of free speech.

I am saddened by the thought that the Senate of the United States should now be prepared to adopt what is known as the Johnson resolution, sponsored by the distinguished majority leader and co-authored by 40 other Senators. There is no need on earth to further curtail the right of free speech in the Senate.

We hear much talk about filibusters, yet no one has pointed out to this body a single highly desirable, advantageous bill that has been defeated by unlimited debate in the Senate.

We can read the statements of the great men of other years—Senator Reed, Senator La Follette, Senator Norris, Vice President Adlai Stevenson, grandfather of the former Governor of Illinois and twice a Democratic standard bearer, and many others. These giants of the past believed that the widest latitude and freedom of debate in the Senate was the greatest bulwark of liberty in the United States.

A great deal of political pressure has been generated over this issue. Great labor organizations and other powerful groups, such as the National Association for the Advancement of Colored People, are demanding that the rules be changed. There is a demand for further tightening and further squeezing to choke off debate, thus destroying the prerogatives and power of individual Senators, and cutting down still further the rights of the States of the Union.

It is a sad day when the Senate demeans itself by imposing still further limitations on the powers and rights of those who represent great States of the Union in this body.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Virginia [Mr. ROBERTSON] such time as he may desire.

Mr. ROBERTSON. Mr. President, I wish fully to endorse and associate myself with the very clear and emphatic statement recently made by the distinguished Senator from Georgia [Mr. RUSSELL], indicating why he and I see no necessity to change the time-honored rule of the Senate and place a limitation upon debate on a motion to change the rules. In view of the fact that I have voted against all amendments to Senate Resolution 5, I desire at this time to summarize briefly the views I expressed last Friday as to why I see no necessity to change rule XXII.

The United States of America became a political unit only through agreement of thirteen independent States on a compromise plan. An essential feature of that plan was a Senate in which the largest and smallest States would be equally represented and in which minority rights would be fully protected. The purpose of rules for free debate were adopted for the protection of those minority rights.

The relation of the U.S. Senate and its rules of procedure to the controversy over ratification of the Federal Constitution may not be obvious but a review of the debates in the State ratifying conventions or the published arguments of the Federalists and the anti-Federalists of that period will clearly shot it.

Without attempting an extensive review at this time, let me illustrate by one specific reference to the Virginia convention, which played a decisive role.

Addressing the Virginia convention Patrick Henry, who had been recognized as the sparkplug of the Revolution said in his criticism of the proposed constitution:

> Here is a revolution as radical as that which separated us from Great Britain. It is as radical, if in this transition our rights and privileges are endangered, and the sovereignty of the States be relinquished; and cannot we plainly see that this is actually the case? The rights of conscience, trial by jury, liberty of the press, all your immunities and franchises, all pretensions to human rights and privileges are rendered insecure, if not lost, by this change. * * * You are not to inquire how your trade may be increased, nor how you are to become a great and powerful people, but how your liberties can be secured; for liberty ought to be the direct end of your government.

Ratification occurred because the convention chose to accept the assurances of Washington and Madison and others who said, as I shall point out presently, that the rights of the States had been recognized by the framers of the Constitution but, to remove any possible doubt as to their intentions, a series of amendments could be adopted by the next Congress putting in written form the implied rights of States and individuals and the limitations on the central government.

These reassurances included the endorsement of George Washington, who threw his great influence on the side of the Constitution and said the choice was between "adoption or anarchy." They included also the support of John Marshall, who said later in one of his opinions:

> No political dreamer was ever wild enough to think of breaking down the lines which separate the States, and compounding the American people into one common mass.

Even in the light of these positive assurances of recognition of and respect for sovereign rights of the States, however, Massachusetts ratified the Constitution only under promise of amendments, Virginia with a demand for them and New York practically upon the conditions of amendments.

The first 10 amendments adopted, included, as I need hardly remind Senators, the ninth, which says:

> The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

And the 10th, which says:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

There can be no question, therefore, as to the intention of the Founding Fathers to protect States rights but since, as Patrick Henry said, the central government was given the power of the sword and the purse, how could the preservation of those rights be insured?

The Chief Executive of the Nation is sworn to uphold the Constitution, but if he interprets his duties as permitting interference in fields reserved for State action, who shall check him? The courts, and especially the Supreme Court, are interpreters of the law, but when the highest court conceives of itself as a policymaking body and issues orders involving social reforms which interfere with State functions, how can this trend be checked? The Congress, in addition to having the power to make laws, has the power to impeach the President and other officials, but what if the popularly elected representatives yield to public clamor and endorse proposals which infringe on States rights?

It is when an answer to these questions is sought that the unique position of the Senate in our system of government becomes apparent. This body is the one place where the sovereign States are represented as such and on a basis of equality. Even though Senators, since the adoption of the 17th amendment, are elected by the people instead of being chosen by State legislatures, they still are representatives of their States as a whole and are insulated from temporary waves of popular sentiment by 6-year terms and by having no more than a third of the Senate seats at issue in any one election year.

That traditional function of the Senate can be exercised effectively only so long as this body remains a truly open forum in which each spokesman for a sovereign State can expound his views for as long as his conscience dictates when the rights of his State or the integrity of the Constitution which protects those rights are threatened.

Therefore, I say that before we tamper with a plan of proceeding which has been carried on with such distinguished approval for a century and a half, we should be very certain that there is justification for a change.

That brings me to my second main point, which is that a change in the existing rules is unnecessary.

The record shows that many bills against which extended debate was directed ultimately were passed and I believe careful study would reveal that in most instances the legislation was improved by the cooling off period.

In the entire history of the Senate only 11 bills have been completely blocked by filibusters. These include the Force bill of 1890, which would have provided for Federal supervision of elections; the armed-ship resolution of 1917 which turned out not to be needed after we declared war on Germany and nine so-called civil-rights bills all of which were unconstitutional in whole or in part.

Four poll-tax bills would have interfered with the constitutionally granted right of the States to handle elections and invaded a field that can be legitimately reached only through a constitutional amendment. Three antilynching bills obviously infringed on the police powers of the States, entering the area which Hamilton said would be so troublesome he could not conceive of Federal officials attempting it. Two fair employment practices bills also would have dealt with private justice between citizens of the same State, an area in which Hamilton said the transcendant advantage belongs to the State governments.

Defeat of these few bills is the net cost of past filibusters. And what is the threat of future losses which makes a rules change at this time seem so urgent to some of its advocates? All they can mention are some more so-called civil-rights bills which, under the guise of protecting specific rights claimed by certain minority pressure groups, actually threaten the broader rights of all the people to which Patrick Henry referred as the precious jewel—public liberty.

These bills are not wanted by the great mass of the people of the country. If there were a genuine national demand for them, instead of merely a synthetic pressure to promote them, they could be passed under existing rules.

Debate can be ended now by a vote of two-thirds of the Members of the Senate. If a national emergency, such as that which Woodrow Wilson thought existed in 1917, should demand prompt action on some legislation, I am confident that more than two-thirds of the Members of this body would cooperate in silencing obstructionists. The necessary votes also would be obtainable to stop a filibuster even in peacetime against obstruction of any truly vital legislation.

Our present rule on limitation of debate is adequate and changing it is unnecessary.

My final point is that a radical change in the present rule would be dangerous to what some day may be a minority view on the subject of private enterprise and detrimental in the long run even to the interests which now advocate the change.

Newspaper writers and other commentators are inclined to describe those now advocating a change in our rules as liberals who have been frustrated in efforts to promote civil rights bills or social welfare measures and to associate defense of free debate with an ultraconservative viewpoint. The RECORD shows, however, that free debate, including efforts which have been generally recognized as filibusters often have been used and defended by liberal leaders.

A delay, during which the people of the country are made aware of the details of an issue, can be used, and has been used to help bring about reforms, as well as to block passage of oppressive measures.

There was, for example, the extended debate in 1863 against efforts to suspend

the writ of habeas corpus. There was the filibuster against an Army appropriation bill in 1876 which carried a rider that would have suspended existing election laws. There was the successful filibuster in 1890 against the Force bill, which would have provided for Federal supervision of elections.

Our distinguished former colleague, Senator George of Georgia, testified during the 1947 hearings on proposals to limit Senate debate that if there had been such a limitation in 1937 it would have been impossible to rally enough support to block the effort of a powerful and popular President to pack the Supreme Court, and Members now in this body will recall that in 1946 the House passed in a matter of minutes a bill to draft striking railroad workers. That proposal, so violently objected to by organized labor, would have become law but for the opportunity of the Senate to analyze it in a deliberate manner.

In the 1957 Senate committee hearings a spokesman for the AFL–CIO said that powerful organization favored a change in rules to limit Senate debate primarily because of the apparent need for more comprehensive Federal legislation in the field of civil rights. In 1925, however, when Vice President Dawes was trying to get the Senate to adopt a previous question rule he was denounced by the American Federation of Labor for trying to gag the Senate and threaten the rights of the people and in 1946, as I have indicated, absence of such a gag rule may have been all that prevented striking railroad workers from being drafted into military service.

It matters not, Mr. President, whether the minority at any particular time represents a basically liberal or a basically conservative viewpoint—the group which does not have a majority of votes needs some protection against unreasonable impositions and the U.S. Senate was designed to provide that protection.

I stress the interest which liberals should take in the preservation of free Senate debate because those who claim to speak as liberal leaders have become the immediate advocates of a change. But the interests of those who call themselves conservatives, in the sense that they would preserve our great national heritage, also are deeply involved.

I was pleased to see recognition of this fact during the 1957 Senate committee hearings when the National Society of the Sons of the American Revolution put in the record a resolution of unalterable opposition to any change which would substantially alter the right of free discussion secured by Senate rule XXII. This resolution said:

> Freedom of debate in the U.S. Senate performs the same essential function as freedom of the press under the first amendment, in keeping the people fully informed in respect to matters which may vitally affect their freedom and the security of constitutional rights.

I was pleased also that my fellow Virginian, Dan Daniel, as National Commander of the American Legion, authorized the Honorable John J. Wicker, Jr., to put him on record in those hearings as opposing any further limitation of Senate debate.

The love of liberty is not dead in our nation, nor is there a lack of voices willing to speak in defense of those institutions on which our freedom was founded. But, to preserve a forum for those voices, we must respect the advice of Thomas Jefferson, who said in his Manual of Parliamentary Procedure on which our Senate rules are based:

> As it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check and which the wantonness of power is but too often apt to suggest to large and successful majorities.

Mr. JOHNSON of Texas. Mr. President, I yield 10 minutes to my friend from Massachusetts [Mr. SALTONSTALL].

Mr. SALTONSTALL. Mr. President, the Senate's first debate of the Session has brought to light a fundamental issue between the rights of minorities and the functions of majorities.

The various proposals which have been offered to amend rule XXII seek to reach a determination—if you will—a balancing, between these two fundamental concerns of the Senate. I strongly urge that the resolution, Senate Resolution 5, to amend the standing rules of the Senate as offered by the Senator from Texas with whom I have joined be promptly adopted.

This resolution will provide a method for limiting debate much more effective than the present cloture rule; and in my judgment a method for concluding debate which will best achieve a sound balance between the rights of minorities and the functions of majorities.

My record in support of changing rule XXII speaks for itself. I first appeared before the Rules Committee in 1946, urging that rule XXII be liberalized. In 1947 and again in 1949, I filed resolutions concerning the cloture rule. I was particularly concerned with applying cloture to a motion to take up a pending bill. The rule was changed to accomplish that purpose in 1949. Before that time rule XXII was virtually useless because debate could not be terminated on a motion to take up a bill and filibusters were directed to such motions.

It is important to emphasize the objectives we seek. On the one hand, we have an objective to assure the ability of a majority of the Senate to perform its legislative duty with respect to thoroughly considered propositions. On the other hand, our objective is to insure adequate protection for the interest of any minority from impetuous, ill-considered, or oppressive action by a majority.

Our task is to strike a proper balance between these two objectives. The Senate's mechanism for striking this balance is the cloture rule. In my opinion, the balance is now weighted too heavily against the ability of the majority to act. Furthermore, and of even greater significance, the balance is frozen by section 3 of the present rule XXII, which prevents cloture on changing the rules of the Senate.

I support the resolution which is before us for two reasons:

First, it would unfreeze the balancing mechanism by permitting cloture on a motion to change the rules of the Senate, including the cloture rule itself.

Second, it would establish a better balance between the objectives of protection of minority interest and assurance of majority action than does the present cloture rule. It would permit the application of cloture on the vote of two-thirds of those Senators present and voting instead of two-thirds of all Senators, as provided by the present rule.

A cloture rule of two-thirds of those present and voting is analogous to the constitutional provisions followed by the Senate in the case of ratifying treaties, adoption of constitutional amendments, impeachment, expulsion of Members, and overriding vetoes.

The amendment proposed would require that Members in opposition be present and vote to be counted. A Member now can in effect be recorded in the negative simply by being absent as the rule requires two-thirds of all the Senate to vote affirmatively. This is one of the chief weaknesses of the present rule or of any proposal for a constitutional majority. This proposed rule in Senate Resolution 5 would assure that only votes actually cast by Senators present would be counted in determining cloture.

Protection of minorities is a fundamental bulwark of our democratic system. The very concept of equal representation among the States was adopted by our Founding Fathers when the Senate was constituted. They recognized the need for the protection of minorities.

We must remember that, depending on the issues, today's minorities may find themselves with tomorrow's majorities; and parts of today's majorities may be the minorities of tomorrow.

It is essential that we consider the rights of all minorities within the context of the total range of issues which time will bring to our calendar and to the calendars of future Senates and not simply on one issue of paramount present concern to a particular minority.

In my opinion, the proposed rule change in Senate Resolution 5 will strike a sound balance, on all issues between protection of the rights of minorities and the ability of majorities of the Senate to act.

I strongly urge that the Senate proceed to prompt adoption of Senate Resolution 5.

Mr. HOLLAND. Mr. President, every Member of the Senate is the custodian and defender of the reputation and assets and values reposed in this institution by the Founding Fathers.

My own feeling is that we have paid much too little attention in this debate to what I believe is the principal point involved, and that is the necessity of recalling that the Senate is and was designed to be the stable institution and stable member of the legislative body, and the stable guardian of our country.

No one, because of a present objective and current impulse, should forget for a moment that precious value which every Senator should do his utmost to uphold.

Mr. President, I shall not discuss at length the details of the resolution. I do wish to say, however, that I have been particularly alarmed by those who styled themselves as highly liberal Members of the Senate, and who are so impressed with the importance of the immediate objective which they regard as of very great importance to the country that they tend to forget their responsibility to maintain the stability of the Senate. I recognize their great sincerity. However, as I see it, of the greatest importance is maintaining the stability of this institution. That means not only today, and not only in safeguarding a minority in which they are interested, but it means in every respect, particularly from the standpoint of safeguarding the interests of every minority, whether it be a racial minority or regional minority, such as those of us who happen to come from the South represent.

I am always impressed by what has been told us by the Senator from Arizona [Mr. HAYDEN], the wisest man in the Senate, that his State would not exist as a State except for the rules under which unlimited debate is permitted in the Senate, because it enabled dedicated Senators to force back the desire of many to make one State out of Arizona and New Mexico, and that through the efforts of these Senators, who believed that there was a future involved in those two areas, made it possible for two States ultimately to be admitted under two new resplendent stars in our flag.

I believe that everyone recognizes the wisdom of that stand and many others which have been taken under the rule of unlimited debate.

I regret that our most liberal friends should be so zealous in their pursuit of an immediate objective, in which they are most sincere and concerned, that they should overlook the fact that time after time in the past—and there will be more occasions in the future—when there have been questions of divisions between majorities, sometimes great majorities, and minorities which were small at times—and when minorities had much in support of their views—they found that they had to rely on the rule permitting unlimited debate.

For just a moment I should like to quote for the RECORD some statements which show that the Senate was designed to be the stable segment of our Government. I should like to read from two papers of James Madison in the Federalist. Perhaps some will say, "You are living in the past." Yes; I want to get all the facts out of the past, and profit by them, and then I want us to live in the present and in the future.

The Senate, in 170 years, has attained dignity through holding onto the stability which it was intended to possess, so that it might well serve the people. Nine times in two letters written by James Madison, letters 42 and 43 in the Federalist, we find the words "stability," "stable," or "instability," depending on the context. Always, he emphasizes the fact that stability is the quality which the Founding Fathers were seeking to maintain in the founding of the Senate, and in that connection he has used also the words "the necessity." I may have to read a few words out of context, but these words are not taken out of context: He speaks of the "necessity of some stable institution in the Government."

Then he goes on to say:

> Every nation, consequently, whose affairs betray a want of wisdom and stability, may calculate on every loss which can be sustained from the more systematic policy of its wiser neighbors.

Then the effect of instability is developed at length. Then he continues:

> In another point of view, great injury results from an unstable government. The want of confidence in the public counsels damps every useful undertaking, the success and profit of which may depend on a continuance of existing arrangements.

Then he refers to the fact that no government will long be respected "without possessing a certain portion of order and stability."

Madison comes to the second letter. His first paragraph includes these words:

> Without a select and stable member of the Government the esteem of foreign powers will not only be forfeited by unenlightened and variable policy, proceeding from causes already mentioned; but the national councils will not possess that sensibility to the opinion of the world, which is perhaps not less necessary in order to merit, than it is to obtain its respect and confidence.

Then he uses the phrase "Stable body has been necessary," when he speaks of the necessity to bring back to one of the States mentioned, the stability which it had lost through undemocratic and unstable processes.

Then again he says:

> The proper remedy for this defect must be an additional body in the legislative department, which having sufficient permanency to provide for such objects as require a continued attention, and a train of measures, may be justly and effectually answerable for the attainment of those objects.

Then again he speaks of the "necessity of some institution that will blend stability with liberty."

In one of his last references to this particular quality of the Senate, he says that "liberty may be endangered by the abuses of liberty, as well as by the abuses of power; that there are numerous instances of the former as well as of the latter; and that the former, rather than the latter, is apparently most to be apprehended by the United States."

Mr. President, we have sustained that point of view and that objective through 170 years of the history of the Senate.

I have been particularly impressed by the unwillingness of new Members of the Senate, or a great many of them, to take a stand in support of a proposal which would wipe out the experience of those years, and the stability which the Founding Fathers have sought to attain, and which has been attained by the Senate.

I have noticed with a great deal of interest the able paper written by one of the new Senators—and I was surprised by his vote—the junior Senator from Minnesota [Mr. MCCARTHY], which statement is now a part of the RECORD, and in which he said, in so many words, that one reason the Senate has become the dominant body is its continuing nature, as compared with the temporary nature of the House.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HOLLAND. Mr. President, will the Senator from Texas yield me 4 additional minutes?

Mr. JOHNSON of Texas. I will take the chance of some Senator not taking the full 4 minutes already allotted to him. I have 117 minutes remaining, and I have allotted all of them already. I yield 3 additional minutes to the Senator from Florida.

Mr. HOLLAND. Mr. President, the fact is that if this stability were yielded, we could become too responsive to pressures. We are all familiar with the fact that there are group pressures upon us already—but I also include pressures from the executive branch of the Government. I have reference particularly to a powerful and very popular President coming into office with the Congress controlled by his party. I can think of instances in the past when great damage could have been done to our Government if there had not been an acceptance and a perpetuation of the idea of the continued existence of the Senate.

Mr. President, as to my own position in this matter, I am extremely unwilling to weaken the cloture rule, even in the slight degree involved here, but I believe that by assuring a declaration by a large majority of the Senate that, in our opinion, the Senate is a continuing body, and that these rules must be applied to any effort that is made to change the rules, such great stabilizing value will come from said declaration that I intend to support the pending resolution.

Mr. President I yield the floor.

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the Senator from Pennsylvania. Then I shall yield to the Senator from South Carolina.

Mr. CLARK. Mr. President, I shall support Senate Resolution 5 on the final vote, but my reasons for doing so are not the same as those stated by the Senator from Florida. Ours, I may say to my good friend from Florida, is not a temporary objective. Our objective is to protect the majority from the tyranny of a minority. We will return to that fight again.

I shall support the resolution, first, because I believe the first section of it does make some minor improvement in the present cloture rule; second, because the second section, in my judgment, improves the present cloture procedure by permitting cloture to be invoked when the question to be considered is to change the rules. That I think is a minor but definite improvement. In my judgment, section 3 of the resolution is unconstitutional, null, and void, and nothing we say nor do can make it otherwise. I am, therefore, not concerned about section 3.

I shall support the adoption of the resolution for the reasons I have just stated.

I thank the Senator from Texas for yielding me the 2 minutes.

Mr. JOHNSON of Texas. I yield to the Senator from South Carolina as much time as he may desire.

Mr. JOHNSTON of South Carolina. Mr. President, last week in opposing the motion presented by the Senator from New Mexico, which the Senate tabled by a vote of 60 to 36, I stated that I was against any change in rule XXII which would tend to further limit debate in the Senate.

While the so-called Lyndon Johnson resolution on rule XXII would not be as dangerous or go as far in this direction as the Anderson proposal, nor as far as some other proposals placed before the Senate on the subject, I am still against it. I shall fight anything which comes before this body that would make it easier to cut off debate by any Member in this body.

Senate resolution 5 by our majority leader would only give proponents, of cutting off debate on a subject, the advantage of absentee Senators, but this is a radical enough change for me to oppose it. Worse, it is an opening wedge which will invite others to come back year after year to continue to assault our time-honored and time-proven rules of procedure. Enough compromises such as this over the years and one will not be able to recognize the Senate.

The tyranny of the majority could deprive a State of the right to be heard on any subject. There is all to lose and nothing to gain by making a so-called compromise on our rules. I do not believe in compromising liberty, and that is what we are doing when we compromise on unlimited debate in the Senate.

As I have pointed out several times, the Senate of the United States is a continuing body. Its rules have heretofore been considered as continuing. The Founding Fathers established the Senate as a continuing arm of the legislative branch of our Government. A brief reference to paragraph 2 of section 3 of article I of the Constitution proves this point. It provides as follows:

> 2. Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

Paragraph 1 of this section established the term of office of a Senator to be 6 years.

In the first election, all Senators were elected for 6 years, but upon reaching the Senate, they drew lots in order to determine the length of their first term so that the 6-year term of one-third of those elected was reduced to 4 years and a further third was reduced to a term of 2 years. Thus a body of two-thirds of Senators in number existed beyond each biennial election for Members of the House of Representatives. Each State by the Constitution was guaranteed, however small in population, no less than two Senators. What was the purpose of the Founding Fathers in these provisions? They were establishing safeguards to protect the rights of minorities. Were these safeguards not established in our basic law, some historians doubt that the Republic could have been founded. Our Founding Fathers were ever conscious of the rights of minority groups and by these provisions sought to secure them for all time to come—not only for themselves, but for posterity.

Not frequently, but ever so often, we have experienced a desire and effort on the part of some of our Members to change these fundamental concepts. They want a change in order to more quickly pass some pet measure or to accomplish some unmeritorious purpose. I fear they disregard the protection which our rules give them and that, if successful, they will rue the day they changed the Senate's procedures for a temporary advantage. There are some in the Senate today who are vigorously supporting a change in our rules, though only last session they were using the provisions of our rules to engage in extended and unlimited debate against some pending measure they opposed.

It has been my privilege to serve as a Senator from the sovereign State of South Carolina now for 14 years. I am a South Carolina Senator in the U.S. Senate, as each of you represent a State. During this service I have never known a deserving piece of legislation to fail because of any obstruction caused by our present rules. I have known of proposed legislation to fail by reason of the extended debate permitted by the rules, and I have recognized that such failure was for the best interests of our Government and people. Rule XXII is a safety valve against hasty, ill-advised action. It has never succeeded in killing deserving legislation.

We see in some parts of the daily press and in some magazines derogatory and critical articles concerning our rules and procedures under which we have so successfully and so long operated to the great advantage of our country. Filibuster is the term used by them. It is employed by them to denote a practice they oppose. The word "filibuster" has gathered a lot of bad odor in relation to its real meaning.

But all publications have not looked upon our rules with disfavor, as in the case of The Saturday Evening Post which I quoted earlier. In 1949, when attempts were being made to destroy unlimited debate under rule XXII, I brought to the attention of the Senate in my debate then an editorial which was published in the March 12, 1949, issue of Business Week.

I feel it is imperative again at this time to bring this article to the attention of the Senate:

THE TYRANNY OF THE MAJORITY

Filibustering has become a horrid word in the American language. It has been described in the mildest terms of its critics as a technical evil connected with the machinery of lawmaking.

It has been cursed and condemned as a device against democratic decision.

The sharpest criticism has been leveled at filibusters in recent times by those who carry the liberal label. They are good and mad at the southern Democrats. They lambast the southerners in the Senate for filibustering against all attempts to put civil rights legislation on the Federal statute books.

Unconsciously, the zeal of the so-called liberals has befogged their minds. Unwittingly, they are sniping at democracy and liberty. They assert that what they are seeking is a further expression of democracy, and that they are going after it in the democratic way. But they obviously are not remembering their American history.

LESSONS OF HISTORY

A refresher course would remind them right at the beginning that this Nation's Government was framed to avoid tyranny in any form. The drafters of the Constitution put in safeguards against despotic power in any hands.

The Founding Fathers went to great pains to set up a system of checks and balances. They apportioned power among the legislative, executive, and judicial branches of the Government. They determined to place checks on the powers of all—even the powers of the people who had the right to vote. Thomas Jefferson, for example, was convinced that government by a simple majority could be as despotic as the one-man tyranny of the British king.

This aversion to simple majority rule explains the makeup of the Senate. The upper House of Congress was designed deliberately as an offset to the popularly elected House of Representatives. Each State has an equal number of Senators, regardless of population. The Senators are elected for a term three times as long as the Representatives, and only one-third of the Senate comes up for election every 2 years. Obviously, the Senate was never intended to perform its functions and reach its decisions by snap judgments of temporary majorities. It is supposed to function only after the careful deliberation permitted by unlimited debate.

Through the years when slavery was the big national issue, there were great debates. The North sought to impose its will on the minority of States. The South clamored for States rights. After a war was fought to preserve the Union, President Lincoln was moved to say:

"There is too much desire on the part of some of our very good friends to be masters, to interfere with and dictate to those (southern) States, to treat the people not as fellow citizens; there is too little respect for their rights."

The fundamental belief in the democratic rights of a substantial minority has never been successfully submerged. It has been the salvation, in turn, of both conservatives and liberals. The latter certainly can recall the power of the individual expressions of such liberals as the two La Follettes—expressions which took the form of filibusters more than once. In a speech against cloture, the elder Senator La Follette said:

"Believing that I stand for democracy, for the liberties of the people of this country, for the perpetuation of our free institutions, I shall stand while I am a Member of this body against any cloture that denies free and unlimited debate. Sir, the moment that the majority imposes the restriction contained in the pending rule, that moment you will have dealt a blow to liberty. * * *"

Full and free debate in the Senate is more than a precious heritage. It is more than an effort to protect the right of free discussion. It is an expression of the doctrine that no one group should be in a position where it could beat down all opponents mercilessly. The doctrine states that important minorities should be persuaded and must not be coerced. No one group should be able to impose its own opinions, its interests, its views on others if, by so doing, the vital interests

of other groups are not at all respected. This is the practical core of American government in operation.

LONGSTANDING TRADITION

The principle, of course, is not written down in black and white as a government law. It is simply a tradition. There is serious doubt whether it could ever be made official. But it is workable nevertheless.

Any infringement of the right of unlimited debate in the Senate would lead to coercion of important minorities. Stifled debate would give to the majority free and careless sway over legislation. This would defeat the basic American idea that all absolute power must be limited—including the power of the majority of the moment.

As long as there are conflicts between the majorities and the minorities, there will be dilatory debate of some sort. And delay is not easy to accept. But an intelligent majority will be wise to accept some measure of delay if it is really convinced that its objective is basically sound.

Filibustering admittedly is a negative device. But so is a brake on an automobile. The brake can check the speed of the car if it gets out of control. Filibustering is useful when it checks the impulses of an unscrupulous or an inconsiderate majority. In the present situation, filibustering is not directed solely against the passage of civil rights legislation. The filibuster is being employed to curb the headlong enactment of an ill-advised administration program fraught with great peril to a free society.

Actually, our rule providing for free and unlimited debate is a protective shield. It has never really damaged our country, but to the contrary has saved it from damaging legislation on more than one occasion.

During my short lifetime, the country has successfully fought four wars—the War With Spain, World Wars I and II, and the Korean war. We have passed through two major depressions and several minor recessions. We have successfully come through all these and scores of other emergencies without any harmful effects to the country by reason of the present or past requirements of our rules, and especially rules providing unlimited debate. Why, then, is there this clamor for change? Is there any real substance to the argument for a change? Does any present emergency exist requiring a change? What, then, is the necessity for a change? The clamor comes from within the ranks of our Members, not from the country. The substance of any argument for a change becomes unreal when analyzed. No emergency is at hand that I can see. Consequently, there is no necessity for any change so far reaching and the consequences of which are so uncertain.

The Senate is our last citadel of freedom and unlimited debate. Shall we undermine its historic bases and whittle away its strength? We are told that the House of Representatives organizes itself each session, adopts new rules, and proceeds in normal fashion to transact its legislative business. That is true, and the Constitution commands such action. The Senate is unlike the House of Representatives in composition, in its terms of office, and in its rules. Different provisions of our Constitution establish the House of Representatives and provide for its actions. Since the Constitution by its very terms provides that the Senate shall be a continuing body, and since the Constitution is the contract entered into with the people of our States, I shall defend this principle and I shall not be one of those willing to breach that contract.

One of the most sensible comments on perpetuation of rule XXII was made only last year by the Senator from Nebraska [Mr. CURTIS] when he stated his individual views in Senate Report No. 1509 on proposed changes in rule XXII. He stated then:

A number of scholarly statements have been written setting forth the historical background of the rule in the U.S. Senate allowing unlimited debate. Rather than attempt to add to such statements, I wish, briefly, to state my own views which have been arrived at by observing the Senate for 20 years.

1. I believe that the right of unlimited debate is a force for the preservation of individual liberty, the maintenance of a Government of law, and the adherence to the Constitution and the rights of our sovereign States. It places the rights of a minority, regardless of how small, and the rights of the individual in proper focus.

2. I believe that unlimited debate in the Senate tends to slow down and prevent the passage of legislation, thereby retarding the growth of big government and lessening the burdens of Government on our people.

3. I believe that in some place in our large and complex Government there should be unlimited discussion of public issues and that the Senate by reason of its size and its tradition and history is the logical place for unlimited debate.

4. I believe that the present cloture rule is an adequate restraint upon the right of unlimited debate in any time of emergency.

For the foregoing reasons I am opposed to Senate Resolution 17.

In the same report the Senator from Georgia [Mr. TALMADGE] made an outstanding presentation in his individual views. Among other things, he stated—and I concur with him:

It must be recognized that the Senate of the United States, as an instrumentality of the States and their citizens, is the property of every American and does not belong to the individuals who transiently occupy the seats in its Chamber. Individual Senators have no proprietary rights in the operation of the Senate except as they act as creatures of the will of the States and constituents they represent.

* * * * *

Ample means are available at present to overcome what a majority at any time may feel to be needless obstruction in debate. The use of protracted sessions and strict enforcement of all Senate rules afford adequate safeguards to bring to an end even the most determined and prolonged debate. Whenever any issue of overriding importance to the welfare of the Nation arises, it goes without saying that debate will be limited accordingly.

Standing rule XXII permits limitation of debate by two-thirds of the Senate membership (64 Senators) 2 days after a petition has been submitted by 16 Senators. Thereafter debate is limited to 1 hour for each Senator. Cloture cannot be applied to a proposal to change the rules.

The tradition of the Senate, its prestige, and the permanence of our constitutional prerogatives and legislative functions are at stake in this debate. I trust I shall never be guilty of voting for a temporary advantage, or for a purely political or strictly partisan motive. Here in the Senate, where the debate of public questions is unlimited, the sunlight of truth can be focused on all legislative proposals.

The Senate is permitted to inform itself. The Senate is permitted under the existing rules to inform the people, who will be regulated by what we do. We are permitted the time in which to be enriched by the views of our constituents on public questions as a result of our debates. The advantages to our constituents and to us will be lost if our rules permit an abrupt end to our deliberations and our discussions. No longer will the Senate merit the approbation that it is the greatest deliberative body on earth. It will become a debating society hemmed in with restrictive and prohibitive rules to curtail its discussions. It will become a forum for quick action. It will enable a majority to practice, if it will, tyranny upon a minority. It will be a terrible blow to freedom in this country. It will be saying to the world we do not believe in full and unlimited debate.

The protection of minority rights about which our forebears were so concerned, and about which we are all today concerned, will become nothing more than a memory. Let us preserve freedom of debate. Let us protect the rights of every minority now and in every succeeding session of the Congress. If in the past we had suffered some catastrophe by reason of our existing rules and their provisions for freedom of discussion, then there might be some justification for an amendment. I know of no such calamity. I can conceive of none happening in the future.

Concern over changing rule XXII is felt among large organizations and a vast segment of our people. Concern is not confined to Members of the Senate.

The Society of the Sons of the American Revolution meeting in 1957 at Salt Lake City adopted the following resolution on the subject:

Whereas maintenance of freedom of debate in the U.S. Senate performs the same essential function as freedom of the press, under the first amendment, in keeping the people fully informed in respect to matters which may vitally affect their freedom and the security of constitutional rights.

In recent years various attempts have been made to bring about the enactment of restricted rules in the Senate of the United States which may endanger freedom of discussion in that House of Congress.

We recognize the possibility of abuse of the right of free debate in the Senate, just as we know that freedom of the press is, at times, abused.

The alternative, which is control of debate, and may lead to a condition equivalent to censorship, is too dangerous to be seriously considered: Now, therefore, be it

Resolved, That we express our unalterable opposition to the enactment of any rule in the Senate which will substantially alter the right to freedom of discussion secured by Senate rule XXII.

We call upon the Rules Committee of the Senate to protect this essential right when acting on pending proposals relating to the change of that Senate rule.

Foregoing resolution adopted by 67th annual congress, National Society of the Sons of the American Revolution, meeting in Salt Lake City, Utah, May 29, 1957.

The American Legion likewise opposes changes in rule XXII, as outlined in testimony presented to the Senate in 1957 in

a statement by John J. Wicker, Jr., representing the then national commander of the American Legion, before a special subcommittee of the Committee on Rules and Administration. One of Mr. Wicker's comments stands out. I should like to quote it at this point. He said:

SENATE AND HOUSE ARE COORDINATE AND OF EQUAL DIGNITY BUT FUNDAMENTALLY DIFFERENT

Our Founding Fathers very wisely provided for two distinct bodies in the Federal legislative branch. The House of Representatives, chosen on a population basis and constituting a large representative body, is fresh from the people as a result of elections every other year. The Senate, being a smaller and consequently much more deliberative body, with each State being represented by two Senators regardless of wide variations in population and area, has its membership elected for 6-year terms, with only one-third of the body being elected every 2 years.

Anyone making even a cursory study of the fundamental principles and aims and purposes which the framers of the Federal Constitution had in mind in providing for these two bodies—so vastly different in their size and basis of representation and terms of office and times of election—will recognize that, while the powers of the two Houses are coordinate, their methods of operation would, in many particulars, be vitally and fundamentally different.

LIMITATION OF DEBATE APPROPRIATE AND NECESSARY IN HOUSE BUT NOT IN SENATE

Obviously, anything like unlimited debate in any legislative body as large as the House of Representatives (numbering 435 Congressmen) would be completely out of the question. Consequently, limitation of debate in the House of Representatives is not only traditional and historical, but is also absolutely necessary in order to permit the House to operate.

By sharp contrast, however, the Senate, with a total membership of 96—substantially less than one-fourth of the number of the House—can operate efficiently and effectively without limitation of debate. In fact, the Senate has actually done so throughout its existence.

We must not let the Senate fall into the jungle of argument that majority rule may always produce justice. The present rules permit our committees to function after a session has expired. Our permanent functions are thus unimpaired. While a session has ended, our functions continue. We hold hearings. We make investigations. We make tours of inspection. We better inform and equip ourselves to legislate. All of these benefits we derive from our rules as they exist. Are we now to embark upon a course that may deprive us of these great advantages? Where will the next change come? Will we eventually destroy committee authorities between sessions?

One of the blessings of the freedoms we enjoy as American citizens finds its roots in the free discussions permitted by the Senate. Without the protection of law, rule or precedent, the rights of minorities are insecure. With unrestricted debate, hasty and ill-considered statutes are less likely. We know that we cannot add to human freedoms by taking away another freedom. Hence the freedom of discussion becomes in and of itself a most important freedom. Lacking such a freedom, a simple majority can quickly enforce its will—however unjust and untimely—upon the minority. What then may be a just decision, may thereafter prove unjust. Had the question been the subject of unrestrained debate, its faults and weaknesses might well have been disclosed to an unsuspecting public or to a busy Member of this body. What may be praised today, we may be forced to condemn tomorrow. Therefore, I urge patience, forbearance, soul searching, and grave consideration of every proposal which would weaken the citadel of our freedoms or destroy the structure that houses them. That structure is our rules.

We are told that a rule preventing immediate majority control is not democratic. The words "democratic" and "democracy" have been greatly abused. Their true meaning has often been distorted. The public at times is naturally confused in the loose use of these terms. We are a republic. We are representatives freely chosen by the States we honor and are privileged to represent. The Constitution does not guarantee our States a democratic form of government. It guarantees them a republican form of government, meaning, of course, a form of government which permits the people in our States to select their representatives who operate and control the governments established for them. Those governments vary in their separate constitutions and laws, but the pattern for all of them is essentially the same. So, therefore, to make that pattern more permanent, more durable, and the rights guaranteed under it more secure, often more than a mere majority of the legislative body is required for a change, as in amending our Constitution.

Such is the case with our rules. The accumulated wisdom of the past is wrapped up in them. Let us not discard it unless there is some compelling reason to do so. I know of no justification now. I can think of none. None has been presented to us. I charge that the proposed rules changes are supported by irresponsible elements outside the U.S. Senate so as to secure the passage of hasty, abusive, un-American legislation.

By relinquishing or destroying the right of unlimited debate, which has always been a bulwark against rash and hasty action, do we not give up more than we receive? The rule permitting free and unrestricted discussion was designed not to aid the majority of our Members, but, on the other hand, to protect those in the minority. It is one thing for a majority to vote passage of certain legislation; it is quite another thing for a majority to cut off one Senator or any minority group of Senators from defending or fighting legislation. It is, therefore, for minority rights that our rules should be preserved. We should weigh most carefully any effort to tamper with them.

Our rules have afforded the largest measure of freedom known to any legislative body in the history of mankind. Our rules have served us and the country so well that every emergency has been met and solved successfully. Every peril to our country has been overcome. Every right of every individual Member has remained unsullied. Why, then, should we change the known for the unknown and untried? The winds, gusts, and breezes of public opinion, sometimes fickle and oftentimes improperly founded, change from day to day, season to season, and session to session. Our rules should not be adjusted to meet these varying changes, if we are to be guided and protected by prudence, precedents, and well-conceived procedures.

Mr. President, I trust that the present membership of the Senate will not trifle with the beneficial effects of our rules, which are built upon 171 years of experience. Throughout these years many great Senators have stood here and defended the virtues and soundness of our rules. I recall the debates and the votes on January 4, 1957.

I hope we have not forgotten how the late Senator Robert A. Taft spoke with such telling effect in favor of continuing our rules and against all hasty changes. He was then the majority leader of the Senate.

I have read again the debates of January 4, 1957. Nothing has happened since then to alter my views. Nothing, it appears to me, has been presented to us requiring anyone to change the views then expressed. This was not a party issue then; it is not a party issue now. No thoughtful segment of our people is knocking at our doors clamoring for a change in our rules now.

I recall with much satisfaction how the distinguished minority leader in 1957, the able Senator from California, Mr. Knowland, joined hands, thought, and argument with our distinguished majority leader, the Senator from Texas [Mr. JOHNSON] to prevent a change in our rules. Their arguments, at least to me, were unanswerable and unanswered.

Controversial issues which may come before the Senate require the fullest time for study, examination, and explanation. Let us not hamstring ourselves and deprive us of the protection which our rules, throughout the years, have given to the rights of each minority group.

Patience now will achieve in the long run more than the rule of a mere majority vote. It has been so truly said:

Rage and frenzy will pull down more in a half of an hour, than prudence, deliberation and foresight can build up in a hundred years.

How true is the counsel of those words in the issue now before the Senate. Have we the wisdom and the foresight to heed them? Our votes now will determine our judgment before the country. Let us, I urge Senators, remain steadfast to principle and protect the rights of minorities by maintaining our present rules.

As the Saturday Evening Post in the title to its editorial opposing changes in rule XXII, which I read to the Senate Friday, has so aptly put it:

Some day freedom may depend on a Senate filibuster.

Should we do away with unlimited debate today, and freedom were to depend upon a filibuster tomorrow, then, my colleagues, we will have lost freedom today—not tomorrow.

Mr. JOHNSON of Texas. I yield 10 minutes to the Senator from New Hampshire.

Mr. COTTON. I thank the Senator from Texas.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "The Senate and Its Rules," which was published in the Saturday Evening Post of June 27, 1925. The article was written by former U.S. Senator George H. Moses, of New Hampshire, who was then the President pro tempore of this body.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE SENATE AND ITS RULES

(By George H. Moses, Senior U.S. Senator From New Hampshire and President Pro Tempore of the Senate)

1. HISTORICAL

Piled neatly at the end of the desk of the Presiding Officer in the Senate Chamber are half a dozen books. One of them, as slender as a poet's first sheaf, and probably better thumbed, contains the Standing Rules—which have stood now without substantial change since the foundation of the Government and which, in my opinion, are as firmly footed today as at any time.

These rules are only 40 in number; and their structure, to use a word which nowadays is applied to everything from a schedule of tariff rates to a skyscraper, is very simple. They provide for the order of business, for the precedence of motions, for the formation and functions of committees, and for the conduct of debate. It is toward this last that present criticism is leveled.

Debate in the Senate in its early days had few restraints. The previous question existed, but in a rudimentary form only as modern parliamentarians would regard it. It was itself debatable; it could not be used upon amendments; nor could it be applied while sitting in Committee of the Whole. In this form it stood in the Senate rules for 17 years, during which it was moved only 4 times and only 3 times carried. The revision of the rules in 1806 did not specifically provide against the previous question; it simply was not mentioned at all, and the sanction of 119 years of usage is that it does not exist.

At any rate, no Senator has yet had sufficient temerity to move the previous question; and it is significant that practically all of the nearly 100 efforts which have been made for the amendment of the rules have had the previous question as a base line. This agitation, therefore, is not new. Henry Clay, in the 27th Congress, started the long procession; but neither he nor any of his imitators has achieved great success, since only four of the proposals have been adopted. Two of these were produced by war necessity, and one of the twain was discarded when the war was over. Two of them remain and are regularly made use of, and the fourth has been applied only twice. Only one of the quartet has been fortunate enough to perpetuate the name of its author, and it is to Mr. Anthony's credit that the Senate proceeds always on Mondays to the call of the calendar under rule VIII. This rule provides that unobjected bills upon the calendar shall be taken up in order and that no Senator shall speak more than once or longer than 5 minutes. Toward the end of a session unanimous-consent agreements are had for more frequent sittings under rule VIII, and it is by means of this rule that the great bulk of the business of the Senate is advanced—an aid thereto, it should be remarked, being a Presiding Officer who is really on his job.

Debate in the Senate seems to provoke more debate outside the Chamber than within it, and I say this notwithstanding the oceans of talk which have so often lapped my feet as I have sat in the chair. I admit that it becomes a bit monotonous to be compelled to listen to the same speech every day for a long period. That frequently happens in campaigning, when it is part of the game; and there is no complaint. So I cannot see that the unlimited debate in the Senate, with its admitted repetition, is really such an irritant as some would have us believe.

2. PURPOSE OF SENATE

Cooling the tea of legislation

That debate in the Senate has departed from its earlier manner none will deny. When the Chamber resounded to the voices of the mighty, debate was a matter of much solemnity. Proponents of a measure, having amply prepared themselves and, as rumor has had it, having amply fortified themselves, would arise, address the Chair, and go to it, for hours at a time, in sonorous phrases such as now would empty the Chamber in short order; and the opponents of the measure would follow suit. These men took all the time they needed or wanted to develop their argument, to use the words that are so often employed by campaign orators; and when they had done so the debate closed and a vote was taken. It is scarcely different in the Senate today. Debate, to be sure, no longer surges in long combers of eloquence. It presents the surface of a much more choppy sea. I remember one day a western Senator—being incessently asked to yield for a question or for some hostile interjection into the midst of his speech, which he had plainly prepared with painstaking care—who voiced his opinion of these other customs of other days by exclaiming digustedly, "Mr. President, debate in the Senate nowadays has degenerated into mere conversation." Nevertheless, in the great majority of cases debate in the Senate continues to be real debate. The offenders against whom outcry is directed but whom nobody has yet chosen to name are few in number—and they are innocuous. At the door of none of them can anyone truthfully lay the blame for the defeat of any measure genuinely beneficial to the country by reason of his misuse of the rules of the Senate.

3. PUBLIC SENTIMENT NOT DEFEATED

And the rules of the Senate likewise are equally innocent of such a charge. If I were speaking on what one of my more voluble colleagues likes to term "the hustings," I would use the language of that forum and challenge anyone to point out a measure of real advantage to the country which has ever been defeated or even unduly delayed in its enactment through the operation of the Senate rules. But I am writing for the reflective readers of a great periodical, who constitute the largest cross section of those who will ultimately pass upon this question; and I desist. But I am willing to say that within my own close observation of the Senate and its modus operandi I have seen more than one disastrous or costly measure prevented from passage simply because its opponents have known how to use the Senate rules. Sometimes—yes, indeed frequently—it is not necessary to use the rules for these good purposes at all. I well remember a Senator of high character, great ability and large determination once arising when his colleagues were discussing whether to take up a measure of dubious consequence, and remarking significantly, "It will take some time to dispose of it." The bill was not taken up, and the Treasury was saved a good many million dollars.

The so-called filibusters in the Senate have not been numerous. From the 27th Congress in 1841—when, by the way, Mr. Clay made the first of the nearly 100 vain efforts which have been made since 1806 to amend the rules—from 1841 to 1917 there have been only 19 occasions when a real filibuster has taken place in the Senate. The first of these may serve to show that even the giants of the golden days of the Senate were men of like passions as we who now sit in their seats; for they spent more than a week discussing the ousting of some Senate printers. But the main truth remains: None of these filibusters produced real harm to the country—though my partisan sensibilities were greatly outraged by some of the results, notably in the failure of the so-called Force bill in 1891. To this measure a change in the Senate rules as now proposed will doubtless be as a blast from Gabriel's horn; and it requires no lively imagination to foresee other measures of less and of momentary importance which will be driven through under whip and spur if cloture becomes the rule of the Senate as it is in the House, where I have seen a measure involving scores of millions of annual expenditure for all time to come put through with only 40 minutes of debate and the time parceled out by the opposing leaders. The founder of this journal, speaking in the Constitutional Convention, and using words suited to the polite customs of that day, described the Senate as the saucer into which the tea of legislation would be poured for cooling before drinking. This purpose the Senate has served admirably by reason of its rules; and if these rules are now to be changed as demanded I fear that many a hot and scalding draught will be poured down the throat of the country.

4. PROTECTION OF MINORITIES

The voice of the people

This will surely prove the case if the character of Federal legislation continues as it is now. Time was when debate in the Senate dealt with the Constitution, with the questions leading to its interpretation, with the constructive problems which every new nation must attack with great questions of general policy, and with the sharp demarcation which marked our public affairs under a well-established two-party system. Now the two-party system is subject to some dilution, to say the least. The introduction of the direct primary and the popular election of Senators—devices with which I have no personal quarrel, for they have served me well enough—tend to make Senators more attentive to what they think to be the voice of the people than to any sense of party responsibility. Such is the enginery of propaganda and publicity nowadays that it is small wonder if a Senator who receives, as many of us do, 200 telegrams of a morning urging him to vote thus or so, begins to think that his State is aflame over some pending legislation and that it behooves him to move properly because each step brings him nearer to the next primary. It is said in that je-t which so often carries the true word within it, that one Senator, on receipt of over 20 telegrams in one day on the same subject, will think this State already arming itself to march, Coxeywise, to Washington to enforce its demands. Suppose, since a record vote in the Senate rarely discloses more than 80 Senators present, suppose there should be 40 more like this man—and cloture in effect. When the advocates of stricter enforcement of the 18th amendment begin to realize what cloture means to them, do not forget that there are organizations which can readily be formed to move under the 15th amendment also.

The present-day character of Federal legislation is, as I have said, vastly different from the legislation of even a generation ago. Then Congress met, passed the supply bills, indulged in some partisan discussion, sometimes struck out on a new line of policy—like the Interstate Commerce Act, for example—and went home, where its

Members could be sure of remaining peacefully for at least half of their time. Beginning in 1909 and continuing to 1915, Congress was rarely out of session; and from then till now there have occured only three of the six long recesses which Congress should have granted to the country. Passing the days of the war, it is safe to say that most of the days of these prolonged sessions were devoted to the discussion of proposals which had for their main object the expenditure of public money for purposes which are, many of them, good in themselves, but which never swam within the ken of the most far-visioned of the Founding Fathers.

That is to say, the acts of Congress now are proposed and fashioned in acordance with the economic necessities of groups of individuals or groups of States who find a centripetal force in the changing conception of the functions of the Federal Government and who come to Congress to demand those things which, a generation ago, they would have been too proud to ask anyone to do for them, and when they would have done these things themselves or would have practiced the now-forgotten virtue of self-denial.

No small factor in producing this result has been the changing character of Federal taxation. A generation ago the Nation existed, and existed well and happily, upon revenues which were created by an indirect taxation which fell chiefly upon those who voluntarily exposed themselves to it, and by a direct taxation which fell heavily upon none. The war changed all that. The necessity for raising huge sums, and from a people who were speedily taught to pay in other ways until it hurt, gave us a system of taxation which, whatever may be said for it as in the days for which it was devised, is ill-conditioned to serve the country well now that those days are past. Whatever reforms we have been able to institute in our tax system have not been impeded by the rules of the Senate; but I very much fear that the further tax reform for which the country has need may be greatly delayed, if not wholly prevented, if the rules of the Senate are undertaken to be changed.

The tax system under which this country now lives is so devised that nearly two-thirds of all the Federal revenue is provided by six industrious and thrifty States. These States have 12 Senators. The other 42 States, which pay only about one-third of the Federal taxes and among whom arise the component elements which dilute our party system and give rise to the blocs which harass us, have 84 Senators; and the only defense which the 12 Senators from the tax-paying States may use for the protection of their people's pocket is found in the rules of the Senate with their provision for unlimited debate. It would be unfair to assert, and I would not wish to have anyone think that I believe, that all the 84 Senators whom I have thus grouped would act together to mulct their colleagues' constituencies, for I chance to be among the 84 myself, although my little State happens to pay exactly the same per capita of Federal tax as the great State of New York. But I have too often seen a majority of the Senate swung together under selfish leadership for the purpose of preventing proper reform in the tax system, to wish to give that power into their hands under a change in the rules which would take from the rest of us the only weapon which we may properly use. Twelve Senators, under cloture, would be helpless against any assault upon their principles or upon the interests of their constituents. But 12 determined Senators, acting under the existing rules of the Senate, can save and often have saved the country from disaster. And I would have it known that I am not referring now to the "little group of 12 willful men" who prevented the passage of the armed ships bill in the closing days of the 64th Congress—although it is worth noting, in passing, that that was an unnecessary proposal for legislation, since its whole purpose was a little later made effective by an Executive order, the validity of which was never questioned.

This episode, however, did produce the form of cloture which now exists in the rules of the Senate and which was adopted under the pressure of approaching war and upon the insistence of a masterful Executive. Rule XXII provides that whenever 16 Senators shall sign a motion to close debate upon any pending measure the question is at once stated by the Presiding Officer. It thus becomes a special order, lying over till the next day but one, when, 1 hour after the Senate meets, the roll is called to ascertain the presence of a quorum and an aye-and-nay vote is taken, without debate, on the question, "Is it the sense of the Senate that the debate shall be brought to a close?" If the affirmative prevails by a two-thirds vote, the pending measure becomes the exclusive business before the Senate, and no Senator may speak more than 1 hour in all upon the main question or upon any collateral question which may arise. Nor, under the practice of the Senate, may any Senator yield his time to a colleague; so that, if every Senator should avail himself of his full time, there could be only 96 hours more of debate.

This rule has been in effect for 8 years. Yet it has been made use of, as I recall, only twice. Its application was threatened for a third time, but proved unnecessary.

There is another form of cloture in the Senate to which recourse is frequently had. This is through the use of the unanimous-consent agreement by which so much of the business of the Senate proceeds. By this means an hour is fixed for beginning to vote on a measure and its amendments, without further debate, while in the meantime Senators are limited in the number of times they may speak and in the length of time they may consume. So frequently is this device made use of that it has been charged that no business may be advanced in the Senate save by unanimous consent. This would indeed be a grievous fault, if true. But the fact is that less than 20 percent of the Senate may produce a gag for the remainder of their colleagues, and two-thirds of those voting may terminate debate at will. Under this procedure the right of the majority to legislate is unimpeded and the rights of the minority receive some measure of protection. The evil of rule XXII—to which, by the way, no specific amendment has yet been suggested—and of the unanimous-consent agreement in the form in which it is usually drawn, is that the Senate finds itself compelled to vote, without debate, upon important amendments which sometimes have not been printed and concerning which there may be had no word either of illumination or of opposition. This constitutes a real impediment to wise legislation; and I do not see how it can be remedied by any amendment to the rules.

After all, it is wise legislation which the country wants; and the real test of the rules of the Senate is to determine whether, on the whole, they have contributed to or have hindered this. Senator Henry Cabot Lodge came to the Senate 32 years ago, fresh from an experience in the House of Representatives, where he had been a forceful figure in the contest which established the so-called Reed rules. He was an exceptionally well-informed man, but his knowledge of the Senate rules and of their general effect was naturally limited. He came to the Senate, too, at a time when one of its most famous filibusters—on the silver purchase bill—was being set in motion. This filibuster began on August 29, 1893, and it was not until October 31 that a vote could be had. In the November number of the North American Review, Senator Lodge expressed his opinion of what he termed "obstruction in the Senate." Plainly, he wrote this paper while the filibuster was in progress; and it is equally clear that he wrote it in the light of his experience in the House. He set up the axiom that "to vote without debating is perilous, but to debate and never vote is imbecile." Before his paper was printed, however, the silver purchase bill had been voted upon, and the side of Mr. Lodge was in the majority. In his later years Mr. Lodge freely acknowledged that if a vote on this measure had come earlier than it did, free silver would have undoubtedly won, even though the filbuster had been carried on by its friends, who at no time had accurate knowledge of how the Senate really stood on the question. Surely it will not be argued, even by the shrillest of those who clamor for a change in the rules, that the Senate rules prevented wise legislation in this instance; and Mr. Lodge himself before long came to see the usefulness, in spite of their frequent irritations, of the Senate rules.

Where the disaster?

Nor can it be truthfully said of any of the notable filibusters to which the Senate rules have given occasion that it has resulted in unwise legislation or has resulted in a real and permanent defeat of wise legislation. The bill to recharter the Bank of the United States failed; the Oregon bill was delayed; the Blair education bill failed; the Force bill failed; the free silver bill was repealed; two rivers and harbors bills failed; two ship-subsidy bills failed; the ship purchase bill failed; the armed ships bill failed; numerous appropriation bills have failed; the Treaty of Versailles was not ratified. What one of these measures can be said to be really necessary to the welfare of the country? The defeat of what one of them has brought any irremediable disaster to our people? Some of these measures I have favored. Some of them I have opposed. Yet, in the long view, I cannot feel that the Senate rules in any of these instances have permitted an irreparable outrage upon my susceptibilities.

It will be noted how large a proportion of the filibusters enumerated have had to do with the appropriation of money; and the most picturesque filibuster I have ever witnessed in the Senate was of this character. It marked the conclusion of the 65th Congress, in March 1919. That session of Congress had been a remarkable one in many ways. It followed upon the election of 1918, when the Republicans had carried both the Senate and the House of Representatives in the face of President Wilson's appeal for a Democratic majority to enable him to stand as the untrammeled spokesman of his country. The Constitution, however, lays some trammels, even upon the President, and the Republicans in Congress were in no gentle frame of mind when they came together in December. The Democrats were apprehensive—and began putting themselves in a posture of defense. Among other things, they made the tax law unchangeable for 2 years, an unheard-of proceeding. And they sought further to fortify themselves against the lean years which they saw ahead by holding appropriations at the wartime peak. For this purpose the Army and Navy appropriation bills were admirably suited, and when these measures came to the Senate they were found to contain items which would have kept thousands of men busy at wartime wages in time of peace up to July 1920, with political consequences which are plain to even the unpractical mind. There were other measures of like character.

The concealed filibuster

The Republicans, then for the first time under the leadership of Senator Lodge, were

anxious to make the earliest possible use of their newly acquired majority; and it was determined to prolong the debate in order to throw over the objectionable appropriation bills beyond the fourth of March, which would compel the President to summon the new Congress in extra session, prior to June thirtieth, when the annual appropriation bills reach their limit of time. Accordingly, a "concealed filibuster" was organized, and it succeeded admirably. No one could have said that the ensuing debate was not legitimate. It transcended no rule of relevancy, and it proceeded to the very eve of adjournment. Then, early in the evening of March third, the filibuster emerged from its concealment, and three Senators—Sherman of Illinois, La Follette of Wisconsin, and France of Maryland—undertook to hold the floor until the following noon. Their undertaking was successful—so successful, indeed, that the tensity of feeling among the majority found sardonic expression in the words of Vice President Marshall, who, at the stroke of noon, halted the last of the filibusters by declaring the Senate of the 65th Congress adjourned *sine deo*, instead of *sine die*.

And it may be here noted, as one may find by consulting the CONGRESSIONAL RECORD, that these filibustering speeches, though consuming in time, were real arguments, reading well even today, and not departing too far from any rule of relevancy.

Upon the summoning of the extra session, in May following, the appropriation bills which had been thrown over were taken up *de novo*, shorn of their objectionable features, and the Treasury was saved many hundreds of millions of dollars. Whom did the rules of the Senate then injure save the tax eaters who lost their jobs? And if the rules of the Senate are to be judged upon their whole record for the 119 years that they have stood as they are, we never can say that they have in the long run done harm to any real interest of the country. Of course, if the Republic is not to endure and if the fabric of our institutions is to come crashing down about our ears because this or that bill may not be passed instanter, then equally of course we should change the rules of the Senate and change them speedily.

But what should the change consist in, even under such circumstances of importunity? To restore the previous question, under the assumption that it will be made use of more frequently now than formerly, will not be enough. Because a filibuster may depend quite as much upon a use as an abuse of the rules. For example, in the closing days of the 67th Congress a filibuster raised its menacing hand, and a Senator of the minority started what everybody knew would be a very long speech. In the midst of it and in order to spell the orator, another minority Senator suggested the absence of a quorum. Result, a call of the roll, prior to which several Senators friendly to the filibuster left the Chamber. The rollcall showed no quorum was present, and a motion to adjourn was entered, necessitating another rollcall which defeated the motion. Another suggestion of no quorum followed, with another rollcall; and no quorum was found. Thereupon it was moved that the Sergeant at Arms request the presence of the absentees. Another rollcall, upon which this motion prevailed. The Sergeant at Arms went upon his courteous but fruitless errand; meanwhile the Senate stood still. It was then moved that the absent Senators be compelled to attend under process, which necessitated another rollcall, during the progress of which enough Senators of the majority entered the Chamber to make a quorum, as still another rollcall developed. It was then moved to take a recess, and a rollcall defeated that motion. Meantime, several Senators had again taken themselves away and a quorum was again demanded. Then the whole process was again painfully rehashed and 5½ hours were thus consumed.

Again, when the Dyer antilynching bill was before the Senate, a filibuster was started and frankly admitted as such by a Senator who now wants the rules changed. This filibuster addressed itself to the question of approving the Journal, which is the first business at each adjourned session of the Senate. By tactics such as I have outlined in the preceding paragraph the minority wore away many hours and days; and at length the Senator in charge of the bill was compelled to withdraw it if anything was to be done with the really necessary program of the session.

All these proceedings were had under rules which are not subject to attack, which are essential to the conduct of the legitimate business of the Senate, but which must be amended if the clamor for business methods in the Senate—whatever these may be—is to be heeded. A rule of relevancy can do nothing in situations such as I have described, and the only remedy which I can see is to provide against procedure which may be classed as dilatory. But if relevancy and undilatoriness—the word is understandable, even if freshly coined—are to rule the Senate henceforward, who is to determine them? The Vice President? Hell 'n' Maria. The President pro tempore? I beg to be excused. The Senate itself? Then indeed will it come true as whimsically declared so often by Vice President Marshall—the rules of the Senate are what a majority of the Senate from day to day declare them to be.

Adapting the present rules

There is much more than a half truth in Mr. Marshall's assertion. For example, let me show by a recent episode how the Senate may interpret its rules, even now, to fit the mood of a moment. When the nomination of Mr. Warren to be Attorney General was before the Senate for the first time a motion was made in executive session—and I may tell this because the injunction of secrecy has been removed from the transaction—to consider the question in open session. Being in the chair at the time I held that this motion implied such a change in the rules as to require a two-thirds vote to adopt it. From this ruling an appeal was taken, and in the debate which followed every good Parliamentarian in the Senate agreed with the Chair and a majority of the whole Senate, including the maker of the motion, voted to sustain the ruling. The necessary two-thirds were found to adopt the motion, it should be added.

Less than a week later, Mr. Warren's name having been sent in again after its first rejection, a like motion was made and I, being again in the chair, cited the previous ruling and the action of the Senate and held as before. Again an appeal was taken, and this time eight of the Senators who had voted with the Chair before voted to override his decision, and the appeal was successful.

Therefore, why all this pother about the rules of the Senate? The hand that cut so much redtape in France has surely not yet lost the feel of the shears. All that is necessary is for the Vice President to hold, some day, that a long-winded Senator is irrelevant. An appeal will be taken from this ruling and, if a majority of the Senators vote to sustain the Chair, the trick is turned—until next time, as I have just shown by the Warren case.

To change the language of the rules, however, is quite another matter. Such change can be adopted only under proceedings conducted within the rules as they are, and I have already pointed out the parliamentary pitfalls which exist under senatorial rules which nobody dreams of changing. Add to these the possibility of interminable debate, recall that one determined southern Senator has already announced his purpose to read the reports of the Patent Office to his colleagues if cloture is attempted, and I cannot escape the conclusion that the present agitation, even if its objective is necessary or desirable, comes at an inopportune moment. The pressing public question for the present Congress to solve is the extent and the manner of relief from the burden of taxation which now oppresses our people, stifling their enterprise and hampering their initiative in business.

This tax question cannot wait upon the months of struggle which will attend any effort to change the rules of the Senate. And, I may add, the settlement of this question will not be impeded by the Senate rules as they are if a majority of the Senate are determined that tax reform shall be had.

Too many laws

The trouble with the Senate does not lie with its rules. It lies in the inattention of Senators to their business. I venture to assert that any time when 49 Senators will go to the Chamber determined to stay there or within call until a measure upon which they are agreed has been passed, that measure will not be overlong in coming to passage. But Senators will not do this, as I once learned from experience. In the course of the 67th Congress a question arose in which the administration was deeply interested. President Harding asked me what I thought could be done to expedite the matter, and I agreed to undertake securing the signatures of 49 Senators to an agreement to come to the Chamber on a given day prepared to stay there or within call until the opposition to the bill was broken down. With the aid of Senator Capper, of Kansas, I secured 51 signatures, and the paper, when placed in the hands of Senator Lodge, the majority leader, gave him high hope—which was dashed on the very first rollcall, which disclosed the absence of more than a dozen of the Senators who had signed up to stand by.

If the Senate, and its presiding officer as well, will stay on the job, the business of the Senate will proceed very well under its rules as they now are.

Again I ask, why all this pother about the rules of the Senate? What is the great idea?

In each Congress there are presented 20,000 bills, in round numbers. Is it sought to enact more of these than we now do? I am well aware of the large number of people in this country whose sovereign remedy for every ill, public, private, economic, or industrial, is: Pass a law. Pass a law and, even if the law is inert, costly to administer, subversive of sound, legal, or fiscal principle, all will be well. I am not of this school. I believe we pass too many laws now; and I certainly do not intend to make it easier to pass more. In addition, I have learned, from observation and experience, that a filibuster is a horrid thing only when it is directed against a bill in which I am interested, and is a lovely thing always when employed against a bill to which I am opposed. How many of my countrymen are different?

Mr. COTTON. Mr. President, the reason I have taken the liberty of asking that the article be printed in the body of the RECORD is that, in my opinion, it is not merely a voice out of the past, but it contains some exceedingly pungent and cogent comments on the rules of the Senate made at a time when the Senate was not acting under the shadow of the particular situations which today prevail in this body.

Senator Moses was one of the great Presidents pro tempore of the Senate of the United States. Incidentally, the first President pro tempore of this body was

John Langdon, of New Hampshire, and the last President pro tempore which our State furnished this body was my able colleague, the distinguished senior Senator from New Hampshire [Mr. BRIDGES].

I shall avail myself of perhaps even less than the remaining minutes allotted to me to comment on the situation before us and on the so-called Johnson resolution. I think it has been increasingly evident, as the debate has progressed in the past few days, that, either consciously or unconsciously, the Senate, and certainly the public, as indicated by their expressions and their letters, have fallen into the fallacy of considering the rules of the Senate in the light of only one present controversy, namely, the controversy on civil rights. Yet it should be borne in mind that since 1919 cloture has been either invoked or attempted to be invoked—and the latter usually is as effective as the former in hastening the decision of questions and bringing them to a vote—on foreign treaties, the World Court, banking bills, labor bills, an atomic energy bill, and various other measures, including spending and taxing measures which have come before this great body.

PURPOSE OF RULE

The twofold purpose underlying the rules of the Senate throughout the years of its existence, and reiterated again and again by some of the great parliamentarians of this body, is, first, the tradition of the Senate to prevent heedless and headlong action by majorities; second, the preservation of the rights and the protection of the people of the various States. I am not speaking about States rights. I am speaking about the fact that the Senate has a function to perform. If the Senate ever ceases to perform that function, the purpose and meaning of the Senate may cease to exist, and we may as well have a unicameral legislature.

Much has been said about the rules and the procedure in the other body. As one who served for many years in the other body, I may suggest that while those rules are well applicable to the House of Representatives, they must never apply to the Senate, because the Senate is the gathering of the representatives of sovereign States. The fact that the Senate requires meticulous courtesy among its Members is not a mere idle thing or idle gesture. Its underlying purpose is the fact that we are dealing with ambassadors, if you will, from the sovereign States of the Union.

This not not simply a matter of protecting the people of small States. It is not simply a matter of protecting the people of any particular section.

I should like to remind the Senate that according to a report of the Tax Foundation, which is based on statistics of the Department of Commerce, six States of the Union now pay one-half of all the revenues received by the United States of America. Those 6 States have 12 Senators in this body. In other words, when it comes to the matter of taxation, when it comes to the matter of spending the revenue which comes from the people of 6 States in the Union, those people have the protection of only 12 Senators.

SMALL STATES PROTECTED

It does, however, apply in regard to small States, because those of us who represent small States know, if we have ever served in the House of Representatives, that our voices there are very feeble when raised against those representing the State of New York, for example, which State has 43 Members in the House. So, by the same token, the small States of the Union, under this Federal system, are like watertight compartments of a ship. The purpose was to deal with the growing population of this great Nation, and the resultant problems.

If there is one thing that is obvious, and it has been substantiated by a decision of the Supreme Court of the United States, it is, whatever may be said by Walter Reuther or anybody else, the fundamental purpose in creating this body in such manner that two-thirds would be continuing over sessions was to give us stability. Otherwise, all one would have to do would be to oppose the seating of new Senators, one by one, at the start of any session, to defer and delay legislation.

Important, too, is the matter of the actual two-thirds necessary to invoke cloture, as proposed in the pending resolution, instead of the constitutional two-thirds. It has been said in the Senate that there may not be any material difference between two-thirds of those present and voting and a constitutional two-thirds, because of the fact that probably most Senators would be present and voting when the critical hour came, when the cloture was to be invoked. But there is this difference: Under the present system, the constitutional two-thirds provisions puts a premium on absenteeism. It means one Senator who remains away, whether necessarily or of his own volition, can nullify two votes. By changing the rule to a requirement of two-thirds of a quorum present and voting, the premium on absenteeism is avoided, and the rule, in my own opinion, is materially, properly, and logically improved.

Mr. President, from a background starting 35 years ago, when as a secretary to Senator Moses while he was President pro tempore of this body, I listened well to the debates that arose in those days, and I remember well the time he was working on this very subject; the question of the Senate's rules has been instilled in me throughout the years.

I feel that the protection of our States, and of all the people, is more dependent upon maintaining the continuity of these rules than on any other act we can take. I shall vote for the Johnson resolution, not because of its effect upon any present controversy, but from the long viewpoint of years ahead.

Mr. JOHNSON of Texas. Mr. President, I yield the Senator from Louisiana [Mr. ELLENDER] 20 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 20 minutes.

Mr. ELLENDER. Mr. President, debate in the Senate during the past few days has once again demonstrated to me that the arguments advanced for revising rule XXII are not realistic or even reasonable, but are founded upon emotion, and, to a large extent, upon a propensity among some Members of this body to play politics with questions and issues about which they have little or no practical knowledge.

It is no secret that the main reason the so-called liberal advocates of a revised cloture rule have become so vociferous in their demands is their overwhelming obsession for more stringent, more obnoxious so-called civil rights legislation. In the past, they have been unable to obtain the force bills they demand, since the representatives of the areas these bills would affect the most have had available means whereby the entire Nation might be alerted to the dangerous poison which lies beneath the sugarcoating of these legislative monstrosities—bills such as part III of the 1957 civil rights bill and the Federal fair employment practices legislation, to name but a few.

In other words, Mr. President, it is my contention that advocates of a change in rule XXII have held opponents of their plan up to public contempt and ridicule, have labeled the southern delegations as "obstructionist" and sectional, solely and simply in the course of a purely political effort.

Yet, as a practical matter, it is they who are being sectional. After all, the legislation they demand is purely sectional in character. It is directed first and foremost at the people of the South.

What proponents of these force bills would like is to be able to point the dagger of sectional legislation at the throat of the South, secure in knowledge that all weapons available to the South's elected representatives have been effectively abolished.

What is there about the civil rights issue, Mr. President, that seems to make some completely lose their sense of perspective—yes, their sense of reason?

Take the Supreme Court, for example, Mr. President. Just 4½ years ago, the Court was called upon to rule again upon the issue of separate but equal schools. How logical, how sound it would have been for the Court to follow long-established jurisprudence and hold that public facilities for the white and Negro races need only be separate but equal.

Instead, acting upon impulses similar, if not identical, to those motivating the rules-change advocates today, the Court threw caution to the winds, abandoned logic law, and stare decisis, and introduced the inexact, speculative and disputed issues of psychology and sociology into the basic jurisprudence of American constitutional law. This unwarranted decision has caused much strife, and I seriously doubt that integration will ever be forced down the throats of an unwilling people.

One would think, Mr. President, that some Members of the Congress would have learned the lesson this experience has taught. Unfortunately, such has not been the case. Reason is laid aside; prudence has succumbed to expediency; the fires of sectionalism burn fiercely in

the Chambers of both Houses of Congress.

I do not mean to be facetious, Mr. President, but events of the past few years have often compelled me to believe that too many people have become so ensnared in the nets of their own making that they have lost completely their sense of reason.

Take the issue of majority rule, for example.

Proponents of easy cloture in the Senate cry vociferously for majority rule. Events have demonstrated that they want majority rule in order to force upon the people of one area of our country a number of Supreme Court decisions, among other things, which run directly counter to the wishes of the citizens those decisions most directly affect.

Yet, what was the source of those decions? The Supreme Court—nine men.

If Supreme Court rulings, handed down by nine men, upsetting longstanding principles of law, are consistent with the liberal demand for majority rule, then the system of mathematics I was taught in school has certainly been greatly changed.

Nine out of 170 million cannot be a majority.

The proponents of a gag rule in the Senate make a great hue and cry about their desire to protect minority groups in the Nation. I ask, Mr. President, just how inconsistent can anyone get?

Here we see a supposedly reasonable group of men demanding complete majority rule, rule which would destroy what few rights minorities still possess, in order to purportedly protect the rights of minorities.

But the best is yet to come, Mr. President. Let me illustrate the extent to which expediency controls the councils of those who want to change the Senate rules.

During recent months, the press has been filled with learned expressions by proponents of changing the Senate rules to the effect that the Senate is not a continuing body. Of course, the so-called liberal group has advocated abrogation of long-standing Senate precedents solely and simply as a means to change rule XXII in order to achieve their ultimate ends—namely, the passage of radical force bills. As a matter of fact, a long and detailed brief was filed with the Vice President of the United States by this group, explaining in detail why they believed the Senate is not a continuing body.

Yet, not too many months ago, the Senate had that very issue before it, and quite a few of those who today clamor that the Senate is not a continuing body voted to the effect that the Senate continued from Congress to Congress.

I refer, of course, to the censure of the late Senator McCarthy from Wisconsin.

I do not intend to reopen the merits or demerits of that event, Mr. President. It is all water under the bridge.

However, as a coldly practical matter, the issue of censuring Senator McCarthy boiled down to nothing more than whether the Senate was a continuing body.

Specifically, during debate on the censure resolution, the distinguished Senator from Illinois [Mr. DIRKSEN] offered an amendment to the censure resolution, which amendment read in part:

> With respect to the report and recommendations of the select committee, a reasonable doubt exists as to the authority of the Senate to censure or condemn a Senator for language or conduct in a prior session of the Congress; * * * (100 C.R. 16327–16328).

Thus, the issue of continuity was squarely before the Senate.

In this connection, Mr. President, it is interesting today to compare the 1954 rollcall on a question involving whether or not the Senate is a continuing body, with the rollcall this year on substantially the same issue. Here is what we find: Many Senators voted against the Dirksen amendment—involving the issue of Senate continuity—in order to censure the late junior Senator from Wisconsin back in 1954. Yet 13 of those Senators changed their vote this year, in an effort to label the Senate as a noncontinuing body, in order to secure quick and easy passage of "force" bills. With this record before me, I am compelled to conclude that since the basic issue was substantially the same, the motive involved made the difference, that is, there is a willingness among so-called liberals to regard the Senate as a continuing body for the purpose of the 1954 censure resolution, but, again, as a noncontinuing body where rule XXII and civil rights legislation may be involved. These are the Senators who voted against the 1954 Dirksen amendment, and against the recent Johnson motion to table the Anderson resolution, which would have declared the Senate not to be a continuing body: AIKEN, ANDERSON, BUSH, COOPER, DOUGLAS, HENNINGS, HUMPHREY, JACKSON, MAGNUSON, MORSE, PASTORE, SMITH, and SYMINGTON.

It seems to me, Mr. President, that this one example leads us inevitably to the conclusion that rule XXII should not be changed, that some fixed and concrete protection must be provided against illogical and unreasonable shifts in majority opinions based upon the expediences of any given time.

We would do well to refer again at this point to the writings of Madison, one of the principal architects of the Constitution, in the Federalist Papers.

The following is from "The Federalist," No. 63, dealing with the Senate, and it is written by Madison:

> Thus far I have considered the circumstances which point out the necessity of a well-constructed Senate only as they relate to the representatives of the people. To a people as little blinded by prejudice or corrupted by flattery as those whom I address, I shall not scruple to add, that such an institution may be sometimes necessary as a defense to the people against their own temporary errors and delusions. As the cool and deliberate sense of the community ought, in all governments, and actually will, in all free governments, ultimately prevail over the views of its rulers; so there are particular moments in public affairs when the people, stimulated by some irregular passion, or some illicit advantage, or misled by the artful misrepresentations of interested men, may call for measures which they themselves will afterwards be the most ready to lament and condemn. In these critical moments, how salutary will be the interference of some temperate and respectable body of citizens, in order to check the misguided career, and to suspend the blow meditated by the people against themselves, until reason, justice, and truth can regain their authority over the public mind? What bitter anguish would not the people of Athens have often escaped if their government had contained so provident a safeguard against the tyranny of their own passions? Popular liberty might then have escaped the indelible reproach of decreeing to the same citizens the hemlock on one day and status on the next.

Read against the avowed purpose of the proponents of rules-change today, Mr. President, the excerpt from "The Federalist" I have just quoted reemphasizes the need for continuation of rule XXII as now constituted, not its repeal or modification. Rule XXII, I might add, is the only protection the people have against momentary desires based not upon thoughtful reflection, but upon emotion, yes politics.

Of course, we have heard the argument often that unlimited debate, or the threat of unlimited debate, frustrates the majority in the execution of its will. I submit, Mr. President, that if, in fact, such a frustration does occur, it results from the basic constitutional principles upon which our Government is founded—it is a direct result of the need for protection of minorities against the overwhelming power of pure majority rule.

This is obviously the case in connection with the present debate. I want to compliment the so-called liberal bloc in the Senate for being honest and above board. While they base their case most often upon the argument for majority rule they are quite frank in admitting that the reason they want majority rule is in order to permit the expeditious passage of so-called civil rights bills. As matters now stand, they feel they are hindered, either directly or indirectly, by the existence of a determined minority opposed to their legislative demands. They recognize that the minority which opposes them is bolstered by the wishes of the people they represent, and have available one of the most potent weapons available to any free people, that is, the means and ability to arouse public opinion, given a sufficient time to do so.

Hence, the liberal bloc, in order to work its will, would strip its minority opponents of the weapons they now possess.

This, according to their viewpoint, is an absolute necessity in order for their collective will to prevail. However, even while I commend my friends in opposition to me on their candor, I would remind them that they have dug for themselves a deep and dark legislative pit and are rapidly pushing one another over the side into it.

Philosophers from the time of Aristotle have warned against pure majority rule. The gist of such arguments is the changing composition of a majority. In other words, a majority on one issue is quite often a minority on another. Given pure majority rule, it is eventually possible for a hard-core minority, by combining with other minorities, on a given issue, to control the course of legislation—thus achieving the actual effect of minority rule under the guise of majority power.

Aside from the purely philosophical arguments against what is attractively termed "majority rule," I believe my good friends who so glibly and frequently demand the amendment of rule XXII should take cognizance of the fact that they, themselves, have frequently used the protection extended to minorities for their own purposes. In brief, they have utilized rule XXII in order to block action on legislation to which they might be opposed just as those of us who have opposed so-called civil rights legislation have availed ourselves of the rule's provisions.

I recall not many months ago when the 85th Congress had before it the so-called Great Lakes diversion bill. The bill was considered during the closing days of the 2d session of the 85th Congress, and debate was hot and heavy. Many Senators who today demand the repeal or amendment of rule XXII were opposed to the bill. They knew that the hour was getting late, that many Senators and all the Members of the House were anxious to adjourn the Congress and begin the arduous tasks of campaigning for reelection. Tempers were short, bodies were tired.

In my judgment, if a vote had been reached on the Great Lakes diversion bill, it would have passed by a considerable number of votes. In other words, a majority favored the measure.

Yet, a minority of Senators, opposed to the bill, blocked Senate action on the measure by threatening a filibuster.

Senators might recall the following exchange, which took place during the early morning hours of last August 24:

Mr. PROXMIRE. * * * I deeply appreciate the position taken by the Senator from Illinois. I do not blame him one bit. However, I mean what I say—and I never meant anything more sincerely—when I say we have a big case to make tonight. I mean we have a big case to make. I have 756 pages of the RECORD to read, much of which still has to be read. Several pages of the RECORD have been read.

I have the floor now and I am ready to read. I want all Senators to know, if they wish to stay and listen, there is a lot of good information to be presented. If Senators do not wish to stay, if they come back tomorrow night at this time, I will still be here reading (CONGRESSIONAL RECORD, vol. 104, pt. XV, p. 19539).

Of course, Mr. President, the junior Senator from Wisconsin subsequently stated in all seriousness, that he was not engaging in a filibuster, that he merely wanted an opportunity to lay the facts before the Senate. In this connection, it is interesting to note a few paragraphs of the brief filed by Senators in favor of changing Senate rules to the Vice President earlier this year—a brief, incidentally, of which I assume the junior Senator from Wisconsin approved.

Rule XII is not a procedural means of getting business done; it is a substantive means of preventing business from being done. * * * It is a means of keeping the majority of the Senate and of the people from determining vital substantive issues.

I do not believe the above discussion requires any elaboration—it makes the point I wish to emphasize by the very nature of its own terms.

I want to make it abundantly clear, Mr. President, that I have no quarrel with those who utilize the provisions of the Senate rules in the manner in which they think best for their people, their State, and their Nation. That is not only their right, it is their solemn duty. I do, however, take issue with an argument or proposition whose premises shift and waver, almost from day to day, depending upon "whose ox is being gored," so to speak.

I also want to state that rule XXII is capable of being used to block action on legislation which, on a given occasion, might have received the votes of a majority of this body. As a matter of fact, I believe it is obvious that the junior Senator from Wisconsin used the provisions of rule XXII for just that purpose last year, and I commend him for it. He was convinced he was right, that the bill concerned would have injured his constituency, and he acted accordingly.

I do object, however, to those who have on past occasions used the protection accorded minorities by rule XXII, to protect their own rights, now seeking to amend rule XXII in order to deny Senators from one geographic area that same right. As a matter of fact, I have halfway been expecting a resolution to be offered, amending the Senate rules to guarantee unlimited debate except where so-called civil rights legislation might be concerned, with the stipulation, in that case, that a bare majority could end debate at any time. Frankly, I would commend those who demand a change in Senate rules for such an approach—at least, their resolution would then be in accord with their real objectives.

The Senate should also consider another argument advanced by those who demand a change in rules, namely, that the existence of rule XXII, as now constituted, paralyzes the Senate in the conduct of its business. "Paralysis," of course, Mr. President, is a relative term. It is attractive and perhaps a bit seductive to those who are are not familiar with the facts. However, in my opinion, about the only fair way we have of judging the future is to examine it in the light of the past.

The first Senate met in 1789. At that time, it adopted rules of procedure which, for all practical purposes, made the invocation of cloture, or a limitation on debate, the rule rather than the exception. At that time, the so-called previous question rule was in effect, which had the practical effect of choking off debate immediately.

In 1806, the Senate completely revised its rules, and eliminated the previous question entirely. From 1806 until 1917, when the rules were again amended, it was impossible to shut off debate in the Senate by moving the previous question, and the rules contained no overall provision for cloture. In this regard, it is interesting to note that during the period 1789 to 1806, the period when the previous question rule was in effect, it had been used only three times.

In addition, Mr. President, during the period 1806 to 1917, the Senate operated without any limitation on debate whatsoever, save for that which could be invoked by unanimous consent.

As a matter of fact, there was no provision for limiting Senate debate during the entire course of the War Between the States, although proposals to achieve that purpose were numerous. Certainly, the Union stood in grave peril during those days—certainly, unlimited or prolonged debate—even filibustering—could have worked great injury upon the Union war effort. Yet, the work of the Senate was not paralyzed, despite the lack of any limitation on debate at all. This, of itself, renders rather ridiculous the arguments of proponents of majority rule cloture, to the effect that the present two-thirds rule paralyzes the work of the Senate.

During the period 1917 to 1949, cloture was obtainable by two-thirds of the Senators present and voting, assuming the presence of a quorum, subject to the general exception that cloture could not be invoked on a motion to take up, it having been concluded by the Senate that a motion was not a measure within the purview of rule XII.

In 1949, Mr. President, agitation for an easy cloture rule came to a head. Then, as now, the right of unlimited debate in the Senate had been attacked by the proponents of so-called civil rights legislation. Then, as now, a general rules change was demanded in order to obtain action on specific legislation, namely, force bills.

In 1949, the Senate rules were changed. The amended rule XII provided that cloture could be invoked only by two-thirds of all Senators duly elected—and, in return for this concession, cloture was made applicable to a motion to take up, with the further exception that there could be no limitation of debate on a motion to take up a change in Senate rules, or a measure which would amend or add any Senate rule.

The history of efforts to limit debate in the Senate, Mr. President, amply buttress my proposition that although a quick and easy method of limiting debate is demanded by proponents of the pending resolution under the guise of general "majority rule" principles, their real and avowed objective is special legislation—so-called civil rights legislation, directed at the South.

In addition, as I have indicated earlier, I fear that their zeal has clouded their judgment, and that they today find themselves in the position of attempting to dispose of their birthright for a mess of pottage.

Freedom of debate has served a useful purpose in the past, as I intend to demonstrate in a few moments. It has not, as some would have us believe, either injured the national welfare or paralyzed the work of the Senate. It has, I might add, blocked action on measures which, if enacted, would have led to the downfall, if not outright destruction, of our free way of life.

During the 22 years I have served in the Senate, I have observed several legislative proposals either defeated or delayed by unlimited debate. In all cases, if these bills had been enacted in the fever of enthusiasm with which they were initially greeted, they would have made possible the complete destruction of our way of life.

Today, I will mention and partially discuss only three of these.

The first is the so-called Federal fair employment practices legislation which, would have dictated to an employer whom he could hire and fire.

The second was the 1946 Full Employment Act, which, prior to amendment on the Senate floor, would have permitted government competition with private enterprise in almost any field of endeavor, under the guise of maintaining full employment.

The third was a proposed amendment to the minimum wage law which sought to vest broad and sweeping authority in a network of bureaucratic boards—authority to fix minimum wages, without any effective ceiling, and without the consent of the employer, in nearly every area of national production. In other words, the proposal would have gone far beyond the Federal Government placing a floor under wages, and would have permitted Uncle Sam, in effect, to fix wages.

All three of these proposals were either defeated or modified as a result of the guaranty of unlimited debate.

The logical question now arises: "Was the defeat of these items of legislation wise and prudent—did, in fact, the guaranty of unlimited debate achieve a meritorious purpose?"

The answer must be found in the terms of the bills themselves, but before I discuss these bills, I would remind Senators that their enactment would have spelled the death knell of a free economy by:

First. Sanctioning government-owned competition with private enterprise in any field whatsoever.

Second. Permitting the Federal Government to dictate minimum wage levels for each and every class of workers engaged in commerce, with no effective ceiling on such levels.

Third. Dictating to private enterprise whom it could hire and fire.

Now, let us look at the original Full Employment Act of 1946.

This measure was introduced on January 22, 1945, by Senators Murray, Wagner, Thomas, and O'Mahoney, and given the bill number of S. 380. It was the outgrowth of some serious thinking that had been done during World War II, prompted by experiences acquired during the great depression of 1929–40.

Briefly, the measure sought to assure continuing full employment in a free competitive economy, through the concentrated efforts of industry, agriculture, labor, State and local governments, and the Federal Government.

In title, as in other ways, this was a laudable proposal. The Congress sought to lay down a policy which, if implemented carefully and in accordance with law, would make impossible a repetition of the breadlines, soup kitchens, and doles of the late depression.

One portion of the original S. 380, as it came to the floor of the Senate, provided as follows:

> To the extent that continuing full employment cannot otherwise be assured (the Federal Government), shall provide such volume of Federal investment and expenditure as may be needed, in addition to the investment and expenditure by private enterprises, consumers, and State and local governments, to assure continuing full employment.

Those were high-sounding and purposeful words, Mr. President. But they were deceptive words, also, because as Members of the Senate pointed out at that time, they carried the seed of that evil weed, socialism.

Senators will note that the language called for unrestricted Federal expenditures.

Presumably, debate on the floor of the Senate later showed, the proponents had public works subsidies or similar projects in mind. But, Mr. President, the provision of the bill did not limit such investment and expenditure to public works. It did not limit that investment and expenditure at all. Presumably, the Federal Government could have created jobs in any manner it pleased—even by going into competition with private industry.

The Federal Government, faced with the prospect of a business depression, would not have been required to limit its relief endeavors to the payment of subsidies and the creation of additional jobs through the construction of public works. Indeed not. Instead, some of the now-famous Washington planners would have suggested that the Government go into the steel business, or the automobile business, or the clothing business. It would have been possible for the Government to build plants to compete directly with private industry.

Then, of course, there is FEPC.

Now, Mr. President, I do not believe I must go into detail concerning the so-called FEPC bills. They are purely and simply social legislation attempting to inject the long arm of Uncle Sam into areas which are, and should remain, closed to Federal intervention.

However, they carry attractive overtones in that they are purportedly designed to make it illegal for an employer to deny employment to any qualified person on the basis of race, religion, or national origin.

Mr. President, although FEPC legislation seems to appear in each and every Congress, none thus far has been enacted and, if I have my way, none ever will be. As a matter of fact, the closest the Congress ever came to enacting FEPC legislation was back in 1950, when the House passed H.R. 4453, sponsored by Representative ADAM CLAYTON POWELL, of New York, who has never been particularly concerned about the practical effect of such legislation, but who seems intent upon maintaining his undisputed position as No. 1 spokesman of the National Association for the Advancement of Colored People—an organization, incidentally, which cannot be accused of being either reasonable or thoughtful.

At any rate, even the passage by the House of the Powell bill did not amount to much, since as reported from the House committee it involved only fact-finding functions. There was no enforcement authority provided.

Be that as it may, Mr. President, the fact remains that the sole reason such legislation has not been enacted into law long before this is because proponents know that those of us who strenuously oppose FEPC and similar force legislation have available to us the means of rallying public opinion, namely, unlimited debate.

Thank God that we do, Mr. President, for enactment of FEPC legislation would not only mutilate what remains of good feeling among the white and Negro races in the South, but it would also be another nail driven into the coffin sought to be prepared by those who desire a socialized America. In this connection, I would like to quote briefly from the draft of a minority report prepared by my distinguished colleague from Alabama [Mr. HILL] on S. 1728, a Senate FEPC bill, introduced during the 81st Congress:

> Under our Constitution it has never been seriously questioned that a man has the right to set himself up in business, to select his own employees on the basis of such qualifications as he might within his own free and uncontrolled discretion consider advantageous to the undertaking, and to do all this without hindrance or interference. This personal freedom of contract is basic to the free-enterprise system and to the whole American concept of individual freedom.
>
> The far-reaching character of this provision of S. 1728 is given its true perspective when we consider that laws have been enacted governing the form or substance of contracts voluntarily entered into; that laws make illegal certain types of contracts; that the labor laws require collective bargaining as a method of arriving at contracts and affect the scope of contracts. But the right of contract is left free to be exercised between voluntary parties.
>
> Our history of encouragement to the men and women who give employment has been one of the compelling reasons for our unparalleled industrial success which again and again has served our Nation so well in time of need.
>
> But under the bill every act of the employer or any of his subordinates in hiring, discharging, promoting, or otherwise regulating conditions of employment is subject to complaint and investigation on the grounds of discrimination.
>
> The employer is subject to a Commission having wide powers of rulemaking investigation, and the issuance of cease-and-desist orders. But the right of trial by jury is denied and judicial review is provided with a clearly recognized inferential power to punish contempt of court orders.
>
> The inquiries and investigations directed by the act would vex and harass business to the point where orderly plant management and efficient production would be impossible. The small businessman, already overburdened, would encounter new regulations, investigations, hearings, and litigation far beyond his time, his energy, or his finances.
>
> Labor organizations would be subject to interference and supervision of their internal affairs. And the law which tells the employer who his workers shall be today, can be reversed and the worker told who his employer shall be tomorrow—and where and at what wages.

I turn now to the third item I mentioned previously, Mr. President, that is, the bill which would have given authority to a group of bureaucrats to, in effect, fix wages throughout the country.

Senators may recall that on August 1, 1945, S. 1349 was introduced in the Senate, amending the Fair Labor Standards Act of 1938. That bill would have provided for a minimum wage of 65 cents per hour during the first year of operation, 70 cents per hour during the second year, and 75 cents per hour thereafter, with the added proviso that the 65–70-

or 75-cent-per-hour rate in effect at a given time was to be regarded as a base or peg-point for unskilled laborers. As to others, the Wage and Hour Administrator would have been authorized to convene industry committees empowered to define "reasonable job classifications and recommend rates to maintain wage differentials between the minimum for unskilled workers and those for interrelated job classifications."

In other words, Mr. President, S. 1349, as introduced, would have made 75 cents an hour a minimum wage for unskilled workers some 2 years after its approval, with power in the Administrator and his handpicked industry boards to fix higher mimimum wages for semiskilled or skilled workers, based upon the 75 cents per hour minimum for unskilled workers. There was no ceiling in the bill as to what the maximum minimum wage might be.

Fortunately, Mr. President, the Senate Committee on Education and Labor, on which I was privileged to be a member, struck this authority from the bill before reporting it to the Senate. As part 2 of Senate Report 1012 of the 79th Congress, second session, notes:

> The committee * * * (2) deleted all reference to the setting of minimum wages for semiskilled and skilled occupations above the proposed minimum.

Frankly, Mr. President, I happen to know that the reason this authority was deleted by the committee, before the bill was reported, resulted from the determination on the part of many Senators to discuss the bill in detail and at considerable length should it ever come to the Senate floor in the same form as it was introduced. The committee, realizing that discretion was the better part of valor, deleted the wage-fixing authority which S. 1349 contained, before reporting it to the Senate for action.

Here, again, Mr. President, we have an example of how the right of unlimited debate has saved our people from the theft of their liberties under the guise of so-called majority rule. In my judgment, a majority of the Senate probably favored the shotgun authority S. 1349 would have given to the Administrator of Wages and Hours.

Mr. President, I have cited three instances which illustrate how the right of unlimited debate has assisted in preserving the basic free enterprise system of our Nation. I believe these three specific examples, taken at random, completely rebut the pious pronouncements of those who would substitute so-called majority rule for sane and sober deliberation in the Senate.

Let me repeat, Mr. President. Had the three bills which I have listed have been enacted into law—the first one fixing wages without the consent of employers; the second forcing employers to hire workers not of their choice; and the third providing the Federal Government with authority to give employment to everyone and compete with private enterprise—in my judgment, they would have destroyed private enterprise. We could have hung crepe on the door of private enterprise if those three pieces of proposed legislation had been enacted. The threat of filibuster and filibuster prevented their enactment into law.

If we need any other evidence to demonstrate the fallacy inherent in the plea of rules-change proponents today, we can find it in the words of Alexis de Tocqueville, a brilliant young French political scientist who warned, after visiting America in 1831, of the folly of so-called majority rule. I quote from volume I, "Democracy in America," by De Tocqueville:

> In my opinion, the main evil of the present democratic institutions of the United States does not arise, as is often asserted in Europe, from their weakness, but from their irresistible strength. I am not so much alarmed at the excessive liberty which reigns in that country, as at the inadequate securities which one finds there against tyranny.
>
> When an individual or a party is wronged in the United States, to whom can he apply for redress? If to public opinion, public opinion constitutes the majority; if to the legislature, it represents the majority, and implicitly obeys it; if to the executive power, it is appointed by the majority, and serves as a passive tool in its hands. The public force consists of the majority under arms; the jury is the majority invested with the right of hearing judicial cases; and in certain States, even the judges are elected by the majority. However iniquitous or absurd the measure of which you complain, you must submit to it as well as you can.
>
> If, on the other hand, a legislative power could be so constituted as to represent the majority without necessarily being the slave of its passions, an executive so as to retain a proper share of authority, and a judiciary so as to remain independent of the other two powers, a government would be formed which would still be democratic, without incurring hardly any risk of tyranny.

Mr. President, these words were written in the mid-1830's. Though over a century and a quarter old, they are good advice today. I urge Senators to heed them, and to retain the United States Senate as the great bastion of freedom which it is today—a rock against which the tides of mutable majorities may wash, but one which they will never destroy.

Mr. McCARTHY. Mr. President, I have prepared a statement of my views with regard to the resolution now pendinb before the Senate, which I ask unanimous consent to have printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MCCARTHY

We are quick to say in the United States that ours is a government of laws and not of men. Fundamentally this is true. There are many areas of decision and of action in which law has not been brought clearly to bear. In some instances it is because of the difficulty of applying the law; in others it is because reasonable men have through the years come to common agreement without any legal formalization of procedure or practice. We must, therefore, have a respect for custom and for practice and for the good example which has been given to us by political leaders of this country in the past. Procedure is important in democratic government. Custom is important. Traditional practice is important.

Procedure, however, is a means and not an end. It is vital to democracy that our principal concern be with substance and not with form, and that procedure be made subordinate to substantive legislative action. I, of course, share with other Members of the Senate a respect for the traditions of this great body—for its rules and for its customary forms of action.

I have joined with men of long experience in the U.S. Senate in an effort to amend the rules of the U.S. Senate. I do this with the conviction that we are acting within what I consider to be the clear intent of the men who drafted the Constitution; namely, that each Congress should establish its own rules for procedure—rules to be formulated and administered so that the will of the majority, a simple majority of the Members of the U.S. Senate, can be made effective in legislative action in all areas excepting those in which the Constitution has clearly called for more than a simple majority.

In my opinion, the case for changing rule XXII transcends the question of liberal versus conservative interest and also that of regional interest. It is a fact, of course, that the consideration of civil rights legislation is in a large measure responsible for the immediate attention being given to change in the rules of the Senate, but this is an accident to the whole question. The decision which we are to make is one which should be based upon the basic general principle of democracy. It was clearly intended by the framers of the Constitution that decisions of a simple majority of the representatives of the people and of the States, both the House and the Senate, should prevail. The exceptions were reserved to certain explicit crucial decisions: The approval of treaties (in which the ordinary veto of the House of Representatives is not operative), overriding the veto of the Chief Executive, proposals to amend the Constitution, impeachment proceedings, and expulsion of Members. It is my opinion that the Senate cannot under the Constitution adopt rules which either directly or indirectly prevent a simple majority of its numbers from passing on matters, excepting in those cases where the Constitution itself requires more than a simple majority.

Actually, the standing rules nowhere state that decisions will be made by majority rule; even rule XII, which is concerned with voting, does not mention that percentage shall constitute approval. The term "majority" is mentioned four times (rule XIII, sec. 1; rule XXIV, sec. 1; rule XXXVII, sec. 1; rule XXXVIII, sec. 2) but these are for specific occasions where there might be doubt. Otherwise the standing rules simply take for granted the general parliamentary practice of majority decision. There is nothing to indicate that the two-thirds vote to change the rules is in any way justified. The standing rules call for a two-thirds vote on only three occasions: (1) A provision for "special orders," which is really a call for exceptions from the existing rules (rule X, sec. 1); (2) clarification for votes on matters involving treaties, where the constitutional restriction of two-thirds is already called for (rule XXXVII, sec. 1); (3) and rule XXII. It is this potentially unlimited use of rule XXII to turn any bill into a two-thirds approval which we are seeking to eliminate as inconsistent with the tradition of general majority rule.

Rule XXII as now constituted has the effect of extending these special provisions to all proposed legislation. Perhaps we should determine that other areas besides those specified in the Constitution should be elevated to the status of crucial issues reserved for extraordinary approval. A number of such areas were considered in the Constitutional Convention and rejected. However, if this is to be done, it should be done through the regular constitutional channels.

It is proper and necessary that the Senate rules guarantee full and extended debate on every bill. The Douglas proposal, in my

opinion, provides this safeguard. As a matter of fact, in its requirement of a 15-day waiting period after the filing of a petition, before the final cloture vote can be taken, the Douglas proposal insures the opportunity for open discussion. But unlike the existing rule, it insures that the majority ultimately will determine whether a vote shall be taken or shall not be taken.

A very special kind of argument can be made against permitting the filibuster on the question of whether or not the bill should be taken up or should not be taken up. Such prolonged debate, or filibuster, which prevents free and open debate on specific legislation limits the Senate as a forum of public debate. It is the debate on the subtleties of the law, its background, its precedents, its possibilities for good as well as the dangers inherent in the proposed legislation, that make the Senate unique as a deliberative body. Such debate can take place satisfactorily only if a specific law or proposal of law is before the Senate.

The question of whether the Senate is a continuing body or not is one which is of some importance, but it is not the principal basis for determination for the issue now before the Senate. Whether continuing or not, the constitutional authority, article I, section 5: "Each House may determine the rules of its proceedings" is the decisive guide. The Constitution cannot be changed by a majority of this Senate.

In a continuing body, there must be some orderly means for changing its rules along the way. Otherwise a body would be committed to abide by the rules which were set up when it was first established. The only guide here is that of reason and good order, and the practical decision is logical that rules should be changed, if desired, at the beginning of each new Congress. Otherwise, we are faced with the unanswerable question of what constitutes a change of membership in a continuous body. Is it when one-third, or two-thirds, or all the members are in fact different from those who last adopted new rules? Or when one-third, two-thirds, or all have either been newly elected or have passed through the purifying process of reelection? Or should we propose that a majority of each of the three classes of Senators—the 2-year, the 4-year, and the 6-year Members—be necessary in order to change the rules? When these and similar alternatives are considered, it seems reasonable and obvious that the beginning of each new Congress is the logical time for changing rules. This is the practice in the House of Representatives and it is consistent with the constitutional directive and rulings of Mr. Barkley and Mr. NIXON speaking in their constitutionally established office of presiding officers of the Senate.

There is a final argument made in favor of the continuation of the two-thirds rule for cloture; namely, that minorities need the protection that is afforded when one-third of the Senate can prevent consideration or a vote on legislation which 66 percent may support.

Of course there are risks in majority rule, but it has generally been accepted that the risks of minority rule are even greater. The opposite argument arises from the question of whether or not a minority is to be permitted to frustrate the will of the majority. The Senate, of course, was designed to give some protection to minorities. For this reason two Senators were provided in the Constitution for each State in the Union no matter what the population of the respective States might be. The Senate is an important, but not an exclusive protector of minority rights. This is not a unicameral government. It is not one in which the rights of people rest wholly in the determinations of a single legislative body. Our Government was designed to establish a system of checks and balances. There is the vote of the House of Representatives; the veto power of the President; and the review power of the courts to be considered.

The adoption of the rule proposed by Senator DOUGLAS would not deprive minorities of any rights guaranteed them by the Constitution of the United States. It will not interfere with the traditional and constitutional system of checks and balance built into the U.S. Government and it will not destroy or weaken the Senate as the great forum of public debate.

The only risks involved in the adoption of this rule are the fundamental risks which are involved in the whole operation and practice of democratic government. This is not a time to be fearful of majority rule when all around the world we are speaking of our respect for human persons; of our dedication to democracy; of our belief in the rights of reasonable people to determine their own laws and their own system of government. To say that all of this is good advice for others but insofar as our own Government is concerned, that we have grave doubts as to whether the majority can be trusted is not very encouraging to our troubled friends in other nations. At the time that we are recommending change to other people are we to accept the position that change is a dangerous thing for us? Are we going to oppose change by the indirect method of permitting the filibuster to slow down, if not to prevent, necessary adjustments and modifications of our own laws?

This is the fundamental question and this is the test to which the Senate of the United States is being put in the consideration of this rule change.

Mr. EASTLAND. Mr. President, I am opposed to Senate Resolution 5, and any other motion or resolution which tends in any manner or degree to restrict or curtail the full and complete freedom of debate and discussion in the United States Senate. To me, unlimited debate is just as much a fundamental right of a Senator as is the injunction of the first amendment to the Constitution: "Congress shall make no law abridging the freedom of speech" to all the people.

From the days of the Greek City States in the dawn of Western civilization, full, free, and open debate has been the hallmark of free people in organized society. History teaches that the decay of all free governments has first been characterized by strictures on the freedom of debate and discussion.

Senate Resolution 5, in its content, is mild in comparison to other measures that have been proposed for the purpose of curtailing debate. But all of them are designed to the same end, and whether the result is achieved by a sudden flood or gradual erosion is immaterial in the light of the great principle involved.

The Government of the United States is dissimilar from any other political institution which has ever been erected by an organized society. Its genius and its glory lies in the fact that it was a brilliantly conceived compact between sovereign powers whereby a central government was granted certain specific, delegated, and enumerated powers. Before that government could be established, these conditions had to be written into the charter:

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

The U.S. Senate, in its most fundamental nature, was designed both as the forum and the guardian of the States in the scheme of the central government. Basic in both the theory and practice of the Senate was full, free, and unlimited debate. How can the representatives of sovereign States be limited or curtailed in their representation without doing violence to both the language and intent of the Constitution?

This proposition was so elemental that from 1789 until 1917—128 years—it was accepted without question. I am sure that Senator Hardwick was speaking for the overwhelming majority of the Senate when he explained his position as to the adoption of a cloture rule in 1917. He said:

I support this rule reluctantly. I would not yield even this far except, Mr. President, that I do feel that on questions that affect our country's international affairs when war is imminent, is threatened, or is actually occurring, there must be some way in which the will of an overwhelming majority, a majority so large as to show that the interests of the country and not that of a party are at stake, can be asserted.

History has demonstrated that Senator Hardwick's fears were groundless. Neither in the course of World War I, nor during World War II nor the Korean war, was it ever necessary for this Senate to invoke, or attempt to invoke, cloture on any measure even remotely connected with the war effort. As long as our country remains the constitutional republic designed by the basic charter we will always be able to meet any emergency and contingency, and any threat of harm or danger from without. The danger which confronts us today is internal. There are those among us who would completely transform the meaning and intent of the Constitution without any definitive act on the part of the people by way of amendment. They would press the several States into a solid and indistinguishable mass, completely controlled and dominated by the Central Government.

To achieve this end, absolute rule by a bare majority must be established in the U.S. Senate. While Senate Resolution 5 does not go all the way, it is a giant step down the road to a so-called majority rule.

The compromise which made possible the formation of the United States was based on a formula which would protect States that were small in area and population against those which were large in both area and population. This protection was made possible through the design of the U.S. Senate, where each State, regardless of size or population, would always have equal representation. The "always" is an absolute finality. The only section of the Constitution that cannot be amended by the people is the portion of article V which provides "that no State, without its consent, shall be deprived of its equal suffrage in the Senate."

In the House of Representatives, where the Members are elected on the basis of population, the ratio ranges from one Member representing a popu-

lation of 128,643, to 43 Members from one State representing a population of 14,830,192—1950 census.

Our party political conventions have their delegates based on the representation of the House. These conventions dominate the election of the President. Here, the majority of delegates, represented by the large States, has a tremendous influence while the small have almost none. The Constitution did not anticipate this dominance of the party system in the selection of the chief executive officer of the United States. As a matter of fact, it was designed to prevent the operation of the parties in the selection of a President. What happens when a presidential candidate does not receive a majority of the votes cast in the electoral college? The election is thrown into the House of Representatives. Then there becomes an absolute equality on the part of the States. Forty-nine, one for each State, is the maximum vote. One Representative from Alaska is equal to the 43 combined votes from the State of New York. There are many who may be opposed to this provision of the Constitution providing how a President shall be elected, but until such time as the Constitution is changed by proper amendment, this is the manner so provided.

By the same token, this United States Senate was designed as a court and forum for the sovereign States and not for any population ratios, majorities or groups composing the population of the United States. The State of Vermont is equal to the great States of New York and California. The small States, individually or aggregately, cannot be imposed upon and trampled upon when unlimited debate and discussion is the practice and rule in the United States Senate.

The majority protects itself. There is no such thing in the American system of government, in a constitutional democracy, as rooted injustice—that a majority is always right because it is a majority. Every government which protects free men must guarantee certain basic rights—rights without which no man can be a free man. Each has freedom of speech, association, freedom to worship, freedom of the press, liberty and the pursuit of happiness. Unlimited debate in the U.S. Senate is the shield and safeguard to these fundamental rights and privileges.

Jefferson, in the Declaration of Independence, proclaimed the doctrine that every man has certain inalienable rights. He meant rights which no government could take away from the individual citizen. Free debate safeguards these rights. Without free debate, they would be nationalized.

Freedom of debate in the Senate was endorsed by Woodrow Wilson, Thomas Jefferson, Abraham Lincoln, James Buchanan, Henry Clay, and practically all the great leaders in Congress.

In a speech made by the Senator from Illinois on May 9, 1957, to justify cloture on debate in the Senate by a majority, reference is made to an alleged precedent in the House of Commons which was the basis for the adoption of the previous question in that great parliamentary body. This is the language he used to describe the situation then existing in the House of Commons and the necessity for cloture:

> It will be recalled that the Irish leader, Isaac Butt, died in 1879 and Charles Stewart Parnell took over the leadership of the home-rule movement. As the eminent Oxford historian, Keith Feiling, put it, Parnell "set at work on two fronts: at Westminister, to make Parliament unbearable by obstruction until Ireland's claims were heard, and to bid one British party up against the other"—Keith Feiling, "A History of England," London, Macmillan, 1950, page 978.
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> So it happened that the question of how to deal with obstructive debate came inescapable before the British House of Commons soon after the speaker made his 1877 ruling.
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> The next move was the adoption of a standing order in 1880, under which any Member who was cited by the speaker for willfully obstructing debate was suspended. Several members were suspended, but the obstruction increased.

For my colleagues of Irish descent in this Senate, and for all people everywhere who believe in freedom, liberty, justice and law, listen to me now. There was a great famine in Ireland in the year 1879. English landlords could not collect the rents and evictions were wholesale. Charles Parnell founded the Irish National Land League, an organization designed to obtain a fair rent, a rent that the tenant can reasonably pay according to the times. The league was bent on preventing delinquent tenants from being dispossessed. As a consequence, friction, tension, and animosity developed between the English landlords and Irish tenants.

Parnell visited the United States in 1880 to raise a relief fund for the tenants and for promotion work of the Irish National Land League. When he returned to England and continued his speaking tour in Ireland, he was arrested and indicted for seditious conspiracy. The trial opened in Dublin, January 5, 1881, and lasted for 20 days. It was obvious to the Government that no conviction could be obtained.

Because of the famine, the inability of tenants to pay rents, the refusal of tenants under some circumstances to be evicted from the land, it was necessary for the Government in England to devise some means to cope with this situation for the benefit of the English landlords. The last thing the Government was concerned about was the welfare of the people of Ireland.

To solve the Irish question, the Government introduced in the House of Commons a coercion bill. Two of the most hideous features of this bill provided, first, arrests could be made on mere suspicion and the suspect incarcerated in jail without trial for a long period of time; second, denial of the right of habeas corpus to imprisoned tenants.

Parnell returned to his seat in Parliament, and on the day the coercion bill was presented to the House, arose on the floor and introduced an amendment providing "that peace and tranquillity cannot be promoted in Ireland by suspending any of the constitutional rights of the Irish people."

There were 41 Members of the British Parliament from Ireland who participated in the caucus that elected Mr. Parnell their leader. Their names were John Barry, J. G. Biggar, Garret M. Byrne, Dr. Andrew Cummins, W. J. Corbett, John Daly, Charles Dawson, James L. Finigan, H. J. Gill, Richard Lalor, Edmund Leamy, James Leahy, M. M. Marum, J. C. McCoan, Justin McCarthy, T. P. O'Connor, Arthur O'Connor, The O'Gorman Mahon, James O'Kelly, W. H. O'Shea, W. H. O'Sullivan, Thomas Sexton, T. D. Sullivan, John A. Blake, Maurice Brooks, Philip Callan, Col. David Colthurst, George Errington, J. W. Foley, Charles J. Fay, Daniel F. Gabbett, E. D. Gray, D. H. McFarland, Sir J. N. McKenna, Patrick Martin, Charles H. Meldon, Sir P. O'Brien, Richard Power, P. J. Smyth, John Smithwick, and E. J. Synan.

Do any Senators present recognize the names of your family and relations in this group?

Approximately 20 of the home rulers were present in Parliament to participate with Mr. Parnell when he attempted to educate the English Parliament on the implications of the coercion bill. What happened is graphically described in the words of one of the Irish Members, Justin McCarthy:

> We were then about 20 strong, all told; and the House of Commons contains some 650 members. With the exception of some half a dozen stout English radicals who were always on our side, the whole house was against us. Every man's hand was against us, but I am bound to admit that our hand was against every man. We made a great many speeches in those days. The House of Commons did not always listen to us, but we made our speeches all the same. We kept the house sitting through long and weary nights; we kept the house sitting once from 4 o'clock on the Monday afternoon until 6 o'clock on the following Wednesday evening, no intermission of debate all that time. We went in for open and avowed obstruction; we declared that, so long as we could, we would resist the coercion bill. Then they tried to amend their procedure, and made all sort of new rules to introduce a closure, meant, of course, only for the Irish members—I mean those who called themselves emphatically the Irish members. Once or twice the speaker accomplished a very coup d'etat, and brought a long debate to a sudden close. We were each of us suspended from the service of the house. We were all of us expelled from the house in a body on one memorable evening; each of us refusing to leave the house until the sergeant-at-arms had gone through the formula of using force to carry out the mandate of the majority. Of course we came back again the next day, or on whatever day the sentence of suspension expired; and we went on with our work of obstruction as if nothing had happened. We were doing just what we wanted to do; we were arousing the attention of England and Scotland and the civilized world. Our cause was gaining every day in Ireland, and among the Irish in America and Australia.

Mr. President, here is the genesis of the previous question in the British House of Commons. Is there a person in the sound of my voice who would not hang his head in shame if he had been a party to this not only coercive but actually illegal and unconstitutional action against the fundamental rights and liberties of the Irish people? Yet

the proponents of cloture stand in this body and cite this horrible example as a reason why the Senate of the United States is warranted and justified in moving the previous question and cutting off debate without a change in the rules of the Senate in accordance with the procedures therein provided.

What happened in this U.S. Senate and Congress when there existed in this country a situation similar to that which confronted the famine-ridden Irish people in the year 1879? Who can forget the desperate plight of our own agricultural population in the depth of the depression when mortgage foreclosures and evictions were wholesale? Under the then existing economic conditions it was utterly impossible for the average tenant or landowner to retain the right to possess his land. This Senate and Congress did not pass a coercion bill such as that adopted by the House of Commons. We did not permit the arrest of recalcitrant landowners and tenants on suspicion and suspend the writ of habeas corpus. This Congress passed the Farm Bankruptcy Act to give relief, aid, and succor to the oppressed and frustrated farmers. It was unnecessary to have cloture or the previous question in the U.S. Senate to achieve the desired relief. How can any individual or group in the name of justice, liberty, and freedom advance an argument that a policy adopted by the House of Commons in England to destroy the obstructionism of the Irish members of the British House of Commons to stand as a valid precedent for this United States Senate to adopt a gag rule? A gag rule in the United States will just as certainly destroy the fundamental rights, liberties, and freedom of the people of the United States as did its adoption in the House of Commons destroy those of the Irish.

Mr. President, the course of action that should be followed in this Senate is not only to defeat Senate Resolution 5, or any other proposal to further curtail and limit debate, but the Senate should go further and delete completely both sections 2 and 3 of rule XXII and restore in this Senate the rule of free and unlimited debate that existed from 1789 to 1917.

Mr. President, on April 6, 1789, the Senate was first organized. From that day, almost 169 years ago, to this moment, it has in law and in fact been a continuing body. The presently belatedly advanced and novel theory and argument that such is not so is fundamentally contrary to the purposes of the Founding Fathers of this Republic; it is advanced against the expressed provisions of the Constitution itself; it denies and repudiates the precedents of this body that are both uniform and conclusive; it repeals and reverses decisions of our highest courts which have sustained this constitutional fact and the precedents and rules of the Senate.

In previous times, when the rules of this body have been subjected to heated discussions, it has been so accepted as a fundamental truth by both sides to the argument that mention of the continuing character of the Senate has received comment only as an incidental aspect of the debate. In this incidental relation, no statement has impressed me more than one made by our late and beloved colleague, Senator George, in the debate on the Wherry resolution in 1949. He said:

> In my judgment the ordinary rules of parliamentary procedure do not and should not apply in the Senate of the United States. I know that the Senate is a legislative body in part. I know that it must handle legislative matters which come from the House, or which originate here and go to the House. But the Senate is a distinct institution within itself, a continuing body, only one-third of the membership of the Senate being elected every 2 years. It is not a body which expires. Its primary function is not legislation in the strict sense. Its primary and main function, indeed, in certain important matters, partakes of the nature of conference and negotiation between sovereignties.
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> Be it remembered, Mr. President, that the Federal Government did not create the States. On the contrary, the States created the Federal Government. They gave it all the power it has, except such power as has subsequently been given by the people under amendments to the Constitution, or certain powers which perhaps have resulted, let us say, from unavoidable decisions of the courts of the land.
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> Not only is the Senate a continuing body, but under the Constitution the Senate is to be composed of an equal number of Senators—two—from each State, wholly without regard to the population of the State, wholly without regard to the ratio of the population of the State to the total population of all the States. Not only is that so, but under the Constitution no State can be deprived of its equal representation in the Senate, save by its own consent—not by a two-thirds vote, not by the majority that is always infallible, in the judgment of many of our good friends here; but no State can be deprived of equal representation in the Senate, save by its own consent. In other words, the Constitution cannot even be amended—short of a revolution—in regard to that provision which gives to the Senate a distinct character.

Mr. President, make no mistake about it, to declare the Senate not a continuing body, even for the purpose of adopting rules, will in fact effect the revolution that Senator George describes and at the same time fundamentally change the character of the Government of the United States.

A former Vice President, in making his valedictory address to this body, uttered these noble and inspiring words:

> This House is a sanctuary, a citadel of law, of order, and of liberty; and it is here, in this exalted refuge, here, if anywhere, will resistance be made to the storms of political phrensy and the silent arts of corruption; and, if the Constitution be destined ever to perish by the sacrilegious hands of the demagog or the usurper, which God avert, its expiring agonies will be witnessed on this floor.

The present attempt to change the rules by destroying the fundamental character of the Senate is a bald evidence of "a storm of political phrensy" that demands the utilization of any means to effect the desired result.

This is the stated end of the proponents of the pending resolution:

> We believe it is essential for Congress to proceed promptly to the consideration and enactment of constructive legislation to assist compliance with the Supreme Court's desegregation decisions and to prevent school and church bombings and other denials of equal protection of the laws, free from the filibuster roadblock. This will be impossible unless the Senate first adopts rules that will enable it to stop unlimited debate.

These are the means that would be employed:

> Majority rule can only be restored in the Senate by an effective change in rule XXII at the opening of Congress.

To reach the objective through the proposed means, this citadel of law and order will have to be completely demolished and the Senate of the United States transformed into a prototype of the House of Representatives without benefit of a constitutional amendment.

If the Founding Fathers had intended for the Senate and the House of Representatives to be constituted and operated in identical manner and form, there would have been no purpose in establishing the Senate as a separate body with all of the distinctive characteristics provided for it by the Constitution. No purpose, no matter how worthwhile it might seem in the minds of the proponents, could justify destruction of the expressed intent and purpose of the Constitution on the grounds of expediency.

The Vice President holds office and presides over the Senate under articles I and II of the Constitution. His term as Vice President of the United States and as President of the Senate is for 4 years. His resignation as a Member of the Senate was effective at the close of business on January 1, 1953. His successor—and under the Constitution only Members of the Senate are subject to executive appointment—succeeded to his office as of January 2, 1953, thereby gaining 1 day in seniority over newly elected Members along with whom he took the oath of office on January 3, 1953. With Vice President Barkley presiding, 36 newly elected or appointed Senators took the oath of office. A complement of 60 Senators was at this time constitutionally in office carrying out the perpetuity that was established for the Senate under the Constitution. It was the constitutional plan and the Senate rules that permitted the senior Senator from California to gain this 1 day of seniority over the newly elected Senators of the class of 1953.

Mr. President, there was a constitutional Vice President to preside over the Senate on January 3, 1953. On January 20, 1953, after the Vice President took the oath of office at the inaugural ceremonies, he proceeded directly to this Chamber and assumed the chair as President of the Senate with nothing more in the way of ceremony other than the applause of the Members of the Senate. The Anderson motion was no more in order when introduced on January 3, 1953, the first day of the 83d Congress, than it would have been on January 20, 1953, when you took over the chair. This character and continuity of the Senate cannot be legally altered or changed without a change in the Constitution itself.

There would be no United States of America today had not the magic formula contained in the numerals 2, 4, and 6 been devised—two years for Members of the House of Representatives; 4

years for executive offices, and 6 years for Senators. This was the great compromise that made possible the birth of the Nation. If we nullify the meaning and application of the 6, as it has existed for 169 years, we destroy the Constitution itself.

The point of controversy in the Federal Convention to draft the United States Constitution which was the most difficult of all to resolve was the character and basis of representation in the proposed upper branch of the Congress. Whether there would be equal votes for each State in the second branch was a subject of vigorous debate for a period of 10 days. The debate became so heated and the delegates appeared to be at such loggerheads that Benjamin Franklin proposed "imploring the assistance of heaven" and opening the Convention sessions with a prayer. The issue was resolved by recognizing the absolute sovereignty and equality of States.

After the issue of equal representation of States having been provided for, the Convention then turned to how the Senators should be elected and the terms. The plan for election by State Legislatures was adopted after 3 days' debate. It is interesting to note that some delegates even proposed that a Senator hold office for life.

The final results of the deliberations in regard to the Senate resulted in these constitutional provisions:

Article I, section 3: The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for 6 years; and each Senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

No better expression of the intent of the delegates to the Federal Convention, insofar as the Senate is concerned, can be found than that contained in George Mason's summation as to why he would not sign the draft of the proposed Constitution. He said:

The Senate have the power of altering all money bills, and of originating appropriations of money and the salaries of the officers of their own appointment in conjunction with the President of the United States, although they are not the representatives of the people or amenable to them. These, with their other great powers (viz, their powers in the appointment of ambassadors and all public officers, in making treaties, and in trying all impeachments;) their influence upon, and conjunction with, the supreme executive from these causes; their duration of office; and their being a constant existing body, almost continually sitting, joined with their being one complete branch of the legislature, will destroy any balance in the Government, and enable them to accomplish what usurpations they please, upon the rights and liberties of the people.

His fear that the constituency of the Senate would destroy any balance in the Government and enable the Senate to accomplish what usurpation it pleased upon the rights and liberties of the people has been groundless, but his statement that the Senate was established as a constant existing body was true then and is true today.

James Madison, in commenting on the Senate, said:

It ought, moreover, to possess great firmness, and consequently ought to hold its authority by a tenure of considerable duration. * * *

Either Madison or Hamilton, writing in "Federalist," No. 63, after discussing the defects in the biennial election of Members to the House of Representatives, said:

The proper remedy for this defect must be an additional body in the legislative department, which having sufficient permanency to provide for such objects as require a continued attention, and a train of measures, may be justly and effectually answerable for the attainment of those objects.

John Jay, writing in "The Federalist," No. 64, said of the Senate.

The duration prescribed is such as will give them an opportunity of greatly extending their political information, and of rendering their accumulating experience more and more beneficial to their country. Nor has the convention discovered less prudence, in providing for the frequent elections of Senators in such a way, as to obviate the inconvenience of periodically transferring those great affairs entirely to new men: for by leaving a considerable residue of the old ones in place, uniformity and order, as well as a constant succession of official information, will be preserved.

Alexander Hamilton, in "The Federalist," No. 59, discussing the rotation of Senators by classes, said:

The joint result of these circumstances would be that a temporary combination of a few States, to intermit the appointment of Senators, could neither annul the existence, nor impair the activity of the body; and it is not from a general and permanent combination of the States that we can have anything to fear.

Mr. President, 55 delegates participated in the drafting of the United States Constitution. Nineteen of the 55 delegates subsequently became United States Senators. Eleven of the nineteen served in the first Senate. The names and terms of the 19 are:

Abraham Baldwin, of Georgia; elected to the United States Senate in 1799; reelected in 1805, and served from March 4, 1799, until his death; elected President pro tempore of the Senate December 7, 1801, and April 17, 1802; died in Washington, D. C., March 4, 1807.

Richard Bassett, of Delaware; March 4, 1789, to March 3, 1793.

William Blount, of Tennessee; August 2, 1796, to July 8, 1797.

Pierce Butler, of South Carolina; March 4, 1789, to October 25, 1796; October 18, 1803–1804.

Jonathan Dayton, of New Jersey; March 4, 1799, to March 3, 1805.

Oliver Ellsworth, of Connecticut; March 4, 1789, to March 8, 1796.

William Few, of Georgia; March 4, 1789, to March 3, 1793.

Nicholas Gilman, of New Hampshire; March 4, 1805, until his death on May 2, 1814.

William Samuel Johnson, of Connecticut; March 4, 1789, to March 4, 1791.

Rufus King, New York; July 16, 1789, to May 18, 1796; March 4, 1813, to March 3, 1825.

John Langdon, of New Hampshire; March 4, 1789, to March 3, 1801.

Alexander Martin, of North Carolina; March 4, 1793, to March 3, 1799.

Gouverneur Morris, of New York; April 3, 1800, to March 3, 1803.

Robert Morris, of Pennsylvania; March 4, 1789, to March 3, 1795.

William Paterson, of New Jersey; March 4, 1789, to March 2, 1790; November 3, 1790, to March 30, 1793.

Charles Pinckney, of South Carolina; December 4, 1798, until December 1801.

George Read, of Delaware; March 4, 1789, to September 18, 1793.

Roger Sherman, of Connecticut; June 13, 1791, until July 23, 1793.

Caleb Strong, of Massachusetts; March 4, 1789, to June 1, 1796.

Mr. President, here we have a combination of the men who both drafted the Constitution and organized the original Senate of the United States on April 6, 1789. No people on earth were ever in a better position to know the meaning and intent of the Constitution, particularly insofar as the United States Senate was concerned. Many of these men participated in the promulgation of the rules which have been carried forward to this moment. To them it was crystal clear that insofar as rules were concerned, and for all other purposes, the Senate was a continuing body. Actions speak louder than words. What men do is a far more effective guide to human conduct than what men say. The operation of the Senate from Congress to Congress and from term to term of these Senators is exactly consonant with the operation of the Senate from Congress to Congress and term to term to this day. In the face of this overwhelming evidence, who are we today to stand on this floor and attempt by argument and legerdemain to change not only the concept of the Senate as a continuing body, but the meaning and intent of the Constitution itself?

The continuing character of the upper House of the United States Congress so attracted students of government and political scientists that two sovereign countries in drafting constitutions adopted the idea that was expressed in the United States Constitution for their own basic charters. Brazil first adopted a republican constitution on February 24, 1891. The charter provided for a senate composed of three members from each state and three from the federal district. The term of office for a senator was set at 9 years with one-third of the membership renewable every 3 years. The Constitution of Brazil has been changed from time to time, but with the exception of a decade between 1935 and 1946 the upper house of the Brazilian legislature has been, for all practical purposes, a continuing body based on the example of the United States. Article 89 of the constitution

of 1934 provides that the senate shall be composed of two representatives from each state of the union and two from the federal district, for terms of 8 years, the membership being renewable half at a time each time there are elections for the Chamber of Deputies, that is, every 4 years. The constitution also provides that half of the senate would continue in session in the intervals when the legislature was not in session, a role in the nature of a "permanent committee," with some legislative duties and others which are spelled out.

The Constitution of Australia, effective September 17, 1900, in section 13 provides:

> As soon as may be after the senate first meets, and after each first meeting of the senate following a dissolution thereof, the senate shall divide the senators chosen for each state into two classes, as nearly equal in number as practicable; and the places of the senators of the first class shall become vacant at the expiration of (the third year) 3 years, and the places of those of the second class at the expiration of (the sixth year) 6 years, from the beginning of their term of service; and afterwards the places of senators shall become vacant at the expiration of 6 years from the beginning of their term of service.

Senator O'Connor of New South Wales, in discussing the rotation of Australian senators, points up the similarities between the Australian Constitution and that of the United States in saying:

> One section of the American Constitution provides for the renewal of the Senate. There are three classes of Senators. Six years is the whole period for which a Senator is elected. The first class retires at the end of 2 years, the next at the end of 4 years and the third at the end of 6 years. It was left perfectly open to the Senate of the United States to arrive at a division, and the method adopted was to arrange the rotation by lot. They divided the Senate into three classes, and then a representative from each class drew by lot to determine which Senators should be in the first class, which in the second, and which in the third. In several of the State constitutions in America—I think in 10 altogether—there are similar provisions for the rotation of senators. In all these cases the method is directed to be by lot. I do not know of any State constitution in America where the rotation is to be by any other method. Those precedents certainly satisfy one that there is a great deal to be said in favor of that method of arriving at a decision.

My remarks as to the constitutions of these two countries are made solely to point up the universal recognition of the United States Senate as a continuing body; not only in this country but throughout the world.

Mr. President, let us now examine other sections of the Constitution that are illustrative of the continuing character of the Senate. Previously I have pointed out that the term of office of the Vice President, who is elected for a term of 4 years as President of this Senate by virtue of Article I, section 3 of the Constitution, is in no way related to those sections of the Constitution which provide for the organization and time of meeting either of the House of Representatives or this Senate. The rules of the Senate were present and effective when you assumed the chair.

Article II, section 2, provides:

> He (the President) shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law; * * *
>
> The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

From this section of the Constitution, nothing could be clearer than it is the intent of the charter for the Senate to take on a character far different from that of a strictly legislative body. To a large degree, it is from this section that the belief was expressed in the Federal Convention that the Senate would, in all probability, be in constant session. As a matter of fact, from the years 1789 to 1937 the Senate has been called in special session on 47 distinct occasions. These were special sessions where the House of Representatives was not called contemporaneously with the Senate.

Section 3 of article II of the Constitution gives to the President the specific power to "on extraordinary occasions, convene both Houses, or either of them," and this is the authority whereby the 47 special sessions of the Senate were convened.

Both the original text of the Constitution and the text of the 17th amendment authorizes a State executive to make temporary appointments to fill vacancies in the Senate. No such authority or authorization exists insofar as a vacant seat in the House of Representatives is concerned. Clearly those who drafted the constitution and the 17th amendment were here acknowledging that the different character of the Senate required provisions for the office of Senator when vacant to be immediately filled so that equal representation of the States in a continuing body could always be achieved.

Article I, section 3 of the Constitution, provides:

> The Senate shall choose their other officers, and also a President pro tempore, in the absence of the Vice President, or when he shall exercise the office of President of the United States.

The first act of the Senate, on April 6, 1789, was to proceed by ballot to the choice of a President for the sole purpose of opening and counting the votes for President of the United States. John Langdon of New Hampshire was elected. He ceased to serve as President of the Senate and as President pro tempore on April 21, 1789, when the Vice President appeared in the Senate Chamber and was escorted to the chair.

The phraseology of this section of the Constitution is open to wide debate as to whether the literal meaning of the language is that a President pro tempore shall be elected whenever the Vice President is absent from the Senate or when the Vice President shall exercise the office of President of the United States.

My illustrious predecessor, Senator J. Z. George, took the position in the historic debate of 1890 over the office of the President pro tempore that the office terminated when the Vice President reappeared for the purpose of presiding over the Senate. The issue was resolved against the position taken by Senator George. In my judgment, the debate on the technicality involved here in language interpretation had nothing whatsoever to do with the concept of the Senate as a continuing body. It would be such under the Constitution even if a President pro tempore were elected every time the Vice President left the chair.

However, the language and application of the resolution adopted on March 12, 1890, is absolutely conclusive as to the continuing nature of the Senate. It provides:

> *Resolved,* That it is competent for the Senate to elect a President pro tempore, who shall hold office during the pleasure of the Senate and until another is elected, and shall execute the duties thereof during all future absences of the Vice President until the Senate shall order otherwise.

William P. Frye of Maine, under this resolution, served continuously as President pro tempore of the Senate from the 54th Congress, February 7, 1896, until April 27, 1911, during the 62d Congress when he resigned. His only reelection to the office coincided with the expiration and start of his 6-year senatorial term. His tenure in the office was more than 14 consecutive years.

Senator Willard Saulsbury of Delaware was elected President pro tempore in the 64th Congress and served through the 65th.

Senator Albert B. Cummings of Iowa was reelected President pro tempore in the 67th Congress and served until March 6, 1925, in the 69th Congress.

Senator Moses of New Hampshire, reelected President pro tempore in the 70th Congress, served in the office continuously through the 72d Congress. An effort was made to displace Senator Moses in 1931. The Senate was deadlocked in the balloting. The contention was reelected President pro tempore in President pro tempore was highly privileged and could not be displaced as the Senate's unfinished business by a mere majority vote. A motion was made that the Senate proceed to the consideration of the proposed "lameduck" amendment. The Chair overruled a point of order against the motion. To a parliamentary inquiry, whether if the pending motion should be carried the President pro tempore would continue in office, the Vice President replied:

> He will * * * Under the resolution of 1890 * * * the President pro tempore serves until his successor is elected.

By a vote of three to one, the Chair's ruling on the point of order was sustained.

The same practice and procedure prevails down through today. Our beloved colleague, the senior Senator from Arizona, who was elected President pro tempore at the outset of the 85th Congress, is continuing in that exalted position dur-

ing this the 86th Congress without loss of office or the necessity of reelection.

As to other officers of the Senate, since the Senate is a continuing body, it has been uniformly held that its officers have no stated term of office, but serve until their successors are selected. By custom, officers other than the President pro tempore have been reelected at the beginning of each Congress. Vice President Curtis stated the proposition from the Chair in 1923 in this language:

I think the officers mentioned hold until their successors are elected. That was so ruled by Vice President Marshall. In recent years it has been the custom to reelect them at the beginning of each Congress.

Any concession or admission that the Senate is a continuing body absolutely requires acceptance of the Senate rules being likewise continuing. If this has been true for 169 years, why should it be considered different today?

Lindsay Rogers in his book, "The American Senate," describes its peculiar characteristics in the language of Senator Henry Cabot Lodge. He says:

Furthermore, since the 6th day of April 1789, the Upper Chamber, as Senator Lodge pointed out, "has never been, legally speaking, reorganized. It has been in continuous, and organized existence for 132 years, because two-thirds of the Senate being always in office, there never has been such a thing as the Senate requiring reorganization as is the case with each newly elected House. * * * There may be no House of Representatives, but merely an unorganized body of Members elect; there may be no President duly installed in office. But there is always the organized Senate of the United States. It has had in full measure what Bryce called collective self-esteem; it has always shown, he might have added, individual self-esteem."

Riddick in his book on "The United States Congress Organization and Procedure" states:

The Senate is a continuing body as contrasted with that of the House. Legally, two-thirds of the Senators of an old Congress return to the subsequent new one without having to be reelected, but all Representatives must stand for reelection every 2 years. Thus the manner and extent of organizing each new Senate have not been established under the influence of definite breaks betwen each Congress as has been the experience of the House, nor have the parliamentary rules of the Senate been equally subjected to alterations. The Representatives readopt their old rules of procedure at the inception of each Congress, sometimes with slight modification, while the Senators have not given a general reaffirmation to their rules since 1789. The identical rules adopted by the Senate in the first Congresses have remained in force continuously with the exceptions of particular additions or abolishments from time to time. Any such changes are made by amending the rules to meet new needs of that august and esoteric group. Changes have not been frequent, as seen by the fact that a codification of the accumulated alterations have occurred on only five different occasions.

Haynes in his monumental work on the U.S. Senate says:

The Senate, on the other hand, is a continuing body. It first effected its organization April 6, 1789, and there never since has been a time when the Senate as an organized body has not been available, at the President's summons or in accordance with the terms of its own adjournment, for the transaction of public business. The first rules, adopted only 10 days after the Senate came into being, have continued in force without reaffirmation until amended or abolished by the Senate. In contrast with notable revisions of the House rules, the few Senate revisions have been significant of no urgent spirit of revolt or reform; they have been authorized when the accumulation of changes through a long series of years made a new codification desirable.

The Supreme Court of the United States commented on the continuing nature of the Senate in the case of *McGrain* v. *Dougherty* (372 U. S. 135) in this language:

The rule may be the same with the House of Representatives, whose Members are all elected for the period of a single Congress; but it cannot well be the same with the Senate, which is a continuing body whose Members are elected for a term of 6 years and so divided into classes that the seats of one-third only become vacant at the end of each Congress, two-thirds always continuing into the next Congress, save as vacancies may occur through death or resignation.

Mr. Hinds in his collection of precedents says: "The Senate, as a continuing body, may continue its committees through the recess following the expiration of a Congress"; and, after quoting the above statement from Jefferson's Manual, he says: "The Senate, however, being a continuing body, gives authority to its committees during the recess after the expiration of a Congress." So far as we are advised the select committee having this investigation in charge has neither made a final report nor been discharged; nor has it been continued by an affirmative order. Apparently its activities have been suspended pending the decision of this case. But, be this as it may, it is certain that the committee may be continued or reviewed now by motion to that effect, and, if continued or revived, will have all its original powers. This being so, the Senate being a continuing body, the case cannot be said to have become moot in the ordinary sense.

Mr. President, this opinion of the United States Court simply states a truism that has never been questioned in regard to the character and composition of the United States Senate. Further, the fundamental character of this body is not like a coat that can be put on or taken off at will. If the Senate is a continuing body for one purpose, such as the committee's structure discussed in the opinion, it must inevitably follow that it is a continuing body for all purposes, and the most fundamental and generally recognized ingredients of this continuity are embraced in the rules under which the Senate has operated since April 6, 1789. The rules provide the method and manner by which changes therein can be made. When we arbitrarily depart from the precepts therein laid down, when we deliberately and knowingly evade and violate the prescribed methods for change, we completely transform the character of our constitutional system of government.

The issue presented here today strikes at the roots and foundation, the warp and the woof, of mankind's greatest achievement in erecting a political structure under which the individual citizen can live with the maximum degree of liberty, freedom, and opportunity under law. History bears eloquent witness to the fact that the seeds of tyranny can find root only when the freedom of speech and expression is denied. This has been true since the birth of western civilization, when the tyrants rose up to seize and destroy the Greek city states by denying freedom of debate and expression. It was the cause of the downfall of the Roman Republic. When the gag rule was invoked in the Roman Senate and Catilina was carried screaming from the senate, Caesar became the state. Mussolini, Hitler, Stalin—where can we look today and not see the evidence that loss of free and open speech and expression is not the first step along the road to totalitarianism?

I am the instrument and handmaiden of expression of my sovereign State. The one part of our Constitution that cannot be changed by amendment provides that my State shall forever have equal representation in this Senate with all other States. When the gag rule is imposed on me, it is not only imposed upon my State, but also upon the Constitution itself.

Mr. President, it must be admitted that to proceed at this point to adopt new rules for the Senate is at least, for the purpose of adopting the rules, a declaration that the Senate is not a continuing body. It is also admitted that the reason for this novel procedure is to achieve certain legislative aims believed to be impossible under the existing rules. In this regard I call to the attention of my colleagues on the other side of the aisle—but it is equally apropos to those of us on this side of the aisle—a profound statement made by Senator Taft during the rules debate which took place on March 17, 1949. He said:

If we ever admit that Senators, in voting on rules, should permit their opinion on proposed legislation to determine their vote instead of the meaning of the rules, there would be no rules in the Senate, and we would be subject to the arbitrary wishes of a Presiding Officer and a majority of those present.

Mr. President, let me repeat this sentence. It is so important and so fundamental:

If we ever admit that Senators, in voting on rules, should permit their opinion on proposed legislation to determine their vote instead of the meaning of the rules, there would be no rules in the Senate, and we would be subject to the arbitrary wishes of a Presiding Officer and a majority of those present.

This is the identical situation we are confronted with today. The issue is not legislation. It is a revolutionary plan to change the character of the Senate so that the Senate will, as Senator Taft says, "be subject to the arbitrary wishes of a presiding officer and a majority of those present." Is there a Senator present who will deny that that will be the effect of the adoption of the pending resolution? Is there one of us present who will search out his heart and not say that if this result is achieved, while one may cry today, another will cry tomorrow?

Just what is this so-called majority? If we held to strict adherence of the party plan and system it would first depend upon the caucus. Fifty Democrats

could constitute a majority of the Senate, but 26 in caucus could bind the party to a party-line vote and carry the issue when in truth in fact 76 Senators were in opposition. Is this a fair example of a majority?

A present quorum is 50 Senators. When 26 Senators out of 50 present vote yea is that the sacred majority? If those 26 Senators just happened to be from the 13 smallest States representing a population according to the 1950 census of 6,380,002 people against a population of 141,606,862 people in the remaining 36 States, is that an illustration of how the sacred majority operates?

Mr. President, the word "majority" in a political, governmental or legislative sense is a most illusory term. It can have legal definition only to the peculiar set of circumstances to which it is applied. Starting with fundamentals we do not have a government wherein the majority of the people rule. What the people, through the States, gave to the Central Government through the instrument of the Constitution was a republican form of representative government with only certain specific, enumerated and delegated powers. Except for the constituency of the Senate, which cannot be changed, the charter can be amended only by agreement on the part of two-thirds of Congress and three-fourths of the States or the alternative of the legislatures of two-thirds of the States proposing a convention and three-fourths of the State legislatures ratifying the proposed amendments. Not only are the terms "two-thirds" and "three-fourths" employed here, but the two-thirds and three-fourths represent States and not the numerical population of the United States. If there is one spot on earth where the word "majority" has no meaning, it is in the Constitution of the United States.

One coordinate branch of the Federal Government, which in this day and time is unquestionably wielding certain legislative powers, is so far removed from the control of the people and the theory of majority rule as to be appointed by the President for a tenure of life, wholly or completely divorced from the control of the people or the electorate.

Many of the measures that are proposed and passed in the Congress are punitive in nature and call for prison sentences when the law is violated. I have not yet heard it proposed on the floor of this Senate, or seen a resolution introduced for an amendment to provide that a vote of the majority of the jury sitting in judgment on the case should be sufficient to convict a defendant in a criminal action.

A sovereign State can be subjected to punitive legislation equally as well as an individual. Much of the proposed legislation which a rules change is designed to achieve is directed against what is called State action. Do we concede to an individual the right to be convicted by a unanimous verdict of 12 of his peers and now argue that a bare majority of 25 States could pass punitive legislation directed against the remaining 24 as States?

Mr. President, the surface has not been scratched in examining the profound implications that are inherent in any allegation that the Senate is not a continuing body. An elementary question that must be answered is this: If this country has survived and prospered for a period of 169 years with the Senate as a continuing body and with continuing rules, why is it now necessary to destroy it as constituted and transform it into a new and different type of legislative body? If the theory of discontinuity became a fact, chaos and confusion will reign supreme. Without lodestars or guideposts, we will struggle to erect a new and different structure on the grave of the world's greatest deliberative body.

Mr. THURMOND. Mr. President, I would again like to state that I am unalterably opposed to further empowering the Senate or any portion of it to limit debate. I would strongly prefer to completely abolish all cloture provisions from the rules.

For 125 years, from 1789 to 1917, there was no cloture rule in the Senate. Although there have been many changes in the material aspects of our life, the basic problems of man's relation with man are the same. We could operate as effectively now with unlimited debate as did the Senate during the first 125 years of our existence under the Constitution, which was by no means the least difficult period of our existence.

It has been alleged that one of the principal objections to unlimited debate is that it forces compromises on extreme legislation. It is well to recall in this regard that the formation of the Union by 13 sovereign States was in itself a compromise. Out of this compromise came the Senate in which we now serve, an original, unique and—I might add, judging from historical precedents and the vote last Friday—a continuing parliamentary body.

The substance of the compromise which brought about the formation of the Union was the protection and safeguards given to each sovereign State and groups of States from the majority of their sister States. The procedure designed to implement the substance of the compromise included not only the institution of the Senate, but also its so-called peculiarities, including unlimited debate.

These political innovations, of which unlimited debate was the cornerstone, provided the escape valve which has permitted the continued existence of the Union. They form the practical procedure by which our Federal system is differentiated in operation from a national system of government, which would never have been acceptable to those States which formed the Union. It was never intended that the Senate should enact legislation aimed at and opposed by a particular section of the country, and which is abhorrent and injurious to that section. The method which historically has been used to prevent such an occurrence is unlimited debate in the Senate. Already unlimited debate has been subjected to the will of a so-called two-thirds constitutional majority in derogation of 125 years' successful experience with unlimited debate from 1789 to 1917. The federal system is based on the wise decision of the Founding Fathers to form a Union of sovereign States, in which the Union had limited fields of activity. Thus were avoided the constant revolutionary pressures which would have eventually flowed from a national system of government in this large and dissimilar country. I am convinced that the destruction of these basic safeguards would be the final step in the conversion of our Federal system of government into a national system in fact. With this escape valve of political restraint removed, the very existence of the Union would surely be in peril.

With this thought in mind, consider just what Senate Resolution 5 would do to limitation of debate. If considered from a viewpoint of the historical record of cloture attempts in the Senate, the practical effect of the change it proposes would appear minor. In fact, had the rule proposed by this resolution been in effect throughout the history of the country, no formal vote on cloture in the Senate would have been changed.

There is another approach, however, which indicates the enormous extent of the proposed change. Under the existing rules, the affirmative vote of 66 Senators is necessary to end debate. Under the proposed change, it would be mathematically possible under the present composition of the Senate to end debate by an affirmative vote of 34 Senators. Such a result would be, of course, an extreme case, for attendance on the sessions of the Senate would have to be poor indeed. Lest we assume that such an occurrence is too remote for consideration, however, I direct your attention to the fact that when the extremely vital issue of the Federal antipreemption legislation came to a final vote in the closing days of the last session, only 81 of the possible 96 Senators were recorded as voting. If this be an indication of the trend of regularity of attendance, we can easily foresee action by the Senate on important issues when a quorum is barely present.

This proposed change in rule XXII is one more step in the systematic destruction of free debate in the Senate which began in 1917. Between 1789 and 1917, there was no limitation on debate. In 1917, a cloture procedure by two-thirds of those present and voting was made applicable to all motions except motions to proceed to consideration of any measure. In 1949, further restriction on debate was made possible by the rule change which made cloture applicable to all procedures except a motion to proceed to a consideration of a rule change. Now it is proposed to remove the last item not subject to cloture from the possibility of unlimited debate.

Have we changed so much that we could not again operate with unlimited debate? Absolutely not.

The idea is often expressed that we live in a changing world. In this age of nuclear energy and space exploration, we are prone to emphasize changes at the expense of ignoring those things which remain constant. Preoccupied as we are with the material aspects of life, we are

inclined to assume that nothing is unchanging. If we will subjugate our egotism for a moment of reflection, we can readily comprehend that changes occur only in things made by man, and that all other things remain the same.

Predominant among things unchanging is the Creator, himself. Despite the fluctuating and fickle faith of mankind, God, in His omnipotence, is constant. Similarly, God's creation remains constant, and it is only man's knowledge that varies. For instance, man has recently abandoned the belief that matter can be neither created or destroyed, but at the same time we learned that matter and energy are equated. Our knowledge has thus increased, but the laws of nature, instituted by God for the regulation of His universe, are unalterable.

Man, himself, was God's greatest creation. Although he has been given a soul, and the power of reason and choice, man also remains unchanging, as does human nature—that combination of emotion and reason which govern his conduct.

Since the dawn of history, men have repeatedly established governments. Despite the fact that many governments were instituted for the preservation or establishment of individual power, and as such, were initially oppressive, man has always realized that the only noble purpose of government is to facilitate harmonious relations among the governed. At its best, government is a servant of the people, a reasoned contract among men for their mutual conduct. To government, man also turns for the conduct of matters which are equally paramount in importance to all the contracting parties, such as defense of all from a common enemy from without.

None can deny the usefulness of government as a means of self-enforcement of basic limitations on man's instinctive or emotional, as contrasted to his reasoned, activities. Unfortunately, the dangers of government are too often overlooked or ignored, for government is the most inherently dangerous to man of any of man's institutions.

Government is a basic instrument for good only so long as, and to the proportionate degree that, it commands the respect and support of all the people. Christ, Himself, ordained the preeminence of the individual, and the degree to which the individual can be subverted to the group, without destroying the individual, is slight. It is fundamental that the more areas into which government is injected, the greater is the probability of divergence of opinion, and the less popular is support of the government. Similarly, the more areas into which government is injected, the greater the concentration of power; and in the concentration of power, the subjugation and oppression of the individual most often occur.

As the concentration of usurped power in the Federal Government continues at an alarming pace, we must protect at all costs those remaining safeguards against tyranny, and if possible, bolster them.

As I have pointed out, nothing has changed which affects the legislative problems of our country since the 125-year period when the Senate had unlimited debate. There is no valid reason for not returning to this worthy principle by abolishing all limitation on debate. Certainly a step in the other direction, as proposed by Senate Resolution 5, is unthinkable.

When legislation has sufficient merit to garner the enthusiastic support of a majority of Americans, even the most extended debate cannot prevent its passage. As to civil rights legislation, the majority leader has himself pointed out that a majority of Senators can, and did in 1957, pass such legislation as they truly desire under the present rule.

Let us not deceive ourselves nor the public. Rule XXII is the strongest restriction of debate that the welfare of the country will bear, and the pending resolution to change it should be defeated.

Mr. STENNIS. Mr. President, the resolution now pending before this body would restrict the powers of the States and those who represent the States on the floor of the Senate. I shall oppose the resolution for that reason, as well as others.

There is a racial problem in the South. Great progress was being made quietly and rapidly by the people who live with it day by day. Great strides were being made to improve the lot of all until we of the South had too much interference from outside sources. When the hysteria of this question subsides, the people of the South of both races, containing many men of commonsense and good will, will begin once again to repair the damage done and continue our forward strides.

The racial problem will not be fully resolved so long as there is such strong political incentive to keep it alive. The rules fights and civil rights bills are launched on a political basis and should be defeated by large votes and thereby discouraged from being brought forward so often with their harmful rather than helpful effect.

We should direct our energies and activities toward increasing economic opportunities for all—enabling people to meet existing opportunity through migration or otherwise.

Local cooperation should be encouraged, not submerged by Federal bayonets.

The whole idea of force should be repudiated. It has never worked. It has only divided the country. The Civil War, the Reconstruction period, the school cases and their resulting violence, and the 1957 civil rights bill have done nothing to promote harmony and unity in the United States.

Idle schools in our troubled cities are mute testimony to the folly of the concept of force.

Civil rights legislation is one of the major purposes of Senate Resolution 5. I have already addressed the Senate on two other major phases of the resolution. This time I shall confine my remarks largely to this third point.

Civil rights legislation is one of the major purposes behind this rules fight. More legislation of this type would have its primary adverse effect in the South, but the country as a whole will suffer. It should be borne in mind that once Senate procedures for deliberation and consideration are discarded, the South will not be the only victim of some future legislative battle. Other geographical areas or labor, business can also suffer because these safeguards have been cast aside.

Let us not, then, further pursue this unwise course. Let us, instead, devote our energies toward full development of our economic and natural resources, providing opportunities for a higher and better standard of living for all through the free enterprise system. This will give us a firmer base, a more united nation to face the challenges of free world leadership.

Through meeting the challenges of foreign markets and world trade and greatly expanding our foreign commerce, we can reach toward our full capacity for production and distribution. This should lead to more efficient methods of production and stabilization of the purchasing power of the dollar. With a broader tax base and larger gross national product, we can afford, at the local level, more and better schools and other community institutions. Those who profess great concern for the "underdogs" among us need no longer fear a return to the States of their rightful power over local affairs.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Alabama [Mr. SPARKMAN] such time as he may require.

Mr. SPARKMAN. Mr. President, we are almost at the voting point on the resolution which would change the present requirement under the rule from a constitutional two-thirds majority to a two-thirds majority of Senators present and voting. I shall vote against this proposal, because I believe that it is not necessary; nor do I believe that it would be in the interest of the country as a whole to change the present rule.

Mr. President, one thing that should be kept in mind by all of us is that very often rule XXII is referred to as a rule which permits filibustering. It is not that at all. It is just the opposite. It is a rule which makes it possible to curb filibustering. Up to the time rule XXII was adopted as a part of the Senate rules, back in 1917, there was no way to stop filibustering. I submit to the Senate, as has been said so often in the course of the debate, that no harm has been done to anyone under the operation of the rule we have at the present time, and I believe it should be continued.

Incidentally, a few days ago, Mr. Roscoe Drummond wrote a column entitled "Filibusters Have Saved Many Liberal Causes in the Past." He calls attention to the fact that it made it possible for Senator George Norris, that great liberal of a few years ago, whom many of us knew and whom many of us had the privilege of seeing on the floor of the Senate, to prevent the Government from selling Muscle Shoals and the right to expend it. Mr. Drummond also points out that exhaustive debate enabled Senator Robert Taft and other Senators, only a few years ago, to prevent President Truman from drafting striking railroad workers into the Army.

I remember that debate quite well. I was a Member of the House of Representatives at the time, and I remember the speed with which the bill was rushed through the House.

I was surprised, and a great many others were surprised, when it was stopped in the Senate. However, after the incident had become history, I believe everyone felt that Senator Taft rendered a service to the country and to the cause of democratic processes when he exercised the right of extended and exhaustive debate in order to prevent the pushing of that measure through the Senate.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. MORSE. Is the Senator laboring under the impression that Senator Taft filibustered against the Truman proposal to draft railroad workers?

Mr. SPARKMAN. He spoke at length.

Mr. MORSE. Is the Senator——

Mr. SPARKMAN. And other Senators also took part in the debate. I realize that there is always the question as to what is a filibuster and when is a filibuster. I did not use the term "filibuster." I used the term "extended debate." I submit that at that time Senator Taft and other Senators spoke rather extensively and were able to hold up consideration of that measure on the floor of the Senate and thereby kept it from becoming law.

Mr. MORSE. Would the Senator be surprised to know that Senator Taft spoke for a very, very, short time?

Mr. SPARKMAN. Regardless of that, I say that there was extensive debate. It ran for—I do not remember how many days it ran, but it ran for several days here on the floor of the Senate. By reason of the fact that he could not be choked off by a simple majority, he was able to carry on.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. SPARKMAN. Senator Taft and his associates carried on the debate.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. SPARKMAN. I am not sure, but I believe the Senator from Oregon was in the Senate at the time, and he may have participated in that debate.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. SPARKMAN. I am quite certain that if he was here he did take part in that debate.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. MORSE. We finished it in less than a half day.

Mr. SPARKMAN. I am sorry. I do not believe the RECORD will bear out that statement of the Senator from Oregon.

Mr. MORSE. The real issue before us was whether we were going to vote that afternoon, as was requested, and Senator Taft objected, and under the rule of the Senate the bill had to go over.

Mr. SPARKMAN. But it was debated.

Mr. MORSE. Very briefly.

Mr. SPARKMAN. For 3 or 4 days.

Mr. MORSE. Not under a filibuster.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. DOUGLAS. The Senator from Illinois realizes that the discussion we are now having will not change any votes, but it is also true that there are some persons who read the CONGRESSIONAL RECORD. Therefore I do not wish the Senator from Alabama to get by, so to speak, with the argument he is now using. Is it not true that under the proposal which was voted down today, we would have permitted from 6 to 8 weeks of debate?

Mr. SPARKMAN. Well——

Mr. DOUGLAS. Just a moment. If 3 or 4 days was sufficient to kill the Truman plan, what would 40 or 50 days of debate do?

Mr. SPARKMAN. I have used up more time than I should have used under the generosity of the assistant majority leader. I will only say in reply that, in the words of the Senator from Illinois, upon which I would be willing to rely, we might have saved weeks of debate, but, nevertheless, had the proposal of the Senator from Illinois been in effect, a bare majority could have cut off debate.

I remind both the Senator from Oregon and the Senator from Illinois that I was quoting from Mr. Roscoe Drummond's article with respect to the railroad debate. However, I remember it. I remember it quite well. I remember coming over to the Senate. I was in the House of Representatives at the time, and I came to the Senate to listen to the debate.

Mr. President, I conclude with this statement. We have done quite well under this rule as it is written at the present time. No one has suffered. I believe that the rule ought to remain unchanged.

I ask unanimous consent to have printed in the RECORD as a part of my remarks the column by Mr. Roscoe Drummond, to which I have referred.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FILIBUSTERS HAVE SAVED MANY LIBERAL CAUSES IN THE PAST

(By Roscoe Drummond)

The debate on changing Senate rule XXII, which would increase the action power of the majority and decrease the delaying power of the minority, could not come at a better time than right at the opening of Congress.

No major legislation will be ready for at least a month. Important hearings can proceed. There will be ample time for all the arguments to be heard without holding anything up.

All the merit is not on one side in this dispute. The issue sometimes gets blurred because of the tendency to use epithets instead of looking behind the words to see what is really at stake. Filibuster, for example, has become a nasty word with many liberals although the filibuster has been used to protect many liberal causes.

Before arguing what should be done, let's look at the facts.

Question. What does rule XXII provide?

Answer. It provides that there shall be no cutting off debate on any matter unless 66 Senators in the new Senate vote to do so.

Question. What is the purpose of this rule?

Answer. Its end purpose is to make sure that the will of the majority shall not be lightly and hastily imposed upon the minority. It accomplishes this end by guaranteeing that there can be thorough, exhaustive, and sometimes exhausting debate. It makes sure that the minority shall have ample opportunity to marshal all of its strength, all of its arguments, and to rally public opinion to its side if possible.

Question: When does exhaustive debate end and filibustering begin?

Answer: There is no easy answer to that one. One man's filibuster is another man's debate. Obviously when a Senator begins reading the telephone book or counting the inches to the moon, he is abusing the privilege of nearly unlimited debate.

I agree emphatically with those who believe that the requirement of 66 votes to end debate is excessive and should be reduced, but it seems to me we should think a long time before making it too easy to close off debate. I think that closing off debate by a majority vote would be too easy.

Let us realize that it has not always been rule XXII, requiring a two-thirds majority of the membership of the Senate, which has stood in the way of stopping a filibuster. A determined minority can usually best a majority in part populated by those giving only lipservice to that majority. That is what has happened more than once when civil rights legislation failed prior to 1957. It has as often been the weak convictions of the majority as it has been rule XXII which gave the filibuster its strength.

Extended and exhaustive debate enabled Senator George Norris to prevent the Government from selling Muscle Shoals and enabled Senators Robert Taft and Claude Pepper to prevent President Truman from drafting striking railway workers into the Army. Extended and exhaustive debate seems to me an invaluable protection for every minority group in the Nation, whether political, racial, or color.

What will the Senate do about rule XXII? It will do one of three things: (1) Reduce the vote required to cut off debate * * * 66 to two-thirds of those present and voting; or (3) permit a simple majority to end debate, perhaps after some time limit.

Among these three alternatives, I like the middle course.

It will make it less difficult to end debate—but not too easy.

It will make it impossible for Senators to put their vote surreptitiously against ending debate by just absenting themselves from the Senate. It will make them stand up and be counted.

It will permit a moderate reform to be fairly tried before voting anything more sweeping.

Mr. DOUGLAS. Mr. President, I wonder whether the minority leader would yield me some time.

Mr. MANSFIELD. I shall be glad to yield 10 minutes to the Senator from Illinois.

Mr. DOUGLAS. Technically I should ask for time from the minority leader.

Mr. DIRKSEN. I shall be glad to yield 10 minutes to my distinguished colleague.

Mr. DOUGLAS. I thank the Senator from Montana, but I think technically I am using the proper procedure.

Mr. President, I have never been one to insist that everything must go my way. I have always been willing, after I have been defeated on attempts to improve a bill, to be ready to vote for the bill if it produces any significant change. I voted for the voting rights bill of 1957 even

though the broader civil rights section in part III had been eliminated.

However, the present resolution does not improve matters, and I am going to vote against it. I believe I should state the reasons why I am going to vote against it.

The Senate had an opportunity to make a real improvement in the rules, but it has failed to do so. It turned down a perfectly proper proposal, namely that debate could be limited by a majority of the Senate after 15 days of debate, and that thereafter each Senator could speak for an hour. In reality, as we have pointed out, this means that debate could have been extended on any one motion for some 4 to 6 weeks, and similar tactics could have been used on the motion to take up as well as on the motion itself. Therefore the record is abundantly clear that the motion which about 14 Senators proposed would have provided for abundant debate.

But it would have freed the majority from the tyranny of a minority.

We failed on that proposal. Then another proposal was advanced, the so-called three-fifths proposal. I believe everyone of us who had voted for the majority proposal then voted for the three-fifths proposal, and eight Senators in addition. Had that carried, I would have voted for the resolution. It did not carry.

Then proposals were made by the Senator from New York and the Senator from New Jersey either to modify or to eliminate section 3 of the resolution, which made the rules of the Senate continuous from one Congress to the next Congress. Had either one of these carried, I would have voted for the bill.

Therefore the resolution in its final form, comes to us without any improvement whatsoever.

It is perfectly clear from the record of past votes over the years in the Senate that no real change has been made by section one of the bill. It is clear that on measures of importance on which a filibuster would be conducted, virtually the entire membership of the Senate would be present on the floor for the final vote. Therefore there is no real difference between two-thirds of the total membership, which is the present provision, and two-thirds of those present and voting under the Johnson resolution.

On civil rights measures I think it is fair to say that this could not make a difference in the requirement for cloture of more than two votes, possibly less than that, because on such measures, the absentees would only be northerners, not southerners. This proposal therefore does not diminish the real power of a minority to prevent a vote being taken by a majority.

Section 3 is a distinct step backward. It gives strong moral authority, and possibly constitutional authority, for continuing this restrictive provision at the beginning of the next Congress, and thus making it more difficult to modify the rules of the Senate.

Section 2 may be a slight step forward, but not a very great step, because in practice, on the rules change which most interests me, I think a two-thirds requirement will be as effective in preventing a vote from being taken as unanimous consent; and in addition the two-thirds requirement can seldom be met on issues of civil rights.

So I see no real improvement over the present situation effected by the resolution as a whole. Under those conditions, I see no reason why any Senator who wishes to improve conditions should vote for the resolution.

I can see many reasons why Senators should not vote for it. We who feel this matter very keenly will be judged, in part, on how we vote on the adoption of the resolution. I will not judge my colleagues, but the public will be judging us. If we vote for the resolution, it will be said, "Well, it must have been an improvement, or else you would not have voted for it." But it is not an improvement.

Moreover, it may act as soothing sirup to lull the conscience of America, so that the drive to decrease the danger of the filibuster will be slowed. There is a very skilled group of public relations men who are ready to do just that. So a vote for the resolution may be regarded as tacit approval of the measure, as being something which the country should favor, should accept, and should not question in the future.

I believe this situation has to be changed. I believe the present filibuster rules of the Senate must be changed. It will be much more difficult to change these rules as a result of the action today and as a result of the passage of this Senate resolution. It will be made still harder by every northern and western affirmative vote.

I do not want to see the civil-rights program and the advocates of civil rights led up the Appian Way, with fetters and shackles upon them, and marched into the forum of Washington as prisoners of war and exhibited to the populace, as the Romans used to bring back those whom they had conquered in combat, in cages, laden down with irons and shackles. I will not be led up to the steps of the Capitol with those shackles around me. I have always thought it would have been better for those defeated by the Romans to have died on the field than to have been led in chains before some Caesar.

I may have some embarrassing company among those who also will vote against the resolution. I know that a considerable number, probably most of the opponents of civil rights, and most of the defenders of the filibuster, will vote against the measure. I know what will be said: The Senator from Oregon [Mr. MORSE] and the senior Senator from Illinois will be said to be allied with the Senators from Mississippi, Alabama, and Georgia. They may be as embarrassed in our company as we are in theirs.

I say, in all seriousness, that I regard their opposition to the resolution as purely symbolic. They have won a great victory with the aid of their skilled field marshal and with the aid of the majority leader, and the leadership of the Republican Party, too. They have been able to blunt, and not only to blunt, but to reverse, the drives for civil rights and an effective antifilibuster rule which seemed so promising a few short weeks ago. Whatever they may say on the floor, I feel certain that in their inmost being they are chuckling. This has been a great day for them.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. DOUGLAS. I wonder if I might be granted 6 more minutes.

Mr. DIRKSEN. I yield my distinguished colleague 6 more minutes.

Mr. DOUGLAS. I thank the Senator.

This has been a great victory for them. I am sure that while they may not say this openly, they know what has happened. It is a great victory which has been won for them by the leadership of the Democratic Party in the Senate and the leadership of the Republican Party in the Senate.

The old bipartisan coalition has been working beautifully: Conservative southerners on the Democratic side; conservative Republicans on the other side. This is the coalition which has been operating for 20 years. It is still in effect.

Now I shall say something which will hurt me, but in the interest of fairness I have to say it. They have been joined in this struggle largely, but not exclusively, by the small States, particularly States of the West.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. DOUGLAS. I should like to yield to my friend from New Mexico, but I must continue.

I criticize no Senator for his vote; but if we examine the votes, it is apparent that a third element has now been added to the coalition, namely, most of the small States of the West. This is not an invariable rule. There are exceptions to it, and I say all honor and credit for those exceptions. But we now have a coalition, in the main, of the Mountain States, the small Western States with the old coalition of conservative Republicans and Southern Democrats.

The people of the industrial States, which have the overwhelming proportion of the population and pay the overwhelming proportion of the taxes, are left out in the cold, with no attention paid to them. The new coalition now constitutes the political power in the Senate.

This coalition has been able to fasten its rule upon the people of the United States. I do not propose to bless it with my vote.

I shall not criticize either in public or in private any of my colleagues who vote differently from me. I shall not accuse them of deserting the ship. I think they take their stand on honest ground. But I think they are very much mistaken.

This has been a black day for the people of the United States. The majority has virtually said that in the foreseeable future there will be no meaningful civil rights legislation. It has said that a small minority of the Senators can prevent action desired by a majority of the

Senators, and a still larger majority of the people of the country.

The majority has placed the seal of approval upon John C. Calhoun's doctrine of "concurrent majority"; namely, that the representatives of one section of the country can veto a measure desired by the Nation as a whole.

May I remind the Senate that the section of the country which can impose its veto in civil rights matters is a section in which political control is exercised by a relative minority, by means of the poll tax, by the disqualification of Negroes, and so forth. So there will be a minority of a minority section of the country virtually preventing the rest of the Nation from acting.

Those are the realities which I do not propose to bless with my vote. I shall vote against the resolution. I shall not cease to struggle on civil rights, because it is an issue which should be kept before the American public. But the chances of our getting civil rights legislation in the near future are extremely slight.

I think the leadership of the Democratic Party in this body has made a crucial mistake, one which will return to haunt my party, not merely in 1960, but also in the years ahead. I think the leadership of the Republican Party has made a similar mistake.

I shudder for the future of my country, when great reforms which are needed can be prevented by a minority of a minority. I shudder to think what will happen, because we are making it more and more difficult for peaceful and constitutional processes to provide some solution for the injustices under which millions of our fellow Americans suffer. God protect us from the tragic consequences of this fateful day.

For these reasons, I shall vote against the Johnson resolution.

Mr. DIRKSEN. I yield 5 minutes to the senior Senator from Oregon.

Mr. MORSE. I am proud to rise in support of the position just announced by the senior Senator from Illinois. I shall summarize as best I can, and quickly, the reasons for the vote against the resolution which some of us will cast this evening. Since I spoke earlier this afternoon, there have been some cloakroom meetings of those of us who from the very beginning have supported the Douglas-Humphrey-Case of New Jersey-Javits proposal, and later the Cooper-Morton proposal. As a result of those conversations, we find that our ranks have become divided with respect to the final vote. I shall summarize very quickly the reasons why I shall vote against the Johnson resolution.

First, I want to answer the half-a-loaf argument made by some of my friends who are now announcing that they are going to vote for the Johnson resolution. Their argument is that it contains some advance in the fight to check the filibuster in the Senate. As I said in conversation with some of them this afternoon, the arithmetic does not show that what they claim is true, because from 1917 to 1949, when the voting formula of the Johnson resolution was in effect in the Senate (the Senate was not able to muster a single vote that would block a filibuster on a civil rights issue. What makes anyone think that is going to change in the future? In fact, I think that the action that is being taken in the Senate tonight will strengthen the minority in the Senate which is able to exercise its will upon the majority to prevent good legislation from passing.

In the course of the debate, the challenge has been made from time to time that the threat of a filibuster has never prevented legislation from being passed on the floor. I answered that argument the other night, naming specific pieces of proposed legislation that were blocked in committee, and in the Senate by the mere threat of a filibuster. But this afternoon we find the Senator from Louisiana [Mr. ELLENDER], in his argument, specifying legislation that has been blocked as a result of the threat of filibuster.

To the half-a-loafers, I want to say they will not even get a slice of legislative bread out of the Johnson proposal; all they will get will be the political wrapper, and that is not edible. The Johnson proposal will not make it any easier to stop filibusters in the Senate than it was from 1917 to 1949. But, it is said, paragraph 2 of section 3 in the Johnson proposal provides:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

I never expected to hear any of the proponents of the Humphrey-Douglas-Javits-Case position in this debate say that this was any gain, because what has been their theory? I have never accepted their theory that the Senate is not a continuing body because under article I, section 5 of the Constitution, at the beginning of each new Congress the Senate has the power to adopt its own rules. Do Senators think they can change the Constitution by adopting the Johnson resolution? The Constitution of the United States cannot be amended by any such procedure. Therefore, paragraph 2 of section 3 of the Johnson proposal is but political window dressing. It is but decoy bait. It has no legal effect on any future Congress, Mr. President, because this Senate cannot bind a future Senate under article I, section 5, of the Constitution. Every lawyer in the Senate knows it, or should know it.

So, Mr. President, I speak as one who has never accepted the idea that the Senate is not a continuing body. It is for some things; but as a continuing body the Senate always has the right, under article I, section 5, of the Constitution to adopt new rules at the beginning of a new Congress. I am not going to swallow the kind of bait held out to me by the majority leader as a justification or a rationalization or an alibi to vote for this resolution.

Mr. President, as one who yields to no one here in the Senate for the protection of minority rights, I say to my friends that I recognize no minority right that permits any small group of willful men to prevent the people of this country from having legislation that an elected majority, after full debate, decides in the Senate is in the public interest. That is basic to self-government.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. I ask for 2 more minutes.

Mr. DIRKSEN. I yield 2 additional minutes to the Senator from Oregon.

Mr. MORSE. That is basic to self-government. Under the Douglas proposal, or the Morse proposal, the minority is fully protected for days and days of debate. I am not going, in the name of liberalism, to vote for the Johnson proposal on the basis of the fallacious argument that it is the way to protect minority rights.

The last argument is an ad hominem one, which was actually made to us in conferences today. The question is asked, "Do you really want to vote and have the CONGRESSIONAL RECORD show you voted on the same side of an issue as the southern supporters of the filibuster in the Senate?"

If I ever heard of an ad hominem argument, that is it. My only answer to it is to ask the question, Is the Johnson proposal in the interest of the public? In my judgment, this debate has shown it is not. I do not care who else votes for my position, and for what reason. I know that there are a good many southern Senators who are going to vote against the Johnson proposal; but, as the Senator from Illinois has pointed out, the Johnson proposal has not in any way effectively jeopardized the position these men take in favor of the filibuster in the Senate.

I am going to vote against the Johnson proposal because I cannot reconcile it with the Democratic Party's platform of 1952 and 1956. I cannot reconcile it with majority-vote rule in the Senate. I cannot reconcile it with what I consider to be the public interest. I shall be proud to have my descendants read that I did not cast any vote based on an argument of expediency and a compromise of principle.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from Ohio [Mr. LAUSCHE].

The PRESIDING OFFICER. The Senator from Ohio.

Mr. LAUSCHE. Mr. President, I have taken the position that the Senate cannot, by a rule, change a condition declared by the Constitution of the United States. In my opinion, for the Senate to pretend that it is able to adopt rules which would restrict the right of future Senates to act is completely meaningless and in violation of the Constitution.

Secondly, I voted for the Morton amendment believing that a 60-percent rule would be a fair rule and reasonably capable of bringing filibusters to an end. I do not believe the resolution which is now pending before the Senate makes it possible, with any degree of certainty and facility, after prolonged, honest debate which has converted itself into a filibuster, to bring a filibuster to an end.

I cannot subscribe to the proposition that the Senate can adopt a rule in violation of the Constitution. I do not feel that a rule providing for a two-thirds vote of those present and voting is ade-

quate to bring a filibuster to an end. On that ground, I shall not vote for the resolution.

Mr. DIRKSEN. Mr. President, I yield 3 minutes to the distinguished Senator from New Mexico [Mr. CHAVEZ].

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. CHAVEZ. Mr. President, I believe that my record in the Congress and in the Senate would indicate to anyone who is reasonable that I am just as liberal as is any other Member of this body. I do not try to be professional about it, however.

The question of whether or not the rule should be changed is another matter. The Senator from Illinois has stated that he wants to be able to vote on civil rights. I would be willing to vote right now, and I think that I would vote on his side. But that is not the issue before us. The issue is whether or not the Senate is to change rule XXII.

Mr. President, who is sorry for the advancement and the progress—political, social, and economic—which the United States of America has made up to this moment under rule XXII? Hence, so far as I am concerned, a question of liberality is not involved. The question is whether we shall carry on those policies which have made for the progress of this Nation.

I personally do not think I would be here in the Senate, and I do not believe that my colleague from the State of Arizona would be in the Senate, if the Senate were as limited in debate as the House is. The big States would have blocked us. When the Senate was created, the Founding Fathers had the idea that, irrespective of how much population any State, the State of Illinois, might have, for example, each State should have equal representation in the Senate, now and forever.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CHAVEZ. Will the Senator yield me 2 additional minutes?

Mr. DIRKSEN. Mr. President, I yield the distinguished Senator from New Mexico 2 additional minutes.

Mr. CHAVEZ. For now and forever the two Senators from Illinois cannot checkmate the two Senators from New Mexico, no matter what our State population. We belong to the Union also.

So far as the southerners are concerned, the Civil War was over many years ago; the South is a part of the United States of America. I am not voting because they are southerners. I am voting because I think it is right that we should carry on in the American way. Illinois has no more Senators than New Mexico has, and I wish to assure the Senator from Illinois that we shall take care of ourselves anywhere. I am going to vote for the Johnson resolution no matter whom it may hurt.

Mr. DIRKSEN. Mr. President, I yield 3 minutes to my distinguished friend, the Senator from New Jersey [Mr. CASE].

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 3 minutes.

Mr. CASE of New Jersey. Mr. President, I shall vote for the Johnson resolution because it represents, in section 1, an affirmative, though very small, advance in the direction of controlling the filibuster.

Also the resolution, by section 2, will eliminate the undoubtedly invalid exemption from any cloture at all of motions to take up changes in the rules.

I have considered carefully whether these very small gains would be outweighed by the provisions of section 3, which purports to limit the power of the Senate, at the beginning of each new Congress, to adopt new rules. I have concluded that, under the Constitution, section 3 would not, and could not, have that effect. To that extent, section 3 is a nullity.

It is highly distasteful to vote for a measure which contains an invalid provision—a provision which I would oppose to the end if it had any binding effect. Yet I have finally concluded that, for me, it is not a sufficient reason to forego such improvement, however slight, as the resolution represents in the respects already mentioned.

Mr. President, I do not have to tell the Members of this body that this in no way involves any criticism at all of any Members who wanted, with me, to obtain an effective change in the rules of the Senate, and who will vote against the resolution. I agree with them utterly that it is a very sorry day for the Senate when this good chance to make an effective change has been wasted.

But while the battle has been lost, the war has not been lost; and eventually—and, I hope, very soon—what we have failed to do here today will be done.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from Kansas [Mr. SCHOEPPEL].

The PRESIDING OFFICER. The Senator from Kansas is recognized for 2 minutes.

Mr. SCHOEPPEL. Mr. President, in the interest of conserving time during the closing minutes of the debate on the resolution which is before us, I ask unanimous consent to have printed in the body of the RECORD some remarks I have prepared in favor of Senate Resolution 5.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SCHOEPPEL

There is a story that on his return from France, where he was serving his country while the Constitution was being written, Thomas Jefferson called on President Washington. At the breakfast table Jefferson demanded to know why Washington had agreed to a second Chamber in the legislature. "Why," asked Washington, "did you pour that coffee into the saucer?" "To cool it," replied Jefferson. "Even so," said the President, "we pour legislation into the senatorial saucer to cool it."

James Madison, one of the great scholars among the Founding Fathers, succinctly put it thus: "The use of the Senate is to consist in its proceeding with more coolness, with more system, and with more wisdom, than the popular branch."

This story and this quotation illustrates what the writers of the Constitution considered to be the foremost quality of the projected Senate: its unparalleled ability to provide full and deliberate attention to all important measures. To gag the Senate with a rule which would allow cloture at the whim of a mere majority would destroy the essential nature of the Senate.

It has been said that the Senate sits in a kind of appellate capacity in relation to the House of Representatives. The right to free and full debate permits the Senate to inspect with all necessary care proposed legislation. It permits time for public opinion to be fully informed and to express itself. Democracy simply cannot function, Mr. President, if the electorate is not fully informed. The great freedom of debate and discussion which characterizes the Senate is an invaluable method for attaining that goal.

We are also greatly concerned in the Senate with the protection of the rights of the minority. This is also an element of democratic government, but one which is often forgotten by an arrogant majority. The relatively easy imposition of cloture would threaten the minority with a virtual dictatorship of the majority. Cloture is a tool which lends itself to the building of political machines, machines that would increase in power to the detriment of the individual Senator as well as the minority.

Without this freedom of speech the Senate would shortly become another House of Representatives, and I do not speak disrespectfully of that great body—rushing measures through at breakneck speed with only scanty consideration of the complexities that so often surround the problems with which we deal.

There has been a great deal of exaggeration spouted about the practice of the filibuster. We must remember that it is a weapon very seldom used. We must remember that it is a weapon used only as a last resort, as a protection of vital sectional interests. It is highly doubtful, in my opinion, that any proposed legislation which could arouse such antagonism as to goad opponents into the use of the filibuster can do the unity of the country much good.

No really vital piece of legislation, sincerely and determinedly desired by a great majority, has ever been permanently defeated by a filibuster. A determined majority eventually gets its way. But we know that many undesirable pieces of legislation have been defeated by debate that has run its full course.

Any rule, any freedom, is subject to abuse; and I would not deny that the freedom of speech permitted in the Senate is occasionally misused. But so is the freedom of the press abused on occasion; so are other freedoms misapplied. Surely we would not abolish those freedoms because of their infrequent misuse.

Rule XXII, as it presently stands, undoubtedly makes the imposition of cloture definitely difficult. While believing in the fullest possible debate, I also believe that, once that debate has taken place, once the public has been fully informed and has had an opportunity to express itself, then the Senate should be able, if it is fully determined to do so, to come to a vote on crucial issues. For this reason I support the suggestion that rule XXII be changed so that cloture may be imposed by a vote of two-thirds of the Senators present and voting.

I support Senate Resolution 5 as a constructive piece of legislation.

Mr. DIRKSEN. Mr. President, the remaining request for time has come from the distinguished senior Senator from New York [Mr. JAVITS]; and at this time I yield him 5 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. JAVITS. Mr. President, I thank the Senator from Illinois.

Mr. President, I have had the dubious honor of participating far more than one of my years of service in the Senate should have participated in the debate,

on this side. I would be stating less than the truth if I did not state that I have had a hard time in connection with my consideration of the pending question.

It will be recalled that I supported, successively, the Douglas plan, of which I had the honor to be the principal protagonist in the Committee on Rules and Administration, and then the Morton-Cooper plan, which provided for the invoking of cloture on the affirmative votes of 60 percent or three-fifths of the Senators present and voting.

I certainly think that on the basis of those two affirmative votes, no one can say that I am unreasonable. However, I shall have to take my chances as to that.

Mr. President, my colleague, the senior Senator from New Jersey [Mr. CASE], and I have been hotly engaged in this fight, and we are about to take divergent paths. We will win the war, although we may have lost this battle.

In that connection I have to answer this question: What soldiers will fight the war, or who will be around to fight it? I think that is a question I have to answer.

Mr. President, after prayerful consideration—bearing in mind that I served on a two-man subcommittee which fought this battle through long hearings and great difficulties, and that I had the honor of writing the report with respect to the position we have taken on the floor, and that I hope to have the honor, so long as the people of my State allow me to remain in the Senate, to continue this fight with dignity and with propriety at the beginning of each Congress, at the right time. I find it difficult to say to myself that I can in 1961 rise for an argument similar to this one unless I have kept intact my position at least as a lawyer. I would be willing to abandon that position as a lawyer if I saw a meaningful gain in what we are offered by the Johnson resolution. But, Mr. President, history shows us that it is meaningless and is no gain at all, because the same rule resulted in the fact that only four filibusters have been successfully ended since 1917; and that occurred under the rule contained in the Johnson resolution, not under the rule now in the Senate rules. So by means of the Johnson resolution, as I see it, we shall gain nothing on that score.

As for a filibuster on the question of a rules change, I state advisedly that is dead. I do not believe there will be a filibuster on a rules change, whether because of the Vice President's ruling or because of the self-restraint of the Members who might filibuster. I believe that such a filibuster is dead, because I believe that such Members will realize that to filibuster would be very much against their interests.

What is left is—in all honesty—this question: What is the constitutional question which I, as a lawyer, have to answer?

Mr. President, as a lawyer I am deeply convinced that one Senate has no right to bind a succeeding Senate. I think that is fundamental. We can make rules for ourselves, but we cannot bind those who follow us.

I do not know what important issues may arise during the years down the corridor of time. I shall keep my powder dry, so that I can fight for what I consider to be the fundamental constitutional issue for the country in the days ahead, an issue which is far more important than the infinitesimal change in rule XXII which is sought to be made by the particular Johnson resolution under consideration, if it is a meaningful change at all—and I do not think it is. I feel I must vote "Nay."

Mr. JOHNSON of Texas. Mr. President, I yield 3 minutes to the Senator from Michigan [Mr. MCNAMARA].

Mr. MCNAMARA. Mr. President, in the debate earlier today on the Douglas amendment to permit a constitutional majority of the Senate to limit debate after proper steps were taken, I said we had two goals in this issue.

These goals, briefly stated, were these:

First, to bring about a greater degree of democracy in the U.S. Senate by easing the filibuster hammerlock that has too often immobilized this body.

Second, to permit civil rights legislation to come before this body in the normal course of events for consideration on its merits.

Now, as we come to a final vote on the resolution, I must ask myself this question: Will the Johnson resolution, now before us, enable us to make either or both of these goals?

Will the Johnson resolution, which simply says virtually the same thing as the present rule XXII, do anything to make the Senate any more democratic?

Will the Johnson resolution, if adopted, make it any easier for us to get civil rights legislation before the Senate for the consideration it deserves?

The answer to these questions, Mr. President, is an emphatic "No."

Since it meets neither of the important criteria, I am compelled to vote against the Johnson resolution.

I will not attempt to fool the people of Michigan into thinking that progress has been made here today.

The Johnson resolution is worthless—and, in fact, it may be even worse than that.

I will not vote for it—because if I did I fear I would be doing a disservice to the people of my State, whom I have the honor in part of representing in this august body.

Mr. DIRKSEN. Mr. President, I yield 3 minutes to the distinguished Senator from Michigan [Mr. HART].

The PRESIDING OFFICER. The junior Senator from Michigan is recognized for 3 minutes.

Mr. HART. Mr. President, as a new Member of the U.S. Senate, I have followed with extreme interest the debate on the right of the Senate to adopt its rules and the need in the Senate for an effective cloture rule.

The debate has given me a new perspective into the history of the Senate and certainly great awareness of the body of tradition which lies with the U.S. Senate.

My vote on the adoption of Senate Resolution 5 will be "nay." My vote will not be an easy vote for me to cast. I feel that my position on the resolution submitted and so vigorously advocated by our majority leader and cosponsored by the minority leader, should be made clear in the record.

If I could believe that the passage of Senate Resolution 5 and the subsequent change in the rules of the Senate of the 86th Congress would make it really more likely that cloture could be invoked in a debate over civil rights legislation, I would support the resolution.

Or if I felt that the adoption of Senate Resolution 5 would make it less difficult for future Senates to change the rules so as to provide for majority cloture, then I would support Senate Resolution 5.

As a matter of fact, it is my belief that neither of these criteria has been met.

As the father of eight small children, I have seen some trading engaged in at home. Sometimes the trade is an apple for a plum or a baseball for a book. Once in a while—usually when the older children are negotiating with the youngsters—it is a trade of a marble for a wrist watch. To me Senate Resolution 5 looks very much like a marble for the advocates of effective civil rights legislation and a wrist watch for those who oppose it.

For these reasons, Mr. President, I shall vote "nay."

Mr. JOHNSON of Texas. Mr. President, are there any other requests for time?

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. JOHNSON of Texas. Does the minority leader have any requests for time?

Mr. President, I want to make a brief statement and then I shall suggest the absence of a quorum. If the aids of the Senators will notify Senators, we will proceed to a final vote on the resolution.

Mr. President, I ask for the yeas and nays on the resolution.

The PRESIDING OFFICER. The yeas and nays have been requested. Is there a sufficient second?

The yeas and nays were ordered.

Mr. JOHNSON of Texas. Mr. President, many have said—many times for many purposes—that the Senate could not and would never change rule XXII.

Or, at the least, it has been maintained that change could be wrought only after protracted debate—and at the price of a fundamental change in the nature of the Senate itself.

Yet, here we are, ready to bring the changing of rule XXII to a decision on this, our third full working day of the session.

I think the Senate deserves commendation and respect for proceeding as it has. I also believe that some would do well to reexamine their appraisals of the will of the American people.

It is the will of the people that is reflected here. That will is a will—in all sections—for progress, for unity, for reason, and for courage. All these high goals have been served by the Senate's course.

We are making progress.

We are perfecting our unity.

We are maintaining reason.

And the Senators are, I believe, manifesting a courage worthy of those who sent them here.

We make progress by providing that a majority cannot be immobilized when it has the will to proceed.

We perfect unity by assuring that minorities will not be overridden without a right of hearing.

We maintain reason by providing that there will be no procedural gap in the Senate rules to which no standard of responsibility applies.

These, certainly, are gains.

The greatest gain of all is the high standard of courage which the Senate sets here as an example.

This issue is fraught with strong feelings. It is clearly the most divisive domestic issue of our times. There is abroad a popular clamor which holds division itself to be preferable to resolution. This Senate has had the courage to reject that doctrine and, in so doing, to shine a bright ray of hope into an area too long darkened by intemperance and intolerance.

Let us examine what has happened here, for there are lessons to be learned which apply on a broader scale.

It has been the contention of some that the Senate could not work its will. This belief has been broadcast widely. The idea has been fostered that to make progress at all it was necessary to destroy and demolish the Senate as the institution it has been since the Republic was founded.

This course ignores—and has always ignored—a fundamental fact: that the institutions of our freedom serve us only in proportion to our willingness to understand their operation and our diligence in making them work successfully.

Thus, there have been those who were more eager to attack the Senate than to come to an understanding of it. They were more willing to destroy it for its weaknesses than to put in the hours necessary to use its strengths to serve the Nation.

I, for one, have never accepted the proposition that the Senate could not work its will. The evidence against this is far too conclusive.

Let me remind the Senators that in 1957 this Senate passed the first civil rights legislation in nearly a century—amid many forecasts that it could not be done.

Yet it was done.

There was no filibuster.

There was no cloture.

There were 12 separate votes taken—including a vote on a motion to refer the bill back to committee after passage and a vote on concurrence in House amendments.

The Senate worked its will then—just as the Senate is working its will now.

What, I ask, best served the Nation? The labors here to achieve resolution of the issue—or the efforts made outside the Senate to persuade elements of our populace that no resolution would be forthcoming?

My point is this: There are some who stand on the ground that our institutions are not responsive to the times and that those institutions must be swept away if progress is to be made. This appeal is not supportable. Rather, I respectfully suggest that time and progress have passed them by. The people are now ready for men who are willing to work to make the institutions of free men serve responsibly. The people, likewise, recognize the falsity of the expediency which would destroy those institutions as the easier way.

The resolution before the Senate now—and the fact that it is here—testify to the courage and the conviction of the Senate majority.

What we have here is a change—not a compromise.

The majority has not elected merely to dilute extremes and pay a price for consent. The majority has proceeded steadfastly on an orderly, logical course and has fashioned both a strong rule and a reasonable rule.

The resolution does these things—for these reasons:

First, it provides that cloture shall be possible on the vote of two-thirds of the Senators present and voting.

Our present rule provides that cloture can be voted only by two-thirds of the full Senate membership. This necessitates the actual presence in the Chamber of 66 Senators casting affirmative votes. In a body of this size, infirmities and disabilities for one or two Members or more are commonplace. The committee duties of the Senate frequently require some Senators to be absent. The nature of our Nation's world position, also, has resulted in more and more Senators being asked to serve the country at important tasks abroad. Each absent Senator, in effect, cancels two votes of those present.

In our last session, a sampling of the votes shows that on the average 14 Senators were not voting—sometimes as many as 40 and a few times as small a number as 3 or 2. At no time, though, did the full membership vote. The net is that the constitutional two-thirds requirement was, in practice, an actual average of nearly 80 percent or four-fifths.

By returning to the standard which applied here—with reference to cloture—until 1949, we are merely reasonable and realistic. If the Senate is able to transact business, it will be able to consider the cloture resolution without absences detracting from the Senate's ability to act.

Two-thirds is the division by which we provide for amending the Constitution, for ratifying treaties, and for expelling Members from the Senate. It is an established, traditional division and we are maintaining it by this resolution.

The second provision of this resolution is, perhaps, the most important—although some have chosen to disregard its presence.

Our present rule XXII specifically exempts from cloture any motion to proceed to consideration of a change in the rules. This is the only such gap in our rules. Cloture can apply to substantive issues. Cloture can apply to a vote on the rules themselves. No cloture, however, can be applied to this one motion.

Thus, in present form, this means that debate could conceivably run on with no power to limit it when, in effect, there was no real subject matter before the Senate. This invites obstruction which serves no real purpose. It is intolerable to a majority and unnecessary for a minority, where the minority has a case to present.

The change now proposed would close this remaining narrow gap and permit the majority to maintain a standard of responsibility on this as on more important motions.

Finally, the third provision of this resolution would write into the rules a simple statement affirming what seems no longer to be at issue. Namely, that the rules of the Senate shall continue in force, at all times, except as amended by the Senate.

This preserves, indisputably, the character of the Senate as the one continuing body in our policy-making process.

It precludes the involvement of the Senate in the obstruction that would occur—or could occur—if, at the beginning of each Congress, a minority might attempt to force protracted debate on the adoption of each Senate rule individually.

These are changes. They are substantial changes. Yet they are not punitive changes on the one hand, nor meaningless changes on the other.

We close the circle of the Senate's ability to proceed responsibly.

We affirm the continuity of the Senate's role.

We assure that if the Senate is able to transact business it shall be able to consider the cloture issue on any decision before it.

These are gains. With the gains come responsibilities.

After this resolution is adopted, none can hide behind the Senate as an excuse against the necessary and demanding work of finding resolutions for the problems of our people. All sides will be able to proceed to the real work—and that work has been neglected by some who have belabored the Senate instead.

By adoption of this resolution, the Senate demonstrates itself to be an institution of freedom for all the Nation—and men who would serve freedom will apply themselves to the more constructive work of understanding and employing the strengths of this institution.

Mr. President, I yield back the remainder of my time on condition that the minority leader will do likewise.

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDING OFFICER. All time having expired or been yielded back, the Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. Have the yeas and nays been ordered upon the pending resolution?

The PRESIDING OFFICER. The yeas and nays have been ordered.

The question is on agreeing to the resolution of the Senator from Texas [Mr. JOHNSON]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. YOUNG of North Dakota (when his name was called). On this vote I have a pair with the senior Senator from New Hampshire [Mr. BRIDGES]. If he were present and voting, he would vote "yea"; if I were permitted to vote, I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Oregon [Mr. NEUBERGER] is absent because of illness.

I further announce that, if present and voting the Senator from Oregon [Mr. NEUBERGER], would vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent on official business and his pair has been previously announced by the Senator from North Dakota [Mr. YOUNG].

The Senator from South Dakota [Mr. MUNDT] is absent on official business and if present and voting, he would vote "yea."

The result was announced—yeas 72, nays 22, as follows:

YEAS—72

Aiken	Dworshak	Martin
Allott	Engle	McCarthy
Anderson	Ervin	McGee
Bartlett	Frear	Monroney
Beall	Goldwater	Morton
Bennett	Gore	Moss
Bible	Green	Murray
Bush	Gruening	Muskie
Butler	Hartke	O'Mahoney
Byrd, W. Va.	Hayden	Pastore
Cannon	Hennings	Prouty
Capehart	Hickenlooper	Proxmire
Carlson	Holland	Randolph
Carroll	Hruska	Saltonstall
Case, N.J	Humphrey	Schoeppel
Case, S. Dak.	Jackson	Scott
Chavez	Johnson, Tex.	Smathers
Church	Jordan	Smith
Clark	Keating	Symington
Cooper	Kefauver	Wiley
Cotton	Kennedy	Williams, N.J.
Curtis	Kerr	Williams, Del.
Dirksen	Magnuson	Yarborough
Dodd	Mansfield	Young, Ohio

NAYS—22

Byrd, Va.	Johnston, S.C.	Robertson
Douglas	Kuchel	Russell
Eastland	Langer	Sparkman
Ellender	Lausche	Stennis
Fulbright	Long	Talmadge
Hart	McClellan	Thurmond
Hill	McNamara	
Javits	Morse	

NOT VOTING—4

Bridges	Neuberger	Young, N. Dak.
Mundt		

So the resolution (S. Res. 5) was agreed to.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER FOR ADJOURNMENT TO WEDNESDAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate adjourns today it adjourn to meet at 12 o'clock noon on Wednesday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ANTI-INFLATION BILL

Mr. O'MAHONEY. Mr. President, the statement I am about to make is in explanation of the bill (S. 215) to restrain inflation, which I introduced this morning.

Because the President in his state of the Union message on Friday last called upon Congress to stop inflation, and because the "Census of Manufactures" has shown an amazing concentration in manufacture of essential commodities in daily use throughout the country, I have introduced a bill to put an immediate brake on the forces of inflation by requiring the comparatively few companies which dominate the manufacture of materials people use, to give advance notice of price increases. It will restrain inflation by focusing the light of public opinion on rising prices before they go into effect, when something can be done about the situation, instead of afterward, when the damage has been done.

REQUIRES ADVANCE NOTIFICATION OF PRICE INCREASES

Specifically my bill will require that price increases of commodities 50 percent or more of which are produced by 8 or fewer corporations must be filed with the Attorney General, the Federal Trade Commission, and both Houses of Congress 30 days in advance of the effective date of the increases. The bill provides further that the Federal Trade Commission hold public hearings on the proposed increases. This procedure will, I feel certain, prove a deterrent to companies planning to raise prices unduly, as they will be reluctant to explain to the American people, who will have to pay the new, higher prices, their reasons for such increases unless these are clearly justified.

To prevent any undue hardship in cases in which the increases are clearly justified, there is a provision in the bill that the Federal Trade Commission, with the approval of the Attorney General, may waive the 30-day waiting period.

As long ago as 1948, I introduced a measure of this kind. Such legislation is long overdue, it seems to me. When a few giant corporations can fix the prices and the supply for the basic commodities in daily use by 170 million Americans—and this is the situation today—it is past time to realize that the people of the United States have become the subjects of private economic government over which their Congress declines to exercise any restraining influence, although it has the constitutional power to do so.

CONCENTRATION OF ECONOMIC POWER IS EXTREME

An analysis of the "1954 Census of Manufactures" reveals the amazing degree of concentration of economic power in the production of our basic commodities. Of the 27 companies which manufacture the $1.8 billion worth of tires and inner tubes Americans used in that year, 91 percent were manufactured by the 8 largest corporations. Eight corporations were responsible for more than 99 percent of the cigarettes smoked in the United States that year, the other four manufacturers supplying less than 1 percent of the greater than $1½ billion supply. Although 109 companies were engaged in the manufacture of tin cans and other tinware, 8 companies produced 88 percent of the supply. And of the more than a billion dollars' worth of synthetic fibers produced in this country in 1954 by 20 companies, 97 percent was manufactured by the 8 largest. Although 141 companies produced the $1.18 billion worth of tractors, the 8 largest account for 88 percent. There were 267 companies engaged in the manufacture of soap and glycerin, but the 8 largest manufactured 89 percent of the overall supply.

Thus it goes. There is scarcely a commodity in daily demand, from the building of homes to living in them, which is not subject to this concentrated control.

My proposal to throw the light of public opinion on price increases requires no new machinery. The Federal Trade Commission now has the power to conduct investigations of price increases. The only thing new about my plan is that the hearings would be held before profiteering took place and not afterward, when it can do the people no good.

ECONOMIC COLLECTIVISM LEADS TO POLITICAL COLLECTIVISM

Congress has not hesitated to enforce a cooling-off period on organized labor, which, under the Railway Labor Act and the Taft-Hartley Act, may not sell its commodity for the price it demands until a certain period of time has elapsed. If we can freeze the wages of labor, certainly we can freeze the prices at which a concentrated business organization sells its products; particularly when the public interest demands that Congress halt inflation.

These corporations which dominate—which control—our economic life are collective institutions, managed, not by their owners, the stockholders, but by hired executive managers. They are setting the pattern for political collectivism, and unless Congress acts to stop this concentration of economic power the battle to prevent political collectivism in the United States will be on us before we know it.

The measure I suggest is a perfectly constitutional proposal. The men who drafted the Constitution of the United States gave to Congress the power to regulate commerce. This power does not belong to the President. It does not belong to the Courts. It belongs to Congress, and if the Members of Congress choose not to exercise this power they will not only be abandoning the people to the profiteers, they will be abandoning their constitutional duty to protect a democratic economy in a democratic system.

REGULATION OF TELEVISION

Mr. MANSFIELD. Mr. President, in the past several weeks two separate and distinct actions have been taken which are of extreme importance to the television viewers of the country. First, the Federal Communications Commission issued an order declaring TV boosters illegal and today a staff report of the Senate Committee on Interstate and Foreign Commerce makes separate recommendations on television service.

Television service and regulation is a problem of great concern to the people of Montana and my colleagues, the senior Senator, Hon. JAMES E. MURRAY, and our two Representatives. We have received numerous communications and I feel compelled to discuss this problem briefly here on the Senate floor today.

Boosters of reflectors have been used for some years as a means of extending television service to small communities remote from metropolitan centers where television stations have largely been concentrated. They usually operate on the VHF frequency. They are the simplest and by far the least expensive means of bringing television service to remote areas. Stripped to its barest essentials, a booster consists of an ordinary rooftop antenna strategically located to receive a usable, though normally weak, signal from a distant station. A shielded cable is connected to a small amplifier running to a second rooftop antenna so situated as to beam the signal down into the community to be served and available power supply to feed the amplifier. Such an array receives the distant signal, amplifies it, and rebroadcasts it at low power on the same channel. Occasionally the booster operates as a VHF translator, converting the signal received to another VHF channel to reduce the chance of interference. In nearly all cities where boosters have been installed, contributions are solicited through the community, or memberships are sold in a television club in order to finance maintenance and operation of the system. This type of financing is necessary because no revenue can be earned from this type of an operation.

It is an established fact that booster service is one of the least expensive of the methods for getting television service in small remote communities. Boosters can achieve this low cost because of the simplicity of their equipment and because since they operate in the VHF band, no additional expense for set conversion, UHF antenna, and so forth, is involved.

Although the low power and largely intrastate operations of most boosters seem to many to present a marginal case for the exercise of the Commission's authority, the Commission's power to regulate boosters has been sustained by the courts.

The Commission became concerned about the appearance of booster operations because of the danger of interference with regular television operation and began writing to many individuals to advise them that the operation of boosters was unauthorized and must cease. Although the Commission's action was motivated by a proper concern over a danger of interference it certainly was not designed to win public acquiescence. That is to say that the Commission failed to step in and provide a sound scheme of regulation for boosters and when their spread seemed to create dangers of serious interference, it sought simply to stamp them out without providing any reasonable alternative.

Certainly the Commission's efforts to suppress interference would have been better received in the areas affected if it had shown equal concern over the need to bring television to these communities at a cost they could afford. Residents of the small communities who hit upon these means of getting television service felt that the good resulting from the booster systems was so evident and the alleged dangers so theoretical that they continued their operation.

In October of 1957 Commissioner T. A. M. Craven, the only Engineer Commissioner who has had extensive practice in the engineering business and considered to be one of the foremost authorities on radio engineering in the country, was sent, along with a staff, to the West to look over the booster developments. Upon his return he prepared a special report for the Commission dated November 6, 1957. It was his opinion "that the Commission's first approach to this booster problem was precipitous, unduly rigorous, unrealistic, and was based upon a narrow interpretation of the Communications Act. Commissioner Craven continued in his report:

> Because the Commission failed to recognize promptly the overwhelming public interest factor involved in providing practicable procedures for establishing television service to small communities in the mountainous areas of the West, it is my opinion that this agency has failed thus far to discharge its statutory obligation to make available, insofar as possible, to all the people in the United States, a rapid, efficient, nationwide radio system. Apparently, the Commission did not recognize soon enough that these low-powered boosters are the only practicable way in which the people residing in those isolated areas can secure any television service whatsoever. We have been shortsighted in this connection, as remedial steps could have been and should have been taken long ago. If necessary, changes in legislation should be requested.

Last May, the Senate Committee on Interstate and Foreign Commerce held hearings in regard to the orderly development of television and devoted a portion of the hearings to the specific problem of bringing service to smaller communities through various devices. After the committee announced the date of its hearings, the FCC instituted a general overall inquiry into the subject of the impact of community antenna systems, boosters, translators and satellites on the orderly development of television broadcasting. It indicated that it was instituting this proceeding as a means to reach conclusions as to the action it may be appropriate to take either by way of Commission policy or legislative recommendations to the Congress.

In the meantime, the FCC in a separate proceeding appeared to have prejudged any action that might have resulted from its overall policy in the above-mentioned proceeding by having announced on December 31, 1958, that it would not adopt standards for VHF boosters.

Commissioner Craven dissented from the Commission's action and stated that it was his opinion that—

> The Commission can and should establish reasonable rules providing for the authorization of VHF boosters on a practical basis.

The staff report issued by the Senate Committee on Interstate and Foreign Commerce after discussing this most important problem of VHF boosters found that—

First. The Commission has a statutory duty to provide television service for as many of the people in this country as it possibly can.

Second. If VHF boosters are technically feasible, as seems demonstrated by their operations to date, the Commission should accept them as one available tool for achieving this end—which means authorizing such facilities under proper rules.

Third. In enunciating rules to regulate boosters, the Commission should go as far as is practicable in modifying its general rules to permit unattended installations incorporating the simplest possible equipment so that the service can continue to be an extremely inexpensive one within the reach of even very small communities.

Fourth. The Commission is not only entitled to insist that boosters not create objectionable interference, but is charged by statute to do so. However, it should operate on the principle that interference is not to be assumed, but must be proved—and must be shown to be so significant that it cannot be permitted to continue.

When an experienced engineer who has made an on-the-spot inquiry, as did Commissioner Craven, makes the unequivocal statement that regulations can be adopted by the FCC which will permit boosters to operate without interfering with any other services; and the staff of the Senate Interstate and Foreign Commerce, after extensive hearings, makes the findings outlined above, a serious question is raised as to the adequacy of the action taken by the majority of the Commission with reference to VHF boosters. Further, how can the Commission flatly deny the licensing of boosters in one proceeding and still have pending and awaiting final decision an important proceeding in which it will determine its overall policy regarding boosters, translators, satellites, and so forth? Is this not prejudging?

If my analysis is correct, and the position of Commissioner Craven and the Senate staff report sound, plus the pending proceeding involving the overall policy concerning boosters, translators, and the like, then the Commission should reexamine its position and take into consideration the hardships and other problems that may be created as a result of its denying the use of VHF frequencies for booster operations. I am hopeful that they will recognize this and proceed immediately to reexamine this problem. Otherwise, I will urge Chairman WARREN G. MAGNUSON and the Committee on Interstate and Foreign Commerce to bring Commissioner

Craven and his colleagues before the committee to explain this divergence in views with respect to the practicality of adopting reasonable rules.

Television has become an important part in the lives of the American families; it is now a major media for educational and entertainment purposes. It seems to me that some arrangement can be arrived at whereby the independent live television stations, the translators, the boosters and cable service can all operate under a regulated pattern; each is important and vital to the cities, small towns, and isolated communities in this country. This is not a problem isolated in the West; it concerns the television viewers in every part of the Nation.

Mr. President, I ask unanimous consent that a statement I issued on December 31, 1958, be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MANSFIELD

Upon announcement of the notice by FCC with respect to their order declaring TV boosters illegal, Senator MANSFIELD today stated he has been conferring with the chairman of the Senate Interstate and Foreign Commerce Committee who has advised him that as a result of the hearings, which were held by the Senate committee last year with respect to TV in Montana, a report will be issued within a matter of days. Senator MANSFIELD stated further that until such time as the actual order is issued by the Commission, he is not in a position to state what action will be taken to bring about the best possible TV service for the people of Montana. However, Senator MANSFIELD continued, it would appear that 90 days does not seem to be a reasonable period of time for boosters to convert and that it is his intention to make a request of the Commission to give further consideration to the period of time for conversion if this is declared mandatory.

Senator MANSFIELD stated further that so far as he is concerned, it is his intention to continue to see that an orderly plan for television be worked out so that the people of his State will not be discriminated against. Senator MANSFIELD will wait to see the report issued by the committee to be guided as to the next step which will be taken by his and the other Members of the Montana delegation. He further stated that he will not let up in his efforts until such time as he sees that all the people of Montana are able to get television service by the best possible means.

ESTABLISHMENT OF COAL RESEARCH AND DEVELOPMENT COMMISSION

Mr. COOPER. Mr. President, I rise to speak on S. 49, introduced by the junior Senator from Illinois [Mr. DIRKSEN], and in which I have joined as a sponsor, together with my colleague, the junior Senator from Kentucky [Mr. MORTON] and other Senators from coal-producing States, namely, the Senator from Montana [Mr. MURRAY], the Senator from Colorado [Mr. ALLOTT], the junior Senator from West Virginia [Mr. BYRD], the senior Senator from Pennsylvania [Mr. CLARK], the Senator from Wyoming [Mr. O'MAHONEY], the senior Senator from West Virginia [Mr. RANDOLPH], and the junior Senator from Pennsylvania [Mr. SCOTT]. It is a bill to establish a Coal Research and Development Commission to encourage and stimulate the production and conservation of coal in the United States.

I desire to mention the valuable work done by a fellow Kentuckian, the Honorable Harry La Viers, of Paintsville, Ky., in presenting testimony to the Senate and House Committees on Interior and Insular Affairs, advocating the establishment of a Coal Research and Development Commission.

A few years ago the Bureau of Mines, together with Bituminous Coal Research, Inc., a privately financed research organization, financed, I believe, by coal companies, and assisted by the United Mine Workers of America, conducted a survey of possible areas of coal research. They determined that some 209 surveys should be undertaken as a means of making it possible to take full advantage of the immense energy reserves available in domestic coal. These projects were listed in nine major categories: Coal resources; mining, preparation of coal, storage and transportation; coal combustion; coke and coal chemicals; gasification of coal; coal hydrogenation in oil; and physical and chemical properties.

It is estimated that about 30 percent of the Nation's energy demands are currently being met by coal. If this ratio continues, by 1975 approximately 800 million tons of coal will be produced in the United States. In 1958, less than 500 million tons were produced. But if the highest figure is to be reached, there must be a higher rate of production and new uses, better methods of coal preparation, and more effective and cheaper methods of transportation must be found.

These are some of the factors about which the Commission will make inquiry. The coal operators and the United Mine Workers of America favor the bill. There are many others who recognize the great value of coal to the Nation and the national defense, and are interested in the passage of the bill.

I am particularly interested in the establishment of a Commission because my State, Kentucky, stands third in the Nation in the production of coal, and fifth among the States—at least, before the admission of Alaska—in coal reserves.

Eastern Kentucky coal is the best in the world in metallurgical and chemical properties. West Kentucky coal is one of the best steam coals in the United States, and is also high in valuable chemical properties. Yet, I am sad to say that with all its great material wealth, the economy of the coal-producing area is depressed, coal miners and others are unemployed and without funds or savings, and their unemployment insurance is exhausted. They and their families are in want. The bill will not immediately help these people or the depressed coal regions of Kentucky. We must find quicker help for them.

But the situation in my State points up the necessity of looking ahead, of establishing a coal research and development commission now, in order to devise improved methods to mine and use the rich coal reserves of Kentucky and the other coal-producing States.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS BY SENATOR MORSE

Mr. MORSE. Mr. President, I have a series of bills which, in the course of my remarks, I shall send to the desk for printing and appropriate reference. I introduce them tonight only because we have been laboring under a unanimous-consent agreement which has made it impossible for me to introduce them heretofore.

My statements concerning the bills have already received some circulation. I have pledged to introduce them today.

IMPROVEMENTS IN THE RAILROAD RETIREMENT PROGRAM

Mr. MORSE. Mr. President, earlier today I introduced for appropriate reference a bill to provide improvements in the railroad retirement program. It was introduced for myself and on behalf of 23 other Senators. I ask that it be printed and appropriately referred; and I ask unanimous consent that the text of the bill be printed in the RECORD as a part of my remarks.

There being no objection, the bill (S. 226) was ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

PART I—AMENDMENTS TO THE RAILROAD RETIREMENT ACT OF 1937

SECTION 1. (a) Section 2(a)3 of the Railroad Retirement Act of 1937 is amended to read as follows:

"3. Individuals who will have attained the age of sixty and will have completed thirty years of service or, in the case of women, who will have attained the age of sixty-two and will have completed less than thirty years of service, but the annuity of such individual shall be reduced by one one-hundred-and-eightieth for each calendar month that he or she is under age sixty-five when the annuity begins to accrue."

(b) Section 2(d) of such Act is amended by adding at the end thereof the following new sentence: "If pursuant to the third sentence of this subsection an annuity was not paid to an individual with respect to one or more months in any calendar year, and it is subsequently established that the total amount of such individual's earnings during such year as determined in accordance with that sentence (but exclusive of earnings for services described in the first sentence of this subsection) did not exceed $1,200, the annuity with respect to such month or months, and any deduction imposed by reason of the failure to report earnings for such month or months under the fifth sentence of this subsection, shall then be payable. If the total amount of such individual's earnings during such year (exclusive of earnings for services described in the first sentence of this subsection) is in excess of $1,200, the number of months in such year with respect to which an annuity is not

payable by reason of such third and fifth sentences shall not exceed one month for each $100 of such excess, treating the last $50 or more of such excess as $100; and if the amount of the annuity has changed during such year, any payments of annuity which become payable solely by reason of the limitation contained in this sentence shall be made first with respect to the month or months for which the annuity is larger."

(c) Section 2 (e) of such Act is amended by striking out "than an amount" and inserting in lieu thereof "than 110 per centum of an amount".

(d) Section 2 (g) of such Act is amended by inserting after "wife under age 65" the following: "(other than a wife who is receiving such annuity by reason of an election under subsection (h))".

(e) Section 2 of such Act is further amended by adding at the end thereof the following new subsection:

"(h) A spouse who would be entitled to an annuity under subsection (e) if she or he had attained the age of 65 may elect upon or after attaining the age of 62 to receive such annuity, but the annuity in any such case shall be reduced by one one-hundred-and-eightieth for each calendar month that the spouse is under age 65 when the annuity begins to accrue."

SEC. 2. (a) Section 3 (a) of the Railroad Retirement Act of 1937 is amended (1) by striking out "3.04", "2.28", and "1.52" and inserting in lieu thereof "3.35", "2.51", and "1.67", respectively; and (2) by striking out "$200" and inserting in lieu thereof "$250".

(b) Section 3 (c) of such Act is amended by inserting after "or in excess of $350 for any month after June 30, 1954," the following: "and before January 1, 1959, or in excess of $400 for any month after December 31, 1958,".

(c) Section 3 (e) of such Act is amended (1) by striking out "$4.55", "$75.90", and "his monthly compensation" and inserting in lieu thereof "$5.00", "$83.50" and "110 per centum of his monthly compensation", respectively; (2) by striking out "is less than the amount, or the additional amount" and inserting in lieu thereof "is less than 110 per centum of the amount, or 110 per centum of the additional amount"; (3) by inserting after "age sixty-five," the following: "women entitled to spouses' annuities pursuant to elections made under subsection (h) of section 2 to be entitled to wife's insurance benefits determined under section 202 (q) of the Social Security Act,"; and (4) by striking out "such amount or such additional amount" and inserting in lieu thereof "110 per centum of such amount or 110 per centum of such additional amount".

SEC. 3. (a) Section 5(f)(2) of the Railroad Retirement Act of 1937 is amended by striking out "and 7 per centum of his or her compensation after December 31, 1946 (exclusive in both cases of compensation in excess of $300 for any month before July 1, 1954, and in the latter case in excess of $350 for any month after June 30, 1954)," and by inserting in lieu thereof the following: "plus 7 per centum of his or her compensation paid after December 31, 1946, and before January 1, 1959, plus 7½ per centum of his or her compensation paid after December 31, 1958, and before January 1, 1962, plus 8 per centum of his or her compensation paid after December 31, 1961 (exclusive of compensation in excess of $300 for any month before July 1, 1954, and in excess of $350 for any month after June 30, 1954, and before January 1, 1959, and in excess of $400 for any month after December 31, 1958),".

(b) Section 5(h) of such Act is amended by striking out "$33", "$176", and "$15.40" wherever they appear and inserting in lieu thereof "$36.30", "$193.60", and "$16.95", respectively.

(c) Section 5(i)(1)(ii) of such Act is amended by striking out "or in which month he engaged on seven or more different calendar days in noncovered remunerative activity outside the United States (as defined in section 203(k) of the Social Security Act)" and inserting in lieu thereof the following: "or, having engaged in any activity outside the United States, would be charged under such section 203(e) with any earnings derived from such activity if it had been an activity within the United States".

(d) Clause (A)(i) of section 5(1)(9) of such Act is amended by striking out the word "and" appearing after "July 1, 1954," and by inserting after "June 30, 1954," the following: "and before January 1, 1959, and any excess over $400 for any calendar month after December 31, 1958,".

(e) Clause (A) (ii) of section 5 (1) (9) of such Act is amended (1) by inserting "and before 1959" after "1954" where it first appears; (2) by inserting after "$4,200" where it first appears the following: , "or for any calendar year after 1958 is less than $4,800,"; (3) by striking out "$350" and inserting in lieu thereof "$400"; and (4) by striking out "and $4,200 for years after 1954, by" and inserting in lieu thereof the following: ", $4,200 for years after 1954 and before 1959, and $4,800 for years after 1958, by".

(f) Section 5 (1) (10) of such Act is amended by striking out "44", "11", "$350", "$15.40", "$36.66", "$27.50", and "$14.66" wherever they appear and inserting in lieu thereof "49", "12", "$400", "$16.95", "$40.33", "$30.25", and "$16.13", respectively.

SEC. 4. All pensions under section 6 of the Railroad Retirement Act of 1937, all joint and survivor annuities and survivor annuities deriving from joint and survivor annuities under that Act awarded before January 1, 1959, all widows' and widowers' insurance annuities which began to accrue before February 1, 1959, and which, in accordance with the proviso in section 5 (a) or section 5 (b) of the Railroad Retirement Act of 1937, are payable in the amount of the spouse's annuity to which the widow or widower was entitled, and all annuities under the Railroad Retirement Act of 1935, are increased by 10 per centum.

SEC. 5. (a) The amendments made by section 1 (other than subsection (b) thereof), by subsections (a) and (c) of section 2, and by subsections (b) and (c) of section 3 shall be effective only with respect to annuities (not including annuities to which section 4 applies) accruing for months after December 1958. The amendment made by subsection (b) of section 1 shall be effective with respect to annuities accruing during the calendar year 1959 and subsequent calendar years. The amendment made by subsection (a) of section 3 shall be effective only with respect to lump-sum payments (under section 5 (f) (2) of the Railroad Retirement Act of 1937) in the case of deaths occurring after December 1958. The amendments made by subsection (f) of section 3 shall be effective only with respect to annuities accruing for months after December 1958 and lump-sum payments (under section 5 (f) (1) of the Railroad Retirement Act of 1937) in the case of deaths occurring after December 1958. Section 4 shall be effective only with respect to pensions due in calendar months after January 1959 and annuities accruing for months after December 1958.

(b) All recertifications required by reason of the amendments made by this part shall be made by the Railroad Retirement Board without application therefor.

PART II. AMENDMENTS TO THE RAILROAD RETIREMENT TAX ACT

SEC. 201. (a) Section 3201 of the Railroad Retirement Tax Act is amended to read as follows:

"SEC. 3201. Rate of Tax.

"In addition to other taxes, there is hereby imposed on the income of every employee a tax equal to—

"(1) 6¾ percent of so much of the compensation paid to such employee for services rendered by him after December 31, 1958, and before January 1, 1962, and

"(2) 7¼ percent of so much of the compensation paid to such employee for services rendered by him after December 31, 1961,

as is not in excess of $400 for any calendar month: *Provided*, That the rate of tax imposed by this section shall be increased, with respect to compensation paid for services rendered after December 31, 1964, by a number of percentage points (including fractional points) equal at any given time to the number of percentage points (including fractional points) by which the rate of the tax imposed with respect to wages by section 3101 at such time exceeds the rate provided by paragraph (2) of such section 3101 as amended by the Social Security Amendments of 1956."

(b) Section 3202(a) of the Railroad Retirement Tax Act is amended (1) by striking out "after December 31, 1954" wherever it appears and inserting in lieu thereof "after December 31, 1958"; (2) by striking out "$350" wherever it appears and inserting in lieu thereof "$400"; (3) by striking out "after 1954" and inserting in lieu thereof "after 1958."

(c) Section 3211 of the Railroad Retirement Tax Act is amended to read as follows:

"SEC. 3211. Rate of tax.

"In addition to other taxes, there is hereby imposed on the income of each employee representative a tax equal to—

"(1) 13½ percent of so much of the compensation paid to such employee representative for services rendered by him after December 31, 1958, and before January 1, 1962, and

"(2) 14½ percent of so much of the compensation paid to such employee representative for services rendered by him after December 31, 1961,

as is not in excess of $400 for any calendar month: *Provided*, That the rate of tax imposed by this section shall be increased, with respect to compensation paid for services rendered after December 31, 1964, by a number of percentage points (including fractional points) equal at any given time to twice the number of percentage points (including fractional points) by which the rate of the tax imposed with respect to wages by section 3101 at such time exceeds the rate provided by paragraph (2) of such section 3101 as amended by the Social Security Amendments of 1956."

(d)(1) Section 3221 of the Railroad Retirement Tax Act is amended by striking out "In addition to" and all that follows down through "$350" the first time it appears, and inserting in lieu thereof the following:

"(a) In addition to other taxes, there is hereby imposed on every employer an excise tax, with respect to having individuals in his employ, equal to—

"(1) 6¾ percent of so much of the compensation paid by such employer for services rendered to him after December 31, 1958, and before January 1, 1962, and

"(2) 7¼ percent of so much of the compensation paid by such employer for services rendered to him after December 31, 1961, as is, with respect to any employee for any calendar month, not in excess of $400."

(2) Such section 3221 is further amended (A) by striking out "1954" wherever else it

appears in that section and inserting in lieu thereof "1958"; (B) by striking out "$350" wherever else it appears in that section and inserting in lieu thereof "$400"; and (C) by adding at the end thereof the following new subsection:

"(b) The rate of tax imposed by subsection (a) shall be increased, with respect to compensation paid for services rendered after December 31, 1964, by a number of percentage points (including fractional points) equal at any given time to the number of percentage points (including fractional points) by which the rate of the tax imposed with respect to wages by section 3111 at such time exceeds the rate provided by paragraph (2) of such section 3111 as amended by the social-security amendments of 1956."

SEC. 202. The amendments made by section 201 shall, except as otherwise provided in such amendments, be effective as of January 1, 1959, and shall apply only with respect to compensation paid after December 31, 1958, for services rendered after such date.

PART III. AMENDMENTS TO THE RAILROAD UNEMPLOYMENT INSURANCE ACT

SEC. 301. Section 1(i) of the Railroad Unemployment Insurance Act is amended by striking out the proviso in the first sentence and inserting in lieu thereof ": *Provided, however,* That in computing the compensation paid to any employee, no part of any month's compensation in excess of $300 for any month before July 1, 1954, or in excess of $350 for any months after June 30, 1954, and before January 1, 1959, or in excess of $400 for any month after December 31, 1958, shall be recognized".

SEC. 302. (a) Section 2(a) of the Railroad Unemployment Insurance Act is amended by striking out the language between "(i)" and "(ii)" and inserting in lieu thereof the following: "for each day of unemployment in excess of four during any registration period, and".

(b) Section 2(a) of such act is further amended by striking out columns I and II and inserting in lieu thereof the following:

"Column I Total Compensation	Column II Daily Benefit Rate
$500 to $699.99	$4.50
700 to 999.99	5.00
1,000 to 1,299.99	5.50
1,300 to 1,599.99	6.00
1,600 to 1,899.99	6.50
1,900 to 2,199.99	7.00
2,200 to 2,499.99	7.50
2,500 to 2,799.99	8.00
2,800 to 3,099.99	8.50
3,100 to 3,499.99	9.00
3,500 to 3,999.99	9.50
4,000 and over	10.20"

(c) The proviso in such section 2(a) is amended by striking out "50" and "$8.50" and inserting in lieu thereof "60" and "$10.20", respectively.

SEC. 303. (a) Section 2(c) of the Railroad Unemployment Insurance Act is amended by striking out the period at the end thereof and inserting in lieu of such period a colon and the following: *"And provided further,* That, with respect to an employee who has 10 or more years of service as defined in section 1(f) of the Railroad Retirement Act of 1937, who did not voluntarily leave work without good cause or voluntarily retire, and who had current rights to normal benefits for days of unemployment in a benefit year but has exhausted such rights, the benefit year in which such rights are exhausted shall be deemed not to be ended until the last day of the extended benefit period determined under the following schedule, and the maximum number of days of, and amount of payment for, unemployment within such benefit year for which benefits may be paid to the employee shall be enlarged to include all compensable days of unemployment within such extended benefit period:

"If the employee's 'years of service' total—	The extended benefit period shall begin on the first day of unemployment following the day on which the employee exhausted his then current rights to normal benefits for days of unemployment and shall continue for successive 14-day periods (each of which periods shall constitute a registration period) until the number of such 14-day periods totals—
10 and less than 15	7 (but not more than 65 days)
15 and over	13

but no such extended benefit period shall extend beyond the beginning of the first registration period in a benefit year in which the employee is again qualified for benefits in accordance with section 3 of this act on the basis of compensation earned after the first of such successive 14-day periods has begun. For an employee who has 10 or more years of service, who did not voluntarily leave work without good cause or voluntarily retire, who has 14 or more consecutive days of unemployment, and who is not a qualified employee for the general benefit year current when such unemployment commences but is or becomes a qualified employee for the next succeeding general benefit year, such succeeding benefit year shall, in his case, begin on the first day of the month in which such unemployment commences."

(b) An employee who has less than 10 years of service as defined in section 1(f) of the Railroad Retirement Act of 1937, and who has after June 30, 1957, exhausted (within the meaning prescribed by the Railroad Retirement Board by regulation) his rights to unemployment benefits, shall be paid unemployment benefits for days of unemployment, not exceeding 65, which occur in registration periods beginning on or after June 19, 1958, and before April 1, 1959, and which would not be days with respect to which he would be held entitled otherwise to receive unemployment benefits under the Railroad Unemployment Insurance Act, except that an employee who has filed, and established, a first claim for benefits under the Temporary Unemployment Compensation Act of 1958 may not thereafter establish a claim under this subsection, and an employee who has registered for, and established, a claim for benefits under this subsection may not thereafter establish a claim under the Temporary Unemployment Compensation Act of 1958. Except to the extent inconsistent with this subsection, the provisions of the Railroad Unemployment Insurance Act shall be applicable in the administration of this subsection.

(c) The Secretary of Labor, upon request shall furnish the Board information deemed necessary by the Board for the administration of the provisions of subsection (b) hereof, and the Board, upon request, shall furnish the Scretary of Labor information deemed necessary by the Secretary for the administration of the Temporary Unemployment Compensation Act of 1958.

SEC. 304. Section 3 of the Railroad Unemployment Insurance Act is amended by striking out "$400" and inserting in lieu thereof "$500."

SEC. 305. Section 4 (a-2) of the Railroad Unemployment Insurance Act is amended by striking out subdivision (iv), and by striking out the semicolon at the end of subdivision (iii) and inserting in lieu thereof a period.

SEC. 306. Section 8 (a) of the Railroad Unemployment Insurance Act is amended (1) by inserting after "June 30, 1954" where it first appears the following: ", and before January 1, 1959, and is not in excess of $400 for any calendar month paid by him to any employee for services rendered to him after December 31, 1958"; (2) by inserting after "June 30, 1954" where it appears for the second time the following: ", and before January 1, 1959, and to not more than $400 for any month after December 31, 1958"; (3) by inserting after "June 30, 1954" where it appears for the third time the following: ", and before January 1, 1959, or less than $400 if such month is after December 31, 1958"; (4) by striking out "1947" in paragraph 2 and inserting in lieu thereof "1958"; and (5) by striking out the table (except the column headings) in such paragraph 2 and inserting in lieu thereof the following:

	Percent
"$450,000,000 or more	1½
$400,000,000 or more but less than $450,000,000	2
$350,000,000 or more but less than $400,000,000	2½
$300,000,000 or more but less than $350,000,000	3
Less than $300,000,000	3½"

SEC. 307. Section 8 (b) of the Railroad Unemployment Insurance Act is amended (1) by striking out "3 per centum" and inserting in lieu thereof "3½ per centum"; and (2) by inserting before the period at the end of the first sentence the following: ", and before January 1, 1959, and as is not in excess of $400 paid to him for services rendered as an employee representative in any calendar month after December 31, 1958".

SEC. 308. The amendments made by sections 302, 303 (a), and 305 shall be effective with respect to benefits accruing in general benefit years which begin after the benefit year ending June 30, 1958, and in extended benefit periods which begin after December 31, 1957. The amendment made by section 304 shall be effective with respect to base years after the base year ending December 31, 1957. The amendments made by clauses (4) and (5) of section 306 and clause (1) of section 307 shall be effective as of January 1, 1959, and shall apply only with respect to compensation paid for services rendered in calendar months after December 31, 1958.

Mr. MORSE. Mr. President, the bill which I introduced today would strengthen the railroad social insurance system through amendments to the Railroad Retirement Act, the Railroad Unemployment Insurance Act, and the Railroad Retirement Tax Act. It is identical for all practical purposes to the bill S. 1313 as it passed the Senate on August 22, 1958.

A vote on the provisions of that bill was not reached in the House in the last session. In my opinion this was most regrettable because numerous railroad workers and their families urgently need the retirement and unemployment benefits provided by the bill.

A SOUND ACTUARIAL BASIS FOR INCREASED BENEFITS

The bill would serve the public interest by returning the railroad retirement system to an essentially sound actuarial basis and strengthening the morale of railroad workers by providing for them a

better retirement and unemployment insurance system.

The increase in taxes and in the compensation base to which the taxes apply would reduce the present actuarial deficit of 4.18 percent of taxable payroll or some $213 million a year to an estimated 0.60 percent or some $34 million a year. This would accord with the request of the President made in 1956 when he signed the stopgap legislation providing a moderate increase in retirement benefits.

The American railroad system which is, of course, one of the most vital and important segments of the national transportation system and which is so important to the Nation's welfare, economic strength, and defense, cannot function without a stable and experienced work force. To maintain such a work force it must compete with other industry which generally provides private retirement benefits supplementary to social security benefits. As my colleagues know, social security benefits were increased substantially in the very last session of Congress.

The increased retirement and unemployment benefits, as well as the financial stabilization provided by this bill, would serve to better the condition of the railroad worker and greatly help the railroads to preserve their efficient labor force on which the industry and the Nation are so dependent.

RETIREMENT BENEFITS

The bill would provide a modest increase of 10 percent in all forms of railroad retirement benefits including, of course, benefits for dependents of deceased railroad workers.

It would permit wives of retired railroad workers to obtain benefits on a reduced basis as early as age 62, as wives of retired workers can now under the social security system. Also, women railroad employees with less than 30 years of service could receive benefits on a reduced basis at age 62.

Disability annuitants would be permitted to earn more in outside employment without losing benefits. Survivor annuitants living outside the United States would be treated in the same manner as those living in the United States with respect to earnings which would disqualify them for benefits. The residual lump-sum benefit would be changed to conform to the increased tax requirements; and the credit base for earnings, for benefit-computing purposes, would be raised from a maximum of $350 to $400 a month.

FINANCING THE RETIREMENT BENEFITS

The taxes collected for railroad retirement purposes would be increased in rate for both employees and employers from 6¼ percent to 6¾ percent until 1962 when the rate would be raised to 7¼ percent. A later rise in the rate would occur if scheduled increases in the social security tax rate carry through. Also, the rate would apply to as much as $400 of monthly compensation as against the present $350 maximum. These changes would pay for the added benefits and eliminate, for all practical purposes, the present actuarial deficiency in the system's financing.

UNEMPLOYMENT INSURANCE BENEFITS

Benefits under the unemployment insurance system would be increased to bring the maximum benefit for a day of unemployment or sickness to $10.20 as compared with the present $8.50. Similar increases would be provided for lower steps in the benefits rate. The amount of earnings in the base year necessary to qualify for benefits would be raised from $400 to $500. Sundays and holidays would be treated under all circumstances as other days, and as much as 10 days in the first registration period in a benefit year would be paid for just as in the case of later periods.

For long-service employees with 15 or more years of service the benefit year, now allowing for benefits for a maximum of 130 days, would be extended to provide an additional benefit period of 130 days. Employees with less than 15 but at least 10 years of service would have a similar extension of the benefit, with a maximum of 65 additional days of unemployment. An employee with less than 10 years of service, who has, after June 30, 1957, exhausted his rights to unemployment benefits under present law, would receive additional unemployment benefits for days of unemployment not exceeding 65, which occur in registration periods beginning on or after June 19, 1958, and before April 1, 1959.

FINANCING THE UNEMPLOYMENT BENEFITS

To pay for all these additional benefits and to assure the solvency of the unemployment system the contribution required from employers would be raised in rate to 3½ percent of payroll, which rate would go into effect when the money in the benefit-paying account falls below $300 million, instead of the present 3-percent rate payable when that balance falls below $250 million. Lower contribution rates would be provided on a step basis when the balance in the account increases, with a minimum rate of 1½ percent to be paid when the account balance reaches $450 million. As in the case of the railroad retirement system the tax and credit base would be raised from a maximum of $350 a month to $400.

As chairman of the Railroad Retirement Subcommittee of the Senate Committee on Labor and Public Welfare, I intend to schedule early hearings on this bill. I sincerely hope that within a relatively short time we shall obtain favorable action on the bill in the committee and on the floor of the Senate. In my opinion early action is warranted because increases in retirement and unemployment benefits for railroad workers and their families are long overdue. They will enable retired workers to deal more effectively with the present high cost of living, and the extension of unemployment benefits gives due recognition to the serious unemployment situation which exists in the railroad industry today. The bill is meritorious; its provisions are fair and equitable; its enactment will provide economic benefits throughout an important segment of our national economy.

PROPOSED STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. MORSE. Mr. President, as I did in the 85th and 84th Congresses, I now submit a resolution amending the Senate rules to establish a standing legislative committee on veterans affairs.

And, as in the past, the proposal again has wide support. Many Members on both sides of the aisle have sponsored this same resolution in recent Congresses. I introduce it now for myself and my following colleagues: Senators HOLLAND, TALMADGE, MOSS, CHAVEZ, MURRAY, LANGER, NEUBERGER, YOUNG of North Dakota, HUMPHREY, GRUENING, JAVITS, MARTIN, KUCHEL, CHURCH, ENGLE, BYRD of West Virginia, CANNON, KEFAUVER, MCGEE, KEATING, BARTLETT, RANDOLPH, and YARBOROUGH.

There is nothing new or daring about this proposal.

It was actually recommended to the Senate in 1946 by the La Follette-Monroney committee, which made so many outstanding recommendations on the reorganization of Congress.

At that time, the list of committees proposed by the La Follette-Monroney committee included a Committee on Veterans Affairs in both the House and the Senate.

As we know, the House of Representatives accepted and carried out that recommendation; the Senate did not.

The result has been a distribution of veterans proposed legislation among several Senate committees.

In the 80th Congress, I may say, I was chairman of the Veterans' Affairs Subcommittee of the Senate Committee on Labor and Public Welfare. We did much work on bills affecting and amending the GI bill of rights, then in effect.

But my experience in that capacity convinced me that the Senate should have followed the recommendation of the La Follette-Monroney committee, and should have put veterans proposed legislation under a single standing committee.

It has been a matter of great regret to me that so much desirable proposed legislation, particularly on pension benefits, has passed the other body, only to die in a Senate committee without ever giving the Senate itself an opportunity to pass on it. Pension bills now go to the Finance Committee. It is no reflection on our Finance Committee to point out that its work load from all tax matters, social security matters, and tariff matters is simply too great to permit it to give to pension measures the consideration they deserve.

But we are not doing our duty to the millions of our citizens who have served in the Nation's Armed Forces.

The major veterans' organizations continue to support and endorse the establishment of this committee. It was again recommended in a resolution adopted at this year's American Legion convention.

In submitting it, I sincerely hope it will receive the early consideration of the Rules Committee.

I submit the resolution and ask that it be printed and appropriately referred,

and ask unanimous consent that a copy of the resolution be printed at this point in the RECORD, as a part of my remarks.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution will be printed in the RECORD.

The resolution (S. Res. 19), submitted by Mr. MORSE (for himself and other Senators), was received and referred to the Committee on Rules and Administration, as follows:

Resolved, That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) striking out subparagraphs 10 through 13 in paragraph (h) of section (1);

(2) striking out subparagraphs 16 through 19 in paragraph (l) of section (1); and

(3) inserting in section (1) after paragraph (p) the following new paragraph:

"(q) Committee on Veterans' Affairs, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pensions of all wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care, treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life."

SEC. 2—

Section (4) of rule XXV of the Standing Rules of the Senate is amended to read as follows:

"(4) Each Senator shall serve on two standing committees and no more; except that not to exceed twenty-six Senators of the majority party and not to exceed eleven Senators of the minority party, who are members of the Committee on the District of Columbia, the Committee on Government Operations, the Committee on Post Office and Civil Service, the Committee on Aeronautic and Space Sciences, or the Committee on Veterans' Affairs, may serve on three standing committees and no more."

DONALD D. ELLIS

Mr. MORSE. Mr. President, I introduce, for appropriate reference, a bill for the relief of Donald D. Ellis, an individual trading as the Ellis Timber Co. I ask unanimous consent that the bill may be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 243) for the relief of Donald D. Ellis, an individual trading as the Ellis Timber Co., introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Donald D. Ellis of Portland, Oregon, an individual trading as the Ellis Timber Company, the sum of $9,593.70. The payment of such sum shall be in full satisfaction of his claim against the United States for reimbursement of losses sustained by him under contract No. 14–11–001(14)–268, dated August 20, 1957, entered into between the Bureau of Land Management and the said Donald D. Ellis authorizing him to cut and remove timber from certain land owned by the United States, such losses having occurred as a result of an error made by the Bureau of Land Management in estimating the merchantable volume of timber on such land.

SEC. 2. Donald D. Ellis, an individual trading as the Ellis Timber Company, is hereby relieved of all liability for payment to the United States of the sum of $2,118.00, representing the amount of the unpaid balance owed by him to the United States under the contract referred to in the first section of this Act: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

ALEXANDER ANTONIOU

Mr. MORSE. Mr. President, I introduce, for appropriate reference, a bill for the relief of Alexander Antoniou. I ask unanimous consent that the bill may be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 244) for the relief of Alexander Antoniou, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Alexander Antoniou shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

UMEKO PARKER

Mr. MORSE. Mr. President, I introduce, for appropriate reference, a bill for the relief of Umeko Parker. I ask unanimous consent that the bill may be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 245) for the relief of Umeko Parker, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of the Immigration and Nationality Act, Umeko Parker, the widow of a United States citizen, shall be held and considered to be a nonquota immigrant.

MILAN BORIC

Mr. MORSE. Mr. President, on behalf of myself and my colleague the junior Senator from Oregon [Mr. NEUBERGER], I introduce, for appropriate reference, a bill for the relief of Milan Boric.

Let me say good-naturedly, Mr. President, that this is some evidence that the two Senators from Oregon are still on speaking terms.

I ask unanimous consent that the bill may be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 246) for the relief of Milan Boric, introduced by Mr. MORSE (for himself and Mr. NEUBERGER), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Milan Boric shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

REMOVAL OF RESERVATION OF TIMBER RIGHTS FROM PATENT ISSUED TO IVAN H. McCORMACK

Mr. MORSE. Mr. President, on behalf of myself and my colleague, the junior Senator from Oregon [Mr. NEUBERGER], I introduce, for appropriate reference a joint resolution to provide for the removal of a reservation of timber rights from a patent issued to Ivan H. McCormack.

I ask unanimous consent that the joint resolution be printed in the RECORD.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 9), to provide for the removal of a reservation of timber rights from a patent issued to Ivan H. McCormack, introduced by Mr. MORSE (for himself and Mr. NEUBERGER), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Whereas the Act of August 23, 1935, authorized the conveyance of certain land in Oregon to Ivan H. McCormack;

Whereas the patent conveying such land contained a reservation to the United States of the timber on such land; and

Whereas a field inspection by the Department of the Interior has revealed that no merchantable timber remains on such land: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act for the relief of Ivan H. McCormack", approved August 23, 1935 (49 Stat. 2163), is amended by striking out ": *Provided further,* That the patent issued hereunder shall contain a reservation to the United States of the timber on the northeast quarter southwest quarter and the northwest quarter southeast quarter of said section 31, which timber shall remain subject to sale, and the proceeds thereof shall be credited to the 'Oregon and California land-grant fund' in accordance with the provisions of the Act of June 9, 1916 (39 Stat. L. 218)".

SEC. 2. The Secretary of the Interior shall execute and deliver to Clarence A. Sapp and Pearl E. Sapp of Philomath, Oreg., an appropriate written instrument which will effect with respect to the land conveyed under such Act the amendment made by the first section of this Act.

THE DISTRICT OF COLUMBIA CHARTER COMMISSION

Mr. MORSE. Mr. President, the members of the Senate will recall that in the closing days of the 85th Congress a doomed so-called home rule measure for the District of Columbia passed this body, only to languish and die from attrition and lack of care in the quietness of the House Committee on the District of Columbia. This was not an unforeseen phenomenon. In view of the content of the administration version of home rule—a content, I may say, which was compromised even in its inception—there were few to truly mourn its passing.

In fact, Mr. President, some us warned the Senate that there was no chance that the administration's so-called territorial home rule bill would ever see the light of a committee hearing on the House side. Therefore, we felt that the Senate was engaged in an inexcusable gesture and act of political window-dressing in putting through this body a territorial home rule bill so thoroughly unsound in principle as the bill which the Senate considered and passed at the last session of Congress. Even some of the leading spokesmen for the bill in the Senate, in the course of the debate, admitted that the bill was not sound in principle, as compared with the Neely-Morse bill, the principle of which on three different occasions passed the Senate. However, Mr. President, that is history. I hope we shall not continue to make the same sad record in regard to home rule for the District of Columbia.

The action last year was the fourth time since the establishment of the present form of government in the District that a bill purporting to grant home rule to the District had been passed by the Senate. No home rule act has yet been passed by the House of Representatives. Only once—on May 6, 1948—was a home rule measure even reported to the floor of the House by a committee of that legislative body. Clearly, the time has come to seek to strengthen the chance of home rule for the District by following an approach hitherto untried.

It was for this reason that in the debate which preceded the passage of Senate bill 1846, last August, I submitted an amendment in the nature of a substitute, not so much under the illusion that it would be accepted, but, rather, because I anticipated that the administration bill would perish, and I wished to give notice that in the 86th Congress I would take up the struggle to achieve the municipal franchise for the city of Washington. I wanted particularly to have available in printed form the text of my proposal, so that those who are most concerned could review it.

Mr. President, I now introduce, for appropriate reference, a joint resolution embodying the essence of the proposal made at that time.

I ask unanimous consent that the text of the joint resolution be printed at this point in the RECORD, as a part of my remarks.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S. J. Res. 10) to establish the District of Columbia Charter Commission, and for other purposes, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a commission to be known as the District of Columbia Charter Commission (hereinafter referred to as the "Commission").

SEC. 2. (a) The Commission shall be composed of seven members as follows:

(1) Three appointed by the President of the Senate from private life;

(2) Three appointed by the Speaker of the House of Repressentatives from private life; and

(3) One appointed by the President of the United States from the Commissioners of the District of Columbia.

(b) The Commission shall, at its first meeting, to be called by the member of the Commission appointed pursuant to paragraph (3) of subsection (a) of this section, select a chairman and vice chairman from among its members. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(c) Four members of the Commission shall constitute a quorum, except that the Commission may establish a lower number as a quorum for the purpose of taking sworn testimony.

(d) The member of the Commission appointed pursuant to paragraph (3) of subsection (a) of this section shall serve without additional compensation, but shall continue to receive the salary of his regular position when engaged in the performance of the duties vested in the Commission. All other members of the Commission shall receive $50 per diem when engaged in the performance of the duties vested in the Commission.

(e) All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(f) Service of an individual as a member of the Commission, or employment of an individual by the Commission as an attorney or expert in any business or professional field, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of sections 281, 283, 284, 434 or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U.S.C. 99).

SEC. 3. It shall be the duty of the Commission to make a full and complete study and investigation of matters relating to home rule for the District of Columbia with a view to determining the most practicable and feasible basis on which to establish local self-government in the District of Columbia and to draft in accordance with its determination a proposed charter which would, if approved by the Congress, enable the residents of the District of Columbia to enjoy local self-government.

SEC. 4. (a) In carrying out its duties under this joint resolution, the Commission is authorized to hold such hearings, sit and act at such times and places, take such testimony, and make such expenditures as the Commission may deem advisable. The Chairman of the Commission or any member authorized by him may administer oaths or affirmations to witnesses appearing before the Commission. The Commission shall have such power of subpena and compulsion of attendance of witnesses and production of documents as are conferred upon the Securities and Exchange Commission by subsection (c) of section 18 of the Act of August 26, 1935, and the provisions of subsection (d) of such section shall be applicable to all persons summoned by subpena or otherwise to attend and testify or produce such documents as are described therein before the Commission, except that no subpena shall be issued except under the signature of the Chairman, and application to any court for aid in enforcing such subpena may be made only by the Chairman. Subpenas shall be served by any person designated by the Chairman.

(b) The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purposes of this joint resolution, and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman.

SEC. 5. (a) The Commission shall have the power to appoint and fix the compensation of such personnel as it deems advisable, without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended.

(b) The Commission may procure, without regard to the civil service laws and the classification laws, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the Act of August 2, 1946 (60 Stat. 810), but at rates not to exceed $50 per diem for individuals.

SEC. 6. (a) The Commission shall submit, on or before July 30, 1960, a copy of the home rule charter drafted by it pursuant to the provisions of section 3 of this joint resolution to the Congress, and to the Board of Elections.

(b) Ninety days after the submission of the copies of the charter provided for in subsection (a) of this section, the Commission shall cease to exist.

SEC. 7. With a view to determining whether or not the residents of the District of Columbia favor the proposed charter, the Board of Elections shall, as soon as practicable after it has received such proposed charter, but in no event later than November 30, 1960, conduct a referendum of the registered qualified electors of the District of Columbia.

SEC. 8. (a) For the purpose of such referendum, the Board of Elections shall conduct within the District of Columbia a registration of the qualified electors, commencing

as soon as practicable after the enactment of this joint resolution and ending not more than thirty days nor less than fifteen days prior to the date set by the Board of Elections for such charter referendum.

(b) Prior to the commencement of such registration, the Board of Elections shall publish, in daily newspapers of general circulation published in the District of Columbia, a list of the registration places and the dates and hours of registration.

(c) The applicable provisions of section 7 of the District of Columbia Primary Act shall govern the registration of voters for such charter referendum.

SEC. 9. (a) Not less than three days before the date of the charter referendum, the Board of Elections shall mail to each person registered (1) a sample of the charter referendum ballot, and (2) information showing the polling place of such person and the date and hours of voting.

(b) Not less than one day before the charter referendum, the Board of Elections shall publish, in newspapers of general circulation published in the District of Columbia, a list of the polling place and the date and hours of voting.

SEC. 10. The applicable provisions of the District of Columbia Primary Act shall govern the method of voting, the registration of voters, and the interference with registration or voting in the referendum authorized under this point resolution.

SEC. 11. The Board of Elections shall, within a reasonable time, but in no event later than January 30, 1961, certify the result of the charter referendum to the Secretary of the Senate, and to the Clerk of the House of Representatives. Notwithstanding the result of any such referendum, the proposed charter referred to in this joint resolution shall not become effective in the District of Columbia without congressional approval.

SEC. 12. As used in this joint resolution—

(a) the term "qualified elector" means qualified elector as defined in paragraph (2) of section 2 of the District of Columbia Primary Act;

(b) the term "Board of Elections" means the Board of Elections established under section 3 of the District of Columbia Primary Act; and

(c) the term "District of Columbia Primary Act" means the Act entitled "An Act to regulate election of delegates representing the District of Columbia to national political conventions, and for other purposes", approved August 12, 1955 (69 Stat. 699).

SEC. 13. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution.

Mr. MORSE. Mr. President, if this measure is enacted, it will accomplish the following:

First, it will establish a Charter Commission, composed of seven members, three appointed from private life by the President of the Senate——

Mr. LONG. Mr. President, will the Senator from Oregon yield to me?

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Does the Senator from Oregon yield to the Senator from Louisiana?

Mr. MORSE. I yield.

Mr. LONG. I notice that not one Republican Senator is now on the floor of the Senate. If the Senator from Oregon would yield for that purpose, I would move to abolish the Republican Party.

Mr. MORSE. Mr. President, I rise to defend the absent Senators. The RECORD should also show that there are only three Democratic Senators in the Chamber—one in the chair and two on the floor.

The PRESIDING OFFICER. The Chair is glad the Senator from Oregon has made that observation; otherwise, the Chair would have felt compelled to do so himself.

Mr. MORSE. Furthermore, Mr. President, my purpose at this time is to place in the RECORD some reading material for some of our colleagues.

Mr. LONG. Mr. President, will the Senator from Oregon yield further to me?

Mr. MORSE. I yield.

Mr. LONG. I am of the opinion that some of the best speeches made on the floor of the Senate were made by a party which had only one member—namely, the Independent Party; and most of those speeches were made to an almost empty Chamber. But the junior Senator from Louisiana heard all of them.

Mr. MORSE. Oh Mr. President, the Chamber is never empty when the junior Senator from Louisiana is here, because the quality of his presence makes up for the absence of many other Members.

Mr. LONG. But it seems most unfortunate that the Republican Party is not represented in the Chamber at this time, and must rely upon a Democratic Senator to save the Republican Party.

Mr. MORSE. I assure the Senator from Louisiana that the Republican Party will need no protection from any remarks I shall make tonight. I never battle people in their absence.

I make these remarks only in connection with the introduction of various bills and other measures so that in the Committee on the District of Columbia we can proceed with early hearings regarding this joint resolution; and in the other committees we can proceed with early hearings regarding the bills I have already introduced or the bills I shall introduce before I take my seat.

But if I could only convince my friend, the Senator from Louisiana, that we should have a Charter Commission along the lines of the one called for in the joint resolution I have just introduced, for home rule in the District of Columbia, I would be well on the way to victory on this issue this year, because I am willing to venture the prediction here, tonight, that if the Senator from Louisiana would pledge his support to this charter idea of mine, my joint resolution would be passed by the Senate before it adjourns this summer.

If only the Senator from Louisiana will pay attention to what I say tonight, I shall have great hope of ultimate victory in favor of my resolution.

Mr. LONG. I shall be delighted to hear the Senator, but it seems to me we have a wonderful possibility of achieving several worthy objectives tonight. If we could get some understanding from the Senator from Oregon for protection on behalf of those of us who come from former Confederate States, as well as his protecting the Republican Party, the Senate could operate with greater facility for the next year or two.

Mr. MORSE. I may say to my colleague, who is a distinguished descendant of the Confederacy, that all I am doing tonight is continuing a long-established policy of protecting minority rights from any hasty legislation such as proposed by the Senator from Louisiana; namely, to abolish the Republican Party. From my long dedication to supporting minority rights and establishing prolonged debate on the merits of a question, I am sure the Senator from Louisiana knows I could not countenance the suggestion he has made, particularly when he is such a great advocate of protecting minority rights in the Senate.

If he will only give me his ear, or lend me his ear, as is said in one of the great classics, perhaps he and I can get together on the matter of a Charter Commission for the District of Columbia.

Now, with the attention of the Senator from Louisiana, I proceed to point up the first accomplishment of this resolution, should it be adopted.

First. It would establish a Charter Commission composed of seven members, three appointed from private life by the President of the Senate, three appointed from private life by the Speaker of the House, and one appointed by the President of the United States from the present Board of Commissioners of the District of Columbia, who would be assisted by a professional staff to be selected by and responsible to them;

Second. It would prescribe the duties of the Charter Commission thus appointed in the assembling of data, the holding of public hearings, and the drafting of Home Rule Charter legislation for the District of Columbia;

Third. It would require that the Commission submit a draft or drafts of proposed charter legislation to both the House and the Senate and to a referendum of the qualified voters of the District of Columbia in such time as to permit a referendum vote upon the draft proposal or proposals by not later than November 1960, whereupon the Commission would terminate.

I have indicated to the Senate that a new road to home rule must be found. The legislation I have proposed, if enacted, would enable this route to be surveyed in an efficient manner, by fully qualified and professional experts in the field of municipal government, under the direction of men and women the caliber of whose impartial public service would be guaranteed by their method of appointment.

The people of the District, through acceptance of the charter by referendum, and the Congress of the United States, through enactment of it, would complete the solid construction of a permanent government sensitive to the growing needs of the Capital.

The argument may well be raised as to why it is necessary, after the full hearings given to home rule legislation by the Senate in past sessions, for this new procedure to be instituted. This is a fair question which deserves an honest answer. Briefly, it may be stated under the following points:

First. Until such a time as the citizens of the District of Columbia can place themselves on record, through the ballot box, as being unequivocally in favor

of home rule, no one can state with clear and definite authority that they wish to govern themselves. I am personally convinced that they wish to do so. Most of the witnesses who have appeared over the years before the Senate Committee on the District of Columbia are firmly persuaded that this is the case. We assume it to be true, but we do not know and we cannot know until, in the secrecy of the ballot box, each citizen of the District can exercise his right to pass upon and either accept or reject the home rule proposal presented to him.

I stress the use of the word proposal for another reason also. Many witnesses, as the record of the hearings upon S. 1846 and S. 1289 of the 85th Congress will show, indicated their approval of the administration bill, on the basis that it was the best bill which stood the slightest chance of passage. They would have preferred a true and full home rule charter for the city, as outlined in the Neely-Morse bill, but they feared that the most they could possibly get was the territorial bill, with an appointed governor and a double veto power in the hands of the National Executive, and consequently they testified in favor of the administration's limited bill.

Second. As one reviews the record of past hearings from 1948 to the present, one cannot help but notice that changes over time have occurred in the thinking of many interested in the home rule movement.

An example of a new type of approach to home rule, which was a new one to me at least, occurred as recently as late last session after the hearings on S. 1846 had closed. I refer to the work published in the winter 1957–58 issue of the Georgetown Law Journal inserted in the CONGRESSIONAL RECORD by the very able and distinguished chairman of the Senate Committee on the District of Columbia, the senior Senator from Nevada [Mr. BIBLE], which was entitled "The Constitutionality of Home Rule and National Representation for the District of Columbia" by Mr. Roy P. Franchino.

Third. The Charter Commission proposal has not been acted upon, as yet, by either branch of the Congress. It was brought to the floor in a committee report as a part of the Legislative Reorganization Act—S. 1400, 79th Congress—but the home rule section was deleted prior to final passage of that act.

There are many of us in the Senate who recall with affectionate admiration the dedicated public service which was so characteristic of the late and truly great Senator from Wisconsin, Robert M. La Follette. To those Senators I commend this Charter Commission proposal as the descendant of the 1946 La Follette Charter Commission proposal, and ask that they give it the same earnest attention that they would have given its legislative predecessor.

In fact, I should like to call attention to the report of the La Follette-Monroney joint committee entitled, "Legislative Reorganization Act of 1956, Report of the Committee." At the very outset of this report, on the first page, we find the following language:

> The Special Committee on the Reorganization of Congress, to whom was referred the bill (S. 2177) to provide for increased efficiency in the legislative branch of the Government, having considered the same, report favorably thereon with amendments and recommend that the bill, as amended, do pass.
>
> The most important amendment made by the special committee was to eliminate from the bill title VII, self-government for the District of Columbia. The Committee on the Judiciary has favorably reported a bill (S. 1942) to incorporate the Federal City Charter Commission. Title VII of S. 2177 and S. 1942 are similar measures, having the same objective of home rule for the District of Columbia. Attainment of this desirable objective will be expedited, we believe, by the enactment of S. 1942.

This is an interesting bit of legislative history. Does any Member of the Senate really have any doubt why the proposal of the La Follette-Monroney committee for the establishment of self-government for the District of Columbia and for the creation of a charter commission was stricken from the La Follette-Monroney proposed reorganization bill as submitted to both Houses of Congress? Does anyone have any doubt why that was done? I have gone into the legislative history of it, and I tell the Senate tonight that there is no question as to why the committee proposed the amendment which struck the recommendation in regard to a charter commission for the District of Columbia, and put it on the very first page of its report to the Senate of the United States, in the language I have just read, which calls attention to specific bills which have been introduced in an endeavor to get home rule for the District of Columbia.

The reason they did it was that they soon discovered that the Reorganization Act proposal would run into strong opposition if it contained a proposal for home rule for the District of Columbia. They made the decision which is frequently made by Senate bodies, when a committee has before it the problem of doing the greatest good for the greatest number, of accomplishing the maximum objectives possible under a legislative program recommended by a committee. They found it necessary to drop the home rule proposal in order to avoid a great clash on the floor of the Senate and in the House of Representatives, which might have jeopardized the whole Reorganization Act. In this very dignified language on the first page of the report in 1946, they simply invite attention to the fact that they have proposed an amendment to their original report, dropping all reference to the issue of home rule for the District of Columbia, and giving as the explanation the fact that there were pending other bills which specifically dealt with that issue.

Mr. President, that is what we have been up against over the years on this issue. I think it is only fair and proper that we try to give to the people of the District of Columbia an opportunity to voice their own views about this matter officially—not informally; not by becoming witnesses. We should not pick certain leaders to come to the Senate, before the Senate Committee on the District of Columbia, to testify as witnesses in regard to some legislative proposal which has been made. We should give Washingtonians an opportunity to participate in home rule at least to the degree of deciding whether home rule is wanted by them.

When I propose a home-rule commission for the District of Columbia, I am really proposing the exercise of some home rule. I propose to allow the President of the United States, the President of the Senate, and the Speaker of the House of Representatives to appoint the charter commission, and that the commission—not the Congress but the commission—in behalf of the citizens of the District of Columbia, under presidential and congressional appointment, shall hold hearings and make a final report to us, first, as to whether the citizens want home rule at all; and, second, if they do want it, their meeting of minds or the meeting of minds of most of them with respect to the type of home rule they should have.

So I come to my fourth reason in support of this resolution:

Fourth. From a practical political point of view, I am very hopeful that the size of the majority voting in favor of acceptance of a draft charter proposal will carry conviction to the members of the other chamber as to the strength of popular feeling on home rule for the District and thus influence them in favor of ratifying the proposed charter. The Congress to be elected in 1960 will, I am sure, provide a climate of opinion, perhaps more favorable than heretofore, if a large majority of the citizens of the District have voted for home rule for Washington; and lastly,

Fifth. By involving the men and women of the Capital directly in the framing of the charter through charter commissioners appointed from private life who will hold hearings for the purpose of receiving ideas from witnesses as to proper institutional forms and civic procedures, a degree of public interest both locally and, to an extent nationally, will be generated for home rule. This cannot but be intensified as the election day in 1960 draws near.

I might here also point out the fact that the degree of interest in home rule, as measured by the size of the referendum vote, will also, in my judgment, provide a sound argument for requesting hearings on constitutional amendment proposals designed to permit District citizens to cast their ballots for the candidates for President and Vice President of the United States. Although these constitutional amendment proposals do not fall within the jurisdiction of the Senate and House District of Columbia Committees, there is an interest which overlaps such allied proposals as that of presidential franchise and civic franchise and favorable action on either would be of help in enacting the other.

While not committing either the Senate or the House of Representatives to the blind acceptance of the draft charter which will result from the labors of the charter commission if this resolution is

adopted, the establishment and successful operation of a charter commission whose results are accepted overwhelmingly by referendum vote of the people of the District will, in my judgment, as I have indicated:

First. Lay to rest the argument that the people of the District do not want to govern themselves;

Second. Permit full discussion of the desirability of new alternative civic institutions and procedures while permitting decision to be taken on policy questions by the electorate;

Third. Allow the Congress to express its will on this method of achieving home rule for the District;

Fourth. Provide a strong argument to a succeeding Congress of the desirability of granting civic franchise for the District; and

Fifth. Indirectly, establish arguments for the extension of the franchise to include national elections.

It is my hope that the Senate Committee on the District of Columbia will hold early hearings on this measure so that floor action can soon be taken in this first session.

Mr. President, it was on August 6, 1958, in a speech on the floor of the Senate, that I previously discussed my proposal for the creation of a District of Columbia Charter Commission. I shall not burden the Senate with a repetition of my arguments on the merits of the proposal. I only want the record to show when my arguments were previously presented.

There is also on file in the Senate the report of the District of Columbia Committee of last year on the issue of home rule. It is dated June 16, 1958, and contains my minority views in opposition to the administration's territorial bill. I am sure the Senator will not object to my saying this in his absence, because I know he had a commitment tonight which makes it impossible for him to be present on the floor of the Senate at the present time, but the committee report of the Senate Committee on the District of Columbia last year and the debate in the Senate leaves no room for doubt that the leading exponent of the administration's bill last year was the Senator from Pennsylvania [Mr. CLARK]. The Senator from Pennsylvania made it perfectly clear that, although he preferred the Neely-Morse bill as a matter of principle, he was accepting the administration bill on the "half a loaf" theory. In fact, the Senator jocularly referred to his characterization of himself as "half a loaf CLARK" and complimented me by referring to me as "Ivory Tower MORSE." Of course, I have never had such a high compliment paid to me by any official in any debate anywhere, because as I told the Senator good naturedly, that simply meant I did not buy the compromise of principle, which is what really is referred to by the so-called half-a-loaf theory.

In presenting this proposed charter commission resolution today I am merely following a consistent course of action and one which I announced last year that I would undertake.

Mr. President, I would be perfectly willing to testify in hearings before the District of Columbia Committee on a specific home rule bill if someone wished to introduce such a bill. If someone introduces a territorial bill, as some have said the administration was planning to have done, I shall then be forced to reintroduce the Neely-Morse bill. In my judgment, it would be a great waste of time again on the part of the committee and on the part of the Senate to have this happen, because I do not think that either the Neely-Morse or the administration bill has a ghost of a chance of ever coming up for hearing in the House.

This leads me to the last point I should like to make.

I realize, Mr. President, the stumbling block for years on home-rule legislation for the District of Columbia has been the House of Representatives—and I speak very respectfully of our sister body. I believe that the adoption by the Senate of a charter commission resolution, with a subsequent request of the House to adopt such a resolution, would be very difficult for the House to turn down. It is pretty hard to make an argument against a proposal which merely says, "We ask for the benefit of the advice, ultimately registered by the citizens of the District of Columbia at the ballot box, as to whether they want home rule, and, second, which plan of home rule the majority of the people of the District prefer." It is pretty hard to vote against such a proposal, and at the same time profess to be in favor of democratic procedures and a supporter of self-government.

What we are really asking for in my resolution, to bring it down to a thumbnail, is an advisory opinion from the voters themselves on the issue of home rule.

I never run away from the controlling issue which may be involved in any dispute. I hope the time will never come, but if the time ever should come when we actually are confronted, because of rules of procedure of the House, with a situation in which we cannot get even a proposal for a charter commission out of a House committee, then I hope the elected Representatives in the House from my State, at least, will join in a fight to discharge any House committee which intends to set itself up as a blockade to representative government.

I say very frankly that I think the House of Representatives owes it not only to the people of the District of Columbia, but to the people of the Nation, to allow our democratic processes in Congress to work upon the issue of home rule for the District of Columbia.

I believe that once the people of the District of Columbia vote on this question, the result will have great influence in every constituency represented in the Congress by each and every Senator and Representative.

I said last year, and repeat tonight in closing, that the issue of municipal government for the Capital of the United States is of concern to every citizen of the Nation. I find that as we talk about the problem in any part of the country, North, South, East, or West, when the people come to realize—as many of them do the first time we talk with them—the situation with respect to the denial of franchise and the right of even municipal self-government for the people of the District of Columbia, the people are aghast. They are shocked by the situation. The consensus of opinion which I encounter from coast to coast is "That is not right. It is not American. The situation ought to be rectified."

With all due respect to my colleagues in both bodies, I believe, as this question comes to be understood by the voters of the Nation, it will be discovered that they reject the idea that we do not have very definite responsibilities, as Senators and Representatives, to the voteless people of the District of Columbia.

I offer what I think is a conscionable compromise this year. I offer a compromise which does not in any way violate the principle of home rule for the people of the District of Columbia. At the worst, all one can say is that my proposal entails a postponement of home rule for this session of Congress until the people of the District of Columbia give us the benefit of their advisory opinion.

However, to the degree I have outlined in these descriptive remarks tonight, the resolution, if adopted, would proceed at once to give the people of the District of Columbia some semblance of home rule; namely, the right to determine for themselves at the ballot box what kind of home-rule plan they want.

As I said in my speech, it does not settle the problem of granting voting rights to the people of the District of Columbia in connection with Federal elections. That involves a constitutional question, in my judgment, as I have said before. I intend to deal with that question later in the session.

I make my pledge tonight that before this term of Congress is over I will offer to the Senate of the United States my recommendation as to how we can best meet the constitutional question involved, the end result of which will be to give to the people of the District of Columbia the right to vote in Federal elections.

Mr. President, I yield the floor.

INDUSTRIAL USES OF AGRICULTURAL PRODUCTS

Mr. CURTIS. Mr. President, I have introduced a bill to carry out the recommendations of the President's bipartisan Commission on Increased Industrial Use of Agricultural Products. In the previous Congress, a number of Senators and Representatives introduced bills. The Committee on Agriculture and Forestry of the Senate advanced a bill, which was, in a sense, a composite of the Members' bills. It passed the Senate unanimously on a rollcall vote. The bill that I have introduced is the bill which passed the Senate last year with one addition. I have included a provision for financing the program. It calls for a use of a portion of the tariff revenues to finance these activities. I believe this a sound procedure and there is a precedent for it.

It is hardly necessary for us to argue that we need new markets for the prod-

ucts of our farms. The way of restrictions and limitations has failed to solve the farm problem and they have proven very costly.

We must turn our attention to new markets. What are those new markets? Great and commendable efforts are being made to increase our exports of agricultural products. This is proving to be very costly. We are subsiziding, for instance, the export of wheat to the extent of about 75 cents or 80 cents per bushel.

But the real problem in reference to agriculture is that the world is producing more of its own food. Many countries that were, a few years ago, deficit food areas now are plagued with a surplus.

The greatest market we can find anyplace for agricultural products is right here at home. The greatest new market we can find is a market in industry. We are living in an industrial age. The American people are using more gadgets, more materials and equipment of all kinds than ever before, and that use is increasing daily.

Many of these industrial uses can be supplied from raw materials produced on the land.

One of the most forceful statements in favor of promoting industrial uses of farm products is contained in an editorial that was published in the Nebraska Union Farmer of December 10, 1958. That editorial reads as follows:

NEW FARM MARKETS

Of all the social and political implications being read into the November corn referendum, only one conclusion appears perfectly safe: With any sort of break in the weather department, we're going to have a lot of corn next year.

Unfortunately, Congress failed to act on the industrial uses bills in the past session which would have set in motion the necessary research and pilot plants to find not only new uses for farm crops, but perhaps new crops as well.

Industrial uses is an almost wide-open field at the present time. Farm products have been badly outpromoted by other industries. As a result, farmers have lost many of their historic markets. But agricultural products have qualities that remain unique, awaiting only the necessary research to find how these qualities may best be utilized for the benefit of mankind.

Such research need not and should not be limited to crops now in surplus. Rather, the entire complex of farm production should be viewed in terms of chemical research plus output, harvesting, marketing, and related functions.

Properly applied, industrial uses may very well lead to new concepts in farming. With research leading the way, farmers soon would find it possible to scale their production for established markets plus such new industries as would rely on the farmer for raw materials.

Industrial uses rates immediate attention in Congress.

This program for promoting industrial uses of products of our farms will not bring a solution to all our problems overnight. I am convinced that, in the course of a few years, much good will be accomplished and that the economic situation of our farm families will be improved. It is a long-range program. If it is undertaken enthusiastically and given wise and sound direction, it can, in the long run, provide a solution to our farm problem. I hope that we can reach the time when the farmers can share in the prosperity and growth of the country as other Americans share it. I hope the time will come when the farmers can once more manage their own land, practice good husbandry, plant all their acres and find a profitable market for that which they raise. The passage of this legislation will help bring that about. It is unfortunate that the program which this legislation would instigate was not started 25 years ago.

This program falls in three parts. The program recommended goes far beyond research.

In the first place, it calls for a broad program of scientific research to find new uses for farm crops.

Secondly, it calls for a program of trial commercialization and pilot testing. Research merely for the shelf does not provide the answer. We must have this trial commercialization and pilot testing. Thirdly, it seeks a program of limited subsidies on a test pilot basis to both farmers and industry to get the program started.

None of us will deny the value of research. Most of the material things that we use and enjoy from day to day are the products of research. The great advances in medicine, that have extended human life, are a result of scientific research. The atom was split and a profound program of peacetime uses of atomic energy awaits us, all because of research.

As the Welsh Commission points out, industry is currently investing at least $3 billion a year, 3 percent of gross sales, in research. The result is obvious in a constant flood of new and improved products—fabrics, plastics, building materials, surface coatings, detergents, chemicals, and many others.

By contrast, agriculture spends not over $375 million on research—about 1 percent of gross sales, and most of this goes to improve and increase production. Federal and State governments spend $190 million of the total, of which no more than $18 million goes for utilization research.

In other words, about one-twentieth of 1 percent of the gross sales of agriculture has been used on research to find new uses for agricultural products.

The result has been that we not only have not found new markets we have lost many of the markets agriculture formerly had. Again, quoting the Welsh report, synthetics and petroleum chemicals have increasingly moved into the industrial markets for vegetable oils.

In the last 20 years, for example, domestic use of paint, varnish, et cetera, increased about 100 percent in the rapidly expanding United States economy. Use of linseed, or other drying oils, increased only about 25 percent. Synthetics took their place. If linseed oil were used in paints today at the same rate as in the early 1930's, the United States would need a million more acres of flax. Per gallon of paint, the use of drying oils has dropped more than 40 percent in the last 20 years or so as they were progressively replaced by synthetic products. Tung oil is affected by the same trend, and that is important to a very great segment of our agricultural economy.

Nearly half of the market for natural fibers—cotton, wool, flax, silk—has been taken over by synthetic fibers. Two out of three pairs of shoes are now made partly or wholly of leather substitutes. Two-thirds of the soap has been replaced by detergents, which do not use natural fats. In fact, in the last 10 years the use of detergents per person increased from 1 pound a year to 15 pounds while the use of soap decreased from 23 pounds to 8 pounds a year.

At the present time we are using more synthetic rubber than natural rubber. It is of better quality. It has been improved because of research. The research has been done by the petroleum industries and they are making the rubber. It is estimated that the consumption of synthetic rubber will increase by 50 percent in the next 5 years.

Were the American farmers allowed to have that increase only and were that rubber made from alcohol provided from farm products, it would require 200 million bushels of grain.

It has long been my hope that we could use alcohol produced from grain as a part of our motor fuel. Farmers buy a lot of gasoline and tractor fuel. Certainly they should be allowed to produce their own fuel. The number of cars in the country is constantly increasing and likewise the motor-fuel market is increasing. European countries have blended alcohol into their gasoline up to 25 percent. Were we to blend alcohol into our gasoline to the extent of 10 percent, it would require more than a billion bushels of grain. In other words, that one use alone could probably solve the grain-surplus problem.

However, we face a very definite obstacle in regard to this. It is an economic fact that gasoline can be produced cheaper than alcohol. Consequently, no one selling gasoline is going to turn to a blended alcohol. In peacetime, under our free American system, we cannot compel them to do so by law.

However, I am thoroughly convinced that a broad program of research will lower the cost of producing alcohol from farm products. At the present time when we make alcohol out of farm products we have a protein residue that is a very valuable food for animals. However, with improved methods brought about by research and trial commercialization, it is believed that the alcohol can be extracted and the protein residue will be a fine human food. Its value will then be many times greater than its value for livestock food. The alcohol will then become more or less a byproduct and it can be sold at a price that it will compete with gasoline for a part of this motor-fuel market.

So, while a portion of the motor-fuel market is not ours at this time, it is not an impossibility from the standpoint of the long-range accomplishments.

A number of leaders in the petroleum industry are not adverse to these efforts. They realize that the farmers are purchasers of their products. They realize that farm prosperity means a great deal to the prosperity of our country. Furthermore, these same companies will be

selling the motor fuel at all the filling stations in the country regardless of the components of that fuel. They are not going to lose the business.

Our surpluses are primarily starches. From starch we make alcohol and from alcohol we can make rubber, we can make plastics, we can make a thousand and one things that are now being made from other materials.

We are not limited by any means to motor fuel and rubber and like products. There are literally hundreds of possibilities of making industrial uses of agricultural products. These include solvents, surface coatings, plastics, chemicals, fibers, films, explosives, adhesives, lubricants, insecticides, drilling muds, paints, varnishes, and even paving materials.

Our engineers have brought forth some sound ideas relating to the use of our starches and our surpluses in our starches and in fibers.

For instance, the Welsh Commission report says, as an example, about 35 percent of the corn processed by wet milling now goes to nonfood uses. The industry would like to expand this fifteenfold.

The largest new outlets it envisages are for the use of starch in metallurgy, in insecticides, in defoliants, and in paper. These three uses alone might take up to 410 million bushels of corn annually.

Our country produces great quantities of sugar; we could produce a lot more. Here is what the Welsh report says about the industrial possibilities in regard to sugar produced in this country:

> The sugar industry is confident that these industrial uses will be developed, to the extent perhaps of utilizing an extra million tons of sugar by 1965 and 2 million tons by 1975. This would add more than 10 percent to the projected 1965 demand and more than 16 percent to that projected for 1975. Sugar is an inexpensive, exceptionally pure, and, chemically, very reactive material adaptable for many large-scale industrial applications. Present industrial use is small, but a dozen years of research have turned up some highly promising leads.

We have known for a long time that sugar is the finest food for quick energy, and for industrial purposes it has never been scratched, and we can increase our sugar acreage tremendously by following through on this.

Perhaps the forage crops we produce have the highest value of any crops since they furnish over half the feed for livestock. Yet it is likely that far greater values lie locked up in those crops, particularly the legumes, than those which have been exploited. At the present time, we extract some chlorophyll and some xanthophyll from legumes.

But the Welsh Commission reports that the 55 million tons of legumes produced annually in the United States also contain some things that we have never developed. These include a billion dollars worth of protein, carotene worth $2¾ billion; vitamin E, $2 billion; vitamin K, $115 million; xanthophyll, $12½ billion; and chlorophyll worth $19 billion.

Now, these figures may be a bit fantastic but it shows that these materials are in our legumes, are waiting there to be used and developed for medicinal and other nonfood uses.

I want to quote from the Welsh report in one other instance in reference to potatoes. Here is what it says:

> The potato industry is confident that a materially enlarged research and development program would so expand the market that surpluses would disappear and it might even be necessary to increase production.

I want to talk a little bit about the section on new plants.

The allwise Creator put on this earth 250,000 plants. We have domesticated and used only 150 of them—not 150,000, but 150.

We have never take the trouble to find out what the rest are for. A broad program of research may open up great industrial possibilities from new crops to be raised.

We are short of paper in this country. The American people use more paper products than anyone could ever imagine. Not only is our population going up but the per capita consumption of paper increases. We use it for everything in our homes.

Our publishers sometimes get concerned about the shortage or the threat of a shortage of paper. The task group on new and special crops points out that we can make not only paper but furniture and specialties from bamboo. They further point out that you can produce bamboo in the South from South Carolina to Texas and the coastal and Piedmont areas.

It will grow faster than the pine. This crop could be expanded for industrial purposes so that we could use a million acres of bamboo. This crop alone might solve the surplus problem facing cotton farmers.

We must remember always that what helps any segment of American agriculture helps all of American agriculture, and as a Nebraskan I am just as interested in the problems of the Cotton Belt as any other area.

This same task group made reference to a very fine productivity going on in Nebraska. I refer to the development and improvement of safflower. This crop did not amount to very much until 1946 when the results of research and development of the Nebraska Agricultural Experiment Station were made known. At the present time we raise about 100,000 acres of safflower, most of it in northern California and western Nebraska.

Safflower oil is now being sold to manufacturers of alkyd resins, enamels, varnishes, and high-quality paints. It is believed that with further development in research great possibilities may come from the safflower.

Throughout the years our cordage and rope, particularly the cordage for marine use, has been from abaca and sisal, which are imported products. The task group on new crops points out that sansevieria, a commonly used house plant, known as the snake plant, can be used for cordage and rope, and this promises a market of a possible hundred thousand acres.

Kenaf, the task force points out, can be used to make fiber for post office twine, carpet yarn, camouflage, burlap, and other articles normally made of jute, which is imported. They point out that this new industrial use, when fully developed, could require the production of 200,000 acres.

Another crop mentioned by this same task group was simmondisa, from which we can produce a wax, to be used for fine waxing and polishing. It would be noncompetitive because wax is now in demand in industry. This had a possibility for a hundred and fifty thousand acres of new crops.

We use tannin in the leather industry. It is believed that we could use the production of a hundred thousand acres of canagrie to produce the tannin and it would be competitive in price with our imported tannins.

If a program of broad research and trial commercialization can be gotten underway, it is very likely that many of these things I have mentioned can be developed. It is also very likely that some of them may not prove to be practical.

At the same time, there will be many, many other uses to come out of such industrial research which none of us have ever thought about.

Mr. President, I hope that the Committee on Agriculture and Forestry will, at an early date, again advance this program and that the Congress will enact this measure. A sound solution to our farm problems is one of our most urgent necessities on the domestic front. The income of our farm families should be raised. Freedom of operation should be restored and a program developed that is less costly than our present one.

ADJOURNMENT TO WEDNESDAY

Mr. LONG. Mr. President, in accordance with the order previously entered, I move that the Senate now stand adjourned until 12 o'clock noon on Wednesday next.

The motion was agreed to; and (at 8 o'clock and 36 minutes) the Senate adjourned, the adjournment being under the order previously entered, until Wednesday, January 14, 1959, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate, January 12, 1959:

IN THE AIR FORCE

The following-named officers for appointment in the Regular Air Force to the grades indicated, under the provisions of chapter 835, title 10 of the United States Code:

To be major generals

Maj. Gen. Kenneth B. Hobson, 616A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Sory Smith, 573A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Harold W. Grant, 497A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Henry K. Mooney, 589A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Oliver K. Niess, 19022A (brigadier general, Regular Air Force, medical), U.S. Air Force.

Maj. Gen. Daniel S. Campbell, 615A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Charles H. Anderson, 623A (brigadier general, Regular Air Force, U.S. Air Force.

Maj. Gen. William S. Stone, 1059A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Raymond J. Reeves, 1082A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Kenneth P. Bergquist, 1117A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Bernard A. Schriever, 1519A (brigadier general, Regular Air Force), U.S. Air Force.

To be brigadier generals

Maj. Gen. Daniel C. Doubleday, 471A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. John H. Ives, 544A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Wendell W. Bowman, 596A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Harold C. Donnelly, 647A, (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Harold R. Maddux, 650A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Arno H. Luehman, 1080A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Stanley J. Donovan, 1089A (colonel, Regular Air Force) U.S. Air Force.

Maj. Gen. Dolf E. Muehleisen, 1144A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Charles M. McCorkle, 1224A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Lloyd P. Hopwood, 1261A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Don O. Darrow, 1270A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Victor R. Haugen, 1292A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. William P. Fisher, 1294A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Edwin B. Broadhurst, 1350A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Charles B. Westover, 1351A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Ben I. Funk, 1500A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Harold E. Watson, 1520A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Marvin C. Demler, 1550A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. William E. Eubank, Jr., 1741A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. James V. Edmundson, 1863A (colonel, Regular Air Force), U.S. Air Force.

The following-named officers for temporary appointment in the U.S. Airy Force under the provisions of chapter 839, title 10, of the United States Code:

To be major generals

Brig. Gen. Moody R. Tidwell, Jr., 1553A, Regular Air Force.

Brig. Gen. Leo P. Dahl, 609A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. James S. Cathroe, 18821A (colonel, Regular Air Force, Dental), U.S. Air Force.

Brig. Gen. Elvin S. Ligon, Jr., 1077A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. John M. Reynolds, 1299A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Robert A. Breitweiser, 1406A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Fred M. Dean, 1450A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Cecil H. Childre, 1551A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Hewitt T. Wheless, 1609A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. William K. Martin, 1697A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. William E. Eubank, Jr., 1741A (colonel, Regular Air Force), U.S. Air Force.

To be brigadier generals

Col. John C. McCawley, 613A, Regular Air Force.

Col. Benjamin C. Holzman, 1102A, Regular Air Force.

Col. Richard L. Bohannon, 19067A, Regular Air Force, Medical.

Col. James G. Moore, 19074A, Regular Air Force, Medical.

Col. Edward J. Hopkins, 1180A, Regular Air Force.

Col. Frank W. Gillespie, 1215A, Regular Air Force.

Col. Frederick R. Terrell, 1221A, Regular Air Force.

Col. Norman L. Peterson, 1291A, Regular Air Force.

Col. Charles E. Jung, 1037A, Regular Air Force.

Col. Richard P. Klocko, 1327A, Regular Air Force.

Col. Neil D. Van Sickle, 1442A, Regular Air Force.

Col. Robert F. Worden, 1510A, Regular Air Force.

Col. Robert G. Ruegg, 1620A, Regular Air Force.

Col. Loren G. McCollom, 1632A, Regular Air Force.

Col. Robert H. Curtin, 1643A, Regular Air Force.

Col. Joseph T. Kingsley, Jr., 1702A, Regular Air Force.

Col. William E. Creer, 1742A, Regular Air Force.

Col. Joseph H. Moore, 1836A, Regular Air Force.

Col. Eugene B. LeBailly, 1920A, Regular Air Force.

Col. Jerry D. Page, 2052A, Regular Air Force.

Col. Stephen D. McElroy, 2058A, Regular Air Force.

Col. Ariel W. Nielsen, 2067A, Regular Air Force.

(NOTE.—The above appointments were made during the last recess of the Senate.)

APPOINTMENTS IN THE ARMY

Brig. Gen. Marshall Stubbs, O17706, United States Army, for appointment as Chief Chemical Officer, United States Army, as major general in the Regular Army of the United States and as major general in the Army of the United States under the provisions of title 10, United States Code, sections 3036, 3442, and 3447.

The following-named officers for appointment in the Regular Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3284, 3306, and 3307:

To be major general, Medical Corps

Maj. Gen. John Frederick Bohlender, O17814, Army of the United States (brigadier general, Medical Corps, U. S. Army).

To be brigadier general, Medical Corps

Brig. Gen. James Hedges Forsee, O18265, Army of the United States (colonel, Medical Corps, U. S. Army).

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major generals

Brig. Gen. Elbert DeCoursey, O17813, Medical Corps, United States Army.

Brig. Gen. William Carson Bullock, O17635, United States Army.

Brig. Gen. Ralph Thomas Nelson, O18308, United States Army.

Brig. Gen. Ralph Robert Mace, O17578, United States Army.

Brig. Gen. Bruce Easley, O17735, United States Army.

Brig. Gen. Clarence Jonathan Hauck, Jr., O18360, Army of the United States (colonel, U. S. Army).

To be brigadier generals

Col. John Lemoin Crawford, O19343, Medical Corps, United States Army.

Col. Floyd Lawrence Wergeland, O19599, Medical Corps, United States Army.

Col. Joe Calvin Lambert, O30033, United States Army.

Col. Thomas Heber Lipscomb, O19371, United States Army.

Col. Harry Lester Hillyard, O19524, United States Army.

Col. Oliver Clark Harvey, O38776, Army of the United States (lieutenant colonel, U. S. Army).

Col. James Benjamin Lampert, O20147, Army of the United States (lieutenant colonel, U. S. Army).

Col. Howard McCrum Snyder, Jr., O20213, Army of the United States (lieutenant colonel, U. S. Army).

Col. Fred Pierce Campbell, O20704, Army of the United States (lieutenant colonel, U. S. Army).

Col. William Alexander Cunningham, 3d, O19579, United States Army.

Col. Clinton Stone Lyter, O18291, Medical Corps, United States Army.

Col. Horace Lake Sanders, O19445, United States Army.

Col. Benjamin Franklin Taylor, O20779, Army of the United States (lieutenant colonel, U. S. Army).

Col. Berton Everett Spivy, Jr., O19479, United States Army.

Col. Graydon Casper Essman, O19242, United States Army.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299, subject to physical examination required by law.

To be captain, Medical Corps

Nay, Leston B., Jr., O73578.

To be captain, Medical Service Corps

Molli, Louis J., O73472.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3298. All officers are subject to physical examination required by law.

To be first lieutenants

Arnold, Thomas W., O81576.
Ashby, Mason K., O83109.
Barrett, Francis X., O78220.
Bean, Robert H., O81580.
Bender, Richard C., O82309.
Bennett, Donald G., O81584.
Berg, Roland E., O77268.
Berrey, Thomas G., O82262.
Boyd, William A., Jr., O81588.
Boyle, Richard P., O72579.
Bratt, Clarence M., O78239.
Bruce, William A., O84073.
Bruno, Vito J., O81596.
Burns, Paul P., O79559.
Chapman, Donald G., O84075.
Chase, Charles R., O84076.
Collison, John M., O81606.
Correll, John E., O81609.
DiRuzza, Santi, O83649.
Donohue, John E., O81625.
Downey, Robert H., Jr., O81626.
Drury, Peter F., Jr., O77370.
Dugan, John E., O82267.
Eddy, Burton A., O84080.
Edmiston, Charles H., Jr., O81629.
Edwards, Donald M., O77374.
Fletcher, Edward N., O78304.
Flitcraft, Anthony D., O82324.
Foster, Robert G., Jr., O82270.
Fraley, Robert R., O82271.
Frye, Ray E., Jr., O81637.
Gamble, John F., O82272.
Gannon, Edwin W., O84082.

George, James R., Jr., O82326.
Goad, Robert E., O82273.
Grover, Dwight L., O82330.
Harnish, Albert G., Jr., O81652.
Hoge, Philip R., O78351.
Hooker, Cloyd T., O82277.
Huhn, John N., O78358.
Hurdle, Karl V., O78361.
Hurley, William P., Jr., O81644.
Jenson, Kenneth G., O78368.
Jones, Charles E., O82278.
Jones, Robert A., O82279.
Jones, Samuel H., Jr., O81675.
Kattar, Richard J., O82343.
Kelly, Alan C., O81677.
Lawson, Lawrence L., O81684.
Lins-Morstadt, Juan L., O81686.
Love, Thomas W., O82283.
Ludolph, Anthony A., Jr., O81690.
Marshall, Charles McL., O81696.
Maupin, Joe S., O81699.
McCulloch, William C., O82284.
McCurdy, Neal B., O82285.
McGoff, Leo F., Jr., O83659.
McWilliams, Fred M., O82286.
Mielke, Karl A., Jr., O78435.
Montgomery, Budd V., O82288.
Moore, William A., O84094.
Moore, William B., O82289.
Munster, Conrad H., O84095.
Nauman, Alan A., O82290.
Nelson, Thomas C., O82291.
Newbill, James P., O84098.
O'Bryan, William P., O81712.
Oyler, Leo E., Jr., O81714.
Pierce, Fred W., Jr., O81717.
Posz, Joseph D., O78469.
Pruniski, Stephen A., Jr., O81722.
Quirk, Edward T., O82292.
Risteter, Vincent A., O81726.
Robinson, Benjamin F., Jr., O72782.
Sandlin, Malcolm R., O78490.
Schott, Richard S., O82294.
Seguin, Raymond J., O81738.
Shanahan, Norman K., O78497.
Shannon, Robert, O82295.
Shepard, William C., O78500.
Sheriff, Robert M., O84108.
Short, Kenneth M., O78502.
Smith, Glenn N., O81740.
Smith, Thomas A., O81743.
Sparks, Donald E., O83666.
Stevens, Charles T., O81745.
Thomas, Billy J., O81750.
Tolfa, Edward, Jr., O84536.
Tomlinson, Walter C., Jr., O82371.
Underwood, Frank E., O78531.
Vaughan, Charles U., O82302.
Walker, Billy M., O80231.
Wall, Kary D., O81757.
Wickware, Argle W., O81762.
Williamson, Robert L., O81764.
Winnicki, Philip W., O81766.
Wolterstorff, Jerrold D., O77791.
Wyatt, David L., O81770.
Young, Carl L., O82304.
Zeigler, Charles S., O78562.

To be first lieutenant, Medical Service Corps

Husband, Patricia R., L549.

To be first lieutenants, Medical Service Corps

Chapin, George E., Jr., O76821.
Gensler, Herman H., O78680.
Johnston, Laurence, O80346.
Noble, Ralph E., O78685.
Ortega, Frank A., O81877.
Potin, James B., O83560.
Smith, Creed DeL., O76832.

The following-named persons for appointment in the Regular Army of the United States, in the grades and corps specified under the provisions of title 10, United States Code, section 3294; title 10, United States Code, section 3291; title 10, United States Code, section 3292; title 10, United States Code, sections 3311, 3285, 3286, 3287, and 3288:

To be lieutenant colonels

Blackwell, James M., MSC, O477035.
DiFusco, Manrico P., MSC, O401935.
Kuhn, George A., VC, O338576.

To be majors

Akins, Everett H., VC, O357236.
Audet, Harold H., MC, O1705621.
Burgio, Joseph C., MSC, O1534689.
Coleman, Tyler S., MSC, O1544563.
Crandall, Francis N., MSC, O1000218.
Edwards, Corwin V., JAGC, O420935.
Filtsch, Frank E., MSC, O1545464.
Kielman, Edmund R., MC, O470074.
Myers, John W., MSC, O1323020.
Nye, Charles A., III, JAGC, O1165429.
Osteen, Wilson M., VC, O337585.

To be captains

Adcock, Jerry L., VC., O4040364.
Ahlemeyer, Edward H., Jr., MC, O4073567.
Baker, Lillian E., WAC, L1010172.
Benner, James H., MSC, O966567.
Brantly, Ruth S., ANC., N900318.
Brown, Garry M., MSC, O1534925.
Brown, Heyward G., VC, O1918786.
Calmes, Paul M., MSC, O2047268.
Castleberry, William E., Jr., MSC, O1543962.
Caulder, Shelley L., DC, O2003346.
Cavagnaro, Mary M., ANC, N723481.
Covington, Albert A., JAGC, O2270143.
Dicker, Frank W., MSC, O994111.
Farmer, Billy L., MC, A2273744.
Feeley, Eugene J., MC, O4034527.
Ferebee, Constance L., ANC, N900015.
Fischer, George F., VC, O4022891.
Foley, Robert D., MC, O4022290.
Fontaine, Roger J., MC, O4022130.
Gauld, John R., MC, O4047639.
Gerster, Dorothy C., ANC, N735519.
Gibbs, Roland J., VC, O1920931.
Gregoratos, Gabriel, MC, O4067709.
Hughes, George M., VC, O1337576.
Hume, Joseph W., MSC, O2038851.
Joyce, Orlando H., MC.
Kammeraad, Lloyd A., MC, O4073663.
Kern, Marion L., ANC, N741993.
Kerrigan, Robert J., MSC, O2047023.
Knox, Lorraine P., ANC, N900099.
Kobrinsky, Samuel, DC, O4055988.
Koch-Weser, Jan, MC, O4039577.
Kono, Tom M., DC, O981007.
Lampru, Paul D., VC, O4043193.
Lewis, Vivian B., ANC, N972279.
Lovelace, Bobby F., MSC, O2047411.
Maher, John R., MSC, O989629.
McGerity, Joseph L., MC, O4029297.
Mericle, Jack H., MSC, O1542153.
Obermeier, Bernard D., DC, O4056082.
Paxton, Annie D., ANC, N765775.
Pilger, Marion H., ANC, N758674.
Rojo, Fernando S., MSC, O1543795.
Rundle, Harold D., MSC, O976258.
Sheehy, Robert W., VC, O1735394.
Tierce, Millard L., Jr., VC, O465984.
Wagner, Donald L., MSC, O1999273.
Warne, Robert J., VC, O2104930.
Wasson, Val J., MSC, O978969.
Wiley, Hugh S., MC, O4030410.
Witt, Gustave J., MSC, O1288837.

To be first lieutenants

Adams, Neil D., Jr., MC, O5701444.
Archambault, Claire A., WAC, L1010795.
Baginski, Lillian E., ANC, N901204.
Ballard, Anthony, MC, O5703039.
Barkley, Velma J., ANC, N901685.
Burns, Anthony J., MC, O1890990.
Culf, Norris K., Jr., MC, O4014802.
Davis, Barbara A., AMSC, M3050.
Dolley, Thomas R., MSC, O1933482.
Downs, Peter E., MC, O2284102.
Freidhoff, Erla J., ANC, N902464.
Fristad, Fern E., ANC, N900454.
Gilson, Claire E., ANC, N754914.
Hall, Ruth M., ANC, N900026.
Harle, Thomas S., MC, O2284093.
Hollowell, Opie W., MC.
Howe, Patrick A., MC, O4017692.
Jack, Marious K., MC, O5703074.
Johnson, Robert M., DC, O4000739.
Johnston, Sharon C., ANC, N902646.
Jones, Donald A., MC, O2288852.
Kay, Robert E., MC, O5500738.
Labelle, Ronald E., DC, O5500991.
Loftin, Richard L., VC, O1942082.
Lynch, Robert E., MC, O4002668.
Lynde, Patricia A., AMSC, R2726.
Madjedi, Ahmad, MC.
Matthews, John C., MC, O1940218.
McFarland, Joseph H., MSC, O1933454.
Morrison, Elliot I., MC.
Noble, Joseph W., MC, O4027890.
Oakes, Richard G., VC, O4061286.
O'Donnell, Matthew B., Jr., JAGC, O2276837.
Pfeiffer, Violet R., AMSC, M20200.
Ross, Curlee, MC, O2285121.
Saari, James T., DC, O2284865.
Sanford, Douglas M., MC, O5003926.
Simmons, Heber S., Jr., DC, O2289385.
Slaughter, Lee D., Mc., O2284575.
Snyder, Frances E., ANC, N805334.
Sovenski, Joan C., ANC, N901810.
Stoehr, Bruce J., MC, O4003622.
Wahl, James F., Jr., DC, O2289682.
Walker, Robert G., MSC, O1332760.
Wehland, Charles E., JAGC, O2293676.
White, Charles T., MC, O1880966.
Wilkes, Clyde H., Jr., DC, O2289790.
Zlotsky, Norman A., MC, O2288916.

To be second lieutenants

Adams, Louis H., MSC, O4058776.
Dawson, William J., MSC, O4051344.
Greene, Marion E., Jr., MSC, O2291346.
Johnson, David E., MSC, O2276873.
Joyce, Brendan E., MSC, O2281251.
Lafleur, George J., MSC, O2289775.
LaRock, Ethel B., ANC, N901448.
Lupien, Earle E., MSC, O2284190.
Pascal, Harold S., MSC, O2289644.
Stowe, Charles L., MSC, O2028354.
Whitman, Annie M., WAC, L2287139.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified under the provisions of title 10, United States Code, sections 3285, 3286, 3287, and 3288.

To be majors

Ammerman, Howard E., Jr., O436130.
Baker, Francis J., O1035646.
Brondstatter, Wallace W., O1646257.
Brooks, George, O450807.
Buckles, Ronald J., O372058.
Bunton, Raymond B., O1104534.
Campbell, C. D., O1046740.
Dunson, Noble H., O1037355.
Guss, Stephen John, Jr., O1950359.
Hindman, Thomas O., O1046488.
Hostetter, Charles A., O1039044.
Leonard, William B., O1555850.
Logan, Robert M., O389737.
Macidull, Joseph C., O1639497.
Marcelle, David A., A397220.
Marschhausen, John C., O1175224.
Marshall, Robert B., O390594.
McCallister, James L., Jr., O361332.
McConnell, Donald W., O1183126.
McFarland, B. J., O1167537.
McKenzie, Don H., O2010598.
Murray, William H., O2011085.
Muttoni, Donald S., O2018735.
Newton, Cleon H., O1796141.
Oldham, Leo G., O387058.
Partridge, Selden H., O1559240.
Syme, James O., Jr., O1583748.
Thornley, James F., O1650774.
Van Hazel, George J., Jr., O1825089.
Willoughby, Glen, O1012094.
Zidar, James J., O1535996.

To be captains

Abbott, Lael J., O1888875.
Acheson, Leonard D., Jr., O554422.
Aldridge, George W., Jr., O963029.
Ashby, Claude T., Jr., O1924987.
Atchison, Eulen D., O2021871.
Aude, Peter N., Jr., O2210528.
Bacon, Leonard A., O1893884.
Baie, John J., O2032936.
Barclay, Robert H., O1924871.
Berry, Thomas S., O995962.
Blanchard, Howard B., Jr., O2273575.
Brinson, William J., O1889985.
Brockman, Harry J., O2274649.

Byrd, James C., O2004933.
Calnan, Francis M., O1593103.
Calvert, Charles L., O2205752.
Campbell, Joseph L., O1920140.
Collins, John G., O1876390.
Daly, James J., O1889698.
Dickerson, Gerald T., O552738.
Durham, Morris C., O2207812.
Eggert, Dalton D., O1637351.
Eidecker, Earl E., O989731.
Estes, Billy G., O1893865.
Feeney, Thomas J., O963569.
Ford, Francis J., O988164.
Fricke, Charles J., O2003851.
Frydendall, Jerry D., O2103570.
Glore, Ray C., O1925706.
Gordon, William T., O2206212.
Grandinetti, Dominick J., O1301475.
Haddock, James O., O2014787.
Hafers, Ernest R., O1885607.
Haggerty, John P., O2201638.
Hagreen, Frederick H., Jr., O2021261.
Harrell, James L., O1913369.
Hartman, William F., O1331504.
Henry, Robert T., Jr., O407744.
Hill, John P., O2202024.
Hoey, Edison V., O1878769.
Horne, Carlton R., O2045028.
Johnson, Paul R., O2042048.
Kendrick, James H., Sr., O1334470.
Kerr, Thomas J., O996575.
King, Jimmie, O1861875.
Kirkwood, Clifford T., O1876154.
Koob, Robert A., O2033590.
Lacey, Vernon L., O2207407.
Lee, Robert C., O993046.
Mack, Edward, O990094.
Marshall, Billy E., O2207749.
Marvel, Edgar E., O1825922.
McClure, Joseph W., O945283.
McCluskey, Joseph E., O1338110.
McLean, Floyd W., O2005407.
Mennicke, Victor O., O998377.
Miller, Richard G., O1335337.
Nevins, Robert H., Jr., O2021005.
Newell, Joseph C., O422365.
Norton, James M., O1920219.
Opdyke, Minott S., O2014741.
O'Steen, Ernest C., O2028351.
Parker, Joseph E., Jr., O968523.
Powell, Charles J., O1324649.
Pruett, Jack G., O986458.
Rausch, Arthur R., O1039521.
Ray, Leonard C., O975137.
Render, Bernard L., O991638.
Resendes, Daniel F., O942990.
Roller, Harry N., O1080957.
Rollier, Robert L., O967812.
Rooney, John J., O1877145.
Ross, Paul E., O1035173.
Rothwell, Joseph B., O1057586.
Sands, Carthel L., O2265621.
Schwartz, Douglas, O1047319.
Soberick, Thomas, O2028526.
Spence, Soren E., O1032490.
Stevens, Story C., O1186859.
Stocker, Lee J., O1890829.
Stone, R. E., O956213.
Stoverink, Robert I., O1876362.
Taylor, Victor C., O1180069.
Teigland, Virgil R., O969664.
Thomas, Raymond P., O449334.
Thompson, Robert I., O993189.
Tucker, Jesse F., Jr., O1915855.
Tunnell, Teddy B., O1334520.
Turek, Charles E., O1873760.
Uhland, Herbert W., O1338417.
Vega, Antonio, O1591497.
Wasco, Joseph, Jr., O470134.
Wells, Jake, O2012250.
White, James T., Jr., O2204324.
Willett, Curtis L., Jr., O2284187.
Williams, Charles E., O2096705.
Wilson, Max J., O996721.
Yakimovicz, Floryan L., O1020522.
Young, Harold G., O1876482.
Yurko, Joseph J., O995246.

To be first lieutenants

Aldrich, Herbert C., O1893147.
Allison, Willie E., O4045136.
Amlicke, John G., O4037709.
Anderson, Robert C., O4013991.
Asbelle, Charles T., O4011532.
Baxter, George M., O4026903.
Bean, Calvin R., O1930856.
Bearden, Winston H., O4024162.
Bell, Joel H., O4034187.
Bergquist, Robert L., O4038195.
Boswell, Aubrey R., O4025372.
Boswell, John R., O4049898.
Bourgeois, Edward J., Jr., O4014924.
Boyle, Willard F., O4014925.
Bracken, Glenn A., O1925750.
Breeding, William B., O4012450.
Brendel, William J., O4040954.
Brown, Donald R., O1881865.
Bullock, Charles A., O1939692.
Cambell, Chester F., O4020835.
Camper, William C., O1932008.
Carlson, Earl C., O1887406.
Cauthen, John R., O1888619.
Chezem, Jimmie A., O1887408.
Coleman, Willie A., O1878941.
Conway, Burton J., O4036093.
Cooke, Richard R., O4006660.
Crain, James W., O4057241.
Crosmun, Clifford A., O4006405.
Crow, Marvin S., O4032863.
Crowder, Thomas M., O4058694.
Daoulas, Arthur, O4021268.
Darrah, Robert F., O4040864.
Daugherty, Paul R., O2269878.
Davis, Jack C., O1913469.
Day, Raymond, O4041986.
Dehrkoop, Clinton B., O1940739.
Ellis, William L., O4003532.
Evangelos, Christos J., O2028447.
Faugust, Robert E., O4040961.
Fene, William R., O4025407.
Fisher, Saul H., O4026977.
Flanagan, William J., Jr., O4051383.
Flynn, Thomas J., O4006808.
Fox, Bernard J., O4005194
Fujii, Eugene I., O4017749.
Graber, Roy W., Jr., O2203802.
Hickson, Edgar G., Jr., O4029188.
Hilty, James R., Jr., O2265040.
Hodges, Stanley W., O4006721.
Howard, McErvin, O1880060.
Huffman, Roy T., Jr., O2207188.
Huggins, Charles B., O4042892.
Hughes, Philip B., O1892761.
Hukill, Phillip E., O1933340.
Hunt, Jim I., O1932235.
Jacobs, Norman P., O1935451.
Jordan, William R., O2003401.
Keister, Leland W., Jr., O1882658.
Keller, Leonard, O4026991.
Kennington, Roy A., O2004793.
Kenyon, Peter B., O4053008.
Killion, Edward P., O1893034.
King, John W., O2263630.
Kingery, Michael I., O4019634.
Leonard, Robert R., O1891479.
Levinson, Stanley R., O4018117.
Liesman, John S., O4040607.
Lilley, Aaron L., Jr., O4026533.
MacKnight, Allen B., O4042665.
Marks, Malcolm L., Jr., O4025837.
Massengill, James R., O4023533.
Matson, James M., O4018391.
Mattson, Bertil E., O4040187.
McCarthy, James E., O1936579.
McClary, Jack D., O4024431.
McCormick, Richard L., O1930228.
McDonald, Harold F., O1937916.
McGee, Calvin A., O1926070.
McGraw, Russell M., O4013836.
McLaughlin, Kenneth L., O1891353.
McQuade, John P., O1937043.
Metallo, Vincent J., O4004564.
Meyer, Richard W., O982918.
Miller, Oliver J., O1879696.
Miller, Richard J., O2289472.
Moran, William J., O4010262.
Morris, Henry F., O4002955.
Murry, George S., O1931018.
Neal, Beverly L., O1935275.
Nicholson, Thomas G., O1939320.
Norris, Frank D., O4025607.
Northcutt, Maurice L., O979251.
Patton, Joe W., O4024398.
Perrotto, Anthony J., O4010231.
Pershing, Jay W., O4017863.
Petersen, Darwin A., O4018094.
Phillips, Benjamin M., III, O2264183.
Pohlod, Leonard G., O4004307.
Pope, Donald E., O1933755.
Presley, James N., Jr., O4040394.
Putnam, Earl L., O4048418.
Randall, Starr D., O4013711.
Rhyan, Earnest W., Jr., O1941230.
Richards, Joseph F., Jr., O4009528.
Ruskauff, Donald R., O4016219.
Saffold, Albert T., O1879174.
Sakayeda, Mitsuo, O1927512.
Sampson, Eldon F., O1886076.
Sawyer, Donald E., O1926558.
Settle, Thomas A., O4058617.
Setzer, Howard L., Jr., O4042573.
Shalz, Roger M., O4027815.
Sheets, William E., O4041317.
Sibert, Robert L., O4034862.
Simpson, Billy S., O4031591.
Skinker, Harry J., O4002244.
Slesnick, Bruce W., O4001452.
Stallings, David W., O4034782.
Stewart, Denzil S., O4013978.
Swadell, Robert A., O1885750.
Teague, Gwynn A., O4048365.
Thompson, Harold N., O1940417.
Towle, Thomas J., O4038884.
Vogentanz, Peter G., O4010643.
Wall, Henry L., Jr., O4012686.
Wangenheim, Richard M., O4052938.
Waters, George D., O2283020.
Watson, Elmer E., O2263786.
Westphal, Ralph E., O1939376.
White, Dean, O1933703.
Whiteley, James E., O4027539.
Williams, Nelson E., O4047825.
Wingfield, Damon D., O1939818.
Young, Clarence J., O1879319.
Yuengel, William W., O2283518.
Zook, Kenneth A., O4050443.

To be second lieutenants

Abene, Casper V., O4074871.
Allanson, Will B., AO3017755.
Anderson, Joseph L., O4076082.
Areheart, Henry W., Jr., O4062564.
Arnold, Robert W., O4061955.
Ault, John W., Jr., O4074355.
Barber, James J., O4074649.
Barborak, Franklin D., O4048224.
Barrett, Robert C., Jr., O5502803.
Barrett, William T., O4076342.
Bassett, Gordon C., O4061027.
Baun, Richard A., O4069497.
Bernard, Richard T., O5400680.
Biberstein, Billy J., O4060132.
Biernacki, Richard G., O4064502.
Binder, Fremont E., O4060897.
Bivings, Donald E., O5302112.
Bowden, John J., O4075377.
Bower, George L., O4076344.
Briggs, Charles F., O4060309.
Briggs, Richard A., O4077206.
Briggs, Thomas J., O4047643.
Bronson, Richard M., O4059804.
Brown, Bernard B., O4064237.
Brown, Joseph F., III, O5201597.
Bryant, James W., O4059635.
Bryant, Thomas E., Jr., O4063366.
Bull, L. M., Jr., O5400085.
Burford, John S., O2279472.
Burke, Francis J., Jr., O4064911.
Burrow, George D., O5301841.
Burton, Donald L., O4049529.
Bustard, William J., O4064186.
Calhoun, Charles C., O4012747.
Cassell, James D., O5303141.
Cento, Dahl J., O4063725.
Ciccone, Vincent J. O4084359.
Clark, Ray L., O4077083.
Cofoni, Peter J., O4053213.
Colket, Charles H., O5502038.
Collins, Robert H., O4077024.
Conger, John T., O5502490.
Cook, Billy G., O5400149.
Cook, James P., O4071422.
Cooper, Robert T., O4051266.
Cooper, Willis M., O4049489.

Copp, Willard C., O5202818.
Cordum, Myron A., O4006991.
Corless, Robert L., O4058000.
Criss, Carl K., O5200757.
Crox, John F., Jr., O5302393.
Danielzuk, Charles P., O4029511.
Davis, Sidney, O4010988.
DeGraw, Allen C., O4063436.
DelVecchio, William P., O4068921.
Devereaux, Raymond A., O2265055.
Dickinson, Kenneth K., O5200366.
Donker, Leo M., O4076087.
Dowds, James B., O5300020.
Drummond, Louis A., O4061541.
Duehlmeier, Henry E., O4061987.
Duhon, Ben E., O1880470.
Dyer, Howard B., O4061605.
Dyke, Charles W., O4030930.
Edwards, Charles A., O4025951.
Edwards, James W., O4061722.
Ellis, Gary L., O4069346.
Ely, Arch H., Jr., O4025918.
Engle, Phillip D., O4048118.
Evans, Robert H., O5400283.
Fairchild, Robert L., Jr., O4068464.
Forsythe, Richard W., O5203041.
Fory, Charles E., O4049554.
Frankenbery, James F., O4069419.
Freeman, Edward V., Jr., O2288748.
Gardner, William H., O4084909.
Geertsema, William W., O5405092.
Good, Robert E., O4049415.
Greenway, John R., O4065303.
Groetken, David L., O4060960.
Handley, Charles B., Jr., O4075782.
Hanlin, Richard W., O4068858.
Harrison, William H., O4031230.
Hatcher, Robert T., O4065054.
Heim, Keith M., O1930224.
Heller, George W., Jr., O4060096.
Hermann, Roland E., O4026332.
Hobin, Raymond M., O4065950.
Holmes, David R., O4066626.
Honsinger, Larry E., O4062395.
Hummel, Richard H., O4069575.
Humphreys, George D., O4047253.
Huntsinger, William R., O4056917.
Jewett, Richard E., O4070306.
Johnson, James M., O1925418.
Kavanaugh, Paul F., O5203048.
Kegelman, Theodore J., Jr., O4066191.
Kelly, Ted W., O4071818.
Kelly, Thomas W., O4069057.
Kerver, Thomas J., O4069292.
Kreitzer, John C., O4068312.
Lambo, Jerry L., O5071182.
Lantz, Patrick M., O4071704.
Larson, Dean M., O4061080.
Leverenz, John H., O2287779.
Ligon, Robert E., Jr., O4047192.
Liles, Michael S., O4070986.
Long, Glenn W., O4075512.
Lucas, Ronald M., O4062463.
Magnus, Ralph E., O4066926.
Mah, Joe, O2267470.
Marmaras, Ernest, O4065251.
Marr, Francis W., O2291542.
Masuga, James J., O4071707.
McConkey, Rodney F., O4036931.
McCracken, Ernest E., O4061345.
McCue, Robert B., O4050352.
McDonald, Jackie L., O5405026.
McMillan, Druery C., O1876350.
Meyer, Clyde E., O4056620.
Miller, Robert F., O4041863.
Mills, Lawrence L., O4049615.
Modica, Giac P., O4065838.
Montefusco, Harry A., O4065755.
Montgomery, Ross D., O4071573.
Moore, John E., O5700513.
Moseley, James F., O4083492.
Muello, Richard J., O4064239.
Mullins, Donald G., O4069439.
Musial, Walter F., O4076976.
Newton, George F., O4064494.
Noakes, Edmund D., O4071229.
Nolet, Gerard A., O4066302.
Oakes, Leslie C., O4066072.
Offan, Kenneth J., O4071379.
Pagel, John A., O4061662.
Palmertree, Tommy R., O4063424.
Paquin, Wilfred J., O4052452.
Pare, Harold J., O4046779.
Parke, Walker M., O4036572.
Passailaigue, Edward P., Jr., O1926078.
Patz, John C., O4059907.
Perry, Mervin E., O4049284.
Peterson, Harlan F., O4059838.
Pettersen, Clifford D., O4070778.
Pickens, Homer C., Jr., O4071285.
Piner, James, Jr., O4076979.
Place, Berwyn L., O4061252.
Poole, Ronald H., O4000423.
Powell, Raymond G., O4065341.
Randall, Thomas G., O5502990.
Rawls, Paul L., O4075713.
Reeves, Donald W., O4061365.
Reynolds, George P., O4036435.
Richey, Charles G., O5300853.
Rilling, Henry C., O5700274.
Riviere, Francis, O4075783.
Robertson, Warren A., O5300973.
Rodrigue, Earl W., Jr., O4075441.
Rummens, Bobby E., O5504620.
Ruppert, Roy M., O4069446.
Russell, Beryl D., O4059633.
Ryan, James T., III, O4065807.
Sagabiel, John W., O4015478.
Sanchez, James, O4076775.
Santa Barbara, Joseph R., O2289097.
Saunders, Don M., O4065902.
Sbarbaro, Frederick L., Jr., O4046680.
Schall, Austin F., O1881823.
Schiffman, Reed L., O4076288.
Seybold, Lawrence C., Jr., O4049108.
Sisk, Robert A., O4025669.
Skelton, Robert C., O4066484.
Slotten, Russell H., O4061300.
Smith, Benjamin C., O2287367.
Stein, Edward J., Jr., O4068530.
Stern, Allan R., O4061943.
Strickler, William H., O5201420.
Szustak, Edward J., O4064736.
Taurke, Erwin A., O5701180.
Thomson, Robert W., O4066221.
Tomlinson, William J., O4061499.
Van Herpe, William H., O4066088.
Vaughn, Donald C.
Waclawski, Leon J., O4035705.
Wagner, Keith A., O4035121.
Walker, Robert E., Jr., O4070224.
Wall, Walter F., O4070319.
Waller, William C., O4047879.
Warnberg, Harry E., O5301930.
Whiddon, Orren R., O4063796.
White, Billy T., O4071945.
White, David J., O5301818.
Willey, John L., O4058036.
Williams, Richard R., Jr., O4066737.
Willies, Edward J., O4077178.
Witt, Everett L., O4076350.
Wooledge, John D., III, O4062478.
Wright, Gregory F., O5700896.
Wright, Lloyd R., O1701196.

The following-named persons for appointment as chaplain in the Regular Army of the United States in the grade of captain, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, and 3288:

Hasten, Donald B., O2274657.
Lively, Carlos J., Jr., O1340666.
Shevlin, John G., O2274695.

The following-named officer for appointment, by transfer, in the Judge Advocate General's Corps, Regular Army of the United States, in the grade of captain:

Zalonis, John A., Jr., O68178.

The following-named distinguished military students for appointment in the Medical Service Corps, Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, and 3288:

Coran, Richard R., O5507419.
Cygan, Herbert E.
Fain, Ronald A.
O'Donnell, Frank P.

The following-named distinguished military students for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, and 3288:

Akin, Robert B.
Allred, Raymond S., Jr., O5702958.
Anderson, Richard C., O5206560.
Andres, Dudley M.
Baldwin, Roy G., O5402256.
Banks, John W., Jr.
Bassett, Martin M., Jr.
Bennett, Clyde R., O5402359.
Boulware, Jefferson T., Jr.
Boyett, George H., O5401403.
Braun, Paul A.
Bridges, Donald R., O5402491.
Byars, Harold W., O5401746.
Christie, Jerrold L.
Cooper, George H., Jr., O5304881.
Cooper, John C.
Cowart, David W.
Currin, David M., O5401758.
Dembinski, Mark L., O5205736.
Eldredge, Richard B., O5206331.
Elkins, Donald W., O5402023.
Filipkowski, William F., Jr.
Fletcher, Richard F.
Forbes, Maynard C.
Fox, William I., Jr., O5206688.
Funderburk, Raymond E.
Gear, Edward R.
Goudie, Richard B.
Gowan, Arthur D.
Grieg, John M., O5506932.
Gross, Gerald D.
Haddock, Raymond E.
Hamby, Jerrell E., O5404944.
Hanson, Charles K.
Harvey, Henry L., Jr., O5001862.
Hawley, Warren G., O5702953.
Hayes, James R., O5205138.
Herzbrun, Lon S.
Howard, Kenneth W.
Hubler, George E., Jr., O5205864.
Hulse, Kent O.
Hyers, James E.
Jackson, Lacy M.
Jagoe, Marcellus H., III.
Johnson, Alvin F., O5702534.
Johnson, Jerome G., O5504872.
Jones, Andrew M., O5206585.
Kaney, Frank N.
Kelley, Robert F., O5402264.
Kernan, Michael F.
Kincaid, William L.
King, Howard F., Jr., O5001035.
Kirkpatrick, Elwood C.
Kutzner, Robert A., O5506800.
Lavin, Floreal M.
Leide, John A.
Loftus, William K.
Luciano, Alfred J., O5000248.
MacDonald, Robert W.
Matthews, John P.
McCook, James W., III, O5304785.
McEuen, Roger S., O5702372.
McGarr, Robert L.
McKinnon, Graham, III.
McShane, Donald L.
Meeks, Ronald C., O5303616.
Meister, William A., O5204276.
Mellom, James T., O5206237.
Metcalf, George P., III.
Mineo, Nicholas A.
Monty, James M.
Moore, George A.
Morales-Cabranes, Manuel C.
Mowbray, Calvin W., Jr., O5205722.
Muchmore, Gilbert L., O5702268.
Naughton, Hugh V.
Norvell, Frank C., Jr., O5205498.
Orr, Walton A., O5305739.
Ostrowidzki, Joseph.
O'Sullivan, Christopher J.
Perkins, Jerry L.
Peterson, Rolland B., O5702995.
Pfabe, Richard K., O5206756.
Pointer, Monroe.
Pruett, Billy R.

Ralston, Leonard H., O5702132.
Reeves, Jon A., O5305193.
Resley, Patrick E.
Robak, Raymond S.
Robinson, Charles A., Jr., O5002673.
Roppo, Leo J., O5702926.
Schuette, Ronald W.
Schwab, Don A.
Sechtman, Paul L.
Skaggs, Harold G.
Smith, Richard A.
Smith, Robert T., Jr., O5401812
Solomon, Irwin E.
Sorensen, William A., O5[illegible]
Sundstrom, Ronald E.
Szafranski, Robert C.
Townley, Robert R.
Varner, Bruce D.
Wales, Wayne F., Jr.
Walker, John R., O5401830.
Warmath, Julius G., O5305423.
Watts, Thurman.
White, Donald P., O5507565.
Yearick, William H., III, O5304675.
Zollman, John P.

(NOTE.—These officers were appointed, transferred, or promoted during the recess of the Senate.)

PROMOTIONS IN THE REGULAR AIR FORCE

The following-named officers for promotion in the Regular Air Force under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law:

CAPTAIN TO MAJOR

Line of the Air Force

Bennett, George A., 18154A.
Thorn, James R., 25613A.
Kagy, Kenneth W., 32614A.
Moses, Eugene F., 32615A.
Bathurst, John F., 15144A.
Ball, Claude L., 32624A.
Martinez, Anthony, 32625A.
Weir, Therman C., 32626A.
Rees, Harry E., 32628A.
Harlan, Edgar R., 32623A.
Purvis, Kelly A., 32627A.
Cox, Otis J., 32621A.
Larue, Arthur D., 32622A.
Fister, Merle N., 32629A.
Cummings, Lawrence R., 32617A.
Herzog, Alvin R., 32618A.
Bruss, Robert E., 32619A.
Amy, Robert H., 32616A.
Eddy, Crowell C., 32620A.
Kittock, Roy T., 32630A.
Ingram, Billy H., 32633A.
Gee, Mood L., 32631A.
Manzek, Stephen J., 32632A.
Nicholson, Arthur F., 32634A.
Borders, William E., 32635A.
Forsythe, William M., 32636A.
Moose, John L., 32637A.
Mohawk, Hiawatha, 32638A.
Campbell, Richard A., 32639A.
Liljedahl, Henry W., 32642A.
Knebusch, Donald E., 32641A.
Hartzell, James H., 15263A.
Cox, Harold D., 32645A.
Farrell, William S., 32650A.
Pisaruck, William, 32656A.
Carruthers, Douglas H., 32646A.
Kelsey, Robert B., 32647A.
Kimbrough, Frank L., 32651A.
Banister, Richard G., 32653A.
Dreher, Richard E., 32655A.
Bradbury, Julian W., 32654A.
Houghton, Homer H., 32644A.
Might, Gerald W., Jr., 32657A.
Cook, Maurice E., 32649A.
Boorman, Harry G., 32643A.
Redmond, John I., 32648A.
Ramsey, Russell W., 32652A.
Myers, Donald B., 32658A.
Martinjak, Frank, 32659A.
Randall, Leroy D., Jr., 32660A.
Cummings, Sherman R., 32662A.
Mace, William S., 32664A.
Henry, John D., 32663A.
Swanson, Roger B., 32661A.
Carden, Alva F., Jr., 32665A.
Wellman, Robert A., 32666A.
Bledsoe, Willis H., 48734A.
Romano, Salvatore J., 32668A.
Evertson, Bryce S., 32640A.
McClelland, Robert C., 15435A.
Benkoski, Ernest F., 15443A.
Orser, Leon S., Jr., 32679A.
Naylor, Robert D., 32671A.
Meyers, William F., 32670A.
King, Donald J., 32680A.
John, Joe R., Jr., 32677A.
Wilhoite, Harris B., 32676A.
Patrick, Riley E., 32675A.
Boblitt, Wallace T., 32672A.
Beaty, Newell H., 32673A.
Whalen, Robert G., 32669A.
Davis, Gerald L., 32678A.
Smith, Howard W., 32674A.
Lindgren, William J., 32868A.
Hathaway, Raymond H., 32681A.
Dobrowolski, Edward L., 32682A.
Peterson, Harold L., 32683A.
Owen, William A., Jr., 32684A.
Reed, David G., 32685A.
Edmonds, Clarence A., 32687A.
Kerns, William M., 32688A.
Castleberry, Marvin H., 32689A.
McRoberts, John E., 32690A.
Lewis, Edwin, 32692A.
Staeben, Fred W., 32693A.
Wilson, Howard E., 32694A.
Leigh, Thomas W., Jr., 32695A.
Manley, James C., 32696A.
Lamb, Robert E., 32697A.
Davis, Allen R., 32698A.
Izenour, Charles S., 32699A.
Bush, Arthur P., 3d, 32700A.
Johnson, Scott C., 32701A.
Hynes, John A., 15623A.
Page, Garnet D., 32717A.
Howell, Donald L., 32714A.
Demmon, George B., 32708A.
Turner, Merle D., 32713A.
Burgess, Charles W., 32703A.
Lukawski, Joseph J., 32712A.
Copley, John O., Jr., 32715A.
Dexter, Harry R., 32709A.
Decker, Ralph S., Jr., 32704A.
Lancaster, Leroy M., 32716A.
Boone, Willis D., 32706A.
Woolley, John J., Jr., 32702A.
Van Fleet, Haymond A., Jr., 32707A.
Adelman, Frederick J., 32705A.
King, Lawrence R., Jr., 32711A.
Peter, Reed T., 32719A.
Pratt, Owen E., Jr., 32718A.
Debruler, Jasper D., 32720A.
Williby, Keith E., 32721A.
Maloney, David J., 32722A.
Loughlin, William A., Jr., 32723A.
Chapman, Charles E., 32724A.
Shaughnessy, John J., 32725A.
Kern, Werner K., 32726A.
Perfitt, John C., 32727A.
Scolatti, Charles A., 32728A.
Stern, Theodore, 32729A.
Kalvelage, George R., 15683A.
Tschannen, Bruno F., 34716A.
Giffin, George E., 32730A.
Johnson, Kenneth D., 32667A.
Remillard, Donald W., 32731A.
Billingsley, T. G., Jr., 32733A.
Greenwood, Lloyd P., 32732A.
Lipton, Gerald P., 32734A.
Mariolis, Michael, 32736A.
Mika, Joseph F., 32735A.
Pendleton, Grady R., Jr., 34874A.
Howerton, Paul A., 32737A.
Musick, John D., 32738A.
Moore, Howard E., Jr., 32739A.
Potts, Judge C., 32749A.
Converse, Stanton D., 32747A.
Jones, Milton S., 32746A.
Sherry, Alexander S., 32745A.
Hammer, Edwin O., 32748A.
Schneider, William J., 32744A.
Burke, William L., 32743A.
Getty, Mervin G., 32740A.
Stogdill, Maynard E., 32741A.
Pollock, John B., 32742A.
Doyle, Thomas E., 32751A.
Grooms, Wayne G., 32750A.
Craig, Robert J., 32752A.
Craw, John I., Jr., 32753A.
Edgcomb, Willis A., 34666A.
Angel, Angel J., 34497A.
Domke, William H., 34498A.
Gardner, Edwin I., 34495A.
Jones, William L., 34496A.
Donalson, Douglas C., 34499A.
Peterson, Christian F., 34501A.
Rider, Hulburt H., 34500A.
Adams, William V., 34502A.
Dyer, Laurence S., 34503A.
McGilpin, William A., Jr., 34504A.
Reilly, Martin J., Jr., 34508A.
Sullivan, Glenn R., 34506A.
Horne, Willie M., 34505A.
Flinders, Dale J., 34507A.
Boline, Laurel E., 34509A.
Portillo, Richard L., 34512A.
Murray, Roscoe, Jr., 34510A.
Molano, Sergio C., 34511A.
Cunningham, John W., 34514A.
Fritsch, Curtis P., Jr., 34513A.
Larkin, William J., 34516A.
Perrone, John A., 34548A.
Mann, Olin, 34515A.
Dandrea, Natal V., 34520A.
Ransom, George, 34519A.
Thornton, John M., 34523A.
Potter, William H., 34521A.
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Collins, John D., Jr., 35720A.
Kelly, Edward T., 35721A.
Wareham, Samuel A., 17166A.
Borchert, Francis W., 17167A.
Woolfolk, William F., 17168A.
Lorenz, Howard F., 35723A.
Blanchard, Keller J., 35725A.
Lawson, Tom C., 35724A.
Schamber, Robert A., 35727A.
Truxal, William H., 35726A.
Lane, Fred A., Jr., 35729A.
Wood, William M., 35728A.
McCabe, Joseph J., 22774A.
Myhra, Irvin A., 35730A.
Larson, Louis E., 35731A.
Luginbyhl, Thomas T., 35732A.
Allison, John H., 35733A.
Payne, William R., 17170A.
Loughrie, David H. R., 21450A.
Highsmith, Robert L., 35734A.
Anthony, Henry S., Jr., 35739A.
Robertson, George M., 35735A.
Kelly, John R., Jr., 35737A.
Clark, Edward P., 35736A.
Thompson, Robert C., 35738A.
Taylor, Charlie T., Jr., 17172A.
Bell, Waller D., 35740A.
Craycraft, Ralph E., 19531A.
Stanford, Thomas W., Jr., 35741A.
Lafferty, William A., Jr., 22667A.
Chandler, Richard E., 35743A.
Wilson, Charles R., 35745A.
Mason, Merle F., 35742A.
Woodward, John C., 2d, 35746A.
Flinn, Robert P., 35744A.
Fellows, Charles W., Jr., 17173A.
Hendricks, William T., 17174A.
Embery, Robert L., 17175A.
Thompson, Earl A., 35749A.
Roberts, Lionel W., 35747A.

Lee, Fitzhugh, Jr., 35748A.
Laroche, Harold D., 17176A.
Bradley, Ernest E., Jr., 17177A.
Culver, Frank B., 3d, 20765A.
Eaton, Warren B., 26769A.
Tomlinson, James H., 35752A.
Hamilton, Marvin C., 35751A.
Adcock, Roy D., 25629A.
Coffin, Robert A., 35753A.
Norberg, Marcus L., 17178A.
Lewis, Theodore S., 17179A.
Jones, Robert L., 22693A.
Steifman, Harold M., 35754A.
Clinkscale, Robert M., 35625A.
Brauneis, Ernest F., 17180A.
Orlando, Michael A., 17182A.
Johnson, Robert M., 24706A.
McNelly, Donald D., 35756A.
Young, Leroy A., 35755A.
Davis, Marion M., Jr., 17183A.
Hubka, Rudolph J., 35758A.
Haig, Thomas O., 35757A.
Pearson, Thomas S., 35759A.
Cavnar, Bobbie J., 17184A.
Hughes, James M., 35760A.
Kellam, Edgar L., 24367A.
Johnson, Stanley J., 35761A.
Rust, Tom M., 35765A.
Dodge, Douglas A., 35764A.
Boutwell, William A., 35766A.
Cook, David A., 35762A.
Hardy, Charles R., 17185A.
Vance, Cyrus B., 35767A.
Dzierski, Anthony P., 35768A.
Devries, John A., 17186A.
Fox, Victoria E., 21303W.
Brown, Chester, 35769A.
Confer, Harold E., 35771A.
Sussky, Ira M., 35770A.
Knapp, Clyde H., Jr., 21511A.
Welford, Dewey N., Jr., 35772A.
Wiederhold, Kenneth R., 35774A.
Vanya, Joseph J., 35773A.
Hosler, Richard M., 35776A.
Walker, Colin J., 35777A.
Myers, Pierce M., Jr., 28312A.
Witt, Gerald D., 35778A.
Eden, Eugene T., 35779A.
Cooley, Mack D., 48779A.
Guay, Georges R. J., 17187A.
McKinney, Elwyn G., 35781A.
Lancaster, Roy A., 35782A.
Christensen, Swen A., 17188A.
Crawford, David F., 17189A.
Haney, George W., 35784A.
Hughes, Eugene, 35785A.
David, Norman T., 35783A.
Wood, R. L., 23732A.
Owens, Jack H., 35787A.
Atkins, Walter J., 35786A.
Miller, John F., Jr., 35788A.
Downs, Donald G., 35789A.
Goldenberg, Sam, Jr., 35790A.
Moore, Frank G., 17190A.
Evans, Frank S., 35791A.
Heckel, Charles C., 17191A.
Kenworthy, Robert B., 17191A.
First, David F., 23664A.
Briggs, Herbert F., 35793A.
Mayward, James R., 35792A.
Collins, David C., 17193A.
Kamer, Frank Z., Jr., 25525A.
Moses, Edwin J., 35795A.
Mitchell, Ralph B., 35794A.
Goodlett, John R., 35796A.
Pohlen, Paul D., 17194A.
Nissen, Jim C., 17195A.
Shadel, William N., 17197A.
Tolley, Oswald D., 25515A.
Mills, Charles F., 35797A.
Lumbley, Clifton G., 35798A.
Ahern, Timothy I., 17198A.
Knight, Harold D., 35799A.
Reeves, Roy B., Jr., 35801A.
Hintz, Elwood H., 35800A.
Dulaney, Arthur A., Jr., 35802A.
Garcia, Ray J., 17199A.
Lewis, Ivey J., 35803A.
Collins, Harold E., 17200A.
Slay, Alton D., 17201A.
Arnold, Carl G., 35804A.
Hintz, Frederick E., 35806A.
Norris, William J., 35805A.
Ballard, Ralph T., Jr., 22718A.
Bogie, Woodrow W., 35807A.
Shulkin, Irving A., 35808.
McDonnell, James G., 22705A.
Klisavage, Henry J., 25810A.
Germeraad, John H., 35809A.
Johnson, Alexander K., 35810A.
Hislop, Sherman L., 17204A.
Rademaker, Gerald C., 35813A.
Nelson, William H., 35811A.
Jimenez, James A., 35812A.
Heller, Gilbert L., 28305A.
Barry, Russell J., 20656A.
Lang, Thomas P., 35814A.
Cassidy, Joseph W., 35816A.
Strecker, Charles W., 35815A.
Fleming, Herbert M., 35820A.
Janus, Chester W., 35818A.
Smith, Milford T., 35819A.
Mercer, Frank, 35817A.
Wegman, George W., 37018A.
Solomon, William G., 22627A.
Honaker, John P., Jr., 22833A.
King, Harold R., 35822A.
Anderson, James E., 35755A.
Barnes, Robert W., 35825A.
Ramstad, Raider E., 35824A.
Young, Elton F., Jr., 35823A.
Collins, James P., 35827A.
Brown, Robert W., 35828A.
Hiddon, Sherman R., 35826A.
Berry, John J., 35830A.
Gregory, William J., 35829A.
Swisher, Kenneth C., 26834A.
Hampton, Dixie C., 35832A.
Clifton, Leecroy, 20650A.
White, Thomas L., 25607A.
Conklin, Merlin L., 35833A.
Gautney, Robert E., 35834A.
Loving, Samuel D., 35836A.
Underhill, Harold W., Jr., 35835A.
Morrow, John F., 35838A.
Connor, John H., 35837A.
Smith, Howard P., Jr., 17205A.
Daubin, Kenneth K., 35814A.
Hull, Richard F., 35840A.
Coffee, Richard J., 35839A.
Fielder, James M., 21499A.
Disharoon, John F., Jr., 22727A.
Pelzel, Alfred O., 17208A.
Elliott, Frank W., Jr., 22664A.
Davisson, Richard L., 35844A.
Carmell, Edwin E., 35843A.
Winter, Frank, 35846A.
Freaney, Thomas J., Jr., 35845A.
Davis, Richard L., 17209A.
Sommovigo, Marcello J., 35848A.
Kummel, Vernon M., 35849A.
Goldsmith, Alan E., 35850A.
Aton, Terry, 35847A.
Boyes, Peter E., 17210A.
Koski, Raymond J., 17211A.
Bordner, William H., 35851A.
Wahl, Charles N., 35852A.
Eckerman, Chester E., 35853A.
Westberg, Leslie J., 35854A.
Galle, William R., 35855A.
Crawford, Cecil C., 35856A.
Fogarty, George H., 35857A.
May, John R., 35858A.
Sanford, James B., 35299A.
Marriott, Paul A., 35859A.
Cunningham, O. D., Jr., 17212A.
McElmurry, Thomas U., 17908A.
Swanagon, Harold L., 35862A.
Raddin, James H., 35861A.
Scott, Richard E., 35860A.
Ewing, Donald E., 17214A.
Stapel, Wilmer L., 35863A.
Otis, Howard J., 48780A.
Pearson, Carl R., 21796A.
Miller, William J., 35865A.
Hall, Jerry S., 35864A.
Sinnett, Jefferson D., 18269A.
Ellis, Calvin K., 17216A.
Teel, Wilford L., 23691A.
Corbell, Ralph P., 35868A.
Haag, George B., Jr., 35867A.
Nordan, Thomas B., 35866A.
Schmal, Gordon W., 20700A.
Rogers, John G., 35869A.
Glass, Lawrence S., 17218A.
Rolfe, Wilson, 22670A.
Burke, Dennis W., 26462A.
Bork, Ervin F., 17219A.
Kar, Edward G., 18252A.
Dragash, Nikola J., 35870A.
King, Thomas K., 35872A.
Northcutt, Herbert A., 35873A.
Long, William M., 35871A.
Bozeman, Earl L., 21505A.
Loesch, George P., 17220A.
Lane, Edward E., 22731A.
Mattson, Rudolph G., 35874A.
Bullard, James T., 22996A.
Martin, Jerry N., 35875A.
Kendrick, Claud D., 35877A.
Holland, Thomas M., Jr., 17221A.
Reilley, Bernard, 35878A.
Burns, Joseph, 28334A.
Mielenz, George C., Jr., 35881A.
Erickson, Harry R., 35879A.
Shaver, James N., Jr., 35880A.
Rawlston, Ray C., 35885A.
Gatchell, Charles C., 35882A.
Barton, Marshall M., 35886A.
Dotson, Harold C., 35663A.
Ellis, Edward, 35884A.
Shiderly, Daniel C., 35883A.
Daggett, Lester A., 35887A.
Houston, Grover C., Jr., 35888A.
Sinclair, William D., 17227A.
Copeland, Guy W., 35890A.
Roberts, Arthur W., 35891A.
Graves, Grover C., Jr., 17228A.
Kramb, John H., 17229A.
LeCroix, Atha L., 35892A.
Campbell, William R., 48781A.

Medical Corps

Day, Richard T., 29860A.
Hibben, Herbert A., 23069A.
Parapid, Nicholas V., 24666A.
Richard, Eli F., 25471A.
Dettinger, Garth B., 25478A.
Deuel, James T., 23588A.
Tracey, John F., 20527A.
Fraysse, Louis A., 3d, 22961A.
Eastwood, Herbert K., Jr., 23065A.
Currie, Edward H., 24132A.
Harmon, John B., 24214A.
Dooling, John A., 25662A.
Wallace, William E., 24136A.
Easter, Stratton R., 23070A.
Hook, Frederick R., Jr., 20839A.
Baird, Glenn D., 20845A.
Curtis, James L., 21688A.
Rehmar, Michael I., 29618A.
Poole, Chester R. F., 22951A.
Shea, Edward J., 24188A.
White, Stanley C., 23173A.
Woodward, George S., 23587A.
Sallee, William T., 25652A.
Screws, Carl, Jr., 27488A.
Pierce, Robert E., 25460A.
Gillespie, Elmer F., 24190A.
Jernigan, James A., 20545A.
Stull, Fred E., Jr., 23167A.
McChesney, John A., 24127A.
Ward, Richard J., 24220A.
Smith, Robert B. W., 26352A.
Smith, Milton J., 29770A.
Ortiz-Gordils, Edgardo, 29861A.
Scripter, Lyman J., 25694A.
Peterson, John A., 25694A.
Frey, William A., 27603A.
Stavig, Paul H., 20538A.
Cocks, George R., 20529A.
Sturtevant, Harwood N., 23106A.
Zellmer, Robert W., 26356A.
Hensler, Nestor M., 20840A.
Sullivan, Dennis J., 29617A.
Hood, Robert F., 29470A.
Melvin, Walter W., Jr., 24126A.
Wuesthoff, Hubert E., 24665A.
Banning, George S., Jr., 20547A.
Hood, Richard H., Jr., 23035A.
Eggertsen, Paul F., 20533A.
Cheeseman, Sumner A., 20544A.
Cook, Ferris E., Jr., 20532A.

Jay, Jack B., 20842A.
Hartmann, Ernest R., 21735A.
Wartella, Stephen, Jr., 22554A.
Robards, Robert E., 23061A.
Inness-Brown, Hugh A., 24189A.
Nixon, James E., 25651A.
Stumpe, Alfred R., Jr., 29474A.
Thiele, Arthur J., Jr., 23105A.
Clark, Randall L., 29611A.
Staudinger, Leonard S., Jr., 22564A.
Turpin, William R., 24130A.
Ellswood, William H., 24207A.
Russell, Carl M., 20536A.
Gant, Billye G., 26740A.
Cheatham, James S., 23166A.
Holmstrom, Fritz M. G., 26694A.
Johnson, Louis F., Jr., 27591A.
Bulen, James A., 20548A.
Anderson, George R., 22950A.
McGeary, Joseph D., 23062A.
Upp, Charles W., 23174A.
Dixon, Noah M., 27990A.
Watson, Arthur C., Jr., 23589A.
Dahl, Elmer V., 25654A.
Norton, John B., 25470A.
Good, Hugh D., 25657A.
Bland, Richard P., 26633A.
Graf, John E., 22967A.
Boyd, Joe W., 24128A.
Orth, John S., 24668A.
Reed, Joel E., 23590A.

Dental Corps

Bateman, Herbert E., 25696A.
Nicoletti, Joseph P., 29806A.
Decker, James W., 32568A.
Hagen, Sidney A., 23178A.
Lindberg, Robert L., 25464A.
Lee, Donald S., 20015A.
Segreto, Vincent A., 22405A.
Roth, Louis H., 29414A.
Hayden, Max W., 49699A.
Jones, Edward, 26734A.
Strauv, Lee F., 27497A.
Askinas, Samuel W., 28127A.
Carbonaro, Emanuel A., 21427A.
Sture, Vernon J., 20554A.
Peer, Wayne A., 25484A.

Veterinary Corps

Harris, Milford D., Jr., 25670A.
Barron, Charlie N., 25671A.
Halstead, James R., 25333A.

Medical Service Corps

Garner, Walter F., 21609A.
Byassee, Wilmer C., 48918A.
Collins, Leo J., 32526A.
Goodyear, David R., 48919A.
Carney, Pierce F., 48921A.
Eakle, Avis K., Jr., 48922A.
Bolls, Downing A., Sr., 48923A.
Davis, Franklin L., Jr., 23221A.
Thomas, Lloyd G., 48924A.
Allinson, John N., 21620A.
Ruffing, Donald J., 21621A.
Creech, Jack A., 19528A.
Whitt, Orbin R., 21625A.
Cramer, Roger L., 19529A.
Templeton, Robert C., 48926A.
Foster, Ralph W., 48925A.
Holiday, Robert L., 21633A.
Lubrant, Anthony J., 21627A.
Cornils, Verne W., 21635A.
Rochford, Edmund B., Sr., 48927A.
Hodgkins, Harold C., 24234A.
Hodge, Joseph E., 24235A.
Shepherd, Wilbur W., 48928A.
Lewis, Fred T., 48929A.
Keller, Paul C., 48930A.
Martinez, Alfonzo A., 48931A.
Hunter, John H., 19530A.
Werdnerman, Charles J., 21872A.
Black, Wilbert A., 21629A.
Bethurum, James L., 48933A.
Nicely, Harry B., Jr., 21622A.
English, Robert L., 48934A.
Flavion, Raymond A., 21637A.
Munroe, Duncan J., 48935A.
Zinnemann, George, 21644A.
Kobylk, Nickolas F., 48936A.
Ellis, Thomas G., 48937A.
Smith, Eual J., 48938A.
Sturtevant, Robert M., 48939A.
Richmond, Cortland E., 48940A.
Spiers, Don J., 21636A.
Sullivan, Robert E., 21631A.

Nurse Corps

Edick, Blanche F. K., 21093W.
Cassidy, Eleanor, 20954W.
Wiltzius, Helen M., 21000W.
Gomez, Lu, 21172W.
Metcalf, Myrtle R. B., 22046W.
Muns, Angelica G., 22051W.
Michelitsch, Anna V., 21020W.
Leftenant, Nancy C., 21085W.
Goeller, Dorothy A., 21086W.
Blount, Christine, 51363W.
Guitrau, Genevieve D., 26655A.
Aragon, Frances, 21137W.
Hedrick, Florence D., 21166W.
Orr, Elizabeth J., 21167W.
Mullen, Mary M., 22067W.
Fannin, Juanita E., 21176W.
Milroy, Lyla P., 22069W.
Velasquez, Hilda E., 22070W.
Stone, Lillian F., 22068W.
Garvin, Sara E., 21045W.
Dunnum, Delores I., 21178W.
Lawrence, Evelyn N., 22075W.
Wilson, Betty J., 21182W.
Whitehead, Zada Z., 22076W.
Haynes, Genevieve E., 22077W.
Mills, Margaret J., 22078W.
Duplease, Margaret L., 21180W.
Henry, Arland R., 25746W.

Medical Specialist Corps

Woods, Dorothy G., 22082W.
Knausz, Doris C., 22083W.
Ballentine, Frances G., 22084W.
Cook, Janet E., 22085W.

Chaplain

Cole, Connor G., 21858A.
Lanford, Conway B., 48584A.
Dickson, Lawrence A., Jr., 48585A.
Casey, Joseph P., 48586A.
Morse, Bradley T., 48587A.
Jameson, Ashley D., 48588A.
Hobgood, Clarence E., 48589A.
Tomme, Wade K., 23205A.
Carlock, Freddie W., 23203A.
Edmonds, Leonard S., 48591A.
Behnken, John W., Jr., 48592A.
Finke, Frederick K., 48593A.
Stowers, Willis L., 48594A.
Schade, Paul G., 48595A.
Jorgensen, Daniel B., 48597A.
Groome, Thomas M., Jr., 24689A.
Kullowatz, Vernon F., 24686A.
Wolk, Henry C., Jr., 24688A.
Tinsley, Raymond E., 25736A.

FIRST LIEUTENANT TO CAPTAIN

Line of the Air Force

Shinn, Jack E., 26406A.
Beyers, Robert L., 28181A.
Runyan, Charles C., Jr., 25562A.
Ashbaker, Joseph L., 23949A.
Rose, Rudolph F., Jr., 26947A.
Radcliff, Lester G., 26535A.
Isaac, Alfred E., 23927A.
Evans, Walter E., 28252A.
Fagan, James F., 21748A.
Morgan, James F., 28240A.
Porter, Eugene R., 26937A.
Cresap, Edward R., 24839A.
Jackson, Larry H., 28345A.
Harris, Armond E., 24843A.
Douglas, Howard O., Jr., 26541A.
Zippel, Irving, 24542A.
Guttersen, Laird, 26408A.
McCormick, Martin H., Jr., 32755A.
Hain, Harlon A., 32754A.
Olsen, Gabriel C., 26417A.
Faulds, Rodney D., 25599A.
Shultz, Harold D., 22347A.
Prince, Edward R., Junior, 22308A.
Neely, David F., 22284A.
Westbrook, Donald E., 22378A.
Long, Ledyard, Jr., 22249A.
Hall, David W., 22195A.
Robbins, Raymond A., 22324A.
Heidbreder, Leroy K., 22204A.
Rynties, Anthony D., 22334A.
Cook, Peyton E., 22142A.
Roberts, Louis A., Jr., 22325A.
Reichard, Fred G., 22319A.
Meadow, Charles J., 22269A.
Muth, Robert W., 22282A.
Walsh, Richard A., 3d, 22372A.
Hunter, Francis R., Jr., 22217A.
Ward, John D., 43706A.
Lessard, William D., 43704A.
Kittrell, Donald N., 43705A.
Ferrara, Vincent L., 43707A.
Schooley, Jean M., 43708A.
Loscalzo, Joseph A., 43709A.
Ratcliffe, James C., 43710A.
Bennett, Marshall G., 43711A.
Long, Robert C., 43713A.
Lindley, Jean F., 43712W.
Layer, Eugene E., 43714A.
Holt, Jack H., 43717A.
Navarro, Herbert, 43716A.
Donaldson, Henry S., Jr., 43715A.
Whelan, Richard J., 43721A.
Johnson, Norris A., 43720A.
Waitt, Lawrence L., 43723A.
Held, Robert E., 43718A.
Cullen, George E., Jr., 43722A.
Johnston, Robert M., 43719A.
Pilecki, Edward J., 43724A.
Soper, William R., 43725A.
Graham, Russell A., 43726A.
Madison, Solomon L., 22479A.
McRae, Joseph W., 43728A.
Wissman, William O., 43729A.
Jones, Oscar E., 43731A.
Johnson, Elven A., Jr., 43735A.
Van Wagner, Ross, Jr., 43727A.
Clement, Harold R., 43734A.
Williams, Robert, 43732A.
White, Roy L., 43730A.
Dimmery, Hubert M., 43737A.
Benefield, Bruce S., 43733A.
Aaron, Doyce L., 43736A.
McDonald, Richard Q., 43745A.
Van Hoesen, Oliver C., 43741A.
Hearon, Wallis T., 43744A.
Mason, Dwight E., 43746A.
Binderim, Robert C., 43742A.
Gardner, James L., Jr., 43743A.
Ralston, Billy L., 43740A.
Upshaw, John C., 43739A.
Wood, Harry L., 43747A.
Whatley, Wayne N., 43750A.
Dejong, Robert V., 43749A.
Hartig, Charles R., 43752A.
Lathrop, Richard C., 43748A.
Stahlhut, Dale S., 43751A.
Patton, William E., Jr., 43754A.
Evans, Norman D., 43857A.
Graeb, Kenneth A., 43753A.
Scott, Richard E., 43755A.
Jungers, Raymond A., 43757A.
Mullenix, Ronald R., 43758A.
Patten, Andrew L., 43759A.
Tackett, Edward J., 43756A.
Young, Sammie R., 43775A.
Claussen, Peter P., 43768A.
Glenn, Ervin L., 43765A.
Gilbreath, George C., 43764A.
Smith, Raymond C., 43766A.
Harmon, Robert L., 43761A.
Morrow, William F., Jr., 43767A.
Dinkins, William M., 43774A.
Everett, Ronald H., 43762A.
Thomson, Herman O., 43772A.
Warner, Max O., 43760A.
Wylie, Sherrel W., Jr., 43773A.
McGuire, Danny W., 43763A.
Armbruster, Owen R., 43769A.
Pitchford, Kenneth L., 49556A.
Counce, James M., 43770A.
Tatsch, Clarence C., 43771A.
Martin, Ralph D., 43776A.
Garcia, Miguel A., 43777A.
Loemker, Fred H., 43781A.
Broome, Lees, 43778A.
Allphin, Guy M., 43779A.
Cantrell, George K., 43783A.
Hiebert, Frederic C., 43785A.

Barry, William D., 43784A.
Raful, Robert, 43782A.
Mathews, Charles L., 43789A.
Bagby, Joseph L., 43790A.
Crooke, Jack O., 43791A.
McDaniel, Gerald, 43787A.
Oliver, John K., 43788A.
Downer, Leo H., 43793A.
Craton, William I., 43794A.
Lysaght, Charles A., 43798A.
Sands, Carl A., 43795A.
Catlin, Frank S., 43799A.
Waters, Charles E., 43797A.
Hickman, Thomas J., 43796A.
Dutton, Richard A., 22497A.
Takasugi, Shoji, 22513A.
Entsminger, William L., 43803A.
Moore, Warren C., 43801A.
Porter, Thurman, Jr., 43813A.
Ryan, William A., 43808A.
Epperson, Lee M., 43806A.
Dague, Jesse R., 43802A.
Duc, Albert C., 43804A.
Sutch, Victor D., 43800A.
Nunn, Rodolph L., Jr., 43805A.
Tyndall, Robert H., 43807A.
Harmon, Verlin R., 43811A.
Engelbrecht, Louis E., 43809A.
Horton, James J., 43812A.
Allison, John M., 43810A.
Keenan, John J., Jr., 43820A.
Bonczek, Roman J., Jr., 43817A.
Brennan, Eugene A., 43815A.
Norton, Neal E., 43814A.
Meyer, Fredrick W., 43818A.
Augustine, Charles A., 43819A.
Showen, Donald R., 43816A.
Goelz, Raymond F., 43821A.
Shepherd, Philip R., 43823A.
Klena, Martin D., 43824A.
Feiden, Richard S., 43822A.
Stewart, Ervin O., Jr., 43825A.
Kawamoto, Francis H., 43827A.
Thomas, William E., Jr., 43826A.
Parr, Gordon K., 43828A.
Zunker, Gordon K., 43842A.
Schock, Grover J. D., 43839A.
Warix, Clay W., Jr., 43841A.
Hutchinson, William K., 43836A.
Miknuk, Harry J., 43830A.
Fox, Roger P., 43835A.
Bonsac, John W., 43834A.
Cation, James L., 43829A.
Bohinc, Samuel H., 43833A.
Romanovich, Dorothy, 43838W.
Jeffery, Charles R., 43837A.
Vanlew, William R., 43840A.
Hoskins, Thomas R., 43831A.
Quigley, Thomas K., 43832A.
Stouffer, Myron E., Jr., 23022A.
Wilson, Kelley R., 43851A.
Rumph, Herbert L., 43843A.
Mathews, James W., 43858A.
Savidge, David, 43861A.
Winberg, Harry L., 43862A.
Ryan, Wallace C., 43848A.
Kruggel, Eward G., 43864A.
Owens, Joy L., 43855A.
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Andersen, Roger E., 43856A.
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Hiers, John D., 43844A.
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Barber, Douglas, 43876A.
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Lands, Billie F., 43991A.
Caudle, Ted W., 43987A.
Flaherty, Warren F., 43990A.
Morris, Jack, 43988A.
Belew, Ruby C., 43989W.
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Lowe, Richard W., 43998A.
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Shannon, Robert S., 44068A.

Hall, Robert E., 44063A.
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Robinson, Leonard G., 44106A.
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Passauer, James L., 44415A.
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Bolander, Patricia M., 44419W.
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Somppi, James R., 44422A.
Baker, Henry F., 44426A.
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Casaus, Jesse, 44433A.
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Adams, Glenn D., 44458A.
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Smith, William L., 44463A.
England, John K., Jr., 44461A.
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Eberanz, Howard V., 44464A.
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Yeager, Marvin A., 44494A.
Lach, Joseph C., Jr., 44510A.
Wright, John C., 44501A.
Berdoy, Ronald A., 44497A.
Eicher, Jacob M., 44499A.
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Loken, Virgil D., 44489A.
Yocum, John W., 44495A.
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Gantt, Richard B., 3d, 44507A.
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Smith, William J., 45019A.
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Shearer, Lowell E., 27038A.
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Neeley, Ruel J., 30321A.
Cillo, Anthony R., 45207A.
McDonough, Charles E., 45208A.
Massey, James W., 45206A.
Elliott, Wayne K., 45203A.
Campello, Robert, Jr., 45209A.
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Stephenson, Cary D., 45204A.
Ohman, Kenneth D., 27057A.
Sullivan, Richard L., 27056A.
Brevig, Berdell P., 27842A.
Fear, John M., 28494A.
Wiese, William A., 28492A.
Adams, Christopher S., Jr., 28493A.
Moses, William F., Jr., 30322A.
Holcomb, Leland D., 30323A.
Skinner, Paul E., 30324A.
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Guinee, Robert J., 45216A.
Holmberg, John B., 45211A.
Neal, William D., Jr., 45215A.
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Voils, Cecil C., 45213A.
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Wise, Lucien D., 26625A.
Blais, David E., 27060A.
Greif, Arthur G., Jr., 27065A.
Conaway, Lawrence Y., 27061A.
McQueen, George S., 27845A.
Ivy, Teddy M., 27843A.
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Salmon, Charles D., 30334A.
Smith, Thomas C., 30328A.
Smart, Ford H., 30331A.
Stidnick, Wesley C., Jr., 30335A.
Southard, Herbert E., 45223A.
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Hitt, Morris A., 45221A.
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Owens, Lorrimer E., Jr., 45225A.
Roestel, Ray E. L., 45220A.
Shipp, Harold S., Jr., 49558A.
Hankins, Ivan D., 45222A.
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Cain, Lloyd N., 45290A.
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Culp, James W., 27072A.
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Faranda, Raymond P., 45297A.
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Gilk, Frank E., 27074A.
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Singleton, Thomas R., 30381A.
Deleon, Manuel, Jr., 45306A.
Gottuso, Robert M., 45307A.
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Strong, Lowell M., 24889A.
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Hoenniger, Frederick B., 28037A.
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Kennedy, Paul J., 30384A.
Albritton, Britt L., Jr., 30382A.
Cabiness, Kenneth L., 45310A.
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Neal, Burnett, Jr., 30386A.
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Sabin, Robert C., 30389A.
Cooke, Ernest V., Jr., 30390A.
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Krieg, George R., 45318A.
Monahan, Arthur E., Jr., 45319A.
Bowles, Billy F., 45316A.
Kaehn, Albert J., Jr., 45320A.
Callaway, Edward P., 24621A.
March, Donald R., 24890A.
Suggs, Jack W., 24891A.
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Guthland, Robert E., 27577A.
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Wilkins, Ramon C., 30392A.
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Ross, Franklin A., 45330A.
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Brockmann, Robert F., 30393A.
Moss, Charles H., 45333A.
Bollinger, William H., 45331A.
Healey, William R., 45332A.
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Goodman, Duane R., 28038A.
Hu, Norman C., 30395A.
Kay, Raymond L., 30394A.
Raymer, John P., Jr., 30397A.
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Hanning, Rolf A., 32756A.
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Erickson, Frederick P., 45336A.
Madison, Robert H., 45337A.
Horne, Richard G., 45335A.
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Paltauf, Rudolf C., 30401A.
Comstock, Thomas W., 3d, 30400A.
Mearns, Arthur S., 45340A.
Dennison, Jack E., 45339A.
Hansen, John, 27078A.
Johnson, Donald D., Jr., 30403A.
Tatem, Gladwin W., 30405A.
Hope, Charles, 30404A.
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Paparoski, Daniel J., 45341A.
Widney, James H., 45342A.
Baylis, Leslie A., 45343A.
Sheffold, William G., 44682A.
Stahl, David W., 27079A.
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Kasarda, Paul, Jr., 45346A.
Flippo, Charles W., 45345A.
Coverdale, Robert F., 27081A.
Mendezvigo, Castor, Jr., 28520A.
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Banks, Richard W., 30408A.
Jolly, Samuel B., Jr., 30409A.
Hutchison, Lawton H., 45347A.
Gibbs, Richard F., 45348A.
McGee, John J., Jr., 45350A.
Stevens, Donald W., 45349A.
Dawson, Owen L., Jr., 45351A.
Black, George T., Jr., 45352A.
Saunders, James W., Jr., 25369A.
Bubba, Lawrence F., 25368A.
Brown, John C., Jr., 28040A.
Davidson, William H., 30413A.
Cochran, John R., 30412A.
Short, James E., 30410A.
Coleman, William M., 30411A.
Deich, Coy J., 45354A.
Anderson, Richard L., 45358A.
Hincewicz, Chester B., 45356A.
Watt, Thomas M., 45353A.
Reid, Guy W., 45357A.
Miller, Billy J., 45355A.
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Burney, George D., 30414A.
Way, James H., 45362A.
Persiani, Louis J., 45359A.
Hall, Vaughan W., 45361A.
Aldridge, Billie G., 45363A.
Mongno, Thomas E., 45360A.
Killgore, James A., 24623A.
Reeder, John R., 28521A.
Carpenter, John A., 30416A.
Pierce, Warren M., 30415A.
Crist, Neal S., 45366A.
Jonkers, Roy K., 45364A.
Seale, Forrest D., 45365A.
Carpenter, Robert T., 24625A.
Leatherman, James E., 30418A.
Robinson, George W., 30417A.
Smith, Jerold F., 45367A.
Branson, Dean H., 24893A.
Milliken, Frank M., 28043A.
Hutchins, Merwin L., 28042A.
Smith, Niles F., 28523A.
Means, David B., 28522A.
Fuller, Robert C., 30420A.
Breazeale, Malcolm H., 30419A.
Tucker, Leon R., 30422A.
Kubik, Edward T., 30421A.
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Donstad, Robert C., 45368A.
Hannigan, John J., 30425A.
Clement, William J., 30424A.
Banaszak, Merle E., 30423A.
Terry, Billy W., 30426A.
Gardner, Robert E., 45371A.
Russo, Louis F., 45370A.
Schultz, Robert A., 25644A.
Crosby, Mary L., 27083W.
Beverly, Chester A., Jr., 27082A.
Christensen, Dale C., 28044A.
Nasby, Tollef O., 28526A.
McManus, Charles D., 28525A.
Kelley, Robert H., 28524A.
Russell, Robert H., 30437A.
Georgeson, Richard D., 30428A.
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Stefanou, Stephen, Jr., 30432A.
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Walthall, Eugene, Jr., 30438A.
Rook, Dale A., 30436A.
Williams, Nolan P., 30435A.
Thomas, Austin K., 30433A.
Handel, Wilfred F., Jr., 30429A.
Wilson, Kenneth E., 30434A.
Boesewetter, Mertes B., 30427A.
Church, Stephen A., 45374A.
Dushame, Harold A., Jr., 45378A.
Milauckas, Edmund W., 45384A.
Deheart, Edward W., 45376A.
McCartan, Robert O., 45396A.
Eischeid, James H., 45380A.
Eason, James L., 45379A.
Minshew, Jerney J., 45385A.
Rago, John W., 45400A.
Roberts, Stephen L., 45388A.
Doria, Martin S., 45377A.
Gower, Perrin W., Jr., 45395A.
Nichols, Max E., 45386A.
Bigoness, Ronald A., 45394A.
Rice, Leo B., 45387A.
Odell, Roscoe M., 45372A.
Mark, Leon G., 45383A.
Ward, George M., 45392A.
Herhold, Kenneth J., 45381A.
Wheeler, James M., 45393A.
Davis, James P., 45375A.
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Spear, William A., 45390A.
Koen, Edward J., 45382A.
Smith, Enyard E., 45399A.
Brunelli, Victor J., 45373A.
Tobey, Bruce M., 45391A.
James, James K., 24899A.
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Plaster, Larry E., 24896A.
Allen, Nelson, 24897A.
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Sweet, Cyrus B., 3d, 24910A.
Clay, Ted N., 24898A.
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Howard, Joe E., 27084A.
Slater, Robert T., 27085A.
Williams, Conrad I., 27086A.
Steele, Eugene W., 28049A.
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Beight, Thomas L., 28552A.
Fugimoto, Clifford M., 30492A.
Jones, William J., 45525A.
Frederick, Henry L., 45527A.
Vega, Paul V., 45526A.
Phelps, Neal H., Jr., 30493A.
Parker, Joseph H., 45529A.
Ellis, Norman L., 45528A.
Gannon, Roland J., 45530A.
Daniels, Herman B., Jr., 45531A.
Costa, Antone R., 28058A.
Price, Joseph D., 30494A.
Jones, Thomas D., 45533A.
Ertel, Kenneth E., 45534A.
Hatcher, Charles E., 45532A.
Yankle, Daniel R., 45535A.
Bell, J. Fredric, 45537A.
Spillers, William R., 45536A.
Young, Edward D., 27092A.
Ross, Robert E., 30495A.
Coppinger, Joseph H., Jr., 45538A.
Fuhrmann, James D., 30496A.
Greynolds, Orville L., 30497A.
Longmire, Arthur C., 30498A.
Stewart, Robert D., 45540A.
Patrick, Roy D., 45543A.
Zeigen, Robert S., 45539A.
Westfall, Jack D., 45541A.
Gotch, Francis E., 30499A.
Kramer, Marvin L., 30500A.
Engles, Herman C., 45544A.
Fronzuto, Charles M., 45545A.
Goodrich, Victor B., Jr., 27094A.
Lavail, Melvin M., 27093A.
Elliott, John M., 45549A.
Dunks, Willis S., 45546A.
Usher, William A., 45548A.
Lemaster, Marvin E., 45547A.
Jones, Graeme B., 24921A.
Baumann, John F., 24920A.
Jones, Robert L., 24922A.
Suskin, Herbert J., 28059A.
Storch, Charles, 28553A.
Kroone, Lambert L., 30501A.
Christian, Joseph S., 30502A.
Harp, Buddy G., 45552A.
Whitehead, Kenneth L., 45553A.
Cherry, Fred V., 45554A.
Beebe, Richard L., 45551A.
McKee, Jerry R., 45555A.
Williams, Edwin L., Jr., 24938A.
Friel, Ralph E., 24932A.
Hartley, Harold G., 24923A.
Thor, Robert M., 24926A.
Moler, Robert B., 24925A.
Young, Sam P., Jr., 24928A.
Varble, Thomas A., 24927A.
Adams, Michael J., 24934A.
Blomgren, Jack P., 24935A.
Clausen, George G., 24929A.
Pogue, William R., 24930A.
Meyer, Bobby J., 24924A.
Neale, Charles H., 27100A.
Portanova, Thomas D., 27096A.
Ruffin, Robert W., 27097A.
Dawson, John W., 27098A.
Seaver, Maurice E., Jr., 27099A.
Plucinsky, Paul J., 27095A.
Williams, Thomas P., 28065A.
Carr, Joe W., 28063A.
Lines, Robert J., 28061A.
Dahle, Virgil L., 28064A.
Branch, Alva G., 28062A.
Morgan, William F., 28558A.
Willer, Phillip M., 28565A.
Linton, Richard M., 28555A.
Blakeslee, William M., 28554A.
Pewitt, James D., 28561A.
Lowry, Thomas C., 28560A.
Brooks, Ralph L., 28557A.
Barber, William R., Jr., 28562A.
Brush, Murrary P., 3d, 28563A.
Granger, James I., 28564A.
Dorris, Theodore E., 28559A.
Parker, Robert S., 28556A.
Alexander, Robert W., 30509A.
Mathias, Robert G., 30508A.
Knutson, William H., 30510A.
Thomas, Tyler, 30505A.
Sparks, Richard J., 30527A.
Miller, Phillip A., 30525A.
Newsome, Laurie O., Jr., 30512A.
Thompson, James S., Jr., 30516A.
Shaughnessy, Thomas R., 30515A.
Miller, Cyrus C., Jr., 30511A.
Ludwick, Robert L., 30524A.
Thomas, Everett L., Jr., 30522A.
Vanaman, Albert V., Jr., 30528A.
Methfessel, Dean L., 30521A.
Wittevrongel, Donald M., 30529A.
Beaver, Charles R., 30517A.
Jensen, Ronald E., 30507A.
Williams, David R., 30523A.
Doke, Charles R., 30519A.
Smutz, Sam L., 30504A.

Hayes, Robert K., 30520A.
Passiglia, Victor, Jr., 30526A.
Howell, Richard A., 30503A.
Hatch, Emmett E., Jr., 30513A.
Adams, Reginald W., Jr., 30506A.
Conway, Julius, Jr., 45604A.
Amerine, James L., 45592A.
Gelveles, Charles J., 45562A.
Graves, Lawrence D., Jr., 45567A.
Miller, Donald E., 45579A.
Haisty, John S., 45586A.
Cottrell, Paul F., 45594A.
Amundson, Floyd A., 45572A.
Bond, Robert M., 45558A.
Larson, Richard A., 45578A.
Sprague, Roger L., 45582A.
Barberie, Robert J., 45573A.
Alford, Uriel B., Jr., 45583A.
Ross, Van E., 45599A.
Wagnon, John A., 45565A.
Pratka, Allen J., 45581A.
Carter, Mark L., 45566A.
Favatella, Joe, Jr., 45605A.
Bodkin, Joe E., 45593A.
Elwood, Donald L., 45561A.
Doss, Floyd L., 45575A.
Vowell, John M., 45571A.
Nix, James B., Jr., 45590A.
Owens, Albert W., 45564A.
Eklund, Lester E., 45595A.
Wicker, Arthur R., 45602A.
Yuen, Donald J., 45591A.
Dawson, Clyde D., 45585A.
Stripling, Howard E., 45569A.
Lefevers, Cecil E., 45568A.
Hoback, Wallace A., 45596A.
Bales, Floyd E., Jr., 45584A.
Jackson, Donald W., Jr., 45597A.
Trayer, George T., 45570A.
Beverly, Boyce D., 45556A.
Downing, Dean S., 45576A.
Bortle, Donald E., 45559A.
Hudson, Robert D., 45587A.
Haymaker, Ralph W., 45563A.
Gibson, Richard T., 45601A.
Kleinsmith, Charles P., Jr., 45577A.
Worman, Wallace D., 45600A.
Anderson, Raymond E., 45557A.
Breckenridge, Lacy W., 45603A.
Cook, James R., 45560A.
Coakley, Donald O., 45574A.
Evans, John R., 45580A.
Lytle, Lowell C., 45598A.
Lewis, Russell S., 45588A.
McNamara, Jude R., 45589A.
Middleton, James H., Jr., 45606A.
Weston, Harold E., 30530A.
Priest, Dorphan N., 45607A.
Fleming, John G., Jr., 45608A.
Coble, Charles R., Jr., 27101A.
Martin, William A., 32420A.
Kohler, Edward L., 48880A.
De Francesco, Keith E., 30531A.
Day, William E., 45610A.
Kaplan, Harold L., 45611A.
Shields, Jack R., 45609A.
Perkins, Glenn A., 30532A.
Mastroberti, Rocci S., 28566A.
Kendall, Joe F., 30533A.
Ingenloff, Joseph F., 30534A.
Lee, Maurice R., 30535A.
Cord, Robert A., 45612A.
Cranshaw, Robert J., Jr., 45613A.
Wilson, William J., 27102A.
Davison, Cassius N., 45615A.
Adnet, Jacques J. P., 28568A.
Erlinger, Charles R., 30536A.
Zehring, Robert A., 45617A.
Maurer, Joseph H., 30537A.
Sather, Marvin B., 45619A.
Russel, Eugene J., 45618A.
Grant, John F., 45620A.
Wuerz, Albert H., Jr., 24693A.
Giles, John K., 27578A.
Wrentmore, John W., 45622A.
Nelson, Deryl W., 45621A.
Tague, Wendell C., 45623A.
Moe, Stanley K., 45624A.
Wren, Harry L., Jr., 45625A.
Sullivan, William P., 28569A.
Rosser, Richard F., 30540A.
Augsburg, Frederick B., 30539A.
Huling, Edward E., Jr., 30538A.
Thomas, James D., 45627A.
Baggett, William D., 45626A.
Auen, Eugene G., 45628A.
Tomaino, Vincent J., Jr., 28068A.
Coon, Richard D., 28069A.
Doskey, Albert A., Jr., 28067A.
Oldham, Richard A., 30542A.
Deregibus, Remo J., 30541A.
Eum, David K. S., 45630A.
Weinkle, Robert K., 45629A.
Lubin, Michael D., 24636A.
Dykes, Harvey M., 28570A.
Page, William H. F., 45631A.
Dyer, Roger J., 45632A.
Cruit, Michael S., 45633A.
Navas, Albert M., 30544A.
Christofferson, Richard J., 30543A.
Burkard, Richard K., 45634A.
Ross, Joseph L., 30545A.
Daily, Paul J., 45636A.
Gobrecht, Neil M., 45635A.
Fulton, William H., Jr., 28571A.
Baker, Merton W., 45637A.
Goldacker, Clarence B., 45638A.
Raymond, Vincent J., Jr., 48882A.
Rains, William E., 27103A.
Hunter, Robert E., 28572A.
Dillard, James M., Jr., 45639A.
Williams, Floyd C., 24637A.
Borchik, Albert S., Jr., 27104A.
Reed, Morris D., 28573A.
Harris, Ernest J., 30547A.
Picinich, Alfred A., 30549A.
George, Ronald E., 30554A.
Blanchard, Dale H., 30553A.
Manno, Vincent L., 30548A.
Stein, Theodore T., Jr., 30556A.
Beach, Dean L., 30552A.
Tobin, John J., 30551A.
Petty, Russell R., Jr., 30550A.
Cleveland, Thomas C., 30546A.
Ritchie, Robert E., 30555A.
Karch, James J., 45643A.
Bloom, Richard E., 45646A.
Morris, Cordous L., Jr., 45642A.
Gorczyca, Tadeusz S., 45641A.
Aycock, David L., 45645A.
Yanchek, William, 45644A.
Watterson, Paul D., 45640A.
Robson, Clayton W., 45647A.
Loy, Eugene W., 28574A.
Teal, Tom A., 45648A.
Chervenak, John P., 28575A.
Dolan, Bruce A., 28576A.
Duval, Robert C., 30557A.
Noonan, Anthony R., 49559A.
Pasekoff, Robert E., 28577A.
Conroy, Robert B., 45649A.
Magnane, Rudolph L., 27106A.
Wunderlich, Dorotha N., 28580W.
Torres, Eduardo G., 28579A.
Faircloth, Henry S., 28578A.
Landry, Paul L., 30566A.
Jenkins, Worthy L., 30565A.
Huskey, Tommy L., 30564A.
Heinle, Leon C., 30562A.
Mendelsohn, Michael J., 30567A.
Case, Ted K., 30559A.
Veghte, James H., 30568A.
Barr, James L., 30558A.
Ezelle, Henry L., Jr., 30560A.
Vincent, Maurice G., 30569A.
Hauss, Edward A., 30561A.
Metzger, Laurie B., Jr., 45666A.
Coggins, John M., 45654A.
Fisher, Donald P., 45657A.
Franklin, Frederick C., 45658A.
Hill, Ben C., Jr., 45662A.
Marin, Raymond A., 45665A.
Boaz, Wilson J., 45652A.
Schipull, Gerald R., 45668A.
Bernhisel, Virginia, 45651W.
Chapman, Vinna B., 45650W.
Douglas, John W., 45655A.
Hansen, Charles M., 45660A.
Edwards, Kenneth W., 45656A.
Rogers, David F., 45667A.
Freeman, George R., 45659A.
Kowalski, Andrew L., 45663A.
Carter, Paul D., 45653A.
Shorack, Theodore J., Jr., 45670A.
Maher, Richard W., 45664A.
Atkinson, Harold C., 45671A.
Doss, Clifford O., 45672A.
Hebert, Laurence H., 30570A.
Burke, Kelly H., Jr., 27107A.
Riley, William H., 45674A.
Buehler, Paul W., 48883A.
Enright, Thomas E., Jr., 25374A.
Gamache, George P., 25375A.
Atkins, William T., 25376A.
Rodgers, Charles A., 30571A.
Cooke, Charles A., 30572A.
Campbell, James W., 45677A.
Ablett, Kenneth L., 45678A.
Hayes, Corneilius A., 45676A.
Oxford, Richard J., 45682A.
Archer, Kern A., 45679A.
Azinger, Ralph S., 45680A.
Gardner, John S., 45675A.
Pennington, Wesley W., 24950A.
Volz, William M., 24951A.
Grunewald, Russell W., 24942A.
Casmus, Mark A., 24961A.
Nabors, Robert G., 24957A.
Wareing, Richard B., 24960A.
Morrow, Billy L., 24949A.
Howell, Robert D., 24943A.
Lane, Walter H., 24944A.
Snow, Clayton C., 24955A.
Anderson, Melvin H., Jr., 24946A.
Howell, Emory R., 24948A.
Rettberg, Don F., 24963A.
Smith, Thomas C., 24964A.
Campbell, Nelson E., Jr., 24952A.
Greiner, Russell D., 24941A.
Gargiulo, Thomas G., 27109A.
Kunstel, Robert W., 27111A.
Pierce, Harold G., 27112A.
Garrison, Lawrence D., 27108A.
Adams, Charles E., 27110A.
Pugh, Ray A., 28592A.
Dodds, Edwin D., 28591A.
Devault, Jack H., 28590A.
Janca, Robert D., 28594A.
Peck, Herbert J., Jr., 28582A.
Whittier, Lebaron, 28589A.
Ruth, Judson H., 28588A.
Fisher, Warren P., 28587A.
Taylor, Eugene T., 28584A.
Andrews, Stuart M., 28586A.
Anderson, Robert C., 28585A.
Garner, Clyde H., 28581A.
Stinson, Ronald A., 28583A.
Boyne, Walter J., 30577A.
Newberg, James M., 30591A.
McCready, Ernest R., 30581A.
Reeve, Donald M., 30597A.
Brinkman, Richard, Jr., 30594A.
Appel, Melvin A., 30576A.
Ringman, Edmond R., 30583A.
Viscarra, Raymond M., 30586A.
Nunnery, Charles C., 30592A.
Smith, Thomas E., 30573A.
Watson, Norman F., 30590A.
Stevens, Merrill D., 30574A.
Waugh, James G., 30598A.
Stewart, John R., Jr., 30584A.
Burch, Donald R., 30595A.
Hyslop, Jack L., 30580A.
Walters, Robert O., 30588A.
Humphrey, Thomas J., 30585A.
Pevey, Jack A., 30582A.
Toth, Karl J., 30593A.
Sleeper, Drew C., 30589A.
De Weese, Billy J., 30578A.
Kraljev, Benjamin N., Jr., 30587A.
Wilson, Glen R., 30575A.
McIlmoyle, Gerald E., 30596A.
Hardt, Howard R., 30579A.
Sorrel, Marcial, 3d, 45689A.
Giffin, Roderick G., 45684A.
Wade, Kay, 45709A.
Ludwig, Charles, 45697A.
Ericson, Richard H., 45711A.
Bravenec, Joseph S., Jr., 45725A.
Brown, Buddy L., 45699A.
Anderson, George B., 45723A.
Bartlett, Jack R., 45724A.
Grazier, Raymond C., 45685A.

Norris, Lloyd R., 45716A.
Ward, James W., Jr., 45703A.
Adams, Aaron, 45691A.
Reeves, Carl N., Jr., 45688A.
Dunham, Ralph W., 45701A.
Taylor, Doyle J., 45698A.
Moody, Donald J., 45715A.
Hardy, Alton D., 45705A.
Dickie, Keith R., 45700A.
Edge, Robert E., 45702A.
Henkel, Francis B., 45706A.
Peterson, Keith R., 45721A.
Ferguson, William R., 45683A.
Rippy, Bill G., 45717A.
Price, Ronald D., 45687A.
Vizzini, John F., 45708A.
Leggett, Wilbur P., 45686A.
Tomlinson, Frank J., 45722A.
MacPherson, George W., 45720A.
Hartenbower, Milton G., Jr., 45718A.
Green, William W., 45696A.
Brown, Harry L., 45693A.
Dougherty, Andrew J., 45710A.
Gill, John C., 45695A.
Patrick, Robert E., Jr., 45726A.
Lamb, Charles G., Jr., 45719A.
Hurley, John J., 45713A.
Callaway, Arthur W., 45704A.
Thayer, John T., 45707A.
Barnes, Fred D., 45692A.
Cosgrove, William R., Jr., 45727A.
Ungvary, Stephen J., Jr., 28598A.
Hess, David W., 28596A.
Harris, Charles A., 28595A.
Mohr, Robert M., 28597A.
Handy, Ronald L., 30599A.
Fields, Harry N., 45728A.
Maine, Henry M., 45729A.
Ely, George E., 45730A.
Ward, George E., Jr., 45731A.
Scharlock, Edward A., Jr., 45732A.
Humphreys, John B., 45734A.
Donovan, Jane A., 45735W.
Comstock, Frederick L., Jr., 30600A.
Hippeli, Ellen M., 45737W.
Hedges, John D., 45736A.
Paolucci, Christopher, Jr., 30601A.
Graham, Thomas L., 27113A.
Axtell, Robert C., 30602A.
Thornber, Richard W., 30603A.
Barnhart, Herbert C., 45739A.
Sigman, Richard G., 45740A.

Medical Corps

Southwick, Samuel G., 29914A.
Ednie, Thomas F., 32324A.
Dewitte, Joseph T., 29915A.
Leary, Frank J., 49679A.
Culton, Yancey G., Jr., 29874A.
Marshall, Richard B., 32325A.
Wootton, James C., 29916A.
Riker, Robert P., 29917A.
Graveline, Duane E., 29875A.
Rhame, Marlan L., Jr., 29918A.
Sheffield, James A., 29876A.
Barker, James B., 32028A.
Halki, John J., 32030A.
Sockwell, Glen D., 31949A.
Goldberg, Ronald I., 32326A.
Beddingfield, George W., 31919A.
King, Dana G., Jr., 29877A.
Borger, Jules H., 32327A.
Authement, Enoch J., Jr., 51332A.
Ryan, Thomas J., 32328A.
Chester, Daniel A., 31920A.
Floyd, William F., 32329A.
Brandlin, Frederick R., 32330A.
Scott, Robert A., 32588A.
Edrington, Edward B., 31950A.
Pecot, Joseph B., Jr., 31922A.
McKenzie, William J., Jr., 31923A.
Buxton, Hubert R., Jr., 31924A.
Moroney, John D., 29878A.
Cherry, William H., Jr., 31921A.
Heath, William D., 31925A.
Sawvell, Austin R., 31951A.
Williams, Lester F., Jr., 29880A.
Carney, John H., 29879A.
Newton, Norris L., 29881A.
Rockwood, Charles A., Jr., 31926A.
Rhoades, Everett R., 32031A.
Green, Phillip E., 32331A.
Komrad, Eugene L., 29882A.
Moore, Donald M., 31952A.
Smith, Robert N., 32032A.
Snipes, Freddie L., 32033A.
Lancaster, Malcolm C., 32334A.
Aldous, Richard A., 32333A.
Winget, Burke L., 32335A.
Shannon, Roger H., 31927A.
Rhoads, John C., 31928A.
Baker, Donald D., 31953A.
Johnston, Glen P., 32336A.
Higgins, Warren H., Jr., 49680A.
Blackwelder, Theodore F., 51333A.
Gould, Howard R., 31929A.
Rosenthal, Alfred R., 29883A.
Kahane, Albert J., 32034A.
Glover, Ridley M., 28984A.
Tierney, Ralph C., 29886A.
Neri, Anthony S., 29887A.
Graven, Stanley N., 29885A.
Taylor, Claude A., Jr., 31954A.
Broer, Robert A., 32338A.
Oliphant, Manford M., Jr., 32036A.
Williamson, Robin A., 32339A.
Eisenberg, Henry M., 31930A.
Merwin, Charles F., 32341A.
Hart, Joseph B., 32340A.
Fields, Richard L., 32343A.
Heiser, Ervin W., 32344A.
Addonizio, Dominick J., 32342A.
McPhawl, John J., Jr., 32345A.
Mariorenzi, Amedeo L., 51007A.
Cobau, Charles D., 31933A.
Roth, Bernhard P., 31931A.
Dodds, John P., 31936A.
Harer, William B., Jr., 31935A.
Floyd, John, 29888A.
Wamsley, James R., 31960A.
Jones, Frederick L., Jr., 31955A.
Tarter, Robert C., 31932A.
Powsner, Henry J., 31934A.
Sweigard, Charles B., Jr., 32346A.
Reynolds, James F., 32347A.
Llenza, Charles F., 31937A.
Dotterer, John A., 31958A.
Beck, William A., 31938A.
Hench, Richard F., 31956A.
MacLeod, Gordon C., 31957A.
Fluharty, David G., Jr., 32037A.
McIndoe, Darrell W., 32348A.
Clubb, Robert W., 32584A.
Christensen, Edward E., 31940A.
Klinges, Karl G., 31941A.
Harrold, Brian S., 31942A.
Peterson, Ralph E., 31939A.
Roberts, Gomer W., 32038A.
Mayhew, Clifford L., 32349A.
Wong, Wallace B. O., 32350A.
Pfeiler, Robert C., 31959A.
Dubois, John R., Jr., 31943A.
Weaver, Orville E., 31944A.
Klebanoff, Gerald, 29889A.
Visser, Earl R., 32351A.
Malvin, Harry H., 32352A.
Grise, Jerry W., 49683A.
Phillippi, Paul J., 49682A.

Dental Corps

Patterson, Joe M., 49706A.
Harrison, Billy M., 31961A.
Brown, William R., 29892A.
Dooley, Benjamin E., 32585A.
Cole, Theodore C., 29893A.
Wall, Joseph W., Jr., 32362A.
Carr, Bernard M., 31962A.
Johnson, Robert P., 32363A.
Henry, Richard A., Jr., 31963A.
Basse, Adolph F., 32586A.
Travis, John J., 29295A.
Gillham, Ralph O., 29463A.
Wise, Kenneth C., 32364A.
Smith, William R., 49707A.
Rosen, Edwin B., 29296A.
Sutherlin, Robert R. H., 29303A.
Sharbondy, Gary P., 29464A.
Body, Charles D., 32365A.
Braum, Stephen T., 29297A.
Yent, George D., Jr., 29465A.
Darrington, William J., 49708A.
Andrus, Clair W., 29298A.
Sheneman, Jack R., 29466A.
Audette, Gerald A., 29510A.
Sirois, Raymond J., 51362A.
Roche, William C., 29467A.
Hahn, Edward K., 29468A.
Kaczka, Thaddeus S., 29469A.
Heupel, Edwin M., 49709A.

Veterinary Corps

Whitehair, Leo A., 51124A.
Homme, Paul J., 51127A.
Gisler, Donald B., 51128A.
Pope, Robert E., 51131A.

Medical Service Corps

O'Brien, Joseph P., 49020A.
Watterson, Lewis A., 49021A.
Brown, Daniel G., 49022A.
Pons, James T., 49023A.
Bitter, Harold L., 49024A.
Wilson, Jack, 49026A.
Chambers, Binning P., 49025A.
Galbraith, John R., 49027A.
Bates, Jack H., 49028A.
Powers, Thomas E., 49029A.
Britt, Clyde L., 49031A.
Jenkins, Thomas H., Jr., 49032A.
Summers, Donald E., 49033A.
Dowell, Frank H., 25348A.
Teems, Ray M., 32476A.
Kopp, Warren W., 49035A.
Brenner, Theodore E., 25684A.
Architect, Louis H., 49036A.
Delrosario, Lawrence, 49037A.
Kaye, George A., 32477A.
Buckeridge, Francis A., 25351A.
Roach, Donald V., 27538A.
Beaber, William H., 49039A.
Lunstrum, Russell R., Jr., 49038A.
Werley, Leroy D., Jr., 49041A.
Clayton, Eugenia, 25686A.
Trimble, Ralph A., Jr., 49042A.
McLain, George H., Jr., 25352A.
Ball, Jack W., 49043A.
Hadley, Neil B., 26669A.
Winstead, Maurice G., 49044A.
Kilby, Edgar G., 27581A.
Andersen, Harold R., 49045A.
Garrett, Dean A., 32478A.
Chamlis, Elbert R., 25688A.
Culbertson, James B., 49046A.
O'Connell, Max H., 49047A.
Adkins, William L., 32479A.
Holmgrain, Floyd H., Jr., 32480A.
Tustison, Donald F., 49048A.
Gleason, Thomas L., 3d, 49049A.
Chagnon, Bert P., 49050A.
Wagner, Donald B., 28004A.
Neubrand, William G., 29335A.
McPhee, Jack C., 49051A.
Wilson, Myrl E., 29337A.
Buchsbaum, Alan L., 49052A.
Dominguez, Abel M., 32481A.
Stiling, Stewart E., 32482A.

Nurse Corps

Cavil, Dorothy J., 32440W.
Dozier, Erma J., 32438W.
Kenny, Jewel M., 32439W.
Goddard, Mary A., 29514W.
Simpson, Iva L., 32442W.
Chavez, Carmen V., 32443W.
Ingram, Helene A., 32592W.
Thomas, Frances E., 32593W.
Hope, Lois V., 32594W.
Kiehn, Valedda A., 32595W.
Alford, Mary R., 49720W.
Burkhardt, Ann L., 32441W.
Graham, Sarah N., 26668W.
Powell, Elma J., 32444W.
Maguire, Mary P., 32445W.
Steffel, Marilyn L., 29659W.
Householder, Marjorrie L., 49721W.
Maslanka, Helen A., 32446W.
McGregor, Margaret R., 51374W.
Scanlon, Mary M., 49722W.
Higdon, Wanda J., 51375W.
Alena, Virginia M., 28016W.
Harmon, Virginia C., 49723W.
Strait, Elsie T., 32447W.
Voyer, Olive Y., 32448W.

Pickett, Natalie A., 28017W.
Byrnes, Mary J., 32449W.
White, Florence E., 32452W.
Brown, Patricia D., 32451W.
Huston, Margaret A., 51376W.
Cochran, Gladys I., 32453W.
Armstrong, Elsie M., 49724W.
Parton, Veda G., 27545W.
Dorsey, Belle E., 27549W.
Ross, Margaret H., 27548W.
Sofferis, Irene L., 32596W.
McNeel, Shirley J., 25691W.
Wells, Lyndoll L., 25771W.
Cook, Marjorie, 32598W.
Seymour, Joanne, 32598W.
Edmonds, Ruth E., 27657W.
Stapleton, Rita A., 27658W.
Kapel, Lillian T., 51377W.
Lydon, Phyllis L., 32457W.
McMahon, Mary A., 51379W.
Gillette, Winnifred E., 51378W.
Parrish, Lillian H., 32600W.
Goetz, Dorothy E., 32458W.
Maschino, Margaret H., 29349W.
Moran, Helena E., 32459W.
Greene, Nellie F., 49725W.
Goetz, Elizabeth M., 32460W.
Bagley, Irene C., 28018W.

Medical Specialist Corps

Potts, Pauline, 32472W.
O'connor, Mary J., 32611W.
Bugbee, Barbara B., 49740W.
Lindberg, Wilma J., 32473W.
Stuckman, Lorraine E., 32474W.
Driggs, Doris H., 51396W.
Collins, Julia E., 32475W.

Chaplain

Backman, Lee W., 48652A.
Squires, Donal M., 48654A.
Cooper, Calvin C., 48653A.
Wilkens, Charles H., 32435A.
Dier, Blanche J., Jr., 48655A.
Coggins, Joseph H., 48656A.
Moran, Thomas J., 48657A.
Hofstad, Dean C., 48658A.
Ellison, Ervin D., 3d, 32434A.
Collins, John R., 48659A.
Copeland, Isaac M., Jr., 48660A.
Margitich, Michael, 48661A.
Butler, James J., 48662A.
Lang, Neunert F., 32436A.
Reider, Charles W., 48663A.
Wayne, Robert J., 48664A.
Ross, Chester W., 48665A.
Carr, Richard, 48666A.
Young, William B., 48667A.
McCaugham, Charles E., 48668A.
Hrico, Bernard, 48669A.
Hunt, Mansfield E., 48670A.
Walker, Willie L., 48671A.
Wilson, James F., 48672A.
De Mott, James M., 48673A.
Barstad, Stuart E., 48674A.
Robison, Dan R., 48675A.
Sloan, Robert A., 48676A.
Greenwalt, Arthur E., Sr., 48677A.
Stuller, Joseph F., 48679A.
Illingworth, Ralph S., 48678A.
McGowan, John J., 32437A.
Mullin, Hugh J., 48680A.
Basteyns, John B., 48682A.
Burkey, Wayne L., 48681A.
Campbell, John J., 48683A.
Houseman, Harry E., 48684A.
Spencer, Henry L., 48685A.
Tagg, Lawrence V., 48686A.
Milbrath, Earl W., 48687A.
Schroder, Peter C., Jr., 48688A.
Rodell, Jeremiah J., 48689A.

SECOND LIEUTENANT TO FIRST LIEUTENANT

Line of the Air Force

Ratliff, Richard K., 48193A.
Steinberg, Harold I., 29586A.
Platt, Edward G., Jr., 48194A.
Frazee, Donald W., 28121A.
Gilfillan, Joseph, 3d, 48196A.
Hawkes, Joseph M., 48197A.
Owings, Roy B., Jr., 48198A.
Kozuma, Harry T., 48199A.
Myers, Allen G., 3d, 28123A.
Lockwood, Edward J., Jr., 49108A.
Schmidheiser, Clarence A., 48202A.
Roell, Ronald C., 48204A.
Holtzclaw, Harold W., 48238A.
Langston, Donald W., 48206A.
Hackett, Luther F., 28124A.
Duncan, Ian J. M., 48207A.
Rice, Raymond D., 29561A.
Coffman, Gayle A., 29730A.
Field, Kenneth W., 29829A.
Smith, Robert L., 29909A.
McDonald, William B., 48212A.
Dean, Jon W., 48208A.
Young, Vincent N., 48210A.
Wheeler, Robert E., 48209A.
Lukasik, Bernard F., 48211A.
Fornia, Robert F., 48215A.
Brattkus, Arthur L., 48213A.
Stevens, William L., 48214A.
Hoyer, Lowry O., 48216A.
Stuart, Donald M., 28125A.
Bruckner, Donald G., 48224A.
Steele, Thomas J., 48219A.
Sollod, Ronald L., 48217A.
Chaffee, Philip, 48221A.
Kucsma, Michael E., 48220A.
Sullivan, Laurence F., 48227A.
Budzinski, Stanley P., 48226A.
Belinne, Francis, 48223A.
Russell, Richard L., 48233A.
Pratz, James A., 48230A.
Phillips, Paul A., 48234A.
Stratton, Ray E., 29660A.
Marquardt, Martin W., 29562A.
Slussar, Robert K., 29910A.
Hernandez, John E., 48235A.
Steinberger, Robert W., 48236A.
Edwards, Dale W., 48237A.
Ragland, Ralph E., 31908A.
Hennigan, George R., 29566A.
Markey, Frank N., 29565A.
Harlin, William F., Jr., 29563A.
Hansen, Lowell K., 29567A.
Locke, Claude B., 3d, 29564A.
Manning, Ervin C., 48244A.
Laffitte, Morgan B., 48240A.
Abbott, Raymond L., 48241A.
Grabowsky, Richard F., 48239A.
Vogt, John C., Jr., 48245A.
Butt, Robert A., 48242A.
Erp, James F., 48243A.
Jenkins, Robert B., 50956A.
Hart, David E., 28981A.
Smyth, William A., 28978A.
Deeks, Harry N., 28982A.
Knight, Sheldon A., 28979A.
Pettit, Theodore L., Jr., 28980A.
Rogers, Joseph A., 29828A.
Park, Harold K., 48257A.
Bregman, Morton, 48246A.
Hepburn, Richard L., 48258A.
Leach, Maurice R., 48255A.
Steere, Richard E., 48253A.
Hedges, Eugene M., 48261A.
Highsmith, Charles C., 48254A.
Lipe, Charles G., 48248A.
Linn, Roy O., 48256A.
Lawson, Knute F., 48247A.
Koentop, Preston E., 48265A.
Collins, Michael John, 48263A.
Roberts, James F., 48264A.
Dilard, Billy L., 29570A.
Hicke, Thomas A., 29568A.
Murphy, Joseph P., 3d, 29569A.
Kasper, Richard L., 29571A.
Craton, Karl L., 29731A.
Moyer, James K., 48266A.
Lawton, Robert E., 48268A.
Gosse, Eugene L., 48267A.
Koselka, William J., 48270A.
Gauder, Charles C., 48269A.
Woods, John D., 48271A.
Lynch, Francis L., 48272A.
Ahlborn, John F., 29589A.
Lindstrom, Richard E., 29588A.
Lawler, George V., 48279A.
Tigner, Lee M., 48275A.
Lundy, Albro L., Jr., 48278A.
Marston, James S., 48274A.
Kissam, Edward K., Jr., 48277A.
Bull, Ernest R., Jr., 48286A.
House, Bobby G., 48284A.
Brown, David R., 48285A.
Jones, Raymond G., 48280A.
Hixon, Russell A., 29572A.
Terman, Douglas J., 29574A.
Biggs, Gerald L., 29575A.
McIntyre, Homer C., Jr., 29573A.
Massie, Jerry D., 48287A.
Cunningham, Robert B., Jr., 48288A.
Sokol, Leonard F., 48289A.
McHugo, Donald L., 48290A.
Ramsey, Charles N., 48291A.
Gaylord, John F., Jr., 29577A.
Hamilton, Eugene D., 29578A.
Boone, Joe, 29576A.
Hudelson, James E., 48293A.
Lavoie, Robert P., 48294A.
Connolly, William A., 29591A.
Walker, Phillip N., 29590A.
Traficante, Daniel D., 29592A.
Barteau, Martin S., 48301A.
Haskett, William R., 48303A.
Gibson, David P., 48296A.
Kaelin, Daniel A., 48295A.
Hull, Wendell R., 29593A.
Tarleton, Bobby L., 48305A.
Anderson, George M., 48364A.
Wissert, James L., 48306A.
Stracener, John R., 48307A.
Rogers, Charles M., 48308A.
Engel, Francis J., Jr., 48310A.
Smith, Robert J., 48311A.
Watts, Keith P., 48312A.
Duff, Clarence M., 48309A.
Perry, James M., 48506A.
Walters, Robert E., 29594A.
Hathaway, George B., 29580A.
Forrest, James C., 29579A.
Vaughn, William P., Jr., 29581A.
Wagner, Robert B., 48372A.
Smothermon, James P., 48313A.
Bozich, William F., 29595A.
Crosman, Roland G., 48318A.
Dick, Gary L., 48315A.
Smith, John E., 48314A.
Renehan, Patrick L., 48321A.
Cole, Donald W., Jr., 48320A.
Brewer, Brian, 29597A.
Jensen, Norman K., 29596A.
Heglar, Dewey L., Jr., 48325A.
Smith, Wilbur H., 48324A.
Dawson, Dale B., 48380A.
Carlson, Philip D., 48323A.
Farmer, Norman L., 29702A.

Medical Service Corps

Snyder, Richard A., 49109A.
Kuykendall, Edward A., 49112A.
Edwards, Jesse C., 49111A.
Taber, Robert M., 49113A.
Reevesman, Sanford L., 49115A.
Huffman, Elmer E., 49114A.
Grady, Eddie L., Jr., 49116A.
Hegele, Jack D., 49117A.
Greaser, Robert C., 49118A.

Nurse Corps

Barrett, Sheila G., 32613W.

Medical Specialist Corps

Gregory, Renee, 51397W.

(NOTE.—Dates of rank of all officers nominated for promotion will be determined by the Secretary of the Air Force.)

IN THE AIR FORCE

Col. Archie Higdon, AO251521, who was appointed as a permanent professor of the United States Air Force Academy under recess appointment provisions during the last recess period of the 85th Congress, for appointment as permanent professor of the United States Air Force Academy, under the provisions of section 9333(b), title 10, United States Code.

The following persons who were appointed in the Regular Air Force under recess appointment provisions during the last recess period of the 85th Congress, for appointment in the Regular Air Force in the grades indicated, under section 8284 of title 10, United States Code, with a view to designation under

section 8067 of title 10, United States Code, to perform the duties indicated, and with dates of rank to be prescribed by the Secretary of the Air Force:

To be lieutenant colonel, USAF (Medical)

James P. Henry, AO2241024.

To be majors, USAF (Medical)

James F. Culver, AO1736618.
Henry S. Haerle, AO2272928.

To be major, USAF (Judge Advocate)

Troy R. Thigpen, Jr., AO315229.

To be captains, USAF (Medical)

Bernard F. Clowdus, AO3046075.
Richard J. Salina, AO3001809.

To be captains, USAF (Dental)

Arnold A. Angelici
Russell E. Bamberger II, AO3043185.
Raymond O. Bydalek, AO3000738.
Donald W. Cowe, AO1906575.
William J. Curtis, AO3001488.
LaMoyne H. Fleming, AO2240539.
James H. Rogers, AO3001312.

To be captains, USAF (Veterinary)

Neville P. Clarke, AO3000641.
William R. Godden, AO3000596.

To be captains, USAF (Judge Advocate)

Ernest D. Bedford, AO871737.
Robert D. Blackman, AO664500.
Hugh J. Dolan, AO2253467.
Charles E. French, AO959466.
Edmond H. Heisler, AO873051.
Warren C. Huff, AO572101.
William B. Kaliher, AO1865921.
Elbert L. McClung, AO716891.
Bismark Pope, Jr., AO757274.
Samuel R. Richman, AO1903810.
William H. Robinson, AO2235841.
James M. Stout, AO2236212.
Daryle R. Stuckey, AO715377.

To be captains, USAF (Nurse)

Genevieve Chaplin, AN1906312.
Ruth A. Conboy, AN1906807.
Rachel M. Gerlack, AN777560.
Garnett P. Grubbs, AN2243748.
Rita M. Kennedy, AN757993.
Zoe A. Mahoney, AN764707.
Marti J. Martinjak, AN2214567.
Marilyn J. Messing, AN1912909.
Doris M. Munson, AN2214465.
Charlotte E. Sanderson, AN2243703.
Ruth E. Shannon, AN1912963.
Olive L. Shipe, AN2214144.
Ellen M. Stout, AN1912995.
Helen B. Thuman, AN1906832.
Mary K. Wickstrom, AN778700.

To be captain, USAF (Medical Specialist)

Joan L. Van Scoy, AM3078182.

To be first lieutenants, USAF (Medical)

LeBaron W. Dennis, AO3077107.
Harvey J. DeWitt, AO3074752.
Clyde O. Hagood, Jr., AO3074778.
Edgar O. Ledbetter, AO3074761.
John K. McBain, AO3079360.
James R. Rasch, AO2246056.
David M. Woodhead, AO3074772.

To be first lieutenants, USAF (Dental)

Casper H. Burke, AO3045850.
J. W. Dobbins, AO3078494.
Richard A. Ewald
William A. Gibson, Jr., AO3045378.
Caleb A. Hull, AO3044928.
Roger E. Klinger, AO3045128.
Eugene R. Muth, AO3077368.
Dan E. Tolman, AO3012219.
LeGrande H. Woolley, AO3078572.

To be first lieutenants, USAF (Judge Advocate)

Pat Charles, AO2255889.
Stanley A. Friedman, AO3003809.
Jay D. Gray, AO2210168.
Harold R. Holmes, AO3060107.
James A. Katsanis, AO3033546.
Eugene A. Kuhlhoff, AO2209442.
Richard J. Lee, AO3060208.
Ludwig E. Lippert, Jr., AO3014264.
Harry Milone, AO1899397.
George D. Schrader, AO2206172.
Robert S. Thompson, AO3059816.

To be first lieutenants, USAF (Nurse)

Bernadine A. Cahalan, AN2242980.
Jeanne A. Carney, AN2242707.
Blanche Carter, AN2241853.
Marian L. Citro, AN3074911.
Geraldine B. Deptula, AN3045803.
Lorraine M. Duval, AN2243443.
Freda A. Hatton, AN2243088.
Margaret R. Keeley, AN2244401.
Margaret A. Q. Kipste, AN3076672.
Jacqueline P. Moore, AN2242746.
Margaret D. Morrell, AN2243517.
Jeanne O'Brien, AN2242776.
Fay D. Parker, AN2214394.
Helen M. Rideout, AN2242445.
Patricia A. Schwab, AN3044758.
Joan R. Studer, AN2242704.
Josephine M. Trippe, AN2242848.
Alice P. Welch, AN2242858.
Adele C. Wnuk, AN2242198.

The following persons who were appointed in the Regular Air Force under recess appointment provisions during the last recess period of the 85th Congress for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be lieutenant colonel

William J. Worcester, AO1849908.

To be majors

Eugene F. Adams, AO672735.
Stanley J. Alkonis, AO864222.
Joseph P. Averill, AO564718.
Harold S. Baker, AO861127.
Bill B. Banias, AO760532.
Michael J. Barbieri, AO562458.
Fred M. Barricklow, AO559571.
Cameron B. Benson, AO679032.
Harley C. Bergendahl, AO812736.
John W. Berkley, AO761855.
Vernon H. Berry, AO733017.
Kenneth E. Bethe, AO753847.
William E. Bethea, AO441729.
George J. Beyer, Jr., AO734790.
Jack D. Blanchard, AO413564.
William O. Boarman, Jr., AO1107814.
Arthur Bonham, AO739650.
Henry L. Bourassa, AO807133.
George J. Bourus, AO434484.
Sidney J. Bowlin, AO812362.
Gordon Y. Bowman, AO701713.
Willis G. Boyd, AO726319.
Roy W. Browne, AO2071110.
Roy L. Broyles, Jr., AO413031.
Eugene F. Bumpas, AO735041.
Alfonso H. Butera, AO583095.
Raymond E. Butler, AO817324.
John L. Campbell, AO327969.
John A. Caputo, AO791069.
Robert W. Casey, Sr., AO1289207.
Gabriel Cazares, AO560769.
John S. Chalfant, AO414691.
Allan B. Chealander, AO413756.
Gerard O. Cleary, AO1305549.
Francis J. Coleman, AO789457.
Wallace A. Collins, Jr., AO550857.
Carl C. Conant, AO792373.
Paul F. Cottingham, AO793071.
Robert R. Council, AO665387.
Paul R. Craven, AO521122.
Donald F. Crocker, AO559704.
Thomas A. Daffron, AO1580825.
Lawrence D. Damewood, AO817901.
Lance R. Davis, AO668210.
Clarence J. Deaton, AO668555.
Kenneth C. Diehl, AO396393.
Clayton M. Doherty, AO798986.
Milton H. Duckworth, AO804308.
Robert J. Duncan, AO559753.
Edwin M. Eads, AO342118.
Helmuth E. Eberhard, AO682829.
Clarence P. Elder, AO804310.
Darwin E. Ellett, AO420304.
Gardner W. Engel, AO796677.
Marvin F. Evans, AO527742.
Daniel J. Felski, AO790229.
Peter C. Fenlon, AO1641285.
Robert L. Finlon, AO581667.
Charles D. Fisher, Jr., AO856587.
William L. Ford, AO831147.
Bob L. Forkner, AO376057.
James E. Fritsch, AO755917.
Edwin C. Frost, AO1551207.
Ralph B. Fuller, AO776269.
Millard H. Gassaway, AO1584244.
Thomas M. Glassburner, AO464858.
Frank R. Green, AO659373.
Milton F. Gregory, AO574809.
George G. Grinnell, Jr., AO733309.
Donald B. Guthrie, AO417696.
Carl M. Hagle, AO805442.
Francis E. Hawke, AO926076.
Fred J. Held III, AO559909.
John A. Herberg, AO679874.
Dilver B. Herbert, AO745682.
Neal A. Hess, AO860932.
William A. F. Hill, AO1042055.
Lester E. Holmes, AO737101.
Weldon F. Holmes, AO791110.
Robert L. Horschman, AO304646.
Driskill B. Horton, AO690092.
John C. Howell, AO743019.
Ben E. James, AO746355.
Dorence C. Jameson, AO363508.
Gaylord B. Jannot, AO795965.
Erland G. Johnson, AO740205.
Ruby E. Johnston, AO790247.
William R. Jones, AO819533.
Gerald E. Kanable, AO563465.
Robert E. Kirby, AO572280.
Frank F. Kleinwechter, Jr., AO757075.
Frank A. Knapp, AO794669.
John E. Kolbe, AO660576.
Robert L. Koles, AO735801.
Peter Komlenich, AO679586.
Andrew Kowalski, AO572314.
Valentine W. Krug, AO677781.
Edward L. Krum, AO736252.
James A. Kyle, AO792033.
Stanford B. Lane, AO670140.
Howard W. Larsen, AO665695.
Jack S. Laurie, AO749568.
Walter P. Lepski, AO1553300.
Leo Lesonik, AO662956.
Harry N. Lester, AO695752.
Raymond N. Lester, AO494490.
Robert M. Linden, AO686253.
Virgil B. Lindsey, AO430932.
Charles H. Link, AO758193.
Robert D. Lipton, AO429820.
Dale R. Lowther, AO418916.
Dale C. Maluy, AO761143.
James W. Marsio, AO749277.
Joseph J. Massett, AO569331.
Vance W. McCollum, AO779953.
Christopher T. McCooe, AO857119.
Robert W. McFadden, AO1550865.
Charles E. McGee, AO807103.
Charlie T. McGugan, AO689258.
William M. Menaker, Jr., AO666785.
Alex Michak, Jr., AO566193.
Alfred W. Miles, AO662353.
John R. Millar, AO1112864.
Gayle C. Miller, AO1284184.
Robert L. Miller, AO874378.
Thomas A. Mills, AO752069.
Jesse W. Mitchell, Jr., AO714973.
Leo J. Moffatt, AO758603.
Hal R. Montague, AO861029.
Grover P. Moore, Jr., AO1286872.
Joseph H. Morgan, AO758518.
Robert H. Morrison, Jr., AO742006.
Lynn H. Moulthrop, Jr., AO706069.
Joseph L. Murphy, AO753809.
Bill C. Musick, AO735897.
Charles A. Neundorf, AO696952.
Harry C. Newsome, AO730578.
Horace C. Nichols, Jr., AO743069.
Richard N. Oster, AO434148.
Edward J. Pallotta, AO581059.
David A. Parker, AO662819.
Marion P. Parsons, AO563983.

Harry P. Pedersen, AO582226.
Roy Petersen, AO740908.
Charles D. Phippen, AO759297.
William B. Pierce, Jr., AO681182.
Arthur G. Ray, Jr., AO677871.
Horace S. Reece, AO708160.
Orville K. Reilley, AO867770.
Charles W. Rhodes, AO1180312.
Lewis C. Rice, Jr., AO822091.
Jack P. Richardson, AO730296.
Joseph F. Richter, AO820059.
Augustus A. Riemondy, AO412552.
William Robinson, Jr., AO820829.
Gerald H. Robson, Jr., AO665720.
Carl R. Roemer, AO868662.
Cyril A. Romanchek, AO806153.
James R. Ryan, AO821089.
Joseph M. Sarto, AO729573.
Robert W. Saulter, AO861389.
Karl F. Schmidt, AO755435.
Frederick W. Schultz, AO869871.
Howard J. Schwendler, AO564251.
Orville E. Scribner, AO874149.
Earl Seay, AO487926.
William H. Seigle, AO726487.
John W. Shanks, Jr., AO2071054.
Harold J. Shea, AO834668.
Frank A. Sheehan, AO532901.
Benjamin A. Shipley, AO1586181.
Alwyn V. Smith, AO443053.
Earl L. Smith, Jr., AO423275.
James C. Smith, AO873094.
Lewis R. Smith, AO756727.
Norris R. Smith, AO813598.
Paul K. Smith, AO686284.
Robert W. Smith, AO740294.
Stanley A. Smorag, AO553601.
Richard H. Sorenson, AO824970.
Marvin L. Speer, AO747914.
Robert F. Stark, AO406834.
William H. Staten, AO856385.
Seymour Stearns, AO864367.
Carl W. Steinkamp, Jr., AO802797.
Scott Sterling, Jr., AO393577.
Leslie R. Stoeber, AO796905.
Collins C. Stovall, AO526028.
Leland G. Strauch, AO732781.
James C. Street, AO678490.
Lee E. Stubblefield, AO672709.
Vernon R. Stutts, AO668663.
Clarence E. Sullivan, Jr., AO803489.
Woodfin M. Sullivan, AO810740.
Robert V. Sundberg, AO864137.
Robert R. Taylor, AO756354.
Vance H. Taylor, AO427198.
Merlin E. Tebbs, AO699473.
George J. Thom, AO742628.
Kenton H. Trimble III, AO733378.
Victor J. Trost, AO806370.
Donald W. Tuttle, AO791522.
Wayne B. Tweten, AO757338.
Lawrence R. Verrochi, AO579534.
Mac Vickrey, AO2073914.
Arnold W. Vincent, AO680124.
Thomas A. Wacht, AO796918.
Brent F. Walker, AO433115.
J. C. Walls, AO430883.
Allen T. Weaver, Jr., AO748048.
Gene B. Wewer, AO516408.
Roman J Whiting, AO712715.
Kenneth E. Wilber, AO694990.
Clarence E. Wilhelm, AO806186.
Frank H. Willard, AO513122.
Thomas Wille, AO816965.
Eugene S. Williams, AO444718.
Evan L. Williams, AO696986.
John B. Williams, Jr., AO723849.
Henry T. Wilson, Jr., AO669556.
Merle E. Wilson, AO873600.
Douglas E. Winslow, AO801797.
Harlan D Wolffe, AO2069179.
Earl W. Wright, AO662415.
Stephen Wysocki, AO677398.
Benjamin H. Yarborough, AO390666.
Woodrow W. Yarborough, AO462924.
Cecil R. Ybarra, AO439551.
Woodrow W. Young, AO684596.
Joseph Zakas, Jr., AO777548.
George A Zukowski, AO2058345.
Leroy O. Zunker, AO669561.

To be captains

Allan E. Aaronson, AO2230617.
Warren R. Aiken, AO567207.
Robert C. Akerberg, AO702738.
James H. Alexander, AO736456.
Serge Alexczuk, AO934199.
Robert M. Allison, AO766382.
Frederic F. Alongi, AO2222316.
Richard C. Amidon, AO684123.
Robert N. Andersen, AO830610.
Charles T. Anderson, AO783677.
Daniel Anderson, Jr., AO867680.
Paul R. Anderson, AO1851582.
Philip B. Anderson, Jr., AO467836.
Rudolf Anderson, Jr. AO1847416.
Harry Andonian, AO781760.
Joe O. Andress, AO591616.
Melvin H. Andrews, AO2068925.
Robert J. Andrews, AO2101331.
Lester N. Anenson, AO712749.
Walter L. Angelo, Jr., AO522155.
Robert M. Arentson, AO796755.
Leslie H. Armen, AO928367.
George P. Arnold, AO2088557.
John R. Ash, AO959214.
Clifford L. Asher, AO2069200.
James G. Atkins, AO2092856.
Robert B. Austin, AO702527.
Atha Aviakeotes, AO2221577.
John S. Ayala, AO932977.
Louie A. Babbitt, AO1910822.
Jack E. Bailey, AO1911068.
Jack R. Baird, Jr., AO518072.
Theodore Balides, AO712478.
Glenn C. Ballantyne, AO551065.
James L. Barker, AO867912.
Stewart G. Barker, AO783685.
Hage N. Barnard, AO772927.
Ralph P. Barnard, AO786029.
David F. Barnett, Jr., AO789123.
William B. Barnes, AO682766.
William G. Barneyback, AO745034.
James B. Bartlett, AO589593.
Darrell S. Bash, AO812734.
Sterling A. Basler, AO729794.
Thomas O. Batey, AO824364.
Joseph K. Bavuso, AO671486.
Llewellyn H. Baxter, AO818812.
William E. Beard, AO672299.
William E. Beard, AO2037250.
Carlos O. Beasley, AO838484.
Robert R. Beaver, AO752172.
Luther M. Beavers, Jr., AO2091143.
Charles W. Bebout, AO2235608.
Joseph S. Benham, AO701707.
Karl F. Benkesser, AO1853345.
Hugh C. Bennett, AO860900.
Wesley E. Bennett, AO559590.
Charles M. Bergeson, AO781784.
Lawrence E. Berner, AO439574.
Thomas F. Berran, AO836960.
Howard S. Berry, Jr., AO1015838.
Albert R. Bienert, AO939635.
Gilbert M. Billings, Jr., AO833878.
Robert J. Billington, AO682041.
Bill M. Bing, AO1909824.
Martin Binkin, AO2235166.
Herbert C. Birkhead, AO504978.
Owen G. Birtwistle, AO341930.
Robert M. Blackburn, AO956903.
Ronald D. Blenis, AO1903053.
Warren S. Blodgett, AO832331.
Richard G. Blos, AO676502.
Robert W. Blunt, Jr., AO697808.
Robert K. Bobo, AO929230.
Robert J. Bogan, AO2080323.
John E. Bold, AO862000.
William J. Bollman, AO746557.
Wayne F. Bolton, AO685765.
Stanley Bombyk, AO2094644.
William F. Bonner, AO679034.
Jack E. Booth, AO590230.
Robert E. Boots, AO778391.
Lyle B. Bordeaux, AO2092627.
Samuel E. Boswell, AO1855872.
Richard D. Bottom, AO1903187.
Edmund M. Bouchard, AO878436.
George M. Boyd, AO590518.
Lawrence A. Boyd, AO567410.
William B. Boyd, AO789662.
Donald H. Brandy, AO1908402.
Leo M. Braun, AO855064.
Robert H. Breding, AO936946.
James L. Brewer, AO536073.
Henry R. Briarton, AO681518.
Kenneth B. Brice, AO802014.
Hays Bricka, AO822365.
Gordon D. Brigham, AO1588453.
Leonard L. Brion, AO1848633.
Carl H. Brown, AO681601.
Edward E. Brown, AO855473.
Edward G. Brown, Jr., AO571109.
Francis O. Brown, AO2065950.
James S. Brown, AO836715.
John F. Brown, Jr., AO941394.
Merle B. Brown, AO680845.
Walter A. Brown, Jr., AO435827.
Albert F. Brunelle, AO777305.
James A. Bryant, AO834115.
Frank A. Buchanan, Jr., AO795696.
Arthur R. Bulger, AO714015.
Thomas L. Bullard, AO798430.
Frederick E. Bullock, AO730370.
William G. Bullock, AO839842.
Haskell L. Bundy, AO2079594.
Eugene L. Burgnon, AO1550123.
William P. Burgy, AO2071535.
Homer H. Burkett, AO1280147.
Maurice G. Burnett, AO841906.
Frank J. Burry, Jr., AO2062439.
Edward C. Burton, AO836717.
Barry R. Butler, AO754466.
Eugene R. Butler, AO2087508.
Jack A. Buzbee, AO590148.
Joseph H. Byrne, AO694219.
Donald R. Cahall, AO748904.
Gordon T. Caldwell, AO1909460.
Richard E. Cale, AO1903840.
Lonnie E. Callen, AO2215322.
Paul M. Camerer, AO670353.
Billy B. Campbell, AO932347.
Lawrence F. Cannon, AO680851.
George W. Cap, AO2085922.
Lloyd L. Capps, AO2083246.
John C. Caram, AO819053.
Raymond J. Caraveo, AO2087509.
Woodrow T. Carey, AO730009.
Leonard Carmell, AO2071539.
Duane L. Carpenter, AO1909692.
Paul D. Carrick, AO1911966.
James S. Carson, AO2067280.
Howard E. Carter, AO939132.
Paul T. Carter, AO867810.
Carleton N. Casteel, AO2095367.
Bennie Castillo, AO754067.
Thomas J. Cavanaugh, AO933985.
Nolen Chafin, AO667793.
Kenneth E. Chapman, AO504591.
William R. Chappell, AO2086654.
James W. Chelf, AO1695558.
Philip B. Chernis, AO2093609.
Louie B. Chester, AO1856583.
Milan A. Chiba, AO432323.
Nevin G. Christensen, AO1909563.
Donald L. Clark, AO2215608.
Philip S. Clark, AO788152.
Gerald H. Clayton, AO842599.
Edward G. Cleary, Jr., AO2222596.
Dorris A. Clement, AO1855834.
David S. Clifton, AO791282.
A. Lincoln Coapman, AO429023.
William J. Cobb, AO937782.
Albert C. Cochrane, Jr., AO1861203.
Stephen J. Coffey, AO752319.
William B. Cofield, AO864582.
Billy B. Coggin, AO2222426.
Guy H. Colby, AO511083.
James R. Cole, AO2072238.
Kermit Coleman, AO2057561.
William R. Coleman, AO2094163.
Ray H. Coley, AO1912142.
Robert C. Colip, AO584873.
George W. Collins, AO2076556.
Harry F. Collins, AO562747.
Malcolm T. Collins, AO1857233.
Raymond P. Collins, AO934936.
Walter R. Collins, AO1910145.
Chalmer J. Combs, AO2098642.
Richard D. Conn, AO671733.
Ralph W. Conners, AO349654.
Bob E. Cooper, AO2093853.

James P. Cooper, AO2239107.
William E. Cooper, AO1299002.
Edgar L. Cornett, AO723296.
Ben W. Cotton, Jr., AO699061.
James E. Coughlin, AO969162.
Thomas J. Coumbs, AO739656.
William R. Covington, AO761045.
Lewis J. Cowart, AO2058723.
Joseph O. Cox, AO946161.
William J. Cragg, AO2100275.
Gorden E. Cranford, AO590502.
Timothy J. Cronin, AO700231.
Eugene M. Crook, AO387518.
Jack A. Crook, AO835450.
Cecil J. Cross, AO928849.
John L. Crown, AO1849096.
Joe N. Cruise, AO2222496.
George B. Crumpler, AO678180.
Russell F. Crutchlow, AO815285.
Charles O. Cummins, AO662027.
John W. Currie, AO715088.
Carl A. Dahlberg, Jr., AO2232160.
Spencer G. Dakan, AO1280874.
James A. Dale, AO429367.
Richard E. Dana, AO520617.
Charles L. Daniels, Jr., AO659360.
Allen H. Darilek, AO748372.
Daniel C. Daube, AO972551.
Austin O. Davis, AO721998.
Edward C. Davis, Jr., AO671902.
Milton C. Davis, AO765626.
Norman E. Davis, Jr., AO2073083.
Wayne E. Davis, AO738354.
Richard F. Dayton, AO2074187.
Ray A. Dearth, AO868866.
William C. Decker, AO1018675.
Paul A. DeForrest, AO1910719.
Harry W. DeLancey, AO1912211.
Charles E. DeLaney, AO1548722.
Willard A. DeLano, AO560899.
Mike DeLeon, AO2060781.
Chester M. Dellinger, Jr., AO751894.
Thurmon L. Deloney, AO2222030.
Henry J. Del Vecchio, AO2031027.
Glenn C. DeMunck, AO840185.
William P. Dent, AO836436.
John J. Derderian, AO2101899.
Frank J. Dever, Jr., AO886987.
Frank G. Devine, AO2035266.
John E. Dewitt, AO803164.
John J. Dewland, AO571463.
Howard E. Dey, AO735227.
Robert A. Dibbell, AO818640.
Charles J. Dietz, AO1002901.
William G. Dilley, Jr., AO774056.
Roland A. Dion, AO701078.
George E. Dively, AO1642800.
Louis E. Dix, Jr., AO715161.
Christopher P. Dixon, AO834766.
Joseph P. Dixon, AO567916.
Chester L. Doron, Jr., AO735065.
John C. Doty, Jr., AO803952.
Frederick E. Doucette, Jr., AO833319.
William H. Dowd, AO789149.
William J. Downey, AO748595.
Edward H. Drabik, AO716808.
Marvin E. Drake, AO2059994.
James L. Driggers, AO836252.
James E. Driscoll, Jr., AO780894.
Sanford G. Driskill, AO580687.
Loren F. Driver, AO841687.
Robert H. Drumm, AO2094176.
James L. Dukes, AO428738.
Roscoe B. Dunn, AO752397.
Wallace W. Dunning, AO839006.
Albert J. Dunstan, AO747772.
Robert P. Dupont, AO710907.
Daniel R. Durbin, Jr., AO704903.
Frank W. Durkee, AO2099670.
William S. Dursteler, AO2095528.
Francis C. Dusenberry, AO1905899.
Richard K. Easley, AO501180.
Clifton W. Eccles, AO764623.
Paul Echabarne, AO761576.
Robert E. Eckman, AO1850709.
Stamy E. Edmisten, Jr., AO725697.
Carter M. Edmonds, AO562928.
William N. Edwards, AO671405.
Gerald C. Ehst, AO709541.
John L. Eidenire, AO2216019.
Edward A. Elbert, Jr., AO812962.
Malcolm W. Eldridge, AO841917.
Louie C. Elliott, Jr., AO2095634.
Patrick M. Ellis, AO664552.
John E. Elwood, AO769021.
Edwin G. Emerling, AO935447.
Raymond E. Engelhardt, AO568041.
Richard Ennis, AO2087140.
Robert E. Enyeart, AO768044.
LeRoy Erickson, AO842401.
Carl V. Evans, AO716083.
James R. Evans, AO710683.
Shelby A. Evans, AO2083162.
John G. Fall, AO1856143.
Clifford A. Farfel, AO1847115.
Arnold S. Farquahar, AO2059016.
Thomas H. Fearns, AO788748.
Russell D. Fellers, AO737040.
John S. Fenton, AO700867.
George W. Ferguson, AO460560.
Robert E. Ferraris, AO739756.
Edward R. Fields, AO698187.
Robert A. Fimbel, AO445034.
Edward A. Fioretti, AO802552.
James L. Fisher, AO812963.
Philip R. Fisher, AO815116.
Darrell N. Flannery, AO2088297.
George J. Fleckenstein, AO760279.
William A. Fletcher, AO720683.
Marshall G. Foote, AO2086381.
Robert C. Foote, AO727865.
Jack Ford, AO2087527.
Zachary T. Forester, Jr., AO672589.
D. Brock Foster, AO763145.
Bruce F. Fox, AO680875.
Clarence E. Fox, AO1550165.
James F. Fraher, AO1847345.
Elmer E. Fraley, AO574626.
Edward B. Francis, AO2098960.
John W. Frankenfield, AO1851024.
Earl N. Franklin, AO842880.
Vernon A. Franson, AO751293.
Edward C. Fraser, Jr., AO940894.
Merle W. Frazee, AO769785.
James A. Frederick, Jr., AO717424.
Melvin B. Freeman, AO563038.
Richard E. Freeman, AO672594.
Raymond E. Frey, AO708436.
Grady L. Friday, Jr., AO2222348.
Richard L. Friesz, AO2057715.
James A. Fruit, AO520492.
James H. Fry, AO708185.
Joe Fry, AO700915.
Frank W. Fucich, AO2084263.
Dale R. Funk, AO2071332.
Luther C. Furlow, Jr., AO764279.
Wilfred V. Gabel, AO2074202.
Herbert J. Gall, AO446522.
Joseph A. Gall, AO663889.
Robert H. Gallavan, AO2093480.
Clay Gammon, AO1859111.
Vincent D. Gannon, AO821847.
Henry L. Gantz, Jr., AO715181.
Charles A. Garrett, AO1702912.
Morris C. Garrison, Jr., AO699365.
David E. Garwood, AO1035470.
Aubrey S. Gaskins, AO802281.
Frank J. Gately, Jr., AO1910228.
Charles R. Gentzel, AO2217967.
James L. George, AO1857112.
Larry R. Georgen, AO766481.
Jack Gerson, AO2065535.
Guy W. Gibbs, AO705680.
Ben S. Gibson, AO524325.
William A. Gibson, AO568286.
Bruce G. Gilbreth, AO710465.
Kenneth S. Giles, AO1851652.
Cletus E. Glesener, AO798484.
Horace C. Godbee, Jr., AO2082992.
Alvin E. Goddard, AO2070493.
Ervin H. Goeden, AO930677.
Frank M. Goetz, Jr., AO749899.
Thomas R. Gonyon, AO887020.
Landon E. Gookin, Jr., AO591149.
Delbert L. Gosser, AO813886.
Alexander Gozur, AO2232113.
Harold L. Graves, AO681062.
Orville K. Graves, AO722576.
John P. Green, Jr., AO1909590.
Charles R. Greene, AO2079847.
Kenneth L. Gregory, AO2234932.
Henry C. Griffin, Jr., AO563164.
Robert J. Griffin, AO2101792.
Maurice L. Griffith, AO664571.
Donald R. Grigsby, AO688668.
Eugene W. Grimm, AO1859951.
Bruce R. Groesbeck, AO669710.
Frank H. Grossman, AO2077819.
Lawrence N. Guarino, AO798126.
William B. Gunn, AO757981.
John L. Guthrie, AO830212.
Robert W. Hagerman, AO774632.
Frank W. Haines, AO1849109.
Harold H. Hall, Jr., AO1865552.
Robert C. Hall, AO782731.
Robert W. Hall, AO766506.
La Verne A. Hamilton, AO723792.
Ralph E. Hamlin, AO764295.
Gerald S. Hammer, AO1911415.
William R. Hankins, AO743011.
Frank C. Hannold, AO824485.
George F. Hanson, AO1019032.
Quentin D. Hanson, AO861375.
Thomas H. Hardin, Jr., AO527616.
Robert S. Hardy, AO1907820.
Douglas C. Harker, Jr., AO886352.
Ralph W. Harned, AO774664.
Thomas W. Harper, AO670899.
Eugene H. Harre, AO686468.
Louis J. Harrell, AO1864323.
Louis M. Harris, AO1909477.
Arnold P. Hart, AO682326.
Roy E. Hartman, AO2066527.
Robert E. Hatcliff, AO1858771.
Morris E. Haven, AO590925.
Jack Hawley, AO2057622.
Harold T. Hayden, AO2038738.
Robert W. Hayden, AO734084.
Glen M. Haynes, AO2089915.
John H. Heath, AO792591.
David A. Hedges, AO561245.
Alerd M. Hedvall, AO2098602.
Lloyd C. Helberg, AO414692.
Loren E. Helser, AO396001.
Jack B. Henderson, AO437171.
Raymond W. Henderson, AO930782.
Alfred F. Hendrix, AO887030.
Paul Hendrix, AO782532.
Robert O. Henke, AO1551024.
Donald G. Hennessy, AO928489.
Ralph H. Herman, AO700264.
David C. Herrin, AO805454.
Ray R. Hewitt, AO2094690.
Dean R. Hiatt, AO673566.
Richard A. Hicks, AO2095857.
Sterling K. Hight, AO757991.
William H. Hightower, AO1848014.
Lloyd C. Hill, AO865250.
Donald M. Hines, AO2087047.
Michael A. Hirrel, AO839102.
Henry W. Hodek, AO706395.
Victor A. Hoffacker, AO842990.
Paul E. Hoffman, AO572038.
William P. Holcombe, AO1912085.
Jean D. Holladay, AO775360.
Ernest C. Holland, Jr., AO707625.
Eugene L. Hollis, Jr., AO832814.
Edgar A. Holmes, AO2083902.
Emmett L. Holt, AO809000.
William J. Holton, AO2094870.
John A. Horn, AO2070038.
James E. Hoskins, AO811908.
Donald E. Hovey, AO1853484.
Douglas L. Howard, AO590937.
Roy W. Howard, AO676223.
Helton G. Hudgens, AO2002139.
Louis T. Hughes, AO690808.
Robert W. Humphrey, AO699371.
Russell D. Huntley, AO590939.
Daniel A. Hurlburt, Jr., AO781318.
John Huska, AO1858519.
Wilbur T. Hutchinson, AO781867.
John J. Innis, AO740724.
Robert D. Jackson, AO1820912.
Lloyd E. Jacobs, AO801474.
Arthur H. James, AO433527.
William L. Janssen, AO2091176.
Wallace Jeancon, AO685325.
Ulie H. Jeffers, Jr., AO812821.
Merrill E. Jensen, AO779877.
Niels C. Jensen, AO760703.
Warren R. Jensen, AO2071611.
Bennie Jew, AO842221.

Edgar Jodoin, AO830471.
Carter W. Johnson, AO2070991.
Cordell E. Johnson, AO685802.
Edward R. Johnson, AO2080708.
Eugene L Johnson, AO937251.
Herbert H. Johnson, AO1857210.
Holden C. Johnson, AO2221676.
Kenneth O. Johnson, AO2095421.
Leroy H. Johnson, AO764323.
Lester L. Johnson, AO788205.
Marvin W. Johnson, AO1908684.
Roy L. Jones, Jr., AO730035.
Virgil L Jones, AO514789.
Joe B. Jordan, AO1912228.
Richard I. Jorgensen, AO2101446.
Wesley L. Jule, AO1703109.
Edmund S. Justice, AO578117.
John E. Kammerer, AO930536.
Richard C. Kandt, AO1341670.
Robert F. Kane, AO842810.
George M. Karl, Jr., AO974643.
Leo J. Kaufman, AO870089.
Raymond F. Kayea, Jr., AO2100842.
Russell A. Keefer, AO738408.
Hyrum G. Keeler, AO761962.
Herbert J. Keen, AO814331.
William O. Keeney, Jr., AO938998.
George E. Kelley, Jr., AO945112.
Allan Kempe, Jr., AO1911574.
George N. Kent, AO2057806.
Lesley L. Kersey, AO809008.
Karl E. Keyes, AO699521.
William F. Kilian, AO1173330.
Wesley D. Kimball, AO2095425.
William P. Kincheloe, Jr., AO802415.
Harold F. King, AO835490.
Joe R. King, AO2075990.
Neil E. King, AO2087965.
David J. Kinne, AO1911854.
Lamar R. Kissling, AO2076909.
Joseph W. Kittinger, Jr., AO1909919.
Raymond B. Kleber, AO935539.
Howard J. Knaggs, AO757588.
Robert D. Knowlton, AO750408.
Roger H. Koltz, AO1285606.
Arthur Korbett, AO676074.
Herman J. Krahn, AO808082.
Lester F. Kress, AO795980.
George W. Kronebach, AO873872.
Arthur Kugel, AO678424.
Frederick C. Kyler, AO2082472.
Richard E. LaFave, AO1911492.
Robert C. Laidlaw, AO672632.
John F. Lamar, AO806465.
Joseph A. Lamont, AO820283.
Donald C. Lance, AO870946.
John E. Lane, AO2222205.
Robert J. Langlands, AO2072004.
Vern L. Larson, AO569031.
Raymond C. Latham, AO825912.
Norman E. Lawless, AO2091454.
Charles B. Layton, AO1909497.
Gareth G. Lee, AO759626.
Jack R. Lee, AO939164.
Richard A. Leed, AO716177.
Harlan E. Lefler, AO544524.
Arthur C. Lehrman, AO2071812.
Edward W. Lent, AO948603.
Raymond K. Leonard, AO703278.
Herbert Leong, AO2094710.
Vance T. Leuthold, AO1911662.
Alfred J. Lewis, AO591379.
Charles P. Lewis, Jr., AO801889.
James M. Lewis, AO668098.
James P. Lewis, AO1848266.
Thomas R. Lewis, AO1847734.
William H. Lewis, AO1910750.
James R. Lillethun, AO591192.
Kenneth R. Litherland, AO711436.
Theodore D. Little, AO872591.
Harry J. Livingston, AO1590613.
Walter R. Livingston, AO872952.
Robert W. Lloyd, AO2077879.
Loren C. Logie, AO1852920.
Billy J. Long, AO2070369.
Albert G. Loos, AO2079390.
Richard F. Lopes, AO783198.
William P. Lovelace, AO711726.
Charles S. Lowe, AO490232.
Roger N. Lund, AO779174.
Robert D. Lutes, AO2067016.
Joseph G. Luxton, AO561561.
James O. Lykins, AO887732.
Andrew C. Lynch, AO1858890.
Robert R. Maas, AO2011438.
John F. MacFarlane, AO683565.
Thomas O. Maffett, AO2092477.
John A. Malcolm, AO680671.
Edwin F. Malone, AO2090272.
William R. Manning, AO1551901.
Fred C. Marall, AO432085.
Winfred K. Marcum, AO837339.
James R. Markey, AO737175.
Clyde Markley, Jr., AO2094573.
Murray Marks, AO790866.
Lawrence F. Maronde, AO683041.
Otto L. Marsh, AO832645.
Andrew G. Martin, AO935878.
John M. Martin, AO429088.
Leonard W. Martin, AO799827.
Mathias J. Martin, AO1911584.
Stephen F. Mason, AO551574.
Herbert W. Massie, AO590605.
Jack K. Massie, AO727754.
Allen A. Masters, AO2100863.
Edward B. Mastin, Jr., AO817491.
Thomas H. Mathieson, AO649519.
Charles A. Matson, AO742178.
George J. Mattes, AO742179.
William L. Matthews, Sr., AO1853825.
Peter T. Mauro, AO723403.
Philip L. Maxwell, Jr., AO2071026.
Heyward M. McAnallen, AO572551.
Lloyd G. McBride, AO775462.
Dee McCarter, AO1911666.
Terence K. McCarthy, AO2070291.
John A. McCluskey, AO650828.
Clair A. McCombs, AO1911308.
Francis T. McCormack, Jr., AO1910628.
William N. McCullough, AO737819.
Howard H. McDaniel, AO1704188.
John A. McDonagh, AO783608.
Samuel E. McFadden, AO431465.
Leon J. McGarry, AO726006.
Charles S. McGuire, AO734946.
Robert K. McIntyre, AO1854043.
James E. McNeil, AO1698886.
Bobby J. Mead, AO933451.
John C. Mead, Jr., AO2087819.
John R. Medcalf, AO671674.
William A. Meeks, AO812631.
Eugene A. Merrell, AO2062257.
Stanley J. Merrick, AO2071815.
Leon M. Mesropian, AO695073.
Howard W. Metts, AO2045001.
Charles A. Metzler, AO770359.
Raymond W. Mihlbauer, AO1864126.
Kenneth P. Miles, AO1909354.
George K. Miller, AO670406.
Howard E. Miller, AO1863165.
Loris R. Miller, AO1908938.
Harold W. Mills, AO1856787.
Royce L. Mills, AO1855323.
Forrest M. Mims, Jr., AO2059105.
Ira W. Misenheimer, Jr., AO551894.
Harry A. Mitchell, Jr., AO2078629.
William W. Monday, AO715276.
George H. Montague, AO2228841.
Charles M. Mooney, AO741279.
Charles D. Moore, AO750430.
Curtis W. Moore, AO1854353.
Harold W. Moore, AO933185.
Harry Z. Moore, AO740105.
John L. Moore, Jr., AO688603.
Harvey E. Moose, AO561722.
Victor A. Moreau, AO935865.
Floyd C. Morris, AO807862.
Frank W. Morris, Jr., AO794345.
William E. Morris, AO750090.
Edwin Morrison, AO690488.
Frederick J. E. Morrissey, AO938708.
Levy P. Morrow, Jr., AO1910765.
Robert W. Morrow, AO740516.
Marvin N. Morss, AO781373.
Eldon D. Mortensen, AO664041.
George R. Moss, AO742512.
Glen D. Mull, AO936481.
Kevin C. Mullaney, AO826487.
Clifford H. Muller, Jr., AO437248.
Lemoyne B. Mumma, AO534492.
Herman E. Munroe, AO588556.
William S. Munson, AO779547.
William A. Murdoch, Jr., AO1553320.
Benjamin C. Murph, AO1908576.
John R. Murphy, AO723657.
Kenton C. Murphy, AO834641.
William J. Murphy, AO1295255.
Alva V. Murray, AO1300569.
Eugene A. Nelson, AO737456.
William L. Nelson, AO2232058.
Kenneth J. Neuenschwander, AO701141.
Brewer, N. Newton, AO1335682.
Thomas E. Newton, Jr., AO700523.
Van H. Newville, AO714566.
Dixon E. Nichols, AO830055.
William L. Nichols, AO2222395.
Benjamin W. Nicholson, AO936222.
Raymond E. Nicholson, AO818199.
Marvin F. Nickelson, AO1116405.
Harry T. Niggle, AO941047.
Robert W. Nordmeyer, AO584573.
James A. Norton, Jr., AO794850.
Henry Nosek, AO590433.
Leonard Notaro, AO1863209.
Francis V. Nowak, AO437040.
Robert P. Nuss, AO2082083.
Roger H. Olds, AO2033210.
Joan Olmsted, AL1860393.
Joseph S. Osak, AO936660.
John W. Osborn, AO777922.
Edward G. Osborne, AO1847220.
Hurl E. O'Shields, AO814956.
John B. Osterman, AO2066701.
Harold A. Ostman, AO2217895.
Jack C. Owens, AO754180.
Robert A. Pait, AO2065902.
Gordon F. Palmer, AO870101.
Lyle F. Palmer, AO738940.
Richard W. Palmer, AO743074.
Rocco Palumbo, AO802937.
Frank Pangallo, AO816352.
James A. Parker, Sr., AO927280.
Kirksey N. Parker, AO519415.
Robert H. Parker, AO2218997.
Donald J. Parsons, AO1910531.
Norman E. Partridge, AO773790.
Charles L. Patterson, AO736328.
Ralph O. Patterson, AO440121.
Sam Payne, AO1865682.
Carl E. Pearson, AO743266.
Paul J. Peltier, Jr., AO432762.
Harry E. Pennington, Jr., AO691404.
Lewis J. Peoples, AO802244.
George A. Peters, AO809414.
John D. Peters, AO1119583.
Vayne L. Pfantz, AO843298.
Daryl W. Phillips, AO766939.
Eugene F. Phillips, AO732350.
Robert S. Phillips, AO2060360.
Charles S. Phipps, AO724975.
Gregory D. Picone, AO912567.
Donald J. Pierini, AO886592.
Joe K. Piggott, AO777929.
Walter W. Pine, AO2080553.
Vernon V. Piotter, AO2060577.
Sterling L. Plunkett, AO1287400.
Philip P. Plotkin, AO833147.
Dean A. Pogreba, AO776026.
John L. Polce, AO689643.
James I. Poole, AO558683.
Glen A. Portt, AO426513.
Cecil J. Poss, AO800397.
William Postelnek, AO857156.
William C. Potter, AO804034.
Theodore Poulos, AO2086571.
Harry H. Powers, AO2064317.
George J. Pratt, AO936365.
Eden T. Pray, AO448792.
Henry M. Price, Jr., AO2082878.
Alan M. Prince, AO701385.
Robert F. Proctor, AO686060.
Guy Pronier, AO1910441.
Earl E. Putman, AO776032.
Stanley J. Pytel, AO2033350.
William P. Quinn, AO2233366.
Francis E. Race, AO832485.
John J. Radzinski, AO2084992.
Harry W. Ragan, AO828522.
Gerald G. Rambo, AO670965.
Ralph W. Ramos, AO1852095.
William H. Ramsey, AO2010056.
Joseph J. Rance, AO837042.
Edward W. Randall, AO725355.
James E. P. Randall, AO1909934.

Robert C. Randolph, AO573048.
David F. Ransom, AO1909811.
John F. Rapp, AO1911273.
Ray M. Ratcliff, AO816360.
Richard L. Raymond, AO1910997.
Joseph A. Rea, AO1847596.
Robert W. Redfield, AO806523.
William K. Redmon, Jr., AO722156.
Harley L. Reed, AO817525.
William S. Reeve, AO513257.
Philip N. Reeves, AO590143.
Brendan J. Reilly, AO374318.
Ernest M. Relac, AO1910410.
Donald R. Remaklus, AO1863879.
Walter B. Remington, AO842574.
Walter R. Renfro, AO776402.
John W. Renlund, AO778254.
Ralph C. Reynolds, AO784549.
John M. Rhoads, AO1905066.
Robert H. Rice, AO818023.
William H. Richardson, AO805675.
Thomas E. Rickelman, AO673706.
Alvin E. Rickers, AO1857923.
Frank J. Riddle, AO777938.
Philip Riebman, AO1639545.
Lyle E. Riley, AO687073.
Thomas W. Riley, AO2098571.
Richard L. Ritchie, AO682511.
William E. Ritter, Jr., AO841390.
Tom W. Robbins, AO686370.
Charles F. Roberts, AO875822.
Lawrence E. Roberts, AO840208.
Robert S. Roberts, Jr., AO670438.
Nubron L. Robertson, AO734607.
Roy G. Robertson, AO579027.
Fred E. Robinson, AO816591.
John A. Robinson, Jr., AO876163.
John S. Robinson, AO1860414.
Richard E. Robinson, AO730172.
Thomas S. Robison, AO2063477.
Francis W. Rodriguez, AO2078119.
Reynaldo A. Rodriguez, AO2064654.
John F. Roehm, AO737255.
Donald O. Roelle, AO1910647.
Evan Y. Rogers, AO697779.
George O. Rogers, AO2059357.
Robert D. Rohlfs, AO2067567.
Maxell A. Rose, AO584081.
Billy L. Ross, AO709656.
William E. Rosser II, AO1910939.
Daniel W. Rossi, AO673959.
Calvin S. Rowe, AO721218.
Robert U. Rowley, AO768689.
David S. Rubin, AO1583594.
Chester H. Rubner, Jr., AO797719.
James W. Ruddell, AO1908478.
William O. Ruddock, AO2070137.
Donald B. Rude, AO703804.
Raymond E. Rudkins, AO764470.
Robert E. Rush, AO770799.
Robert V. Rushton, AO410128.
John E. Ryan, AO668359.
Robert A. Sadler, AO579109.
Robert R. Safford, AO827517.
Ernest A. St. John, AO775573.
Donald Sakanich, AO2221893.
Donald K. Salmon, AO2083029.
Robert A. Sandel, AO829312.
Claude R. Sanders, AO2230693.
Robert G. Sandstrom, AO2087854.
William E. Sandusky, AO2093399.
Howard E. Santmyer, AO830330.
Charles M. Sargen, AO675874.
George T. Sargent, AO521071.
Angus M. Saunders, AO1910341.
Albert L. Sautter, AO1166369.
James D. Schlatter, AO2219026.
Clayton L. Schlemm, AO810954.
Carl J. Schra, AO2221784.
Neil C. Schroeder, AO720017.
Joseph E. Schultis, AO824745.
Elmer J. Schumacher, AO1907696.
Robert L. Schumacker, AO681490.
Paul F. Schwab, AO1910942.
Jerome G. Schweickert, AO1703085.
Charles B. Schwellenbach, AO2085016.
Lockwood B. Scoggin, AO830981.
Bobby L. Scott, AO2062565.
James P. Scott, AO675627.
Roy M. Scott, AO668793.
Frank B. Seaman, AO784974.
John E. Sedlak, AO942763.
Robert L. Self, AO1907517.
Richard Serowski, AO719160.
Victor G. Sestokas, AO2046422.
Edward D. Seward, Jr., AO934218.
Burvett B. Sewill, AO2070709.
Jack C. Shadeck, AO730180.
Richard C. Sharp, AO1860793.
Abram B. Sheaffer, AO728425.
William D. Shearer, AO424138.
Joseph L. Shelton, Jr., AO2088090.
Justin W. Shires, AO2072541.
Harry E. Shisler, AO810746.
Bruce E. Silcher, AO314306.
Fred Silverman, AO1319352.
Clifford W. Simonson, AO705444.
David Singer, AO830996.
Pasco F. Siravo, AO1311572.
Harold W. Skibbe, AO2078308.
Roy B. Skipper, AO566741.
Albert E. Smith, AO782044.
Arnold Smith, AO2086432.
Bernard M. Smith, AO429205.
Carlton M. Smith, AO576311.
Cecil R. Smith, Jr., AO2216142.
Flynn S. Smith, AO933693.
James P. Smith, AO564326.
John B. Smith, AO2090387.
John J. Smith, AO2070713.
John P. Smith, AO2059366.
Lloyd Smith, AO740579.
Louis J. Smith, AO2075325.
Robert D. Smith, AO731428.
Robert R. Smith, AO1904132.
Wayne E. Smith, AO711499.
Phillip Sobelman, AO941200.
Gordon R. Sorensen, AO861252.
Robert L. Sowers, AO830350.
Vaughn E. Sowers, AO812896.
David K. Sparks, AO945366.
James C. Sparks, Jr., AO1864430.
Edward A. Spelis, AO2100202.
David E. Spelts, AO1855492.
Robert J. Spence, AO2081245.
Edwin C. Spencer, Jr., AO554705.
John O. Spencer, AO707127.
Parker R. Spencer, AO1553910.
Don L. Spraul, AO2222758.
Glenn E. Staggs, AO2235000.
Eugene M. Stahl, AO751941.
Wilbur W. Stainkamp, AO688859.
Andrew L. Starling, AO787862.
John E. Stavast, AO1912184.
Arie Staver, AO1695486.
Clay C. Stephenson, Jr., AO681231.
Michael Stevens, AO701335.
Charles L. Stevenson, AO684423.
Maurice G. Steward, AO794591.
Robert R. Stewart, AO803301.
Carl L. Stieg, AO382956.
James V. Stills, AO810060.
Howard A. Stillwell, AO511947.
Alan H. Stith, AO2074850.
Richard G. Stitt, AO833620.
Frederick D. Stockdale, AO579375.
Walter Stockman, AO794175.
Harold J. Stocks, AO869873.
David E. Stockton, AO788001.
Robert E. Stoesser, AO817780.
Lee E. Stokes, AO2070175.
Russell L. Stokum, AO941766.
Norman N. Stout, AO715849.
Glenn A. Stover, AO681237.
Frederick P. Stowers, AO666727.
Sherman R. Strand, AO681238.
Robert E. Strating, AO673293.
Robert Straughan IV, AO1909879.
Lewis Strobel, Jr., AO1910801.
Harry L. Stroup, AO1595198.
Robert H. Sturtevant, AO2000876.
John C. Sullivan, AO685046.
John R. Sullivan, AO1095547.
Joseph M. Sullivan, AO736664.
Harold A. Susskind, AO739229.
Robert B. Swan, Jr., AO1847137.
Daniel J. Sweeney, AO2221944.
John J. Swift, AO742797.
William W. Sykes, AO796623.
Roy W. Tate, AO663331.
Daniel Tauriello, AO816002.
Emmett T. Taylor, AO1908382.
John H. Taylor, AO719466.
Thomas E. Taylor, AO2063721.
Allie A. Thacker, AO524516.
Elmer C. Thacker, AO862847.
Lloyd A. Tholen, AO2218802.
Archie C. Thomas, AO399584.
Arnold W. Thomas, Jr., AO1849013.
Henry W. Thomas, AO1849527.
John E. Thomas, AO691205.
John W. Thomas, AO777374.
Walter H. Thomas, AO785020.
Jackson L. Thomason, AO2230783.
Forrest G. Thompson, AO759115.
James B. Thompson, AO2219067.
Johnny M. Thompson, AO1851334.
Nathan S. Thompson, AO2037767.
Webb Thompson, AO739129.
Wyles L. Thompson, AO1903160.
Jack R. Thornton, AO758106.
Frederick M. Tibbetts, Jr., AO2231741.
Edward A. Timmins, AO798914.
Vincent R. Tocci, AO1848073.
Robert F. Todd, AO2026614.
Henry J. Toso, AO1847949.
Ford P. Tracey, AO438542.
John T. Travis, AO2235756.
George S. Tribble, AO780087.
Max D. Trout, AO2076787.
Melville G. Trout, AO839431.
Leon J. Tucci, AO783653.
Roy C. Tucker, Jr., AO973842.
Lamar G. Tullos, AO808772.
Harry Turner, AO570582.
Christopher G. Turoff, AO2063206.
Samuel W. Tyson, AO730192.
Joseph H. Uhalt, AO668033.
David G. Uitti, AO2217008.
James H. Upchurch, AO796740.
Troy H. Upton, AO728772.
Harry B. Urey, Jr., AO721260.
Treadwell J. Vandagriff, AO1856359.
John A. Vanderpoel, AO426707.
Henry C. Van Dyke, AO785730.
Harold M. Van Leeuwen, AO686515.
Clarence M. Van Meter, AO768320.
John H. Van Nest, AO841770.
Richard F. Van Saun, AO1848546.
William T. Vantrease, AO496082.
Charles E. Van Wormer, AO586447.
Ralph L. Vatalaro, AO788286.
Billy M. Vaughn, AO1856434.
Ray F. Vengelen, AO728524.
Ernest A. Via, AO934529.
Benjamin T. Virgin, AO581310.
Tom W. Vogt, AO2228899.
Frederick W. Volker, AO416364.
Charles J. Voyce, AO684917.
Charles R. Wagner, AO708595.
Henry J. Wagner, AO795522.
Arthur I. Walker, Jr., AO786668.
Ludwell K. Walker, AO703832.
Robert M. Wall, AO1911292.
Richard B. Wallace, AO871394.
James H. Walsh, Jr., AO663211.
Charles G. Waple, Jr., AO2101977.
Charles W. Ward, AO826326.
Kermit D. Ward, AO2222474.
Ralph H. Ward, AO1036072.
William M. Ward, AO737681.
Paul A. Warner, AO933092.
Frederick T. Warren, AO707459.
Walter H. Warren, AO938381.
Marlon D. Wasemiller, AO764535.
George M. Watkins, AO1846806.
Billy G. Watson, AO1909787.
Lewis E. Watson, AO2046284.
Robert T. Watson, AO1909248.
Donald H. Watt, AO836530.
James E. Watt, AO2086732.
Ross W. Watt, Jr., AO774378.
James R. Watzke, AO741292.
Allen T. Wayne, AO670327.
James H. Wear, Jr., AO1000692.
Kenneth C. Weatherwax, AO564580.
Earl G. Weaver, AO842930.
Lem J. Weaver, Jr., AO1909431.
John L. Webb, AO1911185.
Abbott M. Webber, AO2090392.
Paul A. Wedlan, AO2051757.
Joseph H. Wehrle, AO807367.
Franklin E. Weimer, AO756366.
Robert M. Weinstein, AO690516.

Hulbert F. Weitzel, Jr., AO833276.
Andrew J. Weldon, Jr., AO373992.
Lawrence M. Wellisch, AO730997.
Charles I. Wells, AO1994868.
Harold G. Wells, Jr., AO443452.
Walter W. Wells, AO1912193.
Phillip M. Wendt, AO2075748.
Stanley T. Wenrick, AO369721.
Willard E. Wentz, AO583002.
Romeyne M. Werdung, AO795534.
Milton H. Werner, AO2051759.
Paul J. Werner, AO1864428.
Herbert A. Werts, AO800438.
Roy L. West, AO768343.
Ralph A. Weston, AO775676.
Herbert K. Wheeler, AO768345.
Paul A. Whelan, AO2221645.
Leon G. White, Jr., AO926575.
Roy J. White, AO562340.
Dock E. Wiggins, AO570769.
George O. Wilcox, AO424783.
George W. Wilcox, AO1855012.
Max A. Wilcox, AO823190.
John L. Wilkinson, Jr., AO2094425.
Harry J. Williams, AO1909884.
James T. Williams, Jr., AO2043148.
Richard L. Williams, AO2080589.
Henry W. Williamson, AO820128.
William T. Willis, Jr., AO576728.
Clarence D. Wilson, AO748866.
Claude J. Wilson, AO729284.
Forrest E. Wilson, AO956106.
Talmadge A. Wilson, AO1908977.
Murray A. Winslow, AO835968.
William H. Wise, AO590218.
Kenneth G. Wolf, AO829114.
Paul J. Wolf, AO2062107.
Floyd W. Woody, AO1909886.
Walter W. Woody, AO840549.
Rene M. Woog, AO2076876.
James G. Woolbright, AO833860.
Jed B. Woolley, AO723492.
Daniel M. Wyckoff, AO1999324.
William M. Wygocki, AO2087350.
Warren E. Yates, AO573842.
Braxton L. Young, AO546243.
Harry C. Young, Jr., AO363410.
John K. Young, AO934968.
Monroe D. Zartman, AO687177.
Franklin E. Zerbe, AO821392.
Eugene H. Zierden, AO781493.

To be first lieutenants

Jack H. Abbott, AO3016742.
James A. Abrahamson, AO3047845.
John C. Acton, Jr., AO2227598.
Frank J. Adamcik, AO2205318.
Leland L. Adams, AO2209024.
Belmer J. Addison, AO3009631.
John S. Albach, Jr., AO2204798.
Howard W. Albright, AO3006094.
Edwin A. Alexander, AO3022556.
George T. Alleman, Jr., AO2210445.
Bennie R. Allen, AO2211539.
Fredric A. Allen, AO3019188.
Robert E. Alvey, AO2211981.
Dale N. Amend, AO2205187.
Charles R. Anderegg, AO2247281.
Arden A. Anderson, AO2225903.
Carl A. Anderson, AO3038172.
Mylus G. Anderson, AO2211959.
Stephen J. Andrichak, AO2253024.
Charles E. Anonsen, AO2208204.
Gale B. Anstine, AO2208333.
James I. Anthony, AO3005711.
Nick P. Apple, AO3051897.
Wallace O. Armstrong, AO2216718.
Raymond L. Arnold, AO2204469.
William B. Arnold, AO3034565.
Thomas L. Atherton, AO2249385.
George A. Austin, AO3039048.
Hugh S. Auctin, AO3010995.
Donald J. Avallon, AO3008316.
James W. Aycock, Jr., AO3026843.
Leon W. Babcock, Jr., AO3057616.
Ralph W. Backa, AO3011529.
Billy G. Backues, AO3048978.
John C. Badenhop, AO946406.
Charles S. Bailey, AO3050350.
Melvin A. Bailey, AO3031991.
Morris W. Bailey, AO3020712.
Jack T. Baker, AO3008320.
Kendall J. Baker, AO3007241.
Harold A. Balden, AO3008554.
George A. Ball, AO3035023.
Earl W. Balzen, AO3038263.
Earl C. Barlow, AO2228351.
Austin A. Barnard, Jr., AO3047900.
Almer L. Barner, Jr., AO2220434.
Jerome R. Barnes, Jr., AO3016102.
Thomas A. Barnett, AO3049383.
Warren K. Barnett, AO2206067.
William J. Barnicoat, Jr., AO2208298.
William R. Barrett, AO3029545.
Julius A. Barrios, AO3032705.
Anthony J. Bartalo, AO3023490.
Dean D. Bartlett, AO3051976.
Stanley D. Bartlett, AO3057677.
Albert M. Bartolic, AO3019487.
Donald C. Bass, AO3025889.
Williamson G. Bass, AO1855989.
Charles C. Batchelor, AO3026759.
Albert R. Bates, AO2211685.
Ed L. Battle, AO2205141.
William P. Baumgartner, AO3008907.
Francis G. Beagle, AO3040335.
Edward M. Beck, AO3025494.
Bobby D. Bedsworth, AO3048983.
Leo H. Bender, AO3027041.
Harlan L. Benjamin, AO3030750.
Arthur C. Bennett, AO2205912.
James B. Bennett, AO2209235.
Douglas W. Benson, AO2205319.
Kenneth A. Benson, AO3014838.
Peter W. Bent, AO3028890.
Joseph D. Berardi, AO3028629.
Eugene P. Beresik, AO3038220.
George E. Bethke, AO3037582.
Richard L. Betts, AO2255010.
Richard Bevier, AO1862280.
Danforth E. Bewley, AO3037448.
William R. Beyer, AO3039185.
Kaye H. Biggar, AO2211448.
Ted P. Birdsell, AO3013418.
Robert C. Birkett, AO3057567.
Daniel J. Birmingham, Jr., AO3057729.
Carl D. Black, AO3028571.
Kay G. Blahauvietz, AO3048366.
Charles F. Blaisdell, AO3008326.
Daniel Blake, Jr., AO3038894.
Wesley K. Blanchard, AO3029341.
Harvey F. Blanck, Jr., AO2206486.
James J. Blessing, AO3023576.
Robert H. Blinn, Jr., AO3037800.
Edward J. Bochniak, AO2206817.
William R. Boege, AO2205405.
John A. Boehm, AO3025852.
Kurt H. K. Boettger, AO3046200.
Warren R. Bohn, AO3038639.
Joseph F. Bohren, AO3030959.
James W. Boinest, AO3029343.
Roger J. Bolduc, AO3009034.
Peter A. Bonanni, AO2209478.
Richard J. Bono, AO3005297.
Earle M. Boone, AO3039739.
Donald A. Bornkessel, AO2228249.
Lowery K. Bounds, AO3026438.
Ralph K. Bowen, AO2208300.
Melvin G. Bowling, AO2204335.
Billy J. Bowman, AO3009459.
Willis A. Boyd, AO3023071.
Arch V. Bracher, AO3022451.
Robert H. Braden, AO2210912.
Charles W. Bradley, AO3034622.
Philip O. Bradley, AO3005089.
Thomas B. Bradley, AO2209980.
Perry B. Brady, AO3020745.
James L. Brake, AO3012915.
Stanley K. Bramwell, AO2207489.
Anthony J. Branco, AO2210876.
William W. Brandon II, AO3036794.
Charles E. Branton, AO2210446.
Thomas L. Brattain, AO3046202.
Walter H. Brauer, AO3026478.
Leroy A. Brazell, AO2209769.
James D. Brecher, AO3028894.
William J. Breckner, Jr., AO3057005.
Lawrence R. Brehm, AO3029016.
Kenneth D. Breneman, AO2227499.
Harry M. Brenn, AO3046661.
Lowell S. Brennan, AO3058129.
Don K. Bresee, AO3035414.
James P. Briggs, AO2227697.
Joseph N. Briggs, AO3028306.
Thomas P. Brignac, AO3005339.
Joseph W. Brininstool, AO3047109.
Cary L. Broadway, AO3046859.
Price W. Brock, AO2228357.
Wesley J. Brooks, AO3040755.
Philip W. Broom, AO2254643.
Joseph H. Brotherston, AO2206263.
Robert N. Broughton, AO3035684.
Leroy A. Broun IV, AO3050370.
David L. Brown, AO3009172.
Joseph O. Brown, AO3039809.
Joseph R. Brown, AO3024672.
Paul Brown, AO3039990.
Thomas C. Brown, AO2206388.
Van L. Brown, Jr., AO3008442.
Bird R. Brownfield, AO3026854.
James M. Browning III, AO3057857.
Richard A. Bruce, AO2210518.
Richard H. Bruder, AO3006070.
Robert N. Brumet, AO3034816.
Harold L. Brundage, Jr., AO3010594.
Christian R. Bruning III, AO3012728.
James E. Brunson, AO3025567.
Herbert M. Bryant, AO2209500.
Herbert Buchanan, AO3038078.
John T. Buck, AO3026669.
Kenneth E. Buikema, AO3027227.
James Bullock, AO3002819.
Robert M. Bullock, Jr., AO2226029.
Ronald L. Bulmer, AO3020523.
Guy H. Bumpas, AO3038203.
Carl C. Bunge, AO3048994.
Emil L. Buran, AO3048061.
Ralph D. Burbey, AO2211937.
Donald R. Burleson, AO3038496.
John R. Burns, AO2207836.
Robert J. Burns, AO3008786.
William H. Butler, AO780216.
Bobby R. Calbert, AO3036110.
Edward R. Caldwell, AO2255800.
Homer H. Caldwell, AO3006778.
Winfred A. Calhoun, AO2251349.
Paul A. Cameron, Jr., AO3020686.
Luther S. Cammack, Jr., AO3008445.
Edward J. Campbell, AO3035209.
Hubert R. Campbell, AO3020311.
William E. Cannon, AO2206266.
Clifford C. Carbaugh, AO3005488.
Merritt C. Card, AO3056810.
Charles G. Carey, AO3050999.
Vinson G. Cargile, AO1905889.
James W. Carlson, AO3039888.
Hugh B. Carnes, Jr., AO2206012.
James Carpenter, AO2249278.
William S. Carr, AO2210717.
Dolpha T. Carroll, Jr., AO3034660.
Swede Carter, AO2221000.
Benjamin L. Case, AO2210568.
Archie Casity, AO2226653.
Duane H. Cassidy, AO3037656.
Charles A. Caven, AO2211496.
Marion P. Chalker, Jr., AO3034876.
Everett A. Chambers, AO2209367.
William A. Chambers, AO3038864.
Richard L. Chapple, AO2253778.
Donald J. Charpentier, AO2211982.
James I. Chatman, AO3017741.
Donald E. Chavanu, AO3025662.
Richard D. Cheatham, Jr., AO2209691.
Edgar P. Chivers, AO3038865.
Von R. Christiansen, AO3057551.
Lester R. Chur, AO3018814.
Robert J. Circe, AO3035129.
John E. Clark, Jr., AO3027941.
Richard E. Clark, AO2206731.
George E. Claunch, AO3046740.
James T. Clay, AO3003824.
Donny D. Clemens, AO3026464.
Gerald H. Clements, AO3008921.
Walter M. Clerihew, AO3021527.
Robert F. Cnare, AO2255352.
Harry J. Coates, Jr., AO2211126.
Billy G. Cobble, AO3020897.
Ronald T. Coder, AO3006195.
Donald R. Cohn, AO2224825.
Ralph K. Colangelo, AO2245913.
James G. Cole, AO3014468.
James L. Collier, AO3040419.
William S. Colver, AO3010668.

Carlton P. Comte, AO2226212.
Hendsley R. Conner, AO3023087.
Robert K. Connet, AO3036628.
Joseph M. Conroy, AO3029629.
Fletcher M. Cook, Jr., AO2222536.
Roger D. Cook, AO3012166.
Kenneth M. Cooper, AO3004032.
Marvin E. Cooper, AO3038157.
Robert F. Cooper, AO2204271.
Victor D. Coopland, AO3036629.
Gene M. Copeland, AO3036630.
Arthur J. Copp, AO2207525.
George J. Corak, AO3018128.
Jimmy L. Cornwell, AO3025501.
Ronald L. Cote, AO2207526.
James S. Coulson, AO3032249.
James W. Councill, AO2227416.
George H. Cowger, Jr., AO3057773.
Glenn T. Cox, AO3009934.
Robert J. Cox, AO2208717.
Richard L. Coyner, AO3046205.
Jack E. Cracraft, AO3038133.
David E. Craig, AO2210618.
Mark L. Cutler, AO3026820.
John G. Dahl, AO3048381.
Irvin W. Dahlberg, AO3029825.
Clarence E. Dalpra, AO3004680.
George W. Dashney, AO2230484.
Donald V. Davis, AO3020676.
Jack R. Davis, AO3004343.
James Davis, AO2204278.
Milford E. Davis, AO2206043.
William G. Davis, AO2209981.
Richard E. Davison, AO2228369.
Charles B. Day, AO3039445.
William A. Deal, AO2245708.
James W. Dearborn, AO2226827.
Hilton J. Dease, AO3005343.
Jack L. Dech, AO2205397.
Joseph V. Dedinas, AO3026872.
Derrill R. Delk, AO3057713.
Martin G. Desilets, AO3040766.
Dean E. Detar, AO2209678.
Thomas G. Dewerd, AO2212082.
Robert G. Dewey, AO3006828.
John S. DeWitt, AO1852333.
William P. Diehl, Jr., AO3028260.
Robert J. Dietze, AO2209982.
James H. Dillon, AO2250947.
Donald C. Dineen, AO3024586.
Thomas D. Dobbs, AO2228171.
William G. Dodds, Jr., AO2205651.
Charles W. Dodson, AO3022307.
Jules C. Doner, AO3009491.
Frederic M. Donohue, AO2208511.
Anthony J. Doren, AO3057172.
Jason D. Dorwart, AO3008678.
Charles R. Douglass, AO3016987.
Billy C. Doyle, AO3028151.
Ryland R. Dreibelbis, AO2205014.
Frank E. Drohan, AO2221064.
Jere P. DuBose, AO3016346.
Thomas A. Duke, AO3058276.
Frank J. Dull, AO929520.
Robert L. Dunham, AO3049387.
Clyde F. Dunn, Jr., AO2227191.
Dale J. Durflinger, AO2208236.
Ronald C. Duval, AO3058136.
Frederick C. Eaton, AO2237197.
Melville E. Eaton, Jr., AO3012811.
Marwin G. Eberlien, AO3036632.
Enoch H. Edgerton, AO3003118.
Leroy C. Edlund, AO3023509.
Gerald R. Edwards, AO3037028.
John R. Edwards, Jr., AO3029829.
Ronald L. Edwards, AO2209961.
Albert J. Eells, AO3004805.
Gordon L. Eells, AO3034628.
Kenneth W. Eells, AO2207079.
Richard S. Eflin, AO3046749.
John C. Egger, Jr., AO3016978.
Lemuel R. Egleston, Jr., AO3008219.
Alvin B. Eisenberg, AO3033106.
Richard L. Eisenman, AO2250275.
John A. Elkin, AO3020314.
Donald E. Ellis, AO2211850.
William C. Emrie, AO2237351.
William D. England, AO3013083.
Maynard L. Englebrecht, AO3021053.
Edwin D. Erickson, AO3030647.
William H. Ernst, AO2205198.
Carl E. Evankovich, AO2211781.
James F. Evans, AO2206272.
John W. D. Ewing, Jr., AO3035984.
Walter H. Fears, AO3016813.
Sam L. Ferguson, AO2235800.
Jack Ferrante, Jr., AO2209125.
Joseph F. Ferrie, AO3024896.
Bob D. Fickel, AO3022457.
Robert L. Field, AO3026529.
Richard M. Finan, AO3023680.
Ernest D. Fincher, AO3020904.
Craig A. Fink, AO3010677.
Elgan Y. Finley, Jr., AO3020043.
Robert A. Finley, AO3057246.
Charles W. Fisher, AO3048293.
Richard L. Fisher, AO3050378.
Robert H. Fisher, AO2211177.
Samuel L. Fisher, AO2210167.
Robert Fitzsimmons, AO3019088.
Delbert W. Fleener, AO3039379.
Jack L. Flowers, AO3027790.
S. G. Flowers, Jr., AO3023386.
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Louis W. Foresman, AO3020583.
Donald G. Forsbeck, AO3026394.
Robert B. Foster, AO775304.
William B. Foster, AO2218012.
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Warren G. France, AO3008944.
David C. Frankenberg, AO3006614.
John M. Franklin, AO2204542.
Tullos L. Franks, Jr., AO3027113.
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David F. Freeman, AO2227624.
Richard M. Freund, AO3029420.
Eugene W. Frey, AO2210021.
Clarence D. Fried, AO3020721.
Paul L. Frise, AO2209419.
Gary G. Fulghum, Jr., AO3039532.
James W. Fulk, AO3028374.
James E. Fultz, AO3019473.
William B. Gaessler, AO2238061.
Harold H. Galerneau, AO3008811.
Clifford L. Gallanger, AO3047071.
Colin M. Gallant, AO3058190.
Peter A. Gallerani III, AO3028980.
Jay T. Gannaway, AO3021220.
Alvie W. Gapp, AO3034585.
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Ronald E. Gauger, AO3020461.
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Lloyd L. Gemienhardt, AO3027047.
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Billy R. Gibson, AO2211967.
James K. Gibson, AO3008345.
Roderick C. Gibson, AO2227469.
James M. Gidley, AO2204983.
Marlyn E. Gieseking, AO2209248.
Albert H. Giguere, AO2210514.
Kenneth L. Gilbert, AO2209944.
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Bobby W. Glenn, AO3027601.
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Howard Goode, Jr., AO3008954.
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Donald W. Goodman, AO3008816.
Gene W. Goodwin, AO3034149.
Norbert D. Gorman, AO3006320.
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Buford D. Graham, AO3024780.
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Richard A. Graves, AO2205973.
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Earl R. Greaver, AO1860302.
Jack R. Green, AO3014772.
Ray G. Green, Jr., AO3020197.
Roy L. Green, AO2211187.
William W. Green, AO2216026.
Douglas R. Greene, AO3027796.
Edward E. Greenwood, AO3009060.
Louis J. Gregory, AO2209974.
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William K. Griffin, AO3037584.
Don M. Grimes, AO3029162.
Don A. Grimm, AO3027757.
Stanley J. Grogan, Jr., AO1907335.
James L. Grondona, AO2209975.
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Thomas L. Gross, AO3009177.
John C. Gruver, AO2206863.
Neill R. Gruver, AO3048936.
Coleman H. Gulley, AO3031002.
James F. Gunby, Jr., AO2207133.
Thomas L. Gutting, AO3018279.
John R. C. Haas, AO2204661.
Joseph C. Hadsell, AO3008350.
Fred A. Haeffner, AO3017566.
Vernon D. Hagen, AO3037353.
Robert A. Hahn, AO2206152.
Stanford G. Hahn, AO3035469.
William E. Hale, AO3041097.
Glen H. Hales, AO3029164.
Cornett E. Hall, AO3011181.
William S. Hall, AO3005413.
William O. Halteman, AO3022987.
Oran C. Ham, AO3035862.
James W. Haman, AO3028716.
Earl B. Hamilton, AO3004070.
Edward W. Hamilton, AO2206702.
Willis H. Hammack, AO3022519.
Theron A. Hanchey, AO3006410.
Robert J. Hannah, AO2220162.
Donald C. Hansen, AO2253764.
George C. Hansen, AO3002829.
Tokio Harada, AO3015783.
Thomas H. Hardin, AO3004410.
Irby J. Hardy, AO3020667.
James R. Harper, AO2204422.
Harry G. Harrington, AO2210182.
John J. Harrington, AO3036044.
John S. Harrington, Jr., AO831417.
Bobby G. Harris, AO3018806.
Jerry D. Harris, AO3009183.
Ronald T. Harris, AO2229194.
Virgil W. Harris, AO3039833.
Billy D. Harrison, AO2245034.
Thomas H. Harrison, AO2205256.
Robert L. Harshbarger, AO2227353.
Charles H. Hartman, Jr., AO3021614.
Joseph R. Harvey, AO2226461.
Albert F. Haser, AO2228388.
Joseph H. Hastings, AO3031637.
Patricia A. Hayes, AL2231684.
Richard J. Hayes, AO2210114.
Robert E. Hayes, AO3031360.
Robert E. Haynes, AO2095403.
Gayle D. Heckel, AO3029616.
Alfred O. Hemming, AO3038410.
Robert H. Henderson, AO2210880.
Donald E. Henkle, AO3021438.
David C. Henley, Sr., AO2228392.
James L. Herlihy, AO2224287.
Daniel A. Hermann, ..O3010431.
Charles A. Herning, AO2228040.
Warren J. Herrig, AO2206768.
Richard H. Hess, AO3011033.
James A. Heston, AO2207277.
Charles W. Hetherington, AO778148.
Gerald J. Hickman, AO3019995.
Ronald P. Hight, AO3026150.
Robert L. Hintzen, AO3031467.
Harry G. Hively, AO3005813.
Alvin P. Hjorten, AO3014909.
Jesse S. Hocker, AO2206156.
Paul H. Hodges, AO2226953.
Ralph N. Hoffman, Jr., AO3020180.
Burt C. Holdsworth, AO3027135.
Robert C. Holiday, AO3013752.
Cecil Y. Holland, Jr., AO2204985.
Chester A. Holland, AO3019626.
Ronald R. Hollenbaugh, AO3020306.
Grant W. Hollis, Jr., AO3029617.
Manford C. Holly, Jr., AO2205591.
Dean Holmes, AO3075738.
Douglas J. Holmes, AO3047322.
Jack W. Holstead, AO3028704.
Ralph L. Holt, AO2211510.
Roland R. Holt, AO3008966.
Harold K. Hombs, AO2209054.
Richard H. Honingford, AO2205796.
Arthur E. Hood, AO2205629.
Don R. Hood, AO3018457.
Russell L. Hopf, AO3026481.
Donald J. Hopkins, AO3036804.

Edwin V. Horan, AO3035041.
Duwade E. Hornsby, AO2066359.
George H. Hoskinson, AO3019647.
Robert D. Howerter, AO3010091.
James M. Howerton, AO2225604.
Harold M. Hoyt, AO3002232.
Norman W. Hoyt, AO2248099.
Charles E. Huffman, AO3032714.
Roy L. Huffman, AO2206157.
Donald F. Hug, AO3007935.
Robert J. Huhmann, AO3035963.
Arthur E. Huhn, AO2226558.
Charles K. Humbert, AO3015332.
Jack T. Humphries, AO2239109.
Carlton W. Hunt, Jr., AO3026168.
John V. Hurtado, AO2211559.
Richard J. Hyndman, AO3018822.
Max B. Irvin, AO3025588.
Robert E. Irwin, AO3036200.
Thomas D. Irwin, AO3009151.
Oscar H. Islas, AO3033027.
Bernard R. Jack, AO2207766.
Edward L. Jackson, AO3011027.
Orvel K. Jans, AO3008969.
Edward W. Jedrziewski, AO3015957.
Roger D. Jeffs, AO3047382.
Alva C. Jenkins, AO2226467.
Johnson A. Jenkins, AO2210838.
Richard D. Jenkins, AO2226112.
Leon S. Jernigan, AO3008703.
Edward W. Johnson, AO3023249.
Forrest G. Johnson, AO3034884.
Jerry E. Johnson, AO3009189.
Joe R. Johnson, AO3037413.
Lynn D. Johnson, AO2236857.
Maynard K. Johnson, AO3033825.
Richard H. Johnson, AO2205929.
Richard H. Johnson, AO3029240.
Ronald A. Johnson, AO3014849.
Robert N. Johnston, AO3005077.
Stanley J. Jonekos, Jr., AO3006259.
Boyd T. Jones, AO3021291.
Charles L. Jones, AO2209448.
Charles R. Jones, AO3011829.
Charles W. Jones, AO3047386.
Ivan J. Jones, AO2210150.
Jimmy L. Jones, AO3021160.
James M. Jordan, AO3025591.
Joseph F. Junker, AO3046274.
Matthew Kabrisky, AO3058063.
Robert O. Kaiser, AO3034423.
Robert R. Kaley, AO2210672.
Daniel J. Kamish, AO3034089.
Donald H. Kampwerth, AO2237509.
Robert S. Kan, AO2212087.
Frank E. Kane, Jr., AO3025371.
Robert Z. Kavanagh, AO3049136.
Owen Kean, Jr., AO2214849.
Neil H. Keddington, AO3040403.
Joseph P. Keene, AO812276.
Peter A. Kefalas, AO3036728.
Robert J. Kehoe, AO3046275.
Richard G. Keller, AO3005384.
Andrew Kennedy, AO3009191.
Russell P. Kennedy, Jr., AO3006973.
Frederick A. Kennon, AO3021005.
William R. Kenty, AO2206914.
Norman D. Key, AO3037203.
George P. Kickliter, AO3035375.
George R. Kimsey, AO2220645.
Arthur H. King, AO3016898.
George W. King, AO3049083.
Lowell A. King, AO3010843.
Richard E. King, AO3009286.
John C. Kirk, AO2205539.
Adrian L. Kline, AO2059692.
Robert W. Kline, AO2207403.
Frank J. Klonoski III, AO2211827.
William J. Knight, AO2228057.
William J. Knott, AO3025593.
Dalton L. Koble, AO2208540.
Paul V. Koehly, AO2209829.
Milton W. Kohut, AO3031480.
Michael R. Kowalczyk, AO3047807.
Gean G. Kowalski, AO2211824.
Edward J. Krick, AO3025125.
Robert L. Kridler, AO3036712.
Leland P. Kriner, AO3034671.
Dean Kruse, AO3052322.
Keith C. Kuester, AO3034163.
Theodore T. Kukowski, AO2209926.
Robert W. Lamb, AO2253581.
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Lawrence A. Landis, AO3035846.
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Willard F. Langford, Jr., AO2207005.
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Charles B. Larrison, Jr., AO2224975.
Lorenz W. Lassen, AO2221214.
Elliot C. Lawson, AO3050739.
Richard E. Lawyer, AO2211612.
Billy G. Lay, AO3030077.
Dale W. Leatham, AO2230175.
Bennon Lee, AO2210466.
Gilbert E. Lee, AO2251631.
Harry R. Lee, Jr., AO3013853.
Carl M. Leipold, AO3008492.
Charles R. Lemley, AO3018766.
David Lenz, AO3007493.
Charles F. Leonard, AO2226471.
William M. Leonard, AO2250061.
Cooke H. Leutwyler, AO3017110.
Stuart W. Levy, AO3027246.
Charles R. Lewis, AO3034023.
Arnold K. Liesman, AO3026361.
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Edwin C. Lindberg, AO3019856.
Robert L. Lindeke, AO3057487.
Santiago Lira, Jr., AO2245568.
John F. Lisella, AO3014729.
John D. Little, AO3028872.
Marcus E. Little, AO3005353.
Ronald D. Little, AO3036658.
Robert S. Littlefield, Jr., AO3021236.
Reginald S. Livingston, AO3018529.
William D. Lockwood, AO2248011.
Wallace C. Lohse, AO2230709.
James H. Loosley, AO2211282.
John F. Lorraine, Jr., AO2224601.
Burlin Lowry, AO2210609.
David M. Lucas, AO3004997.
Antonio H. Lucero, AO2210512.
Conrad J. Luecke, AO3058404.
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Edwin R. Maas, Jr., AO2211858.
Julius O. Mackey, Jr., AO3009717.
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Cameron J. MacTavish, AO2208975.
Thomas J. Magner, AO2226056.
Donald E. Mahrt, AO2236927.
Charles L. Main, AO2086871.
Keith O. Malkemes, AO3013037.
William J. Mall, Jr., AO2205485.
Dominic L. Mancuso, AO3020489.
Martin F. Manion, AO3030218.
Chris C. Mann, AL2254612.
Henry F. Mansfield, AO2240391.
Clyde V. March, Jr., AO3019544.
James D. Martin, AO3029434.
James R. Mathis, AO2211889.
William P. Matson, AO2249903.
John H. Matthews, AO3025170.
Stewart B. Matthews, Jr., AO3036152.
Richard A. Mayfield, AO3012312.
John P. Mayovich, AO3036578.
Thomas J. Mazuzan, AO3026175.
William R. McCabe, Jr., AO3020149.
Edmond R. McCarthy, AO2246661.
William R. McClasky, AO2238195.
Glen A. McClure, AO783284.
Lewis L. McCollough, AO2205483.
Garvin McCurdy, AO2249603.
Laurence T. McCurdy, Jr., AO3031843.
Tyre E. McDowell, AO2236306.
Julian R. McFadden, AO3018598.
Joseph F. McGraw, AO3009202.
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Robert R. McKay, Jr., AO3029698.
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Estel W. McLamb, AO2211125.
Sidney L. McLaurin, AO2204304.
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Charles L. McLendon, AO2207811.
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Charles E. McManis, AO3030817.
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Carroll Menefee, AO3025988.
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Eugene J. Michalski, AO3025263.
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William A. Milano, AO939725.
Robert J. Millard, AO3048096.
Hugo J. Miller, AO2209108.
James C. Miller, AO3021355.
John B. Miller, Jr., AO3026909.
Richard M. Miller, AO3027456.
William N. Miller, AO3035781.
Hugh M. Milton III, AO3029579.
Joseph P. Milton, AO3016272.
Rondel E. Minter, AO2224896.
Guy S. Mirich, AO2210661.
James R. Mitchell, AO3018459.
John A. Mitchell, AO2226332.
John F. Mitchell, AO2210195.
Wallace E. Mitchell, AO2206161.
Roger K. Moll, AO3041114.
Alfred C. Molla, Jr., AO2255677.
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Robert L. Montgomery, AO3025843.
Sidney E. Moody, AO2224708.
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David E. Moore, AO2035531.
Powell Moore, AO3036120.
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Robert M. Moore, AO3039326.
William B. Moore, AO2210102.
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John E. Morgan, AO2235444.
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Edward M. Morris, AO3011850.
Charles E. Morrison, Jr., AO2225685.
James R. Morrison, AO3034481.
Joseph C. Morrison, AO3021781.
Robert G. Morrison, AO3057342.
Don M. Mortensen, AO2210091.
George W. Moser, AO3078267.
Byron M. Mowry, AO3008855.
Allan F. Mulholland, AO3036264.
John S. Mumma, AO2208810.
Edward J. Murphy, AO2208422.
Joseph A. Murphy, Jr., AO3008511.
Samuel E. Murphy, AO3021356.
Patrick T. Murray, AO2225867.
Richard D. Murray, AO3019800.
Elo Mussetto, AO940348.
Milo E. Myers, AO2250562.
Richard H. Myers, AO3006338.
Ronald L. Nanning, AO3037814.
Howard G. Nash, AO3037860.
Monte E. Nash, AO3008988.
Billy C. Neal, AO3008858.
Richard M. Neeley, AO2206713.
John E. Neese, AO3021031.
Kenneth L. Nellermoe, AO3022609.
Dudley F. Nelson, Jr., AO2224946.
Glenn H. Nelson, AO2208366.
James R. Nelson, AO2227094.
Richard B. Nelson, AO2224761.
Val G. Nelson, AO3039966.
Harold L. Neufeld, AO3018361.
Laverne H. Neuhaus, AO3034274.
Nyle C. Neumann, AO2253664.
Russell H. Neumann, AO3033909.
Joseph K. Nevins, AO3027460.
Dale G. Newbold, AO3031039.
Walter S. Newmann, AO2205083.
Ronald A. Newsom, AO3029188.
David A. Nibbelin, AO3010133.
Carl B. Nichols, Jr., AO3017889.
William J. Nielsen, AO3039763.
John R. Niemela, AO2227475.
John N. Nienstedt, AO3024753.
Howard W. Noble, AO1861159.
Roland W. Nokes, AO2210385.
Leslie D. Nordhaugen, AO3033704.
Richard H. Nordquist, AO2252832.
Kenneth W. North, AO3018046.
Robert A. Norton, AO3036100.
Bruce E. Notson, AO3020875.
James A. Nouss, AO3030153.
Stephen J. Novosad, AO3027177.
Robert A. Nugent, AO3033981.
Billy F. Nunley, AO2211670.

Edward J. O'Brien, Jr., AO3015729.
James O'Brien, AO3046234.
William J. O'Brien, AO3024864.
Joseph E. O'Connell, AO3025296.
Deen H. Oehl, AO3025599.
George D. Oetting, AO2208454.
Thomas A. O'Hara, Jr., AO3047014.
William D. Ohlemeier, AO3021072.
Cornelius J. O'Keefe, AO3047606.
David A. Oldroyd, AO3027000.
Francis A. Olinghouse, AO3013987.
John E. Oliphant, AO2209218.
Alan F. Oliver, Jr., AO3009210.
John F. Oliver, AO3046914.
Robert L. Oliver, AO3026790.
James J. Olliges, AO3017713.
Tom O. Olofson, AO3036975.
Vernon R. Olson, AO3046236.
Thomas J. O'Malley, AO3020869.
Andrew P. O'Rourke, AO2208661.
Lorenzo T. Ortega, AO3036058.
Ted M. Osaki, AO3009377.
Raymond C. Osterman, AO3017720.
Elmer W. Otto, AO3034240.
James D. Overfield, Jr., AO3026248.
John D. Overton, AO3004309.
Wilbert P. Owen, Jr., AO3048409.
John D. Owens, AO2206416.
Wayne E. Owens, AO3028093.
Harvey A. Pace, AO3036392.
Maurice C. Padden, AO3026176.
Richard V. Palcowski, AO3048263.
Edmund P. Palko, AO3051038.
Jack T. Pantall, Jr., AO1865580.
John S. Parr, AO2211615.
John W. Parrott, AO2207648.
Marvin A. Parsons, AO3002827.
Raymond J. Parsons, AO3011042.
J. Bruce Passey, AO3020058.
Donald J. Passmann, AO3034078.
Thomas J. Patrick, AO3048099.
Robert E. Patterson, AO3048450.
Billy D. Patton, AO3028161.
David L. Patton, AO3026119.
Joseph E. Patton, AO3035785.
John E. Paulson, AO3037839.
John X. Payne, Jr., AO2204970.
Glenn E. Peake, AO3034175.
Richard P. Pearson, AO2208605.
Victor H. Peck, AO3050074.
David J. Pennington, AO2211277.
Michael B. Perino, AO3039473.
Victor E. Perry, AO2236486.
Franklin D. Peschel, AO3027306.
Leonard R. Peterson, AO3048074.
Rolad E. Peterson, AO3026930.
Vernon C. Peterson, AO2206751.
Peter B. Phelps, AO3050755.
Elisha A. Phillips, AO3035243.
John L. Phillips, AO2210044.
William K. Philpot, Jr., AO3029387.
Ralph A. Pierce, AO3039474.
Darrell Pilipovich, AO2237383.
Robert W. Pitt, AO3027060.
Leonard H. Poelker, AO3019568.
Ben M. Pollard, AO2209966.
Donald C. Polley, AO2251625.
Jerry V. Poncar, AO3058291.
Dallas H. Pope, AO3027816.
James W. Porter, AO2211022.
William E. Porter, AO2204712.
Merwin E. Potter, Jr., AO2211622.
William G. Potts, AO2207103.
George B. Powers, Jr., AO3019278.
Victor Prassel, Jr., AO1865527.
Roy D. Preece, AO3016896.
Albert L. Pruden, Jr., AO3027817.
Cleo G. Pruitt, Jr., AO3009660.
Robert B. Purcell, AO3037603.
Charles E. Putbrese, AO3017251.
James A. Pyke, Jr., AO2211494.
Harley B. Pyles, AO2226342.
Edward M. Quinlan, AO2208542.
William F. Quinlan, AO3009382.
Richard A. Quinn, AO3036896.
Raymond C. Ramsey, AO3025376.
Rupert T. Raschke, Jr., AO2211218.
Robert A. Rasmussen, AO3047273.
Everett T. Raspberry, AO2211340.
John Rawls, Jr., AO3013072.
Jewell D. Raymond, AO3016519.
Robert P. Ready, AO3023125.
Willis J. Rebsch, AO3026554.
James B. Reckard, AO3028650.
Joseph D. Reed, AO3036734.
Martin G. Reeder, AO3032640.
Robert Reid, Jr., AO3037948.
Walter A. Reilly, Jr., AO3052369.
Richard L. Reinhart, AO3051295.
Royce L. Reinhart, AO3037547.
Guy Renfroe, Jr., AO3023126.
William D. Rentz, AO2210623.
Donald W. Revers, AO3025424.
Charles F. Rhoda, AO2209450.
Lindley M. Rice, AO3049719.
Phillip L. Rice, AO2234141.
Charles M. Richards, AO3038435.
Robert A. Richards, AO3002786.
Robert A. Rickenbach, AO3037403.
Robert M. Riegle, AO3029500.
John I. Riggs, Jr., AO2253759.
Robert E. Rigney, AO3018933.
John W. Ritchey, AO2211793.
Ralph E. Robb, Jr., AO3008404.
William G. Robb, AO3023844.
George S. Robbins, AO3006239.
David L. Roberts, AO3049765.
Dean E. Roberts, AO2233964.
Orbie G. Robertson, AO3038938.
Conrad P. Robinson, AO3034723.
Donald Rodenhizer, AO3046844.
William E. Rodger, AO2253792.
Charles J. Rogers, Jr., AO3027976.
Frank M. Rogers, AO2211024.
Gardner E. Rogers, AO3034243.
Harold O. Rogers, AO3029392.
James K. Rogers, AO3038615.
James D. Rolen, AO3030265.
Eugene M. Romer, AO3011244.
Bernard A. Roque, AO2210508.
Ralph F. Roscoe, AO2204993.
Dominic F. Ross, Jr., AO2207551.
Thomas C. Ross, AO3021079.
Velma M. Rossi, AL2230437.
Louis T. Rosso, AO3048874.
Richard P. Rozhon, AO2249328.
Raymond M. Ruana, AO3029864.
Renée Rubin, AL2229261.
Glenn B. Rumley, Jr., AO2237316.
Harold H. Rupard, AO3017767.
Dale C. Russell, AO3034971.
Blaine A. Rust, AO3005651.
Ronald M. Ruth, AO3048708.
Alfred C. Ryan, Jr., AO3029664.
Charles M. Saeger III, AO2228271.
Bonaventure F. Sager, AO3029819.
Ralph F. Sager, AO2204627.
James H. Sahler, AO3011876.
Armas F. Sahlman III, AO3040972.
Earnest E. Salisbury, AO3049048.
John A. Salyer, AO3026555.
Louis L. Samples, AO2227237.
Reid R. Samuelson, AO2208374.
Morgan W. Sanborn, AO2211602.
Howard K. Sanders, AO2222098.
Kenneth L. Saunders, AO2225633.
Harold A. Schadel, AO2210127.
Thomas H. Schaub, AO2206122.
Richard J. Scheidt, AO3031399.
Donald E. Schick, Jr., AO3052546.
Henry A. Schluter, AO3058105.
Richard H. Schmidt, AO1854244.
Charles W. Schoeplein, AO2210391.
Edward A. Schram, AO3015593.
Charles G. Schreiber, AO2207250.
Kenneth S. Schroder, AO3026419.
James K. Schuehler, AO3058010.
Gene A. Schwab, AO3009474.
Merwyn L. Schwartz, AO3025428.
Roger M. Schwartz, AO3032639.
Jack B. Scoggins, AO3018891.
Rawland L. Scott, AO3016378.
Howard R. Seamens, AO3028404.
Henry J. Sechler, AO3023131.
Robert D. Secrest, AO3018410.
George Sedlak, Jr., AO2210233.
Leonard J. Severtson, AO3034436.
Robert W. Shane, Jr., AO2210624.
Donald E. Shaw, AO2207589.
Ray D. Shelton, AO2244787.
William E. Shelton, Jr., AO3047431.
James J. Shepard, AO2246739.
Robert G. Sherman, AO3026950.
Albert D. Shinkle, AO2219660.
Albert Shortt, AO2226575.
Gilbert E. Shortt III, AO2252885.
Donald Q. Shriner, AO2205091.
Louis A. Siclari, AO2208032.
Leonard J. Siegert, AO3024230.
John E. Sigler, AO3029781.
James J. Simms, AO3004537.
Ronald M. Sinclair, AO3048715.
Joe G. Sink, Jr., AO2227081.
Robert D. Sither, AO2206174.
Adam C. Smith, AO2211591.
Bealus A. Smith, Jr., AO3027828.
Charles J. Smith, Jr., AO2211647.
Donald F. Smith, AO2204972.
Donald W. Smith, AO2208778.
Frederick E. Smith, AO3027522.
James L. Smith, Jr., AO2211592.
James R. Smith, AO3031534.
Jimmie L. Smith, AO2211864.
Joe W. Smith, AO2227165.
John R. Smith, AO3048849.
Lyle W. Smith, AO3020274.
Merlin C. Smith, Jr., AO3028100.
William T. Smith, AO3014148.
Jerry D. Snell, AO3051984.
Omar G. Snyder, AO3008756.
Gabriel Solis, Jr., AO3033829.
Ronald J. Soroka, AO3036245.
Douglas R. Souvignier, AO3046241.
John H. Sowders, AO3018549.
David C. Sparks, AO3029199.
Gerald D. Sparks, AO3050443.
Keith H. Spaulding, AO2210413.
Don S. Spencer, AO3003567.
Benjamin L. Spitzer, AO2226194.
Gary E. Spohn, AO3034385.
Ira B. Spraker, AO3052342.
James A. Springer, AO3027259.
Alonza F. Squires, Jr., AO3034680.
Jerome A. Stagg, AO3028102.
William A. Stahl, AO3047032.
Robert W. Stamm, AO3037845.
Rudolph J. Stanislav, AO3016049.
Verl R. Stanley, AO3015788.
Henry M. Staples, Jr., AO3058014.
Glen A. Stark, AO3025197.
Kenneth B. Starnes, AO3025605.
Clayton O. Stashinski, AO3030106.
Harry K. Stathos, AO3019858.
Harry L. Staubs, AO2247361.
James E. Steinmiller, AO3025606.
Robert E. Stephenson, AO3025934.
Jack D. Stevens, AO2209659.
Sam P. Stewart, AO2211387.
Edwin A. Stone, Jr., AO3022761.
David W. Straka, AO3035450.
Henry D. Stringer, Jr., AO3013456.
Ronald D. Stromberg, AO3026318.
Bruce D. Strotman, AO2211826.
William H. Strunk, AO2225502.
Theodore W. A. Stuart, Jr., AO3057151.
Clifford C. Stults II, AO2208959.
Donald W. Stultz, AO3016130.
Richard C. Sturtevant, AO3058529.
Robert M. Sullivan, AO3010294.
William A. Sund, Jr., AO3046380.
John H. Surovik, Jr., AO3018939.
Harold W. Swanson, AO2208856.
Lawrence N. Swanson, AO2211921.
Thomas J. Swanton, AO3024960.
John F. Swearengen, AO2209701.
Robert D. Sweetwood, AO2211556.
Eugene J. Swick, AO2251056.
William L. Szanyi, AO2220851.
Howard C. Tabb, AO2210111.
Gerard A. Taddiken, AO3029687.
Gene E. Taft, AO3016971.
William H. Talley, AO3027917.
Thomas M. Tarbet, AO3047398.
George R. Tate, AO3049059.
Donald H. Taylor, AO3016558.
James L. Taylor, AO934168.
John F. Taylor, AO3029623.
William K. Taylor, AO3027843.
Joseph A. Teborek, AO3029254.
Andrew L. Terpening, AO3049375.
Gerald E. Terreau, AO2210799.
Ronald W. Terry, AO3034129.
Gerald J. Theunissen, AO3039342.

Richard M. Thoden, Jr., AO2204766.
Andrew H. Thomas, Jr., AO2224624.
Richard J. Thomas, AO3028734.
William C. Thomas, AO2225505.
George B. Thompson, AO2208378.
Edmund F. Thornell, AO3037383.
Robert T. Tichenor, AO3011159.
Frederick J. Tietbohl III, AO2206247.
Noble S. Timmons, Jr., AO3024461.
Raymond E. Tissot, AO3057199.
John W. Titus, AO2206371.
James R. Todd, AO3027209.
Charles S. Tolsma, AO2226733.
Robert L. Toney, AO3033293.
Harold O. Tortorilla, AO3037964.
John R. Trask, AO3028524.
Harlin P. Treen, AO3009403.
Milo Treska, AO2229886.
Jesus A. Trias, AO3030743.
Robert E. Trow, AO3008297.
Thaddeus W. Tucker II, AO3028552.
William L. Tucker, AO2211392.
Charles W. Turke, AO3005580.
James O. Turner, AO3016703.
Frank D. Tussey, AO2211797.
Lawrence D. Tycer, AO2204858.
George F. Ullmann, Jr. AO3021264.
Gilbert Unangst, AO2208539.
James R. Upp, AO3049239.
William R. Usher, Jr., AO2210866.
Harold J. Valentine, AO3047400.
John G. Valley, AO3020879.
Edward H. Van Akin, AO2206444.
Lawrence A. Vancura, AO3057969.
Ellis C. Vander Pyl, Jr., AO3012978.
Ferdinand W. Van Deursen, Jr., AO2208962.
Charles E. Van Driel, AO3027262.
Charles C. Vasiliadis, AO2226925.
Orville P. Vereen, AO2211175.
Perry M. Vestal, AO2205620.
Albert P. Vieira, AO1850609.
John J. Vitton, Jr., AO2253613.
Charles C. Vogler, AO3013887.
Fred N. Wackym, Jr., AO3013458.
Robert E. Walker, AO2209185.
Roe E. Walker, AO2209284.
Donald G. Waltman, AO3032089.
James W. Ward, AO2236438.
William E. Ward, AO1862309.
Daniel P. Warwick, AO2210895.
James A. Watkins, AO1859143.
Richard J. Watson, AO3008303.
Burl J. Weaver, AO2219999.
Randall W. Weber, AO3018296.
Carl R. Webster, AO2224803.
Donald N. Webster, AO3038300.
Jack W. Weeks, AO3028841.
Wendell L. Weeks, AO3020872.
Richard J. Weigman, Jr., AO3026139.
David W. Weiland, AO3021450.
James E. Weiss, AO3048434.
Larry D. Welch, AO3039932.
Robert L. Wells, AO2237904.
James L. Wendland, AO3048776.
William J. Wenker, AO3047199.
Douglas F. Wentworth, AO3028530.
Ralph F. Wermers, AO2217037.
Donald E. Wessen, AO2227997.
Calvin S. West, Jr., AO2209023.
David A. West, AO2210231.
Oscar B. Weston, Jr., AO3039674.
John A. Wetherbee, AO3049555.
Browning C. Wharton, Jr., AO3057707.
Elmer G. Wheeler, AO3028209.
Roy M. Wheeler, AO2238123.
Robert E. Whelan, AO2209288.
Henry L. Whisenhunt, Jr., AO1865547.
Roger L. Whitacre, AO3031546.
Dennis E. White, AO3021203.
Joe M. White, AO3020850.
Lawrence A. White, AO3029450.
Joe B. Whitt, AO3027388.
William E. Whitten, AO3047162.
Franklin C. Whitwell, AO3057001.
William J. Wilder, AO2249437.
Joseph E. Wilkinson III, AO2235895.
James R. Williams, AO3031106.
Jewell A. Williams, AO3022193.
Harry W. Williamson, Jr., AO2224869.
John W. Williamson, AO3051494.
Donald F. Wilson, AO2204372.
Glenn H. Wilson, AO3050033.
James R. Wilson, AO3022823.
Raymond D. Wilson, AO3007227.
Robert R. Wilson, AO2205901.
Dennis W. Winkels, AO3006119.
Robert W. Witherspoon, AO2208898.
Dean E. Wollaston, AO2204999.
Barry O. Wood, AO3027996.
Don C. Wood, AO3029208.
John H. Wood, AO3019526.
Philip C. Woodman, AO2226745.
Jack D. Woody, AO3036549.
Albert G. Wootton, Jr., AO3047213.
Roy F. Worden, Jr., AO2208296.
Charles W. Wright, AO2209437.
Gary G. Wright, AO2225985.
George R. Wright, AO2225399.
William R. Wright, AO3036263.
Alfred M. Yahanda, AO3034445.
Robert D. Yoder, AO2211800.
Daniel C. Yost, AO3047486.
Pearce H. Young, Jr., AO3006612.
Virgil L. Young, AO2249295.
Frank L. Yow, Jr., AO2245488.
Allan G. Zar, AO3019231.
Harlan G. Zaring, AO2220910.
Donald D. Zenor, AO3029950.
Wayne C. Ziliak, AO2211294.
Raymond H. Zuhars, Jr., AO3021921.

To be second lieutenants

Ralph E. Adams, AO3069437.
Cecil L. Adamson, AO3072083.
Alan W. Agee, AO3069489.
Edgar D. Allen, AO3049559.
McVerlin Allen, AO3056149.
Robert W. Allen, AO3083200.
Ramon E. Alonso, AO3074440.
George A. Alther, AO3070702.
Wilbur E. Anderson, AO3072666.
John F. Andrews, AO3055696.
John B. Apple, AO3082786.
Donald B. Avey, AO3065902.
Alfred E. Banholzer II, AO3071857.
Verdo R. Barnhouse, Jr., AO3054641.
Robert F. Barrett, AO3066854.
Albert C. Bartek, AO3054712.
John R. Bass, AO3068114.
Ronald C. Beckett, AO3071665.
Larry N. Bell, AO3070765.
Maynard F. Berger, AO3029256.
Lewis L. Bird, Jr., AO3068153.
John S. Boyland, AO3053634.
Edwin J. Brailey, Jr., AO3071273.
Martin M. Bressler, AO3084528.
Allen J. Brewer, AO3056253.
Thomas A. Brodhecker, AO3071980.
George E. Brunstad, AO3069441.
Robert F. Buntschuh, AO3051331.
Robert H. Busch, AO3068802.
Gerald S. Bush, AO3074444.
William C. Butler, Jr., AO3085221.
James J. Canaday, AO3072097.
Robert M. Canady, AO3056371.
Daniel P. Cannon, AO3068873.
Delanore L. Cannon, AO3071921.
Ronald Carford, AO3085094.
William H. Carroll, Jr., AO3071462.
Thomas H. Carskadden, AO3083138.
James A. Carter, AO3068901.
Don J. Cartwright, AO3070435.
Manuel Cervantes, Jr., AO3064461.
Victor P. Chance, AO3066199.
James C. Clark, AO3056260.
Craig V. Clover, AO3071960.
George F. Cole, AO3068264.
Jesse E. Colins, Jr., AO3069495.
Jack F. Conley, AO3053331.
John F. Conley, AO3067752.
Richard L. Conner, AO3064753.
Don R. Cook, AO3069889.
Anthon E. Cooley, AO3066201.
Robert S. Cope, AO3083729.
Fred L. Covington, AO3086186.
Harold D. Craig, AO3071323.
Michael B. Crawford, AO3065301.
Donald R. Cronk, AO3069227.
Darrell P. Crouch, AO3071666.
Fred B. Crum, AO3065161.
Howard C. Dale, AO3067733.
Preston J. Daniels, AO3087662.
Frank C. David, AO3067734.
Laurence R. Davis, AO3070080.
John G. Demas, AO3049973.
James M. Denard, Jr., AO3070282.
James E. Dennany, AO3065437.
Ned E. Derhammer, AO3064993.
Milford L. Dickens, AO3071056.
Richard E. Dickensheets, AO3066100.
David F. Dickerson, AO3069498.
Henry A. Dickson, AO3070333.
Arthur H. Dietz, AO3069796.
Laurie E. Dillman, AO3071314.
Donald F. Divens, AO3049794.
Theodore Dowd, AO3064892.
Philip V. Edsall, AO3065874.
Verlan E. Edwards, AO3065796.
Frank E. Ely, AO3065875.
Boyd A. England, AO3065093.
Harry J. English, AO3082949.
Ernest P. Epps, AO3055434.
Charles A. Erni, AO3080479.
Louis E. Etheridge, AO3087552.
Harry J. Farrar, AO3083654.
Raymond L. Ferrell, AO3066070.
William O. Fitzgerald, AO3085074.
Kirby W. Fitzpatrick, AO3073378.
Frederic J. Flemings, Jr., AO3069934.
John S. Fortenbury, AO3054453.
Leo E. Fowler, AO3056501.
Thomas J. Franke, AO3084560.
Paul B. Franz, AO3074413.
Terence E. French III, AO3084868.
Donald A. Freund, AO3066753.
Richard E. Fuller, AO3085000.
Patrick T. Gannon, Sr., AO3070265.
Jack D. Gaskill, AO3083396.
Julian H. Gelenter, AO3056504.
Stanley M. Gilbert, AO3087555.
Robert W. Gillespie, Jr., AO3069712.
Robert F. Godec, AO3049391.
Bruce M. Graham, Jr., AO3080413.
Lloyd W. Graham, Jr., AO3055679.
Charles W. Gray, AO3065210.
Richard S. Greenfield, AO3050100.
Donald L. Grieger, AO3071670.
James I. Haag, AO3080072.
Kermit L. Haderlie, AO3069892.
Wilson J. Hall, AO3065519.
John W. Hampton, AO3084644.
Norbert R. Hand, Jr., AO3071728.
Donald L. Hanley, AO3053698.
William F. Hanley, AO3072615.
Ernest L. Hansen, AO3069446.
Eugene H. Hanson, AO3085296.
James K. Harris, AO3011595.
James R. Harrison, AO1865043.
Franklin D. Harrod, AO3064895.
Raymond M. Hartnett, AO3067460.
Lawrence W. Harry, Jr., AO3055062.
Paul H. Hass, AO3055063.
Larry A. Heap, AO3069894.
Henry B. Henrikson, AO3084218.
Eugene M. Henry, AO3066762.
Bryce M. Herndon, AO3082662.
Alfred D. Herring, AO3054037.
Kenneth R. Hesse, AO3071644.
Donald V. Hicks, AO3052914.
Robert G. Hill, AO3072754.
William B. Hillegass, AO3071150.
George M. Hodge, Jr., AO3069982.
Orville E. Holman, Jr., AO3071957.
Duane L. Hopkins, AO3069114.
Warren R. Horney, AO3055724.
Jack D. Houk, AO3055285.
Jesse W. Hughes, Jr., AO3055345.
Larry B. Hughes, AO3071025.
Douglas A. Irving, AO3046222.
James R. Jamieson, AO3067153.
Kenneth A. Jenicek, AO3070554.
Warren C. Jennings, AO3085302.
Clayton J. Johanson, AO3084014.
Gerald F. Johnson, AO3056519.
Richard W. Johnson, AO3054762.
Richelieu N. Johnson, AO3054763.
Ronald P. Johnson, AO3084870.
Ricker H. Jones, AO3066729.
Henry G. Kast, AO3080031.
Donald A. Kellum, AO3065240.
John M. Kennedy, AO3066912.
David C. Kern, AO3052412.
Robert R. Kerr, Jr., AO3071860.

Clifford S. Kidd III, AO3073440.
Morris B. Kinder, AO3056013.
Billy L. Kinneer, AO3055730.
Richard J. Kirnberger, AO3066615.
Donald F. Koenig, AO3066770.
Bruce F. Kolofska, AO3082935.
John R. Kopf, AO3067406.
Larry D. Krotz, AO3083613.
James J. Krejci, AO3066562.
Carl B. Krueger, AO3072160.
John E. Kutulas, AO3073575.
Kenneth E. Laird, AO3083529.
Robert R. Lamb, AO3071420.
Carl F. Lambert, Jr., AO3065915.
Kurt M. Lammers, AO3053041.
Donald E. Langwell, AO3083195.
Edward A. Lapierre, AO3066535.
Alfred Lee, AO3065745.
Frank J. Leech, AO3047979.
Philip E. Leone, AO3028800.
Robert W. Lindeman, AO3055737.
Maurice J. L'Italien, AO3087827.
Robert Y. Lloyd, AO3074466.
Francis J. Loftus, AO3056417.
Albert L. Logan, AO3082634.
Donald A. Lowery, AO3056419.
Charles E. Lundy, AO3054297.
Wilbur C. Lusk, AO3066955.
John C. Macpherson, AO3070533.
Russell A. Martin, AO3054192.
Otto B. Martinson, Jr., AO3087713.
Gordon P. Masterson, AO3068212.
Sam L. McCormac, AO3082820.
Donald K. McCormick, AO3055741.
Glen L. McFarlane, AO3083401.
Daniel H. McGrath, AO3055743.
Glen McLaughlin, AO3069521.
James C. McMillian III, AO3066211.
Robert O. Meitz, AO3054139.
Ernest R. Meredith, AO3066592.
James L. Mestemacher, AO3066105.
Ernest T. Miller, Jr., AO3073140.
Frederick J. Miller, Jr., AO3056539.
Jerry P. Miller, AO3073141.
William R. Miller, AO3066734.
Darrel L. Mills, AO3054044.
James H. Mirehouse, AO3065133.
Arthur C. Mizner, AO3065000.
Hendrick D. Mol, AO3067807.
Donald W. Molter, AO3028875.
James W. Montgomery, Jr., AO3082565.
George H. Moore, AO3064879.
Richard E. Moore, AO3069336.
Allan W. Morton, AO3071886.
James T. Muis, AO3056656.
Norman L. Murphy, AO3068137.
James A. Nance, AO3066032.
Donald P. Novak, AO3070688.
Gerard J. Nutting, AO3072452.
Benjamin B. Nystuen, AO3072820.
Harry D. Oakley, AO3083618.
Victor J. O'Bryan, AO3084486.
James B. O'Connor, AO3054691.
Timothy G. O'Donnell, AO3074526.
Upton D. Officer, AO3083467.
Freeman B. Olmstead, AO3082566.
Richard A. Orsini, AO3066596.
Edwin N. Osborne, Jr., AO3047989.
Lamont J. Oswald, AO3066435.
Lyle D. Owen, AO3065356.
Tunney J. Oydna, AO3068245.
Edward L. Pace, AO3087596.
Peter M. Page, AO3080133.
Michael G. Parent, AO3066597.
William O. Patterson, Jr., AO3073945.
Robert A. Patton, AO3083533.
Edward D. Payne, AO3056021.
Albert N. Pennington, AO3065040.
Frank R. Perritano, AO3067603.
Douglas B. Peterson, AO3065579.
Eddie M. Peterson, AO3069734.
Jay T. Pierce, AO3083088.
Joseph H. Pinaud, AO3072624.
Mahlon L. Piper, AO3071901.
Raymond C. Preston, Jr., AO3068368.
Frederic N. Probst, Jr., AO3054070.
Robert J. Prochko, AO3069341.
Francis G. Proctor, AO3054402.
Joseph L. Purdue, AO3069649.
Bernard G. Ragland, AO3069659.
Francis T. Randall, AO3065628.
Michael Rapko, AO3087600.
Peter E. Rawlings, AO3029772.
Norman Rebalsky, AO3056445.
Carl J. Redding, AO3065319.
Roy L. Reed, Jr., AO3071650.
William H. Rees, AO3054175.
Garey M. Reeves, AO3066602.
Jack W. Reeves, AO3071887.
Robert D. Reid, AO3070804.
Ronald T. Reinmiller, AO3068451.
William E. Render, AO3069995.
Lawrence A. Revill, AO3053082.
Richard A. Riley, AO3056448.
Joseph W. Roberts, AO3066292.
Bill J. Robertson, AO3070633.
Joe N. Rogers, AO3073342.
Lewis H. Rosenberg, AO3065200.
Edmond M. Saad, Jr., AO3074313.
Hugh M. Saint, AO3055463.
Gary L. Sawyer, AO3065324.
Robert O. Scarbrough, AO3027615.
Roger P. Scheer, AO3071663.
Evert A. Schmidt, AO3070061.
Joel A. Schnur, AO308454'.
Lawrence J. Schroeder, AO3055613.
Patricia A. Schuessler, AL3060254.
Hugh E. Scott, AO3070615.
Robert A. Searle, AO3067070.
John W. Seigal, AO3069419.
David K. Sellars II, AO3066025.
John M. Sharp, Jr., AO3071337.
Thurman A. Shaw, AO3074320.
William C. Sheely, Jr., AO3071620.
Jerry M. Shockley, AO3065658.
Rollin R. Shoemaker, AO3055255.
William L. Sickenberger, AO3066109.
Jackie E. Sikes, AO3065287.
Edward D. Silver, AO3071198.
Kenneth S. Smith, AO3065288.
Lowell E. Socolofsky, AO3053300.
Lyle J. Speerschneider, AO3087616.
Thomas W. Steeves, AO3070048.
Marvin R. Stempien, AO3049473.
Clarence A. Stewart, AO3064862.
John C. Stoob, AO3067845.
Reginald E. Strickland, AO3087620.
Floyd B. Stroup, AO3055325.
Albert L. Tarvin, AO3087505.
James R. Tedeschi, AO3069358.
Howard E. Tefft, AO3070929.
Nathan H. Thomas, AO3070032.
James M. Thompson, AO3073501.
William J. Thompson, AO3084231.
Milon Thorley, AO3056577.
Richard B. Thornton, AO3073768.
Charles P. Tolley, AO3069955.
James M. Tonge, AO2211219.
Alfred V. Van Duyn, Jr., AO3066272.
Kenneth J. Van Hulla, AO3059546.
Thomas R. Van Meter, AO3029868.
Wilma L. Vaught, AL3059917.
Dewey W. Waddell, AO3055474.
Franklin D. Waddell, AO3054538.
Donald L. Wadsworth, AO3070034.
Frederick U. Walkem, AO3069029.
Donald M. Ware, AO3072372.
Charles Y. Warner, AO3074400.
Florence G. Watson, AL3059945.
Clarence F. Watts, AO3083996.
George L. Webster, AO3066093.
Dean V. Weihe, AO3085006.
Herschel O. Wells, AO3084928.
Wayne M. Wendland, AO3068872.
Charles W. West, AO3065049.
Barney Westmoreland, Jr., AO3071413.
Anthony J. Wheat, Jr., AO3070592.
Charles F. Wheatley, AO3072187.
Herbert V. White, AO3073405.
Warren G. White, AO3067043.
Paul F. Whitman, AO3068198.
John F. Whitney, AO3054153.
Charles E. Whitsett, Jr., AO3073627.
James E. Whitt, AO3070721.
Ronald D. Wickens, AO3071372.
Marcel A. Wiedmaier, AO3084468.
Francis A. Wiegers, AO3084412.
Robert W. Wilda, AO3085169.
David H. Williams, Jr., AO3083093.
William A. Williams, AO3074081.
Richard D. Willson, AO3070457.
Robert C. Wilson, AO3087523.
Roger D. Wilson, AO3068500.
Franklin L. Wilton, AO3086135.
Ray J. Winn, AO3066455.
Fred D. Wood, Jr., AO3073145.
Stephen J. Wood, AO3071483.
Richard G. Woodhull, Jr., AO3065689.
Robert F. Woodnal, AO3056372.
William E. Wright, AO3068166.
James G. Wyatt, AO3046146.
Eugene C. Zielke, AO3066275.

Distinguished Officer Candidate Graduates

Roman Biliunas, AO3101008.
Edward L. Callicotte, AO3101043.
Robert A. Fields, AO3101072.
James L. Haynes, AO3101094.
James R. Hope, AO3087931.
Harry A. Sheffield, AO3101162.

Distinguished Aviation Cadet Graduates

Aubrey L. Akin, Jr., AO3081749.
Jeter A. Allred, Jr., AO3081567.
Thomas C. Bennison, AO3081462.
Larry J. Bigham, AO3081741.
Henry J. Bishop, AO3081745.
James H. Brown, Jr., AO3081607.
William G. Castlen, AO3080999.
James D. Copenhaver, AO3081730.
Marion C. Deaton, AO3081572.
Gerald A. Dixon, AO3081581.
Richard E. Fields, AO3081621.
Ernest W. Guenther, AO3081696.
James L. Harper, AO3081674.
Alfred A. Hess, AO3081337.
Frederick M. Johnson, AO3081699.
James L. Knoblauch, AO3081756.
George R. McCrillis, AO3081574.
John F. Meyer, Jr., AO3081499.
Don-Frederick H. Morse, AO3081684.
Harry P. Otto, AO3081501.
Dean L. Readmond, AO3081706.
James R. Reardon, AO3081576.
Harry Schroeder, AO3081619.
Jack E. Toth, AO3081613.
Ivan W. Tyler, AO3081124.
David M. Warfield, AO3081616.
Donn P. Wolf, AO3081688.
Walter C. Wurzbach, AO3081605.

The following distinguished military students of the Air Force Reserve Officers' Training Corps, who were appointed in the Regular Air Force under recess appointment provisions, subject to medical qualification and subject to designation as distinguished military graduates during the last recess period of the 85th Congress, for appointment in the Regular Air Force, in the grade of second lieutenant, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Martin R. Adams, AO3073273.
George E. Aker
Michel Beer, AO3072734.
Daniel J. Bigelow, AO3073313.
John Breeskin, AO3073021.
Peter J. Britos, AO3073807.
Peter J. Butkewicz, AO3073809.
Ronald A. Cadieux, AO3073227.
Dale L. Carlisle, AO3084113.
Richard C. Chaplin, AO3074102.
Lloyd R. Chason, AO3072376.
Thurston Clemmons, Jr., AO3083009.
John J. Coughlin III, AO3093166.
Edward E. DeLong
John C. Deware, AO3074106.
Roger P. Donahue, AO3073252.
Memory H. Elmore, AO3074153.
Allen D. Feller, AO3083272.
Robert W. Finn
Donald G. Gibbs
John B. Godwin, Jr., AO3073563.
Paul J. Graf
George R. Greene
Gale I. Harris, AO3073532.
Larry L. Hooker
Donald B. Hooper, AO3082484.
Thomas E. Hoy

Clinton M. Hunter, Jr., AO3073655.
Peter M. Hurd, AO3072139.
Allen L. Johnson, AO3073836.
Frank W. Kafer
Richard J. Keppler, AO3085008.
John P. Kershaw, AO3072867.
Donald Kinnaird
Pete Lagios, AO3073374.
Ray W. Laird
David C. Lamoureux, AO3074356.
Robert D. Leonhard, Jr., AO3073178.
Saunders McCord
Carl A. McKinney, Jr., AO3074373.
Thomas O. Millett
William F. Mohr, Jr., AO3084260.
Billy L. Moore, AO3073693.
Donald L. Moore, AO3073142.
Robert K. Morris, AO3073787.
Clinton L. Noren
William C. Payne, Jr., AO3073292.
Clarence L. Perry, AO3083029.
Robert E. Peters
Richard E. Phenneger
Albert Ragsac, AO3073443.
Max Rothman, AO3073577.
Roger W. Rowan, AO3085747.
Frank J. Sattler
Morgan M. Schuessler, AO3073656.
Ernest P. Sims
Gerald L. Smith, AO3073333.
Rodney H. Smith, AO3074322.
James A. Stempson
Robert G. Swanson, AO3073741.
Donald E. Terpening
Clarence G. Thompson, AO3082860.
William T. Wagner, AO3073308.
Joe E. Ward
Monte H. Wetter, AO3073470.
Robert L. Wilson
William A. Yingling, AO3073364.

The following persons for appointment in the Regular Air Force in the grades indicated, under section 8284 of title 10, United States Code, with a view to designation under section 8067 of title 10, United States Code, to perform the duties indicated, and with dates of rank to be prescribed by the Secretary of the Air Force:

To be majors, USAF (Chaplain)

Edwin R. Chess, AO435021.
Claude L. Chilton, AO513312.
Luther D. Fletcher, AO443948.
Kenneth E. Hartman, AO482724.
Alfred T. Johnston, AO427912.
Albert H. Lindemann, AO503219.
John H. K. Miller, AO495056.
Marlin B. Morris, AO526077.
Albert H. Northrop, AO507643.
John C. O'Laughlin, AO931179.
Walter J. Osborn, AO513155.
Everett D. Penrod, AO513057.
Orvil T. Unger, AO504319.
George S. Wilson, AO403244.

To be captains, USAF (Chaplain)

Carroll N. Anderson, AO2240475.
Roger M. Arendsee, AO1855006.
Walter R. Bauer, AO2253619.
Darris Y. Bingham, AO2235989.
Travis L. Blaisdell, AO2254777.
Eugene A. Blitch, Jr., AO2261347.
Charles D. Brewer, AO2249235.
Calvin H. Campbell, AO2255897.
Benis G. Carnes, AO2250429.
Billy G. Chapman, AO2255063.
Morley W. Christensen, AO429021.
John J. Curran, AO2253181.
Edward L. Eardley, AO2237543.
James H. Eastland, AO2240478.
John R. Ellis, Jr., AO2261600.
Leonard M. Engstrom, AO2235277.
George L. Esch, AO2240501.
Charles R. Franklin, AO2255020.
Robert J. Gentry, AO2255067.
Alvin J. Gilliam, AO2253371.
Thomas J. Gough, AO2255041.
Allen J. Harkness, AO2253026.
James L. Hays, AO2065281.
John M. Hickey, AO2253839.
Harvey C. Holland, AO2231472.
Crandall M. Hunt, AO2230704.
John C. Johnson, AO2248760.
Joseph L. Jolly, Jr., AO2249540.
Paul R. Kilde, AO2240486.
Theodore J. Kleinhans, AO2251476.
Curtis E. Ledbetter, AO2255078.
Hugh H. Lenahan, AO2255900.
Glenn M. Mann, AO2240488.
Vincent C. Merfeld, AO2217267.
Daryl G. Meyer, AO2237342.
Paul A. Montgomery, AO2233982.
Robert M. Mooney, AO2218441.
Robert E. Mossey, AO2253284.
David K. Pegues, AO2251308.
John E. Pickering, Jr., AO2249512.
Charles C. Porter, AO790711.
Edwin A. Porter, AO2240492.
Raymond Pritz, AO2253341.
Ray Riddle, AO2251785.
Robert M. Rutan, AO527302.
Ray H. Saathoff, AO2253661.
Theodore M. Schoewe, AO2236155.
Simon H. Scott, Jr., AO2235126.
Dillard F. Sebastian, Jr., AO2249493.
Deane S. Shively, AO2261614.
William L. Shoemaker, AO973623.
Russell W. Simpson, AO1855485.
Vaughn H. Tollett, AO974494.
Richard D. Trapp, AO2251823.
Lloyd B. Troutman, AO2253235.
Benjamin H. Walters, AO1864817.
Johnson E. West, AO3059492.
Donald F. Westhoff, AO971985.
Robert M. White, AO2254976.
Robert R. Whiteside, AO1995793.
James L. Williams, AO2234122.
Clyde C. Wilton, AO1864456.
Laurence H. Withington, AO2234194.
Elmer J. Wojtanowski, AO2235503.
Peter Zolnerowich, AO2261943.

To be captains, USAF (Medical)

Pent L. Osmon, AO3042996.
Jack E. Steele, AO2213958.
John W. Wichman, AO1702390.

To be captains, USAF (Dental)

Robert B. Drake, AO3042838.
Edward G. Wilkinson, AO3001215.

To be captains, USAF (Nurse)

Crystal N. Epperson, AN1912788.
Jacqueline J. Landers, AN1912789.

To be first lieutenants, USAF (Chaplain)

Roscoe E. Bell, AO2255326.
Robert E. Bergeron, AO3059439.
John F. Berry, AO3059502.
William A. Boyd, AO2251826.
James J. Cain, AO3060290.
William W. Campbell, AO3059469.
John J. Castellani, AO3059706.
John C. Cmiel, AO2276316.
Zack Colson, AO3059649.
Patrick S. Cortese, AO3059705.
Porter B. Cox, AO3059669.
Paul D. Davis, AO3046102.
John C. Fenol, AO3060178.
Robert F. Flanagan, AO3059974.
Philip R. Hampe, AO970636.
James D. Harlow, AO2268664.
Edwin G. Heide, AO2255123.
William F. Kopelke, Jr., AO2255427.
Louis V. LeDoux, AO3059712.
John P. Lesko, AO3059396.
Francis P. McConnell, AO3059926.
David D. McGirr, AO3059966.
John B. Narron, AO3060030.
John T. Naughton, AO3059717.
Cornelius P. O'Leary, AO2255343.
Michael G. Viise, AO3042818.
Jan C. Walker, AO3075241.
Lawrence E. Ward, AO3060352.
Francis R. Wasinger, AO3059711.

To be first lieutenants, USAF (Medical)

David M. Drylie, AO3076694.
Thomas A. Goodman
David L. Kelble, AO3076173.
Robert L. Olson, AO3045966.
James C. Richards, Jr., AO3076625.
William P. Singleton, AO3016027.

To be first lieutenants, USAF (Dental)

James G. Bottom
James E. Ford, AO3077842.

To be first lieutenants, USAF (Veterinary)

Patrick D. Ellison, AO3043420.
James P. Jensen, AO3045905.
Franklin H. Kriewaldt, AO3015877.

To be first lieutenants, USAF (Nurse)

Dorothy C. Calvert, AN2243066.
Therese A. Hennessey, AN3076469.
Phyllis P. Parcells, AN2243459.
Marion H. Steiner, AN2243512.

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be majors

Raymond K. Crowley, AO559707.
Gerald F. Faivre, AO798465.
Thomas Manjak, AO694084.
James W. McCrary III, AO767314.
Paul E. Roscher, AO827969.
Durward B. Russell, Jr., AO835705.
G. Stanley Smith, AO718199.

To be captains

Leonard E. Gleason, AO2219206.
Robert D. Palmquist, AO2219324.
Collie D. Trant, AO2072043.

To be first lieutenants

William W. Baxter, AO3058727.
Wayne C. Bond, AO3057730.
Robert A. W. Brown, AO3051400.
Ranald M. Engelbeck, AO3048932.
David W. Forgan, AO3049388.
Arnold Y. Foss, AO3049906.
Grover W. Hastings, AO3048301.
James E. Kelm, AO3052650.
Raymond E. Morris, AO3028935.
Raymond A. O'Grady, AO3049536.
Emsley E. Rogers, AO3050569.
Nicholas B. Thomas, AO3047620.
Ronald V. Villafranco, AO3051939.
Anthony G. C. Wickersham, AO3050781.

To be second lieutenants

Distinguished Officer Candidate Graduates

Carlo A. Belella, AO3101129.
Larry K. Gardiner, AO3101335.
Donald D. Gray, Jr., AO3101234.
Robert S. Hewett, AO3101334.
Philip R. Scoggin, AO3101298.
Leslie M. White, AO3101325.

Distinguished Aviation Cadet Graduates

Robert E. Arent, AO3081979.
Herman L. Byrd, AO3081920.
William M. Foy, AO3081826.
Kenneth A. Hathaway, AO3081927.
William E. Hunt, AO3081091.
Donald I. Jackson, AO3081928.
Charles E. James, AO3081893.
Roger W. Kobylak, AO3081911.
Ralph A. Lerch, AO3081779.
David T. Macmillan, AO3081913.
Martin Mondor, AO3081781.
William N. Monroe, Jr., AO3081987.
Gerald W. Moore, AO3081783.
Richard W. Nelson, AO3081932.
Robert V. Pritchett, AO3081763.
Charles D. Roush, AO3081764.
Ernest W. Rutledge, Jr., AO3081880.
Keith A. Spencer, AO3081792.
John P. Van Blois, AO3081882.
Charles C. Woodward, Jr., AO3081771.

Distinguished Military Graduate

Douglas F. Shane, AO3087052.

IN THE NAVY

Rear Adm. Rawson Bennett II, U.S. Navy, to be Chief of Naval Research in the Department of the Navy for a term of 2 years with the rank of rear admiral.

Rear Adm. Bartholomew W. Hogan, Medical Corps, U.S. Navy, to be Chief of the Bureau of Medicine and Surgery in the Department of the Navy for a term of 2 years.

The following-named officers of the Navy for permanent promotion to the grade of rear admiral:

LINE

Charles B. Martell
Horacio Rivero, Jr.
Lawson P. Ramage
Richard H. Phillips
Jack P. Monroe
Robert H. Speck
Arnold W. McKechnie
Arthur H. Taylor
William O. Burch, Jr.
Thomas A. Ahroon
Michael F. D. Flaherty
Edward A. Hannegan
Robert T. S. Keith
Basil N. Rittenhouse, Jr.
John F. Davidson
Charles O. Triebel
Reynold D. Hogle
Goldsborough S. Patrick
Roy S. Benson
David J. Welsh
Donald T. Eller
Almon E. Loomis
Edward C. Stephan
Whitmore S. Butts
Frank A. Brandley
William E. Gentner, Jr.

MEDICAL CORPS

Thomas G. Hays
Frank P. Gilmore
Edward C. Kenney

SUPPLY CORPS

Thomas A. Long
Edward F. Metzger

DENTAL CORPS

Curtiss W. Schantz

The following-named officers of the Naval Reserve for temporary promotion to the grade of rear admiral:

LINE

*Alvan Fisher
*Herman Reich
*Richard O. Patterson
*John W. McElroy
*Arthur A. de la Houssaye
*Victor Hicks
*John E. Harlin

MEDICAL CORPS

*Joseph S. Barr
*William L. Rogers
*Francis J. Braceland
*Robert A. Ross
*Wendell G. Scott

CHAPLAIN CORPS

*William E. Collins

CIVIL ENGINEER CORPS

*Edwin N. Blackwood

DENTAL CORPS

*William M. Burns

The following-named officer of the Marine Corps for permanent promotion to the grade of brigadier general:

*Edward A. Montgomery

The following-named officers of the Marine Corps Reserve for temporary promotion to the grade of brigadier general:

*Walter A. Churchill
*Otto Lessing

(*) Indicates ad interim appointment issued.

IN THE NAVY

The following-named officers of the Navy for temporary promotion to the grade of captain in the line and staff corps indicated, subject to qualification therefor as provided by law:

LINE

Ainsworth, Charles C.
Allemand, Arnold E., Jr.
*Alm, Carlton F.
Anderson, Roy G.
Anderson, Herbert H.
Anderton, Henry L.
Andrews, Burton H.
Antle, William S., Jr.
Appleton, Daniel S.
Ayer, Wilmon H.
Bacharach, Richard
Badger, Heber J.
Baker, William D.
Ball, George G.
Ball, George C., Jr.
*Banvard, Theodore J.
Barnett, Marvin E.
*Barry, Richard F., Jr.
Barthes, August A.
Barton, Wilbur G.
Bassett, Leonard F.
Baughan, Robert L., Jr.
Beardall, John R., Jr.
Beaver, Bud K.
Beers, Charles J.
Benbow, William E.
Benjes, Anthony C., Jr.
Bennett, John E.
Bergner, Allen A.
Bergstrom, Edward W.
Berndtson, Arthur H.
Bienvenu, Roland G.
Bigelow, Lavell M.
Blocher, Charles A., Jr.
Block, George L.
Blough, Ira K., Jr.
Blouin, Clarence A.
Boehm, William R.
Borden, John C.
Bowers, William J.
Bowman, Donald W.
Boyer, William G.
Boyum, John H.
Brady, Norman K.
Braley, William W.
Braybrook, William M.
*Brough, James A.
Brownlow, Paul J.
*Buchan, Robert B.
Buell, Thomas C.
Bundy, Clifford W.
Burbage, Charles L.
Burke, Julian, T., Jr.
Burke, Louis E., Jr.
Burnett, Louis R.
Burns, Michael J., Jr.
Bush, William W., Jr.
Cagle, Malcolm W.
Cain, Elbert V., Jr.
Caldwell, John H.
Camera, John A.
Carlisle, Geoffrey E.
Carlson, Ralph B.
*Carmichael, David C.
Carroll, Robert M.
Caspari, William J.
Chapman, Donald D.
Charbonnet, Pierre N., Jr.
Chase, John D.
Clancy, Albert H., Jr.
Clark, Asa A., III
Clark, Carlton H.
Clark, Cecil
Clark, Douglas A.
Clark, William A.
*Clarke, Samuel R.
Clements, Robert E.
Cochrane, Richard L.
Cofield, Hilbert S.
Cole, Enser W., Jr.
Colee, Henry C., Jr.
*Conatser, Charlie N.
Cook, Allen P., Jr.
Cook, George C.
Cooper, Damon W.
Cooper, James S.
Crommelin, Quentin C.
Crutchfield, Robert R.
Cuccias, Francis P.
Dachs, Lukas V.
Dahllof, Robert L.
Dailey, Robertson C.
*Daniels, Jerry F., Jr.
Davenport, John B.
Delano, Victor
DeLorenzo, Frank L.
Desmond, Ralph P., Jr.
*Dewey, Irving D.
Dickes, Orval C.
Disney, Mitchell K.
Doherty, John C.
Dorrington, Joseph F.
Dowdell, James S.
Doyle, Thurlow G.
Dreyer, Oscar F.
Duke, John M., Jr.
Dye, Ira
Ebright, Myrton T.
Edwards, Frank G.
Elkins, James S., Jr.
Elliott, August W., Jr.
Ellison, Stanley E.
*Ellison, Thomas B.
English, Elbert H., Jr.
Epes, Horace H., Jr.
Esch, Arthur G.
Farkas, Robert E.
Fears, Charles L.
Felter, John F.
Ferrell, Otis C., Jr.
Ferretti, Edwin D.
Fickenscher, Edward R., Jr.
Fischer, Harry F., Jr.
Fisher, Neil H.
Fleming, Robert J.
Fly, William E.
Flynn, Daniel
Fonvielle, Charles D., Jr.
Foster, Richard E.
Frankenberger, Norbert
Frazier, Walter J.
Gaddis, Walter D.
Game, William H.
Gantar, Mark M.,
Garrett, Joseph
George, Paul J.
Gerber, Ralph I.
Gibbs, Julius E.
Glenn, Everett M.
Glennon, Philip T.
Goodfellow, Alexander S., Jr.
Gooding, Francis G., Jr.
Goranson, Harold T.
Gorman, Frank B.
Gowen, George A.
Graham, Frank M.
Grant, James W.
Gray, Louis P., III
Gray, Oscar E., Jr.
Gray, Paul N.
Grayson, Jack L.
Greenbacker, John E.
Groom, Ralph A.
Gurley, Thomas C.
Hagerman, George M.
Hall, Cary H.
Hall, Harvey W., Jr.
Hanley, Michael J., Jr.
Hanna, Hugh A.
Hardaker, William T.
Hardy, John I.
*Hare, Robert H.
Harris, Raymond M.
Harris, Robert E.
Hart, Clarence M.
Hawley, Rupert D.
Hayes, Edward F.
Hayler, Robert W., Jr.
Healey, Vincent P.
Hearn, Guy E., Jr.
Hedrick, James G.
Heimark, Jacob V.
Hemley, Eugene A.
Hennessey, Thomas V.
Henry, John W.
Hertel, Frank M.
Higgins, Edward M.
Hill, John S.
Hilmar, Harold O.
Hinman, Jack J., III
Hirshfeld, Ross R.
Hodges, William M.
Hoel, Ronald W.
Hokr, Joseph E.
Holmes, Jack A.
*Hough, Jack W.
Houghton, James C.
House, William H.
Houston, Joseph A.
Howell, John D.
Huey, Enders P.
Hughes, William J., Jr.
Hundevadt, Raymond A.
Hunt, Lucian J., Jr.
Huston, Charles D.
Jackson, David H.
Jacobs, Edward F.
Jamison, James P.
Johnson, Norman D.
Johnson, VanDyke
Jones, Barton F.
Jones, Stuart C.
Jones, William W.
Joslin, Royal K.
Kalen, Robert L.
Karl, Richard L.
Katz, Saul
Kaufman, Robert K.
Keating, William J.
Keatts, John C., Jr.
Kenner, Jack L.
Kidd, Isaac C., Jr.
King, David L. G.
King, Ira M.
Kiracofe, Warren C.
Kittredge, George W.
Klare, Herman "H", Jr.
Klingaman, Leon C.
Knapp, Norman E.
*Knapp, Paul J.
Kronmiller, George H.
Krouse, Gale E.
Lacouture, John E.
Lamb, William E.
Lane, Edward A., Jr.
Larkin, Murl A.
Larson, Lewis E., Jr.
Leahy, Harold G.
Lee, Robert E., Jr.
Lemos, William E.
Lilly, Percy A., Jr.
Lincoln, Nathan R., Jr.
Little, Ashley J.
Lloyd, Bruce K., Jr.
Longino, James C., Jr.
Lothrop, Scott
Lundin, Carl E.
Lynch, James P.
Lynn, Joseph
Mack, Lawrence J.
Mack, William H.
MacMillan, Oscar D.
MacNair, Martin P.
Macri, Guiseppi
Maddocks, William J.
Maltby, Arthur L., Jr.
Manning, William J.
Marzetta, Dante R.
Mathew, Robert H., Jr.
Matton, William G., Jr.
Maxwell, Frederick W., Jr.
*McAllister, James A.
*McCuskey, Elbert S.
McDevitt, Joseph B.
McFarland, Farrell B.
McGillicuddy, Terry T.
McGowan, William I.
McKinney, William R.
McRoberts, James F.
Meadors, William W.
Messer, John G.
Meyer, William R.
Michaelis, Fred H.
Middleton, Roderic O.
Miller, Ashton C., Jr.
Miller, Edward G.
Miller, Gerald E.
Miller, John M.
Miller, Richards T.
Moitoret, Victor A.
Molitor, Francis R.
Montgomery, John W.
Moore, Howard N.
Morrison, George S.
Morton, William B.
Muhlenfeld, Edward
Murphy, Frank M.
Murphy, Walter J.
Murphy, Walter P., Jr.
Nelson, Charles E.
Nesbitt, Richard J.
Newbould, Edmond J.
Newhall, Albert W.
Newland, John R.
Newsom, John W.
Nicholson, Archibald T., Jr.
Nicholson, Marshal W.
Nicholson, William M.
Nicodemus, Gordon K., Jr.
Niles, Richard M.
Odell, John E., Jr.
*O'Meara, Donald J.
O'Neil, Vernon P.
Orser, Lynn S.
O'Toole, Robert, Jr.
Owen, Thomas B.
Owen, William D., Jr.
Pack, William L.
Palmer, Grant A., Jr.
Parker, Elwin A.
Parker, Richard W.
Paul, Paul M.
Paxton, Norman L.
Perry, Thomas R., Jr.
Peters, Irvin G.
*Pressler, Louis P.
*Prickett, Samuel L., Jr.
Prince, Mortimer J.
Quigley, Donald F.
Quinn, Robert D.
Rader, Rex E.
Ramsey, Lyle B.
Rathbun, Robert H.
Ray, Alan
Reed, James T.
Reeves, Gerald M.
Refo, John F.
Reid, Andrew H.
Rice, Charles E., Jr.
Roberts, John C., Jr.
Roberts, John W.
Rodgers, Edward A.
Rodman, William B., IV
*Rooney, Paul C.
Roseborough, William D., Jr.
Rowen, William H.
Rowney, James V.
Rubel, David M.
Ruder, Frederick J.
*Rumsey, Dexter C., II
Rush, Charles W., Jr.
Sander, Carl A.
Sanger, Frank M., Jr.
Savage, Lowell C.
Savage, Robert W.
Scarborough, William E.
*Schmidt, Herbert T.
Schneider, Raymond J.
Schneider, Tony F.
Schocken, Julian I.
Schultz, Arthur J., Jr.
*Schwab, Erwin G.
*Scurria, Norman V.
Seim, Harvey B.
Selman, Richard J.
Shafer, Richard W.
Shane, Charles N.
Sharratt, George S., Jr.
Sherwin, Sidney A., Jr.
Shew, James E.
Shryock, William A.
Shutt, Richard G.
Sisk, Hoke M.
Skinner, John A.
Sledge, Edward C.
Sloatman, John K., Jr.
Smallwood, Roy C., Jr.
Smith, Charles W., Jr.
Smith, Eugene C.
Smith, Harvey J., Jr.
*Smith, Joseph G.
Smith, Leonard B.
Smith, Thomas P., Jr.
Snyder, Frederick W.
Spitler, Joseph C.
Spore, Burns W.
Starkey, Robert C.
Sterling, Stought, Jr.
Straker, John T.
Strieter, Robert M.
Styer, Charles W., Jr.
Sullivan, John W.
*Sutherland, William T.
Svendsen, Edward C.
Sweeny, John
Tanner, William P., Jr.
Taylor, Thomas H.
Tebo, Kenneth M.
Teig, Vernon E.
Tessin, William
Thomson, James R.
Thro, John B.
Timblin, Charles
Trice, William W.
Trudeau, Russell F.
Trum, Herman J., III

*Tucker, Frederick B.
Tyler, William P.
Vail, Powell P., Jr.
Van Meter, Karl S.
Varland, Markeson
Vellis, Demetrius J.
Vickrey, William C., Jr.
Walker, William A., III
Walline, Charles S.
Walls, Samuel C.
*Watson, Joseph T., Jr.
Watson, John M.
Weart, Herbert C.
Weber, Grayston H.
Weisert, William E.
Wellman, Alonzo H., Jr
Werner, Ralph L.
Werth, James M.
Weschler, Thomas R.
Westhoff, William E.
Wheeler, Joseph C., Jr.
Whitaker, Malcolm W., Jr.
White, Harry C., Jr.
White, Robert H.
Williams, John W.
Windsor, Robert W., Jr.
Witter, Ward W.
Wiviott, Max D.
Wood, Harry W.
*Woollen, William S.
Worley, Jesse D.
Wright, Clarence C.
Wright, Richard M.
*Wright, Spencer D.
*Wright, Whitney
Wyse, Frederick C., Jr.
Zimmerman, Milton A.
Zirkle, Joseph C., Jr.
Zurcher, Clarence J.

MEDICAL CORPS

Barnhill, Bruce B.
Bratenahl, Charles G.
Carlson, Carl P.
Fleischaker, Robert J.
Hyatt, George W.
Jones, Edward A.
Knud-Hansen, John I. F.
Lehman, Robert C.
McCullough, Francis H., Jr.
Miller, Lloyd F.
Minard, David
Morgan, Francis M.
Morris, William E.
Moxon, Robert K.
Root, Charles P., Jr.
Santiago-Stevenson, Stevenson P.
Turville, William C.
Wilson, Jay D.

SUPPLY CORPS

Aldrich, John K.
Ball, Stuart M.
Barnett, Austin H. Jr.
Batchelder, Joseph H.
Blackman, Harold H.
Bloxom, Elliott
Cain, Thomas C., Jr.
Callison, Gordon M.
Clark, Robert L., Jr.
Cone, Daniel G.
Conner, Perry C.
Disher, Robert C.
Dollard, John T.
Ellis, William D.
Fowler, Marion V.
Freeborn, Stanley B., Jr.
Granston, Robert W.
Hartzell, Ivan C.
Harvey, William F., Jr.
Heffner, Grover C.
Hetler, John C.
Hirst, John W.
Jeffery, Kenneth L., Jr.
Kingman, Edward R.
*Lally, Paul R.
Lee, Stephen B.
Lofink, George S.
McComish, Daniel R.
McCrone, Andrew M.
Mims, William F.
Parker, James W.
Pollich, Gardiner T.
Porter, Ross A.
Raymond, Carl A., Jr.
Rice, Earl G., Jr.
Rieve, Roland
Rollings, Phillip A.
Ross, William H.
Rossell, William T., Jr.
Sauer, Ralph W.
Snyder, Joseph C.
Sullivan, John D.
Thompson, Wendell C.
Thorpe, William L., Jr.
Yockey, Roy O.
Zimet, Stanford F.

CHAPLAIN CORPS

Canty, Joseph C.
Covert, Charles J.
Jones, Glyn
Rotrige, Henry J.
Shears, Sidney H.
Slattery, Edward A.

CIVIL ENGINEER CORPS

Barnett, Thomas E.
*Byrnes, William J.
Cooke, Frederick A. F.
Doyle, Thomas J.
McLellon, Waldron M.
Merdinger, Charles J.
Saunders, Louis N., Jr.
Thomas, Robert E., Jr.
Updegrove, Jacob W.
Wooding, Robert R.
Yankey, William R.

DENTAL CORPS

Crossmire, George B.
Darnall, William L., Jr.
Dobronte, Frank
Flood, Jack F.
Gaver, Oren H., Jr.
Gustavson, Arthur E.
*Hamilton, Martin R.
Hughes, Richard W., Jr.
Koenig, Albin J.
Kraske, Leonard M.
*Larson, Gilbert H., II
L[illegible]ley, James B.
Maxfield, Don L.
McKee, Reuben W., Jr.
Nickell, Raymond O.
Ogden, Ingram W.
*Pennington, James F.
Peters, Jerome F.
Pund, Harry C., Jr.
Smith, Winthrop F.
*Spann, Sylvester E. W., Jr.

MEDICAL SERVICE CORPS

Taylor, William W., Jr.
Chambers, Francis W., Jr.

NURSE CORPS

Todd, "C" Edwina

The following-named officers of the Navy for temporary promotion to the grade of commander in the line and staff corps indicated, subject to qualification therefor as provided by law:

LINE

Abele, Stanley F.
Abernathy, William F.
*Adams, Benjamin W.
Adelfson, Norman O.
Agness, Robert J.
Alden, Franklin H.
Alden, John D.
Alderton, Dickson W.
Alldredge, Walter W.
Allen, Bain S.
Allen, Joseph F.
Anglemyer, Robert E.
Arnold, James M., Jr.
Athow, James K.
Axene, Dean L.
Aydelott, William L.
Bacheler, Theodore F.
Bagby, Lee A.
Baker, Lawrence H., Jr.
Baldwin, Robert B.
Baribault, Arthur B.
Barnes, Robert J.
Barnes, Willis C.
Barnette, James B.
Bartko, Paul J.
Bates, Edwin J.
Batten, Hugh N.
Baumberger, Harold E.
Baumgaertel, Lawrence F.
Beaudoin, Jerome W.
Beaulieu, Maurice E.
Belch, Alfonzo E., Jr.
Bell, George M.
Bennett, Darrell "C"
Bergen, Franklin S.
Berkey, Ward L.
Berry, Fred T.
*Bicknell, John R.
Bingham, Patrick J.
Bixler, Jene M.
Black, Sherman C.
Blackman, Frank E.
*Blockwick, Thomas N.
Blumenthal, Stanley H.
Bohlken, John R.
Borley, Clarence A.
Boudinot, Edgar J. Jr.
Bouldin, James M.
Boutwell, Emmett B.
Bowen, Charles H., Jr.
Bowen, James W.
Braden, James L.
Bradford, Charles R.
Brady, Donald B.
Braid, Herbert C.
Brender, Bernard W.
Brennan, William F.
Brewer, Sam H., Jr.
Briggs, Claude M., III
Brooks, Charles L.
Brosnahan, James J.
Brown, Melvy M.
Brown, Russell E.
Bryan, John I., Jr.
Buker, George E.
Burkhart, Calvin
*Burnell, Robert M.
Burns, Robert J.
Bushy, Willard L.
Butler, Thomas E.
Butts, Lloyd O.
Cagle, Sherman C., Jr.
Call, Melvin E.
Callahan, John C.
Capozzalo, Daniel S.
Carlson, Allen B.
Carlson, Nils A. A.
Carlson, Elmer "P"
Carroll, Billy
Carroll, Charles H.
Carter, Harry E.
Caskey, James C.
Cassidy, Melvin W.
Cerney, Ralph S.
*Chandler, Alfred W., Jr.
Chartier, Wilfred G.
Cheuvront, Harlan R.
Christiansen, John S.
Clack, Bryce L.
Clapp, Walter C.
Clark, Richard M.
Cleland, Henry G., Jr.
Clymer, Floyd K.
Cobb, Paul W.
Cockrell, Fred T.
Coe, Carl W.
Cole, "R" "K" S.
Coleman, Raymond E.
Coleman, Robert G., Jr.
Coleman, Joseph L.
Collier, James R.
Collins, Walter V.
Constance, Walter E.
Cooke, Emmett M., Jr.
Cooper, Parker C.
Cornetta, Martin V.
Corson, Ralph W.
Cory, Kenneth "J"
Cote, Joseph J.
Courtney, Marion L.
Cousins, John E.
Craig, James R.
Crawford, James H., Jr.
*Cron, Robert H.
Crosby, Derrill P.
Culp, James D.
Curtin, Robert H.
Curtis, Theodore E.
Cyr, Hector C.
Czerwinski, Walter J.
Dace, Carl C.
Daniel, Frank C.
Davenport, John A.
Davidson, Paul D.
Davis, John W.
Davis, Richard L.
Davis, Richard M.
Delaney, John A.
*Dersam, Harold G.
Desel, Robert F. P.
Dewing, Lawrence A.
*Dillard, Thornwell M.
Dittler, Harry C., Jr.
Ditto, Carl B.
Dooge, B. Russell, Jr.
Dooley, Raymond J.
Dorchester, Chester H.
Dormer, Robert L.
Doster, James B.
Dow, John F.
Downey, Richard S.
Downing, Robert C.
*Draper, Murray E.
Drew, Brand W.
Dubois, Robert E.
Duhon, Willis P.
Duncan, Richard E.
Dunlap, Larry E.
Dunn, Charles A., Jr.
Dunn, Richard J.
Dunning, Harvey K.
Duquette, Herbert E., Jr.
Dwyer, Thomas L.
Dzamba, John A.
Eason, William R.
Ebersole, Robert "H"
Ecker, William B.
Eckert, Robert V.
Edwards, William E.
Egan, Laurence D.
English, Addison R.
Erb, Arthur G.
Erickson, Robert J.
Erickson, Jack L.
Ethier, Henry E.
Even, Glen M.
Everson, John K.
Eyer, Harold R.
Fairbanks, George W.
Farmer, Roy E.
Farrell, Ted L.
Faulk, Joseph R.
Feaster, Joseph E.
Featherstone, Thomas A.
Feely, William F.
Fields, Thomas
Fierce, Vernon R., Jr.
Fitzwater, Harry E., Jr.
Fledderjohn, Donald W.
Fleming, Dean G.
Fletcher, Keith G.
*Flory, Edwin B.
Fogle, Claude C.
Foley, John J.
Folsom, Riley T.
Forcier, Eudore A.
Ford, "J" "D"
Forrester, David L., Jr.
Fortner, Leslie O.
Fox, Lyle B.
Franklin, George E.
Franz, Edward D.
Freeman, John K.
Freeman, John T.
French, Dean M.
Frink, Clifford L.
Gallagher, Paul M.
Gayle, Robert E., Jr.
Gemoets, Emile R., Jr.
Gentry, Harold R.
Gibbs, Charles W.
Giddens, Homer A.
Gillespie, Donald R.
Gleason, Wesley A.
Glenn, Hardy
Glenzer, Hubert, Jr.
Goben, Howard G.
Goodberlet, Alphonse G.
Goodnow, Harold J.
Gordinier, Harold R.
Gorsline, Samuel G., Jr.
Grant, James "A"
Greene, William M. A.
Greenstein, Marvin W.
*Grey, George S.
Griffin, Mitchell C.
Groves, Albert R.
Guhse, Donald E.
Gulbranson, George W.
Gustafson, Harris F.
Guyer, George F.
Hall, Alfred J., Jr.
*Hall, Clayton P.
Hall, Richard L.
Hamilton, Charles B., Jr.
Hampton, Zacharie T.
Hansen, Ivol E.
Harbilas, James N.
Harding, Charles F., Jr.
Harmon, Alfred W.
Harriman, Harold L.
Harris, David D.
Harris, Richard A.
Hartung, William C.
Harward, Robert S.
*Harwell, Payton O.
Hashmall, Benjamin
Hawkins, John F.
Hawkins, Jack H.
Hayes, George M.
Heassler, Rollin F.
Henderson, James C.
Henderson, Henry H.
Henning, Charles W.
Henson, Alton R.
Henson, John H.
Herman, Saul W.
Herrick, Ralph E., Jr.
Hertig, William S.
Hess, William J.
Hewitt, Frederick G.
Hibbs, William H.
Higgins, Roy T.
Hinman, Rex J.
Holcomb, John W.
Holley, Horace C.
Holt, Leahman J.
*Homyak, James A.
Hoop, Louie "B", Jr.
*House, John R.
Howe, Lee V.
Hulten, Albert P.
Humphries, George E.
Husband, Joseph E.
Hussey, Patrick F.
Hutcheson, Edward L.
Hutchison, Clarence H., Jr.
Iglesias, Edward
Ihrig, Lewis C.
*Ingram, James D.
Inman, Bryce D.
Irvin, Leroy E.
Irwin, William F. H.
Isen, Forester W.
Itte, Charles M.
*Jackson, Ralph F.
Jackson, Mercer L., Jr.
Javins, Robert P.
Jay, Darrel H.
Jenkins, John W.
Jenkins, Henry C.
Jenkins, James D.
Jenkins, James E.
*Jennings, Major J.
Jester, Richard H.
Johns, Walter W.
Johnson, Francis F.
Johnson, Lauren M.
Johnson, Richard
Johnson, William R.
Johnston, Roy S.
Johnston, William S.
Jones, Charles C.
Jones, Kenneth L.
Jones, Thomas R., III
Jordan, Leroy K.
Juillard, Floyd
Kalnitzky, Myron R.
Karonis, Peter
Kasworm, Martin A.
Kaufman, Gordon E.
Kaye, Jack G.
Kelley, Arthur R.
Kelley, Edward G.
Kelley, Lawrence W.
Kelone, Emerick S.
Kemp, Edmond D.
Kenney, Robert F.
Kenny, James P.
Kent, Charles J., Jr.
Kilcoyne, Francis J.
Kipe, Richard E.
Klepak, Philip H.
Knoeckel, Richard C., Jr.
Knott, Zebulon V., Jr.
Koch, John L.
Kodis, Anthony "J"
Koen, George
Koon, Jackson L.
Koressel, William J.
Krueger, Duane M.
Kruger, Ira K.
Krupp, Leo
*Kuba, Melvin F.
Kurz, Lloyd A.
Lacava, John, Jr.
Lake, Julian S.
Lambing, Clarence L.
Lampman, Lester B.
Lanaghan, Donald P.
Lane, Frederick E.
Larson, Theodore R.
Lawrence, Clayton G.
LeBourgeois, Julien J.
Lee, Ellis E.
Leslie, John K.
Light, Robert C.
Linker, Duan W.

Little, Charles E.
Long, Donald B.
Long, John G.
Loudermilk, "L" "B"
*Lovell, Fred A., Jr.
Loveridge, George W., Jr.
Lowman, Robert W.
*Lowry, James J.
Ludwig, David W.
Lundy, Robert T.
Lyons, John T.
Lyons, Robert F.
Maberry, Lewin A.
MacGillivray, Donald A.
MacKnight, Harding C.
*Madden, James J.
Mancuso, Vincent J.
Mann, Richard W.
Marn, Albin
*Marsh, Jerrold P.
Martini, Michael V.
Masek, William, Jr.
Matthews, Herbert S., Jr.
Mattus, Ralph J.
May, William C.
Maynard, Vincent D., Jr.
McDermott, Frederick P.
McEwen, Richard C.
McFadden, Joe M.
McGarvey, James F., Jr.
McGlothing, Charles V.
McKeel, Alonza B., Jr.
McKinley, Donald E.
McLean, Arthur C., Jr.
*McMahon, Richard E.
McMullen, Birton E.
Meek, Vern
Mennecke, Norman F.
Metz, Roger C.
Mikulich, John L.
Millar, Robert W.
Miller, David
Miller, John R., Jr.
Miller, Robert W.
Miller, Samuel J.
Mills, Kenneth G.
Mitchell, George A.
Mitchell, George W.
Mix, Leroy R.
Moffit, Lloyd W.
Monahan, Alfred E.
Moore, Bobbie P.
Moore, Horace N., Jr.
Moore, Lavern C.
Moore, William B.
Moreland, Milton B.
Morgan, Theodore L.
Morris, John
Morris, Lester
Morris, Robert E.
Morris, Lloyd C.
Motley, Arthur W., Jr.
Munson, Arthur H.
Murray, John T.
Murray, Royal C., Jr.
Murray, William B., Jr.
Myers, Edward J.
Napier, Edward D.
Neal, Charles
Neasham, Robert S.
Neeb, Lewis H.
Nelson, Oscar B.
Nelson, James A.
Nelson, Roger D.
Nelson, Lionell H.
Nelson, Robert A.
Newby, Robert G.
*Niemann, William E.
Noel, Walley H.
Norman, Robert J.
Oas, Clifford J.
Obermier, John N.
O'Connor, Harry N.
O'Hearn, Charles C.
Ohopp, Michael
Oliver, John D.
Oliver, Almon "P"
O'Neill, John W.
Orcutt, Robert E.
O'Rourke, Vincent P.
Otti, Charles L.
Overall, Sidney, R., Jr.
Owen, James C.
*Pabarcus, John P.
Packard, Donald E.
Parady, James T.
Parks, David P.
Parramore, Douglas G.
Parsley, Clarence L.
*Patterson, Irving L.
Pattillo, William H.
Payne, James A.
*Pelletier, Albert J., Jr.
Perkins, Billie L.
Perkins, "J" "W" Jr.
Perry, Walter I.
Petersen, Chester L.
Pflester, Charles W.
Pierce, Robert L.
Pitcher, Harry B., Jr.
*Ploss, Richard L.
Pollock, Walter F.
Porter, James W., Jr.
Powell, John C.
Preston, William R.
Prout, Russell K.
Quick, Thomas J.
Quinn, Thomas D.
Raehn, Raymond V.
Rairden, Percy W., Jr.
Rasche, Bruce C.
Raymond, John E.
Reardon, William L., Jr.
Reese, Frank G.
*Reeves, Carl G.
*Rice, James L., Jr.
Richards, Floyd D.
Riggan, Thomas H.
*Riker, Alden S.
Riley, Edward A.
*Rinesmith, Robert D.
Rink, Victor B.
Rippa, Peter
Rippey, William H.
Rishel, Maurice O.
Roberts, Owen A.
Robertson, Charles R.
Robinson, Charles D.
Rodgers, Charles E.
Rodstrom, Francis J.
Ronimus, Arthur D., Jr.
Roth, Jerome S.
Roth, Paul
Rothermel, James L.
Rountree, Jack
Ruffin, Roscoe
Rusk, Stephen L.
Russell, James C.
Sackett, Albert M.
Sampson, Russell
Sanders, Nelson W.
Sanderson, Veriel E.
Sargent, Keith N.
Satterfield, Charles R.
Satterthwaite, Fred C.
Savage, Vann E.
Savage, Homer D.
Sawick, Theodore
Saylor, John B.
Schaedler, George A.
Schellenberg, Albert
Schexnayder, Robert L.
Schleis, William J.
Schmidt, Lavon C.
*Scholz, Walter E.
Schwem, William A.
Scott, Robert W.
Seiberlich, Carl J.
Serrell, Andrew
Setzer, Andrew R.
Severns, Robert L.
Shannon, John R.
Shannon, Robert
Shaw, William H.
Short, Vaun G.
Sibert, Victor J.
Simcox, William A.
Sistrunk, Vernon J.
Slattery, Thomas G.
Slifer, Allen W.
Smith, Bruce B.
Smith, Barclay W.
*Smith, Nicholas J., III
Smith, Raymond D.
Smith, Russell L.
Smyth, Robert P.
Snowden, Harold F.
Socha, Edward J.
Somervell, Willis L., Jr.
Sowar, Joseph F.
Sparks, Samuel A.
Speciale, Joachim F.
Spencer, Frank O.
Stadler, Paul C.
Steinbeck, Albert A.
Sternberg, Lloyd V.
Stevenson, James E.
Stevenson, Robert J., Jr.
Stewart, Harold E.
Stewart, Marlar E.
Stoll, Ralph F.
Stone, James F.
*Sullivan, John
Sullivan, Patrick L.
Sullivan, Harold H.
Swinburne, Harry W., Jr.
Swint, George, III
Takitch, Edward J.
Tall, Harold R.
Tanner, Carl B., Jr.
Tanner, James E.
Tarleton, George L.
Tarnowski, Zemo C.
Tate, Hugh J.
Teal, Thomas W.
Terwilliger, Samuel S.
Thomas, Ralph C.
Thomas, John B., Jr.
Thompson, Guy E.
Tierney, John F., Jr.
Tilley, Joel E., Jr.
Tobin, William F., Jr.
Tomkins, Lewis A.
Toon, Owen R.
Toponce, Harvey E.
Tracy, Gilbert L.
Trefero, Francis J.
Truesdale, Ross R.
Turner, Frederick C.
Turner, William W.
Tuttle, James F.
Tyler, Ellery E.
*Vales, Robert F.
VanAcker, Albert
*VanBlake, Benjamin J.
VanPelt, Wallace V.
Vegelahn, Norbert P.
Vittek, Albert W.
Vonegger, Harold K.
*Wacker, William J.
Walker, Jack A.
Walker, John S.
Walker, Ralph L.
Wallace, Howard K.
Ward, Marshall D.
Walsh, William J.
Walstrom, Clifford C.
Ward, Dale E.
Ward, Lyttleton T.
Warlick, Wilbur W.
Webb, Arthur J.
Webb, William L.
Weidner, Jack W.
Weisse, Carl
Welsh, John D.
Westphal, Howard A.
Whisler, William G.
Whiteman, Stephen J.
*Whitlock, Duane L.
*Wicks, John P.
Wiedinger, George W.
Wieland, Dicky
Wiley, Howard F.
Wilhide, Charles R.
Wilkinson, William L.
*Williams, Martin T., Jr.
Williams, Reginald M., Jr.
Williams, Joe, Jr.
Willyard, Harold A.
Wilson, Ernest E.
Wilson, William R.
Winslow, George H.
Wiseman, Eugene R.
Wolf, Jerome L., Jr.
Wooden, William W.
Woodward, Lamar L.
Woolard, Stephen R.
Woznack, Francis J.
York, Daniel A.
Young, Earle B.
Zeitvogel, James R.
Zimmerman, Ernest L.
*Zok, Leo J.

MEDICAL CORPS

Arnold, Homer S.
Barton, Robert K.
Bird, Edward W.
Cowart, Elgin C.
Crue, Benjamin L., Jr.
Imburg, Jerome
Marks, Thomas S.
McLean, Donald H.
Morris, David P., Jr.
Ostapowicz, Frank
Penka, Ernest J.
Preston, Frank R.
Randel, Harvey O.
Reinhardt, Roger F.
Rohrs, Lloyd C.
Rupnik, Edward J.
Sarver, Richard B.
Schulte, John H.
Workman, Robert D.

SUPPLY CORPS

Adamson, William M.
Aicken, John E.
Aitken, Douglas G.
Appleby, Dan P.
Ard, James H.
Bahl, Donald W.
Baldwin, Frank E.
Barrett, Henry T.
Baumgartner, Donald F.
Bayer, John F.
Bergen, Richard
Breault, Roland W.
Brown, Roger W.
Cassin, Thomas A.
Clement, Earl G.
Conry, William H.
Cooil, Robert W.
Dehart, Kenneth P.
De Young, Warren R.
*Duke, Edwin L.
Dunlap, Glen L.
Farley, William B.
Foulkes, William O.
Garbak, Albert C.
*Gaver, Harry L.
Graham, Rupert E.
Halley, Harry J.
Harrington, Bernard C.
Hawkins, Noble "T"
Hopkins, Warren G.
Ireland, Charles W.
Jaxtheimer, John C.
Jenne, Frank L.
Johannesen, William A.
Johnson, Carl M.
Keever, Karl N.
Killion, Clyde D.
Koontz, Richard R.
Lachicotte, Albert S., Jr.
Larson, Jay E.
Leary, Raymond F.
Lobaugh, Leslie E.
Long, John J.
Madden, Robert H.
Mason, Charles M.
Maugans, Frank O.
McCulloh, Merlin L.
McDaniel, Roy M.
*McFadden, John P.
McGlothlin, Houston W.
Miller, Dewayne C.
Mosolf, Lewis E.
Needham, Donald A.
Nelson, Merlyn A.
Neufeldt, Roy E.
*Olson, George E., Jr.
*Paulsen, William N.
Purviance, Raymond E., Jr.
Ramsey, Charles P.
Scaturro, Albert V.
Schneider, Willard N.
Scott, Leroy M.
Sellman, Lloyd E.
Siembt, Laverne L.
Slover, Jay A.
Smith, Bert E.
Sparks, Wainard H.
*Standish, John C.
Stevenson, Thomas E.
Urquhart, Lennus "B"
Utterback, Carl W.
Vasey, Charles A.
Wells, Robert A.
Whitchurch, Frank H.
Whitver, John A.
Wilson, Bentley L.
Wood, Clarence S.

CHAPLAIN CORPS

Carpenter, Malcolm A.
*Cassady, Kermit R.
Cusack, Joseph P.
Danielsen, John M.
Dominy, Arthur L.
Doyle, William F.
Fenning, Robert C.
Harrison, Robert M.
Heyl, Richard P.
Martin, George L.
Oglesby, Glynn A.
Sobel, Samuel
Swanson, Eugene S.

CIVIL ENGINEER CORPS

Anderson, William C., Jr.
Berube, Herman L.
Bowman, Harlan L.
*Clarke, John F.
Daniels, John M.
Diberto, Edward T.
Grauten, Henry S.
Phillips, Cushing, Jr.
Pyles, Lavern, Jr.
Roloff, Jerome W.
Shepard, George R.

DENTAL CORPS

Alexander, Perry C.
Bursey, Don C.
Cook, William H., Jr.
Hoerman, Kirk C.
Kennedy, William J.
Koester, Frederick W., III
Kohler, Milton C.
Perkins, Robert R.
Rogers, William J., Jr.
Selfridge, George D.
Sharp, Ben C.
Shaw, Jay D.
Smith, Alan E.

MEDICAL SERVICE CORPS

Andersen, Albert L.
*Burgess, Benjamin F.
Nance, Russell S.
Rigg, Robert F.
*Smith, Lauren J.
Thompson, Lester K.
Vanlandingham, Emmett L., Jr.

NURSE CORPS

Arnold, June E.
Aycock, Martha O.
Becker, Dorothy C.
Benson, Wilma M.
Berry, Margaret R.
*Bulshefski, Veronica M.
Gresko, Mary
Wolfgang, Mary I.

The following-named line officers of the Navy for temporary promotion to the grade of lieutenant commander subject to qualification therefor as provided by law:

Abbott, John
Abel, Paul F.
Abromitis, William, Jr.
Adams, Francis M., Jr.
Adams, Richard C.
Addicott, Leslie, Jr.
Agnew, Richard S.
Albers, Hugh W.
Alderman, Edward L.
Aldrich, Robert G.
Alford, Richard L.
Allard, Robert E.
Allen, Benjamin G.
Allen, Henry L., Jr.
Allen, Lawrence R.
Alt, Walter L.
Alvis, John H.
Andersen, John M.
Anderson, Arthur H.
Anderson, Ralph L.
Anderson, Roy C.
Anderson, Robert J.
Andrus, Jack F.
Ardinger, Robert H.
Arnold, Charles E.
Arnold, Junius H., Jr.
Arvidson, Donald L.
Atkin, Wayne H.
Atkins, "A" "J" Martin
Atkinson, Kenneth W.
Austin, Carl B.
Ayers, William R.
Bacchus, Wilfred A.
Bacon, Allan F.
Bading, Herman M.
Bailey, Richard T.
Baird, Orlie G.
Bajus, John C.
Balch, Allen H.
Balish, Daniel
Balmforth, Stanford C.
Barie, Arthur H.
Barker, Douglas L.
Barkley, Henry B., Jr.
Barnett, Gene A.
Barr, Albert T., Jr.
Barr, Max D.

Barrett, William F., Jr.
Barrow, John C.
Bartow, William R.
Bates, George M.
Bates, Robert N.
Bates, Richard W.
Bauerlein, Leo P.
Bausch, Norbert L.
Baysinger, Reaves H., Jr.
Beavers, Harrison J.
Becker, Jerry T.
Beckwith, Reynolds
Beeler, James W.
Beesley, David L.
Beitzer, Francis J.
Belflower, Harry E., Jr.
Bellinger, Richard M.
Benson, Francis W., Jr.
Benton, Archie E.
Berger, David W.
Bernhardt, Robert B.
Bernstein, Karl J.
Bilderback, Oral J.
Bilkey, John H.
Birch, Stanley W., Jr.
Birdwell, Carl, Jr.
Bisceglia, Michael
Black, Arthur C.
Black, Don "H"
Blackwell, Logan C.
Blaes, Carl E.
Blair, Ira W.
Blakney, Walter T.
Blancheri, Douglas I.
Blaskowsky, Carl
Blizard, Floyd H.
Blount, Robert P., Jr.
Boh, Roger M., Jr.
Bolan, Charles D.
Bolger, Philip H.
Bores, Joseph E.
Born, Waldo L.
Bosley, Donald B.
*Boston, Ward, Jr.
Bouffard, Edward N.
Boulware, James R.
Bouslog, Eugene H.
Bowers, William W.
Boyd, Claude, Jr.
Boyd, Richard C.
Boyer, Keith D.
Boykin, Rhodes, Jr.
Bradley, Claiborne S.
Brady, Robert E.
Brandt, Carl R.
Brannen, Richmond D.
Brannon, John W., Jr.
Brantley, William J.
Braun, Joseph J.
Bremus, Martin F.
Briand, Rene L.
Bridge, William D.
Briggs, Edward S.
Brook, William N., Jr.
Brooker, George G.
Brooks, Francis E.
Broughton, William R., Jr.
Brown, Barry W.
Brown, Charles H.
Brown, Coleman "T", Jr.
Brown, George
Brown, James B.
Brown, Robert "C", Jr.
Brown, Woolsey S
Brown, Warren R.
Brownell, Stuart M.
Brozena, John M.
Brummitt, Gerald F.
Brunson, James S.
Bryan, William L.
Bryant, Paul G.
Bryant, Harry F., Jr.
Bublitz, Robert E.
Buck, Beaumont M.
Buckingham, Winfred L.
Buckmaster, Albert T.
Buechler, Robert G.
Bueg, Stanley H.
Bueler, Charles M.
Bulmer, Robert W.
Burch, Clarence V., Jr.
Burgess, William L., Jr.
Burgi, George E.
Burrows, Kenneth A.
Burton, James V.
Bushman, Herman J., Jr.
*Butler, Donald "D"
Butler, James D.
Butler, Dempsey, Jr.
Butler, Kenneth L.
Callaghan, William M., Jr.
Campbell, Donal H.
*Canady, France K.
Capone, Lucien, Jr.
*Carpenter, John G.
Carpenter, Earl C., Jr.
Carpenter, Ramon L.
Carpenter, James W.
Carr, Kenneth M.
Carraway, Bertram R.
Carroll, John H., Jr.
Carruth, David C.
Carter, Rodney B.
Carter, Charles C.
Cartwright, Billie J.
Carver, Edward S.
Case, Richard E.
Castle, Ernest C.
Castruccio, Nicholas A.
Cates, Charles W.
Cayce, Robert E.
Chalbeck, John A.
Chambers, Horace "B," Jr.
Chapman, Roger A.
Cheesman, Thomas P.
Chessman, Samuel R.
Chevalier, Edmond A.
Chew, Robert S., Jr.
Chewning, Milton J.
Childress, Michael L.
Chipman, William T., Jr.
Christie, Eugene R.
Clampet, James V.
Clark, Glenwood, Jr.
Clark, Robert S.
Clark, Wyndham S., Jr.
Clarke, Wade E.
Clarke, James C.
Clarke, Horace D., Jr.
Clarkson, Charlie J., Jr.
Clasen, Robert C.
Classen, Robert E.
Clauzel, Jean S.
Clay, Thomas C.
Claytor, Richard A.
Cobb, Warrington C.
Cobb, William B., Jr.
Colee, Cecil S.
Comstock, George F., Jr.
Conable, Jack H.
Congdon, Robert N.
Conklin, William F.
Conniff, William E., Jr.
Conolly, Robert C., II
Cook, Donald A.
Cook, Karl F.
Cook, Murray C.
Cooper, Stanley G.
*Cope, Harland B.
Cornell, Kenneth E.
Cornett, Francis E.
Counts, Stanley T.
Courtney, James S.
Cowden, Jack
Cox, Sidney S.
Craig, Donald E.
Crangle, Richard H.
Cranston, Julius B., Jr.
Crevier, Albert W.
Crow, Vernon L.
Crowell, Stewart P., Jr.
Crumpton, John R., Jr.
Cuddy, Thomas W.
Curtin, Theodore A.
Daniel, William A.
Danis, John F.
Darling, Richard B.
Dassler, Edward M.
Daum, Theodore E.
Davis, George H.
Davis, John M.
Davis, Thomas E.
Davis, William J.
Davis, Whittier G.
Day, Edward R., Jr.
Dearmond, Charles
Dearolph, David E.
DeJarnette, Hugh M.
DeMasters, John A.
Demyttenaere, Jules H.
Denham, John G.
Derrick, Arthur C.
Devonchik, Joseph M.
Dewenter, John R., Jr.
Dewey, William E.
Dewolf, William W.
Dietrich, Edward O.
Dillman, Louis W.
Dittmann, George W.
Dittmar, William D.
Dixon, John C., Jr.
Dixon, William J.
Dobbs, Lewis L.
Doby, William C.
Dodd, Henry H.
Doheny, John F.
Dombroski, Anthony
Donahoe, Norman K.
Donaldson, William I.
Donlon, John M.
Donovan, James A.
Dorenkamp, Kurt F.
Dorris, Claude E.
Dorsey, Laurens
Dotson, William C.
Douglass, Robert M.
Downing, Joseph H., Jr.
Draim, John E.
Dreyer, Royce C.
Dryer, Harold M.
Duck, John C.
Duddleston, Joseph D.
Dughi, James R.
*Dunbar, John P.
Dunbar, Norman L.
Duncan, Richard T., Jr.
Duncan, Robert D.
Dunn, Alex R., Jr.
Dunn, John C.
Duronio, Valerio "M"
Dyer, Gerald W.
Eareckson, Frederick L., Jr.
Earley, Walter M., Jr.
Eckersley Everett S.
Edixon, James R.
Edmundson, James E.
Egan, Henry W.
Ekelund, John J.
Ellis, Harry B.
Engel, Gordon R.
English, James F., Jr.
Enney, Kenneth E.
Ennis, Robert
Ent, Kenneth E.
Epps, Charles W.
Epps, Edward W.
Erb, Charles G.
Eustace, Robert J.
Evans, Delmar H., Jr.
Evans, William A.
Everling, Jack E.
Everngam, John L., Jr.
Farmer, Leo J.
Fasig, Richard D.
Fauks, Paul S.
Fellowes, Robert E.
Fenlon, Leslie K., Jr.
Ferguson, Robert E.
Field, Robert L.
Fine, Stanley S.
Finke, Eugene I.
Finlay, William A., Jr.
Fisher, William R., Jr.
Fitzgerald, Donald T.
Fleiner, Fred J.
Florence, George D.
Fogarty, Francis C.
Foltz, Robert L.
Forrest, Arthur B., Jr.
Fosnaught, Kenneth D.
Foster, Wynn F.
Foster, James R.
Foulds, Donald D.
Fowke, Benjamen B.
Fowler, Alfred N.
Foxgrover, James H.
Frainier, Albert J., Jr.
Franke, Fred A. W., Jr.
Fraser, William F.
Fritzke, Herman E., Jr.
Frost, Richard A.
Frothingham, Edward, Jr.
Fullinwider, Peter L.
Fusco, Arthur S.
Gabriel, Wallace S.
Galloway, Richard E.
Galyean, Loyd F.
Garner, James R.
Gartland, John P.
Geist, Alvin E.
Ghormley, Ralph M.
Gibbs, John D., Jr.
Gilbert, Wilmer R.
Gildow, William E.
Gillen, William V.
Gilmore, Frank C.
*Gliem, Philip C.
Godfrey, Joseph V.
Goewey, William I.
Golding, William M.
Goldman, Roy E.
Goodacre, Russell F., Jr.
Goodman, William F.
Goodsell, Norton H.
Gordon, John
Gracey, Jack L.
Grady, Morris R.
Graham, Horace E.
Graham, Warren C., Jr.
Grayson, Roy R.
Green, John W.
Green, James H.
Green, Richard
Greene, John L.
Greer, James C.
Gresham, Raymond W.
Grobmeier, Alvin H.
Groom, Waldo D.
Guerrieri, Louis M.
Guild, Michael B.
Gunckel, Davis L.
Gussow, Milton
Guthe, Douglas B.
Guthrie, William S.
Guyer, Robert A.
Hafner, George C.
Haley, James V.
Hall, Charles R.
Hall, Donal B.
Hall, Joseph F.
Hall, Preston D.
Hall, Robert W.
Hall, Robert
Hallman, Albert B.
Hamill, Jerome E.
Hamilton, Harold E.
Hamilton, Kennard R.
Hamilton, William H., Jr.
Hamlin, David R.
Hanby, Robert W., Jr.
*Hanley, Richard J.
Hanlon, Kevin
Hannum, Charles R.
*Hantzes, Savas
Hanus, Charles Z.
Hardenburg, Chester J., Jr.
Harding, Norton D., Jr..
Harker, Theodore R.
Harlan, Donald M.
Harlow, Robert J.
Harris, Robert C.
Harris, Wade H.
Hartman, Richard V.
Hary, Charles P., Jr.
Haskell, William C.
Hasler, Arthur R., Jr.
Hathaway, Charles E.
Hauber, Erwin E. J.
Hawe, Stanley R.
Hayes, Donald J.
Hayes, James "G"
Hayes, Kenneth E.
Helmer, Dale P.
Hemann, John W.
Hemmick, Milburn K.
Henderson, Donald
Hendrickson, Robert C., Jr.
Henning, Harvey S., Jr.
Henry, Albert G., Jr.
*Hess, Lawrence E., Jr.
Hibbard, Francis R.
Hibbs, Alvin S.
Hickey, Charles F.
Hill, Hughes
Hilton, Robert P.
Himelick, Ronald V.
Hines, Charles W.
Hoffman, Roy L.
Hofford, John L.
Hofto, Leslie C.
Hoganson, John H.
Holbrook, Jack G.
Holdren, Leland A.
Holgren, Marvin A.
Holz, John C.
Homan, Bertie G.
Hoover, Lloyd N.
Hopkins, Thomas M.
Horn, Kenneth A.
Hotes, John L.
Houchins, Lee S.
Howell, Joe P., Jr.
Hower, Floyd E., Jr.
Hughes, David L.
Hugus, Vern K.
Humphrey, John C.
Hunt, Harry E.
Hunter, Robert E., Jr.
Huntzinger, Robert E.
Hurt, David A., Jr.
Hynes, Roy T.
Iligen, Richard W.
Ince, Eugene S., Jr.
Jackson, Edward D., Jr.
Jackson, Frederick D., Jr.
Jacobs, Eldon A.
Jacobssen, George E., Jr.
James, John W.
James, Robert C.
Jansen, Alan L.
Jasmin, Robert L.
Jenista, James F., Jr.
Jenkins, Harry T., Jr.
Jenkins, Ralph A.
Jenks, Albert L., Jr.
Jenks, Shepherd M.
Jennings, William E.
*Jensen, John L., Jr.
Jepson, John A.
Jermstad, Ronald H.
Jesson, Charles F.
Jimmerson, Thomas J., Jr.
Johnson, Francis C.
Johnson, Henry B.
Johnson, Jack K.
Johnson, Neal J.
Johnson, Dallas D.
Johnstone, Robert B.
Jones, Francis N.
Jones, Gerald R.
Jones, Harry L.
Jones, Herman W.
Jones, Isaac F., Jr.
Jones, James B.
Jones, John W.
Josephson, John V.
Kanakanui, William A., Jr.
Karschnia, Paul T.
Kastner, Thomas M.
Katcher, Martin J.
Kauflin, James A.
Kay, Howard N.
*Kellam, Raymond O.
Keller, Harry S., Jr.
Keller, Jack E.
Kennedy, Robert W.
Kent, Theodore R.
Kent, William R.
Key, Harry N., Jr.
Kidd, John W.
Kilcline, Thomas J.
Kilduff, Thomas F., Jr.
Kile, Newton A.
Kincade, Richard W.
King, Robert R., Jr.
King, William C.
Kinnear, George E. R., II
Kint, John R.
Kirk, Gilbert J., Jr.
Kirkpatrick, Donald M.
Kissick, James W., Jr.
Klapka, Edward J.
Klause, Joseph E.
Klein, Peter F.
Klemm, Vernon P.
Klimetz, Robert "J" W.
Kline, Herbert S.
Klinefelter, John W.
Kling, George M.
Klinker, Francis J.
Knaebel, William E.
Kneale, James E.
Knoizen, Arthur K.
Knudsen, Harold F.
Koach, John H.
Komoroff, Robert A.
Koval, Francis P.
Kraus, Walter J.
Kreck, Victor G.
Kremidas, William S.
Krieger, Earl R.
Kriser, Louis
Krueger, Otto E.
Kruger, Robert J.
Lafferty, Frederick R., Jr.
Lalor, William G., Jr.
Lamb, Chris W.
Lamoreaux, Lewis S.
Landis, Arthur, Jr.
Lane, Charles M.
Laney, Edward V., Jr.
Langton, Charles H.
Larson, Norman O.
Laske, Robert M.
Law, Jason P.
Lawler, Paul D.
Lawler, Robert L., Jr.
Lawson, Robert F.
Lebert, William A.
Lechleiter, Mark B., Jr.
Lechner, Thomas F.
Lee, William W., Jr.
Lemieux, Norman
Lennox, Alexander, Jr.
Lesperance, Albert P.
Lewis, Richard E.
Leydon, Robert L.
Liles, James E.
Lilleboe, Monard L.
Linder, James B.
Lindsey, Wesley E., Jr.
Llewellyn, William E.

Lockey, Richard H.
Loheed, Hubert B.
Longino, Hugh E., Jr.
Loomis, Thomas A.
Loper, Ollie J.
Lorenz, Joseph D.
Lovata, Albert F.
Lowry, Charles H., Jr.
Luff, Charles A.
Luke, Preston
Luykx, John M.
Lyle, Robert B.
Lynch, William H.
Lynn, Doyle W.
MacDonald, Clinton D.
*MacElwee, John F.
Machell, Reginald M.
Madden, William E.
Magee, Jack E.
Maguire, Joseph W.
Mahaffey, Dick D.
Mahoney, Timothy R.
*Maier, Arthur R., Jr.
Majesky, John E.
Mallard, John B., Jr.
Mallinger, William D.
Malm, Frank S.
Maloney, Thomas E.
Mape, John C.
Markovits, George P.
Marr, Harold L.
Marsh, Marvin D.
Marshall, George W.
Marshall, Lee R.
Marshall, John E.
Martin, Robert J.
Martin, William L., III
Martin, Charles E.
Mashaw, Andrew J.
Mathis, Travis A.
Mayfield, Harley D.
Mayfield, Stanwix G., III
Mayo, Donald "H"
McAdams, Robert B.
McArthur, Kenneth V.
McBain, Robert D.
McCabe, Gerry M.
McCaig, James A.
McCallum, Elmer A., Jr.
McClary, William D.
McConeghy, John K., Jr.
McCord, John W.
McCoy, John C.
McCoy, Joseph C., Jr.
McCreight, Major I., III
McCue, William W.
McCullough, Carlos D.
McDonald, Jack H.
McDonald, Ewing R., Jr.
McDonald, Thomas E.
McFarland, Milton C.
McFarland, Ralph I.
McFarlane, William D., Jr.
McGihon, Robert S.
McGinnis, Thomas P.
McGrath, James J.
McKechnie, Russell R.
McLain, Roy W., Jr.
McLeod, Murdock M.
McLuckie, William "E"
McNabb, Joseph M.
McNamara, Thomas W.
McNulty, Gerald
McQuiston, Edward I., Jr.
McTammany, John A
McVoy, James L.
Meanix, William H., Jr.
*Meeker, Eugene B. W.
Meissner, Robert W.
Menkes, Murray
Mergl, Richard A.
Merrill, Warren H.
Mertz, Charles, III
Messenger, Frank, III
Messere, Edward J.
*Messier, Albert C.
Metcalf, John T., Jr.
Metzger, Robert P.
Meyrick, Charles W.
Middleton, John D.
Mikles, Arthur H.
Miles, Lee C.
Miller, Adair
Miller, Clifford L., Jr.
Miller, David B.
Miller, David W.
Miller, Dean W.
Miller, Edmund A.
Miller, Jurgen H.
Miller, Roger J.
Mitchell, William T., Jr.
Mixon, Cameron O., Jr.
Mohlenhoff, William
Mohrhardt, Robair F.
Mollison, Oliver S.
Montgomery, Paul A.
Moore, Charles P.
Moore, Donald E.
Moore, Randolph
Moore, Robert S.
Moore, Roderick B.
Moore, Sumner K.
Morel, Albert A., Jr.
Morey, Leonard, Jr.
Morgan, George E., Jr.
Morgan, Harry W., Jr.
Morgan, Joseph R.
Morin, James B.
Morris, Adrian B., Jr.
Morris, Charles W.
Morris, Daniel M.
Moss, Eugene C.
Moureau, Peter R.
Mozley, Paul H.
Mulcahy, John E.
Mumma, William L.
Munday, Donald F.
Murdoch, George D.
Murphy, William L.
Murphy, James F.
Murray, Eugene R.
Murray, James D., Jr.
Myatt, Paul J., Jr.
Myers, William A., III
Myrick, James E.
Nawoj, Henry J.
Neely, Guy M., Jr.
Neidhold, Carl D.
Neidlinger, Carl C.
Nellis, Donald P.
Nelson, Frank A.
Nelson, Leland E.
Nelson, Frederick L.
Nelson, Andrew G.
Nemer, Harold
Nettnin, Leonard H.
Newgard, Douglas L.
Newton, Phinehas S., Jr.
Nicholson, Robert H.
Nicholson, Richard E.
Nickerson, Richard H.
Noblet, Eugene J.
Noel, Lionel M.
Nolen, Dan R.
Norman, Robert D.
Norris, William J.
Notson, Raymond P.
Nottingham, Robert P.
Nugent, Thomas H., Jr.
Nystrom, Bruce A.
O'Connell, William R.
Oesterreicher, John A.
O'Keefe, Patrick G.
Olmstead, David W.
Olsen, Phil G.
Olsen, Robert C.
Olson, Lyle R.
O'Reilly, Charles C., Jr.
O'Rourke, John J.
Orr, William E.
Orrill, Johnny W.
Ortlieb, Edward J.
Otis, Burdett A., Jr.
Otth, Edward J., Jr.
Ousterhout, Dean T.
Outten, William E.
Overton, James B.
Owen, Leonard J.
Page, George L.
Page, James R.
Page, Louis C., Jr.
Painter, Joel R.
Palazzolo, Anthony L.
Parker, Harry M., Jr.
Patschke, Charles A.
Patton, James E.
Paul, Milton O.
Paulis, Joseph J., Jr.
Peck, Paul A.
Pedersen, John C.
Peksa, Charles F.
Pelton, Eugene A.
Perry, Donald W.
Peters, Charles H.
Peterson, Oren A.
Peterson, Richard J.
Petty, Joseph C.
Phillips, Edward
Phillips, Edward G.
Phillips, Ralph T.
Pickering, John H.
Pino, John A.
Place, William M.
Platon, Julian, Jr.
Poitras, Robert R.
Porter, Charles S.
Porter, Kenneth A.
Post, Harry J.
Poteet, Alonzo M., Jr.
Potter, Louis C.
Potter, William W.
Potts, Bobby L.
Potts, William H., Jr.
Pray, Robert E.
Previati, Louis J., Jr.
Prewett, Clarence L.
Prisley, John P.
Provost, Robert D.
Pstrak, Theodore W.
Purdy, Harlan R.
Quarg, William F.
Quasebarth, Edmund A., Jr.
Rader, Jack B.
Ralston, Wesley L.
Ramsey, Lee M.
Rann, George C.
Rawsthorne, Edgar A.
Raymer, Gordon E.
Read, William L.
Reavis, Jackson B.
Redel, Adrian T.
Redmon, William L.
Reh, Donald E.
Reichert, Herbert E.
Reid, Charles E., Jr.
Reiher, Eugene J.
Reilly, Thomas E., Jr.
*Resch, Earl F.
Richards, Homer K., Jr.
Richmond, John W., Jr.
Riedl, Harold A.
Rigsbee, John T.
Riley, Jack D.
Ripley, Robert K.
Ritter, Franklin O.
Rivers, Ernest E.
Roberts, Gerald G.
Roberts, James W.
Roberts, Liona R., Jr.
Roberts, Louis V.
Robertson, Keith H.
Robertson, David W.
Robins, Clarence O.
Rogers, Edmund D., Jr.
Rogers, Joseph P., Jr.
Rogers, Edward B., Jr.
Roman, Paul D.
Romley, Richard M.
Roney, James R.
Rose, Samuel J., Jr.
Ross, Donald S.
Rothrock, George B., Jr.
Rudd, Richard O.
Ruff, Ernest D., Jr.
Ruggiero, John
Russell, William H.
Russell, George E.
Russell, Maclyn K.
Rust, David
Saari, Aimo M.
Sain, Frank C.
Sallada, William F.
Sample, Wilbur H.
Sampson, Jesse E.
Sander, Richard E.
Sanders, Ernest D.
Sandon, Kenneth M.
Sangster, John B., Jr.
Sargent, John C.
Sawtelle, William J.
Scawthorn, Norman H.
Schaufelberger, Albert A., Jr.
Scheibner, Juergen G.
Schied, Charles F.
*Schleuning, Henry H., Jr.
Schlofman, Arthur S.
Schlosser, Frank F.
*Schlude, Francis L.
Schnorf, Richard A.
Schock, Robert E.
Schorz, Ernest H.
Schrauth, George M.
Schriefer, Walter A.
Schwan, Harold C.
Schwartz, Richard D.
Schwoeffermann, Robert E.
Scott, James H.
Scoville, Jack
Searson, Ruell A.
Seelye, Thomas T., Jr.
*Seligman, Irwin H.
Seligmiller, Herold L.
Schacklett, Harry E.
Shaffran, William "S"
Shapiro, Sumner
Sharp, William C.
Shaw, John D.
Shea, Lewis A., Jr.
Shealy, Oscar C., Jr.
Shelton, Benjamin A.
Shepherd, Burton H.
Sheppard, Bruce B.
Sherman, Frank E.
Shimmel, Albert F.
Shine, Eugene F., Jr.
Shoemaker, Frank J.
Shrewsbury, Richard M.
Shults, Lewis B.
Siergiej, Edward S.
Simmons, Joseph, Jr.
Simmons, Louis H.
Simon, Donald R.
Sims, Harvey K.
Sizemore, William G.
Skinner, William A.
Skinner, Glenn E., Jr.
Slusser, Richard C.
*Small, William N.
Smith, Alan Y.
Smith, Charles A.
Smith, Carl R., Jr.
Smith, Charles R., Jr.
Smith, Donald A.
Smith, David K.
Smith, Frank A.
Smith, Frederic W.
Smith, George F.
Smith, George E.
Smith, Gerald F.
Smith, Gordon H.
Smith, Harold F., Jr.
Smith, Homer L.
Smith, James H. B.
Smith, Philip C., Jr.
Smith, Paul E.
Smith, Ray E.
*Smith, Robert H.
Smith, Robert M.
Smith, Robert P.
Smith, Wayne D.
Somers, Robert W.
Somerville, William H.
Somme, Maurice L.
Sourbeer, Emory R., Jr.
Southworth, Harrison B.
Sparks, Donald E.
Spence, Benjamin E.
Spencer, Ralph G.
Sperling, Bertrand T.
Sproull, Harold H.
Stacy, Edward F.
Stammerjohn, Robert G.
Stanfill, Dennis C.
*Stansfield, Richard J.
Steer, George L.
*Steinberg, Philip
Stell, Joe D.
Stelloh, Reynold F., Jr.
Stephan, Charles R.
Stephenson, Claude M.
Stevenson, Norman M.
Stiegman, Daniel B.
Stiles, Charles L.
Stoddard, Clarence W., Jr.
Stohl, James R.
Storeide, Arthur J.
Stringfellow, Reid
Stromberg, Herman A., Jr.
Strong, Willard L.
Struyk, Richard
Sturm, Charles B.
Stuyvesant, William R.
Styer, Robert T.
Sullivan, Raymond P., Jr.
Sullivan, Robert G.
Summitt, Charles K.
Sumner, Donald A.
Sundberg, John P.
Swanson, Charles A. L.
Swanson, Charles O.
Swanson, Peter S.
*Swenson, Theodore R.
Swift, Douglas D.
Synhorst, Gerald E.
Tangeman, Stewart E.
Tarpenning, Duane A.
Taylor, Boone C.
Taylor, Robert L.
Taylor, Benjamin W.
*Teed, John
Terry, Harold L.
Tesch, Bernard, Jr.
Thayer, John H.
Thiele, Karl R.
Thiele, Malcolm H.
Thom, Philip H., Jr.
Thomas, Earle V.
Thomas, Harry E.
*Thompson, Robert M.
Thompson, Albert J.
Thomson, Alexander D.
Thomson, Richard G.
Tigner, Robert E.
Tillerson, William E.
Tipton, Harold F., Jr.
Tissot, Ernest E., Jr.
Tolbert, Robert R.
Townes, John W., Jr.
Townsend, Marland W., Jr.
Train, Harry D., II
Tripp, Paul R.
Truesdale, Francis E.
Vagianos, Nicholas J.
Varner, Eldon P., Jr.
Vayo, Myles P.
Venable, Jack D.
Venning, Elias, Jr.
Vogel, John C.
Vogt, Leonard F., Jr.
Wachtel, John H.
Wade, John A.
Wade, William F.
Walker, John R.
Walker, Charles M.
Waller, Edward C., III
Walston, William G.
Walters, Thomas J.
Walters, Robert L.
Ward, Glenn W.
Ward, "J" "D"
Ward, James F., II
Waring, Charles E., Jr.
*Warner, Virgil W.
Warren, Lawrence C.
Watkins, James D.
Watkins, Frank T., Jr.
Webber, James H.
Webster, Dean E.
*Weeks, Robert E.
Wegner, William
Weil, Albert J.
Wells, Frank P.
Wentworth, Thomas F., Jr.
Werner, David J.
White, Joseph P.
White, James A.
White, Robert C.
White, Walter A.
*Whited, Clarence E.
Whiteman, Frank D.
Whiteside, Richard E.
Whitmore, Charles A., Jr.
Wholey, Lloyd C.
Whyte, James D.
Wielki, Eugene J.
*Wilder, James D.
Willey, George H.
Williams, Stanley
Williams, Peter
Williams, Peter A.
Williams, James E.
Williams, Edwin E.
Williford, James R., III
Wilson, James C.
Wilson, James H.
Wilson, James J., Jr.
Wilson, Ralph E., Jr.
Wilson, Russell F.
*Wilson, Thomas B., Jr
Wilson, Thomas H.
Wirt, William O., Jr.
Wissler, John G.
Wold, John C.
Wolff, John M.
Wolford, Richard S.
Wood, Robert C.
Wood, Thomas B., Jr.
Wood, William H., III
Woodard, David J.
Woodbury, Kyle H.
Woods, Edwin E., Jr.
Woodworth, Charles M.
Wooten, William B.
Wooten, Guy G.
Wright, David L.
Wright, Walter J., Jr.
Wright, William W.
*Wurlitzer, Robert E.
Wurzbacher, Robert T.
Wynn, James H., III
Yates, Vern M.
Yedlicka, Karel E.
Yingling, Abdiel R., Jr.
Young, Randall W.
Youngblade, Charles J.
Yowell, Grover M.
Zagorski, Raymond E.
Zajichek, Robert A.
Zeier, Frederick
Zekan, Charles J.
Zeleznock, Louis J.
Zettel, Marcus A.
Zicht, Austin L.

The following-named women officers of the Navy for permanent promotion to the grade of commander in the line and supply corps as indicated, subject to qualification therefor as provided by law:

LINE

Kelleher, Marie B.
Lenihan, Rita
Stockert, Mabel M.
Houck, Mary C.

SUPPLY CORPS

Ford, Ellen

The following-named women officers of the Navy for permanent promotion to the grade of lieutenant commander in the line, subject to qualification therefor as provided by law:

Allen, Beverlee J.
Donnelly, Mary E.
Chrobak, Helen A.
Fox, Leona J.
Dobson, Barbara J.
Fralic, Jimmie R.

The following-named officer of the Medical Corps of the Navy for temporary promotion to the grade of lieutenant commander, subject to qualification therefor as provided by law:

*Hamilton, Warren W., Jr.

The following-named officers of the Navy for temporary promotion to the grade of lieutenant in the line and staff corps indicated, subject to qualification therefor as provided by law:

LINE

*Miller, Boyce N.
*Cagle, James B.

CHAPLAIN CORPS

*Clifford, William J.

The following-named line officers of the Navy for permanent promotion to the grade of lieutenant (junior grade), subject to qualification therefor as provided by law:

Honea, Milton D.
Jackson, Robert S.
Shows, Ned

The following-named officers of the Navy for permanent promotion to the grades indicated:

CAPTAINS, LINE

Adair, Jamie
Aho, Kauko A.
Albin, George W., Jr.
Alexander, Raymond W.
Allen, John H.
Anderson, Edward L.
Andrews, James G.
Arthur, Charles S., Jr.
Aurand, Evan P.
Baldridge, Elward F.
Ball, Daniel A.
Bartol, John A.
Beach, Edward L., Jr.
Bergman, Howard J.
Berthrong, Raymond
Beshany, Philip A.
Blackwood, Herbert B.
Bland, John T., III
Bogley, John A.
Bolam, Cecil A.
Bowers, John M.
Bowers, Richard H.
Boyd, Gideon M.
Boyd, James A.
Bretland, Robert B.
Bright, Cooper B.
Brown, Charles D.
Brown, John R.
Buaas, Marion H.
Bullard, George C.
Carde, Freeland H., Jr.
Chiles, Griffin
Church, Albert T., Jr.
Collum, William J., Jr.
Conrad, Edward E.
Coward, Asbury
Cutts, Robert E.
Dacey, John E.
Dalton, George F.
Davis, Jack C.
Davis, Nathaniel B., Jr.
DeCamp, Louis E.
dePoix, Vincent P.
Dierman, Frederick G.
Dolan, John W., Jr.
DuBois, Raymond F.
Dunford, James M.
Dwyer, Carl R.
Dybdal, Victor A.
Ela, Dennett K.
Eliot, Joe C.
Ellis, James F., Jr.
Eubanks, Leon S.
Fike, Irwin F.
Fitz-Patrick, Joseph P.
Fuller, Clark H., Jr.
Ganyard, Bricker McD.
Giffen, Robert C., Jr.
Glennon, William R.
Granstrom, Donald M.
Graves, Herbert S.
Haines, Preston B., Jr.
Hamlin, Harold S., Jr.
Harmon, Leonard E.
Haselton, Henry T.
Hasler, William A., Jr.
Hausman, John E.
Hayes, Vernon R.
Hedgecock, Russell H.
Heston, Grant S.
Hilton, John J., Jr.
Hoch, John E.
Hodgson, James T., Jr.
Holt, Charles H.
Hribar, Edward W.
Humphreys, George C.
Hunnicutt, William R., Jr.
Huron, Francis H.
Ingham, Thomas R.
Irvine, Robert K.
Jackson, Henry S.
Jarman, Edward B.
Jensen, Leo R.
Johnson, Arthur F.
Johnson, Charles R.
Johnson, Lauren E.
Johnson, Richard E.
Jones, Frank C.
Josephson, Alan R.
Kelly, Monroe, Jr.
Kercheval, Robert M.
Kipp, John M.
Kitch, William L.
Klein, Doyen
Kleiss, Norman J.
Knowles, Robert C.
Kreamer, Walter H.
Lauerman, Henry C.
Laughlin, William M., Jr.
Lavery, Richard J.
Leonard, John A.
Leonard, William N.
Levick, John H.
Leydon, John K.
Lovelace, Paul C.
Lowry, William McC.
Luby, Edward M.
Luther, Roger W.
MacDonald, Charles M.
Managhan, Robert R.
Mann, Stephen S., Jr.
Manown, Edward S.
Mansfield, Jack E.
Marks, James A.
Marsh, Richard M.
Mason, Harry C.
Mason, John D.
Masterson, James A.
McAllister, Joseph D.
McCrory, Woodrow W.
McDonald, Lucien B.
McEntire, Fred E., Jr.
McGivern, Charles F.
McNitt, Robert W.
Melvin, Clarence A.
Miller, Herman E.
Moore, Raymond A.
Morgan, Robert J.
Morrison, Charles H., Jr.
Moureau, Ralph H.
Mugg, Richard D.
Muse, George R.
Myers, John N.
Nelson, Nels R.
Norris, Charles R., Jr.
O'Brien, Leslie J., Jr.
Ogle, Elvin C.
Olsen, Albert R.
Paine, Roger W., Jr.
Palmer, James M.
Parker, Leonard A.
Payne, James R.
Pickett, Ben B.
Pierce, Edwin L.
Pugh, Douglas H.
Quense, John A.
Ramage, Donald B.
Raymer, Jackson H.
Reed, John W.
Reinhart, George R., III
Richardson, George F.
Rindskopf, Maurice H.
Robinson, Hugh M.
Robinson, Kenneth G.
Rock, Herman K.
Rogers, William K.
Salmon, Nelson D.
Schelling, Robert A.
Schultz, Paul G.
Schumacher, Vincent E.
Shirley, John B.
Shuman, Edwin A., Jr.
Smale, Gordon F.
Small, Walter L., Jr.
Smith, Bryan H., Jr.
Smith, Millard J.
Snider, George W.
Snow, Franklin C.
Soballe, Verner J.
Sonenshein, Nathan
Spears, William O., Jr.
Spencer, Frank A.
Stilwell, James J.
Stott, Harry B.
Suydam, Wendell W.
Sweeney, John R.
Trickey, Everett A.
Tucker, Joseph R.
Turnbaugh, Marshall E.
Vejtasa, Stanley W.
Walker, Thomas J., III
Waters, John M.
Wells, Heydon F.
Welte, Cecil R.
Wesche, Otis A.
Westbrook, Edwin M., Jr.
Weymouth, Ralph
Whiteside, George A.
Wicks, John E., Jr.
Wilkinson, Eugene P.
Woodfin, Richard H.
Woodhead, Edwin F.
Worthington, Robert K. R.
Yates, Edgar L.

CAPTAIN, MEDICAL CORPS

Dobos, Nicholas E.

CAPTAINS, SUPPLY CORPS

Appleby, Jack J.
Neel, Daniel O.
Ashler, Philip F.
Palmer, Charles F.
Fuller, Thomas
Schleef, Winston H.
Martin, Fowler W.
Sims, Marion D., Jr.
Morrison, William C., Jr.
Smith, Franklin D.

CAPTAINS, CHAPLAIN CORPS

Cook, Abner R.
Kelly, James W.

CAPTAINS, CIVIL ENGINEER CORPS

Beaman, James H.
Heaman, William McP.
Brown, Wallace M.
Dominy, John A.
Jefferson, Thomas
Enger, Walter M.
Johnson, Tom R.
Etter, James H., Jr.
Swiggum, George T.
Grohs, Conrad E.

CAPTAIN, DENTAL CORPS

Bonnette, Paul C.

CAPTAINS, MEDICAL SERVICE CORPS

Grinsted, Alan D.
Sullivan, Raymond R.
Taylor, Russell L.

COMMANDERS, LINE

Adkins, Aubyn L.
Aller, James C.
Albrecht, Edward M.
Alley, Justus N.
Anastasion, Steven N.
Miller, Donald A.
Anderson, Clyde B.
Mitchell, Forrest R.
Angelo, Raymond L.
Mitchell, John C.
Baney, Sidney N.
Mongogna, Joseph B.
Berg, Kenneth L.
Moore, Howard S.
Blackwell, William P.
Moore, Willard H.
Branchi, Titus
Moulton, Bernard W.
Briggs, Chester A.
Mueller, Gregg
Brown, William P.
Newlon, Arthur W.
Budding, William A. Jr.
Nichols, John L.
Oliver, James D., Jr.
Byrd, James R., Jr.
Pardee, William McK.
Callis, John L.
Pariseau, Joseph A.
Calvert, James F.
Peet, Raymond E.
Caparrelli, Moreno J.
Phelps, Richardson, Jr.
Case, Gerald F.
Colleran, Gerard F.
Rathbun, Leon H., Jr.
Coningham, Seward B.
Rawls, Julian E.
Cooper, Charles T., III
Regan, Robert F.
Cousins, Romolo
Reh, Frank J.
Cox, Albert W.
Rhodes, Thomas W.
Cox, Dale W., Jr.
Riblett, William R.
Daniel, John J. S.
Rice, Eugene J.
Detrick, Donald M.
Riddle, Meredith C.
Donaldson, James C., Jr.
Ryan, John W., Jr.
Sahaj, Joseph
Duborg, Robert W.
Sappington, Merrill H.
Durham, Hugh M.
Scales, Harrell H.
Emanski, John J., Jr.
Scherer, Lee R., Jr.
Erken Brack, Phillip F.
Scott, David A.
Facer, Gordon C.
Sell, Leslie H.
Fluitt, William S.
Sencenbaugh, Donald W.
Froscher, Clarence T.
Gaines, Robert Y.
Sestak, Joseph A.
Galvani, Amedeo H.
Shepherd, John T.
Gill, Ronald E.
Shor, Samuel W. W.
Goetter, Ralph F.
Shultz, John W., Jr.
Golden, William A., Jr.
Sibold, Arthur P., Jr.
Greer, Richard D., Jr.
Smith, Walter F.
Hagan, Joseph F.
Spencer, Howard J.
Haisten, Homer H., Jr.
Staley, David L., Jr.
Harnish, William M.
Stark, Robert E.
Helme, Charles F., Jr.
Stecher, Robert W.
Heselton, Leslie R., Jr.
Sterrett, David S.
Holmquist, Carl O.
Stewart, Charles M.
Hoover, George W.
Stimac, Naden F. J.
Howe, George B.
Stowers, William C.
Jarnagin, Roy B.
Strawhorn, Harold
Jennings, Pender L., Jr.
Strayer, Louis M.
Struble, Arthur D., Jr.
Killingsworth, Samuel B.
Symons, Floyd M.
Templeton, Orion A.
Kuntze, Archie C.
Thomas, Sylvester A.
Lacy, Paul L., Jr.
Thorne, Fred H.
Lammi, Weikko S.
Toohey, William P.
Lang, Harold F.
Turner, Humphrey L.
Laurie, Robert G.
Tuttle, Louis K., Jr.
Leavitt, Guy C.
Vescovi, Americo J.
Leehey, Patrick
Volonte, Joseph E.
Lobdell, John H.
Watson, Richard
Lovington, Joseph A.
Wharton, Claude A., Jr.
Madson, Richard O.
White, Richard S., III
Marvel, Robert
Woodson, Halford
Mayer, Nicolas J.
Young, Felix G., Jr.
McClellan, Thomas R.
Zoeller, Robert J.
Meyer, Edgar R.
Zumwalt, Elmo R., Jr.

COMMANDERS, SUPPLY CORPS

Daniels, Royce L.
Tolleson, Carlos L.
Link, Milton A.
Tolson, Walter W.
Morton, Emery L.
Warden, John L.
Peach, William T., III

COMMANDERS, CIVIL ENGINEER CORPS

Davis, Wendell G.
Laughlin, Richard A.
Pickett, Bryan S.

COMMANDER, DENTAL CORPS

Bancroft, John A., Jr

COMMANDERS, MEDICAL SERVICE CORPS

Austin, Paul L.
Luckie, Robert G.
Chartier, Armand P.
Maddox, Edgar J.
Combs, Harry W., Jr.
Mann, Charles F.
Dreitlein, William M.
Quigley, Charles V.
Elsasser, Leo J.
Roepke, Fred C.
Haase, Edward F.
Sant, John
Hibdon, Lawrence E.
Tidwell, Herman B.
Isert, Lawrence L.
Westbrook, Francis L.
Kelzur, Marques E., Jr.
Witcofski, Louie K.

LIEUTENANT COMMANDERS, LINE

Adams, Fred I.
Adams, Robert E.
Albright, Edward H.
Aloisio, Veto
Anderson, Paul A.
Anderson, Ralph L.
Armstrong, Sam "T", Jr.
Arseneault, Arthur J., Jr.
Arthur, Russell L.
Atkins, Waldo A.
Austin, Kenneth B.
Baker, George "E"
Bally, Walter L., Jr.
Barnes, William F.
Barr, Fred
Beaman, John H.
Bell, Vernon V.
Bennett, Edgar T.
Berude, John B.
Bilkey, John H.
Black, Arthur C.
Blancheri, Douglas I.
Blaschka, Edward X.
Blaylock, Mabry, Jr.
Boerner, Richard J.
Bollenbacher, Robert M.
Bond, David L., Jr.
Boston, Leadore G.
Boucree, James J.
Bowen, John F.
Brown, Fred W., Jr.
Buck, Clarence C., Jr.
Butler, Donald D.
Butler, William S.
Cadenas, Ernest M. M.
Carlenzoli, Henry
Carpenter, Charles R.
Carter, Kenneth
Childress, Howard W.
Collins, Henry D. M.
Condor, Bernard
Cook, Herbert B.
Corlew, Jewell G., Jr.
Corner, Sheldon L.
Coset, Albert W.
Crofoot, Arthur E.
Cross, Richard E.
Dalland, Carl A.
Dampier, Claude W.
Darrow, Charles B.
Dauer, Frank H.
Davidson, Carl W.
Davis, Carl M.
Davis, Jack E.
Davis, William D., Jr.
DeGroff, Armand L.
Denkler, William A.
DeTamble, Paul A., Jr.
DeVore, Ralph "E", Jr.
Dillingham, James R.
Dombroski, Anthony
Edmunds, Francis E.
Egly, Donald D.
Evans, Kenneth J.
Evans, William A.
Farrell, Charles S.
Farrell, Rollo L., Jr.
Fisher, Robert E.
Fisher, Willis M.
Francis, Leverett M.
Gallivan, James J.
Gates, James L.
Gehringer, Edmund W., Jr.
Gensert, John R.
Gliem, Philip C.
Glore, William G.
Glover, Theodore H.
Godfrey, Earl F.
Goodwin, Thomas P.
Gossman, Thomas J.
Graham, Frank W.
Gransee, Wallace G.
Green, Richard
Grill, Robert W.
Groom, Waldo D.
Hadaway, Donald L.
Hagedorn, Robert "L"
Hallman, Robert E.
Hamilton, Billie C.
Harper, William J.
Harrison, Leo W.
Harvey, James H., Jr.
Haugh, Edward McK.
Hawley, Maurice V.
Hayes, James P.
Hinman, Charles R.
Hixon, Beryl R.
Hoffman, Roy L.
Holschuh, Howard W.
Hornsby, Henry C.
Hosier, Ray S., Jr.
Houck, Richard
Huddleston, Don R.
Huddleston, Woodrow
Hudson, William H., Jr.
Huff, Ralph E.
Ingels, Roland T., Jr.
Ingrassia, Robert P.
Irwin, Edward F.
Jelesnansky, Robert G.
Jobe, James K.
Kalas, Anthony S., Jr.
Karlsven, George J.
Kauth, John L., Jr.
Kerr, John W.
Kerstein, George E.
King, Patrick J.
Klemawesch, James
Klindworth, Carl H.
Knickel, Elwyn R.
Konzen, Joseph J.
Lake, Robert H.
Lammers, Lorin R.
Landrum, Joe R.
LaPlante, Bernard R.
Laser, Perry A.
Laubach, Luther W. S.
Laughton, Robert J.
Lea, Malcomb A.
Lee, Donald E.
LeFevre, Adolphe C.
Leib, Frederick L.
Leland, Harley G.
Lemert, Russell C.
Lennox, Alexander, Jr.
Ley, Gerald M.
Licko, Richard J.
Liles, Percy L.
Logan, Robert T.
Luka, Earl
Lulu, Michael T.
Madson, Rae P.
Manhart, Raymond J.
Mann, Marion E.
Mansfield, Samuel K.
Matherson, George P.
Mathis, Travis A.
McBain, Robert D.
McClintock, Michael
McCullough, William F.
McDonald, Joseph F.
McLean, William O.
McVicker, Robert J.
Meeker, Eugene B. W.
Mercer, Ellsworth O.
Meredith, Carl E.
Merrick, John L.
Mershon, William R.
Messier, Albert C.
Miller, Harvey W.
Miller, Orville H.
Moody, Frank G.
Morgan, Theodore P.
Morris, Roland L.
Murphey, Samuel B.
Nash, Donald E.
Neilson, Thomas L.
Neiman, Jack, Jr.
Newman, Augustus, Jr.
Nichols, Ramon B., Jr.
Novak, Jerome C.
Nutt, Thomas A., Jr.
Pauls, Robert H.
Penick, Robert E., Jr.
Phillips, Edward G.
Phillips, William R.
Pino, John A.
Potts, William H., Jr.
Prouhet, Clement R.
Purinton, David F.
Quinn, Harry T., Jr.
Radcliffe, Robert J.
Ragon, George T.
Rapacz, Edwardus
Ray, Glenn E.
Ray, Russell J.
Rayburn, Lawrence M.
Recknor, Marvin W.
Renaldi, Richard R.
Ricinak, Michael D.
Risch, Harry, Jr.
Robinson, David G.
Rockoff, Herbert R.
Rogers, Bernard L.
Rooney, George M.
Ross, John W.
Rule, John D.
Rumburg, William H., Jr.
Rust, Dorvan T.
Samuels, Bernard L.
Sandidge, Falvey McK., Jr.
Scambos, Thomas T.
Schlude, Francis L.
Sheppard, William L.
Shults, Lewis B.
Smith, George E.
Smith, George H.
Smith, Robert H.
Snyder, James G.
Sommer, Charles A.
Spahr, Herman G.
Spargo, James
Squire, Wade R.
Stamps, Bernice G.
Stecker, John P
Stephens, Charles H.
Stieler, Norris O.
Stirnweiss, Andrew P., Jr.
Sullivan, Harry F.
Tastsides, George T.
Tate, James D.
Taylor, Martin E.
Thomas, Clarence E.
Thomas, Warren J.
Tierney, Glenn A.
Tollefson, Leif
Toole, Warren K.
Turner, Thomas J.
Uncles, John F.
Via, Hubert L.
Vining, Pierre H.
Viscardi, Peter W.
Walery, Kenneth F.
Walker, William O.
Walkup, William E.
Warner, Virgil W.
Warton, David
Waters, Willard H.
Webb, Charles W.
Weidig, Donald H.
Wells, Lionel E.
Werdelman, Egon H.
Werner, Paul F.
West, Raymond W.
Westcott, Malvern P., Jr.
Wheless, John C.
White, Jackson
Wiggins, Thomas E.
Wikenheiser, Frank J.
Wilcox, Charles L.
Wilkes, Gaylen L.
Willis, Avery L.
Wilmarth, Eugene M.
Wilson, George
Windley, Alonzo R.
Winter, Homer A.
Wise, John H.
Wondergem, John M.
Worrall, Alton H., Jr.
Zenner, Harold J.
Zseltvay, Robert R.

LIEUTENANT COMMANDERS, MEDICAL CORPS

Bernard, Donald P.
Johnson, Burt C.
Lonergan, Walter M.
Trummer, Max J.

LIEUTENANT COMMANDERS, SUPPLY CORPS

Anderson, Clayton L.
Austin, Charles B.
Balcom, Vaughn O.
Batterson, Robert E.
Beckham, John J.
Burns, Hugh F. J.
Caldwell, William F.
Duncan, Henry C.
Fernas, William M., Jr.
Grinstead, Eugene A., Jr.
Gudgeon, Albert G.
Howell, Jesse E.
Larson, Phillip D.
Lillis, James F.
Matson, George L.
O'Loughlin, Richard C.
Seltzer, George S., Jr.
Swart, Philip
Wagner, Paul F.
Yearick, William A.
Zielinski, William E.

LIEUTENANT COMMANDERS, CHAPLAIN CORPS

Capers, Keene H.
McMillan, Robert C.
Snelbaker, James K.

LIEUTENANT COMMANDERS, CIVIL ENGINEER CORPS

Abbott, Allen W.
Julian, James B.
Mitter, Wayne S.
Padden, Thomas J., Jr.
Rogers, William R.

LIEUTENANT COMMANDERS, DENTAL CORPS

Chap, Bernard
Didion, Robert W.
Englander, Harold R.
Lynch, James P.

LIEUTENANT COMMANDERS, MEDICAL SERVICE CORPS

Anderson, William F.
Baker, David H.
Bennett, Paul B.
Bonnell, Theodore V.
Bruce, Frank A.
Essman, Frederick B.
Mayberry, Frank L.
Pedersen, Arthur S.
Phillippi, Fred E.
Rogers, Arthur L.
Thompson, Charles R.
Wade, Daryle A.

LIEUTENANTS, LINE

Abbott, William B., III
Ackerman, Richard F.
Adair, Frederick S.
Adams, George J., Jr.
Alexander, Marvin G.
Alexich, Milton P.
Allen, Douglas A.
Allen, Richard C.
Allen, Robert J.
Altwegg, David M.
Alvis, John G.
Amor, Raymond C.
Anderson, Alden B.
Anderson, Paul L.
Anderson, Robert J.
Andrews, Charles E., III
Andrews, Leon L.
Anthony, David J.
Argiro, Vincent J.
Armstrong, Edward M.
Ashley, William H.
Ashman, Lee E.
Atherton, Robert F.
Avallone, Eugene M.
Averyt, Howell D.
Ayres, James H.
Backman, Fred M.
Badgett, John J.
Bahm, John J.
Bailey, Kenneth R., Jr.
Baillie, Richard H.
Balchunas, Robert C.
Baldridge, Louis D., Jr.
Ball, Millard C.
Bandurraga, Thomas, Jr.
Bariteau, Frederick J.
Barker, Merle M.
Barnett, Gerald P.
Barrett, Gardner S.
Barrett, Roy F.
Barron, William T.
Barrow, Robert W.
Batten, Charles G.
Beavers, Roy L., Jr.
Beecher, John D.
Bender, Leslie C., Jr.
Benton, Hugh A.
Berg, Richard C.
Berndt, Donald J.
Berry, George H., Jr.
Bethke, Earl E., Jr.
Biedenweg, Frederick M.
Bingham, Thomas, Jr.
Bird, Charles S.
Bixby, Harry L., Jr.
Blackadar, Paul F.
Blades, Lawrence T.
Blair, Closkey, L., Jr.
Blake, Harry R., Jr.
Blanding, Robert L.
Boles, Lee R.
Boles, Richard L.
Bos, Roger C.
Boschen, Henry C., Jr.
Bosse, Joseph H., Jr.
Bouknight, Foy H.
Boult, Richard D., Jr.
Bouvette, Albert J.
Bova, Robert J.
Boyle, Richard J.
Brackett, Gerald F.
Bradford, Gerald R.
Bradshaw, Brice L.
Brandel, William J., Jr.
Bress, Allyn
Bridge, Daniel T.
Bridgham, Russell B.
Brooks, Walter A.
Brown, Charles H.
Brown, George W. M.
Brown, Gideon L., Jr.
Brown, Robert L.
Bryla, Dominic A.
Buchanan, James W.
Buck, Donald D.
Buckholts, Walter H., Jr.
Bucklin, Jerald W.
Bunyan, Lawrence P.
Burkemper, Raymond G.
Burkhart, Paul C.
Burnett, John H.
Butler, Charles A.
Cagney, Thomas P.
Califf, Toxey H.
Callan, John F.
Campbell, Ronald A.
Carlisle, David R.
Carlson, Howard L.
Carter, Richard L.
Carter, Tandy W.
Case, George P., Jr.
Case, Richard W.
Cassani, Henry L.
Cassidy, Joseph B., Jr.
Caudill, William E.
Caulk, Robert F.
Cave, John G.
Cecil, Durward C.
Chadwick, John R.
Chambers, Lawrence C.
Chandler, Albert N., Jr.
Chandler, Albert L.
Charbonneau, George L.
Chasse, Robert L.
Cheatham, Augustus B.
Chereskin, Howard
Cherrier, Herbert A.
Chesebrough, Richard
Chesky, James A.
Chinn, Clarence E.
Chisum, Oscar C.
Chittenden, Richard M.
Christie, Francis J.
Clare, James S.
Clark, Robert T.
Clarke, Robert R.
Clermont, William J., Jr.
Cobb, Virgil W.
Cochrane, James H.
Cody, William A.
Coffman, Charles L.
Coiner, John A.
Cole, William F., Jr.
Collier, John H.
Collins, Frank C., Jr.
Collins, Harold E.
Combs, Robert E.
Connally, Robert F., III
Connell, Lewis E.
Connelly, Robert B.
Connors, Eugene T.
Conrey, James R.
Cooke, Robert A.
Corbett, William J., III
Corley, James W.
Cornwell, James W.
Corsepius, Everett D.
Coski, Bernard J.
Costigan, Robert A.
Cotten, Thomas R., Jr.
Councell, Thomas S.
Crawford, Francis, Jr.
Cretsinger, Wilbur B.
Cross, Douglas E.
Cross, William F.
Culpepper, William R.
Cunningham, Alan R.
Cush, Casimo J.
Cywin, Lawrence
Dallaire, Richard P.
DalPian, Joseph H.
Danell, Paul W.
Dapogny, Robert J.
DaRodda, Aldo J.
Darrell, Charles G.
Darwin, William C.
Davis, Paul H., Jr.
Davis, William B.
Dawley, John W.
Deaton, Paul
DeMun, Taylor K.
Denbigh, Robert S., Jr.
Desjardin, John W.
DeView, Joseph R.
DeWispelaere, Earl L.
Dietz, Richard C.

Dimmick, David K.
Dion, Laurent N.
Dodd, Charles A.
Doggett, William K.
Dolan, John F.
Dorn, Gerald W.
D'Orso, James N.
Drews, Sheldon
Dumont, Sidney F., Jr.
Dunn, Joseph F.
Dussault, Robert F.
Dyer, George T., Jr.
Dykers, Thomas M., Jr.
Eakle, Burke E.
Eastman, Alfred C., III
Ebbert, Edwin L.
Echols, Kenneth W.
Ecklund, Hugo L., Jr.
Edmunds, Philips H.
Eggert, Lowell F.
Ekman, Roger E.
Elder, James C.
Eller, Richard L.
Elliott, Charles L.
Elliott, Jack "B"
Engel, Richard E.
Engquist, Gordon W.
Enos, Ralph L.
Eshman, John R.
Evans, LaVerne E.
Ewy, Howard W.
Faessel, Matthew W.
Fakoury, Ernest P.
Farley, James W.
Farrell, Joseph A., III
Farren, Merritt C.
Farris, George K.
Fay, Edward S.
Federico, Charles D.
Feely, Robert J.
Felton, Kenneth D.
Fink, Edward R.
Finn, Gerard P., Jr.
Fitts, Jean M.
Fitzpatrick, William A.
Fleeman, Frederick M.
Fleming, Charles C., III
Flitter, Wallace F.
Fogarty, Michael J.
Ford, James M., Jr.
Ford, Leon E., Jr.
Foster, John F.
Fox, Raymond G.
Foy, Edward W.
Franklin, Billy D.
Fruchterman, Richard L., Jr.
Gair, Bruce O.
Garcia, Jaime
Gardner, Howard W.
Gardner, John E., Jr.
Garland, Daniel H.
Gates, Harold R., Jr.
Gatje, George C.
Gauthier, John O.
Gehres, Francis C.
Gent, Clifton G.
Gibbins, Gareth W.
Gibbons, Paul C., Jr.
Gillan, Martin J., III
Gillcrist, Paul T.
Glancy, Thomas J., Jr.
Gleason, Richard E.
Gnadt, Fredric
Goetschius, Forrest D.
Goodwin, Bruce G.
Gordon, David E.
Graham, Bruce H.
Grammer, Frederick E., Jr.
Grant, Richard T.
Grappi, Robert L.
Gray, Gene P.
Gray, Harvey, Jr.
Gray, James H.
Gray, Walter S., III
Green, William C.
Greenleaf, Wilbur E.
Greff, Clarence H., Jr.
Griffin, Jack E.
Groehn, Gerhard C.
Gross, Donald E.
Grosshuesch, David K.
Gumser, Dale L.
Gurney, Charles E., III
Haack, Donald E.
Hackett, Robert A.
Hagensick, William H.
Hahnert, William F., Jr.
Haigh, Alfred D., Jr.
Haight, Gardiner M.
Hale, William T.
Halff, John F.
Hall, Thomas D.
Hallaron, John D.
Halton, Joseph H.
Hansen, Ronald R.
Hansen, Whitney
Harbick, Donald L.
Hardesty, John F.
Hardisty, Huntington
Harp, Robert M.
Harper, Roger W.
Harris, Jack R.
Harrison, James H., Jr.
Harsh, Loinel R.
Hart, Richard L.
Hartnett, Bernard E., Jr.
Hatcher, George M.
Havel, Edward F.
Hawkins, Phil "R"
Hayes, Morris L.
Hedges, Ralph R.
Heenan, Richard D.
Heffernam, George A.
Helgerson, Warren A.
Helland, Gerald H.
Helme, Charles R.
Henrikson, Theodore P.
Hess, Adolph W., Jr.
Hey, George B.
Hicks, Harold F., Jr.
Hicks, John W.
Hicks, Lawrence F.
Higgins, Clinton K., Jr.
Hinkley, Harold L.
Hipple, William J.
Hoffman, Merle L.
Hollandsworth, Roy M.
Hollick, Frederick B.
Holmberg, Lennart G.
Holt, Neil G.
Hopper, Richard S.
Horne, Charles F., III
Hughes, James R.
Hughes, Wayne P., Jr.
Hull, George T.
Hunter, Thomas H., Jr.
Hurlbut, Francis D., Jr.
Ilsemann, Frederick J., Jr.
Ingley, Edmund W.
Inman, Bobby R.
Irlandi, Santo A.
Jaburg, Conrad J.
Jackson, Dempster McK.
Jackson, Thomas L.
Jacob, Robert E.
Jameson, Henry C., Jr.
Jayne, Gordon H.
Jenkins, Robert N.
Jewell, Thomas A.
Johansen, Wayne A.
Johnson, Dale W.
Johnson, Donald L.
Johnson, Donald M.
Johnson, Frederick C.
Johnson, Guy D.
Johnson, Philip E.
Johnston, Maurice M., Jr.
Jones, John E.
Jones, Richard H.
Josephson, Henning C.
Kaczmarek, Carl C.
Kalakowski, Joseph E.
Karvala, Curtis A.
Keane, James P.
Kearns, James T.
Kebschull, Herbert W.
Kelley, Byron C.
Kelley, Frederick W.
Kelln, Albert L.
Kelsey, Robert L.
Kemble, Richard E.
Kennedy, Robert C.
Kennedy, Ronald W.
Kershaw, Daniel J.
Kidd, William S.
Kiehler, Frederick W.
King, Charles W.
Kinnebrew, Thomas R.
Kirby, Albert D.
Kirschke, Ernest J.
Kniely, Joseph L.
Knopp, William A.
Knutson, Wilbert D.
Koehler, Walter C., Jr.
Koehne, Richard J.
Kollman, Glenn E.
Kosmela, Walter T.
Kovarick, Frank L.
Kraft, Frederick W.
Kraft, LeRoy M.
Kuehner, Karl E.
Kully, Sheldon D.
Kuncas, John W.
Kunze, Martin W.
Lackey, Harry A., II
Lacy, Joe R.
Lancaster, Robert W.
Larkins, Burton J.
Larsen, Richard L.
Layman, Lawrence
Leftwich, James McD.
Lenox, Glen W.
Lester, Louis R., Jr.
Leverone, Robert M.
Lewis, James T.
Lighter, Elbert D.
Lindgren, Paul W.
Lloyd, Frank B.
Loberger, James C.
Locke, Walter M.
Lockwood, Forrest P.
Loggan, Wilfred J.
Logner, Robert L.
Loposer, Avery K., Jr.
Lossing, Fay A., Jr.
Louchheim, William S., Jr.
Loucks, John C.
Lovell, James A., Jr.
Lovvorn, John D.
Luckett, Thomas W.
Ludwick, Louis L.
Lumsden, Richard E.
Lunt, Vernon S.
MacDonald, William P.
MacKercher, John C.
MacPherson, John J.
Madigan, James A.
Maggay, Isidoro, Jr.
Mains, Homer O., Jr.
Manara, Vincent J., Jr.
Mandley, Wilfred J., Jr.
Manfredi, John P.
Mann, Robert E.
Manring, Charles D.
Marbott, Henry W.
Marsh, Lee S.
Marshall, Samuel R.
Martin, Clyde D., Jr.
Martin, Tyrone G.
Martin, William R.
Massimi, Robert F.
Matherson, Richard
Mathis, Thomas R.
Mau, George W., Jr.
Maveety, Patrick J.
McBain, Robert F.
McBride, Frank W., Jr.
McCollum, Arthur H., Jr.
McCune, Joe D.
McCutcheon, Edwin L.
McDaniel, Clarence L.
McDonald, Clyde D.
McDonald, Robert P.
McFadden, Albert J., Jr.
McGaughy, Richard W.
McIntyre, John J.
McKee, Robert X.
McLaughlin, Dean N.
McLeod, Kenneth M.
McMillan, Louis K., Jr.
McNeely, James S.
McQueen, Donald L.
McWey, Russell B.
Meacham, James A.
Mead, Theodore E.
Meadows, Okey I.
Meardon, Louis F.
Meeks, Thomas L.
Meltzer, Melvin
Merrill, Forest "J"
Merritt, William E., III
Meserve, Charles L.
Messina, Sylvester C.
Metcalf, Louis E., Jr.
Michaels, Robert J.
Milius, Paul L.
Miller, James L.
Miller, Kenneth R.
Miller, Phillip
Mischke, Gayland J.
Mitchell, John R. C.
Mitchell, Leland G.
Monroe Charles H., Jr.
Montanaro, Luciano P.
Montgomery, Stephen C.
Moody, Thomas J.
Moore, Arthur H.
Moore, Charles J.
Moore, Ernest M., Jr.
Moore, Robert S.
Moore, Tommy C.
Moore, Virgil W., Jr.
Morris, Henry C., Jr.
Morris, Robert E.
Morrison, Royden U.
Morrow, George F.
Mounce, Claude E.
Mountford, Edward J.
Mullane, Thomas F.
Muncy, William E.
Murphy, Douglas C.
Murphy, Ray D.
Myers, Carroll E.
Myers, William S.
Naugle, James O.
Nelson, Frank C., Jr.
Nelson, Jack H.
Nesky, Anthony, Jr.
Newsome, James W.
Newton, Howard J., Jr.
Newton, Robert B.
Nolan, Joseph D.
Norman, Thomas V., Jr.
Norton, Earl W.
Norton, Richard J.
Nunneley, James K.
O'Brien, Austin C., Jr.
O'Brien, Jerome L.
O'Brien, Leo F.
O'Connell, John F.
O'Connell, James M.
O'Connor, Dennis E. W.
O'Connor, John E.
Oder, Howard W.
Odman, William A.
O'Donnell, John W.
Ogden, Howard "A", Jr.
Ohan, Harry
Oldham, Albert W.
O'Leary, William E.
Olson, James W.
Olson, Thane N.
Organ, James W.
Orrik, Frederick J., Jr.
Orvis, Peter H.
Orzalli, John B.
Pacl, Lawrence J.
Palatini, Glenn L.
Pankratz, Carl J.
Parkhurst, David C.
Parrish, Donald E.
Pattee, Richard S.
Patterson, James R.
Paul, Raymond E.
Paul, Robert F.
Payne, Douglas W.
Pearce, Earl H.
Pearson, Charles T., Jr.
Pearson, John F., Jr.
Peelle, Morris A.
Penney, William R.
Pennypacker, William S.
Pentony, John F.
Peters, Paul F.
Peterson, Marvin A.
Petherick, George L.
Phibbs, Kenneth W.
Phillips, Lawrence E.
Phillips, Robert A.
Pierce, Ray E.
Pierce, William H., Jr.
Pilon, Jerome R.
Ping, Vernon "S", Jr.
Pinkerton, Roy "T"
Piper, Harold L.
Pirrone, Anthony P.
Plow, Arthur E.
Polatty, Donald B.
Pollak, Charles D.
Pollak, Morris
Post, Robert E., Jr.
Potts, Raymond A.
Pouls, Michael C., Jr.
Powell, John J.
Powell, William V.
Powers, Trent R.
Preble, Russell A., Jr.
Prezioso, Ronald
Prisby, Donald E.
Prosser, Walter R.
Quin, Clayton W.
Quinn, Robert T.
Rabun, Floyd K.
Rafalowski, Joseph W., Jr.
Rainville, Duane D.
Ramsey, David G.
Randall, Thomas R.
Randolph, Joseph L.
Rankin, George M., Jr.
Rapkin, Jerome
Rawlins, John S.
Raynes, Robert R.
Rea, Maurice W.
Redifer Andrew P., III
Reed, Richard W.
Reed, William H.
Reeder, Ralph J.
Reeks, Richard W.
Reep, Harlan E.
Renicky, Donald D.
Rhodes, Francis E., Jr.
Ricardo, Benny J.
Rice, James O.
Richard, Jackson B.
Richards, William D.
Richards, William C.
Richter, Paul E.
Ricks, Robert R.
Ries, Allen L.
Riley, Tad T.
Riordan, Edward J.
Ritchey, Donald D.
Rivers, Wendell B.
Roane, Donald P.
Roberton, James L.
Roberts, Charles T.
Roberts, John A.
Roberts, William E., Jr.
Roberts, William E.
Robinson, Donald W.
Roby, Grady H.
Rochford, John M.
Rockett, John S.
Rodda, John D.
Rodgers, Frederick A.
Rollins, James "J"
Rossoe, John W. F.
Rowden, William H.
Rowland, James C.
Rueff, Eugene C.
Sagerholm, James A.
Saunders, William H., III
Sayers, Robert M., Jr.
Scalese, Anthony C., Jr.
Scarafone, Ronald
Schaer, Oscar
Scheidler, Willard E.
Schluter, Hugo E.
Schonenberg, Hans P.
Schroder, Austin R.
Schulze, Robert H.
Schurr, Thomas P.
Scott, John H., Jr.
Searfus, William H.
Seeger, Charles E.
Seibert, Clinton S.
Selby, Donald E.
Seljos, Lloyd T.
Service, James E.
Settiff, Jerry K.
Shafer, Lawrence
Shaffer, George W.
Sheehan, William F., Jr.
Sheldon, Robert E.
Shellman, Curtis B., Jr.
Sherar, Robert C.
Sherman, Lee H.
Shillinger, George L., Jr.
Sibert, George C.
Sierer, Payson D., Jr.
Sigsworth, David E.
Simon, Philip C.
Simons, Donald W.
Sims, Gelzer L., Jr.
Skyrud, Jerome P.
Smith, Carol C., Jr.
Smith, Clifford R.
Smith, Gilbert E.
Smith, Howard W.
Smith, Hugh T.
Smith, James R.
Smith, John V.
Smith, Kenneth G.
Smith, Ordell
Smith, Paul D.
Smith, Richard C.
Smith, St. Clair
Snyder, Herbert J. V.
Snyder, James M.
Solterer, Carl F.
Sowinski, Stanislaus J.
Span, William F.
Speer, Richard T.
Sperling, David J.
Sprunk, William, Jr.
Squires, Walter G., Jr.
Stadelaofer, Robert R.
Stalder, Roy F., Jr.
Stanch, Harmon E. J.
Stangl, Richard J.
Staple, David F.
Steckbeck, Francis J.
Stein, Norman F.
Stevens, Ralph H.
Stewart, Gene R.
Stine, Leon L., Jr.
Stinner, Robert J.
Stocklmeir, Dean
Stout, Edward N.
Stovall, Walter W.

Straney, Charles N.
Strockbine, Richard E.
Strunk, Arthur A.
Stubbs, Robert C.
Sugg, Ross E.
Sullivan, Alfred B.
Sullivan, Edward T.
Sullivan, Francis L.
Sullivan, James J.
Sullivan, Robert H.
Summerfield, Edward R.
Summers, Howard P.
Sumser, Raymond J.
Sutherlin, Benjamin T. W.
Sylvester, Gerald D.
Talkin, Philip S.
Tate, Charles G.
Taylor, Clinton W.
Taylor, James D., Jr.
Taylor, Jesse J.
Tetreault, Paul J.
Thamm, Tom B.
Thibault, Leo A.
Thiel, Louis H. C., Jr.
Tholl, Jack C.
Thomas, David H.
Thomas, Kenneth G.
Thomas, Robert F.
Thomas, Robert J.
Till, Ernest A.
Tillerson, Leonard E.
Tonseth, Thomas H. III
Townsend, John R.
Treiber, Arthur E.
Trens, Mike J.
Trimble, Richard W.
Troffer, George J., Jr.
Turnage, Robert L.
Tuszynski, Raymond S.
Tuzo, Lamar W.
Tyson, Billie C.
Uehlinger, John C.
Upton, Don L.
Vahsen, George M.
Valade, Larry G.
Van Arsdol, Robert A.
Varley, James F.
Verser, John K.
Victor, Francis W.
Vine, Victor J.
Wadsworth, Francis L.
Waggoner, Kenneth K.
Wakeland, Max W.
Walczak, Norbert F.
Walden, John W.
Walker, Samuel B.
Walker, William B.
Wallace, Cedric S.
Wallace, Robert J.
Ward, Carl B.
Ward, John E.
Warren, Tommy H., Jr.
Watkins, Bobby B.
Webber, Gene D.
Webster, Edward W. V.
Weimerskirch, John R.
Weintraub, Allan P.
Welch, Bernard W.
Weller, Thomas G., Jr.
Wells, Lawrence H.
Wessman, Robert L.
Wheeler, Robert L.
Whelan, Edward C., Jr.
White, Paul G., Jr.
White, Steven A.
Whitley, Clyde T.
Whorton, William R.
Widder, John A., Jr.
Wilbert, John F.
Wilde, Stanford R.
Wiley, Kenneth R.
Wilkins, Howard W.
Wilkinson, Joseph B., Jr.
Williams, Douglas A.
Williams, James E.
Williams, John T.
Williard, Bobbie D.
Wilson, Charles E.
Wilson, Donald K.
Wilson, Edward W.
Wilson, Jack L.
Wilson, James E., Jr.
Wilson, Robert R.
Wimberly, Tommy C.
Winfrey, John A., Jr.
Winkel, Raymond N.
Winkler, Richard C.
Winters, Charles A.
Wiseman, Charles H.
Wiseman, Hobert J.
Withers, Christopher
Wolff, Kenneth E.
Wolff, Kenneth L.
Wolff, William M., Jr.
Wood, Thomas H.
Woodbury, Robert E.
Woody, William R.
Woolway, James E.
Wright, Harry W.
Wright, Richard L.
Wright, Ross W.
Wulfhorst, John K.
Wyatt, William C., III
Yamnicky, John D.
Yetman, William R.
Yocom, Ernest
Young, John C.
Young, John W.
Youngquist, John A.
Yount, Tim B.
Zacharias, Jerrold M.
Zibilich, Michael A.
Zvanovec, Ladimir J.

LIEUTENANTS, MEDICAL CORPS

Bargatze, Fred O.
Beary, Franklin D.
Bingham, Elmer L.
Botimer, Allen R.
Daane, Thomas A.
Ellis, Elgar P., Jr.
German, Roy E.
Grello, Fred W.
Gross, James D.
Hazan, Solomon J.
Heath, John F.
Heising, Ralph A.
Houston, Harry R.
Linaweaver, Paul G., Jr.
Mading, Russell F.
McCarthy, Thomas E.
McGrew, Clinton J., Jr.
McNitzky, Adam A.
Mullin, Robert L.
Neugebauer, Marion K.
Owen, David C.
Pittell, Robert S.
Seaton, Lewis H.
Seig, Duane L.
Shilling, Charles U.
Sorenson, Robert I.
Thomas, Robert C.
Upton, Richard T.
Walton, Fred R.
Welch, Cecil C.
Willcutts, Morton D., Jr.
Williams, John R., Jr.
Yurick, Bernard S.

LIEUTENANTS, SUPPLY CORPS

Barrett, Charles W.
Barton, Mortimer F., Jr.
Beier, Frederick R., Jr.
Benedict, Joseph W.
Boyle, John J.
Brady, James A.
Brett, Justin D.
Buckman, Robert S.
Burns, Richard C.
Calais, Clifford A.
Caliman, Wayman G., Jr.
Carr, Joseph D.
Carson, Donald E.
Catanach, Anthony H.
Cavanaugh, Alfre G.
Clevenger, Raymond L.
Crane, Barrett
Cuson, Charles E.
Davison, David D., Jr.
Desroches, Sylvio J., Jr.
Devine, Paul L.
DeWinter, Richard E.
Dickey, William H.
Donnelly, Goodwin, III
Drake, William D.
Dukesherer, Raymond V.
Durham, Graydon M., Jr.
Eckert, George H., Jr.
Edsall, Van T.
Epstein, Edwin S., III
Fanelty, William C.
Fischer, Robert R.
Fleisher, Oscar T., Jr.
Foster, Robert W.
Galvez, Richard M.
Gillespie, James A., Jr.
Gordon, John J.
Goslin, Thomas C., Jr.
Griffiths, Donald J.
Gudbranson, Larry G.
Guffy, Wellard R.
Hamilton, Oliver W., Jr.
Hamilton, Walter S.
Harn, Robert L.
Henderson, John S.
Hopkins, Jack W.
Huising, Don L.
Hurt, Richard O.
Jackson, Arthur D.
Jackson, George A.
Jerich, Frank J.
Jones, Rial C.
Kauder, Robert
Kelly, Robert C.
Kibby, Darrell M.
Kirch, Frederick J.
Kitko, John A.
Klatt, Ivan J.
Kohl, Jacob D.
Landfair, Robert W.
Lane, Henry L.
Leavitt, Jack B.
Lesser, Murray
Luoto, Hugo M., Jr.
Madeira, Charles C.
Maier, Raymond G.
Margason, Bernard L.
Mason, Albert G.
Matthews, William M.
Mauer, Crozier C.
Maxwell, Kenneth R.
Mayer, William H.
McDonald, Francis E.
Meyers, Walter T.
Miller, Eric H., Jr.
Moore, William J.
Morrison, Quinn B.
Nast, William E.
Nieder, John D.
Oelkers, Harvey S.
O'Malley, John A., Jr.
Parker, William W.
Parks, Garnet R.
Pearson, Lloyd I.
Phleger, Charles P.
Picht, George C.
Postak, John N.
Postich, George
Potter, David W.
Rech, Henry J.
Reynolds, Richard F.
Riddick, Eugene M.
Rowley, Allyn E.
Ryan, William J.
Sandrock, John E.
Saukas, Augustine G.
Schriner, James A.
Searles, Donald W.
Short, Carl W.
Smith, Charles E.
Spears, Laurence
Stansbury, George L., III
Steeg, Elvin H.
Tesch, Donald A.
Thomas, Magnus R.
Thompson, Gerald J.
Trueblood, Howard G.
Vandegriff, Alvin L.
Vishneski, John S., Jr.
Waller, Edmund M., Jr.
Warren, Richard D.
Weisskopf, William M.
York, William B., Jr.

LIEUTENANTS, CHAPLAIN CORPS

Bergeur, John P. X.
Bevan, Leroy A.
Bontrager, John K.
Carr, John F.
Condit, John C.
Fay, Charles I.
Ferreri, Peter J.
Flatley, Eugene T.
Frimenko, Michael
Fuller, William C.
Gardner, Calvin G.
Geary, Joseph F.
Hardage, Owen A., Jr.
Haroldsen, George E.
Heaney, Harold V.
Heath, Robert H.
Hollis, William F., Jr.
Jenkins, Charles L.
Karras, Nick S.
Kicklighter, Edward H.
Mole, Robert L.
Morgan, Ralph O., Jr.
Morrill, Giles D.
O'Brien, Robert P.
Paquin, William
Poynter, William W.
Read, Edward J.
Ryan, Joseph E.
Weber, Chester R.
Wicker, Richard F., Jr.
Winterhoff, Norman E.

LIEUTENANTS, CIVIL ENGINEER CORPS

Armatrout, Merritt F.
Bannister, William H.
Biederman, Jack C.
Clark, Ray C.
Coughlin, Richard D.
Dixon, Olin L., III
Doyle, Thomas J.
Field, Robert T.
Geoly, Charles
Green, Lawrence J.
Hall, John F.
Hay, Erik K. F.
Montgomery, Austin H., Jr.,
Mooney, Malcolm T.
Saravia, Benjamin L.
Seites, John H.
Sutherland, Andrew G.
Sutley, Robert M.
Thorpe, Lowell T.
Tombari, Henry A.
Whitehurst, Marshall N., Jr.
Williams, Curtis R., Jr.
Williams, Edward J., Jr.
Wilson, William L.
Zobel, William M.

LIEUTENANTS, DENTAL CORPS

Braswell, Jack G.
Camp, Donald O.
Corderman, Roy C., Jr.
Dowling, William F. Jr.
Garnett, Merrill S.
Garza, Dan R.
King, Max C.
Koutrakos, John
Lippstreu, William W.
Lommel, Tennyson J.
Micka, Joseph E.
Muller, Henry, III
Niccolai, Edward P.
Oliver, William K., Jr.
Parent, Clarence B., Jr.
Pfister, Frederick G.
Reid, Thomas B., Jr.
Rejebian, George P.
Riddle, William F.
Riegelman, Theodore C.
Russell, John R.
Schultz, Chester J., Jr.
Shiller, William R.
Smith, James S.
Stewart, William B., Jr.
Strauss, Philip W.
Studdard, Jerry M.
Tabor, Herbert A.
Tugwell, Howard S.
Vermilion, Newton L.
Watkins, Eugene A., Jr.
Williams, Kenneth S.
Wilson, Harrison P.

LIEUTENANTS, MEDICAL SERVICE CORPS

Anderson, Floyd H., Jr.
Bean, William E.
Bender, Urban J.
Bennett, Paul P., Jr.
Blackmon, Edward H.
Brown, Staley W.
Browne, Weldon G., Jr.
Cloud, Joe W.
Costa, John F.
Daniel, Harold E.
Doucet, Louis E.
Drake, Wilbur R.
Elmore, Milford D.
Flournoy, Rollin H.
Garver, Richard M.
Gill, Robert L.
Goding, Hubert M.
Green, Gale R.
Green, William J., Jr.
Guinn, John W.
Gutekunst, Richard R.
Haggin, Douglas E.
Harris, Albert C.
Honish, Joseph E.
Howard, Wallace R.
Huff, Samuel L.
Hughes, Robert G.
Hypes, Kenton, Jr.
Irvin, Ernest J.
Johnson, Cecil R.
Johnson, William H., Jr.
Jones, Earmon R.
Jordan, Charles J.
Jula, Paul N.
Karrer, John L.
Kirsch, Jean P.
Kolb, William H.
Koon, Robert L.
Larson, Alfhild L.
Leonard, Russell D.
Lewis, Robert K.
Lewis, Thomas "W"
Liedtke, Fred E.
Litalien, Robert V.
MacCracken, Raymond J.
Mangham, Alonzo L., Jr.
Mayfield, Kenneth D.
McClendon, Frank O., Jr.
McKay, Charles E.
Meyer, Robert E.
Murphy, John S.
Newman, Buther L., Jr.
Oakes, Harry A.
Owen, Orville K.
Peppler, Leonard A.
Pike, William B.
Shaffer, Weller J.
Smith, Denson L.
Tapscott, Donald E.
Tedford, Charles F.
Thompson, John M.
Verme, Dominic A.
Vise, Lee P.
Walwick, Earle R.
Welch, Charles F.
Wells, John E.
Wilson, James R.
Wylie, David M.
Young, Johnny W.

LIEUTENANTS, NURSE CORPS

Ackert, Mona L.
Bove, Mary L.
Chart, Helen L.
Clark, Charlotte E.
Courtright, Barbara R.
Cowden, Elnora J.
DeMarco, Evelyn M.
Dinneen, Florence R.
Fine, Rachel A.
Florence, Mary E.
Graves, Ellen G.
Guillotte, Emily E.
Hedberg, Alison N.
Herington, Virginia R.
Jordan, Reba B.
Lawrence, Opal M.
McKay, Bernadette A.
Nielubowicz, Mary J.
Parker, Viola J.
Racek, Marguerite J.
Ritchey, Helen G.
Sampson, Natalie T.
Sherman, Miriam C.
Soles, Hazel E.
Stowell, Ellen J.
Trebbe, Myrtle F.
Wilson, Katherine

The following-named (Naval Reserve Officers' Training Corps) to be ensigns in the line of the Navy, subject to qualifications therefor as provided by law:

*Peter D. Abbott
*Neal E. Abrams
*Harrison B. Albert
*Joe L. Bell
*Donald C. Boyer
*Louis Brenner
*Francis M. Bunyard
*Michael J. Cahill
*Colin C. Campbell
*Robert S. Campbell
*Newton T. Clark, Jr.
*Davis A. Coppedge
*Homer L. Davis
*Richard W. Deblois
*Henry F. Donald, Jr.
*Robert E. Downing
*Terry C. Drake
*Harold C. Farley, Jr.
*Jerry L. Finch
*Jerry M. Frank
*Edward M. Fuller III
*Curtis C. Gunn, Jr.

*"A" Jackson Hill
*Charles A. Holloway
*Allan R. Jenik
*William W. Klorig
*Arthur H. Koch, Jr.
*James J. Kroeter
*John H. Kuhlman IV
*Clifford L. Laning
*John W. McLaughlin
*Charles R. Mayer
*Hubert A. Morgan, Jr.
*John R. Murphy
*William E. Owen
*Charles A. Rine
*William J. Robens, Jr.
*Kenneth W. Rothermel
*Malvern K. Seagren
*Warren R. Solberg
*Hurshel G. Underhill
*Richard J. Vangemert
*William L. Walker
*Thomas L. Wasmund
*Steven A. Woll
*John J. Wright
*Frank Zimmerman

*William L. McLees (Naval Reserve Officers' Training Corps) to be an ensign in the Supply Corps of the Navy, subject to qualifications therefor as provided by law.

*Kenneth H. Reichardt (civilian college graduate) to be a lieutenant in the Medical Corps of the Navy, subject to qualifications therefor as provided by law.

The following-named (Reserve officers) to be lieutenants in the Medical Corps of the Navy, subject to qualifications therefor as provided by law:

*Robert M. Allen
*Frederick D. Beckwith
*Wiley L. Campbell
*Philip H. Chamberlain
Eugene J. Clarke, Jr.
*Philip J. Dean
*Charles F. Dungar
*Channing L. Ewing
*William J. Henry
*Richard A. Knecht
*Charles S. Lambdin
*Dixon A. Lee
Robert W. Lukens, Jr.
*Paul E. Parker
*James F. Rosborough, Jr.
*Richard B. Salsitz
*Victor G. Schorn
*John W. Spence
*Charles G. Steck
*John J. Stevens
*Richard T. VanOrden
*Benjamin B. White

The following-named (Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to qualifications therefor as provided by law:

*Christopher H. Biser
*Frederick M. Busch
*John R. Corbett
*John W. Deyton, Jr.
*Kenneth DeW. Dolan
*Roy E. German
John B. Gibbs
William M. Lukash
*William L. Meehan
*Donald R. Miles
*Roger S. Roof
Frederick LeR. Schaefer, Jr.
*Arthur I. Segaul
*Paul B. Welty, Jr.
*Irving V. Wright

*Francesco DePaola (Reserve officer) to be a lieutenant commander, temporary, in the Medical Corps of the Navy, subject to qualifications therefor as provided by law.

The following-named (Reserve officers) to be lieutenants in the Dental Corps of the Navy, subject to qualifications therefor as provided by law:

*Robert E. Fields
*Gordon K. French
*John A. McKinnon, Jr.

*Donald B. Hall (Reserve officer) to be a lieutenant (junior grade) in the Dental Corps of the Navy, subject to qualifications therefor as provided by law.

The following-named (Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to qualifications therefor as provided by law:

*Lewis M. Muldrow
*James P. Toyias

The following-named (enlisted personnel, U. S. Navy) to be ensigns in the Medical Service Corps of the Navy, subject to qualifications therefor as provided by law:

*Walter C. Anderson
*Lewis E. Angelo
*George F. Baker, Jr.
*Allen E. Bender
*Charles R. Brown
*Henry B. Bullard
*John W. Cannady, Jr.
*Vincent J. Celeste
*Albion P. Chipman
*Gerald G. Comfort, Sr.
*James E. Corder
*William J. Crodick
*James E. DeWitt
*Berger R. Elfstrom, Jr.
*Graydon E. Fanning
*Robert W. Ginn
*Richard C. Hodges
*James P. Holliday, Jr.
*Theodore A. Hussey
*Eugene R. Keller
*William U. King
*Clifford V. Kovarik
*Dean E. Lakey
*Malcolm K. Law
*Donald K. Livingston
*Max N. McIntyre
*Harold E. McNair
*Howard D. Madison
*Joseph R. Mulvey
*Ivan B. Owen
*Francis J. Redding
*William E. Richards, Jr.
*Floyd C. Scott, Jr.
*Albert F. Shedlosky
*Fred E. Smith
*Robert W. Smith
*Troy L. Spurgeon
*Leo A. Ustick
*Carl "R" Waters

The following-named (Reserve officers) for temporary or permanent appointment to the grade indicated in the line of the Navy, subject to qualifications therefor as provided by law:

The following-named for temporary appointment:

LIEUTENANTS

*Donald K. Barnes
*Stanley H. Block
*Robert G. Cooper
*Alan W. Crandall
*Frank E. Davis
*Roy T. Fell
*Richard V. Fox
*Veston L. George
*Thomas D. Hamrick
*William A. Kearns
*Harry W. Kinsley, Jr.
*William C. Lauer
*Lawrence R. Lorden
*Theodore W. Manduca
*James D. Mann
*James C. Mitchell
*Lowell R. Myers
*Arthur M. Osborne
*Emil M. Papio
*Robert P. Perry
*Dale A. Peterson
*Gerald Saucier
*David R. Stefferud
*Thomas J. Sullivan
*John J. Viera
*George H. E. Walden
*Robert E. Weigand
*Raymond E. Weinig
*John R. Wheeler
*Irvin L. White
*Clyde V. Williams, Jr.
*Charles S. Woods
*James L. Yates, Jr.
*Robert E. Zapalac

LIEUTENANTS (JUNIOR GRADE)

*William E. Bailey
*Gerard E. Barry
*James D. Binger
*Walter D. Bonhag, Jr.
*Richard A. Carlson, Jr.
*William C. Chalmers
*John P. Cotsonas
*Jerome S. Doubroff
*Charles E. Dougherty
*Fredric A. Dunbar
*John F. Fitzgerald
*Dale G. Fuller
*Cecil E. Garber
*Colin P. Hammon
*David F. Hanson
*Willard D. Harwood
*William R. Hodge
*Sidney L. McGuire
*Richard P. Massey
*Matthew T. Maxwell III
*Leon R. Mills
*Phillip E. Oppedahl
*Loyd E. Pyle
*Barton L. Small
*George W. Stewart
*Richard W. Trent
*Kenneth A. Tubbs
*Robert C. Turner
*Jackson A. Wilson, Jr.

The following-named for permanent appointment:

LIEUTENANTS

*Robert F. Abels
*David E. Baarstad
*Raymond G. Burkemper
*Dorrance O. Evans
*Thomas E. Galles
*Robert V. Hirstein
*Robert H. Lovelace
*Howard T. McLoughlin
*James A. Newpher, Jr.
*George T. Pappas
*Harold Stevens

LIEUTENANTS (JUNIOR GRADE)

*Donald K. Barnes
*Stanley H. Block
*John T. Carroll
*Henry A. Coons
*Robert G. Cooper
*Ross E. Cooper
*Alan W. Crandall
*Frank E. Davis
*Roy T. Fell
*Richard V. Fox
*Veston L. George
*Charles A. Grandjean
*Thomas D. Hamrick
*Michael W. Kavanaugh
*William A. Kearns
*Harry W. Kinsley, Jr.
*Joseph A. Klimek
*William C. Lauer
*Lawrence R. Lorden
*Samuel A. McCauley
*Theodore W. Manduca
*James D. Mann
*James C. Mitchell
*Thomas J. Moccia
*Lowell R. Myers
*Arthur M. Osborne
*Emil M. Papio
*Robert P. Perry
*Gerald Saucier
*Donald E. Shultz, Jr.
*Richard W. F. Sirch
*David R. Stefferud
*Thomas J. Sullivan
*John J. Viera
*George H. E. Walden
*Robert E. Weigand
*Raymond E. Weinig
*John R. Wheeler
*Irvin L. White
*Clyde V. Williams, Jr.
*Charles S. Woods
*James L. Yates, Jr.
*Robert E. Zapalac

ENSIGNS

*William E. Bailey
*Gerard E. Barry
*James D. Binger
*Walter D. Bonhag, Jr.
*Richard A. Carlson, Jr.
*William C. Chalmers
*John P. Cotsonas
*Jerome S. Doubroff
*Charles E. Dougherty
*Fredric A. Dunbar
*John F. Fitzgerald
*Dale G. Fuller
*Cecil E. Garber
*Colin P. Hammon
*David F. Hanson
*Willard D. Harwood
*William R. Hodge
*Sidney L. McGuire
*Richard P. Massey
*Matthew T. Maxwell III
*Leon R. Mills
*Phillip E. Oppedahl
*Loyd E. Pyle
*Barton L. Small
*George W. Stewart
*Richard W. Trent
*Kenneth A. Tubbs
*Robert C. Turner
*Jackson A. Wilson, Jr.

The following-named (Reserve officers) for temporary or permanent appointment to the grade indicated in the Supply Corps of the Navy, subject to qualifications therefor as provided by law:

The following-named for temporary appointment:

LIEUTENANTS

*Joseph L. Flores
*Joseph W. Jernigan
*Christopher D. Martin
*Carl S. Quinn
*Merle J. Vollmer

LIEUTENANTS (JUNIOR GRADE)

*Charles V. Farley
*Robert L. Haase
*Arthur C. Meiners, Jr.
*William I. Starrett, Jr.
*Jack L. Young

The following-named for permanent appointment:

LIEUTENANTS

*Arthur R. Gustavson
*Charles H. Hergesheimer

LIEUTENANTS (JUNIOR GRADE)

*Joseph L. Flores
*Joseph W. Jernigan
*John H. Kunkle
*Jerome S. LeMay
*Christopher D. Martin
*Joseph J. Murphy
*Carl S. Quinn
*Merle J. Vollmer
*Norbert V. Youngblood

ENSIGNS

*Charles V. Farley
*Robert L. Haase
*Arthur C. Meiners, Jr.
*William I. Starrett, Jr.
*Jack L. Young

The following-named (Reserve officers) for temporary or permanent appointment to the grade indicated in the Civil Engineer Corps of the Navy, subject to qualifications therefor as provided by law:

The following-named for temporary appointment:

LIEUTENANTS (JUNIOR GRADE)

*Don P. Johnson
*Joseph J. Schiffgens
*Earl R. Seeber, Jr.

The following-named for permanent appointment:

LIEUTENANTS (JUNIOR GRADE)

*Harold R. Gillam
*William F. Glover
*James B. Groff

ENSIGNS

*Don P. Johnson
*Joseph J. Shiffgens

The following-named (Reserve officers) for temporary or permanent appointment to the grade indicated in the Chaplain Corps of the Navy, subject to qualifications therefor as provided by law:

The following-named for temporary appointment:

LIEUTENANTS

*Marvin D. Baker
*Joseph F. Zemites

The following-named for permanent appointment:

LIEUTENANTS (JUNIOR GRADE)

*Marvin D. Baker
*Joseph F. Zemites

*Frank J. Formeller, Jr. (Reserve officer), to be a permanent ensign and a temporary lieutenant (junior grade) in the Medical Service Corps of the Navy, subject to qualifications therefor as provided by law.

The following-named (Women Reserve officers) for temporary or permanent appointment to the grade indicated in the Nurse Corps of the Navy, subject to qualifications therefor as provided by law:

The following-named for temporary appointment:

LIEUTENANT

*Catherine V. Roberts

The following-named for permanent appointment:

LIEUTENANTS

*Dorothy C. Kuauss
*Luana Shepherd
*Sarah C. McGinniss
*Patricia J. Waggoner
*Margaret B. O'Connor

LIEUTENANTS (JUNIOR GRADE)

*Isabel C. Glawson
*Catherine V. Roberts

The following-named (Women Reserve officers) for temporary or permanent appointment to the grade indicated in the line of the Navy, subject to qualifications therefor as provided by law:

The following-named for temporary appointment:

LIEUTENANT (JUNIOR GRADE)

*Barbara M. Williams

The following-named for permanent appointment:

LIEUTENANTS

*Elizabeth M. Barrett
*Phyllis H. Moore
*Lois M. Byrum
*Geraldine A. Witt
*Lucille L. Connaughton

ENSIGNS

*Barbara M. Williams

*Henry L. Allen (Reserve officer) to be a permanent lieutenant and a temporary lieutenant commander in the line of the Navy (special duty law), subject to qualifications therefor as provided by law.

*William C. Lynch (Reserve officer) to be a permanent lieutenant (junior grade) and a temporary lieutenant in the line of the Navy (special duty law), subject to qualifications therefor as provided by law.

The following-named (enlisted personnel, U. S. Navy) to be chief warrant officers, W–2, in the Navy, subject to qualifications therefor as provided by law:

*William D. Bowen
*Robert L. Neth

*Albert L. Ballard, United States Navy retired officer, to be a lieutenant commander in the line of the Navy, limited duty only, pursuant to title 10, United States Code, section 1211.

*William A. Dunn, United States Navy retired officer, to be a captain in the line of the Navy, pursuant to title 10, United States Code, section 1211.

*Mary K. Friebe, United States Navy retired officer, to be a permanent lieutenant and a temporary lieutenant commander in the Nurse Corps of the Navy, pursuant to title 10, United States Code, section 1211.

The following-named (Naval Reserve aviators) to be lieutenants (junior grade) in the Navy, subject to qualifications therefor as provided by law:

Edward J. J. Cichowitz
Wayne L. Sophn
Alfred S. Cotton
William H. Wichmann
Walter L. Fisher, Jr.
Gary L. MacQuarrie
James E. Gilreath
William J. Pfister
Eric H. Schade, Jr.

The following-named (Naval Reserve aviators) to be ensigns in the Navy, subject to qualifications therefor as provided by law:

Donald A. Baker
Douglas A. Blank
Patrick Ball
John M. Boatman
John F. Barr
James B. Bradley
Richard A. Bridgwood
William D. Munsey
William L. Coyne
Peter W. Ogle
Robert Dvorak
Arthur M. Page
Norman D. Ellingson
Dan A. Pedersen
William P. Franklin
James G. Pirie
Lee E. Goewey
William C. Powell
Olin A. Gray, Jr.
Frederick L. Raines
Paul A. Hamilton
Donald E. Sams
John J. Herring, Jr.
Gary A. Scoffield
Arvil A. Holt
Charles F. Sleeman
Donald N. Johnson
Jeremy D. Taylor
Vernon L. Jumper
James H. Thacker
Adam Komisarcik
Forrest H. Wood
Merl D. Landmesser
Ronald P. Wylie
Bruce W. Matson
John R. Young
John B. Matthews
Leonard A. J. Zagortz
William C. J. Meintzer
David R. Ayres
Dean R. Merritt
Lee H. Gillan
Paul M. Moore
Rollin L. Hill
Jesse B. Morris, Jr.
Phillip S. Johnson
Cornelius W. Mullen
Daniel L. Strong

The following-named (Naval Reserve Officers Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

*Charles A. Baggett

The following-named (Naval Reserve Officers Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

*Fred C. Gould
*Thomas W. Thompson
*Amos R. Reed
*Rex N. Rucksdashel
*Dudley E. Thomas, Jr.

The following-named (Naval Reserve Officers' Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

*Hubert J. Adams, Jr.
*Harold D. Hicks
*Gary W. Bean
*David B. Peterson
*Lynn A. Behymer
*Duane M. Sallstrom
*John Dickinson
*James D. Wray

The following-named for permanent appointment to the grade of first lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

*Edward A. Birzer
*Marvin E. Peacock
*Walter A. Jupp

The following-named (Army Reserve Officers' Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

*William Huffcut

The following-named for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

*Raymond Paulson

The following-named (platoon leaders class) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Hoyt Ammidon, Jr.
Richard "T" Farrell
Ray D. Ammon
Louis C. Gapenski
Reginald E. Armstrong
Joseph E. Gardner
William R. Belcher
Robert W. Holm
Leard B. Bledsoe, Jr.
Richard S. Horsfall
William H. Branner, Jr.
Robert E. Johnson
Frank J. Breth
Charles W. Kappelman
*Edward C. Brinkley
Gordon W. Keiser
Leslie D. Burnett
Hugh W. Lashlee
Wade R. Byrd
Ralph E. Martin
Francis X. Chambers, Jr.
Eldon C. Mayer, Jr.
Matthew R. Mills
John E. Clements, Jr.
Cecil D. O'Bryan
Eldred W. Cline, Jr.
Larry E. Parker
Robert S. Coates
James W. Rider
Daniel B. Cone
Douglas P. Roof
James P. Crowley
Charles W. Sampson
Joseph J. De Dimincantanio
Robert B. Savage, Jr.
Olen A. Seay, Jr.
Albert K. Dixon II
Frank L. Southard
Dave G. Drewelow
Harry F. Voss, Jr.

*Indicates ad interim appointment.

IN THE MARINE CORPS

The following-named officers of the Marine Corps for permanent appointment to the grade of lieutenant colonel:

(*) Indicates ad interim appointment issued.

*Churchville, Francis L.
*Jackson, Boyd J.
*Burleson, Good
*White, Russell C.
*Swinson, James D.
*Waller, Clyde T.
*Brown, James E.
*Walsh, Kenneth A.
*Torbert, George W.
*Morton, Douglas K.
*Giles, Walter R.
*Clements, Edwin M.
*Williams, George L.
*Reid, William G.

The following-named officers of the Marine Corps for temporary appointment to the grade of lieutenant colonel, subject to qualification therefor as provided by law:

*Horst, Henry W.
Smith, Jack A.
*Miller, Lester
Stubbs, Robert S., II
*Carlson, Alfred G.
Tuma, James W.
*Herrick, Donald L.
Read, Benjamin S.
*Atkinson, Albert B.
Quint, Frederick A.
*Bennison, William H.
Canton, John S.
*Kindred, Lawrence E.
Giddens, Richard M.
*Koetsch, Julius F.
Hall, Reverdy M.
*Messer, Edward R.
Fris, Edward S.
*Young, James P., Jr.
Persinger, Harry B., Jr.
*Lownds, David E.
Dillow, Rex O.
*Lo Prete, Joseph E.
Baird, Robert
*Cornwell, Charles E.
Lang, Frank C.
*Antley, William E., Jr.
McNiel, Monroe E.
Rieder, Glenn L.
*Williams, Albert L.
Moos, Kenneth L.
*Taylor, Summerfield M., Jr.
Williams, Walter L.
Earney, William R.
*Autry, Robert L.
Sturdevan, Garth K.
*Sheppard, Frank J.
Melby, William E.
*Wall, Ray B.
Streeter, William M.
*Gingher, Harold R.
Ord, James B., Jr.
*Kersey, Robert W.
Keown, Lyman E.
*Augeri, Rosario J.
McKiever, Charles F.
*Rotter, Francis F.
Kerr, William A.
*Halbert, Wallace M.
Harney, John B.
*Foster, Hardy E.
Wegley, Don E.
*Moore, Walter
Veigel, Lester E.
*Radics, Emil J.
Cresap, Charles C.
*Pittman, Howard T.
Corley, Clarence E., Jr.
*Rasmussen, Haakon B.
Kleber, Victor A., Jr.
Whitescarver, Kenneth T. Jr.
*Wilcox, Wilbur D.
Glenn, John H., Jr.
*Reifel, Horace C.
Johnson, Earl W.
*King, George W.
Marker, Rolland E.
*McDowell, Dean N.
Swenson, Lester V.
*Kleager, Frank C.
Lynch, Robert J., Jr.
*MacDonnell, Dermott H.
Armstrong, Victor A.
*Cook, Edward
La Mar, Robert L.
*Mehaffey, Harold N.
Mosca, Herbert P., Jr.
*Johnson, Victor M.
Humphreys, Zaphaney O.
*Ross, George O.
Lewis, George F.
*Beasley, Clarence B.
Mack, William E.
*Frey, Leroy T.
Burt, Edward E.
*Nelson, Kenneth B.
Bryant, George M.
*Guy, Charles B.
Emils, Arnold L.
*Winchester, Eugene H.
Soderberg, Ralph A.
Legan, Stanley F
Fredrick, Charles D.
Morgan, Henry H.
Harper, James A.
Saxon, Thomas J., Jr.
Lindell, Carl W.
Rozier, William R.
Burnham, Thomas J.
Jones, Mark
Nowadnick, William R.
Peebles, Robert R.
Ross, Thomas J.
Holt, William R.
Barnett, John E.
Schmidt, George C., Jr.
Troy, Harland E.
Pearson, John A.
Bjorson, Richard A.
Davis, Raymond N.

The following-named woman officer of the Marine Corps for permanent appointment to the grade of lieutenant colonel, subject to qualification therefor as provided by law:

*Hale, Mary J.

The following-named officers of the Marine Corps for permanent appointment to the grade of major:

Parks, Fred L.
*Iungerich, Stevan
Knowles, Harold R.
*Lindfelt, Haldon E.
*Dowdy, Robert B.
Grant, Harley L.
*Riley, Leon C.
*Canzonieri, Jack V.

*Ragsdale, Evieo
*Bath, Lynn E.
*Hendry, James E.
*May, Charles H.
*Kay, Willis L.
*Davis, Paul L.
*Anthony, Robert J.
*Closson, Robert E. L.
*Ely, Richard O.
*Neal, Ralph B.
*Dawes, Henry T.
*Buckley, Roger D.
*Boze, Robert E.
*Dwiggins, William M.
*Cantrell, Herbert G.
*Self, John L.
*McNabb, Herbert E.
*Moore, Derilas A.
*Fellner, William

The following-named officers of the Marine Corps for temporary appointment to the grade of major, subject to qualification therefor as provided by law:

*Seibilian, Robert C.
*Shepherd, George E.
*Hermes, Jack M.
*Cunliffe, Bruce F.
*Kronberg, William A.
Smith, Louie J.
*Kelley, David D., Jr.
*Eddy, Rodger I.
*Newton, Minard P., Jr.
*Williams, Kenneth C.
*Degernes, Mayhlon L., Jr.
*Glasgow, Joseph M.
*Strauley, Wesley E.
*Hetrick, Lawrence W.
*McCarthy, R. Michael
*Gibson, Tom L.
*McClure, Mack R.
*Eason, Raymond S.
*Salvo, Victor A., Jr.
*Heyer, Wallace A.
*Allen, Merle W.
*Jenkins, Morris N.
*Mason, Ronald A.
*Zimmerman, Cullen C.
*Winter, Robert M.
*Balzer, George T.
*Roe, Patrick C.
*Brown, Dale L.
*Wayerski, Joseph R., Jr.
*Andersen, Frank R.
*Tief, Francis W.
*Cooney, Orville D.
*Yerger, William P.
*McAlinn, John H. P.
*Kagan, John J.
*Benson, Carl H.
*Johnson, Brooks, Jr.
*Brown, John H.
*Bradley, Bobbie B.
*Atkinson, Harry E.
*Greenstone, John R.
*Holmes, Page H.
*Hubbs, Howard L.
*Rice, Keith M.
*Glenka, John M.
*Bowen, Virgil G.
*Winters, James E.
*Finney, Henry F.
*Doster, Grover C., Jr.
*Prater, William T.
*Cole, Doyle H.
*John, Edward S.
*Siegfried, William G., Sr.
*Hoffman, Robert C.
*Folmar, Jesse G.
*Engesser, Robert B.
*Volney, Frank, Jr.
*Helm, Wallace H.
*Cortreau, Gerald S.
*Gilman, George L., Jr.
*Schneider, Arthur C.
*Reynolds, Thomas H., Jr.
*Blaydes, Aquilla M.
*Lundin, Herbert V.
*Mooney, Thomas G.
*Elliott, Thomas M.
*Seaman, James B.
*Rabe, Leroy D.
*Gardiner, Joseph C., Jr.
*Baxter, John E.
*Campbell, William W.
*Gustafson, Warren H.
*Holdridge, Forrest B.
*Trowbridge, Clyde A.
*Libbin, Eugene L.
*Adair, James T., Jr.
*Knapp, Glenn L., Jr.
*Hayden, Dale L.
*McNussen, Ned E.
*Bahner, Robert H.
*Osserman, Stanley J.
*Cory, Orie E.
*Geddes, David G.
*Howle, William O.
*Shortsleeves, Vernon C.
*Pegues, Dock H.
*Giesel, Joseph R.
*Valentine, Ira S., Jr.
*Butler, John K.
*Johnson, Charlie P.
*Cicala, George
*Robinson, Frank C., Jr.
*Fuller, George E.
*Williams, Estas L.
*Cutler, Jesse T.
*Vamosi, Joseph S.
*Cole, Charles A., Jr.
*Heacox, William J.
*Milless, Elmer W.
*Martin, Robert L., Jr.
*Dyer, Charles A.
*Cowie, William K.
*McCluskey, William T.
*Baughman, Prentiss H.
*Bott, William J.
*Bickley, Roy W.
*Mouvery, George J.
*Troxler, George W.
*Freudenberger, Victor D.
*McGarry, James P.
*Schoenberger, Leonard
*Palmer, Charles W.
*Fowler, Charles C.
*Larghey, Peter J.
*Osterhoudt, Peter C.
*D'Alesandro, Louis W.
*Kelly, Hercules R., Jr.
Vogt, Timothy S.
Smith, George W.
Skvaril, Warren J.
Gunning, Thomas I.
Taft, Leonard C.
Altekruse, Ernest B.
Kapetan, Nick J.
MacLean, James H.
Ashley, Maurice C., Jr.
Taylor, Robert W.
Needham, Robert C.
Jackson, Mallett C., Jr.
Miller, John H.
Nolan, Harry J.
Peard, Roger W., Jr.
Sherman, Warren C.
Wentworth, William
Johnson, John M., Jr.
Barrie, Raymond L., Jr.
Maiden, Robert F.
Francis, Richard H.
Saunders, William F., Jr.
Brown, Ralph H.
Reissner, Pierre D., Jr.
Tubbs, Henry W., Jr.
Dawe, Harold L., Jr.
Kennington, Charles R., Jr.
Schiweck, Kenneth W.
Hall, Wayne L.
McElroy, Robert L.
Lubka, Basile
Sturgell, Charles B.
Jones, Charles M. C., Jr.
Hunt, Robert G., Jr.
Gober, James R.
Hatch, Harold A.
Sparks, William F.
White, Thomas B., Jr.
Roberts, Dwight E.
Briden, Derrell C.
Parsons, Tom D.
Hayward, George E.
Henzel, Hans W.
Sheppe, Richard W.
Lindell, Alan M.
Deen, Thomas J., Jr.
Conroy, John F.
Merrill, Willard D.
Taylor, Joseph Z.
Hoover, Miles M., Jr.
Scruggs, Robert L.
Turner, Kenneth E.
Ringwood, Thomas E., Jr.
Gore, Francis A., Jr.
Wilson, James S.
Speckart, Eugene O.
Devine, Lewis H.
West, Richard H.
Opfar, Charles H., Jr.
Killeen, Calhoun J.
Lockhart, Robert L.
Schied, John P.
Heppert, John R.
Riegert, Theophil P.
Troen, Luther G.
Gagne, Walter A., Jr.
Cook, Andrew B.
Belden, John G.
Bassett, William D., Jr.
Commiskey, Henry A., Sr.
Carvel, Ivil L.
Anderson, Tilton A.
Snipes, Thomas G.
Fay, Charles D.
Woods, Harry D.
Haynes, George A. P.
Beard, Wendell O.
Whiting, Charles S.
Lawrence, Lindlett T.
Jarman, Charles V.
Englehart, Samuel E.
Wall, Theodore R.
Waller, Littleton W. T., II
Merritt, Max A
Townsend, Jack E.
Karukin, David S.
Ogilvie, Bruce C.
Musgrove, Edgar F.
Haggerty, John W., III
Miller, Richard R.
Eyer, Clyde L.
Harris, Allen S.
Magness, Byron L.
Barton, Robert J.
McCarthy, John F., Jr.
Grabowsky, Fred
Smith, Albert C., Jr.
Dickson, John R.
Peterson, Willard S.

The following-named woman officer of the Marine Corps for permanent appointment to the grade of major, subject to qualification therefor as provided by law:

*Lucas, Essie M.

The following-named officers of the Marine Corps for permanent appointment to the grade of captain, subject to qualification therefor as provided by law:

Arnold, Ray W.
*Harris, James B., Jr.
*Gordon, Abie
Stewart, Jimmie L.
*Cappeletto, Nicholas
Garner, George M.
Godenius, Walter E. G.
Simmons, Bernard P.
*Arceneaux, Ewell J.
*Newman, Jack W.
Lee, Joseph L.
*Long, Guy M., Sr.
Amick, Donald D.
*Layman, Daniel F.
*Graham, James H.
*Fitzsimmons, Raymond F.
Werder, Robert J.
Palonis, Anthony J., Jr.
Anderson, James L.
*Baker, Jesse G.
*Fullinwider, John A.
Luttge, William G.
*Skinner, Richard F.
*Gidley, Ross E.
Dubois, John H.
*Hammons, Elvis G.
*Grebenstein, Edward E., Jr.
*Parker, Roy I.
*Ridgway, George A.
Day, Leslie P.
*Ratigan, James W.
*Matson, Kenneth S.
White, John L.
Vuckovich, Joe
*Baker, Thomas
*Mullen, Joseph E., Jr.

The following-named officers of the Marine Corps for temporary appointment to the grade of captain, subject to qualification therefor as provided by law:

*Barberi, John M.
*Belt, James L.
*Beaver, Jimmy C.
Barrer, William S., Jr.
*Wiedhahn, Warren H., Jr.
*Martin, Charles A.
*Viera, Daniel J.
*Schlotzhauer, William P.
*Ferry, Richard T.
*De La Torre, George F.
*Howard, John G.
*Terrell, Daniel E., Jr.
*Joyner, William K.
*McLaughlin, Richard B.
*Shepherd, John A.
Murphy, James L.
*Schmidt, Laveen D.
*Damone, William F.
*Garvey, William F., Jr.
*Vochatzer, Charles D.
*Marting, Henry A.
*Babski, Bruce S.
*Jerrell, James D.
*Fischer, Robert W.
*Tyson, Charles J., III
*Cooper, Robert M.
*Brackett, Richard C.
*Rocha, Thomas, Jr.
*Colbert, Arthur B.
Stice, Ray B.
*Fry, Robert L.
*Milligan, James F.
*Fortie, Ralph
*Dewell, Jack L.
*Brause, Bernard B., Jr.
*Chaney, Guy R.
*Foster, Roger D.
*Wheelock, Richard J.
*Cretney, Warren G.
*Jackson, Harold L., Jr.
*Martinelli, Joseph W.
*Kutchmarek, Jene R.
*Aichroth, Donald T.
*Andresen, James V.
*Ernst, Vincent M., Jr.
*Lee, Richard P.
*Meade, John E.
*Blakeman, Wyman U.
*Stewart, Ray N.
*Brandon, Virgil B.
*Beaver, Carl J.
*Hubner, John
*Warn, Lloyd K.
*Jefferson, Thomas K.
*Lavelle, John B.
*Micheels, Herman M.
*Wright, Frank H.
*Shea, Speed F.
*Kron, Ronald W.
*Overturf, Charles D.
*Svoboda, Theodore D.
*McDonald, Oliver G.
*Johnson, Victor J., Jr.
*Prather, James E., Jr.
Teichmann, David A.
*Latall, Raymond F.
*McBride, James P.
*Peck, Matthew B., Jr.
*Moriarty, James M.
Sherman, James R.
*Redman, Carroll G.
*Gebsen, Clarence U.
*McCaughey, Douglas A., Jr.
Gascoigne, Donald G.
*D'Angelo, Samuel E., III
*Leipold, Robert D.
*Lovell, Earl F.
*MacDonald, George N.
*Ross, William H., Jr.
*Brown, Rangeley A.
*Keck, Louis K.
*Taylor, Hosea E., Jr.
*Herber, John A.
*Patterson, Frederick D., Jr.
*Black, Charles H.
*Edwards, Raymond W.
*Marosek, Joseph R.
*Collier, James G.
*Ladd, Bobby T.
*Belli, Roy L.
*Coombe, Donald E.
*Block, William E.
*Miller, Clarence B., Jr.
*Hubbard, William D.
*Gipson, Thomas J., Jr.
*Williams, Donald G.
*Knowles, Charles H.
*Doser, Joseph G.
*Timmons, Dwight R., Jr.
*Shirley, Joe W.
*Carson, William G., Jr.
*Reese, Clifford E.
*Dereng, Chester P.
Snyder, Robert L.
Ledet, Rodney H.
*Reisinger, Frederick J.
*Mundell, Wilbur L.
*Giubilato, John J.
*Wojcik, Donald
*Lang, Richard H.
*Schaefer, Donald A.
*Mayfield, Joseph F., Jr.
Larson, Eddis R.
*Hughes, Ralph L.
*Daniels, Claude M.
*Wilcox, Kenneth H.
*Warner, James W.
*Moore, Thomas R.
*McCarthy, John J.
*Creighton, Robert W.
Hanson, Robert D.
Farley, Bob W.
*Beckman, Kent M.
*Waunch, Donald S.
*Garrison, Marvin T., Jr.
*Peterka, Bert W.
*Summers, Bennie W.
*Gillon, Robert A.
*Reichert, John P.
*Forbes, David T., Jr.
Markwitz, Leonard R.
*Buell, Dickinson
*Helm, Donald C.
*Wells, James A., Jr.
*Gowdy, Richard J.
*Jorgenson, Conrad A.
*Hertberg, Edward C.
*Toyeas, George E.
*Herther, Herbert M.
*Clayson, Holly
Gallagher, Gerald F.
*Mura, Michael
*Sypniewski, William A.
*Donnelly, Joseph A.
Van Manen, Charles M.
*Fillmore, Walter D.
*Boalch, Dennis F.
*Jaross, James
*Cummins, Billy R.
*Wise, Robert C.
Bishop, Daniel G.
*Saxton, Patrick J.
*Grattan, Roland N.
Hedrick, Joseph C.
*Bridges, Robert L.
*Dinnage, Merritt W.
*Smith, Harry E., Jr.
*Murphy, Dennis J.
Hopkins, Joseph E.
*Haskins, Jack
*McGuire, William D.
Gardner, Grady V.
*Frey, Francis X.
*Cochran, James R. W.
*Martin, Gene H.
*Collins, John J.
*Stapleton, Cleo P., Jr.
*Redelfs, John E.
*Archbold, John C.
*Earles, Marcie J.
*Keller, Donald E.
*Quigley, Richard B.
*Turner, Leon B.
*Riney, Francis
*Ritts, Robert O.
*Mullen, Paul X.
*Andrews, Roi E.
*Pierce, Edward R.
*Fuetterer, Paul W.
*Cote, Normand A.
*Stark, Alfred E.
*Chinner, John W.
*Deutschlander, Herman C.
*Crowley, James A.
*Ledbetter, Walter R., Jr.
*Roder, Henry W.

*Jones, Thomas W.
*Beach, Richard J.
*Ritchie, Richard G.
*Begnaud, Pierre H.
*Collins, Jack R.
Buschhaus, Ernest W.
*Weatherford, Edwin G.
*Bustos, Robert G.
Ryan, Patrick J.
*Kent, Gary D.
*Dewey, Henry C.
*De Laughter, Carl W., Jr.
*Burt, Wayne F.
*Gasparine, Louis, Jr.
*McDonnell, Gerald F. E.
*Armstrong, Richard F.
*Rosenthal, Joseph S.
*Goller, Winston O.
*Godby, Lawrence J.
*Carroll, Daniel I.
*Bergey, Hugh W.
*Draayer, Lloyd J.
*Yeam, Arden W.
*Rhymer, Roy H.
*Shirk, Robert J.
*Altman, Jesse L., Jr.
Goodspeed, James F.
*Mullins, Joseph F., Jr.
*Fraser, Ronald L.
*Stephens, Arthur C., Jr.
*McKenna, George X.
*Waskowski, Bernard
*Flaherty, William C.
*Gregory, Wayne T.
*MacBeth, Farquhar
*Daugherty, Ben D.
*Connelly, Joseph W., Jr.
*Ryder, James N.
*Campbell, George C.
*Muffi, Domenick
*Rubrecht, William W.
*McVitty, Albert A.
*Dyson, Frederick W.
*Grover, Ronald G.
*Chauvin, Junior E.
Cress, Herbert W.
*Maughan, William L.
*Wacklin, Elmer F., Jr.
*Baggett, John C., Jr.
*Bustin, Joe C.
Redmond, James E.
*Mealhouse, Richard R.
*Kennicutt, Orlis E.
*Bunch, William J.
*Schiavone, Ralph L.
*Van Note, Duane R.
*Jurancich, Joe M.
*Coit, Francis E.
*Moffitt, Forrest L.
*Barger, Ronald M.
*Dickson, Edwin L.
*Haley, Emmett R.
*Tobin, Frank T.
*Emerson, Sheldon M.
Fogt, Don R.
*Bressler, Alexander L., Jr.
*Kulak, Raymond
*Forhan, James F.
*Simutis, Frank W.
*Black, John R.
*Jackson, Bobby J.
*Nutter, Edward L., Jr.
*Thompson, Milton G.
*Reid, Robert D.
*Bergstrom, Carl F., Jr.
*Anderson, Arthur R., Jr.
*Bray, Warren R.
*Yetter, Miles M.
*Saylor, William D.
*Radzavage, Robert G.
*Dillow, Walter R.
*Cornish, John F., Jr.
*Sackett, William H.
*Crain, Morris W.
*Fellows, Warner H.
*Eversole, Charles W.
*Proctor, Ralph D.
*Todd, Larrance M.
*Bomar, Oliver B., Jr.
*Colangelo, Nicholas
*Seal, Robert E.
*Foss, Lee D.
*Stendahl, Walter R., Jr.
*Harwell, Robert W.
*Clewes, John E.
*Borders, Robert E.
*Davenport, Travis E.
*Drake, Paul L.
*Dunn, Russell M., Jr.
*Foley, Ronald G.
*Chapman, Charles T.
*Wieland, Richard A.
*Craig, Alvin L.
*Hawley, Robert R.
*Medina, Thomas J.
*Elliott, John R.
*Riddell, William R., Jr.
*Norton, Jerome L.
*Blanc, Richard J.
*Bond, Henry J.
*Murphy, Edmond J.
*Lottsfeldt, Peter F.
*Herndon, John W.
*Brown, Thomas L.
*Hamilton, Carl W.
*Duggan, Elmer F.
*Simmons, Jack B.
*Anderson, Morris S.
*Blevins, Richard C.
*Fenstermacher, Denton S.
*Roesch, Jack E.
*Driggers, William E.
*Durham, James P.
*Burke, Brian T.
*Dunn, John D.
*Hardin, Ralph N.
Fogo, Wallace E.
*Labas, Raymond
*Voss, Bethel A.
*Holler, Ralph E.
*Lewis, Marion E.
*Chandler, James D.
*Rocha, Anthony V.
*Robinson, Charley
*Pierce, James D.
*Boozman, Paul G.
*Furstenberg, Lawrence
*Rowe, Donald L.
Snider, Howard L.
*Charlton, Albert K.
*Smith, Donald G.
Webb, John H., Jr.
*Prather, Richard L.
*Holland, John E.
*Boso, Kinsman G.
*Chaput, Roger U.
*Dean, Clyde D.
*Carr, Gerald P.
*McKinstry, William E
*Hallam, William J.
Casada, Howard O., Jr
*Sanford, Glen
*Self, William R.
Bradshaw, Harvey D.
*Kirby, Robert W.
*Hess, David L.
*Stephens, Willard M.
*Jones, Paul R., Jr.
*Slepicka, Alois A.
*Spencer, Noel W., Jr.
*Barstow, Charles A.
*Smith, Lloyd W., Jr.
*Gannan, Henry R., Jr.
*Egan, Martin J., Jr.
*Harrison, Jerry M.
*Peterson, Perry M.
*Lyttle, Dan J. C.
*Henderson, Ted R.
*Murray, Max D.
*MacPherson, Robert T.
Jones, Vaughn A.
*Williams, Clifton C., Jr.
*Townsend, Thomas A.
*Mathews, Frederick A.
*Jones, Robert C.
*Lukeman, Anthony
*Lacey, Fred E., Jr.
*Raphael, Thomas W.
*Spreitzer, Richard L.
*Friedrichs, Phillip B.
*McCormick, William C., Jr.
Thorkelson, Thomas L.
Badeker, Roger W.
Carlson, Gary L.
Stratford, William K.
Ready, Bobby J.
Hamlin, Thomas M.
Hagerty, Roger C.
Coleman, Ellsworth P.
Hart, Franklin A., Jr.
Myers, Louis B.
Pitts, Charles O., Jr.
Kimbrell, Harrison W.
Kehrle, Jerry E.
Suwalsky, Adelbert L., Jr.
Green, Robert P.
Layton, Willard T., III
Thompson, Charles E.
Slade, George P.
Ryan, Paul M.
Haislip, Richard E.
Smith, James T.
Paige, Eddie C., Jr.
Ortman, Thomas J.
Cochran, John K.
Schreiner, Charles W., Jr.
Frank, William C.
Lewis, Stanley P.
Pesce, Augustus J.
Guinee, Vincent J., Jr.
Wilson, Willis E., Jr.
Jones, Robert E.
Bond, Thomas G.
King, Homer L. P.
Gore, Robert F.
Wight, Daniel E., Jr.
McCluskey, Charles A.
Gibson, Robert E.
Fails, William R.
Jensen, Arthur E.
Garner, William D.
Modjeski, Robert L.
Heflin, James R.
Eisenhauer, Stephen S.
Lerps, David A.
Evans, Ernest E., Jr.
Clark, Ronald A.
Luther, Ronald B.
McFerren, Kent A.
Lyons, Peter H.
Morgan, Jimmie G.
Stolfi, Russel H.
Kendig, William F.
Parker, William H., III
MacLaren, Bruce M.
Service, Walter C., III
Martin, Thomas
Keenan, John J.
Buckner, Gordon H., II
Kaufman, Clarence E., Jr.
Greene, James C., Jr.
Biegler, James L.
Krogius, Tristan E. G.
Powell, Raymond R.
Carter, Sterling W.
Norris, Donald J.
Rose, Robert P.
Holles, David V.
Berdanier, Francis N.
Hawkins, Dale C.
Zangas, Charles L.
Topping, Robert W.
Brookshire, Phil E.
Gillman, John C.
Benstead, Daryl E.
Dunn, George H., II
Delaney, James J., II
Diaz, Odilio M.
Thompson, Arthur B., Jr.
Dittmeier, Arthur A., Jr.
Swigert, William G.
Yadlowsky, Peter
Harrison, Wentworth T.
Morgan, William S., Jr.
Godfrey, Edwin J.
Prudhomme, Daniel
Tipshus, Edward C.
McCulloch, Richard K.
Kostelecky, John R.
Tirk, Eugene R.
Escalera, Daniel C.
Johnson, Leroy E.
Sizelove, Jerry L.
Horton, Egbert, Jr.
Dennis, Richard L.
Seabrook, Charles C.
Owens, James L.
Schubmehl, William P.
Haley, Edward D.
Drebushenko, William
Page, James C.
Garner, William G.
Edwards, Thomas L.
McKenna, John T.
Long, Bobby F.
Shore, Harold E., Jr.
Thomley, Robert R.
Maag, Eddie R.
Pyeatt, Frederick E., III
Goodwine, Lloyd E.
Smith, Roland E.
Canfield, Norman E.
Pepperdine, James
Patterson, Kenneth G.
Olsen, Carl B., Jr.
Mitrione, Robert F.
Smith, Jack P.
Eldridge, Robert B.
Stokes, Thomas M., Jr.
Brandon, Jack A.
Stephani, William D.
Buehl, Louis H., III
Alger, Richard J.
Whipple, Earl F., Jr.
Galligan, Pat S.
Field, Roland B.
Young, Martin V., Jr.
Yates, John R., Jr.
Baker, Ray L.
McCombs, Richard L.
Everett, John W.
Moon, Robert L.
Schuster, Howard L., Jr.
Chambless, Burr T.
Pugh, Robert L.
Whelan, Richard V., Jr.
Delehanty, Gregory J.
Sayes, Davis
Dilworth, Clarence W.
Phillips, Charles L.
Buttolph, Richard D.
Morgan, William E.
Shiffler, George M., Jr.
Stoddart, Edgar R., Jr.
Brown, John W.
Vass, Richard G.
Hogan, Theodore T., Jr.
Edmondson, Orville R.
Michael, Stanley J., Jr.
Ryder, Norman E.
Woodrow, Fitz W. M., Jr.
Scullion, William, Jr.
Walters, John K., Jr.
Herrera, Wilfred
Brown, Jerome W.
Milone, Edward G.
Hitz, James C.
Hart, Vincent P., Jr.
Isbill, James B., Jr.
Lawson, Curtis G.
Ebbitt, George F., Jr.
Pappas, Jimmy L.
Dougherty, Hugh L., Jr.
Felter, Joseph L.
Sellers, Jay G.
Thorfinnson, Romaine D.
Mattmiller, Willard L.
Decota, Walter J.
Soden, William G.
Montgomery, Charles W.
Southgate, Robert H.
Garbee, Edmund G., Jr.
Marfia, Samuel J.
Gildersleeve, Leo A.
Hill, Harold H.
Bowen, Donald P.
Siler, Joseph A.
Lloyd, Russell, Jr.
Ertlmeier, George J.
Franco, Frederick J., Jr.
Nelson, Thomas W., Jr.
Moriarty, James F., Jr.
Pfeifer, John A.
Mutch, Bryce A., Jr.
Bryson, William C., Jr.

The following-named women officers of the Marine Corps for permanent appointment to the grade of captain, subject to qualification therefor as provided by law:

Watson, Patricia A.
Beaumont, Inger R.
Devos, Frances M.
Hayes, Theresa M.
Overholser, Grace A.
Ray, Irene L.
Halvorsen, Marie J.
Schofield, Beverly
Wever, Donrue
Moroney, Ellen B.
Merritt, Claribel M.
Wrenn, Jenny
Blair, Carol A.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 12, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Exodus 33: 14: *The Lord said, My presence shall go with Thee, and I will give Thee rest.*

Eternal God, whose presence is our help and our hope, may we daily hear and heed Thy voice of companionship and counsel.

Grant that our faith may never be eclipsed by doubt or extinguished by despair as we seek to find the right solution to our many national and international problems.

Wilt Thou inspire men and nations everywhere with those nobler thoughts and feelings which are the progenitors of achievement in the building of a better world.

In Christ's name we bring our petition. Amen.

The Journal of the proceedings of Friday, January 9, 1959, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed the following resolutions:

S. Res. 13

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Honorable HERMAN P. EBERHARTER, late a Representative from the State of Pennsylvania.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the deceased, the Senate, at the conclusion of its business today, adjourn until 10 ante meridian on Monday next.

S. Res. 14

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Honorable SID SIMPSON, late a Representative from the State of Illinois.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the deceased, the Senate, at the conclusion of its business today, adjourn until 10 o'clock ante meridian on Monday next.

S. Res. 15

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Honorable J. HARRY MCGREGOR, late a Representative from the State of Ohio.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the deceased, the Senate, at the conclusion of its business today, adjourn until 10 ante meridian on Monday next.

ADJOURNMENT UNTIL THURSDAY NEXT

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AUTOMOBILES FOR USE OF FORMER SPEAKERS

Mr. MCCORMACK. Mr. Speaker, I offer a resolution (H. Res. 88) and ask for its immediate consideration. This resolution is sponsored by the Speaker, the minority leader, and myself.

The Clerk read the resolution, as follows:

Resolved, That there shall be paid out of the contingent fund of the House, until otherwise provided by law, expenses necessary for the purchase, maintenance, operation, and driving of an automobile for the use of any Member of the House who has served as Speaker of the House.

The SPEAKER. Without objection, the resolution is agreed to.

There was no objection.

A motion to reconsider was laid on the table.

ADDITIONAL CLERK HIRE

Mr. HALLECK. Mr. Speaker, for myself and for the majority leader and the Speaker, I offer a resolution (H. Res. 89) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That effective January 7, 1959, there shall be payable from the contingent fund of the House, until otherwise provided by law, for any Member of the House who has served as Speaker of the House, an additional $5,000 basic per annum for clerk hire, and in addition an administrative assistant at the basic rate of $8,880 per annum.

The SPEAKER. Without objection, the resolution is agreed to.

There was no objection.

Mr. BASS of Tennessee. Mr. Speaker, since there is no rollcall on these two resolutions, and since we are setting an unusual precedent, I would like the RECORD to show that I voice a vote against both resolutions.

The SPEAKER. The resolution has already been agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF MAJORITY WHIP

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCCORMACK. Mr. Speaker, I desire to announce to the House with pleasure on my part the appointment, which is in the nature of a reappointment, of the distinguished gentleman from Oklahoma [Mr. ALBERT] as majority whip for the 86th Congress.

ADMINISTRATION OF OATH OF OFFICE TO DEAN P. TAYLOR, A REPRESENTATIVE FROM THE STATE OF NEW YORK

The SPEAKER. The Chair lays before the House the following communication:

The Clerk read as follows:

STATE OF NEW YORK,
SUPREME COURT CHAMBERS,
Troy, January 10, 1959.

HON. SAM RAYBURN,
Speaker, House of Representatives,
Washington, D.C.

SIR: In accordance with your designation of me, pursuant to House Resolution 11, 86th Congress, adopted by the House of Representatives, to administer the oath of office to Representative-Elect DEAN P. TAYLOR, of the 31st District of New York, I have the honor to report that on January 10, 1959, at Albany, Albany County, State of New York, I administered the oath of office to Mr. TAYLOR, form prescribed by section 1757 of the Revised Statutes of the United States, being the form of oath administered to Members of the House of Representatives, to which Mr. TAYLOR subscribed.

I have the honor to be,
Yours respectfully,
DONALD S. TAYLOR.

Mr. TABER. Mr. Speaker, I offer a resolution (H. Res. 90) and ask for its immediate consideration.

The Clerk read as follows:

Whereas DEAN P. TAYLOR, a Representative from the State of New York, from the 31st District thereof, has been unable from sickness to appear in person to be sworn as a Member of this House, but has sworn to and subscribed to the oath of office before the Honorable Donald Stephen Taylor, justice of the Supreme Court of New York, authorized by resolution of this House to administer the oath, and the said oath of office has been presented in his behalf to the House, and there being no contest or question as to his election: Therefore be it

Resolved, That the said oath be accepted and received by the House as the oath of office of the said DEAN P. TAYLOR as a Member of this House.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MR. DOOLEY

Mr. JOHNSON of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. JOHNSON of Colorado. Mr. Speaker, I would like to commend to the Members the remarks of Mr. Dooley on "Lunik." Mr. Dooley, the idol of many in the older generation, is still with us through the pen of Roscoe Fleming, who quotes him from time to time in the Denver Post.

"RASCALLY ROOSIANS" OUTDO US AGAIN—MR. DOOLEY VIEWS THE "LUTNIK"

(By Roscoe Fleming)

"Well," said Mr. Hennessey, "I see where the Roosians has got up another satellite—around the sun this time, it didn't even hesitate by the moon."

"Yes," said Mr. Dooley. "Don't it beat all, Hinnissey—ivery time we get an especially loud case iv the brags along comes Ivan an' calls us—only most iv the time he raises, an' then shows an ace in the hole.

"Here a year ago the Russkies put up sputnik while we was still boastin' at our usual rate, an' wonderin' why the rest iv the world didn't just bow down an' take us at our own value, as iv course it wud have to do sooner or later.

"The rascally Roosians had listened f'r years t' how good we were, an' how we had space staked out an' was goin' to make the moon our 51st state whin we got good an' ready, an' go on fr'm there t' homestead Venus and Mars.

"Thin they put up sputnik, an' the shock was terrific. Here we was, acknowledged unanimously by ourselves t' be the center iv the world's civilization an' culture, to say nothin' iv havin' a corner on science an' invention an' ingenuity an' enterprise; beside havin' patented the only system that'd give us all this, an' tailfins too.

"'Thin along come these primitive peasants from the steppes, held back moreover by a Godless tyranny that wuddn't leave 'em think even if they'd a mind to—an' hang sputnik up in the skies f'r all the world to gape at an' admire—an' to begin to wonder is it possible Uncle Sam has overrated himself, an' underrated the rest iv the world as 'lesser breeds without the law?'

"'Science?' says the President. 'What is all this here science? Charley Wilson an' George Humphrey niver told me anything about it.

"'All they told me was that if we didn't quit this foolish spendin' f'r dreamstuff we'd all go broke, which is a fate worse than death, especially f'r the richest nation on earth.'

"So thin we run around in circles f'r a while, worryin' this minute about the budget, an' the next minute whether we'd be the richest nation in the graveyard if we didn't do somethin' drastic, only nobody quite knowed what.

"Thin our scientific an' space boys got on the ball, which they might have been o:: earlier if they cud have kept about four assorted sets iv military brass fr'm breathin' down their necks an' yellin: 'Ain't we got it yet, ye dumb scientists? By the numbers, march!'

"Anyway, we begin to put up our own missiles an' satellites, an' some iv them was not too bad. In fact, we begun stickin' out our chest ag'in an breathin' easier. Ivan was awful quiet over there behind the Urals, and naturally we think maybe he's seen how

hopeless it is to compete with all our brains an' money.

"Thin all iv a sudden, blam! An' on a weekend, too, that we got laid out t' brag some more about how we got a 49th State makin' us even more the world's biggest success! Before we know it there's Ivan's latest makin' a U-turn by the moon, an' going on to circle the sun."

"Learned our lesson, have we?" asked Mr. Hennessey.

"Hinnissey, it's too early to say," answered Mr. Dooley.

"Cud be, an' then again we could be the first civilization t' head f'r the graveyard in a hearse with tailfins."

THE ADMINISTRATION'S BALANCED BUDGET IS A FISCAL FRAUD

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, today I labeled the administration's balanced budget a "pious fiscal fraud" perpetuated at the expense of an adequate defense program.

As a member of the Defense Subcommittee of the Appropriations Committee, I say the defense budgetary stipulations will not buy as much "hardware" in the next fiscal year as the present procurement program provides. The rising costs are cutting heavily into military programs.

The military budget the administration proposes will not enable us to reduce the gap between our capabilities and those of the Soviets, but rather will cause us to fall farther behind in this all-important race.

It is most regrettable that at a time when the Communists are giving new evidences of their determination to beat America, and are scoring dramatic advances in rocketry, the administration chooses to pursue a course that ignores the challenge. Such ill-advised economy in the defense budget could well prove the most costly and expensive mistake we ever made as a nation.

I point out that the administration has "sequestered" $1 billion of the funds Congress had appropriated to "beef up" military procurement. The committee of which I am a member has provided the billion dollars in question for the specific purpose of expediting research and development to develop nine Polaris weapon systems, to further strengthen our military aircraft, and for second- and third-generation ICBM missiles, the Titan and the Minuteman, and also to provide airlift for the Army's divisions.

In addition, our committee earmarked and provided appropriations to modernize the Army's equipment, and this program has not been undertaken. This modernization program is overly needed and we ignore it at our peril. It is noteworthy that the Soviets have modernized their Army's weapons twice since World War II. The failure of the administration in this respect is all the more reprehensible because spokesmen for the Defense Department gave as their justification for a cutback in Army personnel that they planned to make this up by equipping the fewer men with better and more efficient weapons. It was the contention of the Defense Department that greater, not lesser, firepower would be the result of their cutback of troops.

As a matter of fact, the Congress opposed the Pentagon on the troop cutback program, we favored a larger Army and also the weapons' modernization program; therefore, it is shocking to the Congress that not only is the Army reduced numerically but that the funds for weapons improvement have been impounded by the administration.

We are getting all our eggs in a nuclear basket and are not making the necessary preparations for the efficient conduct of so-called limited wars. Such shortsightedness is an invitation to the Communists to keep probing in peripheral areas.

We must strike hard at the high policy role being played by the Bureau of the Budget. A serious constitutional question is created by the activities of the Budget Bureau. The will and intent of Congress are being flouted by the budgeteers, who are substituting their narrow, negative views for those of the legislators. Before it is too late we must get rid of this bureaucratic heavy hand of repressive influence that is preventing us from attaining the military strength necessary to comfort the stern challenges confronting us. These glorified bookkeepers would cancel America's rendezvous with destiny as they expose our Nation to great peril with their grasping, pennypinching that is not real economy but dangerous foolishness.

President Eisenhower based his case with the voters of the Nation on his military capacity and leadership. It is a shame, therefore, to find the ledger brigade calling the turns and shaping up the country's military programing and policy. There is an urgent need of a thoroughgoing probe to ventilate this situation and publicize the facts of this economy travesty. Another few years of such negativism and our country will be perilously exposed to an aggressor. The situation is tragic when one looks out upon the bumper-to-bumper opulence of America. Yet official policy is rendering this giant impotent. As a part of my remarks I am inserting the following brilliant broadcast and column by Roscoe Drummond:

WHERE WE STAND—II

(As broadcast on the CBS television network on Sunday, January 4, 1959, from 4–5 p.m. eastern standard time, with the following guests experts: Maj. Gen. Bernard A. Schriever, commander of Air Force Ballistic Missile Division, Inglewood, Calif.; Gen. Matthew B. Ridgway, former Army Chief of Staff and former Supreme Allied Commander in Korea; Rear Adm. John T. Hayward, Assistant Chief of Naval Operations for Research and Development; Dr. T. Keith Glennan, Director of the National Aeronautics and Space Agency; Dr. Henry Chauncey, president of Educational Testing Service; Prof. Abram Bergson, professor of Economics at Harvard, and a specialist on the Soviet economy; Prof. Sumner Slichter, professor of economics at Harvard, and a leading authority on the U.S. economy. And with the following CBS news correspondents: Walter Cronkite, New York; George Herman, Washington; Richard C. Hottelet, New York and Latin America; Paul Niven, Washington and formerly Moscow; David Schoenbrun, Paris; Howard K. Smith, Washington; Sam Zellman, Los Angeles. Produced by CBS News, from studio 58.)

SOUND (woman's voice). This is Radio Moscow.

SPEAKER (man's voice).

Mr. WALTER CRONKITE. I'm Walter Cronkite, reporting for CBS News. Exactly 1 year ago in the mood crisis that closed with Soviet sputniks, CBS News reported to the Nation on the standings in this sharpened competition. Our conclusion, then, that we have been resting on our oars while Russia was racing with their rockets. Today the jubilant voice of our biggest satellite is drowned out by the signals of Russia's newest and most dramatic space shot. We are taking a second look at the balance, in space and space age military power, in wealth, and in education, the training grounds of two societies in a historic competition. How far have they come and what has been our answer to the challenge? (Music.)

ANNOUNCER. CBS News presents a special report to the Nation, "Where We Stand." Brought to you by ASR Products.

Mr. CRONKITE. The first manmade satellite had a Russian name: Sputnik. And so it appears will the first manmade planet, Lunik as the Russians call their newest and most ambitious space vehicle. Lunik is on its way to become an artificial satellite of the sun. It is the first space machine to have achieved escape velocity, 25,000 miles an hour—fast enough to carry it not merely out of the earth's atmosphere, but also beyond the pull of the earth's gravity. So fast, in fact, that it sails right past its original target, the moon. Latest tracking data to reach our newsroom places the Lunik more than 300,000 miles from the earth—perhaps a hundred thousand miles beyond the moon. Lunik, launched from earth, followed a course something like this: shooting past the moon, and then pulled by the gravitational pull of the sun itself, moving into an orbit around the sun very much like our own planet, earth. And it will continue doing that indefinitely. The Lunik has shown more dramatically than ever the Russian's considerable skill at guidance, and their power—their ability to lift vehicles much heavier than our biggest satellite, the Atlas. The Atlas is more than a piece of high altitude theatrics. The relays of Presidential greetings have opened up new possibilities in communications. The device that nudged it into orbit by remote control is a new and successful guidance technique. The Atlas' huge size is deceptive. Its payload or measure of a rocket's power comes nowhere near that of the sputniks. With our talking satellite, we did not take over the lead, only the spotlight, and only for the moment. The long-range view of our plan, CBS News Correspondent George Herman called on the man now in charge of our space experiments, Dr. T. Keith Glennan, head of NASA, the new National Aeronautics and Space Administration.

Mr. HERMAN. Mr. Glennan, does the United States now have a long-range national space program, and if so, how far do future developments of such a program extend?

Dr. GLENNAN. I think I would have to say that our first task in NASA is to really develop a long-range national space program which will include undoubtedly both efforts by the military and civilian agencies. Such a program should extend a long, long way into the future because one must look forward to man's exploration of the moon and the planets. As of the present, I think one would say that we're working on a very short range

program which is really made up of the first attempts to try to understand a little bit about this new environment which we are exploring.

Mr. HERMAN. But, sir, our program so far seems to me to depend entirely upon military hardware. Is it going to continue to do so?

Dr. GLENNAN. I think so far as the boosters are concerned, there are the devices used to get these satellites into orbit, to get them up through the atmosphere and out into space. We will continue to depend upon the military for hardware and for the teams which handle the launching procedures.

Mr. CRONKITE. The Atlas is a piece of military hardware, a rocket designed to become a weapon, after it has passed dozens of ground tests like this, dozens of other tests in the air. Only then will the Atlas become an intercontinental ballistic missile, the basis of our space-age military policy. We will not attack first; so we must have weapons capable of retaliating against attack. That is our defense, our power to deter an aggressor. But the Atlas is not a weapon yet. For the last 4 months, CBS newsmen have been taking inventory of our defenses, to find out what we have now in the way of ready military strength, how far along we've come toward developing our rockets into retaliatory power. Here is George Herman's report:

Mr. HERMAN. Our first big missile is ready to take on fully operational status. These are Thors, 1,500-mile missiles stockpiled in production line numbers at Santa Monica, Calif. And they are bound for bases overseas within range of aggressor nations. Under the supervision of Maj. Gen. Bernard Schriever, head of the Air Force Ballistic Missile Division, the Thor has gone through research and development into production and shipment to our allies for use by their own air forces. These particular Thors are ready to be wheeled out of this warehouse to an airstrip right on the plant grounds and flown to places where they are needed. But good though the Thor may be, intermediate range missile has certain strategic limitations. Even though our Thor bases have yet to go wholly operational, the intercontinental missile based in the United States has already been designated to take over the Thors or part of its job. As of right now, however, the Thor is the only ballistic missile ready to go, so I asked General Schriever for a progress report on our Thor bases in Britain.

General SCHRIEVER. Progress is very good; we're right on schedule. Of course, the initial element of the first squadron will be on a training status, but it could fire if it had to.

Mr. HERMAN. When will it be fully ready?

General SCHRIEVER. The first squadron will be fully ready in February.

Mr. HERMAN. General, is this an accelerated schedule speeded up after sputnik and the Russian ICBM?

General SCHRIEVER. Yes; it certainly is. The Thor program is actually in being less than 3 years. In the fall of 1957 there was a tendency to slow things down, but after sputnik we did accelerate. As a matter of fact, we are putting our first missiles overseas wholly a year before we thought we could in the fall of 1957.

Mr. HERMAN. Well, General Schriever, critics both in the United States and overseas have been saying that the Thor has an unfortunate history of blowing up on the test stand. Just how reliable are these missiles which we are now shipping overseas to our friends and our allies?

General SCHRIEVER. Of course, we expect to have a few missiles blow up on the stand. If we didn't we wouldn't need a research and development program. Actually we fired some 25 missiles at Cape Canaveral. We had three that we lost in that manner. We expect that the initial operational missiles will be about 50 percent reliable—reliability is a factor of the missile and training of personnel as well. I think we can go as high as perhaps 80 or 90 percent within a year.

Mr. HERMAN. What is the mission of the IRBM if war should come?

General SCHRIEVER. The mission would be to move in and provide an earlier strike against the enemy which I think would be very helpful to our strategic bomber force which is going to continue to be for some time the backbone of our deterrent capability.

Mr. HERMAN. Well, now sir, we have been publicizing to the world for some time that we're going to sent these IRBM's overseas. What is Russia's answer to our IRBM threat?

General SCHRIEVER. Well, of course, they have been developing missiles that would cover Europe long before we started our IRBM program; they have an operational capability now.

Mr. HERMAN. Well, sir, when can we expect to have some ICBM bases in operation, bases capable of striking the enemy with missiles launched from our own home soil?

General SCHRIEVER. Well, our initial capability will be available in May of 1959.

Mr. HERMAN. What about the so-called gap; is Russia increasing her lead over us, or are we catching up?

General SCHRIEVER. Ah, in the ballistic missile area, I think we have been losing as rapidly as it is possible to lose from a technological standpoint. I doubt very seriously whether the Russians are moving any faster than we are at the present time; I do believe that, and I know, in fact, that they started sooner and our biggest problem is that we started a little bit too late. If we continue to apply the resources and the effort into our program that we have in the past 2 years, I think that you can say that we probably will have reached a point or will reach a point where the missiles are to some extent in a stalemate condition.

Mr. HERMAN. But right now the missile burden rests on Thor. And in order to get within striking range, Thor must be flown across the Atlantic to bases on the soil of our NATO allies. The Russians tried to prevent this with a tirade of threats to allied governments. Then they began to work on zeroing in their own IRBM's on potential allied missile bases. So far, the only NATO ally which has accepted a Thor squadron for its own forces is Britain.

The route of the Thor through Britain to the Royal Air Force bases which will use them has been marked by controversies. Some Britains fear Thor because it uses tricky and potentially explosive fuel. They fear destructive accidents. Others complain because it takes minutes to crank up and fire a Thor in time of call and because it stands exposed and because ground vulnerable to attack by enemy missiles only 8 minutes flying time away.

The truth is that Thor is designed to be fired in 15 minutes' notice from a cold standing start. Much less in time of emergency. But so far there is no radar network in Europe capable of detecting enemy ballistic missiles on the way; none under construction. So Thor is a counterpunch system with neither a warning network nor underground protection against enemy attack. So how about a counterpuncher deterrent system based on our own soil? General Schriever says the first Atlas base will be ready in the middle of this year—six months from now. More than a year behind the Atlas is the Titon missile designed to be hidden underground and reinforced concrete pits ready to emerge safe even after a major enemy blow has landed. And a year or more behind that is the solid fueled minuteman—small, cheap, easy to protect, easy to fire at a moment's notice. But it may be delayed. The Defense Department is withholding approved funds for the equipment needed to aim and fire Minuteman until the missile proves itself. The Russians for their part test flew a fuel-range intercontinental missile 18 months before we did, and assuredly they have had ICBM bases operational and aimed at us for some months now. For 2 years at least we will have no radar warning system against enemy missiles. Our BMEWS or ballistic missile early warning system will not be ready until 1961 at the very earliest. A report on what the Navy is planning in seaborn missiles after a word from Bill Shipley.

Mr. HERMAN. The problem of protecting our counterpunch from surprise attack has been approached in a different way by the United States Navy. They see this as the answer—missile bases which move from place to place and fire from secret and protected depths of the sea; nuclear powered submarines, armed with Polaris missiles, each capable of carrying a thermonuclear warhead 1,500 miles. A navigation system evolved from that of the defunct Navajo missile will locate the submarine even under the Arctic ice like the *Nautilus* or the *Skate*, or completing record underwater runs like the *Seawolf*, right at the dock in New London, Conn. The *Seawolf* has proved that a nuclear-powered submarine can stay under water months at a time, keeping her missile power always hidden, always ready for instant firing. If *Seawolf* were a Polaris submarine the missiles would stand in firing tubes under here ready to be fired from deep under water. Actually, below this deck waiting for us is Rear Adm. John T. Hayward, the Navy's Chief of Research and Development. In the control room of the *Seawolf* I asked Admiral Hayward whether there was a single Polaris missile in existence anywhere today.

Admiral HAYWARD. The answer to that must be "No." We have quite an elaborate and complex system that we're working on, and we have quite a few test vehicles that we have fired. In order to put an elaborate system like this together, it's a step-by-step process. You don't wait to have all system components working before you test. We hope to continue our test firings, to continue these test vehicles for the various components; but as of today it does not exist.

Mr. HERMAN. Well, when will there be Polarises in existence ready to go if the need should arise?

Admiral HAYWARD. The operational date for the Polaris system is 1960.

Mr. HERMAN. That means in about a year and a half from today?

Admiral HAYWARD. That is correct.

Mr. HERMAN. When the Polarises are in existence, the submarines are ready to take them out when the whole system is in evidence and ready to use, how big a force will it be?

Admiral HAYWARD. We are presently authorized to construct five nuclear submarines. We were authorized or funds were appropriated in Congress for nine submarines. The President decided that we would only expend the funds for five submarines.

Mr. HERMAN. Well, do we know what the Russians have in the line of a similar kind of submarine base intermediate range missiles?

Admiral HAYWARD. Well, in the Reds' Star, which is a publication organ for the Soviet fleet, has come out with statements that they are putting missiles aboard their submarines as intermediate range missiles.

Mr. HERMAN. How many submarines do you think they could throw against us, submarines armed with ballistic missiles?

Admiral HAYWARD. There is no reason why they couldn't put as many as a hundred if they wanted to. There is nothing to stop them from doing it.

Mr. HERMAN. If they were to disperse their submarines in the Atlantic, would we have the forces and the ability to track them all down?

Admiral HAYWARD. Approximately in this case geography favors the free world, because the Russian submarines have to come out through narrow entrances; for instance, the Denmark Straits; the Skagerrak; Straits of Gibraltar; and the Bosporus Sea.

Mr. HERMAN. What are our detection chances there?

Admiral HAYWARD. Well, they are very good. Particularly, with the conventional type submarine, which requires its snorkel to recharge, because that particular noise and that particular submarine is very susceptible to our detection devices. However, the peace-diving nuclear submarine is a different craft. The Navy's No. 1 task, really today in the general war situation, is the defeat of a submarine carrying missiles against our country. We feel very strongly that the flanks of the United States should be protected against this attack as well as the northern part of the continent. We do not have, however, the forces to go and investigate every contact if they really flood the defenses with lots of submarines.

Mr. HERMAN. Just last week the Navy decided presumably with administration blessing to build the 4 additional submarines authorized by Congress—there will be giant vessels, like the others designed to carry at least 16 Polaris missiles apiece. The United States is a nonaggressor nation. Our goal is stalemate. And thermonuclear stalemate is not easy, either to achieve or to maintain. Any sensible enemy will continually examine all facets of our defense for some weak points. Submarine warfare, missile and antimissile technology, even civil defense; for experts insist that with a good civil defense we could survive a thermonuclear blow and hit back. Even when we have temporarily achieved a condition of stalemate, we cannot rest. A new threat looms up; the threat of limited war. In the halls of the Pentagon, limited war is defined as a conflict in which American forces are not directly opposed to Russian forces. It is not limited to conventional weapons. But it is expected that one old-fashioned weapon, the foot soldier, will still play the major role in limited war. With the other services occupied mainly in transporting, supplying, and supporting him. And in ground forces, here is where we stand. And one of our divisions will soon be missing—a casualty of the budget. Now how effective are our limited forces? We took this question to a commander experienced in both all-out and limited war. A former Army Chief of Staff, a former Allied commander in Korea and in Europe, Gen. Matthew B. Ridgway. At his home in Pittsburgh I asked him what kind of war the United States must be prepared to fight?

General RIDGWAY. Any kind of war, Mr. Herman, from the smallest so-called brush-fire type to all-out war. Even the smallest brush-fire type war contains within itself the possibility, no matter where it occurs, of rapid development into all-out war everywhere. And the intentions of our openly declared enemies, repeatedly stated, is the ultimate conquest of western civilization. It is for this reason that we must win any war we enter, for it would be a war of survival.

Mr. HERMAN. Now General Ridgway, how about the cost of keeping prepared for all these different kinds of war? Can we afford it?

General RIDGWAY. I am glad you asked that question. I have here a pamphlet issued last August by the Committee for Economic Development. It is, I think, a very impressive one, and I should like to read you two brief paragraphs.

"Periodically the timid suggestion comes from many quarters that high expenditures for national defense might lead the country to economic stagnation or collapse.

"A realistic appraisal of the situation shows that this fear has been greatly exaggerated. The truth of the matter is that the American people will have to decide for themselves what they think security is worth. But they can afford whatever has to be spent in the cause of national defense."

And this last significant sentence was put in italics by the Committee. Now in my own experience in Washington, I frequently found occasions where the national defense was subordinated to the economic factor, and that is why, I think, that this particular quotation is pertinent to this particular interview.

Mr. HERMAN. General Ridgway, we hear a great deal of discussion about limited warfare. Aren't we virtually committed to the use of at least tactical atomic weapons today?

General RIDGWAY. Unquestionably so. The loss of even a small brush-fire war would be another severe blow to an already damaged reputation of the United States throughout the world—not to mention our casualty lists. First, we are certain to be faced with vastly superior numbers in any future war in which we may engage, and these weapons will go far to eliminating or at least cutting down on this disparity. And second, we will shortly have fractional atomic weapons entering our arsenals and available for operational use. As these come into our hands, they will imperceptibly merge with the conventional type of weapon. From my own combat experience, I can clearly recall many situations where, had a small atomic weapon such, for example, as an atomic bazooka been used, it could have brought instant local success, and with a consequent saving of many American lives.

Mr. HERMAN. Do we have a mobile combat force capable of being rushed to the scene?

General RIDGWAY. Yes, we have some forces with the requisite degree of readiness to move quickly to meet one very small war * * * or one limited war, you might say. The basic question in mind is, in view of our worldwide commitments to allies who ring the earth, do we have a ready force of adequate strength of instant readiness and the transportation to move it quickly when the alarm bell rings? And my answer to that question would be an emphatic "No."

Mr. HERMAN. On the subject of space and defense then, here are the conclusions drawn by CBS News: The dramatic news of Russia's huge moon probe has reemphasized the fact, temporarily obscured—that Russia is still far ahead of us in the development of heavy-power rockets. In our own space work we appear to have proceeded in a series of brilliant improvisations, but with no national program. In the weapon system race, sputnik caused a major speedup. Our Atlas is ahead of the dangerously slowed-down schedule of 1957, but it is only on time according to the original schedule of 1954. We are developing strong weapons of retaliation but no radar system to put them into effect by detecting enemy missiles approaching in a surprise attack. And such a detection system is at least 2 years off. A high Pentagon official says we are not working at it as fast as we could. CBS News found that most experts in the missile field believe our effort can be greatly accelerated. They say we are not going full speed ahead, especially in our space program. And the advance hints on the new budget are widely taken to mean that we do not plan to go full steam ahead. Every defense contractor, almost every military official, told CBS News that our progress was dramatic but spotty and incomplete. They all felt we could go faster and almost without exception they said they were prepared to go faster—if orders come down from the President.

[From the Washington Post and Times Herald, Jan. 10, 1959]

WEAK BUDGET POSITION—ADMINISTRATION SAID TO HANDICAP ITSELF

(By Roscoe Drummond)

In an understandable effort to hold the line against lighthearted spending, President Eisenhower is taking a stand at the very opening of the new session which, it seems to me, weakens his position in Congress and in the country.

What the President has done is to talk early and long and almost exclusively about a balanced budget and about the danger of the wild spenders.

The effect of all this talk is for Mr. Eisenhower to link himself almost inextricably with the idea that balancing the budget is the first priority, the No. 1 objective of the Government.

In the midst of the perilous Berlin crisis, the uncertainties in the Middle East, the uneasy truce over Quemoy and Matsu, in the face of 17 limited wars during the past 13 years, the majority in Congress, including many Republicans, are certainly convinced:

That mustering the total resources needed to wage the peace is the first priority, the No. 1 objective of the Government.

That balancing the budget cannot be put ahead of keeping the balance of power in scientific weapons from slipping menacingly into the hands of the Soviets.

That we are not dealing with a peacetime budget, but with a cold wartime budget, and that while a balanced budget would be most welcome, it is not the first requirement of national survival in the kind of world we are living in today.

The consequences of the President approaching Congress with the main banner in his hand reading "Balance the budget" will, I think, be these:

1. It will make it harder for the White House to get from Congress some of the urgent appropriations it is seeking. When foreign aid comes up, the President has almost invited its opponents to cut it and say virtuously: "Here's where we'll help the White House balance the budget."

2. It will divide the Republican Party because at least half of the Republicans in the Senate want to put meeting the Nation's needs ahead of balancing the budget if both are not simultaneously attainable.

3. It leaves to the Democratic leaders in Congress a wide opportunity for initiative in meeting the present and oncoming challenges from the Kremlin in new weapons and in new explorations of outer space.

After the briefing of the congressional leaders at the White House this week, Senator LYNDON JOHNSON of Texas showed that this is exactly what he intends to do when he remarked, "I am rather disappointed that we are not going farther and faster in our military preparations and space programs."

It is, it seems to me, a mistake and a misuse of the term to try to win an argument on balancing the budget by calling those who would spend more, rather than less, for the vital needs of the Nation, radicals. Senator JOHNSON is no radical. Senator JOHN S. COOPER, of Kentucky, is no radical.

I suspect we need a new and relevant definition of a conservative and I venture the following:

A 20th-century conservative is one who is determined to deal with the Nation's problems on conservative principles—but not to neglect them. Too often in the past it has been the conservative who has used his conservatism as an excuse for not doing what is needed. That's not conservatism. That's neglect.

The businessmen's Committee for Economic Development warns that "we must not hobble ourselves with the notion that

there is some arbitrary limit" on what we can safely spend for defense.

The nongovernmental National Planning Association warns that to seek a balanced budget at the expense of military strength "may prove a prelude to disaster."

I am not arguing for an unbalanced budget; far from it. I am only saying that the first objective is to determine what we need to do in a period of no peace and no sign of peace. And then, in the American tradition, find the way to do it.

SECOND UNITED NATIONS INTERNATIONAL CONFERENCE ON PEACEFUL USES OF ATOMIC ENERGY

Mr. DENT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. Mr. Speaker, under leave to extend my remarks, I should like to submit some personal observations on implications of the Second United Nations International Conference on the Peaceful Uses of Atomic Energy held at Geneva, Switzerland, last summer. As a member of the delegation serving as observers for the Congress of the United States, I had a special interest in the exhibits, the scientific papers, and the discussions relating to the use of nuclear energy for generating electric power.

The district which I represent is an important producer of bituminous coal. As you know, coal generates more electricity than all other sources of energy combined. The railroad industry, which relies upon coal traffic for a substantial portion of its revenue, is an employer upon which many thousands of our men, women, and children depend for subsistence. Greensburg, the county seat of Westmoreland County, is now headquarters for the West Penn Power Co., whose annual consumption of coal is in excess of 2 million tons. More than that, many Westmoreland County residents are engaged in the manufacture of generating units and other electrical equipment. The Ellicott Co., one of whose plants is located in my hometown, ships these finished products to utilities throughout the land. A large number of our employees at Westinghouse are similarly occupied. Chairman of the Board Gwilym A. Price said this week in a year-end statement that order backlogs for atomic equipment last year were 30 percent higher than at the end of 1957, and he expects the atomic power business to continue growing in 1959 for the fifth consecutive year.

Whether electricity is to come from coal or the atom or from hydrogen will still require the manufacture of turbines and generators. Thus all Westmoreland County has a very decided interest in the future of electric utilities. Furthermore, as consumers of electricity in home and industry, we are in support of whatever progress can be achieved in increasing the efficiency of electric power generation, if only for the sake of rate stability.

What American scientists and engineers have accomplished in the field of atomic electric power impressed everyone who attended the Geneva conference. The Westinghouse Corporation displayed working models of reactors. There was perhaps $10 million worth of nuclear equipment at hand in the United States exhibit, while the Russian display consisted largely of plastic models and nothing of an operating nature. The conference demonstrated the potential of nuclear energy for power, heat, agriculture, transportation, mining, manufacturing and medical research.

Geneva was an excellent setting for the conference, Mr. Speaker. It is within close proximity of Western Europe's bustling industrial centers whose fuel-hungry plants and factors have been demanding more coal than native mines are able to supply. Indeed, many hundreds of tons of coal and coke from Westmoreland County's mines and ovens have been shipped to Western Europe in recent years. I think perhaps a brief look at the history of the coal industries here and in Europe will give us a better understanding as to why there is such a contrast in the prospects for atomic electric power in the two continents.

That Western Pennsylvania was one of nature's storehouses of rich coal reserves was coming to be recognized two centuries ago. It was in 1759 that Colonel Mercer, in command of Fort Pitt, reported the presence of rich coal reserves and prompted an official expedition for the most readily accessible seams. The presence of coal in Westmoreland County was evident at least since 1767, at which time the officer in charge of Fort Ligonier gave a resident permission to "cultivate" 200 acres of coal land.

From those earliest records to the present time more than 8 billion tons of bituminous coal have been produced in my State. Yet 35 billion tons—more than 4 times the total extracted in a 200-year period—of recoverable reserves remain in the ground in central and western Pennsylvania. For the United States as a whole, the alltime production figure is nearing the 29-billion-ton level, but minable reserves still amount to 947 billion tons. It is also interesting to note that there is considerably more anthracite in Pennsylvania's hard coal region than the 5 billion tons mined thus far.

For Europe, the situation is quite different. It is true that Great Britain alone has an estimated 180-billion-ton coal reserve and that the continental territory west of the Iron Curtain may contain another 150 billion tons, but so much of this coal is difficult to mine that there is no likelihood of supply meeting demand in the foreseeable future.

Great Britain was a traditional exporter of coal for centuries. Probably the world's first instance of coal exportation took place in 1362 when a ship from France brought a cargo of corn from Newcastle and returned with a load of coal. A monopoly in the coal export trade was eventually established by the British. By 1913, the last pre-World War I year, 82 million tons of coal left British docks for ports in other countries. The peak year was in 1923 with 90 million tons moving abroad. With Germany also able to produce more coal than was required for her own consumption, Europe never faced a coal shortage except in periods of work stoppages or as the result of ravages of war.

The first substantial shipments of U.S. coal to Europe followed World War II as the battered nations across the Atlantic struggled to restore their own industrial output. By 1950 a semblance of economic order had been restored and Europe's total imports from American mines amounted to less than 1 million tons. Since that time the requisitions have oscillated considerably, with a peak of almost 50 million tons transiting the Atlantic in 1957. In the year just closed Europe's imports were in the neighborhood of 34 million tons.

Whether that market will adjust itself in the coming years is problematical, although most fuel experts are of the opinion that there will be no further periods of drastic flexibility. Europe's industrial activity continues to rise. Population moves upward. Standards of living are scheduled to improve despite austerity programs such as that recently made necessary in France. Thus energy consumption can move only one way—upward.

Here atomic electric power enters the picture. To augment the supply of domestic and imported coal and oil, nuclear power may soon come into economic usefulness in Europe. Whether this development will ever decrease the cost of electricity on the continent and in the United Kingdom is uncertain, but—as research and development progress—it is possible that a decrease in the cost of nuclear energy will meet an increased cost of the conventional power produced by coal and oil. Europe, therefore, has a decided immediate interest in the atomic electric power program.

In the United States, any private investment in commercial atomic power generation in the near future will have to be inspired more by long-range hopes and job service motives than by any reasonable expectation of substantial early profit. This appraisal is explained in detail by Dr. Robert E. Wilson, a member of the general advisory committee to the U.S. Atomic Energy Commission, in the January issue of Power Industry magazine. The following excerpts are from his article:

When we start to talk about the possible use of nuclear fuels in central power stations, I think it is fair to describe the present situation as confused. It is confused partly because of misunderstandings on the part of the public and partly because even the experts hold varying opinions, though not as varied as some published reports would indicate.

According to one published claim, a plant in California will be able to make electricity in 1962 for less than 9 mills per kilowatt-hour. Another estimate predicts nuclear power costs by 1980 as low as 2 mills.

On the other hand, electricity from the plant in Shippingport, Pa.—the only large

plant in actual operation—has been said to cost 64 mills.

The mere cost of fabricating the fuel elements—one factor often overlooked in the past—was about twice the cost of conventional power.

For large conventional steam powerplants today, the cost range is around 3.5 to 8 mills, depending on size and location.

Mr. Willard Owens, associate counsel of the United Mine Workers of America, contributed a most illuminating article on the United Nations Conference in the November 1 issue of the United Mine Workers Journal. He suggested that the rate of introduction of atomic-electric power in each country will be dictated by two factors: First, a lack of conventional fuel rather than competition with available conventional fuel, and second, a demand for large blocks of power. He foresees the development of atomic power programs first in England, the Continent of Europe and—somewhat later—in Japan. He also foresees early use of the peaceful atom in India, whose population is rising rapidly and where coal deposits are far away from points of heavy power needs.

Mr. Tom Pickett, executive vice president of the National Coal Association, is on record as endorsing the orderly development of the peaceful atom, both in America and in Europe, as a necessary step to scientific and industrial progress throughout the world. Mr. Pickett points out, however, that there is enough available coal reserves in this country to last for 500 years even if the current rate of production were doubled.

Our abundant reserves are but one reason why the coal industry need have no fear of competition from the atom in the foreseeable future. Our modern mines have been mechanized to such an extent that we can produce about four times more coal per man-day than can any other country. We have the manpower necessary to operate the intricate mining equipment. Given the incentive to invest in new properties and to plan for continued mechanization, the coal industry will have ample capacity to provide the energy for the growing electric-utility market, the oversea requirements, and the variety of domestic consumers that include retail coalyards, the chemical industry, and miscellaneous plants and factories.

As expressed by both the National Coal Association and the United Mine Workers of America, the coal industry favors research and development that may be carried on in the field of atomic electric power. We who come from coal areas are, however, concerned with programs that would project the Government into the business of producing electric power through the atom. We stand in support of research activity that will enable us to make maximum use of nuclear fission and hydrogen for peacetime application. We oppose subsidized competition of any nature. I am confident that Congress will follow such a course in the ensuing years.

AMEND SOCIAL SECURITY ACT

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, I am filing a bill today to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which may be received by an individual while receiving benefits.

I feel that the present limitation of $1,200 in outside earnings is unrealistic. The economic problems of retired workers receiving social security payments are becoming increasingly apparent. Congress last year increased social security benefits by 7 percent, and these higher benefits will be reflected in the checks to be sent out to recipients at the end of this month. However, because of inflation even the increased payments will not be sufficient to meet the minimum needs of these retired workers and their dependents.

Many older men and women are forced into supplemental, part-time employment to augment their social security payments in an attempt to maintain even the barest minimum living standard. These people have written to me about their problem and many have come into my district office in Springfield to explain in detail the difficulty they experience in trying to get along on social security payments and the $1,200 outside earnings limit. These older persons are still useful citizens of our community and have much to contribute to business and industry, even if only on a part-time basis. I certainly hope that my colleagues on the Ways and Means Committee will consider removing the $1,200 ceiling, or at least compromise the issue by increasing the ceiling to $2,000 a year. Such a change in the law will not cost the Federal Government 1 cent and will help greatly the older citizens.

INCREASE IN SOCIAL SECURITY BENEFITS

Mr. BOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, it has recently come to my attention that some inequities have been brought about by the increase in social security benefits.

I have received a communication from a constituent of mine who has been on a World War I pension. In 1955 he lost his right leg and developed hardening of the arteries. He is presently in a wheelchair and requires constant attention.

Under the new social security law in which we increased the benefits by 7 percent, that increase put my constituent $34 over the $2,700 limitation as provided for in the Veterans Benefits Act. This has caused the Veterans' Administration to withdraw the pension from this unfortunate individual so that instead of giving this man an increase, he has had a substantial loss in his income.

I hope, Mr. Speaker, that the Veterans' Affairs Committee, together with the Ways and Means Committee, will bring legislation to the floor to correct this situation, and that the Congress will take prompt action.

I am sure it was not the intent of this House, or of the Congress, to work this hardship upon deserving people.

EUROPEAN COMMON MARKET

Mr. MUMMA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MUMMA. Mr. Speaker, under leave to extend my remarks at this point in the RECORD, I wish to include an article by Mr. Frank Masland, Jr., entitled "European Common Market."

Mr. Masland, as you may know, is of the Masland Co. in Carlisle, Pa., weavers of fine rugs and broadloom carpets.

His article sets forth his reflections on the subject and will evoke the careful thinking of those who read it.

Mr. Speaker, Mr. Masland's article follows herewith:

EUROPEAN COMMON MARKET

(By Frank E. Masland, Jr.)

I have written a number of articles in which I have attempted to make the point that if the United States persists in pursuing its present policies with respect to tariffs, protection of American jobs in general and underwriting of jobs abroad, the impact upon industry and employment within the confines of the United States will be serious and conceivably disastrous.

I have contended there is no evidence justifying the long held myth of superior Yankee ingenuity, of American technological supremacy.

It has been my contention that the American standard is where it is for a number of reasons, none of which provide evidence that the American is a superman in the factory or the market.

To begin with we started with vast open spaces, unlimited natural resources, and a domestic market that quantitatively could be expanded or contracted at will through the unlimited reservoir of Ellis Island.

We were and are a new nation. We started with freedom as a cornerstone and those who envisioned the future protected that freedom with measures that were inviolate until the results of that freedom created a society so satiated and concerned for the moment that it traded the fact of freedom for the promise of security.

The freedom of the individual begat the free enterprise system, and the free enterprise system begat the concept of mass production, and mass production begat the highest standard of living the world has known, and that standard of living begat complacency, and complacency begat a labor government, and the labor government begat socialism and socialism took the place of free enterprise. And with the loss of free enterprise went the loss of individual freedom.

The pinnacle of this cycle lay in the concept, the development, and the full utilization of the mass production system by free men and women. That system reduced costs, increased wages, resulted in keen competition, stimulated sales effort, built a market.

At a time in our history when we no longer possess national fervor, when we have traded sturdy individualism for state security, when we have traded imaginative constructive conservatism for those panaceas that

the yellow pages of history record as having been tried and found wanting, at that period of our history we find that Europe, we so long ago left so far behind, recognizing that which our history proved would work and adopting it for themselves and adapting it to their purposes.

We were in a position to make a choice—private jobs or public jobs. We seem to have made our choice. Public jobs are increasing at a far faster rate than private jobs. Private employment is completely dependent upon the ability of private industry to compete for whatever markets may be necessary. Today we find Europe taking momentous steps designed to create a market for its products. No one can find fault with their objective. Perhaps no one should find fault with their methods. Certainly they are the methods we used. The tools they will employ are mass production and protective tariffs.

Germany, the Benelux group, France, and Italy have created that to which they refer as the European Common Market. Their efforts and their objectives have been cheered and furthered by the Government of the United States. Their purpose is to expand capital investment and industrial capacity within the area of the member nations, to provide employment, raise the standard of living, and create a market. I find no fault with such ambitions or with their collaborative effort. I wonder, however, how it is that we here in the States can view this movement with such equanimity. Certainly we have read what has been written. Or have we? Perhaps, as we have done with Stalin and Mao and Khrushchev, we either fail to read or disbelieve. For those who put the European Common Market together and who are administering it have set forth their thinking with respect to it, and it makes interesting and perhaps apprehensive reading for those who provide jobs and those who depend upon jobs in the States.

For the justification of my opinion that apprehension is warranted I quote from the writings of these gentlemen. I quote out of context. There is no other way I can do it, but I will attempt to quote as fairly as may be possible.

First, may I quote from Baron Rene Boel, president of the European League for Economic Cooperation. He is a Belgian. "The common market will lead to a vigorous economic expansion. This internal expansion will in itself lead to an increase in foreign trade. Europe will have to import increased quantities of raw materials and capital equipment, in exchange for which, it will supply increased quantities of finished and semifinished products. In addition, the prices of these products will be lowered, thanks to the rationalizing of the European economy, working increasingly in terms of mass production." Baron Boel adds, "The United States, the United Kingdom, and the commonwealth will be among the beneficiaries"—but he does not say how. He leaves that hanging in air. He believes the market will be of such size that it will allow enterprises of other countries to establish large plants in Europe. Perhaps this is the way in which he believes the United States will benefit, by foreign investment, by building plants in Europe. What does that mean? It means that capital which otherwise would be used for expansion and new jobs here at home will be used for the building of large plants in Europe providing jobs for European workmen at the expense of the American workmen.

Baron Pierre Bonvoisin, chairman of the board of the Banque de la Societe Generale de Belgique, also a Belgian, states that the European common market will "bring about the development of the European bloc which can speak effectively to its world partners"—a European bloc versus an American bloc?—there is no such thing. Our laws forbid it.

Baron Bonvoisin goes on to say, "The criticisms and fears aroused by the common external tariff call for a clarification." He states, "This tariff does not have to be rigidly applied; a list of customs exceptions has been provided for, thus limiting tariff protection. The possibility of obtaining a tariff quota suggests that the sources of supply will not be completely upset."

The Baron clearly recognizes that a protective tariff is a tool that may be used for the protection of those within the European Common Market.

The Baron concludes that "American industrialists will have to make a choice between setting up factories in Europe, absorbing existing concerns, or simply participating in European enterprises, or transferring patents and licenses to Europe."

Raymond Aron, French author, journalist, and economist, professor at the Sorbonne, states that "The Common Market was set up for the benefit of its six members and not that of the Western bloc in general." He also says, "It is impossible to set up a new economic unity without some prejudice to outsiders."

Pierre Dreyfus, president and managing director of the Regie Renault of France, expresses his belief that "The Common Market is a new and efficient step towards the creation of a vast economic area which will permit an exploitation of modern techniques, a genuine expansion of exchange possibilities for goods and capital as well as the free travel of citizens—the community goes beyond a simple customs union: It is a constant progression towards economic integration." He adds, "In addition, the countries consider the General Agreement for Tariff and Trade as a point of departure for further tariff reductions to be carried out by negotiations with their partners in world trade."

Pierre Dreyfus quotes M. Hallstein as stating that "the six members have had to pay what might be called an entrance fee—a partial renunciation of national sovereignty in favor of common interest and institutions, an application of jointly decided prices." Jointly decided prices are a privilege that our laws deny capital invested in American industry but not American capital invested in European industry.

Mr. Dreyfus goes on to say, "Nonmembers benefit from the Common Market by increasing their investments in their common area. For this reason it can be hoped that the Common Market will attract foreign capital in the same way that the United Kingdom attracted American investments."

Ernst Falkenheim, member of the economic and social committee of the European Economic Community and their chairman, offers this advice to American businessmen, "If I were an American businessman, I should not hesitate to invest both in the countries of the Common Market and in those of the European free trade area because the chances of an economic boom are the same for both areas."

Rear Adm. E. H. Shattock, representing Great Britain (not a Euratom member) states, "This expansion of the market will run parallel to the present intense drive for increased product activity." Another indication of the determination of the European market to achieve through the medium of mass production and modern technology a high element of productive efficiency, an objective to be respected but a factor with which we, in America, will have to contend.

Admiral Shattock states, "The countries outside the area will have to face the common tariff of the Common Market and, in competition with goods passing between the six free of all duties, cannot but lose a substantial proportion of their markets."

I again quote from Admiral Shattock, "In the Common Market, any negotiations with third countries will have to be made by the six as a body. This will necessitate, of course, preagreements between the Common Market countries and will considerably enhance their bargaining power."

I will conclude with Admiral Shattock by quoting his confirmation of what seems to be a general conclusion. He states, "The difficulties that this free market will bring to American exports will be tackled with typical American energy and enterprise and mainly by a considerable expansion of investment in the area."

A. R. Smith, head of the intelligence department of the Imperial Chemical Industries believes that the European Economic Community could lead to a stronger and more united Western Europe. This would bring benefits to the Western World. But, Mr. Smith also states, "Nevertheless, within the six member countries there are strongly restrictive and protectionist forces. At the moment it is difficult to say which will become uppermost."

Gerard F. Bauer of Switzerland is of the opinion the Common Market will make it possible for such industrial sciences as automation and nuclearization to make further progress according to a rational scheme. Prices will go down and popular purchasing power up.

Bear in mind that products made in America currently face difficulty in meeting prices of products made abroad. It is obvious that with the use of industrial sciences, automation, and nuclearization, unless European wages are as high as American wages, as Mr. Bauer states, "prices will go down" and it will be even more difficult for American manufacturers to compete with foreign-made goods.

Mr. Bauer adds, "As to the motives of American businessmen, it is both true that they expect a higher sales potential from a widened European Market and that they fear that this Market might be closed to goods manufactured outside Europe. These two arguments are quite equivalent." He goes on to say, "It it quite conceivable that the American Government will favor the private investments in Europe and help these interests through the institutions in which it plays a determining role." Mr. Bauer is very realistic. There is little question but that the American Government, if it continues to pursue its present philosophy, will utilize every means to achieve the investment of American dollars abroad.

I would like to suggest that the only American bloc analogous to the European bloc would be one consisting of North and South America joined in an American Common Market and in which dollars could be invested for the development of a market that in the future will be of more importance to the United States than dollars invested in a European economy which for some years has been moving along at a clip, at least equal to that experienced in the United States.

Mr. Lincoln Gordon, professor of international economic relations, Harvard University, has an interesting comment to offer. He states, "American business interests would vary according to industry. Larger exports should accrue especially to American agriculture, engineering, chemical, and consumer goods industries would plan for greater European investment, both because of their weakened competitive position in exporting from the United States and because of the 'more challenging investment opportunities within the new markets.'"

There we have the case. What does it portend, and what do we do about it? What it portends has been clearly set forth. A vastly greater percentage of available American capital will be invested in the European Common Market area. It will be invested abroad for only one reason—because invested capital abroad can undersell invested capital at home. Obviously, larger investments

abroad will result in a greater volume of merchandise seeking the American market. What will be the result of dollars going abroad and goods coming back? Without a protective tariff American industry will have increasingly tough sledding. We are faced with a population explosion. We will need a job explosion. We won't get it from American dollars spent abroad and European goods sold in our home markets. There are those who estimate that by 1965 we will have a frozen unemployed norm of 10 percent of the working force or 10 million. Ten million unemployed supported by those who are employed. This does not take into consideration such additional unemployment as may result from an increase in the movement of United States capital abroad and the movement of finished goods back home. What is the answer? It is a double-barreled one. Adequate protection for American industry, which is simply another way of saying adequate protection for the jobs of American workers, and the development of the American common market, the market from Alaska to Tierra del Fuego. If, in 2,050 A.D., the population of the United States is as predicted—800 million—we will need that market and need it badly.

One recognizes, of course, that the major threat to the so-called free world is communism.

Europe needs to develop a market and raise its standard of living. In the overall, the Euratom nations do not lack capital. Germany alone could provide all that is needed. The United States needs to protect its industrial potential. In 2 world wars it is all that stood between Western World victory and defeat. Currently, it is all that stands between Western World economic victory and defeat. In the event of any crises anywhere, its unimpaired potential is a factor belligerent nations respect.

Communism threatens on all fronts. We are concerned here with the European front and the home front. A self-financed Euratom can confront the European threat. The threat is equally great in South and Central America. A United States financed "Common Market" is the most effective answer to that threat. If there is excess U.S. capital it is there that it should be invested. I first advocated such a policy in an article written in 1949. Therein I said, "We should join with the New World for mutual defense and the development of a market. If we do not, one of these days we may be forced to fight for 'lebensraum.'" While as a Nation we are faced with ideological and political infiltration and economic strangulation, this article is concerned with the economic aspect only.

There may someday be a Common World Market. It is Utopia. Before that comes to pass there may well be an Asian Market (China, Japan, India, Indonesia, Philippines, Russia) dominated by China—a European Market (Germany, France, England, Spain, Benelux) with Germany the leading figure—and an American Market (Alaska to Tierra del Fuego). It behooves us to put forth every effort to develop that market and to protect our industrial potential and our domestic jobs in the meantime.

UNITED STATES TURNS DOWN AIR FORCE PLAN FOR INCREASING ICBM FORCE

Mr. CURTIS of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, following my remarks I am placing in the RECORD an article that appeared on page 2A of the January 9, 1959, St. Louis Post-Dispatch under the following headlines: "United States Turns Down Air Force Plan for Increasing ICBM Force—Budget Is Said To Provide for Only 130 Missiles by 1962—Russia Could Have 500 to 1,000 by Then." This article was under the byline of Richard Witkin, New York Times Service.

I read this article to see just who had made these statements which if true, of course, are very important to our country and to Members of this Congress who have been elected to study the problems of our defense and act upon what we find from our studies.

The basis for this news story is regrettably the basis for many such stories that have appeared over a period of years which have involved similar matters serious to the welfare of the United States and which all too frequently upon checking disappear into outer space.

I set out the authorities used by Mr. Witkin for his bit of sensationalism, in his own language: "Informed sources," "a number of influential Members of Congress of both parties," "administration critics," "a number of observers with limited access to intelligence data," "these observers," "the Air Force is said to have urged," "a majority of experts," "those urging," "administration spokesmen," "critics."

Now indeed has American journalism reached the point where this kind of reporting is classed as responsible?

I suggest if all these faceless experts, critics, what have you, feel this strongly about this matter let them put their names to what they allege so that those who question their alleged statements can ask them how they document what they allege. And if they are not willing to put their names behind their statements their statements do not deserve to be reported to the people by responsible journalists.

I think this manner of public discussion of important public issues is the most dangerous single thing to the welfare of our country we face today. The Congress provides the proper forum for people to present their views and facts on these important issues. Let us start using the congressional forums of the House and the Senate where press releases and irresponsible statements give way to considered statements subject to cross-examination of witnesses who are ready to stand behind their statements and indeed point out in detail where they gathered their information and what logic they used to reach their conclusions.

Only in this way will our society be able to make the correct decisions on the crucial problems that face us today.

Those who are somewhat sophisticated in political life, of course, know what Mr. Witkin is up to. He is writing a "think" piece to prepare the way for one of the serious debates that will occur in this Congress and to try to rally public support behind one line of thinking before the Congress or the public has heard both sides. This can only be good for our country in the event that Mr. Witkin and his political associates who share his views happen to be right. But I would suggest to Mr. Witkin and his political associates, if their facts and argument are so sound, why not win the debate fairly in the proper forums set up for these debates on the Senate and House floors instead of trying to win it by arousing the people through cleverly written articles disguised as news.

The article from the St. Louis Post-Dispatch follows:

UNITED STATES TURNS DOWN AIR FORCE PLAN FOR INCREASING ICBM FORCE—BUDGET IS SAID TO PROVIDE FOR ONLY 130 MISSILES BY 1962—RUSSIA COULD HAVE 500 TO 1,000 BY THEN

(By Richard Witkin)

NEW YORK, January 9.—In the face of warnings of a fast-developing missile gap, the administration has rejected Air Force recommendations for increasing the planned force of intercontinental ballistic missiles, informed sources disclosed yesterday.

The proposed budget for fiscal 1960 is said to contain no money to expand the ICBM force beyond the 13 squadrons previously authorized.

The administration's overall defense proposals already have provoked strong criticism from a number of influential Members of Congress in both parties. The issue of the ICBM force promises to provide much of the ammunition in the defense debate now getting under way in Congress.

The proposed budget figure for fiscal 1960 has been held, in the interests of budget balancing, to $40,900 million. This is about $100 million more than the expected total for the fiscal year that ends June 30.

LESS IN 1960 THAN IN 1959

Administration critics argue that, if inflation and military payrolls are considered, the 1960 proposal may provide less than the 1959 budget for military hardware.

The 13 ICBM squadrons authorized to date include 9 of the Atlas and 4 of the Titan.

The Atlas is a 1½ stage missile due to reach initial combat status this summer. All three rocket engines fire at takeoff. Two of them drop away after expending their fuel. The Titan is a two-stage ICBM slated for operational duty starting about mid-1961. Both missiles are designed to carry large thermonuclear warheads a distance of 6,325 statute miles in less than 30 minutes.

At some 10 missiles a squadron, 13 squadrons would give the Nation a total ICBM force of 130 by about 1962. A number of observers with limited access to intelligence data have warned repeatedly that by 1962 the Russians would, or at least could, have an ICBM force totaling 500 to 1,000 missiles.

These observers fear that the huge disparity between such a force and that planned by this country might tempt the Soviet Union either to launch an allout attack or blackmail the West with the threat of such an attack.

MORE SQUADRONS SOUGHT

The Air Force is said to have urged authorization in the 1960 budget of at least seven additional ICBM squadrons.

A majority of experts reject the view that the missile gap could be filled either by the Navy's fleet ballistic missile, the submarine-based Polaris, or the Minuteman, a third-generation Air Force ICBM to be produced in large numbers.

Neither, it is argued, could be available in significant strength until 1963 nor later.

Those urging increased Atlas-Titan funds insist that the money must be voted in the 1960 budget if the enlarged force—missile plus launching sites—are to be ready for the 1961–63 gap period.

Administration spokesmen have rejected the gap thesis on grounds that the figures for Soviet ICBM production are hypo-

thetical. It appears to take the position that there is no need to increase this Nation's force until hard evidence is available that Russia is producing ICBM's in large quantities.

Critics answer that there is considerable intelligence evidence of Russia's capacity to produce 500 ICBM's or more by 1961 or 1962. They add that, by the time confirmation is obtained of actual volume production, it may be too late to produce the required counterforce in time to deter a missile blitz.

COMMITTEE ON UN-AMERICAN ACTIVITIES

The SPEAKER. Under the previous order of the House the gentleman from California [Mr. ROOSEVELT] is recognized for 30 minutes.

Mr. ROOSEVELT. Mr. Speaker, I have filed a resolution amending the House rules to abolish the House Committee on Un-American Activities and to transfer its jurisdiction to the Committee on the Judiciary.

At the outset I wish to emphasize that by abolishing the committee it is not my intention to have the House cease its activity in investigating subversion.

As a matter of fact, my resolution will strengthen this function by responding to the Supreme Court decisions on the mandate of the House Committee on Un-American Activities, without which response any effective legislative action would seem to be most questionable.

I propose that the House amend clause 12(c) of House rule XI so that the Committee on the Judiciary will have jurisdiction to investigate and consider matters involving seditious activity, as well as matters involving espionage over which it presently has jurisdiction.

On May 22 of this past year, in discussing the Alaska Constitution, on the floor, I emphasized the basic soundness in the Supreme Court's decision in Watkins against United States.

In Watkins against United States, the Supreme Court held that a "person is entitled to have knowledge of the subject to which the interrogation is deemed pertinent with the same degree of explicitness and clarity that the due-process clause requires in the expression of any element of a criminal offense."

I do not believe that any colleague of mine would dispute this basic proposition upon which the decision rests. Namely, that if a person is to be indicted for criminal contempt because of his refusal to answer a question put by the Committee on Un-American Activities he should be accorded the same basis for predicting the consequences of his conduct as he does with respect to every other criminal conduct.

Indeed, if I were asked what I consider to be the essential difference between life in a free society and life in a Communist society, I would say that it is the ability to predict the criminal consequences of one's act. And this is precisely the principle the Court sustained in Watkins against United States.

However, we recognize full well that the Watkins decision does not provide a remedy specific enough to curb the abuse involved in the functioning of the Committee on Un-American Activities by its central holding.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. If the gentleman will forgive me, would he withhold his question until I have finished?

Mr. WALTER. I had the thought in mind that the gentleman would like to know that the Barenblatt case is before the courts now.

Mr. ROOSEVELT. I recognize that, and will deal with it.

We have the basic constitutional obligation to face up to the question whether it is possible with the present mandate of the Committee on Un-American Activities to determine the pertinence of a question with the clarity constitutionally required by the Watkins decision.

At this point, the mandate bears quoting. The House Committee on Un-American Activities is empowered to investigate "the extent, character, and objects of un-American activities in the United States, diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution."

I ask my colleagues in all candor how can we expect a witness to resolve for himself whether a question put by the committee is authorized, in view of the vagueness of the authorization. It would be well to read the Supreme Court's comment in this connection:

> It would be difficult to imagine a less explicit authorizing resolution. Who can define the meaning of "un-American"? What is that single, solitary, "principle of the form of government as guaranteed by our Constitution?"

And let me read further:

> It is, of course, not the function of this Court to prescribe rigid rules for the Congress to follow in drafting resolutions establishing investigating committees. That is a matter peculiarly within the realm of the legislature, and its decisions will be accepted by the courts up to the point where their own duty to enforce the constitutionally protected rights of the individual is affected. An excessively broad charter, like that of the House Un-American Activities Committee, places the courts in an untenable position if they are to strike a balance between the public need for a particular interrogation and the right of citizens to carry on their affairs free from unnecessary governmental interference. It is impossible in such a situation to ascertain whether any legislative purpose justifies the disclosures sought, and, if so, the importance of that information to the Congress in furtherance of its legislative function. The reason no court can make this critical judgment is that the House of Representatives itself has never made it. Only the legislative assembly initiating an investigation can assay the relative necessity of specific disclosures.

I believe also we have to contend in this Congress with the problem suggested by the U.S. Court of Appeals dissent of Chief Justice Edgerton in Barenblatt against United States, decided almost a year ago on January 16, 1958, which is now before the Supreme Court. I believe the Court will sustain the dissent below:

> I understand Watkins to hold that the Committee on Un-American Activities had no authority to compel testimony because it had no definite assignment from Congress. The Supreme Court said: "When first amendment rights are threatened, the delegation of power to the committee must be clearly revealed in its charter."

In short, we cannot possibly continue in this Congress with the present Committee on Un-American Activities. And, as a practical matter, I believe that it cannot function properly under the present cloud of legal uncertainty which pervades its operation.

My resolution provides that the function of investigating subversion now be placed in the hands of the Committee on the Judiciary. The Committee on the Judiciary already has the power to investigate matters involving espionage. I have proposed that this power be extended to all "seditious activity." I believe this term characterizes with greater legal precision the area of subversion in which Congress has the constitutional power to legislate.

The term "seditious activity" which I have proposed to cover an expansion of the House Judiciary Committee mandate has been formulated with great care.

It is not a term that will cut down the investigative power of Congress in the area of internal security.

Let me give to the House a definition of "sedition" which appears in *Arizona Publishing* v. *Harris* (20 Ariz. 446, 181, 373, 375), which defines "sedition" as:

> Insurrectionary movement tending toward treason, but wanting an overt act; attempts made by meeting or speeches or by publications to disturb the tranquillity of the state.

Alis. Criminal Law, 580, narrows down the definition as follows:

> That though the ultimate object of sedition is a violation of the public peace, or at least such a course of measures as evidently engenders it, yet it does not aim at direct and open violence against the laws or the subversion of the Constitution.

It can readily be grasped that the term "seditious activity" comes as close as it is possible within the meaning of the Watkins case in defining that area of first amendment conduct which can be properly investigated by Congress.

We will thus be avoiding the problems arising from the lack of power in Congress emphasized by the courts to expose persons by the investigative process for the mere sake of exposure.

We would be conforming to what our colleague, Mr. KEATING, who has now gone to the other House, wrote in 29 Notre Dame Lawyer 212, as to the proper scope of congressional inquiry:

> The rights of Congress are no broader than the legitimate objects from which they have been implied. And I believe those objects are only the two referred to a moment ago: (1) to gather facts about proposed legislation, and (2) to inquire into the workings of existing Federal laws. There lies the first and perhaps the only important substantive restraint which Congress must impose upon itself. No congressional investigation is justified unless it can be directly related to the lawmaking process in one of these two ways. In other fields, investigations are proper and often necessary, but not by Congress. It follows that I disagree strongly with those who argue that Congress is also responsible for informing and educating the public by looking into anything which may

happen to catch the popular fancy at the moment.

I would point out that on the Committee on the Judiciary we will have the experience of two present members of the Committee on Un-American Activities to guide its work—the chairman, Mr. WALTER, and Mr. WILLIS, of Louisiana.

I also would point out that I want it specifically understood that I have conferred with Chairman WALTER of the Committee on Un-American Activities, expressing, as I now want to express to my colleagues, full assurance that there is no direct or implied criticism of the committee members in any fashion; nor is my recent action in introducing the resolution to abolish the Committee on Un-American Activities and to have the Committee on the Judiciary assume jurisdiction in matters involving seditious activity predicated on direct or implied criticism of any particular situation.

However, there is justified criticism that the Congress, up to now, has not met the issue raised by the Supreme Court. As responsible and responsive legislators we cannot continue to ignore or evade the issue without running the risk of doing great damage to the internal security of our country. Neither can we run the additional risk of weakening our position in which we pridefully appear before the world—a country that protects itself without violating fundamental constitutional rights of the individual.

There are, and have been for many years, citizen groups throughout the country who have urged the abolition of the Un-American Activities Committee. There is no doubt in my mind that a fringe of these groups has been Communist dominated, or Communist inspired.

I realize full well that in introducing my resolution there will be those who will adjudge me guilty of associating with some of these fringe groups to abolish the committee.

It is an old tactic that has been practiced, and I hope now no longer will be practiced, to condemn or to ascribe guilt by association. I hope that that will not be true, and I do not believe it will be true, under the present circumstances in the House.

In response to this anticipated charge, let me make it unequivocally clear that my proposal has no relevance to the campaign of certain groups to abolish the committee.

My proposal is designed simply to carve out of the recent legal decisions a constitutionally permissible area for congressional investigation of seditious activity. And I repeat that I am not wedded to the structure of my proposal which involves the assumption of jurisdiction by the House Judiciary Committee, a good part of which it has already. If there are better ways, let us find them now.

But let us not go on defying and ignoring the Supreme Court decisions.

Those who insist that we must not tamper with the present mandate of the Un-American Activities Committee in the face of the decision in Watkins against United States, and what I believe promises to be the decision in Barenblatt against United States, are blind to the necessity of responding to these decisions if we are to conduct proper inquiries into internal security with effectiveness.

I would say to my distinguished colleague from Pennsylvania [Mr. WALTER] that if it should be the proposal that we should wait for that decision, I would certainly be ready to act in accord with it.

Mr. WALTER. Mr. Speaker, will the gentleman yield at that point?

Mr. ROOSEVELT. I am happy to yield.

Mr. WALTER. Mr. Speaker, I am sure that the gentleman has not read Watkins carefully or he would not have made the statement that he did. But, after all, the very question that has been raised here as to what is the meaning of un-American activities has been raised in the Barenblatt case. The gentleman mentioned the minority opinion, I am sure, with the hope that that would be adopted by the Supreme Court as the majority opinion.

Mr. ROOSEVELT. The belief, sir.

Mr. WALTER. However, let me say to the gentleman that he should not be too optimistic about it, not even with this Court; because on two occasions this Court had the opportunity to state that the law is what the gentleman from California hopes it to be, and in the Barenblatt case refused to take that position.

Mr. ROOSEVELT. Mr. Speaker, I shall simply say that what the gentleman is saying is that if the Supreme Court should disappoint him, and agree with me, then obviously this resolution is very worthy of careful consideration.

Therefore, Mr. Speaker, because I believe that gentlemen on all sides of this question have a common objective, I sincerely believe it is imperative that the Committee on Rules, to which this resolution was referred, should grant, perhaps after the Supreme Court decision which we have just discussed, an early hearing regarding this entire problem of subversion, espionage, and seditious activity in order to determine how best to handle it and to make clear just exactly what the House of Representatives wants in the way of assigning jurisdiction over this problem.

I, therefore, urge that as many of my colleagues as possible join me in working toward an early hearing by the Committee on Rules for the reasons I have just presented.

It is my hope that my colleagues will join me in making an all-out effort to achieve our mutual objective: a more effective internal security program aligned with the constitutional guarantees of individual freedom, which have made our Nation outstanding as the leader of the free peoples of the world.

I offer my proposal in a spirit of good will toward those who might differ with me as to its form.

Certainly, no one can differ with the intent of my proposal—that is, to clear up any constitutional doubt as to the scope of congressional inquiry into the field of internal security.

My proposal is made with as much consideration to security as it is to individual rights.

HOUSE UN-AMERICAN ACTIVITIES COMMITTEE

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from Ohio [Mr. SCHERER] is recognized for 45 minutes.

Mr. SCHERER. Mr. Speaker, in your excellent speech last Wednesday, when you for the ninth time assumed the speakership of this House, you said that we live in a day which, in your opinion, is the most dangerous period that civilization has gone through since the man Jesus walked the shores of Galilee 20 centuries ago, preaching peace. No informed person can disagree with that statement of yours, Mr. Speaker.

This threat to civilization of which you spoke exists because the security, the safety, and the very existence of this great country of ours—the light and hope of the chaotic world—are on the timetable of the Soviets in their drive for world domination. The evidence before the House Committee on Un-American Activities, from men like Gen. Albert Wedemeyer, Gen. Claire Chennault, and many others in a position to know, indicates that it is quarter to twelve midnight.

The President, in the opening paragraph of his state of the Union message to this Congress on last Friday, expressed his great concern and doubts when he asked the question:

> Can government based upon liberty and the God-given rights of man permanently endure when ceaselessly challenged by a dictatorship, hostile to our mode of life, and controlling an economic and military power of great and growing strength?

If there are any doubting Thomases, let me ask them this: Why have we spent, since the Korean war, in a so-called period of peace, the staggering and unbelievable sum of approximately $200 billion for the defense of this Nation and the free world from the Communist conspirators in the Kremlin? This amount for defense alone in the last 6 years is more than three times the amount spent by this Government for all of its functions, in war and in peace, from its founding in 1776 to and through the end of World War I.

Why are we drafting American boys today for service in 59 different countries all over the world? Why are we jittery almost to the point of irrationality in the race to control outer space?

The great Armed Services Committee of this Congress and the Defense Department have built a military machine with a striking force greater than in all history. As a result, at this moment, the overall firepower and destructive force of the United States and our would-be destroyer is fairly well balanced.

Consequently, we are not going to have an all-out war in the foreseeable future. The Communists are not stupid. They are not going to risk annihilation of their cities. In other words, they are not going to sign their own death warrant by starting an all-out nuclear war. And why should they? In fact, there is almost every reason for them not to do so.

It was in 1918 that a handful of Communists took over Russia. In the short

space of the 40 years that followed, the Communists have gained domination and control of approximately one-third of the peoples of the world and one-third of its land mass. Another one-third, in the so-called neutral bloc, is fast drifting toward the Communist orbit.

As you said, Mr. Speaker, on Wednesday, it has been 20 centuries since the humble Nazarene walked the shores of Galilee, and yet after all of those years only one-third of the peoples of this world comprise the Christian-Judaic bloc, today referred to as the West, which, as we know, symbolizes the setting sun.

How have the Communists come so far in the short span of 40 years? By outward aggression? No. Their success, yesterday, today, and tomorrow, has been and will be largely the result of the use of a new weapon of warfare far more effective than hydrogen bombs or guided missiles.

The Soviets have used the insidious and diabolical weapon of infiltration and subversion, of assassination and abduction, of espionage and sabotage, plotted in Moscow and carried out all over the world. It is by the use of this new weapon that they have been able to take once free countries behind the Iron Curtain. They know that one agent or sympathizer within a free country is more effective in reaching their objective than 10,000 trained troops poised on the border.

So you can readily see why there is not going to be all-out military aggression if the Russians can help it.

What I say is not mere speculation. The House Committee on Un-American Activities has heard numerous witnesses, some of the world's outstanding experts. Let me quote from the testimony of Edward Hunter, one of the outstanding authorities of Communist psychological warfare, a former newspaperman, and officer in the O.S.S., an author, journalist, and lecturer, a man who spent 31 years of his life in countries under Communist pressure and attack. He testified:

War has changed its form. The Communists have discovered that a man killed by a bullet is useless. He can dig no coal. They have discovered that a demolished city is useless. Its mills produce no cloth.

The objective of modern warfare is to capture intact the minds of the people and their possessions so that they can be put to use. This is the modern conception of slavery, that puts all others into the kindergarten age.

Hunter continued:

The United States is the main battlefield in this war. I mean specifically the people and the soil and the resources of the United States. They seek to conquer the United States in a manner so that it falls voluntarily into the Red orbit.

If we have to be conquered by destructive nuclear-age weapons, it will be considered a setback by the Kremlin. Their objective is to make the same use of the American people as they make of the Czechs in the uranium mines of Czechoslovakia and as they make of the Chinese in the mills of China.

We are to become the subjects of a new world order for the benefit of a mad little knot of despots in the Kremlin. We are losing so fast that, unless we put a very drastic end to it, the question of who is winning will be academic in a decade.

Gen. Albert Wedemeyer who, you will recall, served as chief of our World War II planning operations, appraised the situation this way in testimony before the committee. He said:

The Soviets are obtaining their objectives without the use of military force. If I were the senior planner in the Soviet hierarchy, I would advise Khrushchev to continue to do exactly what he is doing now.

Khrushchev, in addressing a group of foreign diplomats, including the United States Ambassador, had the audacity to say:

We will beat the capitalists, but that does not mean killing anybody. * * * When we win in this competition, we will also re-educate you. We Bolsheviks are a ravenous people. What we achieved in the past is very little. We want more and more.

Way back in 1923, in outlining the steps the Soviets would take in bringing the world under the heel of the Communist apparatus, Lenin said:

First, we will take Eastern Europe; then the masses of Asia; then Africa; then we will encircle the United States which will be the last bastion of capitalism. We will not have to attack. It will fall like an overripe fruit into our hands.

Mr. Speaker, the real threat to the remaining countries of the free world, including the United States, is from within. Testimony before the House Committee on Un-American Activities reveals that in Africa today, while the Soviets are outwardly pretending to support the nationalist aspirations of those countries, each country is infiltrated in key places in government by natives who are dedicated Communists and whose loyalty is to the Soviet Union and the Communist conspiracy. When the time comes, they will flip those countries into the Soviet orbit. Remember, it takes only a comparatively few people in key positions to accomplish such a result.

The Communists and their apologists in the United States today are shouting from the rooftops, through the press, over the radio, and in the mail to the Members of this Congress that there is no longer an internal threat to the United States, although the files of the Committee on Un-American Activities and the Federal Bureau of Investigation are bulging with uncontroverted evidence to the contrary.

J. Edgar Hoover, perhaps the greatest authority on internal subversion in the United States, time and time again has vigorously disputed these contentions of the pink fringe. Listen to Hoover's latest warning:

Public apathy is the sure way to national suicide—to death of individual freedom. It allowed the Communists to penetrate and make satellites of once-free countries, and it is presently enabling them to honeycomb and weaken the structures of the remaining countries, and there is today a terrifying apathy on the part of Americans toward the deadliest danger which this country has ever faced. Some of that apathy is deliberately induced.

The Communist Party in the United States is not out of business; it is not dead; it is not even dormant. It is, however, well on its way to achieving its current objective, which is to make you believe that it is shattered, ineffective, and dying. When it has fully achieved this first objective, it will then proceed inflexibly toward its final goal. * * *

Those who try to minimize its danger are either uninformed or they have a deadly ax to grind.

Are you going to listen to those who have an ax to grind—to those whose red slips show with every gust of wind, or will you give credence to the findings of one of your own committees and of the Federal Bureau of Investigation?

Last year the committee found that the penetration had reached one of the committees of this House, not 5 years ago, not 2 years ago, but as late as last fall. Let me read excerpts from the testimony concerning Wilfred Lumer who was writing recommendations and reports for legislation which you gentlemen may consider this year.

Mr. Arens, counsel for the committee, asked this question of Mr. Lumer:

Have you reported your activities on the Hill, on Capitol Hill, over the course of the last several years to a person known by you to be a Communist?

Mr. LUMER. I must decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. We have information, and I want to be absolutely frank with you, Mr. Lumer—we have information that in the recent past you have been in contact with, and under discipline of, Sam Abbott, a ranking Communist in the District of Columbia. We want to give you an opportunity now while under oath to deny it.

Mr. LUMER. I must decline to answer that on the grounds of the first and fifth amendments.

The committee just last week issued its report on "Patterns of Communist Espionage." Does this report deal with events of 5, 10, and 15 years ago? Is the committee dealing with patterns of the past, as an editorial in the Washington Post claims, or do these findings relate to what is happening today? As the report reveals, at this moment the Russian Embassy and almost every Russian consulate throughout the United States, as well as the embassies and consulates of Iron Curtain countries, are literally spy and espionage nests. How many, under the cloak of diplomatic immunity have engaged in espionage and Communist conspiratorial activities in the last 2 years? How many citizens and residents of the United States are being threatened and blackmailed into serving the Communist apparatus, a fifth column operating within the United States?

All I ask you gentlemen is just to read some of the scores of reports issued since the gentleman from Pennsylvania, FRANCIS WALTER, assumed the chairmanship of our committee. I guarantee that those of you who have sufficient hair on your heads will find it standing on end. I guarantee you that, if the American people generally knew of the evidence revealed by our committee, it would drive from public office and from positions of influence in American life those who have joined the Communist conspiracy in this country in an effort to discredit the FBI, its Director, the Committee on Un-American Activities, and its chairman.

After long hours of exasperating and painstaking work by the Customs and Post Office Departments and the staff and members of the Committee on Un-American Activities during the past 2 years, we have found that 10 million pieces of Communist propaganda are coming into the United States each year. This propaganda in 13 different languages is directed to individuals, youth organizations, colleges, and various nationality groups through the U.S. mail.

I call your attention to just one piece of literature which was in evidence in the Buffalo hearings of this committee a short time ago. It was printed in Peiping in a dozen different languages for dissemination throughout the world. The thousands of copies that found their way into the United States were, of course, in English for consumption here. It was supposedly an authentic document on atrocities committed by the U.S. Army in South Korea. The detailed, alleged atrocities by American boys against Orientals would make your stomach turn—atrocities allegedly committed since the armistice.

Through such propaganda you now see how the Communists have succeeded in brainwashing 600 million Chinese who from time immemorial were friends of the United States but now hate us with an unprecedented bitterness. Can you not see that these 10 million pieces of Communist propaganda coming into the United States each year to almost every nationality group within our borders are creating dissension, hatred, and distrust, not only among our people but also against the Government of the United States, including committees of this House?

Do you know that there are 2,000 potential saboteurs working in defense plants today? Do you know that the committee has revealed that there are dedicated Communists working in close proximity to the nine transatlantic cables which carry confidential data from the State Department and Pentagon to Europe, and that it has been testified to before our committee that in time of internal upheaval or war with the Soviet Union these cables could be sabotaged in a matter of minutes?

Is anyone in this House so naive as to believe that there are not persons in this country ready, willing, and able to participate in attacks and demonstrations—when the time comes—similar to those perpetrated against the Vice President in South America last year? Can we not see that such demonstrations are battles in the cold war in which we are now engaged; that the South American demonstrations against NIXON were instigated for the purpose of attempting to show to the world that the South American countries, our cousins and friends, had turned against the imperialistic United States?

Oh, yes, the recent revelations of the committee, in spite of the fact that its hands have been tied to some extent by shocking decisions of the Supreme Court, have been hitting those who would destroy us from within where it hurts.

About a year ago in Carnegie Hall in New York, the Emergency Civil Liberties Committee, controlled and dominated by identified Communists, gathered for the sole purpose of starting a campaign to discredit and weaken the Federal Bureau of Investigation and its Chief, J. Edgar Hoover, and to abolish the Committee on Un-American Activities. They have had the support during the last 2 years of the same apologists, some in high places, who have wittingly or unwittingly served the Communist cause in the United States for many years.

When this Congress convened on Wednesday, you saw almost a full-page ad in the Washington Post, signed by a list of persons, many of whom are prominent in some field of activity, charging the committee with increasing bitterness between religious and racial groups, and then asking for the abolition of the House Committee on Un-American Activities.

Most people do not know that the majority of these signers over the years have either belonged to or supported all kinds of Communist-front activities in the United States. Any Member of this Congress, by a telephone call to the committee's office, can find out just who these people are and what service they have rendered repeatedly to the Communist-front apparatus. They are opposed to the committee because the evidence before it has shown how some of them have foolishly and carelessly slept in the same bed with the agents of the Kremlin.

What about these people and their influence? Let us look at what Georgi Dimitrov, one of the fathers of communism, said about them:

> As Soviet power grows, there will be greater aversion to Communist parties everywhere. So we must practice the techniques of withdrawal. Never appear in the foreground. Let our friends do the work.

Dimitrov continues:

> We must always remember that one sympathizer is generally worth more than a dozen militant Communists. A university professor, who, without being a party member, lends himself to the interests of the Soviet Union, is worth more than a hundred men with party cards. A writer of reputation, or a retired general, is worth more than 500 poor devils who don't know any better than to get themselves beaten up by the police.

Dimitrov concludes:

> Every man has his value, his merit. The writer who, without being a party member, defends the Soviet Union, the union leader who is outside our ranks but defends Soviet international policy, is worth more than a thousand party members.

In addition to the ad in the Washington Post on the opening day of this Congress, the Members of this House also found on their desks a letter from the National Lawyers Guild urging the abolition of this committee. The National Lawyers Guild, by overwhelming evidence, has been found to be the legal arm of the Communist Party in the United States.

On your desk also there was a bulletin issued by the Emergency Civil Liberties Committee, the committee which is spearheading the drive to discredit the FBI and your House Committee on Un-American Activities. It is headed by Harvey O'Connor, an identified Communist, who has been cited for contempt of this Congress.

The Committee on Un-American Activities last year issued a report entitled "Operation Abolition" which tells the whole story of the efforts of the Emergency Civil Liberties Committee in its current objective. It gives you the Communist and Communist-front records of the leaders of this committee. The chairman of our committee sent you a copy of this publication today.

Another communication urging the abolition of the committee which most members received last Wednesday morning was from the Citizens Committee To Preserve American Freedoms, an adjunct of the Emergency Civil Liberties Committee in the Los Angeles area. This blast was signed by Dorothy Marshall. Dorothy Marshall, her husband, and the great majority of the members of this committee have long Communist-front records or have served the Communist cause for many years. It is the feeling of the members of your Committee on Un-American Activities that you should know the source of the propaganda with which you have been bombarded.

Has this campaign been effective? Yes. So effective that a resolution has been introduced in this Congress to abolish the Committee on Un-American Activities. During the past campaign every member of this committee, whether he was a Democrat or a Republican, and particularly the committee's distinguished chairman, had to run the gauntlet of vicious attacks, dirty, lying, smearing innuendoes from the Communists and their so-called respectable apologists.

Soon after my election to Congress for the first time in 1952, I accepted a place on the Committee on Un-American Activities. I had neither misgivings nor forebodings. Our boys were dying under Communist fire in Korea. The mischief wrought by Communist agents within was no longer a matter of surmise; enough of it had been exposed in detail to alarm the American people. To help dislodge these internal enemies seemed to me a task which any patriotic American could undertake proudly.

What I failed to foresee was that the mere act of joining this committee would make one a target for organized slander, regardless of how one might conduct himself. I was not unfamiliar with the rugged give and take of political life, but not until I joined the struggle against Red sedition had anyone impugned my patriotism, honesty, and decency. Thereafter, I had to accustom myself to being called—to my face, in print, and on the air—a witch-hunter and character assassin, an inquisitor and Fascist. I had become an enemy of the Bill of Rights.

Anyone who ascends to the chairmanship of this committee particularly becomes the focal point of bitter and vicious attacks, no matter what his previous record might be. I remember well within a few weeks after the gentleman from Pennsylvania became chairman of this committee, and before anyone could possibly know what his position might be on the various issues confronting the committee, we had hearings in Newark, N.J. Twelve hundred pickets, many of them brought over from New York, surrounded our hotel. Placards, obviously

prepared by experts of the Communist propaganda machine, were carried by people, some of whom could not even understand the import of the signs they carried. I can well remember these placards. Some read: "Walterism worse than McCarthyism." Others read: "WALTER, union-buster, go home."

The critics of the committee like to compare our hearings—unfavorably, of course—with proceedings in courts. Yet no self-respecting justice of the peace would tolerate for a minute the kind of browbeating my colleagues and I have been subjected to for hours on end. Any witness or lawyer who dared bait a judge as contemptuously as we are regularly baited from the witness box would quickly find himself in jail.

Our committee has been accused of abusing the civil rights of witnesses and of fixing guilt by association. The fact is that, since I have been a member of this committee, we have followed as nearly as practicable the rules of evidence used in our courts. No person has been named as a member of the Communist apparatus unless and until he has been identified under oath by one or more witnesses who have personal knowledge of the facts. On such identifications no hearsay evidence is permitted. The rules of the committee provide that any person who is adversely mentioned in any hearing has, upon request, the right to appear in public session and affirm, deny, or explain any adverse testimony.

I have served on another committee of this Congress, and I have seen other committees in action. I am not being critical of those committees, but let me say that these committees regularly admit hearsay evidence, and properly so since a committee is not a court. On occasion I, along with other Members of this House, have questioned high officers of this Government and reputable citizens of the United States more vigorously, forcibly, and sometimes with more sarcasm than any member of the Committee on Un-American Activities ever dared to question a known member of the Communist conspiracy.

Some years ago I served in the office of the prosecuting attorney of my home State. If I had handled an ordinary pickpocket as carefully and gingerly as I am compelled to cross-examine an agent of the Communist conspiracy, I would have been fired from my job. No committee of the Congress protects the civil rights of individuals more carefully, nor follows more closely the rules of evidence than does the Committee on Un-American Activities. Yet it is daily accused and hounded for allegedly doing otherwise, often by people and newspapers who should know better.

The leftwing crowd cries crocodile tears every time a Communist is called before a committee and questioned about his traitorous activities. They strain at gnats to find excuses for his conduct, while at the same time they attack the committee's motives and procedures in calling him.

This same leftwing crowd, however, when an industrialist suspected of wrongdoing or labor racketeer is called before a congressional committee regularly condemns them before any real evidence of wrongdoing is shown. They are ready to hang such people if they use the fifth amendment. But when a Communist invokes the fifth amendment frivolously and without basis before the House Committee on Un-American Activities, and we question him to determine whether he is in good faith pleading the fifth amendment, immediately the committee is attacked.

The tragedy of this whole situation concerning the controversy over the committee is the fact that the clever propagandists of the Communist conspiracy have succeeded in brainwashing many people as to the actual objectives and activities of the committee. It is generally charged that the committee is investigating people's beliefs and associations; that it is engaged in investigating communism as a political and economic philosophy or way of life; that the Communist Party is a political party as we know political parties in the United States. There is absolutely no truth or basis in fact for any of these assertions.

The truth is that the committee has never been interested in nor has it investigated a person's beliefs, philosophy, or political associations. It is not interested, nor has it inquired as to whether an individual believes in communism as a political or economic philosophy or way of life.

The committee's investigations have been conducted for the purpose of recommending legislation to protect the internal security of this country from a conspiratorial apparatus—a fifth column, the arm of a foreign power operating within the United States for the purpose of eventually bringing about the destruction of this country, including the use of force and violence, if necessary. We, therefore, have and are investigating members of this conspiracy and their activities which are directed toward accomplishing this objective.

Let us go back to the issue raised by the resolution offered by the gentleman from California, which calls for the abolition of the Committee on Un-American Activities.

As I have tried to point out in these remarks, we have armed ourselves to the teeth at astronomical costs to defend ourselves from Soviet aggression from without—an aggression which in all probability will never come. On the other hand, as I have shown, the real threat to the security of the free world and this Nation is from within, from internal subversion, often called indirect aggression.

Today there are two groups alerted to and dealing with the threat from within: the Federal Bureau of Investigation in the executive branch and the House Committee on Un-American Activities in the legislative branch. Both at this moment are under attack, an attack originated and inspired by the Communist conspirators and joined in by many well-meaning and some not so well-meaning people.

We have, as I have pointed out, the great Armed Services Committee which has done a magnificient job in preparing us for aggression from without. We have a Foreign Affairs Committee dealing with the intricate problems arising as the result of our leadership of the free world. We have 17 other committees dealing with the various phases of our domestic life. We have even created an Outer Space Committee so that we will hold our place in the heavens in the years that lie ahead.

In considering the resolution of the gentleman from California, we are concerned with the present, with the very continuity of this country as a sovereign nation. If the threat from within from internal subversion is only one-tenth as great as I have outlined here today, would it not be folly of the worst kind, would it not be suicidal, to destroy the only committee experienced, alerted, and dedicated to recommending legislation to protect the internal security of the United States from what many patriots believe to be the greatest threat in its history.

Now I know that the gentleman from California has said that his resolution will strengthen the function of investigating subversion by turning it over to the Judiciary Committee, which now handles over 56 percent of all bills introduced into the House—a committee already overburdened with work—a committee headed by a chairman who is, to say the least, totally unsympathetic with the work in which the House Committee on Un-American Activities has been engaged.

The Committee on Un-American Activities with its sizable staff is today unable to keep up with requests for investigations, and information now in its files.

Remember in the last few years bills have been introduced in this House on 80 recommendations made by our committee. Legislation has been adopted by this Congress embracing 35 of these recommendations. At the close of the last Congress 26 bills were pending on subjects covered by committee recommendations.

Every informed person in this House knows that the passage of the Roosevelt resolution would sound the death knell of our fight against the Communist conspiracy within the United States.

It is apparent from the gentleman from California's previous attacks upon the committee that his stated motives in support of his resolution are not his real motives. I would respect him more if his resolution called for abolition of the committee and did nothing more. This is what the Emergency Civil Liberties Committee, the Communists, and their apologists in the United States actually want to do.

In fact, the Emergency Civil Liberties Committee in its 1959 program calls not only for the outright abolition of the committee, but also for the repeal of the Smith Act, the Internal Security Act, and the Communist Control Act.

The National Lawyers Guild, the legal arm of the Communist Party in the United States, and all such organizations as the Citizens Committee to Preserve American Freedoms, whose record I have previously discussed, call for the abolition of the committee and the repeal of all legislation that attempts to control

in any way the operation of the Communist apparatus within the United States.

Mr. Speaker, we are witnessing Operation Abolition at work. The Roosevelt resolution is aimed directly at this Nation's Achilles' heel.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. SCHERER. I yield to the gentleman from Ohio.

Mr. BOW. I rather infer from some of the material coming across my desk in the attempt to abolish the Committee on Un-American Activities that some of it seems to be inspired because the courts have raised certain questions about the procedure of the committee and the procedure of the House. I am sure the gentleman will agree with me that in section 4 of article I of the Constitution it is specifically provided that each House may determine the rules of its procedure and that under this constitutional provision the House has established its rules of procedure. We have that Constitutional right.

Mr. SCHERER. There is no question about that, and if the Supreme Court in the Barenblatt case, which is now pending before it, decides that the gentleman from California is correct or that the minority opinion of the judge of the circuit court of appeals is the law of this land, there is nothing to prevent this House from changing the language of the charter of the Committee on Un-American Activities. That can be done and, naturally, we will do it; although we may not agree with the decision of the Supreme Court. We will change the language of the charter to comply with that decision. That can be easily done.

Mr. BOW. With reference to the courts attempt to ignore this provision of the Constitution which gives the House the right to set up its own rules of procedure, let us examine article 3 of the Constitution of the United States in which is set up the jurisdiction of the Supreme Court. The writers of the Constitution recognized that the representations of the people could be trusted with a determination of their own rules. However that court with life tenure should be subject to some control by the people. This was done by incorporating in the Constitution section 2 of article III which provides as follows:

> In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

So, here the Constitution establishes the right of the Congress to set the rules and regulations of the appellate procedures and the procedures of the courts, but the Constitution itself says that the House should set its own procedures. So, it seems to me that the courts have gone a little far astray when they say what our procedures should be when the Constitution itself provides that we shall set up our procedures and we also have control over the procedures of the courts.

Mr. SCHERER. I certainly agree with the gentleman from Ohio. He and I both agree that the Supreme Court in instance after instance has invaded the prerogatives of the legislative branch. It has not only interfered with the right of this House to make its own rules but the Court has usurped in case after case the legislative functions of the Congress.

Mr. BOW. Mr. Speaker, I feel that in the best interests of our Nation we should strengthen and support the Committee on Un-American Activities, on which the gentleman from Ohio [Mr. SCHERER] serves with such distinction.

CONGRESS SHOULD ENACT A FEDERAL LAW AGAINST BOMBINGS

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, today I am introducing a bill to amend title 18 of the United States Code to make the transportation and/or possession of explosives in interstate commerce, with knowledge and intent that such explosives will be used to damage or destroy any building or structure, a Federal crime. This bill further provides that any person guilty of these acts shall be fined not more than $1,000 or imprisoned not more than 1 year, or both, and if death results from a violation of this subsection, shall be subject also to the death penalty or to imprisonment for any term of years or for life.

We have all been deeply shocked by the bombings of schools, places of worship, and other senseless acts of violence and destruction in various sections of our country. And yet we do not have a Federal statute under which persons who committed these acts may be apprehended and punished.

It is true that many of our States do have good, strong laws dealing with this subject, and the bill I propose clearly states that it is not the intent of Congress to infringe upon or weaken the jurisdiction of local law enforcement officials. However, by enacting a Federal law, Federal authorities such as the FBI can move effectively in the program of justice to bring bombers to account and break up this crime, just as the Lindbergh law has proved to be effective in bringing kidnapers to justice, and the Dyer Act, which forbids interstate transit of stolen automobiles, has been responsible for breaking up many car theft rings.

It is my hope that the members of the Judiciary Committee, and the entire membership of the House, as well as those in the other body, will act favorably upon this legislation without undue delay.

SELECT COMMITTEE ON FISCAL ORGANIZATIONS AND PROCEDURES OF THE CONGRESS

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 15 minutes.

Mr. FLOOD. Mr. Speaker, as I indicated earlier in the day, I have today introduced a House resolution calling for the creation of a select committee of this House on fiscal organizations and procedures of the Congress. I introduced this resolution last year. My distinguished colleague on the other side, the gentleman from California [Mr. LIPSCOMB], introduced then a similar resolution, and I am sure he will do the same again.

My reason for that, Mr. Speaker, is this: Frankly, my primary target is the Bureau of the Budget. This has become a Frankenstein insofar as the legislative processes of this Congress are concerned. This legislative creature, the Bureau of the Budget, now imposes and proposes and disposes as the whims and the fancies of this collection of glorified clerks in that Bureau see fit. There has been developing, beyond the rule of reason, the exercise of a prerogative by the Executive dealing with the refusal to allocate funds appropriated by the Congress. This now goes so far that the Executive sequesters, as he calls it, appropriated funds which this Congress in an appropriation bill from time to time specifies by line items. Now, this is not something thought up by the present administration. This has been done by other administrations and other Presidents. It is not a new "gimmick." I suggest that it is being abused now beyond the rule of reason.

Of course, as a member of the Subcommittee on Appropriations for the Department of Defense, I have a particular "mad on" right now dealing with that subcommittee's chapter of the budget, perhaps, rather than others, although I am advised by my colleagues on the Committee on Appropriations that this exercise is broadly extended to other chapters of the budget as well.

I have heard many rumblings of recent years from my colleagues on both sides of the aisle having to do with this impertinence and presumption by the Bureau of the Budget with reference to what we think are the constitutional legislative prerogatives of the Congress. Specifically that Bureau is making policy on the minute, on the hour, day by day. It is torturing the purpose and the reason for its existence as the Congress created it.

I have discussed this matter with many Members of the House on both sides of the aisle in the past 4 or 5 years or so, with many men who served in the senates of their respective States. Many of my distinguished friends in the House have told me that their States had this problem. They had created a bureau of the budget. It had prostituted and abused its prerogatives, as has this Bureau here. Those sovereign States saw fit to take some kind of legislative action to—what shall I say?—to put manners on these people, or to bring it back to the legislative branch, making it available to the executive for budget construction from time to time, of course, as needed.

I deny the constitutional right of the Executive to exercise without limit this presumed and inferred prerogative on the allocation of appropriated funds. Particularly do I do so with reference to the specified and earmarked line items of the budget.

However, it is not my province to raise the question in the judicial branch of

the Government, but I raise it here, Mr. Speaker, by presenting this resolution. This should be a House committee, not a joint committee, because constitutionally appropriations are initated here and because I am concerned with the development in the other body of recent years to take unto themselves increased jurisdiction over the constitutional privileges and prerogatives of this body in the matter of appropriations. About that you have heard a great deal in the last couple of years, Mr. Speaker.

This resolution will provide that the chairman and the ranking member of the Committee on Appropriations shall be members of such a committee. The committee will be equally divided between both sides of the aisle; 10 members of the committee, with no more than 5 to be from the majority side. I shall be in touch with one or two of the members on the other side, and I am sure they will be good enough to join me, as they did last year toward the end of the session, in introducing such a resolution. This will call for an examination of the whole appropriations method. It will call for an examination of the budgetary structure and with particular reference, as you have heard me say, to what I say are alleged defects in the existing budgetary administrative practice.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. To the gentleman from Michigan, that is a happy privilege.

Mr. HOFFMAN of Michigan. I am sorry I did not hear all of the gentleman's statement, but does the gentleman's argument go so far as to contend that the Executive should spend all we appropriate?

Mr. FLOOD. No.

Mr. HOFFMAN of Michigan. I thank the gentleman.

Mr. FLOOD. I do not know the answer to that. I just want people who know better than I to examine this problem, because I think the Budget Bureau is going beyond the rule of reason. I do not know what the rule should be, but I think the time has come when this budgetary structure and the appropriation method with reference to it should be examined. I do not think we want the Director of the Bureau of the Budget to dictate policies to this House. I am not sure where the demarcating line is. When I say "he" it is not personal; I think the Bureau has gone too far. I do not know how far they should go. But I have the definite sensation that there is a serious problem, and I think a House committee should look into it.

Mr. HOFFMAN of Michigan. As I get it, that is the natural tendency on the part of all of these gentlemen, even our Comptroller General. They keep going along a little bit further each session.

Mr. FLOOD. Yes. Of course, the Congress gave birth to the General Accounting Office, an arm of the legislative, and we seem to have pretty strong confidence in them.

May I say that I have discussed with my friend from Missouri, the chairman of the Committee on Appropriations, the introduction of a bill, which we discussed this morning. I will introduce that later. That bill will call for the creation of a Commissioner of the Budget, who will be under the jurisdiction of the legislative branch, but we hope to surround him with such protections that we hope to reduce to a minimum any pressures that now are exercised by the downtown people. I feel that between these two extremes there must be some middle course, because I may say to my friend, for the purpose of emphasis, this is a Frankenstein. These people are becoming a "fourth power." They are expanding and torturing beyond all reason what the Congress meant when we created the Bureau.

Mr. HOFFMAN of Michigan. I referred to the Comptroller General. Of course, the Congress created that office and the Congress needs that at a time such as this.

Mr. FLOOD. That is right.

Mr. HOFFMAN of Michigan. But it seems to me that over the years they have grown so big downtown and assumed so many things to be within their authority that it is time to reexamine their status.

Mr. FLOOD. There is no reason why that cannot be done under the elastic language of this resolution. There is nothing sacred about my writing here, when I refer to the appropriation and budget and fiscal policies of the House. Since he is a creature of the House, there is no reason why he should not be examined by this committee, not at all, and there is no reason why this resolution could not be amended if the committee handling it saw fit to provide for the gentleman's recommendation, not at all. I think the resolution will bring in this officer as well.

Mr. HOFFMAN of Michigan. My only thought was that, as I sit on committees and hear the witnesses who come in, every one of these agencies or departments seems to grow all the time. I gradually have been getting the idea that we did not really need any Congress.

Mr. FLOOD. That is the nature of the beast, the gentleman knows that. The bureaucrat feeds on himself.

Mr. HOFFMAN of Michigan. If the gentleman will strike out the word "beast" I will go along with him.

Mr. FLOOD. Only a figure of speech. According to the size of the agency his salary and rank are determined, he thinks. I have heard the gentleman and others hold out on this since before the War Between the States. The gentleman has forgotten more than I ever knew on this subject.

Mr. HOFFMAN of Michigan. Did the gentleman ever get the idea, sitting on these committees, and I know he has sat on many of them on different Government offices, that sometimes the committees get the idea that they know more than the executive departments about running those departments?

Mr. FLOOD. Oh, yes; that is the nature of this beast—also a figure of speech, I hasten to add.

Mr. HOFFMAN of Michigan. I thank the gentleman very, very much.

Mr. FLOOD. I thank the gentleman from Michigan.

DECLARATION OF AN INTERNATIONAL WAR AGAINST DISEASE

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the Chair recognizes the gentleman from Rhode Island [Mr. FOGARTY] for 20 minutes.

Mr. FOGARTY. Mr. Speaker, some years ago, when the American Heart Association and the National Heart Institute were mobilizing private and public resources to fight heart disease, Dr. Paul Dudley White made a resounding speech in Boston. He called it, I believe, "A Declaration of War Against Heart Disease," and it marked the launching of a great attack that has had great success and shows even more promise for the future.

I propose that we adopt a similar but broader resolve: To declare war on all disease everywhere in the world, to mobilize our resources immediately, and to develop, in partnership with other nations, a worldwide attack upon the common enemy of all mankind, disease.

There is much fearful talk of world war III. Let us resolve that it be a new kind of war—for and in behalf of health instead of death. I strongly believe that our own people and those of all nations will heartily join in starting and carrying through to victory such a new war on disease as the world has never seen before.

Last August, in introducing in the House of Representatives a bill on international medical research as a companion to Senator HILL's measure in the Senate, I spoke of some of the benefits that have accrued from medical research and of some of the potentials that expanded international medical research would bring.

Today, I would not only reiterate how much the world and we have to gain from increased research abroad, but I would point out also that the time is eminently right, now, to seize the opportunity and march with other nations upon this new road of progress. I believe we should and must adopt legislation for expanded international medical research aid and for related, essential measures involving the application of knowledge and such activities as the proposed International Health Year.

As you know my background, you know that in my more than 18 years of service in this House I have labored to know and understand and meet the problems and needs of medical research and public health through adequate support for programs from the Congress. I hope and believe my advice to you, my colleagues, has been always sound and good. Indeed, one of the two most gratifying things in my long experience in Congress has been the continuing endorsement by you of my work, as chairman of the Appropriations Subcommittee for Health, Education, and Welfare, and Labor Departments, in which I have advised strengthening medical research. I have done so, of course, because it is through research that our people's health is being enhanced and life extended and crippling and premature death reduced.

The other most gratifying thing to me is the fact that the good people of Rhode

Island have similarly and continually endorsed my devotion to this work for research and health. I can assure you that they are well informed upon this, and, in the majority by which, in the last election, they returned me to the House for another term, the people of Rhode Island showed they wanted the work for health continued, for my platform was built upon the assurance that I would seek increased research and health benefits.

I mention these things about myself as setting for telling you that it is my sober and considered judgment that the time for action upon international measures is this year of 1959, and as soon as possible. The sooner the better. For every month's delay means that much postponement of the human and economic benefits that our own Nation and all nations will reap.

Moreover, although we in America were first to sound the call to arms for health for peace, others have not been slow to sense the dramatic appeal that medical weapons against disease have. Already the Ukraine has put forth a proposal, and, while you and I are certain that such proposals are primarily political and only secondarily humanitarian, the peoples of the world do not know this. Nor do they know that our philosophy for an expanded world health program is first and fundamentally humanitarian and an instrument of public policy in the same sense as those guaranties of life, liberty, and the pursuit of happiness contained in our American Constitution, which the world acclaims.

I am afraid that the world does not acclaim what we would propose to do because we have talked much and done little. A year has passed since a ringing call of "health for peace" was sounded. Many of us in Congress had, of course, long been aware and working for international medical research and the application of its results, realizing the values for other peoples' and our own health and economy and for vital influences toward peace.

While some things have been accomplished in the past 12 months, and they are extremely encouraging, I fear that other peoples may think of America as talking big and acting laggardly.

Even what America has already contributed to the health of the world is far from well and widely known around the globe, and I say this without decrying the efforts of those who have done such splendid work abroad for health and those who have sought to tell their story. For one thing, certain others have both subtly and blatantly taken credit for American accomplishment. We do not say that America is due more than her share of credit; we know that medical science always advances only through the work of researchers in many countries.

But even in such a field as the development of a successful vaccine against polio, where an American researcher brought to triumphant culmination a search of years to which, as Jonas Salk himself has many times said, many others contributed steppingstones, we can find another nation claiming this success in areas where the people did not know the facts.

Let me tell a little story to illustrate this. It is one, I think, which is illuminating and suggestive in many ways, not the least of which is an indication that America needs to tell her story further, faster, and first.

An American visitor to a Far East country learned, to his astonishment, that the polio vaccine was considered a Russian discovery. The man to whom the American was talking was not a scientist, but nevertheless an educated man. Yet to say merely that America had a greater claim would be taken as American bragging.

Finally, as the conversation continued, the American found a way to suggest the truth.

His host told of how some of his country's territory had been under Russian domination, but was returned, except for a certain area, still held by Russia.

"Who," the American asked, "do the Russians say were the ancestral developers of that area? Do they claim that their people or your people were first?"

"They say it was theirs", his host replied. And then he smiled, as the light dawned and he saw the point. But only then was he willing to believe the best of America.

Perhaps this is far from typical around the world. I wish I could believe so. But I cannot. And yet this sort of thing is only one of the minor reasons, among many major ones, why I am sure we must proceed in 1959 to enact legislation and provide appropriations to help mount a truly great worldwide attack upon disease. We must not only declare international war upon disease with the ultimate victory of better world health, nutrition, and economy and the unity of peace. We must also provide new inspiration and new means to achieve the goal.

How do we make friends for America through international health and research?

There are many, many ways, but I shall mention only a few, just enough to illustrate the point that we can make more friends by talking and acting for the simple needs of people than by high discussions of policy or any other means. By helping people meet vital needs, like food and nutrition and health, we can become their friends and they ours.

As many of you know, I have long been interested in the World Health Organization. Just last summer I was privileged to participate in the great WHO sessions held in Minneapolis, which were a splendid success. Even more important, in terms of friendship for America, was the warm and sincere welcome given by the people of Minnesota and elsewhere to the delegates from 85 nations. They departed with a new and deeper understanding of the American people; they took to their home countries a new respect for our institutions, a new comprehension of what we are, as people interested in our own people and all the people of the world.

In Geneva, where I was a U.S. delegate to WHO, there was a friendliness within the WHO Assembly itself that is tremendously heartening. It outranks all other bodies, I am sure, in creating lasting international friendships. First names are common in the halls. Mutual respect, concern in each other's problems, constructive help, and a sharing of ideas characterize these great assemblies.

So the WHO is an outstanding means whereby we can and do make friends.

What are some of the other ways? One that comes to mind is the contributions and visits abroad of America's fine medical men. Dr. Paul White's international work, not only as a member of professional scientific groups like the international cardiological society, but also as a private practitioner of medicine, has meant much to our country.

Dr. White has helped get research started in places where there was little or none; he has encouraged the beginning of medical schools and hospitals in remote areas; he has tirelessly contributed time and money and his friendly, wise counsel to men of all creeds, colors, and races—all and solely for the advancement of health.

And yet Dr. White is but one of a number of eminent Americans loved and respected and sought around the world for their unselfish medical work. These men are of inestimable value as winners of friends for America. More of our skilled men and women of medicine will, I hope and feel, in days to come expand this friendship even more.

There are many other means, as I said, and on many levels. Take the very practical things, like water and food and standards of living and rolling back the tide of diseases. The DDT sprayer has won friends for us around the world.

What we do to help people get plenty of clean, safe water is understandable to people; it means benefits in terms of their everyday lives, and they can and do appreciate such helps to better living and health. As America also aids them as a partner in their efforts to get adequate food and meet nutritional needs and to improve housing, so also will they become more and more friendly with us—and become our partners for peace, too. These are just some of the ways and means to international friendship, and much more could be said, but I think the point is made.

Let me sketch now something of the problems, the potentials, the programs and their price, and the payoff—all of which are essential factors in considering an expanded international health activity by the United States in partnership with other nations.

First, what is the world health situation today? A glance at this shows the problems and suggests the needs in terms of vitally needed research, essential measures to apply disease prevention and control knowledge, and indispensable means for more trained medical manpower, health facilities, and better education and information dissemination.

Overall, the world health situation shows that man has progressed far in his fight for health; the world is healthier than it has ever been before. There have been sizable declines in the death rates

from disease all over the globe, not just in highly developed areas. The world's population has, therefore, been increasing. Yet the increase has not, as some may believe, come about because of great increases in the birth rates. Primarily, the population increase is a result of decreasing death rates in many countries.

This means that medical research advances have been great and have been applied in enough force to effect declines in deaths from disease in many areas. In the last half-century, it has been said, the progress of science has been more rapid than in the previous 2,000 years. The lowering of mortality from disease proves the statement.

Let us not be lulled, however. Little has been done compared to what could be done. Yet this little endeavor has produced results out of all proportion to the funds and manpower invested. I am speaking now particularly of the investment in recent years in international health, not only America's but all others. The cost of the worldwide epidemic intelligence service, for example, which first warned of and then performed yeoman service in last year's influenza epidemic, was in terms of only a few thousands—thousands, not millions—of dollars, and a pitifully small supply of trained medical manpower.

We see new methods of agriculture and land irrigation and the increase in the total of the habitable and tillable area of the world—with influence on health and economy.

Moreover, directly against disease itself we see progress on many fronts. There have been real advances against cholera, a tremendous world problem. Perhaps the most notable victory, although it is like the winning of a battle and not a whole war, has been against malaria. Then there have been gains against typhus, a deadly disease enemy in many parts of the world.

Again from the overall viewpoint, the life span of man on earth has been extended and there has been some decline in the death rate of infants. Progress has been made against venereal disease around the world, and some advance, though little and far from what could or should be accomplished, against tuberculosis.

All this is to the credit side of the ledger. The other side shows that, while we have come far, we have farther still to go. The familiar illustration of the iceberg is apt. What has been achieved is but the top part, which we see, of the iceberg. Nine-tenths of it is underneath. Just so, the greatest part of the world's health problems is still unsolved.

While I have been speaking chiefly of infectious and communicable diseases, and those which no longer are as great a health burden in the United States as the chronic diseases like heart ailments and cancer, I must say that, in those countries abroad where communicable diseases have been reduced, chronic illnesses have emerged as today's great cripplers and killers just as in our country.

Thus, as we all well know, the war against disease has only just begun, in terms of man's life on earth through the ages, in just a few countries. The truly international war for health remains to be declared, as I said earlier.

To return to the problems, we find them tremendous and staggering. The incidence—the rate at which disease strikes—is high in scores and scores of infectious diseases too numerous to mention in hundreds of countries. The prevalence—the amount of debilitating disease—is vast. The mortality from almost any disease one could name in any country, including our own, is far higher than it should be and we cannot be proud of man's record when we think of what can be accomplished if we really turn ourselves and our resources to total war against disease.

There are many diseases now widely prevalent where the simple application of knowledge already won, of public health practices, could greatly reduce or even conquer the problem—among them typhus, yellow fever, venereal disease, rickettsial diseases, some bacterial diseases, and, perhaps above all, what is still a No. 1 world problem: malaria.

Many other diseases, and some of those mentioned, however, still will require intensive research of various kinds, and I would not imply that any great victory in the world war against disease is easy of attainment.

Consider the appalling lack of health resources and facilities, for one thing, and you will see why victory is no easy matter but must be won, as always, with sacrifice and hard toil and expenditures that are hard to come by.

Around the world, there are manpower lacks in medical fields which are tremendous. I believe the world ratio of physicians to population is something like 1 doctor for each 2,000 people; in some or many countries it is perhaps 1 physician to each 10,000 persons. The same holds true for dentists and is so, or nearly so, for other types of necessary health and medical personnel. The ratio of hospitals is probably even worse, with many millions of people almost completely without hospital facilities of any kind within their reach of money or distance.

If I have not stressed the dark side of the picture enough, let me turn to its economic aspects, because a poor economy is always related directly to a sick people.

The great potential markets of many areas of the world cannot be fully opened until the economies of those areas are expanded and their purchasing power is increased. The lessons for our own business and industry, since we are a country that in most things produces goods that we need to sell abroad, are obvious.

Economic advances around the world cannot take place unless the manpower is vigorous and productive. Sick people are not consumers nor producers. A high percentage of the people of the Middle East, much of Asia, large parts of Central and South America, and most of Africa, are sick—suffering from infectious or communicable diseases, many of which are preventable or curable, or from undernutrition, which better health and other things, such as newer methods of agriculture, could alleviate.

The people of these areas cannot, without the partnership of others, build the type of country they should have; they alone cannot control or mold their environment. Yet the great fact of the twentieth century is that man has made his environment largely controllable; the knowledge exists whereby he can, in the main, manage adequate food, shelter, clothing, housing, medicines, and so not merely survive but even enjoy a productive life.

Yet the people of these areas cannot do so without the help of their fellow man in more fortunate countries. They cannot build the base upon which a good economy can be erected. Nor, to be practically worldly, can they be good customers for others.

One of the greatest matters of our times, then, is the fact that the world cannot accommodate, economically and socially, the expanding populations unless those populations are healthy, vigorous producers. In what field could the United States show its great concern for human beings and their happiness, no matter who nor where they are, better than by helping them gain a healthier life through modern technology?

Here is a great opportunity, the greatest perhaps of all time, to show the people of the world that we are concerned with them for their own sake, not to master them but to master their great enemy, disease.

Let us tell the world, in great blazing signs of service, what we are, what we stand for, and what we want them to be; free and healthy men and women under guarantees of life, liberty, and the pursuit of happiness even as we ourselves are. This is the true American tradition and the real American purpose.

In discussing the problems of the world's health, I have suggested or implied, I believe, more than a little of the potentials that expanded international health and medical research holds in the way of human and economic benefits. I should, however, illustrate more specifically what the victories we may expect in a great new world war against disease will bring.

Here, I shall illustrate the potentials first by citing examples of practical dividends, to the United States as to other nations, achieved through international health means.

The international reporting of disease, and the operation of an early-warning network for worldwide communicable diseases, through the World Health Organization, affords an excellent example of tremendous savings in lives, sickness prevented or controlled, and literally millions of dollars. Think what the cost of the Asian influenza epidemic last year would have been had we not been forewarned. Through the international health communications network, outbreaks of highly infectious or communicable diseases anywhere in the world are broadcast to WHO headquarters in Geneva. Then the news is broadcast to health authorities all over the world, to ships at sea, to airports and seaports, enabling health authorities to apply appropriate measures to check disease spread.

The influenza outbreak shows us how a disease can spread around the globe

in a matter of months. Asian flu came from inland China and, spreading in both directions around the world, hit the United States on both coasts at almost the same time. Because of the early warning network we knew of the beginning and the spread and were able to take steps to soften the blow. Extensive measures were adopted, a vaccine was developed, and, while there was much flu sickness, it certainly would have been far worse had we no knowledge of it.

One other example, of a different kind, will be enough to more than prove the future potential of expanded international health activity by citing past experience. This is the case of malaria.

About 10 years ago, some 3 million people died each year from it, and another 300 million suffered from its weakening effects. It may have been, may still be, the world's most costly disease, because of the chronic invalidism it causes and its vast extent. It retards commerce and business and industry and agriculture—and no highly malarial country can be more than a pitiful semblance of what it could be without the disease. Regions of our own country knew this some years ago, and had there been no malaria prevention, control, and treatment programs in the United States we would find ourselves a far less productive Nation than we are.

But technical advances, new knowledge for research, came and changed the grim picture. There were two major advances: one was DDT and the other was drugs. DDT meant the possibility of whipping malaria by eradicating the mosquitoes which spread it. The new drugs meant that the parasite responsible for malaria could be killed in the infected person's body, and safely for him.

Application of this knowledge, and other new information, has done much against malaria. It is still a No. 1 disease for attack by international health measures; it still presents problems of great magnitude not only to health control services but also to research.

Yet the worldwide fight against malaria has had tremendous success, and this one campaign alone has been responsible for perhaps the most outstanding improvement in the world's health.

Today, the number of deaths from malaria have been reduced to about half of the number caused a little over 10 years ago; and the amount of the disease has been similarly reduced. Economic gains have followed in countries where substantial reduction or elimination of malaria has been achieved.

What achieved this? It was won through by cooperative international medical research and application measures, by partnership among nations, and by the World Health Organization and all allied with it. The United States can well be proud of the share it has put into this great enterprise, and we can and should do even more, for the full potential of a world free from malaria, yet to be realized, will mean much to us, as to others, both in humanitarian and in economic terms.

The business future of the United States, we all know, is deeply involved in investments and sales abroad. We will benefit in dollars from medical research and the application of its knowledge to conquer disease. But we are not unique in this. Other countries also depend upon foreign sales and investments. They, too, will benefit. I say this because I do not believe that the American businessman is less altruistic than the thrifty Scots or French businessman, or the shrewd German or Chinese, or the Scandinavian or Australian, or any other. I think that all people, in whatever country, who stop to think, will realize that improved world health is to their good. I think that this matter of expanding research and disease control around the world is one—perhaps the one—truly global effort in which all nations can and will join as real partners.

What this can mean was well expressed last year by Dr. Carmolino Candau, Director General of the WHO, who said:

> I am convinced that, if the great advances gained in science and technology are put at the service of all the people of the world, our children and their children will live in an age from which most of the diseases our grandparents and parents took for granted will be banished. It is in our power to narrow further the gap which exists between the few countries which have already reached a relatively high level of health and the many others which are still in the early stages of their health development.
>
> Through intensified and well-coordinated research we shall be able to find the means to cure or prevent the diseases which today prevail in the economically developed areas and tomorrow may strike those regions which are in process of rapid development.

Now let me turn to the program, mentioned earlier, which we should establish to win the new war against disease and which will let the world know that the United States is backing its words with faith, friendliness, and finances.

I have noted recently that the Secretary of the Department of Health, Education, and Welfare disclosed to the newspapers his budget request for fiscal year 1960. But I failed to find anything in the stories indicating that there would be any administration request for new or additional funds for international medical research and health activities. Yet the administration and the Department have stated strong interest in expansion of health measures for peace.

While I am as stanch an advocate as anyone for not providing for nonessential activities, I do not believe in being penny wise and pound foolish.

I believe in establishing and providing for activities that will bring us far greater returns than the outlays. Increasing the scope of U.S. participation in world medical research and health measures will do this. Moreover, such a strengthening of our international efforts is not merely desirable, it is essential. It is essential to our defense, to our continued and growing prosperity, and to our own national fight to prevent and control killing and crippling diseases.

These are some of the reasons why I am introducing into this session of Congress the bill, first introduced in the closing days of our last session, to increase the scope and opportunity of medical research through an intensified international program. I have joined with Senator LISTER HILL in this endeavor, and he is recommending, just as strongly to the Senate as I to you, that you consider it a matter of greatest importance and support the passage of the measure. The bill provides for the fullest development of the medical research potential of the whole world.

The bill further provides that this shall be done under the leadership of the National Institutes of Health of the Public Health Service. The scientists of the Institutes, as you know, have demonstrated well what can be done in partnership with the medical schools and other research centers throughout the entire United States in providing a national war against disease that is already paying off splendidly. This is being done both through the grants programs and through the high-caliber research the Institutes conduct in their own laboratories. What is not so well known, perhaps, is the fact that the National Institutes of Health has a great wealth of experience in participating in international research, its training, and interchanging scientific knowledge with others.

They work closely with WHO, with international scientific societies and research centers, and their studies and some of those supported through grants are already bringing us new and important research information from abroad. National Institutes of Health research fellows from America study in foreign countries where there is real scientific opportunity, and, even with present resources, the Institutes are bringing brilliant foreign scientists here so that we may learn from them and they from us.

Thus, I say, a National Institute of International Medical Research, working within the framework of the National Institutes of Health, the Public Health Service, and the Department of Health, Education, and Welfare, can give outstanding and unique leadership to development of the whole world's research potential.

The program authorized under this measure would strengthen the research activities of the WHO and other international bodies and encourage the participation of scientists and nations around the world. It would not conflict, compete with, or duplicate with them. The amount asked to launch this new war against disease is small compared to its benefits in health, in international goodwill, and in the advancement toward peace.

The time for action is now, and recent international events only emphasize that we should not delay action in this field of humanitarian science. So I earnestly submit that we take up and pass the measure.

Let me turn now for a moment to other measures which I believe also worthy of your support. While emphasizing research, I have in my remarks also pointed out the importance of the whole world health problem and of activities derived from and related to research.

In my opinion—and that of many others, including non-Government health

and medical authorities—we should also move forward upon other health fronts in addition to research.

We should strengthen and expand activities, such as those I mentioned in connection with the great problem of malaria, for the application of current medical and public health knowledge. As I indicated earlier in discussing this, there are a number of diseases which could be conquered or greatly curtailed. The knowledge is in hand, but there is not enough money, trained manpower, or facilities being provided today. Through the World Health Organization particularly, and through and with Public Health Service participation—and the Public Health Service has tremendous worldwide experience in disease prevention and control—we ought to step up the frontline warfare against disease.

Additionally, I believe that we also should support a new measure, first introduced also in the previous session, which will provide a catalytic agent—a triggering mechanism as it were—for the new international war against disease.

I refer to the measure calling for an International Health and Medical Research Year, somewhat in the manner of the International Geophysical Year. There are many areas where means for a specifically organized and directed scientific effort on an international basis would be of great value in the solution of disease and health problems.

The mechanism of an International Health and Medical Research Year would, moreover, have even greater importance and one beyond the limits of its life span.

This importance would lie in the continuing advancement that the year would make possible in relationships and patterns of collaborative effort for the furtherance of medical research and health measures in the common cause of mankind.

In closing, and again urging that we here and now declare a new world war upon disease through passage of the legislation discussed and support of intensified international health activities, I would like to hark back to the beginnings of our country. The American Revolution was an idea—an idea translated into action. It inspired people everywhere to be free. It continues to inspire them as a great historical idea that became reality and brought forth a great, free Nation.

It seems to me that we have here today a somewhat parallel matter. We have an idea—a war and revolution for health—to achieve freedom from disease. We can translate it into action and reality.

SMALL BUSINESS INVESTMENT ACT IS BEING SABOTAGED

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, 6 months have passed since Congress approved the Small Business Investment Act. Yet to date the Small Business Administration has licensed no small business investment company to operate under the act.

THE ACT IS DESIGNED FOR QUICK ACTION—BUT UNUSED

This act was designed by Congress to meet a most serious small-business problem—the problem of obtaining financing. This is a long-standing problem, but one which had by last year grown to near-crisis proportions. It was because of the need to meet the problem quickly, as well as the need to bring about a permanent solution to this problem, that the Act provided for mobilizing local, private enterprise to do the job of small business financing.

PRIVATE CAPITAL HAS TRIED TO COOPERATE

When the act was passed, the response of private enterprise was instantaneous and overwhelming. Within a few weeks trade sources reported that upward of 10,000 would-be SBI companies were knocking on the doors of the SBA for licenses, offering to invest large amounts of private funds in these enterprises. These included groups whose financial responsibility and experience are beyond question, such as national banks. But so far, none has been able to overcome SBA resistance, redtape and delay.

THE ACT CITED AS AN EXCUSE FOR VETOING AREA REDEVELOPMENT BILL

Last year when the President vetoed the area redevelopment bill—Douglas-Payne bill, S. 3683—he said that the Small Business Investment Act would meet "in part the needs of areas of severe and persistent unemployment." Areas of severe and persistent unemployment continue, as do the needs of small business for a competitive chance to bid for capital.

REDTAPE, DELAY, AND A NULLIFYING INTEREST RATE

The administration's record on this legislation has been, first, a reluctance to agree to any measure; second, insistence on a watered-down bill; third, regulations which interpret away much of the new act; fourth, a decision to set a prohibitive wholesale rate—5 percent—on such funds as it may get to lend to SBI companies for relending to small business concerns; and, up to now, a refusal to let small business have the benefits of what remains of the act.

NEW LEGISLATION IS NEEDED

It is now clear that the Small Business Investment Act should be amended to, first, provide for administration by an independent, bipartisan commission or board, rather than by an agency of the executive branch; and second, provide a way whereby private capital can be raised through the sale of securities on the national market, so as to reduce the need for appropriations. This means that a way should be provided for a sufficient spreading of the risks of the local investment companies to make the sale of such securities feasible.

I am presently drafting a bill along these lines; and I would be extremely glad to have the benefit of any suggestions any Member of the House cares to offer.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. BAILEY, for 30 minutes, on Thursday, and the special order granted to him for Wednesday was vacated.

Mr. WALTER, for 30 minutes, on Thursday.

Mr. DOYLE, for 30 minutes, on Thursday.

Mr. FLOOD, for 15 minutes, today.

Mr. MASON, for 40 minutes, on Monday, January 26, on the subject of "Our Federal Constitution and our Supreme Court."

Mr. JACKSON, on Thursday next, for 30 minutes.

Mr. FOGARTY (at the request of Mr. MCCORMACK), for 20 minutes, today, and to revise and extend his remarks.

Mr. POWELL (at the request of Mr. FLOOD), for 15 minutes, on Thursday, January 15.

Mrs. ROGERS of Massachusetts, for 15 minutes, on Thursday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. VINSON and to include the remarks made by Mr. THORNBERRY in presenting to the Democratic caucus the Democratic candidate for Speaker.

Mr. SMITH of Mississippi and to include extraneous matter.

Mrs. KEE in two instances and to include extraneous matter.

Mr. PUCINSKI and include a resolution.

Mr. WILLIS and include extraneous material.

Mr. BALDWIN in two instances and include extraneous material.

Mr. BENTLEY.

Mr. WAINWRIGHT and include extraneous matter.

Mr. CURTIS of Missouri in four instances and include extraneous material.

Mr. ALGER in two instances and include extraneous material.

(At the request of Mr. MCCORMACK, and to include extraneous matter, the following:)

Mr. MACDONALD.

Mr. BOGGS in three instances.

Mr. THOMPSON of New Jersey (at the request of Mr. FLOOD) and to include extraneous matter.

ADJOURNMENT

Mr. FLOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 17 minutes p.m.), under its previous order, the House adjourned until Thursday, January 15, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

319. A letter from the Comptroller General of the United States, transmitting a

report on the military assistance program for Iran as administered by the United States Military Assistance Advisory Group (MAAG) to Iran; to the Committee on Government Operations.

320. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation entitled "a bill to amend the Federal Property and Administrative Services Act of 1949 to extend the authority of the Administrator of General Services to pay direct expenses in connection with the utilization of excess real property and related personalty, and for other purposes"; to the Committee on Government Operations.

321. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation entitled "a bill to fix the fees payable to the Patent Office, and for other purposes"; to the Committee on the Judiciary.

322. A letter from the Chairman, Federal Communications Commission, transmitting the Annual Report of the Federal Communications Commission for the fiscal year 1958; to the Committee on Interstate and Foreign Commerce.

323. A letter from the Chairman, Securities and Exchange Commission, relative to drafts of five proposed bills proposing amendments to the Securities Act of 1933; to the Committee on Interstate and Foreign Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BECKWORTH:

H.R. 2137. A bill to amend section 402 of the Veterans' Benefit Act of 1957 with respect to determinations of permanent and total disability; to the Committee on Veterans' Affairs.

H.R. 2138. A bill to amend section 8 of title 13 of the United States Code to except certain persons from the requirement of paying fees for certain census data; to the Committee on Post Office and Civil Service.

H.R. 2139. A bill to amend the Fair Labor Standards Act of 1938 to provide for its clarification with respect to cases where two or more employers are contributing to the wages of one employee; to the Committee on Education and Labor.

H.R. 2140. A bill to amend section 510 of the Veterans' Benefit Act of 1957 to authorize the granting of hospital care to veterans in need thereof; to the Committee on Veterans' Affairs.

H.R. 2141. A bill to provide pension for certain physically handicapped veterans of World War I, World War II, or the Korean conflict; to the Committee on Veterans' Affairs.

H.R. 2142. A bill to amend the Veterans' Readjustment Assistance Act of 1952 to make the educational benefits provided for therein available to all veterans whether or not they serve during a period of war or of armed hostilities; to the Committee on Veterans' Affairs.

H.R. 2143. A bill to amend the Veterans' Readjustment Assistance Act of 1952 to provide that where a veteran has changed his program of education under that act, and such change is a normal progression from his approved program, such change shall be approved, with retroactive payments made for appropriate periods; to the Committee on Veterans' Affairs.

H.R. 2144. A bill to provide that when a family's home is being acquired by the United States, in determining the price to be paid for such home the agency acquiring such home may take into account the same considerations as would be taken into account by such family in determining whether or not to sell their home voluntarily; to the Committee on the Judiciary.

H.R. 2145. A bill to provide for Federal assistance, on a dollar-matching basis, to State and local governments and agencies thereof for planning, constructing, operating, and maintaining water conservation and water storage projects; to the Committee on Interior and Insular Affairs.

H.R. 2146. A bill to amend the Agricultural Adjustment Act of 1938 to provide minimum acreage allotments for recognized peanut farmers; to the Committee on Agriculture.

H.R. 2147. A bill to amend the Agricultural Adjustment Act of 1938 to increase in certain cases the minimum acreage allotment for cotton; to the Committee on Agriculture.

H.R. 2148. A bill to amend title II of the Social Security Act to provide monthly insurance benefits for the unmarried dependent sister of an individual who dies leaving no other survivors eligible for benefits under such title; to the Committee on Ways and Means.

H.R. 2149. A bill to amend title II of the Social Security Act to provide benefits thereunder for certain individuals who have paid social security taxes as employers but have not themselves become entitled to such benefits; to the Committee on Ways and Means.

By Mr. BURDICK:

H.R. 2150. A bill to establish permanent authorization of a fully adequate nationwide milk-for-children program and for other purposes; to the Committee on Education and Labor.

By Mr. BENTLEY:

H.R. 2151. A bill to provide a credit against the Federal income tax for additional State and local taxes imposed for school purposes; to the Committee on Ways and Means.

By Mr. BOLAND:

H.R. 2152. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which may be received by an individual while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. BUCKLEY:

H.R. 2153. A bill to authorize the conveyance to the city of New York of certain lands located in said city for park and recreational purposes; to the Committee on Public Works.

By Mr. BYRNE of Pennsylvania:

H.R. 2154. A bill to authorize the Secretary of the Interior to acquire certain additional property to be included within the Independence National Historical Park; to the Committee on Interior and Insular Affairs.

H.R. 2155. A bill to extend the application of the Classification Act of 1949 to certain positions in, and employees of, the executive branch of the Government; to the Committee on Post Office and Civil Service.

By Mr. CELLER:

H.R. 2156. A bill to strengthen the criminal laws relating to bribery, graft, and conflicts of interest, and for other purposes; to the Committee on the Judiciary.

H.R. 2157. A bill to implement the criminal laws relating to bribery, graft, and conflict of interest in Government employment and to promote ethics in Government; to the Committee on the Judiciary.

By Mr. CHRISTOPHER:

H.R. 2158. A bill to liberalize the basis for and increase the monthly rates of disability pension awards under Veterans' Regulattion No. 1 (a), part III; to the Committee on Veterans' Affairs.

By Mr. CURTIS of Missouri:

H.R. 2159. A bill to establish a U.S. trading corporation to meet the challenge of attempted Soviet penetration of world markets, and for other purposes; to the Committee on Foreign Affairs.

H.R. 2160. A bill to amend the Internal Revenue Code of 1954 to allow a 30 percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education; to the Committee on Ways and Means.

H.R. 2161. A bill to allow a deduction for income tax purposes, in the case of a disabled individual, of expenses for transportation to and from work; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 2162. A bill to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation, and for other purposes; to the Committee on Public Works.

H.R. 2163. A bill to repeal the excise tax on communications; to the Committee on Ways and Means.

By Mr. FORAND:

H.R. 2164. A bill to repeal the cabaret tax; to the Committee on Ways and Means.

By Mr. HAGEN:

H.R. 2165. A bill to establish a National Grammar Commission to reform the spelling of English words, to publish the United States Official Dictionary, and for other purposes; to the Committee on Education and Labor.

H.R. 2166. A bill to provide that the Channel Islands off the coast of southern California shall be referred to as the Juan Rodriques Cabrillo Islands; to the Committee on Interior and Insular Affairs.

By Mr. HOLLAND:

H.R. 2167. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. IKARD:

H.R. 2168. A bill to protect the rights of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

H.R. 2169. A bill to amend the Internal Revenue Code of 1954 to provide that an individual may deduct amounts paid for tuition, fees, and books to certain public and private institutions of higher education for his education or the education of any of his dependents; to the Committee on Ways and Means.

H.R. 2170. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct expenses paid during the taxable year for the repair (including painting and papering) of property used by him as his principal residence to the extent that such expenses do not exceed $500; to the Committee on Ways and Means.

H.R. 2171. A bill to allow certain expenses paid for the repair and maintenance of a personal residence as an income tax deduction; to the Committee on Ways and Means.

H.R. 2172. A bill to amend the Internal Revenue Code of 1954, as amended; to the Committee on Ways and Means.

H.R. 2173. A bill to amend section 1375 of the Internal Revenue Code of 1954 with respect to distributions from earnings and profits by small business corporations electing under subchapter S; to the Committee on Ways and Means.

H.R. 2174. A bill to amend the Internal Revenue Code of 1954 to provide a minimum period of 5 years within which livestock sold on account of drought may be replaced without recognition of gain; to the Committee on Ways and Means.

H.R. 2175. A bill to increase from $600 to $700 the income-tax exemptions allowed for a taxpayer, his spouse, and his dependents, and the additional exemptions allowed for old age and blindness; to the Committee on Ways and Means.

H.R. 2176. A bill to amend the Natural Gas Act; to the Committee on Interstate and Foreign Commerce.

H.R. 2177. A bill to amend the Internal Revenue Code of 1954 to provide that the

acquisition of real property by trade-in shall in certain cases constitute a nontaxable exchange for income-tax purposes; to the Committee on Ways and Means.

H.R. 2178. A bill to authorize the Secretary of the Army to make certain changes in the road at Whites Branch, Grapevine Reservoir, Tex.; to the Committee on Public Works.

H. R. 2179. A bill to provide for the erection of a Federal and post office building in Denton, Tex.; to the Committee on Public Works.

H.R. 2180. A bill to amend the Internal Revenue Code of 1954 to exempt from the manufacturers excise tax certain automobiles furnished without charge to schools for use in driver training programs; to the Committee on Ways and Means.

By Mr. KING of California:

H.R. 2181. A bill to amend title V of the Merchant Marine Act, 1936, as amended, to promote the maintenance of the American fishing fleet under competitive conditions and in the interest of sustained fish food supplies in case of emergency and for other purposes; to the Committee on Ways and Means.

By Mr. LIBONATI:

H.R. 2182. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct expenses paid during the taxable year for repair, maintenance, alterations and additions to his residence; to the Committee on Ways and Means.

H.R. 2183. A bill to amend title II of the Social Security Act to provide that full benefits thereunder, when based upon the attainment of retirement age, will be payable to both men and women at age 60; to the Committee on Ways and Means.

H. R. 2184. A bill to amend titles I, IV, X, and XIV of the Social Security Act so as to further assist the States in extending aid for medical care to persons eligible for public assistance under such titles; to the Committee on Ways and Means.

By Mr. McCORMACK:

H.R. 2185. A bill to authorize modification of local participation in flood-control projects; to the Committee on Public Works.

By Mr. McDOWELL:

H.R. 2186. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit the donation and other disposal of property to tax-supported public recreation agencies; to the Committee on Government Operations.

By Mr. McGOVERN:

H.R. 2187. A bill to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MACK of Washington:

H.R. 2188. A bill to set aside certain lands in Washington for Indians of the Quinault Tribe; to the Committee on Interior and Insular Affairs.

By Mr. MONAGAN:

H.R. 2189. A bill to make appropriations for the construction of the Mad River Dam and Reservoir, Conn., the dam and reservoir on Hall Meadow Brook, Conn., and the dam and reservoir on the East Branch of the Naugatuck River, Conn.; to the Committee on Appropriations.

By Mr. MICHEL:

H.R. 2190. A bill to amend the act of October 9, 1940, to provide that the 10-year statute of limitations applicable to claims against the United States shall not bar the payment of such claims where they are filed with an appropriate agency of the United States during such 10-year period; to the Committee on Government Operations.

By Mr. CLEMENT W. MILLER:

H.R. 2191. A bill to designate a stream in California as the "Petaluma River"; to the Committee on Public Works.

H.R. 2192. A bill to provide financial assistance for the support of public schools by appropriating funds to the States to be used for constructing school facilities and for teachers' salaries; to the Committee on Education and Labor.

H.R. 2193. A bill to designate the Coyote Valley Reservoir in California as Lake Mendocino; to the Committee on Public Works.

By Mr. MITCHELL:

H.R. 2194. A bill to amend chapter 37 of title 38, United States Code, to provide additional funds for direct loans; to remove certain requirements with respect to the rate of interest on guaranteed loans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MOSS:

H.R. 2195. A bill to amend section 412(b) of the Civil Aeronautics Act of 1938, with respect to contracts relating to the selection or appointment, or the utilization of the services, of travel or ticket agents, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2196. A bill to amend the Interstate Commerce Act to permit railroads to transport free or at reduced rates certain postal officers and employees; to the Committee on Interstate and Foreign Commerce.

H.R. 2197. A bill to amend the act of September 26, 1950, to extend the Tehama-Colusa conduit to Yolo County, Calif.; to the Committee on Interior and Insular Affairs.

H.R. 2198. A bill to amend the Internal Revenue Code of 1954 and the Internal Revenue Code of 1939 to provide that no documentary stamp tax shall be imposed with respect to conveyances to which a State or political subdivision is a party; to the Committee on Ways and Means.

H.R. 2199. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Auburn unit, American River division, Central Valley project, California, under Federal reclamation laws; to the Committee on Interior and Insular Affairs.

H.R. 2200. A bill to establish a system for the classification and compensation of scientific and professional positions in the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2201. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees; to the Committee on Post Office and Civil Service.

H.R. 2202. A bill to establish a plan and appropriate procedures for the promotion of employees of the Government on the basis of merit; to the Committee on Post Office and Civil Service.

By Mr. MURRAY:

H.R. 2203. A bill to provide for the discontinuance of the Postal Savings System; to the Committee on Post Office and Civil Service.

By Mr. O'HARA of Illinois:

H.R. 2204. A bill granting leave of absence to postal employees on account of death in the family; to the Committee on Post Office and Civil Service.

H.R. 2205. A bill to amend the Fair Labor Standards Act of 1938 so as to increase the minimum hourly wage from $1 to $1.25; to the Committee on Education and Labor.

H.R. 2206. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education; to the Committee on Ways and Means.

H.R. 2207. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 2208. A bill to amend the Veterans' Readjustment Assistance Act of 1952 to make the educational benefits provided for therein available to all veterans whether or not they serve during a period of war or of armed hostilities; to the Committee on Veterans' Affairs.

H.R. 2209. A bill to prohibit discrimination because of age in the hiring and employment of persons by Government contractors; to the Committee on the Judiciary.

H.R. 2210. A bill to amend and revise the laws relating to immigration, naturalization, nationality and citizenship, and for other purposes; to the Committee on the Judiciary.

H.R. 2211. A bill to allow additional income tax exemptions for a taxpayer or a spouse, or a dependent child under 23 years of age, who is a full-time student at an educational institution above the secondary level; to the Committee on Ways and Means.

H.R. 2212. A bill to amend the Internal Revenue Code of 1954 so as to allow a taxpayer to deduct certain expenses incurred by him in obtaining a higher education; to the Committee on Ways and Means.

H.R. 2213. A bill to amend the Internal Revenue Code of 1954 so as to increase the amount of the personal exemption for taxable year 1958 and to repeal or reduce certain excise taxes; to the Committee on Ways and Means.

By Mr. O'NEILL:

H.R. 2214. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN:

H.R. 2215. A bill relating to certain discriminatory pricing practices affecting commerce; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 2216. A bill to amend the Tariff Act of 1930 with respect to exemption from duties and taxes of supplies for certain vessels and aircraft engaged in trade between the United States and Alaska; to the Committee on Ways and Means.

By Mr. PERKINS:

H.R. 2217. A bill to amend title II of the Social Security Act to provide a more liberal definition of "disability," to eliminate the requirement that an individual attain age 50 to be entitled to disability insurance benefits, and to provide that full benefits (when based upon attainment of retirement age) will be payable to both men and women at age 60; to the Committee on Ways and Means.

By Mr. PRICE:

H.R. 2218. A bill to provide for Federal assistance for the construction and expansion of public community junior colleges; to the Committee on Education and Labor.

By Mr. ROSTENKOWSKI:

H.R. 2219. A bill to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation, and for other purposes; to the Committee on Public Works.

By Mr. SHIPLEY:

H.R. 2220. A bill to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation, and for other purposes; to the Committee on Public Works.

By Mr. SILER:

H.R. 2221. A bill to prohibit the transportation in interstate commerce of advertisements of alcoholic beverages, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2222. A bill to provide for an appropriation of a sum not exceeding $175,000 with which to make a survey of a proposed national parkway from the Great Smoky Mountains National Park in North Carolina

and Tennessee to the Mammoth Cave National Park in Kentucky, and the Natchez Trace Parkway in Tennessee; and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2223. A bill to provide that railroad employees may retire on a full annuity at age 60 or after serving 30 years; to provide that such annuity for any month shall be not less than one-half of the individual's average monthly compensation for the 5 years of highest earnings; and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2224. A bill to amend the Internal Revenue Code of 1954 to impose an import tax on natural gas; to the Committee on Ways and Means.

H.R. 2225. A bill to amend title II of the Social Security Act to provide that full benefits (when based upon the attainment of retirement age) will be payable to both men and women at age 60; to the Committee on Ways and Means.

By Mr. SISK:

H.R. 2226. A bill to amend chapter 37 of title 38, United States Code, to provide additional funds for direct loans; to remove certain requirements with respect to the rate of interest on guaranteed loans, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2227. A bill to amend title 38, United States Code, to extend loan-guarantee benefits to certain veterans of service after January 31, 1955, and before the end of compulsory military service, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SMITH of Mississippi:

H.R. 2228. A bill to provide for the acquisition of additional land along the Mount Vernon Memorial Highway in exchange for certain dredging privileges, and for other purposes; to the Committee on Public Works.

H.R. 2229. A bill to amend the Federal Employees Salary Increase Act of 1958 to extend to employees of agricultural stabilization and conservation county committees the salary-increase benefits provided by such act; to the Committee on Post Office and Civil Service.

By Mr. TAYLOR:

H.R. 2230. A bill to regulate the foreign commerce of the United States by establishing quantitative restrictions on the importation of knit handwear; to the Committee on Ways and Means.

By Mr. THOMSON of Wyoming:

H.R. 2231. A bill to provide for distribution of moneys received from mineral lands; to the Committee on Interior and Insular Affairs.

By Mr. WALTER:

H.R. 2232. A bill to amend the Internal Security Act of 1950, and for other purposes; to the Committee on Un-American Activities.

By Mr. WHITENER:

H.R. 2233. A bill to amend section 64(a)(2) of the Bankruptcy Act; to the Committee on the Judiciary.

H.R. 2234. A bill to amend section 1461 of title 18 of the United States Code with respect to the mailing of obscene matter, and for other purposes; to the Committee on the Judiciary.

H.R. 2235. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

H.R. 2236. A bill to amend the Bankruptcy Act with respect to limiting the priority and nondischargeability of taxes in bankruptcy; to the Committee on the Judiciary.

H.R. 2237. A bill to amend chapter 13—Wage Earners' Plans—of the Bankruptcy Act; to the Committee on the Judiciary.

H.R. 2238. A bill to amend title 28 of the United States Code with respect to the eligibility of members of the bar of the United States Supreme Court to practice before all courts of appeals and district courts of the United States; to the Committee on the Judiciary.

H.R. 2239. A bill to provide that each member of the bar of the highest court of a State or a Federal court shall be eligible to practice before all administrative agencies; to the Committee on the Judiciary.

By Mr. WHITTEN:

H.R. 2240. A bill to bring employees of agricultural stabilization and conservation county committees within the purview of the Civil Service Retirement Act and the Federal Employees' Group Life Insurance Act of 1954; to the Committee on Post Office and Civil Service.

By Mr. ASHLEY:

H.R. 2241. A bill to amend title XI of the Merchant Marine Act, 1936, relating to Federal ship mortgage insurance, in order to include floating drydocks under the definition of the term "vessel" in such title; to the Committee on Merchant Marine and Fisheries.

By Mrs. BOLTON:

H.R. 2242. A bill to prohibit certain acts involving the importation, transportation, possession or use of explosives; to the Committee on the Judiciary.

By Mr. BURNS of Hawaii:

H.R. 2243. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an Exemplary Rehabilitation Certificate; and for other purposes; to the Committee on Armed Services.

By Mr. CHRISTOPHER:

H.R. 2244. A bill to increase the annual income limitations governing the payment of pension to certain veterans and their dependents; to the Committee on Veterans' Affairs.

By Mr. GARMATZ:

H.R. 2245. A bill to amend subsection 432(g) of title 14, United States Code, so as to increase the limitation on basic compensation of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard from $3,750 to $5,100 per annum; to the Committee on Merchant Marine and Fisheries.

By Mr. LIBONATI:

H.R. 2246. A bill to amend section 301 of the World War Veterans' Act, 1924, to provide that certain term insurance held by World War I veterans shall be considered as fully paid when the insured reaches the age of 65; to the Committee on Veterans' Affairs.

By Mr. MOSS:

H.R. 2247. A bill to authorize the conveyance of certain real property of the United States to the county of Sacramento, Calif.; to the Committee on Armed Services.

H.R. 2248. A bill to amend title 28 of the United States Code to provide for the appointment of one additional district judge for the northern district of California; to the Committee on the Judiciary.

H.R. 2249. A bill to provide for a Veterans' Administration general, medical, and surgical hospital of 500 beds at Sacramento, Calif.; to the Committee on Veterans' Affairs.

H.R. 2250. A bill to amend the Agricultural Act of 1949 to provide for the increased use of milled or enriched rice by the Armed Forces, Federal penal and correctional institutions, and in certain federally operated hospitals, and for other purposes; to the Committee on Agriculture.

H.R. 2251. A bill to provide for the establishment of four soil and water conservation laboratories; to the Committee on Agriculture.

By Mr. PELLY:

H.R. 2252. A bill to amend the Federal Seed Act to permit the importation into the United States of certain screenings of rapeseed and mustard seed; to the Committee on Agriculture.

By Mr. SELDEN:

H.R. 2253. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide for lease and transfer of acreage allotments; to the Committee on Agriculture.

By Mr. SILER:

H.R. 2254. A bill to amend section 2108 of the Veterans' Benefits Act of 1957 to prohibit the reduction of disability ratings which have been in effect for 10 or more years, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SISK:

H.R. 2255. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

By Mr. TEAGUE of Texas:

H. R. 2256. A bill to amend chapter 37 of title 38, United States Code, to provide additional funds for direct loans; to remove certain requirements with respect to the rate of interest on guaranteed loans; and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2257. A bill to amend title 38, United States Code, to extend loan guarantee benefits to certain veterans of service after January 31, 1955, and before the end of compulsory military service, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2258. A bill to amend title 38, United States Code, to provide vocational rehabilitation, education and training, and loan guarantee benefits for veterans of service after January 31, 1955; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas (by request):

H.R. 2259, A bill to amend title 38, United States Code, to provide vocational rehabilitation and related readjustment benefits for veterans of service after January 31, 1955; to the Committee on Veterans' Affairs.

By Mr. VINSON:

H.R 2260. A bill to extend until July 1, 1963, the induction provisions of the Universal Military Training and Service Act; the provisions of the act of August 3, 1950, suspending personnel strengths of the Armed Forces; and the Dependents Assistance Act of 1950; to the Committee on Armed Services.

By Mr. WEAVER:

H.R. 2261. A bill to amend chapter 37 of title 38, United States Code, to provide additional funds for direct loans; to remove certain requirements with respect to the rate of interest on guaranteed loans; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WHITENER:

H.R. 2262. A bill to guarantee the right of trial by jury in certain contempt cases in United States courts and to restrict citations for contempt to proceedings involving persons having actual notice of terms of writ, process, order, rule, decree, or command of the court, and for other purposes; to the Committee on the Judiciary.

H.R. 2263. A bill to require notice by certified mail of the lapse of Government life insurance; to the Committee on Veterans' Affairs.

H. R. 2264. A bill to authorize the renewal of expired 5-year level premium term national service life insurance where application for reinstatement is made prior to January 1, 1960; to the Committee on Veterans' Affairs.

H.R. 2265. A bill to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes; to the Committee on the Judiciary.

H.R. 2266. A bill to exempt certain professional sports enterprises from the anti-

trust laws; to the Committee on the Judiciary.

H.R. 2267. A bill to amend section 401 of title 18 of the United States Code, with respect to the power of courts of the United States to punish for contempt; to the Committee on the Judiciary.

H.R. 2268. A bill to amend section 3231, title 18, United States Code, to reaffirm the jurisdiction of State courts to enforce State statutes prohibiting subversive activities; to the Committee on the Judiciary.

H.R. 2269. A bill to amend section 2254 of title 28 of the United States Code in reference to applications for writs of habeas corpus by persons in custody pursuant to the judgment of a State court; to the Committee on the Judiciary.

H.R. 2270. A bill establishing certain qualifications for persons appointed to the Supreme Court of the United States; to the Committee on the Judiciary.

H.R. 2271. A bill to amend title 18 of the United States Code so as to allow compensation to counsel assigned by the court in criminal cases; to the Committee on the Judiciary.

H.R. 2272. A bill to permit judicial review of decisions of the Administrator of Veterans' Affairs; to the Committee on the Judiciary.

H.R. 2273. A bill to amend title 28, entitled "Judiciary and Judicial Procedure" of the United States Code to provide for the defense of suits against Federal employees arising out of their operation of motor vehicles in the scope of their employment, and for other purposes; to the Committee on the Judiciary.

By Mr. BENNETT of Florida:

H.J. Res. 128. Joint resolution proposing an amendment to the Constitution of the United States relating to appropriations; to the Committee on the Judiciary.

By Mr. FOGARTY:

H.J. Res. 129. Joint resolution to establish in the Department of Health, Education, and Welfare the National Advisory Council for International Medical Research, and to establish in the Public Health Service the National Institute for International Medical Research, in order to help mobilize the efforts of medical scientists, research workers, technologists, teachers, and members of the health professions generally, in the United States and abroad, for assault upon disease, disability, and the impairments of man and for the improvement of the health of man through international cooperation in research, research training, and research planning; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRIS:

H.J. Res. 130. Joint resolution to prohibit, except for technical tests, pay television operations by radio or wire until specifically authorized and regulated by Federal law; to the Committee on Interstate and Foreign Commerce.

By Mr. MACK of Washington:

H.J. Res. 131. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MILLER of New York:

H.J. Res. 132. Joint resolution designating the month of February of each year as National American History Month; to the Committee on the Judiciary.

By Mr. SILER:

H.J. Res. 133. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. WHITENER:

H.J. Res. 134. Joint resolution providing that the United States shall not participate in any civil action except as a party to such civil action; to the Committee on the Judiciary.

H.J. Res. 135. Joint resolution proposing an amendment to the Constitution of the United States, relating to the legal effect of certain treaties and other international agreements; to the Committee on the Judiciary.

H.J. Res. 136. Joint resolution proposing an amendment to the Constitution relating to the terms of office of judges of the Supreme Court of the United States and inferior courts; to the Committee on the Judiciary.

By Mr. BUCKLEY:

H. Res. 91. Resolution authorizing the Committee on Public Works to conduct studies and investigations within the jurisdiction of such committee; to the Committee on Rules.

By Mr. CELLER:

H. Res. 92. Resolution to provide funds for the Committee on the Judiciary; to the Committee on House Administration.

By Mr. COOLEY:

H. Res. 93. Resolution authorizing the Committee on Agriculture to make certain studies and investigations; to the Committee on Rules.

By Mr. FLOOD:

H. Res. 94. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. McCORMACK:

H. Res. 95. Resolution authorizing the printing as a House document the staff report entitled "Space Handbook: Astronautics and Its Applications"; to the Committee on House Administration.

H. Res. 96. Resolution authorizing the printing as a House document the staff report entitled "Summary of Hearings"; to the Committee on House Administration.

H. Res. 97. Resolution authorizing the printing as a House document the staff report entitled "The International Geophysical Year and Space Research"; to the Committee on House Administration.

H. Res. 98. Resolution authorizing the printing as a House document the staff report and bibliography entitled "Survey of Space Law"; to the Committee on House Administration.

By Mr. PELLY:

H. Res. 99. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. RIEHLMAN:

H. Res. 100. Resolution creating a standing select committee to conduct a study and investigation of the problems of small business; to the Committee on Rules.

By Mr. TEAGUE of Texas:

H. Res. 101. Resolution to authorize the Committee on Veterans' Affairs to conduct investigations and studies; to the Committee on Rules.

By Mr. WHITTEN:

H. Res. 102. Resolution creating a select committee to conduct an investigation and study of the Office of the Comptroller General of the United States; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHLEY:

H.R. 2274. A bill for the relief of Leland Li-Chung Chou; to the Committee on the Judiciary.

H.R. 2275. A bill for the relief of Vasilis Karagianis; to the Committee on the Judiciary.

H.R. 2276. A bill for the relief of Mrs. Loo Shee Yee (also known as Low Shee); to the Committee on the Judiciary.

H.R. 2277. A bill for the relief of Sheung Jeung; to the Committee on the Judiciary.

H.R. 2278. A bill for the relief of Abdul Salam El Kadri; to the Committee on the Judiciary.

By Mr. BOGGS:

H.R. 2279. A bill for the relief of Mrs. Tyra Fenner Tynes; to the Committee on the Judiciary.

By Mr. BOLAND:

H.R. 2280. A bill for the relief of Adele M. Parker; to the Committee on the Judiciary.

H.R. 2281. A bill to provide for the payment of relocation expenses to Milo G. and Patricia Wingard; to the Committee on the Judiciary.

By Mr. BURNS of Hawaii:

H.R. 2282. A bill for the relief of Unta Shimabukuro; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.R. 2283. A bill for the relief of Arturo L. Espinosa and Flora Quijano Espinosa; to the Committee on the Judiciary.

H.R. 2284. A bill for the relief of Antonio C. Abelon; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.R. 2285. A bill for the relief of Moni Schwartz; to the Committee on the Judiciary.

By Mr. COFFIN:

H.R. 2286. A bill for the relief of Joseph E. Gallant; to the Committee on the Judiciary.

By Mr. DAVIS of Tennessee:

H.R. 2287. A bill for the relief of Tremaine Edmund Heffler; to the Committee on the Judiciary.

By Mr. DEVINE:

H.R. 2288. A bill for the relief of Agatha Eccleston; to the Committee on the Judiciary.

H.R. 2289. A bill for the relief of Mrs. Gertrude E. Shetler; to the Committee on the Judiciary.

By Mr. GRIFFIN:

H.R. 2290. A bill for the relief of Ronald Ragnar Long; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 2291. A bill for the relief of Gloria M. Dudley; to the Committee on the Judiciary.

H.R. 2292. A bill for the relief of Irith Ina Abileah; to the Committee on the Judiciary.

H.R. 2293. A bill for the relief of Mrs. Lilyan Robinson; to the Committee on the Judiciary.

By Mr. LANE:

H.R. 2294. A bill for the relief of the Ellis Timber Co.; to the Committee on the Judiciary.

H.R. 2295. A bill for the relief of the Sterilon Corp.; to the Committee on the Judiciary.

By Mr. McINTIRE:

H.R. 2296. A bill for the relief of the estate of Seth E. Libby, Jr.; to the Committee on the Judiciary.

By Mr. MACK of Washington:

H.R. 2297. A bill for the relief of Tatjana Prosek; to the Committee on the Judiciary.

H.R. 2298. A bill for the relief of Katica Andric and Tomislav Andric; to the Committee on the Judiciary.

H.R. 2299. A bill for the relief of Catherine Katalinich; to the Committee on the Judiciary.

H.R. 2300. A bill for the relief of Rahil Saad Ghosn; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 2301. A bill for the relief of Mrs. Gladys M. Ellison; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.R. 2302. A bill for the relief of Agnes Lorraine Pank; to the Committee on the Judiciary.

H.R. 2303. A bill for the relief of Zoraida Rodriguez; to the Committee on the Judiciary.

By Mr. MONAGAN:
H.R. 2304. A bill for the relief of the dependents of Isidor Goldfracht; to the Committee on the Judiciary.

By Mr. MOSS:
H.R. 2305. A bill for the relief of Charles L. Dunham; to the Committee on the Judiciary.

By Mr. NORBLAD:
H.R. 2306. A bill for the relief of Wong Bick Quon (Maria Wong); to the Committee on the Judiciary.

By Mr. ROOSEVELT:
H.R. 2307. A bill for the relief of Gordana Kusijanovic; to the Committee on the Judiciary.
H.R. 2308. A bill for the relief of Roberto Garcia-Marquez; to the Committee on the Judiciary.
H.R. 2309. A bill for the relief of Rivka Ghesser; to the Committee on the Judiciary.
H.R. 2310. A bill for the relief of Hoo W. Yuey; to the Committee on the Judiciary.
H.R. 2311. A bill for the relief of Yayoi Chiba; to the Committee on the Judiciary.

By Mr. WHITENER:
H.R. 2312. A bill for the relief of Mrs. Anna D. Myers; to the Committee on the Judiciary.
H.R. 2313. A bill for the relief of Arnold K. Dalton; to the Committee on the Judiciary.

By Mr. WILLIAMS:
H.R. 2314. A bill for the relief of Mrs. Ola F. Thompson and Mrs. Mattie F. Thompson; to the Committee on the Judiciary.

By Mr. WOLF:
H.R. 2315. A bill for the relief of Taufic Deoud Gebran (also known as Taufic G. Dawd) and his wife, Hanne Elias Wehby Deoud; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

33. By Mr. CANFIELD: Resolution adopted by the New Jersey State League of Municipalities, opposing congressional actions which threaten or reduce the housing, slum clearance, urban renewal, planning assistance, and community facilities programs; to the Committee on Banking and Currency.

34. Also, resolution adopted by the New Jersey State League of Municipalities, concerning the Federal urban renewal program; to the Committee on Banking and Currency.

35. Also, resolution adopted by the New Jersey State League of Municipalities, urging authorization of Federal agencies to make payments to municipalities on Government-owned properties in lieu of local real estate taxes; to the Committee on Interior and Insular Affairs.

36. Also, resolution adopted by the New Jersey State League of Municipalities, urging the Congress of the United States to continue sewerage construction assistance; to the Committee on Public Works.

37. Also, resolution adopted by the New Jersey State League of Municipalities, opposing any proposal by Congress to tax the income of municipal and other local public agency bonds; to the Committee on Ways and Means.

38. By Mr. POLK: Petition of Matthews-Carter American Legion Post No. 325, Manchester, Ohio, Emmett Tolliver, commander, Rodney D. Howell, adjutant, submitted by Oscar R. Howell, in favor of urging the Congress of the United States to pass a bill for $100 a month regular persion for all World War I veterans reaching the age of 60 years; to the Committee on Veterans' Affairs.

39. By the SPEAKER: Petition of the president, the Citizens Transit Improvement Association, Washington, D.C., petitioning consideration of their resolution relative to the development of a rapid transit system for Washington, D.C.; to the Committee on the District of Columbia.

40. Also, petition of Frank Granieri, San Diego, Calif., relative to a redress of grievance relating to judgment imposed by the State of California; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Private American Capital Must Be Encouraged To Go Abroad

EXTENSION OF REMARKS
OF
HON. HALE BOGGS
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Monday, January 12, 1959

Mr. BOGGS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following remarks which I made before the National Foreign Trade Council on "U.S. Taxation of Foreign Source Income" on November 19, 1958:

In examining the subject of this discussion, I think we can accept the fact that it is the policy of the United States to promote the economic growth of the free nations of the world and to do all that is prudently possible to help the less developed nations to achieve that momentum of progress in agriculture and industry to make it possible for them to look forward to substantial economic growth. It would seem equally clear that it is the policy of our country to contribute to and assist our friends in the world to the largest extent possible by encouraging the unhampered operation of our dynamic free enterprise system.

All agree that this can best be accomplished by providing incentives for private American capital to go abroad and take with it the vitality, the skill, and the imagination that has made our system the strongest economic system in the world.

Private investment of American funds abroad is preferable to Government spending for many reasons. Not the least of which is the fact that such investment assures the most economic use of limited U.S. resources. The plain truth is that the need for capital by the free nations of the world is far larger than the amounts which our taxpayers can reasonably provide. For this reason alone private American capital must be encouraged to go abroad and take upon itself the task of preserving in the world the free system which we earnestly believe deserves to be fostered and preserved.

The foreign aid program is day by day losing favor both at home and abroad. So it becomes even more essential if we are to meet the full thrust of the Soviet economic offensive to create a favorable climate for intelligent and active free enterprise abroad. The socially conscious businessman must, in a sense, supplant the bureaucrat.

The concern of the President of the United States for the free nations of the world in this regard was most recently expressed in his address to the Colombo Plan conference. I was pleased to note the great emphasis that he placed on the necessity for encouraging private United States investment abroad. Considerations such as those underlining the President's address before the Colombo Plan conference prompted the membership of the subcommittee on foreign trade policy of the Committee on Ways and Means to announce public hearings on the subject of United States private foreign investment beginning on December 1, 1958, in Washington, D.C.

We felt the need to provide a forum in which the issues involved could be fully discussed by competent witnesses and information accumulated with which to guide possible legislative implementation of the public policies which I have alluded to. In this connection the impact of United States taxation of foreign source income is of the greatest importance, and will be of great interest to the subcommittee. We of the subcommittee have come to know as a result of our studies and travels that foreign trade policy cannot be divorced from other aspects of United States foreign economic policy. We have also been impressed with the fact that uppermost in the minds of those considering private foreign investment is the impact of U.S. tax policy on foreign source income.

Among other things the subcommittee expects that the December hearings will develop information, views and recommendations with respect to the following types of questions:

What are the facts about United States private foreign investment?

What are the reasons American capital goes abroad?

What forms does such investment take?

What are the effects of such investment on the host country?

What contribution does such investment make to the development of foreign trade with the United States and other countries?

What are the effects of such development on the economic development of underdeveloped countries?

What are the obstacles that stand in the way of new and expanding investment, both here and abroad?

What are the factors that condition the climate for investment abroad?

What is the proper concern of the U.S. Government in this field?

What types of governmental programs are appropriate in the light of our national interests?

What modifications in the tax systems of the United States as well as foreign countries are indicated?

What has been the effect of existing governmental programs in this field?

These questions are by no means the only ones pertinent to our hearings. They are merely illustrative of items of specific interest in the foreign investment field. You will agree, I am sure, that this inquiry is needed and that the findings will be helpful.

As a member of the committee of the Congress which is charged with the primary responsibility of formulating the tax laws of the United States, I am particularly aware of the need for a searching review of our revenue laws as they apply to foreign-source income. A most charitable appraisal of the Internal Revenue Code as it applies to such income would find it to be capricious in result, formalistic in impact, and difficult to administer, understand, and apply. I know no one who is familiar with taxation who does not believe that a thoroughgoing legis-

lative overhaul is long overdue and badly needed not only as a technical matter but as a matter of policy as well. How this can best be undertaken will be one of the chief concerns of my Subcommittee on Foreign Trade Policy.

In considering ways and means to encourage private American investment abroad we must, of course, be mindful of the fiscal condition of the United States. We will begin our hearings in December at a time when the United States is facing a potential $12 billion deficit for the fiscal year 1959. If statements of some administration officials can be taken at face value, we can expect that there will be proposals during the next Congress for increasing taxes upon some segments of the domestic economy. Further, in light of recent administration pronouncements, we cannot expect the existing level of Federal expenditures to decline. Reforms here can be made, however, in my opinion, without loss of revenue. Over the long pull, there should be substantial gains in revenue from these sources. Perhaps more important than the facts of Federal fiscal life in appraising the chances for effective implementation of a policy of encouraging private foreign investment is the incomprehensible bias found in many quarters against foreign-source income. I do not understand this bias. It arises from a lack of public education, from a lack of understanding. It is not unusual to pick up a newspaper or magazine and find an article on "Foreign Tax Havens." The gist of such stories often lumps a reputable American business with modern-day Al Capones and implies, if not fraud, at least evasion of U.S. taxes.

It is in this context which we must view the possibility of providing needed incentives for the encouragement of foreign private investment. It portends an uphill fight and behooves us, if we have the interest of the United States at heart, to at least begin by considering recommendations which, though they may not go as far as we believe and know to be necessary, have a chance of adoption. There is strong evidence to support the principle of territoriality in taxing foreign source income (which would tax foreign-source income only in the country in which is situated the principal establishment to which such income is properly allocable) or at least a rate differential such as the 14-point differential considered in connection with the 1954 code. Nevertheless, it may be necessary in the light of existing conditions for organizations and individuals who are interested in spreading the doctrine of free enterprise throughout the world to consider all approaches for achieving this end in addition to those which have received prominent attention in the past. In this regard, among other things, I would think it wise for those who have skill and competence in the field of the taxation of foreign-source income to direct their attention to the proposal of deferral of U.S. tax on foreign-source income until it is severed for domestic use. This proposal has already received some attention.

You are, of course, aware of the possibilities for the deferral of U.S. taxes on foreign-source income which now exist under the Internal Revenue Code. But the benefits of such deferrals through the utilization of foreign subsidiaries or foreign-base companies are not available except at great price in many instances. The historical development of the statute and the rather fragmentary gloss which has been placed upon it by administrative and judicial interpretation has effectively denied the benefits to many companies. Consider, if you will, two companies manufacturing similar products. Company A at great risk embarked upon the unknown of foreign investment in the 1920's. The legal advice then available to it was, by present standards, poor because of lack of experience and interpretations. The attitude of the U.S. Treasury Department was then certainly far different from now. There were few regulations or rulings to guide it. Accepting the best advice available, company A organized its foreign undertaking in the form of a subsidiary incorporated in, say, Brazil. The vision of company A has been rewarded by success. The risks have proved worthwhile. The market was there. The demand for American ingenuity and products was there and company A has known for some time that similar markets existed in Argentina, Peru, South Africa, and elsewhere. One would think it a simple matter for company A to transfer a part of its hard-earned foreign-source earnings to any one of the countries named and establish a similar successful venture for the ultimate benefit of the United States and the countries involved. We know it is not.

Now take the case of company B which manufactures a product similar to that of company A. For years company B watched the experience of company A and, convinced of the wisdom of such foreign investment, decided to move into the foreign field in 1953. It established a base company and by utilizing this third country arrangement is developing the markets in, say, Argentina, Peru, and South Africa which should be available to company A as well. Its accumulated earnings and profits in any one of these countries may be transferred without the imposition of U.S. tax to the subsidiary where they are most needed. Additional benefits accrue to company B such as the averaging of foreign tax rates for the purpose of achieving the maximum benefit of the U.S. foreign tax credit. And it may achieve many tax savings on branch or other agency operations because its base company is not subject to U.S. tax jurisdiction.

Surely if we were proceeding de novo no one would suport such an inherently unequitable and discriminatory result as exists in the case of company A. Yet we today condone it by inaction and thus prepetuate precisely this situation. History is responsible for the genesis of the laws which make this result possible, of course, but they seem to be perpetuated by an overdeveloped concern for the bare possibility of tax avoidance in some cases.

I have reference, of course, to the operation of what is today known as section 367 of the Internal Revenue Code and which began in less difficult times as section 112(K) of the Revenue Act of 1932 in a campaign against foreign personal holding companies which were then being utilized for the purpose of avoiding the U.S. capital gains tax. Section 367, as you know, applies only to exchanges which involve an inherent gain and provides that, in determining the extent to which gain shall be recognized, a foreign corporation shall not be considered as a corporation for purposes of most of the important sections of subchapter C unless, before any exchange is undertaken, it has been established to the satisfaction of the secretary or his delegate that the exchange is not in pursuance of a plan having as one of its principal purposes the avoidance of Federal income tax. Of course, with tax rates what they are today it is not difficult for the Treasury Department and the Internal Revenue Service to find that a purpose of a contemplated exchange is the avoidance of Federal income taxes. Deferral is so deemed. Of course, referring again to the example, company A has no desire to avoid the payment of U.S. tax. It simply wishes to compete with equality under U.S. law with company B for foreign investment opportunities. This it cannot do because section 367 has fixed not only company A but perhaps a majority of the primary companies in the field of foreign investment in the cement of organization inflexibility. Business decisions cannot prevail and are frustrated, efficiency is denied. We are thus confronted with the absurdity of a nation that prides itself in having developed the greatest industrial and commercial complex in the world denying to its entrepreneurs the fruits of their imagination and initiative because of a reluctance to rid the Internal Revenue Code of deadwood.

Even if we were to assume that rare thing which is the Commissioner's approval of an exchange involving a foreign corporation, company A is by no means out of the woods. Subchapter C of the Internal Revenue Code was framed with domestic business problems in mind. It does not take into account the vagaries of foreign law and the policy of many foreign countries requiring a high percentage of ownership therein. Thus, even assuming that company A can overcome what is almost the irrefutable presumption of section 367 it may, nevertheless, find itself unable to invest where investment is needed because of a statute which should have as one of its principal objectives neutrality of impact between similarly situated taxpayers.

It may be that we were unaware of the existence of many of the problems confronting the businessman who wishes to invest abroad when first we framed these provisions of the Internal Revenue Code. This is no longer the case. We have been informed of the existence of the problems and the manner in which the Internal Revenue Code is distorting business decisions and preventing our American system from being carried abroad by our businessmen. We must do something about this situation.

In reflecting upon these problems to which I have so briefly alluded, I have devoted some attention to the possibilities inherent in deferral of U.S. tax on foreign source income. I have wondered why it is necessary for us to force our businessmen to seek out countries such as Liechtenstein, Monaco, and Panama to achieve a business result. I have come to the conclusion that no reason for forcing them to do so exists. It is within our power to provide the means of organizing base companies for the conduct of foreign business operations in the United States itself. We have the example of Canada's 4–K companies and Britain's overseas trade corporations. As a matter of fact we have the example of practically every other trading country in the world before us to follow.

Enactment of a law permitting the creation of a unique class of domestic corporations organized for the conduct of business abroad would achieve a great deal and do much to provide incentives to foreign investment. Such companies would be in a position to utilize the earning derived from their foreign operations for the expansion of their activities in the free countries of the world without the immediate payment of U.S. tax and would permit maximum efficiency and economy in conducting foreign business operations. Such corporations would pay U.S. tax on their foreign source income only when such income was severed from the foreign operation by a distribution to shareholders. Such corporations, and I shall refer to them hereafter as U.S. base companies for want of a better term, could and should be permitted to carry on all operations now conducted by foreign base companies. I wish to emphasize that exporting activities should in my opinion be included within permissible activities.

Provision for U.S. base companies would not in my opinion require any change in existing law providing for Western Hemisphere trade corporations. Additionally, I see no reason for not permitting any company desiring to do so to continue to operate abroad through a branch operation.

In discussing the possibilities of deferral and of establishing a special class of U.S. base companies for the purposes of achieving deferral I wish to make it clear that no member of the Subcommittee on Foreign

Trade Policy or the Committee on Ways and Means has a fixed mind on the subject of how best to provide the incentive which we all believe necessary to encourage foreign investment. I have merely attempted to explore one or two proposals that have been put forward that seem to me, at this stage, to have considerable merit. If tax policy affords an appropriate device for providing incentive, and I believe that it does, we have an open mind as to how best the tax system can be utilized to provide an incentive. I welcome your advice and suggestions. I have mentioned the possibilities of deferral and the potential benefits of permitting the establishment of U.S. base companies only because I believe that deferral has been neglected in much of the thinking of people concerned with this field.

It is fair to state that the present fiscal condition of the United States should make deferral attractive to those in the executive department who are responsible for securing the revenues with which to meet the Government's bills. Deferral involves no loss of U.S. revenue since by hypothesis every dollar of foreign earnings would be subject to tax when repatriated to the United States and severed from the base operation by distribution to stockholders.

Another reason why deferral and the establishment of a special class of U.S. base companies should be considered by the Treasury Department lies in the possibilities for better administration which such companies would present to those charged with enforcing the tax laws of the United States. For example, it might be provided that such companies file an annual return setting forth the results of the foreign operation for the year. At present a foreign corporation is under no obligation to inform the United States Treasury of its operation with the result that many problems are encountered in computing the proper amount of accumulated earnings and profits from the foreign operation and the amount of foreign taxes paid and creditable. These costly administrative problems could be avoided.

From the investor's point of view the benefits to be expected from such companies are so obvious that I do not need to catalog them. Suffice it to say that not the least of them arises from the fact that the stability of United States law would be available and to a degree at least it would no longer be necessary to attempt to divine the law of a foreign country in selecting a base.

If the laws of Liberia, Luxembourg, Tangiers, and Liechtenstein pose problems of understanding for the businessman and even for legal specialists, this is understandable. After all, we expect problems when we deal with other languages and peoples of diverse customs and ways of doing business. But the paucity of information available to the American businessman contemplating foreign investment from our own Government about our law is not understandable. The regulations promulgated for the purpose of implementing those provisions of the Internal Revenue Code which provide for the taxation of foreign source income are less than full. This, along with the fact that the Internal Revenue Service has issued few public rulings in the field makes it difficult for even the tax specialist to advise in this area. Here, as perhaps nowhere else, certainty is a prime requisite. It is not fair to expect a businessman to feel his way into a situation which may rob him not only of the fruits of his foreign endeavor but of his domestic profits as well. I hope, therefore, that some attention will be devoted during the course of our hearings by both administration and public witnesses to the possibility of making more information available to the public as to the policies which are guiding the Treasury Department and the Internal Revenue Service in administering these statutes.

It has not been my purpose this afternoon to exhaust or even to mention all the tax problems confronting those engaged in foreign business activities nor even to touch on the many ways in which the tax system of the United States affects foreign operations. My purpose has been to impress you with the seriousness of my belief that something must be done, whether through the tax system or otherwise, to encourage American capital to go abroad and to make the slogan "trade not aid," meaningful. It has also been my intention to convey to you an awareness of the fact that we in the Congress of the United States know that you have problems and our sincere desire to do something about them. I would like to impress upon you the necessity of being your own advocate; to let you know that while I appreciate all that has been done by this and other organizations, which exist for the purpose of carrying our way of life abroad, that nevertheless a great deal more has to be done by you, both at home and abroad, to create an understanding of the contributions of American business not only to the United States but to the free world; and that herein lies the world's best answer to Communist imperialism.

Thank you.

Keenotes

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, January 12, 1959

Mrs. KEE. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I include a copy of my newsletter "Keenotes" issued on January 5, 1959, as follows:

KEENOTES

(By Representative ELIZABETH KEE)

I want to preface this issue of Keenotes by extending my heartfelt thanks for the hundreds of Christmas greetings and messages which I received from friends throughout the district. It will be impossible to thank each of you personally but I want you to know that I deeply appreciate your taking the time, in the midst of a busy holiday schedule, to think of me.

Your thoughts at this time of the year are comforting and inspiring. Your confidence in my ability to represent the Fifth Congressional District in Congress makes me feel proud of the trust imposed in me and grateful for the opportunity to serve you. I trust that my actions as your Representative will never lead you to the belief that I have betrayed your confidence and trust.

As our country once again enters into a new year, it is an appropriate time for me to renew my pledge to serve all the people of the Fifth District to the very best of my ability. Our country faces many grave problems. These are indeed perilous times. It is my wish for the new year that I can contribute, in some smaller manner, to the easing of the tensions which grip the world and a lightening of the burdens which our people are called upon to bear.

It is a time, too, for us as a Nation to restate our determination to carry on in a manner befitting the most powerful and wealthy Nation in history. We cannot turn our back on the rest of the world, even if we should choose such a course. History has projected the United States onto the center of the world stage. We have to keep in mind, during 1959 and the years ahead, that what we do—or fail to do—can change the course of history, that it can determine whether freedom prevails in the world.

This role of world leadership is not an easy one. Nor is it free of danger. We are facing a mighty adversary, armed with every terrible weapon known to man. We face a vigilant enemy, one who is content to work patiently over the years to have its way. Should we falter, communism could well sweep the entire world.

It is terribly expensive to develop and build new weapons and to see that nations outside the Iron Curtain are kept out of the Communist camp. No doubt we have made costly mistakes and have tried programs that were wrong.

But I firmly believe that the rest of the world is beginning to realize that our motives are unselfish. We do not want world domination or control. We desire only to create world conditions under which people can live in peace and freedom. Right now, we are the only free Nation with the substance to provide the leadership so desperately needed. I hope that in the year ahead our great country and all its people will keep this in mind.

Our people have to pay high taxes. These are burdensome. The cost of Government is high. But it would be dishonest for me to assure you, at the beginning of this new year, that the cost of Government or taxes can be substantially reduced in the year ahead. After all, it still takes about 50 cents out of every dollar paid in taxes to support the kind of defense establishments we must have.

But to say this is not to turn one's back on sincere and genuine efforts to tighten up on administration of Government, to stretch each dollar as far as it will go and to effect savings wherever possible. This is one pledge I do make for the new year—to help wherever I can to bring about sound fiscal policies.

It is not necessary, in the interest of economy, to end or stifle sound Government programs which promote the country's growth and, in the long run, help all of our citizens. For example, our area desperately needs a sound program for aiding areas with chronic unemployment. We need a sound research program to bolster the great coal industry and more research for finding new markets for farm products.

These and other things can be done within the context of a sound fiscal policy. And I pledge myself to work for them.

Nineteen hundred and fifty-nine promises to be a fateful year. I hope it will be a happy and prosperous one for all of you.

America's Answer to the Soviet Bloc's Economic Warfare

EXTENSION OF REMARKS
OF
HON. THOMAS B. CURTIS
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Monday, January 12, 1959

Mr. CURTIS of Missouri. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following remarks which I made before the International Management Division Briefing Session on "Preparing the Country for Soviet Trade Strategy in World Markets; Terms and Procedures for East-West Trade" at the Hotel Savoy-

Hilton, New York City, November 5, 1958:

AMERICA'S ANSWER TO THE SOVIET BLOC'S ECONOMIC WARFARE

At the close of the 2d session of the 85th Congress, Congressman Timothy Sheehan and I introduced identical bills to create a U.S. Trading Corporation in order to cope with the Soviet Union's declaration of war upon the United States in the peaceful field of trade. The formal declaration of war was made by Nikita Khrushchev on October 19, 1957.

We would be foolish, however, to look at this declaration of war in the field of peaceful trade as confined to the field of private enterprise trading. Indeed, in a totalitarian state there is no firm line drawn between economics and politics. It is perfectly true that economic laws cannot be repealed by political action, but it is certainly true that economic mistakes can be socialized, that is absorbed by the full society rather than born by the specific segment of the economy where the mistake has been made. Likewise deliberate economic losses may be accepted in one segment of the economy and born by the full economy in order to achieve certain defined economic or political goals of the totalitarian society. Indeed, short run economic losses may be financed by the totalitarian state in an economic sector in order to destroy competition and then have the losses recouped in the same sector by raising the prices once the competition has been destroyed. This was a familiar bit of economic strategy the United States experienced in its private enterprise sector toward the end of the 19th century and brought about the passage of the Sherman antitrust law.

I believe that a calm appraisal of the private sector of our economy will reveal that strong as some of our industries are they are not strong enough to combat the concentration of economic and political power of Soviet Russia if it is directed to their area of economic endeavor.

I also believe that it is politically naive to think that American industries when confronted with this sort of threat will fail to make their situation known to those in the political government in Washington, D.C., in order to gain assistance. Indeed, there are sufficient examples both in the past and in the present where this kind of assistance has been both sought and obtained. In the past this operation at times has extended to the ultimate—a declaration of war.

I believe it is important that assistance be granted to American industries when they are being attacked by the full weight of the Soviet totalitarian state under circumstances which we would define as unfair competition, or which I should prefer to describe as uneconomic competition. That is competition which is uneconomic to the extent that it produces economic losses which are absorbed outside the particular economic segment engaged in the competition.

However, I believe that this assistance should not be granted in camera by our Federal Government based upon no fixed set of standards or rules of procedures as is presently the case. It is entirely too easy for an industry confronted with strong competition to classify this competition as "unfair" when in actuality it is fair economic competition and all that is required is for the industry involved to look into its own internal affairs to bring about needed reforms for efficiency and increased productivity. On the other hand, it is entirely possible that an industry may not know it is being attacked or from whence it is being attacked in international trade war while the United States Government through its State Department and other intelligence sources not only can know but does know of the attack. Finally the manner in which a segment of our economy which has been placed under unfair economic attack is to be helped should be such that the competing industries within that segment can remain competitive with each other. Lack of proper standards and procedures can easily result in one competitor being favored over another within our own economy.

It is for these basic reasons that I have proposed a U.S. Trading Corporation be set up which would only come into the economic fray when certain well-defined principles of fair economic competition have been violated or are about to be violated by Soviet Russia and it would come with the fray only to keep the competition equal. Once this objective has been achieved it would retire and let competition prevail. In other words, if Soviet Russia plans to concentrate her totalitarian powers in the economic and political fields on selected areas or segments of international trade we should be ready to match such a concentration with sufficient concentration of our own economic and political powers to equalize the situation. I am satisfied if Soviet Russia knows we are set up to do this we probably will only have to demonstrate our ability to do it once or twice. That will be the end of this kind of trade war I am certain Russia contemplates.

After having introduced the U.S. Trading Act bill I have become quite disturbed about the favorable reception it has received from many prominent groups in the United States. The favorable reception has come with an accentuation on the concentration of political and economic power ensuing to the Federal Government and a minimizing, indeed an ignoring, of the basic checks I believe must accompany such a creation of power. If this power is not accompanied with strict rules setting up the circumstances under which it will apply and strict procedures for the establishment of the fact that these tests have been met, then it may indeed become a Frankenstein's monster.

I am particularly disturbed about the favorable reception this proposal has received from groups which in my opinion have viewed the Russian threat hysterically rather than realistically. I think Russia is a threat, or I would not have proposed this legislation, but I certainly do not believe it is the threat, for example, that is posed in the recent book "The Ruble War" by six top CBS news correspondents.

There are always those who will resort to "bogeyman" tactics to get through their own preconceived notions of what needs to be done to reform our society or merely to push our society ahead. For example, our regular military establishment, Army, Navy, and Air Force have found the Russian threat a very handy weapon to get appropriations out of the U.S. Congress over a period of many years. Having studied the military appropriation bills with considerable care over a period of years and the statements before congressional committees by their spokesmen as well as their public statements, I state without equivocation that there has been a deliberate and gross overplaying of Russia's military might which has damaged our own defense posture and assisted Russia in the game of bluff she has been playing with her satellites and the smaller neutral countries.

Certain groups of our scientists recently have resorted to the same tactics in order to push ahead their particular ideas of where we need more rapid scientific advancement. Just recently the most dangerous venture of all in this game of "bogeyman" has been started by some of our leaders in education. Education is the most dangerous field in which to play fast and loose with the truth. We have so much to lose. Essentially we have a system of education much superior to Russia. We can badly damage it through hysterical action instead of action stemming from healthy self-criticism. After all we have achieved something no large society has ever achieved before, a fairly close approximation of mass education. The fact that having concentrated on this goal so extensively we have somewhat neglected the important goal of quality education, should be no great cause for alarm. We seem now to be aware of the neglect and the concentration we are now making on quality should bring us into proper balance. After all the hard job was quantity and indeed quality depends upon sifting great quantities. I see no problem in having both quantity and quality education and I am satisfied we will be the first society to achieve or approximate this dual goal if we keep our heads and persevere with enlightened self-criticism.

Certainly Russia has advanced in military power, in economic power, in scientific achievement and in the field of education and it is important that we do not minimize these achievements. Indeed, it is important that we carefully appraise them. But we can do great damage, as I have suggested, by overestimating them and using this overestimation as a weapon to whip our people and the Congress into hastily conceived plans and actions. And I suggest the Congress under the lash of bogeyman techniques has badly overestimated the achievements of Russia in all of these areas.

Furthermore, it is important to see what else is happening to Russia and to the form of its society as it moves forward in economic, scientific, military, and economic achievement. Can anyone believe that these achievements can be made without changing radically the rigid and self-defeating straitjacket of political and economic communism? The straitjacket of the totalitarian state where there is no separation of economic and political powers? Can anyone believe that these achievements can be made without a separation of the powers embodied in the field of religion from those powers embodied in the field of politics and economics, no matter how hard the totalitarian state may try to hide the fact that its subjects have, as all human beings must have, a religion, a set of beliefs, a faith? As the Russian people advance in the fields of economics and education, indeed they also must advance in politics and religion and accordingly become less of a threat to a nation such as ours which is dedicated to peace through justice.

However, it is not my desire to dwell further on the subject of whether we presently are overestimating or underestimating Russia's achievements in economics, education, science, and military power. My plea is for honest appraisal of Russia's achievements. The U.S. Trading Corporation can be a bane to our society if dishonest appraisals are made of Russia's prowess, particularly her economic prowess.

Three years ago I was so disturbed about the loose talk concerning Russia's economic status and the dearth of objective information on the subject, I requested our staff of the Joint Economic Committee to have an objective appraisal made. This was done with the help of the scholars in the Legislative Reference Service of the Library of Congress and was published by the Economic Committee in 1955. This document was checked with people in and out of other sections of our Government for accuracy. Read realistically it is no cause for hysteria or the extreme statements that are constantly being made about Soviet Russia's economic development. Anymore, I might state than is the book "Soviet Professional Manpower," by Nicholas DeWitt of the Russian Research Center, Harvard University, which was published in 1955, a cause for hysteria or the extreme statements that have been made about Soviet Russia's advancement in the field of education.

I would like to revert back to the trade area. During the recent hearings by the Ways and Means Committee on the subject of the extension of the reciprocal trade agreements I asked the witnesses representing our various departments of the executive branch of Government if they did not have some suggestions for new tools they might need in the event that Soviet Russia's declaration of war in the peaceful field of trade was serious. From the State Department down through the Department of Commerce the witnesses all testified that they did not need any more powers.

I think the few cases we have had proved them to be wrong. I cited the case of Iceland, a country with population of only 160,000 people and an annual income of only $130 million based almost entirely upon the fishing industry. Under the most-favored nation clause in the reciprocal trade laws any attempt we make to treat with Iceland specially in regard to fish creates the same treatment for all other nations dealing in that fish. We have only a few weapons aside from trade treaties to assist Iceland. One is through direct aid by the U.S. Government, the other is by loans through the International Bank. These are all inadequate to keep Russia from making an uneconomic deal with Iceland to buy all her fish, absorb the economic loss in her totalitarian political economic society, in exchange for the political and military advantage of tying this strategically located island to its orbit.

Here is how the U.S. Trading Corporation could come into play. The American importers of Icelandic fish cannot meet the high uneconomic price Russia will pay to Iceland for its fish. The U.S. Trading Corporation, however, could go to them and let them bid for their customary purchases of fish and meet Russia's uneconomic price and then permit them to market the fish at their traditional margin of profit based upon what a fair competitive price for the fish would be and make up the difference between the actual cost and the fair economic cost. As I stated, I do not believe it would be necessary to meet Russia in this area very often once Russia gets the idea her tactics can be countered. Our major difficulty will be to be certain that certain countries do not play us off against a fictitious Russian play.

A second illustration is the Sudan a few years ago straddled with an unexpectedly large cotton crop. Russia was unsuccessful in her attempts to move in with uneconomic offers for this crop, but the United States was certainly limited in its ability to meet this thrust by a lack of trade weapons at her command. The U.S. Trade Corporation could have easily met the threat.

A third illustration was the threat Russia made to undersell the aluminum market of Europe. Our aluminum companies are certainly strong companies but I doubt if they could win out in an economic war with the Russian state aluminum industry if Russia really decided to make the economic sacrifice to grab this market. In this instance the U.S. Trade Corporation could meet the uneconomic selling price of Russia by making up the differential between a fair price our aluminum companies could offer their customers and the undercut price Russia was offering.

From this latter illustration I believe the dangers of abuse by our domestic companies which I referred to can be visualized. However, if we carefully set up the standards which must be met before the U.S. Trading Corporation can act and the procedures under which these standards are found to be met, then I believe this difficulty can be minimized.

I cannot leave the subject of international trade without saying a few words for my proposal for a system of flexible tariffs designed to measure economic differentials as opposed to rigid tariffs designed for protection. If we had adhered to a system of flexible tariff differentials in the past we would be in a much easier position to administer the type of U.S. Trading Corporation I am speaking about, because we would have established considerable knowledge of economic costs of production. We would have a great store of information on the techniques of political governments subsidizing and assisting the private sectors of their economies. We would have a great store of information on the techniques of cartels and state trading devices. As it is we have little information and what we have is not assembled or sorted out.

As a matter of fact, I proposed to this administration, in order to realistically grapple with the problems involved in international trade, that they sponsor legislation for the establishment of a Department of Foreign Trade in the Cabinet where all the factors which bear on the problems involved in foreign trade could be assembled instead of having them scattered through the State Department, the Departments of Commerce, Interior, Labor, and Treasury, and only coordinated by the ineffective inter-Cabinet Trade Policy Committee. I believe that world peace is inseparably bound up in the problems of international trade and that to solve these problems we must treat them with greatly increased study and attention. A Department of Foreign Trade is the way both to do it and also to dramatize its importance to our people and the peoples abroad.

The tariff is the most unrestrictive form of trade barrier among the many kinds of trade barriers that exist in international trade. Licenses, quotas, monetary exchanges, health restrictions, subsidies, etc., are the most illiberal method of restricting the flow of trade. This rests on a very simple reason; these forms of trade restrictions depend upon bureaucratic administration. The economic unit which can present and argue its case before the Bureau is the one which will win the race. This places a premium not upon economic achievement but rather upon political achievement. Economic achievement enters only to the extent that it can be proven by words and figures which the bureaucrat will believe and understand. Even then it depends upon the bureaucrat's ability to conform his administrative action to economic laws. The tariff, on the other hand, is set for all economic units to see and abide by. Once the tariff is set, the economic units are on their own to compete with each other as best they can.

It is the setting of the rate of each tariff that becomes the crucial thing, not the tariff as a device. The tariff rate should be set to measure only economic cost differentials resulting from political actions. I suggest that these cost differentials can fit a general pattern. They can be limited to those costs which result from the imposition of certain business standards by the Government for what are deemed to be good social reasons. For example, the minimum wage law imposes certain standards upon American producers because we have felt that this is good for the entire society. So we impose health regulations, fair-trade practices, antitrust laws, and a variety of other laws designed to promote the general welfare. Many of these restrictions impose costs which must be borne by our domestic producers. If we believe these social laws are important we must be ready to reflect to some degree the added costs they create in a differential tariff imposed upon foreign producers who do not have these costs. It need not be the exact cost by any manner of means, because if our social theory is correct, that the society benefits from these standards, then our producers can do a more efficient job of production than in a society which lacks these standards. The differential need only meet the margin necessary to permit fair competition with those foreign producers who have no standards or who have lower standards. The tariff rate should be flexible so it automatically goes down as the foreign producers approximate the domestic standards.

Through this process our trade would indeed become a great weapon for raising the wages and living standard of the people abroad who want to sell this produce in our great domestic market. As their living standards rise they will find that their own domestic market will increase, as we have proved already in our own economy. This will give their producers greater markets and give our producers greater markets, too.

Only by raising our minimum wages and living standards did we develop our own great domestic market. I am satisfied that in this formula of flexible differential tariffs we will find the long-range solution to the bulk of our trade problems. At the same time, we will find world peace quite close and attainable.

The Leadership of Senator Lyndon B. Johnson, of Texas

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Monday, January 12, 1959

Mr. HUMPHREY. Mr. President, we Democrats have long been proud of the high quality of our congressional leadership.

It has been constructive and responsible. It has been statesmanlike and forward-looking. It has been leadership of both vision and effectiveness.

As one member of the majority, I am proud at all times to be enrolled in the ranks led by the Senator from Texas. We may disagree upon occasion. But the occasions are few and they do not detract from the high standards of his leadership.

On January 7 the Democrats met to organize for this session. Upon that occasion, the Senator from Texas delivered an address which expressed the very highest aspirations of the American people.

Senator JOHNSON talked of peace; of our vibrant, growing, expanding country; of the problems we face—problems which are also opportunities. It was a speech of optimism; of confidence; of strength.

Mr. President, I ask unanimous consent that this able address by the Senate Democratic leader be printed in the RECORD as a part of my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TEXT OF REMARKS BY JOHNSON TO SENATE DEMOCRATS

We start today a new year and a new Congress.

We have met now to transact the necessary business of our party, but I feel it would be inappropriate to proceed without acknowledging the context in which we assemble.

For us, this is the starting of a new era.

We have been given great strength. In all the long history of the Senate, never has one party won so many seats at a single

election as we have won. For this, we are grateful—and certainly we are proud. Yet, we realize that our strength has never been, and is not now, the strength of numbers.

Our strength is what we are, and what we prove ourselves to be. What we hold we have earned. What we keep will be no more than what we deserve.

That is our special challenge.

Our strength will be deserving in proportion as we use it for the interests of all. By this standard, we have won the public trust; by this means, we shall honor the trust we have won.

JOHNSON SEES NEW ERA

New strength has brought us to a new era. Yet, as we note this, we cannot fail to note that this is, in much the same terms, the beginning now of a new era for our Nation, for the world, and for all humankind.

Our Nation is at the edge of what can clearly be its greatest age of expansion, growth, and abundance. Among the nations of the earth, we see emerging the first beginnings of a new age. Our times are yielding daily new capabilities for man.

The capabilities of government must keep pace with the capabilities of the people it serves. For this we know with certainty. There is no expense of government more costly or more intolerable than the burden of laggard government.

That is the work to which we come.

It is our purpose to fashion greater capabilities for our Government from the growing capabilities of man.

As Americans, not as partisans, we must acknoweldge this reality: The capabilities of our Nation and its people are, in many vital areas, now outrunning the capabilities of our Government.

There is between the people and their Government a deficit of vigor, a deficit of confidence, and a deficit of will.

Prudence requires that we bring these books into balance.

To do so, we must seek the cause rather than tilt at the symptom. The faults of men and the failings of the system must not be confused. The one will pass; the other must be removed.

Government, if it is to serve at all, must serve the future—not the present alone, and most certainly not the past.

Today the future is already the controlling fact of these times—and of the decisions we take here.

The advent of a 200 million population, a $500 billion national income, a trillion dollar economy are all near at hand.

THE PAST IS SERVED

Throughout our system, conservative men are already working with these facts.

Yet where men are responding to this future, their Government is not. The past is served—at penalty to the present and at the danger of default to the future.

It is against this danger of default that we must work.

Responsible government is responsive government. Our urgent duty—and our special opportunity—is to undertake the labors necessary to make the Government of our land responsive to the potential and the promise of the future.

What we can do now is subject to certain limits.

We have been given great strength, but not overriding strength. The executive arm of National Government remains under control of another party.

We have—by our majority here—an obligation to lead. We do not have authority to command. We have powers to advise and consent. We do not have powers to implement and accomplish.

These facts we appreciate, yet they do not matter for much beyond the confines of the Senate.

Our mandate is a mandate for confident and creative and constructive leadership—beginning now, not 2 years hence.

We shall honor the mandate.

Our opportunity—the great opportunity of this Senate—is to marshal the considerable resources of inquiry of the legislative branch to the task of defining for America new goals for the many new capabilities of its people, its economy, its technology and its national will.

We are clearly moving to a new age—an age of new standards, new accomplishments, and new potentials.

Against the promise of this new age, American industry and business is now pouring fourth billions in research to discover new capabilities.

Government, though, is moving hardly at all.

Research is under way on instruments of national security but, beyond that, little is being done. Great minds of the Nation are not being mobilized to the challenges of self-government by free men. The intellect of the Nation is not being used where it is most needed. This failing imperils us, fully as much, I believe, as would a failure to pursue research in the more obvious realms of national security.

I speak only for myself, of course, but I believe this. I believe that we should, through the resources available to us in the legislative branch, undertake the rewarding work of turning our land into the campus of the West.

We are working with the future. We are working with a new dimension—the most challenging men have ever faced.

If we are to be competent even for the routine of tomorrow, we shall need vision in our preparations—and we shall need both boldness and freshness.

We do not have it now.

It is the indictment of those who presently hold the responsibility of the action arm of our leadership that in dynamic times they have exalted—and still exalt—the static.

Free men can afford much. They can never afford the price of inertia.

Today we must face this fact: We have led the free world through a time of sickness and convalescence, but we are faced now with a well and vital world. The test of our national character and capacity will be our ability to lead a well world by our vigor and purpose as we have led a sick world by our wealth and compassion.

We need new ideas in many fields. We need to forge new tools of government.

Our controls over the monetary system are now two world wars old.

Our budget processes were formed in another day.

Our tax structure is obsolescent.

Our Government is dedicated, in many areas, to programs for which the purpose is no longer pertinent.

If we are not to default the integrity of our free enterprise system, we must concentrate vigorous effort on its future—rather than hold to easy concepts of its past.

We must not surrender to inflation.

We must not surrender to poverty.

We must not surrender to educational blight or medical mediocrity or social depression in any field of our society.

We must not abandon regions or cities or classes or ages to despair.

We must not allow the obsolescence of our ideas to foredoom vital segments of our enterprise.

We must not allow ourselves to forfeit the goals of equal standards of freedom, opportunity, and equality for want of boldness.

We certainly must not abdicate progress to the rule of tension and strife.

In a world reborn—facing the new youth of a new age and a new dimension of space—we must certainly not default the leadership of vigor to the totalitarians.

THE FIRST CONCERN

Fiscal solvency concerns us all. It is a first concern, for no course is honest without the courage of financial prudence. But we cannot afford to bankrupt the national conscience to serve the ends of political bookkeeping.

Moral integrity, as well as fiscal integrity, requires that we acknowledge deficits of will and deficits of effort and undertake a united search for responsible solutions to the problems of our times.

We, here in the Senate, have within the powers open to us under the Constitution a great opportunity to reach out across the land—into the universities and colleges, into private business, into labor, the professions, all walks of our national life—and ask great minds to come here to help us seek and search.

We can reach beyond our shores—to all the Western World and especially to our neighbor republics of this hemisphere—and ask others to share this labor with us.

We can bring men together to explore tomorrow's horizons for our land, our hemisphere, and the world.

From such explorations, we will find the facts and from the ideas with which we shall work the next decade to make government responsive to the potential of the future.

The world is in a race today that is more likely to be won by minds than missiles. We neglect this at our peril.

There is much that we must do and shall do in this session; yet, for our work, we do not come with a checklist in hand to attend only the pressing problems of the present.

We are—as are the people who sent us here—looking to the future.

We know that we shall win respect by our vision, not by our vendettas; by courage, not by carping.

Our first responsibility is responsibility itself.

The era is new. The promise is new. We work with new and growing capabilities. Yet our purpose remains unchanged. Always our party has been the party of confident men and we have drawn our strength from young and confident regions of a young and confident land.

Today there is a new youth and zest and confidence across all our land and we, in consequence, find ourselves here now as party of all the Nation.

New strength is ours. With that new strength we shall—by responsible service—add strength to our Nation, our world, and our times.

Big Brother Week

EXTENSION OF REMARKS
OF
HON. ESTES KEFAUVER
OF TENNESSEE
IN THE SENATE OF THE UNITED STATES
Monday, January 12, 1959

Mr. KEFAUVER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement I have prepared relating to the Big Brother Week movement.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KEFAUVER

This is Big Brother Week in Tennessee and elsewhere. I would like to emphasize

the importance of adult cooperation with youngsters who need kind and constructive guidance.

The principle of the Big Brother movement is the application of the one-man—one-boy relationship to the treatment of boys who have problems which may be solved through adult direction.

Adult members of Big Brother organizations deserve our most sincere thanks for their efforts.

In my State of Tennessee, many Big Brothers associations have helped rehabilitate boys who are fatherless or who lack the guidance which a father should provide.

All Big Brothers are volunteers under the supervision of trained, professional staffs of Big Brother agencies.

The events which disturb the minds of young men are seldom public events. Most boys live in their own small world. It is a particular human relationship which sets their inner stresses and directs their actions.

During the years when I was chairman and a member of the Juvenile Delinquency Subcommittee, we had an opportunity of studying in detail the Big Brother program and we found it to be one of the most helpful programs to young people that is offered in our country. Many young people who would have become juvenile delinquents have been saved from this plight in this personal interest of a Big Brother. It is the human touch and personal interest that boys need more than anything else.

Let us join in supporting Big Brother organizations.

Remarks of Homer Thornberry Before the Democratic Caucus of the House of Representatives of the United States, 86th Congress, in Nominating Hon. Sam Rayburn as the Candidate of the Democratic Caucus for Speaker, January 6, 1959

EXTENSION OF REMARKS
OF
HON. CARL VINSON
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Monday, January 12, 1959

Mr. VINSON. Mr. Speaker, under unanimous consent to extend my remarks in the CONGRESSIONAL RECORD, I incorporate therein the remarks of the Honorable HOMER THORNBERRY before the Democratic caucus of the House of Representatives, 86th Congress, in nominating Hon. SAM RAYBURN as the candidate of the Democratic caucus for Speaker, January 6, 1959.

Mr. Chairman and my colleagues, I am afforded at this moment the greatest honor which has ever been bestowed on me, and that is the privilege of placing before you the name of the man who will be our candidate for Speaker and who on tomorrow will be elected our Speaker by one of the largest majorities ever given a candidate for Speaker in the history of the House.

There is little I can say here about him that is not already apparent to you, my Democratic colleagues.

Having served longer as Speaker of the House of Representatives of the United States Congress than any other man and having a longer record of continuous service in the House than any other man in history, he is recognized as the superb parliamentarian and is known as the foremost legislative leader throughout the free world.

No one can equal his devotion to the Democratic Party. He has through his leadership of our party insisted that we here conduct ourselves in an orderly, responsible manner and that we provide a legislative program not only responsive to the needs of the people but also one which will deserve and receive the confidence of all of the people of this Nation. As devoted as he has been to his party, he has in every crisis in this Nation's history risen above the political and partisan differences of the moment to fight with courage for the security of our country and the enduring freedom of men, women, and children throughout the world.

He has walked with kings and notables in high places and never lost the common touch.

He has talked to crowds and never lost the simple dignity which has earned for him the affection, admiration and devotion of all of us who have the privilege of being associated with him.

I have the happy privilege and the high honor on this his birthday to place before you as our candidate for Speaker of the United States House of Representatives the name of that noble American with a thoroughbred heart, the Honorable SAM RAYBURN of Texas.

Why United States Will Not Recognize Red China

EXTENSION OF REMARKS
OF
HON. ALVIN M. BENTLEY
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, January 12, 1959

Mr. BENTLEY. Mr. Speaker, under leave to revise and extend my remarks in the CONGRESSIONAL RECORD, I wish to include the text of an article taken from a recent address by Secretary Dulles which appeared in the December 12 issue of U.S. News & World Report. The Secretary clearly restates the administration's position with regard to the recognition of Red China and the reasons behind this policy. I strongly agree with the Secretary's statements and believe that to give political recognition to the Chinese Communist regime would be truly a disheartening and almost fatal blow to the non-Communist governments in the Far East as well as a danger to the political, economic, and security interests of the United States:

WHY UNITED STATES WILL NOT RECOGNIZE RED CHINA

(Pressure is on once more for U.S. recognition of Red China. But it isn't going to happen. Secretary of State Dulles tells why in a restatement of U.S. policy.)

Developments make it ever more clear that, if we were to grant political recognition to the Chinese Communist regime, it would be a well-nigh mortal blow to the survival of the non-Communist governments in the Far East. Such recognition, and the seating of the Chinese Communists in the United Nations, would so increase their prestige and influence in the Far East, and so dishearten the free nations, that the Communist subversive efforts would almost surely succeed.

Contrary arguments come largely from two sources. There are those who argue that, since the Chinese Communist regime exists and has power in mainland China, we ought to accord it political recognition.

There is, however, no principle of international law to this effect. Recognition is a privilege which can be accorded or withheld. There are several de facto regimes in the world that we do not recognize. We act in this respect, as our national interest dictates.

The Chinese Communist regime is bitterly hostile to the United States. It is dedicated to expelling us from the Western Pacific. It is determined to take over the free peoples and resources of the area. It violates all established principles of international law and of civilized conduct.

Why should we give aid and comfort to such a regime and to such policies? Some think we should recognize the Chinese Communist regime in the hope that large and profitable trade would follow. That is an illusion. The mainland of China has never been a large customer of the United States, and its trade is even more closely regimented under Communist rule.

The United States today is exporting to the non-Communist countries of the Far East at the rate of over $2.5 billion a year. This excludes the value of military items exported under our mutual-security programs.

We may be sure that, if the Communists should take over these free nations of the Far East, our trade with them would drastically shrink, as has been the case with our trade with the Soviet Union and its European satellites. We must also recall that, because Communist nations look on trade primarily as a political instrument, it has rarely been possible for citizens of free nations profitably or safely to engage in such trade.

Should we, then, in the quest of a few millions of dollars of unreliable trade with Communist China, jeopardize exports of $2.5 billion?

We deal with the Chinese Communist regime whenever that is expedient. We do not pretend that it does not exist. We have been in almost constant negotiations with it for particular purposes, at Panmunjom, at the Geneva Conference on Indochina, in bilateral negotiations at Geneva, and now at Warsaw.

But it is certain that diplomatic recognition of the Chinese Communist regime would gravely jeopardize the political, the economic and the security interests of the United States. The Pacific, instead of being a friendly body of water, would in great part be dominated by hostile forces and our own defenses driven back to or about our continental frontiers.

There is currently a specific threat to free-world trade in the Far East. That is the "dumping" practice of Communist China. The Chinese-mainland people desperately need for themselves all that they are capable of producing. But they are denied, so that the rulers may prosecute their expansionist designs.

When millions of Chinese are dying of starvation, rice is exported for political purposes.

Goods manufactured in China are being dumped in Southeast Asia at prices that disrupt normal trade. These include textiles, bicycles, sewing machines, fountain pens, and the like. This is particularly a threat to the trade of Japan in South and Southeast Asia. This problem as it arises in the Far East is one phase of the economic offensive now being initiated by the Sino-Soviet bloc. Your Government is intensively studying this problem. We have asked business people to study it. There is no doubt in my mind but what concrete measures will be needed to assure that, in the face of this unfair competition, free enterprise will continue to play its full role as a dynamic and expanding force in developing the economies of the free-world nations.

If the non-Communist nations hold fast to policies which deter armed aggression; if they prevent subversion through economic and revolutionary processes; and, above all, if they demonstrate the good fruits of freedom, then we can know that freedom will prevail.

H.R. 446

EXTENSION OF REMARKS
OF

HON. EDWIN E. WILLIS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 12, 1959

Mr. WILLIS. Mr. Speaker, I would like to explain the provisions of the bill H.R. 446, which I introduced on the first day of this session. The purpose of the proposal is simply to treat all patrons or married savers in savings and loan associations alike throughout the United States.

The present palpable inequality of treatment arises in this way. We all remember the bank and savings and loan association closures in the early 1930's. The deposits and savings of millions of our fellow citizens were snatched away from them overnight. To its everlasting glory, Congress moved forward immediately and passed two laws to prevent a recurrence of a similar financial catastrophe in the future. It first created the Federal Deposit Insurance Corporation, with authority "to insure the deposits of all banks"—12 U.S.C. 1811. And then Congress created the Federal Savings and Loan Corporation, with authority "to insure the accounts of all institutions eligible for insurance"—12 U.S.C. 1725.

In order to support the bank deposit insurance program, the Federal Deposit Insurance Corporation Act provided for a uniform assessment on all member banks of one-twelfth of 1 percent per annum—12 U.S.C. 1817. And from the beginning of the program all bank depositors throughout the United States have in fact been treated alike, whether they come from common law States or community property States.

The Federal Savings and Loan Insurance Corporation Act likewise provided for "a premium charge for such insurance equal to one-twelfth of 1 percent of the total of all accounts"—12 U.S.C. 1727. But unlike bank depositors, savers in savings and loan associations are not in fact being treated alike. Although savings and loan associations located in community property States pay the same and identical premiums as those located in common law States, married savers in community property States do not enjoy the same insurance protection as those coming from common law States. Under the regulations issued pursuant to the statute, married couples living in common law States enjoy insurance of the account of a husband in the sum of $10,000, insurance of the account of a wife in the sum of $10,000, and insurance of a joint account of husband and wife in the sum of $10,000; while a married couple living in a community property State receives an insurance coverage of the account of a husband in the sum of $10,000 and insurance coverage of the account of a wife in the sum of $10,000, but no insurance benefit whatever of a joint account of both husband and wife. In other words, a married couple living in a common law State enjoys an aggregate coverage of $30,000, but a married couple living in a community property State receives an aggregate coverage of only $20,000. And yet the savings and loan associations throughout the United States, in both community property and common law States, pay the same and identical insurance premiums to support the national program. This is not only inequality of treatment but rank injustice; it is as wrong as a 2-foot yardstick and as phony as a $9 bill.

This matter has received the particular attention of the executives and attorneys of savings and loan associations in community property States, of which there are eight as follows: Arizona, California, Idaho, Louisiana, New Mexico, Nevada, Texas, and Wyoming; but the savings and loan associations throughout the United States also recognize that this situation must be corrected.

A serious attempt was made to correct this inequity by having the regulations of the Federal Savings and Loan Insurance Corporation amended to provide the same amount of coverage to married savers in both common law States and community property States. The opinion of the General Counsel of the Home Loan Bank was that the desired objective could not be accomplished through amendment to the regulations, and that this would require further legislation. The Federal Savings and Loan Insurance Corporation is a part of the Federal Home Loan Bank System.

The proposed change in the law was submitted by the United States Savings and Loan League and was included in the Financial Institutions Act of 1957, known as Senate bill 1541 of the second session of the 85th Congress. The proposed change in legislation, in substance, was adopted by the Senate last year, but the bill failed of passage in the House.

The United States Savings and Loan League at its annual convention held in Philadelphia during the month of November 1956, through its legislative committee, endorsed this amendment to the law in the following language:

> This recommendation would amend title 4 of the National Housing Act to clarify and make certain that married savers in certain community property States are provided insurance coverage on an equal basis with savers in other States.

Subsequently, Henry Bubb, chairman of the Legislative Committee of the United States Savings and Loan League, testified favorably before the Senate committee on January 30, 1957, in connection with the Financial Institutions Act of 1957, Senate bill 1451 of the second session of the 85th Congress, in submitting a recommendation that the needed change be made in the law, with the comment that the whole purpose of the proposed change was to make it clear that in community property States the husband can have $10,000 of insurance coverage, the wife $10,000 of insurance coverage, and the two of them $10,000 of insurance coverage as such persons may have in common law States.

At the 1958 convention of the United States Savings and Loan League held in San Francisco during the month of November, the legislative committee of the league adopted the following:

> The league recommends amendment to the law governing insurance of accounts to make it clear that married savers in community property States are entitled to the identical protection of married savers in other States.

The United States Savings and Loan League has a membership of some 44,000 savings and loan associations located in every State of the Union.

The community property States, eight in number, and the State leagues of the associations in each have endorsed the enactment of this amendment. The associations located in the community property States are as follows: Arizona, 17 associations; California, 235 associations; Idaho, 11 associations; Louisiana, 72 associations; New Mexico, 23 associations; Nevada, 4 associations; Texas, 203 associations; and Wyoming, 10 associations.

We do not have a breakdown of savers on a State level; however, two associations in my district at Lafayette, La., have savings accounts as follows: Lafayette Building Association, 7,400; Home Building and Loan Association, 5,600. This gives you a good illustration of the number of people interested in this legislation.

When we consider the hundreds of thousands of savers in savings and loan associations in community property States, it is easy to understand their eagerness to have the law amended to put them on a par with savers in common law States.

For many years citizens in community property States enjoyed a very distinct advantage in income tax matters over citizens in common law States. By being permitted to file separate income tax returns for the husband and the wife covering funds owned by the community, they were enabled to remain in lower brackets and thereby pay much less income tax. After many years of continuous persistent effort, the law was amended to put persons residing in common law States on the same level as persons residing in community property States. Community property States are being differentiated against purely on account of their State laws. Since the insurance of shares in savings and loan associations is on a national basis, we desire by this bill to make the same apply equally in all of the States of the Union, just as has been done in connection with income tax matters.

A copy of bill H.R. 446 follows:

H.R. 446

A bill to amend the National Housing Act with regard to insurance of accounts so as to provide uniform protection to all married savers in savings and loan associations

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section

401(b) of title IV, National Housing Act, as amended (12 U.S.C. 1724(b)), is further amended by adding at the end thereof the following new sentence: "Notwithstanding any other provision of law (including any law which would constitute an account community property), two persons who are husband and wife shall each be insured under this title with respect to accounts in his or her sole name in an aggregate amount not to exceed $10,000 and, in addition to any insurance under the foregoing provisions of this sentence, they shall be insured with respect to accounts in the sole names of both of them in an amount (not to exceed $20,000) such that the total of the insurance under this sentence with respect to accounts in his or her sole name and accounts in the sole names of both of them shall not exceed $30,000; and neither of them may be additionally insured under this title with respect to any account in such institution unless such insurance is authorized by this title otherwise than by this sentence."

Analysis of the Foreign Investment Incentive Bill

EXTENSION OF REMARKS
OF
HON. HALE BOGGS
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Monday, January 12, 1959

Mr. BOGGS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following section-by-section analysis of the Foreign Investment Incentive Act of 1959—H.R. 5—which I introduced January 7, 1959:

SECTION 1. EFFECTIVE DATE

Section 1 provides that the bill will be applicable to taxable years beginning after December 31, 1958.

SECTION 2. FOREIGN BUSINESS CORPORATIONS

The efforts of American firms to expand their foreign investments have been seriously impeded by the adverse impact of United States tax laws. Despite the avowed policies of our Government to encourage private investment to supplement and ultimately replace foreign economic aid, the capital available for investment abroad by American corporations is unduly restricted by present tax policies. Moreover, our corporations are placed at a competitive disadvantage in their efforts to expand abroad because the tax policies of other countries do not hamper their own foreign investors.

For example, it is possible for corporations of the United Kingdom and Canada to reinvest foreign profits without payment of tax to the home country. No tax liability is imposed by either the United Kingdom or Canada until foreign earnings are repatriated. This is possible under legislation expressly enacted to achieve this result.

Because of these pressures, American corporations have been forced to organize their international operations in foreign corporations in those countries of the world whose laws permit profits earned in one foreign country to be invested in other foreign countries without an intervening tax. This unfortunate trend has developed in part because of the burden U.S. taxation imposes on the expansion of the foreign business activities of American corporations. There are frequent instances in which the management and control of American-owned foreign business have been transferred abroad to have an equal opportunity in foreign markets.

In order to eliminate the necessity for American firms to utilize these foreign corporate vehicles and to promote an expansion of foreign investment by American firms, it is proposed by section 2 of the bill to create a special category of U.S. corporations known as foreign business corporations. Section 2 would offer to American firms substantially the same tax treatment now obtained by the use of foreign corporations and would enable American firms to manage and control their international business in the United States where they belong.

Section 2 would also facilitate tax administration because the Treasury would have information received through the returns filed by these corporations. Any concern by the Treasury for an asserted loss of revenue is illusory. If the present trend to organize foreign business activities through foreign corporations continues, there will be in 5 years little U.S. revenue from taxes on foreign source income. Moreover, to the extent that private foreign investment can supplant foreign aid, there will be a net saving.

A foreign business corporation, under section 2 of the bill, is a domestic corporation which derives substantially all of its income from sources outside the United States and from the active conduct of trade or business, directly or indirectly through subsidiaries in which it has at least a 10-percent common stock interest. Income from the latter source, however, will qualify only if the subsidiary corporation derives substantially all of its income from business done outside the United States. A foreign business corporation may also license the use of patents abroad and render abroad technical, engineering, scientific, construction or like services.

Section 2 of the bill permits foreign business corporations to defer the payment of U.S. taxes on their income earned from sources outside the United States until that income is distributed. Thus, income earned in one foreign country may be reinvested in a new enterprise, in the same or another foreign country, without reduction by U.S. taxes. Similarly, income derived from licensing of patents and rendering of technical services may be accumulated and used to finance further foreign investments. It is just this tax treatment which has led so many American corporations to form foreign subsidiaries to operate their international business. The income accumulated by a foreign business corporation which is not distributed is described as reinvested foreign business income. When a distribution is made out of reinvested foreign business income U.S. tax becomes payable. Against the tax imposed, credit is allowed for taxes paid to foreign countries, just as the foreign tax credit is now allowed to prevent double taxation.

A broad definition of the term distribution is adopted in order to prevent possible misuse of foreign business corporations for tax avoidance. Since the purpose of the provision is to defer the payment of U.S. taxes only so long as the income is reinvested abroad, a distribution is defined to include any withdrawal of funds from foreign business operations. This includes the distribution of a dividend or the liquidation of a foreign business corporation. To carry out this purpose, any payment made for the acquisition of property situated in the United States, other than property that is necessary for the conduct of the foreign business, is similarly treated as a distribution, and results in the imposition of U.S. tax. The continued ownership of property that is initially acquired in connection with the foreign business activities, but which is later used in the United States for other purposes, is also treated as a distribution.

The advantages of the foreign business corporation provisions are meaningful only to American firms interested in the expansion of their foreign business. Moreover, these provisions will prevent tax avoidance which has sometimes arisen in the use of foreign corporations. A foreign business corporation cannot qualify if it holds stock in subsidiary corporations which derive any substantial amount of income from investments in the United States. Money cannot be accumulated abroad and then loaned, for example, to the parent organization. Nor can such money be used to purchase plants and equipment in the United States for lease to the parent corporation.

It cannot fairly be contended that section 2 of the bill would make the United States a tax haven. A corporation organized in a foreign country need never pay U.S. taxes on earnings from from non-U.S. sources. On the other hand, a foreign business corporation organized in the United States will pay U.S taxes on foreign income when distributed. Furthermore, ordinary income taxes will be imposed even if the foreign business corporation is liquidated, whereas a corporation organized in a foreign country can be liquidated subject only to capital gains taxes.

SECTION 3. TRANSFER AND REORGANIZATIONS TO FACILITATE PRIVATE FOREIGN INVESTMENT

As presently administered by the Treasury Department, section 367 constitutes a deterrent to increased private foreign investment because of a strict interpretation of the term "avoidance of taxation" in situations involving the transfer of property from a U.S. corporation to a foreign corporation to be used in the active conduct of a trade or business abroad.

Where such a transaction involves the transfer or exchange of assets which may have appreciated in value, the taxpayer must, before completing the transaction, obtain a ruling from the Commissioner of Internal Revenue that such exchange is not in pursuance of a plan having as one of its principal purposes the avoidance of Federal income taxes.

Since tax rates in some foreign countries are presently lower than rates prevailing in the United States, the commissioner frequently finds an ominous purpose in a contemplated transaction, and rules that the transaction would be an avoidance of Federal income tax. Indeed, the Treasury Department views any deferral of tax as avoidance of tax.

Section 3 of the bill would facilitate private foreign investment by making expressly applicable to transfers of business property for foreign investment the usual rules for nonrecognition of gain otherwise provided in the code for corporate reorganizations. To accomplish this result, the bill provides that transfers of foreign business property are not for the purposes of tax avoidance and, hence, eliminates the necessity for an advance ruling from the Internal Revenue Service. The term "foreign business property" is strictly defined to include only property actually used in a trade or business, or stock of another corporation actively engaged in a trade or business. The trade or business must be one 90 percent or more of the gross income of which is derived from sources outside the United States.

To conform related provisions of the code, section 1492 is also amended to provide that the excise tax imposed by section 1491 shall not apply where stock or securities transferred to a foreign corporation are foreign business property as defined in section 367(c).

SECTION 4. EXTENSION OF WESTERN HEMISPHERE CORPORATION STATUS TO INTERNATIONAL TRADE CORPORATIONS

Since 1942 a class of corporations known as Western Hemisphere trade corporations has been taxable at a rate 14 percentage points lower than the normal tax and surtax rates applicable to other corporations. This has been accomplished by allowing a deduction to such Western Hemisphere trade corporations under section 922 of the 1954 code. Western Hemisphere trade corporation status, under existing law, is limited to a corporation which does all of its business—except for incidental purchases—in any country or countries of North, Central, or South America, or the West Indies, provided its income meets two conditions:

First. At least 95 percent of gross income for a 3-year period must be derived from sources without the United States; and second, at least 90 percent of gross income for a 3-year period must be from the active conduct of a trade or business.

The principal purpose of section 4 is to extend the tax status now enjoyed by Western Hemisphere trade corporations to domestic corporations doing business in any foreign country, if the conditions respecting kind and source of income—as somewhat modified—are met.

The justification for enactment of the Western Hemisphere trade corporation provisions in 1942 was that American corporations trading in foreign countries within the Western Hemisphere are placed at a considerable competitive disadvantage with foreign corporations. See Senate Report No. 1631, 77th Congress, 2d session, page 32. Since the same competitive inequity now exists throughout the free world, it is only fair that all U.S. corporations engaged in foreign trade should be treated alike.

The rate differential for the new International Trade Corporation provided by section 4 is fully as justifiable for corporations doing business in Pakistan as in Peru, in Burma as in Brazil, and in the East Indies as in the West Indies. Under section 4, only 90 percent—instead of 95 percent as under existing law—or more of the gross income must be derived from sources without the United States. The reason for this change is the fortuitous possibility that nonrecurring income from within the United States (for example, interest on a tax refund) may result in disqualification for as many as 5 years.

In computing the 90 percent or more of gross income derived from the active conduct of a trade or business, there would be taken into account compensation for technical, managerial, engineering, construction, scientific or like services, royalties from patents, trademarks, and copyrights, and dividends when received from a corporation which, itself, meets the conditions as to kind and source of income, if the stock ownership by the corporation receiving such income is at least 10 percent. The justification for broadening the latter definition is the recognition that foreign countries often require local incorporation and that frequently the risk to American capital is so great as to make essential the sharing of the stockownership.

Under section 4 of the bill, Western Hemisphere trade corporations will cease to exist for taxable years beginning after December 31, 1958, and for all subsequent taxable years such corporations will qualify as international trade corporations. No corporation which meets the present requirements of the Western Hemisphere trade corporation provisions will fail to qualify as an international trade corporation. International trade corporations will be permitted to file consolidated returns in the same manner and on the same basis as consolidated returns may be filed by Western Hemisphere trade corporations under existing law.

SECTION 5. ALTERNATIVE LIMITATION ON FOREIGN TAX CREDIT

Under existing law, domestic corporations, and citizens and residents of the United States, are subject to U.S. tax on total income from sources within and sources without the United States. Since income from without the United States is generally also subject to income tax in a foreign country or possession, a credit is allowed against the U.S. tax for these taxes in order to avoid double taxation of such income.

The foreign tax credit, however, is restricted by the so-called country-by-country limitation, so that the credit for foreign taxes paid to a foreign country cannot exceed the same proportion of the taxpayer's total U.S. tax liability before credit which the taxable income from that country bears to taxable income from all sources. The net effect of this limitation is that the credit for foreign taxes paid to a particular country cannot exceed the amount of the U.S. tax on taxable income from that country.

Thus, under existing law, if a taxpayer earns $100,000 in each of two foreign countries—country A, in which the tax rate is 60 percent, and country B, in which the tax rate is 40 percent, the corporate tax paid, respectively, would be $60,000 and $40,000. Since the income from each country is taxable in the United States at the rate of 52 percent, the total U.S. tax prior to the foreign tax credit is $104,000. Since the $60,000 paid to country A exceeds the $52,000 of U.S. tax on income from country A, the excess of $8,000 is not allowable as a foreign tax credit, even though the tax paid to country B is $12,000 less than the ratable part of the U.S. tax on the income from country B. Consequently, a taxpayer in such circumstances would pay an aggregate tax of $112,000 on a total income of $200,000, whereas a corporation earning the same income from less hazardous enterprises within the United States would pay a total tax of $104,000.

Section 5 of the bill would provide for an alternative limitation upon the foreign tax credit to insure that the $8,000 of credit for tax paid to country A, which would be lost under existing law, could in effect be applied against U.S. tax upon income from other foreign countries. In no event, however, could the total of the credit for taxes paid to all foreign countries exceed the ratable part of the U.S. taxes upon total taxable income from all sources without the United States. In this manner the fundamental purpose of the foreign tax credit—to prevent double taxation of income earned abroad—which has been a basic cornerstone of Federal tax policy since 1918, would be effectuated.

SECTION 6. CREDIT FOR INVESTMENT INCENTIVE WAIVERS OF TAX BY A FOREIGN COUNTRY

This section will make it possible for American firms which do business without the United States to benefit from tax inducements offered by foreign governments to attract new capital, new technical skills, and American management. Today, if a foreign country is willing to give up tax revenues to induce an American firm to risk its capital and to provide the technical skills and know-how for industrial development, such a concession is of no benefit to the American concern. Under U.S. tax laws, income from foreign sources is fully taxable, but a credit against the U.S. tax is allowed for income tax paid to a foreign country. When a foreign country reduces its tax, the U.S. tax is correspondingly increased. Hence, any benefit of such a tax inducement is vitiated under existing tax laws.

It is not justifiable to thwart the efforts of underdeveloped countries to increase their standard of living through industrialization which cannot be provided without capital from the United States. Frequently, these underdeveloped countries are not firmly committed to either the Soviet bloc or the free world. Our national interest lies in assisting these countries in their efforts to industrialize and in impressing them

with the advantages of our economic system. It is difficult to explain that tax sparing, their best opportunity for acquaintance with the free-enterprise system, is nullified by U.S. tax law.

While tax sparing is a worthwhile instrument, its scope must be limited. Safeguards are provided in section 6 by requiring that the taxpayer establish to the satisfaction of the Secretary of State that tax waivers were not only extended in good faith by the foreign country, but were also accepted in good faith by the U.S. taxpayer, and that the taxpayer was, thereby, induced to begin, increase, or continue the specified activity within the foreign country. In view of the foreign economic policy aspects of this provision, the Secretary of State is considered best qualified to make the determination under this section, just as the defense agencies have usually been delegated authority to issue certificates of necessity for accelerated amortization.

The period of credit for taxes spared is limited to 10 years.

SECTION 7. NONRECOGNITION OF GAIN ON INVOLUNTARY CONVERSION OF PROPERTY OF FOREIGN SUBSIDIARIES

Under existing law, if the property of a domestic corporation is compulsorily or involuntarily converted as a result of its destruction, theft, seizure, requisition, or condemnation, no gain is recognized by such corporation upon the receipt of insurance proceeds, if these proceeds are converted into property within 1 year after the close of the first taxable year in which any part of the insurance proceeds is received. However, this treatment does not extend to the case where a domestic corporation insures the property of its wholly owned foreign subsidiary with the result that, when the property of the foreign subsidiary is destroyed, for example by fire, the domestic parent pays a tax on the insurance proceeds received as a result of the fire at ordinary income rates.

In many foreign countries it is impossible or difficult to secure adequate insurance coverage. It is necessary for a domestic corporation to seek insurance from U.S. sources in order to protect the assets of its foreign subsidiary. Thus, such domestic corporations are deprived of the benefit of the insurance protection by the operation of existing law to the extent that the insurance proceeds are reduced by the full corporate income tax when they are received. To prevent this result, section 7 of the bill extends the nonrecognition of gain now provided by section 1033 of the Internal Revenue Code of 1954 to cases where property of a foreign subsidiary in which the taxpayer has an insurable interest is compulsorily or involuntarily converted, if the taxpayer, first, contributes the insurance proceeds to the capital of the foreign subsidiary; or, second, purchases property similar or related in service or use to the property involuntarily converted and contributes such property to the capital of the foreign subsidiary. This rule applies whether or not the contribution of insurance proceeds is in exchange for stock. It also applies to cases where a contribution to capital is directly to the subsidiary, or indirectly through another foreign subsidiary. To prevent a double benefit to a domestic corporation as a result of the new treatment provided by the bill, section 7 specifies that the domestic corporation's basis of the foreign subsidiary's stock shall be increased only by the amount of any gain which is recognized. Similar safeguards are provided by section 7 to prevent a distortion in the earnings and profits of the foreign subsidiary. Thus, since the foreign subsidiary would be allowed a deduction in the amount of this loss arising from the involuntary conversion of its property, the bill provides that its earnings and profits are to be increased by the amount of the gain which is not recognized by the domestic parent corporation as a result of the new treatment provided by the bill.

United States Trading Corporation

EXTENSION OF REMARKS
OF
HON. THOMAS B. CURTIS
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Monday, January 12, 1959

Mr. CURTIS of Missouri. Mr. Speaker, I am reintroducing a bill to establish a United States Trading Corporation in order to meet the challenge of attempted Soviet penetration of world markets. This bill is not designed as a final and complete bill, but is mainly for the purpose of having it referred to the Congress so that the proper congressional committees and their staffs will get to work on this problem which the United States and the free world have to face at the present time. If this bill will be but a start toward a program which will enable the capitalist free world to properly compete with the Soviet economy, our purpose in introducing this bill at the present time will be achieved.

It is estimated that the economy of the Soviet Union, although not comparable to ours in total capacity or total production at the present time, is growing at a rate roughly twice that of ours. Allen Dulles, Director of the Central Intelligence Agency, has described the Kremlin's progress in that respect as "the most serious challenge ever faced by the United States in times of peace"—a challenge making it "most probable that the fateful battles of the cold war will, in the foreseeable future, be fought in the economic and subversive arenas." Certainly, this is but another indication to prove that we should be well on our way toward making battle plans for the economic war.

There was a recent State Department report which labeled the Russian communistic tactics of economic aid and economic policy as being even more dangerous to the free world than the threat of war. We all know, in studying Marxism and communism, that it was the feeling of the founders of the philosophy of communism that ultimately capitalism would fail, and this would make it easy for socialism and communism to take over. However, we must not fall into the trap of adopting the Communist policies. We must be in a position to aid and help individual business enterprises and the capitalist system, so there will be no encroachment by government on free business; but, because of the economic war against the Communists, it makes it necessary that private enterprise and Government march together in this warfare rather than apart.

In recent months, we are getting a new insight into this trade warfare policy and we can cite the example shown us in the aluminum industry. Until recently, North American exports of aluminum to European countries provided practically all of the imports of this metal to the free European countries. Just a short time ago, Russian Communist sources announced to various European aluminum purchasers that they would supply aluminum for approximately 1.7 cents per pound cheaper than it could be bought from American and Canadian sources. In other words, the Communists were not worrying about costs, knowing they have slave labor and a Socialist economy where material costs are not measured in monetary value, enabling them to sell raw material or finished products at any price they arbitrarily choose. Our American and Canadian firms cannot meet that type of competition. Are we to idly stand by while we lose those markets and our own continent has to suffer from such competition? Some methods must be found to combat this type of competition in aluminum and surely in many other products, and the operating procedures of meeting this problem must immediately be given a great deal of study.

In setting up the United States Trading Corporation, there will be losses entailed. If we are to compete with the Russian Communist bloc, the Government might have to purchase raw materials and finished products from our concerns and sell at a loss in order to vie with their slave economy. We can possibly see a time when the original capital of the Corporation might be used up, at which time the Corporation would again have to come back to Congress to receive further monetary support. At that time, the Congress would be in a position to evaluate the work and accomplishments of the Corporation, and then could decide whether the program was worth continuing or should be changed.

In the long run, the economic facts of life are bound to catch up with the inhuman and unprogressive economic system of communism. However, in the interim, such a system can badly damage, indeed like the parasite plant can destroy, the healthy and sound economic system of a free society. Just as in our own internal economy we have found that unrestrained monopolistic practices can damage the healthy growth of our own economy so must we recognize that these same practices engaged in world trade can badly damage healthy foreign trade.

In other words, Russia through its state trading can pick and choose specific areas for attack, undersell the market for whatever period of time is

necessary to destroy competition and then once competition has been destroyed revert, in true monopolistic form, to increased prices to recoup the economic loss suffered in gaining the market and then go on to exploit the market and, worse still, enslave small nations dependent upon a narrow economic base.

Strong as our private businesses are, they are not strong enough to cope with this kind of operation. Accordingly, the United States Trading Corporation would be set up to respond when this kind of economic warfare becomes apparent.

In putting meat on the bones of the bill I have proposed, it will be necessary to spell out in definite terms the economic circumstances which will permit the Corporation to function. As I have stated, it would be only in answer to a clear threat by Soviet Russia resorting to state trading and monopolistic practices designed to destroy competition or enslave small nations.

If Soviet Russia does not engage in this kind of activity, the Corporation would not have to act. If Russia does, the Corporation would be there to insure the fact that through temporary underselling, though it lasts for several years, Russia could not take over any market and destroy healthy competition, or enslave the economy of some small and weak nation.

There is no question in our minds that affirmative action and positive planning must take place now. We can compete against the Russian declaration of economic war only by intelligence and cooperation. The bill which we are introducing and which would create the United States Trading Corporation is but a step to get a workable program started.

In conclusion, I want to reiterate that we do not want our Government to take over business. We want a program in which the Government will assist private business, and only take over such functions as would be necessary in order that private enterprise and free government can march down the road of economic warfare together, and ultimately foil the aim of communism to dominate the world.

The bill I am introducing is as follows:

A bill to establish a United States Trading Corporation to meet the challenge of attempted Soviet penetration of world markets, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "United States Trading Corporation Act."

SEC. 2. The Congress recognizes that one of the most dangerous weapons currently being employed by the Soviet bloc in its struggle for world domination is the use of international trade to achieve that objective through economic means. If the United States is to continue to be the leader of the nations of the free world in their effort to resist and retard such domination by the Soviet bloc, it must prepare to utilize international trade as an instrument of our national policy. So that this may be done in the most effective manner with the greatest possible benefit to the United States and its citizens and the other free nations and their citizens there is hereby established a body corporate to be known as the "United States Trading Corporation" (hereafter in this Act referred to as the "Corporation") which shall assist and supplement the efforts of private business in the United States in fostering trade between the United States and the other nations of the world.

SEC. 3. The Corporation shall have its principal office in the District of Columbia and may establish offices in such other places as it may deem appropriate in the conduct of its business.

SEC. 4. The objects and purposes of the Corporation shall be to undertake such measures, and engage in such activities, with respect to the foreign trade of the United States as will effectively meet the threat to the free world of long-range economic penetration of world markets by the Soviet bloc. In connection with and in furtherance of its objects and purposes and the policy of the Congress set forth in section 2, the Corporation is empowered—

(1) to adopt, alter, and use a corporate seal which shall be judicially noticed;

(2) to adopt, amend, and repeal bylaws governing the conduct of its business and the performance of the powers and duties granted to or imposed on it by law;

(3) to sue and be sued in its corporate name in any court of competent jurisdiction;

(4) to determine the character of and the necessity for its obligations and expenditures and the manner in which they shall be incurred, allowed, and paid, subject to laws specifically applicable to Government corporations;

(5) to acquire, in any lawful manner, any property (real, personal, or mixed, tangible or intangible), to hold, maintain, use and operate the same, to pledge, hypothecate, sell, exchange, or otherwise dispose of the same, whenever any of the foregoing transactions are deemed necessary or appropriate to the conduct of activities authorized by this Act or to achieve the objectives set forth in section 2, and on such terms as may be prescribed by the Corporation;

(6) to execute all instruments necessary or appropriate in the exercise of any of its functions;

(7) to use the United States mails in the same manner and under the same conditions as the executive departments of the Federal Government;

(8) to assist citizens of the United States or any corporation at least 60 per centum of the stock of which is owned by citizens of the United States which is engaged in foreign trade and is determined by the Corporation to be achieving the objectives set forth in section 2 by loan, subsidy, or otherwise;

(9) to appoint such agents, attorneys, and employees as may be necessary for the conduct of the business of the Corporation; and to delegate to them such powers and to prescribe for them such duties as may be deemed appropriate by the Corporation; and

(10) to take such actions as may be necessary to achieve the objectives set forth in section 2, and to carry out the powers and duties granted to or imposed on it.

SEC. 5. The Corporation, including its franchise, its capital, reserves, surplus, and income, shall be exempt from all taxation (which shall, for all purposes, be deemed to include sales, use, storage, and purchase taxes) now or hereafter imposed by the United States, or any Territory, Commonwealth, or possession thereof, or by any State, county, municipality, or local taxing authority, except that any real property (or buildings which are considered by the laws of any State to be personal property for taxation purposes) of the Corporation shall be subject to State, Territorial, Commonwealth, county, municipal, or local taxation to the same extent according to its value as other real property is taxed.

SEC. 6. (a) There shall be a President of the Corporation, who shall be appointed by the President of the United States, by and with the advice and consent of the Senate, and who shall serve as the chief executive officer of the Corporation. There shall be a Vice President of the Corporation, who shall be appointed by the President of the United States by and with the advice and consent of the Senate, who shall serve as President of the Corporation during the absence or disability of or in the event of a vacancy in the office of President of the Corporation, and who shall at other times perform such functions as the President of the Corporation may from time to time prescribe.

(b) The annual rate of compensation of the President of the Corporation shall be $21,000, and the annual rate of compensation of the Vice President of the Corporation shall be $20,500.

SEC. 7. (a) The Corporation shall be managed by a Board of Directors of the Corporation. The Board of Directors of the Corporation shall consist of the President of the Corporation who shall serve as Chairman, the Vice President of the Corporation who shall serve as Vice Chairman, and fifteen additional persons appointed by the President of the United States by and with the advice and consent of the Senate. Of the seventeen members of the Board of Directors not more than nine shall be members of the same political party. Before entering upon his duties, each of the directors shall take an oath faithfully to discharge the duties of his office. Terms of the directors shall be at the pleasure of the President of the United States, and the directors, in addition to their duties as members of the Board of Directors, shall perform such additional duties and may hold such other offices in the administration of the Corporation as the President of the Corporation may from time to time prescribe. A majority of the Board of Directors shall constitute a quorum. The Board of Directors shall adopt, and may from time to time amend, such bylaws as are necessary for the proper management and functioning of the Corporation, and shall, in such bylaws, designate other officers of the Corporation and prescribe their duties.

(b) Members of the Board of Directors (other than the Chairman and Vice Chairman) shall receive compensation at the rate of $20,000 per annum.

SEC. 8. (a) There shall be an Advisory Committee of the Corporation consisting of 9 members, appointed by the Board of Directors of the Corporation on the recommendation of the President of the Corporation, who shall be broadly representative of production, commerce, agriculture, and labor. The Advisory Committee shall meet one or more times per year on the call of the President of the Corporation, to advise the Board of Directors on the program of the Corporation.

(b) Members of the Advisory Committee, while attending meetings of the Advisory Committee called by the President of the Corporation, shall be entitled to receive compensation at a rate to be fixed by the President of the Corporation, but not exceeding $50 per diem, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the service of the Federal Government who are employed intermittently.

SEC. 9. (a) The Corporation shall have a capital stock of $1,000,000,000 subscribed by the United States. Payments under this subsection of the subscription of the United States to the Corporation and the repayments thereof shall be treated as public debt transactions of the United States. Certificates evidencing stock ownership of the

United States in the Corporation shall be issued by the Corporation to the Secretary of the Treasury.

(b) The Corporation is authorized to issue from time to time notes, debentures, bonds, or other obligations which shall be purchased by the Secretary of the Treasury; but the aggregate amount of such obligations outstanding at any one time shall not exceed $4,000,000,000. Such obligations shall be redeemable at the option of the Corporation before maturity in such manner as may be provided for in such obligations and shall have such maturity as may be determined by the Board of Directors of the Corporation with the approval of the Secretary of the Treasury. Each such obligation shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the issuance of the obligations of the Corporation.

(c) For the purpose of purchasing capital stock and obligations of the Corporation issued under this section the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under such Act, as amended, are extended to include any purchase of capital stock or obligations of the Corporation issued under this section.

SEC. 10. No director, officer, attorney, agent, or employee of the Corporation shall in any manner, directly or indirectly, participate in the deliberation upon or the determination of any question affecting his personal interests, or the interests of any corporation, partnership, or association in which he is directly or indirectly personally interested.

SEC. 11. The President of the Corporation in carrying out his functions shall consult from time to time with the Secretary of State, the Secretary of Commerce, and the President of the Export-Import Bank of Washington.

Federal Assistance to Education

EXTENSION OF REMARKS
OF
HON. STUYVESANT WAINWRIGHT
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, January 12, 1959

Mr. WAINWRIGHT. Mr. Speaker, it is my privilege today to introduce one of two bills carrying out the administration program to strengthen American education. These bills properly recognize a national concern for our educational system by providing Federal assistance in meeting two of the most critical problems confronting our schools and colleges.

The first bill, introduced by Representative FRELINGHUYSEN, would remedy the plight of needy school districts which do not have the financial resources to overcome their classroom shortages on their own. It would enable such communities to construct up to $3 billion worth of new classrooms in the next 5 years.

Over the same period, my bill would help colleges and universities accelerate $2 billion worth of construction of additional academic and housing facilities which will be needed to accommodate the ever-increasing numbers of able boys and girls who will reach college age in the next few years.

Many colleges and universities, both public and private, are presently unable to finance the construction of additional classrooms, laboratories, and dormitories which must be built now to provide facilities for the tremendous enrollment increases expected in the decade ahead. It is a matter of national interest to assure that the opportunity for higher education will remain available to all able young men and women who seek it in the years to come.

Introduction of Bill To Equalize the Pay of Retired Members of the Uniformed Services

EXTENSION OF REMARKS
OF
HON. JOHN F. BALDWIN, JR.
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, January 12, 1959

Mr. BALDWIN. Mr. Speaker, on Wednesday, January 7, 1959, I introduced a bill H.R. 703, which has for its purpose the reestablishment of the relationship between retired pay and the active duty pay of members of our uniformed services.

It will be remembered by Members of the House that, when the Military Pay Act of 1958 (Public Law 85–422) was enacted last year, it departed from the long-established policy that retired pay of previously retired personnel of the uniformed services be computed on the same basis as that of personnel thereafter retired.

The failure of the new pay law thus to keep faith with those who have served our country so well in war and peace has resulted in disillusionment among both active and retired personnel of the services. It has dealt a blow to what, in the past, has been the greatest single incentive to tenure in military service. If this mistake is left uncorrected, it alone may nullify the very purpose of the law itself, namely, to improve the stability of career military service and to stem the exodus from such service of our best qualified personnel.

As pointed out by the Cordiner Committee report, military retirement is a unique form of retirement, possessing characteristics not found in any other form of retirement. Career retired personnel of our uniformed services continue to hold office after retirement. They may be, and frequently are, involuntarily recalled to active service. They are, thus, not free agents, as are those who retire under other systems. Further, there is always a definite ceiling over their potential in reward for their service—a ceiling which we here in Congress place over them in a succession of pay laws for all to read. Until the enactment of the Military Pay Act of 1958, they could, at least, have faith that their Government would adhere to well-established standards governing their retirement rights.

Among other things, in recognition of these principles, the Cordiner Committee reported as follows:

> The committee has therefore concluded that the incentive value of its existing military retirement program depends to a major degree upon its integral relationship with active duty compensation and the confidence which has been built up in the military body that no breach of faith or breach of retirement contract has ever been permitted by the Congress and the American people. It is this unique characteristic which serves to counterbalance many of the limited aspects of the military retirement pay and has made it one of the most influential selling points in the recruitment efforts of the services.

Editorials have appeared in leading newspapers and periodicals throughout the Nation, urging a correction of the error which has been made. Among them are the New York Times, the Washington Star, and the authoritative spokesman of the military services, the Army-Navy-Air Force Journal. One quotation from the New York Times should be looked upon as prophetic:

> Young officers who might make the services a career will not be blind to this discrimination; if officers already retired can thus be discriminated against in the interests of false economy, this can happen again.

The legislature of my own State of California petitioned Congress to maintain the time-honored policy in regard to the retired pay computation of previously retired personnel of the services—CONGRESSIONAL RECORD, volume 104, part 5, page 5876.

The relatively modest cost of retired pay maintenance, as compared to the high costs of the newly created incentive features, provided in the Military Pay Act of 1958, is small, indeed, to the replacement costs which will inevitably result from the defections from career military service of those who, unless we restore their confidence, will leave the services. Faced with the assurance that their retired compensation will be progressively reduced, the best and most alert officers may seek other careers, unless we act now. Even worse, necessary replacements for those who thus leave the services might well result in the substitution of less qualified personnel for the best qualified of our fighting men.

In the face of this dire threat to our national safety, I am sure that Members of the House will wish speedily to correct the mistake we have made by reestablishing equality of treatment in retired pay compensation among members of the uniformed services. That is what my bill, if enacted, will accomplish.

Keenotes

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, January 12, 1959

Mrs. KEE. Mr. Speaker, under leave to extend my remarks in the CONGRES-

SIONAL RECORD, I include copy of my newsletter "Keenotes," issued today, as follows:

KEENOTES

(By Representative ELIZABETH KEE)

The opening of a new Congress is always an inspiring occasion. On January 7, 1959, I was privileged for the fourth time to be on hand for the time-honored ceremonies which date back to the founding of our beloved country. Legislative veterans, men who have served as many as 15 or 20 terms, tell me that regardless of the number of times they have participated in these ceremonies, they are always thrilled and humbled.

The oath of office, administered every 2 years, is always a reminder of the great honor it is to serve in the House of Representatives. Nothing can make one more humble than to realize that, as a Member of the House, he must speak and act for thousands of his fellow citizens. It is a responsibility that simply cannot be taken lightly.

When the 86th Congress convened at 12 noon on January 7, the country embarked upon what promised to be one of the most eventful periods in history. You will recall that in January of 1958, when lawmakers returned to Washington for the 2d session of the 85th Congress, our country was facing the threat posed by the Russian conquest of space. Greeting the new Congress this year were further Russian achievements, notably the lifting of a tremendous missile out of the range of the earth's gravitational pull and placing it in orbit around the sun.

This fact places squarely before Congress one of the most pressing problems it must face. How are we doing in the race with Russia for conquest of space? Here we are dealing with a highly complex and technical question. None of us are experts, but all of us can, I am convinced, detect a sense of uneasiness on the part of the people and a feeling that perhaps we are not doing as well as we should.

This year both the House and the Senate have permanent committees on outer space. We are in a much better position to deal with this problem than we were last year. One of the first orders of business will be for the space committees to take a look at what we have done—which is considerable, incidentally—and try to spur the executive department on to greater effort and achievement.

Also facing the 86th Congress is a tremendous national debt and the outlook for a further deficit during the fiscal year ending on June 30. The business recession brought about the deficit. Tax revenues from both business and individuals took a sharp dive. Yet the Government had to step into the breech in certain areas—and this cost money. I am convinced that without extension of unemployment insurance benefits and other positive antirecession measures voted by Congress, the recession would have deepened. We are making good economic recovery. No doubt tax revenues will greatly increase during the year.

There will be a battle over the budget. Democrats have been classified as spenders. But I hazard the guess that the coming months will see an exhibition of fiscal responsibility by the Democrats that has been unequaled in recent years. Our record on this score during the 85th Congress was outstanding. Remember, we increased defense appropriations but reduced the overall budget by about $600 million.

Many people are worried about our defenses. They feel we are permitting the Russians to narrow the gap and threaten the superiority which we still retain on an overall basis. I am sure Congress will insist that we not skimp on defense. After all, money saved at the expense of national security is not true economy.

Washington Report

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Monday, January 12, 1959

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include my weekly newsletter to constituents for January 10, 1959.

The newsletter follows:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas, January 10, 1959)

"I do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God." (The oath.)

Thus, for 436 Representatives (including 17 women) began the 2-year 86th Congress. There were many new faces. Republicans totaled 153 (down from 200), Democrats 283 (up from 235). The opening prayer of House Chaplain Braskamp fittingly ended with a united Lord's Prayer. Meanwhile, in the other body (Senate), Chaplain Harris included "Grant us the art of disagreeing without being disagreeable."

No. 206, Old House Office Building, is the Texas Fifth District, Dallas County, headquarters. The staff is the same—Frank Crowley, Mary Hornbeck, Dorothy Chrest, Kay Wharton—an able and unique group—unique in two ways—representing one of the Nation's largest districts and in being the original staff.

The 44th Congressman in history to be House Speaker, SAM RAYBURN, Texas, was again elected by the Democratic majority in a straight party line vote; while Republicans replaced JOE MARTIN, Massachusetts, with CHARLES HALLECK, Indiana, as minority leader. The determining factor in this contest was leadership, not political philosophy since both are conservatives.

The state of the Union message was well presented by the President (he looks fine) to the joint Houses, Supreme Court, Cabinet, Chiefs of Staff, and diplomats. Worldwide in scope, it was too general for detailed programs. These will follow. The theme was "security plus liberty."

Some of the references made are most important and thought-provoking, including: liberty and the God-given rights of man; world suspicion and tension; mass destruction possible; keeping the peace requires unrelenting effort; Communist agreements and treaties are worthless unless containing self-enforcing mechanisms; defense cost exemplified by bombers worth their weight in gold; heavy military expense requires elimination of waste and duplication; strong economy is foundation for national safety; competitive enterprise and freedom describe America; public understanding is needed; basic causes of inflation are wage-price spiral and deficit financing by Government; self-discipline and restraint are necessary; meet current costs (of government) from current revenue; balanced budget; ours is the noblest of causes—human freedom.

Some of Government's present conflicts and dilemmas can be detected in this message, including: Too often we make decisions based on trusting the Russians; security can jeopardize liberty when overzealous government overexpands its jurisdiction (abroad, foreign aid; at home, welfare programs); we don't balance the budget or pay-as-we-go; waste and duplication in Government is not sufficiently being sought out and stopped by Congress; politicians sponsor more Government spending with its crushing tax load, forgetful of the need for a strong free economy; competitive enterprise and freedom can be killed by Government regulations; self-discipline and restraint are frequently forgotten by self-seeking citizens and politicians; human freedom can perish from well-meaning but misguided Government "help" and taxation.

My forecasts include: Much bitter partisan politics with "criticism for criticism's sake" for political advantage; liberals proposing spending schemes without regard for a balanced budget; conservatives of both parties realizing their ideological kinship, their combined lack of strength, and the frustration of partisan politics between parties themselves split.

Questions the future will answer: Is this a labor-socialist Congress? Can the President save the day by the veto? Will the veto be sustained or overridden? Will the public understand the respective jurisdiction of the administration and Congress and help direct the course of legislation? On the answers to these, as I see it, rest the "security and liberty" of this Nation and her people.

Finally, to Dallas County people at this Congress' outset, I pledge again to support consistently all earlier stated principles made during campaigns or in Congress and live up to the congressional oath stated above, so help me God.

Amending Federal Tax Laws

EXTENSION OF REMARKS
OF
HON. TORBERT H. MACDONALD
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Monday, January 12, 1959

Mr. MACDONALD. Mr. Speaker, I have today introduced a bill designed to close one of the largest and most inequitable loopholes that exist in our tax laws. Our Federal income tax law admittedly has many devices which have caused a serious erosion of the tax base. None is worse, however, than that loophole which I now wish to call to the attention of the House. I deplore any gimmick which permits one group to escape its just share of Federal tax obligations by shifting that tax burden to others. Our tax system, largely one of self-assessment, can survive only when justice is preserved as between taxpayers of the entire country.

The loophole to which I wish to direct attention today is that which permits giant, wealthy oil and gas companies to avoid hundreds of millions of dollars of taxes which should be paid to the Federal Government. I refer to that device in the Internal Revenue Code known as oil and natural gas depletion allowance. Under the present law, income for tax purposes may be reduced by 27.5 percent of the gross income from each oil and gas property, but not to exceed 50 percent of net income. For 32 years, oil and gas companies have benefited from this device at the expense of other taxpayers of the Nation. I think the time has come when Congress should no longer

pamper this giant industry. Tax favoritism and discrimination are always undesirable even when rates are low. Under present high levels, they are intolerable.

How did the oil and gas interests obtain favored tax treatment? It all started back in the days of World War I when income tax rates were greatly increased. Because of the skyrocketing cost of drilling as compared with prewar costs, Congress was persuaded to introduce a new concept into the tax law. This new concept was called "discovery value depletion," and was based upon the theory that it was unfair to limit the discoverer of an oil deposit to the recovery of his costs which were largely incurred prior to the war, when the purchaser of a proven field could recover the amount paid at war prices. Under the then existing law, oil and gas companies were allowed to recover tax free only their actual investment in depletable property. In this respect they were treated just like other industry is today. If private industry in Massachusetts, or any of the other States builds a factory to provide jobs for workers, they can recover only what is invested through depreciation allowances. Even though the property should subsequently increase in value, only what has been invested may be recovered. But this did not, and still does not, satisfy oilmen. They argued then that Congress should allow them to recover the value of the property after the discovery of oil, rather than their actual outlay. Congress went along with this in 1918. But soon great difficulty and much litigation ensued over methods of determining "discovery value." So, as a substitute, in 1926, Congress enacted the new concept of percentage depletion, which, as I have said, allows a deduction from income of 27.5 percent of the gross income from each oil or gas property limited by 50 percent of net income. The total investment may be recovered time after time, tax free. An investment of $1 million may be recovered many times over, as has been done often, with no taxes being paid on this 27.5 percent of gross income. I contend that it would make just as much sense to exempt 27.5 percent of the gross income of every actor, writer, athlete, movie star, doctor, or any other individual for that matter, who are daily depleting their creative and physical resources. Why should this special treatment be given to the largest and most wealthy corporations in our land today?

Let me emphasize this point. In classifying corporations for purposes of income statistics, the Internal Revenue Service has set up 14 categories of corporations according to the size of total assets. The highest, or 14th group includes corporations with assets of $250 million or over. In 1955, this group claimed two-thirds of all the depletion allowances taken by corporations.

I point out that, in addition to the billion dollar oil companies which benefit from percentage depletion, there are others who receive an allocable share of the deduction. I refer to lessors and royalty owners, often wealthy investors engaged in buying oil royalties from proven fields. Risks involved in oil exploration and production are sometimes cited in support of continuation of percentage depletion but certainly the buying of oil royalties from proven fields has very little risk indeed. The lessor of land on which oil is discovered usually exerts little effort or makes little contribution to a discovery; yet, he also is entitled to an allocable share of the deduction.

I may say in passing that those individuals and corporations who benefit from percentage depletion are, in effect, being subsidized by the other taxpayers of the Nation. It is a government subsidy over which Congress exercises no control. One result may well be overexploitation and waste, or exhaustion of our resources. It is my belief that normal profit incentives and the free price system are adequate to insure necessary supplies, especially where the demand for the product has nearly tripled in the last 25 years and certainly will continue to increase as more and more producing fields have been discovered.

One of the most unfortunate aspects of the legislative process develops when preferred treatment is once given to a favored group. Then others, reasoning by analogy, argue that they too should have similar preferred treatment. And Congress, instead of withdrawing it from the first, is caught in the illogic of its initial action, and extends it to a second group. Third, fourth, and succeeding groups likewise get a favorable hearing. This has been the history of percentage depletion. The oil interests have for years urged upon Congress this theory that incentives for exploration were necessary because of the risks involved and that oil was vital to our national security. In turn, the coal people argued that tax favoritism was being given to their principal competitor. Therefore, they needed relief. Now, no one will seriously contend that we are in need of additional coal fields. Estimates of available supply predict that we have enough coal for at least another 1,000 years. There is no immediate need for further exploration, nor is there current exploration. Even so, the allowance for coal is only 10 percent as compared with 27.5 percent for oil and gas. Actually, the oil industry productivity is far in excess of current demand and the exploration argument is shopworn and unconvincing.

It is my personal belief that a much fairer tax law would result if percentage depletion were entirely eliminated. Because now, not only oil and gas are legally entitled to it, but all mineral indusries receive it in varying degrees. The amounts vary from 5 percent, 10 percent, 15 percent, 23 percent, to 27.5 percent, the percentage allowed being determined to a degree by the amount of political pressure competing groups have been able to bring to bear on this body. If we could eliminate it altogether, we could add about three-quarters of a billion dollars annually to Treasury receipts.

I appreciate the fact that any proposal for the repeal of the entire idea would run into a wall of well-entrenched special interests with no possibility of passage. So, today I point out only the worst injustice and hope to appeal to those in this House who will work to correct this. I do not propose to eliminate the subsidy entirely, but seek rather to reduce the present amount from 27.5 to 15 percent.

On January 23, 1950, President Truman in his message to Congress stated:

> I know of no loophole in the tax law so inequitable as the excessive depletion exemption enjoyed by the oil and mining industries.

I want to point out that this charge was not altogether new to President Truman. President Roosevelt and his Secretaries of the Treasury long fought for the very proposal that I urge today. I must say, too, that the present administration has been less impressed with the necessity for action.

A study made by a recent Presidential Commission showed that the percentage depletion allowances taken by oil companies were 19 times as great as those which would have been allowed under cost depletion. A reduction from 27.5 to 15 percent, which I propose, would still allow these companies to write off 10 times the cost of their investment, so you can see that I can hardly be charged with being unfair to the oil and gas industry. I wish to repeat. It is not my purpose to deny oil and gas companies the opportunity to recover their investment, tax free, just as do investors in plant and machinery. But I do wish to hold that recovery to 10 times the investment instead of 19 times as can currently be done. Again, to repeat, an investor in my State who builds a factory to give jobs to workers, may recover in depreciation no more than his actual investment. Why should billion-dollar-oil companies be preferred, especially when small independent wildcatters do most of the exploring? The usual contribution of the major companies is the so-called pocketbook explorations where the major companies taking no exploratory risk, merely buy up the independent, together with his earned depletion allowance.

I would like to point out that in my opinion we cannot permit this kind of tax favoritism to continue. The result of large percentage depletion allowances of course greatly reduces the tax bill of the oil companies. However, oil companies can point to the tax law and say that they pay the same rates as all other corporations, namely 30 percent on the first $25,000 of taxable income and 52 percent on all over $25,000. That is true, but the effective rate is greatly reduced by the exclusion of large blocks of exempt income. Actually, most oil companies pay only one-third to one-half the rates that other corporations pay. For example, between 1947 and 1956, five big oil producers paid Uncle Sam only 5 percent of their total cash earnings. Five comparable industrial corporations paid 38 percent, or an additional 33 percent. A large number of producers pay not one dime in Federal income taxes, yet they report large net incomes and pay dividends to their stockholders. Obviously, there is a wrong here that needs correcting. I think that it is no coincidence that Fortune magazine found that more than a

third of the Nation's wealthiest individuals had made their fortunes in oil. This, at the tax expense of all other industries.

The President stated that he will submit a balanced budget to the Congress. There have been grave doubts expressed that revenues are likely to be as large as estimated by the President or that expenditures will be as small. It is my thought that the goal of a balanced budget is one greatly to be desired at this time. It would generally be favorable for the economy of the Nation. Since inflation is a specter that is to continue to haunt us, we should certainly do what we can to stop it. The reduction of the percentage depletion allowance to 15 percent will yield a substantial sum of tax revenue estimated by the Treasury Department to be about $420 million annually. This is obviously a large sum of money. In fact, it almost exactly equals the total 1958 tax collections from all sources within the Commonwealth of Massachusetts.

I wish to be as accurate as possible in my estimate of revenues to be obtained, and for that reason offer this brief explanation. The $420 million estimate given assumes a continuance of present prices and production, and no change in foreign tax credits. It appears likely that oil and gas companies may make some changes in prices if percentage depletion is eliminated. But these changes are not capable of statistical projection. If oil prices are raised, then the yield will be greater than I have estimated. If they are lowered, the yield will decline. Included in my estimate is some $95 million of additional revenue from foreign production. The Treasury fears that this increase will be largely dissipated through an increase in foreign tax credits. If this be true, then the net yield may be more in the neighborhood of $325 million. But I say to the Members of this House, that even in days of $80 billion budgets, we must not overlook the possibility of obtaining an additional third of a billion dollars, especially when the result includes greater equity in the tax laws for all our industries. This additional revenue could be used for tax relief for the small taxpayer. It could also be used to eliminate some of the excise taxes that are helping to strangle small business. The money might also be used for national health research programs; hospital construction or educational scholarship grants which are so needed.

To conclude, Mr. Speaker, enactment of my proposal will have the following desirable effects:

First. Help to close one of the largest loopholes that exist in our tax laws.

Second. Remove an inequity which is shocking both in its philosophy and its results.

Third. Add greatly needed revenue to contribute substantially toward a balanced budget.

Fourth. Reduce the probability of overexploitation and waste or exhaustion of a valuable natural resource.

Fifth. Make the availability of supplies dependent upon normal profit incentives and the free price system rather than uncontrolled subsidies.

Lincoln-Douglas Debates

EXTENSION OF REMARKS
OF

Hon. EVERETT McKINLEY DIRKSEN

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Monday, January 12, 1959

Mr. DIRKSEN. Mr. President, the year 1958 marked the 100th anniversary of the series of seven debates in Illinois between the Honorable Stephen Arnold Douglas, the then incumbent Senator, and Abraham Lincoln, a candidate for the Senate in that year. These debates provoked national interest, and every one of the seven communities where they were held fittingly commemorated this great event. It was my privilege to participate actively in three of these celebrations, and I submit for printing in the RECORD the address which I delivered at Freeport, Ill., on August 22, 1958, and at Galesburg, Ill., on October 7, 1958.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

THE MAGNIFICENT MISSIONARY

(Address by the Honorable EVERETT MCKINLEY DIRKSEN at the Lincoln-Douglas ceremonies, Freeport, Ill., August 27, 1958)

I. INTRODUCTION

Today in this inspiring communion, let me salute the magnificent missionary—Abraham Lincoln.

A missionary is one with a mission.

It is customary to think of a missionary as one who goes forth to propagate a religious faith.

Very naturally we think of Jesus Christ, of Buddha, of the Apostle Paul, of Mohammed, of Moses, of Francis Xavier, of Father Marquette, or others.

But a missionary can be more than this.

A missionary could be a dedicated group like the Crusaders. Or it could be an entire nation under a spirited leader.

The mission might be in any field of human activity.

The Roman emperors leading the legions of ancient Rome were missioners bent on conquest.

The French under Napoleon were missioners bent on world domination.

The Moors inspired by Mohammed were missioners intent on the destruction of all infidels, and that included all who did not embrace the doctrines of the Koran.

The first English in India were missioners seeking an expanding trade.

Every generation has had its individuals, it groups, its institutions, with a sense of mission in some field of human activity.

II. CIVIL MISSIONERS

Among the missionaries of mankind in the field of civil endeavor there is one who stands out above all others—that magnificent missionary—Abraham Lincoln.

He sought to propagate no religious faith.

He sought no conquest, like Caesar or Napoleon.

He neither sought nor exercised autocratic power.

He sought no material advantage.

He was a humble, common man, whose only weapons were an incandescent conviction, an unflinching zeal, an invincible logic and an unfailing sense of right and wrong.

III. THE MISSIONARY EMERGES

Not far from where we meet today, in the city of Bloomington, on May 29, 1856, the spirit of this great missioner emerged.

Two years before that date the repeal of the Missouri Compromise and also the new and hateful doctrine of popular sovereignty was breeding a strong revulsion in the land.

Heretofore the issue of slavery was essentially a policy problem.

In some quarters it was probably little more than an intellectual exercise.

When the meeting in Bloomington drew to a close, Abraham Lincoln was summoned to speak.

This was the occasion when he uttered the celebrated "Lost Speech."

The form and text may have been lost, but the spirit and the effect were imperishable.

This was the utterance which his partner, Herndon, referred to as the greatest of his life.

Until then, according to Herndon, the slavery issue had been argued on grounds of policy and not from the standpoint of eternal right.

But on this day Abraham Lincoln seemed newly baptized.

"From that day," wrote Herndon, "to the day of his death he stood firm in the right."

The smothered flame had broken forth.

A new sense of justice fired his energy.

His soul was now seasoned.

Abraham Lincoln had found his cross.

A new sense of mission was lighted.

The magnificent missionary had emerged here on the rolling prairies of Illinois destined to become one of mankind's greatest crusaders in a human cause.

IV. THE INTERIM YEARS

In that interim period between the emergence of the magnificent missionary and the time when the formal debates in this series began, not only the great moral issue of that day but also the zeal of Lincoln was being fueled.

In the presidential election of 1856 James Buchanan was elected.

In the territory called Kansas the clashes over the slavery issue were being referred to as war.

The unrestrained spirit of John Brown burst into murderous action like that of some "apocalyptical horseman of vengeance."

In that period came the amazing decision of the Supreme Court of the United States under the leadership of Chief Justice Taney in the celebrated Dred Scott case.

There came in that period a most extraordinary document called the Lecompton Constitution, under which one group expected that Kansas might enter the Union.

There was the fact of an election campaign for the United States Senate between Lincoln and Douglas and the development of sharp personalities between them as each sought a victory.

There was the fact of a growing interest beyond the boundaries of Illinois to give national significance to the contest between Lincoln and Douglas.

Thus in that period between the emergence of Abraham Lincoln's sense of mission at Bloomington 2 years before and the first of these debates at Ottawa on a hot Saturday afternoon in August of 1858, the spirit of the moral baptism was working steadily in the soul and mind of Abraham Lincoln.

V. THE MORAL LIGHT SHINES BRIGHTLY

In this great continuing discussion beginning at Ottawa and ending in Alton, few things were left undiscussed.

The debate embraced the Missouri Compromise of 1850, which sought to limit the extension of slavery.

It included the effort to repeal that compromise through the Kansas-Nebraska bill, which was piloted through a Senate committee by Judge Douglas.

It involved the Dred Scott decision in the Supreme Court of the United States.

It covered the personal life of the candidates.

But the moral issue was the overriding light.

It came in the very first discussion at Ottawa.

"I hold," said Lincoln, "there is no reason in the world why the Negro is not entitled to all the natural rights enumerated in the Declaration of Independence. The right to life, liberty, and the pursuit of happiness * * * in the right to eat the bread without the leavy of anybody else which his own hand earns, he is my equal and the equal of Judge Douglas and the equal of every living man."

Here was the beginning of the moral thunder which was to roll down through conflict, emancipation and victory.

On they went—these gladiators—from Ottawa to Freeport, from Freeport to Jonesboro, from Jonesboro to Charleston, from Charleston to Galesburg, from Galesburg to Quincy, from Quincy to Alton.

It was then mid-October.

Here then came the final discussion.

Slavery is wrong. It is wrong. It is wrong. The very word came tumbling from Lincoln's lips over and over.

"That is the real issue," said Lincoln in the final discussion. "That is the issue that will continue in this country when these poor tongues of Judge Douglas and myself shall be silent. It is the eternal struggle between these two principles—right and wrong—throughout the world."

VI. THE CONTAGION

Then as now editors and politicians, scholars and historians could interpret the debates as they saw and felt them against the backdrop of their own day.

It may be difficult to evaluate this great event by orienting oneself into that period and then looking backward into the past and forward into the future.

Two years before the debates the missioner had emerged.

Character and conviction had emerged.

A notion of the ultimate course which the country was to take and the moral concepts which must be asserted had emerged.

The missioner had found himself.

And so on and on he went.

The issue of principle was drawn.

It was the age old struggle of right and wrong.

At first it had to be tempered to reality.

Abraham Lincoln knew that he was dealing with an entrenched institution.

He knew he was dealing with a Supreme Court, with a Congress, and with a Constitution.

He knew that he was dealing with a divided land, with a people who were sharply divided.

He was dealing with friends and party associates interested in a political victory.

He was dealing with his own senatorial candidacy.

All these were realities.

And he knew that the people must be conditioned for this whole dose of basic moral principle and the struggle between right and wrong.

This was not a case for a thimbleful of gospel.

And as the conditioning process went on, so the conditioning of the spirit of Abraham Lincoln went on.

With it all there was the slow but inevitable contagion which developed.

The thousands upon thousands of people who attended or who read the accounts were caught up in the fervor of the occasion.

They were given a sustained chance to think, to meditate on the moral issue, and to separate the superficial from the genuine.

They had a chance to get a sharpened sense of the real issue and to reflect week after week upon the basic principle of human equality.

VII. THE ULTIMATE IMPACT

The ultimate impact of this series of debates can best be found in the utterances which came later.

On a cool November afternoon at Gettysburg in the year 1863, 5 years after the debate series came to an end there came those deathless words from the lips of Lincoln, when he spoke of a nation conceived in liberty and dedicated to the proposition that all men are created equal.

After 5 years the eternal truths rolled on and on.

Again, on a misty morning in the month of March 1865, in the Nation's Capital, as he stood to receive the oath for the second time, with all the agonies of carnage and death written on his rugged face and his furrowed heart, he could yet say, "It may seem strange that any man should ask a just God's assistance in wringing their bread from the sweat of other men's faces, but let us judge not that we be not judged."

Thus did a sense of mission which slowly incubated on these rolling prairies of Illinois become fashioned and shaped in these debates to carry on and on not only in the hearts of his countrymen but in the heart of a great, humble man, who to the very end dedicated himself to the spirit of what Thomas Jefferson wrote in the Declaration of Independence so many years before, when he said, where all could behold, "We hold these truths to be self-evident—that all men are created equal."

The magnificent missionary had executed the mission to which he was ordained.

ABRAHAM LINCOLN

(Address by Senator EVERETT MCKINLEY DIRKSEN at the 100th anniversary of the Lincoln-Douglas debate at Galesburg, Ill., October 7, 1958)

Ecclesiastes, so long ago remarked that "The thing which hath been, it is that which shall be and that which is done is that which shall be done; and there is no new thing under the sun." The past is prologue. And the past is tradition.

To the Thessalonians, Paul wrote, "Hold fast to the traditions ye have been taught." And what is tradition? It is the whole body of culture and beliefs, of usages and practices, of achievements and accomplishments, of personalities which come down to us from the past.

In the American tradition, shining majestically, there are the Pilgrims and pioneers, Valley Forge and Gettysburg, the Declaration of Independence and the Constitution. In it looming large are William Penn and Daniel Boone, Washington and Paine, Zenger and Marshall, Jefferson and Jackson. In it are faith and hope, tears and laughter.

And high in our tradition stands Abraham Lincoln. Can he be explained in any other way than that he was an instrument of divine destiny?

History is but the unfoldment of a divine pattern. This may be amusing in highly liberal quarters. If not this, it can only be materialistic drift. If there be a creative hand behind this universe, there must be a creative hand in its unfoldment and direction. Everything in it, sun, moon, stars, planets—their distances—the calibration so that people will neither freeze nor scorch to death—the procession of the seasons—man's subsistence—all rise to testify to the amazing adjustments in the universe to preserve life. And surely the creative force would not provide it all in such meticulous detail and then ignore its ultimate destiny.

But destiny does not unfold in a vacuum. It cannot be manifested without a vehicle, without an instrument. The light falling upon Saul enroute to Damascus to convert him into the world's great salesman was a divine hand reaching for an instrument. The voice from the heavens said to Ezekiel, "Son of man, stand upon thy feet and I will speak unto thee." Destiny was seeking an instrument. The servant of the Lord commanding Joshua to be strong and of good courage and giving him assurance and instruction was but finding an instrument for the unfoldment of history.

Abraham Lincoln standing before 15,000 people on a cold, raw, windy day in Galesburg 100 years ago today may not have seemed an instrument of an all-pervading conscience to carry on in a struggle which still besets our land a century later. How could a story teller be regarded as an instrument of destiny unless it be remembered that in a day when the vagaries of the mind were not too well understood, it is easy enough to perceive that the brooding mystic introvert can so easily conceal his introvert attributes in this understandable manner?

But consider this whole moral common man moving always godward, never too fast and never too slow, walking ever slowly but never backward.

In May of 1856 in Bloomington he delivered what came to be known as the Lost Speech. The form and text may have been lost, but not the spirit and the impact. For it was here that he received a new baptism. It was here that the moral, rather than the political or intellectual aspects of the slavery issue fired his soul and his cross was found.

Two years later, at Ottawa, it became the overriding issue for on that occasion he said, "I hold there is no reason in the world why the Negro is not entitled to all the natural rights enumerated in the Declaration of Independence, the right of life, liberty, and the pursuit of happiness * * * in the right to eat the bread without leave of anybody else which his own hand earns, he is my equal and the equal of Judge Douglas and the equal of every living man."

Here at Galesburg he said of his opponent that, "he is blowing out the moral lights around us when he contends that whoever wants slaves has a right to hold them." He continued, "I confess myself as belonging to that class in the country who contemplate slavery as a moral, social, and political evil having due regard for its existence among us and the difficulties of getting rid of it in a satisfactory way and to all constitutional obligations which have been thrown about it; but, nevertheless, desire a policy that looks to the prevention of it as a wrong, and looks hopefully to the time when as a wrong it may come to an end."

On they went in the discussion until at last, this far-reaching discussion carried them to the concluding debate at Alton. Over and over a word kept tumbling from Lincoln's lips. It was the word "wrong." And as they concluded, Lincoln said, "That is the real issue. That is the issue that will continue in this country when these poor tongues of Judge Douglas and myself shall be silent. It is the eternal struggle between these two principles of right and wrong through the world."

The moral contagion which Lincoln had created was spreading. At first, the moral issue had to be tempered to reality. He was dealing with an entrenched institution, with a Supreme Court, with a Congress, and with a certain concept of the Constitution. He was dealing with a divided land. He was dealing with people sharply divided. He was dealing with friends and party associates who were vitally interested in a political victory. He was dealing with his own candidacy. These were realities. Little by little, people must be conditioned for the whole dose of moral principle—wrong versus right. As the conditioning process went on, so the conditioning of his own spirit went on. The contagion was slow but inexorable.

Came that day in March 1861, when he took the oath as President of the United States. How careful he was with respect to the Constitution and the rights of the States.

How earnest were his entreaties to preserve the Union. Yet he never lost sight of the moral issue. "If the Almighty Ruler of Nations," he asked, "with his eternal truth and justice be on your side of the North or on yours of the South, that truth and that justice will surely prevail by the judgment of this great tribunal, the American people." And he continued, "Intelligence, patriotism, Christianity, and a firm reliance on Him who has never forsaken this favored land are still competent to adjust in the best way all our present difficulty." There was no word about slavery. He knew as none other knew what the ultimate solution would be.

On the first day of January in 1863 it is said that he first regaled the Cabinet by reading from one of the quaint and whimsical lectures of the current humorist, Artemus Ward. Then in a complete change of mood, he took from a drawer what turned out to be the Emancipation Proclamation. What a spectacular way to begin a new year. Having disposed of the details, he came to the final paragraph. "And upon this act, sincerely believed to be an act of justice, warranted by the Constitution, upon military necessity, I invoke the considerate judgment of mankind and the gracious favor of the Almighty God." That day there must have been unbounded joy in God's Heaven.

On a cool afternoon at Gettysburg in November of 1863, after the words of the orator of the day had faded into obscurity on the afternoon breezes, he came forth with only a few hundred words, but they were deathless. How easily and clearly he stated the issue—whether a nation conceived in liberty and dedicated to equality, can endure. There followed his appeal for a new dedication of the spirit and for a new birth of freedom. Justice and morality were marching and he was in the forefront, moving ever forward—not too fast to leave public confidence behind and not too slow to invite defeatism or to frustrate the unfoldment of a divine pattern.

Came that day in March 1864 when he stood before his countrymen again to take the oath as Chief Executive. Gettysburg was behind him now. The progress of the Union forces was more encouraging.

He might have become stern and less humble. He might have fulfilled the politicians' hopes and stated what he expected to do with the sister States still in rebellion. He might have threatened. But not so. There was no passion, no spleen, no politics. It was the instrument speaking. "If we shall suppose that American slavery is one of those offenses which in the providence of God must need come, but which having continued through his appointed time, He now wills to remove and that He gives to both North and South this terrible war as the woe due to those by whom the offense came, shall we discern therein any departure from those divine attributes which the believers in a living God always ascribe to Him?" What humility he concluded. "With malice toward none, with charity for all, with firmness in the right." There was that word again. Firmness in the right, the antithesis of wrong.

Consider finally Abraham Lincoln's last speech. It came in the evening of April 11, 1865, at the White House in response to a serenade. Lee had surrendered. There was jubilation in the land. Lincoln took the occasion to speak of the action of 12,000 voters in the State of Louisiana who had taken the necessary steps to return to the Union. Before discussing the details of the action taken by Louisiana and his obvious inclination to accept the action, even though defective in some particulars, he said to the serenaders, "In the midst of this, however, He, from whom all blessings flow, must not be forgotten. A call for a national thanksgiving is being prepared and will be duly promulgated."

Four days later, the assassin's bullet ended all that was mortal. The ages embraced him. The Lord's instrument had consummated his mission. How else shall one adjudge this exalted common man?

National Printing Week

EXTENSION OF REMARKS
OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 12, 1959

Mr. PUCINSKI. Mr. Speaker, I wish to call the attention to the fact that the mayor of Chicago, the Honorable Richard J. Daley, has designated the 7-day period beginning January 11 as Printing Week in our great city.

We of Chicago are not only grateful but indeed proud that our city is the printing center of the Nation and the printing industry constitutes one of our largest industries in Chicago.

While this Nation from time to time frequently pays tribute to the various industries of America, it is my opinion that the development of printing has been one of the most effective contributing factors in the development of our democratic process and we, as Americans, should be grateful to the men and women occupied in this highly skilled trade and to the foresight of those great Americans who have helped develop this industry. We, as a nation, proudly proclaim that our democratic processes have survived because our people are the best informed people in the world. I doubt there will be any dissenters to the statement that, without the phenomenal development of the printing industry in this country, we, too, would suffer the intellectual darkness that still plagues so much of the world.

I should like to call attention to the fact that in my city, the Chicago Allied Printing Trades Council, with its executive secretary, Mr. Henry Coco, has done much to raise the standards of the printing industry, and it is through the dedicated work of organizations such as the council that this Nation has been able to make extraordinary progress in improving the printing industry.

In tribute to the thousands of Chicagoans who loyally serve the printing industry daily and because this industry is so important to all Americans, I have introduced the following resolution which I hope will receive speedy approval:

H.J. Res. 25

Joint resolution designating the seven-day period beginning January 11, 1959, as National Printing Week

Whereas the printing industry has a large measure of responsibility for the advancement and dissemination of science and culture in our Nation and throughout the world; and

Whereas the printing industry in Chicago ranks highest among all printing centers in production volume; and

Whereas the printing industry in Chicago surpasses all other industries in the number of separate manufacturing establishments, number of employees, and amount of wages paid; and

Whereas, through the printed word and the growth of America's printing industry, the population of the United States of America is composed of the best informed people of the world; and

Whereas January 17, 1959, will be the two hundred and fifty-third anniversary of the birth of Benjamin Franklin, the father of American printing, and the week of January 11 through January 17, 1959, will be marked by appropriate commemorative ceremonies throughout this continent in public, private, and commercial institutions, with particular emphasis upon the progress of printing and allied crafts: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the seven-day period beginning January 11, 1959, and ending at the close of January 17, 1959, is hereby designated as National Printing Week in honor of the printing industry and its contributions to progress. The President of the United States is authorized and requested to issue a proclamation urging the people of the United States to be mindful of the industrial, educational, cultural, and spiritual contributions which the art of printing has made and is making to the life and progress of mankind.

Tax Deduction of Expenses for Transportation To and From Work

EXTENSION OF REMARKS
OF

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, January 12, 1959

Mr. CURTIS of Missouri. Mr. Speaker, I have introduced today a bill designed to allow a deduction for income tax purposes, in the case of a disabled individual, of expenses for transportation to and from work.

My bill would allow a disabled individual to deduct from gross income in arriving at adjusted gross income expenses up to $600 a year for transportation to and from work. For purposes of this provision, the term "disabled individual" is defined to mean an individual who has lost the use of a leg, or both legs, or of both arms, to such an extent that he is unable during the entire taxable year to use, without undue hardship or danger, public transportation as a means of traveling to and from work.

In my opinion, Mr. Speaker, the deduction proposed by my bill would be a real boon to those disabled citizens who need a boost to help themselves to be useful and productive citizens.

The bill follows:

A bill to allow a deduction for income tax purposes, in the case of a disabled individual, of expenses for transportation to and from work

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to additional itemized deductions for individuals) is amended by redesignating section 217 as

section 218 and by inserting after section 216 the following new section:

"SEC. 217. Transportation of disabled individual to and from work.

"(a) General rule: In the case of a disabled individual, there shall be allowed as a deduction, expenses paid during the taxable year for transportation to and from work to the extent that such expenses do not exceed $600.

"(b) Disabled individual defined: For purposes of subsection (a), the term 'disabled individual' means an individual who has lost the use of a leg, or both legs, or of both arms, to such an extent that he is unable during the entire taxable year to use, without undue hardship or danger, a streetcar, bus, subway, train, or similar form of public transportation, as a means of traveling to and from work."

(b) The table of sections for such part VII is amended by striking out

"Sec. 217. Cross references."

and by inserting in lieu thereof the following:

"Sec. 217. Transportation of disabled individual to and from work.

"Sec. 218. Cross references."

(c) Section 62 of the Internal Revenue Code of 1954 (relating to definition of adjusted gross income) is amended by inserting after paragraph (6) the following new paragraph:

"(7) Transportation of disabled individuals: The deduction allowed by section 217."

SEC. 2. The amendments made by the first section of this act shall apply only with respect to taxable years beginning after December 31, 1955.

Introduction of Bill To Remove Dual Employment Limitation in Employment of Retired Officers of the Uniformed Services in Civilian Positions in the Federal Service

EXTENSION OF REMARKS
OF
HON. JOHN F. BALDWIN, JR.
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, January 12, 1959

Mr. BALDWIN. Mr. Speaker, on Wednesday, January 7, 1959, I introduced a bill, H.R. 701, the result of which will, if enacted, make available to our Government highly trained and loyal citizens to serve our country in civilian positions under our Federal system. I refer to the opportunity we shall then have of employing some retired officers of the uniformed services in civilian positions in our Federal services who are presently barred from such employment.

Under present laws, most career retired officers of our uniformed services are entirely barred from employment by the Federal Government in civilian positions, while many others, when employable, are so severely restricted in accepting such positions as to render it impossible for them to accept such employment. Reference is made to the so-called Dual Employment Act of 1894 (act of July 31, 1894; 5 U.S.C. 62) and the restrictions contained in the Economy Act of 1932 (sec. 212 of the act of June 30, 1932; 5 U.S.C. 59(a)).

Under the Dual Employment Act of 1894, commissioned officers of the regular services are not employable by the Federal Government in civilian positions if their retired pay exceeds $2,500 per annum, unless retired for physical disability or elected to office or appointed thereto by the President with Senate confirmation. Thus, almost all retired officers of the regular military services are barred from employment by our Government, if they have not been retired for physical disability. Under this law, they may not even waive their retired pay to thus serve their country since the statute simply bars them from any civilian employment by our Government. Recently, General Quesada found it necessary to resign his earned retired status in order to serve the President of the United States in an appointment which did not require Senate confirmation.

When retired officers are employable in civilian positions under the Federal Government, unless they have been retired for physical disability as the result of combat wounds or the explosion of an instrumentality of war, they may not, under the provisions of section 212 of the Economy Act of 1932, receive a total compensation of more than $10,000 per annum. If they are employable and the compensation of the civilian position exceeds $10,000 per annum, they may waive their retired pay during their incumbency in the civilian position. Those retired for combat wounds or the explosion of an instrumentality of war may keep both their retired pay and the pay of the Federal civilian position. Prior to 1932 all retired officers who were employable by the Federal Government received both their earned retired pay and the pay of the civilian office.

It should also be noted that these restrictive provisions do not apply to retired members of the Reserve components of our armed services. For many years, under appropriate legislation, it was established that members of the Reserve components of our Armed Forces would not be in any way restricted in their civilian pursuits, including employment by our Government. That provision has been reenacted and made to apply, generally, to all members of the Reserve components in the Armed Forces Reserve Act of 1952, which became effective on January 1, 1953. Nowadays, we have career retirement for reservists as well as for regulars. In addition, reserve officers now serve on long periods of active duty. It is entirely appropriate that they should be entirely free from restrictions in their employment opportunities like other citizens. We should have comparable legislation excluding retired officers of the Regular services from such restrictions, thus making all retired officers of the uniformed services available to the Government for civilian employment where the best interests of the country require such employment. Furthermore, such officers should be entitled to receive both their retired pay, which they have earned in active service in the Armed Forces of their country, and whatever civilian compensation may attach to any position under the Federal Government in which they may be employed.

The present situation has a twofold detrimental effect. It renders impossible employment of competent and available retired officers, highly trained and experienced in important fields of Government activity, at a time when their service would be greatly beneficial in the defense effort. It also deprives these officers of the opportunity of employment by their Government in civilian positions to which other citizens of the United States are eligible. It relegates these loyal military servants of the Government to a position of second-class citizenship.

Retirement laws, applicable to the armed services, properly provide that some officers be retired from the top of each rank each year and for enforced retirement upon the attainment of certain maximum allowable ages in each rank. This has been found essential to maintain the officer personnel of the services at the highest possible state of proficiency, both professionally and in physical health. It does, however, result in the loss of service to the Government of substantial numbers of highly trained, loyal and efficient officers whose services could and should be used in other governmental agencies. Yet far from planning for such use, especially in these times when we should be utilizing our available manpower to the best advantage in the defense effort in which we are now engaged for our very survival, there exist these outmoded and restrictive dual employment and dual compensation laws, which should be amended to make this potential source of manpower available to our national use. In this respect, it should be asked, Do our international competitors similarly bar themselves from the use of their trained military officers? The question suggests its own answer.

There is a mounting opinion, among those who are aware of this situation, that our present policy is wasteful in manpower and wrong. I am sure that Members of the House will wish to see the existing restrictions against the employment of retired career commissioned officers removed. That is what my bill, if enacted, will accomplish.

Washington Report

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, January 12, 1959

Mr. ALGER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include my newsletter for January 17, 1959:

WASHINGTON REPORT
(By Congressman BRUCE ALGER, Fifth District, Texas)

Organization of the House membership topped the week's proceedings. All Members

are assigned to permanent committees which by subject consider pending legislation. The majority party (Democrat, 283 Members) and minority party (Republican, 153 Members) membership ratios are decided by the House leaders so that the majority party clearly controls each committee numerically. The committees (alphabetically) are: Agriculture, Appropriations, Armed Services, Banking and Currency, District of Columbia, Education and Labor, Foreign Affairs, Government Operations, House Administration, Interior and Insular Affairs, Interstate and Foreign Commerce, Judiciary, Merchant Marine and Fisheries, Post Office and Civil Service, Public Works, Rules, Space, Un-American Activities, Veterans' Affairs, and Ways and Means.

The Ways and Means Committee (15 Democrat, 10 Republican limit) has jurisdiction over the fields of taxation, trade and tariffs, and social security, and is considered a choice committee. On the Democrat side this committee also names the Democrats to the other committees. I am honored indeed to be nominated to this important committee, although I shall miss the Interstate and Foreign Commerce Committee with its interesting transportation problems, and where I had progressed to the eighth seat.

The Chance Vought Regulus II contract termination prompted by pre-Christmas inquiry of the Secretary of Defense whether a void was created in our defense posture. The answer from Vice Admiral Pirie gave two general explanations: (1) "Regulus II missions will be reassigned to carrier heavy attack aircraft" (isn't this a backward step?); and (2) "the accelerated Polaris is scheduled to become operational in quantities at approximately the same time Regulus II was originally scheduled." Suspicion that there may indeed be a gap or void of many months up to several years not having been answered, I have asked other questions of Admiral Pirie and the Secretary of Defense. Surprisingly enough, no mention was made of economizing in the defense budget as a reason for contract termination.

As I see the Congressman's it is twofold (now that contract termination has focused attention to defense efforts within the Fifth District of Texas). First, as a Federal representative, it is important that I take my part (representing my constituents) in helping to provide the best defense for the money spent. Second, it is my duty, as I see it, to help inform my constituents so they may better understand the defense problems, and this requires Defense Department explanation, particularly in view of worker layoffs and the spending of taxpayers' money on weapons. A temperate but conscientious effort to understand is necessary, not complacency or blind acceptance of the military's decisions, no matter how able the military men making the decisions. As an economy-minded Member of Congress with voting record to match (assuming that economizing played a part in Regulus II termination) I do not intend that we sacrifice our defense needs unnecessarily while we blandly spend more on social programs. I shall not fail to accept my responsibility to the Defense Department and to my constituents. In that spirit I intend to press this inquiry.

An additional judgeship for the northern judicial district is sorely needed and I presented a bill to accomplish this, as an emergency and exceptional case. The three judges of the northern district, Judge Whitfield Davidson, Judge Joe Estes, and Judge Joe Dooley, averaged 612 new civil cases docketed in fiscal 1958 as compared to the nationwide average of 273. Further, Judge Dooley's recent accident, a broken hip, will remove him 5 or 6 months. Truly, a desperate situation. It is my hope that Congress will consider this nonpolitically, as an exceptional case, rather than get into a wrangle and delaying action over who will appoint the 45 judges needed across the land—a Republican or Democrat President.

Operation abolition of the Un-American Activities Committee spearheaded by JAMES ROOSEVELT and other avowed liberals may have been stalled by the valiant and factual work of Chairman WALTERS and Committee Members SCHERER, JACKSON, and DOYLE. It seems that a gigantic effort has been planned to discredit this committee of Congress and J. Edgar Hoover. You would think the Communist conspiracy a patriotic American movement rather than a dedicated effort to overthrow our Government and enslave our people. This also brings to mind the gala reception for Mikoyan, a leader in this worldwide conspiracy whose chief target is the United States. Why should anything beyond the barest diplomatic protocol arrangements be accorded him?

A balanced budget, the spending of no more by the Federal Government than we take in, shall be my continued interest as it has for the last 4 years. For the sake of everyone, the dollar must not be cheapened. The President promises to point the way in his budget message. Let's all get behind this effort.

JANUARY 17, 1959.

Dr. Felix J. Underwood

EXTENSION OF REMARKS
OF
HON. FRANK E. SMITH
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Monday, January 12, 1959

Mr. SMITH of Mississippi. Mr. Speaker, Dr. Felix J. Underwood, who contributed more to Mississippi than any other Mississippian during my lifetime, passed away on Friday, January 9. Although Dr. Underwood had officially retired last June as head of the Mississippi State Board of Health, he was still hard at work in his office when death came so suddenly.

Dr. Underwood left private practice to enter the public health service in 1917.

I can never care for more than 2,000 or 3,000 people as a private physician—

He said.

As a public health physician I can care for millions.

Dr. Underwood's own career proved this to be literally true. It was a popular saying in Mississippi that he had saved a million lives. During his administration deaths from malaria were cut from nearly 1,000 annually to less than 1 per decade. Maternal deaths were reduced from 7 for each 1,000 live births to slightly more than 1. Tuberculosis deaths dropped from 4,000 a year to rare cases. Venereal disease is down 93 percent.

Dr. Underwood received the Laska Foundation Public Health Service Award and many other tributes for his great work in the health field. I was especially pleased by the fact that in the year of his retirement the editors of my State voted him the man of the year in Mississippi for 1958.

Under unanimous consent, I would like to include as part of the RECORD, first an excerpt from my book "The Yazoo River," which describes some of Dr. Underwood's work in the Mississippi Delta, and an editorial from the Clarksdale Press Register and from the Memphis Commercial Appeal:

EXCERPTS FROM "THE YAZOO RIVER"

(By Hon. FRANK E. SMITH of Mississippi)

A few farsighted individuals began to protect themselves and their homes from mosquitoes after the Gorgas discoveries became known, but relatively little was accomplished that was not already foreordained in the interest of personal comfort—protection from the bite of the mosquito, not its consequences. The first real attack on malaria made in the delta came only after 1920, when a young man from the hills came down to Jackson to become director of the Mississippi Department of Public Health. Felix J. Underwood and the miracles he has accomplished on a threadbare budget are something of a legend in American public health services, but there is no better record than his attack on malaria in the delta. His first job was to persuade the counties to set up proper public health departments as a means of spreading health education and preventive practices. The people had to be taught that the mosquito bite brought malaria and that the mosquito could be controlled by eliminating his breeding areas. The 1920's were a period when Federal Government agencies were a long way from the idea of major health expenditures in Mississippi; Dr. Underwood had to get his pump-priming money from the Rockefeller Foundation.

Dr. Underwood was convinced that most malarial transmissions were made by night-biting mosquitoes. Homes could be screened to keep the mosquito away from sleeping victims. More than just telling about this, the State board of health established screen-door factories at strategic points in the delta. Strong screen doors were made to fit tenant houses and furnished at cost to plantation owners who would agree to screen the cabin windows, which could be done by merely tacking screen wire across the window casings.

During much of the early period of the delta's history, many of the largest life insurance companies in the country came into the area only for investment purposes. Farm mortgages produced a good income, and eventually financing of farm operations became part of the overall insurance investment program. Some of these same life insurance companies would not write policies on delta citizens because of the high malaria mortality and other adverse health conditions. In the late 1920's the State board of health submitted the first survey of the accomplishments of the malaria control program, and the insurance companies decided they could take the risk on deltans. Today all special area rate discriminations have been eliminated.

The depression knocked out Dr. Underwood's screen funds, as well as his cooperating planters, but the depression-born WPA offered him a chance for an even more extensive program. For 7 years, beginning in 1935, a malaria control program emphasizing elimination of mosquito breeding places was in operation, with approximately 1,000 WPA workers assigned to the project in the Yazoo-delta area.

WPA ended with World War II, but the war-borne development of DDT as an anti-malarial insecticide brought dividends to the delta. A Federal malaria control program was carried on 5 years after the war. Dr. Underwood allotted all of Mississippi's share of this program for the mass use of DDT as a residual spray in the interior of substandard homes in the delta. The Federal program has been ended, but many delta counties and cities today still carry on a limited spraying program in some fashion, with generally popular results.

The residual spray program, like most of the other malarial control measures, had very important secondary benefits. The spray killed flies and other pests just as it killed mosquitoes. In one county the infant death rate dropped 64 percent, largely as a result of the practical elimination of dysentery and other intestinal disorders.

Cold figures best tell the story of the antimalarial campaign which the Mississippi State Board of Health has led. In 1920 there were 65,271 reported cases of malaria in 17 delta counties, with death resulting in 477 cases. In 1951, in the same counties, with much better reporting facilities, there were only nine cases of malaria, with no deaths.

The delta feels sure that it has licked malaria, but Dr. Underwood is still on the alert. Malaria is still endemic in the area, and there is always the chance of more aggressive forms of it being brought in by returning troops. The development of rice planting is going to offer opportunities for increased mosquito breeding. Dr. Underwood and his board of health will be watching.

[From the Clarksdale (Miss.) Press Register, Jan. 10, 1959]

DR. FELIX J. UNDERWOOD

The death late yesterday of Dr. Felix J. Underwood, 75-year-old "retired" executive officer of the Mississippi State Board of Health, took from the scene a dedicated public servant.

Dr. Underwood's entire life stands as an enduring monument—a credit to the man, to his profession, and to the people of the State he dearly loved and served with an unselfish devotion.

We use the term "retired" in quotes to describe him, because for a man like Dr. Underwood there could be no such thing as retirement as long as there were battles to be fought in man's never-ending struggle with disease and death. The only kind of retirement possible for him came yesterday when he died suddenly while hard at work in an office which he no longer officially held.

For 10 years after graduating in medicine in 1908 Dr. Underwood practiced at Aberdeen, Miss., growing dissatisfied with private practice because he could "never care for more than a few thousand people." So he joined the State health board in 1917, becoming executive head 7 years later at a time when mass killers and cripplers like typhoid, malaria, dysentery, pellagra, infantile paralysis, and other mass infectious diseases still stalked Mississippi like the Horsemen of the Apocalypse.

Under his leadership in public health maternal deaths were reduced from 7 to 1 in every thousand births. Where malaria once claimed a thousand lives a year, there is now scarcely more than one case every decade. Swamps were drained and people educated to screening and sanitation under his guidance. Working with the late, great Dr. Henry Boswell he played his part in developing the sanitarium, and tuberculosis no longer claims 4,000 Mississippians every year. Venereal disease has been reduced 95 percent in the past 30 years, and pellagra, typhoid, and infectious dysentery are almost unknown to this generation.

Much recognition but little material reward came to Dr. Underwood. He passed up many opportunities to improve his own position in order to fight the good fight for the general health of the people of this State.

Just last month Dr. Underwood was properly honored as man of the year in Mississippi for 1958, and next week he was to receive one of the first annual awards for distinguished service to the State, presented by the First Federal of Jackson Foundation and administered by the University of Mississippi.

Any recognition extended to Dr. Felix J. Underwood, the man who saved a million lives, was more than deserved.

[From the Memphis Commercial Appeal]

DR. FELIX J. UNDERWOOD

On the roster of those who have rendered invaluable service to the people of Mississippi in particular and the Nation in general the name of Dr. Felix J. Underwood will stand very high. When he retired, last June, as executive officer of the State board of health he had held that post for 34 years and had won the right to be called the man who saved a million lives.

Dr. Underwood had battled unceasingly against ailments such as typhoid, malaria, and diphtheria until their ravages among the people of Mississippi had been reduced to a minimum. He was of great aid to the late Dr. Henry Boswell in developing Mississippi's highly effective campaign against tuberculosis. In fact, anything that affected the public health was his concern so that he became outstanding in that field.

In addition to his immediate duties, Dr. Underwood worked with professional organizations and had been president of State, regional, and national associations. He was physician to a nation, that is to say.

It is good to know that United Press International newspaper, radio, and television editors had named Dr. Underwood Mississippi's man of the year for 1958 last month. He had also been selected to receive the University of Mississippi's "Missy" Award for Distinguished Service.

Dr. Underwood so employed his talents and energies that he left the world a far better place than it would have been without him, and the fact is an epitaph among the finest.

Speech of Hon. Hale Boggs, of Louisiana, at Constitution Day Ceremony

EXTENSION OF REMARKS

OF

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 12, 1959

Mr. BOGGS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following Constitution Day speech I made before the Sons of the American Revolution, New Orleans, La., September 17, 1958:

Mr. Chairman, distinguished guests, ladies and gentlemen, it is a great pleasure and privilege to be invited to participate in this Constitution Day ceremony here in the council chambers of our city hall. I congratulate all of the wonderful civic, patriotic, and fraternal organizations who have made this occasion possible. I am pleased, if you will pardon a personal reference, to be numbered among the members of quite a few of the sponsoring organizations here today.

I am glad that you are meeting here at the seat of local government. The very essence of our Constitution is in its recognition of the various areas of sovereignty, and the government which is encouraged most under that system is local government because it is closest to the people and thus has a fuller appreciation of their problems, needs, and difficulties. We have seen too many efforts made by too many people, especially during the last 50 years, to chip away local authority and to move it to the Capitol in Washington.

Some time ago, one of the great American television networks made its facilities available to the blustering present-day leader in the Kremlin, Mr. Khrushchev. Utilizing this opportunity, he had much to say. Among other things, he told the American people that our grandchildren would live in a Socialist society. Socialism to him, of course, meaning Russian communism. He based this prediction on his assertion that this Russian communism represented progress and that our system represented reaction and the lack of progress. This prediction of the loss of liberty for all Americans will not come to pass, unless we forget the lessons of history and unless we fail to understand the overall struggle in which we are now involved.

To say that Mr. Khrushchev's premise is false is, of course to repeat the obvious. In my judgment, there can be no doubt about the fact that the men who drafted our Declaration of Independence, our Constitution, and our Bill of Rights were divinely inspired because they confected a system of government with precise checks and balances; of division of authority between State and Federal sovereignties, and between the executive, the legislative, and the judicial branch in the Federal structure which was not only to become the model for all democratic peoples throughout the world, but was also the most revolutionary system of government ever invented.

The Communist system, on the other hand, Mr. Khrushchev's system, is pure reaction. The Russian revolution simply substituted one form of serfdom for another. Some of you, no doubt, have read the book entitled "The New Class," written by Milovan Djilas, the Yugoslav Communist who is now in prison. There he points out the rise of a vicious new class system under communism. The American Revolution, on the other hand, actually gave people the opportunity to strive and to work in an atmosphere of maximum security and freedom and without the stultifying impediments of the class-ridden societies of Europe, or the heavyhanded interference of a ruthless central government.

This essential freedom, made possible by the American Revolution and the American Constitution, accounts for the greatness of America. But to fail to recognize the dangers we face would be inviting destruction.

And, frankly, my friends, the thing that worries me about Mr. Khrushchev's challenge is that we, like many people who have preceded us, may be becoming too self-centered, too self-satisfied, too complacent. As wrong as the Communist idea has been, they have nevertheless succeeded in obtaining dedicated people to work for that wrong idea. Believe me, we need more dedicated people.

The idea that nations are permanent, that they cannot be vanquished, is one which has never been proved in history. What happened to Rome and Greece is well recorded in ancient history, and, in more recent time, we have seen the end of empires dominated at one time or another by the Dutch, the Spanish, the British, the French, the Germans, and the Japanese.

As a matter of fact, today as if by some omnipotent magic, the stage of the world has been stripped of all but two titanic actors: the Soviet Union and ourselves. It is against this background that we must ponder the future and take stock of our weaknesses as well as our strength. And, believe me, we do have many weaknesses. Some of them all of us are aware of.

In a sense, I believe that most of us are influenced by what might be called the installment plan mentality. This mentality dictates that you yourself never have to do anything for yourself, provided you make a small downpayment and pay the rest on easy terms, stretching into a vague but always rosy future.

Or, put another way, we are the victims of what is called the easy way. We see this

every day all about us. Turn on your television set. Like as not, you will see an ad of a housewife in a kitchen holding a greasy skillet that within a second or two, and without any exertion on her part—merely through the application of some miracle cleaner—the skillet is brand new and shines like the sun. This easy-do-it philosophy is applied to everything.

Other advertisements tell young men and women that they can acquire the equivalent of a college education if they but buy a set of books (on the installment plan) and look at them a few minutes every day; that you really don't have to work hard to get an education.

In other words, there is always some shortcut.

Unfortunately, we have translated this so-called easy way into our national thinking and into our foreign policy. We want an easy Defense Establishment, one that does not require too many dollars, or too many hours of training, or too much research, or too much study and experimentation, or too much time, or too many young men.

We seem also to suffer from an obsession of being in a hurry. In the conduct of foreign policy, we seem to think that we can get each job done like constructing a building and then turn to some other project. The idea of patient, time-consuming negotiations seems to elude us completely. On the other hand, our antagonists unfortunately seem to understand time. To give you but one example:

During the First World War when the Germans had defeated czarist Russia, and Lenin had begun the Russian revolution, the Germans through the Treaties of Bucharest and Brest-Litovsk, practically dismembered Russia, so great were their seizures of former Russian, Polish, and Finnish territory. Because of this many Russians wanted to resume war with the Germans. But Lenin forbade it. "Let the Germans have it," he said quietly, "one day we'll get it all back."

If time is of the essence to us, it is not necessarily of the essence to our antagonists. If we like to set target dates and keep them at whatever cost in diplomacy, our antagonists are unconcerned with them. And, I might add, neither is destiny concerned with target dates.

We are in a marathon contest with people to whom the marathon distance is congenial. We must, therefore, learn to contain ourselves lest we become exhausted before the race is half run. We must revise our attitudes toward time. We must think less of target dates and more of the long-range goal. We must find ways to be patient. All of this is difficult. But it is not written in the stars that our lives should be easy or that we should always live with our way uncontested by others.

Let's note another of our traits. When we are facing a concrete objective, such as fighting a war, we bring to the struggle whatever may be necessary for victory. But once the objective is achieved, once the war is over, and other qualities must come into play in order to win and to keep the peace, we falter.

Once the war is over the qualities necessary to winning and keeping the peace are patience, tact, conciliation, compromise, and above everything else—tenacity. Here we fall short. After the First World War these qualities did not assert themselves among us and so there was set in motion the train of events that led to the Second World War.

But scarcely had the guns of the Second World War stopped firing when, despite all our talk about sticking it out, we did not even hastily demobilize. We hysterically disbanded the mightiest fighting force men had ever known. We abandoned or shoved into the sea billions of dollars' worth of military equipment. And in doing all this we not only left vacuums that others rushed in to fill, we also presented to the world the disquieting and revealing spectacle of a people who knew how to do a job but did not know how to complete a task.

If these are our attitudes, are they likely to fill others whom we must have as friends and allies, with confidence in our leadership?

The easy way, unfortunately, has even been translated into our educational system. We have found ourselves falling back in training scientists and technicians, engineers, and physicists. We realize now that there is no easy way to get these people, that there is no substitute for hard work, hard study, and long hours.

Unfortunately, somehow or other, we have even failed to translate the picture of America to the rest of the world. No nation has ever been more generous and asked for less in return. During this century we have fought two tremendous wars and not only have we not acquired 1 inch of territory as a result thereof, but we have spent billions of dollars to rehabilitate our former enemies. We have encouraged the new nations in their struggles for self-expression and self-determination all over the world.

As a matter of fact, not a new flag flies under the sun today that in some way does not owe at least part of its liberty to the great American Revolution with its Declaration of Independence, its Bill of Rights, and its Constitution. And yet, we are unfortunately being portrayed to the world as a Nation of complacent people interested only in the accumulation of wealth and greater comforts.

In the Middle East, for example, the whole concept of freedom and liberty is the result of our people—our engineers, our businessmen, our missionaries, our American university in Beirut. The great progress made there against poverty and disease is largely the result of our work. And yet, today in that area of the world, we are pictured as greedy and grasping, interested only in exploiting the oil riches and totally unconcerned with the needs of the people.

The record of American largess and of concern for other peoples is a long and a magnificent and a glorious one. There are countries in the world where millions of people have been saved from pestilence by the work of our Government and by the work of private American institutions.

In Thailand, for instance, the dread malaria has almost been eliminated, and in Colombia the frightful and painful disease of yaws has been wiped out in a few years. The same applies in countless areas. And yet, we have demonstrations against our Vice President and other public officials in some of these countries. This means, as I see it, my friends, that we are failing dismally to portray America as it really is to other peoples of the world—to give the real picture of life on our farms, in our towns, and in our cities, and how we as Americans do more to help one another in everyday life than probably any people on the face of the earth.

But you see, the battle for the minds of men is every bit as important as the military struggle and in this arena as in others, there is no easy answer, no quick solution.

I was amazed and astonished by the recent polls conducted by Dr. Gallup which indicated that in the opinion of most Americans it is thought that the average return on the average corporate investment runs 20 to 30 percent. Even more astonishing were surveys conducted outside of the United States which showed people in Montevideo saying that the average investment yielded 60 percent and people in Western Europe using figures as high as 47 percent. This demonstrates that American business, in general, has a real job of public relations to do!

Certainly, this is the result of the Communist Party line that free enterprise means tremendous profits for a few people without passing on a fair share of earnings to the workers. This nonsense must be counteracted with the truth, not only in the United States but throughout the world.

What are the cures? Well, as the saying goes, the following are for sure:

We must adopt a longrun view of world affairs. The race is not always to the swift.

We must accept struggle and peril as part of our daily portion.

We must possess ourselves in patience.

All this may require a substantial transformation in our temperament. We are impatient. But our potential enemy is endlessly patient. Many of his ambitions of today were his ambitions 400 years ago.

The price of freedom has always been high. It was high at Valley Forge and Lexington. It was high at the Marne in 1914. It was high in France in 1944. But the price of defeat is death and slavery.

If the price of freedom is eating hoecake and molasses, I am for that.

If its price is hoecake and branch water, I am for that.

We must elect to be wise or foolish; to vacillate or persevere, to survive or perish.

Finally, we must have a genuine appreciation and understanding of American liberty and freedom; we must as individuals dispel by word and example, wherever we go, the clever Communist propaganda directed deliberately against us; and we must realize that our society will not survive unless we will it so; that our Constitution as great as it is will only survive as long as the people are dedicated to its principles.

Tax Credit for Education

EXTENSION OF REMARKS
OF
HON. THOMAS B. CURTIS
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Monday, January 12, 1959

Mr. CURTIS of Missouri. Mr. Speaker, I have introduced a bill today to amend the Internal Revenue Code of 1954 to allow a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education.

The increased financial burden is a major barrier to the student's education. This bill is designed to encourage many parents to reappraise their financial ability to pay the costs of a child's education, so that more children can avail themselves of our country's rich educational opportunities.

The basic features of my bill which I believe to be sound in terms of fairness to the taxpayer and of service to the national interest are the following:

First. The bill would apply only to higher education—that above the 12th grade—including colleges, graduate schools, professional schools, junior colleges, technical institutes, teachers' summer courses, and the like.

Second. The payments involved would be only those made to educational institutions which meet the tests for special tax treatment under the present income-tax laws.

Third. In order to eliminate any possible feeling that the bill would discriminate in favor of taxpayers in higher brackets, it would provide that 30 percent of the student fees would be taken

as a tax credit on the tax bill. Thereby the cost to the Government would be approximately the same as if the student fees were made deductible, but the relief to all taxpayers would be the same regardless of their tax bracket.

Fourth. A ceiling of $450 for each student would be placed on the amount of the tax credit. This would mean that that portion of any tuition above $1,500 per year would not result in any further tax credit. It would be hoped that this ceiling would be sufficient to cover the tuition charges for graduate and professional education as well as for that at the college level.

Fifth. There would appear to be no occasion for limiting the taxpayer entitled to receive the tax credit to any particular relationships with the student. The neighbor or employer of a promising but financially poor boy or girl frequently proposes to pay his or her tuition to make higher education possible, provided the tax payment can be made deductible, but this is difficult under present laws. It would be expected that the tax credit plan would bring out more funds in the nature of scholarships to those unrelated to the taxpayer but in whom the taxpayer has some philanthropic interest.

Sixth. No tax credit would be allowed on amounts for tuition and fees supplied in the form of scholarships, fellowships, or grants from sources other than the taxpayer himself. It would be assumed that payment of tuition and fees would be the first charge against such a scholarship, fellowship, or grant.

It is my opinion that such a tax credit will be a stimulus to more efficient use of private and public institutions. The result would be encouragement of broad distribution of student enrollment in all types of institutions, an objective which has always been considered to be in the public interest, and which is of even greater importance in the current emergency situation.

A bill to amend the Internal Revenue Code of 1954 to allow a 30 percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits against tax) is amended by adding at the end thereof the following new section:

"SEC. 39. Tuition and fees paid by individuals to institutions of higher education.

"(a) General rule: There shall be allowed to an individual, as credit against the tax imposed by this subtitle for the taxable year, an amount equal to 30 percent of the aggregate amount paid during the taxable year by such individual to institutions of higher education as tuition or fees for the education of such individual or of any other individual at a level above the twelfth grade.

"(b) Limitations.

"(1) Individual receiving education must be full-time student: Amounts paid for the education of any individual which (but for this paragraph) would be taken into account under subsection (a) shall be taken into account only if such individual is a student (as defined in section 151(e)(4) for the calendar year in which the taxable year of the taxpayer begins.

"(2) Adjustment for scholarships and certain allowances: In the case of any individual who for any period receives—

"(A) any scholarship or fellowship grant (within the meaning of section 117(a)(1)) which, under section 117, is not includible in gross income, or

"(B) any education and training allowance under part IV of title II of the Veterans' Readjustment Assistance Act of 1952,

any amount paid for tuition or fees for such period which (but for this paragraph) would be taken into account under subsection (a) shall be taken into account only to the extent that the aggregate of such tuition and fees charged such individual for such period exceeds the sum of (i) an amount equal to all the scholarships and fellowship grants described in subparagraph (A) received by such individual for such period, plus (ii) an amount equal to 30 percent of all the allowances described in subparagraph (B) received by such individual for such period.

"(3) Maximum taken into account: Amounts paid during any calendar year with respect to the education of an individual which (but for this paragraph) would be taken into account under subsection (a) shall be taken into account only to the extent that they do not exceed $1,500. The Secretary or his delegate shall prescribe such regulations as may be necessary for the application of this paragraph in cases where two or more taxpayers pay amounts with respect to the education of the same individual.

"(4) Credit not to cause refund of tax: The credit allowed by this section shall not exceed the amount of the tax imposed by this chapter for the taxable year, reduced by the sum of the credits allowable under sections 33 (relating to foreign tax credit), 34 (relating to credit for dividends received by individuals), 35 (relating to partially tax-exempt interest), and 37 (relating to retirement income).

"(c) Institution of higher education defined: For purposes of this section, the term 'institution of higher education' means only an educational institution—

"(1) which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on;

"(2) which regularly offers education at a level above the twelfth grade; and

"(3) contributions to or for the use of which are deductible under section 170."

(b) The table of sections for such part IV is hereby amended by adding at the end thereof the following:

"SEC. 39. Tuition and fees paid by individuals to institutions of higher education."

SEC. 2. The amendments made by this Act shall apply only with respect to taxable years beginning after December 31, 1957.

Do We Need an Overseas Trade Monopoly in Order To Compete With the Soviet State Trading Apparatus in Critical Sectors of the World Market?

EXTENSION OF REMARKS
OF
HON. FRANK THOMPSON, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, January 12, 1959

Mr. THOMPSON of New Jersey. Mr. Speaker, the visit of Anastas I. Mikoyan to our country to promote trade between the United States and the U.S.S.R. will have served a useful purpose if it causes us to greatly strengthen our own trading policies.

During the week of December 1, 1958, the Subcommittee on Foreign Trade Policy of the House Committee on Ways and Means took a look at the Russian trade monopoly when experts from seven Federal departments and agencies testified regarding it. It became clear, after hearing these witnesses, that while our Government recognizes the inherent danger to our way of life from the Russian trade offensive, it has no policy to meet or equal it. The United States is not alone in lacking such a policy. The Finnish Government collapsed recently, a victim of Russian economic pressure. Brave little Finland, which fought the Russian military juggernaut almost to a standstill only 20 years ago, collapsed like a house of cards when Russia refused to trade with the Finns. About the same time the Government of Iceland resigned because of economic difficulties and the Communists were conspicuously active in bringing this about too.

John J. Powers, Jr., president of the international division of Charles Pfizer & Co., Inc., told 500 members of the Pharmaceutical Manufacturers Association at a meeting in New York's Waldorf-Astoria Hotel that—

The enemy has devised new techniques and is launching a major offensive on a worldwide basis, while we are still in the perilous position of preparing only for a shooting war that may never come. Recent Russian international trade disruptions in aluminum, tin, and other commodities are as much a sign of war as the shooting in Quemoy and the political maneuvering in Berlin. The Soviet bloc clearly demonstrated that it will dump, that it will sell under cost for political purposes, that it will use inflation as a political weapon, and that it will extend long-term, low-interest loans.

Mr. Powers and other able observers conclude that Russia is winning over the economically underdeveloped, politically neutral countries by linking their aspirations to Russian goods and technology.

We can only hope that as other countries come face to face with econon realities similar to those which led to the overthrow of the Governments of Finland and Iceland that they will take a second look at the well-filled Christmas stockings offered by the Russian Santa Claus. Uncle Sam has given away over $60 billion since the end of World War II. This has not succeeded in endearing him to other nations who prefer trade to aid. With a fraction of what we have spent Russia is being phenomenally successful by a trade offensive in which aid, as we know it, has at best but an insignificant role. Somehow aid has been easier for us and we have chosen the easy way. Our best interest in the long run demands more trade and less aid. This is a task for all of us to get going on, business, President Eisenhower, and the Congress. The National Planning Association, with the aid of a Rockefeller grant, and the Business Advisory Council of the Federal Government's Department of Commerce are each making painstaking studies of how we in the United States and the free world can

meet and master the Russian trade offensive. It is not a minute too soon.

According to a press report by James Reston—New York Times, December 2, 1958—the administration has been discussing quietly for the past 6 months the advisability of establishing an overseas trade monopoly to compete with the Soviet state trading apparatus in critical sectors of the world market.

The current groping for some line of action by which to counter the Soviet thrusts in selected markets must be viewed against the broad setting of recent commercial policy of the U.S.S.R. and the aggressive tactics employed by its trade monopoly as both buyer and seller.

I. RECENT TACTICS OF THE SOVIET TRADE MONOPOLY

Within the past 2 or 3 years the Soviet trading apparatus has attracted worldwide attention by a series of acts tending to draw several smaller countries into its own commercial orbit and to undermine the competitive position of a number of other trading nations. Some of the tactics used by the U.S.S.R., through the medium of its trade monopoly, may be summarized as follows:

A. Buying up of pressing surpluses

First. During 1956–57 it moved to relieve Burma of its rice surpluses by buying at the rate of 114,000 metric tons a year.

Second. In Iceland, it has made heavy purchases of fish in the past 2 years, at the rate of 45,000 tons per annum.

Third. Large-scale procurement of cotton and rice was ordered in Egypt: 60,000 tons yearly of the former and 70,000 tons of the latter.

Fourth. In Uruguay and Argentina, the U.S.S.R. recently appeared as a new, and reportedly welcome, buyer of wool, taking four to five thousand tons a year from each country.

NOTE: While the above commodities are of the type usually imported into the U.S.S.R., the significance of the recent pattern of procurement arises from the fact that the Soviet trade monopoly has been able to shift its buying from Western-oriented suppliers—Australia, Iran, South Africa, Norway—to more promising markets. Such shifts, moreover, can be made by the trade monopoly without regard to the usual commercial terms: price, quality, cost of transport, et cetera. It is known, furthermore, that some of these imported products were later reexported by the U.S.S.R. to other countries within the Soviet bloc.

B. Preempting markets of target countries

In a number of selected markets, the Soviet trade monopoly has been pressing its initial advantage to the point of establishing its commercial dominance.

First. In Afghanistan, for example, it has succeeded in preempting a growing share of that country's total trade—now over 30 percent.

Second. The U.S.S.R. has also extended its political leverage into Finland by way of raising its purchases to about 20 percent of that country's total exports.

Third. In Egypt, Russia has recently stepped up its purchases to a point where they now account for over 20 percent of all Egyptian exports.

Fourth. Similarly, the Soviet trade monopoly now takes 22 percent of Iceland's total export trade.

By way of getting these countries more deeply involved in the Soviet commercial orbit, the trade monopoly is conducting an aggressive export campaign. As a result, the position of the established western exporters to these markets is being seriously undermined by Soviet sales of similar goods at cutrate prices. A number of such target markets are now supplied by the U.S.S.R., for the first time, with trucks, autos, tractors, bulldozers, scrapers, cranes, machine tools, and oil equipment.

As far as can be ascertained from available trade reports, when the Soviet Government decides to introduce a particular line of machinery into an underdeveloped country, say in the Middle East, the regular Western supplier to that market finds it impossible to compete.

It is interesting to note, for example, in this connection, that the Yugoslav Government reported in late November 1958, that it was under severe pressure in the Middle East from the Soviet trade agents who "with uneconomic prices and other means are trying to push us out of the Arab market"—New York Times, November 30, 1958.

C. Making inroads into Western commodity markets

Agents of the Soviet trade monopoly have also stepped up their activities on a number of world commodity markets. The pressure to increase Soviet sales has been concentrated especially on petroleum products and nonferrous metals—tin, aluminum, nickel, and zinc. The effect in such cases has been to depress prices and to cut the export earnings of several small producer nations—for example, Bolivia, Malaya, and Indonesia, in the case of tin.

These practices have been characterized by Prime Minister Diefenbaker of Canada as "warfare in the marketplace," designed to undermine the economic strength of the free world. In this type of operation, said the Prime Minister, "the profits are measured not in the ledgers of commerce, but by the numbers of souls who trade their security and survival as freemen in the future for a temporary material advantage of the present"—New York Times, November 5, 1958.

Specifically, Canada has been affected by Soviet incursions into sensitive markets for several of its export commodities such as, among others, platinum, nickel, aluminum, soybean oil and meal.

D. Promoting the positive features of state trading

In its approach to the underdeveloped nations, the Soviet trade monopoly plays up a number of features in its state trading system calculated to appeal to the economic interest of these countries. The following features are stressed:

First. The state trading agencies of the U.S.S.R. do not require hard currencies for their exports. The purchase of Soviet goods can always be arranged on a barter basis, with the buying nation paying in goods rather than in currency.

Second. Soviet machinery is made available on the installment basis over periods as long as 5 years.

Third. Trade with the U.S.S.R. is particularly stable, because it is usually conducted on the basis of bilateral trade agreements that are renewed from year to year. Such agreements include specific lists of goods to be supplied by each side in the course of the year. Moreover, in the interest of stability, the U.S.S.R. often suggests 3- and 5-year agreements. Such formal lists have their special appeal to countries where governments are heavily involved in the conduct of foreign trade.

Fourth. The Soviet trade monopoly also recommends itself as a stabilizing influence on the prices of raw materials exported by the underdeveloped nations. As a token of its good intentions, it offers to sign purchase contracts at prices fixed to run over an extended period of time.

II. THE RECORD OF THE SOVIET TRADE MONOPOLY

The conduct of foreign commerce on a monopoly basis has enabled the U.S.S.R., over the years, to utilize trade as a weapon for the attainment of political objectives. Viewed from the other end, however, namely, from the standpoint of the nations trading with the U.S.S.R., the record of the Soviet trading system has been on the whole rather unsatisfactory. Its very utility for political pressure has made the trade monopoly a rather poor medium for the conduct of normal trade relations. More often than not it has prevented the development of a climate of mutual trust and simplified procedures. The experienced trader in the free world has always known that only the politically motivated deal is closed promptly. By contrast, ordinary commercial transactions are inordinately time consuming, being accompanied by excessive formalities and long periods of indecision.

While we need not here submit a full list of the liabilities of the Soviet trading monopoly, it may be useful, in the interest of perspective, to recall a few of the basic negative features of the Communist system of state trading as identified in a recent paper by a distinguished Western economist read before an East-West economic conference held in Rome in March 1958: [1]

1. The individual state-trading country of the Communist bloc does not usually aim at enlarging its international trade as such, but rather seeks to establish its other objectives and to make use of trade as a temporary convenience that may assist in carrying out some general policy objectives of the state.

2. Supplies placed on the market by a state-dominated economy tend to be marginal rather than the result of a line of continued production intended for the market. In the main, commodity trade is consciously used as a device for counteracting the mistakes of the planning mechanism and for compensating for the failures of the domestic plant to meet the goals set by the planners.

3. Because trade in a state-managed economy serves chiefly as a corrective to the planning mechanism, it tends to be discontinuous. Hence, trade which requires for its

[1] "Trade Between Countries With Different Economic and Social Systems," by A. K. Cairncross (Glasgow University) UNESCO, SS COOP, EC. 7 Paris, Feb. 17, 1958.

most effective operation a substantial specialized investment over a long period of time is discouraged. Trade tends to gravitate to: (a) Bulk commodities where added amounts can be easily absorbed by an already existing market; (b) large units of equipment in which sporadic transactions are normal.

4. One of the greatest obstacles to trade with countries employing a monopoly system is the ever-present risk of interruption in active contact that comes with each shift in the political orientation of the regime. Constant shifts of executive officials and of formal jurisdictions prevents maintaining long-term contact with the same individual or department. The central management of the economy, furthermore, leads to sudden changes of interest, to the launching of campaigns for dealing with an unexpected or unhedged surplus or shortage.

In short, practical experience with state trading over the past 40 years has not evolved the institution into an effective instrument for the normal, profit-motivated, and recurrent exchange of goods. What has attracted the Communist governments to this system, to be sure, is the very fact that it lends itself readily and pliably to manipulation by the political authority without the need to serve public notice, that is, by action taken through purely administrative channels. It can be used as a medium for rewarding friends and punishing enemies.

Even so, it is important to note that the instances of prompt action on the part of the monopoly in the world market have to be viewed as the exception rather than the rule in the functioning of the state trading apparatus. These are the instances in which a higher ranking authority bypasses the clogged channels of the Ministry of Foreign Trade. True, both agencies in question act in behalf of the same government, and both are free of any restraint in regard to cost. The fact remains that most of the spectacular commercial deals that have recently attracted our attention have involved the short-circuiting of the normal state trading machinery in the interest of a clear political advantage.

III. POSSIBLE DEFENSIVE MEASURES

At the present juncture in international relations, the United States may legitimately consider the adoption of certain measures to enable it to defend the national commercial interest in parts of the non-Communist world. There are two types of situations in which the U.S. Government could conceivably intervene to prevent the erosion of legitimate commercial rights:

One, in which pressure is brought to bear by the Soviet trade monopoly on an individual market in the form of uneconomic prices, or similar unfair practices, for the purpose of expelling from that market established United States sellers. The presumption in favor of action in such cases would be that the price cutting is only a temporary device employed by the trade monopoly to achieve the desired result. For the long term, even the Soviet trade monopoly is under orders to sell at the highest obtainable price.

Two, in which the purchasing power needed by some friendly countries for United States goods is frozen in the form of commodity surpluses that cannot be easily marketed to their normal nation-customers without the use of credit. Here the United States would be acting as an intermediary to keep trade flowing through ready channels, reduce the opportunity for Soviet pressure, and at the same time help unfreeze potential cash resources for the purchase of U.S. goods.

To cope with situations of this sort, it may be advisable to consider the establishment of the following instrumentalities:

First. An antidumping fund to enable American exporters to withstand Soviet attempts to expel them from established markets by the device of price cutting. Traders in this position may be regarded as victims of a planned Soviet political maneuver against the United States as a nation rather than against them as individuals.

Second. A U.S. commercial corporation to undertake commodity transaction with foreign countries which involve barter, credit, three-way transactions and other exchanges having a clear national economic or political objective that could not be pursued by a profit-motivated business firm.

In connection with the above, it is worthy of note that, according to the press, Representative THOMAS B. CURTIS disclosed before the American Management Association that he planned to reintroduce a bill in the next Congress calling for the creation of a U.S. trading corporation. It would grant financial assistance to American industries faced with unfair competition from the Soviet Union—New York Times, November 6, 1958.

IV. THE NEED FOR PERSPECTIVE

It would be shortsighted, however, to jump to the conclusion that the United States should establish a trading monopoly of its own to combat that of the Soviet Union, for to do so would be to recommend state trading to combat state trading. This is one case where fighting fire with fire could be disastrous.

The present foreign trade policy of the United States, which was inaugurated in the 1930's as an antidepression measure, has become too passive to offer an effective response to the Soviet trade threat. The present need is for a more vigorous foreign trade policy, one which, instead of confining itself to the multilateral reduction of trade barriers, would bring about a maximization of imports and exports by the countries of the non-Communist world. Such a policy, one that would be geared to the very real strategic needs of the United States, could be evolved only after a searching reexamination of our present and future international economic position with particular reference to the economic strategy of the Soviet Union.

BRIEF STATEMENT ON THE BULK-PURCHASE PROGRAM OF THE BRITISH GOVERNMENT

The British Government does not have a monopoly of foreign trade. During and after World War II, Great Britain has engaged in a form of state trading through the use of what are known as bulk-purchase contracts. These contracts, or bilateral agreements, concluded between the British Government and other governments, quasi-governmental bodies or private groups were concerned with the volume, the types, and the terms of exportation and importation of specific goods for a specified period of time.

Such contracts provided that Britain would buy a fraction or a specified quantity of the exportable surpluses of the commodity produced in a given country. The price of the commodity was usually subject to revision up to a definite maximum at certain stated intervals. A program of bulk purchase was continued after World War II because it was evident that food and other commodities would have to be rationed for a period of years and the Labor Party leaders felt that the retention of central purchase would give the most effective control of distribution of supplies within the country.

The bulk-purchase contracts served several purposes: First, they served to steer trade from the dollar area to the sterling area and to soft-currency areas; second, they tended to assure a fairly constant flow of imports at relatively favorable prices; since the contracts were ordinarily for a period of years they tended to promote price stability. They provided a certain amount of protection to British producers or investors since such contracts directed trade toward those British dominions or territories in which British capital was invested.

Usually the bulk-purchase contracts specified the exchange of an array of goods from Britain for raw materials and foodstuffs of equivalent value. Postwar contracts were for longer duration extending—in most cases—from 3 to 15 years.

Over 40 separate contracts were negotiated covering trade with other Commonwealth countries and possessions and with countries in Latin America, Eastern and Western Europe, and Asia. About one-half of all British imports were covered by such agreements up to 1950.

The Conservative election victory in 1950 resulted in a policy of honoring existing bulk-purchase contracts, but of negotiating no new ones.

State trading existed in the United Kingdom after World War II, but it coexisted with private trading and was not a monopoly. In recent years, the volume of state trading has declined.

I include here a letter I have received from Hon. Douglas Dillon, Under Secretary of State for Economic Affairs, and a letter from Harold Boeschenstein, Chairman of the Committee on World Economic Practices, Business Advisory Council, Department of Commerce, which is currently engaged in a study, at the request of President Eisenhower, of how we can meet the Russian trade threat effectively.

I also include an article by James Reston, of the New York Times, of December 2, 1958. I would like to say that in the development of this information I have had the assistance of Leon M. Herman, specialist in Soviet economics, Howard S. Piquet, senior specialist in international trade, and Elden E. Billings,

analyst in international finance of the Library of Congress:

UNDER SECRETARY OF STATE,
FOR ECONOMIC AFFAIRS,
Washington, December 15, 1958.

Hon. FRANK THOMPSON, Jr.,
House of Representatives.

DEAR MR. THOMPSON: Many thanks for sending me a copy of your statement of December 16 on the Soviet economic offensive. I certainly agree with your thought that this is a matter which demands our full attention.

As you have pointed out, the situation with respect to the underdeveloped countries is especially urgent. Our best estimate is that the Sino-Soviet bloc has extended credits of almost $2.6 billion to these areas since 1954. More than 90 percent of this amount has gone to seven countries.

As of possible interest, I am enclosing a copy of my recent speech before the American Management Association, which deals with the subject of Soviet foreign economic policy.

Sincerely yours,

DOUGLAS DILLON.

OWENS-CORNING FIBERGLAS CORP.,
Toledo, Ohio, December 18, 1958.

Hon. FRANK THOMPSON, Jr.,
Old House Office Building,
Washington, D.C.

DEAR CONGRESSMAN THOMPSON: I appreciate receiving the copy of your recent release on the Sino-Soviet economic offensive and concur that there is nothing more vital to our Nation than the manner in which we face up to this.

As you may know, I am a member of the committee, referred to in your release, created by the Business Advisory Council at the behest of the Government. Inasmuch as the work of the committee is not finished, I know you will understand why I should not comment at this time other than to say that such vigorous concern as yours is clearly needed among men in your position.

Sincerely,

HAROLD BOESCHENSTEIN.

[From the New York Times of Dec. 2, 1958]

TRADE POLICY QUANDARY—SOVIET ECONOMIC DRIVE BEGINS DIVISION IN ADMINISTRATION ON COUNTERMOVES

(By James Reston)

WASHINGTON, December 1.—The annual battle over the Nation's foreign economic policy started today with the administration more divided than ever over how to deal with the Communist world's economic offensive.

When experts from seven Federal agencies finished testifying this afternoon before a House Ways and Means Subcommittee on the challenge of Communist trade policy, Chairman HALE BOGGS, of Louisiana, remarked: "They all recognize the danger but have no policy equal to it."

In the last few days several isolated incidents have illustrated the nature of the danger they were discussing:

Last week it was disclosed that the Soviet Government had concluded an agreement to sell $13,500,000 worth of benzene to the Dow Chemical Co., at a price equivalent to 24 to 25 cents a gallon. The current price in the United States is 31 cents a gallon.

Coincidentally, Augusto Frederico Schmidt, head of the Brazilian delegation to an inter-American economic conference in Washington, announced that his country was increasing its exports to the Communist nations. The British Commonwealth and the European Common Market nations, he observed, were "gradually closing their doors to our production," and the United States was not able to absorb Brazil's losses in those markets.

Premier Nikita S. Khrushchev, of the Soviet Union, in his latest maneuver to influence the political future of Berlin and Germany, held out once more the promise of a vast market for German products in the whole of the Communist world.

A high official of the United States Government, discussing the problem of meeting the Communist offensive, commented this afternoon:

"It is politically impossible for us to discuss in public the radical changes we shall have to make to deal effectively with the Soviet economic offensive.

A POLITICAL INSTRUMENT

"They control all of their foreign trade. They can use it as a political instrument regardless of cost. They can take losses to drive competition out of a given market precisely as large producers once were able to do to eliminate small competitors in this country.

"We have been discussing quietly inside our own Government for 6 months the need to establish an overseas trade monopoly to compete with the Soviet monopoly on equal terms, but this is so foreign to our normal way of doing business that we dare not mention it in public."

What the public hearings before Chairman BOGGS' Ways and Means Subcommittee demonstrated today was that the administration was just as divided on less radical policies than the creation of a monopoly for the sale of U.S. products overseas.

Henry Kearns, Assistant Secretary of Commerce, predicted that the administration would ask the next Congress to approve tax concessions to encourage increased private investment abroad.

DIVISION IN DEPARTMENT

It is known, however, that some of Mr. Kearns' superiors in the Commerce Department are opposed to dealing with the problem through tax concessions, and the Treasury Department's chief tax expert, Dan T. Smith, refused to go along with Mr. Kearns' prediction that the administration would ask for tax concessions.

The division within the administration on this subject reflects the conflict between those who have been stating the Nation's foreign policy objectives and those who have to tend the Nation's Treasury.

The State Department and the International Cooperation Administration, concerned with the dangers of Communist economic subversion, are prepared for a radical revision of U.S. foreign economic policy to meet what they regard as a radical attempt by the Communist nations to upset the whole pattern of foreign trade.

The Treasury Department, however, faced with a $12 billion deficit in the current fiscal year, tends to oppose any new programs that might reduce revenue and create a double standard of taxation.

To minimize this dilemma, the administration is now studying the possibility of reducing military aid to underdeveloped countries and increasing economic aid.

It is also discussing with Britain and the so-called Common Market countries of Western Europe ways and means of preventing the Common Market countries from discriminating against trade with countries outside the Common Market.

More than likely a compromise will be reached on this latter point under which the Common Market countries will agree not to raise tariffs against the United States, Britain, Switzerland, and other nations for a period of 18 months. But this again is regarded here as merely a postponement of the problem.

The main point under discussion here is that the Soviet Union and the other Communist countries are concerting their foreign trade policies for political purposes, while the administration and the other free governments of the West are divided over how to deal with a wholly new situation.

Chairman BOGGS was not hopeful tonight that his hearings would find a way out of this problem, but he planned to carry them on in order to make clear what the problem was.

SENATE

WEDNESDAY, JANUARY 14, 1959

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of all grace, who hath taught us that in quietness and in confidence shall be our strength: In the confusions of these times, so full of turmoil, help us to keep inviolate a little shrine of peace within, an altar of contrition, where the world's angry voices die, and where Thou alone art real.

So in this hallowed moment we turn to Thee for refuge from the noise and hurry of the world without, and from the tyranny of feverish moods and selfish motives within.

May we fear only to be disloyal to the best we know, to betray those who love and trust us, and to disappoint Thy expectations concerning us.

In a world where we see the fearful penalties of our foolish human separations and contentions, dedicate us in this anguished generation as builders of bridges across all the dividing gulfs which mar and rend this embattled earth. We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Monday, January 12, 1959, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

REPORT ON JOINT RESOLUTION TO PROMOTE PEACE AND STABILITY IN MIDDLE EAST—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 43)

The PRESIDENT pro tempore laid before the Senate the following message

from the President of the United States, which was read and, with the accompanying report, referred to the Committee on Foreign Relations:

To the Congress of the United States:

I am transmitting herewith the third report to the Congress covering activities through June 30, 1958, in furtherance of the purposes of the joint resolution to promote peace and stability in the Middle East. This report supplements the first and second reports forwarded to the Congress on July 31, 1957, and March 5, 1958.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 9, 1958.*

ANNUAL REPORT OF HOUSING AND HOME FINANCE AGENCY—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Banking and Currency.

To the Congress of the United States:

Pursuant to the provisions of section 802(a) of the Housing Act of 1954, I transmit herewith for the information of the Congress the Eleventh Annual Report of the Housing and Home Finance Agency covering housing activities for the calendar year 1957.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *October 31, 1958.*

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour for the introduction of bills and the transaction of other routine business. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR CONSIDERATION OF AMENDMENTS RELATING TO STANDING COMMITTEES

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that at the conclusion of the morning hour, it be in order for the Senate to consider amendments relating to the standing committees.

The PRESIDENT pro tempore. Without objection, it is so ordered.

STATUS OF WATERSHED PROGRAMS IN TEXAS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD a report on the status of projects in Texas involving rivers and harbors, flood control, reservoirs, and watershed programs.

I feel strongly about the need and the justification for such projects. The future of Texas largely depends on how the State moves to resolve its water problems. These projects are investments which result in created assets, and I am hopeful that substantial progress can be made on them during this session of Congress.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

Status of watershed programs in Texas

FLOOD PREVENTION

Flood Control Acts of 1936 and 1944 as amended and supplemented, projects	Date started	Estimated total Federal cost (1954 prices)	Total Federal obligations June 30, 1958	Remaining Federal after June 30, 1958
Colorado, middle	1946	$29,870,697	$5,554,382	$24,314,315
Trinity above Palestine	1946	80,274,576	17,296,881	62,977,695

WATERSHED PROTECTION—PILOT

Department of Agriculture, Appropriation Act of 1954, and Public Law 46, 74th Cong., projects		Date started	Estimated total cost			Federal obligations, June 30, 1958	Remaining after June 30, 1958
Name	County		Federal	Non-Federal	Total		
Calaveras	Bexar	1954	$560,001	$251,186	$811,187	$537,652	$22,349
Cow Bayou	McLennan, Falls	1954	1,090,567	537,506	1,628,073	798,692	291,875
Escondido Creek	Karnes	1954	770,000	423,756	1,193,756	741,073	28,927
Green Creek	Erath	1954	1,086,577	333,813	1,420,390	1,054,302	32,275

WATERSHED PROTECTION (PUBLIC LAW 566)

Public Law 566, as amended, Public Law 1018, Public Law 85-624, Public Law 85-865, projects		Date started	Estimated total cost			Federal obligations June 30, 1958	Remaining after June 30, 1958
Name	County		Federal	Non-Federal	Total		
Alamo Arroyo	Hudspeth	Feb. 27, 1958	$652,865	$11,994	$664,859	$207,420	$445,445
Auds Creek	Lamar	June 26, 1958	461,330	404,616	865,946		461,330
Cummins Creek	Lee, Fayette, Austin, Colorado	June 6, 1956	2,107,500	2,575,451	4,682,951	524,899	1,582,601
Diablo Arroyo	Hudspeth	Feb. 27, 1958	425,808	16,920	442,728	121,222	304,286
Dry Devils River and Lowry Draw	Schleicher, Sutton	July 25, 1958	1,662,349	485,978	2,148,327		1,662,349
Johnsons Draw	Crockett	July 24, 1956	1,159,718	599,284	1,759,002	977,315	182,403
Knob Creek	Bell	Jan. 31, 1958	491,931	228,600	720,531	4,520	487,411
Langford Creek	Red River	June 17, 1958	346,111	268,507	614,618		346,111
Lower Brushy Creek	Williamson, Milam	June 6, 1956	2,821,081	2,536,931	5,358,012	12,974	2,808,107
Sulphur Creek	Burnet, Lampasas	Aug. 23, 1957	1,050,565	213,961	1,264,526	877,831	172,734
Turkey Creek	Fort Bend	July 24, 1956	48,643	278,500	327,143	39,927	8,716
Upper Brushy Creek	Williamson, Milam	June 6, 1956	2,858,314	2,063,196	4,921,510	366,021	2,492,293
Upper Lake Fork Creek	Hopkins, Rains, Hunt	July 25, 1958	1,386,400	1,023,506	2,409,906		1,336,400
York Creek	Guadalupe, Comal, Hays	Jan. 31, 1958	1,992,239	903,439	2,895,678	16,585	1,975,654

WATERSHED PROTECTION (PUBLIC LAW 556)—APPLICATIONS AND PLANNING

Applications received January 1, 1959, 82.

Applications approved for planning (watershed and county):

Elm Creek:[1] Bexar.

Agua Dulce Creek: Jim Wells, Nueces.

Agua Dulce Creek laterals: Nueces.

San Diego-Rosito Creek: Duval, Jim Wells.

Chiltipin San Fernando Creek: Duval, Jim Wells, Nueces, Kleberg.

Tehuacana Creek: Hill, Limestone, McLennan.

Caney Creek: Fannin, Grayson.

Martinez Creek: Bexar.

Garceno-Los Morenos Creek: Starr.

Olmitos and Garcias Creeks: Starr.

Ramirez Creek: Starr.

Langunillas Creek:[2] Atascosa.

Leona River:[2] Uvalde.

[1] Planning terminated.

[2] Planning suspended.

UNCOMPLETED ACTIVE AUTHORIZED PROJECTS IN THE STATE OF TEXAS

A. Projects on which construction has not been started

Project	Total estimated Federal cost	Estimated cost preconstruction planning	Appropriations, through fiscal year 1959	Balance to complete after fiscal year 1959
NAVIGATION				
Freeport Harbor:				
36- and 38-foot channels	$615,000	$22,000	[1] $14,000	$601,000
Realinement existing 38- by 300-foot outer bar channel	271,000	22,000	[1] 7,000	264,000
Galveston harbor and channel:				
36- and 38-foot channel	1,194,000	10,000	[1] 2,000	1,192,000
40-foot outer bar	2,690,000	46,000	[1] 4,000	2,686,000
Gulf Intracoastal Waterway, Colorado River Channel	1,310,000	54,000	54,000	1,256,000
Houston ship channel:				
40-foot project	16,340,000	45,000	[1] 8,000	16,332,000
Channel through Five-Mile cut	35,000	2,000	[1] 1,000	34,000
Buffalo Bayou Cutoff Channel at Turkey Bend	25,000	2,000	[1] 1,000	24,000
Matagorda ship channel:				
36-foot channel, 1958 act	11,300,000	350,000	[1] 33,000	11,267,000
12-foot channel and refuge harbor	277,000	21,000	[1] 10,000	267,000
Port Aransas-Corpus Christi Waterway:				
Deepening existing project to 40 feet	4,840,000	32,000	[1] 12,000	4,828,000
40-foot channel extension from Tule Lake to Viola	1,520,000	70,000	[1] 8,000	1,512,000
Jewel Fulton Canal	110,000	2,000	0	110,000
Channel to LaQuinta	959,000	5,000	[1] 5,000	954,000
NAVIGATION—continued				
Texas City Channel, turning basin extension, 34 feet	$292,000	$5,000	[1] $2,000	$290,000
FLOOD CONTROL, LOCAL PROTECTION				
Burleson County Levees	3,370,000	110,000	[1] 8,000	3,362,000
Eastland	260,000	34,000	[1] 3,000	257,000
Mill Creek	729,000	48,000	31,000	698,000
Pecos	2,550,000	160,000	60,000	2,490,000
Texas City, hurricane protection	6,240,000	340,000	[1] 49,000	6,191,000
FLOOD CONTROL, RESERVOIRS				
Ferguson Reservoir	21,600,000	310,000	[1] 28,000	21,572,000
Gonzales Reservoir	17,800,000	350,000	[1] 68,000	17,732,000
Lampasas Reservoir	29,400,000	380,000	255,000	29,145,000
Laneport Reservoir	24,100,000	340,000	[1] 34,000	24,066,000
Proctor Reservoir	17,100,000	325,000	325,000	16,775,000
Somerville Reservoir	14,300,000	280,000	97,000	14,203,000
MULTIPLE PURPOSE				
Denison Reservoir, additional power unit installation, unit 3	7,930,000	125,000	0	7,930,000

[1] Preauthorization funds only.

B. Projects on which construction is under way

Project	Total estimated Federal cost	Appropriations through fiscal year 1959	Balance to complete after fiscal year 1959
NAVIGATION			
Brazos Island Harbor	$5,820,000	$2,778,000	$3,042,000
Galveston Harbor and Channel (Galveston seawall)	9,230,000	1,586,000	7,644,000
Gulf Intracoastal Waterway:			
Guadalupe River Channel to Victoria	8,240,000	1,425,000	6,815,000
Realined route, vicinity of Aransas Pass	3,085,000	2,123,000	962,000
Houston ship channel, 36-foot channel	8,420,000	6,443,000	1,977,000
Matagorda ship channel, Port Lavaca Harbor of refuge	383,000	383,000	0
Port Aransas-Corpus Christi Waterway:			
36-foot channel and widening and realinement of bascule bridge	6,000,000	2,174,000	3,826,000
Channel to LaQuinta	898,000	546,000	352,000
Sabine-Neches Waterway	11,200,000	2,390,000	8,810,000
Texas City Channel, 36-foot project	1,520,000	472,000	1,048,000
ALTERATION OF BRIDGES			
Corpus Christi Bridge	4,821,000	3,880,000	941,000
FLOOD CONTROL, LOCAL PROTECTION			
Buffalo Bayou and tributaries	51,531,000	21,016,000	30,515,000
Dallas Floodway	8,326,000	8,326,000	0
FLOOD CONTROL, LOCAL PROTECTION—con.			
Kenedy	$400,000	$400,000	0
Navidad and Lavaca Rivers at Hallettsville	355,000	355,000	0
McKinney Bayou and Barkman Creek, Ark. and Tex.	1,350,000	308,000	$1,042,000
Red River levees and bank stabilization, Arkansas, Louisiana, and Texas	9,880,000	7,416,000	2,464,000
San Antonio Channel improvement	15,870,000	2,189,000	13,681,000
FLOOD CONTROL, RESERVOIRS			
Canyon Reservoir	15,700,000	2,931,000	12,769,000
Cooper Reservoir and channels	13,600,000	1,389,000	12,211,000
Ferrells Bridge Reservoir	11,800,000	11,800,000	
Navarro Mills Reservoir	6,450,000	268,000	6,182,000
Texarkana Reservoir	33,800,000	33,800,000	
Waco Reservoir	39,750,000	1,430,000	38,320,000
MULTIPLE PURPOSE			
Denison Reservoir:			
Highway crossing at Willis Ferry site	3,528,000	2,473,000	1,055,000
Additional recreation facilities	999,000	735,000	264,000
McGee Bend Dam	55,400,000	10,194,000	45,206,000

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON FLIGHT PAY OF CERTAIN OFFICERS OF THE ARMY, AIR FORCE, NAVY, AND COAST GUARD

A letter from the Acting Secretary of the Treasury, reporting, pursuant to law, on the flight pay of officers above the rank of major, of the Army and Air Force, and above the rank of lieutenant commander, of the Navy and Coast Guard, covering the 6-month period preceding January 2, 1959; to the Committee on Armed Services.

REPORT OF GEORGETOWN BARGE, DOCK, ELEVATOR, AND RAILWAY CO.

A letter from the president, Georgetown Barge, Dock, Elevator, and Railway Co., Washington, D.C., reporting, pursuant to law, on the financial status of that company, as of January 6, 1959; to the Committee on the District of Columbia.

REPORT ON REVIEW OF THE MILITARY ASSISTANCE PROGRAM FOR IRAN

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a secret report on a review of the military assistance program for Iran, dated January 1959 (with an accompanying report); to the Committee on Government Operations.

REPORT OF FEDERAL COMMUNICATIONS COMMISSION

A letter from the Chairman, Federal Communications Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the fiscal year 1958 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

DEFENSE OF SUITS AGAINST CERTAIN FEDERAL EMPLOYEES

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to amend title 28, entitled "Judiciary and Judicial Procedure" of the United States Code to provide for the defense of suits against Federal employees arising out of their operation of motor vehicles in the scope of their employment, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

CREDITING TO POSTAL REVENUES OF CERTAIN COMMISSIONS

A letter from the Postmaster General, transmitting a draft of proposed legislation to credit to postal revenues commissions on pay telephones located in postal facilities and other items of revenues which otherwise would be required to be deposited by

the Post Office Department in miscellaneous receipts of the Treasury, and for other purposes (with an accompanying paper); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

Resolutions adopted by the Citizens Transit Improvement Association, Washington, D.C., relative to a mass transportation plan in the District of Columbia, and so forth; to the Committee on the District of Columbia.

The petition of Ignatius Page, Jr., of St. Louis, Mo., relating to the impeachment of Judge Robert Louis Aronson, of the Eighth judicial circuit of Missouri; to the Committee on the Judiciary.

A letter, in the nature of a petition, from Arthur J. Kraus, of New York, N.Y., transmitting a pamphlet entitled "Persecution in the Democracies"; to the Committee on the Judiciary.

A letter, in the nature of a petition, from the Veterans of World War I of the U.S.A., Inc., signed by Fred J. Hollenbeck, national commander, Washington, D.C., relating to a reorganization of that organization; to the Committee on the Judiciary.

Petitions, signed by sundry citizens of the United States, praying for a modification of Senate rule XXII, relating to cloture; ordered to lie on the table.

PROCLAMATION BY GOVERNOR WILLIAMS OF MICHIGAN WELCOMING ALASKA INTO THE UNION

Mr. McNAMARA. Mr. President, one of the highlights of the opening day of the 86th Congress was the induction into the Senate of the two Senators from Alaska.

I am proud to have had a small part in making Alaska our 49th State. In voting for Alaska statehood, I was following the will of the people of Michigan.

The Governor of Michigan, the Honerable G. Mennen Williams, has issued a proclamation on behalf of the people of Michigan formally welcoming Alaska into the Union.

I ask unanimous consent that the text of Governor Williams' proclamation be printed in the body of the RECORD.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

STATE OF MICHIGAN,
Executive Office, Lansing.

PROCLAMATION

The State of Alaska has, by Presidential Proclamation, just become the 49th State of the United States of America, an event of importance to every American.

Not since 1912 have Americans welcomed a new State into this indivisible Union of free people and democratic governments. It is particularly significant, therefore, that the admission of Alaska as our 49th State be heralded as the truly historical occasion that it is.

The new State of Alaska, with its rich endowments of breathtaking scenery, enterprising citizenry and vast natural resources, will take its just place as a leading and pioneering member of our Union of States.

Citizens of Michigan, in full knowledge of their own eventful history and bright future, can take pride in the development of Alaska, a development in which former citizens of Michigan participated. We can also view Alaska's future, as well as our own, with optimism and expectation for unprecedented growth and prosperity.

Therefore, I, G. Mennen Williams, Governor of the State of Michigan, do hereby extend, on behalf of all the people of our great State, this sincere and hearty welcome to the great State of Alaska as the 49th member of the United States of America, and wish its citizens happiness and prosperity in the years ahead.

Given under my hand and the great seal of the State of Michigan, this 6th day of January in the Year of Our Lord 1959, and of the Commonwealth the 122d.

G. MENNEN WILLIAMS,
Governor.

By the Governor:
[SEAL] JAMES M. HAN,
Secretary of State.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LAUSCHE:

S. 247. A bill for the relief of Emil Milan Preseren; to the Committee on the Judiciary.

By Mr. COTTON:

S. 248. A bill to amend section 203 of the Social Security Act to increase the amount individuals are permitted to earn without suffering deductions from their benefits; and

S. 249. A bill to amend title II of the Social Security Act to reduce from 72 to 68 the age required to be attained by individuals in order that their benefits not be subject to deductions on account of earnings; to the Committee on Finance.

S. 250. A bill for the relief of William B. Plumer; to the Committee on the Judiciary.

S. 251. A bill for the relief of George H. Beard; to the Committee on Post Office and Civil Service.

S. 252. A bill to authorize Col. Philip M. Whitney, United States Army, retired, to accept and wear the decoration tendered him by the Government of the Republic of France; to the Committee on Foreign Relations.

By Mr. COTTON (for himself and Mr. BRIDGES):

S. 253. A bill to amend the Internal Revenue Code of 1954 so as to compensate retail dealers of gasoline for taxes paid on gasoline which is lost due to spillage, evaporation, and other causes; to the Committee on Finance.

By Mr. MAGNUSON:

S. 254. A bill for the relief of the estate of William Pitt Waggener; to the Committee on the Judiciary.

S. 255. A bill to provide medical care for certain persons engaged on board a vessel in the care, preservation, or navigation of such vessel; to the Committee on Interstate and Foreign Commerce.

S. 256. A bill to provide for the establishment of the Bureau of Older Persons within the Department of Health, Education, and Welfare; to authorize Federal grants to assist in the development and operation of studies and projects to help older persons, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. MAGNUSON (for himself and Mr. JACKSON):

S. 257. A bill to provide for the apportionment by the Secretary of the Interior of certain costs of the Yakima Federal reclamation project, and for other purposes; and

S. 258. A bill to provide for certain reductions in the reimbursable construction cost of the Kittitas division of the Yakima reclamation project, Washington; to the Committee on Interior and Insular Affairs.

By Mr. SALTONSTALL:

S. 259. A bill for the relief of Claire G. Trigledas; to the Committee on the Judiciary.

S. 260. A bill to provide for a preliminary examination and survey of Green Harbor, Marshfield, Mass., for navigation and other purposes; to the Committee on Public Works.

By Mr. SALTONSTALL (by request):

S. 261. A bill for the relief of Sofik Yevkine Belgin, Nadya Ayla Belgin, Karmen Silva Belgin Ketli, and Vahe Ketli; and

S. 262. A bill for the relief of Han Soon Lee (also known as Ow Kau); to the Committee on the Judiciary.

By Mr. SALTONSTALL (for himself and Mr. KENNEDY):

S. 263. A bill for the relief of Leonora Holmes Mola; to the Committee on the Judiciary.

By Mr. SALTONSTALL (for himself and Mr. KENNEDY) (by request):

S. 264. A bill for the relief of Athena Nicholas Euteriadou; to the Committee on the Judiciary.

By Mr. WILEY:

S. 265. A bill to establish a Commission on Country Life, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. WILEY when he introduced the above bill, which appear under a separate heading.)

By Mr. BUSH:

S. 266. A bill to authorize additional capital grants for urban renewal and redevelopment projects, and to encourage participation by the States in slum clearance and prevention; to the Committee on Banking and Currency.

(See the remarks of Mr. BUSH when he introduced the above bill, which appear under a separate heading.)

By Mr. BUSH (for himself and Mr. DODD):

S. 267. A bill to provide for the recognition of the Polish Legion of American Veterans by the Secretary of Defense and the Administrator of Veterans' Affairs; to the Committee on Finance.

By Mr. SCOTT:

S. 268. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

(See the remarks of Mr. SCOTT when he introduced the above bill, which appear under a separate heading.)

By Mr. GOLDWATER (for himself, Mr. BEALL, Mr. HOLLAND, Mr. MANSFIELD, Mr. MORSE, Mr. MURRAY, Mr. PASTORE, Mr. THURMOND, Mr. ENGLE, and Mr. MUNDT):

S. 269. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

(See the remarks of Mr. GOLDWATER when he introduced the above bill, which appear under a separate heading.)

By Mr. KUCHEL:

S. 270. A bill to extend the educational provisions of the Veterans' Readjustment Assistance Act of 1952 until such time as existing laws authorizing compulsory military service cease to be effective; to the Committee on Labor and Public Welfare.

By Mr. BIBLE (for himself and Mr. CANNON):

S. 271. A bill to make certain assistance by a State, municipality, or other public body eligible as local grants-in-aid under section 110 (d) of the Housing Act of 1949; to the Committee on Banking and Currency.

By Mr. BIBLE (for himself, Mr. KUCHEL, Mr. ENGLE, and Mr. CANNON):

S. 272. A bill to amend the Housing Act of 1954 with respect to urban planning for

groups of adjacent communities; to the Committee on Banking and Currency.

By Mr. HOLLAND:

S. 273. A bill for the relief of Stanko Martinov;

S. 274. A bill for the relief of Dr. Carlos M. Piacentini; and

S. 275. A bill for the relief of Leon G. Van Weerdt; to the Committee on the Judiciary.

S. 276. A bill to amend paragraph (k) of section 403 of the Federal Food, Drug, and Cosmetic Act, as amended; to the Committee on Labor and Public Welfare.

By Mr. HILL:

S. 277. A bill to amend the Internal Revenue Code of 1954 so as to allow an additional income exemption for an individual who is a student at an institution of higher education; and

S. 278. A bill to amend title II of the Social Security Act to provide that benefits payable thereunder shall not be considered as income in determining eligibility of veterans for non-service-connected disability pensions; to the Committee on Finance.

S. 279. A bill to amend the Civil Service Retirement Act to provide that benefits payable thereunder shall not be considered as income in determining eligibility of veterans for non-service-connected disability pensions; to the Committee on Post Office and Civil Service.

S. 280. A bill to amend the Railroad Retirement Act of 1937 to provide that benefits payable under such act or the Railroad Retirement Act of 1935 shall not be considered as income in determining eligibility of veterans for non-service-connected disability pensions; to the Committee on Labor and Public Welfare.

By Mr. DWORSHAK (for himself and Mr. CHURCH):

S. 281. A bill to authorize the Secretary of the Interior to construct, operate, and maintain a reregulating reservoir and other works at the Burns Creek site in the upper Snake River Valley, Idaho, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. DWORSHAK when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT (for himself and Mr. HUMPHREY):

S. 282. A bill to authorize the Administrator of General Services to assist in planning and financing the construction of county agricultural buildings; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. FULBRIGHT when he introduced the above bill, which appear under a separate heading.)

By Mr. WILEY:

S. 283. A bill for the relief of George Orphanos; and

S. 284. A bill for the relief of Mrs. Lillian P. Stumm; to the Committee on the Judiciary.

By Mr. WILEY (by request):

S. 285. A bill for the relief of John A. Skenandore; to the Committee on the Judiciary.

By Mr. ROBERTSON:

S. 286. A bill to amend section 1391 of title 28 of the United States Code, relating to venue generally; to the Committee on the Judiciary.

By Mr. CHURCH:

S. 287. A bill to add certain lands located in Idaho to the Boise and Payette National Forests; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. CHURCH when he introduced the above bill, which appear under a separate heading.)

By Mr. THURMOND:

S. 288. A bill to amend article 46 of the Uniform Code of Military Justice to require the execution of certain warrants of attachment or arrest by United States marshals; to the Committee on Armed Services.

(See the remarks of Mr. THURMOND when he introduced the above bill, which appear under a separate heading.)

By Mr. TALMADGE:

S. 289. A bill for the relief of Dr. Herbert H. Schafer and his wife, Irma Niemeyer Schafer; to the Committee on the Judiciary.

By Mr. HENNINGS:

S. 290. A bill to provide for the establishment of the Wilson's Creek Battlefield National Park, in the State of Missouri; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. HENNINGS when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY:

S. 291. A bill to provide that seat belts sold or shipped in interstate commerce for use in motor vehicles shall meet certain safety standards; to the Committee on Interstate and Foreign Commerce.

S. 292. A bill to encourage the improvement and development of marketing facilities for handling perishable agricultural commodities; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. HUMPHREY when he introduced the above bills, which appear under separate headings.)

By Mr. BRIDGES:

S. 293. A bill for the relief of Kurt Weydemann; to the Committee on the Judiciary.

By Mr. BRIDGES (for himself, Mr. COTTON, and Mr. KEATING):

S. 294. A bill to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities; to the Committee on the Judiciary.

By Mr. McNAMARA (for himself and Mr. HART):

S. 295. A bill to direct the Secretary of the Interior to establish a program to encourage the operation of marginal copper mines necessary to the national defense; and

S. 296. A bill to provide for a program which will contribute to the national defense by encouraging the continuing operation of the iron mines in the United States; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. McNAMARA when he introduced the above bills, which appear under a separate heading.)

By Mr. JOHNSON of Texas:

S. 297. A bill to direct the Secretary of the Army or his designee to convey a 7.4569-acre tract of land out of Fort Crockett Military Reservation, situated within the city of Galveston, county of Galveston, Tex., to the State of Texas; to the Committee on Armed Services.

S. 298. A bill for the relief of John Macy; to the Committee on the Judiciary.

S. 299. A bill for the relief of Dalworth C. Ebner; to the Committee on Labor and Public Welfare.

S. 300. A bill to amend the act of August 28, 1958, establishing a study commission for certain river basins, so as to provide for the appointment to such commission of separate representatives for the Guadalupe and San Antonio River Basins, and of a representative of the Texas Board of Water Engineers; to the Committee on Public Works.

By Mr. HRUSKA:

S. 301. A bill for the relief of Panagiotis Kamboukos (Kazantzas); to the Committee on the Judiciary.

By Mr. DIRKSEN:

S. 302. A bill to authorize the Secretary of Agriculture to develop a recreation area in connection with the Shawnee National Forest in Pope County, Ill., and for other purposes; to the Committee on Agriculture and Forestry.

S. 303. A bill to amend chapter XIII—Wage Earners' Plans—of the Bankruptcy Act; to the Committee on the Judiciary.

(See the remarks of Mr. DIRKSEN when he introduced the above bills, which appear under separate headings.)

By Mr. DIRKSEN (for himself, Mr. DOUGLAS, Mr. O'MAHONEY, Mr. YARBOROUGH, Mr. THURMOND, and Mr. LANGER):

S. 304. A bill to insure effective regulation of D.C. Transit System, Inc., and fair and equal competition between D.C. Transit System, Inc., and its competitors; to the Committee on the District of Columbia.

(See the remarks of Mr. DIRKSEN when he introduced the above bill, which appear under a separate heading.)

By Mr. WILEY:

S. 305. A bill for the relief of Constance Dayton; to the Committee on Finance.

By Mr. TALMADGE (for himself and Mr. JOHNSTON of South Carolina):

S. 306. A bill to provide a new farm program for basic agricultural commodities under which excessive and burdensome Federal controls on agriculture will be eliminated, and under which American agriculture will be restored to a free enterprise basis; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. TALMADGE when he introduced the above bill, which appear under a separate heading.)

By Mr. THURMOND:

S. 307. A bill to prescribe the oath of office of justices and judges of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. THURMOND when he introduced the above bill, which appear under a separate heading.)

By Mr. DOUGLAS (for himself and Mr. DIRKSEN):

S. 308. A bill to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation, and for other purposes; ordered to lie on the table.

(See the remarks of Mr. DOUGLAS when he introduced the above bill, which appear under a separate heading.)

By Mr. ENGLE (for himself and Mr. KUCHEL):

S. 309. A bill authorizing a monetary contribution for the flood control accomplishments of the multipurpose Merced River development, including the Bagby, New Exchequer and Snelling Dams and Reservoirs, proposed to be constructed on the Merced River by the Merced Irrigation District of the State of California; to the Committee on Public Works.

By Mr. LONG:

S. 310. A bill to require the filing of evidentiary briefs by the United States in connection with the entry of consent decrees, judgments, and orders in civil antitrust actions; and

S. 311. A bill to authorize the recovery of actual costs reasonably incurred by plaintiffs in private actions for injunctive relief from antitrust violations; to the Committee on the Judiciary.

By Mr. McCARTHY:

S. 312. A bill for relief of Tsao Hsin Pao; and

S. 313. A bill for the relief of Collingwood Bruce Brown, Jr.; to the Committee on the Judiciary.

By Mrs. SMITH:

S. 314. A bill to assist the United States cotton textile industry in regaining its equitable share of the world market; to the Committee on Agriculture and Forestry.

By Mr. O'MAHONEY (for himself and Mr. KENNEDY):

S. 315. A bill to reaffirm the national public policy and the purposes of Congress in enacting the Robinson-Patman Antiprice Discrimination Act entitled "An act to amend section 2 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended (U.S.C., title 15, sec. 13), and for other purposes," and to clarify the intent and meaning

of the aforesaid law by providing for the mandatory nature of functional discounts under certain circumstances; to the Committee on the Judiciary.

By Mr. DOUGLAS:

S. 316. A bill for the relief of Mercedes Ruiz Sanroma Vimda de Notario;

S. 317. A bill for the relief of Tatsuo Kochi;

S. 318. A bill for the relief of Giuseppi Waldo Fusaro;

S. 319. A bill for the relief of Theodore Burtzos;

S. 320. A bill for the relief of Sofija Laica;

S. 321. A bill for the relief of Annie Tymochek Porayko;

S. 322. A bill for the relief of Dr. Stasys Sereika;

S. 323. A bill for the relief of David Forbes;

S. 324. A bill for the relief of Johann Kalatschan;

S. 325. A bill for the relief of Maria Lorenz;

S. 326. A bill for the relief of Chao-Ling Wang;

S. 327. A bill for the relief of Cwy Pinkusiewicz;

S. 328. A bill for the relief of Ellen B. Mueller;

S. 329. A bill for the relief of Nuvart Donikian;

S. 330. A bill for the relief of Erminio Neglia;

S. 331. A bill for the relief of Jakob Liblang, Jr.;

S. 332. A bill for the relief of Martin Albert;

S. 333. A bill for the relief of Ethel Auth;

S. 334. A bill for the relief of Hilda M. Humpole Goldschmidt; and

S. 335. A bill for the relief of Dragutin Sostarko; to the Committee on the Judiciary.

By Mr. LANGER:

S. 336. A bill to protect borrowers against excessive cash requirements and minimum terms in the case of home loans guaranteed under title V of the Servicemen's Readjustment Act of 1944, or secured by mortgages insured under section 203 of the National Housing Act; to the Committee on Banking and Currency.

S. 337. A bill to provide for the coverage of agricultural labor by the Federal Unemployment Tax Act;

S. 338. A bill to amend section 313 of the Veterans' Benefits Act of 1957 concerning presumptions relating to certain diseases;

S. 339. A bill directing the Administrator of Veterans' Affairs to continue to apply as schedules of ratings and reductions in earning capacity from certain injuries the Veterans' Administration Schedule for Rating Disabilities, 1925 and 1945 editions;

S. 340. A bill to provide for accrued servicemen's indemnity payments in certain cases;

S. 341. A bill to amend the Tariff Act of 1930 so as to permit the importation free of duty of religious vestments and regalia presented without charge to a church or to certain religious, educational, or charitable organizations; and

S. 342. A bill to allow a credit of $25 against the Federal income tax of any individual who during the taxable year votes in an election for Federal officers; to the Committee on Finance.

By Mr. LANGER (for himself and Mr. JAVITS):

S. 343. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Finance.

By Mr. LANGER:

S. 344. A bill to permit certain veterans to waive entitlement to insurance benefits under title II of the Social Security Act in order to preserve their rights to receive disability pensions under laws administered by the Veterans' Administration;

S. 345. A bill to increase the benefits payable to certain disabled veterans; and

S. 346. A bill to amend the public assistance provisions of the Social Security Act so as to enable States to establish more adequate general assistance programs;

S. 347. A bill to provide for the payment of a pension to widows and children of veterans of World War II and the Korean conflict on the same basis as widows and children of veterans of World War I.

S. 348. A bill to repeal Public Law 85–24 (relating to the prohibition of payment of pensions to persons confined in penal institutions); and

S. 349. A bill to recognize waiver of benefits payable under a private or public retirement plan for the purpose of meeting annual income limitations for disability or death pension; to the Committee on Finance.

S. 350. A bill to permit persons teaching school upon induction into the Armed Forces pursuant to the Universal Military Training and Service Act to serve their active duty and training periods when school is not in session; and

S. 351. A bill for the relief of Vincent B. Moore; to the Committee on Armed Services.

S. 352. A bill to provide aid to persons in the United States desirous of migrating to the Republic of Liberia, and for other purposes; to the Committee on Foreign Relations.

S. 353. A bill to provide for the enforcement of support orders in certain State and Federal courts, and to make it a crime to move or travel in interstate and foreign commerce to avoid compliance with such orders;

S. 354. A bill to amend section 1461 of title 18 of the United States Code, relating to the mailing of obscene or crime-inciting matter;

S. 355. A bill to amend title 18 of the United States Code so as to prohibit the misuse by collecting agencies of names, emblems, and insignia to indicate Federal agency;

S. 356. A bill for the relief of Philip Chiengchung Wei;

S. 357. A bill for the relief of Mrs. Edward J. Smith (nee Concetta Chiodo) and her daughter, Roberta Smith;

S. 358. A bill for the relief of Mary White Toms;

S. 359. A bill for the relief of Lloyd Lindbo;

S. 360. A bill for the relief of Anne Schwellenbach;

S. 361. A bill for the relief of Anne Schwellenbach;

S. 362. A bill for the relief of Mary Palanuk;

S. 363. A bill for the relief of Mrs. Kalyna Maya Chalk;

S. 364. A bill for the relief of Victor Franz Pullwitt;

S. 365. A bill for the relief of Ludvig Aleks Sigus;

S. 366. A bill for the relief of Nellie Iverson;

S. 367. A bill for the relief of Dean Wing Chin Wong;

S. 368. A bill for the relief of William Reinke;

S. 369. A bill for the relief of Mrs. Maria Finnell (nee Pitsch);

S. 370. A bill for the relief of George Barsam;

S. 371. A bill for the relief of Sophie Gumuchdjian (also known as Sophie Calji);

S. 372. A bill for the relief of Hedwik Struc;

S. 373. A bill for the relief of Andreas Varias;

S. 374. A bill for the relief of Michael Alford Smith (Suh Kyung Shik);

S. 375. A bill for the relief of Mrs. Taicia Meyers;

S. 376. A bill for the relief of Walter Troxel;

S. 377. A bill for the relief of Mr. and Mrs. Alf C. Bergum;

S. 378. A bill for the relief of Andrew Franciszek Bielecki;

S. 379. A bill for the relief of Anna Maria Revaro and Mirella Favaron;

S. 380. A bill for the relief of Concepcion Ramiro (Ramelio) Gamboa;

S. 381. A bill for the relief of Peter E. Dietrich;

S. 382. A bill for the relief of John P. Vournas, Gus E. Vournas, and John E. Vournas;

S. 383. A bill for the relief of Charles Herband;

S. 384. A bill for the relief of Beatrice A. Barbeau;

S. 385. A bill to relieve the obligation on an immigration bond posted in the case of Sofia Gumuchdjian;

S. 386. A bill for the relief of Philip Chieng-chung Wei;

S. 387. A bill for the relief of Lee Mao Ning;

S. 388. A bill for the relief of John J. Klein;

S. 389. A bill for the relief of Christos H. Christodoulou;

S. 390. A bill for the relief of Maria Rita Mathieu;

S. 391. A bill for the relief of Edwin P. Martin;

S. 392. A bill for the relief of Peter Clemens, August Grauert, and Hans Herbert Grauert;

S. 393. A bill for the relief of Peter Pawluk;

S. 394. A bill for the relief of Tony Gasper Gasparovich (A–3073430);

S. 395. A bill for the relief of Bartolo Lubini;

S. 396. A bill for the relief of Emmi Arnold; and

S. 397. A bill for the relief of Leon Startek; to the Committee on the Judiciary.

S. 398. A bill to amend title VI of the Public Health Service Act, as amended, in order to make certain clinics eligible for Federal aid to diagnostic or treatment centers;

S. 399. A bill for the establishment of the U.S. Commission on the Aging and Aged;

S. 400. A bill to establish the Federal Agency for Handicapped, to define its duties, and for other purposes;

S. 401. A bill to require that a State home for disabled veterans must make at least 50 percent of the beds in such homes available for domiciliary care in order to qualify for Federal assistance under the act of August 27, 1888;

S. 402. A bill for the establishment of a temporary National Advisory Committee for the Blind; and

S. 403. A bill to promote the general welfare by enabling the several States to make more adequate provision for compensation for the disability or death of workers from silicosis or other dust diseases, by providing for cooperation with the several States, and for other purposes; to the Committee on Labor and Public Welfare.

S. 404. A bill to include the holders of star route and certain other contracts for the carrying of mail under the provisions of the Civil Service Retirement Act;

S. 405. A bill to increase annuities payable to certain annuitants from the civil service retirement and disability fund, and for other purposes;

S. 406. A bill to amend the Civil Service Retirement Act so as to provide for payment of annuities to widowers of female employees, and to surviving children, without regard to dependency;

S. 407. A bill to grant civil service employees retirement after 30 years' service;

S. 408. A bill to amend section 703 of the Classification Act of 1949, as amended, relating to longevity step increases;

S. 409. A bill to provide maternity leave for Government employees;

S. 410. A bill to provide for increases in the annuities of annuitants under the Civil Service Retirement Act of May 29, 1930, as amended;

S. 411. A bill to amend the act of June 27, 1944, Public Law 359, and to preserve the

equities of permanent classified civil-service employees of the United States;

S. 412. A bill to amend the Civil Service Retirement Act so as to authorize the crediting of unused accumulated sick leave for retirement purposes;

S. 413. A bill to provide compensatory time off for rural carriers who are required to work on holidays designated by executive order; and

S. 414. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

S. 415. A bill authorizing the appropriation of funds for the purpose of rebuilding a bridge at Cannon Ball, N. Dak.; to the Committee on Public Works.

By Mr. LANGER (for himself and Mr. YOUNG of North Dakota):

S. 416. A bill to provide that certain lands shall be held in trust for the Standing Rock Sioux Tribe in North Dakota and South Dakota; and

S. 417. A bill to place in trust status certain lands on the Standing Rock Sioux Reservation in North Dakota and South Dakota; to the Committee on Interior and Insular Affairs.

By Mr. ANDERSON:

S. 418. A bill directing the Secretary of the Interior to convey certain property in the State of New Mexico to the Pueblo of Santo Domingo; to the Committee on Interior and Insular Affairs.

By Mr. HENNINGS:

S.J. Res. 11. Joint resolution proposing an amendment to the Constitution to repeal the 22d article of amendment to the Constitution; to the Committee on the Judiciary.

(See the remarks of Mr. HENNINGS when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. MUNDT:

S.J. Res. 12. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. FREAR:

S.J. Res. 13. Joint resolution to authorize the issuance of a stamp in commemoration of the life of Emily P. Bissell; to the Committee on Post Office and Civil Service.

S.J. Res. 14. Joint resolution to authorize the President to proclaim December 1 of each year as National Civil Air Patrol Day; to the Committee on the Judiciary.

NATIONAL JUNIOR ACHIEVEMENT WEEK

Mr. JOHNSON of Texas. Mr. President, last year I submitted a concurrent resolution requesting the President to declare a week in late January as National Junior Achievement Week. That resolution passed both Houses in time for the President to make his proclamation. I am submitting a similar resolution today, and I am hopeful that we can get prompt action on it. My resolution authorizes and requests the President to issue a proclamation designating the week of January 25 through 31 as National Junior Achievement Week.

Mr. President, the work of the Junior Achievement organization is well known to the Members of this body. Through Junior Achievement companies, young people of high school age participate directly in free enterprise institutions, learning the skills and responsibilities that go to make up competitive business life.

There are 3,900 Junior Achievement companies organized in the country today, and more than 65,000 teen-age participants. Twelve thousand adult businessmen are on hand to advise the young workers.

Testimony to the strong community support behind the Junior Achievement companies is the fact that 300,000 people owned shares of stock in them during 1958. These shares are paid off at the end of each year, and the companies are then completely reorganized. In this way, young people coming into the companies on the first of the year experience the entire business cycle from the beginning.

It is a fine program, Mr. President, a program meriting congressional recognition for the splendid work it is doing for America's youth.

The PRESIDENT pro tempore. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 3), submitted by Mr. JOHNSON of Texas, was referred to the Committee on the Judiciary, as follows:

Whereas it was the initiative, the sense of individual dignity, and the determination to mold their own futures that motivated those who founded this Nation; and

Whereas Junior Achievement, Incorporated, through its learning-by-doing program, is inculcating those ideals in American youth by helping them to set up and operate their own small-scale business enterprises; and

Whereas their experience in running Junior Achievement companies will provide these young people with a heightened understanding of the privileges and duties of citizenship and better prepare them to assume the responsibilities of community leadership; and

Whereas thousands of American businessmen voluntarily give unstintingly of their time, their counsel, and their experience for the benefit of the members of Junior Achievement; and

Whereas it is understood that the week beginning January 25, 1959, and ending January 31, 1959, will be observed as National Junior Achievement Week: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the President of the United States is authorized and requested to issue a proclamation designating the week of January 25, 1959, through January 31, 1959, as National Junior Achievement Week and urging all citizens of our country to salute the activities of Junior Achievers and their volunteer adult advisers through appropriate ceremonies.

INVESTIGATION OF CERTAIN MATTERS WITHIN JURISDICTION OF COMMITTEE ON BANKING AND CURRENCY

Mr. FULBRIGHT (for himself and Mr. CAPEHART) submitted the following resolution (S. Res. 20); which was referred to the Committee on Banking and Currency:

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) banking and currency generally;

(2) financial aid to commerce and industry;

(3) deposit insurance;

(4) the Federal Reserve System, including monetary and credit policies;

(5) economic stabilization, production, and mobilization;

(6) valuation and revaluation of the dollar;

(7) prices of commodities, rents and services;

(8) securities and exchange regulation;

(9) credit problems of small business; and

(10) international finance through agencies within the legislative jurisdiction of the committee.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. Expenses of the committee, under this resolution, which shall not exceed $70,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

EXPRESSION OF SENSE OF THE SENATE ON LOANS MADE BY RURAL ELECTRIFICATION ADMINISTRATION

Mr. AIKEN (for himself, Mr. KUCHEL, Mr. HUMPHREY, Mr. SPARKMAN, Mr. KENNEDY, Mr. YOUNG of North Dakota, Mr. COOPER, Mr. MANSFIELD, and Mr. HILL) submitted a resolution (S. Res. 21) expressing the sense of the Senate concerning the making of loans by the Rural Electrification Administration, which was referred to the Committee on Agriculture and Forestry.

(See the remarks of Mr. AIKEN when he submitted the above resolution, which appear under a separate heading.)

CHANGE OF NAME OF COMMITTEE ON FOREIGN RELATIONS TO COMMITTEE ON INTERNATIONAL RELATIONS

Mr. HUMPHREY (for himself, Mr. RANDOLPH, and Mr. JAVITS) submitted a resolution (S. Res. 22) changing the name of the Committee on Foreign Relations to the Committee on International Relations, which was referred to the Committee on Rules and Administration.

(See the remarks of Mr. HUMPHREY when he submitted the above resolution, which appear under a separate heading.)

AGREEMENT WITH MEXICO CONCERNING MOBILE RADIO TRANSMITTING STATIONS

Mr. HUMPHREY submitted a resolution (S. Res. 23) favoring an agreement with Mexico concerning mobile radio

transmitting station, which was referred to the Committee on Foreign Relations.

(See the remarks of Mr. HUMPHREY when he submitted the above resolution, which appear under a separate heading.)

SIZE OF SENATE COMMITTEES

Mr. JOHNSON of Texas submitted a resolution (S. Res. 24), relating to the size of Senate committees, which was considered and agreed to.

(See the remarks of Mr. JOHNSON of Texas when he submitted the above resolution, which appear under a separate heading.)

COUNTRY LIFE COMMISSION

Mr. WILEY. Mr. President, I introduce, for appropriate reference, a bill for the establishment of a Country Life Commission.

The purpose of such a Commission would be to evaluate long-range trends in agriculture, and make recommendations for better resolving problems and providing an improved farm program for the future.

Over the years, there have been many far-reaching changes in agriculture, including farm-to-city shifts in population, technological developments, location of industries in rural areas, and other trends that are bringing new challenges. These changes are resulting in tremendous social and economic changes in farm life.

The Commission, as proposed, would be composed of 25 members, appointed by the President, including 10 Members of Congress—5 from the Senate and 5 from the House of Representatives. It would be required to report and make its recommendations to the President and the Congress within 2 years after the enactment of the legislation and the appointment of the members of the Commission.

I am aware, of course, that—in recognition of the real need for this long-range approach to resolving our agricultural problems—there are other proposals under consideration for establishment of such a Country Life Commission. Our colleagues on the Agricultural Committee, of course, will want to give proportionate consideration to these differing proposals—so as to come up with the best kind of Commission.

I hope, however, that early action will be taken on this proposed legislation.

From all evidence, it appears that our agricultural problems will also be long range, since unfortunately, there appears to be no immediate solution to the situation. Therefore, it is particularly desirable that such a Commission be established, as soon as possible.

I ask unanimous consent that the bill may be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 265) to establish a Commission on Country Life, and for other purposes, introduced by Mr. WILEY, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD as follows:

Be it enacted, etc.

DECLARATION OF PURPOSE

SECTION 1. Because (1) economic and social changes are profoundly affecting all phases of human life and endeavor in country communities; (2) there is currently a need for greater awareness on the part of all people, their organizations, and their leadership concerning the interrelatedness of rural and urban forces shaping the new country community; (3) rural organizations and leadership are in the need of a critical and thoughtful appraisal of the forces shaping the new country community; (4) in a time of great social and economic adjustment spokesmen for country people must be encouraged to safeguard the opportunity for full development of individual and local community initiative; and (5) there is a need for an approach to the changing country scene which will provide the Nation with a body of objective facts, thoughtful appraisal, and a value base to help its people make wise decisions in the area of country living, it is therefore determined to be necessary to establish a commission to develop this approach, advise, and recommend with regard to problems, needs, probable courses of action or other appropriate means which will help the Nation to act wisely in this time of unprecedented change in country community living.

COMMISSION ON COUNTRY LIFE

SEC. 2. (a) For the purpose of carrying out this Act there is hereby established a commission to be known as the Commission on Country Life (hereafter in this Act referred to as the "Commission").

(b) The Commission shall be composed of twenty-five members, as follows:

(1) Fifteen members, of whom not more than nine shall be members of the same political party, appointed by the President of the United States, from among whom the President shall designate the Chairman and the Vice Chairman of the Commission;

(2) Five members appointed by the President of the Senate, three from the majority party, and two from the minority party; and

(3) Five members appointed by the Speaker of the House of Representatives, three from the majority party, and two from the minority party.

(c) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(d) Thirteen members of the Commission shall constitute a quorum, but a lesser number may conduct hearings.

(e) Service of an individual as a member of the Commission or employment of an individual by the Commission as an attorney or expert in any field, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of section 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes of the United States (5 U.S.C. 99).

DUTIES OF THE COMMISSION

SEC. 3. (a) The Commission shall carry out the purposes of section 1 of this Act, and in doing so shall—

(1) assemble the facts necessary to give a comprehensive picture with respect to the major trends affecting country community living;

(2) identify major gaps between the problems of country residents and the organized means to handle their problems;

(3) demonstrate the interrelatedness of the functions of, and the need for cooperation between, the various institutions, agencies, and organizations serving country people;

(4) evaluate the impact of technological developments on living and ways of making a living in the country community;

(5) assess the impact of the changing composition of the country community population on social and economic goals and values; and

(6) develop a set of principles and guides to serve as a basis for approaches to improved country living in the years ahead.

(b) The Commission, not later than two years after the date on which the twenty-fifth member of the Commission is appointed, shall submit to the President and to the Congress its final report, including recommendations for legislative action; and the Commission shall also from time to time make other reports on the activities and studies of the Commission. Copies of reports of the Commission shall be distributed free to interested persons.

HEARINGS; OBTAINING INFORMATION

SEC. 4. (a) The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as the Commission or such subcommittee or member may deem advisable. Subpenas may be issued under the signature of the Chairman of the Commission, of such subcommittee, or any duly designated member, and may be served by any person designated by such Chairman or member. The provisions of sections 102, 103, and 104 of the Revised Statutes of the United States (2 U.S.C. 192, 193, 194), shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

(b) The Commission is authorized to secure from any department, agency, or independent instrumentality of the Federal Government any information it deems necessary to carry out its functions under this Act; and each such department, agency, or instrumentality is authorized and directed to furnish such information to the Commission, upon request made by the Chairman or by the Vice Chairman when acting as Chairman.

APPROPRIATIONS, EXPENSES, AND PERSONNEL

SEC. 5. (a) There are hereby authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act.

(b) Each member of the Commission shall receive $50 per diem when engaged in the performance of duties vested in the Commission, except that no compensation shall be paid by the United States, by reason of service as a member of such Commission, to any such member who is receiving other compensation from the United States, or to any member who is receiving compensation from any State or local government.

(c) Each member of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by him in the performance of duties vested in the Commission.

(d) The Commission may appoint and fix the compensation of such employees as it deems advisable without regard to the provisions of the civil-service laws or the Classification Act of 1949, as amended.

(e) The Commission may procure, without regard to the civil-service laws or the Classification Act of 1949, as amended, temporary and intermittent services to the same extent as is authorized by section 15 of the Act of August 2, 1946, as amended (5 U.S.C. 55a), but at rates not to exceed $50 per diem for individuals.

(f) The Commission may appoint and fix the compensation of a Director, without regard to the civil-service laws or the Classification Act of 1949, as amended, who shall perform such duties as the Commission shall prescribe. The compensation paid to such Director under the provisions of this subsection shall not exceed the rate of $16,000 per annum.

HEADQUARTERS

SEC. 6. The Commission may establish and maintain its headquarters at whatever place within the United States that is determined by the Commission.

TERMINATION OF THE COMMISSION

SEC. 7. Six months after the transmittal to the Congress of the final report provided for in section 3 (b) of this Act, the Commission shall cease to exist.

Mr. WILEY. Mr. President, to provide other Senators who may be interested the opportunity of joining in cosponsorship of this bill, I ask that it lie on the table during this week. Any colleagues who wish to cosponsor the measure are warmly invited to do so.

The PRESIDENT pro tempore. Without objection, the bill will lie on the desk, as requested by the Senator from Wisconsin.

Mr. WILEY. Mr. President, I ask unanimous consent that a statement which I have prepared on the bill be printed at this point in the body of the RECORD, following the text of the bill itself.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

The complexion of country living, during recent years, has changed in many respects.

First. There have been tremendous shifts from rural to urban living. In 1850, for example, only 15 percent of the population lived in urban areas; in 1950—100 years later—it had risen to 65 percent.

Second. Today more and more farmers hold off-the-farm jobs. In Wisconsin, about 35 percent of our farmers hold such jobs.

Third. Production patterns are changing. In 1958, because of technological advancements, crop production climbed 11 percent above the previous record set in 1948 and matched in 1956 and 1957. This was accomplished on acreage reduced sharply because of Government planting control and retention of land in the soil bank.

Fourth. The costs of our agriculture program are high. Currently, we are spending about $4.8 billion annually. A more realistic long-range plan may well help to reduce these costs in the future.

Urban folks, too, have a stake in maintaining a healthy agricultural economy. We recognize, of course, that our farmers produce the food for the Nation—its lifeblood. A great many of our cities are only a few days away from starvation.

In addition, we have learned from unhappy experiences that economic downtrends in agriculture are soon reflected elsewhere in the economy.

Overall, there is a real need for an improved farm program to benefit both producers and consumers alike.

Although similar proposals have been presented to Congress in the past, unfortunately no final action has been taken. The facts are that farmers are still receiving a disproportionately low share of the national income; predictions indicate that income may drop 5 to 10 percent this year; and a healthy agriculture is good for the Nation.

The establishment of a Country Life Commission to attempt to cope more effectively with long-range problems and trends could make a real contribution, I believe, toward an improved farm program.

ADDITIONAL CAPITAL GRANTS FOR URBAN RENEWAL AND REDEVELOPMENT PROJECTS

Mr. BUSH. Mr. President, I introduce a bill to authorize additional capital grants for urban renewal and redevelopment projects, and to encourage participation by the States in slum clearance and prevention, and ask that it be referred to the Committee on Banking and Currency.

Mr. President, this bill proposes a 6-year urban renewal and redevelopment program under which from $3.3 billion to more than $4 billion in public funds could be made available for the urgent task of preventing the further decay of the cities of America.

It would provide a minimum of $1.5 billion in Federal capital grants over the 6-year period, and this amount could be increased to as much as $2.1 billion in the discretion of the President. The remaining public funds would be contributed by States and municipalities which take advantage of the program.

Additionally, the bill would provide priorities in Federal capital grants to projects in States which assist local communities in meeting the expense of required local costs; and would gradually reduce the Federal share of urban renewal costs, now 66⅔ percent or more, to an eventual 50 percent, with States and their municipalities paying the remainder.

Connecticut and several other forward-looking States have recognized the stark necessity of helping their cities stave off municipal bankruptcy through urban renewal and redevelopment. My bill is frankly designed to encourage other States to follow their lead, and thus make possible a greater amount of public funds for urban renewal than will be possible if the Federal Government is left to bear a disproportionate share of the burden.

Mr. President, I ask unanimous consent that the text of the bill may be printed following these remarks, together with the text of an address delivered by me before a luncheon meeting of the American Society of Civil Engineers in New York City on October 13, 1958, in which the background of urban renewal and the philosophy behind the bill were outlined.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill, together with the address, will be printed in the RECORD.

The bill (S. 266) to authorize additional capital grants for urban renewal and redevelopment projects, and to encourage participation by the States in slum clearance and prevention, introduced by Mr. BUSH, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 101(b) of the Housing Act of 1949 is amended by adding at the end thereof a new sentence as follows: "The Administrator shall particularly encourage the utilization of local public agencies established by the States to operate on a statewide basis in behalf of smaller communities within the State, whenever that arrangement provides an effective solution of community development or redevelopment problems in such communities, and is approved by resolution or ordinance of the governing bodies of the affected communities."

SEC. 2. The first sentence of section 103(b) of the Housing Act of 1949 is amended to read as follows: "The Administrator, on and after July 1, 1949, may, with the approval of the President, contract to make capital grants, with respect to projects assisted under this title, and to make grants pursuant to subsection (c) of this section, aggregating not to exceed $1,250,000,000, which limit shall be increased by $250,000,000 on July 1 in each of the fiscal years 1960 through 1965; except that any such authorized increase may be increased by additional amounts aggregating not more than $100,000,000 in any fiscal year upon a determination by the President that such additional amounts are necessary to stimulate economic activity and to carry out the urban renewal objectives of this title: *Provided,* That the amount of capital grants contracted for under this title prior to July 1, 1966, shall not exceed an aggregate of $3,350,000,000."

SEC. 3. Section 103(a) of the Housing Act of 1949 is hereby amended by striking out the second sentence and inserting in lieu thereof the following: "The aggregate of such capital grants with respect to all the projects of a local public agency on which contracts for capital grants have been made under this title shall not exceed the sum of the applicable percentages of the respective net project costs of such projects. Such percentages, which shall apply to all projects receiving initial Federal recognition during the period specified, shall be 66⅔ per centum for the period prior to July 1, 1960; 60 per centum for the period between July 1, 1960, and June 30, 1961, inclusive; 55 per centum for the period between July 1, 1961, and June 30, 1962, inclusive; and 50 per centum for any time thereafter: *Provided,* That the percentage for any project for which no planning grant is received and retained by the local public agency and which the Administrator, at the request of such agency, may approve on a three-fourths capital grant basis shall be 75 per centum, or such lesser percentage as the Administrator determines to be generally consistent with the percentage of net project costs hereunder applicable at the time to projects not so approved."

SEC. 4. Section 104 of the Housing Act of 1949 is hereby amended to read as follows:

"SEC. 104. Every contract for capital grants under this title shall require local grants-in-aid in connection with the project involved which, together with the local grants-in-aid to be provided in connection with all other projects of the local public agency on which contracts for capital grants have theretofore been made, will be at least equal to the difference between the aggregate net project costs involved and the sum described in the second sentence of section 103(a)."

SEC. 5. Section 106 of the Housing Act of 1949 is amended by adding at the end thereof the following new subsection:

"(h) Without limiting any authority otherwise provided in this title, any local grants-in-aid may be furnished by the State government as distinguished from other local public agencies, as herein defined. In making capital grants available for projects, priority shall be given a project in a State where the State government has furnished or contracted to furnish local grants-in-aid to the project in an amount which equals or exceeds one-half the total required amount."

The address presented by Mr. BUSH is as follows:

THE FUTURE OF URBAN RENEWAL

(By Hon. PRESCOTT BUSH, U.S. Senator)

I welcome this opportunity to speak before the American Society of Civil Engineers on the subject of urban renewal and redevelopment. It is an honor and a privilege to appear before a group of professional men who can play an important part in shaping the future of this program which I consider to be one of the most vital long-range projects which has been undertaken in the United States.

You are all familiar with the failure of the 85th Congress to enact legislation to ensure the continuation of urban renewal. A bill to provide $2.1 billion in Federal capital grants over a 6-year period toward the herculean task of cleaning up the slums of America and preventing the further decay of our cities was reported to the Senate floor by the Committee on Banking and Currency, of which I have been a member ever since I entered the Senate 6 years ago. Although the proposed 6-year program was reduced to $1.8 billion on the Senate floor, the bill died in the House of Representatives.

This setback was of concern to all of us who are enthusiastic supporters of this imaginative, constructive program which can mean so much in creating a better, happier life for many thousands of American families and in saving hundreds of communities from municipal bankruptcy.

Why did it occur? I shall discuss what I consider to be the reasons a little later on, but first, perhaps, we should consider the size, scope and nature of the program which has been developed to meet the problems of urban slums and urban blight.

More and more communities today are seeking an answer to the problems stemming from slums and blight through participation in the federally assisted urban renewal program.

At the end of June, this year, 328 localities—large and small—had undertaken a total of 543 urban renewal projects. This demonstrates, it seems to me, an awareness across the Nation of the benefits that can be derived from sound urban renewal.

Though the federally assisted urban-renewal program is being carried out on a nationwide scale, it is completely apparent that the answer to the problem of urban renewal is basically local—local in initiative, local in management, local in achievement.

The prime Federal function in urban renewal is to help the community help itself through financial and technical assistance.

Under the slum-clearance provisions of the Housing Act of 1949, many communities undertook to do away with unsightly scars on the faces of our cities and are now, with Federal assistance, clearing wornout slum areas for a wide variety of new uses—residential, commercial, industrial, public, and semipublic.

But, as originally conceived, this was only a partial answer. The President's Advisory Committee on Government Housing Policies and Programs in 1953, found that new slums were forming faster than old ones were being cleared. This committee called for a program to prevent slums, as well as to clear them.

This required not only Federal assistance but also full-scale community programs to solve the problem.

"Federal assistance," President Eisenhower said, "is justified for communities which face up to the problem of neighborhood decay and undertake long-range programs directed to its prevention."

Acting on the Committee's recommendations, the President, in January 1954, called on the Congress for legislation that would aid localities to (1) prevent the spread of blight into good areas; (2) rehabilitate areas that can be economically restored; and (3) continue clearance and redevelopment of areas that cannot be saved.

Congress responded with the Housing Act of 1954.

That act opened the way to a new total approach to end blight as well as clear slums by using a wide range of community, private, and Federal resources in a strongly unified effort.

With the urban renewal tools made available to them by the 1954 act and subsequent legislation, American communities now can aim at total community improvement rather than confining themselves to the elimination of pockets of slums here and there.

In fact, major Federal assistance in the form of loans and capital grants, special FHA mortgage insurance, and public housing are available only after the locality prepares an acceptable workable program blueprinting the action that must be taken for overall community improvement. Under the workable program, the community sets its own goals toward which it must work in order to obtain Federal recertification of its program and maintain eligibility for Federal assistance. The community itself carries out all the steps involved in the required elements of a workable program.

Federally assisted urban renewal today is a two-pronged approach: First, clearance and redevelopment of slums gone beyond repair and rehabilitation; and second, conservation of savable dwellings and neighborhoods.

All the slum clearance provisions of the 1949 act have been retained in the present program. The vital additions include specific tools for rehabilitation and conservation.

Current Federal assistance includes such aids as: loans and capital grants for urban renewal projects; planning, informational, and technical help; liberalized FHA mortgage insurance; and financial aid for low-rent public housing. I shall later discuss these in somewhat greater detail.

Federal aid for urban renewal projects may be given only to local public agencies duly authorized by State and local law to carry out the various activities involved. A local public agency may be—according to individual local circumstances—a specially created redevelopment agency, a local housing authority, or a city or county itself.

In some localities, two local agencies, such as the city and the redevelopment agency, may have to participate jointly in certain types of projects.

An urban renewal project, according to the law, may embrace diversified local efforts directed at the elimination and prevention of slums and blight, all in accordance with the urban renewal plan for the area.

Specific activities of an urban renewal project may include these:

1. Carrying out plans for a program of voluntary repair and rehabilitation;

2. Acquisition of slum areas or deteriorated or deteriorating areas, whether residential or nonresidential;

3. Acquisition of predominantly open land—such as arrested subdivisions—which, because of deterioration or other basic faults, impede sound community growth;

4. Acquisition, preparation, and disposition of open land needed for sound community growth—outside an urban renewal area—for predominantly residential purposes. No capital grants may be made for such areas, which are intended for use in relocating families displaced by the local urban renewal programs.

5. Acquisition—in areas where the prime need is conservation or rehabilitation—of individual parcels of land and structures thereon which must be razed to prevent the spread of blight or provide land for needed public facilities;

6. Demolition and removal of buildings and improvements after proper relocation of onsite tenants;

7. Installation, construction, or reconstruction—in the urban renewal area—of streets, utilities, parks, playgrounds, and other improvements necessary to carry out urban renewal objectives;

8. Selling or leasing any acquired land—for development or redevelopment by private enterprise or public agencies—at its fair value in accordance with the urban renewal plan.

It is important to note that no Federal funds may be expended for the construction or improvement of any building in an urban renewal project. FHA mortgage insurance, however, is available under section 220 of the National Housing Act for rehabilitation of dwellings or the construction of housing in an urban renewal area.

I mentioned, a few moments ago, the urban renewal plan. The law requires a plan—locally devised—for each urban renewal project. The urban renewal plan must indicate proposed land acquisition, demolition and removal of structures, redevelopment, improvements, and contemplated rehabilitation. It must also show any zoning and planning changes, land uses, maximum population densities, building requirements, and its relationship to local objectives.

These objectives include such items as appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.

Turning to specific urban renewal aids, let us consider first loans and capital grants.

A loan covers expenses attendant to carrying out the urban renewal project. It is repaid to the Federal Government with interest.

A capital grant is designed to defray up to two-thirds—in some cases three-fourths—of the net loss incurred in carrying out a project. The community must put up the remainder of the deficit.

This local share can be supplied through any or all of the following methods: cash, donations of land, certain types of work on the site, and supporting public facilities.

Concerning FHA mortgage insurance, the 1954 act amended the National Housing Act so as to liberalize the scope of such insurance in several ways. Particularly important to urban renewal are two new FHA programs under sections 220 and 221 of the National Housing Act.

Section 220 authorizes special mortgage insurance for the construction or rehabilitation of sales and rental housing in urban renewal areas in accordance with urban renewal plans.

For the benefit of families displaced by urban renewal programs or other public undertakings, section 221 permits mortgage insurance to provide low-cost private housing—sales and rental—through new construction and/or rehabilitation.

Federally assisted low-rent public housing, first authorized in 1937, is available in connection with the urban renewal program to meet requirements of low-income families displaced by urban renewal activities or other public action. Such families have first priority for public housing vacancies.

Another aid is the urban renewal service. Through this service communities may obtain on-the-scene technical and professional aid for preparing local urban renewal programs. Technical bulletins and other informational materials also are included in the assistance given by this service.

All in all, communities have access to a rounded supply of urban renewal tools. It is up to them to take the initiative in using them.

Why did this program, with so many desirable features, fail to win the support of the 85th Congress?

The primary reason, in my judgment, was a realization of the enormous costs to the Federal Government it will involve in the

years ahead, and an unwillingness to commit the Federal Government to financial burdens of that magnitude at a time when in the current fiscal year we face a $12 billion deficit.

It is my considered opinion that unless State governments participate substantially in underwriting the public costs of urban renewal the program faces an extremely uncertain future.

What is the probable magnitude of the public costs involved in cleaning up America's slums, and preventing the further decay of our cities?

The bill reported to the Senate by the Committee on Banking and Currency would have committed the Federal Government to pledge an average of $350 million a year, for a 6-year period, beginning with the current fiscal year of 1959, toward the cost of acquiring and clearing sites for urban renewal and redevelopment projects. The total of $2.1 billion was a large sum, but it represented only a fraction of the staggering costs of slum clearance and urban renewal which face the cities of America.

There are no thoroughly reliable estimates of the total public costs that will be involved, but the President's Advisory Committee on Housing, in 1953, made a rough calculation that at a minimum $24 billion in public funds would be required for urban renewal and redevelopment.

Where is the public money coming from?

At present, the Federal Government pledges itself to contribute two-thirds of acquiring and clearing the sites of an urban renewal project—the "net project cost"—and the locality provides the remaining one-third in cash or in public improvements. To date, the Federal Government has made capital grant reservations totaling about $1.2 billion.

With rare exceptions, the State governments have contributed nothing.

We hear a great deal spoken on the Senate floor about "States rights." But, States rights carry with them States responsibilities, and if the States do not accept their responsibilities their rights will wither away. Each evasion by the States of their responsibility to carry out an obligation of government due their people, or the municipalities which are their creatures, weakens State governments and further concentrates power and authority in the Central Government here in Washington.

The administration had proposed a gradual reduction of the Federal share of the cost of urban renewal projects, and a corresponding increase in the contributions by local or State governments. The administration recommended that the Federal Government's share be reduced to 60 percent on July 1, 1959; to 55 percent on July 1, 1960; and to 50 percent on July 1, 1961, with the local or State share being increased accordingly up to a matching 50 percent.

This recommendation, to my regret, was rejected by a majority of the Committee on Banking and Currency and was not even considered by the Senate. It was opposed during the hearings by representatives of the mayors of America who testified it would be exceedingly difficult to increase taxes, or issue municipal bonds, to provide larger local contributions.

I can agree with the mayors' contention—with some reservations. Property taxes in many communities in my own State of Connecticut are already high. Some communities have exhausted their capacity to issue bonds. I presume similar conditions exist throughout the Nation. But, on the other hand, there are many communities throughout the United States which base their property taxes on unrealistically low assessments, and there are many which can issue long-term bonds which, because of the advantage of tax exempt status, bear low interest rates which compare very favorably with interest rates on U.S. Treasury obligations with comparable maturities. Moreover, I am confident that well-planned urban renewal and redevelopment projects will result in increased tax revenues which the cities could well use—directly, or indirectly in support of bond issues—to pay a modest increase in the cost of their urban renewal programs.

So, I cannot accept in its entirety the argument that cities cannot afford a modest increase in their contributions to the urban renewal programs which are of such great direct benefit to themselves.

However, I believe that if the Federal share is gradually reduced, the greater part of the corresponding increase in the local contributions should be borne by the State governments which, with extremely few exceptions, now contribute nothing at all.

I raised this point during the hearings conducted by the subcommittee on Housing, and was met with the argument by the mayors' representatives that it would be impossible to persuade the legislatures of the several States to authorize State contributions to urban renewal programs because, it was alleged, the legislatures are dominated by rural members with little sympathy for the problems of the cities.

The able member of the subcommittee, the distinguished junior Senator from Pennsylvania [Mr. CLARK] also made this allegation many times during the course of the hearings. I quote from a colloquy he had with Mayor Lee, of New Haven, which appears on page 496:

"Senator CLARK. Of course, we have a lot of State legislatures where the representation formula is such that the urban communities are pretty badly underrepresented. Have you found that to be the case in Connecticut?

"Mr. LEE. That is the case, except this is a rather extraordinary development in Connecticut. Our legislature is rural dominated, as are most legislatures, but Senator, the great thing was in this last session that the legislation which was introduced in urban renewal and passed was introduced by the Republicans in the house, which is the rural section of our legislature. It was a very pleasant and totally unexpected development."

The Wooster Square project in New Haven is one of the first, if not the first, urban redevelopment projects in Connecticut to receive assistance from the State under the new legislation to which Mayor Lee referred. The statute authorizes the State of Connecticut to pay one-half of the local cost of urban renewal and redevelopment projects. Under existing law, this means that the Federal Government pays two-thirds of the net project cost, and the State and the city pay one-sixth each. If the cost-sharing formula were modified as the administration suggested, the division of costs on projects initiated in the fiscal year beginning on July 1, 1959, would have been as follows: Federal, 60 percent; State, 20 percent; locality, 20 percent. In the fiscal year beginning on July 1, 1960, it would have been Federal, 55 percent; State, 22.5 percent; locality, 22.5 percent; and in the fiscal year beginning on July 1, 1961, and in subsequent fiscal years it would have been Federal, 50 percent; State and locality, 25 percent each.

It will be noted that under a Federal-State-local cost-sharing plan the contributions of the local community would be less than they are now required to make under the present arrangement in which costs are divided solely between the Federal Government and the locality. Even when the Federal contribution was reduced to the minimum, 50 percent, the cities would be paying only one-fourth as compared with the present one-third.

Other legislation enacted by the General Assembly of Connecticut at its special session this year authorized the State to pay one-half the cost of commercial and industrial redevelopment projects for which no Federal assistance is presently available. A third statute enables the State development commission to provide technical assistance to communities in the preparation of capital improvement programs.

The experience in my own State makes it impossible for me to accept the defeatist argument made before our committee by the representatives of American mayors. I have urged the mayors to undertake a vigorous campaign to convince State legislatures of the imperative need for urban renewal, and of the necessity of State contributions toward the costs.

This, admittedly, is a more difficult task than coming to Washington and asking for ever-increasing Federal contributions, but it should be done and, if accomplished, would insure the future of urban renewal.

Unless it is done, I fear that the day will come when the Federal Government will reduce, and perhaps eliminate entirely, its contributions because of other demands upon the Treasury. As a member of the Committee on Armed Services, I am painfully aware of the rapidly skyrocketing costs of defense in a period of onrushing technological developments. Defense costs are already enormous, and the prospects are that they will be steadily rising in the years immediately ahead. We ended the fiscal year 1958 with a Federal deficit close to $3 billion. In the current fiscal year, we have had a Federal expense budget of $80 billion and we are told on good authority that the deficit will approximate $12 billion. Under these circumstances, urban renewal will continue to be an inviting target for those searching for ways to cut the budget.

But if the States participate in the costs of urban renewal, there will be less inclination to reduce the Federal contributions below their present level, and State assistance in the effort to clean up slums and prevent the spread of urban blight will make possible a larger total program than otherwise could be carried out.

I urge you, gentlemen, when you return to your home States, to help bring about a greater public understanding of the need for urban renewal and redevelopment, and of the need for participation in its costs by all levels of government—State, as well as Federal and local.

ALLEVIATION OF UNEMPLOYMENT IN CERTAIN DEPRESSED AREAS

Mr. SCOTT. Mr. President, I introduce for appropriate reference a bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in economically depressed areas.

This subject is not new to the Senate. A bill for this purpose, combining the features of several proposals, was passed by the Senate last year. It was considerably amended in the House—and in its final form was pocket-vetoed by the President on September 6, 1958.

The President's veto of S. 3683 hinged upon differences as to application and operation of such a program; there was no argument as to need. The administration has consistently urged the adoption of legislation to render economic assistance to areas of chronic unemployment.

The proposal which I submit today attempts to meet some of the President's objections, while at the same time insisting upon sufficient funds and scope to constitute an adequate program.

Mr. President, the need for such a program in the Commonwealth of Pennsylvania has not diminished in the past year. Unemployment has increased 10 percent on a statewide basis in the past month. Regional unemployment statistics for seriously affected areas in Pennsylvania, indicate sizable increases in unemployment, over a year ago, to as high as 16.8 percent of the labor force. These are not temporary maladjustments, but continuing problems of economic distress.

The greater part of our country is enjoying a high degree of prosperity, with indications that we will forge ahead to even greater business and economic recovery. For certain areas and communities to be caught in the backwash of this tide, through no fault of their own, is a threat to our way of life.

We need the active participation of every American citizen in our national welfare. We must extend to these areas of continued unemployment and underemployment the financial and technical assistance needed to put themselves back on the track of national prosperity and well-being.

Mr. President, I will not take up the time of the Senate for a long discussion of this subject at this time. I ask unanimous consent that a brief analysis of the salient points of the bill be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the analysis will be printed in the RECORD.

The bill (S. 268) to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The analysis presented by Mr. SCOTT is as follows:

BRIEF ANALYSIS OF AREA REDEVELOPMENT BILL INTRODUCED BY SENATOR HUGH SCOTT

1. Authorizes appropriation of a total of $200 million for a revolving loan fund: $100 million for industrial areas; $50 million for rural areas; and $50 million for public facilities. This compares with $50 million provided in last year's administration bill, but is $75 million less than the bill vetoed. (The bill does not provide for outright grants for public facilities, a provision to which the President objected.)

2. Provides for maximum Federal loan participation of 50 percent; minimum State or local government participation of 10 percent; and minimum participation from nongovernmental sources of 5 percent. The President had objected to Federal participation in loans up to 65 percent in the bill vetoed.

3. Provides for loans for a period of 30 years, compared with the 40-year limit in the vetoed bill.

4. Places program under Department of Commerce which has primary responsibility for business and industrial development. Administrator will have Assistant Secretary status.

5. Authorizes the Secretary of Commerce to determine realistic rates of interest on all loans.

6. Authorizes loans to industrial areas with the following unemployment levels: 15 percent unemployment for 6 months; or 12 percent for 1 year; or 9 percent for 15 out of 18 months; 6 percent for 18 out of 24 months—preceding date of application. There are different criteria for rural areas and public facilities loans.

7. Contains a special urban renewal section to permit Housing and Home Finance Agency to give financial assistance to urban renewal projects in municipalities, without regard to the predominantly residential requirement.

8. Contains Davis-Bacon Act provision to assure prevailing rate of wage and 40-hour week on contracts under area redevelopment.

9. Authorizes technical assistance of $3.5 million for surveys and other evaluation studies.

10. Requires the State or its instrumentality to establish local redevelopment plans.

11. Establishes a Cabinet-level Advisory Board and 25-member Public Advisory Committee.

EQUALIZATION OF PAY OF RETIRED MEMBERS OF UNIFORMED SERVICES

Mr. GOLDWATER. Mr. President, on April 29, 1958, the Senate passed H.R. 11470, the military pay raise bill, which became Public Law 422. It was my opinion, at that time, as it is at the present, that the bill was inequitable in that it provided a different pay increase for retired officers than for those on active duty and who retired after enactment of the bill.

At that time this difference of award was discussed here on the floor, but I did not offer an amendment since I was fearful that it might jeopardize passage of the bill.

Last year I cosponsored S. 4207, designed to remedy the discrimination embodied in Public Law 422. Today I am introducing an identical bill, which provides that hereafter the retirement pay of those members of the armed services retired on or before May 31, 1958, shall not be less than that provided for members of the uniformed services of equal rank and length of service retired subsequent to that date.

Under Public Law 422, those retiring after June 1, 1958, from active status are paid under the traditional percent of current active duty pay. Thus, a major general or rear admiral with 30 years' service, retiring after June 1, 1958, draws his retired pay at 75 percent of the new active duty rate of $1,350 per month, as against the pay drawn by a major general retiring on or before May 31, which allows only a 6-percent increase over the old retired pay of $807 a month. This amounts to $1,014 per month retirement pay for a major general or rear admiral now on active duty, who may not have commanded more than a battalion in war, as against a retired major general drawing $848 per month who commanded a division or task force during World War II and Korea.

Why there should be this disparity in award of compensation to retirees from the same services with the same ranks—based on only the discriminating factor that one retired on May 31, 1958, and the other retired on June 1, 1958? To me it is difficult to understand the reasons we are now penalizing the very men whose outstanding wartime leadership should entitle them to first consideration.

This bill completes the system of compensation advocated by the Cordiner report, carrying out the recommendation that retirement scales for all retirees be recomputed each time the pertinent laws are changed. It will offer the incentive needed to attract outstanding young men into the services, assuring them that their retirement programs will be kept abreast of current economic conditions. It has the support of the American Legion, the Veterans of Foreign Wars, the Adjutants General Association, the National Guard Association, the Regular Veterans Association, the Catholic War Veterans Association, the Jewish War Veterans of the United States, the Naval Reserve Association, the Veterans of World War I of the United States, and numerous other service and veteran groups.

Only in this way can a fair and equal system of retirement be maintained.

I ask unanimous consent that the bill lie on the desk for 3 days, in order that other Senators interested in the subject may subscribe their names to it.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Arizona.

The bill (S. 269) to equalize the pay of retired members of the uniformed services, introduced by Mr. GOLDWATER (for himself and Senators BEALL, HOLLAND, MANSFIELD, MORSE, MURRAY, PASTORE, THURMOND, ENGLE, MUNDT, HUMPHREY, and MOSS) was received, read twice by its title, and referred to the Committee on Armed Services.

CONSTRUCTION OF BURNS CREEK DAM, IDAHO

Mr. DWORSHAK. Mr. President, on behalf of myself, and my colleague, the junior Senator from Idaho [Mr. CHURCH], I introduce for appropriate reference a bill to authorize the construction of the Burns Creek Dam and powerplant in Bonneville County, Idaho. The bill which we introduce is identical in form with one considered by this body and passed in the 85th Congress. Unfortunately, the other body did not have an opportunity to consider it and it died at the expiration of the 85th Congress.

The bill in the form in which it is now introduced has been reported favorably upon by the Interior Department and by the Bureau of the Budget. The Burns Creek Dam and Reservoir and powerplant would be located on the Snake River in Bonneville County, Idaho, about 30 miles downstream from Palisades Dam. It would be integrated electrically, hydraulically, and financially with the existing Palisades reclamation project. The prime purpose of this development is reregulation of releases from Palisades, but in addition 100,000 acre-feet of its 234,000 acre-feet of reservoir capacity will be available for long-term holdover irrigation storage and a 90,000-kilowatt powerplant will be built. The holdover storage would in effect provide insurance water to be used during extreme drought periods. All of it has been contracted for use on the irrigated acres along the

Snake River upstream from Bliss, Idaho, by the users who heretofore have contracted for Palisades water.

The reregulation of Palisades releases will make possible an integrated operation which will more than double the prime power output from the Palisades powerplant alone. A very favorable cost benefit ratio has been reported.

The bill has the virtually unanimous support of the water users, the power users and all other interested parties in the State of Idaho.

My colleague and I intend to urge the Interior Committee to hold hearings promptly so that action in this body can be concluded at an early date.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. DWORSHAK. I yield.

Mr. CHURCH. I concur and subscribe wholeheartedly to the remarks of my distinguished colleague in the introduction of the bill. I am proud to sponsor it with him this year as I did in the last Congress. I know of no project which is so well able to stand on its own merits as this one, not only in terms of the supplemental irrigation benefits, but also in terms of the power it will produce, as well as in fiscal terms. It will not be a cost to the Federal Government. Rather, it will be an additional investment in the development of reclamation and related purposes which will more than repay the Treasury with interest, from power revenues alone, within a reasonable pay-out period. I hope the Senate will speedily pass the bill, as it did 2 years ago.

Mr. DWORSHAK. I thank the Senator.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 281) to authorize the Secretary of the Interior to construct, operate, and maintain a reregulating reservoir and other works at the Burns Creek site in the upper Snake River Valley, Idaho, and for other purposes, introduced by Mr. DWORSHAK (for himself and Mr. CHURCH), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

CONSTRUCTION OF AGRICULTURAL BUILDINGS

Mr. FULBRIGHT. Mr. President, on behalf of myself and the senior Senator from Minnesota [Mr. HUMPHREY] I introduce, for appropriate reference, a bill I consider important to the adequate and orderly development of our agricultural programs.

This bill would authorize the Administrator of General Services to carry out a program for the construction of county agricultural buildings in counties where agriculture is the predominant industry, and where Federal, State, and local offices administer programs involving the welfare of our farm population. The bill would authorize the Federal Government to contribute up to 30 percent of the construction costs of such buildings, and in unusual cases, when it is established that counties are unable to supply a full share of the construction costs, the Government would be authorized to contribute up to 50 percent.

Mr. President, in Arkansas agriculture is a predominant industry, and in many counties agricultural activities of the Federal, State, and local governments are conducted in buildings widely separated. As a result, farmers encounter difficulty in contacting the appropriate agencies with which agricultural problems may be discussed. This problem would be alleviated by enactment of this bill. Its outstanding feature would be the centralization of the various Federal, State, and local agricultural activities in one building.

Mr. President, I ask unanimous consent that the bill be printed at this point in the RECORD, and that the bill be permitted to lie on the table for a period of 1 week in order that other Senators, who may wish to join as cosponsors of this measure, will have the opportunity to do so.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Arkansas, and will be printed in the RECORD.

The bill (S. 282) to authorize the Administrator of General Services to assist in planning and financing the construction of county agricultural buildings, introduced by Mr. FULBRIGHT (for himself and Mr. HUMPHREY), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD.

(The bill (S. 282) will appear hereafter in the RECORD.)

ADDITION OF CERTAIN LANDS TO BOISE AND PAYETTE NATIONAL FORESTS, IDAHO

Mr. CHURCH. Mr. President, I introduce, for appropriate reference, a bill to extend the Boise and Payette National Forests to include 4,155 acres of additional land on the west shore of the Cascade Reservoir, in Valley County, Idaho. These lands are now under the jurisdiction of the Bureau of Reclamation, of the Department of the Interior.

The purpose of the bill is to clear the way for development of the land as a recreational area; $75,000 is scheduled to be expended for this purpose within a 2- or 3-year period, as part of Operation Outdoors.

No extra funds or administrative expenses will be involved, as these improvements will come from money already budgeted.

The district is well adapted for such activities as camping, picnicking, boating, and fishing. The city of Cascade, Idaho, maintains the only picnic area on the reservoir; and the shoreline area is being used without adequate provision for sanitation, cleanup, or fire prevention.

I hope this measure will receive prompt action.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 287) to add certain lands located in Idaho to the Boise and Payette National Forests, introduced by Mr. CHURCH, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AMENDMENT OF ARTICLE 46, UNIFORM CODE OF MILITARY JUSTICE

Mr. THURMOND. Mr. President, recently there occurred in California an incident where a civilian attorney was seized by a Marine provost guard, armed with a warrant of attachment, and brought forcibly before a military court of inquiry. The details of this incident and the merits or demerits involved therein are not important for the purpose of my remarks. The incident demonstrated, however, the danger which lies in the use by the military of a warrant of attachment or arrest against a civilian.

A writ of bodily attachment is subject to gross abuse in the hands of inexperienced persons who possess power but do not always possess the discretion born of training and experience which is essential to the proper execution of the warrant. Such a procedure should be avoided where there is other adequate machinery for the accomplishment of the identical purpose. With reference to this procedure, other machinery does exist in the U.S. marshal's office.

I therefore introduce, for appropriate reference, a bill to amend the military justice procedure so that any warrant of attachment or arrest by the military for a civilian, issued in the United States or its Territories, Commonwealths, and possessions, would be served by the U.S. marshal for the judicial district in which the person sought resided.

The bill has the endorsement of, and was proposed by, the American Bar Association.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 288) to amend article 46 of the Uniform Code of Military Justice to require the execution of certain warrants of attachment or arrest by U.S. marshals, introduced by Mr. THURMOND, was received, read twice by its title, and referred to the Committee on Armed Services.

WILSON'S CREEK BATTLEFIELD NATIONAL PARK, MO.

Mr. HENNINGS. Mr. President, for a long time patriotic and civil organizations have been interested in commemorating and recognizing the most severe battle fought west of the Mississippi during the Civil War—the battle of Wilson's Creek. I join with the citizens of my State and of the entire Middle West, to whom our history and our heritage is an inspiration, in an effort to commemorate the decisive battle near Springfield, Mo. Therefore, on behalf of myself and the junior Senator from Missouri [Mr. SYMINGTON], I introduce for appropriate reference a bill to establish a national park on the site of that battlefield. It is my hope that Congress will consider the bill as quickly as possible, so that this historic site can be preserved for future

generations as a part of our National Park Service.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 290) to provide for the establishment of the Wilson's Creek Battlefield National Park, in the State of Missouri, introduced by Mr. HENNINGS, for himself and Mr. SYMINGTON, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

SAFETY STANDARDS FOR SEAT BELTS SHIPPED IN INTERSTATE COMMERCE

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, a bill to provide that seat belts sold or shipped in interstate commerce for use in motor vehicles shall meet certain safety standards.

Mr. President, the Society of Automotive Engineers, Inc., has published a set of SAE standards for motor vehicle seat belt assemblies, following the report of the motor vehicle seat belt committee of that organization. In other words, there are definite standards agreed upon by the most competent engineers in the country, and it would seem imperative that these standards be met by all manufacturers and assemblers.

I introduce this proposed legislation in the hope that action may be speeded upon this important safety bill.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 291) to provide that seat belts sold or shipped in interstate commerce for use in motor vehicles shall meet certain safety standards, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

IMPROVEMENT OF MARKETING FACILITIES FOR HANDLING PERISHABLE AGRICULTURAL COMMODITIES

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, a marketing facilities improvement bill, to encourage the improvement and development of marketing facilities for handling perishable agricultural commodities.

This proposed legislation, with some minor improvements, is the same as the bill I have introduced in the last two previous sessions of Congress. This proposal is the result of long and careful study by marketing specialists in the Department of Agriculture, and the devoted attention and work of Chairman HAROLD COOLEY of the House Committee on Agriculture.

The need for such modernized marketing facilities has increased, rather than decreased, in the years since it was first suggested.

It is the purpose of the proposed act to facilitate, encourage, and assist municipalities and political subdivisions of States, public agencies and instrumentalities of one or more States or municipalities, public corporations and boards, and private enterprise, in the creation and development of modern and efficient public wholesale markets for the handling of perishable agricultural commodities in areas where such markets are found to be needed, and where Federal assistance is requested and authorized as prescribed in this act.

Our aim is that unnecessary costs and burdens attendant with the marketing of perishable agricultural commodities due to inadequate or obsolete facilities may be eliminated, and that the spread between the amount paid by consumers may be reduced. We hope that purpose can be achieved through use of insured mortgages under a revolving fund created by this act.

Marketing of perishable agricultural commodities—fresh fruits and vegetables, poultry, eggs, meats, seafood, and dairy products—affects the public welfare, and is quite properly a matter of grave national concern.

This proposed legislation is important to producers. The prices paid to producers of all perishable farm commodities are directly affected by the prices made on these public markets. The handling of such commodities in antiquated facilities results in many uneconomic practices which greatly increase marketing costs, through excessive waste, spoilage, and deterioration. These increased marketing costs cause producers to receive prices far below the reasonable value of their products.

This proposed legislation is also important to consumers. The same undue losses that decrease the price paid to the producer increase the price charged to the consumer. Public health becomes a matter of concern, too, as proper sanitation practices are difficult to achieve in obsolescent facilities.

Small businessmen, too, would be interested in the passage of such legislation. Most of the wholesale firms concerned, and many of the retailers they supply, certainly fall within the category of small businessmen.

And it is important to the city planners who are concerned with redeveloping the blighted urban areas of many great cities. Most wholesale produce markets are located in these blighted areas. In many cities where urban redevelopment projects are under way, the old markets are simply thrown out, with no provision made for new modernized accommodations. In Philadelphia, for instance, the market has been thrown out of the old Dock Street area. The same problem is being faced in St. Louis; in lower Manhattan; in New Haven, Conn.; in Springfield, Mass.; and, as many Senators know, in Washington, D.C.

In spite of the great need for improved facilities, efforts in the past have failed to bring about a satisfactory solution to the problem. This failure has been due largely to the inability of farmers, dealers, brokers, commission merchants and others, individually or collectively, to obtain through regular financial channels the relatively large amounts of capital necessary for the construction of modern market facilities.

As a result, my bill proposes conferring upon the Secretary of Agriculture power to aid in the establishment of such public marketing facilities for the wholesale handling of fresh fruits and vegetables, poultry, eggs, dairy products, and other perishable agricultural commodities, and seafood, as will be conducive to orderly and efficient distribution, increased consumption, and a reduction in the spread between prices paid by consumers and those received by producers.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 292) to encourage the improvement and development of marketing facilities for handling perishable agricultural commodities, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

AMENDMENT OF TITLE 18, UNITED STATES CODE, RELATIVE TO ENFORCEMENT OF STATE STATUTES

Mr. BRIDGES. Mr. President, I am introducing a bill cosponsored by my colleague, the junior Senator from New Hampshire [Mr. COTTON], and the Senator from New York [Mr. KEATING], which if enacted into law would authorize the enforcement of State statutes prescribing criminal penalties for subversive activities. My colleagues will recall that this is the same bill which was designated S. 654 in the 85th Congress, and which was reported favorably from the Judiciary Committee. I believe the bill is of such consequence that it should receive timely and favorable consideration by the Senate. As you may recall, though the bill is quite brief in content, it is designed to restore to the respective States the right to have and enforce concurrently with the Federal Government laws in the field of sedition and subversion. Until the Steve Nelson case was handed down by the Supreme Court in 1956, it was assumed that this power rested in the States. As a result of the Steve Nelson decision, however, the Court said in effect that the Smith Act of 1940, the Internal Security Act of 1950, and the Communist Control Act of 1954 have given the Federal Government an exclusive field in which to operate and that the States should desist from attempting to punish subversives.

It will be further recalled that the result of the Steve Nelson decision was to strike down State subversion laws in 32 States. This bill has the recommendation of the Department of Justice, many State law-enforcement agencies, and the National Association of Attorneys General.

I am not a lawyer, but it seems to me that the operation of State subversion laws in no way impedes the operation of like Federal laws. I am of the opinion that one would complement the other in attempting to prevent subversive groups from trying to overthrow the Government.

I believe that the majority opinion of the Supreme Court in Commonwealth against Steve Nelson is contrary to the

supreme law of the land. Nowhere can there be found in the Constitution a proviso which expressly grants to the Federal Government the right or the power to legislate exclusively in matters of subversion, sedition, or treason. Certain powers in the Constitution are expressly granted to the Federal Government in article 1, section 8. Under these powers the Supreme Court has held that Congress may preempt certain fields by exclusive legislation. Some of the decisions have rested upon the power to regulate commerce, coin money, support armies, and so forth. In those cases the Supreme Court has ruled that State legislation is superseded when it conflicts with the comprehensive regulatory scheme and purpose of a Federal plan.

I request my colleagues in considering the bill to ask themselves whether Congress, by a rule of judicial construction, intended that the respective States should be dependent on the will of the Federal Government for protection of their sovereignty against sedition and subversion. I think it is self-evident that no such construction was contemplated by Congress. In introducing the bill, I wish to make crystal clear what the intention of Congress is in this field. I want the respective States to again work in partnership with the Federal Government for their mutual protection.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 294) to amend title 18, U.S. Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities, introduced by Mr. BRIDGES (for himself, Mr. COTTON, and Mr. KEATING), was received, read twice by its title, and referred to the Committee on the Judiciary.

ENCOURAGEMENT OF OPERATION OF COPPER AND IRON MINES

Mr. McNAMARA. Mr. President, I introduce, for appropriate reference, two bills which would protect our vital supplies of domestic copper and iron ore, while preserving the livelihoods of thousands of miners and their families.

I am joined in sponsorship of the bills by my colleague, the junior Senator from Michigan [Mr. HART].

It is unnecessary for me to comment on the importance which these two metals have for our continued defense. Without an abundant supply of either, our ability to maintain a strong military position would be hopelessly impaired.

It is true that we have, at present, a supply of domestic iron ore in excess of our needs. But any serious loss of production capacity could jeopardize our chances of success in a future period of emergency.

In copper, the situation is much more serious. In recent years, our domestic production has fallen short of our needs.

Companies find it temporarily sound to close what we might call marginal mines. Yet these are the mines which can well represent the difference between victory and defeat in a future emergency.

What is worse, the fine Americans who have chosen mining as their life work never can be quite sure if they will find a check waiting next payday. Thousands of them are unemployed at present. If the present status is maintained, thousands more will soon be unemployed.

I believe that this is a serious threat to our safety and economy. The loss of mines and mine incomes also imperils the many communities of this Nation which are dependent upon mining.

The first bill which I introduce would authorize the Secretary of the Interior to purchase copper ore at a reasonable profit to the producer; provided the mine's continued operation was necessary to the national defense; and, second, that the mine is unable to operate economically at a profit at current market prices.

The second bill would authorize the Secretary of the Interior to pay the operator of an iron mine an amount for each ton of ore produced, which when taken with the amount he would receive from the sale of the ore, would assure the operator a reasonable profit.

The PRESIDENT pro tempore. The bills will be received and appropriately referred.

The bills, introduced by Mr. McNAMARA (for himself and Mr. HART), were received, read twice by their titles, and referred to the Committee on Interior and Insular Affairs, as follows:

S. 295. A bill to direct the Secretary of the Interior to establish a program to encourage the operation of marginal copper mines necessary to the national defense; and

S. 296. A bill to provide for a program which will contribute to the national defense by encouraging the continuing operation of the iron mines in the United States.

U.S. STUDY COMMISSION ON THE NECHES, TRINITY, BRAZOS, COLORADO, GUADALUPE-SAN ANTONIO, NUECES, AND SAN JACINTO RIVER BASINS

Mr. JOHNSON of Texas. Mr. President, in the last session of Congress I introduced proposed legislation to create the U.S. Study Commission on the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins. I am happy to say that bill became law on August 28, 1958.

This Commission—whose task is of crucial importance to Texas and the Nation—consists of 14 members, appointed by the President. Six of these members are from Federal departments, and seven from the respective river basins embodied within the study area.

The Commission is empowered to prepare plans for the development of Texas land and water resources. Working in cooperation with State agencies, it will conduct studies and surveys of Texas' water potential, and of Texas' water needs. Its ultimate responsibility is to show us the way to bridge the gap between potential and needs.

I considered it of the utmost importance to introduce this proposed legislation last year, and to see it enacted into law, in order that we might get on with the business of drafting a water plan for Texas. I did not consider the bill to be perfect, and in fact in the succeeding months I became aware that there were two areas where the law should be amended.

I am offering those amendments now. One amendment will separate the Guadalupe and San Antonio Basins, so as to provide a Commission member for each of these river basins.

Combining these two basins in one does not accord with the reality of their interests and resources. They become one river only a few miles from San Antonio Bay on the Gulf of Mexico; upstream they are widely separated. So it is logical that there be a representative on the Commission for each of these river basins, who will carry with him on to the Commission an understanding of the peculiar characteristics and possibilities of that river.

The second amendment would provide a member at large to the Commission, appointed by the Governor of Texas, and representing the Texas Board of Water Engineers. In recent years the work of the water board has increased substantially, and in my judgment, it should be afforded direct representation on the Commission. Such a change will also provide even closer liaison between the Commission and responsible State agencies.

Mr. President, the establishment of this Commission has raised great expectations among the people of Texas. We look to it for guidance in the use and control of our water resources—ultimately the most valuable natural resources we possess. It is my hope that these amendments will better enable the Commission to meet that challenge.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 300) to amend the act of August 28, 1958, establishing a study commission for certain river basins, so as to provide for the appointment to such Commission of separate representatives for the Guadalupe and San Antonio River Basins, and of a representative of the Texas Board of Water Engineers, introduced by Mr. JOHNSON of Texas, was received, read twice by its title, and referred to the Committee on Public Works.

RECREATION AREA IN SHAWNEE NATIONAL FOREST, ILL.

Mr. DIRKSEN. Mr. President, I introduce for appropriate reference a bill which would authorize the Secretary of Agriculture to construct a dam and develop a recreation area on Lusk Creek within the Shawnee National Forest in Pope County, Ill.

This is needed to improve the recreational possibilities of some of the national-forest lands in southern Illinois. Construction of the dam and the development of recreational facilities, according to the estimates prepared by the State of Illinois in 1957, would require a dam with a water depth of 80 feet, a pool area of 3,600 acres, would back water up Lusk Creek for a distance of over 10 miles, and provide a water storage capacity of 96,000 acre-feet. The Illinois State water survey shows that there are many areas which would be

suitable for a dam construction and related development.

There is need for this type of development to permit more than moderate use of the recreational resources within the Shawnee National Forest. The demand for water areas suitable for recreation is now very heavy in southern Illinois. The United States Forest Service's Lake Glendale and Pounds Hollows Lakes are overcrowded. The weekend traffic around Crab Orchard Lake and Cave-In-Rock State Park is critical. Highway construction now planned will probably increase the use.

This project would improve the economy of southern Illinois in attracting tourists since this proposed lake would provide many beaches, camp sites and fishing, especially bass, due to the many springs feeding the lake with fresh water.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 320) to authorize the Secretary of Agriculture to develop a recreation area in connection with the Shawnee National Forest in Pope County, Ill., and for other purposes, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

AMENDMENT OF BANKRUPTCY ACT, RELATING TO WAGE EARNERS' PLANS

Mr. DIRKSEN. Mr. President, I introduce for appropriate reference a bill to amend Chapter XIII: Wage Earners' Plan, of the Bankruptcy Act. The purpose of the bill is to eliminate the monetary limitation on the availability to debtors of chapter XIII of the Bankruptcy Act. The bill also provides flexibility, in commissions to be awarded to trustees in these proceedings.

The Judicial Conference of the United States, upon the recommendation of its Bankruptcy Committee, in March 1958 approved the proposals. The Conference, at its meeting in September 1958, reaffirmed its approval of the proposal, and the bill is being introduced at the suggestion of the Administrative Office of the United States Courts.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 303) to amend Chapter XIII: Wage Earners' Plans, of the Bankruptcy Act, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on the Judiciary.

REGULATION OF D.C. TRANSIT SYSTEM

Mr. DIRKSEN. Mr. President, on behalf of myself, the senior Senator from Illinois [Mr. DOUGLAS], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from North Dakota [Mr. LANGER], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. YARBOROUGH], I introduce a bill to insure effective regulation of the D.C. Transit System, Inc., and fair and equal competition between the D.C. Transit System, Inc., and its competitors.

A related bill (H.R. 13767) was introduced in the House of Representatives too late in the 2d session of the 85th Congress for the Committee on Interstate and Foreign Commerce to take action before adjournment. That measure was sponsored by the chairman of the House Select Committee on Small Business (Representative Wright Patman), and he has advised that he will reintroduce the proposal in the House today or tomorrow. The purpose of this proposed legislation is to clarify the privileges of D.C. Transit System, Inc., and to restore the rights of small businesses in competitive fields.

I share the growing concern among members of Congress that numerous small businesses in the District of Columbia are being hurt by tax-free competition of the D.C. Transit System, Inc. Unquestionably, the Congress in enacting Public Law 757, 84th Congress, approved July 24, 1956, did not intend to give unlimited use of the preferred status of the corporation, leaving less favored enterprises helpless.

It has been pointed out that the D.C. Transit System, Inc., with large resources from a secure, tax-exempt monopoly in mass transportation, is moving toward a monopoly of charter and sightseeing services in the District and surrounding area and is using its mass transit profits and resources to invade other competitive fields—such as helicopter services, interstate passenger service via limousine, office and apartment buildings, motels, shopping centers, street paving, suburban routes, and buslines to the airports.

In the charter and sightseeing industry, approximately 100 small firms are in danger of being forced out of business by the D.C. Transit System, Inc. It is my belief that it was the intention of Congress in 1956 to provide the best possible transportation for Government workers and residents of the metropolitan area of Washington, and not to set up a tax-protected monster which would devour small-business concerns.

Beginning July 1956, D.C. Transit's competitors have protested vigorously to the District Commissioners and the PUC regarding the inequities in Public Law 757. Relief has not been forthcoming. The PUC has maintained that, although they recognized the competitive disadvantages to D.C. Transit's competitors, they are without authority to prohibit the corporation from engaging in charter, sightseeing, and related services. They contend that only the Congress can offer a remedy.

Moreover, Mr. George E. C. Hayes, Chairman, District of Columbia Public Utilities Commission, has stated that rate regulation would not be wholly effective because the PUC can only regulate fares within the District of Columbia. Most sightseeing tours cut across State lines—into Virginia, Maryland, and other States.

This bill provides a sensible and fair approach to insuring that the mass transit system does not subsidize sideline activities in competition with independent businessmen.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 304) to insure effective regulation of D.C. Transit System, Inc., and its competitors, introduced by Mr. DIRKSEN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the District of Columbia.

OATH OF OFFICE OF JUSTICES AND JUDGES OF THE UNITED STATES

Mr. THURMOND. Mr. President, the oath prescribed by statute for U.S. justices and judges does not comply with the constitutional requirement for oaths of judicial officers. Article VI of the Constitution provides in part that "the Senators and Representatives before mentioned, and members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution."

The oath now prescribed by section 453 of title 28 of the U.S. Code is as follows:

> I, ———, do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as ——— according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States. So help me God.

From the reading of this portion of article VI of the Constitution and section 453 of title 28 of the Code, it is obvious that the oath prescribed does not require judicial officers to support the Constitution in compliance with article VI. In the oaths of the other officers named in article VI, my research reveals no such omission.

While this may appear to be a purely technical deviation from constitutional requirements, I do not believe that the Constitution should be trifled with. There is no reason for judicial officers to be immune from a direct oath to support and defend the Constitution.

Mr. President, I therefore send to the desk a bill which would amend section 453 of title 28 of the United States Code to prescribe the following oath for judicial officers of the United States:

> I, ———, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; that I will administer justice without respect to persons, and to equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as ———. So help me God.

I ask that the bill be appropriately referred.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 307) to prescribe the oath of office of justices and judges of the United States, introduced by Mr. THURMOND, was received, read twice by its title, and referred to the Committee on the Judiciary.

STUDY OF DIVERSION OF WATER FROM LAKE MICHIGAN

Mr. DOUGLAS. Mr. President, on behalf of my colleague, the junior Senator from Illinois [Mr. DIRKSEN] and myself, I introduce, for appropriate reference, a bill to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation and for other purposes.

The bill is identical with House bill 1, introduced last week in the House of Representatives by the dean of the Illinois delegation, Representative O'BRIEN. It authorizes a 3-year study and test by the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army and the Secretary of Health, Education, and Welfare, of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway.

The program for study and testing, as carefully set forth in the bill, is to insure a maximum of protection to all interested parties, such as lake shippers, hydroelectric producers, lakeshore property owners, and the interests of the other cities and States of the Great Lakes Basin.

The program for study and test established in the bill provides that the Secretary of Health, Education, and Welfare, in cooperation with the Secretary of the Army, acting through the Chief of Engineers, shall cause a study to be made of the effect on Lake Michigan and on the Illinois Waterway of the increased annual diversion of 1,000 cubic feet of water per second for the 1-year period authorized by this act, and the improvement in navigation conditions and other improvements along the Illinois Waterway which may result from the increased diversion.

The study program to be carried out is to be accomplished on the following basis:

First. The first period of 6 months shall begin on the date of enactment of this act, and shall be used to develop plans for the tests and range of studies of the Illinois Waterway, with no increase in the authorized diversion from Lake Michigan during such period.

Second. The 12-month period immediately following shall be devoted to a stream survey of the Illinois Waterway under existing conditions, with no increase in the authorized diversion from Lake Michigan during such period.

Third. The 12-month period immediately following shall be used to study the conditions in the Illinois Waterway with a total annual average diversion of 2,500 cubic feet of water per second, comprising the already authorized 1,500 cubic feet of water per second and the additional 1,000 cubic feet of water per second authorized in the bill, in addition to all domestic pumpage.

Fourth. The 6-month period immediately following shall be used to prepare the final report and recommendations which the Secretary of the Army is required to make to Congress on or before June 1, 1962.

The bill further provides that the Secretary of the Army shall at all times have direct control and supervision of the amounts of water directly diverted from Lake Michigan, and that the Secretary of the Army shall not allow any water to be directly diverted from Lake Michigan to flow into the Illinois Waterway during times of flood in the Illinois, Des Plaines, Chicago, or Calumet Rivers. These are all proper protections and safeguards for interested parties, including the interests of downstate Illinois.

It should be noted that the bill actually permits only 1 year of additional diversion of water from Lake Michigan, and at a rate not to exceed a diversion of an additional 1,000 cubic feet per second. The studies provided will go a long way toward finding solutions to the common problem facing many of our large metropolitan areas in the treatment and disposal of sewage by our cities.

The Senate Public Works Committee gave careful study to this problem during the 85th Congress, heard many witnesses and received much documentation bearing on the problem. A majority of the committee gave the following views:

> The committee believes it desirable to carry out the 3-year test to determine the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway. This will afford an opportunity to secure much valuable information on the exact effects of the increased diversion through the Illinois Waterway, and to report to Congress the results of the study which would recommend the most desirable and appropriate means of dealing with the problem of pollution control.
>
> While the legislation, by its express terms, authorizes the diversion at a total annual average amount of not more than 2,500 cubic feet per second, which is an increase of 1,000 cubic feet per second over that now permitted, for a period of 3 years beginning on the date of enactment of this act, it should be noted that all diversion is under the complete control of the Secretary of the Army. The committee feels that the Secretary of the Army should not permit any additional diversion until the Corps of Engineers, working in cooperation with the Public Health Service of the Department of Health, Education, and Welfare, have made a study of the sanitary conditions without the diversion of additional water. Upon the completion of the studies without the additional diversion the committee feels that the increased diversion in the amount of 1,000 cubic feet per second should be permitted for a period not to exceed 12 months.
>
> The Bureau of the Budget stated that they would have no objection to legislation which would limit the period of additional diversion and provide equal sharing of the cost of the study by the sanitary district and the Federal Government. In addition, the committee understands that the Canadian Government has no objection to a 1-year temporary diversion of an additional 1,000 cubic feet per second of water from the Great Lakes system at Chicago.
>
> In addition to the studies which would be carried out under this legislation the committee is of the opinion that research programs should be undertaken to solve many of our pollution problems. Such research programs should be initiated to solve these pollution problems through the development of processes which will result in a greater degree of treatment than that which is presently possible under methods of treatment of sewage generally utilized. These studies should be carried out by the Public Health Service in cooperation with other pollution control agencies.
>
> The effects on navigation of a 1,000 cubic foot per second 1-year diversion are small and the division engineer does not consider it to be practicable of evaluation. He also considers that the loss of dependable capacity at the Niagara and St. Lawrence plants as well as the gain in capacity at the Lockport plant on the Illinois Waterway are of such a temporary nature and small magnitude that neither replacement of the loss in capacity elsewhere, in the cases of the losses, nor substitution of the gain in capacity for that which might otherwise be constructed, in the case of the gain, would be justified.
>
> The committee believes that the health, welfare, and safety of the more than 5 million citizens in the vicinity of Chicago deserve every consideration in this matter, and that a careful study of their problem is justified and accordingly the committee recommends enactment of this legislation. The committee is in accord with the agreements reached to limit the actual increase in diversion to a 12-month period along with associated and related studies.

I hope the Senate will give the bill the careful and favorable consideration that is needed, and that it will be possible for the bill to be brought up on the floor of the Senate before the last evening of the session, and that this time the bill will be passed.

The PRESIDENT pro tempore. The Chair would like to advise the Senator from Illinois that the Senator from Wisconsin [Mr. WILEY] wishes to have consideration given to the committee to which the bill will be referred; and the Chair will not refer the bill for the moment. Therefore, the bill will be received, and will lie on the table.

The bill (S. 308) to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation, and for other purposes, introduced by Mr. DOUGLAS (for himself and Mr. DIRKSEN), was received, read twice by its title, and ordered to lie on the table.

REPEAL OF 22D AMENDMENT TO THE CONSTITUTION

Mr. HENNINGS. Mr. President, we Americans have been a free people for so long that we sometimes become unmindful of the most basic glory of our democracy and of our form of government. That glory, of course, lies in the power enjoyed by those who are governed. It is a power rooted in freedom: Freedom of speech, freedom of worship, freedom of thought; and, perhaps most important of all, freedom to choose those who will govern. This freedom of choice or, as some put it, freedom of election, makes the United States and its government somewhat unique, even in this age of enlightened government. For, sad as it is, the fact remains that the number of nations where this freedom is ignored is much larger than the number of nations where it is honored.

I realize, Mr. President, that these ideas are basic to our Nation and that they are ideas which have been stated many times in this Chamber. I mention them only because I am about to express an opinion which goes hand in hand with these basic truths—an idea which I hope will shock all my colleagues.

I suggest that the Congress of the United States has helped chip away at our Nation's freedom—at our democracy. I refer to the 22d amendment to the Constitution of the United States. It is the amendment which limits, as the distinguished occupant of the chair [Mr. HAYDEN] well knows, the number of terms which any President of the United States may serve. I say it is an amendment which was unwise. I say it is an amendment which was undemocratic. I say it is an amendment which, in the final analysis, deprives the people of the United States of their historic right to choose whomever they want to serve as the Nation's most important leader.

I, therefore, introduce, on behalf of myself, the junior Senator from Rhode Island [Mr. PASTORE], and the Senator from Michigan [Mr. HART], for appropriate reference, a joint resolution proposing an amendment to the Constitution of the United States of America to repeal and set aside the 22d amendment to the Constitution. I ask that it be allowed to lie on the table for a day so that any of my colleagues who so desire may join in sponsorship.

Mr. President, I point out that, when the 22d amendment was approved by Congress, its proponents argued that the amendment was necessary in order to prevent some future President from becoming a dictator. Aside from the obvious fact that this argument ignored the Nation's right of free elections, it was entirely fallacious in another sense. If any future President did harbor dictatorial thoughts, the very first thing he would be forced to do would be to tear up the Constitution—the 22d amendment and all.

Mr. President, it will not be the 22d amendment which will protect this Nation from dictatorship. It will be the traditional and inherent ideals of democracy under which America was conceived and under which it has prospered for more than 150 years.

These ideals are based, almost exclusively, on the right of Americans to freely choose those who will govern them—the right to choose whomever they want as President, as well as other leaders.

There are many practical political arguments against limiting the tenure of the Presidency. I shall not go into them. They have been well publicized, and I feel they are secondary to the argument that the right of the people to choose freely must not be abridged. Suffice it to say that many persons feel that the 22d amendment was approved in haste and was ill considered. It accomplishes nothing. It adds shackles to the Presidency which the Nation can ill afford. It is in full effect at a time when the need for a strong President and the need for the people to be allowed full choice in choosing a President was never more pressing.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will lie on the desk, as requested by the Senator from Missouri.

The joint resolution (S.J. Res. 11) proposing an amendment to the Constitution to repeal the 22d article of amendment to the Constitution, introduced by Mr. HENNINGS (for himself, Mr. PASTORE, and Mr. HART) was received and referred to the Committee on the Judiciary.

Mr. HENNINGS. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "Repeal of Two-Term Limit Big Issue," written by Pat Munroe, Washington correspondent of the Chicago American, and published in the Chicago American of December 15, 1958.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REPEAL OF TWO-TERM LIMIT BIG ISSUE

(By Pat Munroe)

WASHINGTON, December 15.—Repeal of the 22d (anti-third-term) amendment may be one of the crucial issues of the 86th Congress. Senator-elect TED MOSS, Democrat of Utah, typifies growing feeling when he says "I'm for repealing it."

Party Chairman Paul Butler echoed Moss at a recent press conference. He said: "I personally feel this two-term limitation should be lifted."

And Rhode Island Democratic Senator JOHN PASTORE also has called for the abolishment of the amendment.

Democratic strategists say the Republicans' successful 1947 drive for the two-term limitation was at least partially responsible for the GOP's stunning defeat in November.

Republican tacticians tend to agree, but are less candid about what has turned out to be one of their party's greatest snafus in recent history.

CONSERVATIVE MOVE

Their silence underscores two points. First, that the anti-third-term amendment received its final major impetus from conservatives of both parties and was directed at the memory of Franklin Delano Roosevelt.

Second, Dwight D. Eisenhower, first Republican in the White House since Herbert Hoover, is also the first President to lose under the amendment's influences. (As a lame duck, he can do little to control his party).

The 22d amendment was passed by a Republican Congress in 1947. Two-thirds of the States ratified the proposal by 1951, and it became law.

Since the Constitution was adopted in 1789, there have been 242 resolutions introduced in Congress on the subject of Presidential tenure.

These resolutions ranged from proposals that Presidents be limited to a single 6- or 7-year term, to what was adopted—that no President serve more than two 4-year terms.

TRUMAN OPPOSED

Harry Truman, President when the amendment was passed was exempted from its limitation. Despite this, Truman disapproved of Congress action but he was powerless because of a constitutional check by which proposed amendments pass directly between the States and Congress.

Senator KEFAUVER, then a Representative from Tennessee, led the losing battle against the amendment.

His arguments proved futile and the resolution received an overwhelming House majority of 364 to 11.

On the Senate side, the late Arthur V. Capper, Republican, of Kansas, told the Judiciary Committee: "There is some ground for the assertion that the difference between a good dictator and a bad one is just a matter of time."

His argument did prevail, and the amended version of House Resolution 27 was approved by the Senate 85 to 18.

EXPRESSION OF SENSE OF THE SENATE ON LOANS MADE BY RURAL ELECTRIFICATION ADMINISTRATION

Mr. AIKEN. Mr. President, last July the Comptroller General handed down a decision on an Iowa REA loan which has created a condition of serious uncertainty and confusion among REA officials who are trying to administer this important law in accordance with the intent of the Congress.

Since this decision was first rendered, a second opinion was handed down in October, reaffirming the earlier position of the Comptroller General.

Efforts have been made by REA officials to reach a clear-cut understanding with the Comptroller General.

The nearest they have been able to come to reaching an agreement was a statement by the Comptroller General in a letter to the Secretary of Agriculture last December 8, in which the Comptroller General said that he would not attempt to enforce decisions of a similar nature in the absence of an expression of congressional intent.

It is the purpose of the resolution I am submitting, in which I have been joined by the Senator from Minnesota [Mr. HUMPHREY], the Senator from California [Mr. KUCHEL], the Senator from Alabama [Mr. SPARKMAN], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from North Dakota [Mr. YOUNG], is to make clear beyond any question the intentions of the Senate on this crucial subject.

I ask unanimous consent that the resolution may lie on the table so that additional Members of the Senate who have spoken to me about it may add their names to the resolution as cosponsors.

The PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. AIKEN. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. AIKEN. Because of my belief in the importance of our REA program, I have personally looked into this situation. I find that the Comptroller General's decision of last June, and his subsequent opinion of last October, places the entire REA program in serious jeopardy.

What it boils down to is this: The Comptroller General has prescribed a new standard which is impossible for REA administrative officials to interpret. I am advised that if this decision were allowed to stand, every application for an REA loan would have to be sent back for reevaluation.

Moreover, REA analysts would find it extremely difficult to develop the neces-

sary criteria for conforming to the Comptroller General's position.

I shall not go into all of the details at this time, but I ask to have inserted in the RECORD at this point an analysis of the Comptroller General's opinion which was prepared by REA attorneys.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

ANALYSIS OF COMPTROLLER GENERAL'S OPINION

BACKGROUND

The Comptroller General, in his decision of July 21, 1958 (the original decision), held invalid a portion of an REA loan to an Iowa cooperative which was used to finance construction of an electric transmission line to furnish power to a member cooperative for resale to a newly constructed plant of Lehigh Sewer Pipe & Tile Co., Lehigh, Iowa. This company had been receiving service from another, non-REA financed supplier at an old plant located on the same tract of land 160 feet from the new plant. Service to the new plant would have required this other power supplier to expend some $100,000 in modifying its existing facilities and constructing new facilities. The member cooperative had been serving a company-owned residence also located on this same tract of land, some 400 feet from the new plant.

The original decision was based on two grounds. One was that the authorization in the Rural Electrification Act to make loans to furnish electric service to persons without central station electric service excluded persons who in actual fact were not receiving service if they were located in an area served by a non-REA financed supplier which was willing to serve them. The second ground was that the company, by reason of receiving service at its old plant, must be regarded as a person receiving service with respect to its new plant.

By letter of August 7, 1958, Acting Secretary Morse requested reconsideration and reversal of the original decision. The Acting Secretary's letter, in essence, pointed out that the clear language of the Rural Electrification Act itself, its legislative history, administrative practice acquiesced in by the Congress since the enactment of the Rural Electrification Act, and previous legal interpretations of the act all combined to demonstrate that the lending authority of the act related not to areas but to persons actually without service, regardless of any alleged availability of service to them from any source. The letter further showed that the Lehigh company at its new plant, having regard to numerous relevant factors, including its separate operation, the character of its load, and the substantial investment required by any supplier to provide service for it, could properly be deemed to be a person without central station service.

THE COMPTROLLER GENERAL'S OPINION OF OCTOBER 15, 1958

On October 15, 1958, the Comptroller General replied to the Acting Secretary's request for reconsideration. He reaffirmed his conclusions that the loan was unauthorized under the Rural Electrification Act and that the Lehigh company with respect to its new plant was a person already receiving central station service.

The Comptroller General's conclusion that the REA loan was unauthorized is supported, however, by a reason that differs from the reason for this conclusion in the original decision. In the earlier decision, the Comptroller General indicated that despite the literal terminology of the Rural Electrification Act, the loan was unauthorized because the legislative history indicated congressional intent to exclude loans for unserved persons if they were located in an area already served by a private power company. In his October 15 opinion, the Comptroller General undertakes to clarify this position by stating:

"While we used the word 'area' in our statement, we had in mind the factual situation involved in the case we were considering, that is, where the unserved person was located, in effect, on, i.e., alongside of, existing powerlines and the owner of the lines was ready, willing, and able to furnish adequate central station service to the unserved person at a reasonable price. * * * We did not intend to imply that a loan could not be made for the purpose of furnishing electric energy to unserved persons located in areas generally served by a power supplier, such unserved persons not being on, i.e., located alongside of or adjacent to the powerlines."

The Comptroller General then discusses the legislative history which is substantially the same material set forth in the Acting Secretary's letter of August 7, with the addition only of certain testimony of Mr. Morris L. Cooke, the first REA Administrator, which is specifically considered below. Emphasis is placed upon certain portions or phrases over others, in an attempt to support the Comptroller General's newly defined position. In the course of this discussion, the new position is restated to indicate that an unserved person may be a beneficiary of an REA loan only if an extension of existing power company lines would be required to bring him service; an unserved person is not unserved under the Rural Electrification Act if he can be served by an existing power company without extending its lines. At another point, it is indicated that the test of whether an unserved person is a person not receiving service within the meaning of the Rural Electrification Act depends upon whether such person is located beyond, or at least not within a reasonable distance (as determined by the Administrator of REA) of, powerlines.

Certain general statements regarding competition from an opinion of the Solicitor are next relied upon in the Comptroller General's October 15 opinion, although previously considered in both the original decision and the Acting Secretary's letter, to suggest that the administrative practice of REA or the administrative interpretation of the act may not be contrary to the Comptroller General's position.

In its consideration of the respect or weight to be given to determinations of the Administrator under the Rural Electrification Act, the October 15 opinion appears to concede that the Administrator's determination in this case may be legally supportable under the strict letter of the Rural Electrification Act, but notes the Comptroller General's feeling that he has a duty, nevertheless, to report the matter to the Congress if he considers the determination to be contrary to the evident spirit and intent of the Congress in enacting that statute as disclosed by the legislative history thereof. After then reviewing certain aspects of the facts of the instant case and summarizing the factors recited in the Acting Secretary's letter in support of the Administrator's determination, the Comptroller General reiterates his view that there appears little basis for that determination.

Finally, the October 15 opinion concludes that a full report will accordingly be made to the Congress in the next Comptroller General audit report on REA, but that in view of the fact that the REA loan funds in question have been expended and the REA borrower must, in any event, repay the amount of the loan, this Department will not be required to take action to recover this amount before it falls due.

ANALYSIS OF THE OCTOBER 15 OPINION

It seems clear, in the first instance, that while it purports to clarify the test of REA loan authority set forth in the original decision, the October 15 opinion in reality creates a new test. As demonstrated in the Acting Secretary's letter, the legislative history of the Rural Electrification Act appears to afford no support and, indeed, seems plainly to reject the Comptroller General's original test which would prohibit loans for unserved persons located in an area claimed to be served by an existing supplier. Accordingly, the Comptroller General's new test leaves behind the unserved area concept and adopts the unserved person criterion of the act. However, he now construes the term "person not receiving central station service" as it appears in the Rural Electrification Act to include some unserved persons but not others. The touchstone of inclusion or exclusion seems to be based upon intricate reasoning: a person who is unserved must nevertheless be deemed a person with service, and therefore not a proper Rural Electrification Act beneficiary, if he is located on an existing powerline. He is on such a line if he is alongside of it; or stated differently, he is on a line if no extension is required to serve him from that line, or, indeed, if he is located within a reasonable distance of it. Moreover, the applicability of this test of being on or within a reasonable distance of an existing powerline seems to depend further on the willingness and ability of the power company to serve the person at reasonable rates.

The main items of legislative history relied upon by the Comptroller General in support of this line of reasoning are, as indicated above, substantially those set forth in the Acting Secretary's letter of August 7. First, there is the colloquy between Senator Norris and Senator McNary. Senator Norris there states, in substance, that even though it might be possible for an existing power company "to extend its lines further," REA financing would not thereby be precluded. From this plain statement, the Comptroller General apparently derives his conclusions that a person without service may be deemed "unserved," and a beneficiary of the Rural Electrification Act, only if an "extension" of existing lines is required to bring him service, and, thus, an unserved person is not "unserved" if the power company can serve him without an "extension." How any person not connected to existing power lines may receive service without an "extension" is a question difficult to answer, and not answered by the Comptroller General. In another colloquy quoted by the Comptroller General in support of this distinction, between Senator Norris and Senator King, Senator Norris repeats the crucial phrases "already receiving," "already supplied," and "already getting their electric current from a central station," and we are completely unable to follow the Comptroller General's reasoning by which he equates "already getting service" with merely being located "alongside" or "within a reasonable distance" of existing lines.

Apparently to further support his position, the Comptroller General also quotes from colloquies between Congressman Mapes and Mr. Morris L. Cooke, the first REA Administrator under the Executive order originally establishing REA. Reference is made by Mr. Cooke to certain REA practices and policies, relating to "availability" of existing service, at a time when the Rural Electrification Act had not been passed, and when REA was operating under a statute and Executive order which merely authorized loans for rural electrification and did not describe intended beneficiaries. To seek support for a particular interpretation of the "unserved persons" provision of the Rural Electrification Act from this statement of preact practices and policies seems highly questionable. Moreover, in the colloquy relating to the specific language of the pending REA bill, Mr. Cooke states as his interpretation that a person is

without central station service "who is not receiving electricity from a high line."

The Comptroller General's October 15 opinion places considerable emphasis upon certain quotations from an opinion of the Solicitor (No. 4506, Nov. 24, 1942), in which there are general references to the congressional intention not to finance competition. However, all these general references are made in the light of the specifically expressed test that a loan may not be made where its effect "would be to substitute a competitive REA-financed service to persons already served." That all the general references must be limited to this definition of competition is, furthermore, made abundantly clear from the fact that at the time Opinion Solicitor No. 4506 was issued, as, indeed, at all other times since passage of the Rural Electrification Act, REA, in considering proposed loans, did not take into account availability of service to the unserved. Moreover, Vincent D. Nicholson, the Associate Solicitor who drafted this opinion, later testified in no uncertain terms before congressional committees that the only test of eligibility for the benefits of REA financing under the act was whether the unserved person was in actual fact not receiving service. Finally, a subsequent Solicitor's opinion (No. 5564, June 5, 1953), referred to in the Acting Secretary's letter of August 7, 1958, unequivocally rejected the availability test. The October 15 opinion, it should also be noted, omits any reference to the fact that the uniform legal position of the Solicitor's Office on this matter has been strongly and consistently supported by the Department of Justice in court litigation.

In the Acting Secretary's letter of August 7, it was pointed out that a significant feature of the legislative history of the Rural Electrification Act was the rejection by the Senate of an amendment by Senator King which, among other things, would have added to the "without central-station service" test the additional test "and for whom such service may not be furnished or made available by competing private enterprise." Apparently, the Comptroller General denies the significance of this rejection on the ground that it is not clear that the amendment was rejected because of this additional test rather than other provisions relating to the amount of authorized appropriations. Certainly, in the absence of a statement by the Senate of the reasons for rejection, it cannot be assumed that the imposition of this additional test was not among those reasons. Moreover, according to what seems to us the clear purport of the debate on the meaning of "persons not receiving central-station service" that preceded the introduction of this proposed amendment, it was the expressed intention of the sponsors of the bill, without the amendment, that the test proposed by the amendment was to be inapplicable. If, indeed, proper interpretation of the debate were that of the Comptroller General, there would have been little, if any, need for anyone to introduce an amendment which included an availability test.

While the Comptroller General appears to concede that the words of the Rural Electrification Act do not support his conclusion, he purports to find this support in what he describes as the evident spirit and intent of the Congress in enacting the act as disclosed by its legislative history. We have already indicated our views that the legislative history directly fortifies the literal meaning of the act, and that it cannot reasonably be deemed to support either the initial area test of the Comptroller General's original decision or the newly defined test of his October 15 opinion (supra). Moreover, even were we to assume, what we do not concede, that there is support for the Comptroller General's interpretation in the legislative history, no one could reasonably argue that the legislative history is not, at the very least, ambiguous, and does not include support for the literal reading of the act as well as for the Comptroller General's position. In these circumstances, the only principle of statutory construction that can possibly be applied is the one which will not permit an ambiguous or conflicting legislative history to overcome the plain language of a statute. This rule is clearly stated in *United States* v. *Dickerson* (310 U.S. 554, 561), which is quoted on pages 3–4 in the Comptroller General's October 15 opinion, as follows:

"Legislative materials may be without probative value, or contradictory, or ambiguous, it is true, and in such cases will not be permitted to control the customary meaning of words * * *."

Plainly applicable here is the formulation of the rule by the Supreme Court in *Gemsco, Inc.* v. *Walling* (324 U.S. 244, 250):

"The argument from the legislative history undertakes, in effect, to contradict the terms of section 8(f) by negative inference drawn from inconclusive events occurring in the course of consideration of the various and widely differing bills which finally, by compromise and adjustment between the two Houses of Congress, emerged from the conference on the act. The plain words and meaning of a statute cannot be overcome by a legislative history which, through strained processes of deduction from events of wholly ambiguous significance, may furnish dubious bases for inference in every direction."

While, in our opinion, therefore, the newly defined test of the Comptroller General can find no support in the statute, nor in its legislative history, nor in any principles of statutory construction, a closer examination of this test may be enlightening. Under the test, an unserved person cannot be a Rural Electrification Act beneficiary if he is located on, alongside of, or within a reasonable distance of an existing powerline, or if he can be served by the powerline without any extension. The practical difficulties of attempting to administer the REA program in accordance with these views are manifest.

Presumably, an addition to an existing powerline or new line is an "extension" only if it extends beyond a "reasonable distance" from the existing line. What are the criteria for determining a "reasonable distance"? Are these criteria to be related to the general population density of a particular area? Is a "reasonable distance" much greater in Wyoming that it is in New Jersey? Does a "reasonable distance" have any correlation to the type or magnitude of the electric load involved? Does it have any correlation to the voltage or other electrical characteristics of the line to which the additional or new line is to be connected? Is the question of "reasonable distance" to be determined differently where the proposed new line involves a transformation and where no transformation is involved? Would the capacity of the substation involved in the furnishing of service through the proposed new line have any bearing? Would the number of new consumers or the aggregate kilowatt demand to be served through the proposed new line be relevant? In cases where the power company would require additional generation or other power sources to provide for the new loads would they be taken into account in determining "reasonable distance"? Does the extent of reconstruction of the existing lines off which the proposed new line is to be built affect the question of "reasonable distance"? Is "reasonable distance" affected by the fact that the lines of the REA-financed cooperative are also close to the proposed consumer, or that the cooperative's lines in the locality may have been in existence before those of the power company?

It seems clear from the very facts of the case to which the Comptroller General was addressing himself in his opinion that none of the foregoing factors were taken into account. In this case, the Comptroller General apparently felt that the unserved new plant of the Lehigh company, even without regard to the fact that the company was served at its old plant, was not an "unserved person" within the meaning of the act because it was located within a "reasonable distance" of the existing power company line, despite the fact that in order to serve it an addition of at least 140 feet had to be built off the existing line, the existing line had to be drastically reconstructed, and very substantial expenditures in new electric facilities were needed. It requires only superficial analysis to conclude that the test of "reasonable distance" can hardly be valid in terms of the realities of the electric industry.

Similar administrative difficulties inhere in the further requirements of the Comptroller General's test that the existing power company be ready, willing, and able to furnish the proposed service at a reasonable rate. Must willingness and ability of the power company relate to the immediate, or to some future date? Who is to be judge of willingness and ability? If the Administrator, on the basis of what types of evidence must he judge? Much of the information required would be obtainable only from the power companies themselves. If such information is to be obtained and relied on by REA, the further question arises whether in order to reach a fair conclusion the special safeguards inherent in a quasi-judicial hearing should not be utilized. Cooperative loan applicants might well take the position that they are entitled to cross-examine the sources of the power company data.

The mere ascertainment of a reasonable rate would in itself require the Administrator to embark upon a field which engages public service commissions all over the country in frequently interminable hearings, involving conflicting evidence from hosts of technical experts. Is the Administrator to hear various sides of the question of what constitutes reasonable rates in a given complicated factual context? Is he to determine reasonable rates on the basis of ex parte power company submissions alone? Or is he to permit the loan applicant an opportunity to review and rebut power company data and perhaps cross-examine power company's spokesman? The possible consequences and ramifications of the assumption of this novel REA administrative burden are all too evident.

From the viewpoint of the effects of the Comptroller General's new test upon the REA program itself, we believe that the restrictions imposed by the new test are of the same nature as those imposed by his original area-availability test. If the "reasonable distance" limitation had been introduced at the beginning of the rural electrification program, innumerable delays and difficulties inherent in the administration of a loose and unrealistic test would have resulted. The inability of REA-financed cooperatives to serve desirable heavy or industrial loads because a power company's lines are within a reasonable distance would have extremely detrimental effects on the financial feasibility of cooperatives and their ability to carry out area coverage programs inspired by Congress. The undue rate burdens on other consumers of the cooperative and the impairment of the Government's security interests which would flow from the restrictions of the new test would be substantially the same as those which would result from the Comptroller General's original test, as described in the Acting Secretary's letter of August 7.

Moreover, the "reasonable distance" test would permit power companies to engage in "tacking"; i.e., after an initial new line or addition is constructed to serve an unserved person within a reasonable distance, the test would presumably compute "reasonable distance" to other potential consumers from the end of the new line rather than from the original backbone line. The cumulative ef-

fect of applying this test might thus result in power companies being permitted to construct into the very heart of REA borrowers' service areas. Spokesmen for the cooperatives might accordingly assert that this test would encourage the location by power companies of their lines in such a way as to preempt large portions of cooperatives' service areas and make it impossible for the cooperatives to obtain REA financing to serve unserved persons in those areas. At various times in the history of the REA program, lines constructed by power companies with such an objective have been described as "spite lines."

While the Comptroller General's October 15 opinion is not clear on this matter, it is also possible that application of his new test may have a serious impact on REA generation and transmission loans. In the typical case, a generation and transmission loan is made in order to furnish a new, cooperatively owned source of power to distribution cooperatives previously financed by REA to serve persons not receiving central station service. REA-financed transmission lines and substations are thereby substituted for similar existing facilities of the power company. Such loans are made on the basis, in general, that the unserved persons who are proper act beneficiaries qualify for the benefits of successive REA loans, whether these loans are for the purpose of "heavying up" the original distribution system or of furnishing additional or substitute generating and transmission facilities. There is language in the Comptroller General's opinion which seems to be applicable to, and would preclude, generation and transmission loans in these circumstances. For example, in the first paragraph on page 2 of his opinion it is stated, pursuant to the Comptroller General's original reading of the legislative history, that loans for the paralleling of existing systems or creating competition are excluded since loan funds may not be used for construction of transmission lines and substations to furnish power to an area already served by private power companies when such companies are willing to provide adequate central station service to persons within the area who are not tied to the power lines.

The Comptroller General's treatment of the Kansas City case, on page 17 of his opinion, lends weight to our conclusion that generation and transmission loans may be intended to fall within the restrictions set up by him. That case involved an unsuccessful challenge to the legality of REA generation and transmission loans to five federated cooperatives, during the course of which the district court rejected the area availability test, the test set forth in the Comptroller General's original decision. In his October 15 opinion, the Comptroller General states that the facts of the Kansas City case differ from those of the instant case, but thereafter adds that the views expressed in his original decision were not intended to apply to REA loans made for the purpose of "heavying up" facilities previously constructed with REA loan fund. The Comptroller General makes no such disclaimer as to generation and transmission loans. This appears particularly significant in view of the fact that the district court in the Kansas City case alluded to such successive "heavying up" or improvement loans, as well as to generation and transmission loans. In these circumstances, the Comptroller General appears not to have excluded generation and transmission loans from the effects of his restrictive reading of the legislative history. In any event, a cloud appears to have been created whose shadow threatens the basic tenets of REA generation and transmission programs.

The treatment by the Comptroller General, in his October 15 opinion, of the question whether the Lehigh Co. at its new plant was an unserved person, in light of the power company's existing service to the old plant, is somewhat puzzling. Certain facets of the facts are first considered and reviewed in support of his initial position. The many additional and substantial facts summarized in tht Acting Secretary's letter in support of the REA Administrator's determination are then repeated. Thereafter, without controverting or questioning these additional, relevant facts, and upon the basis of what appears to be merely a disagreement on a conclusion of fact, the Comptroller General finds there is little basis for the Administrator's determination, and that it is therefore invalid. This substitution of the Comptroller General's administrative judgment for that of the REA Administrator seems strange in view of the fact that earlier in his opinion of the Comptroller General seems to concede that the primary responsibility for determining whether a proposed loan is for an authorized purpose under the Rural Electrification Act is lodged in the Administrator, and that the exercise of this responsibility is not to be disturbed except in cases of abuse of discretion by the Administrator. There is no allegation or intimation that the Administrator's determination in this case constitutes an abuse of discretion. Indeed, in concluding that Lehigh's new plant was served because Lehigh received service at its old plant, the Comptroller General seems to rely only upon the factors of identity of ownership and proximity of location of the two plants. We have already shown how these factors, in themselves, cannot be determinative of the question. The Administrator, on the other hand, in full accordance with the views of an earlier Comptroller General that such determinatins be made only after a thorough consideration of the pertinent facts and circumstances in the case had considered a number of additional facts and circumstances, the pertinency of which remain uncontroverted, and had come to a contrary conclusion. How much full consideration of all, rather than only a few, of the pertinent circumstances can possibly be deemed an abuse of discretion is, indeed, difficult to fathom.

CONCLUSION

After complete consideration of the Comptroller General's opinion of October 15, it seems to us that the full force and validity of all that was said in the Acting Secretary's letter of August 7 remain undiminished. We feel that there has been no citation of any legislative history nor any argument of a legal nature, that carries any persuasive effect or substantial weight in altering this Office's conclusions as reflected in the Acting Secretary's letter. It is moreover, our considered opinion that the modified test as set forth in the Comptroller General's opinion of October 15 is equally lacking in support either in the Rural Electrification Act itself, in the legislative history, or in other relevant data, as was the original test initially set forth in his letter of July 21.

Mr. AIKEN. Mr. President, to cite only one illustration of the difficulties involved, I wish to call to the attention of the Senate the following quotation from this REA analysis:

Under the [Comptroller General's] test, an unserved person cannot be a Rural Electrification Act beneficiary if he is located on, along side of, or within a reasonable distance of an existing power line, or if he can be served by the power line without any extension. The practical difficulties of attempting to administer the REA program in accordance with these views are manifest.

Presumably, an addition to an existing power line or new line is an extension only if it extends beyond a reasonable distance from the existing line. What are the criteria for determining a reasonable distance? Are these criteria to be related to the general population density of a particular area? Is a reasonable distance much greater in Wyoming than it is in New Jersey? Does a reasonable distance have any correlation to the type or magnitude of the electric load involved?

These are but a few of the questions raised by the Comptroller General's interpretation of the law.

Every Senator who believes in the rural electrification program will find this analysis helpful in seeing both the legislative history of this important REA law and in realizing the very real difficulties which have been created by the position taken by the Comptroller General.

The resolution which I am submitting today will make it clear beyond any question that it is the intention of the Senate that REA loans continue to be granted on the same basis that they have been granted since the original law was enacted.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred.

The resolution (S. Res. 21), submitted by Mr. AIKEN (for himself, Mr. KUCHEL, Mr. HUMPHREY, Mr. SPARKMAN, Mr. KENNEDY, Mr. YOUNG of North Dakota, Mr. COOPER, Mr. MANSFIELD, and Mr. HILL), was received and referred to the Committee on Agriculture and Forestry as follows:

Whereas the Comptroller General of the United States in decisions (B–134138) dated July 21, 1958, and October 15, 1958, in questioning the validity of a portion of a loan made by the Rural Electrification Administration to the Central Iowa Power Cooperative, Cedar Rapids, Iowa, interpreted the Rural Electrification Act, in the first decision, as not authorizing loans for service to persons who are actually without central-station service if they are located in an area generally served by a power supplier; and, in the second decision, as not authorizing loans to serve persons, in fact without service, if they are located "on", "along side of", or "within a reasonable distance" of a line of a power supplier; and

Whereas the Acting Secretary of Agriculture, in a letter dated August 7, 1958, to the Comptroller General, requested reconsideration of the first decision because it was inconsistent with the express provisions of the Rural Electrification Act, its legislative history, congressional understanding, uniform administrative practice, and legal interpretations and opinions during the 22 years following enactment of the Rural Electrification Act and, by letter dated October 29, 1958, informed the Comptroller General that these objections were equally applicable to the interpretation of the Rural Electrification Act expressed in the second decision and could therefore not be agreed to; and

Whereas the interpretation of the Rural Electrification Act proposed by the Comptroller General in either of his decisions, if it had been applied to the rural electrification program from its inception, would have prevented that program's great contributions to agriculture and the rural areas of the Nation and to the national economy generally and, if now applied, would drastically curtail the future great potential of the rural electrification program: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Rural Electrification Act of 1936, as amended, continue to be interpreted to authorize the making of loans for the construction of facilities to bring electric service to persons who are in fact not receiving central-station service, and to continue to serve those who are presently being served, in accordance with the Acting Secretary of

Agriculture's letters of August 7, 1958, and October 29, 1958, to the Comptroller General, and that the proposed limitation on the authority of the Rural Electrification Administration introduced in the Comptroller General's decisions of July 21, 1958, and October 15, 1958, be rejected as contrary to the clear intent of the Congress.

Mr. HUMPHREY. Mr. President, I am very much pleased to join with the distinguished Senator from Vermont [Mr. AIKEN] in sponsoring his REA resolution designed to reverse the July 21, 1958, ruling of the Comptroller General relating to REA loans. The Senator has always been one of REA's greatest supporters, and certainly this resolution is a splendid example of that support.

Many of us were shocked last year when the Comptroller General issued this REA ruling. He ruled on a specific loan to a coop in Iowa, but his language was so broad that it would have wrecked the entire REA lending program. One thing is certain, and everyone connected with the program agrees on this—if the Comptroller had made this same ruling 23 years ago there would never have been any REA program.

That is my opinion, and it is also the opinion of the local rural electric cooperatives, the National Rural Electric Cooperative Association, the U.S. Department of Agriculture, and the Rural Electrification Administration. When all of these groups agree on a matter pertaining to REA, Mr. President, you can be sure their position is well taken. As you know, they have not always agreed on policies in the past few years.

This ruling says in effect that a rural electric system cannot serve anyone if a private power company happens to have lines somewhere in the area. The REA Act says loans will be made to serve unserved persons—but the Comptroller General says the act did not really mean persons at all, that it meant unserved areas. This is sheer nonsense. The act is clear and unambiguous and speaks for itself.

For 23 years the REA has administered the act according to what the act said. The Congress has heartily approved of REA's lending policies. That is obvious, because we have appropriated funds year after year to implement those policies.

This resolution merely restates the intent of Congress so far as the rural electrification program is concerned. I trust the Comptroller General will have no difficulty interpreting the meaning of this resolution or its legislative history.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter which I wrote to the Comptroller General on this subject on August 5, 1958.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 5, 1958.

Mr. JOSEPH CAMPBELL,
Comptroller General of the United States, General Accounting Office, Washington, D. C.

DEAR MR. CAMPBELL: A constituent of mine, who is the president of the largest REA cooperative in my State and is the representative of the Minnesota cooperatives on the board of directors of the National Rural Electric Cooperative Association, has turned over to me a copy of your ruling, dated July 21, 1958, addressed to the Secretary of Agriculture. In it you ruled that a portion of a loan to an Iowa cooperative was not authorized by the REA enabling statute and that steps should be taken to recover immediately from the cooperative the amount of the loan in question.

My constituent did not furnish me with information with respect to all of the facts involved in the Iowa case, but he had been assured by the Iowa cooperative's lawyers and by other lawyers who have specialized in REA practice that there was no question but that the loan which you ruled to be illegal fully complied in all respects with the requirements of the Rural Electrification Act of 1936.

Since I am not an expert technician in the field, I shall not presume to pass judgment on the facts in this particular case which are strictly technical in nature. However, I do wish to take sharp exception to certain general conclusions of law expressed in your interpretation of the Rural Electrification Act; and to point out certain important omissions from the excerpts of Senate debates quoted in your ruling. If allowed to stand, the ruling obviously will seriously harm and even cripple this great program which has meant so much to the farmers and economy of my State as well as of the rest of the Nation.

In your July 21 ruling, this paragraph appears:

"It is clear from the above-quoted statements that the purpose of the central station service limitation was to exclude loans for the paralleling of existing systems or creating competition with existing facilities by prohibiting the use of loan funds for construction of transmission lines and substations to furnish power to an area already served by private power companies when such companies are willing to provide adequate central station service to persons within the area who are not tied to the powerlines."

The holding of this language, if followed, would make impossible the continuation of the REA program as it has operated in the past in bringing electricity to more than 5 million unserved rural persons who were unable to obtain service elsewhere under terms which they could afford to pay. This is an interpretation of the act which is wholly without any basis in law or fact. Your ruling would impose a crippling restriction on this program which is so essential to our rural welfare—a restriction which your own letter to the Secretary of Agriculture admits is contrary to the express language of the statute. Your letter reads:

"It may be that, literally accepted, the terminology of section 4 (and sec. 2) is sufficiently broad to authorize a loan for the purpose of furnishing central station electric service to a person not receiving such service, even though the service is available to such person and that the effect of the loan will be to create competition with an existing private utility."

You appear to disregard this explicit, unambiguous authorization contained in the statute and to justify so doing by looking at what you call the "evident spirit and purpose" of the enactment. You rule that "the strict letter of the law must yield to its evident spirit when this is necessary to give effect to the intent of the Congress." I must admit that I am surprised to read that you feel Congress did not mean what it said so explicitly and so completely free of ambiguity. It is difficult to conceive of a more dangerous practice than for any authority—whether it be you or an executive agency or the judiciary—to disregard so completely the express language used by Congress and arrive at its own conclusion that Congress intended something different from what it said.

Equally disturbing in your letter are the gaps left in the record of the congressional debate at the time the original REA bill was being considered. These out-of-context quotations might lend some color to the assertion that the sponsors of the bill, chiefly Senator Norris, place the same interpretation on the bill as that quoted above from your opinion. Some of the very language you quote, however, fails to sustain your conclusion. But in quoting only part of a colloquy between Senators, language is jumped over which makes it crystal clear that the Senate intended the language of the statute to mean what it says. That is, the only limitation intended on the use of loan funds is that they may not be used to serve persons already receiving central station service and there is no prohibition against extending service to an unserved person in a rural area just because a power company happens to be serving other people in the same area. If the latter were true, as you contend, virtually no farmer ever would have received service under the REA, since long before REA came into being power companies were furnishing service in almost all areas of the country, but were not extending it to farms under charges the farmer could afford to pay.

Examples of quotations which I cannot understand being deleted from the RECORD are the following statements by Senator Norris, the sponsor of the bill:

"Mr. NORRIS. If I understand the Senator's question correctly, it is supposing some locality be now supplied from a central station, might it be possible for that central station to extend its lines further and would the governmental agency be prohibited from entering that territory? If that is the question, I think not."

"Mr. NORRIS. The fact is that if we provided in this bill that the rural electrification could not go into any territory that could be potentially held to be within the transmission distance of an existing central power station, it would mean that we probably would continue the conditions which have existed in the past. In many instances, if not in most instances, the centrol power stations have picked out the cream in a certain locality and have built lines and supplied it with electricity."

"Mr. KING. If an organization were formed beyond the 10-mile limit to which I have just referred and within which limit the farmers are supplied with electric energy, that organization would not be permitted to come back into the 10-mile area to furnish light to farmers already receiving it?

"Mr. NORRIS. Not to those already receiving it, but it might come into the 10-mile area and supply farmers who were not receiving it. That is a distinction which I think ought to be drawn."

The following quotations which you do set forth in your opinion likewise make it clear that when the Senators were talking about not competing with power companies they meant not serving customers who already were receiving central station service.

"Mr. NORRIS. The Senator says 'come in competition'. They would not come in competition with farms already supplied. They might come in competition with the central power station.

"Mr. KING. That is not my question.

"Mr. NORRIS. There is no intention of going into a farming community which is already supplied with electric current and forming farm organizations there and having them built up to go into competition, as the Senator suggests with farmers who are already getting their electric current from a central station (80 CONGRESSIONAL RECORD 2752, pt. 3).

"Mr. KING. I may say that my understanding of the bill was that its primary and only purpose was to take care of farmers who did not have electrical facilities.

"Mr. RAYBURN. May I say to the gentleman that we are not, in this bill, intending to go out and compete with anybody. By this

bill we hope to bring electrification to people who do not now have it."

Another extremely significant fact in the legislative history of this law is that as originally introduced it did by its language authorize service only to rural areas not receiving central station service. Had it been passed in that form there might exist much more of a basis for your opinion. Although it is significant that at the time Senator Norris made the statements quoted above, section 2 of the bill which was under discussion still referred only to areas, and not to persons, not receiving central station service. The Senate committee had amended section 4 by adding the following words in brackets: "loans to furnish electric energy [to persons] in rural areas [who are] not receiving central station service"; but had not suggested that such an amendment be made to section 2. Later, and after the debates quoted by you, section 2 was amended on the floor to conform to section 4.

Sometime after the exchanges had taken place which are quoted in your opinion, Senator Norris explained the language of section 4, as amended by the committee, by saying: "I think that provision answers specifically some of the questions which were propounded earlier in the day by the Senator from Utah [Mr. King]"—the answer in the amended section, referred to by Senator NORRIS, being that an REA borrower could go into an area served by a power company but could not serve persons already being served.

Later in the same debate the Senate refused to adopt an amendment by Senator King which would have had the same effect as your opinion. Had such an amendment passed, you, of course, could be right, but it did not pass, and sections 2 and 4 passed with the "persons" language in it and not the area limitation. This being true, it seems to me your opinion is obviously in error.

It should be pointed out that the Justice Department has in all cases adopted the position which the REA has taken immediately upon passage of the act; also, the Federal courts have upheld the REA position. Moreover, REA has from time to time explained its interpretation to various committees of Congress without challenge.

Since the opinion is in error, and since it will so severely harm the REA program, I respectfully request that it be rescinded by you.

Sincerely yours,

HUBERT H. HUMPHREY.

CHANGE OF NAME OF COMMITTEE ON FOREIGN RELATIONS TO COMMITTEE ON INTERNATIONAL RELATIONS

Mr. HUMPHREY. Mr. President, on behalf of myself, the Senator from West Virginia [Mr. RANDOLPH] and the Senator from New York [Mr. JAVITS], I submit, for appropriate reference, a resolution to change the name of the Committee on Foreign Relations to the Committee on International Relations.

The reason I offer this resolution is that I feel the title Committee on International Relations is more appropriate in terms of the world of today.

The word "foreign" is subject to a negative interpretation of meaning "alien in character." In this day and age when our relations with other countries have such a direct and important effect upon domestic affairs, the present committee title seems to me to be antiquated.

The word "international" is more in tune with the spirit which motivates our country today. By changing the name of this important committee, we would be indicating our awareness of the changing world in which we live and of our desire to deal with other countries not in a parochial or distrustful manner, but rather in a spirit of cooperation and with a determination to help make for a better world for all.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred.

The resolution (S. Res. 22), submitted by Mr. HUMPHREY (for himself, Mr. RANDOLPH, and Mr. JAVITS), was received and referred to the Committee on Rules and Administration, as follows:

Resolved, That subsection (1)(i) of rule XXV of the Standing Rules of the Senate is amended by striking out "Committee on Foreign Relations" and inserting in lieu thereof "Committee on International Relations". Subsection 6(a) of rule XVI of the Standing Rules of the Senate is amended by striking out "Committee on Foreign Relations" and inserting in lieu thereof "Committee on International Relations".

AGREEMENT WITH MEXICO CONCERNING MOBILE RADIO TRANSMITTING STATIONS

Mr. HUMPHREY. Mr. President, for almost 6 years now the United States and Canada have been permitting mobile radio transmitting stations licensed by the government of one country to operate more or less freely in the other's territory. This arrangement was concluded by an exchange of notes signed at Washington on March 9 and 17, 1953, and it permits "ham" operators to operate in either Canada or the United States on a reciprocal basis.

The 1947 radio regulations of the International Telecommunication Union and the 1949 Inter-American Radio Agreement, international agreements to which the United States and Mexico are both parties, are silent with respect to the matter of the operation in one country of any duly licensed mobile radio station of another country. Insofar as the United States is concerned, section 301 of the Communications Act of 1934, as amended, prohibits the operation of any radio station in the United States except pursuant to a license granted under the provisions of that act; in addition, section 310 of the Communications Act prohibits the licensing of any type of radio station to aliens. Therefore, the operation of radio stations in the United States by aliens is not lawful except for specific exceptions permitted by act of Congress or by treaty.

About 3 years ago I was asked by a number of American amateur radio operators, or "hams," to discuss with the State Department and the Federal Communications Commission the possibility of coming to some similar agreement of reciprocity with our neighbor to the south, Mexico.

I did take this matter up with both the Department and the Commission, and after a rather extended exchange of letters and conversation I have frankly become discouraged that any initiative would be shown by the executive department, without an official expression of interest from the Congress.

It is my strong feeling that Mexican and American "hams" should be permitted to operate in each other's country, just as we have more or less mutual privileges for Canadian and American "hams." I believe that it is in the best interests of our country to encourage closer ties with our Mexican neighbors. My modest proposal would be a step in that direction.

Therefore, Mr. President, I submit a resolution which resolves that it is the sense of the Senate that the President enter into negotiations with the Government of Mexico in an effort to establish an agreement permitting reciprocity for American and Mexican "ham" operators.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred.

The resolution (S. Res. 23), submitted by Mr. HUMPHREY, was received and referred to the Committee on Foreign Relations, as follows:

Resolved, That it is the sense of the Senate that the President of the United States should take such steps as may be necessary to enter into negotiations with the Government of Mexico in an effort to establish an agreement under which certain mobile radio transmitting stations licensed by the United States Government or the Mexican Government could be carried from the territory in which they are licensed into the territory of the other country, without being removed from the vehicles in which such equipment is installed, and without being sealed to prevent transmission.

AMENDMENT OF ACT OF AUGUST 5, 1954, RELATING TO INDIAN HEALTH—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 9, 1959, the names of Senators GRUENING and BENNETT were added as additional cosponsors of the bill (S. 56) to amend the act of August 5, 1954 (68 Stat. 674), and for other purposes, introduced by Mr. MURRAY (for himself and Senators ANDERSON, GOLDWATER, BIBLE, CANNON, MORSE, NEUBERGER, CHURCH, MANSFIELD, and MOSS) on January 9, 1959.

HOUSING ACT OF 1959—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 9, 1959, the names of Senators GRUENING and HART were added as additional cosponsors of the bill (S. 57) to extend and amend laws relating to the provision and improvement of housing and the renewal or urban communities, and for other purposes, introduced by Mr. SPARKMAN (for himself and Senators FULBRIGHT, YARBOROUGH, RANDOLPH, BYRD of West Virginia, MONRONEY, and MORSE), on January 9, 1959.

EXTENSION OF LAWS RELATING TO RENEWAL OF URBAN COMMUNITIES—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 12, 1959, the names of Senators MORSE, HART, HUMPHREY, NEUBERGER, ENGLE, and MURRAY were added

as additional cosponsors of the bill (S. 193) to amend and extend the laws relating to the renewal of urban communities, and for other purposes, introduced by Mr. CLARK (for himself and Mr. KENNEDY) on January 12, 1959.

AMENDMENT OF HOUSING ACT OF 1950 RELATING TO CONSTRUCTION LOANS TO EDUCATIONAL INSTITUTIONS—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 12, 1959, the names of Senators MORSE, HART, JAVITS, HUMPHREY, CHURCH, JACKSON, NEUBERGER, ENGLE, MURRAY, and Moss were added as additional cosponsors of the bill (S. 194) to amend title IV of the Housing Act of 1950 (college housing) to authorize loans to educational institutions for the construction, rehabilitation, alteration, conversion, and improvement of classroom buildings and other academic facilities, introduced by Mr. CLARK (for himself and Mr. KENNEDY) on January 12, 1959.

FORECLOSURE OF FHA-INSURED MORTGAGES—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 12, 1959, the names of Senators MORSE, HART, JAVITS, HUMPHREY, NEUBERGER, ENGLE, and MURRAY were added as additional cosponsors of the bill (S. 195) relating to the foreclosure of FHA insured mortgages, introduced by Mr. CLARK (for himself and Mr. KENNEDY) on January 12, 1959.

PROPOSED SENATE COMMITTEE ON VETERANS AFFAIRS—ADDITIONAL COSPONSORS OF RESOLUTION

Mr. MORSE. Mr. President, I wish to have the RECORD show that the Senator from Wisconsin [Mr. WILEY] and the Senator from Washington [Mr. JACKSON] are among the cosponsors of the resolution (S. Res. 19) I submitted Monday to establish a Senate Committee on Veterans' Affairs.

Although their names do not appear on the printed copy of Senate Resolution 19, I am happy to welcome them as cosponsors.

PROPOSED HOUSING LEGISLATION—NOTICE OF HEARINGS

Mr. SPARKMAN. Mr. President, as chairman of the Housing Subcommittee of the Committee on Banking and Currency and in behalf of the chairman of that committee, the Senator from Arkansas [Mr. FULBRIGHT], I announce that the Committee on Banking and Currency will begin hearings on housing legislation on the morning of Thursday, January 22. Bills to be considered are S. 57; S. 65, introduced by the Senator from Indiana [Mr. CAPEHART]; S. 193, S. 194, and S. 195, all introduced by the Senator from Pennsylvania [Mr. CLARK]; the bill just introduced by the Senator from Connecticut [Mr. BUSH], and any other housing bills which may be referred to the Committee on Banking and Currency.

The hearings will be held in room 301, Senate Office Building. All persons who wish to appear and testify are requested to notify Mr. James B. Cash, Jr., staff director of the Subcommittee on Housing, room 15-A, Senate Office Building, telephone Capitol 4-3121, extension 6348.

Mr. President, as I stated on January 9, when introducing S. 57, enactment of housing legislation is a priority matter for the Senate during this first session of the 86th Congress. The bill which I introduced is, by and large, the same as S. 4035, the omnibus housing bill which passed the Senate last year but which was not enacted into law. Extensive hearings were held on many bills contributing to the development of S. 4035. The printed record of those hearings run 843 pages, and copies of this record are available.

Bills already introduced in this session of Congress express the desire of the administration to supplement the insurance authorization of the Federal Housing Administration, and raise questions concerning the adequacy of other provisions which appeared in S. 4035 and which appear in my bill, S. 57. I am hopeful that the hearings which will begin on January 22 will assist the Senate in resolving questions raised by these new bills, and it is the purpose of the Committee on Banking and Currency to obtain the views of the administration and other interested organizations and persons.

In view of the fact, however, that many of the proposals in pending legislation were fully discussed and illuminated in last year's hearings, I am hopeful that the hearings, beginning on January 22, can be completed by January 28; and that testimony during these hearings will be confined primarily to new proposals and to the more significant provisions of bills before the committee.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. JOHNSON of Texas:

Editorial from the Dallas Morning News of December 25, 1958, and "JIM WRIGHT'S Christmas Letter."

By Mr. JACKSON:

Address delivered by him as Chairman of the NATO Scientific and Technical Committee, in presenting the report of the Committee to the conference of NATO Parliamentarians in Paris, on November 17, 1958.

By Mr. CLARK:

Address delivered by Senator RANDOLPH on the subject "Citizenship Role in American Political Life," at the section conference on legislative education, University of Pittsburgh, November 14, 1958.

By Mr. WILEY:

Statement made by the Secretary of State before the Senate Foreign Relations Committee on January 14, 1959.

THE TRUE VOICE OF THE SENATE ON THE CLOTURE RULE

Mr. MANSFIELD. Mr. President, in this morning's Baltimore Sun there appears an excellent editorial which I commend to the reading of my colleagues.

Thoughtful men will recognize that there have been few instances in which the Senate has recorded its will so decisively as it did after the debate on rule XXII. It is instructive to recapitulate the votes.

The vote on the Anderson motion was 60 to 36.

The vote on the Douglas proposal was 67 to 28.

The vote on the Morton proposal was 58 to 36.

The vote on the adoption of the resolution was 72 to 22.

Mr. President, when the Senate registers such huge majorities, there can be no doubt that the Senate is speaking its true voice, that it is registering its most solemn convictions.

The Baltimore Sun, in its very able editorial of this morning, makes that point. As it says, such majorities are not "synthetic."

I ask unanimous consent that the editorial be printed in the RECORD as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MORE THAN GENERALSHIP

So far as the 86th Congress is concerned, the filibuster question was settled Monday by the favorable vote on the proposal by Senator LYNDON JOHNSON. This provides that a filibuster may be ended by a two-thirds vote of the Senators present. This is a very slight relaxation of the previous rule, which required a two-thirds vote of the total number of Senators whether present or not. Substantially, it backs up the two-thirds principle, whereas the object of the "liberal" drive was to be able to stop a filibuster with a simple majority.

This is being described as a famous tactical victory for Senator JOHNSON, and indeed it was. Both on the floor of the Senate and behind the scenes he managed things brilliantly. The new Senators in particular were given a perhaps slightly chilling lesson in the art of mobilizing votes and keeping them in line.

But it is not enough just to dismiss this as a piece of brilliant parliamentary tactics. It is more than that, as an examination of the succession of crucial votes will show.

The first of these was on Wednesday, when Senator JOHNSON shut off preliminary debate by a demand for adjournment and won by 73–23, or much more than two-thirds.

The second was Friday's vote on the so-called Anderson amendment to provide that the Senate may change its rules at the opening of each session by a simple majority vote. It was defeated by 60–36, or almost two-thirds.

The third was Monday's vote on the Douglas proposal to end filibuster by a simple majority of the Senate's membership. It was defeated by 67–28, more than two-thirds.

The fourth was on the Morton proposal to end a filibuster by a three-fifths vote of Senators present. It was defeated by 58–36, almost two-thirds.

Then finally the fifth was on Senator JOHNSON'S proposal, which was passed by an enormous majority of 72–22, more than two-thirds.

Every crucial vote in the Senate involves behind-the-scenes generalship and careful footwork on the floor. That is the way the Senate works. But neither are Senators helpless pawns. Huge majorities like those

comprising the series are not synthetic. They genuinely express the will of the Senate. Give or take a few votes, it is perfectly clear that something very close to two-thirds of the Senate believe that a limited power to filibuster is a good thing—and that when a determined minority feels strongly enough on a given subject then a simple majority is not enough.

Mr. DIRKSEN. Mr. President, I am sorry that for a moment I was engaged in conversation on this side of the aisle. I wish the distinguished Senator from Montana would review the figures he stated a moment ago.

Mr. MANSFIELD. At the request of the Senator from Illinois, I shall state, in view of the fact that some remarks have been made about the votes cast in the Senate in connection with rule XXII, that I think the figures speak for themselves, and indicate that there were no "synthetic" votes, but that the votes registered the feelings of a majority of the Members of this body.

The vote on the Anderson motion was 60 to 36.

The vote on the Douglas proposal was 67 to 28.

The vote on the Morton proposal was 58 to 36.

The vote on the final adoption of the resolution was 72 to 22.

Mr. DIRKSEN. Mr. President, to amplify the RECORD, let me point out that there were pairs, as I understand.

Mr. MANSFIELD. Yes; as I understand, the Senator from New Hampshire [Mr. BRIDGES], the Senator from South Dakota [Mr. MUNDT], and the Senator from Oregon [Mr. NEUBERGER] would, if present, have been recorded as voting in favor of the Johnson resolution; and, in that event, the total number of votes in favor of adoption of the resolution would have been 75. The Senator from North Dakota [Mr. YOUNG] would, if present, have been recorded as voting against the Johnson resolution; and, in that event, the total number of votes against the resolution, on the question of final adoption, would have been 23. In short, if the Senators who were absent and paired had been present and voting, the total vote on the question of final adoption of the Johnson resolution would have been 75 yeas to 23 nays—or more than a 3-to-1 majority.

AGREEMENTS FOR COOPERATION IN CIVIL USES OF ATOMIC ENERGY

Mr. PASTORE. Mr. President, last year I introduced into the CONGRESSIONAL RECORD certain agreements for cooperation which had arrived before the Joint Committee pursuant to section 123 of the Atomic Energy Act of 1954.

Other agreements have arrived before the Joint Committee and I now ask permission to have printed in full in the CONGRESSIONAL RECORD at this point the agreement received before the Joint Committee which arrived on November 5, 1958, between the Government of the Republic of Venezuela and the United States; the agreement received before the Joint Committee which arrived on October 24, 1958, between the Government of Japan and the United States, amending the Agreement for Cooperation with the Government of Japan signed at Washington June 16, 1958; and the agreement received before the Joint Committee which arrived on October 16, 1958, between the Governments of the Republic of Cuba and the United States.

I ask unanimous consent that the agreements be printed in the RECORD.

There being no objection, the agreements were ordered to be printed in the RECORD, as follows:

AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF VENEZUELA CONCERNING THE CIVIL USES OF ATOMIC ENERGY

Whereas the Government of the United States of America and the Government of the Republic of Venezuela on July 21, 1955, signed an agreement for cooperation concerning civil uses of atomic energy; and

Whereas such agreement provides that it is the hope and expectation of the parties that the initial agreement for cooperation will lead to consideration of further cooperation extending to the design, construction, and operation of power-producing reactors; and

Whereas the Government of the Republic of Venezuela has advised the Government of the United States of America of its desire to pursue a research and development program looking toward the realization of peaceful and humanitarian uses of atomic energy, including the design, construction, and operation of power-producing reactors; and

Whereas the Government of the United States of America desires to cooperate with the Government of the Republic of Venezuela in such a program as hereinafter provided; and

Whereas the parties desire that the agreement for cooperation signed on July 21, 1955, be superseded by this agreement, which includes the new areas of cooperation;

The parties therefore agree as follows:

ARTICLE I

For the purposes of this agreement:

(a) "United States Commission" means the United States Atomic Energy Commission.

(b) "Equipment and devices" and "equipment or device" means any instrument, apparatus, or facility, and includes any facility, except an atomic weapon, capable of making use of or producing special nuclear material, and component parts thereof.

(c) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, Government agency, or Government corporation, but does not include the parties to this agreement.

(d) "Reactor" means an apparatus, other than an atomic weapon, in which a self-supporting fission chain reaction is maintained by utilizing uranium, plutonium, or thorium, or any combination of uranium, plutonium, or thorium.

(e) "Restricted data" means all data concerning (1) design, manufacture, or utilization of atomic weapons; (2) the production of special nuclear materials; or (3) the use of special nuclear material in the production of energy, but shall not include data declassified or removed from the category of restricted data by the appropriate authority.

(f) "Atomic weapon" means any device utilizing atomic energy, exclusive of the means for transporting or propelling the device (where such means is a separable and devisible part of the device), the principal purpose of which is for use as, or for development of, a weapon, a weapon prototype, or a weapon test device.

(g) "Special nuclear material" means (1) plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the U.S. Commission determines to be special nuclear material; or (2) any material artificially enriched by any of the foregoing.

(h) "Source material" means (1) uranium, thorium, or any other material which is determined by either party to be source material; or (2) ores containing one or more of the foregoing materials, in such concentration as either party may determine from time to time.

(i) "Parties" means the Government of the United States of America and the Government of the Republic of Venezuela, including the U.S. Commission on behalf of the Government of the United States of America. "Party" means one of the above-defined "parties."

(j) "Research reactor" means a reactor which is designed for the production of neutrons and other radiations for general research and development purposes, medical therapy, or training in nuclear science and engineering. The term does not cover power reactors, power demonstration reactors, or reactors designed primarily for the production of special nuclear materials.

ARTICLE II

A. Restricted data shall not be communicated under this agreement, and no materials or equipment and devices shall be transferred and no services shall be furnished under this agreement if the transfer of any such materials or equipment and devices or the furnishing of any such services involves the communication of restricted data.

B. Subject to the provisions of this agreement, the availability of personnel and material, and the applicable laws, regulations, and license requirements in force in their respective countries, the parties shall assist each other in the achievement of the use of atomic energy for peaceful purposes.

C. This agreement shall not require the exchange of any information which the parties are not permitted to communicate because the information is privately owned or has been received from another government.

ARTICLE III

Subject to the provisions of article II, unclassified information, including information in the specific fields set out below, shall be exchanged between the U.S. Commission and the Government of the Republic of Venezuela with respect to the application of atomic energy to peaceful uses, including research and development relating to such uses and problems of health and safety connected therewith:

(a) The development, design, construction, operation, and use of research, experimental power, demonstration power, and power reactors;

(b) Health and safety problems related to the operation and use of research, experimental power, demonstration power, and power reactors;

(c) The use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture, and industry.

ARTICLE IV

The application or use of any information (including design drawings and specifications) and any material, equipment, and devices, exchanged or transferred between the parties under this agreement shall be the responsibility of the party receiving it, and the other party does not warrant the accuracy or completeness of such information and does not warrant the suitability of such information, materials, equipment, and devices for any particular use or application.

ARTICLE V

A. Research materials: Materials of interest in connection with defined research projects related to the peaceful uses of atomic

energy as provided by article III and under the limitations set forth in article II including source materials, special nuclear materials, byproduct material, other radioisotopes, and stable isotopes, will be exchanged for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall the quantity of special nuclear materials under the jurisdiction of either party, by reason of transfer under this article, be, at any one time, in excess of 100 grams of contained U^{235}, 10 grams of plutonium, and 10 grams of U^{233}.

B. Research facilities: Subject to the provisions of article II, and under such terms and conditions as may be agreed, and to the extent as may be agreed, specialized research facilities and reactor materials testing facilities of the parties shall be made available for mutual use consistent with the limits of space, facilities, and personnel conveniently available, when such facilities are not commercially available.

ARTICLE VI

It is contemplated that, as provided in this article, private individuals and private organizations in either the United States of America or the Republic of Venezuela may deal directly with private individuals and private organizations in the other country. Accordingly, with respect to the subjects of agreed exchange of information as provided in article III, persons under the jurisdiction of either the Government of the United States of America or the Government of the Republic of Venezuela will be permitted to make arrangements to transfer and export materials, including equipment and devices, to and perform services for the other Government and such persons under its jurisdiction as are authorized by the other Government to receive and possess such materials and utilize such services, subject to—

(a) The limitations in article II;

(b) Applicable laws, regulations, and license requirements of the Government of the United States of America and the Government of the Republic of Venezuela.

ARTICLE VII

A. During the period of this agreement, the U.S. Commission will sell or lease, as may be agreed, for use in research reactors and sell, as may be agreed, for use in experimental power, demonstration power, and power reactors, to the Government of the Republic of Venezuela uranium enriched up to a maximum of 20 percent in the isotope U^{235} except as otherwise provided in paragraph C of this article in such quantities as may be agreed, in accordance with the terms, conditions, and delivery schedules set forth in sales or lease contracts for fueling defined research, experimental power, demonstration power, and power reactors which the Government of the Republic of Venezuela, in consultation with the U.S. Commission, decides to construct or authorize private organizations to construct in the Republic of Venezuela and as required in experiments related thereto; provided, however, that the net amount of any uranium sold or leased hereunder during the period of this agreement shall not exceed 800 kilograms of contained U^{235}. This net amount shall be the gross quantity of contained U^{235} in uranium sold or leased to the Government of the Republic of Venezuela during the period of this agreement less the quantity of contained U^{235} in recoverable uranium which has been resold or otherwise returned to the Government of the United States of America during the period of this agreement or transferred to any other nation or international organization with the approval of the Government of the United States of America.

B. Within the limitations contained in paragraph A of this article, the quantity of uranium enriched in the isotope U^{235} transferred by the U.S. Commission under this article and in the custody of the Government of the Republic of Venezuela shall not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project which the Government of the Republic of Venezuela or persons under its jurisdiction decide to construct and fuel with fuel obtained from the United States of America, as provided herein, plus such additional quantity as, in the opinion of the U.S. Commission, is necessary to permit the efficient and continuous operation of such reactor or reactors while replaced fuel elements are radioactively cooling or, subject to the provisions of paragraph E, are being reprocessed in the Republic of Venezuela, or while fuel elements are in transit, it being the intent of the U.S. Commission to make possible the maximum usefulness of the materials so transferred.

C. The U.S. Commission may, upon request and in its discretion, make a portion of the foregoing special nuclear material available as material enriched up to a maximum of 90 percent for use in a material testing reactor, capable of operating with a fuel load not to exceed 6 kilograms of contained U^{235} in uranium.

D. It is understood and agreed that although the Government of the Republic of Venezuela may distribute uranium enriched in the isotope U^{235} to authorize users in the Republic of Venezuela, the Government of the Republic of Venezuela will retain title to any uranium enriched in the isotope U^{235} which is purchased from the U.S. Commission at least until such time as private users in the United States of America are permitted to acquire title in the United States of America to uranium enriched in the isotope U^{235}.

E. It is agreed that when any source or special nuclear material received from the United States of America requires reprocessing such reprocessing shall be performed at the discretion of the U.S. Commission in either U.S. Commission facilities or facilities acceptable to the U.S. Commission, on terms and conditions to be later agreed; and it is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel elements shall not be altered after their removal from the reactor and prior to delivery to the U.S. Commission or the facilities acceptable to the U.S. Commission for reprocessing.

F. With respect to any special nuclear material not owned by the Government of the United States of America produced in reactors fueled with materials obtained from the United States of America, which is in excess of the need of the Republic of Venezuela for such materials in its program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted:

(a) a first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an agreement for cooperation with the Government of the United States of America, and

(b) the right to approve the transfer of such material to any other nation or international organization in the event the option to purchase is not exercised.

G. Special nuclear material produced in any part of fuel leased hereunder as a result of irradiation processes shall be for the account of the Government of the Republic of Venezuela and after reprocessing, as provided in paragraph E hereof, shall be returned to the Government of the Republic of Venezuela, at which time title to such material shall be transferred to that Government, unless the Government of the United States of America shall exercise the option, which is hereby accorded, to retain, with appropriate credit to the Government of the Republic of Venezuela, any such special nuclear material which is in excess of the needs of the Government of the Republic of Venezuela for such material in its program for the peaceful uses of atomic energy.

H. Some atomic energy materials which the Government of the Republic of Venezuela may request the U.S. Commission to provide in accordance with this agreement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of the Republic of Venezuela, the Government of the Republic of Venezuela shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel elements which the U.S. Commission may, pursuant to this agreement, lease to the Government of the Republic of Venezuela or to any private individual or private organization under its jurisdiction, the Government of the Republic of Venezuela shall indemnify and save harmless the Government of the United States of America against any and all liability (including third party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials of fuel elements after delivery by the U.S. Commission to the Government of the Republic of Venezuela or to any authorized private individual or private organization under its jurisdiction.

ARTICLE VIII

As may be necessary and as may be mutually agreed in connection with the subjects of agreed exchange of information as provided in article III, and under the limitations set forth in article II, and under such terms and conditions as may be mutually agreed, specific arrangements may be made from time to time between the parties for lease, or sale and purchase, of quantities of materials, other than special nuclear material, greater than those required for research, when such materials are not available commercially.

ARTICLE IX

A. The Government of the United States of America and the Government of the Republic of Venezuela emphasize their common interest in assuring that any material, equipment, or device made available to the Government of the Republic of Venezuela pursuant to this agreement shall be used solely for civil purposes.

B. Except to the extent that the safeguards provided for in this agreement are supplanted, by agreement of the parties as provided in article XI, by safeguards of the International Atomic Energy Agency, the Government of the United States of America, notwithstanding any other provisions of this agreement, shall have the following rights:

1. With the objective of assuring design and operation for civil purposes and permitting effective application of safeguards, to review the design of any (i) reactor, and (ii) other equipment and devices the design of which the U.S. Commission determines to be relevant to the effective application of safeguards, which are to be made available to the Government of the Republic of Venezuela or any persons under its jurisdiction by the Government of the United States of America or any person under its jurisdiction, or which are to use, fabricate, or process any of the following materials so made available: Source material, special nuclear material, moderator material, or other material designated by the U.S. Commission.

2. With respect to any source or special nuclear material made available to the Government of the Republic of Venezuela or any person under its jurisdiction by the Government of the United States of America or any person under its jurisdiction and any

source or special nuclear material utilized in, recovered from, or produced as a result of the use of any of the following materials, equipment, or devices so made available: (i) Source material, special nuclear material, moderator material, or other material designated by the U.S. Commission, (ii) reactors, (iii) any other equipment or device designated by the U.S. Commission as an item to be made available on the condition that the provisions of this subparagraph B2 will apply, (a) to require the maintenance and production of operating records and to request and receive reports for the purpose of assisting in insuring accountability for such materials; and (b) to require that any such material in the custody of the Government of the Republic of Venezuela or any person under its jurisdiction be subject to all of the safeguards provided for in this article and the guarantees set forth in article X.

3. To require the deposit in storage facilities designated by the United States Commission of any of the special nuclear material referred to in subparagraph B2 of this article which is not currently utilized for civil purposes in the Republic of Venezuela and which is not purchased or retained pursuant to article VII of this agreement, transferred pursuant to article VII, paragraph F(b) of this agreement, or otherwise disposed of pursuant to an arrangement mutually acceptable to the parties.

4. To designate, after consultation with the Government of the Republic of Venezuela, personnel who, accompanied, if either party so requests, by personnel designated by the Government of the Republic of Venezuela, shall have access in the Republic of Venezuela to all places and data necessary to account for the source and special nuclear materials which are subject to subparagraph B2 of this article to determine whether there is compliance with this agreement and to make such independent measurements as may be deemed necessary.

5. In the event of noncompliance with the provisions of this article or the guaranties set forth in article X and the failure of the Government of the Republic of Venezuela to carry out the provisions of this article within a reasonable time, to suspend or terminate this agreement and require the return of any materials, equipment, and devices referred to in subparagraph B2 of this article.

6. To consult with the Government of the Republic of Venezuela in the matter of health and safety.

C. The Government of the Republic of Venezuela undertakes to facilitate the application of the safeguards provided for in this article.

ARTICLE X

The Government of the Republic of Venezuela guarantees that:

(a) Safeguards provided in article IX shall be maintained.

(b) No material, including equipment and devices, transferred to the Government of the Republic of Venezuela or authorized persons under its jurisdiction pursuant to this agreement, by lease, sale, or otherwise, shall be used for atomic weapons or for research on or development of atomic weapons or for any other military purposes, and that no such material, including equipment and devices, will be transferred to unauthorized persons or beyond the jurisdiction of the Government of the Republic of Venezuela except as the United States Commission may agree to such transfer to another nation or international organization and then only if in the opinion of the United States Commission such transfer falls within the scope of an agreement for cooperation between the United States of America and the other nation or international organization.

ARTICLE XI

The Government of the United States of America and the Government of the Republic of Venezuela affirm their common interest in the International Atomic Energy Agency, and to this end:

(a) The parties will consult with each other, upon the request of either party, to determine in what respects, if any, they desire to modify the provisions of this agreement for cooperation. In particular, the parties will consult with each other to determine in what respects and to what extent they desire to arrange for the administration by the International Atomic Energy Agency of those conditions, controls, and safeguards including those relating to health and safety standards required by the Agency in connection with similar assistance rendered to a cooperating nation under the aegis of the Agency.

(b) In the event the parties do not reach a mutually satisfactory agreement following the consultation provided in subparagraph (a) of this article, either party may by notification terminate this agreement. In the event this agreement is so terminated, the Government of the Republic of Venezuela shall return to the United States Commission all source and special nuclear materials received pursuant to this agreement and in its possession or in the possession of persons under its jurisdiction.

ARTICLE XII

A. The agreement for cooperation signed on July 21, 1955, is superseded in its entirety on the day this agreement enters into force.

B. This agreement shall enter into force on the day on which each government shall receive from the other government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such agreement and shall remain in force for a period of 10 years.

In witness whereof, the parties hereto have caused this agreement to be executed pursuant to duly constituted authority.

Done at Washington, in duplicate, in the English and Spanish languages, this 8th day of October 1958.

For the Government of the United States of America:

R. R. RUBOTTOM, Jr.
JOHN A. MCCONE.

For the Government of the Republic of Venezuela:

M. FALCON-BRICENO.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed agreement entitled "Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of Venezuela Concerning the Civil Uses of Atomic Energy," and authorize its execution.

The proposed agreement has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, and is, in the opinion of the Commission, an important and desirable step in advancing the development of the peaceful uses of atomic energy in the Republic of Venezuela in accordance with the policy you have established. The proposed agreement will incorporate and supersede the Agreement for Cooperation Concerning Civil Uses of Atomic Energy which was entered into on July 21, 1955, between the two Governments. The new agreement, which will extend for a period of ten (10) years, will broaden the scope of cooperation between the Republic of Venezuela and the United States in fields related to the peaceful utilization of atomic energy by providing for cooperation on matters relating to the development, design, construction, operation and use of experimental power, demonstration power and power reactors, as well as research reactors. It is expected that the parties will exchange information in other unclassified areas including health and safety problems related to the operation and use of such reactors, and the use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture and industry.

The Republic of Venezuela, if it desires to do so, may engage U.S. companies to construct research, experimental power, demonstration power and power reactors, and private industry in the United States will be able, under the agreement, to render other assistance to the Republic of Venezuela. The agreement contains all of the guaranties prescribed by the Atomic Energy Act of 1954, as amended. No restricted data would be communicated under the agreement.

The agreement will permit the Commission to sell or lease, as may be agreed, for fueling defined research reactors and sell, as may be agreed, for fueling defined experimental power, demonstration power and power reactors, to the Government of the Republic of Venezuela, uranium enriched up to a maximum of 20 percent in the isotope U^{235}, except as noted below, in such quantities as may be agreed, for fueling such defined reactors in the Republic of Venezuela; provided, however, that the net amount of any uranium sold or leased during the period of the agreement does not exceed 800 kilograms of contained U^{235}. The Commission at its discretion, may make a portion of the foregoing 800 kilograms available as material enriched up to 90 percent for use in a materials testing reactor capable of operating with a fuel load not to exceed 6 kilograms of contained U^{235} in uranium.

The Government of the Republic of Venezuela plans to utilize the U^{235} to be transferred for fueling a research reactor now under construction near Caracas, a materials testing reactor to be constructed after completion of the research reactor and three power reactors.

The quantity of uranium enriched in the isotope U^{235} transferred to the Government of the Republic of Venezuela for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling or, subject to Commission approval, are being reprocessed in the Republic of Venezuela. When uranium is leased and subject to the specific terms of such lease, the agreement would permit retention, by the Government of the Republic of Venezuela, of the special nuclear materials produced in fuel elements obtained from the United States.

Article V of the agreement would permit the transfer of limited amounts of special nuclear material, including U^{235}, U^{233} and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Article VII of the agreement provides that when any source or special nuclear material received from the United States requires reprocessing, such reprocessing will be performed either in Commission facilities or in facilities acceptable to the Commission. In addition, article IX of the agreement incorporates provisions which are designed to minimize the possibility that material or equipment transferred under the agreement will be diverted to nonpeaceful purposes.

In article XI the parties state their common interest in the International Atomic Energy Agency and agree to consult with each other to determine in what respect and to what extent they desire to arrange for the

administration by the International Atomic Energy Agency for those conditions, controls, and safeguards including those relating to health and safety standards required by the Agency in connection with similar assistance rendered to a cooperating nation under the aegis of the Agency.

Following your approval and subject to the authorization requested, the agreement will be formally executed by the appropriate authorities of the Government of the Republic Venezuela and the Government of the United States of America and placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954, as amended.

Respectfully,

JOHN A. McCONE, *Chairman.*

THE WHITE HOUSE,
Washington, August 19, 1958.

The Honorable JOHN A. McCONE,
Chairman, Atomic Energy Commission.

DEAR MR. McCONE: Under date of August 15, the Atomic Energy Commission recommended that I approve the proposed agreement entitled "Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of Venezuela Concerning the Civil Uses of Atomic Energy," and authorize its execution.

The proposed agreement, negotiated pursuant to the Atomic Energy Act of 1954, as amended, which in the opinion of the Commission, is an important and desirable step in advancing the development of the peaceful uses of atomic energy in the Republic of Venezuela, has been reviewed. It will incorporate and supersede the Agreement for Cooperation Concerning Civil Uses of Atomic Energy which was entered into on July 21, 1955, between the two Governments. The new agreement, which will extend for a period of 10 years, will broaden the scope of cooperation between the Republic of Venezuela and the United States in fields related to the peaceful utilization of atomic energy by providing for cooperation on matters relating to the development, design, construction, operation, and use of experimental power, demonstration power, and power reactors, as well as research reactors. It is expected that the parties will exchange information in other unclassified areas including health and safety problems related to the operation and use of such reactors, and the use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture, and industry.

The Republic of Venezuela, if it desires to do so, may engage United States companies to construct research, experimental power, demonstration power, and power reactors, and private industry in the United States will be able, under the agreement, to render other assistance to the Republic of Venezuela. The agreement contains all of the guaranties prescribed by the Atomic Energy Act of 1954, as amended. No restricted data would be communicated under this agreement.

The agreement will permit the Commission to sell or lease, as may be agreed, for fueling defined research reactors and sell, as may be agreed, for fueling defined experimental power, demonstration power, and power reactors, to the Government of the Republic of Venezuela, uranium enriched up to a maximum of 20 percent in the isotope U^{235}, except as noted below, in such quantities as may be agreed, for fueling such defined reactors in the Republic of Venezuela; provided, however, that the net amount of any uranium sold or leased during the period of the agreement does not exceed 800 kilograms of contained U^{235}. I understand that the Commission, at its discretion, may make a portion of the foregoing 800 kilograms available as material enriched up to 90 percent for use in a materials testing reactor capable of operating with a fuel load not to exceed six kilograms of contained U^{235} in uranium.

The quantity of uranium enriched in the isotope U^{235} transferred to the Government of the Republic of Venezuela for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor plus such additional quantity as, in the opinion of the the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling or, subject to Commission approval, are being reprocessed in the Republic of Venezuela. When uranium is leased, and subject to the specific terms of such lease, the agreement would permit retention, by the Government of the Republic of Venezuela, of the special nuclear materials produced in fuel elements obtained from the United States.

I note that article V of the agreement would permit the transfer of limited amounts of special nuclear material, including U^{235}, U^{233}, and plutonium, for defined research projects related to the peaceful uses of atomic energy, and that article VII provides that when any source or special nuclear material received from the United States requires reprocessing, such reprocessing will be performed either in Commission facilities or in facilities acceptable to the Commission. In addition, article IX of the agreement incorporates provisions which are designed to minimize the possibility that material or equipment transferred under the agreement will be diverted to nonpeaceful purposes.

In article XI the parties state their common interest in the International Atomic Energy Agency and agree to consult with each other to determine in what respect and to what extent they desire to arrange for the administration by the International Atomic Energy Agency for those conditions, controls and safeguards including those relating to health and safety standards required by the Agency in connection with similar assistance rendered to a cooperating nation under the aegis of the Agency.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby (1) determine that the performance of the proposed agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States, and (2) approve the proposed agreement for cooperation between the Government of the United States of America and the Government of the Republic of Venezuela enclosed with your letter, and (3) authorize the execution of the proposed agreement for the Government of the United States of America by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

PROTOCOL AMENDING THE AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF JAPAN CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of Japan;

Desiring to amend the agreement for cooperation between the Government of the United States of America and the Government of Japan concerning civil uses of atomic energy, signed at Washington on June 16, 1958, hereinafter referred to as the "agreement for cooperation";

Have agreed as follows:

ARTICLE I

Article V, paragraph A, of the agreement for cooperation is amended by deleting the phrase "10 grams of plutonium, and 10 grams of U^{233}" and substituting in lieu thereof the phrase "10 grams of U^{233}, 250 grams of plutonium in the form of fabricated foils and sources, and 10 grams of plutonium in other forms."

ARTICLE II

Article VII, paragraph C, of the agreement for cooperation is amended to read as follows:

"C. The United States Commission may, upon request and in its discretion, make a portion of the foregoing special nuclear material available as material enriched up to 90 percent for use in research and materials testing reactors, each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium."

ARTICLE III

Article VII, paragraph F, of the agreement for cooperation is amended by inserting the phrase "for use for peaceful purposes only" immediately after the phrase "a first option to purchase."

ARTICLE IV

This protocol shall enter into force on the day on which each government shall receive from the other government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such protocol and shall remain in force for the period of the agreement for cooperation.

In witness whereof, the undersigned, duly authorized, have signed this protocol.

Done at Washington, in duplicate, in the English and Japanese languages, both texts being equally authentic, this 9th day of October, 1958.

For the Government of the United States of America:

WALTER S. ROBERTSON,
Assistant Secretary of State for Far Eastern Affairs.

JOHN A. McCONE,
Chairman, United States Atomic Energy Commission.

For the Government of Japan:

KOICHIRO ASAKAI,
Ambassador of Japan.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D. C., October 3, 1958.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed protocol amending the agreement for cooperation between the Government of the United States of America and the Government of Japan concerning civil uses of atomic energy, signed at Washington on June 16, 1958, and authorize its execution.

Article I of the protocol would increase by 250 grams, in fabricated foils and sources only, the quantity of plutonium which could be transferred under the research materials article of the agreement for cooperation for defined research projects related to the peaceful uses of atomic energy. It is anticipated that this increased quantity of plutonium will be used principally to provide plutonium-beryllium sources for subcritical assemblies which are used for training and research in the field of reactor physics.

Article II of the protocol provides that uranium enriched up to 90 percent in the isotope U–235 which the Commission, in its discretion, may make available to the Government of Japan may be used in research reactors as well as in material testing reactors, and provides for an increase in the maximum core loading of each such reactor from 6 to 8 kilograms of contained U–235.

Article III of the protocol provides that special nuclear material produced in Japan in reactors fueled with materials obtained from the United States, and acquired by the United States under its purchase option, will be used only for peaceful purposes. This provision is consistent with your policy, enunciated on November 18, 1956, that all

such materials acquired by the United States would be used only for these purposes.

Subject to your approval, and to the authorization requested, the proposed protocol will be executed by the appropriate authorities of the Government of the United States of America, represented by the Atomic Energy Commission and the Department of State, and the Government of Japan. In compliance with section 123 of the Atomic Energy Act of 1954, the protocol will then be placed before the Joint Committee on Atomic Energy.

Respectfully yours,

JOHN A. MCCONE,
Chairman.

THE WHITE HOUSE,
Washington, October 7, 1958.

The Honorable JOHN A. MCCONE,
Chairman, Atomic Energy Commission, Washington, D. C.

DEAR MR. CHAIRMAN: Under date of October 3, 1958, you informed me that the Atomic Energy Commission has recommended that I approve the proposed protocol amending the "Agreement for Cooperation Between the Government of the United States of America and the Government of Japan Concerning Civil Uses of Atomic Energy" signed at Washington on June 16, 1958, and authorize its execution.

The recommended protocol has been reviewed. It provides for an increase of 250 grams, in fabricated foils and sources only, in the quantity of plutonium which can be transferred for use in defined research projects related to the peaceful uses of atomic energy. The proposed protocol permits the Commission, in its discretion, to make available uranium enriched up to 90 percent in the isotope U^{235} for use in research reactors as well as in materials testing reactors, and provides for an increase in the maximum core loading of each such reactor from 6 to 8 kilograms of contained U^{235}. Finally, the proposed protocol provides that special nuclear material produced in Japan in reactors fueled with materials obtained from the United States, and acquired by the United States under its option, will be used only for peaceful purposes.

Therefore, pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, and upon the recommendation of the Atomic Energy Commission, I hereby (1) determine that the performance of the proposed protocol will promote and will not constitute an unreasonable risk to the common defense and security of the United States; (2) approve the proposed protocol amending the "Agreement for Cooperation Between the Government of the United States of America and the Government of Japan" enclosed with your letter of October 3, 1958; and (3) authorize the execution of the proposed protocol for the Government of the United States by appropriate authorities of the Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

AGREEMENT FOR COOPERATION CONCERNING THE CIVIL USES OF ATOMIC ENERGY BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF CUBA

Whereas the Government of the United States of America and the Government of the Republic of Cuba on June 26, 1956, signed an agreement for cooperation concerning civil uses of atomic energy; and

Whereas such agreement provides that it is the hope and expectation of the parties that the initial agreement for cooperation will lead to consideration of further cooperation extending to the design, construction, and operation of power-producing reactors; and

Whereas the Government of the Republic of Cuba has advised the Government of the United States of America of its desire to pursue a research and development program looking toward the realization of peaceful and humanitarian uses of atomic energy including the design, construction, and operation of power-producing reactors; and

Whereas the Government of the United States of America desires to cooperate with the Government of the Republic of Cuba in such a program as hereinafter provided; and

Whereas the parties desire that the agreement for cooperation signed on June 26, 1956, be superseded by this agreement which includes the new areas of cooperation;

The parties therefore agree as follows:

ARTICLE I

For the purposes of this agreement:

(a) "United States Commission" means the United States Atomic Energy Commission.

(b) "Cuban Commission" means the Nuclear Energy Commission of Cuba.

(c) "Equipment and devices" and "equipment or devices" means any instrument, apparatus, or facility and includes any facility, except an atomic weapon, capable of making use of or producing special nuclear material, and component parts thereof.

(d) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, government agency, or government corporation but does not include the parties to this agreement.

(e) "Reactor" means an apparatus, other than an atomic weapon, in which self-supporting fission chain reaction is maintained by utilizing uranium, plutonium or thorium, or any combination of uranium, plutonium, or thorium.

(f) "Restricted data" means all data concerning (1) design, manufacture, or utilization of atomic weapons; (2) the production of special nuclear material; or (3) the use of special nuclear material in the production of energy, but shall not include data declassified or removed from the category of restricted data by the appropriate authority.

(g) "Atomic weapon" means any device utilizing atomic energy, exclusive of the means for transporting or propelling the device (where such means is a separable and divisible part of the device), the principal purpose of which is for use as, or for development of, a weapon, a weapon prototype, or a weapon test device.

(h) "Special nuclear material" means (1) plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the U.S. Commission determines to be special nuclear material; or (2) any material artifically enriched by any of the foregoing.

(i) "Source material" means (1) uranium, thorium, or any other material which is determined by either party to be source material; or (2) ores containing one or more of the foregoing materials, in such concentration as either party may determine from time to time.

(j) "Parties" means the Government of the United States of America and the Government of the Republic of Cuba, including the U.S. Commission on behalf of the Government of the United States of America and the Cuban Commission on behalf of the Government of the Republic of Cuba. "Party" means one of the above defined parties.

(k) "Research reactor" means a reactor which is designed for the production of neutrons and other radiations for general research and development purposes, medical therapy, or training in nuclear science and engineering. The term does not cover power reactors, power demonstration reactors, or reactors designed primarily for the production of special nuclear material.

ARTICLE II

A. Restricted data shall not be communicated under this agreement, and no materials or equipment and devices shall be transferred and no services shall be furnished under this agreement if the transfer of any such materials or equipment and devices or the furnishing of any such service involves the communication of restricted data.

B. Subject to the provisions of this agreement, the availability of personnel and material, and the applicable laws, regulations, and license requirements in force in their respective countries, the parties shall assist each other in the achievement of the use of atomic energy for peaceful purposes.

C. This agreement shall not require the exchange of any information which the parties are not permitted to communicate because the information is privately owned or has been received from another government.

ARTICLE III

Subject to the provisions of article II, unclassified information, including information in the specific fields set out below, shall be exchanged between the U.S. Commission and the Cuban Commission with respect to the application of atomic energy to peaceful uses, including research and development relating to such uses and problems of health and safety connected therewith:

(a) The development, design, construction, operation, and use of research, experimental power, demonstration power, and power reactors;

(b) Health and safety problems related to the operation and use of research, experimental power, demonstration power, and power reactors;

(c) The use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture, and industry.

ARTICLE IV

The application or use of any information (including design drawings and specifications) and any material, equipment, and devices, exchanged or transferred between the parties under this agreement shall be the responsibility of the party receiving it, and the other party does not warrant the accuracy or completeness of such information and does not warrant the suitability of such information, materials, equipment, and devices for any particular use or application.

ARTICLE V

A. Research materials: Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy as provided by article III and under the limitations set forth in article II, including source materials, special nuclear material, byproduct material, other radioisotopes, and stable isotopes, will be exchanged for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall the quantity of special nuclear material under the jurisdiction of either party, by reason of transfer under this article, be, at any one time, in excess of 100 grams of contained U^{235}, 10 grams of plutonium, and 10 grams of U^{233}.

B. Research facilities: Subject to the provisions of article II, and under such terms and conditions as may be agreed, and to the extent as may be agreed, specialized research facilities and reactor materials testing facilities of the parties shall be made available for mutual use consistent with the limits of space, facilities, and personnel conveniently available, when such facilities are not commercially available.

ARTICLE VI

It is contemplated that, as provided in this article, private individuals and private organizations in either the United States of

America or the Republic of Cuba may deal directly with private individuals and private organizations in the other country. Accordingly, with respect to the subjects of agreed exchange of information as provided in article III, persons under the jurisdiction of either the Government of the United States of America or the Government of the Republic of Cuba will be permitted to make arrangements to transfer and export materials, including equipment and devices, to, and perform services for, the other Government and such persons under its jurisdiction as are authorized by the other Government to receive and possess such materials and utilize such services, subject to the limitations in article II.

ARTICLE VII

A. The U.S. Commission will sell or lease as may be agreed to the Government of the Republic of Cuba uranium enriched up to a maximum of 20 percent in the isotope U^{235}, except as otherwise provided in paragraph C of this article, in such quantities as may be agreed in accordance with the terms, conditions, and delivery schedules set forth in sales or lease contracts for fueling defined research, experimental power, demonstration power, and power reactors which the Government of the Republic of Cuba, in consultation with the U.S. Commission, decides to construct or authorize private organizations to construct in the Republic of Cuba and as required in experiments related thereto; provided, however, that the net amount of any uranium sold or leased hereunder during the period of this agreement shall not exceed 700 kilograms of contained U^{235}. This net amount shall be the gross quantity of contained U^{235} in uranium sold or leased to the Government of the Republic of Cuba during the period of this agreement less the quantity of contained U^{235} in recoverable uranium which has been resold or otherwise returned to the Government of the United States of America during the period of this agreement or transferred to any other nation or international organization with the approval of the Government of the United States of America. As additional research, experimental power, demonstration power, and power reactors are planned by the Government of the Republic of Cuba, the parties may, by means of an amendment to this agreement, complying with all statutory and constitutional requirements of the parties agree to increase the quantity of uranium enriched up to a maximum of 20 percent in the isotope U^{235} that may be delivered hereunder.

B. Within the limitations contained in paragraph A of this article, the quantity of uranium enriched in the isotope U^{235} transferred by the U.S. Commission under this article and in the custody of the Government of the Republic of Cuba shall not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project which the Government of the Republic of Cuba or persons under its jurisdiction decide to construct and fuel with fuel obtained from the United States of America, as provided herein, plus such additional quantity as, in the opinion of the U.S. Commission, is necessary to permit the efficient and continuous operation of such reactor or reactors while replaced fuel elements are radioactively cooling or, subject to the provisions of paragraph E, are being reprocessed in the Republic of Cuba, or while fuel elements are in transit, it being the intent of the U.S. Commission to make possible the maximum usefulness of the materials so transferred.

C. The U.S. Commission may, upon request and in its discretion, make a portion of the foregoing special nuclear material available as material enriched up to 90 percent in the istope U^{235} for use in research and materials testing reactors each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium.

D. It is understood and agreed that although the Government of the Republic of Cuba may distribute uranium enriched in the isotope U^{235} to authorized users in Cuba, the Government of the Republic of Cuba will retain title to any uranium enriched in the isotope U^{235} which is purchased from the U.S. Commission at least until such time as private users in the United States of America are permitted to acquire title in the United States of America to uranium enriched in the isotope U^{235}.

E. It is agreed that when any source or special nuclear material received from the United States of America requires reprocessing, such reprocessing shall be performed in either U.S. Commission facilities or facilities acceptable to the U.S. Commission, on terms and conditions to be later agreed; and it is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel elements shall not be altered after their removal from the reactor and prior to delivery to the U.S. Commission or the facilities acceptable to the U.S. Commission for reprocessing.

F. With respect to any special nuclear material not owned by the Government of the United States of America produced in reactors fueled with materials obtained from the United States of America, which is in excess of the need of the Republic of Cuba for such material in its program for the peaceful uses of atomic energy the Government of the United States of America shall have and is hereby granted (a) a first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an agreement for cooperation with the Government of the United States of America, and (b) the right to approve the transfer of such material to any other nation or international organization in the event the option to purchase is not exercised.

G. Special nuclear material produced in any part of fuel leased hereunder as a result of irradiation processes shall be for the account of the Government of the Republic of Cuba and after reprocessing, as provided in paragraph E hereof, shall be returned to the Government of the Republic of Cuba, at which time title to such material shall be transferred to that Government, unless the Government of the United States of America shall exercise the option, which is hereby accorded, to retain, with appropriate credit to the Government of the Republic of Cuba, any such special nuclear material which is in excess of the needs of the Government of the Republic of Cuba for such material in its program for the peaceful uses of atomic energy.

H. Some atomic energy materials which the Government of the Republic of Cuba may request the United States Commission to provide in accordance with this agreement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of the Republic of Cuba, the Government of the Republic of Cuba shall bear all responsibilities, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to any special nuclear material or fuel elements which the United States Commission may, pursuant to this agreement, lease to the Government of the Republica of Cuba or to any private individual or private organization under its jurisdiction, the Government of the Republic of Cuba shall indemnify and save harmless the Government of the United States of America against any and all liability (including third-party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear material or fuel elements after delivery by the United States Commission to the Government of the Republic of Cuba or to any authorized private individual or private organization under its jurisdiction.

ARTICLE VIII

As may be necessary and as may be mutually agreed in connection with the subjects of agreed exchange of information as provided in article III, and under the limitations set forth in article II, and under such terms and conditions as may be mutually agreed, specific arrangements may be made from time to time between the parties for lease, or sale and purchase, of quantities of materials, other than special nuclear material, greater than those required for research, when such materials are not available commercially.

ARTICLE IX

A. The Government of the United States of America and the Government of the Republic of Cuba emphasize their common interest in assuring that any material, equipment, or device made available to the Government of the Republic of Cuba pursuant to this agreement shall be used solely for civil purposes.

B. Except to the extent that the safeguards provided for in this agreement are supplanted, by agreement of the parties as provided in article XI, by safeguards of the International Atomic Energy Agency, the Government of the United States of America, notwithstanding any other provisions of this agreement, shall have the following rights:

1. With the objective of assuring design and operation for civil purposes and permitting effective application of safeguards, to review the design of any (i) reactor and (ii) other equipment and devices the design of which the U.S. Commission determines to be relevant to the effective application of safeguards, which are to be made available to the Government of the Republic of Cuba or any person under its jurisdiction by the Government of the United States of America or any person under its jurisdiction, or which are to use, fabricate, or process any of the following materials so made available: Source material, special nuclear material, moderator material, or other material designated by the U.S. Commission.

2. With respect to any source or special nuclear material made available to the Government of the Republic of Cuba or any person under its jurisdiction by the Government of the United States of America or any person under its jurisdiction, and any source or special nuclear material utilized in, recovered from, or produced as a result of the use of any of the following materials, equipment, or devices so made available: (i) Source material, special nuclear material, moderator material, or other material designated by the United States Commission, (ii) reactors, (iii) any other equipment or device designated by the United States Commission as an item to be made available on the condition that the provisions of this subparagraph B2 will apply, (a) to require the maintenance and production of operating records and to request and receive reports for the purpose of assisting in insuring accountability for such materials; and (b) to require that any such material in the custody of the Government of the Republic of Cuba or any person under its jurisdiction be subject to all of the safeguards provided for in this article and the guaranties set forth in article X.

3. To require the deposit in storage facilities designated by the United States Commission of any of the special nuclear material referred to in subparagraph B2 of this article which is not currently utilized for civil purposes in the Republic of Cuba and which is not purchased or retained pursuant

to article VII of this agreement, transferred pursuant to article VII, paragraph F(b) of this agreement, or otherwise disposed of pursuant to an arrangement mutually acceptable to the parties.

4. To designate, after consultation with the Government of the Republic of Cuba, personnel who, accompanied, if either party so requests, by personnel designated by the Government of the Republic of Cuba, shall have access in the Republic of Cuba to all places and data necessary to account for the source and special nuclear materials which are subject to subparagraph B2 of this article to determine whether there is compliance with this agreement and to make such independent measurements as may be deemed necessary.

5. In the event of noncompliance with the provisions of this article or the guaranties set forth in article X and the failure of the Government of the Republic of Cuba to carry out the provisions of this article within a reasonable time, to suspend or terminate this agreement and require the return of any materials, equipment, and devices referred to in subparagraph B2 of this article.

6. To consult with the Government of the Republic of Cuba in the matter of health and safety.

C. The Government of the Republic of Cuba undertakes to facilitate the application of the safeguards provided for in this article.

ARTICLE X

The Government of the Republic of Cuba guarantees that:

(a) Safeguards provided in article IX shall be maintained.

(b) No material, including equipment and devices, transferred to the Government of the Republic of Cuba or authorized persons under its jurisdiction pursuant to this agreement by lease, sale, or otherwise, shall be used for atomic weapons or for research on or development of atomic weapons or for any other military purposes, and that no such material, including equipment and devices, will be transferred to unauthorized persons or beyond the jurisdiction of the Government of the Republic of Cuba except as the U.S. Commission may agree to such transfer to another nation or international organization and then only if in the opinion of the U.S. Commission such transfer falls within the scope of an agreement for cooperation between the United States of America and the other nation or international organization.

ARTICLE XI

The Government of the United States of America and the Government of the Republic of Cuba affirm their common interest in the International Atomic Energy Agency, and to this end:

(a) The parties will consult with each other upon the request of either party, to determine in what respects and to what extent, if any, they desire to arrange for the administration by the International Atomic Energy Agency of those conditions, controls, and safeguards, including those relating to health and safety standards required by the Agency in connection with similar assistance rendered to a cooperating nation under the aegis of the Agency.

(b) In the event the parties do not reach a mutually satisfactory agreement following the consultation provided in subparagraph (a) of this article, either party may by notification terminate this agreement. In the event this agreement is so terminated, the Government of the Republic of Cuba shall return to the U.S. Commission all source and special nuclear materials received pursuant to this agreement and in its possession or in the possession of persons under its jurisdiction.

ARTICLE XII

A. The agreement for cooperation signed on June 26, 1956, is superseded in its entirety on the date this agreement enters into force.

B. This agreement shall enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such agreement and shall remain in force for a period of 20 years.

In witness whereof, the undersigned, duly authorized, have signed this agreement.

Done at Washington, in duplicate, in the English and Spanish languages, this 9th day of September 1958.

For the Government of the United States of America:

R. R. RUBOTTOM, Jr.
HAROLD S. VANCE.

For the Government of the Republic of Cuba:

NICOLAS ARROYO.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., August 22, 1958.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed agreement entitled "Agreement for Cooperation Concerning the Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of the Republic of Cuba," and authorize its execution.

The agreement has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, and is, in the opinion of the Commission, an important and desirable step in advancing the development of the peaceful uses of atomic energy in the Republic of Cuba in accordance with the policy you have established. The agreement will incorporate and supersede the Agreement for Cooperation Concerning Civil Uses of Atomic Energy which was entered into on July 19, 1955, between the two Governments. The new agreement, which will extend for a period of 20 years, will broaden the scope of cooperation between the Republic of Cuba and the United States in fields related to the peaceful utilization of atomic energy by providing for cooperation on matters relating to the development, design, construction, operation and use of experimental power, demonstration power and power reactors, as well as research reactors. It is expected that the parties will exchange information in other unclassified areas including health and safety problems related to the operation and use of such reactors; and the use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture and industry.

The Republic of Cuba, if it desires to do so, may engage U.S. companies to construct research, experimental power, demonstration power and power reactors, and private industry in the United States will be able, under the agreement, to render other assistance to the Republic of Cuba. The agreement contains all of the guarantees prescribed by the Atomic Energy Act of 1954, as amended. No restricted data would be communicated under the agreement.

The agreement will permit the Commission to sell or lease, as may be agreed, to the Government of the Republic of Cuba uranium enriched up to a maximum of 20 percent in the isotope U^{235}, except as noted below, in such quantities as may be agreed, for fueling defined reactor projects in the Republic of Cuba; provided, however, that the net amount of any uranium sold or leased during the period of the agreement does not exceed 700 kilograms of contained U^{235}. The Commission at its discretion, may make a portion of the foregoing 700 kilograms available as material enriched up to 90 percent for use in research and materials testing reactors each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium. At present it is expected that the U^{235} to be transferred to the Republic of Cuba will be employed in a power reactor. As in the case of sale transactions, in the event of lease, the agreement would permit the retention by the Government of the Republic of Cuba of special nuclear materials produced in fuel elements obtained from the United States.

The quantity of uranium enriched in the isotope U^{235} transferred to the Government of the Republic of Cuba for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling or, subject to Commission approval, are being reprocessed in the Republic of Cuba.

Article V of the agreement would permit the transfer of limited amounts of special nuclear material, including U^{235}, U^{233} and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Article VII of the agreement provides that when any source or special nuclear material requires reprocessing, such reprocessing will be performed either in Commission facilities or in facilities acceptable to the Commission. In addition, article IX of the agreement incorporates provisions which are designed to minimize the possibility that material or equipment transferred under the agreement will be diverted to nonpeaceful purposes.

In article XI the parties affirm their common interest in the International Atomic Energy Agency and agree to consult with each other to determine in what respect and to what extent they desire to arrange for the administration by the International Atomic Energy Agency for those conditions, controls, and safeguards including those relating to health and safety standards required by the Agency in connection with similar assistance rendered to a cooperating nation under the aegis of the Agency.

Following your approval and subject to the authorization requested, the agreement will be formally executed by the appropriate authorities of the Government of the Republic of Cuba and the Government of the United States of America and placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954, as amended.

Respectfully,

JOHN A. MCCONE,
Chairman.

THE WHITE HOUSE,
Washington, August 25, 1958.

The Honorable JOHN A. MCCONE,
Chairman, Atomic Energy Commission.

DEAR MR. MCCONE: Under date of August 22, 1958, the Atomic Energy Commission recommended that I approve the proposed agreement entitled "Agreement for Cooperation Concerning the Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of the Republic of Cuba," and authorize its execution.

The proposed agreement, negotiated pursuant to the Atomic Energy Act of 1954, as amended, which in the opinion of the Commission, is an important and desirable step in advancing the development of the peaceful uses of atomic energy in the Republic of Cuba, has been reviewed. It will incorporate and supersede the Agreement for Cooperation Concerning Civil Uses of Atomic Energy which was entered into on June 26, 1956, between the two Governments. The new agreement, which will extend for a period of 20 years, will broaden the scope of cooperation between the Republic of Cuba and the United States in fields related

to the peaceful utilization of atomic energy by providing for cooperation on matters relating to the development, design, construction, operation, and use of experimental power, demonstration power and power reactors, as well as research reactors. It is expected that the parties will exchange information in other unclassified areas including health and safety problems related to the operation and use of such reactors, and the use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture, and industry.

The Republic of Cuba, if it desires to do so, may engage United States companies to construct research, experimental power, demonstration power, and power reactors, and private industry in the United States will be able, under the agreement, to render other assistance to the Republic of Cuba. The agreement contains all of the guarantees prescribed by the Atomic Energy Act of 1954, as amended. No restricted data would be communicated under this agreement.

The agreement will permit the Commission to sell or lease, as may be agreed, to the Government of the Republic of Cuba uranium enriched up to a maximum of 20 percent in the isotope U^{235}, except as noted below, in such quantities as may be agreed, for fueling defined reactor projects in the Republic of Cuba: *Provided, however,* That the net amount of any uranium sold or leased during the period of the agreement does not exceed 700 kilograms of contained U–235. The Commission, at its discretion, may make a portion of the foregoing 700 kilograms available as material enriched up to 90 percent for use in research and materials testing reactors each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium.

The quantity of uranium enriched in the isotope U^{235} transferred to the Government of the Republic of Cuba for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling or, subject to Commission approval, are being reprocessed in the Republic of Cuba. When uranium is leased, and subject to the specific terms of such lease, the agreement would permit retention, by the Government of the Republic of Cuba, of the special nuclear materials produced in fuel elements obtained from the United States.

Article V of the agreement would permit the transfer of limited amounts of special nuclear material, including U^{235}, U^{233}, and plutonium, for defined research projects related to the peaceful uses of atomic energy. Article VII provides that when any source or special nuclear material received from the United States requires reprocessing, such reprocessing will be performed either in Commission facilities or in facilities acceptable to the Commission. In addition, article IX of the agreement incorporates provisions which are designed to minimize the possibility that material or equipment transferred under the agreement will be diverted to nonpeaceful purposes.

In article XI the parties state their common interest in the International Atomic Energy Agency and agree to consult with each other to determine in what respect and to what extent they desire to arrange for the administration by the International Atomic Energy Agency for those conditions, controls and safeguards including those relating to health and safety standards required by the Agency in connection with similar assistance rendered to a cooperating nation under the aegis of the Agency.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby (1) determine that the performance of the proposed agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States, and (2) approve the proposed Agreement for Cooperation between the Government of the United States of America and the Government of the Republic of Cuba enclosed with your letter, and (3) authorize the execution of the proposed agreement for the Government of the United States of America by appropriate authorities of the U. S. Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

AMENDMENT OF AGREEMENT WITH REPUBLIC OF CHINA CONCERNING CIVIL USES OF ATOMIC ENERGY

Mr. PASTORE. Mr. President, an amendment, signed at Washington on December 8, 1958, to the agreement for cooperation between the Government of the United States of America and the Government of the Republic of China concerning civil uses of atomic energy has arrived before the Joint Committee on Atomic Energy, pursuant to section 123 of the Atomic Energy Act of 1954.

I now ask permission to have printed in full in the CONGRESSIONAL RECORD at this point the agreement which arrived at the Joint Committee on December 29, 1958.

There being no objection, the agreement was ordered to be printed in the RECORD, as follows:

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF CHINA CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of the Republic of China;

Desiring to amend the agreement for cooperation between the Government of the United States of America and the Government of the Republic of China concerning civil uses of atomic energy, signed at Washington on July 18, 1955, hereinafter referred to as the "agreement for cooperation";

Have agreed as follows:

ARTICLE I

Article I of the agreement for cooperation is amended to read as follows:

"A. Subject to the limitations of article V, the parties hereto will exchange information in the following fields:

"1. Design, construction, and operation of research reactors and their use as research, development, and engineering tools and in medical therapy.

"2. Health and safety problems related to the operation and use of research reactors.

"3. The use of radioactive isotopes in physical and biological research, medical therapy, agriculture, and industry.

"B. The application or use of any information or data of any kind whatsoever, including design drawings and specifications, exchanged under this agreement shall be the responsibility of the party which receives and uses such information or data, and it is understood that the other cooperating party does not warrant the accuracy, completeness or suitability of such information or data for any particular use or application."

ARTICLE II

The following new article is added directly after article III of the agreement for cooperation.

"ARTICLE III (A)

"Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy undertaken by the Government of the Republic of China, including source materials, special nuclear materials, byproducts material, other radioisotopes, and stable isotopes, will be sold or otherwise transferred to the Government of the Republic of China by the Commission for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall the quantity of special nuclear materials under the jurisdiction of the Government of the Republic of China by reason of transfer under this article, be, at any one time, in excess of 100 grams of contained U^{235}, 10 grams of U^{233}, 250 grams of plutonium in the form of fabricated foils and sources, and 10 grams of plutonium in other forms."

ARTICLE III

1. Article VI, paragraph A of the agreement for cooperation is amended by deleting the phrase "uranium enriched in the isotope U^{235} leased from the Commission" and substituting in lieu thereof the phrase "special nuclear materials received from the Commission."

2. The following new paragraph is added to article VI of the agreement for cooperation:

"D. Some atomic energy materials which the Government of the Republic of China may request the Commission to provide in accordance with this arrangement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of the Republic of China, the Government of the Republic of China shall bear all responsibility, insofar as the Government of the United States is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel elements which the Commission may, pursuant to this agreement, lease to the Government of the Republic of China or to any private individual or private organization under its jurisdiction, the Government of the Republic of China shall indemnify and save harmless the Government of the United States against any and all liability (including third party liability) from any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after delivery by the Commission to the Government of the Republic of China or to any authorized private individual or private organization under its jurisdiction."

ARTICLE IV

This amendment shall enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such amendment and shall remain in force for the period of the Agreement for Cooperation.

In witness whereof, the undersigned, duly authorized, have signed this amendment.

Done at Washington in duplicate this 8th day of December 1958.

For the Government of the United States of America:

WALTER S. ROBERTSON.
JOHN A. MCCONE.

For the Government of the Republic of China:

GEORGE K. C. YEH.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., November 10, 1958.
THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed amendment to the Agreement for Cooperation between the Government of the United States of America and the Government of the Republic of China Concerning Civil Uses of Atomic Energy, signed at Washington on July 18, 1955, and authorize its execution. The Department of State supports the Commission's recommendation.

Articles I and III of the amendment include new provisions designed to clarify responsibilities assumed by the parties to the agreement with respect to liability for any causes arising out of the handling or use of information or data, special nuclear material or fuel elements transferred pursuant to the agreement.

Article II of the amendment would permit the transfer of limited amounts of special nuclear materials, namely U^{235}, U^{233} and plutonium, for defined research projects related to the peaceful uses of atomic energy. It will be noted that article II reflects a decision by the Commission to increase by 250 grams, in fabricated foils and sources only, the quantity of plutonium made available under the research materials article of Agreements for Cooperation. This increased quantity of plutonium will be used principally to provide plutonium-beryllium sources for subcritical assemblies which are used for training and reactor physics.

Subject to your approval, and to the authorization requested, the proposed amendment will be executed by the appropriate authorities of the Government of the United States of America, represented by the Atomic Energy Commission and the Department of State, and the Government of the Republic of China. In compliance with section 123 of the Atomic Energy Act of 1954, the amendment will then be placed before the Joint Committee on Atomic Energy.

Respectfully yours,
JOHN A. MCCONE,
Chairman.

THE WHITE HOUSE,
Washington, November 20, 1958.
The Honorable JOHN A. MCCONE,
Chairman, Atomic Energy Commission,
Washington, D. C.

DEAR MR. CHAIRMAN: Under date of November 10, 1958, you informed me that the Atomic Energy Commission recommended that I approve a proposed amendment to the Agreement for Cooperation between the Government of the United States of America and the Government of the Republic of China Concerning Civil Uses of Atomic Energy, signed at Washington on July 18, 1955, and authorize its execution.

Articles I and III of the amendment include new provisions designed to clarify responsibilities assumed by the parties to the agreement with respect to liability for any causes arising out of the handling or use of information or data, special nuclear material or fuel elements transferred pursuant to the agreement.

Article II of the amendment would permit the transfer of limited amounts of special nuclear materials, namely U-235, U-233 and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954 and upon the recommendation of the Atomic Energy Commission, I hereby—

(1) Determine that the performance of the proposed amendment to the agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States; and

(2) Approve the proposed amendment to the agreement for Cooperation Concerning Civil Uses of Atomic Energy between the Government of the United States of America and the Government of the Republic of China enclosed with your letter of November 10, 1958; and

(3) Authorize the execution of the proposed amendment for the Government of the United States by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Sincerely,
DWIGHT EISENHOWER.

RESPONSIBILITY FOR DELAY IN THE MISSILE PROGRAM

Mr. DIRKSEN. Mr. President, I asked the distinguished Senator from Missouri [Mr. SYMINGTON] to be present at this time because I wished to make some comments on the missile-program statement he made on Monday.

In connection with that matter, Mr. President, I ask unanimous consent that at this time I may proceed for 4 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, the distinguished Senator from Missouri [Mr. SYMINGTON] has had a truly impressive record in the cause of our national security. In the Truman administration, he served variously as Assistant Secretary of War for Air, as Secretary of the Air Force, and as Chairman of the National Security Resources Board. Few men have been privileged to have such an impact on our security and survival. When he speaks, I listen.

On Monday, he spoke on this floor. The essence of his statement can be broken down into three or four items: First, that Vice President NIXON's reported statement that we are now ahead of the Soviets in ballistic missiles is not true; second, that unless the Vice President by the weekend told the country what our percentage of intercontinental ballistic missiles is, compared with Intelligence estimates of what the Soviets will have by the end of the year and how many we may have by the end of 1961, percentagewise, compared with the Soviets, the distinguished Senator will release the figures himself; third, that high officials in this administration seem to be lulling the people into a state of unjustified complacency.

Whether the Vice President made such a statement as the Senator has quoted is a matter of doubt. He is rather careful with his statements and figures.

The distinguished Senator from Missouri has an admitted devotion to our security and defense. He had long experience in that field in the Truman administration. His evident concern over any lag in the missile program is sincere and most undoubted. But his statement raised some questions in my mind.

Would the whole cause of national security not be better served if he or an equally responsible spokesman for the Truman administration would confess candidly and unequivocally that while our missile program was virtually nonexistent, the Soviet program was going forward full tilt?

Would the cause of national security not be better served if he or some equally responsible spokesman would either deny or admit or point out the error in the Associated Press interview with Dr. Wernher von Braun, our foremost missile expert, in November of 1957, when he said, in response to a question as to why the Soviets were apparently able to outstrip us in reaching into space, that "the main reason is that the United States had no ballistic missile program worth mentioning between 1945 and 1951."

Would open confession not be good for the soul, for the country, and for our national security, in freely telling the country that these were 6 Truman years.

When Dr. von Braun said in the same interview, "these 6 years during which the Russians obviously laid the groundwork for their large rocket program are irretrievably lost," these years were lost by the Truman administration.

When Dr. von Braun said these 6 years were "irretrievably lost," he could only mean that they were lost beyond all recall.

Will the distinguished Senator from Missouri not agree that achievement in the missile field is the product of time, talent, and treasure; and that no matter how much money is voted, or how much talent is available, the time lost by the Truman administration has been the real handicap, and that the bitter inheritance of the Eisenhower administration was to catch up from behind—far behind because of the Truman administration's failure and neglect?

Is it not true that the Eisenhower administration has been riding herd on this program with whip and spur, and spending billions of dollars to overcome the Truman administration's neglect?

Would it not be enlightening to the Congress and country for the distinguished Senator to explain that a comparison of our defense posture is not a kind of one-for-one proposition, where we compare the number of missiles of each type a nation may have, but that it is rather a question of balance in which the whole deterrent power, including bombers, missiles, vessels, subs, fighters, and other weapons, is compared in the aggregate?

Instead of downgrading our deterrent power or threatening to release figures which might be classified and constitute an unwarranted disclosure, would the distinguished Senator from Missouri, whose competence and concern are freely conceded, not better serve the cause of security by telling the country that, despite the irretrievable loss of time in the Truman era, we have under Eisenhower made amazing strides in the missile field of which all can be proud?

Is it not pretty extreme and farfetched—and in fact a most serious reflection upon any high official of the administration—to say that a single one of them is trying or would try to lull our people into a state of complacency?

Admitting the devotion of the distinguished Senator to the cause of security, is it not possible that an equal devotion and an equal concern is cherished by

many others and that, without trumpets or threats, they are quietly and steadfastly going about the business of trying to make up some of the irretrievable years which were lost by the terrible Truman failure?

Mr. SYMINGTON. Mr. President——

The PRESIDENT pro tempore. The Senator from Illinois occupied 5 minutes. Does the Senator from Missouri ask unanimous consent to have an equal amount of time?

Mr. SYMINGTON. Mr. President, I ask unanimous consent to proceed for 4 minutes.

The PRESIDENT pro tempore. Is there objection to the request of the Senator to proceed for 4 minutes? The Chair hears none, and the Senator may proceed.

Mr. SYMINGTON. Mr. President, newspaper stories reported last Monday that at an informal press conference over the weekend Vice President NIXON told newsmen, "the United States is now ahead of the Soviets in ballistic missiles" and also that "while the country is now behind Russia in the missile race it will close the gap at a fairly rapid pace."

Yesterday a news story reported that "persons who have talked with Mr. NIXON lately insist that he never made any such claim about being ahead of Russia in developing military missiles."

No friend or associate of the Vice President, however, has denied his purported statement that this country "will close the gap at a fairly rapid pace."

Mr. President, this is a subject of supreme importance to all Americans. Most of us realize that our very survival as a free people is involved.

Therefore, I now call on Mr. NIXON to give a clear statement of just what is his position, and the position of the administration.

Specifically, does the Vice President believe the United States is ahead of Russia in the long-range ballistic missile field; or does he believe Russia is ahead of the United States in this field?

Also, does he believe we are now "closing the gap at a fairly rapid pace," or that the gap continues the same, or that we are losing ground, or that there is no gap?

The Vice President raised the matter. I respectfully request that he now clarify it, for himself, for the administration, and in the national interest.

Now I address myself to the recent remarks made by the able minority leader, my friend from Illinois. He has made some charges which I should prefer to study before answering. I will do so next week.

I am sorry so many persons are answering for the Vice President—friends, associates, newspapermen, and now my friend from Illinois is answering for him.

I did not create this discussion. It was created by the Vice President, and I would hope now that he would issue his own statement.

EXECUTIONS IN CUBA

Mr. MORSE. Mr. President, on last Thursday in my capacity as the chairman of the subcommittee of the Senate Committee on Foreign Relations which deals with Latin-American affairs, I expressed my great concern over the blood baths which were occurring in Cuba under the administration of Mr. Castro and President Urrutia.

The Washington Post this morning, Mr. President, contains the following comments:

> Castro declared the rebels were putting before the firing squads those who have killed in order to demonstrate that they could not get away with murder and crimes against the Cuban people.
>
> He asserted the revolutionary tribunals were trying major war criminals as speedily as possible, and said executions were ordered only for those whose death is necessary to purify the nation.
>
> Castro announced that a public trial of war criminals would be held shortly in Havana's Central Park.
>
> Foreign Minister Agramonte said of the executions:
>
> "If the military tribunals did not do what they are doing now, moving quickly to assure fast justice, the families of those who were murdered and tortured would take justice into their own hands and many innocent would fall with the accused."
>
> He estimated that 20,000 men, women, and children were murdered and tortured by Batista.
>
> He declared that Senator WAYNE MORSE, Democrat, of Oregon, and other friends of Cuba in the United States had misinterpreted the reasons for the executions. MORSE called the executions blood baths.
>
> "I would like to make it clear that the executions by military firing squads have been made under revolutionary law," Agramonte said in a press statement.
>
> "Each person has been accused and found guilty by military tribunals and condemned to death before military firing squads.
>
> "It must be pointed out for justice's sake that this penalty is at least humane compared with the barbaric treatment accorded revolutionary soldiers when captured by Batista men."
>
> Agramonte announced that the government of Provisional President Manuel Urrutia is about ready to complete reorganization of the Supreme Tribunal of Justice, and that it would take over from the military tribunals.
>
> He promised that the Supreme Tribunal would give each citizen guarantees he never had under Batista.
>
> "Cuba is traditionally a Catholic country," he added. "Executions by a firing squad in the eyes of the Roman Catholic Church, is not un-Christian or against moral law, provided guilty persons are allowed to confront their accusers.

Mr. President, I want to answer those statements from Mr. Castro and Mr. Agramonte. I have listened to many rationalizations from dictators for murder, but I have never listened to a more fallacious rationalization for murder than the one now coming from the lips of Mr. Castro and his Foreign Minister, Agramonte.

Mr. President, the failure on the part of the Castro and Urrutia regime to put into practice in Cuba the moral law which ought to apply in all free nations gives great concern to many of us. I think Agramonte will get his answer from the Catholic clergy in respect to his reference to the alleged policy of the Catholic Church toward executions by firing squads, because the answer is clear: There is no principle of catholicism which justifies on the ground of morality the taking of life, when the only confrontation by the accusers is the front of a rifle barrel. That has been the record of the mass murders by this new regime in Cuba since it took over.

What Castro and Agramonte ought to do is drop to their knees before their Maker and ask for forgiveness in the name of Christian principles of morality.

Mr. President, the new regime in Cuba has a great opportunity to bring justice and order to the people of Cuba, and it is no explanation to say that some hotheads might have taken the law into their own hands. One test of any regime is whether it can bring law and order to the people over which it claims to exercise jurisdiction.

This morning I took this matter up with the Secretary of State, in view of the comments that he made at his press conference yesterday. The Secretary told us that in his press conference yesterday he had tried to make it clear that he, too, hoped that freedom, liberty, justice, and law would be brought to the people of Cuba. I join in those sentiments.

Let me say to the Cuban Government that as one who has long deplored the cruelty and the murders and the injustices of the Fascist regime of Batista, so do I deplore the exercise of the same police state methods by Castro and the new Cuban regime in respect to their mass executions of numbers of the Batista regime.

I close, Mr. President, with a plea and a prayer that the new Government of Cuba will show quickly that it deserves the confidence and support of free people everywhere. I am pleased that at least there has been a temporary order for the cessation of executions. But let me say to Mr. Castro and to President Urrutia and to the Foreign Minister, "The real test is whether you bring the remaining accused persons before a bar of justice and, on the basis of a record of evidence, establish their guilt, before you impose in the name of your national sovereignty whatever penalty as a government you seek to establish as your penal system." Such a road of government by law leads to the goals of justice, public morality, liberty, and true freedom for the individual.

Mr. FULBRIGHT. Mr. President, I take this opportunity to associate myself with the remarks of the Senator from Oregon [Mr. MORSE]. I regret the action of the new regime in Cuba. I think it is deplorable, and much to be regretted, that they have not been able, in the initial stages of the new regime, to move with greater consideration for the liberties of their people, and consideration for orderly processes of law.

THE NATIONAL ECONOMY

Mr. PROXMIRE. Mr. President, a central issue before the country and before this Congress is whether new ideas, new effort, new leadership on the part of Government, as well as business and labor, is necessary to move the great American economy ahead. I say it is. It is a shocking fact that in the last 6

years, real production for each man, woman, and child in America has gone—not up—but down.

This is a fact that should challenge every responsible American citizen: That during 6 years of massive world economic and technological progress, this great bastion of political and economic freedom has stood still.

Some dispute this. They say we are doing very well and that the policies of the present administration have proven themselves. In support of this position they point to the fact that the gross national product—the great index of all the goods and services produced in our economy—has improved from $365 billion in 1953, the first year in which this administration took office, to $439 billion during the third quarter of 1958, the most recent period for which figures are available. Mr. Harold B. Dorsey, the remarkably competent financial commentator for the Washington Post, recently made an analysis of these figures to show that far from a growing, expanding, and improving economy, these figures actually prove that the economy has gone backward since 1953—by any competent, objective measure.

Mr. Dorsey has analyzed the gross national product since 1953 by correcting the figures to put them in terms of constant dollars, that is, to eliminate the effect of inflation. In the second place, he has corrected the figures for the substantial increases in U.S. population since 1953. After these corrections are made, Mr. Dorsey's analysis shows that far from enjoying a real expansion in our economy, the American people have actually suffered a drop in gross national production since 1953, from $2,086 per person down to $2,034 in the most recent period for which figures are available, that is, the third quarter of 1958.

Mr. President, it seems to me that the only honest and fair way to appraise these figures is to recognize frankly that our economy has been standing still in the past crucial 5-year period. It has ben standing still at exactly the same time when our implacable enemy, the Soviet Union, has been enjoying an enormous increase in production and productivity. Mr. President, this is not simply an isolated view of Mr. Dorsey or of this Senator. It is a view that has been well expressed in the columns of the Nation's outstanding business newspaper, the Wall Street Journal. On Monday, December 29, in a front-page column entitled "The Outlook," the Wall Street Journal concludes:

> The picture as a whole is that of an economic system which for the fourth or fifth year in succession is going to show no growth. The same conclusion can be reached by looking at the Federal Reserve Board's index of industrial production.

Mr. President, the facts of life are that the American economy is not doing well. The fact is that we need monetary incentives, tax incentives, wholesale revision of our farm program, incentive to promote our foreign trade, and above all, the will on the part of this Government, the Congress as well as the Presidency, to move ahead at once, not 2 years from now, but at once, to provide the kind of vigorous, militant economic leadership that the needs of our people and the challenge of Soviet Russia demand.

Mr. President, I ask unanimous consent that the article by Harold B. Dorsey, from the Washington Post, entitled "Restated Gross National Product Takes Bloom Off the Rose," and an article from the Wall Street Journal of Monday, December 29, entitled "The Outlook: An Appraisal of Current Trends in Business and Finance," be printed in the body of the RECORD following these remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 12, 1959]

RESTATED GROSS NATIONAL PRODUCT TAKES BLOOM OFF THE ROSE

(By Harold B. Dorsey)

The December issue of the Survey of Current Business (Department of Commerce) explains that the quarterly gross national product figures will henceforth be stated not only in terms of actual current dollars, but also in terms of constant dollars, i.e., adjusted to presume there had been no price changes. This new series of figures will be a distinct addition to the business analysts' kit of tools.

One reason why this new material is interesting is because it exposes the fact that the upward trend in unit volume during the recovery from the 1953–54 recession showed a distinct flattening out immediately after the fourth quarter of 1956, whereas the current dollar figure for gross national product continued to rise to the third quarter peak of 1957. In fact, on a per capita basis the constant dollar gross national product figure started sliding off immediately after the fourth quarter 1956 peak and continued the downtrend in successive quarters in the second quarter of 1958. The latter figure wiped out all of the per capita improvement in real gross national product since 1954.

The December Survey gives the constant dollar figures for total gross national product and its major sectors by quarterly periods back through 1950, using the 1957 price level as a base. For the purposes of this discussion, and in the accompanying table, I have adjusted the figures to a 1950 price base.

Another interesting observation that may be derived from this table is the fact that the current dollar gross national product figure recorded a gain of $154.4 billion (54 percent) between 1950 and the third quarter of 1958, whereas the constant dollar figure shows an increase of only $70.5 billion (25 percent) in the same period. On a per capita basis, the improvement was only 8.3 percent on the constant dollar basis.

These facts deserve serious consideration from several different points of view. It probably is not appreciated by the average person that over half of the improvement in the dollar measurements of the economy's total activity in the past 8 years has been due to higher prices; this proportion of the dollar increase added nothing to public welfare in terms of units of goods and services made available for consumption. And the larger part of the real improvement in the total can be ascribed to the fact that an increasing population naturally requires an increase in the units of available goods and services—even if we are merely to sustain a flat level in the standard of living.

Furthermore, whereas the constant dollar figure for total gross national product increased 25 percent between 1950 and the third quarter of 1951, the Government sector rose 74 percent in the same period, exposing the fact that an increasing proportion of the economy's total productive effort was being absorbed by the Federal, State, and local governments, leaving a lesser proportion of that effort for non-Government use.

At this juncture it is especially important to gain an understanding of the fallacious interpretations that are popularly derived from the dollar business measurements during a period of rising commodity prices. The present evidence suggests that the inflationary wage price may well be forced into an accelerating phase about 6 months hence. This would then inflate the dollar business measurements and make it difficult to see that rising prices were retarding sound growth in unit volume, a repetition of the experience of 1956–57 when the phenomenon led up to the 1957–58 recession.

As matters now stand, the repetition of that pattern seems to be a better than even prospect. To prevent it, we would have to see the elimination of Federal, State, and local government deficit spending, the restraining of wage increases to those justified by productivity improvement, and the restraining of non-Government debt expansion to proportions justified by normal economic growth.

For reasons explained in my earlier columns, there does not seem to be much likelihood that any of these anti-inflationary actions will materialize as we go through the current year. It does not seem likely that the proportion of the economy's productive effort now being absorbed by Government spending will be reduced to make room for the anticipated further recovery in consumer expenditures for durable goods, for a return to inventory accumulation, and for a recovery later on in business capital expenditures. The consequence, then, seems bound to be an acceleration of the wage-price spiral approximately 6 months hence.

Total gross national product

	Current dollars (billion)	Constant dollars on 1950 price base	
		Amount (billion)	Per capita
3d quarter 1958	$439.0	$355.1	$2,034
2d quarter 1958	429.0	347.3	1,999
1st quarter 1958	425.8	353.0	2,039
4th quarter 1957	438.9	360.0	2,088
3d quarter 1957	445.6	367.0	2,138
2d quarter 1957	441.2	367.3	2,150
1st quarter 1957	436.3	366.3	2,152
4th quarter 1956	430.5	365.7	2,160
3d quarter 1956	420.5	360.9	2,141
2d quarter 1956	414.9	359.8	2,145
1st quarter 1956	410.8	359.4	2,150
4th quarter 1955	408.9	360.2	2,164
1st quarter 1955	384.3	343.4	2,090
1954	363.1	327.4	2,016
1953	365.4	333.0	2,086
1950	284.6	284.6	1,879

[From the Wall Street Journal, Dec. 29, 1958]

THE OUTLOOK: APPRAISAL OF CURRENT TRENDS IN BUSINESS AND FINANCE

(By George Shea)

The outstanding feature of forecasts now being made for 1959 in most industries is that they do not point to new highs, nor to a demand or production level likely to engage full capacity. And the outstanding fact about the yearend business situation is that, in spite of much talk about inflation, commodity prices are either steady or down.

The annual roundup of the Department of Commerce on prospects for the Nation's industries was printed in this newspaper Friday and, taking it together with other governmental and private forecasts, most industries look for gains, but few are pressing up toward new records. Those which are include paperboard cartons, construction of all kinds, and scientific instruments and electronics.

In construction and electronics only special divisions are pointing to new highs. Public construction, with the accent on highways, will be up while private construction is expected to slip a bit. Missile and space electronic products will reach records, but electric appliance demand, while expected to come back from this year's slump, may not quite reach the 1957 level, which in turn was only the third best on record—1955's having been the best.

The same rather conservative general statement can be made with regard to prospective demand in relation to capacities. Paperboard, special electronics, and scientific instruments are being produced at or close to capacity, but the capacities of most industries substantially exceed projected 1959 demand and output. The top forecast for steel is 115 million tons, close to the 1955 record but far below the 146 million tons capacity. The cheeriest guess for autos is 5.5 million cars, whereas almost 8 million were made in 1955.

The picture as a whole is that of an economic system which for the fourth or fifth year in succession is going to show no growth. The same conclusion can be reached by looking at the Federal Reserve Board's index of industrial production. For 1955, it was 139 percent of the 1947–49 average, and for this year it has been less than that. Late in 1955, the index was above 140, which is where it is now. In both 1956 and 1957 the index averaged 143, and if present forecasts turn out right it won't be much more in 1959.

In regard to prices a similar observation can be made. Wholesale commodity prices and retail prices are, it is true, at record highs according to their monthly indexes. But since 1955 they are up less than 10 percent, and this year, in spite of the $12 billion Federal deficit and the many inflation warnings issued in recent months, the consumer index is up less than 2 percent and the wholesale index less than 1 percent from December 1957.

Furthermore, prices of raw materials, which don't include any large element of labor, are down, not up. The Dow, Jones indexes of spot commodities and of futures are finishing the year at their lowest levels since before the Korean war started in 1950.

The same trend can be observed in the world at large. Reuter's index of United Kingdom prices, which represents mostly raw materials with world markets, is at its lowest level in years. The latest United Nations index of basic world commodity prices is at 97 percent of the 1953 average, below every year back to 1950, while for manufactured goods it is 107 against 108 in the first 1958 quarter (and 86 in 1950). Thus the real trend of underlying commodity prices has been down, and it is other costs, principally for labor, which have gone up and driven up the more commonly watched indexes.

Nor has this situation failed to be reflected in world trade. Not only United States exports are down this year. Total exports of the rest of the world in the first half of 1958 were down $1.7 billion from the like half of 1957, about the same as the decline in U.S. exports, if in both cases the special influence of Suez-crisis oil shipments is taken out of the figures.

These facts, together with industrial production figures available for the principal industrial countries outside the United States, show that the huge postwar boom of 1948–57 has leveled off in the non-Communist world. Perhaps the boom is merely taking a rest before surging ahead again, as may be the promise in Europe if the weekend's currency reforms achieve their aims. Or perhaps a major turn to a period of slowdown is under way. Which of these is taking place we won't know until more evidence is available.

Meantime, one factor in the U.S. outlook can be analyzed to a tentative conclusion. It has to do with the trend in the cost of borrowing money. At present there seems to be a widespread opinion that money is going to become more costly next year. Yet a different prospect emerges from consideration of the projections for business cited at the top of this column.

If the gains in most industries are going to be modest, if prices are relatively steady, and if capital spending merely holds at the rate of recent months (there being no need for any more than that with capacity so generally ample), no substantial rise in the demand for money need be expected. At the same time, there may be some gain in the supply of funds generated by the economic system. Corporate profits will be almost surely at a higher rate than this year, and the depreciation reserves set aside by business will continue to grow as they have since 1954. Individual savings are accumulating at a record rate.

Equally wide, of course, is the expectation that business will rise mildly next year. If 1959 business proves to be much better than expected, interest costs and yields might go up. But it seems improbable that the expectations of only mild business improvement and of a strong rise in interest rates will both prove right.

Indeed, the belief that interest rates will rise has had a noticeable effect. For instance, yields on U.S. Government bonds have risen to or near the highs of recent years. In a way, therefore, much if not all of the expected rise in interest costs may already have taken place.

RURAL DEVELOPMENT

Mr. MORTON. Mr. President, in the Washington Post of January 11, 1959, there appeared an article by Under Secretary of Agriculture True D. Morse describing what he termed "the new rural America." I commend to the attention of my colleagues this lucid and forward-looking statement which summarizes the goals toward which we must work in order to gain long-term prosperity in the Nation's agricultural areas.

Mr. Morse observes that through the new rural development program and similar work, the Federal Government is encouraging improvement of opportunity for rural people. A tremendous amount of planning, research, and community improvement is going into this program in some 30 States all over the Nation. The program, which has not received the full recognition it deserves, can help strengthen the economies of our small towns and rural areas generally. All of us need to be aware of this important pioneering effort to meet the needs of rural people in a changing world.

I ask unanimous consent that this short article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COUNTRY LIVING: ON A NEW RURAL AMERICA, THE SUN IS REALLY RISING

(By True D. Morse, Under Secretary of Agriculture)

I enjoyed reading Aubrey Graves' recent article describing the great values and benefits of farm living. The article brought back many happy memories of the years spent on the farm, as a boy growing up and as a farm operator and manager. I agree completely with the squire that the family farm is "a molder of character and a rich heritage" and should be strengthened as a vital contribution to the Nation's life.

However, I most certainly don't agree that the family farm is dying out. True, the number of families living on farms is growing less in proportion to total population, and farm life is more romantic than in days gone by. We live in a world of change and this is particularly true of agriculture.

However, full-time family farmers still dominate American agriculture. Today, as 25 years ago, some 95 percent of all our farms are family operated. Using modern machinery, fertilizers, and insecticides, and a wide range of skills, the individual farm family can and does operate a larger farm unit with increased efficiency, higher production, and better all-round living than ever before.

Just as important, many of the smaller agricultural units which provided "country living" but little income in the old days, now furnish pleasant farm homesteads for thousands of American families whose income is earned mainly in off-farm work, thanks to growing industrialization and business expansion in rural areas.

We've long recognized and supported the benefits of urban renewal. But equal recognition has not been given the grassroots rural renewal of the past decade, which is having a tremendous impact on the Nation's economic and social well-being.

Rural renewal takes the form of larger, more efficient family farms; towns with expanding industry for farm people to commute to; long-term conservation and reforestation; new rural schools providing all the educational benefits of city schools; improved roads and markets.

Through such programs as the rural development program, now going forward in some 250 counties all across the Nation, we are encouraging State governments and private interests to speed up this long-range trend toward the new rural America.

Therefore, many would question the title, "Setting Sun Dimly Lights the Dying Family Farm." The sun may be setting on the submarginal and marginal farm, which was the root of so much rural poverty in the past. But the sun is rising on a new rural America where there will be ample country living, and along with it adequate income and opportunities for rural people.

DR. FELIX J. UNDERWOOD, OF MISSISSIPPI

Mr. STENNIS. Mr. President, Mississippi and the Nation have lost a great man in the passing of Dr. Felix J. Underwood at his desk last Friday. The cause of public health has lost a champion, benefactor, and friend. We mourn his passing.

Only last June, after 41 years of unselfish service to the people of Mississippi and the cause of public health, Dr. Underwood retired from his post as executive officer of the Mississippi State Board of Health. Results of his valuable work have long been felt throughout our Nation and the world. His long fight against malaria, diphtheria, typhoid and other diseases won him national acclaim as the man "who saved a million lives," and directed national attention to public health work in Mississippi. During his tenure, maternal deaths were reduced from more than 7 per 1,000 live births to slightly more than 1. Malaria formerly claimed more than 1,000 lives annually in Mississippi, now less than 1 a decade. Dr. Underwood assisted in developing Mississippi's tuber-

culosis sanitarium, and in 30 years saw the number of deaths from tuberculosis in our State reduced from 4,000 a year to only rare cases.

Mr. President, Dr. Underwood was not interested in financial reward. During the course of the years, he received many lucrative offers from other States and foundations, and he could have had a large private practice. This great man dedicated his life to service for humanity. Choosing to remain in public health work, here are his own words regarding his decision:

As a private physician, I can never care for more than two or three thousand people. As a public health physician, I can care for millions.

This was the philosophy which guided the long hours in his dedicated and unyielding battle against disease. He made Mississippi's public health service one of the finest in the Nation. Twice he was the recipient of the Lasker Award for outstanding achievement in the field of public health.

Shattering a longstanding precedent, more than 2 years prior to his death, the State of Mississippi named its new State health department building in honor of Dr. Underwood. Now almost ready for occupancy, this building will be a continuing monument in brick and stone to his great work. But progress in the field of public health is his real monument.

During his long career, Dr. Underwood served as president of the Mississippi State Medical Association, the Southern Medical Association, the State and Provincial Health Authorities, as well as president of the American Public Health Association.

In December, United Press International, a worldwide news service, named Dr. Underwood Mississippi's man for the year. Just 2 days before his death, he was selected to receive one of three awards from the University of Mississippi for distinguished service to our State.

His last public service, performed only moments before his death, was the signing of his personal check for his contribution to this year's March of Dimes.

We mourn his passing. But all who are familiar with Dr. Underwood's record of service are grateful for his constructive and far-reaching achievements. The world will long benefit from his rich and useful life.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD three editorials relative to Dr. Underwood, published in leading newspapers of Mississippi.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Jackson (Miss.) Clarion Ledger, Jan. 1, 1959]

DR. UNDERWOOD SERVED STATE AT A SACRIFICE

Dr. Felix J. Underwood, whose death Friday ended the most brilliant medical career in modern annals of the State, served the people of this Commonwealth at a sacrifice.

For many of his early years, he bore a portion of his own expenses when appropriations for the office did not permit a number of activities he felt were of such huge benefit as to merit his contributing that to the welfare of the State.

Often during his career he received offers from other States, from the Federal Public Health Service and from several foundations to leave Mississippi and take more lucrative positions. Naturally, he could have made more money in private practice than the State ever paid him.

And finally, in the crowning years of his life, he steadfastly declined to permit his salary to be increased, and as his career drew to a close, his salary as chief executive officer of the State board of health was actually lower than some of those of his associates.

[From the Jackson (Miss.) State Times, Jan. 10, 1959]

STATE'S UNSELFISH BENEFACTOR

(A personal testimonial by Oliver Emmerich)

The death of Dr. Felix J. Underwood brings into focus a career which touched every family in Mississippi's 82 counties and a life which was lived abundantly.

When Dr. Underwood became executive head of Mississippi's State Board of Health, thousands of our people moped about the State like zombies, listless and half alive, victims of malaria. Our infant mortality rate was tragically high. Death from typhoid was as routine as the seasons. Little children were strangled by diphtheria. Tuberculosis was the major killer. Our people were backward and poor as the result of diseases and distress.

It is no wonder that Dr. Underwood was referred to as the man who had saved a million lives. The life expectancy of our people—you and I—was lengthened. And our standard of health lifted as a result of his dedication and devotion.

Some men are honored after death. Dr. Underwood lived to see the fruition of his dreams. He was honored while yet alive, was loved and appreciated by the people he served, and was not a prophet without honor among his own people. He lived a wonderful life and was recognized by his professional associates both nationally and internationally. Representatives of medical societies and public health organizations of many foreign countries came to Mississippi to observe his work. A few months ago his friends honored him with a banquet on the occasion of his retirement. On the same day he was runner-up for America's man of the year in medicine. Just this week he was named as one of three of Mississippi's outstanding men of our State—a man of the year of 1958. And now suddenly from the midst of glory, he is swallowed up in victory.

Dr. Underwood knew the meaning of faith, the essence of kindness, the magnificence of loyalty and with it all he was gentle. Indeed, this is the substance of greatness. He loved his many friends—and we loved him.

No epitaph need be inscribed on a tombstone for him. It is already recorded in the communicable diseases statistics of a sick people made well. He was our unselfish benefactor.

[From the Memphis Commercial Appeal, Jan. 11, 1959]

DR. FELIX J. UNDERWOOD

On the roster of those who have rendered invaluable service to the people of Mississippi in particular and the Nation in general the name of Dr. Felix J. Underwood will stand very high. When he retired last June as executive officer of the State board of health he had held that post for 34 years and had won the right to be called the man who saved a million lives.

Dr. Underwood had battled unceasingly against ailments such as typhoid, malaria, and diphtheria until their ravages among the people of Mississippi had been reduced to a minimum. He was of great aid to the late Dr. Henry Boswell in developing Mississippi's highly effective campaign against tuberculosis. In fact, anything that affected the public health was his concern so that he became outstanding in that field.

In addition to his immediate duties Dr. Underwood worked with professional organizations and had been president of State, regional and national associations. He was physician to a nation, that is to say.

It is good to know that United Press International newspaper, radio and television editors had named Dr. Underwood Mississippi's man of the year for 1958 last month. He had also been selected to receive the University of Mississippi's "Missy" Award for Distinguished Service.

Dr. Underwood so employed his talents and energies that he left the world a far better place than it would have been without him and the fact is an epitaph among the finest.

Mr. HILL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. HILL. I join with the distinguished Senator from Mississippi in the tribute he has paid Dr. Underwood. I deeply regret Dr. Underwood's death. I knew him well. I had the opportunity to observe closely his fine work and his outstanding services. There was no abler public health officer in the United States, and there was no more dedicated public servant.

There was in the soul of Felix Underwood the gospel of humanity and of the Master himself.

Mr. STENNIS. I thank the Senator from Alabama for his very fine tribute to Dr. Underwood.

PROPOSED INDEPENDENT STATUS OF RURAL ELECTRIFICATION ADMINISTRATION

Mr. MUNDT. Mr. President, I noted with approval the introduction, on January 9, by the Senator from Nebraska [Mr. CURTIS] and the Senator from Georgia [Mr. RUSSELL], of the bill (S. 75) to restore to independent status the Rural Electrification Administration.

During the adjournment of Congress, I have been working on proposed legislation along a similar line. I entirely approve of S. 75 as it has been introduced by the Senator from Nebraska and the Senator from Georgia. I think it is a good forward step. Since it has been referred to the Committee on Agriculture and Forestry, of which I am a member, I expect to support the bill in committee as well as on the floor of the Senate.

Originally, REA was an independent agency. It has been shunted into and out of the Department of Agriculture with more or less restrictions and restraints obtainable by the authority of the Secretary of Agriculture. I think the hearings which were held by the Committee on Government Operations last year clearly demonstrate the desirability of making the Rural Electrification Administration once again an independent agency.

The REA has made tremendous progress. I think it very well exemplifies the philosophy of government enunciated by Abraham Lincoln, whose birthday we shall celebrate next month. Lincoln at one time said:

The legitimate object of government is to do for a community of people whatever

they need to have done, but cannot do at all, or cannot do so well for themselves, in their separate and individual capacities. In all that the people can individually do as well for themselves, government ought not to interfere.

It is quite obvious that the electrification of rural America fits precisely that criterion of good government, as, I might add, does the Rural Telephone Administration—RTA—which provides in the field of communication what REA has provided for rural people in terms of electrification.

Senate bill 75 should be acted on early in this session of Congress. I shall do all I can to expedite action in the Committee on Agriculture and Forestry, to which the bill has been referred.

In 1939, REA was placed under the general direction and supervision of the Secretary of Agriculture as a result of the reorganization plan of the President. The further transfer of REA operations to the control of the Secretary of Agriculture was made in 1953, under Reorganization Plan No. 2. The hearings before the Committee on Government Operations last year convinced me of the wisdom of the proposed legislation offered by the Senator from Nebraska and the Senator from Georgia.

In the years ahead rural electrification can move forward to great achievement, with its aims and direction unhampered, by being given the status of an independent agency. S. 75 will restore, once for all, and with finality, the independent status of the Rural Electrification Administration.

In endorsing this proposal, I believe it is incumbent that acknowledgment be made of the outstanding performance of the present REA Administrator, David A. Hammil. He has proved to be an able leader, and the passage of S. 75 will result in greater achievement by this dedicated public servant.

Mr. SCHOEPPEL subsequently said: Mr. President, on January 9 I was not privileged to be on the Senate floor, being engaged in other matters, when the Senator from Nebraska [Mr. CURTIS] spoke on the restoration of the Rural Electrification Administration as an independent agency. I note the distinguished Senator from Nebraska [Mr. CURTIS] was joined by the distinguished senior Senator from Georgia [Mr. RUSSELL] with respect to that proposed legislation.

Mr. President, I have noted the remarks of the Senator from Nebraska [Mr. CURTIS] at the time he introduced S. 75, which has now been referred to the Committee on Agriculture and Forestry. I wholeheartedly subscribe to the position taken by the distinguished Senators who joined in the sponsorship of the proposed legislation. The position that the REA should be an independent agency, with all the powers and duties originally intended, seems to be sound and practical.

As a member of the Committee on Agriculture and Forestry, I shall support the proposed legislation, in committee as well as on the floor of the Senate. I think it is a decided step forward. I think it should have been done quite a while ago. Even though it is coming at this late time, I think it is a great step forward, so far as concerns the rural electrification program and what it was intended to do.

THE PRESIDENT'S ADDRESS ON THE STATE OF THE UNION

Mr. CHURCH. Mr. President, I listened last week, for the third time, to a state of the Union address before a joint session of the Congress by the President of the United States. The Constitution which gives to the President the duty to give to the Congress information of the state of the Union, creates a powerful office, central to our system of government. World events in 170 years, and particularly in the last four decades, have made the Office of the President and the functions of the Presidency the most important in the world.

Yet, many of us who heard last week's message came away troubled.

Two distinguished columnists expressed anxieties, similar to my own, in the Washington Post of January 13. In one article, Marquis Childs treats with what he feels about the state of the President. In the other, Walter Lippmann treats of what he believes the message shows of the state of the Presidency.

Both articles are highly provocative, and worthy of the sober attention of the Congress and the Nation. I ask unanimous consent that they be included in the RECORD at this point in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 13, 1959]

IS EISENHOWER BORED OR TIRED?

(By Marquis Childs)

At midnight on January 19 an important anniversary will have passed. That date marks the official end of the first half of President Eisenhower's second term in the White House.

Under the 22d amendment to the Constitution, adopted in reprisal for Franklin Roosevelt's fourth-term election, if the President had vacated the office prior to that date his successor could have been reelected to only one full term. For the Republican Party and for Vice President NIXON in particular this is a day to be ringed on the calendar.

While all lame-duck Presidents under the American system of fixed terms of office have been under a serious handicap, few have found themselves in the situation confronting Mr. Eisenhower. As a result of the crushing defeat of last November his party has been reduced to a small fraction in the Senate and the House.

These fractions are themselves divided and the President's support has dwindled among both conservative and liberal Republicans. The state of the Union message was largely a reiteration of the budget-balancing theme, with the addition of still another commission to tell us where we are to go.

With a budgetary deficit of $12 billion in the current fiscal year the administration has proclaimed a balanced budget for next year. The likelihood, however, is for another deficit, perhaps as high as $9 billion. And while the political trick will be to put the blame on the Democrats, the party in power in the executive branch will have to take the consequences.

Despite the continuous barrage of high-powered publicity, sober and acknowledgable critics of the administration's defense policy are saying that the missile lag will shortly leave this country in a precarious condition. The delicate balance of terror, as it has been aptly called, will tip increasingly against the security of the United States.

But, in the view of those profoundly concerned over the conduct of the Presidency and the fate of the Nation in the coming 2 critical years, these external troubles are not so serious as the fact of the President's increasing isolation. This is the fundamental complaint of the activist group in the Cabinet who believe it is essential to do something more than demand economy and a balanced budget.

They see the President as more and more shut away from the political crosscurrents that shape events and determine the possible from the impossible in politics and government. His intimates, a half dozen men with whom he plays golf and bridge, try to avoid any mention of current problems when they are with him.

Somewhat the same attitude prevails among members of the White House staff who are so dedicated that they discount all criticism which, in any event, rarely reaches the President's ears. They provide, in short, a layer of insulation for an Executive in the most demanding office in the world.

Even with an earnest desire to keep open the channels of free exchange with the world outside the prisoner in the White House has an inevitable struggle. For a President who is bored or indifferent or simply tired it is hopeless.

The degree to which those immediately around the President discount the mounting chorus of criticism is extraordinary. This has been coming of late from loyal Republicans with a growing concern over the drift of events. It is put down either to ignorance or prejudice—"Oh, he's just a pinko," is commonly heard. Even the disaster of the election is written off as a failure to sell the virtues of the administration; the salesmen in the field did a poor job.

In a Cabinet meeting some months ago a Cabinet member referred to the adverse report of a columnist frequently critical of the administration. The color in the President's face deepened and he said with an edge to his voice, "Well, if you've got time to read that stuff you must not have much to do."

Those close to him say that today he loses his temper far less frequently. He simply refuses to be engaged. The impression is of a man serving out a sentence with the patience and stoicism he can muster.

But the world does not stand still and the Presidency is at the heart of the American system. This is the somber reflection of those in the official family looking ahead to the last 2 years.

[From the Washington Post, Jan. 13, 1959]

THE PRESIDENT'S MESSAGE

(By Walter Lippmann)

Granted that the President's first message to Congress is bound to be rather general in character, what the President had to say on Friday throws very little light indeed on the state of the Union. He said in effect that we are "ceaselessly challenged," and that in meeting this challenge all that we can afford to do, without raising taxes, is all that we need to do.

This is a remarkable coincidence—that we are able to meet so great a challenge without any additional effort and sacrifice during the coming fiscal year, and that in the following year we may be able to relax and to reduce taxes. We are confronted, said Mr. Eisenhower, with a question which is as old as history, whether a government based upon liberty can endure when it is ceaselessly

challenged by a dictatorship with growing economic and military power. And what is the answer to this question which is as old as history? It is that we can indeed endure by doing no more than we are doing now.

But just what is the use of asking this tremendous question about whether we can endure if the answer is that we are already doing all that is necessary? The explanation, I am afraid, is that the President is trying to ride two horses at once—to be hard when he talks to Moscow and soft when he talks of our own people. We are to defy the challenge abroad and are to reduce taxes at home.

This does not sound as if the President expected the Nation to take the ceaseless challenge very seriously. For if it is true, as in fact it is, that the Soviet Union is challenging us with an economic and military power of great and growing strength, how is it conceivable that we can look forward to a tax reduction just before the coming national presidential election? This is the kind of softness and self-indulgence which is as old as history, and again and again in history has meant the ruin of great states.

To be hard on the outside and soft on the inside is to invite trouble. For this is a changing world in which the power and the influence of the challenger are growing. We cannot long hope to succeed in meeting this challenge by a policy of standing pat in all things—on all of our positions abroad and on our efforts at home.

The right position is that of Churchill's when he said "we arm to parley." We should arm more strongly and we should negotiate more readily. We should be not inflexible but we should be tough, remembering that what is inflexible is usually brittle.

NEW WATER RESOURCES DEVELOPMENT PLAN

Mr. ENGLE. Mr. President, on behalf of my colleague, the senior Senator from California [Mr. KUCHEL], and myself, I introduced on January 9 a bill, S. 13, to provide for Federal assistance in the development of irrigation in connection with non-Federal municipal and industrial water projects, and for other purposes.

Water enough for the needs of its growing population is a dominant issue in California. The impasse on our water problems, I believe, stems from trying to divide too little water among too many people. I am advancing a proposal which strikes at the real problem—the financing of additional water development. This proposal is embodied in the proposed legislation I introduced. It provides for Federal participation in State and local projects where the major cost is for development of municipal and industrial water. This bill is of significance to the Eastern and Southern States, as well as to the West, in according Federal recognition to the fact that irrigation also is required and is now rather extensively practiced on a small scale in many portions of the East and South. Such recognition is long overdue. The bill would apply the basic principles of national reclamation to all parts of the Nation, and would encourage the planning and construction of water-resource developments on a multipurpose and comprehensive basis.

The Federal Government at the present time constructs projects primarily for irrigation, through the Bureau of Reclamation and under the reclamation law. In addition, under the small-projects legislation, of which I am the author, the Federal Government advances interest-free money to public agencies for the construction of small irrigation projects costing not in excess of $10 million. The Watershed Protection Act, through the Department of Agriculture, makes provision for Federal grants and loans for the construction of small upstream conservation projects. With reference to flood control, the Federal Government has historically built on a nonreimbursable basis projects primarily dedicated to flood control.

There is one obvious gap: no provision exists in present Federal law for the Federal Government's participation in projects primarily for the development of industrial and municipal water, which is a field of growing importance in all areas of our Nation. My proposed legislation would supplement existing law and, as I indicated before, would have nationwide applicability. In California, I believe it would be the basis for the establishment of a new Federal-State relationship. I would venture the guess that the major undeveloped water projects in California will be mainly for industrial and municipal water, rather than for irrigation and flood control.

Briefly, my proposed legislation contains the following provisions:

First, that the Federal Government contribute to such projects, on a nonreimbursable basis, an amount equal to the portion of the project allocated to flood control benefits. This is a recognition of the traditional responsibility of the Federal Government for flood control, and follows the precedent established in the omnibus Rivers and Harbors Act of the last Congress, which provides for Federal contribution for the flood control benefits from Oroville Dam, on the Feather River project. Congress has therefore indicated that this is an acceptable principle for Federal-State cooperation in the building of multiple-purpose projects.

Second, that the Federal Government provide a non-interest-bearing loan for the amount of the project cost allocated to irrigation. This procedure would apply the principles of the 50-year-old reclamation law under which non-interest-bearing money is provided by the Federal Government for the development of irrigation projects. It is an expansion of the principle laid down in the small-projects legislation, but of course in this instance is limited to multiple-purpose projects primarily for industrial and municipal water, where irrigation water is developed incidental to the main purpose. It is my feeling that Congress would not approve the advance of non-interest-bearing money for construction by the State of a large project primarily for irrigation, but would insist that such a project be built under the present reclamation law if it is to be financed by the Federal Government. I think it important that the traditional function of the Federal Government in building projects under the reclamation law not be invaded. However, I believe there is justification for Congress to authorize a non-interest-bearing loan to a State for incidental irrigation features of a major project primarily built for industrial and municipal water.

Third, the Federal Government will require a repayment contract covering the loan, and also a contract under which the State will agree that the project shall be managed in such a fashion as to produce the benefits for which the Federal contribution is made. This follows the present provision for the Federal contribution for the flood-control benefits on the Oroville Dam. As to irrigation, Congress, I am sure, would require that the non-interest-bearing loan for irrigation be subject to the general provisions of reclamation law, or similar provisions.

I am especially anxious that this principle be set in motion to develop new water supplies in California. Southern California interests understandably do not want to buy a pig in a poke—that is, contribute their money to the construction of northern California projects without assurance that southern California will receive benefits from such development. Northern California, on the other hand, does not want to promise water deliveries south of the Tehachapis, which may in the future literally leave northern California high and dry. The importance of this proposal and the proposed legislation I have introduced is that it strikes at the real problem, which is the financing of additional water development, thereby making sufficient water available to meet all foreseeable needs in both northern California and southern California.

ESTABLISHMENT OF COAL RESEARCH AND DEVELOPMENT COMMISSION

Mr. RANDOLPH. Mr. President, on January 10, 1959, the distinguished minority leader [Mr. DIRKSEN] presented to this body S. 49, a bill to establish a Coal Research and Development Commission to encourage and stimulate the production and conservation of coal in the United States. Along with the able junior Senator from West Virginia [Mr. BYRD] and Senators from other coal-producing States, I have joined as a sponsor of that measure.

On January 12 the able senior Senator from Kentucky [Mr. COOPER], who also is a sponsor of S. 49, made appropriate remarks in reference to this bill introduced by the junior Senator from Illinois [Mr. DIRKSEN]. I associate myself with those remarks, printed on page 496 of the RECORD for that date.

I desire at this time to ask unanimous consent to have placed in the RECORD at this point in my observations portions of a press release issued by my colleague, the junior Senator from West Virginia [Mr. BYRD] and myself in reference to the introduction and the purposes of S. 49.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

In a joint statement relating to the coal research and development bill introduced in the Senate today by Senator DIRKSEN, Republican of Illinois, with Senators JENNINGS

RANDOLPH and ROBERT C. BYRD, both Democrats, of West Virginia, as cosponsors, the two West Virginia Senators said this measure is approximately the same as legislation passed by the Senate during the 2d session of the 85th Congress, but not acted upon by the House. Noting its strong bipartisan sponsorship and support in the Senate this session, the Senators from West Virginia predicted the bill will receive prompt consideration by the Senate Interior and Insular Affairs Committee and will be passed by the Senate.

In fact, said Senators BYRD and RANDOLPH, "We are most hopeful that it will be passed by both the Senate and the House early in this session of Congress." They commented further that similar bills already have been introduced in the House where they have the unanimous backing of the West Virginia delegation on that side of Capitol Hill.

The Randolph-Byrd joint statement added that, "This measure is intended to encourage and stimulate the production, conservation, and additional uses of coal in the United States through research and development by creating a Coal Research and Development Commission.

"It is the first of several items of legislation we propose to introduce or cosponsor as early as possible during the present session to improve the prospect for the return of a strong, healthy, coal-mining industry which is so essential to the economic welfare and security of the United States and so vitally important to West Virginia.

"The U.S. Senate, in passing the coal-research bill last year, agreed that the Nation's coal industry is not strong and healthy by any means, being an industry that has long been economically ill and highly vulnerable to competitive fuels.

"The benefits which would accrue from activities of the proposed Coal Research and Development Commission would do much to improve and strengthen an impoverished industry.

"Although some localized coal-mining sectors have been overworked—especially in some communities of West Virginia—the Nation's and West Virginia's coal resources generally represent a vast storehouse of mineral wealth that has barely been tapped. These resources, if properly developed and conserved, should serve the Nation for several centuries to come.

"There is unquestioned need that West Virginia's coal-producing industry be revitalized and stimulated as rapidly as possible to increase coal marketing and rail transportation, thereby helping to overcome the vast amount of chronic unemployment which has persisted too long in the coalfields and railroad communities."

Mr. RANDOLPH. Mr. President, I also wish to say that on last evening, in reading the Washington Evening Star, January 13, 1959, an intensely interesting article came to my attention—the headline being: "Drug Called 10 Times Better Than Morphine."

The article notes that the drug, known as NIH 7519, is not derived from opium but is made of derivatives of coal tar.

Coal tar, of course, is a derivative of one of our great bounties—coal.

I ask unanimous consent that the article be inserted at this point in the remarks I am making.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DRUG CALLED 10 TIMES BETTER THAN MORPHINE

A new pain-killing drug, 10 times more powerful than morphine and 50 times greater than codeine, was announced today by the Department of Health, Education, and Welfare.

HEW Secretary Flemming termed the drug, developed by the National Institutes of Health, "an exciting breakthrough" and "one of the most satisfying announcements I have ever made."

The drug, known as NIH 7519, is not derived from opium but is made of derivatives of coal tar.

Aside from tremendous pain-killing power, the drug is believed to be less addicting than those derived from opium and causes less respiratory depression.

Dr. Flemming declared the drug is produced synthetically, a fact that appears to be of special importance at this time, for I understand there is an acute worldwide shortage of opium available for medicinal purposes.

Dr. Everette L. May and Dr. Nathan B. Eddy, of the National Institute of Arthritis and Metabolic Diseases, developed the new compound. The two scientists reported it yesterday to a closed-door session of the Committee on Drug Addiction and Narcotics of the National Research Council.

Secretary Flemming noted that scientists for years have been trying to separate the pain-relieving and the addicting characteristics found in substances with potency as great or greater than morphine.

Although a number of pain-killing drugs have been produced, it has been found that in general the greater the pain-killing power, the greater the addiction and other harmful effects.

NIH 7519, he said, "gives preliminary promise that a partial separation of the analgesic and addicting properties may have been achieved." He said further tests are necessary to see exactly how addicting the drug is.

Already the drug has been tested on some 200 clinic patients over the country.

The Secretary said patent applications have been filed in the names of Dr. May and Dr. Eddy who in turn assigned their rights to the Government. This means that after final tests are made, any authorized pharmaceutical manufacturer may obtain a license to produce it.

Mr. RANDOLPH. Mr. President, the exciting breakthrough in medical science, as typified by the discovery of the new drug, was an accomplishment of Government research.

Of course, we salute these great achievements for the benefit of mankind by Dr. May and Dr. Eddy, and we should pay deserved tribute to their patriotism and humanitarianism in assigning their patent rights to the Government to enable broader manufacture and, perhaps, quicker availability of the product of their discovery by the practitioners of the medical sciences.

But there is another factor to consider in connection with the announcement of this historic discovery, namely, that this is, in actuality, one of a large number of medical uses for byproducts of coal—many of them already discovered and in production.

These obviously are many other uses to which coal may be applied.

Yet, I remind my colleagues that the coal industry is a sick industry—notwithstanding its tremendous importance to the economy and the security of this Nation, and especially, to coal-producing States such as my home State of West Virginia.

I call the attention of my colleagues to the fact that we have employed in the bituminous coal industry of West Virginia approximately 48,000 miners. Just a year ago we had 57,000 coal miners in our State. Approximately 10½ years ago there were 125,000 bituminous coal miners productively employed in West Virginia.

I see present the distinguished and able junior Senator from Kentucky [Mr. MORTON.] He would think of these serious unemployment figures in connection with decreased coal production in his own State.

An industry so ill that its employment rolls have been sharply curtailed cannot and will not be able to afford the capital outlays for research and development which are needed so urgently to restore the coal industry to its rightful estate and thereby maintain a steady flow of production so essential to the national well-being in many aspects—economic, social, and healthwise, especially.

It was my privilege in the middle 1940's to cosponsor, as a House Member, with the distinguished Senator from Wyoming [Mr. O'MAHONEY], the synthetic liquid fuels bill which provided for a program whereby gasoline and other products could be made from coal and oil shale by synthesis and other methods. This research and pilot-plants effort has been successful, and needs to be carried forward and expanded, too.

S. 49 is, indeed, an important item of legislation—not only to the coal-producing States but to the whole of the United States and the world at large.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). The time of the Senator from West Virginia has expired. Does the Senator desire additional time?

Mr. MORTON. Mr. President, I ask unanimous consent that the Senator from West Virginia may have 2 additional minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none; and the Senator may proceed.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to the distinguished Senator from Kentucky.

Mr. MORTON. I am glad the Senator from West Virginia has placed the article, to which he has referred, in the RECORD. I think it is important that we call it to the attention of our colleagues. It shows what can be done with research. We are only beginning in the field of research. I am glad to be a cosponsor of Senate bill 49, to which the Senator has made reference. I hope the appropriate committee of the Senate will take speedy action in the consideration of the bill.

ACTION OF THE SENATE ON CHANGES IN CLOTURE RULE

Mr. MCGEE. Mr. President, one of the more peculiar arguments advanced during the recent debate on rule XXII was that Senators would be risking their political necks unless they voted for majority cloture.

Personally, I have more faith in the American people and in their judgment than those who made this argument.

Americans want Senators who vote their intellectual convictions, not their fears.

But if the statement of political risk is an accurate one, the Senate should be complimented upon its courage in voting its convictions.

The Washington Star makes this point today in a very able editorial. I ask unanimous consent that the editorial be printed in the RECORD as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Star, Jan. 14, 1959]

COURAGE IN THE SENATE

The manner in which the Senate has disposed of the filibuster issue is a refreshing testimonial to the skill of Majority Leader JOHNSON, and to the courage of all those Senators who refused to bow to political expediency.

Under the Johnson proposal, adopted finally by a vote of 72 to 22, it will require a two-thirds vote of Senators present and voting to limit debate by invoking cloture. The old rule required a two-thirds vote of the entire Senate membership.

One virtue of the change is that Senators will no longer be able to vote against cloture, in effect, by absenting themselves when the vote is taken. If a Senator is against limiting debate of a given issue he will have to stand up and be counted—and this is as it should be. Another virtue is that the Johnson plan does away with the absolute bar on debate limitation on a proposal to change the rules. Henceforth, the two-thirds of those present and voting rule will apply. The plan also discourages fights over changes in the Senate rules by specifying that the rules continue from one Congress to another unless changed in accordance with the new system, and we believe there is some merit to this.

It is true, however, that the Johnson plan does not make it easy to break a filibuster. And it should not be easy to do this.

There never will be a filibuster which can hope to succeed, except in the closing hours of a session, unless Senators, representing approximately one-third of the country are united in determined opposition to a given measure. Where such opposition exists it should not be made easy for the majority to impose its will. Under the new rule, however, the significant fact to be kept in mind is that any bill can be passed if two-thirds of the Senators voting are persuaded that it is in the national interest to adopt the measure. This being so, we do not think that legislation of really great importance will be defeated by a filibuster. Should experience demonstrate to the contrary, the rule under the Johnson plan, can always be changed.

One of the best reasons for applauding the Senate's action may be found in some of the arguments raised against the Johnson proposal. For example, let's take the case of Senator JAVITS, Republican, of New York.

We assume that Senator JAVITS has a lively awareness of the direction in which the political winds blow in his home State. At any rate, he keyed his argument to the proposition that the people in November had voted for liberalism and that the Senators, and especially the new Senators, were risking their political necks by supporting Senator JOHNSON.

It is difficult to understand how Senator JAVITS knows what the people outside of New York voted for in November. Assuming that he is right in his interpretation of the election, however, he has not risked his own neck, and that is his privilege. If other Senators have risked their necks by voting for the Johnson plan, we are glad that they had the political courage to do so. For we need Senators in this country who when faced with an important national issue, are willing to vote their convictions, even if, by doing so, they may risk their necks when they come up for reelection.

Mr. DODD. Mr. President, I was greatly interested in the remarks of my distinguished colleague from Wyoming [Mr. MCGEE]. I should like to say I share my colleague's views.

It was reported in a newspaper column this morning that I had promised a responsible official of a prominent labor organization in my State that I would vote for the Anderson motion. The statement, as reported in the press, is untrue, and I want the RECORD to show it. I have never promised anyone how I would vote on any measure in the U.S. Senate. All I have said to anyone is I would give due consideration to his views.

Some of us who wanted to hear the debate and the discussion on this important matter voted as we thought we should. I was one of them. I again say I want the RECORD to show that I voted to table the Anderson motion because, in my judgment, after reflection and consideration, I thought it was in the best interests of my constituents and the people of the country to do so.

Mr. JOHNSON of Texas. Mr. President, is morning business concluded?

The PRESIDING OFFICER. Is there further morning business?

Mr. WILEY rose.

The PRESIDING OFFICER. Does the Senator from Wisconsin desire recognition during the morning hour?

Mr. WILEY. I do, Mr. President.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

DECISION OF FEDERAL COURT IN BETHLEHEM STEEL AND YOUNGSTOWN STEEL ANTITRUST CASE

Mr. WILEY. Mr. President, there was decided recently a highly important antitrust case in the Federal district court in New York City.

The district judge enjoined the Bethlehem Steel Corp. and the Youngstown Sheet & Tube Corp. from merging. The opinion was issued on November 20, 1958, in U.S. District Court for the Southern District of New York, civil case No. 115328. However, the paper-backed Federal reports of the case have not yet been issued.

To show the importance of the decision, I mention that the opinion has already been printed by a publishing company for sale.

The great importance of this decision to me is its showing that judgemade law can handle most of the problems under our antitrust statutes. The courts apply the existing law to the facts in each case and progress with the times.

This decision makes it more difficult for companies to merge. This is welcome news to many who have feared the increasing size of corporate units.

Mr. President, in order that all who are interested, in and out of the Senate, may have an opportunity to read a businesslike analysis of this decision, I ask unanimous consent that there be printed in the RECORD at this point in my remarks an article in the January 3, 1959, issue of Business Week entitled "Antitrusters Heft a New Weapon Against Mergers."

In my opinion, it would benefit every Member of the Senate to read the down-to-earth analysis contained in this article published by the economic publishing company, of McGraw-Hill.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ANTITRUSTERS HEFT A NEW WEAPON AGAINST MERGERS

Now that they've had a chance to study the Bethlehem decision, lawyers view it as a landmark in antitrust law. The steel case gives the antitrusters a set of answers for arguments raised in many pending cases. As a result, merger of competing companies is expected to be almost impossible, unless both are small.

The Government's authority to stop business mergers got a huge boost several weeks ago when a judge in New York City flatly turned down the proposed merger of two steel companies, Bethlehem Steel Co. and Youngstown Sheet & Tube Co.

Lawyers who have been studying the decision since are convinced that it was a landmark in antitrust law. For one thing, both industry and Government lawyers agreed before the case was decided that it was a definite test of the 1950 law that was intended to bolster the Government's authority to stop a merger before it happens. Until the 1950 law was passed, the Government couldn't prevent a merger from taking place and had been spectacularly unsuccessful in unscrambling mergers years after they had gone through.

SIGNIFICANCE

The verdict against the merger of Bethlehem Steel (No. 2 in the industry) and Youngstown Sheet & Tube (No. 6 in the industry) did two things:

It gave the antitrust lawyers the biggest new weapon they'd found in years—and it gave businessmen with merger on their minds a very severe blow.

It's now becoming clear that the Youngstown-Bethlehem decision raised—and answered—many of the major arguments and legal theories involved in dozens of other merger cases.

Particularly, the experts are taking a look at mergers already in court—but not decided—involving such companies as Continental Can Co., Gulf Oil Corp., Brown Shoe Co., American Radiator & Standard Sanitary Corp., Crown Zellerbach Corp., Owens-Illinois Glass Co., Procter & Gamble Co., and Reynolds Metals Co.

Looking at these mergers and merger proposals, here's what the Bethlehem decision means:

It sets up a tough line against any merger between companies that significantly compete with each other.

It puts just as strict a ban on mergers that eliminate—or threaten to eliminate—an important source of supply or a significant sales market for other companies.

It makes clear that a single product of a company—as well as the whole industry line—can be used to test a merger's legality.

It demonstrates that a market area as small as a single State—or as big as several States, a whole region, or the whole Nation—can be used to measure a merger's effect on competition.

It underlines the importance of market share figures—both to define markets and to show a merger's impact.

I. MAIN TARGET

As a result of the Bethlehem ruling, acquiring a competitor virtually invites a lawsuit with the antitrusters. This is particularly true in industries that, like steel, are

marked by relatively few competitors sharing the bulk of production or sales.

In such an industry, it seems clear now, any merger between one big company and another would be declared illegal. And even a merger between a big and a small company in such a concentrated industry would probably hit the same snag. Reason: If allowed, it could well set off a trend, by encouraging the other big companies to buy up the remaining small companies.

The antitrusters effectively used this argument against touching off a trend in the Bethlehem case—and got specific court recognition of this factor. The same argument will be used in virtually any merger case you can name.

This does not mean, of course, that two small companies in an industry like steel could not merge. The Bethlehem case dealt with giants. There's nothing there to suggest that, even in the steel industry, the Clayton Act necessarily bars any and every steel merger. And the antitrusters have already sanctioned small company mergers in the automobile industry.

Ease of entry: Another factor is ease of entry into an industry. Steel is a big industry—even the small companies are, by comparison with small companies in other industries, really substantial in terms of investment and sales. It's an industry that requires heavy outlays of capital in the first place, and similar financial resources to stay even. And according to the Bethlehem decision, the merger law was designed to prevent the elimination of even one competitor in such an industry.

This factor varies with each case and each industry. But ease of entry could change the complexion of a merger seemingly similar to Bethlehem.

For example, there has been at least a preliminary ruling at the Federal Trade Commission that Brillo Manufacturing Co. did not violate the merger law, even though it acquired a major competitor with a substantial share of the same steel wool market. Reason: New companies can easily enter this field; several have done so recently, and there are still as many companies in the field as there have been historically.

II. WHAT PRODUCTS COMPETE?

Of special importance—so far as other cases are concerned—is the guidance the Bethlehem case lays down for appraising the market facts in a merger. Often, the definition of a product market or a geographic market used by a court in a particular case will make or break the merger.

In the Bethlehem case, Judge Weinfeld said any products with peculiar characteristics and uses make up a line of commerce or product market under the Clayton Act. This is the same test used by the Supreme Court in the Du Pont-General Motors case to hold that automobile finishes and fabrics are a product market by themselves, separate from all other finishes and fabrics.

Emphasis on customer: The use of such a narrow test in both the Bethlehem and Du Pont cases pretty much wrapped up the final result—illegality. And this would be true in many of the pending cases, as well. It puts the emphasis on what customers buy from a seller and how they use what they buy rather than on how the seller thinks of the product.

The Bethlehem decision does not rule out, however, an opposite approach using a broader test. In fact, acquisition of a beet sugar refining company by a cane sugar refining company has been blocked by a court—on grounds beet and cane sugar are reasonably interchangeable, and so compete with each other.

This broad test, however, is more often identified by the antitrusters with another recent Supreme Court decision on cellophane. It came in a monopoly case, not a merger case, and the antitrusters hope to avoid having it grafted permanently into the law on mergers. It's easy to see why.

Du Pont case: The Supreme Court said Du Pont did not have an illegal monopoly of cellophane, because there is no narrow, separate market for cellophane. It must compete with a host of other flexible wrapping materials. Thus, Du Pont with a 75-percent share of cellophane escaped antitrust conviction because cellophane accounts for less than 20 percent of the broader flexible wrapping materials market.

Many of the pending cases pose this crucial issue on competition between products. The antitrusters realize that in some cases, a narrow definition of production market will help them, while in others it will hurt them. If cans, for example, are a separate product line from glass bottles, then a merger of the No. 2 canmaker (Continental Can Co.) and the No. 3 glass bottle maker (Hazel-Atlas Glass) probably is not illegal.

The same issue arises, but looks different, in the case of the Brown Shoe Co.'s acquisition of G. R. Kinney Corp. The case may be the next important court decision under the merger law.

Brown Shoe argues that the line of shoes it produces is not competitive with the line of shoes produced and sold by Kinney because the two lines sell in a different price range.

The Government, on the other hand, argues that despite any differences in prices, both lines of shoes compete with each other for the customer's dollar and must be considered a single line of commerce or market.

In the case of Crown Zellerbach Corp.'s acquisition of St. Helens Pulp & Paper Co.—now headed for court review—FTC said the market was coarse papers—including wrapping, bag, and sack papers, and converting papers. The company argued that other coarse paper or papers in other fields that it said could be interchanged with the coarse papers should be included, but FTC rejected these arguments. The Commission looked at the buyers. It concluded the narrow field was a proper market because the papers in it were sold to particular customers for particular uses. As for substitutes, FTC said that while some products—such as containerboard—might theoretically replace each other, there is little such substitution by users in actual practice.

III. DEFINING THE MARKET AREA

Selection of the market area involved in a merger can go a long way in deciding its legality, too. And the Bethlehem case makes it plain that in any area where two companies each make sales—even if only a small percentage of total industry sales—they compete with each other. Thus, a merger can be judged on its impact in a small geographic area—and not necessarily in the areas where the bulk of a company's sales are.

In the Crown Zellerbach case, FTC turned down the company's argument for a broad market area. Instead, the Commission said an 11-Western-State area was the natural market for western producers and that purchaser preferences and shipping costs have effectively separated the West as a competitive area from the rest of the country.

In the Brown Shoe case, both the companies and the Government recognize that the market area consists of a series of local markets. In fact, the Government in this case has undertaken a complete census and lists all the cities where Brown and Kinney sell a significant amount of shoes.

To show how the antimerger law can be pinpointed to a really small market, an FTC hearing examiner recently ruled against a merger of sand suppliers in Ohio on a finding that the geographic market involved is the southern shore of Lake Erie from Buffalo to Sandusky and extending inland 12 miles.

IV. IMPACT ON COMPETITION

The Bethlehem case also sets out specific standards to judge a merger's effect on competition. According to Judge Weinfeld, if a merger does any one of these things, Congress meant the law to block it:

Does it substantially increase concentration?

Does it eliminate a substantial factor in competition?

Does it eliminate a substantial source of supply?

Does it create relationships between buyers and sellers that deprive rivals of either of a fair opportunity to compete?

According to Weinfeld, any one of them would have been enough to bar the merger. And the antitrusters point out this is one reason why the Bethlehem ruling—even though it came in a merger of real industrial giants—also applies to mergers involving much smaller companies.

Weinfeld put special emphasis on the competitive impact of the steel merger on buyers. He says the antimerger law not only relates to competitive effects between the merging companies and their direct competitors, but to effects on buyers as well.

Often, he says, the real competition that counts is rivalry among buyers for sources of supply. And the law was particularly designed to assure buyers of the widest possible freedom of choice in selecting suppliers. Hence, any merger that removes one major source—thus reducing the alternates available to buyers—can violate the law.

The FTC says much the same thing about Crown Zellerbach's acquisition of St. Helens. The acquisition, FTC says, removes one of the few integrated paper companies in the market.

V. WHAT LAW ALLOWS

Does the Bethlehem ruling make all mergers illegal? The answer, of course, is no. After all, the FTC has counted over 900 industrial mergers or acquisitions of all types this past year—and there have only been about 40 antimerger cases filed by the Government since the law was made stricter in 1950. Not only are many mergers legal, but the antitrusters just cannot tackle even all of the questionable ones.

Because of the broad sweep of the Bethlehem case, it's also important to emphasize some of the specific things it does not do.

The Bethlehem ruling does nothing to bar any acquisition of a failing corporation—a company that would have gone out of existence anyway, because of a hopeless financial situation.

The ruling says nothing about conglomerate mergers—in which companies in unrelated fields join enterprises.

Undefined issue: Actually, a conglomerate merger has not been defined as yet by the courts. And the Government antitrusters have not yet specifically attacked one under the merger law, though several pending cases may raise conglomerate aspects.

The law is not clear on whether a chain grocery store, for example, would violate the merger law through a conglomerate type of acquisition in which it buys into a new market by taking over a local chain of stores.

Nor is the law clear on a more remote type of conglomerate, where one company moves into one line or industry after another through the merger route. The antitrusters suspect they could attack such a string of mergers, since competition could be affected in any one or all of the industries involved. Antitrusters suggest such a move by a big company into an unrelated field could transform an industry previously made up of small companies into one dominated by giants.

But, so far there has been no indication the Government will go to this point to file a case. And nothing in the Bethlehem case raises this issue.

FEDERAL FINANCIAL AID TO EDUCATION

Mr. THURMOND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a newspaper article which appeared in the January 11 edition of the Washington Star, "Federal Cash Denied South's Closed Schools," and a statement which I made on the Senate floor on August 22, 1958, concerning the conference report on H.R. 13247, an education bill. The article and my statement, when read together, are self-explanatory.

There being no objection, the article and statement were ordered to be printed in the RECORD, as follows:

[From the Washington Star, Jan. 11, 1959]

FEDERAL CASH DENIED SOUTH'S CLOSED SCHOOLS

Federal grants under the 1958 National Defense Education Act will not go to public schools closed down or changed over to private schools, Welfare Secretary Flemming assured Senator JAVITS, Republican, of New York, yesterday.

Senator JAVITS said this policy would apply immediately to schools already closed in Virginia and Arkansas.

"From the language of the National Defense Education Act it is evident that no Federal payments could be made with respect to schools which are not in operation," Mr. Flemming wrote in a letter made public by the New York Senator.

WOULDN'T GET U.S. FUNDS

"In the case of schools which have been converted to private institutions, their very denial that they are any longer public would render them ineligible for Federal grants allotted under the act to secondary schools.

"On the same basis such schools could not receive indirect aid from Federal grants to the State educational agency or the local school district, since all such grants must be distributed in accordance with plans submitted by the States and approved by the Commissioner of Education."

Senator JAVITS said that this ruling currently affects 13 Virginia and Arkansas schools. He noted that eight Southern States have various laws which could be used to close public schools ordered to integrate.

OTHERS ON OWN ALSO

If additional schools are shut, he said, they also would be automatically ineligible to receive any of the approximately $90 million authorized by the National Defense Education Act.

That 1958 law established a 7-year program of aid primarily for public school instructional facilities in science, mathematics, and foreign languages and for student testing and guidance programs.

"Clearly, the Health, Education, and Welfare Department has decided that the law requires its administrator to consider the Supreme Court's Little Rock opinion of last September that neither ingenious nor ingenuous schemes to evade Federal court orders should work," Senator JAVITS said.

STATEMENT BY SENATOR STROM THURMOND, DEMOCRAT OF SOUTH CAROLINA, CONCERNING CONFERENCE REPORT ON H.R. 13247, EDUCATION BILL, ON SENATE FLOOR, AUGUST 22, 1958

Mr. President, I rise to speak in opposition to the adoption of the conference report on H.R. 13247, a bill to provide Federal financial aid to education. Though I was and am opposed to Federal aid to education, since the States have never delegated the field of education to the Federal Government, I find an additional serious objection to the education bill agreed to by the Senate conferees.

The Senate conferees have agreed to accept certain provisions of the House bill which can have no other effect than to cause further deterioration of race relations, which have already been severely damaged. Mr. President, I refer to the provision in the House bill which has been agreed to by the Senate conferees and which provides that student loan funds shall be administered by institutions of higher education, instead of by State commissions as was provided in the Senate bill. Under the House provision Federal moneys would be allocated to public and private institutions of higher education, for the purpose of making educational loans to students in attendance at the institutions.

The House method of administration causes me grave concern, Mr. President, because the administration now in power—or any future administration—could deny loan funds to any educational institution which follows a policy of segregation. The denial could be very simply accomplished by an Executive order requiring the U.S. Commissioner of Education to withhold loan funds from any segregated institution. The same objective could be accomplished by the Commissioner of Education, himself, by means of an administrative regulation issued by him.

In the face of such an order, or administrative regulation, southern colleges would have to forgo the benefits of the loan funds and likewise students in attendance at such colleges would have to forgo the benefits of educational assistance loans. As a consequence, southern citizens would be taxed to establish loan funds which their children could not even use.

To say that such an Executive order or administrative regulation would never be issued does not allay my fears concerning this matter. I recall that statements of similar purport were made shortly prior to the dispatch of troops to Little Rock.

The fact is that there is nothing in the conference version of the bill, or in any Federal law, to prevent this administration, or any future administration, from denying loan funds to institutions which practice segregation. In view of the fact that political considerations outweigh good judgment in the councils of national administrations, it would be most unwise to adopt the proposed procedure regarding loan funds.

Mr. President, I do not charge that the loan fund administrative procedure has been purposely selected to bring about the consequences which I have described. Nonetheless, I would consider it a breach of faith with the people whom I represent, as well as a failure to meet my obligations to my Senate colleagues, if I did not point out the dangers which lie ahead if the administrative procedure agreed to by the Senate and House conferees is permitted to become law.

For these reasons, I feel that the Senate conferees should make a further effort to have the loan funds administered by State commissions, and, failing in that, should endeavor to have the loan fund title stricken from the bill altogether. Finally, Mr. President, I would express my strongest and most sincere hope that the conference report will not be adopted.

DEATH OF FORMER SENATOR DAVIS ELKINS, OF WEST VIRGINIA

Mr. BRIDGES. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a short eulogy about a most illustrious former colleague who served his community, State, and Nation to an extent seldom matched. I refer to former United States Senator Davis Elkins, of Elkins, W. Va.

There being no objection, the eulogy was ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C., January 5, 1959.—Former United States Senator Davis Elkins, of West Virginia, died today from an extended illness. Death came in his sleep at a hospital in Richmond, Va., where he had been a patient.

With the death of Senator Elkins there passed from the industrial scene of West Virginia one of the last of a long list of pioneers in the development of much of the natural wealth of the State. The former United States Senator Stephen B. Elkins, father of Davis Elkins, had collaborated with former United States Senator Henry Gassaway Davis, his father-in-law, in processing and marketing timber and coal and in building many of the original railroads of the State.

It was from the late Stephen B. Elkins that the city of Elkins received its name.

Senator Elkins is survived by his widow, three children, and six grandchildren. His children are Mrs. Charles J. Kelly (Katherine) of New York City; Davis Elkins, Jr., of Elkins, W. Va.; and Mrs. A. Thomas Zirpolo (Maureen), of Cleveland, Ohio.

The family has been active in Republican politics in West Virginia and the Nation for three-quarters of a century.

Davis Elkins was born in Washington, D.C., in 1876 while his father was serving as a Delegate in the U.S. Congress representing the Territory of New Mexico. His mother, the former Hallie Davis, daughter of the then U.S. Senator Henry Gassaway Davis, met and married his father when he came to Washington as a congressional delegate.

He attended Lawrenceville, N.J., preparatory school; Phillips Academy, Andover, Mass., and Harvard University.

He was a veteran of the Spanish-American War, having served as a first lieutenant with Company E of the First West Virginia Volunteer Infantry. He reentered the active service of his country during World War I and served as a major in Europe. It was during his service in the Army that he was elected to the United States Senate from West Virginia in November of 1918. He did not seek reelection at the conclusion of his term in 1925.

Upon leaving the U.S. Senate, Senator Elkins undertook the active management of his coal and timber holdings, principally in northern West Virginia. He actively pursued this interest until his retirement due to ill health several years ago.

He had helped shape the Republican Party activities at the end of World War I and had played an important role in the party's financing during the period from 1920 until his health no longer permitted his active participation.

It was upon this withdrawal from a leading role that his wife, Mary R. Elkins, began to represent him in active participation on the political stage and was sent from their home congressional district in West Virginia as a delegate to the 1952 Republican National Convention. Following that Mrs. Elkins was twice a candidate for Congress in the Second District.

The Elkins family has been one of the political and social leaders in the Nation since Stephen B. Elkins came to Washington in the 1870's. During the period of Davis Elkins' business career in West Virginia, he also maintained a home in Washington, and most of the Nation's political leaders were frequent guests with him and his family.

The Davis and Elkins College, in Elkins, W. Va., was an original joint gift to the Presbyterian Church by the two families who had lived in and developed that part of the State. Their original homes still serve as dormitories on the campus on the school.

Funeral arrangements are incomplete, but the body will be interred in the family plot at Elkins.

Mr. JOHNSON of Texas. Mr. President, is morning business concluded?

THE PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

SIZE OF SENATE COMMITTEES

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the resolution at the desk.

The PRESIDING OFFICER. The resolution will be stated for the information of the Senate.

The legislative clerk read the resolution (S. Res. 24), as follows:

That paragraph (1) of rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended—

(1) by striking out "fifteen" in subparagraph (a) (relating to the Committee on Agriculture and Forestry) and inserting in lieu thereof "seventeen";

(2) by striking out "twenty-three" in subparagraph (b) (relating to the Committee on Appropriations) and inserting in lieu thereof "twenty-seven";

(3) by striking out "fifteen" in subparagraph (c) (relating to the Committee on Armed Services) and inserting in lieu thereof "seventeen";

(4) by striking out "eleven" in subparagraph (e) (relating to the Committee on Post Office and Civil Service) and inserting in lieu thereof "nine";

(5) by striking out "nine" in subparagraph (f) (relating to the Committee on the District of Columbia) and inserting in lieu thereof "five";

(6) by striking out "thirteen" in subparagraph (g) (relating to the Committee on Government Operations) and inserting in lieu thereof "nine";

(7) by striking out "fifteen" in subparagraph (h) (relating to the Committee on Finance) and inserting in lieu thereof "seventeen";

(8) by striking out "fifteen" in subparagraph (i) (relating to the Committee on Foreign Relations) and inserting in lieu thereof "seventeen";

(9) by striking out "fifteen" in subparagraph (j) (relating to the Committee on Interstate and Foreign Commerce) and insert in lieu thereof "seventeen";

(10) by striking out "thirteen" in subparagraph (l) (relating to the Committee on Labor and Public Welfare) and inserting in lieu thereof "fifteen"; and

(11) by striking out "eleven" in subparagraph (n) (relating to the Committee on Public Works) and inserting in lieu thereof "fifteen".

SEC. 2. Paragraph (4) of rule XXV of the Standing Rules of the Senate is amended to read as follows:

"(4). Each Senator shall serve on two and no more of the following standing committees: Committee on Agriculture and Forestry; Committee on Appropriations; Committee on Armed Services; Committee on Banking and Currency; Committee on Finance; Committee on Foreign Relations; Committee on Interstate and Foreign Commerce; Committee on the Judiciary; Committee on Labor and Public Welfare; Committee on Interior and Insular Affairs; Committee on Public Works; and Committee on Rules and Administration. No Senator shall serve on more than one of the following standing committees: Committee on the District of Columbia; Committee on Government Operations; Committee on Post Office and Civil Service; and Committee on Aeronautical and Space Sciences. The foregoing provisions of this paragraph shall not be effective during any period when there are more than forty-six Senators of the minority party."

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. JOHNSON of Texas. Mr. President, I ask that in paragraph 5 the word "five" be changed to "seven." That is a typographical error.

The PRESIDING OFFICER. The Senator has the right to modify his resolution. The resolution is modified accordingly.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without losing the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, this rule, which is sponsored by both the majority and the minority leadership, has been carefully drafted.

Through this rule, we hope to accomplish certain clear objectives. All of them will facilitate the work of the Senate.

We hope to provide each Senator with committee posts where his or her background can be fully used.

We hope to provide each Senator with committee posts where his or her interests will be fully engaged.

We hope to distribute the workload—which will be heavy—equitably and fairly.

We hope to combine youth and vigor with the experience of years of service.

It has always been my belief that there is no sensible reason to have young Senators sitting in the anterooms of committees 6 years awaiting an assignment. A Senator should have as full a right to participate in committee deliberations as he does to participate in floor discussions.

We live in a world which has a population of 2,700 million people. It is a world of problems and issues all of which touch directly upon the United States and the U.S. Senate.

We have only 98 Senators. This means that if we are to discharge our responsibilities, we must make the maximum use of the talents and the abilities we have.

Legislative activities will start early. I am hoping that the committees can be organized quickly and efficiently, for there are some issues which are clamoring for resolution.

We need a housing bill with the maximum speed that is consistent with prudence and thoroughness.

We need a labor bill to protect honest, constructive labor from the handful of racketeers and hoodlums who are trying to corrupt honorable organizations and threaten honorable citizens.

We need an airport bill to bring our air transportation into line with the requirements of the jet age.

We need a depressed areas bill to help people who are in economic trouble to help themselves.

These issues do not permit of delay. There is no time to waste. And right behind them—crowding into line—are a number of other issues which we must face.

The Senate is not comparable to a business organization, and Senators are not comparable to private enterprise officials. But there are certain practices which we should borrow from the business world.

In recent years, the business world has made a point of bringing younger men into its deliberations. And we should be at least as effective.

There are certain fields in which we anticipate greater activity. Therefore we have proposed to enlarge certain committees that have jurisdiction. They are:

Agriculture and Forestry—from 15 to 17.

Appropriations—from 23 to 27. It handles an $80 billion budget.

Armed Services—from 15 to 17. It conducts hearings concerning national defense.

Finance—from 15 to 17. It handles social security, veterans affairs, and all our tax measures.

Foreign Relations—from 15 to 17. It deals with our relations with other nations.

Interstate and Foreign Commerce—from 15 to 17. It has jurisdiction which covers a wide scope.

Labor—from 13 to 15.

Public works—from 13 to 15.

In order to work out the mathematics of the situation, we have proposed to decrease the membership of three committees after consultation with the very brilliant and able author of the Reorganization Act [Mr. MONRONEY], with the legislative counsel, with the minority leaders, and with the chairmen of the committees, and the proposed reductions are agreeable. The proposed reductions are:

Government Operations—from 13 to 9.

Post Office and Civil Service—from 13 to 9.

District of Columbia—from 9 to 7.

The Aeronautical and Space Sciences, Banking and Currency, Interior and Insular Affairs, and Judiciary Committees would remain unchanged at 15 members. The Rules Committee would remain unchanged at 9 members.

Mr. President, I believe this is a rule which would provide for the most efficient and effective operation of the Senate. It would also afford us the best opportunity of assuring every Member major committee assignments.

We cannot—under any set of circumstances—assure every Senator of all the assignments he desires. But we can assure him that this rule will give us the opportunity to distribute the assignments fairly and equitably.

I consider this to be a rule for a working Senate. I hope it will be adopted.

I am not prepared to say how either side will select the members of the committees, because I have talked to only two or three Senators in the past 2 days concerning committee assignments, but I am prepared to say that when the majority makes its recommendations I hope the Senate will approve them. Likewise, whatever recommendations the minority may make, I shall support them and I shall ask my colleagues to support them, just as I did when Senator Taft was the leader and we had differences on that point.

Mr. DIRKSEN. Mr. President, the subject of the committee structure has always been a rather fluid and dynamic one. I am advised that back in 1884 there were as many as 77 committees. I have not examined the record, and therefore cannot testify authoritatively on the subject, but I believe that in 1921 there were 33 Senate committees.

In 1946 there were still 33 committees. It was at that time that my distinguished friend the Senator from Oklahoma [Mr. MONRONEY] and I, among others, served on a joint committee of the House and Senate to reorganize the legislative branch. One of the important items which was before us was the streamlining of the committee structure of both the Senate and the House. Certainly it was not an easy task, as he will certify. For 2 years we labored on that job in the hope that we could bring to both the House and the Senate an acceptable bill dealing not only with committees but also with rules and other matters.

Following that labor the committee structure was reduced finally to 15 in the Senate and to 19 in the House. I see on the floor my distinguished friend the Senator from Georgia [Mr. RUSSELL], and I recall his interest in the subject at that time.

Therefore, there is considerable precedent for a modification in the committee structure from time to time. We are mindful of the fact that new circumstances bring about new requirements and new responsibilities. As Lincoln said, "When the occasion is new, you have to think anew and act anew."

I am aware of the accretion in the number of Members on the other side of the aisle, which I view with sincere regret, but that has been brought about by circumstances in our public affairs, by reason of the fact that a sovereign people has spoken, and we must take appropriate account of it. Besides, Mr. President, I have always gone on the theory that when we cannot get a whole loaf we must take what bread we can.

I believe I can say for the majority leader that he has been decently generous in the matter. There have been a great many discussions of the subject over a long period of time. I believe that at least a half dozen changes were made in the language of the resolution in the submission of which I have joined the distinguished majority leader. I am sure that some Senators will not be entirely satisfied with the terms of the resolution. Under the circumstances, however, aware as I am of the problem which reposes with the other side of the aisle, as well as our own, I believe the resolution represents a fairly good undertaking, and for that reason I concur in it.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. MONRONEY. It is my understanding that the total number of committee seats in the standing committee structure under the resolution would be increased over the number last year by only eight seats. Is that correct?

Mr. JOHNSON of Texas. That is correct.

Mr. MONRONEY. We now have two additional Senators. Therefore, if we increase the number of committee assignments we now have two Senators to fill them. I believe we are realistic enough to know that before the end of this year two additional Senators may join us. That will give us four new Senators. Therefore, on the basis of two seats for every Senator, we would be out of balance in terms of the present number of committee seats.

The guiding light must always be, not the number of Senators on any one of the standing committees, because the numbers will vary, but the total number of committee seats. As times change—for example, as demands on the budget grow greater and greater and demands for tax legislation and a revision of our Internal Revenue Code become greater and greater—the available manpower must be shifted. It would be foolhardy to think that anyone years ago could tailor our committees with varying jurisdictions to meet the exacting needs of a growing country.

I compliment the majority leader and the minority leader for shifting manpower to provide for the changing workload, at the same time reducing the manpower on committees which are less comprehensive in jurisdiction in order to keep within the limits of the number of committee assignments which a Senator can ably handle. I believe that is the test. Therefore, I congratulate the majority leader on the care with which he has worked out this new arrangement.

Mr. JOHNSON of Texas. I am delighted to have the wise counsel of the Senator from Oklahoma who perhaps has contributed more to our stable committee structure than any other Senator.

I am not prepared to go along with him and agree that it is an assured fact that we will have any additional Senators this year. Time will have to tell about that. Nor am I prepared to say that we will not have to increase the membership of committees in order to take care of any additional Senators who may come to the Senate. However, I am prepared to work with the Senator from Oklahoma in an attempt to resolve the situation which may confront us just as we have satisfactorily resolved this matter. I deeply appreciate the Senator's earnest and generous contribution to the solution of this question.

Mr. DIRKSEN. If I were to add one additional word, and if I were to fuss with the majority leader on this matter it would be only with respect to the Committee on Appropriations. I know, of course, that the budget will bulk large in our discussions during this session of the Senate. At the present time the minority have a little more power within the Appropriations Committee. The proposed increase, percentagewise, will diminish our effectiveness. Therefore, we will have to make up that diminution of power with greater vigor and greater devotion and greater zeal. I hope we can demonstrate that to our distinguished majority leader before the session is over.

Mr. JOHNSON of Texas. I thank my friend from Illinois.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. DWORSHAK. I wish to discuss that same point. The majority leader proposes that the Committee on Appropriations be increased from 23 to 27 members. Is that correct?

Mr. JOHNSON of Texas. That is correct.

Mr. DWORSHAK. What will be the ratio then?

Mr. JOHNSON of Texas. 18 to 9. That is 66⅔ percent. The majority ratio in the Senate is 65.3 percent. Since we do not have 66⅔ percent of the Senate membership some committees will be divided 11 to 6, which will be less than two to one. I have felt for a long time that we should try to maintain the same ratio on committees as we have in the Senate at large, because that is fair to the minority. There was an occasion, when I was in the minority, when it was proposed not to maintain that percentage. It took us several weeks to resolve the question. The minority was very reasonable, I thought, and we finally resolved it equitably. I want to do unto others as I would have them do unto me.

Mr. DWORSHAK. Of course if the membership were held at 23, with a ratio of 12 to 11, as it has been in past Congresses, the ratio would be 15 to 8. That would be a loss of three for the Republicans and a gain of three for the majority party. Under the new proposal there will be a loss of two for the minority and a gain of six for the majority. Although the majority leader has pointed out that this ratio would accurately reflect the two-thirds majority which his party has, it would seem to me that the influx at this time of six would be an unreasonably large number, particularly because the total membership of the committees is being increased by four.

Mr. JOHNSON of Texas. We have tried to reflect the intentions of the voters in the last election.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. CASE of South Dakota. I wish to join in the commendation of the proposal of the leadership on both sides of the aisle, but, as I understand, on the initiative of the majority leader. The Senator from Illinois has referred to the development in the size of committees in the Senate. In view of the fact that he saw fit to do so, I believe the record

should show that in 1953, on the initiative of the late Senator Taft, a modification in the committee structure was made, and the Reorganization Act was modified to provide a certain number of committees with 13 members assigned to each committee.

That had been worked out, as I recall, in order to make certain that there would be two places for each Senator; and on the initial assignment it was possible to say, I suppose, that each Senator had a major committee. But when there was a shift in the control of the Senate, the tyranny of numbers was such that it would be impossible for the Republicans in the 83d Congress, in 1953, to respect that end and, at the same time, to have a majority of one on each committee.

As a result, Senator Taft created a special committee within the Senate Republican conference to work on this problem. I had the honor to serve on that committee, and I presented a resolution which proposed at that time that we adopt the very principle which is now incorporated, namely, to change the size of the committees to reflect the difference in the workload.

The membership of each committee at that time was 13, with the exception of the Committee on Appropriations. There were 13 members of the Committee on the District of Columbia, 13 on the Committee on Foreign Relations, 13 on the Commitee on Post Office and Civil Service, 13 on the Committee on Finance.

It seemed to us at that time that the size of the committees should reflect the workload of the committees in the modern age. I am glad the distinguished majority leader stressed that point in his remarks today. The adjustment suggested reflects the changing workload of the Senate. I think it is an excellent solution. I am glad to support it.

Mr. BRIDGES. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may yield to the Senator from New Hampshire, so that he may ask a question.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BRIDGES. The Senator from South Dakota has stated the situation extremely well and ably. I think the way in which he has stated the matter indicates that within the framework suggested the membership of the committees and the size of the committees shall bear a ratio relative to the importance of the work they do. That is the objective which I sought in 1953, and which I think will be even more reflected in what is proposed today.

I hope, I may say to the distinguished majority leader, that we may have a vote on the resolution.

Mr. JOHNSON of Texas. I appreciate the Senator's statement.

Mr. CASE of South Dakota. Mr. President, I believe that in the redistribution of assignments to committees it will be possible for every Senator to be assured of at least one major assignment. The reduction in the number of assignments to so-called minor committees will reduce the number of places to which assignments can be made. A byproduct of the whole arrangement should be to insure every Senator's receiving at least one major assignment, and in many cases two major assignments.

Mr. LONG. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

Mr. LONG. I ask that the resolution be read.

The PRESIDING OFFICER. The resolution, as modified, will be read for the information of the Senate.

The Chief Clerk read, as follows:

That paragraph (1) of rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended—

(1) by striking out "fifteen" in subparagraph (a) (relating to the Committee on Agriculture and Forestry) and inserting in lieu thereof "seventeen";

(2) by striking out "twenty-three" in subparagraph (b) (relating to the Committee on Appropriations) and inserting in lieu thereof "twenty-seven";

(3) by striking out "fifteen" in subparagraph (c) (relating to the Committee on Armed Services) and inserting in lieu thereof "seventeen";

(4) by striking out "eleven" in subparagraph (e) (relating to the Committee on Post Office and Civil Service) and inserting in lieu thereof "nine";

(5) by striking out "nine" in subparagraph (f) (relating to the Committee on the District of Columbia) and inserting in lieu thereof "seven";

(6) by striking out "thirteen" in subparagraph (g) (relating to the Committee on Government Operations) and inserting in lieu thereof "nine";

(7) by striking out "fifteen" in subparagraph (h) (relating to the Committee on Finance) and inserting in lieu thereof "seventeen";

(8) by striking out "fifteen" in subparagraph (i) (relating to the Committee on Foreign Relations) and inserting in lieu thereof "seventeen";

(9) by striking out "fifteen" in subparagraph (j) (relating to the Committee on Interstate and Foreign Commerce) and insert in lieu thereof "seventeen";

(10) by striking out "thirteen" in subparagraph (l) (relating to the Committee on Labor and Public Welfare) and inserting in lieu thereof "fifteen"; and

(11) by striking out "eleven" in subparagraph (n) (relating to the Committee on Public Works) and inserting in lieu thereof "fifteen".

SEC. 2. Paragraph (4) of Rule XXV of the Standing Rules of the Senate is amended to read as follows:

"(4). Each Senator shall serve on two and no more of the following standing committees: Committee on Agriculture and Forestry; Committee on Appropriations; Committee on Armed Services; Committee on Banking and Currency; Committee on Finance; Committee on Foreign Relations; Committee on Interstate and Foreign Commerce; Committee on the Judiciary; Committee on Labor and Public Welfare; Committee on Interior and Insular Affairs; Committee on Public Works; and Committee on Rules and Administration. No Senator shall serve on more than one of the following standing committees: Committee on the District of Columbia; Committee on Government Operations; Committee on Post Office and Civil Service; and Committee on Aeronautical and Space Sciences. The foregoing provisions of this paragraph shall not be effective during any period when there are more than forty-six Senators of the minority party."

Mr. LONG. Mr. President, I ask that the last sentence of the resolution be read again.

The PRESIDING OFFICER. The clerk will read the last sentence of the resolution.

The Chief Clerk read as follows:

The foregoing provisions of this paragraph shall not be effective during any period when there are more than 46 Senators of the minority party.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

Mr. LONG. Mr. President, I shall not delay the Senate or prevent the Senate from voting on the resolution; however, in my judgment, this proposal is a mistake. It is a mistake to enlarge further the committees which are already the largest committees of the Senate. Some years ago this sort of thing was done in order to make it possible to assign more Senators to committees which were regarded as the more important committees. I have served on some of the larger committees. I say, as a junior member on some of them, that if an important witness comes before the committee it takes the witness all day before he can get back to his office downtown to do his work. If a junior Senator wishes to ask a question, he must often wait until the Senate has been in session 2 hours before he can ask the question. Simply as a matter of seniority, the usual result is that a junior Senator on the major committees, is foreclosed from asking a question, as a practical matter, if an important executive department witness is before the committee.

For example, today the Committee on Foreign Relations had the Secretary of State before it as a witness. Of course, I am happy to yield to my seniors on committees; but if I want to ask a question or two, it is impractical; and there is a Senator farther down the line than I am. Now it is proposed to make the committees even larger.

If we continue to enlarge committees to the point where they are unwieldy, it will be hardly worth while to be a member of a committee.

Mr. JOHNSON of Texas. There is merit in what the Senator from Louisiana says. We have spent many hours in considering the viewpoint which he has so ably expressed. We have tried to reach a reasonable solution.

If no additions were made, some Senators would lose their places on committees. Junior Senators would never have the opportunity to be assigned to important committees, much less to ask questions. As it is, they can sit in the committees and hear witnesses, even if they do not question them, if the witnesses are so rushed that they cannot wait until each Senator has had the opportunity to ask questions.

Unless the numerical strength of the committees is adjusted to the workloads of the committees, many of the more able and more vigorous Senators will not have an opportunity even to respond to a rollcall of many of the committees which carry the heaviest responsibilities.

There was a time when the Senate had 34, 35, or 38 committees. However, the number of Senate committees has been drastically reduced. There was a time when the membership on the commit-

tees was much in excess of what it is now.

The House of Representatives—although I do not advocate that the Senate follow its example at all—is confronted with the same problem the Senator from Louisiana has mentioned. I served in the House of Representatives six terms. On its Foreign Affairs Committee the House of Representatives probably has, I would say, 40 or more members.

The Secretary of State manages, somehow, in some way, to give each Senator on the committee an opportunity to ask questions, if the Senators are sufficiently patient, and are able to indulge him that long. I do not know how much the Members learn from the testimony; but if a Senator is willing to learn, he can do so.

The Appropriations Committee of the other body, the House of Representatives, now has 49 members. Certainly the House is a larger body.

However, the problem the Senate faces is that it has large memberships on committees whose workload is relatively small, and no adjustment is made for a committee whose workload is very large.

No Senator has adjusted himself more to the convenience of the leadership and the responsibilities of the leadership than has the Senator from Louisiana, so far as committees are concerned. Time and time again he has yielded to his colleagues. He has been extremely considerate. He was a senior Member here a long time before he was assigned to the committee of his choice, the committee on which he wished to serve.

Under this resolution, two additional Members—one from the majority and one from the minority—will be assigned to both of the committees on which the Senator from Louisiana serves. Some of those assignments will go to new Members, who have only begun their service in this body. I think many times they will help provide a quorum when otherwise there would be difficulty in obtaining one. They will furnish a fresh, vigorous approach to the problems the committees face.

On the other hand, if we are merely to say that the committee assignments will remain static, that the status quo will be maintained; and if, in that connection, some Senators are told, "You did not get here first"—as has happened in years past; and I know the Senator from Louisiana has suffered as a result, because he had to wait a long time before he was assigned to the committee to which he wished to be assigned—we can say to certain Members, "You are to serve on a minor committee; and after you have served on it for 6 years, you can be assigned to the committee on which you prefer to serve."

Finally, Mr. President, I wish to say that unless these two Members are added, at least 15 Members on this side and several Members on the other side will not have an opportunity to ask any questions of anyone, in the case of a substantial number of committees which carry a heavy workload.

I thank the Senator from Louisiana.

Mr. LONG. Mr. President, it seems to me that there should be better ways than this one to work out this matter.

I was willing to waive my seniority long enough to permit two Members junior to me to be assigned to the Foreign Relations Committee before I was assigned to it; and I am sure the Senator from Texas well recalls that.

Mr. JOHNSON of Texas. I do.

Mr. LONG. Instead of what is now proposed, it seems to me that a simple change in our seniority procedure would solve the entire matter; and then the committees could be wieldy ones.

If we agree that each Senator will have his first choice regarding committee assignments before any Senator receives his second choice, without displacing any Member from any of his present committee assignments, I believe this problem can be solved.

The Senator from Texas has spoken of the size of the committees. The Foreign Relations Committee and the Finance Committee have a time-honored procedure whereby no subcommittees are appointed; any measure which comes before either of them must be considered by the entire committee.

Mr. JOHNSON of Texas. Is that true in the case of the Foreign Relations Committee? I thought the Senator from Oregon [Mr. MORSE] was chairman of a Latin-American subcommittee of that committee.

Mr. LONG. To the best of my knowledge, those are simply consultative subcommittees, without any legislative responsibility.

Mr. FULBRIGHT. If I may be heard at this point, let me say that the Subcommittee on Latin America was a standing subcommittee for consultative purposes; but under special authority given last summer, as a result of the trip made by the Vice President to South America, the subcommittee was allowed $150,000, with specific authority to investigate conditions in Latin America.

The other exception is the Disarmament Subcommittee, which also is new. Only recently it was created in the first instance; it was not previously a consultative committee. As the Senator will recall, it was a special committee of the Senate, created by special act of the Senate, and involved some Members outside the Foreign Relations Committee. But as of the present time, it is a subcommittee which recently has been formed for the first time.

Mr. LONG. The point I have in mind is that with committees so large, and with the time-honored principle that subcommittees are not to be appointed by certain of our committees, but that the questions coming before the committees mentioned are of such great importance that all matters brought before those committees for consideration, or even for hearings, must be dealt with only by the full committees themselves, to enlarge the committee in the way now proposed would, I believe, be a mistake.

Mr. President, I am confident I am correct. I have stated my protest about this matter, which I assume has been worked up by the leadership on both sides of the aisle. I merely wish to say that in my judgment we shall be making a mistake when the proposed change is made.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The question is on agreeing to the resolution of the Senator from Texas as modified. Is there objection? Without objection——

Mr. LONG. Mr. President, there is objection.

The PRESIDING OFFICER. The Senator from Louisiana objects.

The question is on agreeing to the resolution as modified. [Putting the question.]

The resolution, as modified, was agreed to.

Mr. DIRKSEN. Mr. President, I move that the vote by which the resolution was agreed to be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

INFLATION: RUSSIA'S COLD WAR WEAPON

Mr. BUSH. Mr. President, the Soviet Union's potentially most dangerous weapon in the cold war is inflation in America.

Our enemies rely increasingly upon economic warfare as a means of conquest. They hope that their actions in this field of combat will so accelerate the pace of inflation in the United States that it can no longer be controlled.

The Russian reliance upon inflation as a silent weapon of the cold war was brilliantly outlined, in an article so entitled, by Demaree Bess which was published in the Saturday Evening Post of October 18, 1958.

Mr. Bess undertook to show how inflation has become a major factor in the Soviet-American cold war, and how it can break the human spirit as completely as famines, earthquakes, wars, or revolutions.

Indeed, Mr. Bess' statement about inflation as a destroyer of the human spirit is no exaggeration. In country after country, inflation has undermined the peoples' faith in themselves and in democratic government, paving the way for revolutionary turmoil and dictatorship.

From his long experience as a foreign correspondent, Mr. Bess drew many examples of deliberate use of inflation by the Communists as a means of sabotaging free governments and preparing the way for Red dictatorship.

If the Russians can force the pace of American spending to the point where inflation gets out of control—

Mr. Bess concluded—

they can forget about such weapons as intercontinental missiles. For the ability of Americans to wage economic warfare on even terms will depend upon whether the American Government and people can guard against further serious inflation in our own economy. The entire non-Communist world depends, as never before, upon the solidity of the American economic and financial structure.

What can we do to defeat the Soviet Union's hopes that America will succumb to fiscal irresponsibility and permit runaway inflation to sap the morale of our people and to destroy their faith, and the faith of the peoples of the free world, in the stability of the dollar and in our system of government?

Obviously, firm action to control the Federal budget is an essential first step.

President Eisenhower has announced that he will submit to this Congress a budget for fiscal year 1960 which will be balanced at approximately $77 billion. Heavy pressures will be exerted upon Members of Congress to increase spending far above the levels to be recommended by the President. Undoubtedly, many of these pressures will be exerted on behalf of very worthy causes, causes which will arouse our sympathies and which we would like to support.

But I am convinced that this is a year in which we must exercise a high degree of selectivity in our approach to Federal spending. We must establish a realistic system of priorities, putting first things first.

Present world tensions require the spending of enormous sums for our own defense. We must spend large amounts for mutual security, and smaller, though substantial, amounts for economic aid to the underdeveloped nations which are the prime targets of the Soviet Union's economic offensive.

We must provide for essential Federal services in a growing America, but we must at the same time retrench in expenditures on nonessential domestic spending programs and hold the line against Federal participation in the costs of new domestic programs, however desirable and appealing they may be.

We may even face the unpleasant necessity of raising taxes.

But, certainly, we should set our fiscal house in order for the longer range future to be in readiness for the tests which the Soviet Union's economic warfare will impose on us in the next decade.

During the 85th Congress, and since its adjournment, I have advocated a six-point program of anti-inflationary fiscal reform: It includes:

First. An impartial and objective review of the entire Federal tax structure and the long-range fiscal problems of the United States, with special reference to (a) the capacity of the economy to provide the resources necessary for the national security and essential governmental services; and (b) methods of raising required governmental revenues which will distribute the burdens of taxation most effectively and equitably, contribute to the maintenance of a currency with stable purchasing power, and foster the growth of the economy.

Second. Amendment of the Employment Act of 1946 to make price stability an explicit goal of Federal economic policy.

Third. Provision of the item veto of appropriation bills and of bills calling for expenditures by a borrowing "pipeline" to the Treasury.

Fourth. Substitution of a single appropriation bill for the individual bills which make it almost impossible for the average Member of Congress to determine, before the closing days of a session, what the total spending level will be.

Fifth. Consideration of the advisability of consumer credit controls, particularly for installment credit, at least on a standby basis.

Sixth. Examination of the cause of wage increases in excess of productivity, and review of existing laws to determine whether they permit too great concentrations of power, contrary to the public interest, in labor unions as well as in industry.

With respect to the first item of my program, I have had the belief that the best approach to an impartial and objective tax and fiscal policy study was to have it made by a nonpartisan Commission, Presidentially appointed under authority of legislation enacted by the Congress. I had prepared a bill with that end in view, but have now concluded that its enactment at an early date in the present session would be impossible. Since early action is essential, I was extremely pleased when President Eisenhower, in his state of the Union message, announced he was planning to appoint a committee on national goals and methods of achieving them, and had requested the Secretary of the Treasury to prepare revisions of our tax structure. These actions will accomplish the objectives of the bill I had drafted. I was also pleased by the recent announcement by Chairman WILBUR D. MILLS, of the House Ways and Means Committee, that his committee, with the assistance of advisory committees drawn from the public, will initiate a similar study, though perhaps somewhat more limited in scope, during the present Congress.

I have already introduced bills for a "price stability" amendment to the Employment Act, for an item veto, and to give the Federal Reserve Board standby powers to control consumer installment credit. In connection with the former bill, I have urged the Committee on Banking and Currency to conduct early hearings, and hope that the issues raised by the sixth point in my program will be given consideration at that time.

The distinguished senior Senator from Virginia [Mr. BYRD] has advised me he will introduce a bill proposing the single appropriation bill, as he has in former years, and has kindly extended an invitation to join him in sponsorship which, of course, I have gladly accepted.

At the opening session of the 14th American Assembly, on U.S. Monetary Policy, held at Arden House, Harriman, N.Y., last October, I outlined this program to a distinguished audience of American businessmen and economists.

I am pleased to inform the Senate that in its final report, the American Assembly concluded unanimously that "reasonable stability in the average level of prices" must be a primary goal of economic policy, having equal status with two other objectives, "vigorous growth in the real output of the economy" and "avoidance of wide cyclical fluctuations in employment."

At the outset of my remarks, I referred to the increasing reliance of Soviet leaders upon economic warfare and inflation as means of conquest.

There is distressing evidence that they have gained some successes. Peoples of the free world are beginning to have serious doubts about the future of the American dollar.

This unpleasant fact was recently reported in a blunt and sober speech by the Chairman of the Board of Governors of the Federal Reserve System. William McC. Martin, Jr., speaking in Chicago on December 12, said that in a recent trip to several countries in the Far East he had had the distressing experience of finding "among intelligent and perceptive men in those countries a growing distrust over the future of the American dollar."

Whether or not it is justified—and I certainly think it is not—it is important to recognize that this feeling exists.

Mr. Martin continued:

To the foreigner, much more than to Americans, the dollar is a symbol of this country's strength. A decline in the value of the dollar would suggest to him a decline in the faith and credit of the United States, signaling in his mind a decline not only in American economic strength but also in moral force.

Mr. Martin said he found two major reasons for this distrust:

First. A conviction in the minds of foreigners that "American goods are going to find themselves priced out of the market."

Second. The $12 billion deficit that has developed in the U.S. budget, plus possibilities that further deficits may follow.

America is a rich country, as Chairman Martin pointed out. We should not be ashamed of it, nor should we apologize for having created a society with the highest standards of living for the average family that the world has ever seen.

We recognize that poverty, regrettably, afflicts a minority of our population, and we recognize an obligation to help improve the living standards of those less fortunate, as evidenced, for example, by slum clearance and social welfare programs.

For the preservation of our way of life, we must spend whatever is required for national defense, including mutual security. But we cannot afford to spend it if we lack the courage to find ways of paying the bills other than by printing money.

We must either raise taxes; or

We must revise our Federal-tax structure to produce more funds; or

We must have a breathing spell in which the priorities of other programs are reduced so that we can live within our income.

I hope Mr. Martin's address will receive serious attention by my colleagues in the Senate on both sides of the aisle because he speaks not as a partisan but as the head of an independent Federal agency, responsible to the Congress, and not to the Executive, for the regulation of the supply of money in order to foster high levels of employment and stable prices.

In the article by Demaree Bess from which I quoted at the outset of my remarks, he reprinted a significant statement from a book written in 1919 by the

English economist, John Maynard Keynes. Mr. Keynes wrote:

Lenin is said to have declared that the best way to destroy the capitalist system was to debauch the currency. By a continuing process of inflation governments can confiscate, secretly and unobserved, an important part of the wealth of their citizens. By this method they not only confiscate, but they confiscate arbitrarily * * *. Lenin certainly was right. There is no subtler, no surer means of overturning the existing basis of society than to debauch the currency. The process engages all the hidden forces of economic law on the side of destruction, and does it in a manner which not one man in a million can diagnose.

There is ample evidence that the rulers of the Soviet Union have learned Lenin's lesson well, and are seeking to use inflation in the United States as their silent, secret weapon in the economic warfare they have declared against us.

I hope the 86th Congress will join President Eisenhower in responding effectively and vigorously to this challenge and, by putting the fiscal affairs of the United States in order, will deny this dangerous weapon to our enemies.

Mr. President, I ask unanimous consent that my address before the 14th American Assembly, the final report of that assembly, and the speech by Mr. Martin may be printed in the RECORD following these remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MONETARY POLITICS

(By PRESCOTT BUSH, U.S. Senator)

In dealing with monetary policy, I propose to discuss largely the practical problems involved rather than pure theory. In short, I shall speak about monetary politics.

We should, of course, agree that ideally in a matter of this great importance, partisan politics should be prohibited. But, unfortunately, the practice of partisan politics is so constant in Congress, and the striving for partisan advantage is so great, that one cannot ignore their effects upon monetary policy and the objectives it seeks to attain.

You will note that I have laid stress upon the qualifying adjective, "partisan," for it is obvious that monetary policy in the broad sense that I use the term involves great political questions which should be debated in the public arena.

But, if the American people are to form wise judgments on the issues which are presented, debate should be responsible and free of demagogery and should be confined, so far as possible, to the presentation of facts upon which intelligent decisions may be made.

Unfortunately, debate about monetary policy is rarely so conducted, partly because the subject is difficult of comprehension in its more technical aspects, and partly because it is easy to discuss it in terms which appeal to emotion and immediate selfish interest rather than to the intellect and objective judgment.

Some businessmen who feel the pinch of higher interest rates, for example, are far more readily moved by a demagogic speech on the Senate floor—and I have heard many of them—a speech denouncing the Federal Reserve Board, the administration, and the bankers, all pictured as linked together in a sinister conspiracy—than by a sober presentation of the need for monetary restraints as a curb upon inflation.

I have said that I will discuss monetary policy in the broad sense of the term, rather than in the narrow technical sense, and I am borrowing my definition from that given by Dr. Jacoby in his introduction to the symposium of papers prepared as background for consideration of the subject by this national session of the American Assembly.

Dr. Jacoby says that the term embraces "all measures undertaken by government to affect the expenditure or use of money by the public," including governmental actions "with respect to public expenditures, tax receipts, and the management of the public debt." These are the actions with which I am primarily concerned in this discussion, and they are the actions of the Federal Government of which I speak, although I am fully aware that actions of local and State governments, or their failures to act in some fields, are also of some importance. These are the actions which can have great effect upon our national economy, and which are the responsibilities of the Executive and the Congress, as distinguished from the responsibility of the Federal Reserve Board which implements monetary policy in the more technical sense.

Monetary policy, in the broad as well as the narrow sense, has been chosen as the subject of this session of the American Assembly because it is a major weapon with which government can combat inflation, which we all recognize as the most dangerous economic problem facing the people of the United States at the present time. Failure to solve it could mean the decline of America as a world power, and the destruction of our freedoms.

As background to my discussion, let us look some unpleasant facts in the face:

Fact No. 1: The Sino-Soviet bloc is at war with the United States and her allied free nations. It is an undeclared war, in which our enemies fight with propaganda, subversion, and the promise of generous economic assistance to the uncommitted, neutral nations, and threaten with hydrogen bombs, ballistic missiles, and other terrible weapons of modern arsenals.

Fact No. 2: There is danger that this so-called cold war may erupt into hot war, limited or global, as a consequence of the conduct by our enemies of military probings at the peripheries of our defenses.

Fact No. 3: The U.S. ability to retaliate, swiftly and terribly, in the event of attack has been and remains the major deterrent to total war.

Fact No. 4: The maintenance of our retaliatory capacity, and the uneasy peace it secures, is enormously expensive and becomes increasingly costly as the armaments race continues, accelerated by the development of ballistic missiles and other fantastic new weapons of destruction.

Fact No. 5: The mortal struggle between Communist imperialism and the free nations probably will continue for many years to come, almost certainly for another decade, possibly for another half century.

Fact No. 6: The enormous costs of defense have imposed severe strains upon the Federal budget, and these pressures are more likely to increase rather than to diminish.

Fact No. 7: There are great pressures in the Congress for increased Federal spending on domestic programs, pressures which show no present signs of abating in the years ahead and which, if not successfully resisted, would force the Federal expense budget well above the current $80 billion level. For example, the business recession from which the economy is now emerging stimulated demands for large-scale Federal spending programs, as well as massive tax cuts, although these would have had little immediate effect in creating employment. When Congress adjourned $5 billion had been added to the President's budget, much of it unrelated to effective antirecession measures or to defense, and an additional $5½ billion was involved in proposals which the President vetoed or which were blocked only with great difficulty after they had passed either the Senate or the House.

These are some of the major realities of life which we must face up to as we consider what should be the role of responsible political leadership in combating the inflationary trend which, since the beginning of World War II, has cut the value of the dollar by more than half.

We may take it for granted that the Federal Government will spend whatever is necessary for our defense against aggression. No administration would propose, nor would the American people tolerate, a weakening of our military forces to the point where surrender to communism would become probable.

What is the probable future magnitude of defense expenditures?

At the present time, the costs of present national security (military, atomic energy, and mutual security programs), plus past wars (interest and veterans' benefits), amount to $61 billion—77 percent of the current budget.

The budget for equipping and maintaining the Armed Forces of the United States represents aproximately two-thirds of that total, $40 billion. The present Secretary of Defense, Neil McElroy, has indicated that the military budget may increase by $30 billion in the next 10 years, an increase which by itself would raise the total Federal expense budget to $110 billion.

We dare not presume that such an increase is improbable, for many experts on military costs have testified before the Senate Committee on Armed Services concerning the necessity of increased defense expenditures to meet the threat of the Soviet Union's increasing capability in modern weapons, and to produce the weapons of the future.

Barring the unlikely event of a drastic change in the policies of the rulers of the Soviet Union and Communist China which would rule out aggression as their national policies, we may face a total Federal budget, defense and civilian, of the order of $110 million to $150 billion by 1968 if present trends continue.

How can we pay the bills?

Two permissible alternatives or more accurately a combination of them, appear. Both are politically unpalatable in the present climate of opinion. Most politicians would advocate them only with great reluctance. They are:

1. Retrench in expenditures on nonessential domestic spending programs, and hold the line against Federal participation in the costs of new domestic programs, no matter how desirable and appealing they may appear to be.

2. Raise by taxation increased revenues for defense and essential Federal services. This may mean maintenance of the present high Federal tax rates which can provide rising revenues as and if the economy expands. It may mean increases in present taxes, or the tapping of new sources of tax income, such as a broadly based production tax. Or it may mean all of these things unpleasant to contemplate.

A third alternative is to pay a part of our national bills by the unjust, hidden taxation imposed by inflation. This alternative is unacceptable, for inflation crucifies the weaker groups in our society. It is a cruel, deceptive, and dishonest form of taxation which bears most heavily on those least able to afford it. If allowed to continue, it will undermine our economy and the social fabric of our country.

Moreover, financing by inflation is self-defeating. A 5 percent increase in prices would add $4 billion to the current $80 billion Federal budget. We have already reached a point, in the military budget, at which a 5 percent annual increase in the cost of procurement of major items has taken place. In other words, according to expert testimony before the Senate Appropriations Committee,

it costs 5 percent more in dollars each year just to maintain the status quo.

The difficulties encountered by the Treasury in managing the national debt, as investors shy away from U.S. bonds in anticipation of continued inflation, further emphasize the self-defeating nature of deficit financing.

Yet, before and since World War II, with exceptions in a very few years, we have paid our bills in part by the hidden tax of inflation.

Why do we find ourselves in such a predicament?

Bernard M. Baruch, in an excellent statement before the Senate Finance Committee last April, gave the answer in a nutshell:

"The inflation of our time," he said, "flows from the selfish struggle for special advantage among pressure groups. Each seeks tax cuts or price increases, or wage increases for itself while urging the others to make the sacrifices, and with little regard for the national interest."

As a people, we have been too much concerned with "business as usual" and "politics as usual" to permit monetary and fiscal policy to be effective in fighting inflation.

It is time to halt this trend, and a part of the job of halting it must be done in the political arena, and primarily in the Congress where the pressures from the selfish groups of which Mr. Baruch spoke focus most intently. So, I am convinced that it is essential that the administration and the next Congress come to grips with the problems of regaining control of the financial affairs of the United States, and of putting our fiscal house in order so as to be in readiness for the tests we face in the years ahead.

At a minimum, I believe the following steps should be taken promptly in the next Congress:

1. Establish a commission to review the entire Federal tax structure and the long-range fiscal problems of the United States. Its responsibilities would be to examine, study and report on:

(a) The capacity of the economy to provide the resources necessary for national security and essential governmental services; and

(b) Methods of raising required governmental revenues which will distribute the burdens of taxation most effectively and equitably, contribute to the maintenance of a currency with stable purchasing power, and foster the growth of the economy.

2. Amend the Employment Act of 1946 to make price stability an explicit goal of Federal economic policy.

3. Provide for the item veto of appropriation bills and of bills calling for expenditures by a borrowing pipeline to the Treasury.

4. Substitute a single appropriation bill for the individual bills which made it almost impossible for the average Member of Congress to determine, before the closing days of a session, what the total spending level will be.

5. Consider the advisability of consumer credit controls, particularly for installment credit, at least on a standby basis.

6. Examine the cause of wage increases in excess of productivity, and review existing laws to determine whether they permit too great concentrations of power, contrary to the public interest, in labor unions as well as in industry.

Toward the close of the last session of Congress, I introduced bills to accomplish all of the above objectives so that they might be carefully studied by the appropriate committee staffs and Federal agencies this fall and winter. I intend to reintroduce them promptly when the 86th Congress convenes.

Time will not permit me to submit my reasoning on all these proposals. However, I will elaborate, for a moment, on the first two points of this program, namely: The creation of a nonpartisan commission to review the long-range fiscal problems of the United States, including the Federal-tax structure, and amendment of the Employment Act to make reasonably stable prices an explicit goal of Federal economic policy.

A commission on the fiscal aspects of monetary policy appears necessary because in modern times the actions of the Federal Government in taxing and spending, and in deficit financing have such major effects upon the national economy.

A Federal spending program of $80 billion a year cannot fail to affect profoundly an economy with a gross national product of $440 billion. What the Executive and Congress do, or fail to do, in the fields of taxation and debt management may have more potent and deep-felt effects upon the national economy than the Federal Reserve Board's actions affecting the supply of money and credit. Indeed, the actions of these two branches of Government may often be in conflict with the actions of the Federal Reserve Board, as, for example, when resort is taken to deficit financing when the Board is seeking to impose monetary and credit restraints.

In the current fiscal year, a Federal deficit of $12 billion, which apparently must be financed largely through the commercial banking system and thus increase the potential supply of bank credit, makes infinitely more difficult the task of the Federal Reserve Board in seeking to control the dangerous inflation it foresees in the near future.

We have never had an objective, nonpartisan, thorough, and painstaking expert study to define the aims of Federal fiscal policy, and to recommend legislation to make possible the attainment of those goals.

The Aldrich Commission's inquiry into national monetary and credit conditions more than 50 years ago was the nearest approach to such a study, but it was largely confined to the banking system. And its recommendations, highly important as they were in that they led to the creation of the Federal Reserve Board and the Federal Reserve System in 1913, did not deal with such questions as tax policy and the future revenue needs of the United States.

President Eisenhower recommended in January 1957, that a new study, similar to that of the Aldrich Commission, be undertaken by a National Monetary and Financial Commission, to be established by congressional action. I was a sponsor of the bill to implement the President's recommendations, but here again the proposed commission's inquiry would have been restricted to an examination of the adequacy of existing financial institutions and of monetary policy, in the narrow technical sense. The establishment of the President's Commission was blocked, as you know, by determined congressional opposition, much of it flowing, I fear, from partisan motives. I believe that such a study should be made, and I am pleased that the Committee on Economic Development has appointed a commission similar to that proposed by the President, although I regret it will not have the official status of a congressionally approved and Presidentially appointed body.

However, I believe further that an examination of Federal fiscal policy also is long overdue and perhaps is even more needed than an inquiry focusing primarily on the nature, purpose, and adequacy of lending institutions, private and public, and the functions of the Federal Reserve Board in regulating the supply of money and credit.

Consider the vast differences between our America before World War I and the America we know today after two World Wars have thrust upon us a position of world leadership and world responsibilities never before imposed upon a free nation.

From 1911 to 1915, the annual expenditures of the Government of the United States were $720 million, less than 1 percent of what they are today.

In that more peaceful and fortunate era, the cost of equipping and maintaining the Army and Navy was about $300 million, a sum which would be insufficient to buy a single modern aircraft carrier which, at today's prices, costs about $400 million.

There has been an enormous expansion of our population, from 99 million in 1914 to 170 million today, and in our productive capacity to meet the needs of our people. An $80 billion a year economy has grown to a $440 billion a year economy.

And while the population has not yet doubled and the economy has experienced a growth of a little more than five-fold, the Federal budget has been multiplied by more than 100.

Such vast changes surely emphasize the need of a study designed to lead to recommendations for the overhaul of a Federal tax system which has grown haphazardly, and for a new tax structure which will be adequate to provide the enormous revenues now needed for national defense and to provide essential Federal services for a modern, heavily industrialized America.

Such a study must be kept objective, and removed from the pressures of the partisan political arena. This is impossible of achievement in the Congress, much as one regrets to admit it. One need only recall the hearings conducted in 1957 by the Senate Committee on Finance during which the then Secretary of the Treasury, George Humphrey, underwent an unmerciful grilling aimed more at producing headlines and partisan political ammunition than at eliciting facts.

So, I believe that a nonpartisan commission, served by a staff of the ablest experts which can be assembled, should make a full-scale inquiry into this most important subject, and should submit its recommendations to the next Congress as promptly as possible.

The second item of my proposals which I will discuss in a little more detail is an amendment to the Employment Act of 1946 to include price stability among the goals of Federal economic policy, along with maximum employment and production.

At the time the Employment Act was drafted, uppermost in congressional minds, and in the minds of economists and others who testified before committees, was the fear of widespread unemployment following World War II. Memories of the great depression of the 1940's were fresh; politicians lived in terror that there would be a recurrence when millions of veterans were demobilized. As a consequence, the problem of maintaining relative stability in prices was scarcely mentioned in the hearings on the bill, and price stability is not once mentioned in the act. The entire emphasis is placed upon the maintenance of maximum employment.

Now, maximum employment is a highly desirable goal, and no one can fail to be conscious of the human tragedy which accompanies a lack of jobs in our industrial society. But I do not believe that there is an irreconcilable conflict between the maintenance of a high level of employment and a dollar of stable purchasing power. Indeed, the contrary is true. Stability of the currency, and of the level of prices, can help us avoid the "boom and bust" cycles we have experienced in the past and thus make possible the steady growth of America's productive capacity which must take place if jobs are to be created for an expanding population.

Thus, I am convinced that the goal of stable currency, price stability, is of such great importance to all Americans, and to

the future of our society, that it should be made an explicit part of the act.

I hope that my bill raising this issue will be given a high place on the agenda of the Senate Committee on Banking and Currency, and that hearings will be conducted early in the 1st session of the 86th Congress.

Even more important than legislation, in my judgment, is a change in public attitudes about Federal fiscal policy, and greater understanding of the issues it involves.

The American people now appear reluctant to make the sacrifices required in a pay-as-you-go policy in providing for the national defense and for the essential Federal services required in a growing America. I believe this is due to a lack of understanding, and that they need to be told frankly about the choices they face between honest, open taxation and the dishonest, hidden taxation of inflation. And I believe that when the people know the facts they will reject inflation as a way of paying our national bills because it is so cruelly unfair to the people who can least afford to lose anything—those trapped by fixed incomes in times of rapidly rising prices, such as retired people dependent upon social security and other pension systems, widows, teachers, preachers, and civil servants.

The greatest task of responsible political leadership in the United States today is to arouse in the American people a sense of urgency—of the urgent need of sound fiscal policy in their National Government, and a comprehension of the tragic consequences of continued inflation to the future of the United States.

It is a difficult task. Here in the United States, the erosion of the value of our dollar in the past 20-odd years has occurred with a minimum of protest. One fighting the evils of bad fiscal practices and inflationary policies has felt like a voice crying in the wilderness.

Why is this?

It is because inflation, particularly of the creeping variety which we are now experiencing, is insidious in its effects, and bears most heavily upon the unorganized groups in our society, the poor and the defenseless. And inflation is actually welcomed by speculators and others, including some union leaders, who feel that they gain advantages from a constantly rising price level.

I was interested in reading recently in a New York newspaper a series of interviews reflecting typical attitudes toward inflation. Here are some of the comments:

A Cleveland industrialist: "We're going to have more inflation in this country because Americans like to feel more money in their pockets regardless of whether they can buy any more with it."

An insurance salesman: "It's really just conversation. In the long run, everybody's standard of living is rising. Purchasing power is going up, while the value of the dollar is going down."

An appliance store owner: "I think we can stand quite a bit more inflation. People in debt need inflation to help them get back to normal."

A Boston investor: "It (inflation) gives you more opportunity to make money."

In the face of public attitudes like this, Members of Congress, for the most part, are reluctant to come to grips with the problem. Sound policies to curb inflation involve political risks; they are unpalatable to large and powerful pressure groups; they conflict with pet spending projects.

So, we proceed in typical American fashion, waiting for the crisis, the depression, the panic or the war to create public awareness of the problems we have ourselves created. It usually takes suffering and tragedy on a rather broad scale to bring us to our senses.

Now, unless we bring ourselves up sharply and soon, we will again face the boom and bust, the depression, and the panic on a scale unprecedented in our history.

And because of our position of world leadership, not sought by us but thrust upon us by world events, the failure of the United States to come to its fiscal senses and avoid the awful consequences of the inflation which looms ahead would have repercussions of enormous significance.

To state it more plainly, the collapse of the credit of the United States could easily, and indeed almost surely, lead to the collapse of the free world, if the economy of the Communist nations does not collapse first, and one now sees only a few signs to encourage belief in the latter eventuality.

I do not think that students of history will feel that I exaggerate. History affords many lessons about the fate of governments and nations which have failed to maintain control of their fiscal affairs and have debased their currencies as a means of paying their bills.

The instability of governments in France, since World War I, is attributable in large part to an inflation which cut the value of the franc from 20 cents, in 1914, to about one-quarter of a cent at the present time.

The rise to power of Hitler in Germany, may be attributed in part to the terrible hardships inflicted upon the German people and the deep social upheavals created by the collapse of the mark resulting from floods of printing press money.

A more recent frightening example is the fall from power of the Chinese Nationalist Government and the Communist conquest of the Chinese mainland.

In a speech on the Senate floor this year, I quoted a striking passage from a book by Chang Kia-Ngau, former governor of the Bank of China, in which he traces the successive steps by which the government debased the currency until the value of the Chinese dollar, in relation to the United States dollar, fell to $8,683,000, Chinese, to $1, United States.

I would like to repeat that passage for you now. Mr. Chang wrote:

"Not possessing the wisdom and courage to undertake unpopular measures, the government could of course have reduced the scale of its spending. But it persisted in its refusal to take any effective step to trim expenditures, and, overemphasizing the importance of prestige and outward military power, it underwrote political and military expenditures regardless of their economic consequences. It was curiously blind to the fact that in the long run economic health is a prerequisite of political power. It sought an easy way out of its financial difficulties, only to court eventual disaster."

Are we in the United States courting eventual disaster by taking the easy way out of our own financial difficulties? I fear it may be so, unless we mend our ways in the very near future.

So, the stakes are very high. The importance of the issue cannot be exaggerated. And, to repeat, our first problem is to create greater understanding in the public generally, and especially in our thought leaders and opinion makers.

We must first help our people to realize that the world crisis, the so-called cold war, is not just a transitory thing, but that we must prepare for it to last at least another decade, and possibly for decades to come.

We must stop assuming that without reducing expenses our present high Federal taxes are subject to early reductions, that tinkering with tax "gimmicks" can relieve various special groups of taxpayers without imposing burdens on others; that we can reduce tax income anywhere without replacing it elsewhere. And ordinary prudence suggests that a continuation of present spending trends may well require new sources of tax income.

In this task, the American assembly can help enormously; indeed, has already helped by making monetary policy the subject of this current national session. I congratulate you for bringing monetary policy and inflation to public attention, and am confident that your efforts will be of enormous help in coming to grips with the dangerous problems we face in the coming years.

FINAL REPORT, 14TH AMERICAN ASSEMBLY—U.S. MONETARY POLICY

At the close of their discussions participants in the 14th American assembly, on U.S. monetary policy, reviewed as a group the following statement. Although there was general agreement on the final report it is not the practice of the American assembly for participants to affix their signatures and it should not be assumed that every participant subscribes to every recommendation included in this statement.

PREAMBLE

The outstanding conclusion of the 14th American assembly is that reasonable stability of the price level must be a primary goal of monetary policy. War and postwar inflation and the threat of future inflation put U.S. monetary policy in the spotlight of public attention.

Americans now judge the performance of their economy by more exacting standards than ever before. They know that monetary policies have become a main reliance in the effort to maintain a prosperous economy without inflation. Moreover, there is widespread appreciation that half a century has passed since a full-scale inquiry was made into the Nation's monetary and credit system. The time has come to consider whether current principles and concepts of monetary management are fully adequate to meet the need of our growing economy; and whether the machinery of money and credit needs redesign, or our methods of operating it need to be changed. We have examined four major aspects of monetary policies; objectives, tools and processes, performance, and proposals for reform.

I. BROAD ECONOMIC OBJECTIVES

There was general agreement that the United States seeks simultaneously three major economic objectives within an environment of maximum political and economic freedom for the individual: vigorous growth in the real output of the economy; avoidance of wide cyclical fluctuations in employment; reasonable stability in the average level of prices. Achievement of these goals will result in that maximum employment production and purchasing power called for by the Employment Act of 1946. It will enable the United States to maintain its national security and to fulfill the responsibilities of its position in the world. It will strengthen the economic basis of the human values which are the ultimate aims of our society—freedom, health, education, and opportunity for every person.

The degree of compatibility of our major economic goals was recognized as a vital issue in the consideration of monetary policy. Does a rising price level stimulate production more than would stable prices? Does emphasis on full employment and rapid economic growth require acceptance of creeping inflation? Do increasing governmental expenditures and public debt necessarily produce inflation? Does upward push on prices by powerful labor unions, big business, and subsidized agriculture cause the price level to rise even in the face of unemployment? We agreed that, under some conditions and in the short run, there may be a conflict between a stable price level and maximum employment and production. In the long run, a stable dollar fosters economic progress

by encouraging saving and efficient investment.

All things considered, reasonable stability of the price level must be a primary economic goal. We are impressed with the necessity that business and union leaders attain greater understanding of their basic interest in a stable level of prices.

II. THE ROLE OF MONETARY POLICY

For the purposes of this discussion, monetary policy was defined as action by the Federal Reserve to regulate, through its operations in the credit market, the supply of currency and bank deposits available for expenditure by the public. Fiscal and debt management policies have an important and sometimes dominant influence on monetary policies. The actions of financial institutions other than commercial banks also have a bearing. None of these subjects was excluded.

Monetary policy can and should play an important role in attaining our economic goals, and particularly in maintaining the integrity of the dollar. It cannot carry this burden alone. The attainment of price stability as well as other objectives demands the combined efforts of monetary policy, fiscal policy, debt management, agricultural, trade, wage, and other appropriate economic action. While the power of monetary policy to influence the economy is limited and varies with time and circumstance, it has the advantages of being quickly available and having widespread effects.

Our economy needs an expanding money supply to facilitate its growth. For economic growth at a stable price level the average rate of expansion in the money supply (currency plus deposits) must be fairly close to the rate of growth in capacity to produce real output. Expansion in the money supply much slower than in productive capacity ultimately results in a brake on output. Expansion in the money supply much faster than the growth of capacity ultimately results in inflation. In recent decades the supply of money has grown more rapidly than the Nation's production, and prices have risen.

The short-run relationship between the supply of money and the level of output and prices is complicated by changes in the rate of use of money by the public through booms and recessions. In regulating the supply of money during business cycles, the monetary authorities should take such changes in velocity into account.

There was vigorous discussion whether better economic results would be achieved by a simple statutory rule to increase the money supply by a fixed percentage every year rather than by discretionary monetary control by the Federal Reserve. A discretionary approach to monetary management was regarded as essential. The preponderance of opinion was opposed to any mechanical rule.

III. TOOLS AND PROCESSES OF MONETARY POLICY

The primary tools available to the Federal Reserve System for regulation of the supply of money are three: Open market purchases and sales of Government securities, discount rates and operations, and changes in reserve requirements of member banks. It was agreed that these general credit controls, which affect mainly the aggregate amount of money and economic expectations and decisions, are desirable instruments of monetary policy, which should be complementary in their operation and mutually reinforcing.

There was no consensus as to whether the open market operations of the Federal Reserve should continue to be limited to short-term Government securities. Some favored transactions in all maturities in order to influence more promptly longer term rates of interest. Others expressed a fear that the Federal Reserve would again become involved in "pegging" the prices or distorting the market for Government securities. Most were inclined to agree that the Federal Reserve should avoid accepting any dogma on this subject and maintain a flexible attitude.

In addition to employing general credit instruments, the Federal Reserve System now regulates the loan margins on stock purchases and formerly also had the power to regulate consumer installment credit and home mortgage loans. Other Federal agencies make or insure loans to farmers, homeowners, small businesses, and other selected groups. Whether stimulative or restrictive, such selective controls have a differential impact on various sectors of the economy.

National financial policies involve the President, the Federal Reserve System, the Secretary of the Treasury, and the executives of other Federal agencies, as well as the Congress. Experience indicates the necessity for close coordination of monetary policy made by the Federal Reserve System, debt management by the Treasury, and Federal tax and expenditure policies jointly formulated by the Executive and Congress. There is also need for better coordination of policies of the Federal Reserve System and the Federal lending agencies, which operate under separate and sometimes contradictory congressional directives. Under the circumstances the monetary authorities may be faced with tasks of economic stabilization beyond their powers, and be unable to counteract the destabilizing influence of other policies in the formulation of which they have no voice.

Sentiment at the assembly favored the establishment of a National Economic Policy Council, under the chairmanship of the President, analogous to the National Security Council in the area of defense without abridging the independence of the Federal Reserve. Those who did not favor the establishment of such a body agreed on the necessity of better coordination of monetary and other economic policies through other means.

IV. MONETARY PERFORMANCE

Taking into account inherent limitations of monetary policy, the consensus was that since the Federal Reserve gained freedom in March 1951 to pursue a flexible course, its monetary policies have generally been satisfactory. Nevertheless, the upward creep of the price level since 1955 shows weakness in our economic policies. There was not full agreement on the extent to which these consequences were the result of deficient monetary action. There was consensus that the shared responsibility of the Federal Reserve and the Treasury would have been better fulfilled by major flotations of long-term Government securities in prosperous times. Some argued that the Federal Reserve eased credit too drastically in 1953; and that it intensified restraints too late during the boom terminating in 1957. There was consensus that a "cost-push" greatly increased the difficulties of maintaining prosperity without inflation.

V. MONETARY REFORM

The participants in the 14th assembly doubted that the monetary system of the United States requires radical revision. Yet some alterations in the structure and functioning of the system appeared desirable. Many proposals for change require further inquiry before their wisdom can be determined.

In addition to the various changes already recommended, several specific proposals were discussed:

1. There was some sentiment in favor of bringing all American commercial banks under the legal reserve requirements of the Federal Reserve Act. Most participants felt, however, that the additional leverage this change would give our monetary authorities was not compelling under current circumstances.

2. The issue was raised of extending Federal Reserve controls, such as minimum reserve requirements, to financial institutions other than commercial banks. Our decision was that no conclusion should be reached without more detailed consideration of this problem.

3. Under the present legal reserve system the location of a bank is the primary determinant of the percentage of its demand deposits that a member bank must keep in the Federal Reserve. We concluded that the present system, whose elements are a century old, is arbitrary and that the development of a satisfactory alternative requires further exploration.

4. We considered whether more extensive powers of selective credit control—particularly of consumer installment credit—should be placed in the hands of the Federal Reserve authorities, either on a continuous or emergency basis. A majority of the participants felt that the Federal Reserve should have such regulatory power in order to moderate destabilizing swings in the demand for durable goods. A considerable minority held that no stronger case could be made for such regulation than for regulation of other types of credit, such as business inventory loans, and that in any case the administrative problems of selective regulation are formidable.

5. There was agreement on the need for more accurate and current economic intelligence upon which to base monetary and other economic policy decisions.

IN CONCLUSION

The assembly discussed many issues of United States monetary policy and of the monetary and credit structure. In a field so complex and important, conclusions about structural reform can be reached only after searching inquiry. The specific proposals on this subject which emerged from the assembly are modest in number and scope. This does not reflect a spirit of complacency about our monetary system. To the contrary, it was the belief of the participants that more adequate achievement of our economic goals will require constant study and improvement of our monetary machinery. But it was recognized that success rests heavily on the policies pursued, whatever the monetary and credit structure may be.

LIST OF PARTICIPANTS, 14TH AMERICAN ASSEMBLY

Bach, George Leland, dean, Graduate School of Industrial Administration, Carnegie Institute of Technology, Pittsburgh.

Beckhart, Benjamin H., professor of banking, Columbia University.

Behrens, Roland C., senior vice president, St. Louis Union Trust Co., Missouri.

Benton, William, publisher Encyclopaedia Britannica, Southport, Conn.

Bolling, Richard W., U.S. Representative from Missouri.

Bopp, Karl R., president, Federal Reserve Bank of Philadelphia, Pa.

Borden, John W., Harriman scholar, Columbia University.

Bowen, Howard R., president, Grinnell College, Iowa.

Brown, Courtney C., dean, Graduate School of Business Administration, Columbia University.

Bryan, Charles W., Jr., vice president, Pullman Finance & Properties Co., Chicago.

Burns, Arthur F., president, National Bureau of Economic Research, New York.

Bush, Prescott, U.S. Senator from Connecticut.

Casey, Bob, judge of Harris County, Tex.

Cherouny, Robert S., Harriman scholar, Columbia University.

Collins, Edward H., the New York Times.

Connor, John T., president, Merck & Co., Inc., Rahway, N.J.

Coolidge, William A., chairman, National Research Corp., Cambridge, Mass.
Cortney, Philip, president, Coty, Inc., New York.
Dawson, Samuel A., Associated Press, New York.
Deming, Fred L., president, Federal Reserve Bank of Minneapolis, Minn.
Dodge, Joseph M., chairman, Detroit Bank & Trust Co., Michigan.
Eccles, Marriner S., chairman, First Security Corp., Salt Lake City.
Eddy, Nelson H., vice president, Hawaiian Pineapple Co., San Jose, Calif.
Fleming, Lamar, Jr., chairman, Anderson, Clayton & Co., Houston.
Fox, Bertrand, executive director, the Merrill Foundation, Boston.
Frear, J. Allen, United States Senator from Delaware.
Gussman, Lawrence, president, Stein, Hall & Co., New York.
Hart, Albert G., professor of economics, Columbia University.
Hauge, Gabriel, chairman, finance committee, Manufacturers Trust Co., New York.
Hazard, Leland, general counsel, Pittsburgh Plate Glass Co., Pennsylvania.
Hohenberg, A. E., president, Hohenberg Bros., Memphis.
Jacoby, Neil H., dean, School of Business Administration, University of California, Los Angeles.
Jensen, William S., Harriman scholar, Columbia University.
Kline, Allan B., former president, American Farm Bureau Federation, Western Spring, Ill.
Lackas, Col. John C., Industrial College of the Armed Forces, Washington, D. C.
Lincoln, Col. G. A., head, department of social sciences, United States Military Academy, West Point.
Livingston, Joseph A., Evening and Sunday Bulletin, Philadelphia.
Lloyd, R. McAllister, chairman, Teachers Insurance & Annuity Association of America, New York.
Lubin, Isador, industrial commissioner, department of labor, State of New York.
Miller, William B., executive secretary, Town Hall of Los Angeles.
Myers, Charles A., director, industrial relations section, Massachusetts Institute of Technology.
Nathan, Robert R., Robert R. Nathan Associates, Washington, D. C.
Newman, J. Wilson, president, Dun & Bradstreet, New York.
Nowell, Reynolds I., vice president, Equitable Life Assurance Society, New York.
Pugh, Edmund W., Jr., treasurer, the Coca-Cola Co., New York.
Richardson, Donovan, chief editorial writer, Christian Science Monitor, Boston.
Rockefeller, David, vice chairman, the Chase Manhattan Bank, New York.
Rossant, Murray, "Business Week", New York.
Sachs, Howard J., Goldman, Sachs & Co., New York.
Scherman, Harry, chairman, Book-of-the-Month Club, Inc., New York.
Schwulst, Earl B., president, the Bowery Savings Bank, New York.
Shaw, Edward S., professor of economics, Stanford University, California.
Sibley, John A., chairman, Trust Co. of Georgia, Atlanta.
Smithies, Arthur, professor of economics, Harvard University.
Tapp, Jesse W., chairman, Bank of America, Los Angeles.
Thorp, Willard L., director, the Merrill Center for Economics, Amherst College, Massachusetts.
Wallich, Henry C., Assistant to the Secretary of the Treasury, Washington, D.C.
Welch, Leo D., vice president, Standard Oil Company of New Jersey, New York.
Wilde, Frazar B., president, Connecticut General Life Insurance Co., Hartford.
Wise, James D., chairman, Bigelow-Sanford Carpet Co., Inc., New York.
Wood, Harold E., president, Harold E. Wood & Co., St. Paul, Minn.
Young, Ralph A., Director of Research, Board of Governors of the Federal Reserve System, Washington, D.C.
Zorn, Eugene C., Jr., director of research, American Bankers Association, New York.

Our American Economy

(Remarks by William McC. Martin, Jr., Chairman, Board of Governors of the Federal Reserve System, at luncheon meeting of the Executives' Club of Chicago, Grand Ballroom, Hotel Sherman, Chicago, Ill., December 12, 1958)

During the past year, we have had both recession and recovery and now, once again, fear of inflation. Despite the best efforts of the Federal Reserve System to explain its objectives and point of view to the general public, questions are again arising as to the basic purposes of monetary authorities. These queries are legitimate, but the answers have been given repeatedly. The Federal Reserve System is designed to regulate the supply of money in order to foster high levels of employment and stable prices. Stability is not an end in itself but a means by which this higher standard of living can be attained and without which a lower standard of living becomes inevitable.

From time to time the charge is made that the Federal Reserve is seeking a recession and would like to see a little unemployment. Certainly nothing could be further from the truth. The Federal Reserve's paramount purpose is to contribute, so far as it can, to sustained economic progress without the painful setbacks that mean waste of human and material resources.

There are many types of unemployment and many causes of unemployment. All of the factors that go into unemployment must be carefully considered and sympathetically studied. For residual unemployment, or temporary unemployment, we have unemployment compensation benefits. The major problem, however, is how to get people to work and give them jobs which will be permanent and profitable. How easy this would be if we could only achieve it by just spending more money. Unfortunately, experience has demonstrated you cannot spend yourself rich. Lasting prosperity only comes from hard work, producing goods and services which people need and want at prices they are willing and able to pay. At the moment we have unused capacities in industry and larger levels of unemployment than we would like to have. Why has this come about? Because of tight money? Not a bit. It has come about because inflation got ahead of us, as evidenced by the fact that at one time in 1957 we were losing more than $1 billion a month in prices in our gross national product without additional goods and services being produced for the consumer. The seeds of inflation were sprouting into the temporary overcapacity which we now have, and a decline was inevitable.

Let us not be misled by comments to the effect that the consumer price level is now stable. The process of inflation in this country started over 10 years ago during our wartime period, and with minor interruptions from time to time has persisted ever since.

The Federal Reserve System has leaned against the wind whenever it has been clear which way the wind was blowing. In 1957–58, when a decline was under way, we pursued an easy money policy, in order to give whatever assistance an enlarged availability of money could give to alleviating distress and laying the groundwork for recovery. This was largely achieved by the end of April of this year. Accordingly, Federal Reserve policy was modified, as it always should be, in adaptation to the change in economic conditions. At the present time, with increased demands for funds, with improved productivity, we are witnessing a strong economic comeback, and we are now beginning to see a gratifying decline in unemployment figures, although the total is still higher than any of us would like it to be.

Let us not succumb to the belief that these unemployed people will be assisted by flooding our economy with a stream of easy money. The better way to get these people back to work is to concentrate on fundamentals that permit the forces of the market to operate. Rising interest rates, when they reflect a response to improving business conditions, have never been a sign of weakness. When artificial forces prevent their rise it may well lead to knots which would complicate rather than assist our progress. If business conditions continue to improve it is normal to expect interest rates to rise; if business stays where it is interest rates will probably stay about where they are, and if business begins to decline interest rates will decline. But let us not be carried away into thinking that interest rates are such a dominant force in the economy that they possess some magic so that they alone can determine the level of employment, unemployment, and use of capacity at high or low levels. To me it is vital that we understand this crucial point.

A recent trip to several countries of the Far East gave me a welcomed opportunity to see ourselves as others see us. One distressing experience was to find among intelligent and perceptive men in those countries a growing distrust over the future of the American dollar. Whether or not it is justified—and certainly I think it is not—it is important to recognize that this feeling exists.

To the foreigner, much more than to Americans, the dollar is a symbol of this country's strength. A decline in the value of the dollar would suggest to one foreigner a decline in the faith and credit of the United States, signaling in his mind a decline not only in American economic strength but also in moral force.

Naturally I was interested in the basis of distrust. Two matters appeared uppermost. One was a conviction that, not necessarily at the moment but in a fairly short time and more markedly in the extending future, American goods are going to find themselves priced out of the market. Indeed, I was told that some countries to which we have made loans conditioned upon the purchase of American goods would, except for that restriction, already be turning elsewhere for their purchases.

You will recall that this same sort of talk was directed at Britain for about a year before the British got into trouble and had to devalue the pound sterling. I don't think it is going to happen here. I wouldn't talk about it if I did. But it is something for us to be concerned about.

The other thing cited to me as a reason for foreign distrust of America's ability or will to preserve the buying power of the dollar was the $12 billion deficit that has developed in the United States budget, plus possibilities that further deficits may follow.

It was amazing to me how closely our budgetary developments were being followed in such remote areas as Thailand and Hong Kong, and how many people there knew our precise budget figures better than most Americans.

Of course a simple fact of human nature has added intensity to their interest. They all know, many through personal experience of the stern lectures America has given foreign countries about their need to have the moral fiber to put their finances in order. And, as a widely traveled American businessman recently suggested to me, it is only natural that foreign countries should be wondering if we have the capacity to take

the medicine we have so freely prescribed for others.

Now I don't think anyone abroad or at home questions the ability of the richest country in the world to "afford" whatever amounts are needed for the national defense of the United States and for social benefits the American public demands as well. Certainly I do not question it myself.

The question that I ran into was something else: since Americans clearly can afford these expenditures, why don't they pay for them? That is, why don't they pay in taxes or reduce other programs instead of giving I.o.u.'s or simply printing more paper dollars? That also is something to think about.

Now let's discuss this matter of the budget. No reasonable man believes that budgets can always be balanced. Likewise, no sensible person believes that an unbalanced budget is a desirable way of life. This, of course, has moral connotations as well as economic.

We are a rich country. There is no reason to be ashamed of it and we do not need to apologize about it. We must recognize that some people in our society are not as rich or well off as we would like them to be. As a Nation, however, we can afford to expend whatever is required for national defense and foreign aid. Naturally we don't want waste in these projects. Whatever is required we can afford to spend, but we cannot afford to spend it if we are unable to find the means of paying for these expenditures in any other way than by printing money. Regardless of what facile justification or technical obscurantism is used to persuade us that we can have our cake and eat it too, we can have no hesitation in stating flatly, "It just isn't true."

We must face up to the reality of either raising taxes or revising our tax structure to produce more revenue or reducing the priorities of some other programs until we can get things in better balance.

Whatever the justifications for deficit financing in time of recession—and at best I sometimes think there is a good bit of wishful thinking involved—there can be no question that when business is improving and moving actively toward higher levels, a budget deficit becomes fuel on the fire of inflation. In effect, it pumps air into the business structure as if it were a balloon and eventually leads to more serious recession when the balloon pops than would have occurred if it had not been indulged in. Again let me say, this is not pleasant, but with due respect to these people who talk about modern times and outmoded classical theories what I am saying is based on time-honored and time-tested principles that are as valid and inescapable today as they have been down through the ages.

Likewise, it is time we stopped shilly-shallying around about this matter of interest rates and faced up to realities. We have had far too much talk about so-called "tight" money and "soft" money without adequate understanding of the role of interest rates in our economy. We already have too many preferential interest rates established by statute as though it were possible to ignore completely the workings of the marketplace. Interest rates are the prices charged for credit. They are a wage to the saver as well as a cost to the borrower. In a private enterprise economy they are established by the interplay of market forces. They perform the important function of influencing the volume of credit that flows into specific channels of enterprise. They are essential to pricing the assets on which holders expect to receive income over a succession of years. It is through flexible rate movements that the incentives and disincentives are provided for balancing out supply and demand factors in our economy.

The most striking illustration of their usefulness and effectiveness in recent years occurred nearly 8 years ago when the decision was made to unpeg our Government securities market. This restored to that important market some of the influence which had been denied it by Government policy for a period of years during which regulation of the money supply gradually became almost ineffective.

Once this decision was taken, the credit mechanism began to function as a governor on the flywheel of our economy and the process of stabilization became a useful part of the adjustments necessary in a healthy economy. We are compelled to recognize, whether we like it or not, that you can alter the nature of demand, and change the composition of supply, but you can no more ignore the law of supply and demand than you can ignore the law of gravity.

Some time ago a top industrialist who had complained bitterly about rising interest rates told me how he now recognized that some adjustments were probably desirable, but he said, "Don't let interest rates go above 3 percent." Although there are technical differences between the commodity he is manufacturing and this manmade device of money, I asked him how he would like it if the Government laid down a decree that the product he was manufacturing, regardless of cost and price factors, could not be sold to the public above a fixed price. The only answer I received to this suggestion was, "That's different."

Now I want to go one step further and talk about the most difficult aspect of all of our problems. This is the subject of confidence. It is the subject we frequently avoid because we are afraid of upsetting confidence by discussing it. All of us know of cases of irresponsible and hysterical individuals who contribute to tearing down confidence. We are more likely to recognize them than we are the equally irresponsible individuals who overpaint, oversell, overemphasize the optimistic side of things in the name of inspiring confidence. In any event, confidence is perhaps the fundamental factor in money and currency. Those of us who are charged with responsibility for our monetary affairs recognize this clearly. Money must not only be a medium of exchange and a standard of value, but it must be something in which people have basic confidence.

Because of the interrelationships of interest rates and budgets and the present position of the United States in international trade, it is a serious matter when an important segment of world opinion has begun to question the fiscal and monetary integrity exemplified by our American dollar. It is not something we can lightly pass over in hope it will go away. The battle against inflation is at a crucial point, and a setback in the United States would be a serious setback for the entire free world. I would like to be able to stand here and say flatly, "There will be no inflation." I cannot do so. For any one man, that would only be idle talk. What we need now is not talk nor long debate nor lengthy analysis, but resolute actions—continuing overtime—which will demonstrate to doubters the good sense and character of the American people.

A pressing need for such action confronts us as we approach 1959. The fear of inflation is earnest, and it is having a damaging impact already. Today, when the level of savings in our country has been steadily rising, we could, in my opinion, be selling long-term Government bonds at interest rates substantially lower than current levels if the holders of these savings were convinced that there will be no inflation, convinced that we will conduct our affairs on a basis which will make inflation improbable.

I am well aware of the fact that some of these remarks may be interpreted pessimistically. They are not so intended. We have already made a good start on the road to improving this situation. However, the progress we have already made gives no ground for complacency. Improvements in business efficiency effected during the sharp but short recession are helping in the current recovery movement that is continuing on a rather broad basis. And it is not news to any of you that the Federal budget is getting determined attention in more than one quarter. Let us press forward on these sound lines and no one can doubt our success.

The recent trip to which I referred impressed on me as never before that the eyes of the world are on us. Responsible officials in many countries are watching us closely to see whether we intend to practice what for many years we have preached to them. The future is not entirely within our control but we do have it within our power to maintain the integrity of the American dollar if we have the will to do it. Until or unless the people, through the Congress, change the Federal Reserve Act I can pledge to all of you that the Federal Reserve System will do everything in its power to safeguard our currency.

THE PRESIDENT'S BUDGET—THE INSIDE-OUT STRAITJACKET

Mr. BUSH. Mr. President, I ask unanimous consent to have printed in the RECORD an article, entitled "The Inside-Out Straitjacket," published in the Wall Street Journal of January 22, 1959, dealing with the President's new budget.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE INSIDE-OUT STRAITJACKET

The President's new budget, in one view, rests on "the assumption that there is some magic figure into which the budget should be forced, like putting a man in a straitjacket."

The words are LYNDON JOHNSON'S, the so-called moderate Senate majority leader, but they reflect the attitude of many liberals in and out of Congress. For instance, the Democratic Advisory Council, which includes former President Truman and Adlai Stevenson and other important Democrats, declares that the budget puts "pocketbook before people" and proceeds to contend that "what is bad for people is also bad for pocketbooks, both private and public."

Now what all these people are really saying is that a budget should not be a budget at all. For a budget is meaningless if it is not in fact a straitjacket of sorts. A real budget, whether it is yours or ours or the Government's, is a financial discipline based on the ancient and certain knowledge that people and governments that consistently live beyond their means are headed for real trouble.

Rejecting this accumulated knowledge, the statists of today who unjustifiably call themselves liberals propound a reverse theory. In one version it goes like this: Closing the "deficit of needs" is far more important than closing any fiscal deficit; indeed, they speak of balanced budgets with ill-concealed contempt. Their idea is to decree the things they think Government should do and ignore the problem of paying for those things.

And they have been applying their theory with a vengeance—abetted, unhappily, at times by the Republican administration. During the fiscal years 1932 through 1959—28 years—the Federal budget has been in the red 23 years. To be sure, there was World War II, in which the deficits were extremely heavy, but that war comprised only 5 of those 23 years of red ink.

As a result of these almost uninterrupted deficits the public debt has risen from less than $20 billion in 1932 to an estimated $285 billion at the end of the current 1959

fiscal period. And the debt is rapidly soaring out of control. President Eisenhower felt impelled to request, in his budget message, still another increase in the permanent debt ceiling—that most impermanent of ceilings.

Since the deficits have been largely financed, in effect, by the printing presses, in them lies the chief explanation of the inflation which has destroyed more than half the value of the dollar in that same generation. And in their continuation lies the menace of the future inflation which could destroy all value. This menace the inflationists even now blandly propose to study; they intend to search assiduously for its causes almost everywhere except in the Federal Government.

But inflation, monstrous though its mien can be, is not the only outcome of the theory that a budget should not be a budget. The rejection of financial discipline must also mean Government by chaos.

This can be seen even in expenditures for defense, which hardly anyone dares say might be cut. If the military were permitted to have all they want, the existing waste and duplication would be multiplied a hundredfold. Not only that; without discipline, innovation and development would be retarded, for a certain amount of stringency is a goad to invention. Without financial discipline the defense effort would be impaired and finally wrecked.

For the Government as a whole, one result of the denial of discipline is to destroy selectivity. The question becomes not whether this program is better than that; instead, any program anybody thinks of is embraced. Thus, Government becomes a leviathan, speeding the inflation and in the whole process suppressing the individual.

So what kind of nonsense is this about putting the pocketbook before people? The inflationists, the spoiled children who resent discipline, are the ones who are antipeople. For what they propose would ruin the people.

Fortunately there are still some who reject the inside-out budgeting theory and realize that a budget must be a firm control. It would also be well if reason could put a straitjacket on folly.

ORDER FOR ADJOURNMENT UNTIL TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER (Mr CANNON in the chair). Without objection, it is so ordered.

FAILURE OF THE PRESENT NATIONAL FARM PROGRAM

Mr. TALMADGE. Mr. President, the failure of the present national farm program is apparent on every hand.

It is reflected in every compilation of agricultural statistics.

It is reflected in the accelerated shift of population from farm to city.

It is reflected in last year's election results.

Let us look at the facts:

Between 1952 and 1957, realized net farm income in this country declined from $14.4 to $10.8 billion despite substantially increased Government payments. Even if the increases reported last year boost the 1958 figure to as high as $13 billion, the total still will be $1.4 billion under the rate which prevailed at the beginning of the present administration.

And, when the degree of inflation which has occurred since 1952 is taken into account, it is obvious that realized net income would have to be increased considerably above the $14.4 billion sum merely to put farmers back where they were in terms of purchasing power 6 years ago. Such an eventuality is hardly likely under the present program, however, inasmuch as the Agricultural Marketing Service itself predicts a reduction of from 5 to 10 percent in realized net income this year.

During the same 1952–57 period, farm production expenses increased from $22.6 to $23.5 billion yearly and it is estimated that the final total for 1958 will reach an all-time high of $24.5 billion or more. The spread between farm and retail prices has widened by $75 for each thousand dollars spent for farm produce and the farmer's share of the market-basket dollar has dropped from 47 to 39 cents.

The Bureau of Labor Statistics Index for last November showed prices received by farmers at that time were 7 percent below those realized in 1947–49, while prices paid by farmers were up 23 percent for the corresponding period.

In view of the situation evidenced by those figures, Mr. President, it is not surprising the Department of Commerce reports that between 1950 and 1957, 2,349,000 persons migrated from the farms of the Nation to compete for increasingly scarce jobs in urban areas. According to latest reports, that trend is continuing.

Neither is it difficult to understand, Mr. President, why our agricultural economy is gripped by a worsening depression which is threatening extinction for the small, family type farmer who does not have a supplemental income; why unmanageable surpluses of farm commodities are being generated; why artificially high consumer prices are being stimulated; and why the United States is steadily losing the last of its world markets.

An openminded appraisal of all the facts affords no other conclusion, Mr. President, but that we have reached the point where it is essential to the future welfare not only of the farmer but also of the taxpaying consumer that an entirely new approach to the solution of the Nation's farm problems be found.

That that conclusion is shared by the farmer is evidenced by the results of the recent corn referendum.

That that conclusion is shared by the rank and file of the Nation's electorate is evidenced by the outcome of last November's election.

The farmers and the consumers of the United States both have repudiated the abortive policies of Secretary of Agriculture Ezra T. Benson at the polls, and they have given this 86th Congress a mandate to write a bold, new law which will give the farmers the protection they have been denied for the past 6 years without placing an intolerable burden on the taxpayers of the country.

The farmer wants to be returned to a free enterprise economy with protection equivalent to that enjoyed by labor through the minimum wage and collective bargaining and by industry through the tariff.

The taxpayer wants a stabilized farm program which will give his pocketbook a break both in the marketplace and at tax time.

Our experience with the programs of the past stands as conclusive proof that those ends cannot be achieved through existing concepts.

We have learned that a program which seeks to solve farm problems by reducing acreage and prices results only in creating a vicious cycle of surpluses and depression.

Therefore, Mr. President, it is time that we profited by our mistakes and took advantage of the lessons we have learned to effect a realistic and permanent solution to our agricultural problems.

The only way we can do that is to discard completely the present patchwork of discredited farm laws and to start all over again and write an entirely new program which will get away from the compounded failures and stereotyped concepts of the past.

My long and serious study of this subject has convinced me, Mr. President, that such a program must have three fundamental objectives: First to let the farmer farm; second, to guarantee the farmer his proportionate share of the national purchasing power; and, third, to place American agricultural commodities back on the world markets at competitive prices.

I am further convinced that those objectives can never be achieved until the Federal Government is removed from the business of buying, storing, and selling agricultural commodities; until the responsibility for marketing the produce of our farms is returned to the farmer and private enterprise, where it belongs; until the farmer is freed to plant and sell as he pleases; and until the role of the Federal Government in agriculture is limited to paying the farmer the difference between the prices he receives for commodities sold for domestic consumption and 100 percent of parity.

This program is based upon the assumption that the standard of living of the United States is greater than that of any other country on the face of the earth. It is based upon the assumption that the people of the United States do not want the farmers of America who produce farm commodities for export to other markets to compete on the basis of the standard of living in countries like India, Brazil, Pakistan, Turkey, and others, where living standards are infinitely lower than ours.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. TALMADGE. I am delighted to yield to the distinguished Senator from South Dakota.

Mr. CASE of South Dakota. It is the opinion of the junior Senator from South Dakota that the distinguished Senator from Georgia is making one of the most forthright statements we have heard on the floor of the Senate, certainly in this session, and for many, many days back into the last session.

Personally I happen to believe that the Senator is correct in saying that the producer of food in this country is entitled to a fair price, full parity, for what he produces and sells for domestic consumption, because we maintain a high standard of living.

I also feel that the Senator from Georgia has said something that the country needs to hear, when he says that the farmer should be given control again over what he plants, and the management of his own farm, and that he should be permitted to produce what he desires, provided that that which is sold over and above the requirements for domestic consumption should go to the world market, and there he should recognize that it will be sold competitively with the prices in the world market. A practical plan to carry these goals into operation is one to which our efforts should be addressed. I commend the Senator from Georgia for his forthright and intelligent statement.

Mr. TALMADGE. I am deeply grateful to my warm friend from South Dakota, who in part represents one of the great agricultural States of the Union. No Member of the Senate is more zealous than is the distinguished Senator from South Dakota in seeking to protect the interests of his constituents and the farmers generally throughout the United States.

I am deeply grateful for the interest which the able Senator has shown in this subject, and I hope that before this Congress adjourns both sides of the aisle will join hands in passing some effective program which will restore the purchasing power of the farmers of this Nation to the level of the past.

I do not believe that the people of America want the farmers of the country to live in a substandard manner. I feel that the people of America want the farmers of this great Nation to own automobiles. I feel that the people of our country want the farmers to be able to send their children to college. I feel that the people of America, fairminded as they are, want the farmers of our Nation to enjoy the same standard of living that is enjoyed by nonfarmers.

As the distinguished Senator from South Dakota knows so well, at the present time the farmers of our country have a standard of living less than half that enjoyed by the nonfarmers. Yet they are engaged in the most important activity in our entire economic system. If every nonfarmer in the United States were to go on strike today, somehow, though with great difficulty, the rest of our citizens could continue to survive. But if the farmers of America were to go on strike it would be only a few days before there would be starvation in the District of Columbia, the cities of New York, Philadelphia, Chicago, San Francisco, and all the other great urban centers of the country.

The farmers of America produce all the food we eat. They produce the fiber from which our clothing is made. They grow the timber which we use to build our homes, churches, and other public buildings. Yet they have been the least rewarded segment in our entire country. It is time for us, Democrats and Republicans alike, to stand up in this, the 86th Congress, and correct this gross inequity.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. TALMADGE. I am delighted to yield to my distinguished friend from South Carolina.

Mr. THURMOND. I compliment the distinguished Senator from Georgia upon the excellent address he is making in the Senate today. It does my heart good to see someone stand up and speak on behalf of our farmers.

I believe the record shows that the income per capita among our farming population is less than one-half what it is among the nonfarming population. It is my opinion that our farmers work as hard, and contribute as much to our civilization as does any other segment of our population.

I wonder if the Senator can ascribe any reason for anyone feeling that our farmers should not receive their proportionate share of the income of the Nation.

Mr. TALMADGE. I certainly cannot. On the contrary, as the Senator so well knows, the farmers have no 40-hour week. They have no minimum wage law. They receive no overtime. They receive no time-and-a-half or double-time pay. Instead of a 40-hour week, the farmers of our Nation work, on the average, from 80 to 100 hours a week. Yet, as the Senator has so ably pointed out, they earn less than half what nonfarmers earn.

Mr. THURMOND. Those who really built this Nation, who carved it out of the forest, and were the first to establish a civilization on this continent, were farmers. Have not farmers really been the backbone of the economy of the Nation throughout the years, and should they not be given every consideration possible when we consider the entire economy of the Nation?

Mr. TALMADGE. The Senator is entirely correct. Not only have they been the backbone of our own great Nation, but also, as the Senator well knows from the study of history, those who till the soil have been the backbone of every great nation, from the Roman Empire up to the present time. When we destroy our farm economy and drive our farmers and their families to the cities, where there is a shortage of jobs, to live on a Government dole, we are destroying our country.

Mr. THURMOND. Is it not true that the great leaders of our Government and our Nation in the past were either born on farms, worked on farms, or were familiar with farm problems; and because of their out of doors living, their free and independent thought, they have been able to contribute more to the civilization of our country than they would otherwise have been able to contribute?

Mr. TALMADGE. I certainly agree with the Senator.

I thank my friend, the distinguished Senator from South Carolina, who is always diligent in his efforts to aid the farmers, not only of his own State but also of the entire Nation, for his valuable contribution and his great interest in solving the farm problem.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. TALMADGE. I am delighted to yield to my friend, the distinguished senior Senator from Washington.

Mr. MAGNUSON. I did not hear all the Senator's speech, but I heard the part wherein he was discussing the relative values and costs of farm labor.

Three of four years ago I participated in a study of the average number of hours worked by the farmer and his net return. The average net return was approximately 67 cents an hour, which caused me to remark at one time that if the farmer were not working for himself, he would have to go to jail for violating the minimum wage law.

Mr. TALMADGE. The Senator could not be more correct.

Mr. MAGNUSON. The figure may be even lower today.

Mr. TALMADGE. I should not be surprised. I know that the average farm income today throughout the Nation is less than half that earned by nonfarmers. As I earlier have pointed out, the farmers have no wage-and-hour law. They have no 40-hour week. They usually work from daylight to dark. As the Senator well knows, in many instances, such as dairy farming, the work goes on 7 days a week with no holidays whatever.

The Senator comes from a great dairying State and I myself have been engaged in the dairy business for a number of years. When I was a boy I once heard a remark made by a citizen of Telfair County, where I was born and raised, which, in a few words, described the situation of the dairymen about as aptly as I have ever heard it expressed.

He said that a dairyman needs no Sunday clothes and mighty few old ones. [Laughter.] I believe that describes the dairy farmers in our country today.

Those factors, Mr. President, were the bases of the Talmadge farm plan which I introduced during the 2d session of the 85th Congress. And the overwhelming favorable response which I have received from throughout the Nation leads me to believe that such an approach has widespread appeal not only among the farmers but also among the general public.

It is in that belief, Mr. President, that I am today reintroducing my bill and am urging its early and favorable consideration by Congress.

My plan is exceedingly simple. It proposes to free the Nation's economy of the expensive and ineffectual farm laws which have caused the present disastrous agricultural depression and to restore American agriculture to a free-enterprise basis, bolstered by a system of compensatory payments limited to domestically consumed basic commodities.

My bill entitled "Agricultural Income Equalization Act of 1959" would achieve those ends through inaugurating an easily understood, five-point program. Its provisions are as follows:

First. Eliminate all acreage controls and Government loans.

Second. Assign each farmer growing basic commodities a domestic production

quota to be expressed in terms of unit measurements—pounds, bushels, bales, and so forth—which would be the same percentage of the national consumption of basic commodities that the farmer's average annual production for the preceding 5 years bears to the total national average production for the same period.

Third. Guarantee and pay to each farmer a sales price support of the difference between the price he receives for his domestic production quota and 100 percent of parity;

Fourth. Require each farmer to submit a bill of sale with his application for sales price-support payments; and

Fifth. Impose a maximum of $25,000 on the amount of sales price support which any individual farmer could receive.

Mr. President, this part of the bill, limiting price supports the Government could pay any one farmer to $25,000, is intended to eliminate the tremendous raids by large corporation-type farmers on the Federal Treasury which have been experienced under existing laws. One such farmer in Mississippi, received over a million dollars in Government price supports in one year. Another one, I believe in Kansas, received in excess of $600,000 of the taxpayers' money in one 12-month period.

Price supports for farm commodities are not needed by the wealthy corporation-type farmers who deal in hundreds of thousands and millions of dollars. Price supports for farm operations are needed by the small family-type farmer who lives on his land and tills it with his own hands and who raises his children to become useful and outstanding citizens. That is the kind of farming we ought to talk about and attempt to further when we are providing price supports for the farmers of our land.

Mr. LONG. Mr. President, will the Senator yield?

Mr. TALMADGE. I am delighted to yield to my good friend from Louisiana.

Mr. LONG. I wish to congratulate the Senator from Georgia on working out one of the most constructive programs I have heard advanced. It seems to me that he has evolved the basis of a workable program to save the American farmer. Unless something along the line suggested by the Senator from Georgia is done, millions of small farmers, who, as the Senator has said, are the backbone of America, will be forced out of farming.

Mr. TALMADGE. I thank my friend from Louisiana, who is always interested in the plight of those who work, both farmers and nonfarmers. The bill proposes to give to those who work on the farms the same protection that is given to organized labor under minimum wage laws, and to those who work on jobs in interstate commerce. It proposes to give to those who farm the same type of protection that our industries enjoy by way of subsidies and protective tariffs.

I may say to the Senator from Louisiana that I am enough of an old-fashioned Jeffersonian Democrat to believe that all of us ought to be free, and that Government should leave us alone. That would suit me fine. If the Government would do that, farmers could adequately take care of themselves. However, the farmers must not be the one group which is left without any protection whatever. The farmers cannot be the only group placed in the position of having to "root, hog, or die," while other segments of the population are supported by wage and hour laws, collective bargaining, subsidies, and protective tariffs.

I am enough of a realist to understand—and I know the Senator from Louisiana also understands—that Congress will not repeal the wage and hour laws, that Congress will not withdraw from labor the benefits of collective bargaining, that Congress will not repeal the various subsidies granted to industry, and that Congress will not repeal protective tariffs which protect certain segments of our industry. And I know of no one who would advocate that Congress do so. Therefore, the only course by which we can place our farm population on a coequal status with our nonfarm population, is to enact a law to protect those who till the soil and provide the food and fiber which we utilize in our country.

Mr. LONG. Mr. President, will the Senator yield further?

Mr. TALMADGE. I am delighted to yield further to the Senator from Louisiana.

Mr. LONG. The Senator well knows that there are a great many other laws, which he has not mentioned, which assist labor and subsidize industry. One of the laws which benefit labor is the Bacon-Davis Act.

Mr. TALMADGE. Yes.

Mr. LONG. The average laboring man would rather come under the provisions of the Bacon-Davis Act than under any minimum wage act, because under the Bacon-Davis Act the minimum wage is frequently about three times higher than under the minimum wage act.

Mr. TALMADGE. The Senator is entirely correct. There are a great many such laws. I merely mentioned one or two. The Senator from Louisiana is entirely correct about it.

Mr. LONG. Mr. President, will the Senator yield further?

Mr. TALMADGE. I am delighted to yield.

Mr. LONG. The Senator no doubt has considered the enormous subsidies given to American industry in connection with the $4 or $5 billion of foreign aid which we appropriate every year.

We send to other countries the manufactured articles and call it military aid. If we simply purchased the weapons and shipped them, they would serve the same purpose. As a matter of fact, it might be more satisfactory if we merely sent the money to the other countries and let them decide how they wanted to spend it for weapons, because they could then purchase satisfactorily weapons at half the price, although it is true that American industry would lose the benefit of the sales.

Mr. TALMADGE. The Senator is most certainly correct. Each year we are shipping to countries overseas, for soft currencies which we are lending back to the nations involved, with little or no hope of any repayment, about a billion and a half dollars in agricultural surpluses. That is being charged to the farmers of America, but the Senator well knows it is a foreign aid program.

Many other things of that kind are saddled on the backs of the American farmers, wholly without reason. Certainly if it had been left to the farmers of the country to decide, we would not have given Tito a billion and a half dollars worth of goods, commodities, and arms at the expense of the taxpayers, and especially the farmers, of the Nation. I do not believe we would be shipping goods to Communist Poland. But that is being done and the cost is being charged to the farm program.

Mr. LONG. As I understand, the Senator from Georgia is urging that we treat the American farmer as fairly as we treat the average American workingman or average American businessman, and on the same basis.

Mr. TALMADGE. The Senator's observation is correct. He has put his finger on what I am trying to accomplish through my bill.

The cost of the proposed legislation would depend upon the resulting free market price levels of the basic commodities, but in any event would be considerably less than that of the present program. It likely would vary between $1.5 and $2.5 billion, and the agricultural experts of the Legislative Reference Service of the Library of Congress estimate its savings to the taxpayers at between $2 and $3 billion a year.

Furthermore, whatever the cost, it would assure that every farm program dollar went into the pockets of the American farmers which decidedly is not the case at the present time.

If my memory serves me correctly, we are at present spending more than a million dollars a day of the taxpayer's money to store surplus farm commodities.

For the benefit of the new Members of the Senate, Mr. President, I wish to reiterate the advantages of the Talmadge farm plan, which I outlined before the Senate last year.

It would let the farmer plant what he wants and sell it as he pleases.

It would take the Federal Government out of the business of buying, storing, and selling farm commodities, and would place the responsibility for marketing with the farmer and private enterprise where it belongs.

It would guarantee the farmer his proportionate share of the national purchasing power and restore agriculture to a free enterprise, competitive base.

It would end the accumulation of the national farm surplus which has glutted the Nation's markets and stagnated its economy.

It would make the national farm program an estimable budget item which would remain relatively stable over the years.

It would mean lower prices to both the consumer and industry and would put American agricultural products, both raw and processed, back on the world markets at competitive prices.

One of the most ironic features of the present farm program is that the great textile industry, which employs hundreds of thousands of persons throughout the length and breadth of the United States, is now on the point of being forced out of business, not only because of competition from foreign countries, where the wage level is roughly one-tenth of what it is in the United States, but also because the cotton produced in Georgia, Texas, California, and any of the other great cotton-producing States, is sold for from $35 or $40 a bale cheaper in India, Burma, Pakistan, and Japan than the price which the textile manufacturer in this country will pay for it.

When we penalize our own American industry to the extent of $35 or $40 a bale in purchasing raw cotton, something is fundamentally wrong with such a system, a system which permits cotton to be sold for less overseas to foreign competitors than it costs American citizens who pay taxes in the United States to produce it.

Mr. President, the bill would give the farmer protection equivalent to labor's minimum wage and industry's tariff.

It would mark a new and fresh start which would get away from the stereotyped concepts and failures of the past.

Mr. President, I do not present my plan as any complete solution to the Nation's farm problems. But I do feel quite strongly that the expressions of approval and support which it has attracted since first offered indicates that it affords a basis upon which agreement on a new national farm program can be reached.

I believe with all my heart that Congress owes it to the farmers of the United States to give them a workable and productive farm program. I pledge my wholehearted effort and unstinted cooperation to all those who feel as I do in seeking to write and enact such a program.

Mr. President, the bill is introduced in behalf of myself and the distinguished senior Senator from South Carolina [Mr. JOHNSTON]. I ask that it be read twice and appropriately referred; and I ask unanimous consent that the text of the bill be printed in the RECORD as a part of my remarks.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 306) to provide a new farm program for basic agricultural commodities under which excessive and burdensome Federal controls on agriculture will be eliminated, and under which American agriculture will be restored to a free enterprise basis, introduced by Mr. TALMADGE (for himself and Mr. JOHNSTON of South Carolina), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Agricultural Income Equalization Act of 1959".

DECLARATION OF POLICY AND PURPOSE

SEC. 2. It is hereby declared to be the policy of Congress to afford to the farmers of the United States legislative protection and assistance equivalent to that received by other segments of the national economy. It is recognized that previous farm legislation has failed to achieve that end, and that a policy of reduced acreage and reduced prices leads only to reducing farm income to a disastrous level. Therefore, it is the purpose of Congress, in enacting the program provided for in this Act, to free the Nation's economy of the burdens of abortive farm laws and to restore American agriculture to a free enterprise basis bolstered by a system of compensatory payments. The objectives of Congress in so doing are (1) to let the farmer farm, (2) guarantee the farmer his proportionate share of the national income, and (3) place American agricultural commodities back on the world market at competitive prices.

DOMESTIC CONSUMPTION QUOTA

SEC. 3. The Secretary shall proclaim each year a domestic consumption quota for each basic agricultural commodity. Such quota shall be proclaimed in terms of pounds, in the case of tobacco, rice, and peanuts; bushels, in the case of corn and wheat; and bales, in the case of cotton. The domestic consumption quota for any year for any such commodity shall be the amount of such commodity consumed domestically during the immediate preceding year. Proclamations made by the Secretary pursuant to this section shall be made at such times as he deems appropriate.

ASSIGNMENT AND DETERMINATION OF FARM DOMESTIC PRODUCTION QUOTAS

SEC. 4. (a) The Secretary shall assign each year, after the effective date of this Act, to every eligible farm on which is produced a basic agricultural commodity a domestic production quota for such commodity. The domestic production quota for any such farm with respect to any such commodity shall be determined by the Secretary in terms of pounds, in the case of tobacco, rice, and peanuts; bushels, in the case of corn and wheat; and bales, in the case of cotton.

(b) Any farm in order to be eligible to receive a domestic production quota for any basic agricultural commodity pursuant to this section must have received an acreage allotment under the Agricultural Adjustment Act of 1938, as amended, for such commodity during the twelve calendar months prior to the enactment of this Act.

(c) The domestic production quota for any farm in any year for any basic agricultural commodity shall be an amount of such commodity which bears the same ratio to the domestic consumption quota (less any portion withheld pursuant to subsection (d)) for such commodity for such year (as proclaimed by the Secretary) as the average production from the acreage allotment for such farm for the five-year period 1954 to 1959, inclusive, bears to the average annual production from the national acreage allotment (in the case of tobacco, from the total of all State acreage allotments) for such commodity for such period.

(d) The Secretary shall withhold from the domestic consumption quota, proclaimed pursuant to section 3, in any year for any basic agricultural commodity an amount of such quota not to exceed 2 per centum for use in making domestic consumption quotas available to new farms. From any such amount withheld, the Secretary shall make available farm domestic production quotas to farms ineligible for quotas under subsection (b) of this section. The Secretary shall prescribe requirements of eligibility for new farms and shall assign farm domestic production quotas on as equitable a basis as possible.

COMPENSATORY PAYMENTS

SEC. 5. (a) Any producer whose farm has been assigned a domestic production quota pursuant to section 4 for any basic agricultural commodity shall receive compensatory payments for such quota as provided in this section.

(b) The Secretary shall pay to any such producer, with respect to any such commodity produced on his farm within such quota, the amount, if any, by which the parity price for such commodity (at the time such commodity is sold by him) exceeds the market price for such commodity (at the time such commodity is sold by him).

(c) No producer shall be paid a compensatory payment except upon presentation by him of a receipt of sale of the commodity produced by him. He may receive compensatory payment upon any portion of his quota for which a receipt of sale is submitted. In no event shall any producer be paid an amount in excess of $25,000 in compensatory payments for any one year.

(d) Compensatory payments shall be made in such manner and at such time as the Secretary shall prescribe, and receipts of sale required under this section shall be in such form and contain such information as he shall prescribe.

(e) No compensatory payment shall be made to any producer for any basic agricultural commodity sold by him more than six months after the end of the marketing year (as defined by the Secretary) for such commodity.

APPLICABILITY

SEC. 6. The provisions of this Act shall apply to farms in the several States and Territories, and in the District of Columbia and Puerto Rico.

PUBLICATION AND NOTICE OF FARM DOMESTIC PRODUCTION QUOTAS

SEC. 7. All domestic production quotas assigned to farms in a county or other local administrative area shall, in accordance with regulations of the Secretary, be made and kept freely available for public inspection in such county or other local administrative area. Notice of the farm domestic production quota assigned to a farm shall be mailed to the owner or operator of such farm.

REVIEW OF ASSIGNED QUOTAS

SEC. 8. (a) Any farmer who is dissatisfied with the farm production quota established for his farm may, within fifteen days after mailing to him of notice as provided in section 7, have such quota reviewed by a local review committee of three farmers from the same or nearby counties appointed by the Secretary. Unless application for review is made within such period, the original determination of the farm domestic production quota shall be final.

(b) The members of the review committee shall receive as compensation for their services the same per diem as that received by the members of the committee utilized for the purposes of the Soil Conservation and Domestic Allotment Act, as amended. The members of the review committee shall not be entitled to receive compensation for more than thirty days in any one year.

INSTITUTION OF PROCEEDINGS

SEC. 9. If the producer is dissatisfied with the determination of the review committee, he may, within fifteen days after a notice of such determination is mailed to him by registered mail, file suit against the review board as defendant in the United States district court, or institute proceedings for review in any court of record of the State having general jurisdiction, sitting in the county or the district in which his farm is located, for the purpose of obtaining a review of such determination. Bond shall be given in an amount and with surety satisfaction to the court to secure the United States for the cost of the proceeding. The bill of complaint in such proceeding may be served by delivering a copy thereof to any one of the members of the review committee. There-

upon the review committee shall certify and file in the court a transcript of the record upon which the determination complained of was made, together with its findings of fact.

COURT REVIEW

SEC. 10. The review by the court shall be limited to questions of law, and the findings of fact by the review committee, if supported by the evidence, shall be conclusive. If application is made to the court for leave to adduce additional evidence, and it is shown to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the hearing before the review committee, the court may direct such additional evidence to be taken before the review committee in such manner and upon such terms and conditions as to the court may seem proper. The review committee may modify its findings of fact or its determination by reason of the additional evidence so taken, and it shall file with the court such modified findings or determination, which findings of fact shall be conclusive. At the earliest convenient time, the court, in term time or vacation, shall hear and determine the case upon the original record of the hearing before the review committee, and upon such record as supplemented, if supplemented, by further hearing before the review committee pursuant to direction of the court. The court shall affirm the review committee's determination, or modified determination, if the court determines that the same is in accordance with the law. If the court determines that such determination or modified determination is not in accordance with law, the court shall remand the proceeding to the review committee with direction either to make such determination as the court shall determine to be in accordance with law or to take such further proceedings as, in the court's opinion, the law requires.

STAY OF PROCEEDINGS AND EXCLUSIVE JURISDICTION

SEC. 11. The commencement of judicial proceedings under this Act shall not, unless specifically ordered by the court, operate as a stay of the review committee's determination. Notwithstanding any other provision of law, the jurisdiction conferred by this Act to review the legal validity of a determination made by a review committee pursuant to this Act shall be exclusive. No court of the United States or of any State shall have jurisdiction to pass upon the legal validity of any such determination except in a proceeding under this Act.

NO EFFECT ON OTHER QUOTAS

SEC. 12. Notwithstanding any increase of any farm as a result of review of the determination thereof under this Act, the domestic production quota for other farms shall not be affected.

REPEALS; EFFECT ON SOIL BANK ACT

SEC. 13. (a) The Agricultural Adjustment Act of 1938, as amended, and title I of the Agricultural Act of 1949, as amended, are repealed as of the effective date of this Act.

(b) The Secretary shall not after the date of the enactment of this Act enter into any contract under the provisions of subtitle A of the Soil Bank Act. The provisions of section 114 of such Act, relating to compliance with acreage allotments, shall be ineffective after the effective date of this Act. Except with respect to compliance with acreage allotment requirements, nothing in this Act shall be construed as altering the terms of any contract entered into under the provisions of the Soil Bank Act.

RULES AND REGULATIONS

SEC. 14. The Secretary is authorized and directed to issue such rules and regulations as may be necessary to carry out the provisions of this Act.

UTILIZATION OF LOCAL AND COUNTY COMMITTEES

SEC. 15. In carrying out the provisions of this Act, the Secretary may utilize the local and county committees established pursuant to section 8 (b) of the Soil Conservation and Domestic Allotment Act, as amended.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 16. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

EFFECTIVE DATE

SEC. 17. The provisions of this Act shall become effective on December 31, 1959, except that the Secretary may by proclamation make such provisions effective with respect to any basic agricultural commodity prior to December 31, 1959, if he finds that such action will effectuate the policy and purpose of this Act as declared in section 2. In the event the provisions of this Act are made effective with respect to any basic agricultural commodity prior to December 31, 1959, the repeal of the Agricultural Adjustment Act of 1938, as amended, and the repeal of title I of the Agricultural Act of 1949, as amended, under section 13 (a), shall become effective with respect to any such commodity as of the date the Secretary proclaims the provisions of this Act effective with respect to such commodity.

DEFINITIONS

SEC. 18. As used in this Act—

(1) The term "Secretary" shall mean the Secretary of Agriculture;

(2) The term "basic agricultural commodity" shall mean tobacco, corn, cotton, wheat, rice, and peanuts, respectively;

(3) The term "parity price" shall mean parity price as such term was defined in section 301(a)(1) of the Agricultural Adjustment Act of 1938, as amended, prior to the effective date of this Act; and

(4) The term "producer" shall mean an individual, partnership, firm, joint-stock company, corporation, association, trust, or estate.

Mr. CARLSON. Mr. President, will the Senator from Georgia yield?

Mr. TALMADGE. I am happy to yield to the distinguished Senator from Kansas.

Mr. CARLSON. Senators have just had the opportunity to hear a most learned and studied discussion and analysis of the farm problem by the distinguished Senator from Georgia. Personally, I have appreciated very much his statement. I concur in the suggestions he has made, as they reflect what I believe the farmer has in mind and what he desires.

For instance, I believe I quote the Senator correctly as saying that he thought the farmer was entitled to conduct his farm operations as he desired. I think the history of farm legislation proves that the allotment acreage and marketing quotas have not solved the farm problem.

I have said on the floor of the Senate on previous occasions that the farm problem will not be solved by flexible or inflexible parity prices. I think the Senator from Georgia has made an excellent suggestion.

The second point, as I noted it, was that the American farmer desires but one thing, namely, his fair share of the national income. I in part represent an agricultural State, and I find that is generally true. All farmers ask is their fair share of the national income.

The third point made by the Senator from Georgia, as I understood him, was that we must market our farm commodities at such prices in the world market as will enable us to dispose of our surpluses. It is to that point that I wish to speak for a few minutes.

Mr. President, it seems to me that the No. 1 farm problem this year is our wheat surplus. Present indications are that the stock of Government surplus wheat will exceed 1,300,000,000 bushels on next June 30. The Government will have in excess of $3 billion invested in that surplus stock, plus an additional cost of more than half a million dollars a day for storage of the wheat.

The distingushed Senator from Georgia mentioned storage charges of a million dollars a day, I believe; I think that is for all commodities. For wheat alone, the Government is paying storage charges of half a million dollars a day.

All of us must agree that the acreage allotments and the marketing quotas have not solved the wheat problem.

I represent, together with my distinguished colleague, the senior Senator from Kansas [Mr. SCHOEPPEL], who is on the floor at this time, the largest winter wheat producing State in the Nation. Normally, Kansas grows approximately one-fourth of the Nation's winter wheat. This year, Kansas will grow more than one-fourth of the Nation's winter wheat.

We who live in Kansas have followed the allotment program. In 1951, Kansas planted approximately 18 million acres of wheat. Following the allotment program, and at the present time, Kansas is now planting 10,300,000 acres of wheat—which shows that we have greatly reduced our wheat acreage. But in 1958, the second largest crop of winter wheat in the Nation's history was produced.

Mr. CASE of South Dakota. Mr. President, will the Senator from Kansas yield to me?

Mr. TALMADGE. Mr. President, I ask unanimous consent that I may yield, in order that the Senator from South Dakota may address some questions to the Senator from Kansas.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CASE of South Dakota. Mr. President, to the able Senator from Kansas, I should like to say that I think his remarks on wheat are most appropriate at this time.

In connection with the increased production of winter wheat, I desire to observe that in the past year in South Dakota the production of winter wheat increased both in acreage and in bushels per acre. The production of both winter wheat and spring wheat in South Dakota this year was more than double the 10-year average. The acreage of winter wheat was much larger, in proportion to the total amount planted to wheat, than it has been in previous years. So the South Dakota wheat growers contributed substantially to the total increase this year.

In the past year we had some yields of winter wheat as large as 70 bushels, which is exceptional for South Dakota. The yield was outstanding this year. But we had many fields of winter wheat which yielded from 45 to 60 bushels an acre, which is far above the average, and resulted in a total average production of winter wheat in excess of 31 bushels, I believe, if my memory is correct; and in the case of spring wheat, the average was 21 bushels, which is about twice the 10-year average.

Mr. CARLSON. Mr. President, will the Senator from Georgia yield further to me?

Mr. TALMADGE. I am delighted to yield again to my friend, the Senator from Kansas.

Mr. CARLSON. I mentioned the fact that Kansas was the largest grower of winter wheat in the Nation; and then my distinguished friend, the Senator from South Dakota, began to speak of averages. I was going to discuss the averages for Kansas, this year. The average in South Dakota exceeded the Kansas average by approximately 4 bushels an acre, if the South Dakota average was 31 bushels an acre.

This year in Kansas we had a record average of 27 bushels an acre. Normally our average is from 13 to 19 bushels an acre, depending on varying crop conditions. But this year was a good crop year in the case of winter wheat, and also in the case of spring wheat; and it was for that reason that the Nation has had a crop of 1,449,000,000 bushels.

When we realize that the Nation uses, for domestic consumption, including seed and feed, approximately 750,000,000 bushels, the crop this year will mean that the carryover next June 30 will be approximately 2 years' crops.

I believe that every wheat grower knows this situation cannot continue; and every taxpayer also knows that it must not continue.

I believe it is up to the Congress to take action at this session on a program which will begin to solve the problem.

I realize the problem is a difficult one. But I call attention to the fact that the National Association of Wheat Growers, at its annual convention in Denver, Colo., December 10–13, 1958, received a report from a committee which made a thorough study of the wheat situation. The study was made under the direction of Herbert J. Hughes, of Nebraska, chairman; Glen Bayne, of Washington, vice chairman; and Leslie F. Sheffield, of Nebraska, secretary. They submitted to the convention—and it was approved by the convention—a report which contains recommendations which, in my opinion, are very sound, and should receive consideration by the Senate Committee on Agriculture and Forestry, of which the distinguished Senator from Georgia [Mr. TALMADGE] is a member, and of which my colleague from Kansas [Mr. SCHOEPPEL] is also a member. The problem is one which I think must be solved.

I was very much pleased to hear the distinguished Senator's discussion this afternoon of the farm problem as a whole.

Mr. President, I ask unanimous consent that the report of the farm program committee of the National Association of Wheat Growers be printed at this point in the RECORD, as a part of my remarks.

The PRESIDING OFFICER. Without objection——

Mr. CASE of South Dakota. Mr. President, reserving the right to object, although I do not intend to object, let me ask whether the Senator from Kansas can advise us whether those resolutions deal with the subject of bushel quotas, rather than acreage allotments. Do the resolutions deal with that point?

Mr. CARLSON. Mr. President, if the Senator from Georgia will permit me to continue——

Mr. TALMADGE. I am glad to yield further to the distinguished Senator from Kansas.

Mr. CARLSON. Then, Mr. President, let me say that at the Denver meeting, and as the resolutions were adopted, the National Association of Wheat Growers went on record as favoring elimination of the acreage allotments, and as favoring allotments on the basis of a certain number of bushels per farm. In my opinion that would be a great improvement, particularly in the case of the wheat-producing sections of what I would call the more arid areas of the Nation, for the reason that in many years the farmers in such sections do not have bountiful harvests; in fact, sometimes there are crop failures. If such a farmer were permitted to grow wheat in years of good production, and were required to keep the wheat stored under bond, then he would have some wheat to sell in years when he did not raise any. That would not make more wheat available for the market in such years; but it would give the farmer, the State, and the Nation a more continuous income; and in the wheat-growing areas that is important from an economic standpoint.

Mr. CASE of South Dakota. Mr. President, further under the reservation of objection, let me say that I am glad to learn that the wheat growers so express themselves, for—as the able Senator from Kansas will recall—the change from an acreage allotment basis to a bushel quota basis was one of the features of the proposal which I had the privilege of joining the Senator from Kansas in making to the agricultural bill, as passed by the Senate in 1956. Later, that proposal was lost in conference; but I think it was one of the features of the proposal the Senator from Kansas made at that time, and in which I was happy to join.

Mr. CARLSON. Mr. President, in order that it may be made a part of the RECORD, I should like to read the statement on that point which was adopted by means of the first resolution. It reads as follows:

We propose that acreage allotments and checking of compliance along with current marketing quotas for wheat be eliminated and that a marketing allotment expressed in bushels be assigned to each farm. The marketing allotments would be based on wheat base acreage for the farm multiplied by the normal yield per acre and factored to the county allotment. Local committees would make adjustments in individual cases from the base acreage.

Mr. CASE of South Dakota. Mr. President, I thank the Senator from Kansas, and I also thank the Senator from Georgia.

I withdraw my reservation of objection.

Mr. CARLSON. Mr. President, I wish to express my thanks to the distinguished Senator from Georgia [Mr. TALMADGE].

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kansas?

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT OF THE FARM PROGRAM COMMITTEE, NATIONAL ASSOCIATION OF WHEATGROWERS ANNUAL MEETING

This committee believes that the most important problem of the wheatgrower today is that of maintaining sufficient income to purchase the products of industry and labor and retain a satisfactory standard of living in the face of reduced acreage and rising costs of production.

It is the opinion of this committee, that lower prices for wheat will not aid in solving the problem of excess supplies, either by reducing production or noticably increasing consumption, but will only serve to increase the margins of marketing cost between the producer and consumer.

We recommend that the National Association of Wheat Growers vigorously oppose any attempt to abandon the parity concept. This has been the foundation upon which farm programs and determination of purchasing power for farmers has been based, in comparison with other segments of our economy; however, we recommend that the base period for computing parity be shifted from the 1910–14 period now used to the 1947–49 period which is used for various computations by both labor and industry.

In any evaluation of the present program which resulted in the 1958 wheat crop of 1,449,000,000 bushels and a prospective carryover next July 1 in excess of 1,300,000,000 bushels, it is evident that the present production control laws are inadequate. A new approach is needed to stabilize production at a level which will result in a progressive reduction of Commodity Credit Corporation wheat stocks while stabilizing wheatgrowers' income.

In drafting this committee report, the committee kept in mind the following four basic concepts:

1. Wheatgrowers' net income must be maintained if they are to reduce production below the current level.

2. The buildup of Commodity Credit Corporation wheat stocks must be stopped and gradually reduced to a normal level.

3. Further reduction in acreage of wheat must not be shifted to other crops.

4. Increased yields per acre must not be reflected in increased Government holdings of wheat.

A. To accomplish the above four objectives, we recommend the following production and income stabilization plan which will give wheatgrowers more freedom in the management of their farming operations and at the same time improve their economic welfare:

1. We propose that acreage allotments and checking of compliance along with current marketing quotas for wheat be eliminated and that a marketing allotment expressed in bushels be assigned to each farm. The marketing allotments would be based on wheat base acreage for the farm multiplied by the normal yield per acre and factored to the

county allotment. Local committees would make adjustments in individual cases from the base acreage.

2. We propose that base acreages for counties and States should be the average of the 1952–53 planted acreage. In computing the marketing allotments for States and counties, the formula should be based on the average of the 1952–53 planted acreage and the normal yields should be based on the period which provides the most equitable relationship between counties and States.

3. We recommend that the national marketing allotment be determined annually on the following bases:

(a) Estimated amount used for food in United States, 485 million bushels, 1958.

(b) Estimated U.S. wheat exports, 430 million bushels, 1958.

(c) Minus amount to be moved out of CCC wheat stocks each year, —75 million bushels.

(d) National marketing allotment, 840 million bushels, 1958.

(These figures are an example for 1958.)

4. We recommend that price support on this marketing allotment be available to every wheatgrower at not less than $1.60 per bushel national average. In addition, a certificate for each farm's percentage share of the domestic food market (approximately 485 million bushels or 60 percent of each farm's bushel allotment) would be available, redeemable in an amount which would return full parity to the producer on this amount of his production; provided, an acreage equal to 20 percent, but not more than 30 percent of the wheat base for the farm, were put in the conservation reserve. Neither the $5,000 limitation on payments nor the depletion of the soil bank base requirements would apply in this case; however, a suitable cover must be maintained on the acreage placed in the conservation reserve.

5. We recommend that funds for the redemption of the certificates be provided by purchases of the certificates by processors. Taxpayers thus would be relieved of a major part of the present export subsidy costs plus a reduction in the CCC storage costs for wheat each year.

6. We recommend that there be no restrictions on the utilization of wheat on farms where produced or when sold to other farmers or a bonded feed processor.

7. We recommend that at least 500 million bushels of current CCC wheat stocks be set aside in a defense stockpile, since it is generally recognized that a supply of wheat reduced to a level not depressing to the market would be unsafe under current world tensions. The costs of storing such a wheat stockpile would be greatly reduced if bids were asked on a 5-year storage contract with a schedule of premiums and discounts for quality that would permit turning of stocks by warehousemen. Contracts for storage of these strategic reserves of wheat should be awarded on a basis which would provide adequate dispersal among the producing States as a defense precaution.

8. We recommend that this program be offered to farmers in a national referendum and that a simple majority of those voting in favor be sufficient to make it effective. Eligibility for voting should be based on those eligible to vote in the last wheat marketing quota referendum.

9. We wish to emphasize that we are unalterably opposed to any reduction in the current support rate unless it is done in adopting the entire program previously outlined.

B. Until such time as the program above outlined is enacted into law and becomes effective, we recommend the following changes or corrections be made in the current farm program:

1. We recommend that the National Association of Wheat Growers support the provisions contained in Senate bill 1436 of the 85th Congress, 1958, having to do with administration of farm programs by democratically elected farmer committeemen.

2. We recommend that the National Association of Wheat Growers support corrective legislation to provide that no wheatgrower who overplants his allotment will be penalized by loss of wheat history in computing future allotments when no excess wheat is produced to be stored because of loss of crop in accordance with the Secretary's regulations.

3. We recommend that wheat-growers not be penalized by loss of wheat history in computing future allotments when the grower underplants his allotment to deplete excess wheat on his farm.

4. We recommend that marketing cards instead of marketing certificates be issued in the case of a downward adjustment of excess wheat because of underproducing the normal yield.

5. We recommend that the 1952–53 average wheat planting as adjusted by committees be the base in computing individual farm allotments.

6. We recommend that in computing excess wheat subject to penalty the actual yield be used instead of the normal yield.

7. We believe that the present system of measuring wheat acreages with tape or chain is unduly expensive, less accurate, and less efficient than prior methods used; therefore, we recommend that the prior system be used.

8. We recommend that the regulation on conservation reserve contracts which provides a date for starting cropping operations on the diverted acre portion in the final year of the contract be in accord with normal summer fallow procedures in the affected areas.

9. We recommend to feed-grain producers that they give serious consideration toward an accelerated program of cropland retirement into the conservation reserve in order to assume their share of the responsibility for reducing total agricultural output.

10. We recommend that the National Association of Wheat Growers urge the Secretary of Agriculture to place a qualified wheatgrower in a position at the policymaking level in the Department of Agriculture in order to give guidance and a better understanding of wheatgrower problems.

C. The committee report as herein outlined was adopted by unanimous vote, and we recommend its approval by the voting delegates of the National Association of Wheat Growers.

Mr. TALMADGE. I thank the distinguished Senator from Kansas for his great contribution to a solution of this grave problem with which our country is faced. I particularly thank him for his generous remarks about me.

I yield next to my warm friend and my distinguished colleague on the Committee on Agriculture and Forestry, the senior Senator from Kansas [Mr. SCHOEPPEL].

Mr. SCHOEPPEL. Mr. President, I wish to express my appreciation to the distinguished junior Senator from Georgia, to whose remarks with reference to his farm program I have just listened. I wish to say I have been very deeply interested, as has the distinguished Senator from Georgia who has just spoken, with reference to the farm problem and an effective farm program. I am appreciative of the fact that the distinguished Senator from Georgia has outlined today some very important matters for the consideration of the Senate.

I do not know how the questions he has raised are to be decided, but in my association with the junior Senator from Georgia on the Agriculture and Forestry Committee I have found that he has been thorough, aggressive, and alerted to the problem. I am more appreciative of his efforts than I can indicate at this time, because, coming from the South, and one of the great States in the Southland, he has shown a disposition to be considerate of the farm problems of many of us, such as the one with which we in the State of Kansas, in the case of wheat, now find ourselves confronted, about which it will be necessary to take some action.

I am especially anxious to make sure that when these matters come before our committee we shall have the opportunity, after hearings and discussions, to devise a practical and fair solution of this problem, which, if something is not done about it, will certainly continue to plague us, as it has plagued us in the past.

Mr. President, while I am on my feet——

Mr. TALMADGE. Mr. President, will the Senator yield to me for a response, before he goes to another subject?

Mr. SCHOEPPEL. Yes.

Mr. TALMADGE. I desire to thank my warm friend, the distinguished senior Senator from Kansas, for his remarks and for the contribution he has made to this discussion. I have had the privilege and pleasure of sitting beside the able senior Senator from Kansas on the Agriculture and Forestry Committee for the past 2 years. I know of no Member of the Senate or of the Committee on Agriculture and Forestry who is more concerned with the problems of farmers, not only of the wheat farmers of his own State, but also of farmers generally throughout the length and breadth of America.

I am sure the distinguished senior Senator from Kansas will continue that effort, along with all of us who want to see this problem solved in such a way as will provide a workable farm program which will permit farmers to farm, which will guarantee them their fair share of the national income, and which will take the Government out of the buying business, out of the storing business, out of the warehousing business, out of the selling business, and let those activities go back into the channels of private trade, where they properly belong.

If I may have the attention of the junior Senator from Kansas [Mr. CARLSON], I believe in his remarks he stated the cost of storing wheat alone at the present time is $500 million a day.

Mr. CARLSON. If the Senator will yield for a correction, the accurate figure is $500,000 a day.

Mr. TALMADGE. The Senator is correct—$500,000 a day. The other day I read somewhere, in one of the farm magazines or press releases, that the figure has now gone up to $700,000 a day.

There is no justification whatever for the Government being in the business of buying, warehousing, selling, and marketing of farm products. The Government's price support program is designed only to enable farmers to get their fair

share of the national income. It would be far more economical, for the Government to pay a farmer the difference between a fair price and his actual price, limited to a fair sum that would permit the family-type farmer to continue his operations, than to dish out hundreds of thousands and sometimes millions of dollars of the taxpayers' money to gigantic corporation farms.

I yield now to the distinguished Senator from Alabama [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. President, first, I wish to extend my appreciation and thanks to the distinguished and able Senator from Georgia, who is a member of the Senate Committee on Agriculture and Forestry, and who has done so much work in the interest of getting a real agricultural program enacted into law. I am sure he feels, as I do, that we simply must enact a permanent, long-range agricultural program. So far, we have been working from year to year, with expediency programs, to carry on for a little while. We shall never solve vexing agricultural problems until we provide a long-range program.

I compliment the Senator from Georgia for the start he has made in that direction. He introduced a similar comprehensive bill in the last Congress, rather late in the session, as I understand—in fact, I believe he said so on the floor of the Senate—for the purpose not of getting the bill enacted into law last year, but in order to give people something to think about and talk about. I know there has been a great deal of thinking and a great deal of discussion about the measure.

I hope the Senator from Georgia, with his associates on the Senate Committee on Agriculture and Forestry, will be able to push through this year an adequate long-range farm program. I certainly hope that a part of that program will involve something which I have felt for a long time we must have if we are to reach a solution, and that is a program of research, particularly if we are to find a way to handle the surpluses which plague us from time to time.

As compared to other industries agriculture probably has had the least number of adequate research programs, so far as concern uses and techniques for handling farm products, the matter of better distribution, better marketing, and better trade in the world, and all aspects of the problem which could be helped materially by a good research program.

We certainly ought to be able to dispose of our surpluses, when we consider the fact that perhaps three-quarters of the world is in short supply of the commodities we have in surplus supply.

One of the things I have often thought about is that, considering the tremendous increase in the population occurring here, the time will come when we are going to be even more appreciative than we are today of the fact that we are able to produce in abundance. I believe an adequate research program will help toward solution of many of the present problems, and I earnestly hope the Senator will include provision for such a program in the farm proposal he advocates before the committee this year.

Mr. TALMADGE. I thank my warm friend from Alabama for the kindness of his remarks. No Member of the Senate has had a more zealous interest in the welfare of the farmers of his State and of the Nation than has the distinguished Senator from Alabama.

I agree wholeheartedly with the remarks of the distinguished Senator with reference to research. We have spent a great deal of money for farm research. Most of it has been spent to increase production, rather than to utilize the commodities once they are produced. We need more research into ways of utilizing what we produce. Increased research will help in that regard. Unfortunately, research is lagging greatly at the present time.

At the last session the Senate, by a unanimous vote, as I recall, passed a bill in line with the suggestion of the able Senator, but the bill did not pass the other body, and did not become law.

I join enthusiastically with the Senator in expressing the hope that we can pass a bill for more research to utilize the agricultural commodities we now have in such superabundant supply.

Mr. SPARKMAN. Mr. President, will the Senator yield further?

Mr. TALMADGE. I am happy to yield.

Mr. SPARKMAN. I should like to mention to the Senator another matter, which really is not a part of the comprehensive program, but is more or less a temporary measure with respect to what is felt to be a great need in my State of Alabama. I presume the same thing is true in the State of Georgia and in most of the cotton-producing States, particularly those where the small farm is the typical farm which produces the cotton.

I refer to a proposal I have introduced during this session of Congress, designed to make it possible for the farmer with an allotment of cotton acreage to sell or lease the allotment, or to dispose of it for a consideration to some other farmer within the same county. The Senator knows that during the past several years the small farmer—particularly the small farmer in the old cotton States of the South—has been suffering a loss by reason of unused acreage which was allotted, and which later, because of not being used, was charged to the allotment of the State, of the county, or of the individual farmer.

If the proposed legislation is to be helpful during this year—and perhaps this is the most important year of all, because the farmers are just recovering from the effects of the soil bank program, which did not work too well, particularly for the small farmers—action must be taken fairly soon. I take this occasion to invite the Senator's attention to the proposal, and to urge him to support it in order that we may enact it into law early in the present session of Congress.

Mr. TALMADGE. I was aware of the fact that the Senator had introduced such a bill. The bill represents a strong step in the right direction and I shall give my unstinting support to it.

I observe the distinguished junior Senator from North Carolina [Mr. JORDAN] is present in the Chamber. He also has introduced a similar bill, of which I am a cosponsor. As one member of the Senate Committee on Agriculture and Forestry, I pledge to the distinguished Senator from Alabama and to the distinguished Senator from North Carolina my unstinting efforts to have the bill reported to the Senate for action. I hope we can pass the bill and that it can become a law this year.

Mr. SPARKMAN. I thank the Senator from Georgia.

Mr. JORDAN. Mr. President, will the Senator yield?

Mr. TALMADGE. I am happy to yield to my distinguished friend, the junior Senator from North Carolina.

Mr. JORDAN. I thank the junior Senator from Georgia very much. I join in the remarks of the distinguished junior Senator from Alabama, in endorsing what the Senator from Georgia has said about the farm program and especially about the grouping of the acreage.

As the Senator will remember, last year I introduced a bill to the same general effect. The bill was defeated, but I think it was a good bill. I think such a proposal ought to be enacted into law. I believe that is more true today than it was last year, because I have had a chance to go home to talk to many small farmers. I have observed what has been happening to them.

The things which have been said about the soil bank are only further proof of the compelling reason why action should be taken in the present session. Time is running out. Extra acres on the farms are not being used.

I also wish to join in expressing my firm belief that more time, money, and energy will have to be spent on research for farm products. We all know that the jet planes and the advances in aeronautics did not come about by accident, but were the result of research. We have to find some way, as the Senator from Georgia has said, to handle the crops we have been producing. We have been able to produce more than we could sell economically. There are ways which can be found, through research, to utilize the surpluses we have, and to put them to good use.

I shall actively support any program this year—and early this year—which will develop and finance a research program for farm commodities and for the use of farm acreage. There is no question that the rural element of the United States is the element which is being hurt in the economy of today. Something must be worked out which will be equitable and satisfactory to our farm population.

I thank the junior Senator from Georgia for yielding to me.

Mr. TALMADGE. I thank my friend the Senator from North Carolina for his excellent contribution to the debate.

Mr. President, unless the Senator from Alabama desires to have me yield to him again, I shall be delighted to yield the floor.

Mr. SPARKMAN. Mr. President, I simply suggest to the Senator from Georgia that I desire to make an in-

sertion in the RECORD, and the junior Senator from Louisiana [Mr. LONG] has a speech to make.

Mr. TALMADGE. Mr. President, I yield the floor.

ATTITUDES IN MANILA

Mr. SPARKMAN. Mr. President, in the New York Times of Sunday, January 11, 1959, there was published an editorial entitled "Attitudes in Manila." According to the editorial, there is a growing feeling in Manila that the United States is taking the Philippines and its problems too much for granted.

In support of this statement, the editorial points out that 4 years ago the Filipinos urged upon the United States some sort of "omnibus" settlement of a variety of claims, but so far as is known in the Philippines, not even preliminary studies have been made in an effort to reach a reasonable settlement.

In addition, when President Garcia visited the United States last June, the Development Loan Fund and the Export-Import Bank announced that they had agreed to provide the Philippine Government with a loan in the amount of $125 million. The editorial reports that of the Development Loan Fund credit of $50 million nothing has been disbursed thus far, and of the Export-Import Bank credit of $75 million there is still some $35 million which remains to be allocated.

If the implications or unjustifiable "foot dragging" on the part of the United States contained in this editorial are correct, then I suggest that there is a serious laxity in connection with the administration of these programs. It behooves the administration to take a fresh look at its techniques for coordinating promises with actions.

Mr. President, I ask unanimous consent that the New York Times editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ATTITUDES IN MANILA

There have been several recent reports of a growing anti-American attitude in the Philippines. The closer attention that Manila is paying to Asian neighbors is cited as a shift in emphasis. This, however, is a misconstruction, since there is certainly nothing anti-American in the praiseworthy aim of better regional relationships.

What is much more likely is that there is a growing feeling in Manila that the United States, vitally concerned with other areas, is taking the Philippines and its problems too much for granted. There may be some exaggeration in the expressions of this attitude but there is more than a little ground for it.

It is now 4 years since the Filipinos urged upon the United States some sort of omnibus settlement of a variety of claims. Any sort of reasonable settlement would be accepted in Manila, but so far as is known in the Philippines not even preliminary studies have been made.

An even more sensitive area is that of the implementation of the agreements that were made in the course of President Garcia's visit here last June. A line of credit of $125 million was announced at that time. Of the development loan fund credit of $50 million nothing has been disbursed thus far. Of the Export-Import Bank credit of $75 million there is still some $35 million that remains to be allocated. The loan for the steel mill project is still under study.

Under those conditions it is small wonder that there is some misgiving and much impatience in the Philippines. The mills of the gods and of foreign aid may grind slowly, but there are times when it would be advantageous to us and to our friends to speed their processes. This is one of them. We cannot afford to sacrifice because of simple inertia or even the suspicion of indifference any part of the massive reservoir of good will that we have been able to build up.

PRIVATE ENFORCEMENT OF THE ANTITRUST LAWS

Mr. LONG. Mr. President, I am today reintroducing in the 86th Congress two bills which I introduced in the last session of the 85th Congress. These bills are designed to make it easier for small businessmen to avail themselves of the protection of the antitrust laws. Each bill is intended to cure one specific shortcoming in the antitrust laws as they now stand.

The first of these bills is identical to S. 4224 of the 85th Congress. It is entitled "A bill to require the filing of evidentiary briefs by the United States in connection with the entry of consent decrees, judgments, and orders in civil antitrust actions."

The second bill is identical to S. 4225 of the 85th Congress. It is entitled "A bill to authorize the recovery of actual costs reasonably incurred by plaintiffs in private actions for injunctive relief from antitrust violations."

The need for this legislation, Mr. President, was clearly established in my mind during 2 days of most illuminating hearings, held by the Senate Small Business Committee on March 3 and 4, 1958. At those hearings, the Subcommittee on Monopoly, which it is my privilege to chair, and the Subcommittee on Retailing, Distribution, and Fair Trade Practices, chaired by my friend, the distinguished Senator from Minnesota [Mr. HUMPHREY], jointly explored the reasons for the very limited number of complaints filed, and the far more limited number of plaintiff's judgments rendered, under the private enforcement provisions of the antitrust laws.

The findings of our two subcommittees, and of the full Small Business Committee, and the conclusions that we reached after those hearings, are set forth in Senate Report No. 1855 of the 85th Congress. In barest summary, our conclusions were that most small businessmen cannot and do not attempt to obtain money damages or injunctive relief under the Sherman, Clayton, and other antitrust acts because the costs of such actions are prohibitive and many other obstacles stand between the potential plaintiff and effective enforcement of the private relief provisions of the laws.

The Sherman Act of 1890, Mr. President, has been described as a "charter of economic freedom." Its purpose is to guard trade and commerce against restraints and monopolies. It is supplemented by the Clayton Act, which outlaws specific business practices deemed promotive of monopoly, and the Robinson-Patman Act, which amends the Clayton Act to strike at certain pricing practices injurious to competition.

The right to sue for treble damages for redress of business injuries resulting from trade restraints and other monopolistic practices is rooted in the common law. This right found statutory expression in section 7 of the Sherman Act. Section 7 permits any person who is injured in his business or property by any other person or corporation by acts forbidden or declared to be unlawful by the Sherman Act to sue the offender in any district court of the United States, without respect to the amount in controversy, and to recover threefold the damages sustained, and the costs of suit, including a reasonable attorney's fee.

The language of the Senate Small Business Committee's report, Senate Report No. 1855 of the last Congress, aptly states the reasoning behind this section:

In thus wedding Federal antitrust policy with private compensatory law, the Members of the 51st Congress believed that they had created an effective device for keeping competition hard but clean. By allowing injured parties to recover costs of suit, plus three times the amount of the damage done, Congress hoped to give businessmen a strong incentive to become, in effect, a legion of antitrust-enforcement vigilantes. The procedures established reflected a logical uniting of self-interest with public policy.

In addition, the Congress that passed the Sherman Act felt, with perhaps more optimism than was warranted, that the threat of having to compensate a victimized business rival on a treble-damage basis would inspire the business community, generally, to new ethical heights. In fact, so complete was the faith of Congress in the compensatory provisions of the Sherman Act that it neglected to establish a special policing agency for public enforcement of the act.

These high expectations of Congress proved illusory. In the half century following the signing of the act on July 2, 1890, only 175 private suits were filed by aggrieved businessmen—an average of less than 4 actions a year. In only 13 of these did the plaintiffs obtain recovery.

In more recent years, a survey by the Department of Justice has shown that from 1947 to 1952, inclusive, private plaintiffs prevailed in but 134 of the 423 suits started and "in only 31 percent of private cases did * * * plaintiffs secure any redress at all."

Two of eight specific legislative recommendations made in Senate Report No. 1855 were these:

First. When the Antitrust Division of the Department of Justice settles an action against an antitrust violator by consent judgment, decree or order, an important benefit is lost to potential private plaintiffs: the benefit of having the findings of a trial and the judgment of a court. My first bill would go part of the way toward remedying this loss to private plaintiffs. It would require, as a prerequisite to the entering of consent judgments, that the Justice Department file with the court a memorandum setting forth the evidence upon which it relied in bringing the case. This memorandum would be a part of the public record of the court.

Second. When an antitrust violation is settled by injunctive relief rather than by money damages, present law allows the successful plaintiff no recovery of court costs. My other bill would correct

this shortcoming by allowing such costs, including reasonable attorney's fees.

The committee hearings and the Senate committee report to which I have made reference set forth what I believe would be a rather proud achievement of any session of Congress if no more were done for small business, because it would amount to a very substantial implementation of the antitrust laws.

Eight recommendations were made at that time. The bills to which I have made reference would carry out two of such recommendations.

I am in no sense critical of the 85th Congress because those measures were not enacted. The report to which I have made reference resulted in the bills which I introduced at that time. The Small Business Committee report was presented to the Senate on July 18, 1958, only a short period of time before the Congress adjourned, and certainly not in sufficient time to permit full hearings by the Judiciary Committee. Senators may recall that the Senate was very busy considering civil rights legislation, which stirred considerable controversy on the floor of the Senate during the closing days of the session.

Fortunately, we were enabled to enact one of the recommendations of the Committee on Small Business at that time. That was recommendation No. 4.

Recommendation No. 4 in that report reads as follows:

> Recoveries in form of treble damages, now taxed as ordinary income in the year of recovery, should be taxed over a reasonable period of years.

That recommendation was the subject of an amendment which I offered to a bill pending before the Senate Finance Committee. My amendment now appears as section 1306 of the Internal Revenue Code, and it reads as follows:

> "SEC. 1306. Damages for injuries under the antitrust laws.
>
> "If an amount representing damages is received or accrued during a taxable year as a result of an award in, or settlement of, a civil action brought under section 4 of the Act entitled 'An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes', approved October 15, 1914 (commonly known as the Clayton Act), for injuries sustained by the taxpayer in his business or property by reason of anything forbidden in the antitrust laws, then the tax attributable to the inclusion of such amount in gross income for the taxable year shall not be greater than the aggregate of the increases in taxes which would have resulted if such amount had been included in gross income in equal installments for each month during the period in which such injuries were sustained by the taxpayer."

The effect of that provision would be that, where a taxpayer has been injured by monopolistic practices, and has filed an antitrust suit and has sustained the usual delays, he could spread the income of the treble damage award over a long period of time, instead of, as under previous law, having it taxed entirely in 1 year, with the Federal Government taking practically all of the recovery. The bill would help substantially in promoting treble damage suits for violations of antitrust laws.

Other recommendations made by the committee, in addition to the two which the bills I have introduced today would seek to carry out, were, first, a recommendation that section 3 of the Robinson-Patman Act should be made an integral part of the antitrust statutes, as contemplated in 3079 of the 85th Congress, 2d session. During the next few days the Senator from Alabama [Mr. SPARKMAN] will introduce a bill to carry out the recommendation in that respect.

Another recommendation was that Clayton Act orders issued by the Federal Trade Commission should become final judgments by the lapse of time, unless appealed, as is proposed in S. 721, 85th Congress, 1st session.

It is my understanding that the Chairman of the Small Business Committee, the Senator from Alabama [Mr. SPARKMAN] will introduce a bill covering that recommendation.

It was further proposed by the subcommittee and by the full Committee on Small Business that by resolution Congress should declare private antitrust actions are impressed with substantial public interest. A bill to carry out that recommendation will be introduced, if it has not already been introduced, by the Senator from Minnesota [Mr. HUMPHREY].

Another recommendation was that 30 days before becoming final, the terms of all antitrust consent judgments or orders should be published in the Federal Register in order to give the general public an opportunity to lodge objections to the proposed judgment or order with the Justice Department or the Federal Trade Commission.

Such a measure will be introduced, I understand, by the Senator from Minnesota [Mr. HUMPHREY].

A further recommendation was that agreements waiving private enforcement rights under the antitrust laws should be declared null and void, as contrary to public policy.

A bill on that subject will be introduced by the Senator from Minnesota [Mr. HUMPHREY].

Congress would do itself proud to enact these several bills which would assist private plaintiffs, particularly small businessmen in protecting themselves, at no expense to the Federal Government. All the bills represent an effective part of a small business program. Congress should enact these bills—and I hope it will enact them at this session of Congress—so that we may make progress toward achieving a program to preserve and protect small business.

Mr. SPARKMAN. Mr. President, I wish to compliment the Senator from Louisiana for his fine presentation today. He speaks not theoretically but on the basis of having himself presided at hearings dealing with the subject. The Senator from Louisiana has been one of the most energetic members of the Small Business Committee. He has held some of the most helpful hearings we have had on the subject. In making these recommendations he speaks from the experience he received in listening to the witnesses tell their stories. He is sponsoring a very fine program on this subject. I should like to say also to the Senator from Louisiana that I plan to introduce the bill to which he has referred. In fact, I have already addressed letters to the cosponsors of the bill introduced last year, asking them if they would be willing to cosponsor it again this year. The Senator from Louisiana was one of the cosponsors of the bill last year, and I trust that he will again cosponsor the bill this year.

A great many persons are under the impression that because we gave a fair amount of relief to small business in the 85th Congress, we are through, and that we have completed the program.

The Senator from Louisiana has well pointed out the fact that in some fields we did not do anything, and that in other fields we did not even scratch the surface. It is true that we did provide some tax relief, although the program we established was not a complete one by any means. The Senator from Louisiana joined us in cosponsoring such proposed legislation at that time. We put through a program to establish an adequate source of credit for small business, and that program is now being placed into effect. We have yet to find out how it will function.

In the field of antitrust legislation and in the field of protection against monopolies, we have not provided anything like an adequate small business program. I believe the Senator will agree.

Mr. LONG. The Senator is absolutely correct.

Mr. SPARKMAN. What the Senator is aiming at primarily is the protection of small business. Is it not true that that is the one thing which small business throughout the country feels the greatest need of in the way of legislation?

Mr. LONG. The Senator is 1,000 percent correct. The measures to which I have made reference, some of which had been introduced by the Senator from Alabama even before the hearings to which I have referred were held, are measures which, in my judgment, if brought before the Senate on the appropriate day, and properly explained, would be passed overwhelmingly.

Frankly, it should be borne in mind that we are constantly confronted with the problem of the lack of legislative jurisdiction of the Small Business Committee of the Senate. Very often committees which are engaged in dealing with a vast number of other matters, simply do not get around to considering and reporting to the Senate, in time for the Senate to consider, measures which would assist small business.

It had been felt for many years that there should be a committee where a small businessman could tell his story. Congress finally did give the small businessmen a place where they could tell their story. Unfortunately, Congress did not give the committee any teeth. All too often executives from large corporations, whose practices were destroying small business, came before the Small Business Committee and, with tongue in cheek, looked as if they wanted to say "Don't 'kid' us, you do not

have legislative jurisdiction, and we know it."

There is probably one thing we could do to help small business as much as anything else, and that is to assure the Senate that measures on this subject will be reported to the Senate and will come up for action on the floor of the Senate, because some of them are measures which no individual Senator would like to take the responsibility of opposing on the floor. Yet some Senators, after fighting for something in committee, have great difficulty in getting a bill reported, and find colleagues asking not to have a yea and nay vote on it because they do not want to make a record against it, even though those same colleagues had succeeded in holding the bill in committee for a year or two.

The bills to which I have referred are a part of a program on which Congress should have an opportunity to vote. I am satisfied that down through the years Senators will be rather proud that they voted for these measures, as well as the others to which I have referred, if the Committee on the Judiciary and the other committees who have responsibility over this subject will see fit to conduct hearings and report the bills to the Senate in sufficient time for the Senate to take them up.

Mr. SPARKMAN. Mr. President, I suggest the absence of a quroum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE SERVICE

Mr. JOHNSON of Texas. Mr. President, by direction of the majority steering committee, I submit an order designating assignments to committees from the majority. I ask that the assignments be read for the information of the Senate, and I ask unanimous consent that the order be entered.

The PRESIDING OFFICER. The committee assignments will be read for the information of the Senate.

The legislative clerk read as follows:

Committee on Aeronautical and Space Sciences: Messrs. Johnson of Texas (chairman), Russell, Magnuson, Anderson, Kerr, Symington, Stennis, Young of Ohio, Dodd, Cannon.

Committee on Agriculture and Forestry: Messrs. Ellender (chairman), Johnston of South Carolina, Holland, Eastland, Humphrey, Symington, Talmadge, Proxmire, Jordan, Young of Ohio, Hart.

Committee on Appropriations: Messrs. Hayden (chairman), Russell, Chavez, Ellender, Hill, McClellan, Robertson, Magnuson, Holland, Stennis, Johnson of Texas, Pastore, Kefauver, Monroney, Bible, Byrd of West Virginia, Dodd, McGee.

Committee on Armed Services: Messrs. Russell (chairman), Byrd of Virginia, Johnson of Texas, Stennis, Symington, Jackson, Ervin, Thurmond, Engle, Bartlett, Cannon.

Committee on Banking and Currency: Messrs. Fulbright (chairman), Robertson, Sparkman, Frear, Douglas, Clark, Proxmire, Byrd of West Virginia, Williams of New Jersey, Muskie.

Committee on the District of Columbia: Messrs. Bible (chairman), Morse, Frear, Hartke.

Committee on Finance: Messrs. Byrd of Virginia (chairman), Kerr, Frear, Long, Smathers, Anderson, Douglas, Gore, Talmadge, McCarthy, Hartke.

Committee on Foreign Relations: Messrs. Green (chairman), Fulbright, Sparkman, Humphrey, Mansfield, Morse, Long, Kennedy, Gore, Lausche, Church.

Committee on Government Operations: Messrs. McClellan (chairman), Jackson, Ervin, Humphrey, Gruening, Muskie.

Committee on Interior and Insular Affairs: Messrs. Murray (chairman), Anderson, Jackson, O'Mahoney, Bible, Neuberger, Carroll, Church, Gruening, Moss.

Committee on Interstate and Foreign Commerce: Messrs. Magnuson (chairman), Pastore, Monroney, Smathers, Thurmond, Lausche, Yarborough, Engle, Bartlett, Hartke, McGee.

Committee on the Judiciary: Messrs. Eastland (chairman), Kefauver, Johnston of South Carolina, Hennings, McClellan, O'Mahoney, Ervin, Carroll, Dodd, Hart.

Committee on Labor and Public Welfare: Messrs. Hill (chairman), Murray, Kennedy, McNamara, Morse, Yarborough, Clark, Randolph, Williams of New Jersey.

Committee on Post Office and Civil Service: Messrs. Johnston of South Carolina (chairman), Monroney, Neuberger, Yarborough, Clark, Jordan.

Committee on Public Works: Messrs. Chavez (chairman), Kerr, McNamara, Neuberger, Randolph, McCarthy, Young of Ohio, Muskie, Gruening, Moss.

Committee on Rules and Administration: Messrs. Hennings (chairman), Hayden, Green, Mansfield, Jordan, Cannon.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and the order is entered.

Mr. MANSFIELD. Mr. President, I move that the Senate reconsider the vote by which the order was entered.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, the order just entered was entered with the approval of all Senators who were present and who voted on the question, and who are members of the steering committee: The chairman, Mr. JOHNSON of Texas; the whip, Mr. MANSFIELD; the secretary of the conference, Mr. HENNINGS; Mr. HUMPHREY, Mr. ROBERTSON, Mr. MCCLELLAN, Mr. FREAR, Mr. HOLLAND, Mr. ELLENDER, Mr. PASTORE, Mr. HAYDEN, Mr. CHAVEZ, Mr. JOHNSTON of South Carolina, Mr. RUSSELL, and Mr. BIBLE.

In addition, we asked to have sit with the committee in an advisory capacity Mr. MAGNUSON, Mr. O'MAHONEY, Mr. KENNEDY, and Mr. MCNAMARA.

RESCISSION OF ORDER FOR ADJOURNMENT UNTIL TOMORROW, AND ENTRY OF ORDER FOR ADJOURNMENT UNTIL SATURDAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the convening of the Senate tomorrow be rescinded, and that when the Senate concludes its business today, it adjourn to meet at noon on Saturday.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. I am not aware of any business to be transacted on Saturday other than the order from the minority with regard to committee assignments. We are very desirous of having the Senate proceed as expeditiously as possible with the organization of committees. We believe it may be possible to enter an order on Saturday, so that committees may be organized on Monday.

Mr. DIRKSEN. Mr. President, the minority conference was held this morning. At that time we appointed a Committee on Committees. Obviously, it takes a little while to assemble all the necessary data. I advised the majority leader I was confident that the work could not be consummated by Thursday or Friday. I hoped it could be done by Saturday, and that is the moving reason, of course, for the session on Saturday.

ADJOURNMENT TO SATURDAY

Mr. JOHNSON of Texas. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand adjourned until Saturday, at noon.

The motion was agreed to; and (at 4 o'clock and 1 minute p.m.) the Senate adjourned, the adjournment being, under the order previously entered, until Saturday, January 17, 1959, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 14, 1959:

HOUSING AND HOME FINANCE ADMINISTRATION

Norman P. Mason, of Massachusetts, to be Housing and Home Finance Administrator, vice Albert M. Cole.

IN THE COAST AND GEODETIC SURVEY

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the Coast and Geodetic Survey:

To be captains

Ross A. Gilmore, effective December 1, 1958
Gilbert C. Mast
Fred A. Riddell
Ira R. Rubottom
Maurice E. Wennermark
Fred Natella

To be commanders

Don A. Jones
David M. Whipp

To be lieutenant commanders

William R. Kachel
Hal P. Demuth
Pentti A. Stark
Merlyn E. Natto
Alfred C. Holmes

To be lieutenants

James P. Randall
Kelly E. Taggart

To be ensigns

Robert M. Davidson
Charles G. Elliott
Frederick C. E. Gebhardt
Arthur H. Goldberg
Peter A. Martus
Donald C. McIntosh
Paul D. Montjoy, Jr.
Ray E. Moses
Pat T. Redden
Gerald C. Saladin
Sigur C. Stavran
Donald R. Tibbit
Karl R. Tipple

EXTENSIONS OF REMARKS

Jim Wright's Christmas Newsletter

EXTENSION OF REMARKS
OF

HON. LYNDON B. JOHNSON

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Wednesday, January 14, 1959

Mr. JOHNSON of Texas. Mr. President, in the 12th District of Texas, Representative JAMES C. WRIGHT, JR., has the reputation of speaking from the heart as well as from the head. This amazing and energetic young man grew up in a small town, subsequently becoming mayor of it, and still later serving as member of the Texas Legislature. He is now a Representative in the Congress from the fourth largest city in Texas.

JIM WRIGHT has a way of speaking his mind that is both refreshing and compelling, and he is a writer, moreover, of considerable power and warmth. In his newsletter for Christmas week, JIM WRIGHT sent out a rather remarkable document that is a lesson, I think, for all of us.

I ask unanimous consent to have printed in the CONGRESSIONAL RECORD JIM WRIGHT'S Christmas newsletter, along with an excellent editorial from the Dallas Morning News commenting on Congressman WRIGHT'S proposals.

There being no objection, the editorial and letter were ordered to be printed in the RECORD, as follows:

[From the Dallas Morning News, Dec. 25, 1958]

IT'S A STRANGE CHRISTMAS

It is a strange Christmas in a strange world. We send four tons of potential destruction careening around the globe and install in it a mechanism to proclaim peace on earth and good will toward men everywhere. The strange part about it is that we really mean the destruction—and we really mean the benediction.

If Ivanovich and John Doe could only sit down together, as Representative JIM WRIGHT, of Fort Worth, suggests, they would have no trouble at all finding that they could understand each other and get along with each other. But the people at the summit stand in the way. That is why all our summit conferences fail.

Speaking for John Doe, JIM WRIGHT suggests that Russia and the United States forget a part of their program for destroying each other and invest the savings in health. Health isn't dangerous. It isn't subversive. Nobody wants to shoot health or exile it to Siberia. Everybody can use health.

Well, then, says John Doe, per JIM WRIGHT, speaking to Ivan Ivanovich, why not have a new 5-year plan for Russia and for the United States, too? In 5 years Russia will spend, under this plan, the one-half amount of rubles Russia now spends each year in getting ready to wipe out the United States. And in that 5 years, the United States spends one-half the amount of dollars that it spends getting ready to wipe out Russia.

At the end of the 5 years, every town of 10,000 population in the whole world would have a hospital. There would be money left over for schools and colleges. And typhoid, smallpox, malaria, leprosy, and yellow fever would be disappearing from the earth.

And somewhere, maybe, in all this, the world would learn the lessons of peace and brotherly love and of the divine providence which sent the Christ Child to us almost 2,000 years ago.

THE WRIGHT SLANT ON WASHINGTON

"There went out a decree from Caesar Augustus that all the world should be taxed."

As I look through the window today upon Washington—like Rome, a city from which decrees go out—I can see the severely beautiful Washington Monument. In the eye of imagination it looks like the finger of a wise man pointing to a new star in the heavens. On the Ellipse behind the White House towers the national Christmas tree, tall as a six-story building.

Aside from such landmarks, Washington is just about like any other big city at Christmastime; neither better nor worse. There is the same commercialism, the same emphasis on material things, the same congested traffic and frantic haste. And, as in every other city, the only time you can really see the light that shone over the shepherds on their hilltop in Judea is when you look closely into the eyes of a little child.

"And she brought forth her first-born son and wrapped him in swaddling clothes and laid him in a manger, because there was no room for them in the inn."

Just as it was in Bethlehem, so it is in Washington in 1958. No room under the tree for another present. No room in the post office for another package. No room on our engagement pads for an additional plan. No room in the department store aisles for another shopper. And in too many hearts—no room for Him and His message of a better way.

At the conference tables in Geneva and elsewhere men discuss more and more and settle less and less because there is no room in their minds for a new idea of peace on earth—still new and still largely untried after 2,000 years. Our thoughts are on guided missiles with nuclear warheads, and not on the star.

"And, lo, the angel of the Lord came upon them, and the glory of the Lord shown round about them: and they were sore afraid."

Afraid? Well, yes, the average person in today's world is afraid. And maybe that's one reason we stay so busy, so we won't have time to think about it.

"And the angel said unto them, Fear not: for, behold, I bring you good tidings of great joy, which shall be to all people."

To all people? Even to those we don't like and don't trust? Even to those who plot and plan against us? Good tidings to Democrats and Republicans alike? To the rude motorist who squeezed you out of your lane in the Christmas traffic today? Good tidings of great joy—even to the Russians? Well, that's what the angel said.

"And on earth, peace, good will toward men."

"Peace," the word the angels sang, must have seemed as impossible a dream in those days as it does now. There was then, as now, the temporary absence of major armed conflict, the uneasy, and repressed order of a Pax Romana. But real peace must be something more than just a nervous stalemate enforced by fear. It has something to do with good will.

Is there any real basis for good will? Did the angels speak the truth? Did he who lay in the sweet straw of the manger amid the barnyard noises bring into the world a flowering promise that lives and grows in the hearts of men amid even the bitter passions of this hour?

We say he did. We who celebrate his birth state that he did. And how strongly do we feel it?

Suppose that each of us could write a sincere and searching letter to someone—average as ourselves—in Russia, a letter to those who are the victims of a cruel history and an ugly system which has turned out the lights of Christmas. Who knows what good we might accomplish could we but establish intimate communications with these people? I'd like to write such a Christmas letter to all the plain, afraid, average men who live in Russia. And here is what I'd say:

"DEAR IVAN: I've been thinking about you. I've been wondering how you were. Guess it must be mighty cold over there. It's been downright chilly here, in fact. Hope you've got a nice, warm place for the wife and kids.

"We're feeling pretty warm inside right now. It's Christmastime. You see, Ivan, a lot of us have the belief that God himself came to earth in the person of a man and taught that all of us should love each other. That may sound a little silly to you, maybe a bit overly sentimental. Anyway, that's what we celebrate at Christmas.

"Let me be painfully frank about this thing, Ivan, and admit that I haven't been feeling very kindly toward you lately. Guess you haven't felt exactly good about me, either. Truthfully, I suppose we've both been a little bit afraid. For one thing, we believe in entirely different economic systems. Now, I'm convinced that our system of capitalism or free enterprise is the best. But if you don't like it, Ivan, I certainly don't want to force it on you. That comes under the heading of your own business.

"Why can't we just look at this thing straight and agree that we have a healthy competition going on between us to prove which system can do a better job for its people—and that neither one of us is going to change just to suit the other?

"If we could agree on that, then maybe we could agree to a moratorium on trying to force the rest of the world to copy either one of us. Oh, I don't mean we wouldn't keep on telling people how great we think our system is, nor expect you to stop saying how well you like yours if you really do. But there just isn't any sense in trying to cram it down their throats. With armies, I mean. Starting wars and getting a lot of people killed. Why can't we just let them look at both of us, and listen to both of us, and then make up their own minds?

"You know, this military business can get out of hand. That's why we're both a little nervous, isn't it? And here's the reason, the big thing we have in common—I've got kids, Ivan. And so have you. My kids mean more to me than anything else in all the world. Surely you feel the same way about yours. Now there just isn't an ounce of sense in our horsing around and acting like plain fools and arranging things so that our kids will have to be killing each other someday. My kids are thinking about Christmas, Ivan. Little starry-eyed things, they're not mad at you or at anybody.

"You know what, Ivan? We folks over here are spending right at $45 billion this year on armaments. That's because we're scared of what you'd do if we didn't. I don't know quite what your folks are spending on this sort of thing, and I don't expect you do, either, but I figure it's just about the same as we're spending.

"Tell you what I'd do, Ivan. I'd make a binding contract with you. We'll cut down ours if you'll cut down yours. Now, of course, it would all have to be open and aboveboard, right on the top of the table, or no go. But

I'm willing, if you are. We could start out easy.

"Let's do it this way. We'll cut 10 percent from our military expenditures this year if you'll do the same thing. Right out on the top of the table, now. We'll take $4½ billion out of our military spending this year if you'll do the same thing, match it dollar for dollar. We'll both put our money into the same fund. That'll make $9 billion for the first year.

"If the deal holds, we'll double it next year. We'll both cut our current military budget by another 10 percent, and each of us will put up $9 billion next year. That'll make a total of $27 billion in the fund.

"Want to help mankind, Ivan? Well, here's your chance. Here's your chance to help mankind and get rid of your fears at the same time. You like 5-year plans, so I'll make you a 5-year plan. Let's keep this up at the second year's rate for 3 additional years, and we'll have put a total of $81 billion into this fund between us at the end of 5 years. Neither one of us will have missed it, because it will have come out of what we'd otherwise have been putting into weapons which would just have made both of us more nervous.

"We could make an $81 billion gift to humanity, Ivan.

"Do you know how much $81 billion is? Well, it would build and equip a brandnew $2 million hospital for every city of 10,000 or more in the world. Our medical experts say that with $4½ billion they could absolutely eradicate malaria, typhoid, smallpox, yellow fever, and leprosy from the face of the earth. It would build 120,000 high schools or 250,000 elementary schools. It would build and stock 250,000 first-class libraries and it would provide 20 million 4-year college scholarships. It would build 20 million modern homes to replace the world's infested slums. It would build almost a million miles of modern roads—enough to circle the earth several times. Take any combination of these benefits you like—it still adds up to a whole lot more sense than spending this money on the implements that kill and destroy rather than those that build and ennoble and improve.

"Then, after 5 years we could slack off. We could reduce our contributions to the Christmas fund and give some tax relief to the folks who have been carrying the burden for so many years—yours as well as ours. Think of it, Ivan. Imagine what the effect would be in Russia if just 20 percent of all the money now being spent on military hardware were being plowed back into the economy and spent on the merchandise of peace. Think what it would mean in terms of automobiles and homes and household appliances.

"It's a wonderful dream, isn't it, Ivan? It could be a reality if we would only play fair and square with each other and do away with needless secrecy. Of course, you'd have to know that we weren't cheating. You'd be entitled to know it, just as we'd be entitled to proof of your compliance. We could use the United Nations organization to inspect and police our operation to insure good faith on both our parts. We'd have to open up our borders and let one another come and look—but what would there be to fear if we both were playing straight?

"You know, Ivan, we could give the world the greatest Christmas present since the first Christmas, 1,959 years ago. We could really bring tidings of great joy and, for the first time in two milenniums the greatly troubled people of this old world of ours could obey the angels' injunction: 'Fear not.'

"That would be the best part, that everybody could gradually stop being afraid. If we ever got together on this we could make all the old hatreds and fears and misgivings vanish like hot breath on a looking glass.

"Think it over, Ivan. We've both been trying the other way long enough. Think it over carefully. And, meanwhile, have yourself a merry Christmas.

"Sincerely,

"JIM."

Whimsy? Perhaps. Perhaps there is no way effectively to get such a message through to Ivan, insulated as he is by curtains of iron. Maybe such a plan, offered by our President, could form the basis for a major breakthrough in the diplomatic stalemate. If such a sincere and honest message could be broadcast to Ivan through the Voice of America, it might do some good. At worst, it could certainly do no harm.

Citizenship Role in American Political Life

EXTENSION OF REMARKS
OF
HON. JOSEPH S. CLARK
OF PENNSYLVANIA
IN THE SENATE OF THE UNITED STATES
Wednesday, January 14, 1959

Mr. CLARK. Mr. President, I ask unanimous consent that there be printed in the CONGRESSIONAL RECORD an address delivered by the senior Senator from West Virginia [Mr. RANDOLPH] at a dinner meeting of the National Conference on Legislative Education, held in Schenley Hall of the University of Pittsburgh on November 14, 1958, on the subject "Citizenship Role in American Political Life."

Senator RANDOLPH'S remarks on this challenging topic were both thought-provoking and profound, and I know that his many friends who missed the opportunity to hear him speak at the University of Pittsburgh will welcome the opportunity to read the speech which he delivered there in November.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

CITIZENSHIP ROLE IN AMERICAN POLITICAL LIFE

(Address by JENNINGS RANDOLPH, U.S. Senator, West Virginia, at dinner meeting of the National Conference on Legislative Education, Schenley Hall, the University of Pittsburgh, Nov. 14, 1958)

I am deeply grateful for the opportunity to participate in this conference and to be a party to the development of what may well become a fresh and significant contribution to the political process.

It is particularly appropriate that this exercise in political groundbreaking, so to speak, is being initiated by the United Steelworkers, whose tradition for responsible unionism was so significantly expressed in the life and work of the late Phillip Murray. And if these sessions are successful in bringing forth a marriage between the academic and scholarly discipline of political theory and the practices of political action in organized labor, then it will have moved further toward the goals that Mr. Murray envisioned.

You have asked me to discuss tonight the question of the "Citizenship Role in American Political Life." This is a topic that one must face with some awe and humility—especially when addressing such a distinguished body of practitioners and students of the art of politics. But this is a topic on which I have had some occasion to reflect—particularly during the past few months when I have been meeting the citizens of my own State at a somewhat accelerated pace. I shall later bring to bear some of the experiences of these past few months on the questions that will arise in the examination of our problem.

But first, the problem must be defined. And since the role of the citizen in a dynamic society must change with the altering structure of society, we might best take a brief historical glance at certain of the assumptions that underlie our view of the matter. I propose to offer nothing new on the subject, but merely to establish a context within which to approach the problem.

For this purpose I believe we can agree that the role of the American citizen was first most clearly expressed in the writings of Thomas Jefferson. Here was developed the view of the American citizen as the independent freeholder, jealous of his own integrity and independence, informed on matters of public concern, and capable of exercising reasoned judgment in the light of this information. The underlying assumption of this view was that man acts of his own free will, guided by the light of innate reason, and that all men are potentially capable of exercising reason.

During the 18th century and for the first half of the 19th century, this typical American citizen found himself in a society which was predominantly rural and agrarian. And with the continual advancement of the frontier there existed in general a harmony between the public interest and the interests of the individual citizen. We need not cavil at the truth of this picture in every instance. This, I believe, is in general a fair sketch of the surrounding conditions and the basic assumptions of the historic image of the American citizen. This is still the image that governs much of the political thought and rhetoric of today. But what of the change from the conditions that gave birth to this image?

Beginning with the great immigration waves of the 1840's and continuing with the industrialization of the North after the Civil War, American civilization underwent a major reconstruction. The conditions of life changed from the rural and agrarian society to an increasingly urban and industrial one. I suggest that we have not yet accommodated ourselves to this change. We have not yet fashioned the new symbols and techniques with which to organize political life; we have not yet clarified the assumptions on which must be based the new citizenship role called for by this change.

Much of the confusion in political thinking today, even perhaps much of the so-called apathy of the voter, stems from this failure—from the failure to establish symbols and attitudes relevant to contemporary circumstances.

Let me illustrate with reference to my recent campaign experiences in West Virginia: after speaking to literally hundreds of audiences, the one characteristic that most impressed, and I might say, most troubled me as well, was the almost complete lack of people under 30. Wherever I went—whether in mining areas, in the farming areas, or in the industrial areas—I experienced the same situation—audiences composed largely of the middle aged and elderly. In part, of course, this was due to the fact that the predominant campaign issues in West Virginia were economic ones—unemployment, recession, and inflation. And these are, of course, felt more keenly by older people and those with families.

But I believe there is another and perhaps deeper reason. During the primary campaign I met an alert and lively gentleman by the name of Charles L. Watkins, in Shinnston, W. Va. Mr. Watkins, a semi-invalid, who is more than 97 years young, informed me that in 76 years he had never missed voting in an election, and that he would make this one

as well even if he had to take an ambulance to the polling place. Mr. Watkins is only the most dramatic example I encountered—but there were others as well.

What I am suggesting is that these citizens formed their commitments to political participation at a time when the political process was meaningful to them. They have since maintained the habit and the identification.

Somehow we have failed with our young people. We have failed to communicate to them the significance of the vote—the meaning of the franchise of freedom. Now, I am not afraid of the misuse of the ballot; a poor or unwise vote can be corrected the next time at the polls. But I do fear the nonuse of the ballot—the increasing withdrawal and isolation of the individual from the political processes, and especially as it is exhibited among our younger folks.

The failure to which I refer is a failure for which many of us bear a measure of responsibility—the politicians and public officials who too often avoid the direct issue rather than address the challenging problems that confront us, the segment of the press and communications industry which often emphasizes the sensationalism of charges and countercharges rather than the meaningful interpretation of events, and the many teachers and intellectuals who hold to the notion that politics should be shunned.

All of these have been instruments in our default—the default to communicate to the individual citizen the drama of the most important political experiment in history and his role in it.

This failure is characteristically dealt with in terms of the lack of interest of the voter. And we all recall, I am sure, the closing days of the recent campaign, when the leaders of one of the parties took themselves out to bestir the people. The resulting rhetoric, I believe, generated considerably more heat than light and apparently had small effect on the turn of events.

I would suggest, therefore, that the problem is not primarily one of apathy, but of confusion. And to define the problem as one of confusion rather than apathy is to prescribe a radically different cure. On the one hand, we attempt to launch a crusade to the roll of drums and the blare of trumpets; on the other hand we attempt to dispell the confusion in the mind of the individual and thereby enable him to identify his own interests with the policies and principles set forth by the respective parties and candidates.

It is, therefore, essentially a problem in communication. I have indicated what is considered to be one of the chief sources of this problem—that we are continuing to try to communicate in terms of a world that no longer exists and on assumptions about human behavior that we know are no longer valid. The Saturday Evening Post cover picture is no longer an accurate portrayal of the conditions of American life—nor is the notion that the individual is necessarily guided by the light of innate reason.

I would go further and submit the opinion that another, though related, source of this confusion emerges from the increasing mechanization and specialization of modern life. Although the individual citizen today is caught up in a vast web of associations—legal, commercial, social and personal—he finds no general community of values which he can share. He finds no consensus with which he can achieve harmony and direction and purpose in his contact with public affairs.

Participation in political life first requires this identification with and sharing of some community of values. But it is this very relationship which is being eroded and chipped away by the growing complexity and specialization of modern life.

The once relatively simple functions of government to which the individual could easily relate have necessarily grown and expanded into a bewildering and complex variety of activities. In the process the individual, whose own integrity as a person is under constant assault, becomes increasingly detached and isolated from the political forces that govern his own affairs.

It would seem, therefore, that we must develop mediating institutions that can bridge the gap—restoring both a sense of wholeness to the individual and a means of enabling him once again to participate in political affairs. Such institutions must, however, embrace a certain consensus of values.

We have such organizations in embryonic form if we wish to consider the voluntary associations that devote themselves to promoting such worthy aims as forestry, conservation and preservation of natural resources. These, as well as the more specifically political action groups, throughout the range of the political spectrum, all function in some measure to fill the vacuum between the citizen and the formal political structure.

However, in a larger way, the labor unions can become such mediating institutions. With the growing concern for union welfare, recreation and educational programs, unions can become increasingly the kind of institutions which will enlist the individual's loyalties over a wide range of values. They can thus assume even more fully their legitimate function of promoting the valid interests of their members.

Let me remark, in passing, that I am not one to whom the term "special interests" necessarily has evil connotations. The American Federal system is based upon the constant reconciliation of conflicting interest groups. As Arthur Fisher Bentley pointed out 50 years ago in his "The Process of Government."

"Logrolling is * * * in fact, the most characteristic legislative process. When one condemns it in principle, it is only by contrasting it with some assumed pure public spirit which is supposed to guide legislators, or which ought to guide them, and which enables them to pass judgment in Jovian calm on that which is best for the whole people. Since there is nothing which is best literally for the whole people, group arrays being what they are, the test is useless, even if one could actually find legislative judgments which are not reducible to interest-group activities. And when we have reduced the legislative process to the play of group interests, then logrolling, or give and take, appears as the very nature of the process. It is compromise, not in the abstract moral form, which philosophers can sagely discuss, but in the practical form with which every legislator who gets results through government is acquainted. It is trading. It is the adjustment of interests."

I suggest that this is at the heart of the American political process, and it is precisely this element of compromise that gives our political institutions their flexibility and durability cast.

Acknowledging, then, that special interest groups are a characteristic and essential part of mediating between the individual and the formal political structure, liberals as well as others can view favorably the growing concern in business organizations and the chamber of commerce for increased political activity of their members. For the more concrete experience that members of the business community have in practical politics the less likely they are to be critical of those who devote useful careers to the public service.

However, I cannot emphasize too strongly that politically active interest groups—whether labor unions, the chambers of commerce, trade associations, or whatever—do a grave disservice to the democratic process when they engage in wild charges of conspiracy and call for a war of extermination between the two major parties.

We had something of this (if you will pardon me for a slight partisan comment) in the closing days of our campaign in West Virginia, as well, I understand, as in some of the other States. I refer, of course, to the opposition party's innuendo that the Democratic Party has become the captive of Walter Reuther and COPE. In reply to such irresponsible nonsense I stated then and repeat now that I am mindful of the money and the support that we have received from the voluntary contributions of organized labor. And when I say that the philosophy of the Democratic Party reflects Main Street while that of the Republican Party mirrors Wall Street, I do not therein imply that either party is a captive of certain interests.

It is simply that the Republican Party, and its antecedents, the Whig and the Federalist Parties, have customarily identified the chief function of government as the protection of property interests, while the Democratic Party has sought to distribute the fruits of our society to the widest possible number of interest groups—workers, farmers, small businessmen, etc.

In closing, let me summarize by saying that we may as well recognize the fact of bigness in American life—big government, big labor, and big business. But with this, we must find the means and the techniques to prevent the individual man and woman from being lost in the shuffle. I have suggested some tentative lines that we might explore. I am confident that the papers that will follow during the rest of this conference will lay out other fresh and creative avenues. But I believe that all persons professionally concerned with government, whether in public office, in teaching, or in the labor movement, must guard always against the danger of converting the means of government into their own ends; for the only proper end of a democratic form of government is always and ultimately the safeguard and enhancement of the values of the free citizens.

Statement by Secretary of State John Foster Dulles Before Senate Foreign Relations Committee

EXTENSION OF REMARKS

OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Wednesday, January 14, 1959

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the statement made today by the Honorable John Foster Dulles, Secretary of State, before the Foreign Relations Committee of the Senate.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE HONORABLE JOHN FOSTER DULLES, SECRETARY OF STATE, BEFORE THE SENATE FOREIGN RELATIONS COMMITTEE, WEDNESDAY, JANUARY 14, 1959

I. INTRODUCTION

The world is today changing more rapidly than ever before. But the fact that much is changing does not mean that everything has changed. There are certain values, certain principles, that are enduring. Among these are the concepts of individual human dignity and the supremacy of moral law.

In a changing world our task is to strive resolutely that change shall increasingly re-

flect the basic principles to which our Nation has, from its origin, been dedicated.

II. OUR BASIC PURPOSES

1. At a time when war involves unacceptable risks for all humanity, we work to build a stable world order.

2. We seek for general acceptance of the concept of individual dignity which will lead to the spread of responsible freedom and personal liberty.

3. We seek that the free nations shall attain a more rapid rate of economic growth, so that their independence will be more secure and vigorous and so that there will be greater opportunities for cultural and spiritual development.

III. THE PRIMARY THREAT

The Soviet Union and Communist China are expanding their economic and industrial power at a very rapid pace. They do so by a system which combines governmental rule of all labor with imposed austerity. This makes it possible greatly to accelerate capital developments.

There is emphasis, too, on quality. A spectacular product of Soviet material accomplishment was its recent space probe. In this field, the United States is still trying to catch up and make up for the head start of the Soviets. Our space accomplishments during the past year justify the belief that we are making good relative progress.

The Chinese Communists seem to be going into a dark night of massed regimentation and forced labor. What they call the great leap forward is in reality a tragic fall backward into the abyss of human slavery.

Asian nations are experiencing one aspect of Communist economic development: The Communist tactic of flooding their market places with goods at less than prevailing prices. This has widespread effects, some of which reach into our own country. As one example only, the dumping of cotton textiles in southeast Asia has reduced Japanese exports in that area and is already reducing exports of cotton from the United States to Japan. As Communist economic power grows, we must anticipate and plan for further shocks to the free world economic structure from the Communist trade offensive.

Communist economic methods involve costs in human privation and misery that, for us, are not only repugnant but completely unacceptable. We believe that over the long run such a process must inevitably be altered. Already there are indications that the Soviet leaders are beginning to realize this. There is some scaling down of their heavy industry ambitions. They are beginning to heed demands by workers and peasants for more leisure and for a greater share in the fruits of their labor. Peoples sufficiently educated to operate a modern industrial state may be expected also to acquire the desire for freedom and the capacity to get it. History gives us good reason to believe that the Soviet peoples will not indefinitely submit to dictatorial rule by the International Communist Party leadership. It would appear that the Communists will encounter difficulties increasing in the long run.

But for the short run—and this may be a period of years—the situation is full of danger.

That means that we may face a period even harder than we have become used to. To get advantage from time we shall have to stand on our course. We shall need the national will to stand firm in the face of aggressive threats and probings from the Sino-Soviet bloc. We shall need to make whatever unusual sacrifices may be necessary. People respond to this kind of demand when they understand that a temporary emergency requires it. But these burdens seem to grow heavier the longer they must be borne during a period of relative peace. Our people will need to show what freedom can mean in terms of self-sacrifice and self-discipline; and in terms of fortitude and perseverance.

IV. WORLD ORDER

Let me speak now about world order. This requires an elimination of the use or threat of force to accomplish international change. This was always a bad method. It has become an intolerable method because the force at man's disposal could now practically obliterate human life on this planet.

The United States and other free world nations have, by their conduct, done much to establish, for themselves, the principle of the renunciation of aggressive force; and they have shown their ability and will to deter such use of force by others.

At the time of the Suez affair and the Israeli-Egyptian hostilities, the United Kingdom and France, and then Israel, responding to the overwhelming opinion of the United Nations, withdrew their armed forces and accepted a United Nations solution. This may well prove to be a historical landmark.

During the past year the United States and its partners have further shown their opposition to change through force or the threat of force.

When Lebanon and Jordan seemed threatened from without and appealed to the United States and the United Kingdom for emergency aid, we responded with promptness and efficiency. When the emergency was relieved by United Nations action, we promptly withdrew our forces.

Throughout the world small nations felt a profound sense of reassurance.

In the Far East the Chinese Communists, with Soviet backing, initiated military action designed, as they put it, to expel the United States from the western Pacific. We stood beside the Republic of China as it resisted what seemed the preliminaries of that attack. Our free world associates generally supported our position that change in that area should not be effected by force of arms.

The Government of the Republic of China itself made a notable contribution when, last October, it declared that it relied primarily upon peaceful principles and not upon force to secure the freeing of the mainland. This courageous and statesmanlike act has strengthened the free world's cause in the western Pacific.

Now in Berlin we face an effort to expel the small western contingents in West Berlin. Their presence constitutes an indispensable safeguard to the freedom of that city. The NATO powers, at their December meeting, unanimously vowed that such expulsion should be resisted.

Step by step, discernible progress continues to be made in consolidating a system of collective security which will effectively operate to exclude the use of force to effect international changes.

The mutual security arrangements which we have with free world countries no longer assume the aspect of mere military alliances. They are the framework of consultative processes that, day by day, are steadily reforming the society of free nations.

In primitive and frontier societies, security is on an individual basis. Each householder defends himself by his own means. That primitive formula is now obsolete domestically. It is becoming obsolete internationally. Many free nations combine to help each other. The resulant power is not a power which can be or would be used for any aggressive or nationalistic purpose. It is a power dedicated to the common welfare as mutually agreed.

The United States has repeatedly made clear—and I said this again at the last December NATO meeting—that we regard our own military power as being a trust for the benefit of our free world partnerships; that we are ready to make known to all the defensive purposes and circumstances under which that force might be used; and that we shall heed in this respect the advice and counsel of our partners just as we would expect them to heed our advice and counsel with respect to the international use of their force.

Thus, out of what may originally have been conceived primarily as military alliances, there is developing an international structure which provides collective security on the basis of organized and continuous collective consultation. That is something new in history.

I might add that accomplishment is not always easy given the variety of national development and national viewpoints. Nevertheless the free world practice in this regard constantly grows in efficiency.

World order is not, however, assured merely by the elimination of violence. There must be processes of peaceful change. These, too, are rapidly developing within the free world. The General Assembly of the United Nations is a forum where these needs find effective expression. The General Assembly does not have the power to legislate change. But it has a capacity to induce change, at least in the case of governments which have respect for, and are responsive to, world opinion.

The peace of the free world is not a peace of political stagnation or a peace which sanctifies the status quo. It is a peace characterized by peaceful change reflecting new human aspirations and potentialities.

There is, of course, need not only for processes which permit of peaceful change, but there is equally a need for stability in adherence to basic values, including that of respecting international agreements and treaties. This requires that, unless international law and treaty engagements are changed by common agreement, they should be respected.

There has not been as great a development of international law and recourse to judicial processes as would be desirable. The United Nations General Assembly Committee on the codification of international law has made little progress. Some significant progress in law development was made at the recent Law of the Sea Conference, and that Conference will be resumed in 1960. Inadequate use has been made of the International Court of Justice. As the President said last week in his State of the Union address, we envisage further steps to encourage the greater use of that Court.

In such ways as I describe progress is being made toward establishing a world order where peace rests, not on mere expediency or on a balance of power, but on a basis of sound institutions.

This evolution is not spectacular and rarely considered "news." What attracts attention are the aggressive probings of the Communists and the free world reactions thereto. That gives the impression that our foreign policy consists primarily of reacting to Communist initiatives.

Nothing could be further from the truth. The fact is that day by day, month by month, and year by year, we are building, quietly but steadily, in the United Nations, in NATO, in the OAS, in SEATO, and other organs of consultation, the solid foundations of an international order based upon justice and law as substitutes for force.

The Communist rulers do not share in this effort to build a stable world order based upon justice and law. International communism avowedly seeks worldwide dictatorship. The concept of justice is alien to the Communist creed, and law, in our sense of that word, is unknown. The free world and Communist concepts are mutually antagonistic.

This, however, does not mean that there cannot be useful contacts and negotiations with the Communists. We have had many such. We are striving to make progress in

the field of disarmament and in that connection deal with the Soviets, particularly in relation to the controlled discontinuance of nuclear weapons tests. We also seek agreement on possible measures which might be helpful in preventing surprise attack.

At Warsaw we negotiate with the Chinese Communists.

We have made clear our willingness to negotiate about the German question.

We have now an agreement with the Soviet Union on cultural and scientific exchanges which is operating satisfactorily. Also important are the visits to and from Russia of influential citizens.

President Eisenhower urged this in his letter of February 16, 1958, to the then Soviet Premier. Following this initiative, there have been useful visits on both sides, and we are glad that the First Deputy Premier of the Soviet Union, Mr. Mikoyan, is now here learning about our country. We would like to see a broader exchange of students. We believe that in such ways false premises and miscalculations can be reduced in the interest of peace.

V. THE INEVITABLE MOVEMENT TOWARD FREEDOM

I turn now to our second major purpose.

One of the strongest forces working in the world today is the movement toward independence and freedom.

This force is notably manifest in Africa. Here change is rapid, new states are arising almost overnight. This great continent presents a challenge to the United States to do its best to assist the peoples now emerging into independence and new opportunity.

Another such area is our hemisphere to the south. The peoples of Latin America are making clear their determination to control their own destinies. One by one dictatorships have made way for governments more responsive to the popular will.

The worldwide movement toward freedom is accompanied by a growing awareness of the deadly nature of Sino-Soviet imperialism. The leaders of the new freedom are coming more and more to see international communism as an immediate threat to their liberties, not, as some have thought, a mere bogeyman of so-called western imperialism.

The Communists are paying a price for the forced growth of their material power. There is a developing fear in the less powerful nations around the world of the dangerous combination of burgeoning economic and military power with the imperialist drive of the Communists for world domination. This menacing combination brings home with force the threat which, when the Communists were not so strong, was but a matter of vague and largely academic concern.

There has recently been a surprising clarification of understanding around the world of the real purpose of Communist leaders—to subject all the world to the dominant influence and control of international communism, with its primary power centers at Moscow and Peiping.

In the Middle East the deadly designs of communism are now far more clearly realized than a year ago.

In southeast Asia liberty-loving peoples are struggling—and with success—to remain masters in their newly built national homes.

In general, I believe the leaders and peoples of Asia now understand better the sincerity of American policy favoring their independence and our willingness to support unconditionally their efforts to stay free and do so in their own way, which may indeed be a non-Western way.

In France, we are witnessing an inspiring example of national renewal.

The tide of freedom is running strong in Western Europe as Communist strength there ebbs.

Even in Communist countries there is a powerful and persistent craving for greater national freedom. Yugoslavia has been steadfast against all threats and blandishments from Moscow and has courageously maintained its independence.

Hungary's great effort to throw off its shackles, even though crushed by force, has been an inspiration and a tribute to man's unquenchable thirst for liberty. And throughout the bloc, even in the U.S.S.R., revisionism is a living force and ferment. Moscow considers it a deadly enemy, and with reason.

The pull of freedom is daily manifested in the flow of refugees from the Communist bloc to the free world.

The free people of West Berlin have, during years of uncertainty and danger, been an inspiring beacon light for all those whose liberties have been lost to Communist tyranny. We are determined that this light shall not fail, and that Berlin shall not be engulfed in the Red undertow.

As we look ahead, we see freedom as a predominant force, shaping our 20th century world. As Americans, we have faith that the aspiration, deep within the soul of man, to live freely and with dignity in a just and peaceful world is stronger than all the material forces which the Communists invoke as the pledge and promise of their power.

VI. ECONOMIC PROGRESS

I turn now to our third basic purpose.

We believe that economic progress is a necessary condition of stable and free nations. There must also be acceptance of economic interdependence of nations. No nation can live completely to itself.

Unless and until the less developed areas reach the stage of self-sustaining economic growth, the world as a whole will suffer. For the inhabitants of those areas, an increasing rate of economic development has become an essential condition of free societies. The demand for economic and social betterment is now universal, and if progress cannot be achieved in freedom, it will be sought by methods that jeopardize freedom.

The Communists are fully aware of the universal demand for progress, and they point to the Soviet and Chinese Communist accomplishments in industrialization as proof that their way is better than the way of freedom.

Our aid and investment must continue to support the efforts of the leaders of the developing free nations to sustain their peoples' confidence that economic progress can be attained in freedom.

We have not been alone in providing such support. Other highly industrialized states have made significant contributions.

These industrialized nations have also shown a growing awareness of interdependence among themselves. This is particularly gratifying to us. A common market for Europe was one of the policy objectives stated in the preamble to the European Recovery Act of 1948. Now, after 10 years, the six-nation European common market is a fact. The Western European currencies have become more freely exchangeable and there is a strong movement for broader economic cooperation in Western Europe.

Free world economic progress does not permit complacency or relaxation. It calls instead for renewed effort to increase the forward momentum.

In the years ahead, we must through our trade and financial policies continue to promote recognition and positive use of the benefits of interdependence. These benefits, and the inevitability, of economic interdependence become more clear each year. What is being done in the European Community of Six provides an example and an inspiration for greater economic cooperation elsewhere in the world.

We must continue to apply our will, energy, treasure, and techniques to the problems of the less developed areas. The cause of freedom can be won—or could be lost—in these areas.

VII. CONCLUSION

Let me in conclusion recall the basic purposes underlying our policies:

1. The renunciation of aggressive force and the substitution of collective institutions of peace, justice, and law among nations;

2. Promotion of the concept of human dignity, worth, and freedom;

3. Stimulation of economic growth and interdependence to create enlarged opportunities for realization of cultural and spiritual values.

These goals are not attainable in a few years, but will require decades and, perhaps even generations. Why is this so? We are but one nation among nearly a hundred sovereignties, and but a scant 6 percent of the world's land surface and population. Our foreign policy is not something we can enact into world law or dictate to other peoples. It means rather constant adjustment to forces which, though beyond our control to direct, we can influence through wise statesmanship and adherence to sound principles. With our immense wealth and power, and even more because of our spiritual heritage of faith and freedom, we can exert a shaping influence on the world of the future.

The price of failure would be the destruction of all our other national objectives. While mustering all our resources, both material and spiritual, we must press on with courage to build surer foundations for the interdependent world community of which we are part. This will call for austerity and sacrifice on the part of all. We must put first things first.

Our purpose, ultimately and at all times, should be to use our great power, without abusing or presuming upon it, to move steadily toward lasting peace, orderly freedom, and growing opportunity. Thus do we achieve our constitutional purpose "to secure the blessings of liberty to ourselves and our posterity."

Science and Freedom: The Continuing Challenge

EXTENSION OF REMARKS

OF

HON. HENRY M. JACKSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Wednesday, January 14, 1959

Mr. JACKSON. Mr. President, at the November 1958 Conference of NATO Parliamentarians in Paris, important recommendations were unanimously agreed upon to further improve the State of science in the NATO Community.

These recommendations are embodied in the report of the Scientific and Technical Committee entitled "Science and Freedom: The Continuing Challenge."

Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the address which I delivered as Chairman of the NATO Scientific and Technical Committee in presenting the report to the Conference on November 17, 1958, together with the text of the report itself.

There being no objection, the address and report were ordered to be printed in the RECORD as follows:

ADDRESS BY SENATOR HENRY M. JACKSON, PRESENTING THE REPORT OF THE SCIENTIFIC AND TECHNICAL COMMITTEE TO THE NATO PARLIAMENTARIANS' CONFERENCE ON NOVEMBER 17, 1958

Only one out of every seven people in the world is a member of our North Atlantic Community. We occupy only a small fraction of the lands of the earth. Our Community's soils are not uniquely fertile. Our mineral wealth is not uniquely great. Yet our Community, small in size and numbers, has created the civilization which has dominated world history for the past thousand years.

All other societies and cultures of the past have been parochial. Their imprint has fallen on only one race, one religious group, or one limited geographical area. But the influence of the Old World Community has spread to every continent. We in North America are actively aware of this influence in our progress.

All civilizations of the past have grown and flowered, and then withered. But our own Community has so far escaped dissolution and decay.

There is only one common denominator to societies which have perished—their failure to adapt to change. The root cause of dissolution is never found in material things; it is found in matters of the mind. Nations or communities which meet new problems with new solutions and new ideas endure. Those which do not go under.

Think back to 13th-century China. The China of Marco Polo was more prosperous than the Europe of Chaucer. It had a magnificent educational system, which produced superb scholars and civil servants. But that system was based on the notion of an unchanging and already perfectly ordered society. It found its perfect expression in the Great Wall of China.

Yet the Great Wall could not keep out the ideas of the scientific and industrial revolution. Unable to resist Western technology, unwilling to adapt to it, the China of old slowly disintegrated.

In the meanwhile, our Atlantic world was eagerly embracing the revolutionary ideas of the new science. It was translating the ideas into machines which let 1 man do the work of 10. It was exporting science and technology to every corner of the earth. Science and the Atlantic world became almost synonymous.

More than any other single factor, it is the scientific leadership of our community which has created our world political and economic leadership. Through science, we have attained the world's highest standard of life. Through it also, we have built armaments which have canceled out our weakness in numbers.

But today, the very science which has made our community prosperous and strong threatens us mortally.

Once, because of our head start, our Atlantic world possessed a near monopoly of science and technology. While we did, our world leadership was almost guaranteed. But our monopoly of scientific and technical knowledge is over.

The two overriding challenges of our time are the tremendous growth of science and technology in the Soviet Union and the determination of the economically underdeveloped areas to raise their standards of life. We must find new solutions for these new problems.

The Soviets are resolved to surpass us scientifically, because in so doing they could surpass us industrially and politically as well. The Soviet Union continues to graduate scientists and engineers at a rate twice our own. It continues to raise its industrial output twice as fast as ours. It continues to close the gap in advanced weapons systems. Make no mistake: we are locked in a stern competition.

The peoples of Asia and Africa are spectators to this contest. They are determined to secure, as quickly as possible, the fruits of science—industrial progress, lightened burdens, and richer lives. They are told by Moscow that their only chance to industrialize quickly lies in following the Soviet example. Moscow is consciously and deliberately wooing the uncommitted peoples with trade and aid—ready to snap the trap shut when the time comes.

Since long before sputnik, wise men have warned that science and technology in our Atlantic world are moving forward too slowly to keep pace with the challenges of our time. The danger is present and clear, and our problem is threefold. We are not graduating enough scientists and engineers. We are not producing enough uniquely gifted talents—the great scientific pathbreakers. And we are wasting precious talent by not employing it efficiently. As a result, it hangs in the balance whether we can continue our dynamic economic growth, meet the Soviet challenge, and convince Asia and Africa through help and example that economic progress is in harmony with freedom.

In 1956, almost a full year before the first sputnik, this conference acted. We established a special Committee on Scientific and Technical Personnel; it was my honor to be appointed chairman.

The committee was asked to report to the third annual conference on ways and means of improving the state of science within our community.

When our conference met in Paris last November, the committee made specific recommendations for positive action by the member governments and the North Atlantic Treaty Organization itself. The committee report was adopted by the third conference, and forwarded to the North Atlantic Council, the member governments, and other interested bodies including the OEEC.

A year has passed since we made our report. This has been a period of solid accomplishment. New drive has been given to our scientific effort. We are now on the right road and traveling in the right direction.

One year ago, the general public scarcely knew there was a scientific manpower problem. Today, our citizens, acting through the civic and community organizations, are helping solve it.

A year ago, the member states were just beginning to grapple with the problem. Today, for the most part, they have programs of remedial action well under way.

A year ago, consideration of the problem within NATO was still in the study stage. Today, NATO possesses new and unprecedented regional machinery in this field. A full-time science adviser and a Science Advisory Committee are now hard at work, helping the NATO Council.

Finally, these past 12 months have seen heartening progress in translating key recommendations of last year's Parliamentary Conference into effective action.

The report now before you gives the details of what has been done concerning these recommendations; permit me to summarize the highlights of the story.

Last year's conference recommended that NATO sponsor and finance a talent development program which would produce annually at least 500 researchers with advanced training in fields of maximum importance for the defense and welfare of our Community. The NATO Council has approved a NATO science fellowship program, based on the recommendation of our conference.

Last year's conference recommended an immediate increase in the number and the variety of advanced summer study institutes within the NATO Community. The NATO Council has just approved a program for partial financial suport of advanced study institutes.

Last year, we recommended that NATO sponsor and finance additional important cooperative training and research projects, which particularly lend themselves to international action. The NATO Science Committee is now actively considering new cooperative projects which might merit NATO support.

Last year we recommended that a NATO Defense Missile Training Center be established. Reinforced by this recommendation, AGARD, in cooperation with SHAPE, has conducted a study of available training range areas and initial steps have been taken to budget funds.

Last year's conference proposed an Atlantic Institute for Defense Studies to conduct operations research on a NATO-wide basis. Since then AGARD and SHAPE have sponsored operations research conferences. We hope these will help point the way to a permanent and broad defense studies institute.

Mr. President, every member of this conference should feel proud that so many of our recommendations have been favorably acted upon, by the NATO Council and by the member governments.

The task now is to build on the solid foundation already laid—to speed up and broaden corrective programs already started, and to find new areas for useful action.

Ever since last year, my colleagues on the Scientific and Technical Committee have continued to give close attention to this problem.

Our recommendations for further action are contained in the committee's report at your desk. This report reflects discussions and correspondence with officials of NATO, SHAPE, and the OEEC. It reflects the valuable counsel of the executive agencies of our countries and of distinguished private citizens, including many of the greatest scientists in the world.

Above all, it reflects a great deal of hard work on the part of my committee colleagues.

Let me summarize our new recommendations:

First, we recommend that the NATO Council look forward to increasing the Science Fellowship program. We believe this program is full of promise, and we are thankful it is under way. Considering the scope of the challenge, however, we think the present plan is too modest.

If the NATO fellowships discover one new giant in the scientific field, or if they give us one new revolutionary scientific idea, they will more than pay their way. We believe a reasonable annual budget would be $8 million, when the program is in full operation.

Second, we recommend that the NATO Science Committee place high on its agenda the formulation of a basic long-range policy to guide NATO research and development efforts.

As NATO gets further into the business of scientific cooperation, we must be sure our resources are not dissipated in too many directions. To achieve decisive results, we need to focus on a few urgent objectives.

The logical group to define these objectives is the NATO Science Committee.

Third, we recommend that, in launching projects for cooperative research, the NATO Council give particular attention to joint programs in three fields: materials research, oceanography, and upper atmosphere and space.

In the materials field, our knowledge has been strained to the limit by recent technological advances. Unless we can achieve early breakthroughs in basic and applied metallurgy, vital peacetime and military projects will be stalled. Much excellent work on materials problems is now underway in Europe and America, but we need a joint program to make the best use of available talent.

In oceanography, the research demands far exceed the skills now available in any one or two of the NATO nations. Despite the fact that the Atlantic Community is essentially a maritime confederation, our understanding of the ocean is still primitive. For example, we have roughly accurate maps for only about two percent of the deep-sea floor. The advent of nuclear-missile firing submarines and the prospect of nuclear commercial transport underline the need for a bold program of oceanographic research—capitalizing on the most expert talent our Community can provide.

Mr. President, almost five centuries ago, the great voyagers of discovery of the Old World found and explored the New World of the Americas. But the greatest voyages of discovery are yet to come. They lie in the upper atmosphere and outer space.

Your Old World, Mr. President, and my New World should now join forces for this greatest adventure of all. We should now explore the world of space together.

Specifically, my colleagues and I recommend that the members of the North Atlantic Treaty Organization now undertake a program of peaceful scientific and technical cooperation in upper atmosphere and outer space research, development, and exploration.

The first goal: A satellite for peaceful outer space research, bearing the emblem of the Atlantic Community and circling the earth by 1960.

The scientific problems involved in space technology are enormously difficult and enormously expensive. Only a few members of our Community have been able to afford the great outlays of money and manpower needed to develop and build launching vehicles for satellites.

Yet this is only one part of the total space research problem. The total problem cuts across every scientific discipline. It involves theoretical and applied mathematics, physics, meteorology, chemistry, geology, geophysics, biology, and medicine.

Scientists from every one of our countries possess skills which are urgently needed in space research. Some of the smaller members of our Community, in fact, now lead the world in specialized research areas of crucial importance.

But our problem today is this: We have embarked upon independent and uncoordinated national programs for developing space technology. There is overlapping and duplication of effort. Precious scientific talent is thereby being wasted.

The obviously desirable solution is to establish a mechanism for pooling the talents of all our 15 nations. We already have a foundation for such a joint effort—Prof. Theodore von Karman's Advisory Group for Aeronautical Research and Development. We are already cooperating in aeronautics; a logical next step is to cooperate in astronautics.

The way to start may be by inviting scientists from our entire Community to meet at an early date for the purpose of drafting a cooperative research effort.

As its first goal, this cooperative program might aim at designing an advanced peaceful research satellite which combines the best ideas of our entire scientific Community. This satellite could be sent into space with a launching vehicle supplied by a nation possessing a major missile program. I am informed that it is technically possible to design and launch such a satellite by 1960.

We are now partners on land. We are partners on the sea. We are partners in the air. It is time that we now become partners in outer space.

Mr. President, I sincerely believe that these recommendations are constructive and timely. I trust they will provoke a lively discussion from the floor today.

I cannot close these remarks without sounding a note of warning.

It took sputnik to shock us into taking a fresh look at the state of science in our Community. But we cannot count on being alerted so well again. Our problem now is to stay on the job—day in and day out—even when we do not have providential warnings like sputnik to arouse us. We must not again commit the error of thinking that our Community can remain preeminent in the affairs of men without remaining preeminent in science and technology.

But in avoiding that mistake, we must not err in the opposite direction.

In every generation, there is a passionate minority which thinks it has found a magic solution for the great problems of its time. Think back to Hiram Maxim, the inventor of the machinegun, who said, "It will make war impossible." Think of our libraries, filled with thousands of dusty and now-forgotten treatises, each of which had marvelous formulas for permanent prosperity, and perfect and final harmony among all men.

Suppose our Community remains preeminent in science and technology, suppose we win all the races for discovery for advanced weapons? We can still fail in our quest for security. We may successfully bar the front door, yet if we leave the back door open our adversary can enter by that route.

As Khrushchev puts it: "We do not need war. Peaceful competition is enough * * * we will bury you."

Today the Soviets challenge us across the boards, not only in science and industry, and in military strength, but in culture, languages, standard of living, trade, politics, and diplomacy.

The Science and Technical Committee of this Conference has tackled the immediate and urgent work of improving the scientific skills in our North Atlantic world. But this is only part one of the task confronting our Community. Indeed, in may ways it is the easier part of our job. A second part, and a far more difficult one, is the improvement of our skills in dealing with the most unscientific thing in the world; namely, people.

Take the problem of the underdeveloped nations which are now moving toward self rule and trying to raise their standards of life to Western levels.

Our Community is well equipped to offer these regions the scientific tools they need to bring closer their dream of a decent standard of life. It is far less well equipped to convince these areas that their cause and our cause are in harmony, that their cause and our cause are both part of one larger common cause, dignity and justice for all men everywhere.

It is right and imperative to invigorate the study and pursuit of science and technology within our Atlantic Community. Yet all our cyclotrons, all our atomic reactors, all our wondrous space missiles, all our Nobel prize winners in science will avail us naught unless, at the same time, we invigorate also those skills and vocations which determine how the fruits of science will be used.

We cannot halt the onward sweep of science and technology. New and yet more momentous discoveries altering the face of our world continue to be made at an ever-accelerting rate. Any attempt to stop or slow the clock of science would be wrong, self-defeating, and hopeless.

There is only one solution which realistic men can entertain: To develop skills and wisdom in the social sciences and the humanities which equal the skills and wisdom of our scientists.

If our age is to become a blessing and not a curse we shall need prodigious talent in philosophy, in sociology, in political science, in law, in languages, and in economics. None of these disciplines can safely be left on the sidelines.

Let me cite an example:

Language—the words and phrases of everyday intercourse—has assumed immense symbolic significance in Asia and Africa. There is a great revival of native tongues, they are becoming the language of politics and of commerce.

Yet we are not assuring ourselves even the minimum language skills in working with the emerging nations. There are over 40 important languages of Asia alone for which even our teaching tools are sketchy or nonexistent.

By contrast, Russian universities have ambitious programs in the Asian languages, including Manchurian, Uigur, Telegu, and the Burmese, Vietnamese, Malayan, and Indonesian languages. Some of the Russian grade schools now even instruct 8- and 9-year-olds in Chinese, Hindi, Arabic, Parsi, and Urdu.

One can almost foretell what countries are next on the Soviet calendar of conquest—from their language curriculum.

Meanwhile, our Atlantic Community lumbers along emphasizing the colonial languages, English, French, German, and Dutch.

How unimaginative can we be to try to build a community of interest with the former colonial peoples while our peoples speak mainly the language of the former governing nations.

Or, take one other example; economics. Moscow has declared war on us on the economic front, and the opening battle has begun. Soviet production is sufficient to support a huge arms budget, to meet the minimum demands of the civilian economy and to start major maneuvers in the markets of the world.

The Soviets doubtless desire to defeat our Community without war, if they can. They would prefer to inherit the world, rather than destroy it.

In Khrushchev's own words: "We will make war on you through peaceful trade to see which system is the best."

The Soviets can sell at a loss and buy at a premium when it suits their political purposes—concentrating their fire on the vulnerable economies in the Middle East, southern Asia, and Latin America.

Moscow has already upset world markets for timber, tin, and aluminum—by cut-rate sales. It aims to set ally against ally, friend against friend—its motto: "Divide and disrupt."

Despite the clear danger signals, our Community has barely begun to drag itself into action. Yet there is every prospect that Moscow's capacity for economic warfare will grow steadily in the future.

Obviously, the Soviets have the easier task. They accept no responsibility for making the present world economic system function smoothly and fairly.

How unwise can we be to continue discounting Russia's economic offensive, when it could prove more dangerous than its armaments build-up?

It is true that Europe is making good progress toward a freer trading area. However, in the wider Atlantic framework, article 2 of our treaty is practically forgotten.

The Atlantic Community should (1) affirm that an economic assault upon one of us, is an economic assault upon all of us; (2) rally our creative talents in economics and political science and put them to work on a joint economic strategy; and (3) use NATO-wide

arrangements for economic consultations and economic diplomacy.

In conclusion, let me say:

Our conference should continue its energetic efforts to improve the scientific skills of our Community. In addition, this conference should now launch part 2 of its talent program. We should single out high priority needs in the humanities and the social sciences, such as Asian and African languages, and we should come forward with suggestions to remedy the deficiencies.

The great philosopher Whitehead once said it is the business of the future to be dangerous.

It is the business of our Community to welcome that future and to meet its new challenges successfully.

Our rivals pose as champions of the future, but they are in fact defenders of the discredited past. They advocate an outmoded idea which our Atlantic Community rejected centuries ago—that man must choose between material progress and individual freedom.

We are the real champions of the future. We are the bearers of the truly revolutionary idea of our time—that the quest for material abundance and the quest for human freedom are one and the same quest.

Ours is a privileged time. We have been given a historic opportunity to prove the superiority and power of freedom.

SCIENCE AND FREEDOM: THE CONTINUING CHALLENGE

(Report of the Committee on the Provisions of Scientific and Technical Personnel, NATO Parliamentarians' Conference, prepared by Senator HENRY M. JACKSON, United States of America, chairman, and Mr. C. L. Patijn, Netherlands, rapporteur)

INTRODUCTION

The Second Parliamentarians' Conference held in November 1956 established a special Committee on Scientific and Technical Personnel. This committee was requested to submit to last years' conference their findings and recommendations concerning these three topics:

(a) The present situation with respect to the training of scientific and technological personnel in the NATO countries.

(b) The relationship between NATO utilization of the existing potential resources in this field and the utilization of similar resources by the Soviet bloc.

(c) The development of resources of scientific and technological personnel sufficient to enable the NATO countries to maintain their individual and collective capacities to resist armed attack and to continue their economic growth essential to their strength and well-being.

The committee report submitted to the third conference made these general findings:

(a) The scientific revolution has created an unprecedented demand for highly qualified scientists and engineers.

(b) The NATO community now faces a major problem in the form of serious shortages of skilled personnel, and in underemployment of available scientific and technical talent.

(c) There is a real danger that the Soviet bloc may surpass the NATO community in science and technology. This shift in the balance of scientific power could well upset the balance of military power.

(d) NATO would urgently need more trained manpower even if there were no Soviet Union and no defense effort. More and better skills will be needed if the Atlantic nations are to take full advantage of new opportunities for industrial progress and economic well-being, and if they are to continue to be the chief exporters of science and technology to the underdeveloped areas of the world.

The committee report recognized that corrective action was primarily the responsibility of the member states. It found, however, that cooperative measures could also play an indispensable role. The report thereupon made specific recommendations for positive action to be undertaken both by national governments and the North Atlantic Treaty Organization.

The committee report was adopted by the Third Annual Conference and forwarded to the North Atlantic Council, the member governments of NATO, and other interested bodies, including OEEC.

During the past year, the members of the Scientific and Technical Committee have continued to give close attention to this problem, focusing particular interest on progress being made in translating the recommendations of the third conference into positive action. The committee members have profited greatly from discussions and correspondence with officials of NATO, the OEEC, and SHAPE. They have also received invaluable counsel from the executive agencies of their own countries and from many private citizens.

Those who have taken part in the discussions of the Scientific and Technical Committee are:

Senator HENRY M. JACKSON (United States of America), Chairman.
Mr. C. L. Patijn (Netherlands), Rapporteur.
Mr. A. de Meerleer for Mr. Smet (Belgium).
Mr. A. G. Normann (Denmark).
Senator G. Portmann (France).
Dr. G. Kliesing (Germany).
Mr. P. Yokas (Greece).
Mr. O. Watnebryn (Norway).
Viscount Goschen, O.B.E. (United Kingdom).
Brig. O. L. Prior-Palmer, D.S.O. (United Kingdom).
Congressman R. J. CORBETT (United States of America).
Adviser to committee: Mr. Kenneth Mansfield (United States of America).

The chairman wishes to thank his committee colleagues for their extremely valuable contributions to this report, and to acknowledge gratefully the assistance of the executive secretary and staff of the conference.

A YEAR OF ACCOMPLISHMENT

Last year's Parliamentarians' Conference met less than 5 weeks after the first sputnik. The Soviet bloc, not the Atlantic Community, had taken man's first step into outer space. A country barely one generation into the industrial age had surpassed us.

A bewildered North Atlantic Community undertook a great reexamination of its course and destiny.

Much good came of this great appraisal in the realm of science and technology.

Over the past 12 months, significant progress has been made in improving the state of science within the NATO Community. Less has been done than might have been done, but we have made a good beginning.

First, there is now far greater public awareness of the importance of invigorating the study and pursuit of science. Twelve months ago, far too many of our citizens were scarcely aware of the existence of this problem. Over the long run it is our ordinary citizens, not experts, who will determine the success or failure of corrective measures. It is our citizens as parents who must encourage gifted young children to follow careers in science and engineering. It is our citizens as taxpayers who must provide the moneys needed to support remedial programs. We should therefore be immensely heartened by the fact that the general public, acting through civic and community organizations, is now beginning to participate actively in helping attack this problem.

Second, the member states of NATO have broadened the scope and accelerated the pace of national remedial programs.

Of particular importance are programs initiated to increase the supply and training of teachers in technical fields, and to invigorate the study of mathematics and science at the high school and secondary school level.

It has been apparent that the international activities this year have in many cases stimulated useful action at national and regional levels.

Third, the North Atlantic Treaty Organization has set up new and unprecedented regional machinery in the science field. A science adviser and a representative Science Advisory Committee of 15 members are helping the NATO Council launch a scientific and technical program for the NATO area.

At the same time, the OEEC has strengthened its machinery in the scientific education and manpower field. A director of the new Office of Scientific and Technical Personnel and a new Governing Committee on Scientific and Technical Personnel are sponsoring practical activities to improve the quality and raise the number of able men and women in the sciences.

Fourth, solid progress has been made in implementing key recommendations of the Third Parliamentarians' Conference, relating to the provision and utilization of scientific manpower.

(a) NATO science fellowship program: Last year's Conference recommended establishment of a NATO-sponsored and NATO-financed talent development program designed to produce annually at least 500 doctoral degree holders with research experience in the fields of maximum importance for the defense and economic well-being of the NATO Community.

This proposal recognized certain disciplines to be of prime importance, among them, applied mathematics, aero and fluid dynamics, basic electronics, nuclear physics, solid state physics, physical chemistry and metallurgy. The conference believed that a relatively small number of additional trained people of outstanding talent in these key disciplines would have a catalytic effect, accelerating the entire scientific and technological effort of the NATO Community. The suggested program would afford top-level students an opportunity to study abroad at leading centers for their particular disciplines.

The NATO Council has given final approval to a NATO science fellowship program based on the recommendation of the Parliamentarians' Conference and drawing its principal inspiration from that recommendation. (For details see Annex 1—NATO Council's Agreement on NATO Science Fellowship Program.)

The program would cost $1 million for the first year. Tentative plans call for a budget of $4 million annually when the program is in full operation in 4 years. Financial arrangements for the first year have been completed in time to publicize for 1959 fellowships.

(b) Advanced study institutes: Last year's conference recommended that immediate steps be taken to increase the number and variety of advanced summer study institutes within the NATO Community, in order to extend the influence of outstanding scholarly talent in fields now hampered by a shortage of teachers.

The proposal called for a strong program of institutes in such fields as solid state physics, nuclear engineering, applied mathematics, high temperature metallurgy and medicine.

The proposal recognized that the summer study institute has been an important postwar educational development both in North America and in Europe.

These institutes serve various purposes: bring able students into contact with the latest and best thinking in their fields; bring together mature scholars for extended seminars in particular scientific problem areas,

or offer refresher courses in science or mathematics to secondary school or college teachers.

Such institutes have distinct advantages: flexibility, inexpensiveness, administration by existing organizations, and an international character.

The OEEC has pioneered in holding summer institutes for high school teachers in the general sciences and mathematics. This year the OEEC sponsored three international institutes for secondary school science teachers; one in England; one in Germany; and one in France. These institutes brought together teachers and supervisors of science teacher courses to develop improved science teaching techniques.

The OEEC is now planning summer institutes during 1959 for science inspectors of high schools, for teachers of science in teacher training colleges, for representatives of high school science teacher organizations, and for science teachers from the small countries who confront special problems in shortages of equipment, etc.

Late last year, the Ford Foundation (United States of America), recognized the importance of the proposed advanced research institute program, and informed that no NATO financing would be available to support institutes as early as the summer of 1958, assisted in an experimental expansion of two already established and well known summer institutes—the French-sponsored summer school of physics at Les Houches, and the Italian-sponsored summer school of physics at Varenna.

In addition, assistance from the Ford Foundation made possible a new 1958 summer institute of solid state physics administered by the Ecole Normale Superieure in Paris. A group of French, Italian, and English physicists have agreed to operate this institute in turn, in successive years, if financing continues to be available.

The NATO Council has now fully approved a NATO program for partial financial support of advanced study institutes, such as the ones at Les Houches and Varenna. (For details see Annex 2—North Atlantic Council's Agreement on NATO Advanced Study Institute program.)

The program would cost $150,000 for the first year. Tentative plans call for an increased budget the following year. NATO financing of institutes will be available for the summer of 1959.

(c) Annual review of scientific and technical education and manpower: Last year the conference asked the NATO Council to initiate the practice of annual reports from member countries on the adequacy of science education facilities, hoping thereby to encourage a speedup in national corrective programs.

This stock taking was proposed especially in view of the growth of population and the demand for education on the part of increasing numbers of people.

The OEEC, with the full concurrence of the NATO Council, is now conducting the first annual review of the country policies in the training of scientific and technical manpower. The review is being carried on in collaboration with the appropriate educational authorities in member countries.

No uniform set of questions is being used, rather each country is asked questions relevant to its special condition and need. It is hoped that this first year the review will discover the more glaring gaps in individual country programs and will identify the more obvious possibilities for practical improvement.

(d) Cooperative project research under NATO sponsorship: Last year the conference recommended that NATO sponsor and finance additional important cooperative training and research projects which particularly lend themselves to international action. The conference was impressed with the outstanding success of the NATO-supported training center for experimental aerodynamics in Brussels, and proposed that this precedent be extended to other areas where cooperative projects could be helpful.

The NATO Science Advisory Committee is now actively considering a number of new cooperative projects which might merit NATO contract support.

Meanwhile, during the last year both the Brussels Aerodynamic Center and the Air Defense Technical Center at The Hague have increased the effectiveness of their programs.

(e) The NATO Defense Missile Training Center: Last year the conference recommended that a NATO Defense Missile Training Center be established to assure the entire NATO community an opportunity for intensive and systematic training in the handling of defensive missiles.

Reinforced by this recommendation, AGARD, in cooperation with SHAPE, has conducted a study of available training range areas. Steps to budget funds for a missile training installation are in a preliminary stage.

Following the 1957 discussions, it became increasingly evident that any NATO missile center would also be useful for the education of the civilian scientific and technical personnel. Such a center might thereby aid our community in establishing a base for the science of astronautics in addition to the primary function of training NATO's defensive missile units.

(f) Atlantic Institute for Defense Studies: Last year the conference recommended the establishment of an Atlantic Institute for Defense Studies which would bring the techniques of modern science to bear on defense planning on a NATO-wide basis. It was suggested that this institute could be responsible to SHAPE.

This proposal recognized that effective defense planning can no longer be improvised. Today, with weapons systems and defense problems becoming more complex, there is increasing need for comprehensive programs of operational research.

The potential benefits to be derived from operational research have become increasingly recognized since our 1957 session, particularly through AGARD and SHAPE efforts in their conduct of conferences on operational research, history, and methods.

We are encouraged by AGARD's recent establishment of a summer study institute in operational research methods, in which all our NATO nations are being invited to enroll students. This first course we understand will begin in the summer of 1959 and will be open to both civilian and military students.

We hope that the experience thus gained will help speed an early decision by SHAPE on behalf of a broad and permanent institute of defense studies.

THE TASK AHEAD

The job before us is to build on the solid foundation laid in the past year—to bolster and expedite remedial programs already started, and to identify new areas where further action is needed.

We believe that the member governments should again be called on by the NATO Council to maintain and enlarge appropriate programs on the national level, looking both to the removal of barriers to talent and to the employment of trained manpower in the most efficient manner.

We believe also that the NATO Parliamentarians' Conference, the NATO Council, the member governments, and all nongovernmental bodies concerned should maintain and enlarge their programs for focusing public attention on the continuing importance of raising the level of scientific excellence within the Atlantic world.

Unless member states come squarely to grips with the problem and unless national programs receive widespread popular support, internatinal measures, however desirable in principle, will be of little worth.

In addition, we make the following specific recommendations for strengthening existing programs and for initiating new programs during the coming year:

1. NATO science fellowship program: It is gratifying that this promising program is now under way, and that the first fellowships will be awarded next year. But we have to measure the size of this program against the challenge. The contemplated annual cost of $4 million, when the program is in full operation, is only half the cost of one long-range bomber, and a tiny fraction of the cost of a single peacetime atomic powerplant.

Thousands of gifted students who could profit by training abroad at key centers for their particular discipline, do not now have the chance to go abroad. A $4 million fellowship program will help immensely. Considering the need, however, a larger program seems justified so that even more of the really able students can obtain the best training available, and at a time in their careers when that training can be most useful.

If this program discovers one truly exceptional mind—a Maxwell, a Fermi, an Einstein, or a Bohr of the coming generation—then our investment will have more than paid off. If it gives the Atlantic community one path-breaking idea we would not otherwise get we will have struck an excellent bargain.

We think that money used to discover and nurture topflight talent is money very well spent.

Therefore, we recommend that the NATO Council look forward to increasing the Science Fellowship Program. We believe a reasonable annual budget would be $8 million when the program is in full operation.

2. Cooperative research centers under NATO sponsorship: Here are three examples of cooperative research programs which are specially needed at this time and which would particularly benefit from the joint action of NATO members.

(a) A NATO center of materials research: Technological advances since World War II, in both peacetime and military fields, have strained metallurgical knowledge to the limit. In many cases further progress cannot be made without major steps forward both in basic and applied metallurgy.

An example: Aluminum is an excellent structural material for subsonic and transonic aircraft, but it cannot withstand the high temperatures met by ultra-high-performance aircraft now being designed. The broader application of molybdenum and columbium is essential. Our knowledge of the properties and behavior of these materials is very meager.

Another example: The phenomenon of nuclear radiation has created an entirely new and crucially important field of metallurgical research. Nuclear powerplant design is now seriously inhibited by our failure to develop economical and practical materials capable of long-life use in the high-temperature, high-radiation environment of nuclear reactors.

Still enother example: One of the major areas of concern in missile development and space research is the reentry problem, which revolves around finding materials which do not disintegrate when traveling through the atmosphere at hypersonic speeds.

Many universities and research centers, both in Europe and North America, now have excellent materials research programs under way. The OEEC is conducting a modest study in the metallurgical field. Yet no full-scale integrated program has

been developed which would focus the best talents in the entire Atlantic Community on the really critical technical problems.

The possibilities of such a joint program might well be the subject of a study financed with NATO funds in 1959.

(b) An upper atmosphere and space research program: The technical problems confronting us in the new science of astronautics are immensely difficult. They will grow in magnitude and complexity as we reach further into space and as manned vehicles substitute for manned satellites. Space research and exploration will cut across every scientific discipline—theoretical and applied mathematics, physics, meteorology, chemistry, electronics, geology, biology, and medicine.

Designing and launching a carrier vehicle is an extremely complex undertaking. Large scale experiments in the upper atmosphere and outer space, in fact, might well be regarded as beyond the means of some of member states. As against this, there are numerous less costly but still critically important research projects which do lie within the competence of the smaller members of the community. Space medicine is an example. Fortunately we have among the European nations some of the world leaders in upper atmosphere studies.

Clearly, the scientific challenge in prospect far transcends the resources of even the most technically advanced members of NATO. There is work for all to do, and the job will go forward at maximum speed only if all take part. A cooperative effort in this area would seem eminently worthwhile.

(c) A NATO program for oceanographic research: Viewed in terms of political geography, the NATO Community is essentially a maritime confederation. Its survival depends upon the free transport of materials and peoples across the Atlantic basin and the littoral seas.

In time of peace, the ocean is a vast highway for commerce between the Old and the New World. In time of war, effective control of the ocean would be indispensable.

Although the continents are now giving up their last secrets, and although man has already taken the first step into space, the knowledge of the oceans, which make up three-fourths of the earth's surface, is meager and fragmentary.

Even roughly accurate maps of the deep sea floor exist for only about 2 percent of the total ocean area. We know but little about the properties of the ocean's waters and its bottoms, including the nature of the deep sea currents, the acoustic properties of the water, and the acoustic and magnetic properties of the bottom.

Recently, the advent of nuclear submarines or submarine-launched missiles has exposed the NATO Community to the threat of devastating attack from the sea. An effective system of defense is contingent upon a thorough knowledge of the environment in which submarines operate—the ocean.

Here is another area which appears to be a natural for cooperative research.

We recommend that the NATO Council, in its consideration of projects for cooperative research, give particular attention to the desirability of establishing joint research programs or centers in one or more of these fields; in materials, in upper atmosphere and space, and in oceanography.

(3) NATO policy for scientific research and development: As the NATO Council launches programs of scientific cooperation, including fellowships and advanced research institutes, the need increases for a basic NATO policy of scientific research and development. Without such a policy there is danger that efforts will be dissipated in too many directions and on less critical programs.

It is also essential to avoid overlapping and duplicating research and development, both in peacetime and military fields. Our scientific talent is too limited to be wasted in this way.

It is important to focus on a few of the most urgent objectives to achieve decisive results. A clear overall policy established by the Science Committee would guide member states in the award of NATO fellowships. It would also guide the Science Committee in selecting subjects for advanced research institutes, and in identifying the most promising fields for NATO-sponsored research centers and research grants.

We believe that NATO funds for scientific cooperation should be used to support the healthy evolution of a carefully planned international program for research and development.

Therefore, we recommend that the Science Committee give prompt attention to the formulation of an integrated and long-range policy for scientific research and development in the NATO area.

4. A NATO program to promote the exchange of technical information: A system to facilitate the exchange of technical documentation is believed essential to an expeditious and economically sound NATO research and development effort.

It is recommended, therefore, that an appropriate mechanism be established by NATO to promote the exchange of technical information, studies, and so forth, between the member nations.

THE CONTINUING CHALLENGE

With each passing month and week, the memory of the first sputnik is receding. Yet the need for urgent action is as great as last year.

The Soviet world is determined to reach and overreach our community in scientific and industrial achievement and in advanced weapons. They are bidding for the role of chief exporter of science and technology to critical underdeveloped areas.

And Soviet policy is characterized by infinite patience.

Free nations commonly respond grandly and vigorously to the dramatic challenge, but too often they are weak on the follow-through.

Our problem now is to stay on the job even without the kind of psychological shot in the arm provided by the first sputnik.

But nothing could be more wrong than to believe that we should improve the state of science solely because of dangers from without. We live in an age when all our future hopes for economic well-being go back to successes or failures in our laboratories.

Almost two centuries ago, the industrial revolution which changed the face of the world, was born in our Atlantic Community. That revolution raised standards of life in the Atlantic world to an unprecedented new plateau.

Now we are in a new revolution—the scientific revolution. The destiny of our community in this and the coming centuries will depend upon our imagination and perseverance in devising new solutions to the new problems posed by the scientific age.

ANNEX 1

NORTH ATLANTIC COUNCIL'S AGREEMENT ON NATO SCIENCE FELLOWSHIP PROGRAM

Note by the science adviser: The accompanying document describes the NATO science fellowship program that has been agreed to by the North Atlantic Council.—(N. F. Ramsey, Palais de Chaillot, Paris.)

NATO science fellowship program

The North Atlantic Council has agreed to establish a NATO science fellowship program with the joint purpose of stimulating the international exchange postgraduate and postdoctoral students of the pure and applied sciences between member countries and of increasing the scientific strength of the NATO alliance.

2. While the emphasis of the program should be on international exchange, it is appreciated that it may be necessary, and even desirable, for students or scientific workers of NATO countries who participate in this program to continue their studies in their countries of origin or in non-NATO countries. It is also appreciated that the stages of education which need to be encouraged may differ in different countries.

3. The fellowship program should be chiefly administered by the appropriate agencies within the member countries of NATO. The selection of students eligible for the program and determination of the magnitude of the stipends should be made nationally. The fellowships should be open to nationals of the participating countries and the selection of students should be made solely on the basis of scientific ability and merit. The recipient of the fellowship or his national group should arrange for the acceptance of fellowship holders.

4. The distribution of the funds by NATO is to be done by a simple formula, as given below. There will be a central organization of modest size in the office of the chairman of the science committee, to supervise the whole operation so that the chairman can report to the committee on the operation of the program. A panel of independent experts will be appointed as consultants to the science adviser to review each year the results of the program and to advise on the methods of operation of different countries. The central organization will assist the national agencies in the exchange of information about practice regarding stipends, standards, etc. Close liaison will be maintained with the AGARD and OEEC exchange and fellowship programs.

5. It is recommended that the distribution of the funds to the member countries should initially be proportionate to the population of the country concerned, with no nation receiving more than 15 percent of the total fellowship funds. This distribution formula should be subject to review by the science committee, which might at a later date recommend a different one to the North Atlantic Council.

6. The council has agreed that for the first year of the program the total amount should be for $1 million.

7. With the above procedure the magnitude of the fellowship program in each country for the first year is as follows:

Belgium	$26,900
Canada	48,300
Denmark	13,180
France	132,400
Germany	150,000
Greece	24,600
Iceland	480
Italy	149,800
Luxembourg	950
Netherlands	33,100
Norway	10,090
Portugal	26,000
Turkey	74,200
United Kingdom	150,000
USA	150,000

ANNEX 2

NORTH ATLANTIC COUNCIL'S AGREEMENT ON NATO ADVANCED STUDY INSTITUTE PROGRAM

Note by the science adviser: The accompanying document describes the NATO advanced study institute program that has been agreed to by the North Atlantic Council. (N. F. Ramsey, Palais de Chaillot, Paris.)

Advanced study institute program

The North Atlantic Council has agreed that there should be a program for the support of scientific study institutes for advanced or

special topics. The highly successful summer institutes at Les Houches and Varenna with intensive lectures and seminars extending over a 2-week to 2-month period are examples of such activities.

2. The council has agreed that during the first year the program will be for $150,000. The distribution of the money is to be made by the office of the science adviser with the guidance of a panel of experts who will be representatives of various aspects of science rather than national representatives.

3. The money for the support of summer study institutes should be used both for direct grants to the institute, partially to cover teaching and administrative costs, and for living and travel expenses of participants from NATO countries. The grants to the summer study institutes should be made as unrestricted grants so as not to influence the policy of the institute nor its selection of students or staff.

4. The method of administration of this program will be reviewed annually.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 15, 1959

The House met at 12 o'clock noon.

Rev. Guy D. Newman, president, Howard Payne College, Brownwood, Tex., offered the following prayer:

Let us pray. Almighty God, our Heavenly Father, before the mountains were brought forth or ever Thou hast formed the earth and world, from everlasting to everlasting Thou art God.

We seek divine wisdom in this hour of great world tension, our Father, because our human wisdom is so limited we cannot meet adequately the exigencies of our time without Thy divine strength.

We are grateful for our Nation. We are grateful for our National Congress, for men and women in places of public responsibility who have proved they are worthy of our trust. God help them to be strong and fearless, undaunted in faith, and help them to realize gratefully that our Nation will remain strong only insofar as it remains Christian and righteous and virile and honorable.

Bless us all, and may this year, if it please God, be the greatest year in our Nation's life, as we seek to find and to follow the great will of Thy great mind.

We ask it in the name of our Lord Jesus Christ, our Saviour. Amen.

The Journal of the proceedings of Monday, January 12, 1959, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

BOARD OF REGENTS, SMITHSONIAN INSTITUTION

The SPEAKER. Pursuant to the provisions of 20 U.S.C. 42, 43, the Chair appoints as members of the Board of Regents of the Smithsonian Institution the following Members on the part of the House: Mr. CANNON, of Missouri; Mr. BROOKS of Louisiana; Mr. Bow, of Ohio.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection?

There was no objection.

PRESIDENT OF THE REPUBLIC OF ARGENTINA

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Wednesday, January 21, 1959, for the Speaker to declare a recess for the purpose of receiving in joint meeting the President of the Republic of Argentina.

MAJORITY OBJECTORS' COMMITTEE, CONSENT CALENDAR

Mr. McCORMACK. Mr. Speaker, I desire to announce the appointment of majority objectors' committee members on the Consent Calendar for the 86th Congress the gentleman from Colorado, Mr. ASPINALL; the gentleman from Massachusetts, Mr. BOLAND; and the gentleman from California, Mr. MCFALL.

OBJECTORS' COMMITTEE, PRIVATE CALENDAR

Mr. McCORMACK. Mr. Speaker, I desire to announce the appointment of the majority objectors' committee on the Private Calendar for the 86th Congress the gentleman from Alabama, Mr. ROBERTS; the gentleman from Massachusetts, Mr. BOLAND; and the gentleman from South Carolina, Mr. HEMPHILL.

MINORITY WHIP

Mr. HALLECK. Mr. Speaker, I take great pleasure in announcing the selection of Hon. LES ARENDS, of Illinois, to be Republican whip in the 86th Congress.

MINORITY MEMBERS OF COMMITTEE ON APPROPRIATIONS, COMMITTEE ON RULES AND COMMITTEE ON WAYS AND MEANS

Mr. HALLECK. Mr. Speaker, I offer a resolution (H. Res. 103) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Committee on Appropriations: John Taber, New York; Ben F. Jensen, Iowa; H. Carl Anderson, Minnesota; Walt Horan, Washington; Gordon Canfield, New Jersey; Ivor D. Fenton, Pennsylvania; Gerald R. Ford, Jr., Michigan; Harold C. Ostertag, New York; Frank T. Bow, Ohio; Hamer H. Budge, Idaho; Charles Raper Jonas, North Carolina; Melvin R. Laird, Wisconsin; Elford A. Cederberg, Michigan; Glenard P. Lipscomb, California.

Committee on Rules: Leo E. Allen, Illinois; Clarence J. Brown, Ohio.

Committee on Ways and Means: Daniel A. Reed, New York; Richard M. Simpson, Pennsylvania; Noah M. Mason, Illinois; John W. Byrnes, Wisconsin; Howard H. Baker, Tennessee; Thomas B. Curtis, Missouri.

The resolution was agreed to.

OPERATIONS UNDER INTERNATIONAL CULTURAL EXCHANGE AND TRADE FAIR PARTICIPATION ACT OF 1956—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States which was read by the Clerk, and, together with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

In accordance with the provisions of section 9 of Public Law 860 of the 84th Congress, I transmit herewith for the information of the Congress the fourth semiannual report of operations under the International Cultural Exchange and Trade Fair Participation Act of 1956.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *January 15, 1959.*

INVESTIGATION BY COMMITTEE ON ARMED SERVICES

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 19, Rept. No. 2), which was referred to the House Calendar and ordered to be printed:

Resolved, That effective from January 4, 1959, the Committee on Armed Services, acting as a whole or by subcommittee, is authorized to conduct a full and complete investigation and study of all matters—

(1) relating to the procurement, use, and disposition of materiel, equipment, supplies, and services, and the acquisition, use, and disposition of real property, by or within the Department of Defense;

(2) relating to the military and civilian personnel under the jurisdiction of the Department of Defense;

(3) involving the laws, regulations, and directives administered by or within the Department of Defense;

(4) involving the use of appropriated and nonappropriated funds by or within the Department of Defense; and

(5) relating to scientific research and development in support of the armed services.

The committee shall report to the House (or to the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, whether the House has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

Mr. SMITH of Virginia. Mr. Speaker, by arrangement with the leadership, I ask unanimous consent for the immediate consideration of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FEDERAL AID TO SCHOOLS

Mr. COFFIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. COFFIN. Mr. Speaker, today I have introduced a bill to provide financial assistance for the support of public schools by appropriating funds to the States to be used for constructing school facilities and for teachers' salaries. It offers the opportunity to give primary and secondary school children the kind of training they need to take advantage of the National Defense Education Act. This is identical to H. R. 22 and other bills which have been introduced on behalf of improved education for our youth.

The introduction of these bills is a healthy sign that the focus of congressional interest is once again returning to the basic need of capital investment in our most vital resource—the minds of our youth. One of the mysteries that would impress a visitor to our shores is how we could be so concerned over facilities for better education in 1957 and yet pass over them lightly in 1958. My hope now is that the klieg lights of sustained concern will center on this issue until adequate progress has been made.

If I have any reservation about any part of this bill, it applies to the "effort index," which will be used to insure an adequate effort on the part of States and communities in providing adequate buildings and teachers' salaries. This is an improvement over the effort index included in previous legislation, because it gives us 3 years in which to put our houses in order. But there is a danger that States with heavy demands for expenditures in the area of old-age assistance, highway construction and maintenance, institutions, and other necessary services may be penalized. The State of Maine has a taxload slightly above the national average, but its expenditures for education have been limited by the peculiar requirements of a sparsely settled State with an abnormally expensive highway construction and maintenance problems and the largest proportion of persons over 65 in the country. I do not want Maine to fall behind in its effort for education. Neither do I want to see it penalized because of conditions beyond its control.

I have initiated a study of this phase of the problem to determine how serious the limitations of the effort index may be. I realize that no bill can be perfect, but we must, I believe, make certain that we do not overlook an area which could undermine the intent of the bill.

There are two ways in which the problem I have described might be approached. The first is to provide a contingency fund to be expended by the Commissioner of Education in areas of special and critical need. The second is the possibility of introducing a factor based on the ratio of per capita tax revenues to per capita income into the formula for the effort index.

Either or both of these approaches may be desirable, and I plan to present such proposals to the Committee on Education and Labor when hearings are scheduled on these bills. For the present, however, I wish to reemphasize the importance of this basic legislation to our total education effort, by placing my name with other colleagues in the list of those who believe in the future of American education.

We all recognize that school buildings do not educate children, and that salary levels do not automatically determine the quality of teaching. However, without adequate teaching facilities, with overcrowded, poorly lighted, unsafe classrooms, children do not have surroundings conducive to study. Substandard salaries drive good teachers out of teaching in too many cases, and shatter the morale of those who remain in the profession.

If we were alone on a planet, we might be able to muddle through on education. Poor educational facilities and inadequate training for our youth would then be unfortunate, but not catastrophic. But today, the stake is more than the individual achievement of young people; the stake is the survival of the free world. If children in a free society do not receive the very best education, then they will not be able to compete with highly skilled youth from the Iron Curtain countries.

We must answer the question: Do we believe in our free system of education strongly enough to give it the support it needs? Or are we token worshipers at the shrine of education, bowing to the image of education but doing nothing to perpetuate its influence?

TRANSPORTATION AND/OR POSSESSION OF EXPLOSIVES IN INTERSTATE COMMERCE

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD in two instances.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, the legislation I have introduced to make it a Federal crime to transport and/or possess explosives in interstate commerce, with the intent or knowledge that such explosives will be used wantonly to destroy or damage any structure, is in line with the requested needs of the Department of Justice. One of the most significant actions that can be taken by this Congress would be the early passage of such legislation so that the law-enforcing arm of the Federal Government could effectively deal with such outrages; and, perhaps more important, I believe the passage of Federal legislation will serve as a deterrent to those who may be contemplating initial or additional acts of violence against public buildings, homes, and places of worship.

The seriousness of the situation has certainly been recognized by this Congress. There is strong congressional support, from all sections of the country, for passage of a Federal antibombing measure. I believe that the many House and Senate Members who have joined in support of legislation similar to, or exactly the same as, that which I have proposed, indicates that neither partisanship nor sectionalism can ever override positive legislation to protect the rights and, indeed, the very lives of our people.

I am confident and hopeful that the immediate need to legislate in this field will bring speedy action by the Committee on the Judiciary, followed by prompt action by this body.

REPORTING OF CERTAIN FINANCIAL TRANSACTIONS AND ADMINISTRATIVE PRACTICES OF LABOR ORGANIZATIONS AND EMPLOYERS

Mr. ROOSEVELT. Mr. Speaker, on the opening day of this session, January 7, I introduced a measure to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

It is my intention to offer some revisions or amendments and such a revised bill will be presented in the very near future. However, because of the importance of the subject at hand, I felt it necessary to introduce immediately the main substance of this proposal so that the House committee to which it would be assigned would have an early opportunity to consider thoroughly its intent and purpose.

A WORLD OF SCIENTIFIC MIRACLES

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, as Americans we are proud of our industrial and agricultural efficiency. We take pride in the transformation of an untamed frontier into a highly mechanized society. We boast of our superhighways, hydroelectric dams, factories, and science laboratories.

All of these are worthwhile achievements that have brought new opportunities and higher standards of life to the American people. Yet we are haunted by the stubborn fact that just

as man cannot live by bread alone, neither can he live by steel, concrete, and petroleum.

The editors of Holiday magazine warned last July that—

> As we pour more and more of our thought and emotion and money into fabrications like the missile, we risk losing contact with our natural environment. The result could be a science going from success to success while we ourselves become more and more out of touch with the great flows of meaning which nature sends out to her creatures. We are already, television help us, well along this road. To go to the end would mean a world of scientific miracles serving a human race full of trivial and deadened personalities.

I believe that the young people of today are the finest generation in our history; but all Americans, young and old alike, need to beware of the corroding effects of life in the age of gadgets. It is entirely possible that automobiles, television, escalators, paved roads, packaged foods, and innerspring mattresses could produce a crop of softies. This is a luxury we cannot afford, either in the face of the Soviet challenge or from the vantage point of our individual enjoyment of life.

In every one of us there is a basic need for the recreation of the human spirit that stems from the interplay between man and nature.

We recognize this need as we seek out the scenic vacation areas of the Nation, or as we push out from crowded metropolitan centers to the surrounding countryside or suburban areas.

Fortunately for us, America is blessed by a bounteous nature. It has always been possible for our citizens to seek out untamed, primitive wilderness areas where at least for a time they could drink to their satisfaction of the joys of nature.

The Nation's wilderness areas provide a splendid opportunity to open the eyes and strengthen the hearts and minds of millions of young Americans. At the same time, older Americans are refreshed by the stimulus of primitive country unmarked by our mechanical civilization.

As the distinguished conservationist, Howard Zahniser, executive secretary of The Wilderness Society, has put it:

> So long as it remains in its natural condition, the wild country of our parks, forests, and refuges will play an ever more vital part as the scene for a great adventure for youth. For a few precious days each year, youngsters can be Indians, trappers, wilderness explorers, and pioneers. Yet, for a lifetime after, such experiences remain to strengthen them as men and leaders of our civilization. (Outdoor America, February 1958.)

During the 1930's, many young Americans found a fresh new appreciation of life through their contacts with wilderness areas in the CCC camps. Scores of these young Americans emerged with stronger bodies, clearer minds, and more wholesome spirits after they had lived for a time in the wilderness.

In the United States, approximately 2 percent of our land area remains in a wilderness state. Most of this is within the public domain—in roadless sections of the national forests, in back areas of our national parks, and in some of our wildlife refuges and Indian reservations.

All the experience of our history points to the certainty that unless we develop a Federal policy for the preservation of our wilderness areas, they will soon be exploited and consumed for other purposes. As Mr. Zahniser has put it:

> If we are to see wilderness preserved, we must preserve it deliberately.

This is the objective of the so-called Wilderness Bill introduced in the 84th Congress, reintroduced in the 85th Congress in revised form, and now further revised and presented in the 86th Congress.

With several of my colleagues, I introduced the bill in the last session of the Congress. On Monday I reintroduced the bill in improved form. The new bill represents a program which I earnestly hope will be enacted into law in the 86th Congress.

I ask unanimous consent that the bill as revised be printed at this point in the RECORD:

A bill to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a), in order to secure for the American people of present and future generations the benefits of an enduring resource of wilderness, there is hereby established a National Wilderness Preservation System. As hereinafter provided, this System shall be composed of federally owned or controlled areas in the United States and its Territories and possessions, retaining their primeval environment and influence and being managed for purposes consistent with their continued preservation as wilderness, which areas shall serve the public purposes of recreational, scenic, scientific, educational, conservation, and historical use and enjoyment by the people in such manner as will leave them unimpaired for future use and enjoyment as wilderness.

(b) The Congress recognizes that an increasing population, accompanied by expanding settlement and growing mechanization, is destined to occupy and modify all areas within the United States, its Territories, and possessions except those that are designated for preservation and protection in their natural condition. The preservation of such designated areas of wilderness is recognized as a desirable policy of the Government of the United States of America for the health, welfare, knowledge, and happiness of its citizens of present and future generations, particularly for those uses of such areas that facilitate recreation and the preservation or restoration of health.

(c) It is accordingly declared to be the policy of Congress (1) to secure the dedication of an adequate system of areas of wilderness to serve the recreational, scenic, scientific, educational, conservation, and historical needs of the people, and (2) to provide for the protection of these areas and for the gathering and dissemination of information regarding their use and enjoyment as wilderness. Pursuant to this policy the Congress gives sanction to the continued preservation as wilderness of those areas federally owned or controlled that are within national parks, national forests, national wildlife refuges, or other public lands, and that have so far retained under their Federal administration the principal attributes of their primeval character. It is pursuant to this policy and sanction that the National Wilderness Preservation System is established. The units of this System designated for inclusion by this Act, and those that may later be designated in accordance with its provisions, shall be so protected and administered as to preserve their wilderness character.

(d) In establishing thus a National Wilderness Preservation System to include units within the national forests it is further declared to be the policy of Congress to administer the national forests with the general objectives of multiple use and sustained yield, and in order to carry out this policy the Secretary of Agriculture is accordingly directed to administer the national forests on a multiple-use basis so that all the resources thereof, including the recreational and wildlife-habitat resources, will be used and developed to produce a sustained yield of products and services, including the establishment and maintenance of wilderness areas, for the benefit of all the people of this and future generations. Such areas of wilderness like all other national forest land shall be so managed as to protect and preserve the watersheds, the soil, the beneficial forest and timber growth, and all beneficial vegetative cover. The purposes of this Act are further declared to be within and supplemental to but not in interference with the purposes for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 34, 35; U.S.C. 475, 551).

(e) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. For the purposes of this Act the term "wilderness" shall include the areas provided for in section 2 of this Act and such other areas as shall be designated for inclusion in the National Wilderness Preservation System in accordance with the provisions of this Act.

NATIONAL WILDERNESS PRESERVATION SYSTEM

SEC. 2. The National Wilderness Preservation System (hereafter referred to in this Act as the Wilderness System) shall comprise (subject to existing private rights, if any) the federally owned or controlled areas of land and water provided for in this section and the related airspace reservations.

NATIONAL FOREST AREAS

(a) The Wilderness System shall include as wilderness areas the areas within the national forests classified on June 1, 1958, by the Department of Agriculture or the Forest Service as wilderness, wild, primitive, or roadless:

Provided, That the Wilderness System shall not include any primitive area which the Secretary of Agriculture shall determine to be not predominantly of wilderness value, and each primitive area included in the Wilderness System shall be subject to such boundary modification as the Secretary shall determine to be needed to exclude any portions not predominantly of wilderness value or to add any adjacent national forest lands that are predominantly of wilderness value. Determinations regarding national forest areas classified as primitive shall be made within fifteen years after the date of this Act, and any such area regarding which such determinations have not been made shall then, with the exception of any roads, motor trails, structures, or other installations then existing, become a part of the Wilderness System without regard further to this proviso.

Additional areas for inclusion in the Wilderness System may be designated within national forests by the Secretary of Agriculture, after not less than ninety days' public notice and the holding of a public hearing, if there is a demand for such a hearing, and such designations shall take effect as provided in subsection (f) below. The publication of a proposal to add any national forest

area or part thereof to the Wilderness System shall segregate the public lands involved from any or all appropriations under the public-land laws to the extent deemed necessary by the Secretary of Agriculture.

NATIONAL PARK SYSTEM AREAS

(b) At the times, in the manner, and with the exceptions hereinafter provided for, the Wilderness System shall include each park and monument in the National Park System on June 1, 1958, embracing a continuous area of five thousand acres or more without roads, and such additional units of the National Park System as the Secretary of the Interior shall prescribe.

Not later than ten years after the date of this Act, or within two years after the unit has been prescribed for addition to the Wilderness System, whichever is later, and ninety days after giving public notice in accordance with section 4 of the Administrative Procedure Act of 1946 (60 Stat. 238; 5 U.S.C. 1003) the Secretary of the Interior shall designate within each unit of the National Park System to be included in the Wilderness System such area or areas as he shall determine to be required for roads, motor trails, buildings, accommodations for visitors, and administrative installations. Each such unit, with the exception of the particular area or areas determined to be required for the aforesaid purposes, shall become a part of the Wilderness System when the designation of such area or areas has been made. Should the Secretary fail to make such a designation within the time limits specified, each such unit shall then become a part of the Wilderness System with the exception of roads, motor trails, buildings, accommodations for visitors, and administrative installations then in existence.

No designation of an area for roads, motor trails, buildings, accommodations for visitors, or administrative installations shall modify or affect the application to that area of the provisions of the Act approved August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes" (39 Stat. 535, as amended; 16 U.S.C. 1 and the following). The accommodations and installations in such designated areas shall be incident to the conservation and use and enjoyment of the scenery and the natural and historical objects and flora and fauna of the park or monument in its natural condition. Further, the inclusion of any National Park System area within the Wilderness System pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such National Park System areas in accordance with the Act of August 25, 1916 (39 Stat. 535, as amended; 16 U.S.C., 1952 edition, sec. 1 and the following), the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such National Park System area, including but not limited to the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C., 1952 edition, secs. 432 and the following); the provisions of title 16, United States Code, 1952 edition, section 796; and the act of August 21, 1935 (49 Stat. 666; title 16, U.S.C., 1952 edition, sec. 461, and the following).

NATIONAL WILDLIFE REFUGES AND RANGES

(c) The Wilderness System shall include such wildlife refuges and game ranges, or portions thereof, as the Secretary of the Interior shall designate. Within 5 years after the date of this Act the Secretary shall survey the refuges and ranges under his jurisdiction on June 1, 1958, and designate for inclusion in the Wilderness System those refuges and ranges, or portions thereof, that he determines to be appropriate. Further, the Secretary shall survey any refuges or ranges added to his jurisdiction after June 1, 1958, to determine if they are, or contain areas that are, suitable for inclusion in the Wilderness System, and shall make such determination and so designate the appropriate refuge, range, or portion thereof, within 2 years after the refuge or range is added to his jurisdiction.

Within two years after the designation of any refuge or range in its entirety, and ninety days after giving public notice in accordance with section 4, Administrative Procedure Act of 1946 (60 Stat. 238; 5 U.S.C. 1003), the Secretary of the Interior shall designate within such refuge or range such area or areas as he shall determine to be required for roads and buildings and other installations for administration and protection of the wildlife, which area or areas shall be excluded from the Wilderness System. Should the Secretary fail to make such designation within the time limit specified, the refuge or range, with the exception of any road, building, or other installation for administration and protection then existing, shall automatically then become a part of the Wilderness System.

THE INDIANS' WILDERNESS

(d) The Wilderness System shall include such areas of tribal land on Indian reservations as the Secretary of the Interior may designate as appropriate for inclusion upon the recommendation of or with the consent of the tribes, bands, or group concerned, acting through their tribal councils or other duly constituted authorities. Such designation shall not change title to the land or any beneficial interest therein, and shall not modify or otherwise affect the Indians' right to the land.

The Secretary of the Interior shall make any addition, modification, or elimination recommended by any tribal council or other duly constituted authority of any tribe or band with regard to any area of its tribal land.

Nothing in this Act shall in any respect abrogate any treaty with any band or tribe of Indians, or in any way modify or otherwise affect the Indians' hunting and fishing rights or privileges.

OTHER UNITS

(e) The Wilderness System shall also include such units as may be designated within any federally owned or controlled area of land and/or water by the official or officials authorized to determine the use of the lands and waters involved, including any area or areas acquired by gift or bequest by any agency of the Federal Government for preservation as wilderness. Addition to or modification or elimination of such units shall be in accordance with regulations that shall be established in conformity with the purposes of this Act by the official or officials authorized to determine the use of the lands and waters involved, including, but not limited to, provisions for segregating any public lands involved from any or all forms of appropriation under the public-land laws pending addition of such units to the Wilderness System, and shall take effect as provided in subsection (f) below. Such regulations with regard to any privately owned area given or bequeathed to a Federal agency for preservation as wilderness shall be in accordance with such agreements as shall be made at the time of such gift or bequest.

ADDITIONS, MODIFICATIONS, AND ELIMINATIONS

(f) Any proposed addition to, modification of, or elimination from any area of wilderness established in accordance with this Act, and any proposed addition or elimination of any unit to or from the Wilderness System, shall be made only after not less than ninety days public notice and the holding of a public hearing, if there is a demand for such a hearing, and shall be reported with map and description to Congress by the Secretary of Agriculture, the Secretary of the Interior, or other official or officials having jurisdiction over the lands involved and shall take effect upon the expiration of the first period of one hundred and twenty calendar days, of continuous session of Congress, following the date on which the report is received by Congress; but only if during this period there has not been passed by Congress a concurrent resolution opposing such proposed addition, modification, or elimination: *Provided*, That nothing in this Act shall restrict or affect the authority of officials of the United States, acting pursuant to other law, to establish in the manner prescribed by such law, areas of the National Park System, or to make additions, modifications, or eliminations, from any area of such National Park System pursuant to such authority. Within any unit of the Wilderness System the acquisition of any privately owned lands is hereby authorized, and such sums as the Congress may approve for such acquisition are hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated.

USE OF THE WILDERNESS

SEC. 3. (a) Nothing in this Act shall be interpreted as interfering with the purposes stated in the establishment of any national park or monument, national forest, national wildlife refuge, Indian reservation, or other Federal land area involved, except that any agency administering any area within the Wilderness System shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes as also to preserve its wilderness character. The Wilderness System shall be devoted to the public purposes of recreational, educational, scenic, scientific, conservation, and historical use. All such use shall be in harmony, both in kind and degree, with the wilderness environment and with its preservation.

(b) Except as specially provided in this section, and subject to existing private rights (if any), no portion of any area constituting a unit of the Wilderness System shall be used for any form of commercial enterprise not contemplated in the purposes of this Act. Within such areas, except as otherwise provided in this section and in section 2 of this Act, there shall be no permanent road; nor shall there be any use of motor vehicles, motorized equipment, or motorboats, or landing of aircraft, nor any other mechanical transport or delivery of persons or supplies, nor any temporary road, nor any structure or installation, in excess of the minimum required for the administration of the area for the purposes of this Act.

SPECIAL PROVISIONS

(c) The following special provisions are hereby made:

(1) Within national forest areas included in the Wilderness System grazing of domestic livestock and the use of aircraft or motorboats where these practices have already become well established may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable. Within national forest areas included in the Wilderness System such measures may be taken as may be necessary in the control of insects and diseases, subject to such conditions as the Secretary of Agriculture deems desirable.

(2) Within national forest areas included in the Wilderness System the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting, mining, or the establishment or maintenance of reservoirs and water-conservation works, including the road construction found essential to such mining and reservoir construction, upon his determination that such use in the specific area will better serve the interests of the United States and the people thereof than will its denial.

(3) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou roadless areas in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided,* That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats. Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act, Public Law 539, Seventy-first Congress, second session, July 10, 1930, and the Humphrey-Thye-Blatnik-Andresen Act, Public Law 607, Eighty-fourth Congress, second session, June 22, 1956, as applying to the Superior National Forest or the regulations of the Secretary of Agriculture. Modifications of the Boundary Waters Canoe Area within the Superior National Forest shall be accomplished in the same manner as provided in section 2 (a) and (f).

(4) Any existing use or form of appropriation authorized or provided for in the Executive order or legislation establishing any national wildlife refuge or range existing on the date of approval of this Act may be continued under such authorization or provision.

(5) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

NATIONAL WILDERNESS PRESERVATION COUNCIL

SEC. 4. (a) The National Wilderness Preservation Council is hereby created, to consist ex officio of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Smithsonian Institution, and also three citizen members to be appointed by the President by and with the advice and consent of the Senate. The Secretary of the Interior, the Secretary of Agriculture, and the Secretary of the Smithsonian Institution may each designate an official of his Department or Institution to serve as his alternate on the Council. The citizen members shall be persons known to be informed regarding, and interested in the preservation of, wilderness; one of them shall be appointed initially for a term of two years, one for a term of four years, and one for a term of six years. After the expiration of these initial terms, each citizen member shall be appointed for a six-year term. The President shall designate from among the citizen members a chairman, who shall serve for a two-year term. The Secretary of the Smithsonian Institution shall be ex officio the secretary of the Council and, subject to the Council, shall maintain its headquarters.

(b) Copies of regulations established or issued in connection with the administration of any unit or units of the Wilderness System, and copies of any subsequent amendments thereto, and copies of any reports with map and description submitted to Congress regarding additions, modifications, or eliminations in accordance with Section 2(f) of this Act shall be forwarded to the secretary of the National Wilderness Preservation Council by the Secretary of Agriculture, the Secretary of the Interior, or such other official or officials as shall establish or issue them. The Council shall maintain a public file of such copies, but shall have no administrative jurisdiction over any unit in the Wilderness System nor over any agency that does have such jurisdiction.

(c) The Council shall serve as the repository for, and shall maintain available for public inspection, such maps and official papers regarding the Wilderness System as may be filed with it. The Council shall serve as a nonexclusive clearinghouse for exchange of information among the agencies administering areas within the Wilderness System. The Council may make, sponsor, and encourage the coordination of surveys of wilderness needs and conditions and gather and disseminate information, including maps, for the information of the public regarding use and preservation of the areas of wilderness within the Wilderness System, including information and maps regarding State and other non-Federal areas. The Council is directed to consult with, advise, and invoke the aid of appropriate officers of the United States Government and to assist in obtaining cooperation in wilderness preservation and use among Federal and State agencies and private agencies and organizations concerned therewith. The Council, through its Chairman, shall annually present to Congress, not later than the tenth day of January, a report on the operations of the Council during the preceding fiscal year and on the status of the Wilderness System at the close of that fiscal year, including an annotated list of the areas included showing their size, location, and administering agency, and shall make such recommendations to Congress as the Council shall deem advisable.

(d) The Council shall meet annually and at such times between annual meetings as the Council shall determine, or upon call of the Chairman or any three members. Members of the Council shall serve as such without compensation but shall receive transportation expenses and in addition a per diem payment to be fixed by the Council, not to exceed $50 a day, as reimbursement for expenditures in connection with attending any meeting of the Council. A sum sufficient to pay the necessary expenses of the Council, including printing and binding and rent, not to exceed an annual expenditure of $100,000, is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated. Disbursements from such appropriations shall be made by the Secretary of the Smithsonian Institution. The Secretary of the Smithsonian Institution in behalf of the Council is authorized to accept private gifts and benefactions to be used to further the purposes of this Act, and such gifts and benefactions shall be deductible from income for Federal tax purposes and shall be exempt from Federal estate tax.

SEC. 5. This Act shall be known as the "National Wilderness Preservation Act."

DEPARTMENT OF DEFENSE

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. I have introduced legislation this week to return the budget processes to the legislative branch of the Government and thereby do away with the dangerous executive budget concept set up in 1921.

The unconstitutional operations of the present Bureau of the Budget, its presumption to dictate policy at the highest level, its encroachment upon the prerogatives of the Congress all go to show the present concept of the budget structure has outlived its usefulness and is now a menace to the general welfare.

Any class B dictator will soon become a full-fledged evil unless put out of existence. The integrity of the budget processes can only be preserved by the provisions of my bill to create a Commissioner of the Budget to head a U.S. Budget Office under the legislative branch of the Government.

The insolence of the Bureau of the Budget is evidenced clearly in a memorandum, dated December 31, 1958, from Maurice H. Stans, Director of the Budget Bureau in the Executive Office of the President, to the Honorable Neil H. McElroy, Secretary of Defense.

It is a shocking circumstance when a creature of executive appointment will exhibit such haughtiness and pretension. This gag rule, this conspiracy to handcuff witnesses before a congressional committee in performance of its constitutional duty borders on high crime and misdemeanor.

There is no law or regulation issued under any law and no constitutional provision direct or indirect which can justify such a memorandum as this. The next thing will be an order to place the Director of the Bureau of the Budget in some sort of Graustarkian uniform with swagger stick and a new title: "Pooh-bah and Lord High Executioner."

I call upon Congress to direct an immediate investigation of this latest affront to its dignity.

Is this what is meant by the general staff system? Is this what is meant by team play? What kind of groveling, heel-clicking, faceless wonders will this memorandum make of Defense Department witnesses before the Armed Services and Appropriations Committees of the Congress?

No wonder Gen. James Gavin and Gen. Matthew Ridgway and many other civilian and military leaders of the Department of Defense could not stomach this regimentation.

This letter flaunts the clear language of the act of Congress passed last year when, after much debate, expressed language was written to prevent the very thing this memorandum directs.

It is a sham and a fraud to say that this memorandum is other than a deliberately intended threat and gag to witnesses. It is what the letter leaves unsaid that is the true evil. The Sword of Damocles, indeed. Or, as said in the game of little children, "Heavy, heavy what hangs over thy head: fine or superfine?"

In this atmosphere, Machiavelli would be a rank amateur.

I have the highest respect for the integrity of Secretary of Defense McElroy and I know he must be greatly embarrassed and chagrined to receive this pernicious document from the Director of the Bureau of the Budget. Far be it from me to put my friend on a spot, but I say to him and to all of his witnesses, in and out of uniform, they better not bring this memorandum to any hearings of the Appropriations Subcommittee for the Department of Defense.

The memorandum mentioned above follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., December 31, 1958.

Memorandum for the Honorable Neil H. McElroy:

The President will shortly present his budget for the fiscal year 1960 to the Congress. As you know, the normal process of

budgeting results in recommended amounts that in many cases are less than the agency head had requested.

It is understandable that officials and employees will feel strongly about the importance of their own agency's work, and will sometimes believe that a larger budget might be in order. Such feelings, however, must be related to an awareness that our budget resources are not adequate to accommodate in any one year all of the things that might be desired. The President is responsible for reviewing the total needs of the executive branch in the light of tax and debt policy and for deciding among competing requests for priorities. Executive branch personnel are expected to support the President in his budget recommendations.

As you and your staff prepare to justify your portion of the budget before Congress, you will want to observe the requirements set forth at the President's direction in Bureau of the Budget Circular No. A–10. It is expected that witnesses will carefully avoid volunteering views differing from the budget, either on the record or off the record. While direct questions at hearings must be answered frankly, it is expected that a witness who feels that he must set forth a personal view inconsistent with the President's budget will also point out that the President's judgment on the matter was reached from his overall perspective as the head of the Government, and in the light of overriding national policy. The witness should make it clear that his personal comments are not to be construed as a request for additional funds.

Please see that a reminder of this reaches all officials and employees who participate in hearings on appropriations and on legislation directly related to budget proposals, including civil functions of the Corps of Engineers.

MAURICE H. STANS,
Director.

THE CUBAN REVOLUTION

Mr. PORTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, Cuba has 6 million people. One hundred and eighty of them reportedly have been executed by the new government. For 2 years Cuba was torn by a civil war which alined Batista and his military power against 95 percent of the Cuban people. Batista held on through a policy of terror. This meant one atrocity after another usually by government officials. Now these officials and others are being called to answer for their crimes. A long trial may not be needed in many instances.

Of course no one should be executed without a fair trial. To date I have seen no direct evidence that this has happened. There is now a free press in Cuba. Many correspondents from the United States are freely circulating there. This was not true under Batista. The estimated 20,000 murders committed to keep him in power did not receive the coverage given these executions. A free press helps insure fair trials.

It is my hope that the Inter-American Bar Association will be asked to consult with the Cuban Government. Leading lawyers from the Western Hemisphere could be of timely assistance in reestablishing the Cuban court system and in assuring everyone, including Cubans, that the new government is not embarking on the bloody road of Batista.

UNEMPLOYMENT

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, the President of the United States in his recent state of the Union message said that the current recession is "fading into history."

Within the borders of the 32d Congressional District of New York the recession and unemployment connected with it are by no means fading into history.

Last month the Navy announced the closing down of a number of naval facilities scattered throughout the United States, including the U.S. Naval Supply Depot at Scotia, N.Y. At Scotia over 600 civilian employees are slated to lose their jobs because of this action.

It just doesn't make sense for any agency of the U.S. Government to take deliberate action in an area which already is suffering from substantial unemployment without any consideration of the impact which this action will have on the overall economic life of the community. The right hand of the Government ought to know what the left hand is doing. It is just plain bad administration to speak in one moment about relieving distressed areas and at the same moment to allow some other agency of the Government to contribute to the distress of those very areas.

I have today offered legislation to require congressional consideration of any reduction in civilian personnel at any military or naval installation located in an area of substantial labor surplus. Under my legislation such reductions could not be made without first being submitted to Congress, and could not take effect if either House of Congress disapproves.

My bill, if adopted, will enable all of the facts bearing on the economic life of any distressed area to be fully presented and considered before any jobs can be cut in such an area.

Mr. Speaker, I urge Members of the House to join in supporting this legislation.

THE FARM PROGRAM MESS

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, there is an old saying to the effect that a weak law in the hands of an able and sympathetic administrator is often much more effective than a good law in the hands of an incapable or unsympathetic administrator.

There is no question but that there have been defects in the farm programs that were designed to be established through legislation enacted by Congress. But as the editorial from a recent issue of the Des Moines Register well points out:

Secretary Benson has been so fanatically opposed to Government farm programs that there is considerable reason to believe that he has tried to make the programs look bad in the way he has administered them.

Secretary Benson has played a major role in driving price supports ever lower, and this at a time when nearly all costs of farm operation have steadily increased. He is either incapable of understanding or deliberately ignores the fact that continued underpricing of the raw materials (new wealth) of the farms must eventually have dire consequences for the entire economy of the Nation.

The crutch that has been and is now being used to prop up the Nation's economy is deficit financing and borrowed money. That cannot continue indefinitely.

Mr. Benson has long since outlived his usefulness as Secretary of Agriculture. The vast majority of American farmers have little or no confidence in him. The hour is late, but in the best interests of this vast and vital industry and the national economy, Benson ought to tender his resignation, step aside, and make way for a new Secretary who earnestly desires to work with Congress and the various farm organizations in solving the mess that is the present farm program.

The editorial from the Des Moines Register follows:

The indications now are that in January 1961, after 8 years of Ezra Benson's dedicated effort to master the farm problem, the costs of the Federal programs and the size of the crop surpluses will be two to four times what they were in January 1953, when Secretary Benson came into office. This is the lead sentence of an article in the January Fortune magazine. The article goes on to ask, "Why, after 6 years of Eisenhower-Benson management, is the farm problem getting worse instead of better"?

Fortunes' answer is that Benson has made too many compromises and has not pushed harder and more consistently to dismantle the acreage-control and price-support programs.

Of course, if the farm problem is viewed simply as a matter of reducing the Federal budget, that is the correct solution. If the farm price support programs were abandoned, the cost of the programs would disappear. But not even Mr. Benson has recommended such a stern measure. It would mean a drastic further decline in farm income, which is already down substantially since 1947.

However, the Secretary has recommended consistently that price supports be reduced, and Congress has given him considerable authority to do so. Price supports are much lower now than in 1953.

Why has the cost of the programs gone up while price supports were going down?

One big reason is that weather has been favorable and production high. Secretary Benson hoped that as price supports were lowered, farmers would produce less of the basic crops. But it didn't work out that way. Farmers have been producing more corn and wheat than ever. Even though price supports are lower, it costs the Government

more to carry out the program, because there is more grain to be covered.

In the last 2 years, by making corn loans available to everyone, Benson deliberately increased the cost of that program. Farmers who failed to comply with their acreage allotments could get loans about 25 cents below the regular rate.

Crop acreage controls never have worked very well in limiting production, but Secretary Benson has not tried to make them work even as well as in the past. The noncompliance corn loan was a strong incentive to farmers to grow as much corn as possible. The Secretary campaigned to get rid of the allotments, and this has now been accomplished as a result of the farmer referendum last November. In addition, Mr. Benson worked against limitation of production by refusing to require farmers to comply with allotments on all crops if they were to receive benefits on any. So wheat and cotton producers, for example, have been free to expand corn production.

It is paradoxical that the man who was going to get Government out of agriculture has got Government deeper into agriculture than ever before. Surpluses have mounted and are still mounting. Government expenditures for price support, storage, and disposal of surpluses have risen from less than $1 billion a year to more than $3 billion a year and are still rising.

The cost of farm programs would have been much lower in the last 3 years if Secretary Benson had done his best to make the crop acreage controls work—and had limited corn loans to those who comply with acreage allotments.

Secretary Benson has been so fanatically opposed to Government farm programs that there is considerable reason to believe that he has tried to make the programs look bad in the way he has administered them.

DIRECTIVE FROM THE BUREAU OF THE BUDGET

Mr. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FORD. Mr. Speaker, the memorandum from the Director of the Budget, Maurice H. Stans, dated December 31, 1958, will not in any way whatsoever interfere with the hearings of the House Committee on Appropriations. Any witness for the executive branch of the Government under this memorandum is given full authority to answer questions frankly.

The full text of the memorandum from Mr. Stans to the Secretary of Defense is as follows:

MEMORANDUM FOR THE HONORABLE NEIL A. MCELROY

The President will shortly present his budget for the fiscal year 1960 to the Congress. As you know, the normal process of budgeting results in recommended amounts that in many cases are less than the agency head had requested.

It is understandable that officials and employees will feel strongly about the importance of their own agency's work, and will sometimes believe that a larger budget might be in order. Such feelings, however, must be related to an awareness that our budget resources are not adequate to accommodate in any one year all of the things that might be desired. The President is responsible for reviewing the total needs of the executive branch in the light of tax and debt policy and for deciding among competing requests for priorities. Executive branch personnel are expected to support the President in his budget recommendations.

As you and your staff prepare to justify your portion of the budget before Congress, you will want to observe the requirements set forth at the President's direction in Bureau of the Budget Circular No. A–10. It is expected that witnesses will carefully avoid volunteering views differing from the budget, either on the record or off the record. While direct questions at hearings must be answered frankly, it is expected that a witness who feels that he must set forth a personal view inconsistent with the President's budget will also point out that the President's judgment on the matter was reached from his overall perspective as the head of the Government, and in the light of overriding national policy. The witness should make it clear that his personal comments are not to be construed as a request for additional funds.

Please see that a reminder of this reaches all officials and employees who participate in hearings on appropriations and on legislation directly related to budget proposals, including civil functions of the Corps of Engineers.

MAURICE H. STANS,
Director.

It should also be pointed out that the executive branch of the Federal Government, whether Democratic or Republican, has pursued the same policy. As a matter of fact under the Truman administration a much more severe and restrictive limitation was imposed on witnesses from the executive branch of the Federal Government when they were testifying on behalf of the President's budget.

For example on November 15, 1946, the following memorandum was issued and personally signed by former President Truman:

MEMORANDUM FOR THE DIRECTOR OF THE BUREAU OF THE BUDGET

I have noticed that on several occasions certain department and agency officials have shown a tendency to seek from Congress larger appropriations than were contemplated in official budget estimates.

The estimates which I transmit to Congress reflect a balanced program for the executive branch as a whole, and each individual estimate is considered in the light of this program, its relationship to other estimates, and the fiscal position of the Government. While agency witnesses before congressional committees must feel free to supply facts in answer to questions of committee members, I cannot condone the practice of seizing upon any opportunity which presents itself to indicate an opinion, either directly or indirectly, that my estimates are insufficient.

When you notify the heads of the various departments and agencies of the amounts to be included in the 1948 budget for their activities, I wish you would include a reminder that I shall expect them and their subordinates to support only the President's estimates in hearings and discussions with Members of Congress.

HARRY S. TRUMAN.

It should be stated on behalf of the Chief Executive whether Mr. Truman or Mr. Eisenhower, that as head of the executive branch of the Government the President has the right to expect that his aids and assistants will represent his views. This is the orderly and proper way to run such a vast and complicated business involving over 4½ million military and civilian employees and a budget totaling $77 billion.

It should be reemphasized that as long as all witnesses are given clearance to express their personal views when interrogated by a direct question there will be no interference with the responsibility of the Committee on Appropriations to carry out its duty to determine the validity of budget or executive programs.

ADDITIONAL JUDGESHIP FOR THE NORTHERN DISTRICT OF TEXAS

Mr. ALGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALGER. Mr. Speaker, today I am introducing a bill to provide for an additional judgeship for the northern judicial district of Texas. In this action I become a cosponsor with the gentleman from Texas [Mr. ROGERS].

The need for the judgeship is exceptional and of an emergency nature, it is also critical. By the test of any criteria this need can be clearly shown, by population, area of backlog of cases, as compared to other districts. In fiscal 1958 there were 1,837 civil cases filed in the northern district, an average of 612 per judge, far beyond, almost twice, the 273 nationwide average per judge. The northern district serves 100 counties, 92,955 square miles, and 3,093,000 people.

Last year the Judiciary Committee approved the Judicial Conference recommendations for additional judgeships. I had the privilege of testifying before the committee. The omnibus judgeship bill included judgeships in the southern, western, and northern districts of Texas.

Comparatively, the northern district had the same number of cases filed as the southern district which had four judges, not three as in the northern district. Judge Whitfield Davidson, Judge Joe Estes, and Judge Joe Dooley have been carrying this load. Now Judge Dooley has been injured, a broken leg, and will be out 5 or 6 months. This adds to the almost impossible situation. Another judge, at least one, is urgently needed right now, long overdue.

So it is that I am requesting the judgeship for the northern district before the needs of other districts are considered. The facts support this need. The need transcends partisan politics.

Elmore Whitehurst, U.S. referee in bankruptcy for the northern district, formerly Asisstant Director of the Administrative Office of U.S. Courts in Washington has said that he didn't know of any district in the same population area any place in the Nation in worse shape, regarding the number of Federal judges, than northern Texas.

It is my hope, my request, that the members of the Judiciary Committee and then this House will take the action so

urgently needed, even though the help for other judicial districts is postponed. Later in the session we can alleviate the need in other districts.

THE REPUBLICANS ARE GETTING READY TO FIGHT

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, the attention of the Speaker and the majority leader is desired, for a moment.

It has been rumored around that Republicans would not fight, that we had lost our courage, our determination to make a fight for the principles of our party.

It is my hope that the Speaker realizes from what has been said here this morning—and the gentleman from Iowa [Mr. GROSS] has long been my leader—that we are just getting ready to fight the opposition—though there may be one or two individuals in the executive department we have not attacked. And I assume that we will start—well, along about July—well, at least before the Congress adjourns to tell the people just how we will implement the party's policy.

NORMAN P. MASON

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, yesterday I was very happy and very proud that President Eisenhower announced he had promoted Mr. Norman P. Mason, who has been the head of the Federal Housing Authority, to the position of Administrator of the Housing and Home Finance Agency. Mr. Mason is one of the finest men I have ever known and has a splendid record both as a businessman and as a great civic leader. The people who have worked for him for years have nothing but the highest praise and approval for him. He was always anxious to improve the position of labor. He lives in Chelmsford, which is in my district. I rejoice in the fact that the Congress and the country are going to have the benefit of his great abilities.

Mr. Mason is blessed with a beautiful wife and a fine son and a fine daughter, and with four grandsons he can help develop a new generation of public spirited citizens.

The following article from the New York Times gives a résumé of some of the new Administrator's accomplishments. May he have a very successful term of office I am sure is the wish of all of us—I know he is well and favorably known to both branches of Congress:

A YANKEE FROM UPSTATE: NORMAN PEIRCE MASON

WASHINGTON, January 14.—A native of upstate New York with the characteristics of a New England Yankee will be the Government's new housing chief. He is Norman Peirce Mason, a 62-year-old former lumber dealer. For the last 4 years he has headed the Federal Housing Administration. In his new job as Administrator of the Housing and Home Finance Agency, to which he was named today by President Eisenhower, he will supervise his old agency, the FHA, as well as a conglomeration of other activities ranging from slum clearance to loans for college dormitories and from community planning to public housing.

Mr. Mason's Yankeeness is readily explainable. Though he was born in the small town of Willsboro along Lake Champlain in New York, he has lived since 1923 in New England in the town of Chelmsford, Mass.

AGENCY UNDER FIRE

Mr. Mason came to Washington in 1954 in unusual circumstances. The FHA—the oldest of the housing agencies and among the least controversial—had suddenly been tinged with scandal. The activities were connected with two of its half dozen mortgage insurance activities—involving both high officials of the agency and private operators in various home building and repair fields.

They had mostly taken place before the Eisenhower administration, but the President ousted Guy T. O. Hollyday as Commissioner and named Mr. Mason to take over. There has not been a breath of scandal since.

The road to high government service for this New Englander was in no significant way through his participation in politics. Over the years he had been president of his local, State, regional, and then national head of the Retail Lumber Dealers Association. From that post he was nominated for and won election as New England member of the board of directors of the United States Chamber of Commerce.

LED CONSTRUCTION GROUP

Quickly named to head the chamber's construction committee, he found himself becoming acquainted with the leaders in all facets of the home-building and construction industry (there are 134 trade associations in the industry). As a natural next step, he became a member of the advisory committee named by the new administration to recommend changes in the Nation's housing laws.

When the scandal broke, Mr. Mason was a "natural" for a new commissioner. He was well known to the industry, had administrative experience in business and was an Eisenhower supporter. He has served ever since under Albert M. Cole, whose place he will take as head of HHFA.

His job has been widely commended within the building industry and even among Democrats in Congress.

In his hometown of Willsboro, Mr. Mason, as he puts it today, "lived in the house at the top of the hill." His father was one of the two or three leading citizens of the town. When Mr. Mason was 14, the family moved to Plattsburgh after his father had made an unsuccessful venture into politics.

Mr. Mason served in the Navy as an enlisted man in World War I after graduating from high school. When his father died in 1922 he took over the family hardware business in Plattsburgh. Then in 1923 he pooled his inheritance and that of his wife's to purchase a languishing lumber firm in Chelmsford. He built it up over the years to a thriving firm with 5 lumberyards, a box manufacturing plant, 100 employees, and a $1,300,000 annual volume of business.

Short and stocky with gray hair and a slight bald spot on the back of his head, Mr. Mason counts golf and photography as his main hobbies.

His son David runs the business in Chelmsford. A married daughter, Mrs. Charles Svenson, also lives in Chelmsford.

REPEAL OF FEDERAL EXCISE TAX ON AUTOMOTIVE VEHICLES

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker and distinguished colleagues, I have just introduced in the Congress a measure designed to repeal the Federal excise tax on automotive vehicles. In my judgment, early enactment of this measure will insure employment in our automotive industries, have a stabilizing effect on the national economy, and help to build a barrier against future economic recession.

But of equal importance, passage of this measure will remove a long-standing inequity from our present tax structure, as this excise tax was originally enacted as a wartime measure.

As many of my colleagues will recall, I introduced this same bill early in the 85th Congress but no action was taken, despite the fact that such legislation was strongly endorsed and supported by many of our outstanding leaders in our business communities and in the field of organized labor. In my own mind, I am confident that failure of the 85th Congress to take action on that legislative proposal contributed immensely to the crippling recession that plagued our Nation during the past year.

We are trying to get our economy rolling at full speed without taking off our emergency brake that was once needed for an emergency that no longer exists. How long are we going to be blind to the effects of this tax that has depressed a major national market and deprived our working people of full employment?

I ask today: Will the 86th Congress make the same mistake? Will we pass up another opportunity to correct a gross tax inequity and, at the same time, to enact an important antirecession measure?

To me the reasons for repealing the Federal excise tax on automotive vehicles are little different today than 2 years ago when I first made this proposal to the Congress. The urgency for such legislative action on our part is just as great today as it was in January 1957—if not greater.

I was, indeed, encouraged to hear the President in his state of the Union message last Friday say that:

> I am requesting the Secretary of the Treasury to prepare appropriate proposals for revising, at the proper time, our tax structure, to remove inequities and to enhance incentives for all Americans to work, to save, and invest.

It is my hope that this is one of the areas of revision that he had in mind—

together with many of our other wartime excise taxes. In my opinion there is urgent need for the House to give most serious study to correcting excise tax inequities—including telephone, leather products, jewelry, and transportation, to mention but a few.

Mr. Speaker, let me point out just a few important aspects of the automotive industry that cannot be overemphasized. I feel qualified to speak on this subject, because in our congressional district a significant portion of the automobile industry of America is centered.

Into the Sixth Congressional District of Michigan come an estimated 15,000 different parts that comprise a motor vehicle. From 57 different foreign lands and each of the 49 States of the Union come various raw materials that are used in the manufacture of a motor vehicle.

The automobile industry uses more plate glass than the entire building and construction industry of America. The automobile industry uses more leather upholstery than the entire furniture industry. Equally significant, the automobile industry uses more iron and steel than any other single industry in the world.

Thus with such multifarious ramifications that extend into nearly every segment of our society, one can easily discern the tenacious relationship of the automobile industry to both national and international economy. In a word, literally millions of jobs, not only in Michigan, but in every other State of our Union depend entirely upon the production of automobiles. It follows naturally that any slump in the automobile industry is soon reflected in countless other business enterprises which also provide Americans with economic livelihood. I feel that you should be reminded that one out of every seven employed persons in the United States is engaged in the manufacture, distribution, service or commercial use of motor vehicles.

Thus Mr. Speaker, while calling for repeal of the excise tax on automotive vehicles, I speak in behalf of the economic welfare of millions of wage earners throughout our entire country. This is not an isolated economic concept; it is nationwide in scope.

Just what would be the result if we repealed the Federal excise tax on automotive vehicles?

At once the price of automobiles would be reduced, and it is elemental that this in turn could stimulate sales and ultimately increase production. More jobs would be created in hundreds of other manufacturing enterprises that are dependent in large part upon automobile production. These enterprises would include the steel industry, the brass and copper industries, and literally thousands of others, including many small business concerns.

Such tax relief would be fair and equitable. Seventy-three percent of our American families own automobiles, and 61 percent of all American adults are licensed drivers. In addition, we must remember 68 percent of all employed persons in the United States drive automobiles to work, and 75 percent of all business trips are made by automobile. Significantly, 75 percent of all American automobiles are used for business purposes. It can no longer be argued that the automobile is a luxury.

To those who recognize that we have a growing national economy, to those that talk of a higher standard of living for all Americans, to those who believe that we are in a vital economic struggle that makes it imperative for our economy to expand if our system of free enterprise is to maintain its position of world leadership, to all of you, I urge that you join with me in asking for early and favorable consideration of the measure that I have introduced here today.

CUBA

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, Castro's executions now total 185. Four to six thousand are in jail awaiting drumhead courts-martial and the number increases daily. Fidel Castro boasts that the slaughter shall continue despite condemnatory world opinion.

Many innocents have been caught in the dragnet. It may be a gay pastime for Castro but bodes ill for Cuba.

We did not send Gen. Leonard Wood and "Teddy" Roosevelt to rescue Cuba from Spanish oppression in 1898, only to have that unhappy country now plunged into a blood bath. The President and the administration should publicly express horror and indignation and have the matter placed before the United Nations.

Castro might well follow the courageous and majestic example of General de Gaulle, who has granted amnesty to some 7,000 Algerian rebels.

COMMITTEE ON UN-AMERICAN ACTIVITIES

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. WALTER] is recognized for 30 minutes.

Mr. WALTER. Mr. Speaker, on Monday last, the gentleman from California [Mr. ROOSEVELT] addressed the House and explained his resolution designed to abolish the Committee on Un-American Activities of the House and to add to the list of matters within the jurisdiction of the Committee on the Judiciary just two words, "seditious activity."

I waited in vain, Mr. Speaker, to hear the gentleman from California describe how his resolution would strengthen the investigation of communism by abolishing the Committee on Un-American Activities and vesting certain limited investigating jurisdiction of subversion in the Judiciary Committee when the Judiciary Committee itself is presently overworked and handles now over 50 percent of all bills introduced into the House.

Let us make no mistake about it, Mr. Speaker, the resolution of the gentleman from California is not designed to strengthen the investigation of subversion. It is designed to strangle the investigation of subversion.

I am not irrevocably wedded to any particular structural organization of a unit of the House charged with the investigation of subversion. As this House knows, I myself have recently made certain suggestions for jurisdictional changes in the present committee and from time to time I have given considerable study to possible new language relating to powers and duties of the present committee.

I am, however, Mr. Speaker, irrevocably committed to do all in my power as a Member of this Congress and as a citizen of this Republic to resist and fight communism and to fight it with all my might, and for that I make no apologies to anyone.

The issue presented by the resolution of the gentleman from California is simply this: Are we going to investigate and legislate against the Communist conspiracy, or are we not?

And now, Mr. Speaker, let me take a few minutes to analyze the basic fallacy of the contentions of the gentleman from California respecting the legal implications of his resolution. He contends that his resolution will resolve difficulties stemming from the decision of the Supreme Court of the United States in Watkins against United States, and he quotes certain of the dicta of that case respecting pertinency of questions posed to a witness under interrogation by a congressional committee. In essence, Mr. Speaker, all the Watkins decision said on this point is that a witness before a congressional committee is entitled to know the pertinency of questions posed to him and that his knowledge of the pertinency of questions can be made clear by several devices, including the authorizing resolution, the opening remarks of the chairman, members, or counsel for the committee, the nature of the proceedings, the questions themselves, and the chairman's response to an objection on pertinency.

How, Mr. Speaker, could the abolition of the Committee on Un-American Activities and the addition to the jurisdiction of the Judiciary Committee of two words possibly have any bearing upon the pronouncements of the courts respecting pertinency of a question asked of a witness?

Since the pronouncements of the court in the Watkins case, the U.S. Court of Appeals of the District of Columbia in the case of Barenblatt against United States has rejected the thesis that the Watkins case voided the basic authority of the Committee on Un-American Activities to compel compliance with its mandate to investigate subversion. I shall not comment further on the Barenblatt case because it is pending in the Supreme Court of the United States and it would be highly inappropriate for me as well as for any Member of this House, including the gentleman from California, to make any public remarks which would prejudice the Court's position in that case.

In his remarks in support of his resolution, the gentleman from California

assured the House that his resolution did not involve any direct or indirect criticism of the members of the Committee on Un-American Activities or of any particular situation. If this is to be taken at face value, if he has no criticism of the committee or of any particular situation in connection with the functioning of the committee, does he expect a similar state of affairs to prevail if the investigation of subversion should be vested in another committee whose power would stem from a jurisdiction described in two words, "seditious activity"? If the Committee on the Judiciary were to conduct a hearing on "seditious activity," how would these two words resolve issues of pertinency of questions posed by the committee to a witness? The fact is, Mr. Speaker, that the words "seditious activity" unlike the phrase in the present charter of the Committee on Un-American Activities have never been interpreted by the courts and it would necessitate a complete new cycle of litigation over the course of many years before there would be a body of law which could guide the investigators as to their powers and duties.

Irrespective of the motive of the author of this resolution, I say that it is a subterfuge and a fraud when it is presented to this House under the guise of strengthening investigation of subversion. If it is the will of the House that we no longer resist, investigate and legislate against communism, let us meet the issue squarely by passing a resolution precluding investigations of communism. Let us repeal the some three dozen laws now on the statute books and which have stemmed from investigations of the Committee on Un-American Activities. Let us then, Mr. Speaker, have the courage to face the American people and tell them what we have done.

I am a little amused that the gentleman from California would profess that he has no criticism of the committee or of any particular situation because most of those who are presently clamoring for the destruction of the Committee on Un-American Activities did not take this position. Most of those who join in the move to abolish the Committee on Un-American Activities complain that the committee is witch hunting, is violating fundamental rights, is promiscuously destroying reputations, and the like, that the Members of the Committee, particularly myself, are Fascist warmongers and possess other characteristics which are so vile as to be unfit for repetition. Such, Mr. Speaker, is the position of Communist agents and those under Communist discipline who constitute the leadership of the Emergency Civil Liberties Committee and its affiliate organizations, including the Citizens Committee To Preserve American Freedoms which are controlled lock, stock and barrel by the Communists.

Such is likewise the position of the National Lawyers Guild which has been bombarding the Members of this House with appeals to abolish the committee. And what might be the reason for this position by the National Lawyers Guild? Could it be that this organization has a deadly ax to grind? Well, the National Lawyers Guild has been thoroughly investigated by the committee and found to be the legal arm of the Communist Party.

A year ago, the Committee on Un-American Activities published a booklet entitled "Operation Abolition" in which is set forth complete details of the campaign against the House Committee on Un-American Activities, the Federal Bureau of Investigation and the entire Government security program spearheaded by the Communist front, the Emergency Civil Liberties Committee and its affiliates. The man who is the chief ringleader of the campaign is one Frank Wilkinson, whose headquarters have been in southern California. Why should Frank Wilkinson want to see an extinction of the investigating powers of the Congress in the field of subversion? Could it be, Mr. Speaker, that Mr. Wilkinson might have a personal interest in the matter? Well, Mr. Wilkinson has been identified before the Committee on Un-American Activities by former FBI agents, working underground in the Communist movement, as a hard-core Communist agent. Twice Mr. Wilkinson has been summoned before the Committee and is presently under indictment in Georgia for contempt of the committee. Under date of November 9, 1958, just 2 months ago, Mr. Wilkinson held a strategy meeting at the First Unitarian Church in Los Angeles. He was introduced as Secretary of the Committee To Preserve American Freedoms, on leave of absence to direct the campaign of the Emergency Civil Liberties Committee To Abolish the Committee on Un-American Activities. In this meeting, Mr. Wilkinson explained the importance of getting 100,000 signatures as quickly as possible sent to the Congress of the United States, and particularly those in certain districts in California, to abolish the Committee on Un-American Activities.

Wilkinson further explained that Allen Barth, chief editorial writer of the notorious Washington Post and Times Herald, would appear in California for a big kickoff drive against the House committee. Wilkinson likewise explained how he had lined up various other groups and organizations to join in the campaign. Rallies have been held, Mr. Speaker, under the auspices of the Emergency Civil Liberties Committee in over a dozen sections of the country. The chairman of the Emergency Civil Liberties Committee is an identified Communist, Harvey O'Connor, who, like Frank Wilkinson, has been cited for contempt of the committee.

Mr. Speaker, the gentleman from California is the only person I know who has no criticism to offer of the Committee on Un-American Activities, but who wants to abolish the committee for the purpose of strengthening the investigation of subversion.

COMMITTEE ON UN-AMERICAN ACTIVITIES

The SPEAKER. Under the previous order of the House, the gentleman from California [Mr. DOYLE] is recognized for 30 minutes.

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein the texts of H. Res. 151 and H. Res. 307.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, I speak in opposition to the proposal of my distinguished colleague from California, Hon. JAMES ROOSEVELT, as contained in his resolution recently filed to abolish the House Un-American Activities Committee and to transfer its jurisdiction to a subcommittee on the House Committee on the Judiciary. I will not try to cover the same field treated by my distinguished colleagues, the gentleman from Ohio [Mr. SCHERER] and the gentleman from California [Mr. JACKSON]. I had the benefit of listening to Mr. ROOSEVELT'S discussion on this floor in support of his resolution on Monday, January 12, and having now already been an active member of the House Committee on Un-American Activities for 7 years last passed, I deem it fitting that I give the House the benefit of my considered opinion and include a recommendation of my own on the subject involved. Those of you who have been Members of this great legislative body for several years will remember that I became a member of the House Un-American Activities Committee at the urgent request of the distinguished Speaker of our House, Hon. SAM RAYBURN. I did not seek it at that time and it still is a fact that I am actively at work as a member of the House Armed Services Committee.

I do not disagree with the statement frequently made by Members of this House that, on account of the extremely difficult and pressing nature of its work, the House Un-American Activities Committee is likely the most difficult committee of the House to serve as a member. Included in my remarks for the benefit of the large number of new Members of this House and also for the purpose of refreshing the recollection of the older Members, I will state that I will only have time on this occasion, to cite a very few of the major facts, showing definite progress of the Committee on Un-American Activities during the last few years, especially in the field of policies, practices and procedures. For instance, a booklet containing the revised rules of procedure of the committee was printed July 15, 1953, and since that time has been distributed or easily available to every witness and distributed to every legal counsel for every witness appearing before the committee. This major development and improvement was under a Republican administration when the Honorable Harold Velde was chairman of the Un-American Activities Committee. It was my good fortune to have the experience and responsibility of being chairman of that Committee on Rules. This printed booklet also included the text of Public Law 601 of the 79th Congress which created the Committee on Un-American Activities which consists of only nine members as a standing committee.

I understand that since the issuance of that set of committee rules on July 15, 1953, some other committees of the House

have likewise such a set of rules for information and instruction and guidance of their committee. This set of committee rules is some proof of a continuing desire and determination on the part of the committee to be eminently fair and just to witnesses before it and to their legal counsel and also to perform the committee responsibility in accordance with the intent of Congress creating said committee.

In making this statement, I do not contend that there is not still room for further improvements. There always will be. But, my colleagues, since the committee rules are generally recognized substantially fair and just to the witnesses and counsel appearing before it, then of course, this fact eliminates any claim for abolishing the committee on the grounds it has no rules, nor on the grounds its rules are not substantially fair and just and just to all concerned.

Nor, did Mr. ROOSEVELT claim that the committee rules were not fair nor just. He frankly stated he was not criticizing the committee on any particular point.

I am never satisfied to have the committee stand still nor to neglect to make advancements and improvements in its policies, its procedures, and practices. Hence, what I say further today, in objection to Mr. ROOSEVELT'S resolution to abolish the committee, is not because I am entirely satisfied with my committee procedures or policies or even with its functioning in every facet, but because I believe the abolition of the committee and the transference of its necessary strategic responsibility to a subcommittee of the House Judiciary Committee, would markedly weaken the position of the House of Representatives in performance of its responsibilities to continue active, diligent, adequate investigation of subversive activities. And, also in the essential area of remedial legislation: It would naturally lessen the effectiveness of the House of Representatives in the vital field of remedial legislation to meet the vigorous and ever-present conspiracy of Communist subversive infiltration wherever it chose to stick its ugly head. Also, growing out of the committee's marked advances in functioning and as further proof that substantial progress has been made by the House itself in this area, is the fact that House Resolution 151 which was filed February 22, 1955, and which was voted out of the House Committee on Rules on March 23, 1955, by unanimous committee vote and likewise unanimously agreed to by the House itself.

That resolution not only applied to the Committee on Un-American Activities, but it amended rule XI, section 25, by providing that every committee of the House, in fixing the number of its members to constitute a quorum for taking testimony and taking evidence, shall not fix a quorum of less than two committee members; that the chairman of every investigative hearing shall announce in an opening statement, the purpose of such investigation, and that witnesses at investigative hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights; that if the committee determines that evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any person, it shall then receive such testimony in executive session.

House Resolution 151 contained other major provisions; and while it was my privilege to offer House Resolution 151, most of the text thereof came from experiences had in the committee and from other House Members, including the distinguished Speaker, and also the distinguished majority leader contributed to its provisions. May I make it crystal clear that in retrospect of my active participation as one of the nine members of this committee over a term of 7 years I recollect more than one occasion wherein if I had to do it over again I am sure I could and would do differently and that my revised action would be an improvement on what I had previously done. I include the text of House Resolution 151 in my remarks at this point:

[84th Cong., 1st sess.]

H. Res. 151

Resolved, That rule XI 25(a) of the Rules of the House of Representatives is amended to read:

"25. (a) the Rules of the House are the rules of its committees so far as applicable, except that a motion to recess from day to day is a motion of high privilege in committees. Committees may adopt additional rules not inconsistent therewith."

SEC. 2. Rule XI 25 is further amended by adding at the end thereof:

"(h) Each committee may fix the number of its members to constitute a quorum for taking testimony and receiving evidence, which shall be not less than two.

"(i) The chairman at an investigative hearing shall announce in an opening statement the subject of the investigation.

"(j) A copy of the committee rules, if any, and paragraph 25 of rule XI of the House of Representatives shall be made available to the witness.

"(k) Witnesses at investigative hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

"(l) The chairman may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; and the committee may cite the offender to the House for contempt.

"(m) If the committee determines that evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any person, it shall—

"(1) receive such evidence or testimony in executive session;

"(2) afford such person an opportunity voluntarily to appear as a witness; and

"(3) receive and dispose of requests from such person to subpena additional witnesses.

"(n) Except as provided in paragraph (m), the chairman shall receive and the committee shall dispose of requests to subpena additional witnesses.

"(o) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the committee.

"(p) In the discretion of the committee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The committee is the sole judge of the pertinency of testimony and evidence adduced at its hearing.

"(q) Upon payment of the cost thereof, a witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the committee."

Furthermore, my own opinion is that nine members on the committee is not a sufficient number to adequately meet the increasing challenge of very heavy and necessary daily work to be accomplished. It is not a committee the functioning of which can be, or should be too much done by staff members, for the nature of its work requires and depends upon the fullest possible informed functioning of each and every committee member. In fact, if the committee were an exclusive committee and its members were not on any other major committee, it, I believe, would materially strengthen the performance of the committee's jurisdiction.

I welcome decisions of the Supreme Court of the United States bearing on the functioning of our committee. I welcome them as guideposts. For, my colleagues, the work of this committee has only been in being for comparatively a few years and I am sure considerable basic law involving the work of the committee and its jurisdiction will still necessarily be promulgated by the Supreme Court. The work of this committee will continue to be under legal attack by the enemies of internal security of the United States.

It will not surprise you for me to say that every now and then the committee cooperates to see that cases which arise, growing out of the committee's functioning, are as promptly as possible pressed forward to the final decision of the Supreme Court of the United States, so that the committee can be fully advised of just what the law in the premises is. This, I believe, is as it should be; for ours must be a government by law. There is no other source from which the committee can be guided, as to what the law in a parallel is.

There is no other way provided under our system of Government, whereby the committee can constructively function, in legal protection of the rights of individuals; and having the duty also to protect the rights and safety of the public in this very sensitive area.

Some of you have heard me frequently state, that I will fight for the right of any American citizen to exercise his right of petition; to say what he thinks; to think as he pleases; to write as he pleases; to print what he pleases and to pray as he wishes—as long as he does it within the four corners of the United States Constitution. This means he must be a law-abiding citizen. And whenever I meet a man who has an opinion different than mine, I again thank God, that under our Constitution and law, there is no legal way by which I can force him to believe as I do. Rigid conformity in thinking and doing is not on the highway to freedom, of either individuals or nations.

Now, let us further look at Mr. ROOSEVELT'S resolution and his speech in support thereof. First, I call your attention to the very first paragraph of his speech on Monday last wherein he stated:

At the outset I wish to emphasize that by abolishing the committee it is not my in-

tention to have the House cease its activity in investigating subversion.

It therefore is crystal clear, is it not, that he recognizes that there is a continuing need for the House of Representatives to have a committee active, diligent, and adequate to continue activity in investigating subversion and in remedial legislation? By his statement, he recognizes the continuance of subversion and is in favor of the House continuing to expend tax dollars through the medium of a House committee. But he argues the present long experienced House committee should be entirely abolished and the obligation and responsibility turned over in its entirety to a different group, also of able members, but which is merely a subcommittee of the very able House Judiciary Committee with already most burdensome duties. In this connection, I have not yet heard that the House Judiciary Committee chairman or any member of the House Judiciary Committee indicate that they would welcome such new duties being placed upon them.

As one reason for advocating his resolution, the gentleman from California [Mr. ROOSEVELT] states that, on the Judiciary Committee there are two present members of the House Un-American Activities Committee, to wit: the distinguished gentleman from Pennsylvania [Mr. WALTER], the chairman, and the distinguished gentleman from Louisiana [Mr. WILLIS], and that they would be there to guide the Judiciary subcommittee in the event the Un-American Activities Committee is transferred to an unwilling House Judiciary Committee. It is very true that these two gentlemen are able, distinguished lawyers and do render extremely valuable service in their duties on the Un-American Activities Committee, but may I state that the policy of the Democratic side of the House requires that all Democratic members of the Un-American Activities Committee be lawyers and that only one of the nine members of the present committee is not a lawyer.

Since the gentleman from California [Mr. ROOSEVELT] in his speech to the House the other day states that he had informed Committee Chairman WALTER with his "full assurance that there is no direct or implied criticism of the committee members in any fashion nor is it predicated on direct or implied criticism of any particular situation," I think it is therefore fair to conclude that he rests his case for the abolition of the Un-American Activities Committee primarily on whatever import the decision in the Watkins against U.S. case has on the Committee on Un-American Activities and its operation under Public Law 601 of the 79th Congress enacted in 1946, constituted by rules X and XI of the existing rules of the House of Representatives.

I hope I have made it crystal clear that I feel strongly that abolishing the committee, as proposed by my colleague from California, would be a major catastrophe and that transferring its duties to merely a subcommittee of the House Judiciary Committee would be likewise a definite step toward minimizing the need of investigating subversion. Now, let us take a necessary brief look at the case of Watkins against United States upon which the gentleman from California [Mr. ROOSEVELT] relies to support his resolution.

In what I believe has been a diligent study by me of that case, and related cases also, I wish to state, that while my distinguished colleague and I are miles apart and diametrically opposed in our respective positions on his resolution, he strongly favoring it and I just as strongly disfavoring it, I do recognize that the case of Watkins against United States makes it very timely and necessary that this House review and reconsider the text of Public Law 601 under which the committee presently operates and to bring the operating jurisdiction and governing the committee clearly within the purview of the Supreme Court decisions. As Mr. ROOSEVELT informed you on Monday last, the highest court in our land in that case clearly indicated that it considered the text of Public Law 601 as being so indefinite and uncertain, and subject to so many different possible interpretations and opinions, that a witness before the committee might well not be able to know clearly from the text of Public Law 601, just what his position was, as to being subject to criminal contempt if he refused to answer certain questions by the committee. May I humbly state, that in connection with my study as chairman of the committee on rules for the Un-American Activities Committee in 1953, in my study of the then existing decisions of the Supreme Court of the United States and district court of appeals, I then became convinced that it was a fact that the text of Public Law 601 in some places was ambiguous and uncertain and that especially the terms "un-American activity" and "un-American propaganda" were such. At that time, July 1953, and I want to emphasize that year, I so stated but it was then reasoned that sooner or later, probably sooner, the Supreme Court of the United States would find that issue squarely before it, and would no doubt make a ruling for the guidance of the committee. So I bided my time, still firmly believing and stating my firm opinion in the premises. I know some of my fellow Members realized I was not exactly satisfied with the situation.

But then on July 1, 1957, 85th Congress, under House Resolution 307, I filed a resolution which was referred to the House Committee on Rules suggesting a change in the name of the committee from Un-American Activities to Committee on Subversive Activities, also eliminating the term "un-American" wherever it appeared in Public Law 601 and establishing the jurisdiction of the Committee on Subversive Activities as set forth in my resolution in House Resolution 307. I wish to advise the House at this time, that this day, with only one or two minor changes, I have again filed the text of which originally appeared on July 1, 1957, in my House Resolution 307, referred to the House Rules Committee.

I include the text of my House Resolution 307 as part of my remarks:

[86th Cong., 1st sess.]

H. Res. 307

Resolved, That clause 1(q) of rule X of the Rules of the House of Representatives of the United States is amended to read: "(q) Committee on Subversive Activities, to consist of nine members;" and that clause 17, rule XI of the Rules of the House of Representatives is amended to read:

"COMMITTEE ON SUBVERSIVE ACTIVITIES

"(A) SUBVERSIVE ACTIVITIES

"(b) The Committee on Subversive Activities is authorized to make investigations of (i) the extent, character, and objects of subversive activities and propaganda in the United States, (ii) the Committee on Subversive Activities as a whole or by subcommittee is authorized to make from time to time investigations of the origin, extent, character and control and objects of any subversive movement in the United States which seeks to establish a totalitarian dictatorship in the United States and to destroy the representative form of government provided for in the United States Constitution, by its use of deceitful infiltration of other groups; conspiracy, treachery, sabotage, espionage, terrorism, subversion, and any subversive activity and propaganda, (iii) or by any means designed and used by it to accomplish its subversive purpose, (iv) whether it is of a domestic origin or is instigated from a foreign country, (v) any and all other pertinent questions that would aid and assist the U.S. Congress in any constitutional legislative purpose.

"The Committee on Subversive Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable in aid of a constitutional legislative purpose.

"For the purpose of any such investigation, the Committee on Subversive Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member."

I ask for as early a hearing on this total matter before the House Rules Committee as soon as consistent and appropriate in the premises and taking into consideration the possibility that the Supreme Court may render a decision in the Barenblatt and related cases before too long.

I naturally would not do this at this time, or any time, if I did not conscientiously and urgently feel and believe that it is imperative that our House committee and every committee of the House operate in accordance with the decisions of the Supreme Court of the United States. Also if, at any time, said Supreme Court rules that we are not doing so in any case, that then we should bring our policies and procedures within the definition and interpretation laid down by the Supreme Court. Therefore, I trust that in view of the fact that I have now again taken this same position with

reference to Public Law 601 as I took in 1953 and again in my resolution, House Resolution 307, on July 1, 1957, as is well known to many of you, you will not underestimate the vigor with which I oppose the Roosevelt resolution.

A few minutes ago you heard my distinguished chairman, the gentleman from Pennsylvania [Mr. WALTER] remind you that within the last month it had been proposed by him to initiate a substantial change in the jurisdiction and duties of this committee. My proposal today again filed, is not without precedent in proposing changes, the filing of the resolution, House Resolution 307, by me was considerably before we were presented with the problem before us today. I had planned to file this resolution on the opening day of this 86th Congress.

If my action in filing this resolution again, after waiting about 19 months, for a decision of the Supreme Court, be misunderstood or misinterpreted by any person, then I regret it, but my service of more than 12 years in this great legislative body dictates that it is essential to me that I stand clearly and definitively in support of principles which involve the rights of individuals and the security of our Nation against subversive activities by Communists advocating force and violence or by any other subversives against the Constitution of the United States.

You will recall that on last Monday, when the gentleman from California [Mr. ROOSEVELT] was arguing in support of his resolution, the gentleman from Pennsylvania [Mr. WALTER], my distinguished and able chairman of the House Un-American Activities Committee, called his attention as set forth on page 568 of the CONGRESSIONAL RECORD for January 12 to the fact that the very question the gentleman from California [Mr. ROOSEVELT] had raised as to the meaning of un-American had been raised in the Barenblatt case now pending before the Supreme Court of the United States. I also recognize that fact and hope the Supreme Court will meet that issue squarely and render an opinion which will be another definite guidepost for Congress itself, as well as for our Committee.

On Monday you also heard my distinguished committee colleague, the gentleman from Ohio [Mr. SCHERER], as appears on page 572 of the CONGRESSIONAL RECORD of that date, state that the committee can and would change its charter as at present to agree with the decision of the Supreme Court, so as to comply with that decision if and when it came, and he stated that can easily be done.

But, lest any of you have not had opportunity to read the full text of the decision of the Supreme Court on which the gentleman from California [Mr. ROOSEVELT] relies, said Court in that decision stated amongst other pertinent language, it would be difficult to imagine a less explicit authorizing resolution. Who can define the meaning of un-American?

I do not believe that was mere dictum. However, I submit that, if the Supreme Court felt that on account of the Public Law 601 being, as it stated in its decision, there, nevertheless I call your attention to the fact that said Court did not hold nor infer that Public Law 601 was unconstitutional. It could have done so, had it so concluded. Of course, by referring exclusively to the text of Public Law 601, is not the only way in which a witness can be advised and fully informed of the pertinency of questions asked him by the committee. For instance, the U.S. Court of Appeals for the District of Columbia in the case of Lloyd Barenblatt, appellant, in consideration of that case, which was remanded back to it from the U.S. Supreme Court on reargument of appeal, rendered its decision on January 16, 1958, in discussing the Watkins against U.S. case, stated:

> We do believe that the Supreme Court was of the opinion that the vagueness of the resolution made it necessary and only fair that the witness be apprised of the particular matter under inquiry by the committee or subcommittee holding the hearings, and, on objection, of the pertinency of the questions involved in the inquiry.

And, the U.S. Court of Appeals in said case illustrated one of the other ways by quoting from the record of the hearings before a subcommittee of the Un-American Activities Committee on which subcommittee I sat during the 2d session of the 83d Congress, at which time Committee Chairman Velde and I participated in a brief discussion so as to clarify the pertinency of the questions which were being asked witness Barenblatt, I now quote from the decision of the U.S. Court of Appeals on page 12 and 13 thereof as follows:

> Mr. DOYLE (Representative DOYLE). Mr. Chairman, I think the record should show that at this time there are pending before the United States Congress several active bills dealing with the question of subversive activities, dealing with the question of the Communist Party, dealing with the question of the responsibility that we have as a congressional committee under Public Law 601.
>
> I am sure that is the record, and I would like the record of this hearing of this committee to especially show it——
>
> Mr. VELDE (Representative Velde). Yes, I think——
>
> Mr. DOYLE (continuing). And that this witness and these other witnesses could help us in line with our Public Law 601 responsibility to have hearing with reference to recommendations for legislation in this area under Public Law 601 in accordance therewith.
>
> Mr. VELDE. I concur with you, Mr. DOYLE, and I wish to further state that the record should show that the evidence or information contained in the files of this committee, some of them in the nature of evidence, shows clearly that the witness has information about Communist activities in the United States of America, particularly while he attended the University of Michigan.
>
> That information which the witness has would be very valuable to this committee and its work.
>
> It is the opinion of the committee, at least the Chair, that the committee has a constitutional legal right in all ways and forms, and means, to get the information which has been requested from the witness.

The court of appeals affirmed the decision in the Watkins case and held that this discussion was part of definite information to Barenblatt as to the pertinency of questions being asked him.

I might say that the district court affirmed the opinion in the case of Watkins versus the United States.

Mr. SCHERER. Mr. Speaker, will the gentleman yield?

Mr. DOYLE. I yield.

Mr. SCHERER. The gentleman from California [Mr. DOYLE] has been discussing the decision in the Watkins case because, as the gentleman has pointed out, one of the principal points decided by the Supreme Court in the Watkins case was that a witness called before the committee was entitled to have explained to him in detail the relevancy and pertinency of any question asked. I would like to ask the gentleman this question. Since that decision was handed down by the Supreme Court—has or has not the committee followed religiously the instruction of the Court in the Watkins case and explained to every witness the pertinency and relevancy of a question when the issue was raised?

Mr. DOYLE. I will say that whenever I have been present, it did. I do not know what it did when I was not present. But, I believe, it probably did because the committee tries to follow the decisions of the Supreme Court.

Mr. SCHERER. Whether we agree with them or not?

Mr. DOYLE. That is right.

And now, calling your attention to Mr. ROOSEVELT's statement on Monday made in his speech appearing on page 568 of the CONGRESSIONAL RECORD of that date, wherein he states:

> There are, and have been for many years, citizen groups throughout the country who have urged the abolition of the Un-American Activities Committee. There is no doubt in my mind that a fringe of these groups have been Communist dominated, or Communist inspired.

I wish to further inform the House I have recently seen what appears to be a photostat of a letter dated November 14, 1958 on the stationery of what appears to be headed, "Emergency Civil Liberties Committee, 421 Seventh Avenue, New York, N.Y." The person's name to whom this original letter was addressed does not appear, but the last paragraph thereof states:

> I am enclosing a copy of the draft of our program for 1959. This program will be submitted to our national council at its New York meeting on December 14. We genuinely hope that you will read this draft carefully and give us the benefit of your criticisms and suggestions in time for the December meeting. An envelope is enclosed for this purpose.

And I have recently seen also the photostat of what appears to be the draft program for 1959 of said Emergency Civil Liberties Committee. I wish to read two paragraphs thereof:

> ABOLITION
>
> We call upon Congress to heed the clear decision of the Supreme Court in the Watkins case and to put an end to the unconstitutional Un-American Activities Committee. We support heartily the action of our chairman, Harvey O'Connor, in refusing to recognize the authority of that committee to inquire into his private affairs. If he should be indicted we will give all possible support to his defense in the courts.

REPEAL

We will work for the repeal of repressive legislation that was pushed through in the McCarthy days. Specifically we call for the repeal by Congress of:

1. The Smith Act.
2. The Internal Security Act.
3. The Communist Control Act.

Please also note that the abolition of the House committee is but one item of their package deal of four, designed to practically obliterate all existing internal security programs.

You will note in this last by Chairman O'Connor about 1½ months ago that he designates the Un-American Activities Committee as an unconstitutional committee. I submit that I know of no decision of any high court which makes that holding.

I have in my possession a printed petition which I received through the mail on or about January 15, 1959, from the American Civil Liberties Union of Southern California at 2863 West Ninth Street, Los Angeles, Calif. I have also received from the Committee To Preserve American Freedoms a similar petition of which I have received several copies. A letter accompanying same states:

In light of the short term of the petition's circulation, during the busy holiday season, we consider the total signature impressive. We found, you will be interested to know, that a great many of those who also feel that the committee should be eliminated declined to put their names on this petition for fear of reprisal by the committee, hardly a healthy state for this democratic Nation.

This letter from the American Civil Liberties Union addressed to me notifies me that Hon. JAMES ROOSEVELT will offer a resolution to eliminate the Committee on Un-American Activities and my support of the resolution is requested. It then states that on the date the letter was written, to wit, December 31, 1958, there had been secured on these petitions in support of Mr. ROOSEVELT'S resolution only 8,596 signatures.

I can also inform the House that there was a definite campaign in California over a considerable period by the said American Civil Liberties Union and by the Committee To Preserve American Freedoms in which they announced jointly and severally that they were undertaking to secure 100,000 signatures to these petitions by December 15, 1958. One parcel of printed matter from the Committee To Preserve American Freedoms with offices at 617 North Larchmont Boulevard, Los Angeles, Calif., directed that persons in favor of supporting the Roosevelt resolution be especially active in letting their support thereof be known to Congressmen CLYDE DOYLE and DON JACKSON, members of the committee and Democratic and Republican Congressmen respectively from Los Angeles County, Calif. I further state that I have not received a single one of these petitions signed by even one person from the great 23d Congressional District, which I have the honor to represent. I have received several unsigned sent me by leaders of the Democratic Party and Democratic groups in the great 23d Congressional District with statements that they were opposed to the Roosevelt resolution. In making this reference to these petitions, the origin of the support thereof, together with the campaign to repeal the Smith Act and the Internal Security and Communist Control Act, my opinion is, shows it is all one package, emanating from Communist-dominated or Communist-inspired persons.

I realize that there are some patriotic American citizens who have apparently lent their names in support of this program of abolition of the committee. I again reiterate my support of the right of petition to Congress of any American citizen. But, I also wish to emphasize that in support of this abolition program against the Un-American Activities Committee, the Smith Act, the Internal Security Act, and the Communist Control Act as announced by Mr. Clark Foreman and the Emergency Civil Liberties Committee and the Committee To Preserve American Freedoms, Los Angeles, Calif., are some very active persons the House Un-American Activities Committee has reason to believe have been and, as far as is now known, they still are active subversive Communists. It is clear to me, that no matter how so-called liberal or openminded any patriotic person in America is, in support of the right of freedom of thinking and nonconformity, that such persons should investigate with vigilant scrutiny whether or not the petitions or documents they are being asked to sign directed against the internal security of our Nation are not, in fact, part of the fringe of the groups that have been Communist-dominated or Communist-inspired and stated and described by Mr. Roosevelt on page 568 of his speech on last Monday in support of his resolution.

In closing, I present the partial text of a letter written to me by Director J. Edgar Hoover, U.S. Department of Justice, Federal Bureau of Investigation, in answer to my inquiry to him asking his opinion as to the work and value of congressional investigative committees. Here is what he said:

The American people owe a great debt of gratitude to the work over the years of congressional investigating committees. These committees, day after day, secure information vitally needed in the consideration of new legislation. They are indeed indispensable parts of the American legislative process.

We in the FBI have the highest appreciation for the contributions rendered by congressional investigating committees dealing with Un-American activities. Each in its own way is serving the American people. The FBI is strictly a fact-gathering agency. It does not express opinions or make recommendations on the information it secures. That is the function of other officials of the Government. As the investigative arm of the Department of Justice, the FBI is charged with the duty of investigating violations of the laws of the United States, collecting evidence in cases in which the United States is or may be a party in interest, and performing other duties imposed by law. Its function is not exposure or securing information for legislative purposes. That is the function of the congressional investigating committees.

I feel that both the FBI and congressional investigating committees, in the field of internal security, have important roles to play. We are working for the same goal—protecting our great Nation from enemies who seek to destroy us. Our work is not contradictory, but mutually helpful. That is as it should be.

My colleagues, the abolition of the House Un-American Activities Committee would give to every subversive person or group of persons, not only domestic, but foreign, cause for great glee and would dangerously weaken and even destroy effective defenses or deterrents against the enemies of the American way of life as promulgated by the Constitution of the United States.

COMMITTEE ON UN-AMERICAN ACTIVITIES

The SPEAKER pro tempore (Mr. ROGERS of Florida). Under the previous order of the House, the gentleman from California [Mr. JACKSON] is recognized for 40 minutes.

Mr. JACKSON. Mr. Speaker——

Mr. HIESTAND. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield briefly.

Mr. HIESTAND. Mr. Speaker, apropos the remarks of our distinguished colleague the gentleman from California [Mr. DOYLE], I am sure he realizes that this petition of last fall by the American Civil Liberties Union of Southern California calling for the elimination of the Un-American Activities Committee was and is dangerous. I considered this a dangerous attack on an important instrument of our internal security program, and expressed this conviction at several public meetings. Soon citizens of the district I represent began a spontaneous counterattack with petitions supporting the committee. The movement spread to other districts and to other States.

I have here hundreds of these petitions, and and I understand hundreds more are on the way. Signed by many thousands of patriotic and clear-thinking southern Californians, these petitions are a spontaneous voice of the people that cannot be ignored. Furthermore, I have been told by colleagues from other districts and States that they too are receiving petitions. I am proud of the people of my district who started this movement. I am proud to represent such citizens.

The Un-American Activities Committee must be preserved. The attack that was launched this week followed months and years of careful preparation. The Communist-inspired front organizations, the American Civil Liberties Union, the Emergency Civil Liberties Committee, and the Communist Party itself have finally found dupes to undertake their program for undermining America. We must stop them in their tracks. I feel sure we can do it and these petitions should prove very effective.

Mr. JACKSON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and also ask unanimous consent that my colleague, the gentleman from California [Mr. MCDONOUGH], may extend his remarks immediately following mine.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JACKSON. Mr. Speaker, continuing Un-American Activities Day, whether the Trojan Horse is hauled inside the walls of a besieged city during daylight hours by iron chains or whether it is surreptitiously pulled through the gates at night by silken cords, the threat posed to the inhabitants of the community is not diminished in any manner. By the same token, whether a bulwark against organized subversion and treachery is demolished by triphammer blows or through a process of slow erosion, the flood will eventually come through the breaches to overwhelm those who live behind the protective wall.

The antipathy toward the House Committee on Un-American Activities evidenced by some organizations and individuals within the American community its nothing new. For many years, and for a variety of reasons best known to those who seek to destroy the House Committee on Un-American Activities, efforts have been made to abolish this standing committee of the House, or, failing that, to so limit its effectiveness as to render it a completely innocuous and ineffectual instrument for the detection of threats directed against our national security and welfare. The independent activities of the several organizations in opposition have not been marked by any significant success in the past, and it was not until 2 years ago that any great effort was exerted by Red-tinged organizations in the United States to coordinate and make more effective the work of the groups which had long opposed the committee's work. In 1957 the House Committee on Un-American Activities documented the work being done nationally by these organizations to bring about the abolition of the committee, and this material was released in November 1957, by the committee in a report entitled "Operation Abolition." The report documented the campaign against the committee, the Federal Bureau of Investigation, and the Government security program. The attack was at that time, and presently is, spearheaded by an organization called the Emergency Civil Liberties Committee.

Parenthetically, the Emergency Civil Liberties Committee should not be confused with the American Civil Liberties Committee. I say it should not although I confess that there are times when in my own mind I question whether it should or not.

Groups coordinating with the Emergency Civil Liberties Committee are named in full in the report, including that of the Los Angeles Citizens Committee To Preserve American Freedoms, certainly a fine and fancy title. Also documented were the Communist-action records of the principal officers of the groups. The report was given wide circulation in the fall of 1957, with copies going to all Members of the Congress.

In the event the report did not personally reach all Members of the House, a copy can presently be obtained by calling the House Committee on Un-American Activities.

Failing to make any considerable headway in the House in the matter of curtailing annual appropriations for the committee's use, the organizations principally concerned with the abolition of the committee, or the restriction of its powers, last year increased the scope of their operations and launched an all-out campaign from coast to coast, seeking to achieve this year the goal pursued so assiduously for many years past. To this end a nationwide campaign to obtain signatures to petitions calling for the abolition of the House Committee on Un-American Activities was launched simultaneously in a number of cities throughout the country, and the important task of mustering public support was assigned to one Frank Wilkinson, identified under oath before the House Committee on Un-American Activities as a member of the Communist Party.

On December 7, 1956, Mrs. Anita Schneider, former undercover agent for the Federal Bureau of Investigation in the Communist Party, was a witness at a public hearing of the Committee on Un-American Activities. The following reference to Frank Wilkinson appears in her testimony:

Mrs. SCHNEIDER. The two outlines, or rather, the letter and the outline that I have in my hand—"Facts and Opinions on the Brownell-Butler Law"—were put out by the Citizens Committee To Preserve American Freedoms.

* * * * *

Mrs. SCHNEIDER. I had some contact with that committee.

Mr. ARENS. Was it Communist controlled?

Mrs. SCHNEIDER. Yes.

Mr. ARENS. Who was the ringleader in that organization?

Mrs. SCHNEIDER. I didn't work in that organization, and I don't know who the ringleader was. My contact on that occasion was with Frank Wilkinson, I believe.

Mr. ARENS. Do you know him as a Communist?

Mrs. SCHNEIDER. Yes.

Frank Wilkinson appeared as a witness at the same hearings, December 7, 1956, and refused to answer questions, stating:

As a matter of conscience and personal responsibility, I am refusing to answer any questions of this committee * * * because I challenge * * * the constitutionality of this committee.

On July 30, 1958, Frank Wilkinson was called again as a witness before the Committee on Un-American Activities, and because of refusal to answer questions was subsequently cited for contempt of Congress.

Frank Wilkinson was a speaker at a meeting of the Emergency Civil Liberties Committee—I–1956—on May 18, 1955, according to the organization's publication Rights, July 1955, page 6. An announcement of a meeting to be held jointly by the Philadelphia Committee To Uphold the Supreme Court and the ECLC on October 18, 1958, at the Adelphia Hotel, Philadelphia, showed Frank Wilkinson on the program. Letterheads of September 30, 1954, April 3, 1955, February 21, 1957, and a dinner invitation of December 15, 1958, listed Frank Wilkinson as a member of the National Council of the ECLC. As shown on letterheads of the organization, May 8, 1957, and February 14, 1958, Frank Wilkinson was a member of the executive committee of its national council.

It is abundantly clear, Mr. Speaker, that Wilkinson was given a full-time task to coordinate, and in large part, direct the drive against the committee. This task, as will be demonstrated, took Wilkinson into many parts of the Nation on behalf of "Operation Abolition." Because I am more familiar with the course of events as they transpired in Los Angeles, I shall not attempt to sketch a broad picture of the national campaign, but relate from various sources the activity in southern California. It may be presumed that the campaign on a national scale differed only in the matter of details and personalities. The interlocking and coordinated activity of Communist and non-Communist groups is significant and characteristic of the tactics of the Communist Party and its agents in pursuing any given goal. It would appear that a tactical error was committed in assigning a publicly identified member of the party to coordinate the abolition drive on behalf of the Emergency Civil Liberties Committee and the other sponsoring bodies.

Certainly, so far as the public was concerned, it put a red flag on the drive for petitions, and doubtless slowed the drive down considerably.

I stress the importance of the campaign conducted by the Emergency Civil Liberties Committee, because it is this group, more than any other in this country, which has coordinated and directed the attack on the House Committee on Un-American Activities. Nor has the drive to abolish the House Committee on Un-American Activities constituted the only activity of the ECLU because, as the distinguished gentleman from California [Mr. DOYLE] pointed out, the draft program for the Emergency Civil Liberties Committee seeks in addition to the abolition of the House Committee on Un-American Activities, the repeal of the Smith Act, the Communist Control Act, and other security measures which have been passed in the general welfare of the people of this country.

Mr. SCHERER. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. Certainly.

Mr. SCHERER. The gentleman has discussed the drive of the Emergency Civil Liberties Committee to abolish the Committee on Un-American Activities. May I supplement what the gentleman has said or ask him if it is not a fact that part of that drive consisted in sending representatives of that committee to the various cities in which the House Committee on Un-American Activities was holding hearings and during those hearings conducted rallies opposing the committee and putting ads of sizable nature in the local papers attacking the committee.

Mr. JACKSON. That is true, and I will develop that subsequently.

Mr. Speaker, I ask unanimous consent to insert in the RECORD at this point the draft program of the Emergency Civil Liberties Committee.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The draft program is as follows:

EMERGENCY CIVIL LIBERTIES COMMITTEE
DRAFT PROGRAM FOR 1959

The hopes of the voters in the November elections included, we believe, the desire that our Federal and State governments limit their conduct to that authorized by their constitutions. Those rights of individuals which have been protected in recent rulings of the Supreme Court were successfully defended by courageous Senators in the 85th Congress. We consider it a prime responsibility of ECLC to do everything in our power to see that the rights of the people will be protected in the 86th Congress.

WORK WITH CONGRESS

Without diminishing our present legal and educational work, we will give greater emphasis to legislative activity. To develop closer relations with Congress and to keep our associates regularly informed on civil liberties, we will open a Washington office. We hope to establish better liaison with other groups now interested in civil liberties and to encourage more local committees devoted to the cause of individual rights.

ABOLITION

We call upon Congress to heed the clear decision of the Supreme Court in the Watkins case and to put an end to the unconstitutional Un-American Activities Committee. We support heartily the action of our chairman, Harvey O'Connor, in refusing to recognize the authority of that committee to inquire into his private affairs. If he should be indicted, we will give all possible support to his defense in the courts.

REPEAL

We will work for the repeal of repressive legislation that was pushed through in the McCarthy days. Specifically, we call for the repeal by Congress of—

1. The Smith Act.
2. The Internal Security Act.
3. The Communist Control Act.

We also call for the repeal by State legislatures of various so-called internal-security, teacher-screening, and loyalty-oath acts.

OPPOSITION

We will oppose any new attempts to push through Congress anti-civil-liberties legislation. From our experience in the last session of Congress, we warn the people to be prepared to resist efforts in the following fields:

1. Enabling the Secretary of State to discriminate against citizens for political reasons in the granting of passports.
2. Extending screening and blacklisting.
3. Allowing State sedition laws that would compound the witchhunt on the State level.
4. Relaxing the present requirement that Federal authorities arrest only on evidence and move without unnecessary delay to arraignment (so-called Mallory bills).

CIVIL RIGHTS

In the field of civil rights we ask that the Federal Government provide an example by insisting on the constitutional rights of all members of the Armed Forces. We will work for a law making it a Federal offense for any public or semipublic facility to discriminate against a member of the Armed Forces because of race, creed, or color.

CHALLENGES IN THE COURTS

Through our General Counsel, Leonard B. Boudin, we will continue to give free legal service to significant constitutional cases where we think Government actions require a challenge.

Passports: Although our victory in the Kent and Briehl case has put an end to the arbitrary actions of the State Department in withholding passports for political reasons, the Department still denies the right of American citizens to go to China. We plan to bring that issue to the courts in the case of author *Waldo Franks* v. *John Foster Dulles*.

Congressional investigations: In the case of newspaperman William Price, we are supporting his right to refuse to answer questions of Senator EASTLAND'S Internal Security Subcommittee dealing with Mr. Price's political views and associations. In the defense of Mr. Price our General Counsel is associated with Mr. Harry I. Rand.

Honorable discharge: The Supreme Court held in the case of *Abramowitz* v. *Brucker*, an ECLC-sponsored test case to which our General Counsel gave free legal service, that the Army was acting illegally in denying a soldier an honorable discharge because of political activity before he was inducted. The Army has obeyed the letter of the Court's decision, but has continued to ignore the constitutional implications. It now denies honorable discharge to soldiers whose political or educational activities, while in the Reserve, are not what the Army likes. In other words, men drafted into the Army must adhere for 8 years to Army ideas of what is politically acceptable if they expect an honorable discharge. Our General Counsel will contest the Army's right to such authority.

Screening and blacklisting: The Coast Guard continues to deny employment in the privately owned merchant marine to radio operators and seamen of whose political past it disapproves. Our general counsel is contesting this policy in two different cases.

In this same area our general counsel is testing the right of the transit authority in New York to dismiss a worker because he refuses to reveal his past political associations. This involves a test of the New York State so-called security-risk law.

Right to privacy: The New Hampshire Supreme Court balked when the U.S. Supreme Court, on the basis of its decision in the Sweezy case, vacated the case against Dr. Willard Uphaus. So the right of Dr. Uphaus to withhold from the New Hampshire attorney general the list of guests at the camp of the World Fellowship of Faiths is again before the Supreme Court. In this case our general counsel is associated with Dr. Royal W. France as defense counsel.

Smith Act: Although we are not supplying counsel in the Junius Scales case, we consider it of such importance that we are helping raise some of the expenses. Mr. Scales has been convicted for mere membership in the Communist Party. His conviction was remanded by the Supreme Court, and he was tried again after he had resigned as a member of the Communist Party. He was nevertheless convicted again and the case will be heard for the second time by the Supreme Court.

EDUCATION

In connection with both the legislative and legal work, there is need for increased educational efforts. In addition to Rights, which will in 1959 be published in alternate months, we intend to issue frequent legislative bulletins to our associates and to all groups interested in supporting civil liberties.

Meetings will be held in connection with issues and cases, and we will also continue to try to supply speakers to other groups interested in keeping informed on civil liberties issues.

To accomplish this program we will need the continued support of our friends and an increasing number of associates and cooperating groups. We invite criticism of this program and also suggestions for more effective work.

Mr. JACKSON. In pursuit of the aims set forth in the draft program there appeared on the regular Sunday church calendar of the First Unitarian Church of Los Angeles, on Sunday, November 9, 1958, the following notice:

2:30 p.m. Frank Wilkinson, secretary, Committee to Preserve American Freedoms, will report on the national campaign to abolish the Un-American Activities Committee. Mr. Wilkinson is on a year's leave of absence to direct this national campaign for the Emergency Civil Liberties Committee, New York.

Parenthetically it should be added at this point that the minister of the First Unitarian Church of Los Angeles, Calif., the Reverend Steven Fritchman, has long been identified with Communist-front and Communist-action groups.

Subpenaed by the House Committee on Un-American Activities in Los Angeles several years ago Mr. Fritchman declined to answer any questions having to do with his alleged membership in the Community Party and his activities on behalf of the Communist Party. However, a forum which has long been conducted in that particular church has been used consistently as a sounding board for Communists and for the dissemination of Communist propaganda in the city of Los Angeles.

The meeting, as announced, was held, and it was opened by one Henry Steinmetz of San Diego, another uncooperative witness who had declined under oath to answer questions relating to his activities in and on behalf of the Communist Party. Steinmetz announced that the American-Russian Institute, cited as a Communist organization by the Attorney General of the United States, by the Senate Judiciary Committee, and by the Internal Security Subcommittee of the Senate Judiciary Committee, and the House Committee on Un-American Activities, would soon occupy new quarters at 4212 Melrose Avenue, Los Angeles, Calif., and that a meeting at Baces Hall, 1530 North Vermont Avenue, on November 20, would feature Mr. Rockwell Kent, another notorious Communist. Mr. Steinmetz announced that Mr. Kent would be introduced by the Reverend Steven Fritchman, so we have them all in the same bag for the moment. Kent, incidentally, had just returned from the Soviet Union after forcing issuance of a passport from the Department of State.

Frank Wilkinson was then introduced for a talk on the progress of "The national campaign to abolish the Un-American Activities Committee with a first-hand account of his experience in recent House Un-American Activities Committee hearings." Wilkinson said that he had just come from the mail office where thousands of petitions were being put into the mails, urging abolition of the House Committee on Un-American Activities. These petitions, Wilkinson said, were a plea to southern California representatives in Congress "individually or jointly to offer at the opening of the 86th Congress a resolution to eliminate the Committee on Un-American Activities from the list of standing committees of the House of Representatives." He announced that some of the petitions were available for those in attendance. At this point, Mr. Speaker, I ask unanimous

consent to insert in the RECORD a copy of the petition in question.

The SPEAKER pro tempore. Without objection, it is so ordered.

(The matter referred to follows:)

[Supplement to Open Forum, vol. XXXV, No. 11, November 1958]

For a redress of grievances we petition our southern California Representatives in the Congress of the United States: 13th Congressional District, Hon. CHARLES M. TEAGUE; 15th Congressional District, Hon. GORDON L. MCDONOUGH; 16th Congressional District, Hon. DONALD L. JACKSON; 17th Congressional District, Hon. CECIL R. KING; 18th Congressional District, Hon. CRAIG HOSMER; 19th Congressional District, Hon. CHET HOLIFIELD; 20th Congressional District, Hon. H. ALLEN SMITH; 21st Congressional District, Hon. EDGAR HIESTAND; 22d Congressional District, Hon. JOSEPH F. HOLT; 23d Congressional District, Hon. CLYDE DOYLE; 24th Congressional District, Hon. GLENARD F. LIPSCOMB; 25th Congressional District, Hon. GEORGE KASEM; 26th Congressional District, Hon. JAMES ROOSEVELT; 27th Congressional District, Hon. HARRY R. SHEPPARD; 28th Congressional District, Hon. JAMES B. UTT; 29th Congressional District, Hon. D. S. SAUND; 30th Congressional District, Hon. ROBERT C. WILSON, individually or jointly to offer at the opening of the 86th Congress a resolution to eliminate the Committee on Un-American Activities from the list of standing committees of the House of Representatives.

Bishop James C. Baker, Robert Clark, Rev. Allan Hunter, Loren Miller, Esq., Gifford Phillips, Alan Sieroty, Esq., Robert S. Vogel, Clare Warne, Esq., Dr. William I. Young.

Name Address City (CD)

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American Civil Liberties Union of Southern California, 2063 West Ninth Street, Los Angeles 4, Calif., Dunkirk 5-6234.

Mr. JACKSON. I want to direct the attention of the House membership to the name of the organization sponsoring the petitions, because it demonstrates the overlapping nature of organizations active in the abolition movement, and indicates the willingness with which non-Communist groups accept the assistance of the Communist Party and its agents when a parallel course of action is to be followed. The American Civil Liberties Union of Southern California has not, to my knowledge, been cited as a Communist-action or a Communist-front group. Nonetheless, we must assume that the American Civil Liberties Union had no objection in this instance to joining hands with Communists and Communist sympathizers in pursuing a common purpose. The petitions prepared by the American Civil Liberties Union of Southern California were made available to those in attendance by an identified member of the Communist Party, who called on known Communists and Communist sympathizers in the audience to exert their best efforts in obtaining signatures. We can be certain that they did just this, although I understand they fell considerably short of the 100,000 they wanted to get.

Now, this is a word of friendly advice. If the American Civil Liberties Union is sincere in its protestations of purity, it had best give searching inquiry to the extent that it is being used by the conspiracy for its own purposes. It would appear on the surface, and in light of recent developments, that the American Civil Liberties Union is prepared to accept help from any source, including Communist, when its own objectives appear to be served by such assistance. On the reverse side of the petition appear five excerpts from the Supreme Court's Watkins decision, emphasizing five "indictments" against the House committee. Several letters are reproduced, including one from our distinguished colleague from California [Mr. ROOSEVELT], which states:

It is my intention to cooperate in the offering of a resolution in the Democratic caucus and then on the floor of the House to eliminate the Un-American Activities Committee as one of the standing committees of the House of Representatives.

Wilkinson announced that several delegations had called on Mr. ROOSEVELT to get him to introduce such a resolution on the opening day of Congress to bring this action through the Rules Committee. Wilkinson announced that he considered Mr. ROOSEVELT's statement a rather "iffy" one, but believed that the resolution would be introduced, if not by Mr. ROOSEVELT then by someone else. Wilkinson laid great stress upon the importance of getting 100,000 American Civil Liberties Union petitions signed as quickly as possible, which would, he said, require a great deal of work by many people. I might add in this connection, that to this time I have not received one of the petitions, although it is quite unlikely any would have been directed to my attention as a member of the committee under attack. Wilkinson pointed out that if these petitions could be obtained in sufficient numbers in the districts of such Congressmen as JACKSON, HOLT, DOYLE, "and even HIESTAND" it might make them more cautious. Again, I direct attention to the fact that the petitions which these Communists were so anxious to obtain in large numbers were not initiated by any identified Communist action group, but by the American Civil Liberties Union. Continuing his presentation, Wilkinson said that Alan Barth, editorial writer of the Washington Post and Times Herald would be in Los Angeles November 14 and 15 to give a big kickoff against the House committee.

He announced that "we have the best plan in the United States" to get after the committee.

He explained that the House Un-American Activities Committee was established in 1938 and had since that time subpenaed over 5,000 individuals. He said that many of these had lost their jobs—reputations had been hurt—unions had been broken up and even churches had been hit by this "damnable committee." Mr. Wilkinson conveniently failed to add that ministerial and labor officials subpenaed by the committee had, in all instances, long and impressive records of cooperation with the Communist conspiracy. Some of the so-called labor leaders were subsequently expelled from their unions or parent organizations when their activities became known to responsible union leaders. He gave credit to the Unitarian Fellowship for Social Justice for its help. He lauded the "wonderful Supreme Court rulings," and said that after the last election the skies are clearing and the climate improving.

He announced that Women for Legislative Action were cooperating in the drive to abolish the House Committee on Un-American Activities. This organization is also highly suspect. He said that immediately after the Watkins decision had been handed down he was called east by Harvey O'Connor, who has been mentioned by the chairman, and Corlis Lamont, prime movers of the Emergency Civil Liberties Committee, to assist in developing the campaign against the House Committee on Un-American Activities, using as a principal lever the decision in the Watkins case. The strategy to be developed, Wilkinson said, was to have representatives at any committee hearing anywhere in the country to mobilize action and sentiment and to hinder the committee's work. I might say they were very successful in that. Our hearings during the last year have been harassed and hindered to a greater extent by Communists and Communist sympathizers in the hearing rooms than any time during my service on that committee.

He was sent to Gary, Ind., when the House Un-American Activities Committee held hearings there. He said that he began a house-to-house canvass among those subpenaed to appear as witnesses and American Civil Liberties Union members and he obtained more than a thousand dollars to run an ad in the Gary Post. The work in Gary, he announced, brought out 200 people on the date of the hearings. One of the principal tasks in so harassing this committee of the Congress, he said, is to get the "right people out."

There can be little question in the mind of any thoughtful person but that the Communist Party and its agents have been a driving force in the present drive to abolish the House Committee on Un-American Activities, or transfer its functions in such a manner as to render it completely innocuous. I respect the opinions of every colleague in the House, and I do not question their motives in the introduction of legislative proposals. However, I feel that I am dutybound to put on the record whatever evidence there is of Communist participation in a drive to abolish what I consider to be one of the most important committees in this House. That there is opposition to the committee from outside Communist ranks none will deny. Some of this opposition is decidedly non-Communist in nature. I do not believe my colleague from California would under any circumstances lend any measure of comfort to the Communist Party or place in its hands an instrument to be wielded against American institutions. Yet it is abundantly evident that the introduction of Mr. ROOSEVELT's resolution to abolish the committee and submerge its functions among several other subcommittees of the House Committee on the Judiciary has in fact been hailed in Communist

circles as the first truly effective blow against the House committee.

There is abundant and documented proof that the burden of the abolition operation has been assumed and carried by Communist action groups, and that the principal beneficiaries of the committee's abolition would be those whose dedication is to another and far different form of government.

The argument has been advanced in some quarters that the task of combating subversion and disloyalty is a matter for the Federal Bureau of Investigation and other security agencies. Those who pursue this old argument must, by this time, be aware that the functions of law-enforcement agencies differ materially from the functions of a committee charged by the Congress with investigations looking toward recommendations for legislative action. The Federal Bureau of Investigation is not equipped in any respect to pursue inquiries directed to the legislative purpose, and the utility of the FBI to pursue its own important work would be damaged immeasurably by any attempt to shoulder it with the unwanted task of reporting to the Congress on its detailed operations as the investigations, from time to time, disclose the necessity for new legislation. The House of Representatives and the Senate of the United States have wisely provided that from these two bodies there shall be detailed to certain Members the responsibility of conducting inquiry into the propaganda efforts of those who seek the destruction of our institutions. To this end both of the Houses of Congress have gathered together trained staffs to investigate, analyze, and prepare their findings on the activities of a common enemy for submission to the two Houses for appropriate remedial action.

The House Committee on Un-American Activities is no sinecure. It is hard work and a task that is made no easier by the unremitting pressures which are brought to bear upon the members of the committee. Upon accepting appointment of the House Committee on Un-American Activities, one voluntarily lays himself open to unmitigated abuse, personal vilification, and unwarranted calumny. This is the recognized lot of one who accepts the gage of battle hurled down by the Communists, the fellow travelers, the liberal press, and those whose concept of individual liberty completely blinds them to the nature of the threat with which we are confronted as a Nation. They appear to forget that a smiling Soviet Ambassador represents the mailed fist that smashed the Hungarian freedom fighters and gave Budapest a terrible blood bath. Enveloped in the charm exuded by an affable Mr. Mikoyan, there appears a tendency on the part of some to close their eyes to the grim reality of the titanic struggle being waged, and to picture a mortal enemy of human freedom as a casual window shopper and genial visitor. No member of the House Committee on Un-American Activities will yield to anyone in a desire to achieve a world at peace, a world in which all of the peoples of the earth can live their lives, untroubled by the implications of nuclear weapons and intercontinental ballistic missiles. This is a world we all want, and it is a goal which the members of the House Committee seek to achieve, in common with other men of good will, irrespective of their politics. But, Mr. Speaker, the people of America cannot forget, and must not forget, that while Mr. Mikoyan shops in a supermarket, the intransigence of the Soviet Union with respect to Berlin, constitutes international blackmail and a continuing threat to the peace of the world. Janus, the Roman god, was two-faced, but no more so than the Soviet Union in its international dealings. While the one hand appears to be extended in a gesture of friendship, the other threatens the world with a club.

The House Committee on Un-American Activities did not simply spring into existence without reason or purpose. It came into being because of the nature of a threat to our Nation, and because of a record of treachery and deceit on the part of our wartime ally, the Soviet Union. If the American people are aware of the threat it is because of the work that has been done by the House Committee on Un-American Activities and its counterpart on the other side of the Capitol. I said that I had received no petitions demanding the abolition of the House Committee on Un-American Activities, Mr. Speaker, but I should add that I have received several hundred communications asking that I oppose the abolition of the committee, or the transfer of its functions elsewhere.

It has often been said, and quite truthfully, that a man is known by the company he keeps. It is true that in some instances undesirable company will attach itself to a program or project having considerable merit. That wonderful institution, the Salvation Army, could not be condemned because a corner drunk joined enthusiastically in the singing of "Rock of Ages." Nonetheless, and knowing the Salvation Army and its good works, I am confident that the band would move on down the street, leaving perhaps one or two of its members to counsel and care for the inebriate.

Unfortunately, the non-Communist groups and individuals who, for a variety of reasons best known to themselves, seek the abolition of the House Committee on Un-American Activities, do not appear to be making a dedicated effort to weed out and repudiate Communist support of the movement. For whatever reason others may oppose the work of the committee, there is no question as to why the Communists themselves would be overjoyed to see it abolished. They fear and hate the committee because they recognize it to be a major obstacle in the United States to untrammeled freedom of action in the courses which are laid down for them by the international conspiracy, and to the implementation of which they have dedicated their lives.

Exposure for exposure's sake is not, as proclaimed by some, of primary consideration in the work of the House Committee on Un-American Activities. It is a corollary of any inquiry, particulary one conducted by a public body such as the Congress of the United States.

Individuals innocent of any collaboration with the Communist apparatus are not subpenaed as witnesses before the committee, except in rare instances where it appears that certain documents and records pertaining to the conspiracy may be in the possession of a third party.

I make that as a categorical statement and challenge anyone to gainsay it.

Mr. SCHERER. Mr. Speaker, will the gentleman yield for a question?

Mr. JACKSON. I yield.

Mr. SCHERER. How long has the gentleman been a member of the Committee on Un-American Activities?

Mr. JACKSON. About 8 years.

Mr. SCHERER. During your experience as a member of that committee, has any person been identified as a member of the Communist Party except by having a witness or witnesses who have personal knowledge of his membership in the Party and his activities on behalf of the Communist conspiracy?

Mr. JACKSON. My answer to that would be "No."

Mr. SCHERER. We followed, in the identification of individuals and their activities in connection with the Communist Party the rules of law and the rules of evidence used in our courts.

Mr. JACKSON. I would say that we did in all instances, and I reiterate that I know of no innocent person who has been subpenaed before the House Committee on Un-American Activities. We require one, and frequently two or three, identifications under oath of an individual as a member of the Communist Party before he is called before the committee.

Mr. SCHERER. In other words, there is no hearsay evidence used as is charged in many cases?

Mr. JACKSON. No, sir. I have no way of knowing what future action may be taken with respect to the resolution introduced by the gentleman from California, but I do hope that a substantial volume of opposition to the provisions of the resolution will make itself evident in the days ahead.

I applaud the action taken yesterday when, by unanimous vote, the Republican Conference of the House adopted a strong resolution opposing the abolition of the Committee on Un-American Activities. I hope that other voices in this House, on both sides of the aisle, will be raised to assure a continuation of the vital work which is presently being done. A great majority of the American people are truly concerned about the pending resolution, and they have a right to know where we stand, individually and collectively, on a question as fundamental as the one presented by the introduction of this resolution.

Mr. Speaker, in conclusion, I should like to quote from a letter with which many of you are familiar, addressed to the chairman of the House Committee on Un-American Activities, by Mr. J. Edgar Hoover, Chief of the Federal Bureau of Investigation, whose knowledge of the Communist conspiracy I would think

would be second to none in this country, and whose splendid work through the years has not only made the FBI the most effective agency of its kind in the world, but which has done stalwart service in challenging the threat against our liberties and in taking the actions necessary to bring those responsible for the threat before the bar of justice.

In his letter to the chairman, Mr. Hoover said:

I have just finished reviewing "Operation Abolition," which will be released by the Committee on Un-American Activities on November 13, 1957. This booklet depicts another example of the apparent ease with which the Communists have been able to enlist the support of misguided individuals to assist them in obscuring their subversive workings. Certainly the real meaning of civil liberties is not understood by these Communist apologists. Your committee's role in safeguarding our freedoms is well known to every patriotic citizen, and real Americans are not going to be fooled or misled by efforts to discredit your vital task.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I am very happy to yield to my distinguished colleague from California.

Mr. ROOSEVELT. Mr. Speaker, I want to say that I am delighted that the Chairman and several members of the committee have taken the time today to so fully explain their reasons for approving the Un-American Activities Committee and its actions. I think it is wholly in keeping with good sound legislation to say that I am delighted also to hear my colleague, the gentleman from California [Mr. DOYLE], today, and the gentleman from Ohio [Mr. SCHERER], I believe last Monday, state that if the Supreme Court decision which may be forthcoming shortly should indicate the necessity for a revision in the mandate of the committee that they would certainly believe that that should be done. I think that is a tremendous step forward.

Then, on next Thursday, Mr. Speaker, a week from today, I will ask for time to place before the House—and as long as this full record has now been placed before the House—an enlargement of the matters that I have previously discussed.

I thank the gentleman from California.

Mr. JACKSON. In conclusion, Mr. Speaker, it is my personal opinion, but I believe it is an opinion which is shared by millions throughout the length and breadth of the land, that at this crucial point in our national history, and at this crucial point in world history we cannot afford as a people to be lulled into any complacent dreams that the conspiracy has stopped its operations, that we no longer have anything to fear. As a matter of fact, the evidence that our committee had developed of espionage, fraud, and deceit, which has characterized the Communist Party since its inception is still going on today. If ever we needed alertness, if ever we needed a new dedication, I think it is now when we stand in danger of coming under this affable spell.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield.

Mr. WALTER. I think in that connection it might be well to point out the comfort these people receive from decisions of the courts; and in that connection I would like to quote from Dorothy Connolly. She was chairman of the Communist Party in California. When a decision of the Supreme Court came down Miss Connolly said:

This case is the greatest victory the Communist Party in America has ever received—

Referring to a decision of the Supreme Court—

It will mark a rejuvenation of the party in America. We have lost some members in the last few years, but now we are on our way.

Mr. JACKSON. I thank the gentleman for the contribution. In closing, Mr. Speaker, I should like to express the high regard I hold for the chairman of this committee, the distinguished gentleman from Pennsylvania [Mr. WALTER]. I have been on the committee for several years, both before and during his chairmanship. He has not permitted in the deliberations of that committee any taint of partisanship. We who serve on the committee, and I refer to Members on both sides of the aisle, realize that there is nothing the enemy would like better than to drive a wedge between us on a partisan basis. He is a good, able, decent, outstanding American, and I count myself as fortunate for having the privilege of serving on his committee.

Mr. SCHERER. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman from Ohio.

Mr. SCHERER. That feeling about the chairman is shared by all members of the committee, and particularly the Members on the Republican side of the aisle.

Mr. JACKSON. I am sure that is the case.

Mr. McDONOUGH. Mr. Speaker, I am pleased to join with my colleagues from California, Mr. DONALD JACKSON, Republican, and Mr. CLYDE DOYLE, Democrat, both ranking members of the House Un-American Activities Committee, in opposing the resolution introduced by Mr. ROOSEVELT to abolish the Un-American Activities Committee.

My position in this matter is no sudden impulse. On the contrary it is a reiteration of my consistent support of the purposes and policies of the House Un-American Activities Committee which has effectively functioned as a security agency by fighting the spread of communism in the United States as well as exposing those people who are known Communists who believe in the overthrow of the Government of the United States by force or violence as well as those who have associated themselves with the Communist philosophy by attempting to invade the private precincts of our religious, social, fraternal, business, and industrial circles as well as our Government on the local and Federal level.

Communism is a godless, atheistic philosophy which seeks to implant in the human mind the superiority of materialism over spiritualism and to be relentless in its pursuit to accomplish this by destroying everything that interferes with its avowed purpose.

Certainly the U.S. Government through its House of Representatives should protect itself and the high principles it stands for against any influence as destructive of these principles as is communism by continuing, retaining, and supporting the House Un-American Activities Committee.

During the recent election many frequent attempts were made by several committees, especially the committee headed by Frank Wilkerson and of the First Unitarian Church of Los Angeles, which is in my district, to contact me and obtain my support for a resolution to abolish the House Un-American Activities Committee. I consistently and vigorously refused to see these committees or discuss this question with them.

It is unfortunate that 60,000 names as reported in a recent editorial in the Los Angeles Herald-Express were obtained in Los Angeles County urging the abolition of the House Un-American Activities Committee. I am certain that many of the people who signed this petition were misinformed and misguided into believing that they were supporting a cause to protect social justice and civil rights.

I agree with the chairman of the committee, Representative FRANCIS WALTER, that there may be amendments necessary to change some of the jurisdiction of the committee. I am, however, opposed to supporting the Roosevelt resolution to abolish the committee and transfer its jurisdiction to the House Judiciary Committee.

THE SUCCESS OF THE CASTRO REVOLUTION AND THE FAILURE OF OUR STATE DEPARTMENT

The SPEAKER pro tempore (Mr. ROGERS of Florida). Under previous order of the House, the gentleman from New York [Mr. POWELL] is recognized.

Mr. POWELL. Mr. Speaker, it may come as a shocking surprise to the people of the United States—the greatest democracy in the world—that we have been the partners in the blood bath of Batista for the past years. With funds of the taxpayers of this "land of the free and home of the brave" we helped to arm Dictator Batista's forces. We sent men from our Navy, Army, and Air Force to direct his armed forces. We bestowed one of the highest U.S. military decorations on the Chief of the Cuban Air Force in November 1957, shortly after he had ordered and led the bombardment of the open city, Cienfuegos, with American planes and ammunition. Our former Ambassador, Earl Smith, openly sided with Batista upon instructions from the Department of State. Our Assistant Secretary of State, Mr. Rubottom, on March 5, before the Senate Foreign Relations Committee, admitted:

The Cuban Government is certainly using the military equipment at its disposal to beat back armed insurrection.

We have been partners in the casualties of 20,000 men, women, and children, victims of the Batista bloodbath over

the past years. We continued this policy of aiding, abetting, arming, sympathizing with and helping to direct Batista's reign of terror in the face of repeated objections by great citizens of this country, including Members of this Congress.

On March 12, Assistant Secretary of State Macomber wrote our distinguished colleague from Oregon, Representative PORTER, that he could not furnish him the list of arms which we had given and were giving to Batista because the list was classified. Yet at that very same moment I had in my hand a complete list of the instruments of death that we had shipped and were shipping in open violation of the intent of the U.S. Congress. In section 105, subsection b, part 4 of the Mutual Security Act and the Mutual Assistance Agreement with Cuba, we, the good Members of Congress, clearly specified that arms "may be used only in the implementation of defense plans agreed upon by the United States and Cuba under which Cuba participates in missions important to the defense of the Western Hemisphere." The Army Missions Agreement on August 28, 1951, clearly stipulates that the agreement will be subjected to cancellation at the initiative of the Government of the United States or the Government of Cuba at any time when any one of the two governments finds itself involved in internal or external hostilities. I call for the Foreign Affairs Committee of this Congress to investigate the Department of State as to why it so openly, flagrantly and wantonly defied the laws and intent of Congress and its own agreement.

I held several conferences with the present president of Cuba, Dr. Urrutia, the Provisional Treasurer of Cuba, Mr. Raoul Chivas, and the representative of Mr. Castro in the Western Hemisphere, Dr. Mario Llanera. I was able to get from Senor Castro the documents which our State Department said were "classified" and could not be released to a U.S. Congressman. Despite the fact that officials in our Government tried to prevent me from disclosing these documents, on March 20, on this floor of Congress, I listed in detail the sorry record of our support of Batista. This included the contract numbers, specifications, description in detail of rifles, grenades, rockets, howitzers, tanks, machineguns, cartridges, armored cars, bombs, automatic rifles, and mortars. I have attached to this speech the full speech as recorded in the CONGRESSIONAL RECORD, volume 104, part 4, pages 4948–4949.

WITHIN 48 HOURS THE DEPARTMENT OF STATE STOPPED ALL ARMED SHIPMENTS AND THIS WAS THE BEGINNING OF THE END OF BATISTA

Is it not amazing that during the 20 years of Batista's bloodbath no one challenged him or his government for their atrocities. Now that the guilty are being punished there is a great hue and cry. This is the kind of hypocrisy that causes our would-be friends to view us with suspicion.

The shallowness of our foreign policy with the Latin American countries is best symbolized by the fact that major decisions can be made upon the basis of one or two speeches by Members of this Congress. The truth is that we have no policy for Latin America. As was brought out in the New York Times magazine section this past Sunday, as a result of our Department of State's policy anti-Yankeeism today is perhaps stronger than ever before in Cuban history. Cuban hostility is directed against American policies not American people.

Cuba now has a new government and what we need is a new policy in our Department of State with new representatives not only in Cuba but throughout Latin America. In August 1957 the Secretary of the Treasury of the United States, Mr. Anderson, told Latin Americans that they were wasting their time discussing the Development Loan Institution. But 3 months after Vice President NIXON and his wife in Latin America had to bear the brunt of the failures of our Department of State, the Under Secretary of State for Economic Affairs, C. Douglas Dillon, announced U.S. support for exactly such a development bank that our Latin American friends had asked us for in 1957.

The Department of State did move on March 22 when I demanded on the floor of Congress on March 20 that they stop sending arms. But why so late?

Meeting in conference with my friend, Dr. Mario Llanera, the representative of Senor Castro, I requested on last Monday, January 5, at 11:30:

First. The recognition of the Castro Government.

Second. The offer of financial assistance.

Third. The refusal of asylum in the United States to Batista.

Fourth. The recall of former Ambassador Earl Smith.

I am happy to say that within 5 days the State Department did all four of these things.

From this beginning last week we could have gone on to a constructive foreign policy in Latin America that would undoubtedly have brought much good to our friends in the Caribbean and ourselves. But now we have immediately turned around and are sending 55 U.S. Marines with 5 officers and 4 noncommissioned officers to Haiti to help train the Haitian Army. This deal was done with the approval of the State Department although negotiated by the Navy. Private information has reached me from Haiti that the entire deal was masterminded by Trujillo, himself. Trujillo and Haiti haven't spoken to each other since he massacred 35,000 Haitian laborers at the border a few years back. Now that he is about to be invaded and defeated, he needs Haiti because the Haitian border is the jump-off place.

On the northern coast at the point where Haiti and the Dominican Republic join each other there is a town called Monte Cristi. This has an excellent seaport on the Haitian side. From that point Trujillo will be invaded and will be conquered and he knows it. He has sucked the United States into the deal by getting them to provide our Marines to beef up the Haitian Army which is a police force. He has given Duvalier, the Dictator of Haiti, $13 million top priority of which is to pay the United States for the cost of this Latin American Hitler-Mussolini type axis of Trujillo-Duvalier.

I urge my colleagues on the Senate Foreign Relations Committee and on the House Foreign Affairs Committee to stage an immediate investigation. We must demand that these Marines do not leave New York next Tuesday for Haiti and we must find out just who has the connections with the administration who can be bought off by Duvalier and Trujillo and for his price deliver the United States into the hands again of blood-built dictators.

Haiti is now being run by a despicable and desperate Duvalier. That beautiful land of wonderful people in which I have had such deep personal interest is now a land of terrorism and assassination.

Here we go again, the United States of America, to support another blood bath. When will we stop being hypocrites? When will we stop preaching democracy at home and practicing fascism all over the world? The days of the dictators are numbered, yet we continue to support them; Duvalier of Haiti, Trujillo of the Dominican Republic, Stroessner of Paraguay, and Sonoza of Nicaragua. As surely as I stand here their days are numbered. Across the broad earth's surging breast the irresistible force of free men will sweep these petty pirates from their thrones and with them will go the good will toward our Nation unless we change our foreign policy toward Latin America, not tomorrow but today.

President Betancourt of Venezuela sent me a message through Dr. Llanera that he believes that no country should be allowed to be a member of the Organization of American States that does not hold democratic elections. The Foreign Affairs Committees of the Senate and of the House should consider very carefully any form of aid to those countries presided over by tyrants. The cry should go up from those of us who belong to this greatest Congress of the world's greatest democracy—"No more aid for tyrants!"

The appointment of Mr. Phillip Bonsal as the new U.S. Ambassador to Cuba is a wise one. His appointment will be utterly meaningless unless he is backed up with a new Department of State policy which will not force him, as it forced former Ambassadors Gardner and Smith, to play "footsie" with Fascists.

Finally, one very naive Member of this House tried to pin the Communist label on the Castro movement. But, in a speech delivered to this House on Monday, May 12, 1958. I detailed the exact connections of the Communist Party with Batista and Batista's brutal aggressions against the Roman Catholic Church in Cuba.

Mr. Speaker, I ask unanimous consent that I may now attach to this speech all the speeches delivered by me in previous sessions of this body concerning Cuba, Batista, and Dr. Fidel Castro.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

[From the CONGRESSIONAL RECORD, Mar. 20, 1958]

STOP THE FLOW OF ARMS TO BATISTA

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. POWELL] is recognized for 30 minutes.

(Mr. POWELL asked and was given permission to revise and extend his remarks.)

Mr. POWELL. Mr. Speaker, the United States is a partner with the dictator of Cuba, Fulgencio Batista, in the killing of close to 4,000 Cubans so far, and it is time that we should get out and get out at once. We not only have been and are supplying arms to Batista, but we have a military mission established in Cuba actively assisting the Cuban Army. There should be immediate stoppage of the flow of arms and ammunition from this country and there should be an immediate withdrawal of the mission.

The following is a list of the arms that have been sent to Cuba with the contract number during the past 2 years:

Contract da Cuba 551: Tools for the repair of Browning machineguns. Regular shipments being made.

Contract da Cuba 553: 3,000 M–1 caliber 30 rifles and spare parts; 1,500 75-millimeter grenades; 1,000 3.5 millimeter rockets; 1,000 60-millimeter mortar grenades; 5,000 81-millimeter mortar grenades; 1 complete battery of light mountain howitzer artillery, shipment completed except for some accessories and spare parts.

Contract da Cuba 554: 1 fire direction set (artillery set No. 5).

Contract da Cuba 555: Tools for the repair and maintenance of caliber 30 rifle M1903A3. Partial shipments being made.

Contract da Cuba 559: 7 M4A3 tanks equipped with 76-millimeter gun. Shipment completed.

Contract da Cuba 560: 6 AN–PRC–10 radio sets; 1 SB–18/GT emergency switchboard; 2 SB/22/PT switchboard; 3 WD–1/TT wire; 10 EE–8 telephone; shipment completed.

Contract da Cuba: 38 AN/VRC–10, delivered; 138 installations units for above, delivered; 1 AN/URM–48 signal generator, delivered; 38 TS–LCC handset, in process; 1 ID–292/PRC–6 alinement indicator, in process; batteries, wire and crystals for above, partial shipments made.

Contract da Cuba 571: 20 .50-caliber Browning machineguns; 20 .30-caliber Browning machineguns; 100,000 cartridges armor piercing, for .50-caliber machineguns. Spare parts for above. Shipment completed except for spare parts, in which partial shipment is being made.

Contract da Cuba 565: 4 Brush B–168038. Delivery scheduled for April 1958.

Contract da Cuba 569: 1,500 M–1 carbines; 150 spare parts; 7,500 hand grenades MK–2. Delivery completed except for spare parts, on which first partial shipment was made on October 18.

Contract da Cuba 570: 16 B M70D telescopes. Shipment scheduled for April 1958.

Contract da Cuba 571: 20 .50-caliber linking and delinking machines.

Contract da Cuba 572: Tools for the repair of M4A3 tanks. Shipments in process.

Contract da Cuba 578: Periscopes for M4A3 and M3A1 tanks. Shipment scheduled for April 1958.

Contract da Cuba 579: 20 M20 armored cars. Being rebuilt to be delivered.

Contract da Cuba 580: Communication equipment valued at $89,998.66. Delivery scheduled for August 1958.

Contract da Cuba 587: 1950 Garand rifles caliber .30. Delivered in March 1958.

Contract da Cuba 591: Spare parts for 77 mm. battery. In process.

Contract da Cuba 592: Tools for the maintenance of M4A3 tanks. In process.

Contract opc 64 (USAF): Bombs for the Cuban Air Forces, valued at $328,931.48. Shipped in October 1957.

Contract da Cuba 64 (USN): 300 5-inch rockets; already delivered.

Contract da Cuba 66 (USN): 25,000 20-mm. caps. Shipment in process.

Contract da Cuba 6400 (USN): 50 magazines for 20-mm. guns. Shipment in process.

Besides these are the following requests on which no contract number had been assigned, as of the date of information received: 50 Browning automatic rifles M–1918A2; 3,000 75-millimeter grenades; 24 60-millimeter mortars; 20 50-caliber machineguns; 1,000 60-millimeter grenades; 10,000 hand grenades; 10 radio transmitter-receivers AN/G–R9 for jeep installation; 10 3.5-inch rocket launchers, M20B1; 1,000,000 30-caliber caps for above; 6,000 United States caliber 30 M–1 rifles; 2,000 United States caliber 30 M–1 carbines.

MEMORANDUM TO CONGRESSMAN ADAM C. POWELL, JR., FROM DR. MARIO LLERNA, CHAIRMAN, CONCERNING THE CUBAN CRISIS AND U.S. HELP TO DICTATOR BATISTA

"Fulgencio Batista first came to power in 1933 during the revolution that overthrew Dictator Machado. He was a sergeant in the army and as such he staged his first military coup d'etat (September 4, 1933).

"After 4 months of civilian provisional government, he overthrew President Grau San Martin and became Cuba strong man. In this he was openly encouraged by American Ambassador Jefferson Caffery.

"For 11 years Batista ruled the country uncontested. He stepped out of power in 1944 after a constitutional election, and became a political exile immediately afterward.

"In 1952 Batista went back to Cuba and presented himself again as candidate for president. The election was to be held on June 1, 1952.

"When it was all too obvious that he didn't have the slightest chance, he talked his old military pals into staging another coup d'etat, his second. That was March 10, 1952, just 80 days before the scheduled election.

"Since that date Batista rules Cuba as probably the most corrupt and bloodiest tyrant in all Latin American history.

"It is convenient to have in mind that in 1954 Batista had himself elected in a phony election in which he was the only candidate. It was a matter of having some democratic front mainly for the purpose of impressing American public opinion. It was a ridiculous farce, all prefabricated in Batista's military quarters. The people, of course, did not participate.

"Since Batista took power in 1952 all civil liberties and individual rights perished in Cuba.

"The number of people assassinated by Batista's armed forces and secret police run well above 4,000.

"All the Cuban people are against Batista—civic leaders, professionals, cultural and religious institutions, etc.

"The U.S. Government has been favorable to Batista all along. Former Ambassador Arthur Gardner acted short of being Batista's best publicity agent.

"But it is selling arms to Batista as well as providing him with tanks, planes, and other military equipment under the pretext of the Rio Treaty (for hemispheric defense) which has contributed most to keep him in power against the will of the Cuban people.

"Last September 1957, during an uprising that took place in the navy garrison, the civilian population of Cienfuegos (50,000) were bombed and machinegunned with American jet planes flown by airmen trained by American instructors.

"Small villages of the Oriente Province have suffered that same treatment in reprisal for helping Castro's revolutionary army with food and information. Hundreds of innocent men, women, and children have been killed that way.

"On top of all this, an American military mission is kept in Cuba, also under the clauses of some mutual defense treaty. Such a mission is supposed to be there in order to instruct Cuban armed forces for the event of some continental aggression. But as everybody in Cuba says, if they (Batista's armed forces) haven't been able to wipe out Castro's guerrillas in Oriente, what could they do in the presence of some mighty invader?

"The American military mission in Cuba, however, serves one purpose: give moral support to Batista and his gang and identify itself with the dictator.

"DR. MARIO LLERENA,
"Registered Agent for Dr. Fidel Castro and the 26th July Movement."

"NEW YORK, N.Y., *March 18, 1958.*

"No one in Cuba today supports Batista. On March 17 in Habana, Cuba, a manifesto was given to President Batista from the representatives of 42 religious, fraternal, professional, civic, and cultural organizations. It said: 'The bitter passions inundating the country will plunge it into anarchy unless Batista steps down.'

"Finally, I would like to conclude with this letter which has just been smuggled out of Cuba through the underground to my friend, the provisional president of the Fidel Castro movement, who is now in voluntary exile in New York:

" 'In April 1957 I resigned my commission in the Cuban Navy as a one-man protest against the wholesale murders committed by fellow officers of the navy (namely Lieutenant Laurent, Lieutenant Olayon, and Ensign Perez Mejides) on the farming communities of the Sierra Maestra. This is no hearsay or exaggeration. I am an eyewitness to several of them, as during the months of January, February, and March of 1957, my ship, the frigate *Jose Marti F–301,* was conducting a patrol from Santiago de Cuba to Cabo-Cruz, we used to go into Pilon Harbor (headquarters of the navy infantry contingent that was operating against Fidel Castro) and where the above-mentioned officers conducted their unspeakable crimes against defenseless canecutters and small merchants. These two cases will give you an idea of the situation that is still going on in an even greater scale in Oriente Province and in Habana.

" 'On the morning of February 2, 1957, while in Pilon, I went ashore to relax a little along the outskirts of the village, and I found a half burnt bohio and the inside was plainly visible. There were four bodies inside, three adults (two females and a male) mutilated beyond recognition and in a crude crib a child about 3 or 4 years old with a bayonet pinning it down through the stomach. These murders had been performed the night before by Lieutenant Laurent upon learning that the guajiro had expressed himself in favor of Castro in one of the local bars. Later that day Laurent was aboard a ship and confessed in order to impress all of us that he had personally ordered and participated in the murders. About 2 weeks later—February 16, 1957—we were again in Pilon. That night a group of officers from the ship (I was in the group) went ashore for a walk. Nearing the canefields we saw a fire a short distance away. We ran toward the fire to try to help. What we saw still makes me sick literally. Tied to three palm trees, were six individuals, two men and four women, all naked, their bodies soaked in gasoline and a fire built at their feet. Twenty armed sailors with Lieutenant Olayon were conducting the affair. The first thing they did was to point their guns at us (we were unarmed) and ordered us not to interfere and to go back to the ship. When we reached the pier, it was heavily patrolled by Laurent's men who had orders to shoot anyone coming ashore, we were permitted to go aboard, but that was all. Next morning we saw the burnt bodies still tied with wires to the palm trees. Later we learned that the men were small mer-

chants in town, his nephew, his wife, and three daughters, accused of having sold food to Castro (more than 100 miles away). The women had been brutally violated before. Upon arrival in Havana, I presented my resignation, stating plainly my motives, and in a personal interview with the chief of the navy (Adm. Rodriguez Calderon) I restated that I was unwilling to continue to wear the same uniform as murderers like Olayon, Laurent, etc. Needless to say, my resignation was accepted immediately. Since then things have gone from bad to worse. All political suspects, whether innocent or not, are tortured beyond imagination, some killed afterward, and most kept in this so-called preventive prison against all law and order. Our lives are constantly in danger, but don't worry, we will manage somehow.'

"Maybe the New York Times will be interested in all this.

"I will write you soon.

" 'Your loving brother."

The writer, a former American citizen, is today a prisoner in Cuba. His name Antonio Santacruz.

References as to the authenticity of the letter can be obtained from Enrique Santacruz, 310 East 74th Street, New York, N. Y., telephone RH-4-3137.

Protection for Dr. Mario L'Erena

(Extension of remarks of Hon. Adam C. Powell, Jr., of New York, in the House of Representatives, Tuesday, April 1, 1958)

Mr. Powell. Mr. Speaker, information has just been received by me from the Fidel Castro movement in Cuba that two hired assassins are applying for their visas from the American Embassy in Havana to come to the United States. They are being sent by the dictator of Cuba, Batista. Their names are Miguel Sotolongo and Juan de Dios Seloiziano, and their intended victim is Dr. Mario L'Erena, who is the national director of the 26th of July movement representing in the United States Fidel Castro.

I demand that the Department of State refuse to allow these two men to enter our country and I demand that Dr. L'Erena be protected. We cannot have another Galindez-Murphy assassination.

I have also learned that due to the revelation of the amount of arms sent by our Government to Batista, which was stated on the floor of Congress on March 20, 1958, and due to the remarks of my colleague, the Honorable Charles Porter, of Oregon, the State Department has canceled further shipment of arms to Batista.

Cuba

(Extension of remarks of Hon. Adam C. Powell, Jr., of New York, in the House of Representatives, Wednesday, April 2, 1958)

Mr. Powell. Mr. Speaker, under leave to extend my remarks in the Record, I include the following letter and related material:

Miami, Fla., *March 23, 1958.*

Hon. Adam C. Powell, Jr.,
Member of Congress,
Washington, D.C.

Dear Sir: As a former Prime Minister and President of the Cuban Senate, I read with unusual interest your remarks of March 20 on the floor of the House.

Heartiest congratulations for your courageous and gallant intervention in behalf of my country. Through such speeches, and by supplying such information to your colleagues in the House, you are contributing mightily to the defense of democracy in the Western Hemisphere and to amicable relations between your great country and mine.

You will be interested to know that I have just written a letter to the Honorable Secretary of State, Mr. John Foster Dulles, in which I question the advisability of continuing American military assistance to Dictator Batista, especially in view of the fact that he has violated repeatedly the mutual defense agreement. I also pointed out in my letter that, since there exists in Cuba a state of domestic hostility or civil war, the Government of the United States can and should recall its military mission from Havana. To do nothing is to proclaim that the U.S. Government is backing Batista in his struggle to maintain himself in power, in opposition to the expressed wishes of the Cuban people.

I enclose for your information the following papers:

1. A newspaper report (before censorship was imposed) of the barbaric tortures inflicted upon a 50-year-old schoolteacher, and the courageous protest of the attendant doctor.

2. A copy of a letter written by a group of 11 magistrates to the supreme court, in which they stress the lack of guarantees for the judiciary in Cuba. Batista, through the armed forces, prevents the judges from acting.

3. A copy of my statements to the American press during my recent visit to Washington. You will note that I criticize the State Department, the Pentagon, and the Inter-American Defense Board.

4. My thoughts on why the Cuban Peace Commission was doomed to failure. Although this document is out of date because the Commission failed a few days after I prepared it, it does show that there is no solution to the Cuban crisis as long as Batista is in power.

Hoping you will continue to work for amicable Cuban-American relations, I remain,

Gratefully yours,

Manuel Antonio de Varona.

Tortures Under Batista

The distinguished educator, Miss Esther Milanés, was subjected to unbelievable tortures after she was arrested last February 24. She was kept at the 12th district police station until the 27th of that month, when she and another woman were released, after undergoing barbaric and cruel tortures. Here's how the doctor's report reads:

"The patient presents multiple bruises and lacerations in the gluteal regions (buttocks) as well as lesions over all her body, serious internal injuries in the vagina, and deafness due to destruction of her tympanum (eardrums)."

In connection with this case, Dr. J. A. Presno, a distinguished physician, has sent the following letter to the president of the supreme court:

"Havana, *March 8, 1958.*

"Honorable Sir: According to the press, Miss Esther Milanés has accused certain police officers of grave and inhuman treatment.

"The indescribable odyssey suffered by my patient, performed with inconceivable sadism, makes evident not only a threat to our most elemental human rights, but also a lack of respect toward womankind. This respect, which we men owe to all women, is tied up with the love we feel for our mothers, who gave us life.

"As a son, a husband, and a father, I appeal to this, the highest court in our land, to demand an investigation of these serious charges" (as reported by the newspaper Excelsior, Havana, Cuba, March 9, 1958).

Lack of Guarantees for the Judiciary in Cuba

The following letter, sent by a group of magistrates to the supreme court, demands guarantees for the judicial branch of the Government and describes the terrible conditions prevailing now in Cuba:

"Never before in the history of our country had the administration of justice been so ridiculed and mocked. For example, a soldier shot to death a judge's two sons; two magistrates' homes were riddled with bullets, while a bomb exploded in another; a judge was imprisoned and kept without food; two men due to appear in court were found dead.

"All vices are exploited by the same people who are paid to prosecute them. The list of murdered citizens grows by day and the assassins are not prosecuted.

"A fire has broken out or a bomb has exploded in every single court building; a man was found shot to death a short distance from the supreme court and the killers have not been found.

"In some municipalities violent deaths are reported daily, but the judges are prevented from acting by the armed forces." (Reported by the press on March 9, 1958, and signed by 11 magistrates.)

Statements to the American Press by Dr. Manuel Antonio de Varona, Who Was Prime Minister and President of the Cuban Senate in Cuba's Last Constitutional Government, Which Was Overthrown by Batista on March 10, 1952

On my way through Washington, I wish to inform the press about the most recent barbaric acts committed by Batista's dictatorship.

In addition to the students, farmers, workers, and professionals murdered daily, Batista is employing physical torture on suspects and political prisoners, regardless of age, sex, or physical condition. The most tragic case is that of Esther Milanés, a 50-year-old schoolteacher, who was brutally beaten up by the police in Habana. This infamy has been denounced to the supreme court by Dr. J. A. Presno, a distinguished physician. Details are given in a separate sheet.

I feel it is ridiculous to tell the free world that Cuba belongs to the family of democratic nations and to keep an American military mission there. The mission, whose task is to train Cuban officers for continental defense, in reality only serves to prepare officers to defend a crumbling dictatorship which is finding an ever-increasing wave of popular resistance and to squash the democratic aspirations of all the Cubans who oppose Batista.

The concept of hemispheric defense and a mistaken interpretation of the principle of neutrality toward recognized governments, confuses public opinion in Latin America. Since this policy is applied equally to democratic governments and dictatorial regimes, Latin Americans see in this American attitude an open support of American dictatorships.

These errors may be due to the inexperience of ambassadors who are not career officers and who do not inform their government properly of the conditions prevalent in the dictatorship countries. Another source of errors is the Pentagon; still another is the American Defense Board. The designation of officers on good-will missions and the granting of medals to the high military officers who guide and direct the killings and tortures of the dictator's enemies usually come from these organizations.

In the case of Cuba, misguided policies are creating ill will among the Cubans and placing this Government in an untenable position, for it is contradictory to fight dictatorships in Europe and Asia, while not doing the same in Latin America.

It is impossible to play the part of world leaders of democracy while military and technical help, as well as arms, are given to despotic governments, enemies of democracy, which is one and indivisible.

In short, I protest against the military help being extended to Dictator Batista, first because it serves to keep in power an unpopular government, and, second, because Batista violates the letter and the spirit of the mutual defense assistance agreement.

The worst instance to date of this violation was the inhuman attack against the open city of Cienfuegos, when tanks and airplanes put down by force the uprising of September 5, 1957. These were arms supplied to Batista by the U.S. Government in conformity with the provisions of the mutual defense assistance agreement for the defense of the Western Hemisphere.

WHY THE NEW CUBAN PEACE COMMISSION IS INVALIDATED FROM THE START

(Confidential to high U.S. Government officials and legislators)

As a former Prime Minister and President of the Cuban Senate, I would like to tell you, quite frankly, why the new Cuban Peace Commission is doomed to failure from the start.

1. Batista has already outmaneuvered the church. As you know, the Roman Catholic Church is very powerful in Cuba, but it had never before intervened in political affairs.

The proclamation made by the Cuban episcopacy was, at first, a hard blow to Batista. But the dictator is a master strategist. He managed to talk the church leaders into naming a peace commission formed by lay leaders with whom he has always maintained the closest friendship. Thus he tricked the church into turning over its efforts to a pro-Batista group. In other words, it's another stall to consolidate himself in power.

2. The men who make up the new peace commission are not qualified to carry out its high objectives impartially or adequately. Here's why:

Dr. Cuervo Rubio is a former Vice President who served under Batista and is the doctor of Batista's wife.

Dr. Raúl de Cárdenas has received big favors from Batista in the past.

Mr. Victor Pedroso, banker, intimate friend of the Batista family, has had large financial dealings with the present regime.

Rev. R. P. González, prior to becoming a priest, was Under Secretary of Agriculture in the Batista government. He also used to be assistant to Martinez Saenz, president of the National Bank of Cuba.

Thus it is obvious that the above men could hardly be expected to tell Batista to go in order to make way for a new national government, as suggested by the episcopacy.

3. The opposition parties have already rejected the idea of any coalition government which includes Batista. There was a time when Cubans would have settled for elections, guaranteed civil rights or almost anything else. The Cuban situation has deteriorated to such an extent, however, that the only acceptable condition is: Batista must go. Unless the tyrant goes, the Cuban problem will remain unsolved.

In conclusion, if anyone doubt Batista's intentions, let him read his speech, given today, March 10, the sixth anniversary of his treacherous military coup. In very plain language he stated that there would be no concessions forthcoming, except elections in June on his own terms.

TO THE PEOPLE OF CUBA

Once again the Aggregate of Cuban Institutions—made up of religious, fraternal, professional, civic, and cultural organizations—wishes to express publicly its considered opinion in regard to the possibilities of solving, without bloodshed, the grave crisis affecting the nation, and to demand, from the Government, the kind of decision this moment calls for, if we, in this last and desperate effort, are to avoid the impending collapse of our fundamental state institutions.

This association, whenever it has raised its voice, has done so with a sense of responsibility, and a belligerent attitude for peace, and has often expressed, in frantic appeals, that it was necessary to arrive at a just solution of our grave international crisis. Fearful of the risk that uncontrolled passions would sink the nation into anarchy, it announced that, in such a contingency, these Cuban institutions would know how to fulfill their duty.

The moment has arrived. The Government, by ignoring all the appeals for peace and by depending on armed might, has provoked with that attitude the reaction of the young men and women of Cuba, who have exchanged their schoolbooks for war equipment and have started a general movement full of heroism and sacrifices, now admired and followed by all the social classes in our country. Against them, through 6 long, agonizing years, the regime has mobilized its entire repressive apparatus, which has been systematically employed with unsurpassed cruelty. Upon defenseless women and helpless adolescence has fallen the continuous and unmerciful weight of security forces in a manner having no parallel in the history of civil wars.

The regime has refused to look into the motivations behind our youth's actions, and, after subverting the juridical order of our state through an act of force, has suspended again all constitutional guaranties, having just announced a new drive to recruit 7,000 soldiers that might silence, in a war of extermination, all protests. It will all be in vain; the number of victims will increase, but the rebel movement will extend itself, because next to the young people and with them, both openly and clandestinely, is standing by the whole nation.

The people, witnessing with utter amazement the continuous flow of blood of its best human reserves, fails to understand this war of extinction, and cannot comprehend why the military supporters of this regime are fighting so hard to defend a government repudiated by the people.

The spectacle which Cuba's martyrdom offers to the world has not roused the feelings of those who seized power and who pretend to keep it against the will of all. No one hears the loud and excruciating outcry of mothers. No one listens to the voice of institutions not devoted to any particular sect, while the word uttered with pain by our venerable episcopacy receives, by way of answer, the deceiving, harsh imposition of an obstinate will to rule.

The Aggregate of Cuban Institutions has, thus far, proposed reconcilable formulas and civilized understandings. But now, aware of the fact that our nation is on the verge of collapse, we serenely demand the end of the present regime, since it has been unable to carry on the normal functions of government and to fulfill the high aims of statehood. As we request the discontinuance of the present administration through the abdication of those in the executive branch, and the dissolution of Congress, we are moved mainly by the instinct of social preservation, our intention being to contribute, in this manner, to the reestablishment of peace by removing the only cause that prevents a civilized solution.

This petition visualizes and carries with it the formation of a provisional government, formed by citizens of outstanding prestige, designated by all the vital forces of our nation, and having, as its aim, the pacification of the country through the adoption of the necessary measures that may lead, in a brief period, to free elections under full democratic guarantees, thus fulfilling our historic destiny.

To that end, the provisional government will confine itself to a minimum program, fundamentally containing the aims listed below. The said government will:

(a) Respect private property and be under obligation to fulfill all agreements and pacts, whether bilateral or in conjunction with the United Nations, as well as all promises and liabilities contracted by the Republic, deferring to the Congress the faculty of determining, at an opportune time, if they were contracted according to our constitution and our laws.

(b) Will declare null and void all the sentences dictated by the tribunals of the Republic and courts-martial held after March 10, 1952, dealing with political offenses intended to overthrow the regime instituted on that date.

(c) Govern itself, insofar as its peculiar nature permits, by the constitution of 1940, which will prevail especially in regard to individual rights.

(d) Exercise the legislative powers of government, limiting itself to the promulgation of laws strictly necessary for its good functioning, thus facilitating the return to a constitutional regime by popular consent.

(e) Give preferential treatment to laws promoting the start and development of an electoral process culminating in the designation of constitutional officials.

It is the understanding of this association that this is the only solution to save Cuba from chaos at this dramatic hour of its existence. Conscious, as we are, that we lack the power to remove the regime by force, we urge our citizenry to resist oppression by uniting closely and by exercising the rights that the constitution grants to free men everywhere.

HAVANA, *March 15, 1958.*

Signed by Confederacion Nacional de Profesionales Universitarios, Colegio Nacional de Abogados, Colegio Nacional de Agrimensores, Colegio de Abogados de la Habana, Colegio Nacional de Arquitectos, Contadores Publicos, Estomatologico Nacional, Doctores en Ciencia y en Filosofia y Letras, Farmaceutico Nacional, Federacion de Ingenieros, Ingenieros Civiles, Ingenieros Electricistas, Colegio Medico Nacional, Medico Municipal, Peritos Quimicos, Agronomos y Azucareros, Trabajadores Sociales, Medico Veterinario Provincial de la Habana, Provincial de Periodistas, Asociacion Nacional de Maestros de Escuelas Privadas, Profesores y Maestros de Ingles, Tecnicos Industriales, Juventud Masculina de Accion Catolica, Catolica Universitaria, Concilio Cubano de Iglesias Evangelicas, Club de Leones, Lyceum Lawn Tennis, Supremos Consejos de la Masoneria, Federacion Nacional de Escuelas Privadas, Logias, Ingenieros Quimicos e Industriales, Ingeneiros Meconicos, Medico Veterinario Nacional.

MEMORANDUM TO THE MEMBERS OF THE U.S. CONGRESS FROM THE CUBAN CONGRESSMEN IN EXILE

1. The undersigned, former members of the Cuban Congress, democratically elected before the military coup of March 10, 1952, have the honor to address the Members of the U.S. Congress in order to inform them about some aspects of the current state of relations between their two countries and, particularly, about certain facts and feelings that are impairing these relations.

2. There is at present a widespread belief in Cuba that the U.S. Government is supporting Batista's ruthless dictatorship in contradiction to the repeatedly declared American policy in favor of world freedom and democracy. This belief is buttressing Batista's dictatorship, prolonging the terrible civil war now ravaging the country and seriously impairing the prestige and good will of the United States in Cuba.

3. The generalized Cuban belief in the United States support to Batista is based on the following facts:

(a) The great zeal in the application of the Neutrality Act against anti-Batista exiles and the unnecessarily rude treatment applied to them, as shown by the recent (February 14, 1958) handcuffing of Dr. Carlos Prio Socarras, former constitutional President of Cuba, deposed by Batista;

(b) The public demonstrations of friendship from the U.S. Army to the Cuban Army, as shown by the bestowal of one of the highest U.S. military decorations to the chief of

the Cuban Air Force (November 1957) shortly after Colonel (now General) Tabernilla had ordered and led the bombardment and strafing of the open city of Cienfuegos (September 5, 1957) and the widely publicized praise lavished upon Batista by General Shepherd, Chairman of the Inter-American Defense Board (December 1957);

(c) The continuous shipments of arms to Batista, supplied freely or almost freely under the Mutual Defense Assistance Agreement of March 7, 1952, in spite of the openly known fact that Batista is using these arms to crush, and not defend, democracy in the Western Hemisphere, contradicting the purpose of the agreement and of the U.S. acts which authorized it and which supply the funds with which these shipments are financed; and

(d) The maintenance of a U.S. Army mission in Cuba that is giving the Cuban Army technical advice on the strategy and tactics of the current warfare against the Cuban people, in spite of the fact that article 5 of the Army Mission Agreement of August 28, 1951, clearly stipulates that the agreement "will be subject to cancellation at the initiative of Government of the United States or of the Government of Cuba, at any time, when any one of the two governments finds itself involved in internal or external hostilities" (the quote is a translation of the Spanish text).

4. The undersigned consider that it is not improper for them to inform their U.S. colleagues of the above-mentioned facts that may be of interest to them because of their bearing on the foreign policy of the United States, on the current world struggle for freedom and democracy, on the American prestige and good will abroad and on the welfare of one of the three closest neighbors of the United States. The undersigned also consider that it is not improper for them to request the moral support of their U.S. colleagues for their noble cause and hope that this information and this request of sympathy will be thus interpreted by the U.S. Senators and Congressmen and not construed as an attempt to interfere in their affairs or influence their conduct.

5. If any U.S. Senator or Congressman would like to obtain additional information on the facts described in this memorandum, the undersigned would be pleased to supply it to them, either in writing or personally, going to Washington if necessary or desirable. Requests for additional information or personal contact should be sent to: Dr. Lincoln Rodon, 5121 Alton Road, Miami Beach, Fla.

MIAMI, March 27, 1958.

Dr. Lincoln Ródon (Demócrata Party) Former President of the House of Representatives; Former Congressman From Oriente Province; Dr. José Manuel Gutierrez (Ortodoxo Party) Former Senator From Matanzas Province; Dr. Manuel Bisbé, Former Leader of the Ortodoxo Party in the House of Representatives; Former Congressman From Havana Province, President of the Ortodoxo Party; Dr. Rafael Dominador Pérez (Ortodoxo Party), Former Congressman From Pinar Del Rio Province; Dr. Roberto Garcia Ibañez (Ortodoxo Party), Former Congressman From Oriente Province; Dr. Bernardo Utset (Ortodoxo Party), Former Congressman From Oriente Province; Dr. Segundo Curti (Auténtico Party), Former Congressman From Havana Province; Dr. Ruben Alonso (Auténtico) Party), Former Congressman From Oriente Province; Dr. Antonio Acosta Borges (Nacional Party), Former Congressman From Havana Province; Dr. Wifredo Figueras (Demócrata Party), Former Congressman From Camaguey Province.

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ANNEX TO THE MEMORANDUM

1. For those Members of the United States Congress that may not be familiar with recent Cuban developments, a brief outline of the origins and evolution of Batista's dictatorship follows.

2. On March 10, 1952, 82 days before the scheduled presidential elections in which he himself was a candidate supported by a small minority, Fulgencio Batista led a military coup, making himself chief of state in charge of organizing and directing the executive and legislative branches of government and assuming all their functions. Following the coup, Batista suspended the constitution, prevented Congress from meeting, actually shooting the capitol building when Congress tried to meet, prevailed over the courts, reorganized the army, navy, and police forces, dissolved the political parties and canceled the presidential elections scheduled for June 1, 1952.

3. Two and a half years after the coup, on November 1, 1954, Batista held rigged elections in which he was elected President. The elections were not only rigged but unilateral, Batista being the only candidate. All the opposition parties but one, abstained; and the one that did not abstain withdrew a few days before the election, owing to the violence and fraud used against it. Even members of the parties supporting Batista admitted publicly that there had been frauds and violence in the November 1954 elections.

4. Batista continues in power and his regime continues to have the same dictatorial nature that it has had from its inception. The constitution was nominally reestablished after the 1954 elections, but its basic rights are continually being suspended and martial law declared. Furthermore, with or without martial law, Batista has violated all political freedoms and human rights; imprisoning, torturing, and assassinating his political enemies with utter ignorance of the courts.

5. Batista had sabotaged all the efforts made by prominent Cuban citizens and institutions in favor of a peaceful and dignified settlement of Cuba's problems. In March 1956, the great Cuban patriot and elder statesman, Dr. Cosme de la Torriente, President of the General Assembly of the League of Nations, invited delegates from Batista's and opposition parties to seat together and discuss a solution. The meeting raised great hopes but was broken by Batista's delegates on a point of procedure. The failure of the negotiations closed the door to peaceful solutions and lit the fire that has been ravaging Cuba since then; few weeks after the meeting broke a group of army officers revolted, led by Col. Ramon Barquin, Cuban member of the Inter-American Defense Board and in successive months rebellion flamed in Matanzas and Santiago de Cuba; Fidel Castro landed and started its successful and ever growing guerrilla warfare, in Oriente; the presidential palace in Havana was attacked and almost taken; the Corinthia expedition landed in the northern coast of Oriente Province; the navy garrison of Cienfuegos uprose and occupied the city, that was later unmercifully bombarded by Batista's air force; several plots were discovered in the army, navy, and air force and Havana police; strong guerrillas began to operate in the central part of the island and Castro's men beat the army repeatedly and spread all throughout Oriente's Province. Simultaneously with these events, a wave of sabotage against canefields, sugar mills, sugar warehouses, tobacco warehouses, manufacturing plants, hotels, movie houses, public buildings, trains, and buses has been rising in tempo up to its current volume: At present, all schools are closed, trains do not circulate by night, movie houses and stores are empty, insurance premiums have risen twentyfold and each week costs the country hundreds of human lives and several million dollars.

6. It is not the purpose of this memorandum to describe Batista's terror or to enumerate its thousands of victims, which include women, children less than 15 years of age, students, workers, farmers, merchants, including two presidents of the National Students Federation, physicians, lawyers, and congressmen. Two fellow congressmen have fallen victim of Batista: Dr. Menelao Mora, member of the house of representatives for the Cuban Revolutionary Party (Autentico), killed while valiantly fighting in the attack on the Presidential Palace, and Dr. Pelayo Cuervo, senator for the party of the Cuban people (Ortodoxo) and its president and leader in the senate, arrested by members of the police forces and assassinated in the outskirts of Havana on March 13, 1957, under the direct orders of Dictator Batista.

7. Following a standard practice of Latin American dictators, Batista is at present trying to perpetuate himself in power by electing a puppet successor. Elections for this purpose were scheduled for the forthcoming June 1 and have been now postponed, owing to the current state of civil war, for November 3 of this year. The electoral plans are supported by Batista's men and some so-called opposition parties, but public opinion repudiates them as a fraud. On February 28, 1958, Cardinal Arteaga and all the archbishops and bishops of Cuba addressed the country requesting the formation of a government of national union, implicitly asking Batista to step aside. On March 15, the national colleges (associations) of lawyers, medical doctors, civil engineers, electrical engineers, agronomical engineers, mechanical engineers, architects, doctors in philosophy and literature, doctors in political and economic sciences, teachers, pharmacists, public accountants, dentists, veterinarians, chemists and sugar chemists; the Federation of Catholic Youth, the Cuban Council of Evangelical Churches, the Supreme Council Grade 33 of Freemasons, the women's club, and Lions Club, and 18 other national organizations signed a petition for Batista's resignation, for the sake of peace and freedom, in a momentous and historical document. These utterly unusual steps taken by the Catholic and Evangelical Churches and by nonpolitical organizations that together represent the whole of Cuba's learned middle class show the state of desperation that the Cuban society has reached and announces the new dawn of democracy in Cuba.

Dr. Lincoln Ródon (Demócrata Party), Former President of the House of Representatives, Former Congressman From Oriente Province; Dr. José Manuel Gutierrez (Ortodoxo Party) Former Senator From Matanzas Province; Dr. Manuel Bisbé, Former Leader of the Ortodoxo Party in the House of Representatives, Former Congressman From Havana Province, President of the Ortodoxo Party; Dr. Rafael Dominador Pérez (Ortodoxo Party), Former Congressman From Pinar Del Rio Province; Dr. Roberto Garcia Ibañez (Ortodoxo Party), Former Congressman From Oriente Province; Dr. Bernardo Utset (Ortodoxo Party), Former Congressman From Oriente Province; Dr. Segundo Curti (Auténtico Party), Former Congressman From Havana Province; Dr. Ruben Alonso (Auténtico Party), Former Congressman From Oriente Province; Dr. Antonio Acosta Borges (Nacional Party), Former Congressman From Havana Province; Dr. Wifredo Figueras (Demócrata Party), Former Congressman From Camaguey Province.

MIAMI, *March 27, 1956.*

SPEECH BY DR. MANUEL BISBE

A paragraph of the speech made by Dr. Manuel Bisbe, president of the Cuban Peoples Party (Ortodoxo), in the meeting held in the Flagler Theater of Miami on the 16th of March 1958, honoring the memory of Dr. Pelayo Cuervo Navarro in the first anniversary of his death. In his speech Dr. Manuel Bisbe raises the issue of a revision of the Latin American policy of the State Department.

"The dictatorship of Batista is in its last stages. It will fall as fell the dictatorships of Rojas Pinilla in Colombia and of Perez Jimenez in Venezuela. The America of Bolivar, of Juarez, and of Marti will be free as is the America of Washington. But what hurts us is the support that is being given to dictators, and that arms sold to them for the defense of the hemisphere against the Communist danger, are used instead against the people. What hurts us is that a plan of general elections be supported despite facts that have proved that we were right and that Ambassador Smith was wrong. Batista cannot govern with a free press, and if he establishes censorship he cannot maintain order either. Let us go toward a democratic Latin America. Yet in the face of the grave situation of disorder that prevails in Cuba, how can the State Department think that general elections can be called notwithstanding the shameful collaboration that a few politicians of the so-called opposition are lending to the infamous comedy of general elections? The people of our America, with the support of decent army officers who are not willing to use their arms against democracy but to place them at its service, are helping to lay the foundations of a new era of freedom in our sister republics. Let Washington rectify its policy. You cannot hurt people and expect them to trust you afterward. Let the Americas be democratic, and if strength is made use of, let it be against dictatorships, and never against democracy, for I do not admit in the inter-American relationships any other attitude than to isolate dictatorial government, because the time has come that governments understand, as long ago our peoples have understood, that the blow stricken to democracy in any of our brother countries is a mortal blow to the very heart of our America."

BATISTA BACKED BY COMMUNISTS

(Extension of Remarks of Hon. ADAM C. POWELL, JR., of New York, in the House of Representatives, Monday, May 12, 1958)

Mr. POWELL. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

"BATISTA BACKED BY COMMUNISTS

"My name is Jack A. Ossorio. My home address is 2028 Southwest 57th Court, Miami, Fla. I was born at Manzanillo, Province of Oriente, Cuba, of American and Cuban parents. I acquired American citizenship by birth abroad of an American parent (my father). I am registered at the American Embassy, Havana, Cuba.

"I came to the United States in 1937 to go to school. I attended Miami Senior High School, the University of Miami, and the Fletcher School of Law and Diplomacy, Boston, where I received my master's degree. I served 3½ years in the United States Air Corps during the war and was honorably discharged.

"I have worked for several Miami radio stations, the General Electric Co., International General Electric Co., the North Dakota Research Foundation, and smaller companies. In 1954 the United States Department of State sent me to Honduras for a year.

"I am a specialist in inter-American affairs, a bilingual journalist, and a professor of English for foreigners. I am interested in Latin American affairs because I was born in that region, where my father is a Presbyterian missionary (in Cuba). I appear voluntarily before this committee because I have, for a long time, carried on a one-man fight against despotism in the Americas, believing that dictatorships are anachronistic and undesirable in our hemisphere. My main concern this time will be with the present regime in Cuba. I hope to convince you that aid to any dictatorship, and especially Batista's, gives us a black eye internationally.

"Dictator Batista and the Communist Party

"Gen. Fulgencio Batista, of Cuba, is like a chameleon: he changes color to suit his surroundings. In the year 1940 he allied himself with the Communists and was elected President of Cuba on the official Communist ticket, as the head of a coalition.

"Exhibit 1 shows the hammer and sickle and the Communist Party's promise to divide the land among farmers. One of the slogans at this time was 'Cuba Out of the Imperialistic War.'

"Exhibit 2 is a photo which shows Bastista and Cuba's most famous Communists: Juan Marinello, far left, and the colored man in the back, Garcia Agüero.

"Exhibit 3 shows Batista with the famous Communist leader Lombardo Toledano, and Lazaro Peña, the former secretary general of the Cuban Workers' Federation.

"Exhibit 4 shows Batista with the principal Cuban Communists.

"Exhibit 5 shows a picture of Communist Marinello, running for mayor of Havana, and Batista running for President. This was taken from the Communist newspaper Hoy, which Batista always allowed to circulate freely.

"Exhibit 6 is the statement made once by General Batista that the Communist Party exercised a democratic function in Cuba.

"Exhibit 7, dated July 1, 1953, was taken from the newspaper Prensa Libre. The news item reports that the CTC (Cuban Workers' Federation) had just made a pact with the Communists. The secretary general of the Tobacco Federation makes the statement that the pact with the Communists strengthens the workers' movement.

"Exhibit 8 is a copy of the official organ of the University Students' Federation, containing photographs of some of the dramatic events which have taken place in Cuba lately.

"Exhibit 9 is a publication by Cuban doctors denouncing Batista as an assassin. Included is a photostatic copy from the World Medical Convention, charging Batista with killing, torturing, and molesting doctors and patients. On the last page is a photograph of the American military mission: American Colonels Isaacson, Keller, and Stewart, and Commandants Cameron and Blackwell, when Tabernilla, Jr., received an American decoration. Tabernilla is the Cuban officer who bombed the open city of Cienfuegos with American military aid.

"Exhibit 10 is a report written by Carlos Hevia, a former President of Cuba and minister of state. This is a well-documented account of the intimate connections Batista has always had with the Communists. On page 6 we read the following significant paragraphs:

" 'Since Batista staged this coup d'etat of March 10, 1952, the Communist newspaper Hoy had had free circulation in Cuba, and big trucks carrying the newspaper throughout the island. And he is, in an undercover way, helping the Communists to gain once more control of the labor movement of Cuba. At the same time, democratic radio commentators are silenced, broadcasting stations closed, newspaper commentators and writers jailed and brutally beaten.

" 'While Batista has forbidden public gatherings, yet the Communists have been permitted to have large meetings. All Communist leaders are in Cuba without the Government harassing them in the least; most of them recently returned from Russia, arriving freely by plane at the airport.

" 'Batista has been in conversations with the Communists so that the so-called anti-Communist law that he has claimed to be preparing will finally be drafted in such a manner that it could be used against those who oppose him and favor democracy, and not against the Communists.

" 'When Batista organized his present party, PAU, about 1949, the Communists helped him; and thousands of them, including some of the best organizers, joined the new party; and these same Communists and their bosses are again gaining control of important positions in the Government and in the labor movement of Cuba.'

"Batista finally established an organization to repress Communists, but it is interesting to note that no Communist has ever been jailed and no restrictions have been placed on Communists. The organization has been used solely, however, to silence, jail, torture, and kill democratic Cubans.

"To the question, Is Batista a Communist? I would answer that he is both a Communist sympathizer and a Fascist. His communistic inclinations and indoctrination have been shown in his actions as dictator. For example, he has not prosecuted any Communist, but has placed them in important posts; he accuses his enemies of being Communists, so that in essence he is allied to communism, but poses to the contrary; he does not respect any fundamental freedom; he does not believe in freedom of the press; he discarded a democratic government and a constitution; he assumed the powers of Congress; he has made a mockery of judiciary power; he has not respected Cuban womanhood; last and most important, he has stolen millions (he probably has $200 million), exiled hundreds, tortured and killed thousands, mostly young men—the hope of Cuba.

"Batista is, more than a Communist or a Fascist, a political adventurer. He would sell out to Moscow tomorrow, if he stood to gain by it. He is typical of the man who would sell his own mother to get what he wants.

"Foreign espionage in Miami

"Any assistance given to dictators hurts the people who suffer under them and hurts us also. Take the matter of espionage.

"The city of Miami, Fla., is a hotbed of foreign espionage. There are any number of agents here paid by Batista, but without the knowledge of the Justice Department. Recently, when a briefcase was snatched from the Cuban consul, the names of spies were divulged. One of them is reported to have over $100,000 in the bank and, if so, probably paid no income taxes on it.

"What this amounts to is that a representative of a foreign government is really the head of a large and well-organized spy system, which spends large sums of money to spy on both foreign and American nationals.

"Certainly any aid given to Cuba, Santo Domingo, Nicaragua, or Paraguay is a definite contribution to the forces of tyranny in the Americas. For the great American democracy to play the dangerous game of fooling around with Fascist despots is to open the door to communism in the Americas, not to mention other similar evils.

"The State Department and Cuba

"As you consider aid under the Mutual Security Act of 1958, you should look into the mistaken, prototalitarian, criminal policy being followed by Secretary Dulles and Under Secretary for Latin American Affairs Roy Rubottom.

"The Mutual Defense Assistance Agreement was signed between the United States and Cuba at Habana on March 7, 1952, and

its original purpose was 'to assist any American state subjected to an armed attack and to act together for the common defense and for the maintenance of the peace and security of the Western Hemisphere.'

"According to article I, paragraph 2, the Government of Cuba undertakes to make effective use of assistance received from the Government of the United States of America pursuant to this agreement for the purpose of implementing defense plans, accepted by the two Governments, under which the two Governments will participate in missions important to the defense of the Western Hemisphere, and will not, without the prior agreement of the Government of the United States of America, devote such assistance to purposes other than those for which it was furnished.'

"Now, such assistance has been used, over and over again, against the defenseless people of Cuba, and not for hemispheric defense, with the tacit consent of the United States Department of State. The worst instance to date of these violations was the inhuman attack against the open city of Cienfuegos, where tanks and airplanes put down by force the uprising of September 5, 1957. These were arms supplied to Batista by the United States Government in conformity with the provisions of the Mutual Defense Assistance Agreement for the defense of the Western Hemisphere. Did the Government of Cuba obtain the prior agreement of our Government?

"Certainly, the agreement has not been denounced. So, as many Cubans see it, if Russia raped Hungary, then the United States State and Defense Departments are raping Cuba. Even in India people are saying so. Is this the kind of aid the Mutual Security Act encompasses?

"Another sore spot is the agreement between the Government of the United States of America and Cuba, providing for the services of a United States Army mission to Cuba. Title I, article 1, declares that 'the purpose of this mission is to cooperate with the chief of staff of the Army of the Republic of Cuba and the Cuban Army. Officers of the mission will act, as required by the chief of staff of the Army of the Republic of Cuba, as tactical and technical advisers to the Cuban Army.'

"The people of Cuba see in such a provision a perfect excuse for the United States Army to intervene in favor of Batista. Thus the United States is taking sides, in the civil war now raging in Cuba, against the people of Cuba, for Batista is opposed by over 90 percent of the Cuban people. The State Department knows that the American mission is training Cuban officers to fight the young people of Cuba, who are fighting the tyrant on unequal terms. At any rate, the mission is only beginning ill will for Americans.

"Jules Dubois, writing in the Chicago Tribune, March 21, 1958, stated: 'Cuban public opinion, although throttled by the most severe censorship ever exercised by Batista, is outspoken against the United States. The people, from the leaders of the civic, religious, professional, and social institutions who demanded Batista resign, to the students, accuse the United States of pursuing a policy to support a dictator and lose the friendship of a nation.

" 'Smith (ambassador) is being branded as worse than his predecessor, Arthur Gardner. Yet when he first arrived he was a hero to the Cuban people and managed to erase the animosity that had been engendered by Gardner.

" 'Cubans, more than 90 percent of whom are trying to oust Batista, insist that the latter is being retained in office by the United States. When it is explained to them that the policy of our State Department is one of correctness and neutrality in this civil war, they reply: "Yes, we know. You Americans are very correct and very neutral on the side of Batista." '

"By paragraph b, article 4, of the Army mission agreement, the United States Government may recall the entire mission in the public interest of the United States of America. Since the State Department has not done so, the conclusion is that it considers it a wise policy not to recall the mission.

"But article 5 really shows how criminally negligent the men in the State Department are. Article 5 clearly states that 'this agreement is subject to cancellation upon the initiative of either the Government of the United States of America or the Government of the Republic of Cuba at any time during a period when either government is involved in domestic or foreign hostilities.'

"Since Cuba is involved in a civil war and since the men at the Department of State have ignored such a provision, it can only mean that they wish to keep Batista and his Gestapolike henchmen in power. Is this what the Mutual Security Act contemplates?

"The conclusion is obvious. While we continue to send arms to Batista and train his men, we are very careful to enforce our neutrality laws, thus depriving the people of Cuba of the help they desperately need to get rid of the monster. No wonder democrats everywhere feel that we are intervening in Cuba directly, in favor of Batista and against the best interests of 6 million long-suffering Cubans, for our tanks and jets have kept Batista in power during 6 long, painful years.

"We are asking for trouble. Is there not a possibility that, as a desperate reaction to so much injustice and oppression, some postdictatorship government may accuse us, before the United Nations, of complicity in genocide or extermination of a national group as a planned move? Would that not be very embarrassing, after the rape of Hungary?

"Latin American dictatorships

"As long as despotic regimes continue to flourish in Latin America, there will be no peace, no security, no solidarity in our continent. Democratic governments, elected by the people in honest elections, must replace the present dictatorships, which exist only through force and fraud.

"All American dictators hide behind a false front of material progress, blood, tears, poverty, and terror.

"The whole world blames our Department of State for the prevalence and continuance of Fascist dictatorships in Cuba, Nicaragua, Santo Domingo, and Paraguay. The argument advanced to explain our strange behavior is that we wish to protect our interests and the most expedient way to do it is through caudillos or strong men. It is unfortunately true that our Ambassadors too often have left the impression that we approve of and sympathize with unpopular regimes.

"Our interests are best protected by representative governments, not by ambitious, ruthless dictators. The adulator, the servile ruler is not our best friend. On the contrary, when we help our neighbors to get rid of oppressors, we protect our interests and secure peace and happiness for our continent.

"In conclusion

"If I could get only one thing across to this august committee, it would be this: No aid should ever be given to any government which is not the result of popular consent, as expressed through entirely free elections. No aid should ever contribute to the strength, permanency, or encouragement of a despotic government.

"We are the undisputed world leaders against totalitarianism, but we appear to have adopted a dual policy, namely, one for Communist nations and one for American despots. Democracy and freedom are inseparable, however.

"Specially here in this hemisphere, where American conduct is watched closely by the whole world to test our real intentions, the wealth of Americans must not be spent on those who enslave our brothers. It is in our best interests to help those who think and act like we do. Latin Americans do not need guns. They need, however, technical aid, loans, and encouragement in their democratic aspirations.

"To this effect, I would recommend, as a great contribution, the identical resolutions introduced in the Senate and the House by the distinguished legislators, Senator WAYNE MORSE, and Representative CHARLES O. PORTER, of Oregon. The resolutions make a specific reference to article 5(d) of the O.A.S. charter, which states, in part, that 'the solidarity of the American States and the high aims which are sought through it require the political organization of those states on the basis of the effective exercise of representative democracy.'

"United States aid, given only to democratic governments, will make us a better people and will make this a better world in which to live, that government of the people, by the people, and for the people shall not perish from this earth."

"ANNEX A

"Tortures under Batista

"Tortures under the ruthless, bloodthirsty dictatorship of Batista are commonplace. His Fascist, pro-Communist regime has not even respected Catholic priests, even though that is the religion professed by the majority of Cubans. Witness the torture of Rev. Father Ramon O'Farrill, now a Miami exile, who was hit with the butt of a rifle squarely on an ear and his hearing impaired.

"Exhibit 11 is a clipping from the Chicago Daily Tribune, which tells of the shooting of a Catholic young man studying for the priesthood. His body was found riddled by 36 bullets (probably supplied by the Mutual Security Act). He was shot to death despite the plea from the Roman Catholic clergy, who tried to save his life. The papal nuncio and Cardinal Arteaga had been given assurances that his life would be saved, but the word of gangsters can never be trusted.

"There is a new case of torture, however. In the United States right now is a 50-year-old schoolteacher who knows what despotism means. After her unbelievable torture, her life was threatened because she dared to denounce Batista's regime of terror. Through a priest she knew, and the papal nuncio, she was able to obtain political asylum in a foreign embassy and leave Cuba. In an interview for the American Daily, a Spanish newspaper, she had this to say:

" 'Batista's police agents broke into my home. They were obsessed by the idea that I knew where arms were hidden. Other decent Cuban women have suffered before what I went through. That's why I told everything, in spite of the threats against my life if I spoke the truth about the terrible things that happened to me.

" 'I am 50 years old, and I have 2 daughters, 19 and 17, and a boy 15 years old. I am a teacher and a practicing Catholic. In the early morning of February 24, at exactly 5 o'clock, a group of men, armed with submachineguns, entered my home and made me put on my clothes in their presence. They took me to the 12th district police station. They robbed me of $25 in cash and an expensive gold watch.

" 'Taken before a captain by the name of Sosa, he hit me right in the face, throwing me to the floor. Nothing stopped them, not even my age or sex or the fact that I was a mother. What happened in that hell on earth for 3 long, horrible days still seems like a nightmare.

" 'I was savagely struck and whipped. They repeated every few minutes that they would kill me if I didn't tell them where the arms

were. They pulled my hair and ears. Modesty prevents me from repeating the dirty remarks and insults that were thrown at me by young men who could have been my sons.

" 'Only my faith in God, my deep belief in divine grace, and my Catholic faith permitted me to endure stoically the pain and the affront. A Colombian citizen was savagely tortured in my presence and his ear torn off by blows. The image of the Saviour on the cross supplied me with spiritual light to stand the torture.

" 'While they were beating me, they kept shouting: "Talk, you Communist bitch." When I resented the remark and told them that they could only accuse me of being a Catholic, they hit me again and shouted: "All you Catholics are worse than the Communists."

" 'To hide the facts is to allow the occurrence of further crimes. If God chose me to live and denounce this infamy, I hope it will not be in vain. The whole truth must be told that everyone may know how low Cuba has sunk under Batista: They stuck a steel pipe through my vagina, while shouting: "Talk, you old bitch, we are going to perforate you".'

"Certainly, as you consider aid to the Government of Cuba, now ruled by gangster elements, you must keep in mind how that aid will be used against the people of Cuba and against their democratic aspirations."

"ANNEX B

"(By Rev. Father Ramon O'Farrill, who was brutally beaten in Habana)

"Aggressions against the Catholic Church

"On February 20 of this year a bulletin issued by the Cuban Army was published in all the newspapers which, like all its official dispatches, never reports the true facts on the people's struggle against the dictatorship. The said bulletin terms a good story my statements to the foreign press concerning the tortures I underwent during 4 days at the hands of Batista's repressive forces, and it calls rebellious propaganda the silence I kept for a year before releasing the facts.

"All the people of Cuba know, and especially those in Habana, how I was unmercifully beaten by policemen under the dreadful Captain Ventura (now a commandant). After the attack, I was taken to the police station, where I remained, hurt and incommunicado, 4 days, while Batista's henchmen negotiated my release. The one condition they demanded, complete silence of the church, was the same one asked previously when His Eminence Cardinal Arteaga was attacked my members of the police force.

"On the fourth day I was delivered by high police officers to members of the church, Msgr. Arcadio Marina and Raul del Valle, both of whom, under police threats, promised to keep silent and to get me out of the country without letting anyone, and especially Cuban Catholics, know that a priest had been beaten up.

"As a Catholic clergyman, I had to accept the discipline of my church. I was moved to an ecclesiastical residence in Canada, where I was held practically incommunicado for a year, under orders from the Batista police to the Catholic church. Later the bishop of Cienfuegos authorized my transfer to Miami, Fla.

"I challenge publicly the chief of staff of the Cuban Army to deny the following aggressions committed against the Catholic church, which remain as proofs of our long calvary:

"1. July 1953: Aggression to His Eminence Cardinal Arteaga by policemen who tried to seize from him the proofs in his possession of crimes committed by the armed forces.

"2. Catholic meeting at Guanajay stopped violently by the army with bullets. The leaders were insulted and taken to army headquarters.

"3. The office of the Catholic youth and the university Catholic home raided repeatedly and everyone taken to police headquarters.

"4. Attack on the premises of the Catholic young workers; several members beaten and imprisoned.

"5. June 1956. Assault on the Arroyo Arenas Church and destruction of its doors.

"6. Rev. Father Leon Lemus exiled from the country after his brother was assassinated.

"7. November 30, 1956. The cathedral at Santiago de Cuba machinegunned by the armed forces.

"8. The archbishopric at Santiago searched and the archbishop insulted.

"9. July 1957. The temporary priest at the Cathedral of Our Holy Church, Santiago, insulted.

"10. The Reverend Father Maximiliano Perez of Managua taken in custody several times, and his sister mistreated by police.

11. Rev. Father Manuel Martin, of Santa Isabel de las Lajas, detained during a mass (typical case of intrusion upon freedom of worship).

"12. Constant attacks against the church and priests, including defamations, scandals, and profanations, from the pages of the Government newspaper Time, in Cuba, owned by the Communist gangster, Rolando Masferrer, Batista's right-hand man.

"13. Rene Fraga, leader of Catholic Action and teacher, assassinated at Matanzas. The bishop marched at the front of the cortege until it was broken up by police bullets.

"14. Mass at Vedado parochial church, in suffrage for the soul of murdered student leader, halted.

"15. 1957. Two young fathers from Victoria de las Tunas, accused of taking in some Cubans whose lives were in danger, exiled from the country.

"16. Ramon Rodriguez, member of Catholic Youth, assassinated.

"17. 1957. Church at Jaguey Grande emptied to stop a mass in suffrage for the souls of students killed. The faithful then kneeled at the park outside.

"18. 1957. Church of San Francisco, Santiago, assaulted and robbed by gangsters under Masferrer (Batista's right-hand man).

"19. Rev. Father Jorge Bez Chabebe and Father Rivas of Catholic Action, detained.

"20. March 1958. Protest by the president of the diocesan council at Santiago of the disappearance of a member of the group Sacred Heart of Jesus.

"As it can be seen, Batista's dictatorship, like all other American dictatorships, has engaged in aggression and outrages against the Catholic Church because she is the great defender of the human rights and the democratic principles to which all free peoples are entitled."

Mr. SCHERER. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I am glad to yield to the gentleman.

Mr. SCHERER. Mr. Speaker, from what the gentleman from New York said about blood baths by these dictators, I assume then that he is equally opposed to the executions that have been taking place by Castro.

Mr. POWELL. I am not opposed to any executions that take place before courts of justice in the presence of a free press. And that is what is happening in Cuba now. I am opposed to the 20,000 casualties that took place under Batista, without the press being allowed there, and with censorship, and without any courts of justice.

Mr. SCHERER. Do I understand the gentleman to say that the executions that have been taking place in the last few weeks since Castro has come into power have all been as the result of court trials?

Mr. POWELL. Every one of them has been. And it was pointed out by the gentleman from Oregon [Mr. PORTER], earlier in this session, we have American correspondents on the scene witnessing what has been taking place. They could not do that in the case of the Batista blood baths. These correspondents have not reported back to the contrary.

Mr. SCHERER. I am sorry that the gentleman reads the record differently from the way I do.

Mr. POWELL. I am going to Cuba this weekend, and if I find anything contrary to what I have said, I shall be glad to come back here and report what I have seen there, objectively.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I yield to the gentleman.

Mr. SPRINGER. I would like to ask the gentleman this question. He said that Mr. Betancourt of Venezuela said that no assistance or no aid should be given to any country which does not have free elections.

Mr. POWELL. No; he said that there should be no admission of any country to the Organization of American States that does not have democratic elections.

Mr. SPRINGER. Does the gentleman presume that Fidel Castro proposes to hold elections at any time in the near future?

Mr. POWELL. Eighteen months.

Mr. SPRINGER. Does the gentleman think that this ought to go on for 18 months?

Mr. POWELL. I think he is better equipped to judge that situation than I am, but after 20 years of dictatorship, it may not be too long.

Mr. SPRINGER. The acid test of democracy in a country is where you have democratic elections.

Mr. POWELL. That is true. We kept Italy and Germany from having democratic elections for a long time until we felt that they were ready to have them.

Mr. SPRINGER. I do not intend to discuss the question of Germany and Italy at this time. But certainly the acid test is whether or not Castro is going to have free elections.

Mr. POWELL. That is correct.

Mr. SPRINGER. Is he going to have them after he has eliminated all of his opposition, which seems to be the purpose of the terror campaign which he is now carrying on? That is my honest belief. We are going to have to fight to end what I call vigilante lynchings in the worst western style.

Mr. POWELL. You cannot call a proceeding, where someone is tried before a court, in the presence of a free press, a vigilante lynching. We are quite familiar with what lynchings mean here in the United States.

Mr. SPRINGER. Would the gentleman be willing to go before a court-martial in this country merely because we happen to have a free press present?

Mr. POWELL. Yes.

Mr. SPRINGER. I think the gentleman would demand a civilian trial in accordance with the Constitution. That is what they are entitled to have in Cuba, instead of being cleaned up by a bunch of vengeful rebels who have now taken over the government. And that is what is taking place down there now. I think anyone will concede that that is what the situation is in Cuba at this time. I am going to reserve my opinion on Fidel Castro as to whether or not he is just another adventurer of the Batista type or whether he is a genuine patriot working in the best interests of Cuba. I shall reserve my opinion on that.

If it is true that these people are guilty he can delay these trials for another 30 days and try them in civilian courts, where they should be tried. If they are found guilty, I am sure punishment will be meted out to them.

Mr. POWELL. I agree with the gentleman.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

(By unanimous consent, Mr. POWELL was allowed to proceed for 5 additional minutes.)

Mr. PORTER. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I yield to my colleague from Oregon, who has done such wonderful work in South America.

Mr. PORTER. I believe the gentleman is to be commended for bringing this information to the attention of the House. I also appreciate the remarks that have been made showing an interest on the other side. I agree that we are all going to be watching the events in Cuba with some interest.

As for this 18 months thought, that seems to be a long period, but I believe that Herbert Matthews, who is certainly a man who knows the situation, has written that it would be reasonable in view of the great revolution that has taken place in Cuba, and that it is going to take that long to stabilize. I think it has this danger, but I think that Mr. Matthews' opinion is worth listening to.

Mr. Speaker, I have here a memorandum from the Department of State, which I should like to read about the mission to Haiti. A number of marines, an advance group of five officers and four noncommissioned officers, is expected to depart next week. Eventually the mission may number around 50 officers and enlisted men. They will be sent down in echelons, with the last group to arrive in Haiti about midsummer.

The purpose is to assist in training the Haitian Army to make it more efficient and responsible. The authority is, as the gentleman said, the naval mission agreement signed December 24, 1958, of which I have seen no notice in the press, however.

As to this formal handshake doctrine, we have had an air mission and a small naval mission in Haiti for years, since 1949. These were concerned with training only a small part of the forces, about 10 percent. The remainder of the army, that part engaged in customary ground force activities, was without any U.S. training assistance. The purpose of the training mission, composed of U.S. Marine Corps personnel, is to assist the country of Haiti to solve the problem of a disorganized, demoralized, and undisciplined soldiery. Repeated shakeups in the officer corps and dismissals of senior officers before and after Duvalier took office, have deprived the army of much of its experienced leadership. The United States became keenly aware of the problem as a result of the Talamas case last year. The U.S. Marine Corps mission, therefore, is being sent to help fill a need for technical military, not police, training assistance. It should not be interpreted as a U.S. endorsement of President Duvalier's Government.

I should hope not. I hope the decision will be reconsidered.

I thank the gentleman.

Mr. POWELL. The gentleman from Oregon has supported Duvalier. When 54 U.S. Marines walk up and down the streets of Port-au-Prince, and the good people of Haiti see them there, they are going to draw only one conclusion, and that is that the United States is backing up Duvalier.

Mr. PORTER. I fear the gentleman is right.

Mr. SANTANGELO. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from New York.

Mr. SANTANGELO. I wish to commend the gentleman from New York, whose district adjoins mine in the city of New York. I know there are many people of Cuban extraction in our districts. It appears to me it is ironical that my colleague from west Harlem has more contacts with Castro than our State Department. Since he is going down to Cuba this coming Saturday, I wish to urge him to bring to the attention of the freedom fighters of Cuba that their friends in America feel that they are discrediting their fight for freedom by these killings, and that if they should delay and give proper trials, even if those people then should be executed in due course, they would gain additional respect from the doubters in our country, who would gain more faith in them. I urge that on the gentleman from New York.

Mr. POWELL. I agree with that. I shall so do.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I yield.

Mr. JUDD. I should like to ask my distinguished colleague whether I was correct in the inference I seemed to get from his remarks that the United States ought to pick and choose between dictators and democratic governments in carrying on relations in the Western Hemisphere.

Mr. POWELL. It is my feeling that military assistance should not be given by our Government to any land that has a dictator.

Mr. JUDD. Even though the geography of that country is perhaps such that it is vitally important, for example, to the protection of certain vital interests such as the Panama Canal?

Mr. POWELL. Panama has a democratic government, and we have a base there.

Mr. JUDD. But other countries could control the approaches to it. If hostile to us, great difficulties would be presented. Does not the gentleman feel that if we get into the business of defining and determining just who is and who is not a dictator, we are likely to be in a lot more trouble than we are in now perhaps?

Mr. POWELL. I do not think we will. I think that one thing Latin America wants us to do—and my contacts there are quite varied just as are the contacts of our colleague, the gentleman from Oregon [Mr. PORTER]—as I was saying, one thing that Latin America wants us to do is to define some kind of policy to keep them from believing that this country is an asylum for dicators and that we will support dictators with our arms.

Mr. MORRIS of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I yield.

Mr. MORRIS of Oklahoma. I want to ask the gentleman, if he can, to tell us just what kind of trials these are. Are they trials by jury? Does the accused have the right to counsel?

Mr. POWELL. The accused has a right to counsel, which is usually one military and one civilian, as I get it from our own newspapermen on the scene.

Mr. MORRIS of Oklahoma. But they are not trials by jury?

Mr. POWELL. They are not trials by jury.

Mr. JUDD. Mr. Speaker, will the gentleman yield further?

Mr. POWELL. I yield.

Mr. JUDD. I do not have time to develop this now, but I will later with the consent of the House. Originally I had the same feeling as the gentleman about dictator governments. As late as last June we had hearings on the matter before the Committee on Foreign Affairs. The whole story made clear to most of us, I think, that when we got into the business playing God in the Western Hemisphere, trying to decide which is a dictatorship that we will not deal with, and which is a borderline case and so on, the complications and difficulties had been greater in the past and were likely to be greater in the future than they are at present. We have tried the gentleman's proposal a few times. That was the basic reason why in 1933 at the Montevideo Conference, I think it was, the whole group of Western Hemisphere states agreed on a policy of nonintervention in the internal affairs of other countries. We heard testimony that in 1945 the Foreign Minister of Uruguay made a proposal that whenever one of these revolutions comes along or a dictator government exists that denies human rights, it endangers peace for others, and therefore the Organization of American States should consider it together and decide on multilateral action—even multilateral intervention. All would decide and would take action as a body. We supported the proposal completely. It would enable corrective action to be taken by all and no one could accuse us of Yankee imperialism or intervention. But many of the Latin American countries themselves would not agree to it and the idea died. Dr. Ponce, President of Ecuador, who has been all through plenty of violent political episodes in his country which is now in its

third period of constitutional government, said in a speech last summer:

To say, as John Foster Dulles, Secretary of State of the United States, just did, that North America would violate the basic doctrine of nonintervention in the Western Hemisphere if anything is done to condemn dictatorships or de facto regimes, is to clearly demonstrate recognition of the American reality.

President Ponce of Ecuador is saying that we should adhere to our basic policy of nonintervention as the best way to promote democracy and peace in the hemisphere.

Mr. POWELL. The gentleman knows we are intervening when we send arms and military men and intervening in support of dictatorships.

The SPEAKER pro tempore. The time of the gentleman has again expired.

MAXIMUM EMPLOYMENT AND PRODUCTION WITHOUT INFLATION: STRENGTHENING THE EMPLOYMENT ACT OF 1946

The SPEAKER pro tempore. Under previous order of the House, the gentlemen from Wisconsin [Mr. REUSS] is recognized for 10 minutes.

Mr. REUSS. Mr. Speaker, our most imperative domestic task is to bring to realization the goals of the Employment Act of 1946: maximum employment and production, without inflation. In order to improve the machinery of the act for reaching these goals, I have today introduced H.R. 2561, which would clarify the President's responsibilities on monetary policy, and would bring to bear an informed public opinion on price and wage increases which threaten economic stability. An identical bill is being introduced in the other body by Senator JOSEPH CLARK, of Pennsylvania.

A glance at America's economic record for 1958 shows that we have not been achieving the goals of maximum employment, production and purchasing power.

UNEMPLOYMENT AND INFLATION

About 6 percent of the civilian labor force is still unemployed, although industrial activity has recovered substantially from the recession lows. In the first half of 1958, instead of achieving maximum production, we lost some $50 billion of potential product. In terms of current prices, we barely managed to attain the 1957 rate of output in the fourth quarter of 1958. And 1957 is itself an inadequate base. Much of the apparent increase in output in 1957 over 1956 was due to price inflation. Moreover, added industrial capacity since 1957 requires that we achieve a higher rate of activity if we are to use the existing idle capacity.

Despite the high level of unemployment throughout 1958 and the existence of idle industrial capacity, we were not able to maintain price stability. Following a trend established in 1956 and 1957, there continued, even in the recession months of early 1958, small but persistent increases in both wholesale and consumer prices. Although a relative stability in the indexes has been maintained in the past few months, the overall figures conceal the continued rise of certain components, particularly rises in the prices of manufactured goods.

If the administration's economic policies for 1959 are no wiser than those for 1958, 1959 may see an inadequate recovery, accompanied by further price increases. We must, therefore, examine the Employment Act of 1946 to determine whether its machinery is adequate to achieve its goals of "maximum employment, production, and purchasing power."

CONSTRUING AWAY THE ACT

Our recent mediocre economic performance is due to the narrow interpretation by the President of the powers the act gives him in order to reach those goals. As he construes the act, it does not require him to do anything very meaningful about either recession or inflation. Under the administration view, he retires completely from the important field of monetary policy, which he leaves to the Federal Reserve; and he refuses even to let the light of publicity fall on proposed wage and price increases which threaten economic stability. As a result of this unduly narrow view of the act's anti-inflationary machinery, the President is hesitant to do anything meaningful about unemployment and loss of production, for fear that action toward these goals will add to the inflation. His state of the Union message, for example, failed even to mention the 4 million currently unemployed.

H.R. 2561 would sharpen the administration's duties under the Employment Act of 1946 in two important particulars:

1. MONETARY POLICY

The President, in carrying out his duties under the Employment Act, would be required under H.R. 2561 to take monetary and credit policies into account to the same extent as all other policies affecting employment, production and purchasing power. This would not mean, of course, that the President would be issuing recommendations on each change in the rediscount rate, or would direct the daily operations of the Open Market Committee, any more than he concerns himself with the day-to-day conduct of the many Federal agencies which are formally under his direct supervision. The monetary and credit policies with which he would concern himself are the big questions: the general direction of monetary policy as expansionary or restrictive; emphasis on certain of the tools available to the Federal Reserve as more suitable than others in accomplishing overall objectives; or the need for new legislation to extend the authority of the Federal Reserve System over additional financial institutions, to impose direct controls over consumer credit, or to set different limits to reserve requirements.

If the Federal Reserve Board or other agency directly responsible for the execution of monetary and credit policies disagreed with the President's program and recommendations, it could of course go its independent way. But the President would be required to "report such disagreement to the Congress, together with a statement from the disagreeing agency of its reasons."

LACK OF A COORDINATED PROGRAM

As the act is now construed by the President, he is not required to have any monetary policy at all, much less one that is coordinated with expenditure, tax, and other governmental policies. This defeats the very purpose of the act, which was to centralize in the President responsibility for coming forward with a coherent and coordinated program. The administration is thus able to escape an accounting when things go wrong.

Moreover, even more serious than the absence of a fixed Presidential responsibility for monetary policy is the lack of a coordinated overall economic program. If monetary policy is left out of the President's duties under the Employment Act, a coordinated economic program is impossible. While it is true that the Federal Reserve System, like other branches of the Federal Government, has an acknowledged responsibility to respect the goals of the Employment Act, it cannot very well act in accordance with an overall program if such a program does not exist.

DOES NOT IMPAIR INDEPENDENCE

Monetary policy is a vital part of any comprehensive economic program. Although by itself it may have limited value for achieving growth or stability, it can be an important adjunct to both expenditure and tax policy directed toward these goals. Conversely, the use of monetary policy outside the framework of a general economic policy can hamper or even endanger the attainment of growth and stability. For example, in 1957, when the Federal Reserve was applying anti-inflationary credit stringency, the administration was proposing the largest peacetime spending budget in history; and far from recommending increased taxes, the administration was continuing the 1954 tax reduction, including accelerated depreciation and the granting of rapid tax amortization certificates which were feeding the capital goods inflationary boom.

Requiring the President to make appropriate recommendations to the Federal Reserve in no way destroys the latter's independence. If the Federal Reserve does not agree with the President's recommendations, it can do as it pleases, reporting its reasons through the President to the Congress. Since the Federal Reserve makes a point of being the servant of Congress, it hardly seems out of order to require it to state its reasons to Congress when it acts contrary to the recommendations of the President.

2. WAGE-PRICE POLICY

Under the second provision of H.R. 2561, the Council of Economic Advisers, "in order to bring to bear an informed public opinion upon price and wage increases which appear to seriously threaten economic stability," would have the power and duty "to request persons proposing such price or wage increases to justify them at a public hearing as not in fact constituting such a threat." Moreover, "in cases where the Council deems it advisable, it may issue an advisory statement upon such justification."

The experience of 1957 and 1958 shows that, despite much unemployment and underuse of resources, strong industries such as steel and automobiles were able to push through continuing wage and price increases. These increases have serious effects on economic stability, not only because of their direct effects on the price level, but because they have a pace-setting character which influences a much larger area of the economy. And they are relatively invulnerable to general monetary and fiscal controls.

A THIRD SEAT AT THE BARGAINING TABLE

H.R. 2561 is concerned only with price or wage increases "which appear to seriously threaten economic stability." This would require action by the Council of Economic Advisers only in very important or pace-setting cases. In such cases, the union proposing the wage increase or the corporation proposing the price increase would be invited to state their reasons, at a public hearing, why their proposed action does not in fact threaten economic stability. The mere knowledge on the part of management and labor that they may be invited to justify price or wage action before a public body should encourage more consideration for the public interest in price stability. In a sense, the public will acquire at least some representation at the wage-bargaining and price-setting table. If a hearing is held, public opinion can be relied upon to have some effect upon the positions of the parties involved. Finally, the Council of Economic Advisers is authorized to issue a public "advisory statement" upon the justification for the proposed wage or price increase in cases where it is able to evolve useful criteria upon which to base such a statement. If the Council is unsure of its footing, it will forego an "advisory statement," and content itself with whatever moderating effect public opinion by itself may create.

This provision of H.R. 2561 in no sense involves price or wage control, since the industry or union is free to go its own way, even after a hearing and even in the face of a contrary "advisory statement" by the Council.

EXHORTATIONS AND ADMONITIONS

The President has repeatedly over the last 2 years exhorted labor and industry to avoid inflationary wage and price increases. Most recently, in the 1959 state of the Union message, he said:

We must encourage the self-discipline, the restraint necessary to curb the wage-price spiral.

The trouble with these admonitions is that no one pays much attention to them. Since neither labor nor management is asked to state its reasons in a specific case for the proposed wage or price increase, the public has no way of appraising the justification for the proposed increase. And there is not even a beginning to the evolution of a set of wage-price criteria which can best contribute to economic stability.

Mr. Speaker, H.R. 2561 would strengthen the machinery for attaining the Employment Act's goals of maximum employment, production and purchasing power by tempering excessive wage-price increases on the cost-push side, and by achieving a responsible monetary policy coordinated with tax, spending and other economic policies, on the demand-pull side.

CIVIL RIGHTS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New Jersey [Mr. ADDONIZIO] is recognized for 10 minutes.

Mr. ADDONIZIO. Mr. Speaker, I firmly and earnestly believe that this 1st session of the 86th Congress has an unyielding duty to strengthen the effect of those civil rights which are guaranteed in the American Constitution.

The 1st session of the 85th Congress ended a stalemate of over 80 years by passing the Civil Rights Act of 1957. We must continue to move forward—irresistibly and with purpose—toward true equality for all people, everywhere in the United States.

Throughout the history of the United States, we have worked to achieve the goal which our Founding Fathers recognized in the expression "that all men are created equal, that they are endowed by their Creator with certain unalienable rights." A review of the past 50 years reveals many gains in the direction of a more comprehensive realization of the rights which our Constitution promises to all of our citizens regardless of their race or religion. Court decisions going back nearly 40 years and culminating in the school case have opened many doors. Administrative actions by Presidents Roosevelt, Truman, and Eisenhower have likewise eliminated many discriminations.

The 85th Congress passed a Civil Rights Act which is designed to give greater effect to the right-to-vote provision of the 15th amendment. This law gives the Attorney General the authority to intervene where individuals or groups are being illegally denied their right to vote. The Attorney General is now empowered to seek civil injunctions to restrain public officials or private citizens from attempting to interefere with the exercise of voting rights.

The passage of the Civil Rights Act of 1957 represents a substantial advance. But much remains to be accomplished. Any halt by Congress in the quest of progressively expanding the realm of liberty and justice under law will betray the principles of democracy and offend the conscience of the Nation.

The courts have declared that our Constitution entitles all of our citizens, regardless of race or religion, to certain rights. Among them are the rights to attend a nonsegregated public school, to enjoy equal opportunity to use public beaches, public golf courses, public parks, and other public facilities like restaurants, trains, buses, and trolleys. These are some of the rights which the courts have ruled as being guaranteed by the 14th amendment. There are other vital rights embodied in the Constitution, such as the right to vote, the right to serve on a jury, the right to a fair trial, and the right to be a litigant and to enjoy unintimidated and uncoerced access to the courts of justice. The rights to freedom of association and to foster and propagate collective beliefs are also among the important liberties which are secured by the Constitution.

Despite significant and heart-warming gains, there is no question that the denial of these rights is often frequent and grievous. There is a dire need for more Federal legislation to give impetus to the States in complying with the law of the land on these constitutional guaranteed civil rights.

Mr. Speaker, there are some major shortcomings in the existing laws for the enforcement of civil rights—shortcomings which this first session of the 86th Congress must move expeditiously to remedy. The enforcement provisions of the 1957 act deal only with the right to vote. Under this law, the Attorney General is authorized to institute a civil action or other proper proceeding to prevent interference with the right of an individual to vote. But this power of the Attorney General to take enforcement measures under civil law does not apply to the many other civil rights guaranteed by our Constitution. It does not apply, for example, to the clause in the 14th amendment which prohibits the States from denying "equal protection of the laws" to any person. And it is this clause which has been the chief constitutional source for enforcing the rights of our minorities. This means that the Attorney General and the Department of Justice—the legal arm of the Federal Government—lack the statutory authority to use the most effective legal proceedings against violations of the constitutional rights of our people. Now is the time for Congress to extend the enforcement procedures already approved for voting rights to all of the civil rights embodied in the Constitution.

As you know, private persons have long been able to bring civil suits in cases where violations of their civil rights have occurred. Yet, except for breaches involving the right to vote, the Federal Government is limited to criminal prosecutions. Such criminal procedures are cumbersome, difficult, and unduly harsh in some instances. Criminal remedies at best come after the harm has been done. Local juries are often reluctant to convict State and local officials for civil rights offenses where criminal penalties would be imposed. Criminal prosecutions instituted by the Federal Government against State and local officials could stir up so much dissension and ill will that more than harm than good might result.

These delays and regrettable collisions in the courts between Federal and State officials can be greatly mitigated if Congress will authorize the Attorney General to apply to the civil courts for preventive relief in civil-rights cases. In such proceedings the facts can be determined, the rights of the parties promptly adjudicated, and future violations of the law prevented by proper order of the court, without necessity for bringing criminal charges against State and local law enforcement officers.

Mr. Speaker, there are other valid reasons why Congress should increase the power of the Federal Government to take civil action in cases where violations of civil rights are involved, rather than leave it entirely to individuals to seek their own remedies at civil law. These reasons involve the very essence of the ideal of equality before the law.

The forces of segregation are powerfully organized among the general populace and the political and legal officialdom of certain States. Many individuals whose rights are abridged lack the financial means to sustain the heavy expenses of litigation. Some victims of unlawful discrimination are unfamiliar with the complex legal implications and the elaborate procedures involved in undertaking the enforcement of their rights. And those inclined to seek remedial action may be restrained from doing so by the prospect of losing their jobs or of being subjected to other severe pressures and reprisals from segregationists within their communities.

In recent years the National Association for the Advancement of Colored People has been in the vanguard of those who have fought for civil rights in our courts of justice. But now five States have adopted antibarratry laws which prohibit the support of lawsuits by persons or organizations not having a direct interest in the action. Another weapon used against the NAACP is the requirement by statute, legislative investigation, or court order that its membership lists be disclosed to the public. In places dominated by strong segregationist opinion, this practice has precipitated a sharp decline in the membership and revenue of the NAACP.

Such regulations hinder the actions of organizations like the NAACP which have provided legal counsel, financial aid, and moral support to advancing the cause of minority groups. This lack of equality before the law for many Americans is a compelling reason for strengthening the hand of the Attorney General in the enforcement of civil rights.

The enactment of legislation to give the Federal Government civil remedies in civil rights cases would not create any new civil rights; it would only strengthen the enforcement of existing rights under the Constitution. Such laws would not confer any essentially new and untried powers on the Federal Government. For over 60 years the Department of Justice has had experience in the use of civil procedures in antitrust litigation. The last Congress gave it this authority in cases where voting rights are violated. At this session the power of the Attorney General should be extended to enable him to seek injunctive remedies at civil law for violations of any and all constitutionally guaranteed civil rights.

The Supreme Court has ruled that desegregation of the public schools should proceed with "all deliberate speed." While this is a reasonable mandate, there must be no deliberate lagging. Congress has the legal right and the moral obligation to enact appropriate legislation to enforce equal protection of the laws for all Americans.

If the Department of Justice is given the authority which many of my colleagues and I support, the Federal Government could initiate legal action to compel recalcitrant local authorities to end segregation and racial discrimination in public schools. However, in addition, a more positive inducement should be provided for school districts confronted with the order to integrate. In the last Congress I, together with other Members of the House and Senate, sponsored legislation which, if enacted, would offer strong incentives to segregated school systems for complying with the law of the land. I urge favorable action on this legislation at this session.

According to this proposal the resources of the Department of Health, Education, and Welfare would be used to advise and counsel school districts on their problems. Provision would be made whereby this Department can consult with community representatives, and, with their advice, formulate concrete plans for desegregation. Federal grants for the employment of additional teachers, teacher training, and the expansion of school facilities would be permitted for communities which take positive measures to end school segregation. Then if the local authorities refused to put these plans into effect, the Department of Justice could institute the proper procedures at civil law to enforce compliance.

This plan to encourage integration of the public schools, this proposal to implement the law of the land, would not interfere with the rights of States to provide for their own systems of education. The States would remain completely free to work out integrated school systems of their own choosing. The selection of teachers and the specification of curriculums, administrative regulations, and other educational policies would continue to be determined by the States. No decision of the Supreme Court has ever suggested otherwise. What has been clearly affirmed is the principle that a State violates the Constitution when it denies to a qualified Negro child his right to be admitted to a particular public school. The school decision is permanent. The legal conflict over integration of the public schools has been clearly and unmistakably settled.

There are other civil rights under the 14th amendment which the Attorney General should be empowered to enforce by civil procedures. In 1956 a Federal district court ruled that the school decision had destroyed the separate but equal doctrine. The Court ruled that "statutes and ordinances requiring segregation of the white and colored races on motorbuses of a common carrier violate the due process and equal protection of the law" clauses of the 14th amendment. The Supreme Court later upheld this decision. Court decisions have consistently ruled that racial segregation in public recreation facilities is a violation of the 14th amendment. The Federal district courts have ruled that segregation in public housing is a denial of equal protection of the laws.

The right of our racial minorities to use unsegregated public facilities has been declared by the courts to be the law of the land. Now it is incumbent on Congress to give the Attorney General the authority to vindicate these rights which the Constitution guarantees to all of our citizens regardless of their race or social and economic status. The moral conscience of the Nation cannot rest until all civil rights are made effective for all Americans.

PROPOSED OFFICE OF U.S. BUDGET IN THE LEGISLATIVE BRANCH

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 15 minutes.

Mr. FLOOD. Mr. Speaker, I have introduced in the House today a bill to be known as the Budget Act of 1959.

There is no one question at the present time more important to the general welfare than the unbridled practice of the Bureau of the Budget continuing its unconstitutional encroachment upon the jurisdiction of the Congress.

Resentment to this conduct on the part of the present Bureau of the Budget as it is constituted in the executive branch, has generated widespread hostility among the responsible press and fiscal legislative authorities concerned with constitutional processes.

It is my earnest hope that the proper committee to which this bill is assigned will schedule the bill for immediate hearings. There will be no bill before such committee of greater importance to the fiscal stability of the Nation.

The result in effect of this bill will be, as it should be, a congressional budget. As a matter of legislative and historical background, prior to the adoption of the present executive budget concept in 1921, congressional consideration of budget requests was based on information contained in estimates from the individual departments.

This bill, in substance, would abolish the present Budget Bureau in the executive branch and substitute for it the Office of the U.S. Budget in the legislative branch.

Even though the bill requires the submission of a balanced budget, there would, of course, be no prohibition against the Congress enacting whatever appropriations or tax measures it deems necessary in the public interest.

The manner in which the present Bureau of the Budget has superimposed itself as a policymaking dictator over the entire Government, strikes at the very heart of our system of government, and simply can no longer be tolerated by a responsible legislature.

Mr. Speaker, there is hardly a Member of Congress who has served here any reasonable period of time, who cannot recite for you and give you chapter and verse of flagrant violations of the spirit, purpose, and intent of the Congress when the executive budget concept was born in 1921.

The Bureau of the Budget has tortured this concept almost out of existence and flouts such fundamental precepts of democracy and our constitutional philosophy of government, that this bill is now an immediate necessity.

I could recite a veritable library of details, statistics, incidents, and more par-

ticularly in the last 5 years, to justify this position. If I could bring the substance of these matters to the attention of every Member of this House, I venture to say, this bill would pass by unanimous consent.

Mr. Speaker, I urge careful study of the essential features of this proposed "Budget Act of 1959." The bill embodies the following salient features:

First. It would create an Office of the United States Budget in the legislative branch of the Government.

Second. It would abolish the Bureau of the Budget and provide that the Commissioner-General of the Budget, in the legislative branch would prepare and submit the annual budget to Congress.

Third. It would require the Commissioner-General to submit a balanced budget—expenditure estimates could not exceed revenues as estimated and certified annually to the Commissioner-General by the Committee on Ways and Means of the House.

Fourth. To assist him in preparation of the budget, it would require the departments and agencies of Government to submit their budgetary requests to the Commissioner General. He would have authority to reduce or eliminate any item submitted by a department.

Fifth. The Commissioner General would not be permitted to include in the budget any appropriation estimate not submitted to him by the executive departments.

Sixth. The Commissioner General would be authorized to make such investigations and reports as might be ordered by either House of Congress or by the Committees on Appropriation of either House.

Seventh. While the bill would do away with the present Executive budget concept, it would not in any way prohibit the President from making recommendations to the Congress with respect to the budget and with respect to the fiscal operations and policies of the Government.

Eighth. It would abolish the present Bureau of the Budget and designate that office as an Office of Executive Management.

Ninth. The bill further provides that once Congress has appropriated, the head of the department, rather than the Director of the Budget, shall apportion and allocate the moneys. The Commissioner General would be required to monitor the apportionment of moneys to assure that they accorded with the intent of the Congress and to report instances of apportionments at variance with such intent.

Tenth. The bill devotes several pages to prescribing the conditions of employment, tenure, independence, and so forth of the Commissioner General so as to insulate him from pressures and to assure his complete independence of action in formulating and submitting the budget to the Congress.

INCHON OPERATION: DECISIVE BATTLE IN WORLD HISTORY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. THOMPSON] is recognized for 30 minutes.

Mr. THOMPSON of Texas. Mr. Speaker, among the great privileges of being a Member of the Congress is the opportunity to enjoy notable programs in the Nation's Capital and, on occasion, to make known their lessons to the country by means of publication in the CONGRESSIONAL RECORD.

One such event was a comprehensive, illustrated presentation on December 1, 1958, on the Inchon Operation of the Korean War at the Cosmos Club of Washington, D.C., by Brig. Gen. V. H. Krulak, U.S.M.C., now commandant of the Marine Corps Schools at Quantico, Va.

The Cosmos Club is composed of men distinguished in the fields of literature, arts, science, learned professions, and public service. The assembly on that occasion included many qualified as critics, significantly high officers of the armed services with war experience.

In addition to his specialized training as a soldier of the sea, General Krulak possesses the unique qualifications gained as a participant in the planning of the crucial amphibious operation and as an observer of its execution. Thus, his address, brilliantly delivered, made a profound impression, emphasizing again the urgent need for more of our experienced, professional officers to write military and naval history.

Because of the value of having General Krulak's contribution in the permanent annals of the Congress, especially to historians, editors, writers, and all others interested in studying historic achievement as represented by the Inchon victory, under leave accorded to extend my remarks at this point in the RECORD, I quote its full text:

THE INCHON OPERATION

(Address by Brig. Gen. V. H. Krulak, U.S.M.C., to the Cosmos Club, Washington D.C.)

I. INTRODUCTION

The Cosmos Club deserves to be addressed by scientists as well as by historians—people whose knowledge is acquired through deep study; people who are quite without bias. I fear that I do not qualify in either particular. My information on Inchon comes not from deep study, but largely from personal observation, and I am certainly not without bias. So, I must ask you to discount what you hear accordingly.

Beginning at the threshold of recorded history, and continuing on through the ages, there has been a succession of battles—land battles, and sea battles—which have one distinguishing characteristic in common.

None of them could possibly have happened. Nevertheless, all of them did happen and, in each case, the history of the world was significantly influenced as a result.

The battle we are going to discuss this evening is one more of this unique group.

Inchon could not possibly have happened either. It was too complicated, too unconventional, too hazardous.

But it did happen; and it is my purpose tonight to recount something of how Inchon came about since its dramatic success is far overshadowed by the fact that it happened at all.

II. HOW DID INCHON COME ABOUT?

A battle, like a tree, develops from a seed, it is nourished, grows, and finally bears its fruit. The seed of Inchon was planted on the 25th of June, 1950 when the North Korean Peoples' Army drove south across the 38th parallel. That Army numbered about 100,000 men, half of whom were hard veterans of the Chinese Civil War. They were well equipped with Russian arms, and they were trained for offensive operations aimed specifically at the total subjugation of all Korea.

This Red Korean force was faced by a Republic of Korea Army of somewhat smaller size, one far less lavishly equipped—and, we must confess, in a lesser state of training.

Thus it was, that when the Red Korean Army poured across the 38th parallel it met with heroic but weak opposition, and it rolled rapidly southward down the main communication routes.

Two days later, the United Nations indicated North Korea as an aggressor. Our country responded promptly and attacked the advancing Red forces by air, using the Navy's Task Force 77 and the Far East Air Force. These forces swept the skies clear of Red planes, destroying at once the whole of the then existing 100 plane North Korean Air Force. But our actions really did little to stop the southward movement of the Communists.

On June 29, General MacArthur made the first of a series of prophetic statements—a statement which forecast accurately the design of the Korean conflict, and really planted the Inchon seed. He advised his superiors that air alone would not stop the Reds. He said that ground forces would be required; and, with the approval of higher authority, he flew into Korea one battalion of U.S. troops from the 8th Army in Japan.

Inchon was mentioned formally on the 4th of July—10 days after the aggression began—at a time when the valiant though outgunned ROK forces were being decimated; at a time when the United States had only one lightly armed battalion of soldiers on the Korean Peninsula.

The hard fact is that we were in full retreat—being defeated. Yet, in the midst of this grim news, General MacArthur, in a conference, made an electrifying observation—one which disclosed the breadth of his vision. He announced that the solution to the Korean problem would necessarily involve two steps; a stabilization of the front (we didn't even have a front); and a vigorous blow to cut the roads and railroads in the enemy's rear, and he placed his finger directly on Inchon as the decisive point for counteraction. Inchon, he pointed out, was the port of the capital city, Seoul. It was within a few miles of the main north-south rail line and the biggest airfield in Korea. It was the ideal target.

Six days later, at another conference in Tokyo, General MacArthur reaffirmed that the only chance of stopping the aggression would be to strike it in the rear and soon—all this at a time when our retreat was continuing at an ever increasing rate—when our very ability to remain on the Korean peninsula at all was in doubt.

At that time, General MacArthur spoke at length of the amphibious character of the counterstroke which he had in mind, and observed that what he would like more than anything else was a Marine division to do the job.

Lieutenant General Shepherd, who commanded all the Marines in the Pacific at the time, was present at that conference. It is evident now, in retrospect, that he was making history when he promptly volunteered the troops. He told General MacArthur that he had the division, and a supporting aircraft wing as well, and all that was needed was to bring them up to war strength. He did not annoy the General with the detail that the two units were only at about 30 percent of their war strength. Instead he urged General MacArthur to send a message requesting the services of the 1st

Marine Division and 1st Marine Aircraft Wing. MacArthur needed very little urging. There and then, he composed an eloquent message with General Shepherd's help. At the end of the conference MacArthur exuded enthusiasm and resolute confidence—all of this at a time which could be described in no more charitable terms than as one of growing disaster on the Korean peninsula.

MacArthur's idea of an amphibious operation at Inchon and his plea for the necessary troops and ships met with what might be called measured response in Washington, where thoughts turned more on how we were going to retain any foothold in Korea at all. He was advised that the ships could be made available, but only with difficulty, and at the cost of unbalancing other worldwide commitments. At the same time he was advised that there were not enough marines in the active Marine Corps to meet his requirements and still maintain a minimum response to commitments elsewhere. To provide the forces requested by MacArthur would require mobilization of the Marine Corps Reserve. But it's significant that he wasn't turned down. He just wasn't told "yes."

On the 15th of July, General MacArthur resubmitted his plea for a Marine division with its supporting aviation. He told the Joint Chiefs of Staff that he desired to launch his counterstroke as soon as possible, and in no case later than September. When he received no response, he registered a third and more urgent request on July 19; and all of this in a continuing atmosphere of pyramiding defeat and retreat by the hard-pressed ROK and U.S. forces in Korea.

The third plea bore fruit. On the very same day that it was received the President authorized the mobilization of the Marine Corps Reserve—128,000 men. At about the same time the Joint Chiefs of Staff notified General MacArthur that the troops he required for the Inchon operation could be provided—but, in November and December—not in September, because to do so then would cause an unjustifiable weakening of the Navy and Marine Corps forces in the Atlantic theater.

At about this time, General Shepherd came back on the scene. He was convinced that something of an offensive nature ought to be undertaken in Korea. While he was not sure that Inchon was necessarily the answer, he urged Admiral Radford—then commander in chief, Pacific—to press for a Marine division and air wing to be delivered at the time and place that General MacArthur wanted them.

So it was that on July 25, 1 month to the day after the aggression began, that General MacArthur finally received a green light to launch a counteroffensive in a battle which might be lost before the counteroffensive could ever be undertaken. He was going to get the troops he asked for. He was resolved, moreover, that his operation would take place on September 15—just 49 days away. During that brief time a Marine division and a Marine aircraft wing would have to be built up from a peacetime framework and moved 8,000 miles or more across the sea. Plans had to be prepared in intimate detail. Great quantities of supplies and equipment had to be assembled, loaded, and shipped. In short, while the seed had sprouted, it was far from being a tree—let alone bearing any sort of fruit.

To the harassed staffs in Tokyo—who could see the situation in Korea crumbling by the hour—this was all a great abstraction—completely unreal. But not so to General MacArthur. Somehow he believed it was actually going to happen.

III. WHAT IT TOOK TO GET READY

In reality all General MacArthur had at this time, in addition to his confidence, were two things—an idea and a decision. But before you can launch a complex enterprise such as the one he had in mind, you have to have a lot more than that; you need a plan, you have to have the forces, the forces have to be in the right place, and they have to know what they are going to do. He was far short of realizing any of these objectives.

Take the first problem—a plan. Here are a few disturbing characteristics of the Inchon area which faced the planners. Inchon is a crowded oriental city about the size of Richmond, Va.—a maze of tiny streets and alleys, and its waterfront is not a beach; it is a granite seawall. And all of our precepts counsel against undertaking a landing operation in a city.

The sea approaches to Inchon are tortuous in the extreme; rapid currents, shoals; and all navigation lights in Flying Fish Channel had been destroyed by the Communists during the preceding weeks. There were no really reliable charts, and there was an oppressive threat of enemy floating mines. There were scores of offshore islands which the enemy could use to attack an amphibious force and there was one island named "Wolmi-Do," which blocked a direct approach to the city.

The entire Korean coast in this area was fronted by an insidious brand of oozy mud. There was a tremendous tide range, extending up to as much as 33 feet. As an example, here are some American landing ships sitting high and dry on the mud at low tide. In short, the planners found that everything about Inchon was bad, except for the fact that the word itself was easy to spell.

As to the time available for planning, in World War II about 90 days was considered to be a good standard to plan for a major amphibious attack, less travel time. In contrast, General Smith, the commanding general of the First Marine Division, arrived to begin planning in Japan on August 22, only 17 days before the first troops would have to sail from Japan if they were to meet General MacArthur's September 15 deadline.

But why did it have to be September 15? Why not September 20 or October 1? The tide conditions provided the answer. The planners found that a tide of at least 23 feet would be required for small craft to land in Inchon Harbor and a tide of 29 feet for landing ships. The only date before midwinter when a tide this high would occur was September 15. Unfortunately, the hour of high tide could not have been much less desirable. It occurred at 7:19 in the evening. That meant that H-hour could not be earlier than 5 o'clock in the afternoon, leaving only 2 hours before darkness for the assault Marines to clean the enemy out of a city—a strange, hostile, oriental city.

Then there was a multitude of unanswered questions confronting the planners. There is a seawall in the inner Inchon Harbor. Although our forces had occupied the city for several years after World War II, nobody could be found who would state categorically whether or not troops could land direct from boats over that wall. As a result, prudence dictated that every boat which landed at that seawall had to be equipped with two scaling ladders. So a major ladder-construction program was begun immediately in Japan.

The next question was, How soft is the mud? Could a man walk across it? Can amphibian tractors crawl across it? Again, despite our long period of occupation, nobody would say for sure. The cautious decision had to be made. Don't risk crossing the mud by foot or by vehicle; wait until the tide is high enough to cross it by boat.

Another question. There is a causeway joining the offshore island of Wolmi-Do with Inchon proper. What was the nature of the causeway? Would it support tanks? Nobody knew. The decision—don't try to use the causeway for tanks.

These and a multitude of other planning questions faced the Navy and Marine Corps planners during their 24-hour-around-the-clock planning period—which did not really get under way until late August. The deeper they got into the problem, the more its difficulties came to light. Indeed, as late as August 23 General MacArthur did not have full assurance from the people who were supposed to execute the operation that it was a feasible undertaking. On this day Admiral Doyle, who was to command the amphibious task force—a most imperturbable individual—made a 2-hour presentation of all the factors to General MacArthur. His conclusion was simply this, "The best I can say, General, is that the operation is not impossible."

After the presentation General MacArthur spoke himself for 45 impassioned minutes, telling why Inchon was essential, despite its multiple disadvantages. His concluding words were these: "We shall land at Inchon and I shall crush them." That was it.

The basic plan which was being developed—even while these discussions were going on—was certainly an ambitious one. It provided for the First Marine Division to assault and seize the port of Inchon; then drive quickly inland to capture Kimpo Airfield for use by the First Marine Aircraft Wing; thereafter to cross the broad Han River, seize and capture the capital city of Seoul and the high ground to the north.

The Army 7th Infantry Division was to land behind the 1st Marine Division and to extend our penetration to the east and south, cutting all enemy communications and setting the stage for crushing the Red forces who were pressing our battered bridgehead around Pusan. Then, when those forces were sufficiently weakened, our troops in the Pusan perimeter would break out, drive to the north and the North Korean Army would be caught in a vise.

A succession of problems developed in preparing the detailed plans for getting the Marines ashore at Inchon. The first one had to do with the offshore island of Wolmi-Do. If it were bypassed, the Red forces on it could fire into the rear of our troops landing on the Inchon waterfront. If we landed there at the same time as the landing on the waterfront there still was no assurance that the enemy could not fire into the rear of the assaulting forces. So, it became evident that we had to land and capture Wolmi-Do completely, before the main landing. But it just wasn't possible to land there any time we chose, because at low tide the troops could not get across the mud. It was finally proposed that the Wolmi-Do landing take place at 6:30 in the morning on the early high tide. This was a brutal suggestion. It meant that the ships of the amphibious task force must make a night approach up the tortuous Flying Fish Channel, threading their way through shoals and islands, and dodging mines. This plan would obviously tip our hand, and give the enemy 12 hours of warning to strengthen his main defense at Inchon before the afternoon landing. Nevertheless, there seemed no better way to do it. Admiral Doyle quickly accepted the risk and planning proceeded accordingly—to land one battalion of Marines on Wolmi-Do on the morning high tide.

This difficult decision was followed by another one of equal brutality. If the Marines who landed on the evening high tide were to drive rapidly inland and were to have supplies for the 12 hours following, the necessary vehicles and supplies had to come in on the same tide as the assault troops. Usually landing ships are not beached until the assault forces have seized enough territory ashore to provide the ships with reasonable safety; but that just could not happen at this time. The landing ships had to come in on the high tide in a matter of minutes after the first troops were ashore. Moreover, they would have to navigate a complicated course, where the margin of error was perilously small. Again, Admiral Doyle saw the necessity for getting the supplies ashore the

same evening the asault troops landed. He decided thereupon that eight landing ships would steam in and beach shortly after the assault. They would discharge their vehicles and cargo, and lie on the mud—vulnerable to enemy fire—until the next high tide would permit them to withdraw. The intrepid nature of this decision was to be dramatically demonstrated on D-day.

It became evident early in the planning that Inchon Harbor was too small to accommodate all of the power that had to be put ashore if a rapid advance inland was to be assured. Therefore, it was decided to land another Marine regiment immediately south of the city to drive quickly inland and make contact with the troops who had the unenviable task of assaulting the city itself.

To provide close air support for the men of the 1st Marine Division during the landing, Marine aircraft were to support the attack from two escort aircraft carriers and then as soon as our forces captured Kimpo Airfield, the Marine planes would land and operate from that shore base.

So much for the plan which was developed in the most intimate detail, over the brief period of about 12 days. It was issued on September 4, just 5 days before the slowest ships had to leave Japan for Korea.

As a plan it read very well, but it was still just a plan. Meanwhile, where were the troops who were actually going to execute the plan? What had they been doing since we left them in mid-August to talk about planning?

They were just about everywhere; and they were doing just about everything.

Back in Camp Pendleton in California, marines were converging from all points of the compass to build up the slender peacetime strength of the First Marine Division to its full war power. Reserves were arriving from everywhere. Regular units were coming from as far away as Quantico and Camp Lejeune in North Carolina. New equipment was being unpacked and tested. Training was going on in a round the clock fashion. The same thing was taking place at El Toro, Calif., 30 miles away where the First Marine Aircraft Wing was building its way back to full war strength by absorbing six Reserve fighter squadrons brought in from as many different places. During all this time Navy and Marine Corps officers were working around the clock preparing loading plans. And then embarking the troops in both fleet and commercial shipping, to get them to Japan as quickly as possible. September 15 was not far away. Some of the marines who marched aboard ship in early August had been engaged in peaceful civilian pursuits only a few weeks before. Still other marines were embarking in Hawaii, and in order to give the landing force as much undiluted experience as possible it was decided to take a Marine battalion which was afloat in the Mediterranean and sail it all the way to Inchon. This battalion received orders at Suda Bay in Crete to sail via Suez to the Far East. It was not even to see its parent unit until they both got to the Inchon beaches, in time to take part in the landing. As you can see here, the marines who were to land at Inchon came from locations half a world apart. It has often been observed that the ability to assemble these marines from all over the world—Regulars, Reserves, air and ground, with some confidence that they would all speak the same fighting language, testifies to the usefulness of rigid uniformity in training.

Another group of marines—a reinforced regiment and an aircraft group—had been fighting down in the Pusan perimeter almost continually since August 2. They too were to take part in the landing. General Smith was promised that the regiment would be relieved from its duties on September 4. That would give it just exactly 6 days to replace its casualties—which had been heavy—to reequip, to embark in ships, and for the men to learn what they were expected to do at Inchon.

But, as is often the case, the enemy plays a tune of his own. In this instance, on September 1st, he launched an all-out attack to destroy the Pusan perimeter. Instead of being relieved, the Marine regiment was rushed in to bolster the thin and wavering lines. It was not until September 5th that it was possible to relieve the Marines—heavily exhausted from the continued fighting. But time was so short, and so much needed to be done that while these Marines were actually counterattacking the North Koreans west of Pusan, they were also engaged in making embarkation plans for the Inchon landing. How they managed to do both has always been a source of continuing wonder.

The troops from the United States converged on Japan between August 9th and August 23d. Most of them came to Kobe, where they had to reload, from the commercial type ships which brought them across the Pacific, into 82 amphibious assault ships in a manner which suited the tactical plan. It was necessary for everyone to unload—to fall out and fall in again—and time was getting short. The troops worked round the clock, and round the clock again to do the vast job.

Some of the equipment was new; the Marines who were to use it had never seen it. It had to be unpacked, cleaned, checked and distributed—and this took time.

But the troubles had only begun. Typhoon Jane, with 90 mile winds, arrived to complicate an already complicated problem. Ships were adrift in Kobe harbor. On one ship the right man on the wrong valve produced 14 feet of water in a hold where precious communication equipment was stored. Another ship turned up with a fire in one hold with consequent damage to equipment. All these things could be cared for, but they cost time, and time was short.

And then a one line message from Washington sent every marine commander scurrying for his troops' service records. The message said that no marine could go to Korea if he had not reached his 18th birthday. There were a lot of these young men—and the units had to be sorted out and reorganized as a result. Time again.

Somehow, despite all of these complications the embarkation was completed, but it never could have been done without the exhausting effort by all hands, backed up by many years of Navy and Marine Corps amphibious know-how.

Meanwhile, as the loading was going on with all of its technical difficulties, we had a few troubles with ideas too. As late as September 8, it was proposed that an Army special unit sail to the Inchon area in a British frigate, transfer in the dark at sea to a Korean picket boat, transfer again to rubber boats, paddle 3 miles in the dark, land, move overland, and capture Kimpo airfield. Just how they were to paddle against a four-knot current, find the beach in the dark, find the airfield, seize it and then hold it we never found out. The idea had to be scotched—but it took time to do it.

Next, it was seriously proposed that after Wolmi-Do island was seized on the morning of September 15, an Army battalion should land, and with five Marine Corps tanks, drive across the causeway—some 20 miles down the main road to capture the river bank south of Seoul. Just what the Reds would be doing during this period wasn't stated. Again the idea had to be destroyed, but to do so took up valuable time.

But, despite the inexorable movement of the clock, everyone somehow got aboard; each marine knew what he was supposed to do; and the force got under way. Its movement was a vast job. Ships came from 4 ports and in 6 increments. There was absolutely no margin for safety. Everything had to work out if the force was to meet its H-hour.

With this in mind, you will understand why Admiral Doyle had trouble preserving his poise when he learned that a new storm—Typhoon Kezia—was headed directly across his track; this time with 100-knot winds.

What to do? There was no flexibility in the schedule. To turn the force around in the interest of preserving lives and ships was the cautious thing to do. But this meant canceling Inchon—because of the tide conditions we have discussed. He either made the September 15 date or none at all. Admiral Doyle, using some formula of his own, estimated that the typhoon would curve away, and that the worst blow would miss his force. It was still a dreadfully rough passage. Ships were buffeted around, and those fatigued marines who had been fighting in the Pusan perimeter only a few days before took the worst buffeting of all.

But if Admiral Doyle thought he had troubles with a mere 100-knot typhoon, he was due for a surprise. His flagship put into Sasebo en route, for just 30 minutes, to pick up General MacArthur and his party. At this point, I am sure that the *Mount McKinley* achieved the distinction of being the most flag-ridden flagship in the history of the U.S. Navy. It had 12 admirals and generals embarked to go to war; and more captains and colonels than you could count, plus innumerable correspondents, and photographers and other satellites—to the extent that you had to be a captain or a colonel to get a bunk, and two stripes or below couldn't even get a cot. I have said a lot concerning Admiral Doyle's poise, but this condition stretched it to the limit.

Meanwhile, the pre-D-day bombardment had begun on September 10. Task Force 77 planes and Marine planes pounded Inchon and Wolmi-Do throughout the daylight hours for 4 successive days. A task force of four cruisers and six destroyers directed several thousand shells into Inchon and Wolmi-Do. Any doubt that the enemy was there and alert was dispelled by the fact that the destroyers *Gurke, Dehaven,* and *Collett* were all hit by enemy shellfire. The *Collett* was hit five times.

These bombarding ships reported seeing and destroying many floating mines, which added nothing whatever to the feeling of contentment aboard the amphibious ships as they steamed blacked out up Flying Fish Channel during the night of September 14. Luck was with the task force, however; not a ship struck a mine—although there were plenty of them floating around to strike.

And now, everything was in readiness. The combined efforts of thousands of people—in the face of almost unbelievable difficulty—had brought a force off the Inchon beaches. No matter what transpired after the marines landed it would, in many respects, be an anticlimax to the miraculous fact that they were there at all.

It was an eerie sight as dawn began to break on the morning of September 15. There wasn't much maneuver room for the ships and, as a result, cruisers and destroyers were firing furiously at the beach from positions right among transport ships. At about 6 o'clock, as soon as they could see, Marine planes began diving out of the overcast; dropping bombs and firing rockets at Wolmi-Do.

General MacArthur came up to the bridge of the *Mount McKinley.* He seemed grim as he looked at the boats and amphibian tractors chugging toward the Wolmi-Do beach in the half light. I am sure he realized that his great gamble was about to face its test.

The landing on Wolmi-Do had been planned for 0630. At 0633 the first marine hit the beach, just 3 minutes behind a schedule that had only been a dream a few weeks before.

The assaulting troops met light resistance. The defenders had been badly shaken by the naval and air bombardment. Even so, many had to be dug out in the conventional manner by flamethrower, grenade, and bayonet.

The assaulting forces drove steadily up the steep slopes of Radio Hill. By 0655, that ubiquitous Marine who seems always to be there with his personal little American flag, planted it on the top of the hill. You could see the little flag plainly from the bridge of the Mount McKinley—which was that close to the island.

When he saw it, General MacArthur's face lit up like a neon sign. He said, "That's it. Let's go down and have a cup of coffee."

There was actually a lot of fighting on Wolmi-Do; but by 1115 we controlled the whole of the island and the exit to the causeway connecting Wolmi-Do and Inchon.

Before noon, the little island was declared secured, with 108 enemy killed and 136 captured, for a loss of 17 wounded Marines.

The Reds of course had been alerted by the morning's attack, but they were given little undisturbed opportunity to do anything about it. The landing was set for 5:30 p.m. and, beginning at 2:30 in the afternoon, the fire support ships and Navy and Marine attack aircraft kept up a drum-fire of explosives on the whole area. Meanwhile, planes ranged deep inland to attack any reinforcements that might try to move into Inchon.

The weather, which had never been on our side in the entire undertaking, began to close in as the afternoon wore on. Rain squalls, and low clouds combined with the smoke from the city to make it darker and darker by the minute. By 5 p.m., as the boats and amphibians moved toward their assigned beaches, they found the greatest difficulty in keeping their way because the visibility was almost nil.

On the Inchon waterfront itself the first marine hit the beach at 5:31 p.m., just a minute behind schedule. They were lucky to have the ladders, because without them they could not have negotiated the seawall. Throwing grenades ahead of them the assault marines scrambled up and were met immediately by heavy fire from their flanks. The Reds were ready. It was not quite the same as Wolmi-Do in the morning.

The marines inched slowly into the burning city, and very soon began to find that the combination of heavy resistance, smoke, rain, and darkness made the job a most complicated one. Nevertheless, in less than an hour the advancing elements had reached their first objective at a cost of 8 killed and 28 wounded.

The highest ground in the city was Observatory Hill, and its capture was attended by all manner of difficulty. It began when the company commander of the troops designated to seize the hill was delayed in getting ashore because of a boat breakdown. When he finally did get ashore, he found his troops engaged in a bitter fight and it was not until well after dark that the hill was finally captured.

Meanwhile, the daring plan to drive landing ships ashore immediately behind the assault troops was proceeding on the rapidly flooding tide. As the first landing ships wormed their way around Wolmi-Do and toward their berths, only an hour after the first marine had landed, they found themselves under fire by enemy mortars and machineguns. They entered the battle, along with the marines in front of them on the beach, and for the first 30 minutes after they landed there was an exciting situation with the landing ships firing over the heads of the assault marines. Unloading of their vehicles and equipment began immediately and the ships soon were able to provide a haven for Marine wounded who were beginning to flow back from the frontlines.

Meanwhile, on Blue Beach south of the city, the weather had caused a wealth of confusion. From the very first the landing ships and the amphibian vehicles which they carried were beset by trouble. They had no real knowldege of the speed which the current would be flowing. This is a very important thing to know when you are riding in an amphibian vehicle that can make only 6 knots—if the current is flowing at 3 or 4 knots. Battened down, riding very low in the water, the amphibian has very poor visibility, and the unit commanders could not even see the shoreline as they plunged ahead. All they could discern was a rolling cloud of smoke and rain as you see it here. The compasses in the amphibians and in the landing craft which were supposed to guide them were, as usual, something less than accurate. And finally, just as the ship-to-shore movement was about to begin, mortar fire began to fall among the amphibians.

Confusion reigned. As one wave of amphibians headed through the murk it encountered another wave on a converging course. It appeared that both waves were headed in the wrong direction. They adjusted their courses by guess after a little consultation—as the mortar fire continued to fall. How it happened, one could never estimate, but somehow the assaulting elements actually hit the beach exactly at 5:30 p.m. on schedule, and reasonably close to their designated landing points. Troops moved rapidly inland, meeting only light opposition in the immediate beach area. However, as they plunged ahead into the dusk they soon began to encounter intermittent resistance. Ultimately several sharp night attacks were required to dislodge the Reds from their defensive positions. By midnight the tired troops were well over a mile inland and were finally permitted to dig in for the night—a short one.

The following morning at dawn, both forces resumed the attack, and advanced steadily through the day, encountering light resistance, except for a Red tank attack which was a 100-percent failure due to the sharpshooting of the 1st Marine Aircraft Wing. The tanks you see here were all knocked out like sitting ducks. You can see the dead Reds, shot down as they tried to abandon the leading tank. By dark, the Marines had driven further inland, and had a strong foothold ashore.

The advance resumed on the following morning—D plus 2 and quickly developed a dramatic situation. Apparently unaware of our strength, a Red tank-infantry column drove directly into the lines of the advancing Marines and a pitched meeting battle occurred at close quarters.

It was exciting for a while, but in a matter of 30 minutes, some 200 Red infantrymen were dead or captured and their tanks all smoking hulks.

Just about this time, General MacArthur chose to come ashore to inspect the front. Unaware of the hot battle in progress, the general's motorcade drove close up behind the action.

A young Marine officer ran up to him in a state of great agitation and said, "General, you can't come up here."

"Why"? MacArthur asked.

"We've just knocked out 5 Red tanks right over the top of this hill," the officer said.

MacArthur replied, "That was the proper thing to do," and walked up on the hill.

The next morning the advancing Marines, now endowed with a tremendous momentum, plunged ahead to capture the big Kimpo airfield. By nightfall, they had seized the field, although they had to defend it against counterattacks from three sides which continued throughout the night.

The next day our planes began to land on the field, and from then on the Marines had air support from their own shore-based aircraft.

The landing was solidly established. Nobody was going to drive the forces back now, and the effect of their presence was evident at once. Our hard-pressed forces in the Pusan area were able to launch an attack of their own. The Reds, with their supply line cut at Inchon, quickly gave ground, and soon began to disintegrate. In a week, the North Korean invasion was an invasion no longer—it was a headlong, pell-mell, disorganized retreat. The roads were littered with supplies and equipment, and North Korean soldiers stood in line to surrender. They had lost their stomach for fighting.

It was all because of Inchon—a decisive blow that broke the back of the Red Korean Army. Had the Chinese Communist volunteers not entered the battle soon thereafter, the whole thing would have been over. But they did—and that's another stirring story.

You will recall my earlier comment that Inchon couldn't happen. In retrospect, reflecting on the 2-month period we have just reviewed, it may be a little easier to see how it did.

When something of this decisive nature takes place, one usually need not look far for the personality or the circumstance, the driving influence or the character behind it; for the essential ingredient which transmutes a melancholy failure into a resounding success. In this respect, Inchon is no different than many of its counterparts throughout history. The vital ingredient is there.

Not being a historian, I feel I may take the liberty of trying to isolate that ingredient for you. There are certainly many candidates for the distinguished position. The vigor of the Marine Corps Reserve which made the 1st Marine Division and 1st Marine Aircraft Wing combat realities in such a brief time was certainly a powerful factor in making Inchon possible at all; the importance of the long years of close professional association between the Navy and Marine officers who planned the details of the attack also cannot be overstated; the personal courage and resolution of Admiral Doyle; the intrepidity of the ship captains who took the shoals and the mines in their stride. These and many more all contributed greatly to the dramatic success of Inchon.

But my choice for the ingredient that converted Inchon from a vision into a reality centers upon two men whose contribution seems to have transcended all else. These men and their conduct during this fateful period, demonstrated once again that nothing is really impossible if you believe in your cause and if you believe in yourself. Who were they? I just happen to have their pictures here now—General of the Army Douglas MacArthur and "Corporal Joe Doaks" of the U.S. Marine Corps.

CUBA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. SPRINGER] is recognized for 60 minutes.

Mr. SPRINGER. Mr. Speaker, during the past 2 years nothing in the diplomatic field has distressed me more than what has happened in Cuba during that time. For 19 months during the war I was stationed at Guantanamo Naval Base in Oriente Province on the eastern end of Cuba. I came to know many fine Cuban people. They are warm-hearted and generous. A Cuban interested in your welfare is one of the most charming and gracious people in the world. Through that experience I came to have a great admiration for Cuba and the Cuban people.

First I wish it known that I have not approved of what has happened under the Batista regime. But as far as Cuba

is concerned that is history. The issue now is what will happen in Cuba with the taking over of all authority by Fidel Castro. It does appear we are entering a new era.

Whether he is going to turn out to be another little man on horseback and whether he will be another dictator simulating a democracy remains yet to be seen. I am going to reserve my judgment until I see further what happens in the next few days and months. But the things which have taken place in the last few days do not augur very well for either democratic procedure or the possibility of Cuba coming out of this unfortunate situation which it has been in during the past 2 years.

As of this morning there were 180 executions. Never before, as far as I know, has there ever been a blood bath such as this, upon the succession of a dictator in Cuba.

Some 4 years ago, Fidel Castro, the man who is now dictator in Cuba, tried an uprising on the south coast of Cuba and it was put down with the death of about 12 people. He was put in prison and remained there for about a year. It was only through the intervention of the man he denounces today, Batista, that he was freed. Batista offered him exile and allowed him to go abroad with his own life. Fidel Castro does not return today that same kind of mercy. He is returning vengeance a thousandfold. He has certainly shown none of the broad enlightenment of a man who says he has been fighting for 2 years for the freedom of his people.

Some of these executions indicate, as far as the press tells the story, of people who were in possession of police authority and under direct orders.

Whether these men are guilty of atrocities I think could very well await a time when reason is more calm and emotions under better control—and above all in civilian courts where real justice can be had. Certainly these men are just as much entitled to civilian trials as any other citizen under the Cuban Constitution. Instead of that the first act of this so-called liberator has been to set aside the constitution, set aside the laws, set aside the legislature, set aside the civilian courts which afford the only protection an individual or a minority has under these strained circumstances. Is this the action of a genuine statesman and liberator looking after justice and decency for his country?

I have here an Associated Press account as of today stating that these are in the nature of the Nuremberg trials. At this point I have several requests to make. I would like to insert, with unanimous consent, in the RECORD an editorial from the Decatur (Ill.) Herald of Tuesday, January 13, entitled "Unhappy Legacy of Nuremberg" as applied to this situation.

The editorial follows:

UNHAPPY LEGACY OF NUREMBURG

The provisional government of Cuba must use stern measures to enforce its authority and establish law and order in the island.

Thus far about 50 supporters of the ousted dictator, Batista have been put to death and an estimated 3,000 are awaiting trial. Fidel Castro has said that those Cubans who were executed after being found guilty in secret military trials were criminals who had killed large numbers of their countrymen, presumably Castro's followers.

The provisional government, headed by a former Cuban court judge, is attempting to justify—and dignify—the military trials by asserting that the procedures will be in the same manner as war criminals were tried in Germany.

Thus, the precedent of Nuremburg is invoked by successful revolutionists in Cuba.

That is embarrassing to the United States, which took a leading role with the victorious Allies a dozen years ago in bringing to trial the top Nazi leaders on charges that they plotted aggressive warfare, and that in World War II those Nazis imposed war and inhuman acts on the peoples of the world. Several of those top Nazi leaders were found guilty and put to death.

The late Supreme Court Justice Robert Jackson, chief prosecutor at Nuremburg, argued successfully that individuals should be punished for the crime of plotting aggressive war. But the Nuremburg verdicts were sustained and justified in U.S. public opinion chiefly because the Nazi leaders had been guilty of inhuman acts, in addition to planning aggressive war.

Many Americans were unhappy over the Nuremburg proceedings, fearful that the trials of the Nazi leaders would be cited by victors in some future war as a precedent for indicting and putting to death the leaders of the army and government of the defeated nation.

But even if the Nuremburg trials were legal and the judgments justified, the precedent does not apply to a succesful revolution in Cuba.

And may I say that the Decatur Herald is a newspaper of the character of the Washington Post, so this is not a reactionary newspaper writing this editorial.

As further evidence of the indignant, horrified sentiment in this country at what has been taking place in the last week in Cuba I ask unanimous consent to insert at this point in the RECORD an editorial from the Washington Post of January 13, 1959, entitled "Drumhead Justice":

DRUMHEAD JUSTICE

Senator WAYNE MORSE speaks for a good many citizens of the United States in urging that Fidel Castro's troops call a halt to the execution of war criminals until emotions are cooler. The wave of killings has reportedly taken up to 200 lives already, and hundreds more are said to face secret tribunals empowered to mete out rebel justice. This is dismaying and disheartening news. Hopes were high that Fidel Castro's government would set an example that would contrast, with the crimes of the Batista dictatorship, and not imitate some of its worst methods.

No doubt many of those executed fully deserved punishment for their depredations under the old regime. The respected Cuban magazine Bohemia makes the shocking estimation that 20,000 Cubans had been killed during Fulgencio Batista's reign by terror in the past six years. And equally clear, military officers enjoy no immunity for their atrocities merely because they have worn a uniform. But there is a difference between an open trial fairly conducted in a less impassioned moment and drumhead justice dispensed by hot-headed rebel troops. Capital punishment in such a situation too readily becomes lynching. Terror has a way of passing beyond control as the appetite for vengeance increases with use; Fidel Castro would ease many grave misgivings if he silenced the firing squads immediately.

Mr. Speaker, I wish to include in the the RECORD at this time an article by Constantine Brown in last night's Evening Star entitled "Castro's Blood Bath for Cuba":

CASTRO'S BLOOD BATH FOR CUBA—MORSE CITED AS FIRST SENATOR TO PROTEST MASS EXECUTION OF BATISTA OFFICIALS

(By Constantine Brown)

Senator WAYNE MORSE, of Oregon, has the distinction of being the first Senator to raise his voice publicly against the blood bath which has been going on in the new democratic Cuba, where government officials under the regime of ousted President Batista have been murdered in batches.

It is also a strange reflection on modern political ethics that our Government not only rushed to recognize the Castro regime but has not raised its powerful voice against the recent wholesale massacres.

Modern diplomacy apparently requires that governments even formed by murderers be taken to our bosom. It is a quite different frame of mind from that at the turn of the century. When the palace guard in Belgrade murdered King Alexander Obrenovitch and his wife, Draga Machin, all the Western governments withdrew their diplomatic representatives from the Serbian capital. And when the Okrana (the secret police of Czarist Russia) organized a pogrom in the Ukraine, also at the turn of the century, we withdrew our minister from St. Petersburg for about 7 months.

In more recent times we refused to recognize the bloody Communist regime in Russia for 16 years and President Roosevelt recalled our ambassador to Nazi Germany, Hugh Wilson, because of Hitler's ruthless persecution of the Jews, and left only a chargé d'affaires in Berlin until December 1941, when Germany declared war on us.

It may be that in those days when the administrations were not scared of complications we were more justly called the leader of the free world than we are today. We stood for principles and did not merely talk of how nice they are.

No sooner had a Communist-inspired military junta murdered and mutilated the bodies of King Faisal of Iraq and his advisers than we rushed to recognize the regime of murderers. It was explained in Washington that it was necessary to obtain the friendship of the new regime in order to forestall its going completely to either Nasser's United Arab Republic or the Kremlin. According to the latest reports from Baghdad, our rushing did not do much good for ourselves and our remaining friends in the Middle East.

Similarly, we rushed to recognize the new Cuban regime created by Fidel Castro. Off-the-record explanations in Washington are that we did so because the Cuban rebels replaced the dastardly dictatorship of Batista.

Fidel Castro used to have a well-established reputation as a strong Communist sympathizer who organized the 1948 Bogota demonstrations against Gen. George C. Marshall. His brother Raoul was described as an outright Communist who had studied in Moscow the MVD techniques of guerrilla warfare against the forces of the capitalist dictators. This appeared to be the information available to the highest official quarters in Washington before Castro started his rebellion and before it seemed that he might succeed. Now all of a sudden he has been declared by the State Department to be lily white. There was nothing really tangible to go by, it was said, to show that Fidel had a hand in the anti-American uprisings in Bogota in 1948 or that Raoul had done anything more than have a good time in the Soviet Union.

The recent wholesale execution of Batista agents, of many members of the regular armed forces of the previous regime, of many other individuals whose greatest guilt was that in order to make a living they had become members of the regular police force, and others against whom the rabble which joined the rebels had scores to settle follows clearly the Russian Communist pattern.

The Communist Party which has been banned in Cuba has not only been permitted to reappear on the political scene but in the 12-man group appointed by Castro's "yes" man, Provisional President Urrutia, to supervise labor conditions and new legislation, 5 members are Communists (either Cuban or imported from Venezuela).

While the policy that we must learn to live with Communist governments which are in the eyes of our policymakers uncommitted to international communism is being argued, there is one thing that cannot be debated: That the American Government must never remain indifferent when wholesale massacres and executions without trials (except kangaroo courts) are taking place in a country whose regime we have rushed to recognize.

And, Mr. Speaker, I want to insert an editorial from last night's Evening Star entitled "Trials—But What Kind?"

TRIALS—BUT WHAT KIND?

Fidel Castro's appearance in a filmed interview on the television show, Face the Nation, does not dispel the impression that his Cuban followers are more interested in vengeance than justice in dealing with alleged supporters of the deposed Batista.

Mr. Castro says "we would never punish anybody without a trial." The real question, however, is concerned with the kind of trials now being held in Cuba. Judging from news reports, they are not the kind which should receive the blessing of the man whose devotion to democracy is such that he scores the United States for preaching democracy while forgetting about "the democratic feeling of the people in Latin America."

A late report tells of 71 Cubans being lined up before a common grave and shot to death. This has not been satisfactorily confirmed. There appears to be no reason, however, to doubt the authenticity of an Associated Press report from Santiago which describes the execution of four alleged criminals. These accused were brought before a three-man summary court at 10:30 Sunday night. At 3 a.m., after denials of guilt or contentions by the prisoners that they were carrying out orders, the four were found guilty of "murder, torture, and crimes against the fatherland." At dawn, they were shot. The AP story carries an ominous footnote to the effect that this trial is expected to set the pattern for many other prisoners who are being held in Oriente Province.

One should not be too squeamish, perhaps, about some of the excesses which inevitably accompany revolutions. At the same time, neither is one obliged to believe that a proceeding in which four men are brought before a summary "court" in the middle of the night and condemned to death after a 4½-hour hearing is a "trial" within the meaning of any civilized definition of that word.

Mr. Castro told his television audience that his 26th of July movement now is in a secure position. If this is true, and it seems to be, there is no excuse for what Senator MORSE correctly calls the blood bath being staged in Cuba today. We hope the suspension of executions, first announced and then denied, will become a reality.

The SPEAKER pro tempore. Without objection, the gentleman may make the insertions indicated.

There was no objection.

Mr. SPRINGER. I could find a hundred such editorials, Mr. Speaker, in newspapers throughout the country similar to these.

I know many in this House wonder what is the basis of many of these revolutions in Cuba? Having lived in Oriente Province I think I can give you same idea of the background of these forcible changes in government. Oriente Province is the largest landed province in Cuba located on the easternmost tip. It is the poorest province. There is not much arable land. It has a large rural population and the greatest unemployment by far of any province in Cuba. In short, the people there live under the very poorest circumstances both as to diet and housing.

Almost every revolution has had its inception in Oriente Province because of these economic factors which have become chronic. As long as these economic and social conditions continue in Oriente Province, I am sure that in this area there will continue to be the origin of revolutions.

The reason Castro landed at Oriente Province was because of this constant seething emotionalism which is there at all times. I would predict that within a year or two, unless something is done about the economic conditions there, this same revolutionary emotionalism will come to the surface again. Fidel Castro was the sort of culmination of this unrest and revolutionary spirit in this largest area of Cuba. In the beginning Castro had little support outside Oriente Province, but there he did have strong support because of the conditions which I have pointed out above.

The question of intervention has been raised by my distinguished colleague from New York [Mr. POWELL] on the floor of the House a few minutes ago. I would like to point out to him what I consider an outstanding example of the effect of intervention in one of the countries of the Western Hemisphere where a dictator was in control.

I would like to take up now the Braden episode, if I may. Exponents of more positive U.S. intervention in Latin American affairs in the interests of democratic government down there should recall the unfortunate Braden affair in Argentina a little more than a decade ago. World War II was reaching its climax at the time and there was reason to believe that Argentina's President Juan Peron was too sympathetic with the Axis Powers. In the face of this apparent pro-Fascist orientation, the United States sent a new Ambassador to Buenos Aires in the person of Spruille Braden, a vigorous and outspoken emissary who had represented President Franklin D. Roosevelt at several inter-American conferences. Roosevelt had died the month before, but Braden went to Argentina in May of 1945 under the succeeding Truman administration. Braden lasted only 5 months. He was recalled in October of 1945 after Peron had made him the personification of U.S. interference in Argentine affairs. Peron then campaigned for reelection in 1946 using the slogan, "Peron or Braden," and similar anti-U.S. propaganda. It was not until 10 years later that revolution caught up with Peron. Thus the failure of the Braden mission emphasizes the danger of overzealous U.S. attempts to change the character of the government in any foreign nation, regardless of motive. It is my considered opinion that the action of intervention by Ambassador Braden continued Peron in power at least 3 years beyond what he would have been had Mr. Braden not actively intervened in Argentine affairs.

Mr. Speaker, I would like now to come to the question of free and open elections in Cuba. The acid test of whether or not Fidel Castro is a dictator and whether or not Fidel Castro is another adventurer of the Batista type depends on whether or not he is willing to have free elections. Last fall he refused to cooperate with any of the election machinery for candidates in Cuba's general election on November 3. In fact, he threatened to kill all of the nominees who took part in that election unless they withdrew by October 30. In a radio-broadcast he said rebel soldiers would shoot candidates wherever found. In addition, he said those captured in rebel territory would face summary trial and death penalties.

Mr. Speaker, I insert in the RECORD at this point an article from the New York Times of Tuesday, October 14, 1958, titled "Castro in Threat To Slay Nominees":

CASTRO IN THREAT TO SLAY NOMINEES—CUBAN REBEL LEADER WARNS THEM TO WITHDRAW FROM ELECTIONS BY OCTOBER 30

HABANA, October 13.—Fidel Castro, the rebel leader, threatened today to kill all candidates in Cuba's November 3 general election unless they withdraw by October 30.

A radio broadcast from Senor Castro's mountain headquarters said rebel soldiers would shoot candidates wherever found. Those captured in rebel territory will face summary trial and the death penalty, the broadcast said.

It warned of imprisonment in cases not calling for execution.

Senor Castro, who has waged guerrilla warfare for 23 months in an attempt to overthrow President Fulgencio Batista, was reported to have said that any participation in "the electoral farce" would be a crime of high treason against the interest of the country and the revolution.

President Batista has said that "only God can prevent" the balloting.

SKIRMISH AT SANTIAGO

HABANA, October 13.—Rebels and Government troops fought a skirmish yesterday on the outskirts of Santiago de Cuba, the capital of Oriente Province, according to travelers arriving here today.

They said firing in the suburbs of Siboney, Boniato, Songo, and Cristo had been seen from Santiago rooftops. No details were available because of strict censorship.

Rebel advances toward Santiago, a stronghold of the Cuban Army, have been reported for several weeks. One traveler said rebels had entered a country club outside Santiago to see the world series on television.

He said about 150 rebels had moved into position near the club to watch for army patrols. They mounted 8 machineguns on the roof and placed 20 men on the club grounds, while 8 to 10 others saw the world series for a few minutes at a time. After the game, the rebels moved on.

An encounter was reported at Santa Rita, just east of Bayamo Field, the headquarters of Government troops opposing the rebel

stronghold in the Sierra Maestra. No details were available.

Raul Castro, a brother of Fidel Castro, was reported to have ordered coffeegrowers in eastern Oriente to raise the 3-cent-a-pound wage of coffee bean collectors to 4½ cents.

Another rebel leader, Maj. Camilo Cienfuegas, was said to have forced grocers in northern Camaguey Province to sell goods at prices fixed by the Ministry of Commerce.

Mr. Speaker, this is the kind of man who says now that we can put off free elections for 18 months. He nowhere has indicated that he is willing to allow elections of a free and open type called for in the Cuban Constitution. Every indication at the present time is that this man is using a reign of terror and that he is attempting to kill off those who would be opposed to him should elections be held.

If an election were to be held today or within the next 30 to 60 days, it seems to me that would be a fair determination of what the Cuban people think ought to be done.

Mr. Speaker, in view of this situation I want to say that the people of this country are going to be very much concerned, as is the editorial opinion of this country, unless these executions cease and unless these people who are charged with crime receive a fair and open trial from a court of justice, and by that I am talking about a civilian court of justice; I am not talking about a court-martial drumhead.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Minnesota.

Mr. JUDD. As the gentleman knows, there have been reports for months that Communists may have achieved a dominant position in the Castro movement. I have been unwilling to believe such reports and will not unless the evidence should become overwhelming and incontrovertible. But I must say that this pattern of wholesale executions follows consistently the pattern the Communists have uniformly followed in other countries where they have gained power. They never allow any real opponent to go into exile and live. He might come back. They are completely logical and, therefore, without the scruples of civilized society—such bourgeois ideas as courts of justice.

I remember my introduction to the pattern in south China 30 years ago. During the warlord period, when a new warlord came in as a conqueror, the elders of a city would send a delegation of the gentry out to receive him with welcome banners.

If he were later forced to retire by another warlord, the new master would be similarly received. The people had no choice except to accept and try to get along with whoever had superior power. No other principle was involved.

When the Communists came up into central China from the south in 1927 or 1928 and captured the city of Kianfu on the Kan River in Kiangsi Province, near where I was working, the Chinese people went out, following the traditional custom, to welcome them. Later the Generalissimo's forces were built up, and he drove the Communists out. The local people came out and received his troops in the usual manner followed by the Chinese through the centuries.

In 1930 the last major civil war broke out, and the Generalissimo had to move his best troops out of the Province of Kiangsi to fight the civil war in the north. When the Communists reentered evacuated Kianfu, they executed 50 percent of the crowds who came out of the city to meet them. The Kan River literally ran red with blood. They were getting a lesson across to everybody in China. It told all Chinese that Communists do not operate like warlords. When anyone welcomes or proclaims his support for the Communist cause, he does not withdraw that support or vacillate, unless he wants to lose his head. The Reds wanted all in China to understand right at the start that there was no middle ground; this was no game. If people accepted communism, they could not smile upon or play footsie with the other side.

This is the pattern of ruthless massacre that Communists follow all around the world when they come to power. And it disturbs me profoundly to witness something that appears very close to it in Cuba. It is bound to alienate sympathy for this new regime, which I think every one of us hopes will do a better job than has been done and will give better opportunity for the Cuban people to improve their lot and develop a genuinely democratic government.

Why do the Communists dare to outrage world opinion, as is inevitable wherever and whenever they do this kind of thing? Because they know that memories are short. People soon forget. If even a superkiller like Mikoyan will come to the United States, smile and talk about trade, plenty of businessmen right here will forget all about the past and bid against each other for the privilege of building up the strength of their enemy so that it will be able to destroy them that much earlier and more completely. The Communists take time to study their intended victims in order to take them in more easily. Ruthlessness in eliminating their enemies has paid off for the Communists; we wine and dine ours.

Mr. Speaker, I hope and pray that the new regime in Cuba does not come under the control of the Communists, who understandably are trying to capture it; because if it does come under Red control, it bodes ill for Cuba and for everybody else in the hemisphere.

Mr. SPRINGER. May I say to the gentleman I hope sincerely that there will be something come out of this government which will be good for the people of Cuba and that they get good democratic government. There is nothing I could hope for more. But, such words as purification as have been used here—that these executions must take place in order to purify the government, are almost the same words used by Communist China in 1949. I am going to reserve my judgment on that point until I see that there is Communist infiltration, but I think it is something for us to be alert to.

THE SITUATION IN CUBA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Minnesota [Mr. JUDD] is recognized for 15 minutes.

Mr. JUDD. Mr. Speaker, I want to develop further the earlier discussion with my colleague, the gentleman from New York [Mr. POWELL]. In responding to any attack on our Government's foreign policy, as he has attacked our policy in Cuba, I think the first thing to do is to clear what that policy has been. The policy that our Government has followed, we do not claim to have followed it faultlessly, has been the policy of strict nonintervention in the internal affairs of any other American country. That policy was first adopted by the American States in 1933 in Montevideo and then made formal in the Bogotá Charter in 1948. Sometimes it requires that we take no action when all our sympathies would move us in one direction or another. Yet this policy has paid off and steady, forward progress has been made under it. When we have departed from it in Argentina, for example, and thrown our support behind the democratic forces opposing the dictator Peron, we enabled him to whip up anti-Americanism, and use it to get elected, and that as much as anything else put him into power. Our intervention injured the cause of democracy rather than served it.

When we were holding hearings on this issue last year we had the testimony of an ambassador here in Washington of one of the major Latin-American powers.

He said:

> There are certain problems, certain discrepancies which arise from time to time in the contact between our country and yours, but I want you to know that the principles which are guiding the policies of the United States in its relations with my country and with Latin America are sound.
>
> • • • • • •
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> If the United States should ever fall into the error of trying to classify governments, of trying to distinguish between governments on the basis of the form that they have, it would be the greatest setback that could possibly happen here in the Americas.

We have had this nonintervention policy for 25 years. We have departed from it a few times, such as in the Argentine episode, and we will doubtless be urged to depart from it again. But look at its results. The newspaper last night had a story about the only dictator left in South America, in Paraguay. That is the fewest there has been in the last 100 years. By resolutely sticking to a policy of friendship and nonintervention, democracy has grown more rapidly and more solidly in the Western Hemisphere than at any time before.

This policy is admittedly difficult, and nobody will ever be wholly happy with it. The governments that are in want us to give more aid to help them stay in. The ones who are out and are trying to get in want us to shut off aid to the existing government, and give it to them. But, by nonintervention, we have the best chance of promoting the forces of freedom and of democracy.

Now let us look at Cuba in terms of that overall policy. Cuba's history has always been very closely tied to that of the United States, largely because of its physical proximity. The relations between our two peoples have long been close and cordial. Cuba's closest point is 90 miles from the United States, and large numbers of tourists and business people exchange visits every year.

The United States Government recognized and dealt with the Batista government as the constituted government of Cuba. Our position was not at all unique there. It was exactly the same position that all other countries in the hemisphere were following. They were maintaining relations with the Cuban Government, without exception. The 1948 Bogotá Charter specifically states that establishment or maintenance of diplomatic relations with other nations of the hemisphere carries no implication of approval of the acts of any other government.

Our relations with all American nations are based on scrupulous respect for their sovereignty. The Department of State consistently took the position with respect to the Cuban troubles that the resolution of their internal political problem was a matter for the Cuban people themselves and themselves alone.

On the other hand, the U.S. Government in its own interest decided in March of 1958, that the grant or the sale of arms to the Batista government should be suspended as long as the political tensions remained high in Cuba. Such suspension was instituted on March 14, I am advised, not March 22 as the gentleman from New York [Mr. POWELL] stated.

I have served on the Committee on Foreign Affairs all these years during which we have developed the foreign aid program. As the gentleman from New York correctly said, a government, in order to get foreign aid, has to make certain commitments that the weapons will not be used for other than the common purposes agreed upon, in this case, the common defense of the hemisphere. We have tried to get them all to stick to that, but we have not had perfect success. France used some of our materiel against rebels in Algeria, which was in violation of her agreement with us. Several other countries have been in violation. In each case we clamped down on them just as quickly as we could, but we could not send the Marines or an army to try to prevent the violation. When the Batista government began to use military assistance that we had given to Cuba for certain defined and agreed-upon missions having to do with the defense of the hemisphere, for the suppression of the internal revolt, we unilaterally suspended any further military assistance to his government. We informed it that we would continue that policy as long as the Cuban Government itself continued to alienate public opinion at home and abroad by failing to seek a political solution satisfactory to the people of Cuba, and insisting exclusively on repression and force of arms.

Our Ambassador informed the Cuban Government of our position on several occasions. The U.S. Government, of course, also sought to prevent arms contraband traffic when that was being attempted by each side, particularly by the Castro supporters, in violation of our Federal laws.

With respect to this matter of violence, during the last 2 years Cuba has been involved in a civil war of increasing violence, culminating in the overthrow of the Batista regime. As usual, there was something to be said on both sides. For instance, a year ago this month the Batista government took what was generally conceded to be, according to widespread editorial opinion, an important first step in trying to bring about a climate suitable for the preparation of elections scheduled for last June. It lifted the suspension of constitutional guaranties which had been in effect six times since 1951 in all but one of the six provinces. When it lifted the suspension of the constitutional guaranties, the Castro military opposition to the government reacted by stepping up its sabotage and terrorism all over the place. There was reason to believe that the opposition wanted the government to reimpose the suspension of constitutional guaranties in order to give it that much more of a weapon to whip up public opinion against the government.

No government in power, whether legitimate or otherwise, is likely to continue full constitutional rights and privileges if those privileges are taken advantage of to increase the disorder and the efforts to overthrow the government. So the Batista government again suspended constitutional guaranties in March, 2 months later. We did not like it, but we are not in control of Cuba and we had to stick to our policy of nonintervention. But it was at this point that we did suspend our military aid.

Any such situation, of course, breeds violence and reprisals on both sides. There have long been reports that the Cuban police and other Government agents tortured and killed thousands of their fellow citizens. The Government employed other harsh, repressive measures to discourage or put down the revolt. The opposition also resorted to violence to achieve its ends—and that seems to have grown since the success of the movement. There were instances of assassination by the Castro forces and widespread terroristic practices, including the bombing of theaters and schools as a weapon in the conflict, designed to intimidate the public and the Government.

Something has been said about the United States as an alleged haven for dictators. The facts are these: All over Latin America the granting of asylum in embassies to political exiles is an established tradition. The United States normally does not grant such asylum in its embassies. Instead the United States has traditionally granted asylum by opening its doors to exiles from Latin America and other parts of the world who meet the requirements set out in our immigration laws. Several thousand Cuban opponents to the Batista Government in recent years found a haven in the United States during their period of exile from Cuba. It might be said at this point that some of these Cuban exiles behaved badly while they had sanctuary in the United States. The newspapers have carried many accounts over the past 2 years of their illegal activities of various kinds in this country, and of seizures by our authorities of arms which certain of these exiles had attempted to smuggle from the United States.

It would probably be well to look carefully at any proposed changes in our immigration laws to exclude dictators since the term would be difficult to define. But in any case Batista did not seek asylum here. He could apply for admission now only under our regular immigration laws.

Mr. Speaker, I hope we will consider these complicated problems from the long range point of view, not explode at either side right now. We should use our good offices wherever we can in line with the policy of all the governments of the Western Hemisphere—nonintervention, while sympathetically doing all we can to bring to an end what is being called a blood bath, so that the people of Cuba can have order with restoration of individual freedom and courts of justice, and can go ahead to improve the lot of their people.

The question has been raised of economic aid for the new Cuban Government, and I want to say something about that. The U.S. attitude on this matter was stated in our note of January 7 in which recognition of the new Cuban Government was granted. This note expressed the sincere good will of the U.S. Government and people toward the people and Government of Cuba. While I understand no request for economic aid has been received from the new Government of Cuba, my colleague from New York who seems to be in closer touch, has suggested that they need large amounts of aid urgently. They tell me downtown that any request received will be considered sympathetically and carefully by our Government, with a view to seeing what can be done to aid the Cuban Government in taking care of its economic problems in the light of prevailing conditions.

I understand the Cuban authorities are at this moment assessing the economic situation and I would not expect that they would wish to discuss their needs, if any, with us until they have completed the study of their situation.

Mr. Speaker, if we hold this door open for economic assistance and cooperation whenever they qualify so that we are justified in giving such assistance, I hope that will be a stabilizing factor. It may influence the hotheads which are present in every revolutionary movement to calm down, give security to the people, and resume internal economic activities as well as trade with the rest of the world.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman yield just for a statement and a question?

Mr. JUDD. I yield to the gentleman from Iowa.

Mr. SCHWENGEL. First, I want to say that I am indeed gratified that we have a man of the gentleman's caliber

to talk to us on these important subjects that relate to our foreign affairs and our problems.

I am thankful the gentleman is taking the floor today to give us the benefit of this enlightened statement on these problems as he understands them, and which I know is based upon a great deal of study and devotion and, certainly, not without a great deal of experience, probably more experience than any other Member has had in the House of Representatives. We are fortunate to have people like the gentleman from Minnesota who are students in these matters and who give us the benefit of their thinking, and on occasion afford us an opportunity of becoming better posted on this subject ourselves.

Mr. JUDD. I thank the gentleman, and only wish his kind comments were more fully deserved.

Mr. SCHWENGEL. What I have to say to you, sir, is certainly true about the members of our loyal opposition and many of the members of the Committee on Foreign Affairs and many other Members of the House who have a like devotion and desire and interest to solve this very difficult problem on many fronts.

Now, I have a question I would like to ask the gentleman to see if you agree with me that our program in foreign affairs is, or should be, a program to develop and create an atmosphere where liberty and freedom can grow and expand, and if that happens, the outlook for peace and understanding is more hopeful than otherwise. Is that a true statement?

Mr. JUDD. It is. That has been the historic position of the United States Government and it is the present position. Any other position by any Government of the United States under whatever party would be rejected by the American people. I hope and I certainly believe that the American people will always insist that their Government stand only for policies that will promote freedom under law, provide greater opportunity for people to better their living conditions and encourage better relations throughout the world and therefore peace.

Mr. SCHWENGEL. I thank the gentleman. One further question. Is it not true too, that as we develop these atmospheres and, if and when, we help in the establishing of free governments and governments of the people, we have to recognize that this government of the people has to develop by stages, which is characteristic of the development of our way of life here; and also that we ought to teach our people to understand that we need to be patient in the development of this type of thing. Where foreign nations want and desire these things, they need a degree of patience and understanding.

Mr. JUDD. Yes, indeed. Sometimes we get impatient over the failure of other countries to come along as rapidly as we would like. While about a third of the people in the world have lost their political independence to the Communists since the last World War, about a third of the people in the world have gained their political independence. These newly freed countries are trying to move in some cases, so to speak, from about the 2d grade to the 12th grade all in one jump. The problems are gigantic. I oftentimes try to remember our own country at a time when we were already more than 30 years old as a nation, right at the end of the War of 1812. Conditions were so bad in this country, there was so much graft and corruption and division between the different parts of the country that the people of New England, you will recall, met at Hartford, Conn., and solemnly voted to secede from the Union. Many were ready to give it up as a bad job, because it did not seem possible to get the Thirteen Colonies working together as one Union. It was probably only the word of Jackson's victory at New Orleans which came just then that pulled them together and gave them the will to keep trying. So, whenever we are inclined to be impatient because of some of these difficulties, or even excesses elsewhere, and there is a demand for a sudden change in our basic policy, I recall with gratitude how patient some other people were with our country while we were going through our growing pains. I trust that we will keep our foreign policy on an even keel through these difficult days.

CUBA

Mr. BOW. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, I have been very much interested this afternoon in the discussions on foreign relations and affairs as they relate to Cuba.

The Castro government has been in power for about a week. This House has been organized about the same length of time. It seems to me we have discussed more the affairs of Cuba than we have the affairs relating to our own Nation since our organization. I believe there are times when we are a little too hasty in taking positions on matters as serious as those in Cuba, upon which we are only informed by what we read in the papers or see and hear on the television and radio. Perhaps sometimes we should restrain ourselves from taking those positions, pro or con, relating to these new governments and their action. It is more of interest to us that we do those things that are necessary for our own country and that Congress begin to look after our own people.

I am always interested when we get into situations such as this, to hear everyone begin to talk about fair trials. Everyone begins to talk about the fact that they should have jury trials, that they should have the right to present their evidence. Here again I stand on the floor of this House, not having been able yet to convince my colleagues that American soldiers serving overseas in the uniform of the United States, following their flag wherever it may go, are denied constitutional rights that have been guaranteed to them. I hope that in this, the 86th Congress, we will be able to rally the forces which will write legislation to assure, not the men of the revolution of Cuba or the defenders of Batista or any other dictator or any other revolutionists their rights to proper trial and the right of trial by jury, but I hope that this Congress will enact laws to see that American servicemen, serving their country abroad, the right guaranteed by the Constitution, and that we will pass some legislation which will amend and correct the iniquitous status of forces agreement.

A BILL TO CLARIFY THE PRIVILEGES OF D.C. TRANSIT MONOPOLY AND TO RESTORE THE RIGHTS OF SMALL BUSINESSES IN COMPETITIVE FIELDS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I wish to call attention to a most distressing, unfair, and unusual situation in the District of Columbia, involving approximately 100 small operators in the sightseeing industry who are in danger of being forced out of business by the D.C. Transit System, Inc.

This state of affairs is the result of special privileges accorded to the D.C. Transit System, Inc., under Public Law 757, 84th Congress. Public Law 757 grants the corporation a franchise to operate a mass transportation system in the District of Columbia and surrounding area. Section 6 of said law authorizes the corporation to engage in charter and sightseeing services subject to compliance with applicable laws, rules, and regulations of the District of Columbia. Sections 8 and 9 grant special benefits, including exemption from District of Columbia taxes, such as motor fuel tax, excise taxes, sales tax, mileage tax, and personal property taxes.

Aside from the privileges given to the D.C. Transit System by the Congress, the corporation possesses the substantial advantage of being able to reach into its $25 million annual revenue for underwriting its losses in sideline businesses, and of being able to use mass transit facilities—personnel, equipment, garage, and maintenance—in the operation of enterprises such as sightseeing, charter, limousine, and Government contract services. The president of the D.C. Transit System has said:

> It is not only taxes but our maintenance is lower. We can't help it. Our ability to do lower cost maintenance—that is the basic difference between us. (House Small Business Committee hearings, p. 11.)

I am informed that one company, the Gray Line, Inc., has lost about $250,000 in business to the D.C. Transit System, Inc., and that, subsequent to the hearings of the House Small Business Committee, four members of the Washington

Sightseeing Operators Association have lost hotel and motel concession to D.C. Transit. The following letter from the association sets forth the losses of its members.

WASHINGTON SIGHTSEEING
OPERATORS ASSOCIATION, INC.,
Washington, D.C., January 2, 1958.

Congressman WRIGHT PATMAN,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN PATMAN: Since the close of the hearings of the House Small Business Committee, four members of our association have lost sightseeing concessions to the D.C. Transit System, Inc.

The concessions involved are the Ainsworth Motel, the Park Silver Motor Hotel, the Commodore Hotel, and the Franklin Park Hotel. They were operated by Eugene George, Frank P. Enfante, Paul A. Swan, and the writer, respectively.

In the case of Paul A. Swan, on October 1, 1958, the Commodore Hotel management informed him that, effective October 15, 1958, his company, Federal Sightseeing Tours, could no longer have the sightseeing concession at that hotel. Mr. Swan's successor, of course, was the D.C. Transit System.

Mr. Swan paid the Commodore Hotel $75 per month for the sightseeing concession. His gross revenue was about $6,000 annually. He has been told that the D.C. Transit System is paying the hotel considerably more, in the form of a percentage. In fact, the manager of the Commodore Hotel informed him that he could not possibly meet D.C. Transit's proposition.

This is the second time since the spring of 1958 that Mr. Swan has lost a hotel concession to D.C. Transit. This put him out of business. His testimony at the House Small Business Committee hearing on May 12, 1958, describes his loss of the concessions at the Stratford Hotel.

Where are the good motives and high principles articulated by Mr. O. Roy Chalk, president, D.C. Transit System, Inc., during the hearings of the House Small Business Committee and to the press, in statements such as, "I have no desire to put small businesses out of business—will be delighted to help them" (House Small Business Committee hearings, p. 9), "I wouldn't hurt anyone, particularly small businessmen" (Washington Star, May 14, 1958), "I am not out to put anybody out of business" (Washington Star, Aug. 4, 1958)?

We cannot conceal our feeling of indignation when we compare our situation with that of Mr. Chalk, the owner of the D.C. Transit System, Inc., a corporation doing $25 million annually. He has been reduced to fretting in an 83-foot yacht called *Blue Horizons* (formerly named *New Horizons*), because an inquisitive 85th Congress questioned his business practices, and the officials of the District of Columbia will not grant him his every wish.

Thus, Mr. Chalk keeps imploring the Congress for more subsidies. They help finance his competition with taxpaying businessmen and pay the rent for a $1,000-per-month suite at the Mayflower Hotel, vacation trips, dinners at plush restaurants, and numerous other luxuries amounting to $69,000, all of which he charged to the D.C. Transit System, Inc. Of course, such subsidies, borne by the taxpayers, including myself and all other D.C. Transit competitors, do make it easier for Mr. Chalk to cope with the high cost of living high.

It is only a matter of time before we will all be out of business, unless the Congress provides adequate protection for us against the competition of the D.C. Transit System, Inc. The enactment of your bill, H.R. 13767, seems to be our only hope.

Sincerely,

RAYMOND WARRENNER,
Secretary.

Up to now, the D.C. Transit System has declared total dividends of $690,000 in its 29 months of operations; $290,000 was paid in December 1957; $100,000 was declared on September 2, 1958; another $100,000 dividend was disclosed on November 22, 1958; and $200,000 was declared in December 1958. The $690,000 represents a return of 138 percent on the $500,000 equity capital invested by TCA Investment Corp. The stock of D.C. Transit System, Inc., is held by TCA Investment Corp., a wholly owned subsidiary of Trans-Caribbean Airways, a corporation of which Mr. and Mrs. O. Roy Chalk own more than 70 percent of the shares—House Small Business Committee hearings, page 146.

On May 12, 16, and 19, 1958, the House Small Business Committee held public hearings regarding the complaints of D.C. Transit's competitors. This was done upon the request of Hon. JOHN L. MCMILLAN, chairman, House District Committee. I submitted a report to Chairman MCMILLAN with the following letter of transmittal, dated July 31, 1958:

LETTER OF TRANSMITTAL

JULY 31, 1958.

Hon. JOHN L. MCMILLAN,
Chairman, Committee on the District of Columbia, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I am pleased to transmit to you herewith a report by me covering those hearings which our committee recently concluded dealing with the complaints of small and independent sightseeing companies in the District of Columbia.

You will recall, Mr. Chairman, our discussions and conferences concerning this matter at the conclusion of which you expressed to me a desire and a request that our committee conduct these hearings in order to develop information respecting those factors that appeared to be operating to the prejudice of the small business members of that industry.

In view of the fact that the adjournment of Congress is imminent, I have prepared this report which I trust will be of value to you in connection with your consideration of the situation.

Mr. Chairman, I wish to emphasize that the competitive situation confronting the small and independent sightseeing companies operating in the District of Columbia is serious and, unless remedied immediately, must inevitably lead to their extinction.

I do not believe that the D.C. Transit System, Inc., which was granted a monopoly in mass transportation in the District of Columbia and, among other benefits, a subsidy in the form of tax exemption by the Congress, should be permitted to utilize any part of its revenues of $25 million annually, derived from bus and trolley riders, and the advantages inherent in its ability to use mass transit facilities, such as equipment, garages, maintenance, and personnel, in competition with any taxpaying businessmen whether in charter and sightseeing, limousine, helicopter, or other industries.

In addition, to date, Mr. Chalk has requested a subsidy on school fares, a rate increase, an increase in rate base, and extension or elimination of his obligation to remove streetcar tracks (estimated cost $10 million). These concessions would provide Mr. Chalk with still larger revenues for competition with taxpaying businessmen.

I cannot believe that the Congress, in granting the franchise to D.C. Transit System, Inc., (Public Law 757, 84th Cong.), realized the consequences which that franchise, as interpreted and applied to date, was bound to exert upon the small business members of the sightseeing industry here in Washington. As you know, the franchise grants sweeping and unique benefits, including tax exemptions, to the Transit System. These advantages have been applied and utilized as an effective competitive weapon which can result in the D.C. Transit System acquiring a monopoly in the sightseeing field in this area. I am confident that the Members of Congress, at the time they voted for this franchise, understood and believed that the benefits thereby conferred would be used to promote the advancement of the mass transportation system under private enterprise in the District of Columbia. Certainly, the Members had little, if any, reason to anticipate that their beneficence would be converted into destroying private enterprise in the sightseeing industry.

In view of all the foregoing, I urge that you consider this matter at the earliest possible date in order that the Congress may be given the opportunity of acting thereon prior to adjournment.

Sincerely yours,

WRIGHT PATMAN,
Chairman, Select Committee on Small Business.

We must not permit such injustice to exist in our Nation's Capital. Indeed, if any one of us had a similar situation in our own districts, we would take quick action to correct the inequities. The D.C. Transit System interprets its franchise as if the Congress had offered it a bounty to exterminate competitive enterprises.

CONGRESSIONAL ACTION IS REQUIRED TO SUPPLEMENT THE PARTIAL RELIEF WHICH CAN BE PROVIDED BY THE DISTRICT OF COLUMBIA AUTHORITIES

A. Tax exemption: The Board of Commissioners of the District of Columbia have adopted the view that the D.C. Transit operations in the charter and sightseeing field are entitled to the statutory tax exemptions. They hold that when Congress enacted section 6 of the Franchise Act, which authorized such activities, it meant to exempt those activities from the various taxes specified in sections 8 and 9. This view is based on the opinion of Corporation Counsel of May 6, 1958, adopted by the Board of Commissioners on the same date.

President McLaughlin, however, was frank to admit that, at best, the act was ambiguous in this respect. As he stated—record, page 24:

> This statute was pretty vague in many respects.

In my opinion, the statute, properly construed, was not ambiguous to this extent. I am confident that Congress did not intend to exempt charter, Government contract, and sightseeing operations from normal taxation and that the statute does not so extend the exemptions. Section 6 specifically provides that charter and sightseeing activities are to be carried on subject to the applicable laws of the District of Columbia. These laws must by definition include the taxation and revenue laws of the District. I believe that with this plain, though economical, language, Congress specifically declared that the activities authorized by section 6 were to be taxed, and explicitly ruled out extension of the exemptions in sections 8 and 9. In my view, the Corporation Counsel and the Board of Commissioners misinterpreted the statute and misconstrued the intent

of Congress when they held that the tax exemptions of sections 8 and 9 reached these collateral enterprises.

The interpretation of the District authorities, moreover, implies that Congress intended here to abandon policies which have long been fundamental to the body of national economic legislation; that is to say, the policy in preserving competition and fostering and protecting small and independent businessmen such as the businessmen engaged in charter and sightseeing operations in the Washington metropolitan area. To have granted a large company such as D.C. Transit a tax concession in its competition with small and independent businessmen, especially where this corporation was able to draw on resources built up in a legal monopoly, would have been totally inconsistent with this long tradition. There is no evidence that Congress was so motivated. In adopting the Franchise Act, it was concerned with establishing a successful transit enterprise within the District. The important tax concessions of sections 8 and 9 were extended for this purpose alone. Congress did not intend thereby to set D.C. Transit on the road of monopolization in fields extraneous to mass transportation.

The Board of Commissioners and the Corporation Counsel determined that the tax exemption of sections 8 and 9 extended to charter and sightseeing activities authorized by section 6 on the single ground that sections 8 and 9 spoke in terms of "The Corporation." They reasoned that since the charter and sightseeing activities were carried on by "The Corporation," the tax exemptions extended to the entirety of the corporate activities, including the nonfranchise operations. This liberal construction, however, conflicts with both a previous determination of the Corporation Counsel and with well settled rules of interpretation of such matters.

As to the first, Corporation Counsel has already determined that the tax exemptions in sections 8 and 9 do not extend to all activities carried on by the corporation. In his opinion dated January 17, 1957, he ruled that the company was liable for the payment of taxes in connection with the purchase of limousines in spite of the fact that those limousines were purchased by the corporation. This was ratified by the Public Utilities Commission in *In the Matter of the Net Operating Income of D.C. Transit System, Inc.* (PUC No. 3592), November 27, 1957. Hence, the District authorities have already determined that the use of the words "The Corporation" in sections 8 and 9 would not impliedly extend the tax exemptions of those sections to all corporate activities.

Furthermore, even if the District officials believed that the Franchise Act was ambiguous in respect to charter and sightseeing activities, they should have construed the ambiguity in favor of the tax. It is, of course, within the power of Congress to grant tax exemption. It is also within the power of Congress to make such tax exemptions irrevocable by way of contract. But it has long been a fundamental canon of construction in respect to such immunities that they are to be strictly construed and that no exemption may be claimed unless it is expressly and unconditionally granted in specific terms. As the Supreme Court stated in the early case of *Minot* v. *Philadelphia, Wilmington and Baltimore Railroad Co.* (85 U.S. 206, 225–226 (1874)):

> • • • The power of taxation is an attribute of sovereignty, and is essential to every independent government. As this court has said, the whole community is interested in retaining it undiminished, and has "a right to insist that its abandonment ought not to be presumed in a case in which the deliberate purpose of the State to abandon it does not appear." *Bk.* v. *Billings* (4 Pet. 561). If the point were not already adjudged it would admit of grave consideration, whether the legislature of a State can surrender this power, and make its action in this respect binding upon its successors, any more than it can surrender its police power or its right of eminent domain. But the point being adjudged, the surrender when claimed must be shown by clear, unambiguous language, which will admit of no reasonable construction consistent with the reservation of the power. If a doubt arise as to the intent of the legislature, that doubt must be solved in favor of the State.

The broad construction of tax exemptions has been rejected in innumerable cases. The statement of the Court in *Seton Hall College* v. *South Orange* (242 U.S. 100 (1916)), is directly in point:

> To all claims of contract exemption from taxation, must be applied the well-settled rule that, as the power to tax is an exercise of the sovereign authority of the State, essential to its existence, the fact of its surrender in favor of a corporation or an individual must be shown in language which cannot be otherwise reasonably construed, and all doubts which arise as to the intent to make such contract are to be resolved in favor of the State. *Hoge* v. *Richmond & D.R. Co.* (99 U.S. 348, 354, 25 L. Ed. 303, 304); *New Orleans City & Lake R. Co.* v. *New Orleans* (143 U.S. 192, 195, 36 L. Ed. 121, 122, 12 Sup. Ct. Rep. 406); *Wilmington & W.R. Co.* v. *Alsbrook* (146 U.S. 279, 294, 36 L. ed. 972, 978, 13 Sup. Ct. Rep. 72); *Phoenix F. & M. Ins. Co.* v. *Tennessee* (161 U.S. 174, 179, 40 L. Ed. 660, 662, 16 Sup. Ct. Rep. 471); *Yazoo & M. Valley R. Co.* v. *Adams* (180 U.S. 1, 22, 45 L. Ed. 395, 407, 21 Sup. Ct. Rep. 240).

This rule of strict construction is doubly applicable in this case in view of the fact that the claim for tax exemption is based on a franchise between the company and the United States, for it is the universal rule that such franchises must be limited to their terms. As stated in *Broad River Power Co.* v. *State of South Carolina* (281 U.S. 537, 548 (1930)):

> The very fact that legislative acts of this character are commonly prepared by those interested in the benefits to be derived from them, and that the public interest requires that they should be in such unequivocal form that the legislative mind may be impressed with their character and import so that privileges may be intelligently granted or purposely withheld, has firmly established the rule that they must be strictly construed, and that any ambiguity or doubts as to their meaning and purpose must be resolved in favor of the public interest. (*See Blair* v. *Chicago, supra* (p. 471 of 201 U.S. 26 S. Ct. 427, 50 L. Ed. 801). *Northwestern Fertilizer Company* v. *Hyde Park, supra* (p. 666 of 97 U.S. 24 L. Ed. 1036). "The rule is a wise one; it serves to defeat any purpose concealed by the skillful use of terms, to accomplish something not apparent on the face of the act, and thus sanctions only open dealing with legislative bodies." *Slidell* v. *Grandjean, supra* (p. 438 of 111 U.S., 4 S. Ct. 475, 487, 28 L. Ed. 321).

Where, as here, a tax exemption is provided as part of a franchise or corporate authorization, the exemption is limited to the property and operations contemplated by the franchise or authorization. In this case, D.C. Transit was enfranchised for the single purpose of insuring a successful and efficient mass transportation system in the District of Columbia. Thus the contractual tax exemptions must be interpreted as extending only to property and operations used exclusively for that purpose. As stated in *Bank of Commerce* v. *Tennessee* (104 U.S. 493, 497 (1882)):

> The doctrine declared in them [i.e., certain cited cases] that the exemption, in cases like the one in the charter before us, extends only to the property necessary for the business of the company, is founded in the wisest reasons of public policy. It would lead to infinite mischief if a corporation, simply by investing its funds in property not required for the purposes of its creation, could extend its immunity from taxation, and thus escape the common burden of government.

The opinion of the Corporation Counsel of the District of Columbia disagrees with these rules of construction. Under its view, the tax exemption provided by Congress can, under certain circumstances, be exploited to provide for a dollar-for-dollar subsidy out of District of Columbia tax revenues for deficit competition by D.C. Transit against independent small businessmen. Unless relief through reinterpretation is forthcoming Congress should act to make clear its original intention in this matter.

Under dates of July 10 and July 14, Mr. Roy Chalk, president, D.C. Transit System, Inc., informed the District of Columbia Public Utilities Commission of his desire to make the following concessions in order to solve the problems of his competitors in charter and sightseeing:

First. To pay voluntarily from July 1, 1958, forward, the District of Columbia motor-fuel tax on all of our sightseeing operations.

Second. To work out, if possible, an agreement with the staff of your Commission, as to a set of rules for the allocation of all appropriate items to our sightseeing, charter (including Government contracts) and limousine operations; and

Third. To exclude all sightseeing, charter—including Government contracts—and limousine operations, profits and/or losses, for purposes of all present and future rate proceedings or determinations.

Concession No. 1 does not mention other District of Columbia taxes from which D.C. Transit is exempt. Further, the complainants assert that—

> The offer that the D.C. Transit System made to the PUC to pay motor fuel tax on sightseeing and charter, excluding Government contract services which bring the corporation about $200,000 gross revenue, does not solve the basic inequities in this situation. This concession has no effect on D.C. Transit's singular ability to use mass transit revenue and resources to underwrite its losses in sightseeing, charter, and related services.

As for concessions Nos. 2 and 3, the newspapers have reported that interpretations of them resulted in frequent verbal skirmishes between attorneys for D.C. Transit and the Public Utilities Commission during rate hearings in July–August 1958. D.C. Transit's competitors maintain that interpretations of those concessions by D.C. Transit officials at PUC rate hearings prove that the concessions are ineffectual. They declare that—

The Public Utilities Commission's separation of expenses of the mass transit system from those of sightseeing and related services, on D.C. Transit's books, will not resolve the problem. Such segregation on the books of a large corporation has inherent difficulties; allocation of costs and assets, as any businessman knows, is a matter of judgment. Mere accounting separation will not even up the terms of the competitive struggle. There are innumerable examples of where allocation would default, such as what percentage of storage costs of vehicles might be allocated, and what percentage of depreciation costs might be allocated.

The following are excerpts of letters, addressed to the House Small Business Committee by two D.C. Transit competitors, in reply to certain assertions made by Mr. Chalk in a supplemental statement he submitted to the committee under date of July 18, 1958:

ROBERTS & MCINNIS,
Washington, D. C., July 28, 1958.

HON. WRIGHT PATMAN,
Chairman, Small Business Committee, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: As counsel for Safeway Trails, Inc., * * * we are concerned with the assertions of Mr. Chalk as follows:

(1) "After studying all of the pertinent facts, we at D.C. Transit concluded that we would be entitled to the full rate increase requested by us in the PUC rate case even after the allocation and exclusion requested by the PUC staff. In addition, we noted that our rate of return was so far below the amount authorized by the Congress that it was of no consequence whether or not we allocated the above-described operations, even if such operations were incurring the losses alleged by the staff of the PUC." (Quotation from Mr. Chalk's supplemental statement, July 18.)

Our reply: Exhibit B, to which this statement is related, was a letter dated July 10 and addressed to the committee. It purported to make voluntary concessions which would alleviate unfair competition with other motor carriers operating in the Washington area. In this connection, Mr. Chalk, supposedly with the authority of his corporation, volunteered from July 1, 1958, to pay District of Columbia motor vehicle fuel tax on sightseeing operations; to work out with the District of Columbia Public Utilities Commission a set of accounting rules for the allocation of all appropriate items of the sightseeing operations; and to exclude all sightseeing operations profits and/or losses for purposes of all present or future rate proceedings or determinations. Subsequently, under date of July 14 (exhibit D of Mr. Chalk's communication), he agreed to amend his July 10 letter so as to extend to charter (including Government contracts) and limousine operations, the principle of allocation of expenses. On July 14, however, as a result of embarrassing lack of coordination between Mr. Chalk and Mr. James B. Flannigan, vice president and controller of D.C. Transit System, Inc., the latter presented to the Public Utilities Commission in the District of Columbia increased fare case a communication in ostensible compliance with an earlier mandate that the accounts be correctly allocated, in which he insisted that such allocation was being prepared only by order of the Commission; that he personally disapproved of it; and that he considered that the huge losses encountered in the promotion of sightseeing, charter, and governmental operations business were justified in the interests of creating a glamorous public relationship with the normal city transit bus operation. Subsequently, Mr. Flannigan, who clearly is the operating head of Mr. Chalk's Washington properties, modified his position in purported compliance with the Chalk agreement, but the allocation studies which he submitted to the District of Columbia Commission made it very clear that the compliance was in theory only and that the D.C. Transit Co. intended to negotiate with the staff of the Commission an arrangement under which a very large part of the losses and extravagances of the extracurricular services of D.C. Transit would remain buried in the subsidized accounts of the company. Illustratively, he proposed that only 50 percent of the promotional exepnses assignable to or identified with charter operations would be deducted from the operating expenses of the city service. With respect to Government contract operations in which D.C. Transit competes with other qualified and licensed operators in the District of Columbia, Mr. Flannigan proposed that none of the costs attributable to depreciation, general overhead, or management, or solicitation of the Government contract business through officers, employees, and retained organizations, should be excluded from the operating expenses of the mass transportation operation. The data which he submitted, supposedly in accordance with the agreement of full allocation and exclusion of the special services, in no sense were commensurate with the costs that totally separate and competitive operations would encounter. This was the D.C. Transit compliance with representations made by Mr. Chalk to the committee. It is quite understandable that Mr. Flannigan could testify under oath to the District of Columbia Public Utilities Commission that the changes as a result of his allocation of charter, etc., services were not significant.

(2) "As the result of my two letters to the PUC, it is clear that the so-called issue of subsidy is no longer a realistic issue. After I filed my letters of July 10 and 14 in the present PUC rate case, the PUC ruled on July 15, 1958, that the question of subsidy is no longer an issue in the present D.C. Transit rate case before the PUC. Over the objections of counsel for Gray Line and our other competitors, the PUC has now conclusively ruled that in view of my concessions, the matter of the alleged subsidy was not an issue in that proceeding or in any future transit rate case." (Quotation from Mr. Chalk's supplemental statement, July 18.)

Our reply: The statement is not only untrue, it is ridiculous. The congressional legislation makes the question of subsidy an imperative part of every rate case involving the D.C. Transit Co. The Commission did not rule that the question of subsidy or even the question of competition of subsidy upon inflated operating bases was to be excluded from the case and, in fact, it has been the subject and will be the subject of intensive cross-examination and substantial affirmative evidence. It is to be noted in this connection that Mr. Chalk concedes the hypocritical character of his concession. On the same page, he says:

"Because I am so certain that there is no subsidy in fact and because I am so certain that the PUC will so find, I have agreed to make the concessions which I have described in my letters to PUC Chairman George E. C. Hayes of July 10 and 14 (exhibits B and D enclosed herewith)."

If Mr. Chalk was advised and assumed that the inclusion of the deficits in the special services operations were inconsequential or unimportant, it is clear that his concession of absolute allocation was fictional.

(3) At page 32 (of Mr. Chalk's supplemental statement, July 18), after saying that PUC staff member Falk has shown a loss of $200,000 in the 1957 transit sightseeing operations of D.C. Transit, the letter stated:

"If, moreover, the charges for such labor and equipment are charged to sightseeing, then the equivalent amount of such expenses should be withdrawn from the mass transit charges, thereby increasing mass transit profits accordingly. If, therefore, it is said that sightseeing operations resulted in a loss, it necessarily must follow that our other net profit was understated proportionately by the absorption in sightseeing operations of costs which otherwise would have been charged to mass transit operations."

This is plain gobbledygook. Obviously, if the correct accounting with full allocation to the special services is maintained, the operating expenses of the mass transportation services would be less, the increase in rates required of the public would be less, and the loss reflected in the company's demand for increased schoolchildren fares would be substantially less. The difficulty lies in the fact that the basic book records maintained by D.C. Transit erroneously bury the special service losses and it requires persistent accounting detective work to untangle the basic errors. The alternative would be a mandatory, if not statutory, provision that prohibits the inappropriate accounting.

(4) "Finally, as I pointed out above, the overall result of sightseeing sales promotion has been to increase gross passenger revenues through the inducement to more persons to ride our streetcars and buses. All of the upward turn in passenger revenues should be attributed to our sales promotion work in the sightseeing business." (Quotation from Mr. Chalk's supplemental statement, July 18.)

Our reply: This is a plainly dishonest statement. It is not necessary to in any sense depreciate the superiority of Madison Avenue approach which Mr. Chalk has applied to our District of Columbia transit situation in order to reach a conclusion that unlimited advertising and promotion of a competitive non-mass-transportation service at the expense of the mass-transportation public must be restricted. If the airline owners of the D.C. Transit System are willing to expend their own capital (apart from Federal subsidy for airlines) in efficient promotion of the sightseeing business, and if this relationship can be policed under a private ownership subsidy policy, there could be no valid objection from their competitors. However, basic commonsense indicates restriction on monopolistic access to the public purse or to the pocketbooks of the mass transportation riders.

The seriousness of the fundamental issue before this committee is acknowledged. Every major city in the country is confronted with the necessity of a solution of the transportation problem involved in preventing further decay of the central city area because of the departure to the suburbs. Some seek solution in governmentally owned operations. In the District of Columbia, Congress has at least tentatively imposed a system of semiautomatic rate increases and public subsidy. In the meantime, the engineers have spent hundreds of thousands of dollars in reaching technical solutions which require the use of long-distance buses, suburban buses, and even new rail transit systems. Any conclusion of this committee which would destroy other existing transit and transportation facilities prior to their use in the composite system and at the public expense would be very unfortunate.

WILLIAM A. ROBERTS,
Counsel for Safeway Trails, Inc.

THE GRAY LINE,
Washington, D.C., July 23, 1958.

Hon. WRIGHT PATMAN,
Chairman, House Small Business Committee, House of Representatives, Washington, D.C.

DEAR MR. PATMAN: Mr. Chalk seems to imply he has remedied the inequity of this situation by his letters of July 10 and July 14, 1958. He claims too much. Those letters do not propose anything like competitive equality. * * *

Mr. Chalk states that in those letters he has agreed to allocate sightseeing, charter, and limousine losses out of his corporate expenses for purposes of rate proceedings before the Public Utilities Commission. This kind of assurance might easily be misunderstood by the committee. It would have no effect on D.C. Transit's singular ability to use its mass transit revenues and resources to underwrite its competitive losses in charter and sightseeing. Furthermore, in spite of the fact that the committee's own hearings demonstrated that Mr. Chalk's charter and sightseeing losses were not less than $193,000 (hearings, transcript, p. 87), he has recently submitted a schedule, purportedly pursuant to this agreement to allocate, which shaves those losses down to $30,000 and dramatically illustrates the pitfalls of D.C. Transit's own self-serving allocations in these matters.

In short, it is spectacularly not true that Mr. Chalk's letters of July 10 and 14 to the Public Utilities Commission rendered academic and moot the basic issues in the committee investigation or answer completely all of the matters as to which the public hearings were presumably called to investigate (p. 20). The complaints which the committee heard in its investigation were leveled at D.C. Transit's ability to use its revenues and resources to compete at a loss with the independent charter and sightseeing companies in the area, a circumstance which unless remedied will inevitably lead to a monopoly of a once competitive industry. The Commission, on the other hand, is concerned with the quite different issue of transit rate levels. Hence, regardless of the state of the record, the Commission could not issue relief in that proceeding which will have any effect on the circumstances of D.C. Transit's incipient monopoly powers at issue in the complaints presented here. Mr. Chalk would still be able to throw tax-exempt transit moneys into charter and sightseeing. He would still be able to use his common carrier buses and garages in those fields. He would still attempt to include the lion's share of his charter and sightseeing losses in his transit expenses by careful accounting misallocations. And he could still engage in predatory competitive practices against independent competitors such as paying excessive commissions, engaging in unjustified advertising, retaliating against complainants with street hawkers and other tactics which the record of the proceeding indicates he has used in the past.

We think Mr Chalk is not confused. He understands the complaints perfectly and it is a situation he deplores as indicated by his complaint to the CAB against his airline competitors' rate reductions—except, of course, where he is the sole beneficiary.

Mr. Chalk's letter of July 18 implies that Mr. Chalk is not earning the rate of return on his investment which Congress, he says, authorized (p. 17). The record shows that Mr. Chalk's total personal investment in the D.C. Transit Co. (whose revenues exceed $25 million per year) was only $500,000 (e.g., hearings, transcript, p. 35). For this he received 100 percent of the common stock. For the fiscal year ending August 31, 1957, that company earned $589,488, after income taxes, and had available for dividends on Mr. Chalk's stocks no less than 118 percent of his investment (hearings, p. 39).

Mr. Chalk suggests again that Public Utilities Commission rate regulation would be an effective answer to the complaints against him. Mr. Hayes, Chairman of that Commission, has already stated that such regulation would not be wholly effective (hearings, p. 51).

The facts—that is, D.C. Transit's tax exemption, its excessive profits on Mr. Chalk's investment, its totally unjustified losses in charter and sightseeing, its ability to use transit resources and revenues to cover those losses, and the likelihood that unless a remedy is forthcoming the independent charter and sightseeing companies of the area will be bankrupt—are on the record. For 2 years now, the Gray Line has been competing in the face of this dangerous, incipient monopoly. Every day brings it and the other independent sightseeing companies of Washington closer to bankruptcy. These matters have been aired with the committee. We hope that the time has come for remedies, and that attention will be focused on corrective legislation, Department of Justice Antitrust Division action—as Mr. Chalk himself recommends—and effective Public Utilities Commission regulation, all geared to an equalization of opportunity in the charter and sightseeing industries of metropolitan Washington.

THE GRAY LINE, INC.
HENRY BURROUGHS, *President.*

B. SEGREGATION OF EXTRANEOUS OPERATIONS

Congress should limit D.C. Transit's power to intertwine extraneous activities in with its monopoly transit operations. The company received major concessions from Congress because it expressed its readiness to concentrate on the overwhelmingly important problem of providing the residents of the District of Columbia with mass transit services. In this commitment the public and the Federal Government have a vital interest. D.C. Transit has engaged in an aggressive campaign of unfair competition which can lead to a monopolization of charter and sightseeing industries. In addition, the company has applied for authority in the corporate name to engage in scheduled limousine service to New York City and scheduled helicopter service in the Washington metropolitan area. Finally, it has announced plans to build shopping centers, office buildings, and other real estate developments in the District of Columbia. All these have been or will be conducted by the D.C. Transit Corp. and will be financed and operated with the assets and personnel of a company which came to Congress representing itself as a transit enterprise.

The company personnel is already spread thin over a variety of affiliated enterprises. Even Mr. Chalk admitted that he lost sight of the distinction between D.C. Transit and its airline parent occasionally—hearings, page 146. The advertising of the companies carries the names of both concerns. The transit trolleys and buses promote the sightseeing operations. The Trans-Caribbean name is spread on the sides of those trolleys and buses. The New York tieline is used in transit, sightseeing, charter, and rental limousine operations—hearings, page 136. Trans-Caribbean personnel sell Trans-Caribbean tickets in the sightseeing headquarters owned by the transit company, and, in respect to the D.C. Transit sales department personnel, Mr. Chalk admitted that they worked in a variety of fields—hearings, page 135:

It would be hard to allocate which portion of a man's salary should be chargeable to charter or sightseeing business. I just want to make that clear. There isn't a clear line.

Congress did not contemplate such a conglomerate, diffused, and complex corporate enterprise when it enfranchised the company in 1956. Concern at that time was directed to the District mass transportation system. D.C. Transit, in applying for that franchise, held itself out as a company which would concentrate on the problem of transit service. It is now apparent that transit operations are to be only a part of an empire which will also include a scheduled airline, an interstate limousine service, a helicopter system, a diesel and engine sales agency, real estate holdings, charter sightseeing and limousine operations, and street construction. Moreover, D.C. Transit seeks to extend its tax exempt monopoly from the District of Columbia into nearby Maryland and National and Chantilly Airports in Virginia, in competition with the existing taxpaying enterprises operating in those areas at present. The following letter of complaint has been addressed to me by the WMA Transit Co.:

WASHINGTON, *D.C., January 14, 1959.*

Re D.C. Transit's proposed expansion into suburban areas.

Hon. WRIGHT PATMAN,
House of Representatives, Washington, D. C.

DEAR SIR: O. Roy Chalk again seeks to use the advantages Congress has given him in the D.C. Transit Franchise Act to the detriment of the taxpaying public and small business concerns of the metropolitan area of the District of Columbia. Yesterday, Mr. Chalk announced that he is planning to extend the routes of his monopolistic D.C. Transit Co. into the suburban areas of the States of Maryland and Virginia. By doing so, he would be depriving companies local to these areas of the predominant portion of their income, and, in fact, ultimately could cause their bankruptcy. The method of such destruction of competitors is the utilization of the tax advantages the Congress of the United States has given the D.C. Transit Co.

Last year, Mr. Chalk and the D.C. Transit Co. were scored by Hon. WRIGHT PATMAN for extending their operations in the charter and sightseeing fields by conducting these operations at a loss in order to eliminate competition. This, too, was made possible by the tax advantages that D.C. Transit Co. enjoys. Any loss incurred in the sightseeing and charter operations was chargeable against the very, very profitable local business of D.C. Transit Co. and thus enabled that company to avoid the payment of taxes which would otherwise have been paid to the District of Columbia. It is common knowledge that in a period of 2½ years Mr. Chalk has had returned 138 percent of his investment in D.C. Transit Co.

In expanding into suburban areas of the States of Maryland and Virginia, D.C. Transit Co. again would be competing with local carriers to their detriment. However, it is not only the local carriers which would suffer by this all-encompassing expansion of D.C. Transit Co. Assuming that D.C. Transit Co. would purchase its gasoline within the District of Columbia where it is exempt from the payment of gasoline taxes, the State of Maryland could be deprived of approximately $70,000 per year of revenue obtained from said taxes. By losing this revenue, the

road programs of construction and repair of the State of Maryland would have to suffer unless the general taxpaying public were to make up the difference. This would be only the first step of many inasmuch as many small businesses, both in the transportation business and out of the transportation business, would suffer from the unfair competition. In fact, the only company which would prosper would be the monopoly, D.C. Transit Co.

It is my hope that your championing of the cause of the small businessman, the taxpaying public, and the surrounding States to the District of Columbia, will be successful in the curbing of the ever-growing and ever-prosperous D.C. Transit Co.

Sincerely yours,

D. JAY HYMAN,
EARL M. FOREMAN,
Counsel, WMA Transit Co.

These new circumstances and considerations compel a reconsideration of the terms and conditions properly to be attached to the monopoly transit franchise within the District. Nor is Congress forestalled from taking proper action to protect the interests of the public. The Franchise Act is for a term of 20 years. It may be repealed at any time for nonuse. If it is revoked after 7 years, the corporation waives any claim for damages. These provisions do not mean that Congress is barred from enacting effective and necessary regulatory legislation at any time before or after the seventh year affecting D.C. Transit's operations. D.C. Transit is not, by virtue of the Franchise Act, in a special position in respect to police power legislation. Franchised companies are not immune. The police power is never and cannot be bargained away by a franchise. If the general welfare of the community requires regulation which affects the methods of operation of holders of franchises, they may not complain. The welfare of the community always is paramount. The Supreme Court of the United States has so held on numerous occasions. In *Chicago & Alton Railroad Company* v. *Tranbarger* (238 U.S. 67, 76–77 (1915)), the Court enunciated the principle in the following language:

> But a more satisfactory answer to the argument under the contract clause, and one which at the same time refutes the contention of plaintiff in error under the due-process clause, is that the statute in question was passed under the police power of the State for the general benefit of the community at large and for the purpose of preventing unnecessary and widespread injury to property.
>
> It is established by repeated decisions of this Court that neither of these provisions of the Federal Constitution has the effect of overriding the power of the State to establish all regulations reasonably necessary to secure the health, safety, or general welfare of the community; that this power can neither be abdicated nor bargained away, and is inalienable even by express grant; and that all contract and property rights are held subject to its fair exercise. *Atlantic Coast Line R. Co.* v. *Goldsboro* (232 U.S. 548, 558, 58 L. Ed. 721, 726, 34 Sup. Ct. Rep. 364), and cases cited. And it is also settled that the police power embraces regulations designed to promote the public convenience or the general welfare and prosperity, as well as those in the safety. *Lake Shore & M.S.R. Co.* v. *Ohio* (173 U.S. 285, 292, 43 L. Ed. 702, 704, 19 Sup. Ct. Rep. 465); *Chicago, B. & Q. R. Co.* v. *Illinois* (200 U.S. 561, 592, 50 L. Ed. 596, 609, 26 Sup. Ct. Rep. 341, 4 Ann. Cas. 1175); *Bacon* v. *Walker* (204 U.S. 311, 317, 51 L. Ed. 499, 502, 27 Sup. Ct. Rep. 289).

This doctrine has been applied to the extent of permitting subsequent legislation which outlawed a particular activity or business for the general welfare notwithstanding the legislature had previously granted a franchise to a company to enage in that business.

Stone v. *State of Mississippi* (101 U.S. 814 (1880)) (legislature conferred a franchise on a private corporation to conduct a lottery business; subsequently adopted State constitution prohibited lotteries); *Boston Beer Co.* v. *Commonwealth of Massachusetts* (97 U.S. 25 (1878)) (private corporation chartered by legislature to manufacture malt liquor; legislature subsequently enacted prohibition law).

It always permits regulations of the mode or manner of doing business by the holder of a franchise when that seems advisable to the legislative body.

Atlantic Coast Line Railroad Co. v. *City of Goldsboro* (232 U.S. 548 (1914)) (railroad company franchised by legislature to operate tracks through area which later became a city; subsequent city ordinance regulated operations on tracks within city and prohibited certain practices); *Northwestern Fertilizing Co.* v. *Village of Hyde Park* (97 U.S. 659 (1878)) (private corporation franchise by legislature to operate fertilizer works at specified place; subsequent village ordinance outlawed operation as a nuisance).

In this case, D.C. Transit's activities must be regulated. It is engaging in unfair competition against small and independent businessmen in the charter and sightseeing fields. It is doing this through a substantial tax concession and is using the resources, equipment, personnel, and financial power of the Transit System. It has announced similar plans to invade other competitive areas and threatens again to exploit its special transit concessions and advantages and to exercise power in these fields as well.

It is imperative that Congress condition and erect necessary safeguards around entry into extraneous and collateral fields by an enfranchised transit monopoly which has the responsibility to conduct mass transportation in the metropolitan area of Washington. Specifically, if Congress should permit D.C. Transit to engage in outside operations at all, it should at least be on a basis of complete corporate and operational separation. It should condition D.C. Transit's right to engage in such enterprises by providing that in each instance of operations outside the transit bus and trolley fields, D.C. Transit would be required to set up and establish a separate division, using separate and distinct facilities, personnel, finances, so that transit equipment, personnel, and finances would be limited to transit operations.

Such a statutory prohibition under the Congress' police power would not entail any special problems in the case of such activities as real estate enterprises, helicopter service, and interstate limousine operations. However, D.C. Transit has argued that its charter and sightseeing bus operations were a special case. It took the position that they were an integral part of transit service, and that to require D.C. Transit to operate in these fields with separate buses and personnel would seriously injure the mass transportation system.

This contention as it was phrased at the House Small Business Committee hearing was not supported by the facts. The charter and sightseeing bus operations of D.C. Transit have clearly not contributed to the financial success of the corporation. In fact, the contrary is true. As operated to date, these charter and sightseeing operations have been a very substantial drain on D.C. Transit's resources. They have lost 50 cents for every dollar of revenue they have produced. It is obvious that to the extent that D.C. Transit has dedicated its transit buses and operators to charter and sightseeing work, it has drained finances of the company and substantially prejudiced the financial integrity of the transit operations.

Secondly, the facts do not bear out the contention that D.C. Transit employs its buses in charter and sightseeing work in order to increase utilization.

The tour sightseeing schedules of D.C. Transit, as reported in the attachments to the letter of J. H. Flanagan, vice president and comptroller, to the House Small Business Committee, May 28, 1958, indicate that each sightseeing trip by D.C. Transit either begins before 10 a.m. or extends past 4 p.m., and hence pulls buses from transit operations during peak rush hours. Mr. Chalk's position could only be successfully advanced if the buses were used in charter and sightseeing work exclusively between the hours of 10 a.m. and 4 p.m. The record does not support this.

Accordingly, the charter and sightseeing operations actually remove transit buses from the mass transportation system during the peak hours and hence these operations do not contribute, as Mr. Chalk suggested, to maximum utilization of equipment and personnel.

It appears that charter and sightseeing operations could be segregated from the transit activities as easily as the other activities proposed by D.C. Transit in competitive fields, such as helicopter service, real estate activities, and interstate limousine operations. It further appears that such segregation would not have an adverse effect on the financial health of the transit operations; if anything, it would help it, in view of the company's losses in these enterprises. It is imperative that Congress require such segregation.

Segregation is necessary, not only to avoid unfair competition by D.C. Transit against small and independent businessmen in competitive fields, but also in order to avoid misuse and exploitation of the special privileges granted for transit purposes. D.C. Transit should be compelled to concentrate on mass transportation. Congress granted its franchise privileges because of a crisis in this field. It did not contemplate, and should now move to forestall, the development of D.C. Transit into a conglomerate hydra extending its powers out from a transportation monopoly into extraneous competitive industries.

In my view, the problem of placing the D.C. Transit System, Inc., and its competitors on a basis which will be fair, reasonable, and just is of concern to the Congress. It is an economic problem that affects directly the welfare of numerous small businessmen and their employees.

Therefore, I am introducing today H.R. 2316, a bill which will effectuate the intent of Congress in passing the Franchise Act by requiring that the facilities, equipment, and personnel employed by D.C. Transit in the mass transit system for which it was granted a monopoly, and tax exemptions shall not be employed in any sideline enterprise in competition with the nonsubsidized and taxpaying companies. The bill does not breach the franchise; it merely regulates the conduct of those operations in a manner so obviously needed to prohibit the unfair competitive situation which has arisen and which clearly was never contemplated by the Congress.

The bill is as follows:

A bill to insure effective regulation of D.C. Transit System, Inc., and fair and equal competition between D.C. Transit System, Inc., and its competitors

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all assets, including the real, fixed, personal, rolling, or quick assets of D.C. Transit System, Inc., used or usable, and all personnel employed in providing the service of mass transportation of passengers for hire, as provided in section 1 of the Act of July 24, 1956 (70 Stat. 598), shall be used and employed exclusively in such mass transportation service, and shall not be used or employed in whole or in part in any other service in competition with the service of any other company. The Public Utilities Commission of the District of Columbia is hereby authorized and directed to promulgate such rules, orders, and regulations as shall be necessary to implement this Act.

SINGLE-PACKAGE FARM PROGRAM BILL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. METCALF] may address the House for 5 minutes, and to revise and extend his remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. METCALF. Mr. Speaker, like Topsy, our national farm policy just grew. It has been described as consisting of a series of disconnected, inconsistent and improvised measures.

As a result of the piecemeal approach, we have seen farm program costs skyrocket and surpluses mount while the farmer's income fell. There have been economic and political attacks, which could have been avoided by taking the time to consider the whole program on a long-range basis. The Eisenhower-Benson flexible—actually, collapsible—price support program has fed upon our failure to present a bold new farm program.

We will never have an adequate farm family income improvement and protection program until we consider each part in relation to every other part. I am today introducing a bill aimed at such a program.

This single-package approach to our farm problem has five major points. They are:

First. Income protection for farm families. This includes replacing the existing Federal farm price support program with an income parity program. It would provide 100 percent of parity income protection for the family farm production of all farm commodities by means of workable combinations of parity income supplement payments and price support loans, purchase agreements and purchases. Other sections expand and liberalize the Federal crop insurance program and provide supplemental programs for low income family farmers.

Second. A national security and safety reserve of food, fiber, and biological oils.

Third. Expanded human use and demand for farm commodities. It includes a food stamp plan, three half pints of milk free to each American school child each day, an international food and raw materials reserve bank, and extension and expansion of the Agricultural Trade Development and Assistance Act.

Fourth. A program enabling farmers, working together, to keep market supplies in line with augmented demand, thus making farm price and income supports essentially cost free to the U.S. Treasury in years of full employment. The bill would establish a voluntary national all-commodity marketing quota and conservation acreage reserve program; make improved marketing order legislation available to producers of all farm commodities; provide improved marketing-quota legislation for the basic commodities, wheat, corn, cotton, peanuts, and rice; establish a national single-commodity marketing quota and stabilization program available to producers of any commodity when needed; provide marketing premium payments on sales of hogs and cattle at desirable weights, and establish an REA-type program of loans and technical assistance to enable farmers to construct, acquire, and operate farmer-owned and controlled facilities for assembling, processing, marketing, and storing farm commodities and products.

Fifth. A comprehensive family farm yardstick credit program.

The program would be administered by a 20-man Federal Farm Income Improvement Board, 12 elected by farmers, 8 appointed by the President to represent industry, labor, and consumers.

I make no claim that this bill is the sole answer to our farm problem. It is an attempt to draft a farm program, each part of which is related to every other part. It is a draft for discussion. I will appreciate any constructive criticism and suggestions.

ORGANIZATIONS OF THE BLIND

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHLEY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ASHLEY. Mr. Speaker, I am today introducing three bills which affect the welfare of our needy aged, blind, and disabled.

The first of these measures amends the Social Security Act to provide insurance against the costs of hospital, nursing home and surgical services for persons eligible for old-age and survivors insurance benefits.

No one can deny that after a quarter of a decade of practical experience and much partisan criticism, our social security program has emerged as an American institution that is here to stay. Despite our general enthusiasm for the program, however, it has fallen short of expectations in some respects and there remains considerable room for improvement. To my mind the most glaring shortcoming of our social security system lies in the failure of the program to push forward into the vital area of health protection and insurance of medical costs for the aged. While workers in industry and government have made substantial progress through group insurance plans against the contingency of surgery or hospitalization, the opportunity available to older persons in our society for taking out health insurance is so limited, and the premium rates so prohibitively high, that our older citizens are left virtually unprotected at a time when their health needs make this type of protection vitally necessary.

Although the 85th Congress did not include in its 1958 amendments the provision of insurance against the cost of hospital, nursing home, and surgical care for our older citizens, it did direct the Secretary of Health, Education, and Welfare to undertake a comprehensive study of alternative methods for meeting the health problems of the aged. A report of his findings to the Congress is due by February, and I earnestly trust it will pave the way for this much needed measure to breach the medical and health gap in our social security program.

The second bill which I am introducing is designed to secure the self-respect and personal dignity of needy persons receiving economic help under the public assistance provisions of the Social Security Act.

As the law is currently administered in accordance with the regulations and requirements of the separate States, many citizens are subject to undue harassment and intimidation in complying with means tests and residence requirements. Indeed, arbitrary restrictions governing eligibility often require an outrageous intrusion on the personal privacy and dignity of the applicants.

My bill stipulates that such assistance "shall be administered promptly, humanely, and with due regard for the preservation of family life and that the assistance law shall be liberally construed" so as to assure our needy citizens that they will be treated humanely under the Public Assistance Act.

I hope that this body will enact this measure to provide more liberal minimum standards and to guarantee the personal privacy and dignity to which all Americans, however poor, are rightfully entitled.

The third measure I am introducing today, Mr. Speaker, is designed to secure the right of blind individuals to self-expression through organizations of the blind. Although Federal and State administrative officers insist that this right already exists, they have at times been extremely uncooperative and, in fact, often exerted undue influence against these organizations.

So much so, that whether this right exists in fact is open to serious question. My bill would encourage Federal and State agencies, administering Federal funds for blind aid and rehabilitation, to consult with these organizations in formulating administrative policies. I commend it to your serious consideration.

HOW A LIBERAL CONGRESS CAN BECOME BOGGED DOWN IN SPECIAL-INTEREST LEGISLATION—SUCH AS THE FINANCIAL INSTITUTIONS ACT

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, we have a wonderful new Congress with many new and able Members who expect to draft and pass constructive legislation and do many important things that need to be done in the public interest.

I hope that I will be pardoned for my boldness in pointing out to the new Members of the House some perhaps unexpected ways in which able and determined Members, as well as entire committees of the Congress, can, however, become bogged down trying to unravel the meaning of special-interest legislation, and thus be diverted from the constructive public-interest matters with which they had expected to deal.

CLASSIC EXAMPLE OF HOW NOT TO LEGISLATE

For this purpose I would like to call attention to a piece of legislation which occupied the attention and the efforts of Members of both the Senate and the House throughout the entire 2 years of the last Congress. This legislation was a bill which was to be known, if it had passed, as the Financial Institutions Act of 1957. I have called it much more aptly the big bankers' bonus bill. I use this as my example now for two reasons: First, it is a classical example of how the legislative processes can be misused and abused, and it is on this point that our main lesson is to be learned. The fact is, of course, that the provisions of the legislation were also bad, extremely bad, but this fact is secondary. Many bad bills are introduced in every Congress; there is nothing new about that. The legislative process has long since accommodated itself to receiving and rejecting bad proposals. Safeguards have been built up by which, as a normal matter, the contents and the meaning of a bill are made known, at least to the legislative body. The big bankers' bonus bill demonstrates, however, that these safeguards are not foolproof. They can be bypassed when skillful planning and a great deal of preliminary work are put into the project. The country's universities and colleges will be making a case study of the remarkable history of the big bankers' bonus bill for many years to come.

BIG BANKERS' BONUS BILL MAY COME BACK TO LIFE

The second reason for mentioning this legislation is that there are some new signs which strongly suggest that the sponsors of this legislation have not entirely given up. There has been a new outbreak of propaganda within the last day or so, appearing in the CONGRESSIONAL RECORD and elsewhere, which would have the unwary believe that the big bankers' bonus bill was really a very fine bill, and it failed of passage in the last Congress only because a few misunderstanding Members of the House—perhaps only one or two—took an unfair advantage to defeat the will of a massive banker's lobby composed of the American Bankers Association, the State Bankers Associations, the U.S. Chamber of Commerce, plus the not inconsiderable artistry and influence of the Wall Street investment houses, the life insurance companies and the huge consumer finance corporations. These telltale signs suggest that a renewed drive is under way to have the new Congress grapple with this same legislation.

Here again, however, it should be said that we need have no fears about any of the objectionable features of this legislation—and there are many objectionable features—if these are put forward singly so that the committees and two Houses may consider and act on each on its own merits. In this way none of the objectionable features of the legislation would get very far, and, indeed, I doubt whether there is any Member of the House who would introduce bills to enact these objectionable features. And with the objectionable features out of this massive 252-page bill, I doubt that there would be anything left that would give anyone any reason for wishing to pass it—certainly not the massive banker's lobby that originated the bill.

REWRITE OF BANKING LAWS INCLUDED IN A CODIFICATION THAT DOES NOT CODIFY

This financial institutions bill originated in the other body. It was initially described by its official sponsors as a bill which would codify all the banking and other statutes dealing with financial institutions, remove obsolete provisions and modernize the laws in certain technical and noncontroversial respects. Originally the emphasis was on the codification, and there was hardly a suggestion that the bill contained any substantive changes in the banking laws at all. Later, as it began to be discovered that the bill contained quite considerable substantive changes in law, the sponsors' statements began to concede that the bill did contain some changes in law, but these changes were said to be few and noncontroversial. In fact, the sponsors said that these changes had all received the favorable consideration of the banking committees at previous times.

Actually, the idea that the bill was to provide a needed codification of all the laws on financial institutions, which were said never to have been codified, proved to be ill considered. In the first place, all of these laws are very nicely codified in the official United States Code. Furthermore, the United States Code provides several distinctive advantages which a new code could not provide, in that, first, it is available to lawyers the country over; second, it is authoritative and kept up to date; and third, it is accepted as authoritative by the courts of the land.

A second thing wrong with the label under which the financial institutions bill was first packaged, moreover, was that, whatever else the bill may have been, it was, in no sense, a codification. Although the sponsors claimed that it codified all of the statutes dealing with financial institutions, in reality the bill dealt with only seven classes of institutions. According to a compilation which the Legislative Reference Service of the Library of Congress prepared for me, there are approximately 25 other classes of financial institutions governed by Federal laws which the bill overlooked. In the second place, the bill provided neither a system of cross-references nor a system of annotations; and on this point alone it failed completely as a code. Lawyers would still have to go to the United States Code to find out what the law is.

DELEGATING CONGRESSIONAL FUNCTIONS TO BANKERS PROVED TO BE DANGEROUS

As to the few substantive changes in law—changes in the nature or the practical application of the law—the staff of the House Banking Committee ultimately came up with a list of 117 of these; and there is no assurance today that all of them were found. In fact, one chapter of the bill which would have repealed more than 200 sections of law was not reviewed to make sure that the bill would elsewhere reenact the substance of these sections.

Some of the changes in law that were discovered and clearly established proved, however, to be fantastic, as will be pointed out later.

The most important lesson to be learned from the history of the big bankers' bonus bill is that the functions of a committee of Congress should not be delegated to private citizens—and certainly not to private citizens who have a large and direct financial interest in the subject matter for which the legislative processes are delegated to them. Probably most people would assume this to be true without testing it; but the bill in question provides a factual experiment with this highly novel, if not unprecedented, procedure.

The bill was drafted by an advisory committee, mostly bankers, who were appointed by the acting chairman of the

Senate Committee on Banking and Currency for this purpose. This advisory committee, known as the Cravens Committee, not only drafted the bill, but it reviewed and passed upon recommendations and suggestions that were solicited from the Federal agencies; and the Cravens Committee, or subcommittees thereof, held close-door hearings around the country, although how they selected their witnesses and what the witnesses testified to, we do not know. The official hearing records of the Banking Committees show the activities of the Cravens Committee, but not the hearings record of the Cravens Committee itself.

The Cravens Committee consisted of 27 individuals, 20 of whom were active bankers, that is, presidents, vice presidents, or board members of commercial banks. The Committee was divided into subcommittees to draft the different sections of the bill. All of the members of the subcommittee that drafted those sections dealing with the banks were bankers. Now, of course, it is impossible for me to deal here with all of the revisions of the banking laws which this bill would have brought about. It would have been a superhuman task for the Banking Committees to deal with all of them in any one session of Congress. I will make only two points:

BANKERS' LOBBY HAS NOT EXPLAINED HOW IT WISHES THE LAWS CHANGED, NOR WHY

First, many millions of words have been written about this bill. The articles, the commentators' analyses, and so on, which have appeared in the banking magazines and all kinds of trade journals are uncountable. But in all this publicity there has never been, to my knowledge, any discussion of the specific changes in law that are wanted, nor any discussion of why they are wanted. All of these writings merely allude to what a fine bill it is and deal at some length with how horrible the people are who have tried to discover and analyze the contents of the bill.

THE NEW PROPAGANDA OVERLOOKS CONSUMER AND FARMERS OPPOSITION TO THE BILL—CONTAINS OTHER ERRORS

My second point is that the new propaganda which is now appearing gives the impression that only labor has opposed the bill.

For the Members' interest I will offer for the RECORD several interesting documents:

In order that the Members may know the AFL–CIO point of view, I will offer an article from the Industrial Union Department Digest of spring 1958.

In addition, I would like to call the Members' attention to the statement of the National Farmers Union, given to the House Committee on Banking and Currency. This gives most persuasive reasons why farmers were opposed to the bill.

Then, for the consumer point of view, I will insert a legislative letter from the Cooperative League of the United States of America, of July 1, 1958, addressed to the 150 legislative representatives of the member co-ops. This warns consumers bluntly to watch your pocketbooks.

Then there will follow an article by Bernard D. Nossiter, a distinguished economist and business analyst for the Washington Post and Times Herald. This appeared in the Washington Post on July 5, 1958. Much of it appears to be based on an interview with the official author of the bill, and it contains statements attributed to him which make important additions to the body literature on this legislation.

Finally, the recent propaganda statements have taken the position that a section of the bill which dealt with the national banks selling insurance really would have made no change in existing law, because Mr. Ray M. Gidney, President Eisenhower's Controller of the Currency, has said so. On this point I will include in the RECORD part of the testimony of Hon. EMANUEL CELLER, the distinguished chairman of the Committee on the Judiciary of the House, under whose supervision the United States Code is prepared. As will be seen, this careful analysis makes a convincing case that Mr. Gidney was dead wrong.

The following articles and statements are only illustrative. They do not even touch upon the great majority of the objectionable changes in law which this bill would have brought about, and about which protests were received after the contents of the bill began to be revealed. Nor do they suggest all of the interests who objected. Actually, most of the bankers themselves, and not a few of the State banker associations, began to learn what was in the bill only in the later days of its examination by the House Committee on Banking and Currency. This is clear from the fact that many of the small and medium-sized bankers, who had been actively supporting the bill, wrote in saying so, and saying that, after learning, they were opposed both to the bill and to the methods which were being used to try to push it through Congress.

BACK DOOR SWINDLE

When a clever confidence operator swindles a few thousand people out of their hard-earned cash—say several hundred thousand dollars, or even a million—he is clapped into prison to dampen his enthusiasm for other people's money.

When a confidence game runs into hundreds of millions and is perpetrated by respectable bankers, it becomes a matter for remedial legislation. We don't even call it a swindle.

There is today pending before Congress a bill whose sponsors say has only the purpose of bringing under one cover all laws which relate to commercial banking. It passed the Senate in the 1st session of the present Congress. Virtually no one questioned that it provided genuine codification of the banking laws until it reached the House of Representatives.

But until Representative WRIGHT PATMAN, Democrat, Texas, discovered that it contained some very peculiar provisions, there appeared to be every prospect that it would slide through the House untouched. PATMAN is a member of the House Banking and Currency Committee with a long-time interest in banking.

He discovered that this bill, called the Financial Institutions Act (S. 1451), went much further than codification of the laws. During many months of hearings he called this to the attention of BRENT SPENCE, Democrat, Kentucky, chairman of the committee. But only after the hearings were over was the committee staff put to work digging out the substantive changes from existing law which the bill contained. Their report revealed that at least 117 substantive changes had been written into the Nation's banking laws without notice being taken of that fact—in the Senate.

Here appeared to be a misrepresentation of great magnitude—one that had slipped in by the back door. The bill had been represented by its sponsors as nothing really new. Now it was disclosed to contain a whole flock of new laws of far-reaching importance.

USURY LAWS

Outstanding among the basic changes in banking laws which this measure proposed was the repeal of the usury laws. Any repeal or weakening of usury laws strikes directly at labor. Protection against usury is of tremendous importance to all consumers, as well as to small business and farmers. Taking the lid off of interest rates at the consumer level means increased cost to buyers of automobiles, furniture, refrigerators, TV sets—in short, everything consumers purchase on time payments, including vacation travel.

It also means increased cost of farm machinery, office machines, and all kinds of equipment which farmers and small business people purchase on time.

This hits the little man in front and in back. He pays more for consumer durable goods. The market for his products shrinks as a result of decreased consumer purchasing power, whether that market is trucks that must be sold or vegetables carried in those trucks.

Seldom has there been so flagrant a hocuspocus about any bit of legislation. When the history of pernicious lawmaking is written, the financial institutions bill of 1957 will go down in the book as a towering example of how badly our legislative system sometimes works—up to a certain point, at least. While there is little hope that the bill will be thrown out, there remains some hope that it can be amended to eliminate its worst features.

Take a glance at its legislative history.

If the sponsors of the banking laws were correct in saying that this is merely a codification bill, it would be quite unimportant—merely a housekeeping matter. It has been found highly satisfactory to the banking industry. Everyone in the Eisenhower administration concerned with banking has pronounced it exemplary. It slid through the Senate as routine business— nothing new in it.

LOBBY OPERATION

But why, if it is merely a "recodification," did the American Bankers Association and the United States Chamber of Commerce put on a long, intensive lobbying operation to assure the passage of this bill? During the last year measures of enormous importance have come before Congress. Yet the financial institutions bill has never lost priority position on the calendar.

And it was only after hearings were closed in the House that the Banking and Currency Committee staff discovered that this bill had altered the law in 117 places. This staff report was dated March 7, 1958. It is too late now to question witnesses about all these changes.

In commenting upon this bill Representative PATMAN has said:

"The history of this bill violated all the rules of good procedure which democratic legislatures have learned over the last 3 or 4 hundred years. Not the least such violation concerns the usual rule against putting substantive amendments to law into a general recodification. If the bill accomplishes nothing else, it proves the soundness of that rule. It dramatizes the point that when changes in law are mixed into a codification

bill, these changes are likely to be enacted without sufficient public understanding of what is being done, and without sufficient understanding by the legislative body itself."

This was not an easy bill to understand. One has to look sharply at several clauses, and then consider them all together, to catch on to the very tricky game the bankers are playing. In any case, it appears to have been entirely too subtle for the newspaper reporters who have largely ignored the bill and its implications.

Take the business of knocking out the usury laws, for example. Section 35(a), title I, would do that. Congressman PATMAN calls this section, which would actually promote usury, the Ebenezer Scrooge amendment, after the famous miser in Charles Dickens' Christmas Carol.

The history of the Ebenezer Scrooge amendment is quite intriguing. The event which appears to have triggered the Financial Institutions bill was a decision in the United States Court of Appeals for the 5th Circuit entitled *W. E. Daniel and E. A. Dillard* v. *the First National Bank of Birmingham* (227 Fed. 2d 353). This decision in November 1955, followed by a supplemental decision in the same court the following January, electrified the banking world. However, the bankers didn't rush to the press. They kept their concern very quietly to themselves.

Some of them had been reaping unconscionable profits on what they thought was a loophole in the usury law. Upon the advice of their shrewdest lawyers, they had been charging interest on certain types of credit in excess of what the law allows. But it turned out that the loophole wasn't there. Billions (yes, billions) of dollars were involved.

CONDITIONAL SALES CONTRACT

The biggest bank in Alabama was found to be violating the usury law. Arguments in defense of an alleged loophole, contained in a brief filed by the Alabama Bankers Association were slapped down by the courts.

What was this dreamed-up loophole?

The bankers had invented a new kind of credit paper since the Federal usury law was passed and since most of the State laws were passed. This is called the "conditional sales contract." The usury laws mention such things as "loans," "discounts," "extensions of credit" and so forth, and they also contain a phrase—"other evidences of indebtedness." But they do not mention the conditional sales contract.

So the bankers got to thinking, or at least hoping, that when credit is extended by means of the conditional sales contract the usury laws could be ignored. Their lawyers gave them support for going on this theory. And the penalty for ignoring the law was rather slight. Indeed, there is none unless the individual who has been overcharged discovers the fact and brings suit. In that case, the court can order a refund of double the amount of excess interest paid.

In the Daniel case, a couple of truck drivers were buying the vehicles they drove from a trucking company. The court held they had been required to pay usurious interest. The decision destroyed the imagined loophole of the conditional sales contract. In effect, said the court, usury by any other name is still usury.

So what were the banks to do? In every city in this Nation there were national banks holding conditional sales contracts similar to those which had been declared illegal. These had been purchased from auto dealers and merchants of other goods and services.

At the end of December last, commercial banks held more than $6 billion in automobile paper alone. Some $4 billion of this had been purchased from dealers. The interest on this purchased paper, most of which was in the form of conditional sales contracts, amounted to hundreds of millions of dollars annually. After the Daniel decision this became "hot" money. What could the bankers do about this very touchy situation, which might result in a deluge of lawsuits if customers wised up?

The answer to their dilemma appeared to be to keep very, very quiet until they could get the law changed. And this they proceeded to attempt. But they haven't quite gotten there yet.

If the American Bankers Association had asked outright for a repeal of the usury laws, there is little question that Congress would have turned them down flatly. So they thought up a pretty good scheme. They would ask for a codification of the banking laws—no substantive changes, of course.

The person they picked to engineer this job through Congress was Senator A. WILLIS ROBERTSON, Democrat, of Virginia, who became acting chairman of the Senate Banking and Currency Committee just as this legislation was brought forward. During the summer of 1956, ROBERTSON discovered that the banking laws of the United States never had been codified. He appears to have overlooked the fact that the United States Code consulted by every practicing lawyer codified the banking and credit laws, that a new edition is issued every 6 years, with supplements annually, and that this code for many years has satisfied the law profession.

Nevertheless, Senator ROBERTSON's assumption that the banking laws had never been codified was considered conclusive proof that codification was required instantly.

In August 1956 the Virginia Senator announced the appointment of an advisory committee, which was to work up the so-called codification. Senator ROBERTSON was very proud of his advisory group. On this 27-man committee, 22 were bankers. Each was either a president, vice president, or board chairman of his bank.

Rather naively Senator ROBERTSON remarked at hearings on his bill:

"During the past 24 years I have attended a lot of hearings in Washington, and I do not remember any in which as much concentrated wealth was represented as we have here this morning. For instance, the bankers alone represent over $250 billion of liquid assets. It necessarily follows that a lot of people in this country ought to be interested in their views on how to make their money safer, or how to make it more plentiful, or how to let those that have not got it, and I think they ought to have it, get it."

If there is any doubt as to why the bankers suddenly became interested in codifying the laws that govern their operations, it is made clear in the testimony before the Senate committee of the chairman of the advisory committee, Kenneth Cravens, a St. Louis banker, who, incidentally, did not put the usury amendment into the draft of the bill submitted to the subcommittee. It was only when the Senate committee itself reported the official bill that this bit of legislation came to light, although the committee gave no reason for its existence. In fact, no one has yet claimed fathership of this clause.

If we turn to the Senate hearings, however, we find mention of the amendment in the testimony of Cravens. He said it was his understanding that the purpose of the amendment was to overturn a ruling of the Supreme Court in *National Bank* v. *Johnson* (104 U.S. 271). He approved that purpose, but without giving a hint as to what the ruling was, or what the consequence of overrulings it would be. More recently the Federal Reserve Board also has stated that the amendment would reverse the principle held in *National Bank* v. *Johnson*.

STATE LAWS

Now what is the principle evoked in this ruling of the Supreme Court of more than 77 years' standing?

First we should note that there are two kinds of commercial banks: national banks which are chartered by the Federal Government, and State banks which are chartered by the States. The Federal usury law names a maximum rate of interest at 7 percent. However, many States set no maximum for the kind of credit extended under conditional sales contracts. But the Federal statute applies to national banks only when there is no State law which names a different maximum rate. Hence, it aims to give protection only when the State law does not do so.

But the Alabama State laws did not apply to the conditional sales contracts involved in the Daniel case; so the Federal usury law did apply.

Now section 35 of the bankers' bill reverses the principle of *National Bank* v. *Johnson*. The new approach is essentially this: If State law sets no maximum for a particular kind of credit transaction, there will be no Federal law either. The practical effect is to repeal the Federal law in many cases. The laws of most States permit the banks to buy usurious paper from automobile dealers, furniture dealers, applicance dealers, loan sharks, and others, even though their laws do not permit the banks to make usurious loans directly to consumers.

Many bankers are too dignified or respectable to look across the counter at their customers and tell them that they are going to charge an interest rate of 15 percent or even more. Yet instances have been brought to light where 60 percent has been charged by dealers. And the bankers have no objection if the dealer, or someone else, drives such a bargain.

SMALL STATE PROTECTION

Unfortunately only a handful of States have modernized their laws to establish firm consumer protection against exorbitant interest charges through the relatively new device of the conditional sales contract. The others still permit bankers to extend credit through the back door through dealers and loan sharks acting as their agents.

The bankers say that strict enforcement of the Federal laws would place national banks at a disadvantage with State banks. They demand what they call parity treatment. Even the Federal agencies which are supposed to be most directly responsible for this bill approve the parity idea. The assumption appears to be that customers would prefer to go across the street to a State bank that would charge them higher rates of interest than are permitted to national banks.

The bill, nevertheless, seems inconsistent regarding its desire to create parity for State banks. Section 51, title I, says that the States cannot require any license of a national bank to do business in their territory. It says that State banking authorities may not examine national banks. It even goes further, declaring that States cannot have laws which interfere with the citizens of the State doing business with national banks. In other words, it places national banks beyond the reach of State law.

It is illuminating to note that when the bankers were writing these exemptions for themselves they included the new terms—such as conditional sales contract and installment consumer paper—which they did not recognize in the sections where they were dealing with what are supposed to be prohibitions and limitations.

It is also extremely enlightening to note who will enforce the State laws. The answer is only a Federal official—the Comptroller of the Currency—so far as national banks are concerned. Section 3 sets up the Comptroller as supervisor of the national banks, and section 51 prohibits the States even from taking steps to find out whether or not there is compliance with their laws.

It is as if the Soviet Government said to one of its satellite countries:

"We are not going to interfere with your country. We are going to be democratic, and depend upon the laws your legislature passes. But we shall enforce them for you, just so you won't be bothered. Indeed, we are not going to let you find out whether they are being enforced."

Furthermore, section 49 of the bankers' bill says that reports which the Comptroller makes when his agents examine the national banks are to be privileged. They are going to have immunity from subpena of any court.

There is another section of the bill which makes certain that the General Accounting Office will have no authority to audit the Comptroller of the Currency. It is based upon the strange practice which allows the Comptroller's office to operate upon fees which it collects from the banks. The Comptroller does not have to come to Congress for appropriations. And the bankers' bill declares that the fees he collects from them "shall not be construed to be Government funds or appropriated moneys."

PATMAN is today questioning whether there is any justification for giving the national banks immunity from State laws. They are 100 percent private, profitmaking business, He says:

"If the Federal Government can give national banks immunity from State law, it can give drug stores, automobile dealers, farmers, or any other business such exemption."

Nor does he see any reason why the Office of the Comptroller should be exempted from audit by the General Accounting Office as though it were owned by the private banks. He believes the Office of the Comptroller should be under budget control and audit review, as any other Federal office, and not operate under secrecy.

ROAD BLOCK

The few points reviewed here are enough to stamp the financial institutions bill as an extremely tricky piece of legislation. Obviously it is not what it is claimed to be—merely a codification of present laws. It is sufficiently something other than represented to be called a first-class swindle—one that could cost the public hundreds of millions of dollars. Nor would the reader escape its effects upon the cost of everything he buys.

But it is also something more. In the never-ending battle to protect the public against the growing power of great economic concentration this bill would place blocks in the way of true banking reform—reform which would amend the usury laws in the interest of the public, reforms which would bring the operations of the Comptroller of the Currency under Federal supervision, reform which would check the growing tendency of private bankers to swallow the Federal Reserve System.

The financial institutions bill should have a much more thorough public examination than either the Senate or House Banking and Currency Committees have afforded. Amendments now are being considered by the House committee. Some will be made. Eventually the House and Senate committees will go into conference on the measure. There is still a chance that its worst features may be eliminated.

STATEMENT OF NATIONAL FARMERS UNION BEFORE THE COMMITTEE ON BANKING AND CURRENCY, HOUSE OF REPRESENTATIVES, FEBRUARY 5, 1958

Mr. Chairman and members of the committee, my name is Richard Shipman. I am legislative assistant, Division of Legislative Services, National Farmers Union. As representative of Mr. James G. Patton, president of National Farmers Union, and 300,000 farm families of our organization, I wish to express appreciation for the opportunity to appear before your committee.

We think all farmers have a proper interest in this legislation. We think farmers have a proper interest in all legislation that would change the regulations and limitations placed on banking. It is our money the banks are handling; in the areas of the country, anyway, farmers are the bank depositors.

Furthermore, we depend upon bank credit, both for carrying on the business of farming, and, as other consumers, for financing automobiles and other consumer goods.

From my own personal experience, I can assure you that farmers are vitally affected by the banks and banking policy. I lived through the depression years, the period when the banks were going bust, and through the bank holiday, on a farm in Montana.

In his first inaugural address, President Roosevelt said:

"The moneychangers have fled from their high seats in the temple of our civilization."

We do not know whether that statement was ever completely true. But from what we have seen of this financial institutions bill, it certainly puts the moneychangers back in the temple, and in higher seats than ever before.

Some serious sleepers have been inserted in this bill since we testified on it before the Senate committee. We have not had time to analyze them, nor to get expert assistance in analyzing them. But one provision of the bill which we have looked into makes us sure that your committee will want to stop, look, and listen, and call some more witnesses before you make your report to the House.

Actually, we don't really need a study-project to find out that roosters don't lay eggs.

As it stands this is a bad bill. It was written to promote a high and usurious interest rate policy. Those who want to live easy on high interest are trying mighty hard to rush it through to quick passage. This indicates that more careful study might be in order.

This bill has received little or no attention in the public press. It has not been mentioned in any of the President's messages to Congress. It has not been mentioned as a topic in any other official program.

It was originally described in the Senate as merely a recodification of existing law—that is, a bill where you take all of the laws that have already been passed on this subject and already on the law books and put them together in a single place.

Farmers Union put up a flag of caution to the Senate committee. However, these and similar warnings did not receive widespread publicity.

The speeches that were made in the Senate, when the Senate passed this bill, left the impression that it is merely a recodification, excepting only 2 or 3 changes which were debated on the floor of the Senate. It is no wonder then that the general public has been unaware of this bill.

Further study reveals, on the contrary, however, that the bill contains many important changes from existing law.

The record of the Senate Committee on Banking and Currency shows that the bill was written by a committee of private citizens. There were 27 of these citizens. Twenty-one are bankers and finance company representatives. There were no farmers or farmer representatives on the advisory committee.

The chairman of this committee of private citizens testified before this committee last week that the bill contains many major changes in law. This chairman, Mr. Kenton R. Cravens, testified before this committee on January 21, 1958, and answered the questions by Congressman MULTER as follows:

"Mr. MULTER. Both bills, then, we can say, do contain major revisions of existing law?

"Mr. CRAVENS. Oh, yes.

"Mr. MULTER. And some of them are quite important?

"Mr. CRAVENS. I think so."—(P. 242, transcript of hearings before House Banking and Currency Committee.)

Since the bill does contain quite important changes in existing law, we can certainly assume that these changes are going to either strengthen or weaken banking regulation from the standpoint of farmers, and from many other standpoints. Presumably the committee of bankers was pleased with the changes. But what will be their effects on others in our economy?

Monetary and credit policy; banking policy and laws; are not just the concern of bankers. These matters are vital to our entire economy. Banking is everybody's business because we are all vitally affected.

No farm organization was told that there were to be major, quite important changes in the banking laws. They were not invited to have representatives on this private committee to help draft these changes in the Nation's banking laws.

Whenever a farm bill is to be considered, all proposals receive wide public attention. They are analyzed and reported in the newspapers. Then the chamber of commerce, the NAM, the bankers, and everybody else has an opportunity to make his recommendations. Banking legislation is technical, we have no doubt, but so is farm legislation.

Let me point out at least one provision in the financial institutions bill which gives concrete evidence to our fears that it will hurt farmers. This is the provision in section 35 of title I which, in effect, repeals the Federal usury law. Unless I am mighty wrong the farmers I know are going to be greatly surprised and disappointed, too, when they learn about this part of the bill.

Section 35 repeats the present law which sets out the general rule as to the maximum rate of interest a national bank can charge on a loan, discount, or other evidence of debt. But then the bill adds some new language which provides an exception to the rule. This new language is as follows:

"The purchase of obligations or evidences of indebtedness from the actual owner thereof shall not, for the purposes of this section, be deemed a loan or discount if such purchase would not, under the law of the State in which the purchasing bank is located, be deemed a loan or extension of credit subject to the interest or usury statutes of such State."

In other words, this exception repeals the Federal usury law insofar as it relates to a national bank buying loan-shark paper. And this means you might just as well repeal the whole law. If you are going to let the banks lend money out the back door at exorbitant rates, then there is no logic to require them to lend much through the front door at reasonable rates. The banker is not going to compete with the loan shark across the street, or with the tractor dealers, or the automobile dealer, when he knows he is going to buy the loans which these people make. This will result in farmers being saddled with much more exorbitant interest rates than they are already having to pay in most places.

If the law against receiving stolen property were to be repealed, so that you created a legal market for stolen property, it would result in a great deal more property being stolen.

Now what reason or excuse has been given for repealing the Federal usury law?

The only excuse that has been given is that the people who recommend repealing the Federal usury law think the right thing

to do is to let the State laws take care of this problem. In other words, this is a responsibility which they want to turn over to the States. The Comptroller of the Currency, Mr. Gidney, makes this argument several times in his testimony before this committee last year. At page 221 of part I of your hearings, Mr. Gidney said:

"We think the States are alert to their responsibilities in that field. And if a State bank of commerce can purchase a set of contracts, then our national banks of commerce ought to be able to do the same."

Then a little later at page 224 of your hearings, Mr. Gidney said:

"As to consumer credit, I don't know the laws of many States on that, but I do know the New York State law, which I believe is that it may be 1 percent a month on the unpaid balance, which really works out to be 12 percent."

In plain words, the Comptroller of the Currency is recommending repealing the Federal usury law to fall back on State laws for protection of consumers of credit when he doesn't even know what the State laws are.

This illustrates the reason why my organization feels that we cannot trust the judgment of the administrative agencies to protect the proper interest of farmers.

So the argument which has been made for repealing the Federal usury law is that we ought to let State laws take care of the problem. Then if the States take the same attitude and say that we will shift the responsibility back to the Federal Government, then there will be no law whatever.

We are asking you, the Federal Government, to do the right thing by the farmers on this matter. We think that the Federal usury law should be strengthened and improved so as to give farmers and all borrowers greater protection. We ask you to strengthen the law, not to repeal it.

Jean Jacques Rousseau once said:

"Good laws lead to the making of better ones; bad ones bring about worse."

Let's don't go backward. Let's make our banking system more civilized and enlightened—not less so.

We oppose passage of the bill as now written. We hope your committee will extend these hearings so that we can study the other sleepers in the bill that we have not had time to analyze. We urge you to call in some consumer representatives before you. You should hear the expert testimony of bona fide representatives of small business. We urge you to invite some consumer union economists to analyze this bill and give you their recommendations.

Don't rush this bill through to passage. Let's be sure what all its implications are and debate them fully.

THE COOPERATIVE LEAGUE OF THE U.S.A. LEGISLATIVE MEMO NO. 16, JULY 1, 1958

BANKERS' BILL MAY COME TO LIFE—WATCH YOUR POCKETBOOKS

The Senate passed a bill (S. 1451) last year that was strictly for the bankers. In fact, 20 of the 27 members of an advisory committee that worked with a Senate Banking subcommittee to draw up the bill were bankers. Title VII, until amended by Senator SPARKMAN and others, would have crippled credit unions. Title I, in effect, repeals the Federal usury law.

While most of us were led to believe that the bill was dead for this session, word has leaked out that bankers have been working quietly with members of the House Banking Committee. The reported strategy is for the committee to accept all the rectifying amendments, report the bill out about the middle of July, and get it passed. In conference, where bankers' friends would predominate, the remedial amendments would be dropped and the bankers' bill would prevail.

There are a number of objections to the bill. The gimmick to open a loophole in the usury law would allow national banks to buy or discount consumer loan paper wherever this is legal under the State law. National banks could buy conditional sales contracts which are loaded with high interest. They would make their loans through all kinds of dealers, rather than directly to the consumer.

Today national banks serve as a yardstick. Other loan firms which are not subject to the Federal usury law must meet the competition of the national banks. S. 1451 would destroy this yardstick. Interest rates could skyrocket. Consumer purchasing power would be cut.

The Supreme Court of Kansas recently granted an injunction against the Nation's largest credit company which was charged with violating the usury law of the State. It was found the company was charging 72 percent per year for financing automobiles—making more profit than both the manufacturer and the dealer combined. State legislatures are influenced by Federal law. If the usury law is weakened, some States may follow suit. Not all States have usury laws now.

Other objections to the bill: Minority stockholders in national banks would lose their voting power through elimination of cumulative voting requirements. Banks could still operate branches but Federal Savings and Loan Associations could not. Single loan ceilings for National banks would be raised to dangerously high levels.

Friends in the House have a number of good amendments ready to incorporate in the bill. It is possible, however, that these (1) may not be incorporated or (2) may be cut out in conference. Rather than risk passage of a bad bill, it may be wise to write your Congressman to the effect that no bill is better than a bad one. An effort to write better legislation under more favorable circumstances should be made later.

The fact that the bankers' bill is a bad one needs wide publicity. If consumers strongly show their opposition, the bill will not pass.

[From the Washington Post and Times Herald, July 5, 1958]

BILL CALLED PERIL TO USURY LAW

(By Bernard D. Nossiter)

A bill that could crack legal barriers against excessive interest charges on installment loans has touched off a backstage congressional furor.

At issue is the Financial Institutions Act, a lengthy and technical reworking of banking laws which passed the Senate in March 1957.

Its chief foe is a perennial banker's gadfly, Representative WRIGHT PATMAN, Democrat of Texas. He has charged the measure is loaded with hidden booby traps that could cost consumers, small businessmen and farmers billions of dollars. To the despair of leading bankers and the bill's congressional backers, PATMAN, aided by Representative ABRAHAM J. MULTER, Democrat of New York, is forcing the House Banking Committee to examine the 252-page measure line by line in drawn-out executive sessions.

The bill's self-styled patron is Senator A. WILLIS ROBERTSON, Democrat of Virginia. Without naming PATMAN, he has accused critics of misrepresentation. He recently denied the bill is an invitation to usury because, "What kind of people do they think are in the banking business."

PASSED BY SENATE

He successfully piloted the bill through the Senate, describing it as a device to remove obsolete provisions from the statutes and to add new authority where needed to meet modern-day conditions.

At the floor debate, he continued: "What simplifies the matter for Members of the Senate is the fact that the greater part of the bill is existing law or is to repeal obsolete provisions."

Lately, he termed relatively minor a previously undiscussed section that PATMAN calls the "Ebenezer Scrooge amendment." To complaints that it opens the way for exorbitant interest rates, on consumer credit, ROBERTSON answered: "Will most of the people who buy automobiles be nitwits or morons? Do we have to assume a guardianship over those who buy on the installment plan?"

The bill was apparently languishing in the House Banking Committee until early in May. Then, Senator JOHN BRICKER, Republican of Ohio, urged Ohio bankers to redouble your efforts to bring it out and denounced a filibuster by a small antibusiness minority.

Chairman BRENT SPENCE, Democrat, Kentucky, of the House committee, a bill supporter, complained it had been filibustered and filibustered by dilatory tactics of offering amendments and amendments in the closed, markup sessions. With a heavy calendar of work before his group, he said it will be difficult to get the bill reported out this year. In which case, it would have to start all over again through both Houses next year.

PATMAN ADMITS TACTICS

PATMAN readily concedes his delaying tactics. He said it sailed through the Senate under "false colors" disguised as a simple recodification bill.

Biggest fight is over one sentence in section 35(a) which deals with usury or exorbitant interest. The law now limits national banks—those chartered by the Comptroller of the Currency—to a maximum 7 percent interest charge on loans unless the State in which they are located allows State-chartered banks more. A never-reversed 1881 court decision held that the 7 percent limit also applies to debt paper that national banks buy from other lenders—the process called discounting—if the States freed such discounted obligations from their usury laws.

But the modern growth of installment credit led to the invention of a new kind of debt instrument—the conditional sales contract. Most consumer credit and much small business equipment buying is financed this way. Unlike a simple loan with goods as security, the lender keeps title to the automobile, machinery, and other commodities until the last payment is made. These conditional sales contracts are not subject to usury laws in many States. National banks bought this paper without worrying about the interest rate charged.

APPEALS COURT RULING

In 1955, however, a court of appeals ruled that, except in special cases, these contracts were loans. If the State did not so regard them, the decision continued, no national bank could touch any that charged more than 7 percent.

A year later, ROBERTSON, as acting chairman of the Senate Banking Committee, began shaping his bill. Federal banking agencies and a 27-man citizens committee that included 20 bankers helped him.

The disputed 35 (a) sentence that emerged says any loan or discount that isn't regarded as a loan by a State is freed from the Federal usury law.

This week, ROBERTSON said the sentence overturns the 1881 ruling and the unexpected and strained 1955 holding. He argued that it merely provides parity for National banks with State banks. If the latter can discount conditional sales contracts or other debts without looking at interest rates he contended that it was unfair to bar national banks from handling the paper.

PATMAN argued that it would permit national banks to finance indirectly usurious loans that they are prohibited from financing directly.

ARGUMENTS CONTINUE

ROBERTSON aids insist the provision makes little difference to borrowers. In States that don't regulate consumer credit, a finance company can charge what it can get; if it needs capital, it can discount this paper at a State bank, anyway.

But Patman's technicians argue that since national banks have about half of the banking system's assets, the 1955 ruling cuts off a major source of refinancing for overcharged consumer credit.

Moreover, adoption of 35(a), it is claimed, will discourage States from following the lead of those who have set limits on installment charges. Finally, PATMAN has pointed to another section of the Robertson bill that prohibits State banking examiners from inspecting national banks. This, he has argued, will weaken State installment credit laws because the Comptroller's Federal examiners have other concerns than compliance with State rules.

An Indiana banking official, George O. Nichols, vice chairman of the State's department of financial institutions, testified before the House committee that his inspection of both State and National banks each year has turned back many thousands of dollars to overcharged installment buyers.

But ROBERTSON retorts that the Comptroller's check will be a safeguard and that anyway federally chartered banks need not submit to State examination under existing law.

No one is sure how much or what rates are involved in the hassle. In May, outstanding consumer installment credit was almost $33 billion, however. And a Federal Reserve Board study of auto financing in 1955 showed that 96 percent of the paper held by commercial banks carried a 7-percent or higher interest charge. However, in one State that does limit conditional sales contract, the top rate allowed is 36 percent.

The bill has also set off these squabbles:

PATMAN contends that the banker advisory committee wrote the bill "in the back room," and a parallel chamber of commerce banking group polished it in the "back, back room." ROBERTSON answers that the advisers made only suggestions, and that he and Banking Committee counsel, Donald L. Rogers, drafted the language. The Senator is proud of the patriotic citizens who collaborated with him. He introduced them at one committee session this way: "I do not remember any hearing in which as much concentrated wealth was represented * * * the bankers alone represent over $250 billion of liquid assets. It necessarily follows that a lot of people in this country ought to be interested in their views."

PATMAN objects to a section exempting national bank examinations from court subpenas or inquiry by anybody except congressional committees without the comptroller's assent. He charges this will make more difficult discovery of fraud or improper use of funds. ROBERTSON and company answer that banks are subject to regular Federal examination by several agencies, that publication of an examiner's finding on a particular loan could unfairly hurt a shaky borrower.

Are 77 banks now selling insurance illegally? A 1916 law permitted banks in towns under 5,000 to sell policies. PATMAN says it was repealed in 1918, although the United States Code did not say so until 1952. But the House Banking Committee clerk, Robert L. Cardon, has written a memorandum to demonstrate that the "repeal" resulted because the 1916 law put some quotation marks in the wrong place, that Congress never intended to repeal the authority and the 1918 law dealt with entirely different matters.

After several weeks of laborious executive sessions, the House committee has removed several sections that drew PATMAN'S fire. But he fears that if the committee reports out any bill, even a good one, the House will adopt it. In the conference committee that will follow to resolve differences between the two versions, he is afraid he will be swamped and that the offensive sections will be restored. ROBERTSON recently told a reporter that PATMAN may not be so wrong at least about this.

STATEMENT OF REPRESENTATIVE EMANUEL CELLER, CHAIRMAN OF THE COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, BEFORE COMMITTEE ON BANKING AND CURRENCY, HOUSE OF REPRESENTATIVES, ON S. 1451 AND H.R. 7026, EXISTING LAW DOES NOT AUTHORIZE NATIONAL BANKS TO SELL INSURANCE

Mr. Chairman, section 45 of title I of S. 1451 would authorize national banks located in communities of fewer than 5,000 inhabitants to act as insurance agents and real estate brokers. Doubting the wisdom of a provision by which national banks would be permitted to commingle the business of banking with that of insurance and real estate brokerage, I consulted Senate Report No. 121, which accompanies the bill. Concerning section 45, Senate Report No. 121 makes the sole assertion:

"This section," it says, "continued the provisions of title 12, United States Code, section 92, governing the insurance agent and real estate broker activities of national banks in communities of not more than 5,000 inhabitants" (p. 19).

In other words, the Senate report presents section 45 as a mere continuation or codification of existing law. Curious as to the precise language of relevant existing law, I consulted title 12 of the current 1952 edition of the United States Code. Section 92 is not to be found in this title of the code. Instead, there is a compiler's note stating that the provisions of section 92, which had been added in 1916, were omitted in certain amendments made in 1918, and that therefore this section had been omitted from the code.

I have studied the matter further, and it now appears that what was presented to Congress as a mere continuation or codification amounts, in reality, to a proposal to revive a former, but long dead provision in favor of national banks located in small communities; that this provision was first enacted in 1916; was repealed in 1918, and has never thereafter been reenacted. For 40 years, in other words, to and including the present moment, there has been no such provision in the law.

I shall outline the basis for this conclusion:

Authority to national banks in small communities to act as insurance agents and real estate brokers was provided for the first and only time by Public Law 270 of the 64th Congress (39 Stat. 752, 3), approved September 7, 1916. The passage which created this privilege is part of a lengthy amendment to section 5202 of the Revised Statutes, set out within quotation marks following the words:

"Section 5202 of the Revised Statutes of the United States is hereby amended so as to read as follows."

As so amended, R.S. 5202 contained the following four major provisions:

(a) It prohibited national banks from incurring indebtedness in excess of capital stock paid in and remaining undiminished by losses, with five enumerated exceptions;

(b) It subjected transactions of Federal Reserve Banks in bills receivable to regulation by the Federal Reserve Board;

(c) It granted national banks in small communities authority to act as insurance agents and real estate brokers, the provision which is the subject of this discussion; and

(d) It provided for acceptance by member banks of drafts and bills of exchange drawn on them.

The authority to act as insurance agents and real estate brokers which is now the subject of section 45 of S. 1451 thus became and was a part of section 5202 of the Revised Statutes of the United States.

So much for the enactment of the authority of national banks to act as insurance agents and brokers. The repeal of this authority is found in Public Law 121 of the 65th Congress (40 Stat. 506, 512), approved April 5, 1918. Section 20 of that enactment begins with the words:

"Section 5202 of the Revised Statutes of the United States is hereby amended so as to read as follows."

There follows, within quotation marks, that provision of the 1916 enactment, above referred to, which prohibits national banks from incurring indebtedness in excess of capital stock paid in, with a sixth exception added to the previously existing five. However, the three other major provisions of section 5202, as amended by the 1916 enactment, are omitted altogether, namely those:

(a) Subjecting transactions of Federal Reserve Banks in bills receivable to regulation;

(b) Granting national banks in small communities authority to act as insurance agents and real estate brokers; and

(c) Providing for acceptance by member banks of drafts and bills of exchange drawn on them.

There can be no question but that the effect of the 1918 enactment, in omitting from section 5202 of the Revised Statutes, as thereby amended, the grant of authority to national banks in small communities to act as insurance agents and real estate brokers, was to repeal that grant totally. The authority never existed outside of section 5202. Its omission from amended section 5202 left it without life, for it is well established that an amendment using the words "so as to read as follows" followed by matter within quotation marks has the effect of substituting the matter so included within quotes for the entire text of the provision which is the subject of the amendment.[1]

I would not close without acknowledging some of the arguments I am informed have been made to sustain the position that the provision in question somehow survived repeal and is still on the books.

First, it is contended that Congress, in 1916, did not intend to include the second, third, and fourth major provisions referred to above as amendments to section 5202, but meant them as independent enactments. This argument requires the further contention that the inclusion of those provisions within the same quotation marks as included the first such provision was in error. It is urged that what was really intended was to make these three provisions amendments to section 13 of the Federal Reserve Act of 1913 (Public Law 43, 63d Cong., 2d sess., 38 Stat. 263) rather than amendments to section 5202. Support for this contention is sought in the practice of the Comptroller of the Currency in administratively treating the four major provisions of the 1916 enactment as parts 9, 10, 11, and 12 of section 13. Since the grant of authority under discussion was never part of section 5202, the argument continues, it was not repealed, nor were the other two major segments, when Congress, in 1918, added a sixth exception to the rule against incurring excessive indebtedness. It is also asserted that the managers of the 1918 act made no reference to the repeal of the substantive provisions under

[1] A subsequent amendment of sections 5200 and 5202 of the Revised Statutes (Public Law 62, 66th Cong., 1st sess.) does not affect the subject under discussion.

consideration in debating that act or in any committee report.

Further, the 1926, 1934, 1940, and 1946 editions of the United States Code continued to carry the provisions granting national banks in small communities authority for insurance and real estate activities, and only the 1952 edition of the code omitted it. It is also asserted that the 1952 edition of the code carried (as section 361 of title 12) the provision relating to dealings in bills receivable. This inclusion was inadvertent and is scheduled for deletion in the next edition.

Finally, I understand that the Comptroller of the Currency has regulations under presently nonexistent section 92 of title 12, and is enforcing them.

Mr. Chairman, I will not enter into dispute concerning the validity of any of the foregoing arguments. Some propositions are too clear for cavil. An unambiguous enactment is the law. The United States Code is prima facie evidence of what the law is. The various contentions that have been made, to the effect that the grant of authority to national banks in small communities to engage in tangential businesses was never repealed, all run afoul of these unassailable principles. More than mere doubt and conjecture are required to overcome the force of law, or to overcome the official prima facie statement of it.

Inasmuch as the authority under discussion was unambiguously repealed, candor requires that the proposal of section 45 be presented and fully considered on its merits, and not passed over a mere continuation or codification of existing law.

HOUSING AND URBAN RENEWAL BILL

Mr. BOWLES. Mr. Speaker, I have introduced today a housing and urban renewal bill designed to meet the increasingly critical needs that have developed in both metropolitan and rural areas across the country.

This bill represents the dedicated, conscientious, and detailed efforts of a number of public organizations and countless individuals to determine how we must proceed if our local governments in the United States are to remain economically and socially healthy, and how far American communities themselves are prepared to go in meeting their share of the costs.

SPONSORING GROUPS

The United States Conference of Mayors, the American Municipal Association, the National Housing Conference, and the National Association of Housing and Redevelopment Officials have all joined in vigorous support of the objectives of this bill. All have participated in its drafting.

These groups represent mayors from all the largest cities in the country, public officials from more than 13,000 municipalities, professionals from the fields of housing and planning, and spokesmen for leading business, religious, labor, and civic organizations.

These people, Mr. Speaker, are not dreamers; they are hardheaded realists who have been living day to day with the challenge created by our sprawling, ill-planned cities, and by inadequate housing for one-third of the Nation.

Undoubtedly this bill can and should be further refined. Thorough hearings will be needed to discover flaws where they may exist. I am confident that Congress will enact an adequate bill without sacrificing any of the essentials.

Surely the challenge itself cannot be avoided, postponed or swept under the rug. We can no longer ignore our obligation to wipe out slum areas, to restore sagging industrial centers, to provide more low-rent housing for a wider range of low-income families, to aid displaced families to relocate, and to meet the special housing needs of our farm, veteran, college and elderly groups.

CONNECTICUT RENEWAL PROJECTS

In my own State of Connecticut, cities like New London, Middletown, Groton, Norwich, Willimantic, Putnam, Danielson, and several smaller towns, are in various stages of urban planning. Some already have Federal funds reserved for urban renewal projects which will offer their citizens a brighter and more profitable future.

Middletown, for example, has had its application approved and has $1,883,653 reserved in Federal funds. Norwich has $281,600 reserved. Also included are Putnam, with $2,621,398, and Killingly with $134,653.

At present, however, funds to carry forward existing plans and to finance new ones are exhausted. Unless effective legislation is passed by Congress in this session, and approved by the President, these and countless other urban renewal programs will grind to a stop.

Some communities will not need money immediately. Indeed the urban renewal expenditures which I propose would not appear in the actual budget for 3 to 5 years. Yet in order to make plans for these projects, municipalities must be assured how much money will be forthcoming.

NEW HAVEN PROGRESS

Mr. Speaker, in my own State, New Haven, under the unflagging effort of its mayor, Richard C. Lee, has shown the kind of exciting urban renewal progress that is possible with vigorous local support. The New Haven story can be repeated across the length and breadth of the land.

Mr. Speaker, we cannot afford further delay. We cannot, because in this day and age, millions of people in this country have a right to expect something more than a slum existence. Merchants and businessmen have a right to earn their living in a city that offers expanding opportunities for trade and development.

We cannot afford it because every day people all over the world read and hear about democracy in the United States. And they ask two questions: Will it work politically? Will it work economically? This legislation will help us answer affirmatively to both.

PROVISIONS TO ENCOURAGE HOME BUILDING

First. The bill liberalizes the present relocation housing program by increasing the maximum amount of an insurable mortgage on a single family house from $9,000 to $10,000 in normal cost areas and from $10,000 to $12,000 in high cost areas. It further permits the construction of such housing in the suburbs as well as within the community for which the relocation housing has been certified.

Second. It facilitates trade-in financing by making builders and realtors eligible for mortgage insurance on units held by them for sale.

Third. It increases cost limitation on the maximum mortgage amount for many rental housing projects and increases the cost limitation per room and per unit to bring such limitations more in line with present building costs.

Fourth. It provides for liberalization of the cooperative housing program, by increasing the maximum insurable amount of the permissive loan and by providing for broader participation on the part of nonveteran families.

Fifth. It provides for an increase in the maximum amounts of the FHA—Federal Housing Administration—insured mortgages covering one- or two-family residences from $20,000 to $27,500, and provides for moderate reductions in the required downpayments on houses in the middle priced range.

Sixth. It establishes a program of mortgage insurance to encourage more rental housing for elderly persons. At least 50 percent of the units constructed under this section in a project would be specifically designed for elderly persons, who could be given preference in renting a unit in the project. The 50-percent requirement was included to assure that such projects will provide housing for a normal cross section of families.

Seventh. It increases the maximum dollar limitation on single-family dwelling mortgage amounts which FNMA—Federal National Mortgage Association—can purchase from $15,000 to $18,000. It also increases the special assistance authorization—all of which have been exhausted—for advance commitments to purchase FHA and GI mortgages of $13,500 or less.

PROVISIONS TO ENCOURAGE THE REBUILDING OF OUR CITIES

First. The bill directs the HHFA—Housing and Home Finance Agency—Administrator to encourage the creation of State agencies to assist smaller communities in initiating and carrying out urban renewal programs.

Second. It encourages local public agencies to acquire and clear slum housing in the first stages of project planning and to expedite the program's progress.

Third. It increases capital grant authorizations for municipalities and expands the program 10 years. Where the annual amount available proves inadequate for any given year, the administrator may borrow funds from those assigned to future years in order to speed up the national effort.

Fourth. It will discourage the imposition of any rationing procedure on the allocation of capital grant funds by the HHFA. Thus communities filing applications for projects which in all respects meet the general requirements of the law can be confident that the Administrator cannot arbitrarily require the local public agency to scale back or cut back on the project as a condition to being given a capital grant reservation.

Fifth. It sets up a grant program to help local governments undertake broad

scale analysis of their slum and blight problems through community renewal programs.

Sixth. The proposed measure provides an increase of relocation payments to displaced families and business concerns, increasing the amounts to the families from $100 to $200 and in the case of displaced businesses, $2,500 to $3,500.

Seventh. It provides for an increase in the amount of program resources which can be devoted to nonresidential redevelopment from 10 to 25 percent. It amends the existing language to make it possible for areas to be redeveloped where there is no residential use. Present law requires at least 20 percent of the project area be devoted to residential use.

Eighth. It helps to make the public housing program more flexible and adjustable to local community needs. It authorizes the local housing agency to fix maximum income limitations for admission and continued occupancy, and to establish its own rent levels. The bill also encourages the Public Housing Administration to promote where appropriate, the acquisition, repair, and rehabilitation of existing dwellings for use as low-rent housing.

Ninth. It acts to restore the original provisions of the Housing Act of 1949, as it relates to the number of low-rent housing units which can be under construction. Under the current levels of construction costs this would mean that with the remaining program, about 190,000 additional units could be constructed. Under the 1949 act, the basic rate for any one year could not exceed 135,000 units. It could be increased by the President up to 200,000 or reduced by him to 50,000 for any one year.

Tenth. As an alternate approach to the problem of providing adequate housing facilities for the aged, the bill contains provision for a direct loan program to nonprofit organizations to construct, rehabilitate, or convert structures to provide rental housing for elderly persons.

Eleventh. Of great importance to rural areas in Connecticut's Second District and throughout the United States, the bill provides for housing loans by the Secretary of Agriculture to (a) expand coverage for housing all types of farm labor, (b) investigate farm housing needs, (c) expands loan coverage to smaller farms, and (d) reduce the housing loan rate from 4 to 3 percent.

It also establishes a new program authorizing the Secretary of Agriculture to insure loans for the purpose of providing housing to migratory farm labor.

The farm housing research program would also be extended for 3 more years, with an authorized appropriation of $100,000 a year.

Twelfth. Finally, the measure also increases the amount available to the college housing program, provides for loans for classroom buildings and other academic facilities. It also contains provisions related to needed improvements in the veterans housing programs.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. REUSS, for 10 minutes, today, and to revise and extend his remarks.

Mr. BAILEY, for 30 minutes, on Monday next, January 19, 1959.

Mr. ADDONIZIO (at the request of Mr. SANTANGELO), today, for 10 minutes.

Mr. FLOOD, for 1 hour, on February 16, on the subject Lithuanian Independence Day.

Mr. FLOOD, for 15 minutes, today.

Mr. DINGELL, for 5 minutes, on Monday next, January 19, 1959.

Mr. THOMPSON of Texas, for 30 minutes, today.

Mr. BOWLES, for 5 minutes, today.

Mr. SPRINGER, for 1 hour, today.

Mrs. ROGERS of Massachusetts, for 15 minutes, on Monday next, and to vacate the special order granted her for today.

Mr. JUDD, for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. IKARD (at the request of Mr. THORNBERRY) and include extraneous material.

Mr. BRADEMAS.

Mr. PHILBIN (at the request of Mr. BURNS of Hawaii).

Mr. BURNS of Hawaii and to include extraneous matter.

Mr. REUSS and to include extraneous matter.

Mr. BAILEY and to include a résumé of the argument by his colleague Congressman HECHLER before the Tobacco Division of the Department of Agriculture.

Mr. DULSKI and to include extraneous matter.

Mr. SIKES and to include extraneous matter.

Mr. BOSCH and to include extraneous matter.

Mrs. ROGERS of Massachusetts and to include copies of certain bills she introduced today.

Mr. CURTIS of Missouri in two instances and to include extraneous matter.

Mr. PELLY.

Mr. SCHERER and in one to include extraneous matter.

Mr. TUCK and to include an address delivered by Mr. HARRISON.

Mr. BERRY (at the request of Mr. ARENDS) and to include an article.

Mr. CRAMER (at the request of Mr. ARENDS).

Mr. SCHWENGEL (at the request of Mr. ARENDS).

Mr. FULTON (at the request of Mr. ARENDS) and to include extraneous matter.

Mr. ANFUSO (at the request of Mr. ALBERT) in two instances and to include extraneous matter, notwithstanding the estimated cost in each instance will be $283.50.

Mr. WILLIS (at the request of Mr. ALBERT).

Mr. LIBONATI (at the request of Mr. ALBERT) and to include extraneous matter.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 59 minutes p.m.), under its previous order, the House adjourned until Monday, January 19, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

324. A letter from the Governor, Farm Credit Administration, transmitting the 25th Annual Report of the Farm Credit Administration (including the report of the Federal Farm Credit Board), covering the fiscal year ended June 30, 1958 (H. Doc. No. 18); to the Committee on Agriculture, and ordered to be printed with illustrations.

325. A letter from the president, Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc., transmitting the 31st annual report of the work and operation of the Gorgas Memorial Laboratory, covering the fiscal year ended June 30, 1958, pursuant to the act of Congress approved on May 7, 1928, as amended (22 U.S.C. 278a) (H. Doc. No. 10); to the Committee on Foreign Affairs and ordered to be printed.

326. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Virgin Islands Corporation for the fiscal year ended June 30, 1958 (H. Doc. No. 44); to the Committee on Government Operations and ordered to be printed.

327. A letter from the Adjutant General, United Spanish War Veterans, transmitting the proceedings of the stated convention of the 60th National Encampment, United Spanish War Veterans, held in Louisville, Ky., August 31 to September 4, 1958, pursuant to Public Law 249, 77th Congress (H. Doc. No. 45); to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

328. A letter from the Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to extend the special enlistment programs provided by section 262 of the Armed Forces Reserve Act of 1952, as amended; to the Committee on Armed Services.

329. A letter from the Director, Legislative Liaison, Department of the Air Force, transmitting a quarterly report on the number of officers assigned or detailed to permanent duty in the executive element of the Air Force at the seat of the government as of December 31, 1958, pursuant to section 8031(c), title 10, United States Code; to the Committee on Armed Services.

330. A letter from the Acting Secretary of the Treasury, transmitting a report by the Secretaries of the Army, Navy, and Air Force, showing by rank and age group the number of officers above the rank of major of the Army and Air Force or lieutenant commander of the Navy receiving monthly flight pay for the 6-month period from July 1 to December 31, 1958, pursuant to Public Law 301, 79th Congress; to the Committee on Armed Services.

331. A letter from the Administrator, General Services Administration, transmitting a notice of a proposed disposition of approximately 3,664 short-tons of mullite (calcined kyanite) now held in the national stockpile, pursuant to the Strategic and Critical Materials Stock Piling Act (53 Stat. 811, as amended, 50 U.S.C. 98b(e)); to the Committee on Armed Services.

332. A letter from the Acting Assistant Secretary of Defense (Supply and Logistics), transmitting reports on Army, Navy, and Air Force prime contract awards to small and other business firms completed in the

month of September 1958, and in the fiscal year 1959 through September, pursuant to the Small Business Act as amended by Public Law 85-536; to the Committee on Banking and Currency.

333. A letter from the president, Georgetown Barge, Dock, Elevator & Railway Co., transmitting a report pertaining to the operation of the Georgetown Barge, Dock, Elevator & Railway Co. for the calendar year 1958, pursuant to the act of Congress approved September 26, 1888; to the Committee on the District of Columbia.

334. A letter from the Sergeant at Arms, U.S. House of Representatives, transmitting a statement in writing exhibiting the several sums drawn by him pursuant to section 78 and 80 of title 2, United States Code, the application and disbursement of the same, and the balance, if any, remaining in his hands, pursuant to title 2, United States Code, 84; to the Committee on House Administration.

335. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to enlarge the Devils Tower National Monument in the State of Wyoming, and for other purposes"; to the Committee on Interior and Insular Affairs.

336. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to amend section 1 of the act of April 16, 1934, as amended by the act of June 4, 1936 (49 Stat. 1458), entitled 'An act authorizing the Secretary of the Interior to arrange with States or Territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes' "; to the Committee on Interior and Insular Affairs.

337. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation entitled "A bill to amend title 28, entitled 'Judiciary and Judicial Procedure' of the United States Code to provide for the defense of suits against Federal employees arising out of their operation of motor vehicles in the scope of their employment, and for other purposes"; to the Committee on the Judiciary.

338. A letter from the Director, Administrative Office United States Courts, transmitting a draft of proposed legislation entitled "A bill to amend section 1114 of title 18 of the United States Code, as amended, in reference to the protection of officers and employees of the United States by including probation officers of the United States district courts"; to the Committee on the Judiciary.

339. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation entitled "A bill to amend section 373 of title 28, United States Code, so as to authorize retired judges of certain territorial courts to perform judicial service when designated and assigned"; to the Committee on the Judiciary.

340. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation entitled "A bill to amend section 752 of title 28, United States Code"; to the Committee on the Judiciary.

341. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation entitled "A bill to fix the official station of retired judges assigned to active duty"; to the Committee on the Judiciary.

342. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation entitled "A bill to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants"; to the Committee on the Judiciary.

343. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation entitled "A bill to provide that the United States district judges for the districts of Hawaii and Puerto Rico shall have the same tenure of office and retirement rights as all other United States district judges"; to the Committee on the Judiciary.

344. A letter from the Acting Secretary of the Treasury transmitting a draft of proposed legislation entitled "A bill to amend section 432(g) of title 14, United States Code, so as to increase the limitation on basic compensation of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard from $3,750 to $5,100 per annum"; to the Committee on Merchant Marine and Fisheries.

345. A letter from the Postmaster General transmitting a draft of proposed legislation entitled "A bill to credit to postal revenues commissions on pay telephones located in postal facilities and other items of revenues which otherwise would be required to be deposited by the Post Office Department in miscellaneous receipts of the Treasury, and for other purposes"; to the Committee on Post Office and Civil Service.

346. A letter from the Postmaster General transmitting a draft of proposed legislation entitled "A bill to authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes"; to the Committee on Post Office and Civil Service.

347. A letter from the Secretary of Commerce transmitting the annual report of the Foreign-Trade Zones Board for the fiscal year ended June 30, 1958, together with the reports covering the operations during the same period of Foreign Trade Zones Nos. 1, 2, 3, and 5, located respectively, at New York City, New Orleans, San Francisco, and Seattle, pursuant to Public Law 566, 81st Congress; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Virginia: Committee on Rules. House Resolution 19. Resolution authorizing the Committee on Armed Services to conduct a full and complete investigation and study of all matters relating to procurement by the Department of Defense, personnel of such Department, laws administered by such Department, use of funds by such Department and scientific research in support of the armed services; without amendment (Rept. No. 2). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PATMAN:

H.R. 2316. A bill to insure effective regulation of D.C. Transit System, Inc., and fair and equal competition between D.C. Transit System, Inc., and its competitors; to the Committee on Interstate and Foreign Commerce.

By Mr. ABERNETHY:

H.R. 2317. A bill to provide for the licensing and bonding of collection agencies in the District of Columbia; to the Committee on the District of Columbia.

H.R. 2318. A bill to provide for the regulation of closing-out and fire sales in the District of Columbia; to the Committee on the District of Columbia.

By Mr. ALGER:

H.R. 2319. A bill to provide for the appointment of one additional district judge for the State of Texas; to the Committee on the Judiciary.

By Mr. ANDERSON of Montana:

H.R. 2320. A bill to authorize the rehabilitation of the Sherburne Lake Dam and outlet works, Milk River project, Montana, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. AUCHINCLOSS:

H.R. 2321. A bill to provide an elected commission form of government for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. BROYHILL:

H.R. 2322. A bill to amend the act of July 1, 1902, to exempt certain common carriers of passengers from the mileage tax imposed by that act and from certain other taxes; to the Committee on the District of Columbia.

By Mr. BURNS of Hawaii:

H.R. 2323. A bill to make the calendar fixed and perpetual; to the Committee on Foreign Affairs.

By Mr. BYRNE of Pennsylvania:

H.R. 2324. A bill to permit the flying of the flag of the United States for 24 hours of each day over Independence Hall, Philadelphia, Pa.; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 2325. A bill to amend the Clayton Act, as amended, by requiring prior notification of corporate mergers and acquisitions, and for other purposes; to the Committee on the Judiciary.

By Mr. DOLLINGER:

H.R. 2326. A bill to provide for Government contribution toward personal health service benefits for civilian officers and employees in the U.S. service and their dependents, to authorize payroll deductions for participants, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DOOLEY:

H.R. 2327. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

H.R. 2328. A bill to provide for the admission of the State of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

By Mr. DOWDY:

H.R. 2329. A bill to provide that wages, salaries, and commissions for personal services will be exempt from attachment and garnishment in the District of Columbia; to the Committee on the District of Columbia.

By Mr. FLOOD:

H.R. 2330. A bill to provide effective congressional control over the budget of the United States, and for other purposes; to the Committee on Government Operations.

By Mr. FOLEY:

H.R. 2331. A bill to establish the Chesapeake and Ohio Canal National Historical Park and to provide for the administration and maintenance of a parkway, in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FRELINGHUYSEN:

H.R. 2332. A bill to amend the National Defense Education Act of 1958 by repealing section 1001(f) thereof; to the Committee on Education and Labor.

By Mrs. GRANAHAN:

H.R. 2333. A bill to revise the Postal Field Service Compensation Act of 1955 with respect to salary levels, position descriptions, longevity step increases, promotions, and other benefits of supervisory and other postal field service employees, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GEORGE:

H.R. 2334. A bill to provide that the Secretary of the Interior shall investigate and report to the Congress as to the advisability

of establishing Huron Cemetery, Kansas City, Kans., as a shrine and monument; to the Committee on Interior and Insular Affairs.

H.R. 2335. A bill to repeal section 5 of Public Law 887, 84th Congress; to the Committee on Interior and Insular Affairs.

By Mr. HALEY:

H.R. 2336. A bill to amend paragraph (k) of section 403 of the Federal Food, Drug, and Cosmetic Act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. HEALEY:

H.R. 2337. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives with intent to destroy or damage any communal building, residence, or place of business; to the Committee on the Judiciary.

By Mr. HECHLER:

H.R. 2338. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. CELLER:

H.R. 2339. A bill to revise, codify, and enact into law, title 39 of the United States Code, entitled "The Postal Service"; to the Committee on the Judiciary.

By Mr. HERLONG:

H.R. 2340. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of dividends paid by certain corporations which hold obligations of States and local governments; to the Committee on Ways and Means.

By Mr. CURTIS of Missouri:

H.R. 2341. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of dividends paid by certain corporations which hold obligations of States and local governments; to the Committee on Ways and Means.

By Mr. HUDDLESTON:

H.R. 2342. A bill to provide a particular designation for the proposed dam and lock on the Chattahoochee River at Columbia, Ala.; to the Committee on Public Works.

By Mr. JOHNSON of California:

H.R. 2343. A bill to authorize the Secretary of the Interior to construct the San Luis unit of the Central Valley project, California, to enter into an agreement with the State of California with respect to the construction and operation of such unit, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LESINSKI:

H.R. 2344. A bill to amend the National Labor Relations Act in order to permit supervisors to be considered as employees under the provisions of such act, and for other purposes; to the Committee on Education and Labor.

By Mr. LIBONATI:

H.R. 2345. A bill to amend the Fair Labor Standards Act of 1938 to establish a $1.25 minimum hourly wage, and for other purposes; to the Committee on Education and Labor.

By Mr. LINDSAY:

H.R. 2346. A bill to amend part III of the Civil Rights Act of 1957; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H.R. 2347. A bill to extend for 5 additional years the authority of the Surgeon General of the Public Health Service with respect to air pollution control; to the Committee on Interstate and Foreign Commerce.

By Mr. McCORMACK:

H.R. 2348. A bill to provide for the admission of the State of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

By Mr. McGOVERN:

H.R. 2349. A bill to amend the act of August 5, 1954 (68 Stat. 674), and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MATTHEWS:

H.R. 2350. A bill to bring employees of agricultural stabilization and conservation county committees within the purview of the Civil Service Retirement Act and the Federal Employees' Group Life Insurance Act of 1954; to the Committee on Post Office and Civil Service.

By Mr. GEORGE P. MILLER:

H.R. 2351. A bill to provide financial assistance for the support of public schools by appropriating funds to the States to be used for constructing school facilities and for teachers' salaries; to the Committee on Education and Labor.

By Mr. MORRIS of New Mexico:

H.R. 2352. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Navajo Indian irrigation project and the initial stage of the San Juan-Chama project as participating projects of the Colorado River storage project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MORRISON:

H.R. 2353. A bill to amend the act of May 14, 1948 (ch. 289, sec. 1, 62 Stat. 234), relating to those persons who may be buried in national cemeteries; to the Committee on Interior and Insular Affairs.

H.R. 2354. A bill to increase the equipment maintenance allowance for rural carriers; to the Committee on Post Office and Civil Service.

By Mr. PELLY:

H.R. 2355. A bill to provide that for the purpose of disapproval by the President each provision of an appropriation bill shall be considered a separate bill; to the Committee on the Judiciary.

By Mr. QUIE:

H.R. 2356. A bill to provide for the construction of a new Federal building in Winona, Minn.; to the Committee on Public Works.

By Mr. RAINS:

H.R. 2357. A bill to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes; to the Committee on Banking and Currency.

By Mr. ROOSEVELT:

H.R. 2358. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

By Mr. RUTHERFORD:

H.R. 2359. A bill to provide for the appointment of an additional district judge for the western district of Texas; to the Committee on the Judiciary.

By Mr. SAUND:

H.R. 2360. A bill to recognize the Ryan-Hemet Airport as a public airport for the purposes of the Federal Airport Act, and to provide for reimbursement for damage to such airport in accordance with such act; to the Committee on Interstate and Foreign Commerce.

By Mr. SILER:

H.R. 2361. A bill to provide for an appropriation of a sum not exceeding $175,000 with which to make a survey of a proposed national parkway from the Great Smoky Mountains National Park in North Carolina and Tennessee to the Mammoth Cave National Park in Kentucky, and the Natchez Trace Parkway in Tennessee; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SIMPSON of Pennsylvania:

H.R. 2362. A bill to encourage private U.S. investment in foreign countries by restricting the incidence of double taxation on taxpayers with gross income from sources outside the United States; to the Committee on Ways and Means.

By Mr. THOMSON of Wyoming:

H.R. 2363. A bill to affirm and recognize the water laws of the States lying wholly or partly west of the 98th meridian; to the Committee on Interior and Insular Affairs.

By Mr. TOLLEFSON:

H.R. 2364. A bill to amend the Civil Service Retirement Act to increase to 2½ percent the multiplication factor for determining annuities for certain Federal employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

By Mr. UDALL:

H.R. 2365. A bill to authorize assistance to States for the financial support of public elementary and secondary schools; to the Committee on Education and Labor.

By Mr. ULLMAN:

H.R. 2366. A bill to make the evaluation of recreational benefits resulting from the construction of any flood control, navigation, or reclamation project an integral part of project planning, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WALTER:

H.R. 2367. A bill to amend section 3253 of title 10, United States Code; to the Committee on Armed Services.

H.R. 2368. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

H.R. 2369. A bill to amend section 2385, title 18, United States Code, to define the term "organize" as used in that section; to the Committee on the Judiciary.

H.R. 2370. A bill to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes; to the Committee on the Judiciary.

By Mr. MILLER of New York:

H.R. 2371. A bill to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes; to the Committee on the Judiciary.

By Mr. HARRIS:

H.R 2372. A bill to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes; to the Committee on the Judiciary.

By Mr. BYRNES of Wisconsin:

H.R. 2373. A bill to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 2374. A bill to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes; to the Committee on the Judiciary.

By Mr WILSON:

H.R. 2375. A bill to amend the Annual and Sick Leave Act of 1951 to prevent the loss of annual leave by employees without opportunity to use such leave; to the Committee on Post Office and Civil Service.

By Mr. ZELENKO:

H.R. 2376. A bill to grant an additional income tax exemption to a taxpayer supporting a dependent who is blind or otherwise permanently and totally disabled; to the Committee on Ways and Means.

H.R. 2377. A bill to repeal the cabaret tax; to the Committee on Ways and Means.

H.R. 2378. A bill to amend the Internal Revenue Code of 1954 to allow an individual to deduct, for income tax purposes, the expenses incurred by him in traveling to and from work on public conveyances; to the Committee on Ways and Means.

H.R. 2379. A bill to amend and revise the laws relating to immigration, naturalization, nationality, and citizenship, and for other purposes; to the Committee on the Judiciary.

By Mr. ALBERT:

H.R. 2380. A bill to provide for further research relating to new and improved uses which offer expanding markets for farm and

forest products, to assist the States to provide additional facilities for research at the State agricultural experiment stations, and for other purposes; to the Committee on Agriculture.

By Mr. ASHLEY:

H.R. 2381. A bill to amend the public assistance provisions of the Social Security Act to eliminate certain inequities and restrictions and permit a more effective distribution of Federal funds; to the Committee on Ways and Means.

H.R. 2382. A bill to amend title II of the Social Security Act and the Internal Revenue Code so as to provide insurance against the costs of hospital, nursing home, and surgical service for persons eligible for old-age and survivors' insurance benefits, and for other purposes; to the Committee on Ways and Means.

By Mr. BARING:

H.R. 2383. A bill to permit articles imported from foreign countries for the purpose of exhibition at the World Congress of Flight to be held in April 1959 at Las Vegas, Nev., to be admitted without payment of tariff and for other purposes; to the Committee on Ways and Means.

By Mr. BECKWORTH:

H.R. 2384. A bill to amend title I of the Social Security Act to provide increased Federal matching of State old-age assistance expenditures thereunder; to the Committee on Ways and Means.

By Mr. BOWLES:

H.R. 2385. A bill to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes; to the Committee on Banking and Currency.

By Mr. BOYKIN:

H.R. 2386. A bill to direct the Administrator of General Services to convey to the city of Mobile, Ala., all the right, title, and interest of the United States in and to certain land; to the Committee on Government Operations.

By Mr. BROYHILL:

H.R. 2387. A bill to restore uniformity to the parcel post service; to the Committee on Post Office and Civil Service.

By Mr. CHAMBERLAIN:

H.R. 2388. A bill to repeal the manufacturers' excise tax on passenger automobiles and trucks; to the Committee on Ways and Means.

By Mr. COLLIER:

H.R. 2389. A bill relating to the treatment of certain advertising, sales promotion, and similar items in determining price and price readjustments for purposes of the Federal manufacturers' excise taxes; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 2390. A bill for the relief of the city of Maderia Beach, Fla.; to the Committee on the Judiciary.

By Mr. DEROUNIAN:

H.R. 2391. A bill to amend the Internal Revenue Code of 1954 to prevent increases in Federal income taxes as the result of tax relief measures enacted by State and political subdivisions for the relief of railroad corporations; to the Committee on Ways and Means.

By Mr. DOLLINGER:

H.R. 2392. A bill to amend the Internal Revenue Code of 1954 to prevent increases in Federal income taxes as the result of tax relief measures enacted by State and political subdivisions for the relief of railroad corporations; to the Committee on Ways and Means.

H.R. 2393. A bill to amend sections 522 and 545 of title 38, United States Code, to increase the income limitations applicable to the payment of pension for non-service-connected disability or death to $2,000 and $3,500; to the Committee on Veterans' Affairs.

H.R. 2394. A bill to establish an effective program to alleviate conditions of excessive unemployment in certain economically depressed areas; to the Committee on Ways and Means.

By Mr. DONOHUE:

H.R. 2395. A bill to provide for the establishment of a United States Foreign Service Academy; to the Committee on Foreign Affairs.

By Mr. FENTON:

H.R. 2396. A bill to establish quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. FORAND:

H.R. 2397. A bill to amend the Internal Revenue Code of 1939 to provide a credit against the estate tax for Federal estate taxes paid on certain prior transfers in the case of decedents dying after December 31, 1947; to the Committee on Ways and Means.

By Mr. GAVIN:

H.R. 2398. A bill to provide for the establishment of a fish hatchery in the northwestern part of the State of Pennsylvania; to the Committee on Merchant Marine and Fisheries.

By Mr. GLENN:

H.R. 2399. A bill to amend the Internal Revenue Code of 1954 to provide that special equipment for disabled individuals shall not be subject to the tax on automobile parts and accessories; to the Committee on Ways and Means.

By Mr. HERLONG:

H.R. 2400. A bill to encourage private U.S. investment in foreign countries by restricting the incidence of double taxation on taxpayers with gross income from sources outside the United States; to the Committee on Ways and Means.

H.R. 2401. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

By Mr. HOLIFIELD:

H.R. 2402. A bill to provide for transfer of credit from the civil service retirement system to the old-age and survivors insurance system, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HOGAN:

H.R. 2403. A bill to amend sections 522 and 545 of title 38, United States Code, to increase the income limitations applicable to the payment of pension for non-service-connected disability or death to $1,800 and $3,000; to the Committee on Veterans' Affairs.

By Mr. HUDDLESTON:

H.R. 2404. A bill to amend section 6150 of title 10, United States Code, to provide for advancement on the retired list for certain naval officers who were granted decorations or commendations for merit in time of war; to the Committee on Armed Services.

H.R. 2405. A bill to amend section 101 of title 38, United States Code, to provide that a child shall be deemed to be the adopted child of a veteran where the child was a member of the veteran's household and is adopted by the spouse of the veteran within 2 years of the veteran's death; to the Committee on Veterans' Affairs.

By Mr. KEITH:

H.R. 2406. A bill to provide for a preliminary examination and survey of Green Harbor, Marshfield, Mass., for navigation and other purposes; to the Committee on Public Works.

By Mr. KEOGH:

H.R. 2407. A bill to amend the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. LIBONATI:

H.R. 2408. A bill to amend title I of the Social Security Act to provide that old-age assistance otherwise payable to an individual thereunder shall not be reduced on account of certain increases in any insurance benefits to which such individual is entitled under title II of such act; to the Committee on Ways and Means.

By Mr. LIPSCOMB:

H.R. 2409. A bill to encourage the prevention of air and water pollution by allowing the cost of treatment works for the abatement of air and stream pollution to be amortized at an accelerated rate for income-tax purposes; to the Committee on Ways and Means.

By Mr. McGOVERN:

H.R. 2410. A bill to amend sections 4081 and 4082 of the Internal Revenue Code of 1954 to include wholesale distributors within the definition of "producers" of gasoline, and for other purposes; to the Committee on Ways and Means.

By Mr. MAGNUSON:

H.R. 2411. A bill to amend paragraph 1629 of the Tariff Act of 1930 so as to provide for the free importation of tourist literature; to the Committee on Ways and Means.

By Mr. O'HARA of Illinois:

H.R. 2412. A bill to extend to veterans of the Spanish-American War, including the Philippine Insurrection and the Boxer Rebellion, the same eligibility for hospital care for any disability from the Veterans' Administration as they now enjoy with respect to outpatient medical services; to the Committee on Veterans' Affairs.

By Mr. OSTERTAG:

H.R. 2413. A bill to amend title II of the Social Security Act to provide that an individual's entitlement to child's insurance benefits shall continue, after he attains age 18, for so long as he is regularly attending school; to the Committee on Ways and Means.

H.R. 2414. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits payable thereunder; to the Committee on Ways and Means.

H.R. 2415. A bill to amend title II of the Social Security Act to permit an individual to waive his right to receive benefits thereunder in order to preserve his right to receive benefits under other laws; to the Committee on Ways and Means.

H.R. 2416. A bill for the establishment of a Commission on Metropolitan Problems and Urban Development; to the Committee on Government Operations.

H.R. 2417. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. PELLY:

H.R. 2418. A bill to repeal the cabaret tax; to the Committee on Ways and Means.

By Mr. PHILBIN:

H.R. 2419. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. POAGE:

H.R. 2420. A bill to authorize the Secretary of Agriculture to make long-term contracts for the disposal of surplus agricultural commodities, and for other purposes; to the Committee on Agriculture.

By Mr. RAINS:

H.R. 2421. A bill to amend section 224 of the Social Security Act to provide that there shall be no offset against social security benefits for disabled persons on account of disability retirement pay for members of the uniformed services; to the Committee on Ways and Means.

H.R. 2422. A bill to provide an additional income tax exemption for a taxpayer supporting a child who is an invalid; to the Committee on Ways and Means.

H.R. 2423. A bill to create a Department of Urban Affairs, and for other purposes; to the Committee on Government Operations.

H.R. 2424. A bill to prohibit banks insured under the Federal Deposit Insurance Act

from engaging in the travel agency business; to the Committee on Banking and Currency.

H.R. 2425. A bill to amend the Internal Revenue Code to exempt from the manufacturers' excise tax certain automobiles furnished without charge to schools for use in driver training programs; to the Committee on Ways and Means.

H.R. 2426. A bill to amend the Defense Production Act of 1950 so as to require periodic reports to the Congress concerning action taken to carry out the policy of the Congress to encourage geographical dispersal of industrial facilities; to the Committee on Banking and Currency.

By Mr. ROBERTS:

H.R. 2427. A bill to amend title II of the Social Security Act to provide that benefits payable thereunder shall not be considered as income in determining eligibility of veterans for non-service-connected disability pensions; to the Committee on Ways and Means.

H.R. 2428. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide for lease and transfer of acreage allotments; to the Committee on Agriculture.

By Mr. ROBISON:

H.R. 2429. A bill to amend section 203 of the Social Security Act to increase the amount of earnings individuals are permitted to earn without suffering deductions from their benefits; to the Committee on Ways and Means.

By Mr. ROGERS of Florida:

H.R. 2430. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer fire-fighting organizations, and for other purposes; to the Committee on Government Operations.

By Mrs. ROGERS of Massachusetts:

H.R. 2431. A bill to amend section 312, title 38, United States Code, to establish a presumption of service connection for chronic and tropical diseases becoming manifest within 3 years from separation from service; to the Committee on Veterans' Affairs.

H.R. 2432. A bill to provide a further period for presuming service connection in the case of veterans suffering from Hansen's disease (leprosy); to the Committee on Veterans' Affairs.

H.R. 2433. A bill to provide that veterans age 65 shall be deemed to be permanently and totally disabled for pension purposes; to the Committee on Veterans' Affairs.

H.R. 2434. A bill to provide that veterans suffering from active pulmonary tuberculosis shall be deemed to be permanently and totally disabled for pension purposes while hospitalized; to the Committee on Veterans' Affairs.

H.R. 2435. A bill to provide pension for widows and children of deceased World War II and Korean conflict veterans on the same basis as is provided for widows and children of deceased World War I veterans; to the Committee on Veterans' Affairs.

H.R. 2436. A bill to increase the annual income limitations governing the payment of pension to veterans of World War I, World War II, or the Korean conflict, and their dependents; to the Committee on Veterans' Affairs.

By Mr. ROOSEVELT:

H.R. 2437. A bill to amend section 1001(f) of the National Defense Education Act of 1958; to the Committee on Education and Labor.

By Mr. SAYLOR:

H.R. 2438. A bill to revise and amend the duties of the Secretary of the Interior as provided in the act of January 13, 1925 (43 Stat. 739), and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SISK:

H.R. 2439. A bill to amend sections 1612 and 1613 of title 38, United States Code, to provide that where a veteran eligible for educational benefits on account of Korean conflict service has reentered military service, such service shall not be counted as part of the periods within which his education must be begun and completed; to the Committee on Veterans' Affairs.

By Mr. THOMPSON of New Jersey:

H.R. 2440. A bill to amend the Internal Revenue Code of 1954 to provide funds for educational purposes by providing increased incentives for private giving through the allowance of a tax credit for charitable contributions to institutions of higher education; to the Committee on Ways and Means.

H.R. 2441. A bill to amend the Internal Revenue Code of 1954 to reduce the admissions tax where a substantial part of the program consists of live musical or dramatic performances in order to provide greatly increased employment, accompanied by larger tax revenues which will offset any losses to the Federal Government, in the entertainment and related industries; to aid the motion-picture industry which has suffered a decline; to foster the growth and development of the fine arts in the United States without resort to the subsidies common in other countries, and for other purposes; to the Committee on Ways and Means.

By Mr. TOLLEFSON:

H.R. 2442. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit the donation and other disposal of property to tax-supported public recreation agencies; to the Committee on Government Operations.

By Mr. WHARTON:

H.R. 2443. A bill to amend title II of the Social Security Act to provide in certain cases for the payment of benefits to an individual as the wife, husband, widow, or widower of an insured individual, notwithstanding the existence of a legal impediment invalidating their marriage, where such marriage was entered into in good faith and they lived together for a specified period; to the Committee on Ways and Means.

H.R. 2444. A bill to amend section 170(b)(1) of the Internal Revenue Code of 1954 with respect to certain charitable contributions to libraries; to the Committee on Ways and Means.

H.R. 2445. A bill to increase from $600 to $800 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Ways and Means.

By Mr. WIDNALL:

H.R. 2446. A bill to amend the Social Security Act to provide that the Secretary of Health, Education, and Welfare shall, under certain circumstances, disclose the current addresses of husbands and parents who have deserted their families; to the Committee on Ways and Means.

H.R. 2447. A bill to amend the Internal Revenue Code of 1954 to allow an individual to deduct, for income tax purposes, the expenses incurred by him in traveling to and from work on public conveyances; to the Committee on Ways and Means.

H.R. 2448. A bill to amend section 46, title 18, United States Code, with respect to transportation of water hyacinths and seeds; to the Committee on the Judiciary.

By Mr. WIER:

H.R. 2449. A bill to authorize the Secretary of the Army to lease a portion of Twin Cities Arsenal, Minn., to Independent School District No. 16, Minnesota; to the Committee on Armed Services.

By Mr. WILSON:

H.R. 2450. A bill to amend the Servicemen's and Veterans' Survivor Benefits Act to provide that all retired members of the uniformed services who served not less than 25 years on active duty and who thereafter die shall be considered to have died service-connected deaths; to the Committee on Veterans' Affairs.

By Mr. ALBERT:

H.R. 2451. A bill to make the evaluation of recreational benefits resulting from the construction of any flood control, navigation, or reclamation project an integral part of project planning, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ASHLEY:

H.R. 2452. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. BECKWORTH:

H.R. 2453. A bill to eliminate the requirement that veterans have served for 90 days or more to qualify for certain benefits under laws administered by the Veterans' Administration; to the Committee on Veterans' Affairs.

H.R. 2454. A bill to provide that the former owners of land acquired by the United States shall, in certain cases, have the right to reacquire the mineral rights in such land when it is sold by the United States; to the Committee on Interior and Insular Affairs.

By Mr. BENTLEY:

H.R. 2455. A bill to provide for the promotion of certain persons who participated in the defense of the Philippines; to the Committee on Armed Services.

H.R. 2456. A bill to amend section 1612 of title 38, United States Code, to extend the period within which veterans must initiate courses of education and training where they have been prevented from initiating such courses because of disability; to the Committee on Veterans' Affairs.

By Mr. BERRY:

H.R. 2457. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate; and for other purposes; to the Committee on Armed Services.

H.R. 2458. A bill to establish the Rural Electrification Administration as an independent agency, and for other purposes; to the Committee on Agriculture.

H.R. 2459. A bill to provide that certain lands shall be held in trust for the Rosebud Sioux Tribe in South Dakota; to the Committee on Interior and Insular Affairs.

H.R. 2460. A bill to place in trust status certain lands on the Rosebud Sioux Reservation in South Dakota; to the Committee on Interior and Insular Affairs.

H.R. 2461. A bill to provide that certain lands shall be held in trust for the Standing Rock Sioux Tribe in North Dakota and South Dakota; to the Committee on Interior and Insular Affairs.

By Mr. BOSCH:

H.R. 2462. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate; and for other purposes; to the Committee on Armed Services.

By Mr. BOYKIN:

H.R. 2463. A bill to amend the Federal Trade Commission Act to promote quality-and-price stabilization; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL:

H.R. 2464. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

H.R. 2465. A bill to authorize the exchange of certain lands in Arlington County, Va.; to the Committee on Interior and Insular Affairs.

H.R. 2466. A bill to amend the Internal Revenue Code of 1954 with respect to the basis of property acquired from a decedent who died before January 1, 1954; to the Committee on Ways and Means.

H.R. 2467. A bill to amend the act of September 7, 1950, to authorize the Secretary of Commerce to reimburse owners and tenants of lands acquired for Chantilly Airport for their moving expenses; to the Committee on Interstate and Foreign Commerce.

By Mr. COLLIER:

H.R. 2468. A bill to amend the Passport Act of July 3, 1926, to authorize certain restrictions and limitations with respect to the issuance and validity of passports; to the Committee on Foreign Affairs.

By Mr. CRAMER:

H.R. 2469. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

By Mr. DOLLINGER:

H.R. 2470. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate, and for other purposes; to the Committee on Armed Services.

By Mr. DONOHUE:

H.R. 2471. A bill to establish the Federal Agency for Handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

H.R. 2472. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

H.R. 2473. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education; to the Committee on Ways and Means.

H.R. 2474. A bill to provide for unemployment reinsurance grants to the States to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

H.R. 2475. A bill to provide assistance to communities, industries, business enterprises, and individuals to facilitate adjustments made necessary by the trade policy of the United States; to the Committee on Ways and Means.

By Mr. DULSKI:

H.R. 2476. A bill to provide for the admission of the State of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

By Mr. FINO:

H.R. 2477. A bill to provide that the hospital at San Patricio, P.R., presently operated by the Administrator of Veterans' Affairs shall be transferred to the Administrator of Veterans' Affairs; to the Committee on Armed Services.

By Mrs. GRANAHAN:

H.R. 2478. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate, and for other purposes; to the Committee on Armed Services.

By Mr. HALPERN:

H.R. 2479. A bill to amend part III of the Civil Rights Act of 1957; to the Committee on the Judiciary.

By Mr. HARRIS:

H.R. 2480. A bill to amend certain provisions of the Securities Exchange Act of 1934, as amended; to the Committee on Interstate and Foreign Commerce.

H.R. 2481. A bill to amend certain provisions of the Investment Company Act of 1940, as amended; to the Committee on Interstate and Foreign Commerce.

H.R. 2482. A bill to amend certain provisions of the Investment Advisers Act of 1940, as amended; to the Committee on Interstate and Foreign Commerce.

H.R. 2483. A bill to amend certain provisions of the Trust Indenture Act of 1939, as amended; to the Committee on Interstate and Foreign Commerce.

H.R. 2484. A bill to amend section 1107 of the Federal Aviation Act of 1958 to authorize the sale of goods and services by any department or independent establishment to the owner of an aircraft or his agent in an emergency, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2485. A bill to amend the War Claims Act of 1948, as amended, to provide compensation for certain World War II losses; to the Committee on Interstate and Foreign Commerce.

H.R. 2486. A bill to amend section 17 of the War Claims Act of 1948 to authorize rehearing of certain claims; to the Committee on Interstate and Foreign Commerce.

H.R. 2487. A bill to amend part I of the Interstate Commerce Act requiring filing of rules and regulations on operation of track motorcars and other self-propelled equipment; to the Committee on Interstate and Foreign Commerce.

H.R. 2488. A bill to amend certain provisions of the Securities Act of 1933, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. McDONOUGH:

H.R. 2489. A bill to amend the Internal Revenue Code of 1954 by adding thereto a new section imposing a tax in respect of tips and gratuities whenever election is made to have them included in the basis for benefits under the insurance system established by title II of the Social Security Act; to the Committee on Ways and Means.

By Mr. METCALF:

H.R. 2490. A bill to preserve and improve the family farm pattern of American agriculture, to establish a comprehensive full parity farm income improvement and protection program, to expand domestic consumption and exports of American farm commodities, to enable farmers to keep market supplies of farm commodities in reasonable balance with augmented demand therefor, to establish a yardstick family farm credit program, and for other purposes; to the Committee on Agriculture.

H.R. 2491. A bill to authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to make grants to certain educational institutions for the construction of military and naval science buildings, and for other purposes; to the Committee on Armed Services.

By Mr. MAILLIARD:

H.R. 2492. A bill to provide that members of the Armed Forces who have been retired after having served satisfactorily in more than one branch of the Armed Forces shall be entitled to the highest retired grade in which they have served satisfactorily; to the Committee on Armed Services.

By Mr. MONTOYA:

H.R. 2493. A bill directing the Secretary of the Interior to convey certain property in the State of New Mexico to the pueblo of Santo Domingo; to the Committee on Interior and Insular Affairs.

H.R. 2494. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Navajo Indian irrigation project and the initial stage of the San Juan-Chama project as participating projects of the Colorado River storage project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MOSS:

H.R. 2495. A bill to provide for the conveyance of certain real property of the United States, comprising a part of Beale Air Force Base, Calif., to the South Sutter Water District, East Nicolaus, Calif.; to the Committee on Armed Services.

H.R. 2496. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Folsom south unit, American River division, Central Valley project, in California; to the Committee on Interior and Insular Affairs.

By Mrs. PFOST:

H.R. 2497. A bill to add certain lands located in Idaho to the Boise and Payette National Forests; to the Committee on Interior and Insular Affairs.

By Mr. PHILBIN:

H.R. 2498. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an Exemplary Rehabilitation Certificate; and for other purposes; to the Committee on Armed Services.

By Mr. RAINS:

H.R. 2499. A bill to amend part VIII of Veterans Regulation No. 1(a) and the Veterans' Readjustment Assistance Act of 1952 to provide that World War II and Korean conflict veterans entitled to education under such provisions of law who did not utilize their entitlement may transfer their entitlement to their children; to the Committee on Veterans' Affairs.

H.R. 2500. A bill to amend the Railroad Retirement Act of 1937 to provide that benefits payable under such act or the Railroad Retirement Act of 1935 shall not be considered as income in determining eligibility of veterans for non-service-connected disability pensions; to the Committee on Interstate and Foreign Commerce.

H.R. 2501. A bill to provide for the issuance of a special postage stamp in honor of Sequoyah, the famous Cherokee Indian; to the Committee on Post Office and Civil Service.

By Mr. REES of Kansas:

H.R. 2502. A bill to eliminate penalty charges on short paid mail, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROONEY:

H.R. 2503. A bill to enable the mothers and widows of deceased members of the Armed Forces now interred in cemeteries outside the continental limits of the United States to make a pilgrimage to such cemeteries; to the Committee on Armed Services.

By Mr. RUTHERFORD:

H.R. 2504. A bill to provide for the acquisition of sites and the construction of build-

ings for a training school and other facilities for the Immigration and Naturalization Service, and for other purposes; to the Committee on Public Works.

By Mr. THOMPSON of New Jersey:

H.R. 2505. A bill to liberalize the tariff laws for works of art and other exhibition material, and for other purposes; to the Committee on Ways and Means.

By Mr. VAN ZANDT:

H.R. 2506. A bill to provide for the retirement of certain officers with 20 years' service; to the Committee on Armed Services.

H.R. 2507. A bill to amend the Federal Airport Act in order to extend the time for making grants under the provisions of such act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WIDNALL:

H.R. 2508. A bill to prohibit unjust discrimination in employment because of age; to the Committee on Education and Labor.

H.R. 2509. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an "Exemplary Rehabilitation Certificate"; and for other purposes; to the Committee on Armed Services.

By Mr. YOUNGER:

H.R. 2510. A bill to amend section 4 of the Federal Home Loan Bank Act; to the Committee on Banking and Currency.

By Mr. ABERNETHY:

H.R. 2511. A bill to prescribe penalties for willful concealment of goods or merchandise on the premises of stores in the District of Columbia, and to exempt certain persons having probable cause to believe such offenses have been committed, from civil liability in connection with apprehension of persons suspect thereof; to the Committee on the District of Columbia.

By Mr. BECKWORTH:

H.R. 2512. A bill to provide for the payment of pensions to veterans of World War I and their widows and children at the same rates as apply in the case of veterans of the Spanish-American War, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BRAY:

H.R. 2513. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. COFFIN:

H.R. 2514. A bill to provide financial assistance for the support of public schools by appropriating funds to the States to be used for constructing school facilities and for teachers' salaries; to the Committee on Education and Labor.

By Mr. CRAMER:

H.R. 2515. A bill to provide that the act to revise, codify, and enact into law, title 23 of the United States Code entitled "Highways" (Public Law 767 of the 85th Cong. U.S.C., title 23), section 108(a) thereof, shall be amended to increase the period in which actual construction shall commence on rights-of-way acquired in anticipation of such construction from 5 years to 7 years following the fiscal year in which such request is made; to the Committee on Public Works.

By Mr. CURTIN:

H.R. 2516. A bill to amend title II of the Social Security Act to increase from $1,200 to $2,400 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. DANIELS:

H.R. 2517. A bill to increase the rate of pension of certain widows of World War I veterans and the annual income limitations governing the payment of pension to widows and children of such veterans; to the Committee on Veterans' Affairs.

By Mr. DAVIS of Georgia:

H.R. 2518. A bill to provide for the admission of certain evidence in the courts of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 2519. A bill to amend section 927 of the act of March 3, 1901, relating to responsibility for criminal conduct, and for other purposes; to the Committee on the District of Columbia.

H.R. 2520. A bill to amend the Federal Employees Salary Increase Act of 1958 to grant certain increases in compensation to employees of the agricultural stabilization and conservation county committees; to the Committee on Post Office and Civil Service.

H.R. 2521. A bill to make permanent certain temporary increases in rates of basic salary for postal field service employees; to the Committee on Post Office and Civil Service.

H.R. 2522. A bill to amend section 11 of the act of April 1, 1942 (56 Stat. 197, ch. 207); to the Committee on the District of Columbia.

H.R. 2523. A bill to amend the Civil Service Retirement Act to include as creditable service certain service performed in Federal-State cooperative programs financed in whole or in part by Federal funds; to the Committee on Post Office and Civil Service.

By Mr. DINGELL:

H.R. 2524. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

H.R. 2525. A bill to amend title II of the Social Security Act to increase the number of years which may be excluded under the "dropout" in computing an individual's primary insurance amount so as to permit the computation of such amount on the basis of his 5 years of highest earnings; to the Committee on Ways and Means.

By Mr. DOLLINGER:

H.R. 2526. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives with intent to destroy or damage any communal building, residence, or place of business; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 2527. A bill to provide for programs of public facilities construction which will stimulate employment in areas having a substantial surplus of labor, and for other purposes; to the Committee on Public Works.

H.R. 2528. A bill to reaffirm the national public policy and the purposes of Congress in enacting the Robinson-Patman Antiprice Discrimination Act entitled "An act to amend section 2 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, as amended (U.S.C., title 15, sec. 13), and for other purposes," and to clarify the intent and meaning of the aforesaid law by providing for the mandatory nature of functional discounts under certain circumstances; to the Committee on the Judiciary.

H.R. 2529. A bill to amend section 201 of the Immigration and Nationality Act so as to provide that all quota numbers not used in any year shall be made available to immigrants in oversubscribed areas in the following year, and for other purposes; to the Committee on the Judiciary.

By Mr. DOWDY:

H.R. 2530. A bill to amend the act of March 3, 1901, to grant a right of possession in certain property in the District of Columbia to surviving widows, widowers, and minor children so long as such property is used as their principal place of residence; to the Committee on the District of Columbia.

By Mr. FINO:

H.R. 2531. A bill to amend section 522 of title 38, United States Code, to provide that the waiver of certain retirement benefits shall be effective in the computation of income of veterans entitled to non-service-connected pension benefits; to the Committee on Veterans' Affairs.

H.R. 2532. A bill to amend section 545 of title 38, United States Code, to increase the income limitations governing the payment of pension to widows of veterans of World War I, World War II, or the Korean conflict; to the Committee on Veterans' Affairs.

H.R. 2533. A bill to provide appropriate public recognition of the gallant action of the SS *Meredith Victory* in the December 1950 evacuation of Hungnam, Korea; to the Committee on Merchant Marine and Fisheries.

H.R. 2534. A bill to provide for Federal lotteries to raise funds to provide for a reduction in the national debt and a reduction in the Federal individual income taxes; to the Committee on Ways and Means.

H.R. 2535. A bill relating to the Italian American War Veterans of the United States, Inc., and the status of that organization under certain laws of the United States; to the Committee on Veterans' Affairs.

By Mr. FINO (by request):

H.R. 2536. A bill to amend section 502 of title 38, United States Code, to provide that certain veterans suffering from active pulmonary tuberculosis shall be deemed to be permanently and totally disabled for pension purposes while they are hospitalized; to the Committee on Veterans' Affairs.

By Mr. GLENN:

H.R. 2537. A bill to provide for the procurement and installation of mechanism for recording and counting votes in the House of Representatives; to the Committee on House Administration.

By Mr. HALPERN:

H.R. 2538. A bill to amend the Civil Rights Act of 1957 to provide that the Civil Rights Commission shall have until January 2, 1961, to submit its report, findings, and recommendations; to the Committee on the Judiciary.

By Mr. HARRIS:

H.R. 2539. A bill relating to the payment of World War veterans' adjusted compensation in certain cases of the veterans' continued absence from home for a period of 20 years; to the Committee on Ways and Means.

By Mr. HECHLER:

H.R. 2540. A bill to amend Public Law 552, 82d Congress; to the Committee on Education and Labor.

H.R. 2541. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLIFIELD:

H.R. 2542. A bill to provide financial assistance for the support of public schools by appropriating funds to the States to be used for constructing school facilities and for teachers' salaries; to the Committee on Education and Labor.

H. R. 2543. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an "Exemplary Rehabilitation Certificate"; and for

other purposes; to the Committee on Armed Services.

By Mr. HOLLAND:

H.R. 2544. A bill to amend section 207 of the Legislative Reorganization Act of 1946, to provide that the Boards for the Correction of Military or Naval Records shall give consideration to satisfactory evidence relating to good character and conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals, and for other purposes; to the Committee on Armed Services.

By Mr. HULL:

H.R. 2545. A bill to provide for the stockpiling, storage, and distribution of essential foodstuffs and other essential items for the sustenance of the civilian population of the United States, its Territories, possessions, and the District of Columbia in the event of enemy attack or other disaster; to the Committee on Armed Services.

By Mr. JUDD:

H.R. 2546. A bill to amend the act of August 5, 1954 (68 Stat. 674), and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KILDAY:

H.R. 2547. A bill to amend section 633 of title 28, United States Code, prescribing fees of U.S. commissioners; to the Committee on the Judiciary.

H. R. 2548. A bill to amend title 10, United States Code, concerning the sale or disposal of uniforms; to the Committee on Armed Services.

H.R. 2549. A bill to authorize the withholding from the salaries of Government employees of amounts for health insurance premium payments; to the Committee on Post Office and Civil Service.

By Mr. LIBONATI:

H.R. 2550. A bill to amend section 312 of the Immigration and Nationality Act to exempt certain additional persons from the requirements as to understanding the English language before their naturalization as citizens of the United States; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 2551. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Folsom south unit, American River division, Central Valley project, in California; to the Committee on Interior and Insular Affairs.

By Mr. MATTHEWS:

H.R. 2552. A bill to amend sections 1074 and 1076 of title 10, United States Code, to provide medical benefits to certain reservists granted retired pay and their dependents, so as to render more equitable the application of service benefits, and to make a career in the Reserve components more attractive to qualified young men; to the Committee on Armed Services.

By Mr. MONTOYA:

H.R. 2553. A bill to provide that, for Federal income tax purposes, certain amounts received as reimbursement for moving expenses by employees of corporations formed exclusively to operate laboratories for the Atomic Energy Commission shall not be included in gross income; to the Committee on Ways and Means.

By Mr. MOORE:

H.R. 2554. A bill to amend the Tariff Act of 1930 with respect to the marking of imported articles and containers; to the Committee on Ways and Means.

By Mr. PORTER:

H.R. 2555. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

H.R. 2556. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RAINS:

H.R. 2557. A bill granting pensions to veterans of World War I and their widows and dependent children equivalent to the pensions granted to veterans of the War With Spain and their widows and dependent children; to the Committee on Veterans' Affairs.

H.R. 2558. A bill to amend the Veterans' Readjustment Assistance Act of 1952 to make the educational benefits provided for therein available to all veterans whether or not they serve during a period of war or of armed hostilities; to the Committee on Veterans' Affairs.

H.R. 2559. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

H.R. 2560. A bill proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 2561. A bill to amend the Employment Act of 1946 to provide for the coordinated consideration of monetary policies thereunder, and to bring to bear an informed public opinion upon price and wage increases which threaten economic stability; to the Committee on Government Operations.

H.R. 2562. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

By Mr. ROGERS of Florida:

H.R. 2563. A bill to provide that the highway running from Tampa, Fla., through Bradenton, Fla, Punta Gorda, Fla., Fort Myers, Fla., Naples, Fla., and Miami, Fla., to Homestead, Fla., shall be a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. SAUND:

H.R. 2564. A bill to provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SIKES:

H.R. 2565. A bill to promote effectual planning, development, maintenance, and coordination of wildlife, fish, and game conservation and rehabilitation in military reservations; to the Committee on Merchant Marine and Fisheries.

H.R. 2566. A bill to repeal the act requiring the inspection and certification of certain vessels carrying passengers; to the Committee on Merchant Marine and Fisheries.

By Mr. SLACK:

H.R. 2567. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. STRATTON:

H.R. 2568. A bill to prohibit the termination, transfer, or curtailment of functions and activities at military or naval installations located in areas of substantial labor surplus which will result in a reduction of the number of civilian employees of the United States at such installation, until the Congress has had an opportunity to review such proposed action; to the Committee on Armed Services.

By Mr. THOMPSON of New Jersey:

H.R. 2569. A bill to provide for the establishment of a Federal Advisory Council on the Arts to assist in the growth and development of the fine arts in the United States; to the Committee on Education and Labor.

H.R. 2570. A bill to amend the International Cultural Exchange and Trade Fair Participation Act of 1956 to authorize the President to provide for participation by foreign governments and citizens of other countries in cultural and other activities in the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. UTT:

H.R. 2571. A bill to amend the Servicemen's and Veterans' Survivor Benefits Act to provide that all retired members of the uniformed services who served not less than 25 years on active duty and who thereafter die shall be considered to have died service-connected deaths; to the Committee on Veterans' Affairs.

By Mr. VAN ZANDT:

H.R. 2572. A bill to amend title 38 of the United States Code to provide pensions for widows and children of veterans of World War II and of the Korean conflict on the same basis as pension is provided for widows and children of veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. YATES:

H.R. 2573. A bill to amend the Internal Revenue Code of 1954 with respect to the application of the estate tax marital deduction to widow's allowance or award; to the Committee on Ways and Means.

H.R. 2574. A bill to amend title II of the Social Security Act to increase from $1,200 to $2,400 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 2575. A bill to authorize the appropriation of $500,000 to be spent for the purpose of the III Pan American Games to be held in Chicago, Ill.; to the Committee on Foreign Affairs.

By Mr. ZELENKO:

H.R. 2576. A bill, to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate, and for other purposes; to the Committee on Armed Services.

By Mr. ANFUSO:

H.J. Res. 137. Joint resolution expressing the sense of Congress that a Pan American Parliamentary Association should be established, and to authorize participation by the United States in parliamentary conferences of such association; to the Committee on Foreign Affairs.

By Mr. BARING:

H.J. Res. 138. Joint resolution authorizing the President to invite foreign countries to participate in the First World Congress of Flight to be held at Las Vegas, Nev., from April 12 through April 19, 1959; to the Committee on Foreign Affairs.

By Mr. CELLER:

H.J. Res. 139. Joint resolution proposing an amendment to the Constitution of the United States to repeal the 22d amendment thereto; to the Committee on the Judiciary.

By Mr. CURTIN:

H.J. Res. 140. Joint resolution designating the marigold as the national flower of the United States; to the Committee on House Administration.

By Mr. DAVIS of Georgia:

H.J. Res. 141. Joint resolution designating the rose as the national flower of the United States; to the Committee on House Administration.

By Mr. FRELINGHUYSEN:

H.J. Res. 142. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. GROSS:

H.J. Res. 143. Joint resolution providing for the revision of the Status of Forces

Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; to the Committee on Foreign Affairs.

By Mr. HOLIFIELD:

H.J. Res. 144. Joint resolution authorizing the President to designate Los Angeles, Calif., as the site of the next world's fair to be held in the vicinity of such city in 1963; and for other purposes; to the Committee on Foreign Affairs.

By Mr. HUDDLESTON:

H.J. Res. 145. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

Mr. OLIVER:

H. J. Res. 146. Joint resolution designating the fourth Saturday of August of each year as Children's Day in Sports; to the Committee on the Judiciary.

By Mr. ROBERTS:

H. J. Res. 147. Joint resolution declaring the first Tuesday after the first Monday of November in each even-numbered year to be a legal public holiday; to the Committee on the Judiciary.

By Mr. SAUND:

H. J. Res. 148. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. SMITH of California:

H. J. Res. 149. Joint resolution to establish the 15th day of September as Great Seal Day; to the Committee on the Judiciary.

By Mr. SANTANGELO:

H. J. Res. 150. Joint resolution designating the 9th day of March in each year as Amerigo Vespucci Day; to the Committee on the Judiciary.

By Mr. DONOHUE:

H. Con. Res. 36. Concurrent resolution favoring universal disarmament; to the Committee on Foreign Affairs.

By Mr. PELLY:

H. Con. Res. 37. Concurrent resolution relative to the exercise by the President of the United States of veto powers over items in certain bills; to the Committee on Rules.

By Mr. BOSCH:

H. Res. 104. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. BONNER:

H. Res. 105. Resolution authorizing the Committee on Merchant Marine and Fisheries to conduct certain studies and investigations; to the Committee on Rules.

H. Res. 106. Resolution to provide funds for the expenses of the studies and investigations authorized by H. Res. 105; to the Committee on House Administration.

By Mr. BUCKLEY:

H. Res. 107. Resolution to provide funds for the expenses of the studies, investigations, and inquiries authorized by H. Res. 91; to the Committee on House Administration.

By Mr. DAWSON:

H. Res. 108. Resolution providing for the expenses of conducting studies and investigations authorized by rule XI (8) incurred by the Committee on Government Operations; to the Committee on House Administration.

By Mr. DONOHUE:

H. Res. 109. Resolution calling upon Congress to take effective action against the spread of inflation and the high cost of living; to the Committee on Banking and Currency.

By Mr. DOYLE:

H. Res. 110. Resolution to amend rule X and rule XI of the House of Representatives; to the Committee on Rules.

By Mr. FINO:

H. Res. 111. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. LIPSCOMB:

H. Res. 112. Resolution expressing the sense of the House of Representatives with respect to the presentation to Soviet Deputy Premier Anastas Mikoyan of a formal request for information concerning the whereabouts of certain citizens of the United States who have been missing in Soviet Armenia since September 2, 1958; to the Committee on Foreign Affairs.

By Mr. MORGAN:

H. Res. 113. Resolution authorizing the Committee on Foreign Affairs to conduct a full and complete investigation of matters relating to the laws, regulations, directives, and policies including personnel pertaining to the Department of State and such other departments and agencies engaged primarily in the implementation of U.S. foreign policy and the overseas operations, personnel, and facilities of departments and agencies of the United States which participate in the development and execution of such policy; to the Committee on Rules.

H. Res. 114. Resolution providing for expenses of conducting studies and investigations authorized by H. Res. 113; to the Committee on House Administration.

By Mr. SCHERER:

H. Res. 115. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. UTT:

H. Res. 116. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. WAINWRIGHT:

H. Res. 117. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. WESTLAND:

H. Res. 118. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUCHINCLOSS:

H.R. 2577. A bill for the relief of Lt. Comdr. James S. Parkas; to the Committee on the Judiciary.

By Mr. BOSCH:

H.R. 2578. A bill for the relief of Helmut Helffrich; to the Committee on the Judiciary.

H.R. 2579. A bill for the relief of F. H. Hillel Co., New York, N.Y.; to the Committee on the Judiciary.

By Mr. BOYKIN:

H.R. 2580. A bill for the relief of William S. Sherrill; to the Committee on the Judiciary.

By Mr. BROWN of Georgia:

H.R. 2581. A bill for the relief of Dr. Herbert H. Schafer and his wife, Irma Niemeyer Schafer; to the Committee on the Judiciary.

By Mr. BROYHILL:

H.R. 2582. A bill for the relief of Worthington Oil Refiners, Inc.; to the Committee on the Judiciary.

By Mr. BROYHILL (by request):

H.R. 2583. A bill for the relief of Constanten Yani Hrisostomidis; to the Committee on the Judiciary.

H.R. 2584. A bill for the relief of Gourgen H. Assaturian; to the Committee on the Judiciary.

By Mr. BURKE of Kentucky:

H.R. 2585. A bill for the relief of Aziz Elias Kassis; to the Committee on the Judiciary.

H.R. 2586. A bill for the relief of Miss Mame E. Howell; to the Committee on the Judiciary.

By Mr. BURNS of Hawaii:

H.R. 2587. A bill for the relief of Karl J. Staack III; to the Committee on the Judiciary.

H.R. 2588. A bill for the relief of Buck Yuen Sah; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 2589. A bill for the relief of Elizabeth Lucie Leon (also known as Lucie Noel); to the Committee on the Judiciary.

H.R. 2590. A bill for the relief of Martha Wang; to the Committee on the Judiciary.

H.R. 2591. A bill for the relief of Max Warman and his wife, Rachel Warman; to the Committee on the Judiciary.

By Mr. CHRISTOPHER:

H.R. 2592. A bill for the relief of Mrs. Chui Sam; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 2593. A bill for the relief of Maria Boliman; to the Committee on the Judiciary.

By Mr. COOLEY:

H.R. 2594. A bill for the relief of certain claimants against the United States who suffered personal injuries, property damage, or other loss as a result of the explosion of a munitions truck between Smithfield and Selma, N. C., on March 7, 1942; to the Committee on the Judiciary.

H.R. 2595. A bill for the relief of Earl Guyton; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 2596. A bill for the relief of Giuseppe Calafiore; to the Committee on the Judiciary.

H.R. 2597. A bill to waive any claims of the United States for the repayment of loans made by the Department of State to Harry H. Thomas and Jeanne A. Thomas; to the Committee on the Judiciary.

By Mr. DANIELS:

H.R. 2598. A bill for the relief of Anna Almo; to the Committee on the Judiciary.

H.R. 2599. A bill for the relief of Carmelo Tumino; to the Committee on the Judiciary.

H.R. 2600. A bill for the relief of Giuseppe Linfante; to the Committee on the Judiciary.

By Mr. DAVIS of Georgia:

H.R. 2601. A bill for the relief of Miss Kyriakitsa (Koula) S. Psofidou; to the Committee on the Judiciary.

H.R. 2602. A bill for the relief of William C. Hutto; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 2603. A bill for the relief of American Hydrotherm Corp.; to the Committee on the Judiciary.

H.R. 2604. A bill for the relief of Grazia Rosselli; to the Committee on the Judiciary.

H.R. 2605. A bill for the relief of Lena Felicia Colletti; to the Committee on the Judiciary.

H.R. 2606. A bill for the relief of Dimitrios D. Kantartzoglou; to the Committee on the Judiciary.

H.R. 2607. A bill for the relief of General and Mrs. Yeh Nan and their minor daughter, Lin-Lin (Linda) Yeh; to the Committee on the Judiciary.

H.R. 2608. A bill for the relief of Ohannes Vartanyan and Mrs. Agavni Vartanyan; to the Committee on the Judiciary.

By Mr. DEROUNIAN:

H.R. 2609. A bill for the relief of the North Shore Hospital, Inc., to the Committee on the Judiciary.

By Mr. DIGGS:

H.R. 2610. A bill for the relief of Rajko (Dobrasevic) Dobrasevich; to the Committee on the Judiciary.

H.R. 2611. A bill for the relief of Constantine Stathas; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 2612. A bill for the relief of Mrs. Amina Youssif Cosino (nee Simaan); to the Committee on the Judiciary.

By Mr. DOOLEY:

H.R. 2613. A bill for the relief of Anna Petrakakis Palatos; to the Committee on the Judiciary.

H.R. 2614. A bill for the relief of Pauline S. Clouston and daughter, Katrine Mary Clouston; to the Committee on the Judiciary.

H.R. 2615. A bill for the relief of Fai Ying Chan (Chin); to the Committee on the Judiciary.

H.R. 2616. A bill for the relief of Vincent Llewelyn Campbell; to the Committee on the Judiciary.

H.R. 2617. A bill for the relief of Giovanna Baseggio; to the Committee on the Judiciary.

H.R. 2618. A bill for the relief of Theresa Asphar; to the Committee on the Judiciary.

By Mr. DOYLE (by request):

H.R. 2619. A bill for the relief of Antonio P. Whitmoyer; to the Committee on the Judiciary.

By Mrs. DWYER:

H.R. 2620. A bill for the relief of Angela Maria Chung Yan; to the Committee on the Judiciary.

H.R. 2621. A bill for the relief of Domingos Jose Barreto; to the Committee on the Judiciary.

H.R. 2622. A bill for the relief of Miss Jung Soon Han; to the Committee on the Judiciary.

H.R. 2623. A bill for the relief of Mrs. Maria Aurora Cabral; to the Committee on the Judiciary.

H.R. 2624. A bill for the relief of Kestutis Petras Mikaitis; to the Committee on the Judiciary.

H.R. 2625. A bill for the relief of Miss Vincenzina Villani; to the Committee on the Judiciary.

H.R. 2626. A bill for the relief of Mrs. Nicolina Donatelli Mastrocecco; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 2627. A bill for the relief of Tamara Olszewska and Lydia Olszewska; to the Committee on the Judiciary.

H.R. 2628. A bill for the relief of Rosa Angarica; to the Committee on the Judiciary.

H.R. 2629. A bill for the relief of Aphrodite Hadjipanayotou; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 2630. A bill for the relief of Mountaha Joseph Nakhle; to the Committee on the Judiciary.

H.R. 2631. A bill for the relief of the estate of Nathaniel H. Woods, deceased; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 2632. A bill for the relief of Genoveva Dunatov; to the Committee on the Judiciary.

H.R. 2633. A bill for the relief of Teresa Del Vecchio Cipollone; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 2634. A bill for the relief of Evangelos and Niki Valassidis; to the Committee on the Judiciary.

By Mr. GAVIN:

H.R. 2635. A bill for the relief of Juana Domenech; to the Committee on the Judiciary.

By Mr. GEORGE:

H.R. 2636. A bill for the relief of Petar Trbojevic and his wife, Milica Trbojevic; to the Committee on the Judiciary.

H.R. 2637. A bill for the relief of Khadidge Fakhrian Shemrani; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 2638. A bill for the relief of Luigi Apuzzo; to the Committee on the Judiciary.

By Mrs. GRANAHAN:

H.R. 2639. A bill for the relief of Albert Gordon, Jr.; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 2640. A bill for the relief of Pacita A. Crabtree; to the Committee on the Judiciary.

H.R. 2641. A bill for the relief of Mrs. Sonja Winther; to the Committee on the Judiciary.

H.R. 2642. A bill for the relief of Lucio Yglesias Bernabe; to the Committee on the Judiciary.

H.R. 2643. A bill for the relief of Tayo Kubota; to the Committee on the Judiciary.

H.R. 2644. A bill for the relief of Bohdan Oparko; to the Committee on the Judiciary.

H.R. 2645. A bill for the relief of Jesus Cruz-Figueroa; to the Committee on the Judiciary.

By Mr HOLIFIELD:

H.R. 2646. A bill to authorize the revestment of certain interests in land at the U.S. Naval Ammunition and Net Depot, Seal Beach, Calif.; to the Committee on Interior and Insular Affairs.

H.R. 2647. A bill for the relief of Nicholas Afonin; to the Committee on the Judiciary.

By Mr. HOLTZMAN:

H.R. 2648. A bill for the relief of Mrs. Berta Rakovsky de Spikilis; to the Committee on the Judiciary.

H.R. 2649. A bill for the relief of Franziska Aloisia Fuchs, nee Tercka; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 2650. A bill for the relief of Ivanka Razdich; to the Committee on the Judiciary.

H.R. 2651. A bill for the relief of Adele Mansour; to the Committee on the Judiciary.

H.R. 2652. A bill for the relief of Gizela Hesshaimer; to the Committee on the Judiciary.

H.R. 2653. A bill for the relief of Stanislawa Siedlecka (nee Rejman); to the Committee on the Judiciary.

H.R. 2654. A bill for the relief of Ferris Abousada; to the Committee on the Judiciary.

By Mr. KASEM:

H.R. 2655. A bill for the relief of Gaetaino Diano; to the Committee on the Judiciary.

By Mr. KILDAY:

H.R. 2656. A bill for the relief of M. Sgt. Louis Benedetti, retired; to the Committee on the Judiciary.

H.R. 2657. A bill for the relief of Mrs. Jeannine Gallot Garner; to the Committee on the Judiciary.

H. R. 2658. A bill for the relief of Edward Y. Chan; to the Committee on the Judiciary.

H.R. 2659. A bill for the relief of Maj. Gen. Willard K. Liebel; to the Committee on the Judiciary.

By Mr. KING of California:

H.R. 2660. A bill for the relief of Dominador Nicio; to the Committee on the Judiciary.

H.R. 2661. A bill for the relief of George Walter Paul; to the Committee on the Judiciary.

By Mr. McDONOUGH:

H.R. 2662. A bill for the relief of Dea Pay Yut; to the Committee on the Judiciary.

H.R. 2663. A bill for the relief of Johan Willem van Wijk, also known as John William van Wijk; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 2664. A bill for the relief of Ho Wey You; to the Committee on the Judiciary.

H.R. 2665. A bill for the relief of Briccio Garces de Castro; to the Committee on the Judiciary.

By Mr. CLEMENT W. MILLER:

H.R. 2666. A bill for the relief of Giovanna Mariotti; to the Committee on the Judiciary.

H.R. 2667. A bill for the relief of Giuseppe Mantegani; to the Committee on the Judiciary.

By Mr. GEORGE P. MILLER:

H.R. 2668. A bill for the relief of John R. Cook; to the Committee on the Judiciary.

H.R. 2669. A bill for the relief of Mrs. Jue Chin Shee; to the Committee on the Judiciary.

H.R. 2670. A bill for the relief of Renate Elizabeth Puck; to the Committee on the Judiciary.

H.R. 2671. A bill for the relief of Antonia Martinez; to the Committee on the Judiciary.

H.R. 2672. A bill for the relief of Charlie Sylvester Correll; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 2673. A bill for the relief of Imrene Kiss; to the Committee on the Judiciary.

H.R. 2674. A bill for the relief of Antigone Ligias; to the Committee on the Judiciary.

H.R. 2675. A bill for the relief of Joseph Polhe; to the Committee on the Judiciary.

H.R. 2676. A bill for the relief of Vassilious, Polyxeni, Savas and Rana Irene Trilivas (Trilvas); to the Committee on the Judiciary.

By Mr. MOORHEAD:

H.R. 2677. A bill for the relief of Ida Colaizzi Di Benedetto; to the Committee on the Judiciary.

By Mr. MORRISON:

H.R. 2678. A bill for the relief of Chin Yung Kao; to the Committee on the Judiciary.

H.R. 2679. A bill for the relief of Huang Hsin Lung; to the Committee on the Judiciary.

H.R. 2680. A bill for the relief of Meir Sutton; to the Committee on the Judiciary.

H.R. 2681. A bill for the relief of Abraham Sutton; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 2682. A bill for the relief of Consolacion M. Rapa; to the Committee on the Judiciary.

H.R. 2683. A bill for the relief of Ajit Singh Rana; to the Committee on the Judiciary.

H.R. 2684. A bill for the relief of Gurdeve Singh Brar; to the Committee on the Judiciary.

H.R. 2685. A bill for the relief of Joginder Singh Toor; to the Committee on the Judiciary.

H.R. 2686. A bill for the relief of Harjinder Singh Dhillon; to the Committee on the Judiciary.

H.R. 2687. A bill for the relief of Joginder Singh Bains; to the Committee on the Judiciary.

By Mr. O'BRIEN of New York:

H.R. 2688. A bill for the relief of Gabriel and Sara Aryeh; to the Committee on the Judiciary.

By Mr. O'KONSKI:

H.R. 2689. A bill for the relief of Karel Dobr; to the Committee on the Judiciary.

By Mr. OLIVER:

H.R. 2690. A bill for the relief of Guiseppe Pujia; to the Committee on the Judiciary.

By Mr. OSMERS:

H.R. 2691. A bill for the relief of Mrs. Mary Frances (Ouang) Loh; to the Committee on the Judiciary.

H.R. 2692. A bill for the relief of Dr. Walter H. Duisberg; to the Committee on the Judiciary.

By Mr. RAY:

H.R. 2693. A bill for the relief of Milan Belic; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 2694. A bill for the relief of Lt. Comdr. Melville F. Riley; to the Committee on the Judiciary.

H.R. 2695. A bill for the relief of the Inter-County Telephone & Telegraph Co., Fort Myers, Fla.; to the Committee on the Judiciary.

By Mr. SANTANGELO:

H.R. 2696. A bill for the relief of Imre and Margareta Seykeli; to the Committee on the Judiciary.

H.R. 2697. A bill for the relief of Michael Garyfalidakis; to the Committee on the Judiciary.

H.R. 2698. A bill for the relief of Stjepan Sternberger (Srecko Ljubicic); to the Committee on the Judiciary.

H.R. 2699. A bill for the relief of Elemer Christian Sarkozy; to the Committee on the Judiciary.

H.R. 2700. A bill for the relief of Charles Blue and Dona Blue; to the Committee on the Judiciary.

H.R. 2701. A bill for the relief of Eugenia Dweck; to the Committee on the Judiciary.

H.R. 2702. A bill for the relief of Normando Berovides; to the Committee on the Judiciary.

H.R. 2703. A bill for the relief of Carmela Adele Falanga-Graziano; to the Committee on the Judiciary.

H.R. 2704. A bill for the relief of Antonia Grova; to the Committee on the Judiciary.

H.R. 2705. A bill for the relief of Bernardo Paternostro; to the Committee on the Judiciary.

By Mr. SCHERER:

H.R. 2706. A bill for the relief of Tomislav Lazarevich; to the Committee on the Judiciary.

H.R. 2707. A bill for the relief of Gustav K. Broecker; to the Committee on the Judiciary.

H.R. 2708. A bill for the relief of Mrs. Rita Louise Lozano and her children, David Lozano and Rudiford Lozano; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.R. 2709. A bill for the relief of Dr. John P. Kim; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 2710. A bill for the relief of Yoko Kawamura; to the Committee on the Judiciary.

H.R. 2711. A bill for the relief of Dr. Carlos M. Piacentini; to the Committee on the Judiciary.

By Mr. SLACK:

H.R. 2712. A bill for the relief of Mrs. Elsie Ruth Garcelon; to the Committee on the Judiciary.

By Mrs. SULLIVAN:

H.R. 2713. A bill for the relief of Moshe Nadir; to the Committee on the Judiciary.

By Mr. TOLLEFSON:

H.R. 2714. A bill for the relief of Elmer E. Johnson; to the Committee on the Judiciary.

By Mr. VAN PELT:

H.R. 2715. A bill for the relief of Theresa Bertotti Zamperoni; to the Committee on the Judiciary.

By Mrs. WEIS:

H.R. 2716. A bill for the relief of Miss Elisabeth Hollander; to the Committee on the Judiciary.

H.R. 2717. A bill for the relief of Eber Bros. Wine & Liquor Corp.; to the Committee on the Judiciary.

By Mr. GEORGE P. MILLER:

H. Res. 119. Resolution providing for sending the bill (H. R. 1592) for the relief of Willard L. Gleeson-Broadcasting Corp. of America with accompanying papers, to the U.S. Court of Claims; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Defense of the Small Tobacco Farmer of West Virginia

EXTENSION OF REMARKS
OF

HON. CLEVELAND M. BAILEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. BAILEY. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I desire to call the attention of my colleagues to the excellent presentation made by my colleague, KENNETH HECHLER, of West Virginia, before the Tobacco Division of the Agriculture Department on the controversial question of acreage allotments to burley tobacco growers of his State.

Mr. HECHLER's remarks, which appear under the caption "Defense of the Small Tobacco Farmer of West Virginia," are pertinent because they attribute the plight of the tobacco industry in the State as one of the contributing causes to West Virginia's overall sad economic situation.

Congressman HECHLER's remarks follow:

I represent the Fourth Congressional District of West Virginia, along the Ohio River. In this district live virtually all of the more than 4,000 tobacco farmers in our State. It is on their behalf that I am appearing before you today.

None of these West Virginia tobacco farmers own large, prosperous farms. Their farms aren't mechanized to any great extent. None of them surveys vast tracts of land from the shade of a veranda, with a mint julep in his hand.

Instead, these are, in the main, poor people. The smallness of their farms is matched only by the smallness of the tobacco quotas assigned to them. In fact, each farmer in my district grows an average of less than six-tenths of an acre each year under the present quota system.

With an average yield of 1,600 pounds an acre, at 60 cents a pound, this means that the average farmer in my district receives only about $576 a year from the growth and sale of tobacco.

This, I am sure, sounds trivial to you. You may be asking yourselves, "Why should we concern ourselves with a small group of farmers who produce only a small amount of tobacco?"

May I answer by pointing out that for a majority of these 4,000 farmers, tobacco is the only major cash-producing crop. For many of them, it is the one crop that brings any dollar income into their homes. For a large number of these people, it is the only way they have of making cash for themselves as they eke out a rustic, precarious living in the mountains of our State.

Considering these farm families, it is possible that the actions you agree upon here will determine directly whether or not upwards of 20,000 West Virginia citizens will have their pitifully low income slashed even further.

May I offer a corollary to this problem: Other sections of our Nation have recovered from the recent recession. West Virginia has not.

In the past 18 months, 45,856 persons have exhausted the unemployment benefits they merited under West Virginia's regular job-security program.

More than 300,000 persons in the State of West Virginia are subsisting on Federal surplus commodities. This constitutes more than 15 percent of the people in the State—the highest percentage of any State in the Union.

What this all means is that if these small tobacco farmers are not permitted to continue to make a small amount of cash income from their burley crop, they have no place to go to find new sources of cash income. I sincerely trust that no action will be taken by the Department of Agriculture that would add more of these hard-working people to the relief rolls. If they are driven to the cities in search of jobs, this will make the urban unemployment problem much more acute.

The economic fate of the tobacco farmer is so closely bound to the actions you take here, I am certain you will do nothing to damage his already hazardous position.

The West Virginia tobacco farmer has stood by passively and cooperatively while acreage controls have been drastically reduced. The number of acres harvested in our State has dropped from a high of about 19,000 acres in 1910 to 2,300 acres in 1958. This is the lowest figure since records of tobacco acreage were begun in 1866.

Even more recently, we can see how the production of burley in West Virginia has declined. In 1954 the poundage marketed at our warehouses in Huntington totaled 7,930,874 pounds. By 1957 this figure had dropped to 5,633,013.

Now this all has come about because of quota cutbacks. I have been informed by Charles E. Campbell, tobacco specialist with the West Virginia State department of agriculture, that West Virginia tobacco farmers have notably good records of support for the control program.

This means that although the Government was cutting back acreage in the only money crop many of these farmers grew, they still were willing, in a spirit of cooperation and good will, to accept these controls and, indeed, roll up an enviable record of compliance with the Government's orders.

Now it would be a gross distortion of the truth to say that these small West Virginia farmers are happy with these small quotas. I don't think we can expect them to be happy with quotas that limit their cash income to an average of less than $600 a year.

But I can say that these farmers are good people; they recognize and agree with the theory behind crop controls and adjustments. They realize that maintaining a good price for tobacco is essential, and they want the burley export market to remain strong.

If it is in the best national interest to keep quotas at their present levels, I am sure the West Virginia tobacco farmers will accept them. But any effort to cut quotas below their perilously low level will cause havoc and additional economic misery in the State.

This is the general viewpoint of tobacco farmers in my district regarding the present system of figuring acreage allotments.

Now may I pass to another phase of the problem.

I would like to comment for a few moments on a series of recommendations made to the Secretary of Agriculture by a group of representatives of growers, auction warehousemen and leaf exporters of burley tobacco. These recommendations were handed to Secretary Benson on November 17, 1958.

Recommendations concerning a return to the old parity formula—that is, parity as calculated prior to the Agriculture Act of 1948—receive our understanding. Also, we might add that we support these tobacco

men in advocating acreage allotments for 1959 the same as those for 1958—since there seems little prospect for any increase in quotas.

I believe this is a sound proposal because the facts indicate that the surplus of burley tobacco is declining. I would like to point out that the production of burley tobacco has been below the level at which total stocks have been depleted for four consecutive years.

It is a third proposal put forward by these tobacco experts which disturbs me, and places me sharply at odds with the men who drafted these recommendations.

That would be the proposal which states "that the Department assign a task force to work with leaders representing various segments of tobacco production and trade, including college of agriculture personnel, in studying, developing, and preparing in legislative form an acreage-poundage control program for tobacco."

This recommendation, which would take tobacco off an acreage system and put it under a pounds-per-acre system, is a very serious mistake, in my opinion. It might prove harmful to the large tobacco farmer under certain circumstances. It would surely prove disastrous to the small farmer such as we have in West Virginia.

And why is this so?

For one thing, the regulation of pounds per acre is a difficult business at best. It is well known that annual rainfall—or lack of it—has a powerful influence on the weight and quality of tobacco yielded by any given field.

For a more important reason, however, I must assert again that this bill would hurt the small farmer.

The small farmer has a small tract of land to nurture and coddle. Because he is so severely limited by acreage, he devotes tender care to his tobacco plot, and often is rewarded with a heavy yield. The big tobacco farmer, who uses mass-production methods, consequently is willing to forego the higher yield in order to cut production and labor costs.

I am told that acreage limitations of something in the neighborhood of 1,600 to 1,800 pounds may be advised for the 1960 crop year. This would work a serious hardship on many West Virginia farmers, who by diligent work and unstinting effort obtain a yield of 2,300 to 2,500 pounds per acre on some of their pitifully meager tracts. Sometimes their output rises into the vicinity of 2,800 to 3,000 pounds.

Surely we are not going to reward these small farmers who obtain superior production by dint of long hours and unceasing care by altering the formula for calculating the amount they may produce, so that it will wipe out the fruits of their efforts.

It also can be argued that the small farmer deserves a better break than this because he must spend a longer time cultivating his crop, regardless of the methods and yield. It is estimated that in our West Virginia mountains, a minimum of 500 man-hours must be spent in cultivation of one acre. In Kentucky's bluegrass area, this figure drops to a comparatively low 300 hours. Thus, the extra hours put in by the hill-country farmer will go unrewarded if we make such an alteration in the quota-figuring formula.

The pound-acre formula is specifically designed to help the large, big-quota, mass-production farmer. The Secretary of Agriculture has argued that he wants to return agriculture to the free enterprise system. But can this be free enterprise, when a system is devised that takes money from the pockets of the man who is willing to spend long hours and devote tender care to his crop, and favors the man who operates on impersonal, businesslike lines?

You must agree that this is not free enterprise, as we understand it, in any sense. It is instead, I fear, a callous and heartless policy which builds a monument to massive, factory-type, mass-production farms upon the graves of small, marginal farms. This may seem to be efficiency, but it is a false efficiency if it is achieved by driving our small farmers into bankruptcy and starvation.

But, as I said, this program was evolved by tobacco men, not Federal officials.

However, it is significant that West Virginia's tobacco farmers were not even invited to the meeting at which these policies were adopted and endorsed.

I protest against the unfeeling and cruel attitude toward the little farmer, and I strongly urge that action be taken to protect this little man in the tobacco business, who apparently is being thrown to the wolves by his big brothers.

The West Virginia tobacco farmer is, in his way, as efficient as the big men in the field. Although West Virginia rates a rather low 18th in production, it rates 13th in yield per acre. And when we consider that tobacco is the State's fifth most important crop, the effect on the already troubled West Virginia economy can be appreciated.

So stringently do West Virginia burley farmers oppose this new formula that the State's department of agriculture has informed me that "this program, if adopted, could put the State out of the tobacco business."

I do not dispute the right of the big tobacco interests to present their case before you here today. I do not dispute that their share of the tobacco economy is larger than ours.

I ask you only to remember that any action you take here which is detrimental to the small tobacco farmer will be disastrous to 20,000 people in my home State. Therefore, I urge that you take no steps which would strike another blow at West Virginia's economy.

I do not want the famous old tobacco slogan "LSMFT" to come to mean "let's starve mountaineer farmers of tobacco."

Statehood for Hawaii

EXTENSION OF REMARKS
OF
HON. THADDEUS J. DULSKI
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 15, 1959

Mr. DULSKI. Mr. Speaker, the 86th Congress will have an opportunity to perform a significant act of justice, equity, and diplomacy this coming year by granting Hawaii's request for statehood.

As a matter of justice, Hawaii meets every historical standard we have required for the admission of new States. Hawaiians have been immersed in American traditions since 1820. They have demonstrated their devotion to the principles of democracy and to the American form of government in numerous ways, including the adoption of a constitution, in 1950, which has been commended as a model among such instruments.

In 1950, about 84 percent of the Hawaiians were native-born American citizens. The record of island troops in combat is impressive testimony to their loyalty. Gen. Mark Clark described the Hawaiian organization as "the most decorated unit in the entire military history of the United States." They served with equal valor in Korea.

That the majority of Hawaiians desire statehood is unquestionable. In 1940 they voted two to one for admission. In 1950 they approved the proposed State constitution by more than three to one.

Hawaii has first-class qualifications insofar as population and resources are concerned. It has more people than five of the present States—more than twice as many as Alaska. It has a well-developed, prosperous economy. Its citizens support a per capita tax burden considerably higher than the national average—larger, in fact, than in 33 States.

Hawaii richly merits statehood as a matter of equity as well as justice. Permanent political inferiority for American citizens in American Territories is simply too foreign to our ideals to be tolerated for long. Hawaii is the only incorporated Territory not yet welcomed into the Union. It has been petitioning for entrance since 1903. It has more people and a better developed economy than Alaska, our newest State. Both political parties have, in their platforms, approved Hawaiian statehood. Both President Eisenhower and former President Truman are for it. According to recent polls, the people of the United States are also for it by a ratio of more than 4½ to 1.

Finally, as an act of diplomacy, the admission of Hawaii would be of incalculable value. It would reverberate to our credit throughout the Far East. It would stand as an irrefutable proof that we really live by the principles of freedom and self-government we preach.

For these and many other reasons, I shall, in Congress, support passage of a Hawaiian statehood bill, which I am introducing today.

Proposal To Create a Pan American Parliamentary Association

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 15, 1959

Mr. ANFUSO. Mr. Speaker, I am introducing a joint resolution expressing the sense of Congress that a Pan American Parliamentary Association—PAPA—should be established and that the United States be authorized to participate in the parliamentary conferences of such association.

All of us are well aware of the need to establish the greatest possible measure of understanding, harmonious relations and cooperation between the nations of the Western Hemisphere. Despite our good neighbor policy of the past quarter of a century, we know that much resentment and dissatisfaction persist in Latin America with U.S. policy toward those countries. Much of this dissatisfaction, of course, is stirred up in recent years by Communist elements

who seek to create chaotic conditions among our neighbors to the south in the hope of gaining a foothold in this hemisphere.

The truth of the matter is that the Latin Americans desperately need our help in their efforts to attain a higher standard of living, in the exploration and exploitation of their natural resources, in economic growth, in expanding their agriculture and industry, and most especially in giving them an equal voice and the right of joint participation in the affairs of the Western Hemisphere and in the formulation of hemispheric policy.

Mr. Speaker, I was privileged to visit several Latin American countries during part of November and December 1958 in connection with my joint resolution on a Pan American Parliamentary Association. A full report of my visit there, as well as my views and findings, appears in the CONGRESSIONAL RECORD of January 9, 1959, pages 396–399.

It is high time that we look upon the peoples of Latin America not only as good neighbors but also as our best friends, which they are. Here we have a wonderful opportunity to regain some of the ground we have lost in other parts of the world, our moral position and our international prestige in the eyes of all nations, by stressing democratic principles and championing human rights. We can do so by offering the fullest measure of aid possible in order to achieve genuine friendship and inter-American support. We must prove to them that they stand to gain more by aligning themselves with the United States in order to protect their political freedom, their national independence, their economic gains, and the security of the whole hemisphere.

Fortunately, we are in a position to be of invaluable assistance to Latin America in many ways, particularly in helping them with their economic and development problems. The standard of living in those countries is extremely low. The average per capita income for all of Latin America is reported to be only $312 per year, compared with over $2,500 average in the United States. We must help them raise this standard of living through economic development and expansion, through increased production and consumption, and by increasing their purchasing power in domestic markets.

The more we help Latin America achieve these goals, the more we too shall benefit in the long run because of increased trade relations. Even now our trade with Latin America is greater than with any other area in the world. About one-third of our imports come from this area and about one-fourth of our exports go there. They sell to us half or more of such products as copper, coffee, raw wool, petroleum, and other products, while the value of our exports to them is approaching the $5 billion mark annually. Thus, by aiding them in their economic growth and in attaining a higher standard of living we can look forward to increased trade relations which should prove mutually advantageous.

What we need today is greater unity of purpose and a program of action which, I believe, should and could best be done on a people-to-people basis. It is for this very reason that I have proposed the establishment of a Pan American Parliamentary Association. My original resolution containing this proposal was offered to Congress in the summer of 1958 when the hectic period of adjournment was approaching and no time left for consideration. Nevertheless, within a few short weeks several of our leaders in Congress approved the idea in principle, it was similarly approved in principle by statesmen from 12 of the 20 Latin American countries, and the Department of State encouraged me to undertake my visit to several South American countries to discuss the proposal in detail with leading legislators there.

Following my visit I reached the conclusion that the idea proposed in my resolution is very timely and very urgent. Thereupon, I revised it and expanded it on the basis of my findings. The resolution proposes the establishment of a Pan American Parliamentary Association which is to meet annually, or as frequently as deemed necessary, in the different capitals of the Western Hemisphere. It is to be attended by the parliamentary representatives of the 21 American nations, since they are the direct representatives of the people having been elected by them as their spokesmen.

The purposes of the association are set forth in the resolution in the form of a 12-point program, which may be expanded upon whenever necessary. This program is as follows:

1. Create better understanding and foster closer personal contact among the elected legislators of the 21 American nations.
2. Stimulate greater public knowledge of, and making more effective, the Organization of the American States (OAS) and other agencies designed to promote the best interests of the American nations.
3. Expand the educational and scientific exchange programs.
4. Develop closer cultural relations throughout the hemisphere.
5. Improve trade relations and reduce the barriers to trade between countries in the Western Hemisphere.
6. Encourage large-scale tourism between the Americas.
7. Help to provide relief in times of disaster and other emergencies.
8. Seek means to dispose of surplus commodities of all sorts in the various countries in order to help their economies.
9. Help to raise the standard of living throughout Latin America.
10. Aid in the development of plans for the sound economic expansion of the Latin American countries, including U.S. public and private investment in their economic development.
11. Assist them in modernization of their agricultural methods.
12. Seek solutions to other problems of common concern to the countries of the Western Hemisphere.

My resolution further calls for U.S. participation in the Pan American Parliamentary Association and the appointment of 18 Members of Congress from both Houses and both political parties as the delegation of the United States to the conferences of the Association. The U.S. delegation is to submit a report to Congress each year on the activities and decisions of the Association.

I am convinced that if the elected representatives of the 21 American nations could meet in person to discuss pressing problems of mutual interest to the entire hemisphere, much could be achieved in the way of better understanding and harmonious relations. We must stop taking Latin America for granted. We must develop a positive and direct people-to-people approach in our relationship, treatment and dealings with our neighbors of the Western Hemisphere.

Mr. Speaker, I believe sincerely that my resolution is the key to such improved relations of the future, only we must bring that future closer—not some distant tomorrow, but today. I hope and trust that the idea to set up a Pan American Parliamentary Association, as proposed in my resolution, will soon become a reality. Let us be the first to pave the way.

Changing the Level of Imposing the Federal Tax on Gasoline

EXTENSION OF REMARKS
OF
HON. FRED SCHWENGEL
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 15, 1959

Mr. SCHWENGEL. Mr. Speaker, because I feel that all segments of small business in this country should be entitled to compete equitably with larger concerns, I have introduced H.R. 1343, which is designed to give the independent oil jobber and wholesaler the same break as the major oil company has with reference to the payment of the Federal tax on gasoline.

Under existing law the 3-cent Federal tax on gasoline is imposed at the time of sale by the producer. The producer is the refiner and, from the standpoint of volume, this really means the major oil companies. The word "producer," as defined by section 4082 of the Internal Revenue Code, includes "blenders" and "importers"; however, the volume of gasoline handled by these last two categories is relatively insignificant.

When the existing language of the code—as implemented by regulations—is translated into actual operation what it means is that the refiner or major oil company does not pay the Federal gasoline tax until up to 45 days after the time of sale, whether that sale be direct to a consumer, to a service station, or to a reseller, such as a jobber or wholesale distributor. It also means that the wholesale distributor who pays this tax at the time of purchase must not only permanently encumber approximately 20 percent of his inventory capital but, in addition, he must suffer tax losses due to evaporation and unavoidable spillage between the time of purchase and the time of delivery into the tank of the person to

whom he sells. Neither of these burdens is imposed on the major oil company with whom this small, independent jobber must compete. It is estimated that the jobber's losses due to evaporation and unavoidable spillage amount to approximately 2 percent of the total volume of gasoline handled. A majority of the States imposing gasoline taxes recognize this inequity and allow the jobber varying percentages to compensate for these losses and some of them allow additional percentages for the handling of this tax burden, collection of the tax and the maintenance of the necessary records required by the collector. The Federal Government, however, has refused to either recognize or remedy this inequity.

My bill would change the definitions in the code in such a way that the independent jobber or wholesale distributor will be placed on the same basis as his major oil company competitor insofar as payment of the Federal gasoline tax is concerned. In my bill the jobber will pay the tax at the time he sells the gasoline rather than at the time of purchase. This will not only release badly needed capital which this category of small businessmen can use to improve their competitive position but, in addition, will relieve them from paying taxes on a product which has evaporated before the time of sale. This method of collection will not add any appreciable number of taxpayers to the rolls nor will it cause any loss of revenues to which the Government is equitably entitled. The bill, in brief, will at little or no cost to the Federal Government remove an existing inequity between a group of deserving small businessmen and the major integrated oil companies. I can conceive of no cheaper way to help some small businessmen than the passage of this legislation which I have introduced.

Broadening the Market for State and Local Bonds

EXTENSION OF REMARKS
OF
HON. THOMAS B. CURTIS
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 15, 1959

Mr. CURTIS of Missouri. Mr. Speaker, I am joining with Mr. HERLONG, my colleague on the Ways and Means Committee, in reintroducing a bill to broaden and relieve the market for State and local bonds. It will accomplish this by attracting investment companies, both regulated and unregulated, with their ever-increasing pools of investable funds, into the so-called municipal bond market. The incentive is that they may distribute or pass through the tax-exempt interest to their shareholders. At the present time the shareholders can invest in these bonds directly, but their corporate funds are effectively sealed off from the market by the fact that the interest becomes fully taxable when distributed to the shareholders.

This bill, except for minor refinements, is the same as H.R. 8702, which I introduced in the last session. Earlier in the last session I had introduced a very narrow passthrough bill, H.R. 4380, which applied only to regulated investments and only if they were 90 percent invested in tax-exempt bonds. Thereafter I became convinced that the narrow bill would extend negligible help to State and local governments. The present bill, however, will provide substantial, essential, and inexpensive assistance by really broadening the market for State and local bonds.

I want to emphasize that we are dealing with an existing exemption. This bill makes that exemption more effective from the point of view of the issuers of tax-exempt bonds. For that reason, the legislation is actively supported by leading national organizations in the municipal, county, and educational spheres, such as the American Municipal Association, National Association of County Officials, and National Education Association.

I have been advised by a prominent economist, Mr. Harry L. Severson, that leaders in the field of municipal finance have been worried for some time about the failure of markets for tax-exempt bonds to increase as rapidly as the supply, and that more recently the underwriters who handle these bonds have been discussing most seriously how and where the ever-increasing volume of new issues can be placed.

The legislation is unique in that it grants substantial assistance to local governments at little, if any, cost to the Federal Government. For this particular reason the legislation has the support of such diverse organizations as the American Farm Bureau Federation and the Council of State Chambers of Commerce.

State and local governments are finding it increasingly difficult to finance the growing volume of new capital improvements which are required to meet the needs of our expanding economy. Traditionally, large capital improvements, with the exception of highways, have been financed largely by borrowing. Since all of the costs of government are rising, there is little reason to hope that it will be feasible for these jurisdictions to meet a significantly greater proportion of the cost of capital improvements on a pay-as-you-go basis in the foreseeable future. The problems of financing capital improvements are made more difficult by the fact that new bond issues do not sell as well as they did a few years ago.

During World War II the supply of new tax-exempt bonds was not only relatively small but it was contracting at the very time that the demand for tax exemption was expanding due to raises in the income tax rates. The result, of course, was an extremely favorable market for State and local bonds. As the volume of new issues increased following the close of World War II, this situation has gradually changed until it is now the investors who enjoy most of the advantages at the bargaining table.

Under existing law the large and growing pools of investable funds held by investment companies are effectively excluded from the municipal bond market by the fact that tax-free interest is converted to taxable dividends when paid out to the shareholders of these companies. The need for a broader market is even more pressing now than when I first introduced this bill in July 1957. The volume of new offerings of these securities continues to mount. In 1957 a total of $7 billion came to the market which was practically the same as the previous high reached in 1954 when new toll road bonds were at the height of their popularity. In 1958 a new high of approximately $7.5 billion was reached in spite of the tight money conditions in the last two quarters of the year which undoubtedly caused the postponement of some new offerings.

What is more, there is every reason to expect that the volume of new offerings will continue to increase. Our growing economy will make it necessary for State and local governments to install many new capital improvements all of which must be financed. The widely quoted Severson projections show a steady increase in the volume of new offerings. According to these projections the volume in 1959 will be above $8 billion, increasing to more than $16 billion in 1968. This represents a lot of bonds to place with investors. The market is choking up periodically on the present volume and this gives us some idea of the task ahead in finding permanent outlets in 10 years for a flow more than twice as large as the greatest we have known.

The enactment of the passthrough would be of material assistance in placing these new issues. Investment companies not only hold large reservoirs of funds but they are growing steadily. An important advantage of the passthrough is the fact that it would open up these new markets without upsetting existing institutional arrangements. Furthermore, the cost to the Federal Treasury would be nominal. If the aspirations of the people for new improvements are to be realized, the volume of new issues must continue to grow. In many instances the failure to sell these bonds would result in the economic strangulation of the area.

Since these bonds will be tax free in any event under existing law to whoever buys them, no tax loss of any consequence is involved. Moreover, certain offsets must be considered. By holding down the rate of interest on new issues the total volume of interest on which tax is not paid is reduced. Also by reducing the cost of debt service the passthrough will tend to reduce or hold down local taxes which are a deduction in computing the income subject to tax.

State and local governments are requesting assistance in meeting their obligations. Their burdens are heavy. About this there can be no question. In considering these requests for assistance I think it well to give real consideration to those forms of aid which would enable these governments to help themselves, since this type of assistance is likely to be the most efficient. As governments

are called upon to perform more services, efficiency becomes increasingly important, and I think we will all agree that keeping the controls close to home tends toward economy. It is easier to waste a dollar which comes from Washington than one which must be raised locally.

In closing, I feel that the broad pass-through should be enacted into law at this session of Congress since it would assist State and local governments in financing their capital improvements by reducing or at least holding down the cost of debt service, and debt service will become an increasingly important item for these governments. The control of the capital improvement programs would be left with local government. The Federal Government would not be concerned over what a local community did or did not undertake. Each locality could build its improvements as simply or as elaborately as it chooses.

The bill follows:

H.R. 2341

A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of dividends paid by certain corporations which hold obligations of States and local governments

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 103 of the Internal Revenue Code of 1954 (relating to interest on certain governmental obligations) is amended by redesignating subsection (c) as subsection (e) and by inserting after subsection (b) the following new subsections:

"(c) EXCLUSION FOR EXEMPT-INTEREST DIVIDENDS.—In the case of a taxpayer other than a corporation, there shall be excluded from gross income an amount equal to the aggregate amounts received during the taxable year as exempt-interest dividends. Any amount excludible from gross income under this subsection shall be treated for purposes of this subtitle as an item of interest excludible from gross income under subsection (a)(1).

"(d) DEFINITIONS.—For purposes of subsection (c)—

"(1) EXEMPT-INTEREST DIVIDEND.—The term 'exempt-interest dividend' means any dividend or part thereof (other than a capital-gain dividend within the meaning of section 852(b)(3)(C)) paid by a corporation and designated by it as an exempt-interest dividend in a written notice mailed to its shareholders not later than 30 days after the close of its taxable year, if such corporation meets the requirements of paragraph (2) for such taxable year. If the aggregate amount so designated with respect to a taxable year of the corporation is greater than the amount of interest received or accrued by such corporation during such taxable year and excludible by it under subsection (a)(1), the portion of each distribution which shall be an exempt-interest dividend shall be only that proportion of the amount so designated as the amount of such interest so excludible bears to the aggregate amount so designated.

"(2) SECTION 103 CORPORATION.—A corporation shall be treated as meeting the requirements of this paragraph for a taxable year if—

"(A) such corporation is a domestic corporation other than a bank as defined in section 581 or an insurance company taxable under subchapter L,

"(B) such corporation files with its return for such taxable year an election to be a section 103 corporation or has made such election for a previous taxable year which began after the effective date of this Act,

"(C) at least 90 percent of its gross income is derived from dividends, interest, and gains from the sale or other disposition of stock or other securities (and for purposes of this subparagraph and subparagraph (D), the terms 'gross income' and 'interest' include interest excludible under subsection (a)(1), and

"(D) less than 30 percent of its gross income is derived from the sale or other disposition of stock or other securities held for less than 3 months."

SEC. 2. Section 265 of such Code (dealing with nonallowance of deduction for expenses and interest relating to tax-exempt income) is amended as follows:

(a) In paragraph (1) by deleting the period at the end thereof and substituting the following: ", or any amount otherwise allowable as a deduction which is allocable to interest received and distributed as an exempt-interest dividend by a corporation meeting the requirements of section 103(d)."

(b) By adding at the end of the section the following new paragraph:

"(3) INTEREST RELATED TO EXEMPT-INTEREST DIVIDENDS.—Interest, on indebtedness incurred or continued after the effective date of this Act, to purchase or carry stock of any corporation, for any period during which such corporation meets the requirements of section 103(d)(2)."

SEC. 3. The amendments made by this Act shall apply only with respect to distributions by corporations with respect to taxable years of such corporations which begin after the date of the enactment of this Act.

Hon. Davis Elkins

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. PHILBIN. Mr. Speaker, it was with deepest sorrow that I learned of the recent passing of the esteemed and beloved former distinguished Senator of the great State of West Virginia, the Honorable Davis Elkins.

Illustrious scion and great leader of a family which for more than 75 years has been a prominent, vital force in the upbuilding and development of his great State, Senator Elkins leaves a precious legacy of devoted public service and constructive business leadership.

Educated at Lawrenceville, Andover, and Harvard College, Davis Elkins early enlisted in the Spanish-American War as a volunteer with Company E of the 1st West Virginia Volunteer Infantry, and served with great distinction with that unit throughout that history-making conflict. During World War I inspired by that high sense of patriotism and civic virtue for which he and his family were noted, the Senator again enlisted in the Army and served in Europe with the high rank of major and once more distinguished himself as a gallant fighter and a devoted son of Uncle Sam.

Of his outstanding service in this war, the late famous Percy D. Haughton, famous Harvard football coach of the era, himself an officer in the American Expeditionary Force, said of Senator Elkins: "Dave Elkins was a great soldier and a great human being, respected and loved by all."

Evidently the people of his home State felt the same way about his patriotic contributions, high character and ability since, while he was still on the European battlefront, they elected him to the U.S. Senate in November 1918.

Much could be spoken of his fine service in the Senate. He early won the high regard of his colleagues and served his constituents, the State, and the Nation with unquestioned integrity, outstanding fidelity, and great ability during his term.

He did not run for reelection. His large and varied business interests, civic and family responsibilities which he had long unselfishly sacrificed to serve his country, demanded his consideration and attention and he reluctantly retired to private life.

Senator Elkins' warm friend of Senate days, President Warren G. Harding, greatly honored him by offering him an important Cabinet post, but his many business affairs and domestic duties enjoined him from acceptance, notwithstanding the persistent urgings of the President and his many friends and advisers. As the Senator put it himself: "I am grateful for the honor and wish it were possible for me to serve. But I must give some attention now to my business and my family."

Senator Elkins' family life was typically American and fabulously happy. In 1926, he married the charming, talented, and gracious Mary Regan of Washington, a young lady noted for her beauty, keen wit, and popularity, who bore him three lovely children, Katherine, now Mrs. Charles J. Kelly of New York City, Maureen, now Mrs. A. Thomas Zirpolo of Cleveland, Ohio, and Davis Elkins, Jr., now of Elkins, W. Va.

The Elkins family life was also truly ideal and brought great joy and great pride to the distinguished Senator. Very many friends of official Washington, the Nation, and even the world, the famous and the unsung, drawn from every walk of life, moved from time to time in and out of the noted Elkins home where hospitality, graciousness, love, generosity, kindness, and a strong Christian faith always abided.

I can speak with intimate personal knowledge of this lovely Elkins family because it was frequently my privilege and pleasure to visit them in their home. Never have I known more generous hosts; never have I experienced more gracious hospitality; never have I seen a more beautiful family or a more wholesome, interesting, inspiring home environment.

The great and the humble passed through the doors of that inspiring home. It was a salon, in the very best sense, of fine culture, enlightenment and gayety. Above all, it was a home which exemplified the finest qualities of parenthood and the most appealing attributes of filial love and devotion. The home of Davis and Mary Elkins was a home to remember, as those who have ever visited it will gratefully testify.

The Elkins children were brought up with scrupulous, yet loving vigilance, care, and affection and they have lived up to high early promise. The girls are happily married, are blessed with beautiful children; the boy is rapidly making his way in the business world. Together, they brought great joy to their devoted dad and granddad and to their loving mother and grandmother—a family of which anyone could be proud—American to the core, that can "walk with kings nor lose the common touch," that shines out like a bright star in the firmament of modern life in our great Republic.

Davis Elkins was a man of rectitude and high honor, a two fisted American who up to the time of his disability attended prize fights, wrestling matches, and athletic contests. Born to the manor, so to speak, he was plain in speech, democratic in manner, kind of heart, generous of impulse.

He was a hard hitter, blunt spoken against injustice, sham, and quackery, firm in his convictions, rugged of character, stern in his sense of duty. Essentially, he was a kind and generous soul, deep in his knowledge of humanity, keenly aware of its problems, eager to do his part whether by bountiful private philanthropy or public action to lighten the burden and better the lot of all those unable to help themselves.

His loyalties and affections knew no narrow bounds of party, race, creed, or class. He was a friend to man, a public servant of whom any nation could be proud; a husband and father of whom any family could be eternally grateful, as I know his devoted family is.

In the poignant sorrow of their bereavement, I extend to Mrs. Elkins and to each and every one of them the most heartfelt sympathy of my family and myself. May the good Lord bring them strength and courage in their dark hour of sadness and travail. May they find "that peace of God, which passeth all understanding."

An able honest man, a noble statesman, and a great American, Davis Elkins, has gone to his heavenly reward. His State, the Nation, the people and his many friends join his bereaved family in mourning his lamented passing. May God bless and keep him.

Inspection of Alcatraz and Terminal Island Prisons

EXTENSION OF REMARKS
OF
HON. EDWIN E. WILLIS
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 15, 1959

Mr. WILLIS. Mr. Speaker, having drafted legislation affecting Federal prisons in the 85th Congress, members of the House Judiciary Committee's Subcommittee No. 3, of which I am chairman, visited two Federal institutions during the latter part of August 1958, to study at firsthand the problems associated with the confinement of Federal offenders. Representatives WILLIAM M. TUCK, ROLAND V. LIBONATI, and I, accompanied by Mr. Cyril F. Brickfield, counsel to the committee, inspected the Federal correctional institution, Terminal Island, Calif., on August 25, 1958, and the U.S. penitentiary, Alcatraz, Calif., on August 28, 1958.

TERMINAL ISLAND

Terminal Island is headed by Warden Preston G. Smith and is the only Federal institution in which both men and women prisoners are confined. Terminal Island is a medium security institution located in the heart of Los Angeles Harbor on a small peninsula known as Reservation Point. On the day of our visit the total prison population was 845, with 688 men and 157 women. It has a staff of 163 persons, 129 of whom are assigned to the men's prison and 34 to the women's division. The ratio of prisoners to employees is quite excessive, especially when it is remembered that the employee staff must be spread out over a 24-hour day, 7 days a week.

Terminal Island receives men prisoners, with sentences of 5 years or less, and women prisoners, regardless of length of sentence, from the area west of the Rockies, Alaska, and Hawaii.

The largest offense group is made up of prisoners convicted of narcotic law violations. Other offenses represented most numerously in the population are forgery, car theft, and illegal entry into the United States. The average length of sentence for the men is about 39 months and for the women about 50 months. However, the committee noted the length of sentences varied over a wide range even in virtually identical car theft or forgery cases. Public Law 85–752, enacted in August 1958 by the 85th Congress, was drafted in subcommittee No. 3 to minimize such disparities, and the members of the subcommittee are hopeful that the prevalence of the noted disparities will dwindle as the new law becomes more commonly used by the Federal courts.

The subcommittee visited the recently overhauled admission-orientation unit where the men are housed during their first month in the institution. This is a clean, well-lighted and well-ventilated area consisting of a dormitory with a capacity of 46 beds, 8 individual cells, a combination day-lecture room and 2 small interview rooms. It was explained that the capacity of this unit would be increased shortly by the addition of double-deck beds, required because the population of this unit frequently exceeds the present 54-man capacity.

During the month that the men spend in this unit they are given a program of orientation geared to help them adjust to the routine of the months and years ahead and to encourage them to make the best possible use of their time in prison. A good many of the men begin various types of study courses while they are still in this unit.

At the end of their first month the men appear before the classification committee, composed of the warden, associate warden, classification and parole chief, educational supervisor, social worker, chief medical officer, and chaplain. This committee advises the inmate on the type of program considered best suited to his needs and assigns him to living quarters, work program and custody classification. For those who test below fifth-grade level one-half day school attendance is compulsory. All other school work is voluntary but the committee encourages attendance at evening classes on this basis. The school is staffed by two full-time staff instructors, two part-time instructors from the local school system and a number of inmate teachers. The program is accredited by the Los Angeles school system and certificates and diplomas are awarded for attainment of elementary or high-school graduation.

An active vocational training program and on-the-job training is carried on in the various shops, powerplant and culinary department. A concerted effort is made to install good work habits, to promote a high standard of personal appearance, to maintain excellent sanitation in living quarters and places of employment, and to discourage vulgar and profane speech.

The committee was pleased to note that Terminal Island has two full-time chaplains. These are young and vigorous men who appear to be keenly interested in their work. The Catholic chaplain speaks Spanish fluently and acts as interpreter for the classification committee in dealing with the considerable number of Mexican inmates who speak and understand very little English.

The medical staff is composed of two doctors, a dentist, and four male nurses for the men's division and two female nurses for the women's division. They are supplemented by part-time consultants in the various specialties form the local community, available on an as-needed basis.

The subcommittee visited the institution's library, and the hobby shop where men can spend their leisure hours working upon articles of handicraft. Television sets were observed in some of the housing units and Warden Smith explained that these sets were rotated weekly among the several units on an incentive basis. Each group is anxious to have the benefit of television and competition for these sets is quite keen. One of the results of this system was seen in the extreme orderliness and sanitation in the living quarters. These sets, incidentally, were acquired partly through donation and partly through purchase from commissary profits. No appropriated funds were expended for this purpose.

The work program at Terminal Island poses some unusual problems because of the site, the dual nature of operations and the restricted area of the reservation which precludes the farming operations normally carried on at a penal institution. To offset the lack of a farm to some extent the institution has developed with neighboring government agencies working arrangements which permit the use of labor details at those installations for grounds maintenance, shop operations, and various similar services. Approximately 50 inmates are

assigned to details of this type at the Coast Guard station and immigration and naturalization offices just across the street from the institution and at Fort MacArthur in San Pedro.

On industrial activity, furniture refinishing, is now operated at the prison and employs 40 to 45 prisoners. Construction of a new building to accommodate additional industrial activities is under way. It is planned to use this new space for metals industry fabricating steel shelving, lockers, and various small metals products. With institutional maintenance requirements, the services performed for other agencies and the expanding industrial program, sufficient employment to keep approximately 700 men usefully occupied will eventually be furnished.

Keeping the women inmates usefully employed is more of a problem and an industrial activity for them is being developed. Meanwhile job training is being afforded by such activities as cooking and baking, sewing, landscape gardening, cosmetology, and various other lines.

Terminal Island uses the standard ration allowance common to the entire prison service. Its food costs are higher than those of prisons having farms but notwithstanding this circumstance the food costs slightly less than 59 cents per inmate per day, including raw food, minor equipment, repairs, and the supplies involved in meal preparation and serving.

When the institution was returned to the Bureau of Prisons in 1955—it was used by the Navy from 1942 to 1950 and by the State of California from then until 1955—funds provided for its reactivation were sufficient to cover only a part of the total job required to restore the plant to minimum standards. The dining hall, kitchen, and dormitories are in need of overhauling. The hospital also requires a number of alterations and improvements, including adequate facilities for disturbed patients, modernization of the operating room, ceiling and floor treatment in the wards and corridors. A chapel is needed to replace the present makeshift space that is being used for religious services.

The women's unit is housed in a temporary type of barracks buildings which were constructed by the Navy during World War II. These buildings offer no security and constitute a fire hazard. Replacing the women's unit with buildings of fireproof construction, designed and equipped for their intended purpose, is perhaps the most urgent need at Terminal Island at this time.

CONCLUSION

On the whole, the Terminal Island institution seemed to be operated efficiently. Morale among both staff and inmates appeared to be at a high level. Sanitation and orderliness were especially noteworthy throughout the institution and the personal appearance of employees and inmates was excellent. It was the feeling of the members of the subcommittee that the Terminal Island staff is doing a good job in attempting to rehabilitate the men and women prisoners committed to their custody and that Federal funds are being expended economically and judiciously at this institution.

The problem of disparity of sentences will, it is clear, remain an important concern of our subcommittee. The new law, we hope, will reduce the prevalence of such disparities.

THE BAR ASSOCIATION

The members of the subcommittee also had an opportunity to attend several sessions of the American Bar Association which was meeting at the same time in Los Angeles.

We attended the dinner of the section on judicial administration and some of the meetings of the criminal law section dealing with the problem of representation of indigent clients and the administration of criminal law. A very interesting paper, entitled "What Price Justice?" was delivered by the Honorable Irving R. Kaufman, of the U.S. district court of New York. A number of suggested improvements in the administration of Federal law were discussed and these doubtless will be presented later to the full committee for consideration.

ALCATRAZ

On Thursday, August 28, 1958, the members and counsel of the subcommittee, accompanied by Representative T. ASHTON THOMPSON, visited the U.S. Penitentiary, Alcatraz, Calif. This institution, of course, is much different from Terminal Island and holds some of the most hardened criminals in America.

The 290 prisoners at Alcatraz were transferred there because they were too unmanageable even for such penitentiaries as Leavenworth and Atlanta, or because they were considered to be dangerous men whose escape would represent a distinct threat to the public safety. They were convicted, typically, for committing quite serious crimes and their sentences are long, averaging well in excess of 20 years, and including about 30 life terms. Alcatraz, in the opinion of Director James V. Bennett, must be considered one of the most difficult and complex prisons in the world to administer.

The subcommittee was transported from Fort Mason to the island by the penitentiary's boat. Upon arriving at the landing the committee observed a metal detector and stepped through it to test its operations. The manner in which the inspectoscope worked was explained by the operating officer and it was obvious to the subcommittee that this type of equipment is needed for a super-security institution where both prisoners on the inside and their friends on the outside are constantly trying to devise some means of outwitting the institution's security system. This was sharply dramatized in an episode several weeks after the committee's visit when two long-term prisoners made an abortive attempt to escape from the island by overpowering their supervisory officer and swimming away with sets of makeshift waterwings.

Warden Paul J. Madigan, a veteran of over 25 years in the prison service, is in charge of operations at Alcatraz. It is run on a surprisingly economical basis, considering the fact that everything that is used and consumed, including water, must be ferried to the island. Each prisoner, for example, is fed three meals a day for the relatively small sum of 59 cents. The subcommittee learned that the Government expends an average of $10.34 a day to keep one prisoner at Alcatraz, as contrasted to $3.05 at Leavenworth and the $4.58 average for the entire Federal prison system. Yet Alcatraz is performing a valuable service for the protection of the public.

The penitentiary has a rather ancient physical plant which presents a difficult maintenance problem. The climate surrounding the island is highly damaging to physical structures, and while at other prisons, inmates can be used to make repairs, the custodial requirements of Alcatraz permit very little use of inmates outside the security of the inner compound. Consequently, practically all repairs to the physical plant must be made by civilian tradesmen.

Upon entering the cellhouse the subcommittee observed that the visiting room was being renovated. The area for the outside visitors was partitioned off solidly from that for the prisoners. Speakers were being installed which would permit two or three visitors to converse at one time with a single inmate. The subcommittee was informed that each prisoner was allowed one visit of 90 minutes duration each month. However, of the population of 290, an average of only 15 inmates received visitors each month.

The subcommittee first visited the cellhouse which contains 2 inside cellblocks, each with 168 cells. The cellhouse was immaculate, and the cells themselves were sparely but comfortably equipped. The committee then went to the kitchen area where feeding arrangements were discussed and the menu for the current 10-day period was displayed. It was obvious that although the Alcatraz prisoners have few privileges and no commissary as in other Federal prisons, they were well fed. The kitchen and dining room looked exceptionally neat and clean.

At the prison hospital the committee talked to the chief medical officer and his medical technician. The subcommittee was informed that on the average about three prisoners a day were in hospital status, which would indicate that the health of the Alcatraz population was safeguarded well. The subcommittee inspected the operating room, the outpatient clinic, and the wards which were equipped with beds recently acquired from surplus property lists. Like the rest of the penitentiary, the hospital was neat and orderly. While Alcatraz does not have a full-time dentist, a local dentist visits Alcatraz one day each week, and, according to the warden, this time has been sufficient to provide adequate dental care for the men.

The subcommittee visited the treatment unit, where men who are in punitive status or who must be segregated from the rest of the population for various reasons are housed. At the time of the subcommittee's visit, 20 prisoners were in segregation status and 1 in punishment status.

Returning from the disciplinary unit, the subcommittee stopped at the library and examined the bookshelves. The warden pointed out that Alcatraz had recently received a number of surplus books from the Navy and now had about 14,000 volumes. He explained that the average Alcatraz prisoner read about 85 books a year. The books, selected from a published list, are delivered to the cells. After the working day is over, the prisoner can also listen to the radio, if he wishes, by means of the earphones installed in each cell. The radio is turned on at 6 p.m. each night and turned off at 9:30.

Following lunch, the committee went to the industrial area and entered the laundry. This unit performs work for local government agencies; and while 40 inmates were assigned at the time of the subcommittee's visit, the laundry was being disbanded because local government agencies do not furnish enough work to keep 60 or 70 men busy.

Visiting the clothing factory next, the subcommittee observed 36 inmates working on an order from the U.S. Army for cooks' and bakers' white trousers. The members circulated through the cutting room and through the main shop, stopping occasionally to talk to the prisoners. Warden Madigan advised me that this was the most efficient industrial activity at Alcatraz and that there was little difficulty in securing enough work to keep the factory busy. The morale of the inmate workers seemed high, considering the circumstances, and few of them stopped work long enough even to inspect their visitors.

In the glove factory the members observed operations in the leather cutting department and the sewing shop, where 35 men were making leather gloves for the Army Quartermaster. According to Warden Madigan, the shop had enough orders on hand to keep the activity busy for several months.

In the furniture refinishing shop, 20 prisoners were renovating desks and chairs for Travis Air Force Base, one of several air bases in the area served by the unit. The quality of the work turned out by the prisoners was very high, with the finished product not readily detectable from a newly manufactured article. The issue of tools was carefully controlled by means of a carefully designed tool board, with the absence of a tool evident at a glance.

In the brush shop, the last industrial activity visited by the subcommittee, 22 men were making 14-inch brushes for the Navy. The brushes were turned out with rapidity, and it was obvious that the inmate workers had acquired high skill.

After leaving the work area, the subcommittee inspected the powerplant. Warden Madigan explained that the electricity supply was a source of difficulty, inasmuch as it generated chiefly d.c. current. For example, it was troublesome to operate the prison's metal detectors with only a small amount of a.c. current. The powerplant itself was operated by a chief engineer and five assistants, who rotate on shifts around the clock.

The committee was interested in noting that many of the staff lived on the island with their families and were dependent upon the institution's boats to get to San Francisco for shopping, attending school, and securing other community services. Normally a boat makes round trips every hour or two between 6 a.m. and 12 midnight. However, it is apparent that the life of the island's civilian residents is rather restricted, and the dedication of these public servants must be admired.

CONCLUSION

Although it might be considered regrettable that the United States has need for a supersecurity prison such as Alcatraz, the prisoners confined there are being accorded treatment which is as humane and reasonable as the circumstances permit. The primary function of Alcatraz is to protect the public, and this task is being performed well, under rather trying and difficult circumstances, in the opinion of the members of the subcommittee who visited the insitution.

Needed: More Defense Contracts in Indiana Areas of Unemployment

EXTENSION OF REMARKS
OF
HON. JOHN BRADEMAS
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 15, 1959

Mr. BRADEMAS. Mr. Speaker, I want to praise the action taken this week by the Rules Committee of the House in urging that the Committee on Armed Services investigate the failure by the Department of Defense to award Government contracts to areas of substantial unemployment.

I refer specifically to House Resolution 19 which, among its other purposes, authorizes the committee "to conduct a full and complete investigation" into the procurement and use of materiel, equipment, supplies, and services by or within the Department of Defense.

Mr. Speaker, since 1953 we in the Third District of Indiana have suffered violent fluctuations in employment. Two of the four counties in my district have too often been in the substantial labor surplus or distressed area category.

Because of economic conditions within my district and because of similar conditions in other distressed areas throughout the Nation, I am glad to see the scope of the investigation covered by House Resolution 19 extended to include a study of whether or not defense contracts are properly being awarded to business firms in areas suffering from serious unemployment.

I have discussed this possibility with the Honorable RAY J. MADDEN, of Gary, Ind., who was among those members of the Rules Committee reporting H. R. 19 favorably to the House. My distinguished colleague from Indiana has informed me that the Honorable CARL VINSON, of Georgia, chairman of the Committee on Armed Services, is in agreement with the extension of the committee's power to study the relationship between first, unemployment, and second, the favoritism by the Defense Department of big companies over small firms in the granting of Government contracts.

I specifically call to the attention of the Armed Services Committee and of Congress the critical unemployment situation in the South Bend area, and I want to commend my good friend, Congressman MADDEN, for his emphasis at the Rules Committee hearing yesterday on the situation at the Studebaker-Packard plant in South Bend.

I respectfully submit that the investigation of which I speak can develop much valuable information toward the end that areas of substantial unemployment are, whenever practical, awarded more contracts by the Department of Defense.

The human and economic cost of high unemployment is ample justification for awarding more government work to such areas.

Communist-Inspired Smear Campaigns

EXTENSION OF REMARKS
OF
HON. GORDON H. SCHERER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 15, 1959

Mr. SCHERER. Mr. Speaker, I request permission to bring to the attention of my colleagues the recent series of scurrilous attacks against the Federal Bureau of Investigation and its highly respected Director, J. Edgar Hoover.

I particularly commend to your attention the underlying forces behind this patterned campaign of vilification and abuse.

For more than a quarter century, Mr. Hoover and the FBI have been targets of malicious smear campaigns launched by subversive organizations. Communists and other unsavory groups, through distortion and deceit, have directed a wealth of misinformation, innuendoes, and smears against the FBI. But, in the light of its past achievements it is, of course, not too difficult to understand why. Like a stuck pig, they have had good reason to squeal, and are out to get the FBI.

Mr. Hoover is a public servant who has given a lifetime of dedicated effort to unselfish public service. He has dedicated every legitimate resource to an unrelenting war upon the criminal underworld and against those whose ideologies are contrary to our American way of life.

Those whose wish it has been, and is, to unlawfully overthrow our Government are Mr. Hoover's sworn enemies. We all know this. And they leave no stone unturned in their vicious efforts to hamper his effective work. Their malicious smears, however, go on and on.

In 1940 there was a concerted wave of Communist-inspired criticism denouncing the FBI as "an American Gestapo" and a "threat to freedom." Communist demands were heard for a "sweeping investigation of the FBI."

Again in 1947, the Communists spearheaded a vicious drive to slander this

agency and undermine public confidence in its operations. Behind this all-out attack were the fear and hatred of subversive groups for the then newly established Government Employees Loyalty Program, a measure clearly designed to strengthen our national security. The attack failed.

In the late 1940's, and early 1950's the FBI's investigative machinery dealt crippling blows to the Soviet spy system here in America. It was during this time, you will remember, that Judith Coplon, Valentin Gubitchev and Harry Gold were arrested and exposed; the Rosenbergs were convicted, and later executed, as atomic spies.

Following these successes, Director Hoover and his staff were subjected to renewed castigation and abuse. Through hate propaganda, and the technique of the big lie, efforts were made to dupe an unsuspecting public into the ridiculous belief that J. Edgar Hoover and the FBI were the menace to the citizenry of our Nation, not the Communists and their allies, the pseudo-liberals.

The Federal Bureau of Investigation has admirably weathered periodic storms of Communist-directed scorn and contempt. Its record of past accomplishments speaks for itself. But in taking a stand for the preservation of the American way of life, Mr. Hoover has invited upon himself the wrath of experts adroit and skilled in the art of character assassination.

In more recent months, this attack has assumed a well-organized pattern of smear, slander, and hate. The leopard has not changed its spots: As in bygone years, the current hate Hoover campaign is implicit in the forces of the Communist Party, U.S.A., its willing dupes, its sympathizers, and its respectably cloaked apologists and pseudoliberals.

"THE NATION"

The initial impetus to this rabid anti-FBI drive was sparked by the Communist-line magazine, "The Nation." Its entire issue of October 18, 1958, some 60 pages, is devoted exclusively to a highly distorted and biased attack upon J. Edgar Hoover and the FBI by Fred J. Cook, a writer who has earned the unenviable distinction of being an apologist for Alger Hiss. This article contains many of the same contradictions, falsehoods, and innuendoes characteristic of those hurled at the FBI by Max Lowenthal and others of similar ilk. The Ford Foundation's Fund For the Republic, a tax-exempt organization, was the largest single advertiser in this smear issue of "The Nation."

"The Nation" is edited by Carey McWilliams, a character whose record relating to Communist Party activities extends over a period of more than 20 years. These facts speak for themselves.

COMMUNIST PARTY U.S.A.

Blistering criticism, nurtured by a feeling of bitter resentment and hate, of those who would zealously defend the country against its internal enemies, has always been, and still is, an unceasing Communist Party tactic. Yet the very ruthlessness and violence of these attacks are a grudging acknowledgment of FBI vigilance in its relentless fight against the treacherous guiles of Communist subversion and intrigue.

One of its latest salvos appeared in the official publication of the Communist Party, U.S.A., "The Worker," on November 16, 1958, in an article brazenly captioned "Edgar Hoover's Four Decades of Fight Against Peace."

But let us not be misled. Today, the American people are being fed the phoney propaganda line that the Communist Party, U.S.A., is just another legitimate political organization. Of course, what it really is—is just what it has always been: A Soviet-dominated link in the international Communist conspiracy, dedicated to the ultimate forcible destruction and overthrow of the U.S. Government.

Soviet leader, Nikita Khrushchev, himself restated this aim in a television interview in June 1957, when he boasted your grandchildren would live under the heel of Communist socialism.

EMERGENCY CIVIL LIBERTIES COMMITTEE

Elaborately linked to the current conspiratorial chain of smear forces are the many fronts exploited by the Communist Party, U.S.A. to convey insidious propaganda designed to discredit truth. They are "the marks" of the conspiratorial con-game swindlers: the willing dupes of the Communist "roper" and "inside man."

These are the individuals whose sly and slanted writings oppose urgently needed internal security measures; present the menace of communism as a myth of hysteria, urge that we tolerate the subversive acts of Communists because the Communist Party is just another political movement; and whose outraged cries have been joined in the attack against everyone and everything related to the exposure of the Communist conspiracy.

It was back in September 1957, you may still recall, that the Emergency Civil Liberties Committee started its campaign of vilification to abolish the House Committee on Un-American Activities. Immediately, the efforts of these Communist stooges were broadened to include the Federal Bureau of Investigation.

Their motives were all too obvious. The record will show that the Emergency Civil Liberties Committee was designated a Communist-front organization by the Internal Security Subcommittee of the Senate Judiciary Committee. Harvey O'Connor and Corliss Lamont are its officiating heads.

For some years the name "Harvey O'Connor" has been on the Nation's list of editors as a staff contributor. It was this individual to whom the House Committee on Un-American Activities referred when it stated:

> Harvey O'Connor was identified as a member of the Communist Party by Benjamin Gitlow, the Communist Party's former secretary general, in sworn testimony before the Committee on Un-American Activities on September 11 and October 17, 1939.

And this same committee, in its report on Lamont, states: "Corliss Lamont has been one of the foremost apologists for the Soviet Union in the United States," and then factually recounts his association with many Communist-front organizations.

NEW YORK POST

Next to join forces with the "hate Hoover" campaign was the New York Post whose efforts are being directed by James Wechsler, its editor, a self-admitted former member of the subversive Young Communist League.

The New York Post has probably published more character-assassination attacks on J. Edgar Hoover than any other paper except the Daily Worker. It now has assigned a staff of reporters in the United States and abroad in a farflung attempt to dig up dirt for a professed objective study of the FBI.

We should note that James Wechsler, editor of the New York Post, in the 1930's was on the National Committee of the Young Communist League, and was also formerly an editor of the Nation.

SOCIALIST WORKERS PARTY

The latest blast in the current series of vicious attacks to discredit Mr. Hoover and the FBI was launched on December 8, 1958, by the Militant, a weekly organ of the Socialist Workers Party, in a smear bearing the warped caption, "J. Edgar Hoover, Chief of Thought-Police."

But, here again, let us not forget that the Socialist Workers Party is a militant revolutionary group advocating the immediate violent overthrow of our Government. It is an organization which was cited by the Attorney General under Executive Order 10450.

Over the years, the attitude toward law enforcement of American Communists, leftwingers, and those skilled in concealing foul and despicable acts behind the fifth amendment, has been one of deliberate hostility, coldly calculated to smear, slander, and hate. Their repeated attacks against the FBI are not rooted in a spirit of honest criticism and fact.

But we do know this: Their hostile smears are based upon wishful thinking. They want the FBI abolished. Therefore, they ridicule and vilify its personnel. They condemn its lofty purposes, revile its methods, and rail at its lawful techniques employed to cope with their trickery. In essence, Communist hatred of democratic law enforcement is rooted in the fact that our system is a strong bastion against violent revolution by a minority of political gangsters. Because it is such a barrier, it must be destroyed.

The Communists have raised no audible objection to a system in which the whims of each new tyrant and his hierarchy become the law of the land. The citizen who survives the torture chambers, brainwashers, and firing squads is consigned to a slower death in the slave-labor camps. In the sardonic and semantic lexicon of the Communist conspiracy, this system is called the people's police.

The individual who does not recognize Communist techniques may find himself providing grist for the Red Fascist propaganda mill.

The sinister chain of smears currently being leveled against the FBI prompted

Preston J. Moore, national commander of the American Legion to issue a statement in which he recently declared, in part, and I quote:

It is difficult to attribute any purpose to these attacks other than a desire to destroy this Federal law enforcement agency and its leader as an effective deterrent to undetected, unopposed Communist subversion in this country. * * * The American Legion believes that the American people will not permit their justified confidence in Mr. Hoover and the FBI to be compromised by scurrilous distortions and half-truths. Nor will they allow irresponsible journalism to blind them to the need for continued FBI investigation of the dangerous Communist conspiracy in this country.

I feel that this statement by the national commander of one of America's foremost patriotic organizations very well summarizes the issue: "FBI smears do not stick."

Amendment Offered to Federal-Aid Highway Act of 1958

EXTENSION OF REMARKS
OF
HON. WILLIAM C. CRAMER
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 15, 1959

Mr. CRAMER. Mr. Speaker, Congress worked its will in regard to Federal aid to highways by passing H.R. 10426 which was an amendment to the Federal-Aid Highway Act of 1956, and provided for an additional 2 years for advance purchase of rights-of-way. Notwithstanding this fact, a later enactment which was in essence a codification of basic highway law passed and became law. Thus the amendment introduced by me and passed by Congress was nullified by the subsequent passage of the Federal-Aid Highway Act of 1958. In the final form of the codification of the highway legislation into title 23, United States Code, which was a very essential bill and one which I actively supported, my amendment was not embodied.

It is my desire in reintroducing this measure to have Congress reinstate its approval of the extended term of 2 years so that we may take full advantages of this program and to make the benefits more effective. Last year when this amendment was first introduced I pointed out to the House that additional time is justified and needed between the purchase, not only for construction of the Interstate System but also on primary, secondary, and rural and urban highways, of rights-of-way and actual construction.

The present law provides that a 5-year period is the outside limit of time between the fiscal year in which a request for reimbursement of the cost of acquired rights-of-way is made and commencement of actual construction. Under the present provisions the States are seriously hampered from purchasing rights-of-way unless construction is definitely programed to begin within the 5-year period. In many States such as Florida, where the cost of rights-of-way is daily increasing and plans for substantial highway construction are being made far in advance of the actual beginning of work this provision is not as fully helpful as was intended.

I am in fact, by introducing my amendment, asking Congress again to do that which was intended to be accomplished on August 6, 1958. Due to provisions in codification of highway legislation in United States Code, title 23, repealing all other previous passed legislation, my bill approved August 6 and becoming Public Law 85–597 of the 85th Congress was repealed by this code which was approved on August 28, 1958.

It being the obvious will of Congress that the rights-of-way time limit be extended from 5 to 7 years, I trust immediate action on my bill will be forthcoming. This being the case, I understand that the Bureau of Roads is holding in abeyance, but on active basis, State requests coming within the 5- to 7-year extension in anticipation of such favorable congressional action.

Let Us Defend the Written Constitution

EXTENSION OF REMARKS
OF
HON. WILLIAM M. TUCK
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 15, 1959

Mr. TUCK. Mr. Speaker, on October 23, 1958, our distinguished colleague, the Honorable BURR P. HARRISON, who so ably represents the Seventh Congressional District of Virginia, delivered a masterful address at a meeting of the American Carpet Institute in Skytop, Pa. The sound doctrines expounded by Mr. HARRISON merit serious thought and consideration. Under leave to extend my remarks in the RECORD, I include the following complete text of the address:

There is an element in the United States dedicated to the principle that the working class is the only essential class, and that wealth produced by this class and paid to private ownership is surplus. To obtain this surplus, a constant class warfare must be waged for the control of the private property essential for the production of wealth. The control of such private property should vest in Government, and the control of Government in Socialists' hands. You are fully aware of the vast progress the Socialists have made in the past 25 years toward these objectives. Tonight in every corporation represented here, the Government is the unwanted partner to the extent of 52 percent of net income. Fortunate indeed is the executive who does not contribute 50 percent of his net earnings to Government. A galaxy of laws, State and national, have invaded and pounded down upon our free enterprise system. But, as yet, the Socialist victory has not been complete and the outcome of the struggle remains in doubt. Corporations still earn and declare dividends, farmers still maintain some control over their lands, laborers still in some places may obtain employment without paying tribute, Government control of person and property is not yet fully realized though the outcome teeters in the balance.

To obtain their objectives, the Socialists must reduce the Constitution of the United States to shambles. To the extent its written word is observed, the rights of private property and private enterprise are observed because the Constitution protects them both. An authority cited with all inclusive acceptance by Chief Justice Warren in the school segregation cases was "An American Dilemma," by the Swedish sociologist, Gunnar Myrdal. This book to which the Supreme Court of the United States has given unanimous approval contains this passage: The Constitution of the United States "is impractical and unsuited to modern conditions" and its adoption was "nearly a plot against the common people."

Speaking 2 years ago of decisions of the Supreme Court of the United States, Edmund W. Flynn, Chief Justice of the Supreme Court of Rhode Island, declared "recent decisions have departed so far from constitutional precepts that this country no longer has a written Constitution any more than England."

Judge Learned Hand, of New York, one of the most eminent men ever to sit on the bench and the kind of man who used to be appointed to the Supreme Court, in a series of lectures at Harvard University, has charged that the Supreme Court is pursuing a tendency to set itself up as a third legislative chamber. He says that the Supreme Court has one rule where property is involved and another where liberty is at issue. He says public support disappears from the Court "insofar as it is supposed permissible for the judge to smuggle into his opinions his personal notions of what is desirable." "For myself," continues Judge Hand, "it would be most irksome to be ruled by a bevy of platonic guardians."

The chief justices of 36 States in a remarkable indictment have charged "that the overall tendency of decisions of the Supreme Court over the last 25 years or more has been to press the extension of Federal power and to press it rapidly * * * the Supreme Court too often has tended to adopt the role of policymaker without proper judicial restraint. * * * It has long been an American boast that we have a government of laws and not of men. We believe any study of recent decisions of the Supreme Court will raise at least considerable doubt as to the validity of that boast."

Let me give you one more quote. The California leader of the Communist Party said: "This decision will mark a rejuvenation of our party in America. We've lost some members in the last few years, but now we are on our way again."

No outsider can match the abuse which members of the Court have heaped upon one another. For example in one case, Justices Douglas, Black, and Chief Justice Warren said the action of their colleagues was "a shocking instance of the abuse of judicial power." This is not a suggestion that the majority has made an honest mistake, it has been pointed out. A shocking abuse of authority is an intentional act; a wicked and dishonest thing. In another case, Justice Tom Clark said: "Unless the Congress changes the rule announced by the Court today, those intelligence agencies of our Government engaged in law enforcement may as well close up shop for the Court has opened their files to the criminal and thus afforded him a Roman holiday for rummaging through confidential information as well as vital national secrets * * * and all in the name of justice."

The layman cannot realize the extent to which these nine men have gone toward destroying and distorting our written Constitution. They have decreed that under our Constitution a local school board of the State of New York may not dismiss a teacher who refuses to say whether he is a Communist; that this very State of Pennsylvania may not convict Steve Nelson, a notorious Russian spy, for plotting to overthrow the State government; that the Fed-

eral Government may not convict, under the Smith Act, one who advocates the violent destruction of the Federal Union provided such advocacy is "abstract," whatever that may mean; that the State of California and New Mexico must permit subversives to practice law in their courts; that the Government of the United States may not dismiss its own employee who plots the Government's overthow unless he occupies a sensitive position; that the Cabinet head of a Government department must keep on the public payroll a person he believes should not be entrusted with confidential assignments bearing on national policy; they have so tortured the salutary provisions of the fifth amendment, that "taking the fifth" has become a part of the language of the underworld meaning a smug and effective recourse of racketeers and subversives. These nine men have opened the secret files of the FBI to the criminal; they have struck down the criminal laws of the States; they have licensed the seller of filth and obscenity to the youth; they have assaulted the rights of officers of the law to arrest for serious felonies committed in their presence; they have swept away the power of the police to fight crime by reasonable interrogation of suspects and by introduction of voluntary and truthful confessions in evidence; they have decreed that the Congress of the United States, which this year spent $40 billion of the people's money to protect against Communist invasion, has no power to control hostile Communist activity in the United States or even to make inquiry into Communist doings or to remove Communists from Government payrolls; in countless other decisions they have gladdened the hearts and built up the power of criminals and subversives.

In the South conditions threatening chaos have been produced by the decision that racial separation in the public schools violates the Constitution of the United States. This decision did not contend that Southern States had denied equal opportunity to colored children in the public school. Upon the facts, such a contention could not be made. In my State of Virginia, for example, the average salary of a public school teacher is higher for the Negro than for the white. In 10 years, the value of school property per enrollee has increased 258 percent for the Negro as against 144 percent for the white. Thirty-four percent of the State money spent on school construction since 1950 has gone for Negro schools, although Negroes represent only 25 percent of the school population. The taxpayers of Virginia—and that means, by and large, the white taxpayers—have been paying willingly for the creation of truly equal facilities for education of the white and colored child.

Does the Constitution of the United States prohibit the separation of the races in the public schools?

The judges said the acts of Congress providing for segregated schools in the District of Columbia are in violation of the fifth amendment. The fifth amendment was written into the Constitution in 1791, and under it human slavery existed for 75 years until abolished by the 13th amendment. Can any honest man say that language which permits human slavery denies the right of separate school facilities? Separate schools in Virginia, the judges said violated the 14th amendment. The 14th amendment did not give to Negroes the right to vote which was conferred by the 15th. Can any honest man say that language which does not give the right of suffrage denies the right of separate school facilities? The very Congress which submitted the 14th amendment set up a system of segregated schools in the District of Columbia and six times the Supreme Court of the United States has decided that separate but equal facilities comply with the 14th amendment. Chief Justice William Howard Taft was the most recent and expressed the opinion of the Court that "the separate but equal principle * * * is within the discretion of the State in regulating its public schools and does not conflict with the 14th amendment."

However much we may argue about legal niceties, there are certain aspects of this decision which we in the South know, and know beyond peradventure of debate. First, we know that we cannot carry it out and at the same time educate the youth of either race. In the District of Columbia the public schools were integrated in 1954. A congressional committee has established that in the wake of this action has come disciplinary problems described as appalling, demoralizing, intolerable, and disgraceful. Fighting, lying, stealing, vandalism, obscene writing, vulgar talking, absenteeism, and truancy have increased to an amazing degree. Teachers have resigned in disgust, courses of study had to be abandoned because supplies were stolen so rapidly they could not be replaced, children go to school with weapons. The committee found that the vilest sex talk, dirty writing on walls, foul and unspeakable language to teachers, and vicious and obscene tongue battles in classroom, as well as during recess. They reported an enormous increase in venereal disease, which incuded 13 colored girls of 6 years of age. A majority of the people in the District of Columbia are white, but the school population is 73 percent Negro. Where are the children of the white parents?

A second thing we know about this decision is that no civil government, Federal or local, can enforce it. Under the principles of the Declaration of Independence, governments derive their just powers from the consent of the governed. When you have government exercising power to which the people do not consent, and to which they are deeply opposed, you have widespread violation if you leave enforcement to civil authority, as during prohibition. The only alternative must be a substitution of government by fiat and military might for civil authority and popular government.

I earnestly contend that when constitutional liberty, the right of peaceable assembly, the right to operate local government dies anywhere in the United States, it is threatened everywhere.

What is the real reason the leftwing, with the Supreme Court as its heavy artillery, wages war on the South? In an editorial in this week's U.S. News & World Report, David Lawrence says: "If it had not been for Democratic leaders from the South in the last session of Congress * * * America now would be facing economic disaster."

The leaders of the South, such as BYRD, RUSSELL, IRWIN, and HOLLAND, for 20 years, have held the pass against the Socialist march. When they are succeeded in the Congress by a new generation of carpetbaggers and scalawags, kept in power by Federal bayonets, the votes will be in the Congress to carry the class war to victory not only against the South but over the last vestige of written constitutional government, the last trace of private ownership of property and private enterprise. Thus, the purpose of all of the decisions discussed tonight, including the segregation decisions, is not the protection of the Negro, or the workingman, or the downtrodden individual; the purpose is the destruction of the written Constitution, the breakdown of the police power of the States, the promotion of class warfare, the establishment of Marxist socialism.

As one people of one nation, let us defend the written Constitution and say of it, as did that great New England poet:

> "Sail on, O Ship of State.
> Sail on, O Union, strong and great.
> Humanity with all its fears,
> With all the hopes of future years
> Is hanging breathless on thy fate."

Castro Not Fit To Rule Cuba

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 15, 1959

Mr. ANFUSO. Mr. Speaker, I have long sought and hoped for a democratic and peaceful change in dictator governments like Cuba. The revolutionary change in Cuba, commencing with uncivilized bloodbaths, does not seem to be a change for the better. Today violence reigns in Cuba, instead of order and democracy for which the people have long prayed.

Already some 200 lives have been needlessly taken, while many hundreds more are reported facing secret trials and possible death. Although executions have been temporarily suspended by the new regime, rebel leader Fidel Castro has defended these mass executions as "necessary to purify the nation." The civilized and free world had high hopes that the Castro movement would establish a government of freedom and democracy for the Cuban people, but it has been disillusioned.

On the basis of what has taken place in the brief period since the Castro regime has come to power, we can only reach one conclusion and that is: Castro is no better than Batista. The methods he has used to attain power—and I am thinking of his kidnaping of U.S. military personnel and civilians in Cuba—and his conduct after the bloody revolution clearly demonstrate that Castro has little or no regard for human lives or human rights. In less than 2 weeks he has authorized the murder in cold blood of 200 human beings under public view and without any semblance of law or order.

At the same time, it is reported that some 500 other persons are being held in Oriente Province alone and they will soon face summary mock trials by hotheaded rebels, lasting perhaps a few minutes per person and with very little chance of defense. And this the Castro regime is trying to tell the world is legal and civilized procedure. In the United States we call these lynchings and murders.

Present-day justice in Cuba under the Castro regime is succinctly discussed in an editorial in the Washington Post of January 14, where it is stated as follows:

> There is a difference between an open trial fairly conducted in a less impassioned moment and drumhead justice dispensed by hotheaded rebel troops. Capital punishment in such a situation too readily becomes lynching. Terror has a way of passing beyond control as the appetite for vengeance increases with use. * * *

According to recent press reports, Castro stated that he has no desire to run for the office of President of Cuba. By his own admission, the job of governing Cuba is too big for him and he ought to resign from active leadership or perhaps take on some kind of professorship at the University of Habana and bide his time.

Castro cannot, by self-appointment, be the commander of the land, air, and sea forces of Cuba which by removing conscription, as he has promised, will eventually be composed of volunteers who are actually his followers. In this way he will succeed in entrenching himself in power and as such become just as dangerous and threatening as any dictator. Under such circumstances it is difficult to see how free elections can be held, except at the point of the bayonets of these self-appointed liberators. No President and no Member of Congress could possibly be elected or serve in office without Castro's approval.

Furthermore, Castro admits that his brother Raul has Communist leanings, having been trained in Moscow. Simultaneously, it is reported that a large number of Castro's followers are Communists, but Castro himself protests that he is not a Communist and is willing to aline himself with the United States. Here again, however, he throws in a proviso that we first show our respect for him. I should like to ask: Respect for him as what? As a kidnaper of American citizens? As a brutal murderer of his own people?

No matter how flushed he may be with victory, Castro should quickly come to his senses and realize that the United States will not take any bluff from him, just as it had not taken and still refuses to take any bluff from other dictators. He would do well to study the map of the Western Hemisphere and learn the facts of life, particularly as they affect the economy of his own country, before he makes demands on the United States. We will not stand for a Nasser or a Hitler so close to our shores.

Whatever justification may have existed for the Castro revolution has now been completely annulled by his most recent threat to kill 200,000 gringos, or Americans, should we decide to send marines to Cuba, although there has been no such suggestion on our part.

I have never forgotten Castro's unwarranted seizure of American soldiers, sailors, marines, and civilian workers, holding them as hostages for a considerable period of time, and thus humiliating the United States in the eyes of the world. I am sure that many other Americans have neither forgotten nor forgiven him for this deed. Nor do we in this country particularly like his treatment of U.S. citizens who presently have to travel to Cuba for business or pleasure. Authentic reports show that Americans are forced to wait long hours at airports under the restraint of armed men and that before being admitted their bags are searched and their bodies frisked like criminals.

I think we ought to make it clear to Revolutionist Castro, for his own good and before he gets any more wild ideas, that it is we who demand respect from him. I think we should tell him in no uncertain terms that we will not tolerate any further mistreatment, friskings, kidnapings, and other indignities to U.S. citizens residing in, or traveling to, Cuba.

At the same time, let us state unequivocally that we are opposed to dictators in any form. Castro and his revolutionists in Cuba must realize that government of the people, by the people, and for the people—as the immortal Abraham Lincoln has so correctly defined the democratic form of government—must be sustained by ballots and not by bullets.

Mr. Speaker, I wish to serve notice that unless a democratic form of government is soon established in Cuba and free institutions are allowed to flourish there, I shall be the first to move before the House Committee on Agriculture, of which I am a member, and before the Congress of the United States to drastically reduce the sugar quota for Cuba. Perhaps Castro will be able to understand that kind of language better, since appeals based on justice and morality do not seem to have the desired effect on him.

Veterans' Legislation

EXTENSION OF REMARKS
OF
HON. EDITH NOURSE ROGERS
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 15, 1959

Mrs. ROGERS of Massachusetts. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a copy of the following bills which I have introduced for the benefit of our veterans:

A bill to provide that veterans age 65 shall be deemed to be permanently and totally disabled for pension purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 502, title 38, United States Code, is amended by redesignating subsection (b) as subsection (c), and adding a new subsection (b) to read as follows:

"(b) For the purposes of this chapter, a person shall be considered to be permanently and totally disabled upon reaching the age of 65 years".

A bill to provide that veterans suffering from active pulmonary tuberculosis shall be deemed to be permanently and totally disabled for pension purposes while hospitalized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 502 (a), title 38, United States Code, is amended by striking the period and inserting a semicolon and "or" in lieu thereof, and by adding a new paragraph (3) to read as follows:

"(3) active pulmonary tuberculosis, but only during periods of hospitalization therefor".

A bill to increase the annual income limitations governing the payment of pension to veterans of World War I, World War II, or the Korean conflict, and their dependents.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 522(a), title 38, United States Code, is amended by deleting "$1,400" and "$2,700" and inserting in lieu thereof "$1,800" and "$3,000", respectively.

SEC. 2. Section 545(a), title 38, United States Code, is amended by deleting "$1,400" and "$2,700" and inserting in lieu thereof "$1,800" and "$3,000", respectively.

SEC. 3. This Act shall take effect on the first day of the second calendar month after its enactment. Pension shall not be paid for any period prior to the effective date of this Act to any person whose eligibility for pension is established solely by virtue of this Act.

A bill to provide pension for widows and children of deceased World War II and Korean conflict veterans on the same basis as is provided for widows and children of deceased World War I veterans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 543(a)(1), title 38, United States Code, is amended by deleting (a) the comma following the word "title" and (b) the words "and at the time of his death had a service-connected disability for which compensation would have been payable if 10 per centum or more in degree disabling".

A Discriminatory Excise Tax

EXTENSION OF REMARKS
OF
HON. THOMAS M. PELLY
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 15, 1959

Mr. PELLY. Mr. Speaker, I have long subscribed to the merits of the "try, try again" principle as applied to meritorious causes. Therefore, in introducing H.R. 2418, I am urging for a third time the repeal of the so-called, but misnamed, cabaret tax—the most discriminatory, ancient, and unrewarding of all the wartime emergency excises. I believe I was the first Member of Congress to initiate legislation to eliminate this discriminatory tax. This was in the 84th Congress, when on January 5, 1956, I introduced H.R. 8153, and I believe my renewed proposal to the 85th Congress was the first of some 17 such repeal bills presented at the last session.

Recent legislative history records, Mr. Speaker, that the House of Representatives, as a whole, conforms to my "try, try again" principle with respect to this sorely needed legislation. Three times has this distinguished body voted relief from this onerous excise and sent its recommendations to the Senate. Unhappily, that body has not seen fit as yet to concur. I trust that in this 86th Congress perseverance will have its reward.

I suspect, Mr. Speaker, that this so-called cabaret tax would have long since been repealed had it not suffered from an unfortunate christening some two-score years ago, at the time of World War I. That, Mr. Speaker, is the hoary vintage of this unjust and still uncorrected Federal taxing policy. Realistically, the cabaret has passed from the public scene; only our seniors in this body will remember it, and not too nostalgically; only a smattering of our more youthful colleagues would now know how to search out a lingering vestige of this unmourned symbol of the gay nineties or the roaring twenties. Yet the prohibitive 20-percent excise that was writ-

ten for and named for the cabaret applies to the hotel dining room and the well-lighted, carefully operated supper club where dine-and-dance entertainment still survives this 20-percent impost. If, perchance, some of my distinguished colleagues are contemplating a social night out to celebrate the wife's birthday, they would have but meager choice in this Capital City of an appropriate venue affording opportunity to dine and dance. And if they are lucky enough to find a surviving establishment where they might enjoy an anniversary waltz with their ladies fair, they must face up to a 20-percent charge on top of the dinner check.

But the problem of this discriminatory tax is not to be considered lightly, because, in principal effect, it is a tax on employment. Over the last decade it has been an excise of declining return for the Treasury; it has become, in fact, a tax of no return. The paltry $40-odd million per annum this tax now returns to the Treasury likely does not pay for its policing and certainly does not compensate for the personal and business income-tax revenues lost because of the almost complete blackout this uneconomic tax imposes upon what once was and again would become a substantial segment of the entertainment business. I am impressed by the comprehensiveness and conservativeness of an independent economic survey made by a reputable national factfinding organization at the instance of the American Federation of Musicians.

The Research Co. of America reported that of the 83,000 playing musicians who earned their principal livelihood from music in 1954, 40,912 were employed in places subjected to the 20-percent tax and an additional 13,429 had part-time employment in this area—the dine-dance business representing more than half of the gainful employment for all instrumentalists. The average earnings for musicians thus employed was $3,042, making the musician one of the most economically distressed of all American workingmen.

The survey revealed that repeal of the 20 percent tax, which I seek in H.R. 2418, would immediately result in a gain of 63 percent in employed hours for 41,000 musicians working in dine-and-dance establishments and thus increase their annual earnings by some $2,000 each. Up to 35 percent more musicians would be employed—a total employment gain of more than 100 percent for this sorely distressed category. Surely, in point of employment alone, this tax must be repealed without further damage to our national job potential.

In the event of repeal, the survey found, establishments now struggling under the 20 percent impost declared their intent to expand their business and employ more musicians to the extent that $36 million more in Federal income taxes would flow to the National Treasury. This factor, together with the resultant gain of 65 percent in the working hours of musicians already employed in 20 percent establishments thus adding some $16 million in income tax revenues, more than compensates the Treasury for the $40 million per annum now derived from an excise that stultifies business and denies employment.

These economic findings, Mr. Speaker, do not take into account other substantial gains to the Treasury that would flow from the repeal of the 20 percent cabaret tax. The survey from which I quote found that for every additional musician thus returned to work by reason of the repeal of this tax, there would be employed between five and six additional people such as other entertainers, waiters, cooks and other service help.

It happens that my personal interest and sympathy lies in great measure with the American musician upon whom we must depend for the propagation, even the survival, of a fundamental living art. In my home city of Seattle I served as a trustee and as president of our Symphony Orchestra Association. Thus I know intimately how severely the music art is beset by a chilling climate compounded of technological displacement and an indefensible Federal taxing policy.

I yield to no Member of this Congress, Mr. Speaker, in my desire for a balanced national budget. I trust that my colleagues in the House will join me in the unique privilege and opportunity of disposing of at least one of our many excises while at the same time making possible the flow of more sorely needed tax revenues to our National Treasury through the creation of employment and the stimulation of legitimate business.

H.R. 1232: A Bill To Create a U.S. Foreign Service Academy

EXTENSION OF REMARKS
OF
HON. ALBERT H. BOSCH
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 15, 1959

Mr. BOSCH. Mr. Speaker, on January 7, 1959, I introduced H.R. 1232 to create a U.S. Foreign Service Academy which was referred to the Committee on Foreign Affairs.

This measure is, you might say, a "pet subject" of mine. Bills identical to H.R. 1232 were introduced by me in the 83d, 84th, and 85th Congresses, but no action was taken on them. It is my fervent hope that the 86th Congress will see fit to enact this legislation into law.

We have academies for every branch of our armed services so that we may have officers with the best military training available. No one will argue that this is not as it should be. However, I think we will all agree that the cold war of today is no less important to our security than the military. Upon the shoulders of our diplomatic corps rests the job of preventing a hot war. Does it not logically follow that those charged with the duty of carrying on our relations with foreign countries should be given the very best training in this field that we can provide?

In 1958 I sent a questionnaire to my constituents which included this question: "Do you favor the establishment of a Foreign Service Academy to train our Ambassadors, consular and diplomatic representatives for foreign service?" The response was 86 percent in the affirmative. In addition, many newspapers throughout the country have indicated, through editorials, their support for this legislation. The Long Island Daily Press, the leading newspaper in my area of New York, has on several occasions come out in strong support for this idea.

It is my honest belief that a Foreign Service Academy is a "must," and I am confident that the people of the United States agree. I take this opportunity to call upon the Committee on Foreign Affairs to act on this legislation and to give the members of this body an opportunity to vote on same.

Small Business Tax Adjustment—H.R. 2

EXTENSION OF REMARKS
OF
HON. FRANK IKARD
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 15, 1959

Mr. IKARD. Mr. Speaker, a few days ago, the President revealed to congressional leaders an administration budget of over $77 billion—the greatest peacetime budget of this or any nation. I do not wish to speak on that budget, but on the source of Federal taxes which must support that budget—our free economy.

Ours is a growing Nation. During the past year, our population increased 3 million and our Nation's work force increased about a half million. To sustain a growing population and provide jobs, a growing economy is necessary if we are to maintain our high standards of living and support increased Federal expenditures.

We have had a growing economy. The gross national product of 1957 was the highest in history, and indications are that 1958 exceeded that mark. But one segment continues to lag—that commonly referred to as small- and medium-sized business.

In our analysis of small business conditions, we are fortunate indeed to have the reports of the Small Business Administration. May I call to your attention that in the 10th semiannual report for the 6-month period ending June 30, 1958, the Administrator reported that business failures through June 30, 1958, had been reported as 8,071 compared to 7,089 in the similar period for 1957.

Mr. Speaker, this is an increase of 14 percent—an alarming rate for a growing nation. May I point out that many Members of this House were alarmed last year when reports indicated that business failures in 1957 were 8 percent higher than in 1956. Why, in a period of national growth, are business failures continuing at such a high level?

The same reports show that in 1956 larger manufacturing corporations returned 12.4 percent on stockholders' equity; in 1957, 11.2 percent; and in the first quarter of 1958, 7.3 percent. The smaller manufacturing corporations, however, showed a return of 10.4 percent in 1956; 7.6 percent in 1957; and dropped to four-tenths of 1 percent in the first quarter of 1958. This is a tremendous difference.

The Small Business Administration also points up a long-term trend which is of interest to every Member of this House. The Administration reports that from 1947 to 1957 the stockholders' equity in smaller manufacturing corporations increased from $5.9 billion to $9.5 billion—an increase of 62 percent. The equity in larger corporations increased from $59 billion to $132 billion—an increase of 122 percent for the same period.

Mr. Speaker, this is only one facet of the problem. The great bulk of small business is unincorporated, and the most substantial part of it is in the distribution and service trades. While there are no accurate figures on these unincorporated concerns, all the available evidence shows similar conditions exist.

Mr. Speaker, our economy has grown during the 10-year period covered by those figures, but it is evident that the rate of growth of smaller concerns has been less than half the rate of growth of the larger ones. Certainly with a growing nation it is necessary that the economic climate be sustained which will be favorable to the growth of all business enterprises. In the construction of tax laws, the Congress must not only look for revenue but seek that revenue by methods which will continue to foster and encourage further economic growth.

A review of the economic indications leads one to the firm conclusion that the tax laws, as now construed, do not grant small business concerns the same opportunity for growth as is enjoyed by their larger competitors.

Last year, your Committee on Ways and Means held extensive hearings on the general economic conditions and the influence of taxation on the health of our economy. These hearings demonstrated one fact above all concerning the sector of our economy known as small- and medium-sized business today. It demonstrated clearly that the greatest problem faced by the smaller concerns is their inability to retain sufficient after-tax funds to finance their growth. Most small- and medium-sized concerns are unable to obtain capital required for expansion in the open market as the larger concerns can do.

Over 85 percent of the Nation's business enterprises are unincorporated and hence are not in a position to raise capital by the issuance of stock. Further, experience indicates that the smaller concerns which are incorporated and do issue additional stock are unable to compete in the capital market with their larger competitors.

During the last session, the Congress authorized the Small Business Administration to license small business investment companies chiefly for the purpose of making long-term loans to smaller concerns. These loans constitute additional liability for business enterprises. There is a limit to the amounts of money which a small business should borrow. Indeed, many firms have already borrowed all they can or should from banks and other commercial lending institutions. Right now, the greatest need of the smaller concerns is increased equity capital, the chief source of which is retained earnings.

After extensive hearings last year, the Ways and Means Committee, in Report No. 2198, dated July 16, 1958, reported to the House:

> Your committee is convinced that one of the greatest problems confronting small and medium sized business is the acquisition of sufficient capital to modernize and maintain a rate of expansion experienced by their larger competitors. In this regard your committee is aware of the fact that small and medium sized businesses must rely to a very large extent upon retained earnings for modernization and expansion. Thus, there is a need to allow such businesses to retain more earnings after taxes to provide the funds necessary for growth. To aid in achieving this end your committee has investigated thoroughly various proposals to postpone, or to reduce, taxes based upon reinvestment in inventory and depreciable property, and would have liked to have included a provision along these lines in this bill. However, it has been forced to the conclusion that the budgetary limitations under which all tax relief must now be considered are such that any tax reduction which now could be granted under a reinvestment formula is so small as not to represent any meaningful tax relief to small business.

Mr. Speaker, the small business tax adjustment bill, H.R. 2, which I have introduced, is designed to assist small- and medium-sized businesses to maintain a rate of expansion experienced by their larger competitors by allowing such businesses to retain more earnings after taxes. The bill provides that a person engaged in a trade or business shall be allowed as a deduction for the taxable year an amount equal to the additional investment in the trade or business during that year. This deduction shall not exceed $30,000 or 20 percent of the net income of the trade or business, whichever is the lesser. Additional investment is measured in the bill by the aggregate of the increase in depreciable property used in the trade or business, inventory, and accounts receivable attributable to sales to customers in the ordinary course of the trade or business.

This adjustment will make immediately available to all businesses an opportunity to obtain capital for business expansion, thus widening employment opportunities, stimulating competition, and broadening the sources of revenue needed to sustain an increased budget for a growing nation.

It is my sincere hope that every Member of the House will give earnest and sincere study to conditions now confronting small- and medium-sized business. The principle of a tax adjustment based on the reinvestment of earnings is the most meaningful step which the Government can take to help solve this national problem. America has long been recognized as a land in which the door of free enterprise is always open. Passage of this act would reaffirm the determination of the Congress that a free government through the proper construction of tax laws can create an economic climate in which these smaller concerns can grow and prosper.

Small Business Tax Adjustment Act

EXTENSION OF REMARKS
OF
HON. THOMAS B. CURTIS
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. CURTIS of Missouri. Mr. Speaker, I have introduced H.R. 13, the Small Business Tax Adjustment Act, which is an identical bill to H.R. 2, introduced by my esteemed colleague, Congressman FRANK IKARD. These bills are similar to the bills that Congressman IKARD and I sponsored in the last Congress.

The passage of this legislation is urgent if we are to maintain the proper balance in our economy between small and large business. It is urgent if we are to have the growth we need to maintain a healthy and progressive economy.

The bills which Congressman IKARD and I introduced in the last Congress were the subject of extensive hearings by the Ways and Means Committee. The committee in its report accompanying a bill which sought to alleviate some of the lesser problems of small business recognized the soundness of the philosophy behind our bills, which hit at the basic problem.

Now is the time to implement the Ikard-Curtis philosophy by legislation.

What is the philosophy? That traditionally in the private enterprise system economic growth comes essentially from the small and new businesses. That the small and new businesses finance their growth essentially from retained earnings, not from bank borrowings, new equity capital or other sources which are generally not available to it.

This is the seed corn philosophy upon which America has grown great. We plant 1 acre of corn, but we retain enough seed from the harvest to plant 2 acres next year. Yet under our Federal tax structure we have been taxing the seed corn so that we are stunting the healthy economic growth we need.

There are those who are so blind to basic economics that they look upon relief from the seed corn tax as threatening the revenues of the Federal Government. It is quite the other way around. If we do not stop taxing the seed corn we will not have the economic growth from which we have been deriving our increased Federal revenues.

During the last recession we overanticipated our Federal tax revenues by about $8 billion. Why? Because we were counting upon an increased gross national product for a larger tax base. Instead of the increased GNP we had a decrease. Essentially this decrease came

from the new and small businesses not going ahead with their planned expansions, because they did not have the financing necessary to do so.

Congressman IKARD's and my theory of removing some of the tax on the seed corn is bound to produce more, not less, Federal revenues. The only basis upon which a business gets the tax credit in our bills is when it puts retained earnings into growth of the business. What is growth in a business other than increased payrolls, increased expenditures for capital outlays which mean increased payrolls in other businesses? The amount of tax the Federal Government obtains from this kind of expenditure is multiplied several times over.

Furthermore, there is no question but the Federal Government loses revenue when the healthy small businesses are made part of larger concerns through merger and acquisition, particularly when in many instances the purchase price of the small concern is partly paid out of tax-avoidance savings.

Many present-day mergers and acquisitions are not real economic growth. Indeed, many actually are stifling growth. There are, of course, mergers and acquisitions resulting from good economics, but the rate of mergers and acquisitions in the past few years clearly indicate reasons other than good economics lie behind this process. One does not have to look far to find the answer. The answer lies in our Federal tax laws, which discourage economic growth and place a premium on economic cannibalism of larger companies swallowing smaller ones.

The point is not whether the Treasury can stand the enactment of the Ikard-Curtis bill. The question is rather how long can the Federal Treasury stand not to have it enacted.

The bill (H.R. 13) follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Deduction for additional investment in depreciable assets, inventory, and accounts receivable.

(a) ALLOWANCE.—Part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new section:

"SEC. 178. Additional investment in depreciable assets, inventory, and accounts receivable.

"(a) GENERAL RULE.—In the case of any person engaged in a trade or business, there shall be allowed as a deduction for the taxable year an amount measured by the additional investment in such trade or business for the taxable year.

"(b) LIMITATIONS.—The deduction under this section for any taxable year shall not exceed whichever of the following is the lesser:

"(1) $30,000, or

"(2) an amount equal to 20 percent of the net income of such trade or business for the taxable year (computed without regard to this section).

"(c) ADDITIONAL INVESTMENT DEFINED.—For purpose of this section, the additional investment in a trade or business for a taxable year means the amount (if any) by which—

"(1) the aggregate, computed as of the close of the taxable year, of the adjusted bases of—

"(A) all property used in the trade or business of a character which is subject to the allowance for depreciation provided in section 167,

"(B) all stock in trade and property held primarily for sale to customers in the ordinary course of the trade or business.

"(C) all accounts receivable attributable to sales to customers in the ordinary course of the trade or business, exceeds

"(2) a similar aggregate, computed as of the beginning of such taxable year.

"(c) SPECIAL RULES.—Limitation on Affiliated Group—For the purposes of this section:

"(1) All members of an affiliated group shall be treated as one taxpayer; and

"(2) The Secretary or his delegate shall apportion the limitation contained in subsection (b) of this section among the members of such affiliated group in such manner as he shall by regulations provide.

"(3) AFFILIATED GROUP DEFINED.—For the purposes of this section, the term 'affiliated group' has the meaning assigned to it by section 1504, except that, for such purposes, the phrase 'more than 50 percent' shall be substituted for the phrase 'at least 80 percent' each place it occurs in section 1504(a)."

(b) TECHNICAL AMENDMENTS.—The table of sections for such part VI is amended by adding at the end thereof the following:

"Sec. 178. Additional investment in depreciable assets, inventory, and accounts receivable."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1958.

VHF Translator Facilities

EXTENSION OF REMARKS

OF

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. BERRY. Mr. Speaker, I am reintroducing with minor amendments a bill, designated as H.R. 1913 in the 85th Congress, which directs and requires the Federal Communications Commission to authorize VHF translator facilities under proper rules and regulations to be established by the Commission. The amendments in the bill I am introducing, which differs from H.R. 1913, are that I have incorporated the language of the Senate report providing that, in denying a VHF translator application, interference with other facilities is not to be assumed but must be proven and must be shown to be so significant that it cannot be permitted a license or cannot be permitted to continue.

Action was not taken on H.R. 1913 in the last session because of the fact that the FCC was in the process of holding hearings on the entire problem of translators, boosters, repeater stations, etc. About 3 weeks ago the FCC handed down their decision, a decision which is devastating to the western half of the United States. It declares VHF television boosters and translators to be illegal and gives communities 90 days from the time of the order in which to make application for a license under UHF.

In other words, Mr. Speaker, it makes illegal receiving television programs in 50 percent of the congressional district which I represent. It makes law violators out of peaceful people because, since the distance is so great and the population so sparse, it is not possible for a large percentage of the peoples in towns and communities on the prairies of western South Dakota to receive television reception except by some kind of booster facilities. The FCC has failed to take jurisdiction of VHF boosters and at the same time, through lack of enforcement, have permitted, although not authorized, almost every community on the prairies of the West to spend several thousand dollars in installing VHF boosters. Under the new order these facilities would be completely voided and these communities would be required to spend three or four times the amount they have invested in VHF boosters in a UHF booster.

Another problem that apparently is of no concern to the FCC is the fact that UHF is a line-of-sight reception. A large portion of the West, including the Black Hills area of western South Dakota, is mountainous. The primary reason those communities need boosters is because of the fact that most of the population live in the valleys where line-of-sight television is not possible. They must have translators or boosters on a frequency which will permit reception on other than line of sight.

I should point out, Mr. Speaker, that the UHF boosters are, by far, the least expensive means of bringing television reception to these remote areas. They ordinarily consist of an antenna located on a windmill tower or sometimes on a grain elevator through which a normally weak signal from a distant station is picked up. It is then amplified and rebroadcast at low power on the same or another channel from an antenna many times located on the city water tower. In most towns and communities where such facilities have been installed, contributions are solicited in the community or memberships are sold in a television club in order to finance maintenance and operation of this simple system. Because it is cheap and yet because it brings television to that community in this simple manner, thousands and thousands of communities throughout the West have availed themselves of television through this system. The signal goes out only a very few miles, but farmers living near the town get the benefit of television thereby.

Two or 3 years ago the Commission wrote to many individuals and mayors of small cities and towns, advising them that this type of booster was unauthorized and must cease. Although their action was proper under their authority, their inaction to authorize some other service or to authorize any VHF facilities, whether they interfere with any other facility or not, was unrealistic and stopped nothing. In other words, Mr. Speaker, the fact that the Commission failed and refused to step in and provide a sound scheme of regulation whereby communities so situated that VHF might interfere would be required to install

UHF, and authorizing communities where there was no possible chance to interfere with anything, that those communities be authorized under VHF. In other words, they sought simply to stamp out the whole operation without provising any means for people of the West to have television service. Law-abiding residents felt that the good resulting from the booster systems was so evident and the alleged dangers so theoretical that they continued their operation.

It should be pointed out that the Commission is not unanimous in its thinking. After a thorough investigation of the problem in the West, Commissioner T. A. M. Craven dissented from the majority opinion, calling it unduly rigorous and unrealistic and based upon a narrow interpretation of the Communications Act. His statement is in part as follows:

Because the Commission failed to recognize promptly the overwhelming public interest factor involved in providing practicable procedures for establishing television service to small communities in the mountainous areas of the West, it is my opinion that this agency has failed thus far to discharge its statutory obligation to make available, insofar as possible, to all the people in the United States, a rapid, efficient, nationwide radio system. Apparently, the Commission did not recognize soon enough that these low-powered boosters are the only practicable way in which the people residing in those isolated areas can secure any television service whatsoever. We have been shortsighted in this connection, as remedial steps could have been and should have been taken long ago. If necessary, changes in legislation should be requested.

No hearings were held in the House Committee on Interstate and Foreign Commerce on this subject because of the heavy schedule of this committee, but the Senate committee did hold hearings making four very specific recommendations:

First. The Commission has a statutory duty to provide television service for as many of the people in this country as it possibly can.

Second. If VHF boosters are technically feasible, as seems demonstrated by their operations to date, the Commission should accept them as one available tool for achieving this end—which means authorizing such facilities under proper rules.

Third. The enunciating rules to regulate boosters, the Commission should go as far as is practicable in modifying its general rules to permit unattended installations incorporating the simplest possible equipment so that the service can continue to be an extremely inexpensive one within the reach of even very small communities.

Fourth. The Commission is not only entitled to insist that boosters not create objectionable interference, but is charged by statute to do so. However, it should operate on the principle that interference is not to be assumed, but must be proved—and must be shown to be so significant that it cannot be permitted to continue.

To me the decision of the FCC is unauthorized and unwarranted. The law makes it the duty of the FCC to authorize services which will provide television reception to the people of America. In many instances the only means of providing that service is through VHF translators. In many more instances the only practical means of providing service to thousands of communities is through VHF translators. Where VHF translators provide the service and cannot cause any disruption in other television or radio or commercial or radar or defense services, it seems to me to be not only a neglect of duty and of the law for the Commission to refuse to recognize and legalize through licensing these VHF facilities.

The bill I am introducing does direct and does require the FCC to authorize these small community translator facilities where they do not interfere, and provides further that the burden of proof shall be upon the FCC to show interference where application for such facilities is under consideration.

Work of the Red Cross in Pennsylvania Flood Areas

EXTENSION OF REMARKS
OF
HON. JAMES G. FULTON
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. FULTON. Mr. Speaker, the American National Red Cross is doing an excellent job in Pennsylvania flood areas. The Red Cross, under the fine leadership of Gen. Alfred M. Gruenther, deserves the high commendation and sincere thanks from the representatives and people of the flood areas of the Nation.

The Red Cross is the quick and friendly hand that gives our people, caught in the current January 1959 flood disaster, the courage and will to rise and, through our own efforts, to clean up the damage, rebuild, and face the future with growing confidence.

WHAT THE RED CROSS DOES TO DISASTER SUFFERERS—WHAT THE RED CROSS WILL DO FOR YOU

The Red Cross is the official volunteer disaster relief agency of the Federal Government and the American people. It is the way in which people all over the country—your neighbors—are helping you to help yourselves.

Red Cross assistance is of two kinds:

First. Emergency assistance: The Red Cross will provide immediate temporary relief. If you need food, shelter, clothing, or medical attention now, report to the nearest Red Cross disaster office or emergency shelter. The Red Cross will give you a change of address order provided by the Post Office Department to speed up the delivery of your mail. On major disasters the Red Cross will provide you with safety notification cards so that you may notify your relatives and friends of your safety and whereabouts.

Second. Assistance after the emergency: The biggest job to be done is the reestablishment of homes. Those of you who need more than temporary aid to return to normal living may apply for Red Cross help at the Red Cross disaster office.

This help is an outright gift of the American people through the Red Cross. It may include:

First. Food, clothing, and maintenance.

Second. The repair or rebuilding of owner-occupied homes.

Third. Furniture and other household necessities.

Fourth. Medical and nursing care and hospitalization.

Fifth. Occupational supplies, fixtures, inventories, and equipment.

The Red Cross does not replace losses. It is not an insurance agency. Red Cross meets those needs that you cannot meet yourself without undue hardship. Your situation will receive individual consideration by a Red Cross worker. Enough time will be taken to plan wisely with you and to verify certain information, such as home ownership, income, and liabilities. The final plan will be reviewed in confidence with an advisory committee of responsible local citizens. Each case will be handled as quickly as possible with due consideration given such things as health or age, which might create unusual conditions.

WATCH OUT FOR MISLEADING RUMORS

The Red Cross never sells food or disaster supplies—no payment is ever expected for any assistance given. Any statements to the contrary are completely false and you can help by reporting them, with the name of the person you heard tell them, to the nearest Red Cross office.

THE AMERICAN NATIONAL RED CROSS,
Washington, D.C., January 26, 1959.

The Honorable JAMES G. FULTON,
The House of Representatives,
Washington, D.C.

DEAR MR. FULTON: Knowing of your great interest in the well-being of the people in Pennsylvania, I want to give you a report of Red Cross activity in connection with the flooding that began in Pennsylvania on January 21.

Incomplete surveys from Red Cross workers indicate that nearly 22,000 families have been affected by floodwaters in 63 counties in the 5-State flood area. At the peak of the flood emergency approximately 6,000 persons were housed and fed in 82 Red Cross shelters.

Chapter volunteers and national disaster workers of the Red Cross are on the job along with Federal, State, and community agencies to bring all possible relief to flood sufferers in your State and the four others affected. The full resources of our organization have been mobilized to aid these stricken families. The Red Cross will continue its emergency and rehabilitation work until the disaster-caused needs of all these families, lacking the necessary funds, have been met.

As perhaps you know, Red Cross help is based on the principle not of replacing all losses, but of assisting disaster victims in need who lack sufficient resources of their own, including insurance, to start back on the road to recovery.

All assistance from the Red Cross is an outright gift, coming chiefly from funds contributed annually by the American people. Unfortunately, our disaster reserve has been drastically reduced because of the extraordinarily heavy disaster losses in the past 4 years. For that reason special appeals for funds have been inaugurated by the Red Cross in the affected areas. I am confident

that the American people, as always, will contribute generously.

You may be assured that the Red Cross will remain on the job until all who need our assistance have been helped.

Sincerely,

ALFRED M. GRUENTHER.

JIM, this has really been a rugged flood in many of your areas.

AL.

Thank you, General Gruenther; we in the flood areas do indeed appreciate your warmhearted cooperation.

The Administration's Development Loan Fund Request: Shirking Our International Responsibilities

EXTENSION OF REMARKS
OF
HON. HENRY S. REUSS
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 15, 1959

Mr. REUSS. Mr. Speaker, the aspiring peoples of Asia, Africa, the Middle East and Latin America—those with the greatest need for help along the road toward economic development—may be our best friends in the future. Congress set up the Development Loan Fund 2 years ago in order to assist underdeveloped peoples by loans—not by grants—to help themselves.

The Congress felt that the "revolution of rising expectations" of people emerging from backwardness should be assisted by us for its own sake. But we well know that the Communists are also exploiting this revolutionary surge in the underdeveloped countries for their own purposes. In less than 3 years, Communist Russia has extended $1.7 billion in long-term low-interest loans for economic development. Communist trade agreements with underdeveloped countries increased from 49 in 1953 to 147 in 1957. Trade between the Soviet bloc and the underdeveloped areas is 50 percent greater than it was 2 years ago. Today, more than 2,000 students from these areas are studying in Moscow and other Soviet centers. Some 2,300 Soviet technicians are now at work in the underdeveloped areas.

The Development Loan Fund was off to a good start. Two years ago Congress gave it a needed 2-year authorization, to insure some continuity of administration. The congressional authorization for the Development Loan Fund for the current fiscal year, that ending June 30, 1959, is $625 million.

Since the Development Loan Fund began operations just a year ago in January 1958, it has had a profoundly constructive, although limited, effect on the health of the underdeveloped world. Of the $3 billion of applications made in the last year, to the end of January 1959, $700 million have been committed in loans, $500 million have been rejected as not sufficiently worthy, and $1.8 billion of applications which are deemed worthy but for which no funds are available, are on file. Applications for further developmental loan capital are still pouring in. It is anticipated that valid applications on the order of $3 billion will be on hand before the Development Loan Fund in a matter of weeks.

The Development Loan Fund is financing basic economic facilities, such as roads, ports, power, communications, and irrigation, and is loaning to private industry. The Development Loan Fund will also be a source of United States contributions and support to regional development institutions as they come into being.

Here are some illustrations of the type of loans being made by the Development Loan Fund:

In Taiwan a loan of $21.5 million to assist in financing the cost of the Shihman Dam project in the northwest to produce power needed for further industrialization, flood control, and water supply. Shihman will increase the total power available to Taiwan by 15 percent and provide a water supply for 340,000 persons and irrigation of 140,000 acres.

In Pakistan a loan of $4.2 million to assist the privately owned Pakistan Industrial Credit and Investment Corporation in extending loans to private borrowers for the purchase abroad of machinery, equipment, materials, and services for economic development purposes.

In Liberia a loan to a joint American-Liberian private company of $190,000 to assist in financing the costs of expanding existing sawmill operations.

In Honduras a loan of $5 million to a large-scale road program being undertaken by the Government of Honduras. Proceeds of the loan are being used to help construct a new 45-mile paved highway serving one of the most populated regions of Honduras and to improve a highway linking the capital with the Pan-American Highway and Pacific ports. The DLF financing supplemented a $4,500,000 loan by the World Bank for the import of equipment, materials, and services required in this project.

In Ceylon a loan of $1.6 million toward the purchase abroad of equipment and materials required to continue Ceylon's irrigation and land development program and to assist in rehabilitating 29 major reservoirs and 1,200 village reservoirs breached in the winter floods of 1957–58.

In Paraguay a loan to a private U.S. firm, the International Products Corp., of $2.6 million to assist in modernizing and expanding its operations of ranching, meatpacking, and production of quebracho extract.

In Turkey a loan of $10 million to assist privately owned Industrial Bank of Turkey to make small- and medium-sized loans for the expansion of industry.

For many months now, the administration has been telling the people of this country, and of the world, that America's international responsibilities require, for the 1960 fiscal year, a considerably expanded use of the Development Loan Fund. It must be set up on more than a 2-year basis, the administration has rightly proclaimed, and it must have loanable funds at its disposal at a rate of $1 billion a year.

Thus Under Secretary of State for Economic Affairs C. Douglas Dillon, testifying before the House Committee on Foreign Affairs on March 11, 1958, said:

You may ask why, if the executive branch believed last year that long-term financing was needed for the Fund, we have not renewed the request this year.

We have not done so through any belief that the need has diminished. In fact, international developments during the last year have convinced us even more firmly, if possible, that long-term assurances of funds is necessary to obtain the maximum results and so is essential to the future peace and security of our country and the free world. However, we recognize that the House of Representatives determined last year that the Fund should be established with capital sufficient for only 2 years as a trial and that consideration of longer term financing should be postponed until the Congress can have for it the record of requirements and performance for this initial period.

We are abiding by that decision, and we are deferring until next year proposals for the longer term financing which I had said we are more than ever convinced is essential. In the meantime, our experience, thus far, has demonstrated overwhelmingly that the appropriation of the full $625 million now authorized, is needed for the coming fiscal year.

Under Secretary Dillon, in an address to the Foreign Policy Association at the Waldorf-Astoria Hotel in New York City on May 21, 1958, said:

The less-developed countries are fully prepared to bear the major burden of their own economic development. But to acquire the industrial techniques and the machinery and equipment which they cannot yet make for themselves they need help from the industrialized countries. As the greatest industrialized country of the world we must accept the responsibility for leadership in this field.

This means that we must lift our sights. In the fields of international development assistance, international finance, world trade and private investment we must find ways of doing more than we are doing now. For unless we meet the challenge of the times, our own safety, let alone our economic well-being, will surely be placed in the gravest danger. * * *

For the future, I believe that we should contemplate a higher level of lending from the Development Loan Fund, something on the order of $1 billion a year. I believe that such an amount could be spent wisely in stimulating development abroad and would be warranted by considerations of our national security.

Secretary of State John Foster Dulles spoke movingly to the United Nations General Assembly at New York City on September 18, 1958:

Economic development is, of course, an aspiration shared by all peoples. In the newly independent nations, and indeed in many long independent, there is a burning desire for economic and social progress, for higher levels of living, for freedom from the slavery of poverty.

Much has been accomplished already. The American people admire the vigorous efforts of the leaders and the peoples of less developed countries to help themselves. Yet much remains to be done.

The United States believes the time has come for the nations of the world to take stock of accomplishments to date and to

chart anew long-term courses of cooperative action.

We propose that the nations dedicate the year 1959 to these purposes.

Let me mention some of the major steps that the Uinted States would be prepared, subject to action by Congress as appropriate, to take or support in the coming year:

1. The United States will carry forward its existing development financing programs on a vigorous and effective basis. * * * The great challenge of poverty and disease can only be met by vigorous realistic action. The United States stands ready to play its full part in this great peaceful crusade.

Again, on November 7, 1958, Under Secretary Dillon, addressing the World Affairs Council of Northern California at San Francisco, said:

In my view a most serious threat of all is the Soviet economic offensive. * * * I believe that we must place our chief reliance in meeting the Soviet challenge on the mobilization of our economic and technical resources, both public and private, to help raise the living standards of the less privileged nations of the world. * * *

During the past 12 months, our country's responses to their needs has taken many forms. Perhaps the most striking is the Development Loan Fund, which has added a whole new dimension to foreign loan program. The Fund, which began operation early this year, represents a new hope for the underdeveloped countries. * * *

At the present rate of operations the Fund will have committed all of its available resources within a few months which means an annual rate of operations of about $700 million. I believe that we should contemplate a still higher level of lending from the Development Loan Fund, something on the order of $1 billion a year.

Three days later, in his address to the Colombo plan meeting at Seattle, Wash., on November 10, 1958, President Eisenhower joined the crusade:

Our task is a great one. It will take many years to fulfill. Yet if we undertake it boldly, with wisdom and determination, we can and will succeed.

What are the steps that we should take?

First, we must keep in mind our goal. That goal is to enable free nations to achieve a momentum of economic progress which will make it possible for them to go forward in self-reliant growth.

Next, we must determine the means by which we are to achieve that goal. To this end, Secretary of State Dulles suggested at the meeting of the United Nations General Assembly on September 18 that all countries of good will should chart anew their long-term courses of action to promote the growth of less developed areas.

If both the less developed and the more developed countries move vigorously to carry out this proposal, their action could pave the way for the 1960's to become a decade of unprecedented progress toward our common goal.

The United States stands ready to play its full part in this great peaceful crusade to achieve continuing growth in freedom.

And on November 13, 1958, Acting Secretary of State Christian A. Herter told the International Cooperation Workshop in Washington, D.C.:

Among the five specific measures proposed by the President at Seattle, I should like to place some special emphasis on the Development Loan Fund.

This Fund is a major instrument in our effort to assist the less developed nations to carry forward their own plans for progress. It is important to realize that the Development Loan Fund will be substantially out of funds available for new commitments by January 1, 1959. Yet it will have a backlog of over $1.5 billion of applications for loans to help on important projects in many countries. If the Development Loan Fund is to be an effective instrument for peaceful development, it must have resources for substantial increased activity on the order of $1 billion a year. It must also have continuity over a period of years.

Only under such circumstances can the wastefulness of inadequate planning be avoided.

But in the last 2 months, something has happened. The administration has been seized by the magnificent obsession for balancing the budget at a low level, by whatever arithmetic tricks it can get away with, and with a fine unconcern for the future of the free world. Nowhere does this show up more shamelessly than in the Development Loan Fund budget request.

As Secretary Herter said, "If the Development Loan Fund is to be an effective instrument for peaceful development, it must have resources for substantial increased activity on the order of $1 billion a year." The 1960 budget request is for a mere fraction of this, $700 million a year. As Secretary Herter said, only if the Development Loan Fund has "continuity over a period of years, can the wastefulness of inadequate planning be avoided." Yet the budget request is for only a 1-year authorization, not even for the 2-year authorization which the administration had the courage to request, and Congress granted, back in 1957.

If there is one clear lesson in the politics of foreign-aid requests, it is that in order to get at least part of what is adequate, the administration must ask what is adequate. How easy it would have been to have requested a 2-year authorization, now that the Development Loan Fund has proved its worth, as was successfully done in 1957, when the Fund was a fledgling. How easy it would have been to have asked for a $1 billion authorization for fiscal 1960, as the administration has been saying for many months was vitally necessary. While the additional $300 million request would have thrown the administration's paper budget out of balance by $200 million, 10 times this $200 million could readily be recouped, and a substantial surplus shown, if the administration were willing to plug some of the more outrageous loopholes in the tax laws.

And what nonsense it is to say that the country's economy could not stand the administration's sticking to its guns on the need for $1 billion for the Development Loan Fund. More than 4,100,000 Americans are unemployed, some 6.1 percent of the working force; less than 75 percent of our manufacturing capacity is being used. Why shirk our international responsibilities just to keep our unemployed unemployed, and our unused industrial capacity still unused?

Mr. Speaker, the President movingly pointed to the need for "the 1960's to become a decade of unprecedented progress." His administration can practice what it has so eloquently preached by amending its budget request for the Development Loan Fund for 1960 to include authorization for more than 1 year, and for more than the $700 million requested.

Hawaii Statehood—50 in '59

EXTENSION OF REMARKS
OF

HON. JOHN A. BURNS

DELEGATE FROM HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. BURNS of Hawaii. Mr. Speaker, recently Hawaii was highly privileged to welcome five very able and distinguished Members of the 85th Congress who came in their capacities as Members of the Interior and Insular Affairs Committees of the Senate and the House of Representatives pursuant to the request of the Delegate from Hawaii made of the chairmen of the respective committees.

The purpose of the visit was to scrutinize at first hand existing conditions in Hawaii and Hawaii's readiness for statehood. No one could have worked more diligently or more thoroughly than did these capable and outstanding Senators and Representatives. In accomplishment of their mission they pursued every avenue of pertinent inquiry; talked to as many people as possible; and, under the least constrained circumstances, left, in a word, no relevant stone unturned to obtain every fact.

In a New Year's message to Hawaii's people the junior Senator from Idaho, the Honorable FRANK CHURCH, has stated brilliantly and concisely the conclusions he drew from his searching inquiry. With his usual graciousness, the distinguished Senator has consented to my insertion of this message into the CONGRESSIONAL RECORD.

Mr. Speaker, the 86th Congress faces tremendous challenges. Legislation that will be considered is of grave importance to the lives and welfare of our people. It is my considered opinion, objectively, that no legislation is of greater import than Hawaii statehood. There could scarcely be a more convincing statement in support of this fact than the message of the Honorable FRANK CHURCH. I am most highly honored, therefore, to present for the consideration of the Members of the House the thoughtful, closely reasoned, and brilliantly stated report of the Honorable FRANK CHURCH on his inquiry in Hawaii:

TIME FOR STATEHOOD IS RIGHT NOW

(By Senator FRANK CHURCH, of Idaho)

We are fast approaching the time of decision on whether Hawaii is to become our 50th State. In all likelihood, the decision will rest with the coming Congress.

If its answer is 'Yes," then we will have welcomed in, as an integral part of our country, the last of our incorporated Territories.

Statehood will confer upon the people of the islands, long since citizens of the United States, fundamental rights of self-government equal to our own.

They will then elect their governor, as we do ours; they will then be entitled to two U.S. Senators and a voting Representative in the Congress; and they will participate with us, every fourth year, in the election of the President.

But if the answer should be "No," let no one be deceived that Hawaii will remain indefinitely an American Territory.

To be neither in nor out, but to stay a colony, is no more acceptable to our fellow Americans in Hawaii, than it was to our own forefathers.

They were subjects of the English King; they bore arms in his defense, and paid the taxes he levied upon them.

Again and again, they petitioned him, through his appointed governors, for redress of their grievances, but he refused to grant them more than limited rights of self-government.

So, their call to reason, "no taxation without representation," became, at last, a call to arms.

Yet, despite this national birthright, we are today denying our fellow citizens in Hawaii many of the same prerogatives refused our forefathers by George III.

TAX PAYMENTS

In 1957 the Hawaiians paid over $150 million in Federal taxes, a larger total than several of the existing States, but Hawaii had no representation in Congress to vote either on how much tax should be collected or upon how the money should be spent.

In time of war, Hawaiians shoulder arms with the rest of us, yet they cannot vote for the President who shapes their foreign policy, or for representatives in Congress who together hold the purse strings over their defense.

To remedy these inequities, the people of Hawaii want statehood. They are tired of standing, hat in hand, at the door of our Union.

But what we must understand is this: if we refuse to let them further in, they will, in due course, demand to be let further out.

That we actually face a choice between these alternatives, my recent visit in Hawaii has convinced me.

There, I was privileged, as one of five members of Congress from the Interior Committees of both Houses, to conduct a joint investigation of the statehood question.

I talked with hundreds of Hawaiians from all walks of life. I listened to every argument, pro and con.

The consensus of this opinion, together with the most current information we could gather about social, economic, and political conditions in Hawaii, left me strongly persuaded the islands are ready for statehood, and we'd best admit them now.

FOR STATEHOOD

There is no doubt but what the vast majority of Hawaiians favor statehood. Even before Pearl Harbor, a plesbiscite showed the population endorsing statehood by a margin of two to one.

Since then, support for statehood has steadily grown stronger. In 1950, a proposed Hawaii State constitution was approved by the people of the Territory by a vote of more than 3 to 1.

Today, I would judge that the Hawaiians want statehood fully as much as did the Alaskans, who a short 4 months ago, proved their sentiments when five out of six voted to ratify the bill admitting Alaska as the 49th State.

DESERVING CASE

The proponents of Hawaiian statehood believe their case just as deserving as was that of Alaska. Indeed, the islands' economy is far more developed.

Sugar and pineapple are produced in abundance by the best paid fieldworkers in the world. The export of Kona coffee is increasing.

On the big island of Hawaii itself, the 300,000-acre Parker Ranch is next to the world's largest for Herefords, while to every island the tourists come in burgeoning numbers, beckoned by the gentle trade winds, in quest of the dazzling beaches and inviting waters.

Hawaii, for all its tropical beauty, is bustling and prosperous. No one can charge it with being a poor relation.

MELTING POT

It is true that Hawaii is the melting pot of the Pacific. The people are a polyglot mixture of native Hawaiian, Caucasian, Japanese, Filipinos, and Chinese, and the crosses between.

But it is also true that Hawaiian life and culture, though it clings naturally to many happy phrases, songs, and customs out of its colorful past, is nevertheless essentially American.

The cities, the stores, the homes, streets, and schools, all bear the unmistakable stamp of the United States.

In fact, anyone from southeastern Idaho, accustomed to a tabernacle in his neighborhood, would not feel a bit estranged in Hawaii.

One of the most striking tabernacles I have ever seen is in the center of Honolulu, and on the windward side of Oahu there is located a Latter-day Saints temple fully as impressive as that in Idaho Falls.

Nearby, 20 newly completed buildings on a 100-acre tract mark the site of the $3½ million Latter-day Saints College of Hawaii.

MANY TALKS

These are but a few glimpses gleaned from many I gathered during the inquiry we made in Hawaii.

We met with public officials and private citizens alike, with teachers and students, with judges and housewives.

We talked with businessmen and labor leaders. I had a morning's conference, in private, with the presidents of the Big Five, interests that were once opposed to statehood but now favored.

When we were through I came away determined to work hard for Hawaiian statehood in this coming session of Congress. Already a Commonwealth Party has been activated in Hawaii.

COMMONWEALTHERS

I talked with several of its leaders, who would like to see Hawaii set loose from the United States, absolved of all Federal taxes, and granted full rights of self-government, while the people retained for themselves American citizenship and the continued protection of the American flag.

Patterned after the British system, the commonwealth idea is alien to our American tradition of building one nation, rather than a loose-knit empire.

Today, this Commonwealth Party is small, but if statehood is refused to Hawaii, it will grow rapidly.

I shall not forget the parting shot of one prominent commonwealth proponent.

"Senator," he said to me, "right now, the people of these islands want statehood.

"If you refuse it, they will turn to our solution, and the time will come when you will have to recognize the independent Commonwealth of Hawaii."

To us on the mainland, facing westward toward an Asia awakening from its slumbers, Hawaii is much too important, not to be made an inseparable part of the United States.

Truth Must Prevail for Krebiozen

EXTENSION OF REMARKS

OF

HON. ROLAND V. LIBONATI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. LIBONATI. Mr. Speaker, I have had hundreds of requests for copies of the CONGRESSIONAL RECORD, volume 104, part 15, pages 19745–19746, on the subject "Truth Must Prevail for Krebiozen." There have also been hundreds of requests for the material inserted, by me, in the CONGRESSIONAL RECORD, on the dates hereinafter listed in the aforesaid article.

In view of the great importance of the public interest in this issue and the fact that nothing has been done, to date, although conferences are presently being perfected between the U.S. Public Health Service and Dr. J. R. Heller, Director of the National Cancer Institute, and the Krebiozen Research Foundation, and Dr. Andrew C. Ivy, the research adviser of the Foundation, on the proposal of Senator PAUL DOUGLAS, of Illinois, giving Krebiozen a fair test, as set out on the floor of the U.S. Senate in August 1958, I hereby acquiesce to this request of hundreds of Americans who are acquainted with the same, by republishing the remarks made on August 25, 1958, touching upon this important subject.

TRUTH MUST PREVAIL FOR KREBIOZEN

(Extension of remarks of Hon. ROLAND V. LIBONATI, of Illinois, in the House of Representatives, Saturday, August 23, 1958)

Mr. LIBONATI. Mr. Speaker, the story of Krebiozen is a sad one, and by their unfounded opposition, several past officials of the American Medical Association have been guilty of heinous actions against a great scientist in the medical profession, Dr. Andrew C. Ivy, who presently holds the high position of distinguished professor of physiology and head of the Department of Clinical Science of the University of Illinois College of Medicine. Because of the actions of these men, Dr. Ivy lost his position as vice president of the University of Illinois, as well as his membership in the Chicago Medical Society.

A true scientist is a man who seeks the truth, and Dr. Andrew C. Ivy exemplifies that type of man. In his experimentations with 250 other physicians, all members of the AMA, he has proved that there is biological activity in the use of this drug.

Dr. Stevan Durovic and his brother, Marko Durovic, have spent large sums of their own and their friends' money in Argentina in the development of the discovery of Krebiozen as well as thousands of dollars to the Krebiozen Foundation, to place the drug at the disposal of cancer victims, terminal cases, who were doomed to die.

Personally, I am well acquainted with the whole story in view of the fact that I acted as vice chairman of the committee and the commission, duly appointed by the Illinois Legislature, to conduct an inquiry to determine whether or not there was a conspiracy to prevent freedom of research at the University of Illinois, a tax-supported institution. A great deal of testimony given by many expert witnesses at those hearings proved beyond a doubt that false reports were released to the public by medical stooges of the AMA to destroy public confidence in the scientific findings conducted by Dr. Ivy and his fellow medics. This subject was in controversy for a period of 5 years, and still continues today in spite of the reports that have been released showing favorable results in certain phases of cancer study listed in the reports made by those individual doctors on their own cases.

The subject matter and testimony, together with conclusions thereon, were masterfully presented in the two books written by Mr. Herbert Bailey, "K-Krebiozen, Key to Cancer?" published in 1955, and "A Matter of Life or Death" recently published by G. P. Putnam's Sons, a concern that is very selective on printing any books, and especially those touching on scientific subjects, as to their value and veracity.

I am very pleased to note that the very distinguished Senator, PAUL H. DOUGLAS, of Illinois, being a person of substantial reliability in dealing with matters of public import, has advanced proposals for controlled

tests for Krebiozen. He has every reason to be concerned in view of the fact that he has studied this question thoroughly. It is to his credit that he deals with the subject with a highly constructive sense of justice. He avers that mistakes were made by both the AMA and the scientists interested in the Krebiozen study, and yet he does not lose the mental grasp that there is a high sense of public obligation to be considered and, therefore, feels that in view of the favorable reports of the doctors working with Krebiozen, the merits of the drug should be inquired into officially on a purely scientific basis, to determine its medicinal value for public approval.

Senator PAUL H. DOUGLAS is a man of important stature in America. His background is one of high intellectual training as a professor in our colleges and universities. He shows no dispositon to dillydally with words, but gets at the meat of the problem and presents a complete picture of the controversy and its shortcomings.

His stand should be considered by the AMA as a warning that if they persist in their present attitude to belittle and devaluate the results and published findings in the experiments presently being conducted, that there is no question that the public health services and the National Institues of Health will be drawn into the picture through congressional enactment in the nature of a thorough investigation of this subject.

I stand firmly behind Senator PAUL H. DOUGLAS in his position in this matter and, unless something is done to remedy the present unfortunate standoff situation preventing an authentic test of Krebiozen, I will proceed in the 86th Congress, God granting my presence, to introduce a resolution to investigate those elements that are preventing the carrying out of such a test, on the ground that the public interest demand such action. It is fundamental that a conspiracy to prevent scientific research is in itself within the congressional prerogative to protect the welfare of the people of the United States.

No organization can defy or deny the right of justice to be meted out to honest men and their works, especially in this case, directly affecting thousands of unfortunates, who die every year with great suffering and at great cost to their families, or the charitable institutions which are established throughout the land for this cause.

I am warning the American Medical Association at this time, as I did before in the Illinois State Assembly, to pay heed to Dr. Ivy's appeal for fair play and give Dr. Andrew C. Ivy a fair chance to prove what he contends is of benefit to mankind.

The Chicago Daily Tribune article touching on the Krebiozen proposal, by Senator DOUGLAS, appearing in that paper's issue of August 23, 1958, follows:

"SENATOR DOUGLAS PROPOSES TEST FOR KREBIOZEN

WASHINGTON, August 22.—A secret scientific test of the merits of Krebiozen as a cure for cancer was proposed in the Senate Friday by Senator PAUL DOUGLAS, Democrat, of Illinois.

"DOUGLAS said in a Senate speech that the public is bewildered by the conflicting statements regarding the preparation. Dr. Andrew C. Ivy has reported Krebiozen to be helpful, DOUGLAS said, while the American Medical Association has denounced it and the National Research Council has found on the basis of the AMA report that there is no evidence of curative or palliative effects from use of the drug.

"DOUGLAS called for tests to be conducted by the United States Public Health Service and the National Institutes of Health. Under DOUGLAS' plan the Institutes would conduct a sample test upon 200 more or less terminal cancer cases of patients who had applied to the Institutes for help.

"ONE HUNDRED WOULD GET KREBIOZEN

"Of these, 100 cases would be treated with Krebiozen while the other 100 would be given mineral oil instead.

"The Institutes and Ivy would choose an outstanding biostatistician who would help design the tests and would be the only person knowing which patients had received Krebiozen treatment.

"The lists of those who had and had not received the treatment would be placed in a sealed envelope in a safe, to be opened later by the biostatistician and two advisers, Dr. Ivy and a representative of the medical profession chosen by the Public Health Service. The advisers would not know the identity of the patients.

"WOULD REVIEW HISTORIES

"At the conclusion of the test-treatment period, the case histories of all 200 in the test would be submitted to Ivy, and he would be asked to identify the 100 cases in which Krebiozen had been administered. DOUGLAS said Ivy would naturally select those showing the most improvement or pain alleviation.

"The sealed envelope would then be taken from the safe and the lists would be compared with Ivy's list. A comparative study would be made of the cases of the patients who did and did not receive Krebiozen.

"The degree of agreement or disagreement between Ivy's list and the other lists would then be announced.

"WOULD PUBLISH FINDINGS

"Finally, if Ivy requested it, the Public Health Service would examine records compiled by Ivy of other cases treated with Krebiozen, appraise the results, and publish the findings.

"DOUGLAS said the organized medical profession disparaged the discoveries of Pasteur, Lister, and others, and sought to defame the discoverers."

Address by Secretary of Defense Neil H. McElroy Before the Women's Forum on National Security

EXTENSION OF REMARKS
OF
HON. ROBERT L. F. SIKES
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. SIKES. Mr. Speaker, under permission granted me to extend my remarks and include extraneous material, I request that the attached address by Secretary of Defense Neil H. McElroy be reprinted in the CONGRESSIONAL RECORD:

CHANGING DIMENSIONS IN NATIONAL SECURITY

"Changing Dimensions in National Security"—I wonder if you realize how very apt such a theme is for your forum discussion. In these days of exploding technology, change is the one constant dimension in national security.

Sometimes your Secretary of Defense feels that the component elements of our national security have all the stability of ladies' fashions—a subject with which each of you is concerned and quite obviously well informed. You know, for instance, better than I, that strange things happen from season to season to such items as necklines, waistlines, and hemlines. Once in a very great while you ladies can rise up and exercise some control over the changing dimensions of fashion—as witness your boycott and the consequent sack of the sack and the demise of the trapeze.

Changes in weapons come upon us even more unexpectedly than changes in fashions. They are also apt to be more radical and fantastically expensive. In fact new elements in defense frequently arrive on the scene just after we've made a huge investment in yesterday's weapons' style. This upsets the defense budget keepers just as a sudden change in fashion raises havoc with your clothes budget. But you have options. If you don't like a new fashion you can rise up en masse and reject it collectively. In my experience as a husband and the father of two girls who are now young women, this seldom happens but it is theoretically possible. Or, you can choose to ignore the new fashion for economic reasons and wear last year's model. This also seldom happens. Again—I'm speaking as a husband.

In the serious business of defense, unlike the world of fashion, we do not have the option of freezing styles in weapons nor can we reject new weapons for either esthetic or economic reasons. In fact, we must carry on unceasing research deliberately to outmode what was invented and built just yesterday—however uneconomic such a practice may be. We must, in short, seek to change dimensions and catapult into new and untried areas. In the business of defense the cow has already jumped over the moon. Almost anything can happen in the future. Ask Dr. Wernher von Braun when he speaks to you tomorrow.

He can testify also to the impact of a vast dimensional change on a brand new, freshly caught Secretary of Defense to be. On the night of October 4, 1957, I was attending a dinner at the Army's Redstone Arsenal at Huntsville, Ala. It was one of the last stops on a month-long orientation trip I had made to military installations across the country. A group of us were discussing the changing dimensions in warfare. While we were talking about changes which would be brought about by guided missiles Doctor von Braun was called to the telephone. He returned, visibly excited, to inform us that the Russians had just announced the successful launching of an earth satellite. To the three standard dimensions of warfare—land, sea, and air—a fourth had been added, space. And this, just 5 days before I was to assume office as Secretary of Defense.

Yes, in the 16 months I have been in office there has been a steady and rapid evolution in our defense posture. But, while the dimensions of national security have changed, the overall superiority of U.S. military power in relation to any potential aggressor has not and must not change. While we cannot always be first with every link that makes the chain of our defense—we must always be first in the sum total strength of all the links. That is where we are tonight and that is where the Department of Defense is determined to remain.

Last September I expressed to the American Legion Convention in Chicago:

"Fullest confidence that the United States is ahead of the Soviet Union in overall strength in being * * * now."

I wish to bring that statement up to date by repeating it to you tonight. And, I wish to add that the Department of Defense, fully supported by the President, has no intention of allowing this condition to change. We believe that our planned military programs are adequate to achieve this result for the foreseeable future. You and the country may be assured that our programs will keep pace with what our official intelligence warns us any enemy of the United States may have in the future. Our budgets support military programs tailored to produce what that intelligence tells us we must have.

Americans have always shown themselves capable of both great effort and great sacrifice in times of national danger. Our whole history as a Nation testifies that our people need only to be informed and aroused to take any action necessary for national survival. I am told by Mrs. Gunn that the very purpose of this forum is to inform and arouse this representative group about the threat to our security. I'm glad that Mrs. Gunn used the word "aroused" and not I. As the loving husband of Mrs. McElroy and speaking as a veteran of 30 years of marriage I hold with Charles Dickens that—

"There is something about a roused woman * * * which few men like to provoke."

I agree, however, that the total resources of America can never begin to be marshaled unless the women of this country are kept informed of the problems facing us as a Nation. You need only be convinced that everything you hold dear—your home, your security, your children—calls to you for help. Victory in war, hot or cold is not possible without your support, it's as simple as that.

Now let me tell you something about the changing dimensions of the world I live in these days—the Department of Defense. I entered the Pentagon with the Space Age. For those engaged in the business of defense, entering space is vastly different from the use of new and unproved weapons in the known elements of land, sea, and air. True, such weapons as the airplane and the submarine changed the dimensions of warfare over the years but the changes came about by a process of evolution. Weapons of the space age—and I refer specifically to long range missiles—have caused and will continue to cause a revolution in the art of warfare, with all its violent side effects.

We must devise whole new categories of weapons both offensive and defensive. Thus, you can see not only have the dimensions of new weapons changed but the very benchmarks—the very points of reference from which measurements may be made—have shifted.

Let me, at this point, give you just one example to illustrate what I mean. Up until a very few decades ago it took weeks for a weapon to be launched against America because it had to come by sea—then with the advent of the long range airplane the time for possible warning was reduced to hours. Then, suddenly, as the guided missile burst upon us we found ourselves up against one of the most fantastic defensive requirements ever placed upon military technology.

Instead of weeks or hours the missile will allow us something on the order of 30 minutes for defensive action. The actual number of minutes will depend on the effectiveness of our warning systems—systems which must be redesigned to meet the threat of a missile traveling 25 times as fast as the speed of sound. To devise a weapons system which will in the time required, detect, track, fire at, and destroy, such a small fast moving target, is a challenge military technology must meet.

Our scientists and engineers have dedicated themselves to this task. They are spurred on by the knowledge that technology has given to the offensive missile a striking and destructive power of well over one hundred thousand times the bomb which we knew in World War II as the "blockbuster." You can now understand why I say the benchmarks from which dimensions are measured have shifted.

In any commercial enterprise there are six basic elements known in management studies as the Classic M's. They are machines, men, materials, methods, money, and markets. Markets we don't have to worry about in the defense business. But the other five we must deal with to accomplish our objectives and their dimensions are constantly changing. Let's look at machines first.

Last year we were told by General Betts from the Office of the Director of Guided Missiles that technology in this day and age does not stand still—and that was the understatement of 1958. Later in this year's forum you will see and hear a dramatic story by Mr. Joe Powell of the Department of Defense on the "Collapse of Time" and the effect of the stampede of technology on our machines of war.

I've already told you about our defensive problems with missiles. They stagger the imagination of even a scientist. Let me just mention some of our more serious management problems with other weapons, submarines, for example. This is a weapons delivery system where we now enjoy a qualitative and technological superiority. We know that in less than 2 years our atomic submarines will be able to hurl powerful ballistic missiles many hundreds of miles. They will create grave problems in detection and defense for any potential enemy of the United States. But Russian submarines likewise pose serious defensive problems for us. While we believe they do not now have atomic submarines we must assume that whatever we have the enemy is capable of producing—sometimes much faster than we thought possible.

So, the increasing complexity and destructiveness of modern machines of war create new and grave management problems. You have to know just when and how long to go along with an old weapons system and just when to put your money and faith in a successor system. And, of course, they must overlap for a while. This is not unlike buying the newest style before you know whether it will take. However, in the case of weapons, you bet your very life. The security of the country may hang in the balance on right decisions. Machines are indeed a changing dimension of national security.

The second M—materials—are likewise a defense management headache. No longer can we depend alone on the common materials of other wars. Excursions into outer space and deep under the sea call for exotic metals and plastics, for new and better fuels and for more powerful explosives in smaller packages. One of the major projects of the Advanced Research Projects Agency of the Department of Defense, for instance, is the development of a more powerful solid fuel needed for our third generation intercontinental ballistic missiles. Defense management is solving this problem and adding another new dimension to national security. In doing so we have devised new methods—the third classic M of management.

ARPA, the Advanced Research Projects Agency I mentioned a moment ago, is in itself a new organizational method established by management for the purpose of advancing our knowledge in—to name just a few of its projects—the field of missiles, anti-missile missiles and military space vehicles. Set up to handle advanced research and development programs, ARPA utilizes the best brains of the university and industry. It focuses particular skills on special problems whose solution is vital to America. Old methods of research are too slow to cope with the pace of technology. Your defense management must and is finding new ones.

The fourth M is manpower. The research and development, production and operation of new weapons systems puts space age strains on our manpower resources. We must utilize the best scientific and engineering brains the country now possesses in research, development and production. At the same time we must take steps as a Nation to educate and train the scientists, the engineers, and the skilled workers of the future. Democracy's future demands and depends on an unending supply of well-educated citizens—educated, that is, to cope with all changing dimensions of the space age.

Mere numbers of men used to be a measurement of this Management M. Today skillpower and brainpower have had to make radical improvement in efficient use of manpower. A guided-missile ship, for instance, with a crew of 1,000 men but no skilled electronic technicians, wouldn't have any fighting power. The same is true for other modern weapons systems of our Army, Navy, Air Force, and Marines.

Therefore defense management needs better educated and better trained soldiers, sailors and airmen to operate the complex machines of war devised by our scientists and engineers. Technology has multiplied the penalty for stupid or careless error 10,000 fold. The error of yesterday's gunsmith could cost us only a musket or two. The error of today's technician could cost us a bomber worth, literally, its weight in gold.

Improving our educational system to cope with the new demands of technology is an all-hands, all-American task. The average citizen can't invent fuels, build missiles or fly an airplane but he can and should find out what's needed in the field of education and take steps to insure that his community fills the needs.

Now, we come to the fifth and last great M of management, money, a problem that affects all of us. I imagine if I were able to listen to the conversation of any one of you ladies for a few days I would be bound to hear you say, "Everything costs more these days." That's true of clothes, food, automobiles, houses and luxuries. It's also true of the materials and machines of defense. We buy everything you buy, we feed, clothe and house millions of people. Our costs have gone up, too. That's tough enough on our budget. But the cost of military hardware, unlike the ordinary commodities we buy, didn't go up just a little—it blasted off into space.

If an automobile cost 50 times as much today as it did in 1945 you'd be shocked and probably decide to keep your old one. Yet as the President pointed out in his state of the Union message today's fighter aircraft are 50 times more expensive than the fighters of World War II and we can't use the old ones. Our Polaris firing submarines will cost 15 to 20 times more than the conventional subs of the last war.

Of course, the weapons we buy at these increased prices are much more powerful. Indeed, their effectiveness oftentimes goes up in much greater ratio than their cost. We must have these weapons, regardless of cost. But in buying them defense management strives to spend your money in the most efficient manner possible.

Let me emphasize that money is important to defense but it's no panacea. You can't purchase prepackaged defense. It's the job of defense management to translate the amount of money needed into a winning combination of men, methods, materials, and machines. I think we have that combination.

In addition to the changing dimensions in national security brought about by the five great M's of management, we are always conscious of another M looking over our shoulder. This M stands for moments—we know you can't spend deficit time and you can't borrow minutes. Our potential enemies have exactly the same amount of time we have. He who uses his moments most wisely will be the winner in the cold or hot war of the future.

The framework I have set for your forum discussions bears principally on the problems of military defense. I would not want you

for one moment to think that changing military dimensions are the only ones that are important to national security. The last few years have seen tremendous changes in the dimensions of the economic competition between the nations of the free world and the Communist bloc. These years have not lessened either, the changing political and psychological pressures. To these changes we must be responsive. We must, in fact, continue to develop political, psychological, and economic programs of our own—programs which are as appealing as our military might is unassailable.

America's military might is for defense not aggression. The dimensions of your Military Establishment keep changing only to make it clear to any aggressor than an attack on us would be foolhardy.

America's defense will remain geared to reality—we will keep pace with technology. We will keep America's military strength superior to that of any nation which threatens us.

We will—that is, if we—and I mean all of us—take care to insure that the dimensions of our minds keep pace with the dimensions of our problems. Our mental dimensions represent our ability to understand the problems ahead and our determination, with God's grace, to conquer those problems.

Ladies, your forum represents citizenship at its best—informed citizens are the priceless ingredients of a democracy—our democracy in particular. I salute you and join you in your efforts to keep America strong.

SENATE

SATURDAY, JANUARY 17, 1959

Rev. Thomas W. Sumners, rector, St. John the Divine Episcopal Church, Houston, Tex., offered the following prayer:

Almighty God, who has given us this good land for our heritage; we humbly beseech Thee that we may always prove ourselves a people mindful of Thy favor and glad to do Thy will. Bless our land with honorable industry, sound learning, and pure manners. Save us from violence, discord, and confusion; from pride and arrogancy, and from every evil way. Defend our liberties, and fashion into one united people the multitudes brought hither out of many kindreds and tongues. Endue with the spirit of wisdom those to whom in Thy name we entrust the authority of government, that there may be justice and peace at home, and that, through obedience to Thy law, we may show forth Thy praise among the nations of the earth. In the time of prosperity, fill our hearts with thankfulness; and in the day of trouble, suffer not our trust in Thee to fail.

Guide and direct him who presides over the Senate, that he may rule with fairness and diligence. Inspire with Thy love and gratitude the leader of the majority party and him of the minority, that they, through gratitude to Thee for the revelation of Thy love, may lead Thy people in accordance with Thy holy will, through Jesus Christ, our Lord. Amen.

Mr. JOHNSON of Texas. Mr. President, I am proud and delighted to be present today. It was a pleasure to receive the inspiration and spiritual warmth which came from the devout prayer delivered by a great and good man of God, a devoted Texan, and a fine American. Dr. Sumners is a man dedicated in mind, in body, and in spirit to his church, to his State, and to his Nation; and I know of no finer thing that could be said of any man.

Mr. YARBOROUGH. Mr. President, all Members of the Senate were moved by the deeply spiritual invocation and opening prayer given by the Reverend Thomas W. Sumners, of Houston, Tex. His brother, the Reverend Charles Sumners, serves the Episcopal Church in my home city of Austin, Tex.; it is the oldest church in that city.

These two brothers have great influence on the spiritual life, and thereby, on the broader aspects of living, including the educational life, of the State of Texas, and likewise on the modes of living and the lives of many persons who occupy commanding positions in the life of the State. It has been a great privilege to me to be in the Chamber to hear the prayer of Dr. Sumners today.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, January 14, 1959, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

REPORT ON OPERATIONS UNDER INTERNATIONAL CULTURAL EXCHANGE AND TRADE FAIR PARTICIPATION ACT—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

In accordance with the provisions of section 9 of Public Law 860 of the 84th Congress, I transmit herewith for the information of the Congress the fourth semiannual report of operations under the International Cultural Exchange and Trade Fair Participation Act of 1956.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *January 15, 1959.*

REPORT OF NATIONAL SCIENCE FOUNDATION—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

Pursuant to the provisions of Public Law 507, 81st Congress, I transmit herewith the Eighth Annual Report of the National Science Foundation for the fiscal year ended June 30, 1958.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *January 17, 1959.*

EXPRESSION OF SENSE OF THE SENATE CONCERNING THE MAKING OF LOANS BY RURAL ELECTRIFICATION ADMINISTRATION—RESOLUTION

Through inadvertence, the following resolution (S. Res. 21) expressing the sense of the Senate concerning the making of loans by the Rural Electrification Administration, submitted by Mr. AIKEN (for himself and other Senators) was omitted from the RECORD of January 14, 1959:

Whereas the Comptroller General of the United States in decisions (B–134138) dated July 21, 1958, and October 15, 1958, in questioning the validity of a portion of a loan made by the Rural Electrification Administration to the Central Iowa Power Cooperative, Cedar Rapids, Iowa, interpreted the Rural Electrification Act, in the first decision, as not authorizing loans for service to persons who are actually without central-station service if they are located in an area generally served by a power supplier; and, in the second decision, as not authorizing loans to serve persons, in fact without service, if they are located "on", "along side of", or "within a reasonable distance" of a line of a power supplier; and

Whereas the Acting Secretary of Agriculture, in a letter dated August 7, 1958, to the Comptroller General, requested reconsideration of the first decision because it was inconsistent with the express provisions of the Rural Electrification Act, its legislative history, congressional understanding, uniform administrative practice, and legal interpretations and opinions during the 22 years following enactment of the Rural Electrification Act and, by letter dated October 29, 1958, informed the Comptroller General that these objections were equally applicable to the interpretation of the Rural Electrification Act expressed in the second decision and could therefore not be agreed to; and

Whereas the interpretation of the Rural Electrification Act proposed by the Comptroller General in either of his decisions, if it had been applied to the rural electrification program from its inception, would have prevented that program's great contributions to agriculture and the rural areas of the Nation and to the national economy generally and, if now applied, would drastically curtail the future great potential of the rural electrification program: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Rural Electrification Act of 1936, as amended, continue to be interpreted to authorize the making of loans for the construction of facilities to bring electric service to persons who are in fact not receiving central-station service, and to continue to serve those who are presently being served, in accordance with the Acting Secretary of Agriculture's letters of August 7, 1958, and October 29, 1958, to the Comptroller General, and that the proposed limitation on the authority of the Rural Electrification Ad-

ministration introduced in the Comptroller General's decisions of July 21, 1958, and October 15, 1958, be rejected as contrary to the clear intent of the Congress.

ORDER FOR ADJOURNMENT TO TUESDAY

Mr. JOHNSON of Texas. Mr. President, after consultation with the distinguished minority leader, I ask unanimous consent that when the Senate adjourns today, it adjourn to convene at noon on Tuesday.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, will the majority leader yield to me?

Mr. JOHNSON of Texas. I yield to my friend, the Senator from Illinois.

Mr. DIRKSEN. I am quite grateful that there will be a session on Tuesday, which will mark the sixth anniversary of the first inauguration of the present President of the United States. I should like to indicate now that on that day we would like to take a little time to testify suitably regarding that fact.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, I make the usual request that during the transaction of routine business statements be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

AUTHORIZATION FOR CONSIDERATION OF AMENDMENT OF RESOLUTION RELATING TO SMALL BUSINESS COMMITTEE

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that it be in order for the Senate to consider an amendment to Resolution 58 of the 81st Congress, with regard to the Select Committee on Small Business.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I send to the desk the resolution, for which I request immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 25) was read as follows:

Resolved, That the first paragraph of Senate Resolution 58 of the 81st Congress, as amended, be further amended to read as follows:

"That there is hereby created a select committee to be known as the Committee on Small Business and to consist of seventeen Senators to be appointed in the same manner and at the same time as the chairman and members of the standing committees of the Senate at the beginning of each Congress."

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. DIRKSEN. Mr. President, just to make the legislative record, let me say that when the Select Committee on Small Business was first established, the rule provided for 13 members. Subsequently, the resolution was amended, in 1955, to provide that they should be appointed at the same time and in the same manner as the members of standing committees of the Senate.

This resolution conformed to the amended rule, and only increases the membership from 13 to 17.

I discussed the resolution with the majority leader; and I assure him that it is quite agreeable.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

Mr. DIRKSEN. Mr. President, I move that the vote by which the resolution was agreed to be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay on the table the motion to reconsider.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

DEATH OF ARTHUR E. COOK

Mr. DIRKSEN. Mr. President, I think I should call attention to the fact that yesterday a very familiar figure in the Capitol passed away. I refer to "Gus" Cook. I think every Member of the House and every Member of the Senate for many, many years knew him.

"Gus" Cook was one of the first persons I met when I became a Member of the House in 1933. He started in a very humble way in the service of the Congress, and continued to serve here for nearly 60 years.

Mr. President, 60 years of service in itself is a great testimony; but it is even greater when one measures the fidelity of "Gus" Cook to his job and the multitudes of friends he made as he went along. He was extremely helpful to every Member, and gave most freely of his knowledge, in order to see that the necessary conveniences were provided, so that the working place where we spend so much of our time is accommodated to the responsibilities which confront us.

I know that he leaves a legion of friends who mourn his passing.

Mr. JOHNSON of Texas. Mr. President, will the distinguished minority leader yield to me?

Mr. DIRKSEN. I yield.

Mr. JOHNSON of Texas. I should like to join the distinguished minority leader in his eloquent tribute to the late "Gus" Cook, who served us so faithfully for many years.

I know of no public servant who was more helpful or more dedicated than was "Gus" Cook. It seems, Mr. President, that I can see him now, walking into the Speaker's room, to line up the Members to greet the President and to escort him to the Chamber.

Ever since I came to Washington, some 25 years ago, I have been rather intimately associated with this good, great, kind, and genuine man. I join the distinguished minority leader and "Gus" Cook's legion of friends in regretting his passing.

He was always kindly, always helpful, and always dedicated to his duty. He will be sorely missed.

Mr. HAYDEN. Mr. President, will the distinguished minority leader yield to me?

Mr. DIRKSEN. I yield to the distinguished senior Senator from Arizona.

Mr. HAYDEN. Mr. President, a long time ago I became a Member of the other branch of the Congress. It was then that I first met "Gus" Cook and we have been friends ever since. No one else will ever know every nook, corner, and cranny of the Capitol as well as he did. Whenever anything became out of order in the old building, he knew how to fix it.

I greatly admired his constant good humor. He and I had between us a joke which he invented—I being the senior Member of the Congress, and he being the senior member of all the employees. Some persons would call us "deans"; and "Gus" would want to know when he and I would get together to do some "deaning." That opportunity now is past. I sincerely regret his departure.

Mr. HENNINGS. Mr. President, will the distinguished Senator from Illinois yield to me?

Mr. DIRKSEN. I yield to the senior Senator from Missouri.

Mr. HENNINGS. Mr. President, I should like to join my colleagues in a few words of tribute and expressions of sorrow at the passing of our friend. He was known to all of us as "Gus" Cook.

When I first came to the House of Representatives, 25 years ago, I soon found that "Gus" Cook was my friend, as indeed he was a friend of all of us. He was a man of dedication, a man who was, if anything or any human being could be, a fixture of the Capitol Building.

As the distinguished President pro tempore has said, "Gus" Cook always had a smile and a pleasant word; he always wanted to stop and exchange greetings while he was constantly carrying out his assigned duties and pushing himself, I believe, in his later years, even beyond his physical capacity to do so. While there is so much more I would like to say about "Gus," so many things that have come to my mind since I learned, only last night, of his passing after a long and useful life, at this time I shall have to content myself with saying, " 'Gus,' we shall all miss you. Your place in our hearts and in this building, the Capitol of our country, will never be completely filled by anyone else. You have been a good and faithful servant."

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF FARM CREDIT ADMINISTRATION

A letter from the Governor, Farm Credit Administration, Washington, D.C., transmitting, pursuant to law, a report of that Administration, for the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORT ON NUMBER OF OFFICERS ASSIGNED TO PERMANENT DUTY AT THE SEAT OF GOVERNMENT

A letter from the Director, Legislative Liaison, Department of the Air Force, Washington, D.C., reporting, pursuant to law, that, as of December 31, 1958, there was an aggregate of 2,492 officers assigned or detailed to permanent duty in the executive element of the Air Force at the seat of Government; to the Committee on Armed Services.

NOTICE OF PROPOSED DISPOSITION OF CERTAIN MULLITE

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a copy of a notice to be published in the Federal Register of a proposed disposition of approximately 3,664 short tons of mullite (calcined kyanite) now held in the national stockpile (with an accompanying paper); to the Committee on Armed Services.

REPORT ON PRIME CONTRACT AWARDS TO SMALL AND OTHER BUSINESS FIRMS

A letter from the Acting Assistant Secretary of Defense (Supply and Logistics), transmitting, pursuant to law, a report on Army, Navy, and Air Force prime contract awards to small and other business firms, as of December 31, 1958 (with accompanying papers); to the Committee on Banking and Currency.

REPORT OF FOREIGN-TRADE ZONES BOARD

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report of the Foreign-Trade Zones Board, for the fiscal year ended June 30, 1958, together with the reports, covering the operations during the same period of Foreign-Trade Zones Nos. 1, 2, 3, and 5 (with accompanying reports); to the Committee on Finance.

AUDIT REPORT ON VIRGIN ISLANDS CORPORATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Virgin Islands Corporation, fiscal year 1958 (with an accompanying report); to the Committee on Government Operations.

EDUCATION, MEDICAL ATTENTION, RELIEF OF DISTRESS, AND SOCIAL WELFARE OF INDIANS

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend section 1 of the act of April 16, 1934, as amended by the act of June 4, 1936 (49 Stat. 1458), entitled "An act authorizing the Secretary of the Interior to arrange with States or Territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes" (with an accompanying paper); to the Committee on Interior and Insular Affairs.

ENLARGEMENT OF DEVILS TOWER NATIONAL MONUMENT, WYO.

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to enlarge the Devils Tower National Monument in the State of Wyoming and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

INCREASE OF LIMITATION ON BASIC COMPENSATION OF CERTAIN CIVILIANS

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to amend section 432(g) of title 14, United States Code, so as to increase the limitation on basic compensation of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard from $3,750 to $5,100 per annum (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

FIXING OF OFFICIAL STATION OF CERTAIN JUDGES

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to fix the official station of retired judges assigned to active duty (with an accompanying paper); to the Committee on the Judiciary.

AMENDMENT OF SECTION 752 OF TITLE 28, UNITED STATES CODE

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to amend section 752 of title 28, United States Code (with an accompanying paper); to the Committee on the Judiciary.

AUTHORIZATION FOR RETIRED JUDGES TO PERFORM CERTAIN SERVICES

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to amend section 373 of title 28, United States Code, so as to authorize retired judges of certain territorial courts to perform judicial service when designated and assigned (with an accompanying paper); to the Committee on the Judiciary.

TENURE OF OFFICE AND RETIREMENT RIGHTS OF CERTAIN JUDGES

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to provide that the U.S. district judges for the districts of Hawaii and Puerto Rico shall have the same tenure of office and retirement rights as all other U.S. district judges (with an accompanying paper); to the Committee on the Judiciary.

AUTHORIZATION OF ALLOWANCE OF ADDITIONAL PEREMPTORY CHALLENGES IN CERTAIN CASES

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants (with an accompanying paper); to the Committee on the Judiciary.

PROTECTION OF CERTAIN OFFICERS AND EMPLOYEES OF THE UNITED STATES

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to amend section 1114 of title 18 of the United States Code, as amended, in reference to the protection of officers and employees of the United States by including probation officers of U.S. district courts (with an accompanying paper); to the Committee on the Judiciary.

USE OF CERTIFIED MAIL IN CERTAIN CASES

A letter from the Postmaster General, transmitting a draft of proposed legislation to authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes (with an accompanying paper); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the American Association of State Highway Officials, at San Francisco, Calif., relating to a defense highway system in the Territory of Hawaii; to the Committee on Public Works.

CLOSING OF NAVAL AIR STATION REPAIR FACILITY IN NUECES COUNTY, TEX.—RESOLUTION OF TEXAS HOUSE OF REPRESENTATIVES

Mr. YARBOROUGH. Mr. President, I recently had inserted in the RECORD a statement and a group of resolutions from Corpus Christi, Tex., pertaining to the order by Secretary of the Navy Thomas Gates, Jr., that the overhaul and repair department of the naval air station located in Nueces County, Tex., has been ordered closed.

I have also requested the Secretary of the Navy make proportional cutbacks in all overhaul and repair departments, rather than the entire closing of this facility—a move which would put almost 3,500 persons out of work.

In further support of my proposal and opposition to the arbitrary move by the Secretary of the Navy, Mr. President, I request unanimous consent to have printed in the RECORD a special resolution of the House of Representatives of the State of Texas introduced by State Representatives Bridges, Glusing, Hale, Parish, and Woolsey, and passed by that body on January 15, 1959.

There being no objection, the resolution was referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

House Special Resolution 14

Whereas by order of the Secretary of the Navy, the Honorable Thomas Gates, Jr., the overhaul and repair department of the naval air station located in Nueces County, Tex., has been ordered closed; and

Whereas this order, directed to this one particular area, will directly affect the jobs of some 3,400 civil service workers and probably another 10,000 persons, including the families of these workers, thereby seriously affecting the entire economy of this particular area of Texas; and

Whereas this order came as a sudden and staggering blow without any warning which might have allowed the adjustment of the economy to ease the serious financial damage to the individuals of the area affected; and

Whereas it is not the intent of this legislature to oppose the economy move on the part of our Government but rather to express our feeling that an order such as this should be made applicable to all areas on an equal basis: Now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That the Honorable Dwight D. Eisenhower, President of the United States of America, be respectfully requested to recommend to the Secretary of the Navy that he reconsider this order; that as a countermeasure he recommended a 10-percent cutback on all overhaul and repair units of all naval air stations of the U.S. Navy rather than concentrating on this one particular unit in Nueces County, Tex.

WAGGONER LOW,
Speaker of the House.

I hereby certify that House Special Resolution 14 was adopted by the House on January 15, 1959.

DOROTHY HALLMAN,
Chief Clerk of the House.

Mr. CASE of New Jersey. Mr. President, I present a resolution adopted by the Board of Commissioners of the City of Cape May, N.J., favoring the enactment of legislation to change the Labor Day holiday from the first to the second Monday in September. I ask unani-

mous consent that the resolution be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

RESOLUTION: LABOR DAY HOLIDAY

Be it resolved by the Board of Commissioners of the City of Cape May, recognizing the importance of an extended summer season, which supplies the greater part of revenue for resort towns and cities, That it is for the best interests of the city of Cape May that the Labor Day holiday be changed from the first Monday in September to the second Monday in September in each calendar year; and be it further

Resolved, That a copy of this resolution be sent to the Governor of the State of New Jersey, the members of the State legislature and all U.S. Congressmen and U.S. Senators, urging the passage of Federal legislation changing the date of the aforesaid national holiday; and be it further

Resolved, That this resolution by itself shall not change the date of the aforesaid national holiday but that the same shall be offered by the city of Cape May to the above-named officials, urging Federal legislation which will change the date of the aforesaid national holiday as prescribed by law.

Presented by Kennedy A. Hickman.
Seconded by Wm. A. Pambood.
Passed: December 30, 1958.

RESOLUTIONS OF ORGANIZATIONS OF STATE OF NEW YORK

Mr. JAVITS. Mr. President, I present, for appropriate reference, three resolutions adopted by organizations in the State of New York. I ask unanimous consent that the resolutions may be printed in the RECORD.

There being no objection, the resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Armed Services:

"RESOLUTION OF MONROE COUNTY COUNCIL, VETERANS OF FOREIGN WARS OF THE UNITED STATES

"Whereas the membership of the Veterans of Foreign Wars of the United States is composed entirely of veterans who served on foreign soil during time of war; and

"Whereas, having seen such service, we of the Veterans of Foreign Wars of the United States dread and abhor war; and

"Whereas we of the Veterans of Foreign Wars of the United States have long advocated strong defenses as a deterrent to war; and

"Whereas we have long advocated a strong stand against communism as a deterrent to war; and

"Whereas we have constantly advocated that all aggressors of the Communist combine be called to a halt in all efforts to expand communism, either by internal influences through sabotage and murder or through direct aggression; and

"Whereas a new Congress of the United States is about to be convened: Now, therefore, be it

"Resolved, That we, the members of the Monroe County Council, Veterans of Foreign Wars of the United States, call upon the new Congress to take the necessary steps to assure us of building the world's most powerful Army, Navy, Air Force, and Marine Marine Corps, properly coordinated, to provide adequate national security with superior development of atomic, hydrogen, and ballistic weapons necessary to achieve and maintain U.S. leadership in preserving world peace; be it further

"Resolved, That we advocate a strong Reserve and National Guard program in proper balance to the Military Establishment and urging the continuance of the Selective Service Act as long as present world conditions exist; be it further

"Resolved, That we urge a strong, well-financed civil defense program; be it further

"Resolved, That we again declare ourselves as militantly opposed to communism in all its forms and to any form of world government or federation which would diminish the sovereignty of the United States; be it further

"Resolved, That copies of this resolution be sent to each of the Congressmen of this area.

"Submitted by

"W. RAYMOND NOLL,
"County Commander.

"Unanimously approved at a regular meeting of the Monroe County Council on Tuesday, January 6, 1959.

"W. RAYMOND NOLL,
"Commander.
"S. F. MAINE, *Adjutant."*

To the Committee on Labor and Public Welfare:

"Whereas the International Brotherhood of Teamsters has defied not only the law but sound and long-established public policy by an arrant move to picket police headquarters and other police precincts in order to force the unionization of New York City's Police Department; and

"Whereas Mayor Robert F. Wagner and Police Commissioner Stephen P. Kennedy have courageously denounced this outrageous threat to the maintenance of the safety and security of the people and the preservation of strict discipline among those entrusted with the police powers of this community: Now, therefore, be it

"Resolved, That the New York Board of Trade, Inc., does highly commend Mayor Robert F. Wagner and Police Commissioner Stephen P. Kennedy for their forthright rejection of the brazen attempt to unionize the police department, and thus indirectly control the police power, by the International Brotherhood of Teamsters and its New York Local No. 237; and be it further

"Resolved, That the New York Board of Trade recommends to the mayor and the police commissioner that they bar all further endeavors, by whomsoever undertaken, to establish a grievance system for the men of the department which in any way vitiates the authority of the police commissioner and the powers granted him by law, necessary to the preservation of the highest degree of discipline in the organization upon which rests the majesty of the law and the protection of our society; and be it further

"Resolved, That the New York Board of Trade does hereby commend the great majority of the officers and men of the New York City Department of Police for their fealty to their oath and the faithful discharge of their grave responsibilities; and be it further

"Resolved, That the New York Board of Trade call upon the Legislature of the State of New York and upon the Congress of the United States to cause an examination of the sufficiency of existing law applying hereto and to enact forthwith, if necessary, any amendments or new legislation needed to bar the affiliation, with any local or any national union labor organization, of any police force or any law enforcement agency; and be it further

"Resolved, That the New York Board of Trade hereby does pledge to Mayor Robert F. Wagner and Police Commissioner Stephen P. Kennedy, complete support in their most commendable effort to isolate the police department of this city from any loyalty except to the people of this city through their individual oaths of office; and be it further

"Resolved, That the New York Board of Trade does hereby call upon all of the citizens of the great city of New York to give their complete support to their mayor and police commissioner in their continuing resistance to the unionization of the members of the police department."

"Whereas the Niagara Frontier is in the throes of a prolonged critical unemployment situation adversely affecting every man, woman, and child in the area; and

"Whereas, according to the U.S. Department of Labor, this area has deteriorated from a class E to a class F labor market, indicative of a very serious percentage of unemployed people with only a discouraging future outlook; and

"Whereas the unemployment, public assistance, and welfare rolls continue their unabated upward trend; and

"Whereas other areas, by highlighting the problem and joining diverse groups within their community into a united effort, have successfully combated similar situations: Be it

"Resolved, That the leaders of industrial, civic, labor, fraternal, and charitable organizations, elected officials on city, county, State, and Federal levels, retail merchants and business associations, members of the clergy, chambers of commerce, and the family of every employed and unemployed person in the counties of Erie and Niagara protest vigorously the deplorable unemployment crisis in this area, and the inadequate measures taken to alleviate a situation that directly or indirectly adversely affects every person in Erie and Niagara Counties and the surrounding environs; further

"Resolved—

"1. That all aforementitoned persons, groups, and organizations mass their combined strength at a public rally to be held in the near future at the Memorial Auditorium in Buffalo, N.Y., for the express purpose of highlighting the economic blight which is affecting the aforementioned counties; and

"2. Request that our elected representatives on city, county, State, and Federal levels attend and address this rally relative to reporting what has been accomplished to date and suggesting other possible avenues of approach to our mutual problem; and

"3. That these elected representatives join forces in a completely bipartisan effort to effect a solution to this crisis and to request from the proper U.S. governmental agency that a survey team be sent into the Niagara Frontier to ascertain the reason or reasons for the complete lack of defense contracts and/or other types of employment in our community; and

"4. That we exhort these representatives to utilize every means at their command to seek additional defense and/or other Government contracts for our area industry.

"We the undersigned are in full accord and wholeheartedly subscribe to the sentiments expressed in the foregoing resolution:

"Jan H. Kopclyrm, Mayor; F. E. Primeau, Alderman; A. P. Lamke, Alderman; Michael Lesinowski, Alderman; A. F. Pagels, President of the Council; E. P. Maziarz, Alderman; Arnold C. James, Alderman; John F. Lukasik, Alderman."

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. HICKENLOOPER in the chair) laid before the Senate messages from the President of the United States submitting sundry

nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSTON of South Carolina:

S. 419. A bill to increase the maximum rates of per diem allowance for employees of the Government traveling on official business, and for other purposes; to the Committee on Government Operations; and

S. 420. A bill to amend the Federal Employees' Group Life Insurance Act of 1954 so as to permit employees to acquire an additional unit of insurance under such act by paying both the employee's and the Government's share of the cost of the premiums thereon; to the Committee on Post Office and Civil Service.

By Mr. JOHNSTON of South Carolina (by request):

S. 421. A bill to provide certain administrative authorities for the National Security Agency, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WILLIAMS of Delaware:

S. 422. A bill to prohibit convicted felons from holding union office or employment; to the Committee on the Judiciary.

By Mr. COOPER (for himself, Mr. DOUGLAS, and Mr. LANGER):

S. 423. A bill to amend the Federal-Aid Highway Act of 1958 (72 Stat. 89) to provide additional funds for the construction of highways in labor surplus areas; to the Committee on Public Works.

(See the remarks of Mr. COOPER when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK:

S. 424. A bill for the relief of Panos Michalopoulos; and

S. 425. A bill for the relief of Klarchen Huebner; to the Committee on the Judiciary.

By Mr. O'MAHONEY (for himself and Mr. MCGEE):

S. 426. A bill to cancel irrigation maintenance and operation charges on the Shoshone Indian Mission School lands on the Wind River Indian Reservation; and

S. 427. A bill directing the Secretary of the Interior to issue a homestead patent to the heirs of Frank L. Wilhelm; to the Committee on Interior and Insular Affairs.

By Mr. ENGLE:

S. 428. A bill to provide flexibility in the operation of marketing agreement programs;

S. 429. A bill to amend section 8e of the Agricultural Adjustment Act (of 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to provide for the extension of the restrictions on imported commodities imposed by such section to all imported limes, grapefruit, lemons, mandarins, all types of oranges including temples, tangerines, murcotts, and tangeloes, dried figs, fig paste, sliced dried figs, shelled walnuts, dates with pits, dates with pits removed, and products made entirely of dates; and

S. 430. A bill to provide for the orderly marketing of turkeys and to assure consumers an adequate supply of turkeys and turkey products of wholesome quality; to the Committee on Agriculture and Forestry.

By Mr. AIKEN:

S. 431. A bill to amend title II of the Social Security Act to include Vermont among the States which may obtain social security coverage, under State agreement, for policemen and firemen in positions covered by a retirement system on the same basis as other State and local employees; to the Committee on Finance.

By Mr. JORDAN:

S. 432. A bill to amend title II of the Social Security Act to increase from $1,200 to $1,800 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Finance.

(See the remarks of Mr. JORDAN when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself and Mr. KEATING):

S. 433. A bill to authorize the conveyance to the city of New York for certain lands located in said city for park and recreational purposes; to the Committee on Government Operations.

By Mr. BARTLETT:

S. 434. A bill to provide for transferring from the Secretary of the Navy to the Secretary of the Interior jurisdiction over lands of the United States within the boundaries of Naval Petroleum Reserve No. 4, and abolishing such naval petroleum reserve; to the Committee on Armed Services.

(See the remarks of Mr. BARTLETT when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING (for himself, Mr. JAVITS, Mr. CASE of New Jersey, Mr. COOPER, and Mr. SCOTT):

S. 435. A bill to amend the Civil Rights Act of 1957 to provide that the Civil Rights Commission shall have until January 2, 1961, to submit its report, findings, and recommendations; to the Committee on the Judiciary.

(See the remarks of Mr. JAVITS when he referred to the above bill, which appear under a separate heading.)

By Mr. GORE:

S. 436. A bill to amend title II of the Social Security Act so as to eliminate the requirement that an individual must have attained the age of 50 in order to become entitled to disability insurance benefits; to the Committee on Finance.

S. 437. A bill to provide for the appointment of additional district judges for the Eastern, Middle, and Western Districts of Tennessee; to the Committee on the Judiciary.

S. 438. A bill to authorize the Atomic Energy Commission to construct a modern administration and office building at Oak Ridge, Tenn.; and

S. 439. A bill to amend the Atomic Energy Community Act of 1955 in order to authorize the Atomic Energy Commission to dispose of certain property for college purposes; to the Joint Committee on Atomic Energy.

S. 440. A bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes; to the Committee on Rules and Administration.

By Mr. KUCHEL (for himself and Mr. ENGLE):

S. 441. A bill to extend the duration of the Federal air pollution control law, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. KUCHEL when he introduced the above bill, which appear under a separate heading.)

By Mr. O'MAHONEY (for himself and Mr. KEFAUVER):

S. 442. A bill to amend the Clayton Act, as amended, by requiring prior notification of corporate mergers and acquisitions, and for other purposes; to the Committee on the Judiciary.

By Mr. GREEN (by request):

S. 443. A bill to amend the Foreign Service Act of 1946, as amended, and for other purposes; to the Committee on Foreign Relations.

(See the remarks of Mr. GREEN when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE of South Dakota:

S. 444. A bill to amend section 1073 of title 18 of the United States Code to provide for the punishment of any individual who travels in interstate or foreign commerce to avoid prosecution or punishment for indecent molestation of a minor; to the Committee on the Judiciary.

By Mr. KEATING:

S. 445. A bill for the relief of Andrea Basile; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 446. A bill to amend the International Cultural Exchange and Trade Fair Participation Act of 1956 to authorize the President to provide for participation by foreign governments and citizens of other countries in cultural and other activities in the United States, and for other purposes; to the Committee on Foreign Relations.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY (for himself, Mr. MURRAY, Mr. DOUGLAS, and Mr. JAVITS):

S. 447. A bill to provide for the establishment of a Federal Advisory Council on the Arts to assist in the growth and development of the fine arts in the United States; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 448. A bill for the relief of Mercedes Garcia;

S. 449. A bill for the relief of Clarita Martinez; and

S. 450. A bill for the relief of Lo Liang Sun Yu; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 451. A bill for the relief of Mohammed Ali Halim; to the Committee on the Judiciary.

S. 452. A bill to prohibit the issuance of public certificates of necessity and convenience to certain applicants, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FULBRIGHT:

S. 453. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Finance.

S. 454. A bill to provide for suitable works of art in Federal buildings; to the Committee on Public Works.

(See the remarks of Mr. FULBRIGHT when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. FULBRIGHT (for himself, and Mr. HUMPHREY):

S. 455. A bill to provide for the appointment of an assistant to the Secretary of State to assure joint policy and planning and equitable budgeting of exchange of persons programs and administrative cooperation between staffs engaged in carrying out such programs; to the Committee on Foreign Relations.

(See the remarks of Mr. FULBRIGHT when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself, Mr. KEATING, Mr. CASE of New Jersey, Mr. COOPER, and Mr. SCOTT):

S. 456. A bill to amend part III of the Civil Rights Act of 1957; to the Committee on the Judiciary.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 457. A bill to authorize the erection of a United States Veterans' Administration hospital in the State of Texas; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate heading.)

By Mr. McNAMARA:

S. 458. A bill for the relief of Maria Bogatkin Manea;

S. 459. A bill for the relief of Penelope Carnavas Kafos;

S. 460. A bill for the relief of Gorjana Grdjic; and

S. 461. A bill for the relief of Androula Neofitos Stephanon (Androula Kyriacou Stephanou); to the Committee on the Judiciary.

S. 462. A bill to reduce the maximum workweek under the Fair Labor Standards Act of 1938, as amended, to 35 hours, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. KEATING:

S. 463. A bill for the relief of Stanislaw (Stanislaus) Napora; and

S. 464. A bill for the relief of Julia Mydlak; to the Committee on the Judiciary.

By Mr. CLARK (for himself, Mr. BIBLE, Mr. MORSE, Mr. BEALL, and Mr. JAVITS):

S. 465. A bill to provide for the appointment of an additional judge for the juvenile court of the District of Columbia; to the Committee on the District of Columbia.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. HENNINGS (for himself, Mr. PROXMIRE, and Mr. ENGLE):

S. 466. A bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes; to the Committee on Rules and Administration.

(See the remarks of Mr. HENNINGS when he introduced the above bill, which appear under a separate heading.)

By Mr. CHAVEZ:

S. 467. A bill to amend title 11 of the Housing Amendments of 1955 (relating to public facility loans) to authorize additional financial assistance in connection with public projects made necessary by certain activities related to the national defense; to the Committee on Banking and Currency.

S. 468. A bill to provide for the conveyance of certain mineral rights to Carl Bedwell, of Yucaipa, Calif.;

S. 469. A bill to provide for the conveyance of certain mineral rights to Myrtle Golden, of Milnesand, N. Mex.;

S. 470. A bill to provide for the conveyance of certain mineral rights to Walter T. Linam, of Hobbs, N. Mex.;

S. 471. A bill to provide for conveyance of certain mineral rights to Joseph E. Shipp, of Snyder, Tex.

S. 472. A bill to provide for the conveyance of certain mineral rights to Elmer M. Gandy, of Lubbock, Tex.;

S. 473. A bill to provide for the conveyance of certain mineral rights to Richard L. Robinson, of Jal, N. Mex.;

S. 474. A bill to authorize the granting of mineral rights to certain homestead patentees who were wrongfully deprived of such rights;

S. 475. A bill to authorize the granting of oil, gas, and other hydrocarbon substances, and all rights in connection therewith and pertaining thereto, to certain homestead patentees who were wrongfully deprived of such property and rights; and

S. 476. A bill to grant to the landowners a certain percentage of the income to the Federal Government from mineral rights in lands acquired by stockraising homesteads; to the Committee on Interior and Insular Affairs.

S. 477. A bill for the relief of Joanne Lea (Buffington) Lybarger;

S. 478. A bill for the relief of John A. Lynn;

S. 479. A bill for the relief of Thomas Peter Villa;

S. 480. A bill to permit the United States to be named a party defendant in certain suits to quiet title if the United States is a necessary party thereto by reason of its right, title, or interest in or to real property acquired from the Middle Rio Grande Conservancy District of the State of New Mexico;

S. 481. A bill for the relief of Chin Yung Kao;

S. 482. A bill for the relief of Hiroyasu Hatakeyama;

S. 483. A bill for the relief of Sushil K. Verma, Kumud Verma, and Sheetal Verma;

S. 484. A bill for the relief of Ma Bong Ching.

S. 485. A bill for the relief of Jubencio Lucero, Sr., and his wife, Adela R. Lucero; and

S. 486. A bill for the relief of Joaquin A. Bazan; to the Committee on the Judiciary.

S. 487. A bill to provide for a Federal contribution toward the cost of the dam and reservoir to be constructed on the Canadian River by the State of New Mexico; and

S. 488. A bill providing for a national advisory committee on county officials to facilitate coordination of county highways in the Federal-aid highway system; to the Committee on Public Works.

By Mr. COOPER (for himself, Mr. DOUGLAS, Mr. LANGER, and Mr. HENNINGS):

S. 489. A bill to facilitate the distribution of surplus food products to needy families in the United States; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. COOPER when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING:

S. 490. A bill for the relief of Wilbur R. Dameron, Sr.; to the Committee on the Judiciary.

By Mr. GORE:

S. 491. A bill to provide for the establishment of a National Science Academy, a program of scientific scholarships, and the encouragement of the study of mathematics and science by assisting the States in providing science education; to the Committee on Labor and Public Welfare.

S. 492. A bill to repeal the act requiring the filing of certain information with respect to trade between the United States and its noncontiguous territory; to the Committee on Post Office and Civil Service.

By Mr. DIRKSEN (for himself and Mr. DOUGLAS):

S. 493. A bill to authorize the appropriat'on of $500,000 to be spent for the purpose of the Pan American games to be held in Chicago, Ill.; to the Committee on Foreign Relations.

(See the remarks of Mr. DIRKSEN when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN:

S. 494. A bill to fix the fees payable to the Patent Office and for other purposes; to the Committee on the Judiciary.

S. 495. A bill to provide for the conveyance of Hines Service Center, Hines, Ill., and Lincoln Ordnance Plant, Springfield, Ill., to the State of Illinois; to the Committee on Armed Services.

(See the remarks of Mr. DIRKSEN when he introduced the above bills, which appear under separate headings.)

By Mrs. SMITH:

S. 496. A bill to provide for the establishment of a national cemetery in the State of Maine, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. CLARK:

S. 497. A bill to amend the Employment Act of 1946 to provide for the coordinated consideration of monetary policies thereunder, and to bring to bear an informed public opinion upon price and wage increases which threaten economic stability; to the Committee on Banking and Currency.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself and Mr. KEATING):

S.J. Res. 15. Joint resolution designating the 9th day of March in each year as Amerigo Vespucci Day; to the Committee on the Judiciary.

(See the remarks of Mr. JAVITS when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. LANGER (for himself and Mr. YOUNG of North Dakota):

S.J. Res. 16. Joint resolution to designate the lake to be formed by the waters impounded by the Dickinson Dam in the State of North Dakota as "Edward Arthur Patterson Lake"; to the Committee on Public Works.

By Mr. CHAVEZ:

S.J. Res. 17. Joint resolution designating the red rose as the national flower of the United States; to the Committee on the Judiciary.

AMENDMENT OF RESOLUTION 58 OF 81ST CONGRESS, RELATING TO COMMITTEE ON SMALL BUSINESS

Mr. JOHNSON of Texas submitted a resolution (S. Res. 25) amending the resolution creating the Select Committee on Small Business, which was considered and agreed to.

(See the remarks of Mr. JOHNSON of Texas when he submitted the above resolution, which appear under a separate heading.)

PROPOSED EMERGENCY LEGISLATION FOR DEPRESSED AREAS

Mr. COOPER. Mr. President, I am introducing today two bills to provide needed emergency legislation for the depressed areas of this Nation. Of course, I am thinking of the depressed areas of Kentucky in introducing these bills.

One bill would increase the supply and kinds of surplus foods distributed to the people of the depressed areas of our Nation, and provide a more adequate diet for thousands of persons in these areas who are actually hungry.

The second bill would follow a precedent which was established last year, and would authorize the apportionment of $100 million of the funds already appropriated by the Congress for highway construction in depressed areas in order to provide more employment opportunities to the people living in those areas.

We read that this country has made a substantial recovery from the recent recession, and that production and income are at or near an alltime high. In so doing we may overlook the fact that there still are depressed areas or surplus labor areas. Thousands of people are out of work, without money, in need of clothing and are living on meager supplies of food provided from the surplus food stocks of our Government.

I have personal knowledge of the truth of this statement. Last fall, on several visits to eastern Kentucky and other depressed areas of our State, I saw this situation at firsthand. Only yesterday Governor Chandler of Kentucky advised me that he had visited 17 counties in eastern Kentucky this week, and had found conditions steadily worsening, with thousands of people in dire need of food and clothing.

The first bill which I am introducing would amend Public Law 480 in respect to the priorities between the various surplus-disposal programs of the Department of Agriculture. I know Congress passed Public Law 480 at a time of full employment, and that we were thinking of selling our surplus food wherever we could. I must admit I was surprised and rather shocked when I learned yesterday, in looking over the law, that priorities are given to the sale and disposal of surplus food abroad, and that the last priority is to the people of this country. The bill which I am introducing would amend that law to provide that first priority in the disposal of our surplus food shall be to the needy and hungry people of our own country.

The first bill which I am introducing would also amend existing law in a second respect. We know that, under section 32 of the Act of August 24, 1935, 30 percent of the customs receipts of this country go into section 32 funds to encourage and develop domestic and foreign use of our agricultural products. Today there are $400 million to $500 million in that fund. My bill would direct the Secretary of Agriculture to expend $50 million between now and the end of the fiscal year, and $100 million in the next fiscal year, to buy the additional food necessary to provide an adequate diet in the school lunch programs for school children of the country, and to augment the very limited kinds of food distributed to needy families, which at present are restricted to certain Government-owned commodities without regard to the needs of our hungry people. These foods, such as dried beans, potatoes, cooking oil, canned fruits, pork shoulder and luncheon meat, dried eggs and peanut butter, if available, would provide a better diet for the thousands who are now dependent upon surplus foods provided by the Government. I point out again that the bill would give priority to supplying the needy people of our own country over those of all other countries.

The second bill—and I hope to talk to the Public Works Committee about it—follows the precedent set last year. Last year, as an antirecession measure, we authorized an additional $400 million apportionment of road funds to the States of the Nation. My bill would authorize the apportionment of $100 million to the States to be used in surplus labor areas.

We know there are many long-term programs being considered. The distinguished senior Senator from Illinois [Mr. DOUGLAS] last year introduced what has been called the depressed areas bill, of which I was a cosponsor along with many others, and which was passed by the Congress. I hope to be able, and will, support him in such an effort again this year. In the meantime, there are people out of work and starving.

The bills which I am introducing are designed to meet an immediate need in respect to providing food and employment to needy persons.

Mr. President, I intend to let these bills lie on the desk. I know my colleague from Kentucky [Mr. MORTON] is very much interested in this problem. I know the Senators from Illinois and West Virginia are interested. I hope they will study these bills and the need for them.

Mr. President, I ask that a statement I have prepared be included in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR COOPER

I have introduced today two bills to provide needed emergency legislation for the depressed areas of Kentucky, and similar areas throughout the Nation.

One bill would increase the supply of surplus food and provide a more adequate diet for thousands of people in these areas who are actually hungry. The second bill, authorizing $100 million for highway construction in depressed areas, would provide immediate employment opportunities to the people living in these areas.

The Nation as a whole has made a spectacular recovery from the recession of 1958. Both national production and total personnel income are at an alltime high today. Yet, it is a sad fact that in those areas of the United States which are termed depressed areas, thousands of people are out of work, without money, in need of clothes, and are living on meager supplies of food provided from the surplus food stocks of our Government. I know this is true. On several visits to eastern Kentucky last fall I saw this situation at firsthand. And only this week the Governor of Kentucky, the Honorable A. B. Chandler, advised me that he had visited 17 counties in eastern Kentucky and had found conditions steadily worsening, and thousands of people in dire need of food and clothing.

In Kentucky, as in other States, long-term plans which will help the economy of these areas are in progress. In Eastern Kentucky a dam is being built at Buckhorn. The construction of Fishtrap and Pound Reservoirs, in the Big Sandy River Valley, is being urged by all of us in the Congress at well as by the people of the area to protect the people of the Big Sandy Valley.

But every step in the development of flood protection facilities is fixed by law. These projects move slowly, they are in their nature long-term programs, and cannot give immediate help to the needy people of the depressed areas.

Last year the distinguished senior Senator from Illinois [Mr. DOUGLAS], with other cosponsors, introduced depressed areas legislation for which I voted, and which I hope to cosponsor at this session of the Congress. Such legislation is needed, for it is directed at the basic long-range needs of areas of persistently high unemployment, and underemployment, such as exists in Kentucky. This program, and the existing rural development program, are needed and I shall give them my full support. But, as important as these long-range programs are, I know that unless immediate steps are taken to provide food and employment opportunities for people who are out of work, the injury to them and to the Nation will be irreparable. It is to make a beginning toward meeting immediate needs that I introduce bills today.

As I have said, the first bill would amend Public Law 480. Public Law 480 provides certain priorities in the disposal of surplus foods, including those held by the Government under its support price program. Being passed at a time when there was not the need in our own country that exists today, it gave priorities to the sale of food and to its disposal abroad. My bill is simple. It would give priority to the use of surplus food for needy people in the United States. I believe that this would make available additional supplies of food and of a wider variety of food. Among these could be listed beans, potatoes, and oil for cooking.

The bill which I have introduced would also direct the Secretary of Agriculture to use $50 million during the remainder of this fiscal year ending June 30, 1959, and $100 million during the next fiscal year, to purchase additional food. These foods, such as dried eggs, canned fruits, peanut butter and meat, if available, would provide a better diet for the thousands who are now dependent upon surplus foods provided by the Government. It is especially designed to make available to the school children in these depressed areas, school lunches with a balanced diet and with adequate supplies of food.

The second bill I introduced would amend the Federal Aid Highway Act of 1958. It would authorize the apportionment of approximately $100 million in those States in which are located surplus labor areas designated under the Defense Production Act of 1950. This sum would be apportioned to surplus labor areas, in the ratio which the unemployment in any of these areas bears to the total unemployment in all of the areas.

There is a precedent to this bill. Only last year the Congress authorized in the Federal Aid Highway Act of 1958 an additional appropriation of $400 million to the States as an antirecession measure. The bill which I propose would limit the expenditure of the $100 million to the areas in the States which are in great need.

I intend to introduce other measures next week which could give, I hope, immediate aid to these areas in our country, where people are in dire need. I have no doubt that in time our economy will again bring to full employment the people of our Nation. I must say, however, that in this intervening time, we must help those who, without fault of their own, are in need, even of clothes and food, when our economy is surging ahead, and when areas of our country are prospering greatly, and when many in our country become even richer. It would be unjust, unconscionable, if we do not help the people of the depressed areas of our country.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. COOPER. I yield to the Senator from Illinois.

Mr. DOUGLAS. I want to congratulate the Senator from Kentucky for the very statesmanlike and humanitarian measure which he has just introduced. I have been watching the Lexington, Ky., papers for some time. They give authentic reports of conditions in some of the coal mining sections of Kentucky, notably Harlan County. These reports give every evidence of being conservative. The statement was made that there is a great deal of actual starvation in the coal-mining sections of the country. I can say that there is great want and need in the coal mining counties of Illinois.

It is all too easy to sweep these needy people under the rug and forget about them. It is all too easy to say the recession is over and that we do not need to do anything but wait for prosperity to return. But we know that there were in December 4,400,000 workers completely unemployed. We also know there were several million who were partially unemployed and involuntary part-time workers; and those come to the equivalent of about 1 million full-time workers. So really there were 5 million persons out of work.

The figures for January will probably be worse. We all hope that the pickup

in the spring will sweep this condition away. But the Senator from Kentucky is performing a public service in pointing out in the meantime that there is hunger and starvation, and in proposing that surplus foods should be used to stop adults and children from starving to death in the most prosperous nation in the world.

I congratulate the Senator from Kentucky. I hope the Senator will give me the privilege of being a cosponsor of these measures. What the Senator has done today is typical of the attitude which the Senator from Kentucky takes on all public issues.

Mr. COOPER. I thank the Senator.

Mr. President, may I have unanimous consent to continue for 1 minute?

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

Mr. COOPER. Mr. President, I appreciate what the distinguished Senator has said.

We are happy, of course, about the spectacular recovery which is being made economically in this country, but it has to be said also that when many areas are beginning to prosper as they have never prospered before, and when many people are getting richer than they have ever been before, it would be unjust—I say it would be unconscionable—and a reflection on the economy of this country if we did not take steps at this time to at least help to provide the bare necessities of life itself for people who are actually in dire need, who are in hunger and in want.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will lie on the desk in accordance with the request of the Senator from Kentucky.

Mr. HENNINGS. Mr. President, I should like to commend my distinguished colleague, the Senator from Kentucky [Mr. COOPER], and tell him I shall be most happy and honored to be a cosponsor of the bill which he has presented to us this morning and on which he has so forcibly spoken.

The Senator from Kentucky is well aware of the problems involved. Indeed, there are serious, real, and desperate problems in many parts of our country. I think it devolves upon the Congress of the United States to do something about the so-called depressed areas.

The bills, introduced by Mr. COOPER, were received, appropriately referred, read twice by their titles, and ordered to lie on the desk, as follows:

By Mr. COOPER (for himself, Mr. DOUGLAS, and Mr. LANGER):

S. 423. A bill to amend the Federal-Aid Highway Act of 1958 (72 Stat. 89) to provide additional funds for the construction of highways in labor-surplus areas; to the Committee on Public Works.

By Mr. COOPER (for himself, Mr. DOUGLAS, Mr. LANGER, and Mr. HENNINGS):

S. 489. A bill to facilitate the distribution of surplus food products to needy families in the United States; to the Committee on Agriculture and Forestry.

AMENDMENT OF SOCIAL SECURITY ACT INCREASING LIMITATION OF AMOUNT EARNED BY BENEFICIARIES

Mr. JORDAN. Mr. President, I introduce for appropriate reference a bill amending title II of the Social Security Act.

My bill goes a long way, I feel, Mr. President, toward correcting a serious injustice to those people who are receiving social security benefits. The bill would increase from $1,200 to $1,800 a year the amount individuals are permitted to earn without suffering deductions from their social security benefits.

Because of the restrictions now in the law on allowable income outside social security benefits, many thousands of our senior citizens are suffering needless hardships and embarrassment. Many of them have to live virtually as paupers because of the unrealistic formulas now in the law.

I think the present limitations, Mr. President, are a serious reflection on our free-enterprise system and are not in keeping with the high level of our overall economy.

Very few people, except those, of course, who are disabled, care to become completely inactive when they reach the retirement age under the Social Security Act. Most of the individuals who do receive social security benefits have a real desire to continue working on a limited basis.

I feel this bill, Mr. President, will enable those who so desire to earn a reasonable amount of income above and beyond their social security payments without being penalized.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 432) to amend title II of the Social Security Act to increase from $1,200 to $1,800 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title, introduced by Mr. JORDAN, was received, read twice by its title, and referred to the Committee on Finance.

TRANSFER OF JURISDICTION OVER LANDS WITHIN NAVAL PETROLEUM RESERVE NO. 4

Mr. BARTLETT. Mr. President, I introduce, for appropriate reference, a bill for the purpose of turning back to the public lands of the United States a vast area in Alaska now withdrawn and set apart as a naval petroleum reserve.

This withdrawal, known as Naval Petroleum Reserve No. 4, Pet 4, for short, was set aside by President Harding by Executive Order No. 3797–A on February 27, 1923, at a time when his administration was under a searching investigation by a committee of this body for its handling of the then existing naval petroleum reserves. These are the Elk Hills reserve—Naval Petroleum Reserve No. 1—and the Buena Vista Hills reserve—Naval Petroleum Reserve No. 2—both in California, and Teapot Dome—Naval Petroleum Reserve No. 3—in Wyoming.

Criticism of the administration's action in leasing the California and Wyoming reserves obviously was responsible for setting aside of the Alaska reserve which embraces some 37,000 square miles in the great basin lying north of the Brooks Range and extending from the crest of the mountains on the south to the Arctic Ocean on the north and from the Colville River on the east to approximately the 162d meridian of longitude on the west. Point Barrow, the northernmost point of land in Alaska and Barrow Village, the northernmost inhabited settlement in the United States, is approximately in the center of the northern boundary of the reserve.

When set aside in 1923 virtually nothing was known of the geology of the region or of the lithology of the sediments and a great part of the lands had never been explored. The only evidence of the presence of oil or gas was a single seepage near Cape Simpson where a small amount of oil seeped from a hummock of ice and ran down to cover a small lake with a scum of oil.

I am further advised that in the opinion of informed persons in the Department of the Navy the area is not suitable under present day conditions for a naval petroleum reserve even if large quantities of oil were known to exist there, primarily because of its location, climate, lack of transportation, and the great expense of exploration and development. In view of the high costs involved it would not be practicable to drill a large number of wells in a proven field in this region and maintain them in a standby status pending potential future need as has been done in the Elk Hills reserve. In Elk Hills, I am told, the Navy by merely turning the valves on suspended wells can turn into the existing pipelines to refineries at San Francisco and Los Angeles in excess of 150,000 barrels daily of additional oil whenever the Congress by joint resolution authorizes its production. This is a real and valuable reserve for the military.

It is well known that the Navy, from 1944 to 1953, endeavored to determine the potential value of its portion of this vast sedimentary basin lying north of the Brooks range—Pet 4—and expended nearly $50 million in exploration for oil. After drilling 36 test wells and 40 core holes the Navy suspended operations and although no large oil fields were discovered, this meager amount of drilling in an area so large did not disprove the possible existence of large oil and gas fields in the many mammoth geologic structures disclosed by both its geological and geophysical exploration. The Navy did determine the presence of both oil and gas in this geologic basin in which the sediments exceed 20,000 feet in thickness in the deeper parts. Due to budget limitations the Department of the Navy is reluctant to supply funds from naval appropriations for the further development of its naval petroleum reserves and neither the Navy nor the Congress has, at this time, any plans for further exploration or use of the lands in this petroleum reserve. A naval petroleum reserve to be of use in time of emergency must be fully developed and ready, as is

the Elk Hills reserve, in order to serve its purpose. To hold a vast tract of land, such as that covered by this bill, idle and unused constitutes a waste and serves no useful purpose to the Government.

At the present time there is a great interest by the petroleum industry in the petroleum possibilities of several large sedimentary basins known to exist in Alaska and large areas in each have been leased for oil and gas exploration. Private interests appear now to be interested in the Barrow Basin and ready to carry on the work of exploration so ably begun by the Navy.

The Alaska Petroleum & Gas Co., Inc., has recently obtained leases on the Gubik gas structure, a structure in which the Navy indicated commercial gas reserves may be developed. If further drilling proves that adequate gas reserves exist in the Gubik structure, a gas line will be built to furnish gas to Fairbanks, including the military installations in the area, with the result that great savings can be made in the present fuel costs in the area, both by civilians and the military. High cost of fuel is one of the principal reasons for high costs of living in Alaska, and particularly in the Arctic regions.

At the present time the only region in Alaska which enjoys the use of natural gas for fuel is at Point Barrow, where the Navy discovered the small South Barrow field, which supplies gas to its camp and to other Government installations in the area. Drilling in this field has not been sufficient to determine accurately the gas reserves.

On the Umiat structure, some 25 miles southwest of the Gubik structure, the Navy found a field of high gravity oil at shallow depth. While the five productive wells drilled in this field did not produce oil in quantities sufficient to warrant its development as a naval reserve, it may well be that further drilling would develop enough oil to warrant laying a pipeline to Fairbanks—particularly if it could be constructed in connection with a gas line from the Gubik field.

This bill is very important to the people of the new State of Alaska, and when passed and approved will enable the petroleum industry to take over and continue the exploration started by Navy. It will enable private interests to develop that part of the Gubik structure within Pet 4 which cannot now be leased and developed; it will permit further exploration of the South Barrow gas field to the end that it may be possible to furnish gas therefrom to the citizens of Barrow Village and adjacent thereto; it will permit the industry to utilize fully the vast amount of information developed by the Navy in a further search for oil north of the Brooks range. This bill is important to the future economy of the State of Alaska and any oil or gas discoveries made in the region it will open up will add to both the resources of the State and the United States.

In closing my remarks, I want to call the attention of the Senate to a bill, H.R. 298, recently introduced by the Honorable CARL VINSON, chairman of the Committee on Armed Services of the House, which has for its purpose establishment of Naval Petroleum Reserve No. 5 by setting aside for the Navy the islands of San Nicolas, San Miguel, and Prince lying off the coast of southern California. These islands, if found productive of petroleum, can be developed at a reasonable cost and will be far better suited for an oil reserve for the military than is the area which is covered by the bill. Should the bill H. R. 298 ever come before this body for its consideration it will be strongly supported by me and will have my vote.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 434) to provide for transferring from the Secretary of the Navy to the Secretary of the Interior jurisdiction over lands of the United States within the boundaries of Naval Petroleum Reserve No. 4, and abolishing such naval petroleum reserve, introduced by Mr. BARTLETT, was received, read twice by its title, and referred to the Committee on Armed Services.

ELIMINATION OF AIR POLLUTION

Mr. KUCHEL. Mr. President, on behalf of myself, and my colleague, the junior Senator from California [Mr. ENGLE], I introduce, for appropriate reference, a bill to extend the duration of the Federal air pollution control law, and for other purposes.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 441) to extend the duration of the Federal air pollution control law, and for other purposes, introduced by Mr. KUCHEL (for himself and Mr. ENGLE), was received, read twice by its title, and referred to the Committee on Public Works.

Mr. KUCHEL. Mr. President, on almost any trip around our country the signs of remarkable growth and progress, of industrial and urban development, of increasing movement of our people, are impressive.

In virtually every section of the Nation, it is impossible to overlook or be unaware of significant changes in the environment in which the American people live and work. These changes, as is evident by the volume of demands for new activities and new services reaching every agency and level of government, present a succession of problems.

From the earliest moment of comprehension, Americans hear about and believe in free air. More and more it is being demonstrated that freeness of the air we breathe every moment of our lives is relative.

The supply of pure, healthful, pleasant air is in real danger of running out because of one of the grave and major environmental problems attributable to our mechanized, industrialized civilization. It long has been apparent—and I have mentioned it to the Senate on a number of occasions—that air pollution, especially in our mushrooming cities and thickly settled metropolitan areas, is a matter of grave concern and potentially of serious danger.

Four years ago, the 84th Congress enacted the Air Pollution Research and Technical Assistance Act, which I had the honor to introduce. This law authorized the Federal Government, through the U.S. Public Health Service, to carry out a 5-year program of investigation, research, and training to assist States and local governments in checking, reducing, and ultimately controlling air pollution.

Considerable progress has been made in the several elements of that program. Yet, much still remains to be done, many questions still are unanswered.

Accordingly, Mr. President, I introduce a bill for the continuance of the program and for extension of the Air Pollution Act in order that Federal agencies may pursue their efforts and provide further assistance in attempts to remove a menace which is estimated to cause $3 billion damage annually to our Nation.

Material contribution has been made by the Federal effort to difficult problems of sampling, identifying, and measuring airborne contaminants. For example, methods of analyzing gaseous contaminants, particularly hydrocarbons, present in the atmosphere of virtually every city, have been greatly improved. Such fundamental advances in knowledge are making possible definitive studies which could not have been undertaken a few years ago.

An extensive national air sampling network now is providing an objective measure of the levels and trends of air pollution. Studies of chemical, meteorological, and physical influences and of atmospheric reactions are making available new knowledge ultimately required for rational and economical control procedures.

Appraisal has been made of some important modern sources of urban pollution such as oil refineries, automobile exhausts, and combustion processes. These indeed are inevitable concomitants of our increasing mechanization and industrialization.

Scientists generally concur that the principal source of fumes which are ingredients of smog and pollution in most cities is the motor vehicle. On a number of fronts—including the automobile and petroleum industry level—this phase of the problem is under intense study.

The Federal Government each year has stepped up its pace in this field. In the past 4 years approximately $1,400,000 of the funds appropriated for air pollution work has been earmarked for investigating the part motor vehicle exhaust and combustion play in the problem. I understand that the forthcoming budget will provide a material increase over the current year figure of $700,000 in the amount for this line of research.

Significantly, the Public Health Service has progressively stepped up the proportion of its outlays for technical aspects of the automotive studies. This year and again next year 55 percent of the sums for this category of work are earmarked for what is termed engineering investigation of the motor vehicle's role in atmospheric contamination. In its own laboratories at Cincinnati, the Service is carrying on a number

of projects, sampling and determining the composition of exhausts, investigating reactions between exhaust constituents, and measuring their effects. Through research contracts and grants, it is pursuing work along five specific lines, including testing of devices and chemicals for counteracting and controlling smog-causing emissions.

Health studies have developed evidence that not only does air pollution cause much irritation to individuals but is distinctly dangerous to human health and well-being. It has been determined that low levels of air pollution may cause disease and death, certain kinds of heart disease and cancer are of higher incidence in polluted areas, ozone which is a reaction product of certain smog can cause serious lung damage, and sulfur dioxide produced by burning of many fuels obstructs breathing.

Many agencies are participating in the attack on air pollution. The Federal Government is not by any means carrying the whole load. Yet it is an indispensable partner for a number of reasons.

The Congress and the Federal Government long have been and rightly must be concerned with the health of the American people. For that reason, Mr. President, I feel the bill I am introducing is worthy of early and favorable consideration and I earnestly urge passage of this measure to continue Public Law 84–159, the Air Pollution Research and Technical Assistance Act.

I ask unanimous consent to include the text of a telegram from the Governor of California, Edmond G. Brown, asking that Public Law 84–159 be reenacted and strengthened.

I have replied to him that, in my opinion, Congress should and will do so.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

SACRAMENTO, CALIF., *January 16, 1959.*

Hon. THOMAS H. KUCHEL,
U.S. Senator
Senate Office Building,
Washington, D.C.:

Air pollution is an urgent national health problem which requires positive action by the Federal Government as well as by State and local authorities to press forward in combating this menace. I strongly recommend that you renew and expand the National Air Pollution Control Act, Public Law 159 of the 84th Congress. To abandon this constructive program in the face of the stifling smog over cities all across the United States would be both irresponsible and tragic.

EDMUND G. BROWN,
Governor of California.

FOREIGN SERVICE ACT AMENDMENTS OF 1959

Mr. GREEN. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Foreign Service Act of 1946, as amended. This bill was submitted to the Vice President by letter on December 31, 1958.

This proposed legislation has been requested by the Secretary of State, and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed at this point in the RECORD, together with the letter from the Secretary of State to the Vice President in regard to it.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 443) to amend the Foreign Service Act of 1946, as amended, and for other purposes, introduced by Mr. GREEN (by request), was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Foreign Service Act Amendments of 1959."

SEC. 2. Section 415 of such Act is amended to read as follows:

"SEC. 415. (a) There shall be 10 classes of Foreign Service staff officers and employees, referred to hereafter as staff officers and employees. The per annum salaries of staff officers and employees within each class shall be as follows:

"Class 1: $11,660, $11,990, $12,320, $12,650, $12,980, $13,310, $13,640.

"Class 2: $9,900, $10,175, $10,450, $10,725, $11,000, $11,275, $11,500.

"Class 3: $8,140, $8,415, $8,690, $8,965, $9,240, $9,515, $9,790.

"Class 4: $7,000, $7,225, $7,450, $7,675, $7,900, $8,125, $8,350.

"Class 5: $6,150, $6,350, $6,550, $6,750, $6,950, $7,150, $7,350.

"Class 6: $5,300, $5,500, $5,700, $5,900, $6,100, $6,300, $6,500.

"Class 7: $4,650, $4,800, $4,950, $5,100, $5,250, $5,400, $5,550.

"Class 8: $4,200, $4,350, $4,500, $4,650, $4,800, $4,950, $5,100.

"Class 9: $3,750, $3,900, $4,050, $4,200, $4,350, $4,500, $4,650.

"Class 10: $3,500, $3,600, $3,700, $3,800, $3,900, $4,000, $4,100.

"(b) Notwithstanding the provisions of paragraph (a) of this section, the Secretary may, under such regulations as he may prescribe, fix the salary or compensation at lesser rates of salary than those prescribed by this section for the applicable class of officers or employees who are employed locally abroad and who are not available or are not qualified for transfer to another post or posts."

SEC. 3. Section 416 of such Act is amended to read as follows:

"SEC. 416. (a) A person appointed as a staff officer or employee shall receive basic salary at one of the rates of the class to which he is appointed which the Secretary shall, taking into account his qualifications and experience and the needs of the Service, determine to be appropriate for him to receive.

"(b) Whenever the Secretary determines that the needs of the Service warrant the appointment of staff officers or employees in a particular occupational group uniformly at a specific step rate above the minimum rate of the applicable class, he may adjust the basic salary of any staff officer or employee in the same class and occupational group who is receiving less than such established uniform step rate."

SEC. 4. Section 431 of such Act is amended by striking out in the first sentence of subparagraph (a) the phrase "the termination of time spent on authorized leave, whichever shall be later," and inserting in lieu thereof the phrase "upon termination of his service in accordance with the provisions of paragraph (b) of this section,"; and by amending subparagraph (b) of this section to read as follows:

"(b) The official services of a chief of mission shall not be deemed terminated by the appointment of a successor but shall continue until he has relinquished charge of the mission and for such additional period as may be determined by the Secretary, but in no case shall such additional period exceed fifty days, including time spent in transit. During such period the Secretary may require him to render such services as he may deem necessary in the interests of the Government".

SEC. 5. Section 441 of such Act and the heading thereto is amended to read as follows:

"CLASSIFICATION OF POSITIONS IN THE FOREIGN SERVICE AND IN THE DEPARTMENT

"SEC. 441. (a) Under such regulations as he may prescribe, and in order to facilitate effective management, the Secretary shall classify all positions in the Service at posts abroad, excluding positions to be occupied by chiefs of mission, and in the case of those occupied by Foreign Service officers, Reserve officers, and staff officers and employees, he shall establish such positions in relation to the classes established by sections 412, 414, and 415, respectively. Positions occupied by local employees and consular agents, respectively, shall be allocated to such classes as the Secretary may establish by regulation.

"(b) Under such regulations as he may prescribe, the Secretary may, notwithstanding the provisions of the Classification Act of 1949, as amended (5 U.S.C. 1071, et seq.), classify positions in or under the Department which he designates as Foreign Service positions to be occupied by officers and employees of the Service, and establish such positions in relation to the classes established by sections 412, 414, and 415."

SEC. 6. (a) Section 444. (a) of such Act is amended by striking out "444. (a)" and inserting "444" in lieu thereof which shall read as follows:

"SEC. 444. The Secretary shall, in accordance with such regulations as he may prescribe, establish schedules of salaries for classes of positions of local (alien) employees of the Service; provided that such schedules of salaries for local employees shall be based upon prevailing wage rates and related compensation practices for corresponding types of positions in the locality, as is consistent with the public interest."

(b) Section 444. (b) of such Act is hereby repealed.

SEC. 7. A new section 447 is hereby added to such Act, as follows:

"ADMINISTRATIVE ESTABLISHMENT OF HAZARDOUS DUTY PAY FOR CERTAIN CATEGORIES OF OFFICERS AND EMPLOYEES

"SEC. 447. The Secretary may, under such regulations as he may prescribe, establish rates of salary differential, not exceeding 15 per centum of basic salary, for officers or employees of the Service while they are assigned for duty as couriers."

SEC. 8. Section 517 of such Act is amended by striking the second and third sentences thereof.

SEC. 9. (a) Section 520 and the heading thereto is amended by striking out in the heading the phrase "Reinstatement and Recall" and substituting in lieu thereof the phrase "Reappointment, Recall, or Reemployment"; and by amending paragraph (b) to read as follows:

"(b) The Secretary may recall any retired Foreign Service officer temporarily to active duty in the Service whenever he shall

determine such recall is in the public interest".

(b) Section 520 of such Act is further amended by adding at the end thereof a new paragraph (c) which shall read as follows:

"(c) Notwithstanding the provisions of 5 U.S.C. 62 and 5 U.S.C. 715a, a Foreign Service officer heretofore or hereafter retired under the provisions of section 631 or 632 or a Foreign Service staff officer or employee hereafter retired under the provisions of section 803 shall not, by reason of his retired status, be barred from employment in Federal Government service in any appointive position for which he is qualified. An annuitant so reemployed shall serve at the will of the appointing officer".

SEC. 10. Section 522 of such Act is amended by adding at the end thereof a new subparagraph (3) which shall read as follows:

"(3) extend the appointment or assignment of any Reserve officer, or continue the services of any such Reserve officer by reappointment without regard to the provisions of section 527 of this Act, for not more than five additional years if the Secretary deems it to be in the public interest to continue such officer in the Service, except that the assignment of any Reserve officer under paragraph (2) above may not be extended under the provisions of this paragraph without the consent of the head of the agency concerned."

SEC. 11. Section 531 of such Act is amended to read as follows:

"SEC. 531. The Secretary may, under such regulations as he may prescribe, appoint staff officers and employees on the basis of qualifications and experience. The Secretary may make provisions for temporary, limited, and such other type appointments as he may deem necessary. He is authorized to establish appropriate probationary periods during which newly appointed staff officers or employees, other than those appointed for temporary or limited service shall be required to serve. The Secretary may terminate at any time, without regard to the provisions of section 637, or the provisions of any other law, staff officers or employees appointed for temporary or limited service and other staff officers or employees who occupy probationary status."

SEC. 12. Section 532 of such Act is amended to read as follows:

"SEC. 532. Under such regulations as he may prescribe, the Secretary may assign a staff officer or employee to any post or he may assign him to serve in any position in which he is eligible to serve under the terms of this or any other Act. A staff officer or employee may be transferred from one post to another by order of the Secretary as the interests of the Service may require."

SEC. 13. (a) Paragraphs (a), (b), and (c) of section 571 of such act are amended to read as follows:

"SEC. 571. (a) Any officer or employee of the Service may, in the discretion of the Secretary, be assigned or detailed for duty in any Government agency, or in any international organization, international commission, or any international body, such an assignment or combination of assignments to be for a period of not more than 4 years, except that under special circumstances the Secretary may extend this 4-year period for not more than 4 additional years.

"(b) If a Foreign Service officer shall be appointed by the President, by and with the advice and consent of the Senate, or by the President alone to a position in any Government agency, any United States delegation or mission to any international organization, international commission, or any international body, the period of his service in such capacity shall be construed as constituting an assignment within the meaning of paragraph (a) of this section and such person shall not, by virtue of the acceptance of such an assignment, lose his status as a Foreign Service officer. Service in such a position shall not, however, be subject to the limitations concerning the duration of an assignment contained in that paragraph.

"(c) If the basic minimum salary of the position to which an officer or employee of the Service is assigned pursuant to the terms of this section is higher than the salary such officer or employee is entitled to receive as an officer or employee of the Service, such officer or employee shall, during the period such difference in salary exists, receive the salary and allowances of the position in which he is serving in lieu of his salary and allowances as an officer or employee of the Service. Any salary paid under the provisions of this section shall be paid from appropriations made available for the payment of salaries of officers and employees of the Service and shall be the salary on the basis of which computations and payments shall be made in accordance with the provisions of title VIII. No officer or employee of the Service who, subsequent to the effective date of this act is assigned to, or who after June 30, 1960, occupies a position in the Department that is designated as a Foreign Service position shall be entitled to receive a salary differential under the provisions of this paragraph."

(b) Paragraph (e) of section 571 of such act is amended by striking the phrase "with heads of Government agencies" where it appears in the second sentence and by redesignating the paragraph as "(d)."

SEC. 14. Section 625 of such act is amended to read as follows:

"SEC. 625. Any Foreign Service officer or any Reserve officer, whose services meet the standards required for the efficient conduct of the work of the Service and who shall have been in a given class for a continuous period of 9 months or more, shall, on the first day of each fiscal year, receive an increase in salary to the next higher rate for the class in which he is serving. Without regard to any other law the Secretary is authorized to grant to any such officer additional increases in salary within the salary range established for the class in which he is serving, based upon especially meritorious service."

SEC. 15. The heading "Part D. Separation of Foreign Service Officers From the Service" under title VI of such Act is amended to read as follows: "Part D. Separation of Officers and Employees From the Service."

SEC. 16. Section 631 of such Act is amended to read as follows:

"SEC. 631. Any Foreign Service officer who is a career ambassador or a career minister, other than one occupying a position as chief of mission or any other position to which he has been appointed by the President, by and with the advice and consent of the Senate, shall, upon reaching the age of sixty-five, be retired from the Service and receive retirement benefits in accordance with the provisions of section 821, but whenever the Secretary shall determine it to be in the public interest, he may extend such an officer's service for a period not to exceed five years."

SEC. 17. Section 632 of such Act is amended to read as follows:

"SEC. 632. Any Foreign officer, other than one occupying a position as chief of mission or any other position to which he has been appointed by the President, by and with the advice and consent of the Senate, who is not a career ambassador or a career minister shall, upon reaching the age of sixty, be retired from the Service and receive retirement benefits in accordance with the provisions of section 821 but whenever the Secretary shall determine it to be in the public interest, he may extend such an officer's service for a period not to exceed five years."

SEC. 18. (a) Paragraphs (a), (b), (c), and (d) of section 637 of such Act and the heading thereto are amended to read as follows:

"SEPARATION FOR CAUSE

"SEC. 637. (a) The Secretary may, under such regulations as he may prescribe, separate from the Service any Foreign Service officer, Reserve officer, or staff officer or employee, on account of the unsatisfactory performance of his duties, or for such other cause as will promote the efficiency of the Service, and for reasons given in writing, but no such officer or employee shall be so separated until he shall have been granted a hearing by the Board of the Foreign Service and the unsatisfactory performance of his duties, or other cause for separation, shall have been established at such hearing, or else he shall have waived in writing his right to a hearing. The provisions of this section shall not apply to Foreign Service officers of class 8 or any other officer or employee of the Service who is in a probationary status or whose appointment is limited or temporary.

"(b) Any participant in the Foreign Service Retirement and Disability system who is:

"(1) over forty-five years of age, separated from the Service for unsatisfactory performance of duty shall be retired upon an annuity computed in accordance with the provisions of section 821 but not in excess of 25 per centum of his per annum salary at the time of his separation;

"(2) under forty-five years of age, separated from the Service for unsatisfactory performance of duty shall at the time of separation receive a payment equal to one year's salary or the refund, as provided in section 841(a), of the contributions made by him to the Foreign Service Retirement and Disability Fund, whichever shall be greater.

"(c) Any participant in the Foreign Service Retirement and Disability system separated under the provisions of paragraph (a) of this section, for reasons other than unsatisfactory performance of duty, may, in the discretion of the Secretary and on the basis of criteria established in advance by him, be granted the benefits of paragraph (b) of this section depending upon his age. Unless the Secretary determines at the time of separation of a participant under the provisions of paragraph (a) of this section that he shall be granted the benefits of paragraph (b) of this section his contributions to the Foreign Service Retirement and Disability Fund shall be returned to him in accordance with the provisions of section 841(a).

"(d) Any officer or employee of the Service who is not a participant in the Foreign Service retirement and disability system shall be entitled only to such benefits as shall accrue to him under the retirement system in which he is a participant."

(b) Section 637 of such Act is further amended by adding at the end thereof a new paragraph (e) which shall read as follows:

"(e) Any payments made in accordance with the provisions of paragraph (b) or (c) of this section shall be made out of the Foreign Service Retirement and Disability Fund."

SEC. 19. Section 638 of such Act and the heading thereto are amended to read as follows:

"TERMINATION OF APPOINTMENT OF FOREIGN SERVICE RESERVE OFFICERS AND STAFF OFFICERS AND EMPLOYEES UNDER LIMITED APPOINTMENT

"SEC. 638. Notwithstanding the provisions of this or any other law, the Secretary may, under such regulations as he may prescribe, terminate the services of any Reserve officer or staff officer or employee serving under limited appointment at any time."

SEC. 20. Section 641 of such Act is amended to read as follows:

"SEC. 641. All promotions of staff officers and employees to a higher class shall be made at the same or at a higher salary on the basis of performance and merit in accordance with such regulations as the Secretary may prescribe."

SEC. 21. Section 642 of such Act is amended to read as follows:

"SEC. 642. (a) Under such regulations as the Secretary may prescribe, any staff officer or employee whose services meet the standards required for the efficient conduct of the work of the Service shall receive an increase in salary at periodic intervals to the next higher salary rate for the class in which he is serving. Without regard to any other law the Secretary is authorized to grant any such officer or employee additional increases in salary within the salary range established for the class in which he is serving, based upon especially meritorious service.

"(b) Under such regulations as the Secretary may prescribe, any staff officer or employee who has achieved the maximum salary rate prescribed by section 415 for the class in which he is serving may be granted an additional in-class salary increment from time to time in recognition of longevity and proficiency in the Service. Each such salary increment shall be equal to the maximum step rate increment of the applicable class and no person shall receive more than four such salary increments while serving in the same class."

SEC. 22. Section 701 of such act is amended by adding at the end thereof a new sentence which shall read as follows: "The Secretary may also provide appropriate orientation and language training to dependents of officers and employees of the Government if such officers and employees are assigned to foreign relations activities."

SEC. 23. Section 704 of such act is amended by adding at the end thereof a new paragraph (e) which shall read as follows:

"(e) The Secretary may, under such regulations as he may prescribe, in the absence of suitably qualified United States citizens, employ persons who are not citizens of the United States by appointment to the staff of the Institute either on a full- or part-time basis or by contract for services in the United States or abroad at rates not in excess of those provided by the Classification Act of 1949, as amended (5 U.S.C. 1071)".

SEC. 24. (a) Section 803(b)(2) of such act is amended to read as follows: "(2) have paid into the fund a special contribution for each year of such service in accordance with the provisions of paragraph (b) of section 852."

(b) Section 803 is further amended by adding at the end thereof a new paragraph (c) which shall read as follows:

"(c) (1) In accordance with such regulations as the President may prescribe, any Foreign Service staff officer or employee appointed by the Secretary of State who has completed at least 10 years of continuous service in the Department's Foreign Service, exclusive of military service, shall become a participant in the Foreign Service retirement and disability system and shall make a special contribution to the Foreign Service Retirement and Disability Fund in accordance with the provisions of section 852.

"(2) Any such officer or employee who, under the provisions of paragraph (c)(1) of this section, becomes a participant in the Foreign Service retirement and disability system, shall be mandatorily retired for age during the first year after the effective date of this section if he attains age 64 or if he is over age 64; during the second year at age 63; during the third year at age 62; during the fourth year at age 61, and thereafter at age 60".

SEC. 25. Section 804 of such Act is amended to read as follows:

"SEC. 804. (a) Annuitants shall be persons who are receiving annuities from the fund on the effective date of this Act and all persons, including widows, widowers, dependent widowers, children, and beneficiaries of participants or annuitants who shall become entitled to receive annuities in accordance with the provisions of this Act, as amended, or in accordance with the provisions of section 5 of the Act of May 1, 1956 (70 Stat. 125).

"(b) When used in this title the term—

"(1) 'Widow' means the surviving wife of a participant who was married to such participant for at least 2 years immediately preceding his death or is the mother of issue by such marriage.

"(2) 'Widower' means the surviving husband of a participant who was married to such participant for at least 2 years immediately preceding her death or is the father of issue by such marriage.

"(3) 'Dependent widower' means the surviving husband of a participant who was married to such participant for at least 2 years immediately preceding her death or is the father of issue by such marriage, and who is incapable of self-support by reason of mental or physical disability, and who received more than one-half of his support from such participant.

"(4) 'Child' means an unmarried child, including (a) an adopted child, and (b) a stepchild or recognized natural child who received more than one-half of his support from the participant, under the age of 18 years, or such unmarried child regardless of age who because of physical or mental disability incurred before age 18 is incapable of self-support".

SEC. 26. Section 811 of such Act is amended by striking out the word "Five" and by inserting the words "Six and one-half".

SEC. 27. (a) Paragraphs (a), (b), and (c) of section 821 of such Act are amended to read as follows:

"SEC. 821. (a) The annuity of a participant shall be equal to 2 per centum of his average basic salary for the highest five consecutive years of service, for which full contributions have been made to the Fund, multiplied by the number of years, not exceeding thirty-five, of service credit obtained in accordance with the provisions of sections 851, 852, and 853. However, the highest five years of service for which full contributions have been made to the Fund shall be used in computing the annuity of any Foreign Service officer who serves as chief of mission and whose continuity of service as such is interrupted prior to retirement by appointment or assignment to any other position determined by the Secretary to be of comparable importance. In determining the aggregate period of service upon which the annuity is to be based, the fractional part of a month, if any, shall not be counted.

"(b) At the time of retirement, any participant may, except as otherwise provided by section 834(a), elect to receive a reduced annuity and to provide for an annuity payable to his widow or her widower, commencing on the date following such participant's death and terminating upon the death of such surviving widow or widower. The annuity payable to the surviving widow or widower after such participant's death shall be fifty per centum of the amount of the participant's annuity, up to the full amount of his annuity, specified by him as the base for the survivor benefits computed as prescribed in paragraph (a) of this section. The annuity of the participant making such election shall be reduced by 2½ per centum of any amount up to $2,400 he specifies as the base for the survivor benefit plus ten per centum of any amount over $2,400 up to the full amount of the participant's annuity so specified.

"(c)(1) If an annuitant who made the election provided for in paragraph (b) of this section dies and is survived by a widow or widower and by a child or children, there shall be paid to or on behalf of each child, in addition to the annuity payable to the surviving widow or widower under such election, an annuity equal to the smallest of: (i) 40 per centum of the annuitant's average salary divided by the number of children; (ii) $600; or (iii) $1,800 divided between the number of children.

"(2) If an annuitant who did not make the election provided for in paragraph (b) dies and is survived by a widow or widower and by a child or children, or if such annuitant is not survived by a widow or widower but by a child or children, each surviving child shall be paid an annuity equal to the smallest of: (i) 50 per centum of the annuitant's average salary divided by the number of children; (ii) $720; or (iii) $2,160 divided between the number of children".

(b) Section 821 of such Act is further amended by adding new paragraphs (d), (e), and (f) which shall read as follows:

"(d) If a surviving widow or widower who is receiving an annuity in accordance with the provisions of paragraph (b) of this section dies or the annuity of a child is terminated, the annuity of any other child or children shall be recomputed and paid as though such wife, husband, or child has not survived the participant.

"(e) The annuity payable to a child under paragraphs (c) or (d) of this section shall begin on the first day of the next month after the participant dies and such annuity or any right thereto shall be determined upon death, marriage, or attainment of the age of eighteen years, except that, if a child is incapable of self-support by reasons of mental or physical disability, the annuity shall be terminated only when such child dies, marries, or recovers from such disability.

"(f) A participant who is not entitled to designate a beneficiary in accordance with the provisions of paragraph (b) of this section may at the time of retirement elect to receive a reduced annuity for himself and to provide for an annuity payable after his or her death to a beneficiary whose name shall be notified in writing to the Secretary. The participant may elect that such beneficiary shall receive annuity payments either equal to 50 per centum of the participant's full annuity or to such lesser base sum as the participant shall designate. The annuity payable to a participant making such election shall be reduced by 10 per centum of an annuity computed as provided in subsection (a) of this section and by 5 per centum of an annuity so computed for each full five years the person designated is younger than the retiring participant, but such total reduction shall not exceed 40 per centum. Upon the death of the surviving beneficiary all payments shall cease and no further annuity payments shall be due or payable. No such election of a reduced annuity payable to a beneficiary shall be valid until the participant shall have satisfactorily passed a physical examination as prescribed by the Secretary."

SEC. 28. (a) Paragraphs (a), (b), and (c) of section 831 of such Act are amended to read as follows:

"SEC. 831. (a) Any participant who has five years of service credit toward retirement under the system, excluding military or naval service that is credited in accordance with the provisions of section 851 or 852(a)(2), and who becomes totally disabled or incapacitated for useful and efficient service by reason of disease, illness, or injury not due to vicious habits, intemperance, or willful misconduct on his part, shall, upon his own application or upon order of the Secretary, be retired on an annuity computed as prescribed in section 821. If the disabled or incapacitated participant has less than twenty years of service credit toward his retirement under the system at the time he is retired, his annuity shall be computed on the assumption that he had had twenty years of service, but the additional service credit that may accrue to a participant under this provision shall in no case exceed the difference between his age at the time of retirement and the mandatory retirement age applicable to his class in the Service.

"(b) In each case such disability shall be determined by the Secretary upon the basis of the advice of one or more duly qualified physicians or surgeons, designated by the Secretary to conduct examinations. Unless the disability is permanent, like examinations shall be made annually until the annuitant has reached the statutory mandatory retirement age for his class in the Service. If the Secretary determines, on the basis of the advice of one or more duly qualified physicians or surgeons conducting such examinations that an annuitant has recovered to the extent that he can return to active duty, the annuitant shall be given the opportunity to be reinstated or reappointed in the Service. The Secretary may reinstate any such recovered disability annuitant in the class in which he was serving at time of retirement. The Secretary may, taking into consideration the age, qualifications, and experience of such officer and the rank of his contemporaries in the Service, recommend that the President, by and with the advice and consent of the Senate, appoint him to a class higher than the one in which he was serving prior to retirement. Payment of the annuity shall continue until a date six months after the date of the examination showing recovery or until the date of reinstatement to active duty in the Service, whichever is earlier. Fees for examinations under this provision, together with reasonable traveling and other expenses incurred in order to submit to examination, shall be paid out of the Fund. If the annuitant fails to submit to examination as required under this section, payment of the annuity shall be suspended until continuance of the disability is satisfactorily established.

"(c) If a recovered disability annuitant whose annuity is discontinued is for any reason not reinstated to active duty, or reappointed to a higher class in the Service, he shall be considered to have been separated within the meaning of section 834 as of the date he was retired for disability and he shall, after the discontinuance of the disability annuity, be entitled to the benefits of that section or of section 841(a) except that he may elect voluntary retirement in accordance with the provisions of section 636 if he can qualify under its provisions."

(b) Section 831 of such Act is further amended by adding new paragraphs (d), (e), and (f) which shall read as follows:

"(d) No participant shall be entitled to receive an annuity under this Act and compensation for injury or disability to himself under the Federal Employees' Compensation Act of September 7, 1916, as amended, covering the same period of time. This provision shall not bar the right of any claimant to the greater benefit conferred by either Act for any part of the same period of time. Neither this provision nor any provision of the Act of September 7, 1916, as amended, shall be so construed as to deny the right of any person to receive an annuity under this Act by reason of his own services and to receive concurrently any payment under such Act of September 7, 1916, as amended, by reason of the death of some other persons.

"(e) Notwithstanding any provision of law to the contrary, the right of any participant entitled to an annuity under this Act shall not be affected because such participant has received an award of compensation in a lump sum under section 14 of the Act of September 7, 1916, as amended, except that where such annuity is payable on account of the same disability for which compensation under such section has been paid, so much of such compensation as has been paid for any period extended beyond the date such annuity becomes effective, as determined by the Secretary of Labor, shall be refunded to the Department of Labor, to be paid into the Federal Employees' Compensation Fund. Before such person shall receive such annuity he shall (1) refund to the Department of Labor the amount representing such computed payments for such extended period, or (2) authorize the deduction of such amount from the annuity payable to him under this Act, which amount shall be transmitted to such Department for reimbursement to such Fund. Deductions from such annuity may be made from accrued and accruing payments, or may be prorated against and paid from accruing payments in such manner as the Secretary of Labor shall determine, whenever he finds that the financial circumstances of the annuitant are such as to warrant such deferred refunding".

SEC. 29. Section 832 of such Act is amended to read as follows:

"SEC. 832. (a) In case a participant shall die and no valid claim for annuity is payable under the provisions of this Act, his contributions to the Fund, with interest, shall be paid in accordance with the provisions of sections 841(a) and 881.

"(b) If a participant who has at least 5 years of service credit toward retirement under the system, excluding military or naval service that is credited in accordance with the provisions of sections 851 or 852(a)(2), dies before separation or retirement from the Service and is survived by a widow or a dependent widower, who qualified for an annuity under the provisions of paragraph (b) of section 821, such widow or dependent widower shall be entitled to an annuity equal to 50 per centum of the annuity computed in accordance with the provisions of paragraph (e) of this section and paragraph (a) of section 821. The annuity of such widow or dependent widower shall commence on the date following death of the participant and shall terminate upon death of the widow or dependent widower, or upon the dependent widower's becoming capable of self-support.

"(c) If a participant who has at least 5 years of service credit toward retirement under the system, excluding military or naval service that is credited in accordance with the provisions of sections 851 or 852(a)(2), dies before separation or retirement from the service and is survived by a widow or a dependent widower, who qualifies for an annuity under the provisions of paragraph (b) of section 821, and a child or children, each surviving child shall be entitled to an annuity computed in accordance with the provisions of paragraph (c)(1) of section 821. The child's annuity shall begin and be terminated in accordance with the provisions of paragraph (e) of section 821. Upon the death of the surviving widow or dependent widower or termination of the annuity of a child, the annuity of any other child or children shall be recomputed and paid as though such widow or dependent widower or child had not survived the participant.

"(d) If a participant who has at least 5 years of service credit toward retirement under the system, excluding military or naval service that is credited in accordance with the provisions of sections 851 or 852(a)(2), dies before separation or retirement from the service and is not survived by a widow or widower, but by a child or children, each surviving child shall be entitled to an annuity computed in accordance with the provisions of paragraph (c)(2) of section 821.

"(e) If, at the time of his or her death, the deceased participant had less than 20 years of service credit toward retirement under the system, the annuities payable in accordance with paragraph (b) of this section shall be computed in accordance with the provisions of section 821 on the assumption he or she had had 20 years of service, but the additional service credit that may accrue to a deceased participant under this provision shall in no case exceed the difference between his or her age on the date of death and the mandatory retirement age applicable to his or her class in the Service. In all cases arising under paragraphs (b), (c), (d), or (e) of this section, it shall be assumed that the deceased participant was qualified for retirement on the date of his death".

SEC. 30. A new section 834 is hereby added to such Act as follows:

"DISCONTINUED SERVICE RETIREMENT

"SEC. 834. (a) Any participant who voluntarily separates from the Service after obtaining at least 5 years of service credit toward retirement under the system, excluding military or naval service that is credited in accordance with the provisions of sections 851 or 852(a)(2), may, upon separation from the Service or at any time prior to becoming eligible for an annuity, elect to have his contributions to the Fund returned to him in accordance with the provisions of section 841, or to leave his contributions in the Fund and receive an annuity, computed as prescribed in section 821 commencing at the age of 60 years. The provisions of paragraph (f) of section 821 shall not be applicable to such participants.

"(b) If a participant who has qualified in accordance with the provisions of paragraph (a) of this section, to receive a deferred annuity commencing at the age of 60 dies before reaching the age of 60 his contributions to the Fund, with interest, shall be paid in accordance with the provisions of sections 841 and 881".

SEC. 31. Section 841 of such Act is amended to read as follows:

"SEC. 841. (a) Whenever a participant becomes separated from the Service without becoming eligible for an annuity or a deferred annuity in accordance with the provisions of this Act, the total amount of contributions from his salary with interest thereon at 4 per centum per annum, compounded annually at the end of each fiscal year through June 30, 1958; semiannually as of December 31, 1958; annually thereafter as of December 31, and proportionately for the period served during the year of separation including all contributions made during or for such period, except as provided in section 881, shall be returned to him.

"(b) In the event that the total contributions of a retired participant, other than voluntary contributions made in accordance with the provisions of section 881, with interest at 4 per centum per annum compounded annually as is provided in paragraph (a) of this section added thereto, exceed the total amount returned to such participant or to an annuitant claiming through him, in the form of annuities, accumulated at the same rate of interest up to the date the annuity payments cease under the terms of the annuity, the excess of the accumulated contributions over the accumulated annuity payments shall be paid in the following order of precedence, upon the establishment of a valid claim therefor, and such payment shall be a ban to recovery by any other person:

"(1) To the beneficiary or beneficiaries designated by the retired participant in writing to the Secretary;

"(2) If there be no such beneficiary, to the widow or widower of such participant;

"(3) If none of the above, to the child or children of such participant and descendants of deceased children by representation;

"(4) If none of the above, to the parents of such participant or the survivor of them;

"(5) If none of the above, to the duly appointed executor or administrator of the estate of such participant;

"(6) If none of the above, to other next of kin of such participant as may be determined by the Secretary in his judgment to be legally entitled thereto.

"(c) No payment shall be made pursuant to paragraph (b) (6) of this section until after the expiration of thirty days from the death of the retired participant or his surviving annuitant."

SEC. 32. Section 851 of such Act is amended to read as follows:

"SEC. 851. For the purposes of this title, the period of service of a participant shall be computed from the effective date of appointment as a Foreign Service officer, or, if appointed prior to July 1, 1924, as an officer or employee of the Diplomatic or Consular Service of the United States, or who becomes a participant under the provisions of this Act, as amended, but all periods of separation from the Service and so much of any leaves of absence without pay as may exceed six months in the aggregate in any calendar year shall be excluded, except leaves of absence while receiving benefits under the Federal Employees' Compensation Act of September 7, 1916, as amended, and leaves of absence granted participants while performing active and honorable military or naval service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States".

SEC. 33. (a) Paragraphs (a), (b), and (c) of section 852 of such Act are amended to read as follows:

"(a) A participant may, subject to the provisions of this section, include in his period of service—

"(1) service performed as a civilian officer or employee of the Government, including the municipal government of the District of Columbia, prior to becoming a participant; and

"(2) active and honorable military or naval service in the Army, Navy, Marine Corps, Air Force, or Coast Guard of the United States.

"(b) A person may obtain prior civilian service credit in accordance with the provisions of paragraph (a) (1) of this section by making a special contribution to the Fund equal to 5 per centum of his basic annual salary for each year of service for which credit is sought subsequent to July 1, 1924, and prior to the effective date of this Act, and at 6½ per centum thereafter with interest compounded annually at 4 per centum per annum to the date of payment. Any such participant may, under such conditions as may be determined in each instance by the Secretary, pay such special contributions in installments.

"(c) (1) If an officer or employee under some other government retirement system, becomes a participant in the Foreign Service Retirement and Disability System by direct transfer, such officer or employee's total contributions and deposits, including interest accrued thereon, except voluntary contributions, shall be transferred to the Foreign Service Retirement and Disability Fund effective as of the date such officer or employee becomes a participant in the system. Each such officer or employee shall be deemed to consent to the transfer of such funds and such transfer shall be a complete discharge and acquittance of all claims and demands against the other government retirement fund on account of service rendered prior to becoming a participant in the Foreign Service Retirement and Disability System.

"(2) No officer or employee, whose contributions are transferred to the Foreign Service Retirement and Disability Fund in accordance with the provisions of paragraph (c) (1) of this section, shall be required to make contributions in addition to those transferred, for periods of service for which full contributions were made to the other government retirement fund, nor shall any refund be made to any such officer or employee on account of contributions made during any period to the other government retirement fund, at a higher rate than that fixed by section 811 of this Act for contributions to the Foreign Service Retirement and Disability System.

"(3) No officer or employee, whose contributions are transferred to the Foreign Service Retirement and Disability Fund in accordance with the provisions of paragraph (c) (1) of this section, shall receive credit for periods of prior service for which a refund of contributions has been made, or for which no contributions were made to the other Government retirement fund. A participant may, however, obtain credit for such prior service by making a special contribution to the Foreign Service Retirement and Disability Fund in accordance with the provisions of paragraph (b) of this section".

(b) Section 852 of such Act is further amended by adding at the end thereof new paragraphs (d) and (e) which shall read as follows:

"(d) No participant may obtain prior civilian service credit toward retirement under the Foreign Service Retirement and Disability system for any period of civilian service on the basis of which he is receiving or will in the future be entitled to receive any annuity under another retirement system covering civilian personnel of the Government.

"(e) A participant may obtain prior military or naval service credit in accordance with the provisions of paragraph (a) (2) of this section by applying for it to the Secretary prior to retirement or separation from the Service, but in the case of a participant who is eligible for and receives retired pay on account of military or naval service, the period of service upon which such retired pay is based shall not be included except that in the case of a participant who is eligible for and receives retired pay on account of a service-connected disability incurred in combat with an enemy of the United States or resulting from an explosion of an instrument of war and incurred in line of duty during an enlistment or employment as provided in Veterans Regulation Numbered 1(a), part I, paragraph I, or is awarded under title III of Public Law 810, 80th Congress, the period of such military or naval service shall be included. No contributions to the Fund shall be required in connection with military or naval service credited to a participant in accordance with the provisions of paragraph (a) (2) of this section".

SEC. 34. The heading "Part H. Officers reinstated in the Service" under title VIII of such act is amended to read as follows: "Part H. Annuitants Recalled or Reinstated in the Service or Reemployed in the Government".

SEC. 35. Section 871 of such Act is amended and a heading is added thereto as follows:

"RECALL

"SEC. 871. Any annuitant recalled to active duty in the Service in accordance with the provisions of paragraph (b) of section 520 or paragraph (b) of section 831 shall, while so serving, be entitled in lieu of his retirement allowance to the full pay of the class in which he is serving. During such service, he shall make contributions to the Fund in accordance with the provisions of section 811. The amount of his annuity when he reverts to the retired list shall be recomputed in accordance with the provisions of section 821."

SEC. 36. A new section 872 is hereby added to such Act as follows:

"REEMPLOYMENT

"SEC. 872. (a) Nothwithstanding any other provision of law, any officer or employee of the Service, who has retired under this Act, as amended, and is receiving an annuity pursuant thereto, and who is reemployed in the Federal Government Service in any appointive position either on a part-time or full-time basis, shall be entitled to receive the salary of the position in which he is serving plus so much of his annuity payable under this Act, as amended, which when combined with such salary does not exceed during any calendar year the highest basic salary such officer or employee was entitled to receive under sections 412 or 415 of the Act, as amended, on the date of his retirement from the Service. Any such reemployed officer or employee who receives salary during any calendar year in excess of the maximum amount which he may be entitled to receive under this subparagraph shall be entitled to such salary in lieu of benefits hereunder.

"(b) When any such retired officer or employee of the Service is reemployed, the employer shall notify the Department of State of such reemployment together with all pertinent information relating thereto and shall cause to be paid, by transfer or otherwise, to the Department of State funds necessary to cover gross salary, employer contributions, and gross lump-sum leave payment relating to the employment of the reemployed officer or employee. The Department of State shall make to and on behalf of the reemployed officer or employee payments to which he is entitled under the provisions of paragraph (a) of this section, and shall make those withholdings and deductions authorized and required by law.

"(c) In the event of any overpayment under this section the Secretary of State is authorized to withhold the amount of such overpayment from the salary payable to such reemployed officer or employee or from his annuity".

SEC. 37. (a) Paragraph (a) of section 881 of such act is amended to read as follows:

"SEC. 881. (a) Any participant may, at his option and under such regulations as may be prescribed by the President, deposit additional sums in multiples of 1 percent of his basic salary, but not in excess of 10 percent of such salary, which amounts together with interest at 3 percent per annum, compounded annually at the end of each fiscal year through June 30, 1958; semiannually as of December 31, 1958; annually thereafter as of December 31, and proportionately for the period served during the year of his retirement including all contributions made during or for such period, shall, at the date of his retirement and at his election, be—"

(b) Paragraph (c) of section 881 of such act is amended by deleting the word "annually" and inserting in lieu thereof the phrase "as is provided in paragraph (a) of this section".

SEC. 38. (a) Section 1021 of such act is amended by inserting the phrase "the Department including" immediately prior to the phrase "the Service" wherever it appears in this section.

(b) Section 1021(a) is further amended by striking out the phrase "if recommended by the Director General" and inserting in lieu thereof the phrase "at the discretion of the Secretary".

SEC. 39. Section 11 of Public Law 885, 84th Congress (70 Stat. 890) is hereby amended by inserting after the phrase "Government-owned vehicles" the phrase "or taxicabs" and by inserting after the phrase "public transportation facilities" the phrase "other than taxicabs".

SEC. 40. Paragraph (4) of section 104(a) of the Internal Revenue Code of 1954 (26 U.S.C. 104(a)(4)) (relating to the exclusion from gross income of compensation for injuries and sickness) is hereby amended to read as follows:

"(4) amounts received as a pension, annuity, or similar allowance for personal injuries or sickness resulting from active service in the armed forces of any country or

in the Coast and Geodetic Survey or the Public Health Service, or as a disability annuity payable under the provisions of section 831 of the Foreign Service Act of 1946, as amended (22 U.S.C. 1081; 60 Stat. 1021)."

SEC. 41. Foreign Service staff officers and employees receiving basic compensation immediately prior to the effective date of this Act at one of the scheduled rates provided by section 415 of such Act, as amended, shall be transferred to the new classes established by section 415 of such Act, as amended, and shall receive basic compensation on and after the effective date of this Act, as follows:

Present class and step rate of sec. 415 of the Foreign Service Act of 1946, as amended (1958)			Corresponding new class and step rate of sec. 415 of the Foreign Service Act of 1946, as amended by this act			Amount of adjustments
Class	Step	Rate	Class	Step	Rate	
FSS-1	5	$13,160	FSS-1	6	$13,310	$150
	4	12,830		5	12,980	150
	3	12,480		4	12,650	170
	2	12,120		3	12,320	200
	1	11,770		2	11,990	220
FSS-2	5	12,120	FSS-1	3	12,320	200
	4	11,770		2	11,990	220
	3	11,485	FSS-2	7	11,550	65
	2	11,205		6	11,275	70
	1	10,920		5	11,000	80
FSS-3	5	11,165	FSS-2	6	11,275	110
	4	10,885		5	11,000	115
	3	10,600		4	10,725	125
	2	10,320		3	10,450	130
	1	10,030		2	10,175	145
FSS-4	5	10,230	FSS-2	3	10,450	220
	4	9,945		2	10,175	230
	3	9,665	FSS-3	7	9,790	125
	2	9,380		6	9,515	135
	1	9,095		5	9,240	145
FSS-5	6	9,600	FSS-3	7	9,790	190
	5	9,315		6	9,515	200
	4	9,030		5	9,240	210
	3	8,815		4	8,965	150
	2	8,610		3	8,690	80
	1	8,395		2	8,415	20
FSS-6	6	8,755	FSS-3	4	8,965	210
	5	8,540		3	8,690	150
	4	8,325	FSS-4	7	8,350	25
	3	8,120		6	8,125	5
	2	7,905		6	8,125	220
	1	7,690		5	7,900	210
FSS-7	6	8,050	FSS-4	6	8,125	75
	5	7,840		5	7,900	60
	4	7,630		4	7,675	45
	3	7,415		3	7,450	35
	2	7,200		2	7,225	25
	1	6,990		1	7,000	10
FSS-8	6	7,350	FSS-5	7	7,350	----------
	5	7,140		6	7,150	10
	4	6,925		5	6,950	25
	3	6,710		4	6,750	40
	2	6,495		3	6,550	55
	1	6,285		2	6,350	65

Present class and step rate of sec. 415 of the Foreign Service Act of 1946, as amended (1958)			Corresponding new class and step rate of sec. 415 of the Foreign Service Act of 1946, as amended by this act			Amount of adjustments
Class	Step	Rate	Class	Step	Rate	
FSS-9	6	$6,650	FSS-5	4	$6,750	$100
	5	6,435	FSS-6	7	6,500	65
	4	6,220		6	6,300	80
	3	6,005		5	6,100	95
	2	5,795		4	5,900	105
	1	5,585		3	5,700	115
FSS-10	7	6,175	FSS-6	6	6,300	125
	6	5,970		5	6,100	130
	5	5,755		4	5,900	145
	4	5,540	FSS-7	7	5,550	10
	3	5,400		6	5,400	----------
	2	5,260		6	5,400	140
	1	5,115		5	5,250	135
FSS-11	7	5,500	FSS-7	7	5,550	50
	6	5,355		6	5,400	45
	5	5,215		5	5,250	35
	4	5,070		4	5,100	30
	3	4,930		3	4,950	20
	2	4,790		2	4,800	10
	1	4,650		1	4,650	----------
FSS-12	7	5,025	FSS-8	7	5,100	75
	6	4,890		6	4,950	60
	5	4,745		5	4,800	55
	4	4,605		4	4,650	45
	3	4,460		3	4,500	40
	2	4,320		2	4,350	30
	1	4,180		1	4,200	20
FSS-13	7	4,580	FSS-9	7	4,650	70
	6	4,440		6	4,500	60
	5	4,295		5	4,350	55
	4	4,155		4	4,200	45
	3	4,010		3	4,050	40
	2	3,870		2	3,900	30
	1	3,730		1	3,750	20
FSS-14	7	4,155	FSS-9	4	4,200	45
	6	4,010	FSS-10	7	4,100	90
	5	3,870		5	3,900	30
	4	3,730		4	3,800	70
	3	3,585		2	3,600	15
	2	3,445		1	3,500	55
	1	3,300		1	3,500	200
FSS-15	All step rates and below.		FSS-10	1	3,500	5

SEC. 42. The annuity of each former participant under the Foreign Service Retirement and Disability system, who retired prior to July 28, 1956, and who at the time of his retirement had creditable service in excess of thirty years, shall be recomputed on the basis of actual years of creditable service not in excess of thirty-five years. Service which was not creditable under the Foreign Service Retirement and Disability system on the date of a former participant retires, shall not be included as creditable service for the purpose of this recomputation. The annuities payable to such persons shall, when recomputed, be paid at the rates so determined, but no such recomputation or any other action taken pursuant to this section shall operate to reduce the rate of the annuity any such person is entitled to receive under the Foreign Service Retirement and Disability system.

SEC. 43. (a) The provisions of this Act shall become effective as of the first day of the first pay period which begins one month after the passage of this Act, except as provided in paragraphs (b), (c), and (d) of this section.

(b) The provisions of paragraphs (c)(1) and (c)(2) of section 803 of the Foreign Service Act of 1946, as amended by section 24(b) of this Act, shall become effective on the first day of the first month which begins one year after the effective date of this Act, except that any Foreign Service staff officer or employee, who at the time this Act becomes effective meets the requirements for participation in the Foreign Service Retirement and Disability system may elect to become a participant in the system before the mandatory provisions become effective. Such Foreign Service staff officers and employees shall become participants effective on the first day of the second month following the date of their application for earlier participation.

(c) The amendment made by section 40 of this Act shall be effective with respect to taxable years ending after the date of enactment of this Act.

(d) The provisions of section 42 of this Act shall take effect on the first day of the first month which begins more than thirty days after the date of enactment of this Act.

SEC. 44. Notwithstanding the provisions of this Act, existing rules, regulations of or applicable to the Foreign Service of the United States shall remain in effect until revoked or rescinded or until modified or superseded by regulations made in accordance with the provisions of this Act, unless clearly inconsistent with the provisions of this Act.

SEC. 45. The following headings and sections in the Foreign Service Act of 1946, as amended, are hereby repealed:

(1) Section 442 of such Act and the heading thereto.

(2) Section 525 of such Act and the heading thereto.

(3) Section 576 of such Act and the heading thereto.

(4) Sections 651 and 652 of such Act and the headings thereto including part F.

The letter presented by Mr. GREEN is as follows:

The Honorable RICHARD M. NIXON,
President of the Senate.

DEAR MR. VICE PRESIDENT: In its continuing efforts to improve and strengthen the administration of the Foreign Service, the Department is submitting a proposed bill "To amend the Foreign Service Act of 1946, as amended, and for other purposes" (tab I) for consideration by the United States Senate.

The amendments proposed in this bill are urgently needed to improve and strengthen the administration of the Foreign Service. They would accomplish the following:

1. Provide an improved 10-class salary structure for the Foreign Service staff corps and authorize the Secretary to fix salary rates for United States citizens employed abroad.

2. Provide authority for appointment of Foreign Service staff personnel at in-class salary-step rates and authorize the fixing of appointment salary rates for short-supply categories of personnel.

3. Clarify provisions governing the termination of the services of chiefs of mission.

4. Provide greater flexibility in the classification of Foreign Service positions.

5. Provide authority to pay a hazardous duty salary differential to diplomatic couriers.

6. Clarify and improve provisions governing lateral entry into the Foreign Service.

7. Improve provisions relating to reinstatement and recall of Foreign Service officers and remove existing restrictions on the reemployment by any Government agency of retired participants in the Foreign Service retirement and disability system.

8. Provide authority for the continuation on the rolls of certain Foreign Service Reserve officers notwithstanding the usual limitation on duration of assignment.

9. Clarify and simplify provisions governing appointment, assignment, transfer, and promotion of Foreign Service staff personnel. Establish a system of longevity for staff personnel.

10. Clarify and simplify provisions governing the assignment of Foreign Service personnel to Government agencies.

11. Liberalize provisions relating to extension of services of Foreign Service officers beyond mandatory retirement age.

12. Provide a uniform basis for effecting separation for cause.

13. Provide specific authority for the termination of officers and employees serving under limited appointment.

14. Improve provisions governing the establishment of, the conduct of, and the use of the facilities of the Foreign Service Institute.

15. Provide for general improvement in the Foreign Service retirement and disability system, including such specific improvements as:

(a) Liberalization of survivorship benefits and coverage of surviving children;

(b) Provision for the participation of certain Foreign Service staff personnel in the system;

(c) Clarification of provisions for reinstatement of recovered disability annuitants;

(d) Clarification of provisions relating to death in service;

(e) Clarification of provisions governing prior service credit;

(f) Provision for the automatic transfer of contributions from one retirement fund to another; and

(g) An increase in rate of employee contributions from 5 to 6½ percent.

16. Improve provisions governing the acceptance of gifts.

17. Clarify provisions relating to the use of Government-owned vehicles at posts abroad.

18. Exempt disability annuities from income tax liability.

Throughout the proposed draft bill there are perfecting and clarifying technical changes that relate to the proposals listed above.

An explanation of each of the proposed amendments is enclosed (table II), together with an estimate of the cost involved in implementing the proposed legislation (table III).

Enactment of this proposed legislation will provide important improvements in the personnel system for the conduct of foreign affairs. The Department recommends the passage of this bill to accomplish the purposes set forth above and trusts that it may receive favorable consideration by the Congress.

The Department has been informed by the Bureau of the Budget that there is no objection to the submission of this draft legislation.

Sincerely yours,

CHRISTIAN A. HERTER,
Acting Secretary.

PROPOSED LEGISLATION RELATING TO CULTURAL AFFAIRS

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, two bills relating to cultural affairs. One is designed to promote the international cultural exchange, and the other fosters the development of the arts here at home.

The first measure would amend the International Cultural Exchange and Trade Fair Participation Act of 1956, to provide for participation by foreign governments and citizens of other countries in cultural activities in the United States. This law, which was sponsored by Representative FRANK THOMPSON, JR., of New Jersey, and myself, made the President's Special International Program of Cultural Exchange a permanent policy.

Unfortunately the President's program was primarily concerned with sending American cultural programs overseas and did not provide for a true exchange. In this connection I quote from the letter President Eisenhower sent to the Congress on July 27, 1954, which called for the establishment of such a program. It is clear from the letter that a program of cultural exchange was not contemplated at the time.

He requested the sum of $5 million to be expended at his discretion "to meet extraordinary or unusual circumstances arising in the international affairs of the Government." The President specifically stressed the need to participate in international trade fairs, where the Russians had achieved marked success in advertising their way of life through their products. Then the President said:

> In the cultural and artistic fields as well we need greater resources to assist and encourage private musical, dramatic, and other cultural groups to go forth and demonstrate that America too can lay claim to high cultural and artistic accomplishments.

In the 4 years that have elapsed since then, 111 attractions have been sent to 89 countries by the United States. Miracles have been accomplished by the modest sums allocated for this program. The New York Times recently noted that the 1959 allocation for the program is a mere $2,415,000, while a single intercontinental ballistic missile costs $2 million. At the conclusion of my remarks I shall include a brilliant review of this program and other cultural activities of the Federal Government which was carried in the New York Times in December 1958.

Unlike the Fulbright and Smith-Mundt Acts which have seen the exchange of some 35,000 students between the United States and other countries, the lack of a provision for reciprocity in Public Law 860, 84th Congress, has seriously hampered our relations with other countries. The amendment I am sponsoring is necessary to demonstrate that the United States is interested, and deeply so, in the cultural and artistic achievements of other countries. At the present time the box office is the final arbiter of the cultural attractions which are seen in our country.

As a result, the American public sees many artists from Europe and the Soviet Union, but very few from Asia despite the Orient's long and rich cultural heritage.

The amendment which I am offering, and which Representative FRANK THOMPSON is offering in the House, will correct this situation.

American cultural isolation goes deeper than ignorance of foreign languages. Malvina Lindsay, writing in the Washington Post of October 20, 1958, declared:

> Many Americans, young and old, are reluctant to come out of their cultural shells, to use their opportunities for informing themselves about foreign peoples. Yet unless they do this, they may not be able to preserve their own way of life, now being so widely challenged.

Most observers would agree, I am sure, that a cultural exchange program which includes the arts can be of great value in developing understanding between people.

Recently, Marian Anderson visited Asia under the aegis of the Humphrey-Thompson Act. She was received everywhere with enthusiastic acclaim. She did more than any other single person in recent years to change the unfriendly image of America which is held by many people abroad. She especially enhanced our prestige in Asia.

On the other hand, one of the great artists of Asia came to this country recently under commercial sponsorship and was a boxoffice flop. He went away feeling that Americans did not understand him or the people of his country.

These are some of the things that have persuaded me that my proposed amendment to Public Law 860, 84th Congress, is necessary and important. Representative THOMPSON of New Jersey has offered a companion bill in the House.

I turn now to the development of the arts here in the United States.

In his 1955 state of the Union message, President Eisenhower proposed the creation of a Federal Advisory Commission on the Arts. President Eisenhower declared:

> In the advancement of the various activities which will make our civilization endure and flourish, the Federal Government should do more to give official recognition to the importance of the arts and other cultural activities. I shall recommend the establishment of a Federal Advisory Commission on the Arts within the Department of Health, Education, and Welfare to advise the Federal Government on ways to encourage artistic and cultural endeavor and appreciation.

In the 84th Congress, pursuant to the President's request, a number of bills were introduced in both the House and Senate to achieve this result. Following hearing by the Senate Labor and Public Welfare Committee, S. 3419 was favorably reported—Report No. 2409—on July 3, 1956. The bill passed the Senate on July 6, 1956, but was defeated in the House Education and Labor Committee.

In an effort to meet objections raised by the House committee, consultations have been held with interested Members in both Houses. Consequently, the bill I introduce today is a slightly revised version of S. 3419 as it passed the Senate under the inspired leadership of Senator Herbert H. Lehman and with the cooperation of Senator H. Alexander Smith.

I ask unanimous consent to have printed at this point in the RECORD an

excerpt from the letter written by Secretary of Health, Education, and Welfare M. B. Folsom, under date of March 25, 1957, which accompanied one draft of the bill to Congress:

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Throughout the great epochs of history civilization has been most importantly exemplified by masterworks of art and architecture, music and the dance, drama and literature. Indeed, the verdict of history judges a civilization most definitively by its cultivation of the arts. Encouragement of the arts is a demonstration to itself and to others, of a nation's belief in its spiritual resources and creative destiny.

The United States, despite its relative youth, is rich in artistic achievement. We have contributed new power of design in architecture, created new rhythms in music, and developed a literature which commands worldwide attention. In the theater and film, and in the ancient form of the dance we show a creative vitality. Our great museums, art galleries, and orchestras are the pride of our people. Yet, millions of Americans know painting and sculpture only in reproductions, and there are vast areas where living theater is never seen. We must search for new ways to bring the enjoyment of and participation in the arts to more of our people.

We must also find ways to stimulate our talented persons in the arts. We have at our disposal many persons of talent and genius, whose gifts need the encouragement and recognition which persons in other comparable fields enjoy. The artist, the actor, and the writer must exercise crafts which are mastered only after long technical training—a training equally as arduous as that which the doctor, the chemist, or the astronomer must undergo. To a great extent workers in the arts have had to find their own facilities which, except in rare and widely scattered instances, do not compare in availability, number, or quality with those available to other fields.

Philanthropic individuals and private and public organizations have provided strong support for the arts and properly so. On the other hand, our National Government has not lent its encouragement and prestige to the arts to the extent that is feasible and desirable.

Mr. HUMPHREY. Mr. President, I am pleased to announce that Senators MURRAY, DOUGLAS, and JAVITS have joined me in offering this bill to the Senate as a bipartisan measure. In the House of Representatives a companion bill has been introduced by Representative FRANK THOMPSON, JR., of New Jersey, Representative EMANUEL CELLER, of New York, and Representative STUYVESANT WAINWRIGHT, of New York. I want to pay special tribute to Congressman FRANK THOMPSON, JR., of New Jersey for his splendid initiative in the whole field of the arts. As a result of his prodigious efforts there is a new understanding of this subject in the Congress today.

I ask unanimous consent that a brilliant article in the New York Times of December 8, 1958, by Milton Bracker, entitled "U.S. Role in the Arts Is Found To Have Increased in Decade Since World War II," be inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. ROLE IN THE ARTS IS FOUND TO HAVE INCREASED IN DECADE SINCE WORLD WAR II

(By Milton Bracker)

In Washington a bill authorizing a National Cultural Center has been approved by Congress and signed by the President. The 9.4-acre site is there and someday—if about $25 million in private funds can be raised within 5 years—the building may be.

In another part of the capital a white-haired New Englander (who happened to be born in California) is paid by the Government to serve as consultant in poetry to the Library of Congress. His name is Robert Frost. He remarked with hearty irony in an interview that "I'm there chiefly to thank the Government for recognizing our existence."

In New York preparations are being completed for the departures on January 13 of the San Francisco Ballet for the Near East; on January 17 of the Westminster Choir for Africa, and on February 23 of the Little Orchestra Society for the Far East.

AIDED BY STATE DEPARTMENT

All will be backed by State Department funds, administered by the International Cultural Exchange Service of the American National Theatre and Academy. ANTA—like the American Red Cross—is a private body holding a charter from Congress.

In St. Louis—at the City Art Museum—a show of American painting of the last 25 years is being assembled for a tour to open in Italy next September. About 25 artists will be represented, in what one non-Government expert describes as potentially the "most important exhibition of American art to go abroad under Government auspices." This is a venture of the U.S. Information Agency.

In New Delhi on January 5, a new U.S. chancellery will be dedicated. It is a spectacular example of the work of a modern American architect, Edward Durell Stone, who was commissioned by the State Department through the Office of Foreign Buildings.

ANCIENT RELATIONSHIP

These disparate activities and hundreds of others, have as a common denominator the ancient relationship between the Federal Government and the arts. As it exists in the United States the relationship is virtually impossible to delineate sharply. Yet every time an American passes a coin or puts a stamp on a letter he is touched by it.

Overall truths of the relationship are hard to extract. But a month's look into many phases of it suggests the following:

There is no nationally backed opera like La Scala; no subsidized ballet like the Bolshoi; no state orchestra like the Vienna Philharmonic. Nor is there a central department or agency through which art matters are channeled. Within a given field—music, for example—even well-informed leaders are likely to confront each other with, "Oh, you mean the other committee," when discussing the myriad Government subdivisions that back one or more musical projects.

In recent years, impelled, according to some opinion, by the example of the dictatorships, this country has placed a strong emphasis on the promotion of art for export. This is often noted wryly by artists who would like to see their own particular art subsidized, or at least assisted, for domestic consumption. There is no doubt that the whole question of Government and the arts has tended to narrow into the question of the use of art as an instrument of the foreign policy of the United States in the cold war.

No matter what the Government does or does not do in relation to the arts, it is subject to a barrage of pros and cons. These concern the fear of censorship or control; the possible sponsorship of subversive art; the timeless disputes between conservatives and modernists in any art medium; and the individual or group equities of artists competing for commissions.

PARADOX AND CONTROVERSY

And this whole subject is fraught with paradox, misunderstanding, and controversy.

In Chicago, a Government subsidy amounting to about $16,000 was announced by the hard-pressed Lyric Opera Co. But the Government that made the subsidy had its seat not on the Potomac but on the Tiber. The grant, in lire, was to be used largely for travel expenses incurred by Italian singers hired by the Chicago company.

The triumph of Van Cliburn at the Tchaikovsky piano competition in Moscow last May is still commonly held to have been made possible by Government backing. Actually, the funds came from private sources. The Government contribution was a passport.

As for controversy, it has ranged from the political inclination of an individual artist to the design of a 3-cent stamp honoring the American poultry industry; and from the shape of a memorial on a distant beachhead to the recurrent question of whether there should be a Department of Fine Arts.

Abraham Chasins, in "Speaking of Pianists," remarks:

"American artists and intellectuals are the natural enemies of American politicians."

INCREASED LEGISLATION

Whether this is the case, the fact is that legislation by politicians presumably for the benefit of artists and intellectuals has tended to increase during the past decade. The pages of the CONGRESSIONAL RECORD are ripe with tributes to one or more of the nine muses, although the rhetoric has not been enough to forestall the death of most of the bills introduced.

In his state of the Union message in 1955, President Eisenhower asserted that the Federal Government should do more to give official recognition to the importance of the arts and other cultural activities.

He also proposed a permanent Federal Advisory Commission on the Arts, to come under the Department of Health, Education, and Welfare. In one form or another, this idea had been—and is—backed by large numbers of individual artists and their organizations. It was—and is—opposed by a few.

The proposal was passed by the Senate but died in the House. More recently there have been renewed proposals for a Department of Fine Arts, headed by a leader of Cabinet rank; for an Assistant Secretary of State for Cultural Affairs; for a U.S. Art Foundation and a National Theater.

CULTURAL AIDE NAMED

Some of these recalled the Pepper-Coffee bill of 1938, for a Bureau of Fine Arts, or even older proposals. Some are sure to be introduced in the 86th Congress. It was announced yesterday that Robert H. Thayer, former Minister to Rumania, had been appointed Special Assistant to the Secretary of State for the coordination of international, educational and cultural relations.

Representative FRANK THOMPSON, JR., of New Jersey is one of the most active legislators in the field. Cynics dub him a "culture vulture." The fact remains that Mr. THOMPSON and Senatorial cosponsors have pushed some significant projects over all the usual obstacles into law.

These include the International Cultural Exchange and Trade Fair Participation Act of 1956, which covered the Brussels Fair; the bill to establish a new national art repository in the old Patent Office Building, and the bill for the National Cultural Center.

The cosponsor of the first of these was Senator HUBERT H. HUMPHREY of Minnesota.

It authorized on a permanent basis funds for the cultural presentations program that had been established in 1954 following a special request by President Eisenhower to Congress.

ATTRACTIONS TO 89 LANDS

This has meant that in 4 years, 111 attractions—ranging from Dizzy Gillespie to the New York Philharmonic; and from Marian Anderson to "The Skin of Our Teeth" —have been sent to 89 countries. This is the program directed by Robert C. Schnitzer, of ANTA, who observes that every so often some Congressman phones him to urge the booking of the "Flathead County Glee Club." Such pressure on behalf of hometown talent (and voters) has also been brought to bear on the office of E. Allan Lightner, Jr., Deputy Assistant Secretary of State for Public Affairs.

But the criterion remains "quality, quality, quality," according to those close to Mr. Lightner. And Mr. Schnitzer says that after he explains the rigid standards of the selection panels, the Congressman invariably recedes without even threatening to have the whole program canceled. Its 1959 allocation is $2,415,000. A single intercontinental ballistic missile costs $2 million.

Last March 28, the bill to save the Patent House Building for an art museum became law. It was backed by Representative THOMPSON and Senators HUMPHREY and CLINTON P. ANDERSON of New Mexico. The works to be housed in the Parthenon-like structure at Seventh and F Streets include the National Collection of Fine Arts, now in the Smithsonian Institution; a national portrait gallery; and a contemporary art program.

IN AN ARTISTIC LANDMARK

The Patent Office Building was designed by Robert Mills, who did the Washington Monument. For nearly 125 years it has been one of the Capital's artistic edifices. But this is not to say that the measures sparing it from being torn down for a parking lot has automatically satisfied all those who would like to see the National Collection of Fine Arts in a home of its own.

The measure came as the culmination of a long and involved controversy over another site—on the Mall, near the Smithsonian. This was ardently desired, and ultimately obtained by proponents of the National Air Museum. The latter is temporarily housed in the Smithsonian, too. The director of one of the country's greatest museums says that the best that can be said of the Patent Office Building is that "There are walls standing." If it is to serve as a showplace of fine art, he added, "they've got to renovate the whole thing."

On the other hand, Representative THOMPSON says he has been assured by experts that the conversion is "entirely feasible." It would be paid for by the General Services Administration. But for the moment, the plan is in abeyance.

The Civil Service Commission has occupied the Patent Office Building since 1932, when the Patent Office moved to the Department of Commerce. The Civil Service Commission is scheduled to move into a new building of its own, but the building is not yet built.

SITE FOR ENTERTAINING

Thus the transfer of the National Collection of Fine Arts remains indefinitely in the future. But a large floor plan of the Patent Office Building is already on the desk of Thomas M. Beggs, director of the National Collection. He is thinking ahead, even though he knows he will have to be patient.

The National Cultural Center authorized by law September 2, would symbolize the Nation's official interest in the arts and give the President a place to entertain foreign visitors in a setting identified with both the visual and the performing arts.

As cosponsored by Senator FULBRIGHT and Representative THOMPSON, the act sets up a board including the Secretary of Health, Education, and Welfare and 15 general trustees. These have not yet been appointed. Eventually, there would also be an Advisory Committee on the Arts—similar to the one so often proposed—made up of specialists in the fields of art covered by the center.

The site is bounded by the Inner Loop Freeway, the Theodore Roosevelt Bridge approaches, Rock Creek Parkway, New Hampshire Avenue and F Street in the sector called Foggy Bottom. But apart from obtaining the site, the Government has so far done nothing to implement the project.

And by the act's own terms, it will come to nothing if the Smithsonian Institution does not find that sufficient funds to construct the National Cultural Center have been received within 5 years.

DOWLING TO PRESS PROJECT

Once the trustees are appointed, Robert W. Dowling, chairman of the board of ANTA, is likely to take a leading role in seeing to it that the act does not come to nothing. "I have been rooting for this [the Cultural Center] for a long time," he said. He has felt that if the Government would give the land, private citizens should give the money.

New legislation apart, the Government's continuing activities in the arts can best be outlined under four headings. These are international exchange, the design and decoration of public buildings, Government collections, and coins and stamps. The four are obviously not all inclusive. For example, the chamber music programs at the Library of Congress fit none of them. But most activities can be conveniently covered by the four.

The patronage of artists for the design and decoration of public buildings, the minting of coins and the issuance of stamps, goes back to the earliest days of the Republic. The Government role as a collector began somewhat later. The depression and the New Deal brought into being a new and still controversial concept, the use of Government funds not so much to commission specific art works as to support unemployed artists. This led to inevitable disputes over the supposed leftist propaganda painted on Government walls by artists on the Federal payroll.

As pointed out by Clarence Derwent, chairman of the National Council on the Arts and Government, the New Deal arts projects, "while productive of much fine work, fell short of the full recognition of the value of the arts to society because of the public relief aspects of the program."

Since World War II the emphasis has shifted to the utilization of the arts as an arm of diplomacy. The aim is candidly asserted: To promote competitively the free creative tendencies of a nation long accused of letting its capitalist ideology cramp artistic expression.

AMERICANS' NEW SIDE

As William Benton, former Assistant Secretary of State for Public Affairs, put it in the early stages of the program, it was to show that Americans, "accused throughout the world of being a materialistic, money-mad race, without interest in art and without appreciation of artists or music, have a side in our personality as a race other than materialism."

Or, as Mr. Schnitzer put it more recently, with regard to the performing arts, "It is propaganda—in the best sense. We are saying, 'Here are some artists whose work we enjoy' and we hope you'll enjoy it, too."

Actually, the State Department's Division of Cultural Relations dates to July 28, 1938. Three years later the first cultural officers were assigned to American diplomatic missions. In 1946 a major step was taken with the passage of legislation presented by Senator J. WILLIAM FULBRIGHT, Democrat, of Arkansas. Becoming operative in 1948, the Fulbright plan draws on foreign currencies owed to or owned by the United States, chiefly for war surpluses, for a cooperative program of educational exchange.

Two exhibitions jointly called "Fulbright Painters," currently crossing the country, indicate how this program may operate to the benefit of individual artists. The shows are made up of samples of the work of candidates who qualified under the Fulbright Act to pursue their studies abroad.

TOURS BEGAN IN OCTOBER

One of the exhibitions opened at the Whitney Museum of Modern Art here on September 17. Both sections began tours in October. These were organized by the traveling exhibits service of the Smithsonian Institution in cooperation with the Institute of International Education. By contract with the State Department, IIE administers the Fulbright student exchange.

Here is a case, then, where a Government program has artistic implications both abroad, where the artists studied, and at home, where their work is being shown. The Fulbright scholarships cover all fields of study and that the painters represent only a small fraction of those who win them.

On the most sensitive level of exchange, in view of current East-West relations, there is the new status for American artists visiting the Soviet Union afforded by the agreement announced in Washington last January. This was signed by the State Department's William S. B. Lacy and the Soviet Ambassador at that time, Georgi N. Zaroubin, who died on November 24.

The accord did not initiate exchanges between the United States and the U.S.S.R. but facilitated them and gave them new importance. Long negotiations by Sol Hurok to bring the Moiseyev dancers here had preceded their arrival, after the conclusion of the Lacy-Zaroubin agreement. Similarly the "Porgy and Bess" company had reached Moscow on its own; Emil Gilels and David Oistrakh had played here; and the Boston Symphony went to Moscow in 1956 under the President's program as run by ANTA for the State Department.

But whereas the ANTA artists had only a "foot in the door" before the accord, according to one spokesman, the pact "opened the door wider" and gave official recognition to the visit of the Philadelphia Orchestra last May and June. This tour also had already been arranged when the accord was reached. But its auspices were enhanced by the new diplomatic understanding.

On the other hand, some cultural exchange experts see in the Lacy-Zaroubin accord an implicit quid pro quo that they regard as restrictive. These sources—within the State Department—feel that a generally freer and broader exchange is more to the point than a 50–50 balance of trade in terms of traveling artists.

Distinct from the State Department's direct role in the exchange program, there are the manifold activities of the U.S. Information Agency. Since 1953, USIA has had a major responsibility in the presentation of varied aspects of American life abroad.

This takes in the dissemination of both live and recorded music. For example, the Symphony of the Air not only played in Tokyo; a film of its tour has been popular on Japanese television. The entire Voice of America program comes under USIA and "Music U.S.A." is broadcast 7 nights a week, 52 weeks a year.

ART SHOW IN TURKEY

Meanwhile, the fine arts section of the exhibits division of the agency has a show called "Nine Generations of American Art"

in Turkey. Another show, "Twentieth Century Highlights of American Painting," involved the distribution of 40 color reproductions virtually all over the world.

USIA has also arranged small overseas shows of American serigraphy (silk screen art) and stained glass. In prospect are an exhibition of prints being assembled by the Brooklyn Museum, due to go abroad in March or April, and the collection of modern painting being assembled by the City Art Museum of St. Louis.

The pertinent background fact in connection with the latter project is that early in 1956, USIA withdrew sponsorship of three collections of paintings that were to have been sent abroad. The trouble started with denunciation of a show called "Sport in Art" by the Dallas Patriotic Council.

This raised a flurry over subversive art and underlined the vulnerability of Government to political criticism whenever it was the sponsor of art activities.

Although there remain 9 months before the St. Louis collection starts on its way, such criticism is not expected this time. A museum man associated with the choice of some of the paintings said, "I've been assured that there will be no censorship." An interested official of USIA crosses his fingers when the question is raised.

The general implication is that the tensions of the period associated with the late Senator Joseph R. McCarthy, Republican, of Wisconsin, have been eased. But Government endeavor in any field of the arts remains subject to attack at almost any moment.

The design and decoration of public buildings is a timeless function of Government. On November 23, the General Services Administration announced selection of a site west of Foley Square for what will be the largest Federal office building outside the District of Columbia. Recently, there has been increasing awareness that American buildings abroad could symbolize the best of the contemporary American tradition.

Assignments to architects are made through the Office of Foreign Buildings of the State Department. The Department is completing the 5th year of a 10-year, $200 million program involving new embassies and consulates on four continents.

There is an advisory committee of three leading architects appointed on a rotational basis. The Department also has on hand about 800 brochures from architects. It makes its selection on the basis of the advice of the committee, on what it knows of the other architects, and on the special conditions applying in the country where the building is to be erected.

Thus Mr. Stone was commissioned to do the New Delhi chancellery. He was also architect of the U.S. pavilion at the Brussels Fair. In the case of the new Embassy in London, a different technique of choice was used. The department arranged a competition among eight American architects and a seven-man jury chose Eero Saarinen, of Michigan, as the winner.

An important agency, particularly with regard to public monuments and sculpture, is the Commission of Fine Arts, dating to 1910. When Congress created the American Battle Monuments Commission in 1923, it was provided that any design or material for a memorial had to be approved by the Commission of Fine Arts.

MINISTRY WAS OPPOSED

Moreover, pursuant to a Presidential request of January 1951, the Commission was the agency chosen to make the first and only survey of all the Government's activities in the field of art. The report was submitted in 1953. In an introduction, preceding excerpts from testimony of all Government agencies involved, the Commission said:

"It is a source of the deepest satisfaction to members of the Commission that here in this fortunate country we have freedom to choose what seems most worthwhile in the cultural life of our time, and that the artist, in creating works of art, is free to express his own inner convictions without compulsion on the part of the state or other outside forces.

"Here we have no centralized control of art activities on the part of the Government, such as exists in many other countries."

And the Commission went on to oppose efforts to create a Ministry of Fine Arts or to combine in a single bureau art activities now carried on effectively in a number of Government agencies.

Nevertheless, the Commission—headed since 1950 by David E. Finley, who was until 1956 also Director of the National Gallery of Art—is occasionally charged with exercising arbitrary influence. It has been asserted that the seven-man unit has a stranglehold on the design and decoration of all Federal buildings and monuments in Washington, and on the design of battle monuments anywhere.

Critics of the Commission have insisted that it hews to an academic line and has facilitated commissions for the generally conservative members of the National Sculpture Society as against nonmember sculptors.

A Commission source, aware of such charges, points out that since not only authorization, but also appropriation, for any monument stems from Congress, it is to be expected that the Commission's advice should follow conservative lines. One thing rarely said of Congressmen, the source suggests, is that they are personally inclined toward advanced tendencies in art.

Nevertheless, the supposed grip of the National Sculpture Society on Government commissions invariably comes up whenever the larger question of the Government and the arts is raised.

AGAINST CENTRALIZATION

From 1951 to 1954, the society was headed by Wheeler Williams, who since 1957 has been president of the American Artists Professional League. Both groups strongly oppose any centralization of Government art activities.

In a leaflet called "War Cry," the league declares, "We must continue our battle to see that art is not socialized under political bureaucracy."

The society and the league remain firmly aloof from groups like the Committee on Government and Art, and the National Council on the Arts and Government. These have backed legislation pointing toward a permanent advisory council for the arts.

According to Adali S. Hardin, president of the National Sculpture Society, "The minute there comes a Federal bureau with a capacity to advise, some freedom is going to be dissipated."

The Committee on Government and Art, founded in 1948 and made up of representatives of 12 national organizations, including the younger and less influential Sculptors Guild, declared in a statement of principles on May 25, 1956:

"We believe that governmental art policies should represent broad artistic viewpoints, and not the predominance of any particular school or schools.

"In order to aid in making available to the Government the best experience and knowledge of the art world, we believe that there should be advisory bodies composed chiefly of professionals in the respective fields; and that art organizations in these fields should have a voice in nominating the members of these bodies."

SEVEN FIELDS REPRESENTED

The National Council on the Arts and Government consists of individual representatives of seven major art fields. In general, it has been alined with the position of the Committee on Government and Art, whose chairman is Lloyd Goodrich, of the Whitney Museum.

Government art collections, which symbolize the Nation's official interest in the preservation and formal display of accrued treasures, include the National Gallery of Art, the National Collection of Fine Arts, and the Freer Gallery.

In his invaluable "Government and Art," Prof. Ralph Purcell writes that it was not until 1906 that the Government began its role as a collector. He notes that when the British burned the Capitol in 1814, the only two paintings owned by the United States—gifts of Louis XVI—were destroyed.

In 1906, a group of paintings known as the Johnston collection was given to the Government by Harriet Lane Johnston, niece of President James Buchanan and mistress of the White House during his administration.

The condition was that the small but valuable collection should be placed in a National Gallery of Art, when one was established. Professor Purcell recounts how a "friendly court action was instituted to determine if the art collection already in the Smithsonian Institution would legally constitute a National Gallery of Art."

The court ruled that it would. Thus the early Smithsonian collection, enhanced by the Johnston gift, was newly constituted as the National Gallery of Art.

Oddly enough, the art in the Smithsonian was to lose that title after all. In 1937, when the Mellon collection became the Nation's foremost, the title was transferred to it. The National Gallery of Art now comprises the original Mellon bequest, and subsequent additions.

The Smithsonian art was renamed the National Collection of Fine Arts. It is the art that is to be housed in the old Patent Office Building under the recent legislation. Pending settlement in its new home, the national collection has about 500 portraits and pieces of sculpture on loan to public buildings, including the White House and the chambers of the Chief Justice.

The Freer Gallery of Art, devoted principally to oriental fine arts and the works of Whistler, was the gift of Charles L. Freer in 1906. The gallery was not built until 1920; and the collection was opened to the public as a unit of the National Collection of Fine Arts. The Freer Gallery is administered by the National Collection, of which it is considered a unit, and does not have a separate board of trustees, like the National Gallery of Art.

MEDALS UNDER MINT

Coins and special medals come under the Bureau of the Mint. By law, no regular coin may have its design changed more than once in 25 years. The mint traditionally opposes commemorative coins, although not always successfully.

When a piece of medallic art is authorized, the mint may commission an artist directly, have a small competition (as with the Washington quarter in 1932) or a nationwide one (as with the Jefferson nickel in 1938). It may also utilize its own artists.

This it prefers, particularly in the case of coins, where distribution of the design and maintenance of rims higher than the design's highest point, are technical essentials.

The Commission of Fine Arts acts in an advisory capacity to the mint. But the director of the Bureau is ultimately responsible for the project, subject only to approval by the Secretary of the Treasury.

STAMP ART IMPROVED

The situation with stamps is somewhat different because of the vast and steadily increasing interest in United States commemorative issues. For many years, these were subject to strong criticism from philatelists, particularly as compared artistically with certain foreign stamps, such as the French.

On March 26, 1957, a seven-member Citizens' Stamp Advisory Committee was established. It has three artist members. Final decision on a new stamp rests with the Postmaster General. Philatelic and art circles generally agree that the pictorial quality of the commemoratives has tended to improve; although controversies over individual stamps continue.

And, indeed, the controversies continue over virtually every phase of the complex Government-Arts relationship in a democracy whose Puritan intellectual heritage started it off with what has been called (by John A. Kouwenhoven, among others) an antiesthetic bias.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills, introduced by Mr. HUMPHREY, were received, read twice by their titles, and referred as indicated:

By Mr. HUMPHREY:

S. 446. A bill to amend the International Cultural Exchange and Trade Fair and Participation Act of 1956 to authorize the President to provide for participation by foreign governments and citizens of other countries in cultural and other activities in the United States, and for other purposes; to the Committee on Foreign Relations.

By Mr. HUMPHREY (for himself, Mr. MURRAY, Mr. DOUGLAS, and Mr. JAVITS):

S. 447. A bill to provide for the establishment of a Federal Advisory Council on the Arts to asist in the growth and development of the fine arts in the United States; to the Committee on Labor and Public Welfare.

AMENDMENT OF SOCIAL SECURITY ACT, TO REMOVE LIMITATION ON AMOUNT OF OUTSIDE INCOME

Mr. FULBRIGHT. Mr. President, I introduce for appropriate reference a bill to amend title II of the Social Security Act to remove the existing limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder.

It is my view that this limitation is unrealistic and absurd and should be removed by the Congress. In that connection, Mr. President, I ask unanimous consent that an article on this subject, by Mr. J. A. Livingston, appearing in the Washington Post of January 14, 1959, be printed at this point in the RECORD.

In this article, Mr. Livingston very pointedly outlines the absurdities of the law as it is now constituted.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the article will be printed in the RECORD.

The bill (S. 453) to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder, introduced by Mr. FULBRIGHT, was received, read twice by its title, and referred to the Committee on Finance.

The article presented by Mr. FULBRIGHT is as follows:

SOCIAL SECURITY PENALIZES THOSE WHO WORK

(By J. A. Livingston)

"Don't get out of humor with me for writing you again and don't be annoyed when I ask you not to use my name. When you have time please write another article about social security," writes Mrs. E. S. M.

"As a workingwoman (a widow), I am most concerned with the limitation on my earnings. People in the Department of Health, Education, and Welfare insist they don't restrict my earnings. Yet they withhold social security checks when I earn more than $1,200 a year.

"I wrote you some time ago that when I earned $1,718, or $518 over the limit, seven social security checks amounting to $630.70 were held back. I was out of pocket $112.70.

"I have been with my present firm part time for 3 years. When my boss got me a 10-cent-an-hour raise without telling me, it pushed my income over the $1,200 mark.

"I am now in line for a raise, but I shall not take it. I'll lose more than I'll get. People like to feel their work is appreciated. A raise in salary is the way a boss shows appreciation. But that is not for those on social security.

"Women who live in the Hotel Plaza in New York, or the Barclay in Philadelphia, or the Sheraton Park in Washington collect social security benefits because they get their income from dividends or bond coupons. Some of them need their social security checks like an extra hole in the head. But I need every cent I can possibly earn, and I'm not allowed to earn what I can."

Mrs. M. can't quarrel with me. Eddie Cantor and his wife can roll up to a social security office in a Cadillac and collect a check, even though the month before Cantor appeared on a TV show and earned a reported $2,000. A man or a woman can qualify for social security on a $100,000 income if the income comes from dividends, bonds, rents, or royalties. The law is screwy. See if you can understand it.

The law penalizes the steady worker, the low-income earner. If you earn $1,200, you can collect your benefits in any 1 year in full. But if you earn $1,200.01, you lose 1 month's benefits.

You can collect a benefit in any month in which you earn no more than $100 a month. (Formerly it was $80 a month.) Thus, if you earn $4,000 in 1 month and $100 per month in the other 11 months, you can collect 11 pension checks even though your total earnings are $5,100. But if your total earnings come to $2,080.01, and in every month you earn more than $100, you can't collect a single benefit check.

Why? Because for each $80 or fraction thereof above $1,200, you lose one benefit check. And if your yearly earnings hit $1,280.01, you lose two checks; earnings of $2,080.01 would snatch away all checks because in every month you earned more than $100. (It's hard to believe the human mind could have devised anything so complex.)

The Department of Health, Education, and Welfare is painfully and tortuously aware of the strings Congress has attached to benefit payments. It has prepared a memorandum which tries to placate the justifiably disgruntled:

"Since the old-age and survivors insurance program is designed to insure people against loss of earnings from work, it is appropriate that the retirement test take into account only an individual's earnings. It is a test of whether the worker has retired—not whether he is in need. By paying benefits without regard to other resources an individual may have built up during his working lifetime the old-age and survivors insurance system encourages private savings."

And, similarly, it discourages work.

When the Government has to defend a policy with such perverted logic, it's time to change the law. The cost of eliminating the retirement test is estimated at $2 to $3 billion a year, perhaps more. It's argued we can't afford it. As I see it, we can't afford the law as it stands.

If we can't pay old-age pensions as a matter of right, then we can't afford to pay the rich while penalizing the poor.

Congress should apply a straight income test, not a retirement test. If persons who are forced to work can't collect social security, then the well-off who don't have to work should not collect it.

Thank you, Mrs. M., for prodding me—and, I hope, the 86th Congress.

APPOINTMENT OF ADDITIONAL ASSISTANT SECRETARY OF STATE

Mr. FULBRIGHT. Mr. President, on behalf of myself, and the senior Senator from Minnesota [Mr. HUMPHREY], I introduce, for appropriate reference, a bill which will provide for the appointment of an assistant to the Secretary of State to assure joint policy and planning and equitable budgeting of exchange of persons programs and administrative cooperation between staffs engaged in carrying out such programs.

A similar bill, S. 3112, of the 85th Congress, was passed unanimously by the Senate last year but failed to be considered in the House of Representatives during the closing days of the last session of the 85th Congress. This bill has the endorsement of the Department of State and, in view of the Senate's unanimous action of last year, I am hopeful that it will be scheduled for early consideration.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 455) to provide for the appointment of an assistant to the Secretary of State to assure joint policy and planning and equitable budgeting of exchange of persons programs and administrative cooperation between staffs engaged in carrying out such programs, introduced by Mr. FULBRIGHT (for himself and Mr. HUMPHREY), was received, read twice by its title, and referred to the Committee on Foreign Relations.

PROPOSED AMENDMENTS TO CIVIL RIGHTS ACT OF 1957

Mr. JAVITS. Mr. President, I introduce today for appropriate reference two measures. One is a bill, of which the principal cosponsor is my colleague from New York [Mr. KEATING], and which is also cosponsored by the Senator from New Jersey [Mr. CASE] and the Senator from Pennsylvania [Mr. SCOTT], to amend the Civil Rights Act of 1957 by extending the life of the Civil Rights Commission until January 2, 1961.

The bill would give the Attorney General authority to initiate upon sworn complaint of affected individuals action for a civil injunction to prevent interference with civil rights, including the right to attend a nonsegregated public school, to enjoy equal opportunity to attend a public beach, public golf course, park, and other public facilities like restaurants and hotels, and to ride on trains, buses, and trolleys.

The other measure is a bill to amend the Civil Rights Act of 1957 by including therein part III, which was stricken when the bill was under consideration in the Senate in 1957. With respect to this

bill, I am the principal sponsor. The other sponsors are my colleague from New York [Mr. KEATING], the Senator from New Jersey [Mr. CASE], the Senator from Kentucky [Mr. COOPER], and the Senator from Pennsylvania [Mr. SCOTT].

I ask unanimous consent that the bill may lie on the desk until the close of next Tuesday in order to permit other Senators to cosponsor it if they so desire.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. The restoration of part III is the fundamental civil rights measure which should be considered by this Congress. Its consideration will constitute the acid test of the claim of Senator JOHNSON that his resolution which passed yesterday modifying the Senate rules on debate that deal with filibusters has meaning and content. Events since 1957 have shown that the authority of the Federal Government is essential to insure the enjoyment of civil rights by individual citizens particularly in the South and to sustain the hand of moderates who wish the South to be law abiding and believe that this can be effected consistently with an effective and orderly transition from social conditions which have resulted in a segregation of the races and a denial of the equal opportunities guaranteed by the Constitution.

Along with the proposals to curb "hate bombings" and "hate mail" introduced last Friday, these bills constitute excellent examples of what were the real stakes in the effort to change significantly Senate rule XXII permitting filibusters.

Under such circumstances it seems most unlikely that we can expect real decreases in the resistance to public school desegregation which has already resulted in the closing of 13 public schools in 2 States. The resulting tension presents a climate in which flourish the activities of "hate bombers" and "hate propagandists" who operate in communities where the failure of officials to condemn one form of lawlessness tends to be taken by fanatics as encouraging other acts of violence. A repetition of 1958's inaction by Congress in the months ahead on civil rights measures may make us unwilling witnesses to a series of new crises in communities throughout the South.

Under the terms of the bill which I am introducing, the U.S. Attorney General would be empowered upon written complaint to begin civil injunctive proceedings against local officials or those conspiring with such officials to deprive a citizen of his constitutional civil rights under the 14th amendment. These include the right to attend a nonsegregated public school, to enjoy equal opportunity to attend a public beach, public golf course, park, and other public facilities like restaurants and hotels, and to ride on trains, buses, and trolleys. Other vital rights protected by the Constitution are the right to vote, to serve on a jury, the right to a fair trial, and the very right to be a litigant and to enjoy unintimidated and uncoerced access to the courts of justice.

Under present law, an individual may bring suit for civil injunction to protect his civil rights, but in many cases such a person may not be financially able to begin proceedings, and the antibarratry statutes now on the books in six Southern States make it increasingly difficult for those deprived of their rights to seek the help of others to get judicial redress. My bill would permit the Attorney General to act upon showing that the person about to be deprived is himself financially unable to prosecute a civil proceeding on his own behalf.

In addition, upon the request of a State or municipality seeking to carry out the provisions of the 14th amendment, but prevented from doing so because of a conspiracy or threats of violence, the Attorney General is granted specific authority to seek civil injunction suits on its behalf.

The Supreme Court in the Brown case in 1954 and in several subsequent decisions has decided on the law in respect to desegregation of the public schools, but the responisbility for implementing it through adequate Government organization rests primarily with Congress. The successful Senate passage of part III of the act as it originally passed the House of Representatives 2 years ago would fill a major gap in the Federal Government's ability to assure every child's constitutional right to a nonsegregated education.

President Eisenhower in his state of the Union message spoke with great concern of the image of America abroad and the price we must pay in terms of international prestige among our free world allies following the closing down of public schools to avoid desegregation. Partially counteracting some of that damaging publicity have been the recent activities of the Civil Rights Commission and its investigation into complaints of denial of voting rights starting in Alabama. However, it has begun to work on only about 20 percent of the tasks set for it and will have completed at best half its assignments if we permit it to expire in November of this year.

The proposed extension of the Commission to January 1961, as put forward by Senator KEATING, should give it sufficient time to discharge its primary responsibility to conduct similar voting investigations in other States and study attempts to deny equal protection of the law in matters ranging from education to voting, transportation, employment, housing, public accommodations, and amusements, Government facilities and State and local administration of justice.

Although the Commission did not initially receive full cooperation from local authorities in its Alabama investigation, and once again Federal court orders had to be obtained, the number of complaints involving voting rights rose from 10 at the start of public hearings to 50 before their conclusion. Clearly, the Civil Rights Commission should be continued so that members of minority groups who fear they are being deprived of their right to vote have ample opportunity to press their complaints openly before a Federal fact-finding body empowered to make on-the-spot investigations.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills referred to by Mr. JAVITS were received, read twice by their titles, and referred as indicated:

By Mr. KEATING (for himself, Mr. JAVITS, Mr. CASE of New Jersey, Mr. COOPER, and Mr. SCOTT):

S. 435. A bill to amend the Civil Rights Act of 1957 to provide that the Civil Rights Commission shall have until January 2, 1961, to submit its report, findings, and recommendations; to the Committee on the Judiciary.

By Mr. JAVITS (for himself, Mr. KEATING, Mr. CASE of New Jersey, Mr. COOPER, and Mr. SCOTT):

S. 456. A bill to amend part III of the Civil Rights Act of 1957; to the Committee on the Judiciary.

CONSTRUCTION OF A VETERANS' ADMINISTRATION HOSPITAL FOR SOUTH TEXAS

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to authorize the erection of a U.S. Veterans' Administration hospital in south Texas.

This is an area with a population of well over 1,500,000 people residing in 40 counties, in a land area totaling over 40,000 square miles, most of them in the 14th and 15th Congressional Districts, south of San Antonio. In all of this area, there is not a single veterans' hospital—a situation which causes some veterans to travel more than 400 miles to secure medical attention.

Some veterans have died while traveling from this area to VA hospitals. Many veterans have been denied hospitalization benefits because they were unable to make the trip to the nearest facility.

The Veterans' Affairs Commission of Texas last year passed a resolution urging construction of a hospital in this area. The South Texas Veterans' Alliance also is working for solution of this problem.

The facility authorized under this bill would be a 300-bed unit. Such a facility is badly needed to extend to veterans of this area the hospitalization benefits envisioned for them under the Veterans' Administration program.

Mr. President, I ask unanimous consent that the bill providing for construction of a Veterans' Administration hospital in south Texas be printed at this point in the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 457) to authorize the erection of a U.S. Veterans' Administration hospital in the State of Texas, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Commitee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order

to provide for the furnishing of general medical and surgical facilities to veterans entitled to hospitalization or domiciliary care, the Administrator of Veterans' Affairs is authorized and directed to acquire by purchase, condemnation, or otherwise, a suitable site in south Texas, and to contract for the erection thereon of a hospital with a capacity of 300 beds, together with the necessary auxiliary structures, mechanical equipment, domiciliary and out-patient dispensary facilities, and accommodations for all personnel; and the Administrator is authorized and directed to acquire the necessary vehicles, furniture, equipment, and accessories to be used in the maintenance and operation of such hospital. The Administrator is authorized to accept gifts or donations to assist in defraying the costs of constructing and equipping such hospital.

SEC. 2. In order to carry out the provisions of this Act, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum of $26,000 per bed.

ADDITIONAL JUVENILE COURT JUDGESHIP

Mr. CLARK. Mr. President, on behalf of myself and Senators BIBLE, MORSE, BEALL, and JAVITS, I introduce for appropriate reference a bill to provide for the appointment of an additional judge for the juvenile court for the District of Columbia.

A similar measure passed the House and Senate in the 85th Congress. The bill was referred to a committee of conference on the disagreeing votes of the two Houses; the Senate conferees accepted the version of the bill which passed the House, and the Senate adopted the conference report, but the report was not acted upon by the House prior to adjournment.

The need for an additional judge was urgent and demonstrable last August. It is even more so now.

The business of the juvenile court is broad in scope and important in nature. The court has jurisdiction over cases in which children under the age of 18 years are charged with crimes, truancy, conduct beyond parental control, and actions endangering their own or others' health, morals, or safety. It must deal with all cases involving the paternity of children born out of wedlock, violation of the child labor and compulsory education laws and contributing to the delinquency of minors. The court also has concurrent jurisdiction with the U.S. District Court for the District of Columbia in criminal nonsupport cases.

The Congress has provided for 1 judge to handle the entire business of the juvenile court for the 800,000 people of the District.

The present juvenile court judge, Orman W. Ketcham, has labored well and tirelessly to perform the tasks assigned to him, and he deserves the thanks of the Congress and the Community.

But no man alone can carry the workload of the court today.

On September 1, 1958, the backlog of cases on the juvenile court hearing list numbered 890, including 329 cases of complaints against juveniles. To concentrate on the pressing juvenile matters, Judge Ketcham was forced to take certain drastic administrative measures. All nonsupport hearings were suspended for 2 months. Administrative hearings for wards of the court who committed new offenses were discontinued. An increasing number of cases were shifted to the district court for disposition.

By these means, a decrease in the backlog of juvenile cases was achieved at the expense of nonsupport cases, but when hearings of the latter type were resumed the backlog of juvenile cases, which are instituted at the rate of 75 per week, again climbed to its present record high. In spite of the hundreds of cases which have been heard by Judge Ketcham since last September, the total case backlog today number 1,032, an increase of almost 150 since Congress adjourned. If no new cases are considered it would still take Judge Ketcham months to dispose of the existing backlog.

Passage of this bill is not just needed for the relief of a badly overburdened judge. It is needed by the numerous children and destitute persons who come before the juvenile court in times of crisis and financial extremity in their lives. Their cases cannot receive the careful and prompt consideration by the court demanded by elementary justice under present conditions.

I urge favorable committee action upon this bill for the appointment of an additional judge for the juvenile court at an early date.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 465) to provide for the appointment of an additional judge for the juvenile court of the District of Columbia, introduced by Mr. CLARK (for himself, Mr. BIBLE, Mr. MORSE, Mr. BEALL, and Mr. JAVITS), was received, read twice by its title, and referred to the Committee on the District of Columbia.

FINANCING POLITICAL CAMPAIGNS

Mr. HENNINGS. Mr. President, I should like to speak briefly on a subject which is of interest to my Senate colleagues at least once every 6 years. This is the problem of financing political campaigns.

There are many ways of obtaining campaign funds. Most are honorable ways. Some, unfortunately, are not. Money, whatever the amount involved, does not taint political campaigns. Money received openly and spent openly casts no shadow of doubt. It is only when money is handled in secrecy, even in partial secrecy, that it becomes a political evil.

For that reason, Mr. President, on behalf of myself, the Senator from Wisconsin [Mr. PROXMIRE], and the Senator from California [Mr. ENGLE], I introduce for appropriate reference, a bill designed to make campaign financing and reporting the open and above board act which it should be and which American citizens have a right to expect it to be.

Mr. President, campaign financing, at this time, is regulated primarily by the Federal Corrupt Practices Act and the Hatch Act. These laws are based on the premise that clean elections depend on a full and complete disclosure of political contributions and expenditures and on limiting the dollars which may be spent in any one election. These are most worthy ideals and my bill does not deviate from their basic philosophy. The statutes themselves, however, are hopelessly out of tune with the times. They date back a quarter of a century or more. Their antiquity is exceeded only by their inadequacy.

The limits of campaign expenditures which the existing law imposes on congressional candidates are completely unrealistic. In the course of the past decade, the rise in the cost of services has changed our ideas as to just what constitutes excessive campaign spending.

When the present act was put into effect, after being passed by the Congress, we were thinking and talking in terms of a 1925 dollar. We are today thinking and talking in terms of a 1959 dollar. There are also many new devices, such as radio and television programs, with more intensive campaigning than took place in the mid-1920's.

New mediums of communications are available, and we now present political issues by radio and television. The cost of a brief broadcast today exceeds the costliest item of campaign expenditures known to us in the 1920's.

These obsolete limitations on campaign spending are completely unrealistic and must be brought up to date. But even worse, they are unenforceable. They invite circumvention. They may force an honest office seeker to skirt close to the path of dishonesty.

Mr. President, we are well aware that large amounts of money are handled by many types of political committees which operate on a local level. Yet only committees which are branches of a national organization are subject to the requirements in the reporting law.

In recent weeks, the amount of money spent by both of our major political parties in the past elections was reported. The sums involved were huge. But I have no doubt that they were but a fraction of the total amount spent by committees and campaign organizations of all kinds operating at all levels.

In several States, primary elections are the only elections which count. Yet according to the existing law, primaries are not within Federal statutes, and no political committees are required to report contributions and expenditures in connection with primaries.

Furthermore, the existing law contains no provision for the mandatory publication of the data which is reported to the Clerk of the House and the Secretary of the Senate. The reports are relatively inaccessible to the public, unless some enterprising newspaper reporter digs them out and publishes them. Thus, the law fails in its primary intent.

Mr. President, I have, in the course of years, introduced several "clean election bills" each aimed at strengthening and safeguarding our national elections.

The first bill was introduced during the 1st session of the 84th Congress (S. 636); the second in the opening days of the 1st session of the 85th Congress

(S. 426); and the third on May 23, 1957 (S. 2150).

This is the fourth bill I have introduced on this subject, Mr. President. At this time I should like to solicit cosponsorship of other Senators who are of the same views. The bill of course may in some respects be modified and amended. That may be done in committee. The bill is subject to amendment or modification by the Senate. It may even be enlarged in scope.

I ask unanimous consent that the bill lie on the desk for 1 week, in order to give Senators the opportunity of sponsoring it.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HENNINGS. The Subcommittee on Privileges and Elections, of which I had the honor to be chairman, held extensive hearings on S. 636, and the bill was favorably reported by that subcommittee and by the full Committee on Rules and Administration. Unfortunately, the Senate as a whole never had an opportunity to act on that bill.

In 1956 Federal elections were subjected to further investigations by the Special Committee To Investigate Political Activities, Lobbying, and Campaign Contributions under the able chairmanship of the senior Senator from Arkansas and by the Subcommittee on Privileges and Elections under the chairmanship of the junior Senator from Tennessee.

In June and July 1957, the Committee on Rules and Administration took up Senate bill 2150 and submitted it to a section-by-section scrutiny. As a result, the bill was reported to the Senate on July 3, 1957. Despite numerous efforts, I was unable, in the next 15 months to have it removed from the calendar and taken up by the Senate.

Mr. President, I have long been disturbed by that section of public opinion which holds that political campaigns are suspect—in some way unclean. I am anxious to see the field of politics returned to the position of prestige and respect that it formerly occupied in our society. Better election laws can do much to bring about such a return.

I have been honored and thankful that my endeavors in this field have resulted in bipartisan support. S. 2150 was reported favorably by a bipartisan vote of 7 to 2 in the Rules and Administration Committee. Clean elections are not of partisan concern, and I feel sure that each of our major political parties will benefit from revision of the laws. More important, the Nation, as a whole, will benefit.

It is my hope that the 86th Congress will see fit to enact a new set of laws to enhance the dignity of the National Legislature. Now is the time to do it. This is the year—a year when no Member of Congress is faced with immediate election problems.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 466) to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes, introduced by Mr. HENNINGS (for himself, Mr. PROXMIRE, and Mr. ENGLE), was received, read twice by its title, and referred to the Committee on Rules and Administration.

FUNDS FOR PAN AMERICAN GAMES

Mr. DIRKSEN. Mr. President, on behalf of myself and the senior Senator from Illinois [Mr. DOUGLAS], I introduce, for appropriate reference, a bill to authorize the appropriation of $500,000 for the purpose of promoting and insuring the success of the Pan American games to be held at Chicago, Ill., August 27 through September 7 of this year.

The Pan American games are held every 4 years under the direction of the Pan American Sports Organization. The member countries are those countries of the Americas whose national Olympics committees are members of the International Olympic Association.

At present, countries eligible for participation in the games are Argentina, Bahamas, Bermuda, Bolivia, Brazil, Canada, Colombia, Costa Rica, Cuba, Chile, Dominican Republic, Dutch West Indies, El Salvador, Guatemala, Honduras, Jamaica, Mexico, Panama, Paraguay, Peru, Puerto Rico, Trinidad, United States of America, Uruguay, and Venezuela. It is probable that before the games take place Ecuador, Haiti, and Nicaragua will be added to the list of eligible countries.

The games program includes some 20 sports, in 7 of which there will be competitions for both men and women, consisting of baseball, basketball, boxing, cycling, equestrian, equestrian polo, fencing, gymnastics, modern pentathlon, rowing, shooting, skeet, soccer, swimming, tennis, track and field, volleyball, water polo, weightlifting, wrestling, and yachting.

Plans for the games are thus far incomplete, and precise budget estimates of the use of Federal funds are not yet available. It is, however, anticipated that a detailed justification will be submitted for consideration by the Committee on Appropriations of both the House and Senate before any funds are actually appropriated pursuant to this authority. Funds appropriated will be expended in the discretion of the organization sponsoring the games, subject to such audit as may be prescribed by the Comptroller General of the United States.

Sports facilities of the Chicago area will be used, including Soldier Field and the athletic facilities of Northwestern, Loyola, Chicago, and De Paul Universities. None of the funds authorized will be used to finance the building in Chicago of facilities which will be available for the recreational use of the city of Chicago after the games.

It is estimated that approximately 2,000 athletes will participate in the games.

The bringing together in friendly sports of 2,000 of tomorrow's leaders in the countries of the Western Hemisphere, under circumstances where they are going to come to know and understand one another better, is desirable from the point of view of U.S. foreign policy. The Department of State has indicated its approval of support of the games under the sponsorship of the city of Chicago in such amount as determined to be appropriate by the Congress.

President Eisenhower, in addressing Mayor Richard J. Daley, of Chicago, in accepting the chairmanship of the honorary committee for the Chicago Pan American games, recognized the games as a "clear opportunity to enhance our good relations with our neighbors in the hemisphere."

Mr. President, the success of the Pan American games in Chicago this year will certainly make a substantial contribution to the relations between the United States and other American Republics.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 493) to authorize the appropriation of $500,000 to be spent for the purpose of the Pan American games to be held in Chicago, Ill., introduced by Mr. DIRKSEN (for himself and Mr. DOUGLAS), was received, read twice by its title, and referred to the Committee on Foreign Relations.

FEES PAYABLE TO PATENT OFFICE

Mr. DIRKSEN. Mr. President, I introduce for appropriate reference a bill to fix the fees payable to the Patent Office, and for other purposes.

This measure, if enacted, would revise the fees collected by the U.S. Patent Office of the Department of Commerce involved in connection with patent applications, trademark applications and registrations, reissues, certificates of correction, copies of specification and drawings of patents, recording of assignments, agreements, and related matters. The revision would result generally in an increase of such fees.

The last major change in patent fees was back in 1932 when the application and issuance fees were raised to $30 each. Immediately after the 1932 revision of fees, the Patent Office was collecting in fees a sum exceeding 90 percent of the cost of operating the Patent Office. Since that time the costs of operation of the Patent Office have risen sharply, although no major adjustment in fees has been made to effect the same recovery of costs.

The Patent Office recovered in fees about 48 percent of its cost of operation in 1954, 1955, and 1956. The recovery in 1957 was about 40 percent. Because of increased expenditures for the operation of the Patent Office, this percentage will probably be less for the past and the current fiscal years. It is calculated during the next few years ahead that the fees under this proposal would cover only about 50 or 55 percent of expenditures of the Patent Office, compared with the 90-percent recovery in 1932.

It should be pointed out that the fees which would be modified by this proposal are established by statute and, therefore, congressional action is necessary to effect changes.

During the 85th Congress the Secretary of Commerce urged congressional action on the proposal to enable the Government to effect greater recovery of costs from special beneficiaries of this

Government program. The Bureau of the Budget concurred in that recommendation and further indicated that it would be in accord with the program of the President.

The enactment of this legislative proposal would be in keeping with the policy of the administration of charging special beneficiaries of Government programs for the cost of operation attributable to special beneficiaries.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 494) to fix the fees payable to the Patent Office and for other purposes, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on the Judiciary.

CONVEYANCE OF CERTAIN PROPERTY TO STATE OF ILLINOIS

Mr. DIRKSEN. Mr. President, I introduce for appropriate reference a bill to provide for the conveyance of the Hines Service Center at Hines, Ill., and the Lincoln Ordnance Plant at Springfield, Ill., to the State of Illinois.

The Department of the Army desires to retain 5½ acres, more or less, of the Illinois National Guard General Depot at Springfield for the purpose of having it available to construct an armory for the Armed Reserve units in Springfield, Ill., and the State of Illinois concurs in this retention by the Federal Government.

Maj. Gen. Leo M. Boyle, the adjutant general of the State of Illinois, who is also the adjutant general of the Illinois National Guard, strongly endorses the enactment of this proposal.

The Surplus Property Act of 1944, as amended, authorized the transfer of property that was otherwise surplus by the United States to an individual State without payment therefor upon certification that the property was required for training and maintaining a civilian component of the Armed Forces. This authority was repealed by the Federal Property and Administrative Services Act of 1949. Thereafter, the Department of the Army, in connection with specific bills, indicated that it would interpose no objection to legislation proposing the transfer of property to a State if, first, there was no other Department of Defense requirement for the property; second, there is a long-range requirement in support of the National Guard; third, the State would agree to use the property solely for National Guard purposes; and, fourth, the property would be available for use by the United States without charge in the event of need therefor during a war or national emergency.

Since June 30, 1949, Congress has authorized and directed the transfer of separate parcels of land to many individual States, and the transfer of these particular parcels would not involve the expenditure of any Department of Defense funds.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 495) to provide for the conveyance of Hines Service Center, Hines, Ill., and Lincoln Ordance Plant, Springfield, Ill., to the State of Illinois, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on Armed Services.

AMENDMENT OF EMPLOYMENT ACT OF 1946

Mr. CLARK. Mr. President, I introduce, for appropriate reference, a bill to amend the Employment Act of 1946 to provide for the coordinated consideration of monetary policies thereunder, and to bring to bear an informed public opinion upon price and wage increases which threaten economic stability. On yesterday Representative REUSS, of Wisconsin, introduced a similar bill in the House of Representatives.

The bill would do two things:

First. Require the President to include in his economic report and annual economic program and recommendations a discussion of monetary and credit policies "to the same extent as all other policies affecting employment, production, and purchasing power."

Second. Assign to the Council of Economic Advisers in the Executive Office of the President the responsibility for holding public hearings on price or wage increases which appear to seriously threaten economic stability and to issue advisory statements, where advisable, as to whether the proposed increases are justified.

Our imperative domestic task is to bring to realization the goals of the Employment Act of 1946—maximum employment, production, and purchasing power, without inflation.

The measure we have introduced would assist toward those goals by clarifying the President's responsibility for monetary and credit policies and by bringing an informed public opinion to bear upon price and wage increases which threaten economic stability.

The record for 1958 shows that we have not been achieving the goals of the Employment Act. More than 6 percent of the labor force is still unemployed, and the recession cost us some $50 billion of potential production. At the same time, we were not able to maintain price stability even during the recession. And while the indexes have appeared stable during the past few months, the averages conceal a continued serious inflation in certain sectors of the economy, particularly in the prices of manufactured goods.

While the fault lies largely in the way the Employment Act has been administered, it is nevertheless important to strengthen the act itself.

The first change which we propose would require the President to present to the Congress and the Nation an economic report and an economic program and recommendations which are truly comprehensive. At the present time, monetary and credit policy are left largely to the Federal Reserve Board, which is independent of the President, and the policies of the Board on the one hand and the President and his executive agencies on the other, may or may not be consistent with one another.

This bill would not impair the status of the Federal Reserve Board as an independent agency. It would, however, require the President to take monetary and credit policies into account to the same extent as all other policies affecting employment, production, and purchasing power, including price stability.

His report and recommendations would therefore be complete and comprehensive instead of limited and partial.

The bill specifies, however, that if the Federal Reserve Board or other independent agency disagrees with the President's program and recommendations, "the President shall report such disagreement to the Congress, together with a statement from the disagreeing agency of its reasons."

As the act is now construed by the President, he is not required to have any monetary policy at all, much less one that is coordinated with expenditure, tax, and other governmental policies. This defeats the very purpose of the act, which was to centralize in the President responsibility for coming forward with a coherent and coordinated program.

The second change in the Employment Act which we propose would assign to the Council of Economic Advisers in the Executive Office of the President the power and duty to bring to bear an informed public opinion on price or wage increases which appear to seriously threaten economic stability. The Council would request those proposing such increases to justify them at a public hearing as not constituting a threat to stability. Moreover, the bill states that "in cases where the Council deems it advisable, it may issue an advisory statement upon such justification."

Recent experience shows that even during the 1957–58 recession, strong industries were able to push through continuing price increases frequently preceded by wage increases. These increases have had serious effects upon the stability of the entire economy, not only because of their direct effects in the industries concerned but because these industries are pace setters for the economy as a whole. And they are relatively invulnerable to general monetary and fiscal controls.

Our bill would require action by the Council of Economic Advisers only in such pace-setting industries. The mere knowledge on the part of management and labor that they may be invited to justify price or wage action before a public body should encourage more consideration for the public interest in price stability. In a sense, the public will acquire at least some representation at the wage-bargaining and price-setting table. Finally, in cases where the Council is convinced of the lack of justification of the price or wage increase proposed, it can issue a public advisory statement which should be influential in restraining harmful action.

We hope that management and labor in the strong, pace-setting industries will recognize the necessity for this measure and give us their support. In any case, the interest of the general public in the stability of the economy is paramount and must take precedence over the right

of private groups to take action injurious to the entire economy without restraint of any kind.

Mr. President, I ask unanimous consent that the text of the bill may be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 497) to amend the Employment Act of 1946 to provide for the coordinated consideration of monetary policies thereunder, and to bring to bear an informed public opinion upon price and wage increases which threaten economic stability, introduced by Mr. CLARK, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Employment Act of 1946 (15 U.S.C., sec. 1023) is amended by adding at the end thereof the following new subsection:

"(d) In order to clarify the President's responsibilities under this section, he shall consider, in his review under subsection (a)(3) of this section, and in his program and recommendations under subsections (a)(4) and (b) of this section, monetary and credit policies, to the same extent as all other policies affecting employment, production, and purchasing power. If the Federal agency directly responsible for the execution of such monetary and credit policies disagrees with such program and recommendations, the President shall report such disagreement to the Congress, together with a statement from the disagreeing agency of its reasons."

SEC. 2. Section 4(c) of the Employment Act of 1946 (15 U.S.C., sec. 1021 et seq.) is amended by adding an additional subsection (c)(6) as follows:

"(6) in order to bring to bear an informed public opinion upon price or wage increases which appear to seriously threaten economic stability;

"(i) to request persons proposing such price or wage increases to justify them at a public hearing as not in fact constituting such a threat; and

"(ii) in cases where the Council deems it advisable, to issue an advisory statement upon such justification."

AMERIGO VESPUCCI DAY

Mr. JAVITS. Mr. President, on behalf of myself and my distinguished colleague, the junior Senator from New York [Mr. KEATING], I introduce a joint resolution, designating the 9th day of March in each year as Amerigo Vespucci Day. Representative SANTANGELO, of New York, is introducing a similar resolution in the House.

Amerigo Vespucci, after whom our Western Hemisphere continues to be named, has made for himself a tremendous place in history as one of the discoverers of the land in South and Central America. It is particularly important because he was the first of 5 million of his countrymen from Italy—he was born in Florence, Italy, on March 9, 1451—to set foot on the continent of America.

He served as navigator on a voyage that in 1497 brought some of the first Europeans within sight of the mainland of what was later to be called America, in honor of his name. He made three further voyages to the shores of this continent and he participated in the fitting out of Christopher Columbus' second expedition. It is of special and timely interest to us, in this day of a new exploration which may lead us to the very stars which guided Amerigo Vespucci to our continent, that this man was the first explorer to sight Cape Canaveral. I think it is indeed fitting that the day of his birth be made a most special occasion.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 15) designating the 9th day of March in each year as Amerigo Vespucci Day, introduced by Mr. JAVITS (for himself and Mr. KEATING), was received, read twice by its title, and referred to the Committee on the Judiciary.

SCHOOL SUPPORT ACT OF 1959—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 9, 1959, the names of Senators CARROLL, MUSKIE, and PASTORE were added as additional cosponsors of the bill (S. 2) to provide financial assistance for the support of public schools by appropriating funds to the States to be used for constructing school facilities and for teachers' salaries, introduced by Mr. MURRAY (for himself and other Senators), on January 9, 1959.

AMENDMENT OF CLAYTON ACT WITH REFERENCE TO EQUALITY OF OPPORTUNITY—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of January 9, 1959, the name of Mr. BYRD of West Virginia was added as an additional cosponsor of the bill (S. 11) to amend the Clayton Act as amended by the Robinson-Patman Act with reference to equality of opportunity, introduced by Mr. KEFAUVER (for himself and other Senators), on January 9, 1959.

HOUSING ACT OF 1959—ADDITIONAL COSPONSORS OF BILL

Mr. SPARKMAN. Mr. President, on January 9, 1959, I introduced a housing bill which bears the number S. 57. There were some cosponsors of the bill. Unfortunately, however, two Senators who have been active in promoting housing legislation because of their great interest in it failed to have their names included as cosponsors of the bill. The bill has already been printed. However, I ask unanimous consent that on the next printing of the bill, should there be one, the names of the two Senators from Washington [Mr. MAGNUSON and Mr. JACKSON] may be entered as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX ADJUSTMENT PROGRAM FOR SMALL BUSINESS—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 9, 1959, the names of Senators RANDOLPH, COOPER, MOSS, MORSE, BIBLE, JAVITS, BYRD of West Virginia, DODD, GRUENING, and JACKSON were added as additional cosponsors of the bill (S. 59) to provide a program of tax adjustment for small business and for persons engaged in small business, introduced by Mr. SPARKMAN (for himself, Mr. HUMPHREY, and Mr. KEFAUVER), on January 9, 1959.

AMENDMENT OF HOUSING LAW—ADDITIONAL COSPONSORS OF BILL

Mr. CLARK. Mr. President, at the request of the junior Senator from Washington [Mr. JACKSON], the senior Senator from Tennessee [Mr. KEFAUVER], the junior Senator from Maine [Mr. MUSKIE], and the junior Senator from Ohio [Mr. YOUNG], I ask unanimous consent that their names be added to the list of cosponsors of the bill (S. 193) to amend and extend the laws relating to renewal of urban communities, and for other purposes, which I introduced, on behalf of myself and the Senator from Massachusetts [Mr. KENNEDY] on January 12.

I understand that the bill has gone to the printer; so I request that when it is next printed, the names of the additional cosponsors be added.

The PRESIDING OFFICER (Mr. KEATING in the chair). Without objection, it is so ordered.

COUNTRY LIFE COMMISSION—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 14, 1959, the names of Senators MORTON and MUNDT were added as additional cosponsors of the bill (S. 265) to establish a Commission on Country Life, and for other purposes, introduced by Mr. WILEY on January 14, 1959.

EQUALIZATION OF PAY OF RETIRED MEMBERS OF UNIFORMED SERVICES—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 14, 1959, the names of Senators HUMPHREY, MOSS, YARBOROUGH, SCOTT, SPARKMAN, LANGER, ALLOTT, BUTLER, JAVITS, HRUSKA, KEATING, PROUTY, and Mr. YOUNG of North Dakota were added as additional cosponsors of the bill (S. 269) to equalize the pay of retired members of the uniformed services, introduced by Mr. GOLDWATER (for himself and other Senators) on January 14, 1959.

EXPRESSION OF SENSE OF THE SENATE ON LOANS MADE BY RURAL ELECTRIFICATION ADMINISTRATION—ADDITIONAL COSPONSORS OF RESOLUTION

Under authority of the order of the Senate of January 14, 1959, the names of Senators HENNINGS, CURTIS, MURRAY, LANGER, and CLARK were added as additional cosponsors of the resolution (S. Res. 21) expressing the sense of the Senate concerning the making of loans by

the Rural Electrification Administration, submitted by Mr. AIKEN (for himself and other Senators) on January 14, 1959.

PRINTING OF REVIEW OF REPORTS ON GILA RIVER, CAMELBACK RESERVOIR SITE TO SALT RIVER, ARIZ. (S. DOC. NO. 5)

Mr. CHAVEZ. Mr. President, I am about to submit a matter to which I particularly invite the attention of the Senator from Arizona [Mr. GOLDWATER].

Mr. President, I present a letter from the Secretary of the Army, transmitting a report dated September 30, 1958, from the Chief of Engineers, Department of the Army, together with accompanying papers and an illustration, on a review of reports on Gila River, Camelback Reservoir site to Salt River, Ariz., requested by a resolution of the Committee on Public Works, adopted August 7, 1956. I ask unanimous consent that the report be printed as a Senate document, with an illustration, and referred to the Committee on Public Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, and so forth, were ordered to be printed in the RECORD, as follows:

By Mr. KUCHEL:

Address entitled "Public Interest Demands Clean Air," delivered by him before plenary session of national conference on air pollution, Washington, D.C., November 18, 1958.

By Mr. HUMPHREY:

Address delivered by Senator RANDOLPH before the annual civil service banquet of American Federation of Government Employees, Norfolk Naval Shipyard, Portsmouth, Va., January 16, 1959.

NOTICE OF CONSIDERATION BY FOREIGN RELATIONS COMMITTEE ON SUNDRY NOMINATIONS

Mr. GREEN. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate received today the following nominations:

C. Burke Elbrick, of Kentucky, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Portugal;

James C. H. Bonbright, of New York, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Sweden;

Richard B. Wigglesworth, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Canada;

Lampton Berry, of Mississippi, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ceylon;

John D. Jernegan, of California, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Iraq;

Livingston T. Merchant, of the District of Columbia, to be an Assistant Secretary of State;

Harry A. Bullis, of Minnesota, to be Chairman of the International Development Advisory Board for a term of 2 years;

John O. Bell, of Maryland, to be Special Assistant for Mutual Security Coordination in the Department of State; and

Leonard J. Saccio, of Connecticut, to be Deputy Director of the International Cooperation Administration in the Department of State.

The Senate has also received the nominations of 120 persons for appointment to, or promotion in, the Foreign Service of the United States.

Notice is given that the Committee on Foreign Relations, at the expiration of 6 days, in accordance with the committee rule, will give consideration to these nominations.

BONDING OF FEDERAL EMPLOYEES

Mr. JOHNSTON of South Carolina. Mr. President, I have recently reviewed a report from the Treasury Department on operations in connection with the bonding of Government officers and employees, under the act of August 9, 1955.

The Committee on Post Office and Civil Service, of which I am chairman, during the 1st session of the 84th Congress recommended to the Congress legislation which I sponsored, and which was approved, authorizing the Treasury Department to cover Federal employees under bonds at Government expense.

Mr. President, this report shows that Federal employees have saved $1,732,000 annually and the Government itself has saved in administrative cost $478,000. These annual savings to the Government alone exceed the annual premium rate of Government bonds for all Federal employees by $180,000.

Mr. President, I am quite proud of the report on the operation of Public Law 323, and I ask unanimous consent that it be printed in the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Carolina?

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT ON OPERATIONS IN CONNECTION WITH THE BONDING OF GOVERNMENT OFFICERS AND EMPLOYEES UNDER THE ACT OF AUGUST 9, 1955, FISCAL YEAR ENDED JUNE 30, 1958

Public Law 323, 84th Congress, 1st session, approved August 9, 1955, requires the Secretary of the Treasury to transmit to Congress on or before October 1 of each year a comprehensive report of operations under the act during the preceding fiscal year.

Pursuant to regulations of the Treasury Department, each of the executive departments and 49 independent offices, agencies and establishments covered by the act, submitted reports containing the specific information required by Public Law 323 for the current year. Reports were also received from the Architect of the Capitol (first report), General Accounting Office, Government Printing Office, House of Representatives (Sergeant at Arms), and Library of Congress, in the legislative branch, and from the Administrative Office of the U.S. Courts and the Supreme Court of the United States relating to the judicial branch.

The following tables summarize the information reported:

NUMBER OF EMPLOYEES COVERED

As of June 30, 1958, 944,595 employees in the executive branch were covered by bonds procured under the act as compared with 957,585 employees covered as of June 30, 1957. Reports received from the legislative and judicial branches indicate that 122 legislative employees and 1,153 judicial employees were covered by bonds procured under the provisions of the act. A blanket bond of the Post Office Department covering 852,600 persons accounted for 90 percent of the bonded employees, which is the same percentage as for the previous year.

The following statement summarizes the number of employees covered by type of bond as at the close of the fiscal year 1958 compared with those at the close of the fiscal year 1957:

Type of bond	Executive		Legislative		Judicial		Total	
	1958	1957	1958	1957	1958	1957	1958	1957
Position schedule	35,279	37,089	118	112	38	33	35,435	37,234
Blanket	908,873	919,934			1,105	1,105	909,978	921,039
Individual	443	562	4	1	10	12	457	575
Total	944,595	957,585	122	113	1,153	1,150	945,870	958,848

The reduction of 12,978 in the number of employees covered at the close of 1958 as compared with 1957 resulted primarily from decreases of 11,089 in the number of employees covered in the Post Office Department, 3,180 in the Department of the Air Force and 644 in the Federal Housing Administration. Other reporting units reflected increases and decreases of lesser magnitude involving an overall increase of 1,935.

NUMBER AND TYPE OF BONDS PROCURED

Agencies of the executive branch procured 560 bonds under the act. Of this number, 94 were position schedule, 23 were blanket, and 443 were individual bonds. The majority of the individual bonds were taken to cover travel advances.

The following statement summarizes the number and type of bonds in effect as of June 30, 1958, as compared with those in effect at the close of fiscal year 1957:

Type of bond	Executive		Legislative		Judicial		Total	
	1958	1957	1958	1957	1958	1957	1958	1957
Position schedule	94	95	4	3	3	3	101	101
Blanket	23	23			1	1	24	24
Individual	443	562	4	1	10	12	457	575
Total	560	680	8	4	14	16	582	700

AMOUNTS OF PREMIUMS PAID FOR BONDS

The following summary shows the annual premium rate on bonds in force as of June 30, 1958, compared with June 30, 1957. The majority of the bonds, other than individual bonds, run for a period of 2 years. Premiums on these bonds are shown on the basis of the proportionate cost for 1 year, together with the premiums on 1-year bonds, in order to arrive at an annual rate:

Type of bond	As of June 30, 1958				Total as of June 30, 1957
	Executive	Legislative	Judicial	Total	
Position schedule	$117,637	$538	$255	$118,430	$137,824
Blanket	169,675		3,459	173,134	234,579
Individual	6,147	82	160	6,389	6,455
Total	293,459	620	3,874	297,953	378,858

The reduction in the premium rate for 1958 as compared with 1957 is due primarily to the decrease in premium costs of the Post Office Department from $183,514 to $130,219. This reduction was occasioned by (1) a reduction of 11,089 in the number of employees covered, (2) a reduction in the unit cost of coverage per employee from $0.21 to $0.19, and (3) the receipt of dividends approximating $55,000 from the 2-year bond procured January 1, 1956. The Post Office Department expects a similar dividend of approximately $47,000 upon termination of the present 2-year bond procured January 1, 1958.

CLAIMS AGAINST SURETY COMPANIES

The following statement shows claims for the period from July 1, 1956, to June 30, 1957, and July 1, 1957, to June 30, 1958, as compared with a 12-month period prior to the effective date of the act:

	Fiscal year 1958	Fiscal year 1957	Average, fiscal years 1957-58	Jan. 1 to Dec. 31, 1955
Amount of claims	$126,585	$74,203	$100,394	$123,608
Amounts recovered	93,030	63,149	78,090	101,986
Amount of claims pending	33,555	11,054	22,304	[1] 21,618

[1] One claim paid in the amount of $3.43 less than submitted.

ADMINISTRATIVE EXPENSES

Administrative costs of surety bond procurement and related operations (including expenses in connection with handling, examination, filing and correspondence) for the fiscal year 1958, amounted to $29,506 for all agencies reporting. These expenses were greater for the fiscal year 1958 since most 2-year bonds expired December 31, 1957, and new bonds were procured. However, the average for the 2 years is less than $481,973 than the administrative expenses prior to the approval of Public Law 323.

The following table summarizes administrative costs for the fiscal year 1958, compared with figures available for prior years:

	Fiscal year 1958	Fiscal year 1957	Average, fiscal years 1957-58	Fiscal year 1955	Increase (+) or decrease (−) 2-year average of fiscal year 1957—fiscal year 1958 compared to fiscal year 1955
Personal services	$27,229	$19,615	$23,422	$502,961	−$479,539
Printing and reproduction	896	546	721	1,638	−917
Other expense	1,381	587	984	2,501	−1,517
Total	29,506	20,748	25,127	507,100	−481,973

COMPARATIVE STATEMENT

A comparative statement of certain items relating to bonds in force December 31, 1955 (not procured under the act of August 9, 1955) and those in force as of June 30, 1958, procured under the act of August 9, 1955, follows:

	Bonds in force Dec. 31, 1955, not procured under act of Aug. 9, 1955 [1]	Bonds procured under act of Aug. 9, 1955, in force as of June 30, 1958	Increase (+) or decrease (−)
Number of officers and employees covered	909,808	945,870	+36,062
Aggregate penal sums	$2,056,954,540	$3,415,712,311	+$1,358,757,771
Annual premium rate:			
Paid by employees	$1,732,748		−$1,732,748
Paid by U.S. Government		$297,953	+$297,953
Administrative expenses paid by U.S. Government	$507,100	$29,506	−$477,594

[1] Includes employees of Internal Revenue Service who were formerly covered under bonds procured under 7803(c) of the Internal Revenue Code of 1954.

SUMMARY

The majority of the bonds procured under the act, subsequent to its passage in the fiscal year 1956, covered a 2-year term, and, therefore, there was substantial bond procurement activity during the fiscal year 1958, which resulted in an increase of administrative expenses over the preceding year of $8,758. However, savings in administrative costs during the fiscal year 1958, as compared to the fiscal year ended June 30, 1955, the last full fiscal year prior to the act, amounted to $477,594. These annual savings exceed the annual premium rate of $297,953 for bonds in force as of June 30, 1958, by $179,641. In addition to these savings, employees were relieved of paying premiums which, during the fiscal year 1955, amounted to $1,732,748.

There is attached a detailed statement showing for each reporting agency the number of bonds procured, number of officers and employees bonded, amount of premiums paid, and total penal sums relating to bonds in force as of June 30, 1958.

The individual reports received from agencies are available in the Treasury Department.

ALLEGED LAG IN MISSILE DEVELOPMENT PROGRAM

Mr. HENNINGS. Mr. President, in recent days we have heard much about the alleged lag in our missile-development program. There are those who contend that our missile program is adequate. There are those who contend that we are lagging behind the Soviet Union in this field. Certainly the Soviets have startled the world by sending tons of steel into orbit about the earth and by firing rockets beyond the moon. On the surface, at least, our success in this field has not been so spectacular.

Mr. Drew Pearson and Mr. Jack Anderson have published a book which deals, in part, with this alleged missile lag. The book, "U.S.A.—Second Class Power?" makes many statements about our missile programs. I am not a missile or military expert, but the authors of this book are men who stand behind their statements. Moreover, the book's general view of our missile-development program has been backed up by the report of a House of Representatives committee which found that the United States trails the Soviet Union by more than a year and that it will take at least 5 years for us to catch up.

Despite the difference of opinions which have recently been expressed on this matter, the book is food for thought and, for this reason, I call it to the attention of all of my colleagues in the Senate and commend this work, based upon extensive research and observation, to all who are concerned with the destined role of the United States as the leader of the free world and the hope of mankind.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. HENNINGS. I am very happy to yield from the time remaining to me.

Mr. HUMPHREY. I am very happy that the Senator has mentioned this very informative piece of writing. I notice that there has been quite an exchange of argument recently in the Congress concerning some of the problems of the defense program, particularly in the area of missile production. I commend to my colleagues the reading of this particular book, which it has been my privilege to read. I received a copy from one of my good neighbors in Minnesota.

I have taken a particular interest in that book because of the dispute which has taken place of late over the so-called lag in missile production. I refer my colleagues to pages 85, 86, 87, and 88, in the early part of the book, tracing the development of the missile program, and

outlining some of the problems encountered in the Bureau of the Budget, as well as other agencies of the Government. I commend the Senator from Missouri for bringing this book to our attention, and I hope every Member of the Senate will read it.

Mr. HENNINGS. I thank the distinguished Senator, who is a member of the Committee on Foreign Relations, and who has recently been in Russia. He has written a fine article which was published in Life magazine, concerning his experiences. This book I mentioned was recently published, and I believe, is worth reading by every Member of this body and by the American public generally.

THE CHAPLAIN IN THE SPACE AGE

Mr. RUSSELL. Mr. President, Maj. Gen. J. B. Medaris, who is Commanding General of the U.S. Army Ordnance Missile Command at Redstone Arsenal, in Huntsville, Ala., is known throughout the land—indeed, through the entire world—as one of the great figures in the expansion and development of the space age. I was greatly impressed to read in one of the Atlanta newspapers excerpts from an address which General Medaris delivered before the conference of chaplains of the Third U.S. Army, at Fort McPherson.

The excerpts which I read reveal a deep and compelling conviction on the part of this great scientist that our country cannot see its way through difficulties which confront us without maintaining a firm spiritual foundation. No matter how much we may progress in the field of technology, if our country is spiritually weak, it will not survive.

For many years I have believed that we were as much threatened in this country by the weakening of our spiritual life as we were by admitted shortcomings of our military defense.

I wrote to General Medaris and asked him to send me a copy of this outstanding statement in order that I might be privileged to have it printed in the CONGRESSIONAL RECORD. I ask that this great address, exemplifying the fact that this great scientist clings to the simple faith of our Fathers, may be printed in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE CHAPLAIN IN THE SPACE AGE

I welcomed the opportunity to address the chaplains of the Third U.S. Army because of my deep conviction that man's survival in the space age will depend entirely upon his active faith in God and his willingness to permit the basic concepts of Judaic-Christian religion to influence his behavior. Nothing short of that ready consent will protect the people of earth from the awesome consequences inherent in coupling the long-range missile with the released power of the atom—a possibility which is not solely within our power to forestall.

There is real danger that the intellectual excitement aroused by the imminence of space exploration, and the almost limitless energies available through nuclear reaction may intoxicate men to such a degree that they might forget the blunt alternatives—either they act in accordance with divine guidance or they invite destruction.

Time will permit only a very brief examination of the impact of science and technology upon the minds of men, but I will try to indicate what this has been in the past and what we may expect in the future. Then I will attempt to suggest what I believe to be the true function of religion in this situation, and relate that to the role of the Army chaplain as we approach decisions which can open up a future rich with promise or wipe out the human race.

Let us first consider the broad influence of science upon many aspects of society. Scientific discovery is never an isolated event. Always from any new knowledge emerge new concepts in political, economic, and ethical philosophies. These new social forces must be attuned to fundamental religious beliefs. If not so supported they invite mental or physical conflicts. Especially must we anticipate spiritual crises as man enters worlds beyond our own. Lacking a firm foundation in religious faith, he will surely grope blindly as he is besieged by strange hypotheses and radical philosophies, spawned by new discoveries and theories, which often defy easy comprehension. We can find many precedents to support this likelihood—a few will suffice.

In the era when Columbus boldly steered his tiny ships upon uncharted seas, Copernicus described the orbital movements of the Moon and challenged the popular belief that the Earth was a flat body, stationary in the heavens, around which the Sun revolved.

A century later Galileo employed telescopes of his own design and reported celestial phenomena which supported the Copernican theory. He ignored the accepted superstitions of the time insisting that the Milky Way consisted of a mass of stars so numerous as to be almost beyond belief. He challenged the ancient Aristotelian theories by reporting that the Moon was not smooth, that in fact its surface was marked by mountains and valleys and did not produce light, but reflected it.

The fearful reaction inspired by publication of these discoveries and extrapolations caused a bitter conflict between church and science, the echoes of which were heard many times in subsequent ages. Inquisitorial restraint was imposed upon Galileo's pronouncements, and the work of Copernicus was placed on the index where it remained for 200 years. Yet Copernicus argued that his discoveries and theories confirmed the magnitude of God. He spoke of the order which he found and translated into mathematical formulas as more devine than human science.

"The reason for the order in which all these things succeed one another," he wrote, "and the harmony of the whole world teaches us their truth—if only we would look at the thing with both eyes."

Thus the conflict arose not from scientific discovery itself but rather from the bigoted attacks of ignorant men who refused to accept truth, and who would not interpret new knowledge in such manner as to make religion even more meaningful.

As we consider the implications of extending human activity into space, and the rapid progress of science and technology in other areas as well, let us, as Copernicus urged, "look at the thing with both eyes."

It has been said that man's entry into space will provide new opportunity for the display of barbarism and stupidity. Cynical comment of this sort, while it may have a certain popular appeal, overlooks the existence in America today of a spiritual and intellectual climate more conducive to the endless search for truth than has prevailed at any other time in history. Leading figures of all the major faiths, including the late Pius XII, saw no defiance of Divinity in our initial ventures into areas beyond the sensible atmosphere. It is my own belief, and I am entirely sincere in this, that the door would have closed in our faces if what we are attempting contravened God's design.

Some concern has been indicated because man will enter space in an atmosphere of international rivalry and tension. Well founded as this concern may be, it is a situation which cannot be resolved by unilateral action. The sense of urgency with which we approach these projects will not tolerate delay.

In some quarters there is hesitancy to accept the logical and necessary relationship between purely scientific space exploration and the development of long-range rocket weapons essential to national security. This latter objection is all the more puzzling because the Armed Forces have always shared in major scientific and technological programs and progress. For example, former Army engineers built the transcontinental railroads. The Panama Canal was largely a military accomplishment. The Navy promoted the development of shipping. The Army, later the Air Force, spurred the development of aircraft which, although initially adapted to defense purposes, became the prototypes of civilian carriers. Exigencies of national defense have often prompted developmental programs which led to notable contributions to the national economy. The release of nuclear energy under proper control for peaceful purposes followed the development of atomic bombs. The mushrooming electronics industry grew out of military programs. A host of similar instances could be cited.

In the field with which I am identified only the urgent defense need justified the enormous cost and effort required for the development of long-range missile systems. Out of the mainstream of this program have emerged many useful devices—the electronic computer, the magnetic tape programing of production, automatic data processing and others. Benefits of even greater magnitude can be anticipated from the exploitation of presently known space technology. Earth satellites can provide accurate knowledge of weather making factors, which will improve the forecasting service and furnish timely storm warnings, thus saving countless lives and billions of dollars worth of property and crops. Instrumented satellites can facilitate worldwide communications for the instantaneous transmission of video and signals. Orbiters can refine the navigation of ships and aircraft.

I think the Explorer satellites dramatically illustrated the way in which military capabilities can serve scientific interests. For this program the Army made available, for quite a different purpose, existing missile systems and components, and the unique experience and facilities developed for its weapon program. The results speak for themselves, whether you evaluate them in terms of the scientific data obtained or the boost provided to national prestige, and the restoration of something akin to a balance between rival technologies. If the United States alone were engaged in the exploration of space for altogether peaceful objectives, I believe we could quickly dismiss any fears about the fruits of our joint efforts—military and scientific.

However, we are confronted by the technological capabilities of a godless state whose international policies would not permit man to move forward in untrammeled freedom. There is mounting concern over the intentions of international communism as it extends its activities beyond earth. Like their earth-bound predecessors, space vehicles can be employed advantageously for aggressive ends as well as for research and exploration.

Fear of the growing menace of communism arises from the ideological conflict between the free world and the Communist states dating back to the Russian Revolution of 1917. Four decades later the Communist

goal, world conquest, remains unchanged. On numerous occasions this force for evil, in extending its dominion over hapless lands and peoples, has shown a total disregard for ethical and moral considerations. We can find no evidence to suggest a more humane attitude on the part of these dictators as they invade outer space.

It is shocking to read fainthearted suggestions that it might be better to accept the idea of military and scientific supremacy by the Soviets than to risk the prospect of nuclear devastation from outer space. Any such acceptance of domination is entirely repugnant to our national will and altogether unacceptable to the American people.

The alternative is to face up to this challenge, wherever it occurs, because it is directed at us. We have attained a position of international leadership largely because, while shaping our own destiny in freedom, we have encouraged others to do likewise, and have shared our bounty with them. When their security has been endangered we have stood by them. We have become the only hope of millions beyond our shores and their sole guarantee against oppression and eventual slavery.

It is that urgent need which impels our weapons programs and which should accelerate our efforts in space. But neither scientific enlightenment nor technological achievements, of whatever magnitude, will of themselves establish a more stable peace. Nor can man, by the exercise of his own powers, raise himself from the earth to the stars. He must turn to God to find a way by which to replace equality with superiority in the international arena and exchange tolerance for prejudice, cooperation for rivalry, trust for suspicion, love for hate, and peace for conflict.

In this grave predicament involving nations determined to remain free, and others determined to enslave them, every element of our civilization has been brought into the battle. For the church, and I speak of the universal church of all faiths who accept the principle of a Divine Being, this is a day of tremendous opportunity and challenge. Man must find a rock on which to lean which offers him solace in time of stress and assurance in time of anxiety. There is a reaching out for God apparent in many regions, a searching for the kind of message Isaiah gave his troubled nation:

"Even the youths shall faint and be weary and the young men shall utterly fall. But they that wait upon the Lord shall renew their strength; they shall mount up with wings as eagles; they shall run and not be weary; and they shall walk and not faint."

Our first steps into the vacuum of space have reemphasized the beatuy and order of creation, which increased the reverence of men like Copernicus, and have verified the natural laws which govern all existence. As he ponders these things, man must come to believe anew, as once he did before false intellectualism, bigotry and superstition turned him away from truth. The Ten Commandments have guided men and brought them safely through the upheavals of the past. They should be the rock of decision today and through all our tomorrows.

And now I want to offer some personal comments and suggestions about the role which you, ministers in uniform, will play in the space age.

I consider it of paramount importance that we get back to fundamentals, that we inculcate in our children the respect for God and his omniscience which will be their everlasting reliance throughout their lives. I have observed a tendency in some churches, and I am not singling out Army chapels, to sugar-coat religion, to dress it up, make it more palatable, give it the rock-and-roll treatment and thus try to inveigle young people into the House of God. I think this is a mistake of the same kind which has our public school system foundering in a mass of social activities far removed from true education. This is not the fault of these churches alone, nor, for that matter, of those schools. It goes much deeper—into the very fabric of our country—into the home, where all too many parents have blithely transferred their basic responsibilities to anyone willing to pick up the ball.

No one has the right to persuade young minds that faith is an easy matter, to be sloughed off or retrieved as suits individual fancy. Instead, we should be emphasizing that it takes courage and stamina and perseverance to live our lives as God wants us to, just as it takes work and determination and strength to earn those things every man wants and will provide to his family. I would like to see more talk about personal dedication and sacrifice, and more talk about the living hell men build for themselves in this life when they stray from the paths of truth and righteousness.

I believe the times call for boldness and vision, with God's words resounding like a clarion call to rally those who are troubled and fearful. Man in this enlightened atmosphere is less interested in the forms and formulas of denominationalism. He will not concern himself with abtruse theological debates. He has a right to expect that the divisive influences which have retarded the Christian church will disappear, even as cultural and social differences will vanish, as technology shrinks the world further and opens up new communications possibilities.

I believe the clergy must grasp the hands of the scientists and, shoulder to shoulder, interpret new knowledge in consonance with the fundamentals of Protestant, Catholic, or Jewish faith.

We must accept the fact that the confusion which exists in people's minds, caused in no small measure by the kaleidoscopic happenings in science and technology, will continue and may increase as a result of the rapid changes in our environment. The point to remember is that these environmental changes should not, in the slightest, alter our fundamental concepts and principles. The chaplain can render great service by inculcating the need for flexibility in mental outlook—the ability to grasp and comprehend totally strange things, and to react intelligently, not hysterically or fearfully, to them. Flexibility without flounderings, adaptability without weakness, are and will be the need. It is your duty and privilege to help the military community understand and accept these changes in environment without ever losing sight of the fundamentals.

Upon you, as chaplains, the space age imposes the same responsibilities which have been faithfully discharged by your predecessors since the early days of the American Revolution—to sustain the faith of the man in uniform, to minister to him and his family and provide them with moral and spiritual leadership. Your task will be more difficult and more complicated because of the impact of science and technology, but you will know and keep ever in mind that the same virtues which have always carried man higher are still applicable—the virtues of reverence, humility, justice, fortitude, and tolerance.

Since the Continental Congress gave official standing to the chaplaincy in 1775, you have served unselfishly in peace and war. You have shared the hardship and anguish of combat and the stresses and strains imposed by victory. I know that this proud tradition of service to God and country will sustain you in the years ahead.

INVITATION TO REPUBLICAN AND DEMOCRATIC PARTIES TO HOLD 1960 NATIONAL CONVENTIONS IN NEW YORK CITY

Mr. JAVITS. Mr. President, I make this statement on behalf of my colleague [Mr. KEATING] and myself.

On Monday next the Republican National Committee will meet at Des Moines, Iowa, to decide on a site for the Republican National Convention of 1960. In view of the fact that the Republican and Democratic National Conventions are now considered to be an essential part of the Government machinery of the United States, on behalf of the city of New York we are extending to the Republican and Democratic Parties invitations to hold their 1960 national conventions there. New York City has unexcelled facilities for a national political convention. It has the finest hotel accommodations in the world. It has the most modern, and the most spacious meeting halls the country can offer. It is speedily and easily reached from all parts of the country. It has been intimately connected with the political development of our Nation from the time when it was the Nation's first capital. As one of the most populous States in the Nation, with active, informed and articulate voters, it has given many outstanding men and women to the service of our Nation. Yet New York City has never been host to a Republican National Convention, and not since 1924 have the Democrats met there.

In midtown Manhattan are the finest air conditioned hotels in the world, 20,000 restaurants to suit every taste and pocketbook, 32 broadcasting studios and the entertainment center of the hemisphere. In the same area are found Madison Square Garden, and also the newly erected $35 million New York Coliseum, all air conditioned. In this area are the centers of the country's communications and publishing networks. New York City, as the headquarters of the United Nations, is a world capital as well.

Let me outline briefly for myself and my colleague what I believe are the salient points in New York's favor. First, as we all know, a national political convention is of necessity an exhausting time for everyone connected with it. If the parties convene in New York City in 1960, the participants will have the extremely important advantage of being able to consolidate all their activities in a relatively small area of midtown Manhattan. This will practically eliminate time-consuming travel between hotels, convention hall, headquarters suites and radio and television studios which would confront us in any other city.

Madison Square Garden, which can seat 18,000 delegates and offers an additional 85,000 square feet of space for press, radio, and television, is in the very heart of Manhattan, as is the new New York Coliseum. Within walking distance of the Garden are most of the seven hotels which are being offered as headquarters. Either one can be reached from any part of the city by subway or bus, for only 15 cents. Cabs, too, are

cheaper than in any other city; 25 cents for the first one-fifth mile and 5 cents for each one-fifth mile after that. There are no additional charges for extra passengers.

The second point of great importance, since the conventions will be held in the summer, is that New York is an air conditioned city. Thirty thousand hotel rooms available to delegates are air conditioned. Madison Square Garden is air conditioned. All public meeting space in hotels is air conditioned. Restaurants, theaters, movies, museums—in fact, just about any place one would go in New York City in the summer—are comfortably cool.

Third, New York is the undisputed center of our country's great communications industry. News is disseminated faster in New York than in any other city. A political convention is a news-making event of the first magnitude, and should the conventions be held in New York City, I am convinced that their activities would receive more comprehensive news coverage than ever before. New York is the home of the major television and radio networks and the important wire services and syndicates. It is the headquarters of book and magazine publishing in the United States. Its seven daily newspapers are read by more than 5 million people a day. Thousands more read the specialized business publications such as the Wall Street Journal, our trade papers, and the nearly 50 foreign language papers published in New York City. Here are molded national opinion and thinking on a myriad of issues.

Fourth. New York City is one of the easiest cities to reach from any part of the country. It is served by all major airlines, railroads, buslines. It is the focal point of a network of superb highways and throughways. By 1960, with jetplane travel a reality, New York will be just 4½ hours from the west coast.

Fifth. New York City offers the country's finest hotels, restaurants, and theaters, many of the world's greatest museums, and outstanding sightseeing attractions. Although we know that delegates to a national political convention will have relatively little time to spend on amusements, it is, nevertheless, important to point out that conventions usually have a higher attendance when they are held in New York because delegates realize that whatever free time they do have can be profitably and entertainingly spent seeing the wonders of one of the world's great cities. And, incidentally, New York, the world's financial and commercial center, offers opportunities for delegates to make personally profitable their attendance at the national conventions by taking care of any business they have in New York City.

More than 750 convention groups a year attest to the fact that a New York City convention is a successful convention.

It is my sincere hope, speaking as a New Yorker, that my city will be honored by being chosen as the site of the 1960 Republican and Democratic National Conventions. Senator KEATING and I bespeak, I feel certain, the wishes of the some 20 million Americans who live in the city's metropolitan area, an area which includes also part of Connecticut and New Jersey. New York City is in the midst of the Nation's population heartland; it is a world capital; it is the cultural and communications center of the Nation; it is the biggest city; it will welcome the national conventions in 1960.

NOMINATION OF ROGER W. JONES AS CHAIRMAN OF CIVIL SERVICE COMMISSION

Mr. CARLSON. Mr. President, this morning the President submitted to the Senate for confirmation the nomination of Roger W. Jones to be a member of the Civil Service Commission. Following the confirmation of his nomination, Mr. Jones will become Chairman of the Commission.

Mr. Jones is excellently qualified for this position, and his nomination should meet with the unanimous approval of all. He is a career public servant, having first entered the Federal service in 1933.

Not only does he know the problems of the civil service employee, but his many years of contacts with the executive and legislative branches of the Government will make for better relations between the different branches of the Government and the Government employee.

It is with genuine pleasure that I urge confirmation of the nomination of Mr. Jones. I suggest that the chairman of the Committee on Post Office and Civil Service call a meeting of the committee at the earliest opportunity for the consideration of this nomination.

Mr. President, I ask unanimous consent that a biographical sketch of Roger W. Jones be printed at this point in the RECORD.

There being no objection, the biographical sketch was ordered to be printed in the RECORD, as follows:

ROGER W. JONES

Roger W. Jones took office as Deputy Director of the Bureau of the Budget on September 11, 1958. Prior to his appointment to this post by the President, he had been one of the Bureau's three statutory assistant directors for 6 months.

A career civil servant, Mr. Jones was Assistant Director for Legislative Reference from February 1949 to March 1958. He entered the Federal service in 1933, and served in a series of posts with the Central Statistical Board before joining the staff of the Bureau in 1939. When the United States entered World War II, Mr. Jones was Administrative Officer of the Bureau.

He was ordered to active duty as a captain in the Officers Reserve Corps in March 1942, assigned to duty with the Combined Chiefs of Staff, Munitions Assignments Board. He was promoted to major in May of that year, to lieutenant colonel in March 1943, and to colonel in May 1945. He was released to inactive duty in December 1945, and served in several capacities in the Bureau of the Budget until 1949.

He was born in New Hartford, Conn., on February 3, 1908. He received a bachelor of arts degree from Cornell University in 1928, and a master of arts degree from Columbia University in 1931.

He has been awarded the Legion of Merit, the Order of the British Empire, the National Civil Service League's Career Service Award, and the President's Award for Distinguished Federal Civilian Service.

He is married and has three children, a daughter, Mrs. John Hodges of Cumberland, Md.; and two sons, Roger H. Jones, a graduate student at Cornell University; and Airman Edward C. Jones, USAF.

STATEMENTS BY SECRETARY OF STATE BEFORE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, the Committee on Foreign Relations has had a most discouraging experience recently in trying to obtain information from the Secretary of State on which to ground our thinking about foreign policy issues facing this country.

It is customary for the Secretary to appear before the committee at the beginning of each session of the Congress and review the problem areas for which he is responsible. These statements have sometimes been so generalized as to be of little help to the committee. Our distinguished chairman made an effort this year to sharpen the discussion a little. He wrote to the President and asked for a series of briefings on the state of U.S. relations with the rest of the world, the state of our military defenses, and the state of our economic relations. The chairman attached to his letter an outline of the subjects, some 13 of them, which he hoped would be touched upon during these briefings. The President replied that he would be glad to have Secretary Dulles coordinate such presentations in executive sessions of the committee.

Mr. President, I ask unanimous consent that this exchange of correspondence be inserted at this point in my remarks.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
December 16, 1958.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: In past years it has been customary for the Secretary of State to appear in executive session before the Committee on Foreign Relations early in each new session of Congress to give members the benefit of his views with respect to the state of our international relations. The committee has found the Secretary's testimony of great value in the discharge of its responsibilities in the field of foreign relations.

In order for the committee to have a full picture of our relations with the rest of the world, it seems to me that the Secretary's statement should be supplemented by testimony concerning the state of our military defenses and the state of our economic relations with the rest of the world. Furthermore, it is important, I believe, that the committee acquire an intelligent evaluation of our world posture as it is related to that of the Soviet bloc. The coordinated national estimate which such testimony would provide seems to me to be essential to enable the committee intelligently to consider foreign policy issues that will come before the Senate this year.

Would it be possible this year to arrange for appropriate officers of the executive branch to brief the committee along the general lines of the enclosed outline?

I am sure members of the committee would be most grateful for the assistance of the Executive, thus making it possible to begin deliberations this session on a broad foundation of mutual understanding.

Most respectfully.

Sincerely yours,

THEODORE FRANCIS GREEN,
Chairman.

PROPOSED OUTLINE FOR EXECUTIVE SESSION HEARINGS OF COMMITTEE ON FOREIGN RELATIONS

GENERAL PURPOSE

To provide the Committee on Foreign Relations with a broad understanding of the total strategic situation of the United States in 1959 so that the committee may properly discharge its duties in the field of foreign policy.

HEARING I. THE STATUS OF U.S. RELATIONS WITH OTHER COUNTRIES

1. Relations with the Soviet bloc and estimates of the tactics and pressures which may be encountered in 1959.
2. Relations with uncommitted Asian and African nations.
3. The status of our alliances.
4. Probable areas of change in U.S. policies in 1959.

HEARING II. THE DEFENSE POSITION OF THE UNITED STATES

1. Potential defensive responsibilities of the Army, the Navy, and the Air Force.
2. Estimate of the state of readiness of each service to discharge its responsibilities today and in the future.

HEARING III. ECONOMICS AND FOREIGN POLICY

1. The domestic impact of U.S. aid programs.
2. Relationship between trade policy and foreign policy.
3. Soviet bloc activities in trade and aid.
4. Probable areas of U.S. initiative in 1959.

HEARING IV. INTELLIGENCE ESTIMATES

1. Estimate of Soviet bloc intentions.
2. Estimate of Soviet bloc capabilities—military, economic, political, and scientific.
3. Estimate of nature and direction of nationalist movements in Asia and Africa.

THE WHITE HOUSE,
Washington, December 22, 1958.

The Honorable THEODORE FRANCIS GREEN,
U.S. Senate,
Washington, D. C.

DEAR SENATOR GREEN: Thank you for your December 16 letter. I appreciate your committee's interest in meeting with the Secretary of State and with the other executive branch officials who can discuss with you in executive session the matters outlined in your letter to me. Accordingly, I have asked Secretary Dulles to coordinate this matter, so that the officials concerned may meet with your committee at a mutually satisfactory time.

With best wishes for the holiday season,

Sincerely,

DWIGHT D. EISENHOWER.

Mr. FULBRIGHT. Mr. President, Senators will note that Chairman GREEN suggested that the Secretary of State deal in his briefing with the following four subjects:

1. Relations with the Soviet bloc and estimates of the tactics and pressures which may be encountered in 1959.
2. Relations with "uncommitted" Asian and African nations.
3. The status of our alliances.
4. Probable areas of change in U.S. policies in 1959.

Secretary Dulles appeared before the Committee on January 14. The meeting was in executive session. As usual, it was understood that nothing which the Secretary might say would be published without his having an opportunity to suggest deletions for security reasons. Members of the committee awaited with more than usual interest due to the advance preparation for the meeting which I have referred to—to what the Secretary might say.

The principal remarks of the Secretary of State were contained in a lengthy prepared statement which he diligently read. I have gone through these remarks with a pencil and underlined those sentences in which there was contained some new information or some revealing insight or some provocative idea or some analytical assistance. I found six sentences. Only six sentences in the whole statement could, by any stretch of definition, be considered new or provocative. The rest was a rehash of old press releases and old speeches.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the Secretary's statement before the committee with the six sentences which I have referred to in italic.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE HONORABLE JOHN FOSTER DULLES, SECRETARY OF STATE, BEFORE THE SENATE FOREIGN RELATIONS COMMITTEE, WEDNESDAY, JANUARY 14, 1959

I. INTRODUCTION

The world is today changing more rapidly than ever before. But the fact that much is changing does not mean that everything has changed. There are certain values, certain principles, that are enduring. Among these are the concepts of individual human dignity and the supremacy of moral law.

In a changing world our task is to strive resolutely that change shall increasingly reflect the basic principles to which our Nation has, from its origin, been dedicated.

II. OUR BASIC PURPOSES

1. At a time when war involves unacceptable risks for all humanity, we work to build a stable world order.
2. We seek for general acceptance of the concept of individual dignity which will lead to the spread of responsible freedom and personal liberty.
3. We seek that the free nations shall attain a more rapid rate of economic growth, so that their independence will be more secure and vigorous and so that there will be greater opportunities for cultural and spiritual development.

III. THE PRIMARY THREAT

The Soviet Union and Communist China are expanding their economic and industrial power at a very rapid pace. They do so by a system which combines governmental rule of all labor with imposed austerity. This makes it possible greatly to accelerate capital developments.

There is emphasis, too, on quality. A spectacular product of Soviet material accomplishment was its recent space probe. *In this field, the United States is still trying to "catch up" and make up for the head start of the Soviets.* Our space accomplishments during the past year justify the belief that we are making good relative progress.

The Chinese Communists seem to be going into a dark night of massed regimentation and forced labor. What they call the great leap forward is in reality a tragic fall backward into the abyss of human slavery.

Asian nations are experiencing one aspect of Communist economic development: The Communist tactic of flooding their market places with goods at less than prevailing prices. This has widespread effects, some of which reach into our own country. *As one example only, the dumping of cotton textiles in southeast Asia has reduced Japanese exports in that area and is already reducing exports of cotton from the United States to Japan.* As Communist economic power grows, we must anticipate and plan for further shocks to the free world economic structure from the Communist trade offensive.

Communist economic methods involve costs in human privation and misery that, for us, are not only repugnant but completely unacceptable. We believe that over the long run such a process must inevitably be altered. Already there are indications that the Soviet leaders are beginning to realize this. There is some scaling down of their heavy industry ambitions. They are beginning to heed demands by workers and peasants for more leisure and for a greater share in the fruits of their labor. Peoples sufficiently educated to operate a modern industrial state may be expected also to acquire the desire for freedom and the capacity to get it. History gives us good reason to believe that the Soviet peoples will not indefinitely submit to dictatorial rule by the International Communist Party leadership. It would appear that the Communists will encounter difficulties increasing in the long run.

But for the short run—and this may be a period of years—the situation is full of danger.

That means that we may face a period even harder than we have become used to. To get advantage from time we shall have to stand on our course. We shall need the national will to stand firm in the face of aggressive threats and probings from the Sino-Soviet bloc. We shall need to make whatever unusual sacrifices may be necessary. People respond to this kind of demand when they understand that a temporary emergency requires it. But these burdens seem to grow heavier the longer they must be borne during a period of relative peace. Our people will need to show what freedom can mean in terms of self-sacrifice and self-discipline; and in terms of fortitude and perseverance.

IV. WORLD ORDER

Let me speak now about world order. This requires an elimination of the use or threat of force to accomplish international change. This was always a bad method. It has become an intolerable method because the force at man's disposal could now practically obliterate human life on this planet.

The United States and other free world nations have, by their conduct, done much to establish, for themselves, the principle of the renunciation of aggressive force; and they have shown their ability and will to deter such use of force by others.

At the time of the Suez affair and the Israeli-Egyptian hostilities, the United Kingdom and France, and then Israel, responding to the overwhelming opinion of the United Nations, withdrew their armed forces and accepted a United Nations solution. *This may well prove to be a historical landmark.*

During the past year the United States and its partners have further shown their opposition to change through force or the threat of force.

When Lebanon and Jordan seemed threatened from without and appealed to the United States and the United Kingdom for emergency aid, we responded with promptness and efficiency. When the emergency was relieved by United Nations action, we promptly withdrew our forces.

Throughout the world small nations felt a profound sense of reassurance.

In the Far East the Chinese Communists, with Soviet backing, initiated military ac-

tion designed, as they put it, to expel the United States from the western Pacific. We stood beside the Republic of China as it resisted what seemed the preliminaries of that attack. Our free world associates generally supported our position that change in that area should not be effected by force of arms.

The Government of the Republic of China itself made a notable contribution when, last October, it declared that it relied primarily upon peaceful principles and not upon force to secure the freeing of the mainland. This courageous and statesmanlike act has strengthened the free world's cause in the western Pacific.

Now in Berlin we face an effort to expel the small western contingents in West Berlin. Their presence constitutes an indispensable safeguard to the freedom of that city. The NATO powers, at their December meeting, unanimously vowed that such expulsion should be resisted.

Step by step, discernible progress continues to be made in consolidating a system of collective security which will effectively operate to exclude the use of force to effect international changes.

The mutual security arrangements which we have with free world countries no longer assume the aspect of mere military alliances. They are the framework of consultative processes that, day by day, are steadily reforming the society of free nations.

In primitive and frontier societies, security is on an individual basis. Each householder defends himself by his own means. That primitive formula is now obsolete domestically. It is becoming obsolete internationally. Many free nations combine to help each other. The resultant power is not a power which can be or would be used for any aggressive or nationalistic purpose. It is a power dedicated to the common welfare as mutually agreed.

The United States has repeatedly made clear—and I said this again at the last December NATO meeting—that we regard our own military power as being a trust for the benefit of our free world partnerships; that we are ready to make known to all the defensive purposes and circumstances under which that force might be used; and that we shall heed in this respect, the advice and counsel of our partners just as we would expect them to heed our advice and counsel with respect to the international use of their force.

Thus, out of what may originally have been conceived primarily as military alliances, there is developing an international structure which provides collective security on the basis of organized and continuous collective consultation. That is something new in history.

I might add that accomplishment is not always easy, given the variety of national development, and national viewpoints. Nevertheless, the free world practice in this regard constantly grows in efficiency.

World order is not, however, assured merely by the elimination of violence. There must be processes of peaceful change. These, too, are rapidly developing within the free world. The General Assembly of the United Nations is a forum where these needs find effective expression. The General Assembly does not have the power to legislate change. But it has a capacity to induce change, at least in the case of governments which have respect for, and are responsive to, world opinion.

The peace of the free world is not a peace of political stagnation or a peace which sanctifies the status quo. It is a peace characterized by peaceful change reflecting new human aspirations and potentialities.

There is, of course, need not only for processes which permit of peaceful change, but there is equally a need for stability in adherence to basic values, including that of respecting international agreements and treaties. This requires that, unless international law and treaty engagements are changed by common agreement, they should be respected.

There has not been as great a development of international law and recourse to judicial processes as would be desirable. The United Nations General Assembly Committee on the codification of international law has made little progress. Some significant progress in law development was made at the recent Law of the Sea Conference, and that Conference will be resumed in 1960. Inadequate use has been made of the International Court of Justice. As the President said last week in the state of the Union address, we envisage further steps to encourage the greater use of that Court.

In such ways as I describe progress is being made toward establishing a world order where peace rests, not on mere expediency or on a balance of power, but on a basis of sound institutions.

This evolution is not spectacular and rarely considered news. What attracts attention are the aggressive probings of the Communists and the free world reactions thereto. That gives the impression that our foreign policy consists primarily of reacting to Communist initiatives.

Nothing could be further from the truth. The fact is that day by day, month by month, and year by year, we are building, quietly but steadily, in the United Nations, in NATO, in the OAS, in SEATO, and other organs of consultation, the solid foundations of an international order based upon justice and law as substitutes for force.

The Communist rulers do not share in this effort to build a stable world order based upon justice and law. International communism avowedly seeks worldwide dictatorship. The concept of justice is alien to the Communist creed, and law, in our sense of that word, is unknown. The free world and Communist concepts are mutually antagonistic.

This, however, does not mean that there cannot be useful contacts and negotiations with the Communists. We have had many such. We are striving to make progress in the field of disarmament and in that connection deal with the Soviets, particularly in relation to the controlled discontinuance of nuclear weapons tests. We also seek agreement on possible measures which might be helpful in preventing surprise attack.

At Warsaw we negotiate with the Chinese Communists.

We have made clear our willingness to negotiate about the German question.

We have now an agreement with the Soviet Union on cultural and scientific exchanges which is operating satisfactorily. Also important are the visits to and from Russia of influential citizens.

President Eisenhower urged this in his letter of February 16, 1958, to the then Soviet Premier. Following this initiative, there have been useful visits on both sides, and *we are glad that the First Deputy Premier of the Soviet Union, Mr. Mikoyan, is now here learning about our country. We would like to see a broader exchange of students.* We believe that in such ways false premises and miscalculations can be reduced in the interest of peace.

V. THE INEVITABLE MOVEMENT TOWARD FREEDOM

I turn now to our second major purpose.

One of the strongest forces working in the world today is the movement toward independence and freedom.

This force is notably manifest in Africa. Here change is rapid, new states are arising almost overnight. This great continent presents a challenge to the United States to do its best to assist the peoples now emerging into independence and new opportunity.

Another such area is our hemisphere to the south. The peoples of Latin America are making clear their determination to control their own destinies. One by one dictatorships have made way for governments more responsive to the popular will.

This worldwide movement toward freedom is accompanied by a growing awareness of the deadly nature of Sino-Soviet imperialism. The leaders of the new freedom are coming more and more to see international communism as an immediate threat to their liberties, not, as some have thought, a mere bogeyman of so-called Western imperialism.

The Communists are paying a price for the forced growth of their material power: There is a developing fear in the less powerful nations around the world of the dangerous combination of burgeoning economic and military power with the imperialist drive of the Communists for world dominion. This menacing combination brings home with force the threat which, when the Communists were not so strong, was but a matter of vague and largely academic concern.

There has recently been a surprising clarification of understanding around the world of the real purpose of Communist leaders—to subject all the world to the dominant influence and control of international communism, with its primary power centers at Moscow and Peiping.

In the Middle East the deadly designs of communism are now far more clearly realized than a year ago.

In southeast Asia liberty-loving peoples are struggling—and with success—to remain masters in their newly built national homes.

In general, I believe the leaders and peoples of Asia now understand better the sincerity of American policy favoring their independence and our willingness to support unconditionally their efforts to stay free and do so in their own way, which may indeed be a non-Western way.

In France, we are witnessing an inspiring example of national renewal.

The tide of freedom is running strong in Western Europe as Communist strength there ebbs.

Even in Communist countries there is a powerful and persistent craving for greater national freedom. Yugoslavia has been steadfast against all threats and blandishments from Moscow and has courageously maintained its independence. Hungary's great effort to throw off its shackles, even though crushed by force, has been an inspiration and a tribute to man's unquenchable thirst for liberty. And throughout the bloc, even in the U.S.S.R., revisionism is a living force and ferment. Moscow considers it a deadly enemy, and with reason.

The pull of freedom is daily manifested in the flow of refugees from the Communist bloc to the free world.

The free people of West Berlin have, during years of uncertainty and danger, been an inspiring beacon light for all those whose liberties have been lost to Communist tyranny. We are determined that this light shall not fail, and that Berlin shall not be engulfed in the Red undertow.

As we look ahead, we see freedom as a predominant force, shaping our 20th-century world. As Americans, we have faith that the aspiration, deep within the soul of man, to live freely and with dignity in a just and peaceful world is stronger than all the material forces which the Communists invoke as the pledge and promise of their power.

VI. ECONOMIC PROGRESS

I turn now to our third basic purpose.

We believe that economic progress is a necessary condition of stable and free nations. There must also be acceptance of economic interdependence of nations. No nation can live completely to itself.

Unless and until the less developed areas reach the stage of self-sustaining economic growth, the world as a whole will suffer.

For the inhabitants of those areas, an increasing rate of economic development has become an essential condition of free societies. The demand for economic and social betterment is now universal, and if progress cannot be achieved in freedom, it will be sought by methods that jeopardize freedom.

The Communists are fully aware of the universal demand for progress, and they point to the Soviet and Chinese Communist acomplishments in industrialization as proof that their way is better than the way of freedom.

Our aid and investment must continue to support the efforts of the leaders of the developing free nations to sustain their peoples' confidence that economic progress can be attained in freedom.

We have not been alone in providing such support. Other highly industrialized states have made significant contributions.

These industrialized nations have also shown a growing awareness of interdependence among themselves. This is particularly gratifying to us. A common market for Europe was one of the policy objectives stated in the preamble to the European Recovery Act of 1948. Now, after 10 years, the six-nation European Common Market is a fact. The Western European currencies have become more freely exchangeable and there is a strong movement for broader economic cooperation in Western Europe.

Free world economic progress does not permit complacency or relaxation. It calls instead for renewed effort to increase the forward momentum.

In the years ahead, we must through our trade and financial policies continue to promote recognition and positive use of the benefits of interdependence. These benefits, and the inevitability, of economic interdependence become more clear each year. What is being done in the European Community of Six provides an example and an inspiration for greater economic cooperation elsewhere in the world.

We must continue to apply our will, energy, treasure, and techniques to the problems of the less developed areas. The cause of freedom can be won—or could be lost—in these areas.

VII. CONCLUSION

Let me in conclusion recall the basic purposes underlying our policies:

(1) The renunciation of aggressive force and the substitutions of collective institutions of peace, justice, and law among nations;

(2) Promotion of the concept of human dignity, worth, and freedom;

(3) Stimulation of economic growth and interdependence to create enlarged opportunities for realization of cultural and spiritual values.

These goals are not attainable in a few years, but will require decades and, perhaps even generations. Why is this so? We are but one nation among nearly a hundred sovereignties, and but a scant 6 percent of the world's land surface and population. Our foreign policy is not something we can enact into world law or dictate to other peoples. It means rather constant adjustment to forces which, though beyond our control to direct, we can influence through wise statesmanship and adherence to sound principles. With our immense wealth and power, and even more because of our spiritual heritage of faith and freedom, we can exert a shaping influence on the world of the future.

The price of failure would be the destruction of all our other national objectives. While mustering all our resources, both material and spiritual, we must press on with courage to build surer foundations for the interdependent world community of which we are part. This will call for austerity and sacrifice on the part of all. We must put first things first.

Our purpose, ultimately and at all times, should be to use our great power, without abusing or presuming upon it, to move steadily toward lasting peace, orderly freedom, and growing opportunity. Thus do we achieve our constitutional purpose "to secure the blessings of liberty to ourselves and our posterity."

Mr. FULBRIGHT. Mr. President, Senators will find in this statement no forecast of tactics and pressures from the Soviet bloc which may be encountered in 1959, which Secretary Dulles was asked for. Senators will find only one sentence concerning relations with uncommitted African nations, another subject on which the Secretary was asked to speak. There is no discussion in any detail of current issues which may be straining U.S. alliances. There is only the vaguest discussion of any possible changes in U.S. policies in 1959.

With some executive branch witnesses it is possible to pry out information and intelligent discussion of issues with the help of strenuous cross-examination. This takes a great deal of time, and it is wasteful of the energies of both the committee and the witness. I think that the executive branch should know, however, that members of the committee are willing to do this if we must, and do so in public session.

Members of the Committee on Foreign Relations read the newspapers. We read the statements of the President and the Secretary of State. We know generally what is going on in the world. What we need are those additional facts and considerations which make the difference between the casual reader of the newspaper and the well-informed Member of Congress who is trying to discharge his responsibility to understand the actions taken and the proposals made by the executive branch. We need, above all, to hear analytical discussions of the advantages and disadvantages of taking this or that possible course of action with respect to current problems. We also need to know the speculations of the Secretary of State, and other Cabinet members having responsibilities bearing on foreign relation, about the future.

Mr. President, I have made this statement in the hope that succeeding executive branch witnesses in briefings before the Committee on Foreign Relations may pay some attention to our disappointment over past performance.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. BRIDGES. Mr. President, I have been listening very patiently to the statements of Senators during the morning hour. I think such statements should be limited to the 3 minutes prescribed in the unanimous-consent agreement. I hope that the present occupant of the chair or any other occupant of the chair will limit the statements of Senators to 3 minutes during the morning hour. Some Senators have exceeded the limitation. A Senator could occupy the entire morning hour by using 3 minutes on each of a series of subjects. Many other Senators still desire to place matters in the RECORD. I myself desire to speak for about 5 minutes. I shall courteously wait until the other Senators have placed their matters in the RECORD. But I think the Chair should limit Senators to the 3 minutes provided for in the unanimous-consent agreement.

REOPENING OF CONSULATE AT BRAZZAVILLE, FRENCH EQUATORIAL AFRICA

Mr. WILEY. Mr. President, I wish to express my great pleasure in hearing that the United States on January 1 reopened its consulate at Brazzaville, French Equatorial Africa. The consulate has the four newly autonomous republics of French Equatorial Africa within its consular jurisdiction, an area of almost 1 million square miles running from the Sahara Desert to the rain forest of the Congo.

Because of budgetary limitations, as of last year, not even a single American representative was stationed in a region one-third the size of the United States. I am sorry to say that even the names of these political entities, which recently have chosen to remain linked with France, are relatively unfamiliar in this country. Yet these, and almost all other African areas, are astir with new desires and movements for political and economic development.

The free world countries, and especially the United States, must watch trends in Africa with close and sympathetic attention. We urgently need more observers in the area. This is why I am so pleased to learn that we have opened a new post headed by a career Foreign Service officer who already has experience in the region.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the State Department press release concerning the reopening of this consulate.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

JANUARY 8, 1959.

UNITED STATES REOPENS AMERICAN CONSULATE AT BRAZZAVILLE, FRENCH EQUATORIAL AFRICA

The United States reopened its consulate at Brazzaville, French Equatorial Africa, on January 1, 1959. The consulate has all of French Equatorial Africa, including the autonomous Republics of Gabon, Middle Congo, Ubangi-Shari, and Chad, within its consular jurisdiction.

Francis N. Magliozzi, of Massachusetts, career Foreign Service officer, is the consul in charge. Mr. Magliozzi joined the Foreign Service in 1947. He has served at the American consulate general in Frankfort as well as American Embassies in Copenhagen, Baghdad, and Brussels in that order. His last post was the American consulate general in Leopoldville, where he actually was assigned as resident consul in Brazzaville prior to the formal reopening of the post.

FIFTIETH ANNIVERSARY OF BOUNDARY WATERS TREATY OF 1909 BETWEEN UNITED STATES AND CANADA

Mr. WILEY. Mr. President, I wish to call attention to an important occasion that has received little notice, namely,

the 50th anniversary last Saturday of the signing of the Boundary Waters Treaty of 1909 between the United States and Canada. The International Joint Commission set up under this treaty has played a vital role in enabling our nations to undertake such a great and mutually beneficial project as the St. Lawrence seaway.

It has been most appropriate that we should have had an eminent group of Canadian parliamentarians visiting us over the last weekend, and that important economic talks between Canada and the United States have just concluded after reaffirming our myriad common interests. These are additional examples of the friendly abiding ties between our two great countries. I hope we will do everything we can to nourish our already fertile relationship by giving it the closest possible attention.

Mr. President, I ask unanimous consent that a public statement by Secretary of State Dulles about this occasion be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

JANUARY 10, 1959.

STATEMENT BY THE SECRETARY OF STATE ON THE 50TH ANNIVERSARY OF THE SIGNING OF THE BOUNDARY WATERS TREATY OF 1909

Today, January 11, 1959, is the 50th anniversary of the signing of the treaty which established the International Joint Commission of the United States and Canada and provided that "* * * the navigation of all navigable boundary waters shall forever continue free."

This treaty and the Commission which it established have made an important contribution to the maintenance of the excellent relations which we have enjoyed with Canada over the years. It has provided a means of resolving problems connected with boundary waters through mutual cooperation, and it exemplifies the spirit with which we and our Canadian neighbors have approached many other questions of joint concern.

The problems which have come before the International Joint Commission since 1909 have touched the lives and interests of countless citizens on both sides of the border. They have ranged from consideration of relatively minor matters such as the proposal of an individual to block a transboundary stream to decisions controlling vast power and navigation projects of the St. Lawrence River, but all have received fair and thorough consideration by the Commission with a view to protecting the rights of all concerned.

On this 50th anniversary of the treaty it is indeed gratifying to observe that the high purpose of the contracting parties has been carried out effectively and to the great mutual benefit of the people of the United States and Canada.

BREAKFAST MEETING REMARKS BY SENATOR ROBERTSON

Mr. STENNIS. Mr. President, recently, our colleague, the junior Senator from Virginia [Mr. ROBERTSON], made a few remarks to a group of Senators assembled for a breakfast meeting. Ordinarily, there is no publication of any proceedings at such meetings. However, Senator ROBERTSON'S remarks are so true, so timely, and present such a ringing challenge, as well as a contribution to our times, that I asked him to reduce them to writing. I would give a great deal to have been the author of this statement. I think these remarkable thoughts should be preserved and given to the American people. Accordingly, I ask that they be printed in the body of the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

TRUE GREATNESS

(Remarks of Senator A. WILLIS ROBERTSON at meeting of Senate breakfast group January 14, 1959)

In welcoming new Members of the Senate who are meeting with us today for the first time may I express the hope that they will derive from devoting 1 hour each week to prayer and the study of God's word with their Senate colleagues the inspiration that these meetings have through a period of years been to me and share my fond belief that the prayers of contrite and humble hearts uttered in unison will ascend to that judgment throne where justice and mercy are reconciled and the judge and the brother are one.

In the 10 minutes allotted to me as discussion leader, I desire to propose as the theme for our roundtable discussion the Christian concept of true greatness. It is far different from the materialistic concept of physical, political or mental power, or the power and prestige of accumulated wealth. And it includes far more of unselfish love and unselfish service than the patriotic idealism of the Athenian statesman, Pericles, who said of the young men of Athens who died in repulsing the Persian invaders: "So they gave their bodies to the Commonwealth and received, each for his own memory, praise that will never die, and with it the grandest of all sepulchres, not that in which their mortal bones are laid, but a home in the minds of men, where their glory remains fresh to stir to speech or action as the occasion comes by. For the whole earth is the sepulchre of famous men; and their story is not graven only on stone over their native earth, but lives on far away, without visible symbol, woven into the stuff of other men's lives. * * *"

The fact that this is the 86th Congress of the United States indicates, of course, that there have been 85 previous Congresses which covered a span of 170 years. During that remarkable period in the world's history, the development of our material resources, of our wealth and of the power that normally goes with wealth has been on such a phenomenal scale that it is a bit difficult for us to realize two very vital facts of history, namely, 170 years is a brief span as compared with the period in which some nations of the past have been world powers before suffering total destruction and, secondly, there has never been until recently a period when it lay within the power of just one man to start a world conflict in which a substantial part of the entire world's population could be destroyed in a matter of days, leaving the remainder cowering behind a windbreak or in the diseased soaked ruins of a slum. Hence, my hope that this is an appropriate time and place for the Members of the Senate, who by their presence here this morning indicate a desire to have their lives conform to the teachings of the Bible, to ask as Benjamin Franklin did at the Philadelphia Constitutional Convention, that the Father of Light will illuminate our understanding with respect to our true objectives and our concept of the meaning of greatness.

As an appropriate theme for our consideration, I wish to remind you of what Jesus said to two of his disciples, James and John, who had expressed to him the very worldly ambition to be the two top men in His new kingdom: "Ye know that they who are accounted to rule over the Gentiles lord it over them; and their great ones exercise authority over them. But it is not so among you: but whosoever would become great among you, shall be your minister. And whosoever would be first among you, shall be servant of all. For the Son of Man also came not to be ministered unto, but to minister, and to give his life a ransom for many."

It is a great honor to serve in the Senate of the United States, which still can be described properly as the greatest deliberative body in the world. No man ever reached the Senate without an ambition to be great. It is, of course, a well-known fact that after achieving the ambition of being a United States Senator, many Senators have entertained the ambition of becoming President and some have achieved it. But since, as I have indicated, we live in an age in which possession of unprecedented wealth and power is no longer a guaranty of our immediate peace, much less our ultimate security, I invite your attention to the fact that man's conception of greatness has changed through the ages, and then to ask a candid expression from you during the roundtable discussion—if you sincerely feel that the people of our Nation which claims to be a Christian Nation and which inscribes on its coins "In God We Trust" have finally subscribed to the principle of greatness based upon the Christian principle that he is greatest who best loves and best serves his fellow man.

God made the universe and so God is omnipotent. God made man in His image and God knew from the days of Adam down to the present time not only what every man was doing but what every man was thinking in his heart and so God is omniscient. But, over and above all else, God is love. Love is a gift, the expression of self, and man then is great when he can catch in his poor and futile life some rays of that glory which is the first of God's characteristics.

Those who have been members of this group for the past 12 years will recall how frequently I have discussed the great men of the Old Testament who through complete faith in God dedicated their lives to the service of their fellow man. They will recall my discussion of how God let the Devil strip Job, the richest and most powerful sheik of the desert, of both his wealth and his power and how out of those trials and tribulations Job got a new concept of God and a new vision of true greatness.

Then, some of you may recall the occasion on which I discussed David's conflict with Goliath. Goliath the Giant of the Philistines who typified the barbarian test of greatness—superlative human strength. In conquering Goliath, David relied neither upon his strength nor upon his wealth nor upon a superior intellect. He relied solely upon his implicit faith in God and a deep conviction that he had an opportunity to serve his people.

And then we studied the remarkable career of the Jewish captive named Daniel, who because of his desire to encourage other captive Jews to remain true to their faith was willing to incur the death penalty by refusing to obey the command of an oriental king to worship a false God.

We do not have to look only to the Bible or to the pages of ancient secular history for examples of those who achieved true greatness through unselfish service to others. Today, for instance, is the anniversary of the birth of one of our Nation's greatest scientists, Matthew Fontaine Maury, known as the pathfinder of the seas because he charted the tradewinds and the tides, he founded the U.S. Naval Observatory, he caused to be founded the U.S. Naval Academy,

he gathered the data required for the laying of the first transatlantic cable, he organized the first League of Nations which successfully functioned for 50 years in the dissemination of maritime information, and he was the father of the present Weather Bureau. But after the unfortunate War Between the States, Matthew Fontaine Maury turned down flattering offers to head the imperial observatories of both France and Russia to accept the chair of physics at the Virginia Military Institute, in my hometown. Maury never accumulated wealth, he never had political power and during his lifetime no adequate recognition of his intellectual achievements, the three fields of greatness to which so many men aspire. But Maury is now listed among the alltime greats because like the immortal Robert E. Lee he had the Christian concept of true greatness whereby unselfish service to the training of the youth of the South was preferred to material rewards for the use of his distinguished name.

So I conclude by asking you to what extent are our current ambitions for greatness attuned to the accumulation of wealth, the exercise of political power or the public recognition of a superior intellect and what part attuned to the one who said, "I came not to be ministered unto but to minister." As a great London preacher said many years ago: "The physical strength of the Crucified ebbed with His life blood; His last earthly possessions were cast lots for by His executioners; Herod treated Him publicly as a fool when He was on His way to die. Yet His greatness remained; for His eternal strength indeed, His uncreated wealth, His clear and awful intellect, were not as men deemed, in that hour of darkness; His supreme greatness, that which was to give the law to the best human thought upon the subject, and to revolutionize the world, remained. It remained, that consummate act of service, offered by infinite charity to the Father on high, offered on behalf of man below: and henceforth all who, by faith and love, unite themselves to it, are initiated thereby into the true secret of man's greatness, and learn practically the meaning of the precept of Christ."

The recognition by this group of the Christian principle of true greatness and their believing and united prayers may help to lift the shadows from the road ahead.

UNEMPLOYMENT IN WISCONSIN

Mr. PROXMIRE. Mr. President, I have just received from the Wisconsin State Employment Service a report that unemployment in Wisconsin during the past month amounted to 77,400. This is up by a whopping 16,000 over the number for the same time a year earlier. It is up by a solid 7,000 since November. In spite of these bleak figures, unemployment in my State is moderately less than in the rest of the country.

Mr. President, we hear much talk about Government waste, and we should. Certainly I deplore it. But the most tragic and the most irreplaceable waste in this country is the waste of men who want to work but cannot find employment. The work they were denied doing last month can never be made up. It is lost forever. It is lost at a time when America needs the work of men to build tens of thousands of schoolrooms, when we need literally hundreds of thousands of homes, and a rapid and vast stepup in our missile production and in our whole Defense Establishment.

Yes, indeed, Mr. President, waste—the waste of idle manpower in an America that needs the work of men—is the prime issue before this Congress. And this Senator intends to do everything in his power as a Senator to propose and persuade and vote to give these idle men a chance to work.

The PRESIDING OFFICER (Mr. KEATING in the chair). Is there further morning business? If not, morning business is closed.

VISIT OF SOVIET UNION'S DEPUTY PREMIER ANASTAS MIKOYAN

Mr. BRIDGES. Mr. President, after a good deal of soul searching, I simply cannot condone the activities of those who indulge in socializing with Deputy Premier Mikoyan. Were he here on some specific business I could understand formal talks with him by our officials who would be concerned with his proposals. It should be obvious to all that Mikoyan is here for a propaganda good will tour; first, to try to weaken our hitherto firm stand in regard to the Berlin situation, and, secondly, to attempt to soften us up for eventual proposals of increased trade with the Soviet Union, which can only have the effect of weakening our comparative position.

A few of our great industrialists and a few of our Wall Street bankers have given him the red-carpet treatment as a matter of obvious self-interest if his mission is successful. I, for one, certainly do not intend to aid him in the accomplishment of his mission, nor do I approve of their actions. I wonder if these same bankers and industrialists are aware of Lenin's statement that, "When we Communists are ready to hang the capitalists, they'll try to outbid each other for the sale of the hemp to us." That is pretty straight language. When will we learn that men cannot be both greedy and free? Why do we now pay tribute and social adulation for a temporary smile from a man whose every past word and deed indicates that he despises us and our way of life? Has his Communist-indoctrinated thinking of many years duration so suddenly changed?

I am distressed that some of my congressional colleagues have also accorded him recognition in social activities. It is especially disturbing that this man, one of the top plotters of our destruction, should have been given a luncheon under the very dome of the U.S. Capitol, which is the most important citadel of human freedom in the world today. Those of us in public life who have entrusted to us the safeguarding of the constitutional guarantees of human freedoms might better follow the course set by that astute and beloved leader of the Catholic Church, Cardinal Cushing of Boston, who recently said without equivocation, "I shall not receive Mikoyan nor attend any functions in his honor."

That should, indeed, be the course of our people, whose memories are not so dull that they have already forgotten an incident which occurred just a few brief months ago, and which characterizes the calculated course of that ruthless regime which Mikoyan represents. An American unarmed transport plane, on its way from Turkey to Iran, was shot down by Soviet fighter planes over Armenia, which happens to be Comrade Mikoyan's homeland. Eventually, Mr. Mikoyan's government was kind enough to return to us the bodies of four American soldiers. Where are the other ten? We do not know.

Instead of traipsing around the country exuding affable charm, I would be much more impressed if Mikoyan would address himself to giving us some information concerning the whereabouts of those sons of American mothers.

Cardinal Cushing's course is the one I had already set for myself from the time Mikoyan arrived in this country. In that decision, and in my whole course of action, I shall continue to do my utmost to convey to the Soviet enslaved peoples of the world that the torch which they bear in their never-ending struggle for freedom still shines brightly in the eyes of the vast majority of the people of this Nation.

It will be my purpose to demonstrate to those people of the world who look to us for leadership that the adulation and freewheeling publicity accorded Mikoyan in some quarters is only an expression of the views of a small fraction of the people of this country. A vast majority echo the words of Rudyard Kipling in that great anthem entitled "The Recessional," which concludes with—

> Lord God of Hosts, be with us yet,
> Lest we forget—lest we forget.

I have full faith that the people of this country have not forgotten.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. BRIDGES. Certainly.

Mr. JOHNSON of Texas. I rise to disagree with the statement made by my distinguished and able and beloved friend from New Hampshire with regard to his colleagues visiting with the distinguished official of the Soviet Government.

Mr. President, I think very much of our system. I am so proud of it that there is nothing I have to hide and nothing I have to fear.

I think it was good that Mr. Mikoyan came to this country. I think the further he went, and the more he saw, the less he must have been impressed with his own system. I only wish that more people of his stature and his ability could see how the free-enterprise system works and how freedom is preserved. I also wish that men of equal stature in our country were given the same free privilege to travel through Russia and observe all areas there, instead of certain selected areas.

It was not many months ago when Mr. Khrushchev was carried on a television program in this country. I think his appearance on that program did much to unite our own people and to instill in them a new determination to preserve the freedom that our forefathers had fought for. I think it was well to have Mr. Khrushchev appear on the television screens, because no one who saw him wanted any part of either Mr. Khrushchev or the Russian system.

I believe in the Open Curtain policy, and I believe the more people can ex-

change views and exchange ideas and reason things out, the better off we shall be. This is a troubled world, but at least the people of this country and the leaders of this country want peace more than they want anything else.

I cannot help but believe that when Mr. Mikoyan returns to his own country he will at least have had a great impression of what free government really is; and I hope that he and his people will permit our President, and our Secretary of State, and our minority leader, and the leaders of both parties of our country, to appear on television, so the Russian people can see the difference.

One of the most respected Members of this body, and a friend of mine, the Senator from Mississippi [Mr. STENNIS], has just returned from travel in Russia. I listened to his report with great interest. I had heard the Senator from Georgia [Mr. RUSSELL] report on a study he had made there some years ago. What impressed me about the report of the Senator from Mississippi was that he went to the schools and saw the children, he went to the stores and saw the storekeepers, he saw people in all walks of life. He was impressed with the fact that 90 percent of the people were interested in our country and wanted to know more about it. He believed they were all determined to have peace. The trouble is that the other 10 percent happen to be those who are in charge of the Government.

I would rather have a few words dropped under the dome of the Capitol than have a few bombs dropped on it.

I certainly voice no approval of the Russians' system, of their actions, or of their ideas when I discuss matters with them, any more than I give approval to what the Senator is saying when I stand to try to reason with him. The Senator is entitled to his thoughts. I have great respect for them. A great deal of the time I agree with the Senator, but I do not agree with him that we ought to shut the curtain and try to stick our nose in the sand, to run under the tunnel and hide, to tuck our tails and say, "We are so insecure ourselves, and we have such an inferiority complex we are afraid to let anybody even come to see what we have; and, more than that, we are afraid to talk with them. Moreover, if we talk with them we are certainly not going to eat with them."

That is not, in my judgment, the way to have peace in the world, ever. I think the thing the American people and the people of the world want more than anything else is the opportunity for their children to live instead of to be destroyed by the means which we have developed, which can wipe out humanity overnight.

I thank my friend for his generous reference.

Mr. BRIDGES. I will say to the distinguished Senator from Texas, there is nobody I admire more for his Americanism and forthrightness than the distinguished Senator from Texas. I have a very deep affection for him.

I do not quarrel with people of our Government having official contact, but I do not think the Senator for one moment believes our officials are going to be invited to Russia, allowed to see everything, or are going to have banquets given in their honor, are going to have luncheons given in their honor, and are going to have the red carpet rolled out for them, and so forth and so on. Does the Senator so believe?

In addition to that, we in the U.S. Senate and we as a country in the United Nations have taken a definite position against what happened in Hungary. We are talking about the man who was the architect. He was the boss right on the job when the Hungarian massacre occurred. I think this situation is a little different.

The minority leader of the Senate, the Secretary of State, and the President of the United States have never been in the position of coming forward with such a record. I think the situation is wholly different.

I do not object to any official of the U.S. Government, including Senators of the United States, sitting down to discuss problems with a representative of a foreign power. I think that is as it should be.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. BRIDGES. What I have objected to is the giving of luncheons and dinners in Mikoyan's honor, and particularly I object when certain big Wall Street bankers and certain big industrialists—those who would be the first victims of any Communist success in this Nation—rush in to glowingly receive Mikoyan. That is what I object to.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. JOHNSON of Texas. I do not know anything about these Wall Street bankers. The Senator is more familiar with them, evidently, than I am.

Mr. BRIDGES. I have been reading about them lately.

Mr. JOHNSON of Texas. I went to a luncheon yesterday, given so that a group of Senators could meet and discuss their impressions with the distinguished publisher of the Commercial Appeal in Memphis, Tenn.

I observe my delightful friend, the junior Senator from Tennessee, who was host at that luncheon, is present in the Chamber.

I broke bread at that luncheon. I broke more of it than I should have, and I have taken on more weight, but it was a delicious luncheon. I enjoyed it. We exchanged ideas back and forth.

At the conclusion of that luncheon I went to the Committee on Foreign Relations. The only reason why I had not gone to the committee earlier was that I had accepted the luncheon invitation of the Senator from Tennessee first. When I got to the committee I observed—I will say this to the Senator, since it is what he objects to—there was not even any water on the table. All had finished eating. There was no food around.

I observed the distinguished minority leader. I was glad he was present. I listened to the Deputy Premier. I heard him respond to some questions asked by members of the Committee on Foreign Relations. I did not ask any questions, but I heard some very penetrating questions asked, and some answers made. I am proud we have a country where we can sit down with the leaders of government—Republicans and Democrats, the majority leader and minority leader, and the chairman of the committee and the Republican members of the committee—and, through questions, fully and thoroughly demonstrate, I think, even to Mr. Mikoyan that our system is better than his.

I would not want this opportunity to pass without making such defense as I am capable of making of the conduct of the Committee on Foreign Relations. I am glad the President of the United States talked to Mr. Mikoyan. I am glad the Secretary of State talked to Mr. Mikoyan. I understand that the distinguished Vice President is anticipating a visit to Russia.

I think the more the Russian people can see us and the more we can see them the better opportunity we shall have to avoid destroying all humanity. As I said earlier, I would rather drop words than bombs.

Mr. DIRKSEN. Mr. President, will my distinguished colleague from New Hampshire yield to me?

Mr. BRIDGES. I am happy to yield.

Mr. DIRKSEN. I was invited to the luncheon yesterday by the chairman of the Committee on Foreign Relations of the Senate. It was my honor to sit next to the Deputy Premier. I asked a great many questions about agriculture, livestock, and feed grains before other questions dealing essentially with foreign relations were brought forth.

I have two emotions about the matter. The first can be best illustrated by what happened 50 years ago, because it was exactly 50 years ago that Theodore Roosevelt invited Booker T. Washington of Tuskegee Institute to the White House for lunch. The fulminations in the country reached to the heavens. In our own country what sharp difference of opinion there was over the fact that a man of color, a great educator and a great leader of his people, should even be invited to the White House by the President of the United States.

Yesterday we had as a guest the Deputy Premier of Russia. He came as a tourist, really; he did not come in his official status. It is often difficult to make the distinction as between the status of a man in one category and in another. That is neither here nor there. I was glad to attend officially. My greatest regret is that what was said and what was asked could not have been put on the record. Then our people would be able to make a good estimate.

Much was said by way of comment about the luncheon, so I think I am free, without violating any confidences, to make remarks on an item or two. My good friend from New Hampshire raises a question of 9 or 10 unretrieved, unexplained bodies in the difficulty which happened over Armenia. That very question was raised by the distinguished Senator from Ohio [Mr. LAUSCHE]. I followed his every word. I think the

Senator will agree we did not get a very satisfactory answer to that question. The Berlin question was raised. I was glad to note the alertness of my distinguished friend from Minnesota [Mr. HUMPHREY] in pursuing the matter.

I wish our people could have observed the agitation and the sharply punctuated gestures of the Deputy Premier; the firmness which he manifested; and his forthrightness, in a sense, when he said, through his affable and very fluent young interpreter, "You mistrust us, and we mistrust you." It would have been very helpful. I wish our people could have listened. It would have given them great insight. It has made me, I think, more dedicated than ever before.

I want to say to my distinguished friend that as an official, invited guest, it was quite an eye opener for me. The one thought I brought away was: Let nobody in this country ever mistake the firm chin, the flashing eye, the absolute steadfastness without any opportunity of retreat on the part of the Premier, because he laid it right on the line. From that we can well know our duty and our responsibility will be to be firm in every situation which may arise, for if we vacillate, if we weaken, I shudder to think what the ultimate consequence may be.

So I concur with my friend that it was not a social function. I think we were merely extending official courtesies to the distinguished guest from the Soviet Union. However, the meeting was an eye-opener. I am glad I was there to hear him, to see him, and to get a few questions answered. My greatest regret is that there was not time enough for many other questions. I was primed to ask how many television stations the Russians had, and how many receiving sets they had; how many radio stations, and how many radio receivers. I wanted to find out, if I could, just how effective our U.S. Information Service is. My distinguished friend from Texas has listened many times to testimony on that subject.

I wondered whether we had what was necessary to match the Russians, whether or not our programs were being jumbled, and whether or not we were getting our money's worth for our expenditure of $100 million a year. But unfortunately time did not permit of asking all those questions. If it had been possible to remain there until 4 o'clock in the afternoon and let the questioning go around the table, and if the questions and answers could all have been reduced to writing, so that there would have been a transcript, it would have made most illuminating reading.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. JOHNSON of Texas. I believe in quid pro quo. I do not object to Mr. Mikoyan appearing on every television station in the country, or to every one of our 175 million people seeing him, because I believe that everyone who saw him or heard him would reject his philosophy, and become more dedicated to the system of which America is so proud.

What I object to is that we do not demand of Russia the same privileges we grant their people. She should extend to our people the same privileges which her people enjoy when they visit our country. If Mikoyan can go from one end of the land to the other, from one supermarket to another, from one super highway to another, I believe that those of equal stature in our Government should be permitted to go to Russia and to move about as freely as we have allowed Mikoyan to move.

Mr. BRIDGES. Mr. President, I pay the same tribute to the distinguished Senator from Illinois that I extend to the distinguished Senator from Texas. I know that he is a great American, and I have real affection for him. I am not leveling personal criticism at any Member of the Senate. However, I was distressed that a luncheon honoring Mr. Mikoyan was given under the Capitol dome. Perhaps the exchange of ideas was healthy, but I agree with the Senator from Texas that we should demand the same privileges for our officials and citizens who travel in Russia. Reciprocity means a fair and equal exchange; and we have not had it in the past from Russia or the other Communist countries.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. SPARKMAN. I understand the position which the Senator is taking. With reference to the luncheon yesterday, I was present. I did not consider it a luncheon honoring the Deputy Prime Minister of the Soviet Union. It was a luncheon given by the Foreign Relations Committee for the purpose of exchanging ideas. It was for the purpose of allowing us an opportunity to ask questions and get answers. The thought never entered my mind that the luncheon was in his honor at all. I did not so regard it.

Mr. BRIDGES. That is true. However, I thought it was a luncheon to honor him, because that is the way in which it was reported.

Mr. SPARKMAN. There is nothing unusual in the Foreign Relations Committee having an official from a foreign government appear before it. We do it often. I have long advocated not only having officials from foreign governments appear before the committee, but having ambassadors come and talk with us whenever they return home from foreign countries. We have done so in many instances.

I agree with what the distinguished Senator from Illinois has said about the exchange of ideas yesterday. I believe a great many members of the press were surprised at the general discussions we had concerning some things which were not sensational. Of course, the subject of disarmament was sensational, as was the Berlin question. There are many similar questions. However, we discussed a number of other things. We tried to obtain from Mr. Mikoyan his impression of the country, and he gave us a great many ideas.

I was particularly interested in talking with him about housing. He told us a great deal about housing, and indicated how far behind us the Russians are in that field. I think most of us were surprised to learn that the minimum housing standards in Russia for a new house for a family are so far below what they are in this country that the two situations cannot be compared.

Those are not headline or glamorous subjects, but I think the discussion meant a great deal. A little more than 3 years ago I had the privilege of visiting Russia with my wife. We went there in an entirely unofficial capacity. At times travel in Russia is discouraged. We went on our own. We went to see what we could see, to talk with the people, and receive our own impressions.

I returned home with the feeling that if we ever hoped to make any headway toward bringing about a change in the way of doing things in Russia, it would have to be done through the exchange of ideas, the penetration of ideas. My opinion is that it is useless to hope that the Russian people will rise up. They will not.

As has been stated here, I found that the Russian people were interested in knowing about things in our country. What a fine thing it would be if we could get across to them all the facts.

I am glad that the Deputy Prime Minister of the Soviet Union came to this country, not because of the deplorable general record which the distinguished Senator from New Hampshire has pointed out—I deplore that as much as he does—but because he is a high official in his own Government, and because he is one who lives there. I wish more of them would come. I wish great numbers of them would come, and I wish more of our people would go over there and try to demonstrate the difference between our two ways of life.

I am pleased to learn that the distinguished Vice President of the United States will probably visit Russia this spring or summer. I am glad he is going. I presume that his rank is about the same as that of the Soviet visitor. I hope dinners will be given in his honor. I hope he will be given opportunities for discussions such as we had yesterday in the Foreign Relations Committee. I hope the Soviets will allow the Vice President to appear on television. I understand that the Deputy Prime Minister is to meet the press tomorrow afternoon. I hope that Vice President NIXON may have the opportunity of appearing on television in Russia, that he will be quoted in the press, and that he will be able to get the story across. I hope hundreds of thousands of others will follow his course. I hope many more of the Russian people will come over here.

With regard to the question of functions honoring the Deputy Premier—and I do not rule out that possibility, in view of the high position which he holds in his government—let us try to get across to him some of the ideas which will do some good. We must find a way of dealing with those people. We cannot go along forever in a cold war. I shudder to think what would happen to all of us in case of a hot war. So I say that we must grasp at every straw we

can, in the hope that it may lead to the development of something which will allow us to live together in the same world.

Mr. DIRKSEN, Mr. JOHNSON of Texas, and Mr. HUMPHREY addressed the Chair.

Mr. BRIDGES. I yield first to the Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, I appreciate the Senator's yielding to me for a half minute, so that I may explain my reason for now leaving the floor.

I realize more than anyone else that I am a legislator, not a diplomat. However, as a man I wish always to be courteous. Hardly a day passes that an official of a foreign government does not come to call upon the leaders of both parties. At this very moment there is sitting in my office the Honorable Felix von Eckart, the State Secretary of the Republic of Germany, and Mr. Richard Balken, Secretary of the German Embassy.

They are meeting with the Speaker of the House at 2 o'clock. I have been detained because of this discussion. Unfortunately, I shall miss everything the Senators have to say. I hope, however, that Senators will realize that I am frequently called upon to extend courtesies to foreign visitors and that upon occasions I must eat with officials of other lands, but that that does not mean in any respect that I am embracing their philosophies.

Mr. DIRKSEN. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. DIRKSEN. I merely wish to improve the arithmetic with respect to the time devoted to discussions with foreign visitors. Yesterday 17 persons were present in a 2-hour discussion. I have not calculated each person's time on the basis of minutes. However, my distinguished friend from Minnesota had 8 hours, as I understand, for his discussion in Moscow. We should approximate the matter a little bit more and try to make certain that the next time we have a luncheon of the kind we had yesterday we devote a whole afternoon to it, and that we first prepare ourselves with questions, and then make notes, and in that way try to get the whole story. That would be informative to the people of this country.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. HUMPHREY. First of all I want to say that the minority leader has put his finger on a very important point with respect to the discussion of yesterday, namely, that the Deputy Premier of the Soviet Union is tough to deal with, that he is a competent man, and that he demonstrates to us the kind of intellectual toughness and moral strength our country needs if it is to stand up and win in the cold war, and that, therefore, we must step up our activity in this regard.

One thought occurs to me particularly with respect to the length of the luncheon yesterday, and that is that it is about time the Government of the United States realizes it is not possible to discuss problems of the world in a brief session. Our country seems to have become addicted to what is called briefs. The problems of our country and of other countries cannot be fully discussed in brief discussions lasting about 2 hours.

For example, the other day the Secretary of State appeared before the Committee on Foreign Relations to give the committee a general review of American foreign policy. He spent 2 hours with the committee. If the foreign policy of our country can be discussed in a meeting that lasts no more than 2 hours, then, indeed it is not much of a foreign policy. I am not complaining about the Secretary of State. I thought he made a good presentation. I merely say that everyone around here believes he is too busy and does not have the time for a discussion of fundamental, basic issues. The Senator from Illinois is right; yesterday the time could have been profitably spent in a discussion not of 2 hours or 4 hours, but in a discussion lasting all day, and then some. It would have been to the advantage and profit of both parties.

I believe Mr. Mikoyan's visit has been helpful to the cause of peace, and I will tell the Senators why I think so.

Mr. BRIDGES. To interrupt the Senator briefly, I merely wish to observe that I had the impression the Senator was opposed to lengthy statements, judging by his votes on the so-called filibusters and changing the rules of the Senate. I thought he had made his position very clear on these issues. I am therefore a little surprised that he should favor so much time being spent on this subject.

Mr. HUMPHREY. I am surprised that the Senator from New Hampshire should think that I would let any theory get in the way of what he knows to be the practice of the Senator from Minnesota. [Laughter.]

The distinguished Senator from Illinois just whispered to me that there was a little filibustering at yesterday's meeting with the Deputy Premier of the Soviet Union. The Deputy Premier was asked a question by the chairman of the Committee on Foreign Relations, and he proceeded to talk for about 25 minutes. After he had spoken for approximately that time I decided to interrupt him by asking some other questions.

However, I wish to get back to my main point, that of courtesy. I believe that the visit to the United States by the Deputy Premier of the Soviet Union has resulted in a better hope for peace. I should like to tell the Senators why I think so.

I believe the Deputy Premier found out something about America which other observers of America in other reports to the Soviet Union officials did not honestly state. He found out that this great, powerful, rich, and strong country is hard at work. He was impressed, as he said several times, by the fantastic amount of industrial construction. He also found out that our people are essentially united. He also found out that in foreign relations, whether we are Democrats or Republicans, we are united so far as the great fundamental issues involved in our foreign policy are concerned, and that we have in that respect basic agreements. We may have some differences of opinion with respect to some of the details, but on the German issue, on the Berlin issue—and particularly on the Berlin issue—our position is clear. I am sure that the Deputy Premier, Mr. Mikoyan, will go back to Mr. Khrushchev with a clear understanding that the American people are united on that isue. It was my effort to try to make that clear to Mr. Khrushchev when I was in the Soviet Union.

I believe in politeness. I do not believe it is an indication of courage to be impolite. Only a weakling feels he needs to be impolite. It is not necessary for anyone to insult another person in order to prove his point. It is possible to ask penetrating questions responsively and politely and with intelligence and courtesy and courage. It is the insulting person who is the weakling and the ranter and the demagogue. I believe America did itself proud by showing that it had no fear whatsoever.

I should also like to call attention to the fact that the people who have been picketing and demonstrating against the Deputy Premier's visit have shown to all the world that we have freedom of speech in America. It is good for the Deputy Premier of the Soviet Union to know that our people have the right to protest, and that our people are not shoved around or beaten over the head or put in jail for protesting and picketing. I believe he received a good demonstration of Americana. I am all for it.

Finally I should like to say that more of these exchanges are needed. One of the weaknesses of our country today is its timidity. I, for one, am not afraid of Communists. All too often we give the impression that somehow we should not be seen talking to them or be seen in their company. Mr. President, the propagation of the faith, whatever the faith may be, is not accomplished by talking only to the converted. If we are to save any souls, we must go to work on the sinners. If it is our intention and hope to spread democracy and freedom, we must be willing to walk into the den of those who oppose them. It is necessary for us to take our peace program into the citadel of our opponent.

One of the weaknesses of our Government today is its timidity with respect to Iron Curtain countries. In the Senate we are strong in talking against the Soviets. One word said inside the Soviet Union on the subject of democracy is worth 10 CONGRESSIONAL RECORDS full of the same talk.

Mr. BRIDGES. Mr. President, does the Senator believe that Mr. Mikoyan will go back to the Soviet Union and tell the people there what he saw here and what he learned about us?

Mr. HUMPHREY. I believe that the Russians understand power even better than Americans. I believe the Russians are able to calculate on the basis of truth. Public opinion, so far as it relates to Russia, means about 11 ministers and about 200 members of the

central committee. Those are the people to whom Mr. Mikoyan will talk. Those are the grassroots, so-called, in the Soviet Union. Those grassroots, or public opinion, are the central committee. He is returning to Russia and he will talk to them around January 27.

It should not be forgotten that Mr. Mikoyan has been a minister in Russia for 32 years. He is one member of the entire central committee who can never threaten the leader. The reason is that he is a member of the minority which, regrettably in Russia, can never hope to have one of its members succeed to the top position of premier. He is an Armenian. We in this country admire Armenians. They are first-class citizens in America. However, in Russia they have been a persecuted minority for many years. Mr. Mikoyan, for 32 years, since 1926, has had the agility and ability to go through the many changes which have taken place in the Kremlin, primarily because he is a brain truster and because he can never be a threat to the No. 1 man.

When Mr. Mikoyan returns to Russia he will carry his report inside closed rooms. Do Senators know what he will say publicly? Publicly, he will talk the way some people talk in public in America. What is important is what he will say inside closed rooms. I say again that we gave him a demonstration of political solidarity and political unity, which is all to the good. I made myself quite clear on that issue when I was in Russia. I stood up for our President. I made it clear that, regardless of partisan politics, I stood by the Secretary of State. When the Secretary of State was condemned in my presence in the Soviet Union, I said, "I will hear no more of it." It is far more important to say that inside the Kremlin than it is to say it on Constitution Avenue. When I asked for some time on Moscow TV, I was given time. I talked about President Eisenhower and about America and about justice and human dignity and spiritual values, as well as physical well-being. That is what I talked about on the Moscow TV. How did I get on it? By asking them for the opportunity.

If we are to go around the world and act like wallflowers, the Soviets will be mighty glad to put us behind a closed cage and keep us there.

I suggest that we need a little more of good, old-fashioned American spunk, to make those fellows over there wake up to what is going on over here.

I remember when I went to the United Nations. I was advised by our Government not to make myself too available; not to have my picture taken with the Soviets, if any of them came around. I was never more humiliated in my life when, one time, a Soviet official came up and stuck out his hand like a dreaded robot. I withdrew mine. Then I remembered: I am a man. So I put out my hand. Why should I have been afraid? Why should I have acted like a wallflower?

I think it is about time that we stand up and let the Russians know that we have the finest government in the world. There is not a Senator who has come back from a trip to Russia who can say that he was not treated courteously. There is not one who did not find out that the people with whom he talked were simply dying to find out something about America.

What did they want to know? "Where do you live? Do you have a house? Do you drive a car? Really? How many rooms do you have in your house? Where do your children go to school? Do you have electricity?"

That was what they wanted to know. They had heard about these things, but they did not believe them. I know that when I was able to take out a picture of our home, show them a picture of our car, and show the children a picture of our family, I was able to demonstrate to them that we were simply plain, ordinary people, who were earning our way through life.

Such conversations made an impression, maybe not on Khrushchev, but on the 16- and 17-year-olds. I met hundreds of them. I talked to hundreds of them through our own interpreter, Dr. Michel Shimkin, of the National Institutes of Health. He will testify that in railroad stations and bus stations, in the subway, in the shops, we had no difficulty at all, unmolested, in talking to hundreds of the Russian people.

Mr. BRIDGES. But the Senator has just said that they are not the grassroots of Russia. He said that so far as having any eventual effect is concerned, the grassroots is the organization of some 200 people at the top.

Mr. HUMPHREY. That is why I think Mr. Mikoyan's visit will prove to be beneficial with all the opportunities he has had to plead his case. And, believe me, he is a keen observer. He was surely using the opportunities, as the Senator has pointed out, opportunities to convince and persuade the American people. There is no official of the Soviet Government who is better qualified and more competent in the field of economics and the field of trade in his country than Mr. Mikoyan. I am confident that he will go home, after having seen the plants in Detroit and Cleveland, and remind some of the members of the Soviet hierarchy that America is a mighty strong country—that is, if he has not done so before.

But we should not lose sight of the fact, as some of us have had the chance to observe, that when we see some of the construction which is taking place in Russia, we begin to wonder about how much power they themselves have.

Mr. BRIDGES. But the Senator from Minnesota closes his eyes to the entire background and record of Mikoyan.

Mr. HUMPHREY. I do not. I know that he is a part of the Communist conspiracy. I know the record of the Communist Party from the day it started its revolution to this very hour. Everything the Senator from New Hampshire has said about the Communist Party is true. But it so happens that those people are in charge of a government. It so happens that the Soviet Union is the second strongest country on the face of the earth in terms of sheer military power. I say we are still the strongest. I hope we will continue to be the strongest.

But when we have to face up to those fellows, I think we ought to face up to them as realists: first, to let them know what we are; second, to let them know that we know what kind of people they are. We should let them know that we do not intend to run away; that simply because they can do certain things in Russia, they cannot get by with them here.

Mr. BRIDGES. I now yield to the Senator from Vermont.

Mr. AIKEN. I had almost forgotten what I intended to say. The colloquy on the floor has been extremely interesting.

I do wish that the Senator from New Hampshire, as well as every other Senator, could have attended the courtesy luncheon, because that was what it was, given for the Deputy Premier of the Soviet Union yesterday. If each Senator could have been there, he would have come away with greater pride in his democratic form of government and the democratic institutions which we have in this country. He would have a greater determination to protect them against the inroads of communism.

Mr. Mikoyan was very interesting. He spoke frankly. He admitted the weaknesses of Russia. He admired our strength in many respects. But he did not yield in any respect concerning the Soviet form of government—at least, he did not do so openly, and I feel certain he did not do so to himself at any time. But I could not help thinking that he will return to Russia with a feeling of envy and admiration for what he saw in the United States. As the Senator from Minnesota has said, I assume Mr. Mikoyan will make an honest, accurate report to the comparatively small group to whom he will make his report. What the Russian people will be told, I do not know.

I think the only way in which we can get our story over to the Russian people is through an exchange of visits, which will take many years, perhaps as long as a generation. We all know that the Russian people are out on a limb, so far as their government is concerned. We all know that it will probably take longer to get the entire nation off the limb than it takes some of the Members of this body, who frequently run on limbs, to get off. Some get back very agilely; others have to be helped at times.

But it seemed to me that Mr. Mikoyan's visit—and I know he did not win one convert—has confirmed our determination, if it has done nothing else, to resist his form of government, by which he still stands.

But it is well to meet with those people and to talk with them, because it is only if we know them that we will be able to deal with them most effectively. If we do not meet with them, we will not know how to deal with them.

I think, on the whole, Mr. Mikoyan will return to Russia and probably admit or concede, as he did to us, that the United States is a great country. He freely admitted that comparing our standards of living, our housing, our

highway system, and so forth, with those of Russia, Russia had a long, long way to go to catch up with us. I wish he would admit that to all the Russian people, but he probably will not. But I feel certain that he will so inform the top level officials of the Soviet Government. To that extent, I think, probably some good many come. But I am not looking for overnight miracles.

I do not think Russia is in any danger of a revolution for a long time to come. In that respect, it may be quite different from China. We cannot overlook the fact that in the past there have been blood baths in Russia, as well as in Hungary and the other satellite countries. I suppose those blood baths are small compared with what is taking place in China. But since there are so many Chinese, perhaps the Chinese Government feels that it can spare 20 or 30 million people.

On the whole, I should think there has been some gain, some better understanding, from the Mikoyan visit. I hope we may continue to learn more about the Russians, and perhaps in the future our own grandchildren may be much closer to a complete understanding of the Russians than we are.

Mr. BRIDGES. I now yield to the Senator from New York.

Mr. JAVITS. The composite face of our country in the face of the Mikoyan visit, exposed to the world, could be the composite face of everything that has been said in the Senate. I emphasize "everything" because there is one thing I have not heard emphasized, namely, that this country in the last 10 or 12 days has been a country covered with a glass dome, under acute observation by every nation in the world, not only the Soviet Union, but every other nation in the world.

They are trying to see, first, if we are naive. The Senator from New Hampshire has been pointing out that we are not. Second, they are waiting to see if we are willing to talk to the Russians.

The Senator from Illinois [Mr. DIRKSEN], the Senator from Texas [Mr. JOHNSON], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Vermont [Mr. AIKEN], have pointed out that we are willing to talk with them.

Then, the rest of the world is waiting to see whether we will get yanked into a conference of the two superpowers, in which America will abandon her position in the world, or whether we will remain firm in our alliances and treat our allies with the greatest dignity.

I respectfully submit to my colleagues, therefore, that the world should know that we Americans are courteous and, indeed, are hospitable. In fact, we may overdo it occasionally; and in this case the Senator from New Hampshire thinks perhaps we have done so. At the same time, we understand the crimes committed by the regime represented by Mr. Mikoyan, and perhaps, as the Senator from New Hampshire has described, Mr. Mikoyan himself participated in some of them. But we are perfectly willing to talk, although we are not willing to be hoodwinked, and we are not surrendering our position and are not lowering our guard, but are maintaining our regard for our allies in the respect that they have to be full partners of ours. If we can do all of these things at the same time, then I submit that, on balance, the visit has been a good one. But I submit that all these things are required in order to make the point which needs to be made to the world.

I thank the Senator from New Hampshire.

Mr. FULBRIGHT. Mr. President, will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I gladly yield.

Mr. FULBRIGHT. I wish to say, regarding the action of the committee—I am not sure whether any Senator has referred to this point—that the luncheon was first cleared with the State Department, and had its approval. It was also cleared by the chairman of the committee, and I believe with all the committee members. Certainly, the chairman asked me, and I thought it was a good idea. After having participated in the luncheon, I still think it was a good idea.

I shall not burden the RECORD by repeating many of the things which already have been stated by my colleagues. There are several observations which I should like to make. One of them, I think, has not previously been made.

One of the colleagues of Mr. Mikoyan—I believe it was the head of the American desk in the foreign office of the Russian Government, Mr. Soldator—happened to sit next to me. He said to me that he was impressed that not many questions had been asked about Hungary, and therefore he concluded that Hungary was of no great concern to Americans. He was not referring to the conversations at the luncheon. In fact, his remark was made to me prior to the questioning at the luncheon. Instead, he was referring to his experience during his trip in our country.

I tried to make clear to this Russian official, as I try to make clear now, that such an impression on his part was a false interpretation of the situation in our country—even if we grant that it is true that few questions were asked. I think the proper interpretation is that the Hungarian situation is so bad that, in cases of courtesy luncheons, such as the one we had yesterday, those who participate hesitate, when the occasion is semibusiness and semisocial, let us say—in this case, a courtesy luncheon; I like the language the Senator from Vermont used—to precipitate the most disagreeable and inhospitable question of all. That is my interpretation of why that matter had not been dwelt upon at greater length. If this RECORD is called to the attention of that official—and in view of the fact that the Senator from New Hampshire had led the debate, I have no doubt that it will be—I wish to call the attention of that official to the fact that I think the impression he described to me is a misunderstanding of the situation. Instead, the people of America are very much concerned about Hungary.

I am certain that to all Americans it is most puzzling that a country with the responsibility of Russia would do what was done in Hungary. That is one of the things about which we must have some understanding if there is to be any possibility of improving relations between the United States and Russia. Americans are deeply concerned about Hungary and all that it implies as to the motives and character of the Soviet Government. I wish to make that statement for the RECORD.

I also wish to say that if one follows the theory of the Senator from New Hampshire to its logical conclusion, it is rather difficult to justify the luncheons which have been held in the past with representatives of the German Government or representatives of the Japanese Government. Recently, I was in Japan. I think the Japanese are very great people. I think they did some things which were inexcusable, and I believe they are not at all proud of them. But I do not think we can hold such things against the Japanese people today, to the point that we refuse to do business with them or refuse to have courtesy luncheons or conferences with them. Of course, in the case of the Japanese, we have long since passed that point. I consider that today the Japanese are very good friends of ours—and also that the Germans are very good friends of ours.

But let us keep those relations in mind in connection with the situation confronting us today in the case of the Russians. I hope that our relations with them may be improved and in such a way that we do not sacrifice our position in regard to the rest of Europe.

Furthermore, there is something we can learn from Mr. Mikoyan—namely, that the Russians have found a way to obtain very highly trained professionals to represent their country.

In the United States and in England the tradition has been that politics and diplomacy are for gentlemen, that they are primarily for amateurs, often people who do not need to work to live. On the other hand, many of our best brains go into big business, into the professions, and so forth.

As a matter of fact, I think the nearest to professionals we have in our Government, in a sense, are the Members of Congress, because, generally speaking, more Members of Congress spend their lives in politics than do the members of the executive branch of the Government.

I believe we can learn from this man that if we are going to compete in the world with the Russians we must insist on having far more intensive training for our diplomats, those who represent us in the Foreign Service. I particularly bring this matter to the attention of the ranking minority member of the Appropriations Committee, the Senator from New Hampshire, because year after year the Congress has struggled over appropriations for the State Department; and the items which have been stricken out or reduced time after time have been the ones providing for the training of our diplomats, for training in languages, and for upgrading the professional quality of the service, so as to make it more attractive as a longtime undertaking, and so as to induce more of our highly qualified citizens to enter the diplomatic service.

Last of all, let me refer briefly to the exchange program. It has been very difficult to get the Congress to keep it alive. However, that has not been because of any action on the part of the Senate. I believe a successful exchange program can contribute very much in this situation. At the luncheon, Mr. Mikoyan said very willingly that he thought it would be a good thing to increase the number of those who participate in the exchange program. Today that number, insofar as Russia is concerned, is 25. It is proposed that it be increased to 30. I asked him whether he thought it would be well to increase it to 100. He said he thought so.

If the Russians are willing to expose some of their young people to association with Americans, I am perfectly willing to trust the future of our country to some of our outstanding young people, who, we hope, will visit Russia and will draw the proper conclusions regarding the validity of the two different forms of society.

So, I think that, on the whole, such a meeting is beneficial to both sides.

I thank the Senator from New Hampshire for yielding to me.

Mr. YOUNG of North Dakota. Mr. President, will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I yield.

Mr. YOUNG of North Dakota. I did not have an opportunity to hear all of the speech made by the Senator from New Hampshire, but I am quite sure that I would agree with most of it.

I think Americans have a tendency to carry everything to extremes. I recall that prior to World War II, Americans were very much opposed to Russian communism. Then America entered the war, and our Government took the Russians to our bosom, they became great partners of ours, and we are responsible for building up Russia to the strong position it occupies now. Then, later, we refused to have anything at all to do with them; we even refused to talk to them.

I remember that 3 years ago, when I was in Russia, our Ambassador, Mr. Bohlen, thought it was terrible for American officials such as we to even talk to the Russian Government heads. Mr. Bohlen was one of those who helped build up the Russians to their present strong position, during and immediately after World War II.

While I was in Russia we had a meeting with Khrushchev, Bulganin, and others; and I think much good has come from it. Since then more Americans have gone to Russia, and more Russians have come to the United States.

Such discussions can solve many of our problems. However, it is certain that the leaders of nations cannot solve problems by refusing to talk to each other.

But I think at the present time we may be carrying this business of friendship too far by wining and dining a top ranking official of a government which still plans to conquer the entire world.

Mr. BRIDGES. I think the Senator from North Dakota is very sound in his observations.

Mr. President, I yield the floor.

SENDING OF U.S. MARINES TO HAITI

Mr. DIRKSEN. Mr. President, I should like to make a comment, for about 1 minute, upon the sending of a contingent of Marines to Haiti. I noticed an editorial in the Washington Post this morning, bearing the caption "Again the Marines," the first sentence of which reads:

> What useful purpose is served by sending a U.S. military mission to rebuild the armed forces of Haiti—particularly by sending, of all things, a unit of 54 marines?

Mr. President, that does not tell the whole story, by any means. The fact is that we have had an air and naval mission in Haiti for the last 10 years, although I must make clear that did not extend to the ground forces. But it was in the spring of 1958 that Haiti requested a contingent and specifically asked for the Marines. This country sent a survey party there, I think last spring. It was finally agreed we should send a detachment of Marine officers and enlisted men.

I have no doubt they have done a little training, perhaps, but those men are specialists, in the main. That is not their true main function. The Marines are going to Haiti on problems of communications, sanitation, health, public works, and a great many other such purposes. They go at the request of the President of Haiti, Mr. Duvalier, who is a doctor, incidentally.

I see, by an article in the New York Times, that on January 30, President Duvalier is going to relinquish all the extraordinary and dictatorial powers he has. There is going to be a change, and it is hoped, on the basis of their request, we can relieve some of the tensions. I believe we can help establish some stability. It would be in our mutual interest to do so.

In connection therewith, I ask unanimous consent to have printed in the RECORD at this point a news article from the New York Times of January 16, 1959, under the title "Haiti Chief To End Dictatorial Rule."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HAITI CHIEF TO END DICTATORIAL RULE—DUVALIER SAYS HE WILL LET DECREE POWERS EXPIRE ON SCHEDULE JANUARY 30

(By Peter Kihss)

PORT-AU-PRINCE, HAITI, January 15.—President Francois Duvalier, of Haiti, declared today that he would allow dictatorial powers by which he has ruled by decree for 6 months to expire on schedule January 30. The country will return to democratic rule, he said.

In an interview, the 48-year-old President said a state of siege would continue technically until Congress reconvened April 13.

The state of siege, which allows trials by military as well as civilian tribunals, is no longer needed, but was put in by Congress last May 2 after discovery of a bomb plot, the President asserted. The decree powers granted him by Congress after an eight-man invasion last July 29 are no longer needed because the country is peaceful, he added.

POLITICAL PRISONERS FREED

In the interview, which lasted an hour and a half, President Duvalier amplified the decrees by which he granted full pardons last week to 10 men convicted of political offenses. He said all political prisoners had been freed as a sign of good faith and national unity. Clement Jumelle, outlawed former president candidate, can safely return from hiding, he said.

Dr. Duvalier, a physician in private life, also said opposition leaders were free to resume printing newspapers and could again hold indoor meetings. He said an old Haitian law barred open air political rallies except during electoral campaigns.

The President freely discussed Haiti's financial mess. This was attributed to a heritage of old debt, strained relations with the United States, which he said had improved completely, and a one-crop economy hard hit by low coffee prices and 2 years of drought. He praised the United States for having started a $2 million grant program to rehabilitate a northern area near Cap-Haïtien.

President Duvalier expressed hope for early U.S. approval of $43,800,000 in projects before the Development Loan Fund.

PROPOSED DEVELOPMENTS

However, Louis R. Leveque, Permanent Secretary of the Grand Technical Council of National Resources and Economic Development, the country's chief planning agency, said later that only $21,800,000 had been formally applied for. He said this included $6,500,000 for Artibonite Valley irrigation and drainage, $12,300,000 for southern roads, and $3,000 for a sugar mill.

President Duvalier had also referred to an Artibonite power project, and airport, wharf, telephone and water programs for Port-au-Prince.

Separately, Marc Charles, Minister of Agriculture, called the Artibonite program economicaly crucial. M. Charles expressed concern that Haitan oppositionists abroad might be delaying the loan in an attempt to oust President Duvalier.

The President said Communist businessmen from East Germany and Hungary had approached Haiti recently with offers of credit and projects, but had been rebuffed.

Explaining why he had replaced two army commanders while staying in power since October 22, 1957, the President said this army had been overhauled to bring in young brains. A special U.S. Marine mission completed a month's training of the Army last month, and a new mission is due January 19, Foreign Minister Louis Mars said.

President Duvalier asserted that he had used the decree powers mainly in the field of economics, to reorganize departments. However, there were also penal edicts, including an August 6 decree providing imprisonment for spreading false news or rumors likely to breach public peace. Censorship was lifted December 6.

The President said repeatedly that he wished his opponents would join him for the national welfare.

"I am not a strong man," he insisted. "I am not a dictator. I consider myself a country doctor. I want to build up Haiti."

Mr. DIRKSEN. Mr. President, I am glad, under the circumstances, that the Marines are going. It puts the whole matter in a different light. It is not another step in gunboat diplomacy, as the Washington Post has said.

THE NECESSITY FOR A BALANCED BUDGET

Mr. BRIDGES. Mr. President, I ask unanimous consent to have printed in the body of the RECORD, an article by David Lawrence entitled "Battle Over Stable Dollar Seen Affecting All World," which appeared in the New York Herald Tribune of January 13, 1959.

As we well know, the Soviet Union, as well as challenging us in space and advanced weapons, has declared total economic war on us. The free world watches the strength of our dollar as carefully as it watches our military ability. The President's state of the Union message emphasized the need of defense effort within the framework of a balanced budget recognizing full well how completely integrated are the matters of national security and economic stability. Mr. Lawrence's article is a most timely and thoughtful one in complete confirmation of the President's position. The cause of economic stability so well charted in the President's message and repeated in Mr. Lawrence's article, is one to which I have dedicated myself.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BATTLE OVER STABLE DOLLAR SEEN AFFECTING ALL WORLD

(By David Lawrence)

WASHINGTON, January 12.—The battle of the century has begun. How it turns out will affect the future of the American dollar for decades to come. On the way the die is cast in the next few months depends the purchasing power of the pay envelopes of millions of Americans. Will the dollar remain stable or will it decline still further? For today the dollar is worth 48 cents in terms of what it was worth just 20 years ago, and if the forces of confiscation have their way, it could go down to 25 cents in another decade. The whole world is watching to see what America does. It affects trade everywhere.

The battle against a stable dollar is being waged here right now under respectable auspices by men in Congress who scorn the label "radical" but who would commit the United States to expenditures far beyond the President's budget.

OPPONENTS ACTIVE

Already the American people are being told by the political partisans that a "balanced budget" means insecurity or indifference to the military safety of the country. To play upon such fears, the devotees of the doctrine of spending evidently believe, is to get sanction for big appropriations—more billions for missiles or expeditions to the moon.

The insidious argument made is that the President gives too much weight to the balanced-budget idea and that he is neglecting "national defense." Will this campaign undermine the President's influence and open the floodgates in Congress so that billions more than he recommends will be appropriated even in the face of a $12 billion deficit this year?

Mr. Eisenhower has been absorbed for months formulating the new budget. He has held lengthy conferences with our military leaders and with our economic experts. Honest, patriotic, experienced military men, without any political bias, helped to make the new budget. It was no casual decision by one man that led the President to announce that he believed the budget for the next fiscal year could be balanced.

ECONOMIC DEFENSE

What is the biggest single fact about our military position? The intercontinental missile is not yet perfected, but the intermediate missile can be fired from bases in Europe close to Soviet Russia.

The truth is, moreover, the Soviet leaders know their country can be devastated in a matter of hours. Both sides know a mutual deterrent has come into being. There's a stalemate on the military side.

The urgent question now, therefore, is not the spending of unlimited amounts on military defense, but giving more attention than ever before to economic defense. As for those who say that military spending should be expanded, no matter what it costs, there is a simple test of sincerity. Would they support heavier taxes and—more important even than higher taxes—would they vote for governmental wage-and-price controls?

DEFENSE COSTS SOAR

Why, if the cold war is so hot, shouldn't American labor unions and business corporations be held in check so that the price of the same bomber that the Government buys today will not be twice as much 2 years hence? For that's what has happened in the last 5 years to push a large part of our defense budget upward.

President Eisenhower's well-reasoned state of the Union message was printed in full text only here and there in a few newspapers of the country. He will have to go on the television, again and again, and issue more and more written expositions of his policy to make real headway against his opponents. The critics get more space in the press and on the air than do the defenders.

CONFIDENCE IN PRESIDENT

What is needed now is confidence in the Nation's Chief Executive—the very man who commanded all the allied armies in Europe just a few years ago, and whose integrity and lifetime devotion to the military security of his country ought not to be questioned. Would Dwight Eisenhower ever fail to recommend any military proposal that was really needed? Would he neglect the defense of America?

Partisan-minded people and those Members of Congress with a vested interest in currying favor in their home States and districts through more and more spending on defense factories and local facilities, which could mean bigger payrolls for their constituents, are demanding more defense and arousing fears about the Nation's security. Only an informed public opinion can win this crucial battle against bankruptcy. For this is what the battle of the century in Washington really means.

Unless the American people can see through the maze of propaganda and alarmist talk, and put into proper perspective the selfish ambitions of some of their legislators, Macaulay's prophecy of more than 100 years ago that the American Ship of State is doomed to destroy itself because it is "all sail and no anchor" could, indeed, come true.

THE CASE OF ANNIE LEE MOSS

Mr. BRIDGES. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial appearing in the December 27, 1958, issue of the Saturday Evening Post.

This editorial has to do with the Annie Lee Moss case, which came before the permanent Subcommittee on Investigations which, in 1954, was headed by the late Senator McCarthy. At that time, Mrs. Moss denied under oath that she had ever been a Communist Party member, and she succeeded in convincing committee members that she was telling the truth. This particular incident comes to mind because of a recent revelation which seems to have been all too little publicized. As a result of the decision in the Jencks case, the Communist Party demanded and received the right to look at the FBI files during a recent proceeding before the Subversive Activities Control Board. The interesting result of this effort on the part of the Communist Party was a complete boomerang.

Mr. President, I am asking the privilege of inserting this article for two reasons.

The first is to show those who are inclined to be soft on communism just how wrong they can be and how completely they can be taken in because there is nothing sacred about oaths and agreements to anyone imbued with the Communist cause.

The second reason why I wish to see this inserted in the RECORD is because I consider the revelations in this case at once both a vindication and a tribute to the dedicated members of the FBI, and the complete accuracy and painstaking carefulness of their investigations.

Upon a perusal of the files, there was found in copies of the Communist Party's own record, the authenticity of which it does not dispute, evidence that one Annie Lee Moss was a party member beyond a doubt. It is ironic that the word of Annie Lee Moss was believed instead of that of Mrs. Markward, the dedicated undercover FBI agent who had infiltrated the Communist Party organization in Washington and had testified as to Mrs. Moss' membership.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HERE'S AN "INFORMER" THE REDS SHOULD NOT HAVE TANGLED WITH

Once in a blue moon the Communists pull a rock, as the expression is. In a recent proceeding before the Subversive Activities Control Board the Communist Party demanded a look at the FBI files, which the Supreme Court, in the Jencks case, had decreed they might have. How this privilege bounced back in their faces makes a fascinating tale.

In February 1954 a great stew was created over charges that a Mrs. Annie Lee Moss, who was employed in the code room of the Pentagon, was a Communist. The charges were based on testimony before Senator McCarthy's Permanent Subcommittee on Investigations by Mrs. Mary Markward, an FBI undercover agent who had infiltrated the Communist Party in Washington. A few weeks later Mrs. Moss took the stand and, in a dramatic session of the committee, denied under oath that she was or ever had been a Communist Party member. She convinced committee members that she was telling the truth.

In due course Mrs. Moss became the heroine of an Edward R. Murrow program on television, a program which moved TV critic John Crosby so deeply that he wrote: "The American people fought a revolution to defend, among other things, the right of Annie Lee Moss to earn a living, and Senator McCarthy now decided she had no such right." Mrs. Markward was smeared by liberals as an "informer."

Back now, as they say on the air, to the recent hearings before the Subversive Activities Control Board, which has been trying for years to compel the U.S. Communist Party to register as the agent of a foreign power, which it undoubtedly is. Twice the Federal courts have turned back the Board's judgments on the ground that certain testimony against the party was "tainted."

One allegedly tainted witness was supposed to be Mrs. Markward, whose information in the FBI files the party wanted to see. What the party learned was that the evidence on Mrs. Moss' Communist membership did not rest on Mrs. Markward's testimony alone. The story, which was dug out of the documents by Mrs. Alice Widener's U.S.A. magazine and followed up by Edward J. Mowery

in the Newark Star-Ledger, has received too little public attention.

Says the Board: "Markward's FBI reports concerning Moss, the majority being copies of actual Communist Party records such as club and branch attendance, membership and dues rosters, were received in evidence. * * * Exhibits 499–511 corroborate Mrs. Markward's testimony in the Moss security hearing. The situation that has resulted on the Moss question is that the party's own records, copies of which are now in evidence, and the authenticity of which it does not dispute, show an Annie Lee Moss, 72 R Street SW., Washington, D.C., was a party member in the mid-1940's." That was one of the addresses given by the Mrs. Moss who was employed at the Pentagon.

Thus Mrs. Markward stands vindicated as one who performed a difficult and unrewarding mission for her country. Vindicated also is the FBI, which the Communists are sworn to destroy, and—in this instance at least—the labors of a much-abused congressional committee.

Mrs. Moss, who appears to be still in the Pentagon in a "nonsensitive" job, may be small potatoes. But the episode suggests that Congress would do well to explore the possibility that our bureaucracy contains Communists in "sensitive" areas.

USE OF LOAN FUNDS UNDER RURAL ELECTRIFICATION PROGRAM

Mr. LANGER. Mr. President, on August 19, 1958, I submitted in the Senate Senate Resolution 385, to authorize the Committee on the Judiciary to make a full and complete study and investigation of the Comptroller General's holding in a letter to the Secretary of Agriculture dated July 21, 1958—B134138—relating to the use of loan funds under the rural electrification program.

Mr. President, many REA people from the State of North Dakota and other parts of the country were greatly concerned by the Comptroller General's letter to the Secretary of Agriculture, above mentioned, in that it would have greatly curtailed the REA program throughout the United States relating to the use of loan funds under the REA program.

I am happy to advise the Senate that I am joining my colleague, the distinguished Senator from Vermont [Mr. AIKEN], who on Wednesday, January 14, submitted a Senate resolution to make clear beyond any question the intent of the Senate of the United States regarding this matter. The Comptroller General, in his letter to the Secretary of Agriculture of December 8, said he would not attempt to enforce decisions of a nature similar to the Iowa REA loan case in the absence of expression of the intent of Congress.

I am pleased that the distinguished Senator from Vermont placed into the RECORD the analysis of the Comptroller General's opinion, which was the basis for the submission of my resolution, Senate Resolution 385, in the 85th Congress.

TRANSIT SYSTEM IN THE DISTRICT OF COLUMBIA

Mr. LANGER. Mr. President, on Wednesday, January 14, the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], introduced S. 304, which was cosponsored by Mr. DOUGLAS, Mr. O'MAHONEY, Mr. YARBOROUGH, Mr. THURMOND, and myself, to insure effective regulation of the D.C. Transit System, Inc., and fair and equal competition between D.C. Transit System, Inc., and its competitors.

I joined the sentiments expressed by the distinguished minority leader when he introduced S. 304, and had I been on the floor at the time, I would also have wished to make some extended remarks pertaining to this problem, which results in the grossly unfair use of the taxpayers' dollars for the subsidization of the D.C. Transit System, Inc., as long as that corporation utilizes its resources to lessen competition in the charter and sightseeing business, and any other free enterprise with which the transit company may wish to compete, when those competing companies do not enjoy the same privileges and exemptions.

For the information of the Members of the Senate, I ask unanimous consent to have printed in the RECORD two letters to the Public Utilities Commission through its Chairman, the Honorable George E. C. Hayes, dated November 18 and December 4, urging that the Public Utilities Commission assert its own authority in enjoining the D.C. Transit System, Inc., from taking advantage of its competitors by virtue of a franchise granted to it by the Congress of the United States.

It is hoped that the Public Utilities Commission will take its own initiative in this matter, so that the small business people affected by the action of the D.C. Transit Company will be protected from immediate ruin, which has been the result to several competitors of the D.C. Transit System, Inc., in the past several months. I am afraid that by the time this bill is acted upon by the Congress of the United States, several more small businesses competing with the D.C. Transit System will also have been forced to go out of business.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NOVEMBER 18, 1958.

Hon. GEORGE E. C. HAYES,
Chairman, Public Utilities Commission, District of Columbia, Municipal Building, Washington, D.C.

MY DEAR MR. CHAIRMAN: As ranking minority member of the U.S. Senate Antitrust and Monopoly Subcommittee, I am very much concerned with the impact on small businessmen in the District of Columbia who compete with the D.C. Transit System, Inc., in charter, sightseeing and Government contract services. It appears from the record in the hearings before the Select Committee on Small Business, House of Representatives, that the D.C. Transit System, Inc., is intertwined in extraneous activities with its monopoly transit operations and going beyond the contemplation of Congress' franchise in the transit companies expansion into collateral ventures financed and operated with the assets and personnel of a company which came to Congress asking for a franchise to operate a transit enterprise.

It would be grossly unfair to use taxpayers' dollars for the subsidization of the D.C. Transit System, Inc., as long as that corporation utilizes its resources to lessen competition in the charter and sightseeing business and any other free enterprise with which the transit company may wish to compete against, when those competing companies do not enjoy the same privileges and exemptions. During the last session of the Congress, Congressman WRIGHT PATMAN, of Texas, introduced H.R. 13767 which bill would prohibit the District of Columbia Transit System, Inc., from using its assets and personnel employed in providing the services of miscellaneous transportation of passengers for hire from being used or employed in whole or in part in any other service in competition with the service of any other company.

I have been advised that the charter and sightseeing small business companies in the District of Columbia are facing extinction if the D.C. Transit System, Inc., is permitted to continue the practices of misusing its privileges and exemptions granted by congressional franchise.

I would appreciate hearing from you as soon as possible if the Public Utilities Commission of the District of Columbia is considering issuing any orders restraining the D.C. Transit System, Inc., from misusing its privileges and exemptions granted by the franchise to the detriment of competing charter and sightseeing companies who do not possess those privileges and exemptions granted by the Congress. I would also appreciate your views on Congressman Patman's bill, H.R. 13767.

With kind regards and every good wish. I am,

Sincerely,

WILLIAM LANGER.

DECEMBER 4, 1958.

Hon. GEORGE E. C. HAYES,
Chairman, Public Utilities Commission, District of Columbia, Municipal Building, Washington, D.C.

MY DEAR MR. CHAIRMAN: Thank you for your letter of November 20, regarding the problems of D.C. Transit System's competitors, in charter, sightseeing, limousine, and Government contract services.

After reviewing the testimony given at the House Small Business Committee hearings on May 12, 16, and 19, 1958, I am puzzled by the inaction of the Public Utilities Commission of the District of Columbia. As you know, the Honorable Robert E. McLaughlin, president, District of Columbia Board of Commissioners, and former Chairman, District of Columbia Public Utilities Commission, testified as follows (House Small Business Committee hearings, pp. 27 and 160):

"Well, sir, I think that they are not likely to have any very strong competition from new companies, and I would even go so far as to say that I think this is quite monopolistic. I think this situation that exists will eventually certainly drive competition out of the field (p. 27).

"I don't know whether counsel would agree with me, but under paragraph 4 of the Public Utilities Commission Act, the Public Utilities Commission may and is charged with requiring public utilities to comply with the laws of the United States applicable to them.

"Now, it seems to me as though since the Public Utilities Commission Act is expressly supposed to be construed in accordance with the provisions of the Constitution and sections of law pursuant to the Constitution as relating to interstate commerce, which of course the antitrust laws are, it seems to me as though the PUC has the jurisdiction to issue orders of the nature of antitrust court orders. I mean issuing orders which would have the effect of restraining D.C. Transit System from actions which are monopolistic in nature" (p. 100).

I note that none of the Public Utilities Commission officials present at the hearings disagreed with the above testimony by President McLaughlin. Hence, I shall appreciate it if you will advise me as to why the Public Utilities Commission has not issued orders which would restrain D.C. Transit System, Inc., from monopolistic actions.

Competitors of D.C. Transit System are being hurt and, unquestionably, their situ-

ation will become more acute in the months ahead. Certainly, the Public Utilities Commission need not wait until there is no competition before acting.

The D.C. Transit System, Inc., has announced future development plans that can only serve to eliminate competition and create monopoly conditions in fields other than mass transit in the District of Columbia.

It seems to me that to permit D.C. Transit System's competitive practices in charter and sightseeing makes a mockery of the antitrust laws and other laws which the Congress has enacted to help small business and to preserve our competitive system.

The record indicates that the special privileges accorded the D.C. Transit System, Inc., by the 84th Congress are not the only advantages the corporation possesses. An important advantage is the ability of the corporation to use its personnel, equipment, facilities, financial resources, and maintenance in charter and sightseeing services. Mr. O. Roy Chalk, president, D.C. Transit System, Inc., has stated, "It is not only taxes but our maintenance is lower. We can't help it. Our ability to do lower cost maintenance—that is the basic difference between us." (House Small Business Committee hearings, p. 11.)

In the light of D.C. Transit System's $200,000 loss last year in charter, limousine, and sightseeing services (House Small Business Committee hearings, p. 21), I am not persuaded that the only way the corporation can be healthy is to engage in charter and sightseeing services.

Indeed, it would appear that the D.C. Transit System, Inc., by far the giant in the industry in terms of financial resources, could very easily adjust itself to a withdrawal from competition with charter, sightseeing, and related services.

I am hopeful that the Public Utilities Commision will act promptly on this matter, so that D.C. Transit's competitors will not be subjected to further hardships, with irretrievable loss of opportunities and morale.

With kindest regards, I am,

Sincerely,

WILLIAM LANGER.

BENEFITS TO TAXPAYERS FROM STATE OWNERSHIP OF INDUSTRIES

Mr. LANGER. Mr. President, upon several occasions speeches have been made upon the Senate floor against State ownership, and I have always defended the public ownership of State industries in my own State, where they have been outstandingly successful.

The Senate will be interested in learning of the latest attempt by those who would assist the Minneapolis Chamber of Commerce and others in "skinning" the North Dakota farmer.

As the sole survivor of the first Industrial Commission of North Dakota, consisting of the Governor, Secretary of Agriculture and Labor, and the Attorney General, I, as the then Attorney General, and later as Governor, am more familiar than is any other person with the history of these State-owned industries and the many millions of dollars they have saved the taxpayers.

Three weeks ago, a State Senator threatened to introduce a bill to sell the State Mill and Elevator. After much publicity, he has now announced he will not introduce the bill, but in the meantime a group headed by the very able and competent Fritz Nelson, of Grand Forks, has announced they will circulate initiating petitions, affecting not only the Mill and Elevator, but also the Bank of North Dakota, the Workmen's Compensation bureau, and the State hail Insurance Department. Today I shall speak only about the Mill and Elevator, and at later times will take up the other three industries, because I want my fellow Senators to be fully aware of the very successful progress North Dakota has made in their operation.

Some of the newspapers opposed to the sale stated that the operation of the mill has been very successful under former Governors Moses, Aandahl, and Brunsdale; that the annual profits were about $350,000 a year. Unfortunately, these newspapers do not tell the full story about the great institution, which was organized, not to make money, but to see to it that the farmers got a fair, honest price for the grain they raised. However, the Mill and Elevator provided protection to the farmers, and at the same time proved to be a great financial success.

Now listen carefully, Senators, because under my administration as Governor of the State, the State Mill and Elevator paid for itself more than 3 times over, and saved the people between $12 million and $14 million, according to A. J. Scott, the former Manager of the Mill and Elevator. Had we not had this State-owned Mill and Elevator, the "grain gamblers" in Minneapolis would have robbed the farmers of at least $12 million, and possibly $14 million, in one of the most daring, crooked, disgraceful attempts ever made to rob an honest people. No one who will read and study what I have to say here will ever sign a petition or vote to close or sell the State-owned Mill and Elevator, and I believe that the people of the State can be trusted to take care politically of those politicians who advocate the selling of this great institution. The folks who advocate the selling of the Mill and Elevator are not friends of the people, but are their enemies, who would sell out the people of North Dakota by permitting the grain trade of Minneapolis to stick their long, slimy, filthy hands into the pockets of the people and rob them.

Now I say to my fellow Senators, here are the facts to hear. On July 18, 19, 20, 21, and 22, 1937, while I was Governor, the State was apparently producing one of the finest wheat crops in all its history. During those 5 days we had real hot winds—the wheat was in the milk, and because of the heat, it shriveled, with the result that we, according to the U.S. Department of Agriculture, only produced 54,984,000 bushels—practically none of it weighing 60 pounds to the bushel. The grain trade in Minneapolis thought that they saw their chance to "pluck" the farmer. During the night, they reduced the price of 37-pound wheat from 89 cents per bushel to 37 cents per bushel, a drop of 52 cents per bushel overnight. This went into effect at 9 o'clock in the morning of July 22, and wheat of other grades dropped accordingly. By 11 o'clock I, as Governor, was at full steam ahead. By telephone I had arranged a meeting at the Waldorf Hotel at Fargo composed of Mr. R. M. Stangler, manager of the Bank of North Dakota; A. J. Scott, Manager of the Mill and Elevator; 2 grainmen from Minneapolis, recommended to me by Gov. Floyd Olson, of Minnesota; 2 men from Canada, recommended to me as grain experts; the 3 members of the Railroad Commission; the Secretary of Agriculture; the Attorney General, and myself as Governor, and also 3 first-class lawyers, Francis Murphy, of Fargo; J. K. Murray, of Bismarck; and the late Harrison A. Bronson, later Chief Justice of the Supreme Court of North Dakota; also an expert radio annouuncer, Irving Wallace, now residing in Mason City, Iowa; and others—23 men in all. We employed scores of men to call from farm to farm to pick up 2-pound samples of heads of wheat from each farm and labeled each sample with the farmer's name. These samples were rushed to the State Mill and Elevator, where each sample was threshed separately and the flour produced from each one of the more than 1,000 samples that had been gathered was used to bake over 1,000 loaves of bread—1 loaf of bread from each sample—by the expert chemist employed by the Mill and Elevator, so that we could arrive definitely at the exact milling value of this shriveled wheat. Within a few days, we knew to the tenth of a penny the milling value of that lightweight wheat.

Acting as promptly as possible, the Industrial Commission, consisting of Pete Sathre as Attorney General, John Hagen as Commissioner of Agriculture and Labor, and myself, raised the price of 37-pound wheat 35 cents a bushel, which I announced over the radio. Shortly thereafter the Bismarck Tribune finally broke the spell of silence of the opposition on the 3d day of August 1937 printing the following on its front page:

NORTH DAKOTA MILL OFFERS TO BUY WHEAT OF LIGHTER WEIGHTS—INDUSTRIAL COMMISSION SEEKING TO RAISE PRICE BASED ON JULY 26 RANGE

Beginning today the North Dakota mill and elevator at Grand Forks offers to buy all lightweight wheat produced by the farmers of North Dakota, Gov. William Langer, speaking for the industrial commission, announced Monday night.

Declaring it is the purpose of the industrial commission "to checkmate the grain gamblers who dropped the price of 37-pound wheat 52 cents in 24 hours," Governor Langer asserted the commission has secured storage space in Duluth, Minneapolis, and Grand Forks, sufficient to handle every bushel of lightweight wheat produced in North Dakota.

"Through the Bank of North Dakota we have arranged for millions of dollars of credit. We can buy every bushel of lightweight wheat in North Dakota and pay cash for it. We want the wheat unless the grain market will pay the farmers what it is worth." Producers of other States were barred, the Governor said.

SEEKS HONEST PRICE

The Governor declared that the commission had no fight with any other elevator in North Dakota, but that it is determined to obtain "an honest price, a price that means the difference as to whether thousands of North Dakota farmers will be able to support themselves or whether they will again be forced to go on relief. That honest price will mean the difference as to whether or not the farmers will pay their debts to the businessmen."

"Beginning today," the Governor said, "the prices of lightweight wheat being paid by the State mill and elevator will be announced daily over KFYR at 2 p.m.

"Our whole object is to compel the local elevators to pay the farmers what their wheat is actually and honestly worth," the Governor asserted. "If they won't pay it, the North Dakota mill and elevator will."

ASKS FOR SAMPLES

The Governor invited all producers of lightweight wheat to send samples to the State mill and elevator to determine the amount of protein it contains. He specified that not less than a 2-pound sample be dispatched and states that the mill will wire the weight upon request.

The chief executive stated daily prices will be based on the card prices offered on the Minneapolis Chamber of Commerce, July 26.

He said, "We will raise the price of 37-pound wheat 35 cents a bushel; 38-pound wheat 32 cents a bushel; and so on up the scale. The increase in prices on 37-pound wheat will be 35 cents a bushel more than was offered by the grain combine July 26; 38-pound wheat 32 cents more; 39-pound wheat 29 cents more and so on."

The prices paid by the State mill, the Governor explained, are based on carload lots. He advised farmers with less than carload lots to pool with their neighbors and to wire A. J. Scott, manager of the mill, for shipping instructions.

STORAGE SPECIFIED

In the case of farmers with less than carload lots who are unable to pool with other farmers, the Governor directed that they should store the grain in local elevators and obtain a storage ticket which specifies the weight of the wheat stored.

The Governor asserted the State railroad commission has instructed all elevators to mark the weights on storage tickets, and he further declared that the commission has obtained lower freight rates to the mill and elevator.

"Get your storage ticket when you haul your grain in and mail it to the State mill and elevator. We will take out the handling charges and a draft will be sent you immediately upon receipt of the storage ticket. If the grain is mortgaged, the lien will be protected."

Mr. President, the action of the Industrial Commission produced instantaneous results. The very next day, after we made the announcement over the radio, the elevators at West Fargo raised their price of 37-pound wheat by paying 36 cents a bushel more than the day before. That year the wheat crop amounted to 54,984,000 bushels, according to U.S. Department of Agriculture, so that anyone can see that the wheat farmers' benefit, as Mr. Scott said, amounted to somewhere between 12 and 14 millions of dollars, or three times more than the Mill and Elevator had cost the taxpayers to build.

Fellow Senators, we only had to buy a little over a million bushels of wheat and one of the most pleasant incidents of this fight to get the farmer a fair price was when I received a long distance telephone call from Shreve Archer of the Midland Grain Co., of Minneapolis. He approved of the action and said, "you are dead right in what you are doing and I am offering to loan you $3 million at 3 percent in case you are short of money."

I told Mr. Archer that we were well financed by another State industry, the Bank of North Dakota, and we could buy the entire State crop if necessary. He concluded by saying, "well, if you need this $3 million and even 5 or 6 million, let me know."

For 2 months the price was kept up by daily announcements over the radio furnished by the State Mill and Elevator but within 24 hours the grain trade had met the price of the Mill and Elevator and were paying 1 cent more per bushel than was the Industrial Commission.

Now, fellow Senators, the construction of the mill cost the taxpayers $3 million, and at the same time bonds in the sum of $1½ million were issued for operating expenses—a total of $4½ million. These bonds have been paid.

In addition to that, we have constantly improved the Mill and Elevator by erection of new buildings and other improvements in the amount of about $3 million. Out of the profits made by the Mill and Elevator we have paid $500,000 for World War II soldier bonuses; $500,000 for Korean soldier bonuses; $500,000 to the State highway fund; $500,000 to the State general fund; or a total of $2 million. From the above, you will note that the State has an immensely valuable investment in the State Mill and Elevator, and anyone who has been acquainted with this operation knows that Mr. Robert Stangler, whom I as Governor, induced to take over the management, first, of the Bank of North Dakota and who was later transferred to the Mill and Elevator, did an outstanding job, helped by his assistants, P. R. Fossen and Carl Lewis, making it one of the finest elevator mills in the Northwest—well equipped with the most up-to-date modern machinery. It is constantly striving to make more and better products for the people of the State, and lately has done an outstanding job in getting the very finest kind of fertilizer at the lowest price for the farmers.

This is one of the State industries that some of the politicians want to sell or close up or get rid of for the benefit of the grain trade in the twin cities. The facts I have mentioned above are unanswerable because they are proven facts.

I repeat that in 1937, the mill paid for itself three times over what it cost the taxpayers, and everyone ought to know that if the Mill and Elevator should be closed or sold, the farmers will be at the mercy of the grain trade and speculators in case we again have conditions like we had in 1937.

By the way, may I at this time thank the Congress of the United States for its good assistance through the years in building Fort Peck and Garrison Dams. They were erected not only to control the Missouri River for navigation and irrigation and other purposes, but those dams were built also for the purpose of furnishing cheap electric power to the people of the State, including cities and towns.

Less than 10 days ago, Assistant Secretary of Interior, Mr. Aandahl, allocated sufficient power so that the city of Mandan—provided the people of Mandan voted for it—could own and operate its own municipal light plant as they already do their own water plant. This can only be done in case the people of Mandan vote at an election to be held before March 1, voting to have this city own its own municipal light and power plant. Naturally, I fervently hope that the overwhelming majority of the people of Mandan will realize that by voting "Yes" they will save the people of Mandan thousands upon thousands of dollars and, as years go by, pay for their plant. The history of the municipal light plants at Valley City, which has operated its own municipal plant for over 30 years, and other towns, has proved that it is a step in the right direction for the people of Mandan to take, and I know that my fellow Senators will be interested in the outcome of that election too.

Again I want to thank the Senators for what they have done for the people, not only of Montana and North Dakota, by the building of the Fort Peck and Garrison Dams, but for the great effect they will have upon securing cheap electric power in the other States in the Missouri River Basin. And I conclude by saying again, "Don't be fooled, operation of State industries is very successful for taxpayers."

I wish to personally thank Sophus Trom, a member of the North Dakota Legislature, and Frank Woell, Mayor of Casselton, for taking leading parts against the sale of the Mill and Elevator. As eternal vigilance is necessary, I express the hope that someone in every voting precinct in the State will write me offering to be a member of the permanent statewide committee, which will charge no dues, but simply organize to make the voters aware and fortify to fight whenever in the years to come another attempt may be made to wreck any of the State-owned industries. Just write me—WILLIAM LANGER, Senate Office Building, Washington, D.C.

DISCONTINUANCE OF NUCLEAR WEAPONS TESTS

Mr. GORE. Mr. President, I wish to make a brief report to the Senate upon my observations and suggestions as a Senate adviser to the U.S. delegation to negotiate with delegates of the United Kingdom and the Union of Soviet Socialist Republics on the question of discontinuance of nuclear weapons tests.

In addition, I shall make reference to certain events that have transpired since my return from the Geneva conference and certain suggestions which I hope may prove helpful.

Upon returning from Geneva, I reported to President Eisenhower, to the majority leader, to the chairman of the Joint Committee on Atomic Energy, and to the American people a conviction on my part that the Russian delegation was seeking to pressure the United States and the United Kingdom into an agreement to stop all nuclear tests, without Russian acceptance of adequate inspection to detect violation of the agreement, and that, failing in this, they would seek to place upon the United States blame for failure of the conference. I suggested that success by the Soviets in either of these respects would be detrimental to the interests of the United States.

I directed attention to the uncertain, cumbersome, if not entirely impractical, system of inspection and detection under consideration at Geneva. The uncertainty of detecting and identifying underground nuclear explosions has now been acknowledged by the President's committee of experts.

In the Geneva Conference on nuclear tests, still under way, two major security essentials are involved: First, the military strength of the West, particularly the United States, as compared with the Communist, and second the moral position and political posture of the United States, increasingly affected by world public opinion. These are inseparable, and essential parts of our national security.

I am apprehensive that the conference will break up in failure and that blame for this failure will be assessed largely to the United States. My apprehension arises out of an awareness of the Soviet's capacity for propaganda and because of the impractical and unreliable system of detection and inspection for underground tests proposed by the conference of experts, which the Russians have shown no sign of accepting. Not only have they shown no sign of accepting the proposed system, now clearly demonstrated to be inadequate, but they have refused even to discuss and give conference consideration to the new data with which the United States Government has supplied the Geneva conferees. Moreover, there is no proposal or practical plan to place inspection stations and teams in Red China, without which no system of inspection would be adequate to detect violations of an agreement against underground testing.

I say, therefore, that blame for failure of the conference, if such failure occurs, will fairly belong and should be squarely placed upon the Russians for their intransigence and steadfast refusal to accept, or, more recently, even to consider, effective and adequate means of inspection and control to detect violations of an agreement.

The assessment of blame, however, is a game at which both sides can and will play. The Russians, we must admit, have long demonstrated a remarkable facility for propaganda. Moreover, the conference was initiated by the President of the United States. Therefore, the United States cannot be disassociated from either the success or failure of the conference.

It has been my hope that the United States could save the conference from failure and significantly improve its own moral and political position by proposing to stop all atmospheric tests. Sizable nuclear detonations in the atmosphere are subject to detection by existing means and installations. It is from the atmospheric explosions, moreover, that radioactive fallout and contamination occur.

A consideration of this proposal requires an acknowledgment that our country has been severely blamed in world opinion for contaminating the world's atmosphere. We have suffered more than is our due in this regard. Here, too, the Russians have been adept. The health hazard involved may or may not be as hazardous as a large body of world opinion regards it. I do not know, but undeniably it is a matter of deep and worldwide concern.

I believe that we could go a long way toward squaring ourselves in world public opinion in this regard, by not only demonstrating a willingness to stop further contamination of the air all must breathe, but by actually doing so. I suggested to President Eisenhower that he take the lead in stopping such radioactive contamination by a stoppage, unilaterally, if necessary, of all atmospheric tests for a given period, say, 3 years, and that he offer to enter into binding treaty obligations with the British and the Russians to make the stoppage permanent.

It is with pleasure that I acknowledge a most cordial reception of my suggestions by President Eisenhower. Moreover, my suggestions have had full consideration. For this I am grateful.

Since my conference with the President, however, two events—findings of fact on detection methods from the Hardtack II test series and the demonstration of interplanetary propulsion and telemetering capability by Russian technicians—have strongly tended to confirm my position. Moreover, the very introduction of the new data on detection tends to increase the possibility, I believe, that the Russians would succeed in attaching major blame upon the United States for failure of the conference.

Therefore, I suggest to the President even further consideration of my suggestions, as a means of saving the conference from failure.

Failure of the conference is by no means the only danger which lurks around these negotiations. There is the danger of an improvident agreement.

Should our Government sign an unwise and improvident agreement, we would face the danger of ratification by the Senate or the danger of rejection by the Senate, with far-reaching consequences in either instance.

I think we can take encouragement from President Eisenhower's state of the Union message of only last week that no improvident treaty will be signed. I trust this is the case. At least I am sure this is the intention and will of our Government. Moreover, I think it is the will of the American people, who have been conditioned for 12 years to the requirement of adequate inspection to assure the effectiveness of nuclear weapons agreements.

The conference of experts from the United States, Great Britain, and Russia, the report of which preceded and served as a foundation for the present Geneva Conference, did not even consider means of detecting nuclear explosions in interplanetary space. The lack of knowledge of this subject matter was the reason given for lack of consideration. Knowledge in this field is still insufficient to justify an agreement. Indeed, if technical experts are unable to agree even upon a statement of scientific fact in this field, political agreement would seem now entirely inadvisable. The paucity of our own knowledge in this field, as well as its potential importance, is illustrated by Russia's so-called lunik satellite and by some of the results of our own high-altitude tests. I refer particularly to ionospheric and radar disturbance from a high-altitude nuclear explosion in one instance, and to the retina burns to the eyes of rabbits which were used for the purpose of determining such effects from high-altitude explosions in another. The specifics of these tests and experiments are classified, but the fact that such experiments and tests were conducted, with consequent results, is, as I understand it, unclassified information.

The bearing and meaning that these limited test results may have upon our dependence upon the DEW line installations for early detection and warning against missile attack, upon our antimissile program, and upon other important phases of national security and peaceful uses of outer space, are both challenging and uncertain.

For these and many more reasons, Mr. President, I have suggested to President Eisenhower that our country seize the initiative and take "one successful major first step" which I think "might very well lead to others." This is an achievable goal, now, I believe. The United States could show that it is willing to stop—that it will stop—that, indeed, it has stopped contaminating the world's atmosphere. Thereafter, any other nation that refuses to do so must bear the full blame for her act.

After this major first step, the Geneva Conference could proceed to negotiate for the discontinuance of other types of nuclear-weapons tests and to negotiate as an integral, necessary part thereof an adequate system of inspection and control.

It is better to achieve an important first step, though limited, than to face the consequences of either failure of the conference or the signing of an improvident agreement.

Mr. JOHNSON of Texas. Mr. President, I desire to commend the very able Senator from Tennessee for the constructive and enlightening statement he has made. For many years the Senator rendered outstanding service on the Joint Committee on Atomic Energy, as a Member of the House of Representatives. Since becoming a Member of the Senate he has always been in the forefront of all discussions and deliberations in that field. I am delighted the Senator has seen fit to accept assignment to the most recent important conference which has been held on the subject. I know that each of his colleagues will welcome, as I do, the enlightening statement he has just made to the Senate and to the country.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to my friend from Kansas.

Mr. CARLSON. I should like to state, as a Member of the minority side of the Senate, that I appreciate very much the splendid information and report which the distinguished Senator from Tennessee has presented with respect to the important conference being held at

Geneva. I think it is one of the important programs which must be worked out among the countries of the world before we can begin to have a reduction of armaments. The question of effective and adequate inspection is one which is under study at Geneva, and I sincerely hope and trust something can be worked out which will be helpful in the future.

I thank the Senator.

ADJOURNMENT TO TUESDAY

Mr. JOHNSON of Texas. Mr. President, if none of my colleagues desires to address the Senate at this time, pursuant to the order previously entered I move that the Senate adjourn until 12 o'clock noon on Tuesday.

The motion was agreed to; and (at 2 o'clock and 30 minutes p.m.) the Senate adjourned, the adjournment being, under the order previously entered, until Tuesday, January 20, 1959, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 17, 1959:

The following-named persons, who were appointed during the last recess of the Senate, to the positions indicated:

SECRETARY OF COMMERCE

Lewis L. Strauss, of New York, to be Secretary of Commerce.

FEDERAL AVIATION AGENCY

Elwood R. Quesada, of California, to be Administrator of the Federal Aviation Agency.

James Tolman Pyle, of Maryland, to be Deputy Administrator of the Federal Aviation Agency.

UNDER SECRETARY OF COMMERCE

Frederick Henry Mueller, of Michigan, to be Under Secretary of Commerce.

John J. Allen, Jr., of California, to be Under Secretary of Commerce for Transportation.

ASSISTANT SECRETARY OF COMMERCE

Carl F. Oechsle, of Massachusetts, to be an Assistant Secretary of Commerce.

SUPREME COURT

Potter Stewart, of Ohio, to be an Associate Justice of the Supreme Court of the United States.

U.S. DISTRICT JUDGES

J. Smith Henley, of Arkansas, to be U.S. district judge for the eastern district of Arkansas.

Edwin A. Robson, of Illinois, to be U.S. district judge for the northern district of Illinois.

George L. Hart, Jr., of the District of Columbia, to be U.S. district judge for the District of Columbia.

Eugene R. Gilmartin, of Rhode Island, to be judge for the district court of Guam for a term of 8 years.

Walter A. Gordon, of California, to be judge of the district court for the Virgin Islands for a term of 8 years.

U.S. ATTORNEY

Dale M. Green, of Washington, to be U.S. attorney for the eastern district of Washington for a term of 4 years.

U.S. PATENT OFFICE

The following-named persons to be Examiners in Chief, U.S. Patent Office:

James L. Brewrink, of Maryland.
Malcolm F. Bailey, of Maryland.
James E. Keely, of Maryland.
Joseph C. Manian, of Maryland.

STATE DEPARTMENT

ASSISTANT SECRETARY OF STATE

Livingston T. Merchant, of the District of Columbia, to be an Assistant Secretary of State.

AMBASSADORS EXTRAORDINARY AND PLENIPOTENTIARY

C. Burke Elbrick, of Kentucky, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Portugal.

James C. H. Bonbright, of New York, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Sweden.

Richard B. Wigglesworth, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Canada.

John D. Jernegan, of California, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Iraq.

SPECIAL ASSISTANT FOR MUTUAL SECURITY COORDINATION, DEPARTMENT OF STATE

John O. Bell, of Maryland, to be Special Assistant for Mutual Security Coordination in the Department of State.

CHAIRMAN OF THE INTERNATIONAL DEVELOPMENT ADVISORY BOARD, DEPARTMENT OF STATE

Harry A. Bullis, of Minnesota, to be Chairman of the International Development Advisory Board for a term of 2 years.

DEPUTY DIRECTOR OF INTERNATIONAL COOPERATION ADMINISTRATION, DEPARTMENT OF STATE

Leonard J. Saccio, of Connecticut, to be Deputy Director of the International Cooperation Administration in the Department of State.

DEPARTMENT OF THE INTERIOR

UNDER SECRETARY OF THE INTERIOR

Elmer F. Bennett, of Colorado, to be Under Secretary of the Interior.

SOLICITOR FOR THE DEPARTMENT OF THE INTERIOR

George W. Abbott, of Nebraska, to be Solicitor for the Department of the Interior.

HAWAII

SECRETARY OF THE TERRITORY OF HAWAII

Edward Elliott Johnston, of Hawaii, to be Secretary of the Territory of Hawaii for a term of 4 years.

DEPARTMENT OF DEFENSE

DIRECTOR OF DEFENSE RESEARCH ENGINEERING

Herbert Frank York, of California, to be Director of Defense Research Engineering.

DEPARTMENT OF THE TREASURY

ASSISTANT SECRETARY OF THE TREASURY

T. Graydon Upton, of Pennsylvania, to be an Assistant Secretary of the Treasury.

COMMISSIONER OF INTERNAL REVENUE

Dana Latham, of California, to be Commissioner of Internal Revenue.

COMPTROLLER OF CUSTOMS

Donald A. Maginnis, Jr., of Louisiana, to be Comptroller of Customs with headquarters at New Orleans for a term of 4 years.

ASSISTANT SECRETARY OF AGRICULTURE AND MEMBERS OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION

Clarence Ludlow Miller, of Kentucky, to be an Assistant Secretary of Agriculture and to be a member of the Board of Directors of the Commodity Credit Corporation.

ASSISTANT SECRETARY OF LABOR

George C. Lodge, of Massachusetts, to be an Assistant Secretary of Labor.

NATIONAL LIBRARY OF MEDICINE

Eugenie Mary Davie, of New York, to be a member of the Board of Regents of the National Library of Medicine, Public Health Service, for a term expiring August 3, 1962.

COUNCIL OF ECONOMIC ADVISERS

Karl Brandt, of California, to be a member of the Council of Economic Advisers.

EXECUTIVE DIRECTOR, INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

T. Graydon Upton, of Pennsylvania, to be U.S. Executive Director of the International Bank for Reconstruction and Development for a term of 2 years.

MISSISSIPPI RIVER COMMISSIONER

Maj. Gen. Keith R. Barney, U.S. Army, to be a member of the Mississippi River Commission.

DIPLOMATIC AND FOREIGN SERVICE

Lampton Berry, of Mississippi, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ceylon, to which office he was appointed during the last recess of the Senate.

The following-named persons, who were appointed during the last recess of the Senate, to the offices indicated:

For promotion from Foreign Service officers of class 1 to the class of career minister:

Howard P. Jones, of Maryland.
Rolland Welch, of Texas.

Now Foreign Service officers of class 2 and secretaries in the diplomatic service, to be also consuls general of the United States of America:

Robert S. Folsom, of Massachusetts.
Aubrey E. Lippincott, of Arizona.
George F. Wilson, of California.

For appointment as Foreign Service officers of class 2, consuls, and secretaries in the diplomatic service of the United States of America:

Merrill M. Hammond, of Virginia.
L. Wade Lathram, of Virginia.

For appointment as a Foreign Service officer of class 3, a consul, and a secretary in the diplomatic service of the United States of America:

Joe Adams Robinson, of Oklahoma.

For appointment as a Foreign Service officer of class 4, a consul, and a secretary in the diplomatic service of the United States of America:

Charles S. Whitehouse, of Rhode Island.

Now a Foreign Service officer of class 6 and a secretary in the diplomatic service, to be also a consul of the United States of America:

Theodore J. C. Heavner, of Ohio.

For appointment as a Foreign Service officer of class 6, a vice consul of career, and a secretary in the diplomatic service of the United States of America:

Mrs. Roberta B. Bullock, of Texas.

For appointment as Foreign Service officers of class 7, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Mrs. Lorraine P. Bruun, of Illinois.
Vernon D. McAninch, of Texas.

For appointment as Foreign Service officers of class 8, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Jerry P. Baugh, of Indiana.
Felix S. Bloch, of New York.
Charles W. Bray III, of Texas.
M. Lyall Breckon, of Oregon.
David P. Chandler, of New York.
Albert N. DeMott, of New York.
Thomas O. Enders, of Connecticut.
Richard W. Faville, Jr., of Oregon.
John A. Ferch, of Ohio.

Miss Melissa E. Foelsch, of California.
Alec L. France, of Ohio.
Albert A. Francis, of California.
Sidney Friedland, of Wisconsin.
John A. Froebe, Jr., of Ohio.
Philip H. Gray, Jr., of Vermont.
Frank J. Haendler, of Illinois.
Samuel F. Hart, of Mississippi.
Louis E. Kahn, of California.
Andrew R. Kay, Jr., of New York.
Donald Kreisberg, of New York.
Hugh C. Lobit, of Texas.
Hallock R. Lucius, of Montana.
Gifford D. Malone, of New York.
Douglas G. Marshall, of California.
W. Graham Metson, Jr., of California.
Michael B. Meyer, of New York.
Harry M. Montgomery, Jr., of New Jersey.
Tom R. Moore, of Tennessee.
Samuel A. Morley, of Oregon.
Miss Mary A. Mullins, of California.
Alvis Craig Murphy, of Ohio.
Robert F. Pfeiffer, of New York.
James A. Placke, of Nebraska.
William Polik, of New York.
James I. Powers, of Idaho.
Lutz Alexander Prager, of Maryland.
Donald E. Rau, of Wisconsin.
Frank M. Ravndal, of New York.
John D. Rendahl, of Minnesota.
William C. Sergeant, of Minnesota.
David G. Shaw, of New York.
John P. Sifling, of Ohio.
Henry Sears Sizer, of New York.
Robert W. Smith, of Missouri.
Richard Henry Stock, of New York.
Miss Lorraine C. Wendell, of Colorado.
Walter G. West, of Colorado.
Marshall W. Wiley, of Illinois.
John F. Wolff, of Pennsylvania.
H. L. Dufour Woolfley, of Louisiana.

Foreign Service staff officers to be consuls of the United States of America:

Darrell D. Carter, of Illinois.
John W. Edwards, of the District of Columbia.
Donald T. Shea, of California.
Howard A. White, of Ohio.

Foreign Service reserve officers to be consuls of the United States of America:

Frederick A. Bohne, of New York.
Charles B. Borell, of New Hampshire.
Thomas Edmund Burke, of Massachusetts.
F. Willard Calder, of Florida.
Miss Bertha Carp, of New York.
Horace C. de Baca, of New Mexico.
Marvin A. Derrick, of California.
Donald F. Ewing, of New Hampshire.
John L. Hadden, of California.
John R. Horton, of Maryland.
John G. Hrones, of Massachusetts.
Frank W. Jones, Jr., of Connecticut.
William H. J. McIntyre, of Pennsylvania.
Roy V. Palmer, of Illinois.
Raymond Phelan, of California.
Girvan Teall, of New York.
Hugh H. Teller, of Michigan.
John R. Wood, of Georgia.
Ben Zweig, of Arizona.

Foreign Service reserve officers to be consuls and secretaries in the diplomatic service of the United States of America:

Nathan R. Meadows, of Massachusetts.
George R. Vitale, of New Jersey.

Foreign Service reserve officers to be vice consuls of the United States of America:

Ralph H. Cadeaux, of the District of Columbia.
William A. Campbell, of California.
William E. Cavan, of California.
Ross L. Collins, of Virginia.
Mrs. Frances M. Dabell, of the District of Columbia.
John W. Dayton, of Virginia.
Robert M. Fulton, of California.
William H. Godson III, of Virginia.
Paxton B. Johnson, of Louisiana.
Serge Karpovich, of Massachusetts.
Walter M. Oden, of Virginia.
William C. Ostlund, of Maryland.
Donald C. Rickard, of Colorado.
Bruce P. Williams, of the District of Columbia.

Foreign Service reserve officers to be secretaries in the diplomatic service of the United States of America:

Collins D. Almon, of Alabama.
Nicholas M. Anikeeff, of Virginia.
Vincent M. Barnett, Jr., of Massachusetts.
Gerald R. Daly, of Connecticut.
Warren L. Dean, of Virginia.
Lee F. Dinsmore, of Maryland.
Richard A. Fuller, of Iowa.
Walter W. Harris, Jr., of Maryland.
Melvin W. Jokinen, of Virginia.
Joel E. Keys, of New Hampshire.
Joseph F. Lynch, of Massachusetts.
Grant W. Olson, of Virginia.
Michael S. Thompson, of the District of Columbia.
Homer Thrall, Jr., of Ohio.
Alfred C. Ulmer, Jr., of Florida.
William O. Webb, of Maryland.
Selwyn C. Woodard, Jr., of Iowa.
Theodore A. Xanthaky, of New York.

CIVIL SERVICE COMMISSION

Roger W. Jones, of Connecticut, to be a Civil Service Commissioner for a term of 6 years from March 1, 1959.

U.S. ATTORNEY

The following-named persons to the positions indicated:

James Major Baley, Jr., of North Carolina, to be U.S. attorney for the western district of North Carolina for the term of 4 years. He is now serving in this office under an appointment which expired June 9, 1957.

N. Welch Morrisette, Jr., of South Carolina, to be U.S. attorney for the eastern district of South Carolina for the term of 4 years. He is now serving in this office under an appointment which expired March 31, 1958.

William B. West III, of Texas, to be U.S. attorney for the northern district of Texas for the term of 4 years, vice Heard L. Floore, resigned.

EXTENSIONS OF REMARKS

Address by Hon. Thomas H. Kuchel, of California, Before National Conference on Air Pollution

EXTENSION OF REMARKS
OF
HON. THOMAS H. KUCHEL
OF CALIFORNIA
IN THE SENATE OF THE UNITED STATES
Saturday, January 17, 1959

Mr. KUCHEL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address entitled "Public Interest Demands Clean Air," which I delivered before the plenary session of the National Conference of Air Pollution, Sheraton-Park Hotel, Washington, D.C., on November 18, 1958.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

PUBLIC INTEREST DEMANDS CLEAN AIR

(Speech of U.S. Senator THOMAS H. KUCHEL before the plenary session of the National Conference on Air Pollution, November 18, 1958, Washington, D.C.)

Several recent days of intense personal discomfort in a choking atmosphere which sometimes envelops Los Angeles make me intensely aware of the deep importance of this conference.

So, as a recently escaped smog refugee, I welcome this opportunity to engage in thinking out loud on the matter of the public interest in air pollution. I appreciate the invitation to present some personal reflections to this assembly because of the inescapable fact that the communities in which I have spent most of my entire life often are painfully plagued by contaminated air in its worst form.

This conference is unmistakably a significant event. Scientific and technical problems of great moment will be discussed and examined in the earnest hope, I am sure, of promoting the public interest and serving the public welfare.

There is no question in my mind that public interest is the overriding consideration which must be the goal of all efforts to overcome the curse of air pollution. Certainly there can be no private interest, especially from a pecuniary viewpoint, in prolonging smog and other atmospheric contamination.

All of you present are aware that this meeting is occasioned by the fact that a little more than 3 years ago the Congress enacted legislation known as Public Law 159, the Air Pollution Research Act. By that measure, the Federal Government entered the fight to identify causes of air pollution and an assortment of Federal agencies became allies of public and private, State and local bodies endeavoring to conquer this public enemy.

The enactment of this legislation was no simple accomplishment.

Unfortunately, for a number of years, smog was regarded as a unique Los Angeles phenomenon. Comedians attached to it a made-in-southern-California label.

With the passage of time, and after the laughs became strained, our Nation gradually and thankfully came to the realization that air pollution is one of the distinguishing, built-in, undesirable features of the growth and advancement which our country has been enjoying.

The progress of all agencies operating under the Air Pollution Research Act is of deep concern to me because I authored that act. The conclusions of this conference will be equally meaningful to me because my interest in removing this curse of our industrialized, motorized civilization is of long duration.

When I first came to Washington as a new Senator appointed by the then-Governor of California, Chief Justice Earl Warren, I early attempted to bring about Federal participation in the fight to eliminate smog. I did this because my experiences as a State official indicated plainly the problem has so many ramifications it must be attacked on a nationwide basis.

Personal exposure to the discomfort and the inconvenience from day-long sieges of greasy, eye-irritating murk encountered in Los Angeles undoubtedly has strengthened the determination of many of you here today—as it did me—to employ all of the resources of our great Nation in eradicating a scourge which menaces the physical health and well-being of millions of Americans, which causes vegetables and fruits to wilt

and shrivel, which brings property deterioration, which adversely affects livestock, and which triggers a host of economic consequences.

The public interest in air pollution at that time was not so widely appreciated in Washington as to bring success to the first efforts in which I participated. Happily, however, the public interest had attracted the attention of people in the executive branch of our Government. It was a matter of considerable satisfaction to me, therefore, when President Eisenhower, in response to a suggestion I made in association with my colleague Senator HOMER CAPEHART, of Indiana, formed what carried the formidable label of "Ad Hoc Interdepartmental Committee on Community Air Pollution."

Even though smog still occurs, millions of people should be eternally grateful for that committee, because from its deliberations resulted the legislation which I introduced, with the cosponsorship of several Senate colleagues from divergent areas who agreed something must be done.

Underlying all of my thinking and my conversations was a conviction that actual control over air-pollution sources and causes was and must be a local and a State responsibility. This view was shared by all of those who took part in framing and pushing through the Air Pollution Research Act. Throughout, the principle has been observed that the Federal Government should not and cannot impose or enforce regulations designed to prevent air pollution, regardless of how desirable such activity might at times appear.

Yet, the Federal Government has a natural and a proper role in our national war against smog and other forms of atmospheric pollution. It has unequaled resources and unmatched experience in the field of meteorology, for instance. It has immediate access to basic statistics assembled from every corner of our country on health conditions. It is in an unmatched position to coordinate investigation and research. It can mobilize from assorted sources skilled scientific and engineering personnel.

Those are among the reasons I wanted the Federal Government to play an active part in the smog fight. Those are the reasons why I am prepared to introduce next year new legislation which will implement, extend, and carry forward Public Law 159 under which present work is carried on.

As a Californian from a semiarid region, I long have been aware of the precious character and the imperative necessity of adequate water supplies. As a human being, I likewise know that clean air is basic to existence, comfort, and happiness. As a southern Californian I also realize that my section of the country, unfortunately, has encountered serious and prolonged difficulty in assuring itself of a sufficient, reliable supply of both clean air and clean water.

Those grave needs are not peculiar to California. Today they are nationwide in scope. With constant and steady increase in our population, with characteristic continuing movement of people, with development of an economy almost wholly dependent upon industrialization and motorization, the public interest demands basic factfinding which will make possible sound measures to conserve and to prevent pollution of air and water alike.

Regretably, despite startling achievements and amazing discoveries, science has not yet found a way to purify air in quantities or with the ease with which we do water. We must reduce and, to the maximum possible, prevent contamination of our atmosphere.

When a room becomes smoke-filled, one generally can open a window or turn on a blower. But no one yet has come up with a means of lifting a veritable ceiling over an entire metropolitan area which would be the only way of ventilating a community filled with smog of the sort which occasionally plagues many American cities. We still do not know how to sweep away what meteorologists call inversion layers of superheated air which serve as a lid over our steaming kettle of closely packed people.

The lack of a window to bring in sweet, fresh air to whole communities is the justification for control measures such as have been adopted in several regions of California. Such regulatory procedures have a palliative effect and have been evolved through costly and painly trial-and-error approaches. In many instances, they have been remarkably successful. Yet, they have not solved the problem because the problem itself is so complex.

Unfortunately, a permanent solution apparently still is some distance off. Hence, the significance of this conference.

Congress will be guided by the conclusions of this meeting. Our committees will be indebted for your evaluation of the progress made thus far, for your criticisms and your recommendations about the future course to be followed.

We on Capitol Hill are highly conscious that our people want relief from the curse and the menace of air pollution. Daily it is made plain to us that the human stake in this fight is great, because of the tremendous price our Nation may pay for continued contamination of the air all of us breathe, every moment of our lives.

The American people have been disturbed by reports of qualified medical observers that air pollution has harmful effects on persons with respiratory troubles. Is it any wonder there also is grave concern among our populace which repeatedly undergoes irritations of eyes, nose, and throats?

From many quarters comes evidence that smog causes slums and upsets the balance of communities. Foul, polluted air influences our citizens in building homes and selecting places to dwell.

The public interest in the war on air pollution has reached the point where monetary, selfish aspects cannot be ignored. Take, for instance, the situation in Los Angeles County where constituted authority can order a shutdown of industry and a cessation of motor traffic when smog reaches a specified degree of intensity.

The cost of such countermeasures are incalculable, but they are beyond question tremendous. Businesses and industries, particularly small enterprises, cannot long afford to absorb the expense entailed by drastic action to curb pollution of our air. Yet, until we learn the secrets of what causes smog, we are merely fumbling in our attempts to prevent its occurrence.

Even though periodic shutdowns because of "smog alerts" may be infrequent or brief, a community which gains the reputation of being afflicted by serious air pollution inevitably loses its appeal to tourists and visitors. Unchecked continuance of atmospheric contamination undeniably and eventually will halt the growth and progress of any community as surely as a Chinese wall around its perimeter.

The urgency of identifying every single source of pollution and of laying bare all secrets about the mystic natural forces which cause smog is emphasized by the fact that effects of contamination can be and often are far reaching. Counties surrounding heavily populated cities are not immune since the vagaries of the winds can roll clouds of fumes across man-made boundaries. Contiguous territory from which come food supplies no longer is unconcerned following discovery that some 40-odd separate crops can be injured by polluted air.

Problems of such character cannot be solved at local levels. Nor can public agencies of Government—whether State, Federal, county, or municipal—cope with all the factors. Active cooperation of industries and private organizations is essential.

We are fortunate indeed that some of our leading enterprises, notably the petroleum and the automobile industries recognize the serious implications in the presence of air pollution. Their efforts to help check the menace have been substantial and are most commendable. Yet, they and others with related interests continue to have a public obligation to work unceasingly in the public interest in finding means by which aerial garbage will be eliminated from our environment.

For their own welfare, the petroleum and automobile industries cannot shirk their responsibility. Already public clamor has been heard in some quarters for action on the part of constituted authority which would have heavy consequences to those industries. Though scientists may scoff, none of us should lightly regard a wave of suggestions that certain types of motor fuels be prohibited by ordinance or regulation. We cannot overlook the resolutions now reaching Washington urging Federal promulgation of standards governing the emission of hydrocarbons and other products of combustion.

The program envisioned when Public Law 159 was enacted was to be of 5 years' duration. The authorized total expenditure was to be $25 million. Our Federal agencies now are in the fourth year of that program, for which the Congress has appropriated almost $12 million. A host of research and investigation projects has been set in motion.

This law expires at the end of fiscal year 1960. Hence, it will be incumbent upon the Congress in its forthcoming session to decide whether activities should be halted or the law extended. For my part, I am convinced the act which I sponsored should be continued in effect, and I wonder if possibly it should not be broadened.

I regret that more funds have not been made available. However, there were forceful reasons and circumstances for limiting the appropriations. But our people, especially those who undergo from time to time the irritation and inconvenience of smog occurrences, now and then wonder whether the expenditure has been sufficient. Others question whether it has been worthwhile.

It is difficult for the man in the street to appreciate the proportions and the complexity of the air pollution problem. This conference has a rare opportunity to reassure every citizen that we are expanding our knowledge and that we are pressing forward for his relief with undiminished determination.

This is vital, because the people of America, from the earliest moment of comprehension, believe in free air.

More and more, it is being demonstrated that freeness is relative.

Just as we have seen water supplies in various regions near the point of exhaustion, so must we awaken to the fact that our supply of pure air is in real danger of running out.

Public apprehension about effects of radioactive fallout—notably about what might happen when and if—has been expressed often in dramatic fashion. Yet the insidious influence of air pollution right now is a present and a continuing threat to physical and economic health.

Air is a natural resource and like all natural resources must be husbanded and conserved with all the ingenuity and determination we possess.

Public and private agencies join hands to solve the increasingly acute water problem. Local irrigation districts participate with the Federal Government in building dams and reclamation projects. Our Department of the Interior shortly will embark on an ambitious program of erecting full-scale field-test plants for converting saline water to sweet,

potable supplies for municipal, agricultural, and industrial uses.

The problem of air pollution is of comparable importance and warrants similar earnest mutual attention. Perhaps it should receive a higher priority. For, without fresh, uncontaminated air, people will not congregate or remain in thickly settled communities. In that event, the demand for ever-larger water supplies might easily be altered.

The foundation for future growth and development of many American communities may well rest on solution of the smog problem. Suggestions already have been thrown out that air zoning be undertaken. This would attempt to make certain that industrial expansion—vital and welcome as it may be—is so directed as to take advantage of prevailing winds or features of terrain in reducing potential air pollution.

Likewise, the public stake in cleansing our atmosphere may warrant radical innovations in traffic engineering. Admittedly, our Nation as a whole, and most of its major cities, confronts real headaches in constructing and rebuilding streets, highways, freeways, and other arteries to handle the furiously mounting traffic volume. But unless other means can be found to control the way mechanical horses emit foul-smelling breaths, it is conceivable that we one day will ask engineers to channel fume-spouting automobiles, buses, and trucks away from smog-prone centers.

The obvious public interest in relieving air pollution appears to be multifaced. In promoting that interest, I sincerely trust this conference will be dedicated to the principle of pooling resources in the traditional American fashion so that the public welfare may be benefited to the greatest degree of which we are capable.

Address by Hon. Jennings Randolph, of West Virginia, Before American Federation of Government Employees

EXTENSION OF REMARKS

OF

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Saturday, January 17, 1959

Mr. HUMPHREY. Mr. President, our colleague, the distinguished senior Senator from West Virginia [Mr. RANDOLPH] last evening, Friday, January 16, 1959, addressed the annual civil service banquet of the American Federation of Government Employees, AFL–CIO, at the Norfolk Naval Shipyard, in Portsmouth, Va. His address was delivered on the occasion of the 76th anniversary of the signing of the Pendleton Act, the Civil Service Act.

The distinguished Senator from West Virginia formerly was chairman of the House Committee on Civil Service and has a splendid record in support of the civil service and merit system.

I commend to the reading of all Senators this splendid address. The Senator from West Virginia has traced the history of the development of the Civil Service Act and has set before us a challenge in terms of improvement of the civil service.

Mr. President, I ask unanimous consent that the address delivered by the Senator from West Virginia be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY U.S. SENATOR JENNINGS RANDOLPH, DEMOCRAT, OF WEST VIRGINIA, AT ANNUAL CIVIL SERVICE BANQUET, AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL–CIO, PORTSMOUTH, VA., FRIDAY, JANUARY 16, 1959, ON THE OCCASION OF THE 76TH ANNIVERSARY OF THE SIGNING OF THE PENDLETON (CIVIL SERVICE) ACT

It seems fitting to me, ladies and gentlemen, on this occasion of the 76th anniversary of the Pendleton Act, to present a brief consideration to the context out of which the act emerged—as well as the historical development of the Federal service—and thereby attempt to gain some view of the tendencies and needs of the future.

Now I do not intend merely to catalog the milestones in the advancement of the Federal service, important though such achievement may be.

I am concerned, rather, with the pattern of development and the relation of the career Federal service to the other branches within our structure of government. One might argue with considerable force that the civil service, which has grown from a few thousand people in 1883 to approximately 2½ million in 1959, has assumed the proportions of a fourth branch of the Government, equal in importance—if not in constitutional status—to the traditional branches of the executive, the legislative, and the judiciary.

It behooves us, therefore, to pause occasionally—amid our concern for the multitude of details of classification, efficiency ratings, retirement plans, health insurance, and others—and give thought to the overall condition of the civil service.

In this respect, it is worth noting—as Professor Van Riper has remarked in his "History of the U.S. Civil Service"—that the original reform movement which brought forth the Pendleton Act was animated by the desire to maintain individual liberty of opportunity in the Federal service.

Such men as Carl Shurz, John Jay, and Richard Henry Dana, among others, were strongly moved by John Stuart Mills' doctrine of liberty and by the denial of that doctrine in the spoils system of the Grant administration.

The fervor of this movement is aptly expressed in the concluding statement of the first report of the Civil Service Commission by George William Curtis in 1871, when he stated that "the improvement of the civil service is emphatically the people's case, the people's reform, and the administration which vigorously begins it will acquire a glory only less than that of the salvation of the Union."

However, this reform was not to be won by rhetoric alone. Another decade of a predatory and acquisitive spoils system and the assassination of a President were required before a merit system would be inaugurated. It is worth observing, in passing, that although the classified civil service has grown from coverage of only 10 percent of 140,000 employees in 1883 to 85 percent of approximately 2½ million employees today, the Pendleton Act has remained without any fundamental changes.

But just as the act itself was a long time in arriving, so have further improvements in the civil service been characterized by obstructionism and delay.

For example, from 1883 to the expansion of Federal activities in World War I, there existed no coherent pay-classification system in the Federal service, while the pay of Government clerks remained stationary from 1854 to 1916. And yet the New York Evening Post, at the turn of the century, editorialized that Government employees "average to receive twice as much, on a conservative estimate, as persons similarly employed on the outside world." That sounds familiar; doesn't it?

Not until 1923—40 years after passage of the Pendleton Act—was there any further basic legislation to improve the condition of the civil service. This came in the so-called Classification Act of 1923, which covered barely 10 percent of the total employees.

One could well ask: Why, in a democracy, do we handle the needs of our Federal service in such a casual and dilatory manner? Although we might find the explanation in the times, for example, in the belief then that the business of America is business or in the lack of concern on the part of the individual Chief Executives, or in the opposition by such men as Senator Smoot, the cause, I believe, lies deeper than any of these. It is to be found in the popular American attitude which places service in government in a lower category than private endeavor. Surely this is an incongruous and anomalous condition for a democratic society, the development and even the survival of which depends so heavily upon the intelligence, the integrity, and the creativeness of its Federal service.

As a Nation we can ill afford the license of ignoring the people of our civil service, much less the practice which was so widespread a few years ago—and still lingers on in some quarters—of making them the whipping boys and girls for default in our affairs as a Nation.

But in spite of the persistence of the national attitude of devaluing the Federal service, we can look back to significant advances in recent years. A number of these gains, I am pleased to report, occurred under the administrations of Presidents Franklin D. Roosevelt and Harry S Truman, while I was a member—and, later, chairman—of the House Civil Service Committee.

During that period we passed the Ramspeck-O'Mahoney Postmaster Act of 1937, the Hatch Act of 1939 and 1940, and the Ramspeck Act of 1940. Under the latter we authorized the President to extend the merit system to an additional 200,000 employees; we extended the authority of the President and Civil Service Commission in the field of position classification; and we provided for the revision of the efficiency rating system.

Under the provisions of the Ramspeck Act, President Truman, in 1945, extended Civil Service Commission authority of position classification and merit system to the field service.

In addition, one of the major advances during this period—one in which I took a particularly keen interest in drafting—was the first Federal Employees' Health Act of 1946.

Finally, we also passed in 1946 the efficiency rating legislation which led to the Performance Rating Act of 1950.

I have not intended, in this brief survey, to do more than touch the high spots of the developments of the past 75 years. Nor have I intended to convey the idea that the status of our civil service is satisfactory. Your own views on this matter have been noted with interest in your legislative proposals for the present Congress. And I hope that this Congress will give earnest and attentive concern to your program.

However, in the light of this summation, I believe we can safely make at least two generalizations:

First, that the principle of the merit system in our Federal Service is assured; and,

Second, that—belated though the progress has been—Federal employees are beginning to share increasingly in the welfare benefits that have come in recent years to employees in private industry.

But there is an issue more fundamental than either of these which I would now consider. I mentioned earlier that the Federal

service has, in a sense, become a fourth branch of the Government. In stating this I am implying, of course, that government bureaucracy has become a permanent and integral part of American life. Therefore, rather than rail against the existence of a bureaucracy as such, it is time that we give thought to the kind of bureaucracy our society demands.

Our civil service, in recent years of relative political stalemate—when we have moved with increasingly less strength of purpose and direction—has been subjected to a degree of congressional and Executive scrutiny never before experienced in our history.

But from both sides—from Congress as well as the White House—this scrutiny has too often been of a restrictive nature, rather than a positive one. Some people believe too much attention has been given to the business of policing the actions of the Federal service and too little to finding ways of releasing the creative potential of our public servants. And herein lies one of the chief responsibilities in the years ahead—to reconstruct our ideas of administrative responsibility in keeping with the present complexion of our civil service.

My esteemed colleague, the Honorable OLIN JOHNSON, chairman of the Senate Committee on Post Office and Civil Service, is deeply interested in furthering a strong civil service.

We have at last achieved what Professor Mills calls a representative bureaucracy, having tried the closed system of the Federalists and the spoils system of the Jacksonians and early Republicans. We now have a bureaucracy which shares the same values and interests as the community at large—and it is time that we tap the tremendous creative potential which such a system implies.

But this can hardly be done when the basic legislation under which our civil service operates still bears the mark of a reaction to a spoils system that we no longer need. Present concepts of personnel management and administrative responsibility have outdistanced the centralized and hierarchial system of administration of our Federal service.

I would, therefore, in closing, offer the suggestion that your organization might profitably consider the question of some such study of our civil service as the Rockefeller studies of our military security system, our international economic policy, and our educational system—a study which would be made with a view toward releasing the creative potential implicit in the most responsive and representative civil service of our time.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 19, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Leviticus 26: 12: *The Lord said, "I will walk among you and will be your God, and ye shall be my people."*

Eternal God, our Father, grant that daily we may have a vivid and vital sense of Thy divine spirit, walking with us and working through us.

Always and everywhere we need Thee; in our weakness to sustain us; in our strength to discipline us; in our sorrows to comfort us.

May we be men and women of vision and of valor, richly endowed with clear minds and courageous hearts to meet and master the challenge of arduous tasks and heavy responsibilities.

To Thy name we ascribe all the praise. Amen.

The Journal of the proceedings of Thursday, January 15, 1959, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Miller, one of his secretaries.

SWEARING IN OF MEMBERS

Mr. ELMER J. HOFFMAN appeared at the bar of the House and took the oath of office.

FEDERAL BUDGET FOR 1960—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 15)

The SPEAKER laid before the House the following message from the President of the United States, which was read by the Clerk and, together with the accompanying papers, referred to the Committee on Appropriations and ordered printed:

To the Congress of the United States:

The situation we face today as a nation differs significantly from that of a year ago. We are now entering a period of national prosperity and high employment. This is a time for the Government to conduct itself so as best to help the Nation move forward strongly and confidently in economic and social progress at home, while fulfilling our responsibilities abroad. The budget of the United States for the fiscal year 1960, transmitted herewith, will effectively and responsibly carry out the Government's role in dealing with the problems and the opportunities of the period ahead.

This budget proposes to increase our military effectiveness, to enhance domestic well-being, to help friendly nations to foster their development, to preserve fiscal soundness, and to encourage economic growth and stability, not only in the fiscal year 1960 but in the years beyond. And it clearly shows that these things can be done within our income.

We cannot, of course, undertake to satisfy all proposals for Government spending. But as we choose which ones the Government should accept, we must always remember that freedom and the long-run strength of our economy are prerequisite to attainment of our national goals. Otherwise, we cannot, for long, meet the imperatives of individual freedom, national security, and the many other necessary responsibilities of Government. In short, this budget fits the conditions of today because:

1. It is a balanced budget: My recommendations call for an approximate equality between revenues and expenditures, with a small surplus.

2. It is a responsible budget: By avoiding a deficit, it will help prevent further increases in the cost of living and the hidden and unfair tax that inflation imposes on personal savings and incomes.

3. It is a confident budget: It anticipates, in a rapidly advancing economy, increases in revenues without new general taxes, and counts upon the unity and good judgment of the American people in supporting a level of government activity which such revenues will make possible.

4. It is a positive budget: It responds to national needs, with due regard to urgencies and priorities, without being either extravagant or unduly limiting.

5. It is an attainable budget: Its proposals are realistic and can be achieved with the cooperation of the Congress.

Any budget is a financial plan. The budget for the Government is proposed by the President, but it is acted upon by the Congress which has the duty under the Constitution to authorize and appropriate for expenditures. Therefore, responsibility for the Government's finances is a shared one. Achievement of the plan set forth in this budget from here on depends upon congressional response, popular support, and developments in our economy and in the world.

FUTURE BUDGET OUTLOOK

The actions we take now on the 1960 budget will affect the fiscal outlook for many years to come. This budget was prepared in the light of the following general prospects for Government finances for the next few years.

Growth of revenues: Our Nation's population and labor force will continue to increase. The output per hour of work on our farms and in our factories can also be expected to grow as it has in the past. With sustained economic expansion, with employment of our people and resources at high levels, and with continued technological advance, the value of total national production and income will be substantially larger in the future than it is today.

Economic growth generates higher personal incomes and business profits. Under our graduated income tax system, with present tax rates, budget receipts should grow even faster than national income, although the rise in receipts certainly will not be uniform from year to year. Also, some tax reforms and downward tax adjustments will be essential in future years to help maintain and strengthen the incentives for continued economic growth. With a balance in our finances in 1960, we can look forward to tax reduction in the reasonably foreseeable future. In the long run, taxes should be so arranged that in periods of prosperity some annual provision is made for debt reduction, even though at a modest rate.

Control of expenditures: The estimated 1960 expenditures, while $3.9 billion less than in 1959, will still be $12.4 billion higher than in 1955, an average increase of almost $2.5 billion a year.

These figures emphasize that if we are to succeed in keeping total expenditures under control in the coming years we must recognize certain hard facts.

First, defense spending will remain extremely large as long as we must maintain military readiness in an era of world trouble and unrest. Until there is a significant and secure easing of world tensions, the actions by the Department of Defense to realine forces, close unneeded installations, and cut back outmoded weapons will achieve only relatively small expenditure reductions. Keeping our military structure capable and ready to meet any threat means that we must continue to strengthen our defenses. It is but a reflection of the world in which we live to stress again the fact that modern weapons are complex and costly to develop, costly to procure, and costly to operate and maintain.

Second, without one single new action by the Congress to authorize additional projects or programs, Government outlays for some of our major activities are certain to keep on rising for several years after 1960 because of commitments made in the past. For example, commitments for urban renewal capital grants have exceeded net expenditures by about $200 million or more for each of the last 3 years. Money to meet these commitments will be paid out in the years immediately ahead. Similarly, continued construction of the many water resources projects under way throughout the country will raise expenditures for these programs in the next 2 years beyond the current record amount.

Moreover, inescapable demands resulting from new technology and the growth of our Nation, and new requirements resulting from the changing nature of our society, will generate Federal expenditures in future years. As a matter of national policy we must, for example, make our airways measure up to the operational and safety needs of the jet age. We must not forget that a rapidly growing population creates virtually automatic increases in many Federal responsibilities.

Fiscal soundness and progress: Both domestic and defense needs require that we keep our financial house in order. This means that we must adhere to two policies:

First, we must review all Government activities as a part of the continuing budgetary process from year to year. Changing circumstances will inevitably offer opportunities for economies in a variety of existing Federal programs. If we do not make such reviews and act forthrightly on their findings, the combination of old commitments and new authorizations for new or enlarged Federal responsibilities could swell expenditures unnecessarily and inconsistently. Consonant with this policy of review, reductions have been recommended in this budget for 1960 appropriations which will affect expenditures not only in that year but also in later years. Furthermore, this budget contains proposals to modify certain activities and institute certain charges for special services. These recommendations are practicable and sound. They should be enacted.

Second, we must examine new programs and proposals with a critical eye. Desirability alone is not a sound criterion for adding to Federal responsibilities. The impact today and tomorrow on the entire Nation must be carefully assessed.

Our economy will continue to grow vigorously. This growth will produce additional Federal revenues, but it will not produce them without limit. We cannot take our resources for granted and we cannot spend them indiscriminately. We must deal with new conditions as they arise. We must choose what the Federal Government will do and how it will do it. If the choice is responsibly made, reductions obtained through economies and the rising revenues accompanying economic growth will produce surpluses which can be used to lessen the burden of taxes, meet the cost of essential new Government services, and reduce the public debt. The proposals in this budget have been formulated with these long-run objectives in mind.

BUDGET TOTALS

Budget expenditures are proposed to be held to $77 billion in fiscal 1960, which is $3.9 billion less than the estimated 1959 level of $80.9 billion.

With continued vigorous economic recovery, and with the relatively few new tax adjustments proposed herein, budget receipts in fiscal 1960 are expected to reach a total of $77.1 billion, an increase of $9.1 billion over fiscal 1959.

Thus a very modest surplus of about $0.1 billion is estimated for 1960, compared with a recession-induced deficit of $12.9 billion in the current fiscal year. This estimated balance assumes enactment of recommendations for extending present excises and corporation income taxes scheduled for reduction under existing law, for some new tax legislation to remove inequities and loopholes, for increased charges for special services, and for reductions in some current programs. It also assumes that certain programs can be made self-financing by stepping up the sale of portfolio assets.

Financing of the $12.9 billion budget deficit for the current fiscal year will increase the public debt to $285 billion by June 30, 1959, $2 billion in excess of the present permanent debt limit. With a balanced budget in 1960, a $285 billion debt is indicated also for June 30, 1960. On the basis of these estimates, it will be necessary to renew the request made during the past session of Congress for a permanent debt ceiling of $285 billion and, further, to seek an increase in the temporary debt ceiling sufficient to cover heavy borrowing requirements during the first half of the fiscal year 1960, borrowings which would be repaid before June 30, 1960.

The new authority to incur obligations recommended for fiscal 1960 is $76.8 billion, which is slightly less than the estimates for expenditures and for receipts. Further reductions in new obligational authority can be attained in 1961 by the Congress enacting my recommendations for program modifications.

Budget totals

[Fiscal years. In billions]

	1957 actual	1958 actual	1959 estimate	1960 estimate
Budget receipts	$71.0	$69.1	$68.0	$77.1
Budget expenditures	69.4	71.9	80.9	77.0
Budget surplus (+) or deficit (−)	+1.6	−2.8	−12.9	+.1
New obligational authority	70.2	76.3	[1] 82.4	76.8

[1] Includes $8.7 billion of anticipated supplemental requests.

A consolidation of budget and trust fund transactions on a cash basis shows that the total Federal receipts from the public in fiscal 1960 are expected to exceed payments to the public by $0.6 billion. This figure exceeds the budget surplus in 1960 mainly because (1) cash payments of interest on redeemed savings bonds are less than the accrued interest included in budget expenditures and (2) trust fund receipts exceed trust fund expenditures.

Federal Government receipts from and payments to the public

(See special analysis A in part IV of this document)

[Fiscal years. In billions]

	1957 actual	1958 actual	1959 estimate	1960 estimate
Receipts from the public	$82.1	$81.9	$81.7	$93.5
Payments to the public	80.0	83.4	94.9	92.9
Excess of receipts over payments	2.1	----	----	0.6
Excess of payments over receipts	----	1.5	13.2	----

BUDGET RECEIPTS

Extension of present tax rates: The budget outlook for 1960 makes it essential to extend present tax rates on corporation profits and certain excise taxes another year beyond their present expiration date of June 30, 1959.

Development of a more equitable tax system: Considerable progress was made last year in removing unintended benefits and hardships from the tax laws. Continued attention is necessary in this area. As the budget permits, additional reforms should be undertaken to increase the fairness of the tax system, to reduce the tax restraints on incentives to work and invest, and wherever feasible to simplify the laws. I hope that the committees of the Congress will work with the Treasury Department in preparing further adjustments of our tax laws for the future.

I urge the Congress to take action now on certain specific changes to maintain or increase revenues and to make the laws more equitable. The Treasury Department has recently proposed an equitable plan for taxing the income of life insurance companies. Specific proposals for corrective amendments of the laws on taxation of cooperatives will be transmitted to the Congress shortly. The

Treasury will also recommend an amendment specifying the treatment processes which shall be considered mining for the purpose of computing percentage depletion in the case of mineral products. This amendment, prompted by court decisions, is designed to prevent an unintended extension of percentage depletion allowances to the sales price of finished products; a similar recommendation with respect to cement and clay products was made to the Congress last year.

Other changes in tax rates: In order to make highway-related taxes support our vast highway expenditures, excises on motor fuels need to be increased 1½ cents a gallon to 4½ cents. These receipts will go into the highway trust fund and preserve the pay-as-we-go principle, so that contributions from general tax funds to build Federal-aid highways will not be necessary.

Budget receipts

(See special analysis B in part IV of this document)

[Fiscal years. In billions]

	1958 actual	1959 estimate	1960 estimate
Individual income taxes	$34.7	$36.9	$40.7
Corporation income taxes	20.1	17.0	21.5
Excise taxes	8.6	8.5	8.9
All other receipts	5.7	5.6	6.0
Total	69.1	68.0	77.1

At the same time, to help defray the rising costs of operating the Federal airways, receipts from excises on aviation gasoline should be retained in general budget receipts rather than transferred to the highway trust fund. The estimates of budget and trust fund receipts from excise taxes reflect such proposed action. They also include a proposal to have users of the Federal airways pay a greater share of costs through increased rates on aviation gasoline and a new tax on jet fuels. These taxes, like the highway gasoline tax, should be 4½ cents per gallon. I believe it fair and sound that such taxes be reflected in the rates of transportation paid by the passengers and shippers.

As part of my proposals referred to later in this message to return responsibility for certain Federal programs to the States—in this instance, responsibility for vocational education and for waste treatment facilities—Federal excise taxes on local telephone service should be revised effective July 1, 1960, to allow limited credits for telephone taxes paid to the States.

Revenues: The resurgence of our economy has been stronger than was assumed in the budget estimates that were published last September. Consequently, budget receipts for the fiscal year 1959 are now expected to total $68 billion instead of the $67 billion estimated at that time.

The estimate of $77.1 billion in receipts for 1960 is contingent on enactment of the tax recommendations mentioned earlier. Of this estimate, approximately $76.5 billion reflects the increases in receipts under present tax rates and present tax sources while $600 million is from new taxes and increased nontax sources.

The anticipated rate of recovery of revenues in fiscal 1960 may be compared with the experience of the fiscal years 1955 and 1956, which reflect the recovery from the recession of the calendar year 1954. After adjusting for comparability in corporate tax payment dates, the increase in revenues from 1955 to 1956 was more than the increase estimated in this budget. With similar forces of economic recovery at work today, I have confidence that our revenue estimate is sound and will be attained.

MAJOR PROGRAM RECOMMENDATIONS

Eleven key features of the budget recommendations are summarized below:

1. Strengthen the effectiveness of our Armed Forces by further modernization and by improved efficiency of operations; and strengthen free world security by continued military assistance to our allies: This budget assures that essential defense needs are met. The budget recommendations will bolster the defense of our country against possible attack and enable our forces to respond more quickly and vigorously to any emergency. At the same time, and as part of our effort to keep America strong, this budget reflects policies to streamline operations, to remove duplication of weapons, to accentuate the principle and practice of unification, and to minimize maintenance costs—in short, to assure the maximum defense from each dollar expended. A realinement of the Armed Forces and a continuing reappraisal of existing defense activities are under way to accomplish these objectives. This can be illustrated by the changes in the composition of expenditures for the Department of Defense. While the estimated total expenditures for the Department will increase $145 million from 1959 to 1960, those for procurement of missiles and for research, development, test, and evaluation will rise more than $800 million.

In addition to strengthening our own Armed Forces, and recognizing the inseparability of free world defense, the budget continues to provide through military assistance the critical margin of weapons and equipment required by our allies who, with us, forge a strong shield against possible aggressors.

2. Assist free nations in their economic development through well-considered programs: Today the less-developed nations—a score of which have attained independence since World War II—are struggling to improve their economic and social conditions. The success of these efforts is vital not only to the freedom and well-being of the millions of people within their boundaries but also to the population of the entire world. Fortunately, the free countries of the world are taking many actions together to promote trade with and to expand investment in such nations. As part of this joint effort, the following actions for the United States are recommended:

(a) Increase substantially our subscriptions to the International Bank for Reconstruction and Development and the International Monetary Fund. This should be done promptly.

(b) Bring the capitalization of our Development Loan Fund up to the amount originally recommended for the fiscal year 1959 by enacting a supplemental amount of $225 million.

(c) As a supplement to established institutions, create a joint development banking institution with our Latin American neighbors.

(d) Increase the emphasis on economic development in the mutual security programs through such measures as the appropriation of $700 million for the Development Loan Fund and $211 million for technical cooperation in fiscal 1960.

(e) Enact legislation to expand the mutual security investment guaranty program.

Research and development expenditures

(See special analysis H in part IV of this document)

[Fiscal years. In millions]

	1958 actual	1959 estimate	1960 estimate
Department of Defense [1]	$2,314	$3,282	$3,692
Atomic Energy Commission	637	790	846
National Aeronautics and Space Administration	89	153	280
Department of Health, Education, and Welfare	179	236	250
Department of Agriculture	111	128	127
National Science Foundation	35	60	80
Other agencies	133	192	208
Total	3,498	4,841	5,484

[1] As explained in special analysis H, part IV, figures for 1958, 1959, and 1960 are not fully comparable because of changes in appropriation structure; they also exclude about $2 billion of procurement funds in each year in support of research and development.

3. Promote scientific research and space exploration: In the current fiscal year, total expenditures for basic and applied research and for scientific development have reached record amounts and a supplemental appropriation for 1959 to advance space technology is recommended.

For the fiscal year 1960, research and development expenditures will be increased still further, with emphasis on space exploration, peaceful uses of atomic energy, and basic science. Extensive space exploration investigations are being initiated, utilizing satellites and probes. Development work is going forward on high-energy fuel rockets, a million-pound thrust engine, and a nuclear rocket engine.

4. Carry forward current public works programs—now larger than ever before: Increases were provided last year in construction programs for water resources, health facilities, public buildings, airways, and highways, partly to combat the recession. As a result, Federal expenditures for civil public works in fiscal 1960 will be the highest in history. It therefore seems both possible and prudent to take a breathing spell in the initiation of new projects. Accordingly, no additional funds are proposed in 1960 for starting new water resources projects, general office buildings, and veterans hospitals. Furthermore, reduced new spending authority is recommended for grants for local public and private hospitals, health research facilities, and for waste treatment works, although expenditures under earlier authorizations will continue to be high. Highway expenditures will increase in accordance with

the program planned under the Federal Aid Highway Act, and modernization of airway facilities to meet operational and safety needs will go forward at a higher level of expenditure.

The combined outlay for reclamation, flood control, and navigation projects is estimated to be higher than ever before in 1960. Expenditures are expected to increase again in fiscal 1961 and to hold at that level in 1962 even without new starts beyond those for which initial appropriations have already been made. The new water resources projects authorized for starting in 1959 will be so spread out as to schedule initiation late in the year, wherever practicable, and, in a few cases, construction may be deferred until the fiscal year 1960.

Civil public works—Expenditures from budget and trust funds, including grants and loans to State and local governments

(See special analysis F in part IV of this document)

[Fiscal years. In millions]

	1958 actual	1959 estimate	1960 estimate
Highways and roads	$1,589	$2,559	$3,097
Water resources and related developments	971	1,031	1,089
Office buildings and post offices	78	200	310
Aviation and space flight facilities	110	195	233
Schools and hospitals	183	215	201
Other structures	175	343	312
Total	3,106	4,543	5,242

5. Continue at a high level programs which promote the general welfare of our people: This budget makes provision for programs which are of utmost importance to our individual citizens. Expenditures for health research and for constructing various types of health facilities will be at a record level in 1960. Activities to improve education, especially in science and mathematics, will be increased significantly in 1960 as a result of programs started or expanded in fiscal 1959. Grants to States for vocational rehabilitation will be higher in 1960 than in 1959, with services provided to 314,000 disabled persons. Public assistance grants to the aged, the blind, the disabled, and to dependent children will continue to rise. Strengthened programs in the Food and Drug Administration are recommended.

Proposals will be made for widening the coverage of unemployment compensation, for extending and improving the minimum wage and 8-hour laws, and for providing added protection in labor-management relations. I am again proposing legislation to strengthen safeguards on the conduct of labor union affairs, including the strengthening of the law enacted last year requiring public reporting on union welfare and pension plans.

In the housing field, the budget recommends broadening the authority of the Federal Housing Administration and removing the ceiling on the total volume of mortgage insurance it can provide. Legislation is also recommended authorizing capital grants for urban renewal projects for a 6-year period. Annual contributions to local housing authorities for low-rent public housing projects will rise in 1960 as more projects are completed. Commitments by the Federal National Mortgage Association to purchase mortgages on housing for urban renewal areas for relocating displaced families and for the elderly will continue to rise in 1960.

6. Foster community development with increased local participation: The Federal Government is helping local communities meet many of the major problems of community development created by increasing population and growing urbanization. Federal expenditures for grants and long-term loans to assist 14 major types of capital improvements alone will reach an estimated $2.1 billion in 1960, or almost double the amount actually spent for these programs in 1958. By the close of fiscal 1960, commitments for future Federal expenditures for the same programs are estimated to be over $6 billion.

Capital improvements in communities—Federal grants and long-term loans, excluding net operating expenses

[Fiscal years. In millions]

	Expenditures			Outstanding commitments, June 30, 1960 [1]
	1958 actual	1959 estimate	1960 estimate	
Airport grants	$43	$50	$55	$162
Area assistance loans (proposed)			7	43
College housing loans	165	234	186	329
Development corporation loans (Small Business Administration)		4	15	6
District of Columbia construction grants and loans	11	15	16	73
Health research facilities construction grants	12	20	20	55
Hospital construction grants	105	123	128	288
Public facility loans	11	24	30	34
Public housing, annual contributions	95	111	120	[2] 240
School construction grants to federally affected areas	80	78	51	98
Urban renewal capital grants	35	76	100	1,393
Urban renewal and relocation housing mortgage purchases	20	122	181	450
Waste treatment works grants	17	30	30	82
Total, budget funds	594	887	939	3,253
Highway grants for urban areas (trust fund)	534	911	1,136	2,929
Total, budget and trust funds	1,128	1,798	2,075	6,182

[1] Including allocations and program reservations.
[2] Estimated maximum annual payment to cover debt service on long-term bonds sold to finance projects. (Unamortized capital costs underwritten by Federal contributions are estimated at $5 billion.)

These totals show how rapidly direct Federal aid to communities is growing. They exclude many other Federal programs which indirectly assist development or redevelopment of communities, such as construction of river and harbor improvements and air navigation facilities, grants for intercity highways, purchases of general housing mortgages and guaranties of housing and business loans of many types. They also exclude Federal aid to communities for nonconstruction programs in such fields as health and welfare.

Federal programs should foster orderly development in a way that will encourage private participation and will share costs equitably among the beneficiaries and the various levels of government. Legislation will be proposed to meet these objectives in the programs for urban renewal, college housing, highways, airports, schools in federally affected areas, and construction of waste treatment facilities. The budget also provides for a new program to assist industrial redevelopment of areas which have severe and persistent unemployment. The Congress is urged to enact legislation for such assistance along the line I have recommended previously.

7. Discontinue temporary emergency measures and strengthen permanent programs for economic stability: Among the governmental actions taken last year under the stress of the recession were two temporary measures involving substantial Federal expenditures.

Funds were advanced to the States and Territories to finance extended unemployment benefits for workers who had exhausted their regular benefits. Only 17 jurisdictions chose to receive these advances for all workers who could be made eligible. Five other States enacted their own legislation extending the period of benefits for those covered under the regular State program. Of the remaining States and Territories, some obtained Federal aid for extended unemployment benefits for veterans and Federal employees alone, while 17 had no extended benefit legislation of their own and did not take advantage of the Federal program at all. In view of the rapidity of the economic recovery and the lack of uniformity of State participation, it is now estimated that expenditures over the life of this program will be $206 million less than the $666 million appropriated for it.

Another temporary measure was the authorization for Government purchases of $1 billion of mortgages on low-cost housing. This full amount has been committed. By the end of fiscal 1959, it is estimated that the Government will have spent over $600 million for such mortgages and will have over $300 million of commitments still outstanding, for which expenditures will occur in 1960.

Direct emergency Federal expenditures for unemployment benefits and for emergency stimulation of home construction are unnecessary on a continuing basis. It is better to strengthen our essential continuing programs for economic growth and stability, and this budget so contemplates.

8. Continue the adjustments needed for a freer agricultural economy with less reliance on the Federal Treasury: The agricultural sector of our economy is in the paradoxical situation of having more efficient farms than ever before and yet of being more dependent upon Federal financial aid. During the current fiscal year, budget expenditures for agriculture and agricultural resources are expected to reach a peak of $6.8 billion. For the coming year, they are estimated to decline to about $6 billion, mainly as a result of the termination of the acreage reserve of the soil bank.

About three-quarters of these expenditures are for price supports and other programs to stabilize farm prices

and income. Other expenditures for agriculture consist primarily of payments for conservation; loans for rural electrification, telephones, and farm ownership and operation; and research and extension activities.

Last year, the Congress enacted some changes in price-support laws, but additional amendments are necessary to help our agricultural economy adjust to the continuing revolution in farming technology. Changes are also needed in other agricultural programs. Legislative proposals will be transmitted later which should help our agricultural economy gradually free itself from so much Government support and control.

9. Reduce the burden on the general public for services to special groups: Certain Government activities confer measurable special benefits on identifiable groups or individuals beyond the benefits to the general public. The cost of Federal services which convey special benefits should be recovered through charges paid by the beneficiaries rather than through taxes on the general public.

In furtherance of this principle the recent Congress approved some adjustments in postal rates, and increased the fees for a few other relatively smaller services. On the other hand, it increased postal employees' pay and highway construction grants without providing the additional charges needed to finance such expenditures. As a result of these and other developments, further legislation is necessary to put the postal service on a self-supporting basis and to finance highway construction without drawing on the general revenues.

This budget recommends legislation to make the activities listed in the following table more nearly self-supporting.

Estimated savings to the general taxpayers from more adequate fees and charges

[In millions]

	Fiscal year 1960	Full annual effect [1]
Support highway expenditures by highway-related taxes: [2]		
Finance deficiency estimated under present law	$241.0	$818.0
Transfer financing of forest and public lands highways to trust fund	41.0	41.0
Revise postal rates	350.0	350.0
Charge specifically for use of Federal airways:		
Transfer aviation fuel taxes from highway trust fund to general fund	34.0	34.0
Increase taxes on aviation fuels	51.0	70.0
Revise fee schedule for noncompetitive oil and gas leases		14.0
Raise patent and trademark fees	3.5	3.5
Miscellaneous increased fees and cost recoveries	11.5	20.8
Total	732.0	1,351.3

[1] Net change on annual basis with present workload or first full fiscal year effect.

[2] Trust fund receipts, as distinct from budgetary savings, will be increased by an estimated net amount of $690 million in 1960 and nearly $900 million in subsequent years.

10. Encourage private lending through flexible interest rates for Government credit programs: In a number of important cases, present legislation on programs for making loans, purchasing mortgages, and insuring or guaranteeing private loans sets inflexible and uneconomic restrictions on interest rates. This creates unneeded and hidden subsidies and requires excessive use of Federal funds by discouraging private lending.

To correct this situation, I recommend that for interest rates on new loans and commitments:

(a) The 4¾ percent ceiling on loans guaranteed by the Veterans Administration be replaced by a maximum rate not in excess of the rate for mortgages on sales housing insured by the Federal Housing Administration. This change will also have the effect of revising the interest rate ceiling on direct housing loans of the Veterans Administration.

(b) The ceilings of 4½ percent and 5 percent for rental (including armed services) and for cooperative housing mortgages insured by the Federal Housing Administration be increased to levels adequate to assure private financing.

(c) The present statutory interest rate of 2 percent for loans made by the Rural Electrification Administration be replaced by a rate which will cover the current cost to the Treasury of equivalent-term borrowing and other reasonable costs.

(d) The statutory standard for college housing loans made by the Housing and Home Finance Agency (the rate at present is 2⅞ percent) be amended to authorize a rate which will cover the current cost to the Treasury of equivalent-term borrowing and other reasonable costs.

(e) The 3½ percent ceiling on ship mortgage loans by the Maritime Administration be replaced by authority to charge the full costs of the loans.

Such actions by the Congress will encourage the participation of private capital, and, in the long run, will reduce Government expenditures significantly. At the same time, Government guaranties or insurance will continue to permit interest costs to borrowers more favorable than the rates charged in the open market for similar loans.

11. Achieve long-run economies by adapting programs to changed circumstances: Changing conditions in recent decades have resulted in the enactment of hundreds of laws and the creation of vast new programs administered by new or enlarged agencies. In this same period, few Government programs or operations have been discontinued or reduced. Furthermore, in many cases, worthwhile objectives have been pursued with outmoded activities or methods and with accompanying excessive costs to taxpayers. This is a wasteful and inefficient way to conduct public business.

It is proposed in this budget that we start anew to amend the basic legislation for a number of Government programs and operations in order to adapt them to present circumstances and assure that they accomplish their objectives more effectively and with less cost.

IMPROVE CONTROL OVER THE BUDGET

Actions can and should be taken to achieve more effective control over the budget by improving present practices and procedures, especially those related to the consideration of budgetary requests.

Consider full fiscal situation: The procedure used by the Congress for the review of fiscal matters is one which only the Congress itself can determine. Nevertheless, I believe that achievement of any overall fiscal objective is handicapped by the absence of arrangements under which the Congress can look at the fiscal situation as a whole. Such an arrangement was contemplated under a procedure established in the Legislative Reorganization Act of 1946, but apparently did not prove satisfactory to the Congress. Over the years since that arrangement fell into disuse, the executive branch has made considerable progress in achieving a more comprehensive consolidated executive budget which sets forth a financial plan, including the effect of proposed legislation. I sincerely hope that the Congress will again consider ways by which it can more effectively overcome the diffused consideration which results from separate appropriation bills, the provision of new obligational authority outside of the appropriations process, and the separate deliberations on revenue bills and the debt limit.

Item veto: The item veto is another important and needed reform, regardless of whether appropriations are made in a number of bills or in a consolidated bill. In either case, the necessity of accepting or rejecting a bill in its entirety prevents the President from considering separable provisions on their own merits. Congress has recognized the value of an item veto by granting it to governors of our Territories and insular possessions. Most States have adopted this device. Presidents of both parties, starting as far back as Ulysses S. Grant, have recommended an item veto. Legislation granting an item veto to the President should apply to legislative measures authorizing expenditures as well as to appropriation bills, and should include authority to reduce the amount of an appropriation as well as to strike out an item. The use of such a veto by a President would not remove the final authority of the Congress, which would still retain its constitutional power to override any specific veto.

Public enterprises: The appropriation and fund structure of the Government needs a new review and some overhaul. For example, major lending programs and other business-type activities are now financed through revolving funds, which enable their expenditures and applicable receipts to be more easily related to each other and thus improve their operating flexibility. However, there are several notable exceptions—among them the Rural Electrification Administration, Farmers' Home Administration, and the power marketing agencies of the Department of the Interior. Legislation will be proposed to permit these enterprises to be budgeted through revolving funds. The possibility of converting still more business-type activities to a revolving fund basis will continue to be studied, with a view to making recommendations to the Congress.

More adequate control over the financial affairs of the Government could be achieved if all Government corporations which possess authority to draw money

from the Treasury or to commit the Treasury for future expenditures were brought under the budget provisions of the Government Corporation Control Act. As in past years, legislation to accomplish this purpose will be again submitted to the Congress. I urge that it be enacted.

Legislation will also be proposed to incorporate the Alaska Railroad to facilitate its operations on a businesslike basis.

Accrued expenditures and other controls: In accordance with Hoover Commission recommendations, legislation was enacted last year to enable the Congress to exercise more direct control over the level of Government spending through limitations on accrued expenditures. As an initial step, this budget proposes such limitations for six appropriations. The beginning that can thus be made in improved congressional control should be extended as rapidly as experience warrants.

This budget extends the cost-based budgeting procedures which are necessary to get a proper measure of financial performance for many of the various agencies and programs. Further extensions will be made as agency accounting systems are made adequate to support them.

Continuing improvements: Efforts to improve financial management practices need to be continued. Considerable progress has already been made by the executive agencies under the leadership of the joint accounting program which is sponsored by the Bureau of the Budget, the Treasury Department, and the General Accounting Office. But there remain a number of unsatisfactory situations, unimportant in earlier years of smaller budgets, that are now worthy of attention.

In the past, a number of appropriation items have been placed on a permanent basis and, in some of these cases, the major result achieved has been weaker control over the expenditures concerned. In addition, even though there are a few justifiable exceptions, the practice of providing authorizations to expend from debt receipts and contract authority outside the appropriation process is generally inconsistent with sound standards of budget practice.

Other inconsistencies occur in the system for making financial authority available to Government agencies. Some guaranty programs are fully funded by specific grants of obligational authority, some are partially funded, and others have an open-end call upon the Treasury. Some collections of funds now credited to miscellaneous receipts might be more properly credited against the related expenditures deliberately incurred to generate the receipts. Criteria for the use of revolving funds and trust funds have not been consistently applied.

Another problem in budgetary control has developed over the use of foreign currencies. In view of the volume of currencies generated by transactions under the Agricultural Trade Development and Assistance Act of 1954 and the numerous competing demands for their use for supplementary U.S. programs, more adequate procedures parallel to those governing dollar obligations are necessary. The action required by the Congress to authorize the use of certain of these currencies, for which a supplemental request will be transmitted for fiscal 1960, now relates to only a small portion of the currencies which will actually be used for Government programs.

The Director of the Bureau of the Budget is undertaking studies of the various weaknesses and inconsistencies mentioned herein to determine the most appropriate courses of action. Corrective recommendations will be made to the Congress as needed.

REVIEW OF MAJOR FUNCTIONS

The table below compares current estimates for each of the nine major functional categories in this budget with the actual figures for fiscal 1958 and the latest estimate for 1959. The recommendations and estimates for 1960 are discussed in the sections of this message which follow the table.

Budget expenditures

[Fiscal years. In millions]

Function	1958 actual	1959 estimate	1960	
			Estimate	Percent of total
Major national security	$44,142	$46,120	$45,805	59.5
International affairs and finance	2,234	3,708	2,129	2.8
Commerce and housing	2,109	3,509	2,243	2.9
Agriculture and agricultural resources	4,389	6,775	5,996	7.8
Natural resources	1,543	1,708	1,710	2.2
Labor and welfare	3,447	4,380	4,129	5.4
Veterans' services and benefits	5,026	5,198	5,088	6.6
Interest	7,689	7,601	8,096	10.5
General government	1,356	1,673	1,735	2.2
Allowance for contingencies	---- --	200	100	.1
Total	71,936	80,871	77,030	100.0

MAJOR NATIONAL SECURITY

The changes in emphasis in the four major national security programs for the fiscal year 1960 reflect the growing armed strength of the United States and its allies and the continuing modernization of defense methods. The Department of Defense will significantly increase expenditures for procurement of missiles and for development and evaluation of new weapons, while reducing expenditures for other procurement and for construction. The Atomic Energy Commission is advancing all phases of its programs, particularly research in the peaceful uses of atomic energy. Our allies' progress in equipping their armed forces and the deliveries under military assistance in 1959 and prior years permit a reduction in military assistance expenditures. Expenditures for stockpiling and expansion of defense production will be reduced because basic stockpiling objectives for most materials are now fulfilled and because many defense production expansion contracts have already been completed.

Total expenditures for major national security programs in fiscal 1960 are estimated to be $45.8 billion.

Department of Defense—military functions: The defense program for 1960 calls for new appropriations of $40,850 million. This is $288 million less than the appropriations estimated for 1959. However, approximately $0.7 billion of the funds appropriated by the Congress for 1959 in excess of the amounts recommended will be added to the 1960 program.

Expenditures in 1960 are estimated at $40,945 million, which is $145 million more than in 1959 and about $1.9 billion more than the amount spent in 1958—continuing the upward trend which began in 1956. Over the 5-year period from 1955 to 1960, annual expenditures for defense will have increased by over $5.4 billion.

Recent developments: In the 1959 budget message I recommended a substantial acceleration of our defense effort in selected areas to enable our military strategy, techniques, and organization to keep pace with the rapid strides in science and technology.

During the last year we have made substantial progress in accelerating or starting key programs. The Atlas intercontinental ballistic missile has successfully completed a full-range test and the first operational Atlas missiles will be at launching sites by the end of the current fiscal year. Additional missiles will be put in place in 1960. The first units of the intermediate range missile Thor have already been deployed to the United Kingdom and additional units of both Thor and Jupiter will be deployed during the next 18 months. Construction is already well along on the first five submarines which will be equipped to fire the Polaris solid fuel ballistic missile and the first such submarine will go into operation in the calendar year 1960. Construction of the sixth Polaris submarine has begun and three more are authorized and will be started in fiscal 1960. Coming along at a rapid rate is the Titan, an advanced liquid fuel intercontinental ballistic missile. Development work is progressing rapidly on a "second generation" solid fuel intercontinental ballistic missile, the Minuteman.

Major national security

[Fiscal years. In millions]

Program or agency	Budget expenditures			Recommended new obligational authority for 1960
	1958 actual	1959 estimate	1960 estimate	
Department of Defense—Military Functions:				
Present program	$39,062	$40,800	$40,693	$39,287
Proposed legislation for construction	-------	-------	252	1,563
Subtotal	39,062	40,800	40,945	40,850
Atomic Energy:				
Present program	2,268	2,630	2,717	2,622
Proposed legislation	-------	-------	28	150
Subtotal	2,268	2,630	2,745	2,772
Stockpiling and expansion of defense production:				
Present program	625	378	140	-------
Proposed legislation	-------	-------	125	-------
Subtotal	625	378	265	-------

Major national security—continued

[Fiscal years. In millions]

Program or agency	Budget expenditures			Recommended new obligational authority for 1960
	1958 actual	1959 estimate	1960 estimate	
Military assistance:				
Present program	$2,187	$2,312	$1,600	
Proposed legislation			250	1,600
Subtotal	2,187	2,312	1,850	1,600
Total	44,142	46,120	45,805	[1] 45,222

[1] Compares with $40,448 million of new obligational authority enacted for fiscal 1958 and $45,704 million (including $619 million of anticipated supplemental authorizations) estimated for fiscal 1959.

For air defense, the Nike-Hercules, which is capable of being armed with a nuclear warhead, is replacing the Nike-Ajax. The Bomarc ground-to-air missile, capable of destroying attacking aircraft at extended ranges, will, when operational, augment manned interceptor planes. To meet the threat of attack by ballistic missiles, the Nike-Zeus missile is being developed at an accelerated pace and construction is underway on a new ballistic missile early warning system.

A dispersal program for our strategic bomber force and its supporting tankers is nearing completion. To improve the effectiveness of the B–52 intercontinental bombers, the production of the Hound-dog air-to-ground missile has been accelerated.

Important scientific data have been obtained from the satellites and lunar probes launched to date. The recent successful use of the Atlas as a satellite clearly demonstrated the potential usefulness of satellites in the field of communications. The Department of Defense will continue to investigate satellite applications of specific military interest. Its space programs will be closely coordinated with those of the National Aeronautics and Space Administration.

The time has come to consolidate our position in key areas of defense affected by recent advances in missiles. Sufficient progress has been made on new weapons systems to permit us safely to eliminate marginal systems and to reduce the number of competitive projects. The solid fuel Pershing and Sergeant missiles will replace the liquid fuel Redstone and Corporal. Production of the Regulus II (a ship-based aerodynamic intermediate range missile) has been terminated, and the Rascal air-to-ground missile program has been canceled.

Because of a change in tactical concepts, the decoy missile Goose has been eliminated. The Seamaster jet powered seaplane project will be stopped. Other weapon systems of lesser importance have also been eliminated. No more appropriations are planned for the Jupiter and Thor intermediate range ballistic missiles after 1960, unless units in addition to those already being provided to our allies through the military assistance program should later be agreed upon.

Thus, by concentrating our efforts on the more advanced and more promising weapons systems, we can increase substantially the combat capabilities of our military forces with a relatively small increase in the overall cost of defense.

Reorganization of the Department of Defense: The Department of Defense Reorganization Act of 1958, approved on August 6, 1958, is being put into effect.

A streamlined chain of command is being established running directly from the Secretary of Defense through the Joint Chiefs of Staff to unified and specified commands which have been given full operational control of the forces assigned to their commands. The organization of the Joint Chiefs of Staff has been strengthened to provide the Secretary of Defense with the military advice and assistance required for effective planning and direction. The committee system of the Joint Staff has been replaced by seven new directorates, including one for operations. Appropriate instructions have been issued to delineate the additional responsibilities of the Joint Chiefs of Staff and to outline their relationships with other agencies of the Department of Defense.

A director of defense research and engineering has been appointed to assure that all scientific and technological resources of the Department of Defense are put to the best possible use. I expect the new organization to provide more effective leadership, help to eliminate duplication, and develop an integrated research and development program.

In addition, improvements have been made in the administrative procedures of the Department of Defense. Operating methods in the Office of the Secretary of Defense have been improved. Nearly 200 committees have been abolished. The responsibilities and functions of the assistant secretaries are being clarified.

The job ahead is to develop within this organizational framework the management relationships that will improve the decisionmaking process, clearly fix responsibilities, and provide to all agencies of the Department a full understanding of the broad national requirements that determine our military policy. The attainment of this objective will provide the teamwork that is essential for the continued maintenance of an effective and, at the same time, economical defense effort.

Military personnel policy: This budget provides for a military force of about the same overall size and composition in fiscal 1960 as that planned for the end of the current fiscal year. This force, however, will have significantly greater combat power as new weapons continue to be added to inventories.

The number of active duty military personnel during 1960 will continue at the level planned for the end of the current fiscal year except for a small reduction in the Air Force. Since the end of the Korean conflict, we have followed the policy of reducing numbers of military personnel as more powerful weapons become available to our forces. However, it has become increasingly apparent that the Communist bloc is following a policy of deliberately and constantly probing free world positions to test our determination to resist the further forcible expansion of Communist influence. Under these circumstances, it is prudent not to plan for any significant changes during fiscal 1960 in our deployments overseas or in our ready military forces at home.

A major effort has been made during the last few years to enhance the attractiveness of military service as a career. The most recent action along this line has been the enactment of military pay adjustments and adoption of recommendations of the Advisory Committee on Professional and Technical Compensation. Although these and earlier measures increase the average cost per man, they have had highly beneficial effects in all the services. The quality of inductees and enlistees has improved. The first term reenlistment rate has increased and the experience and skill levels have been raised. These improvements point to greater stability of personnel, smaller basic and technical training loads, and, over the longer run, may permit some further reductions in military personnel.

The objective of our defense effort today is the same as it has been in the past—to deter wars, large or small. To achieve this objective we must have a well-rounded military force, under unified direction and control, properly equipped and trained, and ready to respond to any type of military operations that may be forced upon us. We have such a force now, and under this budget we will continue to have such a force.

Strategic forces: A principal element of our deterrent power is the Strategic Air Command. The 43 wings of this command are maintained at a high state of readiness and can react quickly and effectively to meet any major threat to our national security. This command will be further strengthened during fiscal 1960 by additional deliveries of the improved B–52 intercontinental jet bomber and by the first deliveries of the new supersonic B–58 medium jet bomber together with additional KC–135 jet tankers. In addition, a new and important weapon will be provided by the introduction of Atlas missiles.

Our deterrent forces are complemented by the tactical units of the Army, Marine Corps, and Air Force and the mobile carrier task forces of the Navy, all with striking potential of great magnitude. The submarines designed to launch the Polaris missile will add significantly to our deterrent strength as they come into the fleet.

Air defense forces: The North American air defense system is well established and is being improved constantly. Our forward warning line, which we operate jointly with Canada, stretches from the mid-Pacific around the northern edge of the continent and across the Atlantic approaches. Behind this line we have an extensive surveillance, tracking, and communications network. Elements of the structure are being tied together for operation by the semiautomatic ground environment (SAGE) system.

All the services contribute military elements to the unified command responsible for maintaining our air defense

capability. The Air Force provides warning and control and the longer range weapons systems. The Army provides the shorter range weapons and over 70 Nike-Ajax and Nike-Hercules ground-to-air missile battalions wil be in operation by the end of the fiscal 1960. The Navy provides sea and air based radar which extend the early warning systems. National Guard units of many States participate in air defense. In addition, other regular and reserve forces of all the services stand ready in the event of need.

These forces, together with Canada's Air Defense Command, comprise the North American Defense Command and provide an air defense shield of growing effectiveness for the entire continent.

Sea control forces: Historically, the Navy has been assigned the primary mission of controlling sealanes. In the conduct of amphibious warfare and antisubmarine campaigns, it is equipped to support the commands responsible for actions ranging from localized emergencies to large-scale military operations. It is ready to conduct prompt and sustained combat anywhere in the world at sea or adjacent to the sea, and is able to exploit the mobility, surprise, and concealment afforded by the world's free oceans.

The naval forces will operate 864 ships, including 389 warships, in 1960. The carrier task forces will be strengthened with new *Forrestal*-class carriers and higher performance aircraft possessing both conventional and atomic firepower. The cruiser, destroyer, and frigate forces are steadily acquiring a guided missile capability.

Special programs, including research and scientific studies, are under way to enhance our antisubmarine capabilities. Task forces of specially equipped ships and planes specifically designed for antisubmarine warfare are being employed.

Tactical forces: The tactical elements of the ground, naval, and air forces combine to deal with situations short of general war or to carry out essential tasks in event of general war. These forces include 14 Army divisions organized along pentomic lines and able to deliver both nuclear and high explosive firepower. Many of these divisions are deployed overseas and are evidence of this Nation's determination to participate actively in the collective defense of the free world.

The Army divisions are supported by the tactical air wings of the Air Force, approximately half of which are deployed overseas. Other important elements of our tactical forces are the three divisions and three air wings of the Marine Corps. In areas adjacent to the seas these forces can also be supported by carrier-based aircraft.

Both the Army and Marine Corps divisions are backed up by a variety of support units organized to provide both nuclear and nonnuclear military power. Air and sea transportation for these forces are provided by the Air Force and the Navy.

The readiness of our tactical forces to respond to potential aggression was well demonstrated during the Lebanon and Quemoy crises.

Appropriation structure. In my message to the Congress last year transmitting recommendations relative to our entire defense establishment, I pointed out the need for the Secretary of Defense to have adequate authority and flexibility to discharge his heavy responsibilities. One of the areas requiring attention is the pattern under which funds are appropriated.

This budget proposes a rearrangement of appropriations for the Department of Defense in terms of major purposes rather than of organization units. These broad categories are: (1) military personnel; (2) operation and maintenance; (3) procurement; (4) military construction; and (5) research, development, test, and evaluation. This rearrangement will permit consideration of the Department of Defense budget on a more uniform and more clearly understandable basis.

Operating costs: The annual operating costs of the Department of Defense for active and reserve military personnel, for retired pay, and for operation and maintenance are approximately the same in 1960 as in 1959. They are estimated at about $22.3 billion in 1960, not taking into account credits of $0.4 billion in revolving funds. Savings from a somewhat lower average number of military personnel and somewhat smaller inventories of aircraft and ships to be supported in 1960 are offset by higher unit costs.

The average cost per man in uniform will be somewhat higher because of (1) required increases in the Government's social security contributions as employer, (2) additional longevity pay reflecting the larger proportion of career personnel, and (3) the proficiency pay provisions of the new military pay law.

The average cost of operating and maintaining each weapon and unit of equipment will be higher because they are more complex. Other elements of increased cost are the additional SAGE centers which will be operational in 1960, the increased cost of medical care for dependents of military personnel, and the larger number of family housing units which will have to be supported by the Department in 1960.

For the past 5 years, the Department of Defense has pursued a vigorous program to provide adequate housing for military personnel and their families, both within the continental United States and overseas. This program has met with significant success and sufficient numbers of units have been built or are under construction to satisfy a major part of the military requirements. With the recommended extension of the armed services mortgage insurance program for another year and with a more adequate interest ceiling, private enterprise and local community support should be able to meet most of the remaining requirements for military housing in the continental United States. Some new Government-operated housing will still be required, however, for new installations and certain existing installations in the United States and overseas.

Procurement, research, and construction: Expenditures for procurement, research, development, test, and evaluation, and military construction are estimated at $19 billion for 1960. There is an increase over 1959 in the combined expenditures for procurement and for research, development, test, and evaluation and a decrease in expenditures for military construction. Missile systems in 1960 will take a larger share of total procurement expenditures and aircraft will take less. Ships and other weapons and equipment will take about the same amount as in 1959.

This budget will provide for the procurement of a total of 1,610 aircraft, including jet bombers and jet tankers, land based and ship based fighters, ship based attack aircraft, trainers, helicopters, and transports. Funds are also provided for the continuation of the development of the B–70, a new high altitude supersonic intercontinental bomber, and of a new high speed interceptor.

Work will also continue, at about the same level as in 1959, on the development of a nuclear powerplant for military aircraft. Until such a powerplant is successfully developed, and the technical problems involved in operating a nuclear-powered aircraft safely are solved, there is no practical military value in attempting to build the airplane itself. It is the judgment of my scientific advisers, which I approve, that the pace of this program should continue to be geared to valid technical considerations.

In addition to providing for the missiles discussed earlier, the budget also includes funds for a wide variety of tactical missiles, for both the ground and naval forces, and for additional quantities of air-to-air missiles.

The shipbuilding program proposed for 1960 includes another *Forrestal*-class carrier, the eighth of its class. In line with the Navy's recommendation, this carrier will be conventionally powered. It is only good sense to wait until we have more experience with the construction of the first nuclear powered carrier authorized in the 1958 program before we start the construction of another.

The 1960 shipbuilding program also provides for 17 other new ships and for converting 13 ships to more modern types. In addition to the carrier, the ship construction program includes six guided missile destroyers and frigates, three nuclear powered attack submarines, and eight other vessels. Nine Polaris submarines have been authorized to date. This budget provides for the advance procurement of long lead time components for three additional Polaris submarines. Conversions include a cruiser, eight destroyers, and four other vessels. This modernization will improve the antisubmarine warfare capabilities and extend the useful life of World War II destroyers.

Research will be conducted on, among other things, very early warning systems, ballistic missile defense, solid fuel chemistry, and the use of military satellites and other military vehicles for navigation and communication purposes. I am also requesting $150 million for the Department of Defense emergency fund—the same amount as provided for 1959—

to provide for the exploitation of breakthroughs or unanticipated developments which may occur during the coming year.

Provision has been made for the essential needs of our ground forces. Included in this budget are funds for weapons, ammunition, engineering and training equipment for the Army and Marine Corps ground forces to enhance the combat power of the individual soldier.

Legislation for military operations: There are a number of existing provisions of law concerning military personnel which will require legislative action during this session of Congress to extend the expiration dates. They include induction authorities under the Universal Military Training and Service Act, the special enlistment program authorized by the Armed Forces Reserve Act, the act suspending the permanent limitation on the authorized active duty strength of the Armed Forces, and the Dependents Assistance Act.

In the Department of Defense Appropriation Act for fiscal year 1959, the Congress enacted mandatory minimum strengths for the Reserve components of the Army, an unprecedented departure from past policy. This action cuts deeply into the concept of flexibility overwhelmingly endorsed by the same Congress in the Department of Defense Reorganization Act of 1958. It is entirely inconsistent with a policy of promptly adjusting our military forces and concepts to rapidly changing world conditions and revolutionary advances in science and technology. Furthermore, I consider these mandatory provisions wasteful of resources that can be more appropriately applied elsewhere. I strongly urge, therefore, that the Congress repeal these mandatory provisions at an early date, and recommend that future defense appropriations contain no similar provisions.

The Departments of the Army, Air Force, and Commerce have for some years been operating long-line communications in Alaska. With Alaska now a State, a communications system should be developed which will be more responsive to the growing needs of the Alaskan economy and people, as well as to the needs of the Government agencies operating in that State. In my judgment, such a system can best be developed by private enterprise. I will therefore soon submit to the Congress proposed legislation to authorize the sale of these Government-owned communications facilities.

For the past several years the Department of Defense Appropriation Act has contained a rider which limits competitive bidding by firms in other countries on certain military supply items. This restriction is sharply at variance with the general law, popularly known as the Buy American Act. I strongly urge that the Congress not reenact this rider.

There are special problems involved in our present system of proficiency flying and its relationships to flight pay for personnel assigned to flying duty. The Secretary of Defense has been requested to make a study of these problems in the interest of improvements and economies.

Legislation on military property, construction, and procurement: Changes in military concepts, weapons, and training requirements have markedly reduced or eliminated the need for some military installations and property while creating additional requirements for new types of facilities. Consideration should be given to legislation to streamline procedures and legal requirements for disposing of such obsolete facilities and real property. Such procedures would also reduce administrative costs of managing property and place property which is now exempt from State and local taxes on the tax rolls.

In this connection, section 601 of Public Law 155, 82d Congress, imposes restrictions on the executive branch of the Government with respect to certain real estate transactions of the Department of Defense. As stated in the budget message last year, the Attorney General has advised me that this provision of law reflects the exercise of legislative authority not warranted by the Constitution. I again recommend its immediate repeal.

The continued and rapid growth in the use of petroleum products has made questionable the need for maintenance of the relatively small naval petroleum reserves as a significant defense measure, since it would appear that the nationwide, even worldwide, petroleum industry must be relied upon to provide efficiently for our petroleum requirements in both peace and war. Accordingly, the administration will study—and I would hope the Congress would do likewise—the advisability of disposing of the anachronistic naval petroleum reserves, thereby relieving the Department of the Navy of an inappropriate responsibility and also providing additional revenue to the Federal Government.

This budget contains recommendations for $1.6 billion additional authorization for acquisition and construction of facilities for the Armed Forces. The details of this program are now under study in the Department of Defense and are subject to modifications in consonance with the program planning of the Armed Forces. The program will be held to the minimum requirements for facilities and installations essential to the modern weapons systems being made operational. I will submit at an early date both the additional authorizations and the related estimates of appropriations for the military construction programs.

Another matter which will require the attention of the Congress during this session is the expiration of the Renegotiation Act on June 30, 1959. This is the law under which excess profits gained on certain Government contracts and related subcontracts are recaptured by the Government through renegotiation. I recommend that this act be extended.

Development and control of atomic energy: Expenditures by the Atomic Energy Commission are expected to reach an alltime high of $2.7 billion in fiscal 1960. This large amount reflects our determination to maintain our position of world leadership in the field of nuclear military armaments until such armaments are brought under adequate international control and to promote the development of peaceful applications of atomic energy.

In the light of our offer to suspend tests of nuclear weapons for a 1-year period starting October 31, 1958, and in view of the negotiations for further suspension, the budget does not provide for any weapons tests in the fiscal year 1960. Under the circumstances, testing grounds in Nevada and the Pacific will be kept on a standby basis.

A satisfactory test suspension agreement, of course, is but a first step toward reducing the grave threat of nuclear warfare. This administration intends to explore all possible means of attaining armament control under adequate inspection guarantees despite the recent suspension of negotiations on means of avoiding surprise attack. I hope that we shall succeed. Until an acceptable agreement is reached, however, financial authorizations must be provided to continue development and production of nuclear weapons at current high levels to meet a variety of military needs.

Programs for the development of nuclear reactors for a variety of military propulsion and power applications will be continued at or above the high levels already attained.

Peaceful uses of atomic energy: At the second Conference on the Peaceful Uses of Atomic Energy in Geneva during September 1958, the United States demonstrated the range and scope of its atomic research and development in the peaceful applications of this new energy source.

We plan to pursue energetically the promising technical approaches to civilian power reactors. We will emphasize efforts to reduce the cost of the reactor fuel cycle; such a reduction is basic to the attainment of economic atomic power. This budget provides for continuation of construction and for development, modification, and operation of a number of experimental and prototype power reactors owned by the Government, including operation of the atomic power station at Shippingport, Pa., the world's first nuclear powerplant devoted primarily to the production of electric energy. We will also continue substantial support of power reactor projects undertaken by groups outside of the Atomic Energy Commission.

The Commission in exercising its responsibility for direction of the civilian nuclear power development program will indentify desirable projects to advance that program. In carrying out these projects the Commission will continue to work with the Nation's electric power producers, both privately and publicly owned, and will continue to seek cooperation from industry in order to utilize its experience and resources. In addition, exchange of technical information with foreign countries will be expanded through participation in international undertakings, especially the European Atomic Energy Community—Euratom—and the International Atomic Energy Agency.

Further investigations into the possible use of nuclear explosions for such

peaceful purposes as mining and earth moving, known as Project Plowshare, will be conducted.

Legislation will be proposed in this session to carry out the recommendations of the Joint Federal-State Action Committee in the field of atomic energy, which would recognize certain State responsibilities for the protection of public health and safety.

The budget provides for a higher level of research in the physical and life sciences. Three large particle accelerators in the multibillion electron volt range will be put in operation in 1960. These new accelerators, together with two already completed, will produce valuable new information on the basic structure of the atomic nucleus. More advanced experimental devices will be fabricated and operated to explore the control of thermonuclear reactions. Also, as part of the life science program, the budget includes funds for the operation of the new Brookhaven Medical Center, where the first nuclear reactor designed primarily for medical research purposes is located.

Stockpiling and defense production expansion: Most of the objectives for the stockpile of strategic and critical materials have been substantially reduced as a result of new studies, and most of these reduced objectives have been met. Consequently, the need for new procurement has been sharply decreased. At the same time deliveries under contracts made during the Korean conflict to encourage expanded production of defense materials are declining. Substantial reduction in the Government's purchase commitments has also been achieved through negotiation with contractors.

For these reasons, expenditures for stockpiling and expansion of defense production are estimated to decline from $378 million in fiscal 1959 to $265 million in 1960. However, because the present authority is inadequate, legislation will be needed in 1959 to authorize an additional $325 million to finance probable deliveries in the next 2 years under existing contracts for expanding defense production.

Mutual security program: The mutual security program is designed to help strengthen the defense and bolster the political and economic stability of the free world. Through it the United States shares in worldwide efforts to meet the Communist threat and to help improve the standard of living of people in less developed nations. For the fiscal year 1960, I am recommending new obligational authority of $3,930 million for the mutual security program. Expenditures are estimated to be $3,498 million, which is $383 million less than in fiscal 1959.

The military assistance portion of the mutual security program, which is primarily related to our military defense effort, is discussed in this section of the message. The other portions of the mutual security program are directed primarily toward promoting stability and economic growth in less developed countries. They are discussed in the international affairs and finance section of this message.

The accomplishments, future needs, techniques, and interrelationships of military and economic assistance need to be reassessed in the light of continuing change in military technology and strategy and in economic and political conditions, and with consideration of new Communist techniques in waging the cold war. Therefore, I recently appointed a committee of outstanding citizens, with experience in government, the Armed Forces, and business, to appraise the military assistance program and the relative emphasis the United States should place on military and economic aid. Accordingly, in the present budget, provisions for the mutual security program are subject to whatever recommendations I may make in connection with my later transmission to the Congress of this program.

Military assistance: In meeting the threats of Communist military aggression, the United States relies on 2 sources of strength, our own defense forces and the forces of more than 40 free-world nations, to many of whom we provide military assistance. Three of these, Korea, China, and Vietnam, are divided nations facing aggressive Communist-dominated forces across uneasy boundaries. Other recipients border on hostile Communist states, face potentially dangerous internal Communist movements, or are defenders of the great industrial communities of the free world.

Mutual security program

[Fiscal years. In millions]

Function and program	Budget expenditures			Recommended new obligational authority for 1960
	1958 actual	1959 estimate	1960 estimate	
Major national security: Military assistance	$2,187	$2,312	$1,850	$1,600
International affairs and finance:				
Development Loan Fund	2	125	200	700
Defense support	874	815	780	835
Technical cooperation	140	159	170	211
Contingencies and other assistance	408	470	498	584
Subtotal	1,424	1,569	1,648	2,330
Total, mutual security	3,611	3,881	3,498	[1] 3,930

[1] Compares with new obligational authority of $2,764 million enacted for 1958 and $3,516 million (including $225 million of anticipated supplemental appropriations for the Development Loan Fund) estimated for 1959.

Our primary concern is to insure the free world's ability to deter war and to retaliate against atack if deterrence fails. This we do through our own military capability and by providing intermediate and short-range missiles and other weapons to a number of our allies.

But the free world also faces the Communist threat of local aggression and military subversion. This danger is best met by conventional forces of the threatened countries. If necessary, the United States and other free-world nations would send reinforcements under the terms of regional pacts and bilateral agreements. Our allies, through their own efforts, are covering the bulk of the costs of operating and maintaining their forces. The United States supplies the critical military equipment that our partners cannot supply themselves and assists in the training of their officers and men.

The estimate of new obligational authority for military assistance in the fiscal year 1960 is $1,600 million. Expenditures in 1960, which will be made primarily from obligational authority enacted in previous years, are estimated to be $1,850 million, a reduction of $462 million from the amount estimated for 1959.

Nonmilitary defense: Closely allied to our military preparedness are the nonmilitary civil defense and mobilization programs. These were reorganized last year under a new Office of Civil and Defense Mobilization, for which increased appropriations are recommended for 1960. These programs are discussed with other programs concerned with industry and community facilities in the Commerce and Housing section of this message, under which these expenditures are classified.

INTERNATIONAL AFFAIRS AND FINANCE

The United States is directing its diplomacy and devoting a substantial share of its economic resources to maintaining world peace and the security of free nations. In a world which still contains much want and suffering, it is a goal of our foreign policy to promote the economic stability and growth of less developed countries. This is as vital to us as it is to the countries concerned in the present world situation.

Although military danger persists, a strengthened free-world defense system enables less developed countries to concentrate much of their effort on needed economic progress. Increased international trade, private investment, public programs of lending, and technical assistance are essential to these efforts.

Expenditures for international affairs and finance are estimated to be $2.1 billion in the fiscal year 1960. This amount is $1.6 billion less than the expenditure estimate for 1959, mainly because of an additional and nonrecurring subscription of $1,375 million to the International Monetary Fund for which I am requesting authority for 1959.

Further expansion of trade was made possible when the Congress last year extended the reciprocal trade agreements legislation for 4 years. Under the authority of this act, we will seek additional agreements with friendly countries for mutually beneficial reductions of trade barriers.

The greater share of investment capital and technical ability in the United States and other highly developed countries is to be found in private hands. Less developed countries could benefit in greater measure from this large private reservoir by making investment more attractive to firms from other countries. The United States on its part invites negotiation of tax treaties designed to encourage its citizens to invest abroad. I will request legislation to expand the mutual security investment guarantee program, which offers guarantees to American private investors against losses on foreign investment that

are caused by inconvertibility of currencies, expropriation, or war. The Export-Import Bank is actively seeking more private participation in its loans and is selling part of its portfolio to private investors, with the expectation of financing all of its operations in fiscal 1960 from receipts. The United States subscription to the capital of the International Bank for Reconstruction and Development helps that agency in channeling private capital into public loans to less developed countries.

In addition, studies are being conducted by the Department of State and the Business Advisory Council of the Department of Commerce on ways to increase the role of private investment, management, and technical training abroad.

International financial organizations: To assist in economic development and in the sound expansion of trade, the United States participates with other countries in international financial organizations and also makes loans and grants directly to other nations. The multilateral and bilateral approaches complement each other and both are essential to the achievement of our objectives.

International affairs and finance

[Fiscal years. In millions]

Program or agency	Budget expenditures			Recommended new obligational authority for 1960
	1958 actual	1959 estimate	1960 estimate	
Economic and technical development:				
International Monetary Fund subscription (proposed legislation)	------	$1,375	------	------
Export-Import Bank	$340	243	−$6	------
Mutual security, economic:				
Development Loan Fund:				
Present program	2	125	180	------
Proposed legislation	------	------	20	$700
Defense support:				
Present program	874	815	515	------
Proposed legislation	------	------	265	835
Technical cooperation:				
Present program	140	159	85	------
Proposed legislation	------	------	85	211
Contingencies and other assistance:				
Present program	408	470	272	------
Proposed legislation	------	------	226	584
Other (primarily Department of Agriculture emergency famine relief abroad)	146	135	126	115
Conduct of foreign affairs:				
Department of State	175	242	212	204
Other	2	4	4	2
Foreign information and exchange activities:				
United States Information Agency	109	107	114	127
Department of State, exchange of persons	24	25	24	24
President's special international program	16	9	7	7
Total	2,234	3,708	2,129	[1] 2,809

[1] Compares with new obligational authority of $3,983 million enacted for 1958 and $7,070 million (including $4,945 million of anticipated supplemental authorizations) estimated for 1959. The 1959 supplementals include proposed additional U.S. subscriptions to the International Bank for Reconstruction and Development of $3,175 million and to the International Monetary Fund of $1,375 million.

The International Bank for Reconstruction and Development extends loans for capital investment, and the International Monetary Fund promotes sound foreign exchange policies and encourages trade by assisting countries to overcome short-term foreign exchange problems. Both institutions have proved their worth as instruments of international financial cooperation. However, they cannot continue with the same effectiveness unless their present resources are supplemented. The executive directors of each institution have recommended an increase in member country subscriptions of 100 percent for the Bank and 50 percent for the Fund. I request that the Congress promptly approve the United States share of these recommended increases. Early approval will assure the other member countries that the increase in capitalization can be achieved quickly, and thus encourage prompt action by them.

For the additional United States quota in the International Monetary Fund, this budget includes $1,375 million as supplemental new obligational authority and as estimated expenditures in 1959. Of this amount, $344 million is to be paid in gold and the balance of $1,031 million is to be paid in the form of non-interest-bearing Treasury notes. The anticipated subscription to the International Bank of $3,175 million in the fiscal year 1959 is included in the budget as new obligational authority but not as an expenditure because it will be in the nature of a guarantee fund. On the strength of guarantees from all its members, the Bank is able to sell its bonds to private investors.

We are now negotiating with our Latin American neighbors concerning the establishment of an inter-American development banking institution which would facilitate the flow of public and private capital to economic development projects in this hemisphere and would supplement existing lending arrangements. This negotiation may result in a later request for legislation permitting United States participation in such an institution.

The administration is also currently studying the feasibility of establishing an international development association which would be affiliated with the International Bank for Reconstruction and Development and would make loans repayable wholly or partially in the borrower's currency.

Development Loan Fund: In 1957, the United States established the Development Loan Fund to provide capital on terms more favorable than are normally available from other sources, including repayment in foreign currencies. The Development Loan Fund finances both public and private projects that clearly contribute to the basic development of a country but do not qualify for private loans or for financing by the International Bank for Reconstruction and Development or the Export-Import Bank.

The Development Loan Fund is now making loans in substantial numbers, and will have an increasing impact in assisting less developed economies. The Fund will have committed virtually its entire capital by the end of this month. Because of the vital importance to our foreign economic objectives of continuing this type of lending, a supplemental appropriation for fiscal 1959 of $225 million is recommended. This amount has already been authorized but not appropriated by the Congress. New obligational authority of $700 million is requested for fiscal 1960.

Defense support: Many of our allies among the less developed countries maintain large military forces required for the common defense despite the added strain placed on their national economies by the continuing cost of these forces. To help prevent the living conditions and political stability of these countries from deteriorating because of the economic burden of their military forces, the United States provides economic aid through appropriations for defense support. This aid takes the form of food, textiles, and other consumer goods, machinery, and raw materials. For fiscal 1960, new obligational authority of $835 million is requested for defense support.

Technical cooperation: Through technical cooperation under the mutual security program the United States assists less developed countries to acquire technical, administrative, and managerial skills. This improvement of skills must go hand in hand with the financial and material resources made available for development. For 1960 an increase of approximately $40 million in new obligational authority is requested. This will enable the United States to train more foreign technicians and provide more American experts and demonstrational equipment, with emphasis on expanding programs in Africa. The increase will also permit the United States to pay its share of the expected greater contributions by member nations to the new United Nations special fund for technical assistance projects.

Contingencies and other assistance: The mutual security program for 1960 includes a request for $200 million to be available for unforeseen contingencies and emergencies that may arise. In addition, appropriations will be requested for special assistance needed for the stability and progress of a number of countries not covered by other categories of aid and for such programs as our contributions to the worldwide malaria eradication program. Other special activities covered by the mutual security program are the United States contributions to the United Nations Children's Fund (UNICEF) and to refugee programs.

Legislation will be recommended to revise requirements on eligibility of countries for aid and thus provide the necessary additional flexibility to help nations that are resisting Soviet domination.

Conduct of foreign affairs: The Department of State plans to open several new diplomatic and consular posts and to increase its staff dealing with problems of Eastern Europe and international communism. Legislation will again be recommended to clarify the authority of the Secretary of State with regard to the issuance of passports. Legislation will also be recommended to reimburse Americans for certain property damage in Europe and the Far East during World

War II for which compensation has not previously been authorized.

Foreign information and exchange activities: The U.S. Information Agency will continue the major rebuilding of its radio facilities begun in fiscal 1959 to improve the reception overseas of the Voice of America. The cultural content of our information programs will be increased, more American books will be distributed abroad, and greater emphasis will be given to English-language teaching.

COMMERCE AND HOUSING

Over the past 6 years this administration has fostered major advances in the programs of the Federal Government for aviation, highways, urban renewal, the postal service, and aid to small business.

Expenditures for all commerce and housing programs in the fiscal year 1960 are estimated at $2.2 billion, which is $1.3 billion less than the estimated expenditures for 1959. The estimated reduction occurs primarily in the Federal National Mortgage Association and the Post Office Department. Reduced purchases of low-cost housing mortgages and administrative steps to increase receipts will enable the Association to finance its 1960 operations entirely from its current collections. The proposed legislation to provide more adequate postal rates and the absence of the large retroactive 1959 payments for pay and transportation will sharply reduce net budget expenditures for the postal service.

Commerce and housing

[Fiscal years. In millions]

Program or agency	Budget expenditures			Recommended new obligational authority for 1960
	1958 actual	1959 estimate	1960 estimate	
Promotion of aviation and space flight:				
National Aeronautics and Space Administration:				
Present program	$89	$146	$130	
Proposed legislation		7	150	$485
Federal Aviation Agency:				
Present program	277	466	560	537
Proposed legislation				65
Civil Aeronautics Board	38	58	63	63
Promotion of water transportation:				
Department of Commerce	174	212	232	279
Coast Guard	219	238	250	260
Panama Canal	−1	13	5	
Provision of highways	31	36	[1] 3	(1)
Postal service:				
Present program	674	752	459	522
Proposed legislation			−350	−350
Community development and facilities:				
Urban Renewal Administration:				
Present program	58	80	104	1
Proposed legislation				252
Other	21	39	40	7
Public housing programs	51	93	93	137
Other aids to housing:				
Federal Housing Administration	−63	−62	−113	
Federal National Mortgage Association	−32	678		
College housing loans	164	236	186	
Veterans' Administration:				
Present program	159	144	133	150
Proposed legislation			−33	
Other	−1	29	−24	10

[1] Reflects proposed financing of Federal-aid highways in national forests and public lands from highway trust fund.

Commerce and housing—continued

[Fiscal years. In millions]

Program or agency	Budget expenditures			Recommended new obligational authority for 1960
	1958 actual	1959 estimate	1960 estimate	
Other aids to business:				
Small Business Administration	$71	$157	$164	$201
Proposed legislation, area assistance			10	55
Other	44	48	40	52
Regulation of commerce and finance	49	58	60	61
Disaster insurance, loans, and relief	21	20	16	5
Civil and defense mobilization	66	60	65	87
Total	2,109	3,509	2,243	[2] 2,880

[2] Compares with new obligational authority of $5,863 million enacted for 1958 and $3,210 million (including $715 million of anticipated supplemental authorizations) estimated for 1959.

Transportation and communication: In recent years, the Federal Government has had to take actions to meet emergency problems which have arisen in highways, railways, and aviation. These actions have sometimes been taken on a partial and piecemeal basis, without full consideration of the impact on other transportation programs. The Secretary of Commerce, at my request, is undertaking a comprehensive study of national transportation to identify emerging problems, redefine the appropriate Federal role, and recommend any legislation or administrative actions needed to assure the balanced development of our transportation system.

Space flight: The National Aeronautics and Space Administration, organized in 1958, is initiating extensive scientific investigations with satellites and probes to increase our understanding of the earth's outer atmosphere; the moon and the planets; the earth's gravitational, magnetic, and electric fields; radiation from space; and other phenomena. Programs in the field of meteorology will look toward the ultimate establishment of a worldwide system of satellite weather observation, and in the field of communications will continue to experiment with the use of satellites to serve as relays for the intercontinental transmission of messages, voice, and television. Projects to increase our ability to place heavy objects in space include development of high energy fuel rockets, a million-pound thrust engine, and a nuclear rocket engine.

To promote rapid advancement of space technology, a supplemental appropriation of $45 million is requested for 1959. Of this amount $21 million is for accelerating development of the technology of manned space flight and $24 million is for equipment and facilities for propulsion development and tracking. For 1960, I am requesting new obligational authority of $485 million, an increase of $135 million over the 1959 total; this includes the agency's aeronautical programs as well as its outer space activities.

Aviation: Under the new Federal Aviation Agency, traffic control activities, both civil and military, are now being combined into a single system more capable of handling safely and efficiently the increasing number of planes of varying speeds. Expenditures for construction and operation of needed new facilities for the Federal airways system are accelerating as programs authorized in earlier years move from plans to performance. A newly established program to augment civilian facilities with existing air defense radar is now in effect and is being accelerated. At the same time, the extensive research under way will help us to resolve the even more difficult air traffic control problems of the future.

Legislation for Federal grants to aid local airport construction expires at the end of fiscal 1959. As I stated last year in disapproving legislation greatly expanding this program, the Federal Government should now begin an orderly withdrawal from the airport grant program. Legislation will therefore be recommended to authorize a transitional program of Federal grants to share the costs of basic facilities, such as runways and control towers. One-half—instead of three-fourths as in the expiring law—of the funds appropriated would continue to be available to the States on the basis of the existing apportionment formula. The other one-half would be available for expenditure on a discretionary basis. Revenue-producing facilities, such as terminals and hangars, should be financed locally. This program will require $65 million of new obligational authority in fiscal 1960, with somewhat smaller amounts in each of the following 3 years.

For the Federal Aviation Agency as a whole, including direct programs and airport grants, I recommend that the Congress provide new obligational authority of $602 million in 1960. Expenditures are estimated to be $560 million, which is $94 million more than in 1959 and almost four times the amount spent for these purposes in 1956.

Subsidy payments by the Civil Aeronautics Board to commercial air carriers are continuing to rise, primarily because of the increasing service to small communities. Practically all of the $63 million in payments estimated for 1960 will go to local service carriers including helicopter operators. The loan-guarantee program administered by the Board, by helping local service carriers to finance new equipment, should in the long run reduce the need for subsidy. Moreover, the Board has announced its intention to suspend service at any point where adequate traffic has not developed after a fair trial. This "use it or lose it" policy should help to prevent permanent certification of uneconomic service.

Airway user charges: The magnitude of the burden on the general taxpayers for rising airway expenditures makes it essential that users of the facilities pay a greater share of the cost. To this end, legislation will be transmitted to raise the effective tax on aviation gasoline from 2 cents to 4½ cents in 1960 and to levy the same tax on jet fuels, which are now tax free. These increased costs should be includible, along with other

airline costs, in determining the rates charged the ultimate users of air transportation. Receipts from taxes on aviation gasoline should not be used for highways; they should be retained in the general fund instead of being transferred to the highway trust fund. These changes in revenue laws will increase general fund receipts by an estimated $85 million in fiscal 1960 and by somewhat larger amounts in subsequent years.

Promotion of water transportation: The national maritime policies under which we now operate were laid down 23 years ago in the Merchant Marine Act of 1936. It is increasingly apparent that both the adequacy of and the need for those policies require reappraisal by the executive branch and the Congress. Accordingly, as a part of the general transportation study referred to earlier, the Secretary of Commerce will review the major problems of the shipping industry. As soon as his report is available, I hope the Congress will hold comprehensive hearings. We need new national policies and guidelines which can become effective at the earliest possible date.

At present, the bulk of our merchant marine consists of ships built during the years 1942 to 1946. Since existing law normally requires replacement of vessels at the age of 20 years, we must establish definitive policies on such questions as the realistic life span of merchant ships, the number of ships actually needed in our merchant marine, the extent to which their construction and operation should continue to be subsidized by the Government, and the pattern of trade routes that should be served by subsidized ships. There should also be an examination of present policies on such matters as foreign flag registration and the competition of foreign shipping.

In the meantime, the 1960 budget provides for a substantial ship construction program. New obligational authority of $129 million is recommended for construction subsidies and related programs in 1960. This appropriation will be used for replacing 14 needed cargo and combination passenger and cargo ships. It is not contemplated that any of it will be used for the passenger superliners authorized last year. I request that the Congress reconsider its action requiring that these superliners be built under direct Federal loans, which under present law would be made at an interest rate below that paid by the Government itself for comparable borrowed money.

The first nuclear powered merchant ship, the N.S. *Savannah*, is expected to be completed in January 1960. Research on improved nuclear propulsion of merchant ships is continuing. Legislation should be enacted to assure that nuclear materials may be distributed for use as fuel on United States merchant ships.

Some savings in maintenance costs will be realized by the Maritime Administration through disposal of surplus shipyards which it owns and through reducing preservation work on over 1,000 Liberty ships no longer suitable for mobilization.

Expenditures for operating subsidies to shipowners, estimated at $130 million, will be unchanged from 1959. A maximum of 330 ships are expected to be eligible for operating subsidies, including a limited number for new Great Lakes routes.

Urgently needed repair and modernization of Coast Guard equipment and facilities are provided for in the increase of $20 million in new obligational authority over the 1959 amount. This will not only improve the protection given life and property but will also save operating and maintenance costs in the future.

Highways: The comprehensive highway program enacted in 1956 established the principle that highway users, rather than the general taxpayers, should pay the cost of Federal-aid highways. The larger contract authority enacted in 1958, however, will create a cumulative deficit in the highway trust fund under present law of $241 million by the end of the fiscal year 1960, and about $2.2 billion by the end of 1962.

To maintain the trust fund on a self-supporting basis, I am recommending a temporary increase of 1½ cents in highway fuel taxes, to become effective July 1, 1959, and to remain in effect through the fiscal year 1964. This increase is necessary to assure availability of the entire 1961 and 1962 Federal-aid highway authorizations without waiving provisions in the basic legislation which limit expenditures to the amounts available in the trust fund.

In addition, as I have previously recommended, the forest and public land highways, which are an integral part of the Federal-aid system but are now financed from general budget funds, should be transferred to trust fund financing, and the revenues from aviation gasoline taxes which are now allocated to highway construction should be retained in the general fund. The net effect of these changes is that all Federal expenditures for Federal-aid highways will be paid from the highway trust fund and the fund itself will be financed by highway users.

Highway trust fund

[In millions]

Fiscal year	Expenditures	Receipts	Year-end balance
Under existing legislation:			
1957	$966	$1,482	$516
1958	1,602	2,134	1,049
1959 estimate	2,553	2,143	639
1960 estimate	3,102	2,222	−241
1961 estimate	3,109	2,291	−1,059
1962 estimate	3,484	2,377	−2,166
After enactment of proposed legislation:			
1960 estimate	3,136	2,912	415
1961 estimate	3,180	3,175	410
1962 estimate	3,558	3,296	148

Postal service: Since 1953 this administration has been using every available method to improve the efficiency of the postal service, and to place its operations on a self-supporting basis, except for a few subsidized uses authorized by law.

In the last session the Congress took an important step by enacting the first comprehensive increases in postal rates in a quarter century. The increases, however, were considerably short of the minimum necessary amounts which I had requested and were made more inadequate by pay increases for postal employees for which no additional financing was provided. As a result, new obligational authority of $522 million would be required next year, under existing legislation, to finance the postal deficit and the subsidized public services.

The Postal Policy Act of 1958 established, for the first time on a statutory basis, the principle that postal rates should be adequate to cover all costs of operating the postal establishment with certain exceptions. Consistent with this requirement, further revisions in rates should be enacted adequate to provide at least $350 million of additional revenues in 1960. Legislation for this purpose will be proposed in the near future.

An appropriation of $172 million is requested to reimburse the Post Office Department for public service costs not required to be covered by postal revenues. However, the concept of public services as defined in the act requires excessive costs to be charged against general Treasury revenues. Therefore, the Congress should correct this situation by amending the Postal Policy Act of 1958 to prevent these excessive charges and to assure a more equitable sharing of postal operating costs between mail users and the general public.

These increases in rates, together with the appropriations for public service items, should provide adequate funds, not only to meet the expanded requirements for postal service in 1960, but also to carry forward the research and capital programs already under way. As a result we can make needed progress in acquiring modern facilities and equipment adequate to take care of the steadily increasing mail volume in later years.

Housing and community development: A year ago I presented to the Congress a carefully considered program for revision and extension of the basic statutes governing several major housing and community development programs. Adjournment of the Congress without enactment of these recommendations has made it necessary to adopt temporary expedients to handle continuing applications for urban renewal capital grants and college housing loans until new authorizations can be made available. Emergency legislation has already been proposed to the Congress to provide the funds necessary for these programs and to increase the mortgage insurance authority available for the remainder of the fiscal year. In this message I shall emphasize comprehensive long-run changes needed in this important area.

Urban renewal: The Federal Government is providing major assistance to communities in halting urban deterioration and replacing it with orderly redevelopment. Approximately 650 urban renewal projects are now under way or completed in more than 380 cities. These will involve an ultimate net cost estimated at about $2 billion, of which over $1.3 billion will be supplied by Federal capital grants. The Federal Government also has outstanding loans and

loan guarantee commitments totaling about $700 million for temporary financing of these projects.

When urban renewal legislation was not enacted by the Congress last year, authority subject to the President's discretion had to be used to make available $100 million for capital grants. Since this authorization will soon be exhausted the emergency legislation already proposed contains an additional $100 million for 1959 and also $100 million to restore the discretionary authority for future emergencies.

The Congress should act promptly upon four major revisions in the urban renewal laws:

(a) Assure the States and cities of continuing Federal support for urban renewal by authorizing capital grants of $1,350 million for the next 6 years. For each of the first 3 years, 1960–62, $250 million should be authorized, with $200 million annually for 1963–65. This forward authorization, together with administrative steps already taken to allocate the available funds equitably, should enable each community to develop a long-term communitywide plan which may then be financed in realistic annual installments.

(b) In accordance with the predominantly local benefits received, require States and cities to assume a gradually increasing share of the expense of buying and improving the land and of other net project costs. On projects initiated in fiscal 1960, the Federal Government should continue to pay two-thirds of the net cost and the State and local community one-third. In succeeding fiscal years the State and local share should increase by steps to 40, 45, and finally 50 percent in 1963–65. The increased non-Federal share should not prove onerous, since much of this contribution normally is provided through construction of improvements otherwise necessary and the increased property values in the completed projects will usually permit the local costs to be recovered in increased tax receipts, often within 10 years or less.

(c) Encourage more careful planning by requiring the States or communities to assume their share of the cost of planning from the start. At present the Federal Government advances the full amount for planning and the local share is paid only if the project actually goes forward.

(d) Aid nonresidential urban renewal projects by authorizing $150 million in loan commitments to assist local agencies to obtain financing from private sources. Projects of this type often can yield such substantial increases in property tax revenues that local communities should be able to finance them without requiring Federal grants.

Public housing programs: By the end of the fiscal year 1960, over 475,000 federally aided public housing units will be occupied by about 2 million people, and the additional 110,000 units already authorized will be under contract for Federal contributions but will not yet be constructed. These 585,000 units should meet most of the demand for such housing by low-income families displaced by highway construction, urban renewal, or similar governmental action in the next few years. I shall not ask for authorization for any additional units.

Insurance of private mortgages: Through the mortgage insurance programs of the Federal Housing Administration and the loan guarantee program of the Veterans' Administration, the Federal Government is underwriting private credit for a substantial share of all houses built and purchased. Twice during the past calendar year, however, orderly planning and financing of home building have been jeopardized when increases in applications for mortgage insurance exhausted or threatened to exhaust the maximum amount of insurance authorized by law. The emergency housing legislation already recommended to the Congress would increase the existing limitation by $6 billion. I urge that the limitation be completely removed in general legislation so that this self-supporting program will be available at all times to insure adequate financing of housing.

Several other major legislative actions should be taken to permit insurance programs of the Federal Housing Administration to meet demonstrated needs:

(a) Enact permanent authority to insure property improvement loans;

(b) Authorize interest rates for insured armed services and other rental and cooperative housing mortgages adequate to assure private financing of such loans;

(c) Establish a new insurance program for mortgages on rental housing for elderly persons to replace the present limited program;

(d) Broaden the special mortgage insurance for families displaced by urban renewal and other Government programs to include more effective aids for rental housing;

(e) Extend for another year the authority to insure mortgages for military housing;

(f) Increase the maximum amounts of mortgages on sales housing eligible for insurance.

Veterans' housing loans: The direct housing loan program of the Veterans Administration was extended and liberalized last spring as an antirecession measure. Requests for direct loans now exceed available funds in large part because the law does not permit interest rates that are adequate to attract private financing of guaranteed loans. I urge the Congress to act promptly to authorize the same flexibility in interest rates for the Veterans' Administration as the Federal Housing Administration already has for comparable programs, and to extend the voluntary home mortgage credit program. These two actions should enable private lenders to meet a large share of the unsatisfied demand by veterans for Government loans, and will also reduce budget expenditures.

Mortgage purchases: Under its special assistance programs the Federal National Mortgage Association purchases certain types of insured or guaranteed mortgages. From 1956 through 1958 expenditures for these purchases have been exceeded by receipts from repayments and from sales of mortgages acquired under earlier purchase programs. In 1959, however, mortgage purchases will exceed repayments and sales, and net expenditures will jump to an estimated $678 million, as a result of the billion-dollar program authorized last spring by the Congress to purchase mortgages on low-cost housing at terms favorable to the borrowers.

For the fiscal year 1960, the Association will endeavor to cover its expenditures for mortgage purchases by receipts from mortgage sales and other sources. To make this possible without diverting the flow of new funds from the mortgage market, an estimated $335 million in Government-owned mortgages will be offered to investors in exchange for certain Government bonds which then will be retired.

To avoid unnecessary budget outlays in future years the Housing and Home Finance Agency is increasing its efforts to obtain private financing for programs now largely financed with special assistance funds. These efforts, aided by those of the Department of Defense, have already proved successful in obtaining adequate private credit for the armed services family housing program which, until last spring, had been financed mainly from Government funds. New commitments of over $400 million are anticipated for 1960, mainly for the purchase of mortgages on housing in urban renewal areas and housing for the relocation of families displaced by governmental actions. Since the Agency is now permitted to control the prices at which it purchases such mortgages, the rapidly growing financing requirements can and should be met in substantial degree from private sources.

College housing: No additional authorizations were provided for college housing loans by the Congress last year. Accordingly, while processing of loan applications has continued, only limited new commitments have been made. The emergency legislation already before the Congress would provide $200 million in new lending authority at once. This should be adequate to meet the needs for loans for at least the remainder of the fiscal year 1959.

For the fiscal year 1960, no additional new obligational authority is requested for college housing loans. However, an estimated $50 million in obligations owned by the Government will be offered to investors in exchange for certain Government bonds which then will be retired. This amount will be available for loans to take care of unusual cases during a transitional period from direct Government loans to other means of financing college housing needs.

About 60 percent of the demand for college housing loans in recent years has come from State universities and other public institutions. Such institutions normally can borrow privately on relatively favorable terms because of Federal tax exemptions on the income from their obligations. Nevertheless, they have been encouraged to borrow from the Federal Government by the low subsidized interest rates required by law

since 1955. For the remainder of the present direct loan program, the law should be amended to remove this incentive to Federal borrowing by (a) denying eligibility for loans to any institution qualified to issue tax exempt securities and (b) placing in the law a requirement that interest rates cover costs on loans to all remaining eligible borrowers.

For the future, and in order that there may be no hiatus in providing Federal assistance where it is most needed, this budget suggests that the Congress include in general housing legislation provisions relating to college housing which would authorize a limited loan guarantee program. However, it seems to me that the continued needs of colleges and universities for housing should be considered within the framework of the general problems of education. The Department of Health, Education, and Welfare is now concluding its studies of these problems.

Small business: Recent enactment of the Small Business Investment Act and of legislation making the Small Business Administration a permanent agency is substantially strengthening Federal assistance to small businesses. New loan commitments to State and local development corporations and to newly authorized small-business investment companies are estimated at $73 million in 1960, thereby putting to work a much larger amount of private capital. Efforts will be continued to assist small businesses in obtaining a fair share of Federal procurement, to advise them on Government property disposals, and to provide them with technical and management assistance. The new program of grants for research on small-business problems and counseling for small firms is getting under way. The expansion in loans can be financed largely by increased receipts anticipated from loans made in prior years, so that net expenditures of $164 million for the agency's business-aid programs will be only $7 million greater than in 1959.

Area assistance: In disapproving the area redevelopment legislation enacted in the closing days of the last Congress, I expressed the hope that the next Congress would promptly pass a more soundly conceived program. The revised legislation which this administration is proposing would:

(a) Place the major responsibility on local citizens;

(b) Authorize loans to areas where unemployment has been well above the national average for 2 or more years;

(c) Authorize grants for technical assistance to these areas and to localities dependent upon a single industry or situated in rural low-income areas;

(d) Place leadership in the Department of Commerce, with the assistance of other Federal agencies.

To finance this program, I recommend initial appropriations in fiscal 1960 of $55 million. Based on the successful, comparable programs conducted by certain States, these appropriations should be adequate to meet the Federal share for redevelopment of all areas expected to qualify under the proposed legislation.

Civil and defense mobilization: Reorganization Plan No. 1 of 1958 merged the former Office of Defense Mobilization and the Federal Civil Defense Administration into the new Office of Civil and Defense Mobilization. This merger is now substantially completed and permits improved coordination of our nonmilitary defense. New obligational authority of $87 million is recommended for 1960.

Methods for formalizing the means by which the Office of Civil and Defense Mobilization utilizes appropriate resources of other departments and agencies are now being studied. The OCDM budget includes $12 million for financing the assigned responsibilities of such agencies in civil defense and mobilization programs.

It also includes $21 million to carry out legislation enacted last year for sharing with the States the cost of civil defense personnel and administration, and for providing radiological monitoring devices to States and cities for training and operational use.

During the past year the administration accelerated a program of public education on the effects of fallout with the aim of stimulating preparations for fallout protection. The new obligational authority for OCDM includes $11 million for the continuing support of this program and for research and demonstration on shelters.

AGRICULTURE AND AGRICULTURAL RESOURCES

Expenditures for agriculture and agricultural resources are surpassed in magnitude in the budget only by outlays for national security and for interest on the public debt. The continuing heavy impact of agricultural programs on the budget is mainly the result of the continued high volume of agricultural production and our long established and now largely outmoded system of farm price supports. This system of price supports is not suited to the technically more efficient agriculture that has been rapidly developing in this country. The system provides production incentives that impede needed adjustments and encourages the production of surpluses which, in turn, result in increased Government outlays for commodity loans and purchases, and for storage and interest costs.

Legislation is urgently needed, therefore, to make further revisions in the price support program. Recommendations will be sent to the Congress in a special message on agriculture. In this budget I am recommending extension of the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480) and the Sugar Act, major changes in the rural credit programs, and a reduction in the advance authorization for the agricultural conservation program.

Estimated expenditures for agricultural programs in fiscal year 1960 are $6 billion, which is $779 million less than the estimate for the current year, but $1.6 billion more than was actually spent in 1958. The main part of the decrease expected in 1960 is in the soil bank program, because the acreage reserve portion terminated at the end of the 1958 crop year.

Agriculture and agricultural resources

[Fiscal years. In millions]

Program or agency	Budget expenditures			Recommended new obligational authority for 1960
	1958 actual	1959 estimate	1960 estimate	
Stabilization of farm prices and farm income:				
Commodity Credit Corporation: [1]				
Price support, supply, and purchase programs	$987	$3,118	$2,880	$2,044
Public Law 480:				
Present program	1,073	1,049	983	968
Proposed legislation			50	
National Wool Act	57	21	81	48
Other	177	233	224	193
Soil bank—acreage reserve	620	713	1	1
Removal of surplus agricultural commodities	125	150	150	239
Sugar Act	70	68	75	72
Other	42	35	46	46
Subtotal	3,151	5,386	4,490	3,609
Financing rural electrification and rural telephones	297	325	335	225
Financing farm ownership and operation:				
Farm Credit Administration	−3	4	2	2
Farmers' Home Administration	242	247	194	204
Conservation of agricultural land and water resources:				
Agricultural conservation program (including CCC loan)	233	240	197	242
Soil bank—conservation reserve	113	141	343	360
Soil Conservation Service, watershed protection, Great Plains program, and other	102	133	135	129
Research and other agricultural services	255	299	301	294
Total, agriculture and agricultural resources	4,389	6,775	5,996	[2] 5,065

[1] Certain expenditures for agriculture and agricultural resources which are shown elsewhere in this document under CCC are shown in this table under the soil bank programs for which the CCC serves as disbursing agent.

[2] Compares with new obligational authority of $6,257 million enacted for 1958 and $5,414 million (including $1,241 million for anticipated supplemental authorizations) estimated for 1959.

Total new authority to incur obligations requested for agriculture and agricultural resources in 1960 is $5.1 billion. This amount includes, among others, $2 billion to restore the capital impairment of the Commodity Credit Corporation resulting from price support losses, and $1.2 billion to reimburse the Corporation for estimated costs and losses under other programs financed through that agency. All of these Commodity Credit Corporation costs and losses are reflected in budget expenditures of 1959 and prior years.

Price supports and related programs: Expenditures for price supports and other programs to stabilize farm prices and farm income will comprise about 75 percent of total expenditures for agriculture and agricultural resources in 1960.

Because of the many uncertainties with respect to future production, consumption, and exports of farm commodities, it is difficult to estimate the expenditures required for price supports. The budget assumes that crop yields in 1959 will be lower on the average than the record yields of 1958, but that a part of the land that was in the acreage reserve of the soil bank will be used to produce additional price-supported crops in the

1959 crop year. The shift of this idle land to crops will be a factor contributing to continued heavy Commodity Credit Corporation expenditures under existing laws.

Because of the technological revolution that is still increasing productivity in agriculture, farmers continue to produce more than can be marketed at home and abroad. Under our present open-end price support system, this excess production results in increased Federal loans and purchases and increased carryover inventories. Total loans and commodity inventories of the Commodity Credit Corporation on June 30, 1958, amounted to $7.1 billion. This accumulation is expected to rise to $9.1 billion by June 30, 1959, and still further to nearly $10.5 billion by June 30, 1960. To prevent continuation of huge Federal outlays, legislation will be proposed to make badly needed changes in the price support system.

Titles I and II of the Agricultural Trade Development and Assistance Act of 1954 expire on December 31, 1959. Sales of farm commodities for foreign currencies under title I of this act and donations of commodities for relief purposes under title II have provided a temporary method of coping with some of the continuing excess production of farm commodities. This budget proposes extension of titles I and II of this act for 1 additional year, with an increase from $6,250 million to $7,750 million in the authorization for the Commodity Credit Corporation to incur costs and losses under title I.

The International Wheat Agreement between wheat importing and wheat exporting countries expires on July 31, 1959. The desirability of extending this agreement is currently being studied.

Although the Sugar Act, which serves to stabilize domestic sugar prices and assure adequate domestic supplies, does not expire until December 31, 1960, it is recommended that the act be extended at this time in order to give sugar producers needed time for production planning.

Agricultural credit programs: The Rural Electrification Administration has made a major contribution to the development of rural America. Over 95 percent of our farms now have central station electric service compared with 11 percent in 1935. Expanding use of power in the areas served by electric cooperatives, however, require substantial amounts of new capital every year to provide additional generating capacity and heavier transmission and distribution facilities. Rural industrial and nonfarm residential consumers, which already account for about one-half of total power sales by the REA system, are increasing their power consumption much faster than are farm consumers and comprise about 75 percent of the new customers being added. The prospective size of new capital requirements, together with the present state of development of the rural electric cooperatives, emphasizes the need to broaden the sources of capital from which the REA system may obtain the funds to finance needed expansion.

I am again proposing that legislation be enacted to assist both electric and telephone borrowers to obtain financing from private sources.

A reduction in the levels of the direct loan programs of the Farmers Home Administration is recommended in this budget. Direct loans for farmownership and for soil and water conservation are supplemented with private loans insured by the Federal Government. In order to attract additional private credit, the Secretary of Agriculture, under authority of present law, has raised the interest rate to be paid on insured farmownership and soil and water loans from 4½ to 5 percent.

Legislation will also be proposed to place the Farmers Home Administration on a revolving fund basis of operation. Under such legislation funds received in repayment of previous loans would be available for new loans and administrative expenses.

Conservation of agricultural resources: Payments to farmers representing a sharing of the costs of conservation practices performed during the 1959 crop year will require $197 million in expenditures and $242 million in new obligational authority for fiscal 1960. These amounts are needed to pay for the advance authorization in the 1959 Agricultural Appropriation Act which exceeded my recommendation. For the 1960 crop year a reduced advance authorization of $100 million is recommended. This amount, along with other public programs in support of soil and water conservation, will provide substantial incentives for farmers to continue the soil and water conservation practices required to maintain our agricultural resource base.

With termination of the acreage reserve, many farmowners are expected to place larger acreage in the soil bank conservation reserve. This shift, together with an increase in rental payments, will result in an increase in expenditures from $141 million in fiscal 1959 to $343 million in 1960. The budget provides for an upper limit of $375 million on payments in the 1960 calendar year, which is the same as was provided for 1959.

No additional funds are recommended for 1960 to initiate construction on watershed projects under the Watershed Protection and Flood Prevention Act. However, funds available from the 1959 appropriation will permit starting construction on 60 projects in 1959 and 40 more in 1960.

Research and other agricultural services: Expenditures for research, education, and other agricultural services financed from direct appropriations will be about the same in the fiscal year 1960 as in 1959, more than double the amount spent for these purposes in 1954. Research in foreign countries to increase industrial uses of agricultural commodities will be strengthened through the use of foreign currencies obtained from the sale of farm commodities abroad.

NATURAL RESOURCES

Expenditures for the development and conservation of natural resources are estimated at $1.7 billion in 1960, approximately the same as in 1959, which itself will be higher than any previous year. About two-thirds of the expenditures in 1960 will be for the development of water resources.

Work on many resource development projects under way was accelerated in the latter part of the fiscal year 1958 to aid in economic recovery, and the higher rate of construction has continued into 1959. To carry forward projects started in 1959 and earlier years will require some increases in appropriations for 1960. In view of this record program, no funds are provided in the 1960 budget for starting construction of new water resources projects. Further, the budget contemplates stretching out construction on some projects under way where this can be done without stopping work on the projects. Other programs will be continued at or below current levels. Even with these economies, total expenditures in 1960 for resources programs will remain at a record level.

Water resources: Flood control, navigation, irrigation, and related activities of the Corps of Engineers and the Bureau of Reclamation are expected to require expenditures of $1.1 billion in 1960—an alltime high. Of this amount, an estimated $869 million will be spent on construction.

In the years after 1960, an amount of $5 billion will be required to complete going projects, and annual expenditures in 1961 and 1962 will be even higher than in 1960. In view of this extremely high level of commitments and expenditures the budget contemplates that in some cases work on new starts, for which appropriations were made for 1959, will be limited in that year largely to preconstruction activities, including land acquisition. No additional funds are requested to start new projects in 1960.

Natural resources

[Fiscal years. In millions]

Program or agency	Budget expenditures			Recommended new obligational authority for 1960
	1958 actual	1959 estimate	1960 estimate	
Land and water resources:				
Corps of Engineers, civil functions	$699	$725	$815	$865
Department of the Interior:				
Bureau of Reclamation	226	270	250	256
Power marketing agencies	42	36	41	43
Indian lands resources	46	64	61	56
Public domain and other	29	34	32	33
St. Lawrence Seaway Development Corporation	48	17	4	-------
Tennessee Valley Authority:				
Present programs	38	46	8	15
Proposed legislation for revenue bond financing	------	2	18	-------
Federal Power Commission	6	7	7	7
Department of State and other	5	7	6	5
Forest resources	174	194	186	192
Fish and wildlife resources	60	69	70	70
Recreational resources	69	97	83	81
Mineral resources	59	78	78	68
General resources surveys and other	43	61	51	52
Total	1,543	1,708	1,710	[1] 1,744

[1] Compares with new obligational authority of $1,456 million enacted for 1958 and $1,943 million (including $243 million of anticipated supplemental authorizations) estimated for 1959.

In the interest of sound water resources programs in future years, funds are recommended to continue investigations and advance planning and to assemble basic data for future projects. I continue to believe that, as part of sound advance planning, the Fryingpan-Arkansas project in Colorado should again be considered for authorization, but no appropriation to start construction should be enacted until the overall budgetary situation is more favorable.

Research will continue on processes for converting sea water and brackish water to fresh water. Design work and site selection for demonstration plants, initiated in fiscal 1959 under legislation enacted during the past session of the Congress, will be advanced in 1960.

One of the most pressing needs for achieving a sound water resources policy is the establishment of a consistent basis for cost sharing on flood control projects. Several distinguished commissions have emphasized the disruptive effects of requiring the Federal agencies responsible for flood protection works to operate under different and confusing cost-sharing standards. Legislation will be proposed to set a uniform basis of cost sharing for all projects not yet under construction that produce identifiable flood protection benefits to local areas. Under such legislation, non-Federal interests would bear at least 30 percent of the cost, with the value of lands, easements, and rights-of-way contributed locally counted as part of the non-Federal share. Operation and maintenance would be a State or local responsibility.

I again urge the Congress to take action early in this session to authorize the sale of revenue bonds by the Tennessee Valley Authority in order that the Authority may meet its needs for new generating facilities. Under such legislation the Congress would retain budgetary control of the program. This budget includes a supplemental authorization for fiscal 1959 of $200 million under the proposed revenue bond legislation.

To help improve financial management, legislation will be recommended for the establishment of revolving funds for the Bonneville, Southeastern, and Southwestern Power Administrations in the Department of the Interior. These Administrations market hydroelectric power generated at certain dams constructed by the Corps of Engineers and the Bureau of Reclamation. With this legislation, part of the receipts from these power sales would be used directly, subject to such limitations as may be included in appropriation acts, for financing the operation and maintenance expenses of the marketing agencies, thus reflecting the results of these business-type operations in the budget on a net basis.

Other resource programs: In 1960, expenditures for conserving and developing the resources of the national forests, public-domain lands, and Indian lands will be somewhat lower than in 1959. Receipts from management of these lands are estimated at $300 million in 1960, an increase of $22 million over the 1959 estimate. In accordance with this administration's policy to obtain a fair return for use of federally owned resources, legislation will be proposed to revise the fee schedule for noncompetitive oil and gas leases on lands in the public domain.

Scheduled construction on Indian reservations will permit progress in providing roads, irrigation and water systems, and buildings and utilities. The major share of building construction will go for schools for Indian children who reside on lands held in trust by the United States.

Expenditures in 1960 for fish and wildlife resources will be at about the present level. An increase is recommended to acquire lands for additional wildlife areas in 1960. Also, to aid the fishing industry, the fishery loan fund will be augmented by $3 million and mortgages for fishing vessels will be insured by the Bureau of Commercial Fisheries in the Department of the Interior.

This budget provides for the continued improvement of our national parks and the development of the national forests for recreational use. A supplemental 1959 appropriation is recommended to enable the recently established Outdoor Recreation Resources Review Commission to undertake the first comprehensive survey of outdoor recreational resources and needs. It is anticipated that the Commission's findings and recommendations will provide guides for Federal, State, local, and private interests in considering how to meet the increasing demands for outdoor recreation.

Under present methods of utilizing natural gas, helium is largely being dissipated into the atmosphere. This unique gas is needed for atomic energy and missile programs as well as industrial welding and certain types of aircraft. Legislation is recommended to conserve for future use the Nation's vital helium. Maximum private participation and financing in accomplishing this objective are contemplated.

LABOR AND WELFARE

The Federal Government's labor and welfare services have grown significantly in the last decade as new programs have been enacted and old ones broadened and expanded. Budget expenditures for labor and welfare will have doubled between 1950 and 1960. Including payments from trust funds as well as budget funds, there is an almost fourfold increase, from $5.3 billion in 1950 to an estimated $19.1 billion in 1960. Much of the increase in budget outlays has been for grants-in-aid to States and local governments, which in 1960 will comprise three-fourths of budget expenditures for labor and welfare programs.

Total expenditures for these programs are estimated at $4.1 billion. This is $682 million more than was spent for these programs in 1958 but $251 million less than the estimate for the current year. The decrease from 1959 to 1960 occurs chiefly because of the expiration on April 1, 1959, of the antirecession legislation for temporary Federal unemployment compensation payments. Excluding these temporary payments, estimated expenditures in fiscal 1960 are $161 million greater than in 1959. Significant increases are provided in 1960 for the defense education program initiated in fiscal 1959 and for higher public assistance grants as required by legislation enacted by the last Congress.

Labor and welfare

[Fiscal years. In millions]

Program or agency	Budget expenditures			Recommended new obligational authority for 1960
	1958 actual	1959 estimate	1960 estimate	
Promotion of science, research, libraries and museums:				
National Science Foundation: Basic research	$35	$60	$80	$94
Department of Commerce: Bureaus of Census and of Standards	16	41	105	120
Other	21	32	42	26
Promotion of education:				
National Science Foundation: Science education	15	51	60	67
Department of Health, Education, and Welfare:				
Defense education program	------	65	110	150
Assistance for schools in federally affected areas	189	198	188	181
Vocational education and other	57	62	63	63
Department of the Interior: Indian activities	54	60	57	59
Labor and manpower:				
Temporary extended unemployment compensation	48	412	------	--------
Grants for administration of employment service and unemployment compensation	295	322	324	329
Other	115	92	101	103
Promotion of public health:				
National Institutes of Health:				
Research grants and activities	187	251	254	294
Grants for health research facilities and direct construction	14	24	27	20
Hospital construction grants	106	124	129	101
Grants for construction of waste treatment facilities	17	30	30	20
Other	222	240	238	229
Public assistance	1,797	1,987	2,022	2,038
Correctional and penal institutions	34	41	45	59
Other welfare services	225	287	251	243
Total	3,447	4,380	4,129	[1] 4,196

[1] Compares with new obligational authority of $4,161 million enacted for 1958 and $4,158 million (including $273 million of anticipated supplemental authorizations) estimated for 1959.

While continuing to support programs necessary to stimulate greater State and local effort in areas of critical national concern, this administration has consistently endeavored to strengthen our system of government by encouraging State and local governments to assume responsibility for many public needs which they can provide well without relying on Federal aid at all, or by financing a larger share from their own revenue sources. Therefore, toward this objective, legislation is again recommended to—

(a) Discontinue Federal grants for vocational education and for waste treatment works construction and adjust Federal revenue laws as recommended by the Joint Federal-State Action Committee so the States can assume full responsibility for these programs starting in the fiscal year 1961;

(b) Modify the provisions for aid to schools in areas affected by Federal activities;

(c) Increase State and local participation in the financing of public assistance programs.

Specific proposals will be transmitted to the Congress during this session on each of these matters and I urge the Congress to speed their enactment.

The rapid growth in our population, when added to the increasing complexity of our economy as a result of rapid technological advances, brings us face to face with increasingly difficult problems in the fields of health, education, and welfare. We cannot continue to deal with these problems on a year-to-year basis. We must, as a Nation, arrive at an understanding on long-term goals. At the same time we must endeavor to reach an understanding on the respective contributions that should be made by government at all levels and by private groups in order to achieve these goals. I have announced in my state of the Union message a series of studies designed to facilitate the reaching of such consensus.

Science, research, and education: Expenditures for basic research, which provide the foundation for advancements in applied research and technology and assist in the support of our universities, will continue upward in 1960. Expenditures for the program of research grants by the National Science Foundation are expected to reach $80 million, an increase of $20 million above 1959 and more than double the 1958 amount. Basic research in other departments and agencies will continue to increase over past years. For all agencies combined, it is estimated that Federal expenditures for basic research will be about $500 million in the fiscal year 1960.

In the field of education, primarily in science and mathematics, this budget provides for increased expenditures by the National Science Foundation and the Department of Health, Education, and Welfare for programs initiated or enlarged in fiscal 1959.

The National Science Foundation programs are carried out through fellowships to individuals and grants to institutions of higher learning. They are chiefly directed toward providing encouragement and opportunity for capable students to undertake careers in science, improving courses of instruction in sciences, and providing advanced training for scientists and science teachers. For example, in 1960, 28,000 teachers—including one out of every six science and mathematics teachers in our high schools—will have the opportunity to attend institutes devoted to the improvement of teaching in these fields. Expenditures for the science education programs of the Foundation in the fiscal year 1960 are estimated at $60 million, an increase of $9 million above the 1959 level, and four times the expenditures in 1958.

The Department of Health, Education, and Welfare, under the National Defense Education Act of 1958, is initiating a program of repayable contributions to loan funds for college students and of grants-in-aid to States. The grants, which will run for 4 years, will help pay for the testing and counseling of high school students, the equipping of laboratories in the secondary schools, and related activities. The budget includes a supplemental appropriation for 1959 of $75 million to augment the $40 million already available in fiscal 1959 for the defense education program and provides $150 million in new obligational authority for fiscal 1960 pending further experience with the program.

Schools in federally affected areas: Although education is primarily a responsibility of State and local governments, the Federal Government has an obligation to assist communities where large numbers of children of persons engaged in Federal activities impose an extraordinary burden on local school districts.

Programs to provide financial assistance to districts thus affected have been extended and liberalized several times since they were first started in 1950, despite the fact that they should be modified to assure greater and more equitable local responsibility. The Federal Government's responsibility is clear for those children whose parents both work and live on Federal property, and do not, therefore, pay local property taxes. On the other hand, it is only proper for the communities to bear the cost of educating children of those Federal personnel who, like all other residents, pay local taxes directly or indirectly for the support of public schools. In accordance with these principles, legislation will be recommended to place these aid programs on a more sound and equitable basis.

This budget includes appropriations of $181 million for these programs for the fiscal year 1960, the same amount as the appropriations provided by the Congress for fiscal 1959.

Government statistical and economic services: The rapid growth of our economy and the effective operation of markets for goods and services requires prompt and accurate national statistical information, as well as improved organization in the Government for its analysis.

This budget recommends a major increase in funds for obtaining fundamental economic and demographic data through the Eighteenth Decennial Census. It also provides for improvements in the compilation of regular price, construction, manpower, and related data to help produce more sensitive and useful information on which many private and Government policies are based. Additional price data will be collected for the Consumer Price Index by the Department of Labor, and a start will be made toward a revision of the index, which is to be completed in 5 years. Preparation of statistics on construction activities will be consolidated in the Department of Commerce. The responsibility for planning and publication of current comprehensive employment and unemployment statistics will be centralized in the Department of Labor, where the work on labor requirements will be strengthened.

Labor and manpower: The growth of our economy depends in large measure upon the full use of our manpower resources and the effective operation of the free labor market. The Federal-State employment security system, with an estimated 54,000 State employees in 1,800 local offices, makes an important contribution to the functioning of that market. This budget provides $329 million of appropriations for grants to States for administration of employment service and unemployment insurance offices.

These grants are presently financed from an earmarked Federal tax which flows through the general budget even though it is not available for general Government purposes. Legislation is proposed to place an amount equal to the proceeds from this tax directly in a trust fund from which the necessary grants can be appropriated, and any balance used as a reserve for employment security and unemployment purposes. The administration of this program would then be financed in the same way as other social insurance programs.

Our unemployment compensation system has again demonstrated its importance in providing income for the unemployed and thereby supporting the economy while alleviating hardship. Temporary assistance of the kind provided by the Temporary Unemployment Compensation Act of 1958 is in no sense a substitute for widening the coverage of unemployment compensation and extending the duration of benefits and increasing benefit amounts under the Federal-State system. I have many times urged such action. I urge it again now with added conviction as a result of last year's experience.

I am again urging prompt enactment of effective statutory protection for workers and the public from the racketeering, corruption, and abuse of democratic processes which have been disclosed in the affairs of certain labor unions. Additional statutory protection in the field of labor-management relations will likewise be proposed to promote equity and stability in the relations among workers, unions, and employers. I shall make specific proposals in a special message on labor affairs.

Legislation is also recommended to provide equal pay for equal work, to revise the laws relating to hours of work on Federal construction projects, and to extend the coverage of the Fair Labor Standards Act so that several million more workers can receive its protection.

Last year Congress enacted legislation requiring regular reports and public disclosure of the provisions and finances of welfare and pension plans. Every effort is being made in administering the law to protect potential beneficiaries, and amendments to strengthen the basic authority will also be sought. In addition, the administration recommended and the Congress authorized enforcement of safety codes for longshoremen and harbor workers to overcome certain hazardous conditions in the maritime industry. Supplemental appropriations for administering these new laws are recommended for 1959.

Public health: Expenditures by the Department of Health, Education, and

Welfare for health programs, including those for research and construction of health facilities in fiscal 1960 are estimated at $675 million—more than double the amount 5 years earlier.

Large and rapid increases in outlays for medical research and training by the National Institutes of Health have occurred simultaneously with expansion in related research by other agencies. In 1960, expenditures for such purposes are estimated to increase to $254 million, which is more than three times the amount 5 years ago. The impact of this expanded effort on medical schools and research institutions, as well as its implications for broader policy in education and health programs, requires careful appraisal. The Secretary of Health, Education, and Welfare is completing a review of our long-term objectives in the field of medical research and training. The results of this study in terms of program and costs, including indirect costs, will be made available to the Congress.

Another large component of the health programs consists of construction of hospitals and waste treatment works through grants, and of health research facilities through grants and direct financing. Expenditures in the fiscal year 1960 for these programs are estimated at $186 million, which is $8 million more than in the previous peak year 1959. Proposed new obligational authority has been reduced in a manner consistent with the policy outlined earlier in this message relative to public works. For hospital construction, the Congress provided a sharply increased 1959 appropriation for antirecession purposes, a sizable portion of which will be available for obligation in 1960.

The future of our health programs depends on an adequate supply of qualified personnel. Legislation is recommended to extend the programs, which expire on June 30, 1959, for training of professional nurses and for graduate training of public health personnel.

Social security and public assistance: The Federal Government's responsibility for income maintenance should be mainly discharged through contributory, self-supporting social insurance. Today we have social insurance programs which help protect nearly all our people from loss of income due to old age, permanent disability, or death of the wage earner. The Federal old-age, survivors, and disability insurance system provides basic protection for nearly all workers; military personnel and railroad workers are covered in addition by special Federal systems; and Federal civilian employees are protected by special laws. The growth of the social security program since World War II is indicated below:

Old-age, survivors, and disability insurance

[Fiscal years]

	1946 actual	1960 estimate
Percent of workers covered	60	90
Total annual benefits paid out (in millions)	$321	$10,510
Average monthly number of beneficiaries (in millions)	1.3	13.7

Despite this tremendous growth, and despite the primary responsibility of State and local governments for the economic security needs not met by social insurance, Federal expenditures for public assistance grants to States will continue to rise in 1960—chiefly because of the 1958 amendments to the Social Security Act. Legislation raising the Federal matching share or extending Federal participation to new groups has been enacted five times in the last six Congresses. The following table shows the growth in this program in the period since 1946:

Public assistance grants

[Fiscal years]

	1946 actual	1960 estimate
Federal expenditures (in millions)	$446	$2,018
Federal share in total expenditures (percent)	44	57
Average monthly number of recipients (in millions)	2.8	5.7

Under the authority of recent legislation, an Advisory Council is being appointed by the Secretary of Health, Education, and Welfare to study the whole structure and financing of our public assistance programs. I have asked the Secretary to present to this Council, at the earliest possible time, the issue of what constitutes an appropriate Federal share in these programs. I have also requested him to develop recommendations, after consulting the Council, which can be presented to the Congress to increase State and local participation in the cost of the public assistance programs beginning in 1961. In this connection, I believe we must keep in mind the fact that the Federal share of such expenditures has increased to more than 57 percent on an overall basis and runs as high as 80 percent in many cases. I believe that this trend is inconsistent with our American system of government. If it continues, the control of these programs will shift from our State and local governments to the Federal Government. We must keep the financing and control of these programs as close as we possibly can to the people who pay the necessary taxes and see them in daily operation.

A basic problem in the public assistance programs is achieving the goal of helping people to help themselves return to self-support. Solution of this problem requires studies into the causes of dependency and its prevention. It also requires better training of local case workers. This budget provides for cooperative work with the States in these two areas.

Other welfare services: The rehabilitation of disabled people is rewarding in human as well as economic terms. This budget provides additional funds in 1960 for the Federal-State vocational rehabilitation program. It is estimated that services will be provided to 314,000 persons during 1960 and that the number rehabilitated will increase to 90,000.

Additional funds are included for the White House Conference on Children and Youth which I have called for 1960 so that the States, localities, private organizations, and Federal agencies can pool their knowledge of the best ways to meet the needs of our youth. Funds are also included in this budget for the 1961 White House Conference on Aging, which will provide an opportunity for all levels of government and our many private organizations to find means through which they can contribute to a better life for our 15 million elderly citizens.

Railroad retirement insurance: The railroad retirement system is a combination social insurance and industrial retirement program operated by the Government but self-financed from employment taxes on railroad workers and carriers. Several legislative steps should be taken to improve this system:

First, it should be placed on a sound actuarial basis. Although it is generally accepted that railroad retirement should be fully self-financed, studies made in recent years show that the system is incurring a substantial actuarial deficit. Therefore, taxes on railroad employment should be increased at the earliest possible time, without changing the status of such contributions for Federal income tax purposes.

Second, the wages covered for railroad retirement should be raised from $4,200 to $4,800 annually in line with the 1958 amendments for Federal old-age, survivors, and disability insurance. These two systems have been increasingly coordinated, particularly through the 1946 and 1951 amendments, but were not equally strengthened last year.

Finally, revisions should be made in the law governing Federal payments to the railroad retirement account for time spent by railroad workers in military service. According to the Comptroller General, the Government has already paid to the railroad retirement account an estimated $350 million more than will ever be required for the added cost of benefits resulting from military service previously rendered by railroad workers. Furthermore, the law requires Government contributions of several hundred million dollars on a 10-year installment basis to the old-age, survivors, and disability insurance trust funds for past military service, including the service of railroad workers for whom contributions have already been paid to the railroad retirement fund.

Legislation should be enacted to make the actual added cost of military service credits the basis of payment to the railroad account. This is the method already incorporated in law for military service by railroad workers before 1937 and is also the method specified for noncontributory service credits for old-age, survivors, and disability insurance purposes. Payment on this basis will save taxpayers an estimated $95 million in future appropriations for military service between 1948 and 1954. The past Government overpayments to the railroad system should be transferred to the old-age, survivors, and disability insurance trust funds as the annual installments of Government contributions to those funds become due. By providing the first such installment for 1960, this legislation will make unnecessary an $80 million appropriation from the general fund for that year.

VETERANS' SERVICES AND BENEFITS

The upward trend of expenditures in veterans' programs is expected to halt temporarily in the fiscal year 1960, mainly because declining workloads result in a decrease of $163 million for readjustment programs which have helped so many veterans of World War II and the Korean conflict to become reestablished in civilian life. Expenditures for disability and death compensation, which have increased in the last several years because higher rates were enacted, are expected to decrease somewhat in 1960 as the number of beneficiaries declines. However, expenditures for other permanent programs are continuing to increase, primarily because more veterans with disabilities not resulting from their military service are receiving hospital and medical care or pensions. The estimated total expenditures for veterans in 1960 of $5.1 billion are $110 million less than in 1959, and $62 million more than in 1958.

Most of the expenditures for veterans' benefits and services cannot be controlled by ordinary appropriation processes because the eligibility conditions and benefit rates are set by basic legislation, and payments must be made if eligible veterans apply.

Veterans' services and benefits

[Fiscal years. In millions]

Program or agency	Budget expenditures			Recommended new obligational authority for 1960
	1958 actual	1959 estimate	1960 estimate	
Readjustment benefits:				
Education and training	$699	$619	$490	$481
Loan guarantee and other benefits	92	105	107	107
Unemployment compensation (Department of Labor)	75	44	8	8
Compensation and pensions:				
Service-connected compensation	2,024	2,065	2,043	2,043
Non-service-connected pensions	1,036	1,135	1,203	1,203
Burial expenses and other	44	57	61	61
Hospital and medical care, except construction	823	885	891	896
Hospital construction	33	45	55	20
Insurance and servicemen's indemnities	43	44	49	54
Other services and administration (Veterans' Administration and others):				
Present program	156	199	176	177
Proposed legislation	------	------	5	5
Total	5,026	5,198	5,088	[1] 5,054

[1] Compares with new obligational authority of $5,071 million enacted for 1958 and $5,125 million (including $122 million for anticipated supplemental authorizations) estimated for 1959.

This Nation has always shown deep gratitude and provided special benefits and privileges for its war veterans and their dependents, particularly for those veterans killed or disabled as a result of their service and for their widows and children. I am convinced that we will always continue compensation programs which reflect this policy. However, I believe that certain of our national policies and legislation governing other veterans' programs should be modified. This is particularly true of the benefits provided to veterans and their families for disability or deaths not resulting from or related to military service. With veterans and their families constituting nearly half of our population, the cost of these veterans' benefits is high, and will continue to increase as our veterans advance in age.

Pensions: We must continue veterans' pensions and increase pension rates for whose who are without other resources, particularly if they have families. However, eligibility should be determined according to effective tests of need, both as to income and as to net worth, so that payments will no longer be made where the veteran or his family has adequate resources for basic necessities from other sources. Properly applied, I believe this approach can better serve those who are now in need and at the same time minimize the burden placed on taxpayers by present laws. I have, accordingly, asked the Administrator of Veterans' Affairs to present to the Congress legislation both to provide more equitable treatment of needy veterans and to modernize the veterans' pension program in the light of social developments and changes.

Compensation: Other veterans' programs also merit close continuing attention. The Veterans' Administrator will expedite and broaden the work underway in the Veterans' Administration on revising standards for rating of disabilities. For some of the seriously disabled veterans, whose activities are greatly restricted, increases in compensation rates are warranted. Likewise, improved rehabilitation services should be provided for those few peacetime ex-servicemen with substantial service-connected disabilities.

Hospital and medical care: This budget includes $891 million of expenditures for hospital and medical care for veterans in 1960. The increase of $6 million from 1959 is provided to improve the staffing and quality of service in the hospitals. Provision is made for hospital and domiciliary care for an average of 140,800 beneficiaries per day.

More than 2 million outpatient treatments or examinations for service-connected disabilities will be provided in 1960.

An appropriation of $20 million is recommended for modernization of hospital and domiciliary facilities; with balances from prior years, this appropriation will permit expenditures of $55 million for construction and modernization.

Administration: Administrative expenditures associated with veterans' programs will be lower in 1960 than in the current year because of declining workloads and increasing efficiency. Funds are provided for improving the top management and evaluation activities of the Veterans' Administration. The application of modern high-speed automatic equipment to the large volume recordkeeping and clerical operations will be extended. This will produce significant administrative savings in future years.

INTEREST

Interest payments are estimated to rise $495 million to $8.1 billion in the fiscal year 1960. These payments, almost entirely for interest on the public debt, represent more than 10 percent of budget expenditures.

Interest

[Fiscal years. In millions

Item	Budget expenditures			Recommended new obligational authority for 1960
	1958 actual	1959 estimate	1960 estimate	
Interest on public debt	$7,607	$7,500	$8,000	$8,000
Interest on refunds of receipts	74	92	87	87
Interest on uninvested funds	8	9	9	9
Total	7,689	7,601	8,096	8,096

Since the spring of 1958, market rates of interest have increased, reflecting the strong recovery of the economy. The rise in market rates requires the Treasury to pay higher interest on securities issued to refinance the heavy volume of maturing Government obligations, a large part of which were issued when interest rates were lower.

In addition to higher interest rates, the amount of interest payments depends on the size and composition of the public debt. It is anticipated that the public debt will reach $285 billion by the end of the fiscal year 1959. On the basis of the balanced budget I am presenting, the debt will be no higher at the end of 1960, although there will be a substantial temporary increase during the year.

GENERAL GOVERNMENT

Expenditures for general Government activities are estimated at $1.7 billion in 1960, an increase of $62 million from 1959, primarily because of the volume of construction of Government office buildings started in earlier years, including the new office building for the House of Representatives.

General government

[Fiscal years. In millions]

Program or agency	Budget expenditures			Recommended new obligational authority for 1960
	1958 actual	1959 estimate	1960 estimate	
Legislative functions	$88	$104	$136	$92
Judicial functions	44	49	51	51
Executive direction	10	13	13	13
Federal financial management	502	566	563	566
General property and records management	239	343	373	258
Central personnel management and employment costs	140	215	211	215
Civilian weather services	39	49	51	52
Protective services and alien control	199	217	219	221
Territories and possessions and the District of Columbia	73	94	98	128
Other general government:				
Present programs	20	25	9	9
Proposed legislation for Alaska	------	------	10	10
Total	1,356	1,673	1,735	[1] 1,617

[1] Compares with new obligational authority of $1,417 million enacted for 1958 and $1,799 million (including $157 million for anticipated supplemental authorizations) estimated for 1959.

General property and records management: Initiation of new construction is

being deferred in the fiscal year 1960 and no funds are recommended for starting new general office buildings. In 1959, a total of $208 million new obligational authority was enacted for this purpose. Hence, expenditures in 1960 for Government office buildings started in prior years will increase sharply.

Central personnel management: The public interest requires a comprehensive analysis and modernization of Federal pay policies and systems. The salary and benefit systems for Federal civilian employees should combine the best practices of progressive private employers with the special needs of the Government. Government policy should promote efficiency, maintain a clear relationship at all levels between pay and work performed, and assure compensation reasonably comparable with that in private employment. Although some progress has been made in recent years, the present system falls far short of meeting these objectives. Accordingly, I again urge the Congress to establish a Joint Commission on Civilian Employee Compensation in the Federal Government.

Statehood for Hawaii and home rule for District of Columbia: I again recommend that the Congress enact legislation to admit Hawaii into the Union as a State, and to grant home rule to the District of Columbia. It would be unconscionable if either of these actions were delayed any longer.

Alaska: I am highly gratified to be the first President in 47 years to have had the privilege of welcoming a new State into the Union. Alaska takes its place as the equal of the other 48 States with both the privileges and the responsibilities that go with statehood. Recommendations will be transmitted to the Congress concerning certain changes needed in Federal law as a result of Alaska's admission to the Union in order to apply to Alaska the same general laws, rules, and policies as are applicable to other States.

The size of the new State, its geographic location, present Federal ownership of 99 percent of the land area, and Federal administration of services provided elsewhere by private enterprise and State and local governments create problems not previously encountered when new States were admitted into the Union. Furthermore, some time will elapse before Alaska can benefit fully from the revenues to be derived from public lands and other resources to be made available to the State by the Statehood Act. The Federal Government is cooperating with Alaska in developing constructive solutions to these transitional problems.

In the longrun interest of both the State and the Nation, the Federal Government should not continue special programs in Alaska which, in other States, are the responsibility of State and local governments or of private enterprise. The Federal Government should provide such financial assistance as is necessary to facilitate transfer to the State of such programs as highway construction and maintenance, airport operations, and public health services. Therefore, legislation will be proposed to authorize the payment of transitional grants to the State of Alaska in an amount not to exceed $10.5 million for the fiscal year 1960 and in declining amounts for the subsequent 4 years. Under the proposed legislation Alaska could choose between receiving the entire transitional grant or requesting that a portion be used for financing continued Federal operations during an interim period.

Expenditures for the transitional grants to Alaska will be largely offset by the elimination of existing special Federal programs in Alaska. Alaska will, of course, be eligible to participate in regular Federal grant-in-aid programs on a comparable basis with the other States.

Other recommendations for legislation: The last Congress enacted legislation to cover some of my most urgent proposals for amending the immigration laws. Legislation on the remaining proposals should be promptly enacted, and the expiring authority to issue visas to certain orphans and to aliens afflicted with tuberculosis should be extended.

I also recommend that the Congress direct special attention to the creation of additional Federal judgeships as proposed by the Judicial Conference, and the strengthening of Federal laws against organized crime.

To permit further timely improvements in the structure of the executive branch of the Government, I recommend that the Congress extend the Reorganization Act of 1949, as amended, which is effective only until June 1, 1959.

I again recommend that the President be authorized to make awards for distinguished civilian achievement.

CONCLUSION

This budget charts the course our Government should take as we embark on the decade of the 1960's. Since the end of World War II, the pace of achievement and universal change has quickened with each successive year, sharpening the need for adjustments in the relations of peoples and nations to each other. In the decade facing us, the challenges to representative government will be no less than in the past; indeed, the tasks which are certain to be laid upon the executive, legislative, and judicial branches will require from each increasing vision, understanding, and wisdom.

This budget is designed to serve the needs of the Nation as a whole as effectively as possible. It rejects the philosophy that the national welfare is best served by satisfying every demand for Federal expenditures.

Our objective, as a free Nation, must be to prepare for the momentous decade ahead by entering the fiscal year 1960 with a world at peace, and with a strong and free economy as the prerequisite for healthy growth in the years to follow. This can be achieved through Government actions which help foster private economic recovery and development, and which restrain the forces that would drive prices higher, and thereby cheapen our money and erode our personal savings. The first step is to avoid a budget deficit by having the Government live within its means, especially during prosperous, peacetime periods.

The 1960 budget reflects our determination to do this.

DWIGHT D. EISENHOWER.

JANUARY 19, 1959.

THE PRESIDENT'S BUDGET MESSAGE

Mr. CANNON. Mr. Speaker, the message just read is perhaps the most important of all the messages President Eisenhower has sent to the Congress during his administration. And it is one of the most important any American President will address to Congress in many years to come.

It is important both because of its content and because of the situation it is designed to meet.

Abroad we are confronted with the most powerful and implacable enemy which has menaced our country since the adoption of the Constitution. At home we are losing steadily in a mortal conflict with inflation. And the two are allies. Each plays into the hands of the other.

Of the two, inflation is perhaps the more dangerous because it is already sapping at the foundations of our economic system, already spreading like a cancer through every business and political activity of the Nation. It is driving to undreamed of peaks the quotations on the exchanges of Wall Street. It is increasing every morning the sun rises the cost of every breakfast table in America. And it is pricing the cost of national defense to totals out of all proportion to the costs of the production of competing armament in Russia.

The major proposal of the message and the budget is that we live within our means. For years we have been spending more than the national income. We have been spending money we did not have for things we could get along without. During these last few years when the national revenues have exceeded in volume the income of any nation in the history of the world we have increased disbursements faster than we increased revenues with no effort to pay our debts and without thought of the inevitable day of reckoning.

As a result we owe today the largest public debt ever owed, either in time of peace or in time of war, by any government in any country in any period of recorded time. The interest alone is increased nearly $500 million in this budget in excess of the interest on the public debt in the last budget. And this budget recommends another of a long series of legislative enactments raising the ceiling on the public debt—from $28 billion to $285 billion.

The alarming feature of the recommendation, Mr. Speaker, if anything could be more alarming than the debt itself, is that the Presidential message proposes that the increase be permanent. That one word "permanent" is one of the most significant in the entire budget message. It forecloses any reasonable prospect of reduction in the national debt or reduction in the stupendous burden of interest on the national debt in the foreseeable future. And in the meantime it is no longer necessary for the

housewife to take a basket to the corner grocery. She can now carry home the week's supply of groceries in her arms. The cost of clothing to keep a child in school goes up every session of Congress, because the President has been recommending and Congress has been passing appropriation bills and other bills to spend money we do not have for things the local communities should themselves provide or which the States and the Nation have been doing without and which they could continue to do without.

Life savings are being swept away; money accumulated for old age is being dissipated; pensions and allowances are being reduced in buying power; life insurance is being eroded and all economic systems and plans for the future and for succeeding generations are being reduced to chaos.

All over the Nation this month boards of directors of countless corporations are considering plans for promotion, plans for new plants, and more widely distributed factories. But inflation has driven costs of construction and maintenance and operation so high that they are reluctantly canceling or postponing plans for expansion. As a result, communities everywhere are denied local branches and labor is denied employment and the economy of the country is denied the shot in the arm it so desperately needs. The paralysis of inflation is everywhere fostered by executive and legislative promulgations from Washington, is everywhere freezing and shackling the genius of America.

And yet the excess portions of this budget, and the last budget, are in nonmilitary items. Over the past 5 years total budgetary expenditures, not including the highway item, have risen from $67.8 billion to $80.9 billion. That increase came about solely by increased spending for nondefense items. A budget deficit is fuel on the fires of inflation and yet the budget before us is balanced by such a narrow margin—one-tenth of 1 percent—that a casual glance at the record of past budgets shows there is practically no possibility of the balance being maintained through the fiscal year for which it is proposed.

The burning issue in the Nation today is the battle against inflation. And it is not a cold war. It is at a critical point. If runaway inflation takes over it would be a setback not only for the United States but for the entire free world. Other nations are watching us apprehensively. Resolute action now along sound financial lines will reassure them.

WHO PREPARES THE BUDGET?

Let us concede right here that all fiscal recommendations start with the President. Congress does not make the budget. That is the duty and exclusive prerogative of the President. The law is clear and specific. He is directed by the statute to make such tax, spending, and appropriation recommendations as in his judgment are necessary. The President is in complete command in making the budget. He does not have to recommend bigger appropriations. He does not have to recommend extension of war tax rates. He does not have to urge new taxes—as he does in this budget. He is at complete liberty to recommend a cut of 5, 10, 15, 20 billion or any other amount. So when the administration talks economy and hope of tax reduction but submits record budgets that is the President's action, not that of the Congress. He cannot escape that responsibility because the law places it on him.

A SPENDER'S BUDGET

The razor-thin budget margin of $70 million rests on several important but uncertain premises. But there is no uncertainty about some features of this budget.

Mr. Speaker, this is a spender's budget. This budget for fiscal 1960 tops all previous record budgets from President Eisenhower. It proposes spending far beyond any previous Eisenhower budget submission—even beyond the record-breaking peacetime budget submitted just a year ago. It is $5 billion beyond the budget against which the people, and even the administration itself, rebelled only 2 years ago.

In the cold gray dawn of the morning after last November 4, the President's significant public reaction to his party's debacle the day before was that the American people had elected a spending Congress. And he gave notice of intent to declare war on excessive spending.

"I think every place we are spending too much money," the President was quoted as saying. He inveighed against lavishness, against waste and duplication, against what he termed "loose handling of our fiscal affairs." He was further quoted as saying "we must start right from the biggest and go right down to the smallest." He intimated reductions could be expected all along the line in his new budget. In his state of the Union message, he again spoke at some length on the subject of spending, about the inflationary and inevitably disastrous consequences of excessive and deficit spending. "Except only in critical emergencies," he said, "we must meet current costs from current revenue."

The President's $72 billion budget received 2 years ago this month established a record up to that time. Secretary Humphrey rebelled. Even the President in effect disowned it and invited Congress to cut it. The Budget Director testified he hoped it would be cut. And we cut it materially. This budget tops that one by $5 billion.

This budget rests on the assumption of a revenue take of $77.1 billion, not counting the highway fund—and $80 billion with it if Congress follows the President's recommendation and enacts the new gasoline and fuel taxes. That's the highest revenue since the Republic was founded. And this budget would also be out of balance except for the President's request, that wartime tax rates be again extended—although he has previously insisted that tax rates are too high.

SEVEN-YEAR COMPARATIVE RECORD

Lest any doubt remain about this question, Mr. Speaker, let me compare the 7-year record of fiscal years 1954 through 1960 under the present administration with the immediately preceding 7 years of fiscal years 1947 through 1953 under the previous administration. And keep in mind that in 3 of those 7 years we were at war in Korea:

Budget revenues during the present administration exceed the previous administration by $149.1 billion.

Budget expenditures under the present administration exceed expenditures under the previous administration by $163.1 billion.

The cumulative net deficit under the present administration, is $19.7 billion. Under the previous administration it was only $5.7 billion including the 3 war years of Korea. If you eliminate the war years, there was a surplus, not a deficit.

Now, the public debt: Including the budget received today, the debt has increased under the present administration by $18.9 billion, whereas under the previous administration it was reduced by $3.3 billion. In the 4 peacetime years 1947–50, it was reduced by $12 billion. But even with 3 war years included, it was reduced under the previous administration.

I include here several tabulations of official figures in support of the comparisons drawn.

Net budget receipts, expenditures, and deficit (−) or surplus (+), fiscal years 1954–60

[In billions]

Fiscal year	Net receipts	Net expenditures	Deficit (−) or surplus (+)
1. Fiscal 1954	$64.7	$67.8	−$3.1
2. Fiscal 1955	60.4	64.6	−4.2
3. Fiscal 1956	68.1	66.5	+1.6
4. Fiscal 1957:			
(a) Including highway trust fund	72.5	70.3	+2.2
(b) Excluding highway trust fund as per budget	71.0	69.4	+1.6
5. Fiscal 1958:			
(a) Including highway trust fund	71.2	73.5	−2.3
(b) Excluding highway trust fund as per budget	69.1	71.9	−2.8
6. Current fiscal 1959 (revised estimates in 1960 budget):			
(a) Including highway fund	70.1	83.4	−13.3
(b) Excluding highway trust fund as per budget	68.0	80.9	[1] −12.9
7. Fiscal 1960 (budget estimates):			
(a) Including highway trust fund	80.0	80.1	[2] −0.1
(b) Excluding highway trust fund as per budget	77.1	77.0	[3] +0.1
8. Totals, all 7 years:			
(a) Including highway trust fund	487.0	506.2	−19.2
(b) Excluding highway trust fund as per budget	478.4	498.1	−19.7

[1] Original budget was a $0.5 billion surplus. Midyear review in September 1958 was a $12.2 billion deficit.

[2] In addition to items referred to in footnote 3, also assumes enactment of certain new gasoline and fuel taxes.

[3] Among many other things, assumes enactment of $350 million postal rate bill, and other revenue proposals. Also assumes enactment of various legislative propositions having expenditure reduction effects.

The public debt

[In billions]

	Beginning of year
1. Actual increase, 5 fiscal years (1954–58):	
July 1953	$266.1
July 1958	276.3
Increase in 5 years	+10.2

The public debt—continued

[In billions]	Beginning of year
2. Budget estimate of increase during fiscal 1959 (July 1958 to July 1959—from $276.3 to $285.0)	+$8.7
3. Estimated increase in 6 years	+18.9
4. Budget estimate of change during fiscal 1960 (July 1959 to July 1960—from $285.0 to $285.0)	None
5. Total budgeted increase for the 7 fiscal years July 1953 to July 1960	+18.9

NOTE.—Old statutory limit of $275 billion has been raised as follows:
For fiscal 1955 by $6,000,000,000.
For fiscal 1956 by $6,000,000,000.
For fiscal 1957 by $3,000,000,000.
For fiscal 1958 by $5,000,000,000.
For fiscal 1959 by—
$8,000,000,000 (permanently to $283,000,000,000).
$5,000,000,000 (temporarily to $288,000,000,000).

SPECIAL NOTE.—President's budget message recommends permanent debt ceiling be raised permanently by $2,000,000,000 (to $285,000,000,000), plus a further, but unspecified, temporary increase for fiscal 1960.

Comparative figures on income, spending, deficits or surpluses, and debt changes

[In billions of dollars]

7-year tax take—net budget receipts:	
Under present administration (fiscals 1954–60)	$478.4
Under previous administration (fiscals 1947–53)	329.3
Present administration over previous	+149.1
7-year outgo—net budget expenditures:	
Under present administration (fiscals 1954–60)	498.1
Under previous administration (fiscals 1947–53)	335.0
Present administration over previous	+163.1

Comparative figures on income, spending, deficits or surpluses, and debt changes—continued

[In billions of dollars]

7-year deficits:	
Under present administration (fiscals 1954–60, all peacetime years)	−$19.7
Under previous administration (fiscals 1947–53, of which 1951–53 were war years in Korea)	[1] −5.7
Present administration over previous	+14.0
7-year changes in the Federal public debt:	
Under present administration (July 1953 to July 1960 per present budget—from $266.1 billions to $285.0 billions)	+18.9
Under previous administration (July 1946 to July 1953—from $269.4 to $266.1)	−3.3
Present administration over previous	+22.2

[1] The net deficit during the 3 Korean war years (fiscals 1951–53) was $9.9 billions. Thus the 4 peacetime years (fiscals 1947–50) would show a net surplus of $4.2 billions.

NOTE.—For simplicity here, and in order to tie directly to official "budget" figures, receipts and expenditures for the highway program for years 1957–60 under the highway trust fund, which began with 1957 to include programs carried in earlier "budget" totals, have been omitted.

NO TANGIBLE HOPE OF TAX RELIEF

Another certainty about this budget is that it affords no tangible hope for tax relief. There are vague references to a time in the foreseeable future when needed tax reforms can be made. But there is no provision for it in this budget.

The most accurate barometer to future spending is the amount of authority to obligate the Treasury. That comes first. Spending follows. The President recommends in this budget $76.8 billion of new obligating authority—$80.3 billion including the highway fund. To get the real dimensions of what this signifies as to future spending and hope of tax relief, his recommendations on new obligational authority compare with earlier years in this fashion:

	Billions
1960 budget request over enacted 1954—the first year of the administration	+$17.5
1960 over 1956—the first year of a surplus under present administration	+17.1
1960 over 1958—the last completed fiscal year	+0.3
1960 compared to current year 1959	
Already enacted for 1959	+3.1
Total proposed, including $8.7 billion contemplated supplementals	−5.6

When he asks for more authority to obligate, he signifies more spending.

The reduction of $5.6 billion below 1959 total looks favorable, but it is somewhat misleading as to the trend. What has actually been enacted to date for 1959 shows 1960 exceeding 1959 by $3.1 billion.

The President indicates he will ask for fiscal 1959 supplementals of $8.7 billion. Over half of that is for the World Bank and International Monetary Fund, although Congress has not yet passed on it.

Appropriations and other forms of authority to obligate the Government

[A rearrangement of budget table 7 with certain additions]

[In billions]

Type of authority	Enacted, 1954	Enacted, 1955	Enacted, 1956	Enacted, 1957	Enacted, 1958	1959		1960 (total proposed)	1960 compared with—	
						Already enacted	Total proposed		1959 enacted	1959 total proposed
1. Appropriations:										
(a) Annual	$51.8	$45.8	$50.8	$58.9	$61.9	$64.7	$68.1	$67.5	+$2.8	−$0.6
(b) Permanent (annual action not required)	6.8	6.8	7.4	7.8	8.1	8.0	8.0	8.6	+.6	+.6
Total, appropriations	58.6	52.6	58.2	66.7	70.0	72.7	76.1	76.1	+3.4	
2. Public debt receipts authority	3.6	3.0	3.1	3.2	5.7	.8	6.1	.5	−.3	−5.6
3. Contract authority	.9	1.0	2.4	.3	.5	.3	.3	.4	+.1	+.1
4. Reappropriation of prior funds	.4	1.2	.4	.1	.2	.1	.1		−.1	−.1
Total, all forms of authority	63.5	57.8	64.1	70.3	76.4	73.9	82.6	77.0	+3.1	−5.6
5. Deduct appropriations to liquidate contract authority previously granted	−.7	−.7	−.9	−.1	−.1	−.2	−.2	−.2		
Net new obligating authority per budget	62.8	57.1	63.2	70.2	[1] 76.3	73.7	[2] 82.4	76.8	+3.1	−5.6
6. Add highway trust fund for proper comparison with years prior to 1957:										
(a) New contract authority				2.6	3.6	3.4	3.4	3.4		
(b) Labor standards and refunds of taxes					.1	.1	.1	.1		
Grand total	62.8	57.1	63.2	72.8	80.0	77.2	85.9	80.3	+3.1	−5.6

[1] The budget for 1959 recommended enactment of several amounts as supplementals for 1958 which normally should have been carried in the regular bills for 1959, principally a $1.3 billion defense supplemental; a $2 billion Export-Import borrowing authority and $2.3 billion reimbursement to CCC. Had they been handled as 1959 fiscal transactions, as usual, the comparison between 1958 and 1959 would be more realistic.

[2] The budget for 1960 proposes supplemental and deficiencies for 1959 fiscal in the abnormally high amount of $8.7 billion, including $4.5 billion special items for the World Bank and International Monetary Fund. Excluding these unusual items, the comparisons between years would represent a more normal situation.

IS THE BUDGET IN BALANCE?

The pending question is whether this new budget is in actual, or only apparent, balance. On its face, it is balanced by the narrowest margin—a mere pittance in the context of $77 billion budgets. And that rests on a number of contingencies. It assumes increased income of about $10 billion in fiscal 1960 over 1959.

The recommendation for legislation to raise postal income by $350 million, the request for new taxes to keep the budget in balance are matters for the legislative committees to process.

This is a big budget. It is a spender's budget. It is a political budget. It ignores the rule of prudence by failing to allow an adequate cushion against further essential defense costs or against a shortage in revenues. It makes no allowance for payment on our staggering debt. It is a standstill budget at best.

In light of unreliability of estimates in recent budgets, this nominal budget surplus of $70 million could vanish overnight.

In all but one of the five budgets sent down by the President, the original spending estimates of the President were not realized. They spent more each time. Compare the following estimates with this precarious figure of $70 million:

Spending (in billions)

	President's original estimate	Actual result	Exceeded original estimate
1959 budget (latest figures)	$73.9	$80.9	+$7.0
1958 budget	71.8	71.9	+0.1
1957 budget	65.1	69.4	+4.3
1956 budget	62.4	66.5	+4.1
1955 budget	65.6	64.6	−1.0

Original budget estimates of deficits and surpluses matched against actual results also affords comparisons pertinent to the present situation. The accompanying table indicates how far and how often the mark has been missed.

Deficit and surplus comparisons under the present administration

[In billions]

Fiscal year	President's original budget recommendations	Actual results
1954	[1]	−$3.1
1955	−$2.9	−4.2
1956	−2.4	+1.6
1957	+.4	+1.6
1958	+1.8	−2.8

[1] Submitted by previous administration but revised and administered by present administration.

Deficit and surplus comparisons under the present administration—continued

[In billions]

Fiscal year	President's original budget recommendations	Actual results
1959 (latest official figures)	+$.5	[2]−$12.9
Subtotal, last 5 years	−2.6	−16.7
1960 (estimate)	+.1	

[2] Latest official estimate.

NOTE.—Highway trust fund, which began with fiscal year 1957, not included.

DEFENSE AND NONDEFENSE SPENDING

There is a general impression that deficit spending is necessary in order to provide national defense and therefore justified by the need. As a matter of fact the excessive budget increases have been due principally to nondefense spending, as will be noted:

Net budget expenditures

[In billions]

Fiscal year	Major national security		All other programs		Total net expenditures	
	Defense-military	Total [1]	As per budget	Including highway trust fund	As per budget	Including highway trust fund
1. Fiscal 1953 (Korean war year)	$43.6	$50.4	$23.9	$23.9	$74.3	$74.3
2. Fiscal 1954	40.3	46.9	20.9	20.9	67.8	67.8
3. Fiscal 1955	35.5	40.6	24.0	24.0	64.6	64.6
4. Fiscal 1956	35.8	40.6	25.9	25.9	66.5	66.5
5. Fiscal 1957	38.4	43.4	26.1	27.0	69.4	70.3
6. Fiscal 1958	39.1	44.1	27.8	29.4	71.9	73.5
7. Fiscal 1959 (latest estimate, 1960 budget)	40.8	46.1	[2] 34.8	37.3	[2] 80.9	83.4
8. Fiscal 1960 (budget estimate)	40.9	45.8	31.2	34.3	77.0	80.1
Comparisons:						
(a) 1960 compared with last war year (1953)	−2.7	−4.6	+7.3	+10.4	+2.7	[3]+5.8
(b) 1960 compared with 1st year of present administration (1954)	+0.6	−1.1	[4]+10.3	[5]+13.4	+9.2	+12.3
(c) 1960 compared with 1st year showing surplus under present administration (1956)	+5.1	+5.2	+5.3	+8.4	+10.5	+13.6
(d) 1960 compared with last completed year (1958)	+1.8	+1.7	+3.4	+4.9	+5.1	+6.6
(e) 1960 compared with current 1959 estimate	+0.1	−0.3	−3.6	−3.0	−3.9	−3.3

[1] As classified in the 1960 budget (earlier years included "Defense support" which, in 1960 is shifted to "All other" programs.)
[2] Includes $2.8 billion estimated to be expended from anticipated supplementals of $8.7 billion.
[3] Represents increase of nearly 8 percent over war year of 1953.
[4] Represents 50 percent increase over 1954.
[5] Represents 64 percent increase over 1954.

NOTE.—Highway trust fund began with fiscal year 1957.

This budget, as compared to fiscal 1954, the first year, recommends a 64-percent increase in nondefense spending—up $13.4 billion. Nondefense items in this budget are estimated at $8.4 billion more than in 1956 when they first showed a budget surplus. This is what the President urges. Does that signify they have spending under control? The facade of surpluses were not the result of retrenchment. They came solely from a rising tide of national revenue and war tax rates in time of peace. And even those small surpluses were consumed by prior deficits in recent years.

Mr. Speaker, the House should take no particular comfort from the $3.9 billion reduction in spending shown by this budget. It is largely the result of a handful of nonrecurring 1959 expenses, more or less automatically dropping from the 1960 budget, such as the monetary fund item, termination of the soil bank acreage reserve, temporary unemployment compensation, retroactive pay raises, and a few other special items.

All manner of increases are requested in appropriations.

BYPASSING ANNUAL CONGRESSIONAL REVIEW

Mr. Speaker, I should say again that, contrary to a widely held impression, the budget is not processed entirely through the appropriation bills. And the present budget is no exception to that rule.

This budget especially is contingent on enactment of many legislative propositions, both to secure more revenue and to secure reductions in spending. Its balance was arrived at on that premise.

The appropriation bills at one time disclosed the disposition of the budget recommendations of the President and how much money would be removed from the Treasury. Unfortunately that is no longer the case. In recent years Congress has, in practice, been legislating against its most vital prerogative—control of the pursestrings. It has done this to such an extent that it has substantially impaired its control of spending authority. Side doors to the Treasury have been opened through ingenious contrivances in ever-increasing volume and with ever-increasing frequency. The objective is simple. People want to get money out of the Treasury without having to pass the acid test of annual congressional scrutiny. The principal device is a harmless-sounding method called a "public-debt transaction," and there are others such as "contract authorizations." As we have previously shown, these devices are in every respect an appropriation because they permit money to be removed from the Treasury without further congressional action. But through this device, they have successfully escaped the regular legislative route and the annual scrutiny required of appropriations.

The dimensions of these end runs on the annual review process reached alarming proportions last year. The Senate undertook to preempt the appropriating powers of the House by originating a number of such schemes, for all manner of expenditures, carrying a total price tag of nearly $9 billion. And legislative committees of the House have insisted on concurring in this shortcircuiting.

For general reference, a tabulation of identified bills of the last session is included with the several amounts shown.

Authority to obligate the Government carried in legislative bills, 85th Cong., 2d sess., public-debt transactions and contract authorities

Bill	Subject	Budget request	Senate	House	Enacted	Enacted compared with request
S. 3418 (Public Law 85-364)	Emergency Housing Act	$90,000,000	$1,900,000,000	$1,900,000,000	$1,900,000,000	+$1,810,000,000
S. 3149 (Public Law 85-424)	Export-Import Bank lending authority.	2,000,000,000	2,000,000,000	2,000,000,000	2,000,000,000	
S. 3651 (Public Law 85-699)	Small-business investments		250,000,000	[1]		
S. 3497 (failed to pass)	Community facilities		900,000,000	[2]		
S. 3683 (pocket veto)	Depressed areas		300,000,000	[3]		
S. 4036 (failed to pass)	Minerals subsidy		350,000,000	[4]		

[1] House committee changed to regular appropriation authorization.
[2] Reported at $1,900,000,000, including $400,000,000 revolving fund feature. Bill failed of passage.
[3] Reported at $200,000,000, plus $200,000,000 revolving fund; changed on floor to regular appropriation authorization.
[4] House committee changed to regular appropriation authorization (of $650,000,000, however).

Authority to obligate the Government carried in legislative bills, 85th Cong., 2d sess., public-debt transactions and contract authorities—con.

Bill	Subject	Budget request	Senate	House	Enacted	Enacted compared with request
S. 3502 (pocket veto)	Airport grants		$512,000,000	$437,000,000	[4] ($437,000,000)	
S. 4035 (failed to pass)	Housing Act of 1958	$1,500,000,000	2,475,000,000	[5]		−$1,500,000,000
S. 3468 (Public Law 85-740)	Navaho-Hopi rehabilitation		20,000,000	20,000,000	20,000,000	+20,000,000
H.R. 9821 (Public Law 85-381)	Highway Act of 1958		269,000,000	209,000,000	235,000,000	+235,000,000
H.R. 13247 (Public Law 85-864)	Education bill (sec. 307)			[7]		
S. 4162	Writeoff of losses under Defense Production Act, borrowing authority.	300,000,000	[8]			−300,000,000
H.R. 13014	Direct veterans' loans			[9]		
S. 1869	TVA borrowing authority	125,000,000	125,000,000	[8]		−125,000,000
H.R. 12883 (Public Law 85-895)	Capitol Power Plant construction		6,500,000	6,500,000	6,500,000	+6,500,000
S. 1728 (Public Law 85-672)	Maritime Academy Act of 1958		[10] 2,696,000	[10] 2,696,000	2,696,000	+2,696,000
Total		4,015,000,000	9,110,196,000	4,575,196,000	4,164,196,000	+149,196,000

[4] Contract authority prevailed on passage but bill was pocket-vetoed.
[5] Reported at $2,050,000,000, but bill failed of passage.
[7] As reported bill included a public-debt transaction but this was deleted by committee floor amendment.
[8] Reported but no floor action.
[9] Reported at $150,000,000, but no floor action; same program was duplicated in title IX of S. 4035 listed above.
[10] Estimated.

It is to be noted that the President indicates he regards these end runs on the appropriations process as inconsistent with sound standards of budgetary practice.

THREE WAYS TO STATE THE SIZE OF THE 1960 BUDGET

Mr. Speaker, a substantial portion of the business of the Government is financed through such devices as trust funds. These are outside the $77 billion general budget. Other techniques used to strike the general budget total tend to understate the gross dollar volume of Government business. There is interest in this matter because the sum of all these items gives a more accurate picture of total Treasury income and outgo. Accordingly, I include the following tabulation:

Three ways to state the size of the 1960 budget

	Receipts	Spending	Surplus
1. The administrative budget—This is the one most commonly used. Its ingredients are "net budget" receipts and "net budget" expenditures. It shows net budget expenditures against what might be termed general, unsegregated Treasury receipts. It is the one which shows the $0.1 billion surplus projection. The "administrative" budget totals are	$77.1	$77.0	$0.1
2. The cash budget—This is the term often applied to what the budget message refers to as "Receipts from and payments to the public"—an effort to portray the magnitude of the ebb and flow of funds between the Government and the public. Briefly, this combines "budget" figures (the administrative budget) and trust fund receipts and expenditures, and then eliminates intragovernmental and intrafund transactions which do not represent flow of funds either to or from the public (see tables, p. M10 and p. 931). As explained below, this method, as used in the budget, does not disclose the full magnitude. The "cash" budget totals are	93.5	92.9	.6
3. A 3d method—The cash budget calculation (No. 2, above) understates the full scope of Federal income and outgo. This is because "budget" receipts and "budget" expenditures are stated, as in the past, on a net basis.			

Three ways to state the size of the 1960 budget—continued

	Receipts	Spending	Surplus
3. A 3d method—continued This is to say, certain receipts are not shown as "budget receipts," but rather are offset against gross budget expenditures, thus arriving at net budget expenditures. These receipts are collections of interest, repayment of loans, postal revenues, and other income (primarily from outside the Government) of Government corporations, the postal service, and various revolving funds. The budget makes the distinction in this respect basically because such receipts are available for use or reuse (respending) by the corporation or other enterprise concerned and thus are not available for general appropriation purposes. (In the case of postal receipts for services rendered, budget totals reflect only the net deficit or surplus.) Counting such receipts as receipts, rather than as offsets to expenditures, the following tabulation more fully reflects the ebb and flow of funds:			
Net budget receipts (same as Item 1)	$77.1	------	------
Receipts treated in the budget as offsets to gross budget expenditures (see table 9, p. 18)	9.9	------	------
Trust fund receipts (p. 879)	20.5	------	------
Gross budget expenditures (net budget expenditures plus receipt offsets mentioned above)	------	$86.9	------
Trust fund expenditures (p. 879)	------	20.3	------
Subtotals	107.5	107.2	$0.3
Deduct intragovernment and intrafund transactions not directly involving the public (same items as are referred to in "cash budget" calculation in No. 2, above—see p. 931)	−4.1	−4.0	−.1
Totals (ebb and flow between Government and public)	103.4	103.2	.2

ANNUAL REPORT OF CORREGIDOR-BATAAN MEMORIAL COMMISSION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 52)

The SPEAKER laid before the House the following message from the President of the United States which was read by the Clerk and, together with the accompanying papers referred to the Committee on Foreign Affairs and ordered printed:

To the Congress of the United States:

Pursuant to the provisions of Public Law 193, 83d Congress, as amended, I hereby transmit to the Congress of the United States a report of the activities of the Corregidor-Bataan Memorial Commission for the fiscal year ended June 30, 1958.

DWIGHT D. EISENHOWER.
THE WHITE HOUSE, *January 19, 1959.*

ANNUAL REPORT OF NATIONAL SCIENCE FOUNDATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 53)

The SPEAKER laid before the House the following message from the President of the United States which was read by the Clerk and, together with the accompanying papers, referred to the Committee on Science and Astronautics and ordered printed with illustrations:

To the Congress of the United States:

Pursuant to the provisions of Public Law 507, 81st Congress, I transmit herewith the eighth annual report of the National Science Foundation for the fiscal year ended June 30, 1958.

DWIGHT D. EISENHOWER.
THE WHITE HOUSE, *January 17, 1959.*

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following communication which was read by the Clerk:

HOUSE OF REPRESENTATIVES,
Washington, D.C., January 19, 1959.

Hon. SAM RAYBURN,
Speaker of the House,
Capitol Building,
Washington, D.C.

DEAR MR. SPEAKER: In view of my pending assignment to the Committee on Rules I hereby tender you my resignation as a member of the Committee on Appropriations.

Respectfully,

HAMER H. BUDGE,
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

COMPOSITION OF CERTAIN STANDING COMMITTEES

Mr. McCORMACK. Mr. Speaker, I offer a privileged resolution (H. Res. 120) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That during the Eighty-sixth Congress the Committee on Agriculture shall be composed of thirty-four members;

The Committee on Armed Services shall be composed of thirty-seven members;

The Committee on Banking and Currency shall be composed of thirty members;

The Committee on Education and Labor shall be composed of thirty members;

The Committee on Foreign Affairs shall be composed of thirty-two members;

The Committee on Government Operations shall be composed of thirty members;

The Committee on Interior and Insular Affairs shall be composed of thirty-one members;

The Committee on Interstate and Foreign Commerce shall be composed of thirty-three members;

The Committee on the Judiciary shall be composed of thirty-two members;

The Committee on Merchant Marine and Fisheries shall be composed of thirty-one members; and

The Committee on Public Works shall be composed of thirty-four members.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION OF MAJORITY MEMBERS OF CERTAIN STANDING COMMITTEES

Mr. MILLS. Mr. Speaker, I offer a privileged resolution (H. Res. 121) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Committee on Agriculture: Harold D. Cooley (chairman), North Carolina; W. R. Poage, Texas; George M. Grant, Alabama; E. C. Gathings, Arkansas; John L. McMillan, South Carolina; Thomas G. Abernethy, Mississippi; Carl Albert, Oklahoma; Watkins M. Abbitt, Virginia; James G. Polk, Ohio; Clark W. Thompson, Texas; Paul C. Jones, Missouri; Harlan Hagen, California; Lester R. Johnson, Wisconsin; Ross Bass, Tennessee; W. Pat Jennings, Virginia; D. R. (Billy) Matthews, Florida; George S. McGovern, South Dakota; Merwin Coad, Iowa; J. Floyd Breeding, Kansas; Frank A. Stubblefield, Kentucky; Harold B. McSween, Louisiana; Earl Hogan, Indiana.

Committee on Appropriations: Joseph M. Montoya, New Mexico.

Committee on Armed Services: Carl Vinson (chairman), Georgia; Paul J. Kilday, Texas; Carl T. Durham, North Carolina; L. Mendel Rivers, South Carolina; Philip J. Philbin, Massachusetts; F. Edward Hébert, Louisiana; Arthur Winstead, Mississippi; Melvin Price, Illinois; O. C. Fisher, Texas; Porter Hardy, Jr., Virginia; Clyde Doyle, California; Charles E. Bennett, Florida; Richard E. Lankford, Maryland; George Huddleston, Jr., Alabama; James A. Byrne, Pennsylvania; Toby Morris, Oklahoma; A. Paul Kitchin, North Carolina; LeRoy H. Anderson, Montana; Daniel B. Brewster, Maryland; Frank Kowalski, Connecticut; Fred Wampler, Indiana; Samuel S. Stratton, New York; Jeffery Cohelan, California.

Committee on Banking and Currency: Brent Spence (chairman), Kentucky; Paul Brown, Georgia; Wright Patman, Texas; Albert Rains, Alabama; Abraham J. Multer, New York; Hugh J. Addonizio, New Jersey; William A. Barrett, Pennsylvania; Leonor K. (Mrs. John B.) Sullivan, Missouri; Henry S. Reuss, Wisconsin; Martha W. Griffiths, Michigan; Thomas L. Ashley, Ohio; Charles A. Vanik, Ohio; James C. Healey, New York; J. T. Rutherford, Texas; Joseph W. Barr, Indiana; James A. Burke, Massachusetts; William S. Moorhead, Pennsylvania; Clement W. Miller, California; Byron L. Johnson, Colorado.

Committee on the District of Columbia: John L. McMillan (chairman), South Carolina; Thomas G. Abernethy, Mississippi; Howard W. Smith, Virginia; James C. Davis, Georgia; James H. Morrison, Louisiana; William L. Dawson, Illinois; John Bell Williams, Mississippi; Roy W. Wier, Minnesota; Abraham J. Multer, New York; John Dowdy, Texas; D. R. (Billy) Matthews, Florida; J. Carlton Loser, Tennessee; Randall S. Harmon, Indiana; John R. Foley, Maryland; Donald J. Irwin, Connecticut; Thomas G. Morris, New Mexico.

Committee on Education and Labor: Graham A. Barden (chairman), North Carolina; Adam C. Powell, New York; Cleveland M. Bailey, West Virginia; Carl D. Perkins, Kentucky; Roy W. Wier, Minnesota; Carl Elliott, Alabama; Phil M. Landrum, Georgia; Edith Green, Oregon; James Roosevelt, California; Herbert Zelenko, New York; Frank Thompson, Jr., New Jersey; Stewart L. Udall, Arizona; Elmer J. Holland, Pennsylvania; Ludwig Teller, New York; John H. Dent, Pennsylvania; Roman C. Pucinski, Illinois; Dominick V. Daniels, New Jersey; John Brademas, Indiana; Robert N. Giaimo, Connecticut; James G. O'Hara, Michigan.

Committee on Foreign Affairs: Thomas E. Morgan (chairman), Pennsylvania; A. S. J. Carnahan, Missouri; Clement J. Zablocki, Wisconsin; Omar Burleson, Texas; Edna F. Kelly, New York; Wayne L. Hays, Ohio; Armistead I. Selden, Jr., Alabama; J. L. Pilcher, Georgia; Barratt O'Hara, Illinois; L. H. Fountain, North Carolina; Dante B. Fascell, Florida; Frank M. Coffin, Maine; Leonard Farbstein, New York; D. C. (Judge) Saund, California; Charles C. Diggs, Jr., Michigan; Lindley Beckworth, Texas; Harris B. McDowell, Jr., Delaware; William T. Murphy, Illinois; William H. Meyer, Vermont; Cornelius E. Gallagher, New Jersey; Chester Bowles, Connecticut.

Committee on Government Operations: William L. Dawson (chairman), Illinois; Chet Holifield, California; John W. McCormack, Massachusetts; Jack Brooks, Texas; L. H. Fountain, North Carolina; Porter Hardy, Jr., Virginia; John A. Blatnik, Minnesota; Robert E. Jones, Alabama; Edward A. Garmatz, Maryland; John E. Moss, California; Joe M. Kilgore, Texas; Dante B. Fascell, Florida; Martha W. Griffiths, Michigan; Henry S. Reuss, Wisconsin; Overton Brooks, Louisiana; Elizabeth Kee, West Virginia; Kathryn E. (Mrs. William T.) Granahan, Pennsylvania; John S. Monagan, Connecticut; Neal Smith, Iowa.

Committee on House Administration: John M. Slack, Jr., West Virginia; Bob Casey, Texas; Steven V. Carter, Iowa.

Committee on Interior and Insular Affairs: Wayne N. Aspinall (chairman), Colorado; Leo W. O'Brien, New York; Walter Rogers, Texas; Gracie Pfost, Idaho; James A. Haley, Florida; Adam C. Powell, New York; Ed Edmondson, Oklahoma; George H. Christopher, Missouri; B. F. Sisk, California; Stewart L. Udall, Arizona; J. T. Rutherford, Texas; Walter S. Baring, Nevada; Al Ullman, Oregon; LeRoy H. Anderson, Montana; D. S. (Judge) Saund, California; Donald F. McGinley, Nebraska; Thomas G. Morris, New Mexico; Ralph J. Rivers, Alaska; Quentin Burdick, North Dakota.

Committee on Interstate and Foreign Commerce: Oren Harris (chairman), Arkansas; John Bell Williams, Mississippi; Peter F. Mack, Jr., Illinois; Kenneth A. Roberts, Alabama; Morgan M. Moulder, Missouri; Harley O. Staggers, West Virginia; Isidore Dollinger, New York; Walter Rogers, Texas; Samuel N. Friedel, Maryland; John J. Flynt, Jr., Georgia; Torbert H. Macdonald, Massachusetts; George M. Rhodes, Pennsylvania; John Jarman, Oklahoma; Leo W. O'Brien, New York; John E. Moss, California; John D. Dingell, Michigan; Joe M. Kilgore, Texas; Paul G. Rogers, Florida; Robert W. Hemphill, South Carolina; Dan Rostenkowski, Illinois; Lawrence Brock, Nebraska.

Committee on the Judiciary: Emanuel Celler (chairman), New York; Francis E. Walter, Pennsylvania; Thomas J. Lane, Massachusetts; Michael A. Feighan, Ohio; Frank Chelf, Kentucky; Edwin E. Willis, Louisiana; Peter W. Rodino, Jr., New Jersey; E. L. Forrester, Georgia; Byron G. Rogers, Colorado; Harold D. Donohue, Massachusetts; Jack Brooks, Texas; William M. Tuck, Virginia; Robert T. Ashmore, South Carolina; John Dowdy, Texas; Lester Holtzman, New York; Basil L. Whitener, North Carolina; Roland V. Libonati, Illinois; J. Carlton Loser, Tennessee; Herman Toll, Pennsylvania; Robert W. Kastenmeier, Wisconsin; George A. Kasem, California.

Committee on Merchant Marine and Fisheries: Herbert C. Bonner (chairman), North Carolina; Frank W. Boykin, Alabama; Edward A. Garmatz, Maryland; Leonor K. (Mrs. John B.) Sullivan, Missouri; T. A. Thompson, Louisiana; George P. Miller, California; Herbert Zelenko, New York; Frank M. Clark, Pennsylvania; Thomas L. Ashley, Ohio; John D. Dingell, Michigan; L. Mendel Rivers, South Carolina; Torbert H. Macdonald, Massachusetts, Alton Lennon, North Carolina; Robert N. C. Nix, Pennsylvania; Victor L. Anfuso, New York; James C. Oliver, Maine; Thomas N. Downing, Virginia; Gerald T. Flynn, Wisconsin; Bob Casey, Texas; Thomas F. Johnson, Maryland.

Committee on Post Office and Civil Service: Tom Murray (chairman), Tennessee; James H. Morrison, Louisiana; James C. Davis, Georgia; John Lesinski, Michigan; Chet Holifield, California; Kathryn E. (Mrs. William T.) Granahan, Pennsylvania; Charles O. Porter, Oregon; Ralph J. Scott, North Carolina; George E. Shipley, Illinois; Robert W. Levering, Ohio; Thaddeus J. Dulski, New York; Stanley A. Prokop, Pennsylvania; John R. Foley, Maryland; Donald J. Irwin, Connecticut; Randall S. Harmon, Indiana; Dale Alford, Arkansas.

Committee on Public Works: Charles A. Buckley (chairman), New York; George H. Fallon, Maryland; Clifford Davis, Tennessee; John A. Blatnik, Minnesota; Robert E. Jones, Alabama; Frank E. Smith, Mississippi; John C. Kluczynski, Illinois; T. A. Thompson, Louisiana; Iris Faircloth Blitch, Georgia; Jim Wright, Texas; W. R. Hull, Jr., Missouri; Kenneth J. Gray, Illinois; Frank M. Clark, Pennsylvania; Ed Edmondson, Oklahoma; John J. McFall, California; Charles H. "Charlie" Brown, Missouri; Gracie Pfost, Idaho; John Young, Texas; Denver D. Hargis, Kansas; Frank W. Burke, Kentucky; Harold T. Johnson, California; Robert E. Cook, Ohio.

Committee on Science and Astronautics: Overton Brooks (chairman), Louisiana; John W. McCormack, Massachusetts; George P. Miller, California; Olin E. Teague, Texas; Victor L. Anfuso, New York; B. F. Sisk, California; Erwin Mitchell, Georgia; James M. Quigley, Pennsylvania; David M. Hall, North Carolina; Leonard G. Wolf, Iowa; Joseph E. Karth, Minnesota; Ken Hechler, West Virginia; Emilio Q. Daddario, Connecticut; Walter H. Moeller, Ohio; David S. King, Utah; J. Edward Roush, Indiana.

Committee on Un-American Activities: Francis E. Walter (chairman), Pennsylvania; Morgan M. Moulder, Missouri; Clyde Doyle, California; Edwin E. Willis, Louisiana; William M. Tuck, Virginia.

Committee on Veterans' Affairs: Olin E. Teague (chairman), Texas; W. J. Bryan Dorn, South Carolina; Elizabeth Kee, West Virginia; Frank W. Boykin, Alabama; George H. Christopher, Missouri; James A. Haley, Florida; Walter S. Baring, Nevada; Erwin Mitchell, Georgia; Robert A. Everett, Tennessee; Robert N. C. Nix, Pennsylvania; James M. Quigley, Pennsylvania; John M. Slack, Jr., West Virginia; Gerald T. Flynn, Wisconsin; Thaddeus J. Dulski, New York; Steven V. Carter, Iowa; Newell A. George, Kansas.

Mr. MILLS (interrupting the reading). Mr. Speaker, I ask unanimous consent that the further reading of the resolution be dispensed with and that it be printed in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION OF MEMBERS TO STANDING COMMITTEES OF THE HOUSE

Mr. HALLECK. Mr. Speaker, I offer a resolution (H. Res. 122) and ask for its immediate consideration.

The Clerk read as follows:

That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Committee on Agriculture: Charles B. Hoeven, Iowa; Paul B. Dague, Pennsylvania; Page Belcher, Oklahoma; Clifford G. McIntire, Maine; Henry Aldous Dixon, Utah; Wint Smith, Kansas; Charles M. Teague, California; Albert H. Quie, Minnesota; Don L. Short, North Dakota; Catherine May, Washington; Alexander Pirnie, New York; Delbert L. Latta, Ohio.

Committee on Appropriations: John J. Rhodes, Arizona; John R. Pillion, New York; Phil Weaver, Nebraska; William E. Minshall, Ohio; Keith Thomson, Wyoming; Robert H. Michel, Illinois; Silvio O. Conte, Massachusetts.

Committee on Armed Services: Leslie C. Arends, Illinois; Leon H. Gavin, Pennsylvania; Walter Norblad, Oregon; James E. Van Zandt, Pennsylvania; William H. Bates, Massachusetts; William E. Hess, Ohio; Alvin E. O'Konski, Wisconsin; William G. Bray, Indiana; Bob Wilson, California; Frank C. Osmers, Jr., New Jersey; Katharine St. George, New York; Charles S. Gubser, California; Frank J. Becker, New York; Charles E. Chamberlain, Michigan.

Committee on Banking and Currency: Clarence E. Kilburn, New York; Gordon L. McDonough, California; William B. Widnall, New Jersey; Edgar W. Hiestand, California; Perkins Bass, New Hampshire; Eugene Siler, Kentucky; Paul A. Fino, New York; Florence P. Dwyer, New Jersey; Edward J. Derwinski, Illinois; Seymour Halpern, New York; William H. Milliken, Jr., Pennsylvania.

Committee on District of Columbia: James C. Auchincloss, New Jersey; Carroll D. Kearns, Pennsylvania; Joel T. Broyhill, Virginia; William L. Springer, Illinois; Ancher Nelsen, Minnesota.

Committee on Education and Labor: Carroll D. Kearns, Pennsylvania; Clare E. Hoffman, Michigan; Albert H. Bosch, New York; Joe Holt, California; Stuyvesant Wainwright, New York; Peter Frelinghuysen, Jr., New Jersey; William H. Ayres, Ohio; Robert P. Griffin, Michigan; John A. Lafore, Jr., Pennsylvania; Edgar W. Hiestand, California.

Committee on Foreign Affairs: Robert B. Chiperfield, Illinois; Frances P. Bolton, Ohio; Chester E. Merrow, New Hampshire; Walter H. Judd, Minnesota; James G. Fulton, Pennsylvania; Donald L. Jackson, California; Marguerite Stitt Church, Illinois; E. Ross Adair, Indiana; Alvin M. Bentley, Michigan; Laurence Curtis, Massachusetts; Stuyvesant Wainwright, New York.

Committee on Government Operations: Clare E. Hoffman, Michigan; R. Walter Riehlman, New York; George Meader, Michigan; Clarence J. Brown, Ohio; Florence P. Dwyer, New Jersey; Jack Westland, Washington; Joe Holt, California; Robert P. Griffin, Michigan; George M. Wallhauser, New Jersey; Jessica McC. Weis, New York; Odin Langen, Minnesota.

Committee on House Administration: Paul F. Schenck, Ohio; Robert J. Corbett, Pennsylvania; John B. Bennett, Michigan; Glenard P. Lipscomb, California; Charles A. Halleck, Indiana; John H. Ray, New York; William S. Mailliard, California; Willard S. Curtin, Pennsylvania; Edna (Mrs. Sid) Simpson, Illinois.

Committee on Interior and Insular Affairs: John P. Saylor, Pennsylvania; J. Ernest Wharton, New York; E. Y. Berry, South Dakota; Jack Westland, Washington; Craig Hosmer, California; J. Edgar Chenoweth, Colorado; Harold R. Collier, Illinois; Gardner R. Withrow, Wisconsin; Bob Wilson, California; Glenn Cunningham, Nebraska; Odin Langen, Minnesota; Edna (Mrs. Sid) Simpson, Illinois.

Committee on Interstate and Foreign Commerce: John B. Bennett, Michigan; William L. Springer, Illinois; Alvin R. Bush, Pennsylvania; Paul F. Schenck, Ohio; Steven B. Derounian, New York; J. Arthur Younger, California; William H. Avery, Kansas; Harold R. Collier, Illinois; Milton W. Glenn, New Jersey; Samuel L. Devine, Ohio; Ancher Nelson, Minnesota; Hastings Keith, Massachusetts.

Committee on Judiciary: William M. McCulloch, Ohio; William E. Miller, New York; Richard H. Poff, Virginia; William C. Cramer, Florida; Arch A. Moore, Jr., West Virginia; H. Allen Smith, California; George Meader, Michigan; Albert H. Bosch, New York; John E. Henderson, Ohio; John V. Lindsay, New York; William T. Cahill, New Jersey.

Committee on Merchant Marine and Fisheries: Thor C. Tollefson, Washington; William K. Van Pelt, Wisconsin; John H. Ray, New York; William S. Mailliard, California; Francis E. Dorn, New York; Thomas M. Pelly, Washington; A. D. Baumhart, Jr., Ohio; H. R. Gross, Iowa; Willard S. Curtin, Pennsylvania; Milton W. Glenn, New Jersey; Elmer J. Hoffman, Illinois.

Committee on Post Office and Civil Service: Edward H. Rees, Kansas; Robert J. Corbett, Pennsylvania; H. R. Gross, Iowa; Joel T. Broyhill, Virginia; August E. Johansen, Michigan; Glenn Cunningham, Nebraska; George M. Wallhauser, New Jersey; Robert R. Barry, New York.

Committee on Public Works: James C. Auchincloss, New Jersey; Russell V. Mack, Washington; Gordon H. Scherer, Ohio; Gardner R. Withrow, Wisconsin; William C. Cramer, Florida; John F. Baldwin, Jr., California; Fred Schwengel, Iowa; Edwin B. Dooley, New York; William S. Broomfield, Michigan; Howard W. Robison, New York; Dean P. Taylor, New York; Walter M. Mumma, Pennsylvania.

Committee on Rules: B. Carroll Reece, Tennessee; Hamer H. Budge, Idaho.

Committee on Science and Astronautics: Joseph W. Martin, Jr., Massachusetts; James G. Fulton, Pennsylvania; Gordon L. McDonough, California; J. Edgar Chenoweth, Colorado; Frank C. Osmers, Jr., New Jersey; William K. Van Pelt, Wisconsin; A. D. Baumhart, Jr., Ohio; Perkins Bass, New Hampshire.

Committee on un-American Activities: Donald L. Jackson, California; Gordon H. Scherer, Ohio; William E. Miller, New York; August E. Johansen, Michigan.

Committee on Veterans' Affairs: Edith Nourse Rogers, Massachusetts; William H. Ayres, Ohio; E. Ross Adair, Indiana; Paul A. Fino, New York; John P. Saylor, Pennsylvania; H. Allen Smith, California; Charles M. Teague, California.

Committee on Ways and Means: Victor A. Knox, Michigan; James B. Utt, California; Jackson E. Betts, Ohio; Bruce Alger, Texas.

The resolution was agreed to.

ELECTION OF ADDITIONAL MEMBERS TO STANDING COMMITTEES OF THE HOUSE

Mr. MILLS. Mr. Speaker, I offer a resolution (H. Res. 123).

The Clerk read as follows:

Resolved, That Antonio Fernós-Isern, the Resident Commissioner to the United States from Puerto Rico, and John A. Burns, the Delegate from Hawaii, are hereby elected additional members of the following standing committees of the House of Representatives: Committee on Agriculture, Committee on Armed Services, and Committee on Interior and Insular Affairs.

The resolution was agreed to.

APPOINTMENT OF MEMBERS OF THE JOINT COMMITTEE ON ATOMIC ENERGY

The SPEAKER. Pursuant to the provisions of 42 United States Code 2251, the Chair appoints as members of the Joint Committee on Atomic Energy the following Members on the part of the House: Mr. DURHAM, of North Carolina; Mr. HOLIFIELD, of California; Mr. PRICE, of Illinois; Mr. KILDAY, of Texas; Mr. ASPINALL, of Colorado; Mr. VAN ZANDT, of Pennsylvania; Mr. HOSMER, of California; Mr. BATES, of Massachusetts; and Mr. WESTLAND, of Washington.

APPOINTMENT OF MEMBERS OF THE COMMITTEE TO INVESTIGATE NONESSENTIAL FEDERAL EXPENDITURES

The SPEAKER. Pursuant to the provisions of section 601, title VI, Public Law 250, 77th Congress, the Chair appoints as members of the Committee To Investigate Nonessential Federal Expenditures the following members of the Committee on Ways and Means: Mr. MILLS, of Arkansas; Mr. FORAND, of Rhode Island; Mr. REED, of New York; and the following members of the Committee on Appropriations: Mr. CANNON, of Missouri; Mr. MAHON, of Texas; and Mr. TABER, of New York.

GOVERNMENT EXPENDITURES

Mr. TABER. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Speaker, the United States today is facing a serious situation. There is no question in my mind but that we must face it and must overcome it. Everywhere that a dollar is asked for by any agency it must be screened in the most careful manner, and we must try our very best to keep things down. Every unnecessary item must be cut down.

For instance, even the military construction must be put on what is practically needed for their construction, rather than the elaborate things that have been done in the past. We must do away with any more attempts to fasten other expenditures upon the people. We just cannot afford it and they cannot afford it. We will not meet our responsibilities unless we stand up to the rack and realize that further increases in expenditures or even the maintenance of the type of expenditures that have been going on shall be stopped.

I am not unmindful of the responsibilities that we owe. We owe a lot of debt. That debt cannot be met if we maintain a spending budget which is larger than the ones that have gone by. The present budget submitted is perhaps the largest peacetime budget since that budget that was sent up here in the last days of the Truman administration in 1953. It is larger than I like to see. I hope that we will be able to keep it down. I hope from what the chairman of the Committee on Appropriations told us this morning that he is going to lead the way. I am glad to see that he is taking that position.

The thing I want to caution the Congress about particularly is this: Do not get tied up to spending programs until after the Appropriations Committee has had an opportunity to hold hearings on things and find out the things that absolutely are necessary. We must not tackle anything else. We must meet what is necessary for the defense of the United States. We must meet what is necessary to maintain our governmental structure. But never in the world should we embark upon programs that are going to cost enormous sums of money. We should begin to whittle down some of these expenditures so that we can face the people of the United States back home. I do not think for a moment that we ought to take any chance on going ahead with new programs that may be foisted upon us to vote upon by all sorts of promoters. These promoters who are out for spending more money must realize that we do not have the money to spend. They must realize that we must face the obligations that we owe to our bondholders and to the people generally who are paying enormous taxes. I would like to see the taxes cut. At the same time I would hate to see them cut unless and until we can get things down to the point where we can afford to take a chance on that sort of thing.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. HALLECK. First of all, I want to commend the gentleman for the fine statement he is making. I want also to commend the chairman of the Committee on Appropriations who stands on the other side. If I understood him correctly he likewise stands for a careful scrutiny of all these items of expenditures. I might say, of course, that he as chairman of the great Committee on Appropriations is in a very important position to see to it that spending is held down. He referred to the increase from $65 billion to $79 billion over the past 4 years. I think it ought to be recognized by everyone that during those 4 years he has been chairman of that committee and his side of the aisle has been in control of the House of Representatives. After all, as the President so well said, the Congress of the United States in the final analysis holds the pursestrings over expenditures. I just want to say to the chairman, the gentleman from Missouri, that I applaud him for his concern over the rise in the cost of living and for his concern over the erosion of the value of savings of people when the value of the dollar goes down; and his concern over the public debt and the concern that he has otherwise expressed. I commend him for expressing that concern and I say to him that if he and those who stand with him will match those words with action and with votes in the months to come, we will keep this budget within balance. I wish to state right now, speaking for the people on my side of the aisle, that we will do our level best to keep the spending down to the end that the welfare of this country will be promoted. Certainly, we can do no less than that. And if I may add just one other word, I want to point out that already in the offing there are proposals from Democrat Members for spending additional billions and billions of dollars. Some of these proposals have been talked about here in recent months and some of them were proposed in a previous session of the Congress when we were told that if we did not vote for them the whole economy was going down the drain. Well, thank goodness, most of those latter proposals were defeated and the economy has not gone down the drain. On the contrary, the economy of the country has been coming along very well. We are coming out of the recession. We are within reach of another balanced budget. We ought to devote our energies to that end. I commend the gentleman from New York for what he has said.

Mr. TABER. We are facing a situation which is absolutely critical in the United States. If we do not meet our responsibilities we are going to contribute to total bankruptcy on the part of the Government. I do not want to be a party to that sort of thing. I hope that this Congress does not want to be a party to that sort of thing. I intend to take the floor when any of these large bills are under consideration, and express myself on how I feel, and I hope that the Congress will stand up and prevent these enormous expenditures going through.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. JENSEN. The President cannot spend one penny which the Congress does not appropriate. We all know that. It is the responsibility of this Congress to see to it that not one dime of the taxpayers' money is wasted.

Mr. TABER. That is correct.

Mr. JENSEN. Also the gentleman remembers well early in the last session of Congress when the Democratic floor leader brought to this House two resolutions, one directing the President to spend more money and faster for the military, and the other directing the civilian departments to spend more money and faster than the budget directed.

The SPEAKER. The time of the gentleman from New York [Mr. TABER] has expired.

THE PRESIDENT'S BUDGET

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, President Eisenhower has presented to the Congress a realistic budget which gives priority from the funds available to the country's urgent needs. It is based on the time-proven premise that to have a sound economy we must live within our income.

The President's financial plan deals realistically with our present needs and looks to the future. It gives recognition to the all-important fact that what fiscal course we follow today will have an impact on our national stability for many years to come.

The question is now before the Congress, and the major responsibility rests squarely on the shoulders of the Democrats who control both the House and Senate by substantial majorities. For my part, and I believe I express the position of my Republican colleagues, I intend to support this budget.

I am confident my Republican colleagues as a unit will vigorously resist attempts to make expenditures available for programs and projects that may be desirable but which are not essential. Next year promises to be the most prosperous in our history. If we cannot arrange for the Government to live within its revenue during such a period, there is no hope that we will ever be able to do so.

We cannot have our cake and eat it too. We must think not of ourselves, what we may like to have; but we must think of the country as a whole. We must exercise self-discipline.

Surely we will not allow political expediency to determine what we do that so vitally affects our national economy and our country's future. Let us not enter upon unessential spending programs that the people as a whole are robbed by rising prices and taxes for the benefit of a few.

I earnestly urge this House, which has primary responsibility for all appropriations, to support the President in maintaining a balanced budget.

Mr. HOEVEN. Mr. Speaker, I think the budget proposals we received today

will go a long way toward restoring the Government's fiscal integrity. While I have not yet had the opportunity to study all the items in detail, it certainly seems to me that all essential defense needs are met.

The budget provides for more and better missiles next year. Expenditures proposed for procurement of missiles alone are $3,825 million, up more than $1 billion over last year and up another half billion dollars over this year's procurement. Other new weapons and equipment for our Armed Forces are also to be purchased in large quantities. The present high level of research and development is to be further expanded. In fact, a more effective Defense Establishment is recommended overall.

At the same time, continuation of the reorganization and adoption of the other recommendations made by the President will make our defense dollars go farther. They will result in streamlining operations, in reducing duplication of weapons systems, and in cutting out unnecessary overhead. The proposals for accomplishing these objectives are sound and reasonable.

There are those who always complain that the defense budget is too small. But I think that if we go along with the President's proposals, which call for total security expenditures of over $45 billion, we will have an adequate military program for the year ahead and we will be getting more for each defense dollar spent.

Recommended expenditures for national security amount to about 60 percent of the total budget. They represent a burden which we must, can, and will bear. But we cannot and should not add unnecessarily to this burden. There is no excuse for waste. There is no excuse for unneeded spending—even for defense. I am convinced that we shall best support the Nation if we support the President's budget recommendations.

TAX ON TRANSPORTATION OF PERSONS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. FASCELL. Mr. Speaker, I have today introduced a bill to repeal the existing wartime tax on the transportation of persons.

The Members of the House will recall that this tax was reduced from 15 percent to 10 percent in 1954; 2 years later, we were able to lift this levy from the transportation of persons to foreign countries, particularly the Central and South American countries. Just recently, the 3-percent tax on the movement of freight was repealed.

We have a situation now, then, where only persons who desire to or who have to travel within their own country must pay a tax on such travel. The result constitutes a discriminatory tax on the lower income groups where 3 out of 10 people cannot afford automobiles and so must depend upon public conveyances for their transportation. Also hurt by this tax are those who live at places distant from the large population centers who are forced to pay a proportionately higher share of this tax.

The tax on the transportation of persons, like other excise taxes, was imposed during World War II to discourage nonessential travel by the public on airlines, railroads, and buses. Today, 13 years later, the tax is serving the same purpose—to discourage travel. At the same time, our common carriers, eager and able to handle all of the traffic they can find, are suffering under this travel restriction with increased operating costs and dwindling profits.

It took us only 3 years to remove this tax similarly imposed during World War I; it took Canada only 3½ years to remove her 15-percent wartime levy imposed on travel during World War II.

Increased travel by commercial carriers will increase their taxable income, thereby offsetting the contribution to the Treasury now being made through this tax, which is small in proportion to the size of the Government's multi-billion-dollar budget.

I hope the House will take swift action on this badly needed and long-overdue tax repeal.

SPECIAL ORDER

The SPEAKER. Under previous order of the House the gentleman from West Virginia [Mr. BAILEY] is recognized for 30 minutes.

Mr. BAILEY. Mr. Speaker, I ask unanimous consent that the special order for today be vacated and that on Wednesday next, at the conclusion of the regular business, I may address the House for 40 minutes.

The SPEAKER. Is there objection?

There was no objection.

THE PRESIDENT'S BUDGET

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Speaker, I have listened with grave misgivings to the President's budget message for 1960.

To the extent that this budget seeks to halt inflation, its purpose is laudable But when we weigh the most potent forces contributing to today's inflationary spiral—especially the accepted policy of administered prices in our basic industries—it becomes clear that the President's 1960 budget, even if implemented, would be of small consequence in solving the problem of inflation.

It is also clear, of course, that the budget is unrealistic for other reasons as well. Whether an adequate defense can be provided for the amount allocated remains in doubt. There is no doubt whatever, however, that anticipated receipts have been considerably padded in order to bring the budget into some kind of approximate balance. Most glaring, I think you will agree, is the revenue item based upon another increase in postal rates.

I find the President's budget unrealistic for still another reason, Mr. Speaker. It seeks to achieve economy by eliminating internal improvements and other governmental undertakings which are not only badly needed for economic development but which actually would return a far greater benefit over the years than their cost.

Failure of the President to include any new public works projects, approved and recommended by the Corps of Engineers, to my mind represents a short-sighted pound-foolish policy which jeopardizes the economic and international security of our country.

Consider for a moment the channel deepening projects recommended by the Corps of Engineers for a number of Great Lakes ports. In recent years $140 million has been authorized and spent by the Federal Government on the St. Lawrence Seaway in order to make possible, among other things, passage of ships of 27-foot draft through the various connecting locks and on into the Great Lakes.

But for the St. Lawrence Seaway project to be utilized to its full potential, as the Congress and the people of the United States intended, our Great Lakes ports must have channels of sufficient depth, that is 27 feet, to handle the larger vessels which the seaway makes possible.

To meet the problem of providing deeper channels in time for the seaway opening, the Corps of Engineers has engaged in a high priority, hurry-up program. Intensive studies have been carried out by regional offices of the Corps of Engineers in the Great Lakes area to determine where the greatest economic benefit will derive from deep channels. These studies have weighted anticipated economic benefits against the cost of improvement for each lake port under consideration. The final recommendations of the Board of Engineers approved only those projects in which the amortized economic benefits exceeded the cost of the improvement.

In other words, the Corps of Engineers—certainly one of the most highly respected, objective, and trustworthy sources of information—concluded that it was vastly to the national interest, financially and economically, to deepen the harbor channels at Ashtabula, Lorain, Cleveland, Duluth, and Toledo. Despite this recommendation of the Corps of Engineers, the administration has rejected their balanced judgment and under the banner of economy has deferred economic advancement.

To my mind, Mr. Speaker, all of this is like a man starting a trucking company who buys a terminal but forgets the trucks.

Mr. Speaker, if the President wants to do battle with the Congress on the issue of economy, I suggest that we engage him immediately on this front. When the people of our country are heard, I think the President will learn that real economy means sound investment as well as the curtailment of nonessential expenditures.

NO RELIEF FOR HARD-HIT CARPET INDUSTRY

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, for many years the carpet industry, of which a large part is located in my District in the great city of Amsterdam, N.Y., has been hard-hit by low-cost competition from abroad. As a result of this competition the carpet industry has felt a decline in orders and a decline in profits, and this, in turn, has been reflected in a decline in employment. A part of this industry has already moved out of Amsterdam to other areas, and the manufacturers who continue to operate in this area have been forced to lay off many of their faithful employees of long service.

As a result of this action, Amsterdam, like neighboring Schenectady, has been declared a labor-surplus area in a substantial degree.

It has long been clear, Mr. Speaker, to those familiar with the carpet industry that much of this problem has been caused by the provisions of the Reciprocal Trade Agreements Act under which foreign competition has actually been stimulated by deliberate Government policy.

At the time that the act was adopted in 1951 a so-called escape clause was inserted into the act which would make it possible for the U.S. Tariff Commission to increase tariffs or to establish quotas with respect to any specific industry or product particularly hard hit by foreign competition as a result of provisions of the act.

Under this clause the carpet industry last spring began a proceeding before the Tariff Commission designed to obtain just this kind of relief. Last week the Tariff Commission handed down its decision, and on the basis of a split vote of three to two denied that the industry had been hard hit and refused to grant the relief requested.

Mr. Speaker, in view of the decision of the Tariff Commission one wonders whether the so-called escape clause which was designed in theory to provide relief for our hard-hit industries actually provides any relief at all. Just how hard does a community or an industry have to be hit before the Tariff Commission is willing to acknowledge a need for special consideration? Anyone familiar with Amsterdam and the economy of that great city, as I have been familiar, knows that the decision of the majority of the Commission flies in the face of the facts. If these facts can be ignored by a majority of the Commission in the case of one industry, then it is hard to see how any facts can be recognized in support of any other industry. What will happen, for example, when the plight of the glove industry, which has been equally hard hit, comes before the Commission for determination?

In an effort to obtain justice for this industry in my district and to permit information to be presented with regard to further developments that have taken place since these hearings were begun, I have requested the Tariff Commission to grant a rehearing to the carpet industry.

I am hopeful, Mr. Speaker, that this request will be acted upon favorably by the Commission. To underline the necessity for this action, under unanimous consent, I include with my remarks at this point in the RECORD, the very able and vigorous dissent in this proceeding which was entered by Commissioners Walter R. Schreiber and Glenn W. Sutton. These Commissioners have fully grasped the urgency of the situation that confronts the carpet industry, and I am hopeful that their views in the future will become the views of the majority of the Commission.

DISSENTING VIEWS OF COMMISSIONERS WALTER R. SCHREIBER AND GLENN W. SUTTON

(Report made and published pursuant to law of the findings and conclusions of the United States Tariff Commission in investigation No. 67 under sec. 7 of the Trade Agreements Extension Act of 1951, as amended, relating to certain machine-woven pile floor coverings)

UNITED STATES TARIFF COMMISSION,
Washington, D.C., January 12, 1959.

We, Commissioners Schreiber and Sutton, dissent from the findings by the majority of the Commission. In our opinion, wilton, brussels, velvet, and tapestry carpets and rugs are being imported in such increased quantities, both actual and relative, as to cause or threaten serious injury to the domestic industry producing like products.

The considerations which have led us to this conclusion are presented below:

THE SOLE ISSUE

It appears to us that our colleagues of the majority have confused the issue to be resolved under section 7. In the case at hand, the issue is simply whether wilton, brussels, velvet, and tapestry carpets and rugs are being imported in such quantities as to cause or threaten serious injury to the domestic industry producing such rugs. When serious injury is manifest, as it is in this case, the Commission has no discretion under the escape-clause procedure provided for by the Congress; it must recommend the appropriate measures to prevent or remedy such injury.

In denying the applicants relief from the injury caused by imports it does not suffice merely to show that the respective domestic producers are exposed to other competitive situations which constitute as great a threat to their survival as does the ever-increasing flow of imports. One does not deny first aid to a victim of external bodily injuries on the grounds that he concurrently needs medical treatment for internal ailments. Neither does one oppose the adoption of adequate rules of highway safety, because there is also need for inspecting motor vehicles or for licensing operators. The existence of collateral problems provides no warrant for inaction. Nor is it germane to argue that some other domestic industry is enjoying an expanding market—i.e., some industry other than the one properly identified by both the majority and minority members of the Commission in this case as the domestic industry producing like or directly competitive products.

We concur with the majority of the Commission in their finding that, for the purposes of section 7, the domestic industry producing products that are "like" the imports covered by this investigation is coextensive with the domestic production of wilton, brussels, velvet, and tapestry carpets and rugs. We also concur that in recent years sales of new types of carpets and rugs—i.e., tufted and knitted carpets and rugs—have made rapid inroads on the U.S. market for domestically produced wilton and velvet carpeting. This trend, however, does not alter the fact that domestic producers of wilton and velvet carpets and rugs have in addition suffered increasing, substantial, and serious injury from imported wilton and velvet products. Manifestly, the injury from imports is in no way mitigated by these other hazards confronting the industry.

Notwithstanding the large consumer purchases of tufted and knitted carpeting, there remains a sizable residual domestic market for wilton and velvet carpeting. It is this residual market that is being engulfed by imports. Year by year domestic manufacturers have watched the remaining and narrowing domestic market for wilton and velvet floor products being taken over by imported merchandise, while their own facilities for producing these items have fallen into disuse and disrepair. It is relief from such injury that the applicants seek. Significantly, domestic producers have not requested escape-clause action in the case of axminster carpets and rugs—the type which has felt the major impact of increasing sales of domestically produced tufted and knitted products but whose residual market has suffered little from imports.

It would be a curious doctrine, indeed, that would deny an American industry the relief that Congress contemplated under the escape clause on the ground that the respective producers are also confronted with domestic difficulties in marketing their product. Should such a doctrine be consistently applied, it is doubtful that any domestic industry, however intense the import competition may be, could be granted relief under section 7.

The issue then is simple, clear, and unavoidable: Whether imports of wilton and velvet carpets and rugs are causing, or threatening to cause, serious injury to domestic producers of like products. Irrelevant facts relating to the domestic difficulties of the industry must not be permitted to obscure this issue. To deny relief to the domestic industry producing wilton and velvet carpets and rugs on any other basis would constitute a misapplication of the escape-clause provision and a travesty of the congressional mandate. Having dismissed the considerations that are not pertinent to a finding under the escape clause, it is then appropriate to examine the evidence pertaining to the serious injury caused by imports. We have done so and have weighed the criteria set forth in the statute; both individually and jointly, the facts enumerated below supply ample proof that such injury is unmistakable and crucial.

THE ACCELERATING RATE OF IMPORTATION

Imports of wilton and velvet carpets and rugs have increased dramatically and almost continuously since World War II. In 1957, the quantity imported exceeded that in any preceding year and was more than sixteenfold that in 1937 (table 4). A disturbing rate of increase is also apparent when other bases of comparison are used. In 1957, imports of wilton and velvet carpet and rugs were about 25 percent greater than the annual average for 1954–56, 150 percent greater than the average for 1950–52, and nearly 190 percent greater than in 1950.

In the 3 years prior to World War II (1936–38), United States imports of wilton and velvet carpets and rugs averaged a little more than 200,000 square yards. After the war, such imports began to enter in increasing magnitude. Between the two successive 3-year intervals—1950–52 and 1955–57—the average annual imports of wilton and velvet increased from 1.9 million square yards to 4.4 million square yards. In 1957, they totaled 4.7 million square yards. Although total imports of these

products during the current recession year, 1958, may be a trifle smaller than those in 1957, there is every reason to believe that, unless appropriate action is taken under provisions of section 7, the trend of accelerating imports will continue.

FLIGHT OF THE INDUSTRY ATTRIBUTABLE TO IMPORTS

Imports of wilton and velvet carpets and rugs have been a direct and measurable factor in the declining production and sales of like domestically produced carpeting. In recent years, imports have supplied an increasing share of the total quantity of wilton and velvet carpets and rugs purchased by United States consumers (table 6). In the years immediately preceding World War II, imports were equivalent to less than 1 percent of the total domestic consumer purchases of these products. By 1950, the ratio had increased to 3 percent. Since then, the proportion of the domestic market taken over by imports has doubled about every 3½ years. In 1953, imports supplied more than 6 percent of domestic consumer requirements for wilton and velvet carpeting, and in 1957 they supplied about 12 percent. There is every prospect that further inroads of this character will occur during the foreseeable future, with consequent further deterioration of the domestic industry.

VULNERABILITY OF THE DOMESTIC INDUSTRY

The domestic wilton and velvet carpet-producing industry is peculiarly sensitive to competition from imported carpets and rugs. If wilton and velvet carpeting were enjoying an expanding, or even stable, market, increasing imports might be absorbed with something short of seriously damaging consequences to domestic producers. Such, however, is not the case. As amply shown by our colleagues in the majority opinion, consumers' demand for pile-surfaced floor covering is no longer supplied to the extent it was formerly by purchases of wilton and velvet types of carpets and rugs. Even without the drastically increased imports, the domestic industry producing wilton and velvet carpets and rugs is confronted with difficulties resulting from the rapidly expanding domestic production and sales of tufted and knitted types of carpeting. As so aptly and so graphically described in the statement by the majority of the Commission, some two-thirds of United States consumer purchases of pile-surfaced floor coverings currently consist of these newer types. Hence, in the residual and contracted market for their products, the domestic producers of wilton and velvet carpets and rugs are in an unusually vulnerable position; this domestic industry is less able than most others to withstand the heavy onslaught of increasing imports. The double jeopardy here described supplies no warrant for denying the measure of relief envisioned by the escape clause.

DECLINING DOMESTIC PRODUCTION

The annual changes in U.S. production of wilton and velvet carpets and rugs in recent years are measured by the following indexes (computed from quantity data in table 2):

[1950–52=100]

1950	121
1951	90
1952	89
1953	101
1954	84
1955	92
1956	90
1957	79

Inasmuch as both 1950 and 1957 were unusual years these figures overemphasize somewhat the declining trend in domestic production. Because of the Korean crisis, production in 1950 was higher than would otherwise have occurred and, because of the recession, production in the last half of 1957 was at least moderately lower than it otherwise would have been. However, the 2 years following 1950 constituted a period of adjustment during which inventories, that had accumulated at the retail level, were liquidated.

The trend in production in recent years, therefore, is more accurately revealed by comparing the average annual production during successive 3-year intervals. In the period 1950–52, the annual domestic production of wilton and velvet carpets and rugs averaged 45 million square yards. In 1953–55, it averaged only 42 million square yards and, by 1955–57, it had fallen to 39 million square yards. Thus, during the last 3 years for which complete data are available, the average annual domestic production of wilton and velvet was 7 percent smaller than in 1953–55 and 13 percent smaller than in 1950–52. Production in 1957, however, was 21 percent lower than the annual average in 1950–52. There appears to be little likelihood that the total output in 1958 exceeded the 1957 level.

Notwithstanding that some of the decline in domestic production is attributable to causes other than imports, it is clear to us that Congress intended relief to be granted in situations of this kind. To this end, the following language of the controlling statute is pertinent:

"Increased imports * * * shall be considered as the cause or threat of serious injury to the domestic industry producing like or directly competitive products when * * * such increased imports have contributed substantially toward causing or threatening serious injury to such industry."

DOWNWARD TREND IN SALES

The decline in U.S. production of wilton and velvet carpets and rugs in recent years has closely approximated, and has resulted from, a marked decline in sales of these products by domestic producers. The following indexes (computed from quantity data in table 3) show annual changes in sales of domestically produced wilton and velvet carpets and rugs:

[1950–52=100]

1950	124
1951	86
1952	90
1953	97
1954	83
1955	92
1956	91
1957	79

In 1950, largely as a result of the unusual demand engendered by the Korean crisis, manufacturers' sales were higher than in any other year during the 1950–57 period. In the adjustment period (1951–52) which followed, however, sales were substantially lower; they increased moderately in 1953 and then dropped off markedly in 1954. After a slight recovery in 1955–56, they decreased in 1957 to their lowest point for the period.

During the last 3 years for which complete data are available, 1955–57, the average annual sales of wilton and velvet carpets and rugs were 13 percent smaller than in 1950–52. Sales in 1957 were 21 percent lower than the 1950–52 average.

JOB LOSSES IN THE INDUSTRY

The general deterioration of the domestic industry producing wilton and velvet carpets and rugs, as reflected above by the decline in production and sales, was inevitably accompanied by progressive losses of job opportunities by workers who depend upon that industry for a livelihood.

The Commission obtained man-hour and wage data from most producers of wilton and velvet carpets and rugs. The reports submitted by 20 firms were sufficiently complete for the years 1950–57 for tabulation. The output of these 20 firms currently accounts for more than two-thirds of the domestic production of wilton and velvet carpets and rugs. The following indexes for recent years (computed from the data in table 8) show a generally downward trend in the number of man-hours utilized to produce wiltons and velvets in the plants of the 20 reporting firms:

[1950–52=100]

1950	111
1951	95
1952	94
1953	90
1954	82
1955	87
1956	95
1957	88

The annual man-hours employed by the 20 firms in producing wilton and velvet carpets and rugs declined by about 10 percent between the two 3-year periods 1950–52 and 1955–57. In 1957, the man-hours of employment in such production were 8 percent smaller than in 1956 and 12 percent smaller than the 1950–52 average.

DETERIORATION IN THE INDUSTRY'S PROFIT POSITION

In terms of both absolute net operating profits and ratios of net operating profits to net sales, the wilton and velvet carpet-producing industry has been markedly less profitable in recent years than it was in the period before imports reached their current magnitude.

The Commission obtained detailed profit-and-loss data for recent years from most producers of wilton and velvet carpets and rugs. The returns from 17 producers, who currently account for more than two-thirds of the domestic output of wilton and velvet carpeting, were sufficiently complete to be used in analyzing the financial experience of the industry. Data covering their wilton and velvet operations only were consolidated for the years 1950–57 (table 9).

The decline in profits of the 17 firms on their wilton and velvet operations has been striking. Whereas their annual aggregate net operating profit averaged $19 million during 1950–52, it averaged only $15 million during 1955–57. In 1957, their aggregate profit was only $10 million. The dramatic decline in the net operating profit earned by the 17 firms on their wilton and velvet operations is revealed by the following indexes:

[1950–52=100]

1950	155
1951	45
1952	100
1953	96
1954	45
1955	83
1956	95
1957	50

From the foregoing it is apparent that the average annual profits earned by producers of wilton and velvet carpeting were about 24 percent smaller during the last 3 years for which data are available (1955–57) than during 1950–52. In 1957, their net operating profits, which were lower than in any year since 1954, were 50 percent smaller than the annual average during 1950–52 and 33 percent smaller than the average for the immediately preceding 3 years (1953–56). Preliminary data obtained by the Commission indicates that a further deterioration in the profit position of these firms occurred during 1958.

The decline in aggregate profits of the 17 firms in their wilton and velvet operations was paralleled by a decline in the ratio of their net operating profits to their net sales. The ratios (in percent) of net operating

profits to net sales on their wilton and velvet operations, 1950–57, were as follows (table 9):

1950	14.2
1951	4.9
1952	11.0
1953	10.5
1954	5.4
1955	8.5
1956	9.8
1957	5.7

The foregoing consolidation of profits and losses for producers in the aggregate, however, fails to reflect the critical seriousness of the situation for a number of individual producers. Not only do declining profit margins threaten ultimately to destroy the industry, but recurring annual losses also forbode the imminent extinction of various individual firms. In all recent years one or more of the companies producing wilton and velvet carpets and rugs have incurred operating losses. Thus far, a total of 8 of the 17 firms have suffered such losses. In their wilton and velvet operations, one of the eight firms operated unprofitably in 6 of the years 1951 through 1957; one of them operated at a loss in 4 of those years; one in 3 years; three in 2 years; and two in 1 year. In addition, one large firm, which operated at a loss in every year during the period 1951–55, has discountinued operations entirely as a corporate entity.

CLEAR MANIFESTATION OF SERIOUS INJURY

In view of the foregoing considerations, we are of the opinion that the domestic industry producing wilton, brussels, velvet, and tapestry carpets and rugs has been seriously injured by increased imports of like competitive products. Unless relief is granted under the provisions of section 7, there is threat of further injury as imports continue to mount.

The salient facts which support our conclusion are: (1) Imports have increased in unusual proportions since 1950; (2) the increase in imports is, in substantial part, a direct result of the duty concessions granted under the General Agreement on Tariffs and Trade; and (3) in addition to other known difficulties besetting domestic producers, the greatly increased imports of wilton and velvet carpets and rugs have constituted—and unless relief is granted will continue to constitute—a cause of serious injury to the domestic industry. In considerably more damaging proportions than would have occurred without such increased imports, sales of domestically produced wilton and velvet carpets and rugs have declined. Unavoidably, the decline in such sales has resulted in lower levels of production and employment. These manifestations of increasing injury have culminated in a progressive deterioration of the financial position of the domestic industry producing wilton and velvet carpets and rugs.

Respectfully submitted.

WALTER R. SCHREIBER,
Commissioner.
GLENN W. SUTTON,
Commissioner.

FEDERAL LAW TO CURB BOMBINGS

Mr. CURTIS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CURTIS of Massachusetts. Mr. Speaker, today I have introduced a bill to make the sort of bombings which have recently shocked the Nation a Federal crime. This will make it possible to bring to bear the full power of the United States to curb these disgraceful crimes of violence.

The whole Nation has been outraged by the wave of bombings which have occurred in recent years. Seventy instances of this crime or attempts to commit this crime have been reported since 1954, and 27 during the last year.

These crimes, while horrible in themselves, are particularly ominous and disgraceful when directed against such public institutions as schools and places of worship. The bombing of a place of worship is a crime against God and man. These crimes involve mass intimidation of minority groups. Surely the American people will welcome every effort to strengthen the law in order to put a stop to these pernicious and un-American crimes.

There is therefore every justification for bringing to bear on this problem the power and majesty of the Federal Government by recognizing these crimes as within the Federal jurisdiction. This will enable the powerful law enforcement agencies of the Federal Government at once to lend their aid in apprehending the perpetrators of these acts of violence, and bringing them to justice.

In some instances it has been recognized that local law enforcement officials have been handicapped in their efforts to control these crimes because they have involved widespread conspiracies and illegal acts extending beyond local boundaries. These officials need assistance from Washington. They should have it. They must have it.

Fortunately Federal jurisdiction can be conferred without departing from sound precedent, without diminishing State sovereignty or jurisdiction, and without any undue extension of Federal power. Under our jurisprudence ordinary crimes are considered local in nature, and are best handled by State and local authorities. But the Federal jurisdiction extends to many crimes, particulary those having relation to interstate commerce.

Only 3 years ago the Congress saw fit to place on the statute books a law creating a new Federal crime, that of placing bombs in airplanes. Federal jurisdiction to help control the bombing outrages referred to above can be effectively conferred by provisions as to the transportation of explosives.

The bill which I have introduced is based on those principles, and amends the criminal code by adding a new section 837 to chapter 39 of title 18 of the United States Code.

I feel confident that the objective of this bill will receive strong approval from the Members of Congress and the American people.

THE GAS BILL OF 1959

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Michigan [Mr. DINGELL] is recognized for 5 minutes.

Mr. DINGELL. Mr. Speaker, the gas bill of last session has just been reintroduced as H.R. 366.

The greedy unconscionable gas and oil lobby, not satisfied with extreme tax favoritism and the highest rate of return on investment, has again attempted a raid on the pocket of the American consumer.

This bill is identical with last year's gas bill except for the inclusion of amendments to satisfy the coal lobby, which prevent dumping of surplus gas at low prices to large industrial users. The sole purpose of the amendments is acquisition of 15-odd votes from Congressmen in coal producing areas.

Everyone will recall the devious connivings and manipulations of the rapacious vested interests seeking enactment of this gas gouge bill during those two Congresses.

This bill was vetoed during those two Congresses because of arrogant and highly questionable lobbying practices used on its behalf. During the last session of Congress it was scheduled to be brought to the floor at the time that the famous Jack Porter letter fell into the hands of the press announcing that a $100-a-plate dinner was to be held in honor of a Member of Congress who would produce enough votes to secure passage of this fraud on the consuming public.

The bill completely does away with all effective regulation of natural gas producers, and, if passed, will cost the consumers better than $1 billion which will be extorted from the American people and placed in the coffers of the unconscionable gas and oil lobby. Anyone who uses natural gas to cook or heat his home will find his gas bill increased substantially if this measure passes.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Ohio.

Mr. VANIK. I want to take this opportunity to commend the gentleman from Michigan [Mr. DINGELL] for calling the attention of the Congress to the fact that this bill has again been introduced. I hope a serious effort will not be made in this session of Congress to pass the gas bill. It is a vicious type of legislation, designed to help only the oil and gas industry which has already helped itself to abundant privilege at the expense of the Federal Treasury and the American people.

I cannot recall that any new Member of Congress was elected on a platform of special privileges for the oil and gas lobby and increased gas prices for the millions of natural gas consumers in the Northern and Eastern States. The mandate of the electorate last November was a directive to hold consumers' prices in line, and that mandate included utility prices.

How much more legislative time must be consumed before the oil and gas lobby is convinced that there is no congressional enthusiasm for a gas bill to specifically benefit their selfish interests?

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. For the benefit of the Members of the House, could they be advised as to the number of the bill so that they can check it?

Mr. DINGELL. H.R. 366 is the number of the bill.

Mr. BYRNES of Wisconsin. Who is the author of the bill?

Mr. DINGELL. The author of the bill is the chairman of the Committee on Interstate and Foreign Commerce, the distinguished gentleman from Arkansas.

Mr. Speaker, I want to thank the distinguished gentleman from Ohio for joining me in this effort. I know that he, as I, is well aware of the great cost of this bill to our consuming public. I am sure that he is well aware, as I am, of the difficulty which we had in connection with this bill in the last Congress. It was only through the greatest of good fortune that we were enabled to snatch victory from the jaws of defeat or that the opponents of the bill snatched defeat from the jaws of victory.

I shall look forward to the valued help of my very dear friend and colleague from Ohio in defeating this legislative monster again during this session of the Congress.

CUBA

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 15 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, on January 17 I sent the following cablegram to Comdr. Fidel Castro, delegate of the executive branch in the army forces, Republic of Cuba, Havana:

SIR: People of America and all over the world are deeply shocked and horrified by the political executions now taking place in Cuba. In this hour of the 20th century of Christian civilization mankind in all nations has come to have confidence in a higher level and quality of justice.

In the spirit of peace on earth and the brotherhood of man, I appeal to you on the part of countless Americans and plead with you to temper with mercy the punishment of your fellow countrymen who have been quickly judged to be guilty of wrongs against the people of Cuba. I appeal to you for a fair trial of the accused. I appeal to you for a pattern of justice that brings faith and confidence to the Government of Cuba and respect to Cuba as a nation.

In the spirit of our ideals under God, in the belief of the canons of Christian faith, in our concept of equal justice under law, the American people, the people of the Western Hemisphere, and of the whole world of religious faith, focus their eyes and hopes upon you to establish a free democratic government in Cuba founded upon the commandments of God, upon justice and mercy, and upon honor and integrity.

It is the hope of free people everywhere this new Government of Cuba, in the words of the great American emancipator, President Abraham Lincoln, will be of the people, by the people, and for the people. Man must not assume unto himself that which belongs only to God.

EDITH NOURSE ROGERS,
Member of Congress, Fifth Massachusetts District, United States of America.

A $77 BILLION BUDGET—HOW BIG IS $77 BILLION?

Mr. THOMSON of Wyoming. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming.

There was no objection.

Mr. THOMSON of Wyoming. Mr. Speaker, I believe the budget proposed by the President will provide adequately for all of our national responsibilities. Most of those who would attack it as inadequate cannot have much comprehension of the enormous sums involved. We talk about billions of dollars, but do we have any understanding of what these billions mean?

The $77 billion total of the budget is more than the amount of money needed a year ago for a whole calendar year—1957—to buy all the food and drink consumed by every American man, woman, and child. It would have paid for all our meals at home and in restaurants, for all our drink—including alcoholic beverages—and would have kept us all in cigarettes and tobacco to boot.

Another way of looking at $77 billion is to measure it against the national income. It amounts to about 20 percent of the total of the wages, salaries, business profits, interest, and rent earned by all workers, proprietors, professional men, and businessmen in the Nation for a whole year: one dollar out of every five. If we were to compare all government budgets, including State and local as well as Federal, the total would equal over one-fourth the national income—one dollar out of every four. Certainly that is enough government in a prosperous, peacetime year.

Our population has been rising rapidly, but Federal expenditures have been going up even faster. The President's budget recommends that next year we spend an amount equal to $431 for every man, woman, and child in America. This is $29 less than the $460 per capita we are spending this year, and the President deserves much credit for bringing it down. But it is still more than we spent in any previous peacetime year. It is almost as much as the $469 per capita we spent in 1953 while we were fighting a war in Korea. In contrast, we spent only $394 per capita as recently as 1955. And if we go back to the period before World War II, how wistfully I look at the $68 per capita Uncle Sam spent in 1939.

Let there be no misunderstanding. A $77 billion budget is a big budget. The Congress should join forces with the President to hold the size down. It should not push it higher.

LOWERING INTEREST RATE ON TAX-EXEMPT BONDS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Florida [Mr. HERLONG] is recognized for 10 minutes.

Mr. HERLONG. Mr. Speaker, the high rates of interest paid on new issues of State and local bonds are adding materially to the heavy burdens of these governments. With a view to broadening the market for these bonds and thereby improving the interest rates at which they can be sold, I am reintroducing the "broad passthrough" bill. My colleague on the Ways and Means Committee, Mr. CURTIS of Missouri, is joining me by introducing a similar bill, as he did in the last session.

The enactment of this legislation would provide State and local governments with a broader market for their securities by tapping the large and growing pools of funds held by investment companies. At the present time these companies are not interested in the bonds of State and local governments because the tax-exempt interest becomes taxable when distributed to the shareholders. The Herlong-Curtis bill would correct this by providing that the tax-exempt status of the interest paid on these securities would not be lost when it is passed on to the shareholders.

The broad passthrough legislation is designed to attract funds of all types of investment companies: public, private, regulated and unregulated, which are "pure" investment companies in that they derive 90 percent of their income from dividends, interest and profits from stocks and bonds. In short, this legislation provides an incentive to all investment companies to put a part of their funds into tax-exempt bonds.

The importance of this problem was brought home to me when I was in Florida over the Christmas holidays. Many of our communities are expanding rapidly and new capital facilities must be provided. The accepted method of financing such facilities, and in many instances the only feasible method, is by the sale of new bond issues. But when the bond market is flooded this becomes difficult. Local officials who have the responsibility for the sale of new issues have doubtless talked to other Members of Congress as they have to me about their worries over long-term financing. These officials point out that higher coupons must be placed upon new offerings if they are to sell, and this results in mounting debt service which will continue as far into the future as they can see.

The trouble, of course, is that State and local governments are attempting to sell new issues more rapidly than the market for them is expanding. This situation is made more serious by the fact that there is every reason to expect that the upward trend of new offerings will continue. The Severson projections which are so widely quoted show the annual volume of new issues crossing the $16 billion mark in 1968. This is more than twice the 1958 volume of approximately $7.5 billion, which is the record year to date. If the new bond issues are to be sold to advantage some of the funds accumulating in financial institutions which do not benefit greatly from tax exemption must be tapped. This is precisely what the legislation sponsored by Congressman CURTIS of Missouri and myself will do.

The need for legislation to broaden the market for State and local bonds is widely recognized. Leaders among the

financial officials have been aware of this need for some time, and such diverse organizations as the American Farm Bureau Federation, Council of Chief State School Officers and chambers of commerce join such associations of local officials as the American Municipal Association and the National Association of County Officials in supporting the broad passthrough.

This is an efficient method for the Federal Government to assist the hard-pressed local governments. Municipal bonds are already tax exempt, and the enactment of this legislation will result in very little additional loss of revenue to the Treasury. The difficulty is that the existing law no longer provides enough incentive to place the bonds to advantage. This bill would extend the privilege of tax exemption to investors whose companies have funds to lend but are now withholding them because the exemption is lost when they act in their corporate capacity.

Another reason I like the passthrough as a method of assisting State and local governments is its simplicity. Existing relationships would not be disturbed. The control of the new offerings would remain with the local officials where I think it belongs. Each community would be free to build or not to build whatever it may choose with no supervision from Washington. I sincerely hope that this legislation will be enacted at this session of Congress.

THE BUDGET

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. MAHON], is recognized for 10 minutes.

Mr. MAHON. Mr. Speaker, of course, it is impossible for Members of the House to evaluate at the moment the President's budget because it has just been presented to us. As I understand the presentation, the President in his budget is estimating $77 billion expenditures for the forthcoming fiscal year, and he expects to ask the Congress, and does in the budget, for $76.8 billion in his message today.

With certain carryover funds which would be available on July 1, 1959, the total availability to the Executive, in the event we should approve this budget as submitted, would be about $150 billion as of July 1, 1959. Of course, much of that money would be for long leadtime items and, of course, would not and could not, under programs agreed to, be expended in toto in the forthcoming fiscal year.

Now, it has been said here today that the real burden is on the Congress. It has been said that the Executive cannot spend a penny unless authorized to do so by the Congress. And, certainly, the Congress does have great responsibility and power in this regard. In defense of the Congress, I think it ought to be pointed out that, generally speaking, through the years, for the last 20 years, shall we say, the Congress has provided less money in appropriations to the Executive, be he Democrat or Republican, than the Executive has requested. In other words, generally speaking, requests for funds by the Executive exceed what Congress is willing to do toward the appropriation of public funds. So, if we are to judge by the previous actions and traditions of the Congress, it would seem that the chances should be reasonably good that the Congress itself would not go, certainly, very far beyond the recommendations of the Executive for spending authority. Of course, without knowing what the budget contains and what the facts and circumstances are surrounding the various requests, it would be impossible to predict just what will develop.

It could be pointed out that in the 85th Congress, 1st session, the Congress reduced the requests of the Executive in excess of $5 billion in funds requested for appropriation. I do not know what our future record will be, but as contrasted with the Executive, the record of the Congress for economy has been better in the past than the record of the Executive.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Virginia.

Mr. GARY. Mr. Speaker, I would like to ask the gentleman whether during his entire service in the Congress he has ever seen a greater effort to shift the responsibility for Federal spending from the Executive to the Congress than has been made in this budget and on the floor here today.

Mr. MAHON. Your point is well taken. Of course, there has been a very great effort to place the full responsibility on Congress. We readily accept within proper limits the responsibility which is ours. But we cannot accept the responsibility for all expenditures of the Government and leave out of the picture the Executive, who, in turn, generally over the past years has requested more money for expenditure than Congress has provided.

Mr. GARY. And who prepares the budget and submits it to the Congress?

May I say to the gentleman that I, too, am willing to accept the responsibility that the Congress has; and, furthermore, as a member of the Committee on Appropriations, I shall not only try to hold down the outside expenditures we have heard so much about, but I shall also try to cut the President's budget. I believe it can be done, and I shall put forth my best efforts to that end.

Mr. MAHON. I think it would be well to point out that the country is expanding, is growing, and expenses of Government have been increasing through the years. During the 7 years preceding the present administration, during the last 7 years of the Truman administration, the national debt was cut by $3 billion. During the 7 years under the present administration, the national debt has increased in that period about $19 billion. And, generally speaking, those appropriations have been for items and for funds which have been requested by the Bureau of the Budget and by the President. Of course, Congress could always deny funds which are requested by the Executive. But in this budget we are requested to raise the national debt limit to $285 billion, and not on a temporary basis, as was done in the past, but on a permanent basis, with apparently the acceptance by the Executive of high spending levels by the U.S. Government.

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Michigan.

Mr. FORD. I think the gentleman from Texas [Mr. MAHON] is correct that over the years, whether the administration has been Democratic or Republican, Congresses have been more economy-minded than the Executive in the area of direct obligational authority. But the gentleman from Texas knows, because he feels precisely as I do, that, in this outside area where we give to the Executive the right to draw on the Treasury by bypassing the Committee on Appropriations, this Congress in recent years has done a very poor job. That is where we have gotten into our principal fiscal troubles in the last few years. We should stop policies of that kind. We should restrict operations of that kind and force all expenditures to go directly through the Committee on Appropriations. If we did that we would not have some of the problems that we have today.

Mr. MAHON. It is true that the chance of holding the President's budget to the present figure or reducing it when it comes to direct appropriations is greater than in the area of these so-called back-door entrances to the Treasury whereby, through means other than direct appropriations coming through the Committee on Appropriations, money is made available for expenditure. It is going to be necessary for us to watch all obligational authority, whether it be in appropriation bills, or in other bills from other committees. It is necessary to watch them all because they will have to be added up at the end of the session to determine what the box score is with respect to whether or not Congress has increased or decreased the President's budgetary requests.

The President has said that this is a balanced budget. That is based on so many "ifs" that one is constrained to feel that there must have been a great deal of misgiving in the holding out to the public of this hope of a balanced budget.

For example, this is not to be a balanced budget, according to the presentation today, unless the revenues of the Federal Government in the coming fiscal year are $9 billion greater than they are to be in this fiscal year. That is a pretty big "if." I hope they go that high or higher. Another contingency is if Congress provides for the 5-cent first-class postage; and a number of other things are in this picture before it may be said that this is a balanced budget. It is a balanced budget if we raise revenue through various legislative measures and if the national revenue from taxes on the people increase by $9 billion in the coming year, and that is a pretty optimistic hope on which to base this budget. We must remember that when the budget for 1959 was presented to the Congress last year it was estimated that the budget would be balanced—a surplus of $466 million was estimated. It was estimated that the budget of 1959, as presented, would be a balanced budget. The truth is the miscalculations were so great we

are now going into the red to the extent of an average of about $1 billion a month.

NINETEEN HUNDRED AND SIXTY BUDGET—PROVIDES ADEQUATELY FOR IMPORTANT PROGRAMS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. LAIRD] is recognized for 5 minutes.

Mr. LAIRD. Mr. Speaker, the discussions we have had on the floor of the House today regarding the budget message of the President have indeed been most refreshing. There has been a real concern on the part of the members of the House Appropriations Committee to see that we do have a balanced budget in the fiscal year 1960. There are also great pressures not only from the floor of the House of Representatives but in the other body to see that the revenue budget as submitted by the President today is reduced and the expenditures budget as submitted by the President is increased.

This may be good politics but it is certainly bad for America.

One of the striking aspects of the budget which President Eisenhower sent to Congress is how well his recommendations provide for meeting our national responsibilities while reducing spending nearly $4 billion from the swollen total for the current fiscal year.

Even before anyone knew the details of the budget, it was being attacked for endangering our national security or ignoring our domestic welfare. Now that we can see the budget, we know that the budget provides $145 million increase in spending for the Armed Forces; $137 million increase in spending for the new space agency; $115 million increase for atomic energy, with emphasis on power and other peaceful uses; $96 million increase for the Federal Aviation Agency; $89 million increase for the Department of Health, Education, and Welfare; $139 million increase for water resources and other public works, not counting the half-billion dollar increase in spending for highways from a separate trust fund.

All of these programs are larger than ever before in peacetime. How did the President succeed in providing for these important increases and still reduce the budget?

First, some large items in the current year will not be repeated in the coming year. These include the additional U.S. subscription to the International Monetary Fund, the temporary programs for the acreage reserve, the special purchase of housing mortgages, the advances to States for extended unemployment benefits, and the retroactive pay increase for Federal workers.

Second, the President is planning to make some Government lending programs support themselves by stepping up the sale of some of their portfolio assets and by encouraging more private lending with flexible interest rates.

Third, the budget estimates significant reductions for certain programs in the normal course of events. With normal crops, price support costs should be lower. Military assistance to our allies will be less in view of large deliveries in previous years. Stockpiling objectives are largely met.

Finally, the President recommends some legislative changes to reduce spending. The most important of these are revised postal rates and keeping the highway program on a pay-as-we-go basis.

Combined with careful review of many smaller items, these major reductions make it possible to balance the budget without a general tax increase and without slashing essential programs for national security, for economic growth, and for individual welfare. I think the President has done an excellent job of showing how our Nation can progress and keep a sound dollar.

PROPOSED STAMP TO COMMEMORATE BATTLE OF KINGS MOUNTAIN

The SPEAKER. Under previous order of the House, the gentleman from South Carolina [Mr. HEMPHILL] is recognized for 5 minutes.

Mr. HEMPHILL. Mr. Speaker, under leave to extend my remarks, I wish to point out to our colleagues that I have introduced again today a bill requesting the Post Office Department to issue a stamp commemorating the Battle of Kings Mountain, which turned the tide of victory in the southern campaign in the Revoluntionary War. This stamp would herald and salute those heroes from Tennessee, North Carolina, Georgia, South Carolina, and many from other States, who fought for freedom there.

That great organization of patriotic ladies, the Daughters of the American Revolution, are interested in this legislation. They have consistently worked to preserve the memories of those hallowed victories. I am sure, too, the veterans of this country, who have emulated the braveries of their forefathers, would appreciate this stamp.

I would like to review the history of that battle.

When Lord Cornwallis marched into South Carolina, he assigned to Tarlton, the territory immediately to his left, and to Patrick Ferguson, he assigned the territory farther to his left, and westward, being the mountain region.

Colonel Ferguson had marched through South Carolina and on October 5 or 6, 1780, he reached Kings Mountain and there he encamped. Ferguson stated that God Almighty and all the rebels out of hell could not move him. He had with him Tories or Loyalists, but no British troops.

The American forces had assembled at Sycamore Shoals, on the Wautauga River and at Cowpens, South Carolina. These were the over-mountain men and the Whigs of North Carolina, South Carolina and Georgia. They had joined forces at Cowpens for the purpose of pursuing Ferguson and annihilating him. They numbered about 1,100 men. It is believed that the Tory forces also numbered about 1,100 men. Ferguson realized that he was being pursued by American forces, and fearing that he might be outnumbered, sent word to Charlotte, Cornwallis' headquarters, to send Tarlton and his forces to his aid. But, Providence, whom he had so recently challenged, took a hand as He always takes a hand, and the waters of the Catawba River over which Tarlton would have to cross were so swollen by heavy rains that he could not reach Ferguson.

As the American forces marched through the country, they were joined by many others. Even after the shooting started history tells us neighborhood farmers joined in the fighting, some for the Whigs and some for the Tories.

Ferguson evidently did not realize how close the enemy was, and was also holding to the hope that aid would arrive from Charlotte, but the Whig forces were hastening toward his encampment. They had gained much information from the people along the way and knew pretty well the lay of the land at Kings Mountain.

When less than a mile from the Tories, the American troops dismounted and left a few men in charge of the horses. They formed two lines of march in order to completely surround Ferguson. Colonel Cleveland led his men to the west side of the mountain. Colonel Campbell led his men to the east side and north of Ferguson. The Tories were now trapped and could not retreat.

Which side fired the first shot is not known, but the fighting started about 3 p.m. and went on for over an hour. The American forces had already learned that Ferguson was wearing a checked shirt over his uniform. Colonel Hambright, one of the American officers, issued orders as follows in his Pennsylvania German accent, "Well, poys, when you see dot man mit the pig shirt on over his clothes you know who him is, and mark him mit your rifles."

The British being on a high level were at a great disadvantage in having to shoot downward and in danger of hitting their own men, but the American forces were able to shoot over the heads of their comrades and were able to take much better aim. They also had many large trees to use for shelter.

During the battle, Ferguson mounted on his horse and blowing a whistle moved from one point to another to encourage his troops. He was sighted by the Americans and six or eight bullets hit him and he was killed instantly. The mountain was a holocaust of smoke and fire; the earth littered with the dead, and drenched with blood. After Ferguson was killed, Colonel de Peyster took command, but about 15 minutes later they raised the white flag.

The American losses were 28 and the British were about 300. The surviving Tories were captured and made prisoners of war.

The battle at Kings Mountain was not only the turning point in the American Revolution, but has been called one of the great battles of all history.

THE DEMOCRATIC CONGRESS MUST KEEP FAITH WITH SMALL BUSINESS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas.

There was no objection.

Mr. PATMAN. Mr. Speaker, I would like to call the Members' attention to a letter which a small businessman wrote to President Eisenhower 2 days after the November 4 election. It reads:

PHILADELPHIA, PA., *November 6, 1958.*

Mr. DWIGHT D. EISENHOWER,
The President,
The White House,
Washington, D. C.

RESPECTED SIR: In your press conference yesterday you wanted to know what happened to the Republican Party—well I can tell you in two words, "big business."

The small businessman doesn't have a chance. A citizen cannot start a small business and survive, which is a terrible mistake, therefore, he must work for large corporations and become dependent upon them instead of being independent in his own small business.

Take my own case, the chainstores have driven the smaller stores out of business then these same chains have consolidated or bought up smaller chains and they now have a monopoly over the buyer, the farmer and myself and anyone else connected with the food business which is the biggest business in the United States—$50 billion a year.

I am a Republican but under the above conditions existing under the Republicans I'm quitting the party and millions of others are doing the same.

You are a smart man in many respects and a gentleman but you don't know or realize what big business is doing to all of us.

I am no crackpot as you can see from the enclosed telegrams received from a former President of the United States for my work during the war in which you played such a large part. I would appreciate hearing from you and the return of these telegrams for my records.

Cordially yours,

WILLIAM J. MCCORMICK.

The writer of this particular letter is a former president of his trade association—the United Fresh Fruit & Vegetable Association—and he has had occasion to observe the trends which disturb him, not just in his own business, but on a broad front. He is deeply disturbed by the growing monopolization of the retail grocery trade—a trade which has been regarded as the last stronghold of small business.

Yet this letter is no different in its essentials from the expressions we have all heard from small-business people in all lines of business.

SMALL BUSINESS VOTED DEMOCRATIC IN DESPERATION

There are some 5 million small businesses in the country, which is about the same as the number of farm families. I could not say just what part these small-business people played in the Democratic sweep last November, but I suspect that Mr. McCormick was not far off in saying that millions were, as he put it, quitting the Republican Party. In any case, we can be sure that small-business people have not left their old political habitat for light causes. They have left in desperation. They supported the Democratic candidates, not merely because they had no other place to go—they could have gone fishing. They voted for the Democratic candidates because the Democratic Party has seemed to offer some promise that it will do the things that must be done to give independent businessmen a fair chance to survive. I trust that we will keep faith with these people.

This is a serious challenge facing us. As we know, much more than just the welfare of small-business people is involved; the whole national welfare is involved in many direct and indirect ways.

SMALL BUSINESS NEEDS ACTION, NOT LIPSERVICE

But to fulfill our promise to restore fair competitive opportunity for small business will not be easy. This will require stern measures. We will get nowhere by passing measures which sound good but prove to have little effect. Small business people are disenchanted with lip service. Nor will we make friends by passing only potentially good measures and turning them over to an executive agency to implement. Small business people know as well as we know that such measures will come to nothing. So we must, I think, pass stern measures and make them definite and specific, so that each businessman can determine for himself what his rights and duties are; and when we pass measures that must involve administrative discretion, then at least we must try to put their administration in independent commissions or boards, as far removed from control and influence by the big-business policymakers as possible.

Getting down to specifics, there is no single measure which would restore a fair, competitive business climate. I wish there were one magic pushbutton which might solve all small business problems. The House Small Business Committee has found, however—and I think the same could be said of the Senate Small Business Committee—that these problems arise from a number of sources. To put it in a nutshell, our whole complex of laws and administrative regulations is biased in favor of the big; this encourages, certainly up to a point a steady trend toward monoply. Where the laws and regulations provide subsidies and incentives, they provide them most abundantly to the giant firms. And where the laws are deficient in their prohibitions—as is true of the antitrust and trade regulation laws—they permit abuses of power, and they permit consolidations of power to be made for no other reason than that greater abuses may be exercised.

MANY MEASURES ARE NEEDED TO RESTORE COMPETITIVE OPPORTUNITY

Just before this Congress convened, the Select Committee on Small Business in the 85th Congress submitted to the House its final report, giving an account of its investigations and setting out its recommendations. There are some 25 recommendations, which are too many and complex for me to discuss now. Copies of this report are, however, available for the Members' study and consideration. Regrettably, the major recommendations to be found in this report are the same ones which the House Small Business Committee made at the end of the 84th Congress 2 years earlier. The 85th Congress passed several small-business measures and, on the whole, made an impressive record of accomplishments for small business. But the more important measures are yet to be passed.

If I were to name the kinds of actions which are most seriously and universally needed by small business, they would be these:

Measures to bring about a more equitable distribution of the tax burden.

Measures to strengthen the antitrust laws, to close the loopholes in these laws and to put some teeth in these laws.

Finally, measures which will carry forward the program started in the last Congress to help small firms obtain access to long-term credit and venture capital. These are the things that are of overwhelming importance.

FEDERAL TAXES ARE DISCRIMINATORY

When we look seriously at the impact of the present Federal tax structure, the result is a shocking discovery that small firms are being taxed out of existence. The escape hatch from high individual income taxes which is generally available in the corporate form of business is not, as a practical matter, available to the many extremely small firms. Furthermore, the actual burden of the corporate income tax falls quite differently on corporations of different sizes. The big corporations have practical powers for shifting the burden of this tax in large degree, and in many cases completely. By the same power which permits them to administer prices, these corporations are largely escaping the corporate income tax, and, by the same token, they are providing their stockholders a means of accumulating savings and assets without paying individual income taxes.

There are many ways in which Federal taxes can be made more equitable. Many people say that to make these taxes completely fair, we would repeal the corporate income tax and require each stockholder to pay the individual income tax on his pro rata share of the corporation's undivided profits.

THE ANTITRUST LAWS ARE BECOMING A BAD JOKE

The antitrust laws are, I fear, becoming little more than a bad joke. Certainly there should be some real penalties for violating the Serman Act. The antimerger law should be made effective. And most of all, the antiprice discrimination law needs to be restored. Unfortunately, the Supreme Court several years ago made an interpretation of this Robinson-Patman Act which, when followed to its logical conclusion, has eliminated practically all restraints on price discriminations. Yet this practice of discriminating in prices involves the most universal abuse of power to be found in the business system today. It is doing more than anything else to destroy small firms unjustly, to enhance the artificial advantages of bigness, and to centralize the control of business.

SMALL BUSINESS IS STARVED FOR CAPITAL

Finally, if discriminatory taxes and broken-down antitrust laws were not enough, there is the problem of obtaining capital, even where a small firm offers a good promise of overcoming these first handicaps.

Few people have difficulty recognizing this problem where it occurs abroad. For example, the feature editorial of the Washington Post and Times Herald this morning observes that Latin America is starved for capital. And this editorial lauds the administration's agreement to help establish a new inter-American bank for the purpose of making additional capital available to Latin America. Yet, strangely, many people are slow to recognize the same problem at home. Small business in this country is also starved for capital.

Last year the Congress took an important step toward solving this problem when it passed the Small Business Investment Act. At that time the Small Business Administration, after some delay, came around to acknowledging that the problem exists, and finally the SBA gave a lukewarm endorsement to legislation to correct this problem. Many of us came to believe that perhaps the SBA had been converted and that it would put this new program into effect promptly and with some of the vigor which the program requires. In this belief, or at least on this hope, the SBA was given the job of administering the act. The results have been most disappointing. It is clear now that the Administration really has no intention of putting this program into effect, except perhaps eventually, on a token basis.

CRITICIZING THE ADMINISTRATION'S FAILURES IS NOT ENOUGH

It is not enough that we Democrats criticize the SBA for its failures in administration. Small business people have had enough of that. They have known for some time that the SBA is mostly a hoax. I hardly ever receive a letter or hear a small businessman express himself about his experiences with this Agency that has anything good to say about it. I do not mean to criticize unfairly the many conscientious employees of this Agency. I know, in fact, that most of them are devoted to the task of helping small business, and they work hard, and they work long hours. This does not overcome the fact, however, that they really have very little to work with. The policies made at the top side are deficient. We must then, it seems to me, change the method of administration if we are to show small business people we really mean to help them and not merely make partisan noises about the failure of this administration.

If we can bring about corrections in these three fields I have mentioned, we will, I think, make a tremendous restoration of opportunity for small business.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. DIXON (at the request of Mr. HALLECK) from January 18, 1959, to January 31, 1959, inclusive, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HERLONG (at the request of Mr. MCCORMACK), for 10 minutes, today.

Mr. ROOSEVELT, for 1 hour on Monday next, January 26.

Mr. MAHON, for 10 minutes, today.

Mr. HEMPHILL (at the request of Mr. ALBERT), for 5 minutes, and revise and extend his remarks at that point in the RECORD.

Mr. LAIRD, for 5 minutes, today.

Mr. VANIK, for 15 minutes, on January 20, 1959.

Mr. PUCINSKI (at the request of Mr. ALBERT), for 30 minutes, on January 22.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. KEE (at the request of Mr. BAILEY).

Mr. TEAGUE of Texas and to include extraneous matter.

Mr. RAY.

(At the request of Mr. ARENDS, and to include extraneous matter, the following:)

Mr. JENSEN.

Mrs. DWYER and to include extraneous matter.

(At the request of Mr. ALBERT, the following Members to extend their remarks and include extraneous matter:)

Mr. DENT.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 39 minutes p.m.) the House adjourned until tomorrow, Tuesday, January 20, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

348. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Tennessee Valley Authority for the fiscal year ended June 30, 1958 (H. Doc. No. 46); to the Committee on Government Operations and ordered to be printed with illustrations.

349. A letter from the Comptroller General of the United States, transmitting a report on the audit of Federal Prison Industries, Inc., for the fiscal year ended June 30, 1958 (H. Doc. No. 47); to the Committee on Government Operations and ordered to be printed.

350. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Federal Deposit Insurance Corporation for the fiscal year ended June 30, 1958 (H. Doc. No. 48); to the Committee on Government Operations and ordered to be printed.

351. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Export-Import Bank of Washington for the fiscal year ended June 30, 1958 (H. Doc. No. 49); to the Committee on Government Operations and ordered to be printed.

352. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Federal home loan banks for the fiscal year ended June 30, 1958 (H. Doc. No. 50); to the Committee on Government Operations and ordered to be printed.

353. A letter from the Comptroller General of the United States, transmitting a report on the audit of Federal Crop Insurance Corporation for the fiscal year 1958 (H. Doc. No. 51); to the Committee on Government Operations and ordered to be printed.

354. A letter from the Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to provide for the promotion of economic and social development in the Ryukyu Islands"; to the Committee on Armed Services.

355. A letter from the Acting Assistant Secretary of Defense (Supply and Logistics), transmitting reports on Army, Navy, and Air Force prime contract awards to small and other business firms completed during fiscal year 1959 through October, pursuant to Public Law 85-536; to the Committee on Banking and Currency.

356. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation entitled "A bill to amend the act entitled 'An act to authorize the Commissioners of the District of Columbia to remove dangerous and unsafe buildings and parts thereof, and for other purposes', approved March 1, 1899, as amended"; to the Committee on the District of Columbia.

357. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation entitled "A bill to amend the act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto, approved June 6, 1892, as amended"; to the Committee on the District of Columbia.

358. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation entitled "A bill to amend the act entitled 'An act to provide for the taking of a school census in the District of Columbia, and for other purposes,' approved February 4, 1925"; to the Committee on the District of Columbia.

359. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation entitled "A bill to amend the act entitled 'An act relating to the levying and collection of taxes and assessments, and for other purposes,' approved June 25, 1938"; to the Committee on the District of Columbia.

360. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation entitled "A bill to make the act approved March 3, 1899 (30 Stat. 1045, 1057, ch. 422), providing for the appointment of special policemen by the Commissioners of the District of Columbia, applicable to Government departments and agencies"; to the Committee on the District of Columbia.

361. A letter from the Director, Joint Commission on Mental Illness and Health, transmitting the third annual report pursuant to section 304(b) of Public Law 182, 84th Congress; to the Committee on Interstate and Foreign Commerce.

362. A letter from the Chairman, Federal Communications Commission, transmitting a report on the backlog of pending applications and hearing cases as of November 30, 1958, pursuant to section 5(e) of the Com-

munications Act as amended by Public Law 554, approved July 16, 1952; to the Committee on Interstate and Foreign Commerce.

363. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to amend section 17 of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437, 443), as amended (30 U.S.C., sec 226)"; to the Committee on Interior and Insular Affairs.

364. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to revise the boundaries of the Kings Mountain National Military Park, S.C., and to authorize the procurement and exchange of lands, and for other purposes"; to the Committee on Interior and Insular Affairs.

365. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to regulate the handling of student funds in Indian schools operated by the Bureau of Indian Affairs, and for other purposes"; to the Committee on Interior and Insular Affairs.

366. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to authorize the conveyance of certain property administered as a part of the San Juan National Historic Site to the municipality of San Juan, P.R., in exchange for its development by the municipality in a manner that will enhance the historic site, and for other purposes"; to the Committee on Interior and Insular Affairs.

367. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to amend the Mineral Leasing Act for Acquired Lands (61 Stat. 913) with respect to the leasing of mineral deposits in which the United States owns a partial or future interest"; to the Committee on Interior and Insular Affairs.

368. A letter from the Assistant Secretary of the Navy, transmitting a draft of the proposed legislation entitled "A bill to provide for the payment of just compensation to certain claimants for the taking by the United States of private fishery rights in Pearl Harbor, Island of Oahu, T.H."; to the Committee on the Judiciary.

369. A letter from the clerk, U.S. Court of Claims, transmitting certified copies of the court's opinion in the case of *Frederick P. Fulmer* v. *The United States*, (Congressional No. 6–55), rendered January 14, 1959; to the Committee on the Judiciary.

370. A letter from the clerk, U.S. Court of Claims, transmitting certified copies of the court's opinion in the case of *Maco Warehouse Company, California* v. *The United States* (Congressional No. 2–56), rendered January 14, 1959; to the Committee on the Judiciary.

371. A letter from the Administrative Assistant, Secretary of Agriculture, transmitting a report pertaining to positions placed in grades GS–16, 17, and 18 under provisions of law other than section 505 of the Classification Act of 1949, as amended, pursuant to Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

372. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a draft of proposed legislation entitled "A bill to authorize appropriations to the National Aeronautics and Space Administration for construction and equipment, salaries and expenses, research and development, and for other purposes"; to the Committee on Science and Astronautics.

373. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation entitled "A bill to amend title 23, United States Code, and the Highway Revenue Act of 1956 (70 Stat. 387) to permit States having toll and free roads, bridges, and tunnels approved as part of the National System of Interstate and Defense Highways to designate other routes for inclusion in the Interstate System, and for other purposes"; to the Committee on Public Works.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY:

H.R. 2718. A bill to provide for further research relating to new and improved uses which offer expanding markets for farm and forest products, to assist the States to provide additional facilities for research at the State agricultural experiment stations, and for other purposes; to the Committee on Agriculture.

By Mr. DIXON:

H.R. 2719. A bill to provide for further research relating to new and improved uses which offer expanding markets for farm and forest products, to assist the States to provide additional facilities for research at the State agricultural experiment stations, and for other purposes; to the Committee on Agriculture.

By Mr. McINTIRE:

H.R. 2720. A bill to provide for further research relating to new and improved uses which offer expanding markets for farm and forest products, to assist the States to provide additional facilities for research at the State agricultural experiment stations, and for other purposes; to the Committee on Agriculture.

By Mr. ABBITT:

H.R. 2721. A bill to repeal the manufacturers excise tax on pencils and pens; to the Committee on Ways and Means.

By Mr. ALBERT:

H.R. 2722. A bill to supplement the act of April 26, 1906 (34 Stat. 137), entitled "An act to provide for the final disposition of the affairs of the Five Civilized Tribes in the Indian Territory, and for other purposes," and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BAKER:

H.R. 2723. A bill to provide for the appointment of additional district judges for the eastern district of Tennessee, the middle district of Tennessee, and the western district of Tennessee; to the Committee on the Judiciary.

H.R. 2724. A bill to authorize the Atomic Energy Commission to construct a modern administration and office building at Oak Ridge, Tenn.; to the Joint Committee on Atomic Energy.

By Mr. BARING:

H.R. 2725. A bill to amend chapter 3 of title 18, United States Code, so as to prohibit the use of aircraft or motor vehicles to hunt certain wild horses or burros on land belonging to the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. BENNETT of Florida:

H.R. 2726. A bill to amend the National Housing Act to assist in providing rental housing specially tailored to the needs of elderly persons under a program which is separate and distinct from the regular rental housing program contained in section 207 of that act; to the Committee on Banking and Currency.

H.R. 2727. A bill for the establishment of a temporary National Advisory Committee for the Blind; to the Committee on Education and Labor.

By Mr. BENTLEY:

H.R. 2728. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on Foreign Affairs.

H.R. 2729. A bill to amend the Federal Trade Commission Act so as to prohibit certain practices in commerce by any manufacturer or producer who distributes his product in commerce through his own retail outlets, direct to consumers and also through other retail outlets; to the Committee on Interstate and Foreign Commerce.

H.R. 2730. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. BONNER:

H.R. 2731. A bill to amend section 432(g) of title 14, United States Code, so as to increase the limitation on basic compensation of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard from $3,750 to $5,100 per annum; to the Committee on Merchant Marine and Fisheries.

H.R. 2732. A bill to amend title 10, United States Code, section 2481, to authorize the U.S. Coast Guard to sell certain utilities in the immediate vicinity of a Coast Guard activity not available from local sources; to the Committee on Merchant Marine and Fisheries.

By Mr. BROOMFIELD:

H.R. 2733. A bill to provide for a program whereby the Federal Government may guarantee bonds issued by States and municipalities in carrying out construction programs for certain public sanitary facilities; to the Committee on Banking and Currency.

H.R. 2734. A bill to amend sections 4081 and 4082 of the Internal Revenue Code of 1954 to include wholesale distributors within the definition of "producers" of gasoline, and for other purposes; to the Committee on Ways and Means.

H.R. 2735. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. BOGGS:

H.R. 2736. A bill to amend section 170 of the Internal Revenue Code of 1954 (relating to the unlimited deduction for charitable contributions for certain individuals); to the Committee on Ways and Means.

By Mr. BUCKLEY:

H.R. 2737. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives with intent to destroy or damage any communal building, residence, or place of business; to the Committee on the Judiciary.

By Mr. BURNS of Hawaii:

H.R. 2738. A bill to amend the National Housing Act, as amended; to the Committee on Banking and Currency.

By Mr. CELLER:

H.R 2739. A bill to fix the fees payable to the Patent Office, and for other purposes; to the Committee on the Judiciary.

H.R. 2740. A bill to amend section 2734 of title 10, United States Code, to extend the statute of limitations in the case of certain foreign claims; to the Committee on the Judiciary.

H.R. 2741. A bill to amend section 2734 of title 10, United States Code, so as to authorize the Secretary of the Treasury to settle claims arising in foreign countries incident to noncombat activities of the Coast Guard; to the Committee on the Judiciary.

By Mr. CHRISTOPHER:

H.R. 2742. A bill to increase rates of death compensation and of disability and death pension payable under laws administered by the Veterans' Administration; to the Committee on Veterans' Affairs.

By Mr. CLARK:

H.R. 2743. A bill to provide an exemption for participation in the Federal old-age and survivors insurance program for individuals who are opposed to participation in such program on grounds of conscience or religious belief; to the Committee on Ways and Means.

H.R. 2744. A bill to provide financial assistance for the support of public schools by appropriating funds to the States to be used for constructing school facilities and for teachers' salaries; to the Committee on Education and Labor.

H.R. 2745. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. CURTIS of Massachusetts:

H.R. 2746. A bill to provide benefits for members of Reserve components of the Armed Forces disabled from disease incurred or aggravated while on active duty for training after October 1, 1949; to the Committee on Armed Services.

H.R. 2747. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

By Mr. DAVIS of Georgia:

H.R. 2748. A bill to amend section 522 of title 38, United States Code, to increase the income limitations applicable to the payment of pension to disabled veterans to $1,500 for single veterans and $3,000 for veterans with a wife or children; to the Committee on Veterans' Affairs.

H.R. 2749. A bill to amend section 4 of the act entitled "Policemen and Firemen's Retirement and Disability Act Amendments of 1957"; to the Committee on the District of Columbia.

H.R. 2750. A bill to make the Policemen and Firemen's Retirement and Disability Act Amendments of 1957 applicable to retired former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, and the United States Secret Service; and to their widows, widowers, and children; to the Committee on the District of Columbia.

H.R. 2751. A bill to allow credit under the Civil Service Retirement Act for certain service in the employment of a State, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2752. A bill to authorize the Postmaster General to provide for the transportation of mail, and services in connection therewith by motor vehicle carriers; to the Committee on Post Office and Civil Service.

By Mr. DENTON:

H.R. 2753. A bill to amend section 6 of the Victory Liberty Loan Act to provide that 2 percent of the net budget receipts of the United States shall be placed in a sinking fund and used for the retirement of the national debt, and for other purposes; to the Committee on Ways and Means.

By Mr. DOOLEY:

H.R. 2754. A bill to amend the International Cultural Exchange and Trade Fair Participation Act of 1956 by providing for exchanges of athletes; to the Committee on Foreign Affairs.

By Mr. DOWDY:

H.R. 2755. A bill to amend the act of March 3, 1901, to establish certain increased penalties in the District of Columbia for habitual criminals; to the Committee on the District of Columbia.

H.R. 2756. A bill to provide for the admissibility of confessions in criminal prosecutions; and for other purposes; to the Committee on the District of Columbia.

By Mr. DOYLE:

H.R. 2757. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

By Mr. FASCELL:

H.R. 2758. A bill to repeal the tax on transportation of persons; to the Committee on Ways and Means.

By Mr. FINO:

H.R. 2759. A bill to amend title II of the Social Security Act to provide that full benefits thereunder, when based upon the attainment of retirement age, will be payable to men at age 60 and to women at age 55; to the Committee on Ways and Means.

By Mr. FOLEY:

H.R. 2760. A bill granting the consent of Congress to the Potomac Electric Power Co. for the construction of a dam on the Potomac River; to the Committee on Public Works.

H.R. 2761. A bill to provide financial assistance for the support of public schools by appropriating funds to the States to be used for constructing school facilities and for teachers' salaries; to the Committee on Education and Labor.

By Mr. GRAY:

H.R. 2762. A bill to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation and for other purposes; to the Committee on Public Works.

H.R. 2763. A bill for the establishment of a temporary National Advisory Committee for the Blind; to the Committee on Education and Labor.

By Mr. HEMPHILL:

H.R. 2764. A bill to provide for the issuance of a special postage stamp to commemorate the Battle of Kings Mountain which took place on October 17, 1780; to the Committee on Post Office and Civil Service.

By Mr. HIESTAND:

H.R. 2765. A bill to amend the National Housing Act with regard to insurance of accounts so as to provide uniform protection to all married savers in savings and loan associations; to the Committee on Banking and Currency.

By Mr. HOEVEN:

H.R. 2766. A bill to provide for further research relating to new and improved uses which offer expanding markets for farm and forest products, to assist the States to provide additional facilities for research at the State agricultural experiment stations, and for other purposes; to the Committee on Agriculture.

By Mr. HOLIFIELD:

H.R. 2767. A bill to amend title 38, United States Code, to provide a 10 percent increase in the education and training allowances paid to individuals pursuing educational programs under laws administered by the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2768. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

By Mr. HOLLAND:

H.R. 2769. A bill to amend title II of the Social Security Act to establish a program of insurance against the costs of hospital, nursing home, and surgical service for persons eligible for benefits under the Federal old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. IKARD:

H.R. 2770. A bill to amend title 28 of the United States Code, so as to provide for the appointment of an additional judge for the northern district of Texas; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H.R. 2771. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Folsom south unit, American River division, Central Valley project, in California; to the Committee on Interior and Insular Affairs.

By Mr. JUDD:

H.R. 2772. A bill to amend the Employment Act of 1946 to make relative stability of prices an explicit aim of Federal economic policy; to the Committee on Government Operations.

H.R. 2773. A bill to amend section 1701 of title 38, United States Code, to provide the same educational benefits for children of Spanish-American War veterans who died of a service-connected disability as are provided for children of veterans of World War I, World War II, and the Korean conflict; to the Committee on Veterans' Affairs.

H.R. 2774. A bill to amend section 6(b) of the Federal Employees' Group Life Insurance Act of 1954 with respect to the continuance of insurance in effect upon retirement; to the Committee on Post Office and Civil Service.

By Mr. KING of California:

H.R. 2775. A bill to amend the public assistance provisions of the Social Security Act to provide increased payments, eliminate certain inequities and restrictions, and permit a more effective distribution of Federal funds; to the Committee on Ways and Means.

By Mr. KITCHIN:

H.R. 2776. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. McCORMACK:

H.R. 2777. A bill to amend the Fisheries Cooperative Marketing Act; to the Committee on Merchant Marine and Fisheries.

By Mr. McDONOUGH:

H.R. 2778. A bill to amend section 102 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

H.R. 2779. A bill to amend the Internal Revenue Code of 1954 by adding thereto a new chapter imposing an excise tax in respect to tips; to the Committee on Ways and Means.

By Mr. METCALF:

H.R. 2780. A bill for the establishment of a temporary National Advisory Committee for the Blind; to the Committee on Education and Labor.

By Mr. GEORGE P. MILLER:

H.R. 2781. A bill to amend the Merchant Marine Act of 1936, to provide for utilization of commercial marine terminal facilities by the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 2782. A bill to give military status and grant discharges to the members of the Russian Railway Service Corps organized by the War Department under the authority of the President of the United States for service during the war with Germany; to the Committee on Armed Services.

By Mr. MOORE:

H.R. 2783. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. O'HARA of Illinois:

H.R. 2784. A bill to amend the public assistance provisions of the Social Security Act to eliminate certain inequities and restrictions and permit a more effective distribution of Federal funds; to the Committee on Ways and Means.

H.R. 2785. A bill to establish an effective student exchange program with Latin American countries, and for other purposes; to the Committee on Foreign Affairs.

H.R. 2786. A bill to protect and enforce the constitutional right of all persons to the equal protection of the laws, and for other purposes; to the Committee on the Judiciary.

By Mr. OSMERS:

H.R. 2787. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer certain additional credits, exclusions, exemptions, and deductions for income tax purposes, which may hereafter be referred to as the citizens' hardship tax relief bill; to the Committee on Ways and Means.

H.R. 2788. A bill to reaffirm the national public policy and the purposes of Congress in enacting the Robinson-Patman Antiprice Discrimination Act entitled "An act to amend section 2 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, as amended (U.S.C., title 15, sec. 13), and for other purposes," and to clarify the intent and meaning of the aforesaid law by providing for the mandatory nature of functional

discounts under certain circumstances; to the Committee on the Judiciary.

H.R. 2789. A bill to amend the Labor Management Relations Act, 1947, as amended; to the Committee on Education and Labor.

By Mr. PATMAN:

H.R. 2790. A bill to increase to 12 the number of members of the Board of Governors of the Federal Reserve System and to provide that their terms of office shall be 6 years, and to abolish the Federal Open Market Committee and transfer its functions to such Board; to the Committee on Banking and Currency.

H.R. 2791. A bill relating to the tax treatment of chainstores operated at a loss; to the Committee on Ways and Means.

By Mr. PERKINS:

H.R. 2792. A bill to provide for the establishment of a food stamp plan for the distribution of $1 billion worth of surplus food commodities a year to needy persons and families in the United States; to the Committee on Agriculture.

By Mr. RAINS:

H.R. 2793. A bill to amend title III of the National Housing Act to prohibit the Federal National Mortgage Association, in the performance of any of its functions, from selling any mortgage for less than the price at which it purchased such mortgage; to the Committee on Banking and Currency.

By Mr. REECE of Tennessee:

H.R. 2794. A bill to provide for the appointment of additional district judges for the eastern district of Tennessee, the middle district of Tennessee, and the western district of Tennessee; to the Committee on the Judiciary.

By Mr. RIVERS of Alaska:

H.R. 2795. A bill to provide for the admission of the Territory of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

By Mr. ROGERS of Texas:

H.R. 2796. A bill for the establishment of a temporary National Advisory Committee for the Blind; to the Committee on Education and Labor.

By Mr. ROOSEVELT:

H.R. 2797. A bill to amend the so-called Walsh-Healey Act to require the inclusion of certain labor standards requirements in Government contracts for services; to the Committee on the Judiciary.

H.R. 2798. A bill to amend the Fair Labor Standards Act of 1938 to require that employees of the Federal Government be paid not less than the minimum wage provided for in that act; to the Committee on Education and Labor.

By Mr. SCHWENGEL:

H.R. 2799. A bill to amend sections 6301 and 7701 of the Internal Revenue Code of 1954 to authorize the Secretary of the Treasury to enter into agreements with the several States under which the States will act as agents of the United States for the collection of taxes upon gasoline, diesel and other fuel, and lubricating oil; to the Committee on Ways and Means.

By Mr. SMITH of California:

H.R. 2800. A bill to amend the Federal Property and Administrative Services Act of 1949 to authorize the disposal of surplus property to certain welfare agencies; to the Committee on Government Operations.

H.R. 2801. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

By Mr. SPRINGER:

H.R. 2802. A bill for the establishment of a temporary National Advisory Committee for the Blind; to the Committee on Education and Labor.

By Mr. STEED:

H.R. 2803. A bill to provide for further research relating to new and improved uses which offer expanding markets for farm and forest products, to assist the States to provide additional facilities for research at the State agricultural experiment stations, and for other purposes; to the Committee on Agriculture.

By Mr. TEAGUE of Texas:

H.R. 2804. A bill to direct the Secretary of the Army or his designee to convey a 238.21-acre tract of land situated near the city of Grand Prairie, in Dallas County, Tex., to the State of Texas; to the Committee on Armed Services.

H.R. 2805. A bill to amend section 103 of title 38, United States Code, to permit the restoration of remarried widows to the rolls of the Veterans' Administration if their remarriage terminates without fault on their part; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas (by request):

H.R. 2806. A bill to amend section 101 of title 38, United States Code, to eliminate the restriction upon payment of benefits to widows of veterans who have remarried, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WALTER:

H.R. 2807. A bill to provide for the judicial review of orders of deportation; to the Committee on the Judiciary.

By Mrs. WEIS:

H.R. 2808. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. WESTLAND:

H.R. 2809. A bill to amend the Internal Revenue Code of 1954 to provide that an individual may deduct amounts paid for his higher education, or for the higher education of any of his dependents; to the Committee on Ways and Means.

By Mr. WILSON:

H.R. 2810. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate; and for other purposes; to the Committee on Armed Services.

H.R. 2811. A bill to provide that Imperial and San Diego Counties in the State of California shall constitute a new and separate judicial district to be known as the Southern District of California, and to redesignate the present Southern District of California as the Central District of California; to the Committee on the Judiciary.

By Mr. WOLF:

H.R. 2812. A bill to provide a program of tax adjustment for small business and for persons engaged in small business; to the Committee on Ways and Means.

By Mr. ZABLOCKI:

H.R. 2813. A bill to protect the right of the blind to self-expression; to the Committee on Education and Labor.

By Mr. ZELENKO:

H.R. 2814. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BENTLEY:

H.R. 2815. A bill to establish a U.S. Trading Corporation to meet the challenge of attempted Soviet penetration of world markets, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BROYHILL:

H.J. Res. 151. Joint resolution proposing an amendment to the Constitution to provide that the people of the District of Columbia shall be entitled to vote in presidential elections; to the Committee on the Judiciary.

H.J. Res. 152. Joint resolution proposing an amendment to the Constitution to provide that Congress shall have power to grant representation in the Congress to the people of the District of Columbia; to the Committee on the Judiciary.

By Mr. CELLER:

H.J. Res. 153. Joint resolution to give the consent of the Congress to interstate compacts or agreements dealing with juveniles and delinquent juveniles, and for other purposes; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.J. Res. 154. Joint resolution to authorize the President to proclaim annually the week which includes the first day of spring as National Auto Week; to the Committee on the Judiciary.

By Mr. FERNÓS-ISERN:

H.J. Res. 155. Joint resolution to provide for amending section 3 of the Puerto Rican Federal Relations Act (64 Stat. 453); to the Committee on Interior and Insular Affairs.

By Mr. O'HARA of Illinois:

H.J. Res. 156. Joint resolution providing for a study of the possibility and desirability of establishing a University of the Americas; to the Committee on Foreign Affairs.

By Mr. SMITH of Kansas:

H.J. Res. 157. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H. Con. Res. 38. Concurrent resolution to promote through the United Nations an effective and enforcible system of worldwide disarmament and calling for a crusade for world peace and freedom; to the Committee on Foreign Affairs.

By Mr. BENTLEY:

H. Res. 124. Resolution to authorize the Committee on the Judiciary to conduct an investigation and study of the enforcement of certain laws regulating monopolies and restraint of trade; to the Committee on Rules.

By Mr. PATMAN:

H. Res. 125. Resolution providing for a committee to consider removal of the U.S. Capitol or providing a supplemental Capitol; to the Committee on Rules.

By Mr. TEAGUE of Texas:

H. Res. 126. Resolution to provide for the expenses of the investigation and study authorized by House Resolution 101; to the Committee on House Administration.

By Mr. WILSON:

H. Res. 127. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANFUSO:

H.R. 2816. A bill for the relief of Dr. Elias Lester; to the Committee on the Judiciary.

H.R. 2817. A bill for the relief of Nikola Feretic; to the Committee on the Judiciary.

H.R. 2818. A bill for the relief of Salvatore and Rachele Savarese; to the Committee on the Judiciary.

By Mr. AYRES:

H.R. 2819. A bill for the relief of Draga Djuricin; to the Committee on the Judiciary.

H.R. 2820. A bill for the relief of Djuro Tasich; to the Committee on the Judiciary.

By Mr. BALDWIN:

H.R. 2821. A bill for the relief of Robert E. Aldea and others; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:
H.R. 2822. A bill for the relief of George C. Papanicolaou; to the Committee on the Judiciary.

By Mr. BURNS of Hawaii:
H.R. 2823. A bill for the relief of Fumie Yoshioka; to the Committee on the Judiciary.

By Mr. COHELAN:
H.R. 2824. A bill for the relief of Mrs. Hagit Lalo; to the Committee on the Judiciary.
H.R. 2825. A bill for the relief of Curt A. Krummenacher; to the Committee on the Judiciary.

By Mr. CURTIS of Massachusetts:
H.R. 2826. A bill for the relief of Balbina Borenstein; to the Committee on the Judiciary.
H.R. 2827. A bill for the relief of Antoun S. Ghantous; to the Committee on the Judiciary.
H.R. 2828. A bill for the relief of Petra Rabadan-Colina; to the Committee on the Judiciary.

By Mr. DOOLEY:
H.R. 2829. A bill for the relief of Nikola (Nicola) Baranovic; to the Committee on the Judiciary.
H.R. 2830. A bill for the relief of Epaminondad Darlagiannis; to the Committee on the Judiciary.

By Mr. FALLON:
H.R. 2831. A bill for the relief of Jesus Alvarina Rodriquez; to the Committee on the Judiciary.

By Mr. FERNÓS-ISERN:
H.R. 2832. A bill for the relief of Maria Veneranda Machargo; to the Committee on the Judiciary.

By Mr. FORAND:
H.R. 2833. A bill for the relief of Geofar Matassian; to the Committee on the Judiciary.

By Mr. GUBSER:
H.R. 2834. A bill for the relief of George Car; to the Committee on the Judiciary.

By Mr. HIESTAND:
H.R. 2835. A bill for the relief of Rose A. Fadel-Idriss; to the Committee on the Judiciary.

By Mr. LESINSKI:
H.R. 2836. A bill for the relief of Celia Klepka; to the Committee on the Judiciary.

By Mr. MAHON:
H.R. 2837. A bill for the relief of Edward L. Colby and Guy H. Colby; to the Committee on the Judiciary.

By Mr. MILLS:
H.R. 2838. A bill for the relief of Jung Buck Wing; to the Committee on the Judiciary.

By Mr. MURPHY:
H.R. 2839. A bill for the relief of Rufus Benjamin Campbell; to the Committee on the Judiciary.

By Mr. REUSS:
H.R. 2840. A bill for the relief of Alvin Bardin; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:
H.R. 2841. A bill for the relief of Rosa Perna; to the Committee on the Judiciary.
H.R. 2842. A bill for the relief of Rocco Cambrea; to the Committee on the Judiciary.

By Mr. TRIMBLE:
H.R. 2843. A bill for the relief of William A. Foust; to the Committee on the Judiciary.

By Mr. UTT:
H.R. 2844. A bill for the relief of Andrija Artukovic; to the Committee on the Judiciary.

By Mr. VAN PELT:
H.R. 2845. A bill for the relief of Mrs. Lester J. Brown; to the Committee on the Judiciary.

By Mr. WESTLAND:
H.R. 2846. A bill for the relief of Dorman William Whittom; to the Committee on the Judiciary.

By Mr. WILSON:
H.R. 2847. A bill for the relief of Kiyoko Kawano; to the Committee on the Judiciary.
H.R. 2848. A bill for the relief of Douglas C. Henke; to the Committee on the Judiciary.
H.R. 2849. A bill for the relief of Oscar A. LaBranche; to the Committee on the Judiciary.
H.R. 2850. A bill for the relief of Elbridge J. Beauhuld; to the Committee on the Judiciary.
H.R. 2851. A bill to provide for the conveyance of certain real property of the United States to the former owner thereof; to the Committee on Government Operations.

By Mr. YATES (by request):
H.R. 2852. A bill for the relief of Steve Tomicic; to the Committee on the Judiciary.

By Mr. OSMERS:
H. Res. 128. Resolution providing for sending the bill H.R. 2692, for the relief of Dr. Walter H. Duisberg, and accompanying papers to the Court of Claims; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

41. By Mr. HOSMER: Petition of certain residents of the 18th Congressional District of California requesting Congress to take the necessary action to insure continuation of the Un-American Activities Committee, the past achievements of which have been of inestimable value to our national security; to the Committee on Rules.

42. By the SPEAKER: Petition of the president, Kiwanis Club of Six Points, Corpus Christi, Tex., relative to reconsidering the proposal to close the overhaul and repair department of the U.S. Naval Air Station, Corpus Christi; to the Committee on Armed Services.

43. Also, petition of the secretary, Lodge 102, Brotherhood of Railroad Trainmen, Minneapolis, Minn., petitioning consideration of their resolution with reference to endorsing statehood for Hawaii; to the Committee on Interior and Insular Affairs.

44. Also, petition of the president, Dothan Ice Cream Co., Dothan, Ala., relative to a resolution adopted by the Dothan Rotary Club requesting that the proposed lock and dam on the Chattachoochee River at Columbia be named after Hon. GEORGE W. ANDREWS, Congressman for the Third Congressional District of Alabama; to the Committee on Public Works.

45. Also, petition of the executive secretary, American Association of State Highway Officials, Washington, D.C., relative to a resolution adopted by the highway officials at the recent annual meeting at San Francisco dealing with a request of the Territory of Hawaii to study the need for a defense highway system in the Territory; to the Committee on Public Works.

46. Also, petition of Eugenio C. Nicolas, Manila, Philippines, relative to war damages payable to the Nicolas Estates; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Text of Address by Hon. L. H. Fountain, of North Carolina, Before the 35th Annual American Municipal Congress, at the Statler-Hilton Hotel, Boston, Mass., December 1, 1958

EXTENSION OF REMARKS
OF
HON. FLORENCE P. DWYER
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, January 19, 1959

Mrs. DWYER. Mr. Speaker, it is a well-known fact that one of the increasingly critical situations we face today involves the need of growing metropolitan areas for more efficient means of servicing their huge populations.

One of the principal handicaps in the way of developing such improved means is the lack of coordination between the large number of Federal, State, regional, county, and local governmental units that exercise at least partial legal authority within metropolitan areas—despite the fact that their individual problems are often areawide in scope.

The challenge that this situation represents to the people and the governing bodies of such areas has been strikingly set forth in an address delivered before the 35th Annual American Municipal Congress in Boston on December 1, 1958, by our distinguished and esteemed colleague, Congressman L. H. FOUNTAIN, of North Carolina.

His address, which I include as a part of my remarks in the RECORD, is the kind of clear-minded and thoughtful analysis of a complex problem which we have come to expect from the gentleman.

His awareness of the problem, his understanding of the factors delaying progress, and his insight into the need for integrating and coordinating the activities of the various levels of government impressed me greatly.

This is a problem that concerns metropolitan areas generally, but none more than the greatest metropolitan area in the world, the tri-State region surrounding New York City, part of which I am honored to represent.

As ranking minority member of the Subcommittee on Intergovernmental Relations, I have found it most pleasant and instructive working with our chairman, Mr. FOUNTAIN. I look forward to a continuation of this constructive association, especially in regard to the matter at hand.

Meanwhile, I commend Congressman FOUNTAIN'S address to all our colleagues, particularly those Members who represent the three-fifths of our total population presently living within the 174 metropolitan areas in the United States:

CITY-FEDERAL RELATIONS

I am grateful for the privilege of being with you today. I am honored to be able to speak to so imposing an assemblage of outstanding Americans as are gathered here on the occasion of the 35th Annual Congress of the American Municipal Association.

I feel at home in seeing the familiar faces of so many mayors who testified last year

at the hearings of the Intergovernmental Relations Subcommittee, which I have the good fortune of chairing. It is an interesting coincidence that we are meeting today in the very city where the subcommittee commenced its regional hearings in September 1957. The city of Boston is also the home of our great and universally admired majority leader in the House of Representatives—JOHN W. MCCORMACK.

We are concerned at this meeting with a fundamental problem of American government; namely, the relationship of the Federal Government to the cities. In constitutional terms, of course, the cities have no independent status in our Federal system. Although the Constitution is silent on the role of the cities, realism as well as our democratic values make it imperative that municipal problems be given appropriate attention when dealing with intergovernmental affairs.

In the context of modern-day society, it is meaningless for many purposes to speak exclusively of Federal-State relations without due recognition of the municipal level of government. By the same token, realism prompts us not to delude ourselves into believing the State government, because of its shortcomings, is an outmoded political institution that will disappear in the framework of a new federalism. What is sorely needed in these times is a candid appraisal of the facts of present-day American federalism.

Woodrow Wilson said in 1908: "The question of the relation of the States to the Federal Government is the cardinal question of our constitutional system." That observation is equally valid today. However, in ascertaining the proper Federal-State relationship, we must not lose sight of some dramatic changes that have taken place in the half century since President Wilson's time. Let us briefly review some of these developments and assess their significance for the Federal-State relationship of today.

First, the growth of urban communities, and particularly of metropolitan areas in recent years, has been nothing short of phenomenal. Although this distinguished audience certainly needs no introduction to this development, it might be useful for the purpose of perspective to indicate the magnitude of this trend.

At the beginning of the 20th century less than 40 percent of the American people were urban residents. Today, with an urban population totaling more than 104 million, nearly 2 out of every 3 Americans live in an urban community.

In 1910 only 44 population centers, with a total of 25 million people, were found to meet the census classification of a metropolitan district, although the number of such districts would have been somewhat larger under the present definition of a metropolitan area. Today there are 174 metropolitan areas containing close to 100 million people. Almost three-fifths of our total population live in these areas, and this percentage is constantly increasing. In this connection, it is estimated that roughly nine-tenths of the Nation's population growth since the 1950 census has occurred in the metropolitan areas.

With the continuing growth of new and the expansion of existing metropolitan areas, we are witnessing a development which has been described by some observers as the urban region. The largest of these regions now extends for more than 600 miles along the eastern seaboard from north of Boston through the urbanized area south of Washington, D.C. It is not difficult to envisage the extension of this continuous urban band from Maine to Florida, as well as westward, in the years to come. Needless to say, the increase in the density of our population and the formation of contiguous urban communities increases the cost of Government services and the need for intergovernmental cooperation.

While we have become largely a nation of urban dwellers, this development has not been adequately reflected in the composition of State legislative bodies, which continue, all too frequently, to retain the representative character and outlook of our earlier rural society. Despite this political lag, municipal problems continue to increase in complexity as our growing and mobile population overflows local political boundaries to form newer satellite communities. The result is an imbalance between political institutions and social and economic patterns, an imbalance which usually means financial difficulties for the core city and the inefficient or even conflicting use of governmental facilities in the metropolitan area.

What is the remedy for these problems? As a first order of business, State legislatures should enlarge the taxing and other "home rule" powers of the cities to an extent commensurate with their administrative capabilities and their fiscal needs and capacities. At the local level there is need for bold experimentation with new organizational forms and methods to relate our large cities to metropolitan area needs and resources. These are not easy tasks. In a few minutes I want to discuss the outlook for their accomplishment and the Federal Government's responsibility in this connection.

It is my firm conviction that we must have strong local self-government in this country if we are to preserve our Federal system. Monopoly is no more desirable in Government than it is in industry or science. The free competition of ideas and a broad base of participation in the political affairs of the Nation are indispensable ingredients of democracy.

Whenever the States and the municipalities are able and willing to perform a particular public function, I believe it important that the Federal Government avoid exercising monopolistic control in that field, unless it can be clearly and convincingly demonstrated that the national interest requires a highly centralized program. State and local governments, like individuals, should and must be permitted to develop their full potentialities.

On the other hand, if the States and localities neglect their responsibilities, whether we like it or not the consequences will surely be a further concentration of power in the Federal Government. I was impressed by an eloquent expression of this thought made during the hearings of our intergovernmental relations subcommittee earlier this year. The witness said:

"The real danger to our Federal system lies not in deliberate aggrandizement of the National Government but in the invitation to national action which lies in disuse or misuse of State powers. The first line of defense against complete centralization is not in Washington but in the State capitols, the county courthouses, the city and town halls, and the polling places where State and local issues are decided."

There is much wisdom in that statement.

The question of a proper division of responsibility between the Federal Government and the States and localities is a perennial one in a Federal system.

The proposal has been made that we distribute public functions in such a manner that each level of government will have complete and independent responsibility for particular activities. In my judgment, however, it is unrealistic to assume all governmental problems can be neatly compartmentalized and handled in this fashion. Certain functions by their nature can and should be performed exclusively by a single level of government. Others, however, require a high degree of intergovernmental cooperation for effective performance.

The proper balance of Federal, State, and local responsibilities is a changing one which should depend, among other considerations, on the competence, responsiveness, and the resourcefulness of the various levels and units of government.

People sometimes lose sight of the fact that cities must undertake large capital investment programs to construct the facilities necessary for providing public services. Unfortunately, too, it is ordinarily much more difficult for a city to embark upon a capital improvement or expansion program than it is for a private corporation. Not only is municipal action frequently circumscribed by rigid debt and taxing limitations, but the city fathers must also wage a successful sales campaign for public approval. And all too often it is a thankless task to convince the voter that he should agree to bear a heavier tax burden, especially if the project is something as remote and unappealing as a sewage treatment plant which might be of greater direct benefit to the people downstream than to the local community.

Yet, as the world's wealthiest nation, it is essential that we devote a portion of our resources to public capital improvements, not only for our own welfare but also as a legacy for the generations of tomorrow. As to our financial ability, although our national debt is many times larger than the combined debt of all of the other nations of the world put together, it is a sobering experience to compare the gross national product of the United States with that of less fortunate nations. For example, the total market value of all goods and services produced last year in India, with its nearly 400 million people, was under $30 billion, or less than one-fifteenth our current rate of output of almost $450 billion a year. India's total national product is not much larger than the amount of the decline in the American economy during the 1957–58 recession.

It is clear that as a Nation we have the financial ability to meet our public responsibilities. The problem is more basically one of stimulating our social consciousness. For some purposes, the use of Federal incentives is unquestionably a valid method and Federal leadership a necessary condition.

However, as a political ideal, the responsibility for public services should be decentralized to the maximum extent possible. The cities should be permitted and encouraged to perform all functions within their competence and the States likewise should assume greater responsibility for meeting public needs. When the cities cannot do the job alone in some necessary but costly programs, they should, as a general rule, first look to the States and fight at the State level for assistance. If the States cannot or will not help, the cities are then justified in seeking assistance from the Federal Government.

The theory of local responsibility most often breaks down in practice, as you gentlemen are well aware, because of a restrictive attitude at the State level. It is indefensible when State governments remain unresponsive to public needs and, at the same time, prevent their political subdivisions from acting in these areas. While some State officials complain very bitterly about centralization of authority in Washington, local officials in the same States complain about the centralization of State government. I believe that the States should endow their municipalities with adequate legal authority and taxing powers to govern themselves in local matters. The fear of abuse of power by locally elected officials, which undoubtedly motivated many of the State restrictions now in existence, is generally an anachronism as applied to the cities of today. Municipal government has come a long way since Lincoln Steffens reported on the shame of American cities in a series of articles published little more than half a century ago. Inflexible and minute

limitations on the powers of local government also suggest a distrust of the local electorate, which is most unflattering to a democratic society.

While State government must assume a large share of the blame for obstructing local self-government, this does not absolve municipal officials and local citizens of an obligation to exert greater effort for the improvement of these conditions; nor does it automatically justify a reliance upon Federal aid. How many proposed bond issues and constitutional amendments, we might ask ourselves, have been defeated at the polls because local officials did not do an effective job of educating the voters as to their merits?

I must frankly question whether the cities are doing all that they might to solve their problems. Not infrequently cities, as well as States, neglect performing tasks of which they are capable with the expectation that the Federal Government will come to their assistance. It is my feeling that at times local people ask for help in providing services which they would be unwilling to pay for themselves. And I think it is equally true that groups interested in particular public services often take the easier course of seeking assistance at the national level rather than fight for effective and representative government at the State and local levels. For our Federal system to fulfill its greatest promise, it is essential that public officials demonstrate initiative, imagination, and responsibility at all levels of government.

Although in many States the cards are stacked against the urban communities in connection with obtaining an equitable voice in State policy determinations and adequate home rule powers, there is much that persistence and hard work can accomplish.

Existing conditions call for an organized action program directed to the State level. I believe that a great deal might be accomplished by an intensive effort to awaken citizen interest and support in this area. Your member organizations might take the lead in joining with other civic groups to conduct an all-out campaign for the fair apportionment of State legislatures and for State constitutional reform.

It is regrettable that a number of State legislatures have failed for so long to comply with their State constitutional requirements relating to the reappointment of election districts. Obviously, it is not an easy step for them to take, but it is a situation which can best be remedied by the States themselves. If these States persist in neglecting their duty to reapportion, such inaction may well be interpreted in some quarters as an invitation for Federal court intervention—a step which I believe many of us would dislike because of other fundamental principles involved. It is significant, I think, that last summer a Federal court panel for the first time accepted jurisdiction in a case involving apportionment, but it deferred a decision on the issues in order to allow the new Minnesota State legislature, which meets in January, an opportunity to take appropriate action.

Now let us examine the question of what constitutes an appropriate Federal policy toward the cities.

As a basic proposition, I would suggest the need for a Federal leadership role to help assure the maintenance of a strong, healthy Nation. National strength cannot exist without strength and vitality in our State and local governments. Our Nation has become so interrelated that disease, poverty, illiteracy, or crime in any of its parts is inevitably transmitted to the whole and weakens our national social fabric. The provision of research and technical assistance to the cities and States for combating problems such as these is universally recognized as a proper Federal responsibility.

A related method by which the Federal Government can and should help the cities to help themselves is through the planning grant. It is imperative in these times that our social inventiveness keep pace with our scientific and technological achievements. This is especially true with respect to solving the traffic, mass transportation, education, urban blight, water, and other problems that plague the large cities and metropolitan areas. Planning assistance, such as that authorized for certain urban areas under the Housing Act, is a constructive approach for solving these problems which are nationwide in their impact.

Another constructive way to facilitate local self-reliance is to assure the availability of adequate revenue sources. The Intergovernmental Relations Subcommittee, in its recent report on Federal grants-in-aid, stressed the importance of the Federal Government's making available to the States and localities those revenue sources that are not of primary importance for Federal financing and which are well adapted for State and local use. While such Federal self-restraint would be wholesome in any event, we must recognize as a weakness of this policy the fact that it would not benefit the cities in many cases without corresponding State action.

In view of this difficulty, and also in recognition of the fact that fiscal ability does not always coincide with the need for services, the subcommittee concluded in its unanimous report that the Federal grant should be regarded as a valid method of harnessing cooperative governmental effort for the accomplishment of well-defined national objectives. The subcommittee rejected the idea that there are easy classification schemes for determining whether or not a grant program should be undertaken or continued. It concluded, instead, that each grant proposal ought to be judged completely but very carefully on its merits.

Finally, and by no means least in importance, I would suggest that the Federal Government take all reasonable steps to promote a closer and more effective cooperation and understanding between the levels of government. One move in this direction would be the establishment of a permanent Advisory Commission on Intergovernmental Relations, as was recommended by our subcommittee. Such a central body, representative of the local, State, and Federal viewpoints, would, I hope, provide needed machinery for the cooperative study and consideration of common problems. I intend to introduce an appropriate bill in the 86th Congress to implement this recommendation and invite the support of your organization for that measure.

I have no illusions that a permanent advisory body will be a panacea for all intergovernmental problems. Nevertheless, as a medium for improving communications and mutual understanding, I believe it is a step in the right direction. I sincerely believe there is an urgent and growing need for the establishment of better cooperation and closer working relations not only between the Federal Government and the States but between State and local government officials as well.

I am reminded here of Alexander Pope's couplet which says:

"For forms of government let fools contest;
Whate'er is best administer'd is best."

These lines undoubtedly overstate the case, but they contain a message worth contemplating. Organizational arrangements are useful tools for achieving objectives, but they do not guarantee the desired goals. We must still rely to a large degree on the ability and the willingness of men, and units of government, to see each other's point of view and to seek better working relationships.

As a note of personal philosophy, I cannot emphasize too strongly my belief that the possession of rights entails corresponding responsibilities. States rights should not be used as an excuse for indifference to public problems. Neither should easy access to Washington be used as a means for centralizing political power, a development which could ultimately destroy our Federal system.

There are no easy solutions or automatic mechanisms for running a democratic government. Constant vigilance and hard work are the price we must pay for our democratic institutions.

I thank you.

The Birthday of Robert E. Lee

EXTENSION OF REMARKS
OF
HON. BEN F. JENSEN
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Monday, January 19, 1959

Mr. JENSEN. Mr. Speaker, on the 19th of January 1807, at Stratford on the Potomac, Westmoreland County, Va., a baby was born. His name was Robert E. Lee.

There were about 6 million people in the United States at that time—some 900,000 in Virginia at that time. That year people would be talking about Napoleon's threat to the peace of Europe. They would take sides about Aaron Burr's acquittal on a Federal charge of treason at Richmond. They would wonder at the success of Robert Fulton's steamboat *Clermont*, on its run from New York City to Albany. What was this world coming to?

The world was in turmoil when Robert E. Lee entered it. It was still in turmoil when he left. His character left an indelible imprint upon millions, during his lifetime; and upon many millions more since his death.

He has been known as an outstanding engineer. He has been known as a brilliant military tactician. He has been known as a wise educator. He has been known as a Christian gentleman.

I know him as a troubled man who searched his soul to find which of his divided loyalties he must follow to the end.

I see him the more clearly as he wrote to his son, Custis, shortly before the outbreak of the Civil War:

> The framers of our Constitution [would] never have exhausted so much labor, wisdom, and forbearance in its formation * * * if it was intended to be broken. * * * Still a Union that can only be maintained by swords and bayonets, and in which strife and civil war are to take the place of brotherly love and kindness, has no charm for me. I shall mourn for my country and for the welfare and progress of mankind.

I see him just as clearly as when, during that same period of crisis, he wrote to his friend, Markie Williams:

> If a disruption takes place, I shall go back in sorrow to my people and share the misery of my native State, and save in her defense there will be one soldier less in the world than now. I wish for no other flag than

the "Star-Spangled Banner" and no other air than "Hail Columbia."

It must be said that Robert E. Lee was a stanch believer in States rights, as so many Americans are to this day. There are no geographical nor philosophical limits to this creed which guards so well the sovereignty of our several States, even to this day.

The President's State of the Union Message

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, January 19, 1959

Mrs. KEE. Mr. Speaker, I ask unanimous consent to extend my remarks in the CONGRESSIONAL RECORD and include copy of my weekly newsletter "Keenotes" which was released today:

KEENOTES

(By Representative ELIZABETH KEE)

One of the highlights of the opening days of a new session of Congress is the President's state of the Union message. There has grown up in recent years a tradition that the President deliver this address in person before a joint session of the Senate and the House. Millions of people throughout the Nation share this experience through the magic of television.

For the most part, the state of the Union message is couched in general terms. The President tries, at the beginning of a new period in his administration, to sum up just where he thinks the country is going, how we are doing as a Nation in meeting the problems which beset us at home and abroad. He indicates, in general terms, what he wants Congress to do during the months ahead.

It is always a thrilling experience to be a part of this annual ceremony. It is history in the making. This year was no exception. The President appeared before the assembled legislators, Supreme Court Justices, Cabinet members, and foreign diplomats in the House Chamber. I was pleased to note that he appeared to be in the best of health. He delivered the 45-minute speech in a vigorous manner. To the eyes of a layman, he appeared to have bounced back from illnesses that plagued him earlier in his administration.

Because so much of the address was couched in general terms, it is difficult to arrive at any definite conclusions about the Presidential message. As everyone knows by now, the President centered his emphasis on a balanced budget. He spoke of the need to tailor all of our programs, including defense, to the objective of a balanced budget. I got the impression that his insistence that budgetary requirements transcend even defense needs received a distinctly cool reception, even from some of the Republicans. This battle between the budget and defense is shaping up as one of the major fights of the session. Democratic leaders in both Houses will insist that our defenses not be neglected to achieve a bookkeeping balance between revenue and expenditures.

The battle will be joined when the President presents his budget. He already has announced it will be in the neighborhood of $77 billion and will be in balance. However, many people are skeptically awaiting full details. For instance, can we balance a $77 billion budget without an increase of about one-third in tax revenues? And will business increase that much? Or can the President count on additional revenue from a further increase in postal rates and the gasoline tax?

Many Members will insist that urgently needed programs not be delayed or abanboned as a sacrifice to a balanced budget. For example, the West Virginia delegation is united in the belief that a depressed areas bill should be passed. How economical is it to stave off this program and allow thousands of men to continue on the unemployed rolls? Wouldn't it make better sense to invest money to create jobs to restore these men to the tax rolls and give them an income that would create additional jobs?

The President indicated he would ask additional money for foreign aid and credits to finance economic development abroad. Many Members will balk at expanding this foreign activity while cutting back on identical programs at home.

The state of the Union message is a valuable part of our system of government. The President, as head of the executive department, has the responsibility for initiating a program of action. The old saying, "The President proposes and Congress disposes," is certainly true. But Congress has a responsibility, too. It must examine the President's proposals, abandon them and change them to fit existing conditions.

Details of the President's program will unfold in a series of special messages during the coming weeks. No doubt there will be many differences of opinion between the President and Congress. But these differences will be worked out or compromised. Emphasis may be shifted from one program to another and Congress may decide to go further than the President wants. It is the genius of the American system that these differences are never allowed to paralyze Government.

Chief Robert V. Murray, Metropolitan Police Department

EXTENSION OF REMARKS
OF
HON. OLIN E. TEAGUE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, January 19, 1959

Mr. TEAGUE of Texas. Mr. Speaker, last week a colleague of mine, who has just been assigned to the District of Columbia Committee, was quoted in the newspaper as stating that the Police Department of the District of Columbia is one of the worst in the world.

Mr. Speaker, I have been a member of the District of Columbia Committee for 12 years. I have observed the Police Department and believe that they have one of the most difficult police jobs of any city in the world and that they do one of the best jobs of any police force of any city.

Washington is certainly the crossroads of the world. The Capital of our Government is located here, as well as many foreign diplomats, and each of these groups cause a special police problem.

It is true that there is a high crime rate in Washington, but for sure the police do not cause the crimes.

I want to compliment the Washington Metropolitan Police Department and their chief, Robert V. Murray, and to include at this point a copy of a resolution adopted by the House District of Columbia Committee commending Chief Murray:

Whereas Chief of Police Robert V. Murray, of the Metropolitan Police force of the District of Columbia, has rendered outstanding services to the Nation's Capital in the field of law enforcement: Now, therefore, be it

Resolved, That the Committee on the District of Columbia of the House of Representatives hereby commends Chief of Police Robert V. Murray, of the Metropolitan Police force of the District of Columbia, for the distinguished service he has rendered as the chief law-enforcement officer of the Nation's Capital, and the committee also commends and approves his administration of the Metropolitan Police force of the District of Columbia.

Resolved, That, the chairman of the committee is authorized to have prepared and to present to Chief of Police Robert V. Murray an appropriate replica of this resolution and to extend to him the sincere best wishes of the committee for continued success in his administration of the Metropolitan Police force of the District of Columbia.

John L. McMillan, Chairman; John Dowdy, Henry O. Talle, Jos. P. O'Hara, Howard W. Smith, Billy Matthews, James C. Davis, Oren Harris, James C. Auchincloss, John J. Allen, Jr., DeWitt Hyde, Joel T. Broyhill, A. L. Miller, Sid Simpson, Joe Holt, Roy W. Wier, Thos. G. Abernethy, John Bell Williams, Carroll Kearns, Kathryn E. Granahan, Abraham Multer, Olin E. Teague, Jim Patterson, Jimmy Morrison.

The President's Budget

EXTENSION OF REMARKS
OF
HON. JOHN H. RAY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, January 19, 1959

Mr. RAY. Mr. Speaker, the Eisenhower budget is a remarkable achievement.

First. We have a balanced budget, with outgo matched to income. That makes sense to everybody.

Second. No important Government activities—particularly national defense—have been cut back below current levels.

Third. The present income tax rates will bring in the revenues we need, without increasing the rates.

Fourth. We can go ahead with the buildup of defense, space exploration, and general welfare programs.

And fifth, we can hold off inflation.

When you realize that the Government is in the hole this year by about $13 billion, you begin to see what a terrific job President Eisenhower and the Budget Bureau have done on the new budget.

I will be frank in saying that I did not think it could be done. As a Member of Congress, I see the terrific pressures for higher spending from all quarters. Defense costs have been going higher, and in a number of nondefense areas, such as farm price supports, the story is the

same. But the President got his Cabinet officers together and told them they must hold expenses down and postpone everything that was not absolutely essential to the country right now.

So the President has given the Congress a budget that can be balanced.

If the Congress goes along with him, the budget will stay in balance, without increasing taxes and without hurting necessary public services.

Speaking for myself, I am going to give the President all the help I can on his budget. It is a good business for all of us, and it will hasten the day when a prosperous economy will produce the income to finance the Government and to make possible a reduction in tax rates.

We owe the President a standing vote of confidence and thanks.

Trading Away Jobs

EXTENSION OF REMARKS

OF

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1959

Mr. DENT. Mr. Speaker, I sincerely believe the following remarks are important at this time:

There have been some questions put to me lately that are hard to answer. Mainly they deal with the question of foreign and mutual aid, reciprocal trades, automation, and unemployment.

Of course, the question of personal, corporate, and business taxes is inseparable from these questions since it is the money that comes in from taxes that makes the wheels go around, in any of our governmental activities.

I visited a local bank lately and the president asked me a question that many of you would probably ask if I had the opportunity to talk to you.

He wanted to know why a local manufacturer was planning a trip to Europe to set up a production facility to produce the goods now produced here at home. He would be able to ship said goods into the United States cheaper and, with the operations of our income tax schedule, he would make more money with less headaches than he could by keeping his factory operating here.

A side line of his conversation was very interesting. This manufacturer said he could also travel to Europe at will and charge it off his income tax because he would be presumably visiting his business operation.

One wonders how far we can carry this kind of operation. How long can we go on taxing our local industries and people to subsidize foreign production and competition.

All of us want to help our neighbors raise their standard of living, but do we raise their standards by financing their productive facilities if the goods produced are sold here instead of over there where the people need it?

We do not need glassware, rubber goods, steel products, clothing, and other consumer goods; they need these things.

We can make all the typewriters, hi-fi's, televisions, refrigerators, cars, glassware, dishes, and so forth, that we need.

However, we cannot undersell them in our markets because our producers have to pay taxes to put them in business.

If nothing else, the import duty ought to take into consideration the taxes assessed against our own products, and give protection against subsidized goods coming into our country.

The argument that our wages are too high does not hold water. Our factories could produce goods for our consumption at a competitive level if we were to eliminate the many hidden taxes, and open, those that are assessable against our consumer goods.

It is reasonable to assume that if the Government gives incentive to foreign competition that our own people will believe it to be proper and patriotic to buy foreign made goods in preference to our own productions.

In the old days most of the imports, competing in the bulk consumer goods markets were inferior to our own. That day has passed. With the advent of automation, any unskilled person can soon learn the duties of mechanized production and with labor and taxes at a minimum, the competition is out and the products are equal or better in quality.

I recently purchased a set of heavy, well patterned, stainless steel tableware consisting of five pieces—two forks, one knife, and two spoons for 69 cents at a chain food store.

Just for comparison, I put it alongside an American made set of the same pieces. The imports were heavier, better polished and finished, and cost less than half as much.

This may be good, but I cannot see it. The American producer paid higher wages, including hospitalization, vacations, social security, pension funds, paid holidays, time and a half for overtime, full lunch periods, break periods, clean restrooms, supervised first aid, donations to local and national charity and worthy causes, Government records, real estate, State, and local taxes.

He was supervised, checked on, and kept books for Government deductions made voluminous reports, and a hundred and one other disturbing, costly items that make up numerous production costs today.

We have these provisions, safeguards, and regulations because we believe them to be necessary for both the economic and the employee welfare of our country.

How much did the Japanese manufacturer have to add on his selling price for these or any other Government mandated expense?

One fears the criticism of the welldoers and therefore one does not talk about these things, but if someone does not soon start paying attention to this situation we will surely be without prosperity and more serious—without allies.

Basically, most of our allies and friends are becoming kept relatives. Kept relatives are not usually your best friends.

One incident I cannot forget is the refusal of Saudi Arabia to allow us to use our own airport and the Israeli ban on flying over Israel with supplies for our Lebanese occupation and our British allies in Jordan.

Kept relations are not always your best friends is again proven by the furor in Cuba and the anti-American sentiments being formed by the rebellious winners. The three main income sources of Cuba are sugar, tobacco, and American tourists. American taxpayers are the mainstay, financially, of Cuba's economic credit.

Out of 89 nations in the world, we have been and are still giving money out of our so-called mutual aid to 72 nations.

Any nation that depends upon mercenary troops for its security will find itself as useless as a ship in drydock; it looks good, but it is not going anyplace.

Our aid to other countries should come out of surplus, not out of deficiency financing.

How long can we keep up going into deficit financing for foreign spending?

I found in Europe and the Caribbean that we are respected about as much as a sheepherder at a western rodeo.

The only reason he was tolerated was because he had the price of admission.

Not all we are doing or have done is wrong, but certainly a closer look at our program is overdue.

We started out in 1948 with the clear-cut assumption that $15 billion would do the complete job on mutual aid. We are spending $89 billion and powerful voices are demanding more.

We have heard a great deal about the European free market area and agreement, and yet a close study of the proposal shows that not one competitive article can be imported into any country without a compensating tariff to protect local productive costs.

It seems to me that if a government puts extra costs by way of regulations, supervisions, or taxation upon the costs of any article the least it can do is to see to it that the same extras are put on competitive goods.

No sane person wants to close our borders; yet no sane person can expect to finance his competition and stay in business.

It is still a competitive world; and, if we want to help others have a better way of life, let's do it without jeopardizing our own standards.

If we have war with Russia, we must win; and, if we then build Russia and its satellites up to the economic well-being we have established for Japan and West Germany, the question might come up as to whether we can afford the victory.

Victory today means rehabilitation, not reparations.

It is a good Christian doctrine and would be excellent if we were all Christians and lived up to the credo of the Prince of Peace.

Time may prove our system and program to be right; however, I am reminded of the story my father told of the man with the mule.

He figured if he cut down on the mule's fodder he could have more profit from the mule's work.

He was down to three straws a day, but the inconsiderate mule died.

Let us hope we can be around when we have built up the whole world and our shelves have nothing to sell but foreign subsidized goods.

In a community such as mine, the pressures are getting worse and if it were not for the props built into our economy by unemployment compensation, social security, pension plans, United Funds et cetera, there would be less light on Main Street and more personal misery per square foot than at any time in our recent history.

Recently, I read of a hardware manufacturer who shut his plant in this country, opened up in Italy and is shipping his ware into the United States and selling through his old channels at a greater profit.

Under our new formula he is a very patriotic man.

One of my old friends from days in the labor movement, now associated with a rubber company, called and told me of the serious threat of foreign-made goods to their particular field.

One of their good customers who has started producing raincoats in Japan has canceled a sustaining order for 1½ million yards of rubber fabric and is now cutting the throat of his American competitors who have not moved to Japan yet.

A few years ago it was clothespins and toys, now it is getting into the heavy consumer goods field.

The time has come for a select committee to look into the apparently chronic unemployment.

I shall introduce such a resolution if a committee now in existence cannot take this matter under consideration.

SENATE

TUESDAY, JANUARY 20, 1959

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, who art light and love, and who alone can transfigure the dark mystery of our mortality into meaning and mercy, give us to see that the answers for which we gropingly seek in the darkness of our own devices are hidden in Thy heart. In a day when all we value most so often seems to be at the mercy of all we value least, and the prey of base things we despise, so direct these servants of the Republic that the best of which their dedicated faculties are capable may be brought to bear without fear or favor upon the confused issues of this critical hour, as they fulfill to the utmost the great expectations which sent them here.

May the malignant evils which blight the good earth not devastate our inner lives, subduing us to their false standards, luring us to self-deceit by their subtle sophistries. Help us this and every day to live more nearly as we pray. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Saturday, January 17, 1959, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, notified the Senate that, pursuant to the provisions of title 20, sections 42 and 43, United States Code, the Speaker had appointed Mr. CANNON, of Missouri; Mr. BROOKS, of Louisiana; and Mr. BOW, of Ohio, as members of the Board of Regents of the Smithsonian Institution on the part of the House.

The message also notified the Senate that, pursuant to the provisions of title 42, section 2251, United States Code, the Speaker had appointed Mr. DURHAM, of North Carolina; Mr. HOLIFIELD, of California; Mr. PRICE, of Illinois; Mr. KILDAY, of Texas; Mr. ASPINALL, of Colorado; Mr. VAN ZANDT, of Pennsylvania; Mr. HOSMER, of California; Mr. BATES, of Massachusetts; and Mr. WESTLAND, of Washington, as members of the Joint Committee on Atomic Energy on the part of the House.

The message further notified the Senate that, pursuant to the provisions of section 601, title VI, Public Law 250, 77th Congress, the Speaker had appointed Mr. MILLS, of Arkansas; Mr. FORAND, of Rhode Island; Mr. CANNON, of Missouri; Mr. MAHON, of Texas; Mr. REED, of New York; and Mr. TABER, of New York, as members of the Committee To Investigate Nonessential Federal Expenditures on the part of the House.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of the Senate proceedings.)

ECONOMIC REPORT OF THE PRESIDENT—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 28)

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which, with the accompanying report, was referred to the Joint Economic Committee.

(For President's message, see House proceedings for today.)

REPORT ON ACTIVITIES OF CORREGIDOR BATAAN MEMORIAL COMMISSION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 52)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Pursuant to the provisions of Public Law 193, 83d Congress, as amended, I hereby transmit to the Congress of the United States a report of the activities of the Corregidor Bataan Memorial Commission for the fiscal year ended June 30, 1958.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *January 19, 1959.*

LEAVE OF ABSENCE

Mr. SCOTT. Mr. President, I ask consent to be absent from the sessions of the Senate for the remainder of this week, to attend, as general counsel, the Republican National Committee conference being held in Des Moines, Iowa.

The VICE PRESIDENT. Without objection, leave is granted.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be the usual morning hour for the introduction of bills and the transaction of other routine business, with statements limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

THE PRESIDENT'S BUDGET

Mr. JOHNSON of Texas. Mr. President, the President's budget message was read in the House of Representatives yesterday, and was printed in the CONGRESSIONAL RECORD for yesterday, which is available to us this morning. The message contains 22 pages. I ask that the message be referred without reading.

The VICE PRESIDENT. Without objection, it is so ordered.

The message was referred to the Committee on Appropriations.

Mr. JOHNSON of Texas. Mr. President, I should like to comment briefly on the message to which I have just referred, namely, the President's budget message.

This is not a balanced budget. It is a propaganda budget.

The people were led to believe that the budget would be balanced out of current income. That is not done. The people were led to believe that the budget would open the way to tax cuts. That is not true.

This budget would spend substantially more than current income.

This budget would also increase taxes. There is not a ghost of a promise of a tax cut anywhere within this 4-pound budget. I think those who have been talking so loosely about tax cuts owe the people both an explanation and an apology, Mr. President.

What we have here is a budget which resorts to selective sales taxes to produce its press-release balance. It does not resort to any selective reductions. The people should know this. I am confident they will know this before the year is over and before the Congress adjourns.

Far from opening the way to tax cuts, this budget proposal would open the way to imposition of more and more sales taxes—sales taxes, first, on gasoline; sales taxes, then, on other essentials; and finally, I believe, sales taxes would come on everything. I, for one, am unwilling to travel this road.

This administration has demanded that local governments pay more of local costs. Now it proposes to enter a footrace with the States and the cities, to see who can preempt the gasoline tax first as a source of revenue.

We can maintain our integrity without sacrificing candor.

This Congress will be prudent; it will also be candid.

Both prudence and candor require that this budget be given a most searching study by the Congress, and each committee in it—and, I might say, comma by comma, and line by line—to determine if the needs of the people are served by it or whether it serves only the campaign needs of partisan interests.

It is clear to me that this budget was not prepared to meet the needs of the people, but was prepared to create a political issue for 1960.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial from the New York Times of today, entitled "A Precarious Balance," an editorial from the Wall Street Journal of today entitled "The Wages of Irresolution," a table from the Washington Star of January 9, 1959, and an editorial from the Washington Post and Times Herald of today entitled "The President Pulls the Plug."

There being no objection, the editorials and table were ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 20, 1959]

A PRECARIOUS BALANCE

The budget submitted to Congress yesterday by the President shows that the administration foresees for the next fiscal year, which begins July 1, 1959, and ends June 30, 1960, expenditures of $77 billion and receipts of $77.1 billion, leaving a surplus (at least on paper) of $100 million.

The latest estimate of expenditures and receipts for the current fiscal year, as contained in the new budget, places them at $68 billion and $80.9 billion, respectively, with a resultant deficit of $12.9 billion. In its plan to eliminate this record peacetime deficit and replace it with a surplus of $100 million—an overall difference of $13 billion—the administration is counting, therefore, upon a reduction of $3.9 billion in expenditures and an increase of $9.1 billion in receipts.

The increase in estimated receipts from the 1959 level of $68 billion to $77.1 billion is based, in the main, on the continued expansion of the economy that has been in progress since last April and the resultant increase in the productivity of the present tax rate structure. However, the figure is also contingent upon certain supporting legislation by Congress in the field of revenue. One of these is legislation extending the present tax rates on corporate profits and certain excise taxes for another year; the second calls for certain tax adjustments, aimed at putting the Federal highway program on a pay-as-you-go basis; the closing of certain tax loopholes and revising postal rates upward by $350 million. All told, the revisions would add about $600 million in revenue.

As has now been the case for several years the bulk of the budget expenditures is devoted to the cost of previous wars and preparations for possible future war. Thus if we add the costs of (1) major national security (59 percent) and (2) Veterans' Administration (7 percent) and (3) interest on the public debt (10 percent) we have accounted for all but 24 percent of the $77 billion total. Perhaps the most striking point in the entire picture is that of the remainder of 24 percent one-third will go for agriculture.

The reduction in expenditures of $3.9 billion from the 1959 level is, unfortunately, somewhat less impressive than it sounds. It does not represent any drastic slashes in spending, but rather the incidence of certain important developments on the spending side of the ledger. Thus what would appear to be a bold reduction of $775 million in the farm price-support program (now grown completely out of hand) reflects the termination of the acreage retirement sector of the Soil Bank plan; the ending of the emergency has permitted a drop in the estimated need for support of the Government guaranteed mortgage market by $2,564 million; and the narrow surplus could be turned into a deficit, under the official budgetary estimates, should Congress fail to act on the increase of $1,375 million in the International Monetary Fund until the fiscal year 1960.

[From the Wall Street Journal, Jan. 20, 1959]

THE WAGES OF IRRESOLUTION

It is time, painful as the task always is, to look at some hard figures.

In fiscal 1953, the year in which President Eisenhower took office, the Federal Government spent $74.3 billion and ran a deficit of $9.4 billion. There followed an effort to get control of the Government's spending, and in two of the later years there were even budget surpluses.

But after 1955 there came a succession of steadily rising budgets. In 1955 spending was $64.6 billion. In 1956, $66.5 billion. In 1957, $69.4 billion. In 1958, $71.9 billion. And in the current fiscal year, $80.9 billion.

So for the entire period of the Eisenhower administration the Government has spent almost $30 billion more than it received in revenue. This staggering sum of money would be burden enough for the Nation if it could have been borrowed from the public. Since little of it could be, the greater part of it has had to be created—in effect, printed—by the central banking system.

Now President Eisenhower, in real and justified concern, has tried once more to come to grips with this problem which is matched in importance to the Nation only by that of military survival. The budget he proposed yesterday is balanced—that is, if all goes precisely according to hopes, then the Government will end the year with a tiny surplus left after its spending.

This budget, it seems to us, is a valiant effort at cutting the costs of what the Government does. The President plans to reduce 1960 spending by nearly $4 billion from this year's level. Most of this reduction comes from the natural elimination of last year's emergency antirecession measures, but the effort to cut costs shows up in tighter budgeting for many different departments.

Yet for all of that, spending will still be $77 billion. This would be $12.4 billion more than the administration spending a bare 5 years ago.

And the promised balance turns on a fulcrum of hope. Income tax revenues will have to increase $8.3 billion from the same rates. Congress will have to approve higher excise taxes on gasoline and raise postal rates again. Nature will have to hold down the cost of farm price supports by granting less bountiful yields. Everyone, the President and the Congress, must succeed in resisting the inevitable temptations to spend a little more here, a little more there.

It is this that most strains hope. For even in this budget it is plain that Mr. Eisenhower himself was not always firm against the enormous pressures for enlarging the Federal Government. It is true that he has succumbed to no new programs. Yet some of the old ones seem unconscionably, and inexplicably, enlarged.

A pointed illustration is the spending for Federal aid to local communities in solving local problems. The new budget includes $2.1 billion in such aid under 14 different programs. This is almost double the amount spent for the same purposes 3 years ago. By the close of fiscal 1960, the commitments for future expenditures on these same programs will be more than $6 billion. And these billions do not even include local aid in the general appropriations for such things as rivers and harbors, intercity highways and the spending under health and welfare.

"These totals," as Mr. Eisenhower ruefully remarked, "show how rapidly direct Federal aid to communities is growing." How rapidly, one might add, all spending programs grow, once begun, unless there is determination not only to economize in the doing but to challenge the scope of what is done.

If this new budget does not bring full results to match the intent, it lies in this. Exactly a year ago the President was proposing a 1959 budget of $74 billion. This is the figure now grown to more than $80 billion. It swelled by $6 billion not because the administration grew less efficient but because it wavered under the pressures to do more. It is not an experience to strengthen hope that the 1960 figure of $77 billion will not in turn have swelled come another January.

Still, the budegt record from 1953 to 1959 is proof in its middle years of what can be done with the right kind of determination. Mr. Eisenhower in 3 years' time cut $10 billion from the annual spending without sacrifice in any essential Government service. Again in this 1960 budget he shows how much can be cut away between even one year and the next, once resolved to do so.

But the record since 1953 also proves what happens the moment determination yields to irresolution. And it will take a lot of resolution to make this 1960 budget mark a real reversal rather than a passing interruption in the long, upward spiral of more spending, more taxes, and more inflation.

[From the Washington Star, Jan. 19, 1959]

The budget: 1954–60

[In billions of dollars]

Fiscal year	Eisenhower budget requests	Congress voted	Estimated receipts	Actual receipts	Surplus (+) or deficit (−)
1954	$59.1	$53.9	$67.6	$64.7	−$3.1
1955	65.6	54.5	62.6	60.4	−4.2
1956	62.4	59.9	60.0	68.2	+1.6
1957	65.9	66.9	73.5	71.0	+1.6
1958	71.8	66.9	72.4	69.1	−2.8
1959	73.9	72.4	74.4	[1] 68.0	[1] −12.9
1960	77.0	----	77.1	----	[2] +70.0

[1] Estimated; final figures unavailable.
[2] In million dollars.

Source: Data supplied by Congressional Quarterly.

[From the Washington Post, Jan. 20, 1959]

THE PRESIDENT PULLS THE PLUG

The big question that Congress and the country will want to ask about President Eisenhower's 1960 budget—a tortured balancing of economic, social, and military risks—is whether it threatens to increase all our hazards without overcoming any of them. While he forecasts revenues on the basis of a rapid recovery which production figures indicate is by no means assured, Mr. Eisenhower offers as his contribution to growth the prospect of a $6.7 billion cutback in the Government's new orders for goods and services starting July 1. Similar retrenchment in the fall of 1957 contributed materially to the 1958 slump.

Against this general backdrop, the President proposes in particular to end special Federal unemployment benefits, even though the acknowledged first purpose of this program is to help needy individuals and there are now more than 4 million people out of work with the number growing. He would also cut off Federal support of the general home mortgage market through the Federal National Mortgage Association in the face of an increasingly tight market in homebuilding funds. He delivers a general jolt to the construction industry in the news that new water resource, health, hospital, and general office building projects are to be wholly forbidden or greatly curtailed. And he would taper off urban renewal and airport assistance programs.

While he promises a strengthened defense, the President asks less new money for missile procurement and at the same time proposes to buy fewer military aircraft, to drop three Air Force wings, to reduce military air transport squadrons, and to trim military base construction. And all of this would come on top of extensive cutbacks in manpower, ships, and weapons ordered in the current fiscal year. The President remains inflexible on an accelerated Polaris submarine program, rebuffing Congress by asking no important new funds for this promising deterrent weapon.

In place of the long-sought, much studied plan to help underdeveloped nations achieve a real breakthrough in economic growth, the President asks a scant $700 million, 1-year appropriation for the starved Development Loan Fund. This capitalization would be about one-seventh of what Mr. Eisenhower's own advisers believe is necessary, a $5 billion, 5-year program.

The budget is a real blow to hopes for a revitalization of scientific research, both pure and applied. The slight increase in defense research will perhaps cover rising costs. The National Science Foundation was denied funds in areas of notable weakness in United States science. The increases provided for space exploration are gratifying, but overall, this emphasis bespeaks more concern with propaganda requirements (which are real enough) than with support of a broadly adequate scientific effort.

Some features of the budget upon which its much touted balance in part depends need questioning on technical (as well as political) grounds. Is it wise to tamper with the normal operations of the Export-Import Bank and the FNMA by selling off their portfolios of investments to achieve a temporary income gain? Are the greatly curtailed estimates for agricultural price supports grounded on much more than prayers for bad weather? The resort to such devices to construct a facade of fiscal soundness is a dubious contribution to political responsibility in public finance.

We do not pretend to know the exact dollar measure of the deficiencies in the Eisenhower budget. A rough measure may be suggested by the report that departmental requests to the Budget Bureau, from which most of the chaff is generally already eliminated, totaled some $8 billion more than Mr. Eisenhower allowed. An $85-billion budget in a $500-billion economy would not be a marked departure from the proportional allotment of national output in recent years, and a gross national product of this size would be a realistic expectation for fiscal 1960 if the Government acted vigorously to sustain and encourage growth rather than subtract from it. Within such a program, a clear duty of leadership would be a call for any tax increase necessary to produce a balanced budget coincident with the approach to full employment.

Many of the revenue and legislative proposals in the budget message are not new. We have often endorsed a number of them, such as elimination of the postal deficit, bond financing for TVA, the item veto, greater use of user charges, a self-supporting highway program, statehood for Hawaii, and home rule for Washington. These hardly compensate, however, for the basic lack of vision in the budget itself.

What the administration fails to recognize is that the greater demand and therefore the greater potential for national growth at this juncture is in fields like housing, education, research, defense, public works of all kinds, and other enterprise in which Government must play a key role. The President in effect is saying to his countrymen, "Go buy a new TV or a new car or a new hula-hoop whether you neeed it or not. To give you confidence, I'll see that your money isn't wasted on things you want more but can't buy for yourself." This is a prescription for private bloat, public stagnation, and general peril, and we hope the country will not be made to swallow it.

Mr. KUCHEL. Mr. President, as the session opened today, just a minute or so after 12 o'clock the distinguished majority leader launched into a diatribe against the Eisenhower administration and the budget which the President has sent to the Congress. A Republican conference was being held at that time, Mr. President, and I, as acting minority leader, on behalf of my distinguished colleague, the Senator from Illinois [Mr. DIRKSEN], was the only Republican Senator present on the floor at that moment. I say that because the Senator from Illinois and many other of my seniors could far better answer the inelegant prose of the majority leader than can I.

Mr. President, the distinguished majority leader suggests conciliation in the field of civil rights. So do I. But I likewise suggest to him that he might practice a little conciliation with respect to the budget of the President.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KUCHEL. Not now.

Mr. JOHNSON of Texas. Let the RECORD show that the Senator refuses to yield.

Mr. KUCHEL. The Senator suggests that the President of the United States apologize to the American people. I suggest that the majority leader apologize to the President and to the American people. He suggests that prudence and candor——

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KUCHEL. No.

Mr. JOHNSON of Texas. The Senator misquotes me.

The VICE PRESIDENT. The Senator refuses to yield.

Mr. JOHNSON of Texas. The Senator misquotes me. I should like for the RECORD to show that the Senator refuses to yield.

Mr. KUCHEL. Mr. President, I have 3 minutes.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator may have an additional 5 minutes.

The VICE PRESIDENT. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

Mr. KUCHEL. Mr. President, I want to make one thing perfectly clear——

Mr. JOHNSON of Texas. Mr. President, now will the Senator yield?

Mr. KUCHEL. No; not yet.

Mr. JOHNSON of Texas. The Senator misquotes me.

Mr. KUCHEL. I refuse to yield.

The VICE PRESIDENT. The Senator refuses to yield.

Mr. KUCHEL. If I have misquoted the able majority leader, Mr. President, I am sure the RECORD will be corrected.

Mr. President, the distinguished majority leader has suggested that we have a proposed budget which is resorting to or proposes increased use of the sales tax—a Federal sales tax—in order to bring it into balance. That is not so.

I was a Member of the Senate at the time when the Senate of the United States adopted legislation increasing the highway users tax. That was not in accordance with the recommendations of the Eisenhower administration. President Eisenhower recommended to the Congress that it approve the principles embodied in the so-called Clay Commission recommendations, under which a separate governmental corporation would have been established and there would not have been any increases in the Federal highway users tax. Nevertheless, the majority in the Senate refused to go along with the Clay Commission's recommendations. The rest of us, on this side, then agreed to the second alternative of a so-called pay-as-you-go basis, under which the $33 billion Interstate Highway System would then commence construction. For the able majority leader now to suggest that it is this administration that recommends sales taxes in order to balance the budget, I think, comes with just a little bit of poor grace.

So far as I am concerned, I do not know whether we on the Republican side of the aisle will agree, line by line and

comma by comma, with the recommendations of this administration in the field of spending. Some of us will agree in some instances, and some of us will disagree in others. But I do suggest that, so far as the President of the United States is concerned, in good faith he has given to the Congress, a coequal branch of the Government, as my former colleague, former Senator Knowland, used to describe it with accuracy, his recommended budget. When it comes to the Congress, the Congress is expected to try to do a job for the people of the United States.

I now yield to my able colleague the senior Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, first the Senator says that I talk of conciliation, but offer none of it. I will allow my record to speak for itself.

I concluded my statement by saying that we would take the President's budget, examine it word for word, comma for comma, and line for line. I do not know how I could be more conciliatory or considerate than that.

I do not know what the Senator means by "inelegant prose." I am not very familiar with elegance, anyway. And I care not what the Senator thinks about my poor grace. I should like to have him explain to the American people, however, whether this proposal involves a sales tax or not. I regard it as a sales tax, and the Senator has not changed my view on that question.

I stated that the President's budget was an attempt, in a foot race, so to speak, to take revenue from the States and the cities, and an attempt to preempt the gasoline tax fund. I think that is true.

I stated that I believed the budget anticipated revenue which was not available, and I supported that statement with the conclusions of some of the leading newspapers of the country.

Mr. KUCHEL. Mr. President, will the Senator yield at that point?

Mr. JOHNSON of Texas. Certainly. I always yield to my colleagues.

Mr. KUCHEL. Is it not true that if we do not adopt the recommendations of this administration and increase the highway user's tax, we shall be borrowing more money from the general fund in order to complete the $33 billion Interstate System?

Mr. JOHNSON of Texas. I think that is true; and I believe that if we do not make some reductions in some of the proposals the President makes, we shall have a substantial deficit. I think the President expects us to have a substantial deficit. I think the administration expects us to have a deficit.

I believe the President has made certain recommendations which the Congress will cut. I believe he has made certain recommendations which the Congress will increase.

I hope the time has not come when a Senator cannot rise and express his opinion on the President's budget without being accused of operating inelegantly and with poor grace, and without conciliation. I hope the time will come when better and stronger arguments can be made for the President's budget than those adjectives.

Mr. KUCHEL. What was the language the Senator used about the administration making an apology?

Mr. JOHNSON of Texas. I did not say anything about the administration making an apology. I read an account of a meeting which was held the other day, at which some top spokesmen of the Republican Party offered hope for tax cuts when they left the White House. I am not speaking of the distinguished minority leader. I do not care to get into personalities, because that would be poor grace.

I said, with regard to that bait, that propaganda, and that political statement, that I thought those who had been talking so loosely about tax cuts owed the people an explanation and an apology.

I made no reference to the President. The President never said anything to me about tax cuts. The President talked to me about reducing spending.

I read on the front pages of the newspapers statements by certain leaders who said that if we could take this proposal in its entirety, just as it is written, without dotting an "i" or crossing a "t"; if, in effect, we would say, "Me too"; and if everything came out just as it was estimated—and I do not believe anyone thinks it would come out that way—we might have $100 million extra. Then, somewhere, somehow, someday, down the road somewhere, we might have a tax cut.

I say that those who make statements like that ought to explain them to the American people. Every time a Senator expresses his views, he does not necessarily attack the President of the United States. I think it is a very poor defense for a Senator to try to wrap the flag of the President around his shoulders and say, "He is untouchable; his budget cannot be discussed. No Senator may express his opinion about it. He cannot even suggest that it be carefully considered by various committees without having his remarks branded as a 'diatribe.' "

I suggest that the Senator from California, in his elegant California manner, choose his words better.

Mr. KUCHEL. As I take my seat, let me say that I shall try to do so in the future. But I still suggest to my able friend from Texas that to my mind prudence and candor are as desirable in the legislative branch as they are in the executive.

Mr. BUSH, Mr. MORSE, Mr. DOUGLAS, and other Senators addressed the Chair.

The VICE PRESIDENT. Does the Senator from California yield; and, if so, to whom?

Mr. KUCHEL. I yield to the Senator from Connecticut.

Mr. BUSH. Am I correct in recalling that the Senator from Texas referred to the President's budget as a propaganda budget?

Mr. KUCHEL. The Senator is correct.

Mr. JOHNSON of Texas. That is my opinion.

Mr. BUSH. I resent that type of description of the budget. I happen to know a little about the way the budget was presented. I happen to know that the President has never felt so deeply about any issue during all the time he has been President of the United States as he feels about the fiscal affairs of this country as they exist today.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. BUSH. I shall be glad to yield in a moment. I do not have the floor.

The VICE PRESIDENT. The Senator from California [Mr. KUCHEL] has the floor.

Mr. BUSH. I think that was a most regrettable statement for the distinguished majority leader to make. It is completely unfair.

Mr. JOHNSON of Texas. The Senator refers to me, and I think he should be willing to yield.

Mr. BUSH. I shall be glad to yield if I may have the permission of the Senator from California to do so.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Connecticut may have the right to yield to me for an observation.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. BUSH. I shall be glad to yield if that is agreeable to the Senator from California.

The VICE PRESIDENT. Does the Senator from California yield for that purpose?

Mr. KUCHEL. I yield.

Mr. JOHNSON of Texas. I observe that I have not questioned the depth of the President's feeling or the depth of his understanding, or the depth of his knowledge.

Mr. BUSH. The Senator is questioning——

Mr. JOHNSON of Texas. Let me complete my statement.

I did not go into any of those questions. I have been talking with those who, for several days, have been going over the budget as it was presented to them in an effort to determine exactly what it provides, what it means, and what it will do.

Also, I have been reading statements in the newspapers about the forlorn hope that we are to have a tax cut down the road somewhere. I have not said a thing about the President. I have said that in my opinion the administration budget is a propaganda budget; and I believe time will establish that contention.

Mr. BUSH. That is the statement to which I object very strongly. I think it is designed to give the American people a lack of confidence in the President and in the budget. I think it most unfortunate that the majority leader finds it necessary to make such a statement on the floor of the Senate.

Mr. KUCHEL. Mr. President, I thank my able friend from Connecticut for his observations.

I yield the floor.

COMMITTEE SERVICE

Mr. DIRKSEN. Mr. President, I am delighted to hear this semantic discussion. I intend to make a ripsnorting, tooting budget speech, but I do not intend to make it today.

First, I wish to get back on the track, and place our committee assignments before the Senate.

Mr. President, by direction of the minority steering committee, I submit an order designating assignments to committees from the minority. I ask that the assignments be read for the information of the Senate, and I ask unanimous consent that the order be entered.

The VICE PRESIDENT. The committee assignments will be read for the information of the Senate.

The legislative clerk read as follows:

Committee on Aeronautical and Space Sciences: Messrs. Bridges, Wiley, Mrs. Smith, Messrs. Javits, Case of New Jersey.

Committee on Agriculture and Forestry: Messrs. Aiken, Young of North Dakota, Hickenlooper, Mundt, Williams of Delaware, Schoeppel.

Committee on Appropriations: Messrs. Bridges, Saltonstall, Young of North Dakota, Mundt, Mrs. Smith, Messrs. Dworshak, Kuchel, Hruska, Allott.

Committee on Armed Services: Messrs. Bridges, Saltonstall, Mrs. Smith, Messrs. Case of South Dakota, Bush, Beall.

Committee on Banking and Currency: Messrs. Capehart, Bennett, Bush, Beall, Keating.

Committee on the District of Columbia: Messrs. Beall, Case of South Dakota, Prouty.

Committee on Finance: Messrs. Williams of Delaware, Carlson, Bennett, Butler, Cotton, Curtis.

Committee on Foreign Relations: Messrs. Wiley, Hickenlooper, Langer, Aiken, Capehart, Carlson.

Committee on Government Operations: Messrs. Mundt, Curtis, Capehart.

Committee on Interior and Insular Affairs: Messrs. Dworshak, Kuchel, Goldwater, Allott, Keating.

Committee on Interstate and Foreign Commerce: Messrs. Schoeppel, Butler, Cotton, Case of New Jersey, Morton, Scott.

Committee on the Judiciary: Messrs. Wiley, Langer, Dirksen, Hruska, Martin.

Committee on Labor and Public Welfare: Messrs. Goldwater, Cooper, Dirksen, Case of New Jersey, Javits, Prouty.

Committee on Post Office and Civil Service: Messrs. Carlson, Langer, Morton.

Committee on Public Works: Messrs. Case of South Dakota, Martin, Cooper, Scott, Prouty.

Committee on Rules and Administration: Messrs. Curtis, Javits, Morton.

The VICE PRESIDENT. Is there objection to the present consideration of the order?

Mr. JOHNSON of Texas. Mr. President, I have no objection to the order. I believe it is very important to have it considered by the Senate, and I am glad that it has been presented to us. It is very important that the Senate act on it as early as possible, so that the committees may be organized, because there are several measures which need immediate attention.

The VICE PRESIDENT. Is there objection?

There being no objection, the order was entered.

CV——55

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

AUTHORIZATION OF CERTAIN APPROPRIATIONS TO NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize appropriations to the National Aeronautics and Space Administration for construction and equipment, salaries and expenses, research and development, and for other purposes (with an accompanying paper); to the Committee on Aeronautical and Space Science.

PROMOTION OF ECONOMIC AND SOCIAL DEVELOPMENT IN THE RYUKYU ISLANDS

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to provide for the promotion of economic and social development in the Ryukyu Islands (with accompanying papers); to the Committee on Armed Services.

REPORT ON MILITARY PRIME CONTRACTS WITH BUSINESS FIRMS IN THE UNITED STATES FOR EXPERIMENTAL, DEVELOPMENTAL, AND RESEARCH WORK

A letter from the Acting Assistant Secretary of Defense (Supply and Logistics), transmitting, pursuant to law, a report on military prime contracts with business firms in the United States for experimental, developmental, and research work (with an accompanying report); to the Committee on Banking and Currency.

AMENDMENT OF ACT RELATING TO PRACTICE OF DENTISTRY IN THE DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto", approved June 6, 1892, as amended (with an accompanying paper); to the Committee on the District of Columbia.

AMENDMENT OF ACT RELATING TO SCHOOL ATTENDANCE IN THE DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes", approved February 4, 1925 (with an accompanying paper); to the Committee on the District of Columbia.

AMENDMENT OF ACT RELATING TO REMOVAL OF CERTAIN BUILDINGS IN THE DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes," approved March 1, 1899, as amended (with an accompanying paper); to the Committee on the District of Columbia.

AMENDMENT OF ACT RELATING TO CERTAIN TAXES IN THE DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An Act relating to the levying and collecting of taxes and assessments, and for other purposes," approved June 25, 1938 (with an accompanying paper); to the Committee on the District of Columbia.

APPOINTMENT OF SPECIAL POLICEMEN BY COMMISSIONERS OF THE DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to make the Act approved March 3, 1899 (30 Stat. 1045, 1057, ch. 422), providing for the appointment of special policemen by the Commissioners of the District of Columbia, applicable to Government departments and agencies (with an accompanying paper); to the Committee on the District of Columbia.

AUDIT REPORT ON TENNESSEE VALLEY AUTHORITY

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Tennessee Valley Authority, fiscal year 1958 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON FEDERAL CROP INSURANCE CORPORATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Federal Crop Insurance Corporation, Department of Agriculture, fiscal year 1958 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON FEDERAL HOME LOAN BANKS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Federal Home Loan Banks supervised by Federal Home Loan Bank Board, fiscal year 1958 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON EXPORT-IMPORT BANK OF WASHINGTON

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Export-Import Bank of Washington, fiscal year 1958 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON FEDERAL DEPOSIT INSURANCE CORPORATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Federal Deposit Insurance Corporation, fiscal year 1958 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON FEDERAL PRISON INDUSTRIES, INC.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on Federal Prison Industries, Inc., Department of Justice, fiscal year 1958 (with an accompanying report); to the Committee on Government Operations.

CONVEYANCE OF CERTAIN PROPERTY TO SAN JUAN, P.R.

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the conveyance of certain property administered as a part of the San Juan National Historic Site to the Municipality of San Juan, P.R., in exchange for its development by the Municipality in a manner that will enhance the historic site, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

LEASING OF CERTAIN MINERAL DEPOSITS

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the Mineral Leasing Act for Acquired Lands (61 Stat. 913) with respect to the leasing of mineral deposits in which the United States owns a partial or future interest (with an accompanying paper); to the Committee on Interior and Insular Affairs.

HANDLING OF CERTAIN INDIAN SCHOOL FUNDS

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to regulate the handling of student funds in Indian schools operated by the Bureau of Indian Affairs, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REVISION OF BOUNDARIES OF KINGS MOUNTAIN NATIONAL MILITARY PARK, S.C.

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to revise the boundaries of the Kings Mountain National Military Park, S.C., and to authorize the procurement and exchange of lands, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

AMENDMENT OF SECTION 17, MINERAL LEASING ACT OF 1920

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend section 17 of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437, 443), as amended (30 U.S.C., sec. 226) (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REPORT ON BACKLOG OF PENDING APPLICATIONS AND HEARING CASES, FEDERAL COMMUNICATIONS COMMISSION

A letter from the Chairman, Federal Communications Commission, Washington, D.C., transmitting, pursuant to law, a report on backlog of pending applications and hearing cases in the Federal Communications Commission as of November 30, 1958 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

PAYMENT OF JUST COMPENSATION TO CERTAIN CLAIMANTS

A letter from the Assistant Secretary of the Navy, transmitting a draft of proposed legislation to provide for the payment of just compensation to certain claimants for the taking by the United States of private fishery rights in Pearl Harbor, Island of Oahu, T.H. (with an accompanying paper); to the Committee on the Judiciary.

COURT OPINION IN CASE OF MARION G. DENTON v. THE UNITED STATES

A letter from the clerk, U.S. Court of Claims, Washington, D.C., transmitting, pursuant to law, the opinion of that court, rendered in the case of *Marion G. Denton* v. *The United States* (with an accompanying document); to the Committee on the Judiciary.

REPORT OF JOINT COMMISSION ON MENTAL ILLNESS AND HEALTH

A letter from the Director, Joint Commission on Mental Illness and Health, Cambridge, Mass., transmitting, pursuant to law, a report of that Commission, for the calendar year 1958 (with an accompanying report); to the Committee on Labor and Public Welfare.

REPORT ON POSITIONS IN CERTAIN GRADES OF CLASSIFICATION ACT OF 1949

A letter from the Administrative Assistant Secretary, reporting, pursuant to law, that no change had occurred in the Department of Agriculture, relating to grades GS–16, 17, and 18, since his initial report of January 1, 1957; to the Committee on Post Office and Civil Service.

AMENDMENT OF TITLE 23, UNITED STATES CODE, AND HIGHWAY REVENUE ACT OF 1956

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend title 23, United States Code, and the Highway Act of 1956 (70 Stat. 387) to permit States having toll and free roads, bridges, and tunnels approved as part of the National System of Interstate and Defense Highways to designate other routes for inclusion in the Interstate System, and for other purposes (with accompanying papers); to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of Colorado; to the Committee on Interstate and Foreign Commerce:

"HOUSE JOINT MEMORIAL 1

"Resolution memorializing the Congress of the United States to take such remedial action as deemed necessary to preclude the closing of low-power booster stations necessary for television reception in certain areas of the State of Colorado

"Whereas there are many communities and farm areas within the State of Colorado whose people depend upon low-power booster stations as their only means of receiving television programs; and

"Whereas the rugged terrain of the Rocky Mountain region makes the use of ultra-high-frequency translator stations impractical, if indeed not impossible, according to the opinions expressed by competent and qualified broadcast engineers, as well as by certain members of the Federal Communications Commission; and

"Whereas it is economically impossible for these communities and farm areas to support, construct, or operate any other form of duly authorized television service; and

"Whereas there is ample proof that low-power booster stations can be regulated so as to preclude interference with licensed television services or other services; and

"Whereas, the Federal Communications Commission did summarily dismiss, without formal hearing, its own rulemaking proceedings relating to 'repeater' or 'booster' stations operating in the VHF television band of frequency assignments; and

"Whereas the Federal Communications Commission did on December 31, 1958, make formal announcement of its dismissal of petitions for reconsideration, including those filed by Gov. Stephen L. R. McNichols, of Colorado; the Honorable Edwin C. Johnson, former Governor and U.S. Senator from Colorado; and the Honorable Gordon Allott, U.S. Senator from Colorado—all of whom sought to procure reasonable rules which would permit the continued operation of said booster stations under the regulatory power of the Federal Government; and

"Whereas the Federal Communications Commission did also announce on December 31, 1958, that all booster stations would be given a period of 90 days in which to apply for conversion to ultra-high-frequency translators or some other authorized television operation, and upon failure to do so would be ordered to cease operation: Now, therefore, be it

"*Resolved by the House of Representatives of the 42d General Assembly of the State of Colorado (the Senate concurring herein)*, That this general assembly hereby memorializes the Congress of the United States for such remedial action within such 90-day period as the Congress deems fit through the exercise of its authority over the Federal Communications Commission to insure the continued operation of low-power booster stations, to the end that the people in the nonmetropolitan areas of the State of Colorado shall not be denied their basic right to equality of access to the informational, educational, inspirational, cultural, and entertainment service of the American system of free television broadcasting; and be it further

"*Resolved*, That a copy of this memorial be transmitted to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and to the Senators and Congressmen representing the State of Colorado in the Congress of the United States.

"CHARLES R. CONKLIN,
"Speaker of the House of Representatives.
"ROBERT S. EBERHARDT,
"Chief Clerk of the House of Representatives.
"ROBERT L. KNOUS,
"President of the Senate.
"LUCILE L. SHUSTER,
"Secretary of the Senate."

Resolutions adopted by the Western Governors Conference at Honolulu, T.H., and the 14th Biennial General Assembly of the States at Chicago, Ill., favoring the enactment of legislation to provide statehood for Hawaii; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Minneapolis Lodge, 102, Brotherhood of Railroad Trainmen, of Minneapolis, Minn., favoring the enactment of legislation to provide statehood for Hawaii; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Republican Party of the County of Hawaii, T.H., favoring the enactment of legislation to provide statehood for Hawaii; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Lafourche Parish School Board, of Thibodaux, La., favoring the enactment of legislation to curb the powers of the U.S. Supreme Court, and so forth; to the Committee on the Judiciary.

FEDERAL AID TO EDUCATION, RELATING TO TEACHERS' SALARIES—RESOLUTION

Mr. JAVITS. Mr. President, I present a resolution adopted by the Parent-Teacher Association Marie Curie, Junior High School 158, of Queens, Bayside, N.Y., favoring the enactment of legislation to grant Federal aid to education as it relates to teachers' salaries. I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Whereas there is still a serious shortage of classrooms and of teachers requiring emergency action on the part of the Federal Government; and

Whereas limited financial resources available to many communities are not adequate to support construction programs of sufficient size to eliminate their classroom shortages and not sufficient to provide proper compensation to their teachers; and

Whereas the national interest requires that the Federal Government assist State and local governments in solving these pressing problems: Therefore be it

Resolved, That the Federal Government provide Federal financial assistance on a grant basis to help meet the problems of inadequate facilities and inadequate teachers' salaries by enacting such Federal aid to education legislation in 1959.

These resolutions have been adopted by the executive board of the P.T.A. of Junior High School 158, Queens, January 14, 1959.

MARY GROSSMAN,
President.

RESOLUTIONS, PETITION, AND RADIO ROUNDUP OF ORGANIZATIONS OF NORTH DAKOTA

Mr. DIRKSEN. Mr. President, on behalf of the Senator from North Dakota

[Mr. LANGER], I present for appropriate reference a series of resolutions, a petition, and a "GTA Daily Radio Roundup." I ask unanimous consent that these matters be printed in the RECORD.

There being no objection, the resolutions, petition, and roundup were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Agriculture and Forestry:

"RESOLUTIONS, NRECA REGION VI, ANNUAL MEETING, BISMARCK, N. DAK., OCTOBER 27–28, 1958

"MARKETING OF POWER

"Whereas the preference rights of Rural Electric Cooperatives and municipal utilities must be protected to assure public benefits from Federal multipurpose resource development projects; and

"Whereas any contract having to do with either the purchase, marketing or exchange of power by the Bureau of Reclamation is a public matter and a matter that directly or indirectly involves the rights and interests of the preference customers; and

"Whereas the principle that important public contracts must be reviewed by the Congress has been established by the Appropriations Committees with respect to generation and transmission loans made by the Rural Electrification Administration and with respect to the Atomic Energy Commission by the Atomic Energy Joint Committee of the U.S. Congress: Now, therefore, be it

"Resolved, That we request the Interior Committees of the U.S. Congress to hold for review for a period of 45 days all contracts or agreements proposed between the Bureau of Reclamation and/or the U.S. Corps of Army Engineers and any commercial or nonprofit electric utility for the purchase, sale or exchange of electric energy.

"INTERINDUSTRY COUNCIL

"Whereas we were told when we were invited to join the Interindustry Farm Electric Utilization Council that its purpose was to promote a joint effort in expanding power use; and

"Whereas we of the rural electric cooperatives have respected this agreement to be noncommercial and nonpolitical at these meetings; and

"Whereas at the October 7 meeting of the council at Buffalo, N.Y., Secretary Benson's Director of Agriculture Credit Service, Mr. Kenneth L. Scott, flagrantly violated this gentlemen's agreement by using the meeting as a self-service forum to promote the Benson anti-REA proposals; and

"Whereas the character of the meeting was such as to deny the rural electric representatives any opportunity whatsoever to present their own case in the light of Mr. Scott's uncalled for remarks; and

"Whereas the rural electric co-ops' representatives by being present were helplessly made use of in lending prestige to Mr. Scott's remarks; and

"Whereas the meeting provided Mr. Scott with a ready-made platform for reaching power company representatives who had long been promoting these very same ideas; and

"Whereas this performance is no isolated incident in the rapidly developing master plan to eleminate the REA program: Now, therefore, be it

"Resolved, That we condemn Secretary Benson and his assistant, Mr. Scott, for their ill-famed campaign to pressure the rural electric cooperatives with the Benson proposals and particularly in using the interindustry council meeting for such propaganda activities.

"COMPTROLLER GENERAL'S RULING

"Whereas a ruling by the Comptroller General of the United States on a loan made by REA to the Central Iowa Power Cooperative of Cedar Rapids, Iowa, to service Greene County Rural Electric Cooperative of Jefferson, Iowa, imperils the entire lending program of REA; and

"Whereas, by this ruling the Comptroller General has usurped and attempted to nullify the declared will and intent of Congress; and

"Whereas the Comptroller General has reaffirmed this ruling; and

"Whereas this ruling is a complete misinterpretation of the REA Act and gives the power companies what they could not get from the Congress and the courts: Now, therefore, be it

"Resolved, That we approve and commend the counsel for the Iowa Cooperative, William Wisdom, and L. F. Wilcox; the special counsel of NRECA, Wise and Potamkin; the Secretary of Agriculture and the Assistant General Counsel of the Department of Agriculture, E. F. Mynatt, for their fine briefs pointing out the defects of this ruling; and be it further

"Resolved, That the cooperatives respectfully petition the Congress of the United States to investigate this ruling and its background.

"REA LOAN SOURCE

"Whereas the Secretary of Agriculture last February sent to the Congress a proposed bill which provided that the cooperatives secure their financing in Wall Street—for which no legislator would act as sponsor; and

"Whereas such bill would double or triple interest rates to the rural electric systems; and

"Whereas such bill would virtually kill the generating and transmission program and bankrupt many distribution cooperatives; and

"Whereas the Congress has always evidenced its wholehearted support of the REA program by consistently providing sufficient loan funds: Now, therefore, be it

"Resolved, That we urge Congress to oppose any and all proposals which would send the rural electric systems into the private money market for their financing, and we urge Congress to continue its fine support of the rural electric program which means so much to the people of rural America and to the country as a whole.

"INTEREST RATES

"Whereas a number of bills and proposals were presented to the 85th Congress to increase REA interest rates; and

"Whereas the Congress, by enacting the Pace Act in 1944, and fixing the interest rate of 2 percent, therein made a covenant with the rural electric cooperatives to proceed with area coverage at reasonable retail rates; and

"Whereas both REA Administrator David Hamil and Director of Agriculture Credit Services Kenneth Scott testified before a subcommittee of the Senate Committee on Government Operations this year that increased rates would have a detrimental effect on telephone loans and electric loans to systems in sparsely settled areas; and

"Whereas we believe the continuance of the 2 percent interest rate is necessary to enable the rural electric systems to complete the task of providing full, efficient, and reasonably priced electric service on an area coverage basis: Now, therefore, be it

"Resolved, That we urge the Congress to vigorously oppose any change or proposed change in the law, the effects of which would increase REA interest rates.

"REA REORGANIZATION

"Whereas the original Rural Electrification Act of 1936 provided for strictly nonpartisan administration of REA and provided for the appointment of an Administrator by the President, with confirmation by the Senate for a 10-year term to insure nonpartisan, nonpolitical administration; and

"Whereas Secretary of Agriculture, Ezra Taft Benson, pledged himself to a congressional committee to make no changes in REA without first consulting the proper congressional committees and other interested groups; and

"Whereas in June 1957, the Secretary did reorganize REA by requiring that all loans of $500,000 or more, and that all loans of whatever amount, to new borrowers, be reviewed by the Secretary's Office; and

"Whereas Secretary Benson has supported a bill in Congress which would drastically increase interest rates and drive electric and telephone cooperatives to Wall Street for their financing: Now, therefore, be it

"Resolved, That we are vigorously opposed to any reorganization of REA; and be it further

"Resolved, That as soon as the new Congress convenes in 1959 a bill identical or similar to the Humphrey-Price bill of 1953, which would restore to the REA Administrator all of the functions and authority vested in him by the original act of 1936, be introduced and passed.

"REA PROGRAM

"Whereas the rural electric cooperatives undertook the electrification of rural areas including the byways and back roads on an area coverage basis upon the congressional assurance that adequate loan funds would be available at 2 percent interest under the Pace Act of 1944; and

"Whereas the REA Administrator, the Secretary of Agriculture, the Director of the Bureau of the Budget, the Comptroller General, President Eisenhower, and others are advocating changes in the Rural Electrification Act which would increase the interest rate and send us to the money market for at least part of our funds; and

"Whereas such changes would make it impossible to serve the remaining unserved rural people and would curtail the expansion of service to our present consumers: Now, therefore, be it

"Resolved, That we protest the actions of the REA Administrator, the Secretary of Agriculture, the Director of the Bureau of the Budget, the Comptroller General, and the President of the United States in using the power and prestige of their offices to pressure the rural electric systems into agreeing to or advocating changes that would be detrimental to the program.

"SELLOUT PROTECTION

"Whereas forces opposing the rural electrification program are moving in on cooperatives in various parts of the country, e.g., the New Jersey and Arizona cases, for the expressed purpose of buying them out; and

"Whereas it is evident that the power companies instituting sellouts are being directed by executives hired and maintained by their holding companies; and

"Whereas electric consumers in and outside the program will pay more for electricity if these sellouts become more widespread: Now, therefore, be it

"Resolved, That in keeping with the keynote set by our general manager, Clyde T. Ellis, we launch a counteroffensive; and be it further

"Resolved, That we urge REA to provide more aggressive assistance to cooperatives needing its help to continue their existence—such as was the case of cooperatives in New Jersey and Arizona; and be it further

"Resolved, That we urge our State legislatures to provide us with the machinery to function as public agencies or utility districts where such a step is necessary to preserve consumer ownership; and be it further

"Resolved, That we urge Congress to make all large transmission lines common carriers as a means of helping to advance the objectives of abundant, low-cost power to consumers; and be it further

"*Resolved,* That we urge Congress to protect rural electrics and all electric consumers by abolishing the electric holding companies; and be it further

"*Resolved,* That we urge Congress to investigate and expose the apparent master plan to cripple and destroy the rural electrification programs; and be it further

"*Resolved,* That we urge Congress to thoroughly investigate the sellout cases that have now occurred in order that the Rural Electrification Act may be strengthened as a means of protecting the interests of consumers and all Americans who are concerned about the contributions rural electrics are making.

"YELLOWTAIL DAM

"Whereas the Yellowtail project in Montana was authorized by the 85th Congress during its 1958 session; and

"Whereas power is urgently needed from this development: Now, therefore, be it

"*Resolved,* That the Congress be urged to appropriate necessary funds to expeditiously construct this project as rapidly as possible.

"RELATING TO FEDERAL TRANSMISSION LINE IN IOWA

"Whereas approximately 250,000 rural people receiving electrical energy from Iowa rural electric cooperatives, and approximately 60,000 residents of Iowa cities and towns receiving electrical energy from municipally-owned electric systems, are served by systems located in whole or in part within the Iowa marketing area of the Bureau of Reclamation; and

"Whereas only a small percentage of these more than 300,000 people are now receiving the benefits of low-cost Federal power; and

"Whereas a majority of the rural electric cooperatives and municipal electric systems in this area are facing critical power-supply problems; and

"Whereas the great majority of these systems, all preference customers, who are not now receiving Federal power, are burdened with exceedingly high costs in producing electrical energy and are adjoined by systems with lower power costs; and

"Whereas many miles of federally owned transmission line are in existence in other States in the upper Missouri River Basin with practically none in existence in Iowa; and

"Whereas the Bureau of Reclamation marketed more power in 1957 to a nonpreference customer from the Hinton, Iowa substation at a dump rate of 2.93 mills than was sold by the Bureau to the rural electric cooperatives at a firm rate of 5.01 mills; and

"Whereas the reason that low-cost Federal power has not been available to all of the approximately 300,000 preference users in the Iowa marketing area of the Bureau of Reclamation has been the absence of transmission lines over which the Bureau could make delivery of such power: Now, therefore, be it

"*Resolved,* that region VI, in annual meeting assembled, urge the Congress of the United States to appropriate the necessary funds for the Bureau of Reclamation to construct an adequate transmission line from its Hinton, Iowa substation eastward to a point near Storm Lake, Iowa, south to a point near Harlan, Iowa and southeastward to a point near Creston, Iowa, complete with substations to be located at the three aforementioned points; and be it further

"*Resolved,* That we of region VI make every effort to fully inform the Congressmen, Senators and Governors of the three States comprising this region of the urgency of this matter and solicit their support of the objectives cited in this resolution.

"PREFERENCE CLAUSE

"Whereas water power resources belong to the people of the United States and not to private individuals or corporations; and

"Whereas for more than 50 years the preference clause in Federal power laws, giving preference to nonprofit public and rural electric systems, has been an important influence in insuring the continuation of a healthy competition in the electric industry; and

"Whereas over 400 of the rural electric systems are dependent either directly or indirectly upon Federal power projects for their power supply; and

"Whereas constant attempts are being made to weaken the preference clause by such devices as the Case amendment and the Niagara limitations enacted in the 85th Congress: Now, therefore, be it

"*Resolved,* That we urge Congress to reaffirm its support for the preference rights of nonprofit, consumer-owned electric systems and to oppose any repeal, watering down or evasion of the preference clause; and be it further

"*Resolved,* That we strongly urge Congress to enact legislation to remove the effects of the Case amendment to the Rivers, Harbors and Flood Control Authorization Act of 1958; and be it further

"*Resolved,* That the preference concept should be extended to cover transmission of all power.

"G AND T LOANS

"Whereas the demands for increased power supply for the rural electric systems pose a continuing problem for the rural electric systems; and

"Whereas the cost of power to the systems has always been favorably influenced by our right and opportunity to generate and transmit our own power where this would result in lower costs: Now, therefore, be it

"*Resolved,* That we commend the REA Administrator upon his making of the recent Mississippi and Texas G and T loan and we urge him to continue to lend funds for generation and transmission when such loans are feasible; and be it further

"*Resolved,* That the REA Administrator be urged to finance interconnections where mutually advantageous, but we oppose any return to the policy requiring the partnership arrangement with the private power companies; and be it further

"*Resolved,* That Congress be urged to continue to provide adequate funds for this purpose.

"ATOMIC ENERGY PROGRAM

"Whereas the rural electric systems have urged that the Congress provide for acceleration of the atomic energy program; and

"Whereas the rural electric systems have also urged that the Congress provide the opportunity for adequate participation by rural electric and other nonprofit electric systems; and

"Whereas the atomic energy program belongs to all of the people and should be protected from monopolistic abuse: Now, therefore, be it

"*Resolved,* That we urge the 86th Congress to provide an atomic energy power program that will be for the benefit of all of the people and in particular will provide for Federal construction of atomic power generating plants as proposed in the Gore bill of the 85th Congress, with preference in the sale of any power therefrom being accorded to cooperatives, municipalities and other nonprofit, consumer-owned agencies.

"POTOMAC RIVER DEVELOPMENT

"Whereas the Potomac is a national resource which, if developed, could help bring better living and prosperity to the region, our National Capital and the Nation; and

"Whereas comprehensive development of the Potomac River Basin promises a potential of 700,000 kilowatts capacity of low-cost hydroelectric power badly needed by rural electric systems, municipalities, industry, and others: Now, therefore, be it

"*Resolved,* That we support the cooperatives of the area associated with us in the rural electrification program in their fight for comprehensive development of the Potomac.

"NATURAL RESOURCE DEVELOPMENT

"Whereas both national and international concerns demand that our country be strong, healthy and growing; and

"Whereas wise and timely development of our natural resources so as to provide the maximum benefits for our people is a fundamental means to foster our country's growth; and

"Whereas the Russians with whom we are competing in a fateful cold war threaten to surpass our hydroelectric generation in two more years under a massive program; and

"Whereas our own Government has cut down funds for natural resource development to the barest minimum; and

"Whereas we all have a vital stake in this contrasting situation: Now, therefore, be it

"*Resolved,* That we urge Congress to give prompt and wholehearted support to full-scale water resource development that is in keeping with our country's potential.

"TVA SELF-FINANCING BILL

"Whereas the Tennessee Valley Authority after 25 years of exemplary service to its region and Nation is the sole supplier of power at wholesale to 50 cooperatives whose yardstick resale rates influence power rates throughout the country; and

"Whereas without the prompt construction of additional generating capacity TVA will lack sufficient power to meet the needs of its distributors by 1960, or 1961 at the latest; and

"Whereas in addition to the normal and steadily increasing demand for power in its area TVA also is called upon to deliver vast blocks of power, amounting to over half its production, to national defense installations in which all of us as citizens are interested; and

"Whereas in the past 5 years TVA has received no appropriations for starting additional generating stations, and construction capital from this source is not in sight; and

"Whereas a plan approved by the TVA Board for financing new capacity by revenue bonds to be sold in the open market has been before Congress, and will be renewed before Congress at the opening of the next session; and

"Whereas we believe this plan is the best proposition ever made by a region to the Nation and would in effect wither the widely cultivated claim that TVA power is subsidized: Now, therefore, be it

"*Resolved,* That, recognizing the supply crisis with which TVA is faced, we urge upon Congress, and upon our several Representatives individually, passage without delay early in the 86th Congress of TVA self-financing legislation on the order of the Kerr bill previously approved by the Senate and of the Davis-Jones bill favorably reported at the past session by the Public Works Committee of the House, the welfare of the 50 cooperatives that distribute TVA power and of the Nation as a whole requiring it.

"THE TRIMBLE BILL

"Whereas the divergent methods of allocating costs to power being applied by the various bureaus and agencies will render the future construction of many multiple purpose projects economically impossible and will affect adversely the orderly development of our national water resources; and

"Whereas the Trimble bill introduced in the 85th Congress set forth an equitable formula by which cost allocations should be determined, and would fix the responsibility for making the determination in the Congress: Now, therefore, be it

Resolved, That we urge the introduction and early passage in the 86th Congress of a bill identical or substantially similar to the Trimble bill.

"NATIONAL TAX EQUALITY ASSOCIATION

"Whereas the electric cooperatives object strenuously to the gross misrepresentations

and unfair propaganda of the National Tax Equality Association; and

"Whereas the NRECA Board of Directors has recently voted to support the suit of National Milk Producers Federation to recover damages from the NTEA: Now, therefore, be it

"*Resolved*, That we give our wholehearted support of the action of the NRECA Board in this matter; and be it further

"*Resolved*, That NRECA publicize the names of the contributors to NTEA when the names are available.

"FARM ELECTRIFICATION RESEARCH

"Whereas farm electric mechanization is lagging far behind industrial electrification; contributing to a lower living standard for American agricultural workers; and

"Whereas practical farm electrification equipment is not now available because of a lack of development research; and

"Whereas neither power suppliers nor manufacturers will undertake basic, developmental research because the size of the task is very great in comparison with expected returns, and it appears that farm electric mechanization is primarily a problem of agriculture and not of industry; and

"Whereas information gained through research activities is generally not made available promptly to those people who can benefit from such information: Now, therefore, be it

"*Resolved*, That REA encourage its field men to obtain data on specific problems in their areas which need research and which might be solved through the use of electricity for the benefit of agriculture; and be it further

"*Resolved*, That REA review and publicize farm electrification research results to REA borrowers in order that current research information might be put to practical use without delay; and be it further

"*Resolved*, That ARS be urged to set up its organization so as to encourage greater emphasis on farm electrification research and better coordination of its electric research projects in order to provide one point of contact for research information. And further that ARS be urged to develop means whereby this information can be made readily available to all interested parties.

"RURAL TELEPHONE PROGRAM

"Whereas participation by cooperative organizations in the rural telephone program is at a standstill; and

"Whereas, the loss of this competitive element in the program can only be detrimental to the whole program: Now, therefore, be it

"*Resolved*, That we urge REA to actively promote the formation and growth of rural telephone cooperatives consistent with both the language and the spirit contained in the Senate Appropriations Committee report recommending appropriations for fiscal 1959; and be it further

"*Resolved*, That we endorse the National Telephone Cooperative Association and encourage all telephone cooperatives to join this organization for their mutual benefit.

"COOPERATION WITH OTHER GROUPS

"Whereas a study of the record of the 84th Congress shows that 42 percent of the Members of the U.S. House of Representatives from metropolitan areas voted favorably 75 percent or more of the time on matters affecting the rural electric systems; and

"Whereas only 27 percent of the Representatives from rural and small-town districts voted favorably 75 percent of the time on matters vital to the welfare of the rural electric systems: Now, therefore, be it

"*Resolved*, That NRECA cooperate with, and solicit the cooperation of, other groups friendly to the concept of consumer-owned and operated electric systems for their mutual benefit.

"JOB TRAINING AND SAFETY

"Whereas there is always need to continue and further develop the job training and safety training programs to train rural electrification workers in new techniques and safety practices, and this need is emphasized by the high accident rate thus far experienced during the year 1958; and

"Whereas the job training and safety training instructor staff in many States is not adequate to meet the present need for training; and

"Whereas the continued success of the job training and safety training programs is dependent upon adequate Federal appropriations to the States to stimulate and assist them in conducting the program: Now, therefore, be it

"*Resolved*, That we express to Congress our appreciation for appropriating the full amount for fiscal 1959 as authorized by the George-Barden Act of 1946, and for having authorized appropriations under a title in the National Defense Education Act of 1958 for the area vocational program; and be it further

"*Resolved*, That we request Congress to appropriate for fiscal 1960 the full amount authorized for vocational education under existing laws; and be it further

"*Resolved*, That we oppose the repeal of the Smith-Hughes Act of 1917 and George-Barden Act of 1946, because such repeal of these acts would seriously hinder the job-training and safety program and in many cases would probably mean their elimination.

"FAMILY-SIZE FARM

"Whereas the census report shows that the farm population has decreased by 2 million people in a single year; and

"Whereas the cost of equipment to operate a farm has increased to such an extent that it is virtually impossible for the family-size farmer to compete with corporation farming; and

"Whereas the anticipated increase in population points to an overwhelming need for greater food production; and

"Whereas many of our most intelligent, talented, and aggressive leaders of this country, past and present, are men and women born and raised in a rural community; and

"Whereas if we are to encourage the younger generation to remain on the farms, there must be an incentive for them to remain there; and

"Whereas the feasibility of electric loans in this region are based on the density of a farm membership, the decrease in farm members will greatly reduce the security of the administration's loans: Now, therefore, be it

"*Resolved*, That this regional meeting of delegates and members of the NRECA, assembled in Bismarck, N. Dak., request the Congress of the United States to vigorously support and adopt legislation for a new farm program that will emphasize, encourage, and make it possible for the family-size farm to continue to operate feasibly."

[From the Farmers Union Grain Terminal Association daily radio roundup]

"ST. PAUL, MINN., November 24, 1958.—Most all of the corn referendum talk so far, in the newspapers and in the big farm magazines, has been about what happens to farmers in 1959. Is plan No. 1 the best deal—or should corn farmers stick with farm laws built up over the past 25 years and vote for plan No. 2?

"So, every farmer who is eligible to vote has a tough decision to make. But he ought to remember that he will be growing corn for a lot of years in the future, not just in 1959; and he's got to make up his own mind about which plan will serve him best in the long run.

"Secretary of Agriculture Benson, speaking for the administration, has been urging a vote for his plan No. 1 and has been using every means short of outright solicitation.

"Of the three big farm organizations, the Farm Bureau alone says Benson is right. Its headquarters tells farmers to vote for all-out production next year, with 65 percent of parity price support in 1959. That's Benson's plan No. 1. But neither the Farm Bureau nor Mr. Benson seems to know how to use up the huge surplus of corn that surely would result from such a production free-for-all. Some see a 4.5 billion bushel crop in 1959 under Benson's plan.

"On the other hand, the National Grange says neither plan is any good and, as a result, the referendum is no measure of farm opinion. Whichever way farmers vote, the Grange says, administration is such that farm income will go down again. And the Farmers Union, too, says both plans are terrible. It's a choice between two evils. Last week, Farmers Union presidents from the Corn Belt States met to discuss the referendum and they carefully weighed the short- and long-range features of both plans. They came to the decision that corn farmers ought to give very careful consideration to plan No. 2.

"In the first place, they said, plan No. 2 would retain price supports based on the parity concept. Also, it would 'repudiate Secretary of Agriculture Benson's policies, just as farmers repudiated them in the November 4 election.' But more important, the farm leaders agreed, was the fact that plan No. 2 'gives farmers a chance to hold on to a semblance of the program, based on parity with production adjustments.' They emphasized that plan No. 2 does not mean that farmers would have to comply with acreage restrictions unless they wanted the higher price support. But if they keep the legal foundation in force they can 'go to the new Congress and ask for an increase in corn-acreage allotments to a fair figure, along with a more nearly decent level of prices next year and in the years after.'

"The Farmers Union State presidents who took part in the corn meeting, and issued the joint statement of policy, were Edwin Christianson, of Minnesota; Ralph Bradley, of Illinois; John Raber, of Indiana; Maurice O'Reilly, of Iowa; K. W. Hones, of Wisconsin; Harold Golseth, of South Dakota; and Elton Berck, of Nebraska.

"And apparently farmers aren't the only ones who are worried about a free-for-all on corn if plan No. 1 is voted in. The Minneapolis Tribune, representing a big-city area, warns in an editorial that 'with all controls off acreage and probably production would rise and the surplus made bigger than ever. And with acreage controls gone the price supports may go next.

"'Corn farmers,' the Tribune suggests, 'should consider such possibilities when casting their corn-referendum votes.'

"That sounds like good advice. But, of course, it is up to each farmer to decide for himself."

WILLISTON, N. DAK., *August 11, 1958*

Hon. HAROLD D. COOLEY,
Chairman, Committee on Agriculture,
Congress of United States,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN COOLEY: Thanks for sending me the historical review of Government subsidy.

I am like many others, both in North Dakota and other States, worried about what we read in newspapers and magazines about Mr. Benson's orations on farm subsidy because Mr. Benson never mentions any of the other subsidies that are paid to other segments of United States. As I understand it, of all taxes paid to the Federal Government 60 percent is paid by the average taxpayer and only 40 percent paid by corporations, therefore, the average taxpayer pays 60 percent of

subsidies for farm program of some $5 billion but for the other about $100 billion and he pays 60 percent on that $100 billion. Compare that with the $5 billion that Benson is talking about.

Now, if Mr. Benson is such a religious and honest man, why doesn't he tell the whole story to the public when he is talking about subsidy?

Also, what bothers us who know, how can Mr. Benson dictate to both Congressmen and Senators who know the facts? It does not seem to matter whether they are Republicans or Democrats. Yes, according to newspapers and magazines, Mr. Benson is also dictating to President Eisenhower. The question in my mind is, who is this fanatic Mr. Benson and what power does he have that he can control most of the Congressmen and Senators who are elected to represent all the people of the United States? What would or could happen if all the people of the United States found out that we have a real dictator in the United States?

Yours very truly,

ALEX LIND.

To the Committee on Interior and Insular Affairs:

"Whereas it has come to the attention of the board of directors of the Garrison Diversion Conservancy District that the Department of Interior is considering a proposal to consolidate regional offices VI and VII of the Bureau of Reclamation by transferring the functions of region VI at Billings to the region VII office at Denver; and

"Whereas the forthcoming construction of the Garrison diversion unit in North Dakota to be initiated possibly as early as 1961 will require numerous contacts and a close relationship between the regional and district offices of the Bureau of Reclamation and the regional office and the Garrison Diversion Conservancy District and local irrigation districts in both contractual negotiations and the immense construction program that will be undertaken; and

"Whereas the consolidation of these two offices will seriously impair the efficiency of the Bureau of Reclamation in the development of the Garrison diversion unit as well as to adversely affect the close relationship that exists between the Garrison Diversion Conservancy District and irrigation districts and the region VI office: Now, therefore, be it

"Resolved, That the board of directors of the Garrison Diversion Conservancy District at meeting duly assembled at Devils Lake, N. Dak., this 23d day of October 1958, urges the Secretary of the Interior to cease consideration of the consolidation of the region VI and region VII offices of the U.S. Bureau of Reclamation until the Garrison diversion unit and other reclamation projects proposed for the Upper Missouri River Basin in the Flood Control Act of 1944 and acts amendatory thereto have been completed; and be it further

"Resolved, That copies of this resolution be transmitted to the Secretary of the Interior, the Commissioner of Reclamation and the members of the congressional delegations from North Dakota, South Dakota, and Montana."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROBERTSON, from the Committee on Banking and Currency, without amendment:

S. Res. 11. Resolution authorizing further expenditures and temporary employment of additional assistants by the Committee on Banking and Currency to study public and private housing; (Rept. No. 4); to the Committee on Rules and Administration; and

S. Res. 20. Resolution concerning the investigation of certain matters and authorizing the expenditure of $70,000 therefor; (Rept. No. 5); to the Committee on Rules and Administration.

INVESTIGATION OF CERTAIN MATTERS UNDER JURISDICTION OF COMMITTEE ON ARMED SERVICES—REPORT OF A COMMITTEE

Mr. JOHNSON of Texas, from the Committee on Armed Services, reported an original resolution (S. Res. 26), which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Armed Services, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) common defense generally;

(2) the War Department and the Military Establishment generally;

(3) The Navy Department and the Naval Establishment generally;

(4) soldiers' and sailors' homes;

(5) pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces;

(6) Selective Service;

(7) size and composition of the Army and Navy;

(8) forts, arsenals, military reservations, and navy yards;

(9) ammunition depots;

(10) maintenance and operation of the Panama Canal, including the administration, sanitation and government of the Canal Zone;

(11) conservation, development, and use of naval petroleum and oil shale reserves;

(12) strategic and critical materials necessary for the common defense.

SEC. 2. For the purpose of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The expenses of the committee under this resolution, which shall not exceed $190,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

EMPLOYMENT OF ADDITIONAL PERSONNEL BY COMMITTEE ON FOREIGN RELATIONS—REPORT OF A COMMITTEE

Mr. GREEN, from the Committee on Foreign Relations, reported an original resolution (S. Res. 30) authorizing the Committee on Foreign Relations to employ certain additicnal personnel, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Foreign Relations is authorized effective February 1, 1959, and until otherwise provided by law, to employ two additional professional staff members and three additional clerical assistants to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with section 202(e), as amended, of the Legislative Reorganization Act of 1946 and the provisions of Public Law 4, Eightieth Congress, approved February 19, 1947, as amended.

STUDY OF U.S. FOREIGN POLICY WITH SPECIAL REFERENCE TO LATIN AMERICAN AND CANADIAN AFFAIRS AND PROBLEMS OF WORLD DISARMAMENT—REPORT OF A COMMITTEE

Mr. GREEN, from the Committee on Foreign Relations, reported an original resolution (S. Res. 31) to authorize a study of U.S. foreign policy, with special reference to Latin American and Canadian affairs, and the problems of world disarmament, and submitted a report (No. 2) thereon; which resolution was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Commitee on Foreign Relations, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study of any and all matters pertaining to the conduct of United States foreign policy, with special reference to Latin American and Canadian affairs, and the problems of world disarmament.

SEC. 2. For the purposes of this resolution the Committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized (1) to make such expenditures; (2) to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate; (3) to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; (4) to take such testimony; (5) to employ, upon a temporary basis, all such technical, clerical, and other assistants and consultants; and (6) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government as it deems advisable.

SEC. 3. In the conduct of its studies the committee may use the experience, knowledge, and advice of private organizations, schools, institutions, and individuals in its discretion, and it is authorized to divide the work of the studies among such individuals, groups, and institutions as it may deem appropriate and may enter into contracts for this purpose.

SEC. 4. The expenses of the committee, under this resolution, which shall not exceed $500,000 for the period ending January 31, 1960, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ASSISTANCE TO SENATORS IN CONNECTION WITH VISITS OF FOREIGN DIGNITARIES—REPORT OF A COMMITTEE

Mr. GREEN, from the Committee on Foreign Relations, reported an original resolution (S. Res. 32) providing assistance to Members of the Senate in the

discharge of their responsibilities in connection with visits to the United States by foreign dignitaries, and for other purposes, and submitted a report (No. 3) thereon; which resolution was referred to the Committee on Rules and Administration, as follows:

Resolved, That in order to assist the Senate properly to discharge and coordinate its activities and responsibilities in connection with participation in various interparliamentary institutions and to facilitate the interchange and reception in the United States of members of foreign legislative bodies and prominent officials of foreign governments, the Committee on Foreign Relations is authorized from February 1, 1959, through January 31, 1960, to employ one additional professional staff member to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with the provisions of section 202(e) of the Legislative Reorganization Act of 1946, as amended.

SEC. 2. The Secretary of the Senate is authorized and directed to pay the actual and necessary expenses incurred in connection with activities authorized by this resolution and approved in advance by the chairman of the Committee on Foreign Relations, which shall not exceed $5,000 from February 1, 1959, through January 31, 1960, from the contingent fund of the Senate upon vouchers certified by the Senator incurring such expenses and approved by the chairman.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. ROBERTSON, from the Committee on Banking and Currency:

Norman P. Mason, of Massachusetts, to be Housing and Home Finance Administrator, vice Albert M. Cole.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MAGNUSON (for himself and Mr. BARTLETT):

S. 498. A bill to extend the life of the Alaska International Rail and Highway Commission; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Texas:

S. 499. A bill to establish a Community Relations Service to provide conciliation assistance in communities where disagreements or difficulties among citizens are disrupting, or are threatening to disrupt, the peaceful life of the community; to extend the Commission on Civil Rights; to provide further means of securing and protecting the right to vote; and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. JOHNSON of Texas when he introduced the above bill, which appear under a separate heading.)

By Mr. SALTONSTALL:

S. 500. A bill to amend title 10 of the United States Code with respect to procurement procedures of the armed services, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. SALTONSTALL when he introduced the above bill, which appear under a separate heading.)

By Mr. SALTONSTALL (by request):

S. 501. A bill for the relief of Balbina Borenstein; to the Committee on the Judiciary.

By Mr. BARTLETT (for himself, Mr. GRUENING, and Mr. MAGNUSON):

S. 502. A bill to facilitate the application and operation of the Fish and Wildlife Act of 1956, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DIRKSEN:

S. 503. A bill to provide for the appointment of additional district judges for the northern district of Illinois; and

S. 504. A bill to amend section 239 of the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. DIRKSEN when he introduced the above bills, which appear under separate headings.)

By Mr. KENNEDY (for himself, Mr. ERVIN, Mr. CHURCH, Mr. WILLIAMS of New Jersey, Mr. RANDOLPH, Mr. HILL, Mr. MURRAY, Mr. MORSE, and Mr. MCNAMARA):

S. 505. A bill to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. KENNEDY when he introduced the above bill, which appear under a separate heading.)

By Mr. PROXMIRE:

S. 506. A bill for the relief of Borislav Petrovich; to the Committee on the Judiciary.

By Mr. WILEY:

S. 507. A bill for the relief of the Sorensen Fish Co.; and

S. 508. A bill for the relief of Donald S. Beckwith; to the Committee on the Judiciary.

By Mr. CARROLL:

S. 509. A bill to permit a woman who is the widow of two totally disabled veterans of World War I to receive benefits as the widow of either of such veterans; to the Committee on Finance.

S. 510. A bill for the relief of Peter R. Muller;

S. 511. A bill for the relief of the estate of Eileen G. Foster; and

S. 512. A bill for the relief of Bonifacio Tizon; to the Committee on the Judiciary.

By Mr. O'MAHONEY:

S. 513. A bill for the relief of Miss Hanako Konishi; to the Committee on the Judiciary.

By Mr. KENNEDY:

S. 514. A bill for the relief of Giovanna Rinaldi;

S. 515. A bill for the relief of Dr. Bienvenido Tan; and

S. 516. A bill for the relief of Dr. Chung Hyun Cho; to the Committee on the Judiciary.

By Mr. LONG:

S. 517. A bill to amend title 28, United States Code, to prescribe certain qualifications for persons appointed as members of the Supreme Court; to the Committee on the Judiciary.

By Mr. MORTON:

S. 518. A bill for the relief of Miss Mame E. Howell; to the Committee on the Judiciary.

By Mr. BUSH:

S. 519. A bill for the relief of Arthur Carlos Do Carvalho; and

S. 520. A bill for the relief of Domingos Vaz Gomes; to the Committee on the Judiciary.

By Mr. HOLLAND (for himself and Mr. SMATHERS):

S. 521. A bill to authorize the modification of the existing project for improvement of Miami Harbor, Fla.; to the Committee on Public Works.

By Mr. FREAR:

S. 522. A bill to provide for the appointment of an additional judge for the juvenile court of the District of Columbia; to the Committee on the District of Columbia.

By Mr. KEATING:

S. 523. A bill for the relief of Mutsuko Miyaji; and

S. 524. A bill for the relief of Giovanni Malara; to the Committee on the Judiciary.

By Mr. KEATING (for himself, Mr. BENNETT, Mr. BRIDGES, Mr. BUTLER, Mr. HRUSKA, Mr. MARTIN, Mr. SCOTT, Mr. THURMOND, and Mr. YOUNG of North Dakota):

S. 525. A bill to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence so as to safeguard individual rights without hampering effective and intelligent law enforcement; to the Committee on the Judiciary.

By Mr. KEATING (for himself, Mr. BENNETT, Mr. HOLLAND, Mr. MARTIN, Mr. SCOTT, Mr. TALMADGE, and Mr. THURMOND):

S. 526. A bill to amend the Internal Revenue Code of 1954, so as to prohibit the deduction of expenses or losses incurred in illegal wagering; to the Committee on Finance.

By Mr. KEATING (for himself, Mr. BRIDGES, Mr. BUSH, Mr. EASTLAND, Mr. HRUSKA, Mr. MARTIN, Mr. MORTON, Mr. MUNDT, Mr. SCOTT, Mr. TALMADGE, Mr. THURMOND, and Mr. YOUNG of North Dakota):

S. 527. A bill to amend section 2385 of title 18 of the United States Code to define the term "organize" as used in that section; to the Committee on the Judiciary.

By Mr. CHURCH (for Mr. NEUBERGER):

S. 528. A bill to provide for the construction by the Secretary of the Interior of the Bully Creek Dam and other facilities, Vale Federal reclamation project, Oregon; to the Committee on Interior and Insular Affairs.

By Mr. ELLENDER:

S. 529. A bill for the relief of Dr. Timoteo Jimenez; to the Committee on the Judiciary.

By Mr. BIBLE:

S. 530. A bill for the relief of Mrs. Adela Sanchez Duschinsky; and

S. 531. A bill to amend the Trading With the Enemy Act, as amended; to the Committee on the Judiciary.

By Mr. BIBLE (for himself and Mr. CANNON):

S. 532. A bill to authorize private transactions involving the sale, acquisition, or holding of gold within the United States, its Territories and possessions, and for other purposes; to the Committee on Banking and Currency.

S. 533. A bill to provide for the appointment of a district judge for the district of Nevada; to the Committee on the Judiciary.

S. 534. A bill to repeal the tax on transportation of persons; to the Committee on Finance.

By Mr. HENNINGS:

S. 535. A bill to protect the public health by regulating the manufacture, compounding, processing, and distribution of habit-forming barbiturate and amphetamine drugs; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HENNINGS when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND:

S. 536. A bill for the relief of Elizabeth Lucie Leon (also known as Lucie Noel);

S. 537. A bill for the relief of Benedict Eremenko (Ben Zuke), Victor Tatarnikov (Victor Kalin), Mikhail Ivankov-Nikolov (Michael Nikolas) and Victor Solovyev;

S. 538. A bill to provide for the appointment of an additional district judge for the southern district of Mississippi;

S. 539. A bill for the relief of Miss Joyce Lee; and

S. 540. A bill for the relief of Maybell King; to the Committee on the Judiciary.

By Mr. JACKSON (for himself, Mr. SYMINGTON, Mr. THURMOND, Mr. KUCHEL, Mr. ENGLE, Mr. CHAVEZ, Mr. NEUBERGER, and Mr. HENNINGS):

S. 541. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

(See the remarks of Mr. JACKSON when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 542. A bill to permit the importation of a trademarked article, without the consent of the owner of the trademark, when such article is for the personal use of the person importing such article; to the Committee on Finance.

S. 543. A bill to authorize additional funds for urban renewal projects under title I of the Housing Act of 1949, and for other purposes; to the Committee on Banking and Currency.

S. 544. A bill to provide for posting information in post offices with respect to registration and voting, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. JAVITS when he introduced the above bills, which appear under separate headings.)

By Mr. JORDAN (for himself, Mr. FULBRIGHT, Mr. TALMADGE, Mr. THURMOND, and Mr. KEFAUVER):

S. 545. A bill to authorize the transfer and consolidation of rented cotton acreage allotments; to the Committee on Agriculture and Forestry.

By Mr. BUSH (for himself and Mr. DODD):

S. 546. A bill to provide for the appointment of two additional judges for the district of Connecticut; and

S. 547. A bill to provide for the holding of terms of the district court for the district of Connecticut at Bridgeport; to the Committee on the Judiciary.

(See the remarks of Mr. BUSH when he introduced the above bills, which appear under a separate heading.)

By Mr. MCNAMARA (for himself, Mr. HART, Mr. WILEY, Mr. PROXMIRE, Mr. DIRKSEN, Mr. HUMPHREY, Mr. DOUGLAS, Mr. HARTKE, Mr. CAPEHART, Mr. LAUSCHE, Mr. CLARK, Mr. MCCARTHY, and Mr. SCOTT):

S. 548. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. MCNAMARA when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING:

S. 549. A bill for the relief of Eber Bros. Wine & Liquor Corp.; to the Committee on the Judiciary.

By Mr. MUNDT (for himself and Mr. MCCLELLAN):

S. 550. A bill to amend chapter 95 of title 18 of the United States Code to prohibit the perpetration of fraud in connection with the conduct in interstate or foreign commerce of certain sales activities, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. MUNDT when he introduced the above bill, which appear under a separate heading.)

By Mr. ELLENDER (for himself and Mr. LONG):

S. 551. A bill to declare portions of Bayous Terrebonne and LeCarpe, La., to be nonnavigable streams; to the Committee on Public Works.

(See the remarks of Mr. ELLENDER when he introduced the above bill, which appear under a separate heading.)

By Mr. BUTLER:

S. 552. A bill for the relief of Edith O. Maske;

S. 553. A bill to amend section 2410 of title 28, United States Code, with respect to the sale of real or personal property upon which the United States has a lien; and

S. 554. A bill for the relief of Argyrios G. Georgandopoulos; to the Committee on the Judiciary.

S. 555. A bill to amend title XI of the Merchant Marine Act, 1936, in order to provide mortgage and loan insurance for the construction, reconstruction, or reconditioning of vessels in shipyards in the continental United States; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. BUTLER when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. YOUNG of North Dakota (for himself and Mr. LANGER):

S. 556. A bill granting certain grazing, fishing, and hunting rights to the Three Affiliated Tribes of the Fort Berthold Reservation, N. Dak.; and

S. 557. A bill to provide for the return to the former owners of certain lands, including Indian tribal lands, acquired in connection with the Garrison Dam project of mineral interests in such lands; to the Committee on Interior and Insular Affairs.

S. 558. A bill to provide equitable treatment for producers applying for conservation reserve contracts on the basis of incorrect information furnished by the Government; to the Committee on Agriculture and Forestry.

S. 559. A bill to amend the Federal Water Pollution Control Act in order to increase certain amounts authorized therein for grants for sewerage treatment works; to the Committee on Public Works.

By Mr. YOUNG of North Dakota:

S. 560. A bill to amend the Soil Bank Act so as to authorize the maintenance of wet lands in the conservation reserve program;

S. 561. A bill to amend section 16(a) of title I of the Bankhead-Jones Farm Tenant Act, as amended, so as to permit loans insured thereunder to be insured for the full value of the farm, less any prior lien indebtedness; and

S. 562. A bill to authorize the sale for feeding purposes of limited quantities of wheat of less desirable milling quality; to the Committee on Agriculture and Forestry.

By Mr. SCOTT:

S. 563. A bill to amend title II of the Social Security Act to permit the child of a deceased individual to continue to be eligible for child's insurance benefits after attaining age 18 and before attaining age 21 if he has regularly and continuously been a student during such period;

S. 564. A bill to amend the Internal Revenue Code of 1954 to increase the amount of the personal income tax exemption allowed a taxpayer for a dependent from $600 to $1,000 for any taxable year in which such dependent is a student attending school at the college level or above;

S. 565. A bill to amend title II of the Social Security Act to increase from $1,200 to $2,400 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; and

S. 566. A bill to allow a deduction for income tax purposes, in the case of a disabled individual, of expenses for transportation to and from work; to the Committee on Finance.

S. 567. A bill to amend the Welfare and Pension Plans Disclosure Act; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. SCOTT when he introduced the above bill, which appears under a separate heading.)

By Mr. STENNIS:

S. 568. A bill to bring employees of agricultural stabilization and conservation county committees within the purview of the Civil Service Retirement Act and the Federal Employees' Group Life Insurance Act of 1954; to the Committee on Post Office and Civil Service.

S. 569. A bill to permit the owner or operator of any farm to lease the acreage allotment assigned to his farm to the owner or operator of any other farm in the same county; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. STENNIS when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. BUSH:

S. 570. A bill to authorize reimbursement to the States for certain free or toll roads on the Interstate System, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. BUSH when he introduced the above bill, which appear under a separate heading.)

By Mr. MURRAY:

S. 571. A bill for the relief of Mechel Jur; to the Committee on the Judiciary.

S. 572. A bill to provide for the location of temporary mining claims for prospecting by geological, geochemical, geophysical, and other methods; to the Committee on Interior and Insular Affairs.

By Mr. MURRAY (for himself and Mr. MANSFIELD):

S. 573. A bill to create a U.S. Department of Mineral Resources and to prescribe the functions thereof; to the Committee on Government Operations.

S. 574. A bill to authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to make grants to certain educational institutions for the construction of military and naval science buildings, and for other purposes; to the Committee on Armed Services.

By Mr. MAGNUSON:

S. 575. A bill to provide for the preservation of historical and archeological data (including relics and specimens) which might otherwise be lost as the result of the construction of a dam; to the Committee on Interior and Insular Affairs.

By Mr. MAGNUSON (by request):

S. 576. A bill to amend section 1107 of the Federal Aviation Act of 1958 to authorize the sale of goods and services by any department or independent establishment to the owner of an aircraft or his agent in an emergency, and for other purposes; and

S. 577. A bill to amend title 10, United States Code, section 2481, to authorize the U.S. Coast Guard to sell certain utilities in the immediate vicinity of a Coast Guard activity not available from local sources; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under separate headings.)

By Mr. MAGNUSON (for himself and Mr. JACKSON):

S. 578. A bill to provide for a navigation survey of the Point Roberts, Wash., area; and

S. 579. A bill to authorize the Secretary of the Army to sell lands at dam and reservoir projects for port development, or recreational or industrial facilities; to the Committee on Public Works.

S. 580. A bill to provide that certain surplus fishery products may be exported under the Agricultural Trade Development and Assistance Act of 1954; to the Committee on Agriculture and Forestry.

S. 581. A bill for the relief of the town of Bridgeport, Wash.; to the Committee on the Judiciary.

S. 582. A bill to repeal the act of February 18, 1896, as amended; to the Committee on Armed Services.

S. 583. A bill to provide for increasing the storage capacity of the Bumping Lake Reservoir, Yakima River Basin, Wash.; to the Committee on Interior and Insular Affairs.

By Mr. MAGNUSON (for himself, Mr. CHURCH, Mr. JACKSON, Mr. MANSFIELD, Mr. MORSE, Mr. MURRAY, and Mr. NEUBERGER):

S. 584. A bill to amend the Federal Power Act, as amended, to require that the Federal Power Commission shall license only those projects which are best adapted to improving or developing the water resources of a river basin, in order to obtain by integrated operation the maximum amount of net public benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. AIKEN (for himself, Mr. YOUNG of North Dakota, Mr. HUMPHREY, and Mr. ANDERSON):

S. 585. A bill to safeguard the health, efficiency, and morale of the American people; to provide for improved nutrition through a more effective distribution of food supplies through a food-allotment program; to assist in maintaining fair prices and incomes to farmers by providing adequate outlets for agricultural products; to prevent burdening and obstructing channels of interstate commerce; to promote the full use of agricultural resources; and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. AIKEN when he introduced the above bill, which appear under a separate heading.)

By Mr. KEFAUVER:

S. 586. A bill to establish a U.S. Department of Science and to prescribe the functions thereof; to the Committee on Government Operations.

S. 587. A bill to provide for the advancement of Capt. Edward J. Steichen, U.S. Naval Reserve (retired), to the grade of rear admiral on the Naval Reserve retired list; to the Committee on Armed Services.

S. 588. A bill to provide for the appointment of additional district judges for the eastern district of Tennessee, the middle district of Tennessee, and the western district of Tennessee; to the Committee on the Judiciary.

S. 589. A bill to provide for the gathering, evaluation, dissemination of information, and for the formulation of plans, which will aid in the maintenance of a high level of prosperity in the United States, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. KEFAUVER when he introduced the first and last above-mentioned bills, which appear under separate headings.)

By Mr. MURRAY (for himself, Mr. BIBLE, Mr. BARTLETT, and Mr. GRUENING):

S. 590. A bill to permit the free marketing of gold, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. MURRAY when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN (for Mr. LANGER):

S. 591. A bill to prohibit the charging of a fee to view telecasts in private homes; to the Committee on Interstate and Foreign Commerce.

S. 592. A bill to repeal all Federal retailers' excise taxes, certain manufacturers' excise taxes, and the excise taxes on facilities and services; to the Committee on Finance.

(See the remarks of Mr. LANGER when he introduced the above bills, which appear under separate headings.)

By Mr. HUMPHREY:

S. 593. A bill for the relief of Angelinas Cuacos Steinberg;

S. 594. A bill for the relief of Lionie Tarpinian;

S. 595. A bill for the relief of Chia Wei Ku;

S. 596. A bill for the relief of Mrs. Ern-Gret Birkholz Seim;

S. 597. A bill for the relief of Clara V. Samec; and

S. 598. A bill for the relief of Anthony Di Giovanni; to the Committee on the Judiciary.

By Mr. WILEY:

S. 599. A bill for the relief of Mrs. Clare M. Ash; to the Committee on the Judiciary.

By Mr. HENNINGS (for himself and Mr. WILEY):

S. 600. A bill to establish an Office of Federal Administrative Practice; to provide for the appointment and administration of a corps of hearing commissioners; to provide for admission to and control of practice; to establish a legal career service for improvement of legal services in Government, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. HENNINGS when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG:

S.J. Res. 18. Joint resolution proposing an amendment to the Constitution of the United States prescribing the term of office of members of the Supreme Court; to the Committee on the Judiciary.

By Mr. BARTLETT (for himself and Mr. GRUENING):

S.J. Res. 19. Joint resolution authorizing the Architect of the Capitol to present to the Senators and Representative in Congress from the State of Alaska the first official flag of the United States bearing 49 stars and which is flown over the west front of the U.S. Capitol; to the Committee on Rules and Administration.

By Mr. BUSH (for himself and Mr. JAVITS):

S.J. Res. 20. Joint resolution authorizing the President to issue a proclamation designating January 22 of each year as Ukrainian Independence Day; and

S.J. Res. 21. Joint resolution authorizing the President to issue a proclamation designating February 16 of each year as Lithuanian Independence Day; to the Committee on the Judiciary.

By Mr. MAGNUSON (for himself and Mr. JACKSON):

S.J. Res. 22. Joint resolution to establish the Public Lands Management Study Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

RESOLUTIONS

The following resolutions were reported, or submitted, and referred as indicated:

Mr. JOHNSON of Texas, from the Committee on Armed Services, reported an original resolution (S. Res. 26) authorizing the Committee on Armed Services to investigate certain matters under its jurisdiction, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. JOHNSON of Texas, which appears under the heading "Reports of Committees.")

INVESTIGATION OF CERTAIN MATTERS UNDER JURISDICTION OF COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. MAGNUSON submitted the following resolution (S. Res. 27), which was referred to the Committee on Interstate and Foreign Commerce:

Resolved, That the Committee on Interstate and Foreign Commerce, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—(1) interstate commerce generally; (2) foreign commerce generally; (3) maritime matters; (4) interoceanic canals; (5) transportation policy; (6) domestic surface transportation, including pipelines; (7) communications; (8) Federal power matters; (9) civil aeronautics; and (10) fisheries and wildlife.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ESTABLISHMENT OF AN EFFECTIVE EXPORT PLAN

Mr. STENNIS. Mr. President, an expanding and healthy export market is vital to the economic well-being of the American cotton farmer. Just as obvious is the fact that the administration of the cotton export program can make or break foreign markets for U.S. cotton. One cannot escape the conclusion that the 1958–59 cotton export program is not being operated in the best interest of U.S. cotton farmers.

So far this season, net sales under the cotton export program total 1,831,457 bales. In addition, some 211,601 bales have been registered under the payment-in-kind phase of this program. So midway through the current season, there is a total of slightly more than 2 million bales scheduled for export by next August 1, the beginning of the 1959–60 season.

During this same period of the 1957–58 season, more than 4.4 million bales had been sold for export. And at the halfway point of the 1956–57 season, 6,230,153 bales had been sold for export. During the 1956–57 season, the United States exported a total of about 7.6 million bales. Last season our exports were about 5.7 million bales. For the current season the Department of Agriculture says, "Exports will do well to reach 4 million bales."

Mr. President, section 203 of the Agricultural Act of 1956 directs the Commodity Credit Corporation to make cotton

available at prices not in excess of the level of prices at which cottons of comparable qualities are being offered in substantial quantity by other exporting countries. It further directs the Commodity Credit Corporation to sell such quantities of cotton as will reestablish and maintain the fair historical share of the world market for United States cotton, said volume to be determined by the Secretary of Agriculture.

Since the inauguration of the cotton export program under section 203, the Department has consistently increased its minimum export price. Under the direction of section 203, the minimum sales price for M–1" cotton at the end of May 1956 was 25.89 cents per pound. It is currently 28.30 cents per pound.

Mr. President, I introduce, for appropriate reference, a resolution asking the Secretary of Agriculture to announce an effective cotton export program for the next crop year. It is essential that a more competitive program be formulated, and I hope that this resolution will be adopted at the earliest possible date.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 28), submitted by Mr. STENNIS, was referred to the Committee on Agriculture and Forestry, as follows:

Whereas the Congress directed the Secretary of Agriculture in section 203 of the Agricultural Act of 1956 to regain and maintain the export markets for American cotton (of not less than 5 million bales) by making United States cotton available for export at competitive world prices; and

Whereas such program was highly successful during the first 2 years of its operation; and

Whereas exports of United States cotton during the current marketing year are expected to drop sharply, due in part to the higher price at which the Department of Agriculture is offering cotton for export: Now, therefore, be it

Resolved, That it is the sense of the Senate (1) that the Secretary of Agriculture should establish an effective program for the period from August 1, 1959, to July 31, 1960, in accordance with said section 203, under which United States cotton will be priced competitively abroad, so as to encourage the consumption of United States cotton abroad, and (2) that the terms of such program should be announced far enough in advance of August 1, 1959, to enable exporters of American cotton to compete with foreign growth in making sales for delivery during such period.

STUDY OF TRANSPORTATION POLICIES IN THE UNITED STATES

Mr. MAGNUSON (for himself and Mr. SMATHERS) submitted the following resolution (S. Res. 29), which was referred to the Committee on Interstate and Foreign Commerce:

Whereas a sound national transportation system is essential to the continued economic development and defense of the United States; and

Whereas fair and equitable Federal policies are necessary to assure such a sound national transportation system; and

Whereas hearings held by the Surface Transportation Subcommittee of the Committee on Interstate and Foreign Commerce have disclosed there is urgent need for a comprehensive study of such transportation policy and related problems by the Congress, to the end that sound policies may be evolved: Now, therefore, be it

Resolved, That the Committee on Interstate and Foreign Commerce, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

1. the need for regulation of transportation under present-day conditions and, if there is need for regulation, the type and character of that regulation;

2. the area of Federal policy dealing with Government assistance provided the various forms of transportation and the desirability of a system of user charges to be assessed against those using such facilities;

3. the subject of the ownership of one form of transportation by another;

4. Federal policy on the subject of consolidations and mergers in the transportation industry;

5. policy considerations for the kind and amount of railroad passenger service necessary to serve the public and provide for the national defense;

6. the problems arising from action by the Interstate Commerce Commission in permitting the charge of more for a short than a long transportation haul over the same line in the same direction; and

7. additional matters of Federal regulation (and exemption therefrom) and Federal promotional policy in regard to the various forms of transportation.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ on a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The Committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $ shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. GREEN, from the Committee on Foreign Relations, reported three original resolutions (S. Res. 30, 31, and 32), which were referred to the Committee on Rules and Administration.

(See the above resolutions printed in full where they appear under the heading "Reports of Committees.")

AMENDMENT OF SENATE RULE XXV, RELATING TO PROCEDURE IN SENATE COMMITTEES

Mr. BUSH (for himself and Mr. KUCHEL) submitted the following resolution (S. Res. 33), which was referred to the Committee on Rules and Administration:

Resolved, That rule XXV of the Standing Rules of the Senate is amended by deleting the title "STANDING COMMITTEES" and inserting in lieu thereof "SENATE COMMITTEES", and by inserting at the end of such rule the following:

"5. The following shall be the rules of the standing, select, and special committees of the Senate (except the majority and minority policy committees) and subcommittees thereof, and the term 'committee' as used in this subsection (except in paragraphs (a) (7) and (b) (1)) means any such committee or subcommittee:

"(a) (1) Committees may adopt additional rules not inconsistent with the rules of the Senate.

"(2) Unless otherwise provided, committee action shall be by vote of a majority of a quorum.

"(3) No committee hearing shall be held in any place outside the District of Columbia unless authorized by the committee.

"(4) All hearings conducted by committees shall be open to the public, except executive sessions for marking up bills or for voting or where the committee orders an executive session.

"(5) No measure, finding, or recommendation shall be reported from any committee unless a majority of the committee were actually present.

"(6) No testimony taken or material presented in an executive session shall be made public, either in whole or in part or by way of summary, unless authorized by the committee.

"(7) A subcommittee of any standing, select, or special committee may be authorized only by a majority vote of the members of such committee.

"(8) Authority to issue subpenas may be delegated to the chairman or any member by the committee at a meeting called for such purpose.

"(9) A majority of the members of a committee may call a special meeting of such committee by filing a notice thereof with the committee clerk, who shall notify each member.

"(10) The professional and clerical staff personnel of each committee shall be appointed, and services of such staff personnel terminated, by majority vote of the members of the committee.

"(b) (1) No committee or subcommittee investigation shall be initiated unless specifically authorized by the Senate or by the standing, select, or special committee having jurisdiction.

"(2) The chairman of each committee shall from time to time and at the earliest date practicable, report to the Senate the general nature of inquiries or investigations the committee proposes to undertake, or, in any case in which he deems the national security might be endangered by such report, he shall in writing advise the President of the Senate of that fact.

"(3) The chairman or one of the members of a committee shall when practicable consult with appropriate Federal law-enforcement agencies with respect to any phase of an investigation which may result in evidence exposing the commission of Federal crimes, and the results of such consultation shall be reported to the committee before witnesses are called to testify therein.

"(4) In any investigation in which witnesses have been subpenaed, requests to subpena additional witnesses shall be received and considered by the chairman of the committee, except that in any investigation where the provisions of paragraph (d) or (e) apply, any such request from a witness or other person exposed to defamation, degradation, or incrimination in such investigation shall be considered and acted upon by the committee at the earliest date practicable.

"(5) Each committee conducting investigations shall make available to interested persons copies of the rules applicable therein.

"(c) (1) No subpenaed witness shall be required to testify before a committee with less than two members present, unless the committee decides that one member may hold the hearing, or the witness waives any objection to testifying before one member.

"(2) The interrogation of witnesses at committee hearings shall be conducted, on behalf of the committee, by members and authorized staff personnel only.

"(3) No witness shall be televised, filmed, or photographed during a hearing if he objects on the ground of distraction, harassment, or physical handicap.

"(4) Witnesses shall be permitted to be advised by counsel of their legal rights while giving testimony, and, unless the presiding member of the committee otherwise directs, to be accompanied by counsel at the stand. A witness may be deemed to have waived this right if, after receiving timely notice of his appearance, he fails to provide himself with counsel.

"(5) Witnesses, counsel, and other persons present at committee hearings shall maintain proper order and decorum. Counsel shall observe the standards of ethics and deportment generally required of attorneys at law.

"(6) Witnesses at committee hearings shall be required, so far as practicable, to submit written statements of their proposed testimony in advance of the hearing at which they testify.

"(d) Whenever a committee determines that evidence relating to a question under investigation may tend to defame, degrade, or incriminate persons called as witnesses therein, the committee shall observe the additional procedures prescribed by this paragraph, so far as may be practicable, to insure fair treatment of such persons:

"(1) Preliminary staff inquiries in such investigation may be directed by the chairman, but no witnesses shall be called to testify until approved by the committee.

"(2) All testimony, whether given under subpena or voluntarily, shall be given under oath.

"(3) Counsel for a witness may be permitted in the discretion of the presiding member at any hearing and as justice may require, to be heard briefly on points of right and procedure, to examine his client briefly for purposes of amplification and clarification, and to address pertinent questions by written interrogatory to other witnesses whose testimony pertains to his client.

"(4) Testimony shall be heard in executive session when necessary to shield a witness or other person about whom he may testify.

"(5) The secrecy of executive sessions and of all matters and material not expressly released by the committee shall be rigorously enforced.

"(6) Witnesses shall be permitted brief explanations of affirmative or negative responses, and may submit concise, pertinent, oral, or written statements relating to their testimony for inclusion in the record at the opening or close of such testimony.

"(7) An accurate verbatim transcript shall be made of all testimony, and no alterations other than to correct clerical errors shall be permitted therein.

"(8) Each witness may obtain transcript copies of his testimony given publicly by paying the cost thereof. Copies of his testimony given in executive session shall be furnished a witness at cost if the testimony has been released or publicly disclosed, or if the chairman of the committee so orders.

"(9) No testimony given in executive session shall be publicly disclosed in part only, except when the committee decides that deletions from the transcript are required by considerations of national security.

"(e) Whenever a committee determines that any testimony, statement, release, or other evidence or utterance relating to a question under investigation tends to defame, degrade, or incriminate persons who are not witnesses, the committee shall observe the additional procedures prescribed by this paragraph, so far as may be practicable and necessary, to insure fair treatment of such persons:

"(1) Persons so exposed to defamation, degradation, or incrimination shall be afforded an opportunity to appear as witnesses, promptly and if possible at the same time such evidence of utterance is given, and under subpena if they so elect. Testimony relating to such adverse evidence or utterance shall be subject to the applicable provisions of paragraph (d) of this subsection. Any such person may, in lieu of appearing as a witness, submit a concise, pertinent sworn statement which shall be incorporated in the record of the hearing at which the adverse evidence or utterance was submitted.

"(f) Vouchers covering investigating expenditures of any committee shall be accompanied by a statement signed by the chairman of such committee that the investigation was duly authorized and conducted under the provisions of this subsection.

"6. In any case in which a controversy arises between committees as to the jurisdiction of any committee of the Senate to make any inquiry or investigation, the question of jurisdiction shall be decided by the Presiding Officer of the Senate, without debate, but such decision shall be subject to an appeal. Such decision finally arrived at, with or without appeal, shall not operate to invalidate proceedings of the committee prior thereto."

ADDITIONAL FUNDS FOR OFFICIAL REPORTERS OF DEBATES

Mr. HAYDEN submitted the following resolution (S. Res. 34), which was referred to the Committee on Rules and Administration:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate, to the Official Reporters of the Senate debates and proceedings, during the period February 1, 1959, to December 31, 1959, so much as may be necessary, not to exceed $20,000, for the employment of additional office personnel.

COMMUNITY RELATIONS SERVICE—EXTENSION OF COMMISSION ON CIVIL RIGHTS

Mr. JOHNSON of Texas. Mr. President, I wish to address myself briefly on another matter. I desire to introduce a bill for appropriate reference. I ask unanimous consent that I be allowed an additional 3 minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. JOHNSON of Texas. Mr. President, at the opening of this Congress, we engaged in a debate of wide meaning.

The votes which we took were, in a literal sense, addressed to the rules which govern us. But the widespread interest which was aroused did not flow from a passionate absorption by Americans in parliamentary technicalities.

The public concern stemmed from the underlying issues. And of all of these, the most controversial is that of civil rights.

There was only one reason for the heat in the arguments over rule XXII. It is the contention that because of rule XXII the Senate is barred from facing a major issue of our times.

I have personally never agreed with that conclusion or contention. I have always felt that the Senate is capable of facing squarely any issue that is before the American people.

The Senate reflects the temper of the American people. Therefore, it cannot do things that the people do not want done. And sometimes this inability is interpreted by heated partisans as a refusal to face the issues.

There is a basic reason for the Senate's insistence upon having at least a two-thirds vote to shut off debate. It is a device which forces reasonableness even upon a majority.

It is an additional instrument to safeguard what we consider our most cherished concept—government by the consent of the governed.

Majorities—as any man of experience knows—have a tendency to be temporary. Therefore, the Senate has rules which require that the majority take into account the views of the minority if the majority wishes to work its will.

There is no question involved of the right of the majority to govern. We all concede that. The only thing at stake is whether the majority shall have an unrestricted right to govern.

On this issue, I believe the American answer is no. And the Senate has answered that question "No" by unmistakable votes of overwhelming majorities.

I do not intend to spend my time or your time today with lengthy arguments to demonstrate that the two-thirds requirement does not paralyze the Senate. I believe that the necessary demonstration should be one of action.

For many years, I have had the feeling that the inability to secure action on civil rights is due to the fact that the problem is being approached from the wrong direction. It is being pushed in a manner which the American people will not buy.

Far too many of the measures that are proposed are efforts to punish people for the sins of their fathers. There is in many of the proposals an underlying tone almost of blood guilt.

In 1957, in closing the debate on the civil rights bill, I stated that, as far as I was concerned, Texas had been a part of the Union since Appomatox. I would like to expand on that concept a little.

Every State has been a part of the Union since Appomatox, and it is even more important for the victors than for the vanquished to grasp that idea.

It applies directly to civil rights.

The civil rights issue is one which divides our country. We can use it to continue to divide our country. Or we can reason together as prudent men charged with the heavy responsibility of finding a solution.

The American people, I believe, want a solution. There are injustices to be corrected. There are inequities which must be abolished. There are unfairnesses which cannot be tolerated.

But there is one thing which we must keep firmly in our minds. We are dealing with people, people who have long memories and strong feelings.

And there can be no solution except through the people themselves. No Greek god is going to step down from a machine to decree justice, equity, and fairness.

I voted for the civil-rights bill, because I believe that the right to vote is the most important instrument for securing justice. I was convinced that steps were needed to safeguard that right.

There are some allegations that the steps we took were not enough. If so, I am willing to take further steps.

Government is always limited in what it can do to help men and women. But when it guarantees men and women the right to vote, there is plenty they can do to help themselves. If there are loopholes, I believe they should be plugged, and we are told that one of the loopholes is the fact that the Attorney General does not have subpena powers under the voting rights law.

There are other problems upon which we can act. The Nation has been outraged by the bombings that have taken place in the past few months. These bombings are not properly a part of the civil rights problem, because they are the product of diseased minds.

The civil rights problem centers around prejudices that are deeply ingrained in the minds of people who are normal. Nevertheless, the problem is reflected in the activities of those who are unbalanced.

Since even deranged mentalities are capable of interstate conspiracies, Federal action is needed to help the local authorities. I believe that this will be accepted by people all over our country.

But the ultimate objective of our activities must be a positive solution to the civil rights issue. Punitive legislation may satisfy the souls of those who feel outraged. But it aggravates, not heals, the gaping wounds.

We set up the Civil Rights Commission in the 1957 act because we were looking for positive solutions. Unfortunately, that Commission has not had sufficient time to do all of its work. Its life should be extended.

It is about time to find out what would happen if we were to adopt a positive approach to the problem. And I am proposing today a step which is modest, but which presents a new direction.

The civil rights issue is essentially a controversy between people. It bears a strong resemblance to the great management-labor controversies in our land.

Of all the Government agencies, one of the most successful has been the Mediation and Conciliation Service. It has done more to preserve peace and secure justice than almost any other agency of Government.

The concept of conciliation is a simple one, but like many simple ideas it has tremendous power. In any protracted controversy there is the stage of stalemate, a stalemate so bad that people cannot talk to each other. At this point, an outside and objective party arriving on the scene can act as an objective listener with a judicious temperament and get people talking again.

I believe we should borrow from a tested concept. I believe we should draw upon the experience of the past. I believe we should try in a new field something that has worked in an old field.

I am introducing today for appropriate reference, legislation to accomplish four objectives:

First, to establish a Community Relations Service as an independent Federal agency to keep open the channels of communication among our people.

Second, a bill very similar to the concepts advanced by the Senator from North Carolina [Mr. ERVIN] and the Senator from Massachusetts [Mr. KENNEDY], to make the interstate transportation of explosives for bombing and interstate conspiracies to intimidate people with bombs Federal offenses.

I am sure thorough hearings can improve the language suggested, and I hope we can secure thorough hearings promptly.

Third, a measure to grant the Attorney General subpena powers in voting rights cases—subpena powers that can be enforced if necessary by a three-judge Federal court.

Fourth, a measure to extend the life of the Civil Rights Commission to January 31, 1961.

These measures, by and large, are self-explanatory. But I wish to say a few words about the Community Relations Service. I feel that if it is properly established and manned, it could be one of the longest and most far-reaching steps toward an ultimate solution of the civil rights issue that could be taken.

As I understand the concept of civil rights, they cannot undoubtedly be enforced by law. They involve the idea of human acceptance, of human understanding, and of human dignity. The outward manifestations of tolerance can be enforced by guns, clubs, and bayonets. But understanding does not exist until the people themselves will it to exist.

Controversies involving civil rights have reached a point where they can be paralyzing to whole communities. But they are controversies which can be settled if the yawning chasm between people can be bridged.

Usually when the controversy reaches a point where it is paralyzing, an added factor complicates the picture. It is that the leaders on both sides cannot talk to each other.

They have said unforgivable things. Unforgettable insults have been traded. Passions and emotions have been inflamed to a pitch that will not cool down by itself.

But somehow life must go on. People must be fed. The implements of transportation must move. The channels of commerce must flow uninterrupted.

These are compulsions upon both sides to find a just settlement. And a just settlement can be found—if only people will talk to each other.

At this point, a conciliator would be worth his weight in gold. A man who could be trusted and who could come into the community and go back and forth between the leaders could break the log jam in communications.

And the people themselves would settle the controversy. The measure I am introducing would place heavy responsibilities upon the conciliator. He would have to be an imaginative man; an understanding man; a man of absolute integrity.

Such men are difficult to find. But they are not impossible to find. And I think that one of the lessons of American history is that great crises and troublesome times invariably produce a breed of men who measure up to the crises and who can master the times.

I know this concept will not satisfy those who seek to punish. But nevertheless, this is a concept which has proved its effectiveness in the labor field over a long period of time.

The conciliator would perform the most important of all services—keep people in communication with each other. And I have a deep and abiding faith in the ability of people to solve any problem—so long as they are in communication.

We might as well face the fact that the civil rights issue is not going to go away—and it should not go away so long as there are injustices to be corrected in any State in this Union.

We must also face the fact that the issue is not going to be solved by force—because the ultimate goal is human acceptance and that is never secured by force.

If an issue will neither disappear nor yield to force, a third course must be found.

I do not even pretend that the measure I am proposing solves the civil rights issue. But it is a step in the direction which I believe will ultimately solve it. And I hope the bill will be enacted into law.

Even more, I hope it will bring forth other proposals which will help our people to help themselves.

Personally, I am willing to face any issue which comes before the Senate in the regular course. I will neither evade nor avoid any problem.

My record is entirely clear, as is the record of all my colleagues who were here to vote on the 1957 act. We did not need to invoke cloture for every Senator to stand up and be counted.

And we will have to invoke cloture in the future, I hope.

The American people are tired of efforts which seek to "test" something to put the monkey on somebody else's back, to put somebody else on the spot or to "make a record." They are looking for efforts to achieve objectives.

There are no jobs for the jobless to be found in refighting the battles of history. There is no human dignity to be gained by punishing those who may have committed sins in the past. There is no unity and concord in bitter, divisive arguments.

There are forces at work in our country today which will lead us to prosperity, dignity, and unity—if we give them a chance to operate.

Mr. President, I can sympathize with those who feel that everything should be done at once—or nothing. But, even though I can sympathize with them, I cannot agree they are pursuing a course that will bring the best results.

Rome was not built in a day. And compared to the promotion of human understanding, the building of Rome was a minor and relatively simple job.

The important thing is to determine what progress can be made.

The late great President Franklin D. Roosevelt achieved progress during 12 years—in more than three terms; selected overwhelmingly for a fourth term—with nothing but willpower in this field.

President Truman achieved progress during 8 years with nothing but willpower and a desire for legislation.

President Eisenhower in 6 years has received a voting rights bill and a Civil Rights Commission.

Let us see whether we in the Senate cannot take another step, by providing leadership that the American people yearn for.

In this spirit I have introduced my bill today. I hope the bill will be passed, and I hope it will become a long step toward a new and a fresh approach to an extremely vexing and troublesome problem, which in my opinion is holding back the solution of many problems which need to be faced up to and to be solved now.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 499) to establish a Community Relations Service to provide conciliation assistance in communities where disagreements or difficulties among citizens are disrupting, or are threatening to disrupt, the peaceful life of the community; to extend the Commission on Civil Rights; to provide further means of securing and protecting the right to vote; and for other purposes, introduced by Mr. JOHNSON of Texas, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a memorandum relating to conciliation.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM

1. In the labor field, conciliation has a history dating back nearly 50 years. It was in 1913 that the act creating the Department of Labor authorized the Secretary "to appoint commissioners of conciliation in labor disputes whenever in his judgment the interests of industrial business may require it to be done."

2. In 1947, a Federal Mediation and Conciliation Service was established as an independent agency. The first director of the independent agency was Cyrus S. Chang.

3. It is difficult to give statistical data on the agency simply because it settles so many disputes before the participants get to a strike or a lockout. But there is universal agreement that when administrative conciliators are sent into a "stalemate" situation they can be more effective than any other agency of government in the labor-management field. Their effectiveness flows from the fact that basically people want a stalemate situation solved and the conciliators have more flexibility than anyone else.

4. The degree of confidence in which the agency is held can be determined to some extent by the mere fact that in fiscal 1957, 77,973 cases were referred to it. Many of these cases were not accepted for lack of jurisdiction or were consolidated with others. But the important thing is that so many people wanted the agency brought into their dispute.

5. A typical situation in which the service would be useful in a civil rights case is a bus strike. The whites can force the Negroes to sit in the back of the bus. On the other hand, the Negroes can shut down the buses altogether. This leads to an intolerable situation, and sooner or later the community will want to settle. But they will be incapable of a settlement because the white and Negro leaders have called each other so many harsh names that they cannot talk to each other. If at this point a conciliator arrives on the scene who can go back and forth between the leaders his services would be invaluable.

AMENDMENT OF CODE RELATING TO PROCUREMENT PROCEDURES OF ARMED SERVICES

Mr. SALTONSTALL. Mr. President, I introduce, for appropriate reference, a bill entitled "Armed Services Procurement Amendments of 1959."

This bill is a revised version of Senate bill 4294 which I introduced in the 85th Congress on August 14, 1958. See the CONGRESSIONAL RECORD, volume 104, part 14, pages 17499–17503. Since that date the response and interest which has been expressed in the bill has been most encouraging to me. I ask unanimous consent that there be printed in the RECORD at the conclusion of my remarks a number of articles reflecting the interest in the bill. I ask unanimous consent, too, that the bill which I have just introduced, together with a section-by-section explanation of this bill be printed in the RECORD at the conclusion of my remarks.

Mr. President, I think we are all aware of the importance to our Nation of the procurement activities of the Department of Defense. The quality of performance of these activities has enormous significance for our military defensive strength, for many of our industries, and for our Federal budget. Between $22 billion and $24 billion are expended annually under the authority of the Procurement Act. In all three of these respects the job of military procurement has very substantial implications for our national economy.

Successful performance of the task of military procurement depends on many factors. The amount of money appropriated by the Congress and the fiscal management applied to its expenditure by the executive branch loom as very large factors. Not less considerable in its significance is the quality of the operational management of procurement both within the military departments and in industry. It is with this management problem that the bill I am introducing attempts to deal.

It is a truism among Members of Congress that we cannot legislate good management. However, it is no less true that we can legislate in such a way as to make good management difficult even with good managers. In many respects I believe that the last statement can be said to apply to the laws which now apply to military procurement. In many ways these laws contain obstacles to good management.

These are highly technical statutes. Since this bill amends them, it is itself a rather technical bill. Its purpose, however, is not technical. It is designed to improve the laws governing military procurement to remove obstacles which they now contain to improving the management of military procurement. The bill also contains provisions designed affirmatively to stimulate such improvement.

Mr. President, following the launching of the Soviet sputnik in the fall of 1957, the Senate Preparedness Investigating Subcommittee of the Armed Services Committee, of which I am a member, launched an all-out inquiry into U.S. satellite and missile programs. During the Preparedness Subcommittee hearings there was testimony to the effect that the Soviets had been able to perfect their weapons development process so as to cut lead time, that is, the time required from the generation of a military requirement to the delivery of operational hardware, to one-half that of the United States. Dr. J. Sterling Livingston, of the Harvard Business School, offered several examples of this Soviet achievement. He pointed out, for example, that the Soviets had developed their Bison bomber in 4½ years compared to the 8½ years necessary to develop the B–52. It was clear, during the hearings, that a reduction in weapons procurement lead time was one of the most critical needs of our national security. In response to a question which I asked Dr. Livingston, he later wrote the committee as follows:

Because of our time-consuming military procurement process, this Nation loses much valuable time in weapons development, as compared with the Soviets. Our requisitioning and contracting procedures—involving, as they do, the solicitation and evaluation of proposals, the negotiation of contractual terms, and the review and approval of contractual documents—coupled with the division of technical authority between our military services and our weapons contractors, shackle this Nation's weapons development process with functions that do not exist under the Soviet system. Senator SALTONSTALL asked, during my testimony, whether the delays in the military procurement process were not due to requirements imposed on the military services by laws such as Public Law 413 of the 80th Congress. Although I could not recall the law by number at that time, Senator SALTONSTALL's observation was quite correct. In order to speed up the weapons procurement process and reduce procurement lead time, changes must be made in our procurement laws, as well as in the procurement procedures of the military services. For example, the legal and administrative procedures now required to negotiate military contracts must be simplified.

The bill which I am today introducing is a revised version of S. 4294, which I introduced late in the last Congress, and is an effort to accomplish the objectives Dr. Livingston defined. It was initially prepared and filed after months of study. A great deal more effort has been devoted to the bill during the recess of Congress. It has been studied carefully by the Department of Defense and other Government agencies. It has been discussed at several industrial seminars, drawing upon the leading minds in law and business in the defense procurement field. I believe it is fair to say that the

revision which I am offering today combines the best judgment of many of the most experienced men in the procurement field. Although the Defense Department has not committed itself formally, it is my understanding that they are substantially in support of the basic concepts. Members of the Hoover Commission Task Force on Military Procurement have expressed keen interest in the legislation. And many of the most responsible industrial associations, representing both large and small business, have given their wholehearted backing. Congress now has the challenge to put in order our procurement laws for the needs of the critical age in which we live.

I was one of those who participated in drafting the present Armed Services Procurement Act in 1947. It was thought at the time to be a good workable act which fully served the Government's interest. Much of our experience under the act has borne out its wisdom.

But it was written in the climate of a world at peace—in the days immediately following World War II.

Since the writing of the act military technology has dramatically changed and the climate is now one of uncertain peace, of tension, and crisis.

Thus, in the space age—the era of the ballistic missiles—the capability for lightning-fast response is essential for our Nation's security.

If new-weapons development is to keep pace with our critical space age needs, procurement processes must be accelerated. Congress should not delay in discarding obsolete requirements which not only slow down the developmental process for modern weapons but also are a drain upon engineering and administrative talent and upon the taxpayer's dollars.

The bill proposes giving statutory recognition and encouragement to many practices which have been proven in the past few years to be extremely effective both in reducing weapons lead time and in encouraging efficient procurement. Congress can consider these potential benefits from the enactment of this legislation:

(a) A reduction in time-consuming, detailed supervision of military production contracts.

(b) The establishment of incentives to promote the fullest utilization of industrial ingenuity.

(c) Management responsibility for industry's part in weapons development coordinated by industry.

(d) Increased speed and efficiency in weapons development and production.

(e) Reduction of paperwork and ultimate savings to the taxpayer.

Undeniably the United States has maintained overall military superiority in the great power struggle of the cold war. We have today the necessary military strength to deter aggression—to discourage any nation from attacking us because of the knowledge that we could return upon him complete devastation.

It is this strength that we must maintain in the years ahead. If we assume that our future security depends upon our ability to maintain adequate military strength for deterrent capability—and this is a sound assumption—then lead time, the time for development of weapons from ideas to hardware, is all-critical. We can ill afford a month's or even a week's delay in vital procurement.

Our Pentagon planners can meet the challenge of the future. Industry has the ingenuity and resourcefulness. Congress must now remove the restrictions on both.

For, upon the speed and efficiency of our procurement procedures and upon our military-industrial strength may well depend the peace and security of the free world.

Mr. President, I ask unanimous consent to have printed in the RECORD, immediately after these remarks, an explanation of the various provisions of the bill, as well as brief articles concerning the bill.

The PRESIDING OFFICER (Mr. BUTLER in the chair). The bill will be received and appropriately referred; and, without objection, the explanation and articles will be printed in the RECORD.

The bill (S. 500) to amend title 10 of United States Code with respect to procurement procedures of the Armed Services, and for other purposes, introduced by Mr. SALTONSTALL, was received, read twice by its title, and referred to the Committee on Armed Services.

The explanation and articles presented by Mr. SALTONSTALL are as follows:

SECTION-BY-SECTION EXPLANATION OF S. 500, 86TH CONGRESS, 1ST SESSION (REVISION OF S. 4294, 85TH CONG., 2D SESSION)

The provisions of the bill would amend chapters 137, 139, and 141 of title 10 of the United States Code and sections 102(e) and 106(a) of the Renegotiation Act of 1951 as follows:

Section 2 would amend section 2301 of chapter 137 by providing a new and expanded declaration of policy.

Explanation: The present policy statement in section 2301 expresses only the policy of Congress with respect to the participation of small business concerns in armed services procurement. The proposed new policy statement contained in section 2 of the bill is comprehensive and best explained by reading its full text. The policies which it declares are mirrored in the substantive provisions which would govern military procurement assuming the amendments proposed in other sections of the bill were enacted. It seems wise and highly desirable for Congress to declare comprehensively its policies regarding military procurement.

Section 3 would amend section 2304(a) of chapter 137 by specifically authorizing the use of competitive negotiation in procurement covered by such chapter.

Explanation: Section 2304(a) now authorizes negotiated procurement, with no requirement of competition therein, in 17 specified situations excepted from a general requirement that procurement purchases and contracts be made by formal advertising. Formal advertising, which is defined as a procedure in the present section 2305 of chapter 137, involves publication to all potential suppliers of an advertisement of and invitations to bid on the purchase or contract to be made, public opening of all bids received and, generally speaking, award of the purchase or contract to the lowest price responsible bidder whose bid conforms to the invitations. Competitive negotiation is a method of negotiated procurement which affords competition. It has been evolved administratively by the agencies and is used in much of their negotiated procurement made under the 17 exceptions listed in section 2304(a). Section 3 of the bill would in effect require its use where practicable. Competitive negotiation would be defined as a procedure by an amendment to sec. 2305 proposed by sec. 4 of the bill.)

Principally because of the novelty and increasing complexity of advanced weapons needed by the armed services, the services have found it necessary to resort to negotiation rather than formal advertising in most of their procurement. For the past few years, over 85 percent of the dollars spent for military procurement have been by negotiation rather than formal advertising.

From this it may be seen that the present section 2304(a) states as the legal rule for military procurement what has of necessity in practice become the exception. The bill's proposed amendment of section 2304(a) would restore logic to the law by authorizing and requiring the use of competitive negotiation as a proper method of procurement alternative to formal advertising whenever the degree of competition afforded by the latter is not practicable. (The bill is not designed to reduce the present requirement or use of formal advertising.) Unqualified negotiation would be continued as presently provided for use, with no requirement of competition, in the 17 situations listed, when no competition is possible or when overriding considerations, based essentially on military requirements, preclude competition.

The chief practical virtue of the bill's proposed revision of section 2304(a) is twofold. First, it would, when read with the policy declared in section (b) of the new declaration of policy proposed in section 2 of the bill, require such competition of whatever kind and degree (through formal advertising or competitive negotiation) is consistent with the needs of the military departments, the character of the products and services being procured, and the commercial or industrial environment of such products. The law now requires no competition in negotiated procurements, i.e., where formal advertising is not required. Accordingly, the proposed revision of section 2304(a) would enlarge the scope of military procurement in which competition is required by law.

Second, it would permit substantial savings of time and paperwork which should translate themselves into savings of money. The reason for this is that section 2304(a) requires the making of determinations and decisions as authority to procure by negotiation under many of the 17 exceptions therein provided. These must be factually and legally adequate to justify negotiation in each instance. The making of these determinations and decisions takes considerable time and paperwork. Since the bill's proposed amendment of section 2304(a) would not require such determinations and decisions preliminary to the use of competitive negotiation, it would create a clear opportunity for eliminating paperwork and conserving time, manpower and, hopefully, money.

Section 4 would amend section 2305 or chapter 137 by providing that formally advertised procurements may be restricted to small business concerns; by defining the procedure of "competitive negotiations"; by providing that formal advertising and competitive negotiation shall be conducted under regulations of the Secretary of Defense; and by providing a general requirement that specifications in all procurements under title 10 should be written in the simplest practicable manner, in terms of performance rather than design and manufacturing details whenever practicable. (Sec. 2305 now defines the procedure of "formal advertising" in three subsections designated (a), (b) and (c) respectively. It also provides in subsection (d) that any bid received in formal advertising which evidences a violation of the antitrust laws shall be

referred to the Attorney General for appropriate action.)

Section 4(a) would redesignate section 2305(a) as 2305(a)(1) and amend it by the addition of a proviso that procurement by formal advertising may be restricted to small business concerns by unilateral action of an agency.

Explanation: Such restriction may in effect be achieved under present law in two ways: (1) by means of the set-aside procedure provided in section 15 of the Small Business Act, which contains a requirement of joint determination by the Small Business Administration and the procuring agency as a precondition to such restriction, and (2) in procurement made under one of the negotiation exceptions found in section 2304(a) of chapter 137, as to which no competition is required.

The two present methods available for restricting an advertised procurement to small business concerns are respectively administratively complicated by (1) the need for joint determinations made by the Small Business Administration and the procuring agency, and (2) the need to make determinations and decisions as required for negotiated procurements under section 2304(a) of chapter 137. It seems highly desirable and consistent with existing congressional policy regarding small business participation in Government procurement to provide authority for a procuring agency to make an advertised procurement restricted to small business concerns by unilateral and unconditional action of such agency. Such new method will afford opportunity for simplifying and, hopefully, increasing small business participation in formally advertised procurement.

Section 4(b) would repeal section 2305(b) which reads as follows:

"(b) The specifications in invitations for bids must contain the necessary language and attachments, and must be sufficiently descriptive in language and attachments to permit full and free competition. If the specifications in an invitation for bids do not carry the necessary descriptive language and attachments, or if those attachments are not accessible to all competent and reliable bidders, the invitation is invalid and no award may be made."

Explanation: The repeal of the section just quoted is proposed because by its terms, its legislative history, and its administrative application, the section stresses the use of overly detailed specifications. (See discussion of sec. 4(f) of the bill.)

Section 4(c) would redesignate section 2305(c) as subsection 2305(a)(2).

Section 4(d) would insert a new section 2305(b), divided into subsections (1), (2), and (3), which would define the procedure of competitive negotiation.

Explanation: The principal differences between formal advertising and competitive negotiation are as follows:

1. In formal advertising the advertisement is made to all potential bidders so as to afford as nearly as possible "free and full competition." In competitive negotiation requests for proposals need be made only to "two or more sources."

2. In formal advertising the emphasis is on price competition, and award is generally made to the lowest responsible bidder, with no negotiation relating to the purchase after the opening of bids. In competitive negotiation, because of the Government's comparative uncertainty about the purchase being made thereby: competition with respect to factors other than price is essential; negotiations after the receipt and review of proposals is frequently necessary; and award is sometimes made to other than the lowest price offeror.

Since competitive negotiation would be given statutory status by force of section 3 of the bill, it should be generally defined in procedural terms as formal advertising is. Congress will thus have furnished the Secretary of Defense with guidelines for the issuance of more detailed regulations.

Section 4(e) would redesignate section 2305(d) as section 2305(c) and amend it to extend to a proposal received during competitive negotiation the requirement which it now provides that a bid received after formal advertising evidencing an antitrust law violation be referred to the Attorney General.

Explanation: The requirement of referring possible antitrust violations evidenced by bids received on formal advertising should apply equally to such violations evidenced by proposals received during competitive negotiation.

Section 4(f) would insert two new sections 2305(d) and (e). Section 2305(d) would require that formal advertising and competitive negotiation be conducted under regulations of the Secretary of Defense. Section 2305(e) would require that property procured under title 10 be identified in specifications which shall express the characteristics of the property in the simplest practicable manner, consistent with the needs of the procuring agency, the nature of the property, the Defense cataloging and standardization programs, and wherever practicable in terms of performance rather than design and manufacturing details.

Explanation: The proposed new section 2305(d) is designed to assure that formal advertising and competitive negotiation will be conducted as uniformly as practicable by all procuring agencies. Also, the provision will foreclose the possibility of having these procedures defined by any Government agency outside the Department of Defense which would not be as sensitive to the needs of military procurement.

The proposed new section 2305(e) is designed to stimulate the military departments to simplify their specification procedures. There is considerable opinion and evidence that much manpower, time, and money could be conserved, and paperwork eliminated, by cutting down on the preparation of detailed design and manufacturing specifications. Furthermore, the use of such specifications increases the need for close supervision and time-consuming review and approval of engineering and manufacturing changes by personnel of the procuring agency. Specifications emphasizing performance characteristics tend to speed the performance of the work involved by vesting in the contractor greater responsibility for engineering and manufacturing judgment. Furthermore, their use tends to enlarge the segment of industry which can bid on military procurement and thereby broadens the base for competition and supply and thus tends to lower procurements costs.

The specifications for military procurement must be expressed in terms consistent with the requirements defined by the services and consistent with their other needs, including standardization for logistic support and training; however, we cannot afford to waste skilled manpower, time, or money by the preparation and use of overly detailed specifications.

Section 5(a) would amend section 2306(a) of chapter 137 by changing the word "may" to "shall" in the second sentence thereof, and changing the word "any" to "the" in such sentence.

Explanation: The effect of the proposed amendment is to require the head of an agency, rather than simply to permit him, as the present wording of the section does, to make, under section 2304, the kind of contract that he considers will promote the best interests of the United States.

Section 5(b) would amend section 2306(c) of chapter 137 by specifically and without qualification authorizing the use of cost contracts or cost-plus-a-fixed-fee contracts for experimental, developmental, or research work and by deleting therefrom the reference, in the nature of a qualified prohibition, to making incentive contracts.

Explanation: Section 2306(c) now prohibits the use of cost contracts, cost-plus-a-fixed-fee contracts and incentive contracts except when it is determined that such contracts are likely to be less costly than other kinds or that it is impracticable to obtain the kind or quality of property or services required by other kinds of contracts. Section 5(b) of the bill would eliminate this qualified prohibition as applied to incentive contracts thereby in effect permitting their use without a specific conditions precedent. Section 5(b) would also specifically authorize the use of cost and cost-plus-a-fixed-fee contracts for experimental, developmental, or research work. Such contracts cannot now be used for such work under section 2306(c) unless one of the determinations mentioned above is made.

Cost or cost-plus-a-fixed-fee contracts are of necessity the kind predominantly used for procuring experimental, developmental, or research work. For this reason it seems desirable for the law to authorize, rather than to conditionally prohibit, the use of such contracts for such procurement. Thus, opportunity would be afforded to conserve time and effort by eliminating the making of determinations now required as a condition for their use. (The necessity for making such determinations as a condition to the use of cost contracts in other procurement would be unaffected by the proposed amendment of sec. 2306(c).)

Incentive-type contracts are very widely used because of the variety of ways they afford to lower costs, improve quality and performance, and reduce time in military procurement. Therefore it is not sensible for the law to tend to discourage their use by conditionally prohibiting them; nor should the law interpose the administrative burden of making determinations as a condition to their use. It is for these reasons that section 5(b) of the bill would delete reference to use of incentive contracts from section 2306(c).

Section 5(c) would add a new section 2306(f)(1) authorizing the head of an agency to designate, in prime contracts, subcontracting areas to be restricted by the prime contractor to competition among qualified small business concerns and (2) providing for regulations to be issued by the Secretary of Defense to implement such authority.

Explanation: The insertion of new section 2306(f) would provide explicit statutory authority, nowhere in law now provided, for the head of an agency to require in any prime contract that the prime contractor restrict to small business concerns competition in his procurement of property so specified in his contract. The insertion of such a provision would eliminate any question as to whether such authority exists. It would thereby afford opportunity for efficiently enlarging small business participation in military procurement parallel to the opportunity afforded by the amendment to section 2305(a) proposed in section 4(a) of the bill.

Section 6 would amend section 2311 of chapter 137 by authorizing the head of an agency to delegate his power to make determinations and decisions under clauses (11)-(15) of section 2304(a) and section 2307(a).

Explanation: Section 2311 now permits only a very limited delegation by the head of an agency of his power to make determinations and decisions under clause (11) of section 2304(a), and it completely prohibits such delegation of determinations and decisions under clauses (12)-(15) of section 2304(a). These clauses provide five of the so-called negotiation exceptions from the general requirement that purchases be made by formal advertising and require determinations and decisions as follows: (11) That the property and services to be procured are for

experimental, developmental, or research work; (12) that the procurement should not be publicly disclosed; (13) that the procurement is for technical equipment which must be standardized and interchangeable; (14) that the property to be procured requires a substantial initial investment or an extended period of preparation for manufacture, and that formal advertising might require duplication of investment or preparation already made or would unduly delay the procurement; (15) that the bid prices received after formal advertising are unreasonable or were not independently reached in open competition.

Section 2311 also now prohibits delegation by the head of an agency of his power to make the determination and decision under section 2307(a) that advance payments on a negotiated contract are desirable.

Section 6 of the bill would make all such powers of determination unqualifiedly delegable.

The nature of the determinations and decisions described above is not such that the head of an agency is uniquely qualified within his agency to make them. The prohibition on their delegation causes unnecessary time delays and paperwork in the procurements to which they apply. Accordingly, they should be made delegable, as section 6 would provide, so as to afford agency heads the opportunity to increase efficiency in the management of such procurements.

Section 7 would amend chapter 141 of title 10 by adding a new section 2389 thereto covering the procurement of operational systems.

Explanation: Section 7 is best explained by reading its full text. Its purpose is to provide specific statutory authority, encouragement and guidelines for the use of the so-called weapon system method of managing procurement of advanced weapons and other operational systems as defined in the section. The term "operational system" is used, instead of "weapon system" to reflect the encompassing therein of combinations of facilities and equipments which are not weapons.

Operational system procurement contemplates centralization of responsibility both on the military department side and on the industrial contractor side of the contract. It is a style of procurement management which was developed administratively by the Air Force. Starting in 1954, the Air Force has used it in a variety of procurements, with considerable efficacy in reducing "lead time," the period from the definition of a military requirement to the delivery of an operational inventory.

The proposed new provision for operational system contracts is designed to safeguard against the potentially troublesome aspects of this method of procurement management, such as undue concentration of performance of the work under the contract, as distinct from management responsibility therefor, in the hands of the prime contractor; jeopardizing fulfillment of programs of standardization of facilities and equipments, logistic support and training; inadequacy of competition in subcontracting under the prime contract. The provision is also designed to assure that there will be coordination of operational system procurement among the military departments and opportunity for small business concerns to participate in the work covered by operational system contracts.

The Congress has a responsibility to give the operational system concept specific statutory status, to integrate it into congressional policies relating to military procurement, and to prescribe for its use in sufficient detail so that it will be used effectively to implement such policies.

Section 8 contains miscellaneous technical provisions which would make various amendments to sections of chapters 137 and 139 which are necessary or desirable to conform to the changes provided in other sections of the bill.

Section 9(a) would amend the Renegotiation Act of 1951 to exempt from renegotiation all the following contracts made under chapter 137 of title 10: (1) Fixed price contracts; (2) contracts made after formal advertising; and (3) incentive contracts. The procedures for making and administering such contracts are designed to produce a price which does not include any payment to the contractor which can properly be said to include "excessive profits" in conformance with the policy of the Congress declared in the Renegotiation Act of 1951. Accordingly, the contracts should not be subject to renegotiation. To subject any such contract to renegotiation, as it done by present law, subjects the contractor to speculative, potentially inequitable, costly and time-consuming second-guessing of his relationship with the military department. Any necessary price redetermination should be negotiated between the contractor and the procuring agency after all costs under a contract have been ascertained. The military departments have the necessary authority to do this. We must design our military procurement laws in such a way as to maximize the incentives for industry to want to do and to do a good job. Amendment of the Renegotiation Act in the manner provided by section 9(a) of the bill is proposed to serve this objective.

Section 9(b) is in the nature of a technical provision necessary to carry out the purpose of section 9(a). It would amend section 102(e) of the Renegotiation Act of 1951 so as to provide that the profit-limitation provisions of the so-called Vinson-Trammell Act (now secs. 2382 and 7300 of title 10 of the United States Code), which are made inapplicable by such section 102(e) to contracts which are subject to the Renegotiation Act of 1951, will also be inapplicable to contracts which would be subject to such act but for the new exemption added by section 9(a) of the bill.

Section 9(c) provides that the amendments proposed in sections 9(a) and (b) would apply to contracts and related subcontracts made on or after the effective date of the bill.

Section 10 provides that the provisions of the bill would take effect 3 months after its enactment.

[From Aeronautical Procurement, October 1958]

SALTONSTALL'S BILL PROMISES RELIEF FOR DEFENSE PROCUREMENT HEADACHES

(By Henry Lefer)

WASHINGTON.—Military and industry procurement officials, accustomed to taking a beating from Congress, were pleasantly surprised during the closing days of the 85th Congress by the introduction of a bill that approaches the problem of procurement difficulties and delays constructively.

Sponsored by Senator LEVERETT SALTONSTALL (Massachusetts), ranking Republican member of the Armed Services Committee, the bill was introduced in the last days of the session with the intention that it be studied during adjournment and come up for action early next year.

The bill is a professional mixture of the bitter with the better, and is sure to make nobody completely happy. But balancing the gains and the losses, it will leave everybody somewhat better off than before and should accomplish its main purposes: Streamlining the procurement process and reducing the lead time required to develop weapon systems.

Proposed as an amendment to the United States Code, the bill would:

Extend the weapon system procurement concept to all major military operational systems.

Require that major primes holding weapon system contracts extend full subcontract opportunities to small business and follow Government procedures with respect to small business participation in subcontracts.

Put competitive negotiation on a par with formal advertising as a preferred way of doing business.

Require the use of functional or performance specifications, rather than the presently required detailed specifications wherever possible in formally advertised or competitively negotiated procurements.

Require that incentive or fixed-price contracts be used wherever possible.

Exempt incentive, as well as fixed-price and formal advertised contracts, from Renegotiation Board proceedings.

Encourage use of commercial-type items where full and free competition is available.

Provide that contractors reimburse the Government for use of advisory engineering services of Government personnel.

WEAPON SYSTEM PROCUREMENT

The Senator's proposal that each major military operational system be developed under a single prime contractor comes at a time when the military is tending toward taking back overall control into its own hands, with development and production of major elements being handled by associate contractors.

Furthermore, small business representatives have complained that under the single-prime-contractor concept they have difficulty getting a fair share of defense business.

SALTONSTALL claims, however that "coordination and speed are served by coupling responsibility, authority, and management." And his legislation requires that major weapon system contractors provide full and free competition among persons interested in becoming subcontractors, and use the same preferential procurement procedures that rule Government prime contract relations with small business. The contractor would also have to supply the Government with a list of the companies from whom he plans to select his subcontractors.

The result will be, the Senator claims, that small business will find its share of Defense Department procurement dollars going up, even as weapon systems become larger and more complex.

COMPETITIVE NEGOTIATION

Defense procurement officials will welcome the change that puts competitive negotiation on an equal footing with formal advertised buying. Having to justify negotiated purchasing under 1 of the 17 exceptions now specified in law—a requirement that has hindered and tended to bury under redtape a legitimate and effective technique—has wasted more time than procurement people like to think about.

Hand in hand with this change is the authorization to define needs in terms of performance, rather than by detailed specs, when this appears desirable. Competitive negotiations would be advertised publicly (just as formal advertised procurements are today). Bids, based on functional or performance requirements, rather than detailed specifications, would then be evaluated competitively and the contract awarded.

The use of functional specifications will also make it easier for the Government to cut its costs through incentive-type contracts, the Senator says.

The proposed law also adds an exception, the 18th, to the requirement that all purchases be through formal advertising (or competitive negotiation, if this change is adopted). Under the new exception, the head of the procuring agency may authorize the use of noncompetitive negotiation where he determines this is necessary to insure procurement of property or services of suitable quality.

Apparently some of these provisions will do nothing but tell procurement officials it's O.K. to do what they already have been doing for some time. But the changes are extremely important, since, if adopted, they will represent a complete turnabout of Congress' attitude toward many of these techniques.

RENEGOTIATION PROCESS

Nearly everybody—except the Renegotiation Board—welcomes the provision that incentive as well as formally advertised and competitively negotiated contracts be exempt from the provisions of the Renegotiation Act.

Defense procurement officials have been pushing incentive contracts on the assumption they can lower the cost of weapons. Contractors share in efficiency savings that bring them in under their target prices, and presumably this induces them to look actively for ways of cutting costs.

But their very efficiency may cost them money, according to Senator SALTONSTALL. He sets up this possible case:

A manufacturer, through efficiency and ingenuity, reduces the cost of a particular job substantially. Under his typical incentive contract, he gets 20 percent of the saving. His year's operations are then reviewed—as much as 5 years later—at the regional and, perhaps, national renegotiation levels. The Board decides his profit was excessive for the year and recaptures the 20 percent. Apparently he has lost only the 20 percent extra he thought he had earned. However, the Senator says, after he has paid all the expenses of the administrative renegotiation procedures and perhaps the cost of litigation in appeal to the tax court, he may find that he is in worse shape than if he never had produced any saving on the contract at all.

The exemption of incentive contracts from renegotiation will save the Government money in the long run, the Senator believes, by encouraging contractors to hunt for economies.

Some observers are reluctant to see the Board completely removed from the picture. They say that some sort of watchdog is necessary to protect the Government's interests when, for example, an inexperienced or incompetent procurement officer has been fast-talked into setting the target price too high. Others answer that cases of this kind can be caught when incentive contracts include a redetermination provision, which provides that target prices be revised at a certain point in the contract when some cost experience has been accumulated.

CHARGE FOR SERVICES

The Senator told Aeronautical Procurement that the provision that the contractor reimburse the Government for use of advisory engineering services of Government personnel will eliminate much redtape and put many procurements on a more truly competitive basis.

By, in effect, putting these personnel on the contractor's payroll, it would permit assigning them to his plant or project where they could give faster decisions and clearances than he can get now, and with a minimum of paperwork.

Presumably, on cost or incentive contracts, Uncle Sam would still be the one who ultimately got the bill for these services. But putting them out into the open would end the practice of bidding low in the expectation of using free Government help. This would enable contracting officials to compare bids on a sounder basis, the Senator says.

OBJECTIONS

Objections to the bill have centered on three main aspects:

Extension of the weapon system prime contractor concept. Pentagon and military sources say this could prove unduly restrictive, prefer to be free to tailor their procurement approach to the particular project.

Elevation of negotiation to equal status with formal advertising. There is a strong group in Washington that feels the surest way to get a good buy is through a formal advertisement based on fully defined specifications.

Requirement that prime contractor relations with subcontractors be ruled by the same small business regulations that govern Federal procurement. The primes say they already follow these procedures on large subcontracts anyhow, and writing it into law this way would hamper and restrict them.

Despite the objections to individual provisions, overall reaction to the bill has been favorable, and its prospects appear to be good. It would go into effect 2 months after adoption.

[From Nation's Business, October 1958]

BATTLE COMING ON DEFENSE BUYING

Pressure will be on Congress next year to revamp controversial military procurement practices so the United States can get weapons faster and cheaper.

Our national safety and private enterprise incentives as well as a $22 billion-a-year defense shopping list are involved in the procurement issue.

Whether the aging and much-amended procurement laws will be overhauled is not certain, but already the ramparts are being erected and ammunition gathered for a possible battle next year.

A House Armed Services Subcommittee plans hearings this fall on the Procurement Act and contracting methods, while the Senate Armed Services Committee is making a staff study which could lead to hearings next winter when Congress returns to Washington.

Several key proposals aimed at reforming procurement practices have support in industry and at the Pentagon. These proposals are embodied in a bill by Senator LEVERETT SALTONSTALL, top Republican on the Senate Armed Services Committee. His measure was introduced near the end of Congress and will be introduced in similar form when Congress convenes. These proposals will be in the thick of any controversy next year:

1. Expand the weapons system concept of procurement: The Armed Services Preparedness Subcommittee brought out in hearings last winter that, in many cases, 10 years have elapsed between the determination of a military requirement and delivery of the item. However, in the past few years, delivery of military hardware has been quicker and more efficient under what is known as weapons system procurement. Instead of contracting with a number of component makers to build parts for a weapon with detailed specifications, a military service picks a prime contractor who assumes responsibility and authority and gets the job done through his own and subcontractors' resources. The Thor missile, for example, was developed under this system of central responsibility in a matter of months.

However, it is estimated less than half of the dollar amount of contracting is done now in this fashion. Instead responsibility is often spread over multiple committees and commands. Decision making is so divided that creative contributions of industry are discouraged by the necessity to justify the most minute change or innovation at considerable expense and delay.

2. Use performance standards instead of detailed specifications: Fantastically detailed specifications are drawn for even the simplest defense supplies in accord with the Armed Services Procurement Act. The specifications sometimes take years to prepare.

Specifications for a self-locking nut, for example, cover 34 pages. An electric cable takes 103 pages to describe. The specifications for an Army field jacket are detailed in 21 pages. And requirements for an electronic tube take 190 pages to list.

The proponents of detailed specifications insist that if an armed service calls for an item in general terms it could be delivered in many cases by a large corporation which already manufactures some commercial product similar to what is wanted. This would give big business an edge in obtaining procurement business. But if a product has to be tailor made, small and big businesses compete for the business on equal terms, or so says the argument.

Detailed specifications, however, have hurt more than one small business. A small canning plant in Maine had a contract to provide sardines for the Navy. The contract specified that at least a certain number of sardines had to be in each can, and each can a specific size. Sardines were running bigger that year, however. So to get the required number in each can meant packing the cans till they bulged. The Navy figured the contents were spoiled and that was what bloated the cans, so the sardines were rejected. By the time the specifications were revised, the company reportedly lost so much money because of rejections it had to fold.

3. Use commercial type items when possible: Custom-made items are often more expensive than commercial products and take longer to get. There is the case of the cooling system for a jet fighter's electronic equipment which took months to design and develop. Then it was discovered that the specifications were incorrectly prepared and had to be redone. After 2 years, the military finally bought a cooling system that had been on the market commercially all the time.

4. Make maximum use of incentive and fixed-price contracts: Research contracts usually are negotiated on a cost-plus-fixed-fee basis, since few precedents exist on which to base costs. This form of profit guarantee, despite the actual cost involved, eliminates a contractor's incentive to economize and do the job as efficiently and quickly as possible.

Critics of the cost-plus type contract point out that ingenuity and efficiency of American industry are penalized when no incentives are offered to produce the best weapon as quickly and as inexpensively as possible.

In recent years, the incentive-type contract has been used more frequently. With this type of contract, a target price is set for an item to be made. If the contractor succeeds in making the item at less than target cost, he turns over a fixed percentage—usually 80 percent—of the savings to the Government and gets to keep 20 percent. If he exceeds the target price, he must pay 20 percent of the excess cost and the Government 80 percent.

5. Exempt some contracts from Renegotiation Board proceedings: Under the Renegotiation Act of 1951, a defense contractor who does $1 million or more of business with the military is subject, with certain exceptions, to Renegotiation Board proceedings. His profits are examined later to see if they are excessive.

Often the provisions of incentive or fixed-price contracts are negated by renegotiation. Under a typical incentive contract, an airplane manufacturer, for instance, saved $10 million by making a plane under the price the Government set as reasonable. The Government received $8 million as a result of the contractor's economies. The contractor got $2 million of the savings. But years later he was required to go before the Renegotiation Board and not only forfeit much of the 20 percent of savings, but pay out large sums in accountant and legal costs.

Many small defense contractors refuse to accept more than a limited amount of military work because they can't afford the costs of renegotiation at some later time.

At present the Renegotiation Board is 5 years behind in some cases.

6. Assure subcontracting opportunities for all businesses: Small business is given certain privileges to make sure it gets a share in defense contract awards. However, most small firms would be ineligible for prime contracts where the weapons system concept is feasible. Therefore, the Saltonstall proposals suggest that subcontract opportunities be expanded for small business by requiring prime contractors under the weapons system concept to follow Government procedures now in existence for making maximum use of small businesses.

7. Give Pentagon more flexibility in picking prime contractors: The Armed Services Procurement Act requires procurement through advertised bidding except in certain instances when procurement by negotiation is permitted.

Advertising for bids provides maximum competition and a low price on items made by a number of possible contractors. But it has certain disadvantages. It can't be used for classified items or where there are no fixed specifications. It can't be used to obtain contractors with specific talents or facilities. Soliciting in accord with predetermined specifications also prevents the contribution of new knowledge or techniques. The formal bidding procedure generally is more time consuming and costly since detailed specifications must be written and bids must be evaluated.

In cases where negotiated procurement is allowed, the Pentagon has used open and competitive negotiation with success. Under this technique, the Government's needs are made known to a narrower group of potentially available and eligible contractors. Negotiation then takes place over a bargaining table with much greater speed and at lower overhead costs and in many cases lower prices.

[From Aviation Week, Jan. 5, 1959]

AIA ENDORSES SALTONSTALL BILL

WASHINGTON.—Representatives of Department of Defense, the three military services, and the Aircraft Industries Association, have endorsed the major provisions of comprehensive procurement legislation proposed by Senator LEVERETT SALTONSTALL, Republican, Massachusetts (Aviation Week, Aug. 18, p. 26).

Suggested changes were primarily to make the measure more workable and flexible to administer, less mandatory.

The legislation, introduced in the closing days of Congress last summer, provides:

Competitive negotiation would be encouraged to the same extent that contract by formal advertised bid is now, with consideration being given to quality as well as price. AIA's representative suggested that suitability also should be considered.

Performance specifications would replace the elaborate detailed specifications now required for even minor weapons. Defense and AIA representatives suggested that the matter be left discretionary to suit individual cases.

Fixed price or incentive type contracts would be the rule, unless another type contract were specifically authorized by the agency head. AIA representative wanted the type further detailed, since Defense now has a wide variety of fixed and incentive contracts.

Decentralization of military supervision of research and development contracts would be encouraged and contractors would pay for advisory engineering services detailed to a specific project for the purpose of eliminating the numerous layers of review and approval now required. Both AIA and Defense representatives opposed reimbursement by the contractor.

Weapon system procurement concept would be expanded to all major military operational systems. Since operational systems is virtually impossible to define, there was general agreement by Defense and AIA representatives and SALTONSTALL'S staff that use of the concept should be discretionary. The net result would be a provision which would simply give weapon-system procurement legal status.

AIA has proposed elimination of two highly controversial provisions included in last summer's version of SALTONSTALL'S bill—renegotiation (see p. 24) and small business.

In the small-business provision, SALTONSTALL'S measure would require prime contractors to give preferential treatment to increase the participation of small-business concerns in defense procurement. AIA, U.S. Chamber of Commerce, and other industry organizations are vigorously opposed to this. It would require prime contractors to assume the obligations toward small business now assumed by Defense Department, such as reviewing each contract for subcontract set-asides exclusively for small firms.

Failure to safeguard small-business interests will mean strong opposition to the Saltonstall measure by the influential House and Senate Small Business Committees.

[From Time magazine, Sept. 8, 1958]

DEFENSE PROCUREMENT—TRENCH-WAR POLICIES IN THE SPACE AGE

The biggest business in the land is the Government's $18-billion-a-year buying of military equipment. How well is the job being done? Says Massachusett's Senator LEVERETT SALTONSTALL, ranking Republican member of the Senate Armed Services Committee: "The present procurement laws result in delay and unnecessary expense that our Nation can no longer afford."

When the Pentagon orders anything, from screws to tanks, it usually lays down a complex set of specifications that instruct the manufacturer, step by step, on how to make the product. This produces some fantastic bureaucratic nonsense. "Specs" for a parachute pull ring run 5 pages, SALTONSTALL found; for a ping pong ball they ran to 18 pages. They describe the obligations of the contractor, the product's materials, design, dimensions, finish, packaging, marking for shipment and storage, testing methods, etc., etc.

Specs often hobble the manufacturer at every step, even though he knows far better than Government buyers how to make the product. When the services ordered furniture from the Kroehler Manufacturing Co., which has been producing furniture for 43 years, they instructed Kroehler on every detail, down to what kind of sandpaper had to be used to smooth the unseen insides. What is worse, each of the three services has different specs for ordinary chairs, and some of the specs are 30 years old. Though it would be far simpler and cheaper for the United States to buy furniture—and many another such item—from civilian stocks "off the shelf," diehard Pentagon planners argue that book-length specifications are necessary if the United States is to get its dollar's worth. But one top procurement officer admits that even the lengthiest specs are no guard against a dishonest supplier, since "even if we lay down 100 specification details, a sharpster can usually find a way to cheat on them."

So busy is the Pentagon writing specifications on exactly how a manufacturer is to make an item that it frequently overlooks the all-important thing: how well the product itself should perform. One west coast producer complained to Washington that if he followed the production specs on a certain electronics contract, the product would not work. But the Pentagon told him to go ahead anyhow and fill the contract, then apply for another cost-plus contract to make a gadget that would work.

Contractors complain that the production specifications not only are written by theoreticians who have never built anything, but are often enforced in contracts by inexperienced, underpaid Government negotiators who do not understand production problems, thus follow the contracts to the letter, are afraid to use better methods found in the course of manufacturing. Even minor problems take months to solve because local negotiators pass them to Washington for a decision. "It's the old civil service routine," says one planemaker. "Government negotiators know that the quickest way to get into trouble is to make a decision—so they pass it up to higher levels."

Many of the snafus stem from the fact that the best producer is often turned down in favor of the cheapest producer. The procurement statutes say that, whenever possible, the United States must advertise for what it needs and then select the lowest bidder even though the lowest bid often comes from a marginal producer with limited experience, poor management, or inadequate financing. One Pentagon official estimates that 85 percent of the advertised-bid contracts hit some kind of snag in production, thus become costlier in the long run.

To eliminate some of these evils, Congress last month passed a law to cut procurement paperwork, increase the number of contracts that may be let by simple negotiation between Government and contractor. But Senator SALTONSTALL proposed a far broader bill in the closing days of Congress so that the Armed Services Committee could study it and consider action in the next session. Senator SALTONSTALL wants to shift much of the Pentagon's procurement responsibility to private enterprise by using the weapons system form of procurement that has been successfully tried with such weapons as the Jupiter and Thor missiles. This method calls for the Government to set the performance standards for a weapon, then select one prime contractor to be responsible for the project; the prime in turn lets subcontracts to other manufacturers, and it is his job to make sure they produce fast and well.

In addition, the Saltonstall bill would (1) replace detailed manufacturing specifications with simple performance requirements, (2) empower local negotiators to make decisions that are now made in Washington, (3) emphasize quality as much as cost in selecting a producer, and (4) encourage negotiated contracts rather than letting them by advertised bidding.

ADDITIONAL DISTRICT JUDGES, NORTHERN DISTRICT OF ILLINOIS

Mr. DIRKSEN. Mr. President, I introduce for appropriate reference a bill to provide for the appointment of two additional district judges for the northern district of Illinois, thus raising the number of judgeships for the district from 8 to 10.

The provisions of this bill are recommended by the Judicial Conference of the United States. Previously, in the 84th Congress, the Judicial Conference of the United States had recommended the creation of one additional district judgeship for the northern district of Illinois, and in its meeting of March 14 and 15, 1957, the Conference changed its recommendation from one to two additional district judgeships for the northern district of Illinois.

The Senate Committee on the Judiciary in its recommendation in regard to the northern district of Illinois in the 84th and 85th Congresses recommended

the addition of two additional district judgeships for that district. This provision has been the subject of hearings in both the 84th and 85th Congresses, and the evidence adduced clearly indicates that the addition of the two additional district judgeships for the northern district of Illinois is amply justified.

The volume of civil business in this district is heavy. Because Chicago is the economic and industrial capital of the Middle West, as well as the second most populous city in the United States, the district court receives many difficult and unusual cases. During 6 of the last 10 fiscal years, approximately 2,000 civil cases were filed annually. In the other 4 years of this period the filings were higher; in 1949, over 2,200; in 1952 and 1953, 2,567 and 2,946, respectively; and in 1956, over 2,600. The years 1954 and 1955 saw a substantial reduction, with filings down to the 2,000 mark, but in 1956 the civil cases went up again to 2,600 as the result of a sixfold increase in Government contract actions, mostly suits to recover overpayments, which are generally not time consuming. With the U.S. price and rent control suits deducted in 1952 and 1953, which amounted to 467 and 719, respectively, the district for the 10 years prior to 1956 showed a surprisingly stable total of civil filings around 2,000 annually with only minor variations.

The metropolitan character and other factors peculiar to the district leave their mark on the types of civil suits instituted. As the largest railroad center of the world, the district receives many Federal Employer's Liability Act cases, which have averaged about 100 per year for the last 10 years. Because of peculiarities in the law of criminal procedure in the State of Illinois, a great many habeas corpus cases have been filed by State prisoners. A few years ago this district had more Federal question habeas corpus cases than all other districts combined. For the last 3 years they have averaged around 90 per year. In 1947, 238 were filed. Considerable patent litigation arises in this district; cases of this nature have numbered between 50 and 75 yearly for the last 10 years. This gives each judge a patent caseload 3 times greater than the average for the 86 districts. There has been a continued and steady increase in cases filed under the diversity-of-citizenship jurisdiction during the past 10 years. Contract and insurance actions, which numbered 119 in 1946, were 405 in 1956. Suits to recover damages due to injuries received in motor-vehicle accidents rose from 85 in 1946 to 376 in 1956. Other types of personal-injury suits in the diversity category have risen from 95 to 270 during the same period.

A complete résumé of the business in this district is found in the "Statistics and Judicial Business of the U.S. District Court for the Northern District of Illinois," as submitted to the Judiciary Committee from the Statistical Division of the Administrative Office of the U.S. Courts.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 503) to provide for the appointment of additional district judges for the Northern District of Illinois, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF SECTION 239, IMMIGRATION AND NATIONALITY ACT

Mr. DIRKSEN. Mr. President, I introduce for appropriate reference a bill to amend section 239 of the Immigration and Nationality Act, and for other purposes.

In short, this proposal would permit the confiscation of airplanes which are apprehended or found to have been engaged in smuggling aliens into the United States. It would place airplanes in the same category with ships and other vehicles if caught smuggling persons or property into the United States.

One of the hazards to our internal security program is the comparative ease with which private and commercial aircraft can cross our borders for the purpose of illegally landing aliens in the interior of the United States. Not only does this constitute a security risk, but this means of smuggling so-called wetbacks into the United States poses a particularly difficult enforcement problem for the Attorney General of the United States.

Much progress has been made in recent years toward reducing the number of migrant workers entering the United States illegally. Enforcement of existing statutes, together with certain changes in organization, methods, and techniques within the Immigration and Naturalization Service of the Department of Justice have greatly contributed to this result. However, additional legislation is needed, and the bill I am now proposing will constitute a further effective deterrent to the smuggling of aliens into the United States.

As a separate penalty, in addition to the fine and imprisonment prescribed by the Immigration and Nationality Act for unlawfully bringing aliens into this country, the forfeiture of aircraft so used should be authorized.

Under existing law, the owner or operator of an aircraft which violates designated sections of the immigration laws is subject to various administrative penalties. In addition, some sections of the Immigration and Nationality Act, for example sections 257 and 271, provide that the fine for violation shall be a lien upon the aircraft—or vessel—which may be seized and proceeded against by way of libel. Section 239 of the Immigration and Nationality Act permits the imposition of a $500 civil penalty against an aircraft for certain violations, and authorizes seizure of the aircraft to insure payment of that penalty. The aircraft may be released, however, upon deposit of a bond, conditioned upon payment of the fine. Seizures or liens generally may be avoided or removed by payment of a money fine, usually for less than the value of a plane. In one section, dealing with travel and control in time of war or national emergency—section 215 of the Immigration and Nationality Act—provision is made for forfeiture of a vehicle concerned in a violation. As it now reads, however, that forfeiture is supplemental to and conditioned upon a criminal conviction of the individual or corporate violator of that section of law.

There is no existing provision for total forfeiture of an aircraft as a penalty for violating the alien-smuggling provisions of the statute.

This proposal would provide that any aircraft used in violation of section 274(a)(1) or section 274(a)(4) of the Immigration and Nationality Act shall be seized and forfeited to the United States. Aircraft used as a common carrier would not be subject to forfeiture if the illegal act was committed while the plane was unlawfully in the possession of the smuggler. The Attorney General would be authorized to designate officers of the Department of Justice, or the United States generally, who could seize the aircraft. All the provisions of law relating to seizure, forfeiture, and condemnation under the customs laws would apply under this measure, the Attorney General being vested with duties and powers similar to those possessed by the Secretary of the Treasury or the collector of customs acting in the enforcement of the customs laws.

The Attorney General would be authorized to prescribe the necessary rules and regulations for the implementation of this proposal. It should be made clear that this legislation is supplemental to and not in substitution for other provisions of law dealing with fines, penalties, and forfeitures. A statute similar in style to this proposal and having a comparable purpose is the act of August 9, 1939—53 Stat. 1291; 49 U.S.C. 781 et seq.—relating to seizure and forfeiture of carriers transporting contraband.

This proposal has the approval of the Attorney General of the United States.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 504) to amend section 239 of the Immigration and Nationality Act, and for other purposes, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on the Judiciary.

LABOR-MANAGEMENT REFORM BILL, 1959

Mr. KENNEDY. Mr. President, I introduce, for appropriate reference, the labor-management reform bill for 1959.

It is my intention to hold prompt hearings on this and related bills, and seek early passage by the Senate and the Congress of an effective measure that will protect workers, employers, honest unions, and the general public from the unscrupulous or dictatorial tactics of the few racketeers. As this bill is considered, I hope several facts will be kept in perspective:

First. This is a bipartisan measure on a nonpartisan subject. Today's bill is a revised version of the measure which passed the Senate last year by a vote of 88 to 1—a bill which was supported by

every Member of this body today who was here a year ago, regardless of party.

I also wish to pay tribute to the outstanding work of former Senator Ives, of New York, in connection with this measure. His contribution to labor-management reform legislation will be long and favorably remembered. His conviction as to the necessity for bipartisanship in labor legislation is a principle which should guide us all.

I am taking the liberty of quoting from a letter received by me this week from former Senator Ives:

I wish you every success in your effort to get this vital legislation on our statute books. This bill represents many months of careful study in committee, the collective judgment of the U.S. Senate as expressed in 5 days and nights of debating and voting, and many, many years of collective experience in the field of labor-management legislation.

Furthermore, it is designed to meet the objectives set forth in the report of the Senate Select Committee on Improper Activities in the Labor or Management Field. It is my firm conviction that this bill not only meets those objectives but does so in a fashion that makes it corrective rather than punitive legislation, a measure which will correct abuses without undermining the rights of working men and women.

It is my earnest prayer that, this time, the bill will go through both Houses of Congress without becoming a political football. Throughout my legislative career, I dealt with labor-management matters on a nonpartisan basis because I early learned that it was the only way with which to deal with such matters on a realistic, constructive and equitable basis. The Kennedy-Ives bill is such a nonpartisan measure and deserves nonpartisan consideration and nonpartisan action.

Second. This bill is stronger and clearer than the 1958 version. The Kennedy-Ives bill of 1958, even after it passed the Senate by a vote of 88 to 1, was subject to fantastic distortion by extremists on both sides. Fears of its effects, particularly among businessmen, were unnecessarily aroused by the misinterpretation of isolated sections. To allay such fears and prevent further distortion, the bill has been revised to make it clear that the employer reporting section cannot possibly interfere with normal personnel relations or communications, and that the section on bribes by employers cannot possibly include wage or other normal payments. At the same time, the bill has been strengthened and tightened in other respects—including, for example, the judicial remedies here made available to a rank-and-file member to recover misappropriated dues when his union will not sue; the wider applicability of the provision for union democracy and secret election of officers; and the increased reporting of improper payments to a union or its officers by an employer.

Third. This is primarily a labor-management reform bill, dealing with the problems of dishonest racketeering—it is not a bill on industrial relations, dealing with the problems of collective bargaining and economic power. The two areas of legislation should not be confused or combined. The McClellan committee has been concerned chiefly, as its title states, with "improper activities"—with corruption, conflicts of interest, unethical and undemocratic practices. We have not been concerned primarily with unfair labor practices, union security arrangements and collective bargaining rights, as long as the improprieties I have mentioned were not involved. There are, to be sure, amendments to the Taft-Hartley Act which are necessary to curb racketeering or to facilitate the NLRB's action in this area, and which were approved by the Senate as a part of this bill last year. There are other amendments—such as those dealing with economic strikers and the building trades—which were included as part of last year's package at the insistence of Secretary Mitchell and the Labor and Public Welfare Committee's ranking Republican, former Senator Smith of New Jersey, and which, having wide acceptance as a part of that same package, are included in the bill again this year. But the broad, controversial issues of labor-management relations which that act poses are improperly the subject of an antiracketeering bill, and can only impede its consideration and passage on its own merits.

I hope, therefore, that this bill will not again be criticized by either labor or management for what it fails to do by way of Taft-Hartley amendments and new collective-bargaining rules. Let us first consider labor-management reform. Let us first stop racketeering without becoming bogged down in the heated and complex issues raised by the entire Taft-Hartley Act. Then let us consider revising that law, proceeding in the manner I outlined in a statement issued last Tuesday—by convening a panel of labor-law experts who can give our committee a fresh but experienced and well-balanced examination of these issues, outline the alternatives and isolate the areas of agreement and disagreement. I shall have more to say on this procedure at a later date.

If this Congress, in its consideration of anticorruption legislation, becomes bogged down in acrimonious controversies over broad and controversial Taft-Hartley revisions, in technical and emotional issues such as boycotts, picketing, and the section 14(b) provisions enabling State right-to-work laws, all of which must be considered this year—if our immediate problem of antiracketeering, on which there is already wide agreement, becomes tied to these other issues before the McClellan committee has made its second report and before our panel of experts has reported—then we can only delay and defeat a vital measure already thoroughly considered and debated. Broad Taft-Hartley revisions, which have been neglected too long, and including such items as boycotts, picketing, and State right-to-work laws, should definitely be considered by the Congress this year—and I can assure the Senate that a second labor bill will be reported to the floor this year with the recommendations of the McClellan committee, the Labor Committee, and our panel of experts. Then all issues can be debated and all amendments considered, with the best information available, and without endangering the passage of a strong antirackets measure.

So let us avoid these unnecessary controversies now—and let us also avoid, in considering this measure, unnecessary partisan politics or uninformed or deliberate distortions, or otherwise it should be clear from last year's record, no antirackets bill at all will pass. The gangsters and hoodlums will continue to prey upon union members and the public. And this Congress will be responsible.

Failure to pass effective reform legislation at this session may please the Hoffas, the Dios, and their ilk. It may please those on the other side who are chiefly interested in keeping a whipping boy alive. But it can only harm our Nation.

Fourth. This is a strong, effective reform bill. It carries out all of the previously unfulfilled recommendations of the McClellan committee. It is aimed at ending the abuses revealed before that committee; and adds other legislative curbs on racketeering as well. It is based upon the bill drafted last year by two members of the McClellan committee, with the strong support of the distinguished chairman of that committee himself. It is broader and stronger than any alternative proposal in this area. It is a bill designed to permit responsible unionism to operate without being undermined by either racketeering tactics or bureaucratic controls. It is designed to strike a balance between the dangers of too much and too little legislation in this field.

I realize that it is always possible to find fault in any bill—to point out omissions—to read in other meanings—or to call indefinitely for further amendments. This is particularly true in the controversial field of labor—which is precisely why no major labor legislation has been passed in the last decade. The extremists on both sides are always displeased—the technical experts will always disagree. No doubt each Senator, as the Senator from Arkansas [Mr. McCLELLAN] pointed out last year, would draft his own bill differently.

But, as the Senator from Arkansas also emphasized last year, our most important responsibility is "to take what we know all of us want, and pass the bill, and then move on." The Senate did that last year by a vote of 88 to 1—demonstrating, in the words of Business Week magazine, how "wise guidance in the public interest can be substituted for concern over wide apart partisan positions."

I wish to mention the key provisions of the bill introduced today—the basic weapons against racketeering which will be unavailable in the battle against corruption if such a measure is not enacted by the Congress this year:

First. Comprehensive detailed disclosure to members, press, and public and law enforcement agencies of union financial data.

Second. Full reports by union officers on any personal conflict-of-interest transactions.

Third. Criminal sanctions for embezzlement of union funds, false reporting, false entries on books, failure to report, or destruction of union books.

Fourth. Suits by union members for recovery of funds embezzled or misappropriated by union officers.

Fifth. Prohibition of loans by employers or unions to union officers.

Sixth. Secret ballot for the election of all union officers or of the convention delegates who select them.

Seventh. Due notice of all union elections, and real opportunity to nominate opposing candidates.

Eighth. Requirement that union officers be elected by secret ballot every 4 years, by international unions; and every 3 years, by local unions.

Ninth. Prohibition on the use of union funds to support candidacy of any union officer.

Tenth. Prohibition of service as union officers of persons convicted of serious crimes.

Eleventh. Power to Secretary of Labor to institute court action to set aside improper elections, and conduct new elections.

Twelfth. Strict standards for the imposition of trusteeships and a limit of 18 months on their duration.

Thirteenth. Mandatory annual report to Secretary and union members on every trusteeship, the reasons for its establishment, continuance, and operation.

Fourteenth. Prohibition on counting votes of delegates of trustee bodies unless delegates elected by secret ballot, and on transfer of funds from trusteed local union to international except normal dues and assessments.

Fifteenth. Power to Secretary of Labor to begin a court proceeding to break improper trusteeships.

Sixteenth. Prohibition of picketing for extortion or to secure payoff from employer.

Seventeenth. Prohibition of solicitation or payment of fictitious fees for unloading cargo from interstate carriers.

Eighteenth. Public financial reports of the operations of Shefferman-type middlemen; and a prohibition of channeling bribes and improper influence through such middlemen.

Nineteenth. Elimination of the "no-man's land" problem which prevented NLRB action on local labor racketeering by directing the NLRB to exercise its full jurisdiction under the Taft-Hartley Act.

EFFECTS OF THE BILL ON THE TEAMSTERS UNION

Consider, for example, some of the effects of this bill on Mr. James Hoffa and his hoodlum associates now dominating the vital Teamsters Union. Under our form of government, no act of Congress can specify the elimination of Mr. Hoffa. Like every other citizen, he is entitled to the protection of the fifth amendment, trial by jury, and other constitutional guarantees which he may find it possible to abuse. But passage of this bill will close to Mr. Hoffa and his ilk most of the racketeering opportunities they have exploited—it will stop those practices which, based upon the testimony before our committee, it would appear Mr. Hoffa's career and power are based—and it will, in short, virtually put Mr. Hoffa and his associates out of business:

First. It will no longer be possible for the dues of Teamster members to be paid out to hoodlums posing as business agents, to be invested in improper or risky racetrack or real estate deals, or to be used by Mr. Hoffa and other officers to build their own personal financial empires without the knowledge of the members themselves—or without investigation by the press and public authorities.

Second. Mr. Hoffa would be required to disclose all of his business dealings with insurance agents handling the union's welfare funds, his private arrangements with employers, his hidden partnerships in business ventures foisted upon his members, and all other possible conflicts of interest.

Third. This bill would summarily force from office the extortionists, embezzlers, bribetakers, and other criminals who have left the penitentiary to find refuge in high positions of trust in the Teamsters Union.

Fourth. Placing a Teamster local in trusteeship would no longer be available as a means of exploiting the dues and privileges of the local members; and Mr. Hoffa would have difficulty repeating power plays such as that at Pontiac, Mich., where as a trustee, he appointed as business agents the very same officials who had been ousted by the local membership on grounds of corruption.

Fifth. Provisions in the Teamster constitution to safeguard free elections and democratic conventions will no longer be a farce, to be waived or ignored at will. Paper locals under Johnny Dio will no longer be able to cast votes in the names of nonexistent or unaware members.

Sixth. The Becks and Hoffas will find future collusion with employers vastly restricted—with no more loans from employer groups, no more attacks on rival unions through middlemen like Nathan Shefferman, and no more secrecy shrouding the use of union funds to bail out a collaborating employer.

Seventh. There will be no more shakedowns and tribute for unloading interstate trucks, no more destruction of union books, and no more falsification of union reports anywhere in the Teamster empire; and honest rank-and-file members will be able to recover funds embezzled or otherwise misappropriated.

CONCLUSION

This is, in short, a strong bill—a bipartisan measure—a bill that does the job which needs to be done without bogging down the Congress with unrelated controversies. Without doubt, the future course of our action in this area will be plagued with the usual emotional arguments, political perils, and powerful pressures which always surround this subject. But I am confident that our committee will have an effective bill before the Senate early this year; I am confident that the Senate will consider and pass such a measure in the same constructive spirit with which it passed the Kennedy-Ives bill by a vote of 88 to 1 last year; and I am equally confident that such a measure will pass the Congress and become law in 1959.

Mr. President, I ask unanimous consent to have printed in the RECORD, a list of nine experts who are going to consider the whole subject of appropriate revisions in the National Labor Relations Act of 1947 and report to the Committee on Labor and Public Welfare later this year, so that we will have their recommendations as well as the further recommendations and second interim report of the McClellan committee before us at the time we consider legislative action.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

BIOGRAPHIC DATA ON MEMBERS OF LABOR LAW ADVISORY PANEL

David Cole: Practicing attorney and arbitrator, active as labor relations counsel to textile employers; Chairman of War Labor Board iron and steel panels; Chairman, Presidential Inquiry in Bituminous Coal Industry and other Presidential Boards; president, National Academy of Arbitrators; past Director, Federal Mediation and Conciliation Service.

Archibald Cox: Professor of law, Harvard University; formerly practiced law in Boston; formerly Associate Solicitor, Department of Labor; Chairman, Wage Stabilization Board; Cochairman, Construction Industry Stabilization Committee.

Guy Farmer: Practicing attorney specializing in labor law; formerly Associate General Counsel of the National Labor Relations Board and former Chairman of the National Labor Relations Board.

Arthur Goldberg: Practicing attorney, counsel to various labor organizations, including steelworkers and industrial union department, AFL–CIO; special counsel, AFL–CIO.

Charles Gregory: Professor of law, University of Virginia; former professor of law at the University of Wisconsin and University of Chicago; formerly practiced law in New York; formerly Solicitor of Labor.

Gerard Reilly: Practicing attorney; practiced law in Boston and later in Washington, D.C.; formerly Assistant Solicitor and Solicitor, Department of Labor; member, National Labor Relations Board, former counsel, Senate Committee on Labor and Public Welfare.

Louis Sherman: Practicing attorney representing labor organizations, including the building and construction trades department (AFL–CIO); general counsel, IBEW (AFL–CIO); former Chairman of the ABA Committee on the Labor Management Relations Act of 1947, Assistant Solicitor of Labor.

Russell Smith: Professor of law, University of Michigan; arbitrator; formerly industry member, National War Labor Board, served on various public fact-finding bodies.

W. Willard Wirtz: Practicing attorney; professor of law, Northwestern University; arbitrator; former Chairman, National Wage Stabilization Board; General Counsel and later public member of the War Labor Board.

Mr. President, I also ask unanimous consent to have printed in the RECORD a section-by-section analysis of the labor-management reform bill of the 86th Congress.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS OF LABOR-MANAGEMENT REFORM BILL, 86TH CONGRESS

Section 1: Contains the short title of the bill.

Section 2: Statement of findings, purposes, and policy.

TITLE I—REPORTING AND DISCLOSURE

Section 101:

(a) Requires every labor organization in an industry affecting commerce to file with the Secretary of Labor a copy of its constitution and bylaws along with specific information detailing its major internal operations.

(b) Every such labor organization must also file a detailed and comprehensive report of the union's financial operations. Under this section all trade unions dealing with employers whose operations affect commerce must file reports whether or not they desire to use the facilities of the NLRB. All of the information required to be reported by present law will be reported under this section.

(c) Requires every labor organization required to report under title I to make available information in such reports to all of its members in a form prescribed by the Secretary.

(d) Permits the Secretary to exempt labor organizations with fewer than 200 members or annual gross receipts of less than $20,000 from the reporting requirements of 101(b) if he finds that such exemption would not interfere with the attainment of the objectives of the act.

Section 102:

(a) Every officer or employee of a labor organization other than clerical employees, as defined by the Secretary of Labor, paid more than $5,000 in compensation and allowances in the preceding fiscal year, is required to report to the Secretary of Labor any of six specified transactions in which he may have been involved for the preceding fiscal year which might constitute a conflict of interest. Reports from a union officer or employee are required only if they have been involved in any of the transactions enumerated in the subsection.

Publicly traded securities and other securities which are publicly regulated are exempt from the reporting requirements of this section.

Section 103: Requires every employer engaged in an industry affecting commerce to file an annual report with the Secretary of Labor listing expenditures—

(1) pursuant to agreements with labor relations consultants to perform certain services.

(2) in excess of $2,500 to persuade employees not to exercise or persuade them as to the manner in which they exercise their rights to organize and bargain collectively or to obtain information about employees or labor organizations in connection with labor disputes except that reports need not be made of adjustments in wages or other employee benefits, employer newsletter and house organs, or expenditures to obtain information to be used solely in judicial, administrative, or arbitral proceedings.

The section also requires reports of loans or other payments by employers to an officer or employee of a labor organization except compensation payable as an employee, loans by State banks, and certain other exceptions.

Labor consultants are also required to file reports if they are involved in agreements to provide certain types of services.

This section does not require reports of expenditures for services to obtain information to be used before administrative agency or tribunal nor does it require reports by regular employees or employers on account of compensation paid to regular employees.

Section 104: (a) Specifies that the contents of reports and documents filed under sections 101, 102, and 103 should be public information and authorizes the Secretary to publish and use such information for statistical and research purposes, and to compile and publish studies and surveys based on the data contained in reports required to be filed under title I.

(b) Authorizes the Secretary to prescribe regulations permitting the inspection and examination by any person of the information contained in reports and documents filed under title I.

(c) Authorizes the Secretary to furnish copies of reports filed under title I upon a payment of a charge based on the cost of the service, provided that the Secretary may make available to a State agency copies of reports required to be filed under this title at no charge. Also provides that no person shall be required by State law to provide the information contained in a Federal report if a copy of such report is furnished to the State agency.

Section 105: Requires the maintenance and preservation of records and accounts of financial transactions necessary to verify reports required of union, employer, and labor-relations consultants for such periods of time as the Secretary shall prescribe.

Section 106: (a) Requires that reports required by this title be filed within 90 days of the time of enactment or 60 days after the date when any person first comes within the categories of those required to file such reports, whichever is later, and annually thereafter as the Secretary shall prescribe.

(b) Authorizes the Secretary to issue rules and regulations prescribing the form, content, and publication of reports and to prevent circumventions or evasion of reporting requirements. The Secretary is directed to provide simplified reporting forms for small unions and small business organizations but he is also given the power to require a full reporting form if he believes it desirable.

(c) Authorizes and directs the Secretary, when he has probable cause to believe that any person or labor organization has violated any provision of the title, to make an investigation, inspect records, and ascertain all of the facts relevant to the report in question. This subsection also authorizes the Secretary to make a full report to the members of a labor organization concerning the facts required to be reported, if any person or organization fails or refuses to file the reports as required.

Section 107: Forbids a labor organization to make loans to any officer or employee in excess of $1,500 and forbids employers to make any loan to an officer or an employee of a labor organization representing or seeking to represent his employees.

Section 108:

(a) and (b) Prescribes a fine of up to $10,000 or up to 1 year's imprisonment, or both, for willfully violating or failing to comply with any provision of title I or the rules or regulations issued thereunder, willful false statements or misrepresentations of material facts or failure to disclose information required by the title.

(c) Imposes a similar penalty upon any person who willfully destroys any books, records, reports, or statements required to be maintained under this title.

(d) Assigns personal responsibility to each person required to sign reports under sections 101 and 103 for the filing and the accuracy of statements in the reports.

Section 109:

(a) Makes the embezzlement by an officer or employee of funds or assets of an organization exempt from taxation under section 501(a) of the Internal Revenue Code a Federal crime, punishable by a fine not exceeding $10,000 or imprisonment not in excess of 5 years.

(b) Permits an individual union member to sue a union officer or employee convicted of embezzlement to recover lost property if the union itself has not instituted such a suit or refuses to sue to recover such property. A proceeding under this subsection cannot be brought except upon leave of the court, obtained upon verified application or good cause shown. The section provides for a reasonable recovery of counsel fees and the compensation of the member for expenses necessarily incurred in connection with the litigation.

Section 110:

(a) Amends chapter 101 of title 18 of the United States Code so as to punish persons making false entries or destroying the records of labor organizations with intent to injure or defraud or to mislead any person authorized by law to examine or inspect such records. Violation of this provision would be subject to a fine of not more than $10,000 or imprisonment for not more than 5 years, or both.

(b) Makes appropriate modifications in the analysis of the United States Code.

Section 111: Establishes in the Department of Labor a Commissioner of Labor Reports, appointed by the President and confirmed by the Senate, who would undertake to fulfill all the responsibilities assigned by this act to the Secretary of Labor. Authorizes the Secretary to make expenditures, fix compensation of attorneys and make other administrative arrangements.

Section 112: Amends section 302(a) of the Labor Management Relations Act of 1947 so as to clarify an ambiguity which presently exists. Under present law it is illegal for an employer to pay or deliver anything of value to a representative of his employees. The purpose of these amendments to section 302 is to forbid any payment or bribe by an employer or anyone acting on his behalf, whether technically an agent or not. The demand or acceptance of such bribes is also proscribed. This section also makes unlawful the demand or acceptance of improper unloading fees from interstate truckers. This section exempts certain bona fide payments made by an employer to his employees or to representatives of his employees. It also provides that the general ban in section 302 of the Labor-Management Relations Act upon employer payments to unions is not to apply to employer payments to trust funds, in the building and construction industry, for pooled vacation benefits, or apprentice or other employee training programs. This provision is designed to remove doubts as to the propriety of such payments in this industry. However, it is not intended to cast doubt upon the legality or propriety of such payments by employers in any other industry.

TITLE II—TRUSTEESHIPS

Section 201:

(a) Requires reports by national or international unions to the Secretary within 30 days of establishment of trusteeships over subordinate unions (or within 30 days of enactment for existing trusteeships) and semiannually thereafter.

The reports are to show: the union in trusteeship, the date trusteeship established, a detailed statement of the reason for trusteeship and its continuance and the nature and extent of voting by members of the trusteed unions for convention delegates and national and international officers.

(b) Provides the Secretary with the same rulemaking and publication powers he has under title I.

(c), (d), and (e) Makes failure to report, false reports or concealment or destruction of documents or records upon which report is based by responsible officers punishable by a maximum $10,000 fine or imprisonment for 1 year, or both.

(f) Provides that reports made by labor organizations under this section shall be made available to each member of the labor organization.

Section 202: Requires the establishment and administration of a trusteeship to be in conformity with the union constitution and for correcting either improper conduct, assuring the performance of agreements restoring democratic procedures, or the achievement of proper union objects.

Section 203:

(a) Makes it unlawful during trusteeship (1) to count members' votes for convention delegates or national or international officers

if not by secret ballot in which all members in good standing could participate, or (2) to transfer to parent organization any funds of the trusteed union except regular per capita and assessments payable by nontrusteed unions. It is provided that upon dissolution of the trusteeship, assets may be distributed in accordance with the charter, constitution, or bylaws.

(b) Makes violation of subsection (a) punishable by a maximum $10,000 fine or imprisonment for 1 year, or both.

Section 204:

(a) Provides that upon the written complaint of a member or subordinate union alleging violation of section 202 or 203, the secretary shall investigate and if he finds an unremedied violation, he may petition the appropriate Federal district court to enjoin and dissolve the trusteeship and for other appropriate relief.

(b) Provides for place and manner of bringing suit.

(c) This subsection provides that a trusteeship established by a labor organization (1) in conformity with the procedural requirements of its constitution and (2) authorized or ratified by the executive board of the labor organization after a hearing, shall be presumed valid for a period of 18 months. This presumption may be rebutted by clear and convincing proof that the trusteeship was not established for the purposes allowable under section 202. After the expiration of 18 months there will be a presumption that the trusteeship is invalid in any proceeding brought by the Secretary to remove the subordinate union from the trusteeship unless the labor organization can show by clear and convincing proof that the continuation of the trusteeship is necessary for a purpose allowable under section 202. If the labor organization can so show, the court may continue the trusteeship for a period not in excess of 1 additional year.

Section 205: Requires a report within 3 years by the Secretary on operation of title II.

Section 206: Makes clear that Federal suits under title II are possible only upon suit initiated by the Secretary. But all other rights and remedies at law or in equity are specially preserved, with the limitation that when the Secretary does file a complaint the proceeding is to be exclusive and the result res judicata.

TITLE III—ELECTIONS

Section 301:

(a) Provides that national and international officers named in a union constitution as well as the members of its executive board or similar governing body shall be elected at least every 4 years by a secret ballot of the membership of the union or by a vote of a convention composed of delegates chosen by secret ballot in accordance with the union's constitution and bylaws.

(b) This subsection requires that the officers named in a local union's constitution as well as the members of its executive board or other similar governing body be elected at least every 3 years by a secret ballot among its members in good standing and in accordance with its constitution and bylaws.

(c) Requires that members of a labor organization be given an opportunity to nominate and vote without coercion or restraint in selecting officers and delegates to a convention. Fifteen days notice of date and time of any election is to be mailed to members unless the election is to be held at a regular time specified by the constitution and bylaws of the labor organization on file with the Secretary. Every member shall have one vote, and a member whose dues are checked off under a bargaining agreement is not to be disqualified for dues default. Ballots and election records are to be preserved for one year by appropriate officials of the union. The union constitution and bylaws are to govern the election to extent not inconsistent with the act.

(d) Provides that in a convention where delegates are to choose officers, the union constitution and bylaws are to govern and delegate credentials, minutes, and convention records pertaining to the election of officers are to be preserved for one year after the election.

(e) Provides that neither union nor employer funds are to be used to promote candidates in union elections subject to this title. Union funds may be used for ordinary expenses in connection with elections—for notices to members, statements to members of issues to be voted on, and other expenses incident to the conduct of an election.

(f) and (g) Provide that if the Secretary upon application of a member of a local union finds that the union's constitution does not provide for the removal of an officer guilty of serious misconduct, the officer may be removed by a secret ballot vote of the members in an election held for that purpose. The Secretary is granted authority to promulgate rules and regulations prescribing standards for carrying out subsection (f).

Section 302: Provides procedures by which a member of a labor organization who (1) has exhausted the remedies available under the constitution and bylaws of his union and of any parent body, or (2) has invoked available remedies without obtaining a final decision within 4 calendar months, may initiate proceedings through the Secretary to have the election declared invalid and a new election conducted, pursuant to a Federal district court order, under the direction of the Secretary. Challenged elections would be presumed valid pending a final decision, and in the interim the affairs of the union are to be conducted by the officers elected or in such other manner as the constitution and bylaws provide. Court actions to enforce the election provisions of title III would be brought by the Secretary if, after investigation he finds probable cause to believe title III has been violated. The Secretary would be required to bring such action within 60 days after a complaint of violation has been filed with him. In any such action the court's decision would have to be based upon a preponderance of the evidence after a trial upon the merits. An order directing an election, dismissing a complaint, or designating the elected officers of a labor organization under this section would be appealable in the same manner as the final judgment in a civil action. However, an order directing an election could not be delayed by an appeal. If the court voids an election after a trial it is empowered by this section to preserve the property and assets of the labor organization pending the selection of new officers.

Section 303: Makes exclusive the election remedies provided by the bill and provides no labor organization shall be required to hold elections more frequently or by different procedures than those specified in the bill.

Section 304: The election provisions are to become effective—

(1) within 90 days for unions whose constitutions and bylaws can be modified to conform by its officers or interim governing bodies such as a general executive board or council; or

(2) where appropriate modification can be made only by convention, by the next convention of the labor organization or within 2 years after enactment, whichever is sooner.

Section 305:

(a) Bars persons convicted of committing certain specified crimes, e.g., robbery, bribery, extortion, from holding responsible union office. This section also establishes a procedure whereby the Secretary, after notifying local law enforcement officers and after a hearing, may make a determination that despite conviction of the crimes enumerated by the section, the service of such a person as a union officer would not defeat the purposes of the act.

(b) Bars any person from holding union office who fails after notice, to file reports required by title I and who after a hearing on a written record the Secretary finds in violation, or who has been convicted of a violation of the title; such bar to be effective for 5 years from the date of such determination or conviction. No union or union officer shall knowingly and willfully permit any person to assume or hold office in violation of this subsection.

(c) Violations of section 305 are punishable by a fine of up to $10,000 or imprisonment for 1 year, or both.

(d) Specifies that for purposes of section 305 a person who has been convicted of violating title I is to be deemed to have been convicted and under disability of conviction from the date of the judgment of the trial court or the date of the final sustaining of the judgment on appeal, whichever is later.

TITLE IV—CODES OF ETHICAL PRACTICES—ADVISORY COMMITTEE

Section 401:

(a) Declares that it is in the national interest that labor organizations and nationwide and industrywide associations of employers engaged in industries affecting commerce should voluntarily adopt or subscribe to codes of ethical practices obligating such labor organizations or employers, as the case may be, to adhere to principles and procedures of conduct which will effectively eliminate and prevent improper and unethical activities in the administration of their affairs, in the use and expenditure of their funds and in their relations with each other.

Declares the codes of ethical practices applicable to national and international labor organizations should contain provisions which will safeguard the democratic rights and privileges of members and which will eliminate and prevent improper and unethical activities on the part of labor organizations or their subordinate locals or any officer or agent thereof. Codes of ethical practices applicable to both labor organizations and employers should contain methods and procedures to assure the effective implementation and enforcement of the provisions of such codes.

Provides that codes of ethical practices should contain appropriate provisions for publication of the provisions of the codes so that employers and employees in the industries affected and the public will be fully apprised as to the provisions of the codes.

(b) Provides that codes of ethical practices shall not authorize or sanction any conduct on the part of any labor organization or employer or any officer, agent, or representative thereof which violates any Federal, State, or local law.

Section 402:

(a), (b), and (c) Establishes an Advisory Committee on Ethical Practices to advise the Secretary on the administration of this act, including the provisions of title I, reporting and disclosure; title II, trusteeships; and title III, union elections; as well as title IV.

Section 403: Provides that not later than 3 years from the date of enactment of the bill the Secretary shall report to Congress on the progress achieved by labor organizations and employers engaged in industries affecting commerce in the elimination of improper activities in the administration of their affairs and the use and expenditure of their funds with particular reference to the significance of the voluntary adoption of self-policing codes of ethical practices in achieving such results.

TITLE V—DEFINITIONS AND MISCELLANOUS

Section 501: Contains definitions of various terms in the bill.

Section 502: Specifies that titles I, II, III, IV, and V are not to be construed as affecting in any way rights or obligations under the National Labor Relations Act or the Railway Labor Act.

Section 503: Specifies that for purposes of investigations provided under the bill, the Secretary is to have subpena power, as provided in sections 9 and 10 of the Federal Trade Commission Act.

TITLE VI—AMENDMENTS TO THE LABOR-MANAGEMENT RELATIONS ACT OF 1947, AS AMENDED

Section 601: Directs the National Labor Relations Board to assert the full jurisdiction given it under the National Labor Relations Act. Provides that the Board may cede jurisdiction over cases in certain industries to State agencies unless the State statute governing the disposition of such cases is inconsistent with the Federal law.

Section 602:

(a) Makes it an unfair labor practice for a labor organization to conduct "shakedown" picketing, i.e., picketing with no legitimate purpose but which is to force an employer to "buy off" the union official involved.

(b) Makes applicable the "mandatory injunction" provision of the act (sec. 10(1)), to such picketing so as to provide a speedy remedy for such abuses.

Section 603:

(a) Permits an employer primarily engaged in the building and construction industry to enter into agreements with labor organizations despite the fact that the union's majority status has not been established under section 9 of the Act. The section also permits the union shop provisions of such a contract to take effect within 7 days of hiring. No other change is made in union security limitations now in the law. The agreements could also provide for: Employer notification to the union of job openings and opportunity for the union to refer qualified applicants for the openings. Agreements for apprenticeship qualifications, experience, industry, or geographical seniority would be permissible to meet the peculiar needs of the industry. It is specifically provided that a contract permitted by this section would not be a bar to a representation or decertification election if without the authorization of the section it would not be a bar to such an election.

(b) This subsection specifically provides that the union security provisions of agreements permitted by (a) are subject to the limitations of State and Territorial law just as all collective agreements under section 8(a)(3) are limited by the provisions of section 14(b) of the National Labor Relations Act.

Section 604: Amends the National Labor Relations Act to provide that economic strikers shall not be deprived of their right to vote in representation elections even though they have been replaced in the course of a lawful strike.

Section 605: Amends the definition of the term "supervisor" contained in present law so as to clarify that only those whose principal duties are to recall, discharge, promote, etc., are to be classed as supervisors for purposes of the law.

Section 606: Separability clause.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD at this point, and that the bill lie on the table for 1 day in order that names of Senators other than those who have already joined who may desire to join as cosponsors, may be added.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the table for 1 day, and will be printed in the RECORD at this point.

The bill (S. 505) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, introduced by Mr. KENNEDY (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Labor-Management Reporting and Disclosure Act of 1959."

DECLARATION OF FINDINGS, PURPOSES, AND POLICY

SEC. 2. (a) The Congress finds that, in the public interest, it continues to be the responsibility of the Federal Government to protect employees' rights to organize, choose their own representatives, bargain collectively, and otherwise engage in concerted activities for their mutual aid or protection; that the relations between employers and labor organizations and the millions of workers they represent have a substantial impact on the commerce of the Nation; and that in order to accomplish the objective of a free flow of commerce it is essential that labor organizations, employers, and their officials adhere to the highest standards of responsibility and ethical conduct in administering the affairs of their organization, particularly as they affect labor management relations.

(b) The Congress further finds, from recent investigations in the labor and management fields, that there have been a number of instances of breach of trust, corruption, disregard of the rights of individual employees and other failures to observe high standards of responsibility and ethical conduct which require further and supplementary legislation that will afford necessary protection of the rights and interests of employees and the public generally as they relate to the activities of labor organizations, employers, labor relations consultants, and their officers and representatives.

The Congress, therefore, further finds and declares that the enactment of this Act is necessary to eliminate or prevent improper practices on the part of labor organizations, employers, labor relations consultants, and their officers and representatives which distort and defeat the policies of the Labor-Management Relations Act of 1947, as amended, and the Railway Labor Act, as amended, and have the tendency or necessary effect of burdening or obstructing commerce by (1) impairing the efficiency, safety, or operation of the instrumentalities of commerce; (2) occurring in the current of commerce; (3) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods into or from the channels of commerce, or the prices of such materials or goods in commerce; or (4) causing diminution of employment and wages in such volume as substantially to impair or disrupt the market for goods flowing into or from the channels of commerce.

(c) It is declared to be the policy of the United States to advance the objectives and protect the national interests referred to in subsection (a), and correct the evils referred to in subsection (b) by (1) requiring labor organizations, employers, labor relations consultants, and their officers and representatives engaged in industries affecting commerce to file with the Secretary of Labor (hereinafter in this Act referred to as the "Secretary") certain reports and information concerning their administrative practices and financial transactions, which shall be public information, (2) regulating the appointment of trustees or receivers by labor organizations engaged in industries affecting commerce to administer the affairs of subordinate labor organizations, (3) providing that labor organizations engaged in industries affecting commerce shall elect their officers periodically either directly by secret ballot or through delegates chosen by secret ballot, (4) encouraging voluntary action by labor organizations and employers engaged in industries affecting commerce, through the adoption of codes of ethical practices and suitable implementation and publication thereof, to eliminate and prevent improper activities in the administration of their affairs, their financial transactions, and their relations with each other, and (5) providing procedures for preventing acts and omissions of labor organizations, employers, labor relations consultants, and their officers and representatives, which are detrimental to the rights and interests of individual employees and the public, and imposing criminal penalties for willful violations of provisions of this Act.

TITLE I—REPORTING AND DISCLOSURE

SEC. 101. (a) Every labor organization engaged in an industry affecting commerce shall file with the Secretary a copy of its constitution and bylaws and a report, signed by its president and secretary or corresponding principal officers, containing the following information:

(1) the name of such labor organization and address of its principal place of business;

(2) the names and titles of its constitutional officers (including its principal financial officer);

(3) the initiation fee or fees which new members are required to pay on becoming members of such labor organization;

(4) the regular dues or fees which members are required to pay in order to remain members in good standing of such labor organization; and

(5) through means of a detailed statement, or by reference to provisions of its constitution and bylaws or other governing documents, procedures followed with respect to (i) qualifications for or restrictions on membership, (ii) election of officers and stewards, (iii) calling of regular and special meetings, (iv) levying of assessments, (v) imposition of fines, (vi) authorization for bargaining demands, (vii) ratification of contract terms, (viii) authorization for strikes, (ix) authorization for disbursement of union funds, (x) audit of union financial transactions, (xi) participation in insurance or other benefit plans, and (xii) expulsion of members and the grounds therefor. Within thirty days after the occurrence of any change in the information required by this subsection, the labor organization by which the report was filed shall file with the Secretary an amendment to the report setting forth such change.

(b) Every labor organization engaged in an industry affecting commerce shall annually file with the Secretary a financial report signed by its chief financial officer and two other principal officers containing the following information in such detail as may be necessary accurately to disclose its financial condition and operations for the preceding fiscal year:

(1) assets and liabilities at the beginning and end of the fiscal year;

(2) receipts of any kind and the sources thereof;

(3) salary and allowances and other disbursements to each officer and each employee who received more than $7,000 from labor organizations;

(4) direct and indirect loans to any officer, employee, or member aggregating in excess of $500 together with a statement of

the security, if any, and arrangements for repayment;

(5) direct and indirect loans to any business enterprise, together with a statement of the security, if any, and arrangements for repayment; and

(6) other disbursements of any kind and the purposes thereof.

(c) Every labor organization required to submit a report under this title shall make available the information required to be contained in such report to all of its members in such form and manner as the Secretary shall by regulation prescribe.

(d) The Secretary may exempt from the requirements of subsection (b) for such definite or indefinite periods as he may determine any labor organization or class thereof having fewer than 200 members and having gross annual receipts of less than $20,000, including all sums paid over as dues or per capita tax to a parent or affiliated labor organization (excluding payments received by trustees under section 302(c)(5) or (6) of the Labor Management Relations Act, 1947, as amended), if he finds that the exemption of such labor organization or class thereof would not interfere with the attainment of the objectives of this Act.

(e) Subsections (f) and (g) of section 9 of the National Labor Relations Act, as amended, are hereby repealed.

SEC. 102. (a) Every officer of a labor organization engaged in an industry affecting commerce and every employee of such a labor organization, (other than a clerical employee, as defined by the Secretary), who received wages, salary, expenses or other allowances in excess of $5,000 during the preceding fiscal year from labor organizations, shall file with the Secretary a signed report listing and describing for the preceding fiscal year—

(1) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income which he or his spouse or minor child derived directly or indirectly from, an employer whose employees such labor organization represents or is actively seeking to represent, except payments and other benefits received as a bona fide employee of such employer;

(2) any transaction in which he or his spouse or minor child engaged directly or indirectly, involving any stock, bond, security, or loan to or from, or other legal or equitable interest in the business of an employer whose employees such labor organization represents or is actively seeking to represent;

(3) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income which he or his spouse or minor child directly or indirectly derived from, any business a substantial part of which consists of buying from, selling or leasing to, or otherwise dealing with, the business of an employer whose employees such labor organization represents or is actively seeking to represent;

(4) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income which he or his spouse or minor child directly or indirectly derived from, a business any part of which consists of buying from, or selling or leasing directly or indirectly to, such labor organization;

(5) any direct or indirect business transaction or arrangement between him or his spouse or minor child and any employer whose employees his organization represents or is actively seeking to represent, except work performed and payments and benefits received as a bona fide employee of such employer and except purchases and sales of goods or services in the regular course of business at prices generally available to any employee of such employer; and

(6) any payment received directly or indirectly from any employer or any person who acts as a labor relations expert, advisor, or consultant to an employer pursuant to any agreement or arrangement by which the officer or employee is to influence or affect employees in the exercise of rights guaranteed by section 7 of the National Labor Relations Act, as amended, and the Railway Labor Act, as amended.

(b) The provisions of paragraphs (1), (2), (3), (4), and (5) of subsection (a) shall not apply to securities traded on a securities exchange registered as a national securities exchange under the Securities Exchange Act of 1934 or to shares in an investment company registered under the Investment Company Act of 1940, or to securities of a public utility holding company registered under the Public Utility Holding Company Act of 1935, or to any income derived therefrom.

(c) Nothing contained in this section shall be construed to require any officer or employee of a labor organization to file a report under subsection (a) unless he or his spouse or minor child holds an interest, has received income or a loan or has engaged in a transaction described therein.

SEC. 103. (a) Every employer engaged in an industry affecting commerce shall file with the Secretary a report, signed by its President and Treasurer or corresponding principal officers, listing and describing for the preceding fiscal year—

(1) any expenditure in connection with any agreement or arrangement with a labor relations consultant by which such consultant undertakes activities where an object thereof, directly or indirectly, is to persuade employees not to exercise, or persuade employees as to the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing, or undertakes to supply such employer with information concerning the activities of employees or a labor organization in connection with a labor dispute, except information for use solely in conjunction with a judicial, administrative or arbitral proceeding;

(2) any expenditure, if the total thereof exceeded $2,500 during the fiscal year, where any object thereof, directly or indirectly, is to persuade employees not to exercise, or persuade employees as to the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing, or is to obtain information concerning the activities of employees or a labor organization in connection with a labor dispute: *Provided,* That nothing herein shall be construed as applying to: (i) adjustments in wages or other employee benefits; (ii) expenditures incurred in connection with the publication by such employer in his own name of a newspaper, newsletter, or similar house organ or other letter or communication, which is part of the normal or regular administration of an employee relations program; (iii) expenditures to obtain information for use solely in conjunction with a judicial, administrative or arbitral proceeding;

(3) any payment or loan, direct or indirect, of any money or other thing of value, or any promise or agreement therefor, to any labor organization or any officer or employee of any labor organization except (i) payments pursuant to a collective bargaining agreement the terms of which have been fully disclosed to the employees in the bargaining unit, (ii) compensation paid to an officer or employee of a labor organization for, or by reason of, his services as an employee of such employer, and (iii) payments or loans made by any national or State bank, credit union, insurance company, savings and loan association, or other credit institution.

(b) Every person engaged in providing labor relations consultant service to an employer engaged in an industry affecting commerce pursuant to any agreement or arrangement under which such consultant undertakes activities where an object thereof is, directly or indirectly,

(A) to persuade employees not to exercise, or persuade employees as to the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing

(B) to supply an employer with information concerning the activities of employees or a labor organization in connection with a labor dispute, except information for use solely in conjunction with a judicial, administrative or arbitral proceeding, shall file annually a report with the Secretary, signed by its president and treasurer or corresponding principal officers, containing the following information:

(1) the name under which the labor relations consultant is engaged in doing business and the address of its principal place of business;

(2) receipts of any kind from employers on account of labor relations advice or services, designating the sources thereof;

(3) disbursements of any kind, in connection with such services and the purposes thereof; and

(4) a detailed statement of the terms of such agreement or arrangement.

(c) Nothing in this section shall be construed to require any employer or a labor relations consultant to file a report covering the services of a consultant by reason of his giving or agreeing to give advice to such employer or representing or agreeing to represent such employer before any court, administrative agency or tribunal of arbitration or engaging or agreeing to engage in collective bargaining on behalf of such employer with respect to wages, hours, or other terms or conditions of employment or the negotiation of an agreement or any question arising thereunder.

(d) Nothing contained in this section shall be construed to require an employer to file a report under subsection (a) unless he has made expenditures, payments or loans of the kind described therein. Nothing contained in this section shall be construed to require a labor relations consultant to file a report under subsection (b) unless he was a party to an agreement or arrangement of the kind described therein.

(e) Nothing contained in this section shall be construed to require any regular officer, supervisor or employee of an employer engaged in an industry affecting commerce to file a report in connection with services rendered to such employer nor shall any employer in an industry affecting commerce be required to file a report covering expenditures made to any regular officer, supervisor or employee of an employer as compensation for service as a regular officer, supervisor or employee of such employer.

SEC. 104. (a) The contents of the reports and documents filed with the Secretary pursuant to sections 101, 102, and 103 shall be public information, and the Secretary may publish any information and data concerning labor organizations, employers and labor relations consultants which he obtains pursuant to the provisions of this title. The Secretary may use the information and data for statistical and research purposes, and compile and publish such studies, analyses, reports, and surveys based thereon as he may deem appropriate.

(b) The Secretary shall by regulation make reasonable provision for the inspection and examination, on the request of any person of the information and data contained in any report or other document filed with him pursuant to section 101, 102, or 103.

(c) The Secretary may by regulation provide for the furnishing by the Department of Labor of copies of reports or other documents filed with the Secretary pursuant to this title, upon payment of a charge based upon the cost of the service: *Provided,* That

the Secretary shall make available without payment of a charge, or require any labor organization or employer to furnish, to such State agency as is designated by law or by the Governor of the State in which such labor organization or such employer has its principal place of business or headquarters, upon request of the Governor of such State, copies of any reports and documents filed by such labor organization or by such employer with the Secretary pursuant to section 101 or 103, or of information and data contained therein. *Provided further*, That no person shall be required by reason of any law of any State to furnish to any officer or agency of such State any information included in a report filed by such person with the Secretary pursuant to the provisions of this title, if a copy of such report, or of the portion thereof containing such information, is furnished to such officer or agency. All moneys received in payment of charges fixed by the Secretary pursuant to this subsection shall be deposited to the credit of the appropriation of the agency of the Department of Labor rendering such service and may be used, in the discretion of the Secretary, and notwithstanding any other provision of law, for the ordinary expenses of such agency.

SEC. 105. Every person shall make, keep, and preserve for such periods and under such conditions as the Secretary shall prescribe, such records and accounts of financial transactions as may be necessary to prepare and verify the financial reports required by sections 101 and 103.

SEC. 106. (a) Reports required to be filed under sections 101, 102, and 103 of this title shall be filed within ninety days after the date of enactment of this Act, or within sixty days after the date when any person is first required to file any such report pursuant to such sections, whichever is the later date, and annually thereafter as the Secretary shall prescribe.

(b) The Secretary shall have authority to issue, amend, and rescind rules and regulations prescribing the form, content, and publication of reports required to be filed under this Act and such other reasonable rules and regulations (including rules prescribing reports concerning building funds, trusts, or enterprises financed by a labor organization) as he may find necessary to prevent the circumvention or evasion of such reporting requirements. In exercising his power under this section the Secretary shall prescribe by general rule simplified forms of report for labor organizations or employers for whom he finds that a detailed report would be unduly burdensome: *Provided*, that the Secretary may revoke such provision for simplified forms of any labor organization or employer if he determines, after such investigation as he deems proper, that the purposes of this section would be served thereby.

(c) The Secretary shall have the power and is directed, when he has probable cause to believe that any person or labor organization has violated any provision of this title, to make an investigation and in connection therewith he may enter such places and inspect such records and accounts as may be necessary to enable him to determine the facts relative thereto. If any person shall fail or refuse to file a report required by this title, the Secretary shall make a full investigation and report to the members of the labor organization concerning the facts required to be shown in the report and concerning the reasons for such failure or refusal to file. The Secretary is authorized in his discretion to publish information concerning any such violations and to study such facts, conditions, practices, or matters, and publish such reports, as he may deem necessary or proper to aid in the enforcement of the provisions referred to or in the prescribing of rules and regulations thereunder.

SEC. 107. (a) No labor organization engaged in an industry affecting commerce shall make directly or indirectly any loan or loans in excess of $1,500 to any officer or employee of such organization.

(b) No employer engaged in an industry, business or activity affecting commerce shall make directly or indirectly any loan or loans to any officer or employee of a labor organization representing or actively seeking to represent his employees.

SEC. 108. (a) Any person who willfully violates or fails to comply with any provision of this title or the rules or regulations issued by the Secretary thereunder shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(b) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any document, report or other information required under the provisions of this title or the rules or regulations issued thereunder shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(c) Any person who willfully destroys any books, records, reports, or statements required to be kept by any provision of this title shall be fined not more than $10,000 or imprisoned for not more than 1 year, or both.

(d) Each individual required to sign reports under sections 101 and 103 shall be personally responsible for the filing of such reports and for any statement contained therein.

SEC. 109. (a) Any person who embezzles, steals, or unlawfully and willfully abstracts or converts to his own use or the use of another any of the moneys, funds, securities, property, or other assets of an organization which is exempt from taxation under section 501(a) of the Internal Revenue Code of 1954 of which he is an officer or by whom he is employed directly or indirectly shall be fined not more than $10,000 or imprisoned for not more than five years, or both.

(b) When any officer or employee of any labor organization has been convicted of embezzling, stealing, or unlawfully and willfully abstracting or converting to his own use or the use of another any money or property of the labor organization in violation of the provisions of subsection (a), and the labor organization or its governing board or officers refuse or fail to sue to recover such money or property or the value of the same after being requested to do so by any member of the labor organization, any member of the labor organization may sue the offending officer or employee in any district court of the United States or in any State court of competent jurisdiction to recover such money or property or the value thereof for the benefit of the labor organization. No such proceeding shall be brought except upon leave of the court obtained upon verified application and for good cause shown, which application may be made ex parte. The trial judge may allot a reasonable part of the recovery in any action under this subsection to pay the fees of counsel prosecuting the suit at the instance of the member of the labor organization and to compensate such member for any expenses necessarily paid or incurred by him in connection with the litigation.

SEC. 110. (a) Chapter 101 of title 18, United States Code, is amended by adding a new section as follows:

"§ 2077. (a) False entry and destruction of records of labor organizations

"Whoever, being an officer, employee, agent, or representative of a labor organization engaged in an industry affecting commerce, or an officer, employee, agent, representative, or trustee of a trust in which such a labor organization is interested, makes any false entry in or willfully destroys any book or record, kept or made for such labor organization or trust, with intent to injure, defraud, or mislead such labor union or trust or any beneficiary thereunder, or with intent to obstruct legal process, or to mislead any person authorized by law to examine or inspect such book or record, shall be fined not more than $10,000 or imprisoned for not more than five years, or both."

(b) The analysis preceding chapter 101 of title 18, United States Code, is amended by adding at the end thereof the following:

"2077. False entry and destruction of records of labor organizations."

SEC. 111. (a) There shall be in the Department of Labor a Commissioner of Labor Reports, who shall be appointed by the President by and with the advice and consent of the Senate, shall receive compensation at the highest rate established for grade 18 of the General Schedule of the Classification Act of 1949, as amended, and shall perform such duties as may be prescribed by the Secretary or required by law. The Secretary may authorize the performance by the Commissioner of Labor Reports of any functions of the Secretary under this act.

(b) The Secretary is authorized to make such expenditures and, subject to the civil service laws and the Classificatcn Act of 1949, as amended, to appoint and fix the compensation of such personnel, including attorneys, as may be necessary to perform the functions imposed on him by this act. Attorneys appointed under this section may appear for and represent the Secretary in any litigation, but such litigation shall be subject to the direction and control of the Attorney General.

SEC. 112. Subsections (a), (b) and (c) of section 302 of the Labor Management Relations Act, 1947, as amended, are amended to read as follows:

"SEC. 302. (a) It shall be unlawful for any employer or any person who acts as a labor relations expert, adviser, or consultant to an employer to pay, lend, or deliver, or agree to pay, lend, or deliver, any money or other thing of value—

"(1) to any representative of any of his employees who are employed in an industry affecting commerce, or

"(2) to any labor organization, or any officer or employee thereof, which represents, seeks to represent, or would admit to membership, any of the employees of such employer who are employed in an industry affecting commerce, or

"(3) to any employee or group or committee of employees of such employer employed in an industry affecting commerce for the purpose of causing such employee or group or committee directly or indirectly to influence any of the employees in the exericse of the right to organize and bargain collectively through representatives of their own choosing; or

"(4) to any officer or employee of a labor organization engaged in an industry affecting commerce with intent to influence him in respect to any of his actions, decisions, or duties as a representative of employees or as such officer or employee of such labor organization.

"(b) (1) It shall be unlawful for any person to request, demand, receive, or accept, or agree to receive or accept, any payment or delivery of any money or other thing of value prohibited by subsection (a).

"(2) It shall be unlawful for any labor organization, or for any person acting as an officer, agent, representative or employee of such labor organization, to demand or accept from the operator of any motor vehicle (as defined in Part II of the Interstate Commerce Act) employed in the transportation of property in commerce, or the employer of any such operator, any money or other thing of value payable to such organization or to an officer, agent, representative or employee thereof as a fee or charge for the unloading, or in connection with the unloading, of the cargo of such vehicle. *Provided*, that noth-

ing in this paragraph shall be construed to make unlawful any payment by an employer to any of his employees as compensation for their services as employees.

"(c) The provisions of this section shall not be applicable (1) in respect to any money or other thing of value payable by an employer to any of his employees whose established duties include acting openly for such employer in matters of labor relations or personnel administration or to any representative of his employees, or to any officer or employee of a labor organization, who is also an employee or former employee of such employer, as compensation for, or by reason of, his services as employee of such employer; (2) with respect to the payment or delivery of any money or other thing of value in satisfaction of a judgment of any court or a decision or award of an arbitrator or impartial chairman or in compromise, adjustment, settlement or release of any claim, complaint, grievance, or dispute in the absence of fraud or duress; (3) with respect to the sale or purchase of an article or commodity at the prevailing market price in the regular course of business; (4) with respect to money deducted from the wages of employees in payment of membership dues in or periodic payments to a labor organization: *Provided*, That the employer has received from each employee, on whose account such deductions are made, a written assignment which shall not be irrevocable for a period of more than 1 year, or beyond the termination date of the applicable collective agreement, whichever occurs sooner; (5) with respect to money or other thing of value paid to a trust fund established by such representative, for the sole and exclusive benefit of the employees of such employer, and their families and dependents (or of such employees families, and dependents jointly with the employees of other employers making similar payments, and their families and dependents): *Provided*, That (A) such payments are held in trust for the purpose of paying, either from principal or income or both, for the benefit of employees, their families and dependents, for medical or hospital care, pensions on retirement or death of employees, compensation for injuries or illness resulting from occupational activity or insurance to provide any of the foregoing, or unemployment benefits or life insurance, disability and sickness insurance, or accident insurance; (B) the detailed basis on which such payment is to be made is specified in a written agreement with the employer, and employees and employers are equally represented in the administration of such fund, together with such neutral persons as the representatives of the employers and the representatives of employees may agree upon and in the event the employer and employee groups deadlock on the administration of such fund and there are no neutral persons empowered to break such deadlock, such agreement provides that the two groups shall agree on an impartial umpire to decide such dispute, or in event of their failure to agree within a reasonable length of time, an impartial umpire to decide such dispute shall, on petition of either group, be appointed by the district court of the United States for the district where the trust fund has its principal office, and shall also contain provisions for an annual audit of the trust fund, a statement of the results of which shall be available for inspection by interested persons at the principal office of the trust fund and at such other places as may be designated in such written agreement; and (C) such payments as are intended to be used for the purpose of providing pensions or annuities for employees are made to a separate trust which provides that the funds held therein cannot be used for any purpose other than paying such pensions or annuities; or (5) with respect to money or other thing of value paid by an employer primarily engaged in the building and construction industry to a trust fund established by such representative for the purpose of pooled vacation benefits or defraying costs of apprenticeship or other training program for employees engaged (or who, upon their employment will be engaged) in the building and construction industry: *Provided*, That the requirements of clause (B) of the proviso to clause (5) of this subsection shall apply to such trust funds."

TITLE II—TRUSTEESHIPS

SEC. 201. (a) Every national or international labor organization engaged in an industry affecting commerce which has or assumes trusteeship over any subordinate organization shall file with the Secretary within 30 days after the date of the enactment of this act or the imposition of any such trusteeship and, semiannually thereafter, a report, signed by its president and secretary or corresponding principal officers, containing the following information: (A) the name and address of the subordinate organization; (B) the date of establishing the trusteeship; (C) a detailed statement of the reason or reasons for establishing or continuing the trusteeship; (D) the nature and extent of participation by the membership of the subordinate organization in the selection of delegates to represent such organization in regular or special conventions or other policy-determining bodies and in the election of officers of such national or international labor organization.

(b) The provisions of sections 104, 105, and subsections (c) and (d) of section 106 of title I shall be applicable to reports filed under this title.

(c) Any person who willfully violates or fails to comply with any provision of this section or the rules or regulations issued thereunder shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(d) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any report required under the provisions of this section or the rules and regulations issued thereunder, or willfully conceals or destroys any documents or records upon which such report is based, shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(e) Each individual required to sign a report under this section shall be personally responsible for the filing of such report and for any statement contained therein.

(f) Every labor organization required to submit a report under this title shall make available the information required to be contained in such report to all of its members in any subordinate organization involved in such form and manner as the Secretary shall by regulation prescribe.

SEC. 202. Trusteeships shall be established and administered by a national or international labor organization over a subordinate body only in accordance with the constitution of such organization and for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of such labor organization.

SEC. 203. (a) During any period when a subordinate body of a labor organization is in trusteeship, it shall be unlawful (1) to count the vote of delegates from such body in any convention or election of officers of the labor organization unless the delegates have been chosen by secret ballot in an election in which all the members in good standing of such subordinate body were eligible to participate or (2) to transfer to such organization any current receipts or other funds of the subordinate body except the normal per capita tax and assessments payable by subordinate bodies not in trusteeship: *Provided*, that nothing herein contained shall prevent the distribution of the assets of a labor organization in accordance with its charter or constitution and bylaws upon the bona fide dissolution thereof.

(b) Any person who shall willfully violate the provisions of this section shall be fined not more than $10,000 or imprisoned not more than one year or both.

SEC. 204. (a) Upon the written complaint of any member or subordinate body of a labor organization alleging that such organization has violated the provisions of section 202 or 203, the Secretary shall investigate the complaint and if the Secretary finds probable cause to believe that such violation has occurred and has not been remedied he shall, without disclosing the identity of the complainant, bring a civil action in any district court of the United States having jurisdiction of the labor organization to prevent and restrain such violation and for such other relief as may be appropriate.

(b) For the purpose of actions under this section district courts of the United States shall be deemed to have jurisdiction of a labor organization (1) in the district in which such organization maintains its principal office, or (2) in any district in which its duly authorized officers or agents are engaged in conducting the affairs of the trusteeship. Such organization may be sued as an entity. The service of summons, subpena, or other legal process of any court of the United States upon an officer or agent of a labor organization in his capacity as such, shall constitute service upon the labor organization.

(c) In any proceeding pursuant to this section a trusteeship established by a labor organization in conformity with the procedural requirements of its constitution and bylaws and authorized or ratified by the executive board or similar governing body of the labor organization after a fair hearing shall be presumed valid for a period of eighteen months from the date of its establishment and shall not be subject to attack during such period except upon clear and convincing proof that the trusteeship was not established in good faith for a purpose allowable under section 202. After the expiration of eighteen months the trusteeship shall be presumed invalid in any such proceeding and its discontinuance shall be decreed unless the labor organization shall show by clear and convincing proof that the continuation of the trusteeship is necessary for a purpose allowable under section 202. In the latter event the court may dismiss the complaint, enter a decree approving the continuation of the trusteeship for such period as it deems appropriate, but not longer than one additional year or retain jurisdiction of the cause.

SEC. 205. The Secretary shall submit to the Congress at the expiration of three years from the date of enactment of this Act a report upon the operation of this title.

SEC. 206. Nothing contained in this title shall be deemed to authorize any suit in any court of the United States except upon complaint of the Secretary. The rights and remedies provided by this title shall be in addition to any and all other rights and remedies at law or in equity: *Provided*, That upon the filing of a complaint by the Secretary the jurisdiction of the district court over such trusteeship shall be exclusive and the final judgment shall be res judicata.

TITLE III—ELECTIONS

SEC. 301. (a) Every national or international labor organization engaged in an industry affecting commerce, except a federation of national or international labor

organizations, shall elect the officers named in its constitution and the members of its executive board or similar governing body not less often than once every four years either by secret ballot among the members in good standing or at a convention of delegates chosen by secret ballot and in accordance with its constitution and bylaws.

(b) Every local labor organization engaged in an industry affecting commerce shall elect the officers named in its constitution and the members of its executive board or similar governing body not less often than once every three years by secret ballot among the members in good standing and in accordance with its constitution and bylaws.

(c) In any election required by this section to be held by secret ballot a reasonable opportunity shall be given for the nomination of candidates, and the members in good standing shall be permitted to vote without coercion and restraint. Not less than fifteen days prior to the election there shall be mailed to each member at his last known home address a notice of the time and place of the election, unless the election is held at the regular time specified in the constitution and bylaws of such organization on file with the Secretary of Labor. Each member in good standing shall be entitled to one vote. No member whose dues have been withheld by his employer for payment to such organization pursuant to his voluntary authorization provided for in a collective bargaining agreement shall be declared ineligible to vote or be a candidate for office in such organization by reason of alleged delay or default in the payment of dues. The election officials designated in the constitution and bylaws or the secretary, if no other official is designated, shall preserve for one year the ballots and all other records pertaining to the election. The election shall be conducted in accordance with the constitution and bylaws of such organization insofar as they are not inconsistent with the provisions of this title.

(d) When officers are chosen by a convention of delegates elected by secret ballot, the convention shall be conducted in accordance with the constitution and bylaws of the labor organization insofar as they are not inconsistent with the provisions of this title. The officials designated in the constitution and bylaws or the secretary, if no other is designated, shall preserve for one year the credentials of the delegates and all minutes and other records of the convention pertaining to the election of officers.

(e) No moneys received by any labor organization by way of dues, assessment, or similar levy, and no moneys of an employer shall be contributed or applied to promote the candidacy of any person in an election subject to the provisions of this title. Such moneys of a labor organization may be utilized for notices, factual statements of issues, and other expenses necessary for the holding of an election.

(f) If the Secretary, upon application of any member of a local labor organization engaged in an industry affecting commerce, finds that the constitution and bylaws of such labor organization do not provide an adequate procedure for the removal of an elected officer guilty of serious misconduct, such officer may be removed for cause shown and after notice and hearing by the members in good standing voting in a secret ballot conducted by the officers of such labor organization in accordance with its constitution and bylaws insofar as they are not inconsistent with the provisions of this title.

(g) The Secretary shall promulgate rules and regulations prescribing minimum standards for carrying out the provisions of subsection (f).

SEC. 302. (a) A member of a labor organization—

(1) who has exhausted the remedies available under the constitution and bylaws of such organization and of any parent body, or

(2) who has invoked such available remedies without obtaining a final decision within four calendar months after their invocation, may file a complaint with the Secretary of Labor within one calendar month thereafter alleging the violation of any provision of section 301 (including violation of the constitution and bylaws of the labor organization.) The challenged election shall be presumed valid pending a final decision thereon (as hereinafter provided) and in the interim the affairs of the organization shall be conducted by the officers elected or in such other manner as its constitution and bylaws may provide.

(b) The Secretary shall investigate such complaint and if he finds probable cause to believe that a violation of this Act has occurred and has not been remedied, he shall, within sixty days after the filing of such complaint bring a civil action against the labor organization as an entity in the district court of the United States in which such labor organization maintains its principal office to set aside the invalid election, if any, and to direct the conduct of an election under the supervision of the Secretary and in accordance with the provisions of this title and such rules and regulations as the Secretary may prescribe. The service of summon, subpena or other legal process of a court of the United States upon an officer or agent of a labor organization in his capacity as such shall constitute service upon the labor organization.

(c) If upon a preponderance of the evidence after a trial upon the merits the court finds—

(1) that an election has not been held within the time prescribed by section 301, or

(2) that the violation of section 301 affected the outcome of an election,

the court shall declare the election, if any, to be void and direct the conduct of a new election under supervision of the Secretary and, so far as lawful and practicable, in conformity with the constitution and bylaws of the labor organization. The Secretary shall promptly certify to the court the names of the persons elected and the court shall thereupon enter a decree declaring such persons to be the officers of the labor organization.

(d) An order directing an election, dismissing a complaint or designating elected officers of a labor organization shall be appealable in the same manner as the final judgment in a civil action but an order directing an election shall not be stayed pending appeal.

(e) If the court declares an election to be void after a trial on the merits, it shall have power to take appropriate steps to preserve and safeguard the assets of the organization pending the selection of officers.

SEC. 303. The duties imposed and the rights and remedies provided by this title shall be exclusive, and no labor organization subject to the provisions of this title shall be required to conduct elections of officers with greater frequency or in a different form or manner than is required by this title.

SEC. 304. The provisions of this title shall become applicable—

(1) ninety days after the date of enactment of this Act in the case of a labor organization whose constitution and bylaws can lawfully be modified or amended by action of its constitutional officers or governing body, or

(2) where such modification can only be made by a constitutional convention of the labor organization, not later than the next constitutional convention of such labor organization after the date of enactment of this Act, or two years after such date, whichever is sooner.

SEC. 305. (a) No person who has been convicted of robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, or conspiracy to commit any of such crimes shall serve as an officer, director, trustee, member of any executive board or similar governing body, business agent, manager, paid organizer or other paid officer or employee of a labor organization engaged in an industry affecting commerce, unless the Secretary determines that such person's services as an officer, director, trustee, member of an executive board or similar governing body, business agent, manager or paid organizer of such organization would not be contrary to the purposes of this Act. Prior to making such a determination the Secretary shall hold an administrative hearing and shall give notice of such proceeding by certified mail to the State, county and Federal prosecuting officials in the jurisdiction or jurisdictions in which such person was convicted and also in the jurisdiction in which he proposes to serve a labor organization. The Secretary's determination in any such proceeding shall be final.

(b) No person, who after notice by the Secretary, shall have failed to file any information required by title I or title II, and who, after a hearing on a written record, is determined by the Secretary to have violated title I or title II, and no person who has been convicted of any violation of title I or title II shall serve as an officer, director, trustee, member of any executive board or similar governing body, business agent, international representative, manager, paid organizer or other paid officer or employee at compensation exceeding $4,000 per annum of a labor organization engaged in an industry affecting commerce for a period of five years after such determination by the Secretary or such conviction. No labor organization or officer thereof shall knowingly and willfully permit any person to assume or hold any office or paid position in violation of this subsection.

(c) Any person who violates this section shall be fined not more than $10,000, or imprisoned for not more than one year, or both.

(d) For the purposes of this section any person who has been convicted of a violation of title I or title II shall be deemed to have been "convicted" and under the disability of "conviction" from the date of the judgment of the trial court or the date of the final sustaining of such judgment on appeal, whichever is the later event.

TITLE IV—CODES OF ETHICAL PRACTICES

SEC. 401. (a) The Congress hereby declares that it is in the national interest that—

(1) national and international labor organizations and nationwide and industry-wide associations of employers engaged in industries affecting commerce shall voluntarily adopt or subscribe to codes of ethical practices obligating such labor organizations or employers, as the case may be, to adhere to principles and procedures which, with due regard to their traditions and background and their customary forms and procedures, will effectively eliminate and prevent improper and unethical activities in the administration of their affairs, in the use and expenditure of their funds, and in their relations with each other;

(2) codes of ethical practices for the administration of the affairs and the use and expenditures of the funds of a national or international labor organization engaged in an industry affecting commerce shall contain provisions to safeguard the democratic rights and privileges of members and to eliminate and prevent improper and unethical activities on the part of labor organizations or their subordinate bodies or organizations, or any officer or representative thereof, and measures and procedures to assure effective implementation and enforcement of such provisions;

(3) codes of ethical practices for the conduct of the business and the use and expenditure of funds of an employer engaged in an industry affecting commerce shall con-

tain provisions to promote harmonious relationships between such employer and labor organizations which represent or seek to represent such employer's employees and to eliminate and prevent improper and unethical activities by the employed, or any officer or representative thereof in derogation of the rights of employees under section 7 of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended, and measures and procedures to assure effective implementation and enforcement of said provisions; and

(4) codes of ethical practices shall contain appropriate provisions for the publishing of the provisions thereof to employers and employees in the industry affected and to the public.

(b) Codes of ethical practices shall not authorize or sanction any conduct on the part of labor organizations or employers, or officers or representatives thereof, which violates any Federal, State, or local law.

SEC. 402. (a) There is hereby established an Advisory Committee on Ethical Practices (hereinafter referred to as the "Committee") to advise the Secretary in the administration of this Act.

(b) The Committee shall be composed of fifteen members appointed by the Secretary, of whom five shall be chosen from a panel nominated by bona fide labor organizations national or international in scope, five shall be chosen from a panel nominated by employer associations industrywide or national in scope, and five shall represent the public. Three members shall be appointed for a term of one year, three members for a term of two years, three members for a term of three years, three members for a term of four years, and three members for a term of five years, and thereafter appointment shall be for a term of five years, except that members appointed to fill vacancies occurring prior to the expiration of the terms of their predecessors shall be appointed only for the remainder of such terms. The terms of office of not more than one member representing labor organizations, one member representing employer associations, and one member representing the public shall terminate in any one year. The Committee shall meet at the request of the Secretary, but in any case not less frequently than four times each year, and whenever at least one-third of the members request a meeting. The members of the Committee shall receive compensation while attending meetings and performing work of the Committee at the rate of $50 a day, and shall receive necessary travel and other expenses incurred in connection with the work of the Committee.

(c) The Secretary shall provide such data and information, clerical assistance and other services and facilities as may be necessary for the Committee.

SEC. 403. The Secretary shall report to Congress not later than three years from the date of enactment of this Act on the progress achieved by labor organizations and employers in the elimination, through the voluntary adoption of self-policing codes of ethical practices, of improper activities in the administration of their affairs and the use and expenditure of their funds and shall include in such report such recommendations as he deems appropriate, based upon the experience of labor organizations and employers in adopting and implementing codes of ethical practices, pursuant to this title. The Secretary is authorized to file interim reports on these matters as part of his annual reports to Congress, pursuant to the provisions of section 9 of this Act entitled "An Act to create a Department of Labor", approved March 4, 1913 (5 U.S.C. 620).

TITLE V—DEFINITIONS AND MISCELLANEOUS

SEC. 501. As used in titles I, II, III, IV, and V of this Act—

(a) "Commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States or between any State and any place outside thereof. For purposes of this subsection, "State" includes any State of the United States, the District of Columbia, Hawaii, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act (ch. 345, 67 Stat. 462).

(b) An activity or industry "affecting commerce" means any activity or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce, and includes any activity or industry "affecting commerce" within the meaning of the Labor Management Relations Act of 1947, as amended.

(c) "Person" includes one or more individuals, labor organizations, partnerships, associations, corporations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, or receivers.

(d) "Employer" means any employer or any group or association of employers which is an employer within the meaning of any law of the United States relating to the employment of any employees or which, with respect to any private or public employment of employees, may deal with any labor organization concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work, and includes any person acting directly as an employer or indirectly in the interest of an employer in relation to an employee but does not include the United States or any wholly owned Government corporations or any State or political subdivision of a State.

(e) "Employee" means any individual employed by an employer.

(f) "Labor dispute" includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

(g) "Trusteeship" means any receivership, trusteeship, or other method of supervision or control whereby a labor organization suspends the autonomy otherwise available to a subordinate body under its constitution or bylaws.

(h) "Labor organization" means any organization of any kind, any agency, or employee representation committee, group, association, or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment.

(i) "Labor organization engaged in an industry affecting commerce" means a labor organization which—

(1) is the certified representative of employees under the provisions of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended; or

(2) although not certified, is recognized or acting as the representative of employees of an employer or employers engaged in an industry, business, or activity affecting commerce; or

(3) has chartered a local labor organization or subsidiary body which is representing or actively seeking to represent employees of employers within the meaning of paragraphs (1), or (2); or

(4) has been chartered by a labor organization representing or actively seeking to represent employees within the meaning of paragraphs (1) or (2) as the local or subordinate body through which such employees may enjoy membership or become affiliated with such labor organization; or

(5) is a conference, joint board, joint council, or other association or aggregation of labor organizations, as heretofore defined, subordinate to a national or international labor organization other than a State or local central body.

(j) "Secret ballot" means any secret written, referendum, or voting machine ballot.

SEC. 502. Nothing contained in titles I, II, III, IV, or V of this Act shall be construed to confer any rights, privileges, immunities, or defenses upon employers, or to impair or otherwise affect the rights of any person under the National Labor Relations Act, as amended, or the Railway Labor Act, as amended.

SEC. 503. For the purpose of any investigation provided for in this Act, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (15 U.S.C. 49, 50), are hereby made applicable to the jurisdiction, powers, and duties of the Secretary of Labor or any officers designated by him.

TITLE VI—AMENDMENTS TO THE LABOR-MANAGEMENT RELATIONS ACT OF 1947, AS AMENDED

SEC. 601. (a) Section 14 of the National Labor Relations Act, as amended, is amended by adding a new subsection as follows:

"(c) The National Labor Relations Board shall assert jurisdiction over all labor disputes arising under the National Labor Relations Act, as amended: *Provided*, That the Board is empowered by agreement with any agency of any State or Territory to cede to such agency jurisdiction over any cases in any industry (other than mining, manufacturing, communications, and transportation except where predominantly local in character) even though such cases or kinds of cases may involve labor disputes affecting commerce, unless the provision of the State or Territorial statute applicable to the determination of such cases or kinds of cases by such agency is inconsistent with the corresponding provision of this Act or has received a construction inconsistent therewith."

(b) Section 10(a) of the National Labor Relations Act, as amended, is amended by repealing the proviso thereto.

SEC. 602. (a) Section 8(b) of the National Labor Relations Act, as amended, is amended by striking out the word "and" at the end of paragraph (5), striking out the period at the end of paragraph (6), and inserting in lieu thereof a semicolon and the word "and", and adding a new paragraph as follows:

"(7) to carry on picketing on or about the premises of any employer for the purpose of, or as part of any conspiracy or in furtherance of any plan or purpose for, the personal profit or enrichment of any individual by taking or obtaining any money or other thing of value from such employer against his will or with his consent."

(b) Section 10(l) of the National Labor Relations Act, as amended, is hereby amended by inserting after "paragraph (4)(A), (B), or (C)" the words "or paragraph 7".

SEC. 603. (a) After section 8 of the National Labor Relations Act, as amended, insert the following new subsection:

"(e) It shall not be an unfair labor practice under subsections (a) and (b) of this section for an employer engaged primarily in the building and construction industry to make an agreement covering employees engaged (or who, upon their employment, will be engaged) in the building and construction industry with a labor organization (not established, maintained, or assisted by any action defined in section 8(a) of this Act as an unfair labor practice) because (1) the majority status of such labor organization

has not been established under the provisions of section 9 of this Act prior to the making of such agreement, or (2) such agreement requires as a condition of employment, membership in such labor organization after the seventh day following the beginning of such employment or the effective date of the agreement, whichever is later, or (3) such agreement requires the employer to notify such labor organization of opportunities for employment with such employer, or gives such labor organization an opportunity to refer qualified applicants for such employment, or (4) such agreement specifies minimum training apprenticeship, or experience qualifications for employment or provides for priority in opportunities for employment based upon length of service with such employer, in the industry or in the particular geographical area: *Provided,* That nothing herein shall set aside the final proviso to section 8(a)(3) of this Act: *Provided further,* That any agreement to which clause (1) of this subsection applies, not otherwise constituting a bar to a petition filed pursuant to section 9(c) or 9(e), shall not become a bar to such petitions solely by reason of this subsection."

(b) Nothing contained in the amendment made by subsection (a) shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited by State or Territorial law.

SEC. 604. Section 9(c)(3) of the National Labor Relations Act, as amended, is amended by striking out the second sentence thereof.

SEC. 605. Section 2(11) of the National Labor Relations Act, as amended, is amended to read as follows:

"(11) The term 'supervisor' means any individual having authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or to adjust their grievances, or one who does effectively recommend such action, or whose principal function is responsibly to direct other employees, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment."

SEC. 606. If any provision of this Act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

REGULATION OF MANUFACTURE AND DISTRIBUTION OF HABIT FORMING BARBITURATE AND AMPHETAMINE DRUGS

Mr. HENNINGS. Mr. President, one of the more important functions of the Federal Government is to protect the American people from the harm which results from the use and transportation of dangerous drugs. As author of the original law controlling the use and transportation of marihuana, I am well aware that cities, counties, and States find it extremely difficult to exercise control over dangerous narcotics unless local laws are bolstered and bulwarked by Federal law. While serving as criminal prosecutor in St. Louis, I saw the usefulness of Federal laws when dealing with narcotic cases. In this field, the Federal Government has served the Nation well. It is my belief, however, that more work remains to be done.

The Subcommittee To Investigate Juvenile Delinquency, of which I have the honor to be chairman, has become increasingly concerned over the growing use of two drugs which are being utilized—mainly by juveniles and our younger citizens—to produce mental effects harmful to the individual and harmful to the society in which the individual lives. I refer to the drugs known as the amphetamines and the barbiturates.

Amphetamines and barbiturates are not classified as narcotics. They have many legitimate and beneficial medical uses. They are, however, being used for narcotic purposes; and, when used in this way, they produce narcotic effects. It might be interesting to the distinguished occupant of the chair and to my other colleagues to know just how these drugs are obtained and used—or, as I should say, misused. To make this information available, I ask unanimous consent to have printed at this point in the RECORD a newspaper story from the Kansas City Star. The story deals with amphetamines, and is headlined, "Lack Controls on Thrill Drug."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LACK CONTROLS ON THRILL DRUG—MISUSE OF AMPHETAMINE IS INCREASING IN THIS AREA, OFFICIALS ASSERT—CAN BE CAUSE OF CRIME—UNITED STATES CAN'T ACT AND LOCAL OFFICIALS NEED MANPOWER TO STOP SALES

(By Harry Jones, Jr.)

Concern is mounting among city, State, and Federal authorities over the growing misuse of the stimulating drug called amphetamine. Viewed as a definite crime factor, it has become particularly serious in Kansas City the last 2 years.

Amphetamine, as it is extracted in large quantity from some nasal inhalers sold illegally here without prescription, is being used widely as a "thrill drug."

CAN LEAD TO CRIME

It causes much the same reaction in its users as narcotics, but does not have as harmful an effect on the physical condition. It tends to build up the nerve of its users to help them commit crimes they otherwise might not attempt.

Both Federal and State food and drug authorities say the problem is greater in Kansas City than in any other community in Missouri, Kansas, Oklahoma, or Nebraska.

Users in the Kansas City area are purchasing a certain amphetamine preparation by name, but various types are available. Amphetamine is the basic ingredient in benzedrine preparations widely used as stimulants.

Unlike the narcotics traffic here, which has been restricted mainly to the Negro population, nearly all of the amphetamine users are white, according to Lt. John Flavin, head of the police narcotics bureau.

KNOW OF 200

"There are about 200 known users in the city," he said, "and that means there probably are at least 200 more we don't know about.

"The men range in age from about 18 to 40, with the bulk in their twenties. The women are mainly between 14 to 25. And they string from Ward Parkway to Missouri Avenue, with most of them south of 39th Street. They are even in some of the city's best high schools.

"It's worse than heroin in some ways, because they inject so much of it into their veins. Some use it up to 25 times a day."

Ninety-five percent of the frequent users here extract the drug from a nasal inhaler, which usually retails for about 75 cents a tube, and contains 200 milligrams of amphetamine in the fabric interior of its tube. Amphetamine tablets sold legitimately at most drugstores on prescription contain only 5 or 10 milligrams of the drug.

EIGHT TYPES PRODUCED

Clifford L. Summers, director of the Missouri Bureau of Food and Drug Inspection, said he understands there are some 8 to 10 amphetamine-type inhalers manufactured in the country.

Evan Wright, director of the food and drug division of the Kansas Board of Health, last week put out an administrative order to the Kansas drug trade stating that the sale of inhalers containing amphetamine as the primary active ingredient is in violation of the State's new Dangerous Hypnotic and Stimulating Drug Act passed last year.

The Kansas City City Council passed an ordinance in September at the suggestion of the sheriff's office and police to require a prescription for the sale of such inhalers.

Flavin, however, believes misuse of the drug has not diminished since the ordinance went into effect and that it probably will grow unless State and Federal laws are strengthened. Missouri has no such act as Kansas and therefore is unable to outlaw the sale by administrative order as Kansas just did.

A LACK OF MANPOWER

Flavin said there are several druggists in the city still selling the inhalers illegally. "The narcotics bureau does not have the manpower to clamp down on these druggists effectively now," Flavin said. The Federal Narcotics Bureau lacks jurisdiction over amphetamine because the drug is not a narcotic.

Summers estimates that 15 percent of the druggists in Kansas City are selling drugs illegally without prescriptions. Flavin said the chain drugstores have quit handling the amphetamine type of inhalers.

The city counselor's office here reports several arrests have been made on the new ordinance, but all but two defendants were released before going to municipal court because of lack of sufficient evidence. One of these was released in court for the same reason. The other, Gary Arthur Hamilton, 22 years old, 3426 Flora Avenue, received a 60-day sentence to the municipal farm.

Flavin said most of the amphetamine users known to police congregate in taverns, drugstores, and drive-ins in the vicinity of Linwood and Troost, 47th and Prospect, 31st and Woodland, and 10th and Pennsylvania, in some taverns and motels in southern Jackson County and in some taverns in Johnson and Wyandotte Counties that sell 3.2 beer to the younger set.

TEN ARRESTED PER WEEK

At least 10 users are taken into police headquarters each week for one crime or another, Flavin said.

"Medical opinion differs as to whether amphetamine is habit forming," Sam D. Fine, chief of the Kansas City district of the Federal Food and Drug Administration, said. "It isn't habit forming like narcotics are, but once the users have experienced the effects, they want to reexperience it."

Fine stressed that the drug has legitimate medical uses and can do great harm only when misused. It does not create energy in the body, but whatever is stored up is released by hiding the feeling of tiredness and the need of sleep.

When improperly used as a stimulant, it tends to create reckless behavior and may be a cause in connection with traffic accidents, wild parties, assaults, burglaries, loss of morals, and health and delinquency.

Most users here inject the amphetamine into their veins. It can be taken orally or chewed, but the stimulus is not as great.

Death has been caused by the misuse of the drug. A 21-year-old Galena, Kans., woman died last year from the effect of chewing the fabric containing amphetamine. She became violently ill in a tavern shortly after chewing it and died 6 days later in a hospital.

The U.S. official, Fine, who knows of the problem on a nationwide scale, has indicated concern over the drug's misuse both by those who take it from inhalers for thrills and truckdrivers who use bootlegged tablets to keep awake on the road. Some users call them "bennies," "nebbies" or "bizz" pills. Truckdrivers call them "copilots."

MISUSE INCREASING

"There's an increasing number of reports of the misuse of amphetamine in this area," Fine said. "We keep sending reports to Washington saying, 'Here's more and more evidence of abuse.' There may be some better controls coming.

"Right now the stuff can be sold over the counter as far as Federal laws are concerned, so we can't do anything about it unless interstate transportation is involved. There are lots of complaints in this district, but it is also heavy in Tulsa and Oklahoma City."

Carl Austin Hall, executed in the murder of 6-year-old Bobby Greenlease, used amphetamine to stimulate himself to kidnap and slay the boy, he told a Federal food and drug inspector.

"It has been my experience that for $20 most anyone can make buys of it," Hall told the official.

And the FBI found in the pocketbook of Mrs. Bonnie Heady, also executed for the Greenlease crime, a 100-tablet bottle of amphetamine.

Mr. HENNINGS. Mr. President, the result of the misuse of these drugs is extremely dangerous. In psychological terms, the frustration point of the user is lowered, causing him to react violently against those who stand in his way. Moral values are lessened, allowing the individual user to act in a way contrary to his normal frame of mind. Police have found amphetamines and barbiturates a factor in crime, particularly juvenile crime. Teenagers often take them just before committing some criminal act, and many users admit that they would not have the nerve to commit a crime unless they took amphetamines.

Therefore, in order to protect the public health and to aid local governments in controlling the misuse of these drugs, I introduced for appropriate reference a bill regulating the manufacture, compounding, processing and distribution of amphetamine and barbiturate drugs.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 535) to protect the public health by regulating the manufacture, compounding, processing, and distribution of habit forming barbiturate and amphetamine drugs, introduced by Mr. HENNINGS, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

EQUALIZATION OF PAY OF RETIRED MEMBERS OF UNIFORMED SERVICES

Mr. JACKSON. Mr. President, on behalf of myself and Senators SYMINGTON, THURMOND, KUCHEL, ENGLE, CHAVEZ, NEUBERGER, and HENNINGS, I introduce, for appropriate reference, a bill to equalize the pay of retired members of the uniformed services. I ask unanimous consent that the bill may lie on the desk for 24 hours for the purpose of permitting other Senators to cosponsor it.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Washington.

The bill (S. 541) to equalize the pay of retired members of the uniformed services, introduced by Mr. JACKSON (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Armed Services.

AMENDMENT OF TARIFF ACT OF 1930, RELATING TO IMPORTATION OF CERTAIN TRADEMARKED ARTICLES

Mr. JAVITS. Mr. President, the bill is to amend the Tariff Act of 1930 to remove restrictions on importation of certain articles by persons returning from abroad. It deals with the prohibition of the importation of certain trademarked articles without the consent of the trademark's owner. It is particularly onerous with respect to perfume and similar items. I hope very much we can have action on the bill in this session.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 542) to permit the importation of a trademarked article, without the consent of the owner of the trademark, when such article is for the personal use of the person importing such article, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Finance.

Mr. JAVITS. Mr. President, this represents another element in my longstanding interest in the promotion of international travel, upon which this matter bears.

I have today introduced in the Senate a bill to remove a tariff restriction which U.S. customs officials report to be a source of major annoyance to Americans returning from abroad. It would amend the Tariff Act of 1930 to permit the importation of trademarked articles without the consent of the trademark's owner when the item is for the personal use of the traveler, a gift from a serviceman abroad or is part of the personal effects of a Government employee or immigrant.

The long overdue change I am proposing would eliminate a minor provision in the present tariff laws which is a major cause of irritation and embarrassment to American travelers and considerable inconvenience for customs officers. It would remove the existing prohibition against importation of trademarked items without the written permission of the trademark's owner, permitting U.S. tourists to bring home world-famous brands of perfumes, cameras, watches, and so forth, as long as they are meant for the purchaser's own use and their value is charged against the personal exemption allowed. At the present time, U.S. residents may bring in articles duty free up to the amount of $200 if they have been outside the country for at least 48 hours, $300 if they have been gone 12 days or more, up to a maximum of $500 for any single trip extending beyond that period.

The tremendous expansion in U.S. tourist travel to foreign countries has meant that the great majority of American travelers annually avail themselves of the opportunity to purchase abroad for their own use such items as binoculars, watches, records, musical instruments, jewelry, cameras, perfumes, and various toilet articles bearing popular trade names. Most of them are unaware that there is a long, constantly changing list of such articles which they cannot bring home, even if their total cost falls within their personal exemption, unless they have obtained the written consent of the trademark owner. As a result, customs officers are forced to seize these items from the baggage of the U.S. residents returning home and withold them from the purchaser regardless of value.

There is little rhyme or reason to the present provision, for in a number of cases, trademark owners of famous perfumes limit tourists to one bottle each without written permission, while in the case of many other equally well known products, not a single item may be imported. In addition, the U.S. Tariff Commission has gone on record in regard to severe criticism leveled at this restriction and the many complaints about it filed by American travelers. The Commission also points out that customs officers are put to a considerable amount of extra work in connection with enforcing it.

Similar legislation dealing with this tariff restriction was introduced in the 85th Congress by Senator FREDERICK G. PAYNE, of Maine, of which I was cosponsor. Following its review by the Treasury Department, which declared itself in favor of the purpose of the bill, the present measure was drafted incorporating the Department's suggestions.

ADDITIONAL FUNDS FOR URBAN RENEWAL PROJECTS UNDER TITLE I OF HOUSING ACT OF 1949

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill to authorize additional funds for urban renewal projects under title I of the Housing Act of 1949, and for other purposes. I ask unanimous consent that the bill may lie at the desk until the close of business tomorrow for additional cosponsorship.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie at the desk, as requested by the Senator from New York.

The bill (S. 543) to authorize additional funds for urban renewal projects under title I of the Housing Act of 1949, and for other purposes, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Banking and Currency.

VOTERS' INFORMATION ACT OF 1959

Mr. JAVITS. Mr. President, I also introduce a bill which will be introduced in the other body by Representative DOOLEY, of New York, which proposes to stimulate increased citizens' participation in government and elections, which is called the Voters' Information Act of 1959. The bill provides for the prominent display in post offices of information concerning registrations, elections, and voters' qualifications, as well as the names and office addresses of U.S. Representatives and Senators representing the area served by the post office.

Mr. President, it is a truism that in our country, the greatest free country on earth, the proportion of the population voting is considerably less than it is in other countries having generally the same systems of government. Even in presidential election years only about two-thirds of the voters go to the polls. That compares with about 80 percent of voters going to the polls in Great Britain, France, and other countries of the same general character.

Mr. President, we have to find ways and means of stimulating voting. The measure which I am introducing today could be of some assistance in realizing this objective.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 544) to provide for posting information in post offices with respect to registration and voting, and for other purposes, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

Mr. JAVITS. I have today introduced a bill to stimulate increased citizen participation in government and elections. Called the Voters Information Act of 1959, it provides for the prominent display in post offices of information concerning registration, elections, and voter qualifications along with name and office address of the Representatives and U.S. Senators representing the areas served by the post office. This measure is being cosponsored in the House of Representatives by Representative EDWIN B. DOOLEY, of New York.

A measure of this kind to encourage eligible U.S. citizens to exercise their right to vote as set forth in the Constitution, regardless of race, creed, color or national origin, clearly deserves consideration by the Congress on a strictly nonpartisan basis. Now that the turmoil of last November's election is past, there is one result upon which we can all agree—it is not merely surprising, it is shocking that although 1958 set a record for off-year voting, less than 50 percent of those eligible to vote bothered to do so. At no off-year election have more than half the electorate cast ballots on a national average, although in New York State last year, about 54 percent voted.

In presidential years, the improvement is slight at best. In the record year of 1952, 62.7 percent of the eligible voters went to the polls, but 4 years later, the percentage participating slipped to 60.4 percent. Thus, at a time when U.S. policies as formulated and put into effect by our elective officials have an unprecedented impact on the future of our Nation and the free world, about one-third of the eligible voters in this country can elect a President.

Because our record of voter participation is generally lower than that of many other major democratic nations in the world, proposals for compulsory voting legislation similar to that enacted in countries like New Zealand, Belgium, Mexico, and Australia are gaining some support. Several of our States, including North Dakota and Massachusetts, already have such provisions on their books but they have never been enforced.

I do not believe that compulsory voting is the answer. Neither Great Britain nor Canada have statutes to compel voting, and yet they consistently report that between 7 and 8 out of every 10 qualified persons do go to their polls. At the end of the last century here in the United States 83 percent of our eligible voters took part in national elections.

The task before us now is to devise a practical method of increasing the average voter's personal knowledge about the time, place, and date of registration and elections, and make readily available to him the information on how to contact those who represent him in the House and the Senate. Possessing these facts, he will be greatly encouraged to register voluntarily his opinion on major issues by contacting his Representatives in Congress and by going to the polls at the next election. The Voters' Information Act of 1959, which I am introducing today, should be a measure of assistance in realizing those objectives.

The act provides that—

There shall be posted in a prominent place in each post office information with respect to the qualifications for registration and voting, the places, dates, and times for registration and voting at elections in the area served by such post office.

There shall likewise be posted in each post office the names and office addresses of the United States Senators from the State and Representatives in Congress from the congressional district in which such post office is situated.

APPOINTMENT OF TWO ADDITIONAL JUDGES FOR DISTRICT OF CONNECTICUT

Mr. BUSH. Mr. President, I introduce, for appropriate reference, bills to provide for the appointment of two additional district judges for the district of Connecticut, and to provide for the holding of terms of the district court for the district of Connecticut at Bridgeport.

My distinguished colleague the junior Senator from Connecticut [Mr. DODD] joins me in sponsorship of these measures.

Mr. President, these bills are endorsed by the Federal bench and bar of my State, and their enactment has been recommended for several years by the Administrative Office of the United States Courts. They are identical to bills introduced in former years by myself and former Senator Purtell in the 84th and 85th Congresses.

The bill authorizing the appointment of two additional district judges was passed by the Senate in the 85th Congress, but action upon it was blocked in the House of Representatives.

Mr. President, I have been disturbed by reports that action on this needed legislation will again be delayed, until after the presidential elections of 1960.

I hope such reports are unfounded, although the refusal of the two preceding Congresses to act on judgeship bills gives them some color of substance. To play politics with the administration of justice is indefensible.

Mr. President, I ask unanimous consent that a portion of a report by the Judiciary Committee of the Senate in the 85th Congress on a prior bill for two additional district judges for Connecticut be printed following these remarks.

The PRESIDING OFFICER. The bills will be received and appropirately referred; and, without objection, the report will be printed in the RECORD.

The bills, introduced by Mr. BUSH (for himself and Mr. DODD), were received, read twice by their titles, and referred to the Committee on the Judiciary, as follows:

S. 546. A bill to provide for the appointment of two additional judges for the district of Connecticut; and

S. 547. A bill to provide for the holding of terms of the district court for the district of Connecticut at Bridgeport.

The portion of the report presented by Mr. BUSH is as follows:

APPOINTMENT OF TWO ADDITIONAL DISTRICT JUDGES FOR THE DISTRICT OF CONNECTICUT

PURPOSE

The purpose of the proposed legislation is to create two additional district judgeships for the district of Connecticut, raising the complement of judges in that district from two to four.

STATEMENT

This legislation has been recommended by the Judicial Conference of the United States. In the 84th Congress the Judicial Conference of the United States has recommended one additional district judge for the district of Connecticut, and in their subsequent meetings in September 1956 and March 1957 enlarged that recommendation to the creation of two additional district judgeships for the district of Connecticut.

The second judgeship for the district of Connecticut was created in 1927, and there has been no addition to the judgepower of that State since then. The Judicial Council of the Second Circuit has likewise recommended two additional judgeships for the district.

The former recommendation of one additional district judgeship was approved and reported favorably by the committee when it reported S. 1256 of the 84th Congress, but no action was taken on that legislation. This district has been the subject of hearings in the 84th and 85th Congresses and statistics of the caseload of the district of Connecticut amply justify the addition of the judgeships requested.

The number of civil cases commenced in the district in the last 5 years has increased greatly and for the 5-year period was almost twice what it was in the previous 5 years. Civil cases filed in the fiscal year 1956 were 120 percent greater than in 1941. The total civil cases and the private civil cases commenced, terminated, and pending at the end of each year for the last 10 years are shown in the appendix to this report.

The private civil cases commenced in the last 5 years are 2½ times the number commenced in the previous half decade and the number filed in 1956 was six times the 1941 filings. According to the report of the Administrative Office of the United States Courts, this is of great importance in the assessment of the caseload, because private cases take, on the average, three times as much time of the judge as Government cases. The result of the increase has been a continuing rise in the number of pending private civil cases from 122 on June 30, 1947, to 606 on June 30, 1956, a fivefold increase. The number of total cases pending on June 30, 1956, 913, was three times the 305 cases pending 9 years previously.

The reason for the large increase in judicial business may be traced in part to the geographic location of the district. The State is a "conduit" for the flow of business and traffic between the large metropolitan and resort areas of New England and the large cities and farms which lie to the south. This brings to the district a continual stream of vehicular traffic and with it the personal-injury suits which grow out of automobile and truck accidents. The current volume of these cases per judge is more than twice the national average, 74 compared with a national average of 33 per judgeship in 1956. There is now one large modern highway which extends across the State from the New York border to the upper northeast corner and another toll superhighway is under construction which will link the cities along the coast from New York to Rhode Island.

Connecticut is the most highly industrialized State in the Nation and currently the various businesses in the State hold 10 percent of the dollar value of all defense contracts. Litigation concerning many of these contracts is now pending and more may be expected. Industry, and particularly the aircraft industry, is expanding rapidly.

As stated before, this district was the subject of extensive hearings particularly in the 85th Congress, at which evidence was submitted amply justifying the creation of these judgeships. The commitee, after a review of all of the evidence submitted and the recommendation therefor, is of the opinion that this legislation is meritorious and recommends S. 472 for the favorable consideration of the Senate.

GREAT LAKES BASIN COMPACT

Mr. MCNAMARA. Mr. President, on behalf of myself and Senators HART, WILEY, PROXMIRE, DIRKSEN, HUMPHREY, DOUGLAS, HARTKE, CAPEHART, LAUSCHE, CLARK, MCCARTHY, and SCOTT, I send to the desk for appropriate reference a bill to give congressional sanction to the Great Lakes Basin compact.

It has the support of the administration, Members of Congress for the States in the Great Lakes region, State governments in the region, and other organizations concerned with the development, use, and protection of the water resources of the Great Lakes.

The need in the Great Lakes region for an interstate agreement creating a joint agency such as the Great Lakes Commission has mounted rapidly with the growing importance to the States, the region, and the Nation of the water resources, presents many difficult problems requiring action at all levels of government. Their solution will only be accomplished by the cooperative efforts of Federal, State, and local governments.

Proposals that the Great Lakes States join in an interstate compact relating to the water resources of the Great Lakes have been advanced for more than a decade.

In its 1954 session, our Michigan Legislature enacted legislation authorizing our Governor to enter into a compact with the other Great Lakes States. The Michigan proposal envisioned an interstate organization, or commission, with factfinding, investigatory, and recommendatory powers which would consider problems relating to the waters and resources of the Great Lakes and it would recommend programs and policies to the respective State governments and to the Federal Government of the United States.

The Council of State Governments organized and conducted the Great Lakes States Seaway and Water Resources Conference in August 1954 and a resolution unanimously approved by the conference led to the development of the Great Lakes Basin compact.

Five States—Illinois, Indiana, Michigan, Minnesota, and Wisconsin—speedily ratified the compact during legislative sessions in 1955. Pennsylvania gave its approval in 1956. This record of six ratifications within 1 year has seldom, if ever, been matched by any other interstate compact of comparable nature. The New York Legislature in 1957 unanimously approved the compact. While the Governor vetoed the bill, his objections pertained strictly to certain features of the enabling legislation and not to the compact itself.

The compact which became effective on July 1, 1955, upon ratification by four States has for its primary purpose the orderly use, development, and conservation of the water resources of the Great Lakes Basin and to insure that all the Great Lakes may derive the maximum benefit from utilization of public works. The compact will also assist in maintaining a proper balance among industrial, commercial, agricultural, water supply, residential, recreational, and other uses of the water resources of the area.

Mr. President, this bill recognizes the national and international interest in the use and development of the Great Lakes as it specifically limits the Compact to the eight Great Lakes and it excludes participation by any Canadian Province. Section 2 of the bill clearly provides that the powers or rights of the United States are in no way affected. It requires the Great Lakes Commission to cooperate with agencies of the Federal Government; and spells out certain conditions and procedures which must be followed in matters of an international nature or concern.

This bill is identical with S. 1416 which I introduced in the last session. It passed the Senate on July 28 last year but unfortunately it was caught in the legislative logjam in the House in the closing hours of the session and it was not acted upon in the House. I believe this bill will contribute much to the welfare of one of the most important regions of our country. On behalf of Michigan and her sister States on the Great Lakes, I urge favorable action on this bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 548) granting the consent of Congress to a Great Lakes Basin compact, and for other purposes, introduced by Mr. MCNAMARA (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF CODE TO PROHIBIT FRAUD IN INTERSTATE AND FOREIGN COMMERCE OF CERTAIN SALES ACTIVITIES

Mr. MUNDT. Mr. President, during the 2d session of the 85th Congress, I introduced, on behalf of the Senator from Arkansas [Mr. MCCLELLAN] and myself, Senate bill 3889, the purpose of which was to eliminate certain unscrupulous practices in the advertising of real estate and business opportunities—in particular, the so-called advance-fee racket.

The activities of the advance-fee operators came to the attention of the Senate Permanent Investigating Subcommittee early last year; and, following a preliminary investigation by our subcommittee's professional staff, Senator MCCLELLAN and I decided to introduce proposed legislation designed to control this fraudulent enterprise. Initial hearings were held on the Mundt-McClellan bill late last summer by the Permanent Investigating Subcommittee; but the results of these hearings were inconclusive from the standpoint of determining the exact type of legislation which is needed in order to eliminate the racketeers from the real estate advertising business.

Since the original introduction of this measure, considerable national publicity has been given to the insidious advance-fee racket. The publicity has included an excellent feature article publised in the Saturday Evening Post. Mr. President, the Saturday Evening Post's reporter did such a thorough job of outlining the mechanics of this racket, that I ask unanimous consent that the article be printed in the RECORD, for the edification of all the Members of this body. I feel certain that this national publicity has served a beneficial purpose in alerting the American public to the techniques employed by these master "con men." However, I fear that publicity alone is not sufficient to eliminate this noxious growth from our American economic garden. I am, therefore, introducing, in cosponsorship with the Senator from Arkansas [Mr. MCCLELLAN] a revised version of Senate bill 3889, with the earnest hope that the 86th Congress will enact effective legislation to control the illicit advance-fee advertisers.

As I stated earlier, Mr. President, our initial hearings did not sufficiently advise our committee as to the overall scope and nature of the advance-fee racket. That additional Federal statutes are necessary to eradicate these fraudulent operators would seem to be beyond

dispute, based on our committee's inquiry thus far; but it is clearly evident that further hearings and study will be required in order to draft effective enforcement statutes to deal with this problem.

I introduce this bill, not as the final and all-perfect legislative formula, but merely as a vehicle to be used by our committee in continuing forward with full and comprehensive hearings on the subject of the advance-fee rackets. I shall welcome legislative recommendations from my colleagues and from interested private, public, and quasi-public bodies, such as the National Association of License Law Officials.

It is my hope that early hearings will be scheduled on this subject, and that the various Federal enforcement agencies will provide the committee with maximum advice and cooperation in the drafting of effective statutes to control and combat these racketeers, who have fleeced innocent Americans of millions of dollars. Mr. President, I recognize that under the Senate rules this bill would normally be referred to the Judiciary Committee; but due to the fact that the Permanent Investigating Subcommittee has already conducted the initial hearings, I make a special request that the bill be referred to the Committee on Government Operations, for the purpose of additional hearings and study.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota? The Chair hears none. Without objection, the bill will be referred to the Committee on Government Operations, and the article will be printed in the RECORD.

The bill (S. 550) to amend chapter 95 of title 18 of the United States Code to prohibit the perpetration of fraud in connection with the conduct in interstate or foreign commerce of certain sales activities, and for other purposes, introduced by Mr. MUNDT (for himself and Mr. MCCLELLAN), was received, read twice by its title, and referred to the Committee on Government Operations.

The article presented by Mr. MUNDT is as follows:

BEWARE THE ADVANCE-FEE RACKET—THIS CON GAME CHEATED AMERICANS OUT OF $50 MILLION IN THE PAST YEAR—THE BAIT: A PROMISE TO SELL THE VICTIM'S BUSINESS OR PROPERTY AT A PROFIT—THE BITE: A REASONABLE FEE, PAYABLE IN ADVANCE

(By John Kobler)

Proliferating like toadstools throughout the United States today is a noxious new species of con man, the advance-fee swindler. His sphere of operation is real estate; his prey, owners of distressed small properties and businesses, such as hotdog stands, truck farms, barbershops, and motels, from whom he mulcts sums ranging between $100 and $3,000 with fake promises of a quick sale. Many of the victims are elderly or invalid, almost all are in dire financial straits. California's assistant real estate commissioner, Donald McClure, calls it "one of the most vicious rackets we've ever had to deal with."

At first blush the advance-fee swindle appears so simple in its basic elements as to defy belief that it could entrap anybody above the I.Q. level of a moron. Yet innumerable dupes have parted with sizable amounts in the presence of their own lawyers. About 70 advance-fee outfits, some with interlocking directorships, are currently plying their wiles. In 1958 their combined loot came close to $50 million. So far no effective counterweapon has been devised.

Last May the National Association of License Law Officials assembled in Oklahoma City, full of wrath and frustration, to intensify its campaign against the swindlers. A month earlier the attorneys general of 11 Western States, Alaska and Hawaii, meeting in Portland, Oreg., pondered ways to prosecute them. None of the existing legal machinery, State or Federal, the majority agreed, was adequate. The following July the Senate Permanent Subcommittee on Investigations, under acting chairman Senator HENRY M. JACKSON, of Washington, held a 2-day hearing at which officials of the Federal Trade Commission, the United States Post Office, various State realty boards, and better business bureaus testified to the scope of the racket and the immunity of the racketeers.

A veteran FTC trial attorney, John W. Brookfield, disclosed that since 1955, when his office investigated the first complaint, he had managed to obtain cease-and-desist orders against only 5 advance-fee firms—the number now stands at 6 and the FTC is investigating 30. Without exception the culprits consented to the order; then, in several instances, their associates and/or employees promptly resumed operations under a new corporative setup. From a single Chicago company, Brookfield reported, 22 others had evolved. "Certainly," commented subcommitteeman Senator KARL E. MUNDT, of South Dakota, "we can't sit idly by while all these weeds grow up in our economic garden."

The apparent simplicity of the scheme is deceptive. As in every successful con game, the gimmick itself is secondary to a subtle interplay of showmanship, hypnotic verbiage, misstatement, and the desperation or avarice of the victim. Let us consider first a typical advance-fee transaction as it looked to the victim.

Until recently Mrs. Mildred Antes, of Oklahoma City, ran a training school for switchboard operators. It was a faltering enterprise with only 30 students. A divorcee of 49, chronically ill, who had never been happy away from her native town of Wichita Falls, Tex., longed to sell out and go home. Her hopes soared, therefore, when the mailman delivered the following post card from National Business & Property Exchange, Inc., of Los Angeles:

"DEAR FRIEND: I am planning on visiting your area soon. Through our publication, National Buyers' Guide, we have requests from people who are interested in buying businesses and properties in your area. If you want to sell, please drop me a line right away and I will stop in to see you."

Mrs. Antes dropped a line. A week later a dark, dynamic man in his early thirties, wearing a black-and-white checked sport coat and a red sports shirt, briskly introduced himself. Mrs. Antes has forgotten his name. We will call him Will Watson. Of his electrifying spiel she recalls only the general drift. He began by asking what value she placed on her school. Mrs. Antes would have been overjoyed to accept $2,000; the school was probably unsalable at any price, but Watson assured her she could count on at lease $5,000. Why, said he, National Property had scores of customers, cash in hand, fairly panting to own just such a business. He promised that within 60 days the deal would be consummated.

Flashing a contract, a warranty of performance, and a copy of National Buyers' Guide, a thick, glossy paper monthly catalog crammed with property listings in 48 States, Watson explained the terms. For 3 percent of the anticipated net, payable in advance, the school would be listed in the next issue of the periodical, which the corporation distributed "to hundreds of leading brokers throughout the Nation who request it." Moreover, should no sale result, the entire fee would be refunded.

In her bedazzlement it never occurred to Mrs. Antes to wonder whether a classified ad in a local newspaper, costing $2 or $3, might not bring a better response than a catalog circulated thousands of miles away; whether an Oklahoman might not be a likelier prospect than, say, a New Yorker. Nor did she think to ask Watson why, if he already had a prospect in view, he didn't simply produce him without advertising at all. After perusing the contract with what she fancied was a shrewd eye, Mrs. Antes signed it and parted with $150.

No prospect ever approached her. Silence met her protests to the corporation. She has since gone into bankruptcy. Yet a belatedly thorough scrutiny of the contract and warranty showed her that National Business had perpetrated no provable fraud. It had undertaken merely to print and distribute an ad for a preagreed fee; it purported to be a publishing concern, not a real-estate brokerage. The joker lay in the clause, "This agreement contains the entire understanding between us, and no other representation or inducement has been made that is not set forth herein." Thus the corporation disclaimed responsibility for its own salesman's verbal enticements.

As Senator JACKSON summed it up, "The misrepresentations of the salesman, upon which the businessman relies, and the wording of the contract are not in the least related." Or in the words of California's Commissioner McClure, "They may be advertisers, but the victims think they're real estate brokers."

Let us now examine the racket from the inside through the eyes of a Chicagoan who was once among its most astute practitioners. Because he is today a reformed character, and because he fears the vengeance of his former bosses—two of them ex-convicts—we will identify him fictitiously as Joe Mangin, and the outfit he worked for as Globe Business Trade. Globe occupies an entire floor in a La Salle Street skyscraper, employs 85 salesmen, who retain 35 percent of every fee they snag, and grosses around $3 million a year. Mangin, a married man of 40 with three children and a mountain of unpaid bills, joined the company at the urging of a friend employed there, after he lost his job as an insurance adjuster. "You'll be out of debt in 6 months," the friend told him. He understated the case.

Globe's personnel manager first put the novice through an intensive 2-week course in the arts of obfuscation— how to extract bigger advance payments, how to insure the victim's secrecy, how to help him misinterpret the contract. He then provided him with a sheaf of post cards that had been sent back from an Indiana farm county and sped him on his way. "They build up their sucker lists," Mangin explains, "from the yellow pages of phone books, business directories, real estate ads and such. In addition to a monthly catalog, they issue, as an added convincer, lists of so-called handpicked, ready buyers. A lot of those buyers they practically invent."

One Globe salesman, Mangin recalls, pausing in his frantic rounds to refresh himself at a soda fountain, observed a small girl of about 11 devouring a banana split. "Little lady," said he, "how would you like to own your own soda fountain?" The moppet said she would like it fine. So he jotted down her name and address, which duly appeared in Globe's confidential list below the announcement: "Wanted to buy—fully equipped up-to-date pharmacy."

Like most advance-fee operators, Globe claims that thousands of affiliated real estate brokers receive its catalog. "The cata-

log goes to a few brokers, all right, unsolicited and free of charge," says Mangin. "That's to fulfill the letter of the contract. Only the brokers aren't exactly affiliated. In fact, they probably never heard of the company. The catalog wouldn't be much good to them anyway. How many Florida brokers, do you suppose, have clients dying to run a pizzeria in Maine? They just toss the catalog in the trash basket." Attorney Brookfield corroborates this. Of the real estate men he questioned, not one had ever found the slightest use for any advance-fee literature.

Mangin prospered. The first 6 weeks he conned $12,000 out of 40 Hoosiers, none of whom sold his property through Globe. Do the advance-fee pirates, then, never effect a sale? The FTC estimates the percentage at less than one-half of 1 percent.

Being an imaginative man, Mangin went on to refine certain modi operandi of the racket. Before descending upon an intended victim, he would telephone to say, "You don't know it, but our bonded appraisers have appraised your property—discreetly, mind you. We realize you wouldn't want your community to know you're planning a change. Bad for credit. Now, I've got a buyer sitting right beside me in my office. Matter of fact, my company never approaches a seller unless there's a sure buyer on hand."

With the victim thus primed, Mangin would request an appointment. Whatever date was chosen, he would plead prior business, and set a later date. This is known as negative selling, the object being to heighten the victim's impatience. When Mangin finally entered the establishment, he would glance about with a practiced air, sagely nod, and pretend to consult a file card on which he had scribbled three digits. Let us see how matters progressed in the case of an asthmatic, 70-year-old farm-implement dealer of South Bend, Ind., whom Mangin refers to as Marvin Wheatley.

"Mr. Wheatley," said the con man, "what do you figure your present inventory is worth?"

The merchant put it at $70,000. ("I knew he was lying. They almost always do.")

With a pen Mangin circled the first digit. "That's just about what our appraisers figure too. What's your gross annual business?"

"Seventy-five thousand dollars?" It was more a question than a statement.

"Yes, indeed, that checks," said Mangin, circling the second digit. "And your net?"

"Around $20,000."

Mangin feigned astonishment. "Now, that's funny. We only show $15,000."

Wheatley's jaw dropped. "Where in blazes do you get your dope? You're right; I did stretch it a little."

"I'm sorry, my friend, but we can't divulge our sources of information. Every last item is thoroughly verified though. We use electronic calculators. What's your asking price?"

"I'd take $50,000."

"Mr. Wheatley, my friend, you're kidding. Why, this business is worth $60,000 if its worth a dime, and that's how you ought to list it."

Wheatley happily assented.

"The buyer we have for you," Mangin rattled on at dizzying speed, "has deposited $5,000 with us as surety that he won't back out. You've got to do likewise, of course. We charge 3 percent of the sale price. That'll entitle you to a fine, big, half-page ad in our nationally distributed magazine. One percent in advance." This last condition he glossed over, and to direct Wheatley's mind away from it, as well as to establish his own scrupulousness, he added, "We'll require a clear title to the property. You understand, we must protect both buyer and seller."

Wheatley mustered enough common sense to ask the obvious question, "Why advertise if the deal's all set?"

"Because, my friend," Mangin suavely informed him, "my company can't operate any other way. While we promote real estate, we don't handle the actual sale. You can appoint your own broker to do that, if you prefer."

"Suppose the deal falls through?"

"Listen carefully to this clause in our contract," and he read it fast: " 'This agreement shall become effective when accepted at the home office of Globe Business Trade. In the event this agreement is not accepted by G.B.T. the entire fee will be refunded.' "

Wishful thinking led Wheatley to interpret acceptance as meaning the buyer's acceptance of his property instead of Globe's acceptance of the advertising contract. He wrote a check for $600.

Upon sober reflection some dupes have been known to stop payment. To lull any doubts that might beset Wheatley, Mangin resorted to one of his favorite bits of flummery. He left the check behind, returning for it later in the day with the sheepish grin of an honest but scatterbrained fellow. "How about that!" he exclaimed. "I clean forgot the most important item. Well, I'll just hang on to the check till the acceptance comes through." He cashed it in the next town.

A queasy conscience compelled Mangin to quit the racket after 3 triumphant years. "What finally decided me," he recounts, "was this little old cigarstore owner in Kansas—wife sick, the bank threatening foreclosure. I have his check for $270 in my pocket, when he steps out from behind the counter, and I see he's crippled in both legs. I telephoned him later that the deal was off, and tore up the check."

Such qualms do not inhibit every advance-fee salesman. In upper New York State real estate investigators, responding to the complaint of an aged fruit farmer, found him prostrate on his back porch, his face stubbled with a 3 days' growth. He was too infirm to shave, let alone tend his orchard. A recent victim, in Greenwich, Conn., was a motel owner past 70, the poorer by $350, whose wife lay dying of cancer. In Wisconsin an old dairyman paid a $400 fee without reading the contract. He couldn't. He was blind.

Among the few advance-fee firms which the law has been able to obstruct were National Property & Business Exchange, Business Mart of America, Charles Ford & Associates, Business Co-Op, Coast to Coast Service, American Business Exchange, and World Wide Brokerage—the first two with headquarters in Los Angeles, the others in Chicago. Though they all followed the same fundamental principles, their sales techniques varied widely.

National Business, until 1956 California's biggest advance-fee operators—president, Alexander Haagen; executive vice president, Michael M. Fodor—developed a particularly persuasive line. Its pitchmen exacted no immediate payment. The contract, however, was tantamount to a promissory note. If the sum agreed to failed to arrive within the prescribed period, the corporation would sue. Few victims could afford the legal expenses of a defense, so that the court had no choice but to grant judgment, and the contractual sum became automatically collectible. With rueful humor a Kansas victim wrote to the FTC: "Gee, my property was sold! It was sold to satisfy a judgment."

National Business' dazzling 300-odd page catalog featured letters solicited from State governors seeming to endorse its activities. All the letters actually did was to extol the glories of the State, without any mention of the corporation ("Pennsylvania is a picturesque, diversified, friendly, scenically beautiful State full of major historic shrines.") But they impressed the victims.

Two associates of National Business, Paul Meyer Guyer and Theodore M. Bernardi, broke away to launch a network of eight advance-fee firms stretching clear across the country. The objects of numerous complaints, they are at present defendants against charges brought by the FTC. Among the exhibits is an affidavit from a penitent former employee, Colvin Buford: "My sales instructor told me not to limit my sales talk to what was in the printed contract form, but to enlarge the representations to include promises that the firm had many eager prospective buyers." To questions challenging his integrity Guyer retorts with crushing dignity: "I am a publisher."

For sheer gall Business Co-Op, headed by one William John Madone, has seldom been surpassed. To its intended victims it distributed a booklet titled "How To Sell Your Business and Beat the Con Men," which fully exposed the methods of advance fee-manship, notably Madone's. The salesmen, posing as the only exemplars of probity in a wicked world, would then proceed to gull the victims through the selfsame methods.

The best-educated man to have been accused of working the racket is probably a former Federal prisoner named William Muchnick, alias William Maurice. A graduate engineer, thrice married, Muchnick spent 8 years behind bars for mail frauds. The warden of Leavenworth Penitentiary remembered him as one of the brightest minds ever incarcerated there. Two years ago, at the age of 70, though suffering from a weak heart and a lame leg, he incorporated Coast to Coast Service. Complainants who received disclaimers of wrongdoing from him were bemused by the slogan on his letterhead: "Our Reputation Is Our Most Cherished Possession." In April of 1958 the FTC filed charges against Coast to Coast. Its Chicago headquarters, however, had been closed for several months. At last reports Muchnick was residing at a fine hotel in New York. An early collaborator in Coast to Coast, Louis Parell, also known as Parelli, organized American Business Exchange, which the FTC put out of business.

A penetrating glimpse into the psychology of advance-fee victims was afforded the Senate subcommittee by another felon, William Parker, who is now serving 20 months in the Atlanta Penitentiary for a vending machine swindle. His previous offenses include passing bad checks and misusing Government travel vouchers. It was doubtless in hopes of a reduced sentence that he volunteered to testify before the subcommittee. For 14 months, from 1956 to 1957, Parker was employed by Charles Ford & Associates of the West, later renamed Business Mart of America, against which a preliminary injunction has been issued prohibiting its activities in nine States. During that period Parker's commissions totaled $18,000. What surprised Senator JACKSON most in his testimony was his insistence that a victim once bitten, far from being twice shy, offered the next con man who happened along an easy target.

"It's a matter of ego," Parker maintained. "He feels he's made the right choice of method. He's put up his money, and his judgment is involved. Now he's mad at the company. Here comes a new company who claims he made all the right choices except he picked the wrong company. He's delighted to find that his judgment was originally right."

"Or," interpolated Senator JACKSON, "once a sucker always a sucker."

"Some of these people loved it," continued Parker. "It's like a crooked roulette wheel; it's the only one in town. They'd continue to go."

Expressing profound sympathy, Parker would spot such victims a discount equal to

the amount of which they had been defrauded by the competition.

There are innocents who have been victimized repeatedly. "Within the last 3 years," one of them wrote to the FTC, "I have paid $520 to sell my business and never heard from any buyers. The Business Opportunities Co., Evanston, Ill., called me collect and said they had a buyer for my greenhouse and for me to forward a $60 check at once. Also, the Charles Ford Association of Chicago collected $300 and took two oil paintings valued at $100 a painting. Another Chicago company also took me in 1952 for $162. I now have on hand a collector's suit for $1,475 from National Business & Property Exchange."

Nor did those victims who sensibly consulted their lawyers before signing—in Parker's experience, 30 to 40 percent of them—present any insuperable problem. The lawyer would not have been present during the preliminary verbal shenanigans; all that confronted him would be a bona fide advertising contract. Moreover, "In most cities lawyers can act as brokers without extra licenses. We'd simply designate them in the contract as selling agents. We'd tell them they could get from 2 to 3 percent of the sale price. Naturally they'd approve the deal."

The witness went on to describe some of Business Mart's other sure-fire tricks. Its salesmen carried cameras to photograph the property for sale before opening negotiations, later showing the victim prints as evidence of the appraisers' efforts. At the home office, they claimed, appraisals were fed to an electronic brain which instantly matched buyers and sellers. To convince the victim that Business Mart didn't accept just any old customer, they exhibited photostats of some 30 letters of rejection, a negative selling stratagem. Everything about the letters was genuine except the reason alleged for having sent them. "Those rejections," said Parker, "were always mailed out when the check bounced."

Chicago, that fecund mother of rackets, spawned the advance-fee racket. Through its early history, dating from 1950, runs the trade name, Charles Ford & Associates, Inc., which opened its headquarters in Chicago in July of that year. Complaints against it soon flooded better business bureaus and State realty boards. Ford's founder—in his peculiar field, a brilliant innovator—is a former Chicago furrier named Charles C. Solk. A silvery haired, bespectacled man of ministerial mien, Solk contends with evangelical fervor that he has been the benefactor of untold numbers of small businessmen. At the outset the noted business analyst, Willard M. Kiplinger, tended to agree. This is what the Kiplinger magazine, Changing Times, reported in its issue of December 1952, under the title, "How To Buy (or Sell) Your Business":

"The Nation's largest business brokerage service, Charles Ford & Associates, of Chicago, has 260 associated brokers scattered across the United States and in Hawaii. The firm will handle about $300 million in business sales this year, but to attain this volume, Ford advertises for buyers and sellers in 1,500 newspapers and 200 trade papers and on some 50 radio stations. Ford publishes a monthly Business for Sale directory that averages more than 300 pages and lists upward of 2,000 business offerings throughout the United States. The directory goes to 9,000 brokers, realtors, bankers, and prospective buyers. In addition, Ford maintains 2 files, 1 that lists some 24,000 businesses for sale, another that contains thousands of names of buyer prospects. These files are constantly cross-checked to match buyers and sellers. No business is listed for sale before it has been inspected and appraised, and approved as a good risk.

"There are many other good brokers, of course, but Ford with its nationwide affiliation of brokers comes closest to being a kind of national stock exchange for business transfer."

This endorsement, of which Ford reprinted thousands of copies, proved to be magnificent promotional literature. Its salesmen scarcely required an oral pitch. By 1955, however, Kiplinger had radically revised his opinion. In a Changing Times article titled "Be Wary of Phony Business Brokers," he depicted Ford a good deal less favorably.

Between the publication of these two articles several contretemps befell President Solk. Nine States and Hawaii refused to issue Ford operating licenses. In Michigan the Corporation and Securities Commission, acting upon complaints from four property owners who had forked over a total of $2,570, accused Solk of fraudulently failing to provide guaranteed services. He was placed under civil arrest. The court released him after he posted a bond equivalent to the amount paid by the complainants, but no further action was taken because a Ford vice president, Edward A. Chapman, had already surrendered the firm's Michigan license. Chapman had also resigned, declaring that he had discovered the business to be "something in the nature of a racket."

The original organization, meanwhile, had been split up into four companies—Charles Ford & Associates of the Midwest, with Solk and his son, Leroy, at the helm (headquarters, Chicago); Charles Ford of the East (New York); Charles Ford of the West, later reincorporated as Business Mart of America (Hollywood); Charles Ford of the South. All have been accused of fraud either by private individuals or by State licensing officials. The first two have been liquidated. The last two still flourish.

The original Ford's executive vice president, Thomas G. Dudley, resigned to start his own company under the same trade name. Solk brought suit to enjoin him from using it; Dudley then wound up as head of Trans-Continental Clearing House. The attorney who represented him in the Solk litigation, Thomas E. Joyce, became so entranced by the advance-fee business that he founded World Wide Brokerage. The FTC has since issued a complaint against Trans-Continental and a cease-and-desist order against World Wide.

Typical of the complaints lodged against Solk's Ford of the Midwest was one, last July, from a James G. Moore, of Port Huron, Mich., who wanted to be rid of his Blue Water Ferry Co. He advanced Ford $300 upon a salesman's promise to turn up "bona fide buyer prospects." Two names were eventually given him; Walter Stoll, of Kalamazoo, and Colvin's Marine Storage in Ludington, Mich. Moore hopefully got in touch with them. Stoll replied, "I am afraid Charles Ford & Associates are not very accurate in the service they advertise. I have been seeking a small chemical company or plastic manufacturing company." Said Colvin's Marine Storage: "Don't let Ford kid you—we are no more interested in a ferry than we are in a sputnik to the moon."

By way of justification Solk argued:

"Webster's dictionary defines bona fide as 'in or with good faith, without fraud or deceit, authentic, genuine.' What we submitted to Mr. Moore were the names of two genuine or authentic buyer prospects who had contacted us for the purposes of purchasing a business in the nature of Mr. Moore's, that is: a marine business. * * * A buyer who lists with us, for one reason or another, may not be particularly interested in each business within his category that is submitted to him. That cannot be helped * * * many laymen have been confused by the words 'bona fide buyer prospect' as set forth in our contract, and therefore in order to protect both them and ourselves we have completely eliminated this provision.

Pioneer Solk, a cautious character who when talking to strangers in his plushy North Clark Street office has been known to switch on a concealed tape recorder, is no longer connected with the enterprise he created. He concedes that his successors commit flagrant deceptions, but insists that under his presidency Charles Ford's activities were immaculate. "I now have many other interests," he says. "I am a finance and management consultant." Among these interests is Casey & Associates, which offers to arrange loans of money for a percentage payable in advance.

The factors that continue to hamper official efforts to stamp out the advance-fee racket are many and complex. First of all, no impropriety attaches to the practice of charging advance fees for specific business services. Numerous reputable concerns do so. Their representatives, however, avoid unfulfillable claims; they make serious, constructive surveys of buyer-and-seller markets; and they frequently bring about satisfactory deals. Previews, Inc., of New York, for example (see the Saturday Evening Post, March 7, 1953), which promotes choice properties the world over, sells about 75 percent of them at an advance commission of 1 to 1½ percent. The primary legislative problem, then, is to fashion a net that will destroy the sharks without harming the honest market fish.

State laws aimed at the racket have thus far proved tough to enforce. In 1955 California enacted an amendment to its real estate statutes requiring advance-fee advertisers, publishers, and salesmen to possess the same kind of license as real estate brokers. Union Interchange and Universal Interchange, two of the Guyer-Bernardi corporation, challenged the amendment on constitutional grounds, contending that since they were not, in fact, brokers, the amendment was discriminatory. Similarily, in Oklahoma, South Dakota, and Connecticut, advance-fee lobbies have defeated attempts to classify the business as real estate brokerage. Furthermore, even if State laws could be made to stick, they would not eliminate the racket, because it is essentially an interstate racket. The solution would seem to be Federal legislation.

Such legislation has been proposed by Senators MUNDT and JOHN L. MCCLELLAN, with the support of the National Association of License Law Officials and the Western Attorneys General. Under a bill which MUNDT submitted to Congress, anybody who obtains through false representation a service contract incident to the sale of property shall be fined not more than $5,000, or imprisoned not more than 5 years, or both. That, the Senator feels, should discourage the brashest advance-fee racketeers.

Meanwhile, pending the passage of the Mundt bill, or one like it, the wisest course for property owners who are tempted by the blandishments of advance feemen is to heed the advice, published after a second look at Charles Ford & Associates, in Kiplinger's Changing Times:

"Check the credentials of the salesman, but don't put too much faith in them.

"Check on his firm with Better Business Bureaus and State licensing bodies.

"Read the contract carefully, preferably with the aid of a lawyer. Expect to get exactly what is in the contract and no more.

"Ask yourself whether you could more cheaply insert your own ads in trade publications and newspapers.

"Then hesitate some more."

NONNAVIGABILITY OF CERTAIN PORTIONS OF STREAMS IN HOUMA, LA.

Mr. ELLENDER. Mr. President, I introduce for appropriate reference, on behalf of myself and my colleague, the

junior Senator from Louisiana [Mr. LONG] a bill which would declare nonnavigable, for purposes of the commerce clause of the Constitution, certain portions of two streams which flow through my hometown of Houma, La.

We are introducing this proposed legislation at the request of the city council of the city of Houma, and the police jury of the parish of Terrebonne, La. At this time, I ask unanimous consent that the resolutions adopted by these two bodies, requesting this legislation, be printed in the RECORD at this point in my remarks. I also ask unanimous consent to place in the RECORD at this point a survey made by the Houma-Terrebonne Chamber of Commerce on the same subject.

I assume, Mr. President, that this legislation will be referred to the Committee on Public Works. In this connection, I want to urge the committee to act as quickly as possible on this bill. However, I am most anxious for all interested parties to be given an opportunity to place their views on record, before the bill is finally considered by the committee.

I ask unanimous consent that two letters and a resolution relating to the subject matter of this proposed legislation be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letters and resolution will be printed in the RECORD.

The bill (S. 551) to declare portions of Bayous Terrebonne and LeCarpe, La., to be nonnavigable streams, introduced by Mr. ELLENDER (for himself and Mr. LONG), was received, read twice by its title, and referred to the Committee on Public Works.

The letters and resolution presented by Mr. ELLENDER are as follows:

CITY OF HOUMA,
Houma, La.

Mr. Frank King, secretary-manager of the Houma-Terrebonne Chamber of Commerce, appeared before the board and presented 10 additional reports on the survey of the affected property owners relative to the closing of Bayou Terrebonne for the attention of the board. Mr. King, when questioned, stated that any property owner who might be affected by the closing of the Bayou Terrebonne had been given a chance to voice any objections which he might have to this closing.

MOTION

Mr. Autin moved that the report as submitted by the Houma-Terrebonne Chamber of Commerce on the results of its survey relative to the closing of Bayou Terrebonne be received and that the results of this survey be forwarded to the proper congressional delegation, motion seconded by Mr. Haydel and unanimously voted.

Certified to be a true and correct copy of motion duly offered, seconded, and adopted at the regular meeting of the mayor and board of aldermen of the city of Houma, La., held March 12, 1958.

ROBERT F. BOURG,
City Clerk.

HOUMA-TERREBONNE
CHAMBER OF COMMERCE,
Houma, La., December 5, 1958.

Hon. LEON GARY,
Mayor, City of Houma, Houma, La.

DEAR MAYOR GARY: In early February 1958 the Houma-Terrebonne Chamber of Commerce made a survey of the property owners adjacent to Bayou Terrebonne for the purpose of ascertaining what objections, if any, would be raised to the closing of Bayou Terrebonne to navigation from the Barrow Street Bridge west to the St. Louis Canal.

A committee of 8 members of the Houma-Terrebonne Chamber of Commerce made a survey involving the 95 property owners bordering the bayou from Barrow Street to the St. Louis Canal, and asked the following questions:

1. Do you use, or have use of, that part of Bayou Terrebonne from the St. Charles Street Bridge to the Barrow Street Bridge?

2. If you do have use of that part of Bayou Terrebonne, for what purpose do you use it?

3. To meet present-day traffic requirements, would you be in favor of permanent-type bridges to, and including, Barrow Street?

4. If not, what are your reasons?

Three objections were registered against the closing of Bayou Terrebonne. These objections came from the Houma Ice Co., Terrebonne Ice Co., and Mr. and Mrs. Horace Authement.

We were happy to have made this survey in cooperation with the city of Houma, and if we can be of further assistance, please let us know.

Sincerely,

FRANK E. KING,
Manager, Houma-Terrebonne Chamber of Commerce.

STATE OF LOUISIANA,
Parish of Terrebonne:

Before me, the undersigned authority, personally came and appeared, Frank E. King, Jr., a resident of the parish of Terrebonne, La., who being duly sworn did depose and say that he is the manager of the Houma-Terrebonne Chamber of Commerce, and that the foregoing statement and information is true and correct and is on file and of record in the office of the Houma-Terrebonne Chamber of Commerce, 306 Church Street, Houma, La.

HOUMA-TERREBONNE
CHAMBER OF COMMERCE,
By FRANK E. KING, Jr.

Witnesses: Betty A. DeYeide; Beth Stephens.

TED J. BOROWSKI,
Notary Public, Terrebonne Parish, La.
My commission is issued for life.

Mr. R. Pellegrin offered the following resolution:

"A resolution requesting the Congress of the United States of America to close to navigation Bayou LaCarpe from Barrow Street to a point 300 feet west of the Intracoastal Waterway and to close Bayou Terrebonne from Barrow Street to the St. Louis Canal, which points are all within the municipal limits of the city of Houma, parish of Terrebonne, La.

"Whereas the mayor and Board of Aldermen of the City of Houma have received a petition signed by all of the property owners fronting on Bayou LaCarpe between Barrow Street and 300 feet west of the Intracoastal Canal, petitioning that said stream be closed to navigation and that culverts be installed in that stream for draining purposes and that permanent bridges be constructed over said stream; and

"Whereas a survey of the property owners owning property fronting on Bayou Terrebonne between Barrow Street and St. Louis Canal have indicated that all, with four exceptions, desire that said stream be closed to water traffic in order to allow the city of Houma to build permanent-type bridges over said stream to relieve traffic congestion; and

"Whereas it is necessary that the Congress of the United States of America enact proper legislation to close said streams to water traffic: Therefore be it

"Resolved by the Police Jury of the Parish of Terrebonne, State of Louisiana:

"SECTION 1. That the Congress of the United States is hereby petitioned to close to navigation Bayou LaCarpe from Barrow Street to a point 300 feet west of the Intracoastal Canal and to close to navigation Bayou Terrebonne from Barrow Street to the St. Louis Canal, which points are all within the city of Houma, Parish of Terrebonne, La.

"SEC. 2. That the closing of Bayou LaCarpe to navigation is necessary to allow the city of Houma to place culverts in said Bayou LaCarpe for drainage purposes and to eradicate a health menace.

"SEC. 3. That the closing of Bayou Terrebonne to navigation is necessary to enable the city of Houma to construct permanent-type bridges across said stream to eliminate traffic congestion within the city of Houma."

The foregoing resolution having been reduced to writing was read and considered section by section and as a whole and upon roll call was adopted by the following vote: Yeas, 12; nays, 0.

Adopted December 10, 1958.

Approved:

THADDEUS PELLEGRIN,
President.

Attest:

RALPH B. BISLAND,
Secretary.

I, Ralph B. Bisland, secretary of the Police Jury of Terrebonne Parish, La., do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Police Jury of Terrebonne Parish in regular session on December 10, 1958, at which meeting a quorum was present.

Given under my official signature and seal of office this 10th day of December 1958.

RALPH B. BISLAND,
Secretary-Treasurer, Terrebonne Parish Police Jury.

AMENDMENT OF MERCHANT MARINE ACT OF 1936, RELATING TO MORTGAGE AND LOAN INSURANCE

Mr. BUTLER. Mr. President, I introduce, for appropriate reference, a bill to extend mortgage and loan insurance to foreign-flag vessels constructed in U.S. shipyards. I ask unanimous consent that the bill, together with an explanatory memorandum, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and memorandum will be printed in the RECORD.

The bill (S. 555) to amend title XI of the Merchant Marine Act, 1936, in order to provide mortgage and loan insurance for the construction, reconstruction or reconditioning of vessels in shipyards in the continental United States, introduced by Mr. BUTLER, was received, read twice by its title, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Ship Mortgage Insurance Amendments of 1959".

SEC. 2. Clause (c) of section 1101 of the Merchant Marine Act, 1936, is amended by inserting before the semicolon at the end thereof a comma and the following: "except that with respect to a mortgage meeting the requirements of section 1104(a)(8)(D) or a loan meeting the requirements of section

1104(b)(2)(C), documentation under the laws of the United States shall not be required if the vessel is a documented foreign vessel as described in subsection (k) of the Ship Mortgage Act, 1920".

SEC. 3. Clause (8) of subsection (a) of section 1104 of the Merchant Marine Act, 1936, is amended to read as follows:

"(8) shall secure a loan made to aid in financing, including payment of loans previously made to finance, and reimbursement of the mortgagor for expenditures previously made for—

"(A) construction (including designing, inspecting, outfitting, and equipping) of vessels under title V of this Act, as amended:

"(B) the purchase by citizens of the United States of vessels for use on the Great Lakes pursuant to the Merchant Ship Sales Act of 1946, as amended;

"(C) the construction, reconstruction, or reconditioning (including designing, inspecting, outfitting, and equipping), subsequent to the enactment of this title, of vessels owned by citizens of the United States which are designed principally for commercial use (i) in the coastwise or intracoastal trade, (ii) on the Great Lakes, or on bays, sounds, rivers, harbors, or inland lakes of the United States, (iii) in foreign trade, or (iv) in the fishing trade or industry; or

"(D) the construction, reconstruction, or reconditioning (including designing, inspecting, outfitting, and equipping), after the date of enactment of the Federal Ship Mortgage Insurance Amendments of 1958, of vessels in shipyards in the continental United States."

SEC. 4. Clause (2) of subsection (b) of section 1104 of the Merchant Marine Act, 1936, is amended to read as follows:

"(2) shall be made to aid in financing, including payment of loans previously made to finance, and reimbursement of the borrower for expenditures previously made for—

"(A) construction (including designing, inspecting, outfitting, and equipping) of vessels under title V of this Act, as amended;

"(B) the construction, reconstruction, or reconditioning (including designing, inspecting, outfitting, and equipping) subsequent to the enactment of this title, of vessels owned by citizens of the United States which are designed principally for commercial use (A) in the coastwise or intercoastal trade, (B) on the Great Lakes or on bays, sounds, rivers, harbors, or inland lakes of the United States, (C) in foreign trade, or (D) in the fishing trade or industry; or

"(C) the construction, reconstruction, or reconditioning (including designing, inspecting, outfitting, and equipping), after the date of enactment of the Federal Ship Mortgage Insurance Amendments of 1958, of vessels in shipyards in the continental United States."

The explanatory memorandum presented by Mr. BUTLER is as follows:

STATEMENT BY SENATOR BUTLER

Legislation is proposed to extend the mortgage and insurance guaranty provisions of the Merchant Marine Act to foreign-flag vessels built and/or repaired in shipyards in the continental United States. Under the present law the Maritime Administration insures mortgages only on ships constructed for United States-flag registry. The main purpose of this legislation is to secure for American shipyards some of the shipbuilding and repair business which now goes elsewhere. One of the barriers to obtaining contracts for construction of foreign-flag vessels in American shipyards has been the large capital outlay required and the difficulty of financing. Several foreign steamship operators have expressed an interest in having work done in American shipyards should financing be made less difficult.

The benefits which would accrue from the additional shipbuilding business as a result of this bill would more than outweigh any possible disadvantages resulting from encouraging the building up of foreign-flag merchant marines which compete with our own lines. In all probability ships for foreign-flag operations will continue to be built anyway, but in foreign shipyards instead of American.

Extending the mortgage insurance program to foreign-flag vessels built in the United States would not involve any direct outlay of funds by the Federal Government. The borrower, under the mortgage guaranty, would pay an annual premium into the Government account. Builders would be required to advance one-eighth of the cost as equity money and mortgage liquidation would start with construction. By the time the vessel was ready to be put into service the lien would be reduced to approximately 80 percent of the construction cost.

The new law would probably attract chiefly orders for construction of various types of bulk carriers, the class of vessels in which our merchant fleet is deficient. On the basis of past experience on ships sold to foreign operators under the Ship Sales Act of 1946, on which we have had an excellent record of payments, few defaults would be likely to occur under the mortgage insurance program. But, in the event of default there would be no difficulty in taking over the mortgaged vessel and the worst that could happen would be a modern ship which would be available at a reduced cost to our merchant fleet.

We have been spending billions of dollars for foreign aid during the past several years and some of these funds have doubtless been used to restore the depleted foreign-flag merchant fleets. The foreign shipbuilding industry has been in very good condition since the end of World War II. Adoption of this amendment to permit mortgage insurance would provide a stimulus for a considerable amount of this ship construction to be done in United States shipyards. Mortgage and insurance guaranty would be a very beneficial type of foreign aid and in all probability would cost us nothing. This type of maritime financing has thus far been profitable to the Government and extension of the program should make it even more lucrative.

With no immediate outlay, contracts for foreign-flag ships secured for the United States shipyards will result in more work and will provide greater stability in the shipbuilding industry, which is of national importance both economically and from a defense standpoint. Volume construction consequent upon foreign orders made possible by this legislation will result in lower cost of construction for United States ships because a major cost in shipbuilding is overhead and added volume means a wider range of work over which to spread the overhead costs. The cost of Federal support of the shipbuilding industry would be reduced as differences in the cost of building a vessel in American shipyards and in foreign shipyards decrease.

There can be no valid objection to this proposed legislation because the results will be beneficial to the shipbuilding industry of the United States, will narrow the margin between American and foreign shipbuilding costs, and redound to the general economic improvement. A likely bonus will be the promotion of good will toward the United States among many foreign groups, an eventuality which should not be discounted.

AMENDMENT OF WELFARE AND PENSION PLANS DISCLOSURE ACT

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a bill to amend the Welfare and Pension Plans Disclosure Act.

I supported this proposed legislation when it was passed by the House of Representatives last year. However, I said at that time the bill had been so watered down as to fail to accomplish the purpose for which it was intended.

When S. 2888 was passed by the Senate it contained stronger administrative requirements and penalties—which were eliminated by the House, and never restored in full strength.

The bill which I introduce today will restore teeth to the law.

It grants authority to the Secretary of Labor to prescribe rules and regulations necessary to carry out reporting procedures; it gives discretionary action to the Secretary to make investigations of violations, to publish information concerning them, and to bring suit for the protection of beneficiaries. It restores stringent penalties for violations, false statements, diversions or misuse of funds. It prohibits anyone who has been convicted of any offense against the laws of the United States from acting as officer, trustee, or custodian of such funds.

Mr. President, these provisions are designed not only to help the beneficiaries of plans, but to fortify the vast majority of pension-plan administrators who are trying to do a good job.

My interest is in protecting the working man and woman—whether they are participating in a welfare or pension plan conducted by a labor union or by management. In both areas there is opportunity for skullduggery—for which we should provide preventive measures.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 567) to amend the Welfare and Pension Plans Disclosure Act, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

INCLUSION OF CERTAIN EMPLOYEES IN CIVIL SERVICE RETIREMENT ACT

Mr. STENNIS. Mr. President, I introduce, for appropriate reference, a bill to bring employees of the Agricultural Stabilization and Conservation County Committees within the Civil Service Retirement Act and Federal Employees' Group Life Insurance Act of 1954. A companion bill has been introduced in the House by Representative JAMIE WHITTEN.

For a number of years it has been a matter of deep concern to ASC county committeemen, as well as other agricultural leaders, that employees of the ASC service are not eligible for retirement and insurance benefits available to other Federal employees.

The present ASC has undergone several name changes during the past 25 years. Nevertheless, it has been a continuous Government program since 1934. These Federal employees are dedicated men who, working at the county level, have done an exceptionally good job of initiating and encouraging improvement programs for all types of farms. These

programs include the ACP, the acreage allotments and marketing quota program, the Soil Bank program, the CCC, the commodity and farm storage loan programs, wool incentive payments, and other various emergency programs assigned to them. These employees make a real contribution in the administration of these programs. Each program involves thorough knowledge and study, so heavy workloads are the rule.

A great many of the ASC county employees are really career employees. Many have worked continuously since 1934. However, under present law they are not eligible for civil service retirement and insurance. Those employees now at retirement age find social security benefits a good deal less than the retirement benefits they never had a chance to earn.

Other Federal employees and Federal-State employees, such as county extension agents, SCS technicians, FHA supervisors, are covered under the Civil Service Act, yet ASC employees who receive their full pay from the Federal Government are left out. They should be eligible for benefits provided civil service employees.

The bill which I have introduced would not place the ASC employees under the regular civil service system, but would make them eligible for retirement and insurance benefits. The county committee would retain complete control over employees' tenure. The plan is similar to the one now in effect for the Extension Service.

Mr. President, the provisions of this bill would give ASC employees benefits now enjoyed by other Federal employees at the county level and would correct a serious inequity in present law. I urge the Senate Agriculture Committee to give full consideration to this proposed legislation at the earliest possible date.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 563) to bring employees of agricultural stabilization and conservation county committees within the purview of the Civil Service Retirement Act and the Federal Employees' Group Life Insurance Act of 1954, introduced by Mr. STENNIS, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

REIMBURSEMENT TO THE STATES FOR CERTAIN FREE OR TOLL ROADS ON INTERSTATE SYSTEM

Mr. BUSH. Mr. President, I introduce, for appropriate reference, a bill to authorize reimbursement to the States for certain free or toll roads on the Interstate System, and for other purposes, and ask that it be referred to the Committee on Public Works.

Mr. President, I ask unanimous consent that a statement in explanation of the bill and the text of the bill may be printed in the RECORD following these remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and statement will be printed in the RECORD.

The bill (S. 570) to authorize reimbursement to the States for certain free or toll roads on the Interstate System, and for other purposes, introduced by Mr. BUSH, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the policy of the Federal Government to equitably reimburse a State for free or toll highways on the Interstate System within its boundaries, the construction of which has been completed or partially completely subsequent to August 2, 1947, or which was either in actual construction, or under construction, by contract, for completion, awarded not later than June 30, 1957, if such highway or partially completed section thereof meets the standards required for the Interstate System.

SEC. 2. If an existing free or toll highway or partially completed section of highway which is located upon the Interstate System and included in the report submitted to Congress under section 114 of the Federal-Aid Highway Act of 1956 (70 Stat. 374) (House Document numbered 301, Eighty-fifth Congress), is believed to measure up to the standards of construction adopted under section 108 (i) of the Federal-Aid Highway Act of 1956, a State may request of the Secretary of Commerce that it receive reimbursement for such highway, and the State shall be entitled to receive such reimbursement subject to the conditions of this Act. The Secretary of Commerce shall first determine whether or not the highway, or partially completed section of highway, meets such standards. If he approves the same, the Secretary of Commerce shall determine, in accordance with the rules and regulations issued pursuant to section 4 hereof, the amount of reimbursement to which the State is entitled based on the cost of such highway, less depreciation and the total amount of any Federal funds used in the construction of such highway. In each such determination for a toll highway, the Secretary shall also exclude from the cost of the highway the cost of financing thereof and the cost of any toll plazas, toll collection facilities, and any other facilities not included within the definition of the term "highway" under Federal-aid highway legislation.

SEC. 3. Any State entitled to reimbursement under this Act, whether for a toll or a free highway or a partially completed section of highway, shall use the funds so reimbursed, first, for construction of projects on free highways which connect with the Interstate System and enhance the utility of such system; and then, if there be any funds remaining after completion of such projects, on any Federal-aid system, subject to the condition that all Federal-aid highway funds apportioned to a State under Federal-aid highway legislation for the current fiscal year have been expended within the meaning of said legislation. Whenever a State constructs such projects with funds received as a result of a reimbursement under this Act, all procedures and steps shall be taken in the same manner as though such funds had been apportioned under Federal-aid highway legislation: *Provided,* That State matching funds shall not be required: *And provided further,* That the funds received as a result of a reimbursement under this section shall constitute the total Federal share of any project upon which such funds are expended. The State shall obligate the amounts to which it is entitled to be reimbursed under this section prior to July 1, 1974, and any portion of such amount not so obligated shall lapse. No State shall be permitted to obligate in any one fiscal year more than 10 percent of the amount to which it is entitled to be reimbursed under this section.

SEC. 4. The Secretary of Commerce shall establish such rules and regulations necessary to carry out the purposes of this Act.

The statement presented by Mr. BUSH is as follows:

STATEMENT BY SENATOR BUSH

I have introduced in the Senate today a bill to provide fair and equitable reimbursement to States which have constructed sections of the National System of Interstate and Defense Highways to the required standards with either State or toll financing.

My bill would:

1. Declare it to be the policy of the Federal Government to reimburse equitably the States for acceptable highways, free or toll, which have been incorporated into the Interstate System.

2. Authorize the Secretary of Commerce to provide reimbursement, upon request of a State, if he determines such highways meet interstate standards. The amount of reimbursement would be limited to the cost of the highway, less depreciation and the total amount of Federal funds used in its construction. In the case of toll highways, the reimbursement would be further reduced by deductions for the cost of all auxiliary facilities needed for its toll operation.

3. Require the States to use the funds for construction of projects on highways which connect with the Interstate System and enhance its utility and, after completion of such projects, on any Federal-aid system. No State matching funds would be required.

Concern has been expressed about the cost of reimbursement, which has been estimated by the Bureau of Public Roads at approximately $4.2 billion, about equally divided between toll and free highways. In order to avoid an excessive addition to the normal flow of Federal highway funds in any single year, the bill provides that a State shall have until July 1, 1974, to obligate reimbursed funds to its credit, with a proviso that no more than 10 percent of the total credit may be obligated in any one fiscal year.

It is equally important to recognize what the bill would not do, particularly with respect to the proposal for reimbursement for toll roads:

1. It would not give any State a so-called windfall because if the State had not had the initiative to construct the highway, the Federal Government would have had to finance its construction with 90 percent Federal funds under the terms of the Federal-Aid Highway Act of 1956.

2. It would not violate the prohibition against use of Federal funds on toll highways because any funds reimbursed would have to be spent on highways which are toll free.

My bill is intended to implement the recommendations of the President's Advisory Committee on a National Highway Program, headed by Gen. Lucius D. Clay, for completion of the Interstate System.

The Clay Committee recognized that unless reimbursement were provided the fact that a radically new highway program was under consideration might lead States to delay their plans for modernizing their interstate highways. Accordingly, the Clay Committee strongly recommended reimbursement, and in the faith that Congress would recognize the equity and justice of their position many States proceeded with construction of their interstate highways.

I quote pertinent sections of the Clay committee's report:

"Some States have already constructed sections of the Interstate System to the required

standards with either State or toll financing and others are proceeding along similar lines. Such construction should not be discouraged by this report, since our goal is maximum highway improvement. Those States in which sections of the Interstate System have been provided to meet the presently established standards for the completed system should receive appropriate credit, provided such funds are used to improve other roads on established Federal-aid systems or as may be approved by the Federal Government and all other Federal funds for highway purposes have been matched as required. No funds should be made available as a credit for toll roads unless the returns from tolls above financing requirements are used exclusively for road construction as contemplated above. * * *

"The funds thus made available to the States will not only encourage matching of available funds, but will also make possible accelerated improvement of primary, secondary, and other roads, and will encourage local financing of interstate mileage to make funds available for other roads without increasing total Federal responsibility. They will be paid to the States only as required to meet the costs of projects approved for construction, and it thus appears would provide a major incentive to the highway-improvement program as a whole."

Although many Members of Congress fought hard for the Clay Committee's principle of reimbursement when the 1956 act was under consideration, a decision was postponed at that time. The act merely contains a declaration that it was the intent of Congress to determine whether or not reimbursement should be made to the States for highways, toll or free, which had been completed or put under construction on the Interstate System between August 2, 1947, and June 30, 1957.

The 86th Congress should now make that determination, and fairness and justice require that reimbursement be granted. Otherwise severe penalties will be imposed against the very States which made the most progress in modernizing the Interstate System within their borders.

AMENDMENT OF FEDERAL AVIATION ACT OF 1958, RELATING TO SALE OF GOODS AND SERVICES

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to authorize the sale of goods and services by any department or independent establishment to the owner of an aircraft or his agent in an emergency, and for other purposes. I ask unanimous consent to have printed in the RECORD a letter from the Deputy Secretary of Defense requesting the proposed legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 576) to amend section 1107 of the Federal Aviation Act of 1958 to authorize the sale of goods and services by any department or independent establishment to the owner of an aircraft or his agent in an emergency, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter presented by Mr. MAGNUSON is as follows:

THE SECRETARY OF DEFENSE,
Washington, December 22, 1958.

Hon. RICHARD M. NIXON,
President of the Senate.

DEAR MR. PRESIDENT: There is forwarded herewith a draft of legislation to amend section 1107 of the Federal Aviation Act of 1958 to authorize the sale of goods and services by any department or independent establishment to the owner of an aircraft or his agent in an emergency, and for other purposes.

This proposal is a part of the Department of Defense legislative program for 1959, and the Bureau of the Budget has advised that there is no objection to the presentation of this proposal for the consideration of the Congress. The Department of the Air Force has been designated as the representative of the Department of Defense for this legislation. It is recommended that this proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

Section 1107(b) of the Federal Aviation Act of 1958 (72 Stat. 798) authorizes the head of any Government department or other agency having jurisdiction over an airport owned or operated by the Government to provide for the sale to any aircraft of fuel, oil, equipment, mechanical service, and shelter if such action is, by reason of an emergency, necessary to the continuance of such aircraft on its course to the nearest airport operated by private enterprise. There is a need for legislation which will provide authority for carefully regulated sales in certain circumstances where such sales would be definitely advantageous to the Government, yet a clear case of emergency, as required by the present law, does not exist. To fill this need, the proposed amendment would revise section 1107(b) of the act to authorize such sales in circumstances which would benefit the Government, as well as in emergencies. While the military services wish to restrict reimbursable supply transactions of this kind to a minimum, there are a number of situations in which they would be clearly advantageous to the Government. For example, some of our overseas airbases, particularly those in remote island and polar areas, are regular points or alternates for civil air routes important to our national defense. Others may become such points in the future as new routes are developed. Operations to those points would seldom qualify as "emergencies" within the meaning of that term in the present law; nor would operational considerations permit confining sales to amounts necessary to get to the nearest commercial source, as is likewise required under existing law. The proposed change would both clear up these points for present civil use of our bases and facilitate development of future routes of importance to our national defense.

The proposed legislation would also clarify the authority for sales to air carriers operating under contract with the U.S. Government. A substantial portion of the air transportation requirements of the Government are now met by contract operations. All their needs for logistical support from the Government, particularly at remote corners of the globe, frequently cannot be predicted at the time the contract is drafted.

Still another advantage of the proposed legislation would be simplification of authority and procedures for servicing aircraft from allied countries at U.S. Air Force bases while on joint air exercises and training flights. Although section 106 of the Mutual Security Act authorizes such sales, the statutory requirements, procedures, and regulations controlling mutual security transactions, while appropriate for occasional sales of costly equipment, are extremely inefficient and uneconomical if applied to recurring transactions such as routine fuel and related sales.

Reciprocal treatment for our own aircraft would be assured by amending the provisions of section 1107(b) of the Federal Aviation Act to make them applicable to aircraft owned by, or registered in, any friendly foreign nation which authorizes comparable assistance to aircraft owned by, or registered in, the United States.

To insure that Government agencies do not compete with commercial enterprise with respect to sales of the kind discussed and to facilitate the establishment of commercial supply sources where the demand would support them, a new subsection "(d)" is proposed for section 1107 of the act. The new subsection "(d)" would prohibit sales under section 1107(b) of the items listed therein, if they are reasonably available from commercial sources. Further, wherever the present or anticipated source would support such a source, the Department having jurisdiction over the facility would be directed to encourage the establishment of a commercial source, if the circumstances at the facility permit.

There are a number of foreign bases jointly occupied by the United States and host government agencies or airlines. This is particularly true in Japan, where most of the former Japanese airfields have been under U.S. jurisdiction and operations. With the growth of civil air operations at such bases, situations have arisen in which the supply function would not be assumed by commercial concerns unless certain U.S.-controlled pipelines and storage facilities could be utilized where space limitations and other considerations foreclose construction of duplicate facilities. In such circumstances the United States may relieve a burden on its own supplies by permitting, where feasible, joint use of certain facilities. Careful safeguards have been provided in the proposed legislation to prevent any additional cost to the U.S. Government or unwarranted profit to a commercial enterprise in such circumstances.

Occasions arise when it would be advantageous to the Government to allow commercial oil companies to operate Government petroleum storage and dispensing facilities and to supply Government-owned fuel through these facilities to their commercial accounts, repaying the Government either in cash or by reimbursement-in-kind. Such situations occur in locations where stores of Government-owned mobilization reserve fuel stocks must be maintained, but where normal consumption does not assure the required freshening of stocks. Rotation of such fuel for quality control purposes, normally required at considerable expense to the Government, could be accomplished in some instances at no cost to the Government under the proposed amendment. Further, there are cases in which it is economically preferable for the Government to accept commercially-owned fuel at one location and repay it by replacement-in-kind at another location, in order to save the Government transportation costs. Legislative authority to enter into such arrangements is included in the attached draft by the proposed new subsection "(e)" of section 1107 of the act.

The provisions of existing section 1107(b) of the act, relative to terms of such sales of fuels, equipment, and other services, and disposition of the proceeds therefrom, would be revised and incorporated into proposed new subsections "(c)" and "(g)" of section 1107.

COST AND BUDGET DATA

Enactment of this proposed legislation would result in no increased cost to the

Government and in fact should result in savings where the cost of rotating and transferring fuel can be eliminated as outlined above.

Sincerely yours,

DONALD A. QUARLES,
Deputy.

AUTHORIZING COAST GUARD TO SELL CERTAIN UTILITIES

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to authorize the Coast Guard to sell certain utilities. I ask unanimous consent that a letter from the Acting Secretary of the Treasury, requesting the proposed legislation, may be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 577) to amend title 10, United States Code, section 2481, to authorize the U.S. Coast Guard to sell certain utilities in the immediate vicinity of a Coast Guard activity not available from local sources, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter presented by Mr. MAGNUSON is as follows:

OFFICE OF THE SECRETARY OF THE TREASURY,
Washington, January 7, 1959.

The PRESIDENT OF THE SENATE.

SIR: There is transmitted herewith a draft of a proposed bill to amend title 10, United States Code, section 2481, to authorize the U.S. Coast Guard to sell certain utilities in the immediate vicinity of a Coast Guard activity not available from local sources.

The purpose of the proposed legislation is to provide legislative authority for the Coast Guard to sell utilities and services to the same extent and under the same conditions as the military departments. With this authority existing utilities and water services in many instances would be extended to isolated inhabitants, in many cases servicemen, whose close association with the Coast Guard is highly desirable.

It would be appreciated if you would lay the proposed bill before the Senate. A similar proposed bill has been transmitted to the Speaker of the House of Representatives. Bills identical to that proposed herein were introduced during the 2d session of the 85th Congress as H.R. 12328 and S. 3737 but were not acted upon by the Congress.

The Department has been advised by the Bureau of the Budget that there is no objection to the submission of this proposed legislation to the Congress.

Very truly yours,

A. GILMORE FLUES,
Acting Secretary of the Treasury.

NATIONAL FOOD ALLOTMENT ACT

Mr. AIKEN. Mr. President, on behalf of the Senator from Minnesota [Mr. HUMPHREY], the Senator from North Dakota [Mr. YOUNG], the Senator from New Mexico [Mr. ANDERSON], and myself, I introduce, for appropriate reference, a bill providing for a food allotment plan to safeguard and improve the health of the American people. I ask unanimous consent to have printed in the body of the RECORD a statement which I have prepared on that subject, which I shall not take the time to read.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR AIKEN

Today I have introduced an important measure which I have placed before the Senate in every Congress since 1943.

It is a proposal for a food allotment plan to safeguard and improve the health of the American people, to improve farm income through an expansion of wholesale and retail markets, and to eliminate as far as possible Government competition with private industry in the distribution of food to low-income people.

I consider this proposal to be an important step in eliminating one of the major problems facing our people today.

This is the problem of underfed people and underpaid farmers in a Nation which is presently enjoying unprecedented prosperity.

I am glad to have joining with me again in the sponsorship of this measure the Senator from Minnesota [Mr. HUMPHREY], the Senator from North Dakota [Mr. YOUNG], and the Senator from New Mexico [Mr. ANDERSON].

At the present time, we have a relief program in this country which is doling out surplus food to millions of Americans on a rather socialistic basis.

As of October 1958, 5½ million people in family units were certified as eligible to receive surplus foods, and 4,770,000 people actually received such food free of charge.

The number is probably even greater today.

This food is donated by the Government, processing is paid for by the Government, transportation costs are paid for by the Government, and the distributing is done by Government officials.

Whenever private industry is allowed to enter into the distribution, it does so only under contract with the Government.

No wholesale or retail food dealer gets a nickel's worth of business from the distribution of this free food to almost 5 million people.

It should be obvious that an allotment program such as provided for in this bill is far less socialistic than the present program of Federal distribution of free food.

Today, there are some 26 million people in this country with incomes so low that they cannot afford to purchase foods necessary to a healthy existence.

This food allotment program, which is not the old food-stamp plan, contemplates getting away from direct distribution of food by Government as was done under the old stamp plan.

The food allotment plan would work this way:

First, the level of nutrition needed to keep an average person healthy is scientifically determined and then translated into actual amounts of lower cost foods.

Then, the value of the low-cost adequate diet is determined at current retail food prices.

Finally, the buying power of families that are unable to afford the low-cost adequate diet is supplemented by additional purchases made possible by the issuance of food coupons.

All foods would be bought through normal trade channels on a purely voluntary basis.

The family would be required to furnish such information about its income as might be required to show its eligibility before being admitted to the program by the local administrative agency.

Wholesale and retail merchants would be registered to accept coupons in exchange for food.

Retailers and wholesalers would receive payments for the coupons through duly designated banks.

Funds derived from the sale of coupons would be deposited to the credit of any appropriation authorized to carry out the program.

It is estimated that the people who would benefit from the food allotment program would consume up to 30 percent more of meats, dairy products, eggs and poultry, citrus fruits, and vegetables.

This program would increase the market for food grains.

It would mean more business for transportation companies, processors, handlers, merchants, and banks.

The cost would be what the Congress chooses to make it although it would compare favorably with the cost of the several programs now operating in attempts to control surpluses in a less democratic manner.

The food allotment program would be an effective antidepression preventive working effectively to forestall unemployment.

It is the hope of the sponsors of the food allotment program that this year serious consideration will be given to this important legislation.

No one should be deluded by any false cries of socialism.

We are trying to get away from the Government dole any paternalism.

This is a program which would work through private channels to make health giving foods available to people living on small, fixed incomes, at prices within their reach—such people as those who are recipients of old age assistance and survivors insurance, dependent children, permanently disabled persons, blind persons, general assistance beneficiaries, persons living in broken homes, and those living on inadequate pensions or retirement funds.

In our land of unparalleled plenty, these people are truly the forgotten people.

This year, we can do nothing more important than to remember those whose incomes remain the same at a time when prices and wages are rising rapidly on all sides.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 585) to safeguard the health, efficiency, and morale of the American people; to provide for improved nutrition through a more effective distribution of food supplies through a food-allotment program; to assist in maintaining fair prices and incomes to farmers by providing adequate outlets for agricultural products; to prevent burdening and obstructing channels of interstate commerce; to promote the full use of agricultural resources; and for other purposes, introduced by Mr. AIKEN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

DEPARTMENT OF SCIENCE

Mr. KEFAUVER. Mr. President, I introduce a bill to establish a U.S. Department of Science and to prescribe the functions thereof. This is the same as Senate bill 3180, which I introduced in the last session.

It is my belief that, as time passes, the indications become clearer and clearer that we shall never go ahead as we

should in connection with matters relating to science until we have some overall coordination of our efforts; and this bill is for that purpose.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 586) to establish a U.S. Department of Science and to prescribe the functions thereof, introduced by Mr. KEFAUVER, was received, read twice by its title, and referred to the Committee on Aeronautics and Space Sciences.

GATHERING, EVALUATION, AND DISSEMINATION OF INFORMATION

Mr. KEFAUVER. Mr. President, I introduce for appropriate reference a bill to provide for the gathering, evaluation, and dissemination of information, and for the formulation of plans, which is intended to aid in the maintenance of a high level of prosperity in the United States. This bill is identical to H.R. 800, which was introduced in the House by Representative ELMER J. HOLLAND of the 30th Congressional District of Pennsylvania on January 7, 1959.

This bill would set up a commission which would consist of nine members, drawing its membership from industry, labor, and other fields of endeavor.

The overall or guiding function of the Commission to make plans for now and in the future to maintain continuing prosperity.

One obvious merit that this Commission would have would be that it would provide the President with firsthand data and experience from outstanding citizens in their respective fields.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 589) to provide for the gathering, evaluation, dissemination of information, and for the formulation of plans, which will aid in the maintenance of a high level of prosperity in the United States, and for other purposes, introduced by Mr. KEFAUVER, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

FREE MARKETING OF GOLD

Mr. MURRAY. Mr. President, on behalf of myself, and Senators BIBLE, BARTLETT, and GRUENING, I introduce, for appropriate reference, what I consider to be one of the most important bills that will come before this session of the Congress.

This bill is short, less than 100 words in length, and is made up of two sections. Section 1 would permit the free marketing and ownership of gold—a legal right every American should have—and section 2 would direct the Secretary of the Treasury to pay $70 per fine ounce for all gold domestically mined and tendered to the Treasury Department subsequent to enactment of the bill.

Throughout recorded history, the most prosperous and the most powerful nations have been those nations whose monetary systems were based upon gold and silver and whose reserves of these metals were adequate to give complete integrity to their paper money in all the marts of the world. In recent months tremendous drains have been reported, month by month, on the gold reserves and stocks of this Government stored at Fort Knox, and this trend can be expected to continue as the soft currencies of numerous European countries are stiffened into hard money in the growing competition for foreign trade.

Soviet Russia and the so-called Soviet bloc are becoming increasingly active in world trade circles, as is evidenced by the presence at this moment in this country of Russia's No. 1 international salesman and by recurring hints that Russia is about to back her ruble with gold.

In the days ahead this Nation will need more gold, and the best way to obtain that gold is to make it possible for the American gold mining industry to increase its output. Last year our domestic gold output reached the lowest point since 1946, a mere $60 million worth, a drop of about 5 percent from the production of 1957.

If this Nation is to hold its own in foreign trade, it must have more adequate reserves of gold, and section 2 of the bill I am now introducing will provide in the years ahead gold stocks from our own domestic mines necessary to accomplish that purpose. In addition, it will provide a beneficial economic stimulus that will be felt in every mining area of this Nation.

Mr. President, so that other Senators who may wish to cosponsor this bill may have an opportunity to do so, I ask unanimous consent that the bill may lie on the desk for 1 week before printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURRAY. Mr. President, I ask unanimous consent that the bill, which is very short, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 590) to permit the free marketing of gold, and for other purposes, introduced by Mr. MURRAY (for himself, Mr. BIBLE, Mr. BARTLETT, and Mr. GRUENING), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and the House of Representatives in Congress assembled, That, notwithstanding the provisions of any other law or executive order or regulation to the contrary, gold may be acquired, purchased, sold, melted or treated, held in custody, transported, or earmarked by any person or Government instrumentality without penalty or restriction.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay $70 per fine ounce for all gold domestically mined and tendered to the Treasury subsequent to the enactment of this Act.

PROHIBITION OF FEES TO VIEW TELECASTS IN PRIVATE HOMES

Mr. DIRKSEN. Mr. President, on behalf of the Senator from North Dakota [Mr. LANGER], I introduce, for appropriate reference, a bill to prohibit the charging of a fee to view telecasts in private homes. I ask unanimous consent that a statement prepared by the Senator from North Dakota relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 591) to prohibit the charging of a fee to view telecasts in private homes, introduced by Mr. LANGER, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The statement presented by Mr. DIRKSEN is as follows:

STATEMENT BY SENATOR LANGER

Last year I introduced Senate bill 2934, to prohibit the charging of a fee to view telecasts in private homes.

This bill was introduced after I had made a study into the problem of the impact of pay television on the viewing public of America. Bartlesville, Okla., was one of the few areas that made a test of a form of pay television and after circularizing some 8,000 homeowners in the Bartlesville area, I received 1,930 responses not in favor of pay television and only 163 in favor of pay-as-you-see television.

There were several other surveys made on the desires of the public for pay television and I shall note them for the RECORD:

From Broadcasting magazine, November 4, 1957, page 60:

"And, at the FCC, mailbags full of printed post cards were being received at the instigation of Michigan State Senator Harold M. Ryan. Mr. Ryan began a one-man crusade against pay TV 3 weeks ago in Detroit (Government, Oct. 21).

"As of Friday, the FCC had received almost 3,500 cards against toll TV. They were being sent over from the White House in mailbag loads. The cards are addressed: 'Federal Communications Commission, care of the White House, Washington 25, D.C.'"

From Broadcasting magazine, November 11, 1957, pages 34 and 39:

"Toll TV proponents who clamor for the public to be the judge in the subscription television hassle would do well to curb such confidence—at least in the Salinas-Monterey and San Luis Obispo areas of California.

"The reason: The public was asked there and only 4 people voted for pay TV while 5,002 were recorded as opposing the fee system.

"John C. Cohan, principal owner of KSBW-TV, Salinas-Monterey, and coowner of KSBY-TV, San Luis Obispo, last week explained that the project to get a pulse beat of the communities was undertaken as the result of numerous requests to the stations for an explanation of toll TV. * * *

"Other antitoll TV repercussions set in, according to Mr. Cohan, who said people began handing out petitions to be signed in Seaside, Watsonville, Pacific Grove, Greenfield, and other neighboring communities; local grocers put petitions on walls to be signed by customers, and organizations, such as the Veterans of Foreign Wars of King City, passed resolutions against pay TV."

I may point out that during the Senate Antitrust and Monopoly Subcommittee hearings on S. 4070, a bill to give certain exemptions to professional team sports from the antitrust laws, I introduced an amendment to that bill which reads as follows:

"On page 3, line 6, immediately after the period, insert the following new sentence: 'No person conducting or engaging in any such organized professional team sport shall enter into or become a party to any contract, agreement, or other arrangement resulting directly or indirectly in the imposition upon

the public by any person of any requirement for the payment of any toll, fee, subscription, or other charge for the privilege of viewing, on television receiving sets in private residences, any organized professional team contest of any such sport.'"

The purpose of this amendment would be to prohibit the San Francisco Giants and the Los Angeles Dodgers from contracting to telecast their baseball games from their respective home playing fields and requiring the viewing public to pay a specific charge and thereby deprive the people from the great western part of the country the privilege of viewing baseball free on television as other citizens in the country do. It seems ironical that the people of the great West have waited so many years for major league baseball and then have to view it on television only by having to pay for that privilege.

I noted with great interest that the Senate Interstate and Foreign Commerce Committee recently released a report in which they asked the Federal Communications Commission to examine its jurisdiction over pay television and if they feel that they do not have such jurisdiction then Congress should take action to protect the American public from pay-as-you-see television.

Attached is a letter that I directed to all U.S. Senators and Representatives explaining my views on introducing S. 2934 in the 85th Congress. Also the radio broadcast by sports commentator Bill Stern. I ask unanimous consent that they be printed at the conclusion of my remarks.

(See exhibits 1 and 2.)

EXHIBIT 1

COPY OF LETTER TO ALL UNITED STATES SENATORS AND REPRESENTATIVES

DECEMBER 5, 1957.

HONORABLE XX,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ———: The people of my State have become very much alarmed that "pay as you see" television may be installed and that if they wish to see certain features, such as the world series, ceremonials, musicals, shows, etc., they will be required to pay a monthly fee or a stipulated price per program. One group states it will cost a family as much as $3.50 per day or $70 per month.

Subscription television has already been given a trial run in Bartlesville, Okla., and I am informed that the cost to viewers was $7.50 per month.

This matter may not have been brought to your attention by the people of your State, but because of the anxiety expressed by my constituents, I am bringing it to your attention for such action as you may deem proper. I, personally, plan to introduce the enclosed bill in January, and if you approve of the objectives contained therein, you may wish to sponsor similar legislation in the House.

With every good wish, I am,
Sincerely,

WILLIAM LANGER,
U.S. Senator.

EXHIBIT 2

BROADCAST BY SPORTS SPECIALIST BILL STERN

A bitter fight is being waged behind the scenes in baseball to stop Walter O'Malley from putting his Dodgers on pay TV next year.

Nowhere in the list of Dodger officials does the name Matty Fox appear, but he is probably the most powerful man in the organization. It is Mathew Fox who is the real reason the Dodgers moved to California. He is the man behind pay TV and holds a contract for the exclusive for the telecasting rights to the Dodger games next year. The figures being talked about are stupendous. While O'Malley in his usual manner of telling as little as possible has never revealed exactly what the Dodgers will get from pay TV, the Giants have revealed that in the next 10 years they will get the unbelievable sum of about $37 million if all goes well. But O'Malley? He only chuckles and says that's his business.

But is it merely O'Malley's business? There are a lot of people in Los Angeles who don't think so. They think they have some interest in what happens to the team. Weren't they told by O'Malley when he was trying to woo them that when he brought the team west, that the games would be on free TV? They most certainly were, but that was only one of the promises that O'Malley broke. Wasn't he going to have the Dodgers in contention? Why, according to O'Malley, this team would be a great credit to Los Angeles as it fought for the pennant. What pennant? The Dodgers were lucky they stayed out of last place.

And how about O'Malley's land grab? In return for some 300 acres in Chavez Ravine, 1 mile adjacent to downtown Los Angeles, O'Malley would give the city of Los Angeles a new stadium, a team they could be proud of, a new playground. Sounds fair, but as usual the real truth was hidden. What O'Malley really meant was that he would bring his team to the west coast if they would deed to him property worth about 10 times what he gave up, that he would build a $300,000 city playground if the city would spend about $2 million building roads to and leveling off O'Malley's property.

But lest you feel sorry for Walter now that his land grab has failed, the "deal" that was forced on him by the Coliseum because he was helpless and "had to" have that stadium temporarily, will only net O'Malley about a $4 million profit this year!

But behind the scenes, some baseball people are trying desperately to stop O'Malley from swinging over to pay TV this year. Sure he'll make more millions, but what about the poor baseball fans who bought sets in good faith never thinking that these sets would be useless once O'Malley brought his team to California.

No, the name of Matty Fox doesn't appear on any Dodger roster, nor is he a club official, but he's the important man in the Dodgers future. He brought them to the promised land. Little matter that now they are in that land, most of the promises aren't being kept.

REPEAL OF EXCISE TAXES

Mr. DIRKSEN. Mr. President, on behalf of the Senator from North Dakota [Mr. LANGER], I introduce, for appropriate reference, a bill to repeal all Federal excise taxes. I ask unanimous consent that a statement prepared by the Senator from North Dakota, relating to the bill, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and without objection, the statement will be printed in the RECORD.

The bill (S. 592) to repeal all Federal retailers excise taxes, certain manufacturers excise taxes, and the excise taxes on facilities and services, introduced by Mr. LANGER, was received, read twice by its title, and referred to the Committee on Finance.

The statement presented by Mr. DIRKSEN is as follows:

STATEMENT BY SENATOR LANGER

I introduce for appropriate reference a bill to repeal all Federal retailer excise taxes, certain manufacturers' excise taxes, and the excise taxes on facilities and services.

I have introduced this bill previously and unfortunately the Congress of the United States has not seen fit to repeal these excise taxes which were enacted into law during World War II and were definitely labeled as wartime excise taxes to aid us in the defense of our Nation and carry on a successful conclusion of World War II.

My stand on this subject of repealing excise taxes is well known and I have spoken on the floor from time to time in favor of such repeal. I hope that this Congress will look favorably on this bill.

ADMINISTRATIVE PRACTICE ACT

Mr. HENNINGS. Mr. President, on behalf of myself and the Senator from Wisconsin [Mr. WILEY], I introduce, for appropriate reference, a bill to be known as "The Federal Administrative Practice Act of 1959."

I introduce this bill at the request of the American Bar Association. It is substantially identical to the one I introduced in the 85th Congress which was identified as S. 932.

When S. 932 was referred to the Committee on the Judiciary. I had the privilege of being appointed chairman of a special subcommittee to consider the bill. All Government departments and agencies were written and their views respecting the bill requested. Answers were received from all of them. A summary and compilation of these views was prepared and printed as a committee print.

The bill is far reaching and encompasses many aspects of administrative practice. Therefore, consideration should be and has been deliberate. Our study of the bill has not progressed far enough for me to commit myself to support all of its terms; however, I believe Congress should continue its work in this area and enact legislation where it is found necessary. The American Bar Association continues to rate this bill as top priority in its legislative program.

Mr. President, I ask unanimous consent to have printed at this point in my remarks a brief summary of the provisions of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the analysis will be printed in the RECORD.

The bill (S. 600) to establish an Office of Federal Administrative Practice; to provide for the appointment and administration of a corps of hearing commissioners; to provide for admission to and control of practice; to establish a Legal Career Service for improvement of legal services in Government; and for other purposes, introduced by Mr. HENNINGS (for himself and Mr. WILEY), was received, read twice by its title, and referred to the Committee on the Judiciary.

The analysis presented by Mr. HENNINGS is as follows:

THE FEDERAL ADMINISTRATIVE PRACTICE ACT OF 1959—TITLE-BY-TITLE ANALYSIS

This bill would provide for the improvement of administrative procedures and practice by establishing an Office of Federal Administrative Practice, an independent agency, which would initiate centralized coordination of procedure and practice matters; administer an improved hearing commissioner program; establish a new Legal Career System for Government legal services and provide for the admission and control

of practice and representation of persons in the conduct of proceedings or matters before the various Federal agencies.

The Office of Federal Administrative Practice, under title I, would be headed by a director and deputy director appointed by the President, with consent of the Senate, for terms of 10 years and 5 years, respectively. The office would have three major divisions administered by assistant directors; namely, Division of Administrative Procedure, Division of Hearing Commissioners and Divison of Government Practice. The Director would report directly to the Congress on any matter for improving the effectiveness and efficiency of Government operations in the area of procedures and practice. The Office mainly would operate at interagency level and would provide machinery for the coordination and direction of procedures and practice on matters of concern horizontally and uniformly among the agencies. It would perform needed and indispensable service to citizens, concerns and industries in their day-to-day dealings with agencies of the Government.

Title II would provide new and improved measures for the recruitment, appointment, and administration of hearing commissioners. Trial examiners now serving would be given hearing commissioner status and continued duty with the agencies where they now serve.

Title III would establish for the first time a legal career service for civilian lawyers in Government service and promote the efficiency of Government legal services. The present system is haphazard and confused. The proposed bill would facilitate the recruitment, employment, and retention of lawyers of outstanding character and ability in the legal career service, and assure the performance of the legal work of the Government in accordance with high professional standards.

Title IV assures the right of persons to representation in matters or proceedings before Government agencies. It provides for both attorney practice and lay representation and imposes standards of conduct for both in the handling of matters before Government agencies. The bill would assist attorneys throughout the country by providing for centralized admission to practice. Detailed provisions are made for disciplinary proceedings and control of unprofessional conduct.

The bill is almost entirely new legislation. It provides the basis for an orderly improvement of procedures and practice of far-reaching importance to the Federal agencies, to the Congress, and to all citizens having matters before the Federal agencies. The bill provides a new approach to proposals which have been of increasing interest to the Congress and to the public for more than a decade; as to most of the provisions, there is general recognition of the need for legislation of some sort.

STATEHOOD FOR HAWAII—ADDITIONAL COSPONSOR OF BILL

Mr. MURRAY. Mr. President, I ask unanimous consent that the name of the distinguished senior Senator from Iowa [Mr. HICKENLOOPER] be added as a cosponsor to the Hawaii statehood bill, S. 50. On January 9, I had the honor, as chairman of the Interior Committee, of introducing S. 50 for myself and 53 cosponsors.

On their behalf and my own, I wish to welcome the Senator from Iowa to the ranks of Senators, now 55 strong, who are signers of the Hawaii statehood bill. And I will renew my assurances for prompt action on it by the Interior and Insular Affairs Committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF ACT OF AUGUST 5, 1954, RELATING TO INDIAN HEALTH

Mr. MURRAY. Mr. President, I ask unanimous consent to add the name of the distinguished junior Senator from Connecticut [Mr. DODD] as a cosponsor of S. 46, a bill to amend the act of August 5, 1954, with respect to the provision of sanitation facilities on Indian reservations.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONTRIBUTION FOR PERSONAL HEALTH BENEFITS FOR CIVIL SERVICE EMPLOYEES—ADDITIONAL COSPONSOR OF BILL

Mr. BEALL. Mr. President, I ask unanimous consent that my name be added as a cosponsor of the bill (S. 94) to provide for Government contribution toward personal health service benefits for civilian officers and employees in the United States service and their dependents, to authorize payroll deductions for participants, and for other purposes, introduced by the Senator from South Carolina [Mr. JOHNSTON], on January 12, 1959.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMANENCY OF PROVISIONS OF SUGAR ACT OF 1948—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 12, 1959, the names of Senators SMATHERS, ALLOTT, YOUNG of North Dakota, MCGEE, MOSS, CHURCH, MURRAY, HRUSKA, BARTLETT, BIBLE, MORSE, NEUBERGER, KUCHEL, CASE of South Dakota, MCCARTHY, MUNDT, MARTIN, DIRKSEN, SCHOEPPEL, HICKENLOOPER, WILEY, HUMPHREY, MAGNUSON, LANGER, JACKSON, YOUNG of Ohio, MCNAMARA, THURMOND, EASTLAND, LAUSCHE, HAYDEN, CARROLL, STENNIS, CHAVEZ, HART, CANNON, and CAPEHART were added as additional cosponsors of the bill (S. 187) to make permanent the provisions of the Sugar Act of 1948, introduced by Mr. ELLENDER (for himself, Mr. BENNETT, Mr. LONG, Mr. MANSFIELD, Mr. ENGLE, Mr. DWORSHAK, Mr. CARLSON, Mr. PROXMIRE, Mr. CURTIS, Mr. HOLLAND, and Mr. O'MAHONEY), on January 12, 1959.

BOMBING OF HOMES, CHURCHES, SCHOOLS, ETC.—ADDITIONAL COSPONSOR OF BILL

Mr. JACKSON. Mr. President, I ask unanimous consent that my name may be added as a cosponsor of the bill (S. 188) to prohibit certain acts involving the importation, transportation, possession, or use of explosives, the next time it is printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSED AMENDMENTS TO CIVIL RIGHTS ACT OF 1957—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of January 17, 1959, the name of Mr. ALLOTT was added as an additional cosponsor of the bill (S. 456) to amend part III of the Civil Rights Act of 1957, introduced by Mr. JAVITS (for himself and Senators KEATING, CASE of New Jersey, COOPER, and SCOTT), on January 17, 1959.

EXTENSION OF TIME FOR BILLS TO LIE ON THE DESK

Mr. COOPER. Mr. President, last Saturday I introduced two bills which were intended to provide emergency assistance to persons out of work in the depressed areas of our country. Those bills were numbered S. 489 and S. 423.

I ask unanimous consent that they may lie upon the table through the next meeting of the Senate, in order to give to other Members of the Senate who desire to cosponsor the bills, an opportunity to do so.

The PRESIDING OFFICER. Without objection, the bills will lie on the table as requested.

PRESIDENTIAL ITEM VETO POWER—ADDITIONAL COSPONSORS OF CONCURRENT RESOLUTION

Mr. BUSH. Mr. President, on Friday, January 9, 1959, I introduced Senate Concurrent Resolution 1, to give the President item veto powers over appropriation bills and bills authorizing direct borrowings from the Treasury.

Joining me in sponsorship of the resolution at that time were the distinguished senior Senator from Virginia [Mr. BYRD] and the distinguished senior Senator from Delaware [Mr. WILLIAMS].

My colleague, the able junior Senator from Connecticut [Mr. DODD], the distinguished senior Senator from Ohio [Mr. LAUSCHE], and the distinguished junior Senator from Wisconsin [Mr. PROXMIRE] have advised me that they favor the purposes of the concurrent resolution and wish to be listed as sponsors of it. Likewise, the distinguished junior Senator from Kentucky [Mr. MORTON] desires to be associated with us as a cosponsor of the resolution. Of course, I am delighted to have them join with me.

Accordingly, I ask unanimous consent that the names of these Senators may be added as cosponsors of Senate Concurrent Resolution 1 when it is next printed and reported.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPORT ON STATUS OF COLORADO RIVER STORAGE PROJECT AND PARTICIPATING PROJECTS (S. DOC. NO. 8)

Mr. ANDERSON. Mr. President, under date of December 30, 1958, the Assistant Secretary of the Interior, Hon. Fred G. Aandahl, transmitted to the President of the Senate the Second Annual Report on the Status of the Colo-

rado River Storage Project and Participating Projects, as required by section 6 of the authorizing act of April 11, 1956 (70 Stat. 105). I request unanimous consent that the letter and accompanying report be printed as a Senate document, together with my statement to the Senate today.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Mexico? The Chair hears none, and it is so ordered.

Mr. ANDERSON. Mr. President, for the information of the Senate, the first annual report of the Secretary, as required by the authorizing act, is printed as Senate Document No. 77, 85th Congress, 2d session. It contained a statement on hydrologic bases for financial studies, Colorado River storage project.

A supplement to Senate Document No. 77 was printed as Senate Document No. 96 as presented by the distinguished senior Senator from Arizona on May 1, 1958. Senate Document No. 96 is made up of a statement of the Arizona Interstate Stream Commission and the Arizona Power Authority in regard to the operation of Glen Canyon Reservoir together with a letter from the Governor of Arizona.

As of June 30, 1958, the report shows the total assets of the Colorado River storage project amounted to $63,346,175. This amount is made up principally of $48,742,000 of direct congressional appropriations, largely for the construction of Glen Canyon Dam and Reservoir, contributions by States and other organizations, contractors' earnings and transfers from the Bureau of Public Roads.

While Glen Canyon Dam is the key structure of the project as a revenue producer from power, other facilities are essential to balance the development of the Upper Colorado River Basin.

To present the current progress of the Colorado River storage project, it is noted that for fiscal year 1959, the funds appropriated by Congress for the Colorado River storage project totaled $68,035,335. Of this amount, $47,591,743 was allotted to Glen Canyon Dam construction; $10,228,335 to Flaming Gorge Dam; and $7,067,057 to initiate construction of Navajo Dam in my own State of New Mexico. In addition, $249,003 was made available for transmission lines, $1,026,000 to start construction of the Paonia participating project in Colorado, and $1,035,000 for the Vernal unit, Central Utah project in Utah.

In the Upper Colorado River Basin, we are looking forward to a speedup in the construction of the storage and power dams under way and the participating irrigation units.

However, the President's budget for fiscal year 1960 indicates a slowdown in actual construction of the three major power or storage dams by estimating a limit for expenditures for construction during the fiscal year. Appropriations or budget estimates for the Colorado River storage project total $78,600,000. Of this amount, Navajo Dam is allotted $9,900,000; Glen Canyon Dam, $48,500,000; Flaming Gorge, $13,400,000; transmission lines, $746,000; advance planning, $845,000; Paonia unit, $3,200,000; and Vernal unit, $1,900,000.

The budget message, however, indicates the administration anticipates total expenditures of about $65 million. This would result in a built-in carryover for the Colorado River storage project, should the Congress follow the budget proposal. We hope the hearings on the budget will develop whether the proposals represent an economical rate of construction expenditures for the Colorado River storage project.

The Congress, through the Appropriations Committees, will have an opportunity to pass on the soundness of the budgetary presentation before the end of the current session. The President's budget, when it comes to the Congress next week, will give an indication of the administration's recognition of the importance of this great water resource development.

In New Mexico, in order to put water to be stored in Navajo Dam to work, early authorization of the Navajo Indian irrigation unit is being sought along with the first stage of the San Juan-Chama diversion as provided in S. 3648, passed by the Senate on August 15, 1958. The San Juan-Chama diversion will aid in regulation of the Rio Grande River to provide additional municipal water supplies for New Mexico cities like Albuquerque and Farmington.

The Navajo irrigation-San Juan-Chama authorization bill has been reintroduced as S. 72 by me, together with my colleague, the senior Senator from New Mexico [Mr. CHAVEZ]. Early hearings are anticipated on this measure and, with our colleagues in the House, Representatives MONTOYA and MORRIS, we shall press for prompt enactment at this session.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. EASTLAND:

Address entitled "A Trend and a Challenge," delivered by Senator HOLLAND before American Farm Bureau Federation, Boston, Mass., December 10, 1958; and editorial entitled "A Statesman From the Deep South," published in the Oklahoma City Times of December 23, 1958.

Address delivered by Senator AIKEN at plant-to-prosper meeting, Memphis, Tenn., December 18, 1958.

By Mr. WILEY:

Statement prepared by him entitled "More Funds for Great Lakes Connecting Channels."

By Mr. KENNEDY:

Address by Jose A. Benitez, chairman of the Democratic Party of Puerto Rico, delivered at the Democratic Victory Dinner honoring Senator KENNEDY, at San Juan, P. R., on December 15, 1958.

NOTICE OF HEARINGS ON CERTAIN NOMINATIONS BY COMMITTEE ON FOREIGN RELATIONS

Mr. GREEN. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate received today from the President of the United States the following nominations:

Henry A. Byroade, of Indiana, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Afghanistan;

Sheldon T. Mills, of Oregon, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Hashemite Kingdom of Jordan; and

William C. Trimble, of Maryland, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Cambodia, vice Carl W. Strom.

Notice is given that the Committee on Foreign Relations, at the expiration of 6 days, in accordance with the committee rule, will give consideration to these nominations.

CONFIRMATION OF NOMINATION OF NORMAN P. MASON TO BE HOUSING AND HOME FINANCE ADMINISTRATOR

Mr. JOHNSON of Texas. Mr. President, as in executive session, while Members of the Senate are on the floor I should like to call their attention to the fact that there is at the desk the nomination of Mr. Norman P. Mason, of Massachusetts, to be Housing and Home Finance Administrator. The President has sent the nomination to the Senate, the Committee on Banking and Currency has considered it, and has reported it favorably to the Senate. I hope that the Senate will act on it today, so that a Housing and Home Finance Administrator will be in office when the housing hearings begin.

The PRESIDING OFFICER. The nomination will be stated.

The legislative clerk read the nomination of Norman P. Mason to be Housing and Home Finance Administrator.

The PRESIDING OFFICER. Is there objection to the present consideration of the nomination?

There being no objection, the Senate as in executive session, proceeded to consider the nomination.

Mr. DIRKSEN. Mr. President, although the minority members of the Committee on Banking and Currency had not yet been formally appointed, when the nomination was considered, I am confident, on the basis of the record of Mr. Mason's service in the Housing and Home Finance Agency, that his nomination will meet with very general approval. I believe the matter has been checked with all members of the Committee on Banking and Currency presently serving on the committee.

Mr. BUSH. That is correct, so far as the minority and the majority Members are concerned.

Mr. FREAR. The nomination was unanimously reported by the committee.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Norman P. Mason to be Housing and Home Finance Administrator? [Putting the question.] The nomination is confirmed, and, without objection, the President will be notified.

NATIONAL JUNIOR ACHIEVEMENT WEEK

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from the further consideration of Senate Concurrent Resolution 3, authorizing the President to declare the week of January 25–31, 1959, as National Junior Achievement Week, and that the Senate proceed to its immediate consideration.

I have asked for immediate consideration of Senate Concurrent Resolution 3 because of the necessity of prompt action by the Congress before National Junior Achievement Week begins on January 25. I may say that this action has the approval of the distinguished chairman of the Judiciary Committee [Mr. EASTLAND] and of the distinguished chairman of the Subcommittee on Federal Charters, Holidays, and Celebrations [Mr. O'MAHONEY.] Over the past few years the Congress has consistently adopted the same resolution, Mr. President.

The resolution calls on the President to declare the week of January 25–31, 1959, as National Junior Achievement Week, in recognition of the great work being done by junior achievement companies for American youth.

I hope the Senate will speedily approve this resolution.

The PRESIDING OFFICER. The clerk will state the resolution for the information of the Senate.

The legislative clerk read the concurrent resolution as follows:

Resolved by the Senate (the House of Representatives concurring), That the President of the United States is authorized and requested to issue a proclamation designating the week of January 25, 1959, through January 31, 1959, as National Junior Achievement Week and urging all citizens of our country to salute the activities of Junior Achievers and their volunteer adult advisers through appropriate ceremonies.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

Mr. DIRKSEN. Mr. President, normally the resolution would be referred to committee. However, since the committees are not functioning, and since this matter has been so acceptable, and also in view of the fact that such widespread interest has been manifested in the subject, speedy action is necessary if we are to carry out the purpose of the resolution in declaring the week starting on January 25 as Junior Achievement Week.

The PRESIDING OFFICER. Is there objection to the discharge of the committee and the consideration of the resolution by the Senate? The Chair hears none, and it is so ordered.

The question is on agreeing to the resolution.

The resolution (S. Con. Res. 3) was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the resolution was agreed to.

Mr. DIRKSEN. I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Illinois.

The motion to lay on the table was agreed to.

SIXTH ANNIVERSARY OF THE FIRST INAUGURATION OF PRESIDENT EISENHOWER

Mr. DIRKSEN. Mr. President, I do not wish to utilize any more time in the morning hour. However, today marks the sixth anniversary of the President of the United States taking over the office of Chief Executive. When the morning hour has been concluded I shall pay a tribute to the President. I am confident that my colleagues will wish to join me in it. We shall perhaps spend an hour in appropriately testifying to our feelings toward the President.

Mr. JOHNSON of Texas. Mr. President, what is the Senator's request?

Mr. DIRKSEN. It is not a request. I am serving notice that we expect to indulge in some tributes to the President of the United States as soon as the morning hour is over.

Mr. JOHNSON of Texas. That is very agreeable to the majority leader. I expect to join the Senator.

SYMINGTON'S RECORD PRAISED

Mr. HILL. Mr. President, yesterday afternoon the Washington Star carried a very timely and significant article captioned "SYMINGTON'S 'Failure.'" The editorial reads as follows:

SYMINGTON'S "FAILURE"

The fine art of distorting the truth is so highly developed and so diligently practiced in this Capital City that one tends to become a bit bored with it all. Most of these efforts evoke little more than a ho-hum reaction. But the latest Republican blast against Senator STUART SYMINGTON is a thing apart. It soars to such heights of massive misrepresentation as to compel a sort of grudging, though perverse, admiration.

This masterpiece of deceit appears in something called "Battle Line," published by the Republican National Committee. Its thesis is that Senator SYMINGTON was a "failure" when he served as Secretary of the Air Force from 1947 to 1950, a conclusion which is "documented" by a fantastic assortment of quotations lifted out of context and by utterly irrelevant statistics. The obvious purpose of this partisan shot is to discredit the Missouri Democrat as a defense expert and to downgrade him as a prospective Democratic presidential nominee in 1960. If Mr. SYMINGTON was a dud as Secretary of the Air Force in the late forties, argues Battle Line, why take him seriously now as a critic of the current defense effort?

It is no part of our purpose to plead the case for Senator SYMINGTON as a Democratic presidential aspirant or as a competent critic of the 1959 defense program. This is a political matter in which there is plenty of room for difference of opinion. It is simply not true, however, that Mr. SYMINGTON was a failure as Secretary of the Air Force, and somebody should say so. The real truth is, and the record proves it, that Mr. SYMINGTON, in the bleak years from 1947 to 1950, had the courage to stand up and fight for adequate air power for the United States. He did this in the face of the popular but gravely harmful defense economy program dictated by President Truman and cheerfully accepted by most of the country. He did it knowing that he was risking his own career in Government, and we cannot recall the name of even one Republican politician who stood up and fought with him.

This is not to say that the Symington efforts met with any great success. He was able to persuade Congress to appropriate funds for a somewhat stronger Air Force, but this came to nothing when Mr. Truman impounded the money. The point is, however, that Mr. SYMINGTON was fighting for more air power before, and not after, the Korean war revealed to everyone how weak we really were.

The truth-twisters who drafted this phony Battle Line report for the G.O.P ought to go back and read the report of Air Secretary SYMINGTON in January 1949—a year and a half before the Korean war. This report urged the "vital necessity" of strengthening our air arm before war broke, and warned that this country had "none too much time to provide itself with the means of its own protection."

These were not the words of a man who was a failure as Secretary of the Air Force. And we hope that this disingenuous Republican effort to take advantage of short memories will come to nothing.

Mr. President, ever since I became a Member of Congress—some 35 years ago—I have served on committees which had some jurisdiction over our Armed Forces. During all the time I was a Member of the House of Representatives, I served on the old Committee on Military Affairs; in fact, through seniority I became chairman of that important committee. Since coming to the Senate, I have served on the old Committee on Military Affairs; and when that committee was merged with the Committee on Naval Affairs to become the Committee on Armed Services, I became a member of the Committee on Armed Services.

In 1949 I left the Committee on Armed Services and became a member of the Committee on Appropriations and also a member of the Subcommittee on Armed Services Appropriations.

So, during my entire 35 years in Congress, I have served on committees which have had insight into and intimate contact with the needs, the operations, and the future of our Armed Forces.

Yesterday I wrote to Senator SYMINGTON a letter in which, among other things, I said:

MY DEAR STUART: Strange things occur, but I never thought I'd see the day when STUART SYMINGTON would be charged with not driving for more effective air power; or that a statement of mine would be used in an effort to establish such a ridiculous charge.

Those of us who have been around Washington for the last 15 years know that, certainly as much as any man, during both Democratic and Republican administrations, STUART SYMINGTON has done his everlasting best to make this country strong in the air.

For anybody to assert or imply otherwise displays ignorance of the truth, or a desire to twist the truth.

Mr. President, in my long service in Congress, and as a result of my intimate insight into our Armed Forces, I know of no man who has done as much, who has worked as laboriously, or who has fought as hard to build our Air Force and to build the strength of America in the air as has STUART SYMINGTON. I pay tribute to him today as the builder of America's air power, as the man who has fought the greatest battles, the greatest number of battles, and the most effective battles for the strength of America in the air.

The PRESIDING OFFICER. The Chair reminds Senators that the Senate is still in the morning hour.

Mr. SYMINGTON. Mr. President, will the able Senator from Alabama yield?

Mr. HILL. I am glad to yield.

Mr. SYMINGTON. I thank the distinguished senior Senator very much for his kind words with respect to this attack on me by the Republican National Committee. There is no one in the Senate I would rather have speak for me in this matter than LISTER HILL, not only because of his knowledge of the subject, but also because of what we and the American people think of his integrity and character.

I am very grateful also to the distinguished majority leader for his kind statement Saturday with respect to this attack on me. It was a gracious thing for him to do, based on his great knowledge of, and experience in, the subject of air power.

Mr. HENNINGS. Mr. President, I am very glad the distinguished Senator from Alabama saw fit to read into the RECORD the editorial concerning Senator SYMINGTON, which was published in the Washington Evening Star, and which I have with me. I had intended to ask that it be printed in the RECORD had not the Senator from Alabama done so.

I associate myself with the remarks which the distinguished Senator from Alabama has made concerning my colleague, the distinguished junior Senator from Missouri [Mr. SYMINGTON].

NOMINATION OF ROGER W. JONES AS CHAIRMAN OF CIVIL SERVICE COMMISSION

Mr. BUSH. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "This Is a Bureaucrat," written by Katharine Hamill, and published in Fortune magazine for November 1953. The article concerns Mr. Roger W. Jones, who recently was nominated to be Chairman of the Civil Service Commission.

Mr. Jones is a distinguished citizen of my State. He has been recognized for his excellence as a civil servant. I have applauded and again applaud the nomination of Mr. Jones to be Chairman of the Civil Service Commission. The article published in Fortune magazine is a most excellent description of Mr. Jones' background.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THIS IS A BUREAUCRAT

(By Katharine Hamill)

"President Eisenhower today signed 20 bills into law. * * * The legislation was flown from Washington and President Eisenhower penned his signature to them shortly after he arrived at his office at 8 a.m., mountain standard time." (Associated Press dispatch from Denver, Aug. 12, 1953.)

The A.P. correspondent neglected to report that before penning his signature the President read through a letter attached to each bill, a letter summarizing the intention of the bill, its background and meaning, noting approval or objection from government agencies concerned with the legislation, and ending with a recommendation from the Budget Bureau for approval or veto. The letters were addressed to "My Dear Mr. President," signed "Respectfully yours, Roger W. Jones, Assistant Director for Legislative Reference."

Roger Warren Jones is a bureaucrat, a "paper pusher," a civil servant. Like most of the other 234,000 civilian employees in Washington, he is almost unknown to the public he has served faithfully and well for 20 years. His job in the Budget Bureau as Assistant Director for Legislative Reference is close to the top in civil service rating, but he is not unrepresentative of many others in the service who devote themselves to running the Government agencies and bureaus regardless of party politics and changes in administration. In his 20 years' service Jones, now 45, has risen from CAF (clerical, administrative, and fiscal) 5 with a salary of $2,000 a year to GS (general schedule) 17 with a salary of $13,400. He heads a staff of 22 legislative analysts, clerks, and stenographers. As one of the major subdivisions of the Budget Bureau, Legislative Reference is part of the Executive Offices of the President; Jones and his aid are members of the President's staff. Their functions are: to review and analyze all proposed legislation in order to determine its conformity with the President's program and its fiscal impact; to summarize and appraise all bills passed by Congress for the President's information before he takes action; to study all Executive orders and Proclamations with an eye to avoiding duplication and confusion. The office is, in short, a clearinghouse for legislation, before and after it is acted upon by Congress. "We try to determine," says Jones, "whether a measure is right or wrong, whether it fits in with the President's overall program, and whether we have the money to pay for it."

In a normal year Jones and his staff process some 5,500 requests and reports from Congress and the agencies, about 1,000 enrolled bills (legislation passed by Congress), and 100 Executive orders and proclamations. The processing is sometimes long-drawn and involved, with dozens of memoranda and letters written in formidable federalese. ("We have to use it to avoid misunderstanding," says Jones. "It's the common language of all government agencies.") A controversial bill may end up with an inch or more of superimposed paper, may have been the subject of days of conference and discussion as well as research and study. The peak load of work comes at the end of each session of Congress when the legislators push through a big last-minute batch of bills. At the close of the 1st session of the 83d Congress last August, for example, 207 bills (out of the session's total of 515) were passed in the last few days and had to be processed in Jones' office and rushed to President Eisenhower for action within the prescribed 10 days.

On the day before President Eisenhower left for Denver, Jones crossed the street from his office in the old State Department building to the White House with 72 bills and his 72 covering letters. He stood by with the President's Special Counsel, Bernard M. Shanley, for an hour and a half to answer questions while the President read and signed. "He's quick minded. He seems to know what's in the third paragraph before he finishes the second.") In the next week several packets were sent out to Denver by plane, and on the morning before the 10-day deadline Jones "ducked across the street" with the last 15 bills and turned them over to Shanley, who flew to Denver with them that afternoon.

JONES PROPOSES, IKE DISPOSES

The President, naturally, does not base his decision to approve or disapprove solely on the recommendation of Roger W. Jones, but the summaries and recommendations save his time and facilitate his decision. "It's a great satisfaction, of course, to know our staff work helps him," says Jones. In presenting routine bills to the President, Bernard Shanley groups them according to subject (veterans' benefits, etc.), and introduces them with a verbal report. Such bills are usually quickly signed. More complex or controversial legislation requires more consultation and may involve policy conferences at the White House, Jones has nothing to do with that. "We do the pro and con, the institutional review. We recommend, but the President and his staff make policy decisions."

When Congress adjourns, the immediate pressure that keeps Jones and his aids working hard and late is off, but there is pending legislation to be reviewed before Congress reconvenes and a constant stream of reports and queries from the agencies coming into the office. (All departments and agencies are required to submit to the Bureau their proposed legislation and reports on bills pending in Congress; congressional committees are not bound by law to consult the Bureau, but many do.) Jones and his staff report on 100 to 150 cases a week all through the year.

Usually about half the legislation enacted is composed of so-called private bills, acts setting aside a section of the Immigration Act to allow the entrance of specific persons, for instance, or acts awarding land patents or veterans' benefits. These are minor bills, but their merits must be closely studied in Jones' office. They must be checked with the Department of State and the Immigration Service or with the Department of Interior or the Veterans' Administration. Part of Jones' value is that he knows where to check, whom to call, what channels to move through. That is common bureaucratic knowledge, acquired by long years of service. More important values are Jones' administrative ability and his grasp of the whole legislative program. "We're right in the middle of the whole panorama of Government. It's a nerve-center operation."

Department and agency men are, necessarily, special pleaders for their own bills, and so are Congressmen. Jones and his staff must review legislation in relation to the general policies of the administration—regardless of the administration's politics or the President's personality. Jones, as he says, is a "liberal New England Republican," but that doesn't make him work any more conscientiously now than he did during the Democratic regime. In that respect he resembles the classic conception of a British civil servant. The President is an institution, Jones says; partisan politics don't affect the consideration of most legislation. Politics don't affect Jones' judgment of legislation. Neither have they affected his career in Government under Franklin Roosevelt, Harry Truman, and Dwight Eisenhower.

PAPER PUSHER'S DAY

Jones' wide desk in the big, high-ceilinged office in Old State is usually heaped with papers and there are half a dozen blue telephone-call slips stuck on his desk pen when he gets to work at 9. He has been up since 6:30, had a leisurely breakfast, spent three-quarters of an hour reading the Washington Post, and listened to a local broadcast so that he can plan his day around any legislative crisis. He has driven in from Chevy Chase with his car-pool members (three other Budget Bureau officials) and talked business during the half-hour drive. The first 15 minutes in the office are spent assigning reports on bills to his lieutenants and putting the day's work in motion. There is a staff meeting (the Director and his assistants) at 9:15 every morning.

Staff problems are discussed at the meeting in Mr. Dodge's office at the other end of the long corridor (saves writing a lot of memos) and Jones gets back to his own room at 10. There are agency reports to read, proposed legislation, requests for information from congressional committees. There is a call from a department's legislative-liaison man, John Adams, of Defense, say, or Carl Sapp, of Agriculture, or John Carlock, of Treasury. One of the department's proposed bills may have come back from Jones' office with a note "not in accord with the President's program" and the liaison man wants to talk it over, to find out just where the difficulty lies so he can try to straighten it out in the department.

At 1 o'clock Jones goes downstairs to the executive cafeteria with two or three other Bureau staff members. Over lunch (a salad, maybe, iced tea, and a piece of pie—55 cents) the men talk over problems that have come up during the morning. After lunch, staff members come into Jones' office with the mail, questions are asked about specific reports, decisions made orally to save time. Later, Jones goes across the street to the White House with a briefcase full of papers for Mr. Shanley. Shanley may have questions on pending legislation or on some of the enrolled bills that have to be signed within the next few days. (Except at the rush time when Congress adjourns, Jones tries to send enrolled bills to the President 5 days before he must act upon them.) Another member of the White House staff may ask to see Jones on the wording of an Executive order. Jones may want to check a point of Presidential policy with one of the staff.

Back in his own office at 4:30, Jones finds a batch of calls from congressional committee members and agencies and he is on the telephone most of the rest of the day, except on Thursday, when there is a general top-staff meeting with the Director. Official quitting time is 5:30, "but we make no effort to keep it." Jones gets away between 6 and 6:30, half the time with a briefcase under his arm.

Jones is happy doing what he is doing, he feels qualified for the job, "although there are days when nothing falls into place and I scream inside," and he can't help knowing he does his job well. Not only Director Dodge and Deputy Director Rowland Hughes think highly of him ("Jones is excellent * * * outstanding"), but so do the department liaison men, White House officials, and his own staff.

There were times when congressional committeemen or department officials resented what they termed the "undue influence" of the Bureau of the Budget on legislation, but that is mostly in the past and most of them now rely on Jones and his staff.

"BLAMED BOTH WAYS"

Back in 1950, when called before the House Select Committee of Lobbying Activities, Jones testified that "The net effect of the legislative operation of the Budget Bureau has sometimes been construed as an interference with the direct relationship of executive agencies with the Congress, or with the committees of the Congress. On that, I should like to be very categorical.

"Every President of the United States, beginning with President Harding and coming straight down through to President Truman, has taken exactly the same position with respect to this Budget Bureau function—that it was not the function of the Budget Bureau in any way to censor the reports of agencies, or to tell them what they might or might not say to committees of Congress. The Bureau's sole role has been to indicate to the agencies the relationship of what they had to say, or the measure they were opposing or advocating, to the President's program. It is perfectly appropriate for the Chief Executive to require than in transmitting a report to the Congress the agency should clearly indicate what the relationship of the measure was to the President's program, or what the relationship of their views with respect to it were."

The CHAIRMAN. "Are you not apt to get blamed both ways, usually by the same group of people, for not having a unified policy on the one hand and having a strict disciplinary policy on the other?"

Mr. JONES. "That is correct, but that is pretty much the role of the Budget Bureau straight across the board, and we are, frankly, rather used to it."

Another annoyance that Jones is rather used to is the ridicule, sometimes vilification, of bureaucrats by the press and public. He is used to it, but still it makes him angry. That and the jibe "You never had to meet a payroll." He admits that it would be comparatively easy to do a routine job, to push the papers around to the proper departments and let it go at that. But he doesn't want to. In fact, being the kind of man he is, he couldn't.

SOLID NEW ENGLANDER

Roger Jones came to his civil-service job by chance, and had been in it 15 years before he realized fully that it was a career and he was a career man. But it was not by chance that he became a public servant. His inheritance and training had a lot to do with that.

He was born on February 3, 1908, in New Hartford, Conn., a small town 20 miles northwest of Hartford. His father, Henry Roger Jones, Jr., now the elder statesman of New Hartford, was practicing law in those days and running the local weekly, the New Hartford Tribune. The Jones family had been in New England since 1635, and Roger's mother, Eleanor Drake Jones, was old Connecticut, too. The son grew up in a strong New England Congregationalist atmosphere, with 10 generations of Yankee citizens behind him.

After going through local grade school and the Gilbert School in nearby Winsted, Roger was ready for Cornell (where his father had gone before) at 16. He was a good scholar, a battalion commander in the ROTC, and manager of the university musical club. After he was graduated with a B.A. in 1928, he spent a year teaching in the Coral Gables (Fla.) Military Academy. The next year he married Dorothy Heyl, Phi Beta Kappa, Cornell 1929, daughter of a Washington physicist, Paul Renno Heyl. Dorothy was working for a degree in library science at Columbia University and Roger had a job selling books for Doubleday, Doran in New York. He considered going into publishing, but after the crash there wasn't much left to go into, and anyway he found publishing too competitive for his liking.

DEPRESSION YEARS

He decided that what he really liked was teaching American literature, particularly the literature of Government and politics. He kept a part-time job with Doubleday while he took an M.A. at Columbia in 1931, and then quit the job to study full time for his doctorate. But life was hard in 1932; he couldn't afford to stay at Columbia, no teaching jobs were open, and his wife was going to have a baby. They went to New Hartford to live with his parents. Roger helped in his father's law office, and got an occasional tutoring job. He was unhappy, even bitter, about a society that wouldn't allow a man to earn a living in his chosen profession. After their first child, Cynthia, was born, the Joneses stayed on in New Hartford long enough to save a small amount of money. With that and a loan, Roger set out for Washington in the fall of 1933 to study in the Library of Congress for his doctor's dissertation. His ambition was to bridge the gap between belles-lettres and political literature.

It was hard to keep going financially, though, and when his wife's brother-in-law recommended Roger for a temporary job with the Central Statistical Board, he was glad to take it. Jones's job, helping to write a report on the activities of the Board, was to last a month, pay him about $200. When the month was up he was offered a 6-month appointment by the local board to work on administrative aspects of the general task of coordinating Federal statistics. He needed the money and he thought that practical experience in the Government would be valuable later in academic work. Also, he began to be interested in a Government that came down to the level of people's lives through the New Deal programs.

The first appointment was followed by another 6-month stretch. He was classified CAF grade 5, which was automatic for college graduates, at a salary of $2,000 a year, less a 15 percent "economy cut." In January 1935 he accepted a regular appointment from the board, expecting to stay for a year or so and accumulate a nest egg so he could continue working for his doctorate. He was an assistant executive officer and in 5 years he rose from CAF 5 to 7 to 9 to 11, taking the civil service examinations to stay in good standing although he had been classified in the beginning by statutory procedure.

In 1939 the Central Statistical Board was placed in the Bureau of the Budget, which at the same time was moved from Treasury to the executive offices—where it remains. Jones decided to leave and go back to his studies. Harold D. Smith, then the new Director of the Budget, asked him to stay on to help pull together the Bureau's administrative work. He was made administrative officer, CAF 12, salary, $4,600.

WAR YEARS

In addition to his administrative duties for the Bureau, Jones had a hand in setting up some of the defense organizations before World War II, notably the Office of Facts and Figures under General Donovan. Ever since his ROTC days at Cornell, he had been in the Army Reserve and spent 2 weeks each year in summer training. At Pearl Harbor time he was a Reserve captain of infantry. He expected regular duty, but Harry Hopkins and Isador Lubin, who were establishing the Munitions Assignments Board, knew Jones's aptitude for staff work and arranged to have him ordered to duty with the Combined Chiefs of Staff, assigned to the Board. He stayed there throughout the war, working with American and British officers on munitions pooling and assignment. He worked long, hard hours, rose from captain to major to lieutenant colonel to colonel. The strain caught up with him in 1944 and he was ill for several months, but at the end of the war he was back helping to liquidate the Board. For his services he was awarded the Legon of Merit and the Order of the British Empire. Harold Smith asked the Army to release him in 1945 and he went back to Budget to take a hand in liquidating other war agencies. He went back at his prewar rating, CAF 13,

at $6,440 a year. And he still thought he would quit soon to finish his doctorate and go into teaching.

The Joneses had three children, Cynthia, born in 1933, Roger, Junior, born in 1935, and Edward Chapman, born in 1940. They lived in a rented house in Chevy Chase. The family spent the summer in a house they owned in New Hartford, where Jones joined them for his vacation of 26 working days, or 5 weeks a year. He still felt more at home in Connecticut than in Washington, and he made a point of keeping in touch with people there, and reading the local weekly so that he wouldn't become insular or ivory towerish in his bureaucratic job. In 1946, after Harold Smith resigned and James E. Webb was made Director of the Budget, Jones was put to work on special assignments (CAF–14) for the Bureau's Estimates Division. A year later he was made assistant to the Director for Legislative Liaison (CAF–15), which meant that he was in charge of Bureau contacts with Congress. He spent much of his time on the Hill and became familiar with the working of House and Senate committees. (Today, Jones seldom sees individual Congressmen. His work is with Congress and he wants to keep it impersonal.)

THE WAY UP

The next step, in 1948, made him Deputy Chief of Legislative Reference. At the same time he began to realize that he was no closer to taking that doctorate than he had been in 1933, that he might as well face the fact that he was not a teacher but a career man in Government service. The pay wasn't high, but it was more than he might have made teaching, and there was security in it for himself and his family. He was close to the civil service top and since it was a nonpolitical job he was unlikely to lose it under a new boss or a new administration.

The Joneses sold their New Hartford house and made a substantial downpayment on the house they now live in in Chevy Chase. Before long, in 1949, Jones was made Chief of the Office (his present job). When supergrades were created by law, his job was classified grade 17, which then had a salary of $12,200. The succeeding Directors of the Bureau, Frank Pace and Frederick J. Lawton, kept him on, and when the Republicans came in last January, Joseph M. Dodge, the new Director, made it clear that he wanted everyone except the political appointees at the top to go on working as usual. Mr. Dodge (see "The Banker in the Budget Bureau," Fortune, March 1953) is more involved in the administration's general policymaking than former Directors have been and he leaves the second-string jobs in the hands of his assistants. Jones is completely responsible for the work of his aids and for his own decisions; only when serious controversy arises with an agency does he go to the front office. His long administrative training and Army staff work (he learned a lot, he says, from the British on the Munitions Board) serve him well now.

The work of the office is categorized and each aid has charge of a segment. Jefferson Burris, for instance, is in charge of legislation dealing with commerce and finance, James Hyde for international and military affairs, Edward Bowers for enrolled bills (he also drafts most of the covering letters), Harry McKittrick for public works, etc. Mary Sabine, Jones' personal troubleshooter, has worked with him since the thirties; Ann Parshall, his secretary, was secretary to the two former Chiefs of the Office. Staff members think Jones is a fair and generous boss. "He tells you what he wants," says Mrs. Parshall, "but he lets you do it your own way." Morale is high, contrary to the prevailing climate in certain other Washington offices. Some 40,000 Government people have been fired and another 40,000 vacancies have not been filled since the start of the Eisenhower administration; many civil service workers can't be sure of their jobs from one day to another. The Budget Bureau, with comparatively few employees, most of them specialists in the higher grades, has not had severe cutbacks and the offices along the marble-floored corridors are quite calm. Jones' office is, if anything, understaffed. The men think Jones himself works too hard. "We try to keep work away from him," says Jim Hyde. "We try to make our own decisions, but he keeps everything in his mind and always makes the final decisions."

MEMO TO JONES

Some of the things Jones keeps in his mind are indicated by a typical file attached to one bill signed by the President last August. It concerned legislation to improve factory inspection of food and drugs by removing the necessity of written permission from the factory. The correspondence began on December 29, 1952, under the Truman administration, with a letter from John L. Thurston, Acting Administrator of the Federal Security Agency, to Frederick Lawton, then Director of the Budget: "There are transmitted to you herewith four copies of a draft bill 'To protect the public health and welfare by restoring authority for factory inspections under the Federal Food, Drug, and Cosmetic Act,' together with four copies of the proposed letter of transmittal to the Speaker of the House of Representatives. Please advise us as to the relationship of this proposed legislation to the program of the President."

The bill and letter were routed to Roger Jones and turned over by him to Earl Radley, his assistant in charge of legislation for labor, welfare, and education. Mr. Radley, in an office memorandum on January 14, 1953, proposed certain word changes and suggested the idea be developed "that from a budgetary standpoint inspection is the most inexpensive and practical method of regulation." The memo further noted that Mr. Jones already had checked Justice and telephoned a no objection clearance to Rufus Miles at FSA. The telephone conversation was confirmed by letter on January 15. The Treasury and the Federal Trade Commission were asked for opinions and returned no comment letters.

UNDER NEW ADMINISTRATION

On January 26 Senator H. Alexander Smith wrote Mr. Dodge, asking for a report on the bill, and the letter came to Jones' office. On March 2, Oveta Culp Hobby, the new Administrator of FSA (later Secretary of the Department of Health, Education, and Welfare), wrote Senator Smith and Congressman Wolverton urging passage of the legislation (S. 835 and H.R. 2769), and 2 days later copies of these letters were sent to Jones with a covering note saying, "These reports were cleared by telephone with Mr. Bowers of the Bureau by Mr. Ellenbogen of this Agency." On March 16 the Budget Bureau advised Senator Smith that enactment of the legislation would be in accord with the President's program.

On July 20, Senator Smith sent a revised bill, H.R. 5740, which had been passed by the House, to Mr. Dodge (Jones) asking for a report at the earliest possible moment. On July 24 there was a yellow memo from Ellenbogen in HEW to Jones sending copies of the proposed report to the Senate committee, and asking for quick review. Miles, said the memo, would call. On July 27 there was a blue memo to Jones from Radley saying clearance was being rushed, with a penciled addition for the record, "Mr. Jones advised Rufus Miles NOB (no objections)." Another blue memo on the same date came from HEW; the bill, it said, was not perfect, but would meet basic needs. On July 30, Lane of HEW submitted Mrs. Hobby's recommendation to Roger Jones, "this report was cleared by telephone with you by Mr. Miles of this Department." On August 3 the bill was passed by the Senate.

FINAL PROCESSING

The next day Mr. Jones wrote Justice and HEW for their reports on the enrolled bill. On August 6, Justice replied that it had no objection, and Mrs. Hobby wrote to Mr. Dodge, "This is in response to Mr. Jones' letter of August 4. The legislation * * * may limit the inspection authority * * *. Whether and to what extent this legislative history may adversely affect enforcement of the law and indicate the desirability of amendatory legislation can only be determined on the basis of accumulated experience under the new law." Mrs. Hobby recommended that the bill be approved.

On August 7, Roger W. Jones wrote his covering letter to the President. The bill, he said, would provide basic inspection authority although it might not provide all the authority considered necessary. "The constitutionality of the proposed legislation was questioned during the course of its consideration by the Congress. We believe that the presumption of constitutionality attaching to measures passed by the Congress should be accorded to H. R. 5740 and that any question in this regard should be left to the judiciary." He pointed out that HEW recommended approval and that Justice interposed no objection. "In view of the urgent need for legislation to enable the Food and Drug Administration to carry on its inspection program, the Bureau of the Budget recommends that the bill be approved." The same day the bill was signed by President Eisenhower.

AT THE END OF THE DAY

Jones comes home from work about 6:30 in the evening, tired, with a clear conscience. After supper with the family, he and his wife may sit for a while on the terrace by the fish pool out in the backyard or help Edward with his homework. Later Jones takes a look at the Evening Star and settles down to an hour's reading of reports or the CONGRESSIONAL RECORD. Perhaps he and his wife will go for a walk in the evening or take a drive or drop in on friends for a talk. They don't entertain often, don't like big cocktail parties or official affairs.

Jones doesn't have much time for reading; when he does, it is usually history or poetry, particularly Browning. ("I even play around with verse forms myself sometimes. Very relaxing.") He likes to garden, but doesn't have time to do more than keep up the lawn and shrubbery. When Congress is not in session, he has Saturday afternoons off and can catch up on such chores as getting his hair cut or having the car, a 1951 Chevrolet, greased. On Sundays there are the morning papers to read, church, dinner, a call on Mrs. Jones' mother and father. Occasionally Jones takes Edward to a baseball or football game in the afternoon. More often he takes a walk or works in the yard.

The house at 10 West Leland, a quiet, shady street in Chevy Chase, is unpretentious and comfortable. Edward, 13, is the only child at home now. Cynthia is married and has a daughter of her own. Roger Jr., went to Cornell as a freshman this year. Mr. and Mrs. Jones give time and energy to All Saints Church, the Community Chest, and the Washington Institute of Mental Hygiene, but Mrs. Jones is not content to be just a middle-aged do-gooder. She has put her library-science degree to work and has taken a part-time job with the Montgomery County Library. She likes it, and even a small addition to Jones' salary helps. She has a cleaning woman once a week, but does the rest of the work herself, the cooking and dusting and most of the washing and ironing.

BUDGETEER'S BUDGET

As might be expected, the Joneses keep a careful budget—and stick to it. From the

$13,400 salary, $2,147.12 is deducted for income tax and $804 for retirement, leaving take-home pay of $10,448.88 a year. Ceilings have been fixed on regular recurrent items in the monthly budget. They total $706 a month and include college expenses for Roger Jr.; payment on the mortgage (now reduced to $9,000); an allowance of $1 a day for each member of the family for food (plus milk, eggs, and butter at $30 a month); utilities, cleaning, gas and oil for the car; church; newspapers, Edward's allowance; recreation, medical and dental bills. The Joneses allow $60 a month to meet all their clothing and other purchases from Washington stores. A repair-and-maintenance account of $30 a month is kept for the house. Jones allows himself $40 a month for personal expenses, including lunches.

When all these items are accounted for, there is left an annual balance of $1,976.88. This is reserved for paying bills that accrue on an annual basis. This year the balance is allocated as follows:

Life insurance	$536.00
Household and car insurance	166.00
House taxes	375.00
Maryland income tax	160.00
Federal income tax (in addition to the deducted tax)	200.00
Charities	150.00
Water	40.00
Car repair and upkeep	100.00
Reserve for contingencies	349.88
Total	1,976.88

So long as the boys are being educated and the house is being paid for, not much money will be left in the bank at the end of the year. But a good thing about a civil-service job is the security it offers. If Jones works another 10 years, as he intends to do, he can retire from Federal service at the age of 55 with an annual pension computed on the basis of 1½ percent for each year of service, figured on his highest 5 years' overall salary. After 30 years that will mean an annuity of something over $5,000. If he should die, Dorothy and the children would get a pension of half the annuity he had earned at the time of his death, plus his life insurance. The pension is one reason that he has turned down several offers of higher-paid position in private industry. One reason. The others are that he likes his work and does it well. And above and beyond them all is his sense of duty. He is serving the President of the United States (whether a Democrat or a Republican) and the people of the United States to the best of his ability. And when he leaves the Government in 1963 he intends to go on serving, either as a teacher ("I feel I have an obligation to pass on to others what I have learned here") or in some local office ("I shall have done my duty at the Federal level, but I owe something to Connecticut and New Hartford, too"). If he can't get a teacher's post at Cornell, his first choice, or Wesleyan or the University of Connecticut, he probably will go back home and run for selectman or the legislature.

Roger Jones is pleasantly content with his life and work. He makes enough money to live comfortably and to educate his children and provide for the future. He is devoted to his family, and to his job. "God and the Government," he says, "have been very, very good to me."

DEPARTURE OF SENATOR BUTLER FROM COMMITTEE ON THE JUDICIARY

Mr. HENNINGS. Mr. President, it is with great regret that the members of the Committee on the Judiciary have learned that the distinguished senior Senator from Maryland [Mr. BUTLER], who is the present occupant of the chair, will not be a member of the committee in the coming session. He and I have differed sharply on a number of occasions; but in the course of our discussions and debates in the committee, I have always learned and been edified; and our debates in the Senate Chamber, in which he and I often have taken opposite sides, have always been conducted in the best of spirits, and I trust that will always be the case.

We who serve on the Judiciary Committee shall miss the Senator from Maryland very much indeed.

The PRESIDING OFFICER (Mr. BUTLER in the chair). The Chair desires to thank the Senator from Missouri.

Mr. FREAR. Mr. President, I should like to supplement the remarks made by the senior Senator from Missouri [Mr. HENNINGS] commenting on the distinguished occupant of the chair, the senior Senator from Maryland [Mr. BUTLER]. I wish to state that the loss to the Judiciary Committee will result in a very proud gain to the Finance Committee.

Mr. KEFAUVER. I wish to join with other Senators who have spoken on the matter in expressing my personal regret that the Senator presently occupying the chair [Mr. BUTLER] has departed from the Judiciary Committee, where our relationships were very, very pleasant.

CONDITIONS IN CUBA

Mr. SMATHERS. Mr. President, in recent weeks, and certainly in recent days, there has been a great deal written and said about the revolution which has just been completed in Cuba. There is much being said about a young man by the name of Fidel Castro. Because of my long interest in the Latin American area, and because of some knowledge I have had about this young man for some time, I have been asked from time to time to make a statement about it. Up to last Saturday I had refused to do so. But I thought possibly the time had arrived when a statement should be made. The statement which I had released Saturday, January 17, did not get very wide publicity and was not carried over many means of communication, so I take this opportunity to read it into the RECORD:

I think most informed people know of my long and enduring interest in Latin America. I have spent many years studying its people, their histories and background, and their problems. That is the reason why I did not rush into print when it appeared that the Castro movement would be successful in Cuba.

I have followed with much interest the history of Fidel Castro since I first learned about him in the revolt at Bogotá, Colombia, in 1948; thereafter, his activities as a member of the Caribbean Legion, his prerevolutionary activities in Mexico, and, of course, his efforts starting with a landing on the island of Cuba, 2 years ago.

I have heard enough about him to cause me to reserve judgment on him. He has appointed good and proven men to important posts in the government. There can be no question of his courage, nor love of his country, but there likewise can be no question of his youth, his inexperience, and the dubious reputations of some of his past associates.

I, therefore, have reserved judgment on the quality of his ambitions, his capacity to administer the affairs of Cuba, his understanding of democracy, and his judgment and his tolerance. That is why, when many of his supporters in my State urged me to "jump on his bandwagon" as he gained strength in the recent successful revolution in Cuba, I refrained from so doing. My response then was that we could take heart that it appeared that greater democracy and freedom was on the way for Cubans, but it was too early to go overboard on Castro. Despite the lyrical buildup he was getting from the American press, radio, and television—it was far too soon to determine whether that in the long run the people of Cuba had improved their position by merely the change of governments.

In my opinion, it is still too early for final judgment. A continuation of the peremptory executions of those who disagree with Castro would lead to the inevitable conclusion that the Cuban people have escaped from one form of a dictatorship, only to find themselves under a more virulent brand.

The American people love the Cubans and suffer with them in this hour of their torment. We would all like to help them. But what Solomon is there who knows the answer at this moment? In view of the fact that some already went overboard too hastily on one side, would it not now appear most sensible for us all to restrain ourselves, our statements, our judgments, until the picture gets a bit more clear?

I think our State Department has done a good job under extremely trying circumstances. They properly did not effusively clutch or attach us to the uncertain future of Castro. They have learned, as we all should have, that all dictators who come to power do so shouting "freedom for the people" and "democracy for all."

Surely one who so shouts has not proven thereby that he is a George Washington or a Simon Bolivar.

The State Department acted with proper restraint, stating that the problem is first of all that of the Cubans—which, of course, it is, and always will be—and that the United States ever stands ready and anxious to help the cause of freedom and liberty when we know that the vehicle on which it is moving is genuine.

It is too bad that some of us hadn't studied Latin American history a bit more than we did, or remembered as well as did the State Department. It would have saved the necessity of reversing the field as we now see taking place on all sides.

Everyone deplores killings and bloodshed. All Americans love liberty and democracy. We know its wonderful blessings, and we want them for others. But, let us remember that all people are not exactly like we are. The Latin temperament and background are different from ours. The Latins may not fit exactly into the mold we mentally prepare for them. In short, let us be as mature and objective about these changes in Latin American governments as past history and recent facts tell us we should be.

Let us hope and pray for a happy salvation for Cuba. Let us hope and pray Fidel Castro rectifies his ways and becomes as benign and democratic as some people believed he would be.

Let us leave the problem of U.S. relationships with Cuba in the hands of the State Department which has men who have devoted a lifetime of study to these problems.

Let us, for the time being, at least, stop challenging and disparaging the new regime.

These belligerent assertions and imprecations from the safety of our desks and chambers don't make it easier for those poor Cubans caught in the crossfire of changing governments.

Hereafter, I expect to follow my own advice, and this is the first and last communique I will issue, at least for a while.

Mr. President, yesterday every Member of the Senate, and I think every Member of the House, received an invitation from Fidel Castro to attend a mass demonstration tomorrow in Havana, at the beginning of the war trials there.

I ask unanimous consent to submit for the RECORD at this time the answer which I sent to Mr. Fidel Castro.

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

JANUARY 19, 1959.

I am in receipt of your invitation to witness the war criminal trial and gathering of 1 million Cubans on Wednesday, January 21, in Havana.

As a longtime friend of your country, I have a deep and abiding interest in its affairs. However, I think no useful purpose can be served by my presence or my comments on this occasion. I think too much has already been said by individuals who at present know too little about what's going on in your country.

There are many people who have placed great trust and hope in your ability to bring order in Cuba and provide a government recognizing human rights, personal freedom and democracy.

I join with them in prayers for forbearance and a sensible approach to the many problems with which you are now confronted.

Your name will be judged in history not so much on how many demonstrations are held but rather upon how well you lead the people of Cuba down the road to a better economic position, a greater democracy and a recognition of personal rights.

This is a time for restraint on the part of all. It is my hope that all of us will stop shooting and shouting on these important matters where hasty decisions mean ill-considered acts.

In my judgment, the time has come for U.S. relationship with Cuba to be put back in its its proper channel where our State Department speaks and acts for us all.

TOURIST DIPLOMACY

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article which appeared in last night's Washington Evening Star, written by former President Harry S. Truman. It is entitled, "Truman Warns United States of Tourist Diplomacy."

While most of the article had to do with the problem of Mikoyan's visit to this country, nevertheless I think some of the things which the former President said can well be applied to the consideration of problems concerning Cuba.

I read briefly from the article:

Those of our own people—whether they travel to Moscow or whether they have been hosts to Mikoyan here in this country—must understand that they have no responsibility for the shaping of American foreign policy.

Later the article reads:

And I must say that our diplomatic tourists and some of our industrial leaders have been of little help in clearing the air. Diplomacy by press interviews, special audiences, or fishing expeditions can only compound an already complicated situation.

The first thing these people must understand is that, under our Constitution, there is only one place where foreign policy is made, and that is in the White House, and by no one other than the President of the United States, himself. He cannot delegate or share this responsibility, nor can others assume it.

I ask unanimous consent that the entire article written by former President Truman be made a part of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TRUMAN WARNS UNITED STATES OF TOURIST DIPLOMACY

(By Hon. Harry S. Truman)

I hope that the recent crop of diplomatic tourists does not get us into more complications at a time when the free world is trying to find how to deal with the Communist world.

Those of our own people—whether they travel to Moscow or whether they have been hosts to Mikoyan here in this country—must understand that they have no responsibility for the shaping of American foreign policy.

I am particularly disturbed by the eagerness displayed by some of our leading industrialists and financiers to shower the visiting Soviet Deputy Prime Minister with solicitous attention and social glamour resulting in pressure on the White House.

There is considerable difference between negotiations by governments and the probing by individuals for some kind of a deal.

I am all in favor of negotiations—no matter how trying to our patience—with anyone currently in power in Russia, be he Khrushchev, his deputy, or anyone else.

USE TALKS FOR PROPAGANDA

We have had many long and exhausting talks with Stalin, Molotov, Gromyko, Bulganin, Zhukov, Khrushchev and others, but up to now these talks have been futile as far as reaching even a working basis, much less a peaceful accord, with the changing figures in the Kremlin.

The Kremlin has used all these talks to feed its propaganda mills.

The situation with regard to the establishment of peace is, in reality, very simple. But the Russians and the Chinese insist on making matters complicated.

And I must say that our diplomatic tourists and some of our industrial leaders have been of little help in clearing the air. Diplomacy by press interviews, special audiences or fishing expeditions can only compound an already complicated situation.

POLICY UP TO PRESIDENT

The first thing these people must understand is that, under our Constitution, there is only one place where foreign policy is made, and that is in the White House, and by no one other than the President of the United States, himself. He cannot delegate or share this responsibility, nor can others assume it.

And until the President of the United States decides what our foreign policy is and says what it is and stays with it, any statements or declarations made by diplomatic tourists serve no useful purpose in our relations with the Communist world.

We always wish to be generous and agreeable hosts. This is an American tradition, but let us not deceive ourselves about the method of solving our acute diplomatic ills in our relations with the Kremlin.

Surely, the visit to this country by Mikoyan, ostensibly as a tourist but in reality in a mood to negotiate, is not the way to do official business, diplomatic or otherwise, with the United States. It could arouse suspicion among our allies that we are susceptible to unilateral negotiations with Russia which would be harmful to the cause of the free West.

Since leaving the White House, I frequently have been called on by representatives of foreign governments. More recently, while in Washington to see the opening of the 86th Congress, a responsible representative of one of our principal allies came to see me at the request of the head of his government. The purpose of his call was to tell me of his country's fears that we in the United States do not have a clear understanding of the dangers confronting his government and the free nations of the world today.

I told him that he was free, of course, to talk to anyone in this country, but for practical reasons there was no purpose in his talking to anyone except the President of the United States, and that he should try to see him or his constitutional representative.

I would caution some of our well-meaning, self-appointed, self-assumed peacemakers to be careful lest they forget, in their ardor, that the President makes foreign policy and they may inadvertently lend themselves to the propaganda purposes of our adversaries.

We must face the fact that unless the President of the United States is fully informed and is acutely sensitive to all the implications of all that is going on all over the globe, we will be in grave trouble indeed.

The President, who has access to sources and types of information available to no one else, should be in a better position to arrive at judgments to shape our foreign policy. Any suggestions of division among ourselves at this time on the aims of our foreign policy can only serve the Communist propagandists.

With reference to Mikoyan's visit, I am less apprehensive about the rank and file of the people being taken in by Communist maneuvers than I am about some of the financiers and industrialists who are so easily affected by a prospective source of new business that they fail to balance this interest against the national interests and the security of the country as a whole.

We have the tragic experiences with this kind of shortsightedness and gullibility prior to and during the Second World War.

I have always favored tourist exchanges between our two opposing systems in the broadest possible manner. We should encourage teachers, students, artists, farmers, businessmen, financiers, industrialists, members of Government and other representative officials and groups to visit Russia and to receive similar groups coming to us from Russia.

I am glad, therefore, that so many of our businessmen, writers, journalists and political leaders have traveled to Russia and were accorded important interviews there. Any new information that came out of those interviews was certainly a net gain.

But I do feel that in some instances interviews by those who are not journalists have lent themselves unwittingly to maneuvers of the Kremlin to appeal to our people over the heads of the Government.

I think that one of our difficulties with the Russians in recent years has been our failure to realize that the Communists have been acting on the premise: "When you are selling something, you ask for more than you expect to get." These are the words of Mikoyan in his effort to explain to us Russia's tough position on Berlin.

Where we made our mistake in those years was giving the Russians the impression that we would yield to bargaining and trading and that we would be for peace at any price.

My experience with the Kremlin taught me very early that to yield an inch in the area of their expansionist aims is fatal. They must understand that we are for peace on equitable and reasonable terms and will not yield to their pressure.

I know from experience that it is not enough for us to keep saying that we want peace. The Russians keep doing that, too.

We need to make our purposes and objectives clearly understood at all times so that the Russians cannot mislead or confuse the world by their professions of peace.

One thing I hope Mikoyan—shrewd observer that he is—will tell the Kremlin is that our free industrial and economic society has no reason to emulate Russian state capitalism. As for Russian achievement in military science, I hope that Mikoyan, having seen our industrial might and potential—will realize our capabilities to meet any Russian challenge in that area—no matter what gross mistakes we have made or what lapses in our leadership have cost us.

I would suggest to Mikoyan that he also tell his people that while our people are friendly and want peace, they do not frighten easily.

SOVIET IN TROUBLE

Russia knows she has nothing to fear from us. We covet nothing she has. All we want from Russia is her cooperation in assuring the peace of the world. So far, she has steadfastly refused.

Well, then why is Mikoyan here?

Perhaps one reason is that Russia is seeking another meeting at the summit. It would seem to me that Russia now finds herself in trouble in the West and in the East.

In the West, she has seen devastated free Western Europe emerge into mighty industrial powers with their people enjoying a high and growing standard of living.

In dramatic contrast, Russia chose to concentrate her resources since the war on building up military power and to apply her scientific skills to military purposes. This she did at the expense of the living standards of her people.

Added to her failure at home to meet the needs of her civilian population, she is now confronted by serious economic difficulties in her satellite states.

At the same time West Berlin has become a constant reminder of the startling differences between free West Berlin and Communist-captive East Berlin. The comparison is odious and annoying to the Communists.

Mikoyan understandably would like to arrange with us to supply Russia with certain goods and materials to help bolster, not only the Russian economy, but that of her satellites.

EXTENSION OF THE SUGAR ACT OF 1948

Mr. FREAR. Mr. President, I should like to discuss one of the sweeter things in life—namely, the Sugar Act. In that connection, Mr. President, I shall abide by the 3-minute rule.

Although the 1956 revision of the Sugar Act of 1948 will be in force until next year, I believe that it is not premature to address ourselves now to elements which we must consider when a further extension of the act will be contemplated.

At this time I wish particularly to emphasize the position of the Republic of the Philippines in connection with the allotment of quotas to suppliers to the United States of sugar for domestic consumption. Many of us shared acutely the disappointment of the Philippines when, in 1956, the sugar producers of that area were given no participation in filling the increased demands of users in the United States. The President, in his message accompanying approval of the extension act, stated:

It was not considered feasible to recommend an increase in the Philippine quota at this time. I believe, therefore, that when new amendments are being prepared at the conclusion of the present act, consideration should be given to allowing the Philippines to share in increased consumption, as is now provided for other foreign countries by this bill.

What was true of the position of the Philippine sugar suppliers and the state of the Philippine economy 3 years ago remains true today with even greater validity as to the suppliers and increased poignancy as to the hardships of our sister Republic. In the extensive hearings of the Committee on Finance on proposals to amend and extend the Sugar Act of 1948, a strong case was presented in behalf of Philippine sugar suppliers for participation in increased quotas due to higher consumption of sugar in the United States. Nevertheless, the quotas to fill the substantial domestic increased demand were allotted to Cuba, the Dominican Republic, Peru, Mexico, and others, but none to the Philippines. No objection is raised as to the participation in the increase by U.S. suppliers, but I do question the result that, alone among foreign suppliers, the Philippines appear to have suffered from discrimination, which is all the more severe, since Philippine imports become duty-paying in increasing degrees.

I need not dwell long upon historical events intimately known to all of us. The Philippines were our charge for half a century, and in 1946 entered the society of independent nations, with our encouragement and blessing, to become the showcase of democratic government in the Far East. The wounds of a war in which that courageous people had stood stalwartly by the allied forces of freedom were not quick in healing.

The generosity of the United States in making compensation for war losses, in advancing funds for physical repair, and toward the intangible rehabilitation of its institutions has not been slighted. What we have done in the past, however, should not now impair our recognition of the continuing friendship of the Philippines and the courage and resoluteness of its Government in combating the infiltration of insidious Communist subversives, and participating on the side of the free world in cooperative economic and political advances of Far-Eastern nations.

The present economic plight of the Philippines results from a number of considerations upon which I do not propose to dwell at this time, although an analysis of the background of apparent failures is not irrelevant. The experimental nature of some of the efforts toward recovery after the war understandably resulted in more disappointments than satisfactions. The industrialization of the Philippines, a country of traditionally agricultural pursuits, and high in the potential of natural resources, was a dream not ready for immediate fulfillment. The temptation to import luxury items after a long period of deprivation of even the simplest necessities represented a normal human weakness, with obvious disastrous results to Philippine money reserves.

The President of the Philippines made a visit to this country during 1958, and, according to reports, was graciously and hospitably received by officials of our Government. Nevertheless, he returned to his country with far less in the way of commitments for economic aid than had been announced as his objective. We are informed by the press and releases of Government agencies that the economic insecurity of the Philippines has been dangerously mounting, and that the country is close to bankruptcy. There may be a difference of opinion as to methods of helping the Philippines by further loans; the payment of the balance of war damages awarded, but unpaid, under the terms of the Philippine Rehabilitation Act; the extension of economic aid under one or another of the programs of the United States or direct grants. But all of us must agree that it is inconceivable for us to disregard the crisis in a country with which our ties have been cemented to an extent unprecedented in our history.

While our representatives are discussing agreements concerning military bases, assistance, and mutual defense, the further crystallizing of trade relations, and the taking of other steps which will encourage the maintenance of our close connection in every respect with the Philippines, it would seem to be a gesture of the most thoughtless inconsistency for us to fail to include that country in the increased sugar quotas which we shall be called upon to consider in the next revision of the Sugar Act of 1948.

The sugar industry in the Philippines is probably the only one which has experienced complete rehabilitation since the end of the war, despite the fact that the equipment and resources of this industry suffered immediate and total destruction by the Japanese and as a result of usual war hazards. While experimentation and exploitation in other industries and fields of endeavor in the growth of the Philippine economy have been taking place, sugar has remained an exportable and paying crop without any additional expense, complicated machinery of aid or lending programs, or controversial political undertakings. We have an opportunity to extend to the Philippines considerable economic help by granting it an opportunity to supply a portion of our increased demand for sugar.

In a broad sense this opportunity should be an expected privilege of the Philippines among all of the foreign sugar producing states with which we are required to do business. Not only do we meet a critical condition in the Philippines by favoring an additional allotment to the Philippines in further quotas of sugar importation, but in so doing we observe a historical or traditional pattern whereby, prior to 1948, the Philippines shared more largely in our sugar importation than under the 1948 act and the 1956 amendments, where we departed from the past without realistically facing the present or the future.

In quoting from the report of hearings before the Committee on Finance of the 84th Congress on House bill 7030, let me point out:

In the 1948 act, the fixed tonnage quota of the Philippines Trade Act of 1946 was substituted for the percentage quota of the 1937

act. This change had the effect of reducing the Philippines' share by 2.9 percentage points with total requirements at 7.8 million tons, and by about 3.6 percent with total requirements at 8.2 million tons. Cuba and the "full duty" countries became the residual suppliers of the market. Cuba's share was increased from 28.6 percent under the 1937 act to 32.3 percent with total requirements assumed at 7.8 million tons under the 1948 act, and to 32.6 percent with total requirements assumed at 8.2 million tons under the 1951 amendments. The amendment approximately trebled the share of the "full duty" countries.

I am not unaware of the representations made in connection with the sugar producers and exporters of other friendly lands, such as Cuba and Mexico. Sound arguments have been offered to the effect that depriving opportunities in the field of sugar to essentially one-crop nations, such as Cuba, might entail unrest, economic upheaval, and possibly total collapse. We have observed that even after making concessions in the face of such arguments, and after considering very sympathetically and generously the position of Cuba, the contribution which we made to political stability in that land has apparently been inconsequential. On the other hand, the problem in the Philippines is much larger. The Philippines' economic situation at this time has a significance in which we are immediately and intimately involved because of its proximity to what might be termed the center of gravity of the Communist threat to the institutions of the free world.

I sincerely hope, Mr. President, that when we are called upon to consider a revision of the act providing for our sugar needs we do not again fail to recognize the equities of the Philippines, as entitled to a larger share of our imports as a matter of history and as an immediate economic necessity of a warm friend and faithful ally.

NEW YORK UNIVERSITY'S GREAT TEACHER AWARD

Mr. MURRAY. Mr. President, one of the most pressing problems we have in our national defense and in the world race for technological leadership is the education of our youth.

The teacher stands as an important symbol in this problem. Anything that is done to attract superior people to the teaching profession and to hold those superior people now serving as educators is most worthy and vital.

The Alumni Federation of my university, New York University, has just taken a noteworthy and dramatic step to bring to the attention of the Nation this indispensable member of society, the teacher.

The New York University Alumni Federation has established a great teacher award. Briefly, this program provides that three members of the faculty will be cited each year as great teachers. Each will receive a cash award of $1,000 from the alumni.

The New York University Alumni News had this to say editorially about the program when it was established:

The great teacher awards program instituted by the Alumni Federation was designed primarily to bring long-overdue recognition and reward to the honorable profession of teaching. Never before in our country's history has there been so striking a need to call attention to the educator, to his problems, to the invaluable service he performs.

New York University's graduates, through the Alumni Federation, are not simply giving the professor a pat on the back; they are also putting some tangible evidence of their appreciation into his pocket.

This perhaps tells the great value of this program best. Several of our great newspapers have spoken of it favorably in editorials; so have prominent radio and television commentators.

It would appear that the idea is catching on elsewhere. I learned on a recent visit to New York University that since the announcement of the great teacher program, many other universities have requested details on the plan; with the thought in mind that they, too, might institute a similar program.

This program, in itself, is of course not sufficient. We need a program of Federal support for schoolroom construction and teacher salaries, as envisioned in S. 2, the School Support Act of 1959, whereby hundreds of thousands of elementary and secondary classroom teachers would receive the decent compensation they deserve for their great service. But the great teacher award is a good development worthy of study by other alumni organizations and groups interested in better education. Widespread adoption of this plan will lead to greatly improved teaching in the Nation's institutions of higher learning.

Mr. President, I ask unanimous consent to have printed immediately following these remarks an article and an editorial from the New York University Alumni News of November 1958, and another article from the same publication of December 1958.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

NEW ALUMNI AWARDS PROGRAM WILL HONOR GREAT TEACHERS—THREE PROFESSORS TO BE CITED ANNUALLY—EACH TO GET $1,000

The Alumni Federation of New York University has established a great teacher award as a tribute to the faculty.

Beginning with this academic year, three professors will be cited annually as great teachers. Each will receive a cash award of $1,000 from the alumni.

Teaching excellence will be the sole consideration in the selection of the award winners. Achievements of faculty members in lines other than teaching will be considered only as they affect teaching quality.

Although the Alumni Federation is the sponsor of the award and alumni are expected to be prominent among those nominating candidates, the accolade of great teachers will not be bestowed by the graduates. In presenting the program to the university, the federation stipulated that professors be chosen by their colleagues.

THREE JUDGES

Three elected members of the university senate will serve as a selection committee each year to consider the nominees and name the winners. Members of the selection committee will be appointed to 1-year terms by the university president in his role as president of the university senate. Selection committee members will not be eligible for the great teacher award in the year in which they are engaged as judges of their peers.

Any alumnus or faculty member may nominate a candidate. Nominations must be in writing and may be submitted only to the secretary of the Alumni Federation. Nominations must be postmarked no later than February 1, 1959, to be considered for the 1959 selection of great teachers. Under the terms of the program, a supporting statement not to exceed 350 words may accompany a nomination.

ANNOUNCEMENT IN SPRING

Shortly after February 1 each year, the secretary of the Alumni Federation will transmit all nominations to the selection committee for its deliberations. At a university ceremony sometime in the spring, the great teachers will be announced and they will receive their citations and awards from the president of the Alumni Federation.

The proposal for the awards program was initiated last year by the alumni communications committee. The undertaking was studied and planned by a communications subcommittee headed by Madeline McWhinney, '47GBA, and Martin G. Waldman, '48W, and then submitted by the committee chairman, William J. Davison, '39A, to the board of directors of the Alumni Federation. That body approved the program and placed it before University President Carroll V. Newsom. He greeted the plan enthusiastically and termed it an excellent means of encouraging and rewarding outstanding teachers.

Final details were completed by a university senate committee and an Alumni Federation committee, working jointly. Prof. Hollis R. Cooley, '37G, of Washington Square College, was chairman of this six-man body. Other senate members were Dean G. Rowland Collins, '22GBA, of the Graduate School of Business Administration, and Prof. James H. Mulligan, Jr., of the College of Engineering. Federation representatives were Mr. Davidson, B. A. Ross, '25C, alumni secretary, and Stanley Sapin, '34C, director of alumni communications.

EXCELLENCE IS DEFINED

Professor Cooley stressed that the award would be given primarily for present excellence, rather than for past performance. "Continuing effectiveness over a period of time will inevitably carry some weight with the selection committee, however," he said.

"Excellence in teaching implies a high level of success in leading students to knowledge and understanding of the subject matter taught," Dr. Cooley stated. "It must also be judged according to the degree and quality of inspiration transmitted to students and the example of intellectual integrity that is afforded by the teacher."

Any member of the faculty is eligible for great teacher designation in a year in which he has taught at least two courses throughout the year. "The award shall be made," the Cooley committee said, "for excellence in teaching without discrimination based on school, rank, age, sex, or distinction not directly related to teaching."

President Newsom has named as members of the selection committee for 1959, Profs. Harmon M. Chapman of University College, Forrest E. Long, '28Ed., of the School of Education, and Godfrey E. Updike, '24L, of the School of Law.

"GREAT TEACHERS ARE GREAT MEN"—NEWSOM

The following is a statement by President Carroll V. Newsom concerning the establishment by the Alumni Federation of the great teacher awards:

"In all the great cultural traditions of the world noted teachers have held special positions of esteem. This is inevitable, for the promulgation of the culture, its elaboration and extension, belong essentially to those accepted as teachers. The scientist points with appreciation to a teacher who stimulated and inspired him. The professional or business leader recalls with enthusiasm the teacher who opened doors or painted pictures.

"The teacher who is revered must be humble; he must have great respect for people, their interests and their abilities; and he

must be dedicated to his task. Otherwise it would be impossible to mold the minds of students in a significant way. Thus great teachers are also great men, so homage is doubly due them from all who desire the good society that is the dream of men everywhere.

"How appropriate, then, that the alumni of the largest private university in the land, with its unique tradition that many institutions envy, should take specific steps to recognize in a tangible way the great teachers of their own alma mater. It is so very right that comment is virtually unnecessary. Certainly the action itself is a tribute to a fine body of men and women who have learned what is really meaningful in a world of questions and doubt."

HE WAS A GREAT TEACHER

The great teacher awards program instituted by the Alumni Federation was designed primarily to bring long overdue recognition and reward to the honorable profession of teaching. Never before in our country's history has there been so striking a need to call attention to the educator, to his problems, to the invaluable service he performs.

New York University's graduates, through the Alumni Federation, are not simply giving the professor a pat on the back. They are also putting some tangible evidence of their appreciation into his pocket.

It is hoped that the title "Great Teacher" is one that faculty members will carry with pride and distinction. The title was chosen for the simplest of reasons: It is a phrase used conversationally time and again when alumni gather for homecomings and reunions. Inevitably, discussion of the old days will lead someone to refer to a beloved professor. Just as inevitable is the reply, "Of course I remember him * * * he was a great teacher."

A word about three professors, named Chapman, Long, and Updike, who compose the selection committee this year for the great teacher awards. The Alumni Federation is eager to see these gentlemen overworked late this winter, once the nominating period for the awards closes. Nothing will please the proponents of the awards program better than that Messrs. Chapman, Long, and Updike be inundated with candidates. To that end, alumni and faculty are urged to nominate those teachers they deem worthy of acclaim as great teachers.

GREAT TEACHER PROGRAM EARNS PRESS ACCLAIM

Widespread acclaim in the press, over the airwaves and in university ranks greeted last month's announcement by the Alumni Federation of the great teacher awards.

The program honors members of the faculty for teaching excellence. Three professors will be cited annually, beginning this academic year, and each will receive an award of $1,000 from the alumni.

A FINE IDEA

The New York Herald Tribune saluted the plan editorially, calling it a fine idea.

"There are many ways to measure a teacher's worth, of course," the Herald Tribune said. "Certainly the academic man deserves credit for the writing and research that he does in his special area of scholarship, for these widen our horizons of knowledge. But it is in the classroom that a great teacher truly leaves his stamp.

"It's a wise student who recognizes the great teacher," the newspaper stated, "and a wise university that honors him."

The New York World-Telegram and Sun also gave editorial attention to the program. Quoting President Carroll V. Newsom, who had called the Alumni Federation project "an excellent means of encouraging and rewarding outstanding teachers," it said, "we fully agree and hope the idea is contagious."

Lowell Thomas told his WCBS radio audience about the undertaking. "Timely recognition of the immense importance of the teaching profession," he said. "Thousand dollar apples for teacher. Who knows, maybe the idea will spread from coast to coast."

TEACHING AN ART

Max Lerner, author and lecturer, praised the program in his column in the New York Post. Said Mr. Lerner, "I like the idea of the New York University alumni who are presenting checks for $1,000 annually to the three men who win the great teacher awards. I like it because it implies that teaching is an art, and a competitive one, and even a great one."

Although the Alumni Federation is sponsoring the program, great teachers will be chosen by their colleagues. Selection will be made by a committee of three elected members of the university senate. Committee members will be appointed to 1-year terms by the university president as head of the senate. They will not be eligible for the award in the year they serve as judges.

President Newsom has named as members of the selection committee for 1959, Profs. Harmon M. Chapman, of University College; Forrest E. Long, '28Ed, of the School of Education; and Godfrey E. Updike, '24L, of the School of Law.

Any alumnus or faculty member may nominate a candidate. Nominations should be sent to the secretary of the Alumni Federation, at 100 Washington Square, New York 3. They must be postmarked no later than February 1, to be considered for the 1959 selection of great teachers. A supporting statement, not to exceed 350 words, may accompany a nomination.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to address an inquiry to the majority leader as to the program for the balance of the day and for tomorrow.

Mr. JOHNSON of Texas. I cannot speak as to the balance of the time today, other than to assume the Senate will stay in session as long as any Senator desires to address the Senate. I do not anticipate action on legislation of any type, because the committees have not organized as yet.

A parliamentary inquiry, Mr. President——

The PRESIDING OFFICER (Mr. BENNETT in the chair). The Senator will state it.

Mr. JOHNSON of Texas. What time is the joint meeting to be held tomorrow?

The PRESIDING OFFICER. The Chair has no specific information as to the time of the joint meeting tomorrow. The joint meetings take place usually at 12:30. Perhaps that will be the case tomorrow.

ORDER FOR ADJOURNMENT TO 11:45 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand adjourned until 11:45 a.m. tomorrow. I may ask to modify that order later, if the time of the joint meeting is to be 12:30.

So far as I know, there will be no business transacted other than routine business.

AIRPORT DEVELOPMENT

Mr. MONRONEY. Mr. President, I was shocked to read the following from an Associated Press dispatch this morning:

Republican congressional leaders came out of a meeting with President Eisenhower today, and declared that the Democratic housing legislation would throw the administration's budget substantially out of kilter.

They said they had also talked with the President about airport development and that Eisenhower is intent on holding the cost line in this field.

House GOP leader, CHARLES A. HALLECK, of Indiana, said the administration airport program will emphasize the safety of passengers. He added that such things as construction of tremendous terminals with fancy restaurants and bars is not contemplated under the administration program.

I have often wondered if the present occupants of the White House read the bills which they veto. Since this statement comes directly from the minority leader in the House after a conversation with the President, I am appalled at what appears to be complete ignorance of what was in the bill which was vetoed last year, or what is in the bill, S. 1, which I introduced this year with 44 other Senators. I quote from page 4, line 5 of the bill, S. 1, which is pending today, a provision identical to that in the bill which the President vetoed:

COSTS NOT ALLOWED

(b) With respect to amounts obligated after June 30, 1959, the cost of acquisition or construction of that part of a project intended for use as a passenger automobile parking facility, and the cost of construction of those parts of passenger or freight terminal buildings and other airport administrative buildings intended for use as bars, cocktail lounges, night clubs, theaters, private clubs, garages, hotel rooms, commercial offices, or gamerooms or such other use which, in the opinion of the Administrator, is not essential to the welfare and safety of those persons using airports for public aviation purposes, shall not be an allowable project cost under this Act.

That is about as plain as English can be written. Yet we find the newly chosen House minority leader making the statement to which I have referred after coming from a conversation with the President who last year vetoed a bill with identical language, specifically ruling out such projects, and specifically placing the power in the administration's appointive Federal Aviation Administrator to rule out similar projects which are not essential to the welfare and safety of the public.

I feel that someone is not reading the bills which are vetoed. I feel that leaders in one body of the Congress have not informed themselves, or have not been properly informed by the Chief Executive.

The President's budget, which was sent to the Congress, recommended increased taxes on certain fuels. It seems to me that this recommendation is designed to prejudice and increase the cost of transportation in two fields—and two fields only—namely, aviation and automobile transport, including trucklines and buslines.

No tax penalty whatever is suggested with respect to railroads, which have

been in the driver's seat for 6 long years in this administration, while aviation has been penalized. Now we find a proposal for new legislation increasing the tax on aviation gasoline from 2 cents to 4½ cents a gallon, and increasing the tax on jet fuel from zero to 4½ cents.

Jet fuels will be the basic fuels of tomorrow's aviation. Yet we have a proposal to increase the total cost of a gallon of jet fuel by almost 100 percent.

The proposal is poorly thought out. It has not been properly studied. The yield in a gallon of jet fuel, in terms of propulsion energy for an airplane, does not approach the yield of a gallon of high octane gas; but because of oversimplification, or a complete lack of knowledge of the facts, a uniform tax of four and a half cents a gallon is proposed on both jet fuels and aviation gasoline.

It seems significant that this record-breaking tax is proposed to be applied to aviation fuels. As I recall the Federal Aviation Administrator says that the cost of airline transportation would be increased by some 10 percent.

It is proposed to increase these taxes more and more, when the administration proposes to do less and less for aviation. While it is asking for increased taxes on aviation gas and jet fuel, the administration proposes to withdraw from the program which, over a reasonable period of time, would furnish the landing fields and airports so vitally necessary to air transportation.

It seems to me strange that this tax is being applied so as to discriminate against other forms of transportation, to the advantage of the railroads. However, favoritism on the part of this administration toward railroads is nothing new. As I have stated, it has existed for 6 long years.

Mr. DIRKSEN. Mr. President, before I say something about the sixth anniversary of the first inauguration of the President of the United States, I wish to make a brief comment on the observation made by my distinguished and scholarly friend from Oklahoma [Mr. MONRONEY].

As I listened to the adjectives employed in the discussion I thought of the time when Noah Webster's wife caught him kissing the maid. His wife, seeing this osculatory performance, said, "Why, Noah, I'm surprised."

Mr. Webster said, "Oh, no, my dear, I am surprised; you are astonished."

So my good friend is astonished, he is surprised, he is shocked, he is appalled, and I believe he is bewildered, by the statement this morning with respect to the Federal-aid-to-airports bill.

However, I believe there are a great many people in the country who will not be appalled, who will not be shocked, who will not be bewildered, and who will not be astonished, if only we undertake to address ourselves a little to frugality and bring the national budget into balance.

I have referred to the budget as the national pocketbook. We cannot take anything out of it unless we put something in it. Every child knows that. I have seen little girls who received pocketbooks for Christmas. A little girl immediately opens the pocketbook to see what is in it. Something must be put into it first. So we put something in the pocketbook. If we undertake to remain within the limits of the pocketbook, we will have a little nestegg. That would be a pretty comfortable feeling for the years ahead.

The Chairman of the Federal Reserve Board made an extended trip through Europe. When he returned to this country he made a report. In the report he made two pointed observations. The first deals with the lack of confidence in the American dollar on the part of people who are intelligent and perceptive in other parts of the world.

Mr. President, when confidence abroad vanishes and confidence at home disappears, watch out. It is time, Mr. President, God willing—and I say it reverently—for us to separate the sheep from the goats. We are going to find out who the spenders are and who the people are who are dedicated to a sound and secure country.

We cannot spend the country rich. It has been tried before under the philosophy of John Maynard Keynes. I believe the greatest thing he ever said was, "In the long run, we will all be dead." He ought to know, because he is dead.

I did not want to make a speech on this subject at this time.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. DIRKSEN. I am delighted to yield to the Senator from Oklahoma.

Mr. MONRONEY. Mr. President, the distinguished minority leader having mentioned the sheep and goats, I wonder whether after studying the President's budget, he does not believe that Congress is being taken for a herd of goats. No one who has studied the President's budget figures and his "guesstimates," has any hope that Congress will levy additional consumer taxes in the amount of $600 million, or believes that the administration is today advocating a balanced budget. The budget cannot be balanced unless Congress is disposed to enact consumer taxes which bear heaviest on the workingman who, for example, must have gasoline to drive his car to work, and who must pay a 1-cent tax above the 4-cent cost of mailing a letter.

If a Democratic President had submitted the budget, it would have been out of balance, because we should not include as income what the President hopes Congress will enact by way of new taxes. Consequently it is nothing but fiction to say that it is a balanced budget. It will fool none except those who do not read carefully. The administration is not sending a balanced budget to Congress.

Mr. DIRKSEN. Mr. President, I had not intended to get into a budget discussion. I am saving my remarks for a later date. I may say to my good friend that the reference to sheep and goats has no personal connotation, and is a phrase we have often used in our comments. However, I shall come to grips with the subject with some vigor at a later date.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

SIXTH ANNIVERSARY OF PRESIDENT EISENHOWER'S FIRST INAUGURATION

Mr. DIRKSEN. Mr. President, 6 years ago today Dwight Eisenhower became President.

The sovereign people chose him by the greatest majority ever given any man for that office.

Before election, he said, "Our single purpose is to serve their interests, guard and extend their rights, and strengthen the America we love."

Often in that 6-year period, he must have reflected upon the burdens which he assumed as the Nation's leader—burdens that no political piety and no partisan wit can obscure or minimize.

When he took office, death was still parading through the bunkers and over the hills and valleys of Korea.

Dignity and good manners had taken a holiday, and such terms as "liar," "snolly goster" were justified as a part of our political jargon.

Communists were a substantial problem in Government.

When people said, "I never had it so good," they carelessly forgot that prosperity, such as it was, was built on armament and young blood.

There was a mountain of unpaid bills.

Money taken from the people in the form of taxes was at an all-time peak.

The people's money was not enough to pay the current bills.

The budget, under which President Eisenhower had to operate the first year—prepared not by him and his associates, but by those who preceded him—called for spending nearly 10 billion more than what the Federal tax collector expected to take from people's pockets.

The farm program in force when Dwight Eisenhower crossed the White House threshold as President was calculated to fill Government storage bins with wheat and corn, cotton and tobacco, oils and fats, and dairy products in a few short months.

Hostilities in Europe had come to an end 8 years before, and yet there were no peace treaties with Austria and Germany.

The road ahead was a rough, painful, tortuous road to travel. It took courage and dedication. On this road, Dwight Eisenhower walked slowly, but he never walked backward.

There was a better stewardship of the people's money. They were able to keep more of it through a $7 billion reduction in taxes. More surpluses went abroad and to people at home, instead of being destroyed. The level of prices which people paid was held down.

The Nation got more security for less outlay. There was a steady, effective, and undramatic effort to improve the national security in every field.

The sadly neglected area of missiles and rocketry was promptly explored and zealously developed. There were no manufactured crises.

What might in other days have been permitted to stir national emotions into a crisis—Vietnam, Guatemala, Formosa, Berlin, Lebanon, Suez—were treated firmly, without theatrical trimmings.

A recession—rather well behind us now—was handled sensibly and sympathetically.

The ever deeper thrust of Government into private business was restrained and reversed.

For the first time in decades, civil rights received adequate and firm attention.

Over and above all was the healing force of a warm personality, restrained in language, dedicated in spirit, cognizant and abreast of progress, alert to danger, aware of national needs, and determined that human dignity and human freedom were priceless ends in themselves.

It takes 3 years to produce a head of beef. It takes 6 years to build a battleship. Yet in 6 years a Nation of 175 million people, with its complicated but efficient system of production and distribution, under the guidance of Dwight D. Eisenhower reoriented itself and was returned to the high road of expansion, balanced freedom, security, peace, and unlimited potential.

In that time, Dwight Eisenhower has been excoriated and assailed, but he was always restrained. He was maligned, but his character shone as a sufficient answer. He was frequently vilified, but answered vilification with humility and meekness. He was often assailed, but he remembered that he was the leader of a great moral Nation.

Through it all, Dwight Eisenhower has stood like a rock, composed, firm, dignified, and worthy of the leadership which he afforded this Nation.

If those who continue to shout about leadership had simply permitted themselves a little followership of the President, who has provided the roadmap which will take this country to new levels of contentment, prosperity, peace, and the expanded enjoyment of living, the progress of the people would have been even greater.

Truly, Dwight Eisenhower has done a good work on this favored land.

For the next 730 days he will still be—God willing, and may we pray for him—and I pray for him—the President of the United States. Seven hundred thirty days is a long time in a world where events move so swiftly. In that time and under his benign and dedicated guidance, the Nation can move fast and far on the road of solvency, security, freedom, and the discharge of the proper and legitimate functions of Government.

We salute Dwight Eisenhower as a great public servant for work magnificently done.

Mr. WILEY. Mr. President, I congratulate the minority leader upon his address. I wholeheartedly join with him in paying tribute to the President of the United States for his 6 years of constructive leadership in the White House. In addition, I wish for the President many more years of service to our Nation—including the next two in the White House—as well as personal well-being and happiness.

Few men in our history have given the country such long and distinguished service as has Dwight D. Eisenhower. Certainly no one—military leader and President—has served in more complex and challenging times.

During his term of office, President Eisenhower has provided the Nation with constructive leadership, as has been so well said by the minority leader. I shall have more to say about that in a moment.

For the most part, I have considered it a privilege to support most of the President's programs. True, there have been times when I have differed with him. We recognize that no two thinking men can, at all times, on every issue, reach the same conclusion or agree on every issue.

Overall, the President has provided us with what America needs most: a commonsense, realistic, middle-of-the-road kind of leadership, in striving for peace in a troubled world and in preparing forward-looking programs for domestic progress.

We recognize that there are those who feel that attempting to chart a middle-of-the-road course in difficult times is choosing the easy way. I do not agree with that conclusion. Such a feeling is far from the truth.

Designing and adhering to such a program takes vision, patience, and a realistic willingness to be "shot at" verbally, politically, and otherwise, by the extremists, both from the left and the right, not only from the opposite party, but, at times, from one's own party.

The President has demonstrated courage, steadfastness, and resoluteness in adhering to the support of such programs for the Nation. I deeply respect him for it.

As we read the newspapers, we are cognizant of the fact that wherever the President goes the people trust him. They know he is honest and reliable. Why? Because they know he is one of them. He is one who has great faith in God and great faith in his beloved America.

The philosophy of the President is best expressed in his own words as "liberal in its human concern, conservative in its economic proposals, constructive, dynamic, and optimistic in its appraisal of the future."

During his Presidency, President Eisenhower has helped our Nation to write a chapter of progress, of which we and posterity can be justly proud.

As we look toward the future, I reiterate my deep respect for his long record of outstanding service. I wish for him a future bright with satisfaction in service and personal health and happiness.

Mr. BEALL. Mr. President, on the sixth anniversary of the first inauguration of Dwight D. Eisenhower as President of the United States, I join with my distinguished colleagues in expressing appreciation for the service of this illustrious American as our Chief Executive.

During the past 6 years, Mr. Eisenhower has worked with Republicans and Democrats alike in his sincere efforts to preserve peace with honor, and a prosperity based on expanding living standards, rather than bloodshed.

He has served conscientiously and with dignity, in the realization that his office represents many of the greatest traditions and the most fervent aspirations of our Nation.

Dwight Eisenhower has been a most capable, outstanding Executive, and a great leader of a great people.

We thank him for his service to our country.

Mr. ALLOTT. Mr. President, upon the conclusion of the sixth year of our great President in office and the beginning of his seventh year, I wish to speak about the debt and the obligation which I feel the people of this country owe to him.

It seems to me that Dwight Eisenhower has brought to the Presidency a dignity and a quality which has been lacking in this country for many years. In all the course of the trying times which he has had in the last 6 years, I think it is to be noted by us and by the American people that not once has he raised his voice in arraying class against class, group against group, or partisan against partisan. But in it all he has spoken to Americans, as he was speaking for all Americans.

Mr. President, during these years he has been troubled with many great problems. I think of some of them which have arisen during my short tenure in the Senate: The first Quemoy matter, the Egyptian matter, the Far East matter, the Arab matter. And I think of the Berlin matter and of the Korean war. In all these matters—which he did not create; instead, either they existed before he came into office, or the factors leading to their development were already in existence—he has acted boldly and forthrightly for all of us.

There are those who have disagreed with him, and there are those who will disagree with him in the future. But one thing which I believe all of us can say on this anniversary is that he has represented the United States in all these troublesome areas and in all these troublesome times with constant progress, with his mind constantly upon the ideal of self-government, not only for ourselves, but also for all the rest of the entire world, and at no time has he stooped to personalities or to small approaches to these problems.

Mr. President, even though President Eisenhower had difficult personal times from a health standpoint during one period of his Presidency, even then his leadership shone forth like the true light the President of the United States should provide.

On this anniversary I say that all Americans owe him a great debt of gratitude for standing up, in his leadership—with others, when possible; alone, when necessary—with a complete and selfless devotion to the three coordinate branches of our Government, and to the Constitution upon which our Government is based.

So, Mr. President, on this occasion I am happy to join my colleagues in paying tribute to President Dwight D. Eisenhower.

Mr. JOHNSON of Texas. Mr. President, 6 years is a long time—long enough to take the measure of a man.

I congratulate the President upon this sixth anniversary. They have been 6 important years in the history of the American Republic.

There are many points upon which the President and I have differences. I believe he knows those points. I have never been reticent in advancing them or telling him of my feelings.

But our differences are accompanied by a warm, personal affection upon my part. And they are also accompanied by respect for his devotion to his country, and to his great patriotism.

I have never believed that it is the business of the opposition to oppose. I have believed that it is the business of the opposition to advance constructive alternatives when such alternatives are indicated.

I have never hesitated to support the President when I thought he was right.

The real genius of our democracy is that we have means, other than bullets and bayonets, of resolving our political differences.

Again, I congratulate the President and his lovely and gracious wife upon this anniversary. I hope—and my hope is warm—that they are looking forward to many more years of happiness.

Mr. CARLSON. Mr. President——

The PRESIDING OFFICER (Mr. HARTKE in the chair). The Senator from Kansas is recognized.

Mr. CARLSON. Mr. President, I yield to the distinguished Senator from Massachusetts [Mr. SALTONSTALL].

Mr. SALTONSTALL. Mr. President, I should like to add a few words of tribute to those which already have been spoken about our President, Dwight D. Eisenhower.

In January 1951, it was my pleasure to decide to support him as a candidate for election to high office. I have never regretted the decision I made at that time.

I admired him for his leadership of our Armed Forces abroad, and later as the leader of the NATO forces, and later as the president of Columbia University.

During the past 6 years of his service, I have had the honor of meeting with him approximately once every week while Congress has been in session. All of us who participate in those meetings are impressed by his sincerity of purpose in attempting to obtain greater security for the United States and a more peaceful world. In those discussions I have never heard a word of partisanship or anything except concern with opportunities to develop a more peaceful world.

He has had the confidence and friendship of perhaps more leaders in the world than has any other man in the history of our country.

So we have been fortunate in having him lead us at this difficult time. During his entire period of service he has endeavored to obtain a better and a more peaceful world.

On domestic issues, I have heard him ask, countless times, "What is right? What is best?"—not "What is politically advantageous?" Instead, he constantly is asking, "What is right and best for the great majority of our people?"

President Eisenhower is a good family man. He has a fine son and a fine daughter-in-law and four fine grandchildren. He wants for this country a better opportunity for the young people who are coming along to lead a happier and more useful life and a more peaceful life than he has had.

So, Mr. President, I say we may congratulate ourselves upon his work during the last 6 years; and we wish to him 2 more years of good service as the leader of our great country, in giving all of us a better opportunity for world peace and a better opportunity to live happily in this great land of ours.

Mr. CARLSON. I desire to yield to the distinguished Senator from Connecticut [Mr. BUSH].

Mr. BUSH. I thank the acting minority leader.

Mr. President, I am happy to join in the tributes of the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], and my other colleagues upon this anniversary of the inauguration of President Eisenhower.

Dwight D. Eisenhower has been a great President. He is distinguished for many remarkable characteristics—but most of all, I believe, for being wholly conscientious in the performance of his duties. He has never attempted to fool the American people at any time. I challenge those who are critical of him to assert with any degree of correctness that he has ever attempted to deceive or fool the American people up to this very minute. I think that is why, throughout the 6 years, he has held so high a measure of approval amongst the people of the United States, and why even today he holds such a large measure of respect and affection among all of our people.

Mr. President, this anniversary comes at a time when the President has just submitted his budget for the next fiscal year. We have heard some attacks of a political nature upon that budget. I should like to observe that, from my own knowledge, I doubt that any President has ever worked harder on his own budget than President Eisenhower has worked on the budget which he just sent to the Congress yesterday.

The President has sent his budget to Congress at a very critical time, perhaps the most critical peacetime year in the history of the Nation. He sent the budget to Congress at a time when the credit of the Government of the United States is a matter, for the first time, of some suspicion in the far parts of the world.

I was very much impressed with a speech by William McChesney Martin, of the Federal Reserve Board, after he returned from a trip around the world recently. He said, in a speech in Chicago, which I placed in the CONGRESSIONAL RECORD, that he noticed, in the Far East, amongst some of the countries we are trying to help and have been trying to help, a growing suspicion about the soundness of the American dollar.

Mr. President, I have said before, and I say on this anniversary, that the credit of the United States is the most important single bulwark of defense of the free world today. I am satisfied the President of the United States knows that. It is because he believes it so sincerely that he has taken up the fight for fiscal soundness of this Government with a determination that I do not recall any other President has ever taken into such a fight.

The service of President Eisenhower has taken place in a period when we have been almost constantly in danger. During the remaining 2 years of his term this danger may increase.

Criticism has been made at times of the President's foreign policy, which I do not think has varied too much from that of the preceding administration, but in many respects has been very similar. Those who have made attacks upon the foreign policy should pause and bear in mind that foreign policy today must be made under tremendous difficulties, under constant threats, and in the face of an enmity which this country has never confronted before in our history.

So I believe President Eisenhower has measured up, in these 6 years, to the expectations of the American people. I hope that his strength may hold in the remaining two years of his term, so that he may continue to render the honest, patriotic, and devoted services to our people which have characterized these past 6 years.

Mr. KUCHEL. Mr. President, I am very glad to join with those who have spoken previously, on both sides of the aisle, in congratulating the Chief Executive of our country as he enters his seventh year in the White House.

It will be a lasting mark of the dedication of Dwight Eisenhower that, emerging from the war as one of our great heroes, acquiring a brilliant reputation as an educator in this country, he agreed to become the candidate for President of the political party to which I belong. Thereafter, as a result of a vigorous and grueling campaign, he entered upon the office in as severe a time as our country has ever known, or, indeed, as has ever been known in all recorded history.

The Members of the Senate, like men and women in the country, will disagree on occasion with some of the policies which have been laid down and which are likely to be followed by the present administration, but there is no American, in or out of Government, who cannot but salute a dedicated American leader who has worked devotedly and patiently for peace with honor, not alone for his country and for his fellow citizens, but for all the nations of the globe.

I am very glad, therefore, to say, in common with my colleagues in the Senate and with my fellow citizens in the country, "Godspeed to the President of the United States. Good health and long life, and in the 2 years which remain of his term, may all success crown his efforts."

Mr. CASE of New Jersey. Mr. President, today marks the end of Mr. Eisenhower's 6 years as President of the United States. During that time he has personified to a unique degree the desire and hope of the American people, indeed people everywhere, for peace.

The earnestness of his striving, the sincerity of his efforts, cannot be questioned. He has worked patiently and determinedly even under the most trying circumstances. He has refused to be intimidated, and at the same time he has allowed nothing to discourage him from further efforts to reach peaceful resolution of the many critical problems confronting the world.

Nothing is more typical of the man and his endeavor than the establishment of the International Atomic Energy Agency. First put forward by the President in a speech to the United Nations, the proposal so captured the imagination of nations all over the world that the Soviet Union found it desirable to give up its initial opposition to it.

It is his concern in this kind of constructive international action that has made President Eisenhower the great symbol of peace throughout the world. There may be differences on domestic policy among us; there may be varying views on details of the emphases involved in our foreign programs and international policies. But surely we are all one in support of that unremitting search for the achievement of lasting peace to which the President has dedicated himself.

Mr. CARLSON. Mr. President, I wish to join my colleagues in their observance of the sixth anniversary of Dwight Eisenhower's first inauguration as President of the United States. I think it can be truly said that these have been the best 6 years for the American people in their history.

During this over half decade beginning with January of 1953, more Americans have earned and kept better wages and incomes than in any other like period of time since the founding of this Republic.

As Americans, we have grown so accustomed to peace, plenty, and prosperity under the leadership of President Eisenhower that we fail to remember some of the problems preceding his administration.

Preceding the time President Eisenhower took office, a great majority of the American people—Democrats and Republicans alike—had lost faith in the honesty, integrity, and reliability of those who served them in government.

I think I should mention that today the world is at peace. Here at home the gross national product, personal income, consumer expenditures, individual assets and scores of other economic indicators are at alltime highs. A boom year is predicted for 1959.

All of this has been achieved without the stimulus of a shooting war. Right now Americans are at work building more, earning more, saving more, buying more, and investing more than at any time during previous administrations.

The unparalleled record of peace, progress, and prosperity during the 6 years of the Eisenhower administration is the best evidence that it has met the problems of the past and that it can and will solve those of today and tomorrow.

Others have discussed the achievements of this administration and history will record the accomplishments, but I want to mention the human side of President Eisenhower.

The President has stated on several occasions that he is liberal when it comes to dealing with human problems and conservative in regard to material things.

His background and his very nature as an individual make it easy for him to have a personal interest in the problems that are closest to the hearts of our citizens.

In the January 19 issue of the Topeka Daily Capital there was published the following editorial, entitled "The Human Side of Ike" which I shall read into the RECORD:

There never has been a President who hasn't had his critics of all kinds—little critics, big critics, hot critics, cold critics, and, of course, numerous critics.

Dwight Eisenhower, being President, automatically qualifies for any kind of criticism his fellow citizens, and also those abroad, throw his way.

But Presidents have personalities, even as do their critics, and if some of our Chief Executives have been reticent and forbidding and extremely formal in their appearances, certainly Mr. Eisenhower isn't one of them.

The intensely human side of the President was shown in Washington this week when he appeared before the National Press Club. His visit to the club came at a time when Capital newsmen had been complaining loudly about infrequency of White House press conferences and criticizing Mr. Eisenhower for being aloof from the country in the Executive Mansion.

But when President Eisenhower stood up before the club and invited questioning from his audience, he was Ike Eisenhower and playing that warming role to the hilt. If his audience had been critical in days past, they were won over, at least for the time being, by the warmth and the high good humor of the President.

The President had his serious words, too, but he spoke them with intense sincerity. Then, accepting a card attesting to his membership in the press club, he cracked: "I hope it is true that members of the press deal gently with their own members. So, I hope that possession of this card gives me a certain immunity that, up to this moment, has not been mine."

That's the human side of Ike Eisenhower, the side that has won him respect, if not political agreement, in the past. It's a side, we believe, that the public would like to see more often.

No administration has kept its promises more faithfully than the Eisenhower administration. No administration has done a better job for all the people than this administration.

Finally, never have the American people had more reason to be grateful for the leadership of a President than they have for President Eisenhower's today.

JOHN S. ARMSTRONG

Mr. ANDERSON. Mr. President, a longtime friend of mine and a fellow Rotarian, John S. Armstrong, 92-year-old nurseryman of Ontario, Calif., was the subject of a writeup in the September 1958 issue of Success Unlimited, a Chicago magazine.

Mr. Armstrong has made an outstanding success in his business and deserves a memorial for the great contribution he has made to American beauty. Through his plant propagation and nursery activities, he has played a major role in beautifying the Western Coastal States and the Southwest. I understand that his rose creations have won more all-American awards than have the roses of any other breeder in the world.

I ask unanimous consent to have inserted in the RECORD the article "He Made His Own Bed of Roses," by William L. Roper.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HE MADE HIS OWN BED OF ROSES

(By William L. Roper)

(John S. Armstrong, once sick and broke, achieved health and wealth through hard work as founder of southern California's famed Armstrong Nurseries where many of our most beautiful types of roses have been developed.)

Nearly 70 years have passed since John S. Armstrong, then a 23-year-old Canadian youth with a tubercular cough and $6, arrived in Ontario, Calif., to seek his health and fortune.

He found both.

Today, clear eyed and mentally alert at 92, he is a legendary symbol of success in southern California, and is widely known throughout the United States and Canada as founder of the famous Armstrong Nurseries.

His Armstrong rose creations have won more All-America awards than the roses of any other breeder in the world. Yet roses represent only one phase of his achievement. Through his plant propagation and nursery activities, he has played a major role in making southern California a place of rare beauty.

How did he do it? Why do some men succeed while others, apparently equally gifted, fail?

One reason, as Napoleon Hill pointed out years ago in his book, "Think and Grow Rich," is that in order to make the most of your life, you must look ahead, see your big opportunity, find your life's purpose—in a field you enjoy and for which you are adapted.

That is exactly what John Armstrong did.

And his story clearly demonstrates the tremendous power of applied creative thinking in overcoming difficulties and making a dream come true.

Born in Sheffield, Ontario, Canada, on October 11, 1865, the son of Joseph and Eliza Bell Armstrong, both immigrants from North Ireland, he left school at 14 to learn the cabinet trade. But after more than 6 years in cabinet shops and 2 years with an organ manufacturing company, young Armstrong became ill with tuberculosis, aggravated by the walnut dust in the organ factory.

If ever a case of tuberculosis could be referred to as a blessing, it was in Armstrong's case. If he hadn't contracted the disease, he might have gone on as an obscure cabinetmaker. The ailment, however, changed his entire life, causing him to move to California where he entered a completely new field and won fame and fortune.

"My doctor advised me to go either to Florida or California," Armstrong explained. "Recalling Horace Greeley's advice, 'Go West, young man,' I decided to go to California.

"To get money for the trip, I had to sell my ornate, cathedral design clockcase, which I'd made during my spare time. It was made of six kinds of wood and I prized it very highly. But I sold it to one of the men in the organ factory for $35."

Fifteen years later, he returned to Canada and repurchased the clock. It is now one of his most precious possessions, because it provided him with his first stake—the

money to move to California. He arrived in Ontario, Calif., on March 3, 1889.

"I had exactly $6 in my pocket. But I was 23 and full of ambition," Armstrong added. "Riding down Euclid Avenue from the Santa Fe station on the old mule car on a bright, sunny morning, and observing the ripe oranges on the young trees, I felt like throwing my hat in the air and exclaiming, 'Eureka! I have found it.'"

A few hours of futile job hunting brought him face to face with the realities of his predicament. Business was at a standstill. Jobs were scarce. Southern California was in a severe depression, the preliminary phase of the panic that was later to sweep the Nation. In the fall of 1887, the great southern California land boom had collapsed, and about the only activity in the Ontario area—east of Los Angeles—was the planting of orange trees that were brought from Florida in carload lots.

Armstrong took the only available job—that of porter in the Ontario Hotel—until the weather turned warm. Then he camped in the canyon above the city to regain his health, and got a job with a nursery that was just being started. His salary was $1.25 a day.

A few weeks later he found his services at the nursery were no longer required.

His next job was as a carpenter at $1.50 a day, building houses for curing lemons. Yet as soon as the nursery business began to pick up he made another momentous decision. He gave up carpentry to return to work in the nursery for 25 cents a day less.

"I'd liked nursery work and I saw a future in it, which carpenter work did not offer," he said. "I had noted the vastness of California's as yet unplanted acreage. Most of the surrounding land was either in barley fields or untilled desert covered with sagebrush and other wild growth.

"I became convinced there was a promising future in nursery products, and, aside from the commercial aspect, I found the work pleasant."

Realizing that he'd never get rich working for $1.25 a day, Armstrong began growing nursery stock of his own. When his employers learned of this home enterprise, they suggested that he either sell them his stock or buy them out.

Armstrong decided to do neither. He started in business for himself.

Under the name of Armstrong Nurseries, his business prospered. He took advantage of the rapidly increasing demand for eucalyptus and Monterey cypress, then badly needed for windbreaks, and grew 100,000 of each the second year of his business career. Thus, by anticipating the market demand, proceeding imaginatively but with caution, keeping careful records of all transactions, and displaying exceptional personal initiative in advertising, he forged ahead of all competition in his area. His first catalog brought hm $600 in mail orders.

As his business grew and his health returned, he took on additional personal responsibilities. In 1896 he returned to Canada and married Charlotte Cooper. Meanwhile, he became an American citizen and brought his widowed mother and his younger brothers and sisters to California.

Now he leased additional acreage and planted a variety of nursery stock, always prudently specializing in those trees and shrubs most in demand. Still it wasn't easy or without risk of disaster. One cold night, a severe frost destroyed nearly 17,000 orange, lemon, and grapefruit trees almost ready for the market. Then, one summer, both he and his wife came down with typhoid fever. In time, they recovered. His nursery business continued to grow. He had wisely invested in acreage for growing nursery stock. With southern California's astounding population growth, his real estate trebled, and retrebled in value. Also with the growth came an ever-expanding demand for ornamental trees and shrubbery.

Again foreseeing the opportunity, he pioneered in the development of new varieties of roses, several of which have become world famous. His Charlotte Armstrong rose, named after his first wife who died in 1947 following an automobile accident, is one of the best known. More than 2 million of this variety have been sold.

In 1950, Mr. Armstrong married Mrs. Willa W. Bradley, who shares his love of roses, travel, and music. They reside in a beautiful Ontario tract which he developed as Armsley Square several years ago. A few years ago the Pacific Coast Association of Nurserymen named him as the outstanding nurseryman of the coast. He also has the distinction of being one of the oldest Rotarians in the United States. His son, John A., and two grandsons, John, junior, and David, now carry on the business. But they still call on the fabulous John S., who is bright eyed and alert, for occasional advice.

What is his advice to the young man or woman today?

"Try to find work that offers you the best opportunity for achievement in line with your talents, and be sure that it's something you enjoy doing," he advises. "Think, plan, don't let yourself get frozen in a rut."

He said he believes it very important to have a positive mental attitude and a definite purpose, and that the habit of "going the extra mile" pays in the long run.

"For example," he explained, "I once promised to sell a citrus grower a shipment of orange trees. At the time, the trees were selling for $1 a tree. But in the meantime, a shortage developed and the price rose to $2.50 each. However, I kept faith with him and myself by letting him have the trees for $1 a tree.

"This caused me a substantial loss at the time, but it paid off in future goodwill."

He is also a firm believer in self-reliance and self-discipline. "Too many persons want something given to them," he said. "They should be willing to work for what they want. The big prizes aren't won by just wishing for them."

Regarding self-discipline, he said he had been forced to give up clarinet playing during his younger days because it was taking too much of his time. "I never read fiction for the same reason," he declared. "I didn't have the time. I did read books on horticulture and agriculture."

He rates enthusiasm high and said he considers a pleasing personality of primary importance.

Yet, in summing up all the factors that are involved in winning success, he places emphasis upon one element that is never too popular. It is work.

"In the early stages of the nursery business," he explains, "I worked 12 to 14 hours a day, or almost from daylight to dark, and found it no hardship.

"I always worked 10 hours a day in the organ factory in Canada, but I found time to make my ornate clock during my leisure hours. It was that clock that gave me my start. And it means something very important to me—the value of time.

"That is one of the first lessons we all need to learn."

EQUALIZATION OF PAY OF RETIRED MEMBERS OF UNIFORMED SERVICES

Mr. ENGLE. Mr. President, the bill, S. 269, which the distinguished Senator from Arizona introduced on January 14, and which I was pleased to cosponsor, is one which I hope the Congress will favorably consider during the present session. The purpose of the bill is very simple. Its enactment would reestablish in the case of personnel of the uniformed services retired prior to June 1, 1958, the authority to compute their pay on the current pay scales. In so doing, it would remove the feeling of disillusionment caused both active and retired officers and men by the enactment of one of the provisions in Public Law 85–422, which became effective on June 1, 1958.

Prior to enactment of this law, the general rule was that the pay of retired members of the uniformed services was automatically increased to correspond to that of active-duty personnel whenever their pay was increased. Only once in nearly 100 years has the Congress varied even for a short time from this principle. Soon thereafter the deviation was corrected, thus emphasizing the intent of Congress to adhere to such a principle. I also want to emphasize the fact that for many years military personnel have felt every right to rely upon a continuance of this relationship between active-duty pay and retired pay. Career personnel have planned their whole future based upon this consideration. Departure from this cardinal principle constitutes a major step in the direction of destroying the incentive to make a career of the armed services.

The Cordiner committee made an exhaustive study and report which formed the basis for enactment of Public Law 85–422. That committee strongly recommended maintaining the old principle of gearing retired pay to active-duty pay. The report stated that this principle was a "mandatory and essential feature" of its recommendations. The report further stated that "to depart from this principle would not only break faith with the individual retired, but would have a more serious and adverse effect upon the retention rates of personnel currently on active duty."

The vast majority of personnel presently discriminated against by Public Law 85–422 served in World War II. A sizable number also served in World War I. In addition, some of these served in the Korean conflict as well as in both World Wars. It is doubtful that many officers and men retired after June 1, 1958, will serve their country in positions of such critical responsibility as those previously retired. I submit there is no justice in two pay scales for equal merit and equal service.

The cost involved in this bill would be less than $30 million for the first year and would steadily decrease and ultimately disappear altogether. Regardless of the cost, however, I submit that we cannot afford to take any other position than to equalize the pay between the older officers and men and the more recently retired ones. This is a very simple proposition involving a matter of justice and equity only. The question of honorable procedure is the sole principle to be considered.

In conclusion, Mr. President, I should like to say that the Government should stand by the terms of the law under which these officers and men have been

serving and grant them the retired pay agreed upon. We should not break faith with the career personnel who have devoted their lives to the defense of our country.

It is my earnest hope that the Armed Services Committee will give early consideration to S. 269.

COMMENDATION OF SENATOR SMATHERS FOR REFUSAL OF INVITATION TO VISIT CUBA

Mr. MORSE. Mr. President, as reported in this morning's Washington Post and Times Herald, the distinguished Senator from Florida [Mr. SMATHERS] made what I consider to be a very fine statement in setting out his reasons for declining an invitation to go to Havana and be an an observer at a so-called trial and at a public demonstration. I ask unanimous consent that the article from the Washington Post and Times Herald dealing with the statement of the Senator from Florida be printed at this point in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DELAY JUDGING CASTRO, SMATHERS SUGGESTS

Senator GEORGE SMATHERS, Democrat, of Florida, has urged his colleagues and the public to reserve judgment on the Cuban revolution until events more clearly show what has happened there.

SMATHERS, a longtime close observer of Latin American affairs and representative of the State closest to Cuba, has kept silent, while others first acclaimed Fidel Castro as a George Washington and then denounced his speedy executions of Batista adherents as a "blood bath."

SMATHERS broke silence long enough to praise the State Department's "proper restraint" and to ask others to stand back until the smoke clears.

SMATHERS said he had first heard of Castro 11 years ago and has heard enough about him since to "reserve judgment on him." The Senator said there was no question either of Castro's courage and love of country, or of his youth, inexperience, and the "dubious reputations" of some of his past associates.

It was too early when Castro was winning the underdog's fight, and is still too early to tell whether the revolution was a victory for freedom or simply a change in dictatorships, SMATHERS said.

He suggested that instead of making "belligerent assertions," Americans should hope and pray for a "happy salvation" for Cuba, leave diplomatic relations to the State Department, and keep quiet for the time being.

SMATHERS and several other Senators said they had turned down Castro's invitation to go to Havana for a firsthand look.

Senator WAYNE MORSE, Democrat, of Oregon, one of the sharpest critics of Castro's speedy trials, who also turned down an invitation, called on Castro to invite a United Nations team of observers.

Representative ADAM C. POWELL, Democrat, of New York, who has said he had worked "hand in glove" with the Castro movement for several months, announced that he planned to accept a similar invitation and go to Cuba.

Mr. MORSE. Mr. President, it will be noted, as Senators read the statements of the Senator from Florida, that he urged restraint and he urged some reservation of final judgment with respect to the policies of the new regime in Cuba. I associate myself with those observations.

I point out, Mr. President, that is exactly what the Secretary of State did some days ago when, at his press conference, when questioned in regard to the sad developments in Cuba, he said in effect it was his hope that freedom, liberty, and justice would be the democratic principles which would characterize the actions of the new regime. That is restraint.

In my judgment, the same spirit of restraint characterized the remarks of the Assistant Secretary of State, Mr. Rubottom, in charge of the Latin American desk, following the meeting of the Senate Subcommittee on Latin American Relations, at which he testified. He made a statement leaving no room for doubt that it was the point of view of the officials of our Government that the democratic procedures of a fair judicial process should prevail in Cuba.

Likewise, in keeping with an attitude of restraint, some of us who are members of the Latin American Relations Committee of the Senate have from time to time issued statements in regard to the unhappy situation which has prevailed in Cuba in respect to firing squad executions. We have tried to make perfectly clear that, as representatives of a free people and as members of a committee which has direct foreign policy interests in connection with the affairs of Latin America, we plead for the application of the moral law to the handling of trials conducted by the new administration in Cuba. Of course, the moral law calls for fairness, for an opportunity to be heard in one's defense, and for the right of counsel. It calls for adequate time to prepare one's defense. It calls for a cooling of public emotions.

Some of us, including the Senator from Florida [Mr. SMATHERS], to whom I have already referred, received a cablegram yesterday from General Castro, and from a Mr. Jorge Quintana, president of the Cuban News Reporters Association, inviting us to come to Cuba on Wednesday—tomorrow—to witness a war-criminal trial, and also a mass demonstration of 1 million Cuban men and women in front of the Presidential Palace, supposedly in support of speedy executions of arrested leaders of the Batista regime.

I ask unanimous consent that there be printed in the RECORD at this point as a part of my remarks a copy of the cablegram which I received, extending the invitation to which I have referred.

There being no objection, the cablegram was ordered to be printed in the RECORD, as follows:

On behalf Jorge Quintana, president, Cuban News Reporters Association, and Fidel Castro you are invited to Cuba to witness war criminal trial and also gathering of 1 million Cuban men, women in front of Presidential Palace Wednesday, January 21, 1959. Cuban Air Force planes will be available New York, Washington, and Miami, to bring you to Havana. You will be guest Cuban News Reporters Association. Please confirm by cable, Cuban Embassy, Washington, soonest if you or your representative will be able to attend. Also where you wish to be picked up.

FIDEL CASTRO.
JORGE QUINTANA.

Mr. MORSE. I replied to that invitation by respectfully declining it. I said:

I appreciate your invitation to visit Cuba next Wednesday to witness war criminal trial and Cuban mass meeting. I respectfully decline your invitation and in keeping with my sincere friendship for Cuba suggest that you use your good offices to have Cuban Government invite United Nations to send official observers to Cuba to observe and report to the world the procedures which have been followed by the new regime in past executions and those procedures that are followed in connection with future executions.

As a visitor to Cuba I would not have any official standing but I should think that the Cuban Government would welcome the presence of an official party representing the United Nations.

Let me make very clear that I think the criminals of the Batista regime should be brought to justice; but a quickly imposed sentence to death before a firing squad ordered by a so-called military trial at a time of high tension immediately following a successful revolt is not compatible with civilized justice.

My plea has been for orderly trials before civilian courts with adequate time for thorough preparation of both prosecution and defense and full public disclosure of the evidence that establishes the guilt. Such a procedure would strengthen the respect of world opinion for Cuban justice. It would leave no room for doubt about the determination of the leaders of the new Cuban Government to administer a government by law in whose courts both the innocent and the guilty are guaranteed fair procedure essential to a fair trial. Justice based upon a spirit of vengeance is justice defiled. It is not a demonstration by way of a mass meeting that Cuba needs but a rededication to the spiritual significance of the Mass. This is no time for a display of political drama but a time for the leaders of the Cuban Government to demonstrate to all of us who have been their friends and want to continue to be their friends that fair trial procedures for which the new President of Cuba has so nobly stood in the past will henceforth prevail under his administration.

The cablegram I sent to Mr. Quintana and General Castro summarizes, as best I can, my point of view, which I have expressed heretofore in the same friendly spirit and with the same restraint on the floor of the Senate. It is necessary to keep the record straight, because there have been some reports out of Cuba to the effect that fair procedure trials were held prior to the early executions in Cuba after Castro took over.

As chairman of the Latin American Relations Subcommittee of the U.S. Senate Committee on Foreign Relations, I say that I know, as a matter of fact, that in some instances that was not the case. To the contrary, certain members of the Batista regime—true, known to be men with a sordid record of cruelty, murder, and bloodshed behind them—were not subjected to any trial in the true meaning of the term but within a relatively few minutes after they were brought before military officers, were shot by a firing squad.

Of course, the substitution of tyranny for tyranny does not beget democracy. The sad thing about tyrannical procedures is that they feed the flames of more tyranny. So, as a friend of Cuba

I protested such inhumanity to man. As I have said before, I am one who was among the first in the Senate to protest support of Batista. I am one who, time and time again, on the floor of the Senate, in committee, and across the country, protested any Government assistance to the Batista regime. I pointed out that it was an out-and-out police-state regime, adopting police-state methods, one of which is the liquidation of opposition. Of course, I need make no explanation whatsoever for raising my voice in protest at the adoption by the new regime in Cuba in the early days of its existence of an execution procedure which was also based upon the sordid policy of inhumanity to man.

So my plea to the new Cuban administration as a lawyer, my plea as a Senator, and my plea as a responsible official of the Subcommittee on Latin American Affairs, has been, "All you need to do is follow fair trial procedures, and you will win again the support of free men and women everywhere."

I now proceed to an argument by analogy, but an analogy so applicable to the situation in Cuba that I express the respectful hope that Cuba will follow it. The new President of Cuba is a great judge. The new President of Cuba is a man whose record as a lawyer and as a judge satisfies me that he understands the importance of fair procedures. He knows that the guilty as well as the innocent are entitled to fair procedures, and he knows, also, that frequently, in the absence of fair trial procedures, it is easy to make a mistake and execute someone who, in fact, is not guilty. All lawyers know that great danger.

That is why in our country one of the most basic principles of our system of self-government, for which our forefathers fought in the Revolutionary War, as they protested the star chamber procedures of English injustice, which in those days was imposed upon our forebearers, is the cardinal principle, which since the birth of our Nation we have demonstrated to the world, that men really cannot be free unless the trial procedures which determine innocence and guilt are fair.

The new President of Cuba knows that. Therefore I hope that under his statesmanship Cuba will proceed not with political drama in connection with executions but will put into practice those elementary safeguards which are essential to fair trial procedure.

We have discussed them in the Senate, and we have taken action on them in the Senate in connection with the Geneva Convention, in which we bound the United States to a code of morality in dealing with prisoners of war.

I said I was making an argument by analogy. Let me say at once, for the benefit of the press, that the Geneva Convention does not apply, as a matter of international law, to the revolt in Cuba. The Geneva Convention, a solemn treaty to which the signatories thereto are bound, applies to prisoners of war taken in the course of a war between nations.

However, we adopted the fair trial procedures of the Geneva Convention. Why? Because we recognized that if we are to keep faith with moral and spiritual values in the relations between nations we must repudiate any doctrine for handling prisoners of war which is based on the jungle law of vengeance. We recognized that the adoption of fair trial procedures to be applied to cases involving prisoners of war are essential to the administration of justice.

I respectfully say, if these are accepted by civilized nations as the rules of procedure which ought to prevail in the handling of the adjudication of cases involving prisoners of war taken from another country, not of one's own nationality, it is all the more important that they be followed when dealing with people of one's own country in connection with the aftermath of a civil war. That is why I say that this argument by analogy in reference to the Geneva Convention has great bearing upon the Cuban situation.

What did the Senate of the United States join in doing when we ratified the Geneva Convention? We joined in a convention—some of which I shall insert in the RECORD in a moment—which contains articles 105 and 106.

We guaranteed, first, to a prisoner of war qualified counsel. Second, we guaranteed him the right to call witnesses. Third, we guaranteed the services of an interpreter, if necessary. Fourth, we guaranteed that defense counsel is to have a period of 2 weeks before the trial to prepare his case, and that he is to be furnished the necessary facilities for this purpose.

I wish to stress that point. If we wish to guarantee justice, we must see to it that the accused are protected from hasty trials. It never has borne any weight with me to read dispatches from Cuban officials to the effect that if the Cuban leaders had not ordered hasty executions, the people would have taken the law into their own hands. That is but a confession that they were not able to maintain law and order. However, I do not believe the alibi. It is not fair to the Cuban people. It was a great challenge to the statesmanship and leadership which rested upon the shoulders of the Cuban leaders immediately after the revolt became successful. Prisons were still standing. The remarkable thing is, to the everlasting credit of Cuba, that the press was open and that television and radio channels were open, and that mediums of information were maintained, as they still are today. I believe that if the President of Cuba and General Castro and others had made clear to the people of Cuba that the criminals of the Batista regime would be brought to justice and that the legal penalties of the law of the land would be applied against them after the establishment of their guilt in fair, open, and public trials, the people of Cuba would have understood and approved. What is more, the people of the world who believe in freedom would have applauded.

It is not too late. In each one of the statements I have made I have said, "It is not too late." We want to be friends of the new leadership of Cuba. I believe the leaders are democratically motivated. When a wrong develops, steps should be taken to correct the wrong. Therefore, I call their attention to the fact that the Geneva convention even provides for a 2-week period for preparation of the prosecution and defense in the handling of a war-prisoner trial.

Fifth, we guaranteed by the Geneva convention that defense counsel may also confer with the accused in private and with the defense witnesses. Sixth, we assured that particulars of the charge against the accused are to be communicated to him and to his counsel in good time before the opening of the trial. Seventh, we guaranteed that the accused shall have the right of appeal in the same manner as the members of the armed forces of the detaining power.

Mr. President, that Geneva convention, I respectfully submit, is a recognition on the part of the civilized nations of the world that even the trial or the treatment of war prisoners must follow these basic safeguards of fair trial procedure.

Oh, but it is said in Cuba, according to some of the dispatches: What about the record of the United States concerning the German war criminals? I reply: What about it? As an American, with pride I point to that record, because it is a glorious record in support of fair trial procedure for the protection of both the innocent and the guilty. Sincere men and women may disagree as to whether the German war criminals should have been prosecuted. It was determined as a matter of public policy, on the part of the governments concerned, that the trials should be held. They were held in accordance with established principles of international law.

We sent from this country some of our most outstanding judges to sit on the trial court. One of the great judges of the supreme court of my State, Justice James T. Brand, went to Nuremburg and sat on some of the courts for some of the trials of German war criminals. A great justice of the Supreme Court of the United States, Justice Robert H. Jackson, served as chief prosecutor in behalf of the United States.

The record of those trials, over the weeks and the months, is a voluminous record, with every procedural guaranty, such as those I have just outlined and now to be found in the Geneva convention, preserved to the defendants.

As a lawyer, and one particularly interested in international law, I have read extensively on the Nuremburg trials. The interesting thing is that in many of the scholarly articles which have been written about the Nuremburg trials runs a constant repetition of the theme that the prosecuting countries leaned over backward in making certain that every possible procedural guaranty for a fair trial was available to the defendants. The articles which criticized the Nuremburg trials are, for the most part, articles which criticized the Allies because the trials were held at all, not because the trials were not fair.

As we all know, there is no question as to the international law basis for the indictments. Then, too, as I said in a dispatch some days ago, I would have my Cuban friends—for that matter, the people throughout the world, generally—

reflect on the attitude of the great President of the United States, Abraham Lincoln, at the close of the War Between the States. Mr. President, the Nation then was dealing with a revolt. It was dealing with a civil war. It was known as the War of the Rebellion. In that sense, so far as the definition of the type of conflict is concerned, there were many of the same definitive qualities in the tragic American Civil War as are found in the Cuban civil war. What was the attitude of the great President of the United States, Abraham Lincoln, toward the leaders of the rebellion. Charity for all; a plea that the Nation unite; that we bind up the wounds of that revolt. The fact is that following the cessation of that war, there was no blood bath in our country against the vanquished.

I understand the great differences between the conduct of Batista and his followers and the conduct of southern leaders in the Civil War. I understand the great cruelties and the horrors which were inflicted upon many Cubans by the Batista regime. I do not say that the present Cuban Government should not proceed with prosecutions. But I have raised my voice in protest against hasty executions as a Christian, as one who believes that moral principles are the very basis of fair-trial procedure. I have objected to executions without the application of such fair procedures as those to which civilized nations committed themselves in the Geneva Conventions, in respect to war prisoners.

So I close these comments by renewing again my plea, as a friend of Cuba, for an early announcement to the world that fair procedures, applied in public trials, will prevail. That is all Cuba needs. Cuba does not need political drama. Cuba does not need to have fly into Havana American politicians having no official standing and no authority to do anything about what may happen anyway. What Cuba needs is to rededicate itself, as I said in my cablegram yesterday, to the spiritual significance of the mass, which, after all, is based upon the recognition that we all are creatures of the Creator, and that in man's relation to man the principles of morality should characterize our dealings with one another.

To buttress my reference to the Geneva Conventions, I ask unanimous consent to have printed at this point in my remarks material taken from pages A18 and A19 and also beginning on page 117 and ending on page 126 of the Geneva Conventions.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RELATIONS BETWEEN PRISONERS OF WAR AND THE AUTHORITIES (SEC. VI)

With respect to penal and disciplinary sanctions, several new principles have been introduced. In article 83 an appeal is made to the indulgence of the authorities of the detaining power when deciding the question of whether an offense should be the subject of judicial or disciplinary action. In the 1929 text this principle referred only to offenses connected with escape. Article 84 provides that in general prisoners should be judged by military courts and in all cases by courts offering essential guaranties of independence and impartiality. In article 85 it is provided that prisoners of war prosecuted under the laws of the detaining power for acts committed prior to capture shall retain, even if convicted, the benefits of the convention. Article 87 provides that the courts and authorities of the detaining power shall take into consideration when fixing the penalty the fact that the accused prisoner is not a national of the detaining power and is not bound to it by any tie of allegiance, and permits the courts or authorities to lighten the sentence of the accused prisoner.

In article 89 there has been introduced a limitative enumeration of the various forms of disciplinary punishments applicable to prisoners. In this connection, there has been omitted the 1929 provision for punishment by disciplinary measures affecting rations. A basic safeguard has been included to the effect that the punishments shall never be inhuman, brutal, or dangerous to the health of prisoners of war.

Article 91 is new; it defines the conditions to be fulfilled in order that escapees may be regarded as successful.

In article 96 it should be noted that camp commandants are now prohibited from delegating their disciplinary powers to prisoners of war and are also required to keep a register of any disciplinary punishments inflicted which register shall be accessible to representatives of the protecting power. The importance of these provisions has been demonstrated by experience.

With respect to the articles relative to judicial proceedings, there has been introduced in article 99 the principle that no prisoner of war may be tried or sentenced for an act which is not forbidden by the law of the detaining power or by international law in force at the time the said act was committed. It has also been set forth that no prisoner of war may be tried without having the assistance of qualified counsel. Article 102 guarantees to prisoners of war the same trial procedure as provided for members of the armed forces of the detaining power. The provisions of the convention relating to such matters must also be observed. Article 105 provides that the detaining power shall find the accused a lawyer if he or the protecting power have not selected one and that the counsel shall be given the facilities necessary to prepare the defense. Also, it is provided that the particulars of the charge or charges on which the prisoner of war is to be arraigned and other court documents involved shall be communicated to the accused.

The system of notification of judgments to the protecting power has been improved. In the future, in accordance with article 107, the detailed notification which in the 1929 convention was required for the death penalty only is now to be made for all sentences.

Article 108 is new and defines the minimum conditions for the treatment of prisoners after sentence has been passed, particularly with regard to hygiene, correspondence, medical or spiritual aid, the application of penalties, and the provision of separate accommodations for women.

CHAPTER III. PENAL AND DISCIPLINARY SANCTIONS

1. GENERAL PROVISIONS

Article 82

A prisoner of war shall be subject to the laws, regulations and orders in force in the armed forces of the detaining power; the detaining power shall be justified in taking judicial or disciplinary measures in respect of any offense committed by a prisoner of war against such laws, regulations or orders. However, no proceedings or punishments contrary to the provisions of this chapter shall be allowed.

If any law, regulation or order of the detaining power shall declare acts committed by a prisoner of war to be punishable, whereas the same acts would not be punishable if committed by a member of the forces of the detaining power, such acts shall entail disciplinary punishments only.

Article 83

In deciding whether proceedings in respect of an offense alleged to have been committed by a prisoner of war shall be judicial or disciplinary, the detaining power shall insure that the component authorities exercise the greatest leniency and adopt, wherever possible, disciplinary rather than judicial measures.

Article 84

A prisoner of war shall be tried only by a military court, unless the existing laws of the detaining power expressly permit the civil courts to try a member of the armed forces of the detaining power in respect of the particular offense alleged to have been committed by the prisoner of war.

In no circumstances whatever shall a prisoner of war be tried by a court of any kind which does not offer the essential guaranties of independence and impartiality as generally recognized, and, in particular, the procedure of which does not afford the accused the rights and means of defense provided for in article 105.

Article 85

Prisoners of war prosecuted under the laws of the detaining power for acts committed prior to capture shall retain, even if convicted, the benefits of the present convention.

Article 86

No prisoner of war may be punished more than once for the same act or on the same charge.

Article 87

Prisoners of war may not be sentenced by the military authorities and courts of the detaining power to any penalties except those provided for in respect of members of the armed forces of the said power who have committed the same acts.

When fixing the penalty, the courts or authorities of the detaining power shall take into consideration, to the widest extent possible, the fact that the accused, not being a national of the detaining power, is not bound to it by any duty of allegiance, and that he is in its power as the result of circumstances independent of his own will. The said courts or authorities shall be at liberty to reduce the penalty provided for the violation of which the prisoner of war is accused, and shall therefore not be bound to apply the minimum penalty prescribed.

Collective punishment for individual acts, corporal punishment, imprisonment in premises without daylight and, in general, any form of torture or cruelty, are forbidden.

No prisoner of war may be deprived of his rank by the detaining power, or prevented from wearing his badges.

Article 88

Officers, noncommissioned officers, and men who are prisoners of war undergoing a disciplinary or judicial punishment, shall not be subjected to more severe treatment than that applied in respect of the same punishment to members of the armed forces of the detaining power of equivalent rank.

A woman prisoner of war shall not be awarded or sentenced to a punishment more severe, or treated whilst undergoing punishment more severely, than a woman member of the armed forces of the detaining power dealt with for a similar offense.

In no case may a woman prisoner of war be awarded or sentenced to a punishment more severe, or treated whilst undergoing punishment more severely, than a male member of the armed forces of the detaining power dealt with for a similar offense.

Prisoners of war who have served disciplinary or judicial sentences may not be treated differently from other prisoners of war.

II. DISCIPLINARY SANCTIONS

Article 89

The disciplinary punishments applicable to prisoners of war are the following:

1. A fine which shall not exceed 50 percent of the advances of pay and working pay which the prisoner of war would otherwise receive under the provisions of articles 60 and 62 during a period of not more than 30 days.

2. Discontinuance of privileges granted over and above the treatment provided for by the present Convention.

3. Fatigue duties not exceeding 2 hours daily.

4. Confinement.

The punishment referred to under 3 shall not be applied to officers.

In no case shall disciplinary punishments be inhuman, brutal, or dangerous to the health of prisoners of war.

Article 90

The duration of any single punishment shall in no case exceed 30 days. Any period of confinement awaiting the hearing of a disciplinary offense or the award of disciplinary punishment shall be deducted from an award pronounced against a prisoner of war.

The maximum of 30 days provided above may not be exceeded, even if the prisoner of war is answerable for several acts at the same time when he is awarded punishment, whether such acts are related or not.

The period between the pronouncing of an award of disciplinary punishment and its execution shall not exceed 1 month.

When a prisoner of war is awarded a further disciplinary punishment, a period of at least 3 days shall elapse between the execution of any two of the punishments, if the duration of one of these is 10 days or more.

Article 91

The escape of a prisoner of war shall be deemed to have succeeded when:

1. He has joined the armed forces of the power on which he depends, or those of an allied power.

2. He has left the territory under the control of the detaining power, or of an ally of the said power.

3. He has joined a ship flying the flag of the power on which he depends, or of an allied power, in the territorial waters of the detaining power, the said ship not being under the control of the last named power.

Prisoners of war who have made good their escape in the sense of this article and who are recaptured, shall not be liable to any punishment in respect of their previous escape.

Article 92

A prisoner of war who attempts to escape and is recaptured before having made good his escape in the sense of article 91 shall be liable only to a disciplinary punishment in respect to this act, even if it is a repeated offense.

A prisoner of war who is recaptured shall be handed over without delay to the competent military authority.

Article 88, fourth paragraph, notwithstanding, prisoners of war punished as a result of an unsuccessful escape may be subjected to special surveillance. Such surveillance must not affect the state of their health, must be undergone in a prisoner of war camp, and must not entail the suppression of any of the safeguards granted them by the present convention.

Article 93

Escape or attempt to escape, even if it is a repeated offense, shall not be deemed an aggravating circumstance if the prisoner of war is subjected to trial by judicial proceedings in respect of an offense committed during his escape or attempt to escape.

In conformity with the principle stated in article 83, offenses committed by prisoners of war with the sole intention of facilitating their escape and which do not entail any violence against life or limb, such as offenses against public property, theft without intention of self-enrichment, the drawing up or use of false papers, or the wearing of civilian clothing, shall occasion disciplinary punishment only.

Prisoners of war who aid or abet an escape or an attempt to escape shall be liable on this count to disciplinary punishment only.

Article 94

If an escaped prisoner of war is recaptured, the power on which he depends shall be notified thereof in the manner defined in article 122, provided notification of his escape has been made.

Article 95

A prisoner of war accused of an offense against discipline shall not be kept in confinement pending the hearing unless a member of the armed forces of the detaining power would be so kept if he were accused of a similar offense, or if it is essential in the interests of camp order and discipline.

Any period spent by a prisoner of war in confinement awaiting the disposal of an offense against discipline shall be reduced to an absolute minimum and shall not exceed 14 days.

The provisions of articles 97 and 98 of this chapter shall apply to prisoners of war who are in confinement awaiting the disposal of offenses against discipline.

Article 96

Acts which constitute offenses against discipline shall be investigated immediately.

Without prejudice to the competence of courts and superior military authorities, disciplinary punishment may be ordered only by an officer having disciplinary powers in his capacity as camp commander, or by a responsible officer who replaces him or to whom he has delegated his disciplinary powers.

In no case may such powers be delegated to a prisoner of war or be exercised by a prisoner of war.

Before any disciplinary award is pronounced, the accused shall be given precise information regarding the offenses of which he is accused, and given an opportunity of explaining his conduct and of defending himself. He shall be permitted, in particular, to call witnesses and to have recourse, if necessary, to the services of a qualified interpreter. The decision shall be announced to the accused prisoner of war and to the prisoners' representative.

A record of disciplinary punishments shall be maintained by the camp commander and shall be open to inspection by representatives of the protecting power.

Article 97

Prisoners of war shall not in any case be transferred to penitentiary establishments (prisons, penitentiaries, convict prisons, etc.) to undergo disciplinary punishment therein.

All premises in which disciplinary punishments are undergone shall conform to the sanitary requirements set forth in article 25. A prisoner of war undergoing punishment shall be enabled to keep himself in a state of cleanliness, in conformity with article 29.

Officers and persons of equivalent status shall not be lodged in the same quarters as noncommissioned officers or men.

Women prisoners of war undergoing disciplinary punishment shall be confined in separate quarters from male prisoners of war and shall be under the immediate supervision of women.

Article 98

A prisoner of war undergoing confinement as a disciplinary punishment shall continue to enjoy the benefits of the provisions of this convention except insofar as these are necessarily rendered inapplicable by the mere fact that he is confined. In no case may he be deprived of the benefits of the provisions of articles 78 and 126.

A prisoner of war awarded disciplinary punishment may not be deprived of the prerogatives attached to his rank.

Prisoners of war awarded disciplinary punishment shall be allowed to exercise and to stay in the open air at least 2 hours daily.

They shall be allowed, on their request, to be present at the daily medical inspections. They shall receive the attention which their state of health requires and, if necessary, shall be removed to the camp infirmary or to a hospital.

They shall have permission to read and write, likewise to send and receive letters. Parcels and remittances of money, however, may be withheld from them until the completion of the punishment; they shall meanwhile be entrusted to the prisoners' representative, who will hand over to the infirmary the perishable goods contained in such parcels.

III. JUDICIAL PROCEEDINGS

Article 99

No prisoner of war may be tried or sentenced for an act which is not forbidden by the law of the detaining power or by international law, in force at the time the said act was committed.

No moral or physical coercion may be exerted on a prisoner of war in order to induce him to admit himself guilty of the act of which he is accused.

No prisoner of war may be convicted without having had an opportunity to present his defense and the assistance of a qualified advocate or counsel.

Article 100

Prisoners of war and the protecting powers shall be informed as soon as possible of the offenses which are punishable by the death sentence under the laws of the detaining power.

Other offenses shall not thereafter be made punishable by the death penalty without the concurrence of the power on which the prisoners of war depend.

The death sentence cannot be pronounced on a prisoner of war unless the attention of the court has, in accordance with article 87, second paragraph, been particularly called to the fact that since the accused is not a national of the detaining power, he is not bound to it by any duty of allegiance, and that he is in its power as the result of circumstances independent of his own will.

Article 101

If the death penalty is pronounced on a prisoner of war, the sentence shall not be executed before the expiration of a period of at least 6 months from the date when the protecting power receives, at an indicated address, the detailed communication provided for in article 107.

Article 102

A prisoner of war can be validly sentenced only if the sentence has been pronounced by the same courts according to the same procedure as in the case of members of the armed forces of the detaining power, and if, furthermore, the provisions of the present chapter have been observed.

Article 103

Judicial investigations relating to a prisoner of war shall be conducted as rapidly as circumstances permit and so that his trial shall take place as soon as possible. A prisoner of war shall not be confined while awaiting trial unless a member of the armed forces of the detaining power would be so

confined if he were accused of a similar offense, or if it is essential to do so in the interests of national security. In no circumstances shall this confinement exceed 3 months.

Any period spent by a prisoner of war in confinement awaiting trial shall be deducted from any sentence of imprisonment passed upon him and taken into account in fixing any penalty.

The provisions of articles 97 and 98 of this chapter shall apply to a prisoner of war whilst in confinement awaiting trial.

Article 104

In any case in which the detaining power has decided to institute judicial proceedings against a prisoner of war, it shall notify the protecting power as soon as possible and at least 3 weeks before the opening of the trial. This period of 3 weeks shall run as from the day on which such notification reaches the protecting power at the address previously indicated by the latter to the detaining power.

The said notification shall contain the following information:

1. Surname and first names of the prisoner of war, his rank, his army, regimental, personal or serial number, his date of birth, and his profession or trade, if any.

2. Place of internment or confinement.

3. Specification of the charge or charges on which the prisoner of war is to be arraigned, giving the legal provisions applicable.

4. Designation of the court which will try the case, likewise the date and place fixed for the opening of the trial.

The same communication shall be made by the detaining power to the prisoners' representative.

If no evidence is submitted, at the opening of the trial, that the notification referred to above was received by the protecting power, by the prisoner of war and by the prisoner's representative concerned, at least 3 weeks before the opening of the trial, then the latter cannot take place and must be adjourned.

Article 105

The prisoner of war shall be entitled to assistance by one of his prisoner comrades, to defense by a qualified advocate or counsel of his own choice, to the calling of witnesses and, if he deems necessary, to the services of a competent interpreter. He shall be advised of these rights by the detaining power in due time before the trial.

Failing a choice by the prisoner of war, the protecting power shall find him an advocate or counsel, and shall have at least 1 week at its disposal for the purpose. The detaining power shall deliver to the said power, on request, a list of persons qualified to present the defense. Failing a choice of an advocate or counsel by the prisoner of war or the protecting power, the detaining power shall appoint a competent advocate or counsel to conduct the defense.

The advocate or counsel conducting the defense on behalf of the prisoner of war shall have at his disposal a period of 2 weeks at least before the opening of the trial, as well as the necessary facilities to prepare the defense of the accused. He may, in particular, freely visit the accused and interview him in private. He may also confer with any witnesses for the defense, including prisoners of war. He shall have the benefit of these facilities until the term of appeal or petition has expired.

Particulars of the charge or charges on which the prisoner of war is to be arraigned, as well as the documents which are generally communicated to the accused by virtue of the laws in force in the armed forces of the detaining power, shall be communicated to the accused prisoner of war in a language which he understands, and in good time before the opening of the trial. The same communication in the same circumstances shall be made to the advocate or counsel conducting the defense on behalf of the prisoner of war.

The representatives of the protecting power shall be entitled to attend the trial of the case, unless, exceptionally, this is held in camera in the interest of state security. In such a case the detaining power shall advise the protecting power accordingly.

Article 106

Every prisoner of war shall have, in the same manner as the members of the armed forces of the detaining power, the right of appeal or petition from any sentence pronounced upon him, with a view to the quashing or revising of the sentence or the reopening of the trial. He shall be fully informed of his right to appeal or petition and of the time limit within which he may do so.

Article 107

Any judgment and sentence pronounced upon a prisoner of war shall be immediately reported to the protecting power in the form of a summary communication, which shall also indicate whether he has the right of appeal with a view to the quashing of the sentence or the reopening of the trial. This communication shall likewise be sent to the prisoners' representative concerned. It shall also be sent to the accused prisoner of war in a language he understands, if the sentence was not pronounced in his presence. The detaining power shall also immediately communicate to the protecting power the decision of the prisoner of war to use or to waive his right of appeal.

Furthermore, if a prisoner of war is finally convicted or if a sentence pronounced on a prisoner of war in the first instance is a death sentence, the detaining power shall as soon as possible address to the protecting power a detailed communication containing:

1. The precise wording of the finding and sentence.

2. A summarized report of any preliminary investigation and of the trial, emphasizing in particular the elements of the prosecution and the defense.

3. Notification, where applicable, of the establishment where the sentence will be served.

The communications provided for in the foregoing subparagraphs shall be sent to the protecting power at the address previously made known to the detaining power.

Article 108

Sentences pronounced on prisoners of war after a conviction has become duly enforceable, shall be served in the same establishments and under the same conditions as in the case of members of the armed forces of the detaining power. These conditions shall in all cases conform to the requirements of health and humanity.

A woman prisoner of war on whom such a sentence has been pronounced shall be confined in separate quarters and shall be under the supervision of women.

In any case, prisoners of war sentenced to a penalty depriving them of their liberty shall retain the benefit of the provisions of articles 78 and 126 of the present convention. Furthermore, they shall be entitled to receive and dispatch correspondence, to receive at least one relief parcel monthly, to take regular exercise in the open air, to have the medical care required by their state of health, and the spiritual assistance they may desire. Penalties to which they may be subjected shall be in accordance with the provisions of article 87, third paragraph.

Mr. MORSE. Mr. President, these are but documentations of the statements I have made as to what is contained in the Geneva Conventions.

I now ask unanimous consent to have printed at this point in my remarks certain quotations from the report of the Committee on Foreign Relations, dated June 27, 1955, when the committee unanimously reported these conventions to the Senate. The material is found on pages 15 through 17, under the heading "Penal and Disciplinary Sanctions." It contains a discussion of the procedures which should prevail.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

5. Penal and disciplinary sanctions: One of the most important chapters in the convention is that relating to penal and disciplinary sanctions (arts. 82–108). This chapter sets forth the circumstances under which prisoners may be tried for various infractions of the laws and regulations of the detaining power; establishes maximum punishments for disciplinary offenses including attempted escapes; provides specific safeguards and guaranties of a fair judicial proceeding; and prohibit procedures and punishments contrary to those set out in the convention.

Article 82 provides that acts punishable by the laws of the detaining power, but which are not punishable if committed by a member of that power's forces, shall entail only disciplinary punishment. This provision should be read together with article 87, which excludes the application to prisoners of any penalties other than those provided for such acts in respect of members of the armed force of the detaining power. Women prisoners may not be more severely treated or punished than women members of the detaining power's own forces for like offenses (art. 88). No prisoner may be tried or sentenced for an act which is not forbidden by the law of the detaining power or by international law in force at the time the said act was committed (art. 99)—a provision of particular significance in view of criticism voiced against the alleged ex post facto nature of certain aspects of the Nuremberg war crimes proceeding. Under article 84, the prisoner has the right to be tried by a military court unless the existing laws of the detaining power expressly permit the civil courts to try members of that power's own forces in respect of the offense alleged. In no event may he be tried by any court not offering the essential guaranties of independence and impartiality generally recognized, nor under procedure which fails to accord the rights of defense set forth in article 105. The latter article gives him the right to freely chosen counsel, to call witnesses, and to the services of a competent interpreter. Should he or the protecting power fail to select counsel, the detaining power must find one for him. Other provisions insure that his counsel will have opportunity to prepare an adequate defense along with the right of appeal (arts. 106–107).

One of the most extensively debated subjects at the Conference was whether a prisoner who is prosecuted for a precapture crime, in particular, offenses against the laws of war, should enjoy the benefits of the convention. On this, article 85 provides:

"Prisoners of war prosecuted under the laws of the detaining power for acts committed prior to capture shall retain, even if convicted, the benefits of the present convention."

The article was adopted over the opposition of the Soviet bloc, which attached a reservation thereto at the time of signature. That reservation, and the committee's recommendations with respect to it, are discussed in a separate section. (See sec. 13 below.)

Article 86 repeats the injunction of article 52 in the 1929 convention against punishing

prisoners more than once for the same offense (non bis in idem). Article 102 requires that trials be by the same court as in the case of members of the armed forces of the detaining power. Collective punishment for individual acts, corporal punishment, imprisonment in premises without daylight, and any form of torture or cruelty are prohibited.

In contrast with the rather general language of the 1929 convention on disciplinary punishment, the 1949 convention contains a limitative enumeration of those types of disciplinary penalties which may be applied to prisoners. In no case may such punishments be inhuman, brutal, or dangerous to the prisoners' health. Whereas article 55 of the former document permitted food restrictions as an increase in punishment, the present instrument omits any authorization of this kind.

6. Escape, release, and repatriation: Articles 91–95 detail with greater thoroughness than heretofore the consequences of attempted escapes and define the conditions which must be met before an escape can be regarded as successful (art. 91), an important addition because of the effects produced by a successful escape. Another new provision prohibits camp commanders from delegating their disciplinary powers to prisoners of war, and requires a record to be kept of disciplinary punishments open to inspection by representatives of the protecting power (art. 96).

Articles 109–116 deal with direct repatriation and accommodation of prisoners in neutral countries. Articles 109–110 set forth principles under which parties to the conflict are obligated to repatriate seriously wounded and sick prisoners of war. Specified categories may also be accommodated in neutral countries after agreement with the latter. No wounded and sick prisoner eligible for repatriation may be repatriated against his will during hostilities.

Articles 118–121 contain provisions on the release and repatriation of prisoners of war at the close of hostilities, deceased prisoners, death certificates, burial and cremation, and the transmittal of wills to the protecting power. Article 118 requires that "prisoners of war shall be released and repatriated without delay after the cessation of active hostilities," a principle which occasioned the dispute during the Korean armistice negotiations as to whether a belligerent was obligated to repatriate prisoners against their will. (See sec. 10 below.) Finally, under article 121, whenever death or serious injury of a prisoner of war is caused by a sentry or any other person or is due to unknown causes, an official inquiry must be held by the detaining power, and measures taken to prosecute the guilty.

Mr. MORSE. Mr. President, I renew my assurance to the new President of Cuba and to General Castro that we are the friends of Cuba. We have raised a critical voice, in these first few days following the overthrow of the Batista regime, in protest against what, in fact, was a blood bath. When men are taken out before an open grave within a few minutes after charges have been hurled at them verbally by a small group of military officers, without any time to prepare a defense, without an opportunity to call witnesses, and without a period for the relaxation of tensions, so that reason can prevail, those responsible for such action are engaging in a blood bath. They are not following the high moral standards which the civilized nations of the world adopted in the Geneva Convention.

Let me repeat that it is not too late; and, again, my prayer will be that we shall read the glorious announcement from Cuba that the leadership of that Government has postponed further executions until such fair trial procedures as the ones I have outlined today can work their course in public trials of those charged with the commission of crimes against the Government.

So, Mr. President, I would have the President of Cuba and General Castro recognize that in a democracy there is no substitute for full public disclosure of the people's business. Crimes against the state are the people's business.

Mr. HUMPHREY. Mr. President, I wish to compliment and commend the distinguished senior Senator from Oregon [Mr. MORSE], not only for his remarks today on the most sensitive and vital subject of the developments in Cuba and on our relationships with the Cuban Republic, but also for the quality of statesmanship and vision that he has demonstrated ever since the success of the Cuban revolution and, in fact, even in the months prior to that success. The Senator from Oregon has been principled in his comment and stand and, at the same time, considerate and tolerant.

I hope the people of Cuba realize that the remarks which have been made by Members of the Senate, and, in particular, by the chairman of the Senate Foreign Relations Subcommittee on Latin American Affairs [Mr. MORSE], were made, not in a spirit of hostility, bitterness, or antagonism, but, rather, in a spirit of understanding, friendship, advice, and kindly admonition. They were made in a sincere effort to maintain wholesome, respectful, and cordial relationships between the people of Cuba and the people of the United States.

So I desire to thank the Senator from Oregon.

Mr. MORSE. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. MORSE. Of course I want the Senator from Minnesota to know that I appreciate his kind personal references.

But the much more significant feature of the statement he has made just now is that he had added his voice in restrained comment on this great moral issue.

I wish to say that, in my judgment, what the Senator from Minnesota has just now stated probably will exercise more influence for good than will what has been said by all the rest of us. I happen to know the very high regard in which the Senator from Minnesota is held in Cuba and in other Latin-American countries because of the great work he has done during his service on the Senate Foreign Relations Committee and because of the leadership he has extended time and time again in our efforts to do more to help improve conditions in the republics to the south of us.

On behalf of my committee, I thank the Senator from Minnesota very much for the great support he has just now given us by the remarks he has made on the floor of the Senate.

Mr. HUMPHREY. I thank the Senator from Oregon.

Mr. President——

The PRESIDING OFFICER (Mr. HARTKE in the chair). The Senator from Minnesota has the floor.

TEST BAN NEGOTIATIONS AND EFFECT OF NEW SCIENTIFIC DATA

Mr. HUMPHREY. Mr. President, today I wish to comment on the nuclear test ban negotiations taking place in Geneva and on the effect of the new scientific data recently announced by the White House regarding detection of underground nuclear explosions.

I am sure that everyone in this Chamber is aware that at the present time negotiations between the United States, the United Kingdom, and the Soviet Union are going on in Geneva, Switzerland, for the purpose of drafting a treaty on the discontinuance of nuclear weapons tests, under effective inspection and safeguards. I was privileged to serve as a congressional adviser at these negotiations, as were also my distinguished colleagues, the junior Senator from Tennessee [Mr. GORE] and the senior Senator from Iowa [Mr. HICKENLOOPER]. Two Members of the House of Representatives, Mr. ASPINALL and Mr. VAN ZANDT, also attended the negotiations last fall.

Members of the Senate are also familiar with the fact that the negotiations in Geneva for a ban on nuclear tests stem in part from the fact that scientists from the United States and other western nations reached agreement with scientists from the Soviet bloc, at a technical conference held last summer, on the ways to detect violations of a possible agreement on the suspension of nuclear tests. It is on the basis of this technical report that our negotiators are now attempting to draft a treaty incorporating the conclusions of the conference of experts.

The Geneva negotiations have been making slow but, nevertheless, steady progress. Although it is still unclear as to whether the negotiations will succeed, and I must caution my colleagues that most of the difficult issues must still be discussed, agreement has been reached on four articles of a proposed treaty.

Mr. President, I call to the attention of the Senate the announcement made by our delegation at Geneva yesterday, Monday, January 19. The New York Times of today, Tuesday, January 20, has published an article under the headline "West Drops Demand To Tie Atom Ban to Disarmament."

Under a Geneva dateline of January 19, the article commences with the following:

> The United States and Britain made a major concession to the Soviet Union today in an attempt to end the stalemate in the three-power conference for ending nuclear weapon tests.
>
> The West abandoned its demand that the duration of the proposed treaty for a controlled ban on such tests be linked to progress in other fields of disarmament. The shift in position was announced at today's 37th meeting of the conference by James J. Wadsworth, chief U.S. delegate, and David Ormsby-Gore, leader of the British delegation.

Mr. President, I ask unanimous consent that the text of the article be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WEST DROPS DEMAND TO TIE ATOM BAN TO DISARMAMENT

GENEVA, January 19.—The United States and Britain made a major concession to the Soviet Union today in an attempt to end the stalemate in the three-power conference for ending nuclear weapon tests.

The West abandoned its demand that the duration of the proposed treaty for a controlled ban on such tests be linked to progress in other fields of disarmament. The shift in position was announced at today's 37th meeting of the conference by James J. Wadsworth, chief United States delegate, and David Ormsby-Gore, leader of the British delegation.

Mr. Wadsworth informed Semyon K. Tsarapkin, chief Soviet delegate, that the United States no longer maintained one of the two key conditions President Eisenhower once said would have to be met for the United States to continue the nuclear weapons test ban on a year-by-year basis.

EISENHOWER REMARK RECALLED

The President said August 22 that one condition for continuing the ban on testing nuclear weapons was that "satisfactory progress is being made in reaching agreement on and implementing major and substantial arms-control measures."

But the United States delegate went on to make it clear in his statement that the concession was being made to allow the conference to get down to negotiating the other key condition set by the President. This was "that an agreed inspection system is installed and working effectively."

Mr. Ormsby-Gore followed with a similar statement.

The carefully prepared Western move was designed to force the Soviet Union into a put up or shut up position. In the Western view, the Soviet Union must either discuss the details of an effective system for policing a ban or admit it does not want real international controls.

The Soviet Union has virtually stalemated the conference since it was resumed January 5 after the Christmas holidays by giving precedence to the duration issue over all others. It has insisted that to link the duration of the ban to disarmament progress would leave the treaty open to denunciation virtually at will. No clearly objective basis for gaging disarmament progress possible, the Soviet delegation has contended.

U.S. AIDS EXPLAIN MOVE

U.S. delegation sources said that the concession to this Soviet view was a "sincere effort" to break up the conference logjam. They also described it as a "major move" to get the conference onto the key issue of controls, because without a foolproof detection and inspection system there would be no treaty.

"What the Soviet Union has repeatedly maintained is the main obstacle to a treaty has now been removed by the United Kingdom and the United States," Mr. Ormsby-Gore said in a statement to the press. "We have demonstrated our sincere determination to reach an agreement."

The Western move has been under intense preparation since last Wednesday. At the request of the Western delegations, conference meetings scheduled for Thursday and Friday were canceled to give them time for consultations.

Immediately after the West made its announcement at today's meeting, Mr. Tsarapkin said he was pleased to see that the West had discarded the link between the treaty's duration and disarmament. He added, however, that he was still desirous of seeing the Western Powers introduce their proposed article on the lifetime of the treaty, which the West again promised would be forthcoming in the near future.

But the Soviet delegate nonetheless said he was now prepared to go on to discuss the four draft articles on the working of the control organization that the United States submitted. They deal with a control commission, a conference of parties to the treaty, an international administrator and the staff and detection system itself.

Mr. Tsarapkin said discussion should continue at the same time on a Soviet draft article on the obligation of nations signing the treaty to accept control posts and other elements of a system on their territory.

U.S. sources emphasized that while the West would drop the issue of linking disarmament questions to the duration of the nuclear weapons ban treaty a desire to see progress made on them would be mentioned in the preamble to the pact. The preamble will express the conviction that in setting up a controlled ban on nuclear weapons tests the way will be opened for similar agreements on arms-reducing measures.

Western sources reiterate that in the Western view doing away with nuclear weapon tests is in itself not real disarmament.

Mr. Tsarapkin was presiding today when the West made its attempt to end the stalemate in the conference, which started October 31.

Mr. HUMPHREY. Mr. President, I am very pleased and heartened by the action taken by the Western delegations at Geneva in dropping the so-called disarmament tie-in, or link, to the nuclear test discontinuance treaty. In the month of November, when it was my privilege to be present at these negotiations, I had felt that this was a desirable move. At that time I recommended, to both the U.S. delegation and to the United Kingdom delegation, that the proposal for a clause relating to disarmament progress be dropped from the discussions in Geneva. I believe this gives us a better working position. Surely it removes one of the alleged obstacles to the success of the conference. My position on this matter was known by the State Department, since I conveyed my personal point of view directly to the responsible officers of our Government upon my return from the visit to Geneva.

EXAGGERATED CLAIMS

In the midst of these negotiations the White House issued a statement, on January 5, 1959, to the effect that new scientific data have appeared which indicate "it is more difficult to identify underground explosions than had previously been believed." The White House announcement, which was made by the President's Science Advisory Committee, has resulted in some exaggerated statements and claims. On the one hand, some people charge that the new information is not genuine and that it has been put forth by those who do not want to see a ban on tests. One correspondent, for example, says:

> There is something fishy about the timing and the content of the White House announcement. Is this another underground triumph for Dr. Teller? * * * Are they [the scientists] jumping to conclusions they have long sought in order to block a test cessation they have always opposed?

On the other hand, there are claims that the new data make an agreement to ban tests under effective control impossible, and we should immediately call off the negotiations. To cite a case in point, a prominent magazine writes that the announcement means that "the real minimum underground blast that could be fully detected was about 20 kilotons—about the size of the Nagasaki-Hiroshima bombs. Should the United States trust to any stop-test agreement where the chances of deception are so great as to be a major risk to survival?"

I mention these two quotations simply to point out what I believe to be the exaggerated claims and exaggerated interpretations of the new scientific data. It is my view that the data should be taken under very careful study, which I intend to do this afternoon, and then we should come up with much more sober and restrained judgments.

The information which was made available on January 5 by the White House was information that some of us knew about at least a month prior to that announcement date. Since the negotiations were under way, we withheld any discussion of the scientific information, leaving revelation of the new scientific data to the responsible executive officers.

SUBCOMMITTEE ON DISARMAMENT TO HOLD HEARINGS

Neither of the two quotations I referred to reflects an accurate picture of what has happened. All of us who have some responsibility in matters of arms control and in matters of our national defense must understand the significance of these new developments. And the information must be shared with the American people. The Senate Foreign Relations Subcommittee on Disarmament, of which I am privileged to be chairman, will hold hearings on the subject in a few days, and the Joint Committee on Atomic Energy has already held sessions to review the problem.

DATA ARE NOT FALSE

The White House announcement is not the result of data trumped up by Dr. Teller or anyone else. It is true that the very famous and able Dr. Teller does not favor a ban on nuclear weapons tests, but insofar as I am aware, Dr. Teller had nothing to do with the gathering of the new material.

To be sure, he may be using it to try to persuade people that the test ban negotiations should be called off, but I want the record to make clear that he did not create the data. His opposition to cessation of nuclear tests is longstanding. He has very sincere convictions about his position, and those convictions are surely worthy of respect.

How, then, did the data originate?

When the President, on August 22, 1958, indicated that the United States would stop testing October 31, 1958, pending the outcome of the political negotiations of a test ban treaty, the Atomic Energy Commission quickly planned several tests at the Nevada proving grounds during September and October. Four of these were underground tests.

As chairman of the Disarmament Subcommittee, I had encouraged the Atomic Energy Commission to do more research in the field of underground tests in an effort to perfect our detection system.

Prior to the October tests I have referred to, there had been one underground test, in September 1957, the so-called Ranier test. It goes without saying one underground test is inadequate for the purposes of sound and conclusive scientific data.

Of the four recent underground tests to which I referred, two were below 1 kiloton, one was approximately 4.5 kilotons, and one was about 23 kilotons.

During the month of November seismologists reported to the U.S. Government as to whether and how their seismographs picked up the four tests. This material was received by two groups. One was the U.S. Coast and Geodetic Survey, and the other was the group responsible for detecting nuclear tests.

The records of the seismologists were analyzed further by a special panel of scientists from various Government agencies and from private institutions during the test ban conference recess, from December 16 to January 5. Although the study of what should and could be done to improve the control system had not been completed, the Science Advisory Committee decided to issue a general statement to the public. At the same time the United States made the data and an analysis of it available to the Soviet Union and the United Kingdom, the two other nations participating in the test ban negotiations. On January 16 the Defense Department released more detailed information to the press.

I cite these events to show that the data presented are genuine, and not something that has been invented by those who wish to scuttle the test ban negotiations. However, this does not mean the data proves detection of nuclear tests has now become so difficult that, to quote again from a prominent periodical, "the chances of deception are so great as to be a major risk to survival" because "the real minimum underground blast that could be fully detected was about 20 kilotons." This conclusion not only is invalid, it is factually incorrect and completely misleading.

Rather than be critical of any periodical, the Senate Subcommittee on Disarmament, with its competent staff, would be more than willing to share information with those who are responsible for bringing to the public information relating to these highly technical matters.

I fear that the secrecy surrounding some of these scientific data leads to distortion in the reports which come to the public. This is another argument for more information to be made available to the public from the Government agencies. If such information were more readily available and were not under the cloak of secrecy, I believe those who write stories for our newspapers and periodicals would have a much better understanding of the subject. They would be able to do a much more accurate and comprehensive task of reporting.

WHAT THE DATA SHOWED

The analysis by the panel of scientists seemed to indicate that the control system as devised by the Geneva Conference of Experts, and which was based on scientific evidence available at the time, would have a more difficult job to distinguish between nuclear explosions and earthquakes than had previously been realized. The new data also showed that "seismic signals produced by explosions are smaller than had been anticipated and that there are consequently about twice as many natural earthquakes equivalent to an underground explosion of a given yield as had been estimated by the Geneva Conference of Experts."

That is a quotation from the announcement of January 5 by the President's Science Advisory Committee. For the record, the Geneva Conference of Experts referred to in that statement is the Conference of last July and August, attended by scientists of the United States of America, the U.S.S.R., and the United Kingdom.

It is important to stress that the new information does not bear so much on the detection of nuclear tests as it bears on the identification of earthquakes which must be made so that they can be distinguished from nuclear explosions and thus eliminated by the control organizations as suspicious events. Signals received at control posts which cannot clearly be identified as earthquakes must be subject to on-the-spot inspection, according to the Geneva technical agreement on detecting tests.

IMPROVEMENTS POSSIBLE

The significance of the new data and what can be done about it are subject to varying interpretations. Some view the information in such a pessimistic light that they advocate suspending only atmospheric tests but continuing underground tests. Others are more optimistic and believe that improvements can be made so that the risk to the United States of entering into a test ban agreement will not be significantly increased. In fact, the new data on underground explosions prompted further research and study on detection methods. Already new methods of detection have been found.

I believe, Mr. President, this is the first announcement of the new methods which have been found. The four underground tests of October 1958, and the new scientific data which came from those tests have acted as a catalyst to spur on greater research in the field of detection and inspection. In others words, what seemed to be a definite blow to the possibilities of effective inspection has spurred our scientists on to find new methods and new means of improving detection.

As has been said about weapons, no matter how terrible the weapon there always seems to be some type of defense. In this instance, with the new data we have discovered relating to the difficulty of identifying earthquakes, we have now been able, through a special study panel appointed by the President's Science Advisory Committee, to find new and improved methods of detection.

I understand that there are several promising techniques to improve the capabilities without increasing the size of the system recommended by the conference of experts at Geneva. These include: Building better instruments, which is not only possible but underway, devising ways to blot out background noise, placing seismographs deep in the earth, substantially increasing the number of seismographs at each control post over the number provided for in the Geneva report, utilization of additional methods to distinguish earthquake signals from nuclear explosions other than the determination of first motion, and use of unmanned seismographs to augment the Geneva system. Another obvious improvement is to increase the number of manned control posts. The President's Science Advisory Committee, under the chairmanship of Dr. Killian, is continuing to study how the control system might be improved. I hope and urge that its report be made public.

I state for the record that Dr. Killian's committee is to be commended for proceeding forthwith on these new studies relating to improved methods of inspection, detection, and control.

This is all very technical. I could discuss in some technical detail each of the suggestions to which I have referred, relating to an improved detection system. Suffice it to say that these suggestions will be analyzed in detail by the special panel of the Science Advisory Committee which is making the present study relating to detection.

BASIS OF THE GENEVA CONCLUSIONS

To view the new data in perspective it is worthwhile to recall the basis of the conclusions of the Geneva Conference of Experts regarding the detection of underground nuclear tests. The Geneva conclusions are based on the following premises: That if five or more seismographic stations at various directions from the source of an underground event are able, not only to detect the event, but determine the direction of the first motion on the seismogram—that is, whether the first motion is compressional—line on seismogram goes upward—or dilatational—downward first motion on seismogram—that then some 90 percent of the earthquakes can be eliminated as not being nuclear explosions or suspicious events. Whether the five stations can determine first motion depends somewhat on the distance of the seismograph from the source of the event—at certain distances the direction of first motion is difficult to determine—and on the amplitude, that is strength, of the signal.

Mr. President, I call to your attention that the Senate Subcommittee on Disarmament has published a rather comprehensive study on the use of seismographs relating to this detection system. As the Senate knows, we conducted a nationwide study, with the cooperation of eminent seismologists, on detection methods. I only refer briefly to that study now because I do not believe it is necessary for me to elucidate the points or the conclusions which were reached in it.

This is an important subject. If the Geneva Conference agrees on a treaty, that is, if the representatives of the executive branch of the Government should agree on a treaty, for the discontinuance

of nuclear tests, it will be the responsibility of the U.S. Senate either to approve or reject it. As chairman of the Senate Subcommittee on Disarmament, I feel it a special responsibility to state for the record from time to time some of the scientific information we have been able to obtain. Thereby we can keep the Senate informed, on a regularized, orderly basis, as to some of the more important technical developments which are taking place during the Geneva Conference.

I know that Members of the Senate will weigh such a proposed treaty very carefully I prefer that the treaty, if it does come to us, be judged not on the basis of half-truths, not on the basis of emotion, fears, or prejudice, but that it be judged in terms of the best scientific information we have available. Moreover, it is necessary to apply the political judgment which is always a significant factor in the conduct of international relations.

To return to the technical aspects of this subject, the determination of first motion also depends on whether the seismographic station is at a site which is relatively free of noise from other factors. If the size of the wiggle on the seismogram showing the direction of the first motion is quite small, and if there is substantial background noise at the seismographic station, then the direction of the first motion might be extremely difficult to determine correctly or accurately. Signals that cannot be definitely determined as coming from earthquakes, according to the Geneva conclusions, must be subject to on-the-spot inspection.

The scientists at Geneva also thought that if five seismographic stations recorded some compressional waves as first motions and some dilatational or rarefaction first motions, this was a definite sign of an earthquake and, therefore, probably need not be investigated. However, if all or most of the seismographic stations recorded the direction of the first motion as compressional, then this was to be regarded as suspicious evidence that a nuclear test has occurred. An investigation would then be permissible. According to the report of the panel of scientists who studied the results of the recent underground tests, the new data does not change this significant and important conclusion of the Conference of Experts at Geneva last summer.

The number of stations recommended by the Geneva Conference of Experts was based on identifying about 90 percent of the earthquakes equivalent to a nuclear explosion of 5 kilotons and thus eliminating them as suspicious events necessitating on-the-spot inspection. The capability of the control system devised at Geneva to identify underground events of less than 5 kilotons would depend on—

(a) the small fraction of earthquakes that can be identified on the basis of data obtained from the control posts alone; (b) the fraction of earthquakes that can be identified with the aid of supplementary data obtained from existing seismic stations—

Of which there are many all over the world—

and (c) the fraction of events still left unidentified which could be suspected of being nuclear explosions and for which the international control organ carries out inspection.

The control organization would also have a capability to deter a potential violator so long as there existed the right of spot checking the source of signals on the seismographs which appeared suspicious. In other words, the right of inspection would exist even though it would not be practical to investigate the source of every signal that could not be identified as coming from an earthquake.

The real problem is how to differentiate earthquakes from underground explosions. In certain areas of the world there are vast numbers of earthquakes. Certain conclusions were drawn at the Geneva Conference of Experts as to the number of earthquakes in any one year. Our problem in negotiating a treaty is not in any way to jeopardize our national security and to be able to determine whether or not any country is violating the terms of the treaty. One of our main tasks, therefore, is to develop such a sensitive control and detection system, through the use of seismographs and other techniques, that we may be able to differentiate between an earthquake and a nuclear underground explosion.

That is the heart and core of the problem. Make no mistake about it. This is a very serious matter, and one which is filled with all sorts of difficulties. Our scientists are now busily engaged in trying to improve their detection systems and the machines and equipment used for such detection, because of the new data which came to us as a result of the four most recent underground explosions.

It seems rather regrettable to me that our Government waited so long to explore means of detection of underground explosions. I mention this today because my colleagues must recall that from March to September 1957, our negotiators were at London negotiating with the Soviet representatives on an overall package of disarmament proposals, one of which was stopping nuclear tests.

Up to that time, we had not had even a single underground test explosion. We knew nothing about underground detection as the result of any practical experience with nuclear underground explosions. I want the Senate record to note that while our Government was proposing to the Soviet Union a total disarmament program, one of the points of which was the prohibition of further nuclear tests, with inspection—and the news stories emphasized the word "inspection"—the Government of the United States had no inspection system based on scientific fact that could have policed such an agreement had the Soviet Union accepted it. It seems to me that that was a rather hazardous operation. I suggest that when we negotiate with the Soviets we should know exactly what we are doing. Apparently we expected them to say "No," and they accommodated us. We expected them to reject our proposals, and they did as we expected.

What if they had accepted our proposals? We would have found ourselves in a situation where the Soviet Union could have gone ahead with a series of underground nuclear explosions, because we did not have any system designed or organized, for the purpose of providing adequate detection.

NUMBER OF EARTHQUAKES STILL UNCERTAIN

In deciding the number of earthquakes that would need to be identified and, therefore, eliminated from inspection control the Conference of Experts was somewhat vague. The reason for this vagueness in part stems from a difference of view between the Western and Soviet scientists as to how many earthquakes of a given size occur each year. The difference of opinion over this matter appears to be not unusual. Seismologists and geologists have not heretofore been concerned with small earthquakes and have, therefore, not concentrated on devising seismographs or seismographic sites to record them. They have been primarily concerned with the larger earthquakes which could be a danger to cities and populations.

The number of earthquakes that occur each year of various sizes, therefore, is at present a mathematical calculation or an extrapolation downward of what has been known about the number of large earthquakes. The number of earthquakes is not yet determined as a result of close and persistent scientific observation. As I said before, it is at best an educated estimate. For this reason, a great deal more research must be done before scientists have reliable knowledge in this field.

The new data presented to the President's Science Advisory Committee indicate that since an underground test might give off a weaker signal than previously believed by Western and Soviet scientists, that therefore, the control system will have more earthquake signals to cope with and thus have more of a burden placed upon it than had previously been thought. And, to repeat, the fact that some nuclear explosions give off weaker signals makes the determination of the direction of the first motion more difficult. But again to repeat, many of the scientists who have studied these results feel that through improvements in scientific instruments and further research, the capabilities of the control system can be increased. In fact, the President's Science Advisory Committee has so indicated.

Mr. President, as has been determined by the new data, some nuclear explosions give off weak signals, and thereby make the determination of the direction of the first motion more difficult to ascertain. If the weaker signal can be confused with an earthquake signal, improvement in detection involves differentiating an earthquake signal, which is not dangerous, from a nuclear explosion signal, which could be dangerous. That is our problem. It is not an easy one.

NEW DATA MAY HAVE POSITIVE AS WELL AS NEGATIVE IMPLICATIONS

The new data does not indicate that nuclear tests will definitely be more dif-

ficult to detect. Actually, the data appear to indicate that in some respects it may be easier to detect nuclear tests than the Conference of Experts at Geneva had concluded. This is so because the Geneva Conference thought that the determination of the direction of the first motion was about the only way that earthquakes could be distinguished from nuclear explosions. The new data appeared to show that surface waves from a nuclear explosion are weaker than from earthquakes of comparable size and that, therefore, analysis of surface waves may be used to distinguish between the two.

In addition, the Geneva Conference of Experts thought that at certain distances, from about 620 miles to 1,240 miles from the source of an underground event that seismic signals would be very weak. The new data indicate that stations in this shadow zone, as it is called, pick up signals somewhat stronger than had been estimated. The size of the zone is now considered somewhat larger; the signals are delayed, and determination of first motion is not usually considered possible, but the strength of the signals are greater.

At the coming hearings of the Disarmament Subcommittee I shall be interested to learn in more detail both the positive as well as the negative aspects of the new data. We are inviting the top world experts to testify. This is not a matter which will be left entirely to the Conference at Geneva. The Senate must have the necessary information on this very difficult and technical subject. That information will be provided by our subcommittee hearings.

POLITICAL FACTORS ADDED TO TECHNICAL

The detection and control system, however, is not merely a matter of science. Science and scientists are important and vital elements in any disarmament agreement. But technical facts should not alone, by themselves, determine what course should be followed. A control system for the detection of nuclear weapons tests or for any other disarmament measure is much more than a mechanical device. The control system would consist and must consist of much more than scientific instruments. There also must be the right of inspection of suspicious events. The Geneva Conference recognized this factor when it stated: "The Conference considers that whatever the precautionary measures adopted by a violator he could not be guaranteed against exposure, particularly if account is taken of the carrying out of the inspection at the site of the suspected explosion."

SYSTEM MUST DETER: CANNOT BE FOOLPROOF

We must recognize that no system can be made absolutely perfect, absolutely foolproof. But knowing that perfection is not attainable this does not mean that we would be relying on good faith in any test ban agreement. We are attempting to construct a control system that will deter a violator because he can never be sure that he will not be caught. This is the same principle that must apply in maintaining our national defense. No matter how many bombs or missiles we may have, we can never say we have achieved absolute security. We do need to have enough weapons and have them sufficiently varied and have sufficiently trained personnel to use them, to try to deter a potential aggressor from starting any kind of a war.

The Subcommittee on Disarmament stressed this matter in one of its reports. The report unanimously stated that—

> Examination of numerous disarmament proposals reveals none that can be said to be absolutely foolproof against evasion * * * it would be deceiving to the American people and the people of the world to advertise any plan as perfect.

The subcommittee proceeded to say:

> Every proposal entails risks; risks as to the possibility of clandestine evasion and as to military security * * *. The basic question is to decide whether the risks of doing something to curtail the threat of war by reducing armaments are less than the risks of doing nothing and allowing the armaments race to continue indefinitely * * *. We must try to obtain the most secure agreement possible, which will give this country and the free world a greater degree of security from war than now is the case.

It is important that our negotiators should proceed to try to negotiate a treaty. We must not belittle the new data received. But neither should we go to extremes and conclude that it will not be possible to have an effective system to monitor an agreement to suspend nuclear weapons tests.

In our effort to set up an effective control system we must make whatever improvements are deemed feasible and warranted. The Conference of Experts agreed to provide that the international control organization should put into effect a scientific research program, with the aim of raising the scientific standard of the system. For example, there should be consideration given to a proposal to have nuclear tests—of equal number from the United States, United Kingdom, and the U.S.S.R.—undertaken under international control for the purpose of furthering research and knowledge in this field.

I discussed this matter at considerable length with the political leaders in the Soviet Union. I also discussed the matter of nuclear tests with the Deputy Foreign Minister of the Soviet Union, Mr. Kuznetsov, who was the spokesman for the Soviet Union in the Surprise Attack Conference in Geneva. I felt it was important that there be some firsthand discussion of the matter for purposes of information.

WHAT ARE THE RISKS?

Let us also keep in mind that the risks we are taking if we sign a treaty to discontinue nuclear tests do not threaten our actual survival. Are we giving up all our bombs—nuclear as well as conventional? No, not one will be lost. Are we giving up our missiles, or even our testing of missiles, in this proposed agreement? No, we can keep what few we have, and unless another agreement is negotiated we and the Soviets can keep on producing and developing as many missiles as money, brains, and energy permit. I suggest we get busy.

We can still keep producing all the nuclear weapons our tests and research have thus far developed. So really we are not engaged in a risk which entails our survival.

The risk in this agreement is that we would curtail our development of nuclear weapons insofar as further tests are necessary to develop improved designs. There is also the risk that the Russians will cheat and will not get caught. Our Government claims that we now are ahead of them, both in nuclear weapons production and in the number of tests held to date. If the Russians did cheat, how many tests might they conduct, and would they all go undetected? Even with very small tests where the probability of detection might be small, the possibility of a violator being detected would increase with the number of tests conducted. Given the right of inspection, are the Russians so clever and are we so stupid that they would not be caught?

WARNING TO THE SOVIETS

In encouraging and urging our negotiators to continue to try to negotiate a test ban, I believe the Soviets should be dealt with firmly. They must know that there are two conditions for a test ban treaty that must be present. I have made it quite clear in my conversations with the Soviets that these conditions are imperative. One is that there must be no veto by them, by us, or anyone else, which prevents an investigation of the source of a suspicious signal. The right of effective inspection must be preserved. We should be prepared to submit to this. And so should they. The Russians keep calling for equality. Well, on this we should be prepared to have equal treatment: no veto for us; no veto for them. If they do not accept this principle, then the negotiations cannot be fruitful.

The second condition is that there must be some way to improve the control system as flaws in it are observed. The results of our recent underground tests probably are indicative of the amount and type of information that can be learned about the interior of the earth and the effects and characteristics of manmade explosions as well as earthquakes.

I may add that the methodology which is required for high altitude explosions also needs to be further improved and explored. High altitude explosions need a most careful type of detection system. It seems as though many improvements will be needed. I would even think that some modifications of the system created by the scientists last summer might be undertaken. If the Russians refuse to look facts in the face, if they refuse to consider any of the ways to improve the control system, then this is an indication that they will reject any improvements in the future. If this is their attitude we should know it now.

These views I have expressed to the Russian negotiators when I was in Geneva last fall. I have expressed them unqualifiedly also to Premier Khrushchev. I said to them, and I repeat now, that any agreement which lends itself to evasion will only increase tension and provoke hostility. It is my view that no agreement is preferable to one that would be ineffective.

I also said that the world has a right to expect the nuclear powers to come to an agreement which is sound and enforceable. Such an agreement can be arrived at.

WHAT ARE THE POSSIBLE GAINS?

In conclusion, I want to stress that we must look at the advantages of a controlled suspension of nuclear tests in addition to assessing the risks. If a test ban agreement is reached it will be the first break in the arms race since it began several years ago. It could pave the way to further progress in reducing and controlling the weapons of war. This surely is needed. I believe it would help reduce the terrible tension that now exists between the free world and the Soviet bloc. It may make possible a more rational discussion and negotiation of other problems which divide the world into hostile camps. It would be a major political breakthrough, a major change in the concept of an Iron Curtain that is drawn between us and the Soviet people.

If the negotiations are to fail, then it must be the intransigence of the Soviets which is the cause. Failure must not be charged to us. We must continue to negotiate to see if an agreement can be reached.

Mr. President, the world is concerned about this arms race. While it is imperative, so long as the race continues, that we be strong, united, and prepared, I think it is equally important that the best talent of our country be dedicated to finding a just and an enduring peace.

I sometimes wonder if we really devote as much time to finding ways to peace as we do to finding ways to the moon and to outer space. I think it would be a good question sometimes to ask ourselves how much time, money, energy, and sacrifice we devote to finding ways to a just and enduring peace as compared to the time, money, energy, skill, and resources which we devote to the terrible weapons which threaten the life of God's creation, that we put into, even, the exploration of outer space.

I have said before that I think the real problem in the world is not outer space; it is inner man. The sooner we do something about man and man's relationship to his fellow men, the sooner we shall be able to do much more about man's relationship to outer space.

During the delivery of Mr. HUMPHREY'S speech,

Mr. LONG. Mr. President, will the Senator yield?

Mr. HUMPHREY. Does the Senator ask me to yield for a question?

Mr. LONG. Yes.

Mr. HUMPHREY. I am glad to yield.

Mr. LONG. I notice that there are no Republicans on the floor. The junior Senator from Louisiana has been threatening to abolish the Republican Party if the Republicans do not arrange to keep at least one of their Members on the floor. It seems to me that if we southern Senators can be in attendance to try to save the Confederacy, a Member of the Republican Party should be on the floor to save the Republican Party. I do not wish to be unfair to the Republicans, if they cannot have one of their Members present on the floor of the Senate. However, it seems to me that, since the Senate can do anything by unanimous consent except amend the Constitution, it would be a very simple matter to abolish the Republican Party by unanimous consent.

Mr. HUMPHREY. I am always keenly interested in making worthwhile public improvements. However, in this instance, a friend of the Republican Party asked me to protect his rights. He is now entering the Chamber. I am protecting his rights.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. GOLDWATER. I may say that the Senator from Minnesota is an honorary sheriff of my county. He is licensed to carry a gun, but he is not licensed to steal. I know the Senator will always protect the Republican Party, which has been so generous with him year after year.

Mr. HUMPHREY. The Senator is so right. This display of friendship and bipartisanship is in keeping with the spirit of the afternoon. I wish to assure the Senator from Arizona, even though my good friend from Louisiana had a thought which for the moment tempted me, I, in good conscience, did not take the suggested action.

Mr. GOLDWATER. I am glad to hear the Senator say that the motivation came from the Senator from Louisiana, not as a result of the 8-hour conference the Senator from Minnesota had with the man across the sea.

Mr. HUMPHREY. It came from the Senator from Louisiana.

Mr. LONG. Mr. President, I am pleased to see at least one Senator who is ready to save the Republican Party. As I looked around the Chamber I was afraid for the moment that no one would rise to save the Grand Old Party. I am pleased to note that the Senator from Minnesota, in one of his gratuitous gestures, has undertaken to save the Republican Party before someone could decide to abolish it.

Mr. HUMPHREY. I am glad the Senator used the word "gratuitous," not questionable.

Mr. President, I ask unanimous consent that this colloquy be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

LABOR REFORM

Mr. GOLDWATER. Mr. President, I have read with great interest the remarks of the junior Senator from Massachusetts [Mr. KENNEDY] which accompanied the introduction of his revised version of the Kennedy-Ives labor reform bill. These remarks contain certain assertions and implications upon which I would like to comment.

Before doing so, however, I wish to advise my colleagues that within the next few days the President will send to Congress his proposals in this field of legislation and that I, as the ranking Republican on the Labor Committee, shall be happy to introduce the bill embodying these proposals.

The statement of the Senator from Massachusetts, referring to his bill, asserts:

> This is a bipartisan measure on a nonpartisan subject.

I should like to ask the Senator if his bill is being cosponsored by any of the members of my party. I note that he refers to an approving letter he received from ex-Senator Ives, of New York. In my opinion, the support of the ex-Senator does not any more transform this measure from a partisan into a bipartisan one than it did last year, when its sole Republican sponsorship came from the same ex-Senator from New York. I am confident that when I introduce the administration bill, it will be found that Senators on this side of the aisle will give it their wholehearted support.

It is a nonpartisan subject. We want to treat it that way. But I suggest to the Senator from Massachusetts that honest difference of opinion does not create partisanship. I have sat with him on the McClellan committee and watched and listened to the unfolding of this sordid drama. That our approach to the solutions differs from his does not mean partisanship. It means sincerity in our efforts to give to union members and to the public and to management real relief from the abuses now practiced on them.

Mr. President, the junior Senator from Massachusetts states:

> It carries out all of the previously unfulfilled recommendations of the McClellan committee.

I wish to point out most emphatically that the new bill, like its forerunner, the Kennedy-Ives bill of last year, again fails to carry out several of the most important recommendations of the McClellan committee:

First. The new bill does not permit the States to exercise jurisdiction over labor cases which the Labor Board itself has refused to entertain.

Second. It does not impose fiduciary status and character on union funds and union officials handling those funds.

Third. It does not provide democratic voting processes for unions on important matters other than the election of officers.

All three of these were included as recommendations by the McClellan committee, in its interim report, which both the junior Senator from Massachusetts himself and the senior Senator from North Carolina [Mr. ERVIN] signed, and thereby endorsed. All three of those recommendations were omitted by the junior Senator from Massachusetts from his bill.

The junior Senator from Massachusetts is emphatic in his insistence that his bill deals "primarily with the problems of dishonest racketeering." At this point let me ask the Senator from Massachusetts whether there is any such thing as honest racketeering—and that it is not a bill on industrial relations, dealing with the problems of collective bargaining and economic power. Those words would seem to indicate that no revision of the Taft-Hartley Act is con-

templated in his bill. However, the Senator admits that he has included Taft-Hartley Act amendments "which are necessary to curb racketeering or to facilitate the NLRB's action in this area." He then goes on to concede that he has included other Taft-Hartley Act amendments "such as those dealing with economic strikers and the building trades, which are included as part of last year's package at the insistence of Secretary Mitchell and the Labor Committee's ranking Republican, Senator SMITH of New Jersey."

I am delighted at the Senator's willingness to accept Taft-Hartley Act amendments because they have been recommended by the administration and members of the Republican Party, even though they have no bearing upon the problem of racketeering.

But if the junior Senator from Massachusetts is genuinely desirous of cooperating with the administration in his expressed objective of having the Congress enact a bipartisan labor reform bill, why does he fail to include in his bill any provisions imposing necessary limitations on secondary boycotts and certain completely unjustified types of minority picketing? Proposals to correct these two evils were contained in the administration bill last year. They will be in the administration bill this year; and I am confident that the McClellan committee, on the basis of its recent hearings, will recommend remedial legislation dealing with secondary boycotts.

These proposals, unlike those on voting by economic strikers and the building trades, are absolutely essential to any effective curb on racketeerings and racketeers in the labor movement. Anyone with even the slightest familiarity with the racketeering activities of some of the unions investigated by the McClellan committee is aware that the secondary boycott and the minority union picket line are two of the most effective devices used by corrupt union bosses to further their nefarious objectives.

In his statement, the Senator from Massachusetts declares:

> Failure to pass effective reform legislation at this session may please the Hoffas, the Dios, and their ilk. It may please those on the other side who are chiefly interested in keeping a whipping boy alive.

Mr. President, I wholeheartedly agree with the junior Senator from Massachusetts that effective reform legislation must be enacted at this session. But I simply fail to understand how anyone who professes to be deeply concerned with eliminating corruption and racketeering from the labor movement can overlook those proposals of the administration which effectively deal with racketeering and yet accept other administration proposals which are totally unrelated to this problem.

Mr. President, in closing I wish to advert to one other matter in connection with the remarks of the junior Senator from Massachusetts [Mr. KENNEDY]. In reading his statement it seemed clear to me that it implied that his bill has the approval of the distinguished chairman of the rackets committee, the senior Senator from Arkansas [Mr. MCCLELLAN], with whom both of us have the honor of serving in our attempts to root out corruption and racketeering in the labor and management field. This perplexes me. Senator MCCLELLAN has declared that he will shortly introduce proposed legislation in this area. I understand that it will include provisions dealing with the secondary boycott and minority picketing, as will the administration's bill, but will go far beyond the latter in imposing on unions additional limitations, prohibitions, and sanctions which the Senator from Arkansas feels are necessary to solve the problems of corruption and racketeering. It is hard for me to understand how the junior Senator from Massachusetts can say that his bill "is broader and stronger than any alternative proposal in this area." Does he mean that it is broader and stronger than the forthcoming bills of the administration and Senator MCCLELLAN? I know that this cannot be so with respect to the administration bill, and I have every confidence that it is equally inaccurate with respect to the McClellan bill.

Mr. President, in closing I wish to refer again to a statement made today by the junior Senator from Massachusetts, when he said:

> It may please those on the other side who are chiefly interested in keeping a whipping boy alive.

I should like to repeat what I said earlier, namely, that our desire is only an honest, sincere desire to cleanse the labor movement. I am sure the junior Senator from Massachusetts has the same desire. I have great respect for his intentions in this field. But ours is a difference of belief as to how we should go about it. It is not a difference of politics. I, as a Republican, do not want to see this session end or many more months pass without the enactment of an effective labor bill. But I should like to start this discussion by making it perfectly clear that my objection to the bill of last year was not based on politics, and my objections to the Kennedy approach of this year will not be based on politics. They will be based on sound reasons and the administration's opinions as to what is the best approach to this issue.

Mr. MORTON. Mr. President, will the Senator from Arizona yield to me?

The PRESIDING OFFICER (Mr. Moss in the chair). Does the Senator from Arizona yield to the Senator from Kentucky?

Mr. GOLDWATER. I am happy to yield.

Mr. MORTON. Mr. President, speaking of "keeping a whipping boy alive," I should like to recall an incident in the late 1940's, when I was a Member of the House of Representatives. Certainly at that time the Taft-Hartley Act issue was an example of "keeping a whipping boy alive." When the 81st Congress convened, and when there was then in the House of Representatives a very large Democratic majority—practically the same as the one now in the House—composed of Members who had campaigned on the pledge, "We will vote to repeal the Taft-Hartley Act," on a teller vote only 24 Members of the entire House walked between the tellers who were counting the number of Members who were voting in favor of repeal of the Taft-Hartley Act. That is what happened then in the House of Representatives.

On the other hand, when the able junior Senator from Massachuestts [Mr. KENNEDY] was a member of the House Committee on Labor, he voted against repeal of the Taft-Hartley Act.

Mr. GOLDWATER. I thank the Senator from Kentucky.

Mr. LONG. Mr. President, will the Senator from Arizona yield to me?

Mr. GOLDWATER. I yield.

Mr. LONG. I wish to pay my respects to the Senator from Arizona as one of the stalwarts of his party.

It seems to me that the Nation is entitled to have conservatives as well as liberals. I have always felt that the Republican Party was a conservative party in America, insofar as any party can be called that; and I mean it in the best sense of the word.

I have felt that a conservative is one who wishes to preserve the better things of the Nation. The Senator from Arizona is certainly of those.

The Senator from Arizona is very anxious to reform the labor movement, and I believe there should be some reform. Last year, I voted for the labor bill. In that bill were a number of very fine provisions which should have been enacted. One of them that I have in mind was the provision in the bill which provided that if a man was a criminal and had been convicted of a felony and was ineligible to vote by virtue of that conviction, he could not hold a responsible position in the labor movement so long as he was ineligible to vote by virtue of his conviction of a felony.

I have in mind a very important labor leader who has several times been convicted of armed robbery, rape, and other crimes of a very significant kind. I assume he would be ineligible to vote. I have no knowledge that he has been pardoned for his several convictions. He could no longer exercise his great power if the Kennedy-Ives bill had passed. There is one example of what could have been done if the bill had become law, but as a result of the bill having been defeated in the House, that man continues to wield very great power in the labor movement. There is more than one such labor leader. There probably are 50 or 100 in the Teamsters Union alone who would be able to wield great power regardless of convictions.

Another provision in the bill related to labor leaders who received handouts from contractors or other persons with whom they did business, which would undoubtedly be payments in return for favors or perhaps some other activities between those involved which were in conflict with the public interest. Such individuals would have to report the handouts.

The Senator knows of the prominent business man who gave Mr. Beck gratuities, ostensibly. I think they were in payment for favors given. Nothing of a

criminal nature could be done about the situation when it was exposed.

That was another one of about 17 significant provisions in the bill. Perhaps the bill did not go far enough, but I believe the Senator from Arizona will perhaps join with me in agreeing that it was regrettable the House of Representatives did not go along with the Senate after the Senate passed the bill by a vote of 88 to 1.

Mr. GOLDWATER. In answering my friend from Louisiana, I should just like to state that the House held no hearings on the bill. Many of us on this side of the aisle who felt that there were in the bill commendable provisions, but who felt that the Kennedy-Ives bill should have some corrections or omissions, wanted to have the House committee hear witnesses on the bill and, in their judgment, improve the bill. Not having done that, I think the House did the wise thing.

I believe the Kennedy-Ives bill did, in some cases, clear certain areas in the union movement which needed clearing. However, I need only remind my friend of the dangerous situation that, once a bill is passed that deals with labor reform, no matter if the bill is mild or a very weak bill, in all probability it is the last such bill that will pass the Congress for a long time, if we go on the record of Congress' not having been able to amend the Taft-Hartley law since 1951.

That is the point of my concern. If this were an issue that our colleagues would face up to repeatedly and make whatever corrections were necessary, I would have no hesitancy in saying, "Yes. If this is the best we can do, let us do it." But I do not want to walk out of the session and say the best we can do is the Kennedy-Ives approach, because with such a law I am convinced we shall never stop Hoffa, we shall never slow down Beck. Unless we provide against secondary boycotts and picketing, the law will never give the protection which businessmen and this country need.

Mr. LONG. It seems to me we are expecting too much if we hope to solve every problem in a single bill. A lot of persons wanted amendments to the Taft-Hartley law, which have never been achieved. I came to Congress the last day of the 80th Congress. One of the first things to happen in the 81st Congress was an effort to repeal the Taft-Hartley law. Actually the proposal was not a repealer. It would have left in the law a provision about jurisdictional strikes and other provisions which were undoubtedly needed in the Taft-Hartley law. It was not actually a bill to repeal.

Senator Taft at that time proposed 23 significant amendments to his own handiwork. He said he was convinced these would be reasonable modifications of a law which he had authored.

Subsequent to that time there has not been the leadership or the unity necessary in the Senate to put through the very proposals which Senator Taft himself made as amendments to his own handiwork.

Mr. GOLDWATER. If the Senator will yield, I should like to remind my friend that in 1954 revisions of the Taft-Hartley law were voted out of the Committee on Labor and Public Welfare, brought to the floor of the Senate, and the entire Democrat side of the Senate voted to send them back to the committee. That is the genesis of my worry; once we pass something which has the title or the name of labor reform, I think it will become law for a long time.

I have just as sincere a desire as does the Senator from Massachusetts to get at the root of the problem. I do not want to hurt the labor movement. I do not want to destroy the labor movement. I want to see labor unions protected. I want to see the public protected. I do not want to see power in the hands of union leaders which can ignore the rights of the workingman and deny to people the rights they have.

If we continue in this way, union power is going to become the No. 1 power, and the people are going to be faced with that question. Power is wrong, no matter whether it is in the hands of management, in the hands of labor, or in the hands of Government here in Washington. The way we are headed in this country today, I am afraid we are headed in those three directions, with an attitude of "public be damned."

I know the Senator from Louisiana does not want that to happen in this country. Let me compliment the Senator from Louisiana for his comment on the need for conservatism in this country. Americans have come to look at the word "conservative" with suspicion. Those who started out to discredit conservatism have done a good job. The word "liberal" has become to mean an angel with wings, flying around the country, giving our money away, bankrupting the country, concentrating the power of Government here in Washington, destroying the concept of the Constitution, our Bill of Rights, and the Declaration of Independence. We conservatives—and I include the Senator from Louisiana as a conservative—are struggling to preserve only those things which are good. That includes the rights of the working people. It includes the rights of management.

I hope in my term in the Senate I can add a little dignity or prestige to a word which has been kicked around from pillar to post by people who want to destroy those good things in America.

I do not refer to true liberals. I refer to radicals who, in their concepts, whether honest or dishonest, are tending the Government toward centralization, who are tending the country toward bankruptcy. I am a conservative, and I am proud of being a conservative. If included in that definition is the preservation of the rights of the people which, in the McClellan committee hearings, have been shown to have been denied, then I am an even stronger conservative.

Mr. LONG. My definition of a liberal would be one who believes we must have changes for the better. I rather doubt that any person on the Senate floor is entirely a conservative or entirely a liberal. My guess is that most Senators—and I include my friend from Arizona—are desirous of a change for the better and at the same time for preserving most of our ancient standards, rights, and privileges.

By use of these terms "liberal" and "conservative" we sometimes hang labels on people which are inaccurate.

I say to my good friend from Arizona, my fear is not so much that we will fail to do everything we should like to do or will not do too much, but instead that we will have the same end result as we had in the previous Congress, of doing nothing. To me it would be a great failure, since I recognize the possibilities for constructive legislation, to insist upon a more drastic bill than we can hope to get and then have one House proceed to thwart the will of the other House, as happened in the previous Congress.

The late Senator Taft made one of his great speeches against the bill to amend the Taft-Hartley Act, but in favor of his substitute bill, criticizing the labor movement for demanding all or nothing. I believe that philosophy is what we must guard ourselves against in this Congress. If we want to pass a good labor bill, let us try to agree on the best we can get. The bill may still lack something, but after we have voted, and have considered every amendment the Senator from Arizona and other Senators wish to consider, let us pass a bill, to see if we can get our friends in the other body to send it on to the President.

Mr. GOLDWATER. I assure my friend from Louisiana, not only as a Republican but as the ranking Republican member of the Committee on Labor and Public Welfare, that is precisely what I propose to do. I do not want to accept something which is weak, when something that is mild or strong can be placed in the bill in its stead.

This is not a political issue. I do not think it should become a political issue. I am convinced the Senator from Massachusetts [Mr. KENNEDY] and I approach the basic parts of the bill in relatively the same manner, only varying by degree. It is a matter of whether the Senator from Massachusetts can agree with me or I can agree with him that his approach in the fiduciary field is the proper one. If I can prevail upon the Senate, my approach will be used. If not, the approach of the Senator from Massachusetts will be used. It is a step.

Nothing in any proposal I have ever made to this body could in any way hurt or destroy the union movement in this country. If the leaders of labor are afraid of their own members, they had better clean their own actions up.

PROPOSED EMERGENCY LEGISLATION FOR DEPRESSED AREAS

Mr. MORTON. Mr. President, I regret very much being necessarily absent from the Senate floor last Saturday when my colleague from Kentucky [Mr. COOPER] introduced two bills excellently tailored to provide relief in those areas of our Nation where literally hundreds of thousands of our countrymen are living at the lowest possible level of subsistence. While the legislation proposed by Senator COOPER would apply to the United States as a whole, I, like my colleague,

am thinking of those tragically depressed areas of my State of Kentucky.

It is a pleasure to associate myself with the Senator from Kentucky [Mr. COOPER] and my other colleagues in cosponsorship of these bills, and I invite the attention of the Senate to my colleague's pointed remarks when he introduced the legislation. His remarks appear on pages 771 and 773 of the CONGRESSIONAL RECORD, January 17, 1959.

One of the bills, S. 423, would amend the Federal-Aid Highway Act of 1958 to provide funds to accelerate construction of highways in labor-surplus areas. It would authorize apportionment of $100 million to those States designated as labor-surplus areas by the Defense Production Act of 1950. Last year, as Senators will recall, the Congress approved accelerated apportionment of $400 million in highway funds as an antirecession measure. S. 423 would authorize apportionment of $100 million of funds already appropriated for use in highway construction in areas suffering acute unemployment.

The Commonwealth of Kentucky is utilizing every means at its disposal to alleviate distress in eastern Kentucky. Already 25 counties, involving 200,000 people, have been placed on disaster status by Governor Chandler. Prime consideration has been given to highway construction in the affected areas, and Mr. Ward Oates, Kentucky Commissioner of Highways, has assured me that the engineering work has been completed and the rights-of-way acquired for nearly $50 million of primary and secondary roads in eastern Kentucky under the Federal-State ABC fund-matching program. Kentucky already has raised its share of this $50 million through the sale of highway bonds and is anxious to initiate a vast program as rapidly as possible.

This highway construction program not only would furnish an immediate source of gainful employment to hundreds of jobless men, but would also provide better roads in an area where transportation difficulties are a roadblock to economic development. Only this morning, Governor Chandler and representatives of the London-Laurel County Development Association were to get together in Frankfort on a program to employ 200 men to build and improve roads and do landscaping work in Levi Jackson State Park in southeastern Kentucky.

The second bill, S. 489, strikes to the heart of a matter which is a paradox in our land of plenty. This measure would amend Public Law 480 to give priority to our own people in the distribution of surplus agricultural commodities. The present law extends top priority to the sale and distribution of our surplus food products to foreign countries. I believe this should be changed to give primary benefit to our hungry and needy here at home. S. 489 also would direct the Secretary of Agriculture to spend $50 million this fiscal year and $100 million in fiscal 1960 to purchase additional food to supplement the school lunch program and the food quantity currently made available to the needy. The money would come from funds accumulated under section 32 of the law of August 24, 1935. Such expenditures would insure a better balanced diet for thousands of needy men, women, and children. Malnutrition is a critical problem, and it is difficult to justify a bare minimum subsistence in the face of our farm surpluses.

Kentucky has shown a substantial recovery from last year's recession. For many areas, the recession was just a temporary setback, but in the mining region of eastern Kentucky the recession simply heaped poverty on top of economic conditions already undergoing sorely troubled times. Twenty-five counties in the coal fields have been certified for emergency relief—relief in the way of food and clothing to continue what amounts to day-to-day survival. The area comprises a region to which recovery will not come overnight. Considerable effort has been made, and will continue to be made, to attract industry to this section, but it is necessarily a long-range prospect. The mountainous terrain of eastern Kentucky is detrimental to attracting the interest of industrial prospects. A comprehensive flood-control system is just getting under way, but the present flood threat, compounded by steep and narrow valleys and a relative scarcity of flat land, has been a deterrent to industry. The lack of an adequate highway transportation system also is a restricting feature to industrial expansion. The terrain is discouraging to agricultural expansion.

Declining coal production has brought starvation and its consequences to the coalfields of eastern Kentucky. The loss of traditional coal markets to competing fuels, particularly natural gas and imported residual fuel oil for power-generating purposes, has had a most depressing effect on the industry. While this alone would naturally reflect in decreased employment, other factors must be considered as aiding and abetting the present condition.

Rising production costs have forced mine operators to turn to mechanized mining processes in order to stay in business. Mechanization, thus, has reduced employment rolls. The employment situation has been worsened by the return of several thousand Kentuckians who had left the mountains for employment in the industrial centers of Ohio, Michigan, Indiana, and Illinois. Stripped of their jobs by last year's recession, they have returned home. Now their unemployment benefits are exhausted or nearly exhausted, thus adding an extra burden on the communities suffering the worst distress.

The immediate hope is for assistance to help the distressed areas through their present predicament, followed by development of aggressive programs to provide a measure of long-range stability. The legislation introduced by the Senator from Kentucky [Mr. COOPER] extends the immediate hope for justified and deserving assistance. Many fine organizations, in cooperation with State and Federal agencies, are engaged in developing programs which will stimulate long-term recovery. I am hopeful that we will accomplish both goals.

ADJOURNMENT TO 11:45 A.M. TOMORROW

Mr. LONG. Mr. President, pursuant to the order previously entered, I move that the Senate adjourn until 11:45 a.m. tomorrow.

The motion was agreed to; and (at 4 o'clock and 25 minutes p.m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, January 21, 1959 at 11:45 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate January 20, 1959:

DIPLOMATIC AND FOREIGN SERVICE

Henry A. Byroade, of Indiana, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Afghanistan.

Sheldon T. Mills, of Oregon, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Hashemite Kingdom of Jordan.

William C. Trimble, of Maryland, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Cambodia, vice Carl W. Strom.

COMMISSIONER OF SOCIAL SECURITY

William L. Mitchell, of the District of Columbia, to be Commissioner of Social Security of the Department of Health, Education, and Welfare, vice Charles Irwin Schottland, resigned.

FEDERAL HOUSING COMMISSIONER

Julian H. Zimmerman, of Kansas, to be Federal Housing Commissioner, vice Norman P. Mason.

U.S. CIRCUIT JUDGE

Herbert S. Boreman, of West Virginia, to be U.S. circuit judge for the fourth circuit, vice John J. Parker, deceased.

PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

I. FOR APPOINTMENT

To be senior assistant sanitary engineer

William A. Rosenkranz

To be assistant sanitary engineer

James H. McDermott

To be junior assistant sanitary engineers

Earl T. Conrad
Ronald J. Harron
John A. Little

To be senior assistant scientists

William F. King
Ronald H. Thompson

To be senior assistant nurse officer

Dorine J. Loso

To be assistant nurse officer

Jean A. Royer

To be senior assistant therapists

Howard M. Fisher
Arleigh C. Sawyer

To be junior assistant therapist

James R. Walcher

II. FOR CONFIRMATION OF RECESS APPOINTMENTS

To be senior assistant dental surgeons

Darwin F. Davis
Clement K. Schmitt

To be assistant dental surgeon

Thomas E. McClellan

To be senior assistant sanitary engineers

William E. Bell — Robert E. Novick
Albert E. Bertram — Richard L. O'Connell
Malen D. Bogue — Warren F. Smith

To be assistant sanitary engineers

Allan B. Edwards — George W. Walsh
James C. Meredith — Walter M. Sanders III

To be junior assistant sanitary engineers

Melvin Goldstein — Michael Howell
Robert A. Herrick — Paul W. Kolp
Marvin D. High — Anton J. Muhich
Ronald R. Horsley — Lloyd A. Reed

To be senior assistant scientist

Robert S. Shellow

To be senior assistant sanitarians

Mary P. Byrd — Robert J. Savard
Stanley E. Crawfort — Walter R. Sceery
Roberta E. Peay

To be assistant sanitarian

Kenneth F. Hunt

To be nurse officer

Fern M. Dunn

To be senior assistant nurse officers

Mollie G. Davis — Shirley A. Middleton
Elizabeth Edwards — Catherine E. Twomey
Barbara T. Lanigan

To be junior assistant nurse officer

Margaret J. Howe

To be senior assistant therapists

William E. Cox — Mario L. Salvanelli
Walter L. McCarrell — Lawrence Sidel

To be assistant therapist

Donald E. Shipley

To be junior assistant therapist

Jay A. Davenport

CONFIRMATION

Executive nomination confirmed by the Senate January 20, 1959:

HOUSING AND HOME FINANCE AGENCY

Norman P. Mason, of Massachusetts, to be Housing and Home Finance Administrator.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 20, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Mark 9: 27: *With God all things are possible.*

Almighty and ever-blessed God, Thou art willing and able to do for us exceeding abundantly above all that we can ask or think.

Inspire us to believe that none of the Christlike longings which Thou hast planted within our souls are too lofty to be fulfilled by Thy divine wisdom and power.

Enlarge and expand our minds and hearts with a faith that defies despair and a love that casts out fear.

Hear us in the name of the Christ, our Lord and Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

ECONOMIC REPORT — MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 28)

The SPEAKER laid before the House the following message from the President of the United States, which was read by the Clerk and, together with the accompanying papers, referred to the Joint Economic Committee and ordered printed, with illustrations:

THE WHITE HOUSE,
January 20, 1959.

To the Congress of the United States:

I present herewith my Economic Report, as required by section 3(a) of the Employment Act of 1946.

In preparing this report, I have had the advice and assistance of the Council of Economic Advisers. I have also had the advice of the heads of executive departments and independent agencies of the Government. I set forth below, largely in the language of the report itself, what I consider to be its salient conclusions and recommendations.

ECONOMIC RECOVERY IN 1958

When the Economic Report was submitted to the Congress in January 1958, a contraction in production and employment that had started some 6 months earlier was still under way. The decline proved to be sharper than the 1953–54 recession, but it did not last as long. A recovery began in May 1958, and by the end of the year most of the ground lost had been regained. Gross national product, our broadest measure of the Nation's output of goods and services, was at an annual rate of $453 billion in the fourth quarter of the year. In dollars of constant purchasing power, this was almost equal to the highest output attained in the prerecession period. Nearly a million more people were at work in December 1958 than in July, after allowance for seasonal changes. Although the number of persons unemployed was above 4 million in December, it was 1 million below the highest unemployment figure reached during the recession. Wage and salary income and consumer spending were at an alltime high, and the index of consumer prices had been virtually stable for 6 months, although about 2 percent higher than a year earlier.

ECONOMIC POLICIES IN 1957–58

The events of the last 18 months show again the considerable capacity of our economy to resist contractive influences and to hold a downturn within fairly narrow limits.

Many factors contribute to this capacity. Chief among them are the industry and resourcefulness of our people, the strength and resiliency of our free competitive institutions, and the continuing operation in the American economy of powerful forces making for long-term growth.

Also of importance are features of our economic system that moderate the impact of contractive influences on personal income, and thus help to maintain demand. Increasingly, our people work in industries and occupations that are not readily affected by moderate economic declines. And such reductions in income as do result from lower production and employment are offset, to a considerable extent, by supplementary payments, notably by those made under the Federal-State system of unemployment insurance.

Governmental actions also played an important role in moderating the recession and helping to bring about a prompt and sound recovery. Monetary and credit policies were employed vigorously to assure ample supplies of credit. Legislation was enacted to lengthen temporarily the period of entitlement to unemployment benefits. Numerous actions were taken to spur building activity. Steps were taken to accelerate Federal construction projects already under way and to speed up projects supported by Federal financial assistance. Activities under a number of Federal credit programs, in addition to those in the housing field, helped counter the recession. And the acceleration of defense procurement, which was being undertaken in line with national security policy, exerted an expansive effect.

The 1957–58 recession shows that the major emphasis of Federal policies to counteract an economic downturn should be placed on measures that will act promptly to help shift the balance of economic forces from contraction to recovery and growth. Though an effective contribution can be made by the acceleration of public construction projects already under way, little reliance can be placed on large undertakings which, however useful they may be in the longer term, can be put into operation only after an extended interval.

The 1957–58 experience is also a reminder that there is no simple prescription for corrective action which can be applied with only minor variations in every business downturn. It emphasizes the importance, in a situation in which powerful corrective forces are at work, of avoiding hasty and disproportionate actions, such as tax reductions that needlessly endanger the prospects of future fiscal balance and prejudice the orderly revision of the tax structure.

As production, employment, and income moved upward in 1958, the economic policies of government became increasingly concerned with keeping the recovery on a sound basis and promoting a sustainable long-term expansion. Monetary and credit policy was shifted with a view to limiting the expansion of bank credit to a sustainable pace. The large financing operations of the United States Treasury are being conducted with a view to enhancing the basic stability of our financial system and promoting sound economic growth. And the fiscal operations of government are moving in the direction of restoring a balance between outlays and incomes and thereby countering potential inflationary tendencies.

THE ECONOMIC OUTLOOK

As 1959 opens, there is reason for confidence that the improvement in business activity which began in the second quarter of last year will be extended into the months ahead. Factors that influence decisions on business capital outlays have become more favorable, and an up-

turn in these expenditures may already be under way. Residential construction outlays should contribute further to economic expansion, especially if favorable action is taken by the Congress on recommendations made in the report to provide a steadier and more assured flow of private funds into mortgages. Sales of U.S. products in foreign markets may increase as the pace of business activity abroad quickens and the trade position of primary producing countries is improved. The combined outlays of Federal, State, and local government units will continue to rise. Under the impact of these developments, the liquidation of inventories should soon come to an end; indeed, the gap between current sales and stepped-up production schedules may already have been closed. The effect of these favorable factors on employment and income can be expected to enlarge the markets for consumer goods and thereby to reinforce the conditions making for overall economic expansion.

A PROGRAM FOR ECONOMIC GROWTH WITH STABLE PRICES

Our objective must be to establish a firm foundation for extending economic growth with stable prices into the months and years ahead. This will not come about automatically. To attain our goal, we must safeguard and improve the institutions of our free competitive economy. These are basic to America's unassailable economic strength. We must wage a relentless battle against impediments to the fullest and most effective use of our human and technological resources. We must provide incentives for the enlargement and improvement of the facilities that supplement human effort and make it increasingly productive. Finally, an indispensable condition for achieving vigorous and continuing economic growth is firm confidence that the value of the dollar will be reasonably stable in the years ahead.

Action to meet these challenges is required on many fronts, by all groups in our society and by all units of government.

The individual consumer can play an important part by shopping carefully for price and quality. In this way the American housekeeper can be a powerful force in holding down the cost of living and strengthening the principle that good values and good prices make good business.

Businessmen must redouble their efforts. They must wage a ceaseless war against costs. Production must be on the most economical basis possible. The importance of wide and growing markets must be borne in mind in setting prices. Expanding markets, in themselves, promise economies that help keep costs and prices in check.

Leaders of labor unions have a particularly critical role to play, in view of the great power lodged in their hands. Their economic actions must reflect awareness that the only road to greater material well-being for the Nation lies in the fullest realization of our productivity potential and that stability of prices is an essential condition of sustainable economic growth.

The terms of agreements reached between labor and management in wage and related matters will have a critical bearing on our success in attaining a high level of economic growth with stable prices. It is not the function of government in our society to establish the terms of these contracts, but it must be recognized that the public has a vital interest in them. Increases in money wages and other compensation not justified by the productivity performance of the economy are inevitably inflationary. They impose severe hardships on those whose incomes are not enlarged. They jeopardize the capacity of the economy to create jobs for the expanding labor force. They endanger present jobs by limiting markets at home and impairing our capacity to compete in markets abroad. In short, they are, in the end, self-defeating.

Self-discipline and restraint are essential if reasonable stability of prices is to be reached within the framework of the free competitive institutions on which we rely heavily for the improvement of our material welfare. If the desired results cannot be achieved under our arrangements for determining wages and prices, the alternatives are either inflation, which would damage our economy and work hardships on millions of Americans, or controls, which are alien to our traditional way of life and which would be an obstacle to the Nation's economic growth and improvement.

The chief way for government to discharge its responsibility in helping to achieve economic growth with price stability is through the prudent conduct of its own financial affairs. The budget submitted to the Congress for the fiscal year 1960, which balances expenditures with receipts at a level of $77 billion, seeks to fulfill this responsibility. If Government spending is held within the limits set in the proposed budget, the growth of our economy at the rate that may be expected would make it possible in the reasonably foreseeable future to provide, through a significant further step in tax reform and reduction, added incentives and means for vigorous economic growth and improvement.

Governmental actions in other areas can also help to maintain price stability as our economy expands. The Congress will be requested to amend the Employment Act of 1946 to make reasonable price stability an explicit goal of Federal economic policy, coordinate with the goals of maximum production, employment, and purchasing power now specified in that act. Steps will be taken within the executive branch to assure that governmental programs and activities are administered in line with the objective of reasonable price stability, and programs for the enlargement and improvement of public information on prices, wages and related costs, and productivity will be accelerated.

The many continuing programs of Government that promote the expansion and improvement of our economy will be administered vigorously. Also, new legislation will be requested to strengthen competitive forces, to enhance personal welfare, to promote integrity in labor-management relationships and to foster better industrial relations, to assist local areas experiencing heavy and persistent unemployment, to make more effective use of the large Federal expenditures relating to agricultural price support, to promote conditions favorable to trade among nations, and to assist in the economic growth and development of the free world.

Favorable consideration of these legislative proposals by the Congress will materially help to achieve the goals of vigorous, orderly, and sustainable economic progress within a framework of reasonable price stability.

All of our people, in view of their broad common interest in promoting the Nation's economic strength, can fully support this program.

DWIGHT D. EISENHOWER.

COMMITTEE ON WAYS AND MEANS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means be authorized to sit during the sessions of the House in the 86th Congress.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. THORNBERRY assumed the chair.

The SPEAKER pro tempore (Mr. THORNBERRY). The Chair recognizes the distinguished gentleman from Texas [Mr. RAYBURN].

THE LATE ARTHUR E. COOK

Mr. RAYBURN. Mr. Speaker, it is always with much sadness that we pay tribute to the passing of a great friend and a great man.

A few evenings ago Arthur E. Cook, better known as Gus Cook, passed away suddenly in his apartment.

I am taking this moment to do what I want to do, that is to pay tribute to one of the finest men it has ever been my privilege to know, one of the most capable men that I have ever worked with in all my experience.

When Gus Cook was asked to do something he went about the task and always did a swift and efficient job. Few men could have passed away around this Capitol that I would miss more than I will Gus Cook. He was my friend. He was around the Capitol for 61 years, and during all my years here I have known him for his generosity, for his kindness, for his great humanitarian qualities. Shall I miss him? Yes; terribly, and for always.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. RAYBURN. I yield to the gentleman from Massachusetts.

Mr. MARTIN. Mr. Speaker, I would like to join with the distinguished Speaker in his tribute to Gus Cook. It was my privilege to know him for a great many years. He was a very thoughtful man, one who was always looking out for the welfare of the Congress which he dearly loved. I know of no man who, during the years, has been more devoted to the House than Gus Cook. He

was always careful, when we had our joint sessions, in making the necessary arrangements to protect the President, whoever he might be. So conscientious was his work there was no need of a check. Through his years of experience you always knew what to do. He was a gentle soul. He was a man who tried to be helpful to all Members and aided many of us over a difficult hurdle. It is with great regret that I note his passing. I was in Massachusetts and did not know about it until last night and the word came as a great shock. I join with the good Speaker in this eulogy to a faithful servant, who has finished his labor on this earth and passed on to his reward. The world was better for having men like Gus Cook.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. RAYBURN. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker, as some of you may know, I came to this body as the result of a special election held just 24 years ago this January 29. When Mrs. Halleck and I came to Washington we stayed first at the Roosevelt Hotel. One of the first persons I met around here was Gus Cook. I saw much of him during the time we lived at the hotel. I saw very much of him as I worked here in the House of Representatives. At that time there was but a handful on our side, and I was the newest of the new. I observed that Gus Cook was helpful to the older Members, the people to whom he was directly responsible, but he likewise was very helpful to me, and I appreciated it through the years more than I can say. He was one of the most kindly, thoughtful gentlemen that I have ever known. No task was too difficult; no task was too minor for him to undertake. He was my friend.

I was saddened to learn of his passing, but I must say for those of us who knew him and loved him and respected him and admired him, we can all take some measure of comfort in the knowledge that he set a great example for all of us; that we are all better for the fact that he was here with us. He lived a great and full life. He was a happy man right down to the last day here with us, which was where he wanted to be, and working with us, which was what he wanted to do.

So sorry am I that he is gone. But, I also realize that for all of us he has made our experience here much happier and much better, and I am sure he has made a great contribution to the welfare of the country that he loved and served so well.

To the loved ones he leaves behind I offer my heartfelt sympathy in their great loss.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. RAYBURN. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Mr. Speaker, there is not much more that can be added to what the Speaker and former Speaker and the minority leader have already said. But, I want to express my personal feelings in the passing on of Gus Cook. It was only a few days before he died that I met him for the last time accidentally as we both met each other walking through the corridors of the Capitol. Between Gus Cook and myself throughout the years there has been an association which will always be treasured on my part. In addition to the qualities already referred to by the previous speakers, which have been alluded to in a broad way but which I will pinpoint, Gus Cook was a good man.

I think the finest compliment anyone can pay me is to say that JOHN McCORMACK is a good man. I think the finest compliment I can pay any person is to say that he is a good man or a good lady. It is not a question of position or power or influence. It is a question of a state of mind. If a person is good, he or she is good, whether they live in a small community, with a small circle of friends and neighbors, or a large community with a large circle of friends and neighbors. But if a person is good to their neighbors, whether a person has tremendous wealth or has very little of the material things in life, if they are good, he or she is a good man or lady in relation to their fellow beings, to their neighbors.

Gus Cook, above all his other fine qualities, was a good man. That is the impression that he has left in my mind and which I shall always have. He was an inspiration to me during the years we knew each other.

I know I speak the sentiments of all of my colleagues who knew Gus Cook that when I express my deep feeling of sympathy in his passing, I also express their feelings.

Mr. Speaker, I yield to the gentleman from North Carolina, Mr. BONNER.

Mr. BONNER. Mr. Speaker, Arthur E. Cook was born October 23, 1873. He came to employment at the Capitol of the United States on November 6, 1898.

Arthur Cook, affectionately known by all of us as "Gus" was my neighbor in an adjoining or a connecting apartment at the Roosevelt Hotel, for more than 10 years. Mrs. Bonner and I came to love Gus, and I am sure he loved us.

A fine way to know the virtues and character of a man is to live near him, or live with him. I had that privilege. I know that his whole desire in life was to be here at the Capitol. He lived so that we could live more in comfort, so that we could have the things that we desired as far as it was possible for him to give them to us.

He was a congenial, wholesome, kindly person. He appreciated the friendships that he made here in this Congress.

Mr. Speaker, his spirit will walk through the corridors of the Capitol for years and years to come; will walk in these places that he held dear in his heart and will be with the membership of the Congress, those of the past, of the present, and of the future as the years go on.

It can truly be said that he was a devoted custodian of this building and a devoted friend of the people of this country in seeing to it that their Representatives here in Congress had the best that could be provided for them from the Office of the Architect.

Mr. Speaker, I shall miss him as I know you and many others will. I extend my deep sympathy to his family and to his close friends. We have lost a true friend.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that all Members who may desire to do so may extend their remarks at this point in the RECORD regarding the late Arthur E. Cook.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. ROONEY. Mr. Speaker, I was shocked to pick up last Friday night's Washington Evening Star and find an account of the sudden death of my dear friend, Gus Cook. Gus was always kindly to me over the years since I arrived in Washington, and we had many confidences and pleasant hours together. The Capitol will miss Gus Cook after his employment here for 61 faithful years. He was a fine gentleman.

I join in mourning his loss, and extend my sympathy to his daughter, Mabel, in her bereavement.

Mr. MILLS. Mr. Speaker, I rise to pay tribute to the memory of an individual who served for many, many years in an important position in the Capitol of the United States and whose death has brought sadness to all of those who knew him, and particularly to those such as myself who had the privilege of knowing him closely through a period of many years. "Gus" Cook was one of those rare individuals whose conscientiousness and devotion to duty set an example for all who came in contact with him. Through close personal relationship over a long period I had the opportunity to observe in him those characteristics which deserve emulation by all who serve our Government. My sincerest condolences go to his surviving family.

AID TO SMALL BUSINESS

Mr. WOLF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. WOLF. Mr. Speaker, in 1957–58 there were more small business failures in the United States than at any time since 1933–34. There are many reasons for this. Small business is not able to receive adequate financing from bank and loan institutions. The Federal tax bite is so great that it substantially reduces the amount of investment that is available to the small businessman for reinvestment purposes. These factors do much to reduce the incentive of the small businessman to stay in business.

A way that the Federal Government can aid small business is through the use of a liberal tax adjustment. It should be pointed out that this adjustment will aid many businesses which would otherwise fail. Furthermore it should be pointed out that by encouraging and aid-

ing small businessmen to stay in business we are doing much to protect the consumer, bolster our system of free enterprise, and prevent monopolistic practices on the part of big business.

Consequently, I am introducing a bill which will allow a tax reduction on small business earnings that are plowed back into the business. The bill, simple in construction but far reaching in scope and effect, provides for a deduction from taxable income of either $30,000 or 20 percent, whichever is the lesser, of net income that is reinvested in business. My distinguished colleagues the gentleman from Texas [Mr. IKARD] and the gentleman from Missouri [Mr. CURTIS] have introduced similar bills to aid small business.

WHEN SHALL I PROVIDE FOR MINE OWN HOUSE ALSO?

Mr. SILER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SILER. Mr. Speaker, I am today introducing in Congress two pieces of proposed legislation that would seek to help our own, native-born, flag-following, community-building families of this country in all those depression ridden areas where prosperity has, like the priest and the Levite in the parable of the Good Samaritan, passed by on the other side.

These bills of mine, these proposals, are companion measures to Senate bills introduced last week in the Senate by my colleague and fellow Kentuckian, Senator JOHN SHERMAN COOPER, who happens to live in my own congressional district. He and I well know and thoroughly understand the people of the Kentucky mountains, where we both have hundreds of relatives and friends and where we have seen all the deprivations and underprivileged conditions at first hand.

The bills I am introducing, previously introduced in the Senate by Senator COOPER, will cost neither the taxpayer nor the Government any additional money whatever.

One of these bills would simply authorize an allotment of $100 million of previously appropriated highway construction funds to those States where there now exist surplus labor areas, as designated by the 1950 Defense Production Act. This allotted sum would be apportioned to surplus labor areas in the ratio which the unemployed in those areas bears to the total of unemployment in the entire Nation. In other words, this bill is a leveler that would smooth out the peaks of prosperity so as to fill up some of the valleys of depression throughout the country. This bill is not a "tax increaser" but it is a "jam provider for the lower shelf" out of some actual jam that is already in the Government pantry.

My other bill, also a companion measure to a Cooper bill in the Senate, would provide certain priorities in the disposal of surplus foods accumulated by the Government under its price support program. The present law provides for priorities in the sale of these surplus food items to foreign governments, but my bill would switch the priority so that it would be in behalf of the needy people of our own country. This would make available not only additional supplies of food but a greater variety of food, including potatoes, beans, and cooking oils not heretofore available. This bill would especially benefit schoolchildren eating at their school lunchrooms in all the depressed areas of Kentucky, West Virginia, Pennsylvania, and in other States of our Nation.

In the Book of Genesis of the Bible, we find Jacob asking Laban this pertinent and patriotic question, "When shall I provide for mine own house also?" And as we now think of our Government having already spent over $70 billion for the benefit of many persons who would gladly trample our flag under foot 24 hours each day, it is now pertinent and patriotic to ask, "When shall I provide for mine own house also?"

A PROPOSED CONSTITUTIONAL AMENDMENT FOR A BALANCED BUDGET

Mr. ALGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALGER. Mr. Speaker, it has been my privilege to introduce in former Congresses a bill to force a yearly balanced budget, and again I do so most happily. In view of the President's statement, and other statements made by Members of the House, I think it is very apparent that we must have a balanced budget in order to prevent inflation and to keep the dollar bill worth 100 pennies. For this reason, I introduce this bill again, not knowing too well, of course, of its progress through this House, but fully believing that it is most necessary.

The American people can have economy in Government and a sound dollar if they really want it. When the folks back home insist that their Government be operated with the same fiscal responsibility that they must display in their own homes and businesses, we can have a balanced budget without in any way impairing or jeopardizing national defense. This bill, originally introduced in the Senate by Senator BYRD of Virginia and Senator BRIDGES of New Hampshire, provides the means by which much conspicuous waste and unnecessary spending may be eliminated. Short of war or national emergency, this bill forbids Congress to spend more in any fiscal year than it anticipates taking in.

The bill does not limit spending as such. If Congress wants to appropriate more money than the Government expects to receive in taxes, this amendment would not allow Congress to adjourn until it levied the additional taxes necessary to provide the money.

I am afraid that some of the people are accepting the glib explanations that national defense and the interest on our debt largely account for the overwhelming and inflation-spawning budgets. This simply is not true. We are spending less on the military than we did in 1953, while nondefense spending on all sorts of welfare and grab-bag programs has risen more than $9 billion during the same period.

I believe in a balanced budget. I think the President's message to us states better than I can the reasons for it. I hope my colleagues will join in this so that we will have a forced balanced budget as a constitutional amendment.

CLEVELAND VA REGIONAL OFFICE MAINTAINS OPERATING ECONOMY WITHOUT SACRIFICING SERVICE

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, I am today inserting in the RECORD a very interesting report on what our Veterans' Administration has been doing in Cleveland. We apparently have a man of very fine ability who is reducing the number of people and increasing the amount of work.

Mr. Speaker, the Veterans' Administration can well be proud of the work accomplished in its Cleveland regional office during 1958. This office has jurisdiction over 38 northern Ohio counties, wherein reside more than 715,000 veterans.

I have just received a copy of the annual statement of the regional manager, Col. William Holsinger, which shows that in spite of an abnormal addition in casework during the past year, this office was able to operate with greater economy than in the previous year without sacrificing quality of service.

Colonel Holsinger and the men and women who serve under him have every reason to be proud of their endeavors. Their record and achievement should be both a stimulus and a challenge to all departments of our Government.

Believing that my colleagues will be interested in reading the statement in its entirety, I ask under unanimous consent that it be included as part of my remarks, as follows:

VETERANS' ADMINISTRATION,
REGIONAL OFFICE,
Cleveland, Ohio, January 9, 1959.

ANNUAL STATEMENT

The economic recession prevalent in this highly industrialized area during the year

1958 was not without impact on the Veterans' Administration. Any cycle of unemployment creates in affected war veterans an immediate interest in their benefit possibilities. Consequently, the processing facilities of this organization became increasingly exercised accordingly.

In spite of this somewhat abnormal addition in caseload, it will be apparent that for the period in contrast our continuing performance record costwise demonstrates an even more gratifying percentage of operating economy than that reported last year. This office has been reduced from an average employee roll of 552 in 1957 to that of 530 persons in 1958, or a reduction of 4 percent in staff personnel. Quality standards, however, have been increased during this belt-tightening device even in the face of increased workloads in most divisions of the station.

When it is recalled that the veterans' educational and vocational training program for World War II has not only long since passed the peak of its operation but, in fact, is moving along with that of the Korean veterans toward its legislative conclusion, the loss in student enrollment for the calendar year 1958 over that of 1957 is most inconsequential. The values of the GI educational bills are being highlighted more and more in the news of the day. Some of our most phenomenal achievements in space development, the sciences, medicine, and in the fields of political and community activities, are products of our graduates of the GI educational program. It is with considerable pride that we report recent surveys revealing many of the beneficiaries of the GI bill having more than repaid the cost of their education through taxes paid on their increased earning power.

Congress enacted the GI loan extension with its higher interest rate of 4¾ percent in April 1958, and later on in the past year loan applications revived to average 400 per month. If this trend is maintained, at least 5,000 loans in 1959 are clearly foreseeable. Worthy of note is the record of GI homes purchased by the Veterans' Administration through foreclosure. As of January 1, 1959, the Cleveland Veterans' Administration regional office owned 39 homes out of a total of 70 properties thus far acquired through veterans' defaults. When it is remembered that more than 97,000 loans have been granted, this represents a default record of less than one-tenth of 1 percent, thereby pointing to a truly remarkable payment reputation for the veteran homeowners in spite of the economic recession.

The very substantial increase in veterans' claims processed by the adjudication division in 1958 over that of 1957 represents a corresponding impact on the administrative division of the office in that more than 44,700 active files were added to the management records during the year 1958.

Our management studies continue in the field of mechanization with the objective of introducing more electronic data processing systems into our operations. By July 1, 1959, our finance division will have been fully converted to punchcard operation for benefits payments. Increasing numbers of our statistical reports and other essential budget and operational data are rapidly being brought into IBM processing systems with even greater progress anticipated during 1959.

The area under the jurisdiction of the Cleveland regional office includes the 38 northern Ohio counties on a line extending from Belmont County on the east to the southern boundary of Defiance County on the west, wherein reside more than 715,000 war veterans serviced by this office.

	Year ending—	
	Dec. 31, 1957	Dec. 31, 1958
1. Number of veterans who visited the Cleveland regional office and its branches during year	174,047	160,237
2. Veterans given vocational training education	22,108	21,502
3. (a) Number of GI loans made for home buying and building	8,147	2,900
(b) Net dollar value of these loans	$104,617,149	$38,146,720
4. Grand total of running award benefits to veterans	79,814	81,808
5. Number of medical examinations and treatments	134,150	157,260
6. Total number of active veterans files for all purposes in Cleveland regional office at end of year (under records management 1,750 inactive files were disposed of during year 1958)	786,770	830,474
7. (a) Average number of beneficiary checks issued per month	96,019	98,069
(b) Average monthly beneficiary payments	$5,933,974	$6,282,272
8. Average number of employees	552	530

The Veterans' Administration is conscious of the heavy responsibility it bears in the task of expending with maximum efficiency the funds entrusted to its use, but it is equally aware of its acknowledged stewardship in the field of veterans' care and benefits. A grateful country, anxious to provide the maximum of rehabilitation and restorative treatment for those who have devoted substantial segments of their lives in war, demands faithful and conscientious performance of the terms of this trust. In this enterprise we wholeheartedly dedicate ourselves and such talents as are ours.

WILLIAM HOLSINGER,
Manager.

A MESSAGE

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, I am placing in this RECORD a poem which I hope you will all read. It is a translation of a poem written in prison by a Hungarian. It is one of the most tragic things. It is a picture of his own experience—it is a true experience. I trust all of you will read it and hope for better things in this world.

The poem is as follows:

THEY'VE WALLED UP EVERY WINDOW

(Translated by Watson Kirkconnell from the Magyar poem of Tibor Tollas)

(Free world. To you in this verse our voices come: to you we call, we tens and hundreds of thousands of Hungarians who sojourn in the hell of prisons. Our tongue falters too much in our dungeon and millions do not know what the poet says. Foreign poets, our brothers, translate us into the languages of your peoples, so that our message may reach you. While in 1955 in Pest the Communists were spouting about legality, in the Vác prison they sealed up the windows with sheet metal, so as to take away even that much air and light.)

Of life without, only this gleam was left,
A tiny patch of stars, a glimpse of sun.
In daily gloom, within dim walls bereft,
We watched the vent for this as day was done.
This too they stole, this streak of sunlight thin,
They've walled up every window tight with tin.

In memory's eye, I mark the azure sea
At Naples, and beside the shining shore
Vesuvius waits and smokes. Can you, like me,
See happy, sun-browned swimmers by the score?
We live in night like men who blind have been:
They've walled up every window tight with tin.

Our ten mouths gasping for the missing air,
Ten of us lie, in one close kennel pent,
As fish gills on the bank might gasp despair.
To eat the food, which stinks of excrement,
Our stomachs lack the power to begin:
They've walled up every window tight with tin.

From the bright fragrance of the Alpine peaks
The west wind blows freshness of bouquets;
Of virtue to the soul that distance speaks,
And smiling summits swell the hymn of praise.
But phthisis grips my cellmate, dark as sin,
They've walled up every window tight with tin.

For us no more the steamer's whistle blows;
All maiden laughter from our sense is wiped;
No pleasure in our ears sonorous flows;
No summer plays an organ, myriad-piped.
Our oells are deaf, all sound is dead herein:
They've walled up every window tight with tin.

By Barcelona, in garden fair,
The warm voice of a tawny woman croons;
The streets are pied with dancers here and there;
A gay guitar gives dusk its tinkling tunes.
Our leaden days flow silent in chagrin:
They've walled up every window tight with tin.

We probe in darkness towards the velvet skies
As if within a coffin we were nailed,
We only touch our rags and agonize
Or feel our hands by vermin-hosts assailed.
We once caressed the sunlight, like soft skin.
They've walled up every window tight with tin.

There is a ball in London; like a rose
A girl glides, in her silks, on floors that gleam;
In all the bloom of lustrous hair she glows,
Soft-mirrored in the wainscot, like a dream,
The West is dancing. Has it Magyar kin?
They've walled up every window tight with tin.

Our tongues recall the pleasant taste of spring
Then swallow with a groan our morsel dank
Whose fecal horror chokes its entering
And turns our bellies sick, our reason blank;
Yet even this our famine forces in
They've walled up every window tight with tin.

Sleep locks our hungered bodies in its spell,
And there I sate a gourmet's appetites
On all that Paris offers—see as well,
Climbing above the city's neon lights,
The silent ghost—but here no dawns begin:
They've walled up every window tight with tin.

The radios shout hoarsely of new deals,
Of freedom and of justice due to man,
But here my dungeoned body only feels
The million lashes of foul Moscu's plan.
From Vác to far Peking his slaves make din:
Beware! Beware! Or through the entire world
They'll wall up every window tight with tin.

WASTEFUL USE OF PRIVATE PROPERTY BY GOVERNMENT DEPARTMENTS

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I am pleased to note that plans of the National Aeronautics and Space Administration to take over six or seven floors of one of the Arlington Towers apartments have struck a snag.

I call the attention of the Appropriations Committee to the fact that thousands of square feet of space in Arlington Towers is now being used by the Defense Department to operate a military training institute and the State Department to operate a Foreign Service training school.

I am further advised that no provision is being made to house the Foreign Service training school in the huge, new State Department building when it is completed.

Mr. Speaker, I believe that space for these activities can be made available in the Pentagon and other Government-owned structures, and I urge the Appropriations Committee to take a thorough look at these and other rental contracts.

I will have more to say on this subject at a later date, but I would remind the House that the United States Treasury is now borrowing billions of dollars and this is no time to be reckless with the taxpayers' money.

HOW TO CHECK ON GOVERNMENT WASTE

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, this time is taken so that I may express the appreciation of the Republican Members of the House and I assume of the Speaker, and certainly of all of the older Members on the Republican side to the gentleman from Iowa. We who have been here in prior years know that if and when a Government executive or a department begins to waste money in big chunks, the gentleman from Iowa is always here with the facts. Personally, I have been able to avoid a great deal of hard work by just coming here and listening to his statements of fact. He reads the reports that are put out by committees. He reads the documents that come up from the departments. He reads the news. Personally, all one needs to do is to get the advance information from him as he speaks from the well as to where this waste threatens, and if you check, as sometimes I have, you will find that he is accurate about the expenditures which cause the tax burden of which our people so justly complain. So if an older man may be permitted to suggest to the newer people anything that will help permit me to say, just listen to the gentleman from Iowa [Mr. GROSS], and if any wasteful and extravagant items that you should vote against are coming up you will learn where they are and the amount of each. The gentleman renders a very necessary and valuable service.

JOINT COMMITTEE ON INTERNAL REVENUE TAXATION

The SPEAKER laid before the House the following communication, which was read by the Clerk:

JANUARY 20, 1959.

The Honorable SAM RAYBURN,
Speaker of the House of Representatives.

MY DEAR MR. SPEAKER: Pursuant to section 8002 of the Internal Revenue Code of 1954, the following members of the Committee on Ways and Means have been designated as members of the Joint Committee on Internal Revenue Taxation: Hon. WILBUR D. MILLS, Hon. AIME J. FORAND, Hon. CECIL R. KING, Hon. DANIEL A. REED, Hon. RICHARD M. SIMPSON.

Sincerely yours,

WILBUR D. MILLS,
Chairman.

ELIMINATING USE OF TAX LOSS CARRYOVER

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. VANIK] is recognized for 15 minutes.

Mr. VANIK. Mr. Speaker, I have today introduced a bill to eliminate the use of tax loss carryover—a gimmick which is currently being used as a tax escape hatch which costs the Treasury hundreds of millions of dollars in lost tax revenue.

In full view and with almost nodding approval of the Internal Revenue Service, we today witness the spectacle of the Studebaker-Packard Corp. seeking to merge or marry its $134 million tax loss carryover with companies seeking to divert a like sum of profits from the Federal tax collector. In this one case, efforts are being made to bilk the Federal Treasury of at least $70 million. This is done by the simple process of merging companies with $134 million profits to Studebaker-Packard's $134 million tax loss. Result, no income taxes due on the $134 million profits.

Studebaker-Packard's tax manipulations are currently being managed by a national expert in the tax dodge—Abraham Malcolm Sonnabend, of Boston, Mass., who has a long list of achievements in converting corporate tax losses into profits. The tragedy is that almost every dollar of these skillfully maneuvered profits is a dollar which would otherwise flow to the Federal Treasury.

Under the present income tax law, a 12-month period is the normal one for balancing profits and losses. The gross income of a 12-month period must be balanced against all the deductions properly attributable to the same period. However, the law was subsequently amended to permit the net operating losses of the period to be offset against the profits of earlier or subsequent periods. At present the law permits net operating losses of 1 year to be carried back and set off against the profits of each of the 3 preceding years and carried forward against the profits of the 5 succeeding years. The present provision applies only to net operating losses for taxable years ending after December 31, 1957. For the years 1954 to 1957 losses may be carried back only 2 years instead of 3 years.

There is equity in the principle of profit and loss carryback and carryforward, provided the privilege is retained by the same corporation, so that it may balance off good years against poor years.

It was never contemplated that the privilege of balancing off losses against profits would develop into a national business of such tremendous scope. Under the present Internal Revenue Code, it is possible to acquire all of the stock of a loss corporation—like Studebaker-Packard—and put new business ventures into that corporation and have the loss offset the profits of the new corporate acquisitions. The only requirement is that the loss corporation continue to carry on the identical business that it carried on before the acquisition.

If the ingenuity and talents of our corporation tax experts were diverted to our Nation's missile and space problems, we would already be engaged in interplanetary shipping. Too many of America's best brains are involved in scheming tax-saving profits. Too few are imbued with the patriotism involved in preserving national fiscal integrity by creating and preserving fair and equitable tax policies.

Unfortunately, too many of our tax laws have built-in, tax-escape routes, either unforeseen or deliberately ignored by public tax architects. If we expect to achieve fiscal integrity, if we expect national respect for the equity and justice of our taxation system, the floodgates must be designed to prohibit the flight of profits from rightful taxation. We could readily achieve a balanced budget and substantially reduce our Federal debt, if there were universal respect and compliance with the principles of just taxation.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from West Virginia.

Mr. BAILEY. I would remind the gentleman from Ohio that at the close of World War II I did what I could to kill the carryback clauses when we killed the excess profits tax. They failed to do it, as I anticipate they will fail to do in the gentleman's efforts to kill the carryback clauses in the present law. Their failure to do that cost the Treasury of the United States $2,900,000,000 in supplemental appropriations.

I sincerely hope the gentleman from Ohio succeeds, and I am sure he will have the support of myself and numerous other Members of Congress in an effort to break up this raiding of the Treasury.

Mr. VANIK. I thank the distinguished gentleman from West Virginia. I commend him for his long interest in this tax avoidance problem.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield to the distinguished minority leader.

Mr. HALLECK. The gentleman knows I come from Indiana. Studebaker Corp. has been a going concern out there for a great many years—I think over a century. A lot of people in Indiana are very much interested in the success of the Studebaker-Packard Corp.; it is a matter of tremendous interest in South Bend and the surrounding area, including part of the area I am privileged to represent.

Is the proposal of the gentleman designed to possibly bring about the final and complete elimination of Studebaker-Packard from the automotive business?

Mr. VANIK. That is not my intention at all. On the contrary, I want to assure the gentleman that my only purpose is to eliminate the use of accumulated Studebaker-Packard losses to other corporations that are subsequently acquired. The acquisition of profit companies by a loss corporation under present law, in effect, results in a subsidy from the Federal Treasury for the continuance of its business operations.

I think Studebaker-Packard is a fine corporation and I wish it luck and good fortune in its continuance in the automotive industry. I particularly hope that its new automobile will be very successful.

But I do not believe that loss corporations should be permitted to buy profit corporations for the sole purpose of enabling these profit corporations to have their profits escape the taxes normally assessable under internal revenue laws. I think that as far as the loss carryback principle is concerned it should be available for use only by the same corporation. In other words, I think that if Studebaker-Packard has some profitable years ahead—and I hope it does—its losses under the suggested amendment would be chargeable only against its own profits and not against subsequent or later acquired corporations, acquired solely for the purpose of permitting them to escape their proper tax obligations to the Federal Government.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. I am somewhat familiar with the Studebaker company, though perhaps not in the same business, but when we used to purchase hubs and spokes and things like that for farm wagons.

Does the gentleman think the officers of the corporation are getting too much money?

Mr. VANIK. I did not say that.

Mr. HOFFMAN of Michigan. I know that; I am just asking the gentleman.

Mr. VANIK. I do not know; that is for the stockholders to determine. I only protest the fact that under existing law corporations having tremendous losses, generated either from within or without their control, can offset that loss by buying corporations that have good profit returns and thereby permitting the acquired corporations to avoid paying proper taxes on their profits.

Mr. HOFFMAN of Michigan. I read in the newspaper this morning or yesterday that the president of American Motors received $200,000 last year for salary. That seemed to me like quite a sum. Of course, the Government took all but $65,000 of that and I was wondering about a man getting $200,000 and then the Government taking all but $65,000.

Mr. VANIK. I believe in the progressive tax system; the gentleman does not have any argument with me on that.

Mr. HOFFMAN of Michigan. I do not know whether we do or not.

Mr. VANIK. I understood the gentleman to be talking about the amount withheld.

Mr. HOFFMAN of Michigan. I was just wondering whether the tax rate was high enough—$200,000 and take away all but $65,000.

Mr. VANIK. In my amendment, I am only concerned with the tremendous sums of money which are permitted to escape the Treasury under the device by which a corporation with tremendous losses acquires corporations with tremendous profits. That is the sole purpose of the amendment which I submit.

Mr. HOFFMAN of Michigan. Does the gentleman think the union organizations should pay a tax on the moneys they collect?

Mr. VANIK. I think we ought to review the entire Internal Revenue Code in every Congress, as we are doing through our Committee on Ways and Means, to see that taxes are properly and equitably applied, and so that the equity of our tax system is maintained.

Mr. HOFFMAN of Michigan. Is the gentleman receiving letters from telephone people who are kicking about that tax?

Mr. VANIK. I certainly am. I am getting letters from practically every holder of stock in the American Telephone & Telegraph Co. asking me to vote against an excise tax on telephone calls.

Mr. HOFFMAN of Michigan. It is not the stockholders who write me; it is people who use the telephone, the old men and women who want to get their groceries by phone.

Mr. VANIK. I tell a great many of them that I fear if the tax is repealed by the Congress we would suffer the same result that we suffered when we repealed the excise tax on freight. The tax went off all forms of freight, the Federal Government lost critically needed revenues, and the citizens throughout the various communities of the country had no gain. I fear that if we were to repeal the excise telephone tax it would not take more than a few weeks before the telephone companies moved in and raised their rates so that they would take the 10 percent instead of the Federal Government.

Mr. HOFFMAN of Michigan. Then the unions would come along and would also want more money, too.

Mr. VANIK. That has happened in a great many areas in which we have provided tax reduction. But I think that is collateral.

Mr. HOFFMAN of Michigan. Does the gentleman know of any way we can reduce taxes unless we cut some of these appropriations?

Mr. VANIK. I agree with the gentleman that we must cut appropriations. I think we must follow that course simultaneously with the plugging of tax loopholes. We must see that we have an equitable tax system so that all of those tax revenues that are equitable shall be assessed and paid by those who are chargeable.

Mr. HOFFMAN of Michigan. Does not the gentleman think we should also quit trying to tax people who cannot pay? Those are the folks who are writing me now.

Mr. VANIK. We should be constantly revising our tax structure to see that tax equity is maintained.

ADMINISTRATION'S BUDGET IS PART OF A GOP BOOBYTRAP SET FOR DEMOCRATS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the Democrats now find themselves poised to step flatfooted into a huge GOP boobytrap.

Here is the big trap which the GOP high command has set up for us, expecting that by goading and guiding us a little here and there, we will stumble right into it.

First, the President's whittle-down budget is sent up, and he is issuing us a dare to increase it, even before we have had a chance to see what is in it, but knowing full well that we will increase it.

Second, at the same time the President was dramatizing this matter, going on television and radio to tell the American people that his budget must be supported, he was at the same time establishing in the public mind a hard-and-fast rule out of the GOP's handbook. Deficit spending causes inflation, he told the American people.

So, there we have it: The GOP's rule is laid down—every dollar of deficit spending will be a dollar of inflation.

And, of course, this public appeal was used to further establish the idea that inflation is the overriding issue of our time.

HOW DEMOCRATS WILL BE BLAMED FOR INFLATION

So here is what the GOP hopes will happen. And unless we take a careful look to find what the issues really are, and then do something about them, this is what will happen:

First, the Democratic Congress will increase the President's budget. Many of the Democrats expect to pass measures which they think will stimulate employment, such as a housing bill, a community facilities bill, and a distressed areas bill. Further, if on examination we find that the President's budget does violence to some of the important social programs, we will expect to restore the necessary appropriations for those; and if we find that the President's budget for defense seems inadequate, we will ex-

pect to increase appropriations for this purpose.

Second, there will be more price increases—that is, more of what the GOP is calling inflation. These increasing prices will not be caused by deficit spending, but the American people will think so. This highly incomplete and misleading notion is being drummed at the American people from all sides.

HOW GOP EXPECTS TO WIN IN 1960

Third, the new measures which this Congress passes in the hope of bringing back full employment will not increase employment. The Federal Reserve System is holding the purse strings of the whole economic system, and it is pulling on those purse strings just tight enough to keep a level of unemployment of about 4 million.

So by appropriating more funds for housing, for community facilities, for defense, and so on, we will merely be opening the small-change purse down inside the big pocketbook which the Federal Reserve System controls. Our official money managers are standing ready to tighten the purse strings to offset and nullify the effects of any actions we may take. If we pass measures for specific programs, those programs will be carried out, yes. But total employment in the country will not be increased. The result will be merely an increase in these activities and an offsetting decrease in others. As we increase credit for particular fields of activity, the money managers will tighten credit, as they say, in general. In other words, they will tighten the money supply in the banking system, or raise interest rates throughout the whole financial system, so as to cut back demand for credit.

The impact of this general tightening is by no means general. Recent experiences have shown that certain segments of the economy—notably small business, the farmer, and the local construction programs, such as school buildings—are especially vulnerable, and actually bear the brunt of these general credit squeezes, and big business is touched not at all. Nevertheless, our money managers are able and ready to hold down the total level of business activity and employment.

In conclusion, the embarrassing consequences of the trap the GOP high command has set for us will be these: First, we will increase the Federal budget and then be blamed for causing inflation; second, our actions will not have accomplished what they were supposed to have accomplished, namely, to bring back full employment, and we will thus be accused of causing inflation and increasing the public debt without having produced any good result.

I would remind the Democrats that on election night Mr. Meade Alcorn announced that the GOP campaign for 1960 would begin on November 5, 1958. Here it is; the campaign is on, and here is the boobytrap by which we can lose.

If we avoid this boobytrap, we will have to do two things. We will have to find out what the money managers are doing, what they intend to try to do, and what they can successfully do with the tools and authority they now have. In short, we need a full investigation of the monetary and debt management system.

TWELVE MEN DECIDE THE NATION'S PROSPERITY AND EMPLOYMENT

Here we should keep in mind that the Nation's money and credit policies are determined by a committee of 12 men. These men make up the so-called open market committee of the Federal Reserve System. None of these 12 men is an elected official of the Government. Five of the members are Federal Reserve bank presidents and are selected by the private bankers. The other seven are the seven Federal Reserve Board members. These are, of course, appointed by the President, although there is some thought that the recommendations and the influence of the private bankers may also have a bearing on the selection of these individuals.

It might be added, as an aside, that at the present time there is one vacancy on the Board, and one member is incapacitated because of illness, so the open market committee is evenly divided between public members and bank members.

The credit policies decided upon by the open market committee are executed by the Federal Reserve System. This is done by adding to or subtracting from the credit available in the private banking system, or by juggling interest rates throughout the financial system. Interest rates are determined principally by the prices at which the open market committee buys or sells Government securities.

The Federal Reserve System adds to or subtracts from the amount of credit available in the private banks in any of several ways.

First, it adds to bank credit by increasing its portfolio of Government securities which it buys in the open market. Or it may sell securities and thus reduce the money supply.

Second, the Federal Reserve may reduce the percentage of reserves which the private banks are required to keep against their customers' deposits—to increase the money supply. Or it may increase the percentage of reserves, to reduce the money supply.

The Federal Reserve Banks may also make loans to the private banks, and discount the loan paper of private banks—to increase the money supply. In practice, however, loans and discounts are not of great significance in the money supply.

EXAMPLES OF CHANGING THE NATION'S CREDIT SUPPLY

Let me illustrate some recent changes in the money supply of the whole country which the Federal Reserve deliberately and consciously brought about.

As a rough working rule, the total money supply is considered to be the amount of demand deposits in the private banking system, plus the amount of currency in circulation outside of banks. In July of 1957 the total demand deposits and currency, on a seasonally adjusted basis, was $136 billion. By January of 1958 it had been reduced to $132.2 billion. Remember now, this is on a seasonally adjusted basis, so the reduction which the Federal Reserve brought about in this period was not one to offset changes in seasonal demand for credit.

Then, by November of last year, after the determination had been made to bring the level of business activity back up to near prosperity levels, the money supply had been increased to $138.5 billion.

It might be well to note also that the business recovery which started in the middle of last year has paralleled the open market committee's buying of Government securities.

The prolonged credit squeeze which was begun in 1955 was accomplished largely by the open market committee's reducing its portfolio of Government securities, selling these securities in the open market. In 1955 the open market committee's average holdings were $23.9 billion, as compared to an average of $24.8 billion in the preceding 18 months. Remember now, this was in a period when the population was growing and business activity was increasing. The supply of goods and services to be traded was increasing, so a growth in the money supply was needed—not inflation—but an increase proportionate to the increase in goods and services.

In 1956 and 1957 the open market committee continued to reduce its portfolio somewhat, to an average of $23.3 billion in 1957.

Then, from a low of $23.2 billion in February of last year, the open market committee began to build up its portfolio. Its big actions were taken in May and June of last year when in these 2 months it stepped in the market and bought almost $3 billion of securities.

MONEY IS BEING TIGHTENED AGAIN; AND RECORD INTEREST RATES ARE TO BE RAISED HIGHER

At the present, however, our money managers are pulling pretty hard on the purse strings. If the Members noted the account of Government bond prices on page A-20 of the Washington Post and Times Herald this morning, they will have noted the last Government bonds issued by the Treasury were being traded yesterday at a price which yielded 4.10 percent. Yields on long term Government bonds are now at the highest level they have been in more than 25 years.

The Members may have also noted that there are rumors in the market that the Treasury will shortly ask Congress to lift the ceiling on Government bond rates from the present statutory maximum of 4¼ percent. That maximum has been specified by law since World War I. I would not be surprised, however, if the Treasury does ask that the law be changed so that it can issue bonds at rates up to 4½ percent.

The administration's request now to raise interest rates on VA housing and other loans suggests that these new highs in Government bond rates are not expected to be just a temporary matter. And all of this administration's requests have been for higher interest rates, never for lower interest rates.

So, to repeat, the first thing we should do is find out what effects will be allowed to follow from any spending measures we might be considering. In short, we

should have our long overdue investigation of monetary and credit policies. This investigation is provided for in House Resolution 50, which I will insert at the end of these remarks.

DEMOCRATIC CONGRESS MUST STOP GOP INFLATION AND DEPRESSION

The second thing we must do is find a better way of controlling inflation than it has been controlled—if we could say that it has been controlled at all—under this administration. Certainly, controlled inflation by so-called monetary controls has proved to be the most conspicuous failure of our times. Yet we are still being propagandized and urged from all sides to accept and to continue this method of disastrous failure.

Recently I wrote a brief statement for the Commercial and Financial Chronicle on this issue, as I see it. So if I may, I would like to read this statement. It contains something in the nature of a forecast which is also a hope of mine as to what this Congress will do about the central economic issue of our day. It presents a suggestion of the only way I know to avoid the boobytrap which the GOP high command has set for us Democrats and, I think, a boobytrap which will spell disaster for our country.

STATEMENT FROM THE COMMERCIAL AND FINANCIAL CHRONICLE

Some of the business journals are predicting that the new Congress will be antibusiness. Clearly it is the Democrats, not the Republicans, who will insist upon a full business recovery and a return to full employment, yet I think that in a certain sense the prediction may come true. Let us take the matter of where the Congress may turn for advice and guidance on the big economic questions of the day.

For several years now leaders in the business and financial community have been persuading themselves, and persuading the country, that only monetary controls are the proper instruments for guiding the level of business activity in the country. And almost equally, these leaders have campaigned for checking inflation—an objective with which almost everybody agrees. These propositions, together with a somewhat less firmly held notion that the Federal budget ought to be kept in balance, make up the main advice which the business and financial community seems to have to offer.

Yet by now it is clear to almost everybody that tightening money or raising interest rates succeeds in checking inflation, if at all, only when these brakes are applied so hard that the country is kept in a state of high unemployment and low production. Indeed, this method of checking inflation is presumed by its sponsors to succeed because a state of wholesale unemployment will operate as a psychological club against management's raising prices and labor's demanding wage increases.

How then can reasonable men square such an economic policy with Khrushchev's challenge to race with us in increasing production, advancing scientific knowledge and improving living standards? This is no challenge which we can accept or reject, but a race which we were aready running and from which we cannot retire; we can only win or be beaten. And the facts are that Russia's economy has been growing between 7 percent and 10 percent a year, and the Soviet's new 7-year plan calls for an average growth of 8 percent a year. In contrast our growth has averaged less than 2 percent a year during the Eisenhower administration.

Another point: while the country's business and financial leaders have insisted that Federal economic management rely almost exclusively on money and credit controls, they have been fully content that the money and credit controls in use are at least 40 years out of date, as is the legislative basis for these controls. Indeed, they have been opposed even to a congressional inspection and review of this machinery. The overdue investigation of the money and credit system must now be made, even though the country's business leaders—men who are reputed to be quick to adopt for their own businesses electronic quality controls and the most advanced instruments for inventory and other controls—continue to insist that instruments 40 years obsolete are good enough for the Federal establishment.

The recent recession has dramatized the point that inflation can result from either of two causes: it can result from increases in the supply of money and credit outrunning the supply of available goods and services. This generally means, though, that demand will be pressing upon productive capacity; and deficit Government spending is not itself inflationary, except that it increases demand at such times. The second cause of inflation is by all odds the more serious in the recent and present settings. This is the arbitrary power of big-business industries to raise prices—to meet wage demands, present or expected, or for any other reason. Each of several hundred corporate managements has the power to devaluate the dollar, by their routine price decisions, and frequently exercise this power. At the moment the officials operating the country's monetary controls seem to be probing for that level of unemployment which will serve as a satisfactory psychological club against such price increases; but it is apparent that the level of unemployment which will produce the necessary psychology at one time may not produce it at another. Indeed, we witnessed price increases being made last summer—when unemployment had risen to alarming levels—and being made by industries operating at no more than half capacity.

The central problem of Government today, as I view it, is to find a widely acceptable method by which high levels of production and employment and a rapid rate of economic growth can be maintained and at the same time maintain price stability. There is no longer a choice whether we shall have just one or the other. The new Congress must, it seems to me, design measures to deal directly with inflation, as well as measures to make very substantial improvements in the system of money and credit controls.

So it is in this sense that the new Congress will probably be antibusiness: it must look for economic intelligence and advice elsewhere from that offered by the central thinking of the financial and business community today. Or alternatively, the financial and business community must come forward with more constructive policies and suggestions. Personally, I hope the latter will be the case, but as yet there is little evidence to feed this hope.

[86th Cong., 1st sess.]

H. Res. 50

Resolution calling for an investigation of monetary and debt management policies

Resolved, That the Speaker of the House shall appoint a Select Committee on Monetary and Debt Management Policies, to consist of eleven Members of the House, one of whom shall be designated chairman, which shall be authorized and directed to conduct full and complete studies and investigations and make inquiries with respect to any matter or matters concerning—

(1) the effects of changes in interest rates and the money supply on producer, distributor, consumer, and Government costs, including particularly the part played by policies of the Federal Reserve System and the Department of the Treasury in bringing about the increased cost of living;

(2) the effects of Federal monetary and public debt policies on the distribution of the national income as between the investor or money-lending functions and the economic contributions of wage earners, salaried employees and operators of nonfinancial businesses;

(3) the part played by the recent high-interest and tight-money policies of the President, the Federal Reserve System and the Department of the Treasury in bringing about the economic decline, unemployment and the slump in investment, credit purchases and consumer purchasing power;

(4) the part played by Federal high-interest policies in bringing about the increased public debt and the increased costs of carrying the public debt, including both the amount of the increased burden on taxpayers already realized and the probable amount of the burden in the years ahead;

(5) the effects of the recent high-interest and tight-money policies on the cost and rate of construction of school buildings and other facilities of the State and local governments, and on the expansion of State and local debt;

(6) the effects of recent actions of the Federal Reserve System which have allowed the private commercial banks to create many billions of dollars of new money, and thus to increase the Nation's money supply, including the effects on interest rates, consumer prices, and the volume of consumer and business borrowing;

(7) whether and to what extent effective and timely public management of the Nation's money supply and interest rates is hampered by the fact that the powers for controlling interest rates and the money supply are vested in two separate boards or committees within the Federal Reserve System, each with the powers to act independently;

(8) whether and to what extent the present system of having representatives of private banks serve on boards and committees within the Federal Reserve System to determine interest rates and credit availability in the private banking system, and in the money and securities markets, results in unduly high interest rates or in the use of methods for tightening or loosening credit which favor the private banks or other financial groups at the expense of the general public;

(9) whether or not the Federal Reserve System's present practice of buying and selling annually many billions of dollars' worth of securities of the United States in exclusive trades with a select group of private dealers, in nonpublic trading and at secret prices, and its refusal to deal in long-term securities represents the best method of managing the public funds used in such trading, or results in excessive private advantage to the favored dealers;

(10) whether and to what extent the expenditures and the handling of Federal funds and Federal securities by the Federal Reserve System and the Comptroller of the Currency might be made less wasteful and better safeguarded by requiring that these Federal agencies be audited by the General Accounting Office;

(11) whether and to what extent the powers which are vested in the Federal Reserve System, in the Comptroller of the Currency and in the Federal Deposit Insurance Corporation to supervise or regulate private banks and banking practices, and the similar powers which are vested in the Home Loan Bank Board with respect to private savings and loan associations, are being used to dictate the private policies or to interfere unduly with the decision-making of these private institutions; and whether, and to what extent, such unwarranted interferences are making these private institutions ineffective to serve the credit needs of small business and the credit and other needs of the local communities;

(12) the policies, practices and effectiveness of other Federal banking and bank-supervisory agencies, including particularly the numerous duplicate and overlapping agencies that are making loans or grants of Federal funds for nondefense purposes to foreign governments, to foreign companies and citizens and to United States nationals doing business in foreign countries or exporting goods to foreign countries, such as the Export-Import Bank of Washington, the International Cooperation Administration, the Development Loan Fund, and the International Finance Corporation;

(13) the various types of Government securities, manner of issue, method of payment, maturities, the adequacy of the market for Government securities, character of dealers and investors, and the amount and degree of speculation therein, and the relative costs and effectiveness of issuing and pricing Government securities on a noncompetitive basis as compared to the competitive method of issuing and pricing Government securities; and

(14) the status and adequacy of the existing credit mechanisms in the United States, the growth of new institutional sources of credit that have arisen or substantially increased since the enactment of the Banking Act of 1935, and the effectiveness of present laws and present practices under existing laws to serve the public interest.

The committee shall report to the House (or to the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable.

For the purposes of carrying out this resolution, the committee or any subcommittee thereof is authorized to sit and act during the present Congress at such times and places within the continental United States, whether or not the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or by any member designated by such chairman, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths or affirmations to witnesses.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. SHIPLEY, for 1 hour, on Thursday, January 22, 1959.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. HECHLER.

Mr. LANE in two instances and to include extraneous matter.

Mr. REED (at the request of Mr. MASON) and to include extraneous matter.

Mr. CELLER in two instances.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 49 minutes p. m.) the House adjourned until tomorrow, Wednesday, January 21, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

374. A letter from the Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to amend the Department of Defense Appropriation Act, 1959, to repeal certain minimum strength requirements for the Army Reserve and the Army National Guard"; to the Committee on Armed Services.

375. A letter from the Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to authorize the construction of modern naval vessels"; to the Committee on Armed Services.

376. A letter from the Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to authorize the extension of loans of naval vessels to the Governments of Italy and Turkey"; to the Committee on Armed Services.

377. A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation entitled "A bill to authorize adjustments in accounts of outstanding old-series currency, and for other purposes"; to the Committee on Banking and Currency.

378. A letter from the President, Board of Commissioners of the District of Columbia, transmitting a draft of proposed legislation entitled "A bill to amend the act entitled 'An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes', approved May 1, 1906, as amended"; to the Committee on the District of Columbia.

379. A letter from the President, Board of Commissioners of the District of Columbia, transmitting a draft of legislation entitled "A bill to amend the act entitled 'An act to regulate the placing of children in family homes, and for other purposes', approved April 22, 1944, as amended"; to the Committee on the District of Columbia.

380. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Federal Home Loan Bank Board for the fiscal year ended June 30, 1958 (H. Doc. No. 54); to the Committee on Government Operations and ordered to be printed.

381. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Government Printing Office for the fiscal year ended June 30, 1958; to the Committee on Government Operations.

382. A letter from the Comptroller General of the United States transmitting a report on the examination of the U.S. Army Signal Supply Center, Yokohama, Japan; to the Committee on Government Operations.

383. A letter from the Public Printer, U.S. Government Printing Office, transmitting a draft of proposed legislation entitled "A bill to provide for the receipt and disbursement of funds, and for continuation of accounts when there is a vacancy in the office of the disbursing officer for the Government Printing Office, and for other purposes"; to the Committee on Government Operations.

384. A letter from the Public Printer, U.S. Government Printing Office, transmitting a report of all tort claims paid by the U.S. Government Printing Office during the fiscal year 1958, pursuant to the Federal Tort Claims Act (28 U.S.C. 2673); to the Committee on the Judiciary.

385. A letter from the Attorney General, transmitting a report pertaining to the Federal Correctional Institution, Sandstone, Minn., pursuant to Public Law 81–253; to the Committee on the Judiciary.

386. A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to direct the Secretary of the Interior to administer certain acquired lands as revested Oregon and California railroad grant lands"; to the Committee on Interior and Insular Affairs.

387. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of the order suspending deportation for the case of William Eric Schmelkes, A–6364380, pursuant to section 244(a)(2) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1254(a)(2)); to the Committee on the Judiciary.

388. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders granting applications for permanent residence for certain persons, pursuant to section 6 of the Refugee Relief Act of 1953; to the Committee on the Judiciary.

389. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation of certain persons, pursuant to section 244(a)(5) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1254(a)(5)); to the Committee on the Judiciary.

390. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation of certain persons, pursuant to section 244(a)(1) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1254(a)(1)); to the Committee on the Judiciary.

391. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to Public Law 863, 80th Congress; to the Committee on the Judiciary.

392. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders granting applications for permanent residence filed by certain persons, pursuant to section 4 of the Displaced Persons Act of 1948, as amended; to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDONIZIO:

H.R. 2853. A bill to provide for the issuance of a series of special postage stamps in recognition of the 1960 Olympic games; to the Committee on Post Office and Civil Service.

By Mr. ANDERSEN of Minnesota:

H.R. 2854. A bill to provide for 3-year terms of agricultural stabilization and conservation county committeemen in order to give added continuity and stability to the farmer committee system, and to provide for elected members of the State committee; to the Committee on Agriculture.

By Mr. ANFUSO:

H.R. 2855. A bill to provide for the issuance of a series of special postage stamps in recognition of the 1960 Olympic games; to the Committee on Post Office and Civil Service.

H.R. 2856. A bill to provide that certain Government officers and employees shall have sufficient time to vote in elections; to the Committee on Post Office and Civil Service.

H.R. 2857. A bill to amend the Civil Service Retirement Act of May 29, 1930, to permit the retirement on full annuities, without regard to age, of those officers and employees with 30 years or more of service; to the Committee on Post Office and Civil Service.

By Mr. ASPINALL (by request):

H.R. 2858. A bill to revise the basis for establishing wartime service connection for multiple sclerosis and the chronic functional psychoses; to the Committee on Veterans' Affairs.

By Mr. BARRETT:

H.R. 2859. A bill to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes; to the Committee on Banking and Currency.

By Mr. DADDARIO:

H.R. 2860. A bill to provide for the issuance of a series of special postage stamps in recognition of the 1960 Olympic games; to the Committee on Post Office and Civil Service.

By Mr. DANIELS:

H.R. 2861. A bill to provide for the issuance of a series of special postage stamps in recognition of the 1960 Olympic games; to the Committee on Post Office and Civil Service.

By Mr. DAVIS of Georgia:

H.R. 2862. A bill to amend section 1076 of title 10, United States Code, to provide for the furnishing of outpatient care and medical supplies to the widows of certain deceased former members of the uniformed service; to the Committee on Armed Services.

H.R. 2863. A bill to amend title II of the Social Security Act to provide that an individual may qualify for the disability "freeze" with 40 quarters of coverage, regardless of when such quarters occurred; to the Committee on Ways and Means.

By Mr. DEROUNIAN:

H.R. 2864. A bill relating to the income tax treatment of certain stock acquired by the exercise of restricted stock options after the death of the employee; to the Committee on Ways and Means.

H.R. 2865. A bill to amend section 408 of the Housing Amendments of 1955 with respect to State and local taxation of Wherry Act housing projects; to the Committee on Banking and Currency.

By Mr. DINGELL:

H.R. 2866. A bill to provide annuities from the civil service retirement and disability fund for widows of Government employees for certain additional periods, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2867. A bill to repeal the excise tax on the use of safe-deposit boxes; to the Committee on Ways and Means.

By Mr. DONOHUE:

H.R. 2868. A bill to reaffirm the national public policy and the purposes of Congress in enacting the Robinson-Patman Antiprice Discrimination Act entitled "An act to amend section 2 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, as amended (U.S.C., title 15, sec. 13), and for other purposes," and to clarify the intent and meaning of the aforesaid law by providing for the mandatory nature of functional discounts under certain circumstances; to the Committee on the Judiciary.

By Mr. DOOLEY:

H.R. 2869. A bill to provide for posting information in post offices with respect to registration and voting, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FASCELL:

H.R. 2870. A bill to provide for the issuance of a series of special postage stamps in recognition of the 1960 Olympic games; to the Committee on Post Office and Civil Service.

By Mr. FENTON:

H.R. 2871. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

By Mr. FERNÓS-ISERN:

H.R. 2872. A bill to extend the unemployment compensation program to Puerto Rico, and for other purposes; to the Committee on Ways and Means.

H.R. 2873. A bill to amend the Federal Employees' Compensation Act to eliminate the provision by which U.S. citizens born in Puerto Rico are denied certain benefit rights assured under such act to other U.S. citizens; to the Committee on Education and Labor.

By Mr. HALEY:

H.R. 2874. A bill to amend title 38, United States Code, to increase the annual income limitation governing the payment of pension for disability or death, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HECHLER:

H.R. 2875. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

By Mr. HOEVEN:

H.R. 2876. A bill to extend rural mail delivery service; to the Committee on Post Office and Civil Service.

H.R. 2877. A bill to provide for the appointment of a district judge for the northern and southern districts of Iowa; to the Committee on the Judiciary.

By Mr. HOFFMAN of Illinois:

H.R. 2878. A bill to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test, on a 3-year basis, the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes; to the Committee on Public Works.

By Mr. HORAN:

H.R. 2879. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

By Mr. JENNINGS:

H.R. 2880. A bill to provide for further research relating to new and improved uses which offer expanding markets for farm and forest products, to assist the States to provide additional facilities for research at the State agricultural experiment stations, and for other purposes; to the Committee on Agriculture.

H.R. 2881. A bill to create an Agricultural Research and Industrial Board, to define its powers and duties, and for other purposes; to the Committee on Agriculture.

By Mr. KARSTEN:

H.R. 2882. A bill to amend the Internal Revenue Code of 1954 to provide a deduction with respect to railroad retirement employee taxes; to the Committee on Ways and Means.

H.R. 2883. A bill to extend the time for making application for compensation for unused leave accumulated on September 1, 1946, by members or former members of the Armed Forces; to the Committee on Armed Services.

By Mrs. KEE:

H.R. 2884. A bill to check the growth of unemployment by providing for Federal assistance to States and local governments for the construction of needed public works and public improvements; to the Committee on Public Works.

H.R. 2885. A bill to amend the National Security Amendment to establish quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. KEOGH:

H.R. 2886. A bill to suspend for 3 years the import duties on certain classifications of spun silk yarn; to the Committee on Ways and Means.

By Mr. LANE:

H.R. 2887. A bill to amend the Civil Service Retirement Act to increase by an additional one-half of 1 percent the annuity computation formula for determining annuities for certain Federal employees; to the Committee on Post Office and Civil Service.

By Mr. LIBONATI:

H.R. 2888. A bill to provide for the establishment of the Bureau of Older Persons within the Department of Health, Education, and Welfare; to authorize Federal grants to assist in the development and operation of studies and projects to help older persons; and for other purposes; to the Committee on Education and Labor.

H.R. 2889. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

H.R. 2890. A bill to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Ways and Means.

H.R. 2891. A bill to amend section 37 of the Internal Revenue Code of 1954 to make eligible for the retirement income credit housewives, disabled individuals, and other individuals who are age 65 or over but ineligible for such credit by reason of the 10-year work test; to the Committee on Ways and Means.

H.R. 2892. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education; to the Committee on Ways and Means.

H.R. 2893. A bill to amend section 207 of the Legislative Reorganization Act of 1946, to provide that the Boards for the Correction of Military or Naval Records shall give consideration to satisfactory evidence relating to good character and conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals, and for other purposes; to the Committee on Armed Services.

H.R. 2894. A bill to amend title 10 of the United States Code to provide for the establishment of a program of cash awards for suggestions or inventions made by members of the Armed Forces which contribute to the efficiency, economy, or other improvement of Government operations in the general field under the supervision of the Secretary of Defense; to the Committee on Armed Services.

H.R. 2895. A bill to grant a pension of $100 per month to all honorably discharged vet-

erans of World War I who are over 62 years of age; to the Committee on Veterans' Affairs.

H.R. 2896. A bill to amend the Fair Labor Standards Act of 1938 to prohibit the discrimination in employment against individuals on account of their age; to the Committee on Education and Labor.

H.R. 2897. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

H.R. 2898. A bill to reduce the maximum workweek under the Fair Labor Standards Act of 1938, as amended, to 35 hours, and for other purposes; to the Committee on Education and Labor.

H.R. 2899. A bill to amend the Internal Revenue Code of 1954 so as to increase the amount of the personal exemption for taxable year 1959 and to repeal or reduce certain excise taxes; to the Committee on Ways and Means.

H.R. 2900. A bill to amend the Internal Revenue Code of 1954 to eliminate the provisions which presently restrict the deduction for medical expenses to those exceeding 3 percent of gross income, and for other purposes; to the Committee on Ways and Means.

H.R. 2901. A bill to amend the Internal Revenue Code of 1954 to exempt unemployment benefits from levy and distraint for collection of Federal taxes; to the Committee on Ways and Means.

H.R. 2902. A bill to amend the Internal Revenue Code, act of February 10, 1939; to the Committee on Ways and Means.

H.R. 2903. A bill to facilitate the entry into the United States of certain adopted children, and other relatives of U.S. citizens, and for other purposes; to the Committee on the Judiciary.

H.R. 2904. A bill to amend title I, II, and III of the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H.R. 2905. A bill to amend section 501(c) of the Internal Revenue Code of 1954 to exempt from the Federal income tax certain nonprofit voluntary employees' beneficiary associations where admission is limited to individuals who are officers or employees of State or local governments; to the Committee on Ways and Means.

By Mr. McCORMACK:

H.R. 2906. A bill to extend the period for filing claims for credit or refund of overpayments of income taxes arising as a result of renegotiation of Government contracts; to the Committee on Ways and Means.

By Mr. McCULLOCH:

H.R. 2907. A bill to amend the Internal Revenue Code of 1954, so as to prohibit the deduction of expenses or losses incurred in illegal wagering; to the Committee on Ways and Means.

H.R. 2908. A bill to amend section 2385 of title 18 of the United States Code to define the term "organize" as used in that section; to the Committee on the Judiciary.

H.R. 2909. A bill relating to the maintenance and travel expenses of judges; to the Committee on the Judiciary.

H.R. 2910. A bill to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence so as to safeguard individual rights without hampering effective and intelligent law enforcement; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 2911. A bill to amend the Federal Airport Act in order to extend the time for making grants under the provisions of such act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2912. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

By Mr. MACHROWICZ:

H.R. 2913. A bill to amend the War Claims Act of 1948 to provide for the payment of benefits under such act to certain citizens and permanent residents of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. MAHON:

H.R. 2914. A bill to amend the Trademark Act of 1946; to the Committee on the Judiciary.

By Mr. GEORGE P. MILLER:

H.R. 2915. A bill to provide for the establishment of a food-stamp plan for the distribution of $1 billion worth of surplus food commodities a year to needy persons and families in the United States; to the Committee on Agriculture.

H.R. 2916. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MILLER of New York:

H.R. 2917. A bill to amend section 2385 of title 18 of the United States Code to define the term "organize" as used in that section; to the Committee on the Judiciary.

H.R. 2918. A bill to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence so as to safeguard individual rights without hampering effective and intelligent law enforcement; to the Committee on the Judiciary.

H.R. 2919. A bill to amend the Internal Revenue Code of 1954, so as to prohibit the deduction of expenses or losses incurred in illegal wagering; to the Committee on Ways and Means.

By Mr. NATCHER:

H.R. 2920. A bill to provide for a more comprehensive development and utilization of natural water resources in plans and construction of reservoir projects; to the Committee on Public Works.

By Mr. PELLY:

H.R. 2921. A bill to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska, and between Hyder, Alaska, and other points in the United States outside Alaska, either directly or via a foreign port, or for any part of the transportation; to the Committee on Merchant Marine and Fisheries.

By Mr. POFF:

H.R. 2922. A bill to establish certain qualifications for persons appointed to the Supreme Court of the United States; to the Committee on the Judiciary.

By Mr. PORTER:

H.R. 2923. A bill to amend title 18 of the United States Code relating to the granting of immunity with respect to certain compelled testimony; to the Committee on the Judiciary.

By Mr. REES of Kansas:

H.R. 2924. A bill to provide certain benefits for persons who served in the Armed Forces of the United States in Mexico or on its borders during the period beginning December 8, 1910, and ending April 6, 1917, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RHODES of Pennsylvania:

H.R. 2925. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROBERTS:

H.R. 2926. A bill to amend the Communications Act of 1934 to establish a program of Federal matching grants for the construction of television facilities to be used for educational purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS of Texas:

H.R. 2927. A bill to amend title 38, United States Code, to extend loan guarantee benefits to certain veterans of service after January 31, 1955, and before the end of compulsory military service, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2928. A bill to amend chapter 37 of title 38, United States Code, to provide additional funds for direct loans; to remove certain requirements with respect to the rate of interest on guaranteed loans; and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2929. A bill to amend title 38, United States Code, to provide vocational rehabilitation, education, and training, and loan guarantee benefits for veterans of service after January 31, 1955; to the Committee on Veterans' Affairs.

By Mr. SANTANGELO:

H.R. 2930. A bill to provide for the issuance of a series of special postage stamps in recognition of the 1960 Olympic games; to the Committee on Post Office and Civil Service.

By Mr. SCHENCK:

H.R. 2931. A bill to amend the Annual and Sick Leave Act of 1951 to provide for the restoration of annual leave ceilings which have been reduced by reason of administrative error in certain cases; to the Committee on Post Office and Civil Service.

By Mr. SIKES:

H.R. 2932. A bill to provide for modification of the existing navigation project for Pensacola Harbor, Fla.; to the Committee on Public Works.

H.R. 2933. A bill to provide for modification of the navigation project for East Pass Channel, Fla.; to the Committee on Public Works.

H.R. 2934. A bill to provide for the conveyance of certain real property of the United States to the city of Fort Walton Beach, Fla.; to the Committee on Armed Services.

By Mr. SILER:

H.R. 2935. A bill to amend the Federal-Aid Highway Act of 1958; to the Committee on Public Works.

H.R. 2936. A bill to facilitate the distribution of surplus food products to needy families in the United States; to the Committee on Agriculture.

By Mr. SISK:

H.R. 2937. A bill to extend the life of the Alaska International Rail and Highway Commission; to the Committee on Interior and Insular Affairs.

By Mr. TEAGUE of Texas (by request):

H.R. 2938. A bill to amend section 410 of title 38, United States Code, to provide for paying dependency and indemnity compensation to the survivors of certain deceased veterans having serious service-connected disabilities; to the Committee on Veterans' Affairs.

By Mr. TOLLEFSON:

H.R. 2939. A bill to provide that the Secretary of the Army shall purchase certain oil paintings of Nez Perce Indian leaders for display at the site of the Chief Joseph Dam in the State of Washington; to the Committee on Public Works.

H.R. 2940. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

H.R. 2941. A bill to repeal the retailers' excise tax on handbags; to the Committee on Ways and Means.

By Mr. VANIK:

H.R. 2942. A bill to amend section 382 of the Internal Revenue Code of 1954 to provide that corporations with net operating loss carryovers which acquire income-producing businesses cannot reduce the income from such businesses by such carryovers; to the Committee on Ways and Means.

By Mr. VAN PELT:

H.R. 2943. A bill to amend the Internal Revenue Code of 1954 to allow income-tax deductions for certain payments to assist in providing higher education; to the Committee on Ways and Means.

By Mr. ALGER:
H.J. Res. 158. Joint resolution proposing an amendment to the Constitution of the United States relative to the balancing of the budget; to the Committee on the Judiciary.

By Mr. CLARK:
H.J. Res. 159. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. COHELAN:
H.J. Res. 160. Joint resolution to amend section 84(a)(2) of title 28 of the United States Code; to the Committee on the Judiciary.

By Mr. CURTIN:
H.J. Res. 161. Joint resolution proposing an amendment to the Constitution of the United States empowering the Congress to authorize the President to approve and disapprove separate items or provisions in appropriation bills; to the Committee on the Judiciary.

By Mr. LANKFORD:
H.J. Res. 162. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. LIBONATI:
H.J. Res. 163. Joint resolution proposing an amendment to the Constitution prohibiting a State from taxing certain income of a nonresident; to the Committee on the Judiciary.

By Mr. McCORMACK:
H.J. Res. 164. Joint resolution to authorize a memorial in the District of Columbia to honor the Boy Scouts of America; to the Committee on House Administration.

By Mr. GEORGE P. MILLER:
H.J. Res. 165. Joint resolution to amend section 84(a)(2) of title 28 of the United States Code; to the Committee on the Judiciary.

By Mr. O'BRIEN of New York:
H.J. Res. 166. Joint resolution to recognize Samuel Wilson, of Troy, N.Y., as the progenitor of America's national symbol, "Uncle Sam"; to the Committee on House Administration.

By Mr. POWELL:
H.J. Res. 167. Joint resolution authorizing and requesting the President to designate the period beginning on February 8, 1959, and ending on February 14, 1959, as Negro History Week; to the Committee on the Judiciary.

By Mr. REES of Kansas:
H.J. Res. 168. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. REUSS:
H.J. Res. 169. Joint resolution requesting the President to proclaim October 9 as Lief Erickson Day; to the Committee on the Judiciary.

By Mr. SILER:
H.J. Res. 170. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. TAYLOR:
H.J. Res. 171. Joint resolution to recognize Samuel Wilson, of Troy, N.Y., as the progenitor of America's national symbol, "Uncle Sam"; to the Committee on House Administration.

By Mr. ANFUSO:
H. Con. Res. 39. Concurrent resolution expressing the sense of the Congress with respect to the submission of a peace formula by the President of the United States during the next summit conference between the United States and the Union of Soviet Socialist Republics; to the Committee on Foreign Affairs.

By Mr. DEROUNIAN:
H. Res. 129. Resolution to provide for the unity of Ireland; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Colorado, memorializing the President and the Congress of the United States to take such remedial action as deemed necessary to preclude the closing of low power booster stations necessary for television reception in certain cases of the State of Colorado; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States relative to the order closing the overhaul and repair department of the naval air station located in Nueces County, Tex.; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:
H.R. 2944. A bill for the relief of Luciano Di Franco; to the Committee on the Judiciary.

By Mr. BROWN of Georgia:
H.R. 2945. A bill for the relief of Robert Brace Penn Crawford; to the Committee on the Judiciary.

By Mr. DONOHUE:
H.R. 2946. A bill for the relief of Cecil E. Finley; to the Committee on the Judiciary.
H.R. 2947. A bill for the relief of Venanzio Girardi; to the Committee on the Judiciary.
H.R. 2948. A bill for the relief of Boleslaw Burzynski; to the Committee on the Judiciary.

By Mr. LANE:
H.R. 2949. A bill for the relief of Lois K. Alexander; to the Committee on the Judiciary.
H.R. 2950. A bill for the relief of Lt. Col. James A. Beplat; to the Committee on the Judiciary.

By Mr. McFALL:
H.R. 2951. A bill for the relief of Clemente S. Silvestre, and his wife, Rosalina Tolentino (Gerardo) Silvestre; to the Committee on the Judiciary.
H.R. 2952. A bill for the relief of Francisco Pereira Escobar; to the Committee on the Judiciary.

By Mr. McSWEEN:
H.R. 2953. A bill to provide for the conveyance of certain real property of the United States to Sophronia Smiley Delaney and her sons; to the Committee on Agriculture.

By Mr. MILLER of New York:
H.R. 2954. A bill for the relief of Joseph E. Miller; to the Committee on the Judiciary.

By Mr. MONAGAN:
H.R. 2955. A bill for the relief of Vincenza Biello; to the Committee on the Judiciary.

By Mr. NORBLAD:
H.R. 2956. A bill for the relief of Mah Wah Yong; to the Committee on the Judiciary.

By Mr. PIRNIE:
H.R. 2957. A bill for the relief of Christina De Santis; to the Committee on the Judiciary.

By Mr. RAY:
H.R. 2958. A bill for the relief of Anna Govetosa; to the Committee on the Judiciary.

By Mr. REES of Kansas:
H.R. 2959. A bill for the relief of Eventhia K. Perdaris; to the Committee on the Judiciary.

By Mr. RHODES of Pennsylvania:
H.R. 2960. A bill for the relief of Lester M. Davidheiser; to the Committee on Armed Services.

By Mr. SCHENCK:
H.R. 2961. A bill for the relief of Harry J. Maranze; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Roger W. Jones, an Outstanding Public Servant

EXTENSION OF REMARKS
OF
HON. KEN HECHLER
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 20, 1959

Mr. HECHLER. Mr. Speaker, I desire to commend President Eisenhower for nominating to membership on the Civil Service Commission one of the outstanding career civil servants of our time, Roger W. Jones.

In the span of three-quarters of a century since the establishment of the Civil Service Commission, there have been few commissioners better qualified by training and temperament than Roger Jones. He will bring to his new job a deep dedication, broad knowledge of governmental problems, and a certain zest for accomplishment.

Nearly 20 years ago I first met Roger Jones while he was serving as administrative officer of the Bureau of the Budget in Franklin D. Roosevelt's administration. There were several qualities which immediately stood out in his approach to his work. As a public servant in the highest sense of the word, he worked by the simple code of making the engines of bureaucracy carry out the public will.

There was a phrase which Franklin D. Roosevelt's Committee on Administrative Management used in 1939 which best describes Jones, "high competence, great physical vigor and a passion for anonymity." Working in high positions for Presidents Roosevelt, Truman, and Eisenhower, he displayed a remarkable ability to serve the institution of the Presidency without regard to political considerations. His respect for and understanding of the Presidency have been invaluable assets.

Roger Jones knows how to cultivate the best and reject the worst in the wonderland of bureaucracy. He can give

direction and cohesiveness to a program which might otherwise get tangled in the molasses of the redtape sea. He has an instinct for the jugular.

I do not ever remember seeing Roger Jones when his eyes were not sparkling. When vast quantities of paper moved across his desk, he always seemed to have a freshness of approach to each new problem. He was never bogged down with work and always kept those sparkling eyes on the forest while he was chopping down or replanting the trees.

In the Civil Service Commission, he will have a much tougher job which will demand greater energy and leadership than his previous tasks. Will he be able to measure up? I have watched him also in the role of teacher, and here he has shown that he also has the necessary talents to make him a great educator.

Down through the years there have been great and mediocre members of the Civil Service Commission. The mediocre ones have been those who have tilted their swivel chairs slightly backward and allowed the vast Federal bureaucracy to run them. I do not think Roger Jones will be that kind of Commissioner. I believe he will grasp the reins of leadership.

Mr. Speaker, as a West Virginia Democrat I rise to pay tribute to this Connecticut Republican. The career service and the country are fortunate to have a man like Roger W. Jones to head the Civil Service Commission.

Address by Hon. George D. Aiken, of Vermont, at Plant-To-Prosper Meeting, Memphis, Tenn., December 18, 1958

EXTENSION OF REMARKS

OF

HON. JAMES O. EASTLAND

OF MISSISSIPPI

IN THE SENATE OF THE UNITED STATES

Tuesday, January 20, 1959

Mr. EASTLAND. Mr. President, on December 18, 1958, the distinguished Senator from Vermont [Mr. AIKEN] delivered a most interesting address at the plant-to-prosper meeting in Memphis, Tenn. It contains a concise history of farm problems and legislative action over the past two decades.

In order that Senators may have an opportunity to read the address and benefit from the experienced analysis of this great agricultural statesman concerning the many farm problems discussed, I ask unanimous consent to have it printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

It was 18 years ago next month that I went to Washington as a Senator from my State.

Having lived on a farm all my life up to that time, it seemed to me a bit of remarkably good luck that I was assigned to membership on the Committee on Agriculture and Forestry.

The farm I had lived on comprised some 50 acres of woodland, pasture, and cropland. Today it would probably be called a subsistence farm.

It kept about five cows and produced some fruit and vegetables as cash crops.

We never raised any wheat or cotton or peanuts or rice.

There was usually an acre or so of corn and a half acre of cigar-leaf tobacco.

The half acre of tobacco got all the fertilizer and the buyers who came around every fall got all the tobacco at their own price—8 cents, 9 cents, 10 cents, or whatever they were willing to pay for it.

My efforts to raise peanuts and cotton ended in frustration.

The peanut shells didn't have any peanuts inside and the cotton proved to be ornamental only as it never got past the blossoming stage.

So, you see how well prepared I was to take my place on the Agriculture Committee headed by Cotton Ed Smith and which included veterans like Bankhead, of Alabama; Reed, of Kansas; Thomas, of Oklahoma; McNary, of Oregon; and Ellender, of Louisiana.

I started to learn something about agricultural politics almost the first month, being named to a subcommittee headed by Senator John Bankhead to hold hearings on the cotton-storage program.

Of course, I knew that a good share of our cotton farmers were producing about 200 pounds to the acre and sometimes more, and that it was un-Christianlike to expect them to sell that cotton for less than 10 cents a pound.

I had never given much thought to the storage program, however.

I didn't realize that ginning and compressing and storing was quite a good-sized business by itself.

At the very outset of the hearings, I learned that cotton storage wasn't just a simple economic system of carrying cotton over from 1 year to another.

I learned right away that there were big storage fellows at the ports and little storage fellows inland—at least that's what the witnesses said—and that there was some competition between the two.

It took me a little longer to find out that some of the big fellows also had a slight financial interest in the operation of the little fellow's facilities.

However, in real orthodox fashion the subcommittee set out to protect the little fellows.

Senator Bankhead was one of the most astute and lovable southern statesmen I ever knew. That means he was one of the astutest that there was anywhere.

It may have been his intuition and it may have been just his desire to see what the Yankee farmer from Vermont would do under certain circumstances that prompted him to leave me in charge of the hearing one afternoon.

No other member of the subcommittee was present.

I sat at the head of the table—little warehousemen sat on my left—big warehousemen sat on my right.

I felt pretty good at this display of confidence in me on the part of Senator Bankhead.

The hearing got under way and warmed up as it proceeded.

Pretty soon the sparks began to fly, my doubts began to rise and the practical results of that particular hearing was zero, except that I had had my first lesson in cotton diplomacy.

Since that first hearing in the winter of 1941, I have been on hearings relating to every conceivable agricultural program here and abroad.

I have heard expounded every possible theory which its author thought would promote a more prosperous agriculture for the United States—or at least provide some specific advantage for the group which he happened to represent.

I have seen candidates for public office rise and fall on the issue of national farm policies.

Farm issues have permeated every election campaign and occupied much of the time of the Congress.

Farm organizations and commodity groups have clashed with one another and frequently factions within the same commodity group have opposed each other bitterly.

The only time I have known all major farm organizations and both major political parties to work together for a single farm program was during the years 1947 and 1948.

About 6 o'clock in the morning of June 20, 1948, the Congress presented the country with a new farm program backed by President Truman and the Republican Congress and by every major farm organization.

The two main features of this program were flexible price supports running from 72 to 90 percent of parity and a new parity formula which was so constructed so that it was expected to work properly forever after.

What happened?

The flexible price supports were promptly suspended and until very recently only operated during the years 1951 and 1952, when the Korean war made price supports inoperative anyway.

The new parity formula was so completely outmoded within a few years that it became worthless as a yardstick for measuring the parity price of many commodities.

Possibly cotton is the commodity to which the new parity formula is most applicable today.

We have had some good years since 1941; we have had some lean years—but, as for developing a national farm program which will serve us successfully for an indefinite number of years ahead, we are just about as far from success as we were 18 years ago.

Of two things we may be sure:

First, that any farm program which we may devise today will not necessarily be applicable to conditions which prevail tomorrow; and, second, politics will never supplant economics as a means of promoting farm prosperity on a long-range basis.

In this year of 1958, in spite of acreage restrictions, soil-bank incentives, production controls and other devices, American agriculture is setting an alltime record for production.

Temporary surpluses of certain commodities have become greater surpluses and apparently less temporary.

Technology and biology have thwarted every effort of the Congress to control production by law.

There are basic economic laws which do not lend themselves to political maneuvering.

Personally, it makes me feel good to think that the United States is the most productive agricultural country in the world and that our troubles are caused by surpluses rather than shortages.

The other day I read a prediction that the population of the United States would increase 100 million in the next 20 years.

While this may be disputed, we do know that at the present rate of increase we will be called upon to feed and clothe this increased number in not over 30 years.

This is the reason that while we stumble over the problem of surpluses, we are also planning to not only bring more land into cultivation but also to greatly increase the productiveness of acres and animals.

Sometimes I wonder if we really have surpluses today.

Or are we, through sheer obstinacy in refusing to see the facts of life accumulating, in the name of surpluses, food and fiber which ought to be flowing freely in the markets of the world?

The United States produces exportable quantities of cotton, wheat, tobacco, and vegetable oils.

The rest of the world needs these commodities, but because we have for years refused to look at the situation realistically we have seen the tobacco capital of the world move to Africa, competitive cotton production develop in a dozen countries, and the production of wheat subsidized by people of other lands who ought to be looking to us for their requirements.

The year 1958 marks a milestone in the course of agricultural legislation.

I am not referring to the corn, rice, and cotton legislation enacted by the 85th Congress.

I refer to the fact that in 1958 we took off the blinders and recognized our farm problems for what they are.

The fact that we have surplus problems is a tribute to the American farmer.

The fact that for over 20 years we thought we could solve those problems through political action alone is no tribute to anyone.

Our political thinking simply has been unable to keep up with the technological and biological progress in the field of agriculture.

In a sense, the work of the 85th Congress was as constructive as that of any session since I have been in Washington.

It may be that the legislation we enacted will not be any panacea so far as the producer of cotton and other crops is concerned.

We did have the honesty to recognize the fact that some of the remedies we had advocated in the past had not effected cures.

We did acknowledge that medicine which might be effective in time of emergency was not always effective in maintaining the health of the patient after the emergency was past.

The 85th Congress did have the courage to break away from the orthodox political position that only high guaranteed prices and greatly restricted production can cure the ills of agriculture.

Imbued with this new found courage, the Congress enacted legislation which, with the approval of the producers, removes the restriction on corn production and will permit greater production of cotton and rice at a lower guaranteed price.

Right here, I want to pay tribute to the cotton producers and the cotton industry for taking the lead in this epic departure from a practice of 20 years' standing.

I want to pay tribute to the Memphis Commercial-Appeal and its ace farm reporter, Jerry Dearing—not only for an outstanding job of farm news coverage, but also for the fact that Jerry works constantly to improve the farming industry of the South and is frequently called upon by Members of Congress for information.

Heaven knows what a Member of Congress, with an experience with cotton as limited as mine or even a Member with the experience of my chairman, Senator ELLENDER, would do if we could not call upon the Rhea Blakes, the Jerry Dearings, and other leaders of the cotton industry from California to the Atlantic coast for help and information.

Heaven knows too what we would do without the fighting leadership of men like JIM EASTLAND when it comes to cotton legislation.

No one can possibly know how many times these men have been called upon for help by Members of Congress who would otherwise be left largely in the dark in working on such legislation.

For the full 18 years I have been on the Agriculture Committee, my relationship with the southern members and the southern chairmen has been a satisfying experience.

Let me say here that much of the success in getting new legislation through the Congress last summer was due to the perseverance and the courage of Chairman ALLEN ELLENDER.

You know, we did have difficulties here and there even up to the day the conference report was finally accepted, but as members of the Senate conference committee, Senators ELLENDER and EASTLAND never wavered in the position which you folks for the most part sponsored. I stuck along with them believing their position to be sound.

As to the legislation itself, I think it is going to be beneficial.

It ought to make it possible to restore cotton to its time-honored position as an export crop, to put our domestic mills in a more favorable competitive position with the foreign industry and to ease the pressure on other farm commodities by reducing the competition which they would otherwise incur from unused cotton acreage.

I don't guarantee that the new legislation which takes effect next year will do all that we hope for it.

I do guarantee this—if, after a reasonable trial, it appears that the legislation is not in the best interest of agriculture and the national economy, I will be glad to cooperate in improving it.

There are some impatient souls who probably can't wait to find out whether this new legislation will work or not and we may expect the usual number of panacea proposals in the next Congress.

One proposal which seems to be enjoying a resurrection is the proposal for production payments on all leading farm commodities, the theory being that if production payments work for sugar and wool why aren't they good for every other farm commodity, too?

The supporters of this proposal fail to take into account the fact that in the interest of national security we are trying to increase the production of wool in this country and that we are not self-sufficient in the production of sugar.

It would be quite a different matter to apply the rule of payments to surplus commodities.

The theory is, of course, that every farmer would produce his crop, sell it for what he could get and receive a check from the Government to make up the difference between the selling price and 100 percent of parity.

This plan was formally promoted 9 years ago by the then Secretary of Agriculture, although I understand that it was originated years before that in the minds of a group of agricultural economists.

I was strongly opposed to the Brannan plan in 1949, not because of the payments themselves but because the producer in order to receive such payments would be required to operate his farm and each acre of it in a manner approved by the Secretary of Agriculture.

The present restrictions on the planting on cotton, rice, tobacco, and other basic crops are comparatively mild in comparison to the controls which would have to be exercised over the producer under the so-called Brannan plan.

The cost of an agricultural program which even now is creating widespread resentment would be multiplied several times over under the reincarnated payments program.

My allusion to the resentment against the cost of farm programs does not refer to an imaginary situation.

The public looks at the total amount of the agricultural appropriations legislation.

They say, "Oh, the greedy farmer is getting $6 billion or $7 billion a year out of us poor taxpayers."

They don't take into consideration and probably don't know about the two or more billion dollars a year that are charged to the farmer that is spent for the benefit of the nonfarm population.

They don't know that the loans of the REA, Farmers Home Administration, and others are returned to the U.S. Treasury.

But, regardless of the motivation for the resentment, we must not ignore the fact that the political influence of the farmer is not what it used to be.

The urban Members of Congress, particularly in the House, have been increasing their strength and can now vote down the farmer Members whenever they wish to.

They have demonstrated this several times in recent years.

Far be it from me to say that the public resentment against farm programs is entirely unjustified.

We have worked ourselves into some ludicrous situations.

Take the case of wheat, for example.

Congress has stated that the minimum planting of wheat should be 55 million acres.

Yet, because millions of acres that used to produce 15 bushels to the acre are now producing 35 bushels to the acre, we have accumulated a surplus that is literally running out our ears.

Cotton land has been put into wheat. Hay land has been put into wheat. New land has been put into wheat.

The high-grade wheat-producing States have seen their production shift to low-grade wheat-producing areas, while the surplus owned by the Government has climbed to mountainous proportions.

It may be said that the tobacco grower is also finding himself being edged into a difficult situation.

I have been waiting for the producers themselves to come up with workable solutions to their problems.

They know the fix they are in and I hope they know how to get out of it.

Personally, I would not try to impose any specific plan on these commodity producers but would first await practical proposals from them.

I could not support proposals which would only result in making a bad situation worse.

Representatives of the cotton industry and the rice industry and the corn producers came before the Congress last summer with proposals of their own which were adopted.

There were only 11 votes in the Senate against their proposals.

If the wheat producers come before Congress with workable proposals to improve their position, I am sure they will get very sympathetic consideration, but any commodity group which proposes to improve its own position at the expense of others would probably not get very far.

Last summer, I worked very closely with Senator ELLENDER and other Senators of both parties on farm legislation.

I know we are going to work together during the coming session.

Farm legislation should not be partisan legislation and, so far as I am concerned, it will not be.

There is one particular aspect of the present agricultural revolution that concerns me very much.

That is the plight in which the small farmer finds himself.

You notice I don't say family farmer.

When farmwork was done mostly by hand or mule power, the family farmer was indeed a small farmer.

That is not true any longer.

Many farm families are now producing a hundred thousand dollars a year or more of commodities without outside help except of a seasonal nature.

But, as the agricultural evolution has gone on, as developments have progressed in the field of technology and biology, large numbers of farmers on small farms find themselves in a position of being unable to make even a modest living for their families.

Even if supported at 200 percent of parity they still could not make a decent living according to present standards.

The Federal Government has taken recognition of this fact and, through the rural development program, has been undertaking to find ways to deal with the situation.

It is obvious that we cannot gear price support programs to the needs of the most uneconomic producer.

If we did this, we would impose a terrific penalty either on the taxpayer or on the consumers of the country, without adequately improving the position of the small farmer.

To produce food and fiber at excessive costs and hold it for excessive prices destroys both domestic and foreign markets and, thereby, reacts directly against the people it is planned to benefit.

By all means, we should continue and step up our research programs aimed at increasing production per acre, lowering costs, improving methods of handling, processing, and utilization and the development of new uses for farm commodities especially for those which are chronically in surplus.

I would also favor increasing our efforts to solve the problem of the uneconomic farmer, encouraging the production of specialty crops, shifting to crops which do not require extensive capital outlay, improving the available land on the small farm, increasing the number of productive acres where possible, and developing part time off the farm employment.

I know we can make progress in this direction, because I happen to live in a county where this transition has already taken place.

My own neighbors are living better than they used to and the value of the taxable property has greatly increased.

To make the rural development program successful and to enable people who love the land to continue to live on the land and to adequately support their families, we have to look beyond the matter of crop production alone.

Better rural highways, continuation of rural electrification programs without increased costs, better education and health facilities, and all these things which go to make a better living have to be part of the rural development program.

We have to do those things which will make industries want to come into our communities and provide work for our people.

The more people we can keep on the land, owning a bit of the soil and taking pride in that ownership, the more secure our Nation and our democratic form of government will be.

Finally, let me say that one reason I am here in Memphis today taking part in this great plant-to-prosper conference is because you folks of the Southern States reconciled your varying viewpoints on cotton legislation until you had something to come to Congress with.

I know you will give united support to other programs such as the rural development program.

It was a satisfaction to work with you on the constructive proposals you made last summer, and so long as I am a Member of the U.S. Senate you will continue to have my cooperation.

McCormack Predicts Strong Program by Democratic Congress and Democratic Sweep in 1960

EXTENSION OF REMARKS
OF
HON. THOMAS J. LANE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 20, 1959

Mr. LANE. Mr. Speaker, House Majority Leader JOHN W. MCCORMACK, when interviewed by John Harris, of the Boston Globe, expressed complete confidence that the big Democratic majority in the 86th Congress will legislate a sound and progressive program. With this record, the party will go before the people from a stronger position than ever before. Actually, the wealth of available talent to choose from is unprecedented. Senator JOHN F. KENNEDY, of Massachusetts, is the leading contender. In any case, the Democrats are sure to elect their standard bearer to the Presidency in 1960.

Mr. MCCORMACK, whose knowledge of major issues and keen sense of public opinion trends command respectful attention, believes that the people are with the Democrats all the way.

Summing up, the "field general" of the House Democrats said:

I look for an outstanding record, and look forward to 1960 to a complete Democratic victory, including the White House and Congress.

As the 1st session of the 86th Congress faces up to its responsibilities, I believe that we should read the views of our majority leader. Therefore, under unanimous consent, I insert in the RECORD the following article from the January 4, 1959, issue of the Boston Sunday Globe:

DEMOCRATIC HOUSE LEADER MCCORMACK'S PREDICTIONS—WHAT NEXT 2 YEARS WILL BRING: NO SPLIT IN DEMOCRATIC PARTY; MRS. ROOSEVELT'S ROADBLOCK WON'T STOP KENNEDY; NIXON TO GET NOMINATION, LOSE ELECTION

(By John Harris)

The topheavy 2-to-1 majority the Democrats have won in the new Congress will not lead to unwieldiness, said Congressman JOHN W. MCCORMACK, but will mean Speaker RAYBURN and I will have a workable majority with no worry, as in the past, about coalitions between Republican and 25 to 40 Democrats, mostly from the South.

The veteran lawmaker, majority leader in the National House of Representatives, made these other highlight observations in the course of an interview on the incoming Congress, its relations with the White House and potential effect on the 1960 election:

"Of the presidential candidates, I think Senator JOHN F. KENNEDY is in the best position at the present time. The best evidence is that Mrs. Roosevelt's recent statement was an attempt to throw a roadblock in his way, but I do not think that was accomplished.

"The Berlin situation is very disturbing because of the geographical location of Berlin, isolated from the rest of the free world. But I do not conceive of the Kremlin being willing to go to general war over Berlin.

"The new Democrats elected to Congress are practically all of them progressive-minded. So the results of the last election were a good thing for the country, which is stronger and our people best served when progressive leadership is in control of the Government."

Does Congressman MCCORMACK feel that the Democratic Party will be split in 1960's national convention by the civil rights issues which have become prominent, tangles in the new Congress, with the Senate divided over the filibuster rule change, and the House confronted with the disputed seating of a segregationist from Little Roek?

"I don't expect," said MCCORMACK, "that there will be any severe difficulty or tension in the 1960 National Democratic Convention because there is a civil rights bill on the statute books.

"It is more difficult to create a split when there is a law on the statute books than when there is not. The civil rights bill was passed by the 85th Congress, a Democratically controlled Congress, the first time any such legislation passed in about 90 years.

"Even with the division in the Democratic Party on this question, a Democratic Congress did pass this historic bill. It is interesting to note that only 6 years ago we had a Republican Congress and President Eisenhower, a Republican, was in the White House, and the Republicans did not even report a civil rights bill out of committee in either House.

"This makes the achievement of the 85th Democratic Congress all the more significant.

"Having been chairman of the platform committee at three of the last four National Democratic Conventions, I think by hard experience I'm in a position to form an opinion on this matter.

"I do not look for any trouble—or party split—in the 1960 convention. There'll be some talk about third party and an impending split, but it will only be interesting reading in the newspapers.

"In my opinion there is no such danger. The Democratic Party will go into the 1960 election united."

With the increased progressive membership from the northern section of the Nation, and particularly from the West, what legislation does Congressman MCCORMACK foresee the new Congress will enact?

"There will be housing legislation, a depressed area bill, an increase in minimum wages anywhere up to $1.25 an hour, an acceleration of the interstate highway program, modernization of airports to make them safer for passengers in the coming jet age, further consideration of amendments to the Social Security Act such as increasing the amount that can be earned after retirement, and, if the recession grows worse, there will be legislation of an antirecession nature.

"The Democratic Party above all stands for strong national defense and a firm foreign policy. We must recognize that the Communist challenge of world revolution and domination is stronger than in the past and we must be as determined as ever. We can never permit ourselves to get in a position where we lose our retaliatory power."

Will the Democratically controlled Congress exceed the pared down $77 billion budget proposed by President Eisenhower?

"If we feel it is in the interest of national security we will do so as in the 85th Congress. Then the President wanted an Army of 870,000 and we appropriated for an Army of 900,000.

"He requested 175,000 marines; we appropriated for 200,000. The President was for reducing the Armed Forces.

"The Democratic Congress felt in the world today that was too great a risk to take. I still feel that way."

What can the Congress do about a stronger foreign policy?

"The important thing is that we do not have a shifting from day to day, week to week on foreign policy because that is a sign of weakness and uncertain leadership. The only thing the Congress can do is to mold public opinion. We've certainly done that in the past. We intend to do so in the future.

"Congress, under the Constitution, cannot make foreign policy. The President is the sole repository in the field of foreign policy as he is also Commander in Chief of the Armed Forces. But Congress can criticize and propose, and the Democrat Congress will do this.

"Congress will also cooperate on a bipartisan basis with the President although there has been little evidence of real bipartisan action on the part of President Eisenhower because the Democratic leadership in Congress has not been consulted before policy is made.

"In the interest of the country, the President would be following a wise course if he consulted Democratic leadership before major decisions are made. This does not mean he has to accept our opinion, but on the other hand we might be able to make excellent contributions and it would have a marked effect on our people and the world, for the world, free and Communist, would know there is real unity."

What about cooperation between the White House and Capitol Hill, now that the Democrats rule the Congress by a 2-to-1 margin?

"No difficulty on real cooperation on the part of the Democrats, because we've been giving cooperation to President Eisenhower under painful conditions.

"The matter of real cooperation rests with President Eisenhower and the Republicans. The interest of the country is greater than any political party."

Looking forward to 1960, McCormack said:

"From the Democratic angle the issues of the 1960 election will be made by the 86th Democratically controlled Congress. It will be the basis for us going before the people. I look for an outstanding record, and look forward to 1960 to a complete Democratic victory, including the White House and Congress."

On the subject of presidential contenders:

"There are a number: Senator KENNEDY, Senator SYMINGTON, Senator HUMPHREY, Senator JOHNSON, Governor Williams, Governor Meyner, Gov. Pat Brown if he has the thought in mind, Adlai Stevenson, several others.

"The Democrats have a wide field of qualified candidates to pick from.

"The Republican Party is in the opposite position. In the first place they are badly split on basic questions. The old guard Republicans are groping out of the underground and they have great strength in their national convention.

"The Republicans have only Vice President NIXON and Governor Rockefeller.

"I do not think Vice President NIXON will make a strong candidate on the voter level. He has powerful opposition in his own party and has lost prestige with the people.

"He's trying to flirt with both progressives and standpatters. That's difficult to do, particularly on the presidential level.

"The progressive-minded people do not like his policies.

"On the other hand the standpatters do not like Rockefeller. There is a bad schism in the Republican Party right across the board. This does not exist in the Democratic Party. Furthermore, President Eisenhower's influence is waning, and his strength has been personal rather than political. He has shown inability to transmit his strength to other Republicans.

"In my opinion NIXON will get the nomination because he has practical control of the party machinery, and the Republicans have no one else to select.

"I think Rockefeller is too smart to be a candidate in 1960 with the political conditions existing then, and he'll wait for a later date."

Removal of Two-Term Limitation on Presidency

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 20, 1959

Mr. CELLER. Mr. Speaker, on January 15, I introduced a joint resolution proposing a constitutional amendment to repeal the two-term limitation imposed upon the Presidency. The constitutional amendment which first enacted this limitation was never thoroughly considered. It was never a clearly thought out proposal, used for constructive purposes, but was, in my opinion, an emotional reaction against President Roosevelt, who had succeeded in winning four elections. It was enacted by the Republican 80th Congress with unbecoming haste.

Time has proven how sorry a mistake this amendment is. The country is living with a lameduck President who, in his second term, has lost much of the political power essential to him for leadership. It hampers, in my opinion, the treatymaking powers of the President, and is disadvantageous in the delicate day-to-day operations of our foreign affairs.

In short, with such limitation—namely, that his powers terminate on a day certain—the President loses effectiveness, both at home and abroad. Moreover, this limitation is to my mind an unjustifiable expression of distrust of the electorate.

I firmly believe that the repeal of this amendment is one of the musts of the 86th Congress.

More Funds for Great Lakes Connecting Channels

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Tuesday, January 20, 1959

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement which I have prepared entitled "More Funds for Great Lakes Connecting Channels."

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MORE FUNDS FOR GREAT LAKES CONNECTING CHANNELS

In reviewing the 1960 budget submitted to Congress yesterday, I am deeply disappointed by the inadequate funds recommended for a particular program—the deepening and development work on the Great Lakes connecting channels.

The $23 million proposed for this work is, I am informed, absolutely inadequate—if we are to put the target date of 1962 for completion of the work on the connecting channels.

As we recognize, the Great Lakes States beyond Lake Erie will be denied the benefit of the completed seaway until the connecting channels are deepened to handle 27-foot, deep-draft shipping to and from the lakes region.

OPENING OF ST. LAWRENCE SEAWAY IN APRIL

As we know, the St. Lawrence Seaway itself is scheduled for opening in April of this year.

The event will mark a milestone of progress in this great joint United States-Canadian project that will open the door of the Great Lakes to deep-sea trade and commerce of the world. Until now, the seaway commerce into the St. Lawrence has, unhappily, been restricted because of limited depth—prohibiting the passing of deep-draft vessels through its channels.

The Great Lakes-St. Lawrence area includes many of our States of the upper Midwest, and the Provinces of Ontario and Quebec in Canada. Within this area live one-third of the people of both countries.

In this Great Lakes region, too, is concentrated the greatest industrial-agricultural complex in the world. To unwisely postpone benefits of the seaway to the major portion of this region, I believe, would be detrimental to both United States and Canadian interests.

Subsequently I shall make recommendations for additional moneys, in accordance with the amount the Corps of Engineers can effectively put to work, to try to assure completion of the connecting channels by the target date of 1962.

In the days ahead, also, the Congress will be faced with a number of additional important decisions on the seaway.

SEAWAY FILM

Incidentally, I am aware that a great many Members have not had the opportunity to benefit from an on-the-spot look as the St. Lawrence development project—one of the greatest engineering and construction feats in history.

To provide an idea of the scope, magnitude, and potential of this great project, I have arranged for a film to be shown in the Old Supreme Court this afternoon.

The film, produced by the St. Lawrence Seaway Development Corporation, is the fourth in a series of many entitled "The Fourth Seacoast," portraying the most recent development in the seaway.

The film, a 14-minute, color movie, will be shown between 2 p.m. and 3 p.m. this afternoon. As necesary, it will be rerun during that period to assure interested individuals a chance to see it.

Although I know that Senators will be extremely busy, I cordially invite you to drop in to see the film, if it is at all possible.

The Import Difficulties of the Automobile Industry

EXTENSION OF REMARKS
OF
HON. DANIEL A. REED
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 20, 1959

Mr. REED. Mr. Speaker, during the last session of Congress, I included in my remarks the text of an address made by Mr. Roger M. Blough, the board chairman of the United States Steel Corp. Mr. Blough called attention in his speech to the increasing flood of imports of steel and steel products and their resulting adverse effect on the American steel industry and our domestic economy.

Mr. Blough did not believe that reasonable tariffs to equalize foreign and domestic costs were the solution to the steel industry's problem. Rather, he felt that restraint with respect to wages could offer a solution. I pointed out at the time that, while I agreed with his statement of the problem, I did not agree with his solution.

Now another leading industrialist, Mr. Ernest R. Breech, chairman of the board

of the Ford Motor Co., has cited the problems facing the American automobile industry as a result of the economic resurgence of Europe.

Mr. Breech and the other automobile manufacturers have good reason to be disturbed about the flood of imports and the failure of other nations to reciprocate our Government's generosity with respect to admitting imports. Yet, in part, policies which he espouses have caused this situation.

For the year ending October 31, 1958, the United States imported 398,791 automobiles. Over the same period we exported 130,723. From the viewpoint of the shareholders and workers in the automotive industry, such a 3-to-1 adverse ratio can scarcely be interpreted to mean that the foreign trade policies of the United States were written and are being administered with their welfare in mind.

And the situation would appear to be deteriorating rather than improving, in view of the fact that our automobile exports for the first 10 months of 1958 were down 10 percent from the same period of 1957; and our imports were up almost 100 percent.

While I am not an expert in the affairs of the automobile industry, one has only to do some simple arithmetic to compute the effect of this situation upon our workers. Some 600,000 people on the average were employed in the industry in 1958; production was 5,119,720 units. Thus, it might be said that roughly each worker produced about 8.5 automobiles during the year. Employment figures for the automotive industry show substantial month-by-month variations. The 600,000 figure is believed to be a relatively conservative one, rendering the results discussed elsewhere also on the low side.

Hence, we see that the 398,791 automobiles imported displaced some 44,300 jobs in the automobile industry.

On the other hand, and for the latest available 12 months' period, the exports of 130,723 vehicles provided jobs to some 15,400 workers.

The next time the free-trade advocates from Detroit express concern over unemployment in that area, they might well give some thought to the fact that the difference between the jobs displaced and the jobs created showed a net deficit of 28,900 jobs. That conservative estimate is no insubstantial number of unemployed American citizens, the vast majority of them in Michigan.

Now, in its monumental study, "The United States in World Trade," the American Tariff League makes the following statement:

> It can be estimated that for every 100 jobs permanently lost, a community is deprived of $360,000 in annual retail sales; $270,000 in bank deposits; 107 automobile registrations; 112 households; 74 jobs in other enterprises; 4 retail establishments.
>
> In addition to this approximate equation, other significant cutbacks must be computed, such as reduced Federal, State and local tax revenues; greater outlays for unemployment compensation; declining school budgets; less income for charitable purposes.

If these 28,900 jobs are permanently lost in the automotive industry, we can then apply the league's ratio of 74 additional jobs lost to each 100 manufacturing jobs lost, and we have 21,200 more unemployed, or a grand total of 50,100 jobs lost—again mostly in Michigan.

Let us assume that the annual wages of each of the 50,100 workers would have been $4,000 a year, a conservative figure. Again by simple arithmetic, we find that the imports were costing American workers $200,400,000 in wages lost over the 12 months named—again mostly in Michigan.

I would now like to call my colleagues' attention to the conclusions of Mr. Breech. While I would agree with him that the problem is serious and that American automobile manufacturing suffers from a serious cost disadvantage, I differ markedly from some of his conclusions. As one of his conclusions, he states:

> If America's cost disadvantage continues to increase, however, it seems to me that we must anticipate an increasing flight of American capital and much more sourcing of parts and products abroad. A trend in this direction is already evident. American manufacturers of tractors and farm implements, as well as typewriters, office machines, cameras, and optical instruments—particularly goods having a high labor content—are increasingly sourcing and manufacturing in Europe, Latin America, and Japan for sale in the American market. I suggest that what is now a trickle may grow to a flood which could disrupt both production and employment patterns here in the United States.

I disagree with him that this transplantation abroad of American capital and, more importantly, American jobs is now only a trickle. It already is disrupting both production and employment patterns here in the United States. Already substantial, it will inevitably continue to grow under the foreign trade policies our Government has practiced for the past 25 years. I agree with him that any such deteriorative situation is unfortunate.

His next conclusion deals with the same point:

> Now it seems to me that, if we want to sell in expanding world markets, and more importantly if we do not want to see American production and jobs disrupted by the flight of capital and industry abroad, we are going to have to remain competitive in design, quality, costs, and prices with foreign industry.

By all means we must remain competitive in design and quality. However, with the labor differential so substantial between our workers and those abroad, we cannot now compete with respect to costs and prices; nor will we be able to do so in the foreseeable future. This problem is not unique to the automobile industry; it is true of hundreds of other American industries.

Mr. Breech rejects the use of reasonable tariffs to make our prices and costs competitive with those of foreign industry.

I do not agree.

Reasonable tariffs offer us at least a partial method of insulating our American standard of living against the ravages of cut-rate, foreign competition. And yet, as every Member of this House must know, I have never advocated the use of the tariff simply as a mechanism to exclude foreign goods from our markets. Rather, I have long advocated the principle of fair and open competition between American manufacturers and their counterparts overseas; and one way to insure this kind of competition is to use reasonable tariffs as an equalizing device.

If our automotive industry is to reduce its costs and prices as he suggests, all I can suggest is that they had better hurry up.

Mr. Breech also considers the lack of reciprocity abroad to be a major problem and I agree with much of what he says on this:

> Here I want to point out that, whatever our own problems of cost reduction, we must be granted full and free competitive access to foreign markets.
>
> The theory that trade is a two-way street applies just as much to our foreign competitors as it does to us. If we are to give free access to the American market to foreign producers with size and efficiency comparable to ours and with substantially lower wage costs, we must ask an equally fair crack at their markets.

Here I would point out that in 1957, Great Britain allowed only 265 American automobiles to be imported, and a scant 576 found their way to West Germany. This does not seem to me to be reciprocal trade. In 1957, the United States exported 142,000 cars, while West German auto exports exceeded 500,000 and Great Britain shipped 426,000. Both countries, of course, did much better in 1958.

For 25 years, the State Department has been, in effect, telling us that, if we provided a good example by lowering our tariffs, other countries would reciprocate. I believe that Mr. Breech's own remarks show how unsuccessful that policy has been:

> Today, some European countries have tariff and quota barriers so effective, or penalties so high, as virtually to exclude all imports of various U.S. manufactured goods. Take the case of automobiles.
>
> As you may know, our tariff on imported cars was recently lowered from 10 percent to 8½ percent. We have no quotas or other restrictive devices such as currency controls.
>
> Now consider a 1959 Ford Fairlane 500 Fordor Hardtop, with full optional equipment, delivered in Pittsburgh. The suggested list price is about $3,600, including State and Federal taxes, although, as in the case of many other products, it is common knowledge that the actual cost to the customer may be somewhat lower than the manufacturer's suggested retail price. If you wanted to buy the same car in France, England, or Italy, you would have to hurdle barriers of severe quota restrictions and heavy cost penalties.
>
> In France, the delivered price of that car is about $8,200. It includes no less than $3,200 of duties, a 40 percent premium for dollars called an equalization fee, and special purchase taxes. You would also pay an annual use tax of about $240. In Italy, it would cost $5,800, with a penalty of $1,400, plus an annual use tax as high as $302.50. In England, the price would be about $8,000, with the penalty composed of a 30 percent duty and a 60 percent purchase tax—which is applied without discrimination, however, to all passenger vehicles.
>
> As if these formidable barriers were not enough, imports are further limited by severe quotas and related devices. France admits only 12,000 vehicles a year from all sources,

the United Kingdom presently restricts imports from the United States and Canada to 650 automobiles per year—even that quota has not been filled every year—and Italy admits only a few hundred American cars.

I have many times commented on this lack of reciprocity which Mr. Breech so clearly documents in his address. For 25 years I have been listening to the State Department promise that the condition would be corrected.

Imports are not the only problem which has faced or now faces American industry. Obviously there are others, such as styling changes, consumer tastes, management-union controversy, and a host of like problems. But I would state, as anybody who goes out to a nearby traffic light can see for himself, that imported automobiles are one of them—and an extremely serious one at that.

I am concerned about the small shareholder who has invested his hard-earned savings in the automobile industry. I am concerned with the men and women who have lost their jobs. I am concerned with the young people who are unemployed because of diminishing job opportunities.

The major segments of the automobile industry have for some years preached the doctrine of ever-freer trade. Leaders of the United Auto Workers have also preached this doctrine. I should think that their shareholders and union members would today be wondering about the wisdom of such policies.

I might, therefore, respectfully urge that those business and union statesmen, who have been preaching freer trade, might wish to reevaluate their own policies.

I deeply regret I can foresee no immediate improvement in the situation.

Comprehensive Conflict of Interest Bill and Government Ethics Code

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 20, 1959

Mr. CELLER. Mr. Speaker, on January 15 I introduced two bills in Congress to strengthen the Federal conflict-of-interest laws and to enact a comprehensive code of Government employment ethics.

Testimony taken before the Antitrust Subcommittee and before other congressional bodies has revealed that a thorough revision of the Federal laws prohibiting conflicts of interest in Government employment is long overdue. Existing laws are confused and inadequate. They contain pitfalls for the unwary and loopholes for the unscrupulous.

To correct this situation, one of the bills I am introducing today revises, simplifies, and coordinates the conflict of interest statutes and the related prohibitions against bribery. The measure should assure the Federal Government of the maximum protection against unethical practices, without unduly impairing the attractiveness of the Government service to competent persons.

Principal provisions of this bill include the following:

First. Lifetime prohibition of breaches of confidence in matters formerly worked on by employees who leave the Government.

Second. Prohibition of payments to—as well as receipts by—Government officials of compensation for services rendered before Federal agencies.

Third. Uniformity of provisions prohibiting bribery of officials, and extension of bribery provisions to witnesses before committees of Congress and before Federal agencies.

Fourth. Cancellation of Government contracts, licenses and grants consummated in violation of the conflict of interest and bribery laws.

The other bill that I will introduce would enact an overall code of ethical conduct to cover employees of all Government agencies, as well as all former employees, and members of the public dealing with the agencies. Unlike existing law, this bill would provide administrative penalties, including, first, discharge, for employees who engage in unethical conduct; second, suspension or disbarment of representatives who violate rules governing the activities of former Federal employees; and third, disqualification for contracts and grants of private parties who engage in unethical practices in dealing with the Government.

Address by Jose A. Benitez at the Democratic Victory Dinner at San Juan, P.R.

EXTENSION OF REMARKS
OF
HON. JOHN F. KENNEDY
OF MASSACHUSETTS
IN THE SENATE OF THE UNITED STATES
Tuesday, January 20, 1959

Mr. KENNEDY. Mr. President, I request unanimous consent to have printed in the CONGRESSIONAL RECORD a speech which was made at a Democratic dinner in San Juan, P.R., by Mr. Jose A. Benitez, who is the chairman of the Democratic Party of Puerto Rico. On December 15, I had the privilege of speaking before the victory dinner of Puerto Rico's vigorous Democratic Party. Mr. Benitez, who is one of Puerto Rico's outstanding young leaders, is the author of "Puerto Rico and the Political Destiny of America," and his speech conveys the talent and imagination which characterize public affairs in the Commonwealth of Puerto Rico.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS BY JOSE A. BENITEZ, CHAIRMAN, DEMOCRATIC PARTY OF PUERTO RICO, AT THE GREAT DEMOCRATIC VICTORY DINNER HONORING SENATOR JOHN KENNEDY, DECEMBER 15, 1958, AT THE SAN JUAN INTERCONTINENTAL HOTEL, SAN JUAN, P.R.

Mrs. Kennedy, Senator KENNEDY, and distinguished guests, thanks to all of you present and all of you listening on the radio, for the great cooperation to the Democratic Party and to me in the organizing of this great Democratic victory dinner. We are Democrats; the Puerto Ricans are born Democrats, because we unquestionably believe in the principle of our great organization, the party of the people, for the people, and by the people.

Senator KENNEDY, Puerto Rico welcomes you. You represent our ideals of a democratic way of life to which we as a community are devoted. Puerto Rico stands out in the world as one of the most progressive places. We do not know of racial discrimination, of religious intolerance, or of social and economic oligarchy (óligarqui). Our people recognize that this progress has been achieved to a large extent to the clear understanding of our philosophy by the leaders of our great Nation, like Franklin Delano Roosevelt, Harry Truman, and those in the U.S. Senate like Senator KENNEDY, who always have given us their effective support to the solution of our political, social, and economic problems.

The leadership of our Governor, Luis Muñoz Marín, has guided our people through the path of unprecedented achievements which have brought noticeable welfare and happiness to Puerto Rico, and prestige and respect to our great Nation throughout the world.

We have achieved only part of our goals. We are a young and struggling society ready to go beyond our geographical limits imposed by the great oceans, to work on behalf of effective democracy in our hemisphere. For example, we are not completely satisfied because we do not have the internal threat of communism in Puerto Rico. We will be satisfied when we can say that the Communist threat is completely wiped out in all Latin America. The young and strong faces you have seen in Puerto Rico, and you see here tonight, is the best example of the decision of our new generations to actively participate in all phases of our democratic life. We do not want to lose time going back on what we have accomplished. This is past. We are anxious to devote our energies and intelligence to the job we have ahead.

In view of the forbidding political situation overshadowing the shrinking world in which we live, it is to be hoped that the great international leaders of the free world will come to recognize the necessity of strengthening and securing the life of their people, uniting them in commonwealths of maximum potentialities. The differences between nations having great territories and large populations together with powerful economic resources, and the nations possessed of small territory, small population, and scanty resources can be adjusted only by the unification of peoples with the same ideals, interests, and common ambitions, unification directed toward the end of becoming greater through such understanding.

In a world such as ours, full of driving and competitive tendencies, with some nations engaged in the barbaric domination that enslaves weaker ones, our chief problem is no other than that of assuring our survival by making ourselves the fittest, through mutual defense and cooperation with the other nations in our hemisphere.

From the early days of tribal life to the present, humanity has moved always toward greater community concentrations. This beneficial tendency has proceeded, however, at a slow pace, a gait that has dragged heavily on the potential advancement of civilization.

It is a shameful fact, and the fault of world leaders, that scientific progress has had its greatest and most rapid advancement in the forced culture of wartime. But such is a fact. Nations that could develop with more splendor and nobility in time of peace, have been very busy consuming the acid fruits of their selfishness, giving lit-

tle consideration to the magnificent possibilities for their own enlargement through the fraternal growth of humanity.

The evolution toward a unique government of the human race—which is inevitable in the centuries to come—would have no civilized virtue if it were to come into being through the domination of men by man. However, the present leader in the movement toward the gathering of peoples is a piratical colossus. He is indeed swiftly forming mighty conglomerates, both in population and in geographical expanse. And that being the case, prudence dictates that we face the inevitable conclusions and not delay a moment the labor that must be committed for our progress toward the conquest and the fulfillment of our future.

Our hemisphere cannot ignore the realities of life at the crossroads where its nations stand today. The countries of the two Americas should earnestly and deeply meditate the historical implications of the moment in which they are immersed; their weakness in their present isolation in the stormy international currents; the greatness which they could achieve in a hemispheric bloc, and the energy which could be generated in social, economic, scientific, and cultural interchanges among the American nations. In a word, it is necessary to rationalize and to see the mission which a united America, pioneering and unselfish, could accomplish for the peaceful and fruitful organization of the genuinely civilized world of the future.

The incalculable natural wealth that the enormous territory of the American continents holds—still largely neglected, or unsuspected, in the soil—once developed to capacity could supply all the needs of the world.

The American nations occupy a comparatively virgin land. They are not subject to the grievous pressures for existence that bear upon communities of the Old World, where feelings of discouragement, despair and desperation have driven the people often to the road of war as a means of escape.

Our hemisphere must turn its eyes to its fitting and unexplored greatness, developing and directing it, and offering its fruits generously to the nations that now fight for a place under the sun. The contribution of America thus offered loyally for human fellowship could and should reestablish the equilibrium of those tormented nations whose constriction has induced them to make war and thus to retard the advancement of civilization.

The Americas could and should provide the rest of humanity the additional resources needed for its happiness, abandoning all reserve and hostility. Because of its youth, our hemisphere has all the conditions, qualities, riches, and strength needed for the task of fraternally reconstructing the world to a degree which up to now has been spoken of only in a theoretical way. Its healthy youth, its unselfish and graceful spirit, place the Americas in the privileged historic position to be the human bloc that will find ways of removing disputes and problems of the world through brotherly devices, doing away with the dark barbarity of violence.

The United States evidently is the most highly developed and efficient power in the American sphere. Its strength not only could establish its leadership from Alaska to Patagonia but also could extend it to the most distant corners of the world. As the chief defense against the antagonistic attitude shown by Russia to the nations of the Occident, dominated as Russia is by an imperialistic greed for expansion and world control, the United States is under an obligation to protect the right of liberty and the useful life, and to continue in this role, maintaining through various alliances the means to safeguard conservative and altruistic ideals. These alliances must be effected even with nations which are in many respects quite different in their character and interests, to the end that there will be a universal human fraternity and the development of a common civilization which will endure forever. But she should give first thought to the protection, security, and survival of the occidental nations that have a mutual area of interests. In this time of continuous threats to world freedom, the United States has no alternative; it must put all its resources at the service of the defense of all friendly nations whose fortunes are tied to its own security.

Her responsibility and concern regarding affairs more distant certainly does not mean that the United States should not give first attention to the historic mission close at hand, that of establishing a fraternal union with the Latin American nations of the hemisphere. It is to be hoped that the leaders of our great Republic to the north will consider giving urgent precedence to work for an understanding with their Nation's neighbors in Latin America, so as to begin the germination of hemispheric unity as a starting point toward the greater, worldwide work which destiny seems to have reserved for our hemisphere.

On the other side, I feel sure that the leaders of the Latin American countries will do no less in the vital appointments than they have with history.

All the leaders must stubbornly strive to give creative objectivity to the mission which is theirs to fulfill in their respective communities, to build the new world that is to come. The United States and Latin America could provide preponderantly the techniques and resources and, above all, the virtues of brotherly unselfishness which would be required for the achievement of the great task.

It is unnecessary, perhaps, to point out that the peoples of all the Americas are equally obligated not to shrink from the massive demands of the glorious gesture that the desperate, cornered state of humanity calls for.

The task is there. It is for its missionaries to carry it through to victory.

In the course of the historic mission that the American nations could jointly fulfill to obtain the world fellowship that I am advocating here, an immediate benefit to all the nations of the hemisphere would be a rapport established with each other, erasing the frictions and prejudices that grew up in the creation of the intercontinental society. In a great measure, these prejudices and frictions are ghosts of doubts and suspicions begotten by the distrust and lack of communication which has predisposed the various races. In a lesser way—also ghosts, because they belong to errors of the past—the prejudices of Latin America are the result of the intervention by the United States on Latin American soil, prior to the time when President Franklin D. Roosevelt established a policy of hemispheric friendship.

As the two continents were drawn to each other in a cordial and loyal approach, they would remove frontiers that today separate North, Central, and South America, not geographically and politically, but with regard to interests and abstractions that are equally formidable.

Such an approach, based on fraternity and cooperation, would relieve the United States of an outside search for that which she needs to prosper and to enlarge herself and would similarly put within easy reach of Latin America all the productive resources that are lacking within its geographical limits. The two would contribute their respective potentialities—those already developed and the much more copious ones which are yet undeveloped—so that in a few years the resulting social, economic, scientific and cultural advancement would be enormous.

Puerto Rico is by origin Latin American. It entered into political relations with the United States in 1898. The island suffered from the same problems of misunderstanding and remoteness that exist today between the United States and other Latin American communities. Puerto Ricans faced incomprehension and indifference. There could be no success for us that was not based on the greatness of both the people of the mainland and the people of Puerto Rico. As soon as we began to draw together, all incomprehensions and prejudices fell apart, and our association, fortified today by the bond of citizenship, growth in the rich interchange on which our development is based.

If our Puerto Rican leaders succeeded in helping accomplish this American union, why could not the leaders who today orient the policies of other Latin American communities broaden and advance such diplomatic gains?

Communist Russia knows that its cunning expansionism cannot undermine, even in a clandestine way, the compact and powerful unity of the North American people. That is why it is maneuvering desperately to infiltrate its germs of anarchism, weakness, and demoralization in the vital organs of the Latin American countries, through seemingly advantageous economic offers that doubtless could endanger the stability and free determination of those communities. Can we be so deceived as to yield to an economic infiltration over which hovers the steel expansionism and the grasping domination that have enslaved so many satellites in Russia's barbarous orbit?

Nothing that Latin America and the United States could wish for to improve their respective communities needs to be searched for in the Old World. They have everything needful in their own territory, or if anything is lacking temporarily it can be found by exploration of hemispheric resources. The continents—under the infinite guidance of God—must hope that the leaders of the several nations may have the vision of their enormous destiny.

The North and the South must end their disagreement and each one get rid of the limitations that hinder this settlement. And instead of addressing each other in stilted diplomatic language they should start to speak the vernacular of the family.

The hemisphere may hope that the United States and Latin America will gracefully accomplish the part which is required of each one. The destiny of both is the political destiny of all America.

God will order affairs so that the lesson of Puerto Rico will guide the achievement of the task that the American nations can fulfill for the progress of human relations.

Puerto Rico broke down the barriers of misunderstanding with the United States, and has thus developed, under the cordial influence of the resulting rapprochement, its multiple and vigorous potentialities.

This privileged position enables the Puerto Rican people, intellectually, politically, and psychologically, to serve as a responsible spokesman to the United States concerning the values which the Latin American people could contribute on behalf of the general good of this great hemisphere of ours.

The world more and more is tending to lose its nationalistic barriers. It will be ripe, in the course of time, to accept the idea of a single governmental organization administered on the concept that there is only one humanity. The leaders of the great geographic communities—as the Europeans, the Asiatics, and the Arabians have begun to do—are under the obligation of grouping and strengthening their energies, to spread the greatness that dissolves selfishness, shares potentialities, ennobles life, and perfect civilization.

Puerto Rico wishes to sow its humble portion of seed in a furrow of the planting of

brotherhood that will bring forth the mighty unified America that is on its way.

Senator KENNEDY. The new generations of Latin America and right here in Puerto Rico are eagerly looking forward to a new and effective foreign policy by the United States of America, based on the philosophy that we are more than good neighbors; that in our world of today we are fraternal brothers. These new generations are anxiously waiting for men like you to implement with the help of Almighty God an effective "good brother policy."

Address by Hon. Spessard L. Holland, of Florida, Before the 40th Annual Meeting, American Farm Bureau Federation, Boston, Mass.

EXTENSION OF REMARKS
OF
HON. JAMES O. EASTLAND
OF MISSISSIPPI
IN THE SENATE OF THE UNITED STATES
Tuesday, January 20, 1959

Mr. EASTLAND. Mr. President, on December 10, 1958, the distinguished senior Senator from Florida [Mr. HOLLAND] delivered a thought-provoking and challenging address at the 40th annual meeting of the American Farm Bureau Federation in Boston, Mass.

In order that Senators may have an opportunity to read this address, which calls attention to some of the most vital issues of our time, I ask unanimous consent to have it printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A TREND AND A CHALLENGE

(Address of SPESSARD L. HOLLAND, U.S. Senator from Florida, Democrat, before the American Farm Bureau Federation's 40th annual meeting, December 10, 1958, Boston, Mass.)

I am happy to be one of your speakers at this 40th annual meeting of the American Farm Bureau Federation, and to join such distinguished guests as Mme. Chiang Kai-shek, my able colleague, Senator BARRY GOLDWATER, of Arizona, and your former president, Allan Kline. I had the pleasure of addressing you at your 36th annual meeting in New York City and I am indeed glad to be with you again today.

May I express to you, and through you to all members of the American Farm Bureau Federation, my deep appreciation for your naming me to receive the American Farm Bureau distinguished service award in 1956 at Miami. This award brought to me very great pleasure and pride, and I am humbly grateful for all it signifies.

My association with your splendid organization has brought me many pleasant and helpful experiences. I have frequently sought and obtained valuable assistance from the members of your exceedingly capable Washington staff, and have always enjoyed the full cooperation of the officers and members of our Florida Farm Bureau.

I have found your thinking on agricultural legislation—and indeed on national affairs generally—in close accord with mine, in most instances, and when we have not been in complete agreement you have always been courteous and tolerant of my convictions. In my opinion, your State organization in Florida, and your national organization always approach constructively and patriotically the many difficult problems in the field of agriculture, and I congratulate you warmly for your sound leadership and your major contributions in this vital field.

I am glad to have this opportunity to talk to you this morning about a trend in our country which disturbs me greatly and which, if permitted to go unchecked, may well lead to the destruction of our American way of life—the finest yet conceived by man.

The trend I speak of is that which is now moving away from individual freedom and initiative toward an ever enlarged Federal Government and a labor supergovernment—at the expense of the rights and privileges of States, local governments, and individuals. Unfortunately, many of our people cannot understand that they themselves are the Federal Government, that they pay all of its bills, and that they the people get nothing free from their Government. They do not realize that by looking to that Government for handouts—each of which costs them certain rights and privileges—they lose each time a little more of their freedom, and that little by little they are giving away their heritage. Even as small children we heard with amazement the Bible story of a hungry Esau who carelessly sold his birthright for a mere bowl of pottage, but now—as mature men and women—some of us are willing to actually give away our heritage—since we not only pay for the small bowl of pottage we receive in return for certain of our freedoms but we also pay extra for handling charges.

Having worked closely with your officials throughout the years, I know that they and you are well aware of this dangerous trend. I know that the American Farm Bureau is moving in many ways to try to reverse that trend, but I hope that all of you, as individuals and as members of this powerful organization, will leave this meeting today determined to personally wage an unremitting fight against a situation which, if it is permitted to continue, will gradually—but surely—take away from us many of the precious liberties for which much blood was shed by our forefathers. Perhaps some of you will feel that I am unduly disturbed over this drift away from our constitutional form of government. I hope that my remarks will convince you that the situation is serious—almost perilous—and that it presents a personal challenge to every man and woman within the sound of my voice.

For a first point in this connection I mention the stand of the American Farm Bureau in the last Congress on legislation designed to curb the Federal courts by prohibiting the invalidation of State laws by Federal laws—under the doctrine of preemption—unless Congress has clearly so provided or unless an irreconcilable conflict exists between the Federal law in question and the State laws. I commend you strongly for this action, and I hope we will enact such legislation early in the next Congress. Certainly I will do my utmost toward that end.

Recent decisions of the Supreme Court of the United States adversely affecting States rights have caused alarm and consternation in the minds of many of us who respect and wish to preserve both a Federal union of sovereign States and the clear separation of powers among the legislative, the judicial, and the executive branches of government.

It was heartening to note that on August 20 of this year, at a meeting of the conference of chief justices of the State courts, the alarming trend of these Supreme Court decisions was condemned by chief justices from the North, South, East, and West. The chairman of the committee that submitted the report was the chief justice of the Supreme Court of Michigan. I am happy that distinguished lawyers all over our Nation—particularly those holding positions of highest judicial responsibility—find it no longer possible to keep silent in the face of these constant invasions of the rights of the States and of our legislative branch of government. I am glad that most of the chief justices of our State courts share my belief—and your belief—that State and local governments should be sustained and strengthened.

The overall impact of U.S. Supreme Court decisions during the past two decades has been to press rapidly the extension of Federal power at the expense of our citizens' rights to govern themselves through their State and local governments in matters of primarily local concern. In my opinion, the Supreme Court has wrongly assumed the function of policymaker and has arrogated to itself the important legislative function. Under our Constitution the function of making policy is delegated to Congress, to elected representatives of the people who are directly responsible to the people. It is for this fundamental reason that all of us must feel concern that members of the Supreme Court, who hold office for life and are responsible only to themselves, have abandoned the role of judges and assumed the role of lawmakers.

The power of the Supreme Court is very great, and its decisions are not reviewable by anyone. It is, therefore, of critical importance to every American that this Court adhere strictly to the judicial role and abide by those enduring principles which are enshrined in our Constitution.

We have long boasted that in our free country we have a government of laws and not of men. Let me state here, along with most of the chief justices of our States, that a study of recent Supreme Court decisions will raise grave doubt as to the present truth of that proud boast.

No one expects a dynamic country like ours to stand still. Moreover, we expect our body of law to grow in meeting new and changing conditions. But under our Constitution it is not the duty of the men sitting on the Supreme Court to write into our law their passing notions about sociology and economics and education. Nor do they have the right to nullify and destroy the powers of our sovereign States and of our local units of self-government.

In my opinion, the recent strong pronouncement of the State chief justices is an important first step in reversing the trend which is rapidly destroying State and local governments and the fundamental principle of separation of powers. They have accepted the challenge and I am sure their courage and convictions will encourage others to face up to the serious realities of the situation. Now such organizations as this one must join in an active effort to enlighten the general public as to the seriousness of this problem. I am convinced that, when informed, the public will see to it that we return to our constitutional form of government.

A second element in the national trend away from basic freedoms—and a real challenge which must be met by organizations such as this and the rank and file of labor, is that disclosed in recent months by the McClellan committee which has pointed up so that everyone could see—and no one could seriously deny—the appalling corruption, crime, and violence which exists in the high circles of some labor unions. Gang bosses, goon squads, bribery, and embezzlement have no more place among unions than they have among our other American institutions. Our working people themselves are the ones who are most hurt by immoral and dishonest union leadership in those unions where it exists.

Perhaps some of you saw a few weeks ago a statement by Jimmy Hoffa, the head of the giant Teamsters Union—which has been one of the main targets of the McClellan committee—predicting that he would lead a mighty Teamster Union of 4½ million members spanning virtually the entire

transportation industry, and then added, with characteristic brashness, "We will not be stopped by the McClellan committee, laws, or the courts".

After listening to dozens and dozens of witnesses one of the members of the McClellan committee, Senator ERVIN, of North Carolina, stated a few days ago that "This superlaw which the Teamsters attempt to interpose over the Government of the United States and the arrogant implementation of their activities is something which continues to concern this committee and I believe the entire country."

This situation certainly should cause great concern to all Americans and to the agricultural producers in particular, because the trucking industry performs a vital and necessary service in getting a large part of your produce to the marketplace. As a matter of fact, trucking has become so highly important in the transportation of food that the Nation's total trucking bill for the shipment of food now exceeds that paid for rail shipments. An extended tieup of this industry at harvesttime could wreck entire segments of agriculture and bankrupt thousands upon thousands of farmers—as well as handlers and processors of farm products—throughout the Nation.

In the next session of Congress, I expect to join again with other like-minded Senators and Representatives in support of legislation to prevent the domination and exploitation of rank-and-file union members by irresponsible and greedy labor bosses. Only in this way can the workingman know that his dues will be properly spent and that he will have the traditional rights that should be accorded to American labor. Only in this way can the farmer have reasonable assurance that his products will get to market, and the millions of inhabitants of our great metropolitan areas be sure that their food needs will be supplied.

One would naturally hope that the rank and file of labor would take the lead in this fight which is of such great importance to them, but since the actual livelihood of these men can be cut off in the twinkling of an eye by the labor bosses—and human nature being what it is—the major brunt of this effort may have to fall upon shoulders such as yours and the shoulders of the general public. If this proves to be the case, I am confident that you and the millions like you in America today will meet the test. Although this is in the field of labor, it is primarily a fight for freedom—and if the fight is lost our very way of life may be lost with it. This is indeed a serious challenge which requires the attention of every American.

A third battle in which you have been engaged and in which I hope you will continue to interest yourselves, and one which illustrates possibly clearer than any other the objectives of those who continually press for an ever larger and more powerful Federal Government, is the constant effort to increase the coverage of the Federal wage-and-hour law, which already applies to approximately 24 million workers in interstate commerce.

In the last Congress bills were introduced to extend coverage of the law to activities affecting commerce which would bring under the law even the corner drugstore with one employee. Even a cursory reading of the Constitution and the debates on this act when it was first enacted will show beyond the slightest doubt that this spread of control over local mercantile and service organizations was never intended nor deemed constitutionally possible by the New Deal sponsors of the act—President Franklin Roosevelt and Senator Hugo Black—now a member of the Supreme Court.

One of these bills of the last Congress would have extended coverage to almost 10 million additional workers, including roughly 1½ million agricultural workers. The bill finally reported by the Senate Labor Committee would have added 6 million employees, and did not include the agricultural workers. Obviously those who push the measure prefer to follow a course of divide and conquer.

Fortunately, these measures were not passed, but the efforts which I have mentioned indicate so clearly the ultimate goal of their sponsors—to finally bring every employee and every business in the Nation within the scope of these laws by regulating local wages and local hours of employment.

We have defeated these efforts before, but those who keep pressing this issue are continually working to sell their phidosophy, and unless the millions of citizens who oppose this paternalistic trend join in opposition to this drive to further encroach upon our freedoms, the day will surely come when we will not be able to stem the tide.

This effort illustrates clearly the lengths to which some eager so-called ultraliberals will go, regardless of constitutional limitations, to force the Federal Government to take over the control of the everyday local activities of our people.

Of course, we are always hearing stories with reference to the relationship between agriculture and labor, and I heard one recently which may bear repeating.

A farmer in Virginia was plowing one day when his tractor turned over on him, badly injuring him. He was immediately rushed to an overcrowded hospital in the Washington area but because of the lack of a bed in the proper ward, hospital officials were forced to place his bed in the hall in the maternity wing. The farmer was in a great deal of pain and was anxiously hoping for relief. To his great delight he heard two new mothers talking about a new practice which resulted in no pain at all. This they call twilight sleep.

A few minutes later a doctor came down the hall and the suffering farmer caught him by the sleeve and said, "Doctor, I am in horrible pain. Can't I get some of that twilight sleep?" The doctor said, "Well, sir, that is used only for labor." In all his pain the farmer came back angrily, "That's the trouble with the world today—everything for labor and not a single thing for us poor suffering farmers."

I have mentioned only three of the major problems, not solely in the field of agriculture, which mark the present dangerous trend in other fields, but which are just as important to the members of this organization as are strictly agricultural problems. But I am sure that you know that the next Congress must continue to face serious problems directly in the field of agriculture, made more serious by the trend which I have mentioned, as well as by the changed makeup of the new Congress, which will contain more so-called liberals than has been the case in many years. Incidentally, the other day I heard a present-day liberal defined as one who has his feet firmly planted in the air.

Some of you may recall that several years ago in a Senate speech I brought to the attention of the Senators and the American people the seriousness of the situation then existing in some of the agricultural areas of our country where farmers were openly advocating complete dependence on the Federal Government. I said at that time that I did not want to cast any reflections on sections of our country or on organizations or individuals, but I was alarmed and felt it my duty to call attention to what I had observed.

The information upon which I based my comments was gained through my personal participation in hearings held by the Senate Agriculture Committee in many of our States, particularly in the great Northwest. I was astounded to hear witness after witness come before our committee and plead for Government support prices at 100 percent of parity on every agricultural product—across the board—on nonperishables and perishables alike—produced on a so-called "family unit farm." One witness, franker than most of the others, stated in so many words that what he wanted was to have the gravy train start running again.

I was shocked to hear numerous witnesses state that their objective was the redistribution of the land and fairer distribution of the wealth produced on the land—a philosophy which should curl the hair of all of those who have worked and fought for the preservation of the American system of free enterprise. How foreign this thinking is to that which has always characterized typical American farmers. There is no group in America today which—as a whole—has enjoyed a higher reputation than the American farmer, for being independent, conservative, and willing to stand and fight for individual opportunity, private enterprise and, in short, for our way of life. I glory in that fact and warmly commend this organization for insistently carrying forward in that noble tradition.

The Congress must take its share of the blame for the situation which I have mentioned because, almost without exception, I found that farmers in those areas which had relied heavily on high rigid price support programs—which they had used as a crutch so long that they were afraid to try to walk without it—were the ones pressing for this additional Federal assistance. It is beyond my comprehension why these people do not look around them and discover that the only major agricultural crops in real trouble today are those very ones which have been depending too long on high price support. Many other crops, not dependent on price supports, are in healthy, prosperous condition. It is so clear that the solution to their problems—and the restoration of that wonderful feeling of self-reliance and freedom—lies in the direction of less Government support and control, rather than more.

It was considered necessary during World War II that we have high rigid price supports as an incentive to achieve the necessary increase in production for our war efforts—and it was only fair to continue them briefly until agricultural producers had sufficient time to level off their production compatible with peacetime markets. But the longtime continuation of such a program in peacetime could only lead, as it has led, to a greater loss of freedom by the farmers affected and to the piling up of huge surpluses in Government warehouses which hang over market prospects like black clouds above the horizon. The complete unsoundness of price supports large enough to induce farmers to produce crops to sell to Uncle Sam for storage has been thoroughly established.

Since 1954 the Congress has been making some progress in the effort to solve this huge agricultural problem. You are familiar of course with the long-drawn-out congressional fights which produced the Agricultural Acts of 1954 and 1956, which in the main followed the American Farm Bureau recommendations. Limited flexible price supports were provided in 1954 to replace high rigid price supports, much land was taken out of production under the soil bank, set up in 1956, and other provisions of the acts of 1954 and 1956 were steps in the right direction. Great efforts to reduce surplus supplies by various export devices and by enlarged domestic grants for food and feed programs were made—with some success. Expanded research for new uses has been helpful. Cooperating with Congress several producer groups are doing helpful things for themselves, such as advertising, trade promotion, dealer service, private research and greater use of Federal marketing agreements and orders.

This year the Agricultural Act of 1958 was passed in the effort to deal on a trial basis with those three basic crops which were in worst condition—corn, cotton and rice. This act provided an opportunity for corn and cotton growers—corn producers by referendum of the whole group, and cotton producers as individual planters—to move away from some of the domination and regimentation by the Federal Government. I was greatly pleased when our corn producers accepted by overwhelming vote the challenge to do away with acreage allotments and the artificial distinction between commercial and noncommercial areas and also to accept lower and more realistic support prices. I am proud to report that our Florida corn farmers voted 97.8 percent to do away with corn acreage allotments, leading all other States in the referendum. Your organization is entitled to greatest credit for the favorable result of the corn election. I am convinced that many cotton producers who must soon make their decisions will also choose to regain much of their independence by increasing their acreage and accepting lower price supports. Only in this way can they make American cotton competitive again in world markets and also discourage the speedy growth of the synthetic industries. In the case of rice the act applied a freeze to the current acreage allotment, which otherwise faced a ruinous 50-percent cut, and also permitted reductions in price support after the first 2 years.

In the last Congress we also increased the authority of the Secretary of Agriculture under Public Law 480 of the 83d Congress, the Agricultural Trade Development and Assistance Act of 1954. With the aid of this act our exports of farm products have reached an alltime high. We extended the program from June 30, 1958, to December 31, 1959, at a rate of $1½ billion per year—or by a total of $2¼ billion. This program has proved quite helpful in reducing our surpluses and in improving our foreign markets, but I hope we will not become overly dependent upon it. It has proved to be an exceedingly fine emergency measure to handle surpluses, but it can never be regarded as a substitute for private trading.

It appears likely that in the forthcoming session, Congress will allow the temporary programs for corn, cotton, and rice sufficient time to demonstrate their value, but meantime will tackle the problems now faced by the other so-called basics—wheat, peanuts, and possibly even tobacco—and I hope the final results there will be as encouraging as the 1958 act promises to be with reference to cotton and corn.

Of this group, wheat is in the most serious trouble and will almost certainly require new legislation. With an existing surplus already on hand the wheat crop this year approaches 1½ billion bushels—53 percent larger than last year's crop and the largest in history. Without growing a single bushel of wheat next year we would be able to supply our domestic and export needs with 325 million bushels to spare on July 1, 1960.

Probably one of the first major agricultural bills to face us in the next Congress will be one to provide for direct payments to farmers out of the Federal Treasury. Several similar bills for this purpose were introduced in the last session of Congress, and I think we can anticipate their reintroduction and consideration early in the next Congress.

It was about 10 years ago that the so-called Brannan plan of direct production payments was originally proposed and the Congress has repeatedly refused to adopt it. This latest version leaves many questions unanswered and there are a multitude of reasons why it should not be favorably acted upon by the Congress. Among other things it would stimulate production and bring about a gerater surplus to depress the market prices, which in turn would increase the cost of the proposed program which is already estimated to run between $8 billion and $16 billion per year.

Because of the size of the refund payments the program would become one of the greatest political footballs of all times and because the proposed program is limited to the six basic commodities, the Congress undoubtedly would be subjected to strong political pressures to include more and more commodities.

I hope Congress will continue to disapprove such measures and will continue to enact constructive farm legislation working patiently step by step toward the new farm program which so evidently is required. But I cannot emphasize too strongly that the existence of the dangerous philosophy in other fields which we have been discussing, and some of the activities of the U.S. Supreme Court, the aggressiveness of ultraliberal Members of Congress, labor leaders and even some of our farmers, present a real challenge to every American.

We may as well realize that if Congress turns to the left generally in solving other important national problems, we must expect the leftwing philosophy to prevail in the field of agricultural legislation.

I commend the American Farm Bureau for its constant efforts to help lead us back to the highway of basic Americanism and away from the road which leads to a paternalistic welfare state.

I commend the cotton industry and corn producers for their strong desire shown in their support of the 1958 legislation and in their reactions since that time to alter their course away from more and more Government assistance and control and toward more freedom and self-reliance.

Thanks to groups such as this, we see some glimmer of hope that we will be able to reverse the trend which is leading us down the road to socialism—but let there be no mistake about it, we are still in the midst of a devastating attack in the name of so-called liberalism on individual and State rights intended to be protected by the drafters of our Constitution. These attacks must be met fearlessly and forcefully.

Unquestionably a mighty struggle is in the offing and we can win it only if those of us who feel strongly about preserving individual freedoms and private enterprise are willing to make real sacrifices. We cannot win it by sitting idly by while ultraliberals sell their unsound theories to unwitting people throughout every economically troubled area of the Nation.

As individuals I hope you will make your views known to your friends and your acquaintances and most of all to your Senators and Representatives in the Congress.

I feel particularly close to the American Farm Bureau, and I think one of the main reasons for this is that for years you have approached problems of national importance with the basic proposition always in mind that the continuance of individual freedom and responsibility, and the maintenance of strong, independent and responsible State and local governments, are all necessary to the preservation of stable, constitutional government.

I am glad that you, our strongest agricultural organization, are committed to this fundamental principle and it is fortunate for the Nation as a whole that you take an active interest in matters of general interest and importance outside of agriculture, realizing, of course, that if the political and economic structure of our Nation is unsound, agriculture will suffer along with everyone else.

As an organization you appear to have accepted the challenge to help lead the way back to our fundamental Constitution and to the way of life which has made this country great. I hope each of you as an individual will also accept that challenge. Agriculture has an opportunity—indeed a high responsibility—to return to the self-reliance which has characterized the American farmer throughout all of our history and point the way to the return of all of our people to basic Americanism. I wish for you the fullest measure of success in your dedicated efforts and I shall have a small part in working with you to bring about that success, in the best interest of agriculture and of all the American people.

Mr. EASTLAND. Mr. President, I also ask unanimous consent to have printed in the RECORD an exceptionally fine editorial concerning the speech entitled "A Statesman From the Deep South," published in the Oklahoma City Times of December 23, 1953.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A STATESMAN FROM THE DEEP SOUTH

A refreshing breath of true statesmanship has come from Florida in recent days, and it is all the more gratifying because it is that of a Democrat speaking courageously after the recent Democratic victory in which many observers claimed to see a mandate for more spending, more labor domination, and a greater leftward shift coming out of the election returns.

Senator SPESSARD L. HOLLAND obviously doesn't go along with those timid souls who have been panicked into the idea that the Federal Government must now spend more money than ever, provide more "gimmes" for the voters, kowtow more cringingly to Walter Reuther and his cohorts, and wander still farther into the welfare state concept.

Addressing the recent annual meeting of the American Farm Bureau Federation, Senator HOLLAND pulled no punches in the arena of farm policies. He said that the only major agricultural crops in real trouble today are "those very ones which have been depending too long on high price support."

He enlarged upon this theme when he said that it is clear that "the solution to the farmer's problems lies in the direction of less Government support and control rather than more."

He added: "The complete unsoundness of price supports large enough to induce farmers to produce crops to sell to Uncle Sam for storage has been thoroughly established.

"Unfortunately," he said, "many of our people cannot understand that they themselves are the Federal Government, that they pay all of its bills, and that they, the people, get nothing free from their Government. They do not realize that by looking to that Government for handouts—each of which costs them certain rights and privileges—they lose each time a little more of their freedom, and that little by little they are giving away their heritage."

Mr. HOLLAND is senior Senator from Florida and member of the strategic Senate Appropriations and Agriculture Committees. He warned his hearers that the Government "is now moving away from individual freedom and initiative toward an ever-enlarged Federal Government and a labor 'supergovernment' at the expense of the rights and privileges of States, local governments, and individuals."

In the field of labor-management relations, he said: "A real challenge which must be met by organizations such as this and the rank and file of labor is that disclosed by the McClellan committee, which has pointed up so that everyone could see, the appalling

corruption, crime, and violence which exists in the high circles of some labor unions. Gang bosses, goon squads, bribery, and embezzlement have no more place among unions than they have among our other American institutions. This situation should cause great concern to all Americans and to the agricultural producers in particular, because the trucking industry performs a vital and necessary service in getting a large part of your produce to the marketplace. An extended tieup of this industry at harvesttime could wreck entire segments of agriculture, and bankrupt thousands of farmers, as well as handlers and processors of farm products, throughout the Nation."

Undoubtedly the majority of Oklahoma voters, regardless of party, wish that equally courageous and statesmanlike utterances might come from Members of the Oklahoma delegation in the House and Senate.

What Will Congress Do?

EXTENSION OF REMARKS

OF

HON. THOMAS J. LANE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 20, 1959

Mr. LANE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include my remarks to the Greater Lawrence Chamber of Commerce, at Lawrence, Mass., on January 16, 1959:

WHAT WILL CONGRESS DO?

(Preview of 1st sess., 86th Cong., for Greater Lawrence Chamber of Commerce, Friday, January 16, 1959, Yankee Doodle Restaurant)

Greetings, the 1st session of the 86th Congress went to work on January 7.

Thousands of bills will be introduced.

Within the next 6 or 7 months, about 1,000 will be enacted into law. Some will affect, directly or indirectly, every inhabitant of the United States and its Territories. A few will have some influence on the economies and the peoples of other nations. A hundred or more private bills concerning immigration cases and claims against the Government will touch upon the lives of separate individuals.

The Congress is composed of the U.S. Senate and the U.S. House of Representatives. On some issues, their views will coincide; on others they will differ. Within each Chamber, and within each political party, there are different attitudes on social and economic problems. Out of this representative variety, the final bill that is enacted into law usually reflects adjustment and compromise.

In trying to estimate what Congress is likely to do, I shall restrict myself to the House of Representatives and the influence of its sizable Democratic majority.

In that context, I expect somewhat larger appropriations than those recommended by the President in his budget for the fiscal year of 1960 that begins on July 1, 1959.

Last year at this time, the Congress was worried by the deepening recession, and by the scientific breakthroughs achieved by Soviet Russia with their serious military, economic, and psychological challenge to the security of the free world.

The legislation passed in 1958 was shaped by our efforts to overcome these problems.

All of us are encouraged by the fact that the recession is largely over, but there is no letup in the Communist drive to master the space that surrounds the earth.

Although we have been roused from our complacency, and are making efforts to achieve leadership in the space age, there is widespread concern that the administration is not putting enough emphasis on this program.

The latest success of the Russians is a sober reminder that we are up against the most formidable competition; in education, industrial production, international trade, and in scientific progress.

We are trying to close the "missile gap"—which means that the Russians are presently ahead of us on this crucial frontier.

The plain fact is that if it comes to a choice between a balanced budget or an unbalanced budget that will not curtail our defense needs, there is no choice. We cannot afford to fall behind.

Not that the health and soundness of our domestic economy can be ignored. This is the foundation upon which all else depends. But economic activity is on the rise which means that Federal revenues will increase. If, during the fiscal year that starts on July 1, we realize a prosperity greater than we anticipate at the moment, expenditures somewhat larger than those recommended by the President can be met by the increase in Federal revenues. Even if this should not happen, we cannot gamble with national defense just for the sake of a balanced budget.

Some changes in the present tax laws are probable.

Among these are faster depreciation on capital investment to offset increasing obsolescence and inflation; revision of the rules on corporate distributions and adjustments, estates and trusts, and partnerships. There will be a move to establish a higher tax formula for life insurance companies. Other Congressmen will push legislation permitting deductions for funds put aside by the self-employed for their retirement.

Powerful lobbies will block the proposed reduction in the 27.5 oil and gas depletion allowance.

There will be proposals to raise personal income tax exemptions and to hike parcel post rates. Only the latter is apt to go through.

There is much work to be done in plugging tax loopholes and in spreading the burden in a more equitable manner, but it does not seem possible that any general revision of the Internal Revenue Code can become effective before 1961.

Some Congressmen want lower interest rates on FHA and VA housing. Others believe that an increase of interest rates on mortgages insured under Government programs is needed in order to make these mortgages more appealing to investors. The President, through his veto power, may be the determining factor on this issue.

It is likely that the administration and the Congress will both approve a higher minimum wage, and some extension of social security. Although a formula to provide hospital and medical care for those on old-age pension will be enacted into law at some future date, I doubt if a satisfactory plan can be worked out at this session.

In the area of labor legislation, the Kennedy-Ives bill to require financial accounting by unions, and the free election of union officers, is almost certain to prevail.

The problem of transportation, especially the transportation of people, is becoming more difficult every day. It is not simply the question of enabling people to travel from their homes to their places of employment in the morning, and to return in the late afternoon. In our complex society, transportation is the circulation system that sustains the life of a modern economy.

The impact of the automobile is greater than we realize, forcing crowded cities to accommodate themselves to it, and having a profound effect upon other modes of transportation.

I think all of us have been startled sooner or later by the personal observation that there are more cars on the streets than there are pedestrians on the sidewalks.

Railroads and buslines and the merchants on our main streets have been hurt by this explosive development in the numbers and in the use of the private automobile with its resulting complications.

Responding to these pressures, a previous Congress had authorized a Federal program to relieve traffic congestion by the construction of an expanded interstate highway system.

Due to rising costs, Congress may reluctantly approve some but not all of the 1½-cent increase in the gasoline tax to be requested by the President.

Further aid to railroads, steamship subsidies, and more money for airport improvements are necessary because our economy cannot grow without a modern and efficient transportation system, public as well as private, to meet its demands. In the background but looming large is the need of facilities-in-being for emergency service to national security and civil defense.

One of the paradoxes of our national life is the farm problem or what to do with our agricultural surpluses. Various experiments over a whole generation have failed to solve it. We want to keep the farmers in business because we have to. That means we cannot dump their surpluses on the market to send the prices they receive for their products so low that they cannot earn a living by farming. At the same time, we will not jack up the price of food through extreme price supports for the farmers at the expense of the consumers. This is a very complex problem but I expect that this session of the Congress will be moderate in designing a farm aid program.

On the domestic issues that do not involve spending, the struggle over civil rights is most controversial.

This is an emotional issue on both sides. Where force will not achieve the understanding, and the cooperation, that are necessary for a solution. A law to make church and school bombings a Federal crime will be passed, for no self-respecting American, North or South, no matter what his religious faith or his racial origin, will stand for such vicious opposition to the rights of others. Steps will be taken to protect the voting rights of Negroes and other minority groups. Congress, however, will not insist on school integration, leaving to the States the responsibility of working out the gradual adjustments under the stimulus of an enlightened public opinion.

Different sections of our country have economic interests which are of major importance to them, but not to other areas. The Middle West believes that aid to agriculture should have top priority. The Rocky Mountain States, and their representatives, work hard to assist the mining industry. Texas, Oklahoma, and California are alert in promoting legislation that will benefit the development of their oil resources.

We, in New England, are mainly concerned with the problems of our textile and fishing industries, striving to protect them from the increasing dangers of foreign competition.

Although we believe in the principle of reciprocal trade, knowing that an increase in commerce among the nations on a fairly competitive basis results in shared progress, we are aware that our textile and fishing industries are being priced out of the domestic market by low-cost imports from abroad. This is not reciprocal trade in the genuine meaning of the term. It is a form of ruthless horsetrading to open up foreign markets

for selected American industries, while opening up American markets to foreign products by sacrificing a few of our basic industries.

The increasing imports of foreign textiles and foreign fish products is a threat to the New England economy, and particularly that of Massachusetts.

In the present session of the Congress, the New England delegation will have to fight persistently, against formidable odds, to win some measure of protection for these embattled industries. But we must not stop with defensive measures. A positive and affirmative program of aid to these industries is also required to improve their competitive position.

The decline of the once dominant New England textile industry has left a gap which has been hard to fill.

The depressed areas, or labor-surplus areas, have made valiant efforts to attract new and diversified industries as replacements for the ones they have lost.

They have accomplished much, but it is apparent that they cannot do the whole job on their own.

Those of us who first proposed Federal legislation to assist in the solution of this new problem which will arise time and again in our changing economy, were opposed by those who resist any idea that is new simply because it is new.

But the public has been in a more receptive mood toward those proposals which are designed to meet problems instead of avoiding them.

At the risk of injecting a political note, I would remind you of the Senator who was defeated last year and who blamed the President's veto of the area redevelopment bill for the switch in voter sentiment.

With the influx of new Congressmen, reflecting public discontent with standpat policies, I believe that a bill that will provide Federal loans and minor grants to help redevelop labor-surplus areas will be passed this year, even if it should have to overcome another veto.

Related to this, and to slum clearance and urban renewal, and housing, is legislation to help local governments in the development of community facilities such as water systems, sewers, streets, and schools. With the dislocations resulting from industrial, military, and population shifts many communities are finding it difficult to provide or maintain adequate facilities. The President is certain to oppose this type of legislation. I would say that its prospects are no better than 50–50.

The United States is spending substantial sums in the development of atomic weapons. For reasons of security, the details are not made available to the public.

But nuclear energy, applied to peaceful purposes, holds great promise for progress in many fields. In the 13 years since the discovery of this vast potential, the Congress has repeatedly asked why greater progress in the application of atomic power to generate electricity for industrial and household use has not been realized.

This is an important issue, and a sensitive one, that will not make the headlines.

In the background, however, is the fear on the part of the private utilities that the Government may dominate development of the atom.

At last they are making a concerted effort to prove that they can do the job better than the Government. In the last 4 years they have invested more than $500 million on atomic projects.

The Congress believes that more can and should be done, either through Government assistance or through pilot plants built and operated by the Government. The former method is preferred. The Congress is determined to spur the development of atomic power for peaceful purposes and will appropriate funds for that objective.

The technical problems to be solved before atomic energy can compete with the fossil fuels are difficult, but the advantages to be reaped are even greater. Congress wants to accelerate the program.

The economic recovery of Western Europe is an encouraging fact that has helped to strengthen the free world's position. This has been accomplished, in part, by the assistance we have given to them. Now that their need is much less, economic aid to them will be reduced. Some of our South American neighbors, however, are having difficulties, and it may be necessary to bolster their economies.

Under the Small Business Investment Act of 1958, Congress recognized the special problems which handicap small- and medium-sized firms. Under the Johnson-Patman Act it is setting up a system whereby they will be able to obtain equity and long-term debt financing, heretofore unavailable, from any governmental lending authority, or through financial institutions.

As Representative WRIGHT PATMAN, coauthor of the bill, told the House, this legislation has two goals:

"First, the individual investment decisions should not be made by a bureau in Washington, but by local businessmen who will be backing their decisions with substantial amounts of their own money.

"The second goal of the system is that it should provide for private capital to come in and take over complete ownership and operation of the system."

The Small Business Committee, and the Committee on Banking and Currency of the House will make investigations and studies of further practical aids to small business. It is possible that an expanded aid program, moderate in scale, may come up for a vote at this session.

There are indications that the administration will try to curtail the program of veterans' benefits, but I am certain that it will not succeed.

There are sincere differences of opinion within the Congress. To draw the line between that which is necessary for the Nation and that which is merely desirable is not as easy as it may sound. In making up our minds, we cannot ignore political considerations, or the necessity of being guided by an informed public opinion.

There is no official within the administration, and no Member of Congress who can accurately foresee what the situation will be as we come up to the presidential and congressional campaigns of 1960.

The administration is shaping its policies in the belief that a balanced budget will insure prosperity and peace, and will be approved by the electorate in 1960.

The Congress, that is, a majority of its Members, is not against a balanced budget. After taking stock of conditions, both at home and abroad, most Members will agree that we cannot afford the risk of a near budget that would cramp our progress and imperil our security.

Lipservice to education is not enough.

When our survival depends more and more on scientific and technological skills, what was good enough in the past is not sufficient today.

A major effort is required to expand and improve our educational system.

New classrooms, laboratories, research facilities, and scholarships must be provided. We must raise the prestige, the incentives, and the rewards for the teaching profession commensurate with our country's urgent need for the very best.

Congress means business on this compelling issue.

Dozens of bills have already been introduced dealing exclusively with aids to education. We are disturbed by the fact that many American high school students would probably flunk a Russian high school examination in mathematics, and in the sciences. We intend to stimulate and assist in the building of an improved educational system that will not only develop the mental capacities of our youth, but will teach them to appreciate as never before the rights and responsibilities of freedom.

There are no escalators to progress and security.

In this fast changing world, individuals as well as nations need ever more knowledge and better equipment to prevail over the deadly challenge of communism.

Last year we were facing up to the economic recession and to the serious fact that we were behind the Russians in missile development.

We are leaving the recession behind us as there are definite signs of economic recovery in January 1959.

But we are still behind the Soviet in rocket technology and in space exploration.

As a people we have always stressed the value of competition, but in this critical area we do not seem to realize what is at stake.

One or two or six months from now we will be thrilled by the news of a U.S. success in the pioneering of space, and we will bask in self-satisfaction until the Russians rocket a man into space far beyond the earth and bring him back.

Then we will look for someone to blame.

Not realizing that complacency is our worst enemy.

We cannot stand still, content with the familiar routines because neither life nor history will mark time.

We have only to look at the experience of our own community to learn that we must keep up with progress. For generations, textiles was the dominant industry. We had become so adjusted to it that we could not foresee the day when the economic base of Greater Lawrence would be entirely different, yet within a few years the pattern has been completely altered. The old textile giants have gone; and are being replaced by young and vigorous and growing industries.

It is so with our Nation.

The population and its needs are expanding.

And our responsibilities as the leader of the free world are increasing.

To meet these the attitudes, the instruments, and the yardsticks of 1939—or 1929—are obsolete.

The great virtue of freedom is its flexibility.

We have seen this at work in American industry which is never content with things as they are.

In 1940, nuclear energy was only a mathematical equation on the blackboards of the scientists.

In 1956, Americans would laugh at the suggestion that man would soon be able to send rockets hundreds of thousands of miles into space.

In 1959 both are accomplished facts.

It is my opinion that the administration is reluctant to make the hard decisions, and to exert the leadership that is required to provide for genuine progress and security.

This is human but unrealistic.

I would like to tell you that the budget is going to be slashed by billions, and that a generous tax reduction will be approved soon, and overwhelmingly. This is the news that we would prefer to hear.

But, to quote the President himself in his recent state of the Union message, we are confronted with a question which is "as old as history," whether a government based upon liberty can endure when it is ceaselessly challenged by a dictatorship with growing economic and military power.

The Congress is not satisfied with the current rate of development in our missile and space exploration programs.

There is widespread feeling among the Members that we are not doing enough.

Therefore, on this issue which will overshadow all others, the Congress will vote larger appropriations than the President deems necessary, and will insist on a major and sustained program that will regain and hold the lead for the United States.

Even though there are many new and liberal Members in the House of Representatives, I do not anticipate a runaway spending spree. Under the knowing and experienced guidance of Speaker SAM RAYBURN, and Majority Leader JOHN MCCORMACK, I believe that the first session will legislate a program that will basically suit the Nation's needs.

It will not be a timid session nor a reckless one.

But the Congress will, in the year of 1959—and to the best of its ability—do those things which must be done under the mandate calling for the up-to-date programs and the courageous leadership that it received from the people last November.

For it is aware that a big, and growing, and changing nation like ours must not fall behind the pace of history as it is being made today.

SENATE

WEDNESDAY, JANUARY 21, 1959

The Senate met at 11:45 o'clock a.m.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, midst all the busy shuttles of legislation, as here is woven the fabric of law and order, nourishing and shielding the life of our democracy, may we not be so enmeshed in the immediate mechanics of our tasks as to lose sight of the total pattern shown in the mount of vision.

And now at this altar of the Nation's faith we lift up the deep concern of the citizens of Alaska as they gaze with anxious eyes upon the latest star which shines in the flag of the Republic, as their young Governor, with all his radiant visions of the future, fights for his life in a western hospital. We would join the representatives of this far-stretching part of our America in intercession that there may be the healing of the seamless dress beside that bed of pain; and that, within Thy will, the dedicated ministries of doctors and nurses may be Thy human channels for his restoration to health and to dedicated service to Alaska and the Nation to which he has pledged his all. We ask it in the name of the Great Physician. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, January 20, 1959, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Philip W. Bonsal, of the District of Columbia, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Cuba, vice Earl E. T. Smith, which was referred to the Committee on Foreign Relations.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, notified the Senate that, pursuant to the provisions of section 8002 of the Internal Revenue Code of 1954, the Speaker had appointed Mr. MILLS of Arkansas, Mr. FORAND of Rhode Island, Mr. KING of California, Mr. REED of New York, and Mr. SIMPSON of Pennsylvania as members of the Joint Committee on Internal Revenue Taxation on the part of the House.

The message also notified the Senate that, pursuant to the provisions of House Concurrent Resolution 172, 85th Congress, the Speaker had appointed Mr. MCMILLAN of South Carolina, Mr. SMITH of Virginia, and Mr. BROYHILL of Virginia as members of the Joint Congressional Committee To Investigate Matters Pertaining to the Growth and Expansion of the District of Columbia on the part of the House.

The message announced that the House had agreed to the concurrent resolution (S. Con. Res. 3) requesting the President to designate the week of January 25, 1959, as National Junior Achievement Week.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be the usual morning hour for the introduction of bills and the transaction of other routine business, with statements limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The PRESIDING OFFICER (Mr. COTTON in the chair). Without objection, it is so ordered.

ORDER FOR RECESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that at 12:10 it be in order for the Chair to declare a recess, in order that Senators may assemble and march to the other body, for a joint meeting, and that the recess be taken subject to the call of the Chair.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, while a substantial number of Members are present, I should like to ask the majority leader what the legislative program will be for tomorrow, and possibly for the next day and for the remainder of the week.

Mr. JOHNSON of Texas. Only yesterday the Senate entered an order completing the committee assignments. So far as I am informed, we plan no legislation this week. I would be agreeable to having the Senate go over as long as it can without obtaining the consent of the other body; and following the joint meeting I shall work out with the distinguished minority leader some plan that will be satisfactory to him.

Mr. DIRKSEN. Very well.

Mr. JOHNSON of Texas. All Senators may be on notice that we do not expect any yea-and-nay votes this week; I should not think there would be any for several days yet, because the committees are just being formed, and they will have to be given time to hold hearings and then to report bills.

REPEAL EXCISE TAXES ON TRANSPORTATION—RESOLUTION

Mr. RANDOLPH. Mr. President, the National Association of Railroad and Utilities Commissioners has urged the repeal of the excise taxes on transportation. The Lions Club of Welch, W. Va., through its secretary, has sent a copy of the resolution to me. I submit it and ask that it be appropriately referred.

There being no objection, the resolution was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

RESOLUTION BY NATIONAL ASSOCIATION OF RAILROAD AND UTILITIES COMMISSIONERS URGING REPEAL OF EXCISE TAXES ON COMMUNICATION SERVICES AND TRANSPORTATION OF PERSONS, ADOPTED NOVEMBER 20, 1958

Whereas the Federal excise taxes on public utility and transportation services were initially levied or greatly increased during World War II to help defray war costs and to discourage unnecessary use of such services; and

Whereas Congress has acted to remove a substantial portion of this discriminatory tax burden on public utility and transportation services by elimination of excise taxes on the use of electrical energy and the shipment of goods and property; and

Whereas today, 13 years after cessation of hostilities, the excise taxes on communication services and the for-hire transportation of persons are still in effect and are continuing to discourage the public use of these services which are now the only services, regulated or unregulated, against which any Federal excise taxes are levied; and

Whereas a committee of the 85th Congress rejected a proposal for the enactment of legislation which would have continued the Federal excise tax on local telephone service at a lesser rate and which also would have required the imposition of the balance of this unpopular tax by the individual States as a means of financing a proposed transfer to the States of certain activities completely unrelated to communication services; and

Whereas the Joint Federal-State Action Committee has recommended that Congress authorize distribution for a period of 5 years, 40 percent of the present Federal excise tax on local telephone service to the States in such amounts as to provide revenues equivalent to 140 percent of Federal grants now being made to the respective States to carry on vocational eductaion, and to construct facilities for abatement of water pollution, which are completely unrelated to communications services; and

Whereas the proposal of the Joint Federal-State Action Committee would tend to cause the States to pass laws imposing excise taxes on local telephone service and would tend to make such taxes a permanent part of the tax structure of both the Federal and State Governments: Now, therefore, be it

Resolved, That the National Association of Railroad and Utilities Commissioners is of the opinion that the discriminatory excise taxes on communication and transportation services are not in the public interest, that such taxes should not continue to be levied by the Federal Government; and

Resolved further, That any similar tax on communications should not be levied by the individual States against the users of this essential service as a means of financing specific programs which bear no relation to the service taxes; and

Resolved further, That Congress is hereby petitioned to terminate the discriminatory excise taxes on communication and transportation services at the earliest possible date; and

Resolved further, That the special committee on repeal of excise taxes, the committee on legislation, and the legal officers of the association are hereby authorized to appear on behalf of the association before any committee of Congress at any hearing which may be hereafter held upon legislation pertaining to the above matters and to take such further action as may be appropriate to accomplish the objectives of the association in respect to the repeal of the excise taxes on both communication services and transportation of persons.

PROPOSED COMMITTEE ON VETERANS' AFFAIRS—RESOLUTION

Mr. RANDOLPH. Mr. President, I am a cosponsor of Senate Resolution 10, which would establish a Committee on Veterans' Affairs in the Senate structure. I have received a resolution from the Department of West Virginia Veterans of Foreign Affairs endorsing the proposal for a Committee on Veterans' Affairs. I submit the resolution for appropriate reference.

There being no objection, the resolution was referred to the Committee on Rules and Administration, and ordered to be printed in the RECORD, as follows:

JANUARY 18, 1959.

Hon. JENNINGS RANDOLPH,
U.S. Senator,
Senate Office Building,
Washington, D.C.:

Resolution to establish a Veterans' Affairs Committee in the U.S. Senate

Whereas the United States does not have a Veterans' Affairs Committee; and

Whereas the veteran population of the United States comprises of some 22 million citizens and the Veterans of Foreign Wars feel that this large segment of our population should be represented by a Veterans' Affairs Committee in the U.S. Senate; and

Whereas veterans legislation is given to Senate committees that are already overloaded with pressing legislation and therefore they do not have the time to give the veterans legislation the proper attention: Now, therefore, be it

Resolved by the Department of West Virginia Veterans of Foreign Wars of the United States, in conference assembled in Elkins, W.Va., this 17th day of January 1959, That we do hereby go on record as favoring a Veterans' Affairs Committee in the U.S. Senate and that copies of this resolution be forwarded immediately by telegram to Senators JENNINGS RANDOLPH and ROBERT C. BYRD, requesting their support of such a bill.

RALPH STUMP,
Adjutant, Department of West Virginia, VFW.
SOUTH CHARLESTON, W. VA.

JOHN H. MOORE,
Commander, Department of West Virginia, VFW.
EAST HUNTINGTON, W. VA.

REPORTS OF COMMITTEES ON PERSONNEL AND FUNDS

Pursuant to Senate Resolution 123, 80th Congress, 1st session, the following reports were received by the Secretary of the Senate:

JANUARY 9, 1959.

COMMITTEE ON ASTRONAUTICAL AND SPACE SCIENCES

(Under authority of S. Res. 256, agreed to Feb. 6, 1958)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (also includes retroactive compensation Jan. 1 through June 30, 1958, as authorized by law):

Name	Profession	Total salary received
Dr. Glen P. Wilson	Technical coordinator.	$4,073.39
Mary Rita Guilfoyle	Assistant clerk	2,934.32
Janie E. Mason	Research assistant from Nov. 4.	530.62

Funds available for expenditure at beginning of period	$40,476.54
Additional funds authorized during period	0
Total available for expenditure during period	40,476.54
Expended during period	12,874.53
Balance available for expenditure at end of period	27,602.01

LYNDON B. JOHNSON,
Chairman.

JANUARY 1, 1959.

COMMITTEE ON AGRICULTURE AND FORESTRY

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive compensation from Jan. 1 to June 30, 1958):

Name	Profession	Total salary received
Harker T. Stanton	Professional staff member.	$8,889.97
Henry J. Casso	do	7,457.17
Cotys M. Mouser	Chief clerk	6,868.66
James M. Kendall	Assistant chief clerk	6,708.10
Betty M. Mason	Clerical assistant	3,440.74
Blanche M. O'Berg	do	4,180.64
Helen A. Miller	do	3,379.09

Funds available for expenditure at beginning of period	$11,270.69
Additional funds authorized during period	
Total available for expenditure during period	11,270.69
Expended during period	1,746.45
Balance available for expenditure at end of period	9,524.24

ALLEN J. ELLENDER,
Chairman.

JANUARY 1, 1959.

COMMITTEE ON APPROPRIATIONS

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive compensation from Jan. 1 to June 30, 1958):

Name	Profession	Total salary received
Everard H. Smith	Chief clerk	$8,889.97
Thomas J. Scott	Assistant chief clerk	8,580.76
Francis S. Hewitt	Assistant clerk	8,045.73
Edmund T. King	do	7,617.72
Kenneth J. Bousquet	Professional staff member.	8,045.73
Earl W. Cooper	do	8,170.56
William J. Deachman	do	7,192.89
Herman E. Downey	do	8,045.73
Leonard E. Edwards	do	7,617.72
Joe E. Gonzales	do	7,510.71
William J. Kennedy, Jr.	Professional staff member	7,617.72
Cecil C. McDaniel	do	8,045.73
Harold E. Merrick	do	8,045.73
Mamie L. Mizen	do	5,575.41
Vorley M. Rexroad	do	7,242.96
Raymond L. Schafer	do	7,617.72
John M. Witeck	do	7,457.17
William W. Woodruff	do	8,045.73
Gloria S. Butland	Clerical assistant	3,255.77
Virginia D. Carroll	do	3,255.77
Leon DeVille	do	3,132.46
Mildred L. Fowlkes	do	3,255.77
Sally L. Heath	do	3,009.14
Ruby C. Hutchinson	Clerical assistant (to Oct. 31).	2,958.11
Rebul H. Nichols	Clerical assistant	3,255.77
Mary Louise Vaughn	Clerical assistant (from Nov. 1).	1,258.58
Franklin B. Dryden	Staff member (retroactive pay).	251.49
Paul J. Cotter	Staff member (from Sept. 1).	4,727.38
Alonzo B. Gonzales	Staff member	4,858.88
Maurice P. Pujol	do	7,018.00
Gardner C. Turner	do	8,045.73

CARL HAYDEN,
Chairman.

JANUARY 1, 1959.

COMMITTEE ON APPROPRIATIONS

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report on miscellaneous expenses during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees:

MISCELLANEOUS EXPENSES

Unexpended balance of amount authorized by Legislative Appropriation Act, 1958, as of June 30, 1958	$335,585.20
Amount expended July 1 to Dec. 31, 1958	2,151.90
Balance unexpended as of Dec. 31, 1958	333,433.30
Unexpended balance of amount authorized by Reorganization Act for 85th Cong., as of June 30, 1958	8,240.60
Additional authorization by S. Res. 315	15,000.00
Total available for expenditure	23,240.60
Amount expended July 1 to Dec. 31, 1958	13,330.79
Unexpended balance as of Dec. 31, 1958	9,909.81
Amount authorized by Legislative Appropriation Act, 1959	380,000.00
Amount expended July 1 to Dec. 31, 1958	25,266.53
Balance unexpended as of Dec. 31, 1958	354,733.47

CARL HAYDEN,
Chairman.

DECEMBER 31, 1958.

COMMITTEE ON ARMED SERVICES

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive compensation January 1 to June 30, 1958):

Name	Profession	Total salary received
Atkinson, Herbert S.	Assistant chief clerk	$5,281.16
BeLieu, Kenneth E.	Professional staff member.	8,170.61
Braswell, T. Edward, Jr.	do	8,170.61
Dantzic, Maurine E.	Clerical assistant	3,440.79
Darden, William E.	Professional staff member.	8,873.01
Francovitch, Virginia C.	Clerical assistant	2,885.86
Johnson, Edna E.	do	3,494.53
Welker, Mary M.	do	3,317.47
Wingate, Harry L., Jr.	Chief clerk	8,170.61

Funds available for expenditure at beginning of period	$6,697.09
Additional funds authorized during period	
Total available for expenditure during period	6,697.09
Expended during period	2,655.41
Balance available for expenditure at end of period	4,041.68

RICHARD B. RUSSELL,
Chairman.

JANUARY 2, 1959.

COMMITTEE ON ARMED SERVICES

PREPAREDNESS INVESTIGATING SUBCOMMITTEE

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive compensation from January 1 to June 30, 1958):

Name	Profession	Total salary received
Bush, Morris W.	Investigator	$4,858.88
Byles, E. M., Jr.	Investigator (from Dec. 9, 1958).	558.19
Canaday, Alyce D.	Clerical assistant	2,824.17
Cooper, Genevieve	Secretary	3,293.96
French, Stuart P.	Special counsel	6,009.80
Friedenberg, Ronald	Attorney	5,497.42
Gilleas, Ben J.	do	5,691.53
Hartford, Carolyn G.	Stenographer	2,392.56
Horwitz, Solis	Counsel	8,158.96
Jeffries, Jo Ann V.	Clerk-typist	2,515.87
McGillicuddy, Daniel F., Jr.	Attorney	6,066.06
McPherson, Harry C.	Attorney-investigator (retroactive pay to Jan. 31).	55.49
Miller, Mary M.	Stenographer	2,700.85
Neal, Robert M.	Attorney	4,057.33
Toskes, Philip J.	Investigator (retroactive pay to Mar. 23).	163.01
Wallace, Thomas R.	Investigator	2,444.88
Wilson, Glen P.	Assistant clerk (retroactive pay to Mar. 26).	144.35

Funds available for expenditure at beginning of period	$138,970.04
Additional funds authorized during period	0
Total available for expenditure during period	138,970.04
Expended during period	62,650.24
Balance available for expenditure at end of period	76,319.80

RICHARD B. RUSSELL,
Chairman.

LYNDON B. JOHNSON,
Chairman, Preparedness Investigating Subcommittee.

JANUARY 15, 1959.

COMMITTEE ON BANKING AND CURRENCY

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive compensation for the period January 1 through June 30, as authorized by law):

Name	Profession	Total salary received
John H. Yingling	Chief clerk	$8,889.99
Robert A. Wallace	Staff director	8,580.79
Paul Cyr	Assistant clerk	8,168.60
James B. Cash, Jr.	Professional staff member.	8,168.60
Donald L. Rogers	Counsel (to Sept. 30).	4,425.72
Matthew Hale	Counsel	8,055.12
Henrietta S. Chase	Clerical assistant	4,119.00
Florence Barr	do	3,810.72
Pauline C. Beam	do	3,749.07
Caro M. Pugh	do	3,749.07

Funds available for expenditure at beginning of period	$2,100.89
Additional funds authorized during period	0
Total available for expenditure during period	2,100.89
Expended during period	1,487.45
Balance available for expenditure at end of period	613.44

J. W. FULBRIGHT,
Chairman.

JANUARY 15, 1959.

COMMITTEE ON BANKING AND CURRENCY

(S. Res. 214, agreed to Feb. 5, 1958)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive compensation for the period January 1 through June 30, as authorized by law):

Name	Profession	Total salary received
Arthur J. Wilson	Staff assistant	$5,575.41
Olin Cavness	do	5,163.44
William Field	do	3,027.24
Reginald W. Barnes	Assistant counsel (from Oct. 1).	2,528.43
Charles L. Egenroad	Professional staff member (from Oct. 20).	2,954.26
Matthew Hale	Assistant counsel (retroactive pay Jan. 1 to Jan. 31).	113.48

Funds available for expenditure at beginning of period	$59,551.47
Additional funds authorized during period	0
Total available for expenditure during period	59,551.47
Expended during period	21,877.13
Balance available for expenditure at end of period	37,674.34

J. W. FULBRIGHT,
Chairman.

JANUARY 15, 1959.

COMMITTEE ON BANKING AND CURRENCY

SUBCOMMITTEE ON HOUSING

(S. Res. 207, agreed to Feb. 5, 1958)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive compensation for the period January 1 through June 30, as authorized by law):

Name	Profession	Total salary received
Jack Carter	Staff director (to Aug. 20).	$2,761.35
Milton P. Semer	Chief counsel	8,170.56
Dean F. Cromer	Staff assistant	6,387.12
Carl A. S. Coan	Research director	6,280.10
Dudley L. O'Neal, Jr.	Assistant counsel	5,445.46
Clarence R. Jacobs	Investigator	3,995.67
Mildred Mitchel	Clerical assistant	3,194.11
Doris I. Thomas	do	3,009.14

Funds available for expenditure at beginning of period	$56,583.69
Additional funds authorized during period	0
Total available for expenditure during period	56,583.69
Expended during period	42,571.07
Balance available for expenditure at end of period	14,012.62

J. W. FULBRIGHT,
Chairman.

JANUARY 7, 1959.

COMMITTEE ON THE DISTRICT OF COLUMBIA

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees

(and retroactive compensation January 1 to June 30, 1958, as authorized):

Name	Profession	Total salary received
Leo A. Casey	Chief clerk	$8,889.97
Charles W. Lee	Assistant chief clerk	4,488.93
William P. Gulledge	Professional staff member.	8,580.76
Donald P. Feldman	do	6,226.62
Ruth W. Bryant	Clerical assistant	4,180.64
Arlene B. Williams	do	4,180.64
Carolyn S. Bell	Clerical assistant (from July 7).	2,174.71

Funds available for expenditure at beginning of period	$5,505.53
Additional funds authorized during period	
Total available for expenditure during period	5,505.53
Expended during period	675.86
Balance available for expenditure at end of period	4,829.67

ALAN BIBLE,
Chairman.

JANUARY 12, 1959.

COMMITTEE ON FINANCE

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive compensation from January 1 to June 30, 1958):

Name	Profession	Total salary received
Elizabeth B. Springer	Chief clerk	$7,510.71
Evelyn R. Thompson	Clerical assistant	4,180.64
Betty Mae Tapy	do	4,180.64
Sandra Everly	do	3,009.14
Jesse R. Nichols	Document clerk	3,502.41
Serge N. Benson	Professional staff member.	8,170.56
Samuel D. McIlwain	Professional staff member (to Aug. 18).	2,812.58
Reginald Barnes	Professional staff member (to Sept. 30).	2,988.14

Funds available for expenditure at beginning of period	$10,122.81
Additional funds authorized during period	
Total available for expenditure during period	10,122.81
Expended during period	3,041.29
Balance available for expenditure at end of period	7,081.52

HARRY F. BYRD,
Chairman.

JANUARY 19, 1959.

COMMITTEE ON FOREIGN RELATIONS

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive pay for the period January 1 to June 30, 1958, as authorized):

Name	Profession	Total salary received
Carl M. Marcy	Professional staff member.	$8,889.97
Pat M. Holt	do	8,580.76
Julius N. Cahn	Professional staff member (to Aug. 24).	$2,927.78
George C. Denney, Jr.	Professional staff member.	8,504.80
Donald G. Henderson	Professional staff member (from Aug. 1 [1]).	6,268.65
Morella R. Hansen	Professional staff member.[1]	5,439.95
Milrae E. Jensen	do. [2]	5,398.98
Darrell St. Claire	Chief clerk	7,999.89
Francis R. Valeo	Assistant chief clerk	8,049.06
Mary A. Sames	Clerical assistant	4,171.11
Theresa Bowen	do	3,271.36
Judith Ann Lund	do. [1]	2,551.03
Lois H. Fleischhacker	do	3,029.67
Robert E. Cole	do. [1]	3,110.70
June C. DeVenter	Clerical assistant (from Aug. 4 to Dec. 14).	2,459.95
Varney Porter	Clerical assistant (from Dec. 15).	240.16

[1] Authority of S. Res. 240, agreed to Jan. 16, 1958.
[2] Authority of S. Res. 259, agreed to Feb. 13, 1958.

Funds available for expenditure at beginning of period (standing committee)	$7,871.99
Additional funds authorized during period, S. Res. 326 of July 28, 1958	10,000.00
Total available for expenditure during period	17,871.99
Expended during period	4,567.42
Balance available for expenditure at end of period	13,304.57

THEODORE FRANCIS GREEN,
Chairman.

JANUARY 9, 1959.

COMMITTEE ON FOREIGN RELATIONS

SUBCOMMITTEE ON DISARMAMENT

(Under authority of S. Res. 335, agreed to July 28, 1958, and S. Res. 241, agreed to Jan. 29, 1958)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Betty Goetz	Staff director	$6,012.58
Carolyn F. Smith	Assistant clerk	3,070.80
Cyril E. King	Assistant clerk (to Sept. 12).	1,761.19
Paula L. Underwood	Assistant clerk (to Sept. 5).	1,246.84
Helen R. Kettendorf	Assistant clerk (to July 31).	420.85
Agnes S. Sullivan	Assistant clerk (to July 31 and from Dec. 29).	640.06
Carolyn W. Welsh	(Retroactive pay)	154.87

By authority of S. Res. 241, agreed to Jan. 29, 1958:

Funds available for expenditure at beginning of period	$9,103.80
Expended during period	7,600.13
Balance available for expenditure at end of period	1,503.67
Funds available for expenditure at beginning of period by S. Res. 335, of July 28, 1958	35,000.00
Additional funds authorized during period	
Total available for expenditure during period	35,000.00
Expended during period	9,104.50
Balance available for expenditure at end of period	25,895.50

THEODORE FRANCIS GREEN,
Chairman.

JANUARY 19, 1959.

COMMITTEE ON FOREIGN RELATIONS

(Authority of S. Res. 336, agreed to July 31, 1958)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Arthur Kuhl	Staff member (from Aug. 18).	$5,449.49
John O'Neill	Clerical assistant (from Oct. 27).	441.34

Funds available for expenditure at beginning of period by S. Res. 336, of July 31, 1958	$300,000.00
Additional funds authorized during period	
Total available for expenditure during period	300,000.00
Expended during period	[1] 22,078.32
Balance available for expenditure at end of period	277,921.68

[1] Includes statutory advance of $15,000.

THEODORE FRANCIS GREEN,
Chairman.

JANUARY 19, 1959.

COMMITTEE ON FOREIGN RELATIONS

(Authority of S. Res. 259, agreed to Mar. 6, 1958)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees:

No salaries.

Funds available for expenditure at beginning of period by S. Res. 259, of Mar. 6, 1958	$4,891.03
Additional funds authorized during period	
Total available for expenditure during period	$4,891.03
Expended during period	673.79
Balance available for expenditure at end of period	4,217.24

THEODORE FRANCIS GREEN,
Chairman.

JANUARY 15, 1959.

COMMITTEE ON GOVERNMENT OPERATIONS

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, retroactive pay for the period from January 1 to June 30, 1958, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Walter L. Reynolds	Chief clerk	$8,580.76
Glenn K. Shriver	Professional staff member.	8,170.56
Eli E. Nobleman	do	8,170.56
Miles Scull, Jr.	do	8,170.56
W. E. O'Brien	do	7,243.20
Arthur A. Sharp [1]	Professional staff member (from Aug. 20).	3,680.26
Ann M. Grickis	Assistant chief clerk	4,797.22
Ray Barnett	Clerical assistant	3,810.69

Name	Profession	Total salary received
Vivien I. McConnell	Clerical assistant	$3,687.38
Kathryn Keeney (Mrs.).	do	3,502.14
Yvonne Scott	do	3,191.36
Esther M. Hutchinson (Mrs.).	Retroactive pay authorized.	187.72

[1] Under provisions of S. Res. 355.

Funds available for expenditure at beginning of period	$7,727.31
Additional funds authorized during period	
Total available for expenditure during period	7,727.31
Expended during period	3,123.95
Balance available for expenditure at end of period	4,603.36

JOHN L. MCCLELLAN,
Chairman.

JANUARY 15, 1959.

COMMITTEE ON GOVERNMENT OPERATIONS

SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive compensation from January 1 to June 30, 1958):

Name	Profession	Total salary received
Buffalohide, Maxine B.	Assistant clerk	$3,379.09
Calabrese, Alphonse F.	Investigator	7,849.57
Dearborn, Alice S.	Assistant clerk	3,916.03
Duckett, Margaret W.	Acting chief clerk	3,502.41
Duffy, LaVern J.	Investigator (to Nov. 30).	5,916.62
Dunne, Robert E.	Assistant counsel	6,990.52
Egan, Thomas G.	Investigator	6,636.79
Healey, John S.	Assistant counsel (to Sept. 27).	3,485.08
Juliana, James N.	Chief counsel to the minority (to Oct. 12).	4,883.41
Kamerick, Paul E.	Assistant counsel	8,170.56
Kennedy, Rosemary K.	Assistant clerk	3,074.76
Maher, Joseph F.	Investigator (to Aug. 31).	2,570.07
Maisch, Carl F.	Investigator (from Oct. 2).	2,603.90
Nulty, Leo C.	Investigator	7,222.39
O'Donnell, Donald F.	Acting chief counsel	8,527.28
Switzer, Mildred L.	Assistant clerk	3,317.43
Tierney, Paul J.	Assistant counsel (to Aug. 31).	3,030.81

Funds available for expenditure at beginning of period	$117,007.29
Additional funds authorized during period	
Total available for expenditure during period	117,007.29
Expended during period	103,332.68
Balance available for expenditure at end of period	13,674.61

JOHN L. MCCLELLAN,
Chairman.

JANUARY 15, 1959.

COMMITTEE ON GOVERNMENT OPERATIONS

SUBCOMMITTEE ON REORGANIZATION AND INTERNATIONAL ORGANIZATIONS

(S. Res. 347)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from August 18 to December 31, 1958, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Julius N. Cahn	Professional staff member (from Oct. 16).	$3,120.70
Elizabeth S. Reynolds.	Clerical assistant (from Dec. 15).	255.24

Funds available for expenditure at beginning of period	$30,000.00
Additional funds authorized during period	
Total available for expenditure during period	30,000.00
Expended during period	[1] 13,644.62
Balance available for expenditure at end of period	16,355.38

[1] Includes statutory advance of $10,000, of which it is estimated that $2,000 will be expended.

JOHN L. MCCLELLAN,
Chairman.

HUBERT H. HUMPHREY,
Subcommittee Chairman.

JANUARY 15, 1959.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (retroactive compensation from January 1 to June 30, 1958):

Name	Profession	Total salary received
Callaghan, Richard L.	Chief clerk	$8,889.97
French, Stewart	General counsel	8,580.76
Gamble, James H	Professional staff member.	8,203.26
Lineweaver, Goodrich L.	do	8,546.58
Stong, Benton J.	do	8,203.26
Callaghan, Marcia M.	Clerical assistant	3,440.74
Davis, Dorothy A.	do	3,255.77
Donnelley, Rosemary	do	3,687.38
McSherry, Nellie D.	Assistant chief clerk	6,654.63
Todd, Pauline B.	Clerical assistant (to Oct. 15 and from Dec. 1).	2,652.23
Nelson, Sharon M.	Clerical assistant (from Oct. 16 to Nov. 30).	788.50

Funds available for expenditure at beginning of period	$6,443.37
Additional funds authorized during period (S. Res. 356, Aug. 18, 1958)	10,000.00
Total available for expenditure during period	16,443.37
Expended during period	8,529.46
Balance available for expenditure at end of period	7,913.91

JAMES E. MURRAY,
Chairman.

JANUARY 15, 1959.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

(Under authority of S. Res. 229, agreed to Jan. 29, 1958)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (retroactive compensation from January 1 to June 30, 1958):

Name	Profession	Total salary received
Broide, Macy	Professional staff member (from Nov. 6).	$1,528.65
Culp, Gordon C.	Professional staff member.	2,755.85
Curtis, Dorothy S.	Clerical assistant	3,255.77
Dickerson, Denver	Professional staff member (to Sept. 15).	2,863.73
Eaton, Eugene D.	Professional staff member.	7,483.46
Haburchak, Olga	Clerical assistant (from July 11).	2,445.00
Harrington, Joan	Clerical assistant	2,255.77
Holderer, Geo. B.	Professional staff member.	7,510.71
Horgan, Edward E.	Research assistant (from Sept. 9 to Nov. 15).	753.24
Lahr, Mary Catherine.	Clerical assistant	3,194.11
Leshin, Geraldine	Professional staff member (to Nov. 30).	4,676.45
Mann, Jerry E.	Clerical assistant	3,168.42
Mapes, Milton C., Jr.	Professional staff member.	7,136.17
Masters, James M., Jr.	Research assistant (to Sept. 15).	870.84
McDonald, Joseph F., Jr.	Professional staff member (to July 11).	858.44
Nauman, Doris K.	Clerical assistant (Dec. 1-31).	412.63
Nelson, Elmer K.	Professional staff member.	8,170.56
O'Connor, Adele R.	Stenographer	3,194.11
O'Toole, Richard F.	Professional staff member.	7,724.68
Redwine, Robert W.	do	7,510.71
Royce, Richard B.	Professional staff member (from Sept. 16 to Dec. 15).	2,501.41
Sutton, Betty M.	Clerical assistant	2,942.48
Todd, Pauline B.	Clerical assistant (Nov. 17-30).	245.31
Wong, Donna J.	Clerical assistant (to July 31).	369.80

Funds available for expenditure at beginning of period	$112,471.03
Additional funds authorized during period (S. Res. 345, Aug. 18, 1958)	8,750.00
Total available for expenditure during period	121,221.03
Expended during period	$112,107.12
Balance available for expenditure at end of period	9,113.91

JAMES E. MURRAY,
Chairman.

JANUARY 9, 1959.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive compensation from January 1 to June 30, 1958):

Name	Profession	Total salary received
Bailey, James E.	Assistant chief counsel.	$8,170.56
Barton, Frank L.	Professional staff member.	8,170.56
Baynton, Harold I.	Chief counsel	8,889.97
Bowers, Joan A.	Clerical assistant	1,379.19
Cooper, Grace R.	do	2,592.06
Jarrett, Edward	Chief clerk	8,580.76
Rudolph, Vera B.	Clerical assistant	4,180.64
Shaffer, Martha P.	do	3,687.38
Smigen, Cecelia M.	do	1,715.65
Wissman, Bertram O.	Assistant chief clerk	8,509.36
Zapple, Nicholas	Professional staff member.	8,170.56

Funds available for expenditure at beginning of period	$6,975.83
Additional funds authorized during period	0
Total available for expenditure during period	6,975.83
Expended during period	6,643.04
Balance available for expenditure at end of period	332.79

WARREN G. MAGNUSON,
Chairman.

JANUARY 9, 1959.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(S. Res. 224, agreed to Feb. 5, 1958, authorizing the Committee on Interstate and Foreign Commerce to investigate certain matters under its jurisdiction)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive compensation from January 1 to June 30, 1958):

Name	Profession	Total salary received
Adkisson, Sandra L.	Clerical assistant	$2,411.04
Black, John W.	Professional staff member.	4,550.59
Bourbon, August J.	do	8,117.92
Bowers, Joan A.	Clerical assistant	1,629.95
Bromson, Barbara E.	do	611.15
Busby, David	Professional staff member.	2,483.88
Butz, John R.	Clerical assistant	4,617.13
Cox, Kenneth A.	Special counsel	2,644.08
Fadely, Catherine E.	Clerical assistant	3,379.09
Grinstein, Gerald B.	Professional staff member.	4,837.49
Huse, Harry C.	do	6,387.12
Kohler, William L.	do	5,163.44
Lewis, Willie L.	Clerical assistant	2,233.78
Luckey, Albert B., Jr.	Professional staff member.	2,587.91
MacGowan, Howard H.	Consultant	724.44
Monk, Jane E.	Clerical assistant	3,009.14
Murphy, Robert T.	Professional staff member.	8,170.56
Roberts, Barbara L.	Clerical assistant	603.84
Rogers, Kathryn B.	do	2,885.82
Rudy, Leslie M.	Professional staff member.	3,162.31
Stern, Edward A.	do	5,959.05
Torre, Catherine C.	Clerical assistant	3,361.62
Watkins, Charles D.	Professional staff member.	4,673.91

Funds available for expenditure at beginning of period	$157,222.73
Additional funds authorized during period	0
Total available for expenditure during period	157,222.73
Expended during period	98,744.26
Balance available for expenditure at end of period	58,478.47

WARREN G. MAGNUSON,
Chairman.

JANUARY 9, 1959.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(S. Res. 287, agreed to May 6, 1958, authorizing a study of the textile industry of the United States)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive compensation from January 1 to June 30, 1958):

Name	Profession	Total salary received
Miernyk, William H.	Consultant (w.a.e.)	$2,493.48
Funds available for expenditure at beginning of period		$25,000.00
Additional funds authorized during period		0
Total available for expenditure during period		25,000.00
Expended during period		6,259.83
Balance available for expenditure at end of period		18,740.17

WARREN G. MAGNUSON,
Chairman.

JANUARY 9, 1959.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(S. Res. 303, agreed to June 23, 1958, providing for a study of transportation policies in the United States)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive compensation from January 1 to June 30, 1958):

Name	Profession	Total salary received
Luckey, Albert B., Jr.	Professional staff member.	$4,080.80
Funds available for expenditure at beginning of period		$100,000.00
Additional funds authorized during period		0
Total available for expenditure during period		$100,000.00
Expended during period		4,080.80
Balance available for expenditure at end of period		95,919.20

WARREN G. MAGNUSON,
Chairman.

JANUARY 15, 1959.

COMMITTEE ON THE JUDICIARY

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive pay for the period January 1 to June 30, 1958):

Name	Profession	Total salary received
Joseph A. Davis	Chief clerk	$8,577.91
Francis C. Rosenberger.	Assistant chief clerk	8,170.56
Thomas B. Collins	Professional staff member.	8,170.56
George S. Green	do	8,170.56
Robert B. Young	do	8,170.56
Wayne H. Smithey	Professional staff member (to Nov. 30, 1958).	7,266.96
L. P. B. Lipscomb	Professional staff member (from Aug. 1, 1958).	6,241.40
Robert M. Kilgore	Professional staff member (to July 20, 1958).	1,513.07
J. Carlisle Ruddy	Professional staff member (to July 20, 1958).	$1,371.38
Mary I. Rogers	Clerical assistant	3,934.01
Mildred E. Canon	do	3,934.01
Carrie Lee Conner	do	3,934.01
Katharine M. Ellis	do	3,934.01
Costas C. Chrissos	do	3,934.01
Richard F. Wambach	do	3,934.01
Beatrice M. Gray	do	3,379.09
Funds available for expenditure at beginning of period		$3,918.18
Additional funds authorized during period (S. Res. 300 agreed to May 21, 1958)		10,000.00
Total available for expenditure during period		13,918.18
Expended during period		1,653.94
Balance available for expenditure at end of period		12,264.24

JAMES O. EASTLAND,
Chairman.

JANUARY 15, 1959.

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE ON NATIONAL PENITENTIARIES

(S. Res. 230 agreed to Jan. 29, 1958)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees:

No employees.	
Funds available for expenditure at beginning of period (S. Res. 230)	$4,838.14
Additional funds authorized during period	
Total available for expenditure during period	4,838.14
Expended during period	360.27
Balance available for expenditure at end of period	4,477.87

JAMES O. EASTLAND,
Chairman.
THOS. C. HENNINGS, Jr.,
Subcommittee Chairman.

JANUARY 12, 1959.

COMMITTEE ON THE JUDICIARY

SENATE ANTITRUST AND MONOPOLY SUBCOMMITTEE

(Under authority of S. Res. 231 agreed to Feb. 5, 1958)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive pay for the period January 1 to June 30, 1958):

Name	Profession	Total salary received
Arnett, Lucy V.	Stenographer	$3,379.09
Beaton, Adele V.	Secretary to counsel for minority.	3,372.24
Blair, John M.	Chief economist	8,170.56
Bolton-Smith, Carlile.	Attorney	8,170.56
Browne, E. Wayles, Jr.	Economist	7,473.92
Bryant, Lucile	Stenographer	3,055.71
Carpenter, Robert A.	Associate hearing editor (from Oct. 13).	2,388.33
Chumbris, Peter N.	Counsel for the minority.	8,170.56
Chaney, Katherine Ford.	Stenographer	2,951.75

Name	Profession	Total salary received
Clifford, George E.	Assistant counsel	$6,226.62
Cole, Raymond C., Jr.	Investigator	5,575.41
Dixon, Paul R.	Counsel and staff director.	8,170.56
Flurry, Horace L.	Assistant counsel	7,617.72
Fry, L. Carl	Special economist (from Sept. 2).	4,324.65
Golden, Joseph C.	Attorney (from Aug. 22).	2,867.97
Graffam, O. Marie	Telephone operator	1,791.15
Green, Paul S.	Hearing editor	6,206.55
Hamilton, Irene Till.	Economist (w.a.e.)	3,151.97
Heins, Richard S.	Attorney (w.a.e.)	617.80
Holloman, Jere L.	Messenger (to Aug. 26).	538.60
Holzman, Bernice M.	Stenographer (w.a.e.).	$304.09
Laycook, L. Graden, III.	Mail clerk (to July 31).	119.44
Layton, Philip R.	Assistant counsel	7,167.39
Mann, Dean E.	Research assistant (from July 21 to Aug. 31).	889.29
McHugh, Donald P.	Counsel	8,170.56
Measday, Walter S.	Economist	5,824.41
Montier, Gladys E.	Clerk	4,057.33
Neville, Careth M.	Assistant counsel	8,170.56
Oliver, Mae	Records clerk (to Oct. 15 and from Nov. 13).	3,499.44
Olshine, Lucille L.	Research assistant	3,317.43
Patterson, Faye	Stenographer (from Oct. 6-19 and from Dec. 1-31).	504.36
Peck, Theodore T.	Attorney	7,988.99
Posmantur, Peter T.	do	4,078.73
Read, Arlone	Stenographer	3,193.26
Rice, Downey	Assistant counsel (w.a.e.).	135.83
Ridley, Ida E.	Stenographer (from Oct. 27).	860.18
Roller, Ella G.	Information specialist (w.a.e. to July 31).	837.63
Rosenman, Louis	Attorney	4,057.33
Sparks, Wilbur D.	do	5,777.24
Underwood, Paula L.	Stenographer (from Nov. 1).	768.74
Waltman, Vera M.	Stenographer (to Oct. 31).	2,089.68
White, Frank P., Jr.	Research assistant (from July 3 to Aug. 31).	495.03
Williams, Thomas C.	Attorney	3,827.81
Zaiany, Emily W.	Stenographer	3,132.17

Funds available for expenditure at beginning of period (S. Res. 231)	$245,951.04
Additional funds authorized during period	
Total available for expenditure during period	245,951.04
Expended during period	193,453.45
Balance available for expenditure at end of period	52,497.59

JAMES O. EASTLAND,
Chairman.

ESTES KEFAUVER,
Subcommittee Chairman.

DECEMBER 31, 1959.

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE ON TRADING WITH THE THE ENEMY ACT

(Under authority of S. Res. 232 agreed to Jan. 29, 1958)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive pay for the period January 1 to June 30, 1958):

Name	Profession	Total salary received
Downey, Mabel A.	Clerk	$3,625.72
Hensley, Kathryn R.	Clerk-typist (to Aug. 3).	532.88
Johnson, Richard E.	Clerical assistant (June 16 to Sept. 15).	858.52
McElroy, Marcia L.	Stenographer (retroactive pay to Jan. 19).	$22.13
Wood, Harlan	Counsel	8,170.56

Funds available for expenditure at beginning of period (S. Res. 232)	$39,548.60
Additional funds authorized during period	
Total available for expenditure during period	39,548.60
Expended during period	14,779.12
Balance available for expenditure at end of period	24,769.48

JAMES O. EASTLAND,
Chairman.

OLIN D. JOHNSTON,
Subcommittee Chairman.

JANUARY 6, 1959.

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE ON INTERNAL SECURITY

(S. Res. 233 agreed to Jan. 29, 1958, as amended)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive pay for the period January 1 to June 30, 1958):

Name	Profession	Total salary received
Baker, Dorothy C.	Records manager	$5,575.41
Barber, Frank D.	Investigator (to Oct. 14).	2,750.94
Betts, Mary E.	Secretary	3,009.14
Buckley, Wilburn	Investigator	7,029.16
Dua, Bernice E.	Secretary	3,009.14
Duffy, Edward R.	Investigator	6,173.08
Fox, Miriam O.	Confidential secretary.	4,180.64
Hutto, Ralph H., Jr.	Assistant editorial director.	6,066.06
Lowell, William E.	Editorial director	5,516.18
Malaney, Elinor L.	Confidential secretary (to Mar. 15).	145.16
Mandel, Benjamin	Research director	7,564.18
McManus, Robert C.	Investigations analyst.	5,704.27
McManus, William F.	Research assistant	4,550.59
McShan, Antionette M.	do	3,749.04
Pierce, Clarence A.	Investigator	4,210.45
Richards, Ann E.	Stenographer (to July 31).	841.51
Schroeder, Frank W.	Chief investigator	7,350.15
Sisson, W. D.	Clerk	2,885.82
Sourwine, J. G.	Chief counsel	8,830.86
Stavropulos, Mary	Clerk	3,132.46
Tonnar, Helen H.	Secretary	3,317.43
Wooton, Elliott T.	Clerk (from Dec. 1)	506.83
Kerekes, Gabriel T.	Consultant (w.a.e.)	753.21

Funds available for expenditure at beginning of period (S. Res. 233)	$120,958.71
Additional funds authorized during period (S. Res. 378 agreed to Aug. 20, 1958)	15,000.00
Total available for expenditure during period	144,958.71
Expended during period	108,062.71
Balance available for expenditure at end of period	36,896.00

JAMES O. EASTLAND,
Chairman.

JANUARY 5, 1959.

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS OF THE COMMITTEE ON THE JUDICIARY

(Under authority of S. Res. 234 agreed to Jan. 29, 1958)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive pay for the period January 1 to June 30, 1958):

Name	Profession	Total salary received
Bevan, Robert L.	Assistant Counsel	$4,110.27
Escoe, J. Delmas	do	5,163.44
Gowen, Mary A.	Secretary	3,602.22
Grieg, Lydia S.	do	3,622.52
Hanlon, Lawrence B.	Clerical assistant (from Nov. 16 to Dec. 15).	337.26
Irwin, Mary A.	Legislative consultant.	5,163.44
MacNaughton, Marcia J.	Research assistant	2,875.55
Maloney, Walter H., Jr.	Assistant counsel	3,921.16
McCandless, Sue H.	Research assistant	2,867.84
Patton, William D.	First assistant counsel.	5,977.20
Simmons, Belva T.	Research assistant	3,009.14
Slayman, Charles H., Jr.	Chief counsel and staff director.	8,186.91

Funds available for expenditure at beginning of period (S. Res. 234)	$79,447.11
Additional funds authorized during period	
Total available for expenditure during period	79,447.11
Expended during period	52,182.98
Balance available for expenditure at end of period	27,264.13

JAMES O. EASTLAND,
Chairman.

THOS. C. HENNINGS, Jr.,
Subcommittee Chairman.

JANUARY 7, 1959.

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE ON IMMIGRATION AND NATURALIZATION

(S. Res. 235, argeed to Jan. 29, 1958)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive pay for the period January 1 to June 30, 1958):

Name	Profession	Total salary received
Ashcraft, Ann	Clerk	$2,762.50
Blair, Drury H.	Staff member	8,170.56
Brown, James M.	Legal assistant	6,226.62
Buckner, Catlett L.	Staff member	6,173.08
Burton, Robert R.	do	6,868.66
DeGooyer, Franzetta R.	Clerk	3,564.06
McCarthy, Mary C.	(Retroactive pay)	6.25
McCloskey, Mary J.	Clerk	3,564.06
Mesmer, Fred M.	Staff member	8,170.56

Funds available for expenditure at beginning of period (S. Res. 235)	$57,061.53
Additional funds authorized during period	
Total available for expenditure during period	57,061.53
Expended during period	47,361.44
Balance available for expenditure at end of period	9,700.09

JAMES O. EASTLAND,
Chairman, Subcommittee and Full Committee.

JANUARY 12, 1959.

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE ON PATENTS, TRADEMARKS, AND COPYRIGHTS

(Pursuant to S. Res. 236, agreed to Feb. 5, 1958)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive pay for the period January 1 to June 30, 1958):

Name	Profession	Total salary received
Chrissos, Louise J.	Secretary (from Dec. 16).	$220.44
Clesner, Herschel F.	Investigator	5,043.85
Dinkins, Clarance	do	4,801.00
Ercegovich, Ann M.	Secretary	3,440.74
Gehlmann, Donald E.	Clerk (from Oct. 20).	465.92
Gibbons, Richard M.	Secretary-typist	2,577.53
Haaser, Stephen G.	Chief clerk	5,745.07
Hadley, Laura M.	Clerk-typist (to Aug. 15).	794.73
Hoy, Ann S.	Secretary (to Dec. 15).	3,519.59
Osswald, Jack	Consultant (from July 2 to Aug. 1).	301.91
Osswald, Jack	Investigator (from Aug. 15).	2,254.92
Solo, Robert A.	Consultant (w.a.e., S. Res. 167).	431.66
Stedman, John C.	Associate counsel (w.a.e. to Sept. 14).	2,851.41
Stedman, John C.	Associate counsel (from Sept. 15).	4,524.07
Turk, Thad H.	Clerk (from Oct. 20).	748.16
Whinery, Leo H.	Consultant (w.a.e.)	12.51
Wright, Robert L.	Chief counsel	7,716.64

Funds available for expenditure at beginning of period (S. Res. 236)	$105,985.06
Additional funds authorized during period	----------
Total available for expenditure during period	105,985.06
Expended during period	48,458.65
Balance available for expenditure at end of period	57,526.41

JAMES O. EASTLAND,
Chairman.
JOSEPH C. O'MAHONEY,
Subcommittee Chairman.

JANUARY 8, 1959.

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE TO INVESTIGATE JUVENILE DELINQUENCY

(Under authority of S. Res. 237, agreed to Jan. 29, 1958)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive pay for the period January 1 to June 30, 1958):

Name	Profession	Total salary received
Bernstone, Arthur H.	Chief counsel	$7,712.85
Butts, Dorothy C.	Stenographer	2,845.74
Holland, Cecil F., Jr.	Clerical assistant (to Sept. 12, and from Dec. 16).	726.37
Louis, Margaret M.	Stenographer	2,881.54
McGill, Elizabeth T.	Chief clerk	4,238.02
Nalty, Paul A.	Clerical assistant (Nov. 13 to Dec. 19).	179.63
Perian, Carl L.	Research director	5,158.35
Funds available for expenditure at beginning of period (S. Res. 237)		$56,488.99
Additional funds authorized during period		----------
Total available for expenditure during period		56,488.99
Expended during period		26,380.06
Balance available for expenditure at end of period		30,108.93

JAMES O. EASTLAND,
Chairman.
THOS. C. HENNINGS, Jr.,
Subcommittee Chairman.

JANUARY 15, 1959.

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE ON IMPROVEMENTS IN THE FEDERAL CRIMINAL CODE

(S. Res. 238, agreed to Jan. 29, 1958)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Gasque, Cecial A.	Retroactive pay	$567.40
Culotta, Samuel A.	Associate counsel (to Aug. 31).	2,764.65
Langer, Jennie J.	Administrative secretary (to July 6).	497.19

Funds available for expenditure at beginning of period (S. Res. 238)	$27,722.99
Additional funds authorized during period	----------
Total available for expenditure during period	27,722.99
Expended during period	4,455.74
Balance available for expenditure at end of period	23,267.25

JAMES O. EASTLAND,
Chairman.
JOSEPH C. O'MAHONEY,
Subcommittee Chairman.

JANUARY 12, 1959.

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE TO INVESTIGATE PROBLEMS CONNECTED WITH EMIGRATION OF REFUGEES FROM WESTERN NATIONS

(Under authority of S. Res. 239, agreed to Jan. 29, 1958)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive pay for the period January 1 to June 30, 1958):

Name	Profession	Total salary received
Guthridge, Eleanor C.	General counsel	$8,170.56
Zisler, Lucille M.	Secretary	3,032.39
Riley, Louise	Stenographer (to Aug. 15).	704.08

Funds available for expenditure at beginning of period (S. Res. 239)	$26,300.66
Additional funds authorized during period	----------
Total available for expenditure during period	26,300.66
Expended during period	13,474.72
Balance available for expenditure at end of period	12,825.94

JAMES O. EASTLAND,
Chairman.
WM. LANGER,
Subcommittee Chairman.

JANUARY 5, 1959.

COMMITTEE ON LABOR AND PUBLIC WELFARE

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (retroactive compensation January 1 to June 30, 1958, as authorized):

Name	Profession	Total salary received
Stewart E. McClure	Chief clerk	$8,170.56
Roy E. James	Assistant chief clerk	8,170.56
Crawford C. Heerlein	Clerical assistant	4,180.64
Vivien T. Harman [1]	do	4,057.33
Thelma W. Blankenship.	do	3,749.04
Marjorie M. Whittaker.[1]	do	3,687.38
Helen H. Papps	do	3,687.38
Alice H. Price	do	3,440.74
Helyn Eagle [1]	do	3,440.74
Lucille Gould [1]	do	3,194.11
Nina Fountain [2]	Clerical assistant (to Oct. 24).	1,795.72
John S. Forsythe	General counsel	8,525.69
William G. Reidy	Professional staff member.	8,170.56
Michael J. Bernstein	do	8,525.69
Merton Bernstein [2]	Professional staff member (to Aug. 31).	3,177.44
Frederick Blackwell [2]	Professional staff member.	8,148.76
Raymond D. Hurley [2]	do	7,962.51
Ralph A. Dungan [2]	do	7,773.38

[1] Under authority of S. Res. 254, Feb. 5, 1958.
[2] Under authority of S. Res. 253, Feb. 10, 1958.

Funds available for expenditure at beginning of period	$6,600.57
Additional funds authorized during period	----------
Total available for expenditure during period	6,600.57
Expended during period	3,338.51
Balance available for expenditure at end of period	3,262.06

LISTER HILL,
Chairman.

JANUARY 13, 1959.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (retroactive compensation January 1 to June 30, 1958, as authorized):

Name	Profession	Total salary received
Brawley, H. W.	Chief clerk	$8,889.97
Kerlin, J. Don	Professional staff member.	8,546.58
Paschal, Frank A.	do	8,580.76
Faucette, Andrew McC.	do	8,197.81
Finzel, Hubert H.	do	8,197.81
Perrott, Virginia E.	Assistant chief clerk	4,303.96
Sisk, Elizabeth R.	Clerical assistant	4,180.64
Thorton, Peggy L.	do	3,255.77
Gooselaw, Jay E.	do.[1]	3,255.77
McDonald, Innis E.	do	3,564.06
Finney, Joan M.	do	3,687.38

[1] Under authority of S. Res. 210, agreed to Jan. 29, 1958.

Funds available for expenditure at beginning of period	$9,508.64
Additional funds authorized during period	----------
Total available for expenditure during period	9,508.64

Expended during period	$4,872.88
Balance available for expenditure at end of period	4,635.76

OLIN D. JOHNSTON,
Chairman.

JANUARY 13, 1959.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

SUBCOMMITTEE ON INVESTIGATION OF THE ADMINISTRATION OF THE FEDERAL EMPLOYEE GROUP LIFE INSURANCE PROGRAM, THE CIVIL SERVICE SYSTEM, AND THE POSTAL SERVICE

(S. Res. 208, agreed to Jan. 29, 1958)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (retroactive compensation January 1 to June 30, 1958, as authorized):

Name	Profession	Total salary received
Alexander, Betty C	Clerical assistant	$2,762.50
Gandal, Gabriele	do	3,070.80
Huss, John D	Clerical assistant (to Sept. 30).	1,294.28
Johnston, Nannette G	Clerical assistant	3,687.38
McEnroe, Louella C	do	3,625.72
Miller, William W	Investigator	5,852.09
Connor, Thomas F	Consultant (per diem to July 15).	1,613.26

Funds available for expenditure at beginning of period	$33,138.91
Additional funds authorized during period	
Total available for expenditure during period	33,138.91
Expended during period	23,375.60
Balance available for expenditure at end of period	9,763.31

OLIN D. JOHNSTON,
Chairman.

JANUARY 1, 1959.

COMMITTEE ON PUBLIC WORKS

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive compensation from January 1 to June 30, 1958, as authorized):

Name	Profession	Total salary received
Theo W. Sneed	Professional staff member.	$8,152.75
John L. Mutz	do	8,152.75
Frances Ortiz	do	7,564.18
Irving E. Moore	Chief clerk	8,889.97
Charles N. Kapnic	Assistant chief clerk	8,470.98
Eloise Porter	Clerical assistant	4,180.64
Frances T. Clark	do	4,180.64
Lorenzo E. Tapia	do	3,625.72
Ercilia E. Martinez	Clerical assistant (to July 31).	826.96
Margaret P. Jacobs	Clerical assistant (Aug. 1–31).	553.93

Funds available for expenditure at beginning of period	$9,475.00
Additional funds authorized during period	
Total available for expenditure during period	9,475.00
Expended during period	
Balance available for expenditure at end of period	9,475.00

DENNIS CHAVEZ,
Chairman.

JANUARY 1, 1959.

COMMITTEE ON PUBLIC WORKS

SUBCOMMITTEE ON INVESTIGATIONS

(Under authority of S. Res. 231 agreed to Jan. 29, 1958)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive compensation from January 1 to June 30, 1958, as authorized):

Name	Profession	Total salary received
Fernandez, Cruz S	Clerical assistant	$4,180.64
McBride, Paul	Clerk	5,457.66
Mollica, D F	do	4,180.64
Moulton, Rodney F	do	6,040.97
Stephens, Margaret A	Clerical assistant (to Aug. 31).	1,044.84
Jacobs, Margaret P	Clerk (July 7–31)	443.14
Sedillo, Filo M	Special consultant (Aug. 18–31).	498.05

Funds available for expenditure at beginning of period	$53,683.87
Additional funds authorized during period	
Total available for expenditure during period	53,683.87
Expended during period	29,214.49
Balance available for expenditure at end of period	24,469.38

DENNIS CHAVEZ,
Chairman.

DECEMBER 31, 1958.

COMMITTEE ON RULES AND ADMINISTRATION

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees, and retroactive compensation, January 1 to June 30, 1958, as authorized:

Name	Profession	Total salary received
Harrison, Gordon F	Chief clerk	$8,889.97
Dryden, Franklin B	Professional staff member.	8,282.81
West, Langdon C	Prof. staff member	8,170.56
Neilon, Patrick	Professional staff member (from Aug. 1).	4,214.05
Mote, Walter L	Professional staff member.	5,803.81
Coder, John P	Professional staff member (from Aug. 1 [1]).	4,214.05
Moore, Marian G	Assistant chief clerk	4,673.91
Gavin, B. Floye	Clerical assistant	4,180.64
Mitchell, Elizabeth S	do	3,687.38
Sharp, Hildreth T	do	3,625.72
Downs, Eleanor L	Clerical assistant (to Aug. 4).	835.04

[1] Under authority of S. Res. 342, agreed to July 28, 1958.

Funds available for expenditure at beginning of period	$7,900.56
Additional funds authorized during period	
Total available for expenditure during period	7,900.56
Expended during period	1,091.00
Balance available for expenditure at end of period	6,809.56

THOS. C. HENNINGS, Jr.,
Chairman.

JANUARY 5, 1959.

COMMITTEE ON RULES AND ADMINISTRATION

SUBCOMMITTEE ON PRIVILEGES AND ELECTIONS

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees, and retroactive compensation, January 1 to June 30, 1958, as authorized:

Name	Profession	Total salary received
Clark, Alice	Special assistant	$5,104.54
Corneaby, Edward M	Investigator (from Aug. 25).	2,999.09
Daly, Mary C	Clerical assistant	2,816.89
Duffy, James H	Chief counsel	8,170.56
Gale, Clara R	Research assistant	4,242.30
Humphrey, David J	Investigator	4,858.88
Johnson, Vernon J	Minority counsel (from Sept. 29).	3,828.05
Kath, Norma H	Clerical assistant	2,881.48
Mace, Sadi J	Associate chief counsel.	8,170.56

Funds available for expenditure at beginning of period	$124,559.89
Additional funds authorized during period	
Total available for expenditure during period	124,559.89
Expended during period	56,711.30
Balance available for expenditure at end of period	67,848.59

THOS. C. HENNINGS, Jr.,
Chairman.

JANUARY 15, 1959.

SELECT COMMITTEE ON IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (and retroactive pay for the period from January 1 to June 30, 1958):

Name	Profession	Total salary received
Alderman, Jerome S	Assistant chief counsel.	$8,580.76
Aporta, John A	Investigator	7,005.38
Becker, Susan Sloan	Assistant clerk (from Dec. 8).	352.46
Brucas, Marie K	Assistant clerk	2,992.01
Constandy, John P	Assistant counsel	5,768.29
Davies, Dorothy H	Assistant clerk	3,474.29
DeBearn, Gaston G	Research assistant (to Sept. 24).	834.56
Douglas, Evelyn M	Assistant clerk	2,660.83
Duffy, LaVern J	Investigator (from Dec. 1).	1,073.90
Frey, Dorothy E	Assistant clerk	3,276.72
Heck, Lena K	do	3,099.73
Jones, Edward M	Investigator	6,594.67
Joy, James H	Research assistant	2,167.78
Kaplan, Arthur G	Assistant counsel	6,987.55
Kelly, James P	Investigator	5,604.83
Kennedy, Robert F	Chief counsel (to Oct. 15; from Nov. 6).	7,984.41
Kenney, Mary F	Assistant clerk	3,317.43
Kilburn, Jeanne F	Assistant clerk (to Nov. 30).	2,653.89
Kopecky, George M	Assistant counsel	7,008.35
Kuhn, Mary C	Assistant clerk (to Sept. 13).	671.10
Langenbacher, Irwin	Assistant counsel	7,008.35
Lynch, Mary A	Assistant clerk	3,009.14
McGovern, John J	Assistant counsel	8,170.56
McInerney, Michael J	Research assistant	2,498.75
McShane, James J. P	Investigator	5,604.83
Maher, Joseph F	Investigator (from Aug. 1).	5,083.40
Martin, George H	Investigator	6,785.40

Name	Profession	Total salary received
Mates, Lillian L.	Assistant clerk	$3,317.43
Maxwell, Barbara L.	do	2,700.85
May, Walter R.	Investigator	7,210.50
Mills, Ralph W.	Assistant counsel	7,849.57
Mobley, Margaret	Assistant clerk (from July 8 to Sept. 5).	479.19
Novello, Angela M.	Assistant clerk (to Oct. 22; from Nov. 5).	3,850.14
O'Donnell, Philip K.	Assistant counsel (from Nov. 18).	2,342.26
O'Hara, Eleanor D.	Assistant clerk (to Sept. 9).	677.10
Osolin, Catherine F.	Assistant clerk	2,700.85
Powers, Mary E.	Assistant clerk (from Sept. 15).	1,690.95
Ranstad, Harold	Assistant counsel	4,691.78
Reese, Peter A.	Research assistant (from Dec. 15).	161.02
Ricciutti, Angeline M.	Assistant clerk (from July 9 to Oct. 31).	1,344.16
Rowlett Rita D.	Assistant clerk	3,300.53
Salinger, Pierre E. G.	Investigator	8,170.56
Scott, Yvonne	Assistant clerk (retroactive pay, Jan. 1 to Apr. 30).	183.30
Shea, Mary D.	Assistant clerk (retroactive pay, Jan. 1 to Apr. 15).	161.26
Sheridan, Walter J.	Investigator	7,210.50
Sloan, Susan	Assistant clerk (to Nov. 30).	2,534.08
Sullivan, Elizabeth K.	Assistant clerk	3,317.43
Terry, John A.	Research assistant	2,679.22
Tierney, Paul J.	Assistant counsel (from Aug. 1).	6,023.45
Uhlmann, Martin S.	Investigator	7,353.60
Watt, Ruth Young	Chief clerk	4,982.30
Wilber, Georgia H.	Assistant clerk	3,317.43
Willse, Sherman S.	Investigator	5,604.23
Yost, Nicholas C.	Research assistant (to Sept. 17).	765.16
Young, Ruth B.	Assistant clerk (to Oct. 31).	2,279.17

Funds available for expenditure at beginning of period	$232,740.00
Additional funds authorized during period	250,000.00
Total available for expenditure during period	482,740.00
Expended during period	391,559.78
Balance available for expenditure at end of period	91,180.22

JOHN L. MCCLELLAN,
Chairman.

JANUARY 12, 1959.

SELECT COMMITTEE ON SMALL BUSINESS

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958, together with the funds available to and expended by it and its subcommittees (including retroactive pay for the period from January 1 to June 30, 1958):

Name	Profession	Total salary received
Amis, William D.	Professional staff member.	$7,617.72
Anderson, James C.	Clerk-messenger (from Sept. 8).	1,412.31
Byrne, Elizabeth A.	Assistant chief clerk	4,180.64
Hall, Edwin P., Jr.	Clerk-messenger (to Sept. 7).	837.39
Jehle, Philip F.	Professional staff member.	7,082.64
Messick, Wiley S.	do	6,494.13
Novak, Gertrude C.	Clerical assistant	3,132.46
O'Connor, Blake	Professional staff member.	7,617.72
Ruppert, Minna L.	Chief clerk	6,387.12
Ryan, Nell F.	Clerical assistant	2,885.82
Smith, Don W.	Clerk-messenger (retroactive pay from Jan. 1 to June 30).	204.52
Stults, Walter B.	Staff director	8,889.97

Funds available for expenditure at beginning of period	$1,809.87
Additional funds authorized during period	0
Total available for expenditure during period	1,809.87
Expended during period	465.93
Balance available for expenditure at end of period	1,343.94

JOHN SPARKMAN,
Chairman.

JANUARY 9, 1959.

SELECT COMMITTEE ON SMALL BUSINESS

(Pursuant to S. Res. 209, agreed to Jan. 29, 1958, as amended by S. Res. 329, agreed to July 28, 1958)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from July 1 to December 31, 1958 (retroactive pay for the period from January 1 to June 30, 1958), together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Anderson, James	Clerk-messenger (from Aug. 21 to Sept. 7).	$212.47
Burwell, Rose M.	Clerical assistant (retroactive pay from Jan. 1 to June 30).	214.79
Chaternuck, Pauline	Clerical assistant	2,577.53
Creech, William A.	Professional staff member.	5,897.43
Dye, Elaine C.	Clerical assistant	2,762.50
Erickson, William J.	Professional staff member (july 1 to Oct. 2 and Nov. 18 to Dec. 13).	4,736.53
Flynn, John J.	Professional staff member.	5,882.16
Gordon, Benjamin	do	5,741.52
Hall, Edwin P., Jr.	Clerk-messenger (retroactive pay from June 14 to June 30).	19.31
Maness, Sandra K.	Clerical assistant (from Aug. 11).	1,229.95
McInarnay, William T.	Professional staff member (and retroactive pay from May 15 to June 30).	5,388.66
Mund, Vernon A.	Professional staff member (from Oct. 13 to Nov. 15).	1,100.36
Reamy, Anna H.	Clerical assistant (from Nov. 12 to Dec. 31).	581.65
Ross, Olga S.	Clerical assistant (from Aug. 20 to Oct. 15).	805.40
Stoddard, Charles H.	Professional staff member (from Oct. 1 to Nov. 30).	2,000.66
Watts, Raymond D.	Professional staff member (and retroactive pay from Mar. 3 to June 30, 1958).	4,539.75
Weadock, Robert L.	Professional staff member (retroactive pay from Jan. 1 to June 30).	517.27
White, Lee C.	Professional staff member (retroactive pay from Jan. 1 to 15).	45.84

Funds available for expenditure at beginning of period	$55,434.87
Additional funds authorized during period by S. Res. 329, agreed to July 28, 1958	12,500.00
Total available for expenditure during period	67,934.87
Expended during period	52,190.06
Balance available for expenditure at end of period	15,744.81

JOHN SPARKMAN,
Chairman.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of Texas:

S. 601. A bill to authorize and provide for the construction of the Bardwell Reservoir; to the Committee on Public Works.

S. 602. A bill authorizing the Boy Scouts of America to erect a memorial on public grounds in the District of Columbia to honor the members and leaders of such organization, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. JOHNSON of Texas when he introduced the above bills, which appear under separate headings.)

By Mr. SMATHERS:

S. 603. A bill to amend the Tariff Act of 1930 to place certain pumice stone on the free list; to the Committee on Finance.

S. 604. A bill for the relief of Christos Kartsonis; to the Committee on the Judiciary.

By Mr. ANDERSON:

S. 605. A bill to amend section 1371 of the Internal Revenue Code of 1954 to permit stock of a small business corporation which is owned by a husband and wife to be treated as owned by a single shareholder for purposes of determining the number of shareholders of such corporation; to the Committee on Finance.

By Mr. BIBLE:

S. 606. A bill for the relief of Manuel Sanisidro-Rey; to the Committee on the Judiciary

By Mr. DIRKSEN:

S. 607. A bill for the relief of the estate of Sinclair G. Stanley;

S. 608. A bill for the relief of James H. Starr; and

S. 609. A bill for the relief of the estate of Gregory J. Kessenich; to the Committee on the Judiciary.

By Mr. DIRKSEN (by request):

S. 610. A bill to amend the Act entitled "An Act for the relief of James F. Walsh"; and

S. 611. A bill for the relief of Harry H. Nakamura; to the Committee on the Judiciary.

By Mr. BENNETT (for Mr. CAPEHART):

S. 612. A bill to extend and amend laws relating to the provision and improvement of housing and the conservation and development of urban communities, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. BENNETT when he introduced the above bill, which appears under a separate heading.)

By Mr. GREEN:

S. 613. A bill for the relief of Wasily Merkuroff Prosoroff; to the Committee on the Judiciary.

By Mr. MCCARTHY:

S. 614. A bill to enable American farmers to conduct their own programs, to establish production and marketing goals at prices fair to consumers and profitable to farmers, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. BEALL:

S. 615. A bill to amend the Civil Service Retirement Act so as (1) to permit retirement of employees with 30 years of service on full annuities without regard to age, (2) to eliminate the requirement that the 5 years used in computing average salary for annuity purposes be consecutive, and (3) to provide for computation of annuities on the basis of 2 per centum of average salary; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. BEALL when he introduced the above bill, which appear under a separate heading.)

By Mr. HENNINGS (for himself, Mr. DIRKSEN, and Mr. KEATING):

S. 616. A bill to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. HENNINGS when he introduced the above bill, which appear under a separate heading.)

By Mr. HENNINGS:

S. 617. A bill to amend the Contract Settlement Act of 1944 so as to authorize the payment of fair compensation to persons contracting to deliver certain strategic or critical minerals or metals in cases of failure to recover reasonable costs, and for other purposes; to the Committee on the Judiciary.

S. 618. A bill to assist recipients of public assistance and other needy persons in improving their nutritional standards; to assist in maintaining fair prices and incomes to farmers by providing additional outlets for surplus agricultural commodities; to prevent burdening and obstructing channels of interstate commerce; to promote the full use of agricultural resources, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. HENNINGS when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. JACKSON (for himself, Mr. MURRAY, Mr. HILL, Mr. HUMPHREY, Mr. MANSFIELD, Mr. BEALL, Mr. NEUBERGER, Mr. MAGNUSON, Mr. HENNINGS, Mr. CARROLL, and Mr. MCNAMARA):

S. 619. A bill to amend the Internal Revenue Code of 1954 so as to allow a deduction for expenses incurred by certain physically handicapped individuals for transportation to and from work, and to provide an additional exemption for a taxpayer, or his spouse or dependent, who is permanently physically or mentally incapacitated, and for other purposes; to the Committee on Finance.

By Mr. KEFAUVER:

S. 620. A bill for the relief of Claude S. Reeder;

S. 621. A bill for the relief of George A. Zizicas; and

S. 622. A bill for the relief of Norma Coupland; to the Committee on the Judiciary.

By Mr. DOUGLAS (for himself, Mr. HICKENLOOPER, Mr. HUMPHREY, and Mr. MARTIN):

S.J. Res. 23. Joint resolution designating the golden corn tassel as the national floral emblem of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. DOUGLAS when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. GREEN:

S.J. Res. 24. Joint resolution authorizing the Secretary of the Army to receive for instruction at the United States Military Academy at West Point two citizens and subjects of the Kingdom of Thailand; to the Committee on Armed Services.

By Mr. GOLDWATER:

S.J. Res. 25. Joint resolution to change the name of Roosevelt Dam in Arizona to Theodore Roosevelt Dam; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. GOLDWATER when he introduced the above joint resolution, which appear under a separate heading.)

ESTATE OF GREGORY J. KESSENICH—REFERENCE OF BILL TO COURT OF CLAIMS

Mr. DIRKSEN submitted the following resolution (S. Res. 35), which was referred to the Committee on the Judiciary:

Resolved, That the bill (S. 609) entitled "A bill for the relief of the estate of Gregory J. Kessenich" now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

CONSTRUCTION OF BARDWELL RESERVOIR

Mr. JOHNSON of Texas. Mr. President, on July 25 last year, I introduced Senate bill 4192, modifying the plan for improvement of the Trinity River and its tributaries, by authorizing the construction of Bardwell Reservoir, on Waxahachie Creek, Tex.

Although less than a month remained of the 85th Congress, the distinguished Public Works Committee acted promptly on the bill, and the Senate passed it on August 15 by a unanimous vote. There was not enough time, however, for the House to complete action on it before adjournment. So I am introducing the same bill again today.

Mr. President, we have created a U.S. Study Commission for our Texas river basins. We have charged it with developing a full and comprehensive plan for the use and control of water—the most valuable natural resource we possess. It is not too much to say that we look to it for the key to our future.

But the creation of this Commission has not in any way lessened the responsibility of Congress and the Corps of Engineers for action now. The floods will not wait for the Commission's recommendations. The droughts will not wait. Dams and reservoirs must be built, if we are to avoid the ravages of floodwaters and ruinous droughts.

According to the Corps of Engineers, Bardwell Reservoir is an essential element in any comprehensive plan for control and development of water resources in the Trinity River Basin.

Floods along Waxahachie Creek have caused annual damages of an estimated $465,000 to farmlands, transportation facilities, and utilities. Floodwaters from this creek have contributed heavily to destruction downstream along the lower Trinity.

The cost of Bardwell Reservoir to the United States is estimated at $5,104,000. Reimbursable water conservation would amount to $1,880,000. The Public Works Committee last year found that the benefits from the reservoir would substantially exceed the costs.

My good friend, OLIN TEAGUE, has introduced an identical bill in the House of Representatives.

I have high hopes, Mr. President, that the 86th Congress will see the enactment of this necessary legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 601) to authorize and provide for the construction of the Bardwell Reservoir, introduced by Mr. JOHNSON of Texas, was received, read twice by its title, and referred to the Committee on Public Works.

ERECTION BY BOY SCOUTS OF AMERICA OF A MEMORIAL ON PUBLIC GROUND IN THE DISTRICT OF COLUMBIA

Mr. JOHNSON of Texas. Mr. President, I introduce, for appropriate reference, a bill providing for the erection of a memorial statue on public grounds in the District of Columbia. The statue would honor the millions of American men and boys who have belonged to the Boy Scouts of America.

Mr. President, the Boy Scouts of America will celebrate the 50th anniversary of their founding in 1960. They contemplate holding their National Council meeting in Washington during that year. I think it appropriate that the Congress recognize their great service to American youth, by granting them the right to place a memorial statue on public ground in the Capital City.

The memorial would be erected at no cost to the United States. Its location and design would be subject to the approval of the Secretary of the Interior, the Commission on Fine Arts, and the National Capital Planning Commission.

Twenty-seven million boys have been members of the Boy Scouts. 8,750,000 men have served as leaders. Many lives have been enriched by experience in the Scouts; and, as a result, the quality of our national life has been enriched, as well.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 602) authorizing the Boy Scouts of America to erect a memorial on public grounds in the District of Columbia to honor the members and leaders of such organization, and for other purposes, introduced by Mr. JOHNSON of Texas, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

HOUSING ACT OF 1959

Mr. BENNETT. Mr. President, on behalf of the Senator from Indiana [Mr. CAPEHART], I introduce, for appropriate reference, a bill to extend and amend laws relating to the provision and improvement of housing and the conservation and development of urban communities, and for other purposes. I ask unanimous consent that a section-by-section analysis of the bill may be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the section-by-section analysis will be printed in the RECORD.

The bill (S. 612) to extend and amend laws relating to the provision and improvement of housing and the conservation and development of urban communities, and for other purposes, introduced by Mr. BENNETT (for Mr. CAPEHART), was received, read twice by its title, and referred to the Committee on Banking and Currency.

The section-by-section analysis presented by Mr. BENNETT is as follows:

SECTION-BY-SECTION ANALYSIS OF HOUSING ACT OF 1959 PROPOSED BY HOUSING AND FINANCE AGENCY

Section 1. Short title.

TITLE I—FHA INSURANCE

Section 101. Extension of FHA title I home repair and improvement program: This section would provide for an indefinite extension of the title I home repair and improvement loan insurance program which would otherwise expire on September 30, 1959. Under this program, the FHA insures qualified lending institutions against loss within prescribed limits on loans made to finance alterations, repairs and improvements in connection with existing structures and the building of new nonresidential structures. FHA's liability is limited to 10 percent of the total amount of all title I loans made by the individual insured lending institution. Also, under co-insurance provisions enacted in 1954, FHA's liability is limited to 90 percent of the loss on each individual loan.

The importance of this program to the maintenance of the Nation's housing inventory, to the carrying out of urban renewal operations in blighted or declining neighborhoods, and to a continuing volume of employment and activity in the home construction industry provides ample justification for recognizing by statute that the title I program of loan insurance for property improvements should be a permanent part of FHA operations.

The co-insurance provisions for this program enacted in 1954, coupled with improved standards for lender and dealer operations and with more comprehensive FHA supervision of lender operations, has markedly reduced the level of claims and FHA net losses under the program. As a consequence, it has been possible to reduce the FHA insurance premium from three-fourths of 1 percent per year to one-half of 1 percent per year, based on the net proceeds of the loan.

Statutory increases enacted in 1956 in the maximum loan amount to $3,500 for regular loans and in repayment period to 5 years, from previous limits of $2,500 and 3 years, have been beneficial in enabling title I financing to cover a greater range of property improvements. This, in turn, is helpful to local urban renewal programs. More than 10 percent of the total net proceeds of loans insured under title I in 1957 was covered by loans with face amounts of $3,000 or more.

Section 102. Removal of general mortgage insurance authorization limits: This section would remove from the National Housing Act all established limitations on the amounts of aggregate insurance volume which may be written by the Agency or which may be outstanding at any one time under its various insurance programs, exclusive of title VIII (military housing). Its effect is to authorize FHA to accept for insurance any volume of loans submitted by private lenders if these loans conform to the standards established by statute and by FHA administrative rules under the various insurance programs of the Agency, including the repair and improvement loan program.

This amendment is important for several reasons. First, the volume of applications for FHA mortgage insurance during any period of time is not determined by FHA actions or programing but rather by factors and developments in the national economy and in the general money market which are not susceptible to even reasonably accurate prediction. Illustrative of extremes in this condition have been operations in the fiscal year 1957 and the present fiscal year. In the earlier year, there was no net use of the general insurance authorization under section 217 of the National Housing Act; while in the present 12-month period, use of authorization may exceed $9 billion. Yet initial budget projections and congressional budget authorizations in both cases contemplated operations involving about $3 billion of net use of authorization. Changes in money market conditions, in general economic conditions, in FHA enabling legislation, and in operations of related Government programs which occurred after the time of initial budget projections all contributed to causing the wide variance between initial projections of operations and actual volume. Second, the adoption of the Certified Agency Procedure in section 203 operations creates a volume of insurance commitments which is not susceptible to refined control by FHA. Third, the main effect of authorization limitations is oftentimes a serious and undesirable disturbance to private home construction and financing. Because of recurring depletion of insurance authorization, industry has been time after time required to adjust its pace of planning and operations to a restricted flow of FHA commitments rather than to the economic needs of the Nation. Fourth, the real risk of financial burden on the U.S. Treasury, if any, is determined by the character and duration of insurance programs authorized and the effectiveness of FHA underwriting processes, rather than by arbitrary ceilings on the maximum level of insured unpaid balances of loans.

The proposed removal of ceilings on insurance authorizations for FHA permanent insurance programs is therefore urgently recommended.

SECTION 103. Technical Provisions Relating to Payment of Insurance by FHA: Section 204 of the National Housing Act contains a number of provisions which govern the obligations of the FHA to the mortgagee where there has been a default under a mortgage on sales housing financed under section 203 of the act, the section authorizing FHA's basic program of assistance for one- to four-family homes. Similar provisions governing the FHA's insurance obligations are necessary in connection with each of the following special sales housing programs: (1) Section 8, which at one time governed the program (now governed by section 203(i)) for low-cost, single-family homes in outlying areas; (2) section 213 which includes assistance for homes constructed by cooperatives for their own members; (3) section 220 which includes assistance for sales housing in urban renewal areas; (4) section 221 which includes a sales housing program for persons displaced from urban renewal areas or by governmental action; (5) section 222 which provides special benefits in financing homes for servicemen; and (6) section 809 which assists sales housing for essential civilian employees at military research or development installations. The provisions governing the payment of insurance are incorporated in each of the six listed sections by cross references to provisions in section 204.

As the six listed sections were added or amended from time to time and as section 204 was amended from time to time, oversights in drafting resulted in the failure to make all the appropriate cross references to all the appropriate provisions in section 204. Section 103 of this bill would correct these drafting oversights which have resulted in inconsistencies in FHA's dealings with mortgagees and in troublesome problems both in administration and in managing foreclosed properties.

Subsection (a) would add to section 8 of the National Housing Act a cross reference to subsections (j) and (k) of section 204 of that act. Subsection 204(j) permits termination of the mortgagee's liability for payment of mortgage insurance premiums in those cases where the mortgagee forecloses on the mortgaged property but informs the Commissioner that it does not intend to convey the property to FHA in exchange for debentures. Upon such notification (which terminates FHA's insurance liability), the FHA terminates the mortgagee's obligation to pay subsequent mortgage insurance premiums. Similar termination of the mortgagee's obligation results under section 204(j) when FHA's insurance liability terminates because the mortgage has been prepaid in full.

Subsection 204(k) permits the Federal Housing Commissioner to authorize mortgagees to make reimbursable expenditures for protection of properties during the period commencing with the institution of foreclosure and continuing until the Commissioner takes title to the property. Subsection (k) also permits terminating the mortgagee's obligation to pay mortgage insurance premiums when an application for debentures has been filed under the insurance contract. This makes it unnecesary for the mortgagee to pay insurance premiums up to the date of acceptance of title by the FHA and then have the amount of these premium payments included in the debentures which the FHA issues to the mortgagee. The provision thus eliminates unnecessary procedures and payments of interest by FHA, there being no point in having the FHA collect sums of money from the mortgagee which would only have to be repaid with interest.

Subsection (b) of section 103 of the bill would similarly add the cross reference to section 204(k) of the National Housing Act to sections 213, 220, 221, 222, and 809 of that act. Thus, this entire section is merely a technical amendment.

Section 104. Increased mortgage amounts under section 203 and trade-in house program: This section would make two amendments in section 203 of the National Housing Act which authorizes FHA's basic mortgage insurance program for sales housing. The first amendment would increase the maximum mortgage amount on single-family and two-family homes insured under the basic section 203 and related programs from $20,000 to $25,000. The three- and four-family maximums of $27,500 and $35,000 would remain unchanged, and no change is proposed in the maximum loan-to-value formula established by Public Law 85-364, the act to stimulate residential construction.

Under present loan limits, maximum loan-to-value ratio loans are available only on one- and two-family homes valued up to $22,850. The $25,000 maximum mortgage would permit a maximum loan of 83.3 percent on a $30,000 home. This may be compared with the $16,000, 80 percent maximum loan which was permitted by the original National Housing Act in 1934. In the meanwhile, construction costs have about trebled, but FHA maximum loan amounts have lagged behind. It is estimated that about one-fifth of the new homes in metropolitan areas are in price ranges too high to be financed with maximum loan-value ratio FHA insured mortgages. This section of the bill would make FHA insurance available to a somewhat larger section of the home-buying public. The bulk of FHA operations will, of course, continue to be in the field of low- and medium-priced homes.

The second amendment of section 203 would make the trade-in house program more effective by providing that a nonoccupant-owner in the case of section 203 existing single-family homes may receive the same maximum mortgage amount as an owner-occupant, with the requirement that the nonoccupant-owner must place in escrow 15 percent of the outstanding principal mortgage amount until such time as he sells the property to an owner-occupant. If prior to the due date of the 18th monthly amortization payment, the property has not been sold to an owner-occupant, the 15 percent held in

escrow would be applied to a reduction in the mortgage amount.

In the residential housing market today a great majority of new home purchasers already own a home and wish to acquire larger or improved accommodations. Most of them need to use the equity in the existing home as part of the downpayment on a new home. Thus, builders and realtors are increasingly finding it necessary to accept trade-in houses on new house sales. The proposed amendment will greatly aid the existing homeowner in trading for a new house. It will enable the builder or realtor to place a mortgage on the old house equivalent to that which could be obtained when a purchaser for the house has been found. It provides the builder up to 18 months to resell the trade-in house and transfer the mortgage to the new purchaser and thus eliminate much of one set of closing costs. In the case of lower price properties, this saving can be equal to the FHA required downpayment. As soon as the builder resells the trade-in house to an owner-occupant, the 15 percent held in escrow is released to him.

Section 105. Inclusion of Certain Costs in Debentures: This section would amend section 204(k) of the National Housing Act to permit the FHA to include in the debentures which are paid to mortgagees in cases of default certain costs which the mortgagees must incur in order to enable them to convey good title to the Commissioner.

Section 204 presently permits, with respect to the computation of items included in the debentures, a portion of foreclosure costs. However, no provision is made for certain costs of acquisition and for costs of conveying the property to the Commissioner and evidencing good title in him. These costs which are distinguished from costs that can be clearly attributed to the foreclosure proceeding itself, are not now eligible for inclusion. Thus FHA, in computing debenture claims, requires mortgagees to break down their total costs to separate those directly chargeable to the legal proceedings of foreclosure from those chargeable to the preparation of the deed from the mortgagee to the Commissioner and to obtaining title evidence showing good title in the Commissioner. The necessity for this separation creates a material delay in processing debenture applications and is most difficult to justify to mortgagees and their counsel.

The dollar amount involved in the usual home mortgage case is relatively small and made up of such items as the cost of preparing a deed, notary's fees, recording charges for the deed, and the cost of title evidence. This section of the bill would permit including these costs in the debentures in the same manner as presently allowed with respect to identified foreclosure costs.

The element of coinsurance which is presently maintained with respect to foreclosure costs would be continued. That is, FHA would allow in the debentures two-thirds of the cost while the mortgagee would receive the remaining one-third in its certificate of claim.

The section would also incorporate a technical reference to the new section 229 of the National Housing Act proposed to be added by another section of the bill which is explained below.

Section 106. Regular FHA Rental Housing Program—Interest Rate and Miscellaneous Changes: This section would enact a number of amendments to section 207 of the National Housing Act, which authorizes FHA's regular rental housing program. The first two numbered amendments would merely remove references to elderly persons' housing from section 207. This is a technical change which is necessary if, as explained below, another section of this bill adds a new section to the National Housing Act, dealing with rental housing for the elderly.

The third numbered amendment would increase the statutory maximum interest rate on rental housing mortgages insured under section 207 from 4½ to 5½ percent. At the present 4½-percent rate, significant discounts are reported for project mortgages, approximately equal to one-half point of interest earnings in yield computations. The treatment of discounts in valuation procedures raises technical problems which tend to discourage development of multi-family projects during periods of tight money.

Since rental projects are characteristically undertaken only as a business venture, it is reasonable to expect that the entire cost of mortgage money will be understood and carefully bargained for by prospective project sponsors. Under these circumstances, there appears to be no reason why the statute should require interest rates for these projects to be fixed by the FHA at levels lower than the money market requires and lower than would prevail as a result of competitive bargaining in the development of rental projects. The adoption of this section would permit the FHA Commissioner to establish maximum interest rates with the effectiveness of the market process in mind with respect to the rental projects, thereby encouraging the development of additional needed rental housing.

The fourth numbered amendment would add a new subsection (r) to section 207 which would permit the Commissioner to assess service charges against mortgagors whenever, as a result of defaults, the mortgagees assign the mortgages to FHA in exchange for debentures. Under the present statute, mortgagees have the option in project programs of assigning mortgages in default and taking a reduced amount of debentures rather than foreclosing and conveying title to the properties to the Commissioner. If a mortgage is so assigned, the mortgagor is not obligated to pay a mortgage insurance premium, as the mortgage, while held by the Commisisoner, is not an insured mortgage. Technically, a mortgagor could permit an intentional default under an insured mortgage with the expectation that the mortgagee would assign the mortgage, thus relieving the mortgagor of the liability for the payment of the one-half percent mortgage insure premium. This section would authorize the Commissioner in such cases to assess service charges, so long as he holds the mortgage, which cannot exceed the amount of the original mortgage insurance premiums. As drafted, this amendment would permit uniform procedures under all FHA programs, not merely under the section 207 program.

Section 107. Prevailing Wage Requirement: This section is occasioned by the sections explained below which would authorize mortgage insurance for rental projects for profit built for families displaced by governmental action or for elderly persons. These rental projects would, under this section, be made subject to the same prevailing wage requirements as now aply to rental projects insured under sections 207, 220, and 803 of the National Housing Act and to cooperative housing insured under section 213 of that act.

Section 108. Cooperative housing—interest rate and commercial and community facilities: The first numbered amendment contained in this section would provide for increasing the statutory maximum interest rate on section 213 management-type cooperative housing projects from 4½ percent to 5½ percent and on section 213 sales-type housing from 5 percent to a rate, not in excess of 6 percent, as the Commissioner finds necessary to meet the mortgage market. The same reasons, discussed above, which justify the interest rate change in the section 207 rental housing program apply to the section 213 management-type cooperative housing program. In addition, with respect to sales-type cooperative housing, the present statutory 5 percent limitation is inconsistent with both the 5¼ percent regulatory and the 6 percent statutory ceilings which now apply to other FHA-aided sales-type housing.

The second amendment contained in this section would permit inclusion of commercial facilities and community facilities in investor-sponsored, management-type cooperative projects insured under section 213 of the National Housing Act. Since investor-sponsored projects are intended to operate in the same manner as other management-type cooperatives, it is desirable that the types of facilities permissible be the same under both methods of development.

Section 109. Mortgage ceilings in Alaska, Guam, and Hawaii: Section 214 of the National Housing Act authorizes FHA to make the various mortgage ceilings of the act up to 50 percent higher for Alaska, Guam, and Hawaii. A question has been raised as to whether the statutory ceilings for high-cost areas generally can also be so raised for these three places. This section would make it clear that this can be done. Thus, the $10,000 mortgage limit for high-cost areas in section 221 (housing for displaced families) could be increased up to $15,000 in Alaska, Guam, and Hawaii.

Section 110. Repeal of obsolete provision: This section would repeal section 218 of the National Housing Act. Section 218 permitted fees for applications filed prior to March 1, 1950, with respect to the expired veterans' rental housing program under section 608 of that act to be transferred, in the case of unexpired section 608 commitments, to applications under FHA's regular rental housing program. There are no section 608 commitments outstanding so that section 218 is now completely without effect.

Section 111. Housing in urban renewal areas: FHA experience in the urban renewal program since the Housing Act of 1954 indicates the desirability of certain modifications to section 220 of the National Housing Act which authorizes special mortgage insurance assistance for both sales and rental housing in urban renewal areas. Section 111 of the bill would amend section 220 to increase the maximum mortgage amounts for one- and two-family residences to $25,000. This change would place the section 220 program on a par with the increases proposed elsewhere in the bill for the regular FHA sales housing program under section 203 of the act.

For properties with 3 to 11 units, the maximum mortgage amount would be left to the Commissioner's discretion. The elimination of a statutory dollar mortgage limitation for these properties is recommended in recognition of the wide variety of types and qualities of properties in this size range which might be encountered in urban renewal areas. The statutory mortgage limitations based on the applicable maximum loan-to-value or loan-to-replacement cost formula would still apply to these properties.

A second amendment would provide for mortgages on homes of nonoccupant-owners to be computed under the same loan-value ratios as apply for owner-occupants. However, 15 percent of the outstanding loan proceeds would be required to be held in escrow until sale of the property to an owner-occupant. This amendment would provide the same changes to the section 220 sales housing program as section 104 of the bill would provide for the regular FHA sales housing program under section 203 of the act, thereby facilitating the trading in of existing homes.

In the case of new rental housing in urban renewal areas, a further amendment would eliminate the limitation of mortgage amounts to "90 percent of replacement cost," and substitute therefor the limitation that the mortgage not exceed 100 percent of the estimated replacement cost exclusive of builder's or sponsor's general overhead and

profit. Under the present law, the sponsor-redeveloper who is also the builder is able to obtain section 220 insured mortgages which may approximate total project cost, exclusive of overhead and profit to the redeveloper. On the other hand, if a sponsor-redeveloper does not also act as a builder and has to contract with a general contractor for the construction work, the present law is so devised that the available mortgage amount may be 4 to 5 percent less. This kind of sponsor should be enabled to compete for the opportunity to develop urban renewal projects more readily on a basis of equality with builder-sponsors.

The particular feature of the law which gives rise to this discrimination is the flat allowance of 10 percent for builder's profit which (as the legislative history makes clear) must be given on a uniform basis where the redeveloper is also the builder. Investors, who hire a general contractor to construct the building, certify that their actual cost in connection with the construction is the amount which they pay to the general contractor under the building contract. In the case of large projects, this amount generally includes a factor for the contractor's profit of only about 4 percent or 5 percent, rather than 10 percent. As a result, under the cost certification procedure prescribed in section 227 of the National Housing Act, the insured mortgage amount is disproportionately smaller and the cash investment is disproportionately larger than would be the case if the redeveloper had acted as his own builder.

Another form of discrimination which results from the statutory 10 percent builder's profit allowance for section 220 projects militates against rehabilitation projects. Where an old apartment house is purchased and rehabilitated, the major portion of the investment may well relate to the purchase of the existing property, rather than to the reconstruction work. A reasonable allowance for builder's profit in connection with such reconstruction work would frequently be above 10 percent. A higher profit allowance for this type of work as compared with new construction would merely recognize that the percentage allowance is being applied to a smaller total construction-work cost and that it involves a greater degree of risk because of unknown conditions which may be found when the walls of the old building are opened up. Thus, as applied to some rehabilitation projects, the present provisions applicable to the section 220 program, which in effect limit the builder's profit and risk allowances to 10 percent, are less flexible than they should be.

Finally, it should be noted that the present provisions of sections 220 and 227 of the National Housing Act which govern the builder's profit and risk allowance, both with respect to estimated replacement cost and with respect to certified actual cost, are very complicated and difficult to understand. Some distinctions must necessarily be made for new projects and rehabilitation projects and for builder-redevelopers and investor-redevelopers. The various distinctions applicable to the section 220 program which are found both in section 220 and section 227 frequently discourage interest by prospective redevelopers who do not understand them, thereby unduly limiting participation in the program. This is especially true because the entire system of profit and overhead allowances is related, in a complex formula, to a maximum permissible mortgage amount, whereas builders and investors customarily think in terms of necessary cash investment. Accordingly, it is important to simplify these provisions where feasible.

Section 111 of the bill would (1) eliminate the discrimination against investor-redevelopers sponsoring new section 220 rental housing projects; (2) eliminate the discrimination against rehabilitation projects; and (3) simplify the requirements in order that they may be better understood by prospective redevelopers and lenders.

In the case of new projects, the limitation of the mortgage to 90 percent of estimated replacement cost and 90 percent of actual certified cost would be replaced with a limitation that the mortgage shall not exceed the estimated replacement cost or the actual certified cost (whichever is lower), excluding, however, any allowance for builder's general overhead and profit. This exclusion would very well counterbalance the elimination of the 90 percent limitation, so that with respect to new construction by a builder-redeveloper the insured mortgage amount would be almost the same as under present law. However, a higher mortgage amount than under present law would result for an investor-redeveloper, thereby treating the two types of redevelopers more nearly alike. Thus, the change is not intended either to liberalize or restrict mortgage amounts, but only to simplify the requirements applicable to new construction under section 220 and to eliminate a discrimination against investor-redevelopers.

In the case of rehabilitation projects, the maximum mortgage amount would, as under present law, be limited to 90 percent of estimated value and 90 percent of actual cost, whichever is lower. However, the builder's profit allowance for cost certification purposes would no longer be limited to 10 percent of the reconstruction work, thereby permitting a more liberal allowance to be made in appropriate cases. This change would also simplify the law significantly since rehabilitation projects under section 220 would hereafter be governed by the same cost certification procedures as are applicable to FHA's regular rental housing program under section 207. Under these procedures, the builder's profit allowance would be applied to the cost of the reconstruction work, as is done in normal trade practice. It would not be applied to such miscellaneous items as architect's fees which are now specially included only in the section 220 rental housing program. This change, standing alone, tends to reduce the dollar amount of the builder's profit allowance in the case of section 220 rehabilitation projects, but the fact that profit allowances would no longer be limited to 10 percent would permit use of higher allowances more appropriate to rehabilitation work. As a result, the general effect of the entire amendment would be to include more realistic and higher dollar amounts for overhead and profit under the program.

The section would further modify section 220 mortgage limitations in order to exclude from the mortgage amount limitation for dwelling purposes those costs of the project which are required for landscaping and other exterior land improvements. It is particularly important to encourage or make possible such amenities in urban renewal areas because the areas are frequently planned for low land coverage, and also frequently require special upgrading efforts to offset adverse neighborhood influences.

Finally, this section of the bill would make explicit provision in section 220 permitting inclusion in the mortgage amount of community and commercial facilities which are appropriate to the urban renewal operation. It seems certain, in view of the location characteristics of many section 220 projects, that both community and commercial facilities could be an integral part of sound redevelopment. The amendment would merely remove any uncertainties on this matter concerning congressional intent.

Section 112. Urban Renewal Relocation Housing: This section would amend the FHA section 221 program for housing for familes displaced by urban renewal activities or other governmental activities such as highway construction or code enforcement.

The first numbered amendment would merely make it clear that the FHA is not expected to adopt unreasonable or unworkable procedures in order to gear the completion of section 221 units to the timing of the displacement of eligible families. The section 221 program depends entirely on voluntary action by many private builders and lenders. The displacements of families result from local governmental code enforcement actions which are variable in timing and from local urban renewal operations involving both governmental and industry actions. If mortgage insurance aids are postponed in an attempt to gear completion of the housing with any degree of precision to the timing of the expected displacement, the result may very well be that the housing will never be built, or that scheduling will be on a stop-and-go basis involving an inefficient and costly construction process.

The second numbered amendment would increase the sales housing mortgage limit for relocation housing in high-cost areas from $10,000 to $12,000 per family unit. The present $9,000 limit in normal areas would not be changed. This increase would make the section 221 sales housing program more workable in high-cost areas, particularly in some large cities. Without this amendment, the program in some localities would be virtually limited to existing houses. The amendment would make the relation of the ceiling for high-cost areas and the ceiling for other areas more readily correspond to the differences in construction costs and family incomes in the two types of areas.

The third numbered amendment would provide for basing mortgage amounts on estimates of replacement cost for section 221 new rental projects. Because of the close relationship between section 221 and section 220, it is desirable that the same basis for determining mortgage amounts for multifamily projects be used in both programs, namely, replacement cost rather than appraised value for new construction. (In both cases, appraised value would of course be used for existing construction or rehabilitation projects.) Also, for new projects operated on a nonprofit basis, application of valuation procedures is unnecessarily unwieldy and sometimes an ineffective method of arriving at satisfactory maximum insurable mortgages. In contrast, determination of replacement cost is both direct and consistent with the objectives of the program.

The fourth and seventh numbered amendments would authorize profit-motive development of rental projects in either new construction or rehabilitation operations under section 221.

Mortgage amounts for such projects would be limited to 90 percent of value in the case of existing construction or, in the case of new construction, to the estimated replacement cost, exclusive of builder's and sponsor's overhead and profit. Cost certification procedures would apply in order to preclude cash profits from construction coming from the proceeds of the mortgage. These provisions are consistent with the proposed section 220 rental housing changes explained in detail in connection with the preceding section of this bill.

In many cases, this authorization for profit-motive development of section 221 rental housing would greatly assist in relocating displaced families. Relocation is one of the most difficult and urgent problems in the whole urban renewal program. The Government has a responsibility to these families forced from their homes. It is estimated that in 3 years 83,000 families will be displaced from urban renewal areas, and 247,000 families will be displaced as a result of all Government programs, including the urban renewal and highway programs. (See table A below.) On the basis of urban renewal experience, a high percentage of displaced families, because of family income or other

factors, will want to rent dwelling units, rather than buy homes.

Present FHA insurance programs are inadequate to provide the needed rental housing which could be built under the proposal. Only a few projects by nonprofit corporations have reached the FHA commitment stage, and it was never anticipated that nonprofit corporations would produce more than a limited amount of rental housing. Other FHA rental housing programs were not designed for displaced families, and do not have the programing and occupancy priority provisions for these families which are contained in section 221. Section 220 urban renewal housing is not geared specifically to meet their needs, and must be built in urban renewal areas where the land costs are often very high, particularly in central city locations. Section 221 housing is not limited to urban renewal areas, so that builders could acquire land in other areas more appropriate for rental housing to be occupied by families of low or moderate income.

The liberal mortgage insurance terms of the proposal should give adequate incentive for the production of the rental housing to be programed under section 221. The housing would be programed only where it is determined that prospective rentals would be within the range of the incomes of the displaced families to be served. A large portion of the displaced families wishing private rental accommodations would still have to move into existing private structures. However, the proposed rental program could meet a critical segment of the relocation need not met by public housing. In this connection, it may be noted that the proposal would apply to rehabilitation as well as new construction. Rehabilitation would produce lower rentals and thus reach a broader segment of displaced families.

The proposal is essentially a change in the existing FHA insurance program for displaced families to permit a substantial amount of rental housing to be assisted, in addition to the assistance now being furnished to sales housing. This simply conforms to the needs of these families, and helps solve the relocation problem of cities undertaking urban renewal.

TABLE A.—*3-year (fiscal 1958, 1959, and 1980) estimate of families to be displaced by Government action*

Type of displacement:	*Number of families* [1]
Urban renewal (title I)	83,000
Highway programs	[2] 75,000
Other governmental activity [3]	89,000
Total	247,000

[1] Includes estimated number of single-person households of elderly individuals (65 years of age and over).

[2] Estimate of 70,000 furnished by the Bureau of Public Roads and adjusted to include elderly single-person households.

[3] Such as public construction, code enforcement, eviction of over-income tenants in public housing, demolition of temporary housing, etc.

The fifth numbered amendment would change from 10 to 12 the minimum number of units required in section 221 rental projects for displaced families. This is consistent with provisions in the preceding section relating to the section 220 program for rental housing in urban renewal areas.

The sixth numbered amendment would make it clear that commercial and community facilities could be included in rental housing mortgages insured under section 221.

Section 113. Cost certification—amendments required for consistency with other sections. This section would amend section 227 of the National Housing Act, dealing with cost certification by mortgagors of FHA-aided rental housing projects.

The substantive changes in the first numbered amendment are required for the purpose of subjecting to the requirements of cost certification elderly persons rental projects insured under the proposed new section 230 of the National Housing Act and projects insured under the proposed new section 221 provisions for profit-motivated rental housing. Section 227 would also be perfected technically by omitting obsolete references.

The change in the second numbered amendment is required in order to make section 227 consistent with the proposed revisions to sections 220 and 221 permitting mortgages on new construction to equal the replacement cost exclusive of any allowance for builder's and sponsor's general overhead and profit.

Section 114. Voluntary termination of mortgage insurance contracts: This section would permit termination of mortgage insurance under all FHA mortgage-insurance programs by mutual agreement between mortgagee and mortgagor without the present necessity of paying off the mortgage. Such necessity arises under the present wording of sections 204(j), 207(n) and similar provisions of the National Housing Act. Where the required payment in full involves a refinancing transaction, a financial burden is imposed upon the mortgagor for title search and drawing legal documents. This section of the bill would relieve the mortgagor of the necessity for these avoidable expenses of refinancing if the purpose is only to terminate insurance. This proposal is consistent with limiting FHA assistance to elements of risk which the private market cannot assume.

In order that the financial position of the FHA insurance funds will not be materially affected by this change, the same provision for an adjusted premium charge is made in the case of insurance termination under the proposed new provision as is presently provided for in the case of prepayment terminations. Rights and privileges under the insurance, such as the privilege of mortgagors to receive distributive shares from the Mutual Mortgage Insurance Fund, would be the same in the case of insurance termination under the new provision as is now provided for in the case of prepayment terminations.

Section 115. Rental housing for the elderly: This section would add a new section 230 to the National Housing Act which would cover both the program of nonprofit rental housing for the elderly now covered by section 207 of the act and a proposed new program for profit development of rental projects for the elderly. New construction and rehabilitation would be eligible in both programs.

The provisions governing nonprofit projects would also be changed in several respects. They would not require the FHA to establish rental ceilings. These ceilings have served no practical purpose in this program because all the projects are owned and operated by nonprofit organizations. The new section would also omit the requirement that the project be economically sound. This requirement is not well adapted to projects of special design having a specialized purpose. Instead, the Commissioner would, in administering the program, approve mortgage insurance applications on the basis of acceptable risk after taking into consideration the need for providing adequate housing for elderly persons.

The term "family unit" which now occurs in section 207 of the National Housing Act continues to create some misunderstanding with respect to housing accommodations for the elderly which may need only half baths or may not need individual cooking facilities. Section 110 of the Housing Act of 1957 removed basic difficulties relating to this matter but, although it referred to occupancy by single persons, it did not eliminate the misleading reference to family unit. The new section refers to a living unit, rather than to a family unit, thereby clarifying the law and encouraging greater flexibility in design.

In some areas of the country, construction costs are too high to permit rental housing projects for the elderly to be provided under the present mortgage ceilings of $8,100 per unit and $8,400 for elevator structures. Accordingly, the new section would apply to rental housing for the elderly the same high-cost area provisions as are now applicable to FHA's regular rental housing program. That is, in high-cost areas, the $8,100 and $8,400 per unit ceilings could be increased by not to exceed $1,000 for each room.

Because the nonprofit organizations which participate in the program may be the recipients of labor and services, as well as materials, at reduced rates or prices, the prevailing wage requirements contained in section 212 of the National Housing Act would not be made applicable to nonprofit projects. This exemption will be particularly helpful in this program because a high proportion of the projects will be developed in smaller communities where determinations of prevailing wages may be unrealistic because of lack of comparable operations in the area.

Finally, the maximum interest rate proposed for the elderly persons rental housing program is 5½ percent, the same rate which another section of this bill would apply to regular FHA-aided rental housing and to management-type cooperative projects.

The provisions governing the proposed new program for profit development of rental projects for the elderly would be the same as those for nonprofit projects except in a number of particulars. Requirements as to special design, the absence of an "economic soundness" requirement, dollar limitations per living unit, the cost certification requirement, and the 5½ percent interest rate ceiling would apply to both programs. In the case of profit-motivated projects, the maximum mortgage amount would be 90 percent of the Commissioner's estimate of value, rather than of replacement cost. Also, prevailing wage requirements would be applicable, and provision is made to enable the Commissioner to control rents and charges as in other rental projects.

Section 116. Certain legal notifications authorized to be sent by mail: Section 512 of the National Housing Act authorizes the denial of benefits of participation in FHA insurance programs to persons or firms who knowingly violate that act or related laws or regulations. Section 512 requires the Commissioner, before determining that there has been such a violation, to notify the affected person or firm in writing that such a determination is proposed. This section of the bill would provide that the notification shall be legally sufficient if it is properly sent by mail to the last known address of the person or firm. This change is necessary for some jurisdictions where the Commissioner is, in effect, precluded from making final determinations against violators who cannot be reached because their new address is unknown.

Section 117. Extension of armed services housing mortgage insurance program: Section 803 of the National Housing Act, which authorizes the program of mortgage insurance for rental housing at military installations, would be amended by this section to provide for a 1-year extension of the program, from June 30, 1959, to June 30, 1960. Four additional amendments to title VIII would be made. First, the statutory ceiling on interest rates would be raised from 4½ to 5½ percent, consistent with the change proposed for sections 207 and 213. Second, maximum maturity would be increased from 25 to 30 years, thereby reducing the monthly carrying charges. Third, with respect to Wherry Act projects acquired by the Defense Department, the FHA Commissioner would be given the same authority to reduce insurance

premiums below one-half of 1 percent per annum as the statute provides with respect to projects financed under the armed services rental housing program enacted in 1955. Fourth, explicit provision would be made for insured mortgage financing of nondwelling facilities adequate to serve the occupants of the property—comparable to the authority in FHA's regular rental housing program under section 207.

TITLE II—FEDERAL NATIONAL MORTGAGE ASSOCIATION

Section 201. Increased dollar limit for mortgages purchased under secondary market operations: This section would increase the limit on the amount of a mortgage which may be purchased by FNMA under its secondary market operations from $15,000 for each family residence or dwelling unit covered by the mortgage to $20,000. The $15,000 limit would remain applicable to mortgages purchased under the special assistance functions. As under present law, no dollar limit would apply to armed services housing mortgages insured under section 803 of the National Housing Act or to mortgages covering property located in Alaska, Guam, or Hawaii.

The section would make possible assistance through the secondary market operations to housing serving additional families of moderate income, particularly larger families. Although the bulk of purchases by FNMA under its secondary market operations has been, and will continue to be, of mortgages on lower priced homes (the average mortgage now being purchased is about $11,500), the $15,000 limitation has materially interfered with FNMA's rendering the services originally intended.

The prices of new houses have substantially increased since 1954 when the ceiling of $15,000 was established. The median selling price of new homes has risen from $12,300 in 1954 to an estimated $14,300. This means that for one-half of the homes, sales prices are above that figure. Moreover, in high-cost areas in and around large cities, the median price would be higher than for the country as a whole, including a large proportion of new homes priced above $15,000. The increase in the price of houses, coupled with recent lower downpayment requirements (that result in mortgages in larger dollar amounts), has very substantially reduced the sector of the market for VA-guaranteed and FHA-insured mortgages that FNMA is able to serve. Clearly, if FNMA's secondary market function is to continue to serve a fair cross section of moderate income families, including larger families and those in higher cost areas, the limit on the amount of a mortgage that it can purchase should not be subject to a $15,000 ceiling.

Section 202. Purchase prices, fees, and charges under special assistance functions: This section would restore to section 305(b) of FNMA's corporate charter the original language provided by the 1954 FNMA Charter Act: FNMA would have discretion under its special assistance functions to determine not only purchase prices but also fees and charges. Although the pricing provision now found in section 305(b) expired on August 7, 1958, the law still limits FNMA's fees for its special assistance services to a maximum of 1½ percent, and specifies that not more than half of such fees may be collected at the time of commitment.

While FNMA's special assistance functions are financed only with Treasury supplied money, the FNMA Charter Act states that fees shall be imposed with the objective that the functions be fully self-supporting. The present statutory controls on fees and charges are hardly compatible with that objective. The amendment would put back the language originally provided in 1954 to accommodate the foregoing objective of the law. As indicated above, it would also restore other original provisions, replacing the purchase price provision that expired in August 1958.

The special assistance functions were designed to supplement and encourage private investment in special categories of home mortgages. There was no intention that they should supplant such investment. Statutory controls on purchase prices and on fees and charges have made it difficult, and sometimes impossible, for private investors to compete in the purchase of even the more desirable of the mortgages eligible for FNMA's special assistance. Since the great preponderance of mortgage financing money in this country comes from private sources, it is clear that, in the long run, more funds will become available for the categories of mortgages designated for special assistance if FNMA's special assistance functions can be administered so that private capital will be actively encouraged to invest in, and become familiar with, these types of mortgages.

Section 203. Authority to invest excess funds: This section would amend the Association's corporate charter so as to permit some increased latitude in the investment of funds that, from time to time, may temporarily be in excess of current operating needs. Funds arising from sales of mortgages, for example, should be employed gainfully and, to the extent practicable, to offset the cost to FNMA of operating funds borrowed from private sources. Investments are now restricted to Government and Government-guaranteed obligations, with repect to which the investment yield may often be wholly inadequate to offset to any appreciable degree such cost to FNMA of its borrowed operating funds.

The amendment would authorize FNMA to invest "in obligations of the United States or guaranteed thereby, or in obligations which are lawful investments for fiduciary, trust, or public funds." The immediate purpose of the proposal is to qualify for temporary investment by FNMA the so-called Federal agency obligations of which Federal intermediate credit bank debentures and Federal home loan bank notes are typical. They carry very high investment ratings—second only to United States Government obligations. Although they enjoy a high degree of marketability FNMA would generally acquire only obligations having an early maturity conforming with the time when the funds will be needed for mortgage purchasing or other corporate operating requirements. These types of obligations usually afford a higher return than Government securities of comparable term.

Section 204. Transfer of mortgages to FNMA: The immediate purpose of this section is to make it possible for the Public Housing Administration to be relieved of, and for FNMA to assume, the ownership, servicing, and sale of certain mortgages and other obligations acquired or to be acquired by the PHA in connection with the liquidation of various Government housing programs. The bulk of such mortgages resulted from the sale of Lanham Act projects that were constructed to provide housing for persons engaged in World War II national defense activities. It is more practical to transfer the mortgages to FNMA, which has nationwide mortgage servicing facilities already established, than to attempt to maintain comparable facilities in PHA. Provision is also made to permit such transfers by other Housing Agency constituents in similar circumstances if the need arises.

With respect to any mortgages acquired by the FNMA under this section, the FNMA would assume only those duties and functions which arise under the FNMA Charter Act or the mortgage instruments themselves. Thus, the PHA would retain all remaining functions under the Lanham Act respecting the liquidation of properties securing the mortgages to be transferred to FNMA. For example, the PHA would complete pending land condemnation proceedings; handle complaints and inquiries (and assist the Department of Justice in handling litigation) relating to the development and sale of the housing projects; and carry out other liquidating responsibilities arising from the former Federal ownership of the properties rather than from the mortgage instruments.

TITLE III—URBAN RENEWAL

Section 301. Encouragement of State-local public agencies: This section would direct the Housing and Home Finance Administrator to particularly encourage the utilization of State agencies to operate on a statewide basis in behalf of smaller communities within the State whenever that arrangement provides an effective solution to community development or redevelopment problems in the communities. They would act as urban renewal agencies for the smaller communities. The arrangement would have to be approved by resolution or ordinance of the governing bodies of the affected communities.

The existing law provides sufficient authority for the Administrator to contract with State agencies for assistance to urban renewal projects. The proposed amendment would give explicit recognition to the desirability of more State responsibility and participation in urban renewal. It would also enable many small communities to have urban renewal programs which could not afford to undertake effective programs alone.

Section 302. Technical amendment on certain financing authority: This section is a technical amendment to avoid a possible misinterpretation of statutory language affecting certain private financing for an urban renewal project. Where a local public agency enters into long-term leases of the land in an urban renewal project, the URA enters into a long-term or definitive loan agreement with the local agency. This agreement is distinguished from the temporary loan agreement entered into in the usual cases where the land is sold and the loan is repaid within a short time. In all cases the local agency issues obligations on the private market, wherever feasible, pledging the loan agreement with the Federal Government. Because of existing statutory language, certain bond counsel has expressed some doubt as to whether a definitive loan agreement of the Federal Government can be used as a pledge to cover the interest, as well as the principal, on the long-term obligations sold on the private market. This doubt is expressed because the second sentence of section 102(a) of the Housing Act of 1949 provides that the loan agreement of the Federal Government shall be in an amount not exceeding the estimated expenditures to be made by the local public agency "as part of the gross project cost." The term "gross project cost" is defined in section 110(e) of that act as the sum of the actual expenditures of the local public agency necessary to the project undertaking and the amount of noncash local grants-in-aid made in connection with the project. It is contended that therefore the loan agreement must not only be within the amount of these expenditures and grants-in-aid work but that it may be used only for them. Under this possible interpretation, the loan agreement could not be used in any case as a pledge for interest payments on a private obligation, as they are not part of gross project cost.

The Housing Agency does not construe section 102(a) in the above manner but follows the generally accepted view that the pertinent language in that section limits the amount of the Government loan agreement and not its purpose. However, it is desirable to remove the possibility of any misinterpretation by bond counsel which could hinder financing. Accordingly, this section of the bill would preclude any interpretation that such language limits the purpose of the loan agreement. This would be accomplished by striking out the above words "as part of the

gross project cost" and substituting "for such purposes."

Section 303. Urban renewal loan authorization: This section would resolve certain technical difficulties which would become a serious obstacle to the temporary financing of urban renewal projects under existing law.

The Housing Administrator enters into contracts to make advances and loans for the planning and carrying out of urban renewal projects. This temporary financing is ultimately retired by proceeds of land sales, local and Federal cash grants, and (where project land is disposed of by lease rather than sale) by long-term loans referred to as "definitive loans." To obtain funds to make advances and loans, the Administrator is authorized to issue and have outstanding to the Secretary of the Treasury at any one time notes and other obligations in an amount not to exceed $1 billion.

In order that an urban renewal project may have an assured source of funds, the initial Federal loan commitment is made in an amount equal to the estimated total expenditures necessary for carrying out the project. Under generally applicable accounting principles and definition, this loan commitment constitutes a charge against the authorized Treasury borrowing authority, since this is the source of funds against which the Administrator must draw if required to make direct loans to the project. The total amount of loan contracts so entered into will exhaust the $1 billion authorization by the end of fiscal year 1959.

Experience has established that the amount actually provided for project financing from Federal funds is only a fraction of the face amount of the loan commitment. This results from the fact that most of the temporary financing actually used by local public agencies for urban renewal projects is obtained by private borrowings, using a pledge of the Federal loan contract as security for the private loan. This arrangement, under normal conditions, involves little or no actual disbursement of Federal funds and hence litle borrowing from the Treasury. Thus, although the statutory authority and procedures are in terms of loans, the actual effect from the standpoint of the Federal Government is that of a guarantee system.

As noted above, loan commitments for urban renewal projects will reach a level of about $1 billion by the end of the current fiscal year. Under present procedures, it would be impossible to enter into further loan contracts for new projects without an increase in the $1 billion borrowing authorization. However, since the Administrator will not normally need to disburse any substantial amount of the loans contracted to be made, he will borrow a correspondingly small amount from the Treasury. The changes which would be made by the amendment are as follows:

1. The limitation on the total amount of loan commitments which may be entered into by the Administrator would be defined as being the aggregate of estimated project expenditures for projects being assisted under title I of the Housing Act of 1949. This is the actual effect of the provisions of the present law, since at present each individual loan contract is limited to the total of estimated project expenditures. At the same time, however, the total amount of loan commitments is limited by the Treasury borrowing authorization, now $1 billion. Under the proposed language loan commitments would be subject only to the single ceiling of estimated total project expenditures, rather than dual ceilings as at present.

2. Obligations incurred against the borrowing authorization would be redefined. Under present law and generally applicable definitions, obligations against the borrowing authority are considered to equal the full amount of loan commitments entered into by the Administrator. Under the proposed amendment such obligations would be defined as equal to the Administrator's estimate of the maximum amounts which would actually be borrowed from the Treasury and outstanding at any one time to satisfy the Administrator's obligations under the loan contracts. This redefinition would make it unnecessary for the Congress to authorize Treasury borrowings in an amount greatly in excess of actual requirements for Federal funds for advances and loans.

3. A clear statement of the intent that project loan financing shall be, to the greatest extent practicable, accomplished by securing funds from non-Federal sources rather than by direct Federal loans would be brought into the statute itself. The present law merely provides that the Administrator may consent to such financing.

Under the language of the proposed section, the President would have the authority to authorize borrowings by the Administrator in excess of $1 billion, should it become necessary in order to carry out the provisions of Federal loan contracts in force. Although very extraordinary conditions would have to prevail before such action could become necessary, the existence of such authority would serve to avoid the delays that conceivably could occur if special action by the Congress were necessary to permit the Administrator to secure funds with which to discharge his obligations. Even though the contingency is remote, this language is considered essential if what is in effect a Federal guarantee of private borrowings is to be fully effective in encouraging private investment at favorable rates in the temporary loan obligations of local public agencies.

The provisions of this section are considered as clarifying and perfecting amendments which facilitate carrying out the plan of financing originally contemplated in the law.

It might also be pointed out that the limit in the law on the amounts of capital grants (rather than on loans) which can be made by the Administrator to urban renewal projects is the limit by which Congress has in effect controlled the size and extent of the urban renewal program. Of course, this method of control would not be changed by this section.

Section 304. Gradual reduction of Federal share of net project cost: Subsection (a) of this section would provide for gradual reductions in the percentage of net project costs which the Federal capital grants may cover, from two-thirds under the existing law to 50 percent on and after July 1, 1962. There would be no change in the present two-thirds formula until July 1, 1960, and there would be no change in the sharing formula for projects for which planning has already been initiated before the effective date of the act.

The existing statute limits the aggregate capital grants paid with respect to most urban renewal projects to two-thirds of the aggregate net costs of such projects. The remaining one-third of net project costs must be borne by the locality in the form of cash or noncash local grants-in-aid, the latter consisting of such things as land donations and the provision of necessary public improvements and facilities. Under this section of the bill, the Federal Government's two-thirds share would be reduced to 60 percent on July 1, 1960, 55 percent on July 1, 1961, and 50 percent on July 1, 1962, with resulting increases in the local share of project costs bringing such share up to a matching 50 percent.

Projects could continue to be approved on a three-fourths Federal share basis, rather than a two-thirds basis, where authorized under existing law, except that the Housing Administrator would be authorized, when the two-thirds maximum Federal share of net project cost is reduced as described above, to reduce the alternative three-fourths share to an appropriate lesser percentage.

The percentage applicable to the capital grants for a particular project would be the percentage in effect at the time that the project is initiated (normally, the commencement of planning).

Since the proposed amendment would provide for a gradual adjustment of the sharing formula over a 3-year period, localities could more easily make the necessary adjustments in their own financial operations.

In the past few years, applications for Federal capital grants for local urban renewal projects have exceeded the grant authority that has been available to the Agency. It appears certain that this high level of interest will continue for the foreseeable future. This proposal to adjust the sharing of urban renewal costs and place the Federal Government and the localities on an equal basis is intended to produce more urban renewal activity for each Federal dollar expended. With a smaller relative amount of Federal funds going into each project, the number of projects that could be assisted with these funds would be correspondingly increased.

This reduction in the Federal share of net project costs is part of the general fiscal policy of the Government to require greater participation on the part of States and localities in bearing the financial burdens of undertakings having primary local as well as national benefit.

Pooling credits: Subsection (b) of this section would permit the pooling of local contributions in the form of cash and noncash local grants-in-aid between different projects undertaken by a local public agency, regardless of the Federal sharing formula that is applicable in each case.

The existing statute permits localities to pool local grants-in-aid only for projects that are executed on the same Federal-local sharing formula. Pooling enables the local public agency to receive credits for contributions that are in excess of the required local share for one project and apply these credits against the local contribution that is required for another project.

The adoption of this subsection should encourage more localities to adopt the alternative capital grant formula (now three-fourths-one-fourth which in turn would eliminate supervisory services and paperwork that now add to the Government's administrative cost.

The three-fourths-one-fourth sharing formula, which was authorized by the Housing Act of 1957, was proposed as a means of reducing the administrative detail connected with urban renewal projects, without materially changing the dollar amount of net costs paid by either the Federal Government or the locality. Essentially this "alternative capital grant formula" permits a locality to obtain a three-fourths Federal grant instead of a two-thirds grant, if the locality is willing to assume the cost and supervision of planning, legal services and administrative overhead. The alternative formula is entirely optional with a locality, and consequently it will be adopted only where the locality can see advantages in doing so.

There has been increasing interest shown by localities in the alternative formula, but in some cases the existing law with respect to pooling credits serves to place a community adopting the alternative formula at a disadvantage. This occurs when the locality has substantial credits built up from local grants-in-aid to projects that are administered in the two-thirds–one-third or usual, sharing formula. If such a locality were to adopt the alternative formula, these credits could not be applied against the net project cost of projects administered under the alternative formula, and the credits would be lost to the locality. The proposed amendment

would eliminate this disadvantage in converting to the alternative formula.

Section 305. New grant authorization: Subsection (a) of this section would increase the amounts of obligational authority available to the Administrator for capital grants to urban renewal projects. The amount of the present authorization would be increased by this subsection by $250 million on July 1 of each of the years 1959, 1960, and 1961 and by $200 million on July 1 of each of the years 1962, 1963, and 1964. The increases would provide for a 6-year program of capital grants to urban renewal projects and, in addition, provide obligational authority for grants authorized in later sections of the bill for community renewal programs and for surveys and planning of urban renewal projects.

The provision of a 6-year program of capital grant authorizations, sufficient to maintain a consistent level of program activity, would provide localities with the assurance of continued support for the program by the Federal Government, and would permit them to plan their local programs in the knowledge of a clear statutory statement of the level of Federal participation.

The level of new grant authority which would be provided by this section is correlated to the reduction in the Federal share of project costs, as proposed in the preceding section. In each of the first 3 years, when the Federal share is gradually declining, the level of new authorizations would remain at $250 million a year. In the 3 years after fiscal year 1962, when the Federal share has been set permanently at 50 percent, the level of new authorizations would drop to $200 million a year. Thus the total program in these later years, including both Federal and local contributions, would correspond in size to the total program that would be funded in the first year, when $250 million would be available for Federal grants meeting two-thirds of the net costs of the projects or planning assisted.

The following table indicates the level of grant authority, and the applicable Federal share of costs, which would prevail in each of the 6 years:

Fiscal year	Federal share of costs	New grant authority
	Percent	*Millions*
1960	66⅔	$250
1961	60	250
1962	55	250
1963	50	200
1964	50	200
1965	50	200

A portion of the new grant authority in each year would be used for grants to assist localities in preparing community renewal programs, and in making surveys and plans for urban renewal projects. This represents a relatively small amount, however, and almost all of the new grant authority would be available for capital grants to help meet net project costs.

Even so, the level of Federal grants proposed in this subsection is not expected to meet the total amount that may be requested by localities. However, the level of Federal grants for urban renewal must be determined by the relative needs of all the programs that require Federal funds, including programs that serve the national defense. The amount of new grant authority provided in this subsection represents the Administration's best judgment as to the maximum that can be provided for the urban renewal program, in view of all other demands on the Federal budget.

Steps have already been taken under existing law to meet the situation wherein local applications may be expected to exceed the available capital grant authority. Since the beginning of the current fiscal year, applicants have been dealt with under a limitation formula, instead of on the first-come, first-served basis that formerly prevailed.

Repayment of uncollectible advances: Subsection (b) of this section relates to the repayment of uncollectible advances. To obtain funds for advances made to local public agencies for urban renewal planning, the Administrator issues notes to the Secretary of the Treasury. The advances to a local public agency are repayable from moneys becoming available to it for the undertaking of urban renewal projects. However, in some cases the planning work is not completed or projects are not undertaken, and the repayment of such advances become uncollectible. In such cases, this section of the bill would authorize the use of appropriated grant funds for repaying to the Secretary of the Treasury an amount equal to such advances, plus interest attributable to such advances paid or accrued to the Secretary. This procedure would avoid continuing interest charges on the Administrator's notes to the Secretary of the Treasury.

This subsection would not affect the obligations of the local public agency to the Federal Government. If funds should become available at some future time in connection with one of the projects involved, the local agency would remain obligated to pay the Federal Government the amount of the advances with interest in connection with that project.

Section 306. Grants for community renewal programs: Subsection (a) of this section would authorize Federal grants for a share of the costs of preparing community renewal programs.

Such programs would identify and measure slums and blighted areas in a community, would evaluate the financial and other resources needed and available to improve such areas, and would schedule urban renewal projects and activities to be undertaken in the community. Approval of the local governing body would be a prerequisite to any contract for this type of planning grant. Community renewal programs would also provide a framework for public improvements and facilities designed to serve urban renewal areas.

The grants could cover up to two-thirds of the cost of the planning work for which they would be made under planning grant contracts executed before July 1, 1960. On that date the Federal share of the costs would drop to 60 percent; on July 1, 1961, to 55 percent; and on July 1, 1962, to 50 percent. This gradual reduction of the Federal share would parallel the reduction proposed elsewhere in the bill for project capital grants.

It is contemplated that the Federal grants to assist the preparation of community renewal programs would enable a locality to approach the problem of blight on a citywide basis. The deteriorated and deteriorating areas of the city could be identified, and classified as to the relative urgency and degree of urban renewal action that is needed. Then the total need for urban renewal could be related to the locality's total resources for relocation and financing, and to the rate at which the community can utilize cleared land. When the relationship between needs and resources is known, a program of action could be developed, with priorities and schedules for various types of activity. Where federally assisted projects are called for, the detailed survey and planning work would then be carried out under separate contracts.

Such a program would be related to the general plan for the city or the metropolitan area, and to the locality's overall programs for capital improvements and new development. The community renewal program would not replace any of the present functions of general city planning. It would, however, provide a framework for the scheduling of specific public improvements and facilities, which are contemplated as noncash grants-in-aid to help meet the locality's share of urban renewal project costs.

No locality would be required to prepare a community renewal program, but it is anticipated that many communities will want to follow this approach to urban renewal. The need for an analysis of this type has already been recognized in a number of cities. More and more, localities are questioning the wisdom of a project-by-project approach, and attempting to measure their total need for urban renewal against their total capacity to meet that need over a period of years. When a locality has thus appraised its needs and its resources, it can program all of its urban renewal activities in the way that will make best use of the Federal and local funds at its disposal. A balance can be struck between the necessary, but expensive, use of clearance, and the less costly techniques of rehabilitation and conservation, both with and without Government assistance.

The preparation of community renewal programs would have important advantages for the Federal Government as well. It would result in projects that are carefully selected for the most efficient use of Federal funds. By relating the localities' project activities to their capacities for relocation, financing, and the marketing of land, it would space their projects—and hence the demand for capital grant reservations—more evenly over a period of years. Finally, a number of such programs taken in the aggregate would constitute a basis for defining more accurately the national need for urban renewal, and fill the need for data on which both the Congress and the Housing Agency could base long-range determinations as to the size and nature of the Federal program. At present, there exists no adequate information on which to base such determinations.

By its nature, the provision for community renewal programs would eliminate the need for two of the three types of planning that are assisted under the existing law: The feasibility survey and the general neighborhood renewal plan. The feasibility survey was designed to analyze an area for its susceptibility to urban renewal treatment. Since the community renewal program would serve this same function, the provision of assistance for feasibility surveys would be eliminated immediately by this subsection. The community renewal program would also eliminate the need for general neighborhood renewal plans, because it would serve the same function on a communitywide basis, without the necessity of a number of separate applications for Federal assistance. However, some localities will need to revise their planning budgets or their administrative practices in order to shift from the use of advances for general neighborhood renewal plans to the use of grants for community renewal plans. Consequently, the former would not be eliminated by the bill until June 30, 1960.

This subsection would also make technical changes reflecting the substitution (as provided in the next section of this bill) of project planning grants for project planning advances.

Public improvements in community renewal programs made eligible as local grants-in-aid prior to contracts for urban renewal projects: Subsection (b) of this section would provide that, in a community which has an approved community renewal program, public improvements and facilities would not be ineligible for credit as local noncash grants-in-aid to an urban renewal project simply because they were commenced prior to the undertaking of the project. Credit could be obtained for improvements and facilities that are otherwise eligible, if the project they would serve is in conformity

with the community renewal program, and if construction is started no more than 5 years prior to the authorization by the Administrator of a contract for loan or capital grant for the project. Under a community renewal program it would be possible, therefore, to obtain credit for public improvements in areas that are slated for federally assisted urban renewal treatment, even though the actual project activities are still several years off.

Authorizations and appropriations for grants: Subsection (c) would broaden the obligational authority in title I of the Housing Act of 1949, which is presently limited to capital grants for urban renewal projects, to include not only capital grants but also all other grants authorized by that title for urban renewal purposes. The authorization for appropriations for the payment of capital grants would also be broadened to be made applicable to all grants, rather than capital grants only. These amendments would therefore provide obligational authority and authorization for appropriations of funds for the Federal grants authorized by this section, and for the Federal grants authorized by other sections of the bill for a share of the costs of planning urban renewal.

Section 307. Grants in place of advances for surveys and planning: Subsection (a) of this section would enact new provisions which, effective July 1, 1960, would substitute grants for advances for assistance to localities in the making of surveys and plans for urban renewal projects. Effective July 1, 1960, the Administrator would be authorized to make planning grants for such surveys and plans. These planning grants could be expended for the same type of planning work in preparation of urban renewal projects as is now financed by advances of funds for such planning, and the same approval by the local governing body would be required.

These grants could cover up to 60 percent of the cost of the planning work for which they would be made under grant contracts executed before July 1, 1961. On that date the Federal share of the planning costs would drop to 55 percent; and on July 1, 1962, to 50 percent. This gradual reduction of the Federal share would parallel the reduction proposed elsewhere in the bill for project capital grants.

This proposal would revise the method by which the Federal Government assists localities in the planning of urban renewal projects, so that the locality and the Federal Government would share the planning costs from the beginning, instead of at the completion of the project. Under the proposed system, the Federal planning advance would be replaced by a direct grant to cover the Federal share of survey and planning costs, with the locality simultaneously providing cash or services to meet its share.

Under the present system, the Federal Government advances all of the money needed to meet all the expenditures during the survey and planning period. These expenditures are added to the costs of executing the project, and are ultimately repaid from grants provided by the locality and the Federal Government to the ensuing project. Consequently, the ultimate cost to the locality would be no greater as a result of substituting a planning grant for a planning advance.

The shift from planning advances to planning grants would not be effective until July 1, 1960. This would permit the localities to make the necessary adjustments in their budgets, so that the local programs would not be hampered or retarded by the requirement that local contributions be made during the planning stage.

When the shift from advances to grants has taken place, the principal effect would be to increase local responsibility during the planning stage. With local funds involved in a project from the beginning, the locality should have greater concern for the elimination of waste, inefficiency and delay. This should result in less Federal supervision of project planning expenditures, and enable the Urban Renewal Administration to simplify procedures and reduce paperwork.

In addition, the provision of local contributions in the planning stage would result in more careful local evaluation of the advisability of undertaking a project. There would be fewer cases where a project enters the planning stage without the local interest and support necessary to carry the project into execution. Under the present law, the repayment of the planning advance becomes uncollectible in such cases, and the Federal Government bears the entire amount of the loss. In addition, any capital grant funds that are reserved for such projects are unavailable for other projects until the planning advance is officially terminated. The proposed subsection would tend to reduce the amount of capital grant funds that are unnecessarily tied up in this fashion.

If the proposed system of planning grants were adopted, the amount of money required from the locality during the planning stage would be relatively small. A one-third share of planning advances made by the agency in the past would have ranged from a median of about $30,000 in cities of more than 1 million population, to a median of about $10,000 in cities of less than 10,000. Under the provisions of the proposed amendment, this amount would not have to be supplied in cash. The local public agency could simply apply salaries and other expenses already budgeted by the locality.

The adoption of this section of the bill would not affect a locality's option to use the alternative three-fourths–one-fourth grant formula, under which it can obtain a larger capital grant by undertaking to pay not only the planning costs but also most of the cost of administering a project in the execution stage.

Technical amendments: Subsection (b) would make technical amendments, effective on July 1, 1960, which are necessary because of the substitution of grants for advances for project planning.

Additional advances after July 1, 1960: Subsection (c) of this section would authorize the Administrator, notwithstanding the above provisions, to amend any contract for advance entered into before July 1, 1960. The amendments could provide for additional advances under the contract or provide for any other changes necessary to the completion of the survey and planning work covered by the contract.

Section 308. Acquisition by Federal agencies: This section would provide clear authority for a Federal agency or the District of Columbia to agree to the statutory requirements applicable to redevelopers when such agencies purchase urban renewal land. Under the Housing Act of 1949 (sec. 105(b)), every purchaser of urban renewal property from a local public agency must agree (1) to devote the property to the uses specified in the urban renewal plan, (2) to begin within a reasonable time any improvement of the property required by the plan, and (3) to comply with such other conditions as the Housing Administrator specifies are necessary to carry out the purposes of the law.

Questions as to the ability of Federal agencies to agree to the restrictions placed on purchasers of urban renewal project land have placed obstacles in the way of land disposition in projects in Washington, D.C., and Sacramento, Calif. Numerous other localities may be affected in the years to come, as more and more projects reach the stage of land disposition.

It would be undesirable to exempt Federal agencies from the restrictions that apply to other redevelopers, because such restrictions are indispensable to the achievement of the objectives of an urban renewal plan.

The proposed technical amendment would provide clear statutory authority for the District of Columbia and Federal agencies to assume the obligations required of all redevelopers, except that the obligation "to begin within a reasonable time any improvement of the property required by the plan" would be applicable only to the extent that the acquiring agency is authorized to proceed with construction and has funds available for that purpose.

Section 309. Removal of limitation on total loans in any State: This section would remove a provision now in the law under which no more than 12½ percent of the Federal funds provided for urban renewal assistance in the form of loans can be expended in any one State. The existing limitation on the amount of grant funds which can be expended in any one State would not be changed by this section.

Under existing law, the State limitation on loan funds could sharply limit the amount of urban renewal activity that can be undertaken in one or more jurisdictions, where the total of title I loan commitments is rapidly approaching the 12½ percent limit of existing borrowing authority.

This could occur in spite of the fact that the jurisdiction concerned may be well within the statutory limitation on capital grant funds. The law establishes the same basic limit of 12½ percent for grant funds that may be spent in any one State, but this limit may be exceeded by up to $100 million for States where more than two-thirds of the maximum permitted under the percentage limit has been committed. In addition, the effective dollar limit on capital grant funds for any State has risen every time the total amount of capital grant authority in title I has been increased by Congress. By contrast, the total amount of borrowing authority has remained unchanged since 1949 at $1 billion. In the past, as a result, the effective dollar limit on loans for any State has been outdistanced by the limit on grant funds. Apart from the unnecessary difficulties raised by the 12½ percent State loan limit under existing law, it is not clear how such limit would serve any purpose after the enactment of the provisions of section 303 of this bill with respect to the Administrator's borrowing and lending authority.

In any event, it is the limit on grant funds that ultimately controls the operation of the urban renewal program. The loan funds are of a revolving character and may be used again after they are repaid, while the grant authority represents expenditures in support of the urban renewal effort. Furthermore, capital grant reservations are made for projects at the start of the survey and planning stage, while the amount of loan funds that may be needed to execute a project cannot be estimated until planning has been completed. If, under existing law, a State reaches the limit on loan funds before the limit on grant funds is reached, it means that projects carrying capital grant reservations that are within the limit, and for which Federal approval has been outstanding for several years, might be seriously delayed from going into execution solely because of the limit on lending authority.

Section 310. Simplification of urban renewal plans: This section would give the Housing Administrator authority to permit the simplification of urban renewal plans. Before an urban renewal project can enter the execution stage and the acquisition of land can begin, the urban renewal plan must be approved by the local governing body and reviewed by the Housing Agency. Under existing law, it is mandatory that every urban renewal plan shall (in addition to other requirements) indicate such land acquisition, demolition, and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out

in the urban renewal area; zoning and planning changes, if any; land uses; maximum densities; and building requirements. This section of the bill would change the law so that these elements of the urban renewal plan would be mandatory only to the extent required by the Housing Administrator for the making of loans and grants for project execution.

This proposal would provide a needed flexibility in the carrying out of urban renewal projects, and help to shorten the time required to complete various project stages. In the planning stage, it would reduce the amount of detail that must be inserted in an urban renewal plan and be approved by the governing body of the locality, before the plan can be submitted to the Agency and a loan and grant contract approved. This would expedite approval of the contract, and permit the project to enter execution at an earlier date.

When a project is in the execution stage, experience has shown that frequent changes have to be made in the urban renewal plan, if each element of the plan has been fixed in every detail in the planning stage. Such details are often revised before an arrangement can be found which is mutually satisfactory to a redeveloper and the local public agency. These changes require amendment of the plan, with the delays that are incurred in obtaining approval of various local agencies, of the local governing body, and of the Housing Agency.

This provision should expedite the execution of projects, by reducing the necessity for changes in the urban renewal plan. It would also permit a simplification of project procedures and documentation, which add to the burden of paperwork. It should have no effect on the number of projects initiated, nor on the ultimate cost of projects either to the locality or to the Federal Government.

Under existing law, it has been possible to simplify some of the administrative requirements that have been imposed on a local public agency when it submits an urban renewal plan for approval of the Agency. Any further simplification would require legislation in the form provided by this section.

Section 311. Loans (without capital grants) for nonresidential projects: Under existing law, urban renewal projects assisted by the Federal Government must normally be predominantly residential, either as to the original site or the redeveloped area. An exception from this requirement permits up to 10 percent of the capital grant authorization to be used for nonresidential projects where the site includes a substantial number of slum or blighted dwellings.

This section of the bill would authorize the Administrator to extend the usual types of financial assistance, other than capital grants, for urban renewal projects which have no residential significance. The section would also authorize the making of refunding loans to refund temporary loans when a project assisted under this section is completed. The refunding loans could be made for a period up to 10 years and in an amount not exceeding the net project cost of the project involved.

A temporary loan made under this authorization would make available to the local public agency the working capital needed to finance the carrying out of urban renewal project activities in the area. The proceeds received from disposition of land in the project area would go to repay all or a portion of the temporary loan. Any remaining portion of the loan could be refunded by the locality with a refunding loan authorized by this section.

The aggregate amount of refunding loans made by the Housing Administrator which could be outstanding at any one time would be limited to $150 million. Local public agencies would be authorized to borrow funds from private sources by pledging certain of their rights under their loan contracts with the Government, thus avoiding the necessity for actual disbursement of loan funds by the Government. Further, the Administrator would be directed to require local public agencies to obtain loan funds from sources other than the Federal Government unless he determines in the particular case that it is not feasible.

This proposal is designed to meet the demand for Federal assistance for urban renewal in areas that do not contain a substantial amount of blighted housing, and are not suitable for redevelopment as new housing sites, but which are nevertheless suffering from urban obsolescence and deterioration. This includes some areas in and around the central business districts, where blight threatens the vitality of the cities' taxable bases, and other commercial and industrial areas that have become outmoded and dilapidated.

The existing law permits 10 percent of the urban renewal capital grant authority to be used for projects which are not predominantly related to housing, but which will bring about the elimination of a substantial amount of residential blight. There has been a growing pressure to provide capital grants also for projects designed for the redevelopment of commercial and industrial areas where little or no housing significance is involved. However, it is the basic purpose of the Housing Act of 1949 to provide capital grants only for projects with a substantial housing significance. If the provisions of the existing law were relaxed to permit the use of large capital grants for purely nonresidential projects, a large increase in capital grant authority would be required, to prevent a comparable decrease in the number of projects with a housing orientation. Consequently, the 10 percent exception provided in section 110(c) of the Housing Act of 1949 should remain unchanged, except that (as provided in another section of this bill) it should be applied to all of the grants provided by the bill, rather than only to capital grants.

The new system of loans proposed in this section would enable localities to undertake urban renewal action in many obsolete or deteriorated commercial and industrial areas where little or no housing is involved. There are three essential tools of urban renewal—the power of eminent domain, the presence of working capital, and the method of meeting writedown costs. The power of eminent domain would be provided by State enabling legislation, and no action by the Federal Government is necessary. The provision of temporary loans would provide the working capital needed in projects of this type. While existing experience and studies are not extensive, there are indications that the power of eminent domain and the provision of working capital may be enough for the renewal of some commercial and industrial areas, where proceeds from the sale of cleared land are sufficient to meet the costs of a project. Where this is not so, the refunding loan would help the locality to amortize the remaining project costs over a period up to 10 years.

Section 312. Credit for carrying charges on local funds: This section would permit the inclusion in gross project cost of an amount in lieu of carrying charges where a community uses its own funds temporarily to finance a project undertaking. While this section has no effect on projects which have been completed and on which financial settlement has been made, it would permit the Administrator to include such an amount in the costs of those projects covered by a Federal aid contract heretofore or hereafter executed for project undertakings. The amount to be included would be based on the net total of all such funds expended and outstanding in all the projects of the local public agency, and would be computed at an interest rate determined by the Administrator after taking into consideration the average rates borne by federally guaranteed obligations of the local public agencies issued on the private market during the preceding 6-month period.

Under existing law, localities which utilize direct Federal loans or Federal loan commitments to obtain working capital for a project may apply the carrying charges on such borrowings to the gross cost of the project, which means that the Federal grant payment is increased by absorbing two-thirds of this cost. Under this amendment localities which utilize their own funds as working capital in cases where the carrying charges on such funds are not readily ascertainable would be placed generally on a par with those localities which, with a Federal guarantee, borrow their working capital on the private market.

To permit this additional charge to gross project cost should eliminate the penalty now suffered by some localities, and encourage other localities to use their own funds for working capital instead of relying on the Federal loan commitment. This would reduce the volume of temporary loan commitments issued by the Agency and help to minimize the need for direct disbursement of Federal loan funds.

In each case, the actual amount of interest that would be eligible as a charge to gross project cost would be calculated by the net amount outstanding at any given time, after subtraction of land sale proceeds and other income to the project, which would reduce the need for funds advanced by the locality. The amendment also provides that the net amount outstanding would be calculated from the combined accounts of all projects in the locality, and allocated to the gross project cost of the separate projects.

Section 313. Uniform date for determining application of going Federal rate to urban renewal contracts: This section would provide a uniform date for the determination of the interest rates in contracts for loans and advances to urban renewal projects. The definition of "going Federal rate" in the Housing Act of 1949 is used as a basis for determining the interest rate on loans and advances for all urban renewal projects, but the existing law inconsistently determines the applicable rate at different times for different types of contracts. One date (date contract is approved by Housing Administrator) is provided for contracts executed after the enactment of the Housing Act of 1954, another date (date contract is made) applies to contracts executed prior thereto, and still a third date (date contract is revised and superseded) is used for amendatory contracts. This section would provide a single uniform date for the determination of the applicable going Federal interest rate. It would fix the date for determining the applicable rate for all contracts as the date the contract, or amendatory contract, is authorized by the Administrator. Such authorization is evidenced by an internal allocation order, which allocates capital grant funds for the particular project. This allocation order would serve as a uniform and convenient date for determining the applicable interest rate. This change is merely technical and would not tend to either increase or decrease aggregate interest payments by localities.

Section 314. Federal recognition: This section of the bill would add a new definition, to title I of the Housing Act of 1949, of the term "Federal recognition." The term would be defined as meaning the execution of any contract for Federal aid under title I or concurrence by the Administrator in the commencement of surveys and plans without Federal financial assistance.

This is a technical amendment made necessary by two other provisions of the bill. One provision would adjust the Federal share of project costs, and the other provision

would permit the liberation of noncash grants-in-aid credit requirements in localities with approved community renewal programs. It is important in both cases to define a clearly specified date when Federal recognition is first extended to an urban renewal project.

Section 315. Increase in authorization for urban planning assistance: This section would increase by $10 million the existing authorization of $10 million for appropriations to the Housing Administrator to be used for urban planning assistance grants under section 701 of the Housing Act of 1954.

Under this program matching grants are made to State planning agencies for the provision of assistance in urban planning work to municipalities with populations of less than 25,000. Similar grants are available to official State, metropolitan, or regional planning agencies for planning work in metropolitan and regional areas, and to official governmental planning agencies for areas threatened with rapid urbanization as a result of Federal installations. Grants may also be made for planning assistance in disaster areas.

The demand for urban planning assistance grants continues to grow, and it has been necessary during the current fiscal year to apply a limitation formula to the amount of funds that may be allocated to any one agency. The appropriated funds will nevertheless be exhausted at the end of the fiscal year, and less than $1 million of the present $10 million authorization remains unappropriated.

Recent experience has indicated an annual dollar volume of applications of $4.2 million and the future annual rate is expected to be in the neighborhood of $5 million. For this reason, the bill provides for an additional authorization of $10 million, which would permit the urban planning assistance program to operate for at least 2 years.

Section 316. Investments by banks in long-term obligations of local public agencies: Where a local public agency enters into long-term leases of the land in an urban renewal project, the URA enters into a long-term or definitive loan agreement with the local agency. This agreement is distinguished from the temporary loan agreement entered into in the usual cases where the land is sold and the loan is repaid within a short time. In all cases the local agency issues obligations on the private market, wherever feasible, pledging the loan agreement with the Federal Government. Under the National Bank Act (par. 7, 12 U.S.C. 24) the national banks and (to the extent permitted by State laws) State member banks of the Federal Reserve System are given certain investment privileges with respect to these obligations if they are short term but not if they are long term. Such banks are authorized to purchase or underwrite these obligations having a maturity of not more than 18 months without regard to a general prohibition on any such bank investing for its own account in obligations of any one issuer in excess of 10 percent of the amount of the bank's capital stock and surplus.

This section of the bill would remove the 18-month limitation in the existing law. Thus such banks would be able to purchase and to underwrite both short-term and long-term obligations (including temporary, definitive and refunding loans) of a local public agency issued in connection with an urban renewal project where all installments, when due, of both principal of and interest on such obligations are secured by an unconditional agreement by the Federal Government as now authorized under sections 102(a) and 102(c) of title I of the Housing Act of 1949.

TITLE IV—MISCELLANEOUS

Section 401. Surveys of public works planning: The Housing Administrator is now carrying out a program of advances for the planning of public works pursuant to section 702 of the Housing Act of 1954. Advances are made from a revolving fund established by that section for the program. This section of the bill would authorize the use of up to $50,000 per fiscal year from moneys in the revolving fund for the systematic and continuing collection of information on the current status of State and local public works planning and requirements for such public work. A survey of the status and volume of advance public works planning was undertaken pursuant to authority granted in the Housing Act of 1954, but that survey is now obsolete and no authority exists for additional ones to be made.

Under this section, it is contemplated that the information authorized to be collected would be compiled through representative sampling surveys of the more than 100,000 State and local governments. This would determine the current status and volume of plans for public works and the estimated long-range requirement for public works. This data, not now available, would provide the means for measuring the volume, type, and location of State and local public works plans and the extent to which such governments are meeting or planning to meet the steadily expanding requirements for public facilities, and the extent of the need for such facilities. This would be of assistance in the program of advances for public works planning, and would aid in evaluating applications received from the many local governments for planning advances. This would also provide continuing data for relating Federal public works programs to State and local programs so as to obtain the maximum economic benefits.

Section 402. Disposal of remaining PWA low-rent projects: This section would permit disposal of the few PWA low-rent housing projects still remaining in Federal ownership to other than a local public agency. The existing law directs the PHA to sell its Federal projects or divest itself of their management through leases as soon as practicable, but only to a public housing agency. Forty-seven PWA projects have been sold and only three remain. No sale or lease to a local public agency is possible now in the case of the two projects located in Enid and Oklahoma City, Okla., because there is no enabling State legislation for low-rent public housing, and none seems to be in the offing. Neither has the PHA been able to negotiate a sale or lease with a local public agency in Indianapolis, Ind., and, because of local opposition, it seems unlikely that this can be done in the near future. This section is necessary in order to enable the PHA to sell the three projects on the private market if the three localities still do not wish to take steps to obtain State legislation or municipal approvals which would make local public ownership possible.

Section 403. Consolidation of Lanham Act and other low-rent projects: Lanham Act war-housing projects which have been conveyed to local housing authorities for low-rent use under section 606 of the Lanham Act cannot, under existing law, be consolidated with other low-rent housing projects being assisted with annual contributions under the U.S. Housing Act. This is because that section requires the return of residual receipts each year to the Government, while the U.S. Housing Act provides for the retention of the residual receipts by the local housing authority for reduction of the Federal annual contribution payable under that act. This section of the bill would remove the restriction and permit the commingling of project funds and the use of all residual receipts for reduction of any Federal annual contribution under the consolidated contract. Since the Lanham Act prohibits the payment of annual contributions with respect to any Lanham Act project conveyed for low-rent use, and since all funds and operations would be merged, the amendment to section 606(b) would remove any implication that the payment of an annual contribution to an eligible project under the consolidated contract is a payment with respect to the Lanham Act project.

Section 404. Passyunk war housing projects, Philadelphia, Pa.: This section would extend by 3 years the period during which military personnel may continue to occupy the Passyunk war housing projects, which are presently owned by the Housing Authority of Philadelphia, with occupancy preference and without regard to their income. It would also permit civilians employed in defense activities to continue to occupy the housing during a 3-year period without regard to their income.

These projects were transferred by the Housing and Home Finance Agency to the Philadelphia Housing Authority pursuant to the authorization contained in section 406(c) of the Housing Act of 1956. Prior to that act, conflicting legislative recommendations had been made to the Congress by the Navy and the local authority, each of which desired permanent control over the projects. This conflict was resolved by the compromise reached in section 406(c), which gave the projects to the local authority but required a 3-year period of preference for military personnel, as determined by the Secretary of Defense, and also permitted the military personnel to remain in occupancy regardless of income. There is need for this existing preference and use of the project to be extended for a 3-year period.

Section 405. Continuation of voluntary home mortgage credit program: This section would continue the voluntary home mortgage credit program for 2 more years. Under the present law the program would terminate on July 31, 1959. The purpose of VHMCP is to facilitate the flow of private funds for FHA-insured and VA-guaranteed home mortgage loans into remote areas and other areas where financing channels are inadequate to facilitate financing of housing including housing open to occupancy by minority groups.

Since the program began full operation in March 1955, over 35,000 FHA and VA loans amounting to approximately $330 million have been placed with private lenders. Over 66 percent of the loans were VA-guaranteed loans and about 23 percent of the total were for homes for minority group families. As a result of the VHMCP, home buyers in small communities and minority groups everywhere have been obtaining mortgage loans in greater quantity, at lower downpayments, with longer maturities, and at lower interest rates than they previously had available to them.

The program is carried on under the National Voluntary Mortgage Credit Extension Committee. This Committee consists of the Housing and Home Finance Administrator as Chairman and representatives of the various industry groups and trade organizations involved in housing and mortgage finance, with advisory members from the Government agencies in the housing field. Regional committees, made up of representatives of the same industry groups and trade associations, supervise activities in their respective regions. Operating through the Committees, the program acts as a clearinghouse to bring together eligible borrowers and lenders. All loans made under the program are made by private lenders with their own investment funds.

Despite adverse mortgage market conditions during a good part of its existence, the VHMCP has provided substantial FHA-insured and VA-guaranteed home financing for veterans and others in rural areas and for minority group members in all types of

areas. The VHMCP program was most successful when the interest rate on VA-guaranteed loans was at a competitive market level. If authority permitting adjustment of the interest rate on VA-guaranteed loans to current market levels is enacted, VHMCP would be able to attract a greater volume of private home financing than heretofore in its areas of operation and obviate the need to use Government funds for home loans.

AMENDMENT OF CIVIL SERVICE RETIREMENT ACT

Mr. BEALL. Mr. President, I introduce, for appropriate reference, a bill to amend the Civil Service Retirement Act so as, first, to permit retirement of employees with 30 years of service on full annuities without regard to age: second, to eliminate the requirement that the 5 years used in computing average salary for annuity purposes be consecutive; and, third, to provide for computation of annuities on the basis of 2 percent of average salary.

As the ranking minority member of the Committee on the District of Columbia, where so many Federal employees work, and as a Senator from the State of Maryland, adjacent to the District, where so many Federal employees live, I have a very special interest in our Federal civil service.

The measure which I am introducing combines features designed to bring about a realistic adjustment of benefits for our retired civil service personnel.

The first feature is designed to make it possible for those who work for the Government 30 years to retire and start drawing their retirement payments without waiting for a long period of time, as many of our Federal employees must do under existing legislation. Aside from correcting this injustice, a byproduct of my bill would be to encourage elderly people to retire, thus creating jobs for others.

The second feature of my bill would correct another injustice; it would provide for basing the amount of one's retirement payments on his "best 5 years," without requiring that the 5 years be consecutive, as at present.

The third feature of my bill would provide that retirement payments be computed on the basis of a flat 2 percent of the average salary for the "best 5 years" multiplied by the number of years of service. Under existing law, the computation is complicated and provides slightly smaller payments.

I feel that our Federal employees are entitled to increased benefits. Under the provisions of my bill, none will be overpaid.

We are still in the debt of our Federal employees who have given many years of faithful service.

I urge the committee to which my bill will be referred to take it up without delay and report it early in this session of the Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 615) to amend the Civil Service Retirement Act so as (1) to permit retirement of employees with 30 years of service on full annuities without regard to age, (2) to eliminate the requirement that the 5 years used in computing average salary for annuity purposes be consecutive, and (3) to provide for computation of annuities on the basis of 2 percent of average salary, introduced by Mr. BEALL, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

APPLICABILITY OF ANTITRUST LAWS TO CERTAIN DESIGNATED PROFESSIONAL TEAM SPORTS

Mr. HENNINGS. Mr. President, on behalf of myself, the junior Senator from Illinois [Mr. DIRKSEN], and the junior Senator from New York [Mr. KEATING], I introduced a bill granting to professional baseball, football, basketball, and hockey a limited exemption from the antitrust laws.

The bill does not offer a blanket exemption but only those exemptions which have become vital and necessary because of the unique problems facing the professional team sports.

We must recognize, just as the courts have recognized, that their problems are completely different from those confronting other business activities to which our antitrust laws were originally directed.

In my opinion the reserve clause, the territorial limitations, the powers vested in commissioners to preserve the integrity of sports, and football's player selection system, must be preserved if we want professional baseball, football, basketball, and hockey to survive.

This theory is not new or unusual, nor are the provisions of this bill. It provides specified exemptions from the antitrust laws for what might be termed the "sports" aspect of professional athletics while it leaves the business aspects subjected to the antitrust laws.

I ask the Senate to consider the fate of professional team sports in this session and to grant them the statutory relief they must have to exist. I also ask that this bill stay on the desk for 1 week for the addition of cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will remain at the desk as requested by the Senator from Missouri.

The bill (S. 616) to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes, introduced by Mr. HENNINGS (for himself, Mr. DIRKSEN, and Mr. KEATING), was received, read twice by its title, and referred to the Committee on the Judiciary.

PROPOSED FOOD STAMP PROGRAM

Mr. HENNINGS. Mr. President, I introduce, for appropriate reference, a bill to benefit the needy people of this country by utilizing our vast agricultural surpluses. It is intolerable that we allow undernourishment and deprivation to exist among any of our citizens while we have surpluses of food and fibers mounting in the storehouses of the Nation. My proposal embodies the issuance of certificates entitling the needy recipients to supplemental food and fiber products determined to be in surplus. The distribution of the stamps is left to the State organizations and the distribution of the food and fiber is left to private enterprise.

The philosophy of this bill envisages not a Government distribution of surpluses after they have arrived at Government warehouses, but a stimulation of the consumption of abundant products to the point that the accumulation of surpluses by the Government will be narrowed.

Very briefly, this is how the plan would operate. When the Secretary of Agriculture determines that certain products are in oversupply so that our regular commercial channels can no longer absorb them, the State welfare agencies will issue certificates to those who are still in need of aid entitling them to go to their local retail stores and buy these products directly. Ultimately, these certificates will be redeemed by the Department of Agriculture. In this way, our needy will be better cared for. Local small business will be increased, expensive storage for our oversupplies will be reduced.

The administration has voiced general disapproval of all types of so-called food stamp plans, admitting, however, that one such plan with a philosophy similar to this bill did so increase consumption levels when it was operated in 1939–40. I believe that this bill overcomes and overshadows administration objections. The approach taken here would not only improve the health and welfare of the people of the Nation, but would turn what has been deplored as agricultural surpluses into a national asset.

This bill is the same plan which I introduced in Senate bill 1005, 85th Congress. However, I have noticed that support for the concept is now growing throughout the United States and among many Members of the Senate. I sincerely hope we shall enact such a measure this session.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 618) to assist recipients of public assistance and other needy persons in improving their nutritional standards; to assist in maintaining fair prices and incomes to farmers by providing additional outlets for surplus agricultural commodities; to prevent burdening and obstructing channels of interstate commerce; to promote the full use of agricultural resources, and for other purposes, introduced by Mr. HENNINGS, was received, read twice by its title, and referred to the Committee on Finance.

DESIGNATION OF GOLDEN CORN TASSEL AS THE NATIONAL FLORAL EMBLEM

Mr. DOUGLAS. Mr. President, on behalf of the senior Senator from Iowa [Mr. HICKENLOOPER], the senior Senator from Minnesota [Mr. HUMPHREY], the junior Senator from Iowa [Mr. MARTIN],

and myself, I introduce, for appropriate reference, a joint resolution designating the golden corn tassel as the national floral emblem of the United States.

Mr. President, the golden corn tassel represents both the beauty and the bounty of this country. It is historically rooted in the Nation. The first corn was grown in this country 5,000 years ago, and since that time the corn has steadily improved in quality.

Corn is the basic food of man and beast. It provides raw material for industry. And in the autumn, when the corn becomes golden, it is a beautiful sight. It is a truly American floral emblem. Since the United States does not now have a national floral emblem, it is appropriate that the golden corn tassel be designated as such.

Mr. President, I know there are some who say the rose should be the national floral emblem. We have nothing whatsoever against the rose. There are many beautiful varieties of roses. But the rose is already the national floral emblem of a number of nations, including Great Britain, Rumania, and I believe, Costa Rica; and we should not imitate these nations.

My suggestion is that the rose—particularly the Peace rose—should be made the floral emblem of the United Nations.

But we in the United States should have a distinctive American emblem, the golden corn tassel.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 23) designating the golden corn tassel as the national floral emblem of the United States, introduced by Mr. DOUGLAS (for himself, Mr. HICKENLOOPER, Mr. HUMPHREY, and Mr. MARTIN), was received, read twice by its title, and referred to the Committee on the Judiciary.

PROPOSED CHANGE OF NAME OF ROOSEVELT DAM IN ARIZONA

Mr. GOLDWATER. Mr. President, in 1911 the first of the large reclamation projects in this country was completed on the Salt River in Arizona. It was named properly at that time the Roosevelt Dam. It was named after one of our great Presidents, Theodore Roosevelt.

Theodore Roosevelt is a name that stands high in the affections of Arizonians. He spent much time in our State. He hunted its forests and fished its streams. From Arizona came the first of his Rough Riders whom he led up San Juan Hill.

Without meaning disrespect in any way to any other person by the name of Roosevelt but in order to keep the intent of the name perfectly clear and in order that future generations may not be confused as to the name of the President for whom this particular dam was named, it being named after Theodore Roosevelt, I have prepared a joint resolution to change the name of Roosevelt Dam in Arizona to Theodore Roosevelt Dam. I send the joint resolution to the desk and ask that it be appropriately referred.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 25) to change the name of Roosevelt Dam in Arizona to Theodore Roosevelt Dam, introduced by Mr. GOLDWATER was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

PROPOSED EMERGENCY LEGISLALATION FOR DEPRESSED AREAS—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 17, 1959, the names of Senators CLARK, BYRD of West Virginia, MORTON, RANDOLPH, and SCOTT were added as additional cosponsors of the bill (S. 423) to amend the Federal-Aid Highway Act of 1958 (72 Stat. 89) to provide additional funds for the construction of highways in labor surplus areas, introduced by Mr. COOPER (for himself, Mr. DOUGLAS, and Mr. LANGER) on January 17, 1959.

DISTRIBUTION OF SURPLUS FOOD PRODUCTS TO NEEDY FAMILIES IN THE UNITED STATES—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 17, 1959, the names of Senators KEATING, CLARK, BUSH, MORTON, and SCOTT were added as additional cosponsors of the bill (S. 489) to facilitate the distribution of surplus food products to needy families in the United States, introduced by Mr. COOPER (for himself, Mr. DOUGLAS, Mr. LANGER, and Mr. HENNINGS) on January 17, 1959.

COMMUNITY RELATIONS SERVICE—ADDITIONAL COSPONSOR OF BILL

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the senior Senator from Missouri [Mr. HENNINGS] may be added as a cosponsor of S. 499, the bill to establish a Community Relations Service, which I introduced yesterday.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HENNINGS. Mr. President, I appreciate very much the majority leader's suggestion. I am a cosponsor on another so-called civil rights bill, and I serve as chairman of the subcommittee which will consider these two and any other bills which may be introduced on the subject. That subcommittee is the Subcommittee on Constitutional Rights, a creature of the Committee on the Judiciary. We hope that from the many bills which have been and will be presented, this vexing and thorny problem, the relations between the races in this country, and the civil rights of individuals, may be resolved by appropriate, sound, and practicable legislation. To that end, I am sure our subcommittee will bend every effort and do everything possible to harmonize the various suggestions and to bring out a bill which will be satisfactory, if not to all, at least to a substantial majority, of our people.

LABOR-MANAGEMENT REFORM BILL, 1959—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 20, 1959, the names of Senators CLARK, SPARKMAN, and HUMPHREY were added as additional cosponsors of the bill (S. 505) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, introduced by Mr. KENNEDY (for himself and other Senators) on January 20, 1959.

EQUALIZATION OF PAY OF RETIRED MEMBERS OF UNIFORMED SERVICES—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of January 20, 1959, the name of Mr. GREEN was added as an additional cosponsor of the bill (S. 541) to equalize the pay of retired members of the uniformed services, introduced by Mr. JACKSON (for himself and other Senators) on January 20, 1959.

ADDITIONAL COSPONSOR OF RAILROAD RETIREMENT BILL

Mr. MORSE. Mr. President, I ask unanimous consent that the name of my colleague, the distinguished junior Senator from Oregon [Mr. NEUBERGER], be added as a cosponsor of the railroad retirement bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPRINTING OF RAILROAD RETIREMENT BILL AND VETERANS' AFFAIRS RESOLUTION WITH ADDITIONAL COSPONSORS

Mr. MORSE. Mr. President, I make the further unanimous consent request that both the railroad retirement bill (S. 226) and veterans' affairs resolution (S. Res. 19), which I submitted recently, calling for the creation of a standing committee of the Senate on veterans' affairs, be reprinted with the additional names of cosponsors included thereon.

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). The Chair is advised by the Parliamentarian that there is an order of the Joint Committee on Printing which prohibits the request of the Senator from Oregon.

Mr. MORSE. It would be very helpful if we could get consistent rulings from the Parliamentarian when we ask for them. I was advised at the Parliamentarian's desk the other day that it was necessary to get unanimous consent when, as, and if a bill was reprinted in order that additional names may be added thereto. That was the request I made; I now repeat it.

The PRESIDING OFFICER. Without objection, the request of the Senator from Oregon is agreed to within the existing rules.

Mr. MORSE. I never asked for anything outside the rules.

PROPOSED AGREEMENT FOR COOPERATION WITH EURATOM

Mr. PASTORE. Mr. President, pursuant to section 123c of the Atomic Energy Act of 1954, as amended, the following documents were submitted to the Joint Committee on Atomic Energy on January 14, 1959:

First. A proposed Agreement for Cooperation with the European Atomic Energy Community—Euratom—which was signed on November 8, 1958. This agreement, by law, must lie before the Joint Committee for 30 days for review while Congress is in session.

Second. A letter from the Atomic Energy Commission to the President recommending approval of the agreement.

Third. A letter from the President to the Atomic Energy Commission approving the agreement.

Fourth. Copies of letters that were exchanged between the representatives of the Community and the United States in which the Community's attention was called to the provisions of the Euratom Cooperation Act of 1958—Public Law 85–846.

I ask that these documents be printed in the RECORD at this point.

Last year Congress approved an international agreement between the United States and Euratom providing the basis for cooperation in atomic power development, and Congress also enacted the Euratom Cooperation Act of 1958—Public Law 85–846—which was approved by the President on August 28, 1958. Subsequent to these actions a draft Agreement for Cooperation was jointly reviewed with Euratom and revised in several particulars, prior to signing, to reflect applicable provisions of the Euratom Cooperation Act and certain questions raised during Joint Committee consideration of the proposed Euratom program last session.

The Atomic Energy Commission has prepared an analysis of the specific changes between the original and modified text of the proposed Agreement for Cooperation and I ask, Mr. President, that this analysis be inserted in the RECORD, together with the documents previously referred to.

The Subcommittee on Agreements for Cooperation of the Joint Committee on Atomic Energy plans to hold public hearings today and tomorrow of this week, January 21 and 22, to discuss the details of the proposed Agreement for Cooperation with Euratom. At that time, representatives of the Atomic Energy Commission and the State Department will appear before the subcommittee to present their views on the proposed agreement and associated documents covering details of the joint program.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE EUROPEAN ATOMIC ENERGY COMMUNITY (EURATOM) CONCERNING PEACEFUL USES OF ATOMIC ENERGY

Whereas the Government of the United States of America and the European Atomic Energy Community (Euratom) on May 29 and June 18, 1958, signed an agreement which provides a basis for cooperation in programs for the advancement of the peaceful applications of atomic energy;

Whereas the Government of the United States of America and the European Atomic Energy Community (Euratom) recognize that it would be to their mutual benefit to cooperate by establishing a joint program:

(a) To bring into operation within the European Atomic Community (Euratom) large-scale powerplants using nuclear reactors of types on which research and development have been carried to an advanced stage in the United States, having a total installed capacity of approximately 1 million kilowatts of electricity by December 31, 1963 (except that two reactors may be selected to be in operation by December 31, 1965), and under conditions which would approach the competitive range of conventional energy costs in Europe.

(b) To initiate immediately a joint research and development program centered on these types of reactors;

The parties agree as follows:

ARTICLE I

A. Under the joint program, reactor projects may be proposed, constructed, and operated by private or governmental organizations in the Community engaged in the power industry or in the nuclear-energy field. Such projects will be selected in accordance with technical standards, criteria (including those relating to radiation protection and reactor safety), and procedures developed by the United States Atomic Energy Commission (hereinafter referred to as the "United States Commission") and the Commission of the European Atomic Energy Community (hereinafter referred to as the "Euratom Commission"). In the evaluation and selection of such reactor projects, the technical and economic features will be considered and approved jointly by the United States Commission and the Euratom Commission. Other features of such reactor projects will be considered and approved by the Euratom Commission. Reactors now being planned or constructed in member states of the Community will be eligible for, and will receive, early consideration under the criteria established pursuant to this paragraph.

B. The total capital cost, exclusive of the fuel inventory, of the nuclear powerplants with an installed capacity of approximately 1 million kilowatts of electricity to be constructed under the program is estimated not to exceed the equivalent of $350 million, to be financed as follows:

1. Approximately $215 million to be provided by the participating utilities and other European sources of capital, such financing to be arranged with the appropriate assistance of the Community; and

2. Up to $135 million to be provided by the Government of the United States of America to the Community in the form of a long-term line of credit on terms and conditions to be agreed, including terms and conditions satisfactory to the parties regarding security for such loan, such funds to be re-lent by the Community for the construction of facilities under this program.

C. The U.S. Commission and the Euratom Commission will enter into special arrangements with respect to the fuel cycle of reactors to be constructed and operated under the joint program according to the principles set forth in annex A to this agreement.

ARTICLE II

A. The U.S. Commission and the Euratom Commission under mutually agreed arrangements intend to initiate a program of research and development to be conducted both in the United States and in Europe on the types of reactors to be constructed under the joint program. This research and development program will be aimed primarily at the improvement of the performance of these reactors, and at lowering fuel cycle costs. It will also deal with plutonium recycling and other problems relevant to these reactors.

B. The research and development program will be established for a 10-year period. During the first 5 years the financial contribution of the Government of the United States of America and the Community will amount to about $50 million each. Prior to the completion of the first 5-year period the parties will determine the financial requirements for the remaining 5-year period and will undertake to procure funds necessary to carry out the program. Funds for the second 5-year period may be in the same order of magnitude.

C. The administration of this program will be conducted under arrangements to be mutually agreed.

ARTICLE III

A. The U.S. Commission will sell to the Community uranium enriched in the isotope U^{235} for use in projects designated by the parties pursuant to the joint program up to a net amount of 30,000 kilograms of contained U^{235} in uranium. This net amount shall be the gross quantity of contained U^{235} in uranium sold to the Community less the quantity of contained U^{235} in recoverable uranium which has been resold or otherwise returned to the Government of the United States of America or transferred to any other nation or international organization with the approval of the Government of the United States of America. The U.S. Commission will also from time to time sell to the Community such quantities of special nuclear material, in addition to the quantities of enriched uranium set forth above, as may be agreed.

B. Contracts for the sale of special nuclear materials will specify the quantities to be supplied, composition of material, compensation for material, delivery schedules, and other necessary terms and conditions. Such contracts for the sale of enriched uranium for fueling power reactors under the joint program may also provide, under terms and conditions to be agreed, that payment for such enriched uranium may be made on a deferred basis. Such terms and conditions will include an obligation that the Community return to the U.S. Commission enriched uranium to the extent that there is default in payment. The Community will grant no rights to third parties that may be inconsistent with such obligation. The uranium supplied hereunder for use in reactors designed for production of electric power may be enriched up to 20 percent by weight in the isotope U^{235}. The U.S. Commission, however, may, upon request and in its discretion, make a portion of the foregoing enriched uranium available as material enriched up to 90 percent for use in materials testing reactors and research reactors, each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium, and as highly enriched material for use for research purposes.

C. It is agreed that the Community may distribute special nuclear material to authorized users in the Community; the Community will retain, pursuant to the treaty establishing the European Atomic Energy Community, title to any special nuclear material which is purchased from the U.S. Commission.

D. The U.S. Commission is prepared to perform while such services are available from the Commission to its licensees in the United States, and on terms and conditions to be agreed, chemical reprocessing services with respect to any source or special nuclear material received by the Community from the United States under this program. It is agreed that such reprocessing will be performed at established United States domestic prices in effect upon delivery of such material. It is understood, except as may be otherwise agreed, that the form and con-

tent of any irradiated fuel elements shall not be altered after their removal from reactors and prior to delivery to the U.S. Commission or to other facilities. Special nuclear material and other material recoverable from material returned to the United States for reprocessing will be returned to the Community unless otherwise agreed. It is anticipated that any withdrawal by the U.S. Commission of chemical reprocessing services will be based upon the availability of commercial facilities to meet requirements for such services at reasonable prices, including the requirements of projects in the joint program. The U.S. Commission will give written notice to the Community of nonavailability of its chemical reprocessing services 12 months prior to such nonavailability.

E. With respect to any special nuclear material produced in reactors fueled with materials obtained from the United States under this agreement which is in excess of the need of the Community for such material for the peaceful uses of atomic energy, the International Atomic Energy Agency is granted the right of first option to purchase such material at the announced fuel value price in effect in the United States at the time of purchase. In the event this option is not exercised by the International Atomic Energy Agency, the Government of the United States of America is prepared to purchase such material at the U.S. announced fuel value price in effect at the time of purchase. However, with respect to plutonium produced in any reactor constructed under the joint program, no purchase commitment shall extend for a period beyond 10 years of operation of such reactor, or December 31, 1973 (or December 31, 1975, for not more than two reactors selected under art. I, A), whichever is earlier. Extension of such period will be the subject of negotiation on the request of either party.

ARTICLE IV

The U.S. Commission will assist the Euratom Commission in obtaining reactor materials other than special nuclear material from private organizations located in the United States if the Euratom Commission desires such assistance. If no commercial sources are available, specific arrangements may be made by the parties, from time to time, under terms and conditions to be agreed, for the transfer of such materials.

ARTICLE V

Persons under the jurisdiction of the Government of the United States of America or within the Community will be permitted to make arrangements to transfer and export material, including equipment and devices, to, and perform services for, the other party and such persons under the jurisdiction of the Government of the United States of America or within the Community (as the case may be) as are authorized by the appropriate party to receive and possess such material and utilize such services, subject to applicable laws, directives, regulations, and license requirements of the Government of the United States of America, the Community and the member states of the Community.

ARTICLE VI

A. (1) Under mutually agreed arrangements, all nonpatentable information developed in connection with the joint program of research and development, and all nonpatentable information developed in connection with the selected projects, concerning designs, plans and specifications, construction costs, operations and economics, will be delivered currently to the parties as developed and may be used, disseminated, or published by each party for any and all purposes as it sees fit without further obligation or payment. There will be no discrimination in the dissemination or use of such information for the reason that the proposed recipient or user is a national of the United States or of any member state of the Community.

(2) Both parties shall have access to the records of the participating contractors pertaining to their participation in research and development projects under the joint research and development program, or pertaining to the performance of fuel elements that are the subject of U.S. guarantees.

B. The U.S. Commission and the Euratom Commission shall also exchange other unclassified information in fields related to the peaceful uses of atomic energy to further the joint program. Such exchange of information shall include technical advice in the design and construction of future reprocessing plants which the Community may decide to design and construct or sponsor.

C. The parties will expedite prompt exchange of information through symposia, exchange of personnel, setting up of combined teams, and other methods as may be mutually agreed.

D. Except as otherwise agreed, the application or use of any information (including designs, drawings, and specifications) and any material, equipment, and devices, exchanged or transferred between the parties under this agreement, shall be the responsibility of the party receiving it, and the other party does not warrant the accuracy or completeness of such information, nor the suitability of such information, materials, equipment, and devices for any particular use or application.

ARTICLE VII

A. As to any invention made or conceived in the course of or under the joint program of research and development:

1. The Government of the United States of America shall without further obligation or payment be entitled to assignment of the title and rights in and to the invention and the patents in the United States subject to a nonexclusive, irrevocable, and royalty-free license, with the right to grant sublicenses, to the Community for all purposes.

2. The Community shall without further obligation or payment be entitled to assignment of the title and rights in and to the invention and the patents in the Community subject to a nonexclusive, irrevocable, and royalty-free license, with the right to grant sublicenses, to the Government of the United States of America for all purposes.

3. With respect to title and rights in and to the invention and patents in third countries:

a. The Government of the United States of America, if the invention is made or conceived within the United States, or the Community, if the invention is made or conceived within the Community, shall be entitled to assignment of such title and rights, subject to a nonexclusive, irrevocable, and royalty-free license, with the right to grant sublicenses, to the other party for all purposes.

b. If the invention is made or conceived elsewhere, the party contracting for the work shall be entitled to assignment of such title and rights, subject to a nonexclusive, irrevocable, and royalty-free license, with the right to grant sublicenses to the other party for all purposes.

B. As to inventions and patents under paragraph A of this article neither party shall discriminate in the granting of any license or sublicense for the reason that the proposed licensee or sublicensee is a national of the United States or of any member state of the Community.

C. As to patents used in the work of the joint program, other than those under paragraph A, which the Government of the United States of America owns or as to which it has the right to grant licenses or sublicenses, the Government of the United States of America will agree to grant licenses or sublicenses, covering use either in or outside the joint program, on a nondiscriminatory basis to a member state and to industry of a member state, if the member state has agreed to grant licenses or sublicenses as to patents used in the work of the joint program which it owns or as to which it has the right to grant licenses or sublicenses, on a nondiscriminatory basis to the Government of the United States of America and to industry of the United States, covering use either in or outside the joint program.

D. The respective contractual arrangements of the parties with third parties shall contain provisions that will enable each party to effectuate the provisions of paragraphs A and B of this article as to patentable information.

E. It is recognized that detailed procedures shall be jointly established to effectuate the foregoing provisions and that all situations not covered shall be settled by mutual agreement governed by the basic principle of equivalent benefits to both parties.

ARTICLE VIII

The U.S. Commission and the Euratom Commission will work closely together to develop training programs to satisfy requirements of the joint program. The parties may under mutually agreeable terms and conditions make available their facilities for use by the other, including facilities to satisfy training needs.

ARTICLE IX

The Government of the United States of America and the Community recognize that adequate measures to protect equipment manufacturers and other suppliers as well as the participating utilities against now uninsurable risks are necessary to the implementation of the joint program. The Euratom Commission will seek to develop and to secure the adoption, by the earliest practicable date, of suitable measures which will provide adequate financial protection against third party liability. Such measures could involve suitable indemnification guarantees, national legislation, international convention, or a combination of such measures.

ARTICLE X

The Euratom Commission will take all action open to it under the treaty establishing the European Atomic Energy Community to minimize the impact of customs duties on goods and products imported under the joint program.

ARTICLE XI

The community guarantees that:

1. No material, including equipment and devices, transferred pursuant to this agreement to the community or to persons within the community, will be used for atomic weapons, or for research on or development of atomic weapons, or for any other military purpose;

2. No such material will be transferred to unauthorized persons or beyond the control of the community, except as the Government of the United States of America may agree to such transfer and then only if the transfer of the material is within the scope of an agreement for cooperation between the Government of the United States of America and another nation or group of nations;

3. No source of special nuclear material utilized in, recovered from, or produced as a result of the use of materials, equipment, or devices transferred pursuant to this agreement to the community or to persons within the community will be used for atomic weapons, or for research on or development of atomic weapons, or for any other military purpose;

4. The community will establish and maintain a mutually satisfactory system of safeguards and control as provided in article XII, to be applied to materials, equipment, and devices subject to the guarantees set forth in paragraphs 1 through 3 of this article.

ARTICLE XII

A. The Community undertakes the responsibility for establishing and implementing a safeguards and control system designed to give maximum assurance that any material, equipment or devices made available pursuant to this agreement and any source or special nuclear material derived from the use of such material, equipment and devices, shall be utilized solely for peaceful purposes. In establishing and implementing its safeguards and control system, the Community is prepared to consult with and exchange experiences with the International Atomic Energy Agency with the objective of establishing a system reasonably compatible with that of the International Atomic Energy Agency. The Government of the United States of America and the Community agree that the principles which will govern the establishment and operation by the Community of a mutually satisfactory safeguards and control system under this agreement are those which are set forth in annex B to this agreement. The Community shall be responsible for establishing and maintaining a mutually satisfactory and effective safeguards and control system which is in accord with the principles set forth in annex B to this agreement.

B. As has been requested by the Community, the Government of the United States of America will provide assistance in establishing the Community's safeguards and control system, and will provide continuing assistance in the operation of the system.

C. The parties agree that there will be frequent consultations and exchanges of visits between the parties to give assurance to both parties that the Community's safeguards and control system effectively meets the responsibility and principles stated in paragraph A of this article and that the standards of the materials accountability systems of the Government of the United States of America and the Community are kept reasonably comparable.

D. In recognition of the importance of the International Atomic Energy Agency, the Government of the United States of America and the Community will consult with each other from time to time to determine whether there are any areas of responsibility with regard to safeguards and control and matters relating to health and safety in which the Agency might be asked to assist.

E. It is understood by the parties that a continuation of the cooperative program between the Government of the United States of America and the Community will be contingent upon the Community's establishing and maintaining a mutually satisfactory and effective safeguards and control system which is in accord with the principles set forth in annex B to this agreement.

ARTICLE XIII

The Government of the United States of America and the Community reaffirm their common interest in fostering the peaceful applications of atomic energy through the International Atomic Energy Agency and intend that the results of the joint program will benefit the Agency and the nations participating in it.

ARTICLE XIV

A. The parties anticipate that from time to time they may enter into further agreements providing for cooperation in the peaceful aspects of atomic energy.

B. Article 106 of the treaty establishing the European Atomic Energy Community contemplates that member states which before the date of entry into force of that treaty have concluded agreements with third countries for cooperation in the field of nuclear energy shall jointly with the Euratom Commission enter into the necessary negotiations with third countries in order as far as possible to cause the rights and obligations arising out of such agreements to be assumed by the Community. The Government of the United States of America is prepared to enter into such negotiations with reference to any agreement to which it is a party.

C. Existing agreements for cooperation in the field of nuclear energy between member states and the Government of the United States of America are not modified by the joint program. Modifications may be made as necessary by mutual agreement between the member states concerned and the United States to permit transfers of reactor projects now contemplated under existing agreements that qualify for and are accepted under the joint program.

ARTICLE XV

For the purposes of this agreement:

(a) "Person" means any individual, enterprise, corporation, partnership, firm, association, trust, estate, public or private institution, group, government agency, or government corporation, but does not include the parties to this agreement.

(b) "Special nuclear material" means (1) plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which either party determines to be special nuclear material; or (2) any material artificially enriched by any of the foregoing.

(c) "Source material" means (1) uranium, thorium, or any other material which is determined by either party to be source material; or (2) ores containing one or more of the foregoing materials, in such concentration as either party may determine from time to time.

(d) "Parties" means the Government of the United States of America, including the United States Atomic Energy Commission on behalf of the Government of the United States of America, and the European Atomic Energy Community (Euratom), acting through its Commission. "Party" means one of the parties.

ARTICLE XVI

A. The parties agree that the establishment and initiation of the joint program and the undertakings of the parties under this agreement are subject to appropriate statutory steps, including authorization by competent bodies of the Government of the United States of America and the Community, and the provisions of applicable laws, regulations, and license requirements in effect in the United States and in the Community and within the member states.

B. This agreement shall enter into force on the day on which each party shall have received from the other party written notification that it has complied with all statutory and constitutional requirements for the entry into force of such agreement and shall remain in force for a period of 25 years.

In witness whereof, the undersigned representatives duly authorized thereto have signed this agreement.

Done at Brussels this 8th day of November 1958, in duplicate, in the English, French, German, Italian, and Netherlands languages, each language being equally authentic.

ANNEX A

With the objective of assuring the success of the joint program, the U.S. Commission will offer guarantees designed to limit certain financial risks associated with the fuel cycle.

These guarantees will be extended in the form of maximum charges for fabrication of the fuel elements and minimum integrity of the fuel elements under irradiation. They will be offered only to the extent that equivalent or better guarantees are not available commercially.

The liability of the U.S. Commission under these guarantees will be limited to meeting guaranteed maximum charges for fabricated fuel elements and to the adjustment of charges for fabrication, chemical reprocessing, and transportation of fuel elements when required by failure to meet guaranteed integrity.

The guarantees will provide for equitable sharing of decreases in costs realized through fuel performance in excess of guaranteed levels, the United States share not to exceed costs experienced by the U.S. Commission under these guarantees.

The guarantees provided by the U.S. Commission will be applicable to all loadings made in reactors under the joint program during 10 years of operation or prior to December 31, 1973 (or December 31, 1975, for not more than two reactors selected under article I, A, of this agreement for cooperation), whichever is earlier.

ANNEX B. PRINCIPLES FOR ESTABLISHING THE SAFEGUARDS AND CONTROL SYSTEM UNDER THIS AGREEMENT

The principles which will govern the establishment and operation of the safeguards and control system are as follows:

The Euratom Commission will:

1. Examine the design of equipment, devices, and facilities, including nuclear reactors, and approve it for the purpose of assuring that it will not further any military purpose and that it will permit the effective application of safeguards, if such equipment, devices, and facilities:

(a) are made available pursuant to this agreement; or

(b) use, process or fabricate any of the following materials received from the United States: source or special nuclear material, moderator material or any other material relevant to the effective application of safeguards; or

(c) use any special nuclear material produced as the result of the use of equipment or material referred to in subparagraphs (a) and (b).

2. Require the maintenance and production of operating records to assure accountability for source or special nuclear material made available, or source or special nuclear material used, recovered, or produced as a result of the use of source or special nuclear material, moderator material or any other material relevant to the effective application of safeguards or as a result of equipment, devices and facilities made available pursuant to this agreement.

3. Require that progress reports be prepared and delivered to the Euratom Commission with respect to projects utilizing material, equipment, devices and facilities referred to in paragraph 2 of this annex.

4. Establish and require the deposit and storage, under continuing safeguards, in Euratom facilities of any special nuclear material referred to in paragraph 2 of this annex which is not currently being utilized for peaceful purposes in the Community or otherwise transferred as provided in the agreement for cooperation between the Government of the United States of America and the Community.

5. Establish an inspection organization which will have access at all times:

(a) to all places and data, and

(b) to any person who by reason of his occupation deals with materials, equipment, devices, or facilities safeguarded under this agreement, necessary to assure accounting for source or special nuclear material subject to paragraph 2 of this annex and to determine whether there is compliance with the guarantees of the Community. The inspection organization will also be in a position to make and will make such independent measurements as are necessary to assure compliance with the provisions of this annex and the agreement for cooperation.

It is the understanding of the parties that the above principles applicable to the establishment of the Community's inspection and control system are compatible with and are based on article XII of the Statute of the

International Atomic Energy Agency, chapter VII of title II of the treaty establishing the European Atomic Energy Community, and those adopted by the Government of the United States of America in its comprehensive agreements for cooperation.

For the Government of the United States of America:

Pour le Gouvernment des États-Unis d'Amérique:

Für die Regierung des Vereinigten Staaten von Amerika:

Per il Governo degli Stati Uniti d'America:

Voor de Regering van de Verenigde Staten van Amerika:

[S] W. W. BUTTERWORTH.
[S] JOHN A. MCCONE.

For the European Atomic Energy Community (Euratom):

Pour la Communauté Européenne de l'Énergie Atomique (Euratom):

Für die Europäische Atomenergiegemeinschaft (Euratom):

Per la Comunità Europea dell'Energia Atomica (Euratom):

Voor de Europese Gemeenschap voor Atoomenergie (Euratom):

[S] LOUIS ARMAND.
[S] ENRICO MEDI.
[S] PAUL DE GROOTE.
[S] HEINZ L. KREKELER.
[S] EMANUEL SASSEN.

ANALYSIS PREPARED BY U.S. ATOMIC ENERGY COMMISSION ON THE MODIFICATION IN TEXT OF THE AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE EUROPEAN ATOMIC ENERGY COMMUNITY (EURATOM)

ORIGINAL TEXT AS CONTAINED IN AGREEMENT APPENDED TO LETTER TO JOINT COMMITTEE OF JUNE 23, 1958

(a) "To bring into operation by 1963, within the European Atomic Energy Community (Euratom), large-scale powerplants using nuclear reactors of proven types on which research and development have been carried to an advanced stage in the United States, having a total installed capacity of approximately 1 million kilowatts of electricity and under conditions which would approach the competitive range of conventional energy costs in Europe."

MODIFIED TEXT

(a) "To bring into operation within the European Atomic Energy Community (Euratom) large-scale powerplants using nuclear reactors of types on which research and development have been carried to an advanced stage in the United States, having a total installed capacity of approximately 1 million kilowatts of electricity by December 31, 1963 (except that two reactors may be selected to be in operation by December 31, 1965), and under conditions which would approach the competitive range of conventional energy costs in Europe."

Discussion: As noted above, the preamble in the original text referred to a "1963" date and used the term "proven types" of reactors. In the course of the hearings before the Joint Committee it was clear that a number of members of the committee as well as representatives from industry equated the term "proven types" with water reactors or only with reactors that presently are capable of large-scale, reliable, operation. The committee believed that an interpretation of the words along these lines might hinder the program by precluding the incorporation of more advanced concepts that may prove to be eligible in time to meet the desired objectives. Accordingly, the Joint Committee deleted the word "proven" from before the word "types" in subsection 2(c) of the "Euratom Cooperation Act" to stress the fact that other types of reactors may be considered as the program develops. The committee similarly indicated that, in its judgment, the program would be more valuable if the goal of installing 1 million kilowatts of electricity by 1963 were made more flexible. The definition of the joint program in the Euratom Cooperation Act accordingly was changed to provide that two reactors could be selected to come into operation by December 31, 1965. (It was intended that this extension of the goal for two reactors would be permissive only, and not mandatory.) The changes shown above in the preamble of the agreement have been made to reflect these changes.

B. CAPITAL LOAN

[Original text]

Article I, Section B

2. Up to $135 million to be provided by the Government of the United States of America to the Community in the form of a long-term line of credit on terms and conditions to be agreed, such funds to be re-lent by the Community for the construction of facilities under this program.

ARTICLE I, SECTION B

[Modified text]

2. Up to $135 million to be provided by the Government of the United States of America to the Community in the form of a long-term line of credit on terms and conditions to be agreed, including terms and conditions satisfactory to the parties regarding security for such loan, such funds to be re-lent by the Community for the construction of facilities under this program.

Discussion: During the congressional hearings on the program several members of the Joint Committee also stressed the point that the United States should receive adequate security to protect its financial interest in the capital loan to be made to Euratom. The foregoing underlined phrase has been added to section B of article I so as to make it quite clear that adequate security will have to be provided before the loan can be consummated.

C. DEFERRED SALE AGREEMENT

[Original text]

Article III, Section B

B. Contracts for the sale of special nuclear materials will specify the quantities to be supplied, composition of material, compensation for material, delivery schedules and other necessary terms and conditions. Such contracts for the sale of enriched uranium for fueling power reactors under the joint program may also provide, under terms and conditions to be agreed, that payment for such enriched uranium may be made on a deferred basis. The uranium supplied hereunder for use in reactors designed for production of electric power may be enriched up to 20 percent by weight in the isotope U^{235}. The U.S. Commission, however, may, upon request and in its discretion, make a portion of the foregoing enriched uranium available as material enriched up to 90 percent for use in materials testing reactors and research reactors, each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium, and as highly enriched material for use for research purposes.

[Modified text]

Article III, Section B

B. Contracts for the sale of special nuclear materials will specify the quantities to be supplied, composition of material, compensation for material, delivery schedules and other necessary terms and conditions. Such contracts for the sale of enriched uranium for fueling power reactors under the joint program may also provide, under terms and conditions to be agreed, that payment for such enriched uranium may be made on a deferred basis. Such terms and conditions will include an obligation that the Community return to the U.S. Commission enriched uranium to the extent that there is default in payment. The Community will grant no rights to third parties that may be inconsistent with such obligation. The uranium supplied hereunder for use in reactors designed for production of electric power may be enriched up to 20 percent by weight in the isotope U^{235}. The U.S. Commission, however, may upon request and in its discretion, make a portion of the foregoing enriched uranium available as material enriched up to 90 percent for use in materials testing reactors and research reactors, each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium, and as highly enriched material for use for research purposes.

Discussion: Under the terms of the joint program it is anticipated that the United States will sell the initial operating inventory (which is estimated to amount to approximately 9,000 kilograms) to the Community on a deferred payment basis. The proposed changes in the text are designed to make it clear that the Atomic Energy Commission will retain such rights in the material as are appropriate to secure the payment of the debt due under the sales agreement. Pursuant to section 5 of the Euratom Cooperation Act the Government of the United States will be obliged to obtain the equivalent of a first lien on any such material for which payment is not made in full at the time of transfer.

D. PROVISION OF REPROCESSING SERVICES

[Original text]

Article III, Section D

D. The U.S. Commission is prepared to perform on terms and conditions to be agreed chemical reprocessing services with respect to any source or special nuclear material received by the Community from the United States under this program. It is agreed that such reprocessing will be performed at established United States domestic prices in effect upon delivery of such material. It is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel elements shall not be altered after their removal from reactors and prior to delivery to the U.S. Commission or to other facilities. Special nuclear material and other material recoverable from material returned to the United States for reprocessing will be returned to the Community unless otherwise agreed.

[Modified text]

Article III, Section D

D. The U.S. Commission is prepared to perform while such services are available from the Commission to its licensees in the United States, and on terms and conditions to be agreed chemical reprocessing services with respect to any source or special nuclear material received by the Community from the United States under this program. It is agreed that such reprocessing will be performed at established U.S. domestic prices in effect upon delivery of such material. It is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel elements shall not be altered after their removal from reactors and prior to delivery to the U.S. Commission or to other facilities. Special nuclear material and other material recoverable from material returned to the United States for reprocessing will be returned to the Community unless otherwise agreed. It is anticipated that any withdrawal by the U.S. Commission of chemical reprocessing services will be based upon the availability of commercial facilities to meet requirements for such services at reasonable prices, including the requirements of projects in the joint program. The U.S. Commission will give written notice to the Community of nonavailability of its chemical reprocessing services 12 months prior to such nonavailability.

Discussion: Section D of article III in the original agreement was written before the passage of Public Law 85-681 and it provided that the AEC would be prepared to perform, on terms and conditions to be agreed, chemical reprocessing services with respect to any source or special nuclear material received from the United States under the joint program. The permissive authority for the Commission to enter into such contracts on a long-term basis with foreign countries is contained in section 7(u) of Public Law 85-681. Section 7(u) provides that the Commission will provide such services while comparable services are available to persons licensed in this country pursuant to section 103 or 104 of the Atomic Energy Act. The additional language inserted in article III of the revised agreement is designed to make the agreement consistent with the new legislation. It also makes it clear that the withdrawal of Commission services will be based upon the availability of commercial facilities at reasonable prices and that the Commission will give the Community a year's notice before withdrawing its services. These changes indicate that reprocessing services will not be offered to Euratom by the Commission on terms more favorable than those offered to U.S. industry.

E. PURCHASE OF PLUTONIUM

[Original text]

Article III, Section E

E. With respect to any special nuclear material produced in reactors fueled with materials obtained from the United States under this agreement which is in excess of the need of the Community for such material for the peaceful uses of atomic energy, the International Atomic Energy Agency is granted the right of first option to purchase such material at the announced fuel value price in effect in the United States at the time of purchase. In the event this option is not exercised by the International Atomic Energy Agency, the Government of the United States of America is prepared to purchase such material at the United States announced fuel price in effect at the time of purchase.

[Modified text]

Article III, Section E

E. With respect to any special nuclear material produced in reactors fueled with materials obtained from the United States under this agreement which is in excess of the need of the Community for such material for the peaceful uses of atomic energy, the International Atomic Energy Agency is granted the right of first option to purchase such material at the announced fuel value price in effect in the United States at the time of purchase. In the event this option is not exercised by the International Atomic Energy Agency, the Government of the United States of America is prepared to purchase such material at the United States announced fuel price in effect at the time of purchase. However, with respect to plutonium produced in any reactor constructed under the joint program, no purchase commitment shall extend for a period beyond 10 years of operation of such reactor, or December 31, 1973 (or December 31, 1975, for not more than two reactors selected under art. I, A), whichever is earlier. Extension of such period will be the subject of negotiation on the request of either party.

Discussion: Under the terms of article III, paragraph E, of the Agreement for Cooperation as it was originally written, and presented to the Joint Committee, the Government of the United States would have agreed to purchase any and all special nuclear material produced in reactors fueled by the United States under the program which would be in excess of Euratom's need for such material for peaceful purposes and which would not be acquired by the International Atomic Energy Agency under the option accorded to it. In the judgment of the Atomic Energy Commission this language appeared to impose a broader obligation on the United States to acquire such material than would appear to be permitted under the terms of the Euratom Cooperation Act, since the obligation might be construed to last for the term of the agreement. Section 6(b) of the Cooperation Act, provides that the Commission may not enter into any contract for the acquisition of plutonium produced in any reactor constructed under the joint program, which is longer in term than 10 years of operation of such reactors or December 31, 1973 (or December 31, 1975, for not more than two reactors selected under the program), whichever is earlier. The proposed modification to the agreement is designed to make the Agreement for Cooperation consistent on its face with the Euratom Cooperation Act. Under the terms of the Cooperation Act the Atomic Energy Commission is authorized to acquire from the community, pursuant to the Agreement for Cooperation, up to 4,100 kilograms of plutonium for use only for peaceful purposes.

F. ANNEX A (FUEL CYCLE GUARANTEES)

[Original text]

Annex A

The guarantees provided by the U.S. Commission will be applicable to all loadings made in reactors under the joint program during 10 years of operation or prior to December 31, 1973, whichever is earlier.

[Modified text]

Annex A

The guarantees provided by the U.S. Commission will be applicable to all loadings made in reactors under the joint program during 10 years of operation or prior to December 31, 1973 (or December 31, 1975, for not more than two reactors selected under article I.A. of this Agreement for Cooperation), whichever is earlier.

This change was made in the annex to clearly reflect the permissive authority regarding two deferred projects as contained in the Euratom Cooperation Act.

THE WHITE HOUSE,
Washington, November 6, 1958.

The Honorable JOHN A. MCCONE,
Chairman, Atomic Energy Commission,
Washington, D.C.

DEAR MR. CHAIRMAN: Under date of November 3, 1958, the Atomic Energy Commission has recommended, and has noted that the Department of State supports such recommendation, that I approve the proposed agreement entitled "Agreement for Cooperation between the Government of the United States of America and the European Atomic Energy Community (Euratom) Concerning the Peaceful Uses of Atomic Energy," and authorize its execution. This agreement would permit the execution of the program of cooperation with Euratom which I approved under a letter dated June 17, 1958, to you and the Secretary of State and which I strongly recommended to the Congress on June 23, 1958.

The aim of the joint program will be to bring into operation in the Community large-scale powerplants using nuclear reactors of types on which research and development have been carried to an advanced stage in the United States, having a total installed capacity of approximately 1 million kilowatts of electricity. This goal is to be achieved by December 31, 1963, except that two reactors may be selected to be in operation by December 31, 1965. The United States and Euratom also will initiate immediately a joint research and development program centered on these types of reactors.

The agreement provides that the projects to be supported will be jointly selected according to criteria to be developed by the U.S. Atomic Energy Commission and the Commission of the European Atomic Energy Community. It is estimated that the total capital cost of the plants to be constructed (exclusive of fuel) will not exceed $350 million. Approximately $135 million of this amount will be provided by the United States in the form of a long-term line of credit under terms to be agreed. Under the terms of annex "A" to the agreement the United States agrees to guarantee ceiling costs for the fabrication of fuel elements required under the program as well as a fixed life for these elements. These guaranties will be applicable to all loadings made in reactors under the joint program during 10 years of operation or prior to December 31, 1973 (or December 31, 1975, for not more than two reactors selected), whichever is earlier. Article II of the agreement outlines the nature of the joint research and development program. This program is expected to be centered on improvement in the performance of the reactors involved in the program, and the lowering of fuel cycle costs.

The United States Atomic Energy Commission, in accordance with the provisions of article III, will sell to the Community up to a net quantity of 30,000 kilograms of contained U^{235} in uranium to cover the fueling and other requirements of the program over the term of the agreement. The United States also will provide the Community with chemical reprocessing services, under terms to be agreed, with respect to any source or special nuclear material received by Euratom from this country under the joint program.

In recognition of the important responsibilities of the International Atomic Energy Agency, article II grants to the Agency the right of first option to purchase special nuclear materials that are produced in reactors fueled with materials obtained from the United States under the joint program that are in excess of the Community's need for material for peaceful purposes. If this option is not exercised the United States will be prepared to purchase such material, except that no purchase commitment with regard to plutonium will extend for more than 10 years of operation or December 31, 1973 (or December 31, 1975, for not more than two reactors), whichever is earlier.

One of the major purposes of the program is to provide industry in the Community and the United States with important engineering experience and data on capital and operating costs. Article VI accordingly provides that defined technological and economic data developed under the joint program will be exchanged under provisions designed to permit widespread dissemination of information developed in the course of the program. Patent provisions designed to facilitate this purpose appear in article VII.

The Community undertakes, by the earliest practicable date, to secure the adoption of suitable measures which will provide equipment manufacturers and other suppliers under the program with adequate financial protection against third-party liability (art. IX). The Community also will take all action open to it under the Euratom Treaty to minimize the impact of customs duties on products imported under the program (art. X).

Under the terms of article XI, the Community has made all the guarantees required by the Atomic Energy Act. Article XII contains additional provisions designed to assure that materials involved in the program will be used solely for peaceful purposes.

The execution of this agreement will facilitate one of the most notable advances in the atoms-for-peace program since the program's inception.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic

Energy Commission, supported by the Department of State, I hereby—

(1) Determine that the performance of the proposed agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States; and

(2) Approve the proposed Agreement for Cooperation between the Government of the United States of America and the European Atomic Energy Community (Euratom) enclosed with your letter; and

(3) Authorize the execution of the proposed agreement for the Government of the United States of America by appropriate authorities of the U.S. Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT EISENHOWER.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., November 3, 1958.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: Attached to the letter to you of June 12, 1958, concerning the joint nuclear power program proposed between the European Atomic Energy Community (Euratom) and the United States of America, from the Secretary of State and the then Chairman of the Atomic Energy Commission, was a draft agreement for cooperation between the United States and the European Atomic Energy Community. This agreement was forwarded at the time for your information with the understanding that it would be resubmitted for your approval in the usual manner in accordance with the provisions of section 123 of the Atomic Energy Act, after the international agreement required by sections 11(1) and 124 of the act was approved by Congress. On August 20, 1958, the Congress approved the international agreement.

The "Euratom Cooperation Act of 1958" (Public Law 85-846), containing certain necessary legislative authorizations, was approved by you on August 28, 1958. The Agreement for Cooperation submitted with the letter of June 12 has been revised in several particulars in order specifically to reflect applicable provisions of the Euratom Cooperation Act and its legislative history. A schedule showing the specific changes between the original and modified text is attached as appendix A. The revised agreement, entitled "Agreement for Cooperation Between the Government of the United States of America and the European Atomic Energy Community (Euratom) Concerning Peaceful Uses of Atomic Energy," is enclosed as appendix B.

The Atomic Energy Commission recommends that you approve the enclosed proposed agreement and authorize its execution. The Department of State supports the Commission's recommendation. The Community fully understands that the undertakings of the United States under the agreement will be subject to the provisions of the Euratom Cooperation Act of 1958, as well as other applicable laws. Letters to this effect have been exchanged.

The aim of the joint program will be to bring into operation in the Community large-scale powerplants using nuclear reactors of types on which research and development have been carried to an advanced stage in the United States, having a total installed capacity of approximately 1 million kilowatts of electricity. This goal is to be achieved by December 31, 1963, except that two reactors may be selected to be in operation by December 31, 1965. The United States and Euratom also will initiate immediately a joint research and development program centered on these types of reactors.

The agreement provides that the projects to be supported will be jointly selected according to criteria to be developed by the United States Atomic Energy Commission and the Commission of the European Atomic Energy Community. It is estimated that the total capital cost of the plants to be constructed (exclusive of fuel) will not exceed $350 million. Approximately $215 million of this amount will be provided by European sources of capital and up to $135 million will be provided by the United States in the form of a long-term line of credit under terms to be agreed. Under the terms of annex A to the agreement the United States agrees to guarantee ceiling costs for the fabrication of fuel elements required under the program as well as a fixed life for these elements. These guarantees will be applicable to all loadings made in reactors under the joint program during 10 years of operation or prior to December 31, 1973 (or December 31, 1975, for not more than two reactors selected), whichever is earlier. Article II of the agreement outlines the nature of the joint research and development program. This program is expected to be centered on improvement in the performance of the reactors involved in the program, and the lowering of fuel cycle costs.

The United States Atomic Energy Commission, in accordance with the provisions of article III, will sell to the Community up to a net quantity of 30,000 kilograms of contained U^{235} in uranium to cover the fueling and other requirements of the program over the term of the agreement. The United States also will provide the Community with chemical reprocessing services, under terms to be agreed, with respect to any source or special nuclear material received by Euratom from this country under the joint program.

In recognition of the important responsibilities of the International Atomic Energy Agency, article III grants to the Agency the right of first option to purchase special nuclear materials that are produced in reactors fueled with materials obtained from the United States under the joint program that are in excess of the Community's need for material for peaceful purposes. If this option is not exercised the United States will be prepared to purchase such material, except that no purchase commitment with regard to plutonium will extend for more than 10 years of operation or December 31, 1973 (or December 31, 1975, for not more than two reactors), whichever is earlier.

One of the major purposes of the program is to provide industry in the Community and the United States with important engineering experience and data on capital and operating costs. Article VI accordingly provides that defined technological and economic data developed under the joint program will be exchanged under provisions designed to permit widespread dissemination of information developed in the course of the program. Patent provisions designed to facilitate this purpose appear in article VII.

The Community undertakes, by the earliest practicable date, to secure the adoption of suitable measures which will provide equipment manufacturers and other suppliers under the program with adequate financial protection against third party liability (article IX). The Community also will take all action open to it under the Euratom Treaty to minimize the impact of customs duties on products imported under the program (article X).

Under the terms of article XI, the Community has made all the guarantees required by the Atomic Energy Act. Article XII contains additional provisions designed to assure that materials involved in the program will be used solely for peaceful purposes.

The Secretary of State and I regard this agreement as an important and major first step in establishing cooperation with the European Atomic Energy Community. Its execution will facilitate one of the most notable advances in the atoms-for-peace program since the program's inception. Following your approval, the agreement will be formally executed by the appropriate authorities of the European Atomic Energy Community and the Government of the United States of America and will be placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954, as amended, upon the reconvening of the Congress.

Respectfully,

(S) HAROLD S. VANCE,
Acting Chairman.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., October 3, 1958.

His Excellency LOUIS ARMAND,
51-53 rue Belliard, Brussels.

DEAR MR. PRESIDENT: I take pleasure in transmitting herewith a copy of the Euratom Cooperation Act of 1958 (Public Law 85-846, 85th Cong., approved Aug. 28, 1958). This act provides certain of the legislative authorizations needed for implementing the joint program contemplated by the proposed agreement for cooperation.

As you know, article XVI of the proposed agreement for cooperation specifies, among other things, that the undertakings of the parties are subject to the provisions of law in affecting the United States, the Community, and the member states. In accordance with that article, the undertakings of this Government under the agreement will be subject to the provisions of the Euratom Cooperation Act of 1958 as well as other applicable laws. For example, because of the requirement in section 5 of the act that this Government obtain the equivalent of a first lien in deferred payment sales, the individual agreements in the case of each reactor project will have to define the rights of the United States in considerably more detail than does article 3.B of the agreement for cooperation. We recognize the differences in the lien concept as it exists under U.S. law and security devices that exist under the laws of the several member states, but it will be incumbent upon us because of section 5 to resolve these differences so that the rights of the United States to repossession of material in case of any default will satisfy the requirements of section 5.

Somewhat in the same category is the limitation in section 6(A) of the act upon the purchase of plutonium pursuant to article 3.E of the agreement for cooperation; the 4,100-kilogram limitation, which we agree limits the obligation of the United States to purchase, will have to be apportioned pursuant to the detailed implementing agreements as seems suitable.

You will note also the requirements of section 7 of the act with respect to the liability of this Government. This section, and any other requirements of the act that are applicable, will be implemented in the Atomic Energy Commission's detailed arrangements under the joint program.

I should further like to point out that the Atomic Energy Commission has thus far obtained an initial authorization for fiscal year 1959 of $3 million for the research and development program, and subsequent expenditures will need further legislative authorization. It will also be necessary to obtain additional authorization with respect to the Commission's fuel cycle guarantee arrangements. Authorization and funds for the research and development program and fuel cycle guarantee will be sought as needed.

Sincerely yours,

W. WALTON BUTTERWORTH,
Ambassador.

BRUSSELS, *October 3, 1958.*

The Honorable W. WALTON BUTTERWORTH,
27 Boulevard du Régent, Brussels.

DEAR MR. AMBASSADOR: This will acknowledge receipt of your letter of today's date, enclosing a copy of the Euratom Cooperation Act of 1958, which provides certain of the

legislative authorizations needed for U.S. implementation of the joint program contemplated by the proposed agreement for cooperation.

We understand fully and agree that by virtue of article XVI of the proposed agreement the undertakings of the United States under the agreement will be subject to the provisions of the Euratom Cooperation Act of 1958, including those relating to deferred payment sales and to the 4,100-kilogram limitation on the obligation of the United States to purchase plutonium, as well as other applicable laws. We also understand that it will be necessary for the Atomic Energy Commission to obtain additional authorization and funds for the research and development program and for fuel cycle guarantees, and that you will seek authorization and funds as needed.

Sincerely yours,

EMANUEL SASSEN.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. MCNAMARA:

Address on the subject "The Citizen Looks at Government," delivered by Senator RANDOLPH in Dallas, Tex., on January 20, 1959, before the American Roadbuilders Association.

By Mr. BIBLE:

Address delivered by Senator HARTKE before the National Political Science Honorary and Citizens Conference on Washington Area Problems.

NOTICE OF HEARING ON NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. GREEN. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate received today from the President of the United States the nomination of Philip W. Bonsal, of the District of Columbia, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Cuba, vice Earl E. T. Smith.

Notice is given that the Committee on Foreign Relations at the expiration of 6 days, in accordance with the committee rule, will give consideration to this nomination.

ONE HUNDRED AND THIRTY-FIFTH ANNIVERSARY OF THE BIRTH OF STONEWALL JACKSON

Mr. RANDOLPH. Mr. President, I rise to speak in commemoration of the 135th anniversary of the birth of a noble West Virginian, Thomas Jonathan Jackson—known to his troops in the War Between the States, and to posterity since as Stonewall.

It is testimony to the measure of the man, as well as to the healing effects of time, that both the sovereign States of Virginia and West Virginia—though on different sides of that tragic conflict—are proud to claim him as a son.

On January 21, 1824, Stonewall Jackson was born in the western region of Virginia, in what is now the city of Clarksburg, W. Va. His life differed only in the degree of his achievements from that typical of the hardy Scotch-Irish pioneers who settled there, and who so generously contributed to the development of this Republic.

Although Stonewall Jackson was committed to a cause which our Nation has since rejected, his life still holds a lesson for us today. It is not to the cause he served that we must look, but to the character of the man which carried him through adversity with such unswerving devotion to duty.

Although this most brilliant of Lee's generals was the first to die in combat, his name has become legend in the South, as well as in the North. His quality of character transcended the lines of battle. Firm in his resolve to duty, benevolent and just in his relations to his men, and devout in his faith in God, Stonewall Jackson never faltered in his belief that, in his own words, "God and events conspire to my benefit."

And thus did events conspire until the fatal day of May 10, 1863, when Stonewall Jackson died from wounds inflicted by his own troops in the confusion of the Battle of Chancellorsville. Here came to an end the career of one of the most distinguished sons of the upper Monongahela Valley. But his faith in his Creator and his confidence in the justice of the cause he served continued to inspire the men of the Stonewall Brigade to exploits which will be honored as long as valor is valued.

This quality was recognized even in the Capital of the Nation against which Jackson was fighting. As was stated in an editorial of the Daily Chronicle, of Washington, D.C., on the occasion of his death:

> Stonewall Jackson was a great general, a brave soldier, a noble Christian, and a pure man.

The passage of time and the reunion of the Republic have resolved the question of civil conflict; but the years have not diminished, but rather have enhanced, the stature of Stonewall Jackson, and on this anniversary of his birth, I pay tribute to him.

JOINT MEETING OF THE TWO HOUSES—ADDRESS BY THE PRESIDENT OF ARGENTINA

The PRESIDING OFFICER. The hour of 12 o'clock has arrived and, under the order previously entered, the Senate is to stand in recess, in order that Senators may proceed to the Hall of the House of Representatives. Therefore, at this time the Senate will stand in recess, subject to the call of the Chair.

Thereupon, the Senate, preceded by its Secretary (Felton M. Johnston), its Sergeant at Arms (Joseph C. Duke), the Vice President, and the President pro tempore, proceeded to the Hall of the House of Representatives to hear the address delivered by His Excellency, Arturo Frondizi, President of the Republic of Argentina.

(For the address delivered by the President of the Republic of Argentina, see pp. 996–998 of today's proceedings in the House of Representatives.)

At 1 o'clock and 35 minutes p.m., the Senate, having returned to its Chamber, reassembled, and was called to order by the President pro tempore.

ORDER FOR ADJOURNMENT TO FRIDAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today it stand in adjournment until 12 o'clock noon on Friday next.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. JOHNSON of Texas. It would be possible for the Senate to adjourn from Friday until Tuesday of next week, would it not?

The PRESIDENT pro tempore. The Senator is correct.

Mr. JOHNSON of Texas. I announce for the information of Senators that it is not planned to have any yea-and-nay votes on Friday. It is planned to have the Senate meet and transact routine business, affording opportunity for Senators to submit any statements they may wish to make, following which it is planned to take an adjournment until Tuesday next.

DEATH OF CECIL B. DE MILLE

Mr. KEFAUVER. Mr. President, today Hollywood mourns the death of its greatest citizen, Cecil B. de Mille.

But in a larger sense his death will be noted and felt all over the world. Perhaps more than any other person connected with motion pictures, De Mille was an international figure, known, wherever a picture has ever been seen, as a giant among moviemakers.

His pictures made the American movie an international commodity. Best known for his great Biblical dramas, this son of a minister proved that the story of religion, the story of the founding of Christianity, had universal appeal to people of all races and religions. His pictures have been seen by more millions of people than those of all other moviemakers combined, and some of his pictures more than a quarter of a century old are still drawing audiences in far reaches of the earth.

He was a pioneer in an industry that brought America to the world. His death is a great loss to that industry and to his associates in Paramount Pictures, particularly Barney Balaban, whose faith in De Mille helped insure the production of the great epics associated with De Mille.

I join in my profound condolences to his family and his colleagues and associates.

SENIORS ON THE MARCH

Mr. SMATHERS. Mr. President, many of us are aware that life in the twilight years may not always turn out to be what we would like it to be. Often this is the result of our failure to encourage the utilization of the talents of

our elderly citizens who now number 13 million throughout the United States.

What can be done by our elderly citizens themselves to improve their prestige status? The answers to this question were sought in an address delivered in Lakeland, Fla., on January 12 by Mr. R. O. Beckman, of Hialeah, syndicated newspaper columnist of "The Vintage Years" and director of the nonprofit Senior Service Foundation. The address followed the launching of Seniors International, designed as a federation of senior clubs.

The address delivered by Mr. Beckman, who has long pioneered greater recognition of the impact of a fast aging population upon our civilization, was an inspiring one, laying emphasis on increased self-help and participation in our society by the elderly generation itself.

It merits the attention of every Member of Congress who earnestly seeks to solve many of the problems with which our elderly citizens are confronted today.

I ask unanimous consent to have the address, entitled "Seniors on the March," printed in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SENIORS ON THE MARCH

(By R. O. Beckman)

Sixty years ago a British journalist, in a book called "The Land of the Dollar," told of an extended debate in a New York newspaper as to whether old people had any rights that should be respected. Some of the letter writers even questioned their right to existence. The Britisher said life was so strenuous over here that there were few older people over 50—they were all "shouldered unmercifully out of existence", or at least into the poorhouse.

Since then things may have taken a turn for the better. We now have social security and at 65-plus we live "the life of Riley" on an average total income from all sources of $30 a week. If we don't rate security benefits we can take a pauper's oath and receive up to $15 a week: 2½ million of us are in that situation. Those with health insurance have longer life and better health in consequence of recent medical discoveries. Despite enforced retirement, one out of five of our elders are still allowed to earn an income. Red Feather agencies now allocate from half a cent to 4 cents per capita for care of the aged out of total expenditures ranging from $2.68 to $5.02. The suicide rate for persons of 65 to 74 is about the same as in 1900 but higher for the 75–84 bracket. In the retirement State of Florida it is a third higher in the 55–74 range than elsewhere.

The newly elected president of the American Medical Association states that the most important "problem" facing us today is that of an aging population. The Assistant Secretary of Health, Education, and Welfare says we need to double our expenditures for social security, education, health, and welfare services during the next decade; right now only about 8 percent of our national product goes for such purposes. These statements seem somehow to imply that this is not yet the best of all possible worlds in which to grow old. Is the hope that later maturity will soon become life's "golden age" a mere fantasy?

After 60 years we are now in the push-button age, provided of course we can afford to pay for the push-buttons. Only 30 years ago we had never heard of food freezers, transistor hearing aids, electric typewriters, Polaroid cameras, foam rubber, V–8 engines, fiberglas, jet planes, electric razors, or atomic submarines. The land of the dollar is still chasing it, spending most of its income and brain power on mechanical gadgets, atomic bombs and moon rockets.

What of our progress in the nonmaterial aspects of life, in the spiritual values of mature men in this topsy-turvy world of ours? There are observers who feel that the assessed valuation of old age is as low, or lower, than it was 60 years ago. The bottom seems to have fallen out of the market for the experience and know-how of later maturity. Popular prejudice continues to deprive most older persons of recognition and privileges, and perhaps of basic rights. This is inconsistent when increasing numbers continue mentally alert and physically competent until they are well into the eighties. Many of our older people have become third-class citizens. Financially dependent, they have lost the sense of personal worth and status, caught in the grip of aimless loneliness that hurts 24 hours a day. They are not only in the doghouse but the kennel has been stored away in the attic.

In consequence, every man and woman that faces the problem of old age must find an answer to the question: "Are you working on a solution or are you just a part of the problem?" On the basis of his answer he will find himself in one of the two big categories into which the 65-plus population is divided—the "drones" or the "doers." Among the drones you find the idle sitters, frustrated elderly "beatniks"; self-centered old goats whose world revolves around themselves; testy tight-wads that can't spare a dime for less fortunate seniors; opinionated fossils that refuse to admit the world has changed. They often blame society rather than admit that they are unhappy because they live without aim or purpose. They are like cows who eat grass as a matter of course, without reflecting that its purpose is to provide nourishment for a happier life.

Such drones are largely responsible for the lowered prestige into which old age has fallen. They stand at the bar of youthful public opinion with little justification for existence. The court, however, may lose patience with a continued wave of senior delinquency.

This may well happen in the foreseeable future, in view of the upsurge in numbers of the aged. World population reached a billion in 1850 and 2 billion in 1920. At the present rate of increase it will double in another 50 years. When the food supply no longer keeps pace with population, hunger brings wars. In such a situation public opinion will first express its resentment against the useless elderly consumers.

In the United States there will be twice as many, perhaps three times as many, persons over 65 by 1980. A tripled senior population is inevitable after we devise cures for heart and circulatory diseases and cancer. Such cures appear on their way. Hormones may be found that will reverse the aging process. If all of us live to 100 in good health, what is now foreseeen as a boon may turn into an economic tragedy. Too many oldsters will not only intensify a shortage of food but lead to the bankruptcy of our social security system and the insurance companies from which we obtain our pension benefits. Present payroll deductions for security are adequate only for benefits calculated on a shorter life expectancy. We therefore need to anticipate, to plan ahead for the impact of a longer life span on our economy.

In a hard-pressed, overpopulated world what will happen to the surplus aged millions, particularly if they are drones or useless parasites? Who can say that in a hungry world the aged will not be exterminated? Time magazine reports that what are in essence concentration camps have already been set up in China for the aged. When they die, they are dropped into chemical fertilizer vats so that their bones will help grow next year's rice crop. Let us not forget the programs of Nazi Germany and Russia. In hard times the Eskimos used to set oldsters afloat on cakes of ice. In certain South Sea isles old men were forced to climb coconut trees which were then rocked back and forth to see how many could hold on. These are unsavory but needed reminders of man's inhumanity to his elders.

Some of the older generation already consider themselves as expendable as consumer goods or shock troops and ammunition during the World War. Only a few days ago I had a letter from a disillusioned oldster who in all seriousness offered himself, and a friend, as guinea pigs to be used as rocket passengers in outer space research or in medical experimentation designed to increase the life span.

The second classification of older persons is not expendable and does not so consider itself. It is made up of those willing to stand up and be counted, those with enough initiative to use their potential constructively. They are the folks that have fully matured, who have developed an attitude or way of life in which the wisdom acquired over the years guides their surplus energy (over and above that needed to sustain life) into worthwhile channels. They recognize that individual development and education are lifelong processes.

There is an informal organization with branches throughout the country that encourages creative maturity. One of the discussions was attended by an earnest lad with a discriminating mind but just out of his teens. You'll enjoy his description of the purpose of the organization. Said he: "The creative maturity group is a bunch of guys and dolls ranging all the way from those that won't see 35 again to those whose hands tremble so they can't hold a cup of coffee without spilling it. This gang has a hunch that it's the job of every human to grow up, to keep on pitching as long as he or she is still breathing—to live and learn and make something out of it, as the saying goes. Now this concept says that the last half, or even the last 10 percent of life, is the vintage time to collect. When you're getting to the end of the road, pal, it's time to pick the fruit. They also say that if you want a lot of juicy fruit you got to start preparing for it when you're a young punk, see?"

Is it just wishful thinking to assume that more of the 15 millions over age 65 could get more out of life if they adopted the philosophy of creative maturity? That with the present-day expansion of their physical capacity, they can find and use constructive outlets for their potential? Is there enough imagination and desire among them or is the rank-and-file so beaten down and frustrated that to reactivate it would be a hopeless task? If but little can be done by today's oldsters then we are merely laying down a blueprint for those of an uncertain tomorrow.

There are hundreds of thousands of oldsters whose sparkplugs are functioning well and who can greatly enrich their later years. Cranking some of the model T's, may, of course, be a back-breaking job. Your presence here, the existence of hundreds of senior clubs throughout the Nation, and the organization of Seniors International is proof that you have faith in the opportunities of later maturity.

Two interrelated types of action seem to be needed to get old age out of the doghouse, one directed at the public and the younger generation and the second at the older folks themselves. Educational effort and propaganda to win greater recognition for maturity has been slow and inadequate. A bit of dynamite instead of earthworms may be needed to loosen the encrusted soil of public

indifference. The publicizing of a distasteful cause is, however, an expensive business. Senior organizations just don't have that kind of money. More can be done by organizing and stimulating groups of seniors to improve their own situation. By organization I don't refer to mere social clubs that do nothing but play bridge or pinochle or shuffleboard and throw an occasional square dance. Companionship is, of course, a crying need to combat loneliness but the goal of 14-carat maturity lies not in self-centered gratification, but in service in making the world a better place in which to live. Primarily the emphasis must be placed on service to the community. We must be better neighbors.

Senior organizations will play a leading role in creating a brave new climate in which to grow older. They can offer a unique opportunity to mature persons to join with others in becoming doers instead of drones. The printed objectives of Seniors International, the American Association of Retired Persons, and Senior Citizens of America, all embody the concept of creative maturity. These goals cannot be achieved overnight since they involve difficult decisions of effective organization, manpower, and financing. Since I am uninformed regarding your detailed plans for organization and operation, it would be presumptuous to comment on the developmental pattern which you are setting up. It may be in order, however, to suggest a few worthwhile goals and activities in which local groups could be encouraged and which will add to their community prestige. Achievement by seniors brings new respect for old age.

It is in order to suggest that the program of every senior group should include projects that will advance the prestige and status of the elder generation. Oldsters are entitled to a free choice and the right to self-help in planning their own futures. Too many persons are inclined to pass the responsibility for improving conditions to the Government, to organized welfare, or academic research. Representatives of these groups too often assume that their group has a monopoly in activity in behalf of the aging. Such activity should not be undertaken for older people but with them, and more especially by them. Have we forgotten that the Lord helps those that help themselves? Now as to specific projects:

1. The membership of a local group may comprise any persons that are likely to be congenial but efforts should be made to make it essentially democratic and truly representative of the entire elder community. The so-called Golden Age Clubs organized to date have been largely sponsored by welfare agencies, or as adjuncts to what used to be called settlement houses and therefore primarily served the underprivileged. These persons are the ones most in need of social contacts but they carry little prestige. Very few clubs have enrolled men and women of higher economic status. Retired executives and professional men will participate provided the club objectives offer a challenge for civic or cultural progress or personal development. Broad-gaged leadership is imperative; I have seen a number of clubs go to seed because of cliques or where a few prima donnas insisted on dominating the group for personal influence instead of public service.

2. As to a program of activities, primary emphasis may well be placed on voluntary neighborly services of a personal nature that will meet the needs of older persons. Many clubs offer home service in finding the best way out of lack of companionship, family or financial complications, illness or temporary disability, transportation, the need for supplemental employment, or a place to live. Women often make the best friendly visitors.

3. Senior day centers too are on their way. They supply a social lounge and meeting rooms, a trained person offers counsel and advice on personal problems, there is a wide range of recreational opportunity, including instruction in handicraft. Group trips are made to points of interest. In California especially these centers have become community rather than welfare sponsored. Stockton has just raised $60,000 for a new downtown building. Day centers are demonstrating that elderly persons withdrawn from life can again be interested in their world.

4. Older persons have a wide variety of individual interests. In an organization of any size this must be recognized through the voluntary setting up of subdivisions to embrace those members having a mutual concern. This may lead to a choral group, a dramatic club, a discussion group on book reviews or current events, a needlework club, or one for sports or exercise.

5. Civic activities that can be undertaken are legion, provided they are important to the welfare of the community and enough active participants can be enlisted. To mention but a few, in addition to solicitation of funds and active work for the Red Cross, Red Feather, heart, and arthritis campaigns: live-wire committees can interest the county health society in getting physicians to scale down their fees for persons of limited income, as is now recommended by the American Medical Association. The county health department or a hospital may be persuaded to set up a geriatric clinic for periodic health examinations and out-patient services at cost. Senior groups can and have conducted surveys and gathered facts regarding the economic status, health, or housing situation of the elder population. A great deal of such factual data is needed for the State conferences on aging that are to be set up in each State prior to the White House Conference on Aging in 1961.

One of the most urgent projects right now is the gathering of case material about persons who cannot accept employment without sacrificing the social security benefits to which they have contributed and which they need for subsistence. Such information will encourage the Congress to raise the present restriction on earned incomes.

A traffic safety campaign can be sparked by a senior club; this activity has special significance because of the possible trend of the States to discriminate against older drivers and require their periodic reexamination. Litterbug campaigns are sadly needed everywhere to clean up the mess of beer cans, bottles, and containers that litter our roadsides. What about the desecration of natural beauty by billboards?

6. There may be a difference of opinion as to whether senior groups should engage in outright political activity. God knows we need better government and cleaner politics. Senior groups can aid the nomination and election of topnotch candidates of proven ability and integrity. It is their right and obligation to influence legislation. On the other hand, political power wielded by seniors purely because of self-interest in larger government handouts is as suspect as are lobbies by labor, big business, or other special groups. The elder generation is deprived of some of its birthright to liberty and the pursuit of happines but should not expect special privileges from government at the expense of the rest of the population.

Too many political aspirants, largely third rate, are at work across the country trying to corral a local share of the senior vote that numbers 15 million. We need to steer clear of the rabble-rousers that promise the moon for their older constituents.

It is fascinating to conjure up the vast panorama of unfinished business on which those in the years of maturity could embark to increase their own happiness and that of their fellowmen. There is so much to be done and not too much time in which to do it. We cherish our most valuable possessions but too often admit that we are killing time: the most precious ingredient of our lives. Time is more than money. In your younger days you can use it to make (or lose) money. But even if you get together 400 millions like 92-year-old Arthur Vining Davis, you can't buy yourself any more time than he. Your cash can be stolen but nobody can steal your time. With each passing day and hour it becomes more priceless.

With increased expectancy of life, shorter working hours, and time saved because of automation and technical invention we have added 20 years to our lives. If our elders hope to use some of this added bonanza as free time in which to enjoy better living, both drones and doers will have to spend part of it in setting the stage. There's work to be done.

Dr. Arthur E. Morgan, former head of TVA, says that man has one supreme virtue—loyalty to the adventure of life. He says the one greatest treason in this high adventure, in this struggle, this search for a good way of life, is not to do the best we can. In retirement it is the quality and the purpose of life, not its quantity in time, that counts most.

Make no mistake about it. Seniors are on the move. They are going places. As Bill Dreier of Iowa says, "Why shouldn't they? They've had 65 years in the best school in the world—the university of hard knocks." The time has come when our families are not going to say, "What are we going to do about grandpa?" Instead, they will ask, "What is grandpa going to do next?"

It may be in order to close with the last few lines of Tennyson's poem Ulysses, in which that Greek hero resolves to set forth on new adventures, like those on which you are now embarking:

"Though much is taken, much abides; and though
We are not that strength which in old days
Moved heaven and earth, that which we are, we are;
One equal temper of heroic hearts,
Made weak by time and fate, but strong in will
To strive, to seek, to find, and not to yield."

STAGNATION, NOT INFLATION, IS GREATEST THREAT TO AMERICA

Mr. YARBOROUGH. Mr. President, an editorial which I believe should be read by every American, and particularly should be read and studied by the administration, was published this morning in the Washington Post. It is entitled "The Missing Report."

So far as I have been able to read, this editorial is the most penetrating and lucid analysis yet made of the administration's economic outlook. In all candor, I must confess that the man who wrote the editorial has been able to pinpoint more succinctly than any governmental office whom I have heard, the basic weakness in leadership reflected in the President's Economic Report. I do not know who wrote the editorial, but I do commend him highly on an excellent job.

This editorial urges that governmental leadership should be more concerned with expanding production, putting more men to work, and producing more to meet unmet domestic needs and global responsibilities. He points out, rightly, I believe, that:

If it was not plain enough in the budget message, the President's Economic Report leaves little doubt that the administration has become nearly obsessed with the problem of inflation. The statistics in the report, however, strongly suggest that stagnation has for some time been the greater peril.

The report points out that our gross national product has increased by about 1 percent a year for the past 5 years, and that it will take an increase of between 4 and 5 percent a year if we are to stay ahead.

I believe that stagnation is certainly an increasing peril and it appears to me that the administration has contributed substantially to an era of stagnated thinking for a large part of the American populace. With its policies of timidity and retreat, the administration has approached the great issues of our day with the attitude that in the interest of freedom we will do what we have to do or what we can do. I think it is high time we returned to a confident, forward-looking view that the American people can do anything they set out to do, and that they glady will do whatever is necessary to defend freemen against communism or any other threat to intellectual freedom.

Mr. President, I wish to commend the great President of the great Republic to the south, Argentina, on his remarks to us in the joint meeting of the two Houses, a short while ago, particularly his remarks that the American people have shown a capacity and a will to set great goals for themselves, and have the capacity to reach them.

We have reached the point where we hear expressions like "Oh, can we do it?" We should not ask "Can we do it?" We should wrest the opportunity to do more than we have done in order to exist as a free people. That is the weakness in the thinking of the President in his budget message and in his economic report. Not "Can we do it?"—"We must do it." I for one have grown exceedingly weary of this half-whipped-dog attitude of the administration, crying that funds must be spent for space exploration, for security, for civil responsibilities, as though it dreaded to explore and expand. It is time we consider again as a government and a people that we face, not only unafraid, but with relish, the greatest challenges mankind has ever known. It is a priceless heritage which we must not risk being lost or dulled by penny-pinching satisfied fat cat economic views.

Mr. President, I request unanimous consent to have printed at this point in the RECORD the editorial published in the Washington Post on January 21, 1959, under the heading "The Missing Report."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE MISSING REPORT

If it was not plain enough in the budget message, the President's Economic Report leaves little doubt that the administration has become nearly obsessed with the problem of inflation. The statistics in the report, however, strongly suggest that stagnation has for some time been the greater peril.

Since 1953, for example, the purchasing power of a 1947–49 dollar has declined about 4 cents. In that same period, industrial production has averaged only slightly better than the 1953 level and for 3 years has shown no net gain. The annual gross national product in the same time has increased about 6 percent in real terms, or about 1 percent a year. (Even if last year's slump were overlooked, the gain would be only about 1½ percent.)

No one, certainly not this newspaper, contends that any amount of inflation is desirable. But as for growth, there is little doubt that to meet the mounting social and defense obligations of this country in the years just ahead, a rate of growth of between 4 and 5 percent is essential. One would think that a presidential report on the economy at this juncture, against such a background, would be at least as concerned with the need to set and achieve higher and specific goals for growth as with the means of doing this in terms of a stable dollar. What little has been seen so far of the President's tax and other incentives for industrial expansion suggests that the full dimensions of the problem—particularly the need to create a more adequate public framework for expanded private investment—have not been explored.

The administration's pleas for business and labor restraint on the price problem are no less important for their seemingly ineffectual and frequent repetition. The public stake in wage negotiations needs to be constantly reiterated and, by some means, more formally and forcefully expressed. But in looking at the causes of inflation, a subject about which the administration seems to have as many and varied views as the rest of us, the President tends often to ignore the under utilization of labor and plant capacity.

In place of the somewhat tiresome homilies on how we ought not to live beyond our means, or seek to run too fast, or dare to expect too much, it would be refreshing now and then to hear of a program to achieve fuller utilization of this Nation's only partially tapped potential. There is nothing inherently inflationary about putting idle men to work, or about turning the wheels of industry faster and full time. The added output is badly needed in every area of our life, both in our global responsibilities and in our unmet domestic needs.

What this country requires is a report on how to work harder and produce more before it is overwhelmed by massive population growth and urbanization at home and by competition from the Soviet Union and elsewhere abroad. Such a report has yet to be made by the Eisenhower administration.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. RANDOLPH. The able Senator from Texas very appropriately calls the attention of his fellow Senators to the subject matter he has discussed. In the campaign in West Virginia in the fall of 1958, regardless of party our people generally thought that we had had too much part-time effort on the full-time problems in the United States. They felt also that, rather than have a breathing spell, which is advocated by the administration leadership, we need a frontal atack in the use of the resources of America toward a solution of those problems. I congratulate the Senator from Texas.

Mr. YARBOROUGH. I thank the distinguished Senator from West Virginia for his kind words, and commend him for the leadership he is already showing in the Senate in the brief time he has been a Member of the Senate. I wish to associate myself with him in the wonderful tribute he paid this morning to Stonewall Jackson, the nearest to a military genius the American people have produced. General Jackson never took the half-whipped-dog attitude. He never said, "I do not have enough men. I do not have enough guns." He used what he had. He turned the flanks and defeated his enemy. That is the kind of attitude we need in Washington. All of us can take courage from Stonewall Jackson. He never had enough with which to fight. However, he never said, as many generals on both sides in the Civil War said, in so many words, "I haven't got enough to do anything with." He did things while other generals with superior forces and more guns merely said, "I do not have enough to do it with." That is the administration's attitude. It says, "We haven't got enough. It is too hard on us. We cannot do it. We cannot afford it." That is not the attitude of leadership. I do not know what to call it or how to describe it. I believe that the Washington Post has done a great service to the country this morning in pinpointing it first, before anyone in the Government has.

TRIBUTE TO LESLIE L. BIFFLE

Mr. RANDOLPH. Mr. President, for more than 25 years I have enjoyed and cherished the friendship of Leslie L. Biffle. Les was the secretary of the majority and later the Secretary of the Senate.

Last evening, hundreds of his friends and colleagues gave an appropriate testimonial dinner to Mr. Biffle in Washington. Senators LYNDON JOHNSON, STYLES BRIDGES, and LISTER HILL were among those who expressed appreciation for the fine public service of Les Biffle. A previous commitment precluded my being present, but my tribute to Leslie Biffle is contained in a letter which I sent to him under date of January 19, 1959. I ask unanimous consent that the letter be printed in the body of the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., January 19, 1959.

Hon. LESLIE L. BIFFLE,
Washington, D.C.

MY DEAR LES: A long-standing speaking engagement in Dallas, Tex., before the annual convention of the American Road Builders Association prevents me from sharing personally in the testimonial dinner in your honor on January 20. But I cannot allow this happy occasion to pass without an acknowledgment on my part.

Perhaps the most eloquent evidence of the quality of your friendship and your dedication to the values of a free society is the wide diversity of political opinions of those who claim you as friend and colleague. This cross section speaks clearly of your capacity to treat men and women as people rather than partisans, and to divorce the personal from the political.

This is the capacity to which Emerson referred when he stated that, "A friend is a person with whom I may be sincere. Before him I may think aloud. I am arrived at last in the presence of a man so real and equal, that I may drop even those garments of dissimulation, courtesy, and second thought, which men never put off, and may deal with him with the simplicity and wholeness with which one chemical atom meets another."

Though absent tonight, I am delighted that Mary is present, and I rejoice with you and Glade (glad she is from West Virginia) in the festivities in which you both share and which you both so righly deserve.

Yours sincerely,

JENNINGS RANDOLPH.

ADJOURNMENT TO FRIDAY

Mr. BYRD of West Virginia. Mr. President, in accordance with the previous order, I move that the Senate now adjourn until noon on Friday next.

The motion was agreed to; and (at 1 o'clock and 55 minutes p.m.) the Senate adjourned, the adjournment being, under the order previously entered, until Friday, January 23, 1959, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate January 21, 1959:

DIPLOMATIC AND FOREIGN SERVICE

Philip W. Bonsal, of the District of Columbia, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Cuba, vice Earl E. T. Smith.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 21, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalms 84: 12: *O Lord of hosts, blessed is the man that trusteth in Thee.*

O Thou great God of all our days and years, may our minds and hearts turn continually unto Thee in faith and obedience.

Grant that, in our plans and purposes, our deliberations and decisions we may have the guidance of Thy spirit.

Inspire us to give ourselves more earnestly and eagerly to the great task of establishing Thy kingdom of righteousness and peace upon the earth.

Hear us in the name of our blessed Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 3. Concurrent resolution requesting the President to designate the week of January 25, 1959, as National Junior Achievement Week.

RECESS

The SPEAKER. The House will stand in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 2 minutes p. m.) the House stood in recess, subject to the call of the Chair.

JOINT MEETING OF THE TWO HOUSES OF CONGRESS TO HEAR AN ADDRESS BY HIS EXCELLENCY THE PRESIDENT OF THE ARGENTINE REPUBLIC

The SPEAKER of the House of Representatives presided.

At 12 o'clock and 15 minutes p.m. the Doorkeeper announced the Vice President and Members of the United States Senate, who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. On the part of the House the Chair appoints as members of the committee to escort His Excellency the President of the Argentine Republic into the Chamber the gentleman from Massachusetts, Mr. MCCORMACK; the gentleman from Indiana, Mr. HALLECK; the gentleman from Missouri, Mr. CARNAHAN; the gentleman from Illinois, Mr. CHIPERFIELD; and the gentleman from New York, Mr. ANFUSO.

The VICE PRESIDENT. On the part of the Senate the Chair appoints as members of the committee of escort the Senator from Texas [Mr. JOHNSON], the Senator from Rhode Island [Mr. GREEN], the Senator from Illinois [Mr. DIRKSEN], and the Senator from Wisconsin [Mr. WILEY].

The Doorkeeper announced the following guests, who entered the Hall of the House of Representatives and took the seats reserved for them:

The Ambassadors, Ministers, and Chargés d'Affaires of foreign governments.

The members of the President's Cabinet.

At 12 o'clock and 30 minutes p.m. the Doorkeeper announced His Excellency the President of the Argentine Republic.

His Excellency the President of the Argentine Republic, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk. [Applause, the Members rising.]

The SPEAKER. Members of the Congress, it is my great pleasure to say to you that we have a guest, a neighbor from the South, a representative of a free and a friendly people. We are happy that he has come to visit us, because we believe that in such times as those in which we live the Americas must have an understanding and stand together.

It is my privilege and a great honor to present to you the President of the Argentine Republic.

[Applause, the Members rising.]

ADDRESS OF HIS EXCELLENCY ARTURO FRONDIZI, PRESIDENT OF THE ARGENTINE REPUBLIC

I

President FRONDIZI. Mr. President, Mr. Speaker, and Members of the Congress, I am deeply grateful for the cordial words with which my presence has been greeted here in this Congress, an institution that symbolizes the democratic ideals of the American Hemisphere. On behalf of the Argentine Nation, I greet the representatives of the people of the United States. It is the fraternal greeting of a country geographically remote, but spiritually linked to your own by the ties of an historical friendship and by the common ideals that are the heritage of the whole hemisphere.

This is the first time an Argentine President visited the United States, but we have so much in common that I cannot feel an alien on your soil, but, instead, a member, together with the millions that inhabit this great country, of that lofty human experience which is known as the community of American Republics. [Applause.]

And even less alien within these walls can someone feel when, like myself, he has been a legislator in his own country. I pay tribute in the Congress of the United States to the fundamental institution of the democratic system, to the institution that expresses the ideals and the interests of the people and, wherever it has been able to operate in freedom, has been the bulwark of the rights of man.

As President of the Argentine Nation, I am pleased to point out the similarities that unite our two countries. Our political organization is the same, and our system of federal government is also similar. As is the case in your own country, Argentina is ruled by a Government with limited authority, where the exercise of power finds an insurmountable barrier in the rights of those who are governed. [Applause.]

These similarities are the reflection of a deeper and longstanding identification. Let me remind you that the United States recognized Argentina's independence in 1822. Therefore, it was one of the first countries to do so. Let me recall as well a significant fact that public education received a powerful impulse in my country when, nearly one century ago, Sarmiento, who lived in the United States, returned to Argentina to assume the Presidency of his country.

With the passing of the years, it seems as if history had wished to strengthen these similarities. Our two countries not only bear the stamp of national independence, individual freedom, and the enormous enterprise of democratic government. They have also shown identical capacity to assimilate universal culture, and equal pride to defend their sovereignty and self-determination at all times and under any circumstances. [Applause.]

Just as in the case of the United States, the sparsely populated Argentine land received substantial immigration currents from Europe. Our rich plains were covered by wheat and cattle; towns and cities were built, joined by the longest railway network in Latin America, and an industry began to grow, an industry of which today my country is proud.

The miracle of America also took place on our soil; men and women coming from every latitude, speaking different languages and professing different creeds, felt free and as brothers in a new fatherland. This wonderful American phenomenon, unique in the history of the world, is, precisely, the fundamental reason for the oneness of the countries of this hemisphere, and does not stem either from pacts or from circumstantial interests.

The root of America's unity is a spiritual root. This continent was born to history as the land of hope and freedom. Our ancestors foresaw that the full life of man would materialize in America, without oppression, unfairness, or persecution. This is why all the great American deeds have always been the deeds of freedom. This is why the military heroes of our continental independence have been statesmen, and history does not remember them as conquerors but rather as liberators.

The American ideal of democracy, justice, and freedom has been fruitful because it is based on a spiritual concept of man. In keeping with these principles, the American peoples reject any materialistic concept of life and any totalitarian concept of the State. The human being is for us a sacred being, and his rights are as sacred as the institutions that protect his freedom. Our concept of the spirit as the driving force of man and of history is the fundamental reason why it is impossible for us, the sons of this Hemisphere, to be Communists. Our respect for the essential dignity of man also leads us to the rejection of any type of dictatorship or of any antidemocratic ideological influence. [Applause.]

The American Continent is a community of nations united by geographical facts, by history and by a spiritual identity. Precisely because they believe that the destiny of man is a spiritual destiny, the peoples of this hemisphere belong, from the historical viewpoint, to the cultural world of the West, where the principles of human dignity and universal brotherhood were born. Hence, the Western World is not for the American peoples a source of conflicts or antagonisms. On the contrary, because they belong to the Western World, the peoples of the American Hemisphere know that they are members of the universal community of peoples and serve the cause of the Americas because they consider it to be the cause of all mankind. [Applause.]

II

We believe that spiritual strength is the motive force of history and we proclaim the essential unity of the Americas, but these statements cannot blind us to the fact, painful but real, that the development of this hemisphere is not the same everywhere. We cannot ignore the harsh fact that millions of beings in Latin America suffer from misery and backwardness. And we cannot deny that, under these social and economic conditions in open contradiction with our ideals of justice and freedom, the life of the spirit is impossible. Peoples that are poor and without hope are not free peoples. A stagnant and impoverished country cannot uphold democratic institutions. On the contrary, it is fertile soil for anarchy and dictatorship. This is not a theoretical conclusion but the undeniable evidence of facts recorded by the history lived by the Latin American peoples. Contrary to what many people suppose, political instability and social unrest are not the causes but rather the effects of the spiritual and material conditions under which millions of men and women are struggling, doomed to a life without hope or well-being. [Applause.]

This means that the ideals embodied by the American hemisphere are not yet a reality for all of its sons. If it is our wish to achieve the destiny dreamt of by our ancestors, that is, to make of America an effective moral power in the world, our first duty, as Americans, is to make these ideals a reality in our own countries. In order to defend, not only with conviction but also with true effectiveness, the cause of freedom, of law, and of democracy throughout the world, we must assure the rule of freedom, of law, and of democracy in the entire American Continent. In other words, we have to lay the firm bases and create the adequate conditions that will make possible the full rule of human rights as well as the stability and the permanence of the democratic institutions of our countries.

Without national development there can be no welfare or progress. When there is misery and backwardness in a country not only freedom and democracy are doomed but even national sovereignty is in jeopardy. The Latin American peoples must face this truth, and attack the very roots of the evil. To this end, they must change an economic structure that has become a factor of stagnation and poverty. Our countries must decide, therefore, to make use of all their resources, to mobilize all the available energy, and to take advantage of all the technical and scientific progress of our time.

The immense natural wealth of Latin America must be tapped and used in benefit of all its inhabitants. Latin America must stop producing only raw materials. It will have to set up its own heavy industry, its petrochemical industry, its factories of machinery. It will have to build hydroelectrical stations and nuclear reactors. It will have to mechanize rural establishments and provide them with the necessary electric power in order to increase production and raise the standard of living of the rural family. Summing up, it will have to carry out the same process of expansion and integration of domestic economy which has led the United States to its present and magnificent level of development.

This is the task in which the Argentine Republic is now engaged. We are firmly determined to further our full economic development. And we will do this on the basis of our great natural resources, as yet but poorly developed, and on the basis of our national effort. But the economic chaos we have endured for long years has decapitalized our country. Our lack of development in a highly industrialized world has caused us serious harm. Our raw material is selling at steadily lower prices while the price of fuel, equipment, and manufactured goods, so urgently needed in our country, is constantly rising. This has caused serious deficits in our balance of payments and has made it impossible for us to take care of basic investments with our own resources.

In consequence, we have taken as the starting point of our program of economic expansion, the promotion of our national production of iron and steel, oil, and coal, which are found in abundance in our country, and we have requested the cooperation of foreign capital.

Foreign credit and investment find in the Argentine Republic the same juridical guarantees granted by any democratic country. They will find, furthermore, a hard-working and enterprising people, as well as highly skilled labor. Ours is a people full of national pride, ready to defend with zeal the sovereignty of their country. Our people will accept any investment devoted to the promotion of the welfare and progress of the country, but will reject any proposal implying a threat to its sovereignty.

Foreign capital will also find in Argentina a government waging a battle without quarter against inflation. The program of economic and financial stabilization we have just launched tends, precisely, to eliminate all the inflationary factors which have affected our country for so many years. The goal of this program is to establish, by means of a sound currency and an economy free from unnecessary regulations, the solid bases of a development without regressions or ups and downs, driven onward by the force of private initiative, fully supported in its creative function.

III

The effort my country has now undertaken is the beginning of an integral effort but recently begun in Latin America; its success or its failure will have a decisive influence on the policies of the hemisphere. Sister nations may profit from the Argentine experience and may stimulate the energy as yet latent in all Latin America. It will be an epic of peace and work that will result in spiritual plenitude and material wealth. It will be the true epic of democracy, because that plenitude and wealth will benefit millions of men and women, will be transformed into cultural resources and will make worthier, freer, and fairer the life of human beings under the skies of the American Continent.

The example of your country will encourage us when facing the task we have before us. The economic history of the United States shows, in fact, that peoples that set themselves national goals and spare no effort to further their integral development one day become great nations. [Applause.]

The farseeing men who placed your country on the road of its present greatness did not yield to easy temptations or retreat in the face of the difficulties that arise whenever a country decides to build its destiny with its own hands.

This is the lesson that Latin America will learn and will turn into spiritual and material wealth for almost 200 million human beings. It is a problem that fundamentally pertains to us, the Latin Americans, but from which the United States cannot stand aloof. You cannot remain indifferent to the fact that millions of individuals lead a life of hardship in the American Continent. The situation of these fellow human beings is not only a challenge to our common ideals of human solidarity, but is also a source of danger to the security of

the hemisphere. To leave an American country in stagnation is as dangerous as an attack coming from an extra-continental power. The struggle against the underdevelopment of peoples demands a solidarity far greater than is required by their political or military defense. The true defense of the hemisphere is the elimination of the causes that beget misery, injustice, and cultural backwardness. When all the Latin American countries are granted access to the benefits of spiritual and material improvement they will defend the American soil and institutions with all the passion, the energy, and the courage with which life itself is defended. [Applause.] Because they will be defending what rightly belongs to them, what they have created through their own effort. They will be defending a high and fair standard of living and the possibility of obtaining increasingly better conditions of well-being.

It is with personal satisfaction that I tell you, as representatives of the people of the United States, that your country has fully understood its role in this hour of America. Argentina has just been granted important credits by the Government and private institutions of the United States. This cooperation means for us something far more important than support for the program of national expansion we have just undertaken. It is a positive and fundamental step toward the materialization of the ideals of cooperation throughout the American Continent. It is the evidence that the hour of concrete decisions has come. That hour finds us all, the Americans of the entire Americas, united by the same solidarity, the same confidence, and the same hope that made of this hemisphere a community of sovereign republics. [Applause.]

Our efforts will determine whether this will be another hour of glory for America. With the same firmness, the same courage, and the same decision with which our forefathers forged the independence of our countries, let us get ready to forge their full spiritual and material development.

With our moral strength, with our material effort, and with the help of God, let us do our duties and be worthy of the historical inheritance we have received.

Let us make the American Continent the continent of human hope, realizing on its soil and for all its sons the promise of happiness and fulfillment America offered to mankind. [Applause, the Members rising.]

At 1 o'clock and 12 minutes p.m. His Excellency the President of Argentina, accompanied by the committee of escort, retired from the Chamber.

The Doorkeeper escorted the invited guests from the Chamber in the following order:

The members of the President's Cabinet.

The Ambassadors, Ministers, and Chargés d'Affaires of foreign governments.

JOINT MEETING DISSOLVED

The SPEAKER. The purposes of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses now dissolved.

Thereupon (at 1 o'clock and 15 minutes p.m.) the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 1 o'clock and 17 minutes p.m.

PRINTING OF PROCEEDINGS HAD DURING THE RECESS

Mr. McCORMACK. Mr. Speaker, I move that the proceedings that took place during the recess be printed in the RECORD.

The motion was agreed to.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from a committee:

JANUARY 20, 1959.

The Honorable SAM RAYBURN,
Speaker of the House of Representatives, Washington, D.C.

MY DEAR MR. SPEAKER: Because my duties on the Joint Atomic Energy Committee will make it impossible for me to continue serving on the Government Operations Committee, I would like to tender my resignation effective today.

It has been a privilege and a pleasure to work with the members of the Government Operations Committee and I regret that I must discontinue this association.

Sincerely yours,

JACK WESTLAND,
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

JOINT CONGRESSIONAL COMMITTEE ON GROWTH AND EXPANSION OF THE DISTRICT OF COLUMBIA

The SPEAKER. Pursuant to the provisions of House Concurrent Resolution 172, 85th Congress, the Chair appoints as members of the Joint Congressional Committee To Investigate Matters Pertaining to the Growth and Expansion of the District of Columbia and its Metropolitan Area the following members on the part of the House: Mr. McMILLAN of South Carolina, Mr. SMITH of Virginia, and Mr. BROYHILL of Virginia.

GOVERNOR EGAN OF ALASKA

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, I know that the Members of the House, especially those who were here during the 85th Congress when we passed the Alaska statehood bill, will share my feeling of concern and regret at the news that Governor Egan of Alaska is critically ill.

As a "Tennessee" representative during the consideration of the statehood bill, Bill Egan won the respect of everyone with whom he came in contact. While I am a Republican and he is a Democrat, nevertheless my regard for his ability was such that I have looked to Bill Egan as one of the contributing reasons for hope that the new State will get off to a good start.

Economically, Alaska is faced with difficult problems, and especially in view of the fact that her principal industry and so-called "cash crop" is her fisheries resources. Owing to the refusal of the Japanese fishing fleet to conform to conservation this resource is sadly depleted and especially this year the great Bristol Bay district may be closed.

I had written to wish Bill Egan well as Governor, and to assure him of my cooperation and support. Now I can only express the deep and sincere hope that he recovers, and speedily. Alaska needs him.

TRADE WITH RUSSIA

Mr. SCHERER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SCHERER. Mr. Speaker, as he leaves our shores, it would be a fatal mistake for Moscow or Washington to interpret the flattery and fawning reception given Soviet Deputy Premier Anastas Mikoyan by the exclusive clubs in Cleveland, Detroit, Chicago, San Francisco, and Wall Street as the attitude of the overwhelming majority of Americans toward this high-ranking Communist and what he represents.

It is now apparent that at the outset Mikoyan misrepresented the nature and purpose of his visit. It is clear that this "mission from Moscow" instead of being a casual, holiday visit with his good friend, the wily Russian Ambassador, as Mikoyan stated on his visa application, was actually a cleverly planned, direct approach to top American businessmen. He wanted to convert them, as Constantine Brown says, "to the idea of coexistence through large credits for exports of American factory tools and special equipment to the U.S.S.R."

If he could sell those who are always interested primarily in dollars, even though it means supplying the Soviets with stuff that someday might be shot back at American boys, these businessmen would then put the pressure on Mr. Dulles to succumb to this coexistence the Communists have been propagandizing about.

Russia, which has drained itself to build its colossal war machine, badly needs some basic materials and consumer goods. We are spending $40 billion a year—60 percent of our budget—in an attempt to keep even in the armament

race. It is obvious that, if we supply the Soviets with consumer goods—on credit at that—we will enable them to build a greater striking power which we will then have to meet. How silly can we get?

Those who have vied for invitations to the exclusive parties given for Mikoyan from coast to coast evidently have been so busy in their ivory towers or their memories are so short that they are unaware of the record of treachery and deceit which this man Mikoyan and his fellow conspirators have written on the pages of history in the last generation or so.

Khrushchev, who knows Mikoyan perhaps better than anyone else, should have given them an insight into the man to whom they listen with such rapt attention. At a party given at the Kremlin in May 1956, Khrushchev called Mikoyan "a professional traitor" to his face.

I am sure these same leaders in America would not have extended such a warm welcome to the Nazi leaders when they were bent upon world domination, when they were ruthlessly destroying human lives. Nevertheless some of us have sat in rapt attention while the shrewd and personable Mr. Mikoyan told us about the need and the sincere desire of the Kremlin hierarchy for coexistence and all that it implies.

They forgot or never knew that Khrushchev, who sent Mikoyan on this American errand, said within the last year something quite different about coexistence with the capitalistic world.

Of course—

Said Khrushchev—

we must recognize that we cannot coexist externally. One of us must go to his grave. We do not want to go to the grave. They (the Western powers) don't want to go to their graves, either. So what must be done? We must push them to their graves.

These good people forgot or never knew that Khrushchev during the last 6 months said to the foreign diplomats, including our American Ambassador:

We will beat the capitalists, but that does not mean killing anybody. * * * When we win in this competition, we will also reeducate you. We Bolsheviks are a ravenous people. What we achieved in the past is very little. We want more and more.

They forgot, or never knew, what was said by Dimitri Z. Manuilsky when he was instructor in the Lenin School of Political Warfare. Manuilsky said:

War to the hilt between communism and capitalism is inevitable. To win we shall need the element of surprise. The bourgeoisie will have to be put to sleep, so we shall begin by launching the most spectacular peace movement on record. There will be electrifying overtures and unheard of concessions. The capitalist countries, stupid and decadent, will rejoice to cooperate in their own destruction. They will leap at another chance to be friends. As soon as their guard is down, we shall smash them with our clenched fist.

I am sure, if they did not remember these things, which are well known to those of us who have studied the operations and machinations of this world-wide Communist conspiracy, that they were also slightly hazy about the man Mikoyan, himself, and what he has done. It is my firm conviction that, even though some leaders in our Government, business, and social circles are insensible to the record, the rank and file of American people have not been fooled.

They know that it was Mikoyan who was the conveyor of the message of truce from the Kremlin under which the Hungarian partiots were deceived into a phony peace conference from which they were dragged to be shot.

The American people know that, even while Mikoyan is calling for peaceful coexistence, Communist spies, working out of the Russian Embassy and consulates, by blackmail and terror attempt to gain access to our vital defense secrets.

The Soviet Empire, which has entered into more than a thousand treaties, agreements, and nonaggression pacts in the short span of its 40 years of existence, has flagrantly violated every one of them that it decided was not to its best interests in its drive for world domination.

The President, in his state of the Union message to Congress last Friday, said:

We have learned the bitter lesson that international agreements, historically considered by us as sacred, are regarded in Communist doctrine and in practice to be mere scraps of paper. * * * As a consequence, we can have no confidence in any treaty to which Communists are a party except where such a treaty provides within itself for self-enforcing mechanisms.

If there are still any "doubting Thomases," I suggest they take a look at the January 16 issue of U.S. News & World Report and read the article on page 65 entitled "Can You Really Do Business With Russia?"

WASHINGTON NEWSPAPER REFUSES TO PUBLISH PUTNAM LETTER AS PAID ADVERTISEMENT

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, as you know, I asked and received unanimous consent to have printed in the CONGRESSIONAL RECORD, on Saturday last, a letter from Mr. Carleton Putnam to the President of the United States on the vitally important issue of segregation.

Mr. Putnam, an outstanding American businessman, is not a southerner; he is of an old New England family, is a native of New York, and a graduate of Princeton and Columbia Universities. However, his letter presents so completely and so eloquently that position long held by the South on this issue, that it has received wide publicity in our section of the country, being reprinted in practically all southern newspapers.

In fact, it was so refreshing to find that what has been considered to be the partisan southern view on the segregation question was being masterfully proclaimed by one who was not, as I have pointed out, a born southerner, that a group of outstanding citizens of Birmingham, in my district, has made an effort to have this letter published throughout the country.

Many newspapers, following the hallowed tradition of printing whatever is the news, regardless of whether it supports the established policies of their editors and publishers, printed the letter, or news of the letter, for exactly what it is—a candid statement on a crucial issue by an outstanding individual, or in other words, news.

In those localities where the press did not see fit to run the story either as a news item or as a "letter to the editor," this group of outstanding southern citizens bought space in some of the larger, more widely circulated daily journals, and ran the letter as an advertisement—a procedure which is nothing more than a natural manifestation of freedom of speech and freedom of the press. This was done in the New York Times, for instance.

I now come to my point, Mr. Speaker.

When the Washington Post was approached on this matter, they did not consider the item newsworthy. This, of course, was their privilege. They refused to run Mr. Putnam's letter as a "letter to the editor," which again was their privilege, though refusal to present but one side of a controversial issue shows an appalling and disturbing lack of objectivity on their part.

Then, Mr. Speaker, when this group of citizens, through their representative, asked to buy space in the Post in order to run the Putnam letter as a paid advertisement, they were flatly refused.

I say to you, Mr. Speaker, that this attitude, this refusal, is a flagrant violation of our most sacred tenet, freedom of expression. I protest most vigorously, as must all Americans who hold this principle to be meaningful to us and essential to the preservation of the American way of life, this affront to the South, this insult to liberty, this wholly indefensible position.

Those of us who are familiar with the policies of the Washington Post in its handling of the news may not be surprised at this gross betrayal of responsible journalism. But I deplore and resent bitterly this insult and lack of consideration for the views of my constituents.

THE LATE CECIL B. DE MILLE

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, I have just learned with deep sorrow of the passing of Cecil B. de Mille, the famous motion picture director, who was also a great American and a great Californian.

Mr. de Mille's death takes from our national scene one of those few gifted

enough to give—in entertainment form—a panoramic view of the great events of history. His contribution to our national life and the enrichment which he brought to many Americans will be his lasting memorial.

IN MEMORY OF REPRESENTATIVE HERMAN P. EBERHARTER

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, "one of the best liked men in Congress because of his kindness and his friendliness."

That was epitaph expressed by his colleagues and by members of the working press, when the newspapers reported after the adjournment of the 85th Congress, that Representative Herman P. Eberharter, who represented the 28th District of Pennsylvania, had passed to his reward.

During his 22 years of service in the House of Representatives, he had acquired a rich background of knowledge and experience as a result of his hard work as a member of various committees. Few men in the history of Congress could match his broad grasp of national problems, or his devotion to details. Those of us who sought his advice, could always depend upon a fair and factual answer. Herman would always consider both sides of a question, carefully and scrupulously, but once having made up his mind and having stated the reasons for his stand, no one could question his integrity.

Even to those who disagreed with him, he was ever a gentleman.

Illnesses which would have discouraged many men, never weakened his spirit. With the aid of a cane, he insisted on carrying out his responsibilities as a senior member of the Ways and Means Committee where he was an expert on social security, the tax problems of small business, and the complexities of trade and tariff.

If ever a man loved his work and found fulfillment in it, with never a thought of relaxation or retirement, that man was Herman Eberharter.

He was seeking reelection for a 12th term, when death interposed and, taking him by the hand, whispered, "The time has come to rest."

To his survivors, Herman P., Jr., and James J. Eberharter, we extend the sympathy of his colleagues in the House of Representatives, who held their father in high esteem. He gave distinguished service to the people of his district and to the Nation. No human being could do more to help others.

As time reconciles us to the loss of those who were close to us in this life, we treasure even more the sweet memories of them that can never be taken from us.

They will always be heart-warming as we think of our late colleague and friend, Representative Herman P. Eberharter.

NATIONAL JUNIOR ACHIEVEMENT WEEK

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the present consideration of Senate Concurrent Resolution 3, which has been screened with the leadership.

The Clerk read the resolution, as follows:

Whereas it was the initiative, the sense of individual dignity, and the determination to mold their own futures that motivated those who founded this Nation; and

Whereas Junior Achievement, Inc., through its learning-by-doing program, is inculcating those ideals in American youth by helping them to set up and operate their own small-scale business enterprises; and

Whereas their experience in running Junior Achievement companies will provide these young people wtih a heightened understanding of the privileges and duties of citizenship and better prepare them to assume the responsibilities of community leadership; and

Whereas thousands of American businessmen voluntarily give unstintingly of their time, their counsel, and their experience for the benefit of the members of Junior Achievement; and

Whereas it is understood that the week beginning January 25, 1959, and ending January 31, 1959, will be observed as National Junior Achievement Week: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the President of the United States is authorized and requested to issue a proclamation designating the week of January 25, 1959, through January 31, 1959, as National Junior Achievement Week and urging all citizens of our country to salute the activities of Junior Achievers and their volunteer adult advisers through appropriate ceremonies.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

REVISION OF SOCIAL SECURITY ACT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. TELLER] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TELLER. Mr. Speaker, I am reintroducing a bill today which I first introduced in the 85th Congress, to repeal the discriminatory provision in the Social Security Act which now denies coverage to about 2 million employees of the Federal Government. I should like to make it perfectly clear that this bill will not affect, in any manner, the benefit rights that Federal employees now have under their existing retirement systems. Each employee now within the purview of my bill will have the right to decide whether or not he wishes the additional protection of the social security system.

We have prided ourselves in this country on the growth of our social security system. When the law was first passed, only 6 out of every 10 workers were covered. Now 9 out of 10 workers are covered, and, if my bill is enacted, we could truly say that we have a universal system.

Today about 16 million Americans enjoy substantial security for themselves and for their families because they have the protection of both social security and a private pension plan. Likewise, about 2 million working men and women are covered under social security and also under a State or local retirement system. And over 2½ million servicemen are accruing credits toward benefits both under their respective military retirement systems and under social security.

Here is the confusing story of the patchwork way in which social security affects employees of Federal, State, and local governments today. It begins in 1950, because, prior to that time, no Federal, State, or local employees received social security credit on the basis of their Government service. The 1950 amendments, however, brought in approximately 100,000 Federal employees who were not included in a Federal retirement system, and also covered employees of such Federal instrumentalities as the Federal credit union, the Federal Reserve banks, national banks, national farm-loan associations and other instrumentalities, even though they might have a retirement system of their own. Similarly, coverage was authorized in 1950 for State and local employees who were not under retirement systems, but this latter exclusion of retirement-system members was removed in 1954 so that almost all State and local employees are now potentially eligible for social security protection. The 1954 amendments also brought in some 150,000 employees of the Federal Government, including temporary employees in the field service of the post office and temporary census takers of the Bureau of the Census. Finally, in 1956, coverage was extended to members of the Armed Forces, members of the retirement system of the Tennessee Valley Authority, and other State and local employees under retirement systems who had previously been excluded by various technicalities of the law.

The bill I have introduced today will provide coverage, on an elective basis, to all officers and employees of the United States and its instrumentalities not previously under the social security system. This means that members of the civil service retirement system will have the opportunity to obtain the additional protection provided by social security. Coverage will also be available for members of the Foreign Service retirement system, of the retirement system for the policemen and firemen of the District of Columbia, as well as for the members of various retirement systems of the Federal judiciary and those of such Federal instrumentalities as the Federal home-loan banks and the Board of Governors of the Federal Reserve System. My bill means that all Federal employees will be getting social security credits if they earn $50 or more within a 3-month calendar quarter of the year.

The method of adding social security protection on top without change in the

status of the benefit structure of an employee's existing retirement system is not at all unique. The great majority of the State and local retirement systems which have voted to come under social security have done so in just this manner. Congress also adopted this approach when it extended coverage to members of the Armed Forces under the Servicemen's and Veterans' Survivor Benefits Act of 1956.

My bill would use the so-called two-division approach, which Congress instituted when it authorized coverage for certain State and local employees, including those of my own State of New York, in the 1956 amendments. According to this plan members of retirement systems would be separated into two divisions: One division to be composed of members who desire social security coverage and the other of members who do not want it. Individuals who are employed by the Federal Government after the date of enactment will be put in the division which is under social security. This is a precautionary measure to avoid adverse selection of risks and preserve the financial integrity of the social security trust fund.

I believe that the enactment of my bill is necessary for a number of reasons. First of all, as I have said previously, this legislation will terminate the discriminatory exclusions from social security—which do not apply to workers in private industry or to employees of State and local government—and give all Federal workers the opportunity for social security coverage even though they are under another retirement system.

Secondly, it will eliminate the great inequities which arise when employees go into Federal service from private industry or any other covered employment. Take the case of a young secretary who has been employed 8 years in an insurance company and then enters Government service as a career employee. She stands to lose all of the money she has paid into the social security fund, without hope of benefit or refund, because she does not have the 10 years normally required for fully insured status under social security. And even if she had worked for the required 10 years, the amount of the benefit she will receive when she retires will suffer ccrrosion because she is not covered by social security in her Government job. Or to give a case of even more blatant inequity, consider the young father of 3 children who enters Government service but dies before he has the requisite 5 years of coverage under the civil service system, and is also unfortunate enough to have lost his insured status under social security. His family is indeed in desperate straits because he died while he was in this coverage vacuum.

Finally, my bill will be of particular value to the short-term Federal worker who, for one reason or another, leaves Government service. If he has less than 5 years in Government he will have no benefit entitlement at all and, even if he has this minimum entitlement, his payment will be extremely low inasmuch as civil service benefits are heavily weighted on the basis of length of service.

These are just a few examples of the compelling need for the kind of legislation I am proposing. I recognize that, in the past, there have been objections on the part of some Federal workers to proposals which would integrate Federal retirement systems with social security, because they feared that they would lose some of their existing benefit rights. My bill meets this objection with a new approach. It makes no change whatsoever in either existing system, except to make it possible for those people who wish the additional protection of social security to take full advantage of both.

TRADE AGREEMENTS

The SPEAKER. Under previous order of the House, the gentleman from West Virginia [Mr. BAILEY] is recognized for 40 minutes.

Mr. BAILEY. Mr. Speaker, the 85th Congress, of which I was a Member, passed a Trade Agreements Extension Act under which the power of the President to enter into further trade agreements was extended for a 4-year period. He was empowered to reduce our tariffs another 20 percent.

Mr. Speaker, in passing the legislation in this form, Congress did not meet the problem of import competition that has confronted many of our industries in recent years. It swept this problem under the rug and it is therefore still with us. It is still with us, not in diminished form, but in a more pressing form than before; and all indications are that the problem will increase rather than decline.

This is only natural, first, because we have sent billions of dollars' worth of modern machinery and equipment overseas in the past 10 years; second, productivity in other industrial countries has increased as a result not only of the installation of laborsaving machinery received from this country but from technological improvements of their own; third, thousands of productivity teams from other countries have toured our factories and studied our methods; and fourth, as a result, many of the competitive advantages that we may at one time have enjoyed have disappeared and have turned into disadvantages.

In the meantime, we have continued to reduce our tariffs. Our prices have risen with respect to an increasing number of products to the point of threatening to price ourselves out of world markets.

As a result, many manufacturers are establishing plants overseas, both as a means of supplying oversea markets and, in some instances, as a means of competing in this country, as witness the automobile industry.

This trend will grow with the establishment of the European Common Market. Many workers who otherwise would be employed in this country will find it more difficult to obtain jobs. The products of American factories established abroad will be sold here. These products, themselves, will not be manufactured here. The materials going into them also will, in most cases, not be produced here, whether this will be steel, glass, copper, aluminum, paint, or rubber, as in the case of automobiles, or something else. The result will be to bypass our labor no less than domestic suppliers of such materials. The profits that otherwise would be realized through manufacturing here will be slow coming back. Our Government will lose the taxes that it otherwise would collect.

Mr. Speaker, this is not a pleasing prospect.

Coal miners will continue to lose jobs or fail to find new ones because of the importation of residual fuel oil. Mine operators will fare no better.

Yet, Mr. Speaker, the trade agreements program has been sold to the American public on the grounds that it would not be allowed to injure domestic industry. It will interest Members to know how extensively assurances to this effect have been uttered to the American people by our Presidents, Secretaries of State, and other executive officials over the years. I, myself, have been amazed at the record of the past 25 years on this point.

The Congress, through statements made to and before the Ways and Means Committee of the House and Finance Committee of the Senate, no less than through letters to the congressional leadership, has been told repeatedly in tones of complete sincerity that great care would be exercised to avoid injury through tariff reductions and that if such injury did occur a sure remedy was available in the escape clause.

We have been told not once but many times that if mistakes in tariff reductions should result in injury or if injury occurred as a result of unforeseen developments, we would be free to withdraw or modify the duty reduction to the extent necessary to remedy the injury.

Mr. Speaker, it is a sad commentary to read this record alongside of what has actually happened in the administration of the escape clause. In the past 10 years the President has put into effect less than half of the Tariff Commission's recommendations and has refused to follow the Commission's unanimous findings of serious injury in seven cases.

Industry has become greatly discouraged over this record. The tightening amendments enacted by Congress from time to time have been all but ignored.

Mr. Speaker, I shall undertake to give you a review of the record of assurances given to the Congress beginning with 1934 when the Trade Act was first passed.

I am deeply indebted to Mr. O. R. Strackbein, chairman of the Nation-Wide Committee on Import-Export Policy, for extensive researches that he has made into this subject. Much of the material that I will present has been made available through his efforts.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I am glad to yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. I understood you to say just a moment ago that that program has been sold to the American people on the ground and on

the theory that it would not be permitted to hurt our own folks and our own industries.

Mr. BAILEY. That is exactly right.

Mr. HOFFMAN of Michigan. Well, it does, does it not?

Mr. BAILEY. It does and that is why I am speaking here today and why I am proposing to advise the Members of Congress and particularly the 70-some new Members coming in here that they cannot swallow those trade policies because there is so much that needs to be done if we are to continue to operate our industries in this country and to maintain a stable economy.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield further?

Mr. BAILEY. I am glad to yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Then, perhaps, you will explain to me why it is, for example, that some of these labor organizations are in favor of our receiving exports from abroad and furnishing them money with which to build plants over there and, yet, they are in direct competition, for example, not only in the motor industry but in many others. For example, in my own district with respect to wire, there is wire coming in from abroad which is driving our product off the market causing unemployment in two or three cities. Yet, we have people on our side and I do not know what they are doing on your side, but they are all in favor of this reciprocal trade business. How can the CIO and the labor organizations favor it, if you know?

Mr. BAILEY. I will say to the gentleman from Michigan that it is true the CIO and the A.F. of L. have up to the present time been somewhat ardent in their support of these trade programs, and I will say further to the gentleman that that opinion was made up and that course steered before this past year when there were imported into this country some 300,000 foreign-made automobiles. I understand that probably may reach as much as half a million cars this year. I am sure that these groups will not be able to maintain their present position as favorable to reciprocal trade because of the situation that has developed.

I would like to say also that the gentleman should be a little more definite. Many labor organizations are bitterly opposed to our present trade policies. I cannot conceive of the United Mine Workers being for reciprocal trade.

Mr. HOFFMAN of Michigan. But they do not make automobiles.

Mr. BAILEY. That is true, they do not make automobiles. We do not have any coal to mine, beause we do not have a market.

Mr. HOFFMAN of Michigan. Will the gentleman yield further?

Mr. BAILEY. I yield.

Mr. HOFFMAN of Michigan. I want to express my appreciation for the information which the gentleman is giving us. It applies not only to his own district, but I know it does to my own district, the Fourth District of Michigan, and I am certain it does in Detroit where there is so much unemployment. Why they want to go along with a policy when the net result is the importation of these other cars in competition with their market, I cannot figure out.

Mr. EVINS. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield.

Mr. EVINS. We have just heard the very excellent speech by one of our good South American neighbors the President of Argentina, Dr. Arturo Frondizi. This seems to me to be an untimely moment to attack the cornerstone of our good neighbor policy—the reciprocal trade program. Those who would throttle the reciprocal trade program which was initiated by my predecessor, Cordell Hull, would do a great disservice to the people of our Nation not only in the matter of good will, but in material benefits. We know the position of the gentleman from West Virginia [Mr. BAILEY] who has always opposed the reciprocal trade program. I feel I would be remiss in my duty as the successor to Cordell Hull, the author of such a program, if I did not record a protest to the gentleman's talk on the program today. There may be cases where we should make adjustments, but in view of world conditions, and for the further and continued development of industry in our own country the reciprocal trade program should not be defeated.

Mr. BAILEY. I wish the gentleman would be a little more specific. Never have I, in addressing the House or appearing before the Ways and Means Committee of the Congress, failed to make it clear that I am not opposed to the idea of reciprocal trade. All I have been trying to do is to throw greater safeguards around the industries of America so that we may maintain a stable economy and assume our responsibility of world leadership. I assure you, Mr. Speaker, that the gentleman from Tennessee is wrong. I would like to say to him that the time has come when we cannot live in the reflected glory of Cordell Hull. Even if he were the predecessor of the gentleman from Tennessee. That was 30 years ago. Conditions now are quite different from what they were at that time. However, I would like to say to the gentleman from Tennessee [Mr. EVINS] that this was supposed to be a reciprocal trade agreement. It is no longer reciprocal. It is a one-way street, in which the American producer is doing all of the giving and somebody else is doing all of the receiving. To get up here and say that he was for a trade policy just because somebody from his State advocated it 30 years ago would be just as sensible as for me to say that I wanted to put into effect a policy similar to that advocated by my predecessor from West Virginia along about 1890 when he wrote the tariff laws of that time.

Mr. HOFFMAN of Michigan. Will the gentleman yield?

Mr. BAILEY. I yield.

Mr. HOFFMAN of Michigan. I take it from what you said about Cordell Hull, and we all respect and admire him, you think that jobs, something to eat, and something to wear, are more important to your people today than something that was carried on a few years ago.

Mr. BAILEY. I agree with the gentleman.

Mr. HOFFMAN of Michigan. You want to look after your folks, do you not?

Mr. BAILEY. Certainly. I agree with the gentleman. If you will look at the President's budget message you find $389 million in gold reserves and he is proposing to transfer $344 million of that over to the Export-Import Bank for loans to foreign countries. That is what is going on. American capital is going abroad to exploit the free labor in the other countries and manufacturing products to bring into this country under the reciprocal trade agreements, taking away the jobs of American workmen. Then a gentleman would rise and say that that is all right. Maybe it was 30 years ago when Cordell Hull originated the trade agreements, but it is not now and we cannot continue to follow this policy unless we throw some safeguards around our basic industries.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from Ohio.

Mr. BOW. The gentleman from Tennessee referred to Secretary of State Hull. His policy and the reciprocal trade agreements at that time were based on the fact we were coming out of an economic situation. Mr. Hull himself advocated this only as a temporary policy and not as a permanent thing which has been brought about by the action of this House.

Mr. BAILEY. May I say to the gentleman from Ohio that not only did Mr. Hull advocate it as a temporary measure, but he made the statement before the Committee on Ways and Means, which I am including in this article I am inserting in the RECORD, that in no case should it be permitted to injure domestic industry. I would like to go ahead and say, too, that I have quotations from President Truman, in addition to Secretary of State Hull, from President Roosevelt, and from the present President, Mr. Eisenhower, assuring the American people that this trade policy would not be permitted to injure American industry.

The principal difficulty of our tariff and trade legislation during the past decade has centered in the rising conflict between the Congress and the President. The controversy has raged over the power, on the one hand, of regulating our foreign commerce and shaping the tariff, which is vested in the Congress by the Constitution, and the power, on the other, to conduct foreign affairs and maintain the national security, which is lodged in the executive.

The power and responsibility of Congress in its field is clear since it arises from the enumeration of legislative powers found in the Constitution. The trouble has arisen from three sources: First, the delegation of certain authority by the Congress to the President under the Trade Agreements Act; second, the enlargement of this authority in practice by the executive branch and particularly the State Department; and, third, the interrelation between tariff and trade

regulation, that is, the congressional function, and the conduct of foreign affairs, which in turn, is clearly within the authority of the President under the Constitution.

In practice as it has developed under the General Agreement on Tariffs and Trade and under the escape clause and similar statutory remedies against injury of domestic industries, the administration of the regulatory aspects of control over foreign commerce has gravitated to the executive branch of the Government, especially the State Department. There this legislative function has become mingled in unrecognizable form with the political aspects of our foreign relations, which unquestionably fall within the authority of the President and, in point of negotiation and execution, the Department of State.

To date several legislative efforts have been made to extricate the tangled functions of the Congress from those of the President, without much success. Since, however, the mingling of the functions has led to much bitterness expressed by domestic industries that have been severely injured and in some instances virtually destroyed by imports, it is desirable to inquire more closely into the source of the difficulty. Perhaps it will be possible to separate the executive from the legislative function and establish recognizable fields in which each branch has a distinct task to perform. If this separation is made in accordance with recognizable and agreed guidelines, much of the difficulty and controversy should henceforth disappear.

If we examine the origin, nature and purpose of the escape clause, some much-needed light may be thrown on the controversy. Much of the present confusion, arising from the intermingling of legislative and executive functions in the same field of action, may be dispelled.

Why was the concept of an escape clause in the trade agreements field born in the first place? Why was the clause in modified form given statutory dignity by Congress in 1951?

The need for an escape clause or an appeal is inherent in any operation in which precise measurements are not possible but where the consequences of faulty judgment or unforeseen developments may affect seriously the welfare of the interested parties. All who have had experience with the tariff will concede that it is not possible to foresee what will be the consequences of a given change in a rate of duty.

When in a program, such as the trade agreements approach to tariff leveling, many tariff changes are negotiated, it is obvious that unintended results might occur because of the uncertain effect of particular changes in rates.

Therefore, considering the probability of error in making tariff reductions on a broad scale it was clear that a remedy against serious effects of such mistakes or of unforeseen consequences should be provided.

This fact was recognized and in 1943 the first escape clause was inserted into a trade agreement, the one with Mexico. It was inserted into all subsequent agreements and in 1947 was written into the General Agreement on Tariffs and Trade. Such a clause was in the nature of a reservation, revolving about a contingency such as an error in judgment or unforeseen developments, to be uncovered by events.

The Department of State itself has repeatedly pointed to the escape clause as the remedy against mistakes that might and no doubt would be made in negotiated tariff reductions. The Department laid no claim to infallibility in negotiations and admitted that mistakes might be made; but these, it said, could be corrected under subsequent reviews as the effects of the tariff reductions became apparent.

In the meantime the President also gave public assurances that no domestic industry was to be jeopardized by the trade agreements program.

Thus it was clear, at least on paper, that the house was in order. There was on the record no executive intention under the authority delegated to him by Congress under the Trade Agreements Act to harm American industry. Three successive Presidents have to date voiced such assurances. And there was the escape clause as evidence that a remedy could be had by any industry that was seriously injured.

As experience began to accumulate under the escape clause, however, it became apparent that there was a wide discrepancy between the official executive assurances and actual disposition of escape clause cases. The Tariff Commission itself at first—1947–51—dismissed most of the applications without a word of explanation.

Dissatisfaction among the industries that sought a remedy under the clause reached such proportions that legislation on the subject was sought. As a result Congress amended the Trade Agreements Act in 1951 by adoption of a statutory escape clause. It provided specific criteria for guidance of the Tariff Commission and required a report from that agency if it dismissed a case or failed to find serious injury or a threat thereof.

Subsequently the Tariff Commission found the degree of injury necessary to make a recommendation to the President in a much higher percentage of cases. To some extent this may have been a reflection of the increasing severity of import competition after 1951.

Yet after several years of experience with the statutory escape clause it became obvious that the President refused in most instances to accept the Commission's recommendations. Various pretexts were used by the President in rejecting its proposed remedies.

In some instances the President, after review by executive personnel, disagreed with the Commission's finding of fact. In other instances he attributed the distress of the particular industry to causes other than import competition. In yet other cases he evaluated the probable long-range effect of an increase in the duty and concluded on economic grounds that it would not be wise to follow the Commission's recommendation. In a number of cases he also cited the adverse effect that would be produced upon our friendly relations with other countries if imports from them should be restricted. Finally he invoked the general interest of the country, the protection of consumers, the need for export markets, and so forth, in explanation of his denial of a remedy. He refused in all cases involving purely industrial products to impose an import quota although this was authorized under the law and was recommended in several instances by the Commission.

These various reasons and pretexts reflect an almost hopeless mixture of elements of constitutional powers, both legislative and executive. The division of the powers between the Congress and the executive, as described above, and as set forth in the Constitution, was completely obliterated.

Little wonder that the applicants for a remedy felt numbed and perplexed. This reaction was not abated when it became known that the President engaged in the practice of launching supplemental inquiries into the facts of the case after its receipt from the Commission without in any instance exposing the newly gathered information to the public or to a hearing process. In effect he looked upon his action as a review of the Commission's recommendation without appeal and as not calling upon him to expose his hand to the applicants in the case. The process was in the nature of a unilateral rounding out of the case behind closed doors, with no public record of the conferences, inquiries, consultations, communications and other actions involved. The whole proceeding appeared to be nothing more than a search for uncontestable—because unexposed—data to substantiate his conclusion.

In nearly all cases in which the President did accept the Commission's finding on injury he modified the recommendations, in each instance diluting the suggested restrictions. In several cases the President exceeded the time limit prescribed in the statute for his consideration of a recommendation.

It must be obvious that the executive branch disposed of the delegation of authority from Congress under the Trade Agreements Act by mixing it with the President's own power to conduct foreign affairs and to look after the national security, swallowing the mixed potion and then coming up suddenly with a new and miraculous accession of power.

All such executive behavior was a far cry indeed from the assurances that were given to the public, and did not accord with the nature and origin of the escape clause. This was that if events showed that injury resulted from tariff reductions a correction would be made. Implicit in this view was the assumption that it was not the purpose of the trade agreements program to hurt our industries, our producers, our farmers, and workers and that if such injury did occur it was either the result of an error or of an unforeseen development.

Therefore the withdrawal of a concession was nothing more than invoking a reservation. The only question would

therefore be the one of injury or threat of injury.

There was nothing in the actual invocation of these reservations that would give grounds for offense to any nation with which we had a trade agreement containing the escape clause, provided that we followed due process of law.

If one or more nations did complain they would be clearly out of order unless they could show that improper procedures were followed or errors committed in the process of factfinding by the Tariff Commission. This has not been alleged.

Now let us return once more to the attitude of the President in his official action as distinguished from his public assurances. It becomes obvious that a great gap opened between the one attitude and the other. It is a clear case of the political executive saying one thing for public consumption, guided by State Department declarations, and the official executive doing something quite different in fact. More than injury to a domestic industry was required to convince the President that a remedy was justified; yet that was all that Congress called for in the escape clause.

The President, for example, has asserted that he must go beyond the considerations that guide the Tariff Commission. We shall see how far his power of review has been stretched beyond the original concept, which is the one that has been carefully and tirelessly given to the public. In the Bicycle Escape Clause case decided August 18, 1955, the President wrote as follows:

> The President has the responsibility of considering, not only the question of injury to a domestic industry * * * but also the other fundamental questions bearing on the security and well-being of 165 million Americans. The President's final judgment in each case must represent the best composite evaluation he can make of these questions.

The President then listed five issues that must be decided in an escape clause case, and limited the Tariff Commission's function to the question of injury and relief to a domestic industry, while citing four additional ones that must be considered by the President. These four, he gave as follows: (a) Our national security interest in the economic strength of valued allies in the free world; (b) building export markets for the products of our farms, factories and mines; (c) compensation to other countries for withdrawal of concessions; and (d) protection of the American consumer against unnecessary and unjustified price increases.

From this recitation it is clear that the President has completely forsaken the position that the escape clause is a remedial step and looks upon his constitutional power as having been enlarged by that clause. He not only asserts his authority over foreign affairs and the national security but engulfs the other considerations that concern the Commission. As for the Commission itself, he virtually pushes it off the map.

Yet there is not one word in the statutory escape clause that confers any power upon the President to do more than accept or reject the recommendation of the Tariff Commission; nor should such power be extended to him as long as nothing more than the revocation or modification of a concession in a trade agreement is involved. A commission set up by the Congress would be incompetent indeed if it could not determine within the context of a detailed public hearing whether injury had been done by imports as a result, in part, of a tariff reduction; and that is the function of the Tariff Commission.

This is quite different from looking into the future and deciding whether a given reduction can be made without causing injury, as must be done before tariff reductions are negotiated. The Tariff Commission in an escape clause case has before it the consequences of the tariff reductions and therefore is not under the necessity of guessing, as was the State Department in negotiating the reductions in the first place.

Unquestionably at some point since the beginning a complete turnabout was executed by the State Department. In its propaganda, widely disseminated on the homefront, it made much of the remedy that was available to domestic industry if a mistake was made in an international tariff-cutting conference. Then when official action came out by way of the President's hand, we find the remedial aspect forgotten and a dozen pretexts herded together to explain why the President could not do what the Tariff Commission recommended to him.

No wonder that the escape clause administration became bogged down in a morass of unbelievable contradictions, inconsistencies, and confusions. It has been used as a vehicle to bypass the Tariff Commission and to bring the President's conduct of foreign affairs into precincts from which the Constitution excluded it.

In his various actions on the Commission's recommendations since 1951—date of the statutory escape clause—including the cases other than bicycles, the President has indeed all but superseded the Commission and freely substituted his judgment or that of his advisers for that of the congressional agency.

A review of the President's actions under the escape clause, be they acceptances in part of the Tariff Commission's recommendations or outright rejections or indeed postponements of decisions, uncovers no evidence that the constitutional limits to the President's power are looked upon as anything more substantial than ghostly filaments of gossamer; nor any that indicates the least regard for either the public assurances issued by him or the nature and professed purpose of the escape clause itself.

The President's authority over foreign affairs and his power as Commander in Chief in combination with delegation of administrative functions under the Trade Agreements Act have been treated as preempting the whole field of tariffs and trade to the exclusion of Congress and its agency.

How could this interpretation have been achieved?

It could come from two principal sources: First, as a conclusion from the notion that Congress may deliver constitutional power to the President bag and baggage by the mere process of delegation; or second, as a tour de force, reflecting nothing more than a grab for power that was seen to be weakly held. How otherwise, than by a constitutional amendment, dissolve the power of Congress over tariffs and trade, as has in fact occurred under the escape clause? No constitutional amendment has, however, been proposed. Yet Congress no longer regulates foreign commerce, nor does it make the tariff.

A law recently passed by Congress extends the power of the President to enter into trade agreements for a further period of 4 years. The purpose is to leapfrog over two Congresses and during that period leave the President to his devices under the escape clause. This means simply that the Congress in this field has become an adornment of the democratic process, as valuable as some relic suitably engraved for display in a museum.

If the President during this 4-year period continues to exercise his power of review over Tariff Commission recommendations as he has to date, and in the same sweeping fashion takes in the whole field of the domestic economy, as he has done, including the welfare of consumers, of exporters, and that of the applicant industry itself, in addition to the possible effects on foreign relations and the national security, the whole function of government in the sector of tariffs and trade will have been concentrated with unrelieved finality in the hands of the President. The power of the President will have been deployed over all the channels of foreign trade and his action will be the law. The citizens who are injured by import competition will have nowhere to turn and in point of practical effect will have been disfranchised.

Obviously what needs to be done involves a correction of this landslide of power under which much of our domestic industry, the workers employed by it, no less than domestic agriculture, will be smothered.

The corrective action, in turn, involves no more than the recognition of constitutional principles, the true nature of the escape clause, and a sense of simple equity. If, first, the character of the escape clause as a reserved remedy were recognized in practice; and, second, the President's bailiwick were defined so that his actions would not extend beyond his jurisdiction, the difficulty and confusion would be largely eliminated. The Tariff Commission would then speak for Congress in the part of the field that corresponds to the power of that body to regulate foreign commerce and lay and collect duties. It would also give practical effect to the escape clause and the assurances given in its behalf as a reservation against injury.

In all cases in which the Tariff Commission recommended rates no higher than the level from which they had been reduced in a concession, its findings should be binding upon the President. The proposed action of restoring or partially restoring the duty to its preconcession level would be no more than in-

voking the reservation implied in the escape clause. No country could properly complain against such action without alleging error by the Tariff Commission. Any such alleged errors could be brought before a court for proper adjudication.

However, in those cases in which more is involved than restoration of a duty in whole or in part, some other considerations do come into play. If, for example, an import quota is proposed where there was none in the first place, or where a rate higher than the 1934 duty is recommended, new ground is broken, and more than a reservation is invoked.

It would be necessary in such instances to recognize the President's authority in the field of foreign affairs. Modification of the tariff beyond restoration of a previous cut and the imposition of import quotas where none previously existed, do affect foreign relations. These are, of course, also of concern to Congress, but the Constitution vests the power to conduct foreign affairs in the presidency. The President also is directly concerned with the national security in his capacity as Commander in Chief of the Armed Forces.

However, in recognizing the interest of the President in the tariff and foreign trade because of the scope of the general executive powers mentioned, it does not follow that these powers blank out those of Congress, which are specific and in fact are expressly cut out from the scope of the more general powers of the President, such as the conduct of foreign affairs, and vested in Congress. In other words, the Constitution-makers said in effect: "While we vest in the President the power to conduct foreign affairs, we now remove specific parts of this function and put them into the hands of Congress; namely, the tariff and the regulation of foreign commerce"; and the same with respect to any other general authority of the executive that might overlap with these specific functions of the Congress.

Also the President's constitutional power to conduct foreign affairs does not change the rights reserved under the escape clause to withdraw concessions when serious injury has been established by the Tariff Commission. Section 6 of the Trade Agreement Extension Act of 1951 which adopted the statutory escape clause says:

> No reduction in any rate of duty, * * * or other concession hereafter proclaimed under section 350 of the Tariff Act of 1930, as amended, shall be permitted to continue in effect when the product on which the concession has been granted is, as a result, in whole or in part, of the duty or other * * * such concession, being imported into the United States in such quantities * * * as to cause or threaten serious injury to the domestic industry.

A proper division of powers under the escape clause between the President and the Congress would require rendering unto Caesar what is Caesar's and no more.

From the foregoing exposition it follows that—

First. The Tariff Commission findings should be final and binding upon the President if the recommendation of the Commission did not call for more than restoration in whole or in part of a tariff rate previously reduced or did not otherwise propose any restriction greater than had been effective before the concession.

This would recognize the original reservational character of the escape clause, that is, action under the clause could only be construed as a remedial step to correct an error or some unforeseen development.

If other countries should protest our withdrawal of a concession, compensatory concessions might be negotiated with them; provided (a) that reciprocal concessions were in fact obtained in return for our concession when the trade agreement was negotiated; (b) that any such concessions have not been nullified by the other countries through imposition of other restrictions, such as import licenses, quotas, and so forth; and (c) that other products suitable for compensatory concessions can be found without subjecting them in turn to injury.

Second. If the Tariff Commission's recommendation should call for a duty higher than the rate of 1934 or its ad valorem equivalent today, or an import quota or other customs treatment more restrictive than was in effect before a trade agreement concession was granted on the product, the President's right to reject such a recommendation if he found it objectionable in the field of his jurisdiction, should be recognized.

If under these circumstances the President undertook to reject a recommendation on the grounds that it would interfere with his power to conduct foreign affairs he must find as a fact and certify that promulgation of the recommendation would disrupt friendly relations with specified countries because of specified results of a duty increase or the imposition of an import quota. No mere assertions that such results would follow would be sufficient. Convincing evidence must be cited, showing the adverse effects that would befall the economy of the principal supplying countries if our imports of the product in question were limited as proposed by the Tariff Commission.

For example, the President might be called upon to show (a) that the product in question represents an appreciable segment of the economy of one or more of the countries shipping it to us; (b) that exports of the product represent an important part of the output of the product in one or more of the producing countries; and (c) that exports to the United States account for a large part of total exports of the product.

With respect to the domain of the national security as it might be affected by escape clause restrictions, the President, under the circumstances set forth under paragraph second, immediately above, might reject a recommendation of the Tariff Commission if he found that its promulgation would prevent the United States from obtaining a quantity of the product in question sufficient for the maintenance of the proper military defense of the country. Again, within the limits of national security regulations, the President must do more than merely assert a conclusion. He must cite substantiating evidence to sustain such conclusion.

Should the President not find the Commission's recommendation objectionable on one or both of these two counts—under the conditions set forth under paragraph second above—he would proclaim the Tariff Commission's recommendation unmodified and within the time limit set by Congress.

If these guidelines were followed most, if not all, the objections that have been lodged against the escape clause administration during the past 10 years would be overcome. The President would refrain from entering the domains of Congress as represented by the Tariff Commission in rejecting the Commission's recommendations and would not cite considerations of the domestic economy, consumer interest, export promotion, and similar elements, including economic speculations, that do not, in the field of tariffs and trade, pertain to his office, but are strictly in the jurisdiction of Congress and in fact have not been delegated, if indeed they could be.

The escape clause would be restored to its original and logical concept and the province or jurisdiction of both the Congress and the President would be recognized and respected, and that is as it should be.

PART II: ESCAPE CLAUSE ASSURANCES AND INTERPRETATIONS BY THREE PRESIDENTS, THREE SECRETARIES OF STATE, AND OTHER OFFICIALS OF THE GOVERNMENT FROM 1934 TO 1958—A PARTIAL REVIEW OF HEARINGS BEFORE THE SENATE FINANCE COMMITTEE AND THE HOUSE WAYS AND MEANS COMMITTEE ON TRADE AGREEMENTS LEGISLATION

PRESIDENTIAL ASSURANCES SINCE 1934 ON INJURY AND ON THE ESCAPE CLAUSE

The Trade Agreements Act was first passed in 1934. Franklin D. Roosevelt was then President. In his message to Congress recommending the trade agreements legislation, he said:

"The exercise of the authority which I propose must be carefully weighed in the light of the latest information so as to give assurance that no sound and important American interest will be injuriously disturbed. The adjustment of our foreign-trade relations must rest on the premise of undertaking to benefit and not to injure such interests."

On June 15, 1934, in a letter to Representative Buck, of California, President Roosevelt again expressed himself in a manner reassuring to domestic industry:

"I am somewhat surprised and a little amused at the fears you say have been aroused in California because of the enactment and possible administration of the Reciprocal Trade Agreements Act. Certainly it is not the purpose of the administration to sacrifice the farmers and fruitgrowers of California in the pursuit of the will-o'-the-wisp of foreign markets, as published reports would make believe. I trust that no Californian will have any concern or fear that anything damaging to the fruitgrowers of that State or of any other State will result from this legislation."

These quotations show the early concern over import injury. The statements were clear and without evasion. Let us see what subsequent expressions reflect.

President Harry S. Truman wrote as follows in a letter to Speaker of the House SAM RAYBURN, May 25, 1945. This was on the occasion of a proposed renewal of the Trade

Agreements Act with authority for further 50-percent tariff reductions:

"I have had drawn to my attention statements to the effect that this increased authority might be used in such a way as to endanger or 'trade out' segments of American industry, American agriculture, or American labor. No such action was taken under President Roosevelt and Cordell Hull, and no such action will take place under my Presidency."

This shows conscious continuity from one administration to the next, i.e., from the Roosevelt administration to that of Mr. Truman.

Again, President Truman, on March 1, 1948, addressed a letter to the Congress calling for another 3-year extension of the Trade Agreements Act. In this letter he said:

"Furthermore, we need have no fear of serious harm to any domestic producer. * * *

"I assured the Congress, when the Reciprocal Trade Agreements Act was extended in 1945, that domestic producers would be safeguarded in the process of expanding trade. That commitment has been kept. It will continue to be kept. * * * Finally, each agreement will continue to include a clause which will permit withdrawal or modification of concessions if, as a result of unforeseen developments and of the concessions, imports increase to such an extent as to cause or threaten serious injury to domestic producers." (Testimony before Subcommittee on Tariffs and Foreign Trade of the Committee on Ways and Means on the trade agreements program, May 1948, p. 5.)

The third President since 1934, Mr. Dwight D. Eisenhower, expressed himself as follows in a letter to Speaker JOSEPH W. MARTIN, Jr., on the occasion of House action on H.R. 1, February 18, 1955:

"No American industry will be placed in jeopardy by the administration of this measure. Were we to do so, we would undermine the ideal for which we have made so many sacrifices and are doing so much throughout the world to preserve."

In an address before the Associated Press at the Waldorf Astoria on April 25 of the same year Mr. Eisenhower spoke as follows:

"Reductions in tariffs and other trade barriers both here and abroad must be gradual, selective, reciprocal. Changes which would result in the threat of serious injury to industry or general reduction in employment would not strengthen the economy of this country or the free world. The trade measures that I have recommended to the Congress were prepared in recognition of these important facts."

President Eisenhower in a speech on the "Trade Agreements Program," printed by the Department of State as Commercial Policy Series 168 and also in the Department of State Bulletin (April 4, 1958), said:

"So in order to dispel honest doubts about the reciprocal trade legislation's great value to the entire Nation, we should first hammer home the fact that safeguards in the law are being strengthened to cope with uneven impact of import competition."

These expressions from President Eisenhower reaffirm the principle, enunciated by his two predecessors, of safeguarding domestic industries, domestic agriculture and labor against serious injury from imports. In other words, there has been no change in enunciated policy in this respect.

That this policy was profoundly sincere from the outset was made all the more evident when certain procedures were established to make sure, both beforehand, i.e., previous to entry into any trade agreement, and afterward, i.e., after entering into any such agreement, that no serious injury would be inflicted on domestic industry.

By Executive Order 6750 dated June 27, 1934, it was provided that before a trade agreement was entered into public hearings must be held by a committee representing the various Government departments having competence in the field. This was to afford all interested parties an opportunity to appear, to give evidence and to be heard. The evidence so gathered was to serve as a guide to the official negotiating teams representing the United States in tariff-cutting conferences with other countries. Presumably, acting by such guidance, our negotiators would be able to avoid infliction of future injury on the industries that would be affected by contemplated tariff reductions. The committee became known as the Committee for Reciprocity Information or CRI.

The avowed purpose was to avoid costly mistakes by taking a look before leaping.

At the same time the early bilateral agreements had built-in escape hatches of their own. This practice was formalized in the standard escape clause introduced initially in the trade agreement with Mexico, January 1943, and subsequently placed in all others. This device was adopted for the purpose of providing a remedy against injury from imports after the fact, so to speak, i.e., after a trade agreement had been made. Later the escape clause was also placed in the General Agreement on Tariffs and Trade signed in Geneva October 30, 1947.

In other words, procedurally elaborate trappings were provided for the assurance of freedom from serious injury.

HEARINGS IN 1934 BEFORE HOUSE COMMITTEE ON WAYS AND MEANS MARKING THE INITIAL STEP IN TRADE AGREEMENTS LEGISLATION

The policy against causing injury to domestic industries through the trade agreements program was given expression in the first Presidential message to Congress recommending adoption of the program.

President Roosevelt in a message to Congress, recommending enactment of trade legislation, said in part:

"The exercise of the authority I propose must be carefully weighed in the light of the latest information there is to give assurance that no sound and important American industry will be injuriously disturbed. The adjustment of foreign trade relations must rest on the premise of undertaking to benefit and not to injure such interests." (Quoted p. 458, hearings on reciprocal trade agreements before House Committee on Ways and Means, March 8–14, 1934.)

Secretary of State Cordell Hull, the first witness in the hearings just cited, i.e., the first one held by Congress on the subject, said:

"But in any event, whatever our Government may do in negotiating reciprocal trade arrangements, it will first see to it that they are mutually profitable and that they are not negotiated in a way that would result in injury or hurt to our own country." (Hearings, Ways and Means Committee, March 1934, on reciprocal trade agreements, p. 23.)

Again, on page 24 of the same hearings he repeated the same assurance, several times. At one place he said:

"But our purpose is to make a beginning by picking out one item very carefully here, another commodity over there very carefully, which, as is said, can be made the basis of an interchange in a mutually profitable way, so that instead of anybody being injured, the American people would be helped."

Assistant Secretary of State Francis B. Sayre in the same hearings (p. 342) gave the same assurance:

"We are proposing something that * * * while enhancing general prosperity is not going to be unduly injurious to any individual industry."

On page 344, he continued:

"I want the American people and the American public cared for * * * the State Department has that matter in very careful consideration and is trying to see whether it is possible to work out some kind of an arrangement which will not prove injurious to American producers, through seasonal or other kinds of arrangements."

On page 345, in answer to a question from a member of the committee, he repeated his assurance:

"The State Department exists, in my conception, to promote American interests, not to injure them."

Chairman Doughton of the Ways and Means Committee spoke as follows (hearings, p. 469):

"The impression seems to be that the President of the United States with the various agencies he can call to his assistance, would just go in and barter away, some say, or as some others say, obliterate American industry.

"Now, do you not have confidence enough, and are we not all justified in having confidence enough in the President of the United States with the agencies at his command, to work out this legislation, if this legislation (trade agreements bill) is passed, without injury to the welfare of the American people and American industry?"

HEARINGS IN 1934 BEFORE THE SENATE FINANCE COMMITTEE ON THE TRADE AGREEMENTS PROGRAM

Secretary Hull repeated his assurances about care against injury to American industry:

"That is the point I make about it, and the last thing that the President would want to do would be to injure business" (p. 16, hearings, Senate Finance Committee on Reciprocal Trade Agreements, April, May 1934).

In the same hearings Secretary Hull said (p. 23):

"If you want to reject this proposal, on the speculative possibility that somebody will purposely injure another, why, of course, that is not for me to comment on."

Mr. Sayre, Assistant Secretary of State, had this to say in an exchange with a member of the Finance Committee (p. 72):

"I am not for eliminating tariffs, as I said at the very outset. We have got to stand on our feet here as reasonable men. I know it is not in the contemplation of the present President, nor of any member of the administration, to go out and wreck industries. I think it is perfectly chimerical to suppose that the President, or anyone with the responsibility of acting under the authority which we hope you gentlemen will give us under this bill, is going to set out to wreck industries. Not for a moment."

On page 78, same hearings Mr. Sayre was explicit. He said:

"It is a proceeding which will mean finding bargains which will prove to advantage to foreign trade, without undue injury to American producers. Now, those responsible for this program will have * * * a real problem of finding just how trade can be increased, without undue injury to American producers.

"I have studied the problem enough myself to be convinced that we can secure a substantial increase of foreign trade without injury.

* * * * *

"The object is to increase our exports without increasing those kinds of imports which will work undue injury to American domestic producers."

HEARINGS IN 1943 BEFORE THE HOUSE WAYS AND MEANS COMMITTEE

Secretary of State Cordell Hull, in testifying on April 12, 1943, on the Extension of the Reciprocal Trade Agreements Act before the House Committee on Ways and Means, referred to the precautions taken to avoid injury (p. 17, hearings):

"Up to this time, nobody has been seriously hurt in this country by these readjustments (tariff reductions). Every precaution is provided in advance to take care of any un-

expected development that might be injurious or materially hurtful to any of our industries."

The Honorable Francis B. Sayre, special assistant to the Secretary of State, appearing before the Ways and Means Committee, April 15, 1943, spoke as follows (p. 216, Hearings on Extension of Reciprocal Trade Agreements Program):

"Now, our object in adjusting tariffs is to find ways and means for securing concessions, and trading off for them reductions in our own tariffs in such a way that we do not injure our domestic producers."

On page 229 of the same hearings, Mr. Sayre said:

"We consider that our mandate is only the granting of such concessions as can be done without injuring domestic producers."

On page 230 he adds:

"May I say * * * that the Tariff Commission does, in fact, gather the facts and make recommendations (i.e., preceding a trade agreement) as to such concessions on imports into the United States as it thinks could safely be made without injuring American domestic producers. * * *

* * * * *

"It isn't a matter of theory. It is a matter of practical, hardheaded, brass-tack determination of, 'Can we increase American exports without unduly injuring American producers.' "

On page 245 Mr. Sayre said:

"The difficulty has been (in dealing with Australia, New Zealand and South Africa), and will be, our careful concern of American producers. We run there into various competitive goods. It is a difficult problem. We are not going to go ahead unless we find a way of doing so without injuring American producers."

Mr. Lynn Edminster, Vice Chairman, the U.S. Tariff Commission, in his testimony before the same committee on April 16, 1943, said (p. 307):

"This is indispensable [thorough assembly and analysis of facts] * * * from the standpoint of making certain that the concessions granted to other countries will not result in serious injury to the domestic producers immediately concerned."

On page 312, Mr. Edminster, continuing on the same subject, said:

"And while they [the men who work on the trade agreements program] are not infallible, there ought to be a strong presumption that the decisions arrived at under the process * * * described are responsible and wise decisions in all of the circumstances.

"Nevertheless, there is ample opportunity, under the program, to deal with situations not foreseen at the time of the negotiations and to remedy any mistakes that may be made."

HEARINGS IN 1945 BEFORE THE HOUSE WAYS AND MEANS COMMITTEE, APRIL AND MAY 1945

Mr. William L. Clayton, newly appointed Assistant Secretary of State, testified in place of Edward R. Stettinius, Jr., Secretary of State. The latter said of Mr. Clayton (p. 11 of the hearings) that the primary responsibility for trade agreements rested with Mr. Clayton, who was in charge of the economic division of the Department. Said Mr. Clayton (hearings, p. 19):

"It is important that the Congress be satisfied that the machinery for the construction of these trade agreements is designed to eliminate every foreseeable source of error and to reduce to the absolute minimum the chance that an agreement may work an injustice on some American producing or consuming group."

HEARINGS IN 1948 BEFORE HOUSE COMMITTEE ON WAYS AND MEANS SUBCOMMITTEE ON TRADE AGREEMENTS EXTENSION BILL

Mr. William L. Clayton, former Under Secretary of State, but in 1948 adviser to the Secretary of State, under whom the trade agreements program was administered for several years, spoke as follows about the Executive order that contained the escape clause (hearings, pp. 416–417):

"That Executive order was issued as a result of and following several conferences which I had with Senators Vandenberg and Millikin in January and February 1947, just prior to the departure of the United States delegation to the conference at Geneva [the conference that resulted in the General Agreement on Tariffs and Trade] * * *.

* * * * *

"Part I of the Executive order provides for the so-called escape clause. That is very simple, Mr. Chairman, and I think one that is very workable and very effective for the purpose for which it was adopted.

* * * * *

"I submit, Mr. Chairman, that in my opinion that is a very effective means of giving relief to producers who have been injured or who are able to show that they are seriously threatened with injury."

With respect to diplomatic considerations that might enter into trade agreement concessions, Mr. Clayton had a very definite opinion (same hearings, p. 437):

"There is just one final point that I would like to make with reference to the administration of the act, and that is that the charge has been made that these agreements are often made, and concessions are often granted, as to our import duties, for political or diplomatic reasons. I can assure you gentlemen that during my stay in the State Department I have known of no single case in which that has been done.

"We make these agreements purely on economic grounds in order to try to increase the international trade of the United States."

Mr. Charles F. Brannan, then Assistant Secretary of Agriculture, also testifying before the House Ways and Means Subcommittee on the trade agreements program, May 6, 1948, page 285 of the hearings, said:

"It has been a basic policy to avoid injury to established domestic producers, whether industrial or agricultural. Moreover, on the basis of experience under the program * * * there has been worked out a method for dealing with cases of unforeseen threat of injury to a domestic industry. This now insures completely against the possibility, even after making duty reductions only with great caution, of a disruption of American farm markets by excessive imports of agricultural products. The protection now takes the form of the so-called escape clause."

HEARING IN 1948 BEFORE THE SENATE FINANCE COMMITTEE, SAME SUBJECT, JUNE 1958

Mr. William L. Clayton was also the leading Government witness before the Senate Finance Committee in 1948. His testimony was given after the General Agreement on Tariffs and Trade (GATT) had gone into effect, i.e., January 1948. In a formal statement discussing the precaution with which trade agreements were negotiated, Mr. Clayton (p. 17, hearings, June 1, 1948) said:

"However, safeguarding procedure does not end there; we also have the escape clause which permits withdrawal of any concession which endangers a domestic industry. Such withdrawal can be unilateral, if necessary, and may occur in case of threatened as well as actual injury if imports under a concession increase as a result of unforeseen circumstances. Designed to be operated by the Tariff Commission reporting directly to the President, it offers a prompt and sure remedy always available when needed."

On pages 23–24 of the same hearings appears the following interchange between the chairman and Mr. Clayton:

"The CHAIRMAN. Has not the President said that there would be no injury to American industry?

"Mr. CLAYTON. He has said that if it is shown that any concession does injury to any American producer or threatens injury, there is a way by which that producer can get redress.

"The CHAIRMAN. Did he not give affirmative assurance and did not the State Department give affirmative assurance in hearings which have been held on this subject that no American industry would be injured?

"Mr. CLAYTON. That is right, and we put in the escape clause to make sure that was carried out.

* * * * *

"The CHAIRMAN. If you cannot determine that (i.e., injury, prior to a trade agreement), Mr. Clayton, why make an agreement? Why, after promising that no industry will be injured, do you speculate with your promise?

"Mr. CLAYTON. We don't speculate, Mr. Chairman. We put in an absolute condition which will guarantee the performance of that promise, which is the escape clause."

Another interchange on the same subject may be found on page 31 of the hearings:

"The CHAIRMAN. The State Department and the President have assured domestic industry against injury as a result of these agreements. You are changing that under your latest statements here, that we shall assure American industry against injury except as to certain calculated risks.

"Mr. CLAYTON. No, sir. The only possible way that we can insure, that the Government can insure, that the administration can insure domestic producers they would not be injured by action taken under the Reciprocal Trade Agreements Act is through the operation of the escape clause, unless you want to say we are going to make tariffs 200 or 300 percent of the value of the commodity."

On page 32 of the same hearings Mr. Clayton said:

"If under the Executive order of February 25, 1947 (establishing the escape clause), an American producer makes out a good case for his complaint that he is being injured or threatened with serious injury and the Tariff Commission could so find. I think the President must give relief, regardless of what may happen in the agreement."

Then again on page 33, the interchange is as follows:

"Mr. CLAYTON. The point is, Senator, and I go back to it and I contend that I am right, that under this Executive order of February 25, 1947, relief has to be given and will be given to an American producer who makes out a good case.

"The CHAIRMAN. Regardless of what the repercussion might be?

"Mr. CLAYTON. Yes, sir. I think it will."

On page 40 Mr. Clayton, in answer to the chairman's comment on the consequences of failure to safeguard domestic industry, says:

"I think that movement into action promptly under the escape clause to correct any bad judgment that has been made and prompt action will be taken."

On page 52, remarking upon the difficulty of finding the peril point Mr. Clayton replied to the chairman:

"We don't profess to have any sure way of finding it (i.e., the point below which a duty could not be cut without causing injury), Mr. Chairman. We don't attempt to find it with absolute certainty, because we know we can't. But what we do say is that if these are those cases where we take some calculated risks in order to achieve an overall desideratum, and we find we are wrong, we have a protection here in the escape clause, so the mistake, if it occurs, can be corrected."

On page 477, in response to apprehension expressed by a committee member, Mr. Clayton replied:

"Of course, we always have the escape clause if it should develop that these companies are being seriously endangered by

falling demand, coincidental with big imports from abroad. The escape clause is always a means of taking care of that."

The Chairman of the U.S. Tariff Commission, Mr. Oscar B. Ryder, also testified before the Senate Finance Committee in 1948. He testified on June 2 and his testimony begins on page 107 of the hearings on "Extending Authority to Negotiate Trade Agreements." On page 122 these questions and answers were exchanged:

"Mr. RYDER. If in my judgment the probability were strong that a reduction of 30 percent would result in serious injury to an important domestic industry, I would be inclined to vote against going that far.

"The CHAIRMAN (Senator Millikin). You would not trade that against an export advantage?

"Mr. RYDER. No; I would not be inclined to do so."

On page 133 Mr. Ryder spoke of the escape clause as follows:

"Mr. RYDER. I had something to do with the drafting of the escape clause as it was originally drafted, and put in the Mexican agreement. It was drafted because of the very obvious difficulty of foreseeing what would be the situation at the end of the war. * * *

"Manifestly, what looked safe then now might in conditions after the war be entirely unsafe. So in solving that problem, we hit upon, at my suggestion, the present escape clause which is written into the Mexican agreement."

HEARINGS IN 1955 BEFORE THE SENATE FINANCE COMMITTEE ON TRADE AGREEMENTS EXTENSION, MARCH 1955

Secretary of State Dulles testified before the Finance Committee and the question of the escape clause arose. Questions and answers were as follows (hearings, pp. 1256–60):

"Senator MILLIKIN. I would like to ask the Secretary: Does he believe in the provisions of the Trade Agreements Act which state that there should be no serious injury to domestic industry?

"Secretary DULLES. I don't know that one could take that as an absolute criterion. Certainly it is a very important one.

"Senator MILLIKIN. The law says that. That is what the law says.

"Secretary DULLES. You asked, I thought, my opinion as to whether you could take as an absolute criterion the rule that there should be no imports if they involve injury to American industry. I wouldn't be able to agree with that.

* * * * *

"Senator MILLIKIN. May I read the provision from the law. I am reading from section 6(a) of the existing law:

" 'No reduction in any rate of duty * * * or other concessions * * * shall be permitted to continue in effect when the product on which the concession has been granted is, as a result * * * of the duty or other customs treatment reflecting such concession being imported into the United States in such increased quantities * * * as to cause or threaten serious injury to the domestic industry producing like or directly competitive products.'

"I don't know of any exception to that provision. The provision itself seems very clear to me.

"Secretary DULLES. That is the so-called escape clause you are reading there.

"Senator MILLIKIN. Yes. * * *

"Secretary DULLES. I would agree with that. Perhaps I misunderstood your earlier question. Could we operate this law without injury to American industry? I don't believe we can operate this law without some injury to some American industries.

* * * * *

"Senator MILLIKIN. I think that is the heart of the criticism of this law, that it is believed that we can injure American producers if, for some international purposes, it will better our foreign relations, or we think it will better our foreign relations, and I wonder what the authority for that attitude is.

"Secretary DULLES. It is my understanding that the so-called escape clause is not designed to protect from injury every particular element in American industry. I believe that there has been some question about amending it so as to make it read that way.

* * * * *

"Senator MILLIKIN. The law says—it refers to goods being imported into the United States in such increased quantities * * * as to cause or threaten serious injury to the domestic industry producing like or directly competitive products.

"Secretary DULLES. I think that is interpreted, sir—I am not a great expert on these matters—to mean injury to an industry as a whole and not necessarily injury to every particular concern in that business.

"Senator MILLIKIN. I think the result of that, Mr. Secretary, is that if you are a small fellow making one product and are injured, it might apply to him, but if you are a large fellow making several products, making money on the whole, it might not apply to that part of his business because he is making money on the whole business. * * *

"Secretary DULLES. I do recognize that the competition, whether it is domestic or foreign, does injury, and it injures, first, the weaker and less economical units in an industry.

"Senator MILLIKIN. Yes.

"Secretary DULLES. That is just a law of economic life. I don't believe we can get away from it.

* * * * *

"Secretary DULLES. * * * I do not think you can have imports without some damage, and if your rule is that you will not have imports or tariff reductions or sustain them if there is damage to anybody, then I think it becomes automatically unworkable.

"Senator MILLIKIN. I invite the Secretary's attention to the fact that the law doesn't say that.

"Secretary DULLES. I may be wrong in my interpretation of the law. All I can say is if the law means what the Senator suggests that it means, then I am quite sure that the President will carry it out, because the President is the most law-abiding person I know of.

"Senator MILLIKIN. That raises a question: What does the law say? The law says that no business shall be injured, and I assume the President will carry out the provisions of the law.

* * * * *

"Senator MILLIKIN. Let's assume a case. Let's assume that an industry, generally speaking, is seriously injured.

"Do you believe that under some international circumstances the injury shall be allowed to take place?

"Secretary DULLES. I do not believe that under those circumstances, that under the law, the President would have discretion to commit the serious injury to an industry, as a whole.

"Senator MILLIKIN. I mean a particular industry in a particular line of business.

"Secretary DULLES. Yes.

"If there was an industry as a whole * * * I think it would be very difficult for the President not to take action. * * *

"If there was a minor injury, or if it only related to small segments of the industry, then I think the law does not prohibit the action.

* * * * *

"Senator MILLIKIN. What I am driving at: Let's assume serious injury——

* * * * *

"Secretary DULLES. All right.

"Senator MILLIKIN. Under that kind of a case, would the President have the power, or anybody have the power, to disregard the injury if continuing that injury will serve our international purposes?

"Secretary DULLES. I think that under the circumstances the President would take action of some kind to remedy the injury, if in his judgment serious injury existed."

With respect to the importance attached by Secretary Dulles to an "industry as a whole" being injured before the escape clause could be invoked, it may be recalled that he said there was "some question about amending it (the law) so as to make it read that way" (i.e., segments or elements of an industry rather than an industry as a whole).

This was done with the very bill about which the Secretary was then testifying. In other words, the law was amended to make it clear that injury need not extend to a whole industry in order that relief might be had under the escape clause (sec. 6(b), Trade Agreements Extension Act of 1955).

On page 2062 of the 1955 hearings, extensively quoted from hereinabove, Secretary Dulles responded to the chairman of the Finance Committee, Senator BYRD, saying:

"Secretary DULLES. In other words, we have gotten the agreement of all the countries to the effect that when we give them a tariff concession we can always get out of it through the operation of the escape clause; we have made the escape clause a multilateral undertaking instead of just a unilateral undertaking."

On page 2079 Mr. Dulles expressed himself on the position of the President with respect to the escape clause:

"Senator MALONE. The President * * * has the full authority as far as the escape clause is concerned, regardless of what the Tariff Commission or any other agency that you might consult might say. He is the sole judge as to whether the escape clause is to be invoked or not; is he not?

"Secretary DULLES. Yes, sir.

* * * * *

"Senator MALONE. These are important points because we have been led to believe through various comments and statements made by witnesses and others, over a period of years, that there is always a sure way out, that nobody would be injured.

"But the President is the judge of whether or not the good done the entire country for the improvement of foreign relations, or for the improvement of relations between industries in this country, justifies invoking the escape clause or the peril point, regardless of what the Tariff Commission says.

"Secretary DULLES. Yes."

HEARINGS IN 1958 BEFORE THE SENATE FINANCE COMMITTEE ON TRADE AGREEMENTS ACT EXTENSION, JUNE 1958

Secretary of Commerce Sinclair Weeks was the principal spokesman for the executive branch before the congressional committee in 1958 when the trade agreements program was once more considered for extension. The policy of no serious injury to domestic industry was continued, as a few quotations from the testimony before the Finance Committee will demonstrate.

On page 81 of the 1958 hearings Mr. Weeks in his written statement said:

"It is proposed not only that the peril point and escape clause procedures and safeguards for American industry and labor in the present law be continued, but also that the safeguards be strengthened.

On page 82 the Secretary of Commerce elaborated as follows:

"There are two broad types of problems against which we all agree safeguards are needed. The first is the possibility of serious injury to individuals or segments of industries. This is the problem of commercial injury.

* * * * *

"Our safeguards against commercial injury are of two kinds. One, the peril point procedure is designed to * * * avoid making tariff concessions which will threaten commercial injury. The other is a remedial provision—the escape clause—designed to give individual firms and industries a procedure for seeking a remedy where concessions do, as a result of unforeseen circumstances, create such injury."

In a reference to the European Economic Community (Common Market) the Secretary of Commerce spoke of negotiating tariff reductions with it. On page 86 of the hearings he observed:

"When these rates (Common Market tariffs) are known, we in this country will have to work out our list of possible United States concessions painstakingly and carefully, to insure that we screen out any which might threaten serious injury to any United States industry."

On page 88, he added:

"A Secretary of Commerce, if he is to do an honest job, must do what he can to provide protection both for the company and the worker who make products for export and the company and the worker who compete with the foreign producer."

On page 131 an exchange took place between Senator LONG, of Louisiana, and the Secretary of Commerce:

"Senator LONG. But on the other hand, where you have got a domestic industry that is having a very hard time of it, and it is getting the worst of it, * * * perhaps we should give more protection than we are giving.

* * * * *

"Secretary WEEKS. I think that industry should be protected against severe injury, and the President has so stated in the last 4 or 5 years, several times to the Congress, in letters to individuals, that he does not intend to see any industry in jeopardy or severely injured."

On page 134 the Secretary of Commerce reiterated the view so many times expressed by other officials:

"I think that if a given industry is faced with disastrous competition, the administration's program is to see that it is not placed in jeopardy."

OPINIONS OF SUPPORTERS OF THE TRADE AGREEMENTS PROGRAM ON ESCAPE CLAUSE REMEDY

The notion that the escape clause offers a true remedy to domestic industry that is seriously injured or threatened by imports has persisted among those who have no doubt been impressed by the Presidential and other official assurances of the availability of a remedy.

Testimony given in various public hearings by a variety of nongovernmental witnesses who support the trade agreements program indicates how widespread the notion has become.

The hearings before the House Ways and Means Committee, May 3–8, 1948, on the trade agreements program produced the following statements, excerpted from oral or written testimony:

W. R. Ogg, the American Farm Bureau Federation (also a supporter of the program) in his statement said (p. 252 ff.):

"The reciprocal trade program is one of the practical tools that can be used to promote trade without unduly disrupting our domestic industries.

* * * * *

"One of the safeguards is the so-called escape clause, which should be included in all trade agreements.

* * * * *

"We favor a gradual reduction (of tariffs) * * * where it can be done without injury to our interests. Certainly we would not favor reducing a tariff that would put us out of business or seriously injure domestic industry."

Charles P. Taft, testifying in support of the trade program, said the following (pp. 295 ff.):

"The statement made by Mr. W. L. Clayton on many occasions 3 years ago was that this program had been and would be so administered as to cause no substantial injury to any American industry of any importance."

Mr. Russell Smith, legislative secretary, National Farmers Union, testified as follows (p. 308):

"It should be mentioned that the so-called escape clause does not appear in trade agreement legislation. (This testimony was in 1948. Escape clause legislation was enacted by Congress in 1951.) From the first, however, the trade agreements program has been conducted with appreciation of the need, not only for preventing injury to any industry in the granting of reduction of duties, but also for having an escape of some sort in case unforeseen developments might cause injury to an industry affected by a concession granted.

"Reliance was placed not only on general annulment provisions but also on specific safeguards. * * *

* * * * *

"Experience with these safeguards indicated the need for a more specific escape of the type now generally employed. The language of the present escape clause was first employed in the agreement concluded with Mexico in 1943. * * * Executive Order 9832 of February 25, 1947, made it mandatory that the clause be included in all future agreements."

Morris S. Rosenthal, president, National Council of American Importers, spoke in a similar vein (p. 325):

"Executive Order No. 9832 was issued * * * Senators Vandenberg and Millikin * * * participated in the meeting with the President, as did Under Secretaries of State Acheson and Clayton, thereby assuring the bipartisan nature of the order. The Executive order was important in that it provided for an escape clause."

Mr. Earl O. Shreve, president, Chamber of Commerce of the United States, also testified. His testimony begins on page 215 of the 1948 hearings before the Committee on Ways and Means. He stated that the chamber's policy was adopted in 1946 on the subject of Trade Agreements. Among other things it said (p. 217):

"There should be appropriate safeguards * * * and clauses in the agreements providing, in case of unforeseen developments, for the modification or withdrawal of concessions, in order to prevent serious injury to domestic producers. Neither in the original form nor in practical application by reason of events that were not contemplated should agreements be permitted to cause destructive competition in American agriculture or industry."

The National Foreign Trade Council was represented at the hearings by Mr. William S. Swingle, executive vice president. On page 169 of the hearings he said:

"Such an escape clause (referring to the escape clause contained in the General Agreement on Tariffs and Trade) provides a much more realistic device for protecting American industries from harmful competition from foreign concerns in the American market than would be afforded by * * * (the peril point then proposed by legislation). All such investigations (under the peril point procedure) and recommendations by the Tariff Commission prior to negotiation of a trade agreement must of necessity be rather speculative in character, since so many variable and unknown factors would be involved in such investigations."

R. M. Hollingshead Corp. (pp. 519–520 of the hearings):

"Adequate safeguards, against misuse of the tariff authority are contained in the act and satisfactory provisions are carried out in administration of the program to redress any injury that changing conditions might inflict on domestic industry.

* * * * *

"Escape clause in all agreements gives adequate protection to any American industry fearful of being harmed: All American industries are assured that the administration of the act will not harm them. They are given the opportunity, upon being harmed, to request immediate relief."

Spokesmen for the San Francisco Chamber of Commerce informed the committee as follows (p. 522 of the hearings):

"The inclusion of so-called escape clause provided for in the Executive order issued February 25, 1947, by the President guarantees adequate protection to domestic industry against destructive competition from foreign goods, with the Tariff Commission given authority to administer this provision."

W. L. Batt, former president of SKF Industries, said (p. 524):

"We think the safety measures provided will insure against material damage to American industry."

The vice president of Grace Lines, Inc., said (p. 528):

"Escape clauses and negotiation machinery give ample outlet for special cases."

Wilbur-Ellis Co., large San Francisco importers, said much the same (p. 529):

"Individually negotiated reciprocal trade agreements give much-needed impetus to our own import trade and at the same time, by the provision of escape clauses, protect our domestic economy and domestic producers."

Mr. Alger Hiss, former president, Carnegie Endowment for International Peace, testified before the Senate Finance Committee, June 2, 1948, on H.R. 6566 (trade agreements extension bill) making a statement in behalf of the Citizens' Committee for Reciprocal World Trade. First he inserted a statement of Mr. Gerard Swope, former president, General Electric Co., into the record.

In Mr. Swope's statement reference is made to the procedures followed under the trade agreements program. He said (p. 177):

"These procedures are thoroughly democratic in providing public hearings at which interested parties can present not only their facts but even their fears; * * * and in making assurance doubly sure by providing an 'escape clause' under which relief is mandatory, after Tariff Commission study and recommendations, for even the threat of injury to a bona fide domestic interest."

Here is evidence that someone was sufficiently misinformed to believe that the remedy provided by the escape clause was mandatory. That notion could only have come from State Department publicity, Presidential statements and the like.

Mr. Hiss, in his own testimony, differed from nearly all the other official witnesses. On page 190 of the 1948 hearings is found the following interchange between Mr. Hiss and Chairman Millikin of the Finance Committee:

"Mr. HISS. Senator, the Presidential order to which you refer I think relates to the escape clause solely, does it not?

"The CHAIRMAN. I am not speaking of that. I am speaking of the President's assurance in public speeches and otherwise that the operation of this act would not be permitted to injure any domestic industry.

"Mr. HISS. It seems to me the record has demonstrated that that is the result.

"The CHAIRMAN. Do you accept that as the standard?

"Mr. HISS. Senator, if you mean that in no case would any single American industry be in any way injured by imports permitted through a concession, I would not agree.

"The CHAIRMAN. Serious injury.

"Mr. HISS. I would say any——

"The CHAIRMAN. You still would not agree?

"Mr. HISS. I still would not agree."

Mr. GRAY. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from Illinois.

Mr. GRAY. I take this opportunity to congratulate the gentleman from West Virginia on his forthright statement. He has always been a champion of American industry.

I represent a district in southern Illinois where foreign imports have displaced hundreds of American workers. I know what it means when you open up the trade barriers and allow these foreign imports produced with cheap labor to come in and take the place of products produced by American workmen.

I again want to compliment the gentleman from West Virginia on his diligent effort to try to protect the American worker, and I associate myself with the remarks he has made here.

Mr. BAILEY. I thank the gentleman.

In conclusion, may I say the fact that we passed a 4-year extension of the Trade Agreements Act at the last session of the Congress does not end this fight. So long as I have the pleasure and the privilege of representing an industrial State like West Virginia, so long as I continue to serve them in the Congress, I am going to see to it, if at all possible, that the economy of my State of West Virginia is not ruined by this kind of policy.

Mr. OLIVER. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from Maine.

Mr. OLIVER. I, too, associate myself with the gentleman in the comments and observations he has made this afternoon. I believe he mentioned Maine in several instances. I concur in what he has said; namely, that we, too, are suffering in the textile industry tremendously because of foreign importations. I commend the gentleman on what he has said and associate myself with him.

Mr. BAILEY. I thank the gentleman. I appreciate very much his feeling. I know the problems in the gentleman's State of Maine are somewhat similar to our problems in West Virginia.

Mr. HARMON. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from Indiana.

Mr. HARMON. As all of you know, I am from Indiana. I happen to be with General Motors, the Delco Battery Corp. Unless we have automobile business we do not have too much success in the battery business. Our cities in Indiana have been hurt very much in the past months. We still have much unemployment. I never see a foreign automobile pass down the street but what I think how many of my people are going without food. I wholeheartedly agree with the gentleman from West Virginia that there must be something done, and I agree with everything he has said today.

Mr. BAILEY. I am glad to know about that situation in Indiana. Just as a matter of information, may I state to the gentleman from Indiana that 8 years ago we were employing 125,000 miners in the State of West Virginia. Today we are employing 41,000. While some of that unemployment is due to automation, 50 percent of it is due to the raiding of our soft-coal markets by cheap residual oil with no restrictions on it. Every time I hear some talk about balancing the budget I am going to bring up different items from our trade policies to show that it is costing the United States in loss of import revenues plenty of money to balance the budget. Talk about plugging loopholes, the Committee on Ways and Means should plug some of them in our trade policy.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. LANKFORD (at the request of Mr. GARMATZ), for today and tomorrow, on account of official business.

To Mr. PORTER, for the balance of the week, on account of official business.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. CURTIS of Missouri in three instances and to include extraneous matter.

Mr. QUIE and to include extraneous matter.

Mr. KING of Utah.

Mr. THOMPSON of New Jersey in two instances and to include extraneous matter.

(At the request of Mr. MCCORMACK, the following Members were given permission to extend their remarks and include extraneous matter:)

Mr. HOLTZMAN.

Mr. DOLLINGER in two instances.

Mr. HALLECK and include an article.

Mr. VINSON (at the request of Mr. ALBERT) and to include a resolution adopted by the Committee on Armed Services.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 56 minutes p.m.) the House adjourned until tomorrow, Thursday, January 22, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

393. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, relative to making reference to letters dated September 24, 1958, and November 4, 1958, reporting that the appropriation to the Veterans' Administration for "Inpatient care" for the fiscal year 1959 had been apportioned on a basis indicating a need for a supplemental estimate of appropriation, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

394. A letter from the Acting Administrator, Housing and Home Finance Agency, transmitting a draft of proposed legislation entitled "A bill to extend and amend laws relating to the provision and improvement of housing and the conservation and development of urban communities, and for other purposes"; to the Committee on Banking and Currency.

395. A letter from the Comptroller General of the United States, transmitting the annual report on the activities of the U.S. General Accounting Office during the fiscal year ended June 30, 1958; to the Committee on Government Operations.

396. A letter from the Comptroller General of the United States, transmitting a report on the examination of the Navy contract NOas 53-204 and lease agreement NOy(R)-60218 negotiated with McDonnell Aircraft Corp., St. Louis, Mo.; to the Committee on Government Operations.

397. A letter from the Staff Director, Commission on Civil Rights, transmitting a report prior to restoration of balances, pursuant to Public Law 798, 84th Congress; to the Committee on Government Operations.

398. A letter from the Assistant Secretary of the Interior, transmitting a report that the Pleasant Valley County Water District, of Ventura County, Calif., has applied for a loan, pursuant to section 10 of the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

399. A letter from the Attorney General, transmitting a draft of proposed legislation entitled "A bill to amend section 3238 of title 18, United States Code"; to the Committee on the Judiciary.

400. A letter from the Attorney General, transmitting a draft of proposed legislation, entitled "A bill to amend section 2412(b), title 28, United States Code, with respect to the taxation of costs"; to the Committee on the Judiciary.

401. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation, entitled "A bill to provide a 1-year extension of the existing corporate normal-tax rate and of certain excise-tax rates"; to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BASS of New Hampshire:

H.R. 2962. A bill for the establishment of a temporary National Advisory Committee for the Blind; to the Committee on Education and Labor.

By Mr. BATES:

H.R. 2963. A bill to amend section 46, title 18, United States Code, with respect to transportation of water-hyacinths and seeds; to the Committee on the Judiciary.

H.R. 2964. A bill to provide a method for regulating and fixing wage rates for employees of Portsmouth (N. H.) Naval Shipyard; to the Committee on Armed Services.

H.R. 2965. A bill to amend section 302 of the Soldiers' and Sailors' Civil Relief Act of 1940 with respect to the method of foreclosure of mortgages, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2966. A bill to extend further the periods during which elections may be made under the Uniformed Services Contingency Option Act of 1953 by active members of a uniformed service; to the Committee on Armed Services.

By Mr. BOGGS:

H.R. 2967. A bill to amend section 1371 of the Internal Revenue Code of 1954 to permit stock of a small business corporation which is owned by a husband and wife to be treated as owned by a single shareholder for purposes of determining the number of shareholders of such corporation; to the Committee on Ways and Means.

By Mr. BOW:

H.R. 2968. A bill to amend section 1552, title 10, United States Code, and section 301

of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate; and for other purposes; to the Committee on Armed Services.

By Mr. BOWLES:

H.R. 2969. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

By Mr. BROCK:

H.R. 2970. A bill to provide for the increased use of agricultural products for industrial purposes; to the Committee on Agriculture.

By Mr. BROOKS of Louisiana:

H.R. 2971. A bill to authorize appropriations to the National Aeronautics and Space Administration for construction and equipment, salaries, and expenses, research and development, and for other purposes; to the Committee on Science and Astronautics.

H.R. 2972. A bill to amend title II of the Career Compensation Act of 1949 to provide alert pay for members of the Strategic Air Command; to the Committee on Armed Services.

H.R. 2973. A bill to amend the act of May 20, 1958, to restore the traditional relationship between active-duty pay and retired pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. BROOMFIELD:

H.R. 2974. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

By Mr. BROYHILL:

H.R. 2975. A bill to validate payments of certain quarters allowances made in good faith, and pursuant to agreements by authorized officials, to employees of the Department of the Navy, but which were subsequently determined to be inconsistent with applicable regulations; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 2976. A bill to amend section 1114 of title 18 of the United States Code, as amended, in reference to the protection of officers and employees of the United States by including probation officers of the U.S. district courts; to the Committee on the Judiciary.

H.R. 2977. A bill to amend section 11 of the Clayton Act to provide for the more expeditious enforcement of cease and desist orders issued thereunder, and for other purposes; to the Committee on the Judiciary.

H.R. 2978. A bill to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants; to the Committee on the Judiciary.

H.R. 2979. A bill to amend section 752 of title 28, United States Code; to the Committee on the Judiciary.

H.R. 2980. A bill to provide that the U.S. district judges for the districts of Hawaii and Puerto Rico shall have the same tenure of office and retirement rights as all other U.S. district judges; to the Committee on the Judiciary.

H.R. 2981. A bill to amend sections 373 of title 28, United States Code, so as to authorize retired judges of certain Territorial courts to perform judicial service when designated and assigned; to the Committee on the Judiciary.

H.R. 2982. A bill to fix the official station of retired judges assigned to active duty; to the Committee on the Judiciary.

By Mr. CHENOWETH:

H.R. 2983. A bill to amend the National Labor Relations Act with respect to collective-bargaining contracts which have been in existence for a continuous period of 25 years or more; to the Committee on Education and Labor.

By Mr. CONTE:

H.R. 2984. A bill to provide for the issuance of a series of special postage stamps in recognition of the 1960 Olympic games; to the Committee on Post Office and Civil Service.

By Mr. CUNNINGHAM:

H.R. 2985. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $900 the additional personal income tax exemptions allowed a taxpayer and his spouse by reason of their attainment of age 65; to the Committee on Ways and Means.

H.R. 2986. A bill to provide funds to pay nationals of the United States who have war damage claims against Germany and Japan, without additional direct appropriations therefor, and to amend the Trading With the Enemy Act and the War Claims Act of 1948, as amended; to the Committee on Interstate and Foreign Commerce.

H.R. 2987. A bill to amend the Federal Airport Act to provide that unused State allotments shall not be reallotted, but instead shall revert to the Treasury; to the Committee on Interstate and Foreign Commerce.

H.R. 2988. A bill to amend the Internal Revenue Code of 1954 to provide that the full amount of any annuity received under the Civil Service Retirement Act shall be excluded from gross income; to the Committee on Ways and Means.

By Mr. CURTIS of Massachusetts:

H.R. 2989. A bill to amend the United States Housing Act of 1937 to reduce from 65 to 62 the age at which a single woman can qualify for admission to a low-rent housing project and the age at which a woman can qualify her family for admission to a project designed specifically for elderly families; to the Committee on Banking and Currency.

By Mr. CURTIS of Missouri:

H.R. 2990. A bill to amend the National Housing Act to assist in relieving the shortage of housing for elderly persons and to increase the supply of rental housing for elderly persons. It is the further purpose of this bill to assist in provision of urgently needed construction of nursing homes, renovation, and equipping existing licensed nursing homes for the care and treatment of persons, particularly elderly persons; to the Committee on Banking and Currency.

H.R. 2991. A bill to provide for the garnishment, execution, or trustee process of wages and salaries of civil officers and employees of the United States; to the Committee on the Judiciary.

H.R. 2992. A bill to amend the Internal Revenue Code of 1954 to provide a special method of taxation for real estate investment trusts; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 2993. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. DEROUNIAN:

H.R. 2994. A bill to prohibt certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

H.R. 2995. A bill to make unlawful the mailing of threatening communications with intent to interfere with the execution of Federal or State statutes or court decrees; to the Committee on the Judiciary.

H.R. 2996. A bill to make unlawful the transmission in interstate commerce of certain communications with intent to interfere with the execution of Federal or State statutes or court decrees; to the Committee on the Judiciary.

H.R. 2997. A bill to make unlawful mailing of matter tending to incite crimes of violence; to the Committee on the Judiciary.

H.R. 2998. A bill to amend title 18 of the United States Code relating to threats or injury to Federal officers in the discharge of their duties; to the Committee on the Judiciary.

H.R. 2999. A bill to make unlawful interstate travel to avoid prosecution for willful destruction or damaging of any building; to the Committee on the Judiciary.

By Mr. HERLONG:

H.R. 3000. A bill to amend the Internal Revenue Code of 1954 so as to provide for scheduled personal and corporate income tax reductions, and for other purposes; to the Committee on Ways and Means.

By Mr. BAKER:

H.R. 3001. A bill to amend the Internal Revenue Code of 1954 so as to provide for scheduled personal and corporate income tax reductions, and for other purposes; to the Committee on Ways and Means.

By Mr. DEROUNIAN:

H.R. 3002. A bill to authorize the exclusion from the mails of matter relating to the solicitation of funds for, and the distribution of information relating to, certain unlawful activities; to the Committee on Post Office and Civil Service.

By Mr. DOLLINGER:

H.R. 3003. A bill to permit the absence from duty for a minimum period of 2 hours of certain Federal employees for the purpose of voting in person in certain elections; to the Committee on Post Office and Civil Service.

By Mr. DOWDY:

H.R. 3004. A bill to establish the rules of evidence to be followed for insanity as a defense in criminal prosecutions; to the Committee on the District of Columbia.

By Mr. FASCELL:

H.R. 3005. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

H.R. 3006. A bill for the establishment of a temporary National Advisory Committee for the Blind; to the Committee on Education and Labor.

By Mr. FINO:

H.R. 3007. A bill to provide for the honorary designation of St. Ann's Church grounds as a national historic site; to the Committee on Interior and Insular Affairs.

H.R. 3008. A bill to provide for the issuance of a series of special postage stamps in recognition of the 1960 Olympic games; to the Committee on Post Office and Civil Service.

H.R. 3009. A bill to amend the Internal Revenue Code of 1954 to provide an additional $2,400 exemption from income tax for certain amounts received as retirement annuities or pensions; to the Committee on Ways and Means.

By Mr. GAVIN:

H.R. 3010. A bill to amend Public Law 654, 84th Congress, in order to provide an expanded conservation program for wildlife through maximum use of Commodity Credit Corporation surplus feed grains; to the Committee on Banking and Currency.

By Mr. GIAIMO:

H.R. 3011. A bill to provide for the issuance of a series of special postage stamps in recognition of the 1960 Olympic games; to the Committee on Post Office and Civil Service.

By Mr. HIESTAND:

H.R. 3012. A bill to provide a minimum initial program of tax relief for small business and for persons engaged in small business; to the Committee on Ways and Means.

H.R. 3013. A bill to amend the Federal Property and Administrative Services Act of 1949 to authorize the disposal of surplus

property to certain welfare agencies; to the Committee on Government Operations.

By Mr. HOLTZMAN:

H.R. 3014. A bill to amend the Civil Service Retirement Act to increase from 2 to 2½ percent the retirement multiplication factor used in the determination of annuities of certain employees engaged in hazardous employment; to the Committee on Post Office and Civil Service.

By Mr. HUDDLESTON:

H.R. 3015. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

H.R. 3016. A bill to amend title 38 of the United States Code to provide that in determining eligibility of a widow or child of a deceased veteran for a pension the income limitations applicable to such widow or child shall be increased $600 for the year in which the veteran's death occurs; to the Committee on Veterans' Affairs.

H.R. 3017. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. HULL:

H.R. 3018. A bill to provide for the issuance of a special postage stamp to commemorate the 100th anniversary of the birth of John J. Pershing, General of the Armies; to the Committee on Post Office and Civil Service.

By Mr. JOHNSON of California:

H.R. 3019. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

By Mr. JOHNSON of Wisconsin:

H.R. 3020. A bill to authorize the establishment of the Ice Age National Park in the State of Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KEARNS:

H.R. 3021. A bill to provide for the establishment of a Federal Advisory Council on the Arts to assist in the growth and development of the fine arts in the United States; to the Committee on Education and Labor.

H.R. 3022. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. LANE:

H.R. 3023. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate; and for other purposes; to the Committee on Armed Services.

By Mr. LESINSKI:

H.R. 3024. A bill to amend the Postal Field Service Compensation Act of 1955 with respect to the position descriptions and salary levels of mail handlers, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. LIBONATI:

H.R. 3025. A bill to provide for the issuance of a series of special postage stamps in recognition of the 1960 Olympic games; to the Committee on Post Office and Civil Service.

By Mr. LOSER:

H.R. 3026. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

H.R. 3027. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McGOVERN:

H.R. 3028. A bill to provide for the reporting and disclosure of certain financial and administrative practices of labor organizations and employees, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes; to the Committee on Education and Labor.

H.R. 3029. A bill to amend Reorganization Plan No. 2 of 1953; to the Committee on Government Operations.

By Mr. McMILLAN:

H.R. 3030. A bill to amend the act entitled "An act to authorize the establishment of a band in the Metropolitan Police Force" so as to provide retirement compensation for the present director of said band after 10 or more years of service, and for other purposes; to the Committee on the District of Columbia.

H.R. 3031. A bill to amend the Agricultural Adjustment Act of 1938 to provide for lease and transfer of acreage allotments; to the Committee on Agriculture.

H.R. 3032. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. MACHROWICZ:

H.R. 3033. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 3034. A bill to extend by 6 months the period for which additional benefits may be paid under the Temporary Unemployment Compensation Act of 1958; to the Committee on Ways and Means.

H.R. 3035. A bill to amend the Internal Revenue Code of 1954 to provide an alternative method of computing the limitation applicable to the foreign tax credit; to the Committee on Ways and Means.

By Mr. MACK of Washington:

H.R. 3036. A bill to extend the life of the Alaska International Rail and Highway Commission; to the Committee on Interior and Insular Affairs.

By Mr. MAILLIARD:

H.R. 3037. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

By Mr. MATTHEWS:

H.R. 3038. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

H.R. 3039. A bill to amend section 1823 of title 38, United States Code, to provide additional funds for direct loans; to the Committee on Veterans' Affairs.

By Mr. MERROW:

H.R. 3040. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. MILLS:

H.R. 3041. A bill to amend certain provisions of the Internal Revenue Code of 1954 relating to the income taxation of estates, trusts, beneficiaries, and decedents, and to make certain conforming amendments; to the Committee on Ways and Means.

By Mr. MOULDER:

H.R. 3042. A bill to provide for the establishment of a national cemetery in or near Jefferson City, Mo.; to the Committee on Interior and Insular Affairs.

H.R. 3043. A bill to amend the Communications Act of 1934 to establish a program of Federal matching grants for the construction of television facilities to be used for educational purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3044. A bill to amend the Veterans' Benefits Act of 1957 to provide a conclusive presumption of service connection in the case of the death of certain veterans; to the Committee on Veterans' Affairs.

H.R. 3045. A bill to amend the Veterans' Benefits Act of 1957 to provide a conclusive presumption of service connection in the case of the death of certain veterans; to the Committee on Veterans' Affairs.

H.R. 3046. A bill to amend the Veterans' Benefits Act of 1957 to provide a conclusive presumption of service connection in the case of the death of certain World War I veterans; to the Committee on Veterans' Affairs.

H.R. 3047. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

H.R. 3048. A bill to amend title 38, United States Code, to equalize certain benefits for veterans with service-connected disabilities; to the Committee on Veterans' Affairs.

By Mr. MULTER:

H.R. 3049. A bill to amend the Civil Service Retirement Act to increase to 2½ percent the multiplication factor for determining annuities for certain Federal employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

By Mr. O'NEILL:

H.R. 3050. A bill to authorize the establishment of the Cape Cod National Park in the Commonwealth of Massachusetts, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3051. A bill to amend the Annual and Sick Leave Act of 1951 to increase the annual and sick leave which may be earned and accumulated by officers and employees of the Federal Government; to the Committee on Post Office and Civil Service.

H.R. 3052. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3053. A bill to provide a 5-year program of assistance to enable depressed segments of the fishing industry in the United States to regain a favorable economic status, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 3054. A bill to authorize the construction and sale by the Secretary of Commerce of two transatlantic superliners; to the Committee on Merchant Marine and Fisheries.

H.R. 3055. A bill to amend the Federal Employees' Compensation Act to provide that compensation paid thereunder shall be based on wage rates currently in effect; to the Committee on Education and Labor.

H.R. 3056. A bill to provide income tax withholding for ministers; to the Committee on Ways and Means.

By Mrs. PFOST:

H.R. 3057. A bill to permit the free marketing of newly mined gold; to the Committee on Banking and Currency.

By Mr. REES of Kansas:

H.R. 3058. A bill to provide for disabled veteran employees of the Government additional credits for service-connected disabilities for purposes of retention in reductions in force; to the Committee on Post Office and Civil Service.

H.R. 3059. A bill to amend the Veterans' Preference Act to provide for a system of appeal from adverse actions taken by any Federal department, agency, or the Civil Service Commission; to the Committee on Post Office and Civil Service.

H.R. 3060. A bill to amend the Veterans' Preference Act of 1944 to authorize the noncompetitive acquisition of a competitive status, upon completion of a probationary period of service of 1 year or more, by any employee entitled to veteran preference with compensable service-connected disability of 10 percent or more, and his wife or widow, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3061. A bill to establish penalties for failing to comply with certain recommendations of the Civil Service Commission and

for defeating, deceiving, or obstructing any person with respect to any preference granted him by the Veterans' Preference Act of 1944; to the Committee on Post Office and Civil Service.

By Mr. RIVERS of Alaska:

H.R. 3062. A bill to extend the life of the Alaska International Rail and Highway Commission; to the Committee on Interior and Insular Affairs.

H.R. 3063. A bill to facilitate the application and operation of the Fish and Wildlife Act of 1956, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 3064. A bill to permit the free marketing of gold, and for other purposes; to the Committee on Banking and Currency.

By Mr. ROBISON:

H.R. 3065. A bill to increase the annual income limitations governing the payment of pension to certain veterans and their dependents; to the Committee on Veterans' Affairs.

By Mr. ROOSEVELT:

H.R. 3066. A bill to authorize the Secretary of Agriculture to make long-term contracts for the disposal of surplus agricultural commodities, and for other purposes; to the Committee on Agriculture.

H.R. 3067. A bill for the establishment of a temporary National Advisory Committee for the Blind; to the Committee on Education and Labor.

By Mr. SAUND:

H.R. 3068. A bill to provide flexibility in the operation of marketing agreement programs; to the Committee on Agriculture.

H.R. 3069. A bill to provide for the orderly marketing of turkeys and to assure consumers an adequate supply of turkeys and turkey products of wholesome quality; to the Committee on Agriculture.

H.R. 3070. A bill to create an Agricultural Research and Industrial Board; to define its powers and duties; and for other purposes; to the Committee on Agriculture.

H.R. 3071. A bill for the establishment of a temporary National Advisory Committee for the Blind; to the Committee on Education and Labor.

H.R. 3072. A bill to amend section 8e of the Agricultural Adjustment Act (of 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to provide for the extension of the restrictions on imported commodities imposed by such section to all imported limes, grapefruit, lemons, mandarins, all types of oranges including temples, tangerines, murcotts, and tangeloes, dried figs, fig paste, sliced dried figs, shelled walnuts, dates with pits, dates with pits removed, and products made entirely of dates; to the Committee on Agriculture.

H.R. 3073. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an Exemplary Rehabilitation Certificate; and for other purposes; to the Committee on Armed Services.

H.R. 3074. A bill to authorize the Tahchevah Creek project, Palm Springs, Calif.; to the Committee on Public Works.

By Mr. SIKES:

H.R. 3075. A bill to provide for the Office of Chief, U.S. Army Reserve and Reserve Officers Training Corps Affairs, and for other purposes; to the Committee on Armed Services.

H.R. 3076. A bill to amend section 101 of title 38, United States Code, to provide certain death benefits for widows of Coast and Geodetic Survey commissioned officers who suffered service-connected deaths; to the Committee on Veterans' Affairs.

H.R. 3077. A bill to provide pension benefits for certain widows; to the Committee on Post Office and Civil Service.

By Mr. TEAGUE of California:

H.R. 3078. A bill to amend title 10 of the United States Code to provide for the establishment of a program of cash awards for suggestions or inventions made by members of the Armed Forces which contributed to the efficiency, economy, or other improvement of Government operations in the general field under the supervision of the Secretary of Defense; to the Committee on Armed Services.

By Mr. TELLER:

H.R. 3079. A bill to provide that the alien children and spouses of aliens lawfully admitted to the United States for permanent residence shall be nonquota immigrants; to the Committee on the Judiciary.

H.R. 3080. A bill to provide for the establishment of the Bureau of Older Persons within the Department of Health, Education, and Welfare; to authorize Federal grants to assist in the development and operation of studies and projects to help older persons; and for other purposes; to the Committee on Education and Labor.

H.R. 3081. A bill to amend the Classification Act of 1949 with respect to the determination of the rates of basic compensation of officers and employees in connection with their promotions or transfers to higher grades; to the Committee on Post Office and Civil Service.

H.R. 3082. A bill to amend title II of the Social Security Act to provide that full benefits thereunder, when based upon the attainment of retirement age, will be payable to men at age 60 and to women at age 55; to the Committee on Ways and Means.

H.R. 3083. A bill to provide coverage under the old-age, survivors, and disability insurance system (subject to an election in the case of those currently serving) for all officers and employees of the United States and its instrumentalities; to the Committee on Ways and Means.

By Mr. ULLMAN:

H.R. 3084. A bill to provide for the admission of the State of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

H.R. 3085. A bill to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes; to the Committee on Banking and Currency.

By Mr. UTT:

H.R. 3086. A bill to provide for an increase in the amount of clerk hire available to Members of the House of Representatives whose constituencies contain a population of 800,000 or more; to the Committee on House Administration.

By Mr. WAINWRIGHT:

H.R. 3087. A bill to provide that the Secretary of the Interior shall develop and carry out an emergency program for the eradication of starfish in Long Island Sound and adjacent waters; to the Committee on Merchant Marine and Fisheries.

By Mr. WALTER:

H.R. 3088. A bill to amend sections 353 and 354 of the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 3089. A bill to amend section 212(d) of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. ZELENKO:

H.R. 3090. A bill to provide further means of securing and protecting the right of persons within the jurisdiction of the several States to the equal protection of the laws and other civil rights guaranteed by the Constitution or laws of the United States; to the Committee on the Judiciary.

H.R. 3091. A bill to amend title 28 of the United States Code with respect to the eligibility of members of the bar of the U.S. Supreme Court to practice before all courts of appeals and district courts of the United States; to the Committee on the Judiciary.

By Mr. BENNETT of Florida:

H.J. Res. 172. Joint resolution to create the Quadricentennial Anniversary Commission of Florida, Inc., and to set forth the dates and places thereof; to the Committee on the Judiciary.

By Mr. DOYLE:

H.J. Res. 173. Joint resolution authorizing the President to designate Los Angeles, Calif., as the site for the next world's fair to be held in the vicinity of such city in 1963, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FISHER:

H.J. Res. 174. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. LOSER:

H.J. Res. 175. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. McDOWELL:

H.J. Res. 176. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MATTHEWS:

H.J. Res. 177. Joint resolution to create the Quadricentennial Anniversary Commission of Florida, Inc., and to set forth the dates and places thereof; to the Committee on the Judiciary.

By Mr. MERROW:

H.J. Res. 178. Joint resolution proposing an amendment to the Constitution of the United States to repeal the 22d amendment thereto; to the Committee on the Judiciary.

By Mr. OSMERS:

H.J. Res. 179. Joint resolution authorizing and requesting the President to designate the month of April in each year as "National Welded Products Month"; to the Committee on the Judiciary.

By Mr. PASSMAN:

H.J. Res. 180. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. RIVERS of Alaska:

H.J. Res. 181. Joint resolution authorizing the Architect of the Capitol to present to the Senators and Representative in Congress from the State of Alaska the first official flag of the United States bearing 49 stars and which is flown over the west front of the U.S. Capitol; to the Committee on House Administration.

By Mr. TELLER:

H.J. Res. 182. Joint resolution to establish a Joint Committee on Labor and Industrial Relations; to the Committee on Rules.

By Mr. ASPINALL:

H. Res. 130. Resolution to authorize the Committee on Interior and Insular Affairs to make investigations into any matter within its jurisdiction, and for other purposes; to the Committee on Rules.

By Mr. BURLESON:

H. Res. 131. Resolution providing funds for the Committee on House Administration; to the Committee on House Administration.

By Mr. JOHNSON of Wisconsin:

H. Res. 132. Resolution creating a select committee to conduct an investigation and study of the Office of the Comptroller General of the United States; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL:

H.R. 3092. A bill authorizing the advancement of Col. Alva J. Brasted, who served as Chief of Chaplains of the Army, on the retired list to the grade of major general; to the Committee on Armed Services.

H.R. 3093. A bill for the relief of Mrs. Dorothy (Hyman) Monk; to the Committee on the Judiciary.

By Mr. BROYHILL (by request):

H.R. 3094. A bill for the relief of Oakley O. Warren; to the Committee on the Judiciary.

H.R. 3095. A bill for the relief of Hilary W. Jenkins, Jr.; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H.R. 3096. A bill for the relief of Peony Park, Inc., and others; to the Committee on the Judiciary.

By Mr. CURTIS of Massachusetts:

H.R. 3097. A bill for the relief of Miss Lourdes Cervera; to the Committee on the Judiciary.

By Mr. DEROUNIAN:

H.R. 3098. A bill for the relief of the L. N. Jackson Co., to the Committee on the Judiciary.

By Mr. DOYLE:

H.R. 3099. A bill for the relief of Garifalia Keluge; to the Committee on the Judiciary.

H.R. 3100. A bill for the relief of Jung Hae; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 3101. A bill for the relief of Geom. Luigi Varnero; to the Committee on the Judiciary.

By Mr. HOLTZMAN:

H.R. 3102. A bill for the relief of Frank Matich, also known as Frank Matic; to the Committee on the Judiciary.

By Mr. HOLTZMAN (by request):

H.R. 3103. A bill for the relief of Concetta Soldo; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H.R. 3104. A bill for the relief of Col. John T. Malloy; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.R. 3105. A bill for the relief of the estate of Nathaniel H. Woods; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 3106. A bill for the relief of Eugenia Hrus; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 3107. A bill for the relief of Richard L. Nuth; to the Committee on the Judiciary.

H.R. 3108. A bill for the relief of Sofik Yevkine Belgin, Nadya Ayla Belgin, Karmen Silva Belgin Ketli, and Vahe Ketli; to the Committee on the Judiciary.

H.R. 3109. A bill for the relief of Jaime R. Gutierrez; to the Committee on the Judiciary.

H.R. 3110. A bill for the relief of Lum Guey Ngeung; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 3111. A bill for the relief of Rachel Nethery; to the Committee on the Judiciary.

By Mr. ROBISON:

H.R. 3112. A bill for the relief of Mrs. Rena Carmi; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.R. 3113. A bill for the relief of Vincenzo Gangemi; to the Committee on the Judiciary.

By Mr. SHEPPARD:

H.R. 3114. A bill for the relief of J. S. Barrett; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 3115. A bill for the relief of Doris A. Reese; to the Committee on the Judiciary.

By Mr. SILER:

H R. 3116. A bill to waive the statute of limitations and confer jurisdiction upon the U.S. District Court for the Eastern District of Kentucky to hear, determine and render judgment upon the claim of Alfred Gambill, of Royrader, Jackson County, Ky.; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 3117. A bill for the relief of Albert J. Hicks; to the Committee on the Judiciary.

By Mr. TELLER:

H.R. 3118. A bill for the relief of Hsienhsiung Ko, also known as James Ko; to the Committee on the Judiciary.

H.R. 3119. A bill for the relief of Mrs. Carmen Ocampo Carrillo and her children, Maria Celia O. Carrillo, Tomas Antonio Jesus Carrillo, Maria Corinta Asuncion Carrillo, and Marie Cecile Carrillo; to the Committee on the Judiciary.

H.R. 3120. A bill for the relief of Mrs. Paula Lantos; to the Committee on the Judiciary.

H.R. 3121. A bill for the relief of Albert Charles Jolly; to the Committee on the Judiciary.

By Mr. THOMSON of Wyoming:

H.R. 3122. A bill directing the Secretary of the Interior to issue a homestead patent to the heirs of Frank L. Wilhelm; to the Committee on Interior and Insular Affairs.

By Mr. UTT:

H.R. 3123. A bill for the relief of Carlos Sepulveda Abarca; to the Committee on the Judiciary.

H.R. 3124. A bill for the relief of Elizabeth Stylianou; to the Committee on the Judiciary.

H.R. 3125. A bill for the relief of Kyriake and Georgia Stylianou; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

47. Mr. BUSH presented a petition of the National Association of State Directors of Veterans Affairs in support of a program to protect the future of the employment services which are being rendered to our veterans by the Federal Veterans Employment Service; and to make retroactive all Federal benefits to veterans who through no fault of their own were originally given a dishonorable discharge and subsequently were issued a discharge other than dishonorable; which was referred to the Committee on Veterans' Affairs.

EXTENSIONS OF REMARKS

Garnishment of Salaries of Federal Employees

EXTENSION OF REMARKS

OF

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1959

Mr. CURTIS of Missouri. Mr. Speaker, I have introduced today a bill to provide for the garnishment, execution, or trustee process of wages and salaries of civil officers and employees of the United States.

Good government is based upon the theory that through the discipline of all members of a society the individual members of society gain rights and freedoms they did not possess before.

Regrettably many Federal employees have looked upon the power to garnish their salaries for a judgment debt as taking away certain rights and freedom they presently possess. Upon analysis, however, just the reverse is true. Because of the lack of discipline in this area Federal employees enjoy poorer credit ratings than do nongovernment employees who are subject to garnishment proceedings.

The reason for this is very apparent. The Federal employees who exercise self-discipline when it comes to paying their bills are paying the load for the license exercised by the small percentage of Federal employees who do not pay their bills. All Federal employees lose certain benefits to make up for the shortcomings of this small group.

The attitude of certain governmental bureaus against garnishment proceedings of Federal employees likewise is based upon a misconception of the true nature of the garnishment discipline. Certain bureau heads are of the opinion that handling garnishment proceedings would add to the work of the Federal agency garnished. They state they prefer to exercise discipline themselves over employees who fail to pay their bills. Most business executives will tell them from experience that the mere existence of the power of garnishment provides the best way for them to exercise voluntary discipline; so true is this that the use of the power of garnishment seldom has to be resorted to.

I am satisfied that an objective review of the time and effort spent by Federal agencies in trying to exercise the necessary discipline over their employees to pay their just bills will reveal that they could use to good advantage the existence of the power of garnishment in bringing their employees into line.

Certainly the power to garnish is much less harsh than the present power to discharge a Federal employee for nonpayment of bills. There needs to be this less harsh and intermediate power of garnishment to have a workable system.

Everyone benefits by the discipline of garnishment as we have learned long since in the nongovernmental sector of our society. The creditors will benefit. The Federal employees will find their credit rating is improved. The Federal administrators will find that the administrative time they have to spend on the failure of their employees to pay their bills will be lessened.

The bill follows:

A bill to provide for the garnishment, execution, or trustee process of wages and salaries of civil officers and employees of the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the wages and salaries of all civil officers and em-

ployees, including Members of the Congress, the judiciary, and all other elected and appointed officers, of the United States, its instrumentalities and agencies, shall be subject to the remedies of garnishment, execution, and trustee process in the same manner as may be applicable in the case of wages or salaries due from private employers in the State or Territory in which is located the court wherein such remedies are sought, but said right of garnishment, execution, or trustee process shall be limited to and based upon a final judgment only after personal service upon the debtor and the writ, summons, and other process shall be accompanied by a certified copy of such judgment. The writ, summons, or other process shall be served personally or by registered mail upon the officer by or through whom the debtors wages or salaries are paid and the said writ, summons, or other process shall be accompanied, in addition to said certified copy of said judgment, by a statement under oath of the judgment creditor suing out such writ, summons, or other process that he is an original creditor of the debtor in such proceeding and that the judgment upon which such process is sought does not include interest in excess of 6 per centum per annum computed upon the original indebtedness. The said writ, summons, or other process shall likewise be accompanied by the sum of $2.50 if the judgment is $100 or less, and $5 if in excess of that amount, to be paid by the judgment creditor at the time of the service of said writ, summons, or other process to the officers so served for and on account of the United States and to be covered into the miscellaneous receipts of the Treasury. It shall be the duty of the officer so served as herein provided within thirty days from the service thereof, to respond to said writ, summons, or other process by causing to be delivered by registered mail or in person to the party designated, or to the officer specified in said writ, summons, or other process, a certificate stating the amount, if any, of the wages or salary due such officer or employee on date of service thereof, which amount shall be held subject to the further order of the court. Said certificate shall be conclusive evidence of the facts therein stated, but in no event shall a person so served be required to leave his office to testify in any proceeding hereunder: *Provided, however,* That there shall be deducted from said amount to be so certified such deductions from such wages or salary as may by law be authorized to be made. There shall also be deducted from said amount to be so certified, such amount as the debtor may have designated for purchase of war bonds under the plan of the department, agency, or organization in which the debtor is employed. It is provided further that such officer shall not be required to respond to more than one such writ, summons, or other process in any one calendar month in respect to the wages or salary of any debtor and that in the event more than one such writ, summons, or other process is served within such calendar month upon such officer in respect to the same debtor it shall be the duty of such officer to respond to the first of the writs, summons, or other process so served.

SEC. 2. (a) That the earnings, salary, insurance, annuities, or pension or retirement payments, not otherwise exempted, not to exceed $100 each month, of any person residing in such State or Territory, or of any person who earns the major portions of his or her livelihood in such State or Territory, regardless of place of residence, who provides the principal support of a family, for two months next preceding the issuing of any writ or process against him, from any court or officer of and in such State or Territory, shall be exempt from garnishment, execution, or trustee process, upon such writ or process, and the same shall not be seized, levied on, taken, or reached, by writ of garnishment, execution, trustee process, or any other process or proceedings of any court, judge, or other officer of and in such State or Territory: *Provided, however,* That where the husband and wife are living together, the aggregate of the earnings, salaries, insurance, annuities, and pension or retirement payments of the husband and wife shall be the amount which shall be determinative of the exemption of either in cases arising ex contractu.

(b) The earnings, salary, insurance, annuities, or pension or retirement payments, not otherwise exempted, not to exceed $60 each month for two months preceding the date of attachment of all persons residing in such State or Territory, or of persons who earn the major portions of their livelihood in such State or Territory, regardless of place of residence, who do not provide for the support of a family, shall be entitled to like exemption from garnishment, execution, or trustee process.

SEC. 3. The officer served as provided in section 1 shall cause to be delivered and paid over the amount of any wages or salary after deductions as provided in sections 1 and 2 of any such officer or employee aforesaid, in accordance with the order of the court or justice having jurisdiction in such proceeding, and any payment so made shall constitute a complete and valid acquittance of the United States for the amount of the wages or salary of any such officer or employee of the United States so paid.

SEC. 4. That the said right of garnishment, execution, or trustee process shall apply not only to civil officers and employees, including Members of the Congress, the judiciary, and all other elected and appointed officers of the United States, its instrumentalities and agencies, but also to employees of the District of Columbia.

SEC. 5. That the term "Territory" as used in this act shall include political subdivisions of the United States of America.

SEC. 6. This act shall not affect, curtail, or in anywise limit the right of garnishment against officers or employees of Government owned or controlled corporations as such right now exists.

SEC. 7. This act shall take effect immediately but shall not apply to a final judgment prior to the date of its approval.

A Tribute to Hon. Overton Brooks, of Louisiana

EXTENSION OF REMARKS
OF
HON. CARL VINSON
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 21, 1959

Mr. VINSON. Mr. Speaker, under unanimous consent to extend my remarks in the CONGRESSIONAL RECORD, I include therein a resolution adopted unanimously by the Committee on Armed Services which pays high tribute to the distinguished Member from Louisiana, the Honorable OVERTON BROOKS:

Resolved, That the Armed Services Committee, House of Representatives, does hereby express regret at the loss from its membership of Hon. OVERTON BROOKS, a Representative in Congress from the State of Louisiana;

That the committee recognizes the valuable contributions to the national defense made by him during his long tenure in Congress;

That the committee in particular recognizes the untiring efforts he has put forth in order to build strong and effective Reserve components of the Armed Forces;

That the committee believes that both Regular and Reserve personnel of the Armed Forces are indebted to him for his endeavors to secure for them increased pay and allowances, better housing, equitable methods of promotion and retirement, and the present system of military justice;

That he is to be commended for his attention to duty and conspicuous ability in the field of military legislation, both as a member of the Military Affairs Committee and the Armed Services Committee;

That in the future the committee will sorely miss his great ability and wise counsel, but congratulates him on his selection as chairman of the House Committee on Science and Astronautics;

That the chairman of the Armed Services Committee be, and he hereby is, authorized to take appropriate steps to have this resolution made a part of the CONGRESSIONAL RECORD.

The Citizen Looks at Government

EXTENSION OF REMARKS
OF
HON. PAT McNAMARA
OF MICHIGAN
IN THE SENATE OF THE UNITED STATES
Wednesday, January 21, 1959

Mr. McNAMARA. Mr. President, yesterday my esteemed colleague, the senior Senator from West Virginia [Mr. RANDOLPH], delivered an address in Dallas, Tex., at the annual convention of the American Road Builders Association.

The Senator from West Virginia, who served 14 years in the House of Representatives, and for all of that period was a member of the Committee on Roads, delivered a thought-provoking address on this occasion before 1,200 men and women. I ask unanimous consent that the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE CITIZEN LOOKS AT GOVERNMENT

(Address by U.S. Senator JENNINGS RANDOLPH, of West Virginia, at national convention luncheon of the American Road Builders Association, Dallas, Tex., Jan. 20, 1959)

President Steelman, members of the American Road Builders Association, and distinguished guests, it is a pleasure to be here and to have this opportunity to renew so many of the happy associations that developed during my work with you in the past 10 years. These have been warm and enduring relationships which I trust will remain, even though I have been impelled to withdraw from active participation as an officer of the association. And you may be assured that the work of the ARBA, and the development of our Nation's highway system will always be matters of the most fundamental interest and concern to me.

I am sincerely sorry I was not here earlier to hear the excellent addresses by the able Senator from New Mexico, Senator CHAVEZ, the chairman of the Senate Public Works Committee, and also the address by Senator FRANCIS CASE, a longtime advocate of improved highways. A former House colleague, Representative GEORGE FALLON, of Maryland, was also a distinguished speaker, as was Representative WILLIAM C. CRAMER, of Florida.

It is pleasant being in the home State of two outstanding Americans, Speaker SAM RAYBURN and Senate Leader LYNDON JOHNSON. They are positive in their efforts to build a better America.

Today, although I intend to talk in part about our roads, I am going to discuss them in the context of the general topic, "the Citizen Looks at Government."

As most of you may know, I recently completed a political campaign of almost 8 months' duration for the unexpired term of the late Senator Matthew M. Neely. During that period, I traveled the highways and byways of West Virginia and talked with thousands of my fellow citizens. And I may say quite categorically that there is no substitute for a grassroots campaign in sounding the sentiments of the people.

The framers of our Constitution took this fact into consideration when they established a House of Representatives to be elected every 2 years, their theory being that the House, whose Members must counsel with the citizenry every 2 years, would thus be most responsive to the needs and the will of the electorate. Although the technological development of our communications and transportation systems have, in part, eliminated this distinction between the two Houses of the Congress, the political campaign is still a vital part of the educative process in a democracy, for the candidate no less than for the electorate.

I wish, therefore, to share with you some of the observations and reflections coined from my experiences of recent months. It is not too early to appraise the meaning of the last election. But when I say that, I am not implying any use of partisan political rhetoric. I wish to go beyond such terms to a consideration of the needs of the citizen in relation to the nature of a democratic society itself.

And, in this inquiry, it would be well for us to remember that democracy is still a rather new experiment in the history of mankind—one that has by no means embraced the loyalties of people throughout the world. We who live within the democratic tradition—we who maintain faith in the dignity of the individual—are still a minority of the human race, and it is not written in the stars nor in words of fire across the sky that our way will prevail. Our endurance will be due to our imagination, our intelligence, and our will—not to some benevolent cosmic force in history which protects us from ourselves.

In viewing our topic in generic terms we find that certain material and spiritual conditions must be satisfied in order to develop and maintain a democratic society:

First. A minimum level of material prosperity must be achieved, sufficient to fulfill the basic needs of the populace—the need for food, shelter, clothing, employment, and provision for tomorrow.

Second. An adequate system of communication, transportation, and information must be maintained in order to assure the operation of a free and informed public consensus. In the city-state of ancient Athens the scope of democracy was defined by the range of the orator's voice. This fact, in itself, should preclude any casual comparison between the Greek democracies and our own.

And, the third condition that must be satisfied is an intellectual and spiritual one—the belief that men and women are capable of being governed by reason and good will.

These are the minimal conditions of a democracy. Now, what bearing do these generalizations have on our discussion today and the findings of the recent compaign? In brief, we may state the answer in these terms:

Although the conditions necessary for a democratic society—as I have outlined them—are universal, the way these conditions are satisfied varies with the complexity of the society and the state of its technology. This, in turn, affects the citizen's view of his government's responsibility.

Thus, in a dynamic society such as ours, these conditions are in constant flux—a flux which calls for persistent and continuous reexamination of the role of government itself. I shall, therefore, use the conditions of the State of West Virginia as a laboratory example of the kind of reexamination necessary, and the degree of governmental responsibility the citizen expects.

President Lincoln and other great statesmen and political philosophers have defined the functions of government as doing that for the individual which he could not do for himself. Thus, 100 years ago, with still half a continent virtually unsettled—with free land available for the taking—the Government did not need then to concern itself with problems of unemployment, social security, retirement benefits, etc.

The hardy men and women who pioneered West Virginia— as well as the rest of America—were well able to provide for themselves from the fertile land they settled, and the close-knit family group provided for its own aged.

But what of today? Their descendants who work the coal mines of West Virginia are no less hardy than their fathers and grandfathers. But they are less independent—and through no fault of their own. They now are part of an immense industrial complex which they cannot control—an industry, the condition of which is controlled by the technology of our society as a whole, the development of new fuels, new blast furnaces for steel, and new ways of producing power, to name only a few changes.

The production of coal, incidentally, in West Virginia declined from 150 million tons in the year 1957 to a gross production of only 112 million tons in 1958.

In 1948 there were 125,000 persons who labored in the coal mines of my State. But, by 1957, coal industry employment dropped to 58,000—and as of December 15, 1958, there were only 47,000 men working in the coal mines of West Virginia.

It is not surprising, therefore, that in all of the polls taken during the Senate campaign in West Virginia the issue overriding all others in the minds of the voters was the recession and the problem of unemployment. At the present time, when we are being told that the Nation is pulling out of the recession, and business is on the road upward, in West Virginia approximately 15 percent of the labor force remains unemployed, and 300,000 people of the State are living on surplus food commodities, or are eligible to receive these Government surplus food items.

Self-righteous talk about stern measures of economy in Government thus means little to able-bodied men and women who have the will to work but are denied the opportunity. Nor is this a problem that confronts the people of West Virginia alone—as the recent figures in the rise of unemployment testify.

We are, indeed, faced with the ironic and anomalous situation of a nation at the peak of its productive capacity impelled to give thought, as a result of technological advancements, to impending unemployment in many sectors of its productive system—in the mines, in the steel industry, in the automotive industry, and in agriculture.

And this, I reiterate, is a responsibility of government, for we are here concerned with the survival of a democratic society—a concern which cuts through party divisions or questions of moderate or liberal or conservative political philosphies.

I do not choose to be considered a prophet of doom and gloom—a Cassandra reading in the flight of birds the downfall of our society. But democracy means a certain condition of morale among the people—a condition in which the citizen walks upright, assured of his own dignity as an individual. A jobless man, whose family lives by sufferance rather than by right, does not long retain his sense of strength and freedom. And a democratic society cannot long afford the erosion of morale that follows.

Thus, through Federal planning and Federal action, as was quite clearly implied in the Full Employment Act of 1946, we must assure the material conditions of democracy by maintaining full employment. Such a view is not the product of liberal sentimentality, nor Christian charity, nor socialistic theory—it is the product of a hardheaded regard for what is necessary for our survival—and an acknowledgment that we have the material resources if we but have the imagination, the intelligence, and the will to use them.

Turning now to the second set of conditions I mentioned earlier—the need for an adequate system of transportation, communication, and information—it is interesting to note that these factors also weighed heavily in the minds of the West Virginia voters. In the same polls that showed unemployment as the chief issue, the second-ranking issue was invariably either the improvement of roads or schools. In both respects the citizen looks to the Federal Government for a contribution to the solution of the problem.

As most of you know, I have for many years been convinced of the vital importance of transportation—all forms—to the development of our expanding Nation. And of all forms, none is more important than our highway system. For highway transport not only supplements every other form of transportation, but it makes available to us the wealth of choices in where we live and work and seek our recreation.

It is important, also, to be reminded that many of the educational advancements of recent years—that have been achieved through our consolidated schools—have been made possible by an improved highway system.

It is worth considering, as well, that an adequate highway network which provides farm-to-market roads might do much toward easing the plight of the independent farmer who has contributed so much to the quality of American life. Indeed, a balanced highway program is one that not only provides for interstate superhighways between cities, but, also, for other primary arteries, and a large network of secondary roads that serve mining, agriculture, and other rural industry.

When I was a Member of the Congress in 1944, serving the sixth of my seven consecutive terms, the Federal-Aid Highway Act of that year authorized and designated 40,000 miles of a National System of Interstate Highways, but only the regular Federal-aid funds were available from the Federal Government to finance its construction. Such limited funds, of course, were utterly inadequate to complete the much-needed development in any reasonable time.

By 1956, as you are aware, Congress was in a position to pass legislation establishing a long-range program for improving the Interstate System and authorized $25 billion, to become available over a period of 13 years. The Federal-Aid Highway Act of 1956 also stepped up the regular Federal-aid highway program—often now referred to as the ABC program.

These funds, which must be matched 50-50 with State funds, are available for the improvement of two Federal-aid systems and their extension into urban areas—the 250,000-mile Federal-aid primary system and the 528,000-mile Federal-aid secondary system.

Funds for the ABC program are generally authorized by the Congress every 2 years. These averaged $500 million for the first 9

years after World War II. But the 1956 act stepped these funds up to $850 million for the fiscal year 1958, and to $875 million for fiscal 1959. Then came the 1958 Federal-Aid Highway Act, which increased the outlay to $900 million for fiscal 1960, and to $925 for fiscal 1961.

With such a large expansion as is anticipated, however, there must be close consultation between Federal, State, and local governmental agencies with the local citizenry to so plan our highway work that it will benefit local areas, rather than ruin tracts of land that would be useful for agrarian, industrial, and residential purposes.

As much as we need vast highway developments, we must do our utmost in careful planning to avoid strangling ourselves with our own improvements.

Equal in importance—in the minds of the citizen, as in the fate of the Nation—is the question of maintaining and improving our educational system in the face of the challenges of increasing population, and the growing complexities of technology and society itself.

Although the problem has recently been dramatized by our contest with Russia and the tremendous educational and scientific strides of our adversary, this contest did not create the problem. Nor should we attempt a solution by imitating the Russian example, as some have suggested.

For the greatness of a nation is shown in many ways—in its cultural and scientific achievements, in its moral responsibilities, in its art, in its national aspirations. But its ultimate strength lies in the quality of the individuals who comprise its living substance.

And the strength, the final strength, of these United States lies in our belief in the dignity of the individual, the belief that man should live in the light of reason, should exercise his own free choice, and should develop to the full the latent talents within him. To this end we have established our free public education system.

Our system is not designed merely to mold a select few into polished aristocrats of a preconceived pattern—as are the older systems of Europe; nor is it designed to make our young people servants of the state—as are the schools of Russia, China, and the satellite nations.

On the contrary, we have designated to our schools the chief responsibility for the development, in all our young people, of the emotional, moral, and intellectual capacities that will qualify them as responsible members of a democratic society.

If the schools have partially failed, as some would now maintain, it is in large measure because we, citizens and representatives alike, have failed also in providing sufficient support, moral and intellectual, as well as financial.

Forty-three million Americans—one out of every four go to school. On this basis, with the expected population in 1975 of over 222 million, our school population will have soared by that time to 55 million. While, according to the authoritative Rockefeller report, we now have 22 million in our elementary schools, by 1960–61 we will have 34 million. By 1969, high schools will be deluged with 50 to 70 percent more students than they can now accommodate; and by 1975, our colleges and universities will face at least a doubling and, in some cases, a tripling of present conditions.

To carry this tremendous burden we have, in the recent past, devoted only slightly more than 3½ percent of our gross national product. To refer again to the Rockefeller report, in 1955, with a gross national product of $391 billion, we spent—on both private and public education—a total of $14 billion, or 3.6 percent. According to the same source, the cost by 1967 will be $30 billion, or about 5 percent of an estimated gross national product of $600 billion.

To this end, more than 20 members of the Democratic majority, including myself, have joined in cosponsoring a bill introduced by Senator MURRAY, of Montana, to provide Federal support for the public schools. The bill, given the number S. 2 to indicate its high priority in the business of the Senate, authorizes assistance to the States for the purpose of helping to pay for school construction and increases in faculty salaries. Financial aid would be granted on a per capita basis of $25 per child the first year—to be increased $25 per year until the fourth year—at which time it would be stabilized at $100 per child per year. The total outlay would range from $1.1 billion the first year to $4.7 billion the fourth year—increasing thereafter with the rise in school population.

There are specific provisions in the measure guaranteeing local school board control, which is a necessary requirement.

This, if the bill is enacted into law, would be a significant contribution, but it would be no more than the national Government should do to fulfill its responsibility for what has become a national problem. But our efforts must not end here.

This should be only the beginning of a concerted program of mobilizing our resources, private as well as public, local as well as national, to assure our young people of the quality of education they deserve.

Equality of opportunity in education means not only the opportunity to be exposed to learning, but the opportunity to achieve excellence in the development of one's full potential. This, in turn, means that we cannot and must not sacrifice quality for quantity; we must have both. This will be an expensive business, one where there are no shortcuts or easy solutions, but surely the wealthiest Nation in history can afford whatever is required to preserve and utilize its most precious national resources—the hearts and minds of its youth.

It is no less true today than in Thomas Jefferson's time that the integrity of a democratic society rests upon an informed and intelligent citizenry—or, as Jefferson himself stated it, "The people are the only censors of their Governors; and even their errors will tend to keep these to the true principles of their institutions. * * * The way to prevent these irregular interpositions of the people, is to give them full information of their affairs through the channel of the public papers, and to contrive that those papers should penetrate the whole mass of the people."

These, then, are the necessary conditions of a democracy which the citizen looks to his Government to maintain:

A sufficient prosperity and employment level to satisfy the fundamental needs of the individual, an adequate communication and transportation system to maintain the vital flow of ideas and commerce, education of high quality and adequate quantity for our youth, and governmental practices that are responsive to the right of the citizen to participate in making those decisions which shape his or her own destiny.

Federal Employees: Time Off To Enable Them To Vote

EXTENSION OF REMARKS
OF
HON. ISIDORE DOLLINGER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 21, 1959

Mr. DOLLINGER. Mr. Speaker, I have today introduced a bill to allow 2 hours' time off to Federal employees for the purpose of voting in person. My bill directs the head of each department, agency, or establishment in or under the executive branch of the Federal Government to excuse from duty each employee under his jurisdiction, without loss of pay or deduction from annual leave or loss of other employment benefit, for a period of 2 hours for the purpose of voting in person in primary or general election for Federal, State, or local office. Also, additional time may be granted when, in the discretion of the head of the department, it is necessary.

There was much confusion and difficulty in my own congressional district in the past election because of the conflict in the various regulations in effect concerning time allowed employees for voting. Federal employees were allowed only 1 hour, whereas other employees in the State of New York were given 2 hours off. A number of Federal employees got in touch with me and complained that they had difficulty in getting more than the hour off, and in some instances the additional time was denied them, although because of great distances they had to travel to their Federal jobs it was absolutely necessary for them to have the additional time requested. I presume this same situation must have prevailed in other areas as well.

Rather than leave the question of necessary voting time to the discretion of the heads of the Federal departments, provision for sufficient voting time should be made by law. In my opinion, at least 2 hours' time off should be granted Federal employees, to prevent any inability to exercise their franchise; this is only reasonable if our Federal employees are to be spared hardship. Surely they should be permitted to enjoy their privilege of voting, a right guaranteed them, without being penalized by the Federal Government, their employer.

The Sixth Year Begins for the Monitor, Official Catholic Newspaper of the Diocese of Trenton, N.J.

EXTENSION OF REMARKS
OF
HON. FRANK THOMPSON, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 21, 1959

Mr. THOMPSON of New Jersey. Mr. Speaker, the Monitor, the official Catholic newspaper of the diocese of Trenton, N.J., is embarking on its sixth year of publication.

The fifth anniversary edition of this worthy newspaper was replete with reports of the widespread support the Monitor has received from the Roman Catholic community throughout Mercer and Burlington Counties. Indeed, the appreciation for the fine service the newspaper has performed has not been confined to members of Catholic congregations alone. Leaders of labor, business, and government have recognized that the invaluable information obtainable only in the Monitor of many of the

varied affairs as well as the attitudes in the Catholic community has been of tremendous service not only to the members of the Catholic faith but to themselves as well.

No one can doubt that the official newspaper of the diocese has been supremely successful during its first 5 years, and the future of the Monitor is particularly promising now. Although its lay audience has been large, a drive is now under way for total support by the families of the diocese.

The Most Reverend George W. Ahr, the Bishop of Trenton, under whose auspices the Monitor was initiated, has sent an open letter on this circulation drive to everyone in the diocese. In his letter the bishop emphasized the value of the Monitor to the clergy and the laity alike through its dissemination of information to the people of the diocese.

Bishop Ahr declared that—

> In the Monitor the diocese has a newspaper of which we can all be proud. But more than that it is an efficient aid to the bishop and priests in their difficult task of bringing to you a wider knowledge of things Catholic, a deeper understanding of your holy faith, a more vigorous development of your life of grace.

The sixth anniversary edition of the Monitor once again reminds the people of the Fourth Congressional District, which I have the honor to represent, of the great loss we all sustained with the tragic death of Msgr. Richard T. Crean in the fire which destroyed St. Mary's Cathedral. The good monsignor somehow found a place in his incredibly crowded schedule to foster the development of the Monitor and its further service to our people, along with many other fine things for the benefit of the people of our diocese and our State of New Jersey. Once more, an otherwise glorious milestone in our history is saddened by the fact that Monsignor Crean cannot be with us to observe the growth of the Monitor as a spiritual and moral force throughout our religious and lay community.

Annuities for Federal Employees Engaged in Hazardous Duties

EXTENSION OF REMARKS
OF
HON. LESTER HOLTZMAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 21, 1959

Mr. HOLTZMAN. Mr. Speaker, I am today introducing legislation in the House of Representatives to increase the amount of annuity for those employees of the Federal Government engaged in hazardous duties, whose annuities were not increased at the time Public Law 854 was passed October 1, 1956. Included in this class of employees are those of the Federal Government such as FBI agents, members of the Bureau of Prisons, Treasury enforcement officers, Customs enforcement agents, U.S. marshals, and employees of the Criminal Investigation Division of the Immigration Service, whose primary duties include the investigation, apprehension or detention of persons suspected or convicted of offenses against the criminal laws of the United States, or whose duties involve frequent direct contact with such persons.

In introducing this legislation, I call to the attention of my colleagues that in 1956 when Public Law 854 was enacted into law, the deduction from salaries of all Federal employees was increased from 6 to 6½ percent for payment into the civil service fund. Simultaneously with this increase the annuities of employees of the Federal Government was increased from 2 to 2½ percent. In spite of the fact that the employees performing hazardous duties were obligated to pay an additional one-half of 1 percent into the retirement fund they were unfairly omitted from the law which would increase their benefits the additional one-half of 1 percent.

To compound this inequity further, Public Law 85–157 was passed during the 2d session of the 85th Congress increasing the retirement annuities for employees in hazardous occupations for the District of Columbia. While legislation was introduced in the 85th Congress to rectify this inequity, the bill never saw the light of day and no action was taken thereupon.

Mr. Speaker, it is impossible for me to understand why this kind of injustice should be suffered to continue despite the fact that all other employees of the Federal Government are receiving increased retirement annuities. This bill will simply place those in the enumerated hazardous occupations on a par when they retire with those covered in the act cited as the Policemen's and Firemen's Retirement and Disability Act of 1957.

I am completely convinced that no Member of Congress will want to oppose this bill and I most respectfully urge my colleagues to give it a full measure of support.

A Bill To Assist in Relieving the Shortage of Housing for Elder Persons

EXTENSION OF REMARKS
OF
HON. THOMAS B. CURTIS
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 21, 1959

Mr. CURTIS of Missouri. Mr. Speaker, I am today introducing a bill to assist in relieving the shortage of housing for elderly persons which became part of the housing bills passed by both the Senate and House Banking and Currency Committees last year and, I am hopeful, will become part of the omnibus housing bill this year. However, in order to bring this matter to the attention of the House and Senate, I am introducing a separate bill along with the statement I made before the Senate Banking and Currency Committee at the time I suggested this bill as an amendment to the housing bill:

> A bill to amend the National Housing Act to assist in relieving the shortage of housing for elderly persons and to increase the supply of rental housing for elderly persons—it is the further purpose of this bill to assist in provision of urgently needed construction of nursing homes, renovation, and equipping existing licensed nursing homes for the care and treatment of persons, particularly elderly persons

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to carry out the purpose of this bill section 201(a), title II of the National Housing Act, is amended by adding at the end thereof the following new section:

"SEC. 229(a) The purpose of this section is to assist in relieving the shortage of housing for elderly persons and to increase the supply of rental housing for elderly persons. It is further the purpose of this bill to assist in the provision of urgently needed nursing homes for the care and treatment of persons, particularly elderly persons.

"For the purposes of this section—

"(1) The term 'housing' means eight or more new or rehabilitated living units, not less than 50 per centum of which are specially designed for the use and occupancy of elderly persons;

"(2) The term 'elderly person' means any person, married or single, who is sixty years of age or more;

"(3) The term 'nursing home' means a facility which is or will be licensed or regulated by law, which provides continuous nursing care, under medical supervision or direction, to the long-term, convalescent, infirm, or elderly patient in a home-like atmosphere, furnishing facilities and comforts normally found in a patient's home, and which provides, in addition thereto, such specialized service, equipment, and safety features as may be required for the safe, proper, and adequate care of patients at all times; and

"(4) The terms 'mortgage', 'mortgagee', 'mortgagor', and 'maturity date' shall have the meanings respectively set forth in section 207 of this Act.

"(b) The Commissioner is authorized to insure any mortgage (including advances on mortgages during construction) in accordance with the provisions of this section upon such terms and conditions as he may prescribe and to make commitments for insurance of such mortgages prior to the date of their execution or disbursement thereon.

"(c) To be eligible for insurance under this section, a mortgage to provide housing for elderly persons shall—

"(1) involve a principal obligation in an amount not to exceed $12,500,000 or, if executed by Federal or State instrumentalities, municipal corporate instrumentalities of one or more States, or nonprofit development or housing corporations restricted by Federal or State laws or regulations of State banking or insurance departments as to rents, charges, capital structures, rate of return, or methods of operation, not to exceed $50,000,000;

"(2) not exceed, for such part of such property or project as may be attributable to dwelling use, $9,000 per dwelling unit: Provided, That the Commissioner may, in his discretion, increase the dollar amount limitation of $9,000 per unit to not to exceed $9,400 per unit to compensate for the higher costs incident to the construction of elevator-type structures and may increase each of the foregoing dollar amount limitations by not to exceed $1,250 per room in any geographical area where he finds that cost levels so require;

"(3) if executed by a mortgagor which is a private nonprofit corporation or association or other acceptable private nonprofit organization regulated or supervised under Federal or State laws or by political subdivisions of States, or agencies thereof, or by the Commissioner under a regulatory agreement or otherwise, as to rents, charges, and methods of operation, in such form and in such manner as, in the opinion of the Commissioner, will effectuate the purpose of this section, involve a principal obligation not in excess of the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed improvements are completed (the replacement cost may include the land, the proposed physical improvements, utilities within the boundaries of the land, architect's fees, taxes, interest during construction, and other miscellaneous charges incident to construction and approved by the Commissioner);

"(4) if executed by a mortgagor approved by the Commissioner but which is not a nonprofit organization, involve a principal obligation not in excess of the Commissioner's estimate of the replacement cost of the property or project when the proposed improvements are completed (the replacement cost may include the land, the proposed physical improvements, utilities within the boundaries of the land, architect's fees, taxes, interest during construction, and other miscellaneous charges incident to construction and approved by the Commissioner, but shall not include any allowance for builder's and sponsor's profit and risk): *Provided,* That the Commissioner may in his discretion require such mortgagor to be regulated or restricted as to rents or sales, charges, capital structure, rate of return and methods of operation, and for such purpose the Commissioner may make contracts with and acquire for not to exceed $100 stock or interest in any such mortgagor as the Commissioner may deem necessary to render effective such restrictions or regulations; such stock or interest shall be paid for out of the section 207 Housing Insurance Fund and shall be redeemed by the mortgagor at par upon the termination of all obligations of the Commissioner under the insurance;

"(5) provide for a complete amortization by periodic payments within such terms as the Commissioner shall prescribe;

"(6) bear interest (exclusive of premium charges for insurance) at not to exceed 4½ per centum per annum on the amount of the principal obligation outstanding at any time;

"(7) cover a property or project which is approved for mortgage insurance prior to the beginning of construction, with 50 per centum or more of the units therein specially designed for the use and occupancy of elderly persons in accordance with standards established by the Commissioner, and which may include such commercial and special facilities as the Commissioner deems adequate to serve the occupants.

"(d) In order to carry out the purpose stated in the second sentence of subsection (a), the Commissioner is authorized to insure any mortgage which covers a new or rehabilitated nursing home, subject to the following conditions:

"(1) The mortgage shall be executed by a mortgagor approved by the Commissioner. The Commissioner may in his discretion, require any such mortgagor to be regulated or restricted as to charges and methods of operation, and, in addition thereto, if the mortgagor is a corporate entity, as to capital structure and rate of return. As an aid to the regulation or restriction of any mortgagor with respect to any of the foregoing matters, the Commissioner may make such contracts with and/or acquire, for not to exceed $100, stock or interest in any such mortgagor as he may deem necessary. Any stock or interest so purchased shall be paid for out of the section 207 Housing Insurance Fund, and may be redeemed by the mortgagor at par upon the termination of all obligations of the Commissioner under the insurance.

"(2) The mortgage shall involve a principal obligation in an amount not to exceed $12,500,000, and not to exceed 75 per centum of the estimated value of the property or project when the proposed improvements are completed.

"(3) The mortgage shall—

"(i) provide for complete amortization by periodic payments within such terms as the Commissioner shall prescribe; and

"(ii) bear interest (exclusive of premium charges for insurance) at not to exceed 4½ per centum per annum of the amount of the principal obligation outstanding at any time.

"(e) In carrying out the provisions of this section with respect to the insurance of mortgages on properties or projects designed for use as nursing homes, the Commissioner shall consult with and secure the advice and recommendations of the Public Health Service of the Department of Health, Education, and Welfare.

"(f) The Commissioner may consent to the release of a part or parts of the mortgaged property or project from the lien of any mortgage insured under this section upon such terms and conditions as he may prescribe, and shall prescribe such procedures as in his judgment are necessary to secure to elderly persons a preference or priority of opportunity to rent the dwellings included in such property or project.

"(g) The provisions of subsections (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), and (p) of section 207 shall apply to mortgages insured under this section and all references therein to section 207 shall refer to this section."

(b) Section 212(a) of such Act is amended by adding at the end thereof the following: "The provisions of this section shall also apply to the insurance of any mortgage under section 229 except that compliance with such provisions may be waived by the Federal Housing Commissioner in such cases or classes of cases in which laborers or mechanics, not otherwise employed at any time on the project, voluntarily donate their services without compensation for the purpose of lowering the costs of construction and the Federal Housing Commissioner determines that any amounts thereby saved are fully credited to the nonprofit corporation, association or other organization undertaking the construction."

SEC. 213. This bill shall take effect sixty days after this enactment.

STATEMENT OF THOMAS B. CURTIS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MISSOURI

I first want to thank the chairman for the opportunity of testifying before the committee on this important subject of adequate facilities for the aged.

No subject seems to be receiving more attention today than the problems that face our older citizens. It is very important that their problems receive attention. Indeed, the point has been raised of what value has been this increased lifespan given to us through the achievements of our medical and pharmaceutical professions if the years added to the lives of our people are to be spent in unhappiness.

What should be one of the greatest boons to mankind has in some respects become a bane. I believe it is well within our power to give the boon real meaning. However, it requires some clear thinking of what should be done. What has been done, although done with good intentions, has often produced poor results.

The problem of the aged is to a large degree a financial problem. Most older people are on fixed incomes, pensions, social security, or retirement of some sort. Their plans for financing their retirement have been thrown out of kilter by two major economic and social forces.

1. Instead of living 10 years they now are living 20 years. This is the boon that has become a bane, because they have not prepared themselves for this financial burden. The cost of staying alive is great—unnecessarily great. The drugs and medical care are available, but their cost is burdensome.

2. Inflation has hit this group of people most cruelly. What they had set aside has been cut in half. Although we have sought to alleviate this damage through granting double personal exemptions to persons over 65 in our income tax laws, and in other ways, this has amounted to too little for those who get it and has been of no help to those in the lower economic brackets who do not have enough income to be on the income tax rolls.

One way in which we can help these older citizens is to analyze with some care just what their needs are and see if we cannot provide the facilities that are tailored to their needs. What we have been doing, I suggest, is trying to convert the facilities that already exist in our society to fit their needs or, equally as bad, to distort their needs to fit what facilities exist. This does not work, and it is costly.

Let me illustrate. Older people need more medical attention than younger people but do not need constant doctor care, nor do they need constant nursing care. Yet, ofttimes, they are confronted with the choice of either staying at home or going to a hospital. They do not need hospitalization. They need something much less expensive, something in between. The result is we tend to overload our hospitals and inadequately meet the needs of the aged and unnecessarily burden them financially.

I am going to make a confession. I was the first member of the male sex to serve on the board of the Visiting Nurses Association of St. Louis. I was deeply interested in the work that the visiting nurses were doing. I observed how their caseload had changed over the years. The primary caseload of the visiting nurses used to be instructing young mothers in prenatal and postnatal care, because most births took place in the homes and not in the hospitals. Today, there are very few maternity cases in the home. In place of maternity care, the visiting nurses now find their primary caseload is geriatrics—teaching the families of older people in the home how to care for the aged person in the home; how to administer a hypodermic shot; how to handle other problems of chronic illness or just old age.

I regret to state that the use of the visiting nurse approach, which is so much less costly than the hospital approach and much more suitable, has not received the attention and the development that it should. But it illustrates the point I am trying to make that facilities geared to the problems of the aged should be set up specifically for them rather than to try to make the aged problems fit into the facilities we have been using for the general society.

So I come to the specific question at hand—the encouragement and implementation of nursing homes designed to take care of the aged. As a matter of fact, the very terminology I am using—nursing homes—confesses that I am guilty of the very thing I am urging that we avoid. What we need is not nursing homes in the traditional way we know nursing homes to be. Nor do we need old folks' homes as we have known them. We need an entirely new type of facility. It may be a village of old folks, such as I have read has been established in Arizona. It may be just homes clustered

around a medical facility that is set up to care for older people. Frankly, I am not certain just what kind of facilities we should be talking about.

And so we come closer to the question at hand. How do we go about providing the type of facilities that will most adequately fit the problem of our aged citizens? Do we do it by establishing a commission to study the matter, or a congressional committee? All this may help, but I suggest that there is a more direct way, a quicker way, a more satisfactory way—indeed, a way which is being followed to some extent in the natural course of events, whether the Government is aware of it or not.

The way is the private enterprise system. What Government should be doing is encouraging what is already coming about.

So many people misunderstand the private enterprise system. To me it is essentially a trail-and-error system, a system which permits individual citizens or groups of citizens to follow out their ideas of how to sell to or service certain social needs. The best way I know to provide adequate facilities to the older people is to allow various people to go ahead and provide what they think the older people would like at the price they can best afford to pay.

Ninety-seven percent of the nursing homes for the aged today are private institutions. These institutions are under State regulations, and the regulations are improving as experience with the operation of nursing homes grows. All that is needed now is to give some encouragement to private enterprise to move more effectively into the area of administering to the needs of our aged people. The Federal Government is in a very logical position to do just this through the FHA program.

I am familiar with the testimony of George T. Mustin, the head of the American Nursing Home Association, before your committee on May 14, 1958. I want to endorse what he has said wholeheartedly.

I believe that in this area the most can be done for the money to assist our older people, and this can be done right now. The plans, thousands of them, are in existence; all they need is financial implementation. Why we have not extended the FHA program to include private nursing homes before now is hard for me to understand. These are not fly-by-night operations. They all must qualify under State standards. Indeed, the Federal Government through the use of FHA funds can encourage the growth of the State-approved "Nestorian" facilities—I am coining a new term; Nester was the respected older citizen in Homer's "Iliad"—and give impetus to the growth of qualified private facilities for our older citizens.

I urge this committee to give consideration to amending S. 3497, an act to expand the public facility loan program of the Community Facilities Administration of the Housing and Home Finance Agency or whatever proposed legislation would be most appropriate to include proprietary Nestorian facilities that meet adequate State standards.

Thank you, Mr. Chairman.

Permanent Extension of Special School Milk Program

EXTENSION OF REMARKS
OF
HON. ALBERT H. QUIE
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 21, 1959

Mr. QUIE. Mr. Speaker, recently I introduced a bill to permanently extend a program which has great significance to the health of our schoolchildren—the special school milk program. I might add that this program also has a great bearing on the economic health of the dairy industry.

Congress has been appropriating the sum of $75 million a year for the maintenance of this program. Under the present utilization system in our schools, this appropriation is sufficient through fiscal 1959.

Beginning on July 1, 1959, however, there is need of an increased appropriation or the program will need to be curtailed.

The value of healthful milk to the diet of our schoolchildren can hardly be overestimated. This program insures that every American child, regardless of the financial status of his parents or guardians, will not need to be deprived of nature's most nearly perfect food.

I believe I speak for millions of schoolchildren and their parents when I say that this is one program of which Congress can be proud. Scarcely a year goes by when research does not uncover more evidence to bolster the contention of modern science that milk is a vital food for children and adults.

Milk furnishes the human body with 100 different nutrients—including a tremendous assortment of vitamins, minerals, fats, sugars, and high-quality proteins. It is a fact that milk is essential for three nutrients that many nutritionists advise in quantities larger than many people consume.

But it is for three inherent nutrients that milk is justly famous.

Milk provides mineral calcium which is needed throughout life for healthy bones.

Milk provides B-vitamin riboflavin which is essential for healthy skin and nerves which enables the body cells to use other nutrients carried to them by the blood.

And milk dispenses protein which is the main building-and-repair material of all tissues in the body.

Many people receive all too little of these three nutrients. It is of major importance that our children receive them, and the best way to insure this is to see that they drink plenty of milk.

This is why the special school milk program has a great stake in our country's future—because it deals with the bodily welfare of our Nation's youth. Every investment we make in the health of our schoolchildren will certainly result in a stronger America for the future.

Mr. Speaker, I urge favorable consideration of this legislation.

The Space Challenge

EXTENSION OF REMARKS
OF
HON. DAVID S. KING
OF UTAH
IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 21, 1959

Mr. KING of Utah. Mr. Speaker, while I am deeply pleased to be a member of the Committee on Science and Astronautics, I am also greatly sobered by the gravity of this assignment. I believe that this committee, despite its newness, bears one of the heaviest responsibilities of our time.

Overtaking the Russians in space will be no easy task, but I am confident the United States has the capacity to accomplish it. We will not do it with the checkbook alone. We will not do it with anything short of a maximum effort in every relevant area of human activity.

The astronautical challenge has been widely described as the space race. This is an apt expression. We Americans must realize that what we are engaged in is, in every sense of the word, a race.

Speed and time are essential elements of every race. We must recognize their particular importance in this race.

A distinguished Philadelphia scientist, Dr. I. M. Levitt, said, in an Associated Press story which appeared in the Washington Star, that by 1980 men may be living in plastic-domed villages on the moon. Imagine, if you will, how quickly 1980 will be upon us. In my memory I find it no more than a quick step back to the outbreak of World War II, which was almost 20 years ago. Within a similar span men could be living on the moon.

Dr. Levitt, who is the director of the Fels Planetarium at Franklin Institute, said, in fact, that his estimate of 1980 may be too conservative. With another breakthrough in our progress in nuclear energy, and with atomic fuels installed in space vehicles, men, he said, could put settlements on the moon even sooner.

This is indeed a sobering possibility.

It is even more sobering to ponder the possibility that the men who settle the moon might be Russians—perhaps only Russians. We do not need Dr. Levitt to tell us—as he has—that control of the moon by a hostile military power will give that power an alarming logistic advantage.

Clearly, time has favored the Russians up to now. Experts agree they have a substantial lead in space. Exactly how wide the gap is, no one knows. But certainly the Russians, believing as they do about the importance of space leadership to their goal of world supremacy, will never willingly allow that gap to be closed, and their advantage lost.

In a race which runs just 20 years, and perhaps less, in its first important heat—in what actually may be the only important heat—a handicap of a year is plainly critical. A gap of 3 years could be insurmountable.

I see a parallel between the race in space and the contest on the seas which engaged the world in the 15th and 16th centuries, climaxed by the colonization of the Americas.

The exploits of Columbus and Magellan, which proved the earth round, opened great frontiers to exploration and development. Spain and England had the imagination to recognize the political, military and economic importance of these frontiers, and set out to conquer them. By their unremitting efforts to colonize and develop the New World, England and Spain became formidable sea powers, and fixed for them-

selves places of eminence in global affairs for several centuries.

The New World today is space.

Concern about whether the American people are taking this challenge seriously enough is not mine alone. I am certain it is shared by my congressional colleagues, as well as by many other American citizens. Unfortunately, there are, however, many who do not share it.

Alan T. Waterman, Director of the National Science Foundation, has voiced deep concern about American apathy toward the space race. In a United Press International story carried by the Washington Post, Mr. Waterman was quoted as saying:

> As a Nation, we appear to forget that we live in a competitive world and shall continue to do so. It seems abundantly clear that we shall rapidly lose in competition unless we can show more determined and constructive efforts than we have during the past years.

Mr. Waterman deplored the post-sputnik response of the American public. He warned that other countries, and especially Russia, are showing a determination and a national spirit on the part of the people which seems to be relatively absent from the American scene.

> We do not seem to understand—

He said in the article—

> that it will be impossible to maintain our own prosperity and world peace unless we do and do promptly the things necessary to compete in a modern world.

He went on to say that American educators who have toured Russia have been alarmed at the clarity of purpose they find there. He said the Russians believe that by winning the race in space, and by emphasizing science and education, they will achieve leadership over the entire world, and without the cost of a destructive war.

As Mr. Waterman points out, the Soviet challenge really is more than a race in space. It is a contest in technology, whose fruitage is not only better space vehicles, but better bathtubs and better automobiles. This reflects, of course, a more basic contest in education.

Our answer to this challenge must be the effective use of those qualities and resources which have enabled Americans to successfully meet every other crisis in their history; namely, imagination, initiative, and ingenuity.

These qualities are inherent in, and cultivated by, our democratic way of life. They are the bread and butter of our free enterprise system.

The society which cultivates and nurtures these qualities in the greatest abundance is, in reality, the truly liberal society. I am confident our society has, and always will have, these qualities in greater abundance than is possible in any regimented Communist society.

And with them, Americans can win the space race.

We will win it, if we will but cease to grumble about the challenge, put aside our partisanship and our doubts, and apply our best brainwork and teamwork—along with the proper measures of elbow grease and midnight oil—to the task.

Address by Hon. Vance Hartke, of Indiana, Before the National Political Science Conference on Urban Problems

EXTENSION OF REMARKS
OF
HON. ALAN BIBLE
OF NEVADA
IN THE SENATE OF THE UNITED STATES
Wednesday, January 21, 1959

Mr. BIBLE. Mr. President, on Friday, January 16, the able Senator from Indiana [Mr. HARTKE] gave a very thought-provoking speech on urban problems before the National Political Science Honorary and Citizens Conference on Washington Area Problems, at the American University in Washington.

I ask unanimous consent that the text of the speech entitled "National Policy for Urban America" be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

I am honored that you have asked me to speak to such a distinguished gathering. Let me make it clear that, as a freshman—a Senator, I do not want to be presumptuous. Let me add also that I do not claim to be an expert. However, as a former mayor who is now operating in higher echelons of government, I have had some experience along the lines which you folks have been discussing.

Problems of our cities can't be explored too deeply or too often. But we must do more than explore. We have to prepare to act, then act.

It is concerning the role of Federal Government in helping promote effective action for a better way of life for our urban citizens that I speak tonight.

Before continuing with this talk, "National Policy for Urban America," I want to take note of something that happened to me just 2 days ago.

As you may know, I have been appointed to the District of Columbia Committee. Now, some Senators, frankly, do not consider this a choice assignment. However, I am as pleased with the challenge this committee offers as I am with my appointment to the Finance and Interstate and Foreign Commerce Committees, which are considered major appointments.

You see, I am pleased that the Senate leadership has considered my experience as mayor of Evansville, Ind., valuable background for this work here. I consider the challenge of helping wipe out slums and traffic bottlenecks in the Nation's Capital as important—or more so—as the challenge I felt in facing these problems in Evansville.

I hope I can help bring better government to Washington. And I hope to have a part in bringing local self-government to the presently voteless residents of the District.

In addition to Washington, we have 167 metropolitan areas in our country, ranging in size from Macon, Ga., and my own city of Evansville, Ind., to the multi-million-sized centers of New York, Los Angeles, and Chicago. Around 80 percent of these metropolitan areas now have fewer than half a million inhabitants.

In the next few years, we're going to have many more metropolitan areas. By the year 2000, we are told, some 235 million persons will be living in these metropolitan areas alone in our country.

Cities which now have between 100,000 and 200,000 residents will grow far beyond their present boundaries. These areas offer us opportunity. We have opportunity to help them avoid the problems that have ravaged our largest cities.

Somehow, the meaning of population and growth figures is so simple it has escaped us. Cities, which once served as service areas for the countryside, now dominate the landscape and our civilization.

The figures are impressive. They're almost frightening. But the full significance comes in translating the figures into problems of real impact on the cities and their people.

For those of us who must travel to work in such areas and who use municipal services, metropolitan growth problems are personal problems.

But, the implications and the size of urban growth can hardly be classed as something strictly local. It is statewide. It is interstate. Indeed it is national.

The new swift means of getting from place to place, the way in which our people move from one place to another, have made the problems national in impact. Transportation needs, requirements for huge quantities of water, national defense needs, all of these have made it unrealistic to talk of metropolitan problems in terms of one community or as something less than a national situation.

With two out of three American citizens already living in metropolitan centers, no single level of government alone possesses the organization, the funds or the leadership to cope with the problem.

The sad truth is governments have not been equipped to handle the metropolitan problem. They have not been able to, or have been unwilling to, anticipate the changes which our century has brought to cities.

The impact of the car is a good example. We have been unable to move fast enough or with enough determination to prevent the problems brought to our cities by 60 million cars on their streets.

Yet, cars are simple things compared to jet planes and helicopters. They're simple compared to automation and atomic power. All of these more complicated instruments will probably be in common use in another 50 years.

We can anticipate their use and the problems they may create just as we could have anticipated the impact of the car. But if we can't turn this anticipation into action our problems will multiply. That is because we still haven't solved exhaust pollution, street congestion, and roadbuilding. On top of this we know we can expect air-transport congestion and prospects of pollution and waste disposal from atomic sources.

What's more, there will be a mass of leisure time which automation is bound to bring.

To date we have not used mobility as something creative. Instead, we have let it too often be a noose for strangulation as well as a force for growth and opportunity.

The challenge of these new scientific and technological developments lies not alone in making out life more productive, but in making it more fruitful and more decent. Why must we go through growing pains of technological advancement when advances can be anticipated?

Let's gear our policies to change and to the warning signs. As a nation, we have never been adverse to experimenting in Government programs and organizations. Indeed, our representative democracy is itself an experiment not yet in full flower.

The problems of this new technology are focused on our cities. The products of the mines, the fields, the factories, the laboratories, and of the cultural heritage of this country are stored in our cities.

Our cities are rich.

Rich in material things. Rich in human resources.

They are themselves important resources.

Our cities are our latest frontier. Unless outer space can be substituted for green space and parking space, the cities may be our last frontier.

Like earlier frontiers, our cities have been settled, exploited, and somewhat eroded. Continuing this patern means degrading the lives of millions. Yet, our goal should be continuous raising of human dignity. This is impossible in the midst of urban erosion.

Rising crime rates, social diseases, juvenile delinquency, segregation, filthy living conditions flourish partly because of uncontrolled or poorly controlled urban growth and population management.

Out in the countryside our rural residents learned some of these lessons long ago. They found out conservation is essential to growth.

Soil conservation, for instance, is widespread and national in scope. Yet, there is almost no urban conservation program.

If we can work to save and restore the resources that God has given us, surely we ought to be able to do the same with resources that have been largely of our own making. The spectacle of urban growth, then, requires anticipating needs of citizens for applying technological achievements to make life better through them. It requires stopping erosion and restoring its effects.

First, we must anticipate the problems we will soon face. I refer to anticipation in the full, active sense of the word.

Let us mobilize, for instance, all the sources of information on city problems and funnel this information into a policy. Right now the Federal Government has programs in urban renewal, highways, flood control, water and land management, economic aid, housing, school construction, and law enforcement, all of which are designed to help cities.

But there is a sad lack of coordination among these programs, just to mention a few. What's more, many cities aren't even aware of what help is available or how to get it.

Similar programs are being carried forward on other levels of government without being dovetailed with Federal programs.

They cannot be divorced. A highway linking two major cities has in itself impact on commercial and residential growth, on relocation of residents, even on crime rates. Urban renewal is related to transportation, to water supplies, to sanitation facilities, to law enforcement. All are tied into the expanding economy of the Nation. All are part of the defense system in supplying the goods and getting the goods delivered, as well as to a better standard for us to hold up as a model to our friends and allies.

We need to anticipate the net effect of these programs on specific places.

For instance, a community needs to know how, if at all, it may benefit from the distress-areas bills and from highway legislation. In Evansville, for instance, we found that by pushing a sewer-development program ahead at an accelerated pace we were able to get around $250,000 in Federal funds for planning.

To gage how well needs of individual cities are being met by existing legislation, each metropolitan area has to be studied and the national implications weighed. To do this means local, regional, and national planning.

Many conferences on metropolitan problems are held every year. But these efforts are not coordinated. So far as I know, no one community has mobilized all the forces available to cope with its problems, let alone any such national mobilization.

The Federal Government, it seems to me, can provide the incentive to pool information, talent, energy, and resources to focus attention on metropolitan problems and suggested solutions. It can help anticipate and plan. It can help gain public support and understanding.

Existing agencies might be called on to analyze present programs and their net effect, adding how these programs can be used in other places.

There also is a need for reviewing the relationship of these programs at the top level. The Council of Economic Advisers should be concerned with a new dimension in our complex economic situation—the probable consequences of trends on our civilization. Or, put another way, where are we likely to end up if we continue on the same road?

The council could perhaps tell us where this production is, from what markets and to what markets do products flow, what the effect of certain policies will be, and developments on the opportunity for a full life for citizens.

The Budget Bureau or some other agency of the executive could well review programs for urban growth and see that these are meshed in such a way as to spread their benefits. We have books on farms and their products and on such things as jobs. Why not on our cities?

It should, indeed, be the business of all agencies to report on implications to our people of new scientific developments. This could be done through urban research in the National Academy of Science or some similar group.

Such a group could make information available to local groups such as the metropolitan study group of Washington. Pooling and sharing of information then would be possible. Cities could learn from each other from an agency trying to store knowledge on problems and possible new problems.

But this anticipation and presentation is only the first phase.

We must also plan.

Now is the time for a long-range program to pool brains, energy, money, and experience which is being frittered away in separate meetings, conferences, and institutes.

It should be a goal to keep talking about problems and also to start doing something about them.

I refer to setting goals in welfare, public works, transportation, water supply, sanitation, decontamination, living standards, defense, communication, recreation, and many more. I refer also to setting up requirements to meet needs which can also serve as a yardstick to measure local achievement.

Along these lines, I understand the best guess for residential renewal requirements is $700 billion or 10 percent of the gross national product between now and 1970. The same estimate calls for quadrupling present outlays for these purposes. Yet, national urban renewal plans now propose only spending 10 percent of this amount.

Going too slowly is not economy. It isn't fair to those who suffer the consequences. We can afford what is necessary, surely. Just as surely as we cannot afford a thing that is not necessary.

But how are we to judge? If our information is correct, we are spending no more than 3 percent of what we are told is needed.

But we also need to know the effects of these goals on other programs for urban development. And we have few standards on which to base judgment.

We face similar problems in transportation and water resource development. We must project effects of present programs and anticipated needs if we are to make even an educated guess. And, with the size of the problems we have and will have, guessing ought to be reduced to a minimum.

The Federal Government should serve two-thirds of its citizens by helping them with information for rational decisions. This calls for looking into all policies affecting urban life, highways, housing, urban renewal, water supply, stream pollution, etc., to find out if they measure up to our obligations.

After anticipating and planning to meet anticipation, we must set up adequate standards.

These can be set up only with understanding of problems and with plans that require local areas to measure up. Again the Federal Government can supply both initiative in presentation and resources to accomplish the goals. It can set a pattern for planning and it can set standards.

By publicizing the problem, it can give aid to new values for the new way of life. If our cities are the just brunt of public scorn, it is a national disgrace that they should continue to be when most of our people live in them. The very vitality of democratic government is at stake in the rebuilding of our cities. If democracy fails to meet these urban problems, how can we hold out our system as one for others to follow?

Our culture, oddly, has two images of city life. One is that of Sodom and Gomorrah. The other is that of the Heavenly City.

If many of us cling to the idea that cities are dens of iniquity, we may get little more than that from many of our cities. I believe, however, from experience in Evansville, that we can raise our cities to new stature and prestige. To do otherwise is to allow erosion of great material and spiritual resources.

Our cities must provide highest standards of convenience, efficiency, service, and beauty. If they do, the cities can become monuments to our civilization. If we don't, the cities may become our tombstones.

Third, we must spell out our standards and plans in a strategy for urban development. To be meaningful, this strategy should have national leadership. I believe this can be furnished by National Government.

It could use its resources to coordinate the plans I spoke of. It could use scientific information resources to analyze trends in growth and development and the implications. It could help spell out, with all the minds and skill available everywhere, objectives and goals and standards.

This could be done through a White House conference. A joint congressional-Presidential commission is another way. Revitalizing and revamping National Resources Planning Council or some other group is another way.

We need information, digesting of this information, analysis of statistics. Without these, there can be no review of implications, no evaluations, no setting of standards.

Then these goals must be implemented. There are, perhaps, two interim approaches for constructive criticism.

We certainly can see the need for more land. And we can see the need for conservation of present resources.

Let's learn again from the farmer. We need something like an urban land bank to acquire in urban areas land for future expansion. This may take Federal assistance at least until State legislatures release cities from 18th century financial straitjackets.

Perhaps we can use a city agent—someone who can help cities help themselves as the county agent does for rural America.

Urban growth is a fact. Our metropolitan living is the dominant way of life. We can't escape it.

I know of no domestic problem which does not have a bearing on the problems of urban growth.

The solution is not one of capability. It is not one of lack of brainpower. And it certainly is not one that can be shoved from one level of government to another as someone else's problem.

It is the problem of all of us.

We cannot afford the price of undue delay.

We must develop national policy. To do so, we must plan, set standards, spell out the standards with strategy for accomplish-

ment. Then we must provide the machinery and money to realize the goals.

In all this, we must not lose sight of the greatest goal—human dignity of high order for all.

I think it can be done.

I think we can come a little closer at least to the "heavenly city."

If we don't try, we may come closer to hell on earth.

A Bill To Amend the Internal Revenue Code of 1954 To Provide a Special Method of Taxation for Real Estate Investment Trusts

EXTENSION OF REMARKS
OF
HON. THOMAS B. CURTIS
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 21, 1959

Mr. CURTIS of Missouri. Mr. Speaker, I have today introduced a bill to amend the Internal Revenue Code of 1954 to provide a special method of taxation for real estate investment trusts. This particular bill was reported favorably during the last session of Congress by our Ways and Means Committee but unfortunately did not pass Congress. This bill provides substantially the same tax treatment for real estate investment trusts as present law provides for regulated investment companies. Real estate trusts are organizations specializing in investments in real estate and real estate mortgages, while the regulated investment companies specialize in investments in stocks and securities. Under present law regulated investment companies which distribute 90 percent or more of their ordinary income are taxed only on their retained earnings. Thus, the distributed earnings of these companies are taxed only to the shareholders. This same type of tax treatment is accorded by this bill to real estate trusts.

Mr. Speaker, the equality of tax treatment between the beneficiaries of real estate trusts and the shareholders of regulated investment companies is desirable since in both cases the methods of investment constitute pooling arrangements whereby small investors can secure advantages normally available only to those with larger resources. These advantages include the spreading of the risk of loss by the greater diversification of investment which can be secured through the pooling arrangements; the opportunity to secure the benefits of expert investment counsel; and the means of collectively financing projects which the investors could not undertake singly.

In addition to providing equality of tax treatment between the trust beneficiaries and the investment company shareholders, I believe it is also desirable and so did the Ways and Means Committee to remove taxation to the extent possible as a factor in determining the relative size of investments in stocks and securities on the one hand, and real estate equities and mortgages on the other. This is particularly important at the present time because of the countrywide complaints about the shortage of private capital and mortgage money for individual homes, apartment houses, office buildings, factories, and hotels. At the present time the financing of these real estate equities and mortgages is dependent largely on Government-guaranteed money, and investments by special groups, such as insurance companies and pension trusts.

The text of the bill follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subchapter M of chapter 1 of the Internal Revenue Code of 1954 (relating to regulated investment companies) is hereby amended by adding at the end thereof the following:

"PART II—REAL ESTATE INVESTMENT TRUSTS

"Sec. 856. Definition of real estate investment trusts.
"Sec. 857. Taxation of real estate investment trusts and their beneficiaries.
"Sec. 858. Limitations applicable to dividends received from real estate investment trust.
"Sec. 859. Dividends paid by real estate investment trust after close of taxable year.

"SEC. 856. Definition of real estate investment trust.

"(a) IN GENERAL.—For purposes of this subtitle, the term 'real estate investment trust' means an unincorporated trust or an unincorporated association—

"(1) which is managed by one or more trustees;

"(2) the beneficial ownership of which is evidenced by transferable shares, or by transferable certificates of beneficial interest;

"(3) which (but for the provisions of this part) would be taxable as a domestic corporation;

"(4) which does not hold any property primarily for sale to customers in the ordinary course of its trade or business;

"(5) the beneficial ownership of which is held by 100 or more persons, and no 5 individuals own (directly or indirectly) more than 50 percent of such beneficial ownership; and

"(6) which meets the requirements of subsection (b).

"(b) LIMITATIONS.—A trust or association shall not be considered a real estate investment trust for any taxable year unless—

"(1) It files with its return for the taxable year an election to be a real estate investment trust or has made such election for a previous taxable year which began after December 31, 1956.

"(2) At least 90 percent of its gross income is derived from—

"(A) dividends;

"(B) interest;

"(C) rents from real property;

"(D) gain from the sale or other disposition of stock, securities, and real property (including interests in real property and interests in mortgages on real property); and

"(E) abatements and refunds of taxes on real property.

"(3) At least 60 percent of its gross income is derived from—

"(A) rents from real property;

"(B) interest on obligations secured by mortgages on real estate;

"(C) gain from the sale or other disposition of real property (including interests in real property and interests in mortgages on real property);

"(D) dividend or other distributions on, and gain from the sale or other disposition of, transferable shares in (or transferable certificates of beneficial interest in) other real estate trusts or associations; and

"(E) abatements and refunds of taxes on real property.

"(4) The amount by which the gains from the sales and other dispositions of stock or securities held for less than 6 months exceed the losses from such sales or other dispositions is an amount less than 30 percent of its gross income.

"(5) The amount by which the gains from voluntary sales and other voluntary dispositions of real property held for less than 5 years exceed the losses from such sales and dispositions is an amount less than 30 percent of its gross income.

"(c) RENTS FROM REAL PROPERTY DEFINED: For purposes of paragraphs (2) and (3) of subsection (b), the term 'rents from real property' does not include—

"(1) any amount received or accrued with respect to any real property, if the trust or association makes any expenditure which is properly allocable to such real property while rented (or to the rentals from such real property), other than—

"(A) expenditures properly chargeable to capital account;

"(B) expenditures for taxes, interest, or insurance;

"(C) expenditures for the collection of, or the accounting for, income; and

"(D) expenditures properly allocable to the entering into, renewal, or termination of any lease;

"(2) any amount received or accrued with respect to any real property, if the amount to be derived from such property depends in whole or in part on the income or profits derived by any person from such property (except that any amount so received or accrued shall not be excluded from the term 'rents from real property' solely by reason of being based on a fixed percentage or percentages of receipts or sales);

"(3) any amount received or accrued directly or indirectly from any person if the trust or association owns, directly or indirectly—

"(A) in the case of any person which is a corporation, stock of such person possessing 10 percent or more of the total combined voting power of all classes of stock entitled to vote, or 10 percent or more of the total number of shares of all classes of stock of such person; or

"(B) in the case of any person which is not a corporation, an interest of 10 percent or more in the business, assets, or net profits of such person.

For purposes of paragraph (3) of this subsection, the rules prescribed by section 318(a) for determining the ownership of stock shall apply in determining the ownership of stock, business, assets, or net profits of any person. For purposes of the preceding sentence, section 318(a)(2)(C) shall be applied without regard to the 50 percent limitation contained therein.

"SEC. 857. Taxation of real estate investment trusts and their beneficiaries.

"(a) REQUIREMENTS APPLICABLE TO REAL ESTATE INVESTMENT TRUSTS.—The provisions of this part shall not apply to a real estate investment trust for a taxable year unless—

"(1) it distributes to its shareholders or holders of beneficial interests an amount not less than 90 percent of the amount by which the real estate investment trust taxable income for the taxable year exceeds the sum of its net long-term capital gain and net short-term capital gain for such year; and

"(2) the real estate investment trust complies for such year with regulations prescribed by the Secretary or his delegate for the purpose of ascertaining the actual ownership of the shares or certificates of beneficial interest of such trust.

"(b) METHOD OF TAXATION OF REAL ESTATE INVESTMENT TRUSTS AND HOLDERS OF SHARES OR CERTIFICATES OF BENEFICIAL INTEREST.—

"(1) IMPOSITION OF NORMAL TAX AND SURTAX ON REAL ESTATE INVESTMENT TRUSTS: There is hereby imposed for each taxable year on the real estate investment trust taxable income of every real estate investment trust a normal tax and surtax computed as provided in section 11, as though the real estate investment trust taxable income were the taxable income referred to in section 11. For purposes of computing the normal tax under section 11, the taxable income and the dividends paid deduction of such real estate investment trust for the taxable year (computed without regard to capital gain dividends) shall be reduced by the deduction provided by section 242 (relating to partially tax-exempt interest).

"(2) REAL ESTATE INVESTMENT TRUST TAXABLE INCOME: For purposes of this part, the term 'real estate investment trust taxable income' means the taxable income of the real estate investment trust, adjusted as follows:

"(A) There shall be excluded the excess, if any, of the net long-term capital gain over the net short-term capital loss.

"(B) The deductions for corporations provided in part VIII (except section 248) in subchapter B (section 241 and following, relating to the deduction for dividends received, etc.) shall not be allowed.

"(C) A deduction shall be allowed for the dividends (other than capital gain dividends) paid during the taxable year computed in accordance with the rules provided in section 562.

"(D) The taxable income shall be computed without regard to section 443 (b) (relating to computation of tax on change of annual accounting period).

"(E) The net operating loss deduction provided in section 172 shall not be allowed.

"(3) CAPITAL GAINS.—

"(A) IMPOSITION OF TAX: There is hereby imposed for each taxable year in the case of every real estate investment trust a tax of 25 percent of the excess, if any, of the net long-term capital gain over the sum of—

"(i) the net short-term capital loss; and

"(ii) the amount of capital gain dividends paid during the taxable year.

For the purposes of this subparagraph, the amount of dividends paid shall be computed under the rules provided in section 562.

"(B) TREATMENT OF CAPITAL GAIN DIVIDENDS BY SHAREHOLDERS: A capital gain dividend shall be treated by the shareholders or holders of beneficial interests as a gain from the sale or exchange of a capital asset held for more than 6 months.

"(C) DEFINITION OF CAPITAL GAIN DIVIDEND: For purposes of this part, a capital gain dividend is any dividend, or part thereof, which is designated by the real estate investment trust as a capital gain dividend in a written notice mailed to its shareholders or holders of beneficial interests at any time before the expiration of 30 days after the close of its taxable year. If the aggregate amount so designated with respect to a taxable year of the trust (including capital gain dividends paid after the close of the taxable year described in section 859) is greater than the excess of the net long-term capital gain over the net short-term capital loss of the taxable year, the portion of each distribution which shall be a capital gain dividend shall be only that proportion of the amount so designated which such excess of the net long-term capital gain over the net short-term capital loss bears to the aggregate amount so designated.

"(c) EARNINGS AND PROFITS: The earnings and profits of a real estate investment trust for any taxable year (but not its accumulated earnings and profits) shall not be reduced by any amount which is not allowable as a deduction in computing its taxable income for such taxable year.

"SEC. 858. Limitations applicable to dividends received from real estate investment trust.

"(a) CAPITAL GAIN DIVIDEND: For purposes of section 34(a) (relating to credit for dividends received by individuals), section 116 (relating to an exclusion for dividends received by individuals), and section 243 (relating to deductions for dividends received by corporations), a capital gain dividend (as defined in section 857(b)(3)(C) received from a real estate investment trust shall not be considered as a dividend.

"(b) OTHER DIVIDENDS:

"(1) GENERAL RULE: In the case of a dividend received from a real estate investment trust (other than a dividend to which subsection (a) applies)—

"(A) if such real estate investment trust meets the requirements of sections 856 and 857(a) for the taxable year during which it paid such dividend; and

"(B) the aggregate dividends received by such trust during such taxable year are less than 75 percent of its gross income,

then, in computing the credit under section 34(a), the exclusion under section 116, and the deduction under section 243, there shall be taken into account only that portion of the dividend which bears the same ratio to the amount of such dividend as the aggregate dividends received by such trust during such taxable year bear to its gross income for such taxable year.

"(2) NOTICE TO SHAREHOLDERS: A real estate investment trust to which paragraph (1) applies for any taxable year shall, in a written notice to shareholders or holders of beneficial interests mailed not later than 30 days after the close of the taxable year, designate the portion of the dividends paid by the real estate investment trust during such taxable year which may be taken into account under paragraph (1) for purposes of the credit under section 34, the exclusion under section 116, and the deduction under section 243.

"(3) DEFINITIONS: For purposes of this subsection—

"(A) The term 'gross income' does not include gain from the sale or other disposition of stock or securities or of real estate (or interests therein).

"(B) The term 'aggregate dividends received' includes only dividends received from domestic corporations other than dividends described in section 116(b) (relating to dividends excluded from gross income). In determining the amount of any dividend for purposes of this subparagraph, the rules provided in section 116(c) (relating to certain distributions) shall apply.

"SEC. 859. Dividends paid by real estate investment trust after close of taxable year.

"(a) GENERAL RULE: For purposes of this chapter, if a real estate investment trust—

"(1) declares a dividend before the time prescribed by law for the filing of its return for a taxable year (including the period of any extension of time granted for filing such return); and

"(2) distributes the amount of such dividend to shareholders or holders of beneficial interests in the 12-month period following the close of such taxable year and not later than the date of the first regular dividend payment made after such declaration,

the amount so declared and distributed shall, to the extent the trust elects in such return in accordance with regulations prescribed by the Secretary or his designee, be considered as having been paid during such taxable year, except as provided in subsections (b) and (c).

"(b) RECEIPT BY SHAREHOLDER: Amounts to which subsection (a) applies shall be treated as received by the shareholder or holder of a beneficial interest in the taxable year in which the distribution is made.

"(c) NOTICE TO SHAREHOLDERS: In the case of amounts to which subsection (a) applies, any notice to shareholders or holders of beneficial interests required under this part with respect to such amounts shall be made not later than 30 days after the close of the taxable year in which the distribution is made."

SEC. 2. Subchapter M of chapter 1 of the Internal Revenue Code of 1954 is hereby amended:

(1) by striking out the heading thereof and inserting in lieu thereof the following: "Subchapter M—Regulated Investment Companies and Real Estate Investment Trusts

"Part I. Regulated investment companies.

"Part II. Real estate investment trusts.

"PART I—REGULATED INVESTMENT COMPANIES";

(2) by striking out "this subchapter" in section 852(a) and inserting in lieu thereof "this part"; and

(3) by striking out "A capital gain dividend means" in section 852(b)(3)(C) and inserting in lieu thereof "For purposes of this part, a capital gain dividend is".

SEC. 3. (a) The table of subchapters for chapter 1 of the Internal Revenue Code of 1954 is hereby amended by inserting "and real estate investment trusts" after "Regulated investment companies".

(b) Section 11(d)(3) of such Code (relating to tax on corporations) is hereby amended by inserting "and real estate investment trusts" after "regulated investment companies".

(c) Section 34(d) of such Code (relating to credit for dividends received by individuals) is hereby amended by adding at the end thereof the following new paragraph:

"(3) A dividend received from a real estate investment trust shall be subject to the limitations prescribed in section 858."

(d) Section 116(c) of such Code (relating to an exclusion for dividends received by individuals) is hereby amended by adding at the end thereof the following new paragraph:

"(3) A dividend received from a real estate investment trust shall be subject to the limitations prescribed in section 858."

(e) Section 243(b) of such Code (relating to deduction for dividends received by corporations) is hereby amended by adding at the end thereof the following new paragraph:

"(3) A dividend received from a real estate investment trust shall be subject to the limitations prescribed in section 858."

(f) Section 318(b) of such Code (relating to constructive ownership of stock) is amended by striking out the word "and" at the end of paragraph (4), by striking out the period at the end of paragraph (5) and inserting in lieu thereof a semicolon and the word "and", and by adding at the end thereof the following new paragraph:

"(6) section 856(c)(3) (relating to definition of real estate investment trusts)."

(g) Section 443(d) of such Code (relating to computation of tax on change of annual accounting period) is hereby amended by adding at the end thereof the following new paragraph:

"(5) The taxable income of a real estate investment trust, see section 857(b)(2)(D)."

(h) Section 1504(b)(6) of such Code (relating to consolidated returns) is hereby amended by inserting "and real estate investment trusts" after "Regulated investment companies."

SEC. 4. The amendments made by this act shall apply only with respect to taxable years beginning after December 31, 1956.

"If America Forgets Where She Came From, if the People Lose Sight of What Brought Them Along, Then Will Begin the Dissolution," Carl Sandburg, Biographer of Abraham Lincoln, Declares

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EXTENSION OF REMARKS
OF

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1959

Mr. THOMPSON of New Jersey. Mr. Speaker, the distinguished Lincoln scholar, Carl Sandburg, poet and philosopher, wrote in his book "Remembrance Rock" that—

> If America forgets where she came from, if the people lose sight of what brought them along, if she listens to the deniers and mockers, then will begin the rot and dissolution.

Surely, the inspiration to be derived from the great lessons of the past which are set forth in our rich heritage of historic American sites, buildings, objects, and antiquities is of the utmost significance and importance in guiding the present as well as future generations toward similar high standards and worthy attainments.

With this thought in mind, legislation to save this cultural heritage has been sponsored by the gentleman from Pennsylvania [Mr. CURTIN], the gentleman from New Hampshire [Mr. MERROW], the gentleman from Wisconsin [Mr. REUSS], the gentleman from Mississippi [Mr. SMITH], the gentleman from New York [Mr. WAINWRIGHT], the gentleman from New Jersey [Mr. WIDNALL], the gentleman from Texas [Mr. WRIGHT], myself, and no doubt others.

The need for such legislation, Mr. Speaker, was first made evident by the protests of the Federal Commission of Fine Arts, the American Institute of Architects, the National Trust for Historic Preservation, the Society of Architectural Historians, the National Park Service, the New York Times and many other newspapers, as well as a large number of groups interested in conservation of our resources.

In introducing his companion bill the gentleman from Texas [Mr. WRIGHT] declared that—

> Studies by these groups and by others have made it obvious that literally thousands of the most priceless treasures of our national heritage have been plowed under and utterly destroyed by the bulldozers of a ruthless progress during the past few years. The tragedy is that in most such instances, the destruction was wholly unnecessary. The valuable historic objects could have been preserved without retarding progress.
>
> We obviously should not permit this thoughtless and wanton destruction of these last relics of our past, because they provide, in many cases, the only visible links to connect us with periods of our own national history. They remind us of the greatness of our past, of the hardships endured by those who with such painstaking care laid the foundations of our history.

Congress has, in the past, enacted legislation to preserve historic American sites, buildings, objects, and antiquities. I would cite, in this connection, the act entitled "An act for the preservation of American antiquities," approved June 8, 1906—United States Code, title 16, sections 431, 432, 433; the act entitled "An act to provide for the preservation of historic American sites, buildings, objects, and antiquities, and for other purposes," approved August 21, 1935—United States Code, title 16, section 461 and the following; and section 7 of the act of August 27, 1935, as added July 18, 1940—United States Code, title 40, section 304a–2.

Certainly, the intent of the Congress is clear enough in this matter. It clearly intended to preserve our heritage, but the present administration has chosen repeatedly to ignore the intent of the Congress.

It recommended to Congress that the historic Civil Service building, in Washington, D.C., designed by Robert Mills, architect of the U.S. Treasury Department Building and Washington Monument, be destroyed in order that the site could be used as a parking lot.

It recommended that the historic State, War, Navy Building in the Nation's Capital be replaced with what it described as a more efficient modern building.

Morristown, N.J., National Historical Park has been threatened with a federally assisted highway, 90 percent of the cost of which is furnished by the Federal Government.

It proposed to survey some 30 historic buildings across the country preparatory to replacing them with more efficient office space, too. Obviously, these recommendations were part of a plan to reward builders who were faithful to the Republican Party with fat contracts.

But this is not the end of this sorry tale, Mr. Speaker.

A number of historic buildings dating back to the Revolutionary period, including the ancestral homes of the Lee family of Virginia, are right now in danger of being obliterated to make way for the new Chantilly Airport. These homes should be preserved and, if necessary, relocated.

The old San Francisco Mint, one of the few buildings to survive the earthquake and fire of 1906, a classic building of great historic and architectural value, has been declared surplus by the General Services Administration. The site is wanted for a parking lot.

A historic Dutch mansion, built around 1790, was acquired by the Government along with the surrounding land on the Hudson River for a Veterans' Administration hospital. This building certainly could have been preserved on the site as a museum and used as a waiting cottage for visitors. Instead, it was sold to a wrecker for $32. The wrecker dismantled it, sold the facade for $3,000 and disposed of the remainder in piecemeal sales.

It is to be hoped that the Committee on Public Works, and the Committee on Interior and Insular Affairs will move rapidly to consider the legislation dealing with the preservation of our great heritage which has been referred to them and that they will favorably report this legislation to the Congress early in this session. There is no time to lose, particularly in view of the fact that the administration obviously considers that the legislation previously enacted by the Congress does not apply to it.

I include here two items which gives some idea of the scope of the problem which I have been discussing.

WANTON DISREGARD OF OUR HERITAGE

An architect visiting West Point a few years ago was admiring the superintendent's residence, beautifully situated to command a sweeping view of the West Point plain. The oldest building still being used at the Academy, this one has housed almost every Superintendent, and so has historic as well as architectural value.

"We're tearing it down for more barracks room," an officer told him matter-of-factly.

The architect was horrified. Couldn't it possibly be saved? No, the plans were made.

The visitor hastened to Washington and buttonholed Congressmen and Senators, but could interest none. Then he had an inpiration: he called on Senator HARRY F. BYRD of Virginia. "Senator," he said, "did you know that Gen. Robert E. Lee's famous home while he was Superintendent of West Point is about to be destroyed?"

The Senator was incredulous. "Get me West Point," he said to his secretary. No one will give a verbatim report of the ensuing conversation, but the destruction plans were canceled and today this architectural landmark still stands, used and admired.

The patriotic architect is but one of many Americans who are alarmed at the wanton razing of places precious to our heritage. All over the country structures that help recreate our past are being sacrificed to make way for shopping centers, superhighways, skyscrapers and subtopias. Studies indicate that at least 25 percent of the finest historic and architectural monuments that existed in the United States in 1941 have been destroyed.

Much of this destruction is the result of callous disregard of cultural values. Residents of Charleston, S.C., used to point with pride to their Orphan House Chapel, designed in 1802 by Gabriel Manigault, one of the finest of early American architects. Culturally it was of national importance and when a mail-order house acquired it along with other property for a retail store, Charlestonians begged the company to spare the charming chapel. But it was destroyed to enlarge the parking lot.

Boscobel, a classical mansion dating from 1804, was considered one of the most distinguished examples of Hudson River architecture. Located in Westchester County, N.Y., on the grounds of the Franklin D. Roosevelt Veterans Hospital, it was in rapidly deteriorating condition in 1950. Despite local efforts to save it, Government officials declared it surplus property and sold it for $35 to a wrecker, who tore it down.

Even in ruin it was beautiful. Admirers of the old house raised enough money to purchase the dismantled structure and move it, piece by piece, to a 30-acre park site at Garrison, N.Y. There it lies today, while devoted sponsors go about the heartbreaking job of collecting funds to reconstruct the mansion as a community center and museum of Hudson Valley history and art.

Why save old places? What can they contribute to living in the world today?

A nation with no regard for its past will have little future worth remembering. We need authentic, tangible reminders of our national virtues and heroes to make us feel a part of the best in our heritage. Properly presented, they breathe life into past experience. The most cleverly illustrated children's book cannot compare with the Farmers' Museum at Coopertown, N.Y., for example, as a means of giving boys and girls the feel of rural living before the Civil War. The housewife churning and cooking, weavers fashioning fabric from wool or flax, the brawny blacksmith working red-hot iron, the country storekeeper cutting into a generous head of cheese—all create a vivid picture of the industrious men and women of the time. City youngsters are enchanted by Cooperstown's farm animals, the team of sleek brown oxen pulling a cart, the parade of gray geese and goslings. A morning there is not merely a history lesson, but an unforgettable taste of early America.

Historic preservation speaks to the spirit. In 1942 an Army private wrote to John D. Rockefeller, Jr., about his visit to colonial Williamsburg: "Of all the sights I have seen and the books I have read, none ever made me sense the greatness of this country with more force and clarity than when I saw Williamsburg slumbering peacefully on its old foundations."

Williamsburg and Cooperstown are famous. But many a lesser known locality, taking a fresh perspective of its past, is finding an old courthouse or residence, even a covered bridge or a tavern, that is rich in historical associations. How can such sites be preserved?

Deciding just which structure to select, how to raise the money to save it and present it to the public is a baffling job for amateurs. Fortunately they can get advice from the National Trust for Historic Preservation, a private, nonprofit organization supported entirely by patriotic individuals and organizations. Anyone can join. Chartered by act of Congress in 1949, it owns a number of historical properties, but its chief task is encouraging and guiding other groups over the country. Its president, Richard Hubbard Howland, is an architectural historian, and he and his staff of five experts are continually at work advising townspeople how to make the most of their best. More than 250 preservation organizations are affiliated with the National Trust and support its programs in their own areas. Trust services are rendered by mail or by on-the-spot consultation.

A number of cities have put entire areas under architectural control. Charleston, S.C., started it in 1924 by passing an ordinance creating the Old and Historic Charleston District. Since then, New Orleans has preserved the Vieux Carré, Boston has set aside Beacon Hill, Washington has protected Old Georgetown, and Natchez has made her finest architectural area inviolate. The National Trust has stimulated this activity in dozens of cities by distributing copies of model ordinances, and publishing regular reports of new legislation.

The National Trust helped bring to life the Mississippi River town of Galena, Ill., once a busy lead-mining center. A century ago as many as 18 steamers loaded and unloaded at its levees at one time; Joseph Jefferson performed and Jenny Lind sang there. Galena gave the Union its most distinguished general, Ulysses S. Grant.

But as the years passed, traffic left the river for the highways. The lead mines failed. The town sank into oblivion, and its young people drifted away. Today it has one-third the population it boasted in 1858.

Four years ago, when the National Trust held its annual meeting in Chicago, members were invited to visit Galena. They were enchanted to find an almost untouched antebellum town on steep hills with a wonderful river view. But the General Grant home was shabby and dominated by a souvenir stand peddling tawdry tourist trinkets.

A careful restoration of the home was started; the famous Market House was saved from becoming a parking lot, and Galena's last remaining old firehouse, built in 1836, was restored. By last November 200,000 people had visited the once sleepy town, and Galena had opened a productive mine of tourist gold.

Historic homes can retain their charm and still be put to good everyday use. In Washington, D.C., when three handsome buildings of the Federal style were about to be torn down for a parking lot, a group of neighbors formed Historic Georgetown, Inc., an organization designed to prove that preservation will pay. They sold stock at a dollar a share, bought the buildings and leased them to a restaurateur, a florist, and an interior decorator.

D'Estrehan Plantation House in Louisiana, built in 1787 and remodeled in 1840 in the style of the Greek revival, was one of the finest homes overlooking the Mississippi River. An oil company took it over. But instead of destroying this beautiful reminder of our 18th century agricultural economy, the 20th century technologists restored it. They now use it for administrative offices.

As the experience of Galena and many other towns testifies, preservation can be good business. A recent Government survey shows that an average of only 28 tourists a day visiting a town with historic attractions will bring in as much money during a year as a new business with a $100,000 annual payroll.

The true preservationist, however, is not motivated by money. His is the spirit of Ann Pamela Cunningham, the South Carolina woman who almost singlehandedly saved the proudest prize of all our past—Mount Vernon. Washington's home was in sad disrepair and in danger of falling into ruin when she formed the Mount Vernon Ladies' Association. In 1858 the association bought the historic place for $200,000 and restored it as a national shrine.

Now is the time for every town to take stock and determine what is most worth preserving. As Lewis Mumford has said, "The concrete cloverleaf is becoming our national flower." In the next few years 41,000 miles of new highwsys will charge through some of our last surviving wilderness areas, through major cities, along historic old roadways. Many communities may not attempt to save their historic places until it is too late.

How can you tell what to save? Here are a few touchstones which the National Trust suggests be applied to any building or site.

1. Is it of substantial historical or cultural importance to your community, State, or Nation? It could be a mansion, a pioneer's squared-log cabin, a sod house or even an Indian mound.

2. Is it suitable, that is, is it accessible to the public and in presentable condition? Generally speaking, say the experts, it is better to preserve than repair, better to repair than restore, better to restore than reconstruct.

3. Can you maintain it, once you've bought it? Few places can sustain themselves from admission fees. If yours cannot, and is not fully endowed or otherwise self-sustaining, perhaps it can be adapted to use by an organization or business firm without losing its significance.

If we can save enough of the homes, churches, courthouses and other places where Americans who went before us lived and worked, we can sense their way of life, their ideals and character. We want our children to sense them, too. Unless we act now, few of these firsthand lessons from the past will remain.

NATIONAL TRUST FOR
HISTORIC PRESERVATION,
Washington, D.C., February 1959.

To: Members and friends of the National Trust for Historic Preservation.
From: Richard H. Howland, president.
Subject: United States Mint in San Francisco.

On February 18, at 2 p.m., on the third floor of the Public Health Building, in the Civic Center in San Francisco, a public hearing has been arranged to permit interested organizations and individuals to express their views on the preservation of the old mint. This hearing is of utmost concern, not alone to those who wish to see this nationally significant architectural monument preserved, but to all who realize the threat it poses to the legal basis of preservation as defined in certain Federal laws.

By a wise provision of the act of August 27, 1935 (49 Stat. 885), as amended July 18, 1940 (54 Stat. 764); 40 U.S.C., 1952 edition, section 304a–2, the Administrator of General Services is authorized to demolish any building declared surplus to the needs of the Government. Before proceeding with demolition he is to inform the Secretary of the Interior in writing of his intention to demolish it, and shall not proceed to do so until he has received written notice from the Secretary of the Interior that the building is not of national significance.

Between April 23, 1956, and August 23, 1957, eight buildings were referred for opinion to the Secretary of the Interior, and only one, the San Francisco Mint, was given the nationally significant designation, in a report dated December 6, 1956. It was then agreed that the building would be turned over to the National Park Service as a national historic site for their administration. An item in the 1959 budget provides for its renovation as headquarters for the Western Division of the National Park Service, which includes five Western States, Alaska, and Hawaii. The offices now occupy expensive rented space in the city. It would also provide for museum exhibits telling the story of the San Francisco Mint, its importance in the financial history of the country, of the process of coinage, and of the valor and courage of the citizens of San Francisco as exemplified by the heroic efforts of those who saved it in 1906.

City officials have asked their Representatives in Congress to disregard the evaluation of the Secretary of the Interior, and the provision of the law for Federal responsibility for preserving its nationally significant structures, and demolish the building (at an estimated cost of at least $250,000) to return the site to the city for private development as a parking lot or building site.

The American Institute of Architects, the Society of Architectural Historians, and the National Trust for Historic Preservation have also rated the Old Mint as one of the few notable historic buildings and architectural monuments in the city of San Francisco. Its demolition at this time would be a short-sighted waste of our national heritage, and one that the future could only regard with deep regret. Rehabilitated, it could become one of the city's major tourist attractions, and an incentive for redevelopment of the area surrounding it.

In other great cities, Philadelphia, Boston, St. Louis, and Providence, major efforts are being made to preserve many buildings of less distinction. It has been repeatedly demonstrated by careful study that such historic attractions bring to the areas that save them a larger share of the $20 billion annual tourist business.

Culturally, the old mint built in 1873, is accepted as one of only three or four important buildings in San Francisco to survive the fire and earthquake of 1906, and one of the finest examples of 19th century Federal architecture in the West. It was designed by the great A. B. Mullett, leading architect

of Government buildings of the post Civil War era. Writing of its value to the city, State, and Nation, Stephen W. Jacobs, president of the Pacific section of the Society of Architectural Historians stated: "The San Francisco Mint, of Columbia bluestone with a classical portico of Rocklin granite, has retained its characteristic setting with cast iron fence and fountains, and beds of greenery. The integration of the tall chimneys at the rear, which served as flues for the metal retorts, gives the whole complex an unusual and striking character. On the interior, the high ceilings and the vaults of brick on iron beams retain the early type of Federal construction which represented a pioneering attempt at structural engineering and fireproofing. Its massive construction enabled the mint employees to save the building and the $200 million it contained during the 1906 fire, when a 7-hour battle was fought by mint employees and soldiers with a single, 1-inch fire hose to keep at bay the flames gnawing at its barred and iron-shuttered windows. One of the best surviving examples of Government architecture sponsored by Jefferson and Jackson in the early days of the Republic, the old mint is probably the only building in San Francisco famous throughout the country for its design character."

"San Francisco is unusually fortunate that the Federal Government has retained this building and is willing to restore it and maintain it in an eminently suitable way at no expense to the city," Mr. Jacobs stated in another report. "It seems almost incredible that the city does not realize how lucky it is to have what is perhaps its most important architectural monument maintained at no expense to it. * * * There is every reason why the old mint should remain one of our principal monuments and a memorial of San Francisco's unique history."

David E. Finley, chairman of the board of trustees of the National Trust, in a letter to the Administrator of General Services Administration stated the Federal responsibility for observing the spirit as well as the letter of the law governing demolition of nationally significant structures in January 1957, "The preservation of this building is important not only because of its intrinsic merits but also in order that the Government may set an example for the preservation of important historic monuments."

On January 23, 1959, at a meeting of the full board of trustees of the National Trust held in Washington, a resolution was passed again sustaining the cogent reasons for preservation of the Old Mint, and instructing us to communicate to our concerned members and member organizations an appeal for their support. We are accordingly asking our member organizations to send representatives to the meeting of February 18, and for individuals to attend the hearings if possible, also. May we urge that you write your Congressman sending copies to City Planning Commission, City Hall, San Francisco, Calif.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 22, 1959

The House met at 12 o'clock noon.

Rev. Vasyl Olynyk, Orthodox Consistory, Youngstown, Ohio, offered the following prayer:

In the name of the Father and of the Son and of the Holy Spirit, amen.

Almighty Father, who has brought us here together today, hear our prayers now humbly offered unto Thee, and be merciful to us; for our souls trust in Thee, and in the shadow of Thy wings have we taken refuge.

On this 41st anniversary of the establishment of the Ukrainian National Republic, and the 40th anniversary of the proclamation of the union of the Ukrainian States, we, the children of that suffering nation, are mindful that Thou alone, O Lord, can grant us and all captive nations everlasting freedom. Come, O Lord, and defend the motherless and the oppressed, that the men of earth may no more oppress. Deliver us from our enemies, and protect us from them that have risen up against us.

Almighty God, in this new home, in these blessed United States of America, we, Thy creatures, have found peace and security. We praise Thy holy name, and heartily beseech Thee today to defend our liberties, and fashion into one united people the multitudes brought hither out of many kindreds and tongues. Endue with the spirit of wisdom those to whom, in Thy name, the authority of government has been entrusted, that there may be justice in this land, and in Thy whole world—good will and peace.

All this we ask through Jesus Christ, our Lord and Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

FLOOD CONTROL IN MAD RIVER-BUCK CREEK VALLEYS, OHIO

Mr. BROWN of Ohio. Mr Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, yesterday the Springfield area of my district was hit by a disastrous flood along Mad River and Buck Creek. As a result, a number of industrial plants have been inundated, hundreds of thousands—and perhaps millions—of dollars worth of machinery has been damaged, and several thousand people have been put out of work in a community which already has had more than its share of economic troubles, and is now designated as a depressed labor area.

More than 10 years ago I started action in the Congress to get a flood control project to protect the industrial sections in and near Springfield from flood waters. The House Committee on Public Works authorized a study and survey by the Corps of Army Engineers of the whole flood control problem in the Mad River-Buck Creek Valleys, and the necessary funds were appropriated therefor. Despite the action of Congress, this matter dragged along over a number of years, until finally, in late 1957, or early 1958, the Army engineers made a report to the effect they did not believe the estimated expenditure of some $6 million to put in a proper flood control installation was justified, because, according to a chart submitted with the report, there would not be another disastrous flood in that area for approximately 100 years. All of this, of course, despite the fact that there have been quite a number of very damaging floods in that area during the past few years.

When the Army engineers' report was made I commented in the Rules Committee of the House that I did not believe the Corps of Engineers was omnipotent and could tell or predict when another flood would come. The flood of yesterday and today has proven that the Army engineers did not know as much about when rains would come, and floods would result, as God Almighty.

I have today prevailed upon the Corps of Army Engineers to send an engineer into the Springfield area to see with his own eyes that we have had a flood there and that great damage has been done to many industries, factories, and equipment, resulting in thousands of people being put out of work.

I am informed that in order to get a further study and review of the need for this whole flood control project in the Mad River-Buck Creek valleys of Ohio, it may be necessary to introduce a new authorizing resolution for the consideration by the House Public Works Committee. This I expect to do, if necessary, with the promised cooperation of the Corps of Army Engineers, at the earliest possible moment. I hope all Members of this House will find it possible to support this resolution.

REREFERENCE OF BILL

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may be discharged from further consideration of the bill (H.R. 772) and that the bill may be rereferred to the Committee on Education and Labor.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CONGRESSIONAL ORIENTATION PROGRAM

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WAMPLER. Mr. Speaker, as the newly elected representative of the people of the Sixth Congressional District of the State of Indiana, I am taking 1 minute of the time of the House this morning, both to introduce myself to those of my colleagues whose hand I have not had the opportunity to shake and to express my sincere appreciation to all those who contributed to the recently concluded congressional orientation program.

I have not the slightest doubt that the information and background which I

have acquired as a result of these congressional seminars will assist me greatly in my immediate understanding of the legislative procedure, thereby enabling me to be of greater service to the people of the Sixth District, and also having the honor to represent them in a manner most faithful to the customs of the House of Representatives.

My special thanks to the bipartisan organizers, Representatives Baldwin, Coffin, Elliott, Ford, Frelinghuysen, Fulton, Price, and Udall; to House Parliamentarian Lewis Deschler; and to all participating organizations, including the Foreign Policy Clearing House, the American Political Science Association, and the Brookings Institution.

Indeed, it is quite refreshing and pleasing to me to realize that these people are so interested in improving the efficiency of this particular branch of the Congress by imparting their knowledge, freely, without regard to partisan division.

UKRAINIAN INDEPENDENCE

Mr. KARSTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. PRICE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. PRICE. Mr. Speaker, 41 years ago this January 22, the millions of people in the Ukraine came out of the First World War with national independence and freedom.

They had paid the high price, in invasion, blood and struggle, that is usually exacted when a national and cultural group achieves its independence. And the people of the Ukraine were not destined to be able, for the moment, to hold on to what they had gained.

They had known many centuries of conflict with Moscow—and later with what was then called St. Petersburg. And once again they were invaded by Moscow's armies, sacrificed by the hundreds of thousands in the desperate effort of the Bolshevik leaders to compel history to conform to their theories about it. They fell once again under the domination of a police state more grim and terroristic than the czarist state they had escaped.

They died again by the hundreds of thousands in the terrible famine of 1932, when Soviet agriculture was savagely imposed on their nation in still another effort to distort into crimes the desire of Ukrainian peasants and farmers to live their lives in peace and security.

They died again when the Nazi armies swept through the Ukraine in 1941 and 1942, and their country was a battleground of total destruction for 4 dreadful years.

There is a Soviet fiction that the Ukraine today is a free republic, with all the attributes of sovereignty including a diplomatic service, and that she remains in the Soviet system as a matter of choice and free will. The pretense is as ugly as the suppression 2½ years ago of the Hungarian revolt, and it is false.

More than 40 million people in the Ukraine share the common desire of the captive and satellite peoples of Eastern Europe for freedom and self-determination.

They share the common desire of human beings for human rights, for the privilege of managing their own affairs, of worshiping God according to the way of their fathers and their own choice.

It may be the duty of responsible persons to conduct negotiations with the Soviets, and there is no reproach in the performance of duty. But our people have the right to remember, as well, that no progress is possible in a police state, that neither peace nor security is possible in a police state with all its appurtenances of censorship and individual persecutions.

Empires founded upon tyranny are not safe neighbors and they are not noted for generosity to those within their power that long for escape.

It is fitting that on this anniversary of a happier day, the American people express their sympathy for the captives of the Ukraine.

THE NORFOLK SCHOOL SITUATION

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Speaker, the situation in Norfolk, Va., which is depriving 10,000 of the Nation's youth of their birthright—the right to a free public education—is one of the most shocking events of our time. Although the cause of the situation is of grave concern to me, that is not what prompts me to address the House today.

As a result of the closing of schools in Norfolk, some 3,000 children of servicemen and other Federal personnel, who are in the area, not by choice, but to preserve our security and insure the public welfare, are being denied their educational birthright.

Mr. Speaker, I submit that this situation, if permitted to continue, will constitute a serious breach of our moral responsibility. Therefore, I am today introducing a measure to remedy the situation.

The question to which I am addressing myself here today is not the rights of States to maintain such school systems as they see fit. If a State chooses to have no public school system at all, indefensible as that position may be, that is not the question now before us. My particular concern here today is the situation which requires children who live in these States for reasons beyond their control, to suffer academically because of the folly of the leaders of those States. This is the matter which concerns me and concerns many of my colleagues, I know.

I would like to read in part from a letter I received on December 3, 1958, from the wife of a naval aviation technician from Waterville, Ohio, now stationed in Norfolk:

> My husband has been in the Navy for 18 years. Our daughter is 13 years old and in the 9th grade. None of the junior or senior high schools in Norfolk opened this year.
>
> Is there any way possible that my husband could be transferred to another State so that our daughter will be able to attend school?

A week after I took the matter up with the Navy Department I received a report which read in part as follows:

> The Secretary of the Navy fully realizes the seriousness of the educational situation in Norfolk and is aware of the Navy's responsibility to provide facilities for the education of Navy dependents where such facilities do not exist. The matter is under study and you will be further advised when a decision is reached.

The letter goes on to say:

> I am certain you will understand that it would be impractical to order from Norfolk all personnel having children of school age, and that to make an exception in Mr. Bryan's case would be unfair.

I continued to probe the situation and on Saturday, December 13, I noted a front-page article in the Washington Post and Times Herald which stated that the Navy was seeking Federal funds to finance the schooling of Navy children in Norfolk. According to the news story, these funds had been requested under the Federal-aid-to-impacted-areas statute, Public Law 874, but there appeared to be considerable uncertainty regarding the applicability of this statute because many of the schools which might have been eligible for such funds had in effect become private schools charging tuition.

I have carried this matter to both the Secretary of the Navy and the Department of Health, Education, and Welfare. Each disclaimed either responsibility or statutory authority to act in the matter. The Navy said it was awaiting the outcome of impending court orders which it hoped would reopen the schools, while the Department of Health, Education, and Welfare insisted that Public Law 874 did not permit the establishment of off-base schools with Federal funds.

Mr. Speaker, I submit the Navy's position is, for all practical purposes, hopeless. The courts have announced their decisions and with the ink not yet dry, the Governor of Virginia is on his feet saying, "be not dismayed by the recent judicial deliverances, I will not yield to that which I know to be wrong."

It is abundantly clear then that there is little likelihood that the public schools will reopen in time for the second school semester, scheduled to begin on February 2.

As for the position of the Department of Health, Education, and Welfare, the measure which I am introducing today would remove any barrier which may stand in the way of effective action on its part. This measure would, by amending Public Law 874, provide that the Commissioner of Education use funds at his disposal to secure the education of federally connected dependents in the affected areas by providing necessary schools and teachers.

I am informed that with the first half of the 1958–59 school year drawing to a

close, the city of Norfolk not only proposes to keep the 10,000 children now without schools locked out, but is considering locking out some 7,000 more above the sixth grade. Rather than seek ways to solve the problem, the responsible leaders of Norfolk and of the State of Virginia seem to be determined to add to it.

Recently the Secretary of Health, Education, and Welfare issued a statement deploring the inadequacy of the substitute schooling which some of the locked-out children have been receiving. He expressed grave concern over the loss of what has already amounted to more than a million pupil-days and the serious implications of this loss.

In a nation which has been proud to lead the world in providing free public education for all, this is, to my mind, an unspeakable tragedy. And unless some direct and immediate action is taken to return these children to school, we will have inflicted a great injustice on our servicemen, their families, and indeed the American people.

Quite apart from the issue of integration and Virginia's defiance of the Supreme Court, I submit that our Nation's social, economic, and military security are directly involved in this willful obstruction of our children's intellectual and academic development. In enacting the Defense Education Act of 1958, which provided $900 million in Federal funds to improve this Nation's educational opportunities both at the secondary and college levels, the 85th Congress acknowledged the vital role of education in relation to our national security.

Indeed, the preamble of this significant enactment states:

> The Congress hereby finds and declares that the security of the Nation requires the fullest development of the mental resources of its young men and women. The present emergency demands that additional and more adequate educational opportunities be made available. The defense of this Nation depends upon the mastery of modern techniques developed from scientific principles and new knowledge. We must increase our efforts to identify and educate more of the talent of our Nation.

I am at a loss to comprehend, rationalize or in any way justify the absurdity of spending almost a billion dollars in Federal funds for education in the name of defense on the one hand, while we permit thousands of children to do without any form of education on the other.

The spectacle of closed schools, national discord, even ill-concealed rebellion—impairs our national security and does irreparable damage to our reputation abroad.

We cannot in good faith continue to close our eyes to a situation which so outrageously compromises our democratic concept of free public education—which defaults on our obligation to our servicemen and which jeopardizes our national existence.

UKRAINIAN INDEPENDENCE

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, it is indeed tragic that on the 41st anniversary of the independence of the Ukraine, we must talk about the most cruel suppression of that nation by the occupying Soviet forces instead of congratulating the brave Ukrainian people for what certainly would have been a splendid page in their century-old history.

What is more tragic is that this anniversary of the Ukraine's independence follows so closely the visit of Anastas I. Mikoyan, the hangman of the Ukraine, the traitor of his own nation, Armenia, and the executioner of the Hungarians.

I am certain that our recent uninvited guest has failed in his obvious attempt to lull Americans into a sense of false security, and that he has even more dismally failed in his attempt to divide us, so as to conquer us easier.

There was hardly anything more revealing about Mikoyan than the image of himself displayed on our television screens last Sunday when he faced the indomitable panel of the "Meet the Press" show. I wish on this occasion to extend my whole-hearted congratulations to Mr. Lawrence Spivak and Mr. Harry Schwarz for a job extremely well done. With restraint and with masterly knowledge of Soviet affairs, as well as Mikoyan's personal background, they have helped to display before millions of average Americans—less gullible, of course, than some of our industrial leaders—the image of a liar and a conniver who when pushed to the wall, simply tries harder to lie more.

Personally, I believe that Mikoyan's trip to the United States has excellently served not his but our purpose. The self-styled missionary of goodwill and the herald of peace has, by his own words, been stripped of all the paraphernalia of benevolence he so carefully displayed when tweaking little children's noses or when clowning with the clowns in Hollywood and Cleveland.

There are only two words that come to my mind when I think about Mikoyan's departure: good riddance. And, let us quickly return to our job of strengthening America's external and internal defenses against all that Mikoyan represents.

Mr. CURTIS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CURTIS of Massachusetts. Mr. Speaker, today on the 41st anniversary of their independence we pay tribute to the 40 million people of Ukraine and Ukrainian sons who have come to our shores, and have made such worthy contributions culturally and otherwise to our country.

The independence and freedom of the Ukrainian National Republic was of short duration, but its commemoration remains steadfast. Russian Communist tyranny permits no outward display of celebration in the Ukraine on this day, but in the hearts of Ukrainians this anniversary is deeply cherished.

The American people cherish freedom and are saddened by the oppression of the Ukrainians in their homeland. But we know that their love of liberty has become so deeply rooted over the centuries that it will continue to burn despite oppression.

Friends in America prayerfully hope for that day when once again there will be a free and independent Ukrainian National Republic.

Mr. RODINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RODINO. Mr. Speaker, 41 years ago peoples subjected to Russian autocracy joyfully cast aside the heavy yoke of that oppressive regime and proclaimed their independence. To tens of millions the Russian Revolution of 1917 seemed to usher in a new day; they all sought and hoped to find their freedom in the overthrow of the czarist regime. At first their most sanguine expectations seemed justified; by the end of the First World War nearly all ethnic groups in that sprawling continental empire had attained or proclaimed their national independence. The Ukrainians were the most numerous and also perhaps the most important of these nationality groups.

Since midseventeenth century the Ukraine had been part of the Russian Empire, and during all that time the Russians had tried to eradicate Ukrainian nationalism and national ideals, but their attempts were unsuccessful. Liberty loving and stout hearted, the Ukrainians firmly clung to their traditional national ideals, and in 1918 they regained their independence. On January 22 of that year they proclaimed the Ukrainian Republic, set up their own democratic form of government and began to rebuild their war-ravaged country. Unfortunately, however, the independent state thus created did not last long; for only 2 years the Ukrainians enjoyed their richly deserved freedom, then they lost it to their inveterate foe, the Russian Communists. Early in the 1920's the country was overrun; the Ukrainians could not by themselves stave off the overwhelmingly superior force of the enemy. Their independent existence came to an end, and their country was annexed to the Soviet Union. From that day on more than 40 million Ukrainians have been captives under the unrelenting rule of the Kremlin.

On this 41st anniversary of their Independence Day, it is fitting that we should recall their independence. It is also fitting to consider the opportunities open to Ukrainians in America for demonstrating to their fellow Americans and to those abroad the qualities of energy and devotion that are such notable characteristics of Ukrainians everywhere.

Whether in their studies at school or university, at the workbench or plow, in business or the professions, Ukrainians have opportunities to participate in American life and to contribute their bit to the national well-being of this country and through its energy and creative power, to the wide world around us.

Mr. Speaker, on this memorable day in the lives of these fine and brave people, I salute them.

PUBLIC WELFARE

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, it is a fundamental American belief that people must have a voice in those policies and programs that affect their welfare. This is implicit in our form of government, and in every type of voluntary association.

With the growth of government and bureaucracy, however, there is the tendency of administrators to establish their own policies and to adopt a patronizing attitude toward the public. This has become noticeable in the administration of welfare programs for the blind. Where the professional workers often oppose the right of the blind to organize, and to be consulted on policies and programs affecting their lives and livelihood.

This has come to light through the protest by the 40,000 members of the National Federation of the Blind that they are being treated as second-class citizens.

It is indefensible that a few State agencies, and a minority of social workers consider the blind as incompetent wards, and oppose their right to organize in their own interest. The custodial attitude of these professionals regards the dependent status of the blind in our society as permanent.

The workers in the sheltered shops and the operators of vending stands among those who receive aid and assistance from blind agencies, are particularly vulnerable to agency pressure. They are never consulted as to their opinions.

Through the right to select and dismiss workers and operators, through the exploitation of various elements in the control system of operating the stands and through work assignments and wage determination in the shops, extreme pressure can be exerted on these vulnerable individuals. For the blind who labor in the workshops are not only unorganized but wholly deprived of the most elementary safeguards and privileges of organized labor.

There are no systematic and free relations with management, no dignity, no status, no integrity, no independence. Only shelter, the precarious shelter of patronage and paternalism.

The agencies and the administrators are the arbitrary bosses who oppose organization and self-expression.

It is to correct these undemocratic policies and procedures that I have introduced a bill, H.R. 187, to protect the right of the blind to self-expression through organizations of the blind.

It requires the Secretary of Health, Education, and Welfare, to consult and advise with authorized representatives of organizations of the blind in the formulation, administration and execution of programs for the aid and rehabilitation of the blind. It forbids agencies administering blind programs supported by Federal funds to exert official influence against the right of the blind to join organizations of the blind and requires the Secretary of Health, Education, and Welfare, to enforce this prohibition.

The blind are entitled to the full rights of citizenship. They are not the voiceless wards of the professional caseworkers, and administrators.

They only ask for a law that will give them the opportunity to speak for themselves, free from agency pressure or reprisal.

UKRAINIAN NATIONAL REPUBLIC

Mr. BOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, today, January 22, millions of Ukrainians including exiles in many lands will observe the 41st anniversary of the Ukrainian National Republic, a nation established in the last days of World War I only to be conquered and absorbed a few years later by the Communist rulers of the Soviet Union.

I have faith that the Ukraine and, indeed, all of the captive nations of Europe and Asia will once again be free. If history has proved anything, it is that no despot, however cruel, can extinguish the yearning for liberty that dwells in the hearts of men.

As a symbol of that hope, I have submitted House Concurrent Resolution 32 calling upon the American people to give recognition to the independence days of all the captive nations of Europe and Asia. In this way we can let the world know our spiritual union with those who aspire to freedom and national independence.

The Ukrainian independence day is the first on the calendar. I hope that all of us here, and citizens throughout the Nation as well as in my own district, will join our loyal neighbors of Ukrainian descent in this observance.

UKRAINIAN INDEPENDENCE DAY

Mr. BENTLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BENTLEY. Mr. Speaker, it is my pleasure to call the attention of the House to the fact that today, January 22, 1959, commemorates the 41st anniversary of the independence of Ukraine. I believe that it is valuable to remind the American people and indeed the entire world of the fact that millions of Ukrainians and other captive peoples behind the Iron Curtain are still ardently desirous of freedom and the right of self-determination.

The recent visit of Soviet Deputy Premier Mikoyan to this country and, to me, the rather disgusting adulation in some circles in connection with his visit, are apparent evidence that the true facts regarding Soviet communism and its leaders must be brought home again and again to the American people. The antics of Mr. Mikoyan during his American visit, as well as many tempting offers of trade which he may have extended to either our Government or to private individuals, should not permit us to forget the crimes and violations of all standards of human decency. He is personally responsible for many of these. During the great famine of the 1930's, he shipped Soviet grain abroad while millions of Ukrainian peasants starved and he personally engineered the treachery of the betrayal of the Hungarian revolutionary movement in 1956. I further understand that only 2 short months ago, he delivered a violently anti-American speech in Moscow and yet today there seem to be those who overlook this record of betrayals and broken promises and accept him and the false impressions that he endeavored to leave behind during his visit.

I hope it will be of some small comfort to those millions of captive Europeans to know that remarks uttered in Congress today, and on similar occasions, prove they still have many friends in the Government of the United States. It is my pleasure to salute the Ukrainian people on the occasion of this 41st anniversary of their independence and once again express the fervent hope that they and their fellow captives may soon again enjoy the God-given right of independence with justice which should be the national heritage of all mankind everywhere.

UKRAINIAN INDEPENDENCE DAY

Mr. OSTERTAG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OSTERTAG. Mr. Speaker, one of the greatest resources of our people is our deep love of freedom. Our devotion to the cause of liberty serves as a bond between us and other freedom-loving men throughout the world. Peoples who have been deprived of their independence by tyrannical oppressors look to our country to maintain and strengthen the cause of freedom everywhere so that they might one day again enjoy the blessings and joys of real liberty.

Such a people are the Ukrainians who observe on January 22 the 41st anniversary of the independence of the Ukraine. On that day in 1918 the people of the

Ukraine formed a free and independent republic. They had played an important role in the overthrow of the czarist dictatorship and desired to enjoy their new liberty. But before long the ruthless Russian Communist army trampled the new republic and brought it under the tyranny of Moscow.

But the Communists did not then and have not to this day succeeded in extinguishing the flame of freedom and liberty among the Ukrainians. Today the spirit of freedom remains alive in the hearts of 40 million Ukrainians. Many have come to this country in the intervening years and have made great contributions to the vigor and spirit of our Nation. Those who remained in their homeland also remain as positive foes of the tyranny and slavery of communism.

We here must remain true to the cause for which these people continue to fight. We, too, must strive just as vigorously in support of freedom everywhere so that all freedom-loving peoples may continue to hope that they, too, will come to enjoy the freedom and liberty which we know here.

AMENDMENT TO CIVIL RIGHTS ACT OF 1957

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, last week I introduced a bill to enact those provisions of part III of the 1957 Civil Rights Act which were stricken from it in passage by the 85th Congress. The bill is substantially identical to a bill recently introduced in the Senate by Senators JAVITS, CASE, KEATING, and SCOTT. The provisions of this bill are conspicuously absent from the bill introduced in the Senate last Monday by the majority leader, Senator JOHNSON.

In 1955 and 1956, during my tenure as Executive Assistant to the Attorney General of the United States, I assisted the administration in its study and drafting of legislation on this all-important subject. The 1957 Civil Rights Act, as finally enacted, empowered the Attorney General of the United States to initiate civil injunctive proceedings in any case involving an unconstitutional denial of the right to vote. This was a big step forward. Part III of the bill was equally important but failed of passage. The purpose of this legislation is to give the Attorney General the same civil powers that he now has in voting cases in any area where there is a denial of equal protection of the law, by reason of race, color, religion, or national origin.

The rights sought to be protected by this legislation are rights which are now protected by the Constitution. When they are violated the Government may now act under existing criminal law. This legislation would permit the Federal Government to take civil remedial action instead of having to depend solely upon criminal procedures after the event. It is designed to give the Federal Government the means intelligently to meet our responsibilities and to preserve the constitutional rights of all our people in every walk of life. I earnestly hope that the principle embodied in this legislation will receive the administration's full backing.

FORTY-FIRST ANNIVERSARY OF THE REPUBLIC OF THE UKRAINE

Mrs. CHURCH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. CHURCH. Mr. Speaker, in commemorating the 41st anniversary of the Republic of the Ukraine, we once again pay tribute to the heroic Ukrainian people whose will for national liberty and human dignity is indeed a source of inspiration to all freemen.

The history of the Ukrainian people, as we know, reflects the centuries-long struggle of man to attain individual freedom. Three hundred years ago, the Ukraine was an independent state, rich in its culture and thriving in its commerce. Today, despite its political enslavement, it is the second largest of the Soviet Republics and the richest in agriculture. Through the intervening years, the Ukrainian people have become familiar with the workings of Russian tyranny and oppression, under which they have suffered greatly. We are sure, however, that their spirit of freedom has not dimmed—that the flame of liberty still burns brightly in their hearts. Despite the continued oppression, despite the efforts of the Soviet masters to eradicate their language and individual culture, these people continue to resist and fight to preserve their national identity.

This yearning for freedom must be kept alive in our hearts as well as theirs. We can never forget that the infringement of personal liberty in any part of this world constitutes a threat to freemen everywhere. On this day, when we reverently celebrate with Ukrainians the 41st anniversary of the founding of the last Republic, we should reconsecrate ourselves to the spirit in which that Republic—and our own—was born.

My own rich experience with Americans of Ukrainian heritage and culture has produced in me both admiration and affection. I would pay tribute, therefore, not only to those Ukrainians still yearning for freedom behind the Iron Curtain but to all Ukrainians whose spirit of independence, industry, and love of freedom have added to the strength of our own moral fiber and to the richness of our national pattern.

We look forward confidently with them to the day when not only the Ukrainians presently enslaved shall be free but when all men may live together under governments of their own choosing and in freedom, human dignity, and peace.

BATTLE OF THE BUDGET

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, we hear much talk these days about the possibility of a balanced budget for the 1960 fiscal year, and it is not necessary for me to reiterate where I stand in the battle of the budget.

Various suggestions have been offered to provide the needed increase in revenue to attain the goal of a balanced budget. For example, it has been suggested that postal rates be raised again.

Before this proposal is given serious consideration, I would suggest that we take a hard, cold look at the present 27½ percent depletion allowance for oil and gas. I have today introduced a bill to amend the Internal Revenue Code of 1954 for the purpose of reducing the allowance to 15 percent, and I take this time to briefly explain my reasons for advocating enactment of such legislation.

Let me make it clear at the outset that I am not opposed to a reasonable depletion allowance, but I am convinced that an allowance of 27½ percent is entirely too high. As the late Senator Taft said in 1942:

> It is to a large extent a special tax privilege beyond what anyone else can get.

A study of the history of depletion allowance for oil and gas shows that it was first proposed in World War I as an incentive for new oil explorations in the United States. The rate of depletion was first set at 5 percent, then 12½ percent, then 25 percent, and finally, in 1926, at 27½ percent. So, it readily can be seen that there is nothing sacred about a figure of 27½ percent, despite the emotional pleas of those who are opposed to even a slight reduction in the percentage.

As originally enacted, the depletion allowance was to equal only the capital originally invested by a company or individual in a particular exploration venture. Once the invested capital was recovered, no further allowance was made.

Since 1926, however, tax laws have permitted a company or individual to deduct 27½ percent from gross income for all properties producing oil or gas. Producers may claim the deduction year after year without regard to original investment costs.

There may have been some logic to such a high percentage in 1926, when the corporate tax rate was 14 percent. However, as the corporate tax rate was increased—and it stands at 52 percent today—the advantage to oil producers enjoying a 27½ percent depletion allowance has increased in proportion.

Bear in mind that this special 27½ percent depletion allowance is over and above all normal allowances and exemptions, since an oil producer also is entitled to write off all drilling and production costs. Simply stated, with this high rate of depletion, the oil and gas industry is not paying its proportionate part of the operating cost of government and is the most highly subsidized segment of American industry.

Talk about subsidies to farmers. If we were to agree with representatives of big oil companies that this allowance is necessary, why not a 27½ percent allowance for depletion the farmer suffers through loss of fertility and soil erosion on his farm?

Mr. Speaker, the facts bear out my conviction that the oil and gas industry is not carrying its fair share of the tax load. A report by the Department of Commerce showed that the effective tax rate in 1954 for 26 large domestic petroleum companies averaged 22.6 percent of net income, while for all corporations, the rate was more than double—or 48.1 percent.

Now, if we were to concede that a 27½ percent allowance is necessary as an incentive for oil and gas exploration in the United States—and certainly I do not agree—why is the same percentage permitted in connection with the overseas operations of great oil combines? Some of these combines wind up paying little or no taxes to the U.S. Treasury as a result of the combination of a 27½ percent depletion allowance and credits on taxes paid to foreign countries.

In 1955, the Arabian-American Oil Co., with operations in Saudi Arabia, received a depletion allowance of more than $121 million, and paid not a dime in Federal income taxes. Neither did this firm pay any Federal income taxes in 1956, when it received a depletion allowance of $150 million.

Mr. Speaker, we hear some mighty far-fetched arguments advanced by proponents of this 27½ percent allowance. One of the most fantastic is that if the allowance were cut, it would encourage the expansion of communism throughout the world. The best answer to this argument is that the greatest expansion of communism has occurred during the period since the 27½ percent rate was established.

Another argument is that widespread depression would result from any reduction in the percentage, even though we witnessed the worst depression in our history in the 1930's, and the 27½ percent rate was in effect at that time.

It has been estimated that at least $300 million in additional revenue would be realized by a reduction in the depletion allowance for oil and gas from 27½ percent to 15 percent. Three hundred million dollars is a substantial amount, and enactment of legislation such as I have proposed could make an important contribution in attaining the goal of a balanced budget. Moreover, a glaring loophole in our tax laws would thus be at least partially closed; a loophole which has permitted oil and gas companies to escape paying their proportionate share of the cost of government.

WHAT IS WRONG WITH THE MANAGEMENT OF OUR FISCAL AFFAIRS?

Mr. MULTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, there is no better or stronger currency in the world than that of the United States.

There is no obligation more likely to be honored in full or more promptly than that of the United States.

Last week the U.S. Treasury offered a new series of bonds for sale bearing 4 percent interest. Were they sold at a premium? No. Were they sold at par? No.

They were offered and oversubscribed at 99.

The subscription required payment on January 20, 1959.

On January 19, 1959, the closing bid was 98⅜.

It is high time the Congress learned the whys and wherefores about our fiscal management.

UKRAINIAN CONGRESS COMMITTEE OF AMERICA

Mr. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FORD. Mr. Speaker, I want to congratulate the Ukrainian Congress Committee of America for its service in helping to keep alive the spirit of freedom among its people.

On this 41st anniversary of the Ukrainian independent state, it is encouraging to know that the drive for liberty and self-determination continues among these people, most of whom have been subjugated by the Communist conspiracy.

The struggle of men for freedom of opportunity and development through the years of recorded history always has been inspiring. The Ukrainians are carrying on a great tradition and have our support.

Our Nation today is expending terrific sums for the maintenance of a free world. We are resolved to defend and protect all free people from any encroachment by those despotic forces which would destroy the very souls of men.

But the task of the free nations will not be complete until all peoples who are capable of handling their own affairs realize the goal of an independent national existence. This principle is consistent, also, with the Charter of the United Nations.

BOSTON DISCOVERS CHRISTOPHER COLUMBUS

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, the life and the achievements of Christopher Columbus mean much to the people of Massachusetts, and particularly to the large number of its citizens who are proud of their Italian and Irish ancestry.

During all of its history, the city of Boston for one reason or another, kept postponing the day when it would erect a suitable public statue in a prominent location to honor the memory of the great navigator.

The city of Chelsea, close by, is the only Massachusetts community with a public statue of America's discoverer. There is also a large bronze likeness, financed by private subscriptions, that stands on the plaza in front of St. Anthony's Church in Revere.

The official neglect of Columbus has aroused the citizenry.

Bills have been introduced by Boston representatives to the State legislature that call for a statue of Columbus, a replica of the *Santa Maria*, and the establishment of October 12 as a full legal holiday.

Under unanimous consent, I bring to you this long-delayed discovery of 1958, that was brought to the attention of Massachusetts, by the following account that appeared in the Boston Sunday Globe of October 12, last year:

NO OFFICIAL STATUE HERE (YET)—HUB IGNORES COLUMBUS—BUT NOT FOR LONG

(By P. A. Santosuosso)

Boston, the second largest Catholic archdiocese in the United States, is said to be the only major city in our country without an official statue of Christopher Columbus.

A statue of America's discoverer was offered to Boston more than 60 years ago—and it was rejected.

Shortly before the turn of the century a 9-foot likeness was erected through subscriptions from local citizens of Italian and Irish ancestry after they had been assured that the statue would have a place in the Public Garden. But the then Art Commission refused to accept the gift on the alleged ground that it lacked art.

Despite strong protests from the clergy and laity, the commission was adamant. Archbishop Williams, thereupon had the statue placed in front of the Cathedral of the Holy Cross on Washington Street.

In the early 1920's a report reached the North End, then the largest Italian community in Massachusetts, that Cardinal O'Connell was planning to move the statue from the cathedral grounds to St. Anthony's (Italian) Church of Revere Street, Revere.

North End citizens, hoping to establish a home for the memorial either at the North End Park or in historic North Square within the shadow of Paul Revere's house, formed a committee to call upon the cardinal.

But it did not occur to any member of the delegation to learn whether or not the cardinal's plan had been carried out. When the members visited His Eminence they were informed that the statue was already in Revere at its new home on the plaza fronting St. Anthony's Church.

Cast in bronze and standing on a 4-foot marble pedestal, the statue presents an imposing sight. It is seen by thousands of tourists and motorists proceeding along Revere Street to and from Revere Beach.

The glistening, bronze figure is the great pride of Msgr. Guido L. Pallotta, pastor of the church, who is an authority on art.

"It is inconceivable," Fr. Pallotta stated, "that the Art Commission of Boston condemned the statue on artistic grounds.

This is a real and beautiful work of art. I believe that the commission rejected the memorial for religious reasons, inasmuch as it depicts Columbus as a devout Catholic missionary."

While Boston lacks an official monument to the intrepid Italian navigator, there stands a marble statue of Columbus in Louisburg Square, Beacon Hill. Many are the legends about this memorial and the one of Aristides (the Just), the Greek statesman whose statue graces the opposite end of Louisburg Square.

According to Robert Shackelton in his "Book of Boston," a Greek merchant residing in Louisburg Square, which was private property, had both monuments sent over from Greece in December 1849. An account from Beacon Hill by Allen Chamberlain gives the Greek merchant's name as Joseph Iasigi. and states that the statues came from Florence, Italy.

But local Italo-Americans claim that Iasigi was born in Italy, that he served as consul here for his native country and that he was a wealthy importer. His statue of Columbus, they insist, was imported from Genoa and was the first to be erected in Louisburg Square. They add that a rival importer of Grecian birth, not to be outdone, followed with his statue of Aristides.

It is significant that both figures are made of the same marble and are of the same height, which is smaller than life size.

M. A. DeWolfe Howe, in an article in the Boston Globe some 15 years ago, wrote: "Meanwhile, Aristides and Columbus will continue as sentinels at the ends of the square, twin exemplars for residents and visitors alike, of the assurances of justice and discovery."

As far as this writer could learn, Chelsea, whose population is one-twentieth of Boston's, is the only Bay State city with a public statue of America's discoverer.

This life-size memorial was brought about through subscriptions from Italo-American organizations of that city, headed by Attorney Sebastian N. Tangusso, former member of the Chelsea school committee. The statue was dedicated in Chelsea Square on Columbus Day, 1935, with city and State dignitaries participating in what was up to then the biggest celebration in the history of that city. Seven years ago, due to traffic conditions, the statue was moved to a court in front of city hall.

Since the removal of the Columbus statue from the Holy Cross Cathedral to Revere, only one attempt had been made to have an official memorial erected in Boston. In February 1936, Joseph A. Tomasello, prominent contractor and civic leader, called a meeting of friends at the Parker House to discuss plans for a 15-foot statue. A few weeks afterward, Tomasello died and no one took over the project.

That Boston will, someday, join her sister cities in having a monument to the discoverer of America, is indicated in three bills recently filed by Representative Charles Iannello of Roxbury and Representative Charles W. Capraro of the north end.

As the result, Governor Furcolo appointed a recess commission to study proposals calling for a statue of Columbus, a replica of the *Santa Maria* and October 12 as a full legal holiday. The proposals will undoubtedly have the wholehearted support of leading Italo-Americans and the Knights of Columbus, who number more than 35,000 in the Boston archdiocese.

Approximately 50 statues or memorials, accepted by Boston, today beautify various sections of the city, as noted in an interesting booklet issued in 1946 by the State Street Trust Co. and edited by Allan Forbes and Ralph M. Eastman.

Among the statues officially recognized by the city of Boston is that of Leif Ericson, the Norse explorer whose arrival in America is still claimed by many to have antedated Columbus by nearly 500 years. The statue stands on the Commonwealth Avenue Mall, opposite the Hotel Somerset.

SPECIAL ORDER

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to address the House for 1 hour today, following any special orders heretofore entered, in tribute to the independence of Ukrainia, and that all Members be permitted to extend their remarks at that time.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

THE RULES OF THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and to include part of the rules.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, certainly it was a pleasure this morning to meet the gentleman from the Sixth District of Indiana [Mr. WAMPLER] who introduced himself from the well. He made some comment about the value of certain discussions to which he had listened, and he then referred to the rules of the House.

May I be so presumptuous as to call attention to the fact that there is a rule of the House, it will be found on page 523, section 985, of the House Rules of the 85th Congress, which provides that when a Member files on an office, he shall have preference over other Members who have had less service, who may file on the same office.

Among other things, that provision carries the following:

> Any Member or Member-elect of the House of Representatives may file with the Architect of the Capitol a request in writing that any individual office room be assigned to him whenever it shall become vacant. If only one such request has been made for any room which shall at any time have become vacant, the room shall be assigned as requested. If two or more requests are made for the same vacant room, preference shall be given to the Representative making the request who has been longest in continuous service as a Member and Member-elect of the House of Representatives. If two or more Representatives with equal length of continuous service, or two or more Representatives-elect make request for the same room, preference shall be given to the one first preferring his request. A Representative or Representative-elect making request for the assignment of a vacant room may withdraw the same at any time and no one shall have pending at the same time more than one such request. The assignment of a new room to a Representative, upon his request, or the appointment of any Representative having an individual office room as chairman of a committee having a committee room, shall act as a relinquishment by him of the room previously assigned to him.
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> The assignment and reassignment of the rooms and other space in the House Office Buildings shall be subject to the control of the House of Representatives by rule, resolution, order, or otherwise. Nothing in this resolution shall be construed to affect or repeal the provisions of law heretofore enacted placing said House Office Buildings under the control of the Architect of the Capitol, subject to the approval and direction of the commissions provided for respectively in the act of March 3, 1903, and the act of March 4, 1907.

Sometimes the rules are the rules and sometimes they are not.

On occasion I have filed on an office, and, notwithstanding the fact that I had some 3 or 4 terms' preference, I did not get the office. But that is all right with me. It may be I have a better office than the one on which I filed. But whoever decided against me did not know that.

THE LATE HON. THOMAS S. GORDON

The SPEAKER. The Chair recognizes the gentleman from Illinois [Mr. ROSTENKOWSKI].

Mr. ROSTENKOWSKI. Mr. Speaker, it is my sad duty to advise the House of the death last evening of Hon. Thomas S. Gordon, of Chicago, Ill.

Tom Gordon represented the Eighth Congressional District of Illinois from 1942 until January 3, 1959. During the last two Congresses in which he served, he was chairman of the Foreign Affairs Committee of the House.

Tom Gordon was born in Chicago on December 17, 1893. After graduating from school he engaged in many activities. He was a banker, he was a newspaper publisher, and he began his political career as commissioner of the Chicago west parks in 1933. In 1939 he was elected city treasurer of the city of Chicago and left that office when he was elected in 1942 to the Congress of the United States.

Tom Gordon was my good friend. He was a gentle, considerate, friendly, hard-working person, helpful to all those who needed help. Anger, bitterness, dislikes were not a part of his makeup. He liked people and enjoyed participating in the activities which brought him in contact with persons in all walks of life. He was a charitable man and was interested in human progress.

We who knew Tom Gordon will miss him very much. To his dear wife and to the members of his family I wish to extend my profound sympathy in their hour of grief.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. ROSTENKOWSKI. I yield to the distinguished Speaker.

Mr. RAYBURN. Mr. Speaker, in the passing of Thomas S. Gordon we have lost an outstanding man. He knew his duty and he did it.

Mr. YATES. Mr. Speaker, I, too, was stunned to learn of the death of Tom Gordon. We who have known him over the years were saddened by the severe illness which seized him during the last Congress and which curtailed him in the work he loved to do.

Tom Gordon was a fine Congressman. Working with him during the last 10 years was a privilege because of his knowledge of the House and of public affairs. But it was more than that, too.

It was delightful working with a person who was unostentatious, who was gentle, who was cooperative, who was friendly, but always seeking to be of help. He was generous with his time and with his talents. He was never too busy for anyone who might seek his assistance.

Tom Gordon loved his country—he loved working in the House, walking in the path of history and helping to shape the events of our time. He wanted peace above all, peace among the peoples of the earth and he did his best as a member of the Committee on Foreign Affairs to create mutual trust and understanding between the nations of the free world.

I know of no one who ever had an unkind word for Tom Gordon. He was well liked by everyone. He enjoyed the highest respect and esteem in his home community in Chicago, as he did in the House of Representatives, as an able legislator, as a good father and as a good friend.

I want to join my colleagues from Illinois in extending my most profound sympathy to his dear wife and to all the members of his family.

Mrs. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. ROSTENKOWSKI. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. Mr. Speaker, I was shocked to learn this morning of the passing of Mr. Gordon, who was my friend for many years, and for whom I had the highest admiration. I know of no one who has officiated in the Congress with more eagerness of spirit or with greater desire to serve his country well. We from Illinois shall miss him sorely.

It was my privilege to be a member of the House Committee on Foreign Affairs during the time that he served as chairman. His patience, his wisdom, and his impartiality contributed greatly to the welfare of his committee and certainly to the welfare of the country.

I should like to extend to his entire family my warm and understanding sympathy. It is wonderful to know that a man like Tom Gordon has served in the Congress of the United States.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. ROSTENKOWSKI. I yield.

Mr. O'HARA of Illinois. Mr. Speaker, my heart is heavy, and I speak in deep emotion. Tom Gordon was my friend, my very dear and warm friend, for many long years. Death's breaking of the bonds of human friendship give to those who remain among the living a shock that is eased only by our faith in immortality and by the memories that have been left with us in the years of association with a beloved friend who has departed on the great adventure. My memories of Tom Gordon will remain a strengthening part of my life as long as, in the will of God, I remain here.

I never knew Tom Gordon to do a petty deed or to speak ill of any person. His was the character that I like to think of as molded by the God of all of us. As much as any person I have ever known, Tom Gordon practiced self-abnegation, which is, as I conceive it, the essence of religion. When we forget ourselves, thinking only of our God, and of the brotherhood of man in which we are part, then only do we fully meet the challenge of the purpose of our creation.

Tom Gordon had tremendous ability, but he never paraded it. Tom Gordon made a tremendous contribution to the city of Chicago, and the Congress of the United States, and to the Nation, but he never wished credit or plaudits. It was the good itself that he did that interested him.

In his last term in the Congress he was faced with large responsibilities in a perilous time of international crises as chairman of the Committee on Foreign Affairs. He was a desperately ill man; yet few knew of the pain he was suffering and the precarious condition of his health. He spared himself in nothing. He did every chore and met every demand with thoroughness, with unflagging industry, and unmindful of the toll upon his physical strength. This was the way Tom Gordon practiced his religion of self-abnegation.

He was a great chairman of a great committee. I am sure that every member of the committee will agree with that statement. He had many attributes of greatness, a greatness that impressed itself upon those who worked closest with him, but which, in his spirit of self-abnegation, he never paraded. I doubt if there were ever a chairman of any committee in any legislative body anywhere who enjoyed a higher reputation for being fair than did Tom Gordon as chairman of the Committee on Foreign Affairs. He never did anything unfair. He never broke his word on anything. He stood steadfastly for his convictions, but never sought to force upon others their acceptance. He gave to persons with opposing convictions the same opportunity of advancing by argument and debate their convictions as he claimed for himself in the advocacy of that in which he believed.

I was happy in my good fortune to be associated with him in the city hall of Chicago. I was happy in my good fortune to be his colleague from Chicago in the Congress, and in the 85th Congress to serve under him as a member of the Committee on Foreign Affairs.

I shall miss him sorely. I shall miss his smile and his cheer, as daily I would meet with him, but my many, many memories of Tom Gordon will abide with me, and these memories of a sweet man who was unselfish in everything will be a strength to me in the days and the years that may remain. To his fine wife and to his children go my deepest sympathy.

Mr. BOYLE. Mr. Speaker, will the gentleman yield?

Mr. ROSTENKOWSKI. I yield to the gentleman from Illinois.

Mr. BOYLE. Mr. Speaker, it was with great sadness that we of the Illinois delegation learned of the passing of our former colleague, Thomas S. Gordon, of the 8th District of Illinois, who served with distinction in the 78th through the 85th Congress.

Many years before I came to Congress, the name of Tom Gordon was known to many as a man well respected in the State of Illinois, where he had served as commissioner of parks, of vehicle licenses and as city treasurer of Chicago. He possessed a great intellect and extraordinary quality. He was dedicated to the institutions of sound government. Tom was a man of honest and good character and integrity. He was a man of opinion, firm opinion, but tempered with great kindness. He was not known to waver or quibble, but sought what was right, and once having found it, was not to be swerved. Tom was a man of retentive mind. I expect he carried as much information in his mind about the problems of the people of his district as any man who ever passed through this body, and yet although concerned through his work as a member and later chairman of the Foreign Affairs Committee with the problems of the peoples of other countries, he was a friend to the people of his district and left behind a record which will for years redound to their good.

Although Tom is gone, he has left for Celia, his beloved wife, his sons and his daughters, a legacy carved from a lifetime of contributions to his State and his Nation. The news of his passing will, I am sure, Mr. Speaker, be recorded in Guatemala, in Mexico, in Brazil, Uruguay, Poland, and other places too numerous to mention, where his accomplishments in study missions, and where his firm but gentle understanding was felt by all those with whom he came in contact. It was only because of his ill health after a lifetime of dedicated service to his country that he was forced to retire during his prime years.

Mr. Speaker, I ask, What greater contribution could a man have made to his people and his country, than Tom gave?

I am grateful for the privilege of joining with all of my colleagues of paying deserved tribute to this outstanding gentleman, patriot, and statesman of the great State of Illinois.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. ROSTENKOWSKI. I yield to the gentleman from Virginia.

Mr. GARY. I would like to add my voice to the tributes to our former colleague. I think Tom Gordon was one of the most lovable men I have ever known. He was an able and efficient Congressman and he served his Nation, State, and district well. We all share the sorrow at his untimely passing.

Mr. MACHROWICZ. Mr. Speaker, will the gentleman yield?

Mr. ROSTENKOWSKI. I yield to the gentleman from Michigan.

Mr. MACHROWICZ. I also join my colleagues in paying respect to the memory of my dear friend and our colleague, a great American. Tom Gordon was one of those gentlemen who in his quiet, unobtrusive way was very effective in serving his country and his State. I think the people of his district and the people of our country have suffered a great loss in his death. I personally have lost a great friend. To his family I offer my condolences.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. ROSTENKOWSKI. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I, too, would like to join my colleagues in paying tribute to this great Member of the Congress of the United States. Tom Gordon was a son of immigrant parents who, through his conduct and his kindness, exemplified the very spirit of those great people who built this Nation. I join my colleagues in their sorrow, and extend my sympathy to the family of the late Tom Gordon.

Mr. Gordon was a member of a family which had left its indelible mark on the growth and progress of Chicago. An energetic man, Mr. Gordon's effort in helping particularly the immigrant settlers who found their way to Chicago is today legendary.

His conduct in Congress could well serve as a model for freshman Congressmen like myself, for Mr. Gordon had that unique attribute of always finding time to listen to all sides of a debate before making his decision. Mr. Gordon's membership on the Foreign Affairs Committee strengthened this very important group in its determination to stand up to those evil forces which would destroy us as a Nation. His wise counsel helped evolve the many facets of our foreign policy which helped strengthen us in the great ideological struggle against international communism.

His death leaves a void among those dedicated elder statesmen of America on whose shoulders today rests the grave task of securing our Nation from the evil designs of our enemies.

May he rest in peace.

Mr. MORGAN. Mr. Speaker, will the gentleman yield?

Mr. ROSTENKOWSKI. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. Mr. Speaker, it was with keen regret and sorrow that I learned this morning of the untimely passing of my distinguished predecessor and dear personal friend, the Honorable Thomas S. Gordon.

Tom Gordon represented the Eighth District of Illinois for 16 years with outstanding ability and great legislative skill. All who knew him came to love him for the kindness of heart and gentle humility which characterized all his relations with his fellowmen.

Tom Gordon's many years of devoted and dedicated public service culminated in the distinguished service he rendered as chairman of the Committee on Foreign Affairs during a critical period in international events. He strove conscientiously and well to fulfill the heavy responsibilities of the chairmanship despite the serious ailment which eventually led to his retirement from public service.

The passing of Tom Gordon leaves his host of friends with a deep sense of personal loss. I wish to extend my heartfelt condolences to his widow, Mrs. Celia Gordon, who helped him so ably, and who served loyally and efficiently as a member of his congressional staff. My sympathy also goes to his fine children and grandchildren of whom he was so justly proud.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ROSTENKOWSKI. I yield to the gentleman from Oklahoma.

Mr. ALBERT. May I join the gentleman in this tribute to our late beloved colleague. He was able, sincere, and effective. He was so very human and so humble. He was one of the really fine Members of this House. I shall miss him. I join my colleagues in extending my sympathy to his loved ones.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. ROSTENKOWSKI. I yield.

Mr. MADDEN. Mr. Speaker, Tom Gordon came to the Congress in January 1943. We were sworn in together on that day. I knew Tom Gordon intimately during his service in the Congress. Tom was a conscientious worker. He represented not only the people of his district in the State of Illinois, but he represented the people of the Nation. He made a great record as a member of the Committee on Foreign Affairs and served with ability as its chairman during the last few years. The day he left Washington last summer, I drove Tom down to the hotel where he was stopping the night before he left. He had sorrow in his heart when he was leaving. As we all know, Tom was ill for a year or more before he retired voluntarily from the Congress last summer and we hoped that a long rest would restore his health. I know every Member who was acquainted with Tom has a heavy heart because of his passing. I extend to his wife and family my sincere sympathy in their bereavement.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. ROSTENKOWSKI. I yield.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I, too, would like to pay a tribute and express my deep appreciation of our former colleague. I served on the Committee on Foreign Affairs with him for several years. I was always very much struck with the fact that he seemed to do as our able colleague, the gentleman from Massachusetts and majority floor leader [Mr. McCORMACK], once said, "Why do we not legislate our loves instead of our hates."

My distinguished colleague, Tom Gordon, legislated his loves and his likes rather than his hates. I do not think he hated people. He was possessed of a great kindliness. He saw people, perhaps, through rose-colored glasses. He was very generous in his appraisal of others. He was easy and pleasant to work with, and it seemed to me he accomplished a very great deal because of his fine philosophy of life. He was a great American and a very fine and able gentleman, a great citizen and a follower of God.

My deepest sympathy goes to his fine family and to his State of Illinois in their great loss.

Mr. MURPHY. Mr. Speaker, will the gentleman yield?

Mr. ROSTENKOWSKI. I yield.

Mr. MURPHY. Mr. Speaker, it was with profound regret and sorrow that I learned of the passing of my good friend and close associate, Thomas W. Gordon. I first met Tom 25 years ago when he was in the banking business and also manager of the Polish Daily News in the city of Chicago. Later, in 1933, Tom became a member of the Chicago West Parks Commission, and he was a tireless worker in the interest of the people of the city of Chicago. In 1939 he was elected to the office of city treasurer, and in 1942 he was elected to the Congress of the United States from the Eighth Congressional District in Illinois. He served in that capacity until December 1958, upon his retirement.

I had known and worked with Tom all those years and I respected him most highly. He was a great friend and a great public servant.

I extend to his family and many friends my deepest sympathy in this their hour of bereavement.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. ROSTENKOWSKI. I yield.

Mr. McCORMACK. Mr. Speaker, I felt very sad and intensely so that the gentleman from Illinois [Mr. ROSTENKOWSKI] who now has the floor, in his first remarks to the House of Representatives has to announce the death of his predecessor, our former colleague and our beloved friend, Tom Gordon. One could talk for hours about Tom Gordon; Tom Gordon the man; Tom Gordon the legislator; Tom Gordon the great American; Tom Gordon and what he symbolized in his journey through life. As previous speakers have said, Tom Gordon was one of the great legislators of the Congress. He did not evidence his devotion to duty by headlines, but by sincere and devoted thought and action. To me, Tom Gordon symbolized the deep things of life—the nice things of life—loyalty, love of one's neighbors and devotion to duty. He was a dedicated American.

Those of us who had the pleasure of knowing Tom Gordon are better persons because we had that honor and had that privilege. In his passing there has been taken from us one who made a profound impression upon us and one whose memory will always linger with us.

To Mrs. Gordon and her loved ones and to the people of the district he so ably represented for so many years, I extend my profound sympathy.

Mr. O'BRIEN of Illinois. Mr. Speaker, reluctantly and with the deepest sorrow, this morning I was informed of the sudden and untimely death of a former colleague and member of the Illinois delegation, Thomas S. Gordon.

All of us who knew him regarded him highly for his modesty, generous nature, and marked kindliness. His contribution to his Government in the field of foreign affairs will be a monument to him.

Congressman Gordon traveled widely and profited by his keen observations of people in foreign countries. His was the practice of learning more than could be learned at the conference table.

In Chicago, the city he loved and served so well, he will be sadly missed by those in every walk of life. His deep devotion to his family was one of his edifying characteristics, and, in their sadness, to them let us extend our most

profound sympathy in their bereavement.

During the years ahead, we will call to mind frequently, for we shall not forget him, that charity dwelt in his heart, and that Tom Gordon was a warmhearted man, ever ready and willing to help his fellow man.

The SPEAKER. Without objection, all Members may have permission to extend their remarks at this point in the RECORD on the life and service of the Honorable Thomas S. Gordon.

There was no objection.

Mr. LIBONATI. Mr. Speaker, the death of Thomas Sylvy Gordon, recently retired Congressman of the Eighth District, marks the passing of a distinguished American and popular legislator.

He was a kind and gentle person who loved human beings and served their needs as a devoted public servant.

His many friends will miss Tom Gordon—he was a true friend and a loyal follower of party regularity. He served his people well for 16 years—1943 to January 1959—until forced by ill health to retire.

Many of his colleagues realize that his laborious hours spent as chairman of the Foreign Affairs Committee caused the undermining of his health and subsequent death.

The death of this great American patriot saddens us all and with prayers mourn his passing, and extend to his bereaved widow and family our heartfelt condolences.

Mr. CHIPERFIELD. Mr. Speaker, it was my privilege to be closely associated with Tom Gordon during all the years of his service as a member of the Committee on Foreign Affairs. During the 85th Congress he served as chairman of the Foreign Affairs Committee, and I had the opportunity to share with my colleagues the benefits of his leadership and his counsel.

Tom Gordon had a long and distinguished career in the field of foreign affairs and his influence has been felt in many aspects of our foreign policy. His background and his interest gave him a special insight into the problems of the countries of Eastern Europe which have become the victims of Soviet aggression. His understanding of the peoples of these satellite nations and his vigorous efforts on their behalf were recognized by those responsible for the formulation of our foreign policy, and it was their custom to seek his counsel when they were confronted with particularly difficult issues. During the 83d Congress when I had the honor to serve as chairman of the Committee on Foreign Affairs, I leaned heavily on Tom Gordon for support and advice.

Although all of us on the Foreign Affairs Committee benefited from his guidance, his support, and his knowledge of international relations, I am sure that every one of us thinks of him primarily as a warm personal friend. His modest and unobtrusive manner was in no way reserved. He enjoyed contacts with his colleagues, and in all of his contacts the warmth and friendliness of his spirit were clearly manifest.

It was a matter of great personal regret that failing health prevented Tom Gordon from carrying on with his customary vigor throughout the full term of his chairmanship, and it was a loss to the Nation that he found it necessary to retire from the Congress. I am sure that all the Members of the House had looked forward to continued friendly association with him during the years of his retirement. It was a great shock to me to learn of his passing. I want to join with all the others who have spoken here in expressing my sympathy to Mrs. Gordon and the members of the Gordon family.

Tom Gordon was a deeply religious man and a dedicated American patriot. His life did much to benefit his fellow men. Although we will be comforted by our memories of the contribution which he has made, his loss is very difficult for us to bear.

Mr. MULTER. Mr. Speaker, it grieves me no end to learn of the passing of our former colleague and very dear friend, Tom Gordon, of Illinois.

He was indeed a loving and a lovable character—honorable in all his dealings, earnest and sincere in his convictions, all based upon a deep sense of responsibility to his country and to his constituents, as befitting a good American. He was gentle, kindly, and understanding, respectful to all and respected by all.

He was a good chairman, a good Member, a good man. He will be missed by all.

I join our colleagues in extending to his family our heartfelt sympathy.

Mr. SELDEN. Mr. Speaker, it was with great sadness that I learned of the sudden passing of our former friend and colleague, Thomas S. Gordon, of Illinois, who served with distinction in the 78th through the 85th Congress.

I was privileged to be associated with him as a member of the Committee on Foreign Affairs. During the 85th Congress, Tom Gordon, as chairman of the Committee on Foreign Affairs, made notable contributions of which we are all very well aware. As a Member of this great body he has diligently served in the best interests of his constituency, the Nation, and the free world.

Tom Gordon was a man of amiable personal traits and no one who ever knew him could fail to be impressed by his quiet modesty and sincere humility. He was a man of the highest integrity who stood firmly by his convictions. His sincerity of purpose and friendliness of nature compelled deep respect and enduring affection. Tom Gordon's untimely death leaves a profound impression on us. We shall miss him. I join my colleagues in extending my sympathy to his loved ones.

Mr. CARNAHAN. Mr. Speaker, although we knew that Tom Gordon retired from Congress because he was not in good health, none of us recognized how few were the days left to him on this earth. Certainly I was shocked when I learned of his passing.

Tom Gordon had a long and honorable record of public service. He held several important positions in his native city of Chicago. In those offices his devotion to duty and to the public welfare won for him a host of friends. Sixteen years ago his district first sent him to this House. Until he voluntarily retired he was returned in each election by large majorities.

Throughout his congressional career he served on the Committee on Foreign Affairs. He brought to his committee assignment an unusual interest in and knowledge of conditions in Europe, particularly in the countries of Eastern Europe. He had a deep sense of indignation at the treatment accorded the people in those countries under Communist rule and over the years became an acknowledged spokesman for them. Several times he engaged in lengthy study missions for the committee. His reports of these trips to his colleagues and to his constituents showed an understanding of the problems we faced in the countries he visited.

Tom Gordon's long service appropriately culminated in his election as chairman of the committee in the 85th Congress. Until overtaken by illness in late 1957, he provided the committee with a dignified, impartial, and objective leadership. I will always regard it as a privilege to have served with him for so many years.

Tom Gordon had many wonderful human qualities. He was quiet, patient, and understanding. He was a man with deep religious convictions, whose very devotion to his religion gave him a compassionate understanding of human nature that I much admire.

To his family I extend my deepest sympathy upon the passing of a wonderful husband and father.

Mr. COLLIER. Mr. Speaker, through no fault of my own, I was unable to be on the floor last Thursday when several Members of this body paid tribute to the late Hon. Thomas S. Gordon, my friend and former colleague from our home State of Illinois. I would be remiss to my own deep sentiments if I did not take this moment to express my condolences and I ask unanimous consent to revise and extend my remarks accordingly at this point in the RECORD.

From each friendship we cultivate in our many associations as Members of this Congress, we take something that we value as part of our own personal lives.

My colleagues paid fitting tribute to the late Thomas S. Gordon following his death last Thursday. What was said by those who knew him best is a fine and deserved memorial. I shall add only that in my 2 years' association with him, I enjoyed the friendship of one who was a real gentleman by any definition of the word. Our society would benefit with many more men of his character and general mannerisms. Our world would be better for more of Tom Gordon's kind of understanding and attitude toward his fellow man.

He will be sorely missed, though his family should find rich solace in the human and material contributions which he made to so many during his lifetime.

Mr. KLUCZYNSKI. Mr. Speaker, I want to join the gentlemen from Illinois and my other colleagues who have paid

tribute to our beloved former colleague, Thomas S. Gordon, of Illinois.

Our friend, Tom Gordon, was a man of great ability. He was sincere and forthright. His integrity was such that his word was his bond. We admired him for these sterling qualities, but more than that we loved Tom Gordon because of his great capacity and friendship.

Tom Gordon was a success. He was a success because he was a man of solid integrity. He was a success, because he was willing to give unselfishly of his fine talents to help make a better world.

His life was one of inspiration and encouragement, for it was in the fine American tradition. He was a poor boy who achieved much and gained honor for what he did, through hard work and a constant reaching out for more knowledge and a lifelong striving to find ways to serve those less favored than he was in abilities and personal assets.

During his recent illness my prayers for the restoration of his health and strength were with him, but God, in His infinite wisdom has ruled otherwise, and now I join with my colleagues in a fervent prayer for the restful repose of his beautiful soul.

Mrs. Kluczynski and I extend our deepest sympathy to Mrs. Gordon and the children in the loss of their loved one.

Mr. ZABLOCKI. Mr. Speaker, it is with profound sorrow that I learned about the untimely death of my dear friend and distinguished former colleague from Illinois, the late Hon. Thomas S. Gordon.

His sudden death, which came so swiftly upon his retirement from this body after the completion of the legislative work of the 85th Congress, brought a deep sense of loss to his family and to all of his friends in various walks of life.

I had the privilege of serving with Tom Gordon on the Committtee on Foreign Affairs since my first election to Congress in 1949. As a member, and later as chairman of that committee, he participated and presided over some of the most important deliberations that have come before us. His outstanding work in this and in other legislative fields has earned him a lasting place in the history of our Nation. He was a distinguished legislator, who always placed the interests of his district, and of our entire Nation, above all personal matters.

I respected Tom Gordon for his experience, his understanding of the issues, and for his integrity, and I had deep affection for him as a friend. His gentleness and consideration for his colleagues was one of his outstanding characteristics—and one that endeared him greatly to all of us who knew him, and who worked with him. He was patient and understanding in controversies, soft spoken in his counsel, and loyal to the principles which he held.

Certainly the district which he represented for so many years in this House had a faithful and devoted public servant. Even the failure of his health during his last years did not deter him from his unstinted service to his constituents. No request was too small, no interest was too obscure, to escape his undivided attention.

Such a man was Tom Gordon. And in his death, his State and our Nation have lost a trusted and outstanding public servant.

My wife, Blanche, joins me in extending our deepest sympathy to his widow, Cele, to his children and his grandchildren. May they derive some small measure of consolation from the knowledge that we share their grievous loss—and from the thought that our Lord has called Tom Gordon to be among his very own.

JOINT COMMITTEE ON IMMIGRATION AND NATIONALITY POLICY

The SPEAKER. Pursuant to the provisions of section 401(a), Public Law 414, 82d Congress, the Chair appoints as members of the Joint Committee on Immigration and Nationality Policy the following Members on the part of the House: Mr. CELLER, of New York; Mr. WALTER, of Pennsylvania; Mr. FEIGHAN, of Ohio; Mr. MCCULLOCH, of Ohio; and Mr. MOORE, of West Virginia.

COMMUNISM

Mr. PRESTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PRESTON. Mr. Speaker—

> Some critics are like chimney sweepers; they put out the fire below and frighten the swallows from their nests above; they scrape a long time in the chimney, cover themselves with soot, and bring nothing away but a bag of cinders, and then sing out from the top of the house, as if they had built it.

These words were written by Longfellow many years ago. I am certain that when he wrote them he did not have in mind the current insidious cancer of communism, which, conceived in violence, nurtured on the blood of countless thousands of innocent persons, rears its vicious form like the many-headed hydra in every corner of our land. Yet, Longfellow's words of so long ago could very easily be applied today.

I speak of the Communist Party, who like a silent army of termites, small and voracious, is as usual, the guiding hand of cold, calculated, distorted criticism. Criticism designed for one purpose; to destroy every vestige of protection afforded the security of America. Their present target? None other than the personage of J. Edgar Hoover who has been a veritable voice in the wilderness since the early 1920's seeking to awaken our Nation to the dangers of the Communist conspiracy, but only in the last few years have we heeded and cast aside the cloak of indifference.

Smarting under the sting of "Masters of Deceit," Director Hoover's factual exposé of the Communist Party, the Red tyrants and their dupes are now spewing hatred and cajolery in the hope that their chief target can be destroyed before this Nation will awaken to find one of its strongest bastions discredited.

The stone walls of the FBI's reputation, and that of Mr. Hoover, has thus far blunted every attack cleverly laid by the ever-probing, twisting lies of communism. The Communists in 1940 went all out in their treacherous designs on the FBI. This represented an all-out assault of chicanery and glib versatility. All of the party's big guns were trained to hurl the vilest tools of the smear technique. The Communists knew that to successfully prevent the FBI from pinning down their party line, one which had zigzagged, tacked, backed up, gone forward, and leapfrogged during the prewar years, that it would be necessary to destroy the FBI. The attack failed. It failed because the American people were not duped by the brand of hokum emblematic of Lenin and his unholy disciples. The sinister melody of carefully calculated deception could be detected in the strains. As today, the American public had complete faith and confidence in J. Edgar Hoover and the FBI.

We, of course, all understand that to accept the words of the Red masters of deceit and their bottomless bag of tricks is to swap away, little by little, our freedom. Seventeen countries have thus far found this to be true.

Today's well-organized conspiracy finds some strange bedfellows. The masters at artifice and subterfuge, the Communist Party, still heads up the big parade. The dupes in the line of march, although seemingly serious and intent in their purpose, are attempting to lull the public into a dreamworld of brotherhood with a baleful tune of protecting everyone from the Federal "Gestapo." In their germs of hate, they fail to objectively mention that the FBI is made up of young men and women from every corner of our Nation, graduates of some 625 colleges throughout the United States; that the Nation can never repay J. Edgar Hoover for his brilliant leadership in war and peace, and primarily, there are checks and balances which positively prevent the FBI from ever becoming the type of organization as claimed.

Who are these critics shouting from the housetops? They fall into a neat related pattern. The Communist Party in this country, as I mentioned previously, is the sparkplug. One of its latest blasts appeared in an official publication, the Worker, on December 16, 1958, entitled "Edgar Hoover's Four Decades of Fighting Against Peace."

The Emergency Civil Liberties Committee, as always, has mimicked the Communist line. This outfit is headed by Harvey O'Connor and Corliss Lamont. Congressional investigative committees long ago branded the Emergency Civil Liberties Committee and its leaders as foremost apologists for the Soviet Union. O'Connor has been identified as a member of the Communist Party.

A couple of other old familiar faces in the lineup sharpen into focus in the form of the Nation, a smalltime magazine edited by Carey McWilliams, whose record relating to Communist activities extends over many years, and Fred J. Cook, the vacillating writer who is well known

as an apologist for Alger Hiss and William Walter Remington.

In activities of this nature, we would be indeed remiss to leave out of the lineup the identity of the Fund for the Republic. This tax-exempted organization, who long has espoused Communist causes, was the largest single advertiser in the smear issue of the Nation. It offered to place free copies of the Nation on the planes of large airlines, thus attempting to spread Communist propaganda throughout the country.

The Socialist Workers Party, long a master of the smear technique, in its December 8, 1958, issue of the Militant, a weekly official publication, carried out its assignment in the conspiracy by writing a series of scurrilous articles. The first one was entitled "J. Edgar Hoover, Chief of Thought Police." The second of the series of warped propaganda articles is now out. The Socialist Workers Party has long been identified as a revolutionary group which has as its purpose the immediate violent overthrow of our Government.

The next conspirator in the lineup, a member of the journalistic field, who under the veil of "objective reporting," is carrying out its part in an extensive manner. The National Commander of the American Legion pointed out in a strong statement defending Mr. Hoover and the FBI on October 28, 1958:

> We hope that the American press which, with a few tragic exceptions, is commendably patriotic, will continue to give J. Edgar Hoover and the FBI their necessary and persuasive editorial vote of confidence.

I am certain that all in Congress will agree with the hope of the Legion's leader, yet I must at this time fully identify one of those few traffic exceptions he speaks of. I have learned that the New York Post has assigned reporters in this country and foreign countries to dig up information for a so-called factual, comprehensive study of J. Edgar Hoover and the FBI. Naturally, in order to accomplish their true objective—that of smear by innuendo and distortion—considerable slanted questioning is being done. The editor of the New York Post is none other than the well-known self-admitted former member of the Young Communist League, James Wechsler. Mr. Wechsler formerly worked for the Nation magazine.

These are the critics shouting from the housetops. Their's are the voices of hate which they hope to nurture into an epidemic. It is hoped that the strong spotlight of public opinion, turned on by a grateful public, will fully expose these so-called "objective critics" in their true role—as, simply, messenger boys of the Kremlin. Now is the time for all of us to rally to the aid of a man, who thank God, has devoted his entire life to his country, and to an organization whose silent, efficient work allows us to sleep better at night—J. Edgar Hoover and the FBI.

SPECIAL ORDER

Mr. BAILEY. Mr. Speaker, I have been advised that the House may not be in session on Tuesday next. I ask unanimous consent that the special order granted me for Tuesday be transferred and take its proper place in the special orders on Monday next.

The SPEAKER. Is there objection?

There was no objection.

SUBCOMMITTEE OF THE COMMITTEE ON HOUSE ADMINISTRATION

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Subcommittee on Accounts of the Committee on House Administration may sit during the session of the House on Monday next.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection?

There was no objection.

SMALL BUSINESS COMMITTEE

Mr. YATES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. YATES. Mr. Speaker, Franklin Floete, Administrator of the General Services Administration, and the Aluminum Company of America have just entered into an agreement which marks a significant advance for the cause of small business.

Subcommittee No. 3 of the House Committee on Small Business, of which I am chairman, and of which the gentleman from New York [Mr. MULTER], the gentleman from Tennessee [Mr. EVINS], and the gentleman from New York [Mr. RIEHLMAN] are members, had occasion during the last two Congresses to follow closely the workings of the aluminum industry and in that connection, our subcommittee checked into the incentive contracts by the aluminum producers and the Federal Government.

Under such contracts, which furnished Government assistance to the producers to persuade them to expand their facilities, a certain portion of their production was set aside for so-called nonintegrated users. Alcoa originally agreed to make available an amount of aluminum equal to 25 percent of the annual capacity of the new facilities to such nonintegrated users. This contract was amended late in 1957 when the amount was increased to 35 percent.

During our hearings, however, it became clear that the term "nonintegrated" was not limited to small businesses. It applied to all companies other than those affiliated with the primary producers, this even though the intent at the inception of the contracts was to protect the rights of small businesses. However, such firms as General Motors and Ford were considered to qualify as "nonintegrated" users, so that it became necessary to try to obtain a provision which would protect the rights of small business within the meaning of nonintegrated users, because in times of tight supply small business concerns have difficulty in obtaining raw materials. Although this period happens to be one in which aluminum is in abundant supply, it is reasonably anticipated that even with the increased expansion of aluminum producing facilities, the supply of this basic raw material may again be in tight supply within the reasonably near future.

The agreement between GSA and Alcoa just signed guarantees 10 percent of the annual capacity of the contract production facilities amounting to 24,000 tons per year for small businesses, as that term is defined in the Small Business Act. The other 25 percent that is to be made available to nonintegrated users will, of course, be available to small business firms, too, but on a nonpreferential basis.

Mr. Floete and Alcoa are to be commended for their cooperation in carrying out the recommendation of the Small Business Committee. It is hoped that the other aluminum producers will also enter into similar arrangements.

ANASTAS MIKOYAN—MASTER OF DECEPTION

The SPEAKER. Under the previous order of the House, the gentleman from Illinois [Mr. PUCINSKI] is recognized for 30 minutes.

Mr. PUCINSKI. Mr. Speaker, for the past 17 days the American people have been subjected to a barrage of stories regarding the visit of Anastas Mikoyan, the No. 2 boss in the Kremlin, to the United States.

In deference to the President of the United States and other responsible American officials, who were charged with the safety of this visitor while he remained in this country, the Members of Congress had preserved the dignity of this House by restraining themselves from commenting too freely on Mikoyan's visit. But lest our silence be interpreted as tacit approval of the chicanery which Mikoyan practiced during his tour through the United States I have asked permission to discuss Mikoyan's visit, and this the House has graciously granted.

In viewing his whirlwind trip through the United States in retrospect, perhaps it is just as well that we withheld our comment; for it was not until the last day of his stay here, when he finally reached the full realization that he had failed in his mission of deceit, that we saw the real Anastas Mikoyan emerge. We can now judge his visit more objectively.

The American press, radio, and particularly television afforded millions of Americans an opportunity to see firsthand how this master of deception parried questions put to him by newspapermen, who time and again merely attempted to establish the true motives of the Soviet Union in the cold war.

I had some serious misgivings about Mikoyan's trip to this country. He

started out very strong, and it appeared that this Machiavellian monster was making a great impression on the American people. But as his hypocrisy began to show through, as he became increasingly aware that demonstrations which greeted him all along the route, protesting his visit, were not isolated acts of hostile refugees, but were, in fact, an expression reflecting the sentiments of a major segment of the American people, his composure began to diminish. It reached its lowest ebb on his final day here when, obviously irritated because he had failed in his mission to ease trade barriers and renew credit to the Soviet Union, he assailed the U.S. State Department for refusing to end the cold war.

Mikoyan's criticism of the American press, and in particular his verbal attack against members of the television panel who had so successfully exposed him for the faker that he really is, clearly indicated how unyielding is the mind of a Communist.

Perhaps the crushing blow to his deception was the stern warning from a great former President, Mr. Truman, who cautioned against "tourist diplomacy." Mikoyan was particularly bitter toward Mr. Truman because he realized that this great American, who had personally experienced considerable Soviet treachery, reminded the American people that the Kremlin mob has used the same bunk, which Mikoyan tried to peddle in America, for the past 14 years purely to feed its Soviet propaganda mills.

It must have been very clear to Mr. Mikoyan, when the time for his departure arrived, that he had not fooled all of us in America. I think that even those misguided industrialists, who for reasons best known to themselves wined and dined Mikoyan, today realize the sweet talk he dispensed at their elaborate luncheons and dinners was nothing more than a facade to soften American resistance against communism.

These American industrialists need only be reminded that Mikoyan wanted relaxation of trade barriers and renewal of substantial credits to Russia so that the Soviet Union may again compete with American industry for world markets. How long do these American industrialists think this Nation can survive economically with our high standard of living when the Communists build their industrial potential through the use of slave labor?

In his final interview, Mr. Mikoyan tried to create the impression that, based on the pleasant reception he received in many quarters, the people of America do not agree with their Government's decision not to be pushed around by the Soviet Union. There may be honest differences of opinion among many Americans as to the real value of Mikoyan's visit to this country, but I believe it would be a tragic mistake on the part of this Soviet charlatan to interpret the traditional good manners of most Americans as a sign that they do not agree with the policy makers both in this Congress and in the executive branch.

This man, who had engineered the blood bath in Hungary and miscalculated the dedication of the heroic Hungarians to the principles of freedom; this man, who continues naively to believe that the Communists ultimately can crush the traditional ties to liberty in Poland, Czechoslovakia, Lithuania, and other satellite countries, would, indeed, be making a tragic mistake if he left this country thinking that we Americans are divided on the question of firm resistance to Communist intrigue or aggression.

As one Washington newspaper put it in a recent editorial, "Americans who saw Mr. Mikoyan's performance on television Sunday will know that no words will make any impression on him if he has so confused our traditional friendliness, curiosity, and courtesy for softheadedness."

But courtesy does not mean that Mikoyan's lies during his tour of the United States should go unanswered. It is within the framework of Mikoyan's deception that I sometimes find it difficult to understand how those who want a greater exchange of Soviet "tourist diplomats" believe we can find a solution to the cold war.

Let us examine some of Mikoyan's lies and attempt to set the record straight.

Benignly, Mikoyan told one American audience that the Soviet Union is suspicious of the United States because Russia is surrounded by American military bases. He added, obviously for dramatic effect, "Your guns are pointed at us."

The answer to this Soviet deception is simple—there were no United States nor NATO bases pointing at Russia before the Kremlin ordered the scuttling of all wartime agreements; before Russia tried to drag Turkey and Greece behind the Iron Curtain; before the Communist coup in Czechoslovakia; before the Red hordes raped our gallant wartime allies—Poland, Lithuania, Estonia, Latvia, Hungary, Rumania; before the Soviet division of Germany; before the Soviet-sponsored war in Korea. Those American bases can be liquidated overnight, and our $40 billion defense budget can become only a tragic dream anytime the Kremlin gangsters decide they want to conduct themselves in accordance with standards accepted by civilized nations.

Another Mikoyan statement: "Could we forget the past and start all over?"

The brazen audacity of this butcher of Hungary in making such a suggestion is actually overpowering. Does he want to forget the millions of innocent people now living in Communist slavery? Does he want to forget the 20,000 Hungarians massacred on his own orders during the Hungarian revolt? Back home we have an old saying: "Fool me once, shame on you; fool me twice, shame on me." Bringing it closer to home, here in Washington, those two monuments in front of the Archives building tell the story: One has the inscription, "What is past is prologue," and the other states "Study the past."

I regret that Mikoyan did not stop to ponder this message during one of his walks along Pennsylvania Avenue. Perhaps he would better understand why we insist that any new agreements with the Communists must be self-enforcible.

This Nation has demonstrated repeatedly we are ready to start toward a just end of the cold war any time the Russians are willing. But we will never submit to the principle that peace must be gained at any price.

Finally, there is one aspect of Mikoyan's visit to this country which I am particularly anxious to call to the attention of my colleagues regarding cultural exchanges, or, as in the case of Mikoyan, tourist diplomacy: This is the respective coverage that we in America, in keeping with the highest tradition of a free press, have given to Communist visitors in the United States and the coverage our American visitors have been getting in the Soviet press in Moscow.

A study which I hope to complete soon indicates that for the most part these so-called cultural exchanges are a one-way street. I should like to call your attention to how the Communist press treats our American visitors who go to Russia. We had had in recent months some very capable observers who went there in the hope of getting a firsthand view of the Soviet Union and to perhaps convey to the Russian people America's traditional dedication to peace. It might interest the Members of the House to know that only those statements which could be construed as friendly to the Soviet Union were reported in the tightly controlled Soviet press.

Mikoyan, in his television interview, said the reason Soviet newspapers do not give the same type of extensive coverage as does the American press is because their papers are much smaller. I submit, ladies and gentlemen, that this is brazen hypocrisy. Mikoyan, better than anyone else, knows the Kremlin would not dare to tell the Russian people the truth about America's peaceful aims. A study of Soviet newspapers regarding recent visits of outstanding Americans to the Soviet Union presents perhaps the best proof of how the Moscow rulers fear to tell the truth to their pepole. The Soviet press gave 25 words to Mr. Stevenson's visit with Gromyko, 125 words on Mr. Stevenson's visit to the U.S.S.R., 100 words about Mr. Stevenson's visit to Novosibirsk, and only 3 lines describing Senator HUMPHREY's 8-hour visit with Khrushchev. Not a word was mentioned about the Minnesota Senator's statement regarding America's sincere desire to end the cold war. I might add, Pravda has yet to print the article Senator HUMPHREY submitted regarding America's efforts to end the cold war.

Copies of Soviet papers that have arrived here indicate many of Mikoyan's statements in the United States admitting mistakes of Soviet leaders are being carefully screened from Russian readers, obviously to avoid destroying the myth of invincibility of Soviet leaders forced upon the Russian people.

The Soviet press has very carefully avoided reporting President Eisenhower's appeal that Mikoyan be treated courteously in this country. This omission obviously was designed to keep the Russian people from knowing that not all

Americans greeted Mikoyan with enthusiasm.

It is obvious from studying the Soviet press that Russian newspapers report only those speeches made by Americans in Russia which are favorable to the Soviet Union, and whenever there is a particularly good story favorable to the Soviet Union, the papers do not hesitate to increase their issues to six pages, instead of the usual four.

Mikoyan's rejoinder that this blockout of true American expression is due to the lack of space is most unconvincing. In my 20 years as a journalist, I have frequently had to boil down a story to three or four paragraphs and still get the true and pertinent facts into that limited space. I submit that those who argue so convincingly for extending cultural relations with the Soviet Union give some serious thought to this problem. We can, at least, seriously question the real value of these exchanges when the millions of Russian people are being kept in the dark about what our American visitors are saying in Russia; and I think that perhaps until the Soviet Union is willing to agree to permit our American visitors access to the Soviet press, just as we in this country give Russian visitors full access to our press, there shall always remain a shadow of doubt about the wisdom of this entire program.

I submit, my friends, that Mikoyan's visit to this country was a failure, and it would not surprise me to see him drawn into the limbo of fallen Soviet leaders, simply because he could not beguile the great American people. Entertain them? Yes, that he did—but beguile them? I doubt it. At least, I feel reasonably certain that he did not fool the people of the 11th District in Illinois.

About the only conclusion that can be drawn from Mikoyan's visit to the United States is that the road to a lasting peace is still a very difficult one. At least by seeing this master deceiver firsthand the American people have had an opportunity to judge for themselves how utterly impossible it is to even try to do business with the Communists.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Mr. Speaker, I think the gentleman from Illinois [Mr. PUCINSKI] is rendering fine service in addressing the House on the subject on which he has spoken. Like the gentleman from Illinois, I, too, occupying a public position refrained from making comments while a certain individual was physically in the United States because of certain implications it might have on the internationl affairs of our Government. He is now out of the United States.

But, like many Americans, I was very much disturbed at the way this particular individual was received in certain quarters while in the United States.

As long as the Communists adhere to dialectic communism and their ultimate intent for world revolution and world domination, as long as the dominating influence of communism is its dialectic aspect, the dominating and controlling power or influence of international communism, they have got to keep on going, and going, and going until they either conquer the world or blow up. International communism as presently constituted cannot permanently survive where in any part of the world there are free men and women.

I was surprised that in some quarters this individual was invited where even a former President of the United States would not be invited by the same group, and I wondered if those groups realized that if the Communists took over America they would be among the first to be liquidated. I know I would be one of the first they would liquidate if they ever took America over—which they will not—because I was chairman of the committee which investigated communism in 1934 and for other reasons. I wonder if they realize the sinister intent of this man Mikoyan, and his type?

In getting the publicity he received, I wonder if those who received him recognized the fact that he is the prisoner of an ideology which compels him and others who are Communists in fact to continue with their vicious and evil intent and effort to dominate the world and subject all peoples to their domination?

In any event, he went around the country for some days and whatever effect he created he destroyed during the last 2 days of his visit. There were two men who penetrated his skin. One was former President Harry S. Truman and the other was Secretary John Foster Dulles. The article that President Truman wrote the other day got under his skin and the reception he received from John Foster Dulles also got under his skin. When he was on the "Meet the Press" program he exposed to the country, if the people analyzed his mind, just what was and is in his mind, and when he met with the members of the Press Club the following day he exploded. He declared war on Harry S. Truman, the State Department, John Foster Dulles, the administration, Adenauer, West Germany, and even West Berlin. He went right down the line declaring war here, there, and everywhere.

One of the points I think he and other Communists in the Kremlin have in their mind is the fact that because in America we have a Republican in the White House and the Democrats in control of Congress, it tends toward division. Well, they had better realize, they had better awaken to the fact, that we might have our differences of opinion in America as individuals along political lines, as Democrats and Republicans, but over and above that we are Americans and that there is no division on foreign policy and there is no division on national defense. There might be disagreements as to the amount of national defense or about this or that policy, but there is no disunity. If the leaders in the Kremlin think that because there is a Democratic Congress and a Republican in the White House they can capitalize that to their benefit, they had better wake up because they are seriously mistaken.

I wonder when this individual goes back to the Kremlin how Khrushchev and his associates are going to receive him having in mind that in America he was advocating revisionism, which is heresy so far as a Marxist is concerned. In America he was talking the opposite to what Khrushchev and others over there stand for in accordance with the Marxist ideology. I wonder if they realize he talked one thing over here and another thing over there? I wonder how they are going to receive this man who is guilty of the same thing in America that Bulganin, Malenkov, and the others are guilty of in the Soviet Union, and others who have been tried, found guilty, and shot. I wonder how they are going to greet him.

If he goes back with a misunderstanding of the spirit of the American people and the minds of the American people, he is not going to make any contribution toward world peace, because if he thinks in connection with the preservation of America and its future strength and its future progress there is any division among the American people or that there is any division among the Democrats and Republicans, he is sadly mistaken. For example, if he reports there is division over West Berlin or any thought of our abandoning the people of West Berlin, his report will be a false one.

I am glad the gentleman has, in his first speech in the House, not only considered the seriousness of this matter but he has had the courage to talk about it.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from California.

Mr. HOSMER. I am glad that the gentleman brought this subject up today. I think one of the most overlooked incidents and effects of his trip has been that it has proved again to the American people and to the world the solidarity of the American labor movement and its leaders behind the American free enterprise system and in opposition to communism.

The tough-minded, skillful leaders of the American labor movement, long experienced in combating Communist infiltration into their unions, met this visitor from the Soviet Union with a full awareness and understanding of the Communist conspiracy and talked to him in the only language he understands and respects. They did not fawn; they did not quibble. They laid on the line their determination that the United States, its people and its workers will resist communism to the last man and with very firm policy. I think they sent that man back behind the Iron Curtain with full knowledge in his mind that from top to bottom every American is substantially united on the proposition of opposing Soviet imperialism wherever, whenever, and however it appears.

I believe that our labor leaders, as well as the actions of the American people as a whole, also sent him home knowing, and showed to the world, that the United States has neither an intention of abandoning the hope of the satellites of the Soviets to regain their freedom, nor an intention to abandon unity with our

allies in dealing with the Soviet menace as a unit and not on a bilateral basis.

I think that Mr. Mikoyan also went back home to the Kremlin councils with a very sharply and upwardly revised opinion of the American economy to discuss. That was much needed since his original impressions were gained when he visited this country during the depression times of the 1930's.

Perhaps there were two chance remarks Mikoyan was overheard to make during his visit here that might indicate something of the frame of mind in which he has returned to Moscow. One of them was to the effect that unemployed people in the United States make more money than overtime workers in almost any other part of the world. The other remark was a rather facetious one, but I think it hits close to home. He is said to have quipped: "This is the only country that I have ever visited where the people can afford the luxury of throwing eggs at me instead of eating them."

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Indiana.

Mr. MADDEN. Mr. Speaker, I want to commend the gentleman from Illinois, ROMAN PUCINSKI, a new Member, for the statement he is making in regard to the unsuccessful trip of Mikoyan to this country. And, I might say that the gentleman from Illinois now in the well of the House is well qualified to talk on Russia and on the methods used by the Soviet tyrants to enslave not only the countries immediately surrounding the Soviet borders but in their desire to enslave mankind, because our colleague is not inexperienced in congressional work.

Six years ago, when the Congress authorized the special committee to investigate the Katyn Forest massacre, the gentleman from Illinois [Mr. PUCINSKI] was appointed chief investigator and devoted over 2 years' service to the work of that committee. He did a magnificent service in investigating and presenting evidence for consideration before that committee, not only during our hearings in this country but when we held hearings in England, Germany, and Italy. As an investigator for the special congressional committee, he performed an excellent service in investigating and assimilating evidence at the hearings of the Katyn Forest massacre investigation. It was proven in this committee's findings that over 14,000 of the Polish intelligentsia—military leaders, doctors, lawyers, clergy—were massacred and buried in mass graves by the Soviets in order to destroy the flower of Poland's leaders and thus prevent these patriots from organizing resistance to Communist enslavement. The Katyn massacre was the first international crime in world history wherein one tyrant accused the other of its commission.

When the graves were discovered in the Katyn Forest, Stalin accused Hitler, and Hitler accused Stalin of guilt for the mass murders. Over 200 witnesses testified and hundreds of exhibits were recorded in the almost 2 years' work of our committee. Mikoyan, Stalin, and other Soviet leaders directed the mass murders at Katyn and also similar international crimes involving other satellite nations.

To my mind, nobody in the House is better qualified than our colleague, the gentleman from Illinois [Mr. PUCINSKI] to talk on this subject. Mr. Speaker, I do not want to take any more of the time that he has reserved today for his maiden speech, but I did want to pay a tribute to him for the great work he did as a special investigator for the Katyn Massacre Investigating Committee, on which I had the honor to serve as chairman.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. Mr. Speaker, I should like to continue on the same theme as that of the distinguished gentleman from Indiana [Mr. MADDEN]. I was a member of the special committee of this House to investigate the Katyn massacre, and I conducted the hearings that were held in London at that time. That was the first time in history, I believe, of any of our sovereign nations that a special select committee of the legislative body of one nation was permitted to conduct formal hearings, with witnesses under oath, in a foreign country.

These hearings, I have been advised by our intelligence experts, were the first significant counteraction against Soviet propaganda in the Western World. The fact that we struck a raw nerve was evidenced by the almost maniac replies that they made through their propaganda media, attacking this committee and this Congress.

The gentleman from Illinois now speaking served at that time as the chief investigator of that committee and also served as my translator. I want you to know, Mr. Speaker, it would have been utterly and entirely impossible for this committee to achieve the great success it did had it not been for the extraordinary ability and the service of the gentleman from Illinois. I might also state that John J. Mitchell, the present chief counsel for the House Government Information Subcommittee, was chief counsel for the Katyn Forest Massacre Select Committee. As everyone knows, the legal problems of the Polish atrocity were unique in congressional investigations and his performance was outstanding.

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Mr. Speaker, I should like to join in commending the gentleman for his remarks and to observe that there has just come to my desk from the Library of Congress the full text of a speech by Mr. Mikoyan in Moscow, last October. I am not sure whether the gentleman is making any reference to that speech or not. But I was very interested to know that in that speech Mr. Mikoyan, that smiling ambassador of good will, was berating the United States for seeking to promote wars all over the world. If it is in order at this point, Mr. Speaker, I ask unanimous consent to extend my remarks by including some extracts from that Mikoyan speech.

The SPEAKER pro tempore (Mr. PRESTON). Without objection, it is so ordered.

There was no objection.

Mr. JOHANSEN. Mr. Speaker, the address by the Soviet Deputy Premier was delivered at the observance of the 41st anniversary of the October Socialist Revolution at the Sports Palace of the Lenin Central Stadium in Moscow.

According to the text supplied me by the Library of Congress, Mr. Mikoyan charged that "American militarists are still continuing to wave the torches of war off the Chinese coast."

The man who only a few weeks later was to come to the United States in the guise of friendliness added these words:

> American imperialism, which has taken upon itself the role of world gendarme, with its maniaclike pretensions to world domination which is creating hotbeds of war in one or the other corners of the world, has been unmasked again. However, it encounters the iron determination of the freedom-loving people to bar aggression and defend peace.

Mr. Mikoyan approvingly quoted a statement which he attributed to Cyrus Eaton—whom he subsequently visited in Cleveland—to the effect that—

> The only country where the people are all the time looking back over their shoulder to see who is eavesdropping upon them, is the United States. Even Congressmen who consider Dulles to be an absolute fool are afraid to speak of this. It is we who have created the position of a police state.

Referring to the situation in the Middle East and Far East Mr. Mikoyan said:

> The flames had hardly died down in the Middle East, when the Americans began to fan the flames in another hotbed of war, which they had created earlier as a result of the occupation of Taiwan.

Such were some of the typical expressions of what must be presumed to be Mr. Mikoyan's true feelings toward the United States.

THE PLIGHT OF THE ILLINOIS SMALL FARMER AS VIEWED FIRSTHAND BY CONGRESSMAN GEORGE E. SHIPLEY IN THE PAST YEAR

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. SHIPLEY] is recognized for 60 minutes.

Mr. SHIPLEY. Mr. Speaker, it seems that everyone is concerned about the present farm situation, but no one seems to be doing very much in correcting it. The farmers of southern Illinois, whose net income has continually slid downhill for the past many years, definitely are in dire need of a better farm program, and no one knows this so clearly as the small farmer himself.

When we have a school problem, we go to our greatest educators, our professors and our teachers to remedy the problem. When we are sick we go to the doctors and hospitals to be cured. I feel that the only way we can solve our farm program is to appeal not only to our farm organizations, but to the farmers as

individuals. These people have many little problems which are unknown to so many of us, and there are many steps that need to be taken to correct our farm program.

The last few years Mr. Benson has so completely messed up the farm program and confused the issues until it is almost an impossibility to get it back on its feet where the little farmer may have a decent income.

In talking to these Illinois farmers, I find one thing they really believe would help solve our present Benson-bungled farm program. It is to move our food surplus, which we have on hand now, which is the largest amount of farm surplus we have had for many years, to the foreign countries, who are in great need of help and assistance, and let these farm products take the place of the millions and millions which has turned into billions of dollars we send overseas.

These farmers, as myself, are not isolationists or selfish. They want to share our wealth and the products we have here in the great United States with our neighbors, but they feel the way we should do this is through food and clothing instead of so-called cash, and in taking this step it would help the little farmer's income climb back up to where it should be. It would put money into their hands to where they could buy farm machinery, which they have needed, but did not have the necessary income to buy it. In doing this, it would put our factories back to work, unemployment would drop and our country as a whole would be more prosperous.

The most important part of working our surplus food into our foreign aid program would be that the common people in these foreign countries would receive the farm products and much more of such would trickle down to the little people than does the cash that we send to these countries.

In southern Illinois there are many small farmers, and I might say the number of small farmers is decreasing very rapidly each year. Through necessity they are either getting a job in town in addition to their farmwork, or, they have their wives get a job in town, so they may earn enough money to be able to stay on the farm. If they do not, or cannot get this additional employment and the profits are too low on the farm, they must abandon their farm and seek full-time employment to make a decent wage to send their children to school and to buy the very necessities of life.

In the past year, Mr. Benson has been attacked from all sides by all kinds of people to resign as Secretary of Agriculture and let a new man take over, but this is not what the farmers need. Mr. Benson can be replaced by tens of thousands of people, and if the same farm program is carried on, it will do no good to change the faces.

What the farmers want is a change of programs completely. Until this is done the farmers' profits will not increase to the place where they can earn a living on the farm without having part-time employment elsewhere.

Now is the time for a change, not next year or the year after, for if we wait that long there will not be any small farmers left in this great agricultural country. They will be plowed under, so to speak, and that is just exactly what our present farm program is doing, for it is a proven fact that more small farmers have been pushed off the farm under the present program than any other farm program in history.

Our country's prosperity and economy hubs on our so-called little farms, even though some folks do not believe this. It is true they are the basis of our wonderful country and should be treated as such. They take the biggest gamble of any business or profession in the country. When they plant their seeds in the ground that the good Lord has given us, they have no guarantee as to the amount of rain or sunshine they will receive. They are completely at the mercy of nature and of the farm program that we put forth. Let us help the little farmers before they are lost completely.

In speaking of small farmers, I mean the dirt farmer who farms 100 to 200 acres, from which he derives his sole income—the farmer who might have two or three cows, a few chickens, and who are on the farms their fathers and forefathers have had. They are working and plowing and planting the same ground their fathers and forefathers before them worked, plowed, and planted, working just as hard and just as long, yet receiving just a little in proportion more than their fathers received years ago. During this time, the prices of everything they need on the farm continued to rise and therefore they have been thrown into what you may call a recession and inflation at the same time.

HON. DAVID L. LAWRENCE, GOVERNOR OF PENNSYLVANIA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. MOORHEAD] is recognized for 5 minutes.

Mr. MOORHEAD. Mr. Speaker, on Tuesday, January 20, 1959, a great American and dedicated public servant, David L. Lawrence, was inaugurated as Governor of the Commonwealth of Pennsylvania.

Drawing upon the experience of years of public service, Governor Lawrence, in his inaugural address, urged that broad tax and economic issues confronting Pennsylvania be placed above the contentions of partisanship.

This approach is sorely needed on all levels of government. Governor Lawrence successfully demonstrated the value of this approach during his 12 years as mayor of Pittsburgh. His inspiring leadership brought together people of all walks of life and all degrees of political persuasion to work together to bring about the world-renowned Pittsburgh renaissance. A lifelong politician he brought new stature to the profession of politics by demonstrating his belief that good government is good politics.

As a Democratic national committeeman for Pennsylvania for 18 years, Governor Lawrence's support of the best in American politics has been of national importance.

Mr. Speaker, Governor Lawrence's inaugural address is an inspiring message for all the people of America. For that reason, I include the text of his address at this point in the RECORD:

INAUGURAL ADDRESS OF GOV. DAVID L. LAWRENCE, DELIVERED JANUARY 20, 1959, AT HARRISBURG, PA.

My fellow Pennsylvanians, a beginning is always a time of festival. Primitive man, close as he was to nature, celebrated the coming of each season. We take good care to welcome each new year. There is in each of us a spirit which looks to the future with pleasure and with hope; we are sure that tomorrow will bring us the fulfillment of those dreams which have been denied us in the hard cold past.

So it is natural that we make a jubilee of our inaugurations.

The day abounds with genuine good wishes.

There is music and dancing—a true holiday mood.

The victorious party is happy in the tangible evidence of its triumph.

Those who lost—and we cannot all win in this contest of self-government—are philosophic.

The worst campaign forebodings on either side—all the overstatement, the occasional spite, the excesses of competition—vanish as completely as last year's snows.

We find that on inauguration day we are neither devils nor angels; neither villains nor demigods. We are simply men and women entrusted with great responsibilities, prayerful that their wisdom and their courage will prove equal to the great task which has come to them.

Being human, I must confess that I am not without emotion on this day which means so much to me, to my family, and to those good friends who have worked with me in government and politics through these many years.

I believe I know something of the Governorship of Pennsylvania. I have seen men struggle and contest for this prize of office; form factions within parties and wage bitter hate-filled war between the parties to obtain it; surrender their judgment to their ambition; become all but blind to any other goal.

I consider myself fortunate that I did not obtain the office on such terms. I became a candidate because it was thought that I could bring unity to my party; I was elected Governor because a majority of Pennsylvanians believed that I would, with such strength and experience as I possess, summon up the full energies of Pennsylvania to meet the problems which confront us.

As Governor, I will be free of all obligations except those of my oath and of my conscience.

I will be loyal to my party, yet I will never put party above the Commonwealth.

I will be grateful to my friends, yet I will never allow friendship to trespass against the State's best service.

I will be ambitious for Pennsylvania's future; the more so, because I have no political ambitions of my own.

It is a great honor to be Governor of Pennsylvania, but the honor becomes a lonely symbol—an empty matter of portraits and ceremony—if the Governor does not use his office for the effective leadership of the Commonwealth he heads.

As it may be given me, I will use every resource, every ounce of strength that lies in this great office, for the advancement of Pennsylvania and its people.

The Commonwealth is fortunate, this new administration is fortunate, that the Governor whom I succeed is a man of conviction, a man of ideals, a man of high purpose and high principle.

There will be no shock of transition from a Leader to a Lawrence administration.

Shading and emphasis may vary—because men's methods and approaches inevitably vary—but I take this office comforted by the knowledge that Governor Leader, in his 4 years of office, did so much to recognize the problems of this State and did so much to prepare the implements for their solution.

This last administration was not afraid to blaze new trails—in economic development, in human welfare, in education, throughout the vast reach of the State's responsibilities.

This new administration will have all the advantage of the hard pioneering that has gone before it.

We will have skilled administrators—good public officers trained in their work and sympathetic to our objectives.

We will have a basic framework of useful legislation, which now must be financed and applied to achieve its full effectiveness.

There will, of course, be new recommendations for legislation from the executive to the legislature, but as I now see them, they will be specialized rather than general, filling gaps and increasing our effectiveness, rather than opening broad new areas of public action.

And, as a basic and harsh fact in our public life, we must act to solve a very difficult fiscal problem.

We must, as soon as we can do so, find new revenues for the State so that we can meet our acknowledged responsibilities.

In this, we are not alone.

The Governor of New York and the Governor of Massachusetts are at grips with tax problems as difficult as ours. Ohio is searching for new income sources.

We all know the struggles of our school districts and our municipalities.

I read the other day, translated into modern English, the call for the first true Parliament to meet in England—the very first legislative session directly ancestral to our own Congress and our own general assembly.

The King who issued the call was Edward I.

The time was 1295—664 years ago.

The subject was the Kingdom's need for money.

And King Edward, addressing his Nobles and Commons, said to them of taxes: "What touches all, should be approved by all."

In retrospect, I believe that each of us would now admit that Pennsylvania would be better off today, our problems less acute, if we had followed the King's maxim when our pressures for new State revenues began to rise at the end of World War II.

But what is past cannot be undone.

I begin my term of service today in the firm belief that we can take our tax issues out of the contention of partianship—that indeed we must do so in the narrow balance that exists in our political structure.

I hope we can avoid a Democratic tax program or a Republican tax program; a governor's tax program, a house tax program, a senate tax program.

I hope we can achieve, hard as it is to do, a Pennsylvania tax program that will be fashioned on the basis of what touches all, should be approved by all.

To help us toward this goal, I have appointed a group of very able Pennsylvanians, evenly divided between the parties, broadly representative of management, labor, and public service, to give us the benefit of their advice on tax policy for Pennsylvania. Their report should be a guide which we can all find useful.

It is noteworthy, I think, that every person whom I asked to serve on the tax policy committee agreed at once to do so—although we all know that there is little glory and much abuse in store for those who recommend taxation, any kind of taxation.

That was another clue to me that we have reached a point in the public affairs of this State where we can have a much-needed era of political good feeling.

I think I know, as well as anyone, that Pennsylvania politics is traditionally rough and tough, fiercely competitive, materialistic, dog-eat-dog.

I know that each party will—humanly and properly—seek to win courthouses and city halls through Pennsylvania this year.

I know that next year, each of us will try his level best to carry Pennsylvania for the presidential nominee of his party.

I know it is healthy to have two strong parties, well-matched, and to have a lively hard-hitting opposition.

But I am sure there is a point where opposition becomes sterility, where name-calling becomes an end and an art in itself, where the best interests of the community—its vital needs—are heedlessly sacrificed for a fancied political advantage that isn't worth two pins in lasting political achievement.

I will do my utmost—I will go as far as anyone in this State—to create an atmosphere where a program for Pennsylvania can be judged and executed on its merits, without regard to which party gets the credit and without regard to political and sectional rivalries.

It would be an overstatement to say that Pennsylvania has a crisis to meet and overcome.

It would be the honest truth to say that Pennsylvania has a series of economic problems, many years in the making, that can bring us a grave crisis in the future if we do not learn to act together and to act now.

It would be blindness to deny that many trends in our Nation's economic life are not going in our favor. Pennsylvania farms, Pennsylvania mines, Pennsylvania railroads will never again support the massive labor force of the years gone by. Pennsylvania has been preeminently a State of heavy industry. We suffered sharply in the recession of 1958, far more than the Nation as a whole, and we are not yet out of the woods, in spite of the national production indexes.

We have had no great Federal development projects to change and bolster our economy.

Aviation and rocketry—the focus of defense spending—have little direct impact upon Pennsylvania's industries and employment.

The growth pattern of population in the country favors the South and West. We must not become a region where we export our most vigorous and ambitious men and women—as the Mountain, South and New England have been doing in this last generation.

We already have areas of chronic unemployment, and they are growing—not contracting.

Manufacturing has ceased to be the major source of employment in our society—and Pennsylvania is a manufacturing State. There has been a tremendous shift, nationally, to the service industries, in which we are not predominant.

All of this is the dark side, put to you today not because I am an alarmist but because I believe that we must know our weaknesses as well as boost our strengths.

Pennsylvania's vital problems are not political.

They are economic.

We must deal with the stubborn unemployment that besets us; we must act to assure our future as a prosperous, productive unit in the American economy, as fruitful and as well-rewarded as the best.

Our great danger—a fatal danger—is a policy of drift.

That is what this administration will not do.

We will have a policy of action—action not by government alone, but by industry, by finance, by labor, by community organization, so that the resources of Pennsylvania are mobilized before it is too late.

We have vast resources—in wealth, in skills, in enterprise, in organization. We have great metropolitan cities, great national and international business enterprises, great universities, an unsurpassed labor force, ports on the ocean and the inland waterways, unequalled internal transportation, an early start in atomic energy and manufacture.

And we have a great tradition of success.

As Governor of Pennsylvania, with all the strength God grants to me, I will ask of the people of this State their greatest—their maximum—effort. I will ask of the Federal Government its full support for our endeavors. I will ask of our local governments their full cooperation. I will ask of business and of labor, of community leadership everywhere, an unstinting participation in this work we must do for Pennsylvania.

I will promise them, as I promise you today, that the Commonwealth will meet every obligation placed upon it.

Mr. MONAGAN. Mr. Speaker, will the gentleman yield?

Mr. MOORHEAD. I yield to the gentleman from Connecticut.

Mr. MONAGAN. I should like to associate myself with the gentleman's remarks concerning Governor Lawrence, because I feel that the plan to which the gentleman refers is one which leads the way for other cities not only in that section but in other sections of the country.

I hope the gentleman from Pennsylvania will pardon me saying that in Connecticut we also have an outstanding exponent of urban renewal and rehabilitation in the person of Mayor Lee, of New Haven, who is a worthy coworker of Governor Lawrence in this vital field.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. MOORHEAD. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. I have just returned from Harrisburg, where I attended the inaugural ceremonies of the distinguished Governor of Pennsylvania. I can say that I know the gentleman from Pennsylvania, who is from Pittsburgh, has been a close friend and adviser of the distinguished Governor for a number of years. I associate myself with him in his remarks about our mutual friend and distinguished American, David Lawrence.

Mr. MOORHEAD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include the inaugural address of Governor Lawrence.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

ANNIVERSARY OF UKRAINIAN INDEPENDENCE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 1 hour.

Mr. FLOOD. Mr. Speaker, I ask the unanimous consent of the House to reserve this hour in this session of the greatest legislative body in the world for the purpose of paying tribute and permitting my colleagues of the House on both sides of the aisle to join with me in

this tribute to the history and the tradition and the love for independence and freedom of a great nation and a great people, the Ukraine.

Let me emphasize that the Ukrainian under no circumstances is Russian in the sense that we use the term loosely in this country. That is no aspersion upon the Russians, because the Russians are fine people. There are no bad people. People are not bad, people are not evil, but leaders and governments and political philosophies can be. So when we use the word "Russian" in the sense of aspersion we refer not to the great and the wonderful people of Russia, who have been historically and traditionally friends of this Nation, and of the American people—we refer, then, not to the Russian people, but to this evil thing which seems to have come from the bottom-most pits of Dante's seventh hell, this atheist-Communist philosophy which has for its goal the doom of the world.

The Ukraine is a people by itself. The Ukrainians have their own language; their own customs; their own traditions; their own history. It is through centuries of oppression that this great nation and this great people have suffered and have bled and have lost their liberty. There are few Members of this House who have not sprung from races and peoples of minorities. In my veins, Mr. Speaker, flows the proud blood of Irish ancestry. Need I say more? That being the case, we know hardship and oppression. I come today to take this time, Mr. Speaker, to place upon the RECORD of this great Congress of this Nation our tribute to these people and to this nation. In the United States of America today are dozens of thousands of the descendents of the Ukraine, and the American citizens of Ukrainian ancestry yield to American citizens of no ancestry in their loyalty and devotion to the United States of America. The casualty records of several of our wars prove in blood their right to stand shoulder to shoulder with all and any of us, and they proudly so do. A man can have two loves—he can love his wife and he can love his mother with equal feeling and depth. Two separate entities, but an equally great love. A man, especially in the United States, can love this great country of ours as he can and does and as we all do, but if he is an American he can and should have warmth in his heart, love and affection, and regard for the country—the motherland—the fatherland—from which his ancestry sprang. I use these words to certify those feelings for Americans of Ukrainian ancestry.

Historic Ukraine is the largest country in Eastern Europe and the Ukrainians constitute the most numerous of all ethnic groups in that region, more than 40 million in all. The country is famous for its fertility and for its natural wealth; it has long been regarded as the breadbasket of Eastern Europe and most of Russia. Its hardworking, sturdy, and stouthearted inhabitants, the solid core of the whole East European peasantry, have tilled their soil tirelessly and ceaselessly, both for their own well-being and also for that of their neighbors, and recently for their cruel taskmasters in the Kremlin. Ironically the fact that the steppe land of Ukraine is fertile and extraordinarily rich in natural resources seems to have been a prime cause of the misery and misfortune of the Ukrainians. Its wealth and its geographically strategic position have roused the envy and anger of its powerful neighbors, and have occasioned its conquest by alien tyrants.

For some 300 years the Ukraine has been submerged in the Russian Continent. During all that time autocratic czars and cruel Communists have done their worst to suppress and eradicate what we in the West regard as the best Ukrainian traits: their desire for freedom, their boundless love for their homeland, their undying yearning for political independence, and their constant readiness to sacrifice their all for the attainment of their national goal. Only once in the course of three centuries have they had the opportunity to attain that goal. That was in 1918. When the Czar's oppressive and stifling autocracy was overthrown by the Russian Revolution in 1917, and imperial Austria's rulers could no longer maintain their hegemony over western Ukraine, Ukrainian leaders seized upon the occasion and proclaimed their national independence. That was on January 22, 41 years ago, the day on which the Ukrainian Republic came into existence, and for the first time since mid-17th century, Ukrainians were free in their beloved homeland.

That memorable and historic day has become a landmark in modern Ukrainian history, and remains as the brightest spot in the struggle for their national independence and freedom. Since then it has been celebrated annually as a national holiday. Unfortunately, the republic created then did not last long. Surrounded by enemies and internally weak; also unable to secure the indispensable outside aid, its days seemed to have been numbered. Early in 1920 Communist Russians treacherously attacked it, overran it, and then it was incorporated into the Soviet Union. To this day it remains a province, a colony one might say, of the vast Soviet empire, and, of course, Ukrainians are fated to suffer under the unrelenting Soviet tyranny. The whole country is like a large prison, a slave-labor camp, completely sealed off from the world outside. All forms of freedom are denied to them, and they are not even permitted to celebrate their Independence Day. But the many hundreds of thousands of Ukrainians who live in the free world celebrate the anniversary of that day. Loyal and patriotic Americans of Ukrainian descent solemnly observe this memorable anniversary in their worthy effort to keep alive the spirit of an independent and free Ukraine. I am glad to join them in this solemn celebration, on the 41st anniversary of Ukrainian Independence Day.

Mr. Speaker, I ask unanimous consent that I may be permitted to extend my remarks at this point and following mine insert in the RECORD the statement of Dr. Lev E. Dobriansky, professor of Georgetown University and chairman of the Ukrainian Congress Committee of America.

The SPEAKER pro tempore (Mr. PRESTON). Without objection, it is so ordered.

There was no objection.

VOICE OF AMERICA BLUNDERS ON THE NON-RUSSIAN NATIONS IN U.S.S.R.

Mr. FLOOD. Mr. Speaker, several months ago the House Foreign Affairs Subcommittee on State Department Organization and Foreign Operations instituted hearings on the recent cutbacks in Voice of America programs beamed to a number of major non-Russian nations in the U.S.S.R. Under the able chairmanship of the Honorable WAYNE HAYS, of Ohio, the committee heard testimonies submitted by USIA officials and by leaders of various national organizations in this country. It is expected that these important hearings will be resumed soon.

The vital importance of the enslaved non-Russian nations in the U.S.S.R. to our national security and to our position in the unending cold war is yet to be generally appreciated in this country. Lithuania, Latvia, Estonia, Ukraine, Turkestan, and several other captive nations in the U.S.S.R. are natural allies to the cause of freedom and to this country. Indeed, in the aftermath of Mikoyan's divide-and-conquer tactics, our concern should be concentrated on the aspirations and needs of these captive countries submerged behind the thin legal facade called the Soviet Union.

Instead of showing greater concern for these enslaved non-Russian peoples, the Voice of America has decided to eliminate or reduce our programs to them. This action is being taken despite USIA's own admission that our broadcasts to these peoples are being heavily jammed by imperialist Moscow. This in itself should give us cause for wonderment.

One of the testimonies heard by the Hays committee was that given by Dr. Lev E. Dobriansky, who is the national chairman of the Ukrainian Congress Committee of America and also professor of economics at Georgetown University. Dr. Dobriansky's testimony treats of many essential aspects of this problem. For the benefit of our Members who are vitally interested in the conduct of our information services, I ask that this testimony be printed in the RECORD.

STATEMENT OF DR. LEV E. DOBRIANSKY, PROFESSOR OF GEORGETOWN UNIVERSITY AND CHAIRMAN OF THE UKRAINIAN CONGRESS COMMITTEE OF AMERICA, ON THE VOICE OF AMERICA, BEFORE THE SUBCOMMITTEE ON STATE DEPARTMENT ORGANIZATION AND FOREIGN OPERATIONS, HOUSE COMMITTEE ON FOREIGN AFFAIRS, MONDAY, OCTOBER 6, 1958

Mr. Chairman and members of this committee, I am most grateful for this opportunity to testify on some current changes undertaken by our United States Information Agency in its Voice of America broadcasts to the Soviet Union. At the very outset I wish to state that it is not my intention at all to indulge in wild accusations or indictments against the USIA and its operations. In fact, the record of our activities will show that over the years we have followed closely the operations of the USIA and have consistently supported the Agency in its needs for expansion and improvement. On occasions we have criticized it, but always with

constructive intent. Our criticisms have never entailed the accusation that the Voice of America or the USIA is riddled with sabotaging Communists and subversives; nor do they now. This thought is, in a sense, passe and rather superficial at this time.

Some measure of sober thought will show that far more important and more critical at this time is the Agency's decision to eliminate the Uzbek language program and to curtail the Baltic, Ukrainian, Georgian, and perhaps even some other non-Russian language programs beamed to the Soviet Union. This decision cannot be said to rest solely on an allegedly technical argument of transmitter shortage. Instead, it clearly reflects certain policy directions for the VOA which are ill-advised, dangerous, and a bit absurd. We do not at all believe that the decision arrived at by Mr. George V. Allen, the Director of USIA, and also by the Department of State is the result, in any degree, of any subversive Communist or pro-Russian influence operating within these areas. Nevertheless we are convinced that this decision is the product of ignorance and intellectual incompetence as regards the nature of our mortal enemy, the aspirations and requirements of the captive nations both within and outside the Soviet Union, and as regards the modes of effective appeal to the subjugated non-Russian peoples in the U.S.S.R.

After all, to any informed person the broad non-Russian periphery of the Soviet Union is the solar plexis of the Russian Communist Empire. Its sons and daughters make up about 50 percent of the armed forces of the U.S.S.R. In over three decades of Russian Communist domination, the non-Russian colonies within the U.S.S.R. consistently and steadfastly resisted Russian imperial power and rule. From these facts alone it should be obvious that, in terms of U.S. security interests, the non-Russian nations in the U.S.S.R. constitute a high priority target for U.S. information and propaganda. A broadened and skillful aim at this vital target would successfully turn the tables on spurious Russian propaganda concerning colonialism, nationalism, and independence in Asia and Africa. Unfortunately, this is not evident to Mr. Allen and USIA.

This committee should be properly informed of the background to the decision taken by USIA. I myself became involved in this from the very start and several distinguished Members of Congress openly expressed their grave concern over these developments as they became increasingly clearer in intent and purpose.

The first indication of moves along these lines was given in an article written by Earl H. Voss in the Sunday Star of January 19. The article indicated that thought was being given to the elimination of the Uzbek broadcast and also to the possibility of imitating BBC in having only the Russian language broadcasts beamed to the U.S.S.R. The latter implies, of course, the abolition of the other non-Russian language broadcasts, such as the Lithuanian, Ukrainian, etc. In a letter, dated January 23, I addressed myself to Mr. Allen for confirmation of this. In his reply of February 4, Ambassador Allen stated that a study was being made along these lines. I had no doubt in my mind that papers were being submitted, urging these steps.

A week later it was my privilege to discuss this matter with the USIA director in his office. Among other things, I stated then that close observers of this situation had the feeling that such proposals to contract the VOA in these and, later, other areas of the Communist empire are tied up with a move to be soft toward the Russians in preparation for a summit conference. Let us recall that this was the period of another large-scale push for a summit conference executed by Bulganin and Khrushchev in their intercontinental missive warfare and abetted here by the irregular activities of the deceitfully smiling Soviet Ambassador. This push was strongly facilitated by the usual naive forces of appeasement here.

The developments covering VOA cannot be understood in void of this empirical context. In our discussion of over 1 hour Mr. Allen didn't even allude to any problem of transmitter shortage that would compel the curtailment of the non-Russian language programs. Instead, he appeared to be most concerned about the unfavored prospect of "splinterizing"—as he put it—the Soviet Union. Drawing on his own observations in Yugoslavia and India, Mr. Allen indicated to me that present-day political movements, as in Western Europe, for instance, are toward larger political entities rather than toward smaller national states. Moreover, through cultural exchanges and similar arrangements, which invariably devolve to the benefit of Moscow, the USIA director felt that we could make solid strides toward peace with the U.S.S.R. It is interesting that his testimony divulged the fact that the Russian Kuznetzov was allowed to survey our VOA apparatus which many Americans have regarded as our psychological weapon against Moscow.

Now, I realize that this is oral evidence which may be denied or sharply qualified by Mr. Allen. It would be profitable to hear his views on these points publicly. However, it will be readily admitted that his views as expressed to me bear close plausible relationship to the changes under examination. It was quite clear to me then, and is so now, that Mr. Allen doesn't understand the major problems of the Soviet Union or, more accurately, those of the Russian Soviet Federative Socialist Republic in its domination over the captive non-Russian nations within the U.S.S.R. As shown by his communications, for example, these nations are merely "minority groups" with "minority languages," as though they were counterparts to minority groups we have here. If the blanket of U.S.S.R. were legalistically thrown over Poland and it became a republic like Lithuania or Ukraine, then, according to his lights, the Polish nation would become another "minority group."

These points, Mr. Chairman, are crucial to the issue at hand. The effectiveness of the VOA depends on the content and direction of its programs and only secondarily on the quality and quantity of its technical instruments. My comments to Mr. Allen about the Uzbek program and our pitiful showing generally in relation to the 17 million Turkestani in central Asia received an important assist later from an article written by C. L. Sulzberger in the New York Times issue of March 1. I should like to submit this article on "Moscow's Huge Colonialist Hoax" for the record.

Several weeks later, as our original suspicions on the correlation between the summit push and the proposed changes became more firmly grounded, initiative was taken to submit a memorandum on the subject. A number of American organizations which follow such matters with close attentiveness prepared a memorandum on "The Prospect of Another Summit Conference." In their behalf, at the end of April, Senators H. ALEXANDER SMITH and PAUL H. DOUGLAS and also Congressmen WALTER JUDD and MICHAEL A. FEIGHAN jointly presented this memorandum to Secretary of State Dulles. In the discussion of its contents Secretary Dulles expressed his wholehearted agreement with the views and recommendations set forth in the memorandum. Significantly enough, point 4 in the memorandum calls for increasing the number of non-Russian language broadcasts to the U.S.S.R. It is little wonder, then, that Senator DOUGLAS was later aroused to say: "It is * * * shocking to learn that the Voice of America is now engaged in a series of actions which do violence to one of the major proposals with which Secretary Dulles expressed his agreement." Mr. Chairman, permit me to submit also for the record the excellent statement made by Senator DOUGLAS on this vital issue and the memorandum referred to above.

Against this background to the transmitter shortage pretext for the curtailment of the several non-Russian language broadcasts to the U.S.S.R., I wish to add these remarks concerning content effectiveness of the VOA. The reason why we lag far behind Moscow in effective propaganda appeal and commit some inexcusable blunders is explained in basic terms from a significant passage in one of Vice President NIXON'S latest addresses. Speaking to the Harvard Business School Association, Mr. NIXON stated in effect that the way to combat Russian Communist imperialism and colonialism is to revitalize the American Revolution. He urged that we should be standing for, not against, the nationalist movements in foreign countries. As he put it, "It is ironic in the extreme that the United States should ever be cast in the role of opposing legitimate nationalist movements. Many of the ideas which motivate today's nationalists stem from American history and have been taught in American universities at home and abroad * * *. We, rather than the Soviet Union, should be the natural champion of legitimate nationalist movements." How true this is, especially among the captive non-Russian nations both within and outside the U.S.S.R. Yet how thoroughly negated this American view is by what is going on in the Voice today.

To a marked degree the decision made by the USIA works to Moscow's advantage. Due to ignorance and the lack of that American revolutionary dedication which Mr. NIXON has in mind it can only do serious damage to United States and free world interests. The steps now being taken by USIA will actually work in behalf of Mr. Khrushchev's aims as conveyed to Mr. Adlai Stevenson on his recent visit to the Soviet Union. "Mr. Khrushchev was saying," Stevenson reports, "that whatever goes on in the Communist world is a family affair and doesn't concern outsiders, that Soviet oppression of the uprising in Hungary in 1956 was not interference, and that Soviet pressure on Yugoslavia to conform to Moscow is not a case of meddling in another country's affairs. But Khrushchev also made it clear that what went on in the free world is a proper concern of the Soviet Union." (The Evening Star, Washington, D.C., Aug. 27, 1958.) Whether USIA is aware of it or not, its actions on the non-Russian language broadcasts will be serving these aims. These are the same aims that Khrushchev has endeavored to realize through a summit meeting. By its present shortsighted policy in the Voice, the USIA is helping him to achieve this in some degree.

In discussing this issue it must be emphasized that this had absolutely nothing to do with official talk and programing leading to premature revolt and the like. It has to do with policy wisdom and propaganda efficacy. The Voice is not only a technical instrument for the transmission of factual information. It is also—or should be—a psychological weapon employed for the prime purpose of influencing minds and hearts to the justice and political integrity and intentions of our side in the global struggle. Anyone listening to Mr. Allen and his associates explain the purposes of the Voice leaves with the distinct impression that the Voice is simply an innocuous medium set up to inform the rest of the world about what Americans are doing in their everyday existence and living. They just don't seem to evince a propaganda acumen aimed at progressively weakening the enemy by carefully designed programs and words. In a real sense, the enemy isn't even looked upon as one. There isn't that ardor or fervor in the

Agency that qualifies the leadership to undertake those things implied by Vice President NIXON. The revolutionary spirit is lacking and the goal of defeating the enemy by word and thought is virtually nonexistent.

Now let's look at the issue. It was recently decided by USIA and, I feel sure, also by elements in the Department of State that certain changes in connection with VOA broadcasts to the Soviet Union take place at the beginning of October. The changes are (1) the elimination of the regular 15-minute daily program in the Moslem Uzbek language beamed from Munich to central Asia, (2) the reduction of 1 hour each in the daily Lithuanian, Latvian, Estonian, and Ukrainian programs, and (3) an increase in English-language programs beamed to the U.S.S.R. as well as a half-hour increase in the Russian language program.

These changes will have some unfavorable bearing on U.S. relations with the Moslemic peoples, not only in the U.S.S.R. but also with those knowledgeable Moslems in Asia, Africa, and the Middle East. Our relations, such as they are, with the other non-Russian nations in the U.S.S.R. will likewise be adversely affected. These changes, which we believe the Secretary of State is unaware of, lack adequate justification. In fact, they possess all the earmarks of the first step in a policy of psychological disengagement with regard to the entire Russian Communist Empire. Today, these areas; and with this success, tomorrow the external satellites in central Europe. It is noteworthy that the announcement of these changes was timed immediately after Congress made its appropriations to USIA.

Now what are, according to Mr. Allen, the reasons for these changes? Concerning (1) the Uzbek program, they are allegedly (a) to maximize our use of available transmitters, (b) insufficient evidence as to whether this program was being heard to an appreciable extent, and (c) a scarcity of available funds, or transmitters or of qualified personnel. On close examination these reasons for eliminating the Uzbek program are weak, to say the least. This change is further evidence of our gross ineptitude in the propaganda field. The height of this ineptitude is revealed by the fact that while Moscow today is building tremendous radio facilities in Tashkent to influence the free Moslem world to its ways of thinking, we propose to abolish the only meager program in VOA aimed at the unfree Moslems in Central Asia. The New York Times editorial of July 22 on "Khrushchev and the Moslems," which I should like to include in the record of these hearings, indicates further the absurdity of this change. Instead of displaying greater interest in the enslaved brethren of the free Moslem world, by this step we propose to ignore them.

What a sad contrast this is to the spirit that inspired the message of Secretary of State Dean Acheson on June 29, 1951, when VOA broadcasts to the Turkestani, Volga-Tatars, and the Moslem Azerbaijani were commenced. He declared:

"I am very happy to have this opportunity to say a few words to the Moslem peoples of the Soviet Union. For some while now the Voice of America has been bringing its message of truth and liberty to the people of the free world including the Islamic peoples of Asia and Africa. Today we are proud to broadcast to the Tatar, the Azerbaijani and the Turkestani peoples in the U.S.S.R. who for more than three decades have been denied access to the truth by the Communists.

"We Americans admire the brave manner in which all the peoples of the Soviet Union, including the Tatars, the Azerbaijanis, and the Turkestanis are striving to maintain their religions, their traditions, their own way of life, despite the efforts of the Communist regime to replace religion with godlessness, to replace the glorious histories of the peoples of the Soviet Union with the false folklore of Stalinism.

"The people of the United States have a friendly regard for the Moslem peoples of the U.S.S.R. The proud history of the Tatars of the Volga who have maintained their ancient culture and traditions despite all obstacles; the brave Azerbaijanis and other mountain people of the Caucasus whose centuries-old struggle for their human rights have provided some of history's most glorious pages; the people of Turkestan whose ancient cities of Bokhara, Samarkand, Merv and Tashkent represent monuments of a lofty culture; these, like the other God-fearing peoples of the Soviet Union are regarded by us Americans as stanch pillars against atheistic, materialistic tyranny.

"The Voice of America will henceforth bring you in your own language the truth which the Communists fear and try to keep from you. We shall tell you what is happening in the free world and particularly in those regions of the free world linked with you by religion, tradition, and culture. We shall keep you informed of the aggressive actions of those disturbing the world peace. We shall tell you how free men are standing firm against the further spread of despotism.

"As I said last month to the people of Georgia, the goal of the American people and their Government is a peaceful world where all men can live and work freely and happily, without want or fear and with the right to worship God in their own way. This is our vision of the future; we invite you to share it.

"I extend to you Moslems of the Soviet Union, in the name of the American people, our sincere, friendly greetings."

On the basis of known facts, I would add to this splendid message the spirit of nationalism which the various Moslem nations and peoples in the Russian Communist empire share with their brethren in the free world. This nationalistic force, which we are not tapping at all, is even more important than their common religion.

Thus, in terms of political rationality and advantage, it is evident that if transmitters are to be usefully maximized they certainly should be in the direction of the Moslems in central Asia. There is considerably more evidence demonstrating Turkestanian opposition to Russian communism and its imperialist colonialism over the past 40 years than can be shown in favor of the Russians, against their own Moscow regime to whom we devote a disproportionate amount of VOA time and facilities. By political analysis the 35 million Moslems in the U.S.S.R. have a higher target priority over most of the areas in the free world to which we beam VOA broadcasts. Second, the reason of "insufficient evidence" on the reception of this program raises the question as to what kind of evidence USIA is seeking on the basis of an admittedly puny operation directed at these people? And a third, Mr. Allen relies heavily on lack of resources; thus no effective program. Clearly, if he understood this problem, he would recognize that the cause-and-effect sequence is really the other way around: This is a vitally important target area; thus we must have an effective program; therefore, resources must be made available to it, even at the cost of less important areas. The resources, both human and physical could be made available if we were at all serious about this particular operation.

Let us look now at USIA's reasons for cutting down the Baltic and Ukrainian language programs. It contends (a) that such reductions will permit a more concentrated use of transmitters in order to overcome the heavy jamming of these programs and (b) that "the concentration of transmitters on particular programs necessarily decreases the number of programs which these transmitters can carry." The extra time, however—again according to Mr. Allen—will be devoted to English-Russian language programs beamed to the U.S.S.R. and, by way of a half-hour increase, to the Russian-language program, both of which, quite significantly, are not subjected by Moscow to such heavy jamming. As in the preceding case, these reductions are equally unjustified and unwise for our interests.

At this juncture I should like to bring to the committee's attention an apparent contradiction in the stand taken by USIA on the matter of Russian language broadcasts. In correspondence with our legislators who inquired into this, USIA officials explicity state that the time taken from the curtailed non-Russian language broadcasts will be given to increase Russian language broadcasts; that, as one puts it, "Under the new plan, programs originated in Russian will be increased by one-half hour." Yet, when this matter was raised during Mr. Allen's testimony, he and his aids bent forward to stress that the Russian programs will be reduced. Could it be that the new plan has suddenly been altered or are different things said in different places? This point deserves some clarification.

Now, another point which should be of keen interest to any legislator voting on USIA appropriations is "Why does Moscow jam these particular non-Russian broadcasts most heavily, whereas our English and Russian language broadcasts are less or not jammed at all?" One can only reasonably infer that Moscow fears these latter broadcasts less. This striking fact of disproportionate jamming, supported by Mr. Allen's own written admissions, is indeed a sound point of departure for an inquiry into these cases and also the relative contents or sensitive aspects of these programs. Commonsense would dictate steps of concentration and expansion of the non-Russian broadcasts because of the excessive jamming. Our authorities prefer not to follow such dictates. Instead, on the flimsy pretext of transmitter shortage, they have decided to reduce these sensitive programs and, of all things, allocate the extra time to the far less sensitive English and Russian language broadcasts. In the case of the Ukrainian broadcast, this is being done at the very time when radio Kiev in Ukraine is expanding its facilities to reach the millions of Ukrainian background everywhere in the free world.

Mr. Allen makes the plausible point that these changes, by virtue of transmitter concentration, will enable us to overcome the heavy jamming. This is all to the good. But it does not in itself justify the allocation of the extra time to the English and Russian language broadcasts. Indeed, with concentration of transmitters for the non-Russian language broadcasts, this time and more should be devoted to these evidently more sensitive programs. As in the Moslem case above, there is again much more evidence to show that we have considerably more to gain by concentrating on these Baltic, Urkrainian, and other non-Russian broadcasts to the U.S.S.R. than on either the English or Russian language programs. That is, unless our self-defeating goal is eventually to imitate BBC and have these captive non-Russian nations in the U.S.S.R. listen, if they will at all, in the language of their captor. The changes now decided upon are certainly in this direction, one of psychological disengagement. While from Moscow Ukrainians are told to like the Russians, it now appears that from Washington they are being told to listen like Russians. ("Ukrainians Are Told To Like the Russians," New York Herald Tribune, Mar. 14, 1958.) Mr. Chairman, here, too, I should like to insert into the record this interesting report on Ukrainians being told to like the Russians and to curb their "bourgeois nationalism."

The second reason offered by Mr. Allen is not without a certain logical flaw. For the moment let's agree that transmitter concentration necessarily decreases the number of programs. Still, why more time and programs for Russian and English language broadcasts? For, applying his own formula, this presumably means more programs on fewer transmitters per program. Or, are more transmitters per more programs the rule for them and not for the particular non-Russian programs? Here, too, one runs into a priority valuation. Very simply, if it is conceded that the U.S.S.R. has top priority for our broadcasts, then why can't more transmitters be made available at this time to our broadcasts to the Soviet Union at the expense of less sensitive programs to areas with lower priority? This is another sensible alternative and in accord with the view of every legislator who believes "that the purpose of this agency was to combat the propaganda of the Soviet Union." (The CONGRESSIONAL RECORD, vol. 104, pt. 14, p. 18782.)

In Mr. Allen's view the languages of the Lithuanians, Latvians, Estonians, Ukrainians, Turkestanis are minority languages of minority groups. This, perhaps more than any other fact, explains these unthought changes. The recent study of the Senate Judiciary Committee on The Soviet Empire: Prison House of Nations and Races, and many other studies, particularly those of the Select House Committee To Investigate Communist Aggression, show that the non-Russian nations have striven desperately to preserve their distinctive languages and other cultural identities against the Russification programs of Moscow. Ironically enough, and regardless of its alleged reasons, the Voice in effect abets Moscow's Russification program by emphasizing communication in Russian to the subjugated non-Russian peoples. This seems to be the best way to alienate your natural friends and aid your enemy.

The recourse to expanded English broadcasts to the U.S.S.R. appears almost as ludicrous in terms of the global psychological conflict. Are we perchance attempting to Anglicize the peoples behind the Iron Curtain? The present movement in American education is to have our people learn the languages of other peoples primarily in order to understand them better, to make warm contact with them. Evidently the tendency in the Voice is contrary to this movement and its objectives. USIA's fantastic formula is: reduce the programs in the language of the masses, have them listen more in the language of their captor, and the relative few who wish to perfect their English, very likely for political ends against our own interest, let's accommodate them, too.

In conclusion, then, to predicate these politically unwise changes on the technical ground of transmitter shortage is in itself cause for wonderment concerning the objectives and purposes of VOA as well as the propaganda competence of its managers, especially in relation to the logically high priority targets within the Soviet Union itself. Moreover, the manipulations of time and facilities in favor of English and Russian-language broadcasts at the expense of the more sensitive non-Russian broadcasts—and this despite the general condition of transmitter shortage—only serve to intensify this wonderment. Also, one cannot but seriously question the proffered technical argument. If the non-Russian areas in the U.S.S.R. are objectively recognized to be high-priority targets existing in the immediate environment of the colonial Russian Communist enemy, then it would appear that a reallocation of transmitters is in order—at this time even at the expense of low-priority areas in the free world. In this connection, one might ask whether any thought has been given to the use of our "floating transmitters" for broadcasts to Ukraine, the Baltic area, the Caucasus, and Turkestan? Why couldn't these be used somewhere near Turkey or Pakistan to meet the requirements of these high-priority target areas? Furthermore, if jamming is characteristic of VOA broadcasts, it must be equally so for Radio Liberation broadcasts out of Munich. In considering immediate alternatives, has a joint use of Radio Liberation transmitters been considered in the interest of economy, efficient concentration, and plain propaganda effectiveness? All sorts of legalistic reasons for not considering Radio Liberation in this present moment of supposed transmitter urgency will not do in the light of all facts in the situation.

We strongly recommend to this committee the following: (1) That every effort be exerted to forestall the implementation of these ill-considered changes and that steps be taken to realize the proposals with which Secretary Dulles himself is in accord; (2) that this committee undertake in the near future a field inspection of VOA transmitters and have along with it an independent radio engineer for purposes of critical assessment of the reasons given by USIA; (3) that a review of the policy and aims of USIA and the VOA be conducted in the next session of Congress since this hasn't been done for many years now; and (4) that the committee, preparatory to such a comprehensive review, examine sampled contents of VOA broadcasts to the captive non-Russian nations both within and outside the U.S.S.R. or, in other words, to both the "internal" and "external satellites" of imperial Moscow. We have done this for the Ukrainian-language broadcasts, taking as a significant base period the anniversary celebrations of Ukrainian Independence Day in January. This summary analysis, which I submit for the record, clearly shows some of the reasons why the VOA lacks psychological punch and political effectiveness when it comes to supporting the forces of freedom in the enemy's camp.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that my colleagues may be permitted to extend their remarks at this point in the RECORD.

The SPEAKER pro tempore (Mr. PRESTON). Without objection, it is so ordered.

There was no objection.

Mr. FRIEDEL. Mr. Speaker, wars always cause death and destruction, leaving misery and destitution as their inevitable and ugly legacy. Sometimes they bring about the overthrow of despotic and detested autocracies, and thus inadvertently set free oppressed and subject peoples. World War I did both of these: it caused death to tens of millions, but also, as the result of that war, numerous nationality groups in Eastern and Central Europe, where they were suffering under alien rulers in their homelands, regained their freedom. The Ukrainian independence was one of the happy byproducts of that war.

Since mid-17th century the Ukraine had been submerged in the Russian continent. During all that time, for more than 250 years, the Russians had done their worst to suppress and eradicate Ukrainian national feeling and all its attendant traits: Their desire for freedom, their boundless love for their homeland, their undying yearning for political independence, and their readiness to sacrifice their all for the attainment of their national goal. But all the efforts of callous Russian authorities were of no avail, and the Ukrainians clung firmly and steadfastly to their fine ideals. Toward the end of the First World War, when the czar's autocracy was overthrown, and Austria could no longer hold western Ukraine, the Ukrainian leaders seized upon the occasion and proclaimed their national independence. That was on January 22, 1918, the day on which the Ukrainian Republic came into being.

Unfortunately the newborn republic was under severe handicaps: she was frail and fragile, and no allies close enough and ready to help her. The war-torn country was in ruins, fertile Ukraine was a wasteland. Most of its inhabitants were uprooted from their homes, and the normal course of life sadly disrupted. These were terrible problems for a new government to face, but even more serious and ominous, was the Communist Russian threat. Before the Ukrainian Government had the chance to bring some order out of the existing chaos, it was attacked by the Red army, the country was overrun early in 1920, and the Ukrainian Republic ceased to exist. Then the country was incorporated into the Soviet Union.

Since then the Ukrainians have suffered more under the Soviet tyranny than under the autocratic czars. Today their fair land is shut off from the free world, and events there, like those on the dark side of the moon, are not known to the world outside. We know for certain that under the Soviet system of totalitarian dictatorship the Ukrainians are not allowed to celebrate their national independence day. That supreme privilege is denied them by their cruel overlords. But Ukrainians of the free world, and hundreds of thousands of Americans of Ukrainian descent, celebrate that day as the symbol of their free and independent spirit. I am glad to join them in the celebration of this holiday, the Ukrainian Independence Day.

Mr. BARRETT. Mr. Speaker, the Ukraine is a large country in Eastern Europe, and a crossroad between East and West. For more than 300 years most of it was held by Russian czars and today it is held in its entirety by Russian Communist tyrants. During all that time the Ukrainians, numbering more than 40 million unfortunate but sturdy and stouthearted souls, have been held down as a subject nation by their powerful conqueror-masters. But even in that long period of misfortune and misery they have not given up; their alien overlords have never succeeded in eradicating Ukrainian nationalism. Throughout those years they have maintained their love of freedom, their national ideals, and their goal of political independence. Toward the end of the First World War, when they saw the chance of realizing their dream, they declared their national independence on January 22 of 1918.

Unfortunately, the Ukrainian Republic, proclaimed 41 years ago, was surrounded by envious and implacable enemies, all eagerly waiting to crush it. Early in 1920 the new state was attacked and overrun by Communist Russians, and since then it has been submerged in the Soviet Union. There they do not enjoy many of the elementary necessities

of a decent and simple life, nor do they have any of the freedoms enjoyed by free men in the free world. Hundreds of thousands of loyal and patriotic Americans of Ukrainian ancestry, who have become citizens of this great Republic, today celebrate the 41st anniversary of Ukrainian Independence Day. I gladly join them in the celebration of this solemn and memorable event.

Mr. CELLER. Mr. Speaker, on the 41st anniversary of the independence of the Ukraine, I join my colleagues in paying tribute to the Ukrainian people throughout the world, who are dedicated to the belief that freedom is the right of all nations. Those outside the Iron Curtain are an inspiration to their enslaved fellow Ukrainians and all peoples who struggle for liberation from tyranny. I salute the Ukrainian people in their continuing fight for the right of people to live in decency and dignity—free from oppression and dictatorship.

Mr. ANFUSO. Mr. Speaker, another anniversary of the independence of Ukraine—the 41st in the annals of that captive nation's history—is being observed on January 22. Unfortunately, the 40 million people of the Ukraine are not free to partake of this event and to commemorate it in freedom.

The Ukraine was one of the first countries to become victim of Communist aggression when Soviet Russia occupied it in 1920, destroyed its independence and enslaved its people. Since then millions of Ukrainians have been starved to death, especially during the Communist-made famine of the 1930's. The people of Ukraine have been dealt with harshly and ruthlessly throughout this long nightmare of more than four decades.

Nevertheless, the hopes and aspirations of the Ukraine nation have not been erased either by time or by Moscow's deceitful campaigns of smiles and coexistence. Their faith in God and in the future revival of their people continues to remain strong. They continue to strive for freedom and liberation from communism.

It remains for us of the free world to help them sustain that faith in God and humanity, in their own inevitable freedom and in their survival. Words of encouragement and sympathetic expressions of understanding of their plight will mean a great deal to these people in their hours of desperation.

On the occasion of this anniversary, which holds out a ray of hope and sunshine to the people of the Ukraine and their kinsmen in America, we express our solidarity with them in their struggle. We pray that their wishes and hopes will soon be realized and their ancestral homeland will once again be a free and independent country.

Mr. ADDONIZIO. Mr. Speaker, 41 years ago a band of brave and patriotic Ukrainians unfurled the banner of revolt against their oppressors and proclaimed the Ukraine's independence. That marked the revival of an old cherished national dream. As a result of the Russian Revolution, czarist autocracy was shattered, and it was only natural that the largest non-Russian ethnic element in Russia's loosely held polyglot empire should be among the first to assert its freedom and proclaim its national political independence. But wartime events, over which the Ukrainians had no control, and unforeseen sweeping postwar international convulsions which quickly succeeded one another, proved too costly and disastrous to the newly proclaimed independent state. Against formidable odds, the independent Ukraine could not hold out for long; she was forced to surrender to the Red army in November of 1920, and thus bring to a close a short but brilliant chapter in her history.

Today, the Ukraine is the second largest Socialist Republic in the Soviet Union, second only in size and in population, and also in importance, to the Russian Socialist Republic. Some 40-odd million Ukrainians constitute about a fifth of the Soviet Union's total population. The Ukraine has always been one of the most fertile grain-producing areas in Europe. As a matter of fact, the whole Soviet Union is dependent to a great extent for its grain supply and for a large variety of other foodstuffs on the Ukraine. Without the food produced by the hard-working Ukrainians the people of the Soviet Union would probably be on the verge of famine. And its mines and factories produce essential industrial products.

It is truly tragic that so many millions of Ukrainians, constituting such an important segment of the European Community, and possessing distinct national characteristics, do not enjoy today any of the elemental privileges and amenities of life which are considered, in free societies in the West, as the birthright of all human beings. If the Ukrainians were allowed some freedom, and if they were in a position to realize part of their national aspirations, they would have established a democratic government based upon those freedoms necessary for their full cultural, intellectual, and spiritual development. Unfortunately, however, such has not been their lot. For almost four decades conditions have not been normal in the Ukraine, and the people there have been fated to suffer under the detested Communist tyranny.

For long periods in their modern history the unhappy Ukrainians have lived under conditions not at all suited to the wholesome development of their political, intellectual, social, and economic life. The geography of their country and modern international politics have largely determined the course of their history. Situated between important centers of power—between Europe and Eurasia—the Ukrainians have not had the opportunity to pursue an independent national existence. Though older than the state of modern Russia, they long ago came under the control of Moscow. Until the rise of the Russian Communist regime the Ukrainians made the best of a bad situation and managed to get along with the Russians. Since the advent of communism, however, tragedy has been their lot.

It is hard to believe, and it is sad to think, that more than 40 million patriotic and sturdy Ukrainians have had to put up with such an oppressive government for nearly 40 years. For almost four decades Communists have ruled the Ukraine with an iron hand. They have turned that fair land into one large prison house. Since 1920 there has not been any semblance of freedom of any kind in the country. The barbarians of the Kremlin have seen to it that there be no such western trappings in the Ukraine.

In such total darkness and depression, in total misery and endless suffering, there is one indestructible, ineradicable element of encouragement. That is the Ukrainian's innate and inborn desire for freedom and independence, his unquenchable yearning for liberty. Fortunately neither the tyrants of Moscow, nor their minions in the Ukraine, can extinguish this spirit of freedom and of independence which all liberty-loving Ukrainians claim as their birthright. As long as that noble spirit is kept alive, as long as the ideal of national freedom is cherished by the Ukrainians, no dictatorship or tyranny can rob the Ukrainians of their real independence—the independence of their souls and hearts. As long as they possess this spirit, they will never give up their resistance to the Red tyrants.

I am indeed glad to join in the celebration of the 41st Independence Day of the Ukraine. I ardently hope that your wishes and desires will come true, that the oppressed Ukraine will regain her independence, and that once more the unfortunate Ukrainians will enjoy the fruits of freedom in their beloved and beautiful homeland.

Mr. MADDEN. Mr. Speaker, in observing the 41st anniversary of Ukrainian independence, we should also pay tribute to the Ukrainian people for the constant fight which they have continued for centuries to bring about an independent self-government. The year 1917 brought great tidings and joy to millions of Ukrainians with the hope that victory had finally been won and that freedom would permanently be had for these long generations battling for independence. Unfortunately, one of its oldtime neighbors and enemies terminated this dream of self-government and today we find Ukraine under the tyrannical domination of the Soviet Socialist Republics.

Ukraine lies on the shores of the Black Sea and extends from the Carpathian Mountains to the Donets Basin and Kryvy Rih and Don River. This area comprises the richest and most productive soil in the world. Unlimited coal and iron deposits are in this section. By reason of the unlimited wealth in Nature's soil and mineral deposits the Turks, Russians, and all of the powerful tyrants in history have sought to control Ukraine. It is the earnest hope of the people throughout the world that a nation which has fought for centuries for liberty will someday be rewarded with self-government and permanent peace.

When the Soviet Communists first invaded Ukrainia after World War I, they were as much interested in plundering the peasants to secure grain and food as they were in capturing the country. The peasants resisted and the leaders of the nation fought to the bitter end

to maintain their independence. After heroic resistance by the Ukrainian people in 1930 came the Soviet order for compulsory collectivism organization of all the land and products of the nation. Naturally this aroused tremendous opposition. In many places the Ukrainian people killed their cattle rather than turn them over and the general revolt against the Soviet tyrants was rampant among the farmers of the nation.

In 1931 and 1932, Stalin and his henchmen inflicted their manmade tyranny which caused starvation to millions and sent others into Soviet prisons and labor camps. The story of Ukrainia since that time has been sad and sorrowful but to the everlasting credit of Ukrainians throughout the world, their spirit and desires for freedom and independence still survives with the same intensity that it has back through the centuries. With the aid of free nations and the fact that millions throughout the world are rapidly learning the true facts about atheistic communism and its leaders, it is our hope that the day is not too far distant when internal rebellion behind the Iron Curtain, with the aid of freedom loving people on the outside, will bring independence to the Ukrainian people and other satellite countries now under the Soviet tyranny.

Mr. COLLIER. Mr. Speaker, today in our distracted and divided world hundreds of millions of innocent and helpless people are suffering under Communist tyrannies. More than 200 million of these have been forced to endure the almost unbearable yoke of the Soviet regime for more than four decades, and among these unfortunate souls the Ukrainians have borne the brunt of Russion communism longer than others.

One of the happy results of World War I was the emergence of the Ukrainian Republic. After suffering under autocratic czars for centuries, early in 1918 Ukrainian leaders proclaimed their independence. That was on January 22, 41 years ago. Unfortunately for the Ukrainians and for their friends everywhere, the newborn state could not live long without outside aid. Such aid was not forthcoming to save it from its treacherous enemies. Early in 1920 it was attacked by the Red army, the country was overrun, and the independent Ukraine ceased to exist. Soon it was incorporated into the Soviet Union, and a part of that polyglot empire it remains to this day. There in their homeland, some 40 million sturdy and stouthearted Ukrainians live as in a huge prison camp.

As prisoners behind the veritable Iron Curtain and deprived of all forms of freedom, they cannot celebrate their national holiday, their independence day. But many hundreds of thousands Ukrainians who have found refuge in the free world, and especially in this great Republic, celebrate that historic event in fitting solemnity. I am glad to join these loyal Americans of Ukrainian descent on this 41st anniversary of the Ukrainian Independence Day.

Mr. McDONOUGH. Mr. Speaker, today, January 22, 1959, is the 41st anniversary of the independence of Ukraine, and this event is commemorated by Ukrainians throughout the world who are joined by all people everywhere who cherish the spirit of freedom and independence, and pray that those nations which have been enslaved by Communist tyranny and domination may be liberated from the rule of Soviet Russia.

Ukraine, after centuries of fierce and valiant struggle by the Ukrainian people for liberty, finally achieved freedom as a nation on January 22, 1918. But Ukraine independence was of short duration, and the Ukrainian people were again subjected to enslavement by the Russian Communists by 1920.

The Ukrainian people have remained free in spirit in spite of all the efforts of the Communists to destroy the Ukrainian national identity, and wherever the Ukrainian people are found, the words of their historic national anthem will ring out, "Ukraine will never die."

The people of the United States believe in the right of liberty and freedom, and join with the Ukrainian people in the fervent hope that the yoke of the Communist dictators will be thrown off, and that the Ukrainian nation will again take its place among the free nations of the world.

Mr. GALLAGHER. Mr. Speaker, independence day celebrations are memorable events in all national histories, and among national holidays they occupy the highest place. Since freedom and independence are man's most cherished spiritual goals, it is fitting that the occasion of the realization and attainment be marked by solemn celebrations, evoking serious thoughts and eloquent expressions. Ukraine's short-lived but historic independence was attained toward the end of the First World War, when evil and autocratic forces chaining numerous nationality groups were shattered. On January 22, 1918, a band of brave Ukrainian leaders proclaimed Ukrainian independence and established the Ukraine Republic. But the Republic jubilantly proclaimed was not strong enough to stave off impending enemy attacks, and she could not count upon the badly needed aid of her friends and sympathizers. Early in 1920 she was savagely attacked by the Red army, the country was overrun and then incorporated into the Soviet Union.

Today for nearly four decades the Ukraine has been part of the Soviet Union and its unhappy inhabitants mere slave laborers in that vast prison camp. But even under the most despicable and detested tyranny, communist totalitarian dictatorship, the sturdy and stouthearted Ukrainian still cherishes his national ideals and eventual freedom. He also thinks of the day of 41 years ago when his homeland was independent and free. He would, of course, like to celebrate the anniversary of that memorable and venerated event in public, but that privilege, that elementary right, is denied to him by his masters in the Kremlin. But thousands and tens of thousands of Americans of Ukrainian descent celebrate it and echo the genuine sentiments of their kin in the Ukraine. I am glad to join these loyal American citizens in the observance of the 41st anniversary of Ukrainian Independence Day.

Mr. ROOSEVELT. Mr. Speaker, on the occasion of this 41st anniversary of Ukraine's independence I wish to pay tribute to those valiant people and their struggle for freedom.

Ukrainians have a long tradition of national consciousness, born in ancient Kiev and nurtured through the centuries. The will for national liberty found fulfillment from the 9th to the 14th centuries, again in the 17th century, and most recently for a brief period, at the close of World War I.

For more than 2½ centuries after they were coerced into a union with the Russians in the middle of the 17th century, the unhappy Ukrainians lived under the regime of the tsars. During that time their Russian rulers did everything in their power to obliterate and destroy the free spirit of the Ukraine and to suppress all nationalistic aspirations. But they could not succeed in their destructive task. The spirit of freedom and independence lived in the hearts of the Ukrainians.

When the Russian Empire was shattered after the revolution of 1917, the people of the Ukraine, on January 22, 1918, proclaimed an independent national republic. Bold and courageous as this step was, it was destined to be nullified by the ruthless methods of Communist tyranny. The young Republic was not given time to grow and mature. In 1920 the hordes of the Red army swept into the Ukraine; the forces of destruction and tyranny once more robbed the Ukraine of its independence.

Since 1920 the Soviet regime has ruled the Ukraine with oppressive cruelty. Like the regime of the czars, the Communist tyranny has done everything in its power to destroy the national consciousness of the Ukrainians. The once happy country has become virtually a prison camp for 40 million Ukrainians.

However brutally this was accomplished, the flame of freedom could not be quenched. The aspiration for freedom had been strengthened by centuries of struggle. The tyrants of Moscow have not found it easy to destroy that tradition.

The Ukrainians have a historic right to national freedom. We in this country gladly celebrate this day for them. Let us all hope and pray that their long struggle will be rewarded and that they will again achieve freedom and independence.

Mr. DULSKI. Mr. Speaker, during World War I when the czarist regime was overthrown and the long oppressed Ukrainians regained their independence, they and their friends were overjoyed. Two years later, in 1920, when their liberated country was overrun by the Red army, and once more they were brought under the heels of the Kremlin, their friends were saddened. The only happy interlude in the Ukraine's unhappy history was the short 2-year period of 1918–20.

The Ukrainian Republic was proclaimed on January 22, 41 years ago. Even though they enjoyed freedom for only 2 years, the happy memories of

those years were impressed upon them most profoundly. Since then they have regarded it as a period in their modern history of revival and regeneration, and they celebrate the first day of that period, January 22, as a national holiday. Of course in their homeland unhappy Ukrainians cannot do that under the detested Soviet Government. But many hundreds of thousands of loyal Americans of Ukrainian descent celebrate the 41st anniversary of Ukrainian Independence Day and thus echo the true sentiments of their kin in the unfree Ukraine. I am glad to join them in this solemn celebration.

Mr. HOSMER. Mr. Speaker, today, January 22, is a day of great importance to Ukrainian Americans. It is of even greater importance to the Ukrainians who live under the domination of the Soviets. This day is celebrated each year as one means of holding forth hope for freedom and independence for these oppressed people.

One of the greatest assets in the struggle to maintain and extend the blessings of hope and liberty to all peoples throughout the world lies in the tremendous spirit of freedom which still burns in the hearts of those behind the Iron Curtain.

Ukrainia was one of the first nations to fall under the tyranny of the Bolshevik imperialists. Despite the destruction of her churches, mass deportations, purges and murders, Ukrainia's national spirit and her moral fiber have not dimmed. She will go down in world history books as a symbol of the struggle for freedom and independence.

With over 40 million people, the largest non-Russian nation behind the Iron Curtain, Ukrainia stands as important strategically in the eventful defeat of Soviet imperialism. She has a historic right to national freedom. Her independence cannot be ignored. We of the free world should stand stanchly behind this right of the Ukrainians if we are to be assured that the foundations of liberty and independence for all nations are to be preserved.

In a day of missiles and nuclear weapons, it is well to take time on this 41st anniversary of the creation of the Ukrainian Republic to remember this: The power of the human spirit and its eternal craving for freedom is a greater force against tyranny than our most destructive hydrogen bomb. To those in bondage behind the Iron Curtain we must give our continued assurance that their resistance is not in vain, that theirs is not a forgotten front.

Our country is the stronger today for their efforts, just as it is richer for the contributions their brothers have made here. May the time not be far off when all may join in the celebration of a new and lasting independence.

Mr. O'HARA of Illinois. Mr. Speaker, today, January 22, 1959, friends of freedom all over the United States are observing the 41st anniversary of the independence of Ukraine. This day on which we commemorate the most important event in modern Ukrainian history is of great significance to a million and a half men and women of Ukrainian blood whose industry, character, and devotion have made major contributions to education and culture as well as to the industrial side of American life. As we pay tribute to them as Americans, we cannot lose sight of the fact that while they treasure in their hearts love for the freedom they have achieved for themselves and their children in America, their hearts are saddened by the bondage of their blood brothers and sisters in the Ukraine.

More than 300 years ago, Ukraine, an independent state, was a center of culture, a state with thriving commerce that linked Europe and Asia. The defeat of the Ukrainian Army allied with that of Charles XII of Sweden at the battle of Poltava—1709—ushered in a period of Russian domination of the Ukraine, a domination whose purpose was liquidation of the Ukraine as an independent nation. Thousands of her people who were sent north to build St. Petersburg—Russia's "window into Europe"—died of starvation and exhaustion. Ukrainian scholars, artists, educators, legislators, and engineers were sent to Russia to serve the purpose of westernizing that country.

At the very time that the United States was achieving independence the remnants of Ukrainian freedom were being eradicated by Russian troops under orders from Catherine II. Although independence was destroyed, the Ukrainian national ideal and desire for independence seem to achieve immortality. Ukrainian language and traditions were kept alive by the peasantry in folksongs which glorified the past, especially the heroic struggles for independence. The folksongs and especially the historical dumy were sung at village and town bazaars, church and social gatherings. Thus was the historical record preserved and the way paved for the powerful Ukrainian literary and political revival of the 19th century.

In 1846 a Ukrainian political organization, the Society of St. Cyril and Methodius was founded in Kiev. It demanded freedom of conscience, of the press, of thought and speech, and the abolition of serfdom. It envisioned an independent state within the larger framework of a slavic federation to be dominated by no one country. A Ukrainian poet asked: "When will we receive our Washington, with a new and righteous law?"

However, the discovery of the society by the czarist police was followed by repression. Members were arrested and imprisoned or deported to Siberia. Once more political oppression descended upon Ukraine. The Ukrainian language was banned, even the name was changed to Malorossiya—Little Russia. On the eve of World War I Ukraine had become a forgotten nation.

The abdication of the Czar Nicholas II was regarded by the Ukrainians as a hopeful sign which meant the ushering in of a new era for their captive country. In this hope they were joined by the Lithuanians, Finns, Poles, Latvians, Estonians, Byelorussians, and others.

The Ukrainian peasantry, the backbone of the nation, had never been Russified. It provided many thousands of active patriots. Teachers and students although relatively small in number, provided leadership.

Early in March 1917 Ukrainian political parties began to emerge from the underground. The Ukrainian Revolutionary Party—RUP—urged complete separation of Ukraine from Russia. There was a Communist Party in Ukraine but it was staffed almost completely by Russian Bolsheviks.

RUP and other parties which developed as well as representatives of the various Ukrainian organizations led the Ukrainian National Revolution.

These patriotic Ukrainians demanded political freedom, freedom of the language, and Ukrainization of the army stationed in Ukraine. They demanded immediate release of deported Ukrainians.

On March 17, 1917 the principal Ukrainian organizations and parties, banding together, established the Ukrainian Central Council—Rada—and assumed leadership of the Ukrainian people. It pointed out that the moment for true liberation had arrived and called upon the Ukrainian people to carve out with a strong hand a new and free existence. For the first time in more than a century and a half a Ukrainian political body had arisen to speak to the Ukrainian people in their behalf.

Rada was followed by the All-Ukrainian National Congress in Kiev. Fifteen hundred delegates, representing organizations, societies, and parties met amid such nationalistic fervor that when the representative of the Russian provisional government endeavored to address the body he was shouted down and forced to speak in Ukrainian.

The Congress expressed firm adherence to the principle of self-determination and insisted that Ukraine be admitted to future peace negotiations.

This All-Ukrainian National Congress marked the end of the first period of the Ukrainian National Revolution and ushered in an intensification of the struggle between the Ukrainians and the Russian provisional government.

July 29, 1917, the Constitution of Ukraine was drafted. November 7, 1917, the rule of the provisional government was brought to an end and a Communist regime assumed the power and authority in Russia. The convening of the Third Ukrainian Military Congress indicated that the Ukraine was heading for a definite break with Russia. November 20, 1917, the Ukrainian National Republic was proclaimed. The Ukrainian Central Rada was confronted by the fact that, confronted by bolshevism, it must either recognize the Lenin government or oppose it. December 17, 1917, the Bolshevik government issued an ultimatum which was followed by an armed attack of 50,000 fanatical Communist troops against Ukraine.

January 22, 1918, the Ukrainian Central Rada proclaimed the Ukrainian National Republic an independent and sovereign power of the Ukrainian people, subject to no other authority. This marked the formal and official restoration of the independence of the Ukrain-

ian nation, an independence which had been lost to Russia some 250 years before.

Freedom was in the hands of the Ukrainian people, only to be wrenched away by the Russian Bolsheviks after 4 years of bloody struggle. Had the Ukraine survived as an independent state, the Soviet regime would have been deprived of the great "breadbasket" and "sugar bowl" as well as a great store of natural resources.

Communist rule in the Ukraine was one of unrelenting severity and harshness which at least equaled that of the czars. Again the use of the Ukrainian language was forbidden, deportation, even outright genocide, were practiced all in the name of true freedom. In perennial purges the Russians decimated the Ukrainian intelligentsia and leadership. Periodic manmade famines such as that of 1932–33 evoked worldwide protests including official condemnation by the League of Nations. Despite the unhuman treatment they have received the spirit of Ukrainian freedom and independence marches on. At present they are fighting for emancipation of the Ukrainian language and they have never given up the fight for a true Ukraine governed only by Ukrainians. Many of their heroes are dead or imprisoned; but the Ukrainian nation lives on.

Ukraine has been in the forefront of the non-Russian nations in the struggle to throw off the Russian yokes. The more the Russians persecute and exploit the Ukraines the more determined are they to win back their freedom.

With all Ukrainians and with those of Ukrainian blood in the United States, I join my hopes and my prayers that the day is not too far distant when we shall see an end of Russian imperial communism.

Mr. FINO. Mr. Speaker, sometimes it is difficult to satisfy the spiritual and material needs of peoples long suffering under iniquities and hardships. When, in their efforts to better their status, they succeed in satisfying their worldly needs, they do not cease to yearn for the realization of their spiritual goals. To them freedom and independence are such fine goals, such noble ideals, that they work for them more fervently and zealously, and gladly sacrifice their all until their goals are realized. The unfortunate and unhappy Ukrainians are no exception.

These hard-working, liberty-loving, stouthearted, and supremely devout Christians have struggled for their freedom against insuperable odds for centuries. In 1918, when the forces that held them in chains were shattered, they proclaimed their independence and established the Ukrainian Republic. That was on January 22 of that year. From its birth until its agonizing death at the hands of Communist Russians 2 years later, the newly created state was faced with insurmountable difficulties and implacable enemies. The Communists were the most fearful and ferocious among these. Early in 1920 the country was attacked and then overrun by the Red army; soon it was incorporated into the Soviet Union, and the independent Ukraine had ceased to exist. Since those days, for almost four decades, more than 40 million Ukrainians have borne the heavy yoke of the Kremlin and have suffered in a way beyond description. They have been robbed of their worldly possessions, and they have been put to death by the millions. They were driven from their homes to the forbidding vastness of Siberian wasteland, and in slave-labor camps they have been forced to work under most abominable conditions for their heartless taskmasters in the Kremlin. Lenins, Stalins, Vyshinskys, and even Molotovs have come and gone; Khrushchevs, Mikoyans, and others will undoubtedly pass away. But during these years there has been no change in the unenviable lot of unhappy Ukrainians. Contrary to the soothing statements by persons high in the Kremlin's despotic hierarchy, there is no doubt that the Ukrainians are suffering as much under the Soviet totalitarian dictatorship today as they have during the past 4 years.

Today, this January 22, is the 41st anniversary of their independence. The hundreds of thousands who are domiciled in this hospitable Republic and have become loyal American citizens, celebrate that historic event by observing the Ukrainian Independence Day. I am glad to join them in that memorable celebration.

Mr. FEIGHAN. Mr. Speaker, the achievement of freedom—individual liberty and national independence by which nations may, by their own free will, determine their own destiny, elect their own officials, conduct the affairs of their government without any dictation from any alien or predatory power—is a goal which must be and will be fought for till the end of time. For centuries and centuries, many nations, large and small, have fought against predatory powers to sustain their independence and to regain the independence which was taken from them by a superior military power.

Long before the name Russia became known, the people of the nation of Ukraine enjoyed a distinct culture, religion, heritage, language, and all other attributes which contribute to the building of a great nation. This independence was enjoyed until a few years after the Treaty of Peryslav in 1654 by which the Russians, in their usual predatory manner, broke all the agreements of the treaty and subjected the Ukrainian nation to their rule. Throughout these centuries the Ukrainian people have resisted the unwanted domination and control by the Russian despots.

It was during World War I that the tottering Russian czarist empire, appropriately called the Prison of Nations, was seething with discontent and then afforded the opportunity to the Ukrainian nation to declare its own independence and to manage its own affairs. This is the anniversary which we commemorate this month.

The people who are forced to live under the domination of the Kremlin look hopefully to a time of deliverance from restrictive measures which deprive them of their individual liberties and freedom which are considered God-given rights.

Peace will not come until all nations, large and small, are free to determine their own destiny without domination by a foreign power. Peace will come only when the so-called satellite nations such as Estonia, Latvia, Lithuania, Poland, Hungary, Rumania, Czechia, Slovakia, Albania, Ukraine, and the other nations held captive by the Russians within the Soviet Union, are free.

Mr. IRWIN. Mr. Speaker, the United States has just played official host to Anastas Mikoyan, probably the second-ranking figure in the Kremlin.

As the official representative of a foreign power, he was received courteously in this country—and that is as it should be.

But there were those who went beyond the bounds of common courtesy and literally fawned over the Soviet visitor.

It behooves me, Mr. Speaker, to remind these individuals that today friends of freedom everywhere are observing the 41st anniversary of the independence of Ukraine.

And remembering and commemorating this event, it should be noted that Ukraine is again a captive nation, enslaved by Mr. Mikoyan's imperialist Moscow.

It should be remembered, too, that this very same Mr. Mikoyan—the same Soviet official who just 2 months ago in a speech before the Moscow City Soviet delivered a violent anti-American address—is the man chiefly responsible for the liquidation of Hungarian patriots.

Nor should it be forgotten that it was Mr. Mikoyan who starved millions of Ukrainians in the manmade famine of the thirties while he shipped grains abroad.

The conscience of the free world should never forget as it observes the 41st anniversary of Ukraine independence that Mr. Mikoyan, a symbol of Soviet hypocrisy, is the spokesman, the front man, the salesman for a regime that talks peace but practices deceit.

Behind the Soviet Union's Iron Curtain—in the oppressed and captive satellite countries—there are millions of people in whose hearts pound the pulse of freedom.

This is why, Mr. Speaker, I feel it is so tremendously important that in observing the 41st anniversary of the independence of Ukraine we in free America assure the captive nations of our sustaining faith in their eventual liberation, in their ultimate release from enslavement.

Mr. FARBSTEIN. Mr. Speaker, today, the 22d of January, the freedom-loving peoples of the world join in observing the 41st anniversary of the independence of Ukraine.

Today, as a result of the tides of international politics they are submerged in the vast sea of the polyglot Soviet Empire. Except for the short but happy 2-year period of their independence from January 22, 1918, when the free and independent Ukrainian National Republic was formed, until 1920, when its national independence was destroyed by invading Russian Communist armies, they have been suffering under the alien Russian

yoke for more than three centuries. The Russians have never, however, been able to eradicate the Ukrainians' nationalist feeling. Ukrainian nationalism is a powerful living force in the country; and despite the fact that it has yielded to brute superior force, their irrepressible free spirit will not be chained. They continue their struggle against the Russian liberalization policies by any and all means. Sabotage on collective farms and in factories, absenteeism, agitation for higher wages, and the present fight for the emancipation of the Ukrainian language in Ukraine are symbolic of their unending fight for freedom from enslavement by the Communists.

The 2 million Ukrainians and their immediate descendants in the free countries outside enslaved Ukraine will continue to work and strive for the liberation of their native country.

I salute these gallant and heroic people of the Ukraine and await the day when their hopes and ambitions will be fully realized.

Mr. BECKER. Mr. Speaker, much has been said here today by my colleagues in the House, and throughout the free world much thought is being given today as we commemorate the Urkainian Independence Day which falls this January 22.

It is right that we should salute the Ukraine and the Ukrainian people who are captive behind the Iron Curtain. My prayers and good wishes go to them with the hope that they may, before too long, enjoy the blessings of freedom.

Mr. DINGELL. Mr. Speaker, historic Ukraine is the largest country in Eastern Europe, and the Ukrainians are the most numerous of all ethnic groups in that region, numbering more than 40 million. These hardworking and industrious hardy folk of the steppe land, the solid core of the whole East European peasantry, have tilled their fertile soil tirelessly and ceaselessly for centuries, not only for their own well-being, but also for all their neighbors and their cruel taskmasters. The fact that the fair land of Ukraine has almost limitless riches in natural resources seems to have been a prime cause of the misery and misfortune of the Ukrainians. Its wealth and its geographic situation has roused the envy and anger of its powerful neighbors, and has brought about its conquest by alien tyrants.

For some 300 years Ukraine has been submerged in the Russian Continent, and during all that time autocratic czars and tyrannical Communists have done their worst to suppress and eradicate what we in the West regard as the best Ukrainian traits: their desire for freedom, their boundless love for their homeland, their undying yearning for political independence, and their readiness to sacrifice their all for the attainment of their national goal. Only once in the course of three centuries has there been a chance of attaining that goal; that was in 1918. When czarist autocracy was overthrown and Austria no longer ruled over Western Ukraine, Ukrainian leaders seized upon the golden occasion and proclaimed their national independence. That was on January 22, 1918. On that day the Ukrainian Republic came into being, and a new day was ushered in for the Ukrainians.

That day remains a memorable national holiday in the annals of Ukraine. For nearly 300 years Ukrainians had yearned for their freedom, and then they attained that goal only when the czar's autocracy was shattered by revolutionary and world-shaking forces. But the Republic, the Ukrainian Republic, proclaimed to the joy of all lovers of freedom and haters of autocratic tyranny, did not last long. Two years after its birth, early in 1920, it was attacked by powerful Russian Communist forces, overrun by the onrushing Red army, and then it was incorporated into the Soviet Union. Unfortunately for the unhappy Ukrainians to this day their historical homeland remains under the totalitarian dictatorship of Russian Communists. All Ukrainians are fated to suffer under the unrelenting and murderous Soviety tyranny. Not even the last war unloosened their chain of bondage to the Soviet Union. And their unenviable lot under the tyrants of the Kremlin is even worse than it was under the autocratic czars.

In the hope of escaping autocratic and Communist tyrannies hundreds of thousands of Ukrainians fled their homes and sought refuge abroad. Many of them crossed the Atlantic and were welcomed in this hospitable and free Republic. Today we count them among our loyal, patriotic, hardworking citizens. In the celebration of the 41st anniversary of Ukrainian Independence Day I am glad to join them and echo their fine, freedom-loving and patriotic sentiments.

Mr. KEOGH. Mr. Speaker, 41 years ago, the people of the Ukraine proclaimed their independence. Today, we mark the anniversary of that declaration of freedom. It is, in a sense, a pathetic anniversary, as the Ukraine must live in the repressive climate of the Communist dictatorship. On the other hand, it is fitting that we try to focus the attention of all free peoples on the continuing fidelity to principles of liberty which the overwhelming majority of Ukrainians—at home and abroad—have demonstrated through the years.

In recent days, we have been host to the No. 2 man of the Kremlin. Before we accept his statements at anything approaching face value, let us recall the decades of subjugation and slavery which the spurious enlightenment of the Kremlin has inflicted on the constituent peoples of that forced union of Soviet Socialist pseudorepublics.

Those of us who are not natives of the land mass now encompassed by the map-makers' boundaries of the U.S.S.R.—and are not descended from such natives—can forget too easily that this huge area is not populated entirely by Russians. Ethnically, only 45 percent of the people of the U.S.S.R. can be called Russians. The Ukraine, for example, is not a Russian country. It is the nation of the Ukrainian people, confined within the fictitious voluntary union of communism.

Americans of Ukrainian origin have contributed notably to the industry, culture, and character of our own truly free Republic. As we salute them, then, on the anniversary of the declaration of, unhappily, short-lived independence of their ancestral land, let us resolve again to pursue by example and by all other peaceable means, the worldwide acceptance of the tenets of individual free expression and popular government for which Ukrainians were willing to die in the brief span of their modern independence. Since the dawn of civilization, these precepts have prompted men to battle cruel odds, and the defeats always have been followed by new victories of the free spirit.

Mr. DENT. Mr. Speaker, Ukrainians the world over will celebrate January 22, 1959, as the 41st anniversary of the declaration of the independence of the Ukrainian Republic. We in the United States, with the more than a million and a half Ukrainians on this side of the Atlantic, pay tribute to the brave men of that day and this. We take this occasion to honor the Ukraine with its 40 million people now subject to the control of the Soviet Union. They maintain, nevertheless, their identity, their culture, and their ideals, as they have maintained them down the centuries.

For this independence day which we celebrate was not only an event of the utmost importance to the Ukraine in modern times. It was also a great milestone in the unbroken history of a people whose civilization dates back a thousand years. Witness the great city of Kiev with its industry, the hub of rich mineral developments, its educational institutions representative of the superior standards of learning and refinement in Ukrainian developments, its monuments to religion stretching back to antiquity, its opera house—that alone unsullied even by the German invasion in World War II—this city surrounded by agricultural fields well cared for by industrious, persevering people, and famed for abundance and for furnishing a large percentage of Russia's food and exports. Typical of the progressiveness of the Ukrainian people are their innovations in agriculture, their discoveries in mineral resources, their building of the massive dam across the mighty Dnieper, one of the great waterways of Europe.

The Ukrainian people have maintained their outstanding characteristics, their individuality, despite centuries of political hardship. Their brief interlude of the independence which we celebrate—lasting only a few years—was but an interval in centuries of onslaught from east and west, by enemies envious of their wealth, their stamina, and their unswerving personality. For despite constant efforts from without at subjugation, the Ukrainian people have refused to bow in spirit. Their love of liberty, their determination to maintain their freedom of person, in spite of adverse circumstances, has been characteristic of these people we honor today.

That independence of spirit, so dear to the heart of all Americans, awakens a sympathetic and enthusiastic response among us. We join with the Ukrainians everywhere in a tribute to the independence day which they are celebrating.

Mr. PUCINSKI. Mr. Speaker, as the power of Muscovy developed and ex-

panded, the Russians came to overwhelm the Ukraine principality and, until 1917, the Ukraine people languished under the czars' tyrannical government. In that year, with the collapse of the czarist regime at the time of the Russian revolutions, the Ukrainians gained control of their own destiny once again. Unhappily, their independence was short lived. They were able to stand up as free people for only 2 years. Once again the forces of Muscovy, this time carrying the banner of Communist tyranny, overwhelmed them and their hard-won independence was lost. Since then they have suffered great loss as the Soviets have attempted to weld them into the ironbound Communist empire.

The Ukrainians are hard working, energetic, and determined people. Those who live in the United States demonstrate these qualities before their American compatriots every day. The opportunities they receive in this country they earn by the contribution they make toward our national life. Therefore, on this 41st anniversary, I am happy to greet the Ukrainian people.

I am particularly proud of the industrious spirit of those Americans of Ukrainian descent in the 11th Congressional District of Illinois. There is hardly a section of my district where the great contributions of these gallant people are not indelibly imprinted. I might even add, Mr. Speaker, that my immediate neighbor in Chicago is of Ukrainian descent. Mrs. Mary Krevensky has been the very symbol of a very noble people and an inspiration to the rest of the neighbors in my immediate community.

I trust, Mr. Speaker, that the day will soon come when the Ukrainian people, along with all those other wonderful people in central Europe now living under Communist slavery, will be able to again see the rays of freedom and pursue their rich, cultural heritage as free men and women.

Mr. LIBONATI. Mr. Speaker, on January 22, the day upon which is celebrated the 41st anniversary of Ukrainian national independence, many patriotic and freedom-loving Americans gather together to commemorate, in open discussion, the sad plight of the Ukrainian nation—it keeps alive the cause of individual liberty and reinvigorates the flame of freedom in thousands of imprisoned souls of the captive Ukrainian people.

Ukrainia, a traditionally democratic nation, a tiny republic whose people cherish the fundamental principles of liberty and have never given up the struggle to recapture their freedom from Soviet domination.

The blue-and-gold-colored flag of the Ukrainian nation unfurls itself in many towns and cities of our great land, this day, as a symbol of protest to the Soviet Union for its enslavement of the Ukrainian people.

It is never too late nor too long to recognize the historic claim of Ukrainia as an independent nation of the free world.

We must, in our foreign policy, bring about the dissolution of colonial domination imposed by the Soviet Union over the freedom-loving captured nations of the world. There can be no permanent peace among the nations of the world without freedom.

The United States of America, the youngest of the great nations of the world, enjoying spiritual and economic freedom, must keep other nations free, in order to safeguard its own existence and the great democratic institutions protecting its way of life.

We owe it to the Ukrainian people—they must be free.

Mr. GIAIMO. Mr. Speaker, Thursday, January 22, marks the 41st anniversary of the independence of the Ukraine.

Friends of Ukrainians throughout the world are remembering this date and I am honored and privileged to add my voice in commemoration of it.

The Ukraine is the largest non-Russian nation behind the Iron Curtain and one wherein the spirit of freedom lives in the hearts of 40 million Ukrainians.

The Ukrainian proclamation of independence took place on January 22, 1918, after centuries of oppression and foreign domination. It is sad to recall that the joyous event of independence was so short lived and that the fine and courageous Ukrainian nation was overrun and crushed by the oppressive forces of communism.

We in America, who have been so fortunate to enjoy the precious fruits of liberty, cannot help but have our hearts saddened at the spectacle of tyranny which prevails in the Ukraine.

We respect and admire the Ukrainian nation and its people who have continued in their steadfast resolve to attain their freedom and independence and who have stood as a shining example, for us the fortunate, of the eternal dignity of man and of his desire to be free.

We can take courage that the spirit of the Ukrainian nation and its people will eventually prevail and that the Ukraine will again be a free and independent nation. I know that all Americans join with me in saluting these brave people and extending to them our friendship and encouragement.

Mr. MACHROWICZ. Mr. Speaker, friends of freedom everywhere will be observing today the 41st anniversary of the independence of Ukraine. In the profound faith that Moscow's deceitful campaign of "smiles and trade" could never cause us to forget the aspirations of the captive nations and their fundamental importance to the security of our Nation, and with the hope of helping to keep the spirit of freedom alive in the hearts of 40 million Ukrainians, I join in their celebration. I hope, too, that these words will serve notice of my sustained faith in the eventual liberation of all nations enslaved by imperialist Moscow. They should also demonstrate to the Menshikovs, Mikoyans, and Khrushchevs that American memories of their crimes and our standards of civilized decency and justice cannot be erased by their calculated genteel antics or by spurious promises of trade.

The reception given Mr. Mikoyan by some of our wealthy Americans is food for serious thought. It indicates the spiritual climate in some quarters. Twenty years ago, the Nazi Dr. Hjalmar Schacht was completely ignored for what he represented. Today, despite his personal crimes, the Armenian quisling is widely feted. The thousands of patriotic Armenians, Azerbaijani, Don and Kuban Cossacks who were annihilated by his orders in 1917–21; the millions of Ukrainians who starved to death in the manmade famine of the thirties while Mikoyan shipped grains abroad; the role he played in the liquidation of Hungarian patriots—these and other facts no longer seem to bestir the consciences of some of us. Only 2 months ago, before the Moscow City Soviet, Mikoyan delivered a violent anti-American speech; today, without self-respect, some accept him as a deliverer of peace.

I wish to pay my respects today to the many Ukrainians of American descent for keeping high their hopes and aspirations for the restoration of freedom and independence to the land of the birth of their forefathers, and to assure them that all true Americans are solidly behind them in their endeavors.

Mr. LIPSCOMB. Mr. Speaker, on Thursday, January 22, friends of freedom everywhere will be observing the 41st anniversary of the independence of Ukraine.

On January 22, 1918, the Ukraine declared itself an independent republic. This was literally the first time since the 17th century that this land and its people had known freedom.

Their liberty, alas, was short lived. In 1920 the Ukrainian Republic was destroyed by the Red army and it has borne the brutalizing tyranny of the Russian Bear ever since.

It is difficult, if not virtually impossible for us in this country to have a realistic conception of what this means. Much is said of America taking her freedom and her way of life for granted. I believe that this is less so today than ever before because of the never-ending peril of communism. Nevertheless, the awareness of an enemy, and understanding the reality of living under that enemy's political system, are two entirely different things. It is partially for this reason that I call to your attention this 41st anniversary of Ukrainian independence. We cannot know what the Ukrainian people have lived through. It is my sincere hope that we will never have this knowledge. We can, however, take this moment to pay tribute to a subject people who have been terrorized without letup for almost 40 years. The Ukrainian people obviously have not sunk into servile apathy. The Soviet Union has been forced to maintain its rule by force. The intangible quest for liberty—for the freedom of mind and action—never dies. It is the Russian knowledge of this truth that demands their rule by terror as the only way of dominating their subject peoples. Herein lies the tragedy of the Ukraine. Those two free years from 1918 to 1920 cannot be wiped from memory.

Today then, I wish to express my awareness and appreciation of the spirit of the Ukraine, January 22, 1918. I am

aware and appreciative, because it is also the Spirit of 1776.

Mr. WALLHAUSER. Mr. Speaker, today marks the 41st anniversary of the declaration of Ukrainian independence and on this solemn occasion I wish to pay tribute to the courageous and freedom-loving people of the Ukraine.

To these brave people who have kept alive the spirit of freedom and independence through long enslavement and oppression by the cruel and unrelenting Russian Communists, we in America offer our deep and enduring friendship.

Like them, we look forward to the day when the Ukraine once again will become an independent nation, free of the Russian Communist yoke and free of the indignities and cruelties that have been their lot under domination by the savages of the Kremlin.

The desire and love of freedom of the people of the Ukraine cannot be ignored and must not be denied, even though the road to its achievement is a long and hard one. We and all other God-fearing peoples cherish with the people of the Ukraine the significance of this proudly remembered anniversary day and we join in looking ahead to that future date when Ukrainian independence shall live again in reality, as it lives today in the hearts of the Ukrainian people.

Mr. DADDARIO. Mr. Speaker, Thursday marks the 41st anniversary of the independence of Ukraine. We are all likely to forget the history of the individual countries which are now involuntarily held in the U.S.S.R. The independence which was declared by the Ukrainians in 1918 was short lived. The new Bolshevik Russia wrenched freedom from the militarily weak Ukrainians only 3 years after it had been proclaimed. The Ukraine harbors a hate for Communist oppression as great in fervor as their love of freedom. It is the hope of all free men that the taste of freedom which was so fleeting in their mouths will serve to whet their appetite for liberty. The Communists can prohibit public demonstrations, but nothing can suppress the patriotism which lives on in every Ukrainian heart.

Mr. DOLLINGER. Mr. Speaker, I join with the many friends of freedom who are paying tribute to the brave Ukrainians on their 41st anniversary of their independence.

After years of oppression, they were able to throw off the yoke of Russian rule. Despite Russian attempts to wipe out Ukrainian nationalism, their love of freedom and high ideals prevailed, and when, in 1918, they regained their independence, they proclaimed the Ukrainian Republic. They adopted a democratic form of government, and, with vigor, courage, and hopeful hearts, they began to rebuild their war-torn country. Their liberty was short lived, for in 2 years the Russian Communists, by dint of their tremendous forces, again annexed the new Republic to the Soviet Union. Ever since 40 million Ukrainians have been bowed under Soviet rule in captive state; the freedom for which they sacrificed so much has been lost.

It is well that we commemorate the independence and freedom of the Ukrainian National Republic; the people of the Ukraine are not allowed to recall the great day or celebrate by any outward sign. We who cherish liberty and democratic ideals can express our sympathy over their loss and also convey our good wishes that the day will come when their prayers will be answered and their and our hopes fulfilled—the day when a free and independent Ukrainian National Republic is again established.

We commend the Ukrainians now in our country for the splendid contributions they have made to our Nation in the fields of culture, science, and industry, as well as for their participation in our Government as splendid citizens.

Mr. ZABLOCKI. Mr. Speaker, today marks the 41st anniversary of the proclamation of independence by the Ukrainian National Republic. It is fitting that we join with Americans of Ukrainian ancestry, and with freedom-loving peoples everywhere, in commemorating this important date, and in expressing our deepest sympathy for the present plight of the Ukrainian people.

When the sovereignty and independence of the Ukrainian National Republic was crushed in 1920, the Ukrainian National Republic was one of the first victims of Communist expansion and aggression. Throughout the long years of enslavement, the people of Ukraine have kept alive a spirit of freedom and have preserved their strong national feelings.

Man and his sustained faith in eventual liberation are the most vital and potent weapons against communism. The human desire for freedom will survive all hardship, and will outlast the effect of any technological or scientific weapons. We must not forget this basic truth.

The brave people of Ukraine must be encouraged to continue their undaunted determination to regain independent national status. We must again pledge ourselves to the goal that we shall build a better world in which all nations may live in peace, freedom, and justice. We will work toward this end, and trust that our determination to do this will bring added courage to the people of the Ukraine and the peoples of other Communist-dominated nations.

Mrs. DWYER. Mr. Speaker, the day the people of America forget the sacrifices and sufferings of people throughout the world who value freedom enough to die for it—that day we shall have forfeited our birthright of liberty.

Happily, that day is not near. And fortunately, we are plentifully supplied with opportunities to remind ourselves that freedom is worth fighting for—opportunities like the 41st anniversary of Ukrainian independence which we commemorate here on January 22.

The national independence of the Ukrainian people—a goal they passionately pursued for hundreds of years—was won on January 22, 1918, with the formation of the Ukrainian National Republic.

But independence for these brave people was destined to be brief. In 1920, invading Communist armies from Russia overran the proud and fertile land and absorbed the country as a part of the new Soviet state.

Thus, the Ukrainian people became the first in a long series of victims of Communist terror, oppression, and slavery. Virtually every form of persecution has been used to kill the instincts of freedom in the breasts of Ukrainian patriots: starvation, murder, imprisonment, religious, and ethnic genocide, and slave labor.

The overwhelming force of the totalitarian state has succeeded in keeping the Ukrainian nation enslaved. But this brutality has not succeeded in killing the Ukrainian people's undying devotion to freedom. We have seen it happen so often—in Russia, Germany, Hungary—that whenever the struggle against Communist oppression breaks into the open we can be certain that Ukrainians are playing a prominent role.

This ceaseless fight for the freedom of their homeland is supported, at least in spirit, wherever Ukrainian people have settled throughout the world. To a large degree, it has been because the Ukrainian people, and others with first-hand experience, wherever they may be, have insisted on raising their voices and telling the world of Russian brutality that the free world has remained alert to the menace of Soviet communism.

Freedom-loving Americans owe a great debt of gratitude to those of our fellow citizens who have cared so strongly.

Because Union County, N.J., has a relatively large proportion of people of Ukrainian descent among its population, I know personally of their deep feeling for freedom. It has been a major element in their success as active, public-spirited American citizens, and a contribution we must always cherish.

Let us, therefore, rededicate ourselves at this time—especially those of us who carry the responsibilities of representatives of the people in Congress—to the ancient principles of personal freedom and national independence. Let us strengthen our resolve to fight oppression, to oppose brutality, to stand steadfastly against all the relentless pressures of Communist totalitarianism.

Let us, that is, absorb the spirit and courage of those Ukrainians who have loved freedom so truly that they have died for it.

Mr. HEALEY. Mr. Speaker, this week marks the anniversary of Ukrainian independence. Forty-one years ago the Ukrainian people proclaimed their independence for the first time after centuries of oppression and foreign domination. Unfortunately, their freedom was short lived, and for that reason we commemorate this date with sadness and sympathy for the plight of these courageous people, today the victims of Communist expansion and aggression.

This anniversary should serve as a reminder of the fateful enslavement of 40 million Ukrainians by Soviet communism, and we should pledge anew our efforts and hopes for the day when once again there will be a free and independent Ukrainian National Republic.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the distinguished gentleman from Massachusetts.

Mr. McCORMACK. Mr. Speaker, the Ukraine, an ancient and proud people, is the largest country in Eastern Europe, and the Ukrainians are the most numerous of all ethnic groups in that region, numbering more than 40 million. In many ways it is the most productive agricultural region of Eastern Europe, and has often been referred to as the breadbasket of the area. Its hardworking inhabitants, the solid core of the whole Eastern Europe's peasantry, have tilled their fertile soil tirelessly and ceaselessly, not only for their own well-being but also for their neighbors' and recently for their heartless Soviet taskmasters'. The very fact that the fair land of the Ukraine is fertile and rich in natural resources seems to have been a cause of the misery and misfortune of the Ukrainians. The wealth of the land has roused the envy and anger of its powerful and power-hungry neighbors, and that has occasioned its conquest by alien tyrants.

For more than 300 years the Ukraine has been submerged in the Russian continent, and during all that time autocratic czars and Communists have done their worst to suppress and eradicate what we in the West regard as the best Ukrainian national traits: their desire for freedom, their boundless love for their homeland, their undying yearning for political independence, and their readiness to sacrifice their all for the attainment of their national goal. Only once in the course of their long subjugation to alien rulers they had the chance of attaining that goal; that was in 1918. When the czar's autocracy was overthrown and Austria no longer ruled over Western Ukraine, Ukrainian leaders seized the occasion and proclaimed their national independence. That was on January 22, 1918, the day on which the Ukrainian National Republic came into being, and a new day was ushered in for the Ukrainians.

That day is a landmark in the recent history of the Ukraine, and remains as a bright moment in the struggle of the Ukrainians for their national independence. The unfortunate Ukrainians enjoyed their hard-won freedom for only a short time. Since that day innumerable events have cast a dark cloud over the Ukraine. The newly proclaimed and created Ukrainian Republic did not last long. Being surrounded by enemies, its days were numbered, and its end seemed near. Early in 1920 Communist Russians treacherously attacked and overran the country; then it was incorporated into the Soviet Union. That was the end of independent Ukraine.

To this day, the Ukraine remains a province of the Soviet Empire, and, of course, Ukrainians there are fated to suffer under the Soviet tyranny. For almost 40 years more than 40 million liberty-loving Ukrainians have been living in a large prison camp in their historic homeland, surrounded by Soviet secret agents and separated from the free world by the Iron Curtain. Of course, they do not enjoy any of the freedoms which in the West we regard as our birthright. Under such trying conditions they are not permitted to celebrate their independence day. Fortunately, however, hundreds of thousands of Ukrainians who live in the free world celebrate it, and Ukrainian-Americans solemnly observe this memorable day in their worthy effort to keep alive the spirit of an independent Ukraine. I am, indeed, glad to join in the 41st anniversary celebration of the Ukrainian Independence Day.

Mr. FLOOD. Mr. Speaker, I yield back the remainder of my time.

BUDGET FOR VETERANS' ADMINISTRATION, 1959

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I have not had time to study and evaluate the budget for the Veterans' Administration, but I have been greatly distressed at some of the implications in that budget which I think are very far reaching, insofar as hospitals are concerned, as far as taking away benefits which have been given in the past, and which will be removed in the future, and other provisions of the budget.

I am deeply troubled because I understand that 37,000 veterans have had their service connection severed as the result of a review of claims and cases in the past year.

It is a horrible thing, Mr. Speaker, but it seems to me we are forgetting the men who fought and died and who are wounded and sick as a result of their bringing freedom not only to this country but to many other countries.

I hope that all Members will join with me in making a complete study and evaluation of the budget for the Veterans' Administration and the severance of claims. Have the Members ever ascertained how much it costs the taxpayers to send these many investigators to the Veterans' Administration from various departments.

The Veterans' Administration offices have had men looking over the shoulders of men who were doing the work on the Veterans' Administration. Now I understand they are to have another group of another department going over their work. The VA offices have policemen at their elbows all the time. It is a very trying and unwarranted situation to have group after group after group going in and instead of suggesting improvements for the veterans, they are suggesting benefits and services to take away—taking away their hospitalization, their compensation, and doing them a great deal of damage altogether.

RECOGNITION OF THE RIGHTS OF COMMUNITY PROPERTY OWNERS HELPFUL TO SMALL BUSINESS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, today I am introducing a bill H.R. 3126 which would amend section 1371 of the Internal Revenue Code of 1954 to require that stock of a small business corporation in the form of community property of husband and wife shall be treated as owned by one shareholder for the purposes of determining the number of shareholders of such small business corporations.

It is recalled that in an effort to stimulate and assist small business, the 85th Congress enacted into law provisions for small business tax adjustments. Those provisions were incorporated in Public Law 85–866. Section 64 of that law gave small business corporations the opportunity to elect to be taxed as partnerships. The income of the corporations would under such elections be taxed to the shareholders. The law provided that in order to qualify as a small business corporation for the benefits under such election there could be no more than 10 shareholders.

On November 26, 1958, the Treasury took the position that in community property States the spouse of a shareholder must also be counted as a shareholder for the purposes of the Small Business Tax Adjustment Act. That position was announced in the Internal Revenue's Service Technical Information Release, No. 113, dated November 26, 1958. If left unchanged, it would have the effect of reducing to the limit of five the number of married men in community property States who could as owners of a small busines corporation take advantage of the small business tax benefit to which I have referred. In other situations involving community property, 10 men owning shares in a small business corporation, even though they are married, may get the small business tax benefits to which I have made reference. It is obvious that Congress never intended such inequitable results.

The bill I am introducing today would remedy this situation. It would add a new subsection to section 1371 of the Internal Revenue Code of 1954 which would provide, that for the purpose of determining whether a corporation has 10 or less shareholders, stock which is community property, or is owned jointly by husband and wife, and which is managed and controlled by only one of the spouses, shall be treated as owned by one shareholder for the purposes of the mentioned provision in the Small Business Tax Adjustment Act of 1958; namely, section 1371 of the Internal Revenue Code of 1954 as amended.

It should be explained that section 1372(a) of the Internal Revenue Code requires the consent of all shareholders

of a small business corporation to the election to be taxed as a partnership and also requires that a person who becomes a shareholder after the election is made must also consent to the election. My bill would not affect that aspect of the matter. I feel that explanation is necessary because when we had the small business tax adjustment provisions under consideration in the 85th Congress, we felt that a constitutional question would be raised if we should tax the income of a corporation to the shareholders of the corporation without the consent of all such shareholders so taxed. For that reason section 1372(a) requires the consent of all shareholders to the election and also requires that any person who becomes a shareholder after the election is made must also consent. If the new shareholder does not give consent, the election is terminated.

Inasmuch as stock which is the community property of a husband and wife, or which is held by joint tenancy by a husband and wife in a common law State, is under applicable State law owned by each spouse in an undivided one-half interest, it is my view that making either spouse subject to Federal income tax on a portion of the corporation's income without the consent of such spouse would raise the same constitutional question which the law as now written tried to avoid. Therefore, my bill also avoids that problem.

WHY THE DRIVE FOR CONSUMER CREDIT CONTROLS IS OUT OF ORDER

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, as many of the Members know, there has been a drive on for several years now for legislation which would give the Federal Reserve System authority to put specific and direct controls on consumer credit. More specifically, the proposal being urged is for standby controls which would allow the Federal Reserve to issue regulations specifying minimum down-payments and maximum loan or payment periods for consumer goods bought on time. In other words, the proposal is to enact peacetime authority similar to the old regulation W which was in effect during the war and postwar period.

Recently the New York Journal of Commerce carried a feature editorial on this proposal, remarking on some of the strange aspects of the drive which is being waged to put it across. It observes, correctly, that this drive has been persistent since 1955, and that it has been mostly under cover. It seems to me, furthermore, that the campaign for this legislation is now being stepped up; the proposal is being pushed with more urgency.

This proposal seems also to have considerable appeal to Members who are quite seriously concerned about the inflation problem and are seeking better safeguards against inflation. Perhaps it is not without some merit.

Several aspects of the proposal are, however, being generally overlooked. Certainly the proposal is being presented in a distorted perspective.

The Journal of Commerce editorial to which I have referred made a number of good arguments both for and against consumer credit controls. But it overlooked what seems to me the more important considerations, and I believe these are being generally overlooked. Consequently, I wrote the editor calling attention to these considerations, which letter the Journal of Commerce published this morning.

Since I know that many of the Members are interested in this question of standby controls on consumer credit, I might invite their attention to the considerations, as I see them, which this proposal raises. My letter of January 12 follows, as it appeared in the Journal of Commerce this morning:

PATMAN OUTLINES VIEWS—MODERNIZATION OF CREDIT CONTROLS URGED

To the EDITOR of THE JOURNAL OF COMMERCE:

Your editorial of January 8 on standby consumer credit controls makes some good points. However, the arguments you give are heavily weighted in favor of such legislation, even though you end up saying you dislike such controls and would like to see Congress drop the whole matter at this time.

Thus you place me in opposition to legislation which you paint as good—if indeed, you do not paint me as a reason why good legislation becomes bad. You say I have served notice I will ask for maximum interest rates on consumer credit—if Congress considers giving the Federal Reserve authority to fix minimum down payments and maximum loan periods—and then you add "that should kill the whole project and certainly disillusion the conservative element in Congress."

REVIEW HELD NEEDED

My position has been that our whole system of money and credit controls is badly in need of review and modernization. These controls are grossly inadequate to the burden which has been placed on them in recent years, and they are 40 years out of date even as minimum instruments for economic stability. But why single out consumer credit?

This drive for consumer credit controls is very strange. As your editorial points out, the drive has been persistent since 1955 and mostly undercover. Let's try to put it in perspective.

To find anything to illustrate a practical need for consumer credit controls, the sponsors of this proposal have to go back to the boom in auto sales in 1955. This provides extremely shadowy support. Auto sales in that year are reasoned to have been too high, only because in later years they have been much lower.

The need for controls over business credit has been much clearer, and much more recent. But the drive for consumer credit controls has not been broadened to include business credit controls, standby or otherwise.

OBJECT OF TIGHT MONEY

Chairman Martin and other Federal Reserve officials have repeatedly stated that the object of the tight-money squeeze of 1956–57 was not consumer buying but the boom in business investment—specifically investment in new capital equipment. Here, then, is a situation which the Federal Reserve definitely feels to have been inflationary, and so seriously so that it went after it with its blunderbuss instruments of tight money, and brought on a general depression before its target got hit.

It had no authority to restrain the borrowers that were engaged in the runaway expansion; namely the big industrial corporations. And it had no authority to restrain the lenders who were supplying most of the credit, namely, the insurance companies, investment trusts, and other nonbank lenders. At no time, however, did the sponsors of credit controls suggest controls of the kind that were needed.

Certainly no one would argue now that the Federal Reserve's indirect means—squeezing bank credit—have proved successful in reaching a big business investment boom.

Between October of 1955 and October of 1957 bank loans to corporations having more than $100 million of assets increased by 66 percent, while bank loans to firms with less than $50,000 of assets dropped 3 percent, which is only added evidence that the Federal Reserve was more successful in squeezing small firms out of the credit necessary for carrying on their previous levels of operation than it was in checking big business expansionist programs. Still there is no proposal for credit controls to check an investment boom.

PRICE HIKES FOR EXPANSION

Coming to a more important source of inflation in the 1956–57 boom, many of the big business industries raised prices to obtain some of the funds for plant expansion—at least they announced this as the reason for raising prices. There are no controls for restraining this source of inflation, and there is no drive from the business and financial community for such controls.

Consider also the fact that business inventories are regarded as one of the most troublesome eccentric wheels in the economic system, and that inventory booms are a least justifiable source of inflation. There is no proposal for standby controls over credit to finance inventory booms.

Finally, the consumer credit controls which are being proposed could be used only to dampen consumer buying at times when such buying is thought to be too high. The most serious and continuous practical problem is to stimulate consumer buying at times when it is too low.

But there is no proposal for the consumer controls necessary for this, namely, for reducing excessive finance charges. The recent findings of the Supreme Court of Kansas that one of the country's largest finance companies has been charging consumers 72 percent a year to finance auto purchases hardly suggests that the present usury laws are adequate to uphold traditional standards of morality, to say nothing of preventing demand for consumer durables being dissipated in excessive interest charges.

PURPOSE OF DRIVE

Under the circumstances I have recited, the drive for consumer credit controls hardly seems to have price stability as its purpose. It begins to look like the drive of the early 1930's which ended in legislation forbidding the banks to pay depositors interest on demand deposits.

What could not be done privately, in the face of incomplete restraints on competition, was done by legislation. In any case, it seems to me that if Congress should pass legislation which will reduce the risk in consumer loans, Congress should also include provisions to reduce the interest charges on such loans.

If it is proper to legislate to protect lenders against a wholesale default on consumer credit, it is equally proper to protect consumers against exorbitant finance charges.

If the time ever comes when consumer credit controls are actually needed, Congress

can act quickly enough. In the meantime, proposals for such controls, even on a standby basis, can wait along with the other credit controls that are more urgently needed.

WRIGHT PATMAN.

With reference to the point that only standby controls are being proposed the Journal of Commerce has remarked that once such controls were available there would be a temptation to use them. It could be added that once the Federal Reserve had authority to invoke these controls, there would be terrific pressures from the bankers and finance companies for invoking them. Furthermore, we could expect that after such controls had been in effect for a while, a notion would come to be accepted that certain minimum standards of risk in consumer paper should be observed at all times, and that the regulations should always be in effect, at least to these minimums.

The editorial appearing in the Journal of Commerce on January 8, which prompted my letter, is as follows:

STAND BY FOR WHAT?

Legislation giving the Federal Reserve Board standby authority to regulate consumer installment credit terms is bound to be put into the legislative hopper again at an early date.

Not only will Senator PRESCOTT BUSH, Republican of Connecticut, reintroduce his standby authority bill that failed to get anywhere during the past session of Congress but some other legislators will introduce a number of new wrinkles or gimmicks in the field of installment credit control.

Representative WRIGHT PATMAN, Democrat, of Texas, has already served notice that he will ask for the establishment of maximum interest rates for installment credit contracts in case the reimposition of minimum downpayment and maximum maturity requirements is proposed. That should kill the whole project and certainly disillusion the conservative element in Congress.

It is always risky to predict the fate of any particular piece of legislation at the start of a new session of Congress. That is particularly true when a controversial issue develops well before the legislative battlelines can be formed.

The regulation or control of installment credit is such an issue. Ever since the record expansion in installment credit during the 1955 boom, a persistent (mostly undercover) drive has been on to prevent a reappearance of that pattern by giving the Federal Reserve Board standby controls over such credit.

The Federal Reserve Board actually had a five-volume study of this issue prepared which, after a tremendous amount of labor, produced only inconclusive results. At any rate, since installment credit was no longer an acute problem by the time the study was finished, the Federal Reserve Board at that time did not propose any form of regulation, not even standby controls.

That seemed to be final—but was it really?

In the last 2 months installment credit volume has picked up once again, largely because of its higher use in automobile buying during November. Nevertheless, the total amount outstanding at the end of November was still nearly $500 million below a year ago.

And yet a new sense of urgency has already been introduced into the discussion of the issue of installment credit control.

This obviously is not due to a change in the market conditions or to any alarming pickup in credit demand; the new drive seems more in the nature of preventive medicine. Those arguing for the reimposition of such controls frankly admit that there is no urgency for such a step now but then add that the mere existence of standby controls certainly could not do any harm and might do some good.

This could be true only if they actually believe that even the imposition of positive controls would do no harm under any circumstance. But such reasoning is apt to be faulty, inasmuch as past experience has demonstrated repeatedly that the mere existence of standby controls constitutes a strong temptation to impose them.

The basic issue then is between the desirability or necessity of actual controls and prospects for the development of conditions under which such controls might conceivably become desirable.

If anything approaching an inflationary breakthrough in the demand for credit of all major types should develop, the situation would be different.

The Federal Reserve Board, as is well known, has really never abandoned its fears of inflation. Even during the recent recession it kept its fingers crossed. The remarkably fast recovery since last June once again has sharpened the Federal Reserve watch against an inflationist speedup in the recovery. It can hardly come as a surprise that the Board today is reexamining its initial opposition to even standby installment credit controls. A number of reports have come out of Washington of late to the effect that at least some members of the Board are busy mending their fences on the issue of installment credit regulation in order to be prepared for a quick turnabout in case a sharp increase in the use of this type of credit becomes apparent.

Thus far, no such situation seems imminent. Hence, this newspaper does not see any reason to change its attitude on installment credit standby controls. We still dislike such standby controls and would like to see Congress drop the whole matter at this time.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. SIKES, for 30 minutes, on January 29.

Mr. MOORHEAD, for 5 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. BAILEY, for 30 minutes, on January 27.

Mr. POWELL (at the request of Mr. MCCORMACK), on Monday next, for 60 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. MACHROWICZ.

Mr. MULTER and to include extraneous matter;

Mr. AUCHINCLOSS and to include extraneous matter.

Mr. WOLF.

Mr. CURTIS of Missouri (at the request of Mr. SCHWENGEL) in two instances and include extraneous material.

Mr. SANTANGELO (at the request of Mr. MCCORMACK) and include extraneous matter.

Mr. ANFUSO (at the request of Mr. MCCORMACK) in two instances and to include extraneous matter.

ADJOURNMENT

Mr. HALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 14 minutes p.m.), under its previous order, the House adjourned until Monday, January 26, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

402. A letter from the Secretary of Agriculture, transmitting the report of the Administrator of the Rural Electrification Administration for the fiscal year ending June 30, 1958, pursuant to the Rural Electrification Act of 1936 (49 Stat. 1363); to the Committee on Agriculture.

403. A letter from the Director, Bureau of the Budget, Executive Office of the President, relative to making reference to a letter dated October 30, 1958, reporting that various appropriations to the departments and agencies, for the fiscal year 1959, have been apportioned on a basis which indicated the necessity for supplemental estimates of appropriation for increased pay costs, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

404. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation entitled "A bill to provide for the District of Columbia an appointed Governor and Secretary, and an elected legislative assembly and nonvoting Delegate to the House of Representatives, and for other purposes"; to the Committee on the District of Columbia.

405. A letter from the Administrator, Veterans' Administration, transmitting the Veterans' Administration's report on its activities in the disposal of foreign excess property, pursuant to Public Law 152, 81st Congress, covering the period January 1, 1958, through December 31, 1958; to the Committee on Government Operations.

406. A letter from the General Manager, U.S. Atomic Energy Commission, transmitting a report on foreign excess property disposed of during fiscal year 1958, pursuant to the Foreign Excess Property, Federal Property, and Administrative Services Act of 1949, as amended (sec. 404, 63 Stat. 398; 40 U.S.C. 514); to the Committee on Government Operations.

407. A letter from the Administrator, Federal Aviation Agency, transmitting a draft of proposed legislation entitled "A bill to amend the Federal Airport Act to extend the time for making grants for the construction of urgent airport projects essential to an adequate national aviation facilities system"; to the Committee on Interstate and Foreign Commerce.

408. A letter from the Administrative Assistant Secretary of the Interior, transmitting a report showing receipts and expenditures of this Department in connection with the administration of the Outer Continental Shelf Lands Act for fiscal year 1958, pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1343); to the Committee on the Judiciary.

409. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposal legislation entitled "A bill to provide for a jury commission for each U.S. district court, to regulate its compensation, to prescribe its duties, and for other purposes"; to the Committee on the Judiciary.

410. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation entitled

"A bill to increase the fees of jury commissioners in the U.S. district courts"; to the Committee on the Judiciary.

411. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation entitled "A bill relating to the transcribing of the stenographic record of pleas and proceedings in connection with the imposition of sentence in criminal cases"; to the Committee on the Judiciary.

412. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation entitled "A bill to authorize the Judicial Conference of the United States to promulgate minimum standards of qualifications for probation officers"; to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PATMAN:

H.R. 3126. A bill to amend section 1371 of the Internal Revenue Code of 1954 to permit stock of a small business corporation which is owned by a husband and wife to be treated as owned by a single shareholder for purposes of determining the number of shareholders of such corporation; to the Committee on Ways and Means.

By Mr. ANFUSO:

H.R. 3127. A bill to amend title 18 of the United States Code to prohibit the transmission through the mails of communications intended to incite hostility among individuals and groups of individuals on account of race, creed, color, religion, or national origin; to the Committee on the Judiciary.

H.R. 3128. A bill to declare nonmailable certain communications intended to incite racial hostility; to the Committee on Post Office and Civil Service.

H.R. 3129. A bill for the establishment of a temporary National Advisory Committee for the Blind; to the Committee on Education and Labor.

H.R. 3130. A bill to provide for the establishment of a food stamp plan for the distribution of $1 billion worth of surplus food commodities a year to needy persons and families in the United States; to the Committee on Agriculture.

By Mr. ASHLEY:

H.R. 3131. A bill to amend Public Law 874, 81st Congress, to provide for furnishing education to federally connected children where public schools are closed to admitting students thereto on a racially nondiscriminatory basis; to the Committee on Education and Labor.

By Mr. BALDWIN:

H.R. 3132. A bill to implement section 4 of the act approved December 22, 1944 (Public No. 534, 78th Cong.), as amended; to the Committee on Public Works.

By Mr. BARRY:

H.R. 3133. A bill to make unlawful mailing of matter tending to incite crimes of violence; to the Committee on the Judiciary.

H.R. 3134. A bill to amend title 18 of the United States Code relating to threats or injury to Federal officers in the discharge of their duties; to the Committee on the Judiciary.

H.R. 3135. A bill to make unlawful interstate travel to avoid prosecution for willful destruction or damaging of any building; to the Committee on the Judiciary.

H.R. 3136. A bill to authorize the exclusion from the mails of matter relating to the solicitation of funds for, and the distribution of information relating to, certain unlawful activities; to the Committee on Post Office and Civil Service.

H.R. 3137. A bill to make unlawful the mailing of threatening communications with intent to interfere with the execution of Federal or State statutes or court decrees; to the Committee on the Judiciary.

H.R. 3138. A bill to make unlawful the transmission in interstate commerce of certain communications with intent to interfere with the execution of Federal or State statutes or court decrees; to the Committee on the Judiciary.

H.R. 3139. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

By Mr. BOGGS:

H.R. 3140. A bill to provide a further increase in the retired pay of certain members of the former Lighthouse Service; to the Committee on Merchant Marine and Fisheries.

By Mr. BROOMFIELD:

H.R. 3141. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. BURDICK:

H.R. 3142. A bill to require private owners of electric transmission facilities used in or affecting the transmission of electric energy in interstate commerce to permit the use of the excess capacity in such facilities for the transmission of electric energy by other persons on fair and reasonable terms and conditions; to require the purchasers of electric energy from the United States to agree to the use of excess capacity in their electric transmission facilities for the transmission of electric energy purchased from the United States by other persons; to confer upon the Federal Power Commission the power to compel and regulate such use; and to provide for preference for public bodies and cooperatives in the use by other persons of the excess capacity of electric transmission facilities owned by the United States; to the Committee on Interstate and Foreign Commerce.

H.R. 3143. A bill to provide that certain lands shall be held in trust for the Standing Rock Sioux Tribe in North Dakota and South Dakota; to the Committee on Interior and Insular Affairs.

H.R. 3144. A bill to place in trust status certain lands on the Standing Rock Sioux Reservation in North Dakota and South Dakota; to the Committee on Interior and Insular Affairs.

By Mr. BYRNE of Pennsylvania:

H.R. 3145. A bill to amend the Merchant Marine Act, 1936, as amended, to authorize payment of operating-differential subsidy to contract carriers, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 3146. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

By Mr. CELLER:

H.R. 3147. A bill to effectuate and enforce the constitutional right to the equal protection of the laws, and for other purposes; to the Committee on the Judiciary.

H.R. 3148. A bill to insure the equal protection of the laws to all persons regardless of race, color, religion, or national origin; to the Committee on the Judiciary.

By Mr. CURTIS of Missouri:

H.R. 3149. A bill to equalize taxation and provide revenue; to the Committee on Ways and Means.

H.R. 3150. A bill to protect farmers and other persons who are required to treat patronage dividends as income for Federal income tax purposes by providing for the collection of income tax at source on such dividends and to provide tax equity; to the Committee on Ways and Means.

H.R. 3151. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

By Mr. DAWSON (by request):

H.R. 3152. A bill to amend the Federal Property and Administrative Services Act of 1949 to extend the authority of the Administrator of General Services to pay direct expenses in connection with the utilization of excess real property and related personalty, and for other purposes; to the Committee on Government Operations.

H.R. 3153. A bill to provide for the receipt and disbursement of funds, and for continuation of accounts when there is a vacancy in the office of the disbursing officer for the Government Printing Office, and for other purposes; to the Committee on Government Operations.

By Mr. DENTON:

H.R. 3154. A bill to protect the public health by regulating the manufacture, compounding, processing, distribution, and possession of habit-forming barbiturate and amphetamine drugs; to the Committee on Interstate and Foreign Commerce.

By Mr. DEROUNIAN:

H.R. 3155. A bill to amend title II of the Social Security Act to increase from $1,200 to $1,800 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. DOLLINGER:

H.R. 3156. A bill to amend and revise the laws relating to immigration, naturalization, nationality, and citizenship, and for other purposes; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 3157. A bill to amend and revise the laws relating to immigration, naturalization, nationality, and citizenship, and for other purposes; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 3158. A bill to amend and revise the laws relating to immigration, naturalization, nationality, and citizenship, and for other purposes; to the Committee on the Judiciary.

By Mr. SANTANGELO:

H.R. 3159. A bill to amend and revise the laws relating to immigration, naturalization, nationality, and citizenship, and for other purposes; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 3160. A bill to amend and revise the laws relating to immigration, naturalization, nationality, and citizenship, and for other purposes; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 3161. A bill to incorporate the Paralyzed Veterans of America; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 3162. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for amounts paid into a public retirement fund by an employee of the Federal Government or of a State or local government; to the Committee on Ways and Means.

By Mr. FOLEY:

H.R. 3163. A bill to permit unmarried annuitants under the Civil Service Retirement Act of May 29, 1930, as amended, to elect survivorship annuities upon subsequent marriage; to the Committee on Post Office and Civil Service.

H.R. 3164. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

By Mr. FRIEDEL:

H.R. 3165. A bill to provide for the procurement by the Government of insurance against risk to civilian personnel of liability for personal injury or death, or for property damage, arising from the operation of motor vehicles in the performance of official Gov-

ernment duties, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3166. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FRIEDEL (by request):

H.R. 3167. A bill to repeal the joint resolution entitled "Joint resolution consenting to an interstate compact to conserve oil and gas"; to the Committee on Interstate and Foreign Commerce.

H.R. 3168. A bill to repeal the act entitled "An act to regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes," approved February 22, 1935, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. GARMATZ:

H.R. 3169. A bill to amend title XI of the Merchant Marine Act, 1936, in order to provide mortgage and loan insurance for the construction, reconstruction, or reconditioning of vessels in shipyards in the continental United States; to the Committee on Merchant Marine and Fisheries.

By Mr. GRANT:

H.R. 3170. A bill to provide credit under title II of the Social Security Act for certain employees in the State of Alabama; to the Committee on Ways and Means.

H.R. 3171. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

H.R. 3172. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. GRAY:

H.R. 3173. A bill to establish a pension program for veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. GROSS:

H.R. 3174. A bill to reduce the depletion allowance for oil and gas; to the Committee on Ways and Means.

By Mr. GUBSER:

H.R. 3175. A bill to provide for the credit, upon retirement of an officer or employee from Government service, to the individual account of such officer or employee in the civil service retirement and disability fund of a sum representing compensation for accumulated and current accrued sick leave; to the Committee on Post Office and Civil Service.

By Mr. HARRISON:

H.R. 3176. A bill to amend section 4071 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. HIESTAND:

H.R. 3177. A bill to encourage equity investment in new and small business, to relieve unemployment and provide additional revenue to the Federal Government to be applied to debt reduction, and for other purposes; to the Committee on Ways and Means.

By Mr. HOEVEN:

H.R. 3178. A bill to provide for the establishment of the Sergeant Floyd National Monument at Sioux City, Iowa; to the Committee on Interior and Insular Affairs.

By Mr. KEARNS:

H.R. 3179. A bill to amend the Labor-Management Relations Act, 1947, in order to facilitate the freedom of association of professional personnel; to the Committee on Education and Labor.

By Mr. KNOX:

H.R. 3180. A bill to extend for an additional 3 years the time within which the State of Michigan may commence and complete the construction of certain projects heretofore authorized by the Congress; to the Committee on Foreign Affairs.

By Mr. LESINSKI:

H.R. 3181. A bill to revise the Postal Field Compensation Act of 1955 with respect to salary levels, position descriptions, longevity step increases, promotions, and other benefits of supervisory and other postal field service employees, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McDONOUGH:

H.R. 3182. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate; and for other purposes; to the Committee on Armed Services.

H.R. 3183. A bill to extend the duration of the Federal air pollution control law, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McFALL:

H.R. 3184. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate; and for other purposes; to the Committee on Armed Services.

H.R. 3185. A bill to implement section 4 of the act approved December 22, 1944. (Public No. 534, 78th Cong.), as amended; to the Committee on Public Works.

By Mr. McGOVERN:

H.R. 3186. A bill to amend chapter 37 of title 38, United States Code, to provide additional funds for direct loans; to remove certain requirements with respect to the rate of interest on guaranteed loans; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MADDEN:

H.R. 3187. A bill to amend the Federal Trade Commission Act to promote quality and price stabilization; to the Committee on Interstate and Foreign Commerce.

By Mr. MORRIS of New Mexico:

H.R. 3188. A bill to amend the act of August 5, 1954 (68 Stat. 674), and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MOSS:

H.R. 3189. A bill to provide that the Channel Islands off the coast of southern California shall be referred to as the Juan Rodrigues Cabrillo Islands; to the Committee on Interior and Insular Affairs.

H.R. 3190. A bill to implement section 4 of the act approved December 22, 1944 (Public No. 534, 78th Cong.), as amended; to the Committee on Public Works.

By Mr. OSTERTAG:

H.R. 3191. A bill to establish a Federal policy concerning the termination, limitation, or establishment of business-type operations of the Government which may be conducted in competition with private enterprise, and for other purposes; to the Committee on Government Operations.

By Mrs. PFOST:

H.R. 3192. A bill to amend the Reorganization Plan No. 2 of 1953; to the Committee on Government Operations.

By Mr. POFF:

H.R. 3193. A bill to amend title 18 of the United States Code to provide that an assault upon more than one person shall be punishable as more than one offense in certain cases involving the commission of a battery; to the Committee on the Judiciary.

By Mr. PRESTON:

H.R. 3194. A bill to amend chapter 113 of title 18 of the United States Code to prescribe penalties for transportation or sale in interstate commerce of stolen outboard motors or motorboats; to the Committee on the Judiciary.

H.R. 3195. A bill to amend title XI of the Merchant Marine Act, 1936, relating to Federal ship mortgage insurance, in order to include floating drydocks and graving docks under the definition of the term "vessel" in such title; to the Committee on Merchant Marine and Fisheries.

H.R. 3196. A bill to amend sections 4081 and 4082 of the Internal Revenue Code of 1954 to include wholesale distributors within the definition of "producers" of gasoline, and for other purposes; to the Committee on Ways and Means.

By Mr. QUIE:

H.R. 3197. A bill to increase and extend the special milk program for children; to the Committee on Agriculture.

By Mr. FLYNN:

H.R. 3198. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. RODINO:

H.R. 3199. A bill to provide for the issuance of a series of special postage stamps in recognition of the 1960 Olympic games; to the Committee on Post Office and Civil Service.

By Mr. ROOSEVELT:

H.R. 3200. A bill to amend the public assistance provisions of the Social Security Act to provide increased payments, eliminate certain inequities and restrictions, and permit a more effective distribution of Federal funds; to the Committee on Ways and Means.

By Mr. SANTANGELO:

H.R. 3201. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate; and for other purposes; to the Committee on Armed Services.

H.R. 3202. A bill to prohibit discrimination because of age in the hiring and employment of persons by Government contractors; to the Committee on the Judiciary.

H.R. 3203. A bill to amend the Fair Labor Standards Act of 1938 to include hotel workers within its coverage; to the Committee on Education and Labor.

H.R. 3204. A bill to amend the Fair Labor Standards Act of 1938 so as to increase the minimum hourly wage from $1 to $1.25; to the Committee on Education and Labor.

H.R. 3205. A bill to amend the Internal Revenue Code of 1954 to provide, in the case of professional athletes, an income tax deduction for depletion of physical resources; to the Committee on Ways and Means.

H.R. 3206. A bill to amend the United States Housing Act of 1937 to provide relocation payments to individuals, families, and business concerns displaced by low-rent housing projects; to the Committee on Banking and Currency.

By Mr. SCHWENGEL:

H.R. 3207. A bill to amend the Internal Revenue Code of 1954 to permit the States to make refunds of the Federal tax on gasoline in cases where such gasoline is used on

a farm for farming purposes; to the Committee on Ways and Means.

By Mr. SHELLEY:

H.R. 3208. A bill to amend section 201(c) of the Legislative Reorganization Act of 1946 to authorize the employment of administrative assistants by Members of the House of Representatives; to the Committee on House Administration.

H.R. 3209. A bill to authorize the Secretary of the Treasury to issue certificates of honorable discharge in lieu of certificates of disenrollment to certain persons who served as temporary members of the U.S. Coast Guard Reserve during World War II; to the Committee on Merchant Marine and Fisheries.

H.R. 3210. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

H.R. 3211. A bill to establish a basic workweek of 35 hours for employees of the Government; to the Committee on Post Office and Civil Service.

H.R. 3212. A bill to effectuate and enforce the constitutional right to the equal protection of the laws, and for other purposes; to the Committee on the Judiciary.

H.R. 3213. A bill to authorize the construction of a Federal office building and courthouse at San Francisco, Calif.; to the Committee on Public Works.

By Mr. SISK:

H.R. 3214. A bill to implement section 4 of the act approved December 22, 1944 (Public, No. 534, 78th Cong.) as amended; to the Committee on Public Works.

By Mr. SMITH of Mississippi:

H.R. 3215. A bill to permit the exchange between farms in the same county of cotton acreage allotment for rice acreage allotment; to the Committee on Agriculture.

By Mr. SMITH of Virginia:

H.R. 3216. A bill to amend section 2254 of title 28 of the United States Code in reference to applications for writs of habeas corpus by persons in custody pursuant to the judgment of a State court; to the Committee on the Judiciary.

H.R. 3217. A bill to amend section 1332(c) of title 28, United States Code, relating to diversity of citizenship; to the Committee on the Judiciary.

H.R. 3218. A bill to amend section 3401 of title 18, United States Code; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 3219. A bill to amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3220. A bill to provide financial assistance for the support of public schools by appropriating funds to the States to be used for constructing school facilities and for teachers' salaries; to the Committee on Education and Labor.

By Mr. TEAGUE of Texas:

H.R. 3221. A bill to amend section 7 of the act of August 18, 1941, to provide that 75 percent of all moneys derived by the United States from certain recreational activities in connection with lands required for flood control shall be used first for construction of certain hard surface connecting highways, and for other purposes; to the Committee on Public Works.

By Mr. ULLMAN:

H.R. 3222. A bill to provide for the construction of minimum basic recreation facilities in the Owyhee Reservoir area, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. VAN ZANDT:

H.R. 3223. A bill to authorize the appropriation to the Corregidor Bataan Memorial Commission of $7,500,000 to be used to carry out the provisions of the act of August 5, 1953, as amended; to the Committee on Foreign Affairs.

H.R. 3224. A bill to amend title II of the Social Security Act to increase to $1,800 a year the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. WESTLAND:

H.R. 3225. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits payable thereunder; to the Committee on Ways and Means.

By Mr. WILLIS:

H.R. 3226. A bill to declare portions of Bayous Terrebonne and LeCarpe, La., to be nonnavigable streams; to the Committee on Public Works.

By Mr. BOW:

H.J. Res. 183. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. GUBSER:

H.J. Res. 184. Joint resolution to prevent deficit financing by limiting appropriations to the amount of the President's budget except where additional revenues to cover such appropriations have been specifically made available; to the Committee on Government Operations.

By Mr. MADDEN:

H.J. Res. 185. Joint resolution designating the fourth Sunday of September as Senior Citizens Day; to the Committee on the Judiciary.

By Mr. McGOVERN:

H. Con. Res. 40. Concurrent resolution relative to raising the standard of living of the American Indian; to the Committee on Interior and Insular Affairs.

By Mr. SANTANGELO:

H. Con. Res. 41. Concurrent resolution establishing a Joint Committee on Intelligence Matters; to the Committee on Rules.

By Mr. BROOKS of Louisiana:

H. Res. 133. Resolution to authorize the Committee on Science and Astronautics to conduct studies and investigations and make inquiries with respect to aeronautical and other scientific research and development and outer space; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BAKER:

H.R. 3227. A bill for the relief of James K. Green; to the Committee on the Judiciary.

By Mr. BARRETT:

H.R. 3228. A bill for the relief of Anna Maria Speranza; to the Committee on the Judiciary.

By Mr. BELCHER:

H.R. 3229. A bill for the relief of Dr. Chi Tien; to the Committee on the Judiciary.

By Mrs. BOLTON:

H.R. 3230. A bill for the relief of the estate of Nathaniel H. Woods; to the Committee on the Judiciary.

By Mr. BURNS of Hawaii:

H.R. 3231. A bill for the relief of Rufo Hermano Ganir; to the Committee on the Judiciary.

H.R. 3232. A bill for the relief of Mrs. Yuki Hamada; to the Committee on the Judiciary.

H.R. 3233. A bill for the relief of Mrs. Sode Hatta; to the Committee on the Judiciary.

H.R. 3234. A bill for the relief of Alfredo T. Ordonio; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 3235. A bill for the relief of Maria Kacin; to the Committee on the Judiciary.

By Mr. COOK:

H.R. 3236. A bill for the relief of Anthony Harry Giazikis; to the Committee on the Judiciary.

By Mr. DANIELS:

H.R. 3237. A bill for the relief of Mr. Mauro Betti; to the Committee on the Judiciary.

H.R. 3238. A bill for the relief of Sotero Quintana Perez; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 3239. A bill for the relief of Evanthia Loize Papagiovanni Fhiaras; to the Committee on the Judiciary.

By Mr. FLYNN:

H.R. 3240. A bill for the relief of Mrs. Clare M. Ash; to the Committee on the Judiciary.

By Mr. FORD:

H.R. 3241. A bill for the relief of Maria Kosiorek; to the Committee on the Judiciary.

By Mr. GARY:

H.R. 3242. A bill for the relief of Mrs. Virginia Lee Sage; to the Committee on the Judiciary.

By Mr. GRAY:

H.R. 3243. A bill for the relief of Col. Fred E. Dueker; to the Committee on the Judiciary.

H.R. 3244. A bill for the relief of Harold N. Ward; to the Committee on Veterans' Affairs.

H.R. 3245. A bill for the relief of Andrew E. Mahana; to the Committee on the Judiciary.

By Mr. HOEVEN:

H.R. 3246. A bill for the relief of Maj. Gladys R. Yeaman; to the Committee on Armed Services.

By Mr. JACKSON:

H.R. 3247. A bill for the relief of Bela Janko; to the Committee on the Judiciary.

By Mr. LANE:

H.R. 3248. A bill to provide for the payment of just compensation to certain claimants for the taking by the United States of private fishery rights in Pearl Harbor, Island of Oahu, T.H.; to the Committee on the Judiciary.

H.R. 3249. A bill for the relief of William S. Scott; to the Committee on the Judiciary.

By Mr. LESINSKI:

H.R. 3250. A bill for the relief of Rozalia Swidzinska and her minor child, Rozalia; to the Committee on the Judiciary.

By Mr. MARTIN:

H.R. 3251. A bill for the relief of Lo Hoi Tin and Tam Shau Chan; to the Committee on the Judiciary.

By Mr. PILLION:

H.R. 3252. A bill for the relief of Mrs. Martha Nicometi; to the Committee on the Judiciary.

H.R. 3253. A bill for the relief of Ida Magyar; to the Committee on the Judiciary.

By Mr. PRESTON:

H.R. 3254. A bill for the relief of Thomas Forman Screven, Julia Screven Daniels, and May Bond Screven Rhodes; to the Committee on the Judiciary.

By Mr. ROUSH:

H.R. 3255. A bill for the relief of Ilpyong John Kim; to the Committee on the Judiciary.

By Mr. SHELLEY:

H.R. 3256. A bill for the relief of Akiva Ziv (also known as Kenneth Finkelman); to the Committee on the Judiciary.

H.R. 3257. A bill for the relief of Teresa Rosa Panesi; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 3258. A bill for the relief of Dr. Carlo M. Marchesi and his wife, Pia Maria Marchesi; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Hail Columbian Lawyers

EXTENSION OF REMARKS
OF
HON. ALFRED E. SANTANGELO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 22, 1959

Mr. SANTANGELO. Mr. Speaker, yesterday, January 21, 1958, was a historic day in the annals of the legal profession of New York. Fifty-three members of the Columbian Lawyers Association were admitted to the U.S. Supreme Court. Two of them were women.

The Columbian Lawyers Association is a young bar association operating in the first judicial department of the State of New York. Its membership consists of more than 500 lawyers and is composed of lawyers of Italian origin who practice principally in the city of New York. Many of them are leaders in their respective communities. They are guardians of our traditions and the architects of our future.

This organization has among its aims the maintenance of a high standard of conduct for the legal profession and the selection of capable and learned judges to serve in our courts. They believe that in order to realize the American goal of equal justice before the law, lawyers must be skilled advocates with high standards of conduct and justices of courts must be learned and experienced.

I had the high honor and privilege of sponsoring 28 of these members for admission to the U.S. Supreme Court. My former associate in the New York County district attorney's office, now a justice of the domestic relations court, Louis A. Pagnucco, sponsored the admission of the other 25 Columbian members.

I was not surprised to note that Judge Louis Pagnucco, who guided and coached me when I was a fledgling assistant district attorney in the office of Frank Hogan, still befriends and guides other attorneys in their aspirations and endeavors. It was a pleasure for me once again to be with my dear friend, Judge Pagnucco, who was one of the greatest assistant district attorneys in the homicide bureau during the administration of District Attorneys Thomas E. Dewey and Frank S. Hogan. Judge Pagnucco, who possesses a doctorate of laws, is not only a brilliant lawyer and judge but also has the unusual talent of speaking seven languages fluently.

This journey to Washington was the realization of a dream of Thomas Cartelli, the first president of the Columbian Lawyers Association. Much planning and work was done to transport 53 active lawyers to Washington from the city of New York to house them and to prepare a program. Great credit goes to Mr. Cartelli and Sylvester Cosentino, the second president of this vigorous bar association.

Prior to being sworn in by Chief Justice Earl Warren, this bar group had the distinct privilege of meeting with Associate Justice Tom C. Clark at a private hearing. Justice Clark renewed old acquaintances with some of the candidates. One of them, Arthur R. Martoccia, served as a U.S. assistant when Justice Clark was U.S. attorney.

Justice Clark addressed the candidates and enlightened them as to the workings and practices of the members of the court in arriving at a determination of an appeal before the Highest Court. As a consequence, the Columbian group can understand events which would otherwise have been mysteries.

One newly admitted member of the group was August Massa, who despite his complete blindness, is an active and successful barrister. Mr. Massa was a classmate of Justice William Douglas at Columbia Law School in the early twenties. It was a thrill to see Justice Douglas greet his blind classmate. They had not met each other in over 30 years.

My colleagues, JOHN J. ROONEY, Democratic Representative, of New York, and ROBERT W. HEMPHILL, Democrat, of South Carolina, were present at the Supreme Court to witness this historic occasion and to lend their moral support.

After the admission to the Supreme Court, the Columbian Lawyers had luncheon at the Congressional Hotel. Several Members of Congress attended the luncheon. Representative VICTOR L. ANFUSO, of Brooklyn; PAUL A. FINO, of the Bronx; JOHN J. ROONEY, of Brooklyn; JOHN DENT, of Pennsylvania; GEORGE P. MILLER, of California; ROLAND LIBONATI, of Chicago; ROBERT GIAIMO, of Connecticut; and I, ALFRED SANTANGELO, addressed the group pointing out the significance of their membership in the U.S. Supreme Court and the pride that we felt in this legal demonstration. Senator JOHN O. PASTORE, of Rhode Island, sent greetings.

On the evening prior to their swearing in, Mr. Gaspar Morell, a successful Washington builder, formerly of New York, held a reception for the Columbian Lawyers at his beautiful home on Kalorama Road on Embassy Row. His Excellency, Manlio Brosio, the Italian Ambassador, was an honored guest. He was accompanied by Dr. Paolo Savina, labor counselor of the Italian Embassy. Also greeting the lawyers was Commissioner Joseph Minetti. I cannot express fully the appreciation I and the Columbian Lawyers feel for the hospitality of Mr. Gaspar Morell and his lovely wife, Anita Morell.

The roll of the newly admitted members to the Supreme Court is as follows: Andrew A. Adinolfi, Italo Henry Ablondi, Pasquale J. Amico, Anthony J. Cannistraci, Joseph Captain, Vito A. Cardo, Thomas Cartelli, Vincent S. Conti, John Copertino, Sylvester Cosentino, Gennaro L. Crispino, Joseph F. Cuccia, Mario J. Cusati, Alexander A. Delle Cese, Leonard P. DeNatale, Joseph F. Periconi, Vincent John deRosa, Vincent J. DiStefano, Anthony J. Edwards, Angelo C. Ninivaggio, Adolph C. Orlando, Edward Papantonio, Christopher L. Ribaudo, Henry D. Sforza, Frank C. Termini, Joseph J. Verdicchio, Miss Theresa E. DiCrocco, Lawrence N. Fariello, Miss Josephine Ferro, Joseph F. Fichera, Joseph W. Genzardi, Joseph N. Giamboi, Vincent A. Giaquinto, Michael A. Greco, Philip A. Greco, Nicholas P. Iannuzzi, Michael W. LaPenna, Salvatore A. Locurto, Richard D. Magro, Arthur R. Martoccia, Augustine F. Massa, Michael F. Mazzola, Anthony J. Mercorella, Mario Merola, Alexander Minella, Ferdinand J. Mondello, Richard J. Nardi, Louis C. Palella, Lino J. Pietrantoni, Joseph A. Robustelli, Thomas A. Signorelli, Vincent J. Velella, Frank J. Zeccola, and Ray V. Manfredi.

The president of the organization is Ferdinand J. Mondello.

Now that these lawyers have returned home to New York, leaving Washington richer because of their visit, I say to them, "Congratulations and Hail Columbia."

Stop the Use of U.S. Mail To Spread Hatred

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 22, 1959

Mr. ANFUSO. Mr. Speaker, on January 7, the opening day of the 86th Congress, I introduced a bill calling for the most severe penalties for anyone bombing or attempting to bomb a house of worship, a school, or other public building. Closely associated with the recent wave of bomb terrorism is the dissemination of hate material through the U.S. mails which is a major factor in stirring up race hatred and inciting acts of lawlessness.

I am, therefore, now introducing two more bills which are intended as companion measures to my earlier bill to outlaw bombings. One of these measures seeks to amend title 18 of the United States Code to prohibit the transmission through the mails of communications which are intended to incite hatred on account of race, creed, color, religion, or national origin. A fine of $1,000 or imprisonment of not more than 1 year, or both, is prescribed in this bill for anyone who knowingly uses the U.S. mails for delivery of cards, pamphlets, circulars, books, or other matter wihch is regarded as nonmailable under this act.

The other bill is very similar in language, except that it prescribes that material which is intended to incite racial or religious hostility shall not be conveyed in the mails, and shall be withdrawn from the mails under such regulations as the Postmaster General shall prescribe. In other words, this bill is intended to give the Postmaster General the authority to withdraw such matter from the mails or refuse to convey it, while the first bill makes it unlawful to mail such matter and prescribes a fine.

Mr. Speaker, I wish to make it clear that my bills are not intended to hurt basic American freedoms, especially freedom of the press and freedom of expression. They are intended primarily and solely to strike against the peddlers of racial and religious hatred, the crackpots and the lunatic fringe who are spreading poison against various segments of our people, without realizing how they themselves by their own vicious tactics are undermining American democracy, our way of life, our free institutions, and our religious faiths which are the strongest bulwarks and the most powerful influence in the struggle against communism.

The purpose of these hate sheets which are flooding the country is only to foment trouble and to arouse hatred of Negroes, Jews, Catholics, foreigners, and others. We live in a crucial era when unity of the American people is the crying need of the hour in order to be able to cope with a godless enemy who seeks to destroy us. At such a tragic period in human history, these irresponsible rabble rousers are playing right into the hands of the Communists by spreading dissension, mistrust, and hatred in our own ranks.

Our laws forbid the distribution of seditious literature through the mails because it is treasonous. They forbid the dissemination of pornographic literature because it corrupts our youth and incites them to criminal acts. What can be more treasonous or criminal than this hate material which is equally destructive of everything that America stands for? Pitting race against race, inciting one segment of our people against another, is no less seditious because it serves only the interests of America's enemies .

Mr. Speaker, it is high time to put a stop to the deliberate use of the U.S. mails for spreading race hatred and to use it as a medium for hate propaganda. This is not what the mails are intended for. The demagogs and hatemongers are exploiting a major medium of communication to serve their own sinister purposes. Postal authorities report that in recent years the volume of hate material going through the mails has increased substantially, but under existing laws they are powerless to prevent the distribution of this material through the mails.

It is for this reason that I am introducing my bills. I believe that this problem can and should be dealt with through legislation. I urge the Congress to give these measures early consideration.

A Bill Relating to Withholding, for Purposes of the Income Tax Imposed by Certain Cities on the Compensation of Federal Employees

EXTENSION OF REMARKS
OF
HON. THOMAS B. CURTIS
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 22, 1959

Mr. CURTIS of Missouri. Mr. Speaker, I have introduced today a bill to permit withholding on the compensation of Federal employees for purposes of income taxes imposed by certain cities. I have been in favor of this legislation for some time for several reasons. It provides for good reciprocal relations between the Federal Government and our city governments which already withhold Federal taxes from the wages of their employees. It is economical in that it provides a less costly way of collecting legal taxes, overall. It is a real convenience to the Federal employees.

I want to dwell on this last point a little bit because at one time many Federal employees thought that this legislation was unfriendly to them. Some, but fortunately a very small minority, through misunderstanding still think so.

The reason certain Federal employees thought the legislation was unfriendly stemmed from the fact that the city earnings tax was unpopular, as most taxes are, to many, particularly to nonresidents of the city who worked in the city. As a matter of fact this form of taxation was considered by some to be unconstitutional, as taxation without representation. However, regardless of the unpopularity of this kind of tax, or its merits, the courts throughout the United States have upheld its legality. This is no longer a question. This form of tax has become an important source of revenue for many of our cities and is rather obviously here to stay.

Federal employees are liable for the tax just as any other person living in or working in a city which imposes such a tax. The present bill has nothing to do with whether a Federal employee is liable for the tax or not.

Federal employees soon found out that when they failed to pay the tax the cities allowed the amounts owed to accumulate until they were sizable enough to warrant the expense of collection. Then when the employee was forced to pay, he had a sizable sum to pay, instead of a modest amount. It included not only the accumulated amount but interest and collection costs.

As a result the Federal employees found, as do all taxpayers find, that it is really a favor to them to have the amounts owed withheld in weekly or monthly amounts where they have none of the nuisance of making returns or the embarrassment of having to budget a sizable accumulated amount.

Most Federal employee unions are on record as favoring this legislation. The officials of the city of St. Louis, part of which I represent, have long requested this legislation. Other cities through their officials and representatives in Congress have urged this legislation. I am hopeful that the Congress will act on this this year.

The bill referred to follows:

A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An act relating to withholding, for State income tax purposes, on the compensation of Federal employees", approved July 17, 1952 (Public Law 587, 82d Congress; 5 U.S.C., sec. 84b), is hereby amended—

(1) by striking out "State or Territory" each place it appears and inserting in lieu thereof "State, Territory, or city"; and

(2) by adding at the end thereof the following new sentence: "For the purposes of this section, the term 'city' means only a city which is incorporated under the law of a State or Territory and which had a population (according to the last decennial census) of seventy-five thousand or more individuals."

Rumanian Freedom

EXTENSION OF REMARKS
OF
HON. THADDEUS M. MACHROWICZ
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 22, 1959

Mr. MACHROWICZ. Mr. Speaker, today marks the 100th anniversary of the reestablishment of Rumanian freedom and independence under the protection of the Western Powers. On this anniversary I wish to express my warm sympathy for the aspirations of the Rumanian nation and for their present struggle against Soviet-Communist domination.

This commemoration is a reminder of the political importance and historical reality of Eastern Europe, where old and fiercely independent peoples have developed their own cultures and national entities. These peoples, with their cultures, are a vital part of Europe, which, without their free contribution and participation within its boundaries, is reduced to a strangled existence, as is the case today. The problem today is not to accept the limited area of discussion imposed on us by the Soviet maneuvering, but to raise the whole question of that part of Europe on which the peace and security for the future so largely depend.

It is obvious to me that the main source of tension and insecurity for the Atlantic Community stems from the inability of the West to exploit this whole unpleasant situation in Soviet-dominated Europe. This situation, as long as we condone it, constitutes an immense benefit to the Soviets, whereas, instead, if we would turn the tables and exploit this situation ourselves against them it would be a terrible thorn in the Soviet flesh.

The inevitable objection that this would increase the cold war is totally un-

true. The free hand enjoyed by the Soviets in their controlled part of Europe has in no way lessened the tensions between the Soviets and the United States; on the contrary, it has actually increased them. When we do not use a weapon at our hand, such as the subjugation of a good part of Europe by the Soviets, we are actually encouraging them to continue and even increase their pressure for the advancement of their global Communist aims of world infiltration, subversion, and eventual domination.

This is what is happening right now, when Mikoyan, unlike us, is using every means at his disposal, even kissing American babies, to push us out of Europe.

It is my conviction that the American people will not be taken in by this latest Soviet, Mikoyan propaganda stunt. I believe that, together with the highly deterring defense advocated by Congress, we are going to adopt the policy which would put us on the ground of reality concerning Soviet tactics.

Ormonde A. Kieb

EXTENSION OF REMARKS
OF

HON. JAMES C. AUCHINCLOSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 22, 1959

Mr. AUCHINCLOSS. Mr. Speaker, I am very pleased to have this opportunity to pay tribute to the devoted and unselfish service rendered to our Government by Ormonde A. Kieb, who has just resigned as Assistant Postmaster General. Mr. Kieb, a resident of New Jersey, is a personal friend of mine whom I have known for some years, and at considerable sacrifice to himself he accepted his appointment to the Post Office Department, thereby meeting the challenge to reorganize and revitalize the service.

In the 5 years of his administration which will come to a close on January 31, 1959, Mr. Kieb reorganized the operations of the Bureau of Facilities of the Post Office Department by reducing it from nine divisions to three functional line divisions known as Real Estate, Supplies, and Motor Vehicles. In addition a great part of the operations of these divisions was decentralized by being assigned to field offices. In the acquisition of post office space he introduced sound business practices in the commercial leasing technique and this was made possible by his long training in the real estate business in Newark, N.J. He brought about reduced costs in the supply system of the postal service together with reduced delivery schedule time and streamlined various operational procedures. These are only a few of the constructive features that "Toni" Kieb installed for the benefit of the postal service.

Mr. Kieb deserves the heartfelt thanks of all American citizens for his devotion to duty and he leaves his office operating with far greater efficiency and effectiveness than when he first entered into it. He received from the Postmaster General in 1956 the Distinguished Service Award of the Post Office Department in recognition of his untiring zeal and constructive achievements.

I am glad to append herewith Mr. Kieb's letter of resignation to the President dated December 31, 1958, and the President's reply thereto of January 7, 1959. I include also an editorial dated January 10, 1959, from the Newark Evening News entitled "Public Service":

DECEMBER 31, 1958.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: It is with deep regret that I tender to you my resignation as Assistant Postmaster General to be effective January 31, 1959. It has been a rewarding experience to have completed almost 6-year tour of duty in Government service during your administration as President and under the direction of Postmaster General Arthur E. Summerfield. I now find the time has come when I must return to private business.

It is a comfort and satisfaction that the responsibilities assigned to me have been completely reorganized.

The Real Estate Division through a competent and able staff, using modern real estate techniques, has obtained modern space for the Department at lower average rentals. Over 2,600 new modern buildings have been erected through public bidding by private investors for lease to the Department. Even though paying local real estate taxes to the communities out of the rent, they reflect lower annual costs to the taxpayers than the occupancy costs of postal space in traditional monumental Government-owned buildings. This modernization program is well under way and ready for rapid acceleration when the Congress provides the funds for your program.

The Department's supply system has been completely revamped. It is operating with much improved efficiency and better administrative control.

The Government-owned motor vehicle fleet has been almost completely changed over to standard production-line trucks in the new red, white, and blue color scheme. This, combined with modern fleet operating standards, shows lower initial costs and lower operating costs per mile. The motor vehicle service facilities are adequately equipped and have been fully redesigned with but a few exceptions in Government-owned garage buildings.

Please understand my appreciation for the opportunity to have contributed a small part to the many accomplishments of these years. It is with keen regret that I now write you to terminate my official assignment.

Mrs. Kieb and I shall always be devoted to Mrs. Eisenhower and yourself, as well as to the kind of Government service your able and dedicated leadership have provided for the Nation.

Sincerely yours,

ORMONDE A. KIEB.

THE WHITE HOUSE,
January 7, 1959.

The Honorable ORMONDE A. KIEB,
Assistant Postmaster General,
Washington, D.C.

DEAR MR. KIEB: I have your letter of December 31, 1958, and regretfully accede to your wishes by accepting your resignation to be effective January 31, 1959. I am aware of the splendid service you have rendered to the Post Office Department since you first assumed your duties in 1953. You have certainly earned the appreciation of your coworkers in Government and the people of the United States for your contribution to the work of the administration.

As you leave Government service to return to private life, you take with you my best wishes for your future health and happiness.

Sincerely,

DWIGHT D. EISENHOWER.

[From the Newark Evening News, Jan. 10, 1959]

PUBLIC SERVICE

Career men in Government are inclined to be disdainful of the businessman who enters public service. The practice of bureaucracy is supposed to be full of things he just doesn't understand.

The businessman in Government does have his limitations, but on the whole he has been more effective than the professionals will admit and has been able to show them that Government has something to learn from business.

The Eisenhower administration has drawn heavily on business in filling key posts requiring a knowledge of accounting and finance, personnel policies, purchasing and managerial techniques. Most conspicuous among them are Secretary of Labor Mitchell of Elizabeth and C. Douglas Dillon of Far Hills, Under Secretary of State for Economic Affairs.

Ormonde A. Kieb, Newark realtor, has just resigned after serving 5 years as Assistant Postmaster General. As chief of his Department's Bureau of Facilities, Mr. Kieb's long experience in real estate was of much use to the Government. Among other achievements, his leasing policies produced a substantial reduction in the average rent the Government is paying for post offices.

He returns to private life with the President's thanks for splendid service, a commendation which has been well earned.

A Ukrainian Anniversary

EXTENSION OF REMARKS
OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 22, 1959

Mr. MULTER. Mr. Speaker, January 22, 1959, marks the 41st anniversary of Ukrainian independence.

There is an irony of history here. The Ukrainian people have not known liberty since they were mercilessly incorporated into the Russian Empire in 1920. Their long-sought freedom from the yoke of Russian domination lasted but 2 years, from 1918 to 1920.

Today it is only fitting that we salute this brave and valiant nation that ceaselessly retains the desire to be free. The Ukrainian people are proud, individualistic, and have a tremendous amount of resilience to the present fates of history. Even though they are once again under the hated heel of historic domination, and have been under Soviet domination longer than any other nation now under Kremlin control, there is no shadow of doubt but that the interlude of a 2-year span of freedom immediately after World War I was enough to make the reality of freedom the ultimate national goal.

Since 1920 the Ukraine has been one of the bloodiest battlefields of modern history. The people of this rich agricultural land have died by the hundreds of

thousands. Neither the dead nor the living can celebrate the 41st anniversary of Ukrainian independence. The Iron Curtain, so obvious to the rest of the world, is also within the segments of the Russian Empire.

Thus it is up to us who live in freedom not to let this day pass without recognizing its significance to those brave men and women who make such an event meaningful. I, for one, am happy to be able to give this recognition. To the peoples of the Ukraine and those of Ukrainian descent in this country, I give my respect and my admiration.

The Bipartisan Seminar

EXTENSION OF REMARKS
OF
HON. LEONARD G. WOLF
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 22, 1959

Mr. WOLF. Mr. Speaker, a new institution began this year on Capitol Hill and I, for one, hope that it will grow and become a part of the permanent orientation process for new Congressmen. The purpose of this institution, which is called the Bipartisan Seminar, is to encourage the confidence of new Members by broadening their understanding of the legislative process. The meetings, held at the Coolidge Auditorium of the Library of Congress, were exciting and informative. Answers were given to perplexing problems which many times vex, annoy, and frustrate the freshman Congressman. Insight was given to us from our senior colleagues on the workings and the meanings of the rules by our beloved Parliamentarian, Lewis Deschler; the problems of committee work for junior Congressmen by worthy and distinguished alumni of this body, Senator Engle, of California, and Senator Keating, of New York; the House as a changing institution was brilliantly analyzed and discussed by Senator McCarthy, of Minnesota, Senator Scott, of Pennsylvania, and George Galloway, of the Library of Congress. Particularly informative was the discussion by Congressman Baldwin, of California, Congressman Coffin, of Maine, Congressman Frelinghuysen, of New Jersey, and Congressman Udall, of Arizona. Participating in the opening session was the chief of the Washington bureau of the New York Times, James Reston.

From this list of impressive and brilliant people one is quickly able to ascertain the importance of these meetings. I commend these gentlemen and I thank the bipartisan sponsoring committee: JOHN F. BALDWIN, Republican, of California; FRANK M. COFFIN, Democrat, of Maine; CARL ELLIOTT, Democrat, of Alabama; GERALD R. FORD, JR., Republican, of Michigan; PETER FRELINGHUYSEN, JR., Republican, of New Jersey; JAMES G. FULTON, Republican, of Pennsylvania; MELVIN PRICE, Democrat, of Illinois; and STEWART L. UDALL, Democrat, of Arizona.

I also thank the distinguished foreign policy expert, Dr. Jay Cerf, of the Foreign Policy Clearing House; the distinguished political scientist William Gibbons, formerly associate director of the American Political Science Association and now director of the Foreign Policy Index; and Dr. Paul David, of the Brookings Institution. Mr. Speaker, I thank these men and the organizations they represent for helping to make this seminar a success.

Albert Gallatin

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 22, 1959

Mr. ANFUSO. Mr. Speaker, January 29 of each year marks the anniversary of the birth of Albert Gallatin, brilliant U.S. Secretary of the Treasury under Thomas Jefferson. Gallatin was born on January 29, 1761, in Geneva, Switzerland, the descendant of a family of watchmakers. Already then, as today, Switzerland was the center of a great watch industry which in our own day plays such an important part in United States-Swiss trade relations.

Gallatin came to America in 1780 and threw in his lot with the American patriots. After the establishment of the new U.S. Republic he embarked on a political career in which he served successively as a member of the Pennsylvania State Legislature, Member of the U.S. House of Representatives, U.S. Senator, Secretary of the Treasury, and finally as U.S. Ambassador to Great Britain and later to France.

He devoted his life and work to many worthwhile enterprises, the most important of which were his advocacy of a system of free universal education, reform of Federal tax and budgetary policies, and the promotion of sound trade relations with other nations. He also advocated liberalization of the immigration and naturalization laws.

As we offer our tribute today to Albert Gallatin, we pay our respects to the memory of a great American who laid the basic framework for policies which have helped to bring the United States to a position of preeminence in the marketplaces of the world. The ruling principle of his life was friendly commerce with other nations as an enduring promise of America's peaceful growth, and that principle is still a powerful factor in our continued growth and our leadership of the free world. The expansion of trade and commerce among the free nations is as vital today as it was in Gallatin's day.

Unfortunately, the present administration has shown a strong tendency to yield to the protectionists and those who seek to erect new barriers in our trade relations with the world. Such policy is against the liberal trade traditions of Gallatin. I trust that we shall return to the sound policies advocated by Albert Gallatin.

A Bill To Protect Farmers and Other Persons Who Are Required To Treat Patronage Dividends as Income for Federal Income Tax Purposes by Providing for the Collection of Income Tax at Source on Such Dividends and To Provide Tax Equity

EXTENSION OF REMARKS
OF
HON. THOMAS B. CURTIS
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 22, 1959

Mr. CURTIS of Missouri. Mr. Speaker, I have reintroduced today a bill designed to protect farmers and other persons who are required to treat patronage dividends as income for Federal income tax purposes by providing for the collection of income tax at source on such dividends and to provide tax equity.

My bill provides a method of collecting some tax from cooperatives that I have advocated for several years. I have been particularly interested in it from the standpoint of the cooperative member, particularly the farmer who does not have a great deal of cash at his disposal. It is only through a withholding device like this that he will not have his personal cash position burdened with a taxpayment as the result of a noncash patronage dividend. This bill will, of course, produce revenue for the Treasury Department and will bring about a highly desirable equality of taxation among various types of business, some of which are now suffering quite unduly from the competition of the untaxed cooperatives.

A bill to protect farmers and other persons who are required to treat patronage dividends as income for Federal income tax purposes by providing for the collection of income tax at source on such dividends and to provide tax equity

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits against tax) is hereby amended by adding at the end thereof the following new section:

"SEC. 39. Credit for income tax collected at source on certain patronage dividends.

"(a) IN GENERAL.—The amount withheld under section 7901 as tax on patronage dividends shall be allowed to the recipient of the income as a credit against the tax imposed by this subtitle.

"(b) YEAR OF CREDIT.—The amount so withheld during any calendar year shall be allowed as a credit for the taxable year beginning in such calendar year. If more than one taxable year begins in a calendar year, such amount shall be allowed as a credit for the last taxable year so beginning."

(b) The table of sections for such part IV is hereby amended by adding at the end thereof the following:

"Sec. 39. Credit for income tax collected at source on certain patronage dividends."

SEC. 2. (a) Subtitle F of the Internal Revenue Code of 1954 is hereby amended by adding at the end thereof the following new chapter:

"CHAPTER 81—COLLECTION OF INCOME TAX AT SOURCE ON CERTAIN PATRONAGE DIVIDENDS

"Sec. 7901. Income tax collected at source.

"Sec. 7902. Patronage dividend defined.

"SEC. 7901. Income tax collected at source.

"The Secretary or his delegate shall by regulations provide for the deduction and withholding on patronage dividends of a tax equal to 20 percent of the amount of each patronage dividend (as defined in section 274 and subject to the limitation in amount contained therein) paid in a form other than coin, currency or check dated and payable no later than the date of delivery thereof, and paid after September 30, 1956."

(b) The table of chapters for subtitle F is hereby amended by adding at the end thereof the following:

"Chapter 81. Collection of income tax at source of certain patronage dividends"

Deductibility of patronage dividends

SEC. 3. There shall be added to the Internal Revenue Code of 1954 following section 273 a new section to read as follows:

"SEC. 274. Patronage dividends paid by cooperative corporations.

"(a) GENERAL RULE.—No deduction or other reduction of taxable income shall be allowed to cooperative corporations for amounts paid as 'patronage dividends' by such corporations except to the extent such dividends increase the taxable income of the recipient for the taxable year of receipt.

For the purposes of this subsection.

"(1) Such dividends shall be deemed to have been received in the ordinary course of a trade or business carried on by the recipient, and

"(2) No exemption, exclusion, credit or deduction available to the recipient shall be taken into account.

"(b) DEFINITIONS.—

"(1) COOPERATIVE CORPORATION.—For the purposes of this section the term 'cooperative corporation' means a corporation (A) that calls itself a 'cooperative' or 'co-op', or (B) that represents to any persons or classes of persons which deal with it that their patronage will or may entitle them (i) to the payment, either actually or constructively, of patronage dividends, or (ii) to an equity interest in any of the corporations' assets, or (C) that is otherwise operated for the mutual benefit of persons or classes of persons that deal with it; but such term does not include a mutual insurance company or any corporation otherwise exempt under this chapter.

"(2) PATRONAGE DIVIDEND.—For the purposes of this section the term 'patronage dividend' means an allocation or a distribution paid or payable (whether or not in money and whether described as a refund, rebate, price adjustment, or payment of a balance due under a marketing agreement) to member patrons or to member and nonmember patrons on some basis related to their sales to, purchases from, deposits with, investments in, loans from, or other transactions with the corporation during the taxable year, if (A) the allocation or distribution is conditional (i) upon profits or margins being earned by the corporation from all its operations or a class of its operations during its fiscal year, or (ii) upon income attributable to the resale of the producer's product along with products or a class or classes of products of some other producers less any deductions, determination of which is within the discretion of the corporation, or (B) the amount of the allocation or distribution can be determined only with reference to the amount of the profits, margins, or income earned, or (C) the amount of the allocation or distribution can be determined only after declaration or payment of dividends on any class of stock of the corporation or only after the fixing of sums to be transferred to capital, reserves, or surplus."

Taxation of farmers' cooperatives

SEC. 4. Section 522 (b)(1) of the Internal Revenue Code of 1954 shall be amended to read as follows:

"(b) COMPUTATION OF TAXABLE INCOME.—

"(1) GENERAL RULE.—In computing the taxable income of such an organization there shall be allowed, subject to the limitations provided in section 274, as deductions from gross income (in addition to other deductions allowable under this chapter)—

"(A) amounts paid as dividends during the taxable year on its capital stock, and

"(B) amounts allocated during the taxable year to patrons with respect to its income not derived from patronage (whether or not such income was derived during such taxable year) whether paid in cash, merchandise, capital stock, revolving fund certificates, retain certificates, certificates of indebtedness, letters of advice, or in some other manner that discloses to each patron the dollar amount allocated to him. Allocations made after the close of the taxable year and on or before the 15th day of the 9th month following the close of such year shall be considered as made on the last day of such taxable year to the extent the allocations are attributable to income derived before the close of such year."

SENATE

FRIDAY, JANUARY 23, 1959

Msgr. Nicholas Babak, vice president of St. Basil's College, Stamford, Conn., offered the following prayer:

In the name of the Father, and of the Son, and of the Holy Ghost.

Heavenly Father, we humbly thank Thee for the many blessings which Thou hast lavished upon our land and its people. Guide us in Thy mercy, and extend Thy blessings and grace to all. Protect us from war; strengthen the peace; and enlighten our minds.

May the men who guide us remain fearless in the eyes of those who seek to confound us. Grant that they may never be swayed by those who seek to betray us. Give them the strength for leadership in Thy name, to renew hope for a world of justice, for a world of lasting peace for all.

May the Ukrainian people, the first victims of atheistic and communistic imperialism which seeks to engulf the entire world, know that we at last have heard their cry for freedom. Grant, O Lord, that they may soon regain their independence, so hard won—and lost—41 years ago.

Preserve us, O Lord, in our devotion to Thee. Bless and keep, in health and strength, the President and all the other members of our Government. Through Thy divine guidance make them the instruments in securing justice and freedom as Thou didst will it for all Thy children. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, January 21, 1959, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, notified the Senate that, pursuant to the provisions of section 401(a), Public Law 414, 82d Congress, the Speaker had appointed Mr. CELLER, of New York; Mr. WALTER, of Pennsylvania; Mr. FEIGHAN, of Ohio; Mr. MCCULLOCH, of Ohio; and Mr. MOORE, of West Virginia, as members of the Joint Committee on Immigration and Nationality Policy on the part of the House.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary was authorized to meet today during the session of the Senate.

AUTHORIZATION TO COMMITTEE ON APPROPRIATIONS TO MEET DURING SESSIONS OF THE SENATE

Mr. HAYDEN. Mr. President, on behalf of the Committee on Appropriations, I ask unanimous consent that that committee be authorized to meet during the sessions of the Senate for the remainder of the present session of Congress.

The VICE PRESIDENT. Without objection, it is so ordered.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour for the introduction of bills and the transaction of other routine business. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF RURAL ELECTRIFICATION ADMINISTRATION

A letter from the Secretary of Agriculture, transmitting, pursuant to law, a report of the Rural Electrification Administration, for the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORTS ON REAPPORTIONMENT OF APPROPRIATIONS

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that various appropriations to the departments and agencies, for fiscal year 1959, had been apportioned on a basis which indicates the necessity for supplemental estimates of appropriation for increased pay costs; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Veterans' Administration for "Inpatient care," for the fiscal year 1959, had been apportioned on a basis indicating a need for a supplemental estimate of appropriation; to the Committee on Appropriations.

EXTENSION OF LOANS OF NAVAL VESSELS TO ITALY AND TURKEY

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to authorize the extension of loans of naval vessels to the Governments of Italy and Turkey (with an accompanying paper); to the Committee on Armed Services.

REPEAL OF CERTAIN MINIMUM STRENGTH REQUIREMENTS FOR ARMY RESERVE AND ARMY NATIONAL GUARD

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to amend the Department of Defense Appropriation Act, 1959, to repeal certain minimum strength requirements for the Army Reserve and the Army National Guard (with an accompanying paper); to the Committee on Armed Services.

CONSTRUCTION OF MODERN NAVAL VESSELS

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to authorize the construction of modern naval vessels (with an accompanying paper); to the Committee on Armed Services.

ADJUSTMENTS IN ACCOUNTS OF OUTSTANDING OLD SERIES CURRENCY

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to authorize adjustments in accounts of outstanding old series currency, and for other purposes (with accompanying papers); to the Committee on Banking and Currency.

AMENDMENT OF LAWS RELATING TO HOUSING

A letter from the Acting Administrator, Housing and Home Finance Agency, Washington, D.C., transmitting a draft of proposed legislation to extend and amend laws relating to the provision and improvement of housing and the conservation and development of urban communities, and for other purposes (with accompanying papers); to the Committee on Banking and Currency.

AMENDMENT OF ACT RELATING TO PLACING CHILDREN IN FAMILY HOMES

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An act to regulate the placing of children in family homes, and for other purposes," approved April 22, 1944, as amended, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

AMENDMENT OF ACT RELATING TO THE BOARD FOR THE CONDEMNATION OF INSANITARY BUILDINGS IN THE DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes," approved May 1, 1906, as amended (with an accompanying paper); to the Committee on the District of Columbia.

EXTENSION OF CORPORATE NORMAL TAX RATE AND CERTAIN EXCISE TAX RATES

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to provide a 1-year extension of the existing corporate normal tax rate and of certain excise tax rates (with an accompanying paper); to the Committee on Finance.

REPORT OF U.S. ADVISORY COMMISSION ON EDUCATIONAL EXCHANGE

A letter from the Chairman, the U.S. Advisory Commission on Educational Exchange, Department of State, transmitting, pursuant to law, a report of that Commission, for the period July 1–December 31, 1958 (with an accompanying report); to the Committee on Foreign Relations.

REPORT ON DISPOSAL OF FOREIGN EXCESS PROPERTY, VETERANS' ADMINISTRATION

A letter from the Administrator, Veterans' Administration, Washington, D.C., transmitting, pursuant to law, a report of that Administration on its activities in the disposal of foreign excess property, covering the period January 1, 1958, through December 31, 1958 (with an accompanying report); to the Committee on Government Operations.

REPORT OF U.S. GENERAL ACCOUNTING OFFICE

A letter from the Comptroller General of the United States, transmitting, pursuant to law, his report on the activities of the U.S. General Accounting Office, during the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON FEDERAL HOME LOAN BANK BOARD

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Federal Home Loan Bank Board, for the fiscal year 1958 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON GOVERNMENT PRINTING OFFICE

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Government Printing Office, for the fiscal year 1958 (with an accompanying report); to the Committee on Government Operations.

REPORT ON EXAMINATION OF U.S. ARMY SIGNAL SUPPLY CENTER, YOKOHAMA, JAPAN

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of the U.S. Army Signal Supply Center, Yokohama, Japan, dated January 1959 (with an accompanying report); to the Committee on Government Operations.

REPORT ON EXAMINATION OF CONTRACT NEGOTIATED WITH MCDONNELL AIRCRAFT CORP., ST. LOUIS, MO.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of the Department of the Navy contract NOas 53–204, and lease agreement NOy(R)–60218, negotiated with the McDonnell Aircraft Corp., of St. Louis, Mo., dated January 1959 (with an accompanying report); to the Committee on Government Operations.

RECEIPT AND DISBURSEMENT OF CERTAIN FUNDS

A letter from the Public Printer, Washington, D.C., transmitting a draft of proposed legislation to provide for the receipt and disbursement of funds, and for continuation of accounts when there is a vacancy in the office of the disbursing officer for the Government Printing Office, and for other purposes (with an accompanying paper); to the Committee on Government Operations.

REPORT ON DISPOSAL OF FOREIGN EXCESS PROPERTY, ATOMIC ENERGY COMMISSION

A letter from the General Manager, Atomic Energy Commission, Washington, D.C., reporting, pursuant to law, on the disposal of foreign excess property by that Commission, during fiscal year 1958; to the Committee on Government Operations.

REPORT PRIOR TO RESTORATION OF BALANCE, COMMISSION ON CIVIL RIGHTS

A letter from the Staff Director, Commission on Civil Rights, Washington, D.C., transmitting, pursuant to law, a report prior to restoration of balances, as of November 30, 1958 (with an accompanying report); to the Committee on Government Operations.

INTERIM REPORT ON LEXINGTON-CONCORD BATTLE ROAD

A letter from the Secretary of the Interior, transmitting, pursuant to law, on behalf of the Boston National Historic Sites Commission, an interim report on the Lexington-Concord Battle Road, situated in the towns of Lexington, Lincoln, and Concord, Mass. (with an accompanying report); to the Committee on Interior and Insular Affairs.

ADMINISTRATION OF CERTAIN LANDS IN STATE OF OREGON

A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to direct the Secretary of the Interior to administer certain acquired lands as revested Oregon and California railroad grant lands (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REPORT OF RECEIPT OF PROJECT PROPOSAL UNDER SMALL RECLAMATION PROJECTS ACT OF 1956

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, that the Pleasant Valley County Water District of Ventura County, Calif., had applied for a loan of $2,040,000 for project works estimated to cost $2,173,790; to the Committee on Interior and Insular Affairs.

REPORT ON RECEIPTS AND EXPENDITURES UNDER OUTER CONTINENTAL SHELF LANDS ACT

A letter from the Administrative Assistant Secretary of the Interior, reporting, pursuant to law, on receipts and expenditures by that Department under the Outer Continental Shelf Lands Act, for the fiscal year 1958; to the Committee on Interior and Insular Affairs.

AMENDMENT OF FEDERAL AIRPORT ACT, RELATING TO EXTENSION OF TIME FOR MAKING CERTAIN GRANTS

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Airport Act to extend the time for making grants for the construction of urgent airport projects essential to an adequate national aviation facilities system (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

AMENDMENT OF SECTION 3238, TITLE 18, UNITED STATES CODE

A letter from the Attorney General, transmitting a draft of proposed legislation to amend section 3238 of title 18, United States Code (with an accompanying paper); to the Committee on the Judiciary.

PURCHASE OF FEDERAL CORRECTIONAL INSTITUTION AT SANDSTONE, MINN., BY STATE OF MINNESOTA

A letter from the Attorney General, reporting, pursuant to law, that Gov. Orville L. Freeman, on behalf of the State of Minnesota, had submitted a proposal to purchase the Federal Correctional Institution at Sandstone, Minn., together with his recommendation that the proposal be declined; to the Committee on the Judiciary.

AMENDMENT OF SECTION 2412(B), TITLE 28, UNITED STATES CODE, RELATING TO TAXATION OF COSTS

A letter from the Attorney General, transmitting a draft of proposed legislation to amend section 2412(b), title 28, United States Code, with respect to the taxation of costs (with an accompanying paper); to the Committee on the Judiciary.

STENOGRAPHIC RECORD IN CONNECTION WITH CERTAIN CRIMINAL CASES

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation relating to the transcribing of the stenographic record of pleas and proceedings in connection with the imposition of sentence in criminal cases (with an accompanying paper); to the Committee on the Judiciary.

STANDARDS OF QUALIFICATIONS FOR PROBATION OFFICERS

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to authorize the Judicial Conference of the United States to promulgate minimum standards of qualifications for probation officers (with an accompanying paper); to the Committee on the Judiciary.

INCREASE OF FEES OF JURY COMMISSIONERS IN U.S. DISTRICT COURTS

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to increase the fees of jury commissioners in the U.S. district courts (with an accompanying paper); to the Committee on the Judiciary.

JURY COMMISSION FOR EACH U.S. DISTRICT COURT

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to provide for a jury commission for each U.S. district court, to regulate its compensation, to prescribe its duties, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

REPORT ON TORT CLAIMS PAID BY GOVERNMENT PRINTING OFFICE

A letter from the Director, Administrative ington, D.C., reporting, pursuant to law, on tort claims paid by the U.S. Government Printing Office, during the fiscal year 1958; to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Four letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Legislature of the State of Nebraska; to the Committee on Interior and Insular Affairs:

"LEGISLATIVE RESOLUTION 5

"Whereas the Territory of Hawaii is vital to the defense of the United States; and

"Whereas said Territory has greatly contributed to the economic and cultural life of the United States; and

"Whereas the people of said Territory have demonstrated their maturity, responsibility, and willingness to accept in full, and ability to discharge, the responsibilities that accompany citizenship in one of the States of the United States; and

"Whereas not only principles of fairness, but also considerations of mutual benefit to said Territory and the States of the United States demand that said Territory be granted immediate statehood: Now, therefore, be it

"Resolved by the members of the Nebraska Legislature in 69th session assembled—

"1. That the Members of Congress are hereby memorialized to grant immediate statehood to the Territory of Hawaii;

"2. That copies of this resolution be transmitted by the clerk of the legislature to the Vice President of the United States as President of the Senate of the United States, to the Speaker of the House of Representatives of the United States, to each Member from Nebraska in the Senate of the United States and in the House of Representatives of the United States.

"DWIGHT W. BURNEY,
"President of the Legislature.
"HUGO F. SRB,
"Clerk of the Legislature."

Resolutions adopted by the executive committee of the Newark, N.J., Archidocesan Federation of Holy Name Societies, relating to the recognition of Red China and Hungary by the United Nations; to the Committee on Foreign Relations.

A resolution adopted by the Federation of Sewage and Industrial Wastes Associations, at Detroit, Mich., endorsing the principles of the Federal Water Pollution Control Act, and the cooperative local-State-Federal program that act supports; to the Committee on Public Works.

PETITION

The VICE PRESIDENT. On July 24, 1958, the Chair laid before the Senate a petition of George W. E. Spratt, of Ramsey, N.J., favoring an investigation of the authority exercised by the Interstate Commerce Commission over common carriers, which was referred to the Committee on Interstate and Foreign Commerce. The petition, under the rules, was returned at the close of the 85th Congress to the Secretary of the Senate and placed in the files. On request of Mr. Spratt, the Chair again lays it before the Senate and refers it to the same committee.

RESOLUTIONS OF WYOMING STATE RURAL ELECTRIFICATION ASSOCIATION

Mr. McGEE. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD six resolutions unanimously adopted by the Wyoming State Rural Electric Association and ask that they be referred to the appropriate committee for consideration.

There being no objection, the resolutions were referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

RESOLUTIONS, WYOMING STATE RURAL ELECTRIC ASSOCIATION

RESOLUTION 1

Whereas the present accounting and budet system is very unfair in respect to multipurpose hydroelectric projects inasmuch as the cost is set up as an expenditure and it so appears in the annual budget: Now, therefore, be it

Resolved, That the Wyoming State REA Association favor passage in the 86th Congress of a bill that would distinguish between expenditures and investments, so that the American people may be presented with the facts concerning Federal investment in the Federal power program.

RESOLUTION 2

Whereas the cost allocation on several hydroelectric projects has been changed several times during the period of construction, always adjusting the percentage of cost allocated to power upward: Now, therefore, be it

Resolved, That the Wyoming State REA Association urge the early passage in the 86th Congress a bill identical to, or very similar to the Trimble bill.

RESOLUTION 3

Whereas in June 1957, the Secretary of Agriculture did reorganize REA by requiring that all loans of $500,000 or more, and all loans of whatever amount, to new borrowers be reviewed by the office of the Secretary of Agriculture; and

Whereas the Secretary of Agriculture supported a bill in Congress to increase interest rates: Now, therefore, be it

Resolved, That as soon as the 86th Congress convenes, that a bill identical to the Humphrey-Price bill, as amended by the House subcommittee, which would restore to the REA Administrator all of the functions and authority vested in him by the original REA Act of 1936, be introduced and passed.

RESOLUTION 4

Whereas the U.S. Bureau of Reclamation has begun construction of units of the upper Colorado storage project; and

Whereas the Authorization Act for such storage project includes high-voltage electric transmission lines from storage unit switchyards to substations at major load centers and a backbone transmission grid to interconnect the powerplants of the project and other Federal powerplants and utility systems of the area; and

Whereas preference users of power in the State of Wyoming, which is one of the States in the upper basin will be entitled to be able to purchase and use large quantities of firm power and energy from the upper Colorado storage project when it becomes available: Now, therefore, be it

Resolved by the Wyoming State Rural Electric Association, That this association be on record in favor of congressional appropriations for the orderly but rapid construction of such authorized transmission system for the upper Colorado storage project, including a high-voltage line extending from Flaming Gorge dam and powerplant into Wyoming to connect with the existing Federal transmission grid at Sinclair, Wyo.

RESOLUTION 7

Whereas the proposed legislation to increase the interest rates on REA loans is not

in the best interest of our rural electric cooperatives: Now, therefore, be it

Resolved, That the Wyoming REA oppose any proposed legislation or action designed to, or likely to increase the cost of loan funds to Rural Electric Cooperatives of Wyoming.

RESOLUTION 8

Whereas the Yellowtail dam and powerplant, authorized by Congress as a unit of the Missouri River Basin project will be of great benefit to the reclamation program; and

Whereas electric power users will need and are willing to purchase the power to be produced at Yellowtail: Now, therefore, be it

Resolved by the Wyoming State Rural Electric Association, That this Association be on record in favor of congressional appropriations for the orderly but rapid construction of the Yellowtail Dam powerplant, and such electric transmission system as may be required.

RESOLUTIONS OF ORGANIZATIONS OF THE STATE OF NEW YORK

Mr. JAVITS. Mr. President, I present, for appropriate reference, three resolutions adopted by organizations of the State of New York. I ask unanimous consent that the resolutions may be printed in the RECORD.

The VICE PRESIDENT. The resolutions will be received and appropriately referred.

The resolutions were received and referred as indicated:

To the Committee on Armed Services:

"Whereas there is located within the bounds of the county of Suffolk, State of New York, numerous so-called defense plants who are solely or to a great extent, engaged in the manufacture of defense items of one form or another; and

"Whereas by virtue of their location, thousands of families have located in our county, depending upon the aforesaid defense plants for their livelihood; and

"Whereas the economy of our county in general and particularly the five western towns of the county, namely, Babylon, Huntington, Smithtown, Islip, and Brookhaven, is to a great extent, dependent upon the steady and continued employment of all employees of all of the plants located in our county; and

"Whereas from time to time and far too frequently, serious layoffs of employees occur at one or more of said defense plants through the cancellation of existing defense contracts, completion of contracts or diversion of contracts to other areas of the United States; and

"Whereas the town board of the town of Brookhaven recognizes the importance of continued full operation of all defense plants within Suffolk County, because of the impact upon an orderly economy, when contracts run out or are canceled, resulting in spontaneous layoffs of large numbers of employees without too much advance notice: Now, therefore, be it

"*Resolved*, That the town board of the town of Brookhaven by the adoption of this resolution, requests that the Defense Department of the U.S. Government or other appropriate agency of the Government, take immediate steps to award sufficient contracts to guarantee full employment to all defense plants in Suffolk County; and be it further

"*Resolved*, that the clerk of this board forthwith forward certified copy of this resolution to the following: U.S. Department of Defense, U.S. Senators Jacob K. Javits and Kenneth B. Keating, Congressman Stuyvesant Wainwright, Gov. Nelson Rockefeller.

"PERCY B. RAYNOR,
"Supervisor.

"PATCHOGUE, N. Y., *January 13, 1959.*"

To the Committee on Finance:

"RESOLUTION OF BLAUVELT REPUBLICAN CLUB, BLAUVELT, N.Y.

"*Resolved*, That because of the inequities in the present tax structure, the Blauvelt Republican Club petition its representatives in the Federal and State Governments to aid and abet legislation to afford relief to the wage earner, to wit:

"Permit the deduction of transportation costs, including commutation, in computing adjusted gross income for tax purposes.

"In adopting this resolution, consideration has been given to the fact that the crowded living conditions of many of our industrial centers have forced workers to seek living quarters in residential areas, remote from their place of business; where transportation expenses must be incurred as a necessary part of earning a living. Precedents have been set by the allowance of union dues, work clothes, and tools as good deductions, ergo it is held that transportation expense necessary for the wage earner to go to and from his place of employment, is of equal importance."

To the Committee on Public Works:

"RESOLUTION ADOPTED BY GRAND COUNCIL OF NEW YORK, INC., ORDER OF UNITED COMMERCIAL TRAVELERS OF AMERICA, ELMIRA, N.Y., JUNE 6, 1958

"FEDERAL-STATE HIGHWAY PROGRAM

"Whereas completion of the Interstate System will bring about a new era in the field of highway transportation, and also create great advantages for all traveling Americans, and especially those who use the highways in earning their living, and as the highway program is in need of additional funds, and is also threatened by raids from governmental and other agencies which if successful could extend the completion date of the highway program and lead to increased taxes being placed on the highway user: Therefore be it

"*Resolved by the the Grand Council of New York, Order of United Commercial Travelers of America*, That Congress hold highway user taxes, now consigned to the Highway Trust Fund, at their present levels.

"Congress reject any attempts to increase the mileage of the Interstate System beyond the 41,000 miles provided for in the 1956 Highway Act.

"Congress obtain the additional moneys needed for the Highway Trust Fund from general funds, since the Interstate System is a vital part of national defense, and helps many others as well, and therefore the highway user should not have to pay for 100 percent of its cost.

"Congress pass the Jones bill, or similar legislation, which deny the use of Federal funds to the States for reimbursement to utility companies for costs of relocating their facilities along public road rights-of-way.

"Congress refuse any agency other than the Bureau of Public Roads the right to obtain moneys from the Federal Highway Trust Fund; be it further

"*Resolved*, That copies of this resolution be sent all Members of the State's congressional delegation, and to the press.

"BURTON C. COSMAN,
EDWIN K. KOHL,
WM. B. WHITE,
"Resolution Committee.

"Yours truly,

"HAROLD C. RASMUS,
"Grand Secretary, United Commercial Travelers of America."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HENNINGS, from the Committee on Rules and Administration, without amendment:

S. Res. 34. Resolution authorizing additional funds for the Official Reporters of the Senate.

COMPENSATION FOR A CERTAIN PERIOD TO EMPLOYEES OF FORMER SENATOR JOHN D. HOBLITZELL, JR.

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 41) to pay compensation for a certain period to employees of former Senator John D. Hoblitzell, Jr., and submitted a report (No. 7) thereon, which resolution was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate is authorized and directed to pay, out of the contingent fund of the Senate, to the administrative and clerical assistants appointed by former Senator John D. Hoblitzell, Jr., of West Virginia, who were carried on the Senate payroll on November 4, 1958, salary for services in his office for the period November 5, 1958, through December 4, 1958, or for so much of that time through December 4, 1958, as they were not otherwise gainfully employed, at their respective rates of salary as of November 4, 1958.

NINTH ANNUAL REPORT OF SELECT COMMITTEE ON SMALL BUSINESS—REPORT OF A COMMITTEE (S. REPT. 6)

Mr. SPARKMAN. Mr. President, from the Select Committee on Small Business, I submit the ninth annual report of that committee, and I should like to make a brief statement thereon.

This is the ninth annual report since the committee was created, and it is the ninth report submitted by a unanimous committee.

I ask that the report be printed.

The VICE PRESIDENT. The report will be received and printed, as requested by the Senator from Alabama.

REVISION AND PRINTING OF SENATE MANUAL FOR USE OF 86TH CONGRESS—REPORT OF A COMMITTEE

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 36) authorizing the revision and printing of the Senate Manual for the use of the 86th Congress, which was placed on the calendar, as follows:

Resolved, That the Committee on Rules and Administration be, and it is hereby, directed to prepare a revised edition of the Senate Rules and Manual for the use of the Eighty-sixth Congress, that said Rules and Manual shall be printed as a Senate document, and that one thousand six hundred and fifty additional copies shall be printed and bound, of which one thousand copies shall be for the Senate, two hundred copies shall be for the use of the Committee on Rules and Administration, and the remaining four hundred and fifty copies shall be bound in full morocco, tagged as to contents, and delivered as may be directed by the committee.

PRINTING OF 60TH ANNUAL REPORT OF NATIONAL SOCIETY OF DAUGHTERS OF AMERICAN REVOLUTION

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 37) to print the 60th annual report of the Na-

tional Society of the Daughters of the American Revolution for the year ended April 1, 1957, as a Senate document, which was placed on the calendar, as follows:

Resolved, That the 60th annual report of the National Society of the Daughters of the American Revolution for the year ended April 1, 1957, be printed, with an illustration, as a Senate document.

LAURA LECETA SADLER

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 38) to pay a gratuity to Laura Leceta Sadler, which was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Laura Leceta Sadler, widow of Harry W. Sadler, an employee of the Senate at the time of death, a sum equal to seven and one-half months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

LUCY DODSON

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 39) to pay a gratuity to Lucy Dodson, which was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Miss Lucy Dodson, daughter of Rosell W. Dodson, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

VIRGINIA T. MEADOR

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 40) to pay a gratuity to Virginia T. Meador, which was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Virginia T. Meador, widow of P. G. Meador, an employee of the Senate at the time of his death, a sum equal to two months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

STUDY OF MATTERS PERTAINING TO INTERNATIONAL ACTIVITIES OF EXECUTIVE BRANCH

Mr. HUMPHREY, from the Committee on Government Operations, reported an original resolution (S. Res. 42) authorizing the Committee on Government Operations to make a complete study of all matters pertaining to international activities of the executive branch, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That for the purpose of continuing the study provided for in S. Res. 347, Eighty-fifth Congress, agreed to August 18, 1958, the Committee on Government Operations, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the international activities of Federal executive branch departments and agencies relative to worldwide health matters, and of any and all matters pertaining to intergovernmental relations between the United States and international organizations of which the United States is a member, as provided for in rule XXV(1)(g)(2)(B) and (D) of said Standing Rules of the Senate, and of any and all matters pertaining to international health research, rehabilitation, and assistance programs, including but not limited to (1) the general level of authorization of funds for the future to enable the programs efficiently to achieve their purposes, including the use of United States appropriations and foreign currencies generated by American aid and sales of farm surpluses; and (2) the coordination of programs related to international health, on the part of interested United States Government agencies, including but not limited to, the programs of the Department of State, the International Cooperation Administration, the United States Information Agency, the Department of Health, Education, and Welfare, the Atomic Energy Commission, the Veterans' Administration, and the National Science Foundation, in appropriate cooperation with nongovernmental organizations.

SEC. 2. For the purposes of this resolution the committee, from date of approval to January 31, 1960, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings under this resolution and S. Res. 347, Eighty-fifth Congress, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $55,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF ADMINISTRATION OF ALL BRANCHES OF GOVERNMENT BY COMMITTEE ON GOVERNMENT OPERATIONS

Mr. McCLELLAN, from the Committee on Government Operations, reported an original resolution (S. Res. 43) authorizing the Committee on Government Operations to investigate the administration of all branches of the Government, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946 and in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Government Operations, or any subcommittee thereof is authorized from February 1, 1959, through January 31, 1960, to make investigations into the efficiency and economy of operations of all branches of the Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corrupt or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds, in transactions, contracts and activities of the Government or of Government officials and employees; and any and all such improper practices between Government personnel, and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government; and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public: *Provided,* In carrying out the duties herein set forth, the inquiries of this committee shall not be deemed limited to the records, functions, and operations of the particular branch of the Government under inquiry, and may extend to the records and activities of persons, corporations, or other entities dealing with or affecting that particular branch of the Government; (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis such technical, clerical, and other assistants and consultants as it deems advisable: *Provided further,* That the minority is authorized to select one person for appointment and the person selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the head of the department or agency concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 2. The expenses of the committee under this resolution, which shall not exceed $220,000, shall be paid from the contingent fund of the Senate by vouchers approved by the chairman of the committee.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KUCHEL (for himself and Mr. ENGLE):

S. 623. A bill to exempt the production of durum wheat in the Tulelake area, Modoc and Siskiyou Counties, Calif., from the acreage allotment and marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture and Forestry.

By Mr. DIRKSEN:

S. 624. A bill for the relief of Girolamo Naselli; to the Committee on the Judiciary.

By Mr. DIRKSEN (by request):

S. 625. A bill for the relief of Sophie Stankus, also known as Sister Saint Ignace; and

S. 626. A bill for the relief of Maria Wolfram; to the Committee on the Judiciary.

By Mr. CHAVEZ:

S. 627. A bill for the relief of Hong Ah Tak; to the Committee on the Judiciary.

By Mr. KEATING:

S. 628. A bill for the relief of the Rochester Iron & Metal Co.:

S. 629. A bill for the relief of Mitsuo Horiguchi; and

S. 630. A bill for the relief of Elias Michael Kaimakliotis; to the Committee on the Judiciary.

By Mr. WILEY (by request):

S. 631. A bill to authorize assistance to States for the financial support of public elementary and secondary schools; to the Committee on Labor and Public Welfare.

By Mr. HOLLAND:

S. 632. A bill to amend the National Labor Relations Act so as to provide that nothing therein shall invalidate the provisions of State laws prohibiting strikes in public utilities; to the Committee on Labor and Public Welfare.

By Mr. CLARK:

S. 633. A bill for the relief of Yasuko Kitano; and

S. 634. A bill for the relief of Grace C. Ream; to the Committee on the Judiciary.

By Mr. CASE of South Dakota:

S. 635. A bill to authorize the partition or sale of inherited interests in allotted Indian lands in South Dakota, to provide for an interim trust patent, and for other purposes; and

S. 636. A bill to amend section 1 of the act of April 16, 1934, as amended by the act of June 4, 1936 (49 Stat. 1458), entitled "An act authorizing the Secretary of the Interior to arrange with States or Territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes"; to the Committee on Interior and Insular Affairs.

S. 637. A bill to amend the Internal Revenue Code of 1954 so as to exclude from gross income a portion of the gain realized upon the condemnation of business property of an individual who has attained the age of 60 and is retiring from the conduct of any trade or business; and

S. 638. A bill to amend section 203 of the Social Security Act to increase the amount of earnings individuals are permitted to earn without suffering deductions from their benefits; to the Committee on Finance.

By Mr. MORSE:

S. 639. A bill to provide for the construction by the Secretary of the Interior of the Bully Creek Dam and other facilities, Vale Federal reclamation project, Oregon; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE:

S. 640. A bill for the relief of Annibali Pellegrini; to the Committee on the Judiciary.

By Mr. BIBLE (for himself and Mr. CANNON):

S. 641. A bill to amend the hospital survey and construction provisions of the Public Health Service Act with respect to transfer of unused allotments; to the Committee on Labor and Public Welfare.

By Mr. KEATING (for himself and Mr. JAVITS):

S. 642. A bill to amend title 23 of the United States Code, relating to highways, in order to permit States having toll and free roads, bridges, and tunnels designated as part of the National System of Interstate and Defense Highways to designate other routes for inclusion in the Interstate System; to the Committee on Public Works.

By Mr. BIBLE (by request):

S. 643. A bill to amend the act entitled "An act relating to the levying and collecting of taxes and assessments, and for other purposes," approved June 25, 1938;

S. 644. A bill to amend the act entitled "An act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes," approved February 4, 1925;

S. 645. A bill to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes," approved March 1, 1899, as amended;

S. 646. A bill to make the act approved March 3, 1899 (30 Stat. 1045, 1057, ch. 422), providing for the appointment of special policemen by the Commissioners of the District of Columbia, applicable to Government departments and agencies; and

S. 647. A bill to amend the act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto," approved June 6, 1892, as amended; to the Committee on the District of Columbia.

By Mr. HILL:

S. 648. A bill to promote the welfare of the people by authorizing the appropriation of funds to assist the States and Territories in the further development of their programs of general university extension education; to the Committee on Labor and Public Welfare.

By Mr. EASTLAND:

S. 649. A bill to direct the Secretary of the Interior to issue a patent to certain land situated in the State of Mississippi to Cyrus Hugh Covington and Mrs. Mildred Covington; to the Committee on Interior and Insular Affairs.

By Mr. MAGNUSON:

S. 650. A bill to provide for a preliminary examination and survey for the purpose of determining the advisability and cost of constructing an inland ship canal between the cities of Seattle and Tacoma in the State of Washington; to the Committee on Public Works.

By Mr. JOHNSTON of South Carolina:

S. 651. A bill to provide for the nutritional enrichment and sanitary packaging of cornmeal, grits, white rice, and white flour distributed by the Federal Government under the National School Lunch Act; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. JOHNSTON of South Carolina when he introduced the above bill, which appear under a separate heading.)

By Mr. JOHNSTON of South Carolina (by request):

S. 652. A bill to authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes; and

S. 653. A bill to credit to postal revenues commissions on pay telephones located in postal facilities and other items of revenues which otherwise would be required to be deposited by the Post Office Department in miscellaneous receipts of the Treasury, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HUMPHREY:

S. 654. A bill for the relief of Roy Woo Shin; to the Committee on the Judiciary.

By Mr. JAVITS (for himself and Mr. KEATING):

S. 655. A bill to authorize the allowance of certain interest payments by the Housing and Home Finance Agency; to the Committee on Banking and Currency.

S. 656. A bill to extend the unemployment compensation program to Puerto Rico, and for other purposes; to the Committee on Finance.

S. 657. A bill to authorize the conveyance to the city of New York of certain lands located in said city for park and recreational purposes; to the Committee on Government Operations.

S. 658. A bill to establish a code of ethics for the executive and legislative branches of the Government; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. JAVITS when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. BIBLE (by request):

S. 659. A bill to provide for the District of Columbia an appointed Governor and secretary, and an elected legislative assembly and nonvoting Delegate to the House of Representatives, and for other purposes; and

S. 660. A bill to amend the District of Columbia Business Corporation Act; to the Committee on the District of Columbia.

By Mr. O'MAHONEY (for himself and Mr. MCGEE):

S. 661. A bill to repeal the laws relating to the Naval Petroleum Reserves and to provide for the administration of the lands in such reserves by the Secretary of the Interior under the provisions of the Mineral Leasing Act of 1920; to the Committee on Armed Services.

(See the remarks of Mr. O'MAHONEY when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY (for himself, Mr. SYMINGTON, Mr. KERR, Mr. MURRAY, Mr. KEFAUVER, Mr. MORSE, Mr. MCCARTHY, Mr. PROXMIRE, Mr. NEUBERGER, and Mr. JOHNSTON of South Carolina):

S. 662. A bill to amend section 8(b) of the Soil Conservation and Domestic Allotment Act as amended, to provide for administration of farm programs by democratically elected farmer committeemen; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia (for himself and Mr. RANDOLPH):

S. 663. A bill to authorize the Secretary of Agriculture to acquire additional food commoddities for distribution to needy persons; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. BYRD of West Virginia when he introduced the above bill, which appear under a separate heading.)

By Mr. LANGER:

S. 664. A bill to amend the Trading With the Enemy Act, as amended; to the Committee on the Judiciary.

By Mr. KEFAUVER:

S. 665. A bill for the relief of Francis Joseph Chen, Juifank Kuang Chen, Francis David Chen, Victor John Chen, and Benjamin Ray Chen;

S. 666. A bill for the relief of Harry B. Girdley;

S. 667. A bill for the relief of Pauline D. Kimbrough; and

S. 668. A bill for the relief of Eleni Tseliou; to the Committee on the Judiciary.

S. 669. A bill to authorize the Secretary of Agriculture to convey certain lands to the Bethel Baptist Church of Henderson, Tenn.; to the Committee on Agriculture and Forestry.

By Mrs. SMITH:

S. 670. A bill to amend the act of August 3, 1956, relating to the payment of annuities to widows of judges; to the Committee on the Judiciary.

By Mr. JAVITS (for himself and Mr. KEATING):

S. 671. A bill to amend the Administrative Procedure Act to provide for the disclosure of certain communications received by Government agencies from Members of Congress with respect to adjudicatory matters, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. JOHNSTON of South Carolina:

S. 672. A bill to amend the War Claims Act of 1948, as amended, and the Trading With the Enemy Act, as amended, and to provide for the payment of certain American war damage claims and for the return of vested assets or the value thereof; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S. 673. A bill for the relief of Stamatis Zeris; to the Committee on the Judiciary.

By Mr. MAGNUSON (for himself and Mr. SCHOEPPEL):

S. 674. A bill to amend the Federal Airport Act to extend the time for making grants

for the construction of urgent airport projects essential to an adequate national aviation facilities system; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON and Mr. SCHOEPPEL when the above bill was introduced, which appear under a separate heading.)

By Mr. BIBLE:

S. 675. A bill to regulate the practice of physical therapy by registered physical therapists in the District of Columbia; to the Committee on the District of Columbia.

By Mr. HUMPHREY (for himself, Mr. MCCLELLAN, and Mr. ERVIN):

S. 676. A bill to create a Department of Science and Technology, and to transfer certain agencies and functions to such Department; to the Committee on Government Operations.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY:

S. 677. A bill for the relief of Yu Tseng Hsi; to the Committee on the Judiciary.

By Mr. CHAVEZ:

S. 678. A bill to provide for the conveyance of certain mineral rights to Mrs. Daisy C. Bedwell, of Yucaipa, Calif.; to the Committee on Interior and Insular Affairs.

By Mr. ALLOTT (for himself, Mr. MUNDT, Mr. CURTIS, Mr. CASE of South Dakota, and Mr. CHAVEZ):

S.J. Res. 26. Joint resolution to direct the Federal Communications Commission to authorize for a certain period the operation of VHF television booster stations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. ALLOTT when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. PROXMIRE:

S.J. Res. 27. Joint resolution requesting the President to proclaim October 9, as Leif Erickson Day; to the Committee on the Judiciary.

(See the remarks of Mr. PROXMIRE when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. JOHNSTON of South Carolina:

S.J. Res. 28. Joint resolution to establish a commission to study and make recommendations for the prevention of claims against the United States or the citizens thereof and for the security and protection of American foreign investments; to the Committee on the Judiciary.

(See the remarks of Mr. JOHNSTON of South Carolina when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. BRIDGES (for himself and Mr. COTTON):

S.J. Res. 29. Joint resolution proposing an amendment to the Constitution of the United States, prohibiting taxation by States of nonresidents; to the Committee on the Judiciary.

By Mr. JAVITS (for himself and Mr. KEATING):

S.J. Res. 30. Joint resolution to establish a Commission on Ethics in the Federal Government to study and develop necessary legislation as to conflicts of interest, including a code of ethics applicable to Members, officers, and employees of Congress and to officers and employees of the executive branch of Government; to the Committee on Labor and Public Welfare.

S.J. Res. 31. Joint resolution to recognize Samuel Wilson of Troy, N.Y., as the progenitor of America's national symbol, "Uncle Sam"; to the Committee on Rules and Administration.

(See the remarks of Mr. JAVITS when he introduced the first above-mentioned joint resolution, which appear under a separate heading.)

OPERATION OF VHF TELEVISION BOOSTER OR REPEATER STATIONS UNDER CERTAIN CONDITIONS

Mr. CARROLL. Mr. President, on behalf of myself, and Senators CANNON, CASE of South Dakota, CHURCH, JACKSON, MCGEE, MOSS, O'MAHONEY, MANSFIELD, MURRAY, and LANGER, I submit a concurrent resolution, and ask for its appropriate reference. I ask unanimous consent that the concurrent resolution lie on the desk for 5 calendar days so that other Members who may desire to cosponsor the same may affix their names to the resolution.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will lie on the desk for 5 calendar days.

The concurrent resolution (S. Con. Res. 4) favoring the operation of VHF television booster or repeater stations under certain conditions, was received, ordered to lie on the desk, and referred to the Committee on Interstate and Foreign Commerce, as follows:

Whereas VHF television repeater or booster stations provide the least expensive and in many cases the only existing means of providing television service to many areas of the United States; and

Whereas the public in areas served by such stations is satisfied with the service provided; and

Whereas the replacement of such stations with other means of providing television service would involve considerable expense on the part of the public: Now, therefore be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the Federal Communications Commission should (1) authorize the operation of VHF television booster or repeater stations in all cases where the operation of such stations is a public convenience and necessity and where such operation does not actually cause objectionable interference with other communications or does not endanger the public safety, and (2) modify such of its rules and orders as may be necessary to carry out the policy expressed in this resolution.

Mr. MOSS subsequently said: Mr. President, I have enjoyed the debate, which is very enlightening, but I should like to invite the attention of the Senate to another interesting matter.

Mr. President, the recent Federal Communications Commission decision outlawing the operation of VHF booster stations will throw TV communications in the State of Utah into complete chaos. If this order is allowed to stand, it will deny to the people of a large area of the State the recreational and educational benefits of television at a price they can afford to pay.

TV coverage in Utah, with the exception of the area in straight line view from Salt Lake City, is almost exclusively provided by VHF booster-repeater stations. This is the only way many small, isolated communities in the mountainous areas of the West have been able to provide themselves with television reception at reasonable costs.

Many of these communities waited a long time for the Federal Communications Commission to offer suggestions on how the residents there could solve their TV reception problems. When the FCC showed no inclination to help them, the people took the initiative in their own hands and erected community-financed VHF reflectors or boosters to pick up signals out of the air from the surrounding hilltops and reflect them down into their homes in the valleys.

Now these people are being told that their systems are illegal and that they must convert to UHF frequencies. The new systems would be much more costly than the present systems.

What would happen in San Juan County, Utah, is an example. This county is located in the southeast corner of the State—an area remote from any broadcasting center. The current installation, which is operated under the auspices of the San Juan County Recreation Board and financed by direct tax assessment, is serving an audience of 10,000 to 12,000 people at an installation cost of approximately $10,000. To convert to a UHF installation would limit the coverage to probably half of that number of residents, and would cost from $40,000 to $50,000 to install. In addition, each individual set would have to be converted from VHF to UHF bands and provided with UHF antennas at the expense of each set owner. And then, as I understand it, the television picture would be inferior to the one now received.

The San Juan story will be repeated again and again in communities throughout the West if the FCC decision of December 31, 1958, is not rescinded, and standards are not adopted for VHF boosters.

The FCC itself is divided on the necessity for its prohibition of VHF boosters. Commissioner Craven, the only FCC Commissioner with an engineering background, who is considered to be one of the foremost authorities in radio engineering in the country, dissented from the action of the full Commission. He has stated that the Commission can and should establish reasonable rules providing for the authorization of VHF boosters on a practicable basis.

I am therefore joining with the Senator from Colorado [Mr. CARROLL] in sponsoring the resolution which would express the sense of the Congress as supporting the authorization of TV booster stations, and urging the FCC to modify its rules and orders.

I am also hopeful that the FCC will recognize the burdens it has caused by its decision, and proceed immediately to reexamine the whole problem. If there is any question in the Commission's mind with respect to the extent of the burden and the type of equipment that is now available, then it should hold an open hearing and allow interested parties to present their testimony in person so that a full and complete record can be developed. In my judgment, this problem of bringing television service to the remote areas is so important that I will urge the chairman of the Senate Committee on Interstate and Foreign Commerce [Mr. MAGNUSON] and the committee to request Commissioner

Craven and his colleagues to appear before the committee to explain the divergency in views with respect to the practicality of adopting reasonable rules. If necessary, I shall support appropriate legislation to meet the problem.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MOSS. I yield.

Mr. MANSFIELD. Mr. President, I wish to commend the distinguished Senator from Utah for the very fine way in which he has expressed himself on a very difficult problem. This applies not only to the State of Utah and the State of Colorado, but also to the State of the Acting President pro tempore, the Senator from Wyoming [Mr. McGEE] and to my own State of Montana, as well as to the States of the Rocky Mountain region as a whole. I am delighted that the Senator from Utah has seen fit to make his address today, because he has in a brief manner done a service on behalf of this particular problem. I know that because of the interest of the Senator from Utah and the interest of other Senators, especially those from the Rocky Mountain west, action will be forthcoming on this matter very shortly. I again commend the Senator.

Mr. MOSS. I thank the Senator.

PRINTING OF ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "BRIEFING ON THE INVESTMENT ACT"

Mr. SPARKMAN submitted the following concurrent resolution (S. Con. Res. 5), which was referred to the Committee on Rules and Administration, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Select Committee on Small Business of the Senate seven thousand additional copies of the Committee print entitled "Briefing on the Investment Act."

RESOLUTIONS

The following resolutions were submitted, or reported, and referred as indicated:

By Mr. HENNINGS:

S. Res. 36. Resolution authorizing the revision and printing of the Senate Manual for the use of the 86th Congress; placed on the calendar.

(See the above resolution printed in full where it appears under the heading "Reports of Committees.")

S. Res. 37. Resolution to print the 60th annual report of the National Society of the Daughters of the American Revolution for the year ended April 1, 1957, as a Senate document; placed on the calendar.

(See the above resolution printed in full where it appears under the heading "Reports of Committees.")

S. Res. 38. Resolution to pay a gratuity to Laura Leceta Sadler; placed on the calendar.

(See the above resolution printed in full where it appears under the heading "Reports of Committees.")

S. Res. 39. Resolution to pay a gratuity to Lucy Dodson; placed on the calendar.

(See the above resolution printed in full where it appears under the heading "Reports of Committees.")

S. Res. 40. Resolution to pay a gratuity to Virginia T. Meader; placed on the calendar.

(See the above resolution printed in full where it appears under the heading "Reports of Committees.")

S. Res. 41. Resolution to pay compensation for a certain period to employees of former Senator John D. Hoblitzell, Jr.; placed on the calendar.

(See the above resolution printed in full where it appears under the heading "Reports of Committees.")

By Mr. HUMPHREY:

S. Res. 42. Resolution authorizing the Committee on Government Operations to make a complete study of all matters pertaining to international activities of the executive branch; referred to the Committee on Rules and Administration.

(See the above resolution printed in full where it appears under the heading "Reports of Committees.")

By Mr. McCLELLAN:

S. Res. 43. Resolution authorizing the Committee on Government Operations to investigate the administration of all branches of the Government; referred to the Committee on Rules and Administration.

(See the above resolution printed in full where it appears under the heading "Reports of Committees.")

CONTINUANCE OF SELECT COMMITTEE ON IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

Mr. McCLELLAN submitted the following resolution (S. Res. 44), which was referred to the Committee on Rules and Administration:

Resolved, That the select committee, authorized and directed to conduct an investigation and study of the extent to which criminal or other improper practices or activities are, or have been engaged in the field of labor-management relations or in groups or organizations of employees or employers, to the detriment of the interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities, established by S. Res. 74, Eighty-fifth Congress, first session, agreed to January 30, 1957, as amended by S. Res. 88 of the Eighty-fifth Congress, first session, agreed to February 7, 1957, and extended by S. Res. 221 of the Eighty-fifth Congress, second session, is hereby continued. Any vacancy in the select committee so continued shall be filed in the same manner as the original appointments were made under section 2 of S. Res. 74, Eighty-fifth Congress, first session, as amended.

SEC. 2. For the purposes of this resolution, the select committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized, as it may deem necessary and appropriate to (1) make such expenditures from the contingent fund of the Senate; (2) hold such hearings; (3) sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate; (4) require by subpena or otherwise the attendance of such witnesses and production of such correspondence, books, papers, and documents; (5) administer such oaths; (6) take such testimony, either orally or by deposition; (7) employ on a temporary basis such technical, clerical, and other assistants and consultants; and (8) with the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, employ on a reimbursable basis such executive branch personnel as it deems advisable; and further with the consent of other committees or subcommittees, to work in conjunction with and utilize their staffs, as it shall be deemed necessary and appropriate in the judgment of the chairman of the select committee.

SEC. 3. Notwithstanding the provisions of section 3 of S. Res. 74, Eighty-fifth Congress, as amended, the select committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1960, on which date the select committee shall cease to exist.

SEC. 4. Notwithstanding the provisions of section 5 of S. Res. 74, Eighty-fifth Congress, and S. Res. 221 of the Eighty-fifth Congress, second session, as amended, expenses of the select committee, under this resolution shall not exceed $750,000 and shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL TEMPORARY STAFF AND FUNDS FOR COMMITTEE ON PUBLIC WORKS

Mr. CHAVEZ submitted the following resolution (S. Res. 45) to provide additional temporary staff and funds for Committee on Public Works, which was referred to the Committee on Public Works:

Resolved, That the Committee on Public Works, or any duly authorized subcommittee thereof, is authorized under sections 134 and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, from February 1, 1959, to January 31, 1960, inclusive, to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and of the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any departments or agencies of the Government.

SEC. 2. The expenses of the committee, under this resolution, which shall not exceed $150,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

JURISDICTION BY COMMITTEE ON RULES AND ADMINISTRATION OF PROPOSED CODE OF ETHICS APPLICABLE TO SENATORS AND EMPLOYEES OF SENATE

Mr. JAVITS (for himself and Mr. KEATING) submitted the following resolution (S. Res. 46), which was referred to the Committee on Rules and Administration:

Resolved, That paragraph (o) of subsection 1 of rule XXV of the Standing Rules of the Senate is hereby amended by adding at the end thereof a new subparagraph to be subparagraph (3) to read as follows:

"(3) Such committee shall also have the duty to consider all matters arising in connection with the application of any code of ethics applicable to Members, officers, or employees of the Senate. The committee shall receive complaints of any violation of such code and may, upon request of any Senator, officer, or employee, give an advisory

opinion to the Senator, officer, or employee involved on the conformity of any proposed conduct with any such code."

AMENDMENT OF RULE RELATING TO EXCUSING A SENATOR FROM VOTING IN CERTAIN CASES

Mr. JAVITS (for himself and Mr. KEATING) submitted the following resolution (S. Res. 47), which was referred to the Committee on Rules and Administration:

Resolved, That subsections 1 and 2 of rule XII of the Standing Rules of the Senate are hereby amended to read as follows:

"1. When the yeas and nays are ordered, the names of Senators shall be called alphabetically; and each Senator shall, without debate, declare his assent or dissent to the question, unless excused by the Senate (but any Senator having a direct personal or pecuniary interest, not related to his official duties), in the event of such question shall be so excused without submission of the question of excuse to the Senate; and no Senator shall be permitted to vote after the decision shall have been announced by the Presiding Officer, but may for sufficient reasons, with unanimous consent, change or withdraw his vote. No motion to suspend this rule shall be in order, nor shall the Presiding Officer entertain any request to suspend it by unanimous consent.

"2. When a Senator declines to vote on call of his name, he shall be required to assign his reasons therefor, and having assigned them, for any reason other than the assertion of a direct personal or pecuniary interest not related to his official duties, the Presiding Officer shall submit the question to the Senate: 'Shall the Senator, for the reasons assigned by him, be excused from voting?' which shall be decided without debate; and these proceedings shall be had after the rollcall and before the result is announced; and any further proceedings in reference thereto shall be after such announcement."

CONSTRUCTION OF BULLY CREEK DAM, OREG.

Mr. MORSE. Mr. President, last year, there was introduced in the other body House bill 7680 and in the Senate, Senate bill 2144, authorizing construction of the Bully Creek Dam and Reservoir in Malheur County, Oreg. H. R. 7680 was introduced by the Representative in whose district the project is located, Congressman ULLMAN, and S. 2144 by myself with my colleague as cosponsor.

This project would be an addition to the existing Vale reclamation project, it would also provide further flood control for the Malheur River, of which Bully Creek is a tributary.

I find that on January 20, a bill identical to S. 2144 of the 85th Congress was introduced by the Senator from Idaho [Mr. CHURCH] on behalf of my colleague, the junior Senator from Oregon [Mr. NEUBERGER]. I understand the Senator from Idaho was not aware of the fact that I had introduced this bill last year. I was pledged to the people of the area to reintroduce it this year. I would have been pleased to have my colleague cosponsor it again. I regret this act of legislative cribbing by my Oregon colleague.

In keeping with my own record of assistance to deserving Oregon projects, I again introduce my Bully Creek bill. The Bully Creek addition to the Vale project is a worthwhile one that deserves the support of all Members of Congress.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 639) to provide for the construction by the Secretary of the Interior of the Bully Creek Dam and other facilities, Vale Federal reclamation project, Oregon, introduced by Mr. MORSE, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

NUTRITIONAL ENRICHMENT AND SANITARY PACKAGING OF CERTAIN FOOD DISTRIBUTED UNDER SCHOOL LUNCH PROGRAM

Mr. JOHNSTON of South Carolina. Mr. President, I introduce, for appropriate reference, a bill to provide for the nutritional enrichment and sanitary packaging of cornmeal, grits, white rice, and white flour distributed by the Federal Government under the National School Lunch Act.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 651) to provide for the nutritional enrichment and sanitary packaging of cornmeal, grits, white rice, and white flour distributed by the Federal Government under the National School Lunch Act, introduced by Mr. JOHNSTON of South Carolina, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. JOHNSTON of South Carolina. Mr. President, since the inception of the school lunch program the Congress, through Federal Government agencies, has contributed immeasurably to the welfare of the Nation's schoolchildren. The hot, nutritional lunches afforded our children by school cafeterias are, in many cases, the only well-rounded meal enjoyed by children. Certainly, the school lunch program is one of the most commendable programs ever initiated by Congress and I am sure the money spent is being returned manyfold in the form of healthier men and women and a people better educated in the nutritional needs.

However, the South Carolina State nutrition committee has brought to my attention one aspect of the school lunch program which should be changed. Certain commodities distributed by the Federal Government are not enriched and are not packaged in sanitary containers. This not only deprives the children of the nutrition needed, but it adds to waste. We, in South Carolina, as in 27 other States, have State laws requiring that cereal grains be enriched before being sold. Yet, the Federal Government distributed to the schools in South Carolina alone during the fiscal year 1957 nearly 600,000 pounds of unenriched rice. Not only was the rice not enriched, but it was received in 100-pound burlap bags usually soiled and torn during the shipment. Dirt and various foreign particles, including the burlap hair, had found their way into the bags. This necessitates a thorough washing of the rice before it is cooked and this further takes away nutritional value. A great part of the rice and other commodities issued under the school lunch program is being wasted because of poor packaging and much of the nutritional value of the commodities is being deprived the schoolchildren.

We should correct this situation so as to insure our children of enriched, sanitary foods by shipping them properly.

Another aspect of this problem is that our school lunch program employees in the various local schools, usually women of the community, cannot handle 100-pound packages of food. Smaller packages not only would provide sanitary conditions but would enable these employees to handle these foods more properly.

The proposed legislation which I offer at this time will provide that the cornmeal, grits, rice, and white flour which may be distributed to the schools be enriched nutritionally and packaged in sanitary containers so as to insure the sanitary arrival of the contents. It also provides that these packages not exceed 50 pounds in weight so as to permit easier handling.

CODE OF ETHICS FOR OFFICIALS AND EMPLOYEES OF LEGISLATIVE AND ADMINISTRATIVE BRANCHES

Mr. JAVITS. Mr. President, on behalf of my colleague the gentleman from New York [Mr. KEATING] and myself, I introduce two bills, a joint resolution, and submit two resolutions to establish an enforceable code of ethics covering officials and employees of the legislative and administrative branches of the Federal Government.

Included in the proposed legislation is a measure requiring that regulatory agencies make a part of the public record all types of communications from Members of Congress concerning any cases which come before them.

Congress has so far failed to meet its responsibility to enact meaningful legislation governing ethical standards of conduct and conflict of interest situations involving the more than 2,300,000 Federal officers and employees who work in the legislative and executive branches.

During the last session, partially as the result of the controversy over the Adams case, a code of ethics was adopted by the Congress, which consisted of 10 rather general statements of moral purpose. It supplied neither the guidance for specific incidents which is so needed, nor the enforcement machinery for weeding out the rare cases of unethical behavior which reflect adversely on the whole Government service. Its shortcomings were pointed out in a report of the Committee on Post Office and Civil Service. It is not a mandate, the report states. It does not impose any positive legal requirement for specific acts or omissions. Obviously, then, the need for positive, comprehensive legislation in this field is still an urgent matter. I believe Congress should act now, not wait for the emotions caused by a single newsworthy controversy to bring out many improvised proposals. The voters have every right to expect that

their representatives in Congress will establish for their own guidance and for that of members of the executive branch a code of ethics no less exacting than that governing professions like medicine and the law. And like their codes, it should provide means for disciplining violators.

I fully expect that the proposals we are introducing today will be referred to the Committees on Labor and Public Welfare, and Rules and Administration. As a member of both committees, I will press for immediate consideration of this legislation, which was developed as a result of my experience as attorney general of New York State. Several of the provisions in our bills are also supported by recommendations of the House Subcommittee on Legislative Oversight issued in its report of January 3, 1959.

The five proposals introduced by my colleague and myself are as follows:

First. A bill to establish a Federal Code of Ethics which spells out in specific terms standards of ethical conduct for legislative and executive officials; violators in the executive branch are subject to discharge, and, in addition, the Attorney General may bring civil action against them for recovery of damages.

Second. A bill requiring that any written or oral communications between any Member of Congress or his staff and a regulatory agency dealing with a matter before it must be part of the public record.

Third. A resolution amending the Senate rules to give the Rules Committee jurisdiction over cases of alleged violation of Federal ethical standards involving Members of the Senate or their staffs; it can also issue advisory opinions on the propriety of proposed official conduct.

Fourth. A joint resolution to set up a bipartisan Commission on Ethics in the Federal Government to study existing conflict of interest regulations and make recommendations for a more comprehensive ethical code.

Fifth. A resolution permitting Senators to abstain from voting on matters where they may have direct personal interest in the legislation, without having to secure the permission of the Senate.

The interim Federal Code of Ethics in effect while the Commission carries out its year-long study is closely patterned after that adopted by New York State a few years ago and put into operation while I was Attorney General of New York. It would require officials to file with the Comptroller General a statement of their substantial financial interests in activities regulated by the Federal Government. Other provisions specify that not only must the official maintain his integrity in fact, but he may not engage in any activity or in any way create a reasonable impression which could give rise to a suspicion that any person unduly enjoys his favor or that he is otherwise in violation of the high standards of his public trust.

This interim code would also include prohibitions against the following:

Outside employment which would impair objectivity in the exercise of official duties;

Business or professional activity requiring the disclosure of confidential Government information—disclosure of such confidential information to further personal interests;

Use of official position to secure unwarranted privileges or exemptions for himself or others;

Serving two masters: the Government and a private enterprise.

Personal investments in enterprises which the officer might have to regulate or pass upon in his official capacity; and

Selling goods or services to a person or corporation which is regulated by the State agency in which the public officer or employee is employed.

We cannot eliminate all the doubtful shadow areas in the field of possible conflict. What we must do is set up reasonable standards which can and will be followed, without tying in so much redtape the administrative and legislative process that it ceases to function effectively. Excessive requirements which would unduly publicize an official's personal affairs may well have the effect of keeping out of Government service many able men who have made their mark in the business world, but who would not wish to have every private gift and private source of income, no matter how innocent, a matter of public knowledge. A declaration of substantial outside interests is reasonable and reporting to the Comptroller General such interests over a certain amount like $10,000 might be the solution, and my code so provides; so, too, for the unacceptability of expensive gifts.

Congress has been dealing with this problem since the adoption by the House of Representatives on April 7, 1789, of its first rules, providing that: "No Member shall vote on any question, in the event of which he is immediately and particularly interested." I hope that we can meet this responsibility now.

The VICE PRESIDENT. The bills, joint resolution, and resolutions will be received and appropriately referred.

The bills, joint resolution, and resolutions, introduced by Mr. JAVITS (for himself and Mr. KEATING), were received and referred as indicated:

To the Committee on Labor and Public Welfare:

S. 658. A bill to establish a code of ethics for the executive and legislative branches of the Government; and

S. J. Res. 30. Joint resolution to establish a Commission on Ethics in the Federal Government to study and develop necessary legislation as to conflicts of interest, including a code of ethics applicable to Members, officers and employees of Congress and to officers and employees of the executive branch of Government.

To the Committee on the Judiciary:

S. 671. A bill to amend the Administrative Procedure Act to provide for the disclosure of certain communications received by Government agencies from Members of Congress with respect to adjudicatory matters, and for other purposes.

To the Committee on Rules and Administration:

S. Res. 46. Resolution conferring upon the Committee on Rules and Administration jurisdiction over any proposed code of ethics applicable to Members, officers, or employees of the Senate; and

S. Res. 47. Resolution to amend rule XII, relative to excusing a Senator from voting in cases involving conflict of interest.

REPEAL OF LAWS RELATING TO NAVAL PETROLEUM RESERVES

Mr. O'MAHONEY. Mr. President, on behalf of my colleague, the junior Senator from Wyoming [Mr. MCGEE] and myself, I introduce a bill to repeal the laws relating to the naval petroleum reserves and to provide for the administration of the lands in such reserves by the Secretary of the Interior, under the provisions of the Mineral Leasing Act of 1920.

I assume that the bill will be referred to the Committee on Interior and Insular Affairs, which deals with the proposal of the President to dispose of these reserves.

I read from page M–35 of the President's budget message, the following brief paragraph:

> The continued and rapid growth in the use of petroleum products has made questionable the need for maintenance of the relatively small naval petroleum reserves as a significant defense measure, since it would appear that the nationwide, even worldwide, petroleum industry must be relied upon to provide efficiently for our petroleum requirements in both peace and war. Accordingly, the administration will study (and I would hope the Congress would do likewise) the advisability of disposing of the anachronistic naval petroleum reserves, thereby relieving the Department of the Navy of an inappropriate responsibility and also providing additional revenue to the Federal Government.

It will be observed that in this brief paragraph the President states very clearly his belief that the petroleum industry, worldwide, must be depended upon in both peace and war to supply the petroleum needs of the United States. Up to the present moment, under a restraining order authorized by Congress the President has attempted to restrict the imports of crude oil from abroad, because it has been stated by an agency of the Federal Government authorized to make such a statement that it is essential in the defense of the United States to maintain domestic petroleum production.

It will also be noted that in this statement the President speaks of the disposal of these reserves. The records indicate that there are about 40 million acres within the 4 petroleum reserves. Two of them are in California, namely, the Elk Hills and the Buena Vista. Another, the Teapot Dome, is in Wyoming; and the fourth is in Alaska.

I am certain that the sentiment of the country would be against the sale of these reserves to private interests. Under the Mineral Leasing Act there is plenty of opportunity to administer these reserves in a manner which would provide income for the Federal Government, for the States concerned, and for the school districts in the various States.

Mr. ENGLE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. ENGLE. Is it possible, under the suggestion made by the President,

that these reserves might be put up for private disposition as surplus property, under the General Services Administration, rather than being administered in the usual manner by the Department of the Interior?

Mr. O'MAHONEY. The President suggests a study. I do not believe he contemplates any precipitate action. But let me invite attention again to the language which he used.

Accordingly, the administration will study (and I would hope the Congress would do likewise) the advisability of disposing of the anachronistic naval petroleum reserves, thereby relieving the Department of the Navy of an inappropriate responsibility and also providing additional revenue to the Federal Government.

A few sentences before he spoke of his recommendation that the Government dispose of these reserves. Observe the language—"the advisability of disposing of the anachronistic naval petroleum reserves." That could be interpreted as selling.

The VICE PRESIDENT. The Chair regrets to say that the time of the senior Senator from Wyoming has expired.

Mr. O'MAHONEY. I realize that my time has expired, and I yield the floor.

The VICE PRESIDENT. The bill introduced by the senior Senator from Wyoming for himself and his colleague will be received and appropriately referred.

The bill (S. 661) to repeal the laws relating to the naval petroleum reserves and to provide for the administration of the lands in such reserves by the Secretary of the Interior under the provisions of the Mineral Leasing Act of 1920, introduced by Mr. O'MAHONEY (for himself and Mr. McGEE), was received, read twice by its title, and referred to the Committee on Armed Services.

AMENDMENT OF SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT RELATING TO FARMER COMMITTEEMEN

Mr. HUMPHREY. Mr. President, I introduce for appropriate reference, on behalf of myself, the Senator from Missouri [Mr. SYMINGTON], the Senator from Oklahoma [Mr. KERR], the Senator from Montana [Mr. MURRAY], the Senator from Oregon [Mr. MORSE], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Wisconsin [Mr. PROXMIRE], the Senator from Minnesota [Mr. McCARTHY], the Senator from Oregon [Mr. NEUBERGER], and the Senator from South Carolina [Mr. JOHNSTON], a bill to give some legislative status to the farmer-elected committee system used in directing our farm programs at the local level, and to better protect the rights of farmers serving on such committees.

Mr. President, this bill is the result of several years of sincere effort to protect and preserve the best example of grassroots democracy that exists—the use of local committees, composed of farmers who have been chosen by their farmer neighbors, to administer their own farm programs for the Secretary of Agriculture.

Legislation for this purpose was first introduced by myself in January of 1955. Since that time, extensive hearings have been conducted by a subcommittee of the Senate Committee on Agriculture and Forestry which I was honored to serve as chairman. Because of information revealed in those hearings, they were broadened into an investigation of abuses of our committee system as now administered, with field hearings held in Missouri.

After 2 years of study and negotiations with the Department of Agriculture, our subcommittee submitted a report on abuses and disruptions of the elected farmer committee system which was published as a committee print. In the early days of the 85th Congress I introduced a bill which we felt met the needs as shown by the evidence developed at hearings and views expressed by the Department of Agriculture.

That bill came to the Senate for full discussion near the close of the last session. It was amended to reflect the views of some of my distinguished colleagues regarding the status of the State extension director and certain election procedures. These amendments were acceptable to me and to the subcommittee members, and to the Senate as a whole. The bill was then passed by the Senate by voice vote. The bill which I am introducing today is the exact bill which was passed by the Senate last year.

Mr. President, these committees deserve the serious attention and thought of the Congress. Elected farmer committees are responsible for administering seven major agricultural programs involving billions of dollars in Government funds and property.

The elected farmer committee system is a proven established system of administration. It has handled billions of dollars with full safeguard of the public interest during the past 24 years. This system is a shining example of true democratic self-government in action.

Mr. President, the fact that a few abuses have crept into handling of the committee system is no reflection on the system itself, nor on the fine men who have served rural America as committee members. Rather, it just focuses the spotlight on the need for a legislative framework clarifying methods of committee operation and pinpointing better understanding of their responsibility in relation to the administrative responsibility of the Secretary of Agriculture.

Since early 1953, basic changes have been made in the elected farmer committee system by mandates handed down from Washington. These changes have reduced the authority of the farmer committees. Furthermore, the arbitrary pattern of operation imposed upon the counties by Washington has invaded the original concept of keeping some guidance of these programs in the hands of local people. Concern that such a pattern might distort the elected farmer committee system into a bureaucracy and patronage system has led to the action we are asking in this bill.

Most of us, I am sure, are familiar with the background of the farmer committee system in our respective States. The agricultural depression of the late twenties and early thirties was characterized by low agricultural commodity prices, low and falling income, vanishing markets, and overburdening mortgage debt. The program of economic aid for agriculture, born of dark necessity, came into being. The question of how to administer this program without bringing hordes of bureaucrats onto every farm in the country was much discussed.

The idea of having committees, groups, or associations of farmers administer the early adjustment and income-lifting programs originated with M. L. Wilson, at that time head of the department of agricultural economics at Montana State College. He has through the years been one of the most active of the agricultural leaders who have worked with Congress and others to produce measures making it possible for agriculture to live more nearly on an economic par with other groups. Mr. Wilson has deservedly received many high honors and great esteem for his work, and not the least is the honorary title "Father of the Farmer Committee System."

One of the chief values of this system was that the normal political patterns of an area did not interfere with program administration. The focus was on program rather than on party. And any partisan attempts to upset this pattern incurred resentment. The temptations toward partisanship inherent in the appointive system were reduced, if not eliminated, by the elected committee system. Partisan control of farmer committees could never succeed as a goal of administration because control could be achieved only by local ballot.

This is the farmer committee system that successfully met the challenge of operating the necessary adjustment programs in the early thirties. It succeeded because it had the confidence and cooperation of farmers.

It was the system which, because of the grassroots character of its members, became the backbone of the war mobilization committees in rural areas of the country. These committees rationed farm machinery and other scarce materials; worked with draft boards on problems relating to agriculture; handled farm drives of every description, including the collection of scrap, encouraging production of special crops needed in the war, and collection of 80 million bushels of scarce corn in the winter of 1944 to keep war industries running. This also was the system which helped to maintain high production of food during the critical postwar years—food which enabled some countries to stand off absorption by the Communist bloc until productive capacity and facilities were more fully restored.

A good many men of both parties prominent in public life came up through the farmer committee ranks. These include a Senator, several Congressmen, a Secretary of Agriculture, four Under Secretaries of Agriculture, a member of

the Federal Reserve Board, and two Assistant Secretaries of Agriculture, including the incumbent Marvin McLain, of Iowa.

This was the elected farmer committee system in effect when the present officials of the Department of Agriculture took office. It was an inheritance truly American in concept, rich in tradition, great in performance, and abundant in promise—an inheritance to be prized.

Today this system faces new challenges in agriculture. Now more than ever before, we need the grassroots cooperation of agriculture in climbing out of another economic bog. We need a committee system in which farmers have confidence, and which can get and keep the cooperation and respect of farmers.

Many of us fear we are headed in the other direction. For that reason we want to recognize the contribution of these committees to American agriculture by establishing their rights under law.

The bill I propose with my cosponsors merits the support of everyone who really believes in grassroots democracy. I can see little grounds for anyone opposing it unless he fails to believe in the concept of a local voice in these programs—unless such opponents prefer an army of bureaucrats directed by orders from on high in Washington.

The Department of Agriculture has assured us repeatedly that it still believes in the farmer committee concept and wants the system preserved and strengthened. If that is true, I see no reason for objection to doing so by specific legislation, rather than leaving these farmers at the whim of any Secretary or Administrator through administrative edicts.

Our bill protects the Secretary by keeping primary authority in his hands, but at the same time it lets the elected committeeman know just what his responsibilities are and what his rights are.

We provide that community committeemen shall be nominated in open meeting from the floor and elected by secret ballot at such community meetings. We provide for chairmen of each community committee to gather in country nominating conventions, to nominate farmers for each position to be filled on the county committee, including alternates, with provision for write-in of additional candidates in the election to follow by secret ballot. We provide for all farmers being eligible to vote.

We provide further that members of county committees elected through this process shall in turn elect a slate of farmers from whom the Secretary shall select the nominees to serve on the State committee with those members who have been appointed by the Secretary.

This change in the manner of selecting the State committees charged with the operation of so many of the most important programs of the Department of Agriculture would result in a committee more responsive to the operations of programs at the county level. It would insure the grassroots kind of thinking essential to successful local administration. The authority of the Secretary would not be lessened by this move, as a majority of the State committee members would still be his direct appointees, and subject to removal by him without question. The member selected from the nominees elected by the county committees, however, would not be subject to dismissal without show of cause as he would in essence be an elected representative. This phase is undoubtedly not one that could cause objections since no Secretary of Agriculture would remove any member of a State committee without adequate and just cause. However, as this bill is designed to protect the rights and status of elected committee members, we felt this should be spelled out.

In further acknowledgment of the fact that removal of an elected official by an appointed bureaucrat is a serious action, we seek to curb the power of the State committee to remove elected county committeemen without holding a proper hearing. We limit the power of the State committee to suspension, following a majority vote, and giving the accused a statement of charges and advice as to his rights and opportunities for appeal. It is only simple American justice that such procedures be established.

This bill substitutes removal hearings for appeal hearings at the State office level. In other words, this requires that charges upon which a committeeman was suspended be proven before he is removed, and that he be given an opportunity to answer such charges against him.

We retain final appeal rights to the Department of Agriculture whenever such removal action has been taken.

I am convinced that this is constructive proposed legislation in keeping with the true spirit of our democracy, and that it will improve the handling of our farm programs without in any way hampering the functions of any Secretary of Agriculture.

The thousands of fine Americans who have served so loyally and well in these farmer committees deserve the recognition that enactment of this proposed legislation in their behalf would provide.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 662) to amend section 8(b) of the Soil Conservation and Domestic Allotment Act as amended, to provide for administration of farm programs by democratically elected farmer committeemen, introduced by Mr. HUMPHREY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

ACQUISITION OF ADDITIONAL FOOD COMMODITIES FOR DISTRIBUTION TO NEEDY PERSONS

Mr. BYRD of West Virginia. Mr. President, on behalf of myself and my colleague, the senior Senator from West Virginia [Mr. RANDOLPH], I introduce for appropriate reference, and ask that it lie on the desk 1 week, a bill to authorize the Secretary of Agriculture to acquire additional food commodities for distribution to needy persons. The intent of this bill is to provide funds with which the Secretary of Agriculture may purchase food items to supplement the commodities presently being distributed to needy persons under the surplus removal and price support programs. The Secretary would be authorized and directed during the remainder of fiscal year 1959 to use not to exceed $40 million of the funds made available for the purposes of section 32 of the act of August 24, 1935, and during fiscal year 1960 to use not to exceed $160 million of such funds for the purpose which I have already mentioned.

In America today, due to the continuing economic recession, there is a total of 4,903,000 persons who are in the demoralizing and cheerless position of being dependent upon inadequate rations of Government surplus foods. In my own State of West Virginia, there are 306,000 such persons—a total of 15.2 percent of the State's entire population, and West Virginia leads the list of States in this regard. The quantity of food received by families is insufficient to provide the minimum requirements for health. In fact, the Bureau of Nutrition of our West Virginia Department of Health has stated that the quantity now being given to West Virginia families supplies only 26 percent of the needed calories, 36 percent of the necessary protein, and 46 percent of the required calcium. Unless additional foods are provided in the diets of these unfortunate persons, the health of men, women, and children is going to deteriorate. Presently only butter, flour, meal, rice, and dried milk are going to needy families under the welfare program. It is imperative that we take action to provide these citizens and their families with additional items in their diets. The passage of this bill would permit the Secretary to take this step and it is the intent of the authors of the measure that the Secretary should concentrate upon the purchase of basic, moderately priced, good protein items which may be effectively and efficiently transported, stored, and distributed, and I am thinking of such foods as canned meats, dried beans, powdered eggs, and shortening. While the Secretary should take care to plan for orderly purchases to avoid market disruption, it is not believed that the levels of expenditure set forth in the bill, if the purchases are carefully and wisely made, can significantly disrupt a food market which retails about $50 billion worth of food a year.

It is also the intent of this bill that these supplemental food items shall be made available to the States under the same terms and conditions now in effect governing the distribution of surplus commodities to needy families, these having been shipped in carload lots to points designated by the States. The bill is not a mandate to the Secretary to expend the full amounts authorized. It is expected that he should adjust this supplemental purchase program so that it will augment the varieties of foods available under the regular surplus donation program. Therefore, the need for expenditure for additional foods would be lesser or greater, depending upon the amount and variety of surplus foods available.

Mr. President, the senior Senator from West Virginia [Mr. RANDOLPH] and I

hope that other Senators will join in cosponsoring this legislation. It is a humanitarian piece of legislation, written in the interest of thousands of our fine citizens who, through no fault of their own, have become unemployed, and are now living in penury, privation, and want. If we can provide billions for hungry peoples overseas, we can expend a few million dollars for our own flesh and blood.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. Mr. President, I am delighted to yield to my colleague, the distinguished senior Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I am in agreement in every particular with the timely remarks of my able colleague from West Virginia [Mr. BYRD]. I desire to associate myself with his challenging comments.

However, I wish also to focus the attention of our fellow Senators on certain statistical facts as they relate to the shortage in nutritional values of the diet provided needy West Virginians in the limited surplus food items on which thousands of them are forced by necessity to exist.

I ask unanimous consent to have printed at this point in the RECORD the informative article by Harry Ernst, published in the Charleston (W. Va.) Sunday Gazette-Mail of January 18, 1959, entitled "For 300,000 West Virginians: A Slow Starvation Diet?"

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOR 300,000 WEST VIRGINIANS: A SLOW STARVATION DIET?

(By Harry Ernst)

So you can't afford butter and envy the 300,000 West Virginians who receive a free supply each month.

Pause and reflect on the drab, inadequate meals which they can prepare—day after day after day—with the surplus food commodities they get from Uncle Sam.

A typical family of four, with possibly an income up to $130 a month to cover all other living expenses, will receive these surplus commodities: 20 pounds of flour, 10 pounds of corn meal, 9 pounds of powdered milk, 2 pounds of rice, 4 pounds of butter (thanks to the U.S. Government's subsidy of farm dairy products) and, until this month, 10 pounds of cheese.

Obviously, man can't live by surplus commodities alone.

They don't provide what nutritional experts consider to be an adequate diet. Without cheese, the 300,000 West Virginians drawing surplus commodities get:

Only 26 percent of the calories they need each month, 36 percent of the proteins, and 46 percent of the calcium. These figures were provided by the State health department's bureau of nutrition.

"It's fairly obvious that this isn't an adequate diet," said Mrs. Marian B. Cornell, director of the bureau. "They also would need other foodstuffs to fully utilize these commodities."

The bureau of nutrition has sponsored cooking demonstrations and adapted recipes to help recipients get the most from their surplus commodities.

Mrs. Cornell said it would take about $12 a week at present prices to buy the additional foodstuffs—including other cereals, fats, vegetables, juices, potatoes, and fruit—to give a family of five an adequate diet.

The bureau also recommends what essential items to buy at the lowest cost.

"Surplus commodities are purchased by the Federal Government to aid agriculture," explained William Waggy, supervisor of commodity distribution for the State department of public assistance.

"They weren't intended to provide a balanced diet. However, they are a tremendous help for needy families."

Mrs. Cornell and social workers heartily agree.

How many West Virginians are dependent on surplus commodities alone to stay alive?

No figures are available, but probably a small percentage of the 300,000 individuals and families now receiving them.

"Most of them do have some income, largely unemployment compensation," Waggy said.

State unemployment compensation benefits have been averaging about $22 to $24 a week. If they spent the recommended $12 a week for additional foodstuffs, this would leave $10 to $12 to meet all other living expenses.

"I would say that only a small percentage of the recipients are dependent wholly on surplus commodities," said Mrs. Nellie White, a case worker for the Salvation Army, which helps determine their eligibility.

But she questioned whether their limited incomes would permit them to buy enough additional foodstuffs to provide a sufficient diet.

For example, a family of two adults and one or more children can qualify for surplus commodities only if their income doesn't exceed $130 a month.

Take out rent, utilities, clothing and other expenses and hardly any money would be left to buy food—even if the family had a monthly income of $130.

Other income limitations placed on recipients include $50 a month for a single person, $85 a month for a man and his wife, and $95 for a father or mother and one child.

Many of the recipients of surplus commodities, of course, have incomes below these eligibility limits.

They would include elderly persons living on small pensions, the unemployed who've exhausted their unemployment compensation benefits and those with tiny DPA welfare grants.

In recent months, at least 26,000 West Virginia workers have exhausted their unemployment compensation benefits—which means they now have no income except, possibly, what they pick up from occasional odd jobs.

"Very few of those who receive surplus commodities aren't eligible for them," Waggy said. "We're constantly checking to eliminate the few people who become ineligible after they find jobs."

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 663) to authorize the Secretary of Agriculture to acquire additional food commodities for distribution to needy persons, introduced by Mr. BYRD of West Virginia (for himself and Mr. RANDOLPH), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

AMENDMENT OF FEDERAL AIRPORT ACT

Mr. MAGNUSON. Mr. President, on behalf of myself, and the Senator from Kansas [Mr. SCHOEPPEL], by request, I introduce, for appropriate reference, a bill to amend the Federal Airport Act to extend the time for making grants for the construction of urgent airport projects essential to an adequate national aviation facilities system.

As I understand it, this bill represents the recommendation of the President for a gradual withdrawal of the Federal Government from the airport assistance program. Essentially, it is at variance with S. 1, a bill which I have cosponsored with many of my distringuished colleagues and which would carry on the program at increased levels of authorized funds on a 50–50 matching basis for the next 5 years. I have authorized the Aviation Subcommittee to conduct hearings on S. 1 which began yesterday, continue today, and will end Monday, January 26.

As chairman of the Interstate and Foreign Commerce Committee, I feel it my duty, in accordance with usual custom and practice, to honor the request of the Administrator and introduce this bill. However, I would like to emphasize that this fact should not be construed as an endorsement of all phases of its contents.

I ask unanimous consent that a letter from the Administrator of the Federal Aviation Agency explaining the purposes of the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 674) to amend the Federal Airport Act to extend the time for making grants for the construction of urgent airport projects essential to an adequate national aviation facilities system, introduced by Mr. MAGNUSON (for himself and Mr. SCHOEPPEL), was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter presented by Mr. MAGNUSON is as follows:

FEDERAL AVIATION AGENCY,
Washington, D.C.

DEAR MR. PRESIDENT: It is requested that the enclosed draft of bill be introduced in the Senate at your convenience.

The title of this proposal is "to amend the Federal Airport Act to extend the time for making grants for the construction of urgent airport projects essential to an adequate national aviation facilities system."

This proposal would amend the Federal Airport Act to extend its operation, which is due to expire on June 30, 1959, for an additional period of 4 years ending June 30, 1963. It would also authorize the Administrator of the Federal Aviation Agency to obligate $200 million of Federal funds for airport aid, providing $65 million, $55 million, $45 million, and $35 million for each of the four fiscal years ending June 30, 1960, 1961, 1962, and 1963, respectively.

This bill provides a positive program for meeting the true needs for which the Federal Government should properly be responsible. It assures that Federal participation will continue for the period necessary to afford ample opportunity to the States and local communities to assume their proper responsibility without disruption of needed airport development. At the same time, it reflects our conviction that the time has come for the Federal Government to begin an orderly withdrawal from the airport grant program.

Our predecessor agency, the Civil Aeronautics Administration, made an exhaustive study of airport needs. This study indicated that, in the interest of safety, there was urgent need for projects such as runways, taxiways, and ramp facilities to accommodate increased flying activity and the new jet operations. Further need was shown for towers

and land acquisitions to provide approach areas free from obstructions. Many of these urgent projects were found to be needed at one or another of the 72 airports which, by the end of 1961, will serve the approximately 500 jet aircraft that the air carriers will then have in operation.

The critical need for the construction and development of airports will reach its peak during the year 1960, and it is estimated that $65 million of Federal airport aid will be needed to finance the construction and development of those airport projects which should be accomplished during the coming fiscal year. During the following 3 years, the need for the development of additional airport facilities will gradually taper off with a consequent reduction in the need for Federal funds.

Additionally, the study indicated some need for projects for back of the ramp facilities such as terminal buildings, entrance roads and automobile parking areas. This Agency feels, however, that Federal aid should be concentrated on airport facilities directly needed for safe and efficient flight operations. The construction, maintenance and operation of our civil airports has always been primarily a matter of local responsibility. Aviation has now achieved a state of maturity in which airports are becoming more financially self-sufficient. This trend toward self-sufficiency is expected to continue and should be encouraged by the Federal Government. These principles are based on proper assignment of State and local responsibility as well as on the basic philosophy that there should be an end of expectation that Federal funds will be available for projects which either do in fact, or should reasonably be expected to, provide sufficient revenue to attract financing from sources other than Federal-aid funds.

The Agency's decision to begin an orderly withdrawal from the airport grant program is also based on the hard fact that the Government must now devote those resources it can make available for the promotion of civil aviation to programs which cannot be assumed by others. Airports constitute only a part of the Federal financial support of civil aviation. The greater expenditure by far must go to the necessary operation, expansion and improvement of our air traffic control system. The urgent needs of this system will require huge expenditures of Federal funds during the 5 fiscal years from 1959 through 1963. At the same time, this Agency believes, and there is general agreement on this, that urgent airport projects which are essential to an adequate national aviation facilities system must be accomplished and that, unless the Federal aid airport program is continued, they will not be properly expedited.

We believe that the bill would provide the necessary funds for those urgent projects which are essential to an adequate national aviation facilities system. The Federal Government's participation in the airport-grant program would be limited to such projects and would include only those projects which lie in front of the gate. This principle would be incorporated into the law by amending the definition of "Airport Development" in section 2(a)(3) of the Federal Airport Act.

The term "Airport Development," as amended, would limit grants under the Federal Airport Act to construction relating to landing-area facilities such as runways, taxiways, aircraft ramps, control-tower structures, and installations for the lighting of such facilities. It would make ineligible the construction of administration and terminal buildings, automobile parking lots, entrance roads, sidewalks, and other nonaeronautical facilities on the airport.

Finally, the proposal would amend section 6 of the Federal Airport Act to revise the provisions for apportionment of funds among the States.

By statute the Administrator now is required to apportion among the several States 75 percent of the amounts made available for each fiscal year. The remaining 25 percent becomes part of a discretionary fund, available for such uses as are determined to be most appropriate for carrying out the national airport plan, regardless of where those projects are located, and for projects in national parks, recreation areas, etc. The funds apportioned to the several States remain available until the end of the second fiscal year following the date on which they first became available. At the expiration of that time, if funds apportioned to a particular State remain unobligated they are reapportioned in accordance with the same 75–25-percent formula.

Experience demonstrates that approximately 17 percent of the funds allocated to States are not matched. Ultimately they are reallocated. But, in the meantime, these moneys which should have been used for urgently needed airport development are frozen. There have always been requests for more funds than were available. This amendment would permit allocation to the discretionary fund of 50 percent of the amounts authorized to be obligated and would provide that at the expiration of the second fiscal year following the date on which funds first become available such part of the funds apportioned to a particular State as have not been committed will become a part of the discretionary fund and be available for those urgently needed projects which the Administrator considers to be most appropriate.

The Bureau of the Budget has advised that enactment of this legislation would be in accord with the program of the President.

Sincerely yours,

E. R. QUESADA,
Administrator.

Mr. SCHOEPPEL. Mr. President, as a cosponsor of the bill just introduced, I ask unanimous consent that a statement which I have prepared on the administration's airport improvement bill be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SCHOEPPEL ON THE ADMINISTRATION AIRPORT IMPROVEMENT BILL

The role of the Federal Government in relation to any mode of transportation must change as conditions change. In recognition of that fact, the 85th Congress overhauled and updated the Civil Aeronautics Act of 1938. The result was the Federal Aviation Act of 1958.

The 85th Congress sought also to enact a new Federal Airport Act, but that effort encountered a Presidential veto. Yesterday, the Senate Committee on Interstate and Foreign Commerce, through its Aviation Subcommittee, began hearings on S. 1 and on the administration bill that has just been introduced (S. 674).

Because of the radical changes in civil aviation crowding upon us, the Federal Airport Act needs to be updated, and the Federal Government's role in the matter of airport grants needs to be reexamined. I seriously question, though, whether it is enough to take the old law, extend it a few years, and double the rate of spending in the simple belief that progress costs money and that anyhow everything costs more nowadays.

In contrast, the administration bill, for which I ask your earnest consideration, is grounded on a careful study of what the Federal Government ought to do in this day and age with respect to airport grants and how much money it can prudently spend in discharge of its proper role.

The administration bill runs for 4 years, fiscal 1960, 1961, 1962, and 1963. This is 1 year less than provided in S. 1.

The administration bill calls for the spending of $200 million over the 4 years, as contrasted with S. 1's cost of $575 million over 5 years.

The administration bill provides for peak spending in fiscal 1960, which is the year of peak needs. Thereafter, the rate of spending tapers off. The sums provided would be $65 million in fiscal 1960, $55 million in fiscal 1961, $45 million in fiscal 1962, and $35 million in fiscal 1963. The Monroney bill would provide $100 million for each of those years and 1 more, and it would also make available an extra $75 million to be spent beginning next July 1 at the discretion of the Administrator of the Federal Aviation Agency.

The differences between the administration bill and S. 1 are not merely differences of money and time. The bills differ in fundamental philosophy and in solicitude for the taxpayer.

The philosophy of the Monroney bill is that most people who fly, fly interstate, and that therefore the problems of civil aviation are Federal problems. The administration bill is rooted in the belief that the Federal role should be limited to contributing to the safety needs of airports, and that it is up to the States and local communities to make passengers happy that they have arrived at Tulsa or Atlanta or Wichita. The administration bill would assist in paying for runways, taxiways, aprons, control towers, and housing for essential communications and weather stations. It would have others provide administration buildings, and terminals, be they monuments or quonset huts.

Under the present Federal Airport Act and under S. 1, 25 percent of the sum that may be obligated in any year goes into a discretionary fund. The administration bill puts 50 percent into the discretionary fund, thus providing flexibility to meet urgent requirements where they actually exist.

The administration bill would also recapture for the Administrator's discretionary fund such sums, apportioned to the States, as remain unused for 2 years. Under existing law, and under S. 1, funds unused for 2 years revert and are reapportioned. Enactment of the administration bill would pick up $1½ million on July 1, 1959, for immediate use which would otherwise revert for reapportionment.

The hearings now under way before the Aviation Subcommittee may demonstrate that the best Federal Airport Act of 1959 is one merging features of the administration bill and S. 1. Thus far, however, there has been no showing that the $100 million per year called for by S. 1 is anything other than a figure snatched from the air—a good round number that is easy to remember, like S. 1 itself. I suspect that by the time the hearings are completed, the record will be clear that S. 1 costs too much and is too lenient on some who share with the Federal Government responsibility for airport development.

DEPARTMENT OF SCIENCE AND TECHNOLOGY

Mr. HUMPHREY. Mr. President, on behalf of the chairman of the Committee on Government Operations, Senator MCCLELLAN, Senator ERVIN, and myself, I am introducing for appropriate reference, a bill to create a Department of Science and Technology, and to transfer certain agencies and functions relating to science to such a Department.

A bill, entitled the "Science and Technology Act of 1958," was introduced by the Senator from Arkansas [Mr. MCCLELLAN] and myself during the 85th

Congress. That bill contained separate titles proposing (a) creation of a Department of Science and Technology; (b) coordination and improvement of Federal functions relating to assembling, translating, collating, retrieval, and distribution of scientific information; (c) establishment of standing committees on science in the House and Senate; (d) authorizing educational loans for the purpose of encouraging and assisting students beyond the secondary school level in the fields of the physical and biological sciences, mathematics, and engineering; (e) establishment of national institutes of scientific research; and (f) establishment of cooperative programs outside of the United States for collecting, collating, translating, abstracting, and disseminating scientific and technological information, and to conduct and support other scientific activities through the use of foreign currency credits.

In a progress report issued by the Subcommittee on Reorganization and International Organizations on September 9, 1958, a résumé was made of all legislation enacted by the 85th Congress—Senate Report 2498—which was in general accord with the provisions of the Science and Technology Act of 1958 or had some relationship to the numerous science programs of the Federal Government.

The staff of the Committee on Government Operations is presently preparing a supplemental report on administrative actions taken to implement the science programs established under authority of legislation approved in the 85th Congress. This report, which will be submitted to the Senate later this month, will include details concerning the operations of the program approved by the last Congress, authorizing the National Science Foundation to initiate, first, a program for the coordination of Federal activities dealing with the gathering, collating, and distribution of scientific information, and to contract through private groups qualified in this field for the performance of such services as are necessary to perfect a national program to insure that scientific information will be made available to scientists and others who require such information; second, administrative actions in other areas of science, such as the effectiveness of programs relating to educational grants and the utilization of foreign currencies in the assembling, translating, and distribution of scientific materials abroad through the use of foreign credits; and, third, establishment of institutes of scientific research as proposed in the original Science and Technology Act of 1958, in the fields of meteorology, oceanography, and other basic sciences which will require substantial Federal support and contributions.

The National Science Foundation is now preparing, in cooperation with the staff of the committee, detailed information on these three subjects which will be incorporated in the committee's report to the Senate.

Such report will also set forth other advancements made in the fields of science by administrative action pursuant to congressional authorization during the interval following the enactment of the science programs by the 85th Congress. From information already available, Government operations have extended to all fields covered by the Science and Technology Act of 1958, such as documentation, educational loans and grants, establishment of central institutes of science, and utilization of foreign credits for the development of programs for assembling and distributing scientific information and the advancement of other science programs abroad. The report will further indicate to the Congress what the operating agencies may require in the nature of additional authority by way of enabling legislation which will be under consideration by the appropriate jurisdictional committees, or, through increases in expenditure authorizations.

Title I of the Science and Technology Act of 1958, proposing the creation of a Department of Science and Technology is the only section of the original bill upon which no legislative action was taken during the 85th Congress. In its report to the Senate, however, the subcommittee stated, page 14, that—

> The Committee on Government Operations was not afforded an opportunity to hold hearings on title I during the 85th Congress, due to the rereference of the bill to the Senate Special Committee on Astronautics and Space, but the staff, at the direction of the committee, has maintained a continuing study of the proposal to establish a Department of Science. The response of scientists to the staff proposal to establish a Department, since the release of Senate Document 90, has been most gratifying and helpful. Constructive criticisms in opposition to the proposal, as well as stimulating and cogent alternative suggestions have been received and will continue to be sought by the committee. The committee, therefore, proposes to hold hearings on the original and alternative proposals in the 86th Congress and to give all of them careful consideration, with a view to recommending additional reorganization of science programs in the executive branch of the Government as may be found to be necessary to effect the essential coordination of such activities.

The proposed legislation is being introduced today by the senior Senator from Arkansas and myself in order that a full evaluation may be made as to the essential steps that should be taken now to properly reorganize and coordinate the various science programs of the Federal Government, and to insure that this Nation shall continue to advance in the sciences and assume its responsibilities to the free world in this significant area.

Opportunity will be afforded to representatives of the scientific community, the Government and other interested areas, to submit their views in open hearings before the committee so that the best possible legislative recommendations can be made to the Senate for its consideration.

I ask unanimous consent that the bill lie over through the close of business on Tuesday, January 27, to permit the addition of additional cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Minnesota.

The bill (S. 676) to create a Department of Science and Technology, and to transfer certain agencies and functions to such Department, introduced by Mr. HUMPHREY (for himself, Mr. MCCLELLAN, and Mr. ERVIN), was received, read twice by its title, and referred to the Committee on Government Operations.

TELEVISION BOOSTER STATIONS

Mr. ALLOTT. Mr. President, the high cost of the original establishment of television stations precludes, generally speaking, their establishment in small communities. By the same token, smaller communities do not have the economic stature to sustain their own television stations. By way of illustration, at the end of 1958, only 325 communities had one or more local TV stations, as compared with 1,700 communities which have local radio stations. However, the demand for television is at least as great as that for radio.

In order to obtain the benefit of TV entertainment, small towns have joined together within their own communities in establishing some kind of repeater setups, mainly boosters. These repeaters, although considered by the Federal Communications Commission to be in violation of the Communications Act, have been permitted to go unchecked for the past 4 or 5 years. During this period of growth of booster stations, the people involved pooled their money and began to enjoy television—in effect coming to depend upon the booster setup for their televiewing.

The Federal Communications Commission has tried the licensing of translator stations. Operating on a maximum output of 10 watts, these stations would receive the signal of a commercial TV station on a VHF—very high frequency—channel, and would change or translate that signal to a UHF—ultra high frequency—channel, for rebroadcast. The translator stations require precision equipment, and are, once again, relatively expensive. To my knowledge, none is currently operating in Colorado. Across the country, translators are serving a total of less than half a million people.

Objection by the FCC to the boosters is based, in part, on their interference with nearby signals. Boosters are low powered—0.2 watt; and reports of interference by such low-powered transmissions are far outweighed by the reports of good reception and of viewer satisfaction.

In considering the situation purely from the standpoint of Colorado, a translator, being a UHF station, has certain drawbacks, not the least of which is the fact that the UHF signal emitted by a translator is prone to ricochet off mountain walls. This would present a very unsatisfactory signal—if, indeed, any signal at all—to the home viewer. At the same time, it would appear that the translator setup is at least one-third more expensive than that of the booster; and this does not take into consideration the investment already made by many persons in the booster equipment.

There is some indication that the FCC decision may very well cause an unnatural rise in the price of equipment necessary both to transmit and to receive the UHF signal. For example, on page 75 in the May 28, 1956 issue of Broadcasting Televising, $1,000 is quoted as the price of a translator. Mr. Clifford S. Kester, of Craig, Colo., inquired of the Adler Electronics, of New Rochelle, N.Y.; and in a letter dated July 13, 1958, a price of $2,750 was quoted as the cost of the translator, f.o.b. There are other evidences that the price is being jacked up as a result of the FCC decisions.

A comparison of booster and translator might be apropos at this point:

A translator is a small repeater station which receives a VHF-TV signal—channels 2 to 13—and translates that signal into a UHF frequency—channels 14 to 83. It then retransmits the VHF signal on the UHF frequency. The translator operates at a maximum authorized power of 10 watts.

A booster is a very low powered—two-tenths of a watt—repeater operation. It receives a VHF signal, and repeats that signal, often on the same channel that it is received on, that is, a VHF channel.

There is some merit to the recommendation by the FCC with regard to translator operation. There are more UHF channels which can be used to rebroadcast a signal. Second, with its increased power, coverage is likewise increased, and the picture received by the home viewer is in most cases a better one. Current booster operations are usually on a very local basis and the picture which they beam into the home is, at best, poor. However, the main point in this entire situation seems to be that the people who now are receiving booster—repeater—television want it to continue. I have received more than 1,000 communications from residents of Colorado who indicate this feeling.

The financial problem of the home owner is very great. If the boosters are converted to translator operation, it will cost a homeowner anywhere from $50 to $150 to get his own home set adapted to receive UHF. Moreover, it will require approximately $4,000 to convert the booster equipment transmitter itself from VHF to the required UHF frequencies. The magnitude of the problem is further enlarged when one considers the investments which already have been made by the people in setting up their community booster operations. Because of the many aspects of this raging controversy, the complete facts are difficult to obtain. The dissenting opinions in the decision of the Commission reflect that. I am not in a position to state that the decision of the Commission is wrong with respect to the installation of additional booster stations; but, Mr. President, I am completely convinced that the summary treatment of the problem by the Commission must be reconsidered. By its own inaction in the past years, the Commission has allowed this problem to develop. At the very least, these communities must be given time to work out a practical solution.

In a nutshell, our people in Colorado, as well as those all over the country who are now being served by boosters, are overwhelmingly opposed to this FCC decision.

Mr. President, many people have been permitted to depend upon this booster operation—persons who never before had television, and who now regard it as fondly as do the more sophisticated city dwellers. In this connection, I ask unanimous consent to have printed at this point in the RECORD an excerpt from a letter from Frank F. Brown, of Summit County, Colo.

There being no objection, the excerpt from the letter was ordered to be printed in the RECORD, as follows:

The people of Colorado in these remote areas have been without television for a long time. We finally found a method that would give us television at a low cost. We scraped here and there with donations and free labor and managed to get television. Now the FCC comes along and wants to take it from us.

Mr. ALLOTT. Mr. President, booster-operated television brings great educational benefits, present and potential, to the area covered. Vincent S. Lester, superintendent of schools at Cortez, Colo., explained this in a letter to me. I ask unanimous consent to have an excerpt from his letter printed at this point in the RECORD.

There being no objection, the excerpt from the letter was ordered to be printed in the RECORD, as follows:

My main concern is for the educational possibilities. We teachers have noted a distinct change in our students since [booster] TV was made available to us. The students are much better informed on current world problems.

Mr. ALLOTT. Mr. President, in the mountain areas, where oftentimes snow prevents people from getting around as much as they would like, booster-created television is a real boon. A letter from Purvis Vickers, of Lake City, Colo., points this out. I ask unanimous consent to have a portion of his letter printed at this point in the RECORD.

There being no objection, the excerpt from the letter was ordered to be printed in the RECORD, as follows:

I know that our own [booster] TV operation here above the ranch which serves Salt Lake City is very muchly needed, and I don't know how we'd get along without same. During these long winter months, it is indeed a pleasure to sit back and watch TV.

Mr. ALLOTT. Mr. President, much has been made about the interference of boosters with other forms of communication; but rare, indeed, are the examples of this. A letter from W. W. Bundy, superintendent of schools in Manitou Springs, Colo., tends to support this feeling. I ask that a portion of his letter be printed at this point in the RECORD.

There being no objection, the excerpt from the letter was ordered to be printed in the RECORD, as follows:

A check with police officers in our area showed that they experienced no interference from the booster. It certainly is not in a position to interfere with air travel.

Mr. ALLOTT. Mr. President, the matter of interference is further confirmed in a letter I received from Mayor Victor Meline, of Julesburg, Colo. The letter also gives an indication of the real financial problem facing these people. I ask unanimous consent that a portion of his letter be printed at this point in the RECORD.

There being no objection, the excerpt from the letter was ordered to be printed in the RECORD, as follows:

Over 1,000 TV sets receive signals from the TV booster tower near Julesburg. Conversion from VHF to UHF would cost set owners and the community around $50,000. And the UHF transmission difficulties would make over 200 sets useless here.

We are obtaining confirmations from the local short-wave radio operators, radio stations, and TV stations that our tower causes no interference with their operations.

Mr. ALLOTT. Mr. President, another problem involving the conversion to UHF translators is outlined in a letter to me from a member of the Craig, Colo., TV Association, Mr. Clifford F. Kester. I ask unanimous consent that a portion of his letter be printed at this point in the RECORD.

There being no objection the excerpt from the letter was ordered to be printed in the RECORD as follows:

UHF translators are operated at such high frequency it would be a very difficult problem to get signals down into communities that are surrounded by high mountain ranges, especially in cases where there are mountains between the translator and the community to be served, such as in northwest Colorado.

Mr. ALLOTT. Mr. President, civic groups are also deeply concerned. That fact is evidenced by telegrams which I have received from Aguilar and Walsh, Colo. I ask unanimous consent that the telegrams be printed at this point in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

Please help our community keep the present TV booster station at this time. Regarding FCC ruling against low power booster stations—the town of Walsh is strictly opposed to this ruling. Letter will follow.

Mr. ALLOTT. Mr. President, I also ask unanimous consent to have printed in the RECORD a telegram which I have received from my hometown of Lamar, Colo. The telegram is signed by 148 persons.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

We heartily support your stand of the recent FCC ruling on VHF boosters. We feel the order is highly discriminating and irresponsible. Twelve hundred families in Lamar depend on our VHF booster as their only source for television. Enforcement of this unjust ruling will render these sets absolutely useless.

Mr. ALLOTT. Indeed, Mr. President, the State of Colorado itself has declared its feeling in this matter, in a joint resolution of its legislature. On page 866 of the CONGRESSIONAL RECORD, January 20, 1959, this memorial was reprinted.

Mr. President, because I believe that the public convenience and necessity and the interest of the persons affected must be served, particularly in the case of the residents of the sparsely populated

States, where individual television stations cannot be set up, and where such service is a necessity, I therefore introduce, for appropriate reference, a joint resolution which I ask unanimous consent to have printed at this point in the RECORD, and to lie on the desk for 2 days, in order that other interested Senators may join in sponsoring it. The joint resolution is introduced by me at this time on behalf of myself, the Senators from South Dakota [Mr. MUNDT and Mr. CASE], the Senator from Nebraska [Mr. CURTIS], and the Senator from New Mexico [Mr. CHAVEZ].

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will lie on the desk, as requested by the Senator from Colorado, and be printed in the RECORD.

The joint resolution (S. J. Res. 26) to direct the Federal Communications Commission to authorize for a certain period the operation of VHF television booster stations, and for other purposes, introduced by Mr. ALLOTT (for himself, Mr. MUNDT, Mr. CURTIS, Mr. CASE of South Dakota, and Mr. CHAVEZ), was received, read twice by its title, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

Whereas there are many communities and farm areas whose people depend upon VHF television booster stations as their only means of receiving television programs; and

Whereas the terrain of many areas makes the use of ultra high frequency translator stations impractical, if indeed not impossible, according to the opinions expressed by competent and qualified broadcast engineers, as well as by certain members of the Federal Communications Commission; and

Whereas it is economically impossible for these communities and farm areas to support, construct, or operate any other form of duly authorized television service; and

Whereas there is ample proof that low power booster stations can be regulated so as to preclude interference with licensed television services or other services; and

Whereas in spite of continued efforts on the part of many States and communities therein to obtain authorization for VHF television booster stations the Federal Communications Commission has over an unreasonably long period of time refused to grant such authorization and did on December 31, 1958, order the termination of the operation of all such stations within ninety days, without, in the opinion of many experts in the field, adequate reason for such summary action: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Communications Commission shall authorize such VHF television booster stations as were in operation on January 1, 1959, to continue operation until at least January 1, 1962, under such reasonable rules and regulations as the Commission may determine to be necessary.

SEC. 2. The Federal Communications Commission shall as soon as practicable make such recommendations to the Congress with respect to necessary amendments to the Federal Communications Act as the Commission may determine to be necessary in order to accelerate administrative determinations by the Commission under the provisions of such Act, and thereby avoid unnecessary public inconvenience and expense that may result from delayed administrative action on the part of the Commission.

Mr. CURTIS. Mr. President, will the distinguished Senator from Colorado yield to me?

Mr. ALLOTT. I am happy to yield to the Senator from Nebraska.

Mr. CURTIS. I wish to commend the distinguished Senator from Colorado for the introduction of the joint resolution, which deals with a problem which is important to a great many persons. In Nebraska there are several dozen communities in which people have raised funds for the construction of booster stations, as described by the Senator from Colorado. The proposed regulation by the Federal Communications Commission would take television away from them. In each instance, hundreds of homes are involved.

Mr. President, this problem is of such great magnitude that the Legislature of Nebraska has adopted Legislative Resolution No. 6, introduced by John G. Donner, of the 27th district; Earl Hollenbeck, of the 40th district; and Jack Romans, of the 29th district.

It was adopted unanimously. I have before me a copy of the resolution; and in support of these efforts to remedy this situation, I ask unanimous consent that the legislative resolution of the Legislature of Nebraska be printed at this point in the RECORD.

The VICE PRESIDENT. The resolution will be received and appropriately referred, and, under the rule, will be printed in the RECORD.

The resolution was referred to the Committee on Interstate and Foreign Commerce, as follows:

Legislative Resolution 6

Whereas the Federal Communications Commission on December 31, 1958, announced a decision prohibiting the operation of low power television broadcaster repeater stations on very high frequency channels and requiring existing stations to apply for conversion to licensed ultra high frequency translators by April 1; and

Whereas the cost of conversion to an operation of ultra high frequency translators would be prohibitive in the sparsely settled areas in Nebraska; and

Whereas because of the distances involved in the sparsely settled areas of Nebraska the use of repeater stations on very high frequency channels does not interfere with licensed operations using the same channel: Now, therefore, be it

Resolved by the members of the Nebraska Legislature in 69th session assembled—

1. That this legislature respectfully requests the Federal Communications Commission to reconsider its decision of December 31 insofar as it applies to Nebraska and permit the continued operation of low power television repeater stations on very high frequency channels in this State;

2. That a copy of this resolution be sent to the Federal Communications Commission and to each of the Members from Nebraska in the U.S. House of Representatives and the Senate.

DWIGHT W. BURNEY,
President of the Legislature.
HUGO F. SRB,
Clerk of the Legislature.

Mr. CURTIS. Mr. President, I wish to say to the distinguished Senator from Colorado that he will have my wholehearted support in this matter. I hope, before the actual enactment of legislation becomes necessary a satisfactory solution can be arrived at by the FCC; but it is important for them to realize that this is a problem of extreme magnitude: It involves the right of television for hundreds and thousands of persons who have proceeded entirely in good faith.

Mr. ALLOTT. The Senator is entirely correct, and I appreciate his remarks.

Mr. MUNDT subsequently said: Mr. President, as one of the coauthors of the joint resolution introduced today by the distinguished Senator from Colorado [Mr. ALLOTT], I wish to say a few words in support of the resolution, and to encourage prompt action upon it.

By the very nature of the television industry, this is a service which has denied direct reception to a great many smaller communities of this country. As a consequence, a network of booster stations has developed, which gives very serviceable and very adequate reception. However, the Federal Communications Commission has issued a 90-day order to force these communities to within 3 months to desist from utilizing such booster stations, or to force them to apply for a much more expensive and complicated kind of system. This action has caused a great amount of consternation throughout rural America, Mr. President.

There is considerable controversy among the members of the Federal Communications Commission themselves as to the wisdom of this order. One of the Commissioners, Mr. Craven, an experienced engineer, has stated categorically that these booster stations can be regulated and can be utilized without interference and that the cease and desist order is unwarranted.

Mr. President, it seems to me that the 90-day order should be promptly rescinded, to give an opportunity for Congress to consider this matter and to give an opportunity for these communities to continue to enjoy the type of reception being used.

Interestingly enough, Mr. President, the situation is so urgent that it has become the matter of first attention of the South Dakota State Legislature insofar as the attempt to memorialize Congress is concerned. In a joint resolution presented to the South Dakota Legislature, it is asked that Congress intercede in regard to the Federal Communications Commission ruling against booster stations. This is a bipartisan resolution, introduced jointly by two distinguished Republican members of the legislature and two distinguished Democratic members of the legislature.

Mr. President, it seems to me the commissions in Washington should recognize that rural America also is entitled to some consideration. Simply because rural America is enjoying a television service which does not quite fit the pattern of the Federal Communications Commission, there certainly is no justification for an arrogant order telling these people that in 90 days they have to "put up or shut up." I think the Commission in Washington D.C., should immediately rescind the order and give notice to rural America within the week that the people are going to be entitled to enjoy television reception, and that methods can be developed so that this

TV reception can be something they can permanently enjoy.

Mr. President, at this point in my remarks, I ask unanimous consent to have printed in the RECORD an article from the Aberdeen American-News, reporting on the action of the South Dakota State Legislature.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BLACK HILLS TV BILL IS INTRODUCED

PIERRE.—The television habits of Black Hills viewers were the subject of another measure prepared for consideration.

It was a joint resolution asking Congress to intercede in a Federal Communications Commission ruling against booster stations.

The Commission has ordered that within 90 days after the first of the year, such booster stations—there are eight in the Black Hills—must convert from very high frequency (VHF) to ultra high frequency (UHF).

The resolution would ask that this requirement be scrapped.

Norm Heffron, representing KOTA-TV, Rapid City, said the FCC order would work a severe hardship on the booster station. These were established as separate commercial enterprises in the Hills to pick TV programs off the air and rebroadcast them as a means of thwarting the difficulties of transmitting throughout the rough hills terrain.

The FCC requirement, he said, would mean each set owner would be required to buy HF conversion units for their sets and owners of booster station operations would have to replace their equipment with the more expensive UHF facilities.

The measure was prepared in the senate by Al Roesler, Republican, Deadwood, and Art Jones, Democrat, Britton, and in the house by James Jelbert, Republican, Spearfish, and Carl Furchner, Democrat, Plankinton.

LEIF ERICKSON DAY

Mr. PROXMIRE. Mr. President, I introduce, for appropriate reference, a joint resolution which requests the President to proclaim October 9 of each year to be Leif Erickson Day. This proclamation would honor the brave Norse explorer whose expedition to North America about the year 1000 was a thrilling event in the history of Western civilization, and an inspiring milestone in the development of our continent and our Nation.

A Presidential proclamation would be an entirely appropriate means of recognizing the importance of the discoveries of Leif Erickson and the other Norsemen who followed him to the North American Continent. It would be a dramatic and effective means of reminding all Americans of the heritage we have received from these early explorers, and from the generations of Nordic peoples who followed them to these shores in the centuries that have followed.

Leif Erickson Day is an anniversary that all Americans should recognize with pride for the adventure and accomplishment which it symbolizes.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 27) requesting the President to proclaim October 9, as Leif Erickson Day, introduced by Mr. PROXMIRE, was received, read twice by its title, and referred to the Committee on the Judiciary.

STUDY FOR THE PREVENTION OF CERTAIN CLAIMS AGAINST THE UNITED STATES

Mr. JOHNSTON of South Carolina. Mr. President, I introduce, for appropriate reference, a joint resolution to establish a commission to study and make recommendations for the prevention of claims against the United States or the citizens thereof and for the security and protection of American foreign investments. I ask unanimous consent that a memorandum prepared by me relating to the joint resolution may be printed in the RECORD.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the memorandum will be printed in the RECORD.

The joint resolution (S.J. Res. 28) to establish a commission to study and make recommendations for the prevention of claims against the United States or the citizens thereof and for the security and protection of American foreign investments, introduced by Mr. JOHNSTON of South Carolina, was received, read twice by its title, and referred to the Committee on the Judiciary.

The memorandum presented by Mr. JOHNSTON of South Carolina is as follows:

MEMORANDUM BY SENATOR JOHNSTON OF SOUTH CAROLINA

GENERAL

Recent reports of the Secretary of Commerce indicate that American enterprise, small and large, has private investments in foreign countries of the world approximating $30 billion. Almost $10 billion of this amount is in Latin American countries. All Americans have investments in our hundreds of national defense installations throughout the world in excess of $6 billion. Our national defense costs since the close of World War II are averaging $40 billion annually. The aggregate costs of our foreign-aid programs since the close of hostilities now exceed $71 billion. The United States is on the threshold of further and continuing costs for the defense of the free world.

These enormous investments—private and governmental—create a vast reservoir of potential claims against the United States. The Congress through some instrumentality should make a detailed study specifically directed to devising and recommending ways and means for the safeguarding and security of these investments, thereby preventing or diminishing the potential of claims against the United States whether such claims are founded in law or based upon the Government's moral obligation to its citizens. Treaties of friendship, commerce, and navigation seem inadequate. Such treaties result from favorable climates already created, rather than are they directed to creating favorable conditions for the protection of foreign investments. An interdependent world economy demands a uniform system of rules and regulations for the security and stability of lawfully acquired rights.

NECESSITY FOR STUDY AND RECOMMENDATIONS

There is an increasing demand on the part of those engaged in foreign commerce and capital investments that the United States take positive and affirmative action to protect these investments from expropriation or interdiction. Treaties of friendship, commerce, and navigation now exist. Whether these should be expanded and supplemental undertakings should be explored and recommended, requires special study and analyses involving the domestic laws of nations, and regulations and practices among nations in the field of international law. Studies are in progress by the American and other bar associations.

Lack of uniformity with respect to the protection of investments jeopardizes them, disturbs the peace of the world, and provokes international discord which results in hostilities with untold damage to the spiritual, human, and material values involved.

Pronouncements of the National Foreign Trade Council, representing as it does every phase of American foreign investments, accentuate the problems. Among the declarations adopted by the council at a recent meeting were the following:

"Sanctity of contract: The convention holds that maintenance of the principle of sanctity of contract is fundamental to the whole process of international trade and investment. Without sanctity of contract there can be no respect for private property rights, and no reliance upon agreements made between nation and nation, or between nations and private parties, or between the private parties themselves.

"The deterioration of respect for solemnly undertaken obligations has spread dangerously since the Second World War. As each lapse is condoned on grounds of expediency, others will occur. It is our responsibility as a member of the world community not to condone any deviation from the principles of integrity which are inherent in the concept of property rights and which are, in consequence, essential to the achievement of world security and world economic advancement. The convention holds that no country in which a proper recognition of the sancity of contract is lacking can be a healthy or useful part of a free world.

"Proprietary rights: The convention holds that the international trade and investment essential to the economic development of nations demands respect for an effective protection of proprietary rights.

"Private industry has, in general, been responsible for the development and compilation of the technical industrial information required for the successful application of modern manufacturing processes. The dissemination of such information is usually based on contractual relationships, and the benefits derived from such dissemination are dependent upon the faithful observance of the terms of the contracts.

"The convention holds that technical industrial information is entitled to protection as effective as that accorded to any other property right, and it believes that economic development will be enhanced in those nations which provide the necessary protection."

The U.S. Chamber of Commerce, whose members reflect the views and recommendations of every segment of American business in every geographical area, in its declaration of policy respecting the protection of foreign investments declared that a "vigorous policy should be pursued against any measures of foreign countries which are hostile to or discriminate against American investors or investments. Assurances are needed of a fair and nondiscriminatory treatment for existing and future investments. Pledges should be sought from foreign nations against expropriation of property of investors without prompt, adequate, and effective compensation. Agreements made within the general legal framework or in the form of specific contracts should be honored fully in letter and spirit. Modifications should be by mutual consent. This is of special importance when governments are parties to agreements or partners in enterprises. Adequate safe-

guards for existing investments and for encouragement of a continued flow of new capital would increase the produetivity of recipient countries and keep open the channels of private enterprise."

Treaties, collective agreements or governmental insurance through the International Cooperation Administration, or private insurance companies, under existing world conditions appear insufficient, thus necessitating a closer study and scrutiny if the protection demanded by business and government is afforded.

OBJECTS AND PURPOSES

This resolution has for its primary purpose two principal objectives, (a) the prevention of claims against the United States, and (b) the security and protection of our foreign investments—both private and governmental.

The questions immediately arise: (a) What have we done? (b) What are we doing? (c) What more may we do to insure the protection and security of our private and governmental investments abroad and thereby prevent the assertion of moral or legal claims against our Government? Existing claims against the United States now total over $300 million as a result of World War II. The potential of all claims is unknown. These known claims remain unsatisfied and present problems for an early solution by the Congress.

Studies concentrated upon and directed exclusively to these two principal objectives should be undertaken without delay by a bipartisan commission established for such purposes.

Studies have been made of our foreign economic policy by the commission created in the 83d Congress. The commission was known as the Randall Commission. That Commission restricted its activities and report in the main to economic factors in the development of foreign commerce with observations on the creation of favorable climates and legal environment for private investments abroad. No positive declarations or formulas for the protection of existing or the ever-expanding foreign investments, or protection against claims the United States, were made. The broad field for the protection of investments, the prevention of claims, the potential of losses from interdiction, nationalization, expropriation, or confiscation needs immediate study, exploration, and recommendations for corrective consideration. Ways and means ought to be developed for the security of the Government as a whole and for private industry in particular. To that end a commission with representatives from industry and Government should be established to make such special studies and be charged with responsibilities of recommending protective measures for the consideration of the Congress and the executive branch of the Government.

As was observed by the Commission on Foreign Economic Policy:

"The Government can and should give full diplomatic support to the acceptance and understanding abroad of the principles underlying the creation of a climate conducive to private foreign investment. This requires better coordination of policy and action by the various U.S. agencies and representatives in the field of foreign economic policy, and in particular, a clear formulation of the Government's position with respect to private investment abroad, stressing support of the private enterprise system and the interests of U.S. investors.

"To some extent the general climate and legal environment for private investment may also be improved through the negotiation of international treaties relating to foreign investment. Although it must be recognized that such treaties more often record the existence of a favorable climate than create it, the discussions which take place in the attempt of two governments to reach agreement may in themselves be beneficial. The U.S. Government should continue to use the treaty approach to establish common rules on the fair treatment of foreign investment. Negotiations should be undertaken first with like-minded countries, and gradually be extended as additional countries become convinced of the desirability of a friendly attitude toward private enterprise.

"The U.S. Government also can remove uncertainties in its own policies which affect foreign investment."

As a result of the foregoing observations something more than our usual commercial treaties and agreements is essential. Concrete proposals are necessary. Studies should be undertaken without delay looking toward the establishment of a collective form of agreement or a uniform business code founded upon ethical rules of trade and commerce for the protection of business and industry—large and small. The feasibility of establishing such a uniform international code relating to all business, trade, investments of capital and commercial transactions should be specifically examined and reported upon by the Commission. Governmental inducements to private citizens and corporate entities to trade in foreign enterprises make it imperative that such inducements be accompanied by adequate safeguards for such investments thus made. The President in his message to the 43d National Trade Convention said:

"Security and prosperity are promoted by foreign trade and investment. This theme of yours is central to the foreign policy of our Government. In recent years there has been a significant expansion of world trade and investment. This is now threatened from many sides but we must continue in our efforts to strengthen the climate of confidence in which trade between nations can flourish for the well-being of all."

SECTION-BY-SECTION ANALYSIS

Section 1 contains a brief statement of fact concerning existing potential claims against the United States as related to foreign investments and the policies of our Government toward the same; the need for the establishment of a uniform international code regulating and protecting investments of capital, goods and services, private as well as governmental, coincident with and beyond the normal scope of treaties of friendship, commerce, and navigation is made evident from governmental policies and world conditions.

Section 2 follows the pattern heretofore set by the Congress in establishing bipartisan commissions and provides for the designation of 15 members, 5 to be appointed by the President, 5 by the Vice President, and 5 by the Speaker of the House of Representatives. Provision is made for representation on the Commission from industry, the Senate and House of Representatives. The possible conflict of interests statutes are removed so that the Commission may be constituted from groups or individuals directly concerned with and affected by the studies and recommendations of the Commission.

Section 3 eliminates from compensation the Members of Congress or employees of the executive branch of Government who may be designated to serve as members of the Commission, with a maximum $50 per diem compensation for those designated who are not in Government. Travel, subsistence and other necessary expenses of members of the Commission incurred in the performance of the prescribed duties are to be paid.

Section 4 empowers the Commission to appoint and fix the compensation of its temporary personnel without regard to the Classification Act of 1949.

Section 5: The duties of the Commission to examine, study and investigate the actual and potential liabilities of the United States for claims assertable against the United States with recommendations for appropriate policies, measures and practices for the prevention of claims and the security of American investments abroad are specifically detailed. The Commission will be charged with determining the advisability, desirability or necessity for the establishment of a Uniform Code of Regulations to which the nations of the free world may subscribe for the security and protection of foreign commerce and investments against nationalization or confiscation; and, further, the Commission is charged with submitting to the President and the Congress drafts or recommended submissions for such a code.

Section 6: Authority is granted the Commission and its members to hold hearings and take testimony in pursuit of the authorized functions of the Commission. The executive agencies of the Government are authorized and directed to cooperate with the Commission in the administration or execution of its functions.

Section 7 provides for the authorization for appropriations.

Section 8 provides that the report of the Commission be made 90 days after the commencement of the 2d regular session of the 86th Congress, and a termination of its activities 90 days following such a report.

CONCLUSION

Studies are being made by the American, national, and international bar groups and societies and various business associations directly affected. They may well be coordinated and supplemented by official studies of the Congress and executive branch of the Government. The United States has too large a stake in the promotion of trade, the security of our investments already made, and the peace of the world to fail to assume a fair share of the pressing responsibilities thus entailed.

AMENDMENT OF RAILROAD RETIREMENT, RAILROAD RETIREMENT TAX, AND RAILROAD UNEMPLOYMENT INSURANCE ACTS—ADDITIONAL COSPONSORS OF BILL

Mr. MORSE. Mr. President, I ask unanimous consent that the names of the Senator from Nevada [Mr. CANNON] and my colleague, the junior Senator from Oregon [Mr. NEUBERGER], may be added as additional cosponsors to the bill (S. 226) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes, introduced by me on January 12, 1959, the next time it is printed.

The VICE PRESIDENT. Without objection, it is so ordered.

ENFORCEMENT OF STATE STATUTES PRESCRIBING CRIMINAL PENALTIES FOR SUBVERSIVE ACTIVITIES—ADDITIONAL COSPONSOR OF BILL

Mr. BRIDGES. Mr. President, I ask unanimous consent that the name of the junior Senator from Pennsylvania [Mr. SCOTT] be added as a cosponsor of the bill (S. 294) to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities.

The VICE PRESIDENT. Without objection, it is so ordered.

EXTENSION OF FEDERAL AIR POLLUTION CONTROL ACT — ADDITIONAL COSPONSOR OF BILL

Mr. CLARK. Mr. President, I ask unanimous consent that my name may be added as a cosponsor of the bill (S. 441) to extend the duration of the Federal air pollution control law, and for other purposes, introduced by the Senator from California [Mr. KUCHEL], for himself and Mr. ENGLE, on January 17, 1959.

The VICE PRESIDENT. Without objection, it is so ordered.

PROPOSED LEGISLATION RELATING TO CULTURAL AFFAIRS—ADDITIONAL COSPONSOR OF BILL

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the name of the distinguished senior Senator from Pennsylvania [Mr. CLARK] be added as a cosponsor of the bill (S. 446) to amend the International Cultural Exchange and Trade Fair Participation Act of 1956 to authorize the President to provide for participation by foreign governments and citizens of other countries in cultural and other activities in the United States, and for other purposes, introduced by me on January 17, 1959.

The VICE PRESIDENT. Without objection, it is so ordered.

AMENDMENT OF EMPLOYMENT ACT OF 1946—ADDITIONAL COSPONSORS OF BILL

Mr. CLARK. Mr. President, on January 17, 1959, I introduced a bill to amend the Employment Act of 1946, which bears the number S. 497. Three Senators have subsequently asked that their names be added as cosponsors of the bill. The bill has already been printed. However, I ask unanimous consent that on the next printing of the bill, should there be one, the names of the junior Senator from Wisconsin [Mr. PROXMIRE], the Senator from West Virginia [Mr. RANDOLPH] and the junior Senator from West Virginia [Mr. BYRD] be entered as cosponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

LABOR-MANAGEMENT REFORM BILL, 1959—ADDITIONAL COSPONSOR OF BILL

Mr. ENGLE. Mr. President, I ask unanimous consent that I may have my name added as a cosponsor of the bill (S. 505) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, introduced by Mr. KENNEDY (for himself and other Senators), on January 20, 1959.

The VICE PRESIDENT. Without objection, it is so ordered.

PROPOSED ITEM VETO POWER—ADDITIONAL COSPONSOR OF CONCURRENT RESOLUTION

Mr. BUSH. Mr. President, I ask unanimous consent that the name of the distinguished senior Senator from Utah [Mr. BENNETT] be added as a cosponsor of Senate Concurrent Resolution 1, proposing an item veto power, when the concurrent resolution is next printed or reported.

STANDING COMMITTEE ON VETERANS' AFFAIRS—ADDITIONAL COSPONSORS OF RESOLUTION

Mr. MORSE. Mr. President, I ask unanimous consent that the names of the Senator from Washington [Mr. JACKSON] and the Senator from Wisconsin [Mr. WILEY] may be added as cosponsors of the resolution (S. Res. 19) to amend the standing rules of the Senate relating to standing committees, submitted by me on January 12, 1959, the next time it is printed.

The VICE PRESIDENT. Without objection, it is so ordered.

CHANGE OF REFERENCE

Mr. JOHNSTON of South Carolina. Mr. President, the bill (S. 492) to repeal the act requiring the filing of certain information with respect to trade between the United States and its noncontiguous territory, introduced by the Senator from Tennessee [Mr. GORE], on January 17, 1959, was referred to the Committee on Post Office and Civil Service.

The matter with which this bill deals is within the jurisdiction of the Committee on Finance. For that reason, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from the further consideration of the bill, and that the bill be referred to the Committee on Finance.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. CASE of South Dakota:

Address delivered by him before 44th annual meeting of American Association of State Highway Officials, San Francisco, Calif., December 1, 1958; and address delivered by him before the American Road Builders Association, Dallas, Tex., January 19, 1959.

By Mr. HARTKE:

Address delivered by Senator BIBLE before Citizens Conference on Metropolitan Area Problems, American University, January 16, 1959.

By Mr. HILL:

Address by Senator ROBERTSON before the Albemarle Chapter No. 1, United Daughters of the Confederacy, Charlottesville, Va., January 19, 1959.

By Mr. HUMPHREY:

Article entitled "The International Significance of Alaskan Statehood," written by the Honorable ERNEST GRUENING, published in the winter 1958 edition of World Affairs.

FORTY-FIRST ANNIVERSARY OF UKRAINIAN INDEPENDENCE PROCLAMATION

Mr. DODD. Mr. President, each January 22 marks an anniversary that is symbolic of all human history, for this date is at once a testimony to man's aspirations toward great moral goals and a stark reminder of the world's failure to persevere in attaining these goals.

Forty-one years ago on January 22, the Ukrainian people proclaimed their independence, thus breaking the shackles of centuries of foreign domination. We can well imagine their hopes and dreams as they embarked on what they thought would be a new era of peaceful progress.

But we know of the tragic end of those hopes, for the Ukrainians were destined to become the first victims of the horror of Communist aggression. Their lot was to be, not freedom and independence, but mass murder, planned famine, purges, and mass deportations.

There were some in the world who voiced outrage at the atrocities committed in the Ukraine, and who saw the dread portents which these crimes held for the whole family of man. But the general response of free men was feeble and ineffective, and has continued so for decades.

The day that was meant to represent independence and rebirth serves now to remind us of the perpetuation of injustice and to mark the passing of another year of subjugation for 40 million Ukrainians.

Why, then, do we note this day each year?

We do so in order to combat an even greater enemy than Communist tyranny; namely, the indifference of free men to the suffering and enslavement of others, and the complacency which accepts an injustice, however monstrous, as legitimate and lawful if only it is continued long enough.

That is why each year at this time we urge upon just men everywhere the case of the imprisoned millions of the Ukraine, of their inalienable rights to freedom and independence, and of their determination to regain those rights.

We again serve notice that our people and our Government will never accept their enslavement as a permanent fact of history; and we remind the world that true peace will never be achieved so long as this Communist warfare continues against the peoples behind the Iron Curtain.

And, humbled by our impotence in the face of so great a tragedy, we offer prayers that, through the grace of God, the Ukrainian people will be supported through their long night of darkness by faith in the ultimate triumph of His moral law.

Mr. KEATING. Mr. President, yesterday, January 22, was the 41st anniversary of the independence of the Ukraine.

This aniversary is a timely reminder of the fact that some 40 million Ukrainians, enslaved by their Communist overlords in Moscow, retain the spirit of the freedom they once enjoyed and look to the day when they, along with many mil-

lions of other captive peoples, shall once again breathe the air of liberty.

The observance of this anniversary is particularly appropriate in view of the fact that, just the other day, a much-noted Soviet visitor to the United States finally departed our shores.

It is well to recall that it was Anastas Mikoyan who shipped grains abroad from the Ukraine while millions of Ukrainians starved to death during the manmade famine of the 1930's. Let no one forget, in contemplating Moscow's current campaign of smiles and trade, that millions of enslaved peoples and millions of brutally murdered victims lie behind the Communist facade.

Let all of us rededicate ourselves to a sustained faith in the eventual liberation of all nations enslaved by imperialist Moscow. Let the Mikoyans, the Menshikovs, and the Khrushchevs know that American memories of their crimes, and our own standards of civilized decency and justice, cannot be erased by their calculated attempts at genteel antics, nor by their spurious promises with respect to international trade.

Only 2 months ago, before the Moscow City Soviet, Anastas Mikoyan delivered a violent anti-American speech. Thousands of Armenians, Azerbaijani, Don and Kuban Cossacks were annihilated by his orders in 1917 to 1921.

Let no one forget these events. And as we observe this important anniversary in the history of the Ukrainians let us pledge anew our best efforts, our support, to the end that once again the Ukrainians and all Soviet-enslaved peoples shall be free once more.

Mr. WILLIAMS of New Jersey. Mr. President, we have seen this week the departure of the Deputy Premier of the Soviet Union, Anastas I. Mikoyan. His visit is still causing much analysis and interpretation elsewhere. I shall not attempt to add to this analysis. I would, however, like to note that yesterday, January 22, was the anniversary of the independence of the Ukraine, one of the captive nations of the U.S.S.R. In the hearts of 40 million Ukrainians, there must be some remembrance today of the free lives they had before the day of Soviet domination. Freedom, once tasted, cannot be forgotten. It is our duty in this free land to join with those who yearn for its return in nations robbed of their national right to govern themselves.

I should like to paraphrase from a letter sent to me by the Ukrainian Congress Committee of America. The committee said that the observance of Ukrainian Independence Day will serve notice of sustained faith in the eventual liberation of all nations enslaved by imperialist Moscow. The letter said that the observance will clearly demonstrate to the Menshikovs, Mikoyans, and Khrushchevs that American memories of their crimes and our standards of civilized decency and justice cannot be erased by calculated genteel antics or by the spurious promises of trade.

It adds:

The reception given Mr. Mikoyan by some of our wealthy Americans is food for serious thought. It indicates the spiritual climate in some quarters. Twenty years ago, the Nazi, Dr. Hjalmar Schacht, was completely ignored for what he represented. Today, despite his personal crimes, the Armenian quisling is widely feted. The thousands of patriotic Armenians, Azerbaijani, Don and Kuban Cossacks who were annihilated by his orders in 1917–21; the millions of Ukrainians who starved to death in the manmade famine of the thirties while Mikoyan shipped grains abroad; the role he played in the liquidation of Hungarian patriots—these and other facts no longer seem to bestir the consciences of some of us. Only 2 months ago, before the Moscow City Soviet, Mikoyan delivered a violent anti-American speech; today, without self-respect, some accept him as a deliverer of peace.

Mr. BUSH. Mr. President, yesterday, Thursday, January 22, occurred the 41st anniversary of the proclamation which declared the Ukraine to be a free and independent Republic. I regret the Senate was not in session at that time in order that we might have joined then with friends of freedom throughout the world in observance of that occasion.

It is important that we express our faith in the eventual liberation of 40 million Ukrainians and of all captive peoples who have been enslaved by Communist imperialism.

Mr. President, I ask unanimous consent that a joint resolution introduced by by myself and the distinguished senior Senator from New York [Mr. JAVITS] may be printed in the RECORD following these brief remarks, together with a letter I have received from Lev E. Dobriansky, of the Ukrainian Congress Committee of America, Inc., in which he eloquently expresses the feeling of many Americans of Ukrainian descent; also an editorial entitled "Ukrainians Mark Independence Day," published in the Hartford (Conn.) Courant of January 22, 1959.

There being no objection, the joint resolution, letter, and editorial were ordered to be printed in the RECORD, as follows:

S.J. RES. 20

Joint resolution authorizing the President to issue a proclamation designating January 22 of each year as Ukrainian Independence Day

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating January 22 of each year (the anniversary of the proclamation which declared the Ukraine to be a free and independent republic) as Ukrainian Independence Day, and inviting the people of the United States to observe such day with appropriate ceremonies.

UKRAINIAN CONGRESS COMITTEE OF AMERICA, INC.,
New York, N.Y., January 14, 1959.

Senator PRESCOTT BUSH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR BUSH: On Thursday, January 22, friends of freedom everywhere will be observing the 41st anniversary of the independence of Ukraine. In the profound faith that Moscow's deceitful campaign of "smiles and trade" could never cause you to forget the aspirations of the captive nations and their fundamental importance to the security of our Nation, we respectfully ask that you join with us in this observance.

Today, more so than in years past, your statement on the floor and in the RECORD, commemorating this event, will help enormously to keep the spirit of freedom alive in the hearts of 40 million Ukrainians. Your message in behalf of this captive nation will serve notice, too, of your sustained faith in the eventual liberation of all nations enslaved by imperialist Moscow. It will also clearly demonstrate to the Menshikovs, Mikoyans, and Khrushchevs that American memories of their crimes and our standards of civilized decency and justice cannot be erased by their calculated genteel antics or by spurious promises of trade.

The reception given Mr. Mikoyan by some of our wealthy Americans is food for serious thought. It indicates the spiritual climate in some quarters. Twenty years ago, the Nazi, Dr. Hjalmar Schacht, was completely ignored for what he represented. Today, despite his personal crimes, the Armenian quisling is widely feted. The thousands of patriotic Armenians, Azerbaijani, Don and Kuban Cossacks who were annihilated by his orders in 1917–21; the millions of Ukrainians who starved to death in the manmade famine of the thirties, while Mikoyan shipped grains abroad; the role he played in the liquidation of Hungarian patriots—these and other facts no longer seem to bestir the consciences of some of us. Only 2 months ago, before the Moscow City Soviet, Mikoyan delivered a violent anti-American speech; today, without self-respect, some accept him as a deliverer of peace.

Your message on the captive nation of Ukraine will be greatly appreciated as a message with an American conscience, not to say one of political sagacity. We shall be most grateful for it and, in gratitude, shall deliver to you this Friday an interesting brochure on Ukraine's quest for freedom.

Sincerely yours,

LEV E. DOBRIANSKY,
Georgetown University.

[From the Hartford Courant, Jan. 22, 1959]

UKRAINIANS MARK INDEPENDENCE DAY

Memories of Soviet barbarism in crushing the Hungarian revolt are still fresh in every mind, and naturally should be. At the same time it is equally important to remember that other independent nationalities have been similarly stamped out by the forces of communism. One of these is the Ukraine National Republic, whose scattered citizens and their children everywhere observe January 22 as Independence Day. For it was on this date in 1918, or 41 years ago, that Ukrainian independence was proclaimed at Kiev. And it was 40 years ago that the Act of Union became effective, uniting Western Ukraine with the Ukrainian National Republic.

As the official statement by Governor Ribicoff points out, Ukrainian independence lived only briefly before it was battered into the ground by Soviet Communist might. Ukraine historians report that, during the last 40 years, all precedents in cruelty and misrule during the centuries-old martydom of the Ukrainians were surpassed under the Russians. They declare that mass murder and the genocidal policies of the Red rulers of the Ukraine have exacted a toll well over 10 million lives. The Soviet-fostered famine in the thirties alone is estimated to have resulted in death for 6 million persons.

But it is the vow of Ukrainian people that, despite all subjection and persecution, they will continue to fight until the Ukraine National Republic is resurrected. Residents of Connecticut as well as freedom-loving people everywhere will salute them on their Independence Day, and wish them courage and success.

Mr. HUMPHREY. Mr. President, on January 22, 1918, a Ukrainian national council at Kiev proclaimed the independence of Ukraine. After centuries

of subjugation by the Mongol hordes and the Russian czars, the dream of a proud, free, and independent Ukrainian National Republic was then realized. But it was a short-lived dream. In 1920, the Republic was destroyed by Russian Communists and today the Ukraine, largest of the captive non-Russian nations in Eastern Europe, is still under the totalitarian imperialism of the Kremlin.

Time after time events have strongly demonstrated that the nationalist disturbances created by the Ukrainians and other Soviet-dominated peoples are positive indications of the inherent weakness of Soviet satellite domination.

It is my fervent hope that the day will soon come when the brave and freedom-loving people of the Ukraine can once again reclaim their freedom from the long bitter years of Russian oppression and regain their rightful position in the family of free nations.

Mr. JAVITS. Mr. President, January 22 marked the 41st anniversary of the independence of the Ukraine, an independence which the Soviet Communists destroyed in 1920.

Since that time Ukrainians have rebelled against their masters but repeatedly these revolts were put down with bloody reprisals. It was the Soviet Ukrainian troops in Hungary who refused to fight the Hungarian rebels in 1956 and in many instances turned over their arms to them.

Today some 40 million Ukrainians—including the 2 million in the free world—still have not forgotten and yearn for their national identity. All Americans join in wishing that they and the other captive peoples of the Communist empire may soon be again free and independent members of the family of nations.

Mr. LAUSCHE. Mr. President, beginning yesterday and probably continuing for another week in many metropolitan areas of the United States people will be assembled commemorating the 41st anniversary of the establishment of the independence of the Ukrainian nation. In those services people will be singing the songs of Ukrainia and narrations will be made of the heroic deeds of Ukrainians who, for a period of 1,000 years, have been devoted to the cause of freedom. When mention is made on the Senate floor paying tribute to a people at this critical period in the history of the world, it becomes exceedingly significant to remember that today, when the voice of Ukrainia is speaking, it is the voice of a liberty-loving people praying to brother-mankind, and to the Lord for emancipation from the despotism to which these people have been subjected.

The Ukrainian people number 40 million and to the core there are no greater devotees of freedom than these noble Slavs. They speak the voice of the oppressed colonial nations in Europe and they form a part of more than 200 million people in Eastern and Middle Eastern Europe who are waiting for the day when they will be able to stand up and strike from their hands and wrists the shackles which the Communists have imposed upon them.

I, as a Member of the United States Senate, while we are speaking of missiles and of their significance, want to invite the attention of my colleagues to the fact that in the final analysis the battle with communism will have to be won through the heroism of these men who believe in our cause.

Today, figuratively, I want to place a wreath upon the tomb of those thousands of Ukrainians who have gone to their deaths for our cause. I join with the Ukrainians in the United States, and Ukrainians everywhere, in giving thanks to those heroic people, and join in prayer that the day of their emancipation will soon be at hand.

DEATH OF FORMER REPRESENTATIVE THOMAS S. GORDON, OF ILLINOIS

Mr. DIRKSEN. Mr. President, I should like to have the RECORD note that this week the Honorable Thomas S. Gordon, of Chicago, Ill., passed away.

He served for 14 years in the House of Representatives. It was my honor to serve with him. For two terms he was chairman of the House Committee on Foreign Affairs.

He was certainly one of the gentlest people I ever knew. As I think of him I am reminded of the great and enduring prayer of St. Francis of Assisi, in which he supplicated Providence that he might understand, rather than be understood, and that he might bring comfort, rather than be comforted. That was certainly the nature of Tom Gordon. I join his many friends who mourn his passing.

Mr. MUNDT. Mr. President, I wish to associate myself with the remarks of the Senator from Illinois in paying tribute to the memory of Tom Gordon. I knew him well and served with him many years on the House Foreign Affairs Committee. He was certainly a devoted patriot. He had all the aspects of spirit and sweetness of disposition which the Senator from Illinois has mentioned so effectively. I join in extending my sympathies to his survivors.

RESOLUTION OF OREGON CHAPTER OF NATIONAL ASSOCIATION OF POSTMASTERS OF UNITED STATES PROTESTING DISCONTINUANCE OF THIRD- AND FOURTH-CLASS POST OFFICES

Mr. MORSE. Mr. President, in the past 6 years I have received evidence of an increasing amount of concern regarding the discontinuance of third- and fourth-class post offices. Not all of the concern and complaints come from patrons of these offices; many come from post office personnel. On January 18, the Oregon chapter of the National Association of Postmasters of the United States sent to me a resolution adopted by it on July 10, 1958, in Medford, protesting the discontinuance of third- and fourth-class offices without adequate safeguards for employees. I wish to submit the resolution for the consideration of my colleagues, and I ask unanimous consent that it be printed in the RECORD at this point in my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the Post Office Department has announced a policy that small post offices would not be discontinued unless a vacancy in the postmastership should exist due to the death or retirement of the postmaster; and

Whereas a number of post offices of the third and fourth class in Oregon have been discontinued or are in the process of being discontinued prior to the time the postmaster is eligible for retirement or the office is otherwise vacant: Therefore be it

Resolved, That the Oregon chapter of the National Association of Postmasters request the Post Office Department to review its policy and reaffirm its stand to safeguard the position of the postmasters of the small offices; and be it further

Resolved, That a copy of this resolution be sent to the two Senators and four Congressmen from Oregon, as well as to the Postmaster General and the officials of the National Association of Postmasters.

HAROLD PRESTEL.
FRED R. PEAT.
CELIA W. SMITH.
SIDNEY V. WARD.

NEEDED AT HELLS CANYON: A NEW PLAN FOR THE FUTURE

Mr. MORSE. Mr. President, on November 22, 1958, I addressed the National Hells Canyon Dam Association meeting at Portland, Oreg., on the subject, "Needed at Hells Canyon: A New Plan for the Future."

I ask unanimous consent that my address, without my taking the time to read it, be printed at this point as a part of my remarks.

I urge my colleagues from the Pacific Northwest to read my speech, because I understand that there was some misconception at a meeting of legislative representatives from the Northwest the other day as to the position of the senior Senator from Oregon in regard to this great unsettled problem of the Pacific Northwest. I stand on the speech I made at that association meeting.

The VICE PRESIDENT. Is there objection?

There being no objection, the address was ordered to be printed in the RECORD, as follows:

NEEDED AT HELLS CANYON: A NEW PLAN FOR THE FUTURE

It is good to join with you at this National Hells Canyon Association meeting. If we all could get $1 for each and every hour worked on behalf of the high dam during the past decade by the leaders and members of the association, we probably would have enough money to build the dam.

Hells Canyon is not only the name of a Pacific Northwest project; it is also a national symbol of the battle between full resource development in the public interest and inadequate, wasteful underdevelopment for profit by a private utility in order to maintain a monopoly grip upon a whole State.

This project did not just happen. The self-sacrifices of hundreds of private citizens and the unremitting work of a relative handful of elected officials made it happen. We could not have made it happen unless the facts were on our side.

The clear superiority of the high Hells Canyon Dam over the small Idaho Power Co. dams was so obvious that, once we brought the facts of the people—first in the Pacific Northwest and then nationwide—the verdict

was ours. And, you know, I'm something of an expert on verdicts.

But, allow me to go back a few years to review the history of this struggle, because it is very pertinent to what I feel should be done in the future.

The Hells Canyon proposal grew out of the historic 1948 report of the Army engineers. The prospect of a great multipurpose dam on the middle Snake River spurred the Idaho Power Co. into a proposal for one small, single purpose, low head dam at Oxbow, where it had had a 600-kilowatt generator since 1916. But it took the proposal of a Federal dam to interest the private utility in developing the site—even inadequately.

A friendly Federal administration with a friendly Secretary of the Interior and devoted staffs at the Bureau of Reclamation in Boise and Bonneville Power Administration in Portland, carried the program forward step by step. It was slow, careful work. The opposition did not seem formidable nor ready to fight. The power company kept delaying the FPC hearings on its Oxbow application.

HIGH DAM BILL INTRODUCED

The bill for the high dam was not ready for introduction until 1952, and I, joined by a few other Senators, introduced it. It was late in the session and little could be done on such a major project. But hearings were held in the House committee.

It was not until the 1952 election campaign was under way that it became clear that the private utility lobby had not been asleep nor idle. It had been wide awake and working. It had a presidential candidate who knew nothing about the work of Army engineers beyond a Bailey bridge. He denounced the Federal power program which had meant so much to the development of the Pacific Northwest.

That was one of the major reasons for my decision to leave the Republican Party—that is a decision that was in the interest of Oregon, our region and the Nation—I have never regretted it.

But the people were reluctant to recognize that the kindly general could actually be antagontistic to a program that had been so successful. Many of you were alarmed and anxious, but your numbers had not yet become large enough.

Soon after the new Congress convened, President Truman again recommended authorization of the high Hells Canyon Dam in his budget. Harry S. Truman has been a great friend of conservation and of this region, and we shall always honor him for that.

The Hells Canyon bill was revised in 1953. There was no change in its substance, but its form was modified to make it clear beyond all doubt that upstream water users' rights would be protected. It took a while to do this job and assemble the data for a major speech introducing the bill. There was not a great deal of interest in the measure—but I found a few more cosponsors for the bill.

The majority leader, Bob Taft, told me that the Senate would meet but not transact business on April 16, 1953. So, while almost every Senator went to watch the opening baseball game, I stood on the floor of the U.S. Senate for 4 hours, putting the case for high Hells Canyon into the CONGRESSIONAL RECORD. I had little company. The press paid only a little attention.

ADMINISTRATION WEIGHT THROWN AGAINST HIGH DAM

Secretary of Agriculture Benson had already withdrawn his Department's opposition to Idaho Power Co.'s small dam application—even before it was changed to a paper three-dam plan. The private electric utility signal flags were up.

What the Interior Department would do was considered decisive. My lengthy, detailed, factual speech was designed to flush the Secretary out into the open.

On May 5, 1953, the Secretary of Interior made an announcement indicating beyond the shadow of a doubt that his Department and the administration were walking out on the job of protecting the people's interest in full development at Hells Canyon. He withdrew the Department's opposition to the Idaho Power Co. applications, before the application was amended to add two inadequate dams.

The announcement came on May 5, 1953, the day the Senate—with its new Republican majority—voted favorably on the submerged oil lands giveaway bill. The people of our Nation were truly doublecrossed on that day.

That was supposed to end the fight. In June of 1953, hearings before the FPC—now manned by a new chairman opposed to Hells Canyon—were to begin without anyone to put in the case for the high dam.

The Hells Canyon Dam was dead; that was the general consensus of opinion among those who knew. But these self-appointed experts failed to reckon with an aroused citizenry that arose to protect the public interest, the National Hells Canyon Association. It grew out of the small tri-State citizens' groups formed by stalwarts Jim Marr, Elmer McClure, Owen Hurd, Al Ullman, Sam Fretwell, Vince Cleaveland, George Taylor, Gus Norwood, Harley Libbey, Frank Stewart, Kirby Billingsley, Henry Carstensen, Ed Weston, Lloyd Tupling, John George, Ken Billington, Lars Nelson, Byron Brinton, Jack Travis, Joan Baker, Lee Wooden, Joe DeWuhs, Jebbie Davidson, Evelyn Cooper, and many others all over the Pacific Northwest, who got together and formed a spunky grassroots organization the likes of which hasn't been seen since the Grange movement first took on the railroads.

If Hells Canyon were dead, they didn't know it, and because they would not let the high dam die, it has not died. You and hundreds and thousands of allies in rural electric co-ops, power districts, granges, Farmers' Union locals, businessmen's groups, and the Democratic Party, wouldn't give up.

VOTERS RESPOND TO HIGH DAM ISSUE

The association fought for the high dam before the FPC and at the grassroots. A few of us in Congress kept battling away. At first there were not many of us. GRACIE PFOST was practically alone in the House. I had the help of MAGNUSON and JACKSON in the Senate—with assists from great friends such as MURRAY, of Montana, ANDERSON, of New Mexico, KEFAUVER, of Tennesse, and Lehman, of New York.

In the 1954 Pacific Northwest elections Hells Canyon was a major issue. Mrs. PFOST was reelected. DICK NEUBERGER and Mrs. GREEN scored upset victories in Oregon. AL ULLMAN and CHARLIE PORTER came close.

The battle before the FPC and in Congress continued through 1955 and and 1956.

Remember: Even then, we were not given a chance of winning.

But we fought on. In 1955 field hearings were held in Idaho, Washington, and Oregon—and it was clear that so far as the people were concerned, Hells Canyon was more vital than ever. We began to break into the national press. I kept pouring it on in Senate speeches and at banquets, conventions, church meetings—wherever and whenever I could. People began to learn about the tragic, impending waste at the Hells Canyon site.

Solid Republican opposition and one Democratic opponent kept the bill bottled up in the Senate Interior Committee. We couldn't bring it to the floor—and its opponents said Hells Canyon was dead.

But in 1956 we did bring it to the Senate floor to the consternation of the gravediggers manning the editorial typewriters in Portland, Boise, and Spokane—the same lineup which opposed Grand Coulee in the thirties.

We came within 10 votes of putting it across—even though in the summer of 1955 the FPC—in a decision which is spotted and pitted with misstatements, half-truths, and distortions—had granted Idaho Power Co. the licenses it sought. But because we lost on that occasion, the refrain rose again: "Hells Canyon is dead."

But you didn't think so—I didn't think so—and in the 1956 elections it was again a major issue. MAGNUSON demolished Langlie, an arch opponent of Hells Canyon, in Washington. With your help, I finished off the man who let himself be used as Secretary of Interior to rob the Pacific Northwest of its greatest damsite.

AL ULLMAN—Mr. Hells Canyon—won his congressional seat. CHARLIE PORTER—always a stanch Hells Canyon supporter, won also. Both defeated opponents of Hells Canyon.

FRANK CHURCH, in Idaho, beat Senator Welker, an opponent of Hells Canyon, and Mrs. PFOST had easy sailing.

The result was similar in State legislative races.

"But," cried the critics, "it's too late. Hells Canyon is lost."

It was far from lost. We still had our committee problems, this time primarily in the House. It took time to bring the Hells Canyon bill to the floor of the U.S. Senate. We were often advised not to do it. We would only suffer a humiliating defeat, said the pessimists.

FIRST MAJOR HELLS CANYON VICTORY ACHIEVED IN 1957

But we stuck to our guns.

When the quick tax writeoff certificates were granted by the administration to the Idaho Power Co. for its small dams over the active protests of over 20 Senators and Congressmen, Senator KEFAUVER went to work in response to our requests.

His hearings showed that the company and the administration misrepresented the facts when they told the people that the company dams would be built at no expense to the taxpayers. As the hearings started I compared the Eisenhower administration's stealing from the taxpayers to subsidize Idaho power with Dave Beck's dipping into the pockets of members of the Teamsters Union. This was considered indelicate, bad taste. But it was true—and eventually the people recognized it as true. I'm quite used to taking abuse from many segments of the one-party press which delights in serving the people its emotional brew. Fortunately, those who swallow this brew usually reach a stage of sober reflection. They did with respect to Hells Canyon.

With the help of the Democratic leadership of the Senate, we got ready for the floor debate and vote in 1957. Defeat was predicted. But, friends gathered in Washington; Elmer McClure and Lars Nelson camped on senatorial doorsteps; mail and telegrams flowed in. If we were to die, we were going to do it with our boots on.

But we won. High Hells Canyon won in the Senate in 1957. All the smart editorialists and "play-it-safers" were wrong. Those of us who were too stubborn to know we were licked won. We made headlines across the Nation—more and more people heard our story and believed in our cause—that of full resource development and conservation.

We ran into trouble in the House. Solid Republican opposition with White House prompting—and two or three Democrats—blocked the path to a vote on the merits in the House. We lost that round.

But we worked away. We did not give up.

HELLS CANYON WAS AN ISSUE IN CAMPAIGN AFTER CAMPAIGN IN 1958

Even in 1957, BILL PROXMIRE, of Wisconsin, made it a major issue in the campaign which led to his upset victory over an opponent of high Hells Canyon.

After the Senate vote, Senator Watkins, of Utah, was so concerned at the bad reaction in his State that he got out an 8-page special newsletter in which he tried to explain his stand. He was defeated on November 4.

Opponents of the House Republicans who had blocked the bill in committee made Hells Canyon a major issue.

What were some of the results?

Thirteen Senators who opposed the Hells Canyon bill are no longer in the Senate; 10 were defeated and the other 3 didn't run for reelection. Another Senator who only paired for it was defeated and was replaced by a supporter—EUGENE MCCARTHY, of Minnesota.

It is not too much to expect that in another vote on Hells Canyon some of the opponents of 1957 might turn tail, if we have a feasible plan.

The architect of the House committee defeat of Hells Canyon was himself defeated in Nebraska. His colleague from that State on that committee had a close call, and has announced that he is leaving the House Interior Committee. One Democratic opponent from the South did not run for reelection.

Many newly elected Democrats in the House used the Hells Canyon issue in their campaigns. By virtue of Democratic successes throughout the country, the margin of members who are favorable to projects such as Hells Canyon on the Interior Committee and in the House itself should be quite encouraging.

The supporters of full resource development in Congress are stronger than at any other time in a decade—and possibly more.

Why have I gone into such a lengthy review of the history of our struggle? There is a lesson to be learned: We haven't quit before in the face of heavy odds.

Now that our forces in Congress are strong it is no time to quit. The high dam has been pronounced dead by its critics time and again. But it will stay alive so long as it remains superior to the Idaho Power Co. dams in terms of multipurpose development.

THE PRESENT HELLS CANYON SITUATION

In considering what we should do—or advocate be done—we must first ascertain what can be done.

The Idaho Power Co. has not been diligent or efficient during the more than 3 years since it was handed its licenses by the Federal Power Commission.

It has bungled repeatedly. Despite its mistakes, the company has managed to bring Brownlee to near completion. Because of its blunders, it has not gotten very far with the second dam, Oxbow. Little Hells Canyon is hardly a gleam in its dazed gaze.

While there is some dispute about the matter, the likelihood is that the Idaho Power Co. would have to be compensated for the flooding of Brownlee Dam and perhaps part of Oxbow. The precise measure of damages would be a question for negotiation or possibly court determination. It is inconceivable that the public would be charged for the company's mistakes which have taken the costs much higher than original estimates, I am informed.

You know, the private utility line used to be that only the inefficient government underestimated costs of dams; they hardly dared admit it when efficiency caused the lowering of Federal dam building costs a few years ago. There are some red faces in Boise, Augusta, and Wall Street now.

But, we must take the situation as it is. Due to the bias and favoritism of the Eisenhower administration and its handpicked Chairman of the Federal Power Commission, the cost of condemning Brownlee and possibly as much of Oxbow as has been completed would probably have to be added to the total cost of the high Hells Canyon Dam. It is a tribute to the superb productive power of the high dam that it is even a question whether—with the probable added costs of paying off Idaho Power—its benefit-cost ratio would be favorable.

I do not know the answer. I hope the answer is: "Yes, the benefit-cost ratio would be favorable." Everything must be done to find out the answer. And if it is favorable, we must go full steam ahead to congressional authorization of Hells Canyon.

I believe the Hells Canyon proponents have the proper approach which has been studied and in general approved in our region. I believe it merits immediately being brought up to date.

THE BESSEY PLAN

Some preliminary work has been done. Roy Bessey, a faithful friend and stalwart worker for full resource development, has done an analysis of the situation which is promising.

It calls for operation of Brownlee by the United States for a period of about 10 years during which the high Hells Canyon Dam would be constructed. The revenue from power sales to Idaho Power, at cost to the company plus 3 percent interest would go a long way toward offsetting the cost of acquiring Brownlee.

It has been reported that Brownlee construction costs have been higher than estimated by the company and the Federal Power Commission. Some costs—such as inefficient fish diversion facilities—which were due to mistakes by the company should not be chargeable to the public. You will recall also the flooded cofferdams during the winter of 1957.

Surely the mammoth blunder involving the washout of fish facilities and cofferdams at Oxbow this past Labor Day must be the responsibility of the private utility.

The actual expenditures made by the company must be ascertained, and I have asked the FPC for these figures. An analysis of the costs which would be required under public condemnation added to the construction costs of Hells Canyon itself must be made. Then the benefit-to-cost ratio must be derived.

If the benefit-to-cost ratio remains favorable, we must renew our all-out efforts to achieve authorization of a high Federal dam at Hells Canyon.

THE NORWOOD PLAN

In addition to the Bessey plan, a specific, two-stage proposal has been drafted by Gus Norwood and circulated among those of us concerned. The Norwood plan is also deserving of the most careful study by the Hells Canyon Association.

If, after thorough study and consideration, the recommendations of the experts in the Hells Canyon Association are that economically feasible, full, comprehensive development of Hells Canyon would be accomplished by either the Bessey plan, the Norwood plan, or by a combination or variation of them, you will have my full cooperation in seeking approval by Congress.

THE CONTINUED DESIRABILITY OF HIGH HELLS CANYON

The high dam at Hells Canyon is still the keystone of full development of the Snake and Columbia River Basins.

Why? Because it holds the best prospect for economic large-scale water storage, for flood control and downstream power production.

WATER STORAGE—FLOOD CONTROL, ELECTRIC POWER AND ATOMIC POWER

Throughout history population has followed the river valleys. Our country and our region are not exceptions. The flood plains of the Snake and the Columbia Rivers are areas of population concentration; the concentration of people and manmade wealth will become greater with time. Those lines and that property must be protected and it is the duty of the Federal Government to provide that protection from navigable streams. A flood such as the one which threatened in 1955 could be far more costly than the whole Hells Canyon Dam.

We shall need larger and larger blocks of low cost electric power if our region is to grow.

We need the water storage facilities which flood control and power require. And if we have them we shall insure that development of atomic electric power will take place first within our region.

When the Atomic Energy Commission reported on the feasibility of an atomic electric power experimental plant at Hanford it stressed the fact that atomic power is most feasible where there are large water storage facilities and power dams.

This is so because atomic generators are subject to outages, especially in the present and foreseeable state of technology. A standby of vast water storage and dams means that in a matter of moments the water can be released to produce peaking power and make up for the atomic outage until it is fixed. When it is fixed, the reservoirs are slowly filled to be on guard for the next crisis.

Only if we expand our water storage facilities will we retain this competitive advantage. If we lose that advantage we shall very likely sacrifice the region's best hope for full economic development in the atomic age which is at hand.

WATER STORAGE—WHERE?

Where are we to find water storage? Negotiations with Canada on sharing the advantages of water stored behind its borders are deadlocked. We should press for a resolution of these difficulties, but it will be a long while before they are solved. Libby Dam has been a possibility which has been stymied by misunderstandings with Canada.

Paradise Dam has been an attractive possibility. But high costs of land acquisition have led the Corps of Engineers to study an alternative at Knowles site, a few miles upstream, which does not provide as much storage or other benefits, but eliminates much of the relocation difficulty.

The FPC has found that in the Middle Snake, Nez Perce is the best adapted to a comprehensive plan of development.

As I indicated to the association's annual meeting in 1956, I am for seeking a solution to the fish passage problems at Nez Perce. But that will take time, several years at best, before even a start could be contemplated. So Nez Perce is a potentiality. The site should be preserved for full development until these problems are worked out.

The FPC determination has, for the foreseeable future, eliminated proposed alternatives at Mount Sheep and Pleasant Valley. The FPC has turned them down. (If it had used the same criteria at Hells Canyon we would not have the present problem.)

The corps has been pushing Bruce's Eddy and Penny Cliffs. Bruce's Eddy is partially authorized. Conservationist opposition to it continues and understandably so. It is not going to move ahead very fast—and in any event its storage is a drop in the bucket.

Penny Cliffs has even stronger conservationist opposition—and I shall continue to oppose it until there are satisfactory solutions for the fish and game problems.

I do not believe it either possible or desirable to initiate dams on the Salmon River at this time.

Whatever road we take in the search for upstream water storage, the signs all point to the Hells Canyon site as the best and the most immediately available.

Its 4 million acre-feet of storage are irreplaceable. We have seen the truth of that demonstrated over the past 6 years.

Because high Hells Canyon remains so desirable, all doubts on feasibility should be resolved in its favor.

And there is a moral account to square as well. The rape of this resource should not go unremedied. It should not be permitted to be successful.

We cannot punish the power company, nor do I seek to. The Eisenhower administration has taken its lumps at the polls.

What we can do is retrieve the loss to resource development, economic development, and the people of this region—by wiping out the inadequate dams and building the high dam.

Not only is this sound economics. Not only is this sound resource policy. Hells Canyon would stand as a symbol that resource looting will not be tolerated.

So, I call upon you, I call upon the people of Oregon and its neighboring States, I call upon the Senators and Representatives of the Pacific Northwest States to stand fast until we explore every possibility for salvaging the people's interest at Hells Canyon.

In the past, the Democrats in the Pacific Northwest delegations have been able to meet, debate, and arrive at common policies on Hells Canyon. If we could do that in adversity, we should be able to do it with such an improved congressional climate.

If we have a feasible plan, our colleagues will support us. If our plan is questionable, we should not put it forward.

But now is the time to run up the signal: Hells Canyon is not dead.

We are not ready to quit.

We can hold our forces together if that is the message we offer our region and our friends across the Nation—because they number in the tens of thousands.

CONSERVATIONISTS' STAKES AT HELLS CANYON

The National Hells Canyon Association need not be reminded that proper resource development requires a multipurpose approach which seeks the maximum utility of a resource (a river basin) for all potential purposes.

There are of course frequent conflicts between possible uses, and they must be resolved. This need not result in sacrificing one value to another, if reasonable methods can be employed to serve both purposes.

The potential conflicts between the flood control, power, and navigation benefits of dams, on the one hand, and sport and commercial fishing, on the other, have been with us for some time.

I think a new era of understanding and cooperation has been achieved. Today public power and conservation groups meet, consider each other's views and seek to harmonize those views. I am proud that I took a part in shaping that cooperative effort.

Conservationists—and especially fishermen and wildlife enthusiasts—know that a high dam at Hells Canyon would serve the interests they cherish in two main ways.

A high dam at Hells Canyon would have the least adverse effect upon fish, and indeed would provide what one editor of Sports Afield called a fisherman's paradise. Its lake would provide an outdoor recreational area with unique rugged scenery. The Idaho power dams offer little in the field of recreation.

Equally important, by providing a large amount of vital water storage, construction of Hells Canyon would take the pressure off for dam construction at sites such as Penny Cliffs on the Clearwater, or sites below on the Salmon River.

That time can be used to explore means of solving fish passage problems, elk winter feeding problems and the other outdoor resource preservation problems attendant upon dams like Nez Perce and Penny Cliffs.

An aggressive program of study should be undertaken; whether completely satisfactory solutions can be achieved, I do not know. But time is precious; the job should get under way.

Meanwhile the interests of conservationists would be best served by the building of a high dam at Hells Canyon.

Experience shows that the Idaho Power Co. has been irresponsible in this field.

The Oxbow fish fiasco is a recent case in point. The company in its slipshod manner sought to anchor its fish facilities to old concrete. It gave way and necessitated shutting off the flow of the Snake River by Idaho Power according to corps of Idaho officials.

In the process navigation was hurt and thousands of migrating fish killed and endangered.

Little wonder that the Idaho Fish Commission censured the power company, Morrison-Knudsen, and the FPC.

The incident is typical of the company's disregard of public interests in its headlong, headstrong insistence upon maintaining its monopoly position.

THE FARMERS' STAKE IN HIGH HELLS CANYON

As we know, the high Hells Canyon Dam has found strong allies in the farmers of the West and Midwest. The farmers realize that their hopes for high-concentrate phosphate fertilizers at reasonable costs are closely related to maximum development of the Hells Canyon site. They know that the use of low-cost Hells Canyon power for electric furnace processing of the phosphate rock now found in abundance in Idaho, Utah, and Montana would be the best method of converting low-grade phosphorus deposits into high analysis fertilizers.

The experts agree with the farmers concerning the need for cheap power for fertilizer production. For example, the Manager of the Tennessee Valley Authority said recently:

"As you undoubtedly know, the largest phosphate deposits in the United States are located in the three-State area of Idaho, Montana, and Utah. TVA development of the electric-furnace process for smelting phosphate ore has stimulated the development of the western phosphate industry and the use of these ores.

"The electric-furnace process is particularly well suited for use in the West because there are large potential sources of electric power in that area and because the electric-furnace process can process lower grade ores than can be economically processed by other methods.

"One of the major obstacles to the use of the western phosphate ores for the manufacture of fertilizers is the high cost of transporting either phosphate rock or conventional low-analysis phosphate fertilizers from the West to the large established markets in other parts of the country. Production of concentrated fertilizers or concentrated materials used in the manufacture of fertilizers is one way of overcoming this obstacle.

"* * * We believe it is reasonable to assume that the need for higher analysis fertilizers will result in the use of new processes for the production of the more concentrated liquid and solid materials from superphosphoric acid in the West, and that this use will depend considerably on the extent to which low-cost power is available in the western phosphate field."

Farmers of today and of the future have a mighty important stake in the high Hells Canyon Dam. Our job is to continue to give them the facts; they will join us in the fight for the high Hells Canyon Dam in ever increasing numbers.

THE ROLE OF THE NATIONAL HELLS CANYON ASSOCIATION

Come what may, this association has achieved a unique status, not only in our region but nationally as well.

It has become recognized as a reliable spokesman for the public interest in resource development.

We hope that the outlook for the Hells Canyon Dam itself is good. I pray that it will be.

But if it is not we will have to be realistic when the facts are clear. What should the association do?

For my part, I hope and I urge it to keep going. Its name is a badge of honor here and throughout the Nation. It and the facilities and lines of communication built up during this struggle can be used in resource battles which surely lie ahead.

Do not disband. Do not be discouraged. You have already won great victories and there are challenges ahead.

ELEMENTS OF A RESOURCE PROGRAM, THE PACIFIC NORTHWEST

It was not quite 2 years ago that I met with you to discuss a resource program for our region.

The essentials of that program remain good guides for future action; progress has been good during the past 2 years. The composition of the new Congress seems promising.

A few of those essentials should be emphasized at this time:

(1) Full multipurpose development of the Columbia River Basin remains a valid and necessary goal.

(2) The major, keystone projects must be built as rapidly as possible and great sites, such as at Paradise and Nez Perce, should not be sacrificed to underdevelopment.

(3) Upstream storage remains a key to proper multipurpose development, as I have indicated.

(4) The principles of integration of electric generating and transmission facilities, and the postage stamp rate, must be maintained.

(5) The basic principle of public agency preference in the interests of domestic and rural consumers must be maintained.

With Vince Cleaveland—and all of you for that matter—I believe that the solution to preference allocation problems is adequate supply.

The defeat in Oregon of the power referendum means that a State power program must be fashioned. Consideration should be given to the establishment of a State agency which not only would have preference rights itself, but which would market power in accordance with the public preference principle. This agency could also allocate large blocks of low-cost power to industry and insure adequate supplies to Oregon consumers if a pinch should develop in the next decade.

(6) Flood control and power on the smaller rivers of Oregon should be pressed forward. Remarkable progress has been achieved at Green Peter, Cougar, Hills Creek, and Holley. We must do more on the Rogue, Yamhill, and the other rivers where floods threaten.

(7) Atomic energy for power—first for experiments and then as an integral part of an atomic-hydro system should be pressed. Herein lies our hope for a continuation of our resource advantage to offset disadvantages of freight rates and lack of raw materials. The Hanford dual purpose reactor program should be carried forward. If Hanford generates as much as 380,000 kilowatts it will relieve the current substantial drain on current sources—and, indeed, contribute a sizable net gain.

(8) Seek aggressively for solutions to fish and wildlife problems so as to best serve all the presently competing interests in the resource field.

CAPITAL BUDGET

One of the most serious obstacles to securing adequate funds from the Congress for resource development is the problem of making a clear distinction between Federal appropriations for normal governmental operations and Federal appropriations for revenue-producing investments, such as

multipurpose projects. In order to make this important distinction between the two types of Federal appropriations, I have introduced a bill in the Senate which provides for capital budgeting. I believe this bill is urgently needed, and if adopted, it would provide one of the most important advancements ever made in our Federal Government appropriations process.

COLUMBIA RIVER DEVELOPMENT CORPORATION

An important first step toward capital budgeting can be achieved through the Columbia River Development Corp. legislation. Two years ago, I called for the introduction of such a bill so that we might have hearings on it. The proposal, which was prepared by the Northwest Public Power Association, deserved to be offered so that it could be reviewed thoroughly by legislative committee staffs and by competent Government and non-Government witnesses.

I cosponsored it for this purpose; I believe the hearings already concluded and those still to be held will make it possible to work out a bill which will merit the approval of Congress.

Certainly we cannot continue to permit piecemeal, partial development of the Columbia such as has occurred thus far in the Hells Canyon stretch. The regional corporation bill will make available a source of capital for comprehensive development of the Columbia Basin, development that can be orderly and timely.

The regional corporation bill will be as beneficial to the private power companies as it will be to local public agencies and rural electric co-ops. Scare words from the power companies should fool no one. They have cried "wolf" before, with respect to practically all the multipurpose projects in this area; yet, they as well as the people here have benefited from their construction.

Here is an outline of an affirmative, progressive program. I want your comments, your suggestions, your criticism. I believe it is a sound program, but I always welcome improvements.

BASIN HAS SURVIVED MAJOR THREAT

During the past 5½ years the Columbia Basin resource program has been threatened by a combination of forces which almost crippled it.

Despite the setbacks at Hells Canyon, support and belief in the program, and the program itself, have survived. Indeed, they have been refined in the ordeal.

Better times can lie ahead. We must continue to plan together and pull together.

We have a lot of building to do in the Pacific Northwest.

We must pool our intellectual skill, our knowledge, and our experience to the end of working out the best possible basinwide development of the water resources of the Pacific Northwest. By so doing, we can carry out a sound power program that will make it possible for us to use the power generated by both private and public facilities for the interest of all the people of this area. And we will thereby enlarge the economic might of the whole American Nation.

DISTRICT OF COLUMBIA PUBLIC SCHOOLS

Mr. MORSE. Mr. President, I speak as a member of the Senate Committee on the District of Columbia, and as chairman of the Subcommittee on Public Health, Education, Welfare, and Safety. I speak in defense of what I think is a very restrained, but exceedingly sound, joint statement published in this morning's Washington Post and Times Herald. The statement was made by Mr. Walter N. Tobriner, President of the Board of Education, and by Mr. Hansen, Superintendent of Schools of the District of Columbia, in answer to what I consider to be a completely irresponsible statement in regard to District of Columbia schools made by the Governor of Virginia in his speech the other night.

As a member of the Committee on the District of Columbia, Mr. President, I do not think I could possibly remain silent in the face of that unwarranted attack on the District of Columbia, on its inhabitants, and particularly on the schoolchildren of this District. I commend the coauthors of the statement for their reply to the Governor of Virginia, and I ask unanimous consent that the reply be printed in the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TEXT OF TOBRINER-HANSEN STATEMENT

The text of the joint statement of Walter N. Tobriner, President, Board of Education and Carl F. Hansen, Superintendent of Schools, commenting on remarks by Gov. J. Lindsay Almond, Jr., on the District of Columbia public schools:

The basic objective of our school system is to secure and improve the educational opportunities for the children who enter the schools of the District of Columbia.

Because of this concern for the children here, entanglements with political issues in other jurisdictions have been studiously avoided despite great provocation to the contrary.

It is impossible, however, to ignore the following statement made by Gov. J. Lindsay Almond, Jr., of Virginia, on Tuesday, January 20, 1959 "* * * to those who defend or close their eyes to the livid stench of sadism, sex, immorality, and juvenile pregnancy infesting the mixed schools of the District of Columbia and elsewhere."

This statement is a gratuitous and intemperate attack upon the innate decency of 114,000 children and youth in our public schools. It maligns the parents and teachers of those children.

It challenges the integrity of the citizens of this great city—a city of church people, of family-minded citizens—of people of the highest moral principles, generous, and concerned—Americans unwilling to stand by while children are in want of physical and moral help.

CONDEMNS MANY

It condemns the many for the misfortunes and the deviations of the few. It implies that conditions relative to morality among some children are peculiar to Washington and cannot be found in other cities as well, whether segregated or integrated.

It subjects to profound indignity and unprovoked assault a public school system that is dedicated to the educational improvement of all the children in accordance with the highest ideals of democracy.

It inaccurately implies that "immorality and juvenile pregnancies" result from attendance in racially integrated schools, rather than, when they do occur, from community conditions, social and economic blights, and possibly from a lack of educational backgrounds, conditions which are far too general in our national community.

It neglects to point out that the schools seek to eliminate, so far as they can, the causes of human degradation, and that for many children the system of public education is their only chance for improvement.

STANDARDS LIFTED

Since 1954 the District schools have been successful in improving academic standards on a citywide basis on most levels, though much remains to be done to overcome cultural deficiencies in many homes.

They have achieved national notice for the ability grouping program instituted here. They have demonstrated the capacity to educate the bright student to levels far above the national average. (Four hundred and eighty pupils whose achievements in reading and mathematics average three and two and four-tenths grades, respectively, above national norms are presently in the seventh-grade honor courses.)

They have introduced basic curriculums, with an expansion of remedial work, for the educationally retarded pupils.

They have a continually improving program for the maladjusted, the needy, the delinquency-prone child, though many more resources are needed to get to the heart of these problems.

They have, in all the adjustment necessary to desegregation, experienced a minimum of disciplinary problems, though many needs in this area are still to be met.

The statement ignores a basic fact: that the public school system of the District of Columbia is an outstanding example of how education serves to improve citizenship, thus demonstrating the value of public education to the community and the Nation.

In frankly assessing its educational problems, the District schools have proved that a direct and open attack upon problems of educational and moral retardation is better than a policy of ignoring and secreting such problems.

It is regrettable that the foregoing statement has been considered necessary. The intention is not to involve the school system in the concerns of another political jurisdiction. The intention is, rather, to inform Governor Almond that his statement concerning the schools is unjustified, that he does not understand the significance of the school program here, and that, further, the degrading effect of such commentary places a burden upon the children and teachers in our school system to provide a maximum educational opportunity for every child according to his needs and abilities.

TRANSFER OF SENIORITY ON THE ARMED SERVICES COMMITTEE

Mr. BRIDGES. Mr. President, I ask unanimous consent to have the Senator from Massachusetts [Mr. SALTONSTALL], temporarily listed as the ranking minority member of the Senate Armed Services Committee during the 86th Congress. The Senator from Massachusetts [Mr. SALTONSTALL] is presently second ranking minority member of the committee.

I also ask that this in no way affect my seniority rights or my permanent status as the ranking member on the committee, and that at the end of the 86th Congress I resume my correct position as ranking minority member of the Senate Armed Services Committee.

I realize that this is an unusual procedure, but this privilege was granted during the past two Congresses, and it is my desire to have the same procedure followed during the 86th Congress.

The VICE PRESIDENT. Is there objection to the request of the Senator from New Hampshire?

Mr. JOHNSON of Texas. Mr. President, what was the request? I did not hear the Senator.

Mr. BRIDGES. I ask unanimous consent that I be privileged to waive my seniority with respect to service on the Armed Services Committee for the 86th Congress to the Senator from Massa-

chusetts [Mr. SALTONSTALL] and that I resume seniority at the conclusion of the Congress.

The VICE PRESIDENT. Is there objection to the request of the Senator from New Hampshire? The Chair hears none, and it is so ordered.

Mr. BRIDGES. Mr. President, I submit a letter from the Senator from Massachusetts [Mr. SALTONSTALL] expressing his appreciation, and ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
January 22, 1959.

Hon. STYLES BRIDGES,
Senate Office Building,
Washington, D.C.

DEAR STYLES: In view of the fact that I will not be able to be present at the session on Friday, I want to take this occasion to thank you for your courtesy in permitting me to again be the ranking minority member of the Armed Services Committee.

You and I have worked on this committee for many years, and I appreciate the opportunity for this service.

I hope that when you ask unanimous consent of the Senate to make this change you will insert this letter in the RECORD with your request.

With kind personal regards, I am,

Sincerely,

LEVERETT SALTONSTALL,
U.S. Senator.

ADDRESS BY SENATOR GOLDWATER

Mr. CURTIS. Mr. President, on January 22 the very able and distinguished Senator from Arizona [Mr. GOLDWATER] delivered an address before the Traffic Club of Pittsburgh, Pa. I ask unanimous consent that the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF SENATOR BARRY GOLDWATER, REPUBLICAN OF ARIZONA, BEFORE THE TRAFFIC CLUB, PITTSBURGH, PA., THURSDAY, JANUARY 22, 1959

Mr. Chairman, it is a privilege to speak today, in this great steel city, before such a distinguished group of men. For you are the men whose efficient use of steel, in transportation, laid the real basis for our great American economy.

We, in Arizona, have always been especially grateful to the railroad builders. It was the coming of the railroads to the frontier territory now called Arizona that was the turning point in that whole area. My State would not be today the thriving, fast-moving community it is, had it not been for the energy of the steelmen of Pittsburgh, and the irrepressible enterprise of the railroad pioneers. Together they forged and then set in place the steel ribbons that tie Arizona into the Union.

But times have changed. The kind of adventurous enterprise which could accomplish such tasks is now almost entirely forbidden by Federal law. It has become almost a crime in the United States to accomplish such wonders. Today the great railroads, like Gulliver, in Swift's famous tale, are enmeshed in a network of minute regulations and restrictions. On all sides there are multitudes of little bureaucrats busily engaged in tying new strings on the giant railroad industry.

There was a day when the adventurous enterprise of the railroad men was greeted by politicians with applause, with celebrations, and enthusiastic praise. When a new railroad came to a frontier town, everyone knew the future had arrived.

Many years ago there was such a celebration in Tucson. It was a big day. The mayor declared a public holiday. In a burst of enthusiasm, he sent messages to the railroad president and to leading political figures in Washington announcing the arrival of the railroad in the Arizona Territory.

Because of the great part Catholic workmen had played in the building of the railroad, the mayor decided to send a message also to the Pope. A Tucson citizen intercepted that message to the Pope before it reached the railroad telegraph office, and he himself wrote a reply which was returned to the mayor. That evening at the banquet, the mayor was reading the answers he had received from various dignitaries. When he came to the message, supposedly an answer from the Pope, he read it aloud to those present. The message expressed the usual good wishes and congratulations, and then ended with a somewhat puzzling sentence, and I quote, "But where in the hell is Arizona?"

Well, gentlemen, Arizona is on the map today. No one is puzzled about its location. Steel and railroads made of steel helped to put her there.

And the State is more like heaven than hell, to most people. If Arizona is not heaven, it must be the last stop this side of heaven.

Every time I go home, I wonder why I ever took on a job that takes me out of the State for months at a time.

Yes, the State of Arizona steadily becomes a greater place to live, and our economy is growing more swiftly than any other State in the Union.

Yet, I wonder, sometimes, what Arizona would be if the pioneers had been confined within the network of government regulations we know today.

Would the free-wheeling railroad men have been able to reach Arizona in the 19th century, if they had been operating under the deadweight of present-day regulations? I doubt that it could have been done.

Where high mountains and swift rivers could not stop the railroads, this mountain of red tape and this army of bureaucrats could have stopped them.

What can be done to take this load off the backs of the railroads? What can be done to restore a measure of freedom to railroad enterprise? This is a question of vital importance not just to the railroads but for the Nation as a whole.

The Transportation Act of 1958 should bring some relief. The intent of Congress is clear; some of the deadweight of restriction and regulation must be taken off the backs of the railroads. Congress is clear on this point. The 1958 act may not be the answer, but it is a good beginning.

Bureaucratic delays must not be allowed to slow down the application of the provisions of this act. There must be a swift response, commensurate with the pressing needs of the situation.

There is need, furthermore, for new action beyond the scope of the 1958 act. The deterioration of rail plant which has taken place must be reversed. I believe such improvement in plant may be brought about most expeditiously by allowing faster depreciation for tax purposes of improvements to the rail plant.

It is not my purpose to review here today the various types of relief which must be brought to the railroads to restore their economic health and enterprise. But I do say, with utmost conviction, that this problem should remain a foremost consideration of the Congress.

For about 100 years the railroads have been basic in the American economy. In peace or in war, it is not possible for a modern economy to function without the railroads. I do not believe Americans, bedazzled by the achievements of the new technology, will forget such a fundamental economic truth.

The fact is, some of the most dramatic developments of American life are taking place within the railroad sector of our economic life. Some of these developments are not even primarily economic or technical.

I am speaking now of certain problems in the field of labor relations. I do not refer to problems of wages or working conditions.

I am referring instead to problems which have arisen in the field of labor relations but which go to the very heart of our free system of government, problems which are not economic, but political. These problems involve, in a very fundamental way, the central problems of individual freedom and personal responsibility.

We have become used to hearing many kinds of problems described in exaggerated terms. Professional propagandists have so often used the sacred idea of personal freedom to promote some cheap and insignificant cause that many, I am afraid, are becoming skeptical and callous when the warning is sounded that freedom may be at stake.

There are times and there are places, nonetheless, where there is a genuine and substantial threat to our basic freedom. I believe that such a genuine threat exists now in the labor relations field, and this threat involves the whole American community; the threat deeply involves citizens, indeed, who have never heard of labor relations, or labor relations problems.

The core of the problem, I believe, lies in compulsory unionism—what labor relations people refer to as the closed shop or union shop. This, as you all know so well is the idea that a man may be prohibited from using his skill to earn a living for himself and his family unless he joins a labor union, pays dues to the union, and submits to the discipline and power of the union officials.

In Arizona, the citizens of the State have declared such a condition of labor to be intolerable, and have passed a law forbidding such labor contracts. And 18 other States have passed similar right-to-work laws. The State of Kansas was added to the list just last November.

Now, the Taft-Hartley law specifically provides that the citizens of any State may forbid, through State legislation, such coercion of labor. Only in the case of one industry has Congress overridden the wishes of the citizens of the States and imposed the union shop or closed shop against the wishes of the local citizens.

The railroad industry was singled out in 1951 for this distinction. And in 1956, in the Hanson case, the Supreme Court upheld this questionable distinction.

You railroad men are certainly a privileged group.

I have been speaking of the closed shop, or compulsory unionism, but it is not the closed shop alone which so threatens the basic freedom of the citizens of the United States. The closed shop, or compulsory unionism, is a dangerous enough restriction on freedom, but the deadliest danger lies in a subtle extension of compulsory unionism into the political area. I am talking about the regular deduction from a man's pay for political purposes. The union member, on pain of dismissal from his job, is, in effect, required to sign a blank political check for the union leader. The union official then disposes of the worker's money in such political campaigns as he, the union official, sees fit.

There is nothing to stop the union official from using the member's own money to support political candidates which the union member himself opposes. In other words,

that union member may go down to the polls and vote for a candidate who is, at the same time, being opposed by the union leader; but the union leader is nullifying to a degree the franchise of such a union member by requiring him to contribute money which the union official can then use against his chosen candidate.

Now, we have heard a great deal from the self-styled liberals about the restrictions on voting in certain regions of this country. And there is no question that such restrictions constitute a genuine and serious problem. But I ask these same liberals for a little honesty. Let them look at the degradation of a whole class of voters in the industrialized North. Let them view with the same alarm the nullification, or the diminishing, of the franchise of a northern union member who may be compelled to pay to support the campaign of a political candidate whom he himself would vote against.

Which is worse: to prevent a man from voting, or, on the other hand, to let him vote but compel him, at the same time, to supply political funds which may be used against his chosen candidate?

I invite the self-styled liberals to examine this situation. Although many of these liberals have been the beneficiaries of very large sums of money and purchased political help from union politicians, I feel sure that some of them are men of some integrity. Their willingness to face this very real civil rights problem will be a measure of that integrity.

There are millions, yes; millions of union members in this country today who are making forced political contributions on pain of losing their jobs.

They are the new second-class citizens in America.

They are the citizens whom we, by law, have turned over not only to the economic but to the political mercies of a small group of union politicians.

This is a new serfdom, where a citizen is required to surrender a portion of his freedom of political choice to a union politician or be discharged from his job on the grounds of failure to pay his dues.

We have heard much talk of civil rights just recently. And I am firmly convinced that the civil rights problems which have been so discussed are, and should be, matters of deep concern to every citizen.

I say civil rights is not the problem of only one region in this country.

Nor is civil rights only a matter of color.

There is a deadly civil rights problem in the North.

Yes, I shall begin to have more respect for some of the vociferous liberals of this country when they begin to examine with the same intensity the degradation of the political rights of workers in the North that they expend on the problem of the South. One is no less important than the other. Through the closed shop and the compulsory political contribution there is being created, I repeat, a whole class of second-class citizens in this country.

You may be interested in the story of a man, an underground miner from Negaunee, Mich., who came all the way to Washington at his own expense, several years ago, to ask for help.

I remember his name very well. It was Bridgeman. He was an angry man, angry enough to pay for a train fare he could ill afford. And he was courageous. He dared to fight men in the union who have the power to destroy his right to make a living.

This is the story he told, and I think it is worth your hearing in his own words; I am quoting his testimony:

"My name is Clarence Bridgeman of Marquette, Mich. I welcome this opportunity to relate a personal experience during the 1954 fall elections campaign which I consider to be a violation of my personal political freedoms. This violation occurred when I was a Republican candidate for county clerk for Marquette County, Mich.

"From 1950 to 1954, I was an underground mine worker for the Negaunee Mine Co., at Negaunee, Mich. I joined the United Steel Workers of America when first contacted by union representatives after starting my employment.

"Naturally, when I became a candidate for county clerk on the Republican ticket, I approached the acting president of my local to talk over my candidacy. I was told in clear language that I was running on the wrong ticket. This happened on at least two occasions.

"My union leadership came out openly and strongly for the entire Democrat slate. To me this meant my own union was opposing my candidacy on the Republican ticket and, more important, that a part of the union dues which I had to pay in order to keep my job covered were being used in the Democrat campaign against me. It put me in the position of practically contributing money to my opponent's campaign and to all the opponents of my fellow candidates.

"I believe this is a violation of my rights as an individual American citizen. That is why I have turned to Senator CURTIS and Senator GOLDWATER."

Now, gentlemen, this miner is not unique. I have thousands, yes thousands of letters from union members in this country who are keenly aware of this problem.

This is not a partisan matter. It happens that Bridgeman was a Republican. But let us look for a moment at a Democrat primary. There are large areas in this country where winning the Democrat primary is tantamount to election.

There are even a few places left where winning the Republican primary is tantamount to election. But there haven't been many Republican areas like that, recently.

Now the union politicians are just as active in the primaries as in the general election. Such is the case, especially in the South.

What then of the union member who is a Democrat and who votes in the Democrat primary for the candidate he wishes to represent him only to find that his dues money and the dues money of his fellow members have been put behind another Democrat candidate whom the union leader prefers?

This doesn't happen only in the South. It happened in the State of Arizona—in the last election. It happens all over the country.

In the Democrat primary in Arizona last summer, the national unions, with headquarters in Washington, came into Arizona to oppose one of the most distinguished Democrats in the State, a man chosen by the Arizona Democratic Party as their national committeeman.

Now there is no doubt whatsoever that many Arizona union members who are Democrats favored their national committeeman to be senatorial candidate. Their own money, along with that of fellow union members was thrown into the contest in such quantity that their votes were nullified by the top union politicians. The national committeeman of the Democrat Party in Arizona was successfully purged from the senatorial race by the national union politicians. The national committeeman publicly ascribed his defeat to these outside forces. The union's own report on expenditures later confirmed this charge.

The Republicans were not harmed by this political raid on Arizona. I know I received many votes from Democrat union members angered at the nullification of their franchise by their union officials.

Republicans were not damaged, but the basic political rights of Arizona union members were violated. Again many of the union members found their own money was being used to nullify their votes, this time inside the Democrat Party.

I have heard union politicians try to defend their actions in such instances by describing their own superior knowledge of political candidates. They say the union members are too uninformed, too ignorant, to know which candidate inside the Democrat Party is a real, honest-to-God, 24-carat advocate of the union member.

They, themselves, the union political leaders are devoted to principle, we are told. They just want to know whether a candidate stands for these principles. And they, the union leaders, have special knowledge about political candidates. They feel they are in a better position than their more ignorant members to make judgment on the principles of political candidates.

Well, we could cite some dozens of cases that might illuminate this devotion to principle on the part of the union politicians. We'll take one example—from Detroit, since that is the hometown and citadel of that most rarefied union Galahad of them all, Walter Reuther.

It is the case of Congressman LESINSKI of the 16th Michigan Congressional District. I have taken a special interest in Michigan, since the State has become a sort of national testing ground for union political action.

The Lesinskis are a longtime Democratic political family from an industrialized suburb of Detroit which includes Dearborn and the Ford Motor Co. factories.

The father of the present Congressman was elected first in 1933 as a very prounion Democrat. During the period when Congress was legislating a whole system of special privileges for the union leaders, during the thirties, Lesinski remained one of the most loyal and vocal supporters of the policies of the union leaders in Congress. He remained so as a member of the House Labor Committee, finally becoming ranking Democrat and chairman of the committee in 1949 and 1950.

There was probably no man in the House of Representatives to whom the union leaders owed so much as to Congressman Lesinski. When he died—I believe it was in 1950—his son, the present Congressman LESINSKI, was elected Democrat Representative from the same district.

The younger LESINSKI has followed in his father's tradition. He, too, voted for policies which the union leaders desired. He, too, as had his father before him, stood 100 percent for policies supported by the union politicians.

You are familiar with the voting records put out by the union leaders. We are told that these voting records are the basis on which the union supports a candidate. These embody the principles, the policies, for which the union leaders stand.

A man who stands high on this list has, on principle, the right to expect the political help of the union leaders.

Well, gentlemen, what of the present Congressman LESINSKI? His voting record from 1950 to 1956 was 100 percent in accord with the legislative program of the union officials. Not once in that time did he deviate.

What happened to him? Well, it is an interesting story, and it has something to do with the question of principle.

If there is anywhere in this country a family, father and son, who deserved, on principle, the support of the union leaders, it was the Lesinskis.

What happened was this: Stellato, president of the largest union local in Walter Reuther's organization, was chosen to go into the Democrat primary to destroy LESINSKI and replace him as Congressman. A vicious, very high-cost campaign was waged to replace LESINSKI with this high official in Walter Reuther's organization.

And what happened?

In a district where a very high proportion of the voters are members of the United Automobile Workers, LESINSKI won an over-

whelming victory over the president of the UAW local. The union members voted for the man who had a claim on them, in principle. They voted against their own union president who, by his attempt to destroy LESINSKI, was denying the importance of principle.

Walter Reuther's union politicians of the United Auto Workers took off the mask in this Democrat primary. LESINSKI, and his father before him, had every possible claim on the support of the Reuther organization, if principle were the basis of such support, to say nothing of common decency. It was not enough that they have a Representative who voted in almost every respect as they wished; the union leaders of the auto workers had to have their own hireling.

It was not a matter of principle; it was a reach for raw power, unprincipled, disloyal, indecent.

Nor is this a partisan matter. The whole ugly business I have just described took place inside the Democrat Party. This ugly thing is just as much the problem of Democrats as it is Republicans.

It is the problem of every citizen. For the rights of every citizen are being commensurately diminished as the evil, irresponsible, political power grows in the country.

Some suggest that such a power can be curbed only by creating a similar power to oppose it. Some say business should create this power. I have not yet heard any account of how this can be done which seems to me to do other than simply compound the civic evil of union politics, on a national scale.

Fifty years ago there were a few irresponsible businessmen in this country who used the assets of corporations and insurance companies in an effort to buy political candidates and parties. In 1907 a Federal law prohibited such activities.

Now we see irresponsible union officials using members' dues money to buy political candidates and a party.

Do we correct the irresponsible union leader by opposing to him an irresponsible business leader?

This is a serious question. Does such a solution really fit our American concept of the free citizen whose ballot remains significant and truly powerful because it is not overshadowed by any private or public power? Can we properly envisage a situation where great political giants fight out their private-interest battles inside our election system, so diminishing the power of an individual voter that he becomes politically significant only as the servile adjunct of one of the competing giants?

We talk now of voter apathy. What of the apathy which will come as the voter increasingly senses his political futility in competition with such irresponsible political giants?

What will be the quality of citizenship, what will be the quality of voting as more and more the voting situation becomes one where giant competing private interests drive their own hordes of voters to the polls, voters becoming more and more apathetic and cynical as they realize the increasing futility and meaninglessness of their role?

No. As I speak to you today I am not convinced that the answer to union political irresponsibility lies in a similar irresponsibility on the part of business leaders.

What then can be done?

What power is left which has both the strength and the will to cut down the irresponsible political power of the union politicians?

I believe one promising direction is through the energetic application of existing law, and appeal to the principles of the Constitution of the United States. There are developments in this direction, at the present time, which seem to me of the greatest significance. In spite of the judicial erosion of the Constitution, which has taken place I continue to place great confidence in the Constitution as a resource.

You men of the railroad industry, in particular, are familiar with the legal and constitutional questions which have been raised, since the railroads are parties to several recent cases, some still in litigation.

I refer especially to the so-called Hanson case which originated several years ago, in Nebraska, and the current Looper case, which originated in Georgia. I understand there are several other comparable cases in litigation, one in North Carolina and another in Kentucky.

Let me say at the outset that I am not a lawyer by profession. I am not even a curbstone lawyer.

These cases interest me because they go to the real point at issue. The line of reasoning as I see it developing in these cases brings into sharp focus the basic violation of civil rights which takes place when compulsory unionism is transformed into compulsory political activity.

Some have said that the Looper case is the most important labor case in the country, probably of the decade.

I believe this may be true.

Now I should like your permission to review very briefly the central meaning of the Hanson and Looper cases, and a little of their background. As railroad men and parties to these suits you have a special interest; no less as citizens you will have an interest, since every American citizen has a stake, I am convinced, in the outcome especially of the Looper case.

We know the background of the specially privileged position which Congress has given the labor unions. We know how they were given a special exemption from investigation and control as monopolies.

At the time such special privileges were granted by Congress, labor unions were comparatively weak. Some Members of Congress felt that the unions were not strong enough to bargain collectively on a relatively equal footing unless they were given special legal privileges and immunities.

Since that time unions have grown until they stand now across this Nation like a colossus, and no power outside of government can compare with them in magnitude. Even in government their reach has gone so far that there is some question whether they may not already have successfully neutralized or even conquered important sectors of our public life.

We have reached the point where we see the special privileges granted to formerly weak unions used now by the giant unions who no longer need them; used now, not to equalize collective bargaining because that is long past, but now, I say, used to achieve the actual economic conquest of the Nation—and more important, still, the political conquest of the Nation.

It is very important to keep in mind, I believe, that this great power is based on special privileges granted by the Congress under entirely different circumstances from those which prevail at present. The union politicians are taking this position of economic privilege and are attempting to transform their economic privileges into political power.

In so doing—by bringing compulsion into the field of politics—union politicians are striking directly at the constitutional rights of their own members. This is the meaning to me of the Looper case; it tests the right of union members to have a wholly autonomous political existence, apart from their unions.

In your industry union members are by compulsion members of the railway brotherhood under a union shop contract, and in the Looper case, they are suing to recover dues, fees, and assessments which they have been compelled to pay to the union and which union officials have then used for political purposes.

Just several months ago a Georgia court found for the plaintiffs, the union members. The Georgia court declared compulsory union membership to be unconstitutional when it includes the use of dues money for political purposes.

This case will move now to the Supreme Court of the United States. Not only union members, but every citizen of the United States will have a stake in the outcome.

I should not care to predict what the Supreme Court will do with this case. In the Hanson case, in 1956, which was a key test of the constitutionality of the union-shop provision of the Railway Labor Act, the Court, in upholding the provision, hinted that the decision might have been different had evidence been available regarding, and I quote, "the exaction of dues, initiation fees or assessments * * * as a cover for forcing ideological conformity or other action in contravention of the first amendment * * *"

This hint from the Court, in the Hanson decision, gives us some basis for hope that the Looper case, pointed directly at this problem, may be decided in favor of the union members.

The decision of the Supreme Court will be historic. I will venture this prediction: The Looper decision will be cited in the future as one of the historic decisions in the history of American political freedom.

Not only you railroad men and your employees but every citizen in the United States, I repeat, has a great stake in the outcome.

The dignity and the independence of the franchise of every American citizen is at stake in this decision.

Let us hope, let us pray, that the decision in these railroad labor cases will let new light and new fresh air into the increasingly murky political scene of our country.

There is no place in America for second-class citizens.

No man in America should be asked to surrender inalienable political rights as the price of earning a living. This, gentlemen, is the civil rights problem of the North.

ANNIVERSARY OF POLISH INSURRECTION OF 1863

Mr. PROXMIRE. Mr. President, yesterday marked the anniversary of a very important day in the history of the Polish nation. It is an anniversary which holds a tremendous significance for the entire world.

January 22, 1863, was the day that Polish patriots led an insurrection against Russian control. This insurrection was suppressed, resulting in the absorption of Poland into the Russian empire, and in barbarous punishment of thousands of Polish patriots. Whole Polish villages were exiled, with Russians brought in to take their places.

The significance of this anniversary to the Polish people today is inescapable. Poland lives today under another kind of equally tyrannous domination—that of Soviet communism, imposed and maintained over the Polish people by the force of Red arms.

It is a well-known fact that, although the Polish Government today is Communist, the Polish population is not. I saw much evidence of this at first hand during a visit to Poland a little more than a year ago.

The past few months have seen many far-reaching developments in the strategic position of Poland. The Polish

Government has been able to win significant concessions from its Soviet masters—by exerting the brave and steadfast dedication to liberty that the Polish people have so long held in their hearts. This situation makes Poland one of the key areas of the world—and an area where a bold, forward-looking U.S. foreign policy is a vital necessity.

My own observation of the people of Poland, and my warm friendship with so many great Americans of Polish descent in my own State, convince me that this valiant people will never freely submit to Soviet rule nor willfully labor for the cause of international communism.

Because of this, America and the free world know they have a strong and valiant ally in the Polish people, once the realities of world affairs make it possible for them to express their free will and to act upon it.

Today I want to join my colleagues in assuring liberty-loving Polish people everywhere that this country will remain ever mindful of their right to national self-expression, and that we will seek to utilize every opportunity to give moral and psychological encouragement and support to their just and urgent cause.

NEEDED: EARLY ACTION ON COUNTRY LIFE COMMISSION

Mr. WILEY. Mr. President, recently I introduced a bill for the establishment of a Country Life Commission. The revolutionary changes in agriculture in recent years, I believe, require an objective, long-range review of problems and challenges, including:

First. Economic and social effects on farm life;

Second. Need for better long-range planning to meet the problems of the future; and

Third. Promoting closer cooperation between farm and city interests; and other constructive recommendations for improving the outlook in agriculture.

I respectfully urge our colleagues on the Agriculture and Forestry Committee to set up hearings as soon as possible so that the Senate will have an opportunity to take early and, I hope, favorable action on this legislation.

I would like to point out that the proposed Country Life Commission had an important forerunner in our history.

In 1908, President Teddy Roosevelt established such a commission. In 1909 the Commission made its report to the President on such problems as preserving soil, water, and forest resources; protecting the rights of farmers; and generally, attempting to cope with the changes in agriculture occurring in that day and age.

Over the years, this has proved to be an extremely valuable study.

Now, 50 years later, following far-reaching changes in agriculture—particularly due to technological developments—I believe we need to take another long-range look at the farm situation.

Following the introduction of my bill, I was pleased to note in the Milwaukee Journal—an outstanding newspaper, not only in Wisconsin, but the Nation—an editorial expressing approval of establishing such a commission to take a new look at the long-range problems in agriculture.

I request unanimous consent to have the editorial printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

COUNTRY LIFE

The financial aspects of the American farm situation get much attention from many different agencies, official and unofficial, and from the public. The human aspects of the farm situation get very little.

The two are closely interrelated. But the problems of satisfactory human readjustment to changing social and economic forces are not to be solved with price supports, Soil Bank payments or other financial aids.

The character, interests, alinements and ties of the farm population are going through almost revolutionary changes. Changes in education, amusements, transportation, and communication are remaking rural life.

Men with city jobs are finding advantage in living on a farm and farm families find advantages or attractions in part-time or full-time jobs in town. Lines between town dweller and farm dweller are being erased.

Senator WILEY will shortly introduce legislation to establish a Country Life Commission to study these trends. It would make a report and recommendations to Congress 2 years later.

President Theodore Roosevelt appointed such a commission. He wrote later that it was "opposed with venomous hostility by the foolish reactionaries in Congress and abandoned by my successor." But it did produce an impact long felt. It focused attention on some of the values in rural life and ways to help preserve them.

So why not another American Country Life Commission, composed of outstanding persons dedicated to rural welfare in the broad sense? It could surely make worthwhile contributions to congressional and public thinking in this period of rapid rural change.

CHINA'S COMMUNES

Mr. CHURCH. Mr. President, Red China claims that an additional 80 million acres of land were brought under irrigation last year. It is claimed that in 1 year the ratio of irrigated land to available acreage has been doubled—from 30 to 61 percent. Under our own Reclamation Act of 1902, the U.S. Government has brought fewer than 8 million acres under irrigation, in almost 60 years, in the 17 Western States.

In one province of Red China, Honan, it is claimed that 98 percent of the peasants eat in over 300,000 common messhalls. In nine Provinces, 80 percent of farm families eat in more than a million public dining halls, according to Radio Peiping.

Mr. President, these statistics are staggering—unbelievable. Yet the statements are made by responsible journalists.

To ascertain the facts, I believe that it is time all of us paid more careful attention to the monstrous social revolution in China. Therefore I call the attention of the Senate to an article in the Wall Street Journal of January 5, wherein a staff reporter gives account of China's communes, and ask that the article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Jan. 5, 1959]

CHINA'S COMMUNES—WITH MOST OF PEASANTRY IN BRIGADES, REDS SLOW DRIVE, EASE RULES A BIT—MRS. FANG "JOYFULLY" GIVES UP FAMILY FOR FACTORY WORK BUT MR. SHANG IS PAINED—THREAT TO FREE WORLD GROWS

(By Igor Oganesoff)

TOKYO.—Mrs. Fang Chin-fen used to "weep secret tears" because, with seven children and never-ending household chores, she just didn't have time to work in a factory at Chengcho in central China. Now, however, her heart is filled with "extravagant joy" because she does have time to toil in a local clothing plant.

Credit for turning Mrs. Fang's tears to joy goes to the People's Commune of Happiness which Mrs. Fang has joined "voluntarily"—or so says the government-controlled press of Red China. This commune, like similar groups throughout Red China, is a nearly self-sufficient labor unit in which men and women must all perform the work of factory hands, farmers, and militiamen. In the commune, Mrs. Fang's younger children are tended in public nurseries and the entire family eats all meals in a common mess hall, leaving her "no longer encumbered with family and housework."

Mrs. Fang and her family are caught up in a sociological and economic revolution now sweeping the world's most populous nation. To speed the economic growth of Red China—the so-called great leap forward—Communist Party boss Mao Tse-tung in recent months has forced nearly all of mainland China's 500 million peasants into some 25,000 communes. The drastic communization campaign is, among other things, exterminating nearly all private property, destroying the traditional Chinese society of tightly knit families and liberating women for work in factories and fields. Radio Peiping on New Year's Eve said 24 million children now were being cared for in public nurseries.

COMMUNES HIT OBSTACLES

Red China's pell-mell rush to create a society much more communistic than the Soviet Union is running into some obstacles. In fact, China's Communist Party has ordered a slowdown on extending communes to large cities and has relaxed some of the more drastic practices in existing peasant communes. Some students of Red China argue that Mao's relinquishment of China's top government post may indicate an internal party conflict over the speed at which communes should be pushed.

But evidence coming from behind the Bamboo Curtain suggests that Mao's commune drive is neither in any danger of stalling nor faltering in any significant way—at least so far. As boss of the Chinese Communist Party, Mao is still firmly in command of Red China. And there are no concrete signs so far that a slowdown of his whirlwind commune campaign amounts to much more than a consolidation of previous steps. Reports from visitors to Red China—along with the Communists' own claims—indicate that Mao still is moving at a frightening pace toward one of his party's avowed goals: To destroy family life built on the small circle of petty private ownership.

Red China's upheaval has wide ramifications for Americans and others outside the People's Republic of China. If Mao's great experiment works without touching off a revolt, China could emerge as an industrialized giant and a more formidable world trade competitor and military power. Fueled by a violent anti-American philosophy now being instilled in its people, a modern China bent on pure Marxism could pose a great threat to world peace. The Soviet Union, Mao's neigh-

bor and nominal ally, itself might have good reason to fear an awakened Red China sorely in need of more productive land for its burgeoning population (estimated at 650 million now and likely to increase to 1 billion by 1980).

Even the failure of Red China's commune experiment could be dangerous for the free world. Any mounting discontent among China's regimented masses could prompt the Communist leaders to take the people's minds off domestic woes by launching a foreign adventure in the Korean war pattern.

COOPERATIVES TO COMMUNES

China's communes got started quietly less than a year ago and have popped up on a large scale in rural areas only in the past 6 months. But in that short time, 99 percent of China's peasant households have been herded into the labor units. The communes, in part, replace cooperative farms which had been set up in the Soviet pattern after the Communists gained full control of mainland China in 1949.

The Shangyu Peoples Commune in Kiangsi Province, for example, amalgamated 17 farm cooperatives with a population of 74,000 and now includes iron and steel works, fertilizer plans, machine-building factories, repair shops, 48 retail centers, and 6 comprehensive stores, according to the Reds.

"Communes are the basic economic unit now, and also the basic units of state power," claims a recent Peiping newspaper editorial. The communes, explains another Red editorial, "marshal all resources to cope with problems of production which the co-ops are unable to solve."

Basically, communes are organized along military lines in self-contained groups of about 4,800 households each. In these units, peasants in one area are pressed into farm work or factory work, according to what needs to be done at the time. In between, they are drilled as militia.

"The advantages" of these labor brigades, according to one writer in the Red China press, "are more labor power for big power projects, like dams and roads, more funds and unified natural resources." These labor brigades are highly mobile and adaptable to handle various jobs. For example, 20,000 workers were mustered in neighboring areas just to plow a commune in Honan Province. And, in Shansi Province, 1,200 members of a commune's "iron and steel shock brigade" spent several days just weeding sweetpotato fields.

The communes are Mao's chief tool in Red China's gigantic effort to become a modern industrial state. The country has come a long way in industrialization since the Reds took charge of the backward, disorganized farm economy 9 years ago. Now, under the forced-draft commune system, China's leaders are aiming at a much more spectacular speedup in economic development. Their second 5-year plan, which ends in 1962, calls for a doubling of the 1957 level of industrial production.

SPURRING STEEL OUTPUT

Peiping claims the country doubled steel production in 1958, turning out 11 million tons, and expects to increase output to 18 million tons in 1959. Helping spur production are thousands of primitive "backyard" blast furnaces that now dot China's landscape.

On the farm front, the Chinese claim that in 1958 food production was double that of a year earlier—a boost which, like many other Red economic statistics, Westerners find hard to believe. Already China claims to have outstripped the United States in winter wheat and cotton output. In north China, the Reds boast, grain output was increased 42 percent in 1958 through irrigation, deep plowing and the use of more fertilizer. China claims that last year it brought an additional 80 million acres under irrigation, supposedly boosting the ratio of irrigated land to about 60 percent from 31 percent of available acreage and giving China one-third of the world's irrigated land.

Though these Communist claims may be exaggerated, Western diplomats generally have no doubt the nation is going through a period of phenomenal growth.

Once a commune starts operating, reports like this begin popping up in Radio Peiping broadcasts and in the local press: "The July 1 commune plowed 600 acres of land in 6 days * * *and one of the production brigades refused to stop work and leave though it was 3 or 4 in the morning." Or, workers in the supply and marketing section of No. 17 State Cotton Mill "voluntarily asked for abolition of their quarterly bonus."

Such stories are probably partly true—if one overlooks the word "voluntary." No Stalin-type "liquidation" of recalcitrant peasants is involved; nor does communization even come in the form of flat party directives. The Red bosses, aware that their commune campaign, if mismanaged, could erupt in revolt, seek cooperation by "persuasion"—but in a manner that makes "no" nearly an impossible answer.

PERSUADING "VOLUNTEERS"

An integral part of this uniquely Chinese approach is the public "debate." Communist cadres discuss all issues with local peasants, encouraging them to voice their complaints, but then "guiding" them to the "right track." The Chinese farmer usually doesn't want to be branded "backward" or "reactionary" so he goes along with the argument, realizing the hopelessness of resisting. Thus, he ends up "volunteering" as requested—for joining communes, for pay cuts, for anything the Communists want.

In one area, some 70,000 propagandists were used, Peiping newspapers claim, to prepare the populace for communes. "After 2 nights of debating," reports one daily, "the absolute majority of co-op members in Kweichow Province came to understand the advantages of the commune and demanded that it be speedly established."

In other areas, it's reported that communes were set up "at the urgent request of the peasants." Reports a provincial newspaper: "Applications to join the commune in Wenchiang town keep Party Secretary Yin Chien-te from his night's sleep completely. As soon as he lies down he is awakened by peasants."

In most cases, peasants get no compensation for giving up their property. But a few communes, reports a Red-controlled publication, have paid for pooled property "since even the upper-middle peasants sweated for their money and it might affect the enthusiasm of those not yet communized." When some peasants complain about giving all to communes others apparently "persuade" them that it is all for the best.

For example, the Peiping Daily reports that old Peasant Shang Chih-ching complained at a commune gathering: "I have worked hard and industriously for 2 or 3 years and with great difficulty I have accumulated a little money. Now I see it going into the commune. I really feel pained." But then, continues the newspaper report, poor Peasant Pang Chin-hua "rose and said, 'How did we become rich from being poor? Was it not through cooperatives with more people and greater strength?' These words brought everybody to his senses."

CONFISCATING AND BACKTRACKING

Communes at first did away with nearly all private property. Peasants were compelled to surrender small garden plots, fruit trees, wagons, tools, fishing nets, most farm animals and even their houses, if asked. Complained Ma Pao-shan, director of the Hanchiahua Commune in Honan Province: "Before the communes were set up, some co-op members paid attention only to the berries raised in their self-retained plots and would go off at wheat harvest time to sell them. Or others raising pigs would pay no attention to the weeds that grew tall in sweetpotato fields."

But in mid-December the Communist regime—indirectly conceding that some commune leaders had carried things too far—ordered that some concessions be made to the hard-pressed peasants. The Communist Party directed that commune members could, after all, retain such things as trees around their homes, a few small domestic animals and some simple farm tools—provided such ownership doesn't interfere with commune production.

At the same time, the Red leaders did some more backtracking in their commune drive. They indefinitely postponed extending communes to larger cities, citing "complex conditions" and a more "bourgeois ideology" there. They called for improving communal nurseries and paying more attention to "wholesome tasty food" in public messhalls. They set an 8-hour workday as "normal" and even said that parents didn't have to leave their children in communal nurseries any more. The latter is rather an empty concession since most mothers are in the fields or factories all day.

It's likely that some peasant discontent is behind this relaxation of the rigid commune pattern. But there also undoubtedly is much truth in the Communists' explanation that communes still are in an experimental stage and that a period of "consolidation" is needed before the government can settle on the most workable formula for running communes.

"The peoples commune is entirely a new thing to us; it is a subject for which no ready answer could be found in books," writes the Peiping People's Daily.

Experimentation and a lack of uniformity characterize the present commune system. For example, some messhalls serve all meals to the commune members, while others furnish only soup, with rice to be cooked at home. In some communes, grain ration tickets are issued; in others there is no fixed limit to consumption, but the amount eaten by each household is announced from time to time "for purposes of comparison."

EATING AND COMMUNISM

"To solve the problem of eating is a big step toward communism," declares a Peiping newspaper. To illustrate how the life of genuine abundance has been guaranteed, the paper tells about Lu Chao-fa, an old man who often went without dinner because it was his fate to have two quarrelsome daughters. Now, however, he has no more food worries since the advent of communal dining rooms. And when Lu Chao-fa is too old to do any manual labor, he can enter a happy home—sort of a communal old folks' barracks.

Although commune menus are meager by Western standards, fare at the public messhalls undoubtedly seems generous to most of China's millions, who long have lived on near-starvation diets. Commune members in Anwhei Province reportedly get a pound a day of vegetables and 1 or 2 pounds of pork monthly. And the Reds talk proudly of the Liutsichieh messhall where in a single month the masses have been served roast fish once and steamed meat once.

But Red writers can be critical, too. Peiping newspapers complain that some messhalls serve only rice and no vegetables, while others serve vegetables in meager quantities and also poor in quality. Some public eating halls have not the simplest device to keep rice and vegetables warm and quite a number serve nothing but sweetpotatoes meal after meal.

Unfortunately, report party functionaries, there has been some tendency among commune members to regard kitchen duty as toilsome and dirty work which should be

given to landlords, counterrevolutionaries, and rich peasants—the villians of the Chinese Communist state. But this is all wrong, say the party officials. In fact, it's downright dangerous since some cases of dropping poison into the food occurred one after another when such reactionaries were given kitchen jobs.

SPUTNIK AND NURSERIES

In Honan Province in central China where the commune system got its start (Sputnik Commune was the first), 98 percent of the peasants eat in over 300,000 common messhalls. In 9 north and northeast provinces, 80 percent of farm families now eat in some 1,074,000 public dining halls, claims Peiping Radio. Here, too, are 341,000 nurseries and kindergartens which have freed 7 million women from household tasks.

The Hsiehfang Commune in Honan cares for 173 children, 3 to 7 years old, most of whom live all week in the nursery. They wear white blouses with blue shorts or skirts and each has a washbasin with a numbered towel and gets four meals every day, reports a Communist author. The commune pays all costs.

Besides freeing millions of women for labor brigades, the communal nurseries serve an important ideological function. The children, claims a Red writer, do not think about their own homes, they treat the nursery as their home. To be sure, they romp and play in children's games but then the teachers lead them to pull weeds and they begin to study socialist labor in this way. Some recent visitors to Red China have returned with films of Chinese children singing Formosa is ours and socialism is best while playing with toy guns passed out by the commune.

Guns and military training are an integral part of communal life. (One commune's slogan: "One hand on the hoe, one on the rifle.") But canny Communist leaders make sure that arms are not left in the possession of peasants who haven't proved their reliability. According to one Red press account, only young political activists get rifles, and then only after rigid tests for political reliability.

HOW MUCH DISCONTENT?

It is extremely difficult for outsiders to ascertain how much discontent is being generated among Chinese peasants by the rigid regimentation and family-destroying features of commune life. The Chinese Nationalists on Formosa insist discontent is high and, as partial proof, cite such evidence as the recent uprising on Lappa Island, a revolt (which was crushed) that could be viewed by observers on nearby Portuguese Macao. Other reports claim some 300,000 people in Tibet have been in revolt.

Most observers, however, insist that so far there is no reason to believe that Mao is in any danger of a full-scale revolt. Some authorities argue that the commune system, despite its totalitarian features, may at first have a strong appeal by offering the poorest Chinese a slightly higher standard of living. Communist spokesmen, of course, claim communes already have improved incomes, as well as speeding the day when China will be a modern industrial state.

The pioneer Sputnik Commune, which consists of 9,300 households and 43,000 people, has figured out that its normal yearly income should be 14 million yuan (about $5.6 million), of which 2.6 million yuan will go for taxes and expenses and 8 million yuan for savings, leaving 3.4 million yuan for distribution to members. This, claim commune officials, will mean an average annual income of about 80 yuan ($32) per person. They estimate that their members in pre-sputnik 1957 made less than $10 each. Commune officials measure members' incomes in terms of both cash and the value of commodities and services they receive from the commune.

Communes have abandoned a daily point system for calculating wages and now favor straight salaries, which vary considerably from commune to commune, depending on how much the commune furnishes members. In the Shanchum Commune, food, clothing, shoes, and other necessities are supplied free, so wages are kept low. As a rule, if a commune supplies only grain, wages make up half the total income. If all food is supplied, wages drop to 40 percent of the total; and if all necessities (including clothing, medicine, maternity care, and funeral expenses) are given, the peasant draws only 20 percent of his income in cash.

The income of each worker is determined by his skill and experience, as well as by such factors as attitude. In one commune, cash wages vary from the equivalent of 80 cents a month for laborers to $5.60 monthly for highly skilled workers. Other communes give more uniform wages, with bonuses for good workers. Wages are supposed to be raised yearly as productivity increases. But, say some commune regulations, the wage increase should be less than the production rise, allowing more to be invested in such things as mechanization.

AIR POLLUTION

Mr. CLARK. Mr. President, all persons who live in industrial areas in this country owe thanks to the senior Senator from California [Mr. KUCHEL] for his authorship of the Air Pollution and Technical Assistance Act of 1955.

It has been more than 10 years since smog took a dreadful toll of 20 dead and hundreds injured on October 30 and 31, 1948, in Donora, Pa., but the seriousness and scope of the air pollution problem is just becoming known. It is generally recognized now that air pollution causes or aggravates dangerous chronic ailments as well as an estimated $4 billion worth of property damage per year.

The 1955 act permitted the Federal Government to make a belated start in the fight against air pollution. Under its terms the Government, acting through the Public Health Service, was authorized to carry out a 5-year program of investigation, research and training to assist State and local governments to check, reduce and control atmospheric impurities. A total expenditure of $25 million was authorized, although only $12 million has actually been appropriated for the purposes of the act to date. The budget estimate for 1960 includes $4,212,200 for air pollution purposes—an alltime high—but a lamentably low figure in view of the problem.

In Pennsylvania, progress has been made under the act. Eighteen sampling stations have been set up in the Commonwealth for testing purposes, and their findings have made a significant contribution to cancer research. Technical studies have been completed by the Franklin Institute in Philadelphia, the University of Pittsburgh, and the Pittsburgh Coke Co., and research grants have also been made for studies currently under way at the Jefferson Hospital in Philadelphia, Penn State University, the University of Pittsburgh, and the Pennsylvania State Department of Health. A large grant and contract are presently being negotiated for research in Pennsylvania on the problem of diesel exhaust. A statewide survey to collect data from all major towns and to assess the major sources of pollution is scheduled to get under way next month at the request of the State authorities. Similar surveys have been conducted in several other States and are planned elsewhere.

It would be unthinkable to let this Federal air pollution program lapse when the act expires by its own terms on June 30, 1959.

Control of air pollution will not be achieved unless the Federal Government continues and increases its efforts. Only 12 States have comprehensive antipollution legislation at present. Assistant Surgeon General Hollis has asserted that "10,000 communities in the United States have an air pollution problem of some kind, but only 250 have active, operating programs." Private industry is spending large sums to combat pollutants, but business efforts to this end vary enormously. Air pollution is a problem which totally defies company, community, county, and State boundaries.

I urge support for the bill (S. 441) introduced by Senator KUCHEL on behalf of himself and Senator ENGLE, to extend the life of the Air Pollution Act, and I urge early favorable action upon it by the Committee on Public Works.

Mr. President, I ask unanimous consent that on the next printing of the bill my name be added as a cosponsor. I will say to the distinguished occupant of the chair, the Senator from California [Mr. ENGLE], who is one of the cosponsors of the bill, that I discussed the matter with his senior colleague and that he said it would be agreeable to him to have my name added as a cosponsor.

The PRESIDING OFFICER (Mr. ENGLE in the chair). Without objection, it is so ordered.

FLOODS IN PENNSYLVANIA AND OHIO

Mr. CLARK. Mr. President, the morning newspapers carry accounts of the widespread toll of death and havoc left by the severe storm and floods in Pennsylvania and Ohio. The Pennsylvania cities of Sharon, New Castle, Union City, Meadville, and Verona have been cut off from the outside world by floodwaters. New floodwaters are rising at Pittsburgh, where the Allegheny and Monongahela Rivers join to form the Ohio River. The level of the water is 4 feet over the flood stage, and water is already flowing over some of the low-lying streets in the north side of that city.

Our Pennsylvania congressional delegation has been prompt in calling upon the President to declare this area of Pennsylvania a distress area in order that the Corps of Army Engineers may go to work immediately to help take care of the damage, and that the American Red Cross may go to work to feed the families who are being distressed by the flood.

The counties affected are Mercer, Lawrence, Allegheny, Crawford, Warren,

Franklin, Venango, and Armstrong, and 2,275 families are affected in the area. Six shelters have been opened, and they now shelter 220 people, or more.

I ask unanimous consent that there may be printed in the RECORD at this point, as a part of my remarks, a telegram received by me from the Honorable David L. Lawrence, Governor of Pennsylvania, calling attention to the fact that these floods might not have had their devastating effect if the Kinzua Dam, which those of us in Pennsylvania have so long advocated, had been built.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

HARRISBURG, PA., *January 22, 1959.*

Hon. JOSEPH S. CLARK, Jr.,
Senate Office Building,
Washington, D.C.:

The flooding which has occurred in the Allegheny watershed emphasizes once again the urgency to begin construction on the Kinzua Dam. I am informed that had this installation been made, much of the damage to the communities in the area would not have occurred. Although I realize that current litigation has stalled any expenditure of the limited funds available for this project, I am hopeful that the matter can be decided in favor of the Government promptly. It is imperative that sufficient funds be provided to be ready to work full speed ahead as soon as the legal determination has been made. I earnestly hope that you will give your vigorous support to this project which is vital to the safety and development of such a large section of Pennsylvania.

DAVID L. LAWRENCE,
Governor of Pennsylvania.

Mr. CLARK. Mr. President, I also ask unanimous consent to have printed in the body of the RECORD at this point in my remarks a telegram which I received from the Honorable George X. Simonetta, mayor of Meadville, Pa., asking for assistance in obtaining the President's consent to declare this area a distress area.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

MEADVILLE, PA., *January 22, 1959.*

Senator JOSEPH CLARK,
Senate Office Building,
Washington, D.C.:

I have this day forwarded the following telegram to President Eisenhower:

"The city of Meadville is being inundated by the rising waters of French Creek, which have already surpassed the highest flood of record. City council has declared a state of emergency. The flood is endangering lives, causing severe and extensive property damage; is disrupting all forms of transportation and industry and commerce; constitutes a serious health menace. It is respectfully requested that you declare Meadville to be a major disaster area pursuant to Public Law 875, 81st Congress."

Your immediate support to this request will be greatly appreciated.

GEORGE X. SIMONETTA,
Mayor, City of Meadville, Pa.

Mr. CLARK. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks copies of telegrams sent to the President at the White House and to Leo A. Hoegh, Administrator of the Federal Civil Defense Administration, requesting help in the present tragic situation.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

JANUARY 23, 1959.

To the PRESIDENT,
The White House,
Washington, D.C.:

We urge that you declare flooded areas in Pennsylvania to be major disaster areas to permit immediate Federal assistance as requested by Gov. David L. Lawrence.

JOSEPH S. CLARK,
U.S. Senator From Pennsylvania.
FRANK M. CLARK,
Member of Congress, 25th District, Pennsylvania.
DANIEL J. FLOOD,
Member of Congress, 11th District, Pennsylvania.

JANUARY 23, 1959.

LEO A. HOEGH,
Administrator, Federal Civil Defense Administration, Washington, D.C.:

We urge speed in survey of flood in Pennsylvania and recommendation to President that affected areas be declared major disaster areas at earliest possible time in compliance with request for Federal assistance by Gov. David L. Lawrence of Pennsylvania.

JOSEPH S. CLARK,
U.S. Senator From Pennsylvania.
FRANK M. CLARK,
Member of Congress, 25th District, Pennsylvania.
DANIEL J. FLOOD,
Member of Congress, 11th District, Pennsylvania.

Mr. CLARK. Mr. President, I know that if the junior Senator from Pennsylvania [Mr. SCOTT] were here today he would join in this bipartisan effort to bring Federal aid to these seriously distressed areas. I am sure he would want me to say on his behalf that he is just as keenly interested as the rest of us in this situation. Representative FRANK M. CLARK, who comes from the Meadville area, has already gone to the western part of the State to see what he can do to cooperate with the Corps of Army Engineers and the Red Cross. The Honorable CARROLL D. KEARNS, of the 24th District, which embraces Crawford and Mercer Counties, is also showing a very keen interest in the situation. I am confident that the four Representatives from Allegheny County are also alert to the situation.

Mr. President, this flood disaster emphasizes the fact that water control problems are not confined to the West, and that we have such problems in the East, too. I hope that as flood control measures come before the Senate, we will realize the drastic need for additional Federal aid to save lives and prevent property damage.

THE EXCHANGE-OF-PERSONS PROGRAM

Mr. FULBRIGHT. Mr. President, as Senators are aware, critics of the foreign policies of the United States are becoming increasingly numerous. On one phase of our foreign policy, however, there is almost unanimous agreement. Few can be found throughout the United States and the world who are critical of the exchange-of-persons program of this country.

These programs have almost universal support and, for that reason, it has always been incomprehensible to me that the Bureau of the Budget of the executive branch and the appropriations committees of the Congress have been so niggardly in providing adequate funds to strengthen and expand these activities.

Only recently it came to my attention that the Bureau of the Budget disapproved a proposal by the State Department to allocate $2.35 million in Japanese yen for the purpose of continuing the educational exchange program with Japan. The funds proposed to be used by the State Department were proceeds of recent Public Law 480 sales to Japan. The Bureau of the Budget's objection to this proposal is even more difficult to understand in view of the action of the Congress in amending Public Law 480 to provide that educational exchanges be given priority in allocation of local currency proceeds of Public Law 480 sales, particularly in countries where sufficient foreign currencies are unavailable for this program from other sources.

The amendment to Public Law 480, to which I referred, and the legislative history developed when the amendment was under consideration in the Congress, clearly established this priority for use of these funds for educational exchanges.

The only conclusion I am able to draw is that the Bureau of the Budget has decided to ignore this directive of the Congress.

I have written the Director of the Bureau of the Budget expressing my concern over the disapproval of the Department of State's proposal, and I have requested the Director's views regarding this action. I sincerely hope the proposal will be reconsidered.

Because I originally sponsored in the Congress Public Law 584, providing that proceeds from the sales of surplus property be utilized for educational exchange grants, I have always followed the progress of the program with keen interest. Each year I receive hundreds of letters from educational exchange participants commenting upon the value of the programs to the United States. Because I should like to share some of these letters with my colleagues in the Congress, and because I should like those who read the RECORD to have the benefit of the comments of participants of the educational exchange programs, I ask unanimous consent that a number of letters and related materials be printed in the RECORD as a part of my remarks. I hope this year the Congress will be more generous in appropriating funds for the exchange programs.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNIVERSITY OF NOTRE DAME,
ENGLISH DEPARTMENT,
Notre Dame, Ind., December 6, 1958.

Senator J. W. FULBRIGHT,
Fayetteville, Ark.

DEAR SENATOR FULBRIGHT: Having returned last August from a year as a Fulbright lecturer in American literature at the University of Aarhus in Denmark, I want to express my thanks to you as the initiator of the program

which made my year abroad possible. But my gratitude does not end there. My own experience the past year, though of great importance to me, is not a matter of consuming public interest. However, when I think of the hundreds, perhaps by now the thousands, of American students, scholars, and teachers who, under the Fulbright Act, have been given the same chance as I have had to experience a foreign culture at firsthand I realize the debt which all Americans, not only the recipients, owe to the program. For what these many people bring from America to the outside world and what they bring back from the outside world to our schools, colleges, and universities is of incalculable value to all of us, especially in view of our present situation in world affairs.

To the countries they visit the various Fulbright grantees make different contributions of an intellectual and cultural order which can be clearly defined. But what they all contribute is a less easily specified yet necessary understanding of America. In one sense, America is too well known abroad. Everywhere America is news—a fact which convinces most foreigners that they know more about America than they do. Actually, their knowledge consists largely of a vast abstraction created by newspaper headlines, an image of a huge economic and military power. The Fulbright grantee by his very presence, by his living, breathing, concrete hereness does much to humanize the image. He is not just passing through on a pleasure trip like the tourist, he does not wear the symbol of military strength as do the servicemen, and he is not suspected of ulterior professionally nationalistic motives as are the diplomatic corps. His willingness to live and learn for a year or more among the people of his host country out of a purely personal interest must in itself create a favorable impression. Beyond that, the good impression will be heightened in proportion to the talents, intelligence, tact, and pleasing qualities which he can display.

What the Fulbright grantees bring back home is not only an experiential knowledge of their host countries but an increased awareness of their own identity as Americans. Against the contrastive, challenging foreign background they are forced to feel and to think about their national character as never before. Also they are likely to be struck with the powerful position which their country occupies in the world. Of course, they have been told of this, but the fact is more vividly realized in a foreign perspective. With this realization comes a sharpened sense of the complicated responsibilities and dangers involved in our situation.

But I should save my lectures for the classroom. All I wanted to do was to say thank you for the program which bears your name, not only for what it has meant to me the past year but for what it means to all of us as citizens of the United States and as citizens of the world.

Sincerely yours,

ERNEST SANDEEN,
Associate Professor.

ROLLA, *January 11, 1959.*

DEAR SENATOR FULBRIGHT: I hope that my letter will not be the first one in order to thank you very much for your idea to establish a scholarship commission which bears your name now. I am German by birth and came over to the United States due to one of your scholarships, September last year, accompanied by my wife.

The experiences we have got already during our stay in your home country mostly were good and also sometimes bad. But whatever it was, we enjoyed it very much to have this fine possibility to see the States and their people, how they really are and not in the version of colored films or papers. After all I hope that we both, my wife and me, shall be able to understand the doings of your fellow countrymen and their way of living.

Therefore, that you made this possible, we thought we had to thank you.

With best wishes and kindest regards to you.

Yours truly,

HEINZ WESEMANN.

BUTLER UNIVERSITY,
JORDAN COLLEGE OF MUSIC,
Indianapolis, Ind., December 16, 1958.

Senator WILLIAM FULBRIGHT,
Senate Office Building,
Washington, D.C.

DEAR SENATOR FULBRIGHT: Recently I returned to my university after enjoying a 2-year Fulbright research grant to Finland. I am happy to report that my project has been completed. My biography and critical study, entitled "Sibelius," will be published in the United States by Alfred A. Knopf and in a Finnish translation by Mr. Yrjö Kivimies by the Otava Publishing Co., Helsinki, during the fall of 1959. When the proof is ready Knopf hopes to place it with publishers in the British Commonwealth and in Sweden.

Inasmuch as official reports deal almost exclusively with the grantee, I thought that you might be interested in my wife's Finnish project. During our first year in Finland she studied the art of weaving in a private institution and during the second year she was a regular student in a Government superior school where she worked with master weavers. As a result of these 2 years of hard work she has been able to convert a hobby into an art.

Our daughter passed examinations for the sixth and seventh grades in the so-called English school in Helsinki where she received superior instruction.

We all agree that these 2 years in Finland have been the most stimulating and rewarding ones in our lives. We hope to maintain the contacts, both professional and social, with our Finnish friends throughout the remaining years.

I cannot find words to thank the USEF and the USIS in Helsinki for doing everything possible to facilitate my research. I trust also I may be permitted to thank you for having created a program which is unique in American and international education.

Respectfully yours,

HAROLD E. JOHNSON,
Associate Professor of Musicology.

DEPARTMENT OF DEFENSE,
Melbourne, Australia, October 2, 1958.

Senator the Honorable J. W. FULBRIGHT,
Fayetteville, Ark.

DEAR SENATOR FULBRIGHT: You will recall that we had a conversation at Blair House at the reception for the SEATO leader grantees, of which I had the privilege and great honor to be a member. At this reception I was also very glad to have the opportunity to talk with Senators SMITH and MUNDT, who had introduced the legislation into the Senate, to bring foreign leaders to America.

Since my return to Australia I have written to Senators SMITH and MUNDT to let them know just how much I had enjoyed my visit to their great country and to congratulate them on their foresight in arranging leader grants. I have certainly gained in education, knowledge, and experience from my visit. I am sure that such exchanges add materially in promoting good will and understanding.

I had approximately 60 days in America and I shall ever remember the great kindness and hospitality of all the people, in all the towns and all the cities I visited. Likewise, I shall remember the kindness and trouble taken by the U.S. Armed Forces during my visits to Boston, San Francisco, Norfolk, and Pearl Harbor naval commands and Norad, Cape Canaveral, Wright-Patterson, and Andrews Air Force Bases.

I thoroughly enjoyed visiting so many of the towns and cities where American history and traditions were born. I was indeed fortunate to visit Williamsburg, Jamestown, Philadelphia, Bunker Hill, Lexington, Concord, and Washington—to mention only a few.

I was most impressed with the officials at the State Department, who were responsible for arranging our visit and also with that excellent organization, the Government Affairs Institute, which planned our detailed itinerary. My every requirement, no matter how small, or large, was satisfied without fuss or bother.

The senior officials at the Pentagon, particularly Assistant Secretaries Perkins McGuire, Mansfield Sprague, George Roderick, Dudley Sharp, and Fred Bantz, could not have been more helpful. So also were the many industrial and professional men I met during my visit to the cities.

As I mentioned during our earlier conversation, Senator FULBRIGHT, your name is a very famous one in my country, because of your foresight in introducing the Fulbright scholarships, which are on an equal plane, if not higher than the Rhodes scholarships. I am sure that these scholarships are also playing a very important role in developing good will and understanding between nations.

My motive in writing is to let you know my impressions of the visit to America and of the importance of the Smith-Mundt and Fulbright Acts, in fostering international good will; as well as assisting recipients to improve their own knowledge, which can be applied for the betterment of their own countries. Future grantees can be sure that the period in America will be filled with interest, education, hospitality, and kindness—not so readily found in any other country in the world.

Yours sincerely,

JOHN P. BUCKLEY.

BRUXELLES, BELGIUM,
September 4, 1958.

DEAR SENATOR FULBRIGHT: I spent the academic year 1954–55 as a Fulbright grantee and another year on the staff of Minnesota University School of Business Administration as a teaching assistant. Today I am an official of Europe's Common Market in Brussels, a position that I certainly would not have obtained without my experience abroad.

Today I simply want to express my sincere gratitude for your initiative in launching the program that bears your name. May I assure you that I will never forget the warmth and hospitality I met everywhere during my stay in the United States. I cannot imagine that anybody who has been privileged to spend a period of study or research in your big country has failed to be moved by the truly wonderful way he was received by the American people.

It may interest you to know that I have tried to correct misconceptions about the United States—so often the consequence of jealousy, fear, or just plain ignorance—wherever I found them and that I will continue to do so in the future, when I will, perhaps, occupy a more influential position than today. I am contributing money to the "Thanks-America" program, but I feel sure this is not quite enough. If there is any way you can use this letter you may certainly do so.

I have returned from the States, not at all without criticism, but with a genuine, and I am certain, lasting love for America and the Americans.

Sincerely yours,

HELLMUT EGGERS,
German citizen.

OLDENBERG (OLDB) GERMANY,
Hindenburgschule, June 6, 1958.

The Honorable WILLIAM FULBRIGHT,
Senate Office Building,
Washington, D.C., U.S.A.

DEAR SENATOR: At the close of a year in Germany as an exchange teacher, a year that has been a wonderful family experience as well as a valuable teaching and learning experience, I want to thank you personally for the Fulbright program.

Being a "Fulbrighter" is like wearing the old school colors for many people of a variety of ages and backgrounds who have enjoyed meeting and sharing with one another besides the rich, rewarding experience in travel and living.

I'm sure these people are as fine representatives of the United States as a large proportion of our direct foreign service representatives. Quite informally in the daily routine of living the "Fulbrighter" uses friendly persuasion to explain the United States—to hundred of residents and associates he and his family are the United States.

As the instigator and creator of this remarkably fine exchange program, you deserve a great vote of thanks. My own gratitude lies herein.

Sincerely yours,

FRANCIS P. COWARD.

COLON, REPUBLIC OF PANAMA,
September 18, 1958.

Senator FULBRIGHT,
The Capitol,
Washington, D. C.

DEAR SENATOR FULBRIGHT: If Senators in the United States are anything like the ones in Panama, you probably receive hundreds of letters daily. This may just be one of many and possibly may not even get any further than your secretary, but if you do get hundreds of thank-you letters for having initiated the Fulbright program, you deserve everyone of them.

Last year through the USIS in Panama City, I won a scholarship under Public Law 402, which enabled me to go to the United States to study for 1 year. Up to that moment, I was just barely aware of a Fulbright program. Today I am one of the many foreign students who thank you for having fought so hard to get this program under way.

When I originally left Panama to go to the United States, the one thing I had in mind was to get a master's degree. Now that I am back home with my degree, I must admit that what I got out of the scholarship was not only a degree, but a better understanding of people. This is not limited to the people of the United States, nor to Latin Americans only, but includes the people of all those nations who, under your program, were able to attend the orientation course at Duke University or to go to the University of Washington in Seattle.

Before 1957, people were only the names of countries on the map who either were friendly nations or not. My attitude was just an indifferent one. Now after having had girls from Turkey and Japan for roommates, planned parties with American and Latin girls, played volleyball with Hindi and Tai girls, learned pingpong from Indonesians, and danced with boys from Germany and Africa, I feel that the world is really one.

Therefore, Senator FULBRIGHT, I wish to thank you and at the same time say: "You have done a good job to bring the people of the world together, because foreign students in a foreign country forget about race and creed and see only a fellow student and his or her special personality."

Yours very truly,

COLOMBA LUQUE.

DEPARTMENT OF STATE,
Washington, October 29, 1958.

The Honorable J. W. FULBRIGHT,
U.S. Senate.

DEAR SENATOR FULBRIGHT: I take pleasure in sending you herewith a clipping from the Times of London which the Embassy has forwarded to us concerning the exchange program. This article was written by Sir Sydney Roberts, senior British member of the United States Educational Commission in the United Kingdom, to commemorate the 10th anniversary of the signing of the executive agreement to initiate educational exchanges between the United States and the United Kingdom under the Fulbright Act. We are informed that the article received much favorable attention.

You might be interested to know also that on the day the article appeared, the exact date of the anniversary, the British Government held a special reception at Lancaster House in honor of the occasion and of the incoming Fulbright scholars. The guests were received by the Minister of Education, Mr. Goeffrey Lloyd, M.P.

Also enclosed for your information are copies of our press releases on the signing of the extension of the agreement with the United Kingdom and the signing of the agreement to initiate the program with Spain.

Sincerely yours,

DONALD EDGAR,
Director, International Educational Exchange Service.

[From the Times, London, England, Sept. 22, 1958]

WELCOME INVASION OF FULBRIGHTERS

(By Sir Sydney Roberts, senior British member of the U.S. Educational Commission in the United Kingdom)

A party of some 200 Americans disembark, every September, at Southampton. Some of them are professors, some are senior research scholars; but the majority are young men and women who have recently graduated from American universities. If you went up to any member, or any group of members of the party, and asked who they were, you might well be given the laconic reply: "Fulbrighters." And, if such a reply did not fully enlighten you, you would do well to turn to one of those responsible for receiving the party and ask him for a fuller explanation. Whereupon he would no doubt remind you that, on September 22, 1948, an agreement was signed between the British Government and the Government of the United States of America for the establishment of the U.S. Educational Commission in the United Kingdom; that the Commission began its work in December of that year and that one of its main concerns was to facilitate "the attendance of citizens of the United States at institutions of higher learning located in the United Kingdom." But where, you might persist, does FULBRIGHT come in?

SURPLUS STORES

FULBRIGHT came in at the beginning, for the author of Public Law No. 584, 79th Congress, by which the Secretary of State of the United States was empowered to "enter into an agreement for certain educational activities with any foreign government for the use of currencies * * * of such foreign government as a result of surplus property disposals" was J. WILLIAM FULBRIGHT, Senator from the State of Arkansas and formerly Rhodes scholar of Pembroke College, Oxford. The Senator persuaded Congress to agree that the proceeds of the sale of American surplus stores in this and other countries should be used to finance an interchange of persons in the field of education. From a member of Dr. Johnson's college it was a notable gesture. But it was more than a gesture. It meant, in fact, that, annually, for a period of approximately 20 years, there would be a sum in pounds sterling equivalent to about a million dollars at the disposal of the Commission in the United Kingdom.

In accordance with the agreement, the Commission consists of 14 members—seven United States citizens appointed by the American Ambassador (who is honorary chairman of the Commission) and seven citizens of the United Kingdom appointed by the Secretary of State for Foreign Affairs. The American members are drawn partly from the staff of the Embassy and partly from American citizens resident in Great Britain. Two of the original American members were Mr. Herbert Agar and Dr. A. L. Goodhart, the latter, happily, still a participant in the work of the Commission. On the English side, the members are chosen largely from institutions of higher learning, and Sir Hector Hetherington and Dame Lillian Penson, two original members, did valuable pioneering work. The Foreign Office is normally represented by an Assistant Under Secretary of State and the Commission entrusts its day-to-day responsibilities to an executive secretary and his staff.

NOT ONE WAY

As has been hinted above, an important element in the work of the Commission is the placing of the American scholars—senior and junior—in the universities of the United Kingdom. With the selection of these scholars the Commission is not concerned. That is the responsibility of the Board of Foreign Scholarships and the State Department in Washington; the secretariat in London has the complicated and delicate task of screening and affiliating the scholars. The factor of academic quality has always been stressed in this process. The American scholars have been distributed amongst all the universities in the United Kingdom. They have been placed according to the facilities available and, through the years, they have discovered that there are other universities in this country besides Oxford, Cambridge, and London—a fact frequently overlooked by many besides visiting Americans.

But the Fulbright traffic is not wholly one way. The agreement of 1948, also authorized the use of funds for furnishing transportation for citizens of the United Kingdom who desire to attend United States schools and institutions of higher learning. This limitation to transportation is, of course, due to local currency regulations, since the Commission's funds are in sterling; but the fact that anyone who is fortunate enough to have obtained a visiting professorship, a studentship, or other award from an American university can apply for a travel grant has been of great value to British scholars; the only matter of regret is that the funds are not sufficient to aid all such academic visitors. In the past year well over 200 British scholars received round-trip travel awards to enable them to visit the United States.

THIRTY COUNTRIES

The Fulbright empire, if such a reactionary phrase may be allowed, is farther flung than Great Britain. There are United States educational commissions in 30 other countries, all working towards what Senator FULBRIGHT calls "the knowledge and understanding of one's fellow men"; and moreover, the activities of the British Commission are not confined to this island. The 1948 agreement provided for the participation of the British Colonial Dependencies in the programme, and each year the Commission approves awards to American lecturers and scholars for a year's work in Singapore, for example, or Malta, or Antigua, or Uganda. This has, indeed, been claimed

as the most exciting of the Commission's activities. Certainly it has illumined the outlook of those who have taken part in it. "I wonder," wrote one who had worked in Sierra Leone, "if colonialism is not the instrument of civilization after all."

Nor is the programme limited to purely academic interchanges. One item in the Commission's budget is known as "Special Grants and Activities" and exchanges in music, drama, sculpture, and librarianship are fostered in this programme. The Commission has also sought to encourage contact between social workers on both sides of the Atlantic, and the visit in 1954 of an American social work survey team resulted in a valuable exchange of knowledge and experience. The importance of exchanges between teachers in schools is also recognized. The Commission makes a substantial contribution toward the travel of British and American teachers exchanged under the auspices of the British Interchange Committee.

Lastly, the Commission has, with the help of the Rockefeller Foundation, successfully sponsored a series of American studies conferences. The first was held at Cambridge in 1952, and the presence of such distinguished historians as H. S. Commager, Allan Nevins, and the late J. B. Brebner "induced that exciting sense of pursuing a common academic inquiry which is the peculiar reward of the true scholar."

STUDY OF UNITED STATES

Four conferences were held, two in Cambridge and two in Oxford, and out of them has sprung something permanent—namely, a British Association for American Studies, whose object is the encouragement of the study not only of the history but of the institutions, the literature, and the geography of the United States—from which it may appear that Senator FULBRIGHT planned even more wisely, and more widely, than he knew.

In the first 10 years of the program there have been over 6,600 British and American recipients of the Fulbright awards. But, without disparagement of the wider activities of the Commission, it is the 150 young graduates who have landed and will land at Southampton every September that constitute the core of the Fulbright program. It is their experience and their impressions which will form the foundation of the truer understanding which comes from close and continuous association with British universities and British people.

These impressions may not be uniformly favorable, but it is, perhaps, relevant, in conclusion, to quote the comment of one Fulbright scholar on his Cambridge experience:

"The system of supervision and the nature of college life virtually guarantee that the American student will be a participant and not an onlooker and that he will therefore contribute to student life as well as benefit from it. I know of no other educational program so inherently predestined to succeed."

In this spirit the Commission looks forward to the coming years with quiet confidence.

[Department of State press release, Sept. 22, 1958]

UNITED STATES AND UNITED KINGDOM EXTEND EDUCATIONAL EXCHANGE AGREEMENT

In an exchange of notes in London today the United States and the United Kingdom of Great Britain and Northern Ireland agreed to extend the educational exchange program carried out under the Fulbright Act for another 5-year period. The brief ceremony took place in the Foreign Office with Ambassador John Hay Whitney representing the United States and David Ormsby-Gore, British Minister of State for Foreign Affairs, representing his country. It was exactly 10 years ago today that the original agreement was concluded under which educational exchanges between the two countries were initiated.

The amendment signed today authorizes the expenditure of British currency equivalent to $5 million during the next 5 years for exchanges of persons between the United States and the United Kingdom and colonial areas for purposes of study, teaching, university lecturing, and conducting advanced research. It is estimated that this amount will provide for nearly 3,000 exchanges. Approximately 6,000 persons have been exchanged following the signing of the original agreement and several amendments to extend the program.

The Fulbright Act, approved in 1946, authorizes the use of certain foreign currencies owed to or owned by the United States which are derived from the sale of war surplus property for educational exchanges between the United States and other countries.

[Department of State press release, Oct. 16, 1958]

SPAIN AND THE UNITED STATES SIGN EDUCATIONAL EXCHANGE AGREEMENT

Spain and the United States today signed an agreement putting into operation a new program of educational exchanges authorized by the Fulbright Act. The signing took place at Madrid, with Fernando Maria Castiella, Minister of Foreign Affairs, representing the Spanish Government and John Lodge, Ambassador of the United States, representing the U.S. Government.

The agreement provides for the expenditure over a 3-year period of Spanish currency equivalent to $600,000 received from the sale of surplus agricultural products in Spain to finance exchanges of persons between the two countries to study, conduct advanced research, teach, or to engage in other educational activities. The purpose of this program will be to further mutual understanding between the peoples of Spain and the United States through a wider exchange of knowledge and professional skills. Exchanges of persons under the Fulbright Act are carried out as a regular part of the international educational exchange program of the Department of State.

Under the terms of the agreement, a binational commission to be known as the Commission for Educational Exchange Between the United States and Spain will be established in Madrid to facilitate the administration of the program. The Commission's board of directors will consist of 10 members with equal representation as to Spanish and U.S. citizens, in addition to the U.S. Ambassador, who will serve as honorary chairman. All recipients of awards under the program authorized by the Fulbright Act are selected by the Board of Foreign Scholarships, whose members are appointed by the President of the United States. The Board maintains a secretariat in the Department of State.

With the signing of this agreement, Spain becomes the 40th country to participate in the educational exchange program authorized by the Fulbright Act. Approximately 33,000 exchanges have taken place since the legislation was enacted, a little over 10 years ago. Educational exchanges heretofore have been carried out with Spain under the Smith-Mundt Act, the U.S. Information and Educational Exchange Act of 1948. The agreement signed today will considerably augment the present number of exchanges with that country. Following appointment of the members of the Commission in Madrid and the formulation of a program of operations, information about specific opportunities available will be released.

THE SOVIET SCIENTIFIC AND EDUCATIONAL CHALLENGES

Mr. FULBRIGHT. Mr. President, when Russia's sputnik jarred us awake to the harsh realities of our dwindling scientific supremacy, the Members of the Congress of the United States arose, almost as a body, with pledges of renewed effort and with glowing promises of vigorous endeavor toward recapturing our lost superiority.

Many among us expressed the fear that our inertia would be overcome—but momentarily, and that, like one who is awakened from a deep sleep by some minor disturbance, we would again subside into dreamland.

That this fear is becoming a reality is evidenced by a news article appearing in the Washington Post and Times Herald of January 18, 1959, which quotes Dr. Alan T. Waterman, Director of the National Science Foundation, to the effect that our post-sputnik response to the Soviet scientific and educational challenges has been sadly inadequate.

Mr. President, I have no idea what must be done to awaken Americans to the unpleasant facts of life. As unwilling as I am to face it, perhaps the answer is that we simply do not wish to be disturbed. I do hope, however, that statements such as those contained in this article may have some effect.

I ask unanimous consent that the article to which I refer be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WATERMAN DEPLORES APATHY ON SOVIET SCIENCE CHALLENGE

(By Sam Fogg)

Alan T. Waterman, Director of the National Science Foundation, asserted yesterday the American people are making only an apathetic response to a determined Russian bid to achieve world scientific supremacy.

"As a nation, we appear to forget that we live in a competitive world and shall continue to do so," Waterman added. "It seems abundantly clear that we shall rapidly lose in competition unless we can show more determined and constructive efforts than we have during the past years."

He leveled his criticism in an annual report on the Foundation's activities which President Eisenhower submitted to Congress. The Foundation is the Government's chief agency for surveying the Nation's accomplishments in all fields of science.

SPIRIT LACKING

Waterman strongly deplored the U.S. post-sputnik response not only to the Soviet scientific challenge but on educational problems as well.

The United States has "only made a beginning" in meeting needs in both fields, the physicist said. "The major job is still to be done."

Waterman bluntly warned that other countries, notably Russia, are benefiting from "a determination and a national spirit on the part of the people which seems to be relatively absent from the American scene."

"We do not seem to understand," he said, "that it will be impossible to maintain our own prosperity and world peace unless we do and do promptly the things necessary to compete in a modern world."

Waterman grimly noted that American educators who have visited Russia report

that the Soviet people see their way clear to world leadership in science and technology.

CHALLENGE IS CONTINUING

The Russian leaders see the possibility through scientific achievement of achieving world supremacy without the need of military domination, he added.

He demanded that the American people recognize that the challenge is not a single emergency but a continuing—possibly a permanent—one.

Waterman hit hard at the U.S. lag in education. He said there seems to be no immediate prospect of adequate salaries for teachers or improved incentives in recruiting new ones. And little is being done to provide adequate school facilities, he continued.

He pointed out that the Government's responsibility consists mainly of insuring that the public understands the problems involved, in providing direct support for some scientific projects, and in helping to encourage a substantial increase in funds from private sources.

OUR ICBM WEAKNESS

Mr. SYMINGTON. Mr. President, I ask unanimous consent that I may proceed for 5 minutes.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

Mr. SYMINGTON. Mr. President, during the next few months the Congress will decide the makeup and amount of our defense budget for the fiscal year 1960.

The President has submitted his recommendation, and the committees will begin hearings on it.

Since the United States has not kept its defense strength modernized, during the next few years adequate defense requires more money than estimated in the President's budget for the fiscal year 1960.

I hope that this year there will be extensive public debate—and soon—over the scope of our planned defense effort.

This discussion is extremely important for the security of our country; because the coming year may afford us our last chance to initiate any real effort to catch up with the Russians in the most important fields of modern weaponry.

We may lose this chance unless the American people are given the truth about our present position.

The people cannot be expected to support such an effort if they do not know the facts. Once they do know them, they will demand that we move full speed ahead.

We in Congress are servants of the people. If we are to appropriate large sums of their money for defense, we must have the right reasons for doing so; and the people must know what those reasons are.

That is why, a week ago Monday, I called upon the Vice President to clarify what he had said about missiles at a private press conference—and to tell the American people where we plan to stand, some 2 years from now, in the intercontinental ballistic missile race with Russia.

Mr. NIXON had been reported by the press to have made certain statements about that subject which I know are wrong.

Even more important, they were statements which, if believed by our people, would lead them to reject the measures and expenditures necessary for our security.

For this reason, I called upon the Vice President to tell, in percentages, the facts about how many operational ICBM's this Nation plans to have as of 1961, as against what our intelligence experts estimate the Russians will probably have by that time.

Such a ratio would show clearly whether we are planning to close the missile gap by that time—or let it widen.

Since I made this request last January 12, many statements have come from many people.

Other reporters assert the Vice President did not say we were ahead, but did say we were taking adequate steps to close the gap.

The President of the United States has said we were behind the Russians in some things, but implied that our military defense overall was adequate because it was balanced.

The distinguished minority leader has implied on the floor of the Senate that whatever trouble we were in was the fault of the Truman administration, and not the fault of an administration which has been consistently reducing our relative defense strength over the past 6 years.

But the Vice President has said nothing; and no one in the administration has responded to my request for publication of this ICBM lag.

Therefore, to better inform the people, I will state a part of the record myself.

Mr. President, as every Member of this body knows, the ICBM is the most dreaded new weapon of modern war. In effect, it is a hydrogen bomb, deliverable with great speed and accuracy to targets anywhere on earth.

Just as Russia's possession of this weapon in quantity is fast becoming the greatest military danger facing America, so our capacity to retaliate with it effectively could be the greatest deterrent to war.

America will not strike first. Our traditions and our faith cry out against the instigation of a nuclear war.

In a recent editorial, the Washington Post put the matter well when it said:

> The crucial point is whether, when our chief reliance can no longer be placed on manned aircraft, we shall have enough missiles that we can survive a massive blow of aggression to confront an enemy with unacceptable levels of retaliation. This is the one basic requirement upon which deterrents of war must rest in the missile age.

That is why the relative number of ICBM's, as between ourselves and Russia, is so vital to our security. For if Russia has enough of these weapons to deliver a knockout blow, and we have not enough strength left to retaliate effectively, a major element of our defense strength, on which we have based the position of ourselves and our allies in this uneasy peace, crumbles.

Of course, the bombers of our Strategic Air Force, plus the new submarines now coming to us in carefully limited quantities, add to our deterrent capacity. But a majority of the planes in the former are obsolescent to obsolete; and our fleet of modern submarines is very small, especially when compared with the great submarine fleet of the Russians.

It is because of such reasons that our relative production position in the field of intercontinental missiles is of supreme importance.

What is that relative position? I speak now of operational ICBM's, which means ready and able to do the job they are supposed to do.

Our ICBM capacity represents what we plan to have; and when we plan to have them.

Russia's capacity is what we estimate they plan to have; and when they plan to have them.

Since I brought up the danger of this growing missile gap, there has been a substantial revision downward of our estimate of Russian missile production.

But let us take even these recently revised estimates and make a comparison of these new figures, as planned for 1961.

For safety, does our Government plan, by that date, to have twice as many ICBM's as we estimate the Russians will have?

It does not.

Does it plan to have as many ICBM's as Russia?

It does not.

Will the percentage of our ICBM inventory be half as large as the Russians in 1961?

It will not.

The Senate Preparedness Investigating Subcommittee plans hearings on our defense posture. The chairman of that committee, the distinguished majority leader, has called for an honest count.

The PRESIDING OFFICER. The time of the Senator from Missouri has expired.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Missouri may have 4 additional minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Missouri is recognized for 4 additional minutes.

Mr. SYMINGTON. I thank the distinguished majority leader.

Mr. President, in view of this imminent investigation, I will only say now that the figure is less than 25 percent.

In other words, through 1961, our planning envisages the Russians having over four times as many operational ICBM's as the United States.

I personally have studied this matter for many months, and believe that these figures actually much underestimate the Soviet long-range missile advantage now and over the next few years.

Accordingly, far from planning to close the current ICBM gap, the administration is actually allowing it to widen—and this despite all the vague reassurances we have heard to the contrary, in past years and again recently.

This gap will not exist because of any defect in technology or development. ICBMs have now been produced and test-fired successfully; and America's

production lines could make many more of them during the next 2 years if funds to that end were appropriated and allocated now.

But our Government does not plan to run these lines on a full production basis.

In fact, during this period production capacity which could be used to make more ICBMs will be standing idle.

We have the capacity, not only to produce more missiles, but also to build in time the bases from which to fire them.

If Russia plans full production of this new weapon, and we do not, how can this missile gap do anything but widen against us?

The reason we are not planning full production of ICBMs is because this administration is not planning to spend the necessary funds.

The bugs in our missile production are not in our assembly lines, but in our policies.

If this administration really wanted to do so, it could start plans tomorrow to reduce the Russian advantage; and that is why it is so important for our people to have the facts; and to understand them.

Once that is true, the shocked outcry of an informed public will force our Government to take the necessary steps to start closing this ICBM gap.

It is mighty important for our people to realize the full implications of this Russian advantage in the ICBM race.

As long as we are outnumbered in ICBM's by over four to one, regardless of our defenses and other methods of retaliation, the United States is in grave danger of destruction from a sneak attack.

This does not even take into consideration the further gap widening in favor of the Russians that can only result from the present refusal of this administration to recognize the vital importance of adequate dispersal and properly protected bases for our presently planned ICBM's.

As long as this gap persists, it does grave damage to our entire diplomatic position; because in the world of today it is axiomatic that adequate national power is one of the primary requisites for effective international diplomacy.

As long as it persists, our alliances can only be weakened and the uncommitted nations made more uneasy; and Russia, along with her vast Chinese ally, will be better able to pursue their joint goal of undermining, subverting, and ultimately dominating the free world.

This is the real significance of this percentage—not only its effect on our security, but also its effect on our diplomatic position, all over the world.

It is primarily for that reason that I intend to discuss this matter further during the present session.

The leaders of our country act, not for themselves, but for the people.

The people of America are the ones who suffer from this lack of candor.

They are the ones who will be hurt if our country is weak.

They are the ones who will do the dying if our unpreparedness leads to a sneak attack.

Therefore, the people should be told the facts which are so important to their survival.

Vague reassurances will no longer do.

The truth is what counts—for the most vital requisite of a democracy is that the government be frank with the people.

Let us not confuse this issue by partisanship. Let us know now, objectively and on a nonpartisan basis, where we stand, and what we have to do.

If the administration does this now, there is still a little time to alert the Nation. If it refuses, then it is the duty of Congress to give the truth to the people.

The American people are eager to be adequately strong, in order that individually, and as a Nation, they can remain free.

Mr. President, only this morning I read in the newspapers of the press conference Secretary McElroy held yesterday, in which he said there is no positive evidence that the Soviet Union now has combat-ready ICBM's and that the Soviet Union is not expected to have such a 6,000-mile ballistic missile before this country's own Atlas is, as he put it, "ready for combat by June 30 of this year."

The implication of these and other remarks made by Secretary McElroy yesterday is that the Soviets do not have superiority in intercontinental ballistic missiles.

This statement by the Secretary implies a great deal more combat readiness on the part of the United States than is justified by the very few ICBM's this country will have available for retaliation in the next 2 years.

The Secretary's statements are apparently based on a recent downward revision in intelligence estimates of Soviet ICBM capability for the next 3 or 4 years.

Nothing could be more certain to lessen our chances of survival than to subordinate our intelligence evaluation to our budget policies.

Yet, since we have not been told by the administration of any evidence of softening in the Soviet position or a deemphasis on its ICBM program over the past several months, are we to assume that such statements as Mr. McElroy's of yesterday are released for public consideration primarily to support a restricted budget position?

Mr. JOHNSON of Texas. Mr. President, I wish to commend the very able Senator from Missouri for the thoroughness and aggressiveness with which he has pursued this subject, with the result of bringing before the Senate the record of what has happened in regard to this subject.

PREPAREDNESS HEARINGS BY THE COMMITTEE ON ARMED SERVICES AND COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES

Mr. JOHNSON of Texas. Mr. President, as chairman of the Subcommittee on Preparedness of the Committee on Armed Services and as chairman of the Committee on Aeronautical and Space Sciences, I am pleased to announce that near the end of the month those two committees will begin hearings on the general subject of our country's preparedness. We plan to have our first hearing on January 29.

Our goal will be to give the people of America a forthright answer to a vital question: Where does this Nation stand in the fields of national defense and outer space?

The committee will proceed toward this goal with the same nonpartisan candor that it did last year.

Overriding all other issues is the necessity of insuring two things:

One, that this Nation is now doing all that it can and should do to protect this country and the rest of the free world against aggression.

Two, that the United States has marshaled the last iota of brains and manpower to assure this Nation's supremacy in outer space.

This must be done.

Our initial effort will be directed to the immediate problem of clearing the confusion that presently exists about where this Nation stands in the race for outer space.

The people must have an honest count.

We propose to start with Secretary of Defense Neil McElroy as the first witness, to be followed by his senior responsible subordinate. This will be the start.

The entire defense and space programs will be under scrutiny by the appropriate committees throughout the remainder of the session.

Mr. President, the distinguished Senator from Missouri [Mr. SYMINGTON] has made a great contribution to his colleagues, and I thank him for the exposition he has made.

Mr. SYMINGTON. Mr. President, let me thank the distinguished majority leader for what he has said. It has been a privilege to work with him for many years in this field.

As I stated in the course of the brief remarks I have made on this subject today, I am confident that under his leadership the American people will now find where they stand with respect to the growing menace of communism.

Mr. HUMPHREY. Mr. President——

Mr. O'MAHONEY. Mr. President——

Mr. MORSE. Mr. President——

Mr. CASE of South Dakota. Mr. President, if I may be recognized, I ask unanimous consent that I may yield to the Senator from Oregon.

Mr. MORSE. Mr. President, reserving the right to object—although I shall not object—I point out that we are still proceeding in the morning hour, under a 3-minute limitation; and some of us only wish to make insertions in the RECORD. I wonder whether we can make those insertions, after which the Senator from South Dakota can be recognized.

Mr. JOHNSON of Texas. Mr. President, I hope that can be done. I suggested that no speeches of more than 3 minutes be made during the morning hour. I think it inconveniences Senators to have any other procedure followed.

At this time, I ask unanimous consent that the Senator from South Dakota may retain the floor and may yield to his

colleagues for the purpose of making insertions in the RECORD, without having the time required for that purpose charged to the 3 minutes available to him.

Mr. CASE of South Dakota. Mr. President, I appreciate that; but when I am recognized, I should like to be accorded additional time.

Mr. JOHNSON of Texas. The Senator from South Dakota may be sure of our courtesy in that respect.

Mr. O'MAHONEY. Mr. President, reserving the right to object, I desire to say to the Senator from South Dakota that I would not make any objection. However, inasmuch as what I wish to say will take considerably less than 3 minutes, and bears directly on what the Senator from Missouri and the Senator from Texas have said, I should like to have an opportunity to be recognized first, if the Senator from South Dakota will yield, because I am sure he may wish to make some comments on the facts on this subject which I should like to place in the RECORD.

Mr. CASE of South Dakota. Mr. President, let me state that it will be my intention to yield first to the Senator from Oregon [Mr. MORSE], who has an engagement downtown, and who merely wishes to make an insertion in the RECORD. Then I shall be glad to yield to the Senator from Wyoming and to other Senators.

Mr. HUMPHREY. Mr. President, reserving the right to object, let me say to the Senator from South Dakota that if his unanimous-consent request is granted, I shall ask that, first, other Senators be permitted to introduce bills and to submit statements in connection with them, and that then the debate on national-defense policy be resumed. I, too, would like to engage in it. But, like the Senator from Oregon, other Senators have commitments; and the morning hour is for the purpose of the introduction of bills, the presentation of petitions, and the submission of resolutions; and I wish to get on with that job.

Mr. CASE of South Dakota. I should like to observe that, by courtesy, no objection was made when additional time was requested by the Senator from Missouri. I believe that most of us would like to participate in the debate on the subject discussed by the Senator from Missouri, and we would prefer to have that debate occur following the morning hour. But since it has not, we wish to make these remarks.

Mr. CLARK. Mr. President, reserving the right to object, I, too, agree that morning business should be concluded before the debate on national-defense policy is continued. But several of us, including my friend, the Senator from Minnesota [Mr. HUMPHREY], and myself, I know would like to interrogate the distinguished junior Senator from Missouri. So I hope the unanimous-consent agreement that is worked out will provide that the Senator from Missouri will be able to resume the floor after the morning hour is completed, so that we can continue our colloquy with him, after which I think it would be quite appropriate for the Senator from South Dakota to be recognized.

Mr. CASE of South Dakota. Mr. President, if I am recognized, I should like to yield first to the Senator from Oregon, under my unanimous-consent request.

Mr. HUMPHREY. Mr. President, I wish to know what the schedule is; otherwise, I shall object. I wish to know whether we are to proceed with morning business or whether we are to engage in debate on national-defense matters.

Let me ask the Senator from South Dakota what his purpose is.

Mr. CASE of South Dakota. I intend to make a few observations with respect to the remarks made by the Senator from Missouri.

Mr. HUMPHREY. I favor that. But when does the Senator from South Dakota wish to do so? Will he yield to the rest of us, in order that we may make insertions in the RECORD, during the morning hour; or will we have to wait for the debate on national-defense matters to end?

Mr. CASE of South Dakota. Mr. President, I do not wish to request any courtesy other than the one accorded the Senator from Missouri.

Mr. JOHNSON of Texas. Mr. President, I wish to explain that I asked the Senator from Missouri not to make his remarks until the morning hour was concluded. I realized that the statement would provoke just such a situation as the one which has developed.

I was away from the floor when the Senator from Missouri sought and received recognition. I thought it only courteous to him, after he had been recognized, to see to it that he received additional time, in order to be able to complete his very brief statement.

I then sought recognition under the 3-minute rule; and I completed my statement before my time was up.

I recognize the problem the Senator from Oregon has; and I wish my colleagues would join me in attempting to get us out of the procedural hassle we are in—through no fault of my own—by permitting the Senator from South Dakota to receive recognition, whereupon he will yield to the Senator from Oregon, to permit him to make a brief insertion in the RECORD. That procedure will at least enable the Senator from Oregon to leave and then we shall proceed.

Mr. HUMPHREY. But, Mr. President, I wish to know whether the Senator from South Dakota will then yield to me, because I, too, have another engagement.

Mr. JOHNSON of Texas. I am sure the Senator from South Dakota will be courteous enough to give the Senator from Minnesota a very high priority.

Mr. HUMPHREY. Mr. President, I want more than a very high priority; I want some assurance. [Laughter.]

Mr. JOHNSON of Texas. Does the Senator from Minnesota desire to introduce bills?

Mr. HUMPHREY. Yes; and I wish to obtain that assurance.

Mr. CASE of South Dakota. Mr. President, let me inquire whether all Senators who wish recognition during the morning hour are now on their feet.

Mr. MANSFIELD. No. I have been waiting since 12 o'clock.

Mr. CASE of South Dakota. Mr. President, I recognize the situation which has developed. I do not wish to be selfish about this matter. If I can be assured that Senators who are presently on the floor will not, if recognized during the morning hour, exceed one 3-minute period, I shall withdraw my request, with the understanding that I shall be recognized after Senators who desire to be recognized during the morning hour have been allowed 3 minutes, and 3 minutes only, whether to speak on one subject or to speak on half a dozen.

The PRESIDING OFFICER (Mr. HARTKE in the chair). Without objection——

Mr. SYMINGTON. Mr. President, I regret that this procedural problem has come up today. As all Senators, know, the morning hour is seldom adhered to rigidly.

I have been in the Senate Chamber on occasions when 45 minutes had elapsed; we were still in the morning hour; and only two Senators had made remarks. However, I state sincerely that I regret that this awkward situation has developed.

I am especially sorry to have inconvenienced the distinguished Senator from Oregon [Mr. MORSE], and any others of my colleagues who may have appointments elsewhere at this time.

I had no advance notice from the distinguished Senator from South Dakota that he wished to pursue this serious defense matter with me this morning.

I can only add that, much as I regret the present procedural difficulty, I regret very much more the seriousness of our defense posture.

Mr. CASE of South Dakota. Mr. President, do I have the floor?

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota?

Mr. HOLLAND. Mr. President, reserving the right to object, I am perfectly willing to accede to the request of the Senator from South Dakota that he may proceed, and also to permit other Senators to proceed under the 3-minute rule. But I was in the Chamber, I believe, before any other Senator who now is on the floor was present.

Earlier in the day I learned from the Senator from Missouri [Mr. SYMINGTON] that he expected to speak. I told him that I would wait until he concluded his remarks before I would request the floor.

I conferred with the assistant majority leader, the Senator from Montana [Mr. MANSFIELD], and asked him to suggest the absence of a quorum, if necessary, when the Senator from Missouri was ready to proceed.

I am perfectly willing to await the conclusion of all bona fide morning-hour business. But I expect to be heard after that has been concluded, before we get into any prolonged discussion of the wild spaces outside our universe which seem to excite such great interest at this time.

A few of us have some mundane matters which we want to discuss.

Mr. CASE of South Dakota. Mr. President, the Senator from South Dakota recognizes the situation. Rather than have a nervous audience waiting and delayed on this matter, I ask unanimous

consent that I may be recognized first immediately after the morning hour, when we would not be talking under a limitation of time, and would have more time to speak. I ask unanimous consent that I may be recognized first after the completion of the morning hour.

The PRESIDING OFFICER. Is there objection to the unanimous consent request?

Mr. MANSFIELD. Mr. President, reserving the right to object, would the Senator yield me 5 minutes at that time? I have been waiting since 12 o'clock.

Mr. CASE of South Dakota. The Senator from South Dakota would be delighted to yield 5 minutes to the Senator from Montana.

Mr. O'MAHONEY. Mr. President, reserving the right to object, I call the attention of the Senator from South Dakota to the fact that he has already agreed to yield to me for less than 3 minutes immediately afterward.

This is one of those amusing situations which develop on the floor of the Senate, I would say to the Presiding Officer [Mr. HARTKE], who is one of the freshman Senators. We waste more time on procedural matter, seeking to get in our opportunities to speak, than we waste on any other subject that comes before the Senate.

Mr. CASE of South Dakota. If the Senator from South Dakota may be recognized, he intends to keep his commitment to the Senator from Wyoming. The Senator is under the impression that no one will be recognized under the unanimous consent. If the junior Senator from South Dakota is recognized and his unanimous consent is granted, he will still have the floor, under the morning hour. Under that arrangement he will immediately yield to the Senator from Oregon and then to the Senator from Wyoming, and then relinquish the floor until he can have recognition after the morning hour.

Mr. O'MAHONEY. I have no objection.

Mr. CASE of South Dakota. I yield to the Senator from Oregon.

Mr. HUMPHREY. Mr. President, are we in the morning hour or are we not?

The PRESIDING OFFICER. We are in the morning hour.

Mr. HUMPHREY. Nobody has to yield to anyone.

Mr. HOLLAND. Mr. President, I object, and I ask for the regular order.

Mr. CASE of South Dakota. I yield the floor.

Mr. HOLLAND. Mr. President, a parliamentary inquiry. I have asked for the regular order.

The PRESIDING OFFICER. The Senator from Florida will state his parliamentary inquiry.

Mr. HOLLAND. Is this the morning hour or is it not?

The PRESIDING OFFICER. It is.

Mr. HOLLAND. I have asked for the regular order.

The PRESIDING OFFICER. The Senator from Oregon is recognized, under the regular order, for no longer than 3 minutes.

(Mr. MORSE made unanimous consent requests, which appear elsewhere in the RECORD.)

Mr. O'MAHONEY. Mr. President——

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. O'MAHONEY. Within the 3-minute rule, I desire first to compliment the Senator from Missouri on his statement and the Senator from Texas on his statement with respect to intercontinental ballistic missiles. I have in my hand a document issued in August 1953 by the Senate Appropriations Committee. It is entitled "A Comparison of Original Estimates and Revised Estimates, 1954, by Departments in Regular Bills."

The President of the United States who held office until January 1953, by the name of Harry Truman, sent a budget message to the Senate in January calling for the appropriation of $40,719,931,000 for the Department of Defense.

His successor, President Dwight Eisenhower, formerly Chief of Staff of the Army, canceled the budget sent to Congress by his predecessor and, in his revised budget for the fiscal year 1954, he cut the appropriation for Defense by $4,948,368,000, sending to Congress a total budget of $35,771,563,000.

This is the manner in which the present administration launched its campaign for the defense of the United States—by cutting down the recommendation which had been made by the previous President for strengthening the defenses of the country.

On page 15 of this document, there is the following comparison dealing with the development of the Air Force. The Truman budget for aircraft and related production called for $6,664,000,000. The Eisenhower budget called for $3,495,000,000. That represented a reduction of $3,169,000,000.

In major procurement other than aircraft, Dwight Eisenhower made a reduction of $275 million.

In Air Force maintenance and operation, he cut the budget by $1,035,000,000.

And above all things, Mr. President, for research and development by the Air Force—and at that time this was the appropriation necessary for missile development—the Truman budget was $537 million. The Eisenhower budget was $475 million, or a reducion of $62 million.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HUMPHREY and Mr. CARLSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

FURNISHING OF NATURAL GAS TO NORTHERN MINNESOTA—RESOLUTION

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the resolution adopted by the village of Nashwauk, Minn., urging the Federal Power Commission to speedily process the current applications for permission to furnish natural gas to northern Minnesota.

The Power Commission has had applications for this purpose before it for more than 2 years now, while the people of Minnesota have been waiting for additional supplies of natural gas.

Let us hope that there will be a final decision made in the near future, as I have so frequently urged the Commission to do.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

"Whereas it is now more than 20 years since the first application was made to the Federal Power Commission for a certificate of necessity to install a pipeline and furnish natural gas to the Iron Range of northern Minnesota, and

"Whereas this fuel is vitally necessary for use in processing the lower grade iron ores so abundant in the village of Nashwauk and its immediate vicinity, and

"Whereas the lack of this fuel for use in beneficiating the low grade iron ores is causing serious unemployment in the village of Nashwauk and its surrounding areas: Now, therefore, be it

"Resolved by the Village Council of the village of Nashwauk, Itasca County, Minn., That they go on record as petitioning and requesting the Federal Power Commission to speedily process the applications for permission to furnish natural gas to this area and that they request the Members of Congress from this area and the State of Minnesota to do all in their power to aid the Iron Range communities in obtaining natural gas service for the area; and be it further

"Resolved, That copies of this resolution be forwarded to the Honorable HUBERT M. HUMPHREY and the Honorable EUGENE MCCARTHY, Senators from the State of Minnesota, and the Honorable JOHN A. BLATNIK, Member of Congress from this district, to acquaint them with the action of the village council."

The foregoing resolution was duly offered and seconded and upon being put to a vote, carried unanimously.

Mayor Williams thereupon declared said resolution duly adopted this 5th day of January 1959.

ERNEST WILLIAMS,
Mayor.

Attest:

RAY ROOS,
Clerk.

MATTIE CAPEHART

Mr. HARTKE. Mr. President, the senior Senator from the State of Indiana has suffered the loss of his dear friend and stepmother, Mattie Capehart. She was born in Pike County, Ind., which is the native county of the honorable Senator from Indiana [Mr. CAPEHART] and of myself.

She had lived there all her life and died after a long and useful life on Monday, January 19, 1959, at the age of 91 years. On behalf of all the people of the State of Indiana, we extend to the Senator from Indiana [Mr. CAPEHART], and his family our sincere sympathy.

NEED FOR SOIL TREATMENT MEASURES

Mr. CARLSON. Mr. President, at a meeting of the board of directors of the State Association of Kansas Watersheds on Friday, January 29, 1959, at Emporia, Kans., the following resolution was passed unanimously:

Be it resolved, That the State Association of Watersheds recommend that sufficient

funds and personnel be provided to local counties to carry out soil treatment measures to complete watershed work.

Mr. President, the preservation of our soil and the control of water runoff is our No. 1 problem in Kansas. Great progress has been made during the past few years and I would recommend to the members of the Appropriations Committee that every effort be made to furnish sufficient funds for not only the continuation of this work, but for an expansion of it.

PRINTING OF COMMITTEE REPORTS

Mr. HAYDEN. Mr. President, with reference to the printing of committee activity reports for the session, I wish to remind the chairmen of all committees that the Joint Committee on Printing has very properly ruled that the printing of such reports both as committee prints and in the RECORD is duplication, the cost of which cannot be justified.

It is requested that committee chairmen decide whether they wish these reports printed as committee prints or in the RECORD since the Government Printing Office will be directed not to print them both ways.

This restriction does not apply to the legislative achievement reports of the session made by the majority and minority leaders, which reports are printed in the RECORD and as Senate documents.

Mr. MANSFIELD. Mr. President, has the morning hour been concluded?

The PRESIDING OFFICER (Mr. HARTKE in the chair). Is there further morning business?

PROPOSED INCREASE OF OIL AND GAS LEASE RENTALS—DISPOSITION OF OIL AND GAS DEPOSITS IN CERTAIN LAND ACQUIRED BY THE UNITED STATES

Mr. O'MAHONEY. Mr. President, I note from the CONGRESSIONAL RECORD that there was transmitted to the Senate earlier this week a recommendation from the Department of the Interior for the enactment of legislation to increase oil and gas lease rentals to 50 cents an acre across the board. It will be recalled that the rentals are now 50 cents for the first year, nothing for the second and third years, 25 cents for the fourth and fifth years, and 50 cents for the 5-year renewal period.

I know that all Senators representing oil-producing States will regard with some concern the suggestion coming from the Department of the Interior that the present rentals be increased, inasmuch as it it our purpose to stimulate oil production and the search for oil deposits.

I make this announcement at the present time merely to call this subject to the attention of Senators who are members of the Committee on Interior and Insular Affairs, and to emphasize the importance of this proposal.

Another measure proposed by the administration would give the Secretary of the Interior blank check authority—and I particularly invite the attention of the Senator from California [Mr. ENGLE] to this—to dispose of oil and gas deposits in acquired land in which the United States owns only a partial or a future interest.

If the administration is recommending the disposal of Government oil interests in acquired land, and is recommending also the disposal of the petroleum reserves, one of the largest of which is in the State of California, it is clearly necessary for us who represent oil producing States and who are members of the Committee on Interior and Insular Affairs to consider what is in the mind of the administration in disposing of these capital assets which the United States possesses.

ECONOMICS BY ADMONITION

Mr. O'MAHONEY. Mr. President, I ask unanimous consent to have printed in the RECORD a searching analysis of "Economics by Admonition," by Dr. Ben W. Lewis, of Oberlin College. Dr. Lewis testified this morning before the Senate Subcommittee on Antitrust and Monopoly, and has given an anlysis of the problems of inflation, competition, and regulation of commerce which is worthy of deep reflection.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

ECONOMICS BY ADMONITION

Recent years have witnessed the display of some questionable manners toward persons in high places. These persons, even (particularly) the person in the very highest place, have been admonishing leaders of industry and leaders of labor to look upon the precarious state of our sound economy, imperiled by burgeoning inflation and yawning recession, to commune with their consciences in the vast stillness imposed by the solemn responsibility which is theirs, and voluntarily to restrain, even to reverse, their age-old propensities and proclivities in the matter of prices and wages. The admonitions have been reinforced by fearsome warnings: the cost of failure to heed will be the loss of our way of life.

ADMONITIONS GO UNHEEDED

The response has been not only less than spectacular, it has been less than perceptible. It isn't that people do not listen or that they disagree with the admonitions delivered to others. Indeed, when our leaders of industry and labor see these admonitions being ignored by other leaders of labor and industry they are noticeably distressed. But, nothing happens. As for the rest of us, we applaud the recitation of the noble lines, and hiss the villains whose selfish conduct flouts their direction; but when in due course we are admonished, in the name of our way of life, to stem the flood of inflation by spending less than we want to spend, we wave our checkbooks; and when we are admonished to break the bonds of recession by spending more than we are then inclined to spend, we sit on our hands. All of this is very disrespectful to those in high places, and may very well lead to dire consequences. Some of us are reminded of another time, a quarter century ago, when we failed to follow the admonitions of another highly placed person upon the occasion of another threat to our way of life. We were told in 1929–30 that if we would all act as though we were employed and prosperous and confident of the future, we could rub our eyes and the depression would be gone. And if we didn't * * * well, we didn't; and what happened to our way of life generated about two-thirds of the content of our present-day economics textbooks.

Admonitions are not new to us, although in our economic milieu they are always a little startling. Business statesmen have been admonishing other business leaders for the past 20 years to rise to the challenge of business statesmanship. They have raised their eyes above and beyond the market place to the distant stars, and have asked the stars, "What is our responsibility to society?" In the interval of waiting for the answer they have enjoined their fellows, in the name of our way of life, also to gaze wistfully skyward, to search out their consciences, and to embrace social responsibility as the standard and guide of business conduct. Let the record show that the stars are still blinking.

There is, of course, some point to this concern about our way of life. It seems evident that our way of life is right now undergoing substantial change—a change reflected in the very fact of the admonitions themselves. Our way of life is geared to gain, not to goodness.

ECONOMIZING INVOLVES DISPOSING OF CONFLICTING CLAIMS

The way of life which our more persistent admonishers are admonishing us to preserve is our economic way of life—our way of economizing, our economic system. May I suggest that creeping admonitionism is wholly foreign to our economic way of life, and that economizing by conscience is a system of, and not a cure for, organic disabilities which are beginning to be plainly discernible in our economic body.

Please indulge me for a moment while I remind myself that an economic system, a political economy, is a set of man-made and man-accepted arrangements designed to economize our natural and human resources; that is, to bring about the constant and continuing use of these resources as men, in society, want them to be used. Since, even on this most affluent of all planets, not all of the desires, however induced, of everyone can possibly be satisfied, conflicts of economic interest are bound to arise and must be resolved. Choices and decisions acceptable to society must be made and carried into effect continuously and in volume. We are forced by the basic conditions of our life together to economize our resources and, thus, to establish and everlastingly to reestablish arrangements suited to the performance of the economizing task as we want it performed.

Economizing by its very nature involves the disposition of conflicting claims, all of which may be reasonable and good. All economic decisions are related and interdependent, and if our decisions are well taken, we purchase our satisfactions at the cost of other satisfactions foregone. Economic decisions carry denials with every approval, refusals with every grant. This, of course, is why we care, why we economize. This is why society as a whole—all of society—is concerned with economizing decisions. This is why economizing is society's business.

ECONOMIC SYSTEM INVOLVES CONTROL OVER BEHAVIOR OF INDIVIDUALS

There is another reason why the business of economizing is society's business. Any economic system—market, Marxist, or mixed—involves control by society over the behavior of individuals. An economy points the way and sees to it that the way is followed. Its weapons and sanctions may be direct or indirect, sharp or blunt, but their function is clear: to make individuals behave as society wants them to behave and as they would be quite unlikely to behave in the absence of society's economic controls. It is the function of controls to control, to be unpleasant and even to hurt; and so to affect the actions of individuals. This

is true both of the directives and legal penalties of authoritarian systems and the price-cost directives and coercion-by-competition that characterize free-enterprise economies. But, whatever the arrangements and forces, they represent the application of socially sanctioned power to the behavior of individuals; they can properly express no will or purpose other than the will and purpose of society.

SOCIETY MUST SET THE PATTERN

Economizing, then, is society's affair. The problem is society's problem, and society must set the standards and provide the answers either by naming the standards and spelling out the answers directly through its political machinery, or indirectly by establishing or acquiescing in a set of processes to produce answers which are acceptable because the processes from which they derive are accepted. It is neither the privilege nor the responsibility of any individual, however conscientious or statesmanlike, voluntarily to render economizing decisions in the name of society.

The economic system in operation in any country at any time represents the way in which the people of that country, at that time and as they are then persuaded, want the economizing function in their society to be performed. In our own case, we place heavy reliance upon the forces of (1) free individual initiative and choice, (2) economic (profit) motivation, and (3) unrestrained rivalry (competition) between independent, profit-seeking sellers and between independent, profit-seeking or satisfaction-seeking buyers. Through these forces we hope to achieve optimum use of our resources in the directions we desire, and the division and use of the products of our resources as we want them divided and used. The rationale of the process is simply that although everyone is seeking maximum gain free from conscious control by the group, each is, nevertheless, forced by the competition of others similarly motivated to offer to the market the best of which he is capable (as the market measures best), not alone to make the greatest gain, but in order economically to survive. Under this philosophy, we abhor any substantial lessening of competition as opening the door to the violation of society's pattern of resource use and enjoyment, and as derogating from society in favor of individuals the performance of the economizing function which society alone is competent to perform.

WE CHANGE OUR ECONOMIC SYSTEM CONSTANTLY

Competitive profit seeking in the free market is the core of our economizing process, but we have never been satisfied and happy with the core alone. All economic systems are made from day to day; they undergo constant modification and revision to accomplish the economic purposes which men, in their own time and their own environment, deem to be good. The machinery for establishing and changing the formal structure of the economy is political, and it is invoked whenever enough people are moved to call it into operation on specific issues. Whenever enough of us become dissatisfied with the structure or processes of the economy as it exists, or displeased with the results which it produces, we exercise our collective political will—we economize consciously by government. Sometimes we seek through government to make the market itself operate more effectively as an economizing instrument; sometimes we move positively into the market with our sleeves rolled up and force the economic verdicts which, collectively, we want, but which the market by itself is not prepared to deliver. Through government we supplement the market; we also supplant the market. Our total, overall economy, thus, is a complex and constantly changing mixture of profit seeking, competitively controlled individualism and conscious, governmentally organized and operated collectivism, built up piece by piece, to serve the desires of our politically free people as they express their desires in political economic decisions. It exemplifies, if exemplification is needed, the proposition that economizing is society's business.

In the context and within the rationale of our way of economic life, it is the social role of the individual to seek the maximum personal gain which the system will permit him to take. The laborer serves the goals of the economy when he seeks high wages, as do individual farmers and businessmen when they seek to maximize their profits. Let us be quite clear on this: Profit seeking is not only acceptable to our way of life, it is indispensable. The forms and methods which profit seeking may appropriately adopt are conditioned, of course, by circumstances and by the mores of the time, as well as by laws, but the logic of our economy will not permit the drive of profit motivation to be blunted or its direction to be diffused by the social conscience of individuals. Never, except in confusion, do we call upon individually felt social responsibility as a central economizing force.

ADMONITIONISM RESULTS FROM CONFUSION

Does it, then, indicate confusion to admonish business and labor leaders and the rest of us to ignore market warnings and considerations of self-interest, and to take off on courses which for each of us as individuals can lead only to economic disaster, in the hope that, if each moves toward disaster, all will be saved? Does it suggest confusion to admonish us as individuals voluntarily to forego economic satisfactions in order that all may be more fully satisfied? It certainly does. And it indicates confusion confounded, indeed it is the cream of the jest, to assume that anyone is listening. The jest is really creamed by the circumstance that the admonitions are offered in the name of our way of life.

It is difficult to conceive that markets made up of completely altruistic buyers and sellers, moved by admonitions to grasp solely at the fleeting forms of economic goodness as they may manifest themselves to each individual through a misty emanation of social responsibility, could possibly do an economizing job for society, even if such people could be trained or bred. Yet admonitions continue to ring out, and the very authority of their source compels us to consider the nature of the confusion they seem so patently to mirror. Preference by the White House for admonitions rather than action by the Government may stem from genuine doubt as to the capacity of the Government to perform effectively in the premises, or from the realization that execution of society's formal economic controls is bound, at best, to be a distressingly unpleasant business (only a sadist with a lifetime appointment could really be happier with a hatchet than a trumpet). Again, admonitions may be preferred because of a basic social-philosophic aversion to compulsion where persuasion offers even a remote chance to gain passable results. With less charity, we may also note that admonitions may be employed to divert unwanted attention from unwanted problems, or even simply to delay, if not to forestall, the making of difficult decisions. The preference of business leaders for admonitions may reflect messianic complexes or simply an entirely understandable aversion to letting government in on the act in any role that involves restraint on managerial discretion.

Whatever the explanation, the persistent flow of admonitions strongly suggests a very disturbed state of mind on the part of those in high Government and business places—their growing suspicion that things in the economy are getting out of hand and that something needs to be done about it that the free market, unassisted, cannot be expected to accomplish. The fact that weakened faith in the processes of the free market may be explicitly denied, if, indeed, it is even recognized, is itself an indication of the prevailing confusion. This confusion, however, is not without its encouraging aspects; it is top-drawer, not mine-run confusion; it stems from insight, dimly seen.

ADMONITION TO BUSINESS HIGHLIGHTS CONFUSION

Calls to business statesmanship, which have much in common with but which are of a different order from admonitions delivered to the rest of us as consumers, reflect this confusion and tremulous insight most sharply. It is quite possible that our admonishers are catching a glimpse of a phenomenon which many observers of the American economy have been commenting on for many years, but increasingly of late: The decision-making, economizing processes in the free enterprise sector of our economy do not consist alone of millions upon millions of individual choices meshed into social-economic decisions by the impersonal processes of the market. In significant proportions, society's economizing decisions are made, out of hand, by relatively few people who sit above the market in key positions within huge conglomerates of economic power. I suggest that the admonishers are beginning to sense the fact and the significance of the possession by a few of great power over the economy, and are advising and pleading that this power be used responsibly in the broad social interest. This admonition reflects and imparts confusion, but to the extent that it may serve to galvanize our limp attention to a condition which can use all of the active consideration we are able to spare, its net effect may be good. Wrong iron, wrong fairway, but a good shot.

Bigness in the economy is upon us; big business and big labor stare us in the face. Suppose we shade our eyes and stare back—in this paper at big business.

BIG BUSINESS HAS IMPORT ON ECONOMY

It is high time to take stock of the effect of big units upon the ability of the market to perform its economizing function. Bigness is not an exact concept, but, fortunately, the purposes of our present inquiry do not require us to define it with laboratory precision. We can busy ourselves usefully with the clearly recognizable dimensions of bigness; we need not fret over the exact reach or tensile strength of its outermost tentacles. Let's settle for what Berle, in his "Twentieth Century Capitalist Revolution," refers to as "concentrates"; and let us, for just a few precious moments, turn off the IBM machines and revel in an abstention from ponderous debate over statistical measures of concentration. Our attention will be sufficiently focused if we hold it to a consideration of business units which all of us clearly recognize as big enough to enjoy the power of investment, output, wage, and selling policies that have identifiable, substantial effects upon the markets in which they deal, and, hence, upon all whose lives are conditioned by those markets.

This definition of bigness may foretell, but it has not forced my own conclusions on the policy issue which bigness requires us to face—whether the presence in our markets of giant concentrates leaves enough natural, self-generating, unchecked, and uncheckable drive in market competition to enable it to discharge to our satisfaction the compelling, coercive, directive, regulatory, economizing task which the logic of free enterprise requires it to carry. I hasten to note that the issue does not relate to the guilt or innocence of bigness—its goodness or badness in the conventional moral sense; the issue is one of economic architecture. Competition plays an indispensable role in a free

market economy; to the extent that the pressures of competition are lessened and diffused by concentrates, economic decisions are left to a handful of persons who are not responsible by ballot, contract, or market to those whose lives are substantially conditioned by the decisions. Hence, the issue: As we look ahead in the building of our economy, may we reasonably, and are we likely, to continue our heavy reliance upon competition in the ordering of our economic affairs as we want them ordered?

POWER OF BIGNESS INCOMPATIBLE WITH FREE COMPETITION

This issue will not allow us the luxury of a single indisputable conclusion, scientifically established and secured by irrefutable evidence. For nearly 3 score years and 10 under the Sherman Act we have picked, plied, poked, and pondered the evidence bearing on bigness and competition in our economy, but only rarely have our pronouncements been inexorably dictated by these processes. When definitive declarations are called for, we wrap our arms tightly around our value judgments and jump. As I jump, I am peculiarly conscious of the swelling chorus of appeals to responsible business statesmanship, and I am reminded again that businessmen are free to practice the prerogatives of business statesmanship only to the extent that they are free from the compulsions of competition. It is my unabashed personal value judgment that in a growing number of key spots in our economy big units possess, and will continue to possess, a degree of power over the market incompatible with our confident acceptance of competition as our economizing force.

Big firms differ in the degree of their insulation from competition, but it seems probable that the differences in some cases are more apparent than real, and that, in others, more power and pomp will accrue with circumstance. No firm is absolutely impregnable, of course, and occasionally one slips and loses its position on the fortune scoreboard. Many forces are at work in this area, and it is far from clear that functional competition is the most common or the most powerful of the lot; certainly its dependability as an economizing force is not established by these shifts. Nor is the presence or strength of competition convincingly shown by the fact that giant firms may upon occasion adopt and follow a competitive routine—may make competitive motions, may choose deliberately to stop short of monopoly, or as a matter of management policy may institute competition among their company branches or divisions. The test is whether the big firm is compelled to compete, whether it is driven by competition in its quest for maximum gain or survival.

The claim advanced when prices are rigid that in this industry price competition has been supplanted by quality or service competition is less than convincing. Typically, all dimensions of the bargain are important, and in an effectively competitive market no participant can be free from apprehension that price competition will explode and persist. An atmosphere of certainty as to the forms which competition will take suggests that competition itself is under wraps. This observation bears, too, on the claim that the absence of price competition is not important as long as men and firms continue competitively to innovate. Innovation obviously occurs, but in what measure it is to be attributed to competition is not clear. Neither is it clear that power to act independently of competition in price is not also power to control the degree and direction of innovation. Competition on leash to conventions that happen to be agreeable to the competitors is, simply, not competition.

Nor is competition demonstrated to be present—indeed, quite the contrary is true—by instances in which giant firms hold prices in check in the face of rising markets. Such exhibitions may stroke our consumer sensibilities, but they still exude the aroma of power even though it may be power soothingly applied.

POWER OF BIGNESS HAS INCREASED IN RECENT YEARS

But, is bigness more threatening now than in the past? Is there any evidence that bigness is on the increase? Scientific measures of the extent of industrial concentration are not conclusive, but it is certainly apparent that the quality, and hence the significance, of the economic power now concentrated in giant firms is markedly different from that of yesterday, and that today's bigness is far more impressive. A half-century ago, bigness was a brash newcomer fighting its way doggedly into the economy, clawing, biting, slugging, stomping to gain power over the market. Its predatory practices were limited only by its unrestrained ambition and its fertile imagination; and it was on these practices that the public fastened its critical attention. Our concern then (much as now, unfortunately, although then with more reason) was business morality. The rules were being made to relate less to the position and role of bigness in the economy than to the conduct by which bigness was being built. Lured by the vistas promised by scale, we were eager to embrace bigness whose practices did not offend our standards of business morality; and we were prepared by easy transference to open our arms to bigness which although its past might have been questionable, had seen the white light of faith and had purged itself of youthful transgressions by confession and pledges. But our arms were not yet opened wide, and our attitude was still one of fas-

Bigness today has made its way. It has arrived, and, generously, it has accepted and make.

Bigness today has made its way. It has arrived, and, generously, it has accepted and is doing the very best it can with the rest of the economy. It is bigger; in absolute terms, bigness today is really big. Its roots are deep into, indeed they have become a part of the foundation rock of the economy, and they are reaching into areas thought at one time to be unfriendly to their growth. The behavior of bigness today is spotless, at least no spots remain unremoved for long; and its appearance and demeanor are attractive and ingratiating. Tutored by its attorneys, bathed, barbered, and cosmeticized by Madison Avenue, nourished and sanctified by war and cold war, and enthroned by public opinion which sees only goodness in bigness that is well-mannered and well-behaved, bigness exhibits the supreme confidence and gracious assurance that bespeak stature, status, and a clear conscience. Bigness was once the "bad boy in Sunday school"; now it "sits on the vestry." It may not yet have acquired a full-sized soul, but the contract has been let and the press has been alerted. Bigness spreads its protective arms benevolently over thousands of small less-favored firms, and dispenses justice among them as it is given to see justice. It keeps them alive (in the aggregate) and in the main tolerably happy—and in line. Bigness is here and, what distinguishes its present from its earlier position, we all know that bigness is here to stay. I suggest that competition, today, is captive to bigness—that today's competition is more controlled than controlling, its temper lessened, its tautness gone slack.

BIGNESS GROWS DESPITE ANTITRUST REGULATIONS

What of the future? Where do we go from here?

What are the possibilities of antitrust as an instrument for tailoring bigness to a pattern which will renew and sustain our faith in the economizing processes of competition. I would be the last to assert that competition over the years has not been made more pervasive and effective by the energies that have been devoted to antitrust. Certainly I do not decry the current efforts by scholars, lawyers, and officials to sharpen and to add iron both to our thinking and our operating policies. But, even when I follow the skillful analysis presented in Corwin Edwards' extremely able defense of the antitrust approach, "Big Business and the Policy of Competition," my footsteps falter as I near the jumping-off place. He is concerned, as I am, with power. He believes that "where we can identify power that impairs competition, we should strike it down," and he argues cogently for a case-by-case approach through the courts, the test in each case to be not "the quality of business performance, but the existence of adequate competition." This leaves us (as it should) with market structure as virtually our only test, but we have found no way to test the test, or to appraise the cost, in other values foregone, of employing it. We have searched long and our search continues, but neither our logic nor our experience gives us grounds for great expectations.

It is increasingly evident, as we inch tediously and at great expense from one elaborate, "definitive" antitrust case to the next, that the headway we are making is pitiful. Sometimes antitrust holds the line, sometimes it even gains a yard; but most of the time it plays in the shadow of its own goalposts. Each case is necessarily freighted with rarefied shadings and emphases which, while entirely relevant to the rights and claims under litigation, tend cumulatively to blur and dilute, rather than to firm our public policy toward bigness. We are required by the very nature of antitrust to strive for microscopic distinctions, to split hairs and then to split the splits. Each decision raises a sprawling litter of new issues bawling for more decisions; it is a rare case that does not generate as much in confusion as it produces in clarity. In the meantime, bigness grows apace. We can't see the mass for the increments; we nibble at the trees while the forest spreads and flourishes. A good part of our trouble is this very forest; it has its attractive aspects; it is, in fact, rather inviting.

"WORKABLE COMPETITION" FALLS DOWN IN PRACTICE

A word about "workable competition." I apologize for delaying until now my assurance to you that I do not seek after the false idol of "perfect competition." I ask you to believe that, in common with all faithful workers in the vineyard, I take the oath of disavowal each morning upon rising and, facing Morningside Heights, do obeisance only to "workable competition." Of late, however, even "workable competition" is beginning to pall. We embrace workable competition as our standard for antitrust analysis and policy, but it grows increasingly evident that the operating features and properties of "workable" defy identification except in terms that beg the question, and that the boundaries of "competition" are being broadened to include everything that businessmen do in the market together with most of the forces from which their doings derive. I suspect that, put to the test of serving as a guide to antitrust policy, "workable competition" rarely proves to be more definitive than "the total indeterminate combination of practices, motivations and forces operating in the market, with which, nursing our confusions, we are currently willing to live." The fact is that the concept "workable competition" is not particularly workable.

BIGNESS KEEPS PUSHING

Perhaps this is the best we can do, and—who knows?—it may work! I really doubt,

however, whether playing cops and robbers with bigness will, in the long run, provide us with much more than stimulating intellectual exercise, profits for professional participants, emotional release, and a kind of rearguard protection as we move slowly toward the next waterhole. Antitrust will continue in its piecemeal way to prevent gross overreaching by industrial giants, but it cannot be geared to cope with the basic problems raised by bigness as a permanent feature of our economy. And bigness will be permanent. Because of antitrust, it will push its way more discreetly, but between cases it will keep on pushing. We will not cut it down by legislation setting arbitrary limits on size; and such tests and procedures as we may devise to accomplish selective surgery will bring us closer to a state of economizing by Government than by competition.

COUNTERVAILING POWER CANNOT BE MAIN ECONOMIZING FORCE

Recently, another protective force has been identified (or reidentified) and placed on display for our consideration as a substitute for, or supplement to, competition. Kenneth Galbraith has alerted us to "countervailing power," the active restraint on the power of strong sellers or strong buyers provided by the presence in the market of strong buyers or strong sellers—or something else. It is comforting to be reminded that most markets have two sides, either of which may be quite irritating and even frustrating to the other (unless, as has been known to happen, the two sides join hands and gang upon the rest of us); and particularly comforting to be assured that if countervailance doesn't come from the other side of the market it will probably appear from some other quarter—unless something else happens. Countervailing power is a good thing to have hanging over the fireplace; it makes less ominous the threat of monopolistic misconduct. But, it is far too fortuitous in its appearance, too limited and spotty in its scope, too uneven in its drive and too discriminatory in its impact to be relied upon as our principal defense against extortion and, certainly, as the economizing force in our economy.

"CORPORATE CONSCIENCE" IS FOREIGN TO LOGIC OF FREE ENTERPRISE

So, we return again to admonitions to business statesmanship and social responsibility, this time elevated to a way of life. The thesis is that where competition alone is insufficient to maintain the conduct of giant concentrates at par, the deficiency will certainly be supplied (if, indeed, it is not already supplied) by a newly developed and still developing additive—the "corporate conscience." We have already characterized this force as foreign to the logic of free enterprise, and have suggested that to invoke it formally is tacitly to concede that competition is on the wane. The movement to give formal de jure recognition to social responsibility has now attained enough volume and stature, however, to require us to consider it on its substantive merits.

Adolf Berle has presented the case most explicitly: Along with the growth of the big corporation as the repository of great economic power, will come the growth of the corporate conscience. The great modern corporation must be recognized as a political institution upon which, as upon other great political institutions in the past, the flow of events is forcing a degree of public responsibility commensurate with its massive power—"the corporation, almost against its will, has been compelled to assume in appreciable part the role of conscience-carrier of 20th-century American society."

A succinct comment would be: It isn't going to happen; if it did happen it wouldn't work; and if it did work it would still be intolerable to free men. I am willing to dream, perhaps selfishly, of a society of selfless men. Certainly, if those who direct our corporate concentrates are to be free from regulation either by competition or government, I can only hope that they will be conscientious, responsible, and kindly men; and I am prepared to be grateful if this proves to be the case. But, I shall still be uneasy and a little ashamed, with others who are ashamed, to be living my economic life within the limits set by the gracious bounty of the precious few. If we are to have rulers, let them be men of good will; but above all, let us join in choosing our rulers—and in ruling them.

Basically, however, the difficulty with the corporate conscience thesis is that, preoccupied with the problem of economic morality, it overlooks the problem of economizing. It is not enough that economic decisions made by corporate managements shall be good in the sense of being selfless rather than selfish, in the sense that managements derive happiness and serenity of conscience from smiles of gratitude bestowed upon them by persons other than their stockholders. To economize is to choose between competing goods. Economic choices can rarely bring smiles without concomitant tears; and lonely consciences hold no formulas for the optimum distribution of smiles and tears in our economy. Once again, with gestures: Economizing is society's job. Economic decisions must be right as society measures right, rather than good as benevolent individuals construe goodness. An economy is a mechanism designed to pick up and discharge the wishes of society in the management of its resources; it is not an instrument for the rendering of gracious music by kindly disposed improvisers.

IT IS SOCIETY'S ROLE TO ECONOMIZE

The weakness of corporate conscience as the central force in the economy is that it has nothing to do with economizing. Its presence may assure us that the men who make the decisions will be well intentioned and good, but it tells neither them nor us anything about the shape of goodness; it tells no one what society wants done and, hence, what to do. When 170 million men live and make their living together, the fact that every one of them is equipped with a burning 24-hour conscience does not make less necessary the active presence of an overall organizing and directing force to work out the level and trend and allocation of resource use and the division of product. To rely for this on the unguided, uncoordinated consciences of the managements of economic blocs is to abandon order as well as human dignity. Only society is suited and fitted to deal and play these cards. If its standards are nebulous, at least they are its own, and they can be manifested and carried out with some sense of total purpose, in a total pattern which it is society's task alone to design and weave.

Consider the wage, investment, and price decisions to be made by corporate managements, and ask what contributions consciences can make to the solution of the problems they pose. These decisions affect all of society, not just the persons in the immediate family; and not all of those even immediately affected can possibly be made happy by any decisions which can possibly be made. This is quite an assignment to impose on innocent, artless consciences. I am not at all sure that they can stand the strain. Ponder the plight of the management of a giant firm producing a basic commodity, employing thousands of workers at good wages, making splendid profits, and presently facing a crippling strike unless it accedes to a demand for a wage increase. The increase can easily be passed along in higher prices. Workers want higher wages and no interruption in employment; consumers want continued output at an increasing rate, and so do stockholders. The public does not want further inflation, and large numbers of small firms do not want further increases in wages. The White House, which wants high production, full employment, healthy wages, abundant profits and low prices, now admonishes industrial statesmen to recognize their public responsibility and to adopt measures appropriate to the maintenance of equity, full employment, stability and progress. The management—as allocator, distributor, stabilizer, trustee, conservator, prophet, and chaplain, as well as manager—consults its conscience. The diagnosis of the attending psychiatrist will be multiple schizophrenia—the management's personality will not be split, it will be shredded and powdered.

OUR ECONOMIC SYSTEM IS ONE OF CONSTANT CHANGE

We are searching for a force or set of forces which will give us direction as well as protection—which will both guide and guard—which we can accept with self-respect because it is of us and belongs to us, and which will permit us to enjoy the abundance of bigness with confidence. This, of course, is the way economic systems are made: inquiring, searching, experimenting, modifying. None of us will ever know the outcome, because political economies never arrive; they are eternally en route. It is possible, however, to guess at the direction our journey will take, and at some of the scenery and stops along the way. Edward Mason writes of our failure to formulate an apologetic for our 20th century economic system. I suggest that at midcentury our economic arrangements are too nebulous and are changing too rapidly to permit even systematic identification, let alone a defense, and that what we are really lacking is not so much a convincing apologetic as a system about which an apologetic can be constructed in any but the most general terms. I suggest, further, that both a system and its philosophic defense lie ahead on the road we are traveling.

CONCENTRATION OF ECONOMIC POWER IS SEEN AHEAD

My own prediction (and I stress that I am predicting, not prescribing) is that the years ahead will see a great increase in conscious, collective, governmental controls and of governmental enterprise; and that bigness will be a major focal point of the development. The development will reflect a growing, intensified concern over the private possession of economic power so vast that even its possessors are frightened by the implications of their holdings.

CONVICTION GROWS THAT ECONOMIC POWER SHOULD RESIDE IN GOVERNMENT

Our giants firms are sitting like fat, delectable ducks, virtually inviting the Government to open fire with something more effective than antitrust. The invitation will be accepted. One cannot even guess at the occasions which will prompt the firing, or the pattern which the firing will take. It will not be laid down in a single, all-embracing, finely articulated barrage. Its force and timing will almost certainly be affected by the narcotic influence of social responsibility and by fitful spurts of confidence in the efficacy of antitrust produced by sporadic paper victories won by the Department of Justice. But, the conviction that great power over the economy must reside only in a government of the people will be acted on relentlessly, bluntly, and with force. Events will count more heavily than fine logic in determining the action; but events will surely occur, and public action to repossess the power to economize will surely follow.

MEN COULD COME TO ACCEPT DIRECTED COORDINATION

As men ponder these matters they will not fail to be impressed by a panoramic spectacle provided by the giant firm itself—farflung bureaucratic enterprises operating with ac-

ceptable efficiency in response to a melange of (only partially identified) motives and incentives, each enterprise held in dubious ownership by thousands upon thousands of persons passively quiet in their shadowy remoteness, and each enterprise apparently quite capable, under responsible direction, of coordination with others in bureaucratic operation on an even wider scale. It could occur to these men that directed coordination, responsible under society's government to society, can be had. It could occur to them that its achievement, far from constituting a threat to cherished freedoms (how free is the individual who is subject to the coercion of compassionless markets or the whims of corporate conscience?) might be a wholly rewarding expression and embodiment of freedom. As the import of these things breaks upon them, it could happen that a faraway expression will steal across their faces. It could be that men will ask themselves, "Why not?"

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

Mr. CASE of South Dakota obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield to me?

Mr. CASE of South Dakota. I should like to yield to the Senator from Montana if I may do so without losing the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. First, I wish to thank the distinguished Senator from South Dakota for his courtesy, and also to express my appreciation to the distinguished Senator from Florida [Mr. HOLLAND] for his patience.

The PRESIDING OFFICER. The Senator from Montana is recognized.

CIVIL RIGHTS

Mr. MANSFIELD. Mr. President, a few days ago the distinguished majority leader [Mr. JOHNSON] introduced a joint resolution on the problem of civil rights. I do not believe there are many Members of this body who will dispute the need for any of the provisions of that resolution.

Can anyone deny, for example, that there are communities in this country—not in one section alone, but in all sections—in which social tensions among groups of citizens run high? Some may blame these tensions on one cause and some on another, but who can ignore the fact that they exist? The first provision of the resolution introduced by the distinguished majority leader is designed to pit skilled, objective, understanding, and patient men and women against these tensions in an effort to reduce them, in an effort to conciliate those who now look at each other over a gulf filled with hatred, suspicion, and fear. This provision, in short, recognizes that there are sick communities in this country. Having recognized this reality, boldly and honestly, it would bring social doctors into the scene to reason, to heal, and to conciliate.

Can anyone deny, moreover, the need for the second provision of the resolution? That provision would bring Federal authority to bear to curb the malicious interstate movement of explosives. We have had no hesitancy in putting the Federal Government on the trail of those who kidnap. Shall we hesitate now in taking similar action against mad bands of marauders who cross the borders of the States to terrorize and destroy? In the past months we have seen their explosives rip apart schoolhouses and desecrate places of worship. Will we wait until these acts of terror or madness take the lives of children at their desks and men and women at prayer before we act?

Nor can we ignore the need to take whatever measures are essential to bring about equal access to the vote for all the citizens of this Nation. The third provision of the resolution of the distinguished majority leader is designed to move carefully, but nonetheless firmly, in the direction of securing this fundamental right, this right out of which the responsibilities of citizenship flow.

Finally, we cannot overlook the fact that there is a continuing need for the Civil Rights Commission, which was established by law in 1957, to seek positive solutions to the problems of civil rights. The long delay in the executive branch and in the Congress in getting this Commission under way has limited its usefulness to date. It has only begun its work. The fourth point of the Johnson resolution will extend the Commission until January 31, 1961, and give it an opportunity to bring forth useful proposals.

Mr. President, one does not have to agree with every dotting of the "i" or crossing of the "t" to recognize the worth of the Johnson resolution. It represents, in my opinion, a constructive advance in dealing with one of the most complex issues which, having its roots deep in the past, has come to fruition in our day. This generation did not ask for the problem; it inherited it. Nevertheless, we cannot evade it by closing our eyes to it or by pietistic generalizations.

There will be some, I know, who will say we do not need any legislation on civil rights at this time. They are entitled to their opinion. And there will be others who will say that this resolution is not enough. They, too, are entitled to their opinion. In the near future, we shall see how the Senate will deal with these opinions.

Let me say now—particularly to my Democratic colleagues—that this Democratic majority, this impressive Democratic majority was not elected to bask in the sun of political prosperity while the problems of the Nation are shunted behind the clouds. Nor was it elected to pursue the will-o'-the-wisp of the Presidency in 1960 by presuming to do more than it can do in civil rights or in any other matter. It was elected to work, in 1959 and 1960, to work within the realm of the possibilities of the Senate, to meet the needs of the Nation and its citizens. That dictum applies in civil rights no less than in other issues in which millions of citizens have a deep concern.

The Senate can do many things, but there are some which it cannot do. It can share in the making of the laws, but it cannot administer or enforce the law. The Senate can point the way to leadership, but it cannot itself lead.

These are rock-bottom realities of our system of government. We cannot close our eyes to them in questions of civil rights any more than in other great issues. To ignore these realities is to sacrifice the possible for the presumptuous. We presume, Mr. President, if we see ourselves in this question of civil rights as President, Supreme Court, and House of Representatives. If we follow such a principle we shall fail to do what the Senate can do to bring the Nation closer to its professed ideals of equal political rights for all its citizens.

If the leadership of the Senate, particularly the leadership of the majority, has any function at all it is to separate the possible from the presumptuous, and then to see to it that this body works to bring about the possible. The distinguished majority leader is doing that in the issue of civil rights. He has pointed the way in the past in this matter. He is doing it again with the resolution which he introduced a few days ago. I commend him for his prompt and constructive initiative. I commend him for forestalling political pyrotechnics on this issue which, while they provide political capital and bright luster for the few, leave only the ashes of frustrated hopes for the many. I commend him, finally, for his demonstration to the administration of this Government that leadership carries with it the responsibility to do, rather than merely to generalize, to hope, or to evade, whenever a major issue, such as civil rights, confronts the Nation.

Mr. President, I ask unanimous consent to insert in the RECORD at this point in my remarks several editorials from prominent newspapers.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, Jan. 22, 1959]

MAN IN MOTION

There will be plenty of time later on to debate the merits of Senator LYNDON JOHNSON'S moderate 1959 civil rights bill. For the moment it is more interesting to examine this measure for what it reveals of the majority leader himself and what the televised detective shows would call his "M.O."—his method of operation.

With respect to the latter, the introduction of this bill confirms an already well-established fact—that the Senator from Texas is a fast man on his feet. The Eisenhower administration, which certainly is not oblivious to the political implications of a new civil rights bill, has been more or less blocked out of the play. The administration can now follow the Johnson lead or try, with little hope of success, to put across something of its own. Much the same thing applies to the Senate liberals, who would like a much tougher bill. They must be wondering when the next bus leaves.

This bill, and the statement which accompanies it, also provide a certain insight into Senator JOHNSON'S political philosophy. He says quite candidly that he does not even pretend that his measure solves the civil rights problem; that it is only a step toward an ultimate solution. But he adds this:

"We might as well face the fact that the civil rights issue is not going to go away—and it should not go away as long as there are injustices to be corrected.

"We must also face the fact that the issue is not going to be solved by force, because the ultimate goal is human acceptance and that is never secured by force."

This, for want of a better term, is an approach which takes the middle way. It will not satisfy the extremists—either those who oppose any legislation or those who want a legislative club with which to beat down the opposition. But it will appeal, we believe, to a majority of the Senate and also to most of the American people, with whom extreme approaches are seldom popular.

Senator JOHNSON seems to have a special talent for sensing the majority mood and adjusting his legislative goals to it. This has led to a political philosophy, or strategy, which has served him well as majority leader. As much as anything else, we think, it has been responsible for the success which he has enjoyed.

[From the Baltimore Sun, Jan. 22, 1959]

TOWARD CONCILIATION

Mr. Harry S. Ashmore in his "An Epitaph for Dixie" makes the observation that whereas as a boy in South Carolina his experiences were shared by dozens of Negroes, his own daughter growing up in comparable social and economic circumstances knows only one Negro well enough to call by name. The point he is making is that the warm personal relationships that used to exist under the master-servant pattern of southern race relations have disappeared as Negroes have risen to a new and more independent status.

"At the moment," Mr. Ashmore writes, "the South faces the practical problem of creating a new social order to replace a system already eroded to the point where effective communication between the races no longer exists." This same breakdown in communications has been noted by practically every writer on southern race relations in the past 4 years. It is a breakdown made conspicuous by the fact that Negroes no longer look, as they once did, to sympathetic southern whites to lead their campaigns for justice. The colored population has been winning its battles on its own, and in the process severing the informal understanding between the two races.

If the battle for civil rights is to become more than a last-ditch series of legal showdowns, then ways have to be found to get the two sides talking together and negotiating their differences in a rational manner. Senator LYNDON JOHNSON is looking in this constructive direction with his proposal for a Federal conciliation service, comparing the deadlocks in civil rights disputes to some labor conflicts. He will be opposed, of course, by those southern white extremists who will say that they want no integration whatsoever, so there is nothing to talk about. He will also be opposed by those Negro leaders who maintain that a constitutional right leaves no room for compromise.

Yet between the two extremes lies a large body of moderate southern opinion, white and colored, that has been silenced by the uncompromising stand of the present spokesmen for both sides. If the impasse is to be broken, an atmosphere must be created that will encourage the moderates to reestablish communications and discover what each side is seeking. This is not to undercut the importance of firm legal action when legal action is called for. But there is ample room for conciliation as well.

COMPULSORY ARBITRATION OF AIRLINE DISPUTES

Mr. HOLLAND. Mr. President, on January 9 I introduced as S. 80 a bill to amend the Railway Labor Act to provide for compulsory arbitration of airline disputes which threaten to substantially interrupt commerce. At that time I carefully documented for the Senate the tremendous cost of civil aviation to the American taxpayer. I also emphasized the stake the general public has in continuous airline operations from a standpoint of business and pleasure, as well as this heavy financial investment therein.

I was interested—and disappointed—in the remarks of Secretary of Labor Mitchell at a meeting of the Brotherhood of Locomotive Firemen and Enginemen in Washington, D.C., on January 13, criticizing the theory of compulsory arbitration for airline strikes. I desire to comment briefly now on Mr. Mitchell's statement, which I ask to have included as a part of my remarks as it is shown by News Release 2676 of the Department of Labor dated January 14, 1959.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SECRETARY OF LABOR JAMES P. MITCHELL TO THE BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEMEN SAFETY AWARDS DINNER, WASHINGTON, D.C., JANUARY 13, 1959

The disregard for the recommendations of the President's Factfinding Board in the recent airline strike has caused considerable public worry over the effectiveness of the Railway Labor Act as an instrument for bringing a quick and satisfactory end to such disputes.

Impatient critics have started talking about compulsory arbitration again.

As you know, I have invited men from the industries affected by the act to get together and sit down around a table and consider what changes, if any, may be necessary.

When I announced my intention to do this I said that I was of an open mind as to the opinions introduced and their disposition.

I am still of an open mind.

However, the talk about compulsory arbitration raises some grave questions.

I thought I would take this opportunity, to an audience of railroad labor men who have lived with the Railway Labor Act for many years, and lived with it responsibly, to review the pertinent experiences that other countries have had with compulsory arbitration.

I think it is to our benefit to examine that experience; certainly it should be considered in the present situation.

The first important result of compulsory arbitration, in those places where it has been tried, or is in effect, is the apparently irresistible habit of government to cover a much wider field than was at first intended.

The experience has been that they could no more drop government into the arbitration of a few private matters without government domination of many other private matters than they could drop a stone in a pond without causing ripples.

Workers who claim some injustice, for example, threaten to strike. The government tells them they can't strike. Instead an arbitrator comes in to settle the matter. This places upon government the obligation to bring justice to the workers. By taking decision out of the hands of both the workers and the employers, government takes the responsibility for finding a just solution. What inevitably follows, of course, is that government soon finds itself setting wage scales, fixing the conditions of work, determining hours, hearing grievances, and throwing its dictatorial weight around in other private matters.

This characteristic should be especially significant to a society like ours that prides itself on the free decision of free men and free institutions. We have to consider and preserve the habit of freedom—the habit of concession and agreement, and the impact of compulsory arbitration on that habit.

In some countries the necessary extension of government control—and apparently it is necessary to the system—has led to compulsory unionism, government influence and near domination of both unions and employer organizations, and such strange by-products as the fixing of dictated wage standards on workers in industries not even involved in the original dispute.

Another result that our society should find of interest is what happens to union and employer responsibility.

It is clear to me, as I think it is to most people, that when a third party is making the final decisions, the other two parties whose interests are at stake are going to conduct themselves differently than they would were they making the decisions themselves.

This happens. Labor and management under systems of compulsion have developed a tendency to recklessness. They exaggerate their claims and charges. After all, what have they got to lose?

Compulsory arbitration is little more than the transfer of authority out of private hands and into public hands. But when management delegates to government the right to set pay scales and determine conditions, it gives up what we consider in this country a vital managerial function. For its part, a labor union loses its essential meaning when it delegates to government the right to determine the welfare of its members.

One significant result of compulsion in other countries—and one I think that exposes the extreme practicality with which the whole idea should be considered—is that while it was started to end strikes, it did not end strikes.

What you find in those places is a constant rash of hit-and-run strikes, day-long stoppages, slowdowns, and the like. These are labor's way of protesting what they think are unfair decisions from government. By the time they are dragged into court for striking, they are not on strike. Until the next day, when it starts all over again.

Now, these things happen because human beings are notorious for acting like human beings. They'll do it every time.

There are many other interesting reports from overseas, such as the fact that wages have actually declined under compulsion, the arbitrator's minimum tending to become the standard.

All of them, I think, should be looked at and studied.

Now, I have no idea what the meeting on the Railway Labor Act will produce. I don't know what opinions or ideas are going to be put on the table. Certainly, if compulsory arbitration is discussed, it should be discussed in the light of the experiences I have mentioned tonight.

Nonetheless, thoughtful men in this Nation, and in industries like yours, have an obligation to work toward such decisions fairly and objectively, in full possession of the facts. I, myself, have never feared the habit of freedom, and I do not fear it now.

Mr. HOLLAND. Mr. President, first let me say that one of the major objections to compulsory arbitration put forth by the Secretary was that it may cause what he describes "a constant rash of hit-and-run strikes, daylong stoppages, slowdowns and the like." Mr. President, I have never approached any problem with the basic assumption that labor—or any other group of citizens—will not obey the law, and I regret that the Secretary of Labor has seen fit to do so in this instance.

When I introduced my bill I stated that I was well aware of the controversial nature of my proposal, but quite frankly I was surprised to find the Secretary of Labor completely overlooking what, in my opinion, is the most important factor in the whole problem, which is the vital interest of the general public in this controversy. The only mention of the general public in his speech was the understatement of the year to the effect that the recent airline strike caused "considerable public worry."

Travel by commercial airliners has become so necessary to our everyday life that those relying on it should have some assurance that such travel will be available to them, especially since one of the basic reasons why travel by air has become so completely accepted and relied upon is that it is fast, reasonable, and safe, which is due in large measure to the assistance the airline industry has received from the American taxpayer.

As chairman of the Appropriations Subcommittee which handles appropriations for the civil aviation program, I felt it my duty to remind the Senate, the general public, and the airline industry—both labor and management—of the heavy financial investment of the American taxpayer in this industry. I placed in the RECORD a compilation showing the investment of the Federal Government in civil aviation. This appears on page 259 of the RECORD of January 9. The table shows that in the 10-year period of 1950–59 the Federal Government had spent, or will spend, approximately $2,562,600,000 for civil aviation activities, and I called attention to the fact that the $348,700,000 of Federal money spent for airport construction during that period was matched by added contributions from State and local governments.

I also called attention to the fact that the anticipated Federal costs for the next 4 years of the new 5-year airways modernization program which began in the present fiscal year, plus the operation of all facilities, was in excess of $1½ billion.

I have not developed in detail nor shall I do so at this time, the immense importance of profitable and active commercial airline systems to the defense of our Nation in time of war. However, obviously that point must be strongly considered in this matter because anything that diminishes the prosperity of the airlines, and cuts down their size and their attractiveness to the investing public, is an indirect blow against the security and defense of this country.

Mr. President, I find it difficult to see how these basic facts could have made so little impression upon the Secretary of Labor that he omitted from his statement on this vital subject even the slightest mention of the obligation of the industry—employers and employees—to the general public. Also, he made no mention of the heavy economic loss and inconvenience to the general public and to the communities served by the industry. The purpose of my comments today is to invite again his attention to the factors in the case concerning the general public and to recommend most strongly that he give to the American taxpayer, who is the greatest sufferer in this matter and who has a large financial stake in it, full and fair consideration.

Unfortunately, the Secretary not only forgot about the general public in his approach to the problem, but he has not yet come up with any constructive recommendations in this matter. I hope he will take care of both of these omissions in the near future.

OUR ICBM WEAKNESS

Mr. CASE of South Dakota obtained the floor.

Mr. CARLSON. Mr. President, will the Senator from South Dakota yield, with the understanding that he will not lose the floor, so that I may suggest the absence of a quorum?

Mr. CASE of South Dakota. I yield for that purpose and with that understanding.

Mr. CARLSON. Mr. President, I ask unanimous consent that, without losing the floor, the Senator from South Dakota may yield to me for the purpose of suggesting the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARLSON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARLSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASE of South Dakota. Mr. President, it is my intention to comment on the remarks which have been made previously today by the distinguished Senator from Missouri [Mr. SYMINGTON] and the distinguished Senator from Wyoming [Mr. O'MAHONEY] relative to the defense posture of the United States.

First, I shall comment upon the general observation of the Senator from Wyoming, who alleged that the first Eisenhower defense budget offered a substantial reduction from the last Truman budget. That is true. Mr. Eisenhower was stopping the Korean War, and there was a very good reason why we did not need to spend as much in 1954 as we spent in 1953.

The Senator from Wyoming said, if I remember correctly, that the budget was reduced by more than a billion dollars in funds for the operation of the Army. Naturally, the operational costs, maintenance costs, and the costs of ammunition and other supply items were reduced, because there were not so many men in uniform fighting on another continent. And we were all very happy to have many of them eating at home again, I might add. My second comment on the remarks of the able Senator from Wyoming relates to the origin of the responsibility for the lag in the so-called missile program. I desire to deal with that subject in some detail, but I shall reserve that for the latter part of my remarks.

The responsibility for the lag in the missile program, I may say in passing—the delay of a year and a half—was due to the transfer of $75 million by the Truman Budget Bureau in 1946–47. At that time $75 million for research and development was taken from that category and transferred to Finance Service of the Army. That transfer of $75 million stopped the first Atlas program, a program which was identified at that time as MX774. The stoppage of that research and development program by the transfer of $75 million away from it was responsible for the loss of a year and a half in the development of our missile program.

At that time I was a Member of the House of Representatives, and was a member of the Subcommittee of the Committee on Appropriations which dealt with funds for the War Department, embracing the Army and the old Air Corps. I have with me the hearings which were held at that time, and I shall, at the latter part of my remarks, detail how that transfer of $75 million caused a delay of a year and a half in the advancement of the missile program.

Mr. CLARK. Mr. President, will the Senator yield, or does he prefer that I withhold my questioning until later?

Mr. CASE of South Dakota. I have no objection to yielding now.

Mr. CLARK. Can the Senator from South Dakota tell us when that $75 million was restored to the budget by the Eisenhower Administration for the beginning of the work on the Atlas program?

Mr. CASE of South Dakota. I should prefer to answer that question in sequence, as I take up the whole subject of research and development as it concerns missiles.

Mr. CLARK. I shall be happy to await the Senator's convenience; but I thought that at this point in his remarks he was not, perhaps, giving us the full story on the subject.

Mr. CASE of South Dakota. Mr. President, when I have completed my remarks, if the senior Senator from Pennsylvania thinks there is any shortage of facts with regard to the responsibility for that stopping of the Atlas program, I shall be glad to have him question me at that time.

Mr. CLARK. I thank my friend.

Mr. CASE of South Dakota. Mr. President, with regard to the remarks made earlier today by the distinguished Senator from Missouri [Mr. SYMINGTON], at the outset I should like to say that nothing that I shall say will be intended in any way as a personal reflection upon either the ability or the attitude of the Senator from Missouri with respect to the national defense.

During the later years that I was a Member of the House of Representatives, serving on the Appropriations Committee, as I have already stated, the Senator from Missouri made his presentations as the then Secretary of the Air Force. So I knew something of his part in the development of military aviation in our Nation. I also served on the Congressional Joint Committee for Aviation Policy, and I know something of the

contribution he made to policy and to program. Nothing that I shall say here will be intended or, I think, could in any way be interpreted as a reflection on his contribution to the development of our Air Force. The matter to which I have previously referred—namely, that with regard to the lag in the missile program—occurred before the Senator from Missouri was the Secretary of the Air Force.

Mr. CLARK. Then I take it that the Senator from South Dakota is not in accord with the criticism of the Senator from Missouri, recently issued by the Republican National Committee.

Mr. CASE of South Dakota. I say frankly that I thought that was based upon a lack of information with regard to the whole situation. I did not share that criticism. If the Air Force lost ground in the Truman administration, during the Truman administration, it was not, in my judgment, the fault of the Senator from Missouri. He fought for a 70-group Air Force and I supported him in that. The break in research on a long-range missile took place before he became Secretary, as I shall show later in my remarks.

Mr. SYMINGTON. Mr. President, will the Senator from South Dakota yield?

Mr. CASE of South Dakota. I yield.

Mr. SYMINGTON. Later, I intend to ask a few questions of my friend from South Dakota. But at this time I shall only say that his reply to the distinguished Senator from Pennsylvania is entirely typical of his character, and I appreciate it very much.

Mr. CASE of South Dakota. I appreciate the Senator's observation.

Mr. President, I think that when I have concluded this review, the responsibility regarding where the lag first occurred will be fixed.

With respect to the general argument presented today by the Senator from Missouri, I wish to make three points, as follows:

First, our relative posture of strength today in the missile field is not to be determined by a comparison in the case of a single missile alone.

Second, our deterrent strength today should not be judged on the basis of whether we may or may not be outnumbered by 4 to 1 or any other ratio in the case of any particular single weapon.

Third, while it might be that we might be able to produce more ICBM's of a certain class than we are producing today, the question ought to be whether we should increase our energies for the particular missile which might be considered operational today, or whether we should spend more of our efforts, our time, our money, and our materials on the development of more refined, more effective ICBM's.

On the first point, let me say that if we are thinking in terms of intercontinental capability, then we must not limit our thinking to a particular single weapon. For example, I was at Vandenberg Airbase, in California, in December, at the time when the first Thor was launched there by a military crew. Previously, the firings of the Thor had been by the scientific teams. But the launching of the Thor when I was present was the first Thor launching by a trained military crew. I made the comment there, on that day, that that should be reassuring to the British, who have agreed to provide a site for the installation of troops to handle Thor missiles. If we are going to measure our intercontinental capability, a Thor base in England has an intercontinental capability even though it is rated as an IRBM, an intermediate range missile. I believe the distinguished Senator from Missouri will agree with me on that point.

Mr. SYMINGTON. May I make a comment on that point, if the distinguished Senator from South Dakota will yield?

Mr. CASE of South Dakota. Yes; I yield.

Mr. SYMINGTON. The basic difficulty with the IRBM structure is that the distances from where the possible enemy could launch its attacks on such missile bases are so small that it would not be possible to prevent our bases from being destroyed before our IRBM's could be fired in retaliation. Therefore, as was so ably pointed out in a recent foreign affairs article by Albert Wohlstetter of the Rand Corp., from now on, if we give a possible enemy the advantage of a surprise attack, the IRBM structures abroad will become steadily less important, while the ICBM structures in this country will become more and more important.

I thank the Senator from South Dakota for yielding to me.

Mr. CASE of South Dakota. Mr. President, the IRBM range is generally thought of in terms of 1,400 to 1,500 miles. A base or a launching site for an IRBM—the intermediate range ballistic missile—at 1,400 or 1,500 miles, if it were within that distance of attractive targets within the Soviet Union, has the same capability as does a 5,000- or 5,500-mile intercontinental missile in the United States. The point of the Senator from Missouri is that by being nearer, it is also more vulnerable as a target for an attempt or an attack by the enemy.

Mr. SYMINGTON. My point is that if the Soviets are within 600 or 700 miles—which they are—of the bases in France, England, Germany, and so forth, then the Soviets could, with their missiles—and we know they have hundreds of medium-range ballistic missiles—destroy any IRBM's located at such points for retaliation purposes, regardless of the range of those IRBM's.

Mr. CASE of South Dakota. On the assumption that they would strike first and did not care what happened afterward.

Mr. SYMINGTON. Yes, always on that assumption, because there is no countdown on any IRBM in allied or friendly territory which would be quick enough to prevent the missiles from bases in countries now controlled by the Soviets from destroying those bases before a countdown had been completed.

I thank the Senator from South Dakota for yielding.

Mr. CASE of South Dakota. Mr. President, I wish to yield, but I should like to pursue my points with a little more continuity.

The deployment of the overseas bases is the thing which, in connection with both the intercontinental bomber and the intermediate range bomber, we have relied upon. Of course, one base alone would be an attractive target, if that were the only base we had overseas. But, in addition to the base in England, it is anticipated that we shall have other IRBM bases—possibly in Turkey or Greece or elsewhere. I have heard at least three other possibilities mentioned.

I recognize that it is not too attractive to other countries to offer themselves as launching sites for IRBM's. But we have this one, and we probably shall have two or three more; and, in addition, we have the great deterrent capability of the overseas bases for the intermediate-range and the long-range bombers—the B–47's, and the B–52's, and any successors to them.

Mr. CLARK. Mr. President, at this point will the Senator from South Dakota yield for a question?

Mr. CASE of South Dakota. I shall yield in just a moment.

Under the policy of being on the alert, which the Strategic Air Command organization follows, the introduction of an IRBM base must be coupled with the deterrent capabilities of the overseas bomber bases in making a proper assessment of our intercontinental strength.

Even if the one or two or three IRBM launchers could be knocked out before any one of them could complete a countdown and fire, an intercontinental bomber could take off from a score of bases. An attack on an IRBM base with a nuclear weapon would pull the trigger for devastating retaliation. I hope that never has to be.

Even if one were to concede that the initial attack would always come from an enemy, still the testimony I have heard over a period of years has consistently held that it would be impossible for an enemy to knock out all of our bases simultaneously. Since all of the major bases would have the capability of carrying nuclear retaliation, the deterrent effect remains.

I now yield to the Senator from Pennsylvania.

Mr. CLARK. The Senator will agree, will he not, that our IRBM, to the extent it is operational, at the moment must be fired from fixed bases, not mobile bases?

Mr. CASE of South Dakota. Well, I think some of the IRBM's are movable, but not exactly mobile. At least the Army claimed that for Jupiter, its version of an IRBM.

Mr. CLARK. Well, they cannot move off the base at all at the moment.

Mr. CASE of South Dakota. The Senator from South Dakota is not discounting the weakness of a fixed and known position. But I say if we are going to measure our intercontinental capability as against the Russian capability, we should not overlook the heavy and medium jet bombers deployed as they are in bases at home and overseas.

Also, Mr. President, we should take into consideration not merely our progress with Atlas, not merely our progress with

Titan, not merely our progress with Thor, but also the intriguing capability of Polaris, the solid-fuel missile which is being developed by the Navy for use with an atomic-powered submarine.

Mr. CLARK. Will the Senator yield for another question?

Mr. CASE of South Dakota. Yes.

Mr. CLARK. Does not the Senator seriously doubt that the Russians know where every one of our IRBM bases are?

Mr. CASE of South Dakota. No. The Senator from South Dakota is under no illusion on that point. I think the Russians know where our bases are, and I really think we know where their bases and major targets are.

Mr. CLARK. I agree with the Senator.

Mr. CASE of South Dakota. I have seen enough maps and have been at enough secret briefings to be convinced of that—both ways.

Mr. CLARK. Does not the Senator also agree that the Russians have missiles of long enough range and great enough destructive power to knock out any of our overseas bases?

Mr. CASE of South Dakota. Yes; if they are going to knock out one, but I do not think they can knock them all out at the first strike.

Mr. CLARK. Will the Senator yield further?

Mr. CASE of South Dakota. I should like to proceed at this point, and not yield further at this time.

Mr. CLARK. We were right in the middle of the discussion.

Mr. CASE of South Dakota. So our relative position of strength as against the Russians in the field of intercontinental ballistic missiles should be measured by our total strength in intercontinental capability, and our developing capability, and not limited to just a single missile.

Though we may be outnumbered with respect to a single missile, if all our capability is added up, we have a very great deterrent strength. There is another aspect of the question—that is our strength when teamed up under a unified command.

General Twining gave testimony on this 2 days ago before the Armed Services Committee. General Twining is not only the head of the Joint Chiefs of Staff, but also is a graduate, one might say, of the Air Force; and I am sure the Senator from Missouri has great respect for him. General Twining, in his testimony before the Armed Services Committee, 2 days ago said:

> Numbers alone do not reflect the complete picture of capabilities. Twice in the past year, we have had occasion to rely on the capabilities of our own forces, and the mix of these capabilities supporting a firm foreign policy prove to be adequate to deter general war.

I am reading only from the screened portions of his testimony. If I were at liberty to give some of the detail of the facts which were presented under security classification to the committee, I could perhaps be more specific, but I read from the released portion of his testimony. General Twining said:

> I do believe that the United States is prepared to meet the threat it faces today. Our retaliatory forces are fully capable of carrying out their missions and will continue to maintain and improve their capability. The manned bomber will for some time constitute the primary means of delivering strategic weapons in volume and with the degree of accuracy required.

I invite particular attention to this paragraph from General Twining's testimony:

> Our primary nuclear capability rests today in our manned bombers and the same is true of the Soviet Union. The United States outnumbers the U.S.S.R. in intercontinental jet bombers and in medium bombers. Our bombers are manned by the most highly trained and experienced crews in the world. They are ready now.

So while I think it is valuable to explore the positions of strength as of today, I feel we are warranted in saying, with General Twining, that our primary nuclear capability rests today in our manned bombers, and the same is true of the Soviet Union, and I point to his statement that in intercontinental jet bombers and in medium bombers we do outnumber the U.S.S.R.

The next observation I wish to make is that though we might be able to produce more ICBM's of a particular class, the question should still be asked whether that is the best application of our scientific brains, of our productive capability, and of our dollars.

I assume that when the Senator from Missouri was referring to idle plant capacity, he was referring primarily to idle plant capacity for the possible production of more Atlas ICBM's.

Does the Senator from Missouri wish to comment on that?

Mr. SYMINGTON. Mr. President, I thank my able friend from South Dakota. The ICBM capacity in the country today is known to the many thousands of people who work in those plants. Therefore, there is no mystery about it.

In order to have the most current and accurate information for discussing this problem with anyone as thorough and as experienced in this field as is the Senator from South Dakota, I visited last month various plants which are making missiles. Specifically, I went with great care through the plant making the Atlas ICBM. Based on my own shop experience this inspection was very worthwhile.

If more funds were made available to them now, they could produce many more Atlas missiles in the not too distant future. They could do this without increasing the floor space they have available to build the missile at the present time.

Does that answer the question of the Senator from South Dakota?

Mr. CASE of South Dakota. Yes. That supports the assumption I made that the idle capacity is in the plant which is producing Atlas missiles. The question is, should we buy more Atlas missiles than the presently scheduled production at the Atlas plant, considering the coming of the Titan, the possible coming of the Minuteman, and the possible coming of the Polaris?

Mr. SYMINGTON. Will the Senator yield further?

Mr. CASE of South Dakota. I yield.

Mr. SYMINGTON. I would not overemphasize that point, because there are plans in operation now to buy quite a few more Atlases and because this is a question of a proven missile against missiles yet unproven and in some cases undeveloped.

Mr. CASE of South Dakota. I am not going to try to recall the figures I have seen on the present rate of production, but the fact is that already, in the very first major installation for the use of the Atlas missiles, we are revising our construction plan for the launching of the Atlas missiles.

The Senator from South Dakota a year ago saw the Atlas in production and saw captive firings on the west coast. He also was at Cape Canaveral, Fla. He was also at Huntsville when the Army developed Jupiter. During the past December, the Senator from South Dakota was at the Western Missile Headquarters near Los Angeles, also at Vandenberg Air Force Base—formerly Cook Air Force Base—where the Thor is launched and which is the first operational and training base for the Atlas, also at Point Mugu, home of the new test range over the Pacific.

I also was at Cheyenne, Wyo., where Fort Warren is being converted for the second operational Atlas base. I know the pads for the launchings for the second squadron have been changed from what they were for the first squadron. There has been a very material change, which could not have been foreseen a year ago. Within the past year it has been found that the launching pads could be arranged to increase the number of missiles which can be launched in a given time.

Following the Atlas comes the Titan, which is being made at Denver. Some people think that missile has more flexibility than the Atlas. How far we should go with Titan I am not sure, in view of the promising indications of Minuteman, which is a solid fuel rocket.

Mr. CLARK. Mr. President, will the Senator yield for one question? I have to leave the Chamber and I should be very grateful if the Senator will yield for one question.

Mr. CASE of South Dakota. I would almost be tempted not to yield to the Senator, if it would persuade him to stay a little longer. However, as a courtesy to my friend from Pennsylvania I will yield to him.

Mr. CLARK. Unfortunately, I am in the midst of some housing hearings which I do not dare abandon any longer.

Would the Senator from South Dakota controvert the statement made by the Senator from Missouri [Mr. SYMINGTON] that in 1961 our ICBM inventory will be less than 25 percent of the ICBM inventory of the Russians? It seems to me that is a critical point.

Mr. CASE of South Dakota. I say that in 1961 our intercontinental capability will be much better than the suggested ratio of 1 to 4; I do not limit my estimate of relative position to a single missile. I think the Senator from Missouri was speaking of one class of weapons, the intercontinental ballistic missile.

Mr. CLARK. I think that is the question all of us would be interested in having developed further.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. As I have already pointed out, when one considers the capability of Thor for reaching another continent when it is placed at a suitable site, when one considers the schedule for Atlas and the schedule for Titan, and when one considers the rate of progress which we are making with respect to the Polaris missile, I do not think a 1-to-4 ratio is accurate for our intercontinental capability, prospectively, for 1961.

And again, I point out that as of today for both the Soviet and the United States, major intercontinental strength rests with the long-range jet bombers, or those which can be launched on land or sea from advanced positions.

Mr. CLARK. Of course, a minute or so ago my very good friend from South Dakota, whose courtesy in yielding to me I very much appreciate, did not choose to pursue our discussion. The Senator had every right not to pursue the discussion with respect to the IRBM's, when I was about to ask him a final question of whether he would agree that the Russians almost certainly have enough IRBM's of their own pointed at every one of our IRBM bases overseas to knock those bases out if the Russians want to take advantage of a surprise attack.

Mr. SYMINGTON. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER (Mr. McGEE in the chair). Does the Senator yield?

Mr. CASE of South Dakota. Mr. President, I should like to comment on the question, and then I will yield once more to the distinguished Senator from Missouri. After that I should like to proceed a little further on my own.

May I say, with regard to the point raised by the Senator from Pennsylvania, I think the field for the use of the intermediate range missile is distinctly limited. I do not think we ought to overstock on IRBM's.

Mr. CLARK. I thank the Senator for him comment.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, I want to be sure the distinguished Senator from South Dakota does not misunderstand what I said in my statement earlier. I realize that the Senator seldom misunderstands anybody.

I have visited the places and have talked with the people who should have full information on the subject. Considering the most conservative estimates of what the Communists probably will have in 1961 our planned ICBM production will be less than one-fourth as much. Inasmuch as these missiles, although they do not come back, are a great deal less expensive than modern bombers, especially when procured on a production basis, it seems extraordinary to me that many more are not being programed. In view of the facts it seems equally extraordinary that the Secretary of Defense yesterday in a press conference should imply that the missile gap is closing. The facts I have been able to obtain as a member of the Senate Committee on Armed Services, as a member of the Military Preparedness Subcommittee, as a member of the Special Committee on Space and Astronautics, and as an ad hoc member of the Defense Subcommittee of the Committee on Appropriations, as well as the information I have been able to obtain in my visits to SAC bases, to missile production and testing locations, and to the Pentagon Building, support the conclusion that the planned American ICBM production through 1961 will be less than one-fourth of the estimates of the probable Soviet production through 1961. That is what I think the American people should know. That is what I was trying to present. I wanted to be sure that was the understanding of the Senator from South Dakota.

Mr. CASE of South Dakota. There is no misunderstanding on the part of the Senator from South Dakota with respect to the remarks of the Senator from Missouri. I still want to have everyone understand that I am trying to distinguish between numbers with respect to a single missile and relative strength in intercontinental capability for delivery of nuclear bombs in an all-out war which nobody wants.

Mr. SYMINGTON. Would the Senator please explain that statement?

Mr. CASE of South Dakota. I mean that when we have a Polaris missile developed with an atomic submarine to carry it, that ought to be counted also in assessing intercontinental strength. I mean that a Thor missile which is operational, which has an overseas base to bring it within range of the Soviet Union, is an intercontinental capability just the same as if we had an Atlas missile stationed in the United States.

Mr. President, I think I have been generous in yielding to my colleagues, and I should like to proceed without interruption for awhile in my answer to the general argument of the Senator from Missouri [Mr. SYMINGTON].

I think perhaps this can be best illustrated by considering a simple little story which comes from Benjamin Franklin. When he was a boy, he tells us, he went to a county fair. It was the first time he had gone to a county fair. He went through the gates, and at the first booth he saw the booth operator was selling whistles. He bought himself a whistle, and he tried it out. The whistle tooted so loud and it was such a nice, fancy whistle—the best that he had ever seen—that he spent all of his money and bought many of those whistles. Then he went on down the road to another booth, where another booth operator was also selling whistles. These were painted whistles, a little more fancy. He tried out one of those whistles at the second booth. It tooted louder than the whistles he had bought, but he could not buy any more whistles, because he was out of cash. He spent too much on the first brand of whistles.

Mr. President, what I am suggesting is that in a field which is changing as rapidly as the missile field is changing, we ought not to stock up, necessarily, on all the ICBM's a particular plant can produce. We ought to apply our scientific ability, our productive capacity, and our cash to getting down the road just as far as we can, rather than to stocking up on hardware that may be obsolescent. We should, of course, buy as many of the Atlas version as we can use in a balanced program but we should take into consideration the fact that as yet and probably for sometime to come the dependable carrier for bombs with a real payload is the big manned jet bomber.

Now, then, I should like to make a few comments with respect to what the Eisenhower administration has been doing in the missile field. These comments bear upon some of the questions which have been raised earlier.

The Senator from Wyoming invited attention to the fact that there was a reduction in the Truman budget when the Eisenhower administration came in. There was a reduction in the defense budget. As has been pointed out, that reduction in 1954 was primarily due to the stopping of the Korean war—it did not come in the missile field.

I have the figures which show the amounts of money which have been spent on missile production and procurement from the year 1951 to the present. I want to present those figures for the information of Senators.

Mr. President, I have this information in separate columns for the Army, for the Navy, and for the Air Force, with a Department of Defense total. Because I shall read merely the totals, with a few illustrations selected with respect to the Air Force, I ask unanimous consent that the complete table may be printed in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Expenditures for missiles production and procurement, Department of Defense, fiscal years 1951–58

[Millions of dollars]

Fiscal year	Army	Navy	Air Force	Department of Defense total
1951	-------	5	16	21
1952	46	56	66	169
1953	119	95	81	295
1954	187	141	176	504
1955	238	176	305	718
1956	333	195	641	1,169
1957	414	264	1,417	2,095
1958	724	345	1,668	2,737
1959 (estimated)	587	417	2,356	3,360
1960 (estimated)	695	566	2,661	3,922

Source: 1951–58, Comptroller, Office of Secretary of Defense, Aug. 15, 1958, from table dated June 16, 1958. The 1959 and 1960 by telephone call to Comptroller's Office, Jan. 23, 1959.

Mr. CASE of South Dakota. Mr. President, in 1951 the Department of Defense spent, as a total amount for missile production and procurement, $21 million.

In 1952 the Department of Defense spent $169 million.

In 1953 the Department of Defense spent $295 million.

In 1954 the Department of Defense spent $504 million.

That was the first Eisenhower budget—$504 million for missile production and procurement as opposed to $295 million in the last Truman year. In 1955, the figure was $718 million; in 1956, $1,169 million; in 1957, $2,095 million; in 1958, $2,737 million; the estimate for the current fiscal year, 1959 is $3,360 million. The estimate for 1960, in the budget being presented to the Congress, is $3,922 million, for missile production and procurement.

As the President pointed out in his message the other day, $7 billion is being spent for all missile systems. The figure I have given, of $3,922 million is for production and procurement alone. The $7 billion figure includes research and development, construction of installations, and the Polaris submarines. That $7 billion for missile research and development, production and procurement, amounts to one dollar in eleven out of the total Federal budget proposed for this year.

I do not know what the Senator from Missouri thinks should be the total amount to be spent. If detailed hearings should develop that we can properly spend additional funds for immediate procurement, to increase the stockpile of missiles, without impairing our ability to get better missiles sooner, then the Senator from South Dakota will support additional funds for that purpose but he submits that the budget as presented is in large amounts.

I point out that we are already proposing to spend $7 billion, $1 in $11 out of the total $77 billion Federal budget, and more than $1 in $6 of the $40.8 billion defense budget, for missiles alone, from the stage of research on up to actual procurement.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. SYMINGTON. The $7 billion figure which the President used included so many things in addition to missiles as to be inaccurate. I am very glad that, with his typical candor, the distinguished Senator from South Dakota pointed out that the figure included submarines.

Mr. CASE of South Dakota. It includes the Polaris submarine.

Mr. SYMINGTON. The Polaris submarine is a submarine.

Mr. CASE of South Dakota. It is a combination of Polaris and the atomic submarine.

Mr. SYMINGTON. I point out to my friend that the cost of a carrier does not include the cost of destroyers in the task force; nor does the cost of Navy attack aircraft include the cost of the carrier.

Mr. CASE of South Dakota. No. However, as I have already pointed out, Polaris married to the atomic submarine has intercontinental capability.

Mr. SYMINGTON. I thank the distinguished Senator for yielding to me. I agree with him that one of the most effective weapons we could have is the Polaris submarine. I am very sorry to say that we shall not have any such weapons for some time, and that as I mentioned earlier, we are ordering very few of them at a relatively slow rate. I believe some statement was made about a plane being worth its weight in gold. On the basis of what I believe gold is worth and what the plane costs that statement was not correct. We checked it carefully.

Mr. CASE of South Dakota. It seems to me I have seen figures for some planes which were worth their weight in gold, and one or two which cost more than their weight in gold, at $35 an ounce. But whatever their cost in terms of gold, some of them are expensive. The B–52 costs about 30 times the B–17, the first heavy bomber of World War II.

Mr. SYMINGTON. The figure representing the cost of the prototype or first plane was used. However, I believe the impression was given that each plane was worth its weight in gold. Incidentally, gold is figured in troy measure, not avoirdupois and the weight of the plane was understated while its cost was greatly overstated.

Based upon the budget before us, the President is requesting less for missile procurement than he did last year. Specifically, the amount is $606 million less in the 1960 budget than in the 1959 budget. It would appear that the administration thinks that, despite what Khrushchev has said about Berlin, the Russian menace is growing less. This is brought out clearly as the President requests a quarter of a billion dollars less in our total defense budget for 1960 than for 1959.

Mr. CASE of South Dakota. That conclusion does not correspond with the figures I have, which I checked with the Defense Department as late as this noon. The figures for the Air Force, representing actual expenditures for missile production and procurement, for the fiscal year 1958, were $1,668 million. The present estimate for this year, for the Air Force's missile production and procurement program is $2,356 million. That is an increase of about $700 million.

The estimate for 1960, at present before the Congress, is $2,661 million, which is an increase of $300 million over the current year, 1959. That is for the Air Force alone, where the primary responsibility rests in the intercontinental field.

Mr. SYMINGTON. I was not speaking about the Air Force alone, but according to the figures on page 445 of the President's budget the 1959 appropriation for missile procurement was $4,154 million. His budget request for missile procurement for 1960 is $3,548 million or a reduction this year of $606 million. The total appropriation for defense for 1959 was $41,138 million, and the request for 1960, $40,850 million. In other words, there is proposed to be appropriated $228 million less for our overall defense than in the previous year.

Mr. CASE of South Dakota. Did the Senator say for overall defense, or for missile procurement?

Mr. SYMINGTON. For overall defense.

Mr. CASE of South Dakota. That includes other fields than the missile field.

Mr. SYMINGTON. Yes. The request for appropriations for 1960 in missile procurement is $606 million less than the figure for 1959.

Mr. CASE of South Dakota. It is the other way around, according to the figures given me this noon.

Mr. SYMINGTON. The figures I am using will be found on page 445 of the President's budget.

Mr. CASE of South Dakota. The Senator from Missouri said the prospective figure for missile procurement for 1960 would be $600 million less than for the current year. The figures which I was given this noon show an estimated actual expenditure for the current fiscal year 1959 of $3,360 million. The estimate for 1960 is $3,922 million, or, roundly, $600 million more for 1960 than we are spending in 1959. The table will appear in the RECORD.

Now, then, I should like to go back into history a little. I do so only because of what has been said in relation to the responsibility for doing this or doing that, and because of the observations made by the Senator from Wyoming [Mr. O'MAHONEY] earlier this afternoon.

I hold in my hand the hearings and report on the Military Establishment appropriation bill for 1948. As everyone realizes, the hearings for that year were held in the spring of 1947. At that time Gen. Dwight D. Eisenhower was Chief of Staff of the U.S. Army. In his appearance before the House Appropriations Committee on the 19th of February 1947, he said:

> In the field of guided missiles, electronics, and supersonic aircraft, we have no more than scratched the surface of possibilities which we must explore in order to keep abreast of the rest of the world. Neglect to do so could bring our country to ruin and defeat in an appallingly few hours.

That was General Eisenhower speaking in February 1947, 12 years ago. This testimony is at page 78 of the printed hearings.

He went on to say:

> Those of us who were in Europe in the black days when Hitler was making his last desperate gamble with the V–1 and the V–2 know how close to success that gamble came. Yet, those weapons, terrible and effective as they were, were child's toys in comparison with those which can be produced.

A few days later, when General Spaatz, who was Chief of Staff of the Air Corps at that time, appeared before the committee, he also talked about the missile problem. General Spaatz said—page 602:

> It is certain that the weapon of the future which will immediately attack us and which must give us the gravest concern is the long-range bomber or the long-range guided missile. Either of these weapons will follow great circle courses. Trace great circle courses from either of the three areas mentioned above to the industrial centers of the United States and we find that all of these courses pass over or near the Arctic regions.
>
> We can divine, therefore, that if our defenses are to be between us and the enemy they must be on the Arctic frontier.

On this point he concluded:

> It is for that reason that we have included in our provision of the Air Force units, in our procurement of aircraft, and in our experimental development programs—men, money, and materiel to produce an Air Force with a long-range striking force—a Strategic Air Force.

He spoke of the need for missiles.

Then Mr. Engel, of Michigan, the chairman of the Subcommittee on the War Department, said to General Spaatz—page 608:

I think we all agree on the research and development program. As a matter of fact, I think the President took $75 million of the research money away from you that we gave you last year, asking to have it transferred to the Finance Service of the Army, is that not right?

General SPAATZ. We were reduced $75 million.

Mr. ENGEL. They took about $135 million

General SPAATZ. We were reduced $75 million for research and development that this committee gave you last year.

It was with the money that they had been given under that appropriation in 1946 that they started the MX–74, which was the original Atlas project, with a contract with Convair.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I would prefer not to yield until I have completed the sequence of testimony on this matter. When it came my turn to ask questions, General Spaatz was still testifying. General Rawlings, the Comptroller of the Army, was also present. I said—pages 612 to 613:

The chairman has already put his finger on some of the highlights in your statement. I do have a few questions I would like to ask supplementing what he has already asked.

First of all, referring to this $135 million proposed for transfer to "Pay of the Army," or other objects, if that transfer is approved by the Congress, what does it mean as far as your current 1947 program is concerned?

General SPAATZ. That $135 million would take $75 million from research and development definitely. General Rawlings can give you the breakdown.

General RAWLINGS. For research and development $75 million was cut out and in our opinion that has delayed the program probably a year or a year and a half. Do you agree with that, General LeMay?

General LeMay was present, and he said, "Yes, sir."

In other words, General Rawlings and General LeMay at that time, in the presence of General Spaatz, said that the transfer of the $75 million from research and development to Finance Service of the Army was costing us a year to a year and a half in the development of the research program which was devoted to missiles, on behalf of which both General Eisenhower, then the Chief of Staff, and General Spaatz had spoken so earnestly.

Later on Mr. Engel said—page 618:

For the purpose of the record, I do not want any implication in the RECORD, as far as I am concerned, to the effect that General Richards was responsible.

I interpolate at this point to say that General Richards to whom reference was made, was the budget officer of the War Department as a whole.

Mr. Engel continued:

I think you will find that the Bureau of the Budget was the one who made the cut.

Then General Richards said:

The War Department was notified by the Director of the Bureau of the Budget that we would have a cut of $100 million in the research and development appropriation.

The Army Air Forces protested to the Bureau of the Budget, and I think to the President; and as a result, it is my understanding that at least one member of the Bureau of the Budget and one member of the Army Air Force went to Wright Field and examined the research and development program. After that the Bureau of the Budget reduced the reduction from $100 million to $75 million.

In other words, after the Air Force protested, the representatives of the Bureau of the Budget consented to go out to Wright Field to take a look at the program. Then, instead of reducing the amount by $100 million, so far as research and development was concerned, as was originally proposed, they took only $75 million from the appropriation. However, that $75 million cost us the year and a half referred to.

Mr. Kerr, a Representative from the State of North Carolina, who was a member of the subcommittee, was very much disturbed by the testimony. When it came his turn to ask questions, he asked about the reduction, as follows—page 627:

What information did the Budget have about the needs of the Air Force of the Army except what you gentlemen gave them?

He was under the impression that this was an arbitrary desk cut made in the Bureau of the Budget, and he wanted to know whether the Bureau of the Budget had any firsthand information. General Spaatz said:

That is primarily the information they have, but in the case of the research and development cut of $75 million the members of the Bureau of the Budget went out to Wright Field where our research and development center is, and went over the program in detail with the personnel there.

Mr. KERR. They cut research and development $75 million?

General SPAATZ. Yes, sir; for this fiscal year—1947.

Our committee was very much disturbed by the fact that $75 million should be taken from research and development, from the missile program, which, they had said, was so important, and that it should be devoted to pay in the Army.

In exploring the matter, it developed, that the reason that representatives of the Air Force were reluctant to say very much about the situation, or bring other reductions to our attention, went back to a letter which had been issued by the White House on November 15, 1946.

That would be the November immediately preceding the hearing.

At page 631 of the hearings, Mr. Engel, chairman of the subcommittee, introduced the letter with these words:

In order that there may be no question as to just what President Truman said in his letter, to which we referred, and knowing that it was sent to every budget officer, I asked General Richards for his copy, and I have it before me, and I want to read it into the RECORD. It reads as follows.

Mr. President, I wish to read the letter because recently there has been some discussion around Washington recently about a simple request by the Bureau of the Budget for members of the executive department to answer questions, but generally to support the budget. This letter I read was dated at the White House November 15, 1946, and is as follows:

MEMORANDUM FOR THE DIRECTOR OF THE BUREAU OF THE BUDGET

I have noticed that on several occasions certain department and agency officials have shown a tendency to seek from Congress larger appropriations than were contemplated in initial budget estimates.

The estimates which I transmit to Congress reflect a balanced program for the executive branch as a whole, and each individual estimate is considered in the light of this program, its relationship to other estimates, and the fiscal position of the Government.

While agency witnesses before congressional committees must feel free to supply facts in answer to questions of committee members, I cannot condone the practice of seizing upon any opportunity which presents itself to indicate an opinion, either directly or indirectly, that my estimates are insufficient.

When you notify the heads of the various departments and agencies of the amounts to be included in the budget for their activities, I wish you would include a reminder that I shall expect them and their subordinates to support only the President's estimates in hearings and discussions with Members of the Congress.

HARRY S. TRUMAN.

That is why the Air Force lost $75 million for research and development, for the continuation of the Atlas development program. It was abandoned and stopped in 1947. It was not until after the distinguished Senator from Missouri [Mr. SYMINGTON] was Secretary of the Air Force, I believe, that the missile program was resurrected. We did not get much money for it during the last years of the Truman administration, either, as is evidenced by the fact that in 1951 the Air Force got only $16 million for its missile production and procurement program. In 1952, it received $66 million. In 1953, $81 million. However, by 1954, when the Eisenhower administration came into office, the $81 million was more than doubled, the Air Force getting $176 million. In 1955, it was $305 million. In 1956, it was $641 million. In 1957, it was $1,470 million. In 1958, it was $1,668 million. In 1959, it will be $2,350 million. Prospectively, for 1960, it will be $2,661 million.

There is no program that I am familiar with, except perhaps the Manhattan atomic project during the course of a shooting war, which ever received such a rate of advance in the funds appropriated as the missile program has received during the peacetime Eisenhower administration.

I now yield to the Senator from Missouri.

Mr. SYMINGTON. I thank the Senator from South Dakota.

Mr. President, I would be the first to agree with the distinguished Senator from South Dakota that some things were done in the past which could have been better handled. I do not think, however, that two wrongs make a right. The ballistic missile program was canceled on July 8, 1947. There was no Air Force at that time; the Air Force was not formed until later.

Mr. CASE of South Dakota. It was then the Army Air Corps.

Mr. SYMINGTON. It was the Army Air Corps, under the War Department. The Chief of Staff of the Army was Gen. Dwight D. Eisenhower. I thought at that time that the cancellation of the missile program was a mistake. I advised the people in private business who were making it to continue the study and development on their own. I, however, would not want to criticize anyone in particular for the cancellation of the program.

The Senator stated that General Spaatz spoke to him about guided missiles. We have now a long-range guided intercontinental missile operational, the Snark. We also spent about $700 million, before we canceled the project, for a long-range intercontinental missile called the Navajo. One was subsonic; the other was supersonic. Both were intercontinental, and both were guided.

It is worth noting, however, that the Navajo project started in the 1940's resulted in the development of the rocket engines being used now in the Atlas, the Thor, and the Jupiter.

In 1953 a discovery was made which revolutionized the entire picture with respect to missiles: namely, the hydrogen bomb. Then many persons, including the famous Dr. Teller, developed the discovery to the point where the fusion bomb could be made for a warhead which could be carried by a ballistic missile. Because of the greater advantages of a non-air-breathing missile, provided an effective warhead could be carried, the Navajo guided air-breather missile was finally abandoned, only a year or two ago, after almost three-quarters of a billion dollars had been spent on it.

So, from the standpoint of the state of the art at that time, I cannot blame the Chief of Staff of the Army for the cancellation of the ballistic missile program of the Army Air Corps, which was under his military command.

Mr. CASE of South Dakota. The record is that neither the Chief of Staff of the Army nor the head of the Army Air Corps agreed to the cancellation. I could produce the testimony in the precise words, if it were important; but I hope, in view of the fact that I have referred to the record so precisely, the Senator will let me give this from my recollection, based upon my knowledge of the record at the time. The testimony of General LeMay on this subject was that that year and a half was gone forever, so that certain foundation work which could have been done had the $75 million not been lost could not be recouped at that time. All that could be done was to go on from that time forward.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. In just a minute.

Mr. SYMINGTON. May I continue?

Mr. CASE of South Dakota. In a minute. I agree that the breakthrough in 1953 was a tremendous factor in the development of missiles. The development of the hydrogen bomb, with certain features of it which particularly lend themselves to uses in missiles, was responsible for a great increase in the amount of funds applied to that purpose. I agree to that.

Mr. SYMINGTON. The Senator from South Dakota also mentioned a transfer from one of the departments of the Army at that time comparable to the Corps of Engineers and the Quartermaster Corps, namely, the Air Corps, of $75 million of Army funds. Obviously, that could have been stopped by the Chief of Staff of the Army. But I do not blame the Chief of Staff of the Army, based on the technical opinions current at that time.

The testimony of Dr. Vannevar Bush before the Special Committee on Atomic Energy of the U.S. Senate on Monday, December 3, 1945, clarifies substantially the confusions as to the distribution of blame in the period prior to the nuclear bomb breakthrough.

I know that my able colleague, before whom I used to present many budgets for the Army Air Corps, and later for the Air Force, will agree that Dr. Bush at that time was considered the outstanding scientist from the standpoint of military matters. In this case, however, not visualizing the hydrogen bomb, he turned out to be a poor prophet when he said:

> We have plenty enough to think about that is very definite and very realistic, enough so that we don't need to step out into some of these borderlines which seem to be, to me, more or less fantastic.
>
> Let me say this: There has been a great deal said about a 3,000-mile high-angle rocket. In my opinion, such a thing is impossible today and will be impossible for many years.
>
> The people who have been writing these things that annoy me, have been talking about a 3,000-mile high-angle rocket, shot from one continent to another, carrying an atomic bomb and so directed as to be a precise weapon which would land exactly on a certain target, such as a city.
>
> I say, technically, I don't think anybody in the world knows how to do such a thing, and I feel confident it will not be done for a very long period of time to come. * * * I think we can leave that out of our thinking. I wish the American public would leave that out of their thinking.

When the most distinguished scientist of his day, the head of the leading scientific organization of the United States, and also for a time the head of the Defense Research Board in the Pentagon, said that, I do not think we can blame anyone, especially the Chief of Staff of the Army, the head of the Army Air Corps, or anyone else, for not being willing to go ahead with the development of ballistic missiles. We were, however, able to overcome the objections of Dr. Bush to the development of long-range, supersonic missiles of the Navajo type.

I want to present this point to my distinguished friend from South Dakota for his consideration: Regardless of whose or how much fault lies in the past, it should have little to do with what we are discussing today, because in 1946, 1947, 1948, and up to September 1949, the United States had a complete monopoly of atomic energy. Today we have no such monopoly. I hope we have learned by our experience of the past, and that we will now prepare for the future and not worry too much about the past. I say this to my able friend from South Dakota, who knows that there is no Member of the Senate for whom I have more respect. He is thorough; he is careful. He is a dedicated, sincere man.

I was not on the floor when the distinguished senior Senator from Wyoming [Mr. O'MAHONEY] made some statements which I did not hear. But I think the Senator from South Dakota, who over the years has fought energetically for adequate airpower for the United States, will agree that if we will all get together and not waste time trying to assess blame in the past, but rather evaluate carefully what is being done today from the standpoint of the country's weapons, the United States as a whole will be much better off.

Mr. CASE of South Dakota. I could not agree more with the general philosophy expressed by the Senator from Missouri; but as to the question of where the responsibility rests when the Senator from Wyoming compared the last Truman budget with the first Eisenhower budget, let the record be clear that neither General Eisenhower, as Chief of Staff of the Army, nor General Spaatz, nor General Rawlings, nor General LeMay, nor General Eaker approved of the loss of that $75 million.

They had hanging over them two facts: First, that they had already lost time, because they were told they should not let contracts, since a cutback was in prospect at the time, and they did not dare to contract for the expenditures; second, the President had stated to the Director of the Bureau of the Budget:

> When you notify the heads of the various departments and agencies of the amounts to be included in the budget for their activities, I wish you would include a reminder that I shall expect them and their subordinates to support only the President's estimates in hearings and discussions with Members of the Congress.

So, General Rawlings told us that even if the committee were to restore the availability of the $75 million by special action in February 1947—

> we could not economically obligate this money for research and development in the time remaining available in the fiscal year (p. 614).

Also present at the same hearing was Gen. Ira C. Eaker, who was Deputy Chief of the Air Corps at that time. In his discussion, he talked not merely about the guided missiles; he talked about the long-range missile. At page 640 of the hearings he said:

> Ten to fifteen years from now—

That is, from February 1947—

> by working hard, and with at least a quarter of a billion dollars annually for experimentation in that field alone, we can produce a rocket of 5,000-mile range.

That would not seem to be a guided missile—one of 5,000-mile range—that he had in mind unless he was thinking of a robot plane type like the Snark.

I read further from General Eaker's testimony:

> The prototype, or first one, will probably cost $200 million each, and individual rockets of that size and type thereafter may cost as much as $7 million. The cost will come down as the number increases, but it will always be very expensive, since it will

be larger and more complicated mechanically than the largest military plane today.

The Germans estimate that the development of their V–2 cost 350 million gold marks, or about $150 million, and required 18,000 man-years of technical activity extending over a period of 6 years. The number of people they had working on this project fluctuated. At one time there were 8,000, but 4,000 technical men as an average worked continuously.

We cannot, therefore, abandon the development of the very long-range, very heavy bomber as a primary weapon of our long-range striking force; but we should, as a wise precaution, spend the necessary experimental funds to insure that we are the first in the field with a long-range guided missile which may be the primary weapon at some future date, but probably not within 15 years.

Mr. President, in conclusion I merely wish to point out that it is valuable to have these examinations of our defense posture, and we need to consider them carefully and soberly.

Certainly we should not spend all of our scientific talent and all of our critical materials and our money on getting the first version of any missile that happens to come along.

Last year, the Congress passed a military reorganization bill. In that bill, we placed upon the Secretary of Defense the responsibility for determining which of competing weapons systems should be selected for actual production when we had passed beyond the stage of research and development.

Consistent with that, the Secretary of Defense is trying to meet that responsibility. Those who have heard him—including Senators on the floor this afternoon—will agree, I am sure, that the Secretary of Defense during his tenure of that office has demonstrated an unusual ability to master a very vast and complicated field; and he is trying to do the best he can with what the Congress provides. And General Twining; as head of the Joint Chiefs of Staff, is trying to do the best he can.

I am sure that the debates on the floor and the hearings in the committee will guide us toward the truth and toward our true goal, which is that we shall make the very best use we can of every defense capability.

Certainly we should not concentrate on a weapon which might be out of date by the time we could have ready crews for the deployment or placement of such missiles.

Furthermore, in a day when there is so much tension and so much talk about solving problems posed by military threats, including killer submarines and all the rest, we must never forget that the responsibility of Congress goes further than merely dealing with the mechanics of a defense posture.

When I visit military installations and receive briefings, sometimes I wonder whether the country as a whole realizes the dedication of many of the men who commit their lives to the use of whatever Congress provides for them. Their determination to meet that responsibility is always impressive. I never like to say anthing which would in any way dampen their enthusiasm for the capability of the weapons they have, even though somewhere else I might have heard something which would raise in my mind some doubts about those weapons, because I know that in a war the character and the courage of the men who serve our country will determine to a large extent what they will do with what the Congress provides.

But the responsibility of Congress does not end there. I remember a remark made to me by a colonel in Honolulu, after a briefing there. We were discussing some of the dead ends which we find sometimes in our contemplation of today's problems. He said to me, "You know, Mr. CASE, sometimes I think the answer must be found in some other field."

I offer that also in considering the point which has been raised here today, because I do not believe we shall ever solve the security problems of our country by the mere appropriation of dollars for military weapons.

The security of the Nation rests in part upon our position before the world, upon the national character we have, upon the purity of our intentions, and upon the understanding of the world that we do not have any ambition for an extension of our territory or for imposing our will upon other peoples, but that our one basic purpose is to improve the freedom which all people may have and may enjoy.

So, regardless of the amount of our time and our efforts which we may give to an examination of our military posture, we should equally be concerned with the things which will make for understanding among the people and nations of the world and for lessening the likelihood of war—any war.

Mr. ENGLE. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE of South Dakota. Yes; or I shall yield the floor.

Mr. ENGLE. Mr. President, the presentations by the distinguished Senator from Missouri [Mr. SYMINGTON] and the distinguished Senator from South Dakota [Mr. CASE] have been most stimulating. I believe both those Senators have contributed to the information, not only of the Senate, but also of the country, regarding this matter.

What puzzles me is why the Secretary of Defense should, when speaking of the position of the Soviet Union with reference to the manufacture of intercontinental ballistic missiles, say that it may be 300 for 1960 or it may be 200 for 1960, or that the Intelligence estimates of what it is are somewhat overestimated or are somewhat underestimated, as the case may be. It occurs to me that it does not matter very much whether the Soviets have 200 or 300 intercontinental ballistic missiles, for they could practically wipe us off the face of the earth with 100 intercontinental ballistic missils; at least, they could inflict upon our Nation damage which we would not wish to endure. They could wipe out 100 of our major cities, including Washington, D.C., New York, and many others.

So the argument as to whether the Soviets have 300, 200, or 100 such missiles seems to me to be irrelevant in the face of the fact that if they have 100 intercontinental ballistic missiles, or if they have even less than that number, they could do to our country damage which would be unacceptable, and that, therefore, at the very earliest possible time we must move to a position in which we have an indestructible retaliatory power, because it is only such power that will prevent the use by the Soviets of their intercontinental ballistic missiles.

So all of us should get busy, it seems to me, with spending the money of this Nation on the most crucial thing which needs to be done, namely, to redress the military balance and to establish at the earliest possible time an indestructible retaliatory power, whether by means of the Polaris or the Minuteman or any other weapon. In any case, we should get such a weapon; and when we get it, then we can be sure that the number of missiles the Soviets may have will not be important, inasmuch as they will not be used.

Mr. SYMINGTON. Mr. President, will the Senator from California yield to me?

Mr. ENGLE. I yield.

Mr. SYMINGTON. I wish to congratulate my able colleague, the junior Senator from California, who, although relatively new in the Senate, has for many years been an authority on this subject in the House of Representatives.

I am sure that he shares with me the conviction that the Pentagon should cease operating on the basis of tradition, and should begin to operate on the basis of progress.

We are now putting too much of our wealth into things which we never shall need, in my opinion, if we become involved in a third world war; and we are not building the things we shall need if we are attacked.

The able Senator from California has well pointed out the importance of our capacity to retaliate.

Mr. President, I met with Mr. Mikoyan during his recent visit. After listening to him speak and answer, both his manner and his statements further convinced me that in order to remain free, our country must remain strong.

What all Americans are looking for more than anything else, today, is a just and lasting peace based upon a practicable, workable mutual disarmament program. Such a program must be inspectionproof, in my opinion, particularly because of the record of the Communists in violating agreements.

In addition to the major subject of permanent world peace, we also are talking about another basic objective characteristic which, until recently, I believe, has been considered by everyone to be essential to the functioning of democracy, namely, the people's right to know.

If some Members on the other side of the aisle, like the able and distinguished Senator from South Dakota, would stand up and discuss these matters with us, the American people—who, after all, are the ones who are taxed in order to have a defense that will insure their freedom—would understand a great deal more about the problem at hand. I thank the Senator.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. ENGLE. I am glad to yield.

Mr. CASE of South Dakota. I do not think anyone would disagree with the

general import of the statement made by the very able Senator from California, with whom I had the privilege of serving in the House for many years, and for whom I have a very deep respect. I would only point out, in passing, that an indestructible intercontinental ballistic missile is not to be expected in the first generation; and I just hope we do not stock up and spend all our money on the first version of an intercontinental ballistic missile. Perhaps we ought to buy a few more than we are buying; I think we ought to look into that question very closely, when we get down to facts and figures; but I do not think we ought to run wild on the first version of the first generation of the intercontinental ballistic missile.

Mr. ENGLE. I would certainly agree with the Senator on that statement, but until we get to the indestructible missile——

Mr. CASE of South Dakota. Until we get to that point, we should take into consideration our other retaliatory capacities, our capability with the long-range bombers and of carrier-based aircraft. If there were an assured superiority on the part of the Soviets today in their position, and if the Soviets had enough ICBM's today so that they could obliterate all our bases, that would be one thing. I doubt that they could, with the distribution and deployment we have. In any event, there must be some feeling today on the part of the Soviets that they could not accept the hazard or the gamble of risking war. They have not done so. I hope before they do, or before, by accident, something happens to precipitate a war, we may have arrived at some way in which the people can get together on the basis of a common understanding.

Mr. ENGLE. We would all like that to happen; but in the meantime—and this is the danger—if the Soviets lead us 10 to 1 on missiles, and we have the only missile which we know about now, namely, the Atlas, and perhaps some of the others, the Soviets may be able, in one swift and surprise blow, to knock out all our SAC bomber bases and missile installations, and have enough missiles left over to potshot us at will.

In other words, the first blow of Russia would be at our retaliatory power, which rests in SAC and the SAC bases, and which rests in military missile sites, such as is being developed at Vandenberg Air Force Base, Calif. The Soviets would take out those places first. If Russia has 300 missiles, and we have 30, they can take out the SAC bases of the United States, the SAC bases around the world, and then take out the missile installations. Russia knows where they are. She could simply potshot us at will after that.

That is the kind of thing we cannot permit to happen. That is why I say Polaris is important. The possession of Polaris submarines under the Arctic icecap is, for all practical purposes, an indestructible retaliatory power. It is hard to get at. It would be hard to destroy. Even if the submarines were found, it would be hard to destroy them. That is why the Polaris and the nuclear missile are so important. It is because they are in the field of indestructible retaliatory power, which an enemy could not get at.

The reason why Minuteman is so important is that we can establish 1,000 or 1,500 of them, buried in sites throughout the United States, where it would be competely impossible for the Soviets to knock them out. Russia would not know where they all were. Many sites would be buried in mountains, and Russia could not get at them. As a consequence, at that point the Minuteman, which is a solid-fuel missile, would become, or at least have the elements of, an indestructible retaliatory power.

Those are the reasons why those two means of retaliatory power must be developed. Until we reach that point, we stand in danger of the Soviets having a preponderance of power which would make it possible for them to strike down the retaliatory power of this Nation, to potshot us at will, and then to impose their will on this country.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. ENGLE. I am glad to yield.

Mr. SYMINGTON. The Senator from South Dakota has expressed the view that the possible development of the Minuteman is one of the reasons why the Atlas should not be built in greater quantities. I believe it is pertinent to point out that Congress appropriated $90 million last spring for the Minuteman, not one cent of which was spent by the Department of Defense, and, at least until recently, not one cent of which was planned to be spent in this fiscal year.

One of the easiest ways to cut expenses in the military is to talk about things in the future and postpone spending on what is available and needed at the time. That is an old trick, and I have watched it used in both administrations. But, it involves unnecessary and dangerously heavy risks, as it leaves us exposed to possible successful attack in the interim.

Another thing that worries me is that some people believe that when one favors a stronger defense he is calling for the expenditure of a great deal more money. That is not necessarily true. If we would stop wasting money on devices and weapons which we do not need, we would have an excellent possibility of spending money more effectively on what we do need. For example, for some years now, many of us—I do not know the position of the Senator from South Dakota on the matter—have been "cool" to "cold" with respect to the modern antiaircraft device which is now called Nike.

I think all those interested in the security of the United States and its defenses believe that should there be another war—which God forbid—it would start with a surprise strike against our capacity to retaliate, as has been pointed out so well by the Senator from California. Why, therefore, have we spent billions of dollars in placing Nikes around our cities, while the bases which would take the first attack are relatively poorly defended.

That is the type and character of actions from the Pentagon which are very hard for me to understand.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. SYMINGTON. I believe the distinguished Senator from California has the floor, but, of course, I would be glad to hear further from the Senator from South Dakota.

Mr. CASE of South Dakota. I was going to say if there is any doubt about how the Senator from South Dakota feels about some of the Nike expenditures, I suggest he consult General Twining and some of the things I brought to his attention, no longer than 2 days ago, or the Senator from Mississippi [Mr. STENNIS], chairman of the Subcommittee on Military Appropriations, for he would assure the Senator from Missouri that my position has been one of questioning on many Nike expenditures.

ONE HUNDRED YEARS IN THE PRESENT SENATE CHAMBER

Mr. MORTON. Mr. President, the observance of historic and other significant anniversaries seems to occupy an important and unique place in our American way of life. Each year organizations the country over devote time and energy to promote celebrations commemorating events of special interest to the groups and areas most concerned. We in the Congress have frequently signified our interest in programs of a commemorative nature by establishing commissions to organize or coordinate activities directing the Nation's attention to great events which have contributed to our national heritage.

Few stones are left unturned by the vigilance which anticipates and creates interest in commemorative occasions. It is rare indeed when one of these occasions slips by without so much as a passing notice. Yet we, as Members of the Senate, are guilty of overlooking an opportunity to indulge in a little private commemorating of our own. In order that we might retrieve some measure of this golden opportunity which so far has escaped us, I am pleased to invite attention to the fact that 100 years ago, on January 4, 1859, the Senate first moved into this Chamber.

The procession which marched over from the old Senate Chamber a century ago was led by the State of Kentucky, which was as it should have been, since the Senate's presiding officer was Vice President John Cabell Breckinridge, distinguished son of Kentucky, who was the youngest man ever elected to that eminent post. Born near Lexington, Ky., he was only 35 years old when elected in 1856 as a running mate with James Buchanan. Kentucky born and largely Kentucky educated, he served with distinction with the Third Kentucky Volunteers during the Mexican War, and was elected to the House of Representatives for the 32d and 33d Congresses.

Unsuccessful as a presidential candidate against Abraham Lincoln in 1860, he was elected to the Senate to serve until expelled by the resolution of December 4, 1861. He rose to the rank of major general in the Confederate Army during the Civil War, and was Secretary of War in the Cabinet of the Confederate

States from January to April 1865. Following the war, he was in Europe for more than a year, later returning to practice law in Lexington, where he died in 1875.

Mr. President, the bust of former Vice President Breckinridge is in the northeast corner of the Senate gallery. On inspection, however, one will find that the name engraved on the pedestal supporting the bust has been misspelled. I am going to invite the attention of the Committee on Rules and Administration to this matter, to see if we can obtain funds from somewhere to appropriately spell the name and the State of that great Kentucky family.

I should also like to mention the names of the two Kentucky Senators who participated in that great occasion a century ago, John J. Crittenden and John B. Thompson. Senator Crittenden, born near Versailles in Woodford County, Ky., served in the Senate on four different occasions; twice was Attorney General of the United States; was nominated, but not confirmed, as an Associate Justice of the Supreme Court; served as Governor of the Commonwealth of Kentucky; and was standing for reelection to the House of Representatives when he died in 1863.

Senator Thompson, a native of Mercer County, Ky., served several terms in the House and was Lieutenant Governor of Kentucky prior to his Senate service from 1853 to 1859.

It was appropriate several years ago, when this Chamber was extensively renovated, that removal of the old desk, first used by Vice President Breckinridge, was followed with its presentation to Vice President Alben Barkley, another esteemed son of Kentucky and last user of the desk. The old Clerk's desk, removed at the same time, later was presented to the Commonwealth of Kentucky for display in the senate chamber of the old Capitol Building in Frankfort. Kentucky also memorialized the names of Breckinridge and Crittenden by naming 2 of her 120 counties in their honor.

Actually, Breckinridge County was named for the grandfather of the former Vice President, and the first Kentuckian from that distinguished family.

As we look upon the splendor of our Chamber today, it is difficult to realize that, except for 3 occasions, the Senate has convened here for 100 years. The Senate of the United States is often referred to as "the greatest forum in the world," and one need not ponder long within these walls to revere the greatness which is our heritage in the Senate and which has shaped our Nation into eminence as the world's strongest and most vigorous citadel of freedom.

THE MISSILE RACE

Mr. MANSFIELD. Mr. President, this afternoon we listened to a very interesting and worthwhile discussion on the subject of missiles. We all know, of course, that the distinguished Senator from Missouri [Mr. SYMINGTON], a former Secretary of the Air Force, is one of our foremost experts in the field of defense. He knows whereof he speaks.

Another individual who has made a deep study of this particular subject is the distinguished junior Senator from Washington [Mr. JACKSON]. I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks two articles, the first of which is entitled "Grim Warning in the Missile Race," written by Courtney Sheldon and published in the Christian Science Monitor of January 16, 1959; the second being an article entitled "Military Gadfly," written by Thomas O'Neill, and published in the Baltimore Sun of January 21, 1959.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, Jan. 16, 1959]

GRIM WARNING IN THE MISSILE RACE—A CAPITAL INTERVIEW

WASHINGTON.—Senator HENRY M. JACKSON, Democrat, of Washington, frequently in the forefront when Congress debates questions of national security—is convinced that:

"Just dealing with missiles that they (the Soviets) have against missiles we have in the intercontinental range, they certainly must have a good 2-year lead.

"The administration made a serious mistake in freezing funds that we (in Congress) added during the past year to the Minuteman missile (intercontinental ballistic) system.

"I foresee more dramatic events that will bring home to the American people that maybe things are not what they should be here."

This is how the youthful and diligent Washington Senator expressed himself in an interview with this correspondent:

Long before the sputniks went up, Senator, you were warning that the United States lagged in defense preparation. What is on the top of your list now among steps the Government should take either in defense preparations or in space exploration?

"Well, I think there is a need to do two basic things. The first is to step up our space and missile program. Second, we need to improve our ability to fight what is probably the greatest danger, a limited war.

"But I should like to emphasize what I think is the most important thing of all, and that is that the Soviets are coming out first with weapons systems that are double edged. Their military capability is clear but what many are missing, and this administration is missing, is the enormous psychological effect that it is having in the cold war. It is hurting us."

What would you estimate to be the gap during which the Soviets would be critically stronger in military preparations?

"This is a very difficult estimate to make.

"When we try to evaluate this, we should take into consideration operational capability—and I think the estimate that has been indicated in the press of some 300 Soviet intercontinental ballistic missiles to maybe around 100 of ours in the early 1960's may be quite accurate. If we continue at the present pace and do not accelerate our program—just dealing with missiles that they have against missiles we have in the intercontinental range—they certainly must have a good 2-year lead. This does not mean to say that we cannot overcome it. I think we can."

What is the capability of the Soviets to launch an intercontinental ballistic missile attack with some hope of success in the immediate future?

"I don't think they could launch a very well coordinated attack prior to 1961. They have enormous capability against Western Europe. If they move against Western Europe first, this would alert the United States because of the time factor. They have, I think, a large number of operational ballistic missiles, but I would guess it would be 1961, in that period, before they would have sufficient numbers to engage in such an adventure."

What is your estimate on how much more the Government should spend annually on defense?

"I want to preface my answer to that question by making this observation. I do believe that we could save money in the area of defensive missiles—surface-to-air and air-to-air missiles. I think that we are developing too many systems and we are wasting money. I refer to the fact that a Nike and Hawk have such limited range and require so many different sites. I might point out that they require sites that are entirely new, whereas the Bomarc system which can utilize existing airbases does not have that requirement."

Can one honestly say that an elaborate system of air defense deters the Soviets today?

"I don't think so. I think that the deterrent is our ability to retaliate without delay."

Were you referring to the Nike-Zeus, too? (a missile being developed for use against missiles rather than planes).

"Yes, I think the defense against intercontinental ballistic missiles is far more difficult than the role played by Ajax and Nike Hercules. They are dealing with manned bombers. We must assume that the Soviets have what we call a standoff bomb of at least 100 miles so they completely outflank that system."

What specific programs do you feel need more funding?

"Minuteman, which leads us to what I might call the invulnerable deterrent. The administration, I think, made a serious mistake in freezing funds that we (in Congress) added during the past year to the Minuteman missile system. This is, of course, the solid propellant missile which can do two things. One, it can be located almost in the bowels of the earth. Secondly, it is susceptible to mobile application. It can be placed on railroad cars. It can be hidden away in tunnels. It can be moved in many directions, so the Soviets would have great difficulty in locating those targets.

The sooner that we get to the invulnerable deterrent, the mobile Minuteman on the ground and Polaris which is the mobile missile system under the water, the sooner we will have reached a point where we can see ourselves cutting back in defense costs. I don't know of any means by which they could destroy this system without engaging in just an almost impossible undertaking."

It is reported that the members of the Joint Chiefs of Staff are going to go along with the President on his defense budget. Is this your information, too?

"Oh, I'm sure that is true. They'll go along as good soldiers, but obviously that is not their best professional judgment as distinguished from a purely political decision. And I think they will be intellectually honest about it."

Assuming you aren't as successful as you hope to be in that respect are there any other sources of ammunition which you can draw from to make your arguments stick?

"I think the only means that we have are public exposure through hearings. Unfortunately there are limitations in that area because of security problems. The next area that will be helpful will be the Soviet Union. I foresee more dramatic events that will bring home to the American people that maybe things are not what they should be here. The Soviets are going to do a number of things in the next few months to further bolster their posture in the cold war which, obviously, they are winning."

Would you care to hazard a guess as to what some of these might be?

"I think that there are two or three definite possibilities. First, of course, placing a man in space. This will be an enormous achievement. Second, either orbiting the moon, or hitting the moon, locating some scientific gadgets on the moon, and eventually landing some human beings on the moon.

And then maybe to remind people on earth what they are doing I think one can expect a large dramatic type of satellite that will further exploit the communications aspect of orbiting the earth. I think something in the area of meteorology could well be one of their plans. Some of these things can occur in the next few months."

[From the Baltimore Sun, Jan. 21, 1959]

MILITARY GADFLY

(By Thomas O'Neill)

WASHINGTON.—President Eisenhower's severest congressional critic in the realm of military budgeting is an Army ex-private, Senator HENRY M. JACKSON, a lawyer, from Everett, Wash. Although these credentials are less formidable than, for example, those of a former Secretary of the Air Force such as Senator STUART SYMINGTON, the earnest and emphatic lawmaker from the Pacific Northwest engages the respectful attention of his colleagues in this field, in part because he was a presputnik sounder of alarms about the pace of American missile development. His present insistence that the level of defense spending recommended by Mr. Eisenhower is a couple of billions shy of meeting the lead points to trouble for the administration in its struggle to hold governmental outlays within the limits of prospective income.

At 46, Senator JACKSON has spent only a few years less than half his life in Congress. After a dozen years in the House, he moved to the Senate in the 1952 elections, and is now in his second term in that Chamber. His standing as a Senate insider is reflected in his membership on three front-rank committees—Armed Services, Atomic Energy, and Government Operations—as well as the Interior Committee.

As a candidate for reelection to the Senate last year, Senator JACKSON had to go through a primary in which the campaign of his Democratic opponent rested solely on the indictment of excessive militarism, stemming from the Jackson agitation for greater defense expenditures. Senator JACKSON won renomination in a walkover. The candidate originally picked by the Republican State Committee to oppose him in the general election backed away from the contest, pleading that more money than was available would be needed. Against a replacement described by the Republican leadership as just about the best candidate we could have, Senator JACKSON rolled up the biggest majority ever given a Senate candidate in his State. A testimonial to his political potency appeared in a headquarters letter to GOP workers during the campaign admonishing that—

"We must keep JACKSON occupied so that he won't be able to spend his time and influence helping other Democratic candidates."

Now regarded as unbeatable, and with his hand strengthened by the election outcome, Senator JACKSON returned to Washington to press for action to overcome a Soviet advantage in the production of intercontinental missiles which he is convinced represents at least 2 full years and to argue that any program less than wiping out that gap would be reckless. His assumption is that the Soviet advantage is in the order of 3 to 1, and he believes that American progress has been delayed by spreading this country's efforts over too many different weapons systems, with a consequent waste of money.

Condensed, his principal recommendations are: (1) the accelerated production of the Minuteman, the mobile solid propellant missile for which Congress added funds in the last budget; (2) extensive deployment of the underwater missile, the Polaris, in the submarine fleets of this and allied nations as an unseen deterrent to Russian attack; (3) better capability to fight a limited war, which he says may be the most probable result of international tension if the nation is preoccupied with deterrents to a big war.

Out of experience as chairman of a special NATO committee on scientific and technical manpower, Senator JACKSON has gathered that America's European allies would be less restive except for the presence on their soil of missile bases within range of Russian intermediate weapons. His prescription for this problem is the transfer of the missiles from land to sea aboard submarines. He observes that the British are uneasy about missile bases in their countryside and the effect if Russia should start firing at them from within its own territory. He recommends, and has for several years, that submarines roving about the seas with missiles tipped with H-bombs would remove that cause for concern, and would pose a constant threat to Russia without themselves affording a target for land based missiles.

Senator JACKSON (known universally by a boyhood nickname, "Scoop," acquired when he had a newspaper route) seems certain to be in the middle of things during this session of Congress. The politically minded, observing the Democratic attachment to the Far West represented by the decision to hold the next national convention in Los Angeles, speculate that by 1960 the party may be looking for a far western figure to fill out the presidential ticket—and there is "SCOOP" JACKSON, right at hand.

Mr. MANSFIELD. Mr. President, both of these articles go into some detail relative to the efforts on the part of the distinguished Senator from Washington [Mr. JACKSON], and his activities in the field of missiles. The junior Senator from Washington points out, in dealing with missiles, that, as against the missiles we have in the intercontinental range, the Soviets most certainly have a good 2-year lead. He is convinced that the administration made a serious mistake in freezing funds which the Congress added last year for the Minuteman, an intercontinental ballistics missile.

He foresees events which will bring home to the American people the fact that perhaps things are not what they should be. This diligent Senator, this military "gadfly," has, of course, been sounding the tocsin for a number of years relative to our position in the field of missile development.

He is to be commended for the many contributions he has made. In my opinion, he is a figure of great significance in the Democratic Party. I should like to read for the benefit of the Senate the last paragraph in Mr. O'Neill's article:

Senator JACKSON (known universally by a boyhood nickname, "Scoop," acquired when he had a newspaper route) seems certain to be in the middle of things during this session of Congress. The politically minded, observing the Democratic attachment to the Far West represented by the decision to hold the next national convention in Los Angeles, speculate that by 1960 the party may be looking for a far western figure to fill out the Presidential ticket—and there is SCOOP JACKSON, right at hand.

I realize that this is too early to deal definitively in the field of politics in the presidential sense, but I believe that one of the outstanding prospects of our party in the field of vice presidential nominees is the distinguished Senator from Washington, HENRY JACKSON. I know that in the next 2 years much will be heard of this man, although he still has a long distance to go on the route he has chosen for himself.

ADJOURNMENT TO TUESDAY

Mr. MANSFIELD. Mr. President, in accordance with the order previously entered, I move that the Senate adjourn until 12 o'clock noon on Tuesday next.

The motion was agreed to; and at 3 o'clock and 33 minutes p.m., the Senate adjourned, the adjournment being, under the order previously entered, to Tuesday, January 27, 1959, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 23, 1959:

INTERSTATE COMMERCE COMMISSIONER

Charles A. Webb, of Virginia, to be an Interstate Commerce Commissioner for a term of 7 years expiring December 31, 1965—reappointment.

IN THE COAST GUARD

The following-named persons to be captains in the U.S. Coast Guard:

Claude H. Broach	Wallace L. Hancock, Jr.
Evor S. Kerr, Jr.	Adrian F. Werner
Walter S. Bakutis	Woodrow W. Vennel
Edgar V. Carlson	Gilbert F. Schumacher
Loren E. Brunner	Charles Tighe
Charles E. Columbus	Richard Baxter
William L. Sutter	Oscar D. Weed
Gilbert R. Evans	

The following-named persons to be commanders in the U.S. Coast Guard:

Roland H. Estey, Jr.	Harold T. Hendrickson
Arthur L. Roberts	Robert J. Clark
Louis L. Lague	Clinton E. McAuliffe
Freeman H. Harmon	David W. Woods
James C. Waters	Hugh F. Lusk
Stanley L. Smith	James D. Luse
Walter Curwen, Jr.	George C. Fleming
David M. Alger	William C. Morrill
Arnold E. Carlson	Kenneth E. Wilson
Gene R. Gislason	Ward J. Davies, Jr.
Allen H. Graham	John M. Waters, Jr.
Lemuel C. Sansbury	Frederick C. Munchmeyer
Thomas M. MacWhinney	Harry E. Haff, Jr.
Stanley H. Rice	Richard W. Young
Roderick L. Harris	Charles Dorian
Opie L. Dawson	Roger H. Banner

The following-named persons to be lieutenant commanders in the U.S. Coast Guard:

Richard H. Britt	Parker O. Chapman
Kenneth H. Langenbeck	William H. Brinkmeyer
	George H. Weller
Robert D. Johnson	Benjamin J. Kowalski
Robert F. Henderson	David A. Webb
Paul R. Peak, Jr.	Richard W. Goode
Virgil N. Woolfolk, Jr.	James L. Harrison
Elmer M. Lipsey	William E. Murphy
James A. Hodgman	John D. McCann
Robert C. Phillips	Sumner R. Dolber
Albert J. McCullough	Garth D. Clizbe
Wesley M. Thorsson	Julian E. Johansen
Peter S. Branson	Lilbourn A. Pharris, Jr.
Harrison B. Smith	Harold L. Davison
John M. Dorsey	John M. Austin
Paul A. Lutz	Theodore C. Rapalus
Robert C. Boardman	Clarence R. Easter

Harley E. Dilcher
Frank Barnett
Marion G. Shrode, Jr.
George F. Thometz, Jr.
Arthur A. Fontaine
Frederick W. Hermes, Jr.
James T. Maher
Gordon F. Hempton
George A. Warren
William H. Boswell
Vance K. Randle, Jr.
Ricardo A. Ratti
George W. Wagner
John J. Fehrenbacher
Raymond G. Parks, Jr.
James H. Durfee
Richard P. Arlander
Clarence S. Hall, Jr.
Leonard J. Knight, Jr.
Enoch A. Poulter
Jack S. Thuma
James N. Jensen
Joseph N. Gonyeau
Walter C. Schafran
William G. Roden
Sidney F. Hansen
Joseph M. Weber
Fred T. Merritt
James E. Nesmith
Robert R. Pope
Albert E. Flanagan
Earl S. Childers
Thomas J. Hynes
William G. Fenlon
Louis Hopper, Jr.
John H. Tooley
Gerard R. Decker

The following-named persons to be lieutenants in the U.S. Coast Guard:

Andrew F. Nixon
Forrest E. Stewart
William A. Maki
Donald L. Savary, Jr.
William K. Vogeler
Donald H. Reaume
Harold R. Brock
Glenn D. Jones
George H. Drinkwater
Oscar J. Jahnsen, Jr.
William J. Spinella
Richard G. Donaldson
William D. Derr
Arthur G. Morrison
John T. Rouse
David E. Metz
Bruce N. Donnelly
James R. Meeker
Frederick J. Lessing
Sherman G. Sawyer
Joseph A. Macri
Richard J. MacGarva
Edgar S. Castle
William T. Sode
Donald J. Riley
Thomas F. McKenna, Jr.
Richard D. Hodges
Preston M. Bannister, Jr.
John C. Dowling
Walter B. Alvey
William L. Webster
John M. O'Connell, Jr.
Norman C. Venzke
John G. Beebe-Center
Gilbert L. Kraine
Hubert E. Russell
Charles J. Glass
Richard M. Morse
James P. Marsh
Benedict L. Stabile
William R. Nodell
Robert E. Fletcher
Horace G. Holmgren
Claude R. Thompson
Raymond H. Wood
John C. Guthrie, Jr.
Robert C. Stancliff
Ferney M. McKibben
Arnold R. Reynolds
Sidney B. Vaughn, Jr.
Eugene A. Delaney
Roderick M. White
James L. Fleishell
Robert K. Adams
Clifford F. DeWolf
Royal E. Grover, Jr.
William G. Dick
Thomas A. Clingan, Jr.
Harry J. Hayes
Allan B. Rose
Charles F. Juechter, Jr.
Jack L. Smith
Rudy Roberts
Harry A. Feigleson, Jr.
John C. Fuechsel
Warren W. Waggett
Leo V. Donohoe
Adrian L. Lonsdale
Alva L. Carbonette
Robert A. Seufert
Berry L. Meaux
Harold W. Parker
John P. Mihlbauer
Clarence G. Hobdy, Jr.
Lawrence J. Otto
Daniel S. Bishop
Robert G. Lyle
Jack E. Buttermore
Normand E. Fernald
Beverly V. Billingslea
Leon Y. Wald
Nelson G. Emory
Calvin F. Bonawitz
Louis Moats
Ralph W. Sibley, Jr.
David Larner, Jr.
Richard K. Simonds
Joseph P. Dawley
Leigh A. Wentworth
John E. Gates
Martin J. Ruebens
Robert F. Mercier
Gordon D. Hall
Robert L. Sullins
James C. Knight

The following-named persons to be lieutenants (junior grade) in the U.S. Coast Guard:

Benjamin R. Sheaffer, Jr.
Kearney L. Yancey, Jr.
Charles A. Millradt
Ronald N. Gaspard
Edward R. Baumgartner
Robert J. Ross

NATIONAL MEDIATION BOARD

Francis A. O'Neill, Jr., of New York, to be a member of the National Mediation Board for the term expiring February 1, 1962—(reappointment).

PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

I. FOR APPOINTMENT

To be senior surgeons

Arthur C. Curtis
Charles R. Hayman
U. Pentti Kokko
Huston K. Spangler
Philip L. Spencer
Leon A. Witkin

To be surgeons

John W. Cashman
Robert M. Chanock
Harry F. Colfer
Sigurd E. Dahlstrom
Jack D. Davidson
H. Wayne Glotfelty
Howard C. Goodman
Albert W. Hilberg
Bert N. La Du, Jr.
Carl J. Marienfeld
Claire F. Ryder
Audrey W. Talley
Norman Tarr
Gordon M. Tomkins

To be senior assistant surgeons

Emil J. Freireich
William V. Trekell

To be dental surgeon

Robert L. Weiss

To be sanitary engineers

Andrew D. Hosey
Frank W. Noble

To be scientists

William B. Cherry
Harvey I. Scudder

To be sanitarians

John A. O'Donnell
Ruth F. Richards

To be senior veterinarian

Willard H. Eyestone

To be nurse officers

Agnes V. Herrington
Elizabeth G. Sullivan

EXTENSIONS OF REMARKS

The Challenge of Metropolitan Growth

EXTENSION OF REMARKS
OF
HON. VANCE HARTKE
OF INDIANA
IN THE SENATE OF THE UNITED STATES
Friday, January 23, 1959

Mr. HARTKE. Mr. President, on January 16, 1959, the distinguished Senator from Nevada [Mr. BIBLE] delivered a most interesting and educational address before the Citizens Conference on Metropolitan Area Problems, which was held at American University.

In order that Senators may have an opportunity to read the address and benefit from the experienced analysis of our great chairman of the Joint Committee on Washington Metropolitan Problems, I ask unanimous consent to have it printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR ALAN BIBLE, CHAIRMAN, JOINT COMMITTEE ON WASHINGTON METROPOLITAN PROBLEMS, TO THE CITIZENS CONFERENCE ON METROPOLITAN AREA PROBLEMS, AMERICAN UNIVERSITY, JANUARY 16, 1959

Commissioner McLaughlin, President Anderson, and ladies and gentlemen of the Citizens Conference on Washington Area Metropolitan Problems, you are meeting today to consider not only the problems of the National Capital region, but problems typical of our modern America, where some 60 percent of the people live in the 168 standard metropolitan areas. Of this metropolitan population, more than half live in 14 of the 168 areas. Washington is one of them. Of our city dwellers, nearly 9 out of every 10 live in a metropolitan area. The outlook for the future growth of our burgeoning population is for further concentration in a handful of large cities. If we expect in the year 1975 a total population of about 220 million persons, urban areas will have to face the absorption of 50 million more people.

When we speak of metropolitan areas we are talking about large aggregations of population living in politically fragmented areas. The metropolitan trend is a suburban trend. Over the last 10 years, at the rate of 4,000 people a day, our population has moved into the suburbs. That is where 14 million of them have moved since 1948. And again there is no expectation that this trend will slacken.

But it is not with these facts of growth alone but the problems that they imply that conferences like this are concerned. What are some of these problems? The pressure of increasing urban populations against limited natural resources, such as water, is certainly one of them. In my dry section of the country it is probably the principal problem. But even here in the humid East we are concerned with it. The problem of metropolitan mobility is another one. By 1975 there may be 88 million passenger cars and a two- and a three-car family will be commonplace. The shortage of school buildings is evident to everyone who lives in suburban communities. The increase of our school population by approximately one-third or 13 million pupils is expected in all our elementary school population by 1975 and a high school enrollment of 5 million is also contemplated.

These are some of the things that our increasing population will demand if the American standard of living is not to be lowered and if the prospect of metropolitan growth is not to be stifled.

I repeat that these are national problems when looked at in their true perspective. Senator LYNDON JOHNSON has recently called attention to the need to know more about this vital sector of American life. He has recommended the creation of a broad study commission to survey these emerging problems and how they are affecting our great metropolitan centers. The widespread congressional interest in these matters may be further described. In the last session not less than four bills proposing the creation of a Federal Department of Urban Affairs, or, as one Representative phrased it, of "urbiculture," were introduced in the House. Earlier this week Representative OSTERTAG introduced in the House the first of what may be a series of proposals for a study of national metropolitan problems. Senators KENNEDY and CLARK have already voiced their concern with these problems and the need to do something about them in the present session of Congress. Even the President has recognized this need in his message earlier this week.

I think that we can take it, without further demonstration, that the subject of this conference is not only one of national importance but one of congressional concern.

What you are going to discuss here today and tomorrow may seem, to many, a local problem. But I would like to begin by setting it in a broad frame and by reminding you that what is done in Washington will

have a far-reaching significance in other metropolitan areas throughout the Nation.

The position of our city as a prototype of the ideal American city, as a pilot plant of metropolitan area government, has frequently been urged upon us, and with good reason. The government of the District of Columbia is a national problem, made such by the Constitution of the United States which confers upon Congress the exclusive legislative jurisdiction in all cases whatsoever for the government of the District of Columbia. It is the inseparable relationship between the government of the District of Columbia and its rapidly growing surrounding area that gives rise to the concern of the Joint Committee on Washington Metropolitan Problems. In the studies of the last year much has been learned of this relationship.

We know, for example, well over half of the area's population is now located outside the boundaries of the District of Columbia. What is more surprising, one-third of the Federal employees in the area are working in establishments located in the environs rather than in the Capital City itself. The Federal Government has tremendously increased its land holdings in the metropolitan region and is today by far the largest single economic factor in all four metropolitan counties. While the entire metropolitan area constitutes one market, of course, I think it is with some interest, in illustrating the dispersal of Federal employees throughout the area, to note that of the Federal payrolls in the fiscal year 1958 which totaled $1,350 million, nearly 30 percent was paid to those employed in adjacent counties of Maryland and Virginia.

Let me return to the hope that has been voiced over many years that the Federal Government exercise its unique responsibilities in the National Capital region to create an ideal metropolitan area. This has been forcefully stated by Prof. Daniel Grant of Vanderbilt University in the following terms, "If the Federal Government could achieve an effective integration of the government of the District of Columbia with its suburbs by some method also available to other metropolitan areas, the result would be new hope for metropolitan integration the country over." Another scholar, Victor Jones, has urged, "The least that the Federal Government should do is to study the problems of its own metropolitan area. Here Congress has exclusive jurisdiction over the central city. The Federal Government has an opportunity and I believe a responsibility to act as a model to the rest of the country by recognizing that the National Capital is a metropolitan community spilling over into several counties and independent cities of two States. It also has an opportunity to develop a model approach to a comprehensive and cooperative study of the problems and to the development of solutions."

My purpose in marshaling these facts and citing these quotations is to inspire and encourage your efforts at this conference by reminding you of its broader significance. Let me now turn to another aspect of this subject which I believe you will also find invigorating.

Washington has an enviable record in recognizing and dealing with the problems of metropolitan growth and expansion, and Congress has been prompt in recognizing the appearance of these problems and supporting enlightened measures for dealing with them. This record over nearly a century is one reason why the creation of the Joint Committee on Washington Metropolitan Problems was a logical and altogether consistent step for Congress to take, and why I believe that the recommendations of the committee in its final report (which will be handed Congress the end of this month) should receive favorable consideration.

Let me review this record. Over a century ago, Congress acted to protect the metropolitan area water supply by creating the Washington Aqueduct, one of the first large-scale regional water supply undertakings in the United States. They planned on such a large scale that with minor repairs and alterations this system has lasted until the present day, when it provides treated Potomac water not only for the District of Columbia and the whole of Arlington County, but for other local and intermittent needs as well. In 1902 the Senate Park Commission, headed by Senator McMillan, of Michigan, drew together a team of outstanding national figures who produced the great McMillan report which retrieved the original conception of the Capital City left by our Founding Fathers from its 19th century obscurity and laid the foundations for the Capital City that we know today. The National Capital Planning Commission and the Fine Arts Commission, to say nothing of innumerable parks, monuments, and building projects all derive from the McMillan Commission report. This is well known. But it is not so well recognized that the scope of the Commission's work was not limited to the National Capital but extended up the Potomac River to Great Falls and down the Potomac to embrace that great historic shrine, Mount Vernon.

Large portions of the metropolitan area also acted independently to deal with the problems of metropolitan growth in an orderly fashion. This was conspicuously true in 1918 when the Maryland Legislature established the Washington Suburban Sanitary Commission, and a few years later the Maryland-National Capital Park and Planning Commission. For the Maryland portion of the suburban area these two agencies have rendered invaluable service. Today it is apparent that they have not only helped plan the orderly development of the Maryland suburbs but by the provision of waterlines and sanitary sewers have tended to structure the development of these areas in such a way that they are inherently more economical to provide with local government services than would otherwise have been the case, and is tragically the case in so many suburban areas in American cities. A good beginning in the same direction has also been made in Virginia through the establishment of the Northern Virginia Regional Planning Commission, which this year is being greatly strengthened. Our committee has contemplated the proposed establishment of a Northern Virginia Sanitation Authority as a natural and beneficial step.

In 1952 Washington became the second metropolitan area in the United States to establish an official regional planning agency. In 1955 Congress authorized the creation of a metropolitan area mass transportation survey which, in method and in boldness of conception, has already set the pace for similar studies in other areas.

The organization of the Washington Metropolitan Conference, under the leadership of Commissioner McLaughlin, 2 years ago, was a major step forward in developing a political organization that reflects the interests of local governments throughout the area. It has other characteristics which are unique and valuable. These include the membership in the conference of the State legislative delegations in Maryland and Virginia. (I was interested to read in last week's New York Times a proposal to strengthen the only other comparable metropolitan body in the United States, the New York Metropolitan Conference, in a report prepared by Prof. Wallace Sayre of Columbia University. His recommendations impress me as mild, indeed, compared with the role for the conference proposed by our committee's own staff consultants.)

May I claim, too, the establishment and activities of our own Joint Committee on Washington Metropolitan Problems as another milestone in metropolitan area progress. There have been, of course, other studies of a broadly similar nature in other American cities. But, I know of none that compares to what we have undertaken—in its unique combination of broad scope and the consideration of metropolitan areawide problems and solutions in an institutional sense, and considerable depth in the analysis of the specific problems selected by the committee for detailed study.

Earlier I have referred to the final report of our committee which will be given Congress the end of this month. The committee also proposes to continue its work through the summer in order to receive the report of the mass transportation survey and hold such hearings on it as may be necessary. When that remaining task has been completed, our work is done. But, however useful, the report of a temporary committee is far from all that is needed if our enduring metropolitan problems are to yield to continuous attack. We need, both in Congress and in this community, organizations that will bring continuity to our efforts to deal with area problems. In this very real sense, it is up to you, the people who have demonstrated their interest in working on these continuing problems by your attendance here. The many legislative acts and administrative decisions required by regional problems will gain unity if there is a regionwide and fully representative citizens organization at work in this field. At the least, let me voice the hope there will be further regional conferences of this sort.

This record of metropolitan progress, taken as a whole, is one, I claim, that any American metropolitan area would take pride in, and sets a high mark for our present and future efforts. In particular, it allows me to hope that we have already made substantial progress toward the goal of that municipal ideal and national example that we have been urged to create.

Now from these heights where, in the role assigned me as keynoter of your conference, I have tried to look ahead and behind and to either side, to provide a framework for your deliberations, and to inspire your efforts, let me descend briefly to the level where you will find yourself working in the next 2 days. I would like to say a word or two about the political problems of the National Capital region. Many of the things people want to accomplish cannot be achieved through existing local governments. Many of the things that metropolitan growth and expansion require, if indeed growth is not to be frustrated altogether, are beyond the capacity of the existing instrumentalities of government. We must choose whether to take the necessary forward step and create new institutions of government that can deal with problems on a regional scale, or to submit to the consequences of inaction. These consequences are formidable but the difficulty of moving ahead seems to me to have been exaggerated in most of the solutions that have been offered.

I can concur with those who believe that a general purpose regional authority is too remote from the people to be a realistic solution to what is, in the end, a problem of local government. I also share the fears of those who object to the proliferation of a number of separate functional authorities and special districts, lacking relationship to each other or to the established local governments of cities and counties in the region.

The opportunity which is open—in theory, at least—in most American cities, of annexing the adjacent suburban development or of consolidating cities and counties, appears to me be barred by the provisions of our written Constitution. The course of retrocession, ardently urged by Professor Franchino of the Georgetown University Law School, on the precedent of the retrocession of Arlington County to Virginia in 1846, also

seems to me politically unlikely, to say the least.

I suspect that in this area we will have to find some new means of organizing to undertake the unique tasks of metropolitan government. I suggest that the eventual solution should be one in which local interests can find effective representation, giving them not only a voice, but some control. I am sure that, given the unique congressional responsibility for our central city in the District of Columbia, and the great and growing Federal interest in the surrounding area, the desirable structure of regional government must be one in which the Federal interest will be effectively represented.

Perhaps this does not sound like the tidy administrative conceptions that have been offered in some metropolitan areas of the United States, and chiefly by those concerned with administrative efficiency and economy. It does not pretend to respond merely to those aims. Earlier I said that, "Many of the things people want to accomplish cannot be achieved through existing local governments." The reason we have governments is to allow people to do things, some of them perhaps unreasonable things, but things which are wanted and often desperately wanted to reflect their ambitions, to support their standard of living, to enrich their life. The glowing words of our great national documents were not written to voice platitudes but the aspirations of a free people. We have now become an urban people and our destiny now must be worked out in urban terms. It will not be easy. Politics never is. The result in the end may not be neat. That is not the way of legislation. But I am supremely confident that the forces of modern life, as we see them written here typically in the Washington metropolitan area, cannot be denied, and in finding expression for them I am equally confident that even in this unfortunately disinfranchised central city, the dominant interests of our people will seek and find appropriate recognition.

Matthew Fontaine Maury, the Pathfinder of the Seas

EXTENSION OF REMARKS
OF
HON. LISTER HILL
OF ALABAMA
IN THE SENATE OF THE UNITED STATES
Friday, January 23, 1959

Mr. HILL. Mr. President, one of the most erudite Members of the Senate and one of its greatest students of history is the distinguished junior Senator from Virginia [Mr. ROBERTSON].

On last Monday, January 19, the birthday of Gen. Robert E. Lee, the Senator from Virginia delivered a beautiful and most informative address on Matthew Fontaine Maury, "The Pathfinder of the Seas," to the Albemarle Chapter, No. 1, United Daughters of the Confederacy, at Charlottesville, Va. In his address the Senator from Virginia [Mr. ROBERTSON] not only gave us a picture of Maury and of his monumental work, but he also spoke words of appreciation of Robert E. Lee and Stonewall Jackson.

The Senator's paternal grandfather was a captain of infantry in the Stonewall Brigade and was killed at the bloody Battle of Cold Harbor. His maternal grandfather and nine of his grandfather's brothers served in the Army of Northern Virginia under General Lee, and five of them were killed.

In 1922 the junior Senator from Virginia, as a member of the State Senate of Virginia, sponsored a bill to provide for the erection of a monument to Matthew Fontaine Maury in his beloved Goshen Pass. The legislature passed the bill and the Senator from Virginia [Mr. ROBERTSON] was named chairman of the commission to select the monument and to arrange the exercises for its dedication. The dedication took place in 1923 and was a historic occasion.

The Senator from Virginia is himself a veteran of World War I, in which he served with honor and distinction.

I ask unanimous consent to have the Senator's eloquent address on Matthew Fontaine Maury printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR A. WILLIS ROBERTSON BEFORE THE ALBEMARLE CHAPTER, NO. 1, UNITED DAUGHTERS OF THE CONFEDERACY, CHARLOTTESVILLE, VA., JANUARY 19, 1959

My life, as most of you well know, has been lived within the shadows of the Blue Ridge Mountains. By inheritance, environment, and training, I am devoted to the memory of Confederate leaders and the principles of government for which they made sacrifices, never surpassed in the history of our Nation.

No one in the South could be more grateful than I for the wonderful work of the United Daughters of the Confederacy in preserving the memory of southern leaders. In doing so, they have not only helped to perpetuate in the hearts of all sons and daughters of the Confederacy the principles of States rights for which men like Lee, Jackson, and Maury made great personal sacrifices, but the Daughters of the Confederacy, through high idealism, and in refusing to admit that it was a lost cause, have set a standard of true greatness which both our Nation and the world have finally been willing to accept.

In all of recorded history, there never was a nobler man than Robert E. Lee and none who has left a greater imprint upon succeeding generations. Yet, shortly before his death, Lee, in his great humility, indicated he felt he had done nothing worthwhile saying, "Life is gliding away and I have nothing to show for mine. I pray I may be spared to accomplish something for the benefit of mankind and the honor of God." There is at least one historian who still lists Lee as a failure simply because he was the commander in chief of an army that suffered total defeat and the leader of a cause which that historian listed as a lost cause. But most historians, including the great Virginian, Douglas Southall Freeman, and the people generally of the entire Nation endorse the opinion of Lee expressed by Senator Ben Hill, of Georgia, when he said: "He was a foe without hate, a friend without treachery, a soldier without vices, and a victim without murmuring. He was a public officer without vices, a private citizen without wrong, a neighbor without reproach, a Christian without hypocrisy, and a man without guilt. He was Caesar without his ambition, Napoleon without his selfishness, and Washington without his reward. He was as obedient to authority as a servant and royal in authority as a king. He was as gentle as a woman in life, pure as a virgin in thought, watchful as a Roman vestal, submissive to law as Socrates, and grand in battle as Achilles."

Military experts throughout the world now rank Lee as one of the greatest military leaders of the English speaking peoples and second only to him, Thomas J. Stonewall Jackson, the great lieutenant on whom Lee so heavily relied. In the quiet and reserved VMI professor, in the consecrated Presbyterian deacon, who each Sunday morning taught a class of Negro slaves, no one in Lexington could visualize the military genius later to be displayed by Jackson in his famous valley campaign. Even his own soldiers at first misunderstood him. They thought him harsh, even cruel; but as their experience increased they recognized the wisdom of his severity and when they looked upon that kindly face, grave and determined as it was, they realized how closely his firmness was allied to tenderness. No one could, like him, unless it was Napoleon, establish and maintain discipline worthy of the best in the Anglo-Saxon nature, which had honor for its principle and glory for its reward. From him his soldiers and the people of his Southland learned the self-denial, which is the root of all religion, the self-control which is the root of all manliness. It was this discipline which enabled the first brigade to turn the tide of battle at Bull Run, or first Manassas. McDowell's men were carrying all before them and by an impetuous rush had carried Henry Hill which was a commanding point in the very center of the Confederate lines and the key of the battleground. Bee, Bartow, Evans, and Hampton were driven in and Jackson alone stood fast. General Bee, with his hat off, his sword in hand, covered with dust and his horse foaming, dashed up to Jackson and said: "General, they are beating us back." "Then, sir, we will give them the bayonet," said Jackson, as his thin lips closed like a vise. Bee, inspired by Jackson's confidence, galloped back to his broken lines and shouted: "Look, there is Jackson, standing like a stone wall. Rally behind the Virginians."

Notwithstanding military achievements of Confederate leaders which in themselves are proof of greatness, the United Daughters of the Confederacy have taught the South and the Nation the fundamental truth that true greatness is not based upon physical strength, political power, mental brilliancy, or accumulated wealth, but rather upon the type of sacrificial service that a man renders to his day and generation. Their test of unselfish love and devotion to duty as applied to our Confederate leaders goes beyond the political idealism of Pericles' tribute to the young men of Athens when he said: "So they gave their bodies to the commonwealth and received, each for his own memory, praise that will never die, and with it the grandest of all sepulchers, not that in which their mortal bones are laid, but a home in the minds of men, where their glory remains fresh to stir to speech or action as the occasion comes by. For the whole earth is the sepulcher of famous men; and their story is not graven only on stone over their native earth, but lives on far away, without visible symbol, woven into the stuff of other men's lives * * *."

Jackson gave his life for the cause and as a professional soldier who had suffered a major defeat it would have been easier for Lee to have done likewise because it will be recalled that he said shortly before he surrendered at Appomattox: "How easily I could be rid of this and be at rest. I have only to ride along the line and all will be over. But it is our duty to live. What will become of the women and children of the South if we are not here to protect them?" It was in that devotion to duty, to protect the women and children of the South and to train the youth of the South to repair the ravages of a fraternal war that Lee made his greatest contribution not only to his day and generation but to all succeeding generations.

We are now in a period when the heritage of constitutional liberty in which both North and South believed, although they were di-

vided on how it should be preserved, is threatened anew by so-called liberals at home, who wittingly or not would take us down the road to socialism, and by Communists abroad who threaten to impose their will by force upon a free world. Therefore, for the preservation at home of those priceless principles of political and economic freedom that were born of the brain and purchased with the blood of our Founding Fathers we have never had a greater need to be reminded of the example set us by Confederate leaders like Lee, Jackson, and Maury.

We also live in a time when men are challenging the statement of the Roman philosopher, Seneca: "There is no easy road from the earth to the stars." Rockets are shot into outer space and brought back with data which scientists assure us will chart a pathway through the skies. Manmade missiles have penetrated beyond the moon and our Government is appropriating millions of dollars to continue these studies and experiments. Hence, the appropriateness of the request of your program committee that I speak primarily tonight concerning the greatest scientist of the Confederacy, Matthew Fontaine Maury. While these annual celebrations normally are held on January 19, the well-known birthday of the immortal Lee, it perhaps is not so well known that the birthday of Maury was January 14 and that of Jackson, January 21. Like Lee and Jackson, Maury's claim to immortality rests more securely upon his qualities of Christian character and his unselfish and constructive contributions to humanity than upon public recognition of his scientific achievements.

Maury was born in Spottsylvania County, Va., January 14, 1806. He entered the Navy as a midshipman in 1825 but 14 years later, when he was 33, he was thrown from the top of a stagecoach, having yielded his seat in the coach to a lady, and suffered a permanent lameness, which disqualified him for further active service at sea. In 1841 he was placed in charge of the Depot of Charts and Instruments, out of which grew the U.S. Naval Observatory and the Hydrographic Office. The weekly reports published by the Hydrographic Office in Washington are headed with this statement: "Founded upon the research made and the data collected by Lt. M. F. Maury, U.S. Navy." This is a recognition paid to no other naval officer.

When he was only 25 years old, Maury became convinced that the waves, the winds, the storms, the currents, the depths and temperatures of the sea constituted a system so mathematically interrelated that the mind of man could understand its phenomena and forecast its processes. The Prophet Job had written an explanation of God's power "Which alone spreadeth out the heavens, and treadeth upon the waves of the sea." Then David had written Maury's favorite passage, in the 107th Psalm:

"For He commandeth, and raiseth the stormy wind, which lifteth up the waves thereof. They mount up to the heaven, they go down again to the depths; their soul is melted because of trouble. They reel to and fro, and stagger like a drunken man, and are at their wit's end. Then they cry unto the Lord in their trouble, and He bringeth them out of their distresses. He maketh the storm a calm, so that the waves thereof are still."

The young Maury was firmly convinced that the same God who had made nature's laws for the dry land which man was beginning to understand also made them for the waters of the earth which likewise, through patient study and observance, could be understood. And so it was that Maury was able to discover the tradewinds and the ocean currents which reduced weeks of sailing time in Atlantic waters, and around the Cape of Good Hope to the Pacific, resulting in savings of millions of dollars to American shippers. Because of that monumental work, Maury was given the sobriquet "The Pathfinder of the Seas."

Maury's pinnacle moment was yet to come. His system of sea lanes had been utilized chiefly by American ships, his coworkers being chiefly Americans, but Maury wanted all nations to cooperate with the U.S. observatory for the benefit of the maritime interests of the whole world. So, he called an international conference to meet in Brussels in August 1853. That might properly be termed the first League of Nations. It included Belgium, Holland, Denmark, Norway, Sweden, Russia, France, Portugal, Great Britain, and the United States—representing 95 percent of the shipping of the world. The conference lasted 16 days, Maury's charts were unanimously adopted, and for the next 50 years those nations cooperated in exchanging maritime information along the lines proposed by Maury. But typical of Maury's modesty in declining to accept the presidency of the league was the reply he made to the praise that was given to the value of his scientific research: "I am extremely grateful for the sympathy you have expressed and the praise you have been pleased to bestow on my humble efforts. On my part I beg to thank you for the kind assistance that you have afforded me. Allow me to add that we are taking part in a proceeding to which we should vainly seek for a parallel in history. Heretofore, when naval officers of different nations met in such numbers, it was to deliberate at the cannons' mouths upon the most efficacious means of destroying the human species. Today, on the contrary, we see assembled the delegates of almost every maritime nation for the noble purpose of serving humanity by seeking to render navigation more and more secure. I think, gentlemen, we may congratulate ourselves with pride upon the opening of this new era."

Time will not permit me to enumerate the details of Maury's remarkable career but they can be summarized by saying that in addition to founding the Naval Observatory, his magazine articles resulted in the founding of the U.S. Naval Academy, he furnished the data necessary for the laying of the first transatlantic cable and he was the real father of the Weather Bureau which grew out of his recommendations to the Government when he was a professor of physics at the Virginia Military Institute.

Maury had formulated the plan for the weather bureau for the benefit of farmers as well as mariners when he was head of the naval observatory but war came before he could perfect his plans. We find this significant statement, however, in one of his sailing directions to accompany the wind and current charts published in 1858: "As much as we have accomplished at sea, more yet can be accomplished through the magnetic telegraph on land. With a properly devised system of meteorological observations to be made at certain stations wherever the telegraph spreads its meshes, and to be reported daily by telegrams to a properly organized office, the shipping in the harbors of our seaport towns, the husbandman in the field, and the traveler on the road may all be warned of every extensive storm that visits our shores and while yet it is a great way off."

When Virginia seceded from the Union in 1861, Maury, like Lee, threw in his lot with the South and became head of coasts, harbors, and river defenses. He invented the electric torpedo for harbor defenses and because of his international fame as a scientist, President Jefferson Davis sent him to England in 1862 to procure torpedo materials. Maury remained in England until 1868 where he received signal honors, including an honorary degree from Cambridge. Both Russia and France offered him the directorship of their imperial observatories. But Maury loved his native Virginia, and like Lee, he felt he owed a duty to the youth of the South. So, turning down offers that would have meant international fame as a scientist, a life of wealth and ease, Maury returned to a professorship at VMI where he labored for the rest of his life seeking to solve the riddles of nature, particularly for the benefit of the farmer in connection with weather reports and passing on to younger men his thirst for scientific knowledge.

In utilizing his chair of physics as a sounding board for a national program in behalf of a weather bureau, Maury overtaxed his strength. Returning from a lecture in St. Louis, he knew that his career was near its close. He knew that the task of interpreting nature in terms of help rather than of hindrance for mankind had been permanently advanced by his efforts. The end came quietly on February 1, 1873. "Do I drag my anchors?" he asked with a smile. "Yes," said his son. "All is well," he replied.

Maury loved the beauty of Goshen Pass and his last wish was that he be carried through the pass when the rhododendron and laurel were in bloom. It was the flowers that blossom in Goshen Pass in the spring that he wished placed upon his coffined body as the last and only tribute of affection:

"Wait till the laurel bursts its buds,
And creeping ivy flings its graces
About the lichen'd rocks, and floods
Of sunshine fill the shady places.

"Then, when the sky, the air, the grass,
Sweet nature all, is glad and tender,
Then bear me through the Goshen Pass
Amid its flush of May-day splendor."

Careless of monument by the grave he built it in the world—a monument by which man might be taught to remember not where he died but where he lived.

Maury was truly, as Dr. C. Alphonso Smith said at the dedication of the Goshen Pass monument, "founder of a new science, pilot of every ship that sails and herald of a new era of international cooperation."

If we of the present generation join with the Daughters of the Confederacy in Charlottesville and throughout our beloved Commonwealth in being true to the principles of Lee, Jackson, and Maury, there will undoubtedly be heard again the Bull Run battle cry, "Rally behind the Virginians."

The International Significance of Alaskan Statehood

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Friday, January 23, 1959

Mr. HUMPHREY. Mr. President, our colleague, the distinguished Senator from our newest State, Alaska [Mr. GRUENING], has recently written a most interesting article entitled "The International Significance of Alaskan Statehood," which appears in the winter 1958 edition of World Affairs. This article very ably illustrates the striking contrast that statehood for Alaska presents to the eyes of the world in comparison with the Soviet Union's treatment of its satellites. I commend to the reading of all Senators this splendid article.

Mr. President, I ask unanimous consent that the article by the distinguished

Senator from Alaska be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE INTERNATIONAL SIGNIFICANCE OF ALASKAN STATEHOOD

(By ERNEST GRUENING, U.S. Senator from Alaska)

The admission of Alaska to the Union as a State has substantial significance in international affairs.

It demonstrates that the United States practices what it preaches. It proves that the United States, true to its professions and to its best traditions, does not practice colonialism. It augurs a corresponding treatment for the Nation's only other incorporated Territory, Hawaii, and for the maximum of self-government of all other of the remaining dependent areas, Puerto Rico having already been granted the status its people desired. It shows that the United States is willing to break other precedents in order to extend to a noncontiguous area—for the first time in history—the full equality and sovereignty previously conferred on 35 States subsequent to the formation of the Nation.

Statehood for Alaska advances the frontiers of democracy to the continent's farthest North and West. It extends these frontiers of freedom for the first time into the Arctic and into the Eastern Hemisphere—for the Alaskan terrain reaches into both these parts of the globe.

What is particularly striking about this liberating action is that Alaska was once Russian-America. But for the vision and wisdom of William H. Seward, Alaska might still be groaning under the tyranny of Moscow.

Historically, not only was Alaska once part of what now has become the most brutal totalitarian regime in modern times, but, geographically, Alaska lies within naked-eye view of the Soviet police state. Only 54 miles separate Alaska and Siberia across Bering Strait. The Siberian headlands which rise to 11,000 feet are clearly seen from the Alaskan mainland. They are visible also from St. Lawrence Island, an Alaskan island in the Bering Sea.

Two other islands, Little Diomede and Big Diomede, the former American, the latter Russian, lie within 2½ miles of each other. Thus Alaska is the nearest free country to the Soviet State and the contrast between these two adjacent systems of government and the two ways of life is revealed for the whole world to see.

This contrast and this difference may be specifically illustrated by what has happened on the two Diomedes. Both islands were formerly inhabited by Eskimos, there being a small village on each, both extant before the coming of the white man. The American Eskimos continue to live there, following their peaceable pursuits, enjoying the blessings of liberty, as loyal and patriotic a group of Americans as can be found under the flag. I was happy to enlist those who were not in the Armed Forces in our Alaska Territorial Guard in the early days of World War II; and they are now active members of the Alaska National Guard, enrolled in its scout battalions.

In contrast, Russia's Eskimos on Big Diomede have been uprooted from their ancestral homes and forcibly deported to the mainland of Siberia. With that deportation, the friendly visiting that had taken place between the inhabitants of the two islands for generations, ceased abruptly.

Thus we have in those far northern latitudes a striking illustration of contrasting freedom and serfdom. It is to be hoped that our Voice of America will make clear to the world the profound difference between Uncle Sam's treatment of its dependencies—for Alaska was such a dependency prior to statehood—and Russia's treatment of its satellites.

Alaska versus Hungary. Gaze on this picture and on that.

In the one case there is the grant of full equality. There is application by due process of law of that most basic of American principles, the principle of government by consent of the governed. In the other case we have, by a dictatorial exercise of power, forcible deportation and the suppression of freedom which in varying degree all Russian subjects suffer.

In the continuing struggle for the understanding and sympathy of the wavering and uncommitted peoples of the earth, Alaskan statehood should be of great value as a shining example.

"By their deeds ye shall know them." The deed of making Alaska the 49th State in the American Union speaks far more loudly than words could.

That the 49th State was once Russian-American, that it is, geographically, Russia's nearest neighbor belonging to the free world—for all Russia's other neighbors have been subverted to the Kremlin's rule—sounds a clarion call to all mankind.

Alaskan statehood exceeds the propaganda value of a dozen sputniks. It is a missile—an intercontinental missile suggests itself—which cannot be intercepted and carries its message to the ends of the earth for all time.

Highway Legislation

EXTENSION OF REMARKS
OF
HON. FRANCIS CASE
OF SOUTH DAKOTA
IN THE SENATE OF THE UNITED STATES
Friday, January 23, 1959

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD two speeches which I recently delivered before groups interested in highway construction. The first one was given December 1, 1958, at San Francisco before the American Association of State Highway Officials and the second one, January 19, 1959, before the American Road Builders Association in Dallas, Tex.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

LEGISLATIVE PROBLEMS AHEAD

(Remarks of U.S. Senator FRANCIS CASE, of South Dakota, ranking Republican member, Senate Subcommittee on Roads, at 44th annual meeting of the American Association of State Highway Officials, San Francisco, Calif.)

Roadbuilding in the United States is the outstanding example of a working partnership between the several States and the Federal Government. You are the people who carry out the program of that partnership. We Members of Congress may write the charter of the partnership—but if the program is to be successful, the terms and the modifications must be based upon an understanding of the conditions which you encounter at the grassroots of action.

That is why, Mr. President, your representatives are so welcome at congressional hearings. It is also why we welcome these opportunities to rub shoulders and exchange views with you at these annual meetings of your association. All of us have our responsibilities in the partnership.

To illustrate the responsibilities of partnership or teamwork in a negative way, I like the story told me by an old prospector friend in the Black Hills. His search for the elusive El Dorado took him, some years ago, into the northern part of Canada. There he employed as guide a native who was part Indian, part French in blood.

The guide told him one night that they were near the place where the British Hudson Bay Company had lost a fur trader some years before. The trader had died during a hard winter and those with him buried his body in the frozen earth. Next summer, the Hudson Bay Company sent a party into the northlands in an effort to find the grave and recover the body. They employed some of the natives to assist them. The guide of my prospector friend, however, was employed that time not as a guide, but as a cook.

The party searched for several weeks in vain. They did not recover the body of the lost fur trader. My prospector friend from the Black Hills said to his half-breed guide, "That was sure too bad. I wonder where he could have been buried."

"Oh," the guide said to him, "You want to see the grave? I show you."

"What," my prospector friend said, "Do you know where it is?"

"Sure do," the guide replied, "I show you."

"But," my friend said, "Why didn't you lead the Hudson Bay party to it?"

"Oh," his guide came back, "On that trip I not hired to guide. My job to cook, so I cook, not guide."

DIFFERENT APPROACH NEEDED

Needless to say, such an approach to a Federal-State partnership in roadbuilding would leave many problems unsolved. Unless there be an understanding at the Federal legislative level of your problems in the field at the roadbuilding level, and at your end an understanding of our legislative problems, and at both levels a spirit of, and freedom in, teamwork, we would not get the job done. That there has been good progress, outstanding progress in the past year on all Federal-aid systems is evidence of excellent understanding and teamwork.

During the last session of Congress, three bills were passed which were the result of outstanding teamwork, teamwork within our congressional committees, teamwork with the Bureau of Public Roads, and teamwork with the highway officials of the several States. The three were:

1. The Federal-Aid Highway Act of 1958.

2. The General Highway Act of 1958, which codifies and brings together all of the Federal highway legislation in one compact statute.

3. The act to amend the Federal Aid Act of 1958 by extending for an additional year, 1960, the estimate of costs on the Interstate System so that apportionments could be made for the customary biennium.

This last act would not have been passed without the help given by your association officers in bringing out the inconvenience and delay that would have been created in the several States had the many legislatures which meet in January not known the Federal aid apportionment for the second year of the biennium for which they customarily provide.

NINETEEN HUNDRED AND FIFTY-EIGHT AID ACT NOTABLE

In addition to the usual features of the regular biennial Federal aid act, the first bill that I cited, the Federal Aid Highway Act of 1958 was notable, I think, for these things:

1. Acceptance of the new cost estimates as the basis for making apportionments of funds for the Interstate System. That was a definite break from the old area-mileage-population basis.

2. Establishment of a modified form of billboard regulation on the new right-of-way portions of the Interstate System.

3. Creation of the emergency fund of $400 million for auxiliary construction of roads not on the Interstate System, the so-called "D" fund of the Bureau which States might use on the other Federal aid systems in the way best calculated to meet their emergency needs with matching "L" funds advanced, if needed, on an automatic repayment or deduction basis.

4. Provision for hearings for rural people on highway locations, giving them the same right previously accorded bypassed towns and cities.

Those were all notable legislative accomplishments, I think, and they reflected teamwork in the field of roadbuilding for the United States.

NEW PROBLEMS AHEAD

The coming session of Congress opening in January will bring some very definite problems. On them we will need your counsel and help. Of many that might be mentioned, I shall discuss briefly three:

1. Adequate financing for the trust fund.

2. A demand for greater highway safety.

3. Requests by States for recognition of money they have put into free roads and toll roads that are on the Interstate System.

I will take them up in reverse order.

First, then, as to the requests by States for recognition of the money they have put into both free roads and toll roads that have become a part of the Interstate System.

I must frankly admit that I did not realize the importance of this matter to some States until I drove to New York, up the Thruway, and into Connecticut and into Massachusetts and saw what splendid and expensive modern highways were being or had been built on the initiative of those States without getting apportionments on a 90-to-10 basis of Federal aid, yet which would be parts of the Interstate System.

In New York, for example, I was told that 540 miles of the 1,210 miles of interstate in that State, are on that toll road—a project with a construction cost of $800 million absorbed into the Federal system without earning as of this time any credit in the apportionments to that State. Also, that an additional $100 million would be put into bridges and traffic separations as a part of the Interstate System but financed by tolls and getting no recognition in apportionments.

In Kansas, I am told, one-half of her toll road system is similarly incorporated into the Interstate System without reimbursement. And a similar point could be made for toll roads in New Jersey, New Hampshire, Massachusetts, Connecticut, Virginia, West Virginia, Ohio, Illinois, and Indiana.

INTEGRATION OF STATE ROADS

But if this point can be made for States with toll roads that are incorporated into the Interstate System without reimbursement, what about the same States and other States which see many miles of roads that have been paid for on a regular 50–50 matching basis and are put into the system without either tolls or apportionment to reimburse the States? Obviously, they are entitled to consideration, too.

During a hearing on this matter, last spring, we were told by the Bureau of Public Roads that $4.83 billion would be required to reimburse the several States if they were to be reimbursed at this time for the depreciated value of all the roads, toll and free, that are being made a part of the Interstate System.

That figure illustrates the difficulty of doing anything with the problem at this time. It would take the funds equal to 2 years of past apportionments to fully reimburse the States on that basis. I am sure that no one wants to suspend the construction program for 2 years in order to do that.

The Bureau of Public Roads, however, is under a congressional directive to report to the next Congress on possible formulas for reimbursement. While recognizing there is merit in the principle of reimbursement, I for one believe we cannot accept any formula which would interrupt or delay the construction program now underway. I hope your association will feel the same way about it.

HIGHWAY SAFETY IMPORTANT

A second problem which I predict will receive increasing attention in Congress is that of highway safety. Public opinion will not forever tolerate the casualty lists that papers carry today of fatalities and injuries due to highway accidents.

In the last Congress, no less than 30 bills were introduced which proposed to deal with highway safety in one way or another. Five of them proposed studies and investigations—notwithstanding the parts of existing law which place upon the Bureau of Public Roads the responsibility for a continuing study of accidents and efforts to reduce them by methods of design and construction.

The Bureau of Public Roads has studied and analyzed and is installing electronic equipment better to catalog types and causes of accidents—but no mere classifying of accidents is going to correct the situation unless we have the courage to enact necessary legislation at State and Federal levels.

Three separate bills proposed requiring safety belts to be installed on automobiles sold in interstate commerce. Three others proposed speed limitations with speedometer control or other devices.

One bill would sanction interstate compacts to promote highway safety while another would encourage the establishment of uniform traffic laws throughout the several States. Another would require luminous buttons or strips on freight cars in an effort to prevent broadside crashes into trains stopped at or passing highway crossings. Another would reward acts of heroism by drivers of motor vehicles under carrier regulations of the Interstate Commerce Commission.

This review does not exhaust the list or the approaches to the problem but should suffice to indicate a growing consciousness on the part of Members of Congress that something should be done to reduce the accidents that, in round figures, are killing 40,000 people a year in the United States and injuring three to four times that number, with a terrible cost in pain, suffering, lost time, broken families, maimed and crippled people—to say nothing of high insurance rates.

STUDIES UNDERWAY

Executive agencies are making studies of accidents. In addition to the activities of the Bureau of Public Roads under section 117 of the Federal Aid Highway Act of 1956 in attempting to classify accidents by types, the Department of Health, Education, and Welfare has completed 1 year of fieldwork in an effort to evaluate national well-being in terms of highway accidents.

I am told that these studies bring out a lack of uniformity in definition and reporting of accidents and their causes. The Bureau of Public Roads is trying to get statistics on a fairly uniform basis from 11 States. This data will be put through an electronic high-speed computer in an attempt to determine accident rates by speed, type of vehicle and kind of driver. An intensive accident investigation project is underway at Northwestern University. The President's Committee for Traffic Safety plans to present legislative needs to the several State legislatures.

These steps are all to the good—but it is becoming increasingly clear, I believe, that mechanical devices in the cars and safety designs in highway construction will not of themselves prevent many of the most tragic accidents which are catalogued under the head of reckless driving.

I was impressed some months ago to see an article in the Saturday Evening Post with this title: "We Jail Drunken Drivers." The article was by Goodwin J. Knight, Governor of California—so in the State which is host to this convention, I offer my commendation for his frank statement of a policy which other States might well adopt.

DRUNKEN DRIVING

Somehow since the repeal of the Prohibition amendment it has seemed to be regarded as politically unethical to propose legislation to deal with excessive use of liquor and dangerous to report that an accident in early morning hours was due to careless driving by a drunken driver. That, of course, is not always the cause but many an innocent life has been snuffed out in an accident labeled as reckless driving where the circumstances clearly indicate a more precise cause could be given.

We can design and build roads and intersections for greater safety but all this will be for naught unless the man or woman, the boy or girl at the wheel has the competence and the sense of responsibility necessary to drive safely for those they meet on the road as well as those who ride with them.

Police powers under the Constitution rest with the States—but I do not hesitate to say that if the States fail to enact adequate and effective legislation on car inspection, driver tests and driver performance, the Federal Government will find a way to do so. An aroused public opinion will demand that it do so.

ADEQUATE HIGHWAY FINANCING

I come now to the first problem that I listed—perhaps the one that is first in priority as a mechanical matter of highway legislation—namely, that of adequate financing for the highway trust fund.

We are told that revenues accruing to the trust fund during the fiscal year 1957 and 1958 totaled $3,526 million, or $41 million more than the original estimates. During the first 4 months of this fiscal year, the revenues have been slightly below estimates.

Last spring and summer Congress passed, and the President approved, legislation directing that the full amount for the several Federal aid systems should be apportioned to the States notwithstanding the provisions of the so-called Byrd amendment which is found in section 209(g) of the 1956 Highway Act. That is the portion of law which says that apportionments for Interstate System aid for any fiscal year may not exceed the amounts expected to be available in the trust fund to liquidate obligations resulting from such apportionments.

As a result of that waiver of the Byrd amendment, full apportionments were made for 1959 and 1960. Under present law, money will have to be borrowed from the general funds of the Treasury to meet the obligations that will accrue under the apportionments. But also, under existing law, amounts so borrowed must be repaid and those repayments must be provided for before apportionments can be made for 1961 and subsequent years.

I am advised by the Bureau of Public Roads, then, that on the basis of present estimates, there will be no funds available to make apportionments for the Interstate System for the fiscal year 1961. And that the interstate apportionment for fiscal 1962 could not exceed $600 million and that thereafter the interstate apportionment would range from $1.3 to $1.5 billion per year in accordance with amounts estimated to be available in the highway trust fund for the interstate program, instead of the $2.5 billion authorized in the basic legislation if available. Congressman FALLON told us this

morning that the prospective shortage in the fund may even reduce the apportionment for ABC roads by $200 million for 1 year if the fund is not rehabilitated.

FIVE POSSIBLE SOLUTIONS

This creates a situation which must engage the attention of the public works committees and roads subcommittees in the next Congress. One does not have to be a prophet to predict that there will be a variety of opinions on what to do about it. At least five possible solutions suggest themselves:

1. Place the burden of rehabilitating the trust fund on the general funds of the Treasury.

2. Increase the present tax levies which go into the trust fund, meaning most likely an increase in the Federal gasoline tax.

3. Adopt some new or additional levies and dedicate the revenue to the highway trust fund.

4. Authorize a special bond issue to cover the anticipated shortage in the trust fund and extend the period of time for which the special levies are now authorized from a total of 16 years to 17 or 18 years, or whatever may be needed to retire the bonds.

5. Modify the scope of or standards required in the Interstate System; in other words, a stretchout.

I shall give only a sentence or two of comment upon each of these possibilities. I have no doubt each one present has some idea about them.

Resolution No. 1

On solution No. 1, the taking of funds from the Treasury, we can expect vigorous opposition, not only from the Treasury Department but from powerful Members of Congress in both parties who resist any move to increase the national debt. Many of these people are members of the House Ways and Means Committee or of the Senate Committee on Finance who would pass upon any legislation dealing with the subject.

To propose the assigning to the trust fund of any revenues from levies or excise taxes not now dedicated to that fund would be regarded as equivalent to taking the deficit money from the general funds of the Treasury and would meet the same opposition.

Such a solution, in my judgment, could not be enacted into law. If it should pass Congress, which is doubtful, I would expect a Presidential veto that could not be overridden in the face of the present high national debt and the prospect of $10 or $12 billion deficit in the current fiscal year.

Resolution No. 2

With regard to solution No. 2, an increase of the Federal gas tax, there will be some support, possibly administration support. For myself, I cannot be enthusiastic about such a solution. Many States either raised their gasoline tax in the last legislature or faced that possibility for next year. Public opinion would react badly to another Federal gasoline-tax increase—at least, until the new highway building, and particularly the Interstate System, has had more of a chance to show the economies and benefits that can flow from this development.

In passing I would make this observation: people who travel toll roads and pay 1½ cents per mile for the privilege are paying the equivalent of a 22-cent gas tax, assuming that the average car makes 15 miles per gallon.

In time, if the Interstate System achieves the acceptability that toll roads have won, an increase in the gas tax may be popular as a means of expediting conclusion of the system. That time is not yet.

It must be kept in mind that a great many people do not travel and will not be near to any part of the Interstate System. An increase in the gas tax will be paid by them as well as by Interstate Highway users. True the ABC roads come out of the trust fund but the Interstate apportionments take more than twice as much money as do the ABC roads. It is also to be kept in mind that an increase in gas taxes also makes a levy on those who use and pay for the toll roads.

Thus a solution based upon increasing the Federal gas tax will have its problems even though the method is appealing from the standpoint of easy administration and costs of collection.

Resolution No. 3

As for solution No. 3: New levies or sources of revenue. Only one comes to my mind, the possibility of employing a windshield sticker as a highway use fee to be collected by selling a stamp at the postoffices as was done during the war.

Publicity on the fact that the proceeds from the windshield stamp were to be used to pay for the road program would help but could hardly make this plan popular. A $5 stamp for passenger cars and a graduated stamp for pickups, trucks and buses could raise from $400 million to $900 million per year, depending, of course, upon the size of the stamps required for trucks and buses.

Even at the lower figure, with an even $5 stamp for all motor vehicles on the highways, the receipts if continued for the remaining period of the original 16-year levy period would probably retire or liquidate any shortage in the trust fund. This approach to the problem should be explored along with other possible solutions.

Resolution No. 4

Solution No. 4: The authorization of a special bond issue with the bonds to be retired by extension of the period of time for existing levels dedicated to the trust fund is the one for which I have heard most congressional support.

It has the defect, of course, of adding to the national debt, either directly or indirectly. However, it would have the virtue of carrying a specific plan for retirement of that debt increase which cannot be said for most other increases of the debt. Certainly this proposal deserves serious consideration.

Resolution No. 5

As for No. 5—modification of the scope or standards now required for the Interstate System, you may expect this answer to be pushed by some influential people.

An example came to my attention on my way to this gathering. The Deseret News-Salt Lake Telegram for November 29, 1958, devoted its major editorial to the subject and closed with these questions:

"Why can we not slow down the construction program, in other words, to fit the receipts rolling in? Those receipts amount to staggering totals—$8 billion by 1960, for example, which is just eight times the largest yearly amount ever spent by the Federal Government for highways before this highway program was adopted. Are expenditures of that magnitude really so inadequate?"

With a Federal budget facing a $12 billion deficit and new taxes unpopular, this attitude will develop support in many places.

So—we who are engaged in the building of a modern highway system for the people of the United States face some problems as we approach the year 1959 and a new session of Congress.

It would be possible for members of your association to say, "Oh, well, it is the business of Congress to find answers to these problems."

Similarly, members of the Committees of Public Works could say, "Oh, well, it is the business of the Finance and Ways and Means Committees to find the revenue to pay the bills. We are only supposed to map programs that will develop the country."

To such attitudes, however, I respectfully recall the story of the guide my prospector friend found up north. If he was hired to cook, he felt no obligation to be a guide, he had no feeling about teamwork. None of us desires a stretchout in the interstate program but if that is to be avoided, there must be an answer to the question: where do we get the money for the trust funds? We cannot dispose of it by saying that we were only hired to cook. Someone must guide.

I said at the first of my remarks that road building in the United States has been the outstanding example of a working partnership between the several States and the Federal Government.

Under the inspiration of the message of President Eisenhower to the Governors' conference in 1955, the greatest roadbuilding program for this or any other nation in the history of the world was authorized and begun.

Each year, the dollar volume for that program is 10 times greater than the original cost of the Panama Canal. Everyone who has a part in this program, everyday worker, contractor, engineer, highway official, legislator or Congressman has a right to take pride in the program.

It is a constructive program not a destructive one. While valuable for national defense, its primary benefits are from day to day in adding to the pleasures, conveniences and welfare of the people in peacetime.

It is a partnership job—and I am confident that the Congress will have in the future, as it has had in the past, the counsel and the support of the American Association of State Highway Officials.

HIGHWAY FINANCING

(Remarks of Senator FRANCIS CASE, of South Dakota, before the American Road Builders Association, Dallas, Tex., January 19, 1959)

The big road program is rolling. In 1958 $6.2 billion went to work on roads in the United States, an all-time high.

Congress passed its regular biennial highway act with approval of the revised cost estimates and authorized using them for making apportionments for the Interstate System for 1960 and 1961, at a rate of $2.5 billion for each year, started an annual increased increment of $25 million per year on the ABC roads, provided a new D program with $400 million for emergency or problem areas within the States, and wound up with a single act codifying all highway acts and their amendments into one compact document.

It was a notable year for roadbuilders in Congress, at the Bureau of Public Roads, in the several State highway departments and out on the highways and byways where the people want—and now are getting—better roads.

WHERE TO GET THE MONEY

But, as Federal Highway Administrator Bert Tallamy said to the American Association of State Highway officials at San Francisco a month ago, "It would be near the truth to say that all our problems are practically solved except the big one."

That big one, of course, is that old pocketbook problem—where are you going to get the money? The highway trust fund will, prospectively, be out of cash when the ABC apportionments are made in June this year for fiscal year 1961 and there will be nothing on which to make the 1961 apportionments for the Interstate System.

That will be due to the operation of section 209(b) of the Highway Revenue Act of 1956, known as the Byrd amendment.

Similarly, only $600 million will be available for the authorized $2.5 billion for 1962. Thereafter the interstate apportionment would range from $1.7 billion to $1.8 billion per year, roughly three-fourths of the authorizations.

BILLIONS SHORT

Put another way, over the span of the remaining years of the interstate program,

the highway trust fund will be short a gross total of $13.3 billion, under present estimates. It adds up this way:

	Billions
Increased cost estimates on Interstate System (including the added 1,000 miles to 41,000)	$10.4
Increase ABC apportionments by $25 million per year up to an annual $1 billion per year	1.5
Allowance for the Federal or public land road items	1.0
New D program for problem areas	0.4
Total	13.3

Or, if we allow for contingencies, we could add $200 million and round off the problem at $13.5 billion for the 10 years.

To meet the immediate problem of apportionments for fiscal 1961 and 1962, I understand that the President's budget message being sent to the Congress today will probably recommend an additional gas tax levy of 1½ cents per gallon. That, it is estimated, will yield $1.7 billion per year, and supply the three-fourths deficiency indicated for those years.

The Bureau of Public Roads, by congressional directive, is presently engaged in making comprehensive studies from coast to coast to get a better idea of the distribution of benefits from improved highways. We in Congress directed the study in the belief that it would give guides which would be useful in future legislation, particularly in any reshifting of taxes or increase of levies.

ALTERNATIVE FINANCING METHODS

An increase in the gas tax is not the only method of meeting the problem which has been suggested. Other approaches mentioned include:

1. Taking funds from the General Treasury, which, of course would add to the Treasury's current deficit prospects.

2. Allocating to the trust fund the proceeds of certain excise taxes already levied, which, of course, would have the same effect on the Federal deficits and debt.

3. Giving special borrowing authority to the trust fund to go into the market and sell short- or long-term obligations to meet actual cash requirements and extending existing levies beyond 1972 to meet them.

4. Extension or readjustment of the authorized building program.

There is one other complication which I think has not been faced but which I foresee; namely, that Alaska at once, and Hawaii in the near future, will be asking for an allocation of some funds on a 90-percent Federal basis for the construction of some part of their highways, with controlled access design to connect principal points, even though a strictly interstate connection may not be possible. The new States will be paying the same Federal gas tax that other States do.

So, there is the big problem. I could discuss it further, but I anticipate that the question and answer plan for the panel will bring out the particular phases of the problem and possible solutions that are of most interest to you.

I assure you, President Steelman and delegates, that it is always a pleasure to meet with you and to get the benefit of your counsel as well as to share your enthusiasms in the great job of building better roads for a better America.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 26, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Isaiah 12: 2: *The Lord Jehovah is my strength, my song, and my salvation.*

Infinite and eternal God, as we continue to address ourselves to the responsibilities of this new day, may we be blessed with the spirit of wholehearted devotion.

Expand and enlarge our feelings of concern and considerateness for Thy needy children who are hungry and homeless and hopeless.

Daily may we gird ourselves with courage and confidence as we seek to build a world fellowship ruled by the ideals and principles of the lowly man of Galilee.

We thank Thee for the life and ministry of our colleague whom Thou hast called unto Thyself to dwell with Thee in eternal blessedness. Grant unto the members of his family the consolations of Thy grace.

Hear us in Christ's name. Amen.

The Journal of the proceedings of Thursday, January 22, 1959, was read and approved.

ANNOUNCEMENT

The SPEAKER. The Chair announces there will be no business today except a request from the majority leader and the chairman of the Committee on Rules.

TODAY'S SPECIAL ORDERS TRANSFERRED

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that special orders granted for today may be transferred to tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, without establishing a precedent, in view of the death of our colleague, I ask unanimous consent that all Members who desire to do so may extend their remarks in the CONGRESSIONAL RECORD today and include therein extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

THE LATE HON. GEORGE H. CHRISTOPHER

The SPEAKER. The Chair recognizes the gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Speaker, it is with profound regret, and a deep sense of personal loss, that I announce the unexpected and untimely death of our colleague, Congressman GEORGE H. CHRISTOPHER, of Missouri.

He fell as falls the soldier in press of battle and with his face to the front.

He died as he would have preferred to die, with his harness on and driving hard, full speed ahead in behalf of those who sent him here, and for what he conceived to be the best interests of his people and his country.

He was one of the most lovable men I ever knew; and he was one of the most effective Members of the House and represented, to a degree seldom equaled by Members of the Congress, the wishes and interests of his neighbors and his constituents.

He was one of the few men, if not the only man, approved during his first term, to answer in the catch-as-catch-can debate on the floor attacks by the opposition on pending agricultural legislation. He understood the needs and problems of agriculture from firsthand experience and his short, terse interpolations discomfited many a speaker and exposed the fallacy of many carefully prepared speeches.

His career was a striking example of the freedom of opportunity and the limitless possibilities offered under our form of government. Starting as a young man without land or capital or influence, he amassed a competency including hundreds of acres of land, with every facility of stock and equipment. From this farm he went to the greatest parliament in the world.

"Seest thou a man diligent in his business? He shall stand before kings."

There was no proposal or plan or program of credit or conservation or cooperation offered by the Department of Agriculture in his long and busy life in which he was not a participant. The soundness of his position on farm questions was that he spoke from firsthand knowledge and an intimate familiarity with every phase of farm production and management. Supplemented by unerring judgment and a wide knowledge of public affairs, he served his district and his State with remarkable efficiency.

When he announced his candidacy to succeed himself in the 86th Congress he was handicapped physically and politically to the extent that his opponents marked him for slaughter and even his friends despaired at times. But through sheer courage and endurance he fought through a spirited primary and election to win a decisive victory. He won on his record of service and the warm friendship of thousands whom he had befriended and benefited collectively and individually.

He started his business life with but one asset, the young wife he had just married. And through the years, until her loss at the close of his first term in Congress, she remained his principal asset.

They reared nine children—seven stalwart sons and two charming daughters. In talking with one of them I realized, without being told, what a wonderful father he had been. The Fourth District loses a constructive statesman. The State loses a great Missourian. But they have lost a father.

Our hearts go out to them.

Mr. Speaker, I wish to include the following material as a part of my remarks.

BUTLER BAPTIST CHURCH,
Butler, Missouri, January 28, 1959.

IN REMEMBRANCE

God hath not promised
Skies always blue,
Flower-strewn pathways
All our lives through;
God hath not promised
Sun without rain,
Joy without sorrow,
Peace without pain.

But God hath promised
Strength for the day,
Rest for the labor,
Light for the way.
Grace for the trials,
Help from above,
Unfailing sympathy,
Undying love.

In Memory of
Hon. GEORGE H. CHRISTOPHER
Born
December 9, 1888, Bates County, Mo.
Passed away
January 23, 1959, Washington, D.C.
Services at
Butler Baptist Church, January 28, 1959, 2 p.m.
Officiating
Rev. Orval Woolery
Final Resting Place
Oak Hill Cemetery
Casket Bearers

John W. Fritz	Wm. A. Fritz
Ralph O. Fritz	Joe L. Clapp
C. Walter Stanfill	Marvin C. Durst

Honorary
Amsterdam Masonic Lodge No. 141
Congressional Delegation
Missouri State Officials
Soloist—Eileen Durst
Accompanist—Ruth Woolery
Masonic Rites at Graveside

WASHINGTON, D.C., *January 26, 1959.*
The Family of Hon. GEORGE H. CHRISTOPHER,
Washington, D.C.:

In the loss of your fine and distinguished relative, you have my deepest and sincerest sympathy. He really served well and faithfully his day and generation.

Sincerely,
SAM RAYBURN.

WASHINGTON, D.C., *January 24, 1959.*
Mr. and Mrs. RAY RATLIFF,
Washington, D.C.:

Terribly sorry to hear sad news. Deepest sympathy to you and yours.
STUART SYMINGTON.

WASHINGTON, D.C., *January 26, 1959.*
Family of Hon. GEORGE H. CHRISTOPHER,
Washington, D.C.:

I am greatly saddened to learn of the passing of your father. On behalf of the officers and airmen of the United States Air Force, I extend to you our deepest sympathy.
THOMAS D. WHITE,
Chief of Staff,
United States Air Force, Washington, D.C.

WASHINGTON, D.C., *January 26, 1959.*
Family of Hon. GEORGE H. CHRISTOPHER,
Washington, D.C.:

On behalf of the United States Air Force as well as Mrs. Douglas and myself, I extend deepest sympathy to you on the passing of your father.
JAMES H. DOUGLAS,
Secretary of the Air Force.

WASHINGTON, D.C., *January 28, 1959.*
The Family of Hon. GEORGE H. CHRISTOPHER,
Washington, D.C.:

Your beloved relative and my distinguished colleague was a true public servant, a man of unconquerable spirit. Our entire Nation shares deeply with you in his loss.
CHARLES C. DIGGS, Jr.,
Member of Congress,
Thirteenth District of Michigan.

WASHINGTON, D.C., *January 27, 1959.*
Mrs. RAY J. RATLIFF and
Family of Hon. GEORGE CHRISTOPHER,
Butler, Mo.:

May we extend to you our deepest sympathy. GEORGE CHRISTOPHER was one of the truly great men of our time and one of the ablest and most faithful rural electrification leaders in the United States Congress. He will be missed by rural people throughout the Nation.
CLYDE T. ELLIS,
General Manager,
JOHN M. GEORGE,
President,
And Board of Directors of National Rural Electric Cooperatives Association.

WHITEMAN AFB, Mo., *January 24, 1959.*
The GEORGE H. CHRISTOPHER Family,
Butler, Mo.:

The officers and airmen of Whiteman AFB wish to extend their deepest sympathy to you on the loss of your father. We have lost a real friend whom we shall truly miss.

Sincerely,
HAROLD E. HAMFELD,
Colonel, USA, Commander.

CORPUS CHRISTI, TEX., *January 25, 1959.*
The Family of Hon. GEORGE CHRISTOPHER,
Washington, D.C.:

America has lost a great son. All the veterans and their loved ones particularly mourn the loss of a true friend. Proudly, we salute his memory, for he was a real patriot, and extend to you our deepest sympathy.
AL AND ICIE SHOOP,
Commander and President, Corpus Christi Barracks No. 1070, and Ladies' Auxiliary, Veterans of World War I.

KANSAS CITY, Mo., *January 28, 1959.*
The CHRISTOPHER Family,
Butler, Mo.:

The deep and heartfelt sympathy of the officers and members of our committee is extended to each of you in your great loss and sorrow.
JERRY IRVING,
Secretary, Kansas City Area,
COPE AFL–CIO.

VETERANS' ADMINISTRATION,
Washington, D.C., January 28, 1959.
The Family of Hon. GEORGE H. CHRISTOPHER,
Butler, Mo.

DEAR FOLKS: I am sending this note to tell you how grieved I am at the passing of my friend, Congressman CHRISTOPHER. He was a valuable member of the Veterans' Affairs Committee and a fine person with whom to be associated.

My sincere condolences.

Sympathetically,
SUMNER G. WHITTIER,
Administrator.

DEPARTMENT OF THE AIR FORCE,
OFFICE OF THE SECRETARY,
Washington, D.C., January 26, 1959.
Family of Hon. GEORGE H. CHRISTOPHER,
Washington, D.C.:

Mrs. Fisher and I have learned with sadness of the death of your father. While there is little one can say or do in times like these to ease your feeling of sorrow, we should like you to know that you have our profound sympathy.

Sincerely yours,
W. P. FISHER,
Major General, USAF,
Director, Legislative Liaison.

THE SECRETARY OF THE NAVY,
Washington, D.C., January 30, 1959.
Mrs. RAY J. RATLIFF,
Washington, D.C.

MY DEAR MRS. RATLIFF: It was with deep regret that I learned of the death of your father.

On behalf of the members of the Naval Establishment, I wish to express to you, your brothers and your sister our heartfelt sympathy in your great loss.

Sincerely,
THOMAS S. GATES, Jr.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 26, 1959.
Mrs. RAY J. RATLIFF,
Washington, D.C.

DEAR MRS. RATLIFF: It was with regret that I learned Saturday morning of your father's death. He was a man of courage and integrity in both his political and personal life. As you know, he was always kind to me and it was a genuine pleasure to be associated with him.

You know that you have my deepest sympathy.

Sincerely,
JACK BROOKS.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 27, 1959.
Mrs. RAY J. RATLIFF,
Washington, D.C.

DEAR MRS. RATLIFF: It deeply grieved me to learn of the death of your father, Congressman GEORGE CHRISTOPHER.

May it comfort you to know that your father was highly admired and respected by all his colleagues.

With every good wish,
Sincerely yours,
MARTHA W. GRIFFITHS,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 26, 1959.
Mr. and Mrs. RAY J. RATLIFF,
Washington, D.C.

DEAR MR. AND MRS. RATLIFF: Mrs. Rivers joins with me in extending our deepest sympathy to you at the passing of Mr. CHRISTOPHER. His friendliness to all of us from Alaska, and his stanch support of Alaska's statehood cause will not be forgotten as long as we live.

By the same token, I am sure that our fond memories of Mr. CHRISTOPHER and his warm and sterling qualities will be a continuing inspiration through the years.

Our thoughts and hearts will be with you during the days to come.

Sincerely,
RALPH J. RIVERS,
Member of Congress.

DEMOCRATIC NATIONAL COMMITTEE,
Washington, D.C., January 25, 1959.
Mrs. RAY J. RATLIFF,
Washington, D.C.

DEAR MRS. RATLIFF: We are all deeply saddened to learn of the passing of your father

and offer our condolences to you and your family at this time of great sadness for you.

We feel that we have lost a true friend and loyal supporter of our party's philosophies and programs. Congressman CHRISTOPHER's dedicated service in public office on behalf of the majority of the people will be sorely missed.

My personal sympathy to you in your great loss.

Sincerely,

PAUL M. BUTLER.

NATIONAL FARMERS UNION,
Washington D.C., January 27, 1959.

Mrs. RAY RATLIFF,
Washington, D.C.

MY DEAR MRS. RATLIFF: I wish to extend to you and your family my very deep and sincere sympathy in the tragic loss of your wonderful father, Congressman CHRISTOPHER.

He made a great contribution to agriculture, and particularly to the family farmer.

My kindest personal regards,

Most sincerely,

JAMES G. PATTON,
President.

HEADQUARTERS 2D AIR FORCE,
BARKSDALE AIR FORCE BASE, LA.,
January 28, 1959.

Mrs. RAY RATLIFF,
Washington, D.C.

DEAR MRS. RATLIFF: It was with deep regret that I learned of your father's fatal illness.

Congressman CHRISTOPHER was a stanch friend of Whiteman Air Force Base, and we feel that his death is a real loss to the Air Force community in the Fourth District.

Please accept and convey to your brothers and sister my deepest sympathy.

Sincerely,

J. P. MCCONNELL,
Major General, USAF,
Commander.

BUTLER, MO., *January 28, 1959.*

DEAR MRS. RATLIFF: Missouri has most certainly lost one of its finest men. As the saying goes, your father passed on while in harness, and I'm sure that's the way he would have chosen.

My respects and deepest sympathy to you all.

Respectfully,

T. W. ARNOLD, JR., D.D.S.

VETERANS OF FOREIGN WARS,
JACKSON COUNTY COUNCIL,
Kansas City, Mo., January 27, 1959.

Mr. and Mrs. RAY RATLIFF,
Butler, Mo.

DEAR MR. AND MRS. RATLIFF: I am herewith enclosing a copy of a resolution which was adopted by the Jackson County Council of the Veterans of Foreign Wars. The resolution speaks for itself, but I would add that we feel we have lost a true friend in the Congressman.

We join your many friends in sending you our deepest sympathy.

Sincerely,

ELTON LYONS, *Commander.*

Enclosure.

RESOLUTION

Whereas God in His infinite mercy has taken GEORGE H. CHRISTOPHER from our midst; and

Whereas GEORGE H. CHRISTOPHER, for many years and while serving in the Congress of the United States, has given freely of his time to help the veterans, their widows and children, and, more particularly, veterans who have not been able to fully care for themselves; and

Whereas GEORGE H. CHRISTOPHER has sponsored and championed the cause of the veteran, his widow and his children, in the Congress of the United States; and

Whereas GEORGE H. CHRISTOPHER on many occasions intervened and interceded in behalf of the veteran, his widow and his children, before many Federal agencies; and

Whereas not only because of GEORGE H. CHRISTOPHER'S great and unselfish work in behalf of the veteran, but also because of his personal splendid character, his great integrity, and his intense loyalty to serve the veteran, his widow and his children: Wherefore be it

Resolved, That the Jackson County Council of the Veterans of Foreign Wars by this humble gesture passed and unanimously adopted so that the records of the council, by this resolution, will reveal an outstanding, unselfish and tireless worker in behalf of the veteran, and one who contributed much to the aims and the purposes of the Jackson County Council of the Veterans of Foreign Wars in their efforts in behalf of the veteran; and be it further

Resolved, That a copy of this resolution be forwarded to the family of GEORGE H. CHRISTOPHER.

KANSAS CITY, MO., *January 26, 1959.*

To the Family of the Late Congressman,
GEORGE H. CHRISTOPHER, *Butler, Mo.:*

Now while the heart is heavy
You may not see the way,
Or look to the far horizon
For a brighter, fairer day,
And yet in the very present
Are hearts whose love is true,
And time with mystic healing
Will bring sweet peace to you.

DEAR CHILDREN: I want to say the farmers and laboring people of the United States have lost one of their greatest friends, and the State of Missouri, one of the finest citizens, we were ever privileged to have.

Your father was honest, courageous, and never feared to do the right. Nowadays you can count them on your fingers.

Hope each and every one of you will follow in his footsteps and make outstanding men and women.

God bless you.

KITTIE WALLACE YOUNG.

THE ANACONDA CO.,
Washington, D.C., January 27, 1959.

Mr. RAY J. RATLIFF,
Washington, D.C.

DEAR RAY: It was a great shock to hear of the sudden death of Congressman CHRISTOPHER.

He was a fine and sincere man, and I know will be a great loss to the Congress of the United States.

We wish to extend to you and Mrs. Ratliff our deepest sympathy in your bereavement.

Sincerely yours,

A. E. WILKINSON.
MABEL L. MCGRATH.

KANSAS CITY, MO., *January 24, 1959.*

Mrs. MOINA E. RATLIFF,
Washington, D.C.

DEAR MOINA: I awoke this morning to the sound of my radio announcing the passing of the Honorable GEORGE H. CHRISTOPHER. As you may know I received a telegram from Mr. CHRISTOPHER yesterday, January 23, notifying me of his nomination for me to the Air Force Academy. I had planned to write a letter of thanks this morning, but his passing makes it hard to put in words just what to say. I wish to express my sympathy to you, his family, and the rest of the office staff in these trying days. This gives me even more reason to win an appointment to the Academy to show the people who were connected with him his ability to pick young men as leaders of tomorrow. Again I wish to express my deepest sympathy.

I am,

Very sincerely,

THOMAS G. ASHBY.

WARRENSBURG PRODUCTION
CREDIT ASSOCIATION,
Warrensburg, Mo., January 28, 1959.

The GEORGE CHRISTOPHER Family,
Washington, D.C.

DEAR FRIENDS: It is with deep regret that we have learned of the passing of our friend, production credit member, and Congressman. We know of the tireless efforts put forth by Mr. CHRISTOPHER, not only for the continued growth of production credit, but for agriculture in general. He was a man who would not let opposition deter him in his endeavors for the things he believed in.

The loss of Mr. CHRISTOPHER will be keenly felt by all who knew him, and admired him for his integrity.

On behalf of the production credit association, board, and staff, we extend our heartfelt sympathy.

Sincerely yours,

PAUL V. SLUSHER,
President, Board of Directors.
L. A. BOCKENSTETTE,
Director, Cass County.
GLEN CRIM,
Secretary-Treasurer.

AMERICAN MEDICAL ASSOCIATION,
Chicago, Ill., January 26, 1959.

Mrs. RAY J. RATLIFF,
Washington, D.C.

DEAR MRS. RATLIFF: It was my good fortune to have been counsel for the Veterans' Affairs Committee for the past 11 years and during this time, of course, I became acquainted with your father, the late Congressman CHRISTOPHER.

I was saddened to read in the paper Saturday morning of his passing and feel that I have lost a real friend. I got acquainted with him in the work of the committee but more particularly when I was along at a hearing in which he was interested in Kansas City a few years ago. I shall always remember his keen sense of humor and how reasonable he was to work with.

My sympathy goes out to you and other members of your family in your loss.

Sincerely,

EDWIN B. PATTERSON,
Manager.

MISSOURI STATE RURAL
ELECTRIFICATION ASSOCIATION,
Jefferson City, Mo., February 3, 1959.

Mrs. RAY J. RATLIFF,
Butler, Mo.

DEAR MRS. RATLIFF: In the belief you would rather have not been bothered with letters of condolences during the period of great sorrow and shock that was suddenly thrust upon you and your family, I have purposely withheld writing you.

As I'm sure you are fully aware, I considered Mr. CHRISTOPHER one of the truly great men that it has been my pleasure to know. Without a doubt, the farmers and common people throughout Missouri and the Nation have lost one of their greatest leaders and friends. One of the most pleasant memories of my life will be the simple fact that I not only worked with Congressman GEORGE H. CHRISTOPHER, but that I knew beyond all doubt that he considered me as a trusted friend.

On behalf of every official of our association may I extend to you and the other members of your family our deepest sympathy.

Sincerely yours,

JULIUS HELM,
General Manager.

BARTON COUNTY ELECTRIC CO-OP, INC.,
Lamar, Mo., February 16, 1959.

Mr. JULIUS HELM,
General Manager, Missouri State Rural Electrification Association, Jefferson City, Mo.

DEAR JULIUS: As per your request, I have attempted to rewrite the eulogy delivered at the congressional breakfast on February 10. The wording is probably not exactly the same; however, it is substantially correct. Please use your own judgment in editing and rewording as might be desirable.

"Mr. Chairman, distinguished guests, ladies and gentlemen, there is nothing I can say here this morning that would pay proper tribute to the memory of one of the greatest champions of the causes of our rural people.

"I am speaking, of course, about the Honorable GEORGE CHRISTOPHER who was Congressman from my district.

"I think we should observe a moment of silence as a token of our esteem; will you please stand.

"Thank you, ladies and gentlemen."

I hope this will answer the request.

Sincerely yours,
CHAS. W. HOLCOMB, *Manager.*

BROTHERHOOD OF RAILWAY CLERKS,
GATEWAY LODGE NO. 2024,
Kansas City, Mo., March 9, 1959.

IN TRIBUTE TO THE LATE HONORABLE GEORGE H. CHRISTOPHER

Scripture: John 1:4–7. *In him was life; and the life was the light of men.*

And the light shineth in darkness; and the darkness comprehended it not.

There was a man sent from God, whose name was John.

The same came for a witness, to bear witness of the Light, that all men through him might believe.

Remarks:

The Honorable GEORGE H. CHRISTOPHER was my friend and as friends we had things in common. Among the things we held in common were our God and the "human family" to which he consecrated so much of his interest and influence. I would say of Mr. CHRISTOPHER that "he went about doing good and the common people heard him gladly."

When God saw fit to take his devoted wife from this world, Mr. CHRISTOPHER remarked that if God needed her worse than he did, that God was certainly short of help. This remark was not made with any bitterness but in an attitude of appreciation for the years his wife had so tirelessly stood by him as companion—a helpmate ordained of God for GEORGE H. CHRISTOPHER—the mother of his children. At a time when the world is in dire need of the counsel of men such as GEORGE H. CHRISTOPHER, we say in this same attitude—"If God needed him worse than we do, He is certainly short of help."

Prayer:

Omnipotent, omniscient, and omnipresent God, in this time of sorrow we would thank you for your love, for your mercy, for your presence. We thank you for the life of this one to whom we pay tribute today. We thank you for the footprints he has made on the threshold of this generation. We pray that we might follow these footprints, for we believe them to be just, unselfish, dedicated, consecrated, directing us toward peace in a world where hunger shall be obliterated and where the "human family" he loved will be recognized as "created in the image of God." Raise up another like unto this one whose passing we mourn, that we might have new hope for tomorrow.

Bless these children and their children in this hour of sorrow and loneliness. As you have stilled the stormy tempest, still the tempest within their hearts; be their guiding light.

Finally, God, bless the good earth which he loved as she receives him back into her strong bosom to give him rest from his labors. Hallow this grave till Jesus come, we pray.

J. A. SANDERS.

Mr. RAYBURN. Mr. Speaker, my tribute to Mr. CHRISTOPHER is contained in a telegram which I herewith ask to be my remarks:

JANUARY 26, 1959.

The FAMILY OF HON GEORGE H. CHRISTOPHER,
House Office Building,
Washington, D.C.:

In the loss of your fine and distinguished relative, you have my deepest and sincerest sympathy. He really served well and faithfully his day and generation.

Sincerely,
SAM RAYBURN.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Colorado.

Mr. ASPINALL. Mr. Speaker, there are some men with whom we walk who bring challenge, inspiration, understanding, confidence, and pleasure to the association. Such a one was our late and beloved colleague, GEORGE CHRISTOPHER. These attributes which have universal appeal he possessed and displayed until the day of his passing.

I was fortunate indeed to have known GEORGE CHRISTOPHER as a personal friend and as a colleague on the committee where I have served since coming to Congress. We came to Congress together with the convening of the 81st Congress. We have conferred together many, many times since the first week of January 1949. Always he brought to the association something of a constructive challenge, a pleasing personality which offered inspiration, an understanding which showed breadth of preparation and great knowledge of the task at hand. Such were his contributions to the task of seeking solutions to difficult problems that he lent confidence in the quest. He was an effective and accomplished protagonist. At the same time he was a respected and admired antagonist.

Above all things, GEORGE CHRISTOPHER was endowed with a gentle and lovable personality. His love of his fellow man was expressed in the poetry which he chose to recite to his fellows. The good-natured twinkle in his eyes carried sympathy and love for all who desired to share with him, but more especially for the less fortunate of his fellow beings. To be with him was to find pleasure in his company and companionship. To have known him while he walked and worked among us was to have received an eternal blessing—coming as it were from one of God's own. We shall miss him sorely, but he too has rightfully earned his eternal rest.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, it was with deep regret and great shock that I learned of the sudden death of Representative CHRISTOPHER, of Missouri, last Friday evening. GEORGE CHRISTOPHER was a great and a good Democrat. I hope that I am a good Republican. We often differed in our party positions and our political philosophies, and yet we were good and warm personal friends.

As evidence of the type of man that GEORGE CHRISTOPHER was, may I say that on Friday he called my office several times, while I was tied up in committee, and left word for me to call him. I called him back late on Friday afternoon just a few short hours before I received the news of his sudden passing. He had telephoned me to offer to me, and to the people of my district, and of the State of Ohio, his help and assistance in meeting the great flood tragedy which had struck us on Thursday, and concerning which I had spoken on the floor of the House. His kindly interest and action illustrates the life of GEORGE CHRISTOPHER better than anything I can say here about him. A big and generous man he crossed party lines; and thinking only of the welfare and needs of the people I represent, offered his assistance in committee, and on the floor of the House in any action which might be necessary to give relief to the thousands of homeless in the State of Ohio. This is the way he ended his life, making probably his last telephone call on Capitol Hill to help others before he left for home. His last effort was to be of service to the people of another district and another State.

Mr. Speaker, I wish to pay my tribute to his memory today, and express the hope that his family may have the help of divine providence in these dark hours of bereavement.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Missouri [Mr. KARSTEN].

Mr. KARSTEN. Mr. Speaker, it was my privilege to know and work with GEORGE CHRISTOPHER for many years. His untimely passing is a great personal loss to me.

I recall our first meeting over a decade ago. He introduced himself as a farmer from Butler County, Mo. His sincere friendliness was reflected by the merry twinkle in his eyes, which all of us remember so well. We talked for perhaps an hour or more, and from that day we became close personal friends.

GEORGE CHRISTOPHER was a man of many talents. He had a deep love for nature and the soil and was one of the great leaders of our time in the field of soil conservation. He often said he practiced what he preached, and his beautiful farm in Missouri is a testament to the soundness of his theories. Being close to nature and the soil, he was a deeply religious man—a student of the Gospel and an expert in the Scriptures. His philosophy he drew from the Bible. It was simply, "Love thy neighbor as thyself." He lived every day of his life by the Golden Rule.

His services to his State and the Nation were many and varied. With distinction he first served as a member of the Committee on Agriculture and later on the Committee on Interior and Insular Affairs and the Committee on Veterans' Affairs. Perhaps one of his greatest contributons was his ability to help the Members of this House better understand each other's problems. He brought to the House the concept that the problems of the farmer are identical to the

problems of the workers in the cities and that by working together we can better solve the problems of both.

Crippling illness forced him to a wheelchair a few years ago. But this did not lessen his activities nor slow down his work. Through the years thousands came to him with their problems. He never turned a single one away. In his home district his name is legend. He faithfully served the people he represented, and they will long remember him not only as an outstanding Congressman but as a personal friend.

To his wonderful family I express my deepest sympathy. We shall all miss GEORGE CHRISTOPHER. But we shall cherish his memory, knowing that our great House of Representatives is better for his having passed through here.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. BOGGS].

Mr. BOGGS. Mr. Speaker, may I join with our colleagues from Missouri in expressing the deepest sense of loss in the passing of GEORGE CHRISTOPHER. As the distinguished chairman of the Committee on Appropriations has said, his life epitomized the opportunity which has come to Americans in America throughout its whole history.

I was particularly interested in what the gentleman from Missouri [Mr. KARSTEN] had to say about Mr. CHRISTOPHER, because, as he said, his philosophy was an inspiring one. He was always kind and considerate, but in addition to that he was always happy and joyous, which reflected an inner peace and an inner calm which so many of us have failed to achieve in life.

I remember even after his crippling illness, even after he had lost a leg and had to labor thus handicapped, he was always ready to smile, always quick with the lighter side, yet terribly concerned about the problems of people.

I, too, was interested in the fact that the gentleman from Missouri said his approach was not parochial. Despite the fact that he was born and reared on a farm, despite the fact that he had labored so long with his own hands and in the sweat of his own brow on the land, and despite the fact that he had acquired so much of the sun from the skies in his own life, he yet understood the problems of the cities and he was always in the forefront in fighting the battles against the slums as well as the battles for the welfare and happiness of those who live on the farm.

Yes, Mr. Speaker, we have lost a fine friend, a great legislator, and a fine American. May God bless him and keep him.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Missouri [Mr. CARNAHAN].

Mr. CARNAHAN. Mr. Speaker, GEORGE CHRISTOPHER, my friend, neighbor, and my fellow Missourian, was one of the fine men Missouri has given to the Nation. Likened to Will Rogers in humor, storytelling, and love of his fellow men, I will miss this man of great courage and mirth. I am heartened only in the knowledge that the courage of great men outlives them to become the heritage of our people. Such courage lives beyond them and upholds their purposes and helps to bring their hopes to pass.

It was not necessary for GEORGE CHRISTOPHER to suffer pain and handicap himself in order to have a sympathetic heart and understanding for those who are scourged by the ills of misfortune and affliction. These less fortunate groups were represented through the basic principles for which he so steadfastly stood.

I think tenderly of his heroic triumph over disability. He was unwilling to be inactive because in him there was an indomitable spirit, there was moral and intellectual strength which would not permit it.

Following his hospitalization he adopted a motto from Emerson which is indicative of his philosophy as he traveled life's road. It reads:

> The sun shines after every storm; there is a solution for every problem; and the soul's highest duty is to be of good cheer.

The cheer, kindness, and love which GEORGE CHRISTOPHER brought to his friends cannot be replaced.

His character, the richness of his intellect, and his unremitting service to his country will cause his name to be cherished and remembered.

Those who were his opposition, no less than those who were his intimate associates, have always recognized in him a rare crusader for the human race and for his ideals. His absence will be keenly felt by those for whom he so diligently worked—the farmer, the veteran, and the small businessman. His is a great loss to many and one that will not be easily replaced.

Thanks is given for the work and worth of this great man. I have known him and his family personally. I have worked with him, called upon him for valued advice and help in the fields in which he ably qualified, so for me his going is a great personal loss.

To his loving family in Missouri and to his devoted daughter and son-in-law—Monia and Ray Ratliff with whom he resided in Washington, I share your loss and extend my deepest sympathy.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, and my colleagues from Missouri, I was deeply shocked Saturday to learn that my good friend, GEORGE CHRISTOPHER, had passed on. I was closely associated with GEORGE ever since he first came to the Congress in 1949. Several years ago we served together on the House Committee on Agriculture, and we shared common views on agricultural legislation. GEORGE CHRISTOPHER was a farmer who lived on the land and loved it. Few men of our day have devoted so much time to the conservation and to the building up of our most important physical inheritance.

I shall miss GEORGE CHRISTOPHER, and, I am sure, this House will miss him. He was one of our most colorful and eloquent Members. Though his rhetoric was homespun, it was always picturesque. He had that rare facility of expression which enabled him to speak graphically and to talk in pictures. More than that, he had a wonderful sense of humor. His keen wit was a ready weapon at all times. I have been with GEORGE in campaigns in his district. His people loved him. They came to hear his colorful stories. He was looked upon as the Will Rogers of the Western Ozarks.

Congressman CHRISTOPHER was a kind and generous person. He was warm and friendly. His life was a blessing to everyone with whom he came in contact. We have lost a great friend and a great legislator. I extend my deepest sympathy to his children.

Mr. BOLLING. Mr. Speaker, I wish to join my colleagues from Missouri and the other States in this moment of deep regret at the passing of our great and good friend GEORGE CHRISTOPHER.

GEORGE and I represented adjoining districts. Consequently we were close on a personal basis, on a political basis, and on a legislative basis. I have visited GEORGE at his farm, that wonderful monument to one part of his life's work. I remember him taking me, the city boy, out and showing what he had done to this land that he loved so well; what he had done was obvious even to the most ignorant of city people. He had made the land fruitful, as it should be. What he desired for all people who live on farms was that they would have the opportunity and the ability to see to it that the good earth, given to us by God, would be used as God intended that it should be used.

GEORGE was a man of great good humor. Under most incredible difficulties and hardships GEORGE always had a smile. His determination during the series of very serious illnesses was something wonderful and inspiring to behold. He never lost his courage. He never lost his perspective. He never lost his sense of humor.

In the last primary GEORGE was opposed by forces so strong that very few thought he had a chance of political survival. Then he won—a great victory, a victory which he felt was his greatest political victory. But he held no malice toward those who had opposed him. He was as good humored and kindly in victory as I am sure he would have been in defeat.

We in Missouri and the country generally have lost a great and good friend. It is the country's loss. I think of GEORGE and will think of him always by the name applied to another great political warrior, "The Happy Warrior." He always was a happy, fighting man, who fought for his people; fought for the welfare of all the people. To his loved ones our deepest sympathy.

Mr. CANNON. Mr. Speaker, I yield to the distinguished gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, I mourn, with other Members of the House, especially with his people of Missouri and his wonderful family, over the passing of our dear friend, Mr. CHRISTOPHER. I realize how much his fine children must have loved him. One

of his fine sons told me of the family unity.

I talked with my colleague, the gentleman from Missouri [Mr. CHRISTOPHER], just before we adjourned. I had the feeling then that he did not expect to return. Not that he would be defeated, but that the good Lord would not let him live so long as that.

I am so glad that he did not know defeat. Courageous, as all of those who have spoken have said, a great lover of his part of the country, yet tolerant for people in other parts of the country, people who lived in the cities. He might criticize them, but underneath he did not dislike them.

I had a chance in the Committee on Veterans' Affairs to know of his tremendous courage, both physical and spiritual. He never took the easy way. It was always the hard way. He fought for his convictions. He fought for those who needed help so terribly in the days gone by, and those who will need help in the days to come.

We will miss him especially on that committee for that reason. He did not need the loss of a limb in order to fight for the disabled with all the strength he had. I can see him now on the floor fighting for them and fighting for the great agricultural part of the country where he lived and for agriculture in general just as hard as he fought before his tragedy—the loss of a limb—overtook him. He took that tragedy with a smile, even joked about it; and yet I think those of us who have seen people who have given so much for their country throughout the years realize what his suffering must have been.

I particularly shall miss him more than I can say because we need him so much in the Committee on Veterans' Affairs. A great warrior, I may say to the able and distinguished gentleman from Missouri [Mr. CANNON], a great credit to Missouri, a great credit to the United States, a fine Christian gentleman; he will be hard to replace.

Mr. CANNON. Mr. Speaker, I yield to the gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Speaker, I am deeply saddened by the death of our able and beloved friend and colleague, GEORGE CHRISTOPHER, who worked so hard for the people of America, and especially for the farmers of our country. My profound sympathy goes to his family in the loss of a wonderful father.

I believe all of us were struck and impressed by the unfailing good humor, the kindness, the friendliness of this fine man. Adversity never dimmed the warmth of his smile and the genuineness of the affection he held for his many friends.

When Congressman CHRISTOPHER took the floor of the House to discuss important issues of national policy, he enlivened his informative talks with a leavening of humor which reminded us all of Abraham Lincoln, in the ability to illustrate a serious point with an appropriate light touch.

The people of the Fourth District of Missouri have lost an outstanding public servant, a conscientious representative of their interests in the Congress of the United States. All of us in the House of Representatives have lost a friend—and an inspiring personality who believed our laws were intended and should be intended to make this a better country for every individual. It was in that spirit that he served in the House. It was in that spirit that he earned our friendship and admiration.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. MORRIS].

Mr. MORRIS of Oklahoma. Mr. Speaker, GEORGE CHRISTOPHER was truly a great man. He had a keen and penetrating mind, a big heart, and, until ill health overtook him, a great physique. He was what we usually affectionately referred to as a real dirt farmer Member of this body. He had a profound knowledge of agricultural matters as they applied to the lawmaking phase, and an intimate, expert knowledge, gleaned over a period of years, of the actual operation of agricultural legislation, because he actually tilled the soil. When questions arose concerning bills involving agriculture and I needed advice, I always searched out my friend GEORGE CHRISTOPHER and consulted with him. I found his views to be sound and him to be possessed of unusually good information in regard to this particular subject matter.

It has been said, Mr. Speaker, that—

The noblest men that live on earth
Are those whose hands are brown with toil;
Who, backed by no ancestral graves,
Hew down the woods and till the soil;
And win thereby a grander name
Than follows kings, or warriors fame.

Our departed beloved colleague contributed greatly to the community in which he lived, to his great State, and to this Nation of ours through his long experience as a tiller of the soil and by reason of his outstanding service here in this House.

May I say in conclusion that, as others have said, he did not confine himself just to agricultural matters alone, but had a deep sympathy and an understanding for all people who labor, as a matter of fact, for humanity generally.

We have lost a sage; we have lost a noble, courageous soul in the passing of GEORGE CHRISTOPHER.

To his loved ones I wish to say, may God comfort you in this, your sad hour.

Mr. HULL. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Missouri.

Mr. HULL. Mr. Speaker, today we mourn the passing of a kindly man.

The Honorable GEORGE H. CHRISTOPHER, Representative of the Fourth District of Missouri, was one of the best loved and most respected Members of the Congress of the United States.

Mr. Speaker, we will remember GEORGE as an able and dedicated public servant. We will remember him as a champion of the American farmer, of the American war veteran, and of less fortunate members of American society. But transcending these memories, GEORGE CHRISTOPHER will always present himself to our recollections as a buoyant, cheerful man whose friendliness and good will never deserted him, even in his later days of physical discomfort.

As members of Missouri's congressional delegation, and as Representatives of adjoining districts, GEORGE and I worked closely together and we enjoyed a warm friendship.

I knew him as a man of great ability and of the highest attributes of Christian character. He never passed an opportunity to say a friendly word or extend a helping hand to new or old acquaintances, of high station or low.

He was a great family man and spoke often to his close friends of his fine family of seven sons and two daughters. GEORGE was immensely proud of them and we share with his children their profound sorrow.

GEORGE CHRISTOPHER was a dirt farmer and proud of it. He fought all of his life for proper utilization and protection of our greatest natural resource, our land. He loved our land with the passion of all who have worked it with our hands.

His obituary notice in the Washington Post and Times Herald carried the headline, "Representative CHRISTOPHER, a Missouri Farmer." That is a proud epitaph; GEORGE would have liked it.

Mr. CHENOWETH. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Colorado.

Mr. CHENOWETH. Mr. Speaker, I was greatly shocked and saddened when I heard of the untimely passing of GEORGE CHRISTOPHER. I extend my sincere sympathy to my colleagues from Missouri in their great loss. I join all of my colleagues in paying tribute to his memory.

I was very fond of GEORGE CHRISTOPHER. I cannot imagine anyone who did not like GEORGE. I never met him but what he had a friendly smile and a word of good cheer. No matter what his physical condition may have been, GEORGE was always of the same happy disposition. I was proud to have him as a friend.

I was delighted to see GEORGE looking so well when he returned for the new session of Congress. We had a very pleasant visit when the House Interior and Insular Affairs Committee met for the first time. I greatly enjoyed serving on this committee with GEORGE in past years. He seemed to be in the best spirits in greeting his old friends on the committee.

During the last session I was worried over GEORGE in view of his operation and extended illness. When I saw him last week I came to the conclusion that he had recovered his strength and would resume his normal activities in this session of Congress.

The passing of GEORGE CHRISTOPHER was a great loss not only to his district and the State of Missouri but the entire Nation. He was an independent and fearless Member of this House. We had many friendly visits, and while he was a member of the opposite political party, he was always cooperative and willing to help me on legislation in which I was interested. I shall always be grateful

for his friendship and for the splendid support he gave me on many occasions.

I extend my deep personal sympathy to his family in the great loss they have sustained.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Missouri [Mr. BROWN].

Mr. BROWN of Missouri. Mr. Speaker, we in southwest Missouri are deeply grieved over the loss of GEORGE CHRISTOPHER. For a time he represented many of us in this body. We knew him well, and we liked GEORGE. His passing is cause for genuine mourning.

His family has lost a father and a grandfather.

His neighbors have lost a good neighbor.

We, who were among his many friends, have lost a true friend; and let no one underestimate the Nation's loss.

We have lost a liberal portion of the Nation's common sense, for GEORGE CHRISTOPHER had a liberal portion of common sense. This uncomplicated man had a knack of simplifying the complicated. And he never forgot the folks.

The poor and the underprivileged have lost a portion of the public heart—GEORGE CHRISTOPHER'S heart. And, it was big and it was warm.

Yesterday's soldiers have lost a portion of the public respect for yesterday's soldier. Today's soldiers have lost a portion of the public courage.

The plain people, the farmers and laborers, have lost a portion of the public respect for plain people—Farmer GEORGE CHRISTOPHER'S respect: Genuine and outspoken.

Christian people have lost a portion of the public faith in religion—Bible quoting GEORGE CHRISTOPHER'S faith; absolute and unwavering.

GEORGE CHRISTOPHER was unschooled but educated. He learned from the world around him, and he wanted others to know that soils are enriched by lime and sweetclover. The world should learn from his life that nations and societies are enriched by GEORGE CHRISTOPHER'S.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. MARSHALL].

Mr. MARSHALL. Mr. Speaker, GEORGE CHRISTOPHER was one of the first men I met after we were elected to the 81st Congress. Our offices were on the same corridor. We shared so many common interests that we became very close friends. We often exchanged visits and just last week I had a pleasant and fruitful conversation with him in his office. He discussed with me his plans for this session of the Congress. Uppermost in his mind, of course, was the farm program, a subject in which he has always been vitally interested.

GEORGE was always a man of action and he was firmly convinced that the voters had given a mandate to this Congress for action on the farm front.

As a man of action, he also stood in the forefront of those men who fight for principle. There was nothing false about GEORGE CHRISTOPHER. He was a farmer and proud of it. He was a Democrat and proud of it. He was a Missourian and proud of it. He loved his country, its people, and its resources. He was proud of his family and of his farming operation. All of these things made him what he was—a great American.

The farmers of this country have lost a great champion in the continuing fight for equality. His district has lost a devoted servant and an able Representative. His State and country share in this great loss.

To his sons and daughters, we extend our deepest sympathy.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Tennessee [Mr. EVINS].

Mr. EVINS. Mr. Speaker, I should like to join my colleagues from Missouri, and others, in paying a brief but sincere tribute to the memory of our departed colleague and friend, Representative GEORGE H. CHRISTOPHER, of Missouri. He was a fine gentleman, a genuine representative of his people, and a man of great courage both in his own personal life and in his devotion to the public interest. I suppose that GEORGE CHRISTOPHER was the only Member of this House who stood in the breadlines and worked on WPA work crews in the depths of the great depression. He advanced with the advancement of our Nation and contributed to that advancement through his service in the Congress. He always spoke for the things he believed in and was one of the great champions of the cause of the farmer and American agriculture. He was himself a dirt farmer and knew the point of view of the farmer from his own experience. He was a pioneer in agricultural conservation and his own farm was one of the best examples of the application of conservation practices to farming. We all recall his recent affliction and the courage with which he faced it and rose above his physical disability. Both in his private and public life GEORGE CHRISTOPHER will serve as an example that a man of courage, who faces his own and the public's problems boldly, can surmount great odds and serve his Nation ably and with distinction. It is with real sorrow that I join my colleagues in extending an expression of sympathy to his family.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Speaker, I, too, want to join my distinguished colleague from Missouri and others in these eulogies to GEORGE CHRISTOPHER. I had the pleasure of knowing him and working with him over a number of years. He was a very sincere, friendly, hardworking, and cooperative person. It was a pleasure to have known him and worked with him. GEORGE CHRISTOPHER and people like him go to make up the representation of our people in this country. I believe Missouri has lost a very sincere and talented Member of Congress. I join in expressing my condolences to the fine family he has left.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Oregon [Mr. ULLMAN].

Mr. ULLMAN. Mr. Speaker, GEORGE CHRISTOPHER was a great and wonderful man. Much has been said about his knowledge of agriculture and his contribution to the solution of our agricultural problems. His contributions were indeed great and his knowledge was of significant benefit to the Nation.

However, I should like to talk for a minute about another aspect of his character and another of his deep and abiding interests. It was my privilege, during the 85th Congress, to sit on the Committee on Interior and Insular Affairs with GEORGE CHRISTOPHER and to watch him day after day devoting his time and his energy to the problem of the development of the great natural resources of this country. He believed that these resources should be fully developed and fully utilized for the greatest number of people. He was a great crusader for public power because he believed that public development was the best way to distribute the benefits from the Nation's resources. I want to pay tribute to a great crusader, a great fighter, a wonderful man, who contributed so much to his country. To his family I extend my deepest sympathy.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Kansas [Mr. GEORGE].

Mr. GEORGE. Mr. Speaker, GEORGE CHRISTOPHER was my friend. My district parallels his along the Kansas-Missouri line. In three campaigns he advised and counseled me. I probably would not be here today had it not been for his advice and his counsel. The farmer, the laboring man, the housewife and the small businessman have all lost a true friend. I join my colleagues from Missouri in expressing my deep sympathy and that of all Kansas to his family, who have lost a wonderful father; and this Nation has lost a great American.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Nebraska [Mr. BROCK].

Mr. BROCK. Mr. Speaker, the untimely passing of our dear friend and colleague, GEORGE CHRISTOPHER, has touched me deeply, and I join with my colleagues in paying respect to his memory. I emphasize the word "friend" because to me he was not only a newly found friend but a learned and valuable adviser in the problems of agriculture.

Like myself, GEORGE CHRISTOPHER was a dedicated farmer. He was born to the farm and stayed on the farm, as did his family before and after him.

He was an expert on soil conservation and one of the most informed men on farm policy.

As recently as last fall the farmers in my home area of Wakefield, Nebr., had the good fortune to hear him discuss farm problems. They were enlightened and expressed their sincere gratitude for his masterful understanding of this troublesome subject.

The Nation and its agricultural communities have suffered a distinct loss in his passing. His many friends of the Congress and myself have lost the benefit of his sage advice on the agricultural problems confronting the Nation.

I want to extend my heartfelt sympathy to his children in Butler, Mo., and to his daughter and son-in-law in Washington, D.C.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Speaker, the news on Friday night of the passing of the late Congressman GEORGE CHRISTOPHER, of Missouri, came to me as a particularly hard personal blow. I have lost a close and cherished friend.

When I first arrived in Washington, it was my privilege to be assigned to the office which our late friend had vacated. But I was delighted to learn that he would be across the corridor from me. On each day during our service here, we had the most amiable contact—a contact which has given me an opportunity to know one of the truly great men of this House.

I think it was Congressman CHRISTOPHER'S great love for so many fine things that was the one characteristic which appealed to me so much. It has been well said that he loved the soil. He also loved the wonderful family which was his. In addition, I think that he loved the Members of this House. He loved his country. He had a great appreciation for the opportunity which had been given to him to serve the people of this country. But, I think behind all of that was his great love and appreciation of the Holy Evangel of Almighty God. Almost without exception whenever he came to my office at some point in the conversation he would mention some of the great truths that we find in the Holy Bible.

When I visited him while he was upon the sickbed in the Naval Hospital in Bethesda shortly after he had suffered from the serious surgical operation that had been performed upon him, I was delighted to see that his Christian faith and his Christian courage were shining through just as it had in better days. So it has been throughout my acquaintanceship with him.

I shall miss Congressman CHRISTOPHER, but I will always remember with deep gratitude the many gifts of inspiration which he left for me and for those who were privileged to come in contact with him.

To his colleagues from Missouri, who today feel so keenly his passing, and to the wonderful family of which he was so proud and which he loved so much, I extend the most earnest and sincere condolences of my family in this hour of bereavement.

Mr. WHITTEN. Mr. Speaker, I join with other friends in expressing my deep sympathy to the family of GEORGE CHRISTOPHER at his untimely passing. GEORGE CHRISTOPHER was a man we shall miss, and one whose efforts are sorely needed in this hour. Somehow in the years I have served here it looks as if those who retire and those who pass on are those we can least afford to give up.

GEORGE CHRISTOPHER was a great American, a sound American, a man of great capacity, and a man of much intellect. His judgment and his good sense was that type which is sound and which approaches that which we all would seek.

In his life he was a fine example of thoughtfulness for and service to others.

On Saturday I was in the hospital because of a minor ailment. GEORGE CHRISTOPHER had learned of that fact. Early Saturday morning I was grieved to read of his untimely passing. That same day about 12 o'clock I received the nicest kind of message from GEORGE CHRISTOPHER; a "get well; your friends are thinking of you" type of message. I was proud to receive it, and with that thoughtful action he was treating me as we all knew he would, for his heart was with his fellow man.

His confidences were with his God. His interests were in his fellow man; and his efforts for good government for the American people were unsurpassed.

I extend to his friends and his family my heartfelt sympathy in their loss, a real personal loss to me and all who knew him. We would do well to emulate his fine example.

Mr. CANNON. I yield to the distinguished majority leader, the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, many outstanding Members have served in this body, but none with more sincerity, loyalty, and devotion to duty than our late beloved colleague, GEORGE CHRISTOPHER.

He was a great public official, truly representative of the heart and soul of America. Throughout his life he was a man of vision, looking forward, and a fighter in the cause of the sick, afflicted, exploited, underprivileged, the toiler on the soil, the worker in the factory and in the offices; a fighter for progress and enlightened democracy.

In this trying period of the world's history he saw clearly the sinister mind and intent and purposes of atheistic communism, and recognized and fought for a powerful national defense, and a strong and firm foreign policy.

As an individual he symbolized everything worth while and uplifting. He was an inspiration for others to follow.

Between us developed a strong friendship. I admired him very much. I valued greatly his friendship. I shall so much miss him.

The people of his district have lost in the Halls of Congress a truly great Representative. The memory of this great man who took his work seriously, but not himself seriously, will long remain in their hearts and minds, as it will with his friends everywhere.

To the members of the Missouri delegation, to the people of his congressional district, and particularly to his sons and daughters I extend my deep sympathy in their great loss and sorrow.

Mr. CANNON. Mr. Speaker, I ask unanimous consent that all Members of the House may have leave to extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. WEAVER. Mr. Speaker, it was with profound sorrow that I learned of the death of my good friend and colleague from Missouri, the Honorable GEORGE CHRISTOPHER. His untimely passing has taken from our midst a man of ability, a man of high principle and fine moral character, and a fighter.

Mr. Speaker, I had the privilege of serving with Mr. CHRISTOPHER on two committees. Although I often disagreed with the gentleman from Missouri on matters of policy and philosophy, I could never disagree with the way he presented his views, nor could I help but admire his fighting spirit and the strength of his convictions.

I would like at this time to express the sorrow of both Mrs. Weaver and myself at his passing, and extend our condolences to his family.

Mr. TRIMBLE. Mr. Speaker, a mighty oak fell when our colleague, Mr. CHRISTOPHER died. He fought for his constituents and his country. He asked no quarter and gave none in that struggle. Indeed he was one of God's noblemen. I will miss him so much. My deepest sympathy goes to his family.

Mr. HALEY. Mr. Speaker, we rightfully pause to pay warm tribute to a departed colleague, GEORGE H. CHRISTOPHER, able Congressman from the Fourth District of Missouri. The people of Missouri and the Members of Congress are stunned by the passing of this great and humble man who was a devoted public servant and a good friend of mankind.

It was my pleasure and privilege to have been associated with GEORGE CHRISTOPHER in both the Interior and Insular Affairs Committee and the Veterans' Affairs Committee. Those of us who remain to carry on the work will certainly miss his warm sense of humor, his strong personality, his wise counsel, his keen analytical mind and his devotion to duty, but we will continue to be guided by the splendid example set for us by GEORGE CHRISTOPHER. Indeed the world is a better place in which to live because GEORGE CHRISTOPHER has lived and worked among us. It has been said that every great example takes hold of us and says with the authority of a miracle, "If ye had but faith, ye also could do the same things." Whenever we are faced with problems in the future, we shall certainly think of the life and example of our departed colleague, and say, "Follow the lead of GEORGE CHRISTOPHER and you will achieve good works for the good of man."

To his family and his wide circle of friends, I express my heartfelt sympathy in this hour of bereavement.

Mr. HECHLER. Mr. Speaker, as the Representative of the Fourth Congressional District of West Virginia, I rise to pay tribute to the late GEORGE H. CHRISTOPHER, who has so ably represented the Fourth Congressional District of Missouri.

I first met Mr. CHRISTOPHER not long after he arrived in the House of Representatives with the famous class of 1948 which brought so many able Members here for the first time, including two of Mr. CHRISTOPHER'S Missouri colleagues, Messrs. BOLLING and MOULDER. We talked about many things on this first meeting, and the lasting impression which I received was that here was a man who in the truest sense of the word was "down to earth."

He had a deep sympathy for the farmer, the worker, and the small business-

man. I do not think I knew a man who had less social pretense than GEORGE CHRISTOPHER. A true son of the soil, he spoke his mind honestly, directly, and always with the deepest sympathy for the less privileged people.

It was fitting that GEORGE CHRISTOPHER should be President Truman's own Congressman, for Mr. CHRISTOPHER shared President Truman's passionate devotion to the cause of those who deserved a better break in the economic struggle to make a living.

During the New Deal days my uncle, W. Roy Hechler, administered the U.S. crop insurance program in Missouri and was also president of the Missouri Seed Corn Growers Association. In these capacities my uncle used to visit GEORGE CHRISTOPHER at his farm. I heard something of their conversations from both sides, and I got to like the way this Missouri farmer developed his simple philosophy of life.

We could use more men with GEORGE CHRISTOPHER'S philosophy.

Mr. LIBONATI. Mr. Speaker, the death of GEORGE H. CHRISTOPHER marks the passing of a great American, a forceful and sincere legislator and a firm and loyal friend. He personified the attributes of the positive thinking of all Missourians; show me if the facts are there.

His love for the farmer, and his intense interest in the study of farm problems were only equaled by his unswerving loyalty for their welfare. As Congressman of the Fourth District of Missouri, encircling Independence, Mo., he was ever in the forefront advising, sponsoring, and defending the progressive and healthy legislative farm program of his loyal and intimate constituent—the colorful, fiery, forthright, positive, practical thinking, popular, former Democratic President of the United States, Harry S. Truman.

His marked resemblance both in mental attitude and fiery delivery to Mr. Truman was not a coincidence, but a natural circumstance as a result of their sincere down-to-earth philosophy.

He was well informed on many questions in public affairs. His spicy orations and courageous fortitude won him many friends. Always in pain and suffering, he still smiled and carried on.

The great loss of his dear wife several years ago did not embitter him—he loved people. It was an honor for any one of us to serve him in pleasant niceties at times.

He was a brave and lovable character. His seven sons and two daughters idolized him. He was a worthy public servant and sacrificed for others throughout his life.

The good Lord knew of his physical sufferings and yet by force of will he persevered to serve his fellow man. His blessed life spent in toil for his fellow man was God's reward to unite him with his dearly beloved mate. The distinguished Missourians in the Congress have lost a true leader who as an honest fighter, the Congress admired and revered. We extend our heartfelt condolences to his bereaved family. Yes—Missouri and the Nation have lost an American eagle.

Mr. BURNS of Hawaii. Mr. Speaker, it is with a real sense of personal loss that I join the Members of this House in paying tribute to the Honorable GEORGE H. CHRISTOPHER, of the Fourth District of Missouri. Though I knew him but a short time, I counted GEORGE CHRISTOPHER among my true proven friends.

We often refer to someone as being the salt of the earth. This description truly fitted Congressman GEORGE CHRISTOPHER. The originator of the term must have had in mind a person exactly resembling Representative CHRISTOPHER.

Ever ready with a story to lighten the burdens borne by his colleagues, ever ready to lend a helping hand, not waiting to be asked but offering his services, energetic in the cause of his constituents, knowledgeable as to humans, diligent in his duties as a Member of Congress both in committee and at meetings of the House of Representatives, the Honorable GEORGE CHRISTOPHER was outstanding in his service of right and justice as God gave him the light to see it, serving with charity, courage, intelligence, and strength.

To his family, I extend my deepest sympathy and understanding. The inspiration of Congressman GEORGE CHRISTOPHER will remain with me and will continue to encourage all who knew him.

Mr. METCALF. Mr. Speaker, the sincere and moving tributes that have been paid to GEORGE CHRISTOPHER by so many of his colleagues here today is a better measure of the affection and esteem in which he was held than anything I can say. I do want to add my voice to those who have praised him, however, because I have suffered a great personal loss. We were both members of the Committee on Interior and Insular Affairs and sat next to each other in the committee room. For years, I have enjoyed his companionship, have benefited from his wisdom, and profited from his experience.

I shall miss his kindliness and his keen, humorous comments. GEORGE CHRISTOPHER was a dedicated patriot and a man of character and principle.

In extending my sympathy to his family and friends, I share a part of their loss.

Mr. GROSS. Mr. Speaker, I deeply regret the death of my friend and colleague, the Honorable GEORGE CHRISTOPHER.

No Member of Congress was more steadfast in his devotion to agriculture and the farmer. He will be especially missed in the struggle that lies ahead to enact effective, permanent farm legislation.

GEORGE CHRISTOPHER was a good man and the members of his family, to whom I offer condolences in this hour of sorrow, can take consolation in the fact that he will not soon be forgotten.

Mr. ROOSEVELT. Mr. Speaker, the heartfelt warmth of those who have spoken in tribute to our friend and late colleague, GEORGE CHRISTOPHER, will I hope, bring some comfort to his family in their sorrow.

There were two things for which I shall always remember GEORGE: First, his great and solid belief in fighting for the welfare of the everyday citizen. He never minced any words. He always was concise and clear spoken. He was sharp, but never mean.

Secondly, Mr. Speaker, his spiritual and physical courage were an inspiration and a lesson to those who have lesser burdens to bear. I know no way of paying him a greater tribute than just saying that he was a wonderful human being.

I shall miss him. We shall all miss him, and we should pray that we shall have the strength to carry on our duties with some of GEORGE CHRISTOPHER'S resolute and undying spirit.

Mr. TEAGUE of Texas. Mr. Speaker, 2 days before the House Veterans' Affairs Committee was scheduled to meet to organize for the 86th Congress our colleague and friend, GEORGE CHRISTOPHER, expired.

I speak for the membership of my committee in expressing our deepest sympathy to GEORGE CHRISTOPHER'S friends and family. Their loss is great. We will miss him on the Veterans' Affairs Committee. He brought to the committee a strong feeling of compassion for the human side of our work. GEORGE CHRISTOPHER was motivated in his committee work by concern for the individual. He had great sympathy for the problems of those whom we seek to help with veterans' legislation. He has been an active force in many of the most important pieces of legislation coming from the committee in recent years designed to aid disabled veterans and their widows and children.

The veterans in this Nation have lost a real friend in the passing of GEORGE CHRISTOPHER.

Mr. ROONEY. Mr. Speaker, it was with a great deal of sadness that I learned on Saturday last of the passing of the Honorable GEORGE H. CHRISTOPHER who first became a Member of the House of Representatives in 1948.

It was a great pleasure to have known GEORGE CHRISTOPHER over these years. He was a fine gentleman of sparkling wit and a great asset to his party and his country. He was a faithful and capable Representative of the people of his Congressional District and of the State of Missouri. His sons and daughters have my deepest sympathy in their great loss.

Mr. MOULDER. Mr. Speaker, the sudden and unexpected passing of our colleague and fellow Missourian is distressing to everyone who knew GEORGE CHRISTOPHER. His ever lovable, friendly, and sunny personality made him one of the most popular Members of Congress. He was blessed with a host of friends and his genuine friendship will forever remain in our memories of him as a great man. He was one of our most illustrious Americans. Many people may never realize nor appreciate the full force of the impact that this vision-endowed farmer-statesman has made on the future of our Nation.

On the wall in this Chamber of the House of Representatives, we can see the words of Daniel Webster:

> Let us develop the resources of our land, call forth its powers; build up its institutions, and promote its great interests and see whether we also in our day and generation can promote something worthy to be remembered.

This we know GEORGE CHRISTOPHER has done. His words and advice spoken in debates on the floor of this House were highly respected and will long be remembered.

The magnificent life of GEORGE CHRISTOPHER was controlled by the basic philosophies which made him a great man. His was not a complicated nor high-sounding philosophy. He believed in the fundamentals of love and devotion to family, church, State, and country.

He was truly a fine man, an orator, an able scholar, and statesman. GEORGE was truly the salt of the earth. I join with all Members of Congress in extending to his sons and daughters our sincere sympathy.

Mr. O'HARA of Illinois. Mr. Speaker, it is with a deep sense of personal loss that I join with my colleagues in paying tribute to the memory of the Honorable GEORGE H. CHRISTOPHER. We came to the 81st Congress together as freshmen in 1949. He then was 61 with behind him the background of a life, most of which had been spent as a farmer in his native county of Bates in Missouri. He was robust, virile, and dynamic. He spoke frequently from the well of the House in the 81st Congress and on numerous occasions, although he was then a first termer. His manner of presentment, his hitting accurately on the target, and his pungent humor invariably brought down the House and called forth applause in unusual measure. He was not a Member of the 82d and 83d Congresses, but returned to us in the 84th Congress. For me, it was a gladsome reunion, for the rugged honesty and the outspokenness of GEORGE CHRISTOPHER had always endeared him to me. Because of the condition of his health he did not speak as often in the 84th and 85th Congresses as he did in the 81st Congress, but, when he did speak, every Member listened and always he won votes for the cause he was championing.

The last time I remember hearing GEORGE talk was after the amputation of his leg. He was wheeled in on a stretcher, adjusted himself to the microphone, and then, speaking under the disadvantage of his position, made a talk as full of dynamite and as pungent as any I have heard in this House.

He will be greatly missed. In his passing, the Congress of the United States has suffered the loss of one of its Members that it could least afford to lose. My deep sympathy goes to his children, to all of the members of his family, to the district of former President Harry Truman that he so well represented, to the great State of Missouri, and to the Nation of us all.

Mr. ELLIOTT. Mr. Speaker, I feel a deep sense of sorrow at the passing of our colleague, Representative GEORGE CHRISTOPHER, of Missouri.

GEORGE CHRISTOPHER was a very special friend of mine. We came to Congress together, having both been elected for the first time in November of 1948. We thus had the special ties of fellow Members of the freshman class.

A few years ago I had the opportunity of inviting GEORGE CHRISTOPHER to speak before the Men's Club of the Francis Asbury Methodist Church, the church which I attend here in Washington. True to my expectation, he delivered a fine inspirational speech that revealed his depth of character and his understanding of man's spiritual life.

I appreciated the opportunity of serving in Congress with GEORGE CHRISTOPHER. I profited from my association with him. He was a man of the soil, and was proud of it. He loved the soil. He was close to nature and to nature's God.

GEORGE CHRISTOPHER was a family man. He frequently spoke to me about his wife, and about his children, and about his farm.

A time like this brings fresh meaning to the words of the poet, John Donne, who said: "Any man's death diminishes me." Certainly that is true when the man is your friend, as GEORGE CHRISTOPHER was my friend. In his passing I suffer a deep personal loss.

GEORGE CHRISTOPHER loved his fellow man as few men do. In him the farmer, the laborer, the small businessman, the school child had a firm friend.

The Nation will miss him, and generations yet unborn will profit from his service here.

Mrs. PFOST. Mr. Speaker, I join with my colleagues in paying tribute to a great and good man, GEORGE CHRISTOPHER. His State of Missouri and the Nation have lost an able legislator and dedicated public servant. We who served with him here in the House, and especially those of us who were privileged to serve with him in committee, have lost a trusted friend.

There is one attribute which GEORGE CHRISTOPHER surely possessed above all others; that was his devotion to his principles and his dedication to duty as he saw it. There has never been a greater champion in this House of the rights of the small farmer. A farmer himself, he took part in the debates here with all the dignity and strength so often associated with men who live and work close to nature and with God. In his quiet, unassuming way, he lent wisdom and direction to our many discourses in the House. I remember, many times, when tensions were building up, as they often do in the heat of debate, GEORGE CHRISTOPHER was able to reach out for the inspired word, the soft wit that would relax Members and permit us to proceed with our deliberations in a calmer atmosphere.

In the Committee on Interior and Insular Affairs I looked upon GEORGE CHRISTOPHER as one of my strong arms, ever ready to help, always available to be called upon for counsel and for facts to bolster the position which he believed to be right.

Yes; we shall miss GEORGE CHRISTOPHER in the House and he will be missed by the people of his district whom he so ably represented, but we and they will be better because he was here.

Mr. LANE. Mr. Speaker, GEORGE CHRISTOPHER came from a town that is close to the center of our Nation. It is not far from the spot where the trails fanned out, over which the pioneers ventured to open up the West.

He loved the land and he cared for it tenderly, and he was proud of the fulfillment that came at harvest time. And the rhythm of the seasons brought the harmony of nature's art and poetry and music to his heart.

GEORGE was a Missouri farmer, and a good one.

He was blessed with the native wisdom, and wit, and independent spirit that is so true to the American character.

Quiet, but plain spoken, he had the faculty of stripping away all sham and artifice to get at the root of an issue.

As I am a city Democrat, representing an industrial district, I liked to talk with GEORGE and learn the viewpoint of the agricultural Midwest, which is the "seedbed" of so much that is individual and self-reliant in our country's personality.

He was conscientious in representing his constituents, and in going beyond that to serve the Nation's interests. Since coming to Washington as a Member of the 81st Congress, he had served on the House Administration Committee, the Committee on Agriculture, the Interior and Insular Affairs Committee, and the Veterans' Affairs Committee.

When Congress adjourned, he went back home to the farm of 975 acres where he and the late Mrs. Christopher lived so many happy and work-filled years building the homestead that made its wholesome contributions to the progress of the Nation.

There he replenished himself in the company of friends and neighbors who, beholden only to themselves and to God, looked themselves straight in the eye, and then made up their minds as free men.

When GEORGE returned to Washington he spoke for them, and we, his colleagues were the beneficiaries of his practical knowledge and his homespun counsel.

Missouri has lost a distinguished son who served his people and his Nation well.

We, his fellow legislators in the U.S. House of Representatives, mourn his passing.

To his sons and daughters we send our sincere sympathy.

We pray that the memories of his kindness to them, and his devotion to our Nation, will comfort them in their bereavement, and inspire them throughout the years ahead.

Mr. DORN of South Carolina. Mr. Speaker, all of us were saddened by the passing of that great patriot, GEORGE H. CHRISTOPHER. Knowing him was one of the pleasant associations in the Congress. He was a great friend of the veterans, the farmers, and the American who earns his livelihood by honest toil.

Those of us on the Veterans Committee loved and admired GEORGE CHRISTOPHER. We could count on him to do the right thing for our country and those who served our Nation in time of war. As a younger Member, I profited much by the experience, the advice and understanding of Mr. CHRISTOPHER. He understood our agricultural problems as few other contemporary Americans. A successful farmer himself, he devoted a great deal of his time and energy to improving the lot of the farmers.

GEORGE CHRISTOPHER raised a fine, upright family. Mrs. Dorn joins me in my deepest sympathy to them. GEORGE CHRISTOPHER will be greatly missed by those of us who knew and loved him. His great service to our country will always be, to me, an admiring reminiscence.

Mr. CANNON. Mr. Speaker, I offer a resolution (H. Res. 134) which I send to the desk.

The Clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of the Honorable GEORGE H. CHRISTOPHER, a Representative from the State of Missouri.

Resolved, That a committee of ten Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

The SPEAKER. The Chair appoints as members of the funeral committee the following Members on the part of the House: Mr. CANNON, Mr. KARSTEN, Mr. JONES of Missouri, Mr. CARNAHAN, Mr. BOLLING, Mr. MOULDER, Mr. CURTIS of Missouri, Mrs. SULLIVAN, Mr. HULL, and Mr. BROWN of Missouri.

The SPEAKER. The Clerk will read the remainder of the resolution.

ADJOURNMENT

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to.

Accordingly (at 12 o'clock and 59 minutes p.m.) the House adjourned until tomorrow, Tuesday, January 27, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

413. A letter from the Chairman, U.S. Advisory Commission on Educational Exchange, transmitting the 21st semiannual report on the educational exchange activities from July 1 through December 31, 1958, pursuant to Public Law 402, 80th Congress (H. Doc. No. 55); to the Committee on Foreign Affairs and ordered to be printed.

414. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated December 2, 1958, submitting a report, together with accompanying papers and an illustration, on an interim report on Mississippi River at Dubuque, Iowa, requested by a resolution of the Committee on Public Works, House of Representatives, adopted April 22, 1947 (H. Doc. No. 56); to the Committee on Public Works and ordered to be printed with one illustration.

415. A letter from the Secretary of Defense, transmitting the annual report on the status of training of each Reserve component of the Armed Forces and the progress made in strengthening of the Reserve components during fiscal year 1958, pursuant to section 279 of title 10, United States Code; to the Committee on Armed Services.

416. A letter from the Assistant Secretary of the Navy (Material), relative to the Department of the Navy proposing to donate a 63-foot aircraft rescue boat to the Police Department of the City of Boston, pursuant to title 10, United States Code, section 7308; to the Committee on Armed Services.

417. A letter from the Acting Secretary of the Treasury, transmitting a report covering claims paid on account of the correction of military records of the Coast Guard personnel during the 6 months' period ending December 31, 1958, pursuant to 10 U.S.C. 1552(f); to the Committee on Armed Services.

418. A letter from the Administrative Assistant Secretary of the Interior, transmitting a report pertaining to the helium-production fund for the fiscal year ending June 30, 1958, pursuant to the act approved September 1, 1937 (50 Stat. 885; 50 U.S.C., sec. 164); to the Committee on Armed Services.

419. A letter from the Director, Selective Service System, transmitting the Eighth Report on the Operations of the Selective Service System for the fiscal year ending June 30, 1958, pursuant to the Universal Military Training and Service Act, as amended; to the Committee on Armed Services.

420. A letter from the Secretary of the Treasury, transmitting the Annual Report of the Exchange Stabilization Fund for the fiscal year ended June 30, 1958, pursuant to the Gold Reserve Act of 1934, as amended; to the Committee on Banking and Currency.

421. A letter from the President, Board of Commissioners of the District of Columbia, transmitting a draft of proposed legislation entitled "A bill to amend the act entitled 'An act making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June 30, 1911, and for other purposes,' approved May 18, 1910"; to the Committee on the District of Columbia.

422. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation entitled "A bill to provide for the conferring of an award to be known as the Presidential Medal for Civilian Achievement, and for other purposes"; to the Committee on Education and Labor.

423. A letter from the Comptroller General of the United States, transmitting a report on the review of Army Signal Corps supply operations, U.S. Army, Europe, Communications Zone, headquartered at Orleans, France; to the Committee on Government Operations.

424. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation entitled "A bill to amend the Federal Property and Administrative Services Act of 1949 to authorize the Administrator of General Services to make contracts for cleaning and custodial services for periods not exceeding 5 years"; to the Committee on Government Operations.

425. A letter from the Secretary of Commerce, transmitting the 46th Annual Report of the Secretary of Commerce for the fiscal year ended June 30, 1958, pursuant to the act of February 14, 1903 (5 U.S.C. 604); to the Committee on Interstate and Foreign Commerce.

426. A letter from the Acting Secretary of the Treasury, transmitting a report pertaining to the payment of claims for damage occasioned by vessels of the Coast Guard which have been settled by the Treasury for the period January 1 to December 31, 1958, pursuant to section 646(b) of title 14, United States Code; to the Committee on the Judiciary.

427. A letter from the national adjutant-paymaster, national headquarters, Marine Corps League, transmitting the reports of all officers who were required to make a report pertaining to the 35th Annual Convention of the Marine Corps League as of August 5, 1958; to the Committee on the Judiciary.

428. A letter from the Director, Federal Bureau of Investigation, U.S. Department of Justice, transmitting a report giving information with respect to positions in the Federal Bureau of Investigation in grades 16, 17, and 18 of the general schedule of the Classification Act of 1949, as amended, pursuant to Public Law 854 of the 84th Congress; to the Committee on Post Office and Civil Service.

429. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation entitled "A bill to abolish the office of Register of the Treasury"; to the Committee on Ways and Means.

430. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, relative to the case of Thomas Arthur Lampaces, A-5816436, involving suspension of deportation, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

431. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, relative to the case of Chin Bark Kee, A-5669672, involving suspension of deportation, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Virginia: Committee on Rules. House Resolution 27. Resolution authorizing the Committee on the Judiciary to conduct studies and investigations relating to certain matters within its jurisdiction; with amendment (Rept. No. 3). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 56. Resolution to authorize the Committee on Interstate and Foreign Commerce to conduct investigations and studies with respect to certain matters within its jurisdiction; with amendment (Rept. No. 4). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 81. Resolution authorizing the Committee on Banking and Currency to conduct studies and investigations, and to make inquiries, relating to housing; with amendment (Rept. No. 5). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 101. Resolution to authorize the Committee on Veterans' Affairs to conduct investigations and studies; with amendment (Rept. No. 6). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 133. Resolution to authorize the Committee on Science and Astronautics to conduct studies and investigations and make inquiries with respect to aeronautical and other scientific research and development and outer space; with amendment (Rept. No. 7). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOYKIN:

H.R. 3259. A bill to provide for the issuance of a special postage stamp in honor of the memory of Father Abraham Joseph Ryan, the "Poet-Priest of the Confederacy"; to the Committee on Post Office and Civil Service.

By Mr. ANDREWS:

H.R. 3260. A bill to provide for the issuance of a special postage stamp in honor of the memory of Father Abraham Joseph Ryan, the "Poet-Priest of the Confederacy"; to the Committee on Post Office and Civil Service.

H.R. 3261. A bill to create a Commission on Human Resettlement; to the Committee on the Judiciary.

By Mr. ASPINALL:

H.R. 3262. A bill to amend the Mineral Leasing Act for Acquired Lands (61 Stat. 913) with respect to the leasing of mineral deposits in which the United States owns a partial or future interest; to the Committee on Interior and Insular Affairs.

By Mr. ASPINALL (by request):

H.R. 3263. A bill to amend section 17 of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437, 443), as amended (30 U.S.C. 226); to the Committee on Interior and Insular Affairs.

By Mr. BENNETT of Michigan:

H.R. 3264. A bill to promote the safety of employees and travelers upon common carriers by railroad engaged in interstate commerce by requiring such carriers to maintain tracks, bridges, roadbed, and permanent structures for the support of way, trackage, and traffic in safe and suitable condition, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3265. A bill to amend section 7(a) of the Natural Gas Act, so as to grant to the Federal Power Commission additional authority to require natural-gas companies to extend their transportation facilities to areas not already being served by them; to the Committee on Interstate and Foreign Commerce.

H.R. 3266. A bill to amend part I of the Interstate Commerce Act requiring filing of rules and regulations on operation of track motorcars and other self-propelled equipment; to the Committee on Interstate and Foreign Commerce.

H.R. 3267. A bill to amend the Federal Airport Act to extend the time for making grants for the construction of urgent airport projects essential to an adequate national aviation facilities system; to the Committee on Interstate and Foreign Commerce.

H.R. 3268. A bill to amend part III of Veterans Regulation No. 1(a) to increase the income limitations applicable to veterans eligible for pension thereunder; to the Committee on Veterans' Affairs.

H.R. 3269. A bill to amend section 3103 of title 38, United States Code, to provide for payment of veterans' benefits to certain veterans whose discharges have been corrected; to the Committee on Veterans' Affairs.

H.R. 3270. A bill to amend the Fair Labor Standards Act of 1938 to increase the minimum hourly wage provided for therein to $1.25; to the Committee on Education and Labor.

H.R. 3271. A bill to prohibit unjust discrimination in employment because of age; to the Committee on Education and Labor.

By Mr. BENTLEY:

H.R. 3272. A bill to amend section 203 of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits, and to liberalize the provisions under which such earnings are charged for purposes of such deductions; to the Committee on Ways and Means.

H.R. 3273. A bill to amend the Agricultural Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes; to the Committee on Agriculture.

H.R. 3274. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to broaden the exemption from wheat marketing quota penalties where all the wheat crop is fed or used for seed or food, and for other purposes; to the Committee on Agriculture.

H.R. 3275. A bill to amend the provisions of the Agricultural Act of 1949, as amended, the Agricultural Adjustment Act of 1938, as amended, and related legislation with respect to price support and marketing quotas on wheat; to the Committee on Agriculture.

By Mr. BERRY:

H.R. 3276. A bill to provide that, except in time of war or grave national emergency declared by the Congress, Federal expenditures shall not exceed Federal revenues; to provide for systematic reduction of the public debt; and for other purposes; to the Committee on Ways and Means.

H.R. 3277. A bill for the establishment of a temporary National Advisory Committee for the Blind; to the Committee on Education and Labor.

H.R. 3278. A bill to permit the free marketing of gold, and for other purposes; to the Committee on Banking and Currency.

H.R. 3279. A bill to amend the Communications Act of 1934, so as to direct the Federal Communications Commission to provide for the licensing of television reflector facilities and VHF translator facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. BROOMFIELD:

H.R. 3280. A bill to provide that a statement of amounts expended by the United States for overseas travel or subsistence of Members of Congress and certain other Federal officers and employees shall be printed in the Federal Register; to the Committee on Government Operations.

By Mr. BROWN of Missouri:

H.R. 3281. A bill to authorize the sale of certain lands to the State of Missouri; to the Committee on Public Works.

By Mr. CEDERBERG:

H.R. 3282. A bill to amend the Internal Revenue Code of 1954 to repeal the manufacturers excise tax on incinerator and garbage-disposal units; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 3283. A bill to amend title 28, entitled "Judiciary and Judicial Procedure" of the United States Code to provide for the defense of suits against Federal employees arising out of their operation of motor vehicles in the scope of their employment, and for other purposes; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 3284. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

By Mr. CURTIS of Massachusetts:

H.R. 3285. A bill to amend the first section of the act entitled "An act to prohibit payment of annuities to officers and employees of the United States convicted of certain offenses, and for other purposes," approved September 1, 1954, so as to limit its application to cases involving the national security; to the Committee on Post Office and Civil Service.

By Mr. DADDARIO:

H.R. 3286. A bill to amend the Natural Gas Act to authorize the Federal Power Commission to prescribe safety requirements for natural gas companies; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL:

H.R. 3287. A bill to amend the Communications Act of 1934 so as to prohibit the granting of authority to broadcast subscription television programs; to the Committee on Interstate and Foreign Commerce.

H.R. 3288. A bill to clarify existing law with respect to subscription television operations; to the Committee on Interstate and Foreign Commerce.

By Mr. DORN of South Carolina:

H.R. 3289. A bill to amend the Railroad Retirement Act of 1937; to the Committee on Interstate and Foreign Commerce.

By Mr. DURHAM:

H.R. 3290. A bill to amend title 10, United States Code, to eliminate the requirement that each chaplain make an annual report to the Secretary of the Navy; to the Committee on Armed Services.

H.R. 3291. A bill to amend title 10, United States Code, with respect to certain medals; to the Committee on Armed Services.

H.R. 3292. A bill to amend title 10, United States Code, to authorize the Secretary of the Navy to furnish supplies and services to foreign vessels and aircraft, and for other purposes; to the Committee on Armed Services.

H.R. 3293. A bill to authorize the construction of modern naval vessels; to the Committee on Armed Services.

H.R. 3294. A bill to amend title 10, United States Code, to authorize the sale of military clothing and textile material to contractors for use in the performance of U.S. contracts; to the Committee on Armed Services.

By Mr. FARBSTEIN:

H.R. 3295. A bill to amend and revise the laws relating to immigration, naturalization, nationality, and citizenship, and for other purposes; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 3296. A bill to amend chapter 15 of title 38, United States Code, to grant a pension to all honorably discharged veterans of World War I who are 60 years of age; to the Committee on Veterans' Affairs.

By Mr. FOLEY:

H.R. 3297. A bill to make permanent certain temporary increases in rates of compensation of employees of the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3298. A bill to amend the District of Columbia Code, 1951, as amended, title 47, "Taxation and Fiscal Affairs"; to the Committee on the District of Columbia.

By Mr. GEORGE:

H.R. 3299. A bill to amend chapter 37 of title 38, United States Code, to provide additional funds for direct loans; to remove certain requirements with respect to the rate of interest on guaranteed loans; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GRANT:

H.R. 3300. A bill to provide for the issuance of a special postage stamp in honor of the memory of Father Abraham Joseph Ryan, the "Poet-priest of the Confederacy"; to the Committee on Post Office and Civil Service.

By Mrs. GREEN of Oregon:

H.R. 3301. A bill to amend the Public Health Service Act to establish a National Institute of Geriatrics; to the Committee on Interstate and Foreign Commerce.

H.R. 3302. A bill to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes; to the Committee on Education and Labor.

By Mr. GUBSER:

H.R. 3303. A bill to amend title II of the Social Security Act to provide that the child of an insured individual, after attaining age 18, may continue to receive child's insurance benefits until he attains age 22 so long as he is a student regularly attending school; to the Committee on Ways and Means.

By Mr. HARGIS:

H.R. 3304. A bill to provide for the admission of the State of Hawaii into the Union;

to the Committee on Interior and Insular Affairs.

By Mr. HARMON:

H. R. 3305. A bill to amend the National Service Life Insurance Act of 1940 to provide for lump-sum payments to certain beneficiaries under such act; to the Committee on Veterans' Affairs.

By Mr. HARRIS:

H.R. 3306. A bill to encourage the discovery, development, and production of manganese-bearing ores and concentrates in the United States, its Territories, and possessions, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HECHLER:

H.R. 3307. A bill to authorize the Secretary of Agriculture to acquire additional food commodities for distribution to needy persons; to the Committee on Agriculture.

By Mr. HENDERSON:

H.R. 3308. A bill to amend the Internal Revenue Code of 1954 to repeal the excise tax on communications; to the Committee on Ways and Means.

By Mr. HOLIFIELD:

H.R. 3309. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. HOLLAND:

H.R. 3310. A bill to reduce the maximum workweek under the Fair Labor Standards Act of 1938, as amended, to 35 hours, and for other purposes; to the Committee on Education and Labor.

By Mr. HOLTZMAN:

H.R. 3311. A bill to amend the Internal Revenue Code of 1954 to regulate the importation of pistols and revolvers; to the Committee on Ways and Means.

By Mr. HORAN:

H.R. 3312. A bill to authorize the Chief of Engineers to survey areas of water supply shortages and to prepare reports and recommendations thereon with a view to alleviation of shortages in order to assure future development of the Nation; to the Committee on Public Works.

By Mr. HOSMER:

H.R. 3313. A bill to amend section 200 of the Soldiers and Sailors Civil Relief Act of 1940 to permit the establishment of certain facts by a declaration under penalty of perjury in lieu of an affidavit; to the Committee on Armed Services.

By Mr. HUDDLESTON:

H.R. 3314. A bill to provide for the issuance of a special postage stamp in honor of the memory of Father Abraham Joseph Ryan, the "Poet-Priest of the Confederacy"; to the Committee on Post Office and Civil Service.

By Mr. JOHNSON of California:

H.R. 3315. A bill to exempt the production of durum wheat in the Tulelake area, Modoc and Siskiyou Counties, Calif., from the acreage allotment and marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

H.R. 3316. A bill to implement section 4 of the act approved December 22, 1944 (Public, No. 534, 78th Cong.), as amended; to the Committee on Public Works.

By Mr. JOHNSON of Colorado:

H.R. 3317. A bill to amend the Employment Act of 1946 to include the promotion of maximum purchasing power at stable price levels as a continuing policy and responsibility of the Federal Government, and for other purposes; to the Committee on Government Operations.

By Mr. KEOGH:

H.R. 3318. A bill relating to duty-free imports of Philippine tobacco; to the Committee on Ways and Means.

By Mr. KILBURN (by request):

H.R. 3319. A bill to extend and amend laws relating to the provision and improvement of housing and the conservation and development of urban communities, and for other purposes; to the Committee on Banking and Currency.

By Mr. KILDAY:

H.R. 3320. A bill to amend the act of June 21, 1950, relating to the appointment of boards of medical officers; to the Committee on Armed Services.

H.R. 3321. A bill to amend title 10, United States Code, with respect to crediting certain service as a member of the Women's Army Auxiliary Corps, and for other purposes; to the Committee on Armed Services.

H. R. 3322. A bill to amend title 10, United States Code, and certain other laws to authorize the payment of transportation and travel allowances to escorts of dependents of members of the uniformed services under certain conditions, and for other purposes; to the Committee on Armed Services.

H.R. 3323. A bill to establish a peacetime limitation on the number of lieutenant generals in the Marine Corps; to the Committee on Armed Services.

H.R. 3324. A bill to amend title 10, United States Code, relative to extensions of enlistments; to the Committee on Armed Services.

H.R. 3325. A bill to establish a career pattern for officer-lawyers in the regular officer structure of the U.S. Marine Corps, and for other purposes; to the Committee on Armed Services.

By Mr. KILGORE:

H.R. 3326. A bill to provide for the acquisition of sites and the construction of buildings for a training school and other facilities for the Immigration and Naturalization Service, and for other purposes; to the Committee on Public Works.

By Mr. KING of California:

H.R. 3327. A bill to adjust the tax rates on light sparkling wines in relation to those imposed on other wines; to the Committee on Ways and Means.

By Mr. McDONOUGH:

H.R. 3328. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

By Mr. McFALL:

H.R. 3329. A bill to increase the annual income limitations governing the payment of pension to certain veterans and their dependents; to the Committee on Veterans' Affairs.

By Mr. McINTIRE:

H.R. 3330. A bill to amend the Federal Boating Act of 1958; to the Committee on Merchant Marine and Fisheries.

By Mr. MACK of Illinois:

H.R. 3331. A bill to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois waterway for navigation, and for other purposes; to the Committee on Public Works.

By Mr. MACK of Washington:

H.R. 3332. A bill relating to the treatment of certain advertising, sales promotion, and similar items in determining price and price readjustments for purposes of the Federal manufacturers' excise taxes; to the Committee on Ways and Means.

By Mr. MAGNUSON:

H.R. 3333. A bill to extend the application of the Davis-Bacon Act to Federal contracts for the demolition of existing buildings; to the Committee on Education and Labor.

By Mr. MARSHALL:

H.R. 3334. A bill to provide for 3-year terms of agricultural stabilization and conservation county committeemen in order to give added continuity and stability to the farmer committee system, and to provide for elected members of the State committee; to the Committee on Agriculture.

By Mrs. MAY:

H.R. 3335. A bill to provide for the apportionment by the Secretary of the Interior of certain costs of the Yakima Federal reclamation project, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3336. A bill to provide for certain reductions in the reimbursable construction cost of the Kittitas division of the Yakima reclamation project, Washington; to the Committee on Interior and Insular Affairs.

By Mr. MERROW:

H.R. 3337. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 3338. A bill to provide that active military or naval service performed during the period beginning on November 12, 1918, and ending on July 2, 1921, by any individual who served in Germany or Russia during that period shall be deemed to be World War I service for the purposes of all laws administered by the Veterans' Administration; to the Committee on Veterans' Affairs.

By Mr. METCALF:

H.R. 3339. A bill to amend the Flood Control Act of 1950 as it applies to the Libby Dam on the Kootenai River in the State of Montana; to the Committee on Public Works.

H.R. 3340. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges or dismissals; to authorize the award of an exemplary rehabilitation certificate; and for other purposes; to the Committee on Armed Services.

By Mr. MILLS:

H.R. 3341. A bill to provide that pensions for non-service-connected death shall be extended to the widows and children of deceased World War II and Korean veterans under the same conditions as apply to the widows and children of deceased World War I veterans; to the Committee on Veterans' Affairs.

By Mr. MORRIS of New Mexico:

H.R. 3342. A bill to provide for the construction by the United States of a sanitary sewer system for the Zuni Indian Tribe, Zuni, N. Mex.; to the Committee on Interstate and Foreign Commerce.

By Mr. O'NEILL:

H.R. 3343. A bill to admit 50,000 immigrants, natives and citizens of Italy; to the Committee on the Judiciary.

H.R. 3344. A bill to amend section 201 of the Immigration and Nationality Act, so as to provide that all quota numbers not used in any year shall be made available to immigrants in oversubscribed areas in the following year, and for other purposes; to the Committee on the Judiciary.

H.R. 3345. A bill to amend the Civil Service Retirement Act to increase to 2½ percent the multiplication factor for determining annuities for certain Federal employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

H.R. 3346. A bill to prohibit the termination, transfer, or curtailment of functions and activities at military or naval installations located in areas of substantial labor surplus which will result in a reduction of the number of civilian employees of the United States at such installation, until the Congress has had an opportunity to review such proposed action; to the Committee on Armed Services.

H.R. 3347. A bill to prohibit the assignment of certain duties to members of the Armed Forces; to the Committee on Armed Services.

By Mr. PELLY:

H.R. 3348. A bill to amend the Fisheries Cooperative Marketing Act; to the Committee on Merchant Marine and Fisheries.

By Mrs. PFOST:

H.R. 3349. A bill to support the price of whole milk, butterfat, and their products; to the Committee on Agriculture.

By Mr. POFF:

H.R. 3350. A bill to repeal the tax on transportation of persons; to the Committee on Ways and Means.

By Mr. PRICE:

H.R. 3351. A bill to amend section 303 of the Career Compensation Act of 1949 to permit the payment of the cost of transportation of house trailers or other mobile dwellings by members of the uniformed services; to the Committee on Armed Services.

By Mr. RIVERS of South Carolina:

H.R. 3352. A bill to amend section 709 of title 32, United States Code; to the Committee on Armed Services.

H.R. 3353. A bill to further amend section 302 of the Career Compensation Act of 1949 and section 7 of the Dependents Assistance Act of 1950 to authorize the payment of a basic allowance for quarters to an enlisted member of a Reserve component on active duty for training as if he were a member of a Regular component of the uniformed service; to the Committee on Armed Services.

H.R. 3354. A bill to clarify the deferred or exempt status of persons who enlist in a Reserve component of the Armed Forces; to the Committee on Armed Services.

H.R. 3355. A bill to amend titles 10 and 32, United States Code, to provide Federal support for defense forces established under section 109(c) of title 32; to the Committee on Armed Services.

H.R. 3356. A bill to clarify the status of members of the National Guard while attending or instructing at National Guard schools established under the authority of the Secretary of the Army or Secretary of the Air Force, as the case may be, and for other purposes; to the Committee on Armed Services.

H.R. 3357. A bill to equalize the treatment of reserves and regulars in the payment of per diem; to the Committee on Armed Services.

H.R. 3358. A bill to provide travel and transportation allowances for members of the National Guard and Reserve components when travel is performed in an active duty or inactive duty training status in compliance with Federal directives; to the Committee on Armed Services.

H.R. 3359. A bill to amend title 10, United States Code, with respect to the procedure for ordering certain members of the Reserve components to active duty and the requirements for physical examination of members of the Reserve components; to the Committee on Armed Services.

H.R. 3360. A bill to authorize Reserve officers to combine service in more than one Reserve component in computing the 4 years of satisfactory Federal service necessary to qualify for the uniform maintenance allowance; to the Committee on Armed Services.

H.R. 3361. A bill to provide for the organization of the National Guard Bureau, and for other purposes; to the Committee on Armed Services.

H.R. 3362. A bill to authorize rations in kind for Reserve officers performing inactive duty training for periods of 8 or more hours in any 1 day; to the Committee on Armed Services.

H.R. 3363. A bill to amend titles 10 and 32, United States Code, to change the terms for which enlistments may be accepted in the National Guard, and for other purposes; to the Committee on Armed Services.

H.R. 3364. A bill to amend title 10 and 32 of the United States Code to provide benefits for nonregular members of the Armed Forces and members of the National Guard disabled from disease, and for other purposes; to the Committee on Armed Services.

H.R. 3365. A bill to authorize the crediting of certain service for purpose of retired pay for nonregular service, and for other purposes; to the Committee on Armed Services.

H.R. 3366. A bill to authorize the extension of loans of naval vessels to the Governments of Italy and Turkey; to the Committee on Armed Services.

H.R. 3367. A bill to amend title 10, United States Code, by repealing section 7474, which grants to the Secretary of the Navy the authority to establish rates of wages for certain employees of naval activities; to the Committee on Armed Services.

H.R. 3368. A bill to extend the special enlistment programs provided by section 262 of the Armed Forces Reserve Act of 1952, as amended; to the Committee on Armed Services.

H.R. 3369. A bill to amend title 10, United States Code, with respect to active duty agreements for Reserve officers, and for other purposes; to the Committee on Armed Services.

H.R. 3370. A bill to amend title 32, United States Code, with respect to the system of courts-martial for the National Guard not in Federal service; to the Committee on Armed Services.

By Mrs. ROGERS of Massachusetts:

H.R. 3371. A bill to provide that service of cadets and midshipmen at the service Academies during specified periods shall be considered active military or naval wartime service for the purposes of laws administered by the Veterans' Administration; to the Committee on Veterans' Affairs.

By Mr. ROOSEVELT:

H.R. 3372. A bill to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes; to the Committee on Education and Labor.

H.R. 3373. A bill to equalize the pay for retired members of the uniformed services; to the Committee on Armed Services.

By Mr. RUTHERFORD:

H.R. 3374. A bill to authorize the construction of a bridge or bridges over the Rio Grande between the cities of El Paso, Tex., and Ciudad Juarez, Mexico; and the county of El Paso, Tex., and the State of Chihuahua; to the Committee on Foreign Affairs.

By Mr. SAYLOR:

H.R 3375. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by authorizing the Secretary of the Interior, acting through the Bureau of Mines, to contract for coal research and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TAYLOR:

H.R. 3376. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. THORNBERRY:

H.R. 3377. A bill to amend section 1371 of the Internal Revenue Code of 1954 to permit stock of a small business corporation which is owned by a husband and wife to be treated as owned by a single shareholder for purposes of determining the number of shareholders of such corporation; to the Committee on Ways and Means.

By Mr. TOLLEFSON:

H.R. 3378. A bill to amend the Federal Airport Act in order to extend the time for making grants under the provisions of such act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. UTT:

H.R. 3379. A bill to amend section 721 of the Internal Revenue Code of 1939; to the Committee on Ways and Means.

H.R. 3380. A bill to authorize an extension of the Los Angeles and Long Beach Harbors breakwater; to the Committee on Public Works.

H.R. 3381. A bill to cancel reimbursable charges against Mission Indian lands in California; to the Committee on Interior and Insular Affairs.

H.R. 3382. A bill to amend the Veterans' Benefits Act of 1957 to permit permanent plan U.S. Government life (converted) insurance policies and national service life insurance policies to be assigned as collateral for certain loans; to the Committee on Veterans' Affairs.

H.R. 3383. A bill for the relief of the Newport Harbor Union High School District, Newport Beach, Calif.; to the Committee on the Judiciary.

H.R. 3384. A bill to provide for the assessment of costs against the United States in the case entitled "United States against Fallbrook Public Utility District"; to the Committee on the Judiciary.

By Mr. VAN ZANDT:

H.R. 3385. A bill to amend section 7 of the Small Business Act to provide assistance in perfecting their products to small businesses through a system of grants to land-grant colleges and universities; to the Committee on Banking and Currency.

H.R. 3386. A bill to amend title II of the National Defense Education Act of 1958 with respect to persons who shall receive special consideration in the award of loans thereunder, and who are eligible to have up to one-half of such loans canceled; to the Committee on Education and Labor.

By Mr. VINSON:

H.R. 3387. A bill to amend title 10, United States Code, as relates to the Uniform Code of Military Justice; to the Committee on Armed Services.

By Mr. VINSON (by request):

H.R. 3388. A bill to amend the Department of Defense Appropriation Act, 1959, to repeal certain minimum strength requirements for the Army Reserve and the Army National Guard; to the Committee on Armed Services.

By Mr. WAINWRIGHT:

H.R. 3389. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

H.R. 3390. A bill for the establishment of a temporary National Advisory Committee for the Blind; to the Committee on Education and Labor.

H.R. 3391. A bill to exempt from chapter 61 (relating to lotteries) of title 18, United States Code, bingo and similar games conducted by nonprofit organizations and associations; to the Committee on the Judiciary.

By Mr. WATTS:

H.R. 3392. A bill relating to duty-free imports of Philippine tobacco; to the Committee on Ways and Means.

By Mr. WHITENER:

H.R. 3393. A bill to increase from $600 to $1,000 the personal income tax exemption of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Ways and Means.

H.R. 3394. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 3395. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

H.R. 3396. A bill to repeal the tax on transportation of persons; to the Committee on Ways and Means.

H.R. 3397. A bill to amend the Internal Revenue Code of 1954 to increase the amount which a taxpayer may deduct on account of expenses paid for the care of his or her dependents; to the Committee on Ways and Means.

H.R. 3398. A bill to provide a residence for pages of the Senate and of the House of Representatives, under the supervision of a Capitol Pages' Residence Board; to the Committee on House Administration.

H.R. 3399. A bill to provide that pensions for non-service-connected death shall be extended to the widows and children of deceased World War II and Korean veterans under the same conditions as apply to the widows and children of deceased World War I veterans; to the Committee on Veterans' Affairs.

By Mr. WIDNALL:

H.R. 3400. A bill to provide an additional judge for the district of New Jersey; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 3401. A bill to provide that the Administrator of General Services shall save historic buildings and works of art owned by the United States and shall restore such works of art which have deteriorated or become damaged; to provide high standards of arcitectural design and sound decoration for Federal public buildings; and for other purposes; to the Committee on Public Works.

By Mr. ZELENKO:

H.R. 3402. A bill to amend section 432(g) of title 14, United States Code, so as to increase the limitation on basic compensation of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard from $3,750 to $5,100 per annum; to the Committee on Merchant Marine and Fisheries.

By Mr. CHENOWETH:

H.J. Res. 186. Joint resolution to direct the Federal Communications Commission to authorize the continued operation of VHF television booster stations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HALEY:

H.J. Res. 187. Joint resolution to create the Quadricentennial Anniversary Commission of Florida, Inc., and to set forth the dates and places thereof; to the Committee on the Judiciary.

By Mr. HORAN:

H.J. Res. 188. Joint resolution relating to Father's Day; to the Committee on the Judiciary.

By Mr. MACK of Washington:

H.J. Res. 189. Joint resolution proposing an amendment to the Constitution of the United States empowering the Congress to authorize the President to approve and disapprove separate items or provisions in appropriation bills; to the Committee on the Judiciary.

By Mr. MERROW:

H.J. Res. 190. Joint resolution proposing an amendment to the Constitution prohibiting a State from taxing certain income of a nonresident; to the Committee on the Judiciary.

By Mr. SILER:

H.J. Res. 191. Joint resolution placing certain individuals who served in the Armed Forces of the United States in the Moro Province, including Mindanao, and in the islands of Leyte, Luzon, and Samar after July 4, 1902, and their survivors, in the same status as those who served in the Armed Forces during the Philippine Insurrection and their survivors; to the Committee on Veterans' Affairs.

By Mr. UTT:

H.J. Res. 192. Joint resolution providing for the revision of the Status of Forces Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; to the Committee on Foreign Affairs.

By Mr. WIDNALL:

H.J. Res. 193. Joint resolution proposing an amendment to the Constitution of the United States relating to the right of citizens of the United State 18 years of age or older to vote; to the Committee on the Judiciary.

By Mr. WHITTEN:

H.J. Res. 194. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. ASPINALL:

H. Con. Res. 42. Concurrent resolution favoring the operation of VHF television booster or repeater stations under certain conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. BROCK:

H. Con. Res. 43. Concurrent resolution favoring the operation of VHF television booster or repeater stations under certain conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. HORAN:

H. Con. Res. 44. Concurrent resolution favoring the operation of VHF television booster or repeater stations under certain conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Colorado:

H. Con. Res. 45. Concurrent resolution favoring the operation of VHF television booster or repeater stations under certain conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. KING of Utah:

H. Con. Res. 46. Concurrent resolution favoring the operation of VHF television booster or repeater stations under certain conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. McGINLEY:

H. Con. Res. 47. Concurrent resolution favoring the operation of VHF television booster or repeater stations under certain conditions; to the Committee on Interstate and Foreign Commerce.

By McGOVERN:

H. Con. Res. 48. Concurrent resolution favoring the operation of VHF television booster or repeater stations under certain conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. MAGNUSON:

H. Con. Res. 49. Concurrent resolution favoring the operation of VHF television booster or repeater stations under certain conditions; to the Committee on Interstate and Foreign Commerce.

By Mrs. PFOST:

H. Con. Res. 50. Concurrent resolution favoring the operation of VHF television booster or repeater stations under certain conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. REES of Kansas:

H. Con. Res. 51. Concurrent resolution favoring the operation of VHF television booster or repeater stations under certain conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS of Colorado:

H. Con. Res. 52. Concurrent resolution favoring the operation of VHF television booster or repeater stations under certain conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. TOLLEFSON:

H. Con. Res. 53. Concurrent resolution favoring the operation of VHF television booster or repeater stations under certain conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. UDALL:

H. Con. Res. 54. Concurrent resolution favoring the operation of VHF television booster or repeater stations under certain conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. WAINWRIGHT:

H. Con. Res. 55. Concurrent resolution providing for the printing of the "Code of Ethics for Government Service" as a House document; to the Committee on House Administration.

By Mr. WEAVER:

H. Con. Res. 56. Concurrent resolution favoring the operation of VHF television booster or repeater stations under certain conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. GUBSER:

H. Res. 135. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. HARRIS:

H. Res. 136. Resolution to provide funds for investigations and studies conducted pursuant to House Resolution 56, by the Committee on Interstate and Foreign Commerce; to the Committee on House Administration.

By Mr. WALTER:

H. Res. 137. Resolution to authorize the expenditure of certain funds for the expenses of the Committee on Un-American Activities; to the Committee on House Administration.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By Mr. CHENOWETH: House Joint Memorial No. 1 of the Colorado State Legislature urging the continued operation of the TV booster stations in Colorado and other States; to the Committee on Interstate and Foreign Commerce.

By the SPEAKER: Memorial of the Legislature of the State of Missouri, memorializing the President and the Congress of the United States to establish a national recreational area on the Current and Eleven Point Rivers as proposed by the National Park Service and the U.S. Forest Service; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of Nebraska, memorializing the President and the Congress of the United States to grant immediate statehood to the Territory of Hawaii; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States relative to voicing opposition to House Resolution No. 53, which would abolish the House Committee on Un-American Activities; to the Committee on Rules.

Also, memorial of the Legislature of the State of South Dakota, memorializing the President and the Congress of the United States to take such remedial action as deemed necessary to preclude the closing of low power booster stations necessary for television reception in certain areas of the State of South Dakota; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANFUSO:

H.R. 3403. A bill for the relief of Adolf Jindrich Salomon; to the Committee on the Judiciary.

H.R. 3404. A bill for the relief of David Sheppard; to the Committee on the Judiciary.

By Mr. CEDERBERG:

H.R. 3405. A bill for the relief of Richard Schutt; to the Committee on the Judiciary.

By Mr. CURTIS of Massachusetts:
H.R. 3406. A bill for the relief of William H. Pearlmutter; to the Committee on the Judiciary.

By Mr. FOLEY:
H.R. 3407. A bill for the relief of Francisco Joaquim Alves; to the Committee on the Judiciary.

By Mr. GIAIMO:
H.R. 3408. A bill for the relief of Basile G. Skalenakis; to the Committee on the Judiciary.

By Mr. HEALEY:
H.R. 3409. A bill for the relief of Suzie Sevilya Aelion; to the Committee on the Judiciary.

By Mr. HORAN:
H.R. 3410. A bill for the relief of Mrs. Leonard O. Erickson; to the Committee on the Judiciary.

By Mr. JOHNSON of Maryland:
H.R. 3411. A bill for the relief of Wilmore E. Balderson; to the Committee on the Judiciary.

By Mr. KILDAY:
H.R. 3412. A bill to authorize the appointment of Robert Wesley Colglazier, Jr., as permanent brigadier general of the Regular Army; to the Committee on Armed Services.
H.R. 3413. A bill to authorize the appointment of Philip Ferdinand Lindeman as permanent colonel of the Regular Army; to the Committee on Armed Services.

By Mr. McDONOUGH:
H.R. 3414. A bill for the relief of Yoichi Omori; to the Committee on the Judiciary.

By Mr. MACK of Illinois:
H.R. 3415. A bill for the relief of America Sanchez de Chen; to the Committee on the Judiciary.
H.R. 3416. A bill for the relief of Percy C. Hasten; to the Committee on the Judiciary.

By Mr. MULTER:
H.R. 3417. A bill for the relief of Gyorgy Stulberger; to the Committee on the Judiciary.

By Mr. O'NEILL:
H.R. 3418. A bill for the relief of Homa Gashgai and Nahid Gashgai; to the Committee on the Judiciary.

By Mr. RIVERS of South Carolina:
H.R. 3419. A bill to provide for the advancement of Capt. Edward J. Steichen, U.S. Naval Reserve (retired), to the grade of rear admiral on the Naval Reserve retired list; to the Committee on Armed Services.

By Mrs. ST. GEORGE:
H.R. 3420. A bill for the relief of Joseph La Piana; to the Committee on the Judiciary.

By Mr. TEAGUE of California:
H.R. 3421. A bill for the relief of Rafael Walog; to the Committee on the Judiciary.

By Mr. TEAGUE of California (by request):
H.R. 3422. A bill for the relief of Electronic Medical Foundation; to the Committee on the Judiciary.

By Mr. UTT:
H.R. 3423. A bill for the relief of Orange Coast College, Costa Mesa, Calif.; to the Committee on the Judiciary.
H.R. 3424. A bill to authorize the appointment of Sidney F. Mashbir, colonel, Army of the United States, to the permanent grade of colonel in the Regular Army, on the retired list; to the Committee on Armed Services.
H.R. 3425. A bill for the relief of Mondello Francesca Colleraffi; to the Committee on the Judiciary;
H.R. 3426. A bill for the relief of Hong-to Dew; to the Committee on the Judiciary.

By Mr. WALLHAUSER:
H.R. 3427. A bill for the relief of Idel Volkman; to the Committee on the Judiciary.

By Mr. WALTER:
H.R. 3428. A bill for the relief of John (Hanna) Karam; to the Committee on the Judiciary.

By Mr. WIDNALL:
H.R. 3429. A bill for the relief of Aristidis Veloudos; to the Committee on the Judiciary.
H.R. 3430. A bill for the relief of Gert Forsthoff; to the Committee on the Judiciary.
H.R. 3431. A bill for the relief of Fahridin Nushi; to the Committee on the Judiciary.
H.R. 3432. A bill for the relief of Alice Guy Blache; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

48. By Mr. CANFIELD: Resolutions adopted by the Newark, N.J., Archdiocesan Federation of Holy Name Societies: In opposition to the recognition of Red China by the United States and admission of Red China to the United Nations; also urging withdrawal of recognition of United Nations representatives of current Hungarian regime; to the Committee on Foreign Affairs.

49. Also, resolution adopted by the Vegetable Growers' Association of New Jersey opposing the use of public funds to bring new land into production; to the Committee on Interior and Insular Affairs.

50. By the SPEAKER: Petition of the president, Council of Jewish Federations and Welfare Funds, Inc., New York, N.Y., petitioning consideration of their resolution with reference to requesting continuation of economic aid to Israel and the Middle East; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Cecil B. de Mille

EXTENSION OF REMARKS
OF
HON. EDGAR W. HIESTAND
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Monday, January 26, 1959

Mr. HIESTAND. Mr. Speaker, California and the Nation lost a great man last week.

Cecil B. de Mille, first citizen of Hollywood, came west from New York in 1913 to make the first feature-length motion picture. He stayed on to build an industry and a personal reputation that will survive him as long as men seek diversion from the cares of life in the motion picture theater; perhaps longer.

He was a pioneer in practically every phase of his industry, constantly developing, changing, adapting new ideas, many of them his own. But in his personal life he was a traditionalist, clinging to the morality, religion, and ethics taught at his mother's knee.

He once remarked that when he was a boy, there were no motion pictures, and that for entertainment his mother read each evening one chapter from the Old Testament and one from the New. His selection of religious themes for many of his productions reflects this early training. His "King of Kings," produced some 30 years ago, is still showing in far corners of the world. His latest of two "The Ten Commandments," it has been estimated, will play for 50 years.

Although his own success was seldom if ever in doubt, De Mille was never at ease when the industry was in trouble. He gave freely of his wise counsel and often acted as financier to companies suffering the stress of a young and sometimes erratic industry.

Young De Mille ran away from school at 15 and tried to enlist in the Army to fight in the Spanish-American War. In World War I he organized a company of the California Home Guard. During World War II he personally accounted for the sales of millions of dollars' worth of war bonds, and millions more through bond-selling shows utilizing actors and actresses under contract to him.

His concept of patriotism extended beyond service in wartime. He was a leader of public affairs and political thought in peacetime as well. At the height of his career in radio, he was thrown off the air for refusing to pay a $1 union assessment which he found incompatible with his sure sense of freedom. The assessment was to be used by the union to fight right-to-work legislation. De Mille, who favored right-to-work, contended that the involuntary assessment forced him to support a belief contrary to his own. He lost the court battle but fought for the principle for the rest of his life.

Cecil B. de Mille was honored by his contemporaries. Industrial awards, including the coveted Oscar, honorary degrees, and organization and Government awards came his way, justly earned. He received one of the first of nine great living American awards bestowed by the United States Chamber of Commerce in 1957.

I mourn the passing of Cecil B. de Mille. He was a great man.

Tom Kitayama—Union City Councilman

EXTENSION OF REMARKS
OF
HON. GEORGE P. MILLER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Monday, January 26, 1959

Mr. GEORGE P. MILLER. Mr. Speaker, one of the most rapidly growing areas in California is southern Alameda County. In the last 5 years three areas have been incorporated into new cities. The last came into being early this month when the people of the Alvarado-Decoto district decided to incorporate into Union City.

Under California State law this can only be done by referendum. The proposition to incorporate Union City carried better than 4 to 1.

At the same election 15 citizens of the area submitted their qualifications to the voters by seeking 5 nonpartisan city council seats. The man who topped the

ticket was Tom Kitayama, a 35-year-old prominent nurseryman.

Councilman Kitayama is probably the first northern California Nisei to seek an elective post as city councilman. His election is indicative of the respect with which Californians hold their fellow countrymen of Japanese ancestry.

Kitayama's younger brother, Kee, is the newly elected president of Eden Township Japanese-American Citizens League. Another brother, Ray, is a past president of the Freemont JACL.

The Kitayama brothers operate one of the largest carnation nurseries in the country. Tom is president and coowner of the firm and also director on both the northern California Carnation Growers Association and the American Carnation Society.

Tom is married to the former Hideko Horikawa, both Seattle-born Nisei, and they have four children.

Washington Report

EXTENSION OF REMARKS
OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 26, 1959

Mr. ALGER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following, my newsletter of January 24:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas)

The 1960 budget, 1,275 pages, 2 inches thick, more than 4 pounds in weight, lists $77 billion in Federal Government expenditures for fiscal 1960 (July 1959 to July 1960). Comparatively, this is $3.9 billion less than this year, fiscal 1959. Receipts will be an estimated $77.1 billion, which is $9.1 billion more than this year. (However, total expenditures to the public are listed as $92.9 billion and total receipts $93.5 billion as distinguished from budgetary.) The President's 78-page budget message, a condensed explanation, discussed expenditures and receipts by Government departments, by military and civilian, and by specific legislative program.

Commendable, as I see it, are these thoughts: (1) We must have a balanced budget, live within our means, pay as we go; we must foster initiative and free enterprise, a sound economy and currency; (2) we need to review existing programs; (3) Congress, not the administration, is constitutionally responsible for the appropriation of money, and the size of the budget results from earlier congressional legislation; (4) Federal programs, wherever possible, should be shifted back to the States (along with tax jurisdiction); (5) we must assure maximum defense for each dollar spent; (6) research in many fields, particularly military, is continually being increased; (7) a better agricultural program is needed with less cost to the taxpayer and less control of the farmer; (8) Government whenever possible should sell surplus property; (9) more user charges and less subsidies are needed so that users, not the general public, foot the bill; (10) private financing, not Government loans, should be stimulated, through flexible interest rates.

Criticisms include: (1) Is a budget balanced and the Federal Government controlled when projects are deferred, rather than canceled; when 43,000 new employees are to be hired; when more money is to be spent in aid to education, vocational rehabilitation, public works, urban renewal, public housing, and almost every welfare program? (2) since 1955 the budget has grown two to one in welfare over defense needs, when we know military requirements are paramount; simultaneously politicians assure us budget growth results from defense requirements; (3) increased population (as reason for budget growth) puts more strain on local government (utilities, schools, etc.) than on Federal Government; (4) Congress is offered additional opportunities to lose control. Example: (a) Foreign aid development loan fund is a revolving fund outside Congress' direct control; (b) other revolving funds are proposed; (c) item veto would transfer to the President great new authority; (d) foreign aid and Public Law 480 (Food Disposal Act) each transfer jurisdiction to the President; (e) requested presidential blanket emergency funds take the purse strings from Congress. (5) The foot-in-the-door programs where great spending increases follow program inception include: (a) Defense education bill; (b) public assistance under social security; (c) urban renewal; (d) world loans through various international banks; (e) many others; (6) the Federal Government intends to foster local initiative by offering more Federal money and control; (7) built-in growth factors and fixed costs are skyrocketing costs without new programs. (Example: Public works will be at an alltime high without even adding any new projects.) (8) Tax incentives to encourage private investment abroad—isn't this tax bribery? Will this weaken investment at home as greater gains can be had in other countries? Is this fair or constitutional? (9) Non-service-connected disabilities of veterans are soaring.

The big question really seems to be, Has the budget gotten beyond all control? After all, it is almost $8 billion higher than the $70 billion budget of 2 years ago that precipitated a nationwide furor. And why the increase? Perhaps Budget Director Stans said it best—"Why is it that some business leaders join taxpayers' organizations to bring pressure on the Government to cut expenses, yet support industry groups seeking more Government subsidies? Why is it that some labor leaders press hard for wage increases to keep up with the cost of living, and then urge a massive program of legislative action which, if adopted, would lead to more deficit spending, higher taxes, and inflation—all of which could only demoralize the value of wages earned?"

Now the battle of the budget begins politically. (See CONGRESSIONAL RECORD.) Mr. CANNON, of Missouri, Appropriations Committee chairman, said, "All fiscal recommendations start with the President. Congress does not make the budget—he is at complete liberty to recommend a cut of $5, $10, $15, or $20 billion." Mr. JENSEN, of Iowa, said, "The President cannot spend 1 penny which the Congress does not appropriate. We all know that." Mr. HALLECK, of Indiana, said, "The chairman of the great Committee on Appropriations referred to the increase from $65 billion to $79 billion over the past 4 years. During those 4 years he has been chairman of that committee, and Congress holds the purse strings over expenditures." So it goes—expenditures are voted by Congress, Democrat controlled, whose leaders now try to shift the blame to the President, who can only administer the law, which Congress passes. "The President proposes, but Congress disposes." We here know this, yet it is the people who are to be hoodwinked. True, the President could be a more forceful leader, but liberal Democrat spending critics offer only, "We must spend more." (First day of Congress, six Democrats put in bills with a 5-year price tag of $117 billion.)

Why not review all existing programs, as the President suggested we do in the military, to be sure we get maximum value received for each dollar spent in the Federal Government? For maximum value in the military, let's get the Defense Department out of business operations. Why not apply evaluation yardsticks to every Government program now? (1) Is this a function of Federal Government? (2) Can we afford it?

Mikoyan and Russian propaganda experts will now demonstrate over and over the reason for his visit and the gullibility of American people. Mikoyan will speak for American people as set apart and opposed to their Government. Let's review a few Russian comments. Khrushchev called Mikoyan to his face a professional traitor. Khrushchev, speaking of the United States and Russia, "We cannot coexist externally. One of us must go to his grave. We must push them to their graves." Khrushchev again, "We Bolsheviks are a ravenous people. What we achieved in the past is very little" (enslavement of half the world). "We want more and more." On Manuilsky, Russian instructor of political warfare, "War to the hilt between communism and capitalism is inevitable. To win we shall need the element of surprise. The bourgeoisie will have to be put to sleep, so we shall begin by launching the most spectacular peace movement on record. There will be electrifying overtures and unheard-of concessions. The capitalist countries, stupid and decadent, will rejoice to cooperate in their own destruction. They will leap at another chance to be friends. As soon as their guard is down, we shall smash them with our clenched fists." Need more be said?

Legislative Proposals

EXTENSION OF REMARKS
OF

HON. BASIL L. WHITENER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 26, 1959

Mr. WHITENER. Mr. Speaker, I have today offered seven bills for consideration by the House of Representatives. These bills, in my judgment, should be promptly considered by the appropriate committees and reported out for final approval at the earliest possible date.

The legislative proposals which I am making may be briefly summarized as follows:

I. EXCISE TAX REPEAL

One of the bills provides for the repeal of the excise tax on communication services and facilities, and another provides for the repeal of such taxes upon the transportation of persons.

Further collection of these excise taxes seems to me to be unwarranted in view of the fact that they were originally imposed as wartime tax-raising devices. These taxes constitute an undue burden upon individuals of small businesses. Repeal would result in very little loss of revenue to the Government and would serve as a stimulus to small business and individual savings.

In the 85th Congress we repealed the excise tax upon the transportation of property, and it now seems highly proper that we should do the same with reference to transportation tax upon persons.

II. ADDITIONAL INCOME TAX DEDUCTIONS AND EXEMPTIONS

One of the bills which I have offered will increase the amount which a taxpayer may deduct on account of expenses paid for the care of his or her dependents who are under the age of 16 years. The other measure would increase from $600 to $1,000 the personal income tax exemption of a taxpayer, including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age or blindness.

The working mothers in our country are being heavily penalized under the present Internal Revenue Code by reason of their inability to deduct the costs of care for dependents while the mother is necessarily working to earn a livelihood for her family. To fail to give the consideration which this bill offers for taxpayers who must pay for the care of their dependents while gaining their livelihood will constitute the compounding of a wrong which has long been experienced by the working mothers of our country. I believe that this legislation is long overdue and entertain the hope that others in the House will concur with that thought.

An increase in the personal tax exemption for taxpayers from $600 to $1,000 will give tax relief to the lower income citizens and, thereby, should have a great stimulus upon business as well as personal savings by those in the lower income brackets. The increase in personal exemption which is envisioned will result in very little overall loss of revenue to the Federal Government and could, in the long pull, result in an increase in the revenue by reason of the stimulation which it will give to business.

III. SOCIAL SECURITY

Another bill which I am offering will amend title II of the Social Security Act by removing the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder.

This legislation is made essential by reason of the inflationary spiral in which those who are receiving benefits find themselves. Those recipients who are physically able to carry on gainful employment should not be penalized for their diligence and energy, but rather should be encouraged to continue to make their contribution to the business, economic, and industrial life of their country.

Those who have attained all eligibility requirements except the reduction of their own income should not be penalized but should be given the encouragement which this legislation proposes.

IV. WORLD WAR II AND KOREAN WIDOWS AND ORPHANS

Another bill that I am offering today provides that pensions for non-service-connected death shall be extended to the widows and children of deceased World War II and Korean veterans under the same conditions as apply to the widows and children of deceased World War I veterans. This legislation, if enacted, will meet one of the real needs in the field of veterans' affairs in this country. Since 1934 the provision has been made for widows and children of deceased World War I veterans in the manner now sought to be extended to widows and orphans of deceased World War II and Korean veterans. Certainly it can be said that these individuals should receive the same consideration as now extended to those similarly situated by reason of casualties of World War I.

This legislation will mean a great deal to many needy and worthwhile widows and children in this land of ours.

V. SENATE AND HOUSE PAGES

I am also offering a bill to provide a residence for pages of the Senate and of the House of Representatives under the supervision of a Capitol Pages' Residence Board.

It has alarmed most Members of Congress that young boys are being brought from their homes throughout the country to Washington to serve as pages in the two bodies of Congress without having any provision made for their supervision and housing upon their arrival in the Nation's Capital.

This is a situation which should not be permitted to exist beyond the current session of the United States Congress.

To establish a pages' residence would not require any tremendous appropriation, particularly in view of the fact that it is contemplated that the pages will pay such rates and fees, as far as practicable, as are sufficient to make the operation and maintenance of the residence self-sustaining.

This residence idea is not a new one. It has been discussed with and by many of my colleagues, and it seems to be uniformly agreed that something should be done immediately to eliminate the failure of supervision which we now observe in the handling of housing arrangements for our splendid young boys.

Mr. Speaker, I again reiterate that I entertain the hope that the legislative proposals which I am today making will be seriously and promptly considered by the House of Representatives through the appropriate committees and that action may be taken upon them with the greatest possible dispatch.

Tribute to Representative Herman P. Eberharter

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, January 26, 1959

Mr. EVINS. Mr. Speaker, may I also join my colleagues from Pennsylvania, and other Members, in paying a brief tribute to the memory of the Honorable Herman P. Eberharter. He was a great Democrat and a most able representative of the people of his district and his State. He possessed a wonderful personality and served with great distinction as a member of the Ways and Means Committee. We miss him and will continue to miss him.

May I extend an expresion of my sincere sympathy to the members of his family.

A Problem Confronting the Indian People of South Dakota

EXTENSION OF REMARKS

OF

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 26, 1959

Mr. BERRY. Mr. Speaker, it is my purpose today to bring before the Congress one of the most vexing problems confronting the Indian people of South Dakota, confronting the counties and the State of South Dakota.

The problem results from a policy of the Indian Department established at the Washington level, that when an Indian has been away from a reservation for 1 year, the Department is no longer responsible for him or his family, either for medical care, for relief, or any other benefits intended by Congress for the Indian people, including such benefits as trades training, on-the-job training, educational loans, and so forth.

These latter programs, however, do not cause too great disruption between Federal and local governments, they have only a detrimental effect upon the welfare of the individual Indian.

One of the serious problems, however, arises from the fact that most States, including the State of South Dakota, have a statute providing that an indigent person or an indigent family moving from one county to another may not become a resident of the new county, and, therefore, become a county ward or a financial burden upon that new county, if the new county into which the individual or the family moves, does, within a certain time, serve upon him a notice to prevent acquiring a legal settlement.

Such notice in South Dakota provides that the individual coming into such county from another county or another State who is likely to become a public charge, is thereby warned to depart therefrom, and that service of such notice shall apply to all members of such family.

Through the years, the law has been upheld and interpreted many times by the Supreme Court. Families have been returned to their original county several years after leaving that county, if they should attempt to become a public charge upon the new county.

The Indian Department, however, refuses to recognize the laws of the State of South Dakota. When an Indian has been off of the reservation for a year, the Department washes its hands of him, regardless of whether the county into which he has moved serves a notice to prevent acquiring legal settlement or not. Public Health follows the policy of the Indian Department. The result is that counties in South Dakota located near Indian reservations, where Indian people congregate for employment, find themselves in an unbearable position, with the

Indian Department refusing assistance and the country unable to provide the assistance. The Indian finds himself caught in the bind.

One serious example is the hospitals in Rapid City, S. Dak., where many thousands of dollars of hospital bills each year go unpaid by either the county or the Federal Government. Indian people are brought to the hospital in serious condition, an emergency exists and they must be given treatment. Because the Indian is indigent and unable to pay, the hospital is required to carry the cost of treatment and hospitalization.

I would quote from a letter under date of January 19, 1959, from the St. John's McNamara Hospital of Rapid City, S. Dak., with regard to the hospital bill of one Bert Guy Eagle Horse, age 41, an indigent taken to that hospital for emergency treatment and hospitalization. Part of the letter follows:

> He was found lying in the street, a tire iron lying nearby and with severe lacerations about the head. A severe blow across the base of the man's head caused a state of unconsciousness requiring immediate attention. I called Dr. Sicher, the Indian public health physician, at the clinic in the city of Chamberlain, S. Dak., for authorization. This was refused. I explained that he had authorized treatment for the man for rattlesnake bite at a previous admittance, August 1, 1958, and that they had recognized him as being eligible for authorization. He advised me that this was true, but that he had discovered that this was a mistake and that he should not have given it.

When the hospital called Pennington County Welfare Office they were advised that Bert Guy Eagle Horse was not a resident of Pennington County and apparently was prevented from becoming a resident, because of the South Dakota law. The county in which the home reservation of Bert Guy Eagle Horse is located will, of course, not pay the bill.

This, Mr. Speaker, creates a no man's land with the individual Indian and the hospital caught in the bind. The Congress appropriates millions of dollars annually in the belief that the Indian people are being cared for. The fact is, the policy of the Indian Department makes of these people, who are encouraged by the Department to leave the reservation, a man without a country and ineligible for any assistance. This, in my judgment, Mr. Speaker, is a field in which the Congress must act. It is unfair to the Indian people that a vacuum should exist in which these people now find themselves at the mercy of non-Indian hospitals located adjacent to an Indian reservation.

We are advised that the Public Health hospitals on the reservation will give service to Indian people regardless of the fact that they have left the reservation for a time, but there is no provision for their return and no provision for emergency treatment. Worse than that, there is no provision for any public assistance to these families who having been encouraged to leave the reservation in search of work and to integrate into the white society, then find themselves destitute in a county which has served legal notice upon them to prevent their acquiring a legal settlement.

In the Quality and Integrity of Our Young People Lies the Strength and Future of America

EXTENSION OF REMARKS
OF
HON. WILLIAM H. NATCHER
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Monday, January 26, 1959

Mr. NATCHER. Mr. Speaker, each year the Kentucky Junior Chamber of Commerce names its three outstanding young men and an outstanding young farmer of the year. On January 20 the selections for 1958 were made and it was with a great deal of gratification and pride that I learned that two of the four young men chosen for this distinguished honor are from the Second Congressional District of Kentucky which I have the honor to represent.

Thomas B. Hagerman, selected by the Kentucky Junior Chamber of Commerce as one of its three outstanding young men, is a native of Bowling Green, my hometown in Warren County. And William T. Roark, chosen as the outstanding young farmer, is from Franklin, Simpson County. These two men exemplify, in the truest sense, the tradition of selfless service to community and fellow citizens which has played such an important part in the growth of Kentucky and this great country of ours.

The choice of Thomas B. Hagerman is quite appropriate as the variety of activities in which he participates with excellence makes him indeed worthy of the appellation "outstanding." As an agent for Aetna Oil Co., in Bowling Green, Mr. Hagerman gives freely of his time, energy, and leadership to the various groups whose common denominator is the betterment of the community and the instilling of worthy ideals of service and integrity in the youth of that community. In these troubled times when the newspaper headlines scream of juvenile crimes, I would like to take this opportunity to express my personal appreciation for young men such as Thomas B. Hagerman. I can think of no better way to inspire the youth of our Nation with the ideal of service to their fellow man than by example. The emulation of men such as Thomas Hagerman cannot help but produce finer citizens of tomorrow.

Mr. Hagerman, who graduated from Western Kentucky State College, is a Jaycee, is active in church work, is a coach of the Small Fry Football Conference, a member of the Two Gallon Blood Donor Club, is a Warren County jury commissioner, a veteran participating in the Army Reserve program, and a high-school football official. The scope of his interests ranging from church work, youth direction, service to community as a jury commissioner, to Army Reserve activities indicates the fullness and maturity of character possessed by Mr. Hagerman.

As service to community enhances the facilities of our urban centers, so excellence in farming contributes to the productivity of our rural areas upon which this Nation was built. It is to men such as William T. Roark that we can look with pride and confidence to the further development of agriculture. During the past 11 years in which Mr. Roark has engaged in farming, he has increased the productivity of his 985-acre farm by 166 percent. He raises beef cattle and seed. In addition to his truly outstanding farmwork, young Roark is active in his church, the Rotary Club, Kentucky Chamber of Commerce, Masons, soil-conservation work, county extension council, Simpson County Farm Bureau, and Simpson County Tobacco Association. When so many of our young men are leaving the land with the idea of quick success in the city, the example set by William T. Roark should serve as an inspiration to the youth who elect to remain on the farm and achieve a full and satisfying life in agricultural pursuits.

I am justifiably proud in being able to place in the RECORD a brief tribute to the accomplishments of these two fine young men from the Second Congressional District of Kentucky. In the quality and integrity of our young people lies the strength and future of America and certainly Thomas B. Hagerman and William T. Roark are worthy of the trust placed in them.

Justice for Hawaii

EXTENSION OF REMARKS
OF
HON. JOHN W. McCORMACK
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, January 26, 1959

Mr. McCORMACK. Mr. Speaker, in my extension of remarks, I include a statement made by me before the Committee on Interior and Insular Affairs in support of the admission of Hawaii as a State of the Union.

The statement follows:

JUSTICE FOR HAWAII

Mr. Chairman: In the last Congress, Alaska came of age; it is now long past the hour to end Hawaii's apprenticeship. It is an indisputable fact, that Hawaii met the traditional threefold test of eligibility for statehood.

Before analyzing Hawaii's eligibility, permit me to remind my colleagues of the three basic requirements demanded by tradition and precedent for admission. First, the people of the Territory must evince love for the ideals of American democratic government. Second, a majority of the electorate must express a clear desire for statehood. And third, the Territory must possess sufficient resources and population to support the cost of State government. I shall demonstrate that Hawaii has passed these tests with high honors.

The Hawaiian people have been drawn to America almost from the very dawn of their modern history. In 1820, 17 New England missionaries arrived in the archipelago; and before the passage of many years the natives in large measure were converted to Christianity and made familiar with the ways of the West. White whalers, traders, speculators, and sugar planters migrated to the islands in progressively greater numbers.

By 1842, five out of six ships calling at Hawaii were American; and Yankee cultural influence, despite strong British competition, rapidly assumed predominance. In 1842 a constitution modeled in part after that of the United States was adopted. Fourteen years later the people of this constitutional monarchy urged their King to negotiate for annexation to the United States. He complied, but the project was abandoned with his untimely death.

In 1893 Hawaii became a Republic, and negotiations for annexation were immediately undertaken. A treaty linking the two Republics was soon fashioned, but it was withdrawn from the American Senate by President Cleveland, who had not been in office when the Hawaiian revolution erupted and who disapproved of what he considered the unseemly haste by which the annexation convention had been drafted.

Four years later a new treaty of annexation was signed, but it, too, failed of ratification. Finally, sponsors of the treaty abandoned it in favor of submitting to Congress a joint resolution of annexation, the passage of which required only a simple majority vote. The resolution was approved, and President McKinley signed it on July 7, 1898. Two years later, on April 30, 1900, the Organic Act for Hawaii was approved (to take effect June 14, 1900), and Hawaii thereby became an incorporated Territory.

Since 1903 the Hawaiian Legislature has petitioned Congress for statehood nearly a score of times; and from 1920 to the present time, approximately 50 bills providing for statehood have been introduced in successive Congresses. In 1947 substantive, if incomplete, action was finally taken. On June 30 of that year the House passed the statehood bill, but it died in the Senate. The same melancholy story was repeated on March 7, 1950, and March 10, 1953.

In 1954 the Senate saw fit to combine the Alaskan and Hawaiian statehood bills, and on April 1 of that year approved the dual measure. There are some who still maintain that passage was obtained only because assurance had been given the antistatehood bloc that the House would reject the joint bill, despite the fact that House support for Hawaiian admission alone was overwhelming. Whatever the reason, the prophets of disaster were vindicated.

In 1955, during the succeeding Congress, another dual bill was introduced, this time in the House. On May 10 of that year it was recommitted. This year there is before us only the single Hawaiian bill; let us pray that it will meet with a deservedly kinder fate.

Let us turn now from the representatives of the people in both Hawaii and the United States to the respective peoples themselves. In a 1940 plebiscite, the Hawaiian people voted 2 to 1 for statehood. A decade later they approved the proposed State constitution by more than a 3-to-1 majority. As for the views of mainland Americans (incidentally, the Hawaiians, of course, are just as much American as you and I), Dr. George Gallup has found that a decisive majority has supported statehood ever since pre-World War II days. More recently, the ratio of approval has jumped from 3 to 1 in 1946 to 8 to 1 in August of 1958.

We know that Hawaiians and their compatriots in the States want statehood. But are we sure that the islanders are loyal enough and Americanized enough to deserve such status? I say that the question was answered affirmatively long ago, and particularly so during World War II and its aftermath.

Immediately after the infamous assault on Pearl Harbor, rumors were rife, especially in the States, that Americans of Japanese ancestry engaged in the most heinous sabotage, even designating targets for the attacking planes. Mr. Robert L. Shivers, former special agent in charge of the Federal Bureau of Investigation in Honolulu from 1939 to 1943, gave the lie to such calumnies. He testified that all those rumors were false * * * and that sabotage and fifth-column activity was never engaged in at any time prior, during, or subsequent to the attack on Pearl Harbor.

Perhaps even more eloquently expressive of Japanese loyalty was the story of the 452d Combat Team and the 100th Battalion. The combined record of these units is probably the most remarkable one in all American military annals. Approximately 10,000 men, most of whom were Japanese from Hawaii, saw action in Europe with the famed outfits. Of these, 4,500 received Purple Hearts. The quantity, as well as quality, of other awards is equally impressive, particularly the 353 Silver Stars and 112 Army and division commendations. Crowning their glory was the fact that not a single one of these boys displayed the slightest cowardice. It's true that three of them went a.w.o.l.—from their hospital beds back to their foxholes.

The unmatched record of the Hawaiian soldier remained untarnished throughout the Korean conflict. Not a single case of cowardice or defection to the enemy was recorded. The battle-casualty rate for Hawaiians was three times as great as the rate per capita for stateside contingents.

One might well ask, in connection with statehood: So what? No one questions that the Hawaiians were brave, but does courage alone entitle a people to statehood? No, it doesn't; but it does prove that those "go for broke" Americans loved their country with an awesome passion. And certainly patriotism must constitute an integral part of any legitimate concept of Americanism.

Other manifestations of similarity with things American are widely prevalent. Despite the oriental heritage of large segments of its population, Hawaii's culture, for the most part, is American. And Hawaiians, regardless of ancestry, look to the West for guidance and emulation. Whether it be business, education, sports, politics, or mores, the pattern is always, and unmistakably, American.

Further evidence of the deep-seated Americanism of all Hawaiians—not merely the Japanese—lies in their chilly reception of the Commonwealth idea. They refuse to trade what they consider their birthright for tax exemption. In other words, they insist on being recognized as first-class Americans, and demand the right to assume all the obligations that such a cherished condition would entail.

The Hawaiian people, I'm sure, are also aware that the imposition of Commonwealth status would, in all probability, be unconstitutional. In *Downes* v. *Bidwell* the Supreme Court of the United States declared that "where the Constitution has been once formally extended [in all its parts, both fundamental and formal] by Congress to Territories neither Congress nor the Territorial legislature can enact laws inconsistent therewith." Mr. Justice Brown, in *Rassmussen* v. *United States*, another of the famous insular cases, asserted that "the exten[sion of] the provisions of the Constitution * * * once done, is irrevocable." It follows, then, that those who would remake Hawaii in the image of Puerto Rico are at least disingenuous when they extol the benefits Puerto Ricans derive from Federal tax exemptions. As an incorporated Territory, Hawaii is subject to section 8 of article 1 of the Constitution, which provides, in part, that "all duties, imposts, and excises shall be uniform throughout the United States." It is doubtful, to say the least, that Congress has the power, under the Constitution, to exempt the citizens of Hawaii from the applicability of this uniformity clause.

It might well be, too, that the Hawaiian people are cognizant that the promise of statehood—at least by implication—was tendered them long ago. Of the 31 incorporated Territories in our history, all but Hawaii have graduated to statehood. From a legal, or constitutional, standpoint, Hawaii is no different from its more successful predecessors. The Federal courts repeatedly have said that incorporation leads to statehood. In 1883 an incorporated Territory was defined in *Ex parte Morgan* as an inchoate state. About 40 years later, in *Balsee* v. *People of Porto Rico*, among many similar cases, the Supreme Court asserted that "incorporation has always been a step, and an important one, leading to statehood." Admittedly, the Organic Act establishing the Territory of Hawaii did not explicitly promise statehood; yet it must at the same time be conceded that precedent and judicial opinion, whether dicta or not, alike have considered Territories as destined for statehood after a reasonable period of tutelage. It would seem that 59 years is long enough.

It behooves us to heed the Hawaiian argument that statehood for the other 30 incorporated Territories has never resulted in failure. Almost without exception, those Territories experienced an immediate and marked expansion in population and in agricultural or industrial development following their admission into the Union. Above all, the people of those new States demonstrated that when they were their own masters, progress recognized no shackles.

The third requirement for statehood—the ability to pay for statehood—poses no problem for Hawaii. The islands constitute, in terms of financial solvency, the richest Territory ever to knock on the statehood door. The gross Territorial product of Hawaii for 1957 was about $1¼ billion, a figure twice as large as that of any other State at the time of its admission. In 1956 the per capita income exceeded that of 26 States, while the per capita tax burden was higher than that of 33 States.

Hawaii's population, estimated in 1958 to total 569,504, is larger than that of any 1 of 5 States, and is more than twice that of Alaska. It is also larger than that of any State at the time of admission except Oklahoma.

Now that it has been established that Hawaii merits statehood, it is in order to examine the principal benefits that would accrue to the people of Hawaii under statehood. They may be listed as follows—and no rights were ever more precious: (1) The right to full voting representation in both Houses of the U.S. Congress; (2) the right to vote for the President and Vice President; (3) the right to choose their own Governor and to carry on functions of government by their own elected officials instead of by Federal administrators; (4) the right to determine the extent of the powers of their own legislature; (5) the right to have their judges locally selected rather than federally appointed; (6) the right to have Federal and local jurisdictions clearly defined and separate; (7) the right to a voice in any proposed amendment to the Federal Constitution; and (8) the right to help write the Federal taxes. Can any reasonable person deny that these rights are basic to the American way of life; or that so long as they are withheld, no citizenship can be first class?

Benefits to the Nation as a whole would also be substantial. Among these would be (1) enhancement of national security; (2) favorable psychological effect on the peoples of the Pacific Basin, and (3) inspiration to racial harmony on the mainland.

The strategic importance of Hawaii is obvious, especially so now that our Pacific military commands have been enlarged and moved to Oahu. Headquarters for the commanding general, U.S. Army Forces Pacific, are at Fort Shafter, in Honolulu.

Statehood opponents concede that Hawaii is strategically vital, but they profess to see

no relevancy between military considerations and the statehood issue: Statehood, they argue, would have no effect one way or the other on our defense posture in the Pacific. Apparently they are all materialists; things of the spirit escape them. I say to them that the greater stability afforded local government and the greater popular pride in full citizenship under statehood would enable the Armed Forces to be supported materially in time of war more effectively from the twin standpoints of local economic assistance and local civilian cooperation. And the will of the people themselves to fight, should total war ever become our lot, would be immeasurably strengthened were they called upon to defend their own State—and not a colony.

I reply to the isolationists and the racists who sneer at world opinion and deny any need to impress the East with such a meaningful demonstration of the dynamism of democracy as the elevation of Hawaii to statehood would present, with the observation that the American people have indicated that in these parlous days it's a pretty good idea to miss no bets in the pursuit of friends.

Hawaii justifiably has been called the melting pot that melts. Although its people comprise diverse blood strains, the Territory has a unique record for interracial harmony and cooperation. With the closer association between the islands and the mainland which would accrue from statehood, continental Americans would become more acutely aware of the degree to which democracy is practiced in Hawaii. The example assuredly would have a salutary effect on race relations throughout the States.

The reasons for statehood as outlined above surely dwarf the importance of the opposition's arguments. Chief among these are the alleged dominance of communism in Hawaii, and the disproportionately large representation that Hawaii would enjoy in the Senate of the United States.

The communism scare is strictly a phony. The constitution of Hawaii, which the people themselves drafted a decade ago, disqualifies Communists from holding any public office. And dock strikes, which formerly were both embarrassing and damaging, have been rendered impotent by the enactment of a law enabling the Territory to seize and work the docks.

As for disproportionate representation, that question was resolved, legally and constitutionally, in the Connecticut Compromise of the Federal Convention of 1787.

Hawaii has met all the arguments, and they are hers.

I strongly urge the committee to act favorably on legislation to admit Hawaii as a State of the Union. I shall program the bill after it is reported for as early consideration by the House as is possible.

Tribute to Representative J. Harry McGregor

EXTENSION OF REMARKS
OF
HON. JOE L. EVINS
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Monday, January 26, 1959

Mr. EVINS. Mr. Speaker, I should like to join my colleagues from Ohio, and others, in paying a brief tribute to the memory of our late friend, Representative J. Harry McGregor, of Ohio, whose sudden and untimely passing during the recess of the Congress came as a great shock to his many friends in this Chamber and throughout the country. He was a friendly and most personable Member who represented the people of his district and State most ably.

May I extend my sincere sympathy to the members of his family.

Seventy-sixth Anniversary of the Civil Service Act

EXTENSION OF REMARKS
OF
HON. GEORGE P. MILLER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, January 26, 1959

Mr. GEORGE P. MILLER. Mr. Speaker, my good friend and a tireless champion of Federal employees, the senior Senator from South Carolina, made the principal address at a banquet on January 17, 1959, celebrating the 76th anniversary of the Civil Service Act.

The American Federation of Government Employees sponsored the banquet under the sage and mature leadership of Mr. James Campbell, its national president. Toastmaster for the occasion was the genial and witty Thomas Walters, operations director of the Government Employees Council.

There were many dignitaries present including the Honorable Arthur Fleming, Secretary of the Department of Health, Education and Welfare, and the Honorable Barbara Gunderson, member of the Civil Service Commission. General Melvin Maas, a former member of this body and a distinguished member of the Marine Corps whose work among the handicapped is well known, was present as Chairman of the President's Committee To Employ the Physically Handicapped.

Senator JOHNSTON delivered a stirring address in which he pointed that the vitality of the Nation depends in great measure on the strength of our Federal civil service.

I am honored and privileged to make his remarks a part of this RECORD:

SPEECH BY SENATOR OLIN D. JOHNSTON, DEMOCRAT, OF SOUTH CAROLINA, BEFORE THE AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES AT THE 76TH ANNIVERSARY OF THE CIVIL SERVICE ACT

President Campbell, Secretary-Treasurer Johnson, Secretary Flemming, distinguished guests, ladies and gentlemen, I am delighted to join with you in observance of the 76th birthday of the Civil Service Act. I always look forward to and enjoy these meetings with you my fellow workers in the Federal service. Meetings of this kind are richly rewarding. They give us a chance to exchange ideas and to develop new ones.

New ideas and fresh thinking are needed today. We cannot afford to become sterile or stale in our thinking or in the way in which we act.

Our way of life depends on our national strength and vitality.

The vitality of the Federal civil service will remain strong in the future on a balanced diet of improved public opinion, purpose and progress.

I long have held to the belief that our civil service has been the victim of undeserved bad publicity. It has been the victim of an unfortunate lack of understanding by the public of what it is and of what it does. If the man in the street knew it as we do, there would be no need to concern ourselves with the problem of public opinion.

Unfortunately, that is not the case today. Neither will it be tomorrow unless positive steps are taken to bring it about. As for my part, I propose to do all in my power to help mold a better and more realistic public opinion of the Federal service.

You, here tonight—the organization to which you belong—others like you—should consolidate your efforts on ways and means of acquainting the public with the virtues and accomplishments of our Federal service and our civil service system.

I doubt that the public gives proper credit to our civil service. It contributes so much to making this Nation strong and great.

How many know that much of our once fertile land is tillable today only because of farsighted and well-executed programs of conservation conducted on a national basis.

Is the public aware that our rivers have been harnessed bringing floodwaters under control; that our forests have been created, extended, and improved; that game and fish have not been allowed to become extinct as the result of national planning and programs.

Does the public know that the foods we eat are clean and pure; that the medicines we take are safe and up to standard; that the cosmetics we use are free of harmful ingredients because of federally administered programs.

Does the public realize that our progress in providing a network of better roads; faster and safer transportation by land, air, and water; more effective prevention and cure of disease; maximum safety of bank savings; old age and disability benefits; greater protection to the honest and innocent against crime and fraud; and, improved communications result from Government interest in and attention to our national social problems.

Even if the public had such an awareness—and I think we can agree that it doesn't—there would still be the problem of getting across effectively that each of these varied and complex programs are only as good as the people who carry them out.

The mere recognition and identification of a national problem of itself does not provide a solution. That is only the first step.

Enactment of legislation—no matter how well concerned and designed—does not assure solution. That is merely a second step.

The most important ingredient is the human element. Let me make that point clear. Generally, the results are better with a bad piece of legislation in the hands of good people than a good piece of legislation in the hands of bad people.

Our Nation is and has been fortunate in many ways. We are blessed with abundant natural resources, rainfall, and sunshine, an industrious and honest citizenry and a government run for and by the people. This concept of government gave birth 76 years ago to the enactment of the legislation from which our civil service merit system is derived.

The Nation is fortunate that the legislators of that day had the wisdom and vision to look so well into the future. Without the benefit of that act, I fear we would not have attracted and could not have retained the high type of personnel needed to effectively carry out our many and varied Federal programs.

A good public opinion will not come our way easily or quickly nor will it remain with us long unless it is deserved. Unless we serve well and faithfully we do not deserve nor should we expect a good public opinion. To the end that we continue to warrant a

good public opinion, we should reexamine our purpose in being where we are and in doing what we are doing.

We should each dedicate ourself to the task of giving the public better service by doing our job as efficiently, effectively and economically as humanly possible.

Whatever our field—whatever our assignment—the world of today is a challenge to each of us to do our best that tomorrow may be better.

I think every position in the Federal service should have a purpose. If it doesn't, its existence can't be justified. Every employee should know fully the purpose of his position and periodically renew his dedication to the fulfillment of that purpose.

You, Congress, and the leaders in the executive branch must be alert to the needs for maintaining the kind of civil service system in which you can be proud to serve.

I am sorry to say, this administration has not been alert to those needs during the past 6 years. Some of the appointments it has asked Congress to approve as leaders of this civil service system have left much to be desired.

I am happy to say, it looks as if Rip Van Winkle has finally awakened to needs of the service. The recent appointment sent to the Senate for Chairman of the Civil Service Commission leads me to believe they are at long last taking a proper look at this important post.

I sincerely hope they follow up this appointment with a good legislative program to make the service more attractive and to reward you for a job well done.

Maybe this is too much to hope for; maybe this new found respect for the civil service system is still in such infancy that they do not have a bold new program to submit.

As for me I took the Democratic majority leader's recent words very seriously—when he said to the administration—"Lead or be led." He was endorsing my actions for the past 6 years. I think you all are aware of the accomplishments I refer to.

As for the future, I will offer a bold new program. I hope the administration will join with me. If they do, the task will be made easier. If they don't, I will do it anyway.

I have already introduced legislation to—

1. Create a Federal employees health insurance program: As chairman of the Committee on Post Office and Civil Service, I am going to recommend to the committee that this be the first order of business. If we receive any kind of cooperation from the administration, this bill should become law before this session adjourns.

I am grateful to the subcommittee of the Government Employees Council for preparing this legislation. I know it represents many days of hard work.

2. Modify the Group Life Insurance Act to permit employees to purchase two times the amount of their salary; many employees have expressed the desire to be able to increase the amount of insurance they are allowed to purchase under present law.

3. Increase the per diem and travel allowance: I believe the present allowance is completely unrealistic. It was set in 1955. Recent surveys show the cost of travel has increased greatly since that time.

4. Allow persons convicted of an offense not involving the national security to draw the annuity they have earned, paid for, and are entitled to.

5. Preserve the rates of compensation of wage board employees whose positions are reduced in grade; and

6. Give employee organizations the right to represent their members and participate more fully in the formulation of personnel policies and practices.

During a recent trip to several European countries, I was impressed with the fact that the governments of most of these countries maintain a splendid working relationship with leaders of employee organizations.

These, then, are some of the things I hope to accomplish, to help insure for you a brighter and better tomorrow.

I say, thank you, for a job well done.

Good luck and God bless you all.

Importation of Firearms

EXTENSION OF REMARKS

OF

HON. LESTER HOLTZMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 26, 1959

Mr. HOLTZMAN. Mr. Speaker, I am today reintroducing a bill which would prohibit the importation into the United States of certain firearms.

I had introduced similar legislation in the 83d and 84th Congresses, but these measures prohibited members of the armed services and their dependents from bringing into this country pistols, revolvers, and other types of small firearms. The Department of the Army had submitted an adverse report on this legislation, primarily due to the fact that they felt that the bill would discriminate against military personnel and their dependents.

Last year I eliminated the provision restricting the ban to members of the Armed Forces only, and have asked that the prohibition be extended to everyone—civilian and military alike—who would bring such weapons into the country.

I have been in touch with many law-enforcement officers throughout the United States, and the vast majority of them have endorsed this legislation and have agreed that any attempt to keep dangerous weapons out of the hands of criminals, potential criminals, children, and irresponsible individuals should receive the full support of all those interested in combating crime, and minimizing tragedy which results when some of these guns are accidentally fired. Our own district attorney, in Queens County, N.Y., one of the most heavily populated counties in the country, the Honorable Frank D. O'Connor, has agreed with me that the supply of illicit weapons should be stopped at its source, and fully supports the proposed measure.

Statistics have shown that as many as 50,000 of these contraband weapons have been brought into the United States on just one troopship returning from the European theater. Multiply that by the number of troopships and the number of civilians bringing such weapons into the country and we have an astounding figure.

I have been informed that in one county of New York City 75 percent of the crimes of violence have been and are being committed with these so-called souvenirs. Every day we read in the papers or hear over the radio and television of tragic accidents which occur, and of crimes which have been committed with these weapons. Just the other day Police Commissioner Kennedy issued a report indicating a substantial increase in crimes of violence in the city of New York.

The time has come to put an end to this potentially explosive situation. We simply cannot afford to wait any longer and must make a determined effort to prevent these crimes and mishaps at their source. I can think of no better way than by banning the importation of these weapons and by preventing them from getting into the hands of those who might be tempted to use them illegally or carelessly.

I urge my colleagues to give this legislation every possible consideration.

Rumanian Freedom

EXTENSION OF REMARKS

OF

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 26, 1959

Mr. MADDEN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following excerpts from a speech made by me Thursday evening, January 22, 1959, on the occasion of the dinner given by the League of Free Romanians in Washington, D.C., commemorating a century since the reestablishment of Rumanian independence:

Mr. Farcasanu, ladies and gentlemen, the event we commemorate this evening is indeed a historical one. It commemorates the 100th anniversary of the firm intervention of the Western Powers in order to reestablish the independence of Rumania's lands and thus stem the Russian invasion in Europe, suggests a definite similarity as to the basic facts of today's situation.

A century ago, Moscow imperialism was making aggressive inroads toward the heart of Europe. It was at that moment, after a long and bitter experience, that the Western Powers realized that asquiescing in Russian encroachment in Eastern Europe was not the proper method to insure the balance of power in Europe. The security of nations in Europe depended on checking the Russian advance, or peace in Europe would be in permanent jeopardy.

At the Treaty of Paris in 1856 a successful attempt was made to substitute collective action on the part of the concert of Europe for aggression by Russia. Today a greater alliance of free people is confronted by the recurring and intensified danger from Moscow under communism. This danger has spread from the relatively small area of Eastern Europe to the greater part of Asia. The problem which now faces all those who stand for freedom is to stop the expansion of a ruthless Soviet tyranny aiming at world domination. The dimensions and implications of this issue are far greater today. The new feature of this Soviet drive for world dominion is its implacable and universal subversive organization.

As chairman of the House committee investigating the Katyn Forest massacres, I had the sad opportunity to go deeply into the ruthlessness of Soviet Communist schemes. The coldblooded killing of thousands of proallied Polish officers and civilians was done with the same cynicism and purpose as the wholesale murder of the Hungarian freedom fighters; the purpose being, by physically liquidating the fighting elite

of these nations, as they did also in Rumania and elsewhere, to destroy the backbone of independence in the respective countries.

But in spite of it all hate for Soviet-Communist domination is deeper than ever. That is one of the reasons why, in Rumania for instance, the Soviets have organized the largest concentration camp in Europe, the Danube-Black Sea Canal and recently, after the Hungarian uprising, the Danube Delta slave-labor camp. It is reported that this Danube Delta camp is an international pool of slaves, where besides Rumanians there are Hungarians, Poles, Koreans, Germans, and others.

These are a few features of a situation on which the Soviets would like us to make new agreements implying fresh concessions either in the West or in the East. Such concessions would consolidate and augment the menacing strength of the aggressive Red bloc.

I am sure the American people now sense the inherent danger latent in any new concessions. Our own security requires, on the contrary, that we uncompromisingly follow a policy of restoring freedom to Rumania and other Soviet satellite nations.

The following is a statement by Rev. Father Eugene Lazar, of 1133 Madison Street, Gary, Ind., made at a dinner given Sunday, January 25, observing the 100th anniversary in East Chicago, Ind.:

THE CENTENNIAL OF THE UNION OF THE PRINCIPALITIES OF MOLDAVIA AND MUNTENIA UNDER ALEXANDER ION CUZA

Saturday, January 24, marks the observance of the 100th anniversary of the Union of the Principalities of Moldavia and Muntenia under Alexander Ion Cuza. The event is one of the most important in the history of the Rumanian people.

The 19th century was a time of flourishing idealisms and of realizations for the national state. Some of the most recent writings claim that the beginnings of such attitudes are to be found in the 16th century writing of Machiavelli. It took much time before it came to the attention of the political and spiritual leaders of Europe, that the people aspired for a free and independent national life. The completion of this movement commenced with the unification of Germany and of Italy in 1870–71. The principles of self-determination of President Woodrow Wilson and of the peace treaty of Versailles, which had adopted this principle, further solidified this world change.

A hundred years ago when Rumania was not to be found on the maps of Europe as it was known in later years, brothers of the same nationality and blood of the two principalities of Moldavia and Muntenia were forced to fight each other for the ambitions of foreign sovereignty. Rumanians decided to end this situation with the election of the same sovereign in both Moldavia and Muntenia in the person of Col. Alexander Ion Cuza.

During that period of time the peasants were exploited without any compassion by the lords, who in the majority were foreigners.

Alexander Ion Cuza, who himself was the son of a lord, understood the peasants' situation better than anyone else, and gave heed to the cry and aspiration of the peasants, and began to give justice to the people, and gave to the people some of the land that they had worked for their masters.

This certainly could not have been of any liking to the lords and therefore began to maneuver through the liberal and conservative party to force Cuza to resign. The first try at dethroning Cuza, the "lord of the peasants" was in 1865, during the absence of Cuza from the country.

To a great extent the parallel can be made between Lincoln and Cuza, each in his manner—unifying a torn country and freeing those that had been oppressed. Another Cuza will arise, not only in Rumania, but in other Iron Curtain nations, and destroy the Communist tyrant and restore liberty and self-government. Freedom-loving people throughout the world hope that day is not far distant.

Social Security Benefits

EXTENSION OF REMARKS
OF

HON. ALVIN M. BENTLEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 26, 1959

Mr. BENTLEY. Mr. Speaker, on January 7, 1959, I introduced H.R. 1221, a bill to amend title II of the Social Security Act to increase from $1,200 to $1,800 a year the amount of outside income permitted without deductions from benefits, and to provide that all types of income shall be taken into account in determining whether an individual's benefits are subject to such deductions. I have now requested the chairman of the Ways and Means Committee to ignore this bill and am today introducing another bill which would embody the first part only of H.R. 1221, that is, the increase of outside earnings or wages permitted without deducting from benefits.

As might be expected, Mr. Speaker, I have received a substantial volume of mail in protest against the second part of H.R. 1221 which would have included all forms of income, earned and unearned, for the purpose of determining outside income. Many of those who wrote me stated that I was in effect penalizing persons who by virtue of thrift have been able to invest in stocks, bonds, or various forms of rental income to supplement their social security benefits following retirement. I have replied to such persons that this was not at all my intent and that I did not actually seek to make this particular provision a part of title II of the Social Security Act. I rather intended to focus attention upon the entire question of limitations on outside income which, to me, completely destroy the insurance concept of the social security program. To my way of thinking, it is manifestly unfair to have the present low limitation of $1,200 per annum on earned income and no limit at all on unearned income and my introduction of H.R. 1221 was merely intended to point up this inequity. I am firmly convinced, Mr. Speaker, that an individual who has contributed to the social security program the required number of quarters should be permitted to draw his benefits without any regard to his earnings from other sources as is the case after he has passed age 72. What the present law does, however, is to force people to retire from gainful employment upon reaching their 65th birthday if they desire to avail themselves of social security benefits.

As a matter of fact, the entire concept of an arbitrary and fixed retirement age does not appear to me to be sound. I am sure every Member of the House knows many people who, both physically and mentally, are well qualified to continue gainful employment past the age of 65. I am equally certain that every Member of the House knows others who should be retired substantially in advance of that age. I must confess that at the moment I see no practical possibility of making the social security retirement age more flexible, but I do wish to voice my objection to it in principle.

What is the position of the administration on the question of raising the limit on outside income? I think this is best set forth by the following texts of two reports, one from the Secretary of the Department of Health, Education, and Welfare dated October 2, 1957, and one from the deputy to the Secretary of Treasury dated February 28, 1958, and both addressed to the chairman of the Ways and Means Committee. It will be noted that both Departments are opposed to the enactment of such legislation at this time:

DEPARTMENT OF
HEALTH, EDUCATION, AND WELFARE,
Washington, October 2, 1957.

Hon. JERE COOPER,
Chairman, Committee on Ways and Means, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your requests of May 8 and March 25, 1957, for a report on H.R. 4636 and H.R. 4828, bills which would amend title II of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits thereunder.

H.R. 4636 would increase from $1,200 to $1,800 and H.R. 4828 would increase from $1,200 to $2,400 the amount a beneficiary under age 72 may earn in a year without losing any old-age and survivors insurance benefits for the year. H.R. 4828 would leave unchanged the unit ($80) by which the total yearly earnings in excess of the exempt amount are divided to determine the maximum number of monthly benefits which may be withheld by reason of earnings. H.R. 4636 would increase the unit to $120.

The limitation on the amount of earnings a beneficiary may have and still receive benefits is necessary if the benefits are to be restricted to persons who have substantially retired from gainful work and to dependents of retired or deceased workers who do not themselves have substantial earned income. (For practical reasons, the same earnings test is used to determine whether the worker has retired and whether a dependent has substantial earned income.) Under present law a person can work enough to earn $2,088 a year and still receive at least 1 month's benefit. If he does not earn more than $1,200 in a year, he can receive all of his benefits for the year.

While it is difficult to determine the exact amount of earnings that most satisfactorily discriminates between retirement and nonretirement, the Department believes that the present exemption of $1,200 is preferable to the higher exemptions proposed by H.R. 4636 and H.R. 4828.

Even with the present test, some people can continue to work full time at their usual level of earnings and still receive benefits. For example, workers who have been earning at the rate of $2,000 a year can, after reaching retirement age, receive 2 months' benefits in the year without in any way changing their work activity. In 1955, 21 percent of the workers under old-age and survivors insurance with earnings credits in all calendar quarters had earnings of $2,000 or less; many of these no doubt were full-time workers. Any increase in the amount of earnings

exempt under the earnings test would increase the number of persons who could continue in their regular jobs and still receive benefits. If the exempt amount were increased to $1,800 and the unit used to divide earnings in excess of the exempt amount were increased to $120 as proposed in H.R. 4636, persons earning as much as $3,120 a year could continue in their jobs and receive 1 month's benefit.

If H.R. 4636 or H.R. 4828 were enacted, the cost of the old-age and survivors insurance program would be increased. The estimated level-premium cost of H.R. 4636, on an intermediate-cost basis, would be 0.53 percent of payroll. The cost of H.R. 4828 would be 0.90 percent. The additional cost resulting from an increase in the amount of earnings exempt from the earnings test would be incurred for the benefit of only a small percentage of the old-age and survivors insurance beneficiaries and these would be persons who already had substantial income from work. The great majority of beneficiaries do not have substantial earnings.

We therefore recommend that H.R. 4636 and H.R. 4828 not be enacted by the Congress.

The Bureau of the Budget advises that it perceives no objection to the submission of this report to your committee.

Sincerely yours,

———— ————,
Secretary.

OFFICE OF THE SECRETARY
OF THE TREASURY,
Washington, February 28, 1958.

Hon. WILBUR D. MILLS,
Chairman, Committee on Ways and Means, House of Representatives, Washington, D.C.

MY DEAR MR. CHAIRMAN: This is in response to your request for the Department's views on H.R. 4636 to amend section 203 of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits, and to liberalize the provisions under which such earnings are charged for purposes of such deductions.

H.R. 4636 would increase from $1,200 to $1,800 a year the amount of income a beneficiary under age 72 may earn without losing any old-age and survivors insurance benefits for the year. In addition, it would increase from $80 to $120 the unit by which the total yearly earnings in excess of the exempt amount are divided to determine the maximum number of monthly benefits which may be withheld by reason of earnings.

Two aspects of this bill are of particular concern to this Department.

If enacted, H.R. 4636 would increase present and prospective benefit payments substantially without at the same time increasing social security contributions. Responsibility for the payment of social security benefits is vested in the Department of Health, Education, and Welfare and that Department has estimated that on an intermediate-cost basis the increase in the cost of the program would approximate a level-premium cost of one-half percent of payrolls. This would result in a corresponding weakening of the financial soundness of the insurance program. We concur in the opposition of the Department of Health, Education and Welfare to such increases in benefits and costs of the old-age and survivors insurance program.

Moreover, a liberalization of the earnings test for social security benefit purposes would have important implications for the retirement income credit allowed under the individual income tax. As your committee is aware, discrepancies between the tax treatment of social security benefits and other forms of retirement income have been a concern for a number of years. In the Revenue Act of 1954, the tax credit for retirement income was adopted to equalize the treatment of individuals receiving taxable retirement incomes with those receiving exempt social security benefits. In that connection, a deliberate effort was made to parallel the provisions governing the tax credit, including the earnings test, in the income tax with provisions in the Social Security Act. The amount of income which retired individuals could earn without reducing their retired income credit was fixed at $900 to parallel the annual earnings test of $900 which insured workers could earn without reducing social security benefits. In 1956, the amount of income which could be earned without reducing the credit was raised from $900 to $1,200 to parallel a corresponding increase in the earnings test provided under the 1954 amendments to the Social Security Act.

Enactment of H.R. 4636 would again unbalance the social security and retirement income credit provisions and stimulate pressures for a corresponding adjustment in the provisions of the retirement income credit. Such adjustment would not only reduce income tax revenues but raise additional questions concerning the relative income tax treatment of retired workers and other groups in the population.

In view of these considerations, this Department recommends against enactment of H.R. 4636.

The Director, Bureau of the Budget, has advised the Treasury Department that there is no objection to the presentation of this report.

Sincerely yours,

DAN THROOP SMITH,
Deputy to the Secretary.

The thing that both departments appear to overlook is the fact that over a period of time the steadily increasing cost of living has made many social security benefits completely inadequate to maintain a respectable standard of living. There are obviously two ways to solve this problem. One is to further increase the benefits and thereby incur the necessity of either higher payroll taxes or an additional increase in the income base for social security purposes. Having carefully studied the recent report of the advisory council on social security financing and the contemplated schedule increases in payroll taxes between now and 1969, a I would hesitate to upset this balance. The other way seems to me to give a little more ability to those past 65 but not yet 72 to supplement their social security benefits with outside earnings of their own. This is what I am interested in accomplishing.

I can appreciate the objections on the part of both the Treasury and the Department of Health, Education, and Welfare. Nevertheless, I regard this problem as an extremely serious one and it is my belief that the Ways and Means Committee should give it careful consideration. If hearings are held by that committee on amendments to the Social Security Act, I trust I will be given an opportunity to testify and further expound my views in this connection. But this time, however, Mr. Speaker, I have taken the floor for the purpose of reassuring those people who protested to me against H.R. 1221 that my sole purpose in originally introducing this bill was to call attention to this present inequity regarding the whole question of outside income under the social security program and not with any idea of penalizing those people who, through thrift, have been able to supplement their retirement income from unearned sources.

There follows the text of my letter to the chairman of the House Ways and Means Committee requesting that H.R. 1221 not be acted upon by that committee:

JANUARY 26, 1959.

Hon. WILBUR D. MILLS,
Chairman of the Ways and Means Committee, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is to request that my bill, H.R. 1221, which was introduced on January 7, 1959, be ignored and that no action be taken by your committee in connection therewith.

Sincerely yours,

ALVIN M. BENTLEY,
Member of Congress.

Fidel Castro and the New Cuba

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Monday, January 26, 1959

Mr. PORTER. Mr. Speaker, whether Cuba's new climate of freedom lasts depends largely on Fidel Castro. Castro defends the necessity and fairness of the military trials of accused war criminals. Many important voices have been raised in the United States to protest the trials as drumhead courts-martial and the executions as a blood bath. These procedures are far from ideal, but how significant are these shortcomings?

Many who loathed Batista are sickened by the thought that Fidel Castro, perhaps in spite of himself, may end up just another Latin American strong man ruling for an interval by terror and tribute. This is by no means impossible.

Because I had long admired Castro as a brave fighter against Batista and because I want to do whatever I can, however little, to help the new Cuba to be democratic, I accepted an invitation from Fidel Castro and the Cuban News Reporters Association last week to visit Havana. My distinguished colleague, ADAM CLAYTON POWELL, was also visiting Cuba at this time and will make his own report to the House of Representatives. His deep interest in the Caribbean area is well known.

I was there Wednesday and Thursday. I attended the mammoth rally. I spoke with Fidel Castro, with President Urrutia, whom I had previously known and respected as a determined and democratic anti-Batista man, with cabinet ministers whose merits I had read about in a State Department dossier I read on my way down to Havana; with our top Embassy officials; with 26th of July leaders, with seasoned Latin American newspaper reporters, and with ordinary Cubans both rich and poor.

Of course it is conceded that some people feel they can fly through the stratosphere over any country and immediately become qualified as experts in all

aspects of the country's political, economic, and social affairs. I confess that my 2 days on Cuban soil, though very busy days, may not have qualified me fully to advise Castro, our State Department, and United States citizens generally on this delicate, crucial period in Cuban history.

Whatever my credentials, here is my report:

It has been my good fortune to visit Colombia, Venezuela, Honduras, and now Cuba within the past 2 years in each instance after the ousting of a dictator. My interest in hemispheric affairs no doubt exceeds my information. I am still learning and there still are several countries in this hemisphere for me to visit.

WARM ABRAZO OR FORMAL HANDSHAKE?

If Castro's Cuba is in fact an emerging democracy, then the newly adopted policy of our Goverment requires our rendering a warm abrazo. If this is not true, then a cool, formal handshake only should be proffered in our relationships. This follows Dr. Milton Eisenhower's recent proposals which the President has endorsed.

My good friend and respected mentor, the senior Senator from my State, is deeply respected in Cuba as elsewhere in the world for his unflinching and aggressive liberalism. Senator WAYNE MORSE has referred to the executions in Cuba as a "blood bath" and has stated that "the Castro regime shot many Batista people without a semblance of a fair trial," although he adds, "I haven't any doubt that a fair trial would have found them guilty."

Senator MORSE is chairman of the Senate Foreign Relations Subcommittee on Inter-American Affairs. He has always been an outspoken foe of dictators.

Another friend whose qualifications and motives are above question is John O'Rourke, distinguished editor of the Washington Daily News and immediate past president of the Inter-American Press Association. On January 23, 1959, he editorialized in his paper as follows:

Few will deny that Batista was an evil man—and good riddance. But Fidel Castro's determination to proceed with "rebel justice"—drumhead trials, mob juries, and arbitrary executions—cannot avoid stirring second thoughts among those who hoped the revolution signaled the end of tyranny.

Here also is a friendly voice which cannot be ignored.

Another hardworking and sincere friend of Latin America, Senator GEORGE SMATHERS, of Florida, has urged his colleagues and the public to reserve judgment on the Cuban revolution until events more clearly show what has happened there. He believes it is too early to tell whether the revolution was a victory for freedom or simply a change in dictatorships.

WIDE EDITORIAL CRITICISM

Editorial comment in Oregon and throughout the Nation has been adversely critical for the most part. An article by S. L. A. Marshall, January 21, 1959, on the editorial page of the New York Herald-Tribune refers to "Cuba's new strong man harvesting vengeance in the name of the revolution" and to "swift, farcical trials and firing squads working as callously as if they were slaughtering beeves."

The Louisville Courier-Journal recently made an editorial comment that "the demand for vengeance is still short-circuiting the orderly processes of democratic justice."

My own hometown newspaper, the Eugene Register-Guard, approved Senator MORSE's words "blood bath" as accurate and states that the world wishes Castro well but that "he cannot keep the favor of decent people around the globe if he sanctions the same terrorist tactics that the world deplored in the deposed dictator, Batista."

What about these charges?

Are they true?

Are Fidel Castro and the new Cuba fast returning to the same old "strong man" situation?

No, I do not believe that there has been any blood bath in Cuba nor do I believe that Castro and his 26th of July movement are denying fair trial to accused war criminals, although I believe their procedures should be much improved.

My opinion is based on 2 years of observing the Cuban situation.

What is a blood bath?

I would say it was irresponsible, indiscriminate killing of persons. As for drumhead trials or lack of elementary due process, I suppose that means the accused not knowing exactly the charges against him, not being confronted with the witnesses against him, and not having a proper opportunity to defend himself.

Persons critical of the trials and executions are not, in my judgment, fully informed, often through no fault of their own. They do not realize the magnitude and high morality of the revolution.

Before Batista's frantic flight to Trujillo's haven for defeated dictators, I had met many Cuban revolutionaries in the United States and elsewhere in the hemisphere. Manuel Urrutia, the provisional President, Ernesto Betancourt, the Washington representative of the movement, Tony Varona, former president of the Cuban Senate, Dr. and Mrs. Santos Buch, and many others were well known to me.

NOT A RABBLE IN ARMS

These revolutionaries were devout, not fanatic; humble, not arrogant; angry, but not bloodthirsty. Last week I met many who served in the ranks. My impressions square with those of impartial observers who lived with them in the mountains. The Castro men are restrained, disciplined, and dedicated to their task. They are not a rabble in arms.

The rebels tortured no one. They shot no prisoners. Even after victory there is no report of looting or violence by them. Theirs is a crusade for an honest and terror-free Cuba, not a conquistadorial drive for wealth and power. Priests and Protestant ministers were attached to the rebel forces. Batista's army had no chaplains at all.

In short, and I invite you to ask anyone who knows Castro and his men, the 26th of July movement is not made up of men who would indulge in or allow irresponsible, indiscriminate killing or, if you will, a blood bath.

Since Castro took over in Cuba there has been respect for civil liberties. The press has been entirely free. Many journalists have roamed all over the island with notebook, tape recorder, and movie camera. Whatever else the revolution may or may not be, it is newsworthy.

I have followed these reports closely and I have yet to see a specific allegation that even one accused war criminal was denied elementary due process or that a particular one of them was unjustifiably executed. I asked veteran newspapermen in Havana if they knew of any such instance. They did not. They were convinced that the men executed deserved conviction and that they had had a fair opportunity to defend themselves at their trials.

During Batista's years of terror there was censorship. "Official" acts of cruelty and murder were kept out of print. Huge sums of money were spent by the Government to bribe both publishers and reporters. It is no wonder that many persons in the United States thought Castro's insistence on the continuance of these trials harsh and ominous.

"There is hardly a family which has not felt the brutality of the Batista police," a Life correspondent reported—Life, January 26, 1959. Time magazine for the same date reports:

Many of the Batista cops who faced the firing squads last week were proved killers whose twisted minds drew pleasure from pain. To extract secrets from captured rebels, they yanked out fingernails, carbonized hands and feet in red-hot vises. Castration was a major police weapon.

Bodies were left in sun-speckled streets as police warnings. One Santiago cop of the Batista regime, trying to break down a rebel woman, brought one of her brother's eyeballs on a platter to her cell. Other rebels were forced to watch their wives raped by cops. A U.S. resident of Santiago, who chanced upon Police Chief Rafael Salas Canizares shooting 4 young rebels dead in the street, reported:

"He was in a state of maniacal ecstasy—face flushed, eyes bright, breathing hard."

CASES CAREFULLY PREPARED

The cases against the accused war criminals were not hastily concocted on the say-so of some hysterical woman who might or might not be telling the truth. The movement had many spies. Almost every Cuban was against Batista.

Vehicle movements of Batista men were carefully checked. Pictures were taken. Batista's policy was to allow pictures of torture victims to become available widely. He wanted to terrorize the rebels and their friends.

Dossiers were prepared by the rebels. Many of Batista's murderers and torturers escaped when the Government fell. Those who did not are being tried by military courts under war criminal laws similar to those the Allies employed in Germany after World War II.

"If I allow just one man to be killed unjustly, I destroy my whole movement," Castro told me very seriously when I first talked with him. We were jammed together with his chiefs and with journalists from all over the hemisphere on the

speakers' platform at the rally last Wednesday.

This was the rally where he asked those who supported the continuance of the trials to raise their hands. Of course I deplore such tactics and others he has used. Let me make it clear, however, that I believe in the good faith of Fidel Castro and the new Cuban Government. These men are not vengefully killing people, nor are they harvesting vengeance or giving swift, farcial trials, or allowing firing squads to work callously as if they were slaughtering beeves.

If wanton murder and inhuman torture are capital crimes, and they are in the rebel war criminal code, those executed deserved to dic and were permitted to do so far less painfully than their victims.

We fought a war to make the world safe for democracy but the fact is that a Democrat in Latin America in the past several decades has lived a precarious life and often died a painful death. The recent overthrow of a number of dictators gives reason to hope that the hemisphere may become unsafe for tyrants and their menials.

CASTRO, NOT THE MOB, RULES

At his gigantic press conference last Wednesday, which included almost 400 newsmen and lasted 5 hours, Castro said that a public opinion poll showed that 93 percent of the Cubans wanted all the imprisoned accused war criminals executed. "But they will receive fair trials," he said. "I am not so radical as the people."

Senator MORSE's suggestion to Castro that he invite a United Nations observation team to Cuba to investigate the war crimes procedures is of course a good one. I strongly recommended its careful consideration when I spoke with the highest officials in the new government and with Castro. A committee from the Organization of American States or from the Inter-American Bar Association could serve the same purpose.

I personally do not need convincing as to the motives of Castro and the new government, but an outside group of ability and prestige could do much to reassure many Cubans and their apprehensive friends elsewhere. A minister of the new government assured me that these suggestions were being explored and considered.

When I sat next to Fidel Castro at dinner last Thursday evening I told him that I thought it was wrong to hold war crimes trials in the Sports Palace and to allow unrestrained press, radio, and TV coverage. A man's trial for his life, I said, should not be made a spectacle. The first—and I hope last—such trial was barely 2 hours old when I said this.

TOO LITTLE AND TOO MUCH

As I spoke I felt the irony of my words because a few days earlier I had been urging the new Cuban Government to invite newsmen and various opinion leaders to observe for themselves the war-crimes procedures. I cabled President Urrutia that the new Cuba had nothing to hide. Castro had a right to feel baffled about an outside world that apparently did not know its own mind.

I pointed out the middle way: A small courtroom, spectators and journalists limited in numbers; dignity yet no hint of star-chamber proceedings.

I predicted the outcry that did in fact ensue. The following day he radioed from Caracas to stop the trials in the Sports Palace and take away the TV and radio coverage.

I shall refrain from claiming credit for this move. Many others no doubt were saying the same thing to him. It does demonstrate, however, his ability to learn and his wish to do what is right.

Castro is not infallible. He is 32 years old and without broad experience. He makes mistakes. I think he is entitled to a few mistakes considering his accomplishments and his great responsibilities.

Operation Truth brought almost 400 newsmen from every country in the hemisphere except the Dominican Republic. They came at the expense of the new Cuban Government and were in addition to the journalists already there. They rightly criticized the circus quality of the trial in the Sports Palace but they also agreed that the legal procedures used were fair.

"Better understanding abroad of the provisional government's aims was foreseen as a result of the public trials," said an Associated Press story, January 24, 1959, in the Washington Evening Star. Better understanding can come without boisterous public spectators, TV and radio coverage. Press coverage, on a pool basis if need be, is of course essential.

If Castro had been after power and money he could have much of both firmly in his grasp by now. Instead he set up the provisional government under President Manuel Urrutia. Neither Urrutia nor his Ministers are men who would act as puppets for Castro or anyone else. The State Department prepared a notebook with their biographies for me to read on my way down to Havana. I was impressed by the fine qualifications of these men.

AMATEURS IN POLITICS

Of course, like Castro himself, many of them are amateurs in politics. They will need help and forbearance until they learn how Cuba can be governed effectively in conditions of honesty and human freedom.

Castro now governs Cuba but the signs are that he will soon turn over his great powers to the new government. He drives himself relentlessly but manages to keep his sense of humor and humility. His remark about 200,000 gringos dying was a flippant sally in answer to a newsman's flippant query as to what would happen if the United States sent the Marines to Cuba. The U.S. press solemnly printed this as a bragging threat and called him a demagog. He is wryly rueful about the incident, but I think certain reporters have more to answer for than Castro. I am certain that he is not anti-United States at all.

Fidel Castro can mean democracy at long last for Cuba or he can mean disillusionment and another strong man government. His present reign is characterized by confused disorganization but much good will and dedication in preparing for a democratic Cuba. One of his young bodyguards, a U.S. citizen from Brooklyn, told me, "Fidel uses C.S.T., Castro Standard Time—6 hours late."

He needs counsel from experienced Latin American democrats like Governor Muñoz-Marín of Puerto Rico, Costa Rican ex-President Jose (Pepe) Figueres, Colombian President Alberto Lleras Camargo and Venezuelan President-elect Romulo Betancourt.

These men can tell him much he needs to know about relationships with Cuba's immediate neighbors, the United States, and Soviet Russia. Fidel Castro has it within his power to win a place in the history books as a great builder of Latin American democracy as well as a guerrilla leader of a highly popular revolution.

TIME TO SHAVE THE BEARDS

If this is to come about, he will have to seek solitude and to allow the provisional government to rule Cuba and to set the stage for free elections in 18 months. This will be hard to do, but it must be done.

I told him, with my usual tact and omniscience, that he and his followers should now shave or trim their beards and that they should discard their characteristic fatigue uniforms for the regular Cuban military uniforms. Nothing would mark more dramatically the passing of the combat phase to the civilian phase of the fight for a democratic Cuba.

Castro made a mistake in naming his brother Raul as his successor in case of death. Successor to what? This is the move of a strong man, not a man who wants an orderly lawful government to rule in Cuba. Upon reflection I think he will want to remove the mantle of succession from Raul's shoulders—and then destroy the mantle.

His demand that the United States return Cuban war criminals and the money they stole is another indication of his incomplete education in public affairs. It is up to Cuba to indict these men and to invoke reciprocal treaties providing for extradition.

The trials should be slowed down. Cuba is at peace, and civil judges, not military judges, should sit on the bench. More time should be allowed for the preparation of defense cases, although I have yet to hear or read of any protest on these grounds made by an accused war criminal or on his account. I urged these changes in policy in writing before I went to Cuba and personally when I was there to President Urrutia, Castro, and Secretary of Justice Angel Fernandez.

SENATOR MORSE'S FRIENDLY ATTITUDE

I agree entirely with Senator MORSE's statement:

> It is not too late. We want to be friends of the new leadership of Cuba. I believe the leaders are democratically motivated. When a wrong develops, steps should be taken to correct the wrong.

Senator HUBERT HUMPHREY, speaking in the other body January 20, 1959, and commending Senator MORSE's stand for better judicial processes in the war criminal trials, said that Senator MORSE "has been principled in his comment and

stand and, at the same time, considerate and tolerant."

Senator HUMPHREY continued:

I hope the people of Cuba realize that the remarks which have been made by Members of the Senate, and in particular by the chairman of the Senate Foreign Relations Subcommittee on Latin American Affairs [Mr. MORSE], were made not in a spirit of hostility, bitterness, or antagonism, but rather in a spiirt of understanding, friendship, advice, and kindly admonition. They were made in a sincere effort to maintain wholesome, respectful, and cordial relationships between the people of Cuba and the people of the United States.

Castro needs rest. He needs time to ruminate, time for contemplation and study, then consultation with others and travels in Cuba and elsewhere. If he does not withdraw, he will inevitably diminish, then destroy, the authority of the new government. This will make the transition period difficult and perhaps impossible.

Many Cubans will protest his withdrawal into the wings at this time. They will cry, with understandable concern, that Cuba needs him. More than Castro, Cuba needs a functioning government, honest and mindful of human freedoms. Castro has no desk, no organization for government, and no time or ability to decide the many and often complex issues brought to him. Most important of all, he has no business trying to do what the provisional government was established to do.

"NOT UNDER MAN"

As a thoughtful lawyer Castro can recall Coke's famous proposition, inscribed in Latin on the pediments of Langdell Hall at Harvard Law School, "Not under man, but under God and the law." This proposition, in addition to being right and just, is the only feasible way to run a government today and to maintain human freedoms.

As I said goodby to him Wednesday evening he said I had given him things to think about. My bet is that he will find time to think. Cuba's emerging democracy will be realized without still another bloody detour.

What about our Government's policies now?

In my opinion they are excellent, both in theory and practice. Last Wednesday morning in Havana I conferred with the Chargé d'Affaires, First Secretary Dan Braddock, and the top Embassy staff people for about an hour. Our various programs are all set to resume operations, awaiting only necessary organizational moves of the new Cuban Government. Our men there have the right attitude about extending the warm abrazo to this Government of honorable and democracy-minded men.

After two sorry experiences with amateurs, we are now sending a first-rate career Ambassador to Cuba, Philip Wilson Bonsal, a man who, according to the New York Times, January 22, 1959, "does not strive to conceal his strong preference for democratic governments."

In my opinion much credit must be accorded to William Wieland, the State Department's director for Cuba, Mexico, Haiti, and the Dominican Republic. He is highly competent and conscientious. Mr. Wieland was a United Press reporter at the time of the dictator Machado in Cuba. He was jailed for his activities against that tyrant. His sympathies are unchanged. However, he dealt honorably and correctly with all Cuban factions, winning the respect of all those who themselves were respectable.

ADDITIONAL AID IS AVAILABLE

We have further aid available for Cuba. All the new government has to do is ask. The request will receive careful and favorable consideration. This is also a bit ironic, for our official governmental policy is far more friendly to the new Cuba than are many vocal opinion leaders and many editorial writers.

Often the reverse has been true.

My explanation is that in this case the Government is better informed as to the character of the men who threw Batista out and as to the nature and extent of the crimes of the accused war criminals and as to the procedures by which these men are being tried.

Fidel Castro and his friends who seek to bring democracy to Cuba need and deserve our sympathy, our forbearance, and support. Our condonation for acts of cruelty is not solicited because, so far as I have read the record made by the free and active press, they are not guilty of any such acts.

Democracy is not won by vanquishing a tyrant. It is won by fostering human freedoms and basing the government on the results of free elections. Democracy is an equilibrium. Once attained, it has to be retained.

Expediency and indifference can destroy democracy. This is why the United States must concern itself with the development of democracies in other lands, and particularly with respect to a close neighbor like Cuba. To the extent we encourage democracy elsewhere we help maintain and strengthen our own standards of human freedom.

Faith without works will fade. The more faith in democracy we export, the more we have.

I hope that many of my colleagues and other fellow citizens will have occasion soon to visit Cuba and to see for themselves what a tremendously significant revolution has taken place.

This, then, is the report of a recent tourist about his 2-day trip to Cuba, a freed and freedom-loving Cuba, a pro-American Cuba, a peaceful and law-abiding Cuba, a Cuba that needs and deserves our help in its historic opportunity.

Mr. Speaker, under leave to extend my remarks, I would like to include the following items: A letter to the editor of the New York Times of January 25, 1959, from my colleague, the gentleman from Connecticut [Mr. BOWLES]; an editorial from the Times for January 23; and a column by Drew Pearson as it appeared in the Miami Herald for January 23:

[From the New York Times, Jan. 25, 1959]

OUR CUBAN POLICY QUERIED—PRESENT ANTI-AMERICANISM DECLARED RESULT OF OUR SUPPORT OF BATISTA

(The writer of the following letter, formerly Governor of Connecticut, was U.S. Ambassador to India from 1951 to 1953. He is now a Member of Congress.)

To the EDITOR OF THE NEW YORK TIMES:

Millions of Americans have been shocked at the brutal manner in which the new Cuban Government has been disposing of many of its adversaries and the bitterness of its attacks on the United States.

Although our disappointment and resentment are understandable, it is important that we appreciate the extent to which our own policies have helped create the antagonism with which we must now contend.

According to the narrow view of many of our policymakers, any dictator who tells us he is against communism, regardless of how hated or corrupt he may be, deserves American support. This has led us time and again to place American dollars and American prestige behind reactionary, rightwing governments which ruthlessly exploit their people and which sooner or later are doomed to fall.

SOURCE OF ARMS

For nearly 3 years the now victorious Cuban revolutionaries were hunted like animals through the mountains and jungles by Batista's armed forces. Many of the Government tanks, planes and small arms which brought death to their families were manufactured in American factories, paid for by American taxpayers and shipped to Cuba by the American Government.

Our Government cannot be held responsible for the brutal behavior of the fallen Cuban dictator. But it can and should be held responsible for the damaging effect which some of our policies and personnel have had in producing the anti-American resentments unleashed by the Cuban revolution.

Our last arms shipment was landed in Cuba scarcely 9 months ago. If the victorious leaders of the new government did not now resent the official support and comfort we gave the vanquished Batista, they would be less than human.

Although this experience has cost us heavily, not only in the respect of Cubans but in that of other non-Communist peoples in all parts of the world, there is scant evidence that we have taken it to heart. On the very day that Castro's revolutionary forces were entering Havana through cheering crowds we announced that a Marine Corps training mission would be sent to Haiti to bolster a government that since last summer has been forced by public opposition to rule by decree.

REVOLUTIONARY PRACTICES

All thoughtful observers regret General Castro's drumhead courts, mass shootings, and his demagogic raving about a "gringo" invasion. But our disappointment should not blind us to the implications of our own failure to live up to what the world expects of us.

The truths which our Declaration of Independence held to be self-evident are still providing the inspiration for non-Communist revolutionary leaders who are challenging dictators in Latin America, Africa and Asia.

Whether the Cuban revolution succeeds or fails in its effort to provide freedom and dignity for the Cuban people will depend largely on what Castro does with his victory in these first few weeks. But this and much more will also depend on our capacity to remember our own revolutionary origins and to bring our policies into focus in a world of revolutionary change.

CHESTER BOWLES.

WASHINGTON, *January 21, 1959.*

[From the New York Times, Jan. 23, 1959]

HAVANA AND WASHINGTON

A new and what must be a happier chapter in Cuban-American relations is about to begin. Our Ambassador, Philip W. Bonsal, is a splendid choice and Cuba's new Ambassador to Washington, Prof. Ernesto Dihigo,

an educator and diplomat of the highest caliber, is certain to represent the revolutionary regime with distinction.

It is time to put aside arguments and recriminations on both sides. There is much constructive work to be done. Cuba has to get her sugar crop going, her roads and railways repaired, and her governmental structure reorganized all the way up from municipalities to the capital of Havana.

Cuba is being reborn. She has the greatest opportunity ever offered in her history to construct a new, free, honest, democratic government. The men now in control have fought, and many of their fellow Cubans suffered torture and death, just for that.

There is a major work of repair to be done in Cuban-American relations. The harsh fact has to be faced that the resentment and bitterness of Cubans against the State Department and American policies rose to a crescendo under the ambassadorships of Arthur Gardner and Earl E. T. Smith. Now a distinguished career diplomat with a splendid record is to take over. Philip Bonsal has every qualification that could be asked for the difficult and gratifying task he is taking on.

Dr. Dihigo, the Cuban Ambassador, is professor of Roman law at the University of Havana, the author of a number of books on international law, a jurist, a former Ambassador to the United Nations, and a former Minister of State. In addition he knows the United States and likes Americans. It is to be hoped that both Ambassadors will get to their posts as soon as possible.

[From the Miami Herald, Jan. 23, 1959]

EXECUTION OF TERRORISTS NECESSARY ACT BY CASTRO

(By Drew Pearson)

WASHINGTON.—Though not condoning kangaroo courts and quickie firing squads, Latin American diplomats returning from Cuba report that if Fidel Castro had not proceeded at once with the trial and execution of Batista's chief terrorists, he would not have been able to maintain order in the country.

Continuous censorship during the last year of Batista's reign kept newsmen living there from giving even an approximate picture of the slaughter that was taking place.

As a result, U.S. readers got no real idea how Batista's agents—military and police—operated against suspected civilian sympathizers of Castro's July 26 movement.

On one occasion, for instance, the bodies of 17 university students were thrown on the capital's streets from speeding police cars.

One of the first common graves located in Oriente Province on January 6 contained 183 half-burned corpses.

Impartial medical inspection showed that the majority had been pushed into the hole alive, gasoline poured over all, and the torch applied. There have been half a dozen other similar graves discovered.

As one observer put it: "Castro landed from Mexico on December 2, 1956, with 81 followers. Four months later, after the first skirmishes with Batista's forces, only 12 of that original group were still alive.

"If he hadn't had volunteers flocking to him from the farms and small towns all over Oriente, he would have been finished.

"Relatives of those volunteers—especially brothers and sisters—paid for that support by the thousands, with their lives, their sight, their fingers, or toes, or genital organs, their virginity.

"By the time Castro was ready to start his final big push, early in December, he had 8,000 men and women fighting for him, and one family in three all over Cuba was giving active aid to the rebels.

"There are only a little over 6 million people in Cuba. In every town and city, all the people—whether they were helping Castro or just keeping out of it—knew the names and faces of the Batistia men in their areas who were carrying out the torture, rape, and murder.

"In order to hold his army together and maintain its morale, Castro had to promise that every such agent who was positively identified would be tried by the revolutionary forces, as soon as they won, and shot if convicted.

"If he had reneged on that—failed to seize the terrorists, or held them indefinitely for civilian courts to be reorganized—there would have been a wave of mob lynchings all over Cuba, with at least 2,000 or 3,000 dead by now, instead of 200 or 300, without trial of any kind.

"It's a grim, bloody business, of course, but this was a real civil war, with practically every Cuban involved on one side or the other—not just another one of the palace guard coups that so often pass for revolutions in Latin America."

National YMCA Week, 1959

EXTENSION OF REMARKS

OF

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 26, 1959

Mr. ROBISON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I would like to call attention to the fact that the week just past was National YMCA Week.

During last week, millions of Americans affiliated with nearly 2,000 Young Men's Christian Associations across the country celebrated one more year of fine service to our youngsters, teen-agers, young men, and to our family groups also.

Since 1844, the YMCA has been a pioneer in the cause of brotherhood and development of our youth—the spirit and mind of youth as well as physical well-being. The Y has become also a unique and vital part of virtually every American community.

The YMCA has served our fighting men during every war since the Civil War. It has contributed mightily to health and physical fitness programs and has contributed much to American sports and athletics, creating such games as basketball and volleyball.

The Y has also sponsored organized camping, water-safety instruction, youth and government programs, and boys' work.

The YMCA has also pioneered in night-school education, short-term community finance campaigns, and many other advances.

I am certain that all of us will join in a sincere "well done" to this excellent and growing organization and, we might also add, "Please keep up the good work."

SENATE

TUESDAY, JANUARY 27, 1959

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal Father, Thou who art the light behind life's shadows, and the love behind life's sorrows,

Coming into this temple of our democracy to pray, we would not catalog the sins of others; we would not exult that we are not as other men. But, rather, confessing our own sins, we would pray for Thy forgiveness and Thy cleansing.

We beseech Thee to make us such public servants, so captured and possessed by Thy vast designs for human brotherhood, that Thou canst trust Thy ageless purposes to our willing and eager hands.

We ask only for light enough for the next step, courage enough to face the present duty, truth enough for today's decisions, as into Thy hands we commit our ways.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, January 23, 1959, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. GEORGE H. CHRISTOPHER, late a Representative from the State of Missouri, and transmitted the resolutions of the House thereon.

ORDER FOR ADJOURNMENT TO TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its session today, it adjourn to meet at 12 o'clock noon tomorrow.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE TO STUDY THE DEVELOPMENT AND COORDINATION OF WATER RESOURCES

Mr. MANSFIELD. Mr. President, on behalf of myself and my distinguished senior colleague from Montana [Mr. MURRAY], I submit a resolution which I feel will make a substantial contribution to the Senate's legislative work in the field of water-resource conservation and development.

During this first session of the 86th Congress, the U.S. Senate is faced with many significant and important issues of nationwide importance. Federal aid to education, airport construction, housing, a new farm program, community facilities, foreign aid, and defense are but a few major issues. However, I feel that the congressional program would not be complete if we did not devote consider-

able time and effort to water conservation. This is a pressing issue, despite the fact that in recent years there has been substantial and significant progress in water-resource development and conservation.

Two of the Senate's standing committees—the Committee on Interior and Insular Affairs, and the Committee on Public Works—are to be highly commended for their work in this area. Both distinguished chairmen of these committees, my able and distinguished colleague, Montana's senior Senator [Mr. MURRAY], and the distinguished senior Senator from New Mexico [Mr. CHAVEZ], have taken the lead in the enactment of a number of legislative proposals which affect our water resources.

In spite of the conscientious work of these standing committees, and in spite of the unfailing support of water-resource projects provided by the Committee on Appropriations under the eminent chairmanship of the great senior Senator from Arizona [Mr. HAYDEN]—in spite of the virtually unanimous effort of all of us who are concerned with water resource matters—we are failing dismally in our responsibility for the Nation's water resources.

Let me explain what is meant by the statement that we are failing in our responsibility for the Nation's water resources.

An abundance of readily available water of suitable quality is a principal requirement of the American way of life, and it is essential for continuing agricultural and industrial production. But responsible authorities warn that provision for the needed water supplies is far short of adequate.

Today, we use water at the rate of about 240 billion gallons a day. By 1975, the rate of use will be about 350 billion gallons a day. There is not now under construction or planned for construction, by public and private agencies combined, water-resource projects that will provide daily 350 billion gallons of water of acceptable quality.

Let us remember that the United States is blessed with an abundance of water—fully enough to meet all national requirements, provided that we wisely and fully develop it for us. Dr. Leopold, Chief Hydrologist of the Geological Survey, points out that, although we as a Nation are not short of water as a whole, "As matters now stand, most water that is immediately available and inexpensive to use at each individual point is in use already."

Mr. President, the United States is not able to tolerate a scarcity of water supplies, available and suitable for use at economic costs. By 1975, our present population of 175 million is expected to be over 225 million, a 30-percent increase; and by 1980 it is expected to be 245 million, a 40-percent increase.

Even at the present rate of per capita water use, this 30 or 40 percent population increase would of itself gravely strain our ability to meet water requirements. Authoritative reports have, however, demonstrated that per capita water uses must increase very substantially over present use. The Chief of Engineers, U.S. Army, has stated that it will rise about 25 percent.

The increase in the rate of per capita water use reflects both the rising standard of individual living and the increased use of water in industry. More water for individual living results from such things as more home washing machines and dishwashers, more air conditioners, more suburban lawns to sprinkle—the incidents of the high standard of living that we are determined to maintain in this country. Increased industrial use of water reflects such requirements as 200,000 gallons of water needed to produce one ton of rayon, 300,000 gallons of water needed to produce a ton of aluminum, and 600,000 gallons of water needed for a ton of synthetic rubber. The Nation's industry is geared to a high-level output of thousands of products that require water in increasing amounts.

These two factors—population increase and per-capita-use increase—are the basis for the authoritative forecasts that by 1975 use requirements will be of the order of 350 billion gallons a day, about 90 percent more water than the amount we used in 1950.

The quantity required is one aspect of the water-resources problem. Another important aspect is the quality of water. Technical experts warn us that water quality deteriorates with population and industrial expansion. They point out that untreated industrial wastes now pouring daily into streams are equal to the sewage produced by 110 million people—double the 1920 rate. Mr. Gordon McCallum, of the Public Health Service, estimates that pollution is costing us at least a billion dollars a year.

Still another important aspect of the water-resources problem is one equally valuable to Americans, even though we may not measure it in billions of dollars. Wildlife and recreation are, in great measure, closely dependent on the wise conservation and development of water resources. From ducks or trout to summer resorts and swimming holes, concern with wildlife and recreation is inseparable from concern with water resources.

All aspects of the water-resources problem—adequate quantity and acceptable quality for population and economic expansion, wildlife, recreation, and others that I have not taken time to discuss now—such as navigation development, hydroelectric power generation, irrigation, flood control, and like purposes—all of these must be fitted together in our water-resources program. This multiple-purpose coordination of water-resource programs, founded on suitable legislation, as it has been since 1936 and earlier, makes multiple-purpose legislation even more essential as the Nation expands its utilization of water. This is because our water resource is, after all, a limited resource, and increasing demands upon it can be met only by continually improved coordination and conservation.

There is widespread public concern over the inadequacy of water-resource programs. This concern stems from recognition that water supplies now available in many areas of the United States will be insufficient in quantity and unacceptable in quality for the use requirements of 1975. In many areas, the future water supply is the key to economic development. It is feared that inadequate and unsuitable water will limit expansion.

I am reminded of the newspaper account I read of a recent address made to a meeting in Texas, the State to which we are indebted for furnishing us with our distinguished majority leader, Mr. JOHNSON. At that meeting, the head of one of the Nation's large industries explained to his Texas listeners why his company is not expanding its plants in Texas, but instead, it is locating new plants elsewhere. The reason is, this industrialist told his audience, that his company would make large investments in plant sites only where it felt secure about the adequacy of future water supplies.

I regret that I am probably speaking for most of my colleagues in the Senate when I say that this experience is repeated in many of our home States. I do not believe that company arrived at a valid judgment regarding Texas water resources, but I do know that the adequacy of future water supplies is a major factor in the selection of plant locations in many industries.

There are, of course, many bright spots on the water-resource horizon. We are on the threshold of an amazing era of technological development. New methods, new processes, and new materials are opening up possibilities in many fields of endeavor. There is no doubt in my mind that these new technical developments can be applied to increasing the usefulness of available water resources. This is a conviction that I am confident is shared by my distinguished colleague, the junior Senator from New Mexico [Mr. ANDERSON]. There are challenging opportunities in new techniques of weather modification, evaporation reduction, desalination of brackish water, conversion of water, and in improvement of conventional processes for seepage control and wastewater salvage. Possibly, application of nuclear energy may result in a major breakthrough for water-resource development.

I have sketched all too synoptically, I fear, the magnitude, the complexity, and the urgency of the water-resource problem. My senior colleague, Mr. MURRAY, and I believe that there is need for a broad gage legislative program as the basis for comprehensive water-resources development by Federal, State, and private agencies. This legislative program should furnish the impetus for coordinated development at a rate that will provide the quantity and quality of water that will be required in the coming years. It should encourage the adoption of new technical discoveries and improvements.

Since 1949, a number of reports, prepared principally under direction of the executive branch, have dealt with broad questions of water-resources policy. Notable among these is the 1950 report of the President's Water Resources Policy Commission, under the chairmanship of Morris L. Cooke. This and the other

reports are helpful in identifying certain of the problems. It must be noted, however, that these reports have not become the basis for congressional action; and, in fact, they are not actually addressed to congressional action. Probably this is because they were made under the direction of the executive branch, rather than under congressional direction.

It is our view that such a comprehensive legislative program on water resources necessarily will consist of many, many individual enactments. Experience has demonstrated that the great diversity of conditions and the wide variety of considerations that bear on the water problems of different portions of this Nation preclude any single piece of legislation or any single formula or any single mechanism that would blanket the water-resources problems. Rather, we believe, the legislative program needs to be like a mosaic, in which many individual enactments fit together in a composite design.

To this end, the purpose of our resolution is to secure recommendations for such a legislative program. Those recommendations should delineate the amount, the character, and the timing of water-resource development necessary to meet national requirements in the years ahead. The recommendations should also outline legislation that will encourage new and improved methods of water-resource conservation and development—public and private.

This view of the needed legislative program is, I believe, shared by many other Senators. Formulation of such a many faceted comprehensive and interrelated legislative program overlaps and impinges on the established jurisdiction of several of the regular standing committees of the Senate. Yet there is great present need for an overall legislative design within which each committee can function to mutual advantage.

A closely parallel situation arose in the 84th Congress, and a precedent established then has guided us in this resolution. In the 84th and the 85th Congresses, the Senate felt the need for an overall review and coordination of its foreign-aid legislation. That review impinged on the jurisdiction of the Committee on Foreign Relations, the Committee on Armed Services and the Committee on Appropriations. It was my privilege to sponsor Senate Resolution No. 285, of the 84th Congress. That resolution, as agreed to, with the amendments added by the Committee on Rules and Administration, established a temporary select committee formed of members of the three standing committees concerned. That committee to study the foreign-aid program has performed outstanding service to the Senate, through providing an informal basis for Senate action.

The resolution on the water-resources program, submitted today for myself and the senior Senator from Montana [Mr. MURRAY], is closely patterned on the precedent of the foreign-aid study resolution, S. Res. No. 285, 84th Congress, and provides for a special study committee composed of eight Senators who are members of the standing committees concerned. With respect to water resources, the standing committees principally concerned are the Committee on Interior and Insular Affairs and the Committee on Public Works. The Committee on Interstate and Foreign Commerce is affected as to its concern with the fish and wildlife conservation.

As in the case of the foreign-aid program, any Senate action consequent to the recommendations of this water-resources committee would, of course, be in accordance with the established procedures of the Senate; that is, such recommended legislation would be referred to the appropriate standing committee of the Senate.

Subsequently, Mr. President, on a suitable occasion, I shall discuss more fully the manner in which it is hoped that the committee on water resources can, during the 86th Congress, provide to the Senate the substantial assistance that is so much needed in the complex field of water resources.

From their own experiences and observations in their home States, all Senators are aware, I am sure, of the importance and urgency of an adequate and comprehensive legislative program for water resources. I do not wish to delay the business of the Senate by further discussion now of this widely held concept. In closing my remarks, I do, however, wish to call to the attention of the Senate a statement that is germane to the resolution.

I ask unanimous consent to have printed directly at the conclusion of my remarks a short excerpt from the 1958 Report of the Rockefeller Brothers Fund on the U.S. economy. The report was prepared last year by a panel of distinguished men, under the chairmanship of Mr. Thomas B. McCabe, president of the Scott Paper Co., and former Chairman of the Board of Governors of the Federal Reserve System. Associated with Mr. McCabe in this report on the U.S. economy are 17 other equally distinguished leaders in public affairs. Their names are appended to the excerpt at the conclusion of my remarks.

This panel of distinguished leaders in public affairs, in discussing the national economy, singled out water resources for special discussion.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit A.)

Mr. MANSFIELD. Also, Mr. President, I ask unanimous consent to have the context of this resolution and an article entitled "The Day the Tap Runs Dry," from the October 1958 issue of the Harper's magazine, printed at the conclusion of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibits B and C.)

Mr. MANSFIELD. Mr. President, what will happen when the taps run dry is a grave question in terms of 1975 or 1980. Just how serious that threat is has been demonstrated by actual events. Taps have run dry in New York City and in Dallas, Tex. I have before me a newspaper account of what happened when the taps ran dry in Emporia, Kans. This city of 15,000, a prosperous and thriving commercial center of the wheat country, suffered acute hardship and economic loss in 1957 when the municipal water supply proved to be inadequate. This newspaper account tells in detail how water shortage transformed the life of the community. I ask unanimous consent to have printed at the end of my remarks the newspaper account entitled, "When a City Faces Drought," from the April 14, 1957, edition of the news magazine Parade. Happily, I am informed, vigorous action of the people of Emporia, with Federal assistance, has resulted in a program to prevent recurrence of their 1957 disaster.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit D.)

Mr. MANSFIELD. Mr. President, it is gratifying to contrast this unhappy case of drought disaster with the fine results that have been achieved by some communities. I learned recently of how the city of Springfield, Ohio, recognized the importance of water to its economic development. When Springfield dedicated its new waterworks, the Springfield News-Sun, the city's daily newspaper, published a special gala edition with many pages of complimentary advertising by the merchants and manufacturing establishments. One manufacturer, for example, paid for a full-page advertisement that stated, "Our future growth is limited only by the availability and purity of water." In the same issue, the Springfield Development Council told of the importance of water to that community. I ask unanimous consent to have printed at the conclusion of my remarks an excerpt from an article by Fred H. Krueckeberg, published in the Springfield, Ohio, News-Sun of October 12, 1958.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit E.)

Mr. MANSFIELD. Mr. President, adequate water supplies are crucial to the well-being and security of the Nation, and they are a major factor in the economic life and development of great sections of the country. This fact is recognized by the banks and financial institutions that are responsible for investment and monetary operations. As an example of this, the Federal Reserve Bank of Kansas City sponsors studies that are directed to evaluating whether, how, and when possible water shortages may limit economic development. An excellent summary of this problem is contained in the December 1958, Monthly Review of the Federal Reserve Bank of Kansas City. I ask unanimous consent to have printed at the conclusion of my remarks this paper, entitled "Water Availability—A National Problem."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Monthly Review, Federal Reserve Bank of Kansas City, December 1958]

WATER AVAILABILITY—A NATIONAL PROBLEM?

Water is, either directly or indirectly, a crucially important input in modern productive processes. Some economic activities—such as irrigation farming, petro-chemicals production, and mining—require huge

quantities of water directly, very much as they use materials or fuel as input factors. Virtually all other productive activities require vast—and ever growing—quantities of water indirectly in various domestic and municipal uses. It is apparent, therefore, that limitations upon the amount of water available within an area may very well circumscribe its economic and demographic development. In recent years this fact has become a matter of great concern to many people in this country and especially to those residing in the arid and semiarid States of the West. If certain, relatively small, humid islands created by the high mountain ranges of the West are disregarded, it is correct to say that approximately the western half of this country has an average annual precipitation of less than 20 inches. More than one-half of the 10th Federal Reserve District lies in this low rainfall area.

However, the mere statement that less than a given number of inches of precipitation occurs in a certain area, without some other sort of referent, does not indicate whether the term "dry" may meaningfully be applied to an area. This is true because the adequacy of a given number of inches of moisture for various economic purposes will vary greatly from area to area depending upon, among other things, the rate at which moisture is absorbed into the atmosphere. Thus, one definition of a dry area is one in which potential evapotranspiration exceeds precipitation. This teminology may require some clarification. Evapotranspiration refers to the return of water to the atmosphere by evaporation from streams, soils, and ponds and by transpiration through the leaves of plants. Actual evapotranspiration is approximately the difference between precipitation and runoff. Potential evapotranspiration is a more complicated concept. It refers to the amount of evaporation and transpiration which would occur in an area if water were freely available. The actual transmission of water into the atmosphere from a heavily irrigated desert area approaches its potential evapotranspiration.[1]

According to this definition, over one-half of the United States and all of the district with the exception of the eastern portions of Nebraska, Kansas, and Oklahoma, the portion of Missouri lying in the district, and limited high altitude areas in other States would be classified as having a dry climate. This fact is easily forgotten during periods when the rainfall cycle is in its upward phase and water appears plentiful. It becomes painfully evident, however, when the cycle turns downward as it has done with depressing regularity ever since the area was first settled. Problems of water shortage and issues concerning water conservation thus have a special immediacy to this district which spans the western Great Plains, termed by early historians of the area "The Great American Desert." Some of the problems concerning water use which occur in an area such as this are: (1) Does there appear to be reason to expect a limitation to economic development due to water shortage and how immediate is this limitation? (2) Is the structure of the economy evolving in a fashion which tends to make it more water using or less water using? (3) What uses of water would tend to yield the largest production for the area? (4) What uses of water would tend to be most effective in absorbing the potential population of the area? A beginning toward an answer to the first question is made in this article by reviewing some of the evidence concerning the water problem as it confronts the United States. Attention will be directed specifically to the problems of the district in forthcoming issues of the Review.

[1] See Thornthwaite, C. W., "An Approach Toward a Rational Classification of Climate," Geographical Review, vol. 38, 1948.

THE WATER PROBLEM IN THE UNITED STATES

The problem of water shortage as it may confront the United States in the foreseeable future is dealt with very briefly here, largely because only severely circumscribed conclusions can be drawn from a consideration of the entire country as an aggregate. The United States is so dissimilar in its rainfall and streamflow pattern as between different regions that a regional approach to the water problem is highly desirable. A generalized comparison of total water available to the United States and total requirements neglects the fact that unused runoff from certain basins (such as the Columbia) is almost bound to coexist with great stringency in the water supply elsewhere (such as in the Rio Grande Basin). Nevertheless, in a country with high labor and capital mobility such as the United States, an overall comparison is of some relevance and some of the concepts developed here will be useful later for a regional approach to the problem.

RAINFALL IN THE UNITED STATES

Considering the size of the land mass involved, the United States is relatively well endowed with water resources. A study made of the annual runoff from the various land areas of the world indicates that the water supplies of South and North America are potentially greater than in other continental areas.[2] This is reflected in the fact that by the definition adopted above, approximately one-half of the land area of the United States is wet, i.e., precipitation exceeds potential evapotranspiration. The average annual precipitation over the entire land area of the United States is about 30 inches, which is equivalent to about 4,300 billion gallons of water daily.

As has been suggested earlier, however, great variation exists in the rainfall pattern both on a monthly and geographical basis. The highest average annual precipitation recorded within the continental United States is 150.73 inches at Wynoochee, Wash., while the lowest is 1.66 inches at Greenland Ranch, California. Similarly, striking local variations in rainfall occur from year to year. Nevertheless, there is little evidence to indicate that the average annual precipitation falling on the land area of the United States is either increasing or decreasing over time. It is this precipitation upon which we must ultimately depend as the source of our sustainable water supply.

UNDERGROUND WATER AND THE SUSTAINABLE WATER SUPPLY

It will, of course, occur to the reader that underground water offers a large additional supply. The huge underground reservoirs which have been filled through the centuries and which underlie large areas of the United States do, in fact, contain vast quantities of water. Although inventories of ground water unfortunately are very incomplete, it has been estimated that these reservoirs now hold more water than the combined capacities of all lakes and surface reservoirs.[3] Nevertheless, the aquifers, or water-bearing strata, of these reservoirs are ultimately completely dependent upon rainfall for their recharge. If water is pumped from these reservoirs at a rate greater than their rate of recharge, "mining" of water occurs and the water table falls continuously. However, a falling water table does not necessarily indicate that water is being mined. In some cases, withdrawal may exceed recharge during drought periods and the situation be reversed during wet periods so that no mining takes place over the course of a rainfall cycle. Again the water bearing strata may be comparatively impermeable so that water moves through it relatively slowly. Under these conditions the water table will tend to fall in the wells after pumping commences but will tend to stabilize at a lower level as more water is induced to enter the pumping area, if the rate of withdrawal does not exceed the rate of recharge for the reservoir as a whole. Also, since the normal flow of a stream constitutes the overflow of a subterranean aquifer, pumping from wells may do nothing more than deplete the surface flow from the reservoir without continuously lowering the water table.

In fact, however, a number of areas already exist in the United States where serious and sustained depletion of the water stored in underground aquifers has taken place. The most important of these areas are in the Central and San Joaquin Valleys of California, south central Arizona, the High Plains of northwestern Texas and eastern New Mexico, and a relatively smaller area in eastern Arkansas. Probably the most notable of these areas are the San Joaquin Valley of California and the High Plains of Texas. An estimate made several years ago indicated that in the San Joaquin Valley alone, some 40,000 wells produce over 6 billion gallons of water per day (about one-fifth of all the ground water used in the Nation) with a daily overdraft in excess of 1 billion gallons. In the High Plains of Texas, the rate of withdrawal has been perhaps 25 times the rate of recharge. The total overdraft in the Southwest has been estimated to be approximately 5 billion gallons per day. If these areas of overdraft continue their current rates of underground water use, their economic development most assuredly will be adversely affected at some future time. Remedial measures to help balance draft against recharge have been taken in some areas. Such measures include spreading storm waters in recharge areas and pumping surface water into the aquifers through recharge wells. These techniques have been especially important in California and New York where actual or threatened incursion of saline, or salty, waters into aquifers has become a problem due to the lowering of water tables. Nevertheless, these measures are expensive and of limited efficacy.

It may be argued, however, that reasons similar to those given for mining our limited stocks of petroleum and other minerals could be used to justify the mining of water. Here, as in the case of other resources, we might rely upon developing technology to find substitutes or augment our supply. But it is important in this regard to note the monstrous quantities of water which our current standard of living requires. It is estimated that the annual average water use per person in the United States is about 1,500 tons. By contrast, the use of all other materials, such as food, fuel, metals, plastics, lumber, sand, and gravel, etc., amounts to a mere 18 tons. Thus, even if an efficient means of desalinating sea water were to become economically feasible in this country, tremendously high transportation costs would still exist to areas far inland where large water deficits occur.

The population of such areas presumably would need to become accustomed to radically different habits of water use than currently exist in the United States and water-using productive processes would undoubtedly be inhibited.

The amount of water which finds its way into the oceans by means of streamflow, therefore, is a good first approximation of the maximum permanently sustainable fresh water supply. Needless to say, this supply

[2] See Langbein, W. L., and others, "Annual Runoff in the United States," U.S. Geological Survey Circular 52, June 1949.

[3] Thomas, H. E., The Conservation of Ground Water, 1951, p. 28. A comprehensive discussion of ground water supplies and problems in the United States is found in this book.

may be tapped at points either above or below the earth's surface. The difference between the amount of water deposited annually and total discharge from streams is accounted for primarily by natural evapotranspiration and consumptive use of water. The idea of evapotranspiration has been explained earlier in the article but the notion of consumptive use must now be explored briefly.

CONSUMPTIVE USES OF WATER

A consumptive use of water is one which actually precludes, through evapotranspiration or embodiment in a product, the use of that water by potential successive users. Consumptive use is distinguished from withdrawal, or diversion, which indicates the gross amount of water used as an input in some process. This concept of consumption is necessarily somewhat fuzzy, especially when applied to large land masses. Consumptive uses involve such activities as irrigation, rural and urban domestic water use, industrial and commercial water use, and steam-electric power. Uses of water for navigation, flood control, hydrogeneration of electric power, and recreation are usually not considered consumptive, although it should be noted that, to the extent that these uses require reservoir storage, some amount of evaporation should legitimately be attributed to them. Irrigation is probably the most consumptive of the major uses of water. It has been estimated that 20 to 60 percent of the water used in irrigation constitutes return flow, either by seepage into streams or percolation into aquifers. The proportion of the water diverted for irrigation purposes which does appear as return flow depends largely upon the rate of potential evapotranspiration in the area where the irrigation occurs. On the other hand, as much as 95 percent of municipal and industrial water reaches streams as sewage effluent. However, consumptive losses of municipal and industrial water ordinarily constitute a larger proportion of withdrawal in areas of water shortage than elsewhere because a larger proportion is used for cooling purposes and watering lawns.

As stated earlier, an average of approximately 4,300 billion gallons of water is deposited upon the United States daily.[4] Nearly 75 percent of this precipitation is returned to the atmosphere by the process of evapotranspiration. Much of this return to the atmosphere occurs through transpiration of plants and direct evaporation from bodies of water or moist earth. An additional large amount is lost due to various consumptive uses of water. Streamflow measurements of the Federal Geological Survery indicate that slightly in excess of 8 inches of the 30 inches average annual rainfall flows into the oceans through streams. This is the equivalent of about 1,145 billion gallons of water per day. This estimated quantity represents the maximum potential supply over and above current consumption and is equal to over four times the estimated total withdrawal—not consumption—for all irrigational, industrial, and municipal purposes in 1955.

Unfortunately, not all of this potential water supply can be realized. The greatest limitation occurs due to the fact that almost two-thirds of this streamflow is discharged into the oceans by streams at flood stage during comparatively short periods of time. Thus, according to the estimates of the U.S. Department of Commerce, less than one-third of this total streamflow is available during the greater part of the year. Consequently, use of this potential supply of water on a large scale is heavily dependent upon adequate storage facilities and a carefully regulated release of the flood water accumulated in them. It has been estimated that, by providing greater storage capacity to supplement the currently available dependable streamflow, it would be economically possible to provide future constant availability of 630 billion gallons daily of acceptable quality water, or approximately one-half of the measured total runoff. It is further estimated that probably half of this amount would have to be reserved for navigation and for the disposal of industrial and domestic wastes. This would leave a residual amount of about 315 billion gallons daily for consumption in irrigation, domestic, industrial, and farm uses, as compared with a present estimated consumption of about 115 billion gallons daily by those uses. If the present pattern of use and extent of reuse continues, total consumption by 1975 will reach a daily average of about 170 billion gallons.

On the face of it, this result appears very optimistic. It must be remembered, however, that the usefulness of a highly aggregative approach to a problem such as this is severely limited. The geographical structure of the water supply may be of such a nature as to conflict with social goals such as the diversification of industry, residence in climates offering superior amenities of life, and regional development. Obtaining water will also necessarily become more expensive as the limits of potential supply are approached and gathering problems become more severe. Also, the notion of consumption, as it is used in this article, does not take into account the heavily polluted nature of much of the water discharged by industrial and domestic users, because sewage effluent discharged into the Nation's streams almost necessarily reenters the available water supply. Nevertheless, industry faces severe waste disposal problems in certain areas and there is considerable social cost involved in turning many of the Nation's rivers into open sewers.

CONCLUDING COMMENT

When judged on the basis of aggregate supply and use data, it would appear that the water problem for the Nation as a whole is not severe. As has been pointed out, however, this approach neglects serious problems involved in the geographical distribution of water supplies. One example of this is the shortage of municipal and industrial water which has already manifested itself in a number of cities and led them to reach long distances for additional supplies. As is well known, Los Angeles obtains its city water (except for a relatively small amount coming from local wells) by means of aqueducts reaching across the breadth of California, and New York City obtains its supply (again with the exception of a small amount coming from local wells) from aqueducts extending into upper New York State. In the district States, Denver has found it necessary to tunnel through the mountains to the western slope of the Rockies for part of its water supply. Also a canal reaching southeast from Oklahoma City, which would carry water to that city from three reservoirs in southeastern Oklahoma, has been proposed. As the population of the district increases, other cities may face a similar situation. A more comprehensive discussion of the district water supply and its possible future effects on economic development in the area will appear in a future issue of the Review.

[4] Unless otherwise indicated, the figures on water availability and water use in the United States found in the next few paragraphs are from the U.S. Department of Commerce, Business Service Bulletin No. 136.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred.

The resolution (S. Res. 48) establishing a committee to study the matter of the development and coordination of water resources, submitted by Mr. MANSFIELD (for himself and Mr. MURRAY), was received and referred to the Committee on Interior and Insular Affairs.

EXHIBIT A

EXCERPT FROM "THE CHALLENGE TO AMERICA: ITS ECONOMIC AND SOCIAL ASPECTS"—A SPECIAL STUDIES REPORT OF THE ROCKEFELLER BROS. FUND, 1958

NATURAL RESOURCES

Any serious effort to project our growth potential for the future must take account of our supply of natural resources. These are the bone and sinew of our economy, upon which all else, domestic and international, depends. * * *

Here, the challenge to innovation and inventive thinking is immense. New technologies, more efficient extraction processes, new uses may open up new worlds. Even now we can discern the outlines of a future in which, through the use of the split atom, our resources, both of power and raw materials, will be limitless. But the theoretically possible is not yet within our grasp. Pending the necessary scientific and technological breakthroughs, we must face the fact that our supplies are not inexhaustible.

One resource which we must actively conserve is water. Already, demand is outrunning our supply in some areas and thus placing a limit on growth. In the last half-century the number of water users in American cities has doubled, while their use of water has increased fivefold. By 1975 the increase in our population, coupled with the growth of industries which require large quantities of water, will more than double the current rate of water consumption. The enormous amounts required by industry are illustrated by the fact that it requires 300,000 gallons of water to manufacture 1 ton of rayon, and the rayon industry in the United States turns out 600,000 tons of rayon a year. The Nation's water problem, already serious in important areas, may well become, in the next 10 to 15 years, one of the most difficult issues facing our economy.

A solution depends partly on tapping new water sources, partly on more coordinated policies to bring about the more efficient use and reuse of existing resources, and partly on better protection of watersheds and reservoirs. The industrial use of water, which accounts for 30 percent of the total, can be greatly economized: modern steel mills use only one-quarter as much water per ton of steel as those built 20 years ago. In agriculture, as well, more efficient techniques can stretch water use. In the arid regions of the West, where losses through evaporation account for as much as 50 percent of the total water in reservoirs, experiments are being conducted on means to minimize such losses by use of thin surface films and by use of floating covers.

Of even greater immediate urgency than an improved water technology is the need for institutions to manage and coordinate the development and use of water. The problems of the Connecticut River and the Colorado River are neither so similar that they can be easily handled by a single agency, nor so localized that each can be adequately dealt with solely at the State level. Typically, water problems are regional problems, and often can best be dealt with by specifically designed public agencies. The Port of New York Authority's handling of regional transportation problems is an example. In addition to these regional bodies, a degree of national policy formation and coordination, possibly centralized in one Federal agency, is essential for such nationwide problems as water pollution, and for research into technological problems of water conservation.

Membership of panel IV

Thomas B. McCabe, president, Scott Paper Co., and former Chairman, Board of Governors of the Federal Reserve System, chairman of panel IV.

Arthur F. Burns, president, the National Bureau of Economic Research, and professor of economics, Columbia University.

William F. Butler, vice president, Economic Research Department, the Chase Manhattan Bank.

Lowell T. Coggeshall, dean of the division of biological sciences, University of Chicago; former special assistant for health and medical affairs, Department of Health, Education, and Welfare; president, Association of American Medical Colleges, and president, American Cancer Society.

J. Norman Efferson, professor of agricultural economics and dean, College of Agriculture, Louisiana State University.

Lester B. Granger, executive director, National Urban League, Inc.

Devereux C. Josephs, chairman, New York Life Insurance Co.

Dexter M. Keezer, vice president, McGraw-Hill Publishing Co. and director of economics department.

Franklin A. Lindsay, consultant, McKinsey & Co., Inc.

Joseph A. Livingston, financial editor, the Philadelphia Bulletin; former economist, Business Week and War Production Board.

Stacy May, economist.

Roswell B. Perkins, Debevoise, Plimpton & McLean; former Assistant Secretary, Department of Health, Education, and Welfare.

Anna M. Rosenberg, public and industrial relations consultant; former Assistant Secretary of Defense for Manpower and Personnel.

Eugene Rostow, dean, Yale University Law School.

J. Cameron Thomson, chairman of the board, Northwest Bancorporation.

Frazar B. Wilde, president, Connecticut General Life Insurance Co.

Bayless A. Manning, associate professor of law, Yale University, secretary of panel IV.

EXHIBIT B

S. RES. 48

Whereas adequate supplies of water of acceptable quality are essential to the continued welfare of the Nation, to its agricultural and industrial development, and to the national security; and

Whereas authoritative estimates forecast that by 1980 the United States population will increase to 250,000,000 and that the use of water will have increased by more than 50 per centum; and

Whereas in many sections of the United States such additional supplies of water of suitable quality are available, if at all, only at costs that would impede or prevent the increasing uses needed by the expanding population, agriculture, and industry; and

Whereas adequate provision for wildlife and recreational values, as well as provision of adequate quantity and quality of water supplies, and the economic utilization of hydroelectric and navigation potentials, stream sanitation, and other water resource benefits requires coordination of all such prospective uses and developments by public and private agencies; and

Whereas there are many new technical methods that may increase the usable water supplies by means of weather modification, evaporation reduction, desalination, seepage control, waste-water salvage, application of nuclear energy, and similar improvements; and

Whereas the Senate, in connection with provision for needed development and coordination of water resources, desires to have recommendations relative to the needed programs, their character and timing in relation to population and economic use requirements and associated benefits such as wildlife and recreation: Now, therefore, be it

Resolved, That there shall be established a committee which shall make exhaustive studies of the extent to which water resources activities in the United States are related to the national interest, and the extent and character of water resource activities, both governmental and nongovernmental, that can be expected to be required to provide the quantity and quality of water for use by the population, agriculture, and industry between the present time and 1980, along with suitable provision for related recreational and fish and wildlife values, to the end that such studies and the recommendations based thereon may be available to the Senate in considering water resources policies for the future.

SEC. 2. (a) The committee shall be composed of 3 members of the Committee on Interior and Insular Affairs, 3 members of the Committee on Public Works, and 2 members of the Committee on Interstate and Foreign Commerce.

(b) Any vacancy in the membership of the committee shall not affect its powers, and any vacancy in the membership of the committee shall be filled in the same manner as provided for determining the original membership.

(c) Five members of the committee shall constitute a quorum.

SEC. 3. The committee shall, without limiting the scope of the study hereby authorized, direct its attention to the following matters:

(a) The character and extent of water resource projects that will be needed to be in operation between the present time and 1980 in order to supply the water use requirements of population, agriculture, and industry, including but not limited to navigation development and hydroelectric power generation, and with appropriate provision for flood control, and the realization of recreational and wildlife values.

(b) The character of legislation that may encourage the adoption of new technical methods and improved process for increasing the usefulness of available water resources, including but not limited to weather modification, evaporation reduction, desalination of saline and brackish waters, seepage control, waste-water salvage, and the application of nuclear energy.

SEC. 4. The committee shall transmit to the Senate not later than January 31, 1961, the results of the study herein authorized together with such recommendations as may at that time be found desirable.

SEC. 5. In the conduct of this study full use shall be made of the experience, knowledge, and advice of private organizations, schools, institutions, and individuals. The committee may divide the work among such groups and institutions as it may deem appropriate and may enter into contracts for this purpose. Full use shall be made of studies and plans prepared by executive agencies, and such agencies are requested to give the committee or any of its authorized study groups or consultants such assistance as may be required.

SEC. 6. (a) For the purpose of this resolution, the committee is authorized to employ on a temporary basis through January 31, 1961, such technical, clerical or other assistants, experts and consultants as it deems desirable. The expenses of the committee under this resolution, which shall not exceed $_____, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee. The chairman may designate one or more members who may act for him as the purpose of this resolution.

(b) For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such places and times, to require, by subpena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems desirable. The committee shall cease to exist at the close of business on January 31, 1961.

EXHIBIT C

[From Harper's magazine, Oct. 1958]

THE DAY THE TAPS RUN DRY

(By Robert and Leona Rienow)

Water—our most carelessly wasted resource—is fast becoming our most precious one. Already it sets the limits for growth of many cities and industries * * * and nobody is yet doing anything effective to prevent a real catastrophe about 20 years from now.

If there is one thing which the ordinary American city-dweller never thinks about from one end of the year to the other, it is water. He turns on the tap, and water pours; he turns off the tap incompletely, and it drips; he flushes the toilet, and it roars. Ever so often, some politician or city planner makes a speech warning people not to waste water, but nobody pays much attention. To most Americans today, pure, palatable water in unlimited quantities is a kind of birthright, like citizenship, and not even the Supreme Court can ever take it away.

No following generation of Americans is ever likely to share this luxurious attitude. We are rapidly running out of good water. More than a thousand cities and towns already have been forced to curtail their water service. Near Chicago, where artesian wells flowed under their own pressure a hundred years ago, new wells must go down 2,000 feet to reach the water table. Dallas is already pumping the salt-tainted Red River into its mains, and New York faces the likelihood that eventually it will have to purify the polluted Hudson to slake its growing thirst. In Mississippi, wells are now 400 feet deeper, on the average, than they were only 10 years ago. Denver, eager for new industry, has been turning away manufacturers whose production processes involve a heavy use of water.

All along the Atlantic coast, as the water table falls, the ocean is pushing in to the underground reservoirs. In Dade County, around Miami, high salt content in the wells threatens the crops on irrigated farms. Inland, oil-field brines often seep into the deep wells. Marianna, Ark., tastes salt when it turns on the tap, and one Texas community was forced to drill three dozen new wells in a single year. When headwaters are piped off to the reservoirs, the rivers fall: in the summer of 1957 swimmers waded across the Delaware at the point where General Washington took his famous ferry ride.

WHERE IT ALL GOES

A large, rich suburb of New York has already experienced the ultimate horror. On October 29, 1957, the city reservoir of Orange, N.J., became a muddy hole; and two days later, one of the city's four artesian wells ran dry. Orange turned desperately to the State of New Jersey for help, which was forthcoming—but only after the city had pledged to reduce its consumption by 500,000 gallons a day.

Water shortages, obviously, can be caused by either of two things: too much consumption or too little supply. Both are operating in America today. Our demand for water is increasing at a fantastic rate, and we are channeling our resources to meet our needs at far less than maximum efficiency.

According to the latest report from the U.S. Geological Survey, our farms, homes, and factories are drawing 240 billion gallons a day from the Nation's streams, reservoirs, and underground storage. Of the total, roughly 10 percent goes into homes for drinking, washing, and sprinkling the lawn. The rest is divided more or less equally between farms and factories.

Sixty years ago, the average household used 90 gallons of water per head each day. Today

we have 35 million bathrooms, we buy millions of dish washers and washing machines, air conditioners, and automatic lawn sprinklers—and the per capita use of water has risen to 148 galons a day. El Centro, Calif., which would be miserably uncomfortable without air conditioning (summer temperatures rise to 115 degrees) holds the world's record for domestic water use—600 gallons a person a day. And while consumption per capita goes up, our population is rapidly rising, currently at the rate of 3 million a year.

The increase in domestic water consumption, however, is small beside the growing thirst of commerce. American industry now uses 110 billion gallons of water a day—11 times as much as it used in 1900, and almost half again as much as it used in 1952.

Nearly all manufacturing requires some water, and many processes demand amazing amounts. A new oil refinery in Delaware takes in as much water as a city of 2 million people. Each ton of paper drinks 65,000 gallons. Steam plants for producing electric power consume 91 gallons for every kilowatt-hour sent out on the lines. Gunpowder costs 100 gallons of water a pound.

With the depletion of high-grade iron ores in the Mesabi Range of Minnesota, the emphasis is shifting to taconite processing, a procedure which demands 3 times the water used at present in that district. And the new plastic and atomic industries are the worst water hogs of all. By 1975, unless manufacturers cut down their water consumption, our factories alone will tap 275 billion gallons a day—if they can find it.

On the farms, irrigation canals and pipelines are stretching out farther every year. Some 34 million acres of farmland in this country are artificially watered by one means or another, and the practice is rapidly spreading from the dry West—where irrigation has reclaimed great stretches of previously useless land—to the more humid East. Recurrent droughts in eastern farm areas since the war, plus the development of more efficient pumping equipment and lightweight pipes, have led to a fourfold increase in the amount of irrigated land on the Atlantic side of the Mississippi. In Indiana, where there were less than 5,000 acres of irrigated land in 1950, there are now 25,000, and farm experts foresee an increase to 80,000 by 1965.

In the West, too, more and more water is being demanded of the earth. In 1941, 420,000 acre-feet of water were pumped out of the ground in Santa Cruz Valley, Ariz.; by 1949, withdrawals had reached the rate of 1,250,000 acre-feet a year. (An acre-foot is the amount of water necessary to cover 1 acre to a depth of 1 foot.) During this period, rainfall replenished the underground reservoirs at the rate of only 215,000 acre-feet a year. On the high plains of Texas, men are pumping up the underground water reserves 20 times as fast as nature can replenish them. To this kind of arithmetic, there must be an end.

HOW RESERVOIRS ARE RUINED

We have long ceased to live on our water "income"—the annual rainfall. Today we are drawing heavily on our water "capital," the underground reservoirs built up by natural processes over thousands of years.

In fact, of course, the situation is not so hopeless as the statement sounds. Our water income actually far exceeds our needs—if only we could channel all of it to our spigots. The average daily rainfall onto the United States is considerably more than the 240 billion gallons we withdraw. But most of that rainfall runs off to the sea without ever passing through a water main.

Water is available for our use only during that relatively brief time between its fall from the heavens and its arrival in the oceans. The more rapidly it runs off, the less of it we have.

Forested watersheds hold great quantities of rainfall—an inch of water in every 4 inches of humus—and release it slowly to the streams and rivers and underground reservoirs. Cutover forest land holds little water; the rainfall runs off it quickly, in soil-destroying, gulley-digging torrents.

We have already sheared off most of the 822 million acres of virgin forest we found in this country, destroying the sponge-like forest floor which held back the runoff. And the suicidal process continues. Some large timber and paper companies today practice a highly publicized form of good forestry on their own lands, but many of these still overcut the small farmer's woodlot or timberland, let to them on contract. Dr. McArdle of the U.S. Forest Service classifies most of today's cutting as far from good.

Water is held for future use not only by the "plant robe" which normally covers the ground, but also by certain natural reservoirs, especially swamps and marshes. Here, again, we have been abusing our heritage. More than 82 million acres of swamps have been drained for farmland, and millions more have been covered over with housing developments. Springs and creeks have been bulldozed out of existence.

Another kind of natural reservoir is the aquifer—an underground deposit of rain water which has, through the course of ages, seeped through the soil and porous stone until it is trapped by an impervious layer of rock. Some aquifers are like oilfields; they can be tapped by wells—and once drained, the water cannot be replenished within any foreseeable period. Others are like great liquid lungs, breathing water both in and out; they soak up the surface moisture and release it gradually to streams and rivers—thus helping to keep the flow of our water courses relatively stable.

This complex system is being interfered with nearly everywhere in the United States, with results that are as dangerous as they are hard to see. Many aquifers are being drained faster than they can be replenished. Elsewhere the natural supply of water to these underground storage tanks is being curtailed—by new highways, parking lots, airfields, and other construction which is spreading over hundreds of thousands of acres. It isn't possible to recharge a water table through six inches of concrete. An overgrazed pasture or cut over forest, where the rainfall runs off immediately instead of soaking in, starves the underground reservoirs in much the same way.

In a few localities, as we have shown, so much fresh water has been pumped out of the ground that it has, in effect, left one of those vacuums which nature traditionally abhors. As a result, salt water has crept in from the sea, through deep-buried layers of porous sand or rock—and wells in some parts of California and along the Atlantic coast have begun to pump worse-than-useless brine.

Most of us, of course, still depend for the greater part of our water on surface streams, rather than the vaults of the aquifers. But it has been an immemorial habit of human beings not only to drink out of streams, but also to dump their sewage and other wastes in the same place. This was tolerable so long as the country was sparsely settled—but today it has become so crowded that virtually all of our streams are polluted to the point where they are suspect for human consumption unless chemically treated. Already many Americans are drinking what may be accurately—if disgustingly—described as treated sewage.

WHERE IT CAN BE SAVED

Damage done over a century cannot be repaired in a year or two. Even the most immediate, thorough, and expensive national water program would not deliver its benefits for 10 to 20 years. Since we have no such program—Washington hasn't yet begun even to draft one—we must resign ourselves to at least a generation of relative water shortage in the land of plenty.

There are palliatives, very well in their place, so long as we do not regard them as solutions. We can drastically reduce water waste by consumers. Peeping Tom statisticians say that we use three times as much water as we really need for our morning shower. Leaky taps, which account for 20 percent of domestic water waste, could be made a misdemeanor punishable by a stiff fine. One modern luxury we can easily do without is the private swimming pool in the backyard; lots of us may be able to afford it economically, but hydrologically it is too expensive.

Water engineers are unanimous in their opinion that both waste and consumption would decline sharply if households and factories had to pay for their water by the gallon, rather than on the usual franchise basis. Water rates should be eliminated everywhere from the general real estate tax package, and meters should be installed to measure and charge for water according to the amount used.

On the farm, too, water economies can be achieved. Open irrigation ditches lose water through seepage, vegetation along the banks, and the inevitable evaporation. Water is saved wherever pipes are substituted for ditches. Out in the range area, where water is scarcest, underground reservoirs are being drained needlessly, either to establish prior use under western laws, or as part of ill-advised reclamation projects.

Industry, however—which is guilty of the greatest waste—could accomplish the greatest savings. Steel mills require, on an average, 65,000 gallons of water to make a ton of steel; but in California, where water is tight, the inappropriately named Fontana Mills have learned to make do with 1,000 gallons per ton. Again, steam generating plants ordinarily use 91 gallons for each kilowatt-hour of electricity produced, but powerplants in areas hard pressed for water turn out the same current with one-tenth the water consumption.

Most industrial use does not pollute water to the point where it must be poured out to sea. Many factories could reuse over and over again much of the water that goes through their pipes. Even sea water can be used in certain operations, and a Texas refinery has contracted with the city of Amarillo for a supply of used water from the sewage disposal plant.

As yet, however, only one-tenth of 1 percent of the water used by industry is reclaimed sewage. Literally billions of gallons of safe, pure water could be saved every day, if industry would where possible content itself with water good enough for factories, but not good enough for human beings.

On the supply side, too, temporary improvements can be wangled from nature. Where the aquifer has been contaminated with salt water, artificial recharging may keep the wells in business for a few more years. It may eventually be possible to recharge some depleted underground reservoirs by the diversion of floodwaters—though no such experiment has yet fully succeeded, despite many theoretical discussions in hydraulic engineering journals. Cloud seeding may enable us to divert to the land some of the rain that now falls on the ocean. River pollution can and should be reduced. And, of course, great dams, artificial reservoirs, and aqueducts will keep increasing our apparent supply of water. Dramatic as they are, however, surface reservoirs make poor substitutes for natural subterranean storage vaults; evaporation loss is high, and silt accumulates rapidly, cutting down the storage capacity.

If the day ever comes when nuclear energy can provide cheap power in unlimited quan-

tities, we may be able to handle our water problems by distilling sea water or by irradiating great quantities of sewage. But neither of these alternatives is currently practical—or pleasant to think about, at best. Indeed, they may well create more sinister situations than they solve.

WHO HAS TO DO WHAT

There is only one way to avoid a water crisis in the coming years: a national water policy carried out on all levels of government, and including new measures of reforestation and conservation. We must slow down that part of the water cycle between the cloud and the sea, during which water is available to us. We must regulate our water use instead of merely supplying water to all and sundry on a catch-as-catch-can basis.

Experiments have verified the long-term value of reforestation. In the White Hollow watershed of Tennessee the Forest Service permitted 1,700 acres of badly treated land to revert to nature. Where the land was gullied, the Service planted trees. Fifteen years later, severe summer storms no longer started torrents rushing down the hillside. Instead, the water flowed off evenly, at one-tenth the speed. The total amount of water coming down from the hillside after a 1-inch summer rainfall was the same—but the streams ran full for 10 times as many days.

Every protected swamp, every untouched woods, every revived forest adds to the water-holding capacity of the land. And the land cover can be made more efficient by sound watershed engineering—building a small reservoir in an upland hollow, controlling a disintegrating gully, dredging rivers, constructing floodways, stabilizing stream banks, creating a peaceful rather than a violent landscape.

Such engineering has already begun under the Watershed Protection and Flood Control Acts of 1954 and 1956. These laws give the Federal Soil Conservation Service a modest budget for technical advice and assistance to local groups planning watershed improvements. But a great deal more legislation will be necessary before Federal help is really an important factor in water-short areas.

At present, no fewer than 25 different Federal agencies deal with some phase of the water problem—flood control, reclamation, navigation, water pollution, and so forth. All of them do valuable work, but each operates independently, with its eye on its own specialized chore. No agency in the Federal Government is concerned with water policy as a whole; indeed, the Federal Government historically has shown little concern over the total quantity of water available to homes, farms, and factories. We need, first of all, an act of Congress establishing a national water policy, and perhaps an independent agency to turn that policy into a program.

Even the most rigorous national policy, however, will leave most of the actual work of water conservation and control to the State governments. A few of them are already busy on the job, most notably California, where the crush of population threatens a water calamity. California's master plan, which contemplates a population of 40 million, calls for the construction of 200 reservoirs and an aqueduct system, the entire project to cost $8.6 billion at current prices. Iowa and Pennsylvania, too, have assumed statewide authority over water development, and New York has reserved a State veto power over all new water systems. (New York also has vast State forest preserves protecting its main watersheds.)

Often, several States draw water from the same river basin. Today they squabble with each other about their withdrawal rights—the dispute between Arizona and California over the water in the Colorado River is a recurrent feature of the Supreme Court calendar. Eventually, however, they will have to learn to work with each other, to protect the watersheds and safeguard the joint supply. Incodel, which administers the Delaware River and its headwaters, is a functioning example of what the States—in this case, New York, New Jersey, and Pennsylvania—can accomplish together once they understand their joint interests.

Meanwhile, the municipalities, cities, towns, and villages, must recognize their obligations. Water supply is a regional, not a local problem. There can be little progress in water planning so long as every incorporated entity seeks out its own private waterhole. Under the supervision of State authorities, whole clusters of communities should be planning, building, and operating their common water supply systems.

Cooperation, supervision, and control are the key words. On every level, there must be a stop to the haphazard hijacking of convenient water. Until we learn to ignore artificial boundaries—to see that the watershed, not the user community, is the central element—we cannot hope to plan a future free of water shortages.

WHAT HAPPENED IN THE SAHARA

In a few areas, water scarcity is already a hindrance to progress. Plans to process oil-shale deposits in Colorado may well founder for lack of water. Out on the edges of the great western range, the desert creeps further into the grassland every year.

Most communities, though, have scarcely felt the pinch as yet. There is no great hardship, after all, in a temporary ordinance—common, these days, in eastern cities—which forbids people to water their lawns except after dark. But these bits and pieces of municipal law foreshadow a cramped future, unless we act sensibly and soon to avoid a real crisis.

Led by Dr. Paul Sears, of Yale, ecologists have been warning us for years about the danger to civilization inherent in a falling water table. There are ancient waterworks under the Sahara. Among the greatest monuments left behind by the dead nations of antiquity are the aqueducts—notably in Italy, Spain, and the Middle East—which multiplied as a failing civilization outgrew its water supplies. Our ingenuity has stripped the ground cover and dried the land infinitely faster than our ancestors could manage such destruction. We must now use that ingenuity to conserve and restore the balance of nature.

Without such ingenuity, without a well-financed, well-conceived national water program, we will inevitably drink our way into a water famine. And it will be too late to plan America's future on the day the taps run dry.

EXHIBIT D

WHEN A CITY FACES DROUGHT

(By Sid Ross)

Just like you, perhaps, residents of this central Kansas city used to throw away water as if it were money. But more recently, water has been prayed over here, watched for, guarded like treasure. In some families a single panful has been used to rinse dishes, reheated to wash the next batch, heated again to scrub floors—and finally poured on parched plants.

Emporia's water-savers, and other townsfolk in the Great Plains, are the unsung victims of the area's 6-year drought. Much has been written about the dust-blown fields. (Surprisingly, farmers near here gathered a good wheat crop last year, thanks more to timing of rain than amount.) Little, however, has been said about the problems of the dried-up towns.

Yet in many ways the town problem is more ominous for the rest of the United States than dust clouds in the Wheat Bowl. Emporia is not yet a parched desert where people gasp "Water." Its 15,000 residents suffer mostly from annoyance, inconvenience, and indignity. But Emporia today could be your town tomorrow.

Although the United States has plenty of water, it is badly distributed or poorly used. A recent survey showed scanty supplies in one-fourth of the country—including such well-watered areas as New Jersey and Ohio. The survey's importance was dramatized by California's recent announcement of a $1.6 billion water-development program, biggest State construction project in United States history.

Only a few towns have been hit as hard as Emporia. (A few, smaller, have been hit harder.) But once—probably like your town today—Emporia considered its supply plentiful. Today, not even normal rainfall (and rainfall has been off one-third) would help much. "We need real cloudbursts, gully-washers, running rains," says Ted McDaniel of the Emporia Gazette.

Remember a hot summer recently when your city clamped down on lawn-sprinkling and car-washing? In Emporia, either is a punishable offense. Streets are filled with dusty cars, and lawns are only a memory. Hundreds of stately old elms, once the town's pride, have died. These are the visible scars.

The invisible scars go deeper. They spring from the indignities of voluntary restriction, and they center in the home. Emporians voluntarily bathe just once a week, wash clothes once a week, even economize on flushing toilets.

"We can't afford to be proud any more," says one housewife. "In some ways we're living almost like animals." To put teeth in the voluntary campaign, the city administration has quadrupled water rates. Consumption has been cut almost in half.

Emporians still joke through their gripes. "These days," one barber cracked to Parade, "you can smell your friends before you see them." A favorite story involves a man who kept a tub underneath a rain gutter to catch the few showers and melting snow from the roof. One Saturday night it was stolen. "The thief," the punchline goes, "made a clean getaway."

To housewives, the famine is scarcely a laughing matter. They bear the brunt of it. With restrictions, an automatic washer, for instance, becomes an absolute nightmare.

"You have to wait and wash everything in one day," Mrs. Lucille Foncannon explained to Parade. "You fill the machine and let the clothes wash. Then you stop the cycle and dip the water out with pans. Then you spin the clothes dry and take them out. Then you pour the water back and put in another load. Then you do the same thing for the rinse."

Mrs. Foncannon is 33, but she feels older after a washday. She sighs wearily, "You can't get anything else done. You have to be there to stop the machine. Then you have to be carrying water—back and forth, back and forth."

The frills and niceties have suffered most. The Foncannons have given up linen napkins and tablecloths. Mrs. Foncannon changes one sheet each week instead of two. In September the family used 8,900 gallons of water; last month they used 1,500.

FIVE PEOPLE, TWO BATHS

Parade spent a day watching them scrimp. It began when Bob Foncannon shaved in cold water—"You can't let it run until it's hot, or you waste it." It ended with the weekly bath: Bob and Stephen, 9, used one tubful; Mrs. Foncannon, Catherine, 6, and Janet, 3, the other. As the restrictions ask, they used only 4 inches of water.

Between times the housewife waded through an unending round of drudgery, almost like 100 years ago. "The simplest chore, like defrosting the refrigerator, becomes a wearying, drawn-out process," she

says. "You have to heat water to melt the ice and so on. It takes a whole morning."

Dishes are saved and washed all at once, rinsed in a pan instead of scalded under a faucet. Then the rinse water is carefully saved. Once in a while, when a light shower strikes, everyone dashes out to scrub his sidewalk. This is a real break, since scrubbing a porch with city water means a $50 fine.

About the only people in town who like the drought—in some ways—are children. Young Stephen Foncannon points out he never cared for bathing anyway. "We have a real problem with our 18-month-old," says Laymon Brooks, a student at Kansas State Teachers College. "We try to save diapers for a week, but—frankly—they smell." In Emporia, such topics are no longer taboo. A housewives' kaffeeklatsch is apt to thrash out the problem of when to flush a toilet.

"This bathing once a week is all right for boys," one school girl told Parade, "but girls are still supposed to be dainty." At Christmas, the suggestion was frequently heard, "Buy your girl perfume and help solve the water shortage." Druggists say sales of deodorants, perfumes and air fresheners have skyrocketed. So have soft drinks and milk. A few supermarkets are selling bottled spring water, since water from the Cottonwood River, part of the present supply, must be heavily treated and has a sour taste.

A few service stations with wells wash cars. They charge almost double the former rate. "We had to increase the price," says one proprietor. "We have to go get water and haul it here and heat it." A few people also wash their cars in the stagnant pools of the Cottonwood, which hasn't flowed since August.

Along the Cottonwood and Neosho Rivers, a few diehards still fish. Almost more than anything else, men grumble about what drought has done to recreation. "I like to lie in a hot tub and soak the tiredness out and think about fishing," says one trucker. "Now I can't take a hot bath, and I can't fish."

Game has wandered off in search of water. Golf courses are baked hard, and most golfers have given up. Dead and decaying fish choke the rivers and Lake Kahola—or where the rivers and lake once were.

Lake Kahola was Emporia's ace in the hole. Built after the drought of the 1930's, it was to trap the Neosho headwaters and insure the town against future droughts. Like many towns in the United States, Emporia felt secure with this big reserve.

But also like many towns, Emporia failed to realize that new gadgets—automatic washers, air conditioners, dishwashers—demanded water. Nor did people notice they were using more water for everything. Then drought struck. The level of Kahola and in the rivers fell lower and lower.

This January the city played its ace. Kahola's gates were opened. The last trickle of water passed to reservoirs downstream. With luck, this supply will last until mid-May. Even with normal rainfall, it will take 2 years to refill the lake.

A number of Emporians have exercised their American prerogative to snipe at city hall. The city, they feel, should have seen that Emporia was better protected. But most people lay the dry spell to chance. "Who could have foreseen 6 straight years with almost no rain?" one asks.

And they hope it won't happen again. Emporia now is refurbishing another dam on the Cottonwood. Many leaders, however, think the problem beyond the scope of a single city. Maybe it rightfully belongs to the State, or a group of States, or Washington.

Recently, Kansas Congressmen introduced a resolution asking Federal agencies to help with the State's water problem. And two big dams have been authorized. But to some residents this smacks of putting all your eggs in one basket; they want a chain of small dams substituted.

Others feel the answer is a giant pipeline from the Great Lakes, as suggested by Dr. Gustave Egloff of Chicago. Such a line would supply millions of gallons a day at an initial cost of $100,000 a mile, obviously a project for several States.

A few look at the problem in its broadest sense. After all, they say, the United States has plenty of water; only 15 percent of the supply is used. Perhaps all of America—Emporia and the dry towns, the well-watered East and your town—should examine the problem and try to spread more evenly what's already there.

Meanwhile, Emporia flirts with stopgaps. Talk has been bandied around about a pipeline to the Kaw River, 60 miles and $1½ million away. Emporians look fearfully at nearby towns that import water by tank cars, at $30 a month a family.

NEXT: "WATERLEGGERS"?

One town wag has predicted "waterlegging," and a few pessimists believe it may come to that. Emporians worry about fire, which would clean out the supply, and disease, because they fear the sewers aren't being flushed often enough.

Already the city admits its program to attract industry is dead. "What industry will consider a town that can't guarantee water?" But most people feel rain will come before real misery sets in. Emporians insist they are not really suffering. "It's just this annoyance, this living in the past," says one man.

But some people feel that the annoyances, continued much longer, will leave a mark that can't be erased. No one has fled Emporia yet. Practically the whole town is cooperating with voluntary restriction; only one woman has been fined $40 for washing her car with city water. But just occasionally you hear flashes of grumbling about old 'Soandso," who takes a bath every night and says nuts to restrictions. It is this brother-against-brother bickering that Emporia fears more than drought.

"It's life or death now for Emporia," says McDaniel. "If we don't get rain—real rain—I don't know what we'll do." No one in Emporia knows.

EXHIBIT E

[From the Springfield (Ohio) New Sun, Oct. 12, 1958]

OFFICIAL OUTLINES WATER'S IMPORTANCE IN INDUSTRY

(By Ferd H. Krueckeberg)

The domination of water over all forms of life is evident throughout history. As the population of the Nation expands, the demand for water increases, not only because the per capita requirements increase but particularly because of the increased need of water for agricultural and industrial purposes. For example:

In areas where farmers must irrigate, it is found that it takes 6,250 gallons of water to produce 1 bushel of corn, and for a bushel of wheat it takes 7,500 gallons of water.

In industry we find these needs: 470 gallons to produce a barrel of beer; 770 gallons to refine a barrel of petroleum; 3,600 gallons to produce a ton of coke from coal; 6,000 gallons to generate one kilowatt hour; 50,000 gallons to test an airplane engine; 65,000 gallons to make a ton of steel; 200,000 gallons to produce a ton of viscose rayon; 320,000 gallons to produce a ton of aluminum; 600,000 gallons to produce a ton of synthetic rubber, and 5 million gallons to produce a ton of bromine.

Other specific requirements are: The manufacture of an automobile weighing 1½ tons takes 400 tons of water. It takes 5 gallons of water to make 1 quart of motor oil. It takes 80 gallons of water to heat an electric iron for 1 hour. It takes 60 gallons of water to can 1 bushel of tomatoes.

New industrial techniques, including the harnessing of atomic power and the production of synthetic fuels, require more and more water.

In many industries the problem of securing sufficient quantity of usable water at reasonable rates is a pressing one. In fact, water supply is a prerequisite in site selection in steel, paper pulp, paper board, wool scouring, food and chemical processes.

The dispersal of industry into semi-rural areas has revived keen interest all across the Nation in the study of water supplies. Prudent investigators for growth industries will determine the quantity, quality, and cost of water through their research. They advise us that the necessity of finding a water supply that does not require extensive conditioning is important. High pressure and low pressure steam are important throughout industry in general, particularly in chemicals and food industries, paper and textile finishing. Large amounts of cooling water are required in the manufacture of iron and steel, in metal processes, and in modern plants using air conditioning and other refrigeration devices.

Water is a most important item for industry. No other common substance is so peculiarly suited to industrial needs. Not only is water capable of removing heat from objects, it also conversely has a greater heat-treating capacity than any other common property.

Ohio uses 15 billion kilowatt hours of electricity annually. This requires a stupendous volume of water—1,200 billion gallons, a quantity that would fill a reservoir a mile wide and 10 miles long to a depth of 57 feet. Seven billion gallons of water a day is the combined volume of the industries in Ohio.

It must be evident that water is a determining factor in industrial development. Springfield has not only done something about the problem of water shortage, they have done the job of going all the way to have the best supply of quality water in the entire State of Ohio. Now we have favorable recommendations from the Ohio State Department of Health, who in 1950 announced they had advised against new industry moving to Springfield because of the inadequacy of the water system.

In the spring of 1950 a vast underground reservoir of water in the Springfield area was discovered. Investigation showed that the Mad River Valley is probably the best water-producing area in the State. Here now was the challenge and opportunity for Springfield.

It is to the credit of the citizenry of Springfield that they had the courage of their convictions and planned with soundness and determination to eliminate the water problem for generations ahead.

Teamed with this development comes now a new spirit, a desire for yet a finer city. This spirited plan was captured and written into a "Blueprint For Progress," authored by our capable city commission and endorsed at the polls by the voters.

The manufacturer who wishes to set up shop in the most favorable circumstances will do well to look to Springfield, Ohio.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, under the rule, there will be the usual morning hour for the introduction of bills and the transaction of other routine business. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON TRAINING AND STRENGTHENING OF RESERVE FORCES

A letter from the Secretary of Defense, transmitting, pursuant to law, his report on the status of training of each Reserve component of the Armed Forces and the progress made in strengthening of the Reserve components, during the fiscal year 1958 (with an accompanying report); to the Committee on Armed Services.

APPROVAL OF CERTAIN ARMED FORCES PROJECTS

A letter from the Acting Secretary of Defense, reporting, pursuant to law, that approval had been given for extension of a runway at the Ontario Municipal Airport, Ontario, Calif., and the restoration of a pier, Naval Reserve Training Center, Baltimore, Md.; to the Committee on Armed Services.

REPORT ON HELIUM-PRODUCTION FUND

A letter from the Administrative Assistant Secretary of the Interior, reporting, pursuant to law, on the Helium-Production Fund, for the fiscal year 1958; to the Committee on Armed Services.

PROPOSED DONATION BY NAVY DEPARTMENT OF BOAT TO CITY OF BOSTON

A letter from the Assistant Secretary of the Navy (Material), reporting, pursuant to law, that the Department of the Navy proposes to donate a 63-foot aircraft rescue boat to the Police Department, City of Boston; to the Committee on Armed Services.

STATISTICAL SUPPLEMENT TO STOCKPILE REPORT

A letter from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, transmitting, pursuant to law, a secret statistical supplement to the stockpile report for the period ended June 30, 1958 (with an accompanying report); to the Committee on Armed Services.

REPORT OF DIRECTOR OF SELECTIVE SERVICE

A letter from the Director, Selective Service System, Washington, D.C., transmitting, pursuant to law, his report on operations of the Selective Service System, for the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on Armed Services.

AUDIT REPORT ON EXCHANGE STABILIZATION FUND

A letter from the Secretary of the Treasury, transmitting, pursuant to law, an audit report on the Exchange Stabilization Fund, for the period July 1, 1957, to June 30, 1958 (with an accompanying report); to the Committee on Banking and Currency.

INTEREST RATE ON VETERANS' ADMINISTRATION GUARANTEED LOANS

A letter from the Administrator, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to amend chapter 37 of title 38, United States Code, to increase the authority of the Administrator of Veterans' Affairs to prescribe the interest rate on Veterans' Administration guaranteed loans (with an accompanying paper); to the Committee on Banking and Currency.

DISTRICT OF COLUMBIA CHARTER ACT

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to provide for the District of Columbia an appointed Governor and secretary, and an elected legislative assembly and nonvoting Delegate to the House of Representatives, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

EXPENSES OF GOVERNMENT OF THE DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1911, and for other purposes," approved May 18, 1910 (with an accompanying paper); to the Committee on the District of Columbia.

ABOLISHMENT OF OFFICE OF REGISTER OF THE TREASURY

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to abolish the Office of Register of the Treasury (with an accompanying paper); to the Committee on Finance.

AMENDMENT OF INTERNAL REVENUE CODE RELATING TO PREVENTION OF EXCESSIVE DEPLETION ALLOWANCES

A letter from the Secretary of the Treasury, recommending pro certain legislation as an amendment of the Internal Revenue Code, relating to the prevention of excessive depletion allowances; to the Committee on Finance.

REPORT ON REVIEW OF ARMY SIGNAL CORPS SUPPLY OPERATIONS, ORLEANS, FRANCE

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of Army Signal Corps Supply Operations, U.S. Army, Europe Communications Zone, Orleans, France, dated January 1959 (with an accompanying report); to the Committee on Government Operations.

CONTRACTS FOR CERTAIN CLEANING AND CUSTODIAL SERVICES

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Property and Administrative Services Act of 1949 to authorize the Administrator of General Services to make contracts for cleaning and custodial services for periods not exceeding 5 years (with an accompanying paper); to the Committee on Government Operations.

REPORT ON ACTIVITIES OF, EXPENDITURES BY, AND DONATIONS TO ANTHRACITE EXPERIMENT STATION, SCHUYLKILL HAVEN, PA.

A letter from the Under Secretary of the Interior, reporting, pursuant to law, on the activities of, expenditures by, and donations to the Anthracite Experiment Station of the Bureau of Mines, Schuylkill Haven, Pa., for the calendar year 1958; to the Committee on Interior and Insular Affairs.

REPORT OF SECRETARY OF COMMERCE

A letter from the Secretary of Commerce, transmitting, pursuant to law, his report for the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on Interstate and Foreign Commerce

REPORT ON PAYMENT OF CLAIMS ARISING FROM CORRECTION OF MILITARY RECORDS OF COAST GUARD PERSONNEL

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, his report on the payment of claims arising from the correction of military records of Coast Guard personnel, during the 6-month period ended December 31, 1958 (with an accompanying report); to the Committee on the Judiciary.

PRESIDENTIAL MEDAL FOR CIVILIAN ACHIEVEMENT

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation to provide for the conferring of an award to be known as the Presidential Medal for Civilian Achievement, and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAMES

Six letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the names of certain aliens from reports relating to aliens whose deportation has been suspended; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the House of Representatives of the State of Washington; to the Committee on Foreign Relations:

"RESOLUTION, STATE OF WASHINGTON, HOUSE OF REPRESENTATIVES

"Whereas the University of Washington is a recognized leader of the world in all phases of eight-oared crew racing, its oarsmen, coaches, shells, methods, its consistency in winning national, international, and Olympic championships, all attest to its universal preeminance in one of the few remaining sports untainted by any touch of professionalism; and

"Whereas, in furtherance of this highly desirable sport, the University of Washington crew accepted an invitation to compete against the crews of other nations at London and Moscow and was accorded full hospitality by the governments of the host nations; and

"Whereas officials of the civic promotional organization known as Greater Seattle, Inc., have proposed to the U.S. Department of State that the University of Washington reciprocate with a like invitation to crews representing the Soviet Union to compete with the University of Washington and other invited American crews as part of the 1959 Seattle Seafair celebration: Now, therefore, be it

"Resolved, That the U.S. Government and particularly the Secretary of State of the United States consider and give the greatest amount of cooperation possible to the submitted plans and assist in bringing about the realization of this highly desirable international contest; and be it further

"Resolved, That copies of this resolution be immediately transmitted to the Honorable Dwight D. Eisenhower, President of the United States; the Honorable John Foster Dulles, Secretary of State of the United States; the Secretary of the U.S. Senate; the Chief Clerk of the U.S. House of Representatives; and the Members of the U.S. Congress representing the State of Washington.

"I hereby certify this to be a true and correct copy of resolution adopted by the house January 14, 1959.

"S. R. HOLCOMB,
"Chief Clerk,
"House of Representatives."

A concurrent resolution of the Legislature of the State of South Dakota; to the Committee on Interstate and Foreign Commerce:

"HOUSE CONCURRENT RESOLUTION 1

"Concurrent resolution memorializing the Congress of the United States to take such remedial action as deemed necessary to preclude the closing of low-power booster stations necessary for television reception in certain areas of the State of South Dakota

"Be it resolved by the House of Representatives of the State of South Dakota (the Senate concurring therein):

"Whereas there are many communities and farm areas within the State of South Dakota whose people depend upon low-power booster

stations as their only means of receiving television programs; and

"Whereas the rugged terrain of the Black Hills region makes the use of ultra-high-frequency translator stations impractical, if, indeed, not impossible, according to the opinions expressed by competent and qualified broadcast engineers, as well as by certain members of the Federal Communications Commission; and

"Whereas it is economically impossible for these communities and farm areas to support, construct, or operate any other form of duly authorized television service; and

"Whereas there is ample proof that low-power booster stations can be regulated so as to preclude interference with licensed television services or other services; and

"Whereas the Federal Communications Commission did summarily dismiss without formal hearing its own rulemaking proceedings relating to repeater or booster stations operating in the VHF television band of frequency assignments; and

"Whereas the Federal Communications Commission did on December 31, 1958, make formal announcement of its dismissal of petitions for reconsideration, all of which sought to procure reasonable rules which would permit the continued operation of said booster stations under the regulatory power of the Federal Government; and

"Whereas the Federal Communications Commission did also announce on December 31, 1958, that all booster stations would be given a period of 90 days in which to apply for conversion to ultra high frequency translators or some other authorized television operation, and upon failure to do so would be ordered to cease operation: Now, therefore, be it

"Resolved by the House of Representatives of the 36th Legislature of the State of South Dakota, That this legislature hereby memorializes the Congress of the United States for such remedial action within such 90 day period as the Congress deems fit through the exercise of its authority over the Federal Communications to insure the continued operation of low power booster stations, to the end that the people in the nonmetropolitan areas of the State of South Dakota shall not be denied their basic right to quality of access to the informational, educational, inspirational, cultural, and entertainment service of the American system of free television broadcasting; and be it further

"Resolved, That a copy of this memorial be transmitted to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and to the Senators and Congressmen representing the State of South Dakota in the Congress of the United States.

"_____ _____,
"Lieutenant Governor.
"_____ _____,
"Secretary to Senate.
"_____ _____,
"Speaker.
"_____ _____,
"Chief of Clerk."

The petition of James Lenhoff, of Hammond, Ind., praying for the enactment of legislation to provide pensions for veterans of World War I; to the Committee on Finance.

A resolution adopted by the Long Island Federation of Women's Clubs, Inc., at Rockville Center, Long Island, N.Y., favoring the enforcement of the provisions of H.R. 8002, relating to the operation of the Federal budget on an accrual basis; to the Committee on Government Operations.

A resolution adopted at a convention of the Federation of Jewish Women's Organizations, Inc., of New York, N.Y., favoring the enactment of legislation to amend the McCarran-Walter Immigration and Nationality Act; to the Committee on the Judiciary.

A letter from the Committee of 100 on the Federal City, of Washington, D.C., signed by Neill Phillips, chairman, embodying a resolution adopted by that committee, relating to the establishment of a national cultural center; to the Committee on Public Works.

A telegram in the nature of a petition from Elizabeth Mary Cutler, of Detroit, Mich., relating to financial statements of Gallaudet College in the city of Washington; to the Committee on Rules and Administration.

A resolution adopted by the Golden Gate District of the California Federation of Women's Clubs, at San Francisco, Calif., favoring a continuation of the House Committee on Un-American Activities; ordered to lie on the table.

A petition signed by Mary Sevisown, and sundry other citizens of the State of California, praying for a modification of rule XXII of the Senate, relating to cloture; ordered to lie on the table.

By Mr. HENNINGS (for himself and Mr. SYMINGTON):

A resolution of the House of Representatives of the State of Missouri; to the Committee on Interior and Insular Affairs:

"HOUSE RESOLUTION 19

"Resolution memorializing the Congress of the United States to establish a national recreational area on the Current and Eleven Point Rivers as proposed by the National Park Service and the U.S. Forest Service and to declare the Current and Eleven Point Rivers national streams and to provide for the acquisition of the necessary land without exercising the power of eminent domain

"Whereas there exists, in the valleys of the Current and Eleven Point Rivers in Missouri, five springs of the first magnitude and many hundreds of smaller springs which provide a constant supply of clear, cold, sparkling water for these rivers; and

"Whereas the phenomenon of such large volumes of clear, cold water issuing as springs amid rustic and picturesque surroundings, make places of wonder and rare natural beauty, which offer a lure and inspiration to those who come to view these extraordinary manifestations of nature, and to play, rest, and to refresh themselves in a peaceful and inspiring environment; and

"Whereas these springs make a valuable contribution to fish life in these streams by providing favorable sites for fish hatcheries, and by discharging large quantities of crystal-clear water, they become the controlling factor favorable to the propagation and maintenance of game fish and other aquatic life natural to both streams; and

"Whereas the State of Missouri and the U.S. Forest Service own vast acreage adjacent to these streams suitable for recreational development and other improvements for the public use; and

"Whereas the Current and Eleven Point Rivers are nationally famous for their 'John Boat' float fishing trips through this Ozark scenic wonderland; and

"Whereas the Arkansas-White-Red Basins Interagency Committee, recognizing the unique natural qualities of the Current and Eleven Point Rivers of Missouri, and their importance to present and future generations, recommended that appropriate State and Federal agencies prepare a plan to preserve and enhance the natural qualities of this region; and

"Whereas a plan was prepared by the National Park Service in cooperation with Missouri State agencies, and was published by the division of resources and development, to preserve and develop the Current and Eleven Point River country, without the exercise of the power of eminent domain; and

"Whereas the U.S. Forest Service has indicated a similar interest in the preservation and development of lands adjacent to these streams by recommending the creation of a National Forest recreation area in a national recreation plan prepared and adopted in 1936: Now, therefore, be it

"Resolved, That the Missouri House of Representatives, in its 70th general assembly, request of the Congress of the United States, that it establish a national recreation area along the Current and Eleven Point Rivers of Missouri and that it declare the Current and Eleven Point Rivers as national streams; and be it further

"Resolved, That this assembly request that the Congress enact the necessary legislation providing for the purchase and development of the national recreation area as heretofore described, lest the great scenic and recreational values of the Current and Eleven Point Rivers in Missouri be lost forever to public use by manmade encroachments; and be it further

"Resolved, That the chief clerk of the house be instructed to send copies of this memorial to the President of the U.S. Senate, to the Speaker of the U.S. House of Representatives, and to the Missouri Members of the House and Senate."

The PRESIDENT pro tempore laid before the Senate a resolution of the House of Representatives of the State of Missouri, identical with the foregoing, which was referred to the Committee on Interior and Insular Affairs.

RESOLUTIONS OF ORGANIZATIONS OF STATE OF NEW YORK

Mr. JAVITS. Mr. President, I present, for appropriate reference, a series of resolutions adopted by organizations of the State of New York. I ask unanimous consent that the resolutions be printed in the RECORD.

There being no objection, the resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Finance:

"QUEENS JUNIOR CHAMBER OF COMMERCE RESOLUTION RELATING TO THE FEDERAL EXCISE TAX ON TELEPHONE SERVICE, PASSED JANUARY 15, 1959

"Whereas the Federal excise tax on telephone service was initially levied as an emergency measure temporarily enacted to provide revenue for the war and to discourage the use of this essential service; and

"Whereas Congress has acted to remove similar discriminatory tax burdens on other public utility services such as the elimination of the excise tax on the use of electrical energy; and

"Whereas the Joint Federal-State Action Committee has recommended that Congress distribute 40 percent of the present Federal excise tax on local telephone service to the States to carry on vocational education and to construct facilities for the abatement of water pollution; and

"Whereas telephone service is completely unrelated to such vocational education and water pollution control; and

"Whereas this proposal places a disproportionate share of the tax burden upon the telephone users of our State: Now, therefore, be it

Resolved, That the Queens Junior Chamber of Commerce is opposed to the transfer of any portion of the present temporary Federal excise tax to the States as a means of financing specific programs which have no relationship to telephone service; further

"Resolved, That we are opposed to any action that would be taken to make the present Federal excise tax, in any way, a perma-

nent part of the tax structure of either the Federal or State government; further

Resolved, That a copy of these resolutions shall be forwarded to each Member of the House of Representatives serving the county of Queens as well as the U.S. Senators representing the State of New York.

"RESOLUTION URGING REPEAL OF EXCISE TAXES ON COMMUNICATION SERVICES AND TRANSPORTATION OF PERSONS, PASSED ON JANUARY 21, 1959, GREATER NEWBURGH CHAMBER OF COMMERCE, NEWBURGH, N.Y.

"Whereas the Federal excise taxes on public utility and transportation services were initially levied or greatly increased during World War II to help defray war costs and to discourage unnecessary use of such services, and

"Whereas Congress has acted to remove a substantial portion of this discriminatory tax burden on public utility and transportation services by elimination of excise taxes on the use of electrical energy and the shipment of goods and property, and

"Whereas today, 13 years after cessation of hostilities, the excise taxes on communication services and the for-hire transportation of persons are still in effect and are continuing to discourage the public use of these services which are now the only services, regulated or unregulated, against which any Federal excise taxes are levied, and

"Whereas a committee of the 85th Congress rejected a proposal for the enactment of legislation which would have continued the Federal excise tax on local telephone service at a lesser rate and which also would have required the imposition of the balance of this unpopular tax by the individual States as a means of financing a proposed transfer to the States of certain activities completely unrelated to communication services, and

"Whereas the Joint Federal-State Action Committee has recommended that Congress authorize distribution for a period of 5 years, 40 percent of the present Federal excise tax on local telephone service to the States in such amounts as to provide revenues equivalent to 140 percent of Federal grants now being made to the respective States to carry on vocational education, and to construct facilities for abatement of water pollution, which are completely unrelated to communications service, and

"Whereas the proposal of the Joint Federal-State Action Committee would tend to cause the States to pass laws imposing excise taxes on local telephone service and would tend to make such taxes a permanent part of the tax structure of both the Federal and State Government: Now, therefore, be it

"Resolved, That the Greater Newburgh Chamber of Commerce is of the opinion that the discriminatory excise taxes on communication and transportation services are not in the public interest, that such taxes should not continue to be levied by the Federal Government; and

"Resolved further, That any similar tax on communications should not be levied by the individual States against the users of this essential service as a means of financing specific programs which bear no relation to the service taxed, and

"Resolved further, That Congress is hereby petitioned to terminate the discrimination excise taxes on communication and transportation services at the earliest possible date.

"RODERICK D. MACDOUGALL,
"Chairman, Legislative Committee, Greater Newburgh Chamber of Commerce."

"RESOLUTION OF CHAMBER OF COMMERCE OF CAMDEN, N.Y.

"The Chamber of Commerce of Camden, N.Y., has requested that the following resolution be forwarded to you as an expression of their feeling concerning the excise tax on telephone service:

" 'Whereas the present excise tax on telephone service was originally enacted as an emergency wartime measure; and

" 'Whereas telephone service can no longer be considered a luxury item, and any tax thereon is discriminatory; and

" 'Whereas proposed legislation would earmark part of the proceeds of this tax for State construction of facilities for abatement of water pollution and for State programs for vocational education, and although the purposes are desirable, there appears to be no logical connection between the tax and such allocation of the proceeds: Now, therefore, be it

" 'Resolved, That Camden Chamber of Commerce, Inc., urges the excise tax on telephone service be wholly eliminated.'

"Respectfully yours,
"CHAMBER OF COMMERCE, INC.,
"BRUCE BRUMMITT,
"Recording Secretary."

To the Committee on Government Operations:

"RESOLUTION OF CONVENTION OF THE LONG ISLAND FEDERATION OF WOMEN'S CLUBS, INC., REQUESTING ENFORCEMENT OF H.R. 8002

"Whereas there is concern over higher taxes and increasing inflation due to continued Federal deficit spending and money policies; and

"Whereas the Hoover Committee recommendation, H.R. 8002, placing our Federal Government budget procedure on an annual accrual basis, has been passed by both the U.S. Senate and the House of Representatives; Therefore, be it

"Resolved, That the Long Island Federation of Women's Clubs, Inc., in convention assembled this 16th day of January 1959, urge our elected officials to enforce the law of the land by insisting that the Federal budget be operated on an annual accrual basis; and be it further

"Resolved, That a copy of this resolution be sent to the President of the United States, Dwight D. Eisenhower; the Vice President of the United States, Richard M. Nixon; Director of the Budget, Maurice F. Stans; majority and minority leaders of the U.S. Senate and House; chairmen of the Senate and the House Committees on Government Operations; chairmen of Appropriations of the Senate and House; U.S. Senators from New York, Senator Javits and Senator Keating; Members of the House of Representatives from the Long Island area.

"Submitted by the legislative and civics committee of the Long Island Federation of Women's Clubs, Inc., Mrs. Harold A. Bauman, chairman."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, without amendment:

S. Res. 7. Resolution authorizing the Committee on Post Office and Civil Service to employ a temporary additional clerical assistant (Rept. No. 8); and

S. Res. 8. Resolution authorizing the Committee on Post Office and Civil Service to investigate certain matters within its jurisdiction (Rept. No. 9); to the Committee on Rules and Administration.

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, with an amendment:

S. Res. 27 Resolution authorizing the Committee on Interstate and Foreign Commerce to investigate certain matters within its jurisdiction; and, under the rule, the resolution was referred to the Committee on Rules and Administration.

By Mr. SMATHERS, from the Committee on Interstate and Foreign Commerce, with an amendment:

S. Res. 29. Resolution providing for a study of transportation policies in the United States; and, under the rule, the resolution was referred to the Committee on Rules and Administration.

By Mr. BIBLE, from the Committee on the District of Columbia, without amendment:

S. Con. Res. 2. Concurrent resolution continuing the Joint Committee on Washington Metropolitan Problems (Rept. No. 10); and, under the rule, the concurrent resolution was referred to the Committee on Rules and Administration

By Mr. CHAVEZ, from the Committee on Public Works, with an amendment:

S. Res. 45. Resolution to provide additional temporary staff and funds for the Committee on Public Works (Rept. No. 11); and, under the rule, the resolution was referred to the Committee on Rules and Administration.

TEMPORARY ADDITIONAL STAFF AND CLERICAL PERSONNEL FOR COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. HILL, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 49) authorizing the Committee on Labor and Public Welfare to employ temporarily additional staff and clerical personnel, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Labor and Public Welfare is authorized from February 1, 1959, through January 31, 1960, to employ four additional professional staff members and seven additional clerical assistants to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with section 202(e), as amended, of the Legislative Reorganization Act of 1946, and the provisions of Public Law 4, 80th Congress, approved February 19, 1947, as amended.

INVESTIGATION OF TEXTILE INDUSTRY—REPORT OF A COMMITTEE

Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, reported an original resolution (S. Res. 50) authorizing the Committee on Interstate and Foreign Commerce to investigate the textile industry, which resolution was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Interstate and Foreign Commerce, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, to conduct a full and complete study of all factors affecting commerce and production in the textile industry of the United States, including but not limited to (a) the extent, nature, and causes of the decline in interstate and foreign commerce in textile mill products; (b) the decline in employment in the textile industry; (c) the effects of policies and programs of the Federal Government on the industry; and (d) the impact of commercial policies of other nations on the industry.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1959, to March 31, 1959, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority

is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than March 31, 1959.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $2,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF CERTAIN PROBLEMS RELATING TO ESCAPEES AND REFUGEES FROM COMMUNIST TYRANNY

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 52) to investigate problems of certain foreign countries arising from flow of escapees and refugees from Communist tyranny, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the problems in certain Western European nations, and in certain Near Eastern, Middle Eastern, and Far Eastern countries, created by the flow of escapees and refugees from Communist tyranny.

SEC. 2. For the purposes of this resolution, the committee from February 1, 1959, to January 31, 1960, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ on a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the department or agency concerned and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. The expenses of the committee, under this resolution, which shall not exceed $37,500, shall be paid from the contingent fund of the Senate by vouchers approved by the chairman of the committee.

INVESTIGATION OF ADMINISTRATION OF PATENT OFFICE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 53) authorizing an investigation of the administration of the Patent Office, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to conduct a full and complete examination and review of the administration of the Patent Office and a complete examination and review of the statutes relating to patents, trademarks, and copyrights.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities and personnel of any of the departments or agencies of the Government.

SEC. 3. The Committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $145,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF JUVENILE DELINQUENCY

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 54) to investigate juvenile delinquency in the United States, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to juvenile delinquency in the United States, including (a) the extent and character of juvenile delinquency in the United States and its causes and contributing factors; (b) the adequacy of existing provisions of law, including chapters 402 and 403 of title 18 of the United States Code, in dealing with youthful offenders of Federal laws; (c) sentences imposed on, or other correctional action taken with respect to, youthful offenders by Federal courts; and (d) the extent to which juveniles are violating Federal laws relating to the sale or use of narcotics.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $150,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF MATTERS PERTAINING TO IMMIGRATION AND NATURALIZATION

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 55) to investigate matters pertaining to immigration and naturalization, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate to examine, investigate, and make a complete study of any and all matters pertaining to immigration and naturalization.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $96,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF ADMINISTRATION OF TRADING WITH THE ENEMY ACT

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 56) to investigate the administration of the Trading With the Enemy Act, which was referred to the Committee on Rules and Administration as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a)

and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to conduct a further examination and review of the administration of the Trading With the Enemy Act, as amended, and also the War Claims Act of 1948, as amended, and consider bills affecting said Acts.

SEC. 2. For the purposes of this resolution, the committee from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $60,000, shall be paid from the contingent fund of the Senate upon voucher approved by the chairman of the committee.

INVESTIGATION OF ANTITRUST AND MONOPOLY LAWS

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 57) authorizing an investigation of the antitrust and monopoly laws of the United States, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a complete, comprehensive, and continuing study and investigation of the antitrust and antimonopoly laws of the United States and their administration, interpretation, operation, enforcement, and effect, and to determine and from time to time redetermine the nature and extent of any legislation which may be necessary or desirable for—

(1) clarification of existing law to eliminate conflicts and uncertainties where necessary;

(2) improvement of the administration and enforcement of existing laws;

(3) supplementation of existing law to provide any additional substantive, procedural, or organizational legislation which may be needed for the attainment of the fundamental objects of the laws and the efficient administration and enforcement thereof.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $395,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the Chairman of the committee.

STUDY OF MATTERS PERTAINING TO CONSTITUTIONAL AMENDMENTS

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 58) authorizing a study of matters pertaining to constitutional amendments, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to constitutional amendments.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That, if more than one counsel is employed, the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $25,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF ADMINISTRATION OF NATIONAL SECURITY LAW AND MATTERS RELATING TO ESPIONAGE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 59) authorizing an investigation of the administration of the national security law and matters relating to espionage, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, insofar as they relate to the authority of the committee hereunder, to make a complete and continuing study and investigation of (1) the administration, operation, and enforcement of the Internal Security Act of 1950, as amended; (2) the administration, operation, and enforcement of other laws relating to espionage, sabotage, and the protection of the internal security of the United States; and (3) the extent, nature, and effect of subversive activities in the United States, its Territories and possessions, including but not limited to, espionage, sabotage, and infiltration by persons who are or may be under the domination of the foreign government or organizations controlling the world Communist movement or any other movement seeking to overthrow the Government of the United States by force and violence.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the Departments or agencies of the Government.

SEC. 3. Expenses of the committee, under this resolution, which shall not exceed $224,444, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF NATIONAL PENITENTIARIES

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 60) authorizing an investigation of the national penitentiaries, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate to examine, investigate, and inspect national penitentiaries.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF ADMINISTRATIVE PRACTICE AND PROCEDURE IN GOVERNMENT DEPARTMENTS AND AGENCIES

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 61) authorizing a study of administration practice and procedure in Government departments and agencies, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study and investigation of administrative practice and procedure within the Departments and Agencies of the United States in the exercise of their rule-making, licensing, and adjudicatory functions, including a study of the effectiveness of the Administrative Procedure Act, with a view to determining whether additional legislation is required to provide for the fair, impartial, and effective performance of such functions.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $115,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF MATTERS PERTAINING TO CONSTITUTIONAL RIGHTS

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 62) authorizing a study of matters pertaining to constitutional rights, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to constitutional rights.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $115,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF MATTERS PERTAINING TO REVISION AND CODIFICATION OF STATUTES OF THE UNITED STATES

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 63) authorizing a study of matters pertaining to the revision and codification of the statutes of the United States, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to revision and codification of the statutes of the United States.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That, if more than one counsel is employed, the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $25,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Banking and Currency:

Julian H. Zimmerman, of Kansas, to be Federal Housing Commissioner, vice Norman P. Mason.

By Mr. HILL, from the Committee on Labor and Public Welfare:

George C. Lodge, of Massachusetts, to be an Assistant Secretary of Labor;

Francis A. O'Neill, Jr., of New York, to be a member of the National Mediation Board;

Arthur C. Curtis, and sundry other candidates, for personnel action in the Regular Corps of the Public Health Service; and

William A. Rosenkranz, and sundry other candidates, for personnel action in the Regular Corps of the Public Health Service.

By Mr. GREEN, from the Committee on Foreign Relations:

Livingston T. Merchant, of the District of Columbia, to be an Assistant Secretary of State;

John O. Bell, of Maryland, to be Special Assistant for Mutual Security Coordination in the Department of State;

Leonard J. Saccio, of Connecticut, to be Deputy Director of the International Cooperation Administration in the Department of State;

Harry A. Bullis, of Minnesota, to be Chairman of the International Development Advisory Board;

Henry A. Byroade, of Indiana, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Afghanistan;

John D. Jernegan, of California, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Iraq;

Lampton Berry, of Mississippi, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Ceylon;

Richard B. Wigglesworth, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary to Canada;

James C. H. Bonbright, of New York, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Sweden;

C. Burke Elbrick, of Kentucky, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Portugal; and

Howard P. Jones, of Maryland, and sundry other persons, for appointment and promotion in the Foreign Service.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRIDGES:

S. 679. A bill to amend title II of the Social Security Act to increase from $1,200 to $1,800 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Finance.

(See the remarks of Mr. BRIDGES when he introduced the above bill, which appear under a separate heading.)

By Mr. MURRAY:

S. 680. A bill to amend the National Labor Relations Act, as amended; and

S. 681. A bill to amend the National Labor Relations Act, as amended; to the Committee on Labor and Public Welfare.

By Mr. MURRAY (for himself, Mr. MANSFIELD, and Mr. CHURCH):

S. 682. A bill to amend the Flood Control Act of 1950 as it applies to the Libby Dam on the Kootenai River in the State of Montana; to the Committee on Public Works.

By Mr. GORE:

S. 683. A bill to amend the Atomic Energy Act of 1954, as amended, to provide for an accelerated atomic power program, to accelerate the development of controlled thermonuclear processes, to accelerate the development of nuclear propulsion for rockets, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. BARTLETT:

S. 684. A bill for the relief of Gerald Degnan, William C. William, Harry Eakon, Jacob Beebe, Thorvald Ohnstad, Evan S. Henry, Henry Pitmatalik, D. LeRoy Kotila, Bernard Rock, Bud J. Carlson, Charles F. Curtis, and A. N. Dake; to the Committee on the Judiciary.

By Mr. HOLLAND:

S. 685. A bill to exempt from all taxation certain property of the Association for Childhood Education International in the District of Columbia; to the Committee on the District of Columbia.

By Mr. HOLLAND (for himself and Mr. SMATHERS):

S. 686. A bill for the establishment of a temporary National Advisory Committee for the Blind; to the Committee on Labor and Public Welfare.

By Mr. SCOTT:

S. 687. A bill for the relief of Aram Fayda and his wife, Elena Fayda; to the Committee on the Judiciary.

S. 688. A bill to provide for the establishment of national cemeteries in the State of Pennsylvania; to the Committee on Interior and Insular Affairs.

By Mr. KENNEDY:

S. 689. A bill authorizing a survey to be made of Eel Pond at Menauhant, Mass.; to the Committee on Public Works.

By Mr. JOHNSTON of South Carolina (for himself, Mr. PROXMIRE, Mr. HUMPHREY, and Mr. TALMADGE):

S. 690. A bill to provide for the increased use of agricultural products for industrial purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. JOHNSTON of South Carolina when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON:

S. 691. A bill for the relief of Robert Y. Fluno; to the Committee on the Judiciary.

By Mr. SYMINGTON (for himself and Mr. HENNINGS):

S. 692. A bill to authorize the sale of certain lands to the State of Missouri; to the Committee on Public Works.

By Mr. HILL (for himself and Mr. SPARKMAN):

S. 693. A bill to provide for the issuance of a special postage stamp in honor of the memory of Father Abram Joseph Ryan, the "Poet-Priest of the Confederacy"; to the Committee on Post Office and Civil Service.

By Mr. HILL (for himself and Mr. CLARK):

S. 694. A bill to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems; to the Committee on Labor and Public Welfare.

By Mr. MAGNUSON (for himself and Mr. JACKSON):

S. 695. A bill to amend the Federal Reserve Act to provide for an additional Reserve District to include the State of Alaska, and for other purposes; to the Committee on Banking and Currency.

By Mr. SPARKMAN:

S. 696. A bill for the relief of Mrs. Annie Voisin Whitley and James Georges Whitley; to the Committee on the Judiciary.

By Mr. SPARKMAN (for himself and Mr. HILL):

S. 697. A bill for the relief of certain aliens; to the Committee on the Judiciary.

By Mr. CAPEHART:

S. 698. A bill for the relief of James Hung-Shung Sung and his wife, Elizabeth Sung;

S. 699. A bill for the relief of Dr. Heracleo Matheu;

S. 700. A bill for the relief of Mladen Carrara, Tonina Carrara, Ante Carrara, and Zvonko Carrara;

S. 701. A bill for the relief of Arie Abramovich;

S. 702. A bill for the relief of Ilpyong John Kim; and

S. 703. A bill for the relief of Chiang Chen Chi; to the Committee on the Judiciary.

By Mr. JAVITS (for himself and Mr. KEATING):

S. 704. A bill to increase, in the case of children who are attending school, from 18 to 21 years the age, until which child's insurance benefits may be received under title II of the Social Security Act; and

S. 705. A bill amending title II of the Social Security Act to permit certain children to receive benefits thereunder on the basis of the wages and self-employment income of an individual who has stood in loco parentis with respect to them for at least 5 years preceding his death; to the Committee on Finance.

(See the remarks of Mr. JAVITS when he introduced the above bills, which appear under a separate heading.)

By Mr. KEATING:

S. 706. A bill to amend section 303 of the International Claims Act of 1949 as amended; to the Committee on Foreign Relations.

By Mr. EASTLAND:

S. 707. A bill for the relief of Demetrios Pappathakis; and

S. 708. A bill for the relief of Ante Gulon; to the Committee on the Judiciary.

By Mr. JORDAN:

S. 709. A bill to amend title 14 of the United States Code to authorize the construction at the Coast Guard Air Station, Elizabeth City, N.C., of a Coast Guard Reserve training facility; to the Committee on Interstate and Foreign Commerce.

S. 710. A bill for the relief of Dionisios Vasiliou Tsiros; to the Committee on the Judiciary.

By Mr. GOLDWATER (by request):

S. 711. A bill for the relief of Capt. Ralph E. Palmer, U.S. Marine Corps Reserve (retired); to the Committee on the Judiciary.

By Mr. BENNETT:

S. 712. A bill to provide for the erection of a Federal building in Ogden, Utah; to the Committee on Public Works.

By Mr. BENNETT (for himself and Mr. MOSS):

S. 713. A bill to revise the boundaries of the Zion National Park in the State of Utah, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. BENNETT when he introduced the above bills, which appear under separate headings.)

By Mr. KEFAUVER:

S. 714. A bill to amend section 11 of the Clayton Act to provide for the more expeditious enforcement of cease and desist orders issued thereunder, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. KEFAUVER when he introduced the above bill, which appear under a separate heading.)

By Mr. KEFAUVER (for himself, Mr. CARROLL, and Mr. LANGER):

S. 715. A bill to amend the law relating to indecent publications in the District of Columbia; to the Committee on the District of Columbia.

(See the remarks of Mr. KEFAUVER when he introduced the above bill, which appear under a separate heading.)

By Mr. KEFAUVER:

S. 716. A bill to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. KEFAUVER when he introduced the above bill, which appear under a separate heading.)

By Mr. KEFAUVER (for himself, Mr. HENNINGS, Mr. CARROLL, and Mr. LANGER):

S. 717. A bill to authorize the establishing by the Surgeon General of an aftercare post-hospital treatment program for drug addiction; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. KEFAUVER when he introduced the above bill, which appear under a separate heading.)

By Mr. ALLOTT:

S. 718. A bill for the relief of Victoriano Daviz Verastique (Victor Davis); to the Committee on the Judiciary.

S. 719. A bill to provide for the transfer of the assets of the Colorado Rural Rehabilitation Corporation to the State of Colorado; to the Committee on Agriculture and Forestry.

By Mr. KEFAUVER (for himself, Mr. CARROLL, and Mr. LANGER):

S. 720. A bill to amend title 18, United States Code, to make unlawful certain practices in connection with the placing of minor children for permanent free care or for adoption; to the Committee on the Judiciary.

(See the remarks of Mr. KEFAUVER when he introduced the above bill, which appear under a separate heading.)

By Mr. CARLSON:

S. 721. A bill to amend section 6(b) of the Federal Employees' Group Life Insurance Act of 1954 with respect to the continuance of insurance in effect upon retirement; to the Committee on Post Office and Civil Service.

By Mr. DOUGLAS (for himself, Mr. COOPER, Mr. CLARK, Mr. BEALL, Mr. JACKSON, Mr. ENGLE, Mr. GREEN, Mr. HUMPHREY, Mr. NEUBERGER, Mr. LANGER, Mr. HART, Mr. KENNEDY, Mr. SYMINGTON, Mr. ANDERSON, Mr. PASTORE, Mr. BARTLETT, Mr. CHURCH, Mr. JAVITS, Mr. CHAVEZ, Mr. MCGEE, Mr. CASE of New Jersey, Mr. MCCARTHY, Mr. MANSFIELD, Mr. MORSE, Mr. GRUENING, Mr. RANDOLPH, Mr. BYRD of West Virginia, Mr. HENNINGS, Mr. DODD, Mr. YARBOROUGH, Mr. MONRONEY, Mr. MURRAY, Mr. MAGNUSON, Mr. HARTKE, Mr. CARROLL, Mr. KEFAUVER, Mr. YOUNG of Ohio, Mr. MCNAMARA, and Mr. MUSKIE):

S. 722. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

(See the remarks of Mr. DOUGLAS when he introduced the above bill, which appear under a separate heading.)

By Mr. CARLSON:

S. 723. A bill to revise the determination of basic pay of certain deceased retired officers in computing dependency and indemnity compensation payable by the Veterans' Administration; to the Committee on Armed Services.

By Mr. SPARKMAN:

S. 724. A bill to amend the Clayton Act to prohibit certain bank mergers and provide for more effective enforcement thereof, and for other purposes; to the Committee on the Judiciary.

By Mr. SPARKMAN (for himself, Mr. LONG, Mr. HUMPHREY, Mr. MORSE, Mr. PROXMIRE, Mr. JAVITS, Mr. KEFAUVER, Mr. HILL, Mr. O'MAHONEY, Mr. NEUBERGER, and Mr. YARBOROUGH):

S. 725. A bill to amend the Clayton Act to permit the institution of actions for damages for violations of the Robinson-Patman Act, and for other purposes; to the Committee on the Judiciary.

By Mr. SPARKMAN (for himself, Mr. LONG, Mr. BIBLE, Mr. PROXMIRE, Mr. KEFAUVER, and Mr. O'MAHONEY):

S. 726. A bill to amend section 11 of the Clayton Act to provide for the more expeditious enforcement of cease and desist orders issued thereunder, and for other purposes; to the Committee on the Judiciary.

By Mr. TALMADGE (for himself, Mr. BYRD of Virginia, Mr. ROBERTSON, Mr. JOHNSTON of South Carolina, Mr. HILL, Mr. SPARKMAN, Mr. EASTLAND, Mr. STENNIS, and Mr. LONG):

S.J. Res. 32. Joint resolution proposing an amendment to the Constitution of the United States reserving to the States exclusive control over public schools; to the Committee on the Judiciary.

(See the remarks of Mr. TALMADGE when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. SMATHERS:

S.J. Res. 33. Joint resolution expressing the sense of Congress that a Pan American Parliamentary Association should be established, and to authorize participation by the United States in parliamentary conferences of such Association; to the Committee on Foreign Relations.

(See the remarks of Mr. SMATHERS when he introduced the above joint resolution, which appear under a separate heading.)

DESIGNATION OF WEEK OF JUNE 14, 1959, AS NATIONAL LITTLE LEAGUE BASEBALL WEEK

Mr. SCOTT submitted the following concurrent resolution (S. Con. Res. 6), which was referred to the Committee on the Judiciary:

Resolved by the Senate (the House of Representatives concurring), That the President is authorized and requested to issue a proclamation designating the period beginning June 14, 1959, and ending June 20, 1959, both dates inclusive, as National Little League Baseball Week in recognition of the national and community benefits resulting from little league activity, and inviting the people of the United States to observe such week in schools, parks, athletic fields, and other suitable places with appropriate ceremonies and activities.

RESOLUTIONS

The following resolutions were submitted, or reported, and referred as indicated:

Mr. MANSFIELD (for himself and Mr. MURRAY) submitted Senate Resolution 48, establishing a committee to study the matter of the development and coordination of water resources, which was referred to the Committee on Interior and Insular Affairs.

(See the above resolution printed in full when submitted by Mr. MANSFIELD, which appears under a separate heading.)

Mr. HILL, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 49) authorizing the Committee on Labor and Public Welfare to employ temporarily additional staff and clerical personnel, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when it appears under the heading "Reports of Committees.")

Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, reported an original resolution (S. Res. 50) authorizing the Committee on Interstate and Foreign Commerce to investigate the textile industry, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. MAGNUSON, which appears under the heading "Reports of Committees.")

Mr. STENNIS submitted a resolution (S. Res. 51) establishing a Special Committee on Foreign Trade Development, which was referred to the Committee on Interstate and Foreign Commerce.

(See the above resolution printed in full when submitted by Mr. STENNIS, which appears under a separate heading.)

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 52) to investigate problems of certain foreign countries arising from flow of escapees and refugees from Communist tyranny, which was referred to the Committee on Rules and Administration.

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 53) authorizing an investigation of the administration of the Patent Office, which was referred to the Committee on Rules and Administration.

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 54) to investigate juvenile delinquency in the United States, which was referred to the Committee on Rules and Administration.

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 55) to investigate matters pertaining to immigration and naturalization, which was referred to the Committee on Rules and Administration.

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 56) to investigate the administration of the Trading With the Enemy Act, which was referred to the Committee on Rules and Administration.

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 57) authorizing an investigation of the antitrust and monopoly laws of the United States, which was referred to the Committee on Rules and Administration.

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 58) authorizing a study of matters pertaining to constitutional amendments, which was referred to the Committee on Rules and Administration.

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 59) authorizing an investigation of the administration of the national security law and matters relating to espionage, which was referred to the Committee on Rules and Administration.

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 60) authorizing an investigation of the national penitentiaries, which was referred to the Committee on Rules and Administration.

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 61) authorizing a study of administration practice and procedure in Government departments and agencies, which was referred to the Committee on Rules and Administration.

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 62) authorizing a study of matters pertaining to constitutional rights, which was referred to the Committee on Rules and Administration.

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 63) authorizing a study of matters pertaining to the revision and codification of the statutes of the United States, which was referred to the Committee on Rules and Administration.

(See the above resolutions, reported by Mr. EASTLAND, from the Committee on the Judiciary, printed in full, which appear under the heading "Reports of Committees.")

DEATH OF HON. GEORGE H. CHRISTOPHER

Mr. HENNINGS (for himself and Mr. SYMINGTON) submitted a resolution (S. Res. 64) relative to the death of Representative GEORGE H. CHRISTOPHER, of Missouri, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. HENNINGS, which appears under a separate heading.)

AMENDMENT OF TITLE II OF THE SOCIAL SECURITY ACT

Mr. BRIDGES. Mr. President, I introduce, for appropriate reference, a bill to amend the Social Security Act, to increase, from $1,200 to $1,800 a year, the amount of outside earnings permitted without deductions from benefits.

My purpose in introducing the bill is simply to permit working people to earn a larger amount of money and still draw social security payments.

Under the present Social Security Act, persons who are retired on social security pensions are permitted to earn up to $1,200 a year, either as an employee or from self-employment.

If they earn more than $1,200 a year, they are penalized—they suffer deductions from their benefits. And what for? For trying to earn enough to meet the simplest needs of living.

In this country today we have more people over 65 than at any time in our history; and many thousands of them cannot afford to retire on their benefits alone. They are obliged to continue at least part-time work. This bill will allow them to earn a little more and not be penalized for doing it.

There is a crying need for a change in this provision of the law. For many thousands of our senior citizens this bill means the difference between a bare existence and a decent living.

Considering the small amounts some of them actually receive under social security, and also considering what it takes today to meet even the most ordinary living requirements, I think we will all agree that this restriction can be eased somewhat.

I also wish to make one other point, brief though it may be: I can see no reason why retired persons should not have a greater opportunity to help consume our Nation's products. Added purchasing power in the hands of those who depend on social security checks every month would be put into consumer goods and products. It would be a stimulant for business and prosperity, as well as a measure of justice for the deserving senior citzens of our country.

Today it is very difficult for many to live on a retirement income, and I sincerely believe we should be more realistic in helping these people live out their later years in comfort.

In view of the number of bills amending various provisions of the Social Security Act being introduced in both the House and Senate, I must assume that many feel there are inequities in the act as it now stands. The inequity which this bill would correct is one of the most obvious.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 679) to amend title II of the Social Security Act to increase from $1,200 to $1,800 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title, introduced by Mr. BRIDGES, was received, read twice by its title, and referred to the Committee on Finance.

INCREASED USE OF AGRICULTURAL PRODUCTS FOR INDUSTRIAL PURPOSES

Mr. JOHNSTON of South Carolina. Mr. President, I introduce, for appropriate reference, a bill to provide for the increased use of agricultural products for industrial purposes and for the development of new crops.

Last year, several Senators, including myself, introduced proposed legislation on this subject. The Senate Agriculture Committee took the various bills introduced and combined the better qualities of each into a committee bill. This committee bill passed the Senate practically without dissent. The House failed to act; but it is my understanding that the Agriculture Committee in the House was going to take up the bill, for consideration, when Congress adjourned.

All real friends of the farmer are going to concentrate on ways of helping him, rather than on dissipating their energies on details of how we help him. Aid for agriculture is the thing; if we enjoy the luxury of differing as to method, we must not hinder progress toward assisting our national agricultural industry. I am sure that all of us are in agreement on this basic idea: Our Nation's farmers are the backbone of the national economy; and in helping him, we help ourselves. I may feel that my ways of rendering assistance are better than the next fellow's; but this is not going to deter me one whit from giving my wholehearted support to a compromise program that carries with it the hope of bettering agriculture.

Research is the key that unlocks many doors. When we view the surpluses of agricultural products, we realize the urgent need of wider and more intensive research for new uses for those products and for new products that will yield paying crops.

Research is a multiplier that increases multiple uses of basic products. I never cease to wonder at the work of George Washington Carver, whose genius was able to develop more than 100 byproducts from the humble peanut. Who knows what untapped secrets nature has stored up in other everyday products.

Yes, research is a creative force, generating progress, sparking productivity, promoting comfort, adding to total living. Research creates wealth through inventiveness, and ministers to man's welfare.

Behind any successful manufacturing company we find a substantial research program. The more successful the company, the more funds are being poured back into the business, through the medium of research. Fiscal analysts tell us one of the best ways to determine the future prospects of any given company is to read its financial statement and learn what part of its earnings is being plowed back in the form of research. Companies that fail to provide adequate research programs soon wind up "in the ditch." The leading corporations are strong on research.

Mr. President, we must do for research in agriculture what industry does for its research. We cannot, in national self-interest, afford to do less. Every dollar invested in agricultural research will come back manyfold, and the beneficial effects will pour into all segments of the economy.

Judging by commercial standards, the ratio of expenditures for research to the total dollar value of the Nation's agricultural products is relatively small. More, much more needs to be done.

The bill I now introduce contains certain authority that is not now available to the Department of Agriculture, but which I believe is necessary if agricultural research is to produce the expected results. This includes authority for research grants, student fellowships, scholarships, and similar aids to strengthen graduate training.

There is widespread recognition that a prosperous agricultural industry is one of the basic necessities of a strong America. Farmers are one of the most important consumer groups in America. For our Nation to be prosperous, the farmer has to be in a position to buy the products of industry. It is true that the number of farmers in America has decreased in recent years, but statistics show that purchases by farmers for production and consumption have increased.

The Commission on Increased Industrial Use of Agricultural Products stresses the economic importance of the farmer in the following words:

> Two-fifths of the Nation's total economic activity arises from agriculture and related business functions.

Mr. President, the broad objectives of the measure we are now considering were outlined in the report of the aforementioned Commission. After a thorough study and survey of the agricultural industry, the Commission last year made major recommendations looking toward comprehensive research to bring about the greatest possible industrial uses of agricultural products.

In its report, the Commission said:

> In the past 25 years agriculture often has been researched right out of its natural domain. Industry will continue to explore the unknown in search for new products and new uses for old products. Nothing is plainer in the economic pattern of today than that agriculture must compete in areas of basic and applied scientific research. Agriculture should be enabled to compete as an equal, in the contest for consumer acceptance. It is now losing by default.

The Commission was created in accordance with section 209 of Public Law 540, 84th Congress. It filed an interim report on April 17, 1956, and its final report on June 15, 1957.

Altogether, the Commission made eight pertinent recommendations, and also obtained suggestions through correspondence with experiment station directors and more than 350 industrial executives. The work of the Commission was well planned and comprehensive.

In its report, the Commission stated it found it—

> necessary to obtain quickly:
>
> (1) An adequate assessment of the current state of industrial utilization research.
>
> (2) A sound appraisal of its possibilities.
>
> (3) Adequate understanding of the obstacles to further development.

To this end, the Commission set up task groups or special committees in the following areas:

> Corn wet-milling, cotton, crop residues, industrial alcohol from grain, industrial uses for grain other than alcohol, dairy products, forage crops, forest products, fruits and vegetables, hides, skins, and animal byproducts, new and special crops, oilseeds and animal fats, poultry products, rice, sugar, tobacco, white potato products, wool and mohair.

Not the least important of the Commission's conclusions of its studies was the last, which reads:

> The dynamic forces which created American industrial development must be motivated in the farm economy.

Mr. President, it is noteworthy that the Commission's first recommendation called for a substantial increase in research funds, and did so in the following language:

> The Commission proposes as its first and most necessary recommendations that the funds for industrial uses research be increased to not less than three times the amounts ($16,145,000) currently available; and that additional sums be provided, as herein suggested, for new crop research, trial commercialization, development, and incentives.

Immediately following this, the Commission recommended that the facilities of the Department of Agriculture be fully utilized in furthering the research program, as well as land-grant colleges, experiment stations, universities, and colleges, private research organizations, and foreign institutions. There followed a recommendation for research grants and fellowships, scholarships, and similar aids that, while furthering research projects, would also increase the supply of trained scientists.

Special emphasis was put by the Commission on the new crop projects with the purpose of creating durable, additional markets, and for rapid disposal, through industrial channels, of accumulated surpluses.

The Commission found that the current industrial outlets for the products of the total farm acreage, estimated to

be less than 7 percent, are undeniably small.

One of the most encouraging leads to be developed by the Commission was the prospect of a major crop for the South—bamboo. This product has shown great potential in the paper field, as well as in furniture and plastics. I am pleased to report that preliminary experimentation and work with this crop have already been started in South Carolina and Georgia by private firms, and through the Clemson College Edisto Experiment Station, near Blackville, S.C.

A whole regional economy can be uplifted and transformed through the development of some such good, new pay crop. We all know what has been accomplished with the soybean—the commercial markets it commands, the jobs it has created, the payrolls it accounts for. Who knows how many such undiscovered commercial products await in the darkness that can be pierced only by the searchlight of research. Is it any wonder that we approach this research program with enthusiasm and great expectations—holding, as it does, vast vistas of opportunities?

In my opinion, no proposed legislation that has come before the Senate in recent years is more important from the farmers' standpoint.

We must enact this bill in order to step up our research. The Congress has appropriated billions of dollars for foreign aid; much of it has gone for research in foreign countries. It is inconceivable to me that this opportunity to help our own people and our own economy would not be availed of.

I hope this agriculture research bill will pass Congress this session. There is a tremendous need for agriculture research. Such research can help our farmers and industries find new sources of income and production.

The bill I introduce is the same as the one the Senate Agriculture Committee reported, and is identical with the one passed last year by the Senate. I hope we shall be able to expedite this measure, so it will be in the hands of the House of Representatives for early action.

Mr. President, I ask that the bill lie on the desk for 1 week, in order that Senators who may wish to cosponsor it with me may have an opportunity to do so. I have received several requests regarding cosponsorship.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from South Carolina.

The bill (S. 690) to provide for the increased use of agricultural products for industrial purposes, introduced by Mr. JOHNSTON of South Carolina (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

EXTENSION OF COVERAGE UNDER OLD-AGE AND SURVIVORS INSURANCE PROVISIONS OF SOCIAL SECURITY ACT

Mr. JAVITS. Mr. President, on behalf of myself, and my colleague, the junior Senator from New York [Mr. KEATING], I introduce, for appropriate reference, two bills to extend coverage under the old age and survivors insurance provisions of the Social Security Act to dependent and orphaned children in two additional categories. The first bill, which is being sponsored in the House by Representative RUSSELL MACK of Washington would raise from 18 to 21 years the maximum age for receiving benefits under title II of the act in the case of children who continue to attend school. The second measure provides that in a case where an individual has assumed full parental responsibility for a minor 5 years or longer even though no legal relationship exists, child's insurance benefits may be received.

Both these amendments are certainly in step with present administration policy to broaden social security coverage to include a larger proportion of our population, and to correct inequities. Right now, the abrupt discontinuance of survivors insurance benefits for dependents when they reach 18 often imposes an unfair financial burden on widowed mothers determined to secure a college education for their children. In many more cases, any hope of a higher education is out of the question and the child's schooling ends.

If my proposal is enacted, however, it is estimated that approximately 115,000 young people between the ages of 18 and 21 would be eligible to receive an average of $42.30 in social security benefits—up to a maximum of $87 each month so long as they remained in school. At a time when some 200,000 young people who merit it reportedly do not continue their studies primarily for lack of funds, this bill would make available an additional $507 annually on an average and materially assist dependent children in obtaining the type of advance training in science, technology education, and the arts so essential to our society in the space age before us.

The cost of such extended coverage is estimated to be $75 million for the children and $30 million for the mothers, and is minimal when viewed as a percentage of payroll taxable under the old-age, survivors and disability insurance programs. It would constitute 0.08 percent of the total.

The second bill I am introducing plugs a gap in title II coverage which can result in undue hardship and deprivation for young children as well as teen-agers. The Social Security Act does not presently apply in a case where a child has become completely dependent upon a person who, although no legal or blood relation, has in fact taken the place of a parent. I think it is only fair that individuals involved in such situations should be eligible for child's insurance benefits in full under the old-age and survivors insurance provisions of the act. Of course, this extension would increase the number of children who could receive substantial educational benefit if the maximum age for receiving benefits is raised to 21.

The latter bill was drafted as a result of a request from a Watertown constituent, Charles M. Rueckwald, a chiropractor. He originally wrote Senator Ives who directed him to us, outlining his own family situation. For several years, he wrote, he has been supporting the children of a relative by marriage and for all practical purposes has become their parent. The children are Canadian by birth, but will become American citizens, and the constituent wants to be reassured that should anything happen to him, these children will be eligible for social security benefits just as if they were his very own. Feeling that similar situations undoubtedly exist in many families throughout the Nation, he requested a bill which would extend social security coverage in such cases.

The PRESIDENT pro tempore. The bills will be received and appropriately referred.

The bills, introduced by Mr. JAVITS (for himself and Mr. KEATING), were received, read twice by their titles, and referred to the Committee on Finance, as follows:

S. 704. A bill to increase, in the case of children who are attending school, from 18 to 21 years the age until which child's insurance benefits may be received under title II of the Social Security Act; and

S. 705. A bill amending title II of the Social Security Act to permit certain children to receive benefits thereunder on the basis of the wages and self-employment income of an individual who has stood in loco parentis with respect to them for at least 5 years preceding his death.

ERECTION OF A FEDERAL BUILDING, OGDEN, UTAH

Mr. BENNETT. Mr. President, during the 85th Congress, I introduced appropriate legislation to authorize the construction of a new $6,500,000 Federal building in Ogden, Utah. This special bill was introduced because of the urgent need for improved facilities to house the post office, the courts, and the many other agencies of Government presently crammed into the old and inadequate Federal Building in Ogden, which is the second largest city in the State of Utah.

Since the introduction of S. 3806 on May 15, 1958, I have been informed by the General Services Administration, that a draft bill for a comprehensive overall program for construction of Federal buildings has been submitted to the chairman of the House and Senate Public Works Committees for appropriate action. In this regard, I ask unanimous consent to have printed in the RECORD at this point a letter dated August 13, 1958, which I received from Franklin Floete, Administrator of the General Services Administration, relating to this matter. The letter follows:

GENERAL SERVICES ADMINISTRATION

Washington, D.C., August 13, 1958.

Hon. WALLACE F. BENNETT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BENNETT: Your letter of August 6 expressed your interest in obtaining authorization for the construction of a new Federal building in Ogden, Utah.

As you pointed out, our surveys indicate the need for a building in Ogden, and we have prepared estimates on the basis of a new courthouse and Federal office building. The need existing in Ogden puts the community well up on the priority list for early

construction. In the event our appropriation request for fiscal year 1960 should contain an item for construction of buildings not yet authorized, we will give careful consideration to including the Ogden project.

Meanwhile, we have transmitted to the President of the Senate and the Speaker of the House of Representatives for referral to the appropriate committees a draft bill which would further amend the Public Buildings Act of 1926 (44 Stat. 630), as amended, to provide general programing authority and establish criteria for approval of projects. We believe that this will provide a sound basis for the development of future programs composed of individual projects, each of which will be required to have the prior approval of the Committees on Public Works of the Senate and House of Representatives.

Sincerely yours,

FRANKLIN FLOETE,
Administrator.

Mr. President, the proposed legislation mentioned in Mr. Floete's letter was submitted to the President of the Senate and the Speaker of the House on August 4, 1958, and was referred to the Public Works Committees of the two bodies for appropriate action. Congress adjourned before this matter could be reviewed and appropriate bills introduced for consideration by the House and Senate.

During this last week, I made it a point to check with the clerk of the Public Works Committee, and discovered that no action has been taken to study or analyze the bill preparatory to its being introduced or considered. I also checked with the General Services Administration, and was informed that several changes are to be made to the proposed draft bill submitted last year. GSA has completed their reappraisal and submitted a recommended new bill to the Bureau of the Budget for review. It is hoped that the new bill will be ready for submission to the Senate and House Public Works Committees in the near future.

Inasmuch as there is no certainty as to when the general bill, which will amend the Public Buildings Act, will be introduced or approved by Congress, I believe it advisable to again introduce a special bill to authorize construction of a new Federal building at Ogden, Utah. Field surveys were completed at my request in the spring of 1957 and a determination made by General Services Administration that a new building was urgently needed at Ogden. There is no reason why this project should be held up to await the outcome of an omnibus bill which might linger for months in the Bureau of the Budget, or in committee after it is finally submitted to the Congress. Therefore, I am today introducing this bill, and I understand Congressman DIXON will introduce a companion bill on the House side to authorize the Ogden project.

The GSA survey of the Ogden Federal building project indicates that there is an immediate need for 160,000 square feet of office space. In addition to space needed for the post office, the new Federal building would house the Federal court, Internal Revenue Service, Social Security Administration, Bureau of Reclamation, Farmers Home Administration, Soil Conservation Service, the Selective Service Office, recruiting offices for the Army, Navy, and Air Force, and several other agencies of the Federal Government which are now scattered in leased space throughout the Ogden area.

It is my hope that Congress will take early action on this special bill, or rush consideration of the proposed amendments to the Public Buildings Act, so that this critical need for a new Federal building at Ogden might be alleviated at an early date.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 172) to provide for the erection of a Federal building in Ogden, Utah, introduced by Mr. BENNETT, was received, read twice by its title, and referred to the Committee on Public Works.

REVISION OF BOUNDARIES OF ZION NATIONAL PARK, UTAH

Mr. BENNETT. Mr. President, I introduce, for appropriate reference, a bill on behalf of myself and my colleague the junior Senator from Utah [Mr. Moss] which would revise the boundaries of the Zion National Park to permit full development of this majestic area under the Mission 66 program administered by the National Park Service. Representative DIXON will introduce a companion bill in the House.

The adjustments are needed because of the relocation of limited access Highway U.S. 91 which is to be constructed across the western corner of Zion National Park. The proposed change would provide a more natural boundary for, and access to, the Kolob Creek section which has been neglected for so many years. It would also permit the proposed future development of a road from Hop Valley to the park.

The bill is also designed to facilitate development of the West Zion road and related improvements; to implement the water supply for the ranger station and fire lookout station at Lava Point; and to provide additional protection for the south face of West Temple, which is a feature already in the park. The bill will also make possible future campground expansion.

In 1957, I asked the Department of the Interior to hold a hearing in Cedar City to explain the purposes of the bill which I am introducing today. The hearing was held on June 12, 1957, and there was complete local agreement in support of the National Park Service recommendations now embodied in the bill. On December 9, 1958, I sent a copy of the proposed bill to the Five County Organization (Beaver, Iron, Washington, Kane and Garfield) in southeastern Utah. I ask unanimous consent that a copy of their January 9 resolution endorsing the bill be included in the RECORD at this point in my remarks:

Be it resolved by the Five County Organization at the meeting held in St. George, Utah, January 9, 1959, to endorse the proposed draft of a bill adjusting the boundary of Zion National Park in order that the National Park Service may proceed with its Mission 66 program for the improvements scheduled.

It is also recommended that Senator BENNETT be notified of our action, replying to his inquiry of December 9, and that the other members of the Utah delegation be requested to support the bill in the Congress.

Mr. President, on July 11, 1956, my bill to consolidate Zion National Monument with Zion National Park was signed by President Eisenhower. Certainly this magnificent area is worthy of such status and it is my profound hope that these two bills will lay the groundwork to develop the old monument area which has been neglected for decades.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 713) to revise the boundaries of the Zion National Park in the State of Utah, and for other purposes, introduced by Mr. BENNETT (for himself and Mr. Moss), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of the remarks of the Senator from Utah a statement prepared by the able junior Senator from Utah [Mr. Moss].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

It is a pleasure to join with my colleague, Senator BENNETT, in cosponsoring the bill to adjust the boundaries of Zion National Park in Utah.

I have spent considerable time in this spectacular area, and I am wholeheartedly in accord with any proposal which will permit the more comprehensive development and better management of its unique scenic attractions.

It is important to emphasize, I believe, that the action contemplated under the bill has the unanimous endorsement of the residents of the area. No grazing lands, or other lands of importance to the ranchers or farmers of the area, will be affected by the proposed changes.

Enactment of the bill introduced today will permit the people of Utah, as well as the thousands of people from all over the world who annually visit the southern Utah wonderland, to more fully enjoy the magnificent area of western scenery that is encompassed in Zion National Park.

AMENDMENT OF CLAYTON ACT RELATIVE TO ENFORCEMENT OF CEASE AND DESIST ORDERS

Mr. KEFAUVER. Mr. President, I introduce for appropriate reference a bill to amend section 11 of the Clayton Antitrust Act. It would strengthen that act in two important respects. First, it provides that cease and desist orders issued under the act shall become final 60 days after issuance if judicial review is not sought. Second, it would make violations of such orders subject to civil penalties.

The Federal Trade Commission, one of several agencies authorized to issue cease and desist orders under the Clayton Act, has sought this legislation for more than 20 years. This is one of the President's recommendations in his economic report.

The reason for the amendment is that before a respondent can now actually be

punished for violation of the Clayton Act, as amended by the Robinson-Patman Act, the Commission must conduct three successive investigations and must on three successive occasions prove violations of the law.

Quite obviously that procedure is laborious, time consuming, very expensive, and entirely unnecessary. Yet the same situation used to prevail under the Federal Trade Commission Act prior to its amendment in 1938.

This legislation would do no more than make enforcement procedures under the Clayton Act the same as they are and since 1938 have been under the Federal Trade Commission Act.

This bill is the same as S. 721 in the last Congress which, after hearings, was favorably reported by the Judiciary Committee to the Senate in Senate Report 1808. This bill has been sponsored and put forward by the distinguished Senator from Alabama [Mr. SPARKMAN]. It was recommended by the Senate Small Business Committee of which Senator SPARKMAN is chairman. In the hearings all affected agencies supported the measure. The bill was passed by the Senate and sent to the House where it was referred to the Judiciary Committee which failed to take any action.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 714) to amend section 11 of the Clayton Act to provide for the more expeditious enforcement of cease and desist orders issued thereunder, and for other purposes, introduced by Mr. KEFAUVER, was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF LAW RELATING TO INDECENT PUBLICATIONS IN THE DISTRICT OF COLUMBIA

Mr. KEFAUVER. Mr. President, on behalf of myself, Mr. CARROLL, and Mr. LANGER, I introduce, for appropriate reference, a bill to amend the law relating to indecent publications in the District of Columbia.

This measure would allow the police or the U.S. marshal in the District to confiscate any vehicle, fixture, equipment, stock, or personalty used in the sale, distribution, manufacture, showing, advertising, or staging an exhibition of publications of an obscene or lewd nature. This, in effect, would increase the penalty against the peddlers of pornography in the District of Columbia.

Testimony before the Subcommittee To Investigate Juvenile Delinquency a few years ago revealed that much of the pornography being distributed in this country was getting into the hands of juveniles. In the report which we issued on this subject, we recommended that local ordinances and State statutes be reexamined and reevaluated to assure that modern and effective means are available to law enforcement officials to deter the production, distribution, and sale of pornographic material.

A representative of the Metropolitan Police Department testified at our hearings that he felt that the penalties imposed on the purveyors of indecent material were so light as to constitute little more than a "license fee." He gave the following dispositions of cases as examples: "$250 or 90 days; $100 or 60 days; nol prossed; nol prossed; $100 or 60 days; $100 or 60 days; not guilty; nol prossed; $100 or 90 days; $100 or 90 days." This is small punishment indeed for the unscrupulous characters who corrupt the morals of our young people for profit. In many instances, such fines can be paid out of the profits that can be garnered in a short time with little effort.

This measure, if enacted into law, would, I believe, be a strong deterrent to the hucksters of indecency in the District of Columbia. In discharging our responsibility to the citizens of the District, it is our duty to provide the local law enforcement officials with the necessary tools to keep the community a clean and decent place to live and to rear children.

Mr. President, I commend this bill to the attention of the Senate.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 715) to amend the law relating to indecent publications in the District of Columbia, introduced by Mr. KEFAUVER (for himself, Mr. CARROLL, and and Mr. LANGER), was received, read twice by its title, and referred to the Committee on the District of Columbia.

PRODUCTION OF DOCUMENTARY EVIDENCE IN CERTAIN CASES

Mr. KEFAUVER. Mr. President, I introduce, for appropriate reference, a bill for the purpose of authorizing the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws. This is one of the measures urged by the President in his Economic Report of January 20.

Judge Hansen, Assistant Attorney General in charge of the Antitrust Division, testified in hearings before the Antitrust and Monopoly Subcommittee last year that the authority such as provided in this bill would greatly aid the enforcement of the antitrust laws in civil cases.

Under the bill, when the Attorney General has reason to believe that any person has documentary material bearing on any antitrust investigation he may issue in writing a civil investigative demand for the production of such evidence.

The bill provides for the enforcement of the demand in the courts. It also protects the public against an unreasonable demand by requiring the demand to meet the standards which apply in the courts to a grand jury subpena duces tecum. It also safeguards the confidentiality of the documents furnished, the preservation and the return of the documents. In my opinion, the civil enforcement would be greatly strengthened by the passage of this bill.

Mr. President, I ask unanimous consent that this bill lay on the desk for 1 week in order that other Senators may have an opportunity to consider joining me in sponsoring it.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the table, as requested by the Senator from Tennessee.

The bill (S. 716) to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws, and for other purposes, introduced by Mr. KEFAUVER, was received, read twice by its title, and referred to the Committee on the Judiciary.

AFTERCARE POSTHOSPITAL TREATMENT PROGRAM FOR DRUG ADDICTION

Mr. KEFAUVER. Mr. President, I introduce, for appropriate reference on behalf of myself and Senators HENNINGS, CARROLL, and LANGER a bill concerning the aftercare treatment of narcotic addicts. The overall purpose of the bill is to strengthen and improve the Federal program for the treatment and rehabilitation of narcotic addicts who have been confined to the two Federal hospitals that handle narcotic drug addiction cases.

The bill contains amendments to sections 341 and 344 of the Public Health Service Act. It authorizes for the establishment by the Federal Government of aftercare treatment units for addict patients who have been released from the Federal hospitals at Lexington and at Fort Worth.

It has been estimated that two-thirds of the drug patients admitted to the hospital at Lexington, Ky., the largest U.S. Public Health Service hospital treating drug addicts, come as volunteers. The remainder are Federal prisoners. Of this two-thirds, 73 percent leave before they have stayed the minimum prescribed 4½-month period which the hospital physicians feel is necessary for treatment. More important, neither of the two hospitals has a formal aftercare treatment program. It is known both by physicians in the hospital and by local law-enforcement officials in our large urban areas that the majority of these patients immediately resume their drug use upon release from the institutions. As in all fields of correctional treatment, there is an imperative need for a complete treatment program, that is, a program that includes some sort of supervision and help back in the community. It is there, after all, that the trouble began in the first place—and it is there that important changes must be wrought if we are to have even a modicum of success in treating the drug addict.

As chairman of the Subcommittee To Investigate Juvenile Delinquency for several years, I was impressed by the fact that unlike other types of juvenile offenders, where it is at least several weeks or months before they repeat their delinquent behavior, if at all, in the case of young drug addicts it is many times a matter of minutes or hours upon release from an institution before they are once again taking narcotic drugs.

It is known that because of his personality makeup, the addict, after only a few months of treatment in an institution, is not capable of handling some of the vicissitudes of life that most human beings encounter. At the slightest frustration he is easily induced to go back to a life of drug use. Actually, then, upon an addict's release really intensive treatment should begin back in the community where a comprehensive aftercare program would include counseling and guidance in his times of stress; reestablishing of good relationships with his family and friends; and the help he needs to finish his schooling or to acquire a job, without the barriers that are usually put up before persons who have committed antisocial behavior and subsequently have been incarcerated.

I submit that without the aftercare treatment program that would be authorized by this bill the wonderful efforts of our two outstanding Federal narcotic hospitals will continue to be dissipated by the shortsighted approach that is presently taken. Until such a program is inaugurated, we shall continue to leave the job of saving our youth from the ravages of narcotic addiction half done.

Mr. President, I commend this bill to the attention of the Senate.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 717) to authorize the establishing by the Surgeon General of an aftercare posthospital treatment program for drug addiction, introduced by Mr. KEFAUVER (for himself, Mr. HENNINGS, Mr. CARROLL, and Mr. LANGER), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

PROHIBITION OF CERTAIN UNLAWFUL PRACTICES IN CONNECTION WITH PLACING OF MINOR CHILDREN FOR PERMANENT CARE OR ADOPTION

Mr. KEFAUVER. Mr. President, on behalf of myself and Senators CARROLL and LANGER, I introduce, for appropriate reference, a bill to amend title 18, United States Code, to make unlawful certain practices in connection with the placing of minor children for permanent free care or for adoption.

To begin with, I should like to make it abundantly clear that this legislation, if enacted into law, would in no way affect the operations of authorized and licensed agencies, nor would it interfere with the rights of attorneys for services rendered directly in connection with the obtaining of an adoption decree nor with the rights of doctors to obtain reasonable fees for necessary medical services rendered in connection with prenatal care of the natural mother and delivery of the child or with a physical examination of the child involved.

This bill is not aimed at these legitimate operations but at what is commonly referred to as the black market in babies. At the present time there is no Federal law to prohibit the selling of babies or children across State lines, although we have taken care to see that an illicitly obtained car, motorboat, or other property cannot be so sold without fear of incurring Federal penalties. Surely our children are worthy of the same consideration.

There are many couples in this country who are eager to adopt children, and they are easy prey for the baby racketeer who has no qualms about profiting from this situation and that of the unhappy mother, who is generally a young unmarried girl.

It is true that it sometimes takes longer than couples wish to wait to get a child through a legitimate agency. However, when adoptions are made in this manner, there are safeguards for the child, the natural parents, and the adoptive parents, matters which are of little concern to the unscrupulous individuals whose primary interest is the money involved, although they may make a plea that they are motivated by humanitarian considerations.

The amounts of money involved in these black-market transactions are considerable; several years ago when the Subcommittee To Investigate Juvenile Delinquency went into this matter it was estimated that $15 million changed hands each year in the interstate baby-selling business.

I submit, Mr. President, that this measure is necessary to protect the more than 160,000 children who are born out of wedlock each year, their unfortunate mothers, and the prospective adoptive parents.

Mr. President, I commend this bill to the attention of the Senate.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 720) to amend title 18, United States Code, to make unlawful certain practices in connection with the placing of minor children for permanent free care or for adoption, introduced by Mr. KEFAUVER (for himself, Mr. CARROLL, and Mr. LANGER), was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF CLAYTON ACT, AS AMENDED, RELATING TO EQUALITY OF OPPORTUNITY—ADDITIONAL COSPONSOR OF BILL

Mr. KEFAUVER. Mr. President, I ask unanimous consent that the name of the Senator from Nevada [Mr. CANNON] may be added as an additional cosponsor of the bill (S. 11) to amend the Clayton Act as amended by the Robinson-Patman Act with reference to equality of opportunity, introduced by me, on behalf of myself and other Senators, on January 9, 1959.

The PRESIDENT pro tempore. Without objection, it is so ordered.

FINANCING OF POLITICAL CAMPAIGNS — ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 17, 1959, the names of Senators CASE of New Jersey, GREEN, CANNON, MORSE, and JAVITS were added as additional cosponsors of the bill (S. 466) to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes, introduced by Mr. HENNINGS (for himself, Mr. PROXMIRE, and Mr. ENGLE) on January 17, 1959.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have my name included as a cosponsor of Senate bill 466, the Federal Elections Act of 1959. The bill was introduced by the distinguished Senator from Missouri [Mr. HENNINGS] on Saturday, January 17, 1959. Although the measure has gone to the printer, I should like to have my name on record as one of the cosponsors.

The PRESIDENT pro tempore. Without objection, it is so ordered.

FOOD ALLOTMENT PROGRAM—ADDITIONAL COSPONSORS OF BILL

Mr. AIKEN. Mr. President, about a week ago, on behalf of myself and the Senator from North Dakota [Mr. YOUNG], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from New Mexico [Mr. ANDERSON], I introduced a food allotment bill, S. 585. I ask unanimous consent to have added to the list of sponsors of the proposed legislation the names of the Senator from Washington [Mr. JACKSON], the Senator from Wisconsin [Mr. PROXMIRE], and the Senator from Montana [Mr. MANSFIELD].

The PRESIDENT pro tempore. Without objection, it is so ordered.

FREE MARKETING OF GOLD—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 20, 1959, the names of Senators MANSFIELD and KUCHEL were added as additional cosponsors of the bill (S. 590) to permit the free marketing of gold, and for other purposes, introduced by Mr. MURRAY (for himself, Mr. BIBLE, Mr. BARTLETT, and Mr. GRUENING) on January 20, 1959.

DEPARTMENT OF SCIENCE AND TECHNOLOGY—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 23, 1959, the names of Senators GRUENING, YARBOROUGH, and MUSKIE were added as additional cosponsors of the bill (S. 676) to create a Department of Science and Technology, and to transfer certain agencies and functions to such Department, introduced by Mr. HUMPHREY (for himself, Mr. MCCLELLAN, and Mr. ERVIN) on January 23, 1959.

TELEVISION BOOSTER STATIONS—ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Under authority of the order of the Senate of January 23, 1959, the names of Mr. HRUSKA and Mr. GOLDWATER were added as additional cosponsors of the joint resolution (S. J. Res. 26) to direct the Federal Communications Commission to authorize for a certain period the

operation of very high frequency television booster stations, and for other purposes, introduced by Mr. ALLOTT (for himself and other Senators) on January 23, 1959.

EXTENSION AND AMENDMENT OF LAWS RELATING TO THE PROVISION AND IMPROVEMENT OF HOUSING—AMENDMENT

Mr. BUSH submitted an amendment, intended to be proposed by him, to the bill (S. 57) to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes, which was referred to the Committee on Banking and Currency, and ordered to be printed.

ESTABLISHMENT OF RURAL ELECTRIFICATION ADMINISTRATION AS AN INDEPENDENT AGENCY—AMENDMENT

Mr. CURTIS. Mr. President, on behalf of the senior Senator from South Dakota [Mr. MUNDT], the senior Senator from Colorado [Mr. ALLOTT], and myself, I submit an amendment, intended to be proposed by us jointly, to the bill (S. 75) to establish the Rural Electrification Administration as an independent agency, and for other purposes.

At the time of introduction of this bill, I spoke of the outstanding accomplishments of David Hamil as REA Administrator. I assumed, and I believe correctly, that enactment of this bill would result in the expeditious renomination and confirmation of Mr. Hamil as Administrator of the independent agency.

Apparently, some persons devoted to the objectives of REA are concerned that Mr. Hamil might not be reappointed should the Curtis-Russell bill be enacted. I am, therefore, offering an amendment to this bill which will assure Mr. Hamil the continuance of his term of Administrator upon enactment of S. 75. Like everyone who has witnessed the excellent progress of REA under Mr. Hamil, I want to pay tribute to his leadership, and assure him we want his continuing good work.

Nebraska can point with great pride to many successes in the advancement of REA which were so ably supported by Dave Hamil. I am proud to endorse his record for his many friends throughout Nebraska.

The PRESIDENT pro tempore. The amendment will be received, referred to the Committee on Agriculture and Forestry, and will be printed.

EXTENSION AND AMENDMENT OF LAWS RELATING TO PROVISION AND IMPROVEMENT OF HOUSING—AMENDMENTS

Mr. BUSH submitted amendments, intended to be proposed by him, to the bill (S. 612) to extend and amend laws relating to the provision and improvement of housing and the conservation and development of urban communities, and for other purposes, which were referred to the Committee on Banking and Currency, and ordered to be printed.

SURVEY ENTITLED "FULL USE AND DEVELOPMENT OF MONTANA'S TIMBER RESOURCES" (S. DOC. NO. 9)

Mr. MURRAY. Mr. President, I ask unanimous consent to print as a Senate document, with illustrations, a survey compiled by the Forest Service, Department of Agriculture, entitled "Full Use and Development of Montana's Timber Resources."

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

The Chair hears none. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. ANDERSON:

Address entitled "Victory for America," delivered by Senator JOHNSON of Texas at the Democratic victory dinner in Albuquerque, N. Mex., on January 24, 1959.

PROPOSED LABOR-MANAGEMENT REFORM LEGISLATION — ANNOUNCEMENT OF HEARINGS

Mr. KENNEDY. Mr. President, I should like to announce that the Subcommittee on Labor of the Committee on Labor and Public Welfare will commence hearings on proposed labor-management reform legislation tomorrow morning at 10:30 o'clock in the committee hearing room on the fourth floor of the New Senate Office Building. The hearings will continue through next week, and the subcommittee will be delighted to hear the testimony or statements of any Member of the Senate who desires to comment on the proceedings.

The first witness will speak for the AFL–CIO, and will be followed, on Thursday, by Prof. Archibald Cox and Prof. Godfrey Schmidt. On Friday the subcommittee has invited the Secretary of Labor to testify.

Mr. President, I ask unanimous consent that the Senator from Colorado [Mr. CARROLL] be added to the list of cosponsors of Senate bill 505.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ADDRESS BY VICE PRESIDENT NIXON BEFORE ALUMNI ASSOCIATION OF FORDHAM COLLEGE

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD the address to be delivered by Vice President NIXON this evening at the Fordham College Alumni Association dinner in New York.

The address furnishes further example of the rare understanding, ability, and leadership of the Vice President.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY THE VICE PRESIDENT OF THE UNITED STATES AT THE FORDHAM COLLEGE ALUMNI ASSOCIATION DINNER, NEW YORK, N.Y., JANUARY 27, 1959

Mr. Mikoyan left these shores just a little over a week ago. Americans have disagreed and still disagree as to the ultimate results of this unusual tour. Some have stated strongly that his coming was definitely harmful to the best interests of the United States. Others are equally firm in their view that there was a net gain for the cause of freedom.

In resolving this controversy, I think it would be useful to examine the visit first in terms of what it did not do. There has been no change whatever in the positions previously taken by the United States and the Soviet Union on such major policy questions as Berlin, suspension of nuclear tests, and East-West trade. Mr. Mikoyan brought no new approach to these problems, offered none and did not recede in any respect from the rigid and dogmatic Soviet positions on these vital issues. And we on our side, with our allies not present, would not and did not suggest any changes in the policies which had been previously agreed upon.

Let us turn now to the negative aspects of the visit. First there was the considerable concern that developed in some Allied capitals to the effect that this visit might mark an opening step toward eventual two-power meetings which would be designed to settle the problems of the world. On this score, I believe the results of the visit to which I have just referred should serve to reassure our allies that we reject the arrogant view that we should speak for them without consultation, much less dictate to them.

A second negative aspect of the visit is its possible effect on the millions of enslaved people in Poland, Hungary, and other satellite countries. Mr. Mikoyan's meetings with American officials will no doubt be played up as an indication that we have resigned ourselves to a continuation of their captive status and are about to forget them. I can state categorically that nothing could be further from the truth and that we continue to support the cause of freedom and independence for people everywhere.

A third negative aspect, considerably less serious than the first two, is that Mr. Mikoyan's charm may have lulled some of our people into a false sense of complacency. We shall certainly have to admit that he did an expert job of salesmanship considering the wares he had to sell. But I doubt if any significant number of the American people allowed the charm of his personality to obscure the Soviet record of the past which he helped to make.

Having in mind, as we should, the negative aspects of the visit, let us turn now to some of its positive results. On the plus side, I would place at the top of the list what Mr. Mikoyan learned about us in his 2 weeks in this country and what we in turn learned about him and the cause he represents.

I believe that it was most useful and important that a top Soviet leader should have an opportunity to get firsthand knowledge about the American people, our system of government and our way of life. There is no question but that a great deal of misunderstanding exists among Soviet leaders about the United States.

In the first place, they do not understand our freedom of speech and our willingness to debate foreign policy in public. It is inevitable therefore that when they hear criticism of our current foreign policy from Americans traveling abroad, or in public debate here on such issues as Quemoy and Matsu, Lebanon or Berlin, they tend to conclude that we are far more divided than we are and that there is much stronger public support for a softer

line toward world communism than is actually the case.

Second, those whose mental processes have been mesmerized by the dogmas of Karl Marx invariably tend to underestimate the basic strength of the American economy. To them every dip in our economy signals the beginning of the end of capitalism.

Third, because of his belief in the theory of the class struggle, the doctrinaire Marxist tends to think that in the United States millions of American workers are seething with discontent and that they not only want a change in the economic and political system, but that they oppose the foreign policy which is designed to defend that system from its potential enemies abroad.

If Mr. Mikoyan had such ideas when he came here, I can state categorically, based on my conversations with him, that he returned to the Soviet Union with completely different views.

He found Americans overwhelmingly united behind the firm stand of the President and Secretary Dulles against Communist probing actions directed at Berlin and other areas of the free world. He found no significant support whatever among the leaders of either political party for the softer line toward world communism which has been advocated by some of the critics of our policy.

He was noticeably impressed by the economic progress the United States had made in the 22 years since his last visit here and by the obvious strength of our economy today.

He did not find any encouraging signs of progress in the United States toward fulfillment of the Marxist prediction of an inevitable class struggle. On the contrary he admitted almost with grudging admiration that the strongest defenders of the American system, the most vigorous critics of communism, and the most uncompromising supporters of our firm stand in Berlin were not the traditional whipping boys of Communist propaganda, the Wall Street bankers and businessmen, but the leaders of our free trade unions who represented the views of millions of America's wage earners.

I do not mean to suggest that by reason of what he saw he has abandoned hope for the eventual success of the Communist revolution in the United States. He never missed an opportunity to express his supreme confidence that communism would eventually prevail not only in this country but throughout the world.

But he can no longer believe that this will come about because of mass discontent of America's wage earners. In his unexpected visits to typical American homes, he did not find the misery that could be the seedbed of revolution.

How then does he expect his grand objective to be realized in this country? His answer to this question, significantly, was that the American people would turn to communism, not for the traditional reasons of class division and discontent arising from oppression of the masses, but because they would eventually see that the Communist system could do an even better job of producing economic progress than ours. He points to the fact that the Soviet economy is growing at a faster rate than ours today and that inevitably our people would be forced to turn to communism in order to avoid becoming a second-rate power.

We have already witnessed one result from Mr. Mikoyan's visit. Mr. Khrushchev said in Moscow yesterday that based on the report he had received from Mr. Mikoyan on his trip to the United States, there is a possibility of a thaw in the cold war.

I think it is important to set the record straight on this score. The American people and Government are united in their desire for peace. We do not want an inch of territory from the Soviet Union or any other country in the world. We too want a thaw in the cold war because we realize that if there is none we will all eventually be frozen in the ice so hard that only a nuclear bomb will break it.

But there is very little chance for a thaw in a world climate which is constantly subjected to the icy blasts of Soviet propaganda against all those who stand in the way of international communism's drive to dominate the world.

Mr. Khrushchev asks the West to seize the chance for improving relations. He forgets that it is the Soviet Union which began and insists on continuing the cold war. On every major international issue—Berlin, test suspension, protection from surprise attack, the only proposals the Soviet leaders have made have been designed not to end the cold war but to give them an advantage in prosecuting it.

We agree with Mr. Khrushchev that there is a great opportunity at this time for making a breakthrough in reducing world tensions. But this is true only if he sees the wisdom of thawing out the frozen Soviet position of the past.

Mr. Khrushchev can become the greatest leader in the history of Russia if he can see the wisdom of developing policies which will use the splendid resources of his nation not for the purpose of dominating other people but for the benefit of the courageous and long-suffering Russian people who want and deserve more from their hard work than they presently receive.

Let us turn now to some of the things we learned from Mr. Mikoyan. First, after seeing him in action we realize that we can make no greater mistake than to underestimate the ability of those who guide the destiny of the Soviet empire today. In the past 6 years I have met free world leaders in over 50 countries. In several respects, I would have to rate Mr. Mikoyan as the equal of any leader I have met. He has a first-rate mind and a keen, piercing sense of humor. He not only knows his own system well, as we might expect, but he had a mass of information at his command about the United States, our political system, our economic philosophy, and our people.

But even more impressive than his mental ability and shrewdness were certain intangible qualities—a steel-like toughness of character and an almost arrogant faith that his cause was right and that it would inevitably prevail. In this man there was no flabbiness, no softness, none of the uncertainty of the pragmatist seeking a philosophy. He had found in the Communist system the inalienable truth and neither facts nor arguments could shake his faith.

In other words, in the person and character of Mr. Mikoyan the people of the United States were reminded again of the massiveness and of the seriousness of the challenge we face in the world today.

What lessons can we learn from the Mikoyan visit which may have some bearing on American policy toward world communism?

First, what should our attitude be toward visits of this type in the future? As one who has never been accused of softness toward communism—on the contrary my critics believe I lean too strongly in the opposite direction—I believe that an unofficial visit of this type, while it has definite liabilities, is, on balance, in the best interests of the United States and the free world.

But there are certain guidelines which we should always have in mind where such visits are concerned. We are not going to change Communist policy with a smile or a handshake. They are hardheaded realists motivated by their own self-interest. They will respect us only if we stand firmly by our principles and our ideals.

We can do this if we follow two simple rules for visits of this type. Our Government officials and leaders in other walks of life should talk freely with our visitors so that they can know us as we really are. We should always be courteous. But we should never be soft or fawning.

Let me give some examples. The press reported that Mr. Mikoyan was applauded when in referring to pickets who were protesting his tour he said in the Soviet Union "we have freedom from hoodlums." I do not think that enthusiastic applause was the right response to this comment. His hosts would have been wiser had they courteously but firmly pointed out the true American attitude on such incidents.

We should make it clear that we deplore violence or discourtesy to a guest but that we allow peaceful picketing.

They should also have noted that most of those whom Mr. Mikoyan referred to as hoodlums were Hungarians whose relatives and friends were slaughtered by the thousands by Soviet hoodlums in uniform in Budapest.

And they might also have pointed out, as I did at the dinner given for Mr. Mikoyan by the Secretary of State, that the milling thousands who stoned the U.S. Embassy in Moscow and the Communist-inspired mobs who smashed up my car in South America may not have been hoodlums but they certainly were not practicing peaceful coexistence.

I do not agree with those who criticize our businessmen and bankers for entertaining Mr. Mikoyan at lunch or dinner. But I would respectfully suggest that some of them in this instance could learn a lesson from our labor leaders who had to fight to expel Communists from their unions and in the process learned how to deal with them.

They know that a soft and naive approach does not produce results. The Communists respect those who oppose them on principle. They have nothing but contempt for those who are dupes and who can be deceived by what they know are obvious untruths.

This brings us to one of the major lessons we can learn from the Mikoyan visit. I have mentioned how much impressed I was by his broad knowledge of the United States and of our system. This is not unique. I have noted the same characteristic in other Soviet representatives whom I have met in various parts of the world.

On the other hand, I must admit that I have been deeply concerned at the naive attitude and the lack of understanding of communism displayed by some Americans, both in Government and out, who represent the United States abroad. This, of course, is the exception rather than the rule where our Government personnel are concerned, but the fact that this situation exists at all should cause us concern.

That is why I have consistently urged that particularly at the college and university level a far better job should be done in teaching our students the fundamentals of Communist philosophy, strategy and tactics.

The only effective answer to combat a false idea is not ignorance but the truth. Our survival requires that the American people in all walks of life know not only the evils of communism and its weaknesses but also its strength. Only in this way will we be able to develop the public opinion that is needed to support the programs which will effectively meet the Communist offensive.

Americans must know the total nature of the struggle in the world today so that we can meet it with intelligence and resourcefulness.

Let me give an example. At the present time a debate is going on as to what the proper level of our military strength should be in view of the Soviet challenge. There is no question but that the Congress will vote for and the people will support whatever level of military expenditures the best combined judgment of our national leaders indicates is necessary to protect the national security.

But while there will be support, as there should be, for an adequate military program, I predict that we can expect an all-out assault in the name of economy on our programs for technical assistance, developmental loans, exchange and information.

Anyone with even an elementary knowledge of Communist tactics knows we could make no more disastrous mistake. We can be the strongest military power in the world and still lose the struggle for the world without a missile being launched if we don't have the vision to counter the massive Communist offensive in the economic, propaganda and political areas.

The trouble is that too few Americans seem to be able to see the total picture of the struggle against communism. In the years immediately after World War II, there were many in this country who clearly saw the threat of communism abroad but who ignored or failed to see it in the United States. Today, some of those who lead the fight against communism in the United States condemn as giveaways and do-goodism the vital expenditures needed to meet and defeat the threat of communism abroad. Both of these attitudes are shortsighted and completely indefensible.

I recognize that there has been some waste and inefficiency in our information, exchange, and economic programs. But this is a new field for Americans and mistakes are inevitable. We should subject these programs to searching criticism but for the purpose of improving them rather than to destroy them.

In recognizing the necessity to counter the Communist economic offensive let us not make the mistake of letting them always select the battleground that suits them best.

Mr. Mikoyan relayed to me some complimentary comments Mr. Khrushchev had made with regard to a statement I made in London last November to the effect that we welcomed the opportunity to compete with the Soviet Union in waging war on misery, disease, and poverty in the world. But let me repeat tonight what I also said on that occasion:

"Our answer to the Soviet challenge should not stop here. We say—broaden this competition and include the spiritual and cultural values that have distinguished our civilization.

"Material achievements, while necessary, do not meet the deeper needs of mankind. Man needs the higher freedoms, freedom to know, to debate freely, to write and express his views.

"He needs the freedom that law and justice guarantee to every individual so that neither privilege nor power may make any man subservient before the law.

"He wants the freedom to travel and to learn from other peoples and cultures.

"He wants freedom of worship.

"To us, these are the most precious aspects of our civilization. We would be happy if others were to compete in this sphere and try to surpass our achievments."

I also said: "Let us speak less of the threat of communism and more of the promise of freedom. Let us adopt as our primary objective not the defeat of communism but the victory of plenty over want, of health over disease, of freedom over tyranny."

This approach has been criticized as being too idealistic and naive. But let us examine the facts.

I have visited most of the newly developing countries in Asia, the Near East, Africa, and Latin America which the Communists are now wooing so assiduously. Being against this false philosophy and pointing out its evils is not good enough; we must stand for and offer something better. Millions of people in these countries want and deserve a better way of life.

Above everything else these people do not want to be pawns in a struggle between two great world powers. They would like to have our help. But they want us to be interested in them as human beings not just as potential military allies.

What we must do is to present our programs in terms of their aspirations and their aims rather than our own. And we can do this because in contrast to the Communists we do not seek to dominate any other nation in the world today.

We know that what serves their welfare serves ours as well. Because as we help them to acquire the economic and political stability which will assure their independence the cause of free peoples everywhere will benefit.

We must always remember that of all the forces in the world, national independence is the one which is most incompatible with international communism's design of dominating the world.

I think there is one final lesson which we can learn from Mr. Mikoyan which is perhaps more important than all the rest.

No matter how repugnant the Communist philosophy is to us, we must recognize the fact that those who subscribe to it are true believers. And this, rather than the military or economic power of the Communist empire, is the major source of its strength and its insatiable drive toward world domination.

In Mr. Mikoyan we saw a man small in physical stature, but a man of iron determination, fanatical dedication, and superb mental discipline. The soft, the flabby, the naive, the lazy will not win in a struggle with men like this. It is not enough that our cause is just. We must have men who are worthy of that cause.

That is why our great institutions of learning like Fordham have such a tremendous responsibility today. We have heard a great deal about the need of America for scientists and engineers and I would not underestimate it. But America above all today needs in all walks of life the finest leadership our Nation can produce—men of courage, dedication, and moral fortitude; men who have faith in God, a sense of discipline, a belief in American ideals, and a willingness to sacrifice for a just cause.

I am proud to be an honorary alumnus of this great institution which I know will continue to serve the Nation well by producing graduates of this quality and character in the years ahead.

STATEMENT BY NATIONAL COMMANDER OF THE AMERICAN LEGION ON HIS DEPARTURE FOR TOUR OF U.S. DEFENSE ESTABLISHMENTS IN EUROPE

Mr. BRIDGES. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement by National Commander Preston J. Moore, of the American Legion, made on the day of his departure for a tour of U.S. defense establishments in Europe.

Mr. President, this is an extremely well worded, forceful expression of opinion which shows that the American Legion, among many other segments of population, was not taken in by the propaganda wiles of Deputy Premier Mikoyan on his recent visit.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

National Commander Preston J. Moore, of the American Legion, who left today for an inspection tour of U.S. defense establishments in Europe, replied to an inquiry as to whether his itinerary included Russia, by saying:

"I have no wish to be a party to softening our position on communism through so-called cultural exchanges. Tass, the Russian News Agency, has described the American Legion as 'a huge, U.S., reactionary, chauvinistic organization whose members are veterans, politicians, bank directors, and heads of big corporations.' I don't believe the commissars would extend to the national commander of the American Legion the red carpet treatment which many Americans have voluntarily shown the Russian visitor now in the National Capital."

Of Russian Deputy Premier Anastas Mikoyan's U.S. tour, Commander Moore said, "The United States has been booby-trapped by Mikoyan's alleged good will visit. His reception by high Government officials and by some widely known Americans cannot help but lend false prestige and respectability to the Soviet Union in the eyes of the world.

"In addition, the controlled Russian propaganda mill has been given grist which will be used for weeks to come in grinding out for local consumption new proof of America's warlike intentions.

"Once permission has been given for a visit of such obvious propaganda value as this, the damage had been done. It made little difference whether Mikoyan was greeted with brickbats or bouquets. The only logical position for a loyal American to take was to attempt to ignore his presence in our land. This, many Government officials, civic and religious leaders did by declining to break bread with him or to otherwise receive him.

"However, it appears that except for his official conversations in Washington, Mikoyan has now ended his American visit, and the American Legion has no reluctance now to express its views. We seriously question the wisdom of those responsible for arranging the visit. We believe that one of the purposes of the visit was to cause the free world to forget the rape of Hungary. We believe that Mikoyan was looking for information and help for Russia's lagging chemical industry—help which we devoutly hope he did not get.

Russia owes much of its recent scientific and industrial progress to other visits to our shores—some of them considerably more secret than Mr. Mikoyan's. Cultural exchanges are one thing. Opening the door to vital scientific and military information, American materials and know-how, is something else.

"The only thing to do now is to charge this blunder up to experience and speed him home. We cannot conceive that a similar diplomatic and propaganda mistake will be made a second time. However, if it should be that a scheme for further visits by Soviet bigwigs is brewing in fertile bureaucratic minds, the American Legion urges—drop them now. The American people should not—and I do not believe they will—tolerate another fiasco such as this."

EARLY APPROVAL OF NAVIGATION AIDS FOR WASHINGTON ISLAND, WIS.

Mr. WILEY. Mr. President, in these days of challenge and progress we are continually striving to improve our transportation, communications, and related systems to handle the ever-increasing movement of people and goods. At the same time, we are attempting to handle this traffic more expeditiously and safely.

Today, I should like to call attention to a particular need—namely, the erection and maintenance of an adequate fog sig-

nal and crib light to provide safe entrance into Detroit Harbor, located south of Washington Island, in Door County, Wis.

Unfortunately, passage through the channel entrance now is extremely hazardous and dangerous, particularly during adverse weather conditions. The erection of the needed light and fog signal has been recognized by the Coast Guard as a necessary and desirable project. Unfortunately, however, until now, it has occupied a place too low on the priority list of the Coast Guard to receive action.

During the year there is a considerable volume of traffic to and from Washington Island. The 800 people living on the island are dependent solely on water transportation. During part of the year, passage through the harbor entrance must be accomplished without aids or even buoy markings. In addition to travel of persons, there is considerable transportation of such items as grain, potatoes, and other farm commodities produced on the island.

I am contacting the Coast Guard to urge that this project be given immediate approval for construction. Meanwhile, I call the attention of my colleagues, particularly members on the Appropriations Committee, to the merits of this project.

Today, I received a resolution, adopted by the Door County Board of Supervisors, urging the erection of this installation. I request unanimous consent to have the resolution printed in the RECORD, following my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 60

Whereas the channel entrance into Detroit Harbor located south of Washington Island, Door County, Wis., is hazardous and narrow and difficult to locate under adverse weather conditions; and

Whereas there presently are no adequate signals present at the entrance to provide a safe means under adverse weather conditions of entrance into said channel: Now, therefore, the Board of Supervisors of Door County, Wis., do hereby

Resolve, That it recommend to the Coast Guard the erection and maintenance of an adequate fog signal and crib light to provide safe entrance into said Detroit Harbor.

JACK HAGEN,
Chairman, Town of Washington.
HARVEY GRASSE,
Chairman, Town of Liberty Grove.
WESLEY STAVER,
President, Village of Sister Bay.

I hereby certify that the foregoing is a true and exact copy of the original resolution as adopted by the Door County Board of Supervisors on January 15, 1959.

C. HOLLIS BASSFORD,
County Clerk.

ADDITIONAL FUNDS FOR FOREST ANTIDISEASE RESEARCH

Mr. WILEY. Mr. President, today we are faced with the task of preserving, protecting, and expanding one of the Nation's finest resources—its forests.

We in Wisconsin particularly value our more than 16 million acres of treelands.

Unfortunately, forests in the Lake States area, as well as elsewhere, are seriously threatened by blight and diseases.

According to estimates, the annual loss of forests due to disease is tremendous in the lakes region. This damage is calculated to be about 674 million cubic feet and about 200 billion board feet annually. By comparison, this amounts to more than 50 percent of the net growth of our forests. To put it another way, the annual drain on our wood supply actually exceeds the volume of wood cut and utilized by all the forest industries in the Lake States region. This is a deplorable situation.

I am well aware, of course, that with great demands on the budget, it is necessary to examine very carefully each proposal for additional spending. We recognize, however, that there are occasions when timely expenditures will, in the long run, save money. This, I believe, is one of those instances.

Later, I shall, of course, be contacting the Forest Subcommittee of the Appropriations Committee, to respectfully urge the approval of an additional $250,000 for research on forest disease at the Lake States forest experiment stations. Unfortunately, the 1960 budget contains only about $20,000 for work in this field—a mere pittance in relation to the size of the job to be done.

Yesterday, I received from the Timber Products Association of Michigan and Wisconsin a resolution outlining the tremendous need for additional research in this field. In order to give my colleagues the benefit of the authoritative views of this fine association, I request unanimous consent to have the resolution printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the Timber Producers Association of Michigan and Wisconsin, a nonprofit organization comprised of 225 wood producing and manufacturing firms, representing all phases of the timber industry and dedicated to the full development of Michigan-Wisconsin natural resources; and

Whereas a recent outbreak of a potentially serious disease of sugar maple has directed our attention to the catastrophic potential of forest tree diseases; and

Whereas the annual loss of timber destroyed by disease exceeds the volume of timber cut; in addition, lowers the grade of timber now being utilized. Unless controlled, this situation will become progressively worse; and

Whereas the effective control of forest diseases must be based on a sound foundation of knowledge of both the physiology of each tree species and the biology of each disease organism; and

Whereas there is a lack of such fundamental information and it is evident that the forest research program of the Lake States Forest Experiment Station in this area is not presently staffed to provide a sound base of knowledge needed for adequate control of diseases: Now, therefore, be it

Resolved, That the Timber Producers Association of Michigan and Wisconsin, in recognition of the needs, recommends a sizable expansion of regional disease research by the Lake States Forest Experiment Station. This would lead to the establishment of an adequate program of research for the study of the physiology of the hardwood tree species and the control of the diseases of all tree species important to the region; noted in our transcript attached; and

That this program should be financed sufficiently to provide necessary programs and facilities and to sustain a staff of scientists trained in the skills needed for the solution of problems involved in forest disease control; and

That to meet immediate needs, an annual increase of $250,000 is recommended; and

That since much of the disease problem requiring attention centers on the northern hardwood type, it is, therefore, recommended that much of the work and necessary facilities be located within the northern hardwood zone of the Lake States region; and

That a copy of this resolution be sent to the Secretary of Agriculture and Members of Congress interested in the problems of conservation and the welfare of the northern Lake States area.

(Signed by order of the board of directors of the Timber Producers Association.)

JIM ALDRIDGE,
President.

NEED FOR $29 MILLION FOR CONSTRUCTION WORK ON GREAT LAKES CONNECTING CHANNELS IN 1960

Mr. WILEY. Mr. President, on Tuesday of last week, I indicated to the Senate that I felt that the $23 million appropriation recommended in the 1960 budget for development and deepening work on the connecting channels was absolutely inadequate. Moreover, I stated that as soon as there was forthcoming from the Corps of Engineers information on the amount of money that could be effectively utilized for completion work on the channels, to meet its target date of 1962, I would make that recommendation to the Senate and to the Appropriations Committee.

This morning I received from the Corps of Engineers word that the amount of $29 million could effectively be utilized during the fiscal year 1960 for deepening the development work on the channels. According to the Engineers, this amount would make it possible to meet the completion target date of 1962.

The Nation has a tremendous investment in the seaway, itself, which, as we know, is scheduled for completion in April of this year. Unfortunately, most of the Great Lakes States west of Lake Erie will not benefit from the seaway until the connecting channels are completed.

That is why I believe, therefore, that it would be shortsighted indeed if, after moving forward as rapidly as possible on the seaway, we were now to fail to follow up with the necessary work on the connecting channels. The economy of the tremendous agricultural-industrial complex of the upper Midwest, as well as the Nation, would benefit from making the advantages of the seaway available as soon as possible.

As a followup, I shall, of course, be contacting our colleagues on the Appropriations Committee to urge that the $29 million figure be approved in the 1960 budget.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, is morning business concluded?

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, for the information of the Senate, I wish to state, after consultation with the distinguished minority leader, that there will be no business transacted today, and that when the Senate adjourns today it will adjourn to meet at 12 o'clock noon tomorrow. The rest of the afternoon will be taken up with the introduction of bills, speeches, and matters of that sort.

INCREASE OF IMPORTS OF CERTAIN MEATS

Mr. YOUNG of North Dakota. Mr. President, a situation has been called to my attention which I believe deserves the serious consideration of the Congress, as well as of the executive branch of our Government.

Recently the imports of lamb, as well as of mutton and goat meat, have increased sharply. In fact, for the whole of 1957, 1,796,492 pounds of lamb were imported. From January through September of 1958, 5,541,622 pounds of lamb were imported. The figures for the same two periods as relate to mutton and goat meat are equally startling. In 1957, 1,746,740 pounds of mutton and goat meat were imported, and from January through September of 1958, 13,082,138 pounds were imported. Our imports of lamb during the first 9 months of 1958 were 3,745,130 pounds more than the total for 1957.

I ask unanimous consent that a table showing the imports of lamb, mutton, and goat meat for each month of 1957, and through September of 1958, be inserted in the RECORD at the conclusion of my remarks. These figures were obtained from the Department of Agriculture.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Imports of lamb and mutton

[In pounds]

	Lamb	Mutton and goat
1957—January	26,049	1,034
February	75,620	
March	622,719	28,150
April	229,725	
May	126,580	179,344
June	87,594	122,873
July	16,514	1,996
August	18,764	228,453
September	40,351	155,631
October	254,174	171,018
November	194,343	1,500
December	104,059	856,741
Total	1,796,492	1,746,740

Imports of lamb and mutton—Continued

[In pounds]

	Lamb	Mutton and goat
1958—January	64,213	505,862
February	175,715	339,911
March	267,601	114,539
April	1,063,852	897,238
May	759,270	3,722,987
June	1,178,291	2,104,170
July	374,982	1,500,623
August	1,270,930	1,980,364
September	385,768	1,916,444
Total	5,541,622	13,082,138

Mr. YOUNG of North Dakota. Mr. President, this very considerable increase in these imports is of deepest concern to the sheep and lamb industry of the United States. It is anticipated that these imports may be even greater in the months ahead. This is a situation which would have an extremely adverse effect on the sheep and lamb industry in the United States. It is a situation on which I believe the Tariff Commission should act at the earliest possible date. Realistic quotas should be imposed immediately. Imports of this magnitude could result in virtually wrecking the market for those lambs now on feed in the United States, as well as for spring lambs.

PROPOSED AMENDMENT TO THE CONSTITUTION TO VEST EXCLUSIVE ADMINISTRATIVE CONTROL OF PUBLIC SCHOOLS IN THE STATES AND THEIR POLITICAL SUBDIVISIONS

Mr. TALMADGE. Mr. President, no one can view dispassionately the recent course of events which has resulted in the closing of public schools in various localities of the South without experiencing a deep sense of sorrow.

Neither can one objectively contemplate a future in which those events are allowed to continue to their ultimate conclusion without experiencing a shocking sense of alarm.

The closing of any school anywhere is a lamentable occurrence.

The closing of a public school system is a terrible tragedy.

The destruction of public education in an entire region of our Nation would be an unparalleled catastrophe.

Yet, Mr. President, a realistic appraisal of the facts of the matter affords no conclusion but that that will be the inevitable result of binding the citizens of the South in the chains of circumstance now being forged around them.

And the real losers of such an eventuality unfortunately will be those who will have the least to say about it—the school children of the South and their parents.

The importance of education hardly can be overstated.

With the exception of seeking the salvation of his immortal soul, man has no greater responsibility than seeing that his young are educated to the fullest extent of their abilities and are equipped spiritually and intellectually to achieve mankind's highest destiny.

The American concept of universal education, more than any other factor, is responsible for the greatness which this Nation has achieved. And it very likely may prove to be the determining factor in the outcome of our present life-or-death struggle with international communism.

This critical juncture in our national life is no time to permit divisive issues to rob the Nation of the minds and talents of a great segment of its youth by closing the doors of the public schools in their faces.

It is time, Mr. President, that someone spoke out in behalf of the voiceless masses who will suffer the consequences of such rash action.

From their standpoint there is little difference between those who would destroy public schools with bombs and those who would close them with court orders.

The end result of both actions is the same—to deny the children affected their right to a public education.

Let us put the question in its proper perspective.

The constitutional and sociological ramifications of the decision of the Supreme Court that separate, but equal, education is violative of the 14th amendment have stirred a continuing controversy which has divided the best minds of the country.

There are those who consider the decision to be the law of the land and who are determined to force its implementation regardless of the results.

There are others, like myself, who consider the decision to be outside the scope of the Constitution and who are dedicated to seeking its reversal by every lawful means.

Since there is no likelihood that those two viewpoints ever will be reconciled, it is essential to the future welfare of the Nation that all citizens face up to the two incontrovertible facts of the situation. They are these: First, regardless of whether one accepts it or not, the Supreme Court's school decision is an accomplished fact which will remain so until it either is reversed by the Court itself or is nullified or modified by Congress or the people; and, second, regardless of whether one likes it or not, the overwhelming majority of the people of the South will neither accept nor submit to the forced implementation of that decision and there is no prospect of any change in that position within the foreseeable future.

Therefore, Mr. President, unless it is the wish of the Senate and the Congress that the Nation be torn asunder and the schools of the South destroyed, action must be taken soon to resolve the issue on a realistic, constitutional basis in the light of the facts just stated.

To those who insist that compliance be compelled by Federal force, I would point out the disastrous consequences of such an attempt in Little Rock, Ark.

Federal bayonets are not the answer.

To those who would have the Federal Government finance and operate the schools of the South, I would point out the abhorrent results we have witnessed in our lifetimes from the attempts by Nazi Germany and Communist Russia to control education at the national level.

Federal control of education is not the answer.

To those who advocate inaction and who would sit by idly and smugly while children go without an education, I would point out the unspeakable hypocrisy of using children as pawns of political expediency.

Rearing a generation in ignorance is not the answer.

What, then, Mr. President, is the answer?

That is a question to which I have given 2 years of serious thought and careful study and about which I have sought the ideas and advice of lawyers and laymen throughout my State and region.

In all candor I must admit, Mr. President, that I do not believe any one man, any one legislative body or any one court could devise a comprehensive answer which would cover all situations and meet all contingencies inherent in the present controversy.

That is why I am convinced that the historians of the future will record as one of the gravest and most costly mistakes of our nation the decision of the Supreme Court to make judicial questions out of matters of human relations which the sum total of the experience of mankind dictates should be left to the orderly process of evolution.

But now that the Court has arrogated unto itself the authority to release the unknown contents of this Pandora's box. I submit, Mr. President, that it is now incumbent upon Congress to act to provide for the resolution of the resulting problems and tensions in a way compatible with American constitutional concepts.

That way, Mr. President, lies in the recognition of the fundamental fact that public schools in the United States are local institutions which have been established and are operated and financed by local people on the local level.

That way lies in freeing the Governors, legislatures, and school boards of the individual States to deal with each situation in the light of its own peculiar circumstances and in accordance with prevailing public opinion.

That way lies in removing external pressures seeking to force compliance with unacceptable directives and edicts and rather permitting local school patrons to determine for themselves the manner in which the schools attended by their children shall be administered.

That way can be paved, Mr. President, by the submission by this Congress for ratification by the States of an amendment to the Constitution of the United States which would read as follows:

> Administrative control of any public school, public educational institution, or public educational system operated by any State or by any political or other subdivision thereof, shall be vested exclusively in such State and subdivision and nothing contained in this Constitution shall be construed to deny to the residents thereof the right to determine for themselves the manner in which any such school, institution or system is administered by such State and subdivision.

Under such a constitutional provision, the citizens of each State and subdivision would be left free to determine for themselves—in accordance with local conditions and procedures and prevailing attitudes—how and when their schools would comply with the Supreme Court's school decision.

Such a provision would prevent destruction of the public schools of the South and would end for all time any threat from any quarter of Federal control of education.

Such a provision would assure uninterrupted instruction for all children, regardless of their color or place of residence.

Such a provision would permit either retention of the status quo or orderly change as dictated by the requirements of public opinion and make certain that whatever change might take place would be by the constructive process of evolution rather than the destructive process of revolution.

Such a provision would create a basis for unity throughout the Nation at a time when it is vitally important that we present a united front before our enemies.

It goes without saying that the course I advocate will not be acceptable to those who wish to further their own partisan ambitions by punishing the South or to those who prefer for selfish reasons to keep the issue unresolved.

But I submit, Mr. President, that it offers a constitutional solution to a national dilemma which is compatible with everything that is American and affords the one way in which those of us who disagree on the constitutional and sociological questions at issue can meet on firm common ground to serve the best interests of the present and future generations of American youth.

I sincerely believe that there is not a Member of this Congress—regardless of the degree of his personal belief on this question—who could not vote for such an amendment with a clear conscience and in complete consistency with his principles.

As for myself I am and always have been a stanch adherent of the principle of local self-government and local self-determination. I regard it as the cornerstone of our freedom; and there is not an issue in our national life today to which I would not be willing to apply it without reservation.

I cannot bring myself to believe that any Member of the Senate who sincerely desires to see this disruptive issue peacefully and permanently resolved, and who genuinely is concerned about the welfare of all the children of this Nation, would oppose the submission of such an amendment.

I cannot comprehend any thinking individual ever opposing the submission of any proposition to a vote of the people or their elected representatives.

The very basis of our form of government is, in the words of the Declaration of Independence, that it derives its "just powers from the consent of the governed."

That is the crux of the present effort to force a new social order upon the South by judicial dicta—it is being done without the consent of the people directly affected.

The sentiment of the people of my State of Georgia is best summarized by two editorial excerpts.

The first, from the column of David Lawrence in the July 6, 1956, issue of U.S. News & World Report, states:

> The question before the country today is whether communities are free to adjust their school system to meet their own local conditions and local sentiment. Those States which desire to integrate their schools ought to have the sovereign right to do so, and those which desire to operate mixed schools in some counties and separate their schools in other counties, either by color or by sex or by intelligence tests, should have the same sovereign right.

The second, from an editorial by Editor James H. Gray in the November 27, 1958, issue of the Albany, Ga., Herald, reads:

> Surely, if common sense is going to be injected into this question—and there has been too little of that because of the political capital that is being made of the votes of minority groups—this vital principle of consent of the governed must be maintained. Obviously, it can only be safeguarded by careful attention being paid to local conditions and local sentiment. * * * Freedom cannot flourish in a society where Federal force and political whims are the predominant cementing elements.

It is interesting to note, Mr. President, that the 2d session of the 85th Congress in two separate enactments affirmed the local nature of public schools and provided for their control on the local level.

In the National Defense Education Act, Congress declared:

> The Congress reaffirms the principle and declares that the States and local communities have and must retain control over and primary responsibility for public education.

In the Alaska Statehood Act, Congress provided in section 6(j) that "the schools and colleges provided for in this Act shall forever remain under the exclusive control of the State, or its governmental subdivisions."

The States of the South, with no disrespect to their sister State of Alaska, feel they are equally entitled to exclusive control of their schools and colleges. The amendment I am offering today, if submitted and ratified, would assure for all time that all States would enjoy that right.

The Supreme Court in its initial decision acknowledged the "variety of local problems" presented by its ruling and instructed the district courts to take "local conditions" into account in formulating their decrees under it. However, when the Little Rock district court sought to do just that last year, the High Court reversed itself and held that integration would have to proceed despite local conditions and the public interest.

The Supreme Court thus has sought to establish itself—without benefit of constitutional or legislative authorization—as a super board of education superior to the Constitution, to Congress, and to the consent of the people. In the

course of less than 5 years it has so disrupted laws governing education that every school in the Nation now is subject to the whims of whatever five men happen to constitute a majority of the Court.

I do not believe, Mr. President, that it is the intent of this Congress or the wish of the people of this Nation that the local schools which were paid for and are financed on the local level should be at the mercy of a court which has no knowledge of educational needs or the public interest in fulfilling them.

Of all our public institutions, none are more needful or deserving of stability and continuity than are our schools. It is inconceivable that the younger generation can be educated for responsible citizenship in the future under continually changing rules of instruction.

It is basic in organized society that the rights and wishes of the individual must be subordinated to the dictates of public opinion and the requirements of public interest. And it would be well for members of all three branches of Government—executive and judicial as well as legislative—to reflect upon the fact that the source of all law is the people and that laws and court decisions are enforceable only to the degree that they conform to the "consent of the governed."

It is with the desire to invoke our heritage of the "consent of the governed" that I herewith submit for appropriate reference a constitutional amendment which would vest exclusive administrative control of public schools in the States and their political subdivisions.

Mr. President, I introduce the joint resolution on behalf of myself and the Senators from Virginia [Mr. BYRD and Mr. ROBERTSON], the senior Senator from South Carolina [Mr. JOHNSTON], the Senators from Alabama [Mr. HILL and Mr. SPARKMAN], the Senators from Mississippi [Mr. EASTLAND and Mr. STENNIS], and the Senator from Louisiana [Mr. LONG].

Mr. President, I ask unanimous consent that the joint resolution may be read twice by its title and appropriately referred.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 32) proposing an amendment to the Constitution of the United States reserving to the States exclusive control over public schools, introduced by Mr. TALMADGE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the joint resolution may be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The joint resolution was ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following Article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by the legislatures of three-fourths of the several States:

ARTICLE —

"Administrative control of any public school, public educational institution, or public educational system operated by any State or by any political or other subdivision thereof, shall be vested exclusively in such State and subdivision and nothing contained in this Constitution shall be construed to deny to the residents thereof the right to determine for themselves the manner in which any such school, institution, or system is administered by such State and subdivision."

Mr. TALMADGE. Mr. President, as I observed earlier, there are those who prefer the issue and there are those who genuinely want to resolve it.

I hope that two-thirds of the Members of the Senate—and of this 86th Congress—count themselves in the latter category, and will be willing to stand up and be so counted.

This amendment is compatible with everything that is American. It is the American way. It is the constitutional way. It is the way of reason and common sense.

I pray, Mr. President, that for the future of education in the United States this 86th Congress will give the people of America, through it, the opportunity to reclaim their constitutional right to run their schools on the local level according to the wishes of local people.

Mr. RUSSELL. Mr. President, I wish to commend and congratulate my distinguished colleague and friend for his very able presentation of the gravest domestic problem which confronts the American people today. By all odds it is the greatest problem which has confronted the people of the Southern States for almost a century. This problem has been created by the drive to compel integration in the schools of the South.

Mr. President, my colleague is not new in this field. He has labored long and hard with this difficult problem. The proposed amendment to our National Charter, which he has offered here today, is an example of his sincere effort to find some solution to the problem.

Before coming to the Senate, my colleague was a distinguished Governor of the State of Georgia. In that capacity, he sought to devise legal means of providing for the education of the children of that State in the event the Federal courts struck down the separate but equal system of public schools which has prevailed in our State for almost a century.

It was under his able leadership that the voters of my State, in 1954, approved an amendment to the Constitution of Georgia which authorizes the State government to make grants for educational purposes to discharge its obligation to provide adequate education for our children.

I believe that for the benefit of the RECORD I should read that provision of our constitution. It reads as follows:

Notwithstanding any other provision of this constitution, the general assembly may by law provide for grants of State, county or municipal funds to citizens of the State for educational purposes, in discharge of all obligations of the State to provide adequate education for its citizens.

This constitutional provision has not yet been challenged in the courts. In my opinion, it cannot be successfully challenged in any court. It is the principal bulwark in the fight to preserve the constitutional system of schools in Georgia.

In his speech, my colleague has painted a graphic and accurate picture of the developments that threaten to destroy public education in many areas of the South.

I should like to point out that this condition was not created by any action of any substantial number of the people in the Southern States, nor by any officials of those States. It was forced upon us by a high-handed, power-mad Supreme Court which has undertaken to interpret the Constitution of the United States in terms of psychology rather than in terms of precedent and established law.

The present Supreme Court has reversed and nullified numerous decisions handed down by previous Courts which had confirmed the constitutional authority of the States to administer their own publicly supported schools.

I submit, Mr. President, that the recent decisions of the Court amount to nothing less than a fundamental change in the Constitution itself.

The Court has said that the Southern States can no longer operate their schools under the separate but equal doctrine which had prevailed for 80 years and which is based on a social order that long experience had shown to be best for both the white and colored races.

The Supreme Court in its integration decision, with the urgent support of the Department of Justice, has served a heartless and cruel judicial ultimatum upon the people of the South. Those people have been told, in effect, that they will either operate their schools on the basis of forced integration or that they will not operate their schools at all.

Apparently it does not matter to the Supreme Court that this order is contrary to long-established law and all constitutional precedents or that it ignores completely local attitudes and customs.

The decision has been made, as my colleague has so eloquently stated, without any concern whatever as to its effect upon hundreds of thousands of innocent children, both white and colored. The Court is, apparently, perfectly willing to close down the schools and destroy public education in many parts of the South if it gives any weight to its perverted interpretation of the Constitution.

These things may not matter to the Supreme Court, but they do matter to the people of the South. The people of the South are as firmly dedicated and committed to maintaining the system of public education as are the people in any other section of the Nation.

In again commending my colleague, I should like to note that during his administration tremendous progress was made in the schools of Georgia. The State adopted, for the first time, a progressive, overall program for the improvement of our schools. Therefore,

my colleague speaks with authority as a friend of public education.

It is not generally understood that southern people generally have made greater sacrifices to establish a public school system for the children of both races than have the people of any other section of this country. The per capita expenditures for public education in the South are considerably higher, in proportion to wealth and income, than in any other sections of the Nation.

As my colleague has said, the destruction of public education would be an incalculable catastrophe and calamity. Public education has become a part of the warp and woof of American life. Yet, today we see a cynical effort to force upon the people of the South a totally unacceptable social order that may well result in the destruction of the public schools in many areas.

I make these comments in order that there may be no mistake as to where the responsibility rests for this appalling threat to public education in a large area of this Nation.

It rests squarely upon those who are seeking to force the integration of the races in the schools in the face of opposition by an overwhelming majority of the people. It rests with the Supreme Court in its bizarre distortion of the Constitution. The Supreme Court has become almost sadistic in its determination to impose its peculiar interpretation on the people of the South. Its rulings have not only brought about the closing of public schools, but the Federal courts have enjoined teachers in the city of Little Rock, Ark., from volunteering their services to assist in the makeshift education of the displaced children during the emergency.

Mr. President, actions such as this make it clear that the Supreme Court has practically declared judicial war on the children of the South in the attempt to force the people of the South to conform to their peculiar philosophy.

The political motivation of the Justice Department, headed by Attorneys General who have not hesitated to play politics with the lives of our children, must bear part of the blame. Part of the blame rests upon the executive branch that sought to force the decisions upon an unwilling populace even at bayonet point.

It lies with the pressure groups and the opportunists who are agitating this grave question for selfish political gain.

Mr. President, regardless of what the U.S. Supreme Court might rule, the Constitution and the laws of Georgia forbid the operation of racially integrated schools. Our State constitution provides that if a system of public schools is to be maintained, it must be maintained on a basis of separate schools for white and colored students.

A provision of law enacted while my colleague was Governor of Georgia expressly forbids the spending of State tax money in any school district that does not provide for separate schools.

Therefore, if the schools of Georgia are closed, it will not be the result of any action of the State government. It will be the result of a lawsuit brought by someone to force integration pursuant to the Supreme Court's 1954 decision.

I again congratulate my colleague for the contribution which he is making and has already made to this great fight for constitutional government and to preserve the States as entities of government. I hope and pray that the constitutional amendment which he, together with a number of our colleagues, has proposed, will serve as a means of reasserting the Constitution and reestablishing the proper construction which was given that document by able judges through many years. If his efforts have that result, it will be the greatest contribution which could possibly be made to the cause, not only of the southern people, but of constitutional government as well. It would forever destroy the threat of Federal domination and control of the school systems of the States.

I associate myself with all that has been said by my colleague concerning the situation which now prevails and about the necessity for congressional action to correct it.

Mr. TALMADGE. I thank my warm friend and colleague, the distinguished senior Senator from Georgia, for the generosity of his personal remarks. My distinguished colleague also has had considerable experience in public life; in fact, virtually all of his adult years have been spent in the public service. He has served as speaker of the House of Representatives of Georgia; he was one of the ablest chief executives in the history of the State; and he has been serving as United States Senator for more than a quarter of a century.

He has correctly stated, in my opinion, not only the disastrous results of the decision of the Supreme Court, but also the determination of the people in a great section of our country to continue to operate their school system in accordance with local needs, local desires, and local demands.

Mr. STENNIS. Mr. President, I wish to commend the distinguished junior Senator from Georgia for the work, preparation, and leadership which he has afforded the Senate in presenting the resolution. I commend him, too, for the affirmative approach he has taken to this far-reaching problem. I think his proposed amendment provides the only sound basis for the operation of our public schools.

A school is like a church, whether it be a Christian church or any other kind of church. Most of its strength and support and the good it does comes from the people who live in the area of the church. That is the spirit of the Senator's proposed amendment, for which I commend him and in which I am glad to join as a cosponsor.

Mr. TALMADGE. I thank my warm friend, the distinguished junior Senator from Mississippi, for the generosity of his comments.

FORTY-FIRST ANNIVERSARY OF UKRAINIAN INDEPENDENCE

Mr. SYMINGTON. Mr. President, January 22 was the 41st anniversary of the independence of Ukraine.

Politically, on the map of the world, the Ukrainian nation has been swallowed up in Communist Russia. But in the minds and hearts of the brave Ukrainian people, of the Ukrainian-Americans and of friends of Ukraine throughout the world, this nation lives.

The history of man is a history of suppression followed by freedom. Nations have been subjugated for years and even generations; but whenever the spirit of freedom beats in the hearts of people, they eventually establish their independence.

In 1918, along with many other peoples, the Ukrainians benefited from the principle of national self-determination enunciated by Woodrow Wilson.

But that freedom was short lived. The Communists overran Ukraine and many other Eastern European nations.

Among those Communists are men who today come to our shores and travel among us, talking of peace. Let us so prepare, Mr. President, that these butchers of yesterday will find such strength, spiritual, economic, and military, that they will never attempt such conquest of America or any other part of the free world.

Mr. President, the time will come when Ukraine will once more be free. Looking toward that day, we in America should do what we can to support the anti-Communist activities of groups like the Ukrainian Congress.

The first modern revolution for self-determination started here in America in 1776. The spirit of the freedom we won then has been and still should be our greatest export.

Let us do everything we can to spread the idea of freedom throughout the world, so that all peoples now suffering under tyranny may one day govern themselves in a world at peace.

MESSAGE FROM SENATOR SCOTT ON UKRAINIAN INDEPENDENCE DAY

Mr. SCOTT. Mr. President, I ask unanimous consent to have printed in the RECORD a message which I sent to Mr. Darmopray of the Philadelphia Chapter of the Ukrainian Congress Committee on January 24 on the occasion of the Ukrainian Independence Day.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

JANUARY 24, 1959.

Mr. WALTER T. DARMOPRAY,
Philadelphia, Pa.:

Accept my best wishes on the 41st anniversary celebration of the independence of the Ukraine which you are celebrating tonight at Town Hall in conjunction with similar observances by people in many parts of the free world.

Through these annual observances we call attention to the plight of 40 million Ukrainians who are captives of the Communist Russians. Throughout their long subjugation—when their religious beliefs have been trampled upon, their patriots executed and their relatives imprisoned—the Ukrainian people have never given up their fight for freedom.

In these days when agents of the Kremlin come to the United States, bearing tourist visas and wreathed in smiles, we must remind ourselves that no dealings with the

Russians will have real meaning until the enslaved victims of communism again have their rights of freedom and self-determination.

HUGH SCOTT,
U.S. Senator.

ADMINISTRATION OF FARM PROGRAMS BY DEMOCRATICALLY ELECTED FARMER COMMITTEEMEN

Mr. SYMINGTON. Mr. President, on August 8, 1958, the Senate passed S. 1436 of the 85th Congress—a bill which provided for the administration of farm programs by democratically elected farmer committeemen.

Passage of this bill was the result of more than 3 years of effort on the part of the distinguished senior Senator from Minnesota, chairman of the Senate Agriculture Subcommittee on Farmer Committees, and others of us who are interested in restoring to locally elected farmers the responsibility for administering the various farm programs in their counties.

It is vital to the success of any farm program that local level administration be in the hands of the farmers who are familiar with local conditions.

Unfortunately, this important bill did not clear the House Agriculture Committee. This was in part due to the busy schedule during the closing days of the 85th Congress, and to an even greater extent due to the unyielding, uncompromising position of the Secretary of Agriculture with regard to certain provisions of this bill.

A number of Senators have joined in introducing S. 662—a bill identical to the one approved by the Senate in the last session. It is our hope that prompt action can come in the 86th Congress.

This legislation is of particular importance to Missouri because of the serious problems created in our State as a result of a series of administrative directives issued in 1953 by the Department of Agriculture. These directives made sharp changes in the county-committee system, which had operated so successfully in the previous 20 years.

The result of the Department of Agriculture's administrative decrees was to strip from farmer-elected county committees much of their administrative authority. They were ordered to hire office managers for administrative control. Furthermore, the State agricultural stabilization and conservation committees began wholesale discharges of elected county and community committeemen. Various other political manipulations caused havoc in the administration of farm programs in Missouri and other States.

The bill we are reintroducing today is the result of extensive investigations into the Department of Agriculture's handling of the farmer committee system. In order to safeguard and strengthen the farmer-elected committee system, the bill:

First. Assigns to State, county, and community agricultural stabilization and conservation committees responsibility for administering the acreage-allotment and marketing-quota program.

Second. Returns to county and community committeemen responsibility for the conduct of ASC committee elections.

Third. Provides that community committeemen shall be elected annually by local farmers in an open meeting.

Fourth. Provides that nominations for county committeemen shall be made at an annual convention of chairmen of the community committees. Additional nominations may be made by petitions signed by 10 qualified farmers.

Fifth. Provides that county committeemen shall be directly elected by the farmers by secret ballot upon which shall appear the names of all persons nominated.

Sixth. Provides that, beginning with the 1959 elections, one member of the county committee shall be elected for a 3-year term, one for a 2-year term, and the third for a 1-year term. In subsequent years, one member shall be elected for a 3-year term to succeed the member of the county committee whose term is expiring. There is no limitation upon the number of terms a county committeeman may serve.

Seventh. Authorizes the county committee to select its own chairman and vice chairman.

Eighth. Authorizes the State committee to appoint temporary county committeemen only when vacancies occur less than 60 days prior to a regular election. All other vacancies, not filled by alternates, are to be filled by a special election.

Ninth. Provides that the county committee shall, subject only to standards and qualifications furnished by the secretary, employ a county office manager. The county office manager shall serve at the pleasure of, subject to the direction and supervision of, and shall execute the policies established by the county committee.

Tenth. Provides that 1 of the 3 members of the State agriculture stabilization and conservation committee shall be appointed by the secretary from nominees elected by the members of the county committees, and that this one member shall be subject to removal from office only for cause.

Eleventh. The bill provides that the State committee, for cause, may remove community or county committeemen from office, but only by majority vote after furnishing such member with a statement of the charges against him, advising him of his rights and giving him an opportunity for a fair hearing at which, if requested by such member, a representative of the Secretary shall be present. Appeals from decision of the State committee may be made to the Deputy Administrator of the Commodity Stabilization Service.

Twelfth. Provides that, for cause, the State committee may, by majority vote, suspend a community or county committeeman, but a hearing on such suspension—as provided in 11 above—must be held within 60 days.

Thirteenth. To be effective January 1, 1960.

Passage of this bill will assure farmers of a greater voice in the administration of farm programs through their own participation in the election of the ASC community, county, and State committeemen.

In addition, the bill establishes safeguards against the recurrence of abuses such as were experienced in Missouri and in other States in recent years.

I urge prompt and favorable action on S. 662.

CHALLENGE OF THE TRADE WAR

Mr. STENNIS. Mr. President, the remarks and recommendations I make to the Senate today are based upon several years of experience as a member of the Committee on Armed Services and the Committee on Appropriations. They are also based, in part, upon observations which I made on a recent 19-day visit behind the Iron Curtain, in Russia, Yugoslavia, Poland, and Czechoslovakia, although this is not a report on that trip, by any means.

I point out also at the beginning of my statement that this is not a scare story. I am not frightened about anything I shall mention today, but I have very positive conclusions that the facts I shall set forth and the trends I shall enumerate are a real challenge to the free world by Soviet Russia and her allies.

I shall first refer to a most recent press report. I read excerpts from the United Press International news ticker, dated today, on the coverage of Mr. Khrushchev's recent speech and report to the 21st Congress of the Soviet Communist Party.

First, Khrushchev said the Communist countries now "stand at the head of all progress."

Then he reviewed the Russian military situation.

Then he said a key task in Russia's new 7-year economic plan is to bring an end to the cold war and a lessening of international tension.

But Khrushchev also called on his people once more to—

First, catch up with and surpass the leading capitalist countries in present per capita output.

Second—and here I quote Khrushchev's words—"insure the Soviet Union's triumph in the peaceful economic competition with the capitalist countries."

Third—and here I also quote Khrushchev's words—"strengthen further the economic and defense might of the Soviet Union."

Mr. President, those statements show unmistakably the trend of the planning to which the resources of that growing, strong nation are to be directed. It is to that sort of challenge that I address myself today.

Mr. President, since the end of World War II, the major threat to the freedom of the Western World has been the Soviet bloc. In an effort to maintain our freedom we have built, and are maintaining, the strongest military machine in history. The Soviet military threat has been checked. Our powers of retaliation are swift and terrible. So long as we maintain this level of defense, and

continue our efforts to the utmost of our ability, I do not believe we need fear a direct military attack upon us.

TRADE WAR LAUNCHED

Since the threat of military might has been checked, Soviet leaders have directed their country's attention, resources, and energies toward a new type of warfare against the nations of the Western World—a global trade war.

Many factors in their regimented and atheistic system favor their side. They are moving with increasing velocity into foreign markets throughout the world, under a state trading system of subsidized prices, further reducing their low production and transportation costs.

Throughout the world many new and growing nations are experiencing a great awakening. They have entered the community of important world powers. Their improvement in the economic sense is proceeding rapidly; but they still have far to go, and must, for many years, look to more developed nations for a great part of their consumer goods, as well as heavy equipment. This new power and growth, combined with rising populations, will create in foreign markets an unparalleled demand for various commodities which we have or can produce in abundance. The Soviet Union is laying the groundwork to capture this existing and growing market.

GROWING RUSSIAN CAPACITY

I believe their trade war will include selling or bartering with many countries at low prices, such items as basic raw materials, machinery, and, finally, food, clothing, and other consumer goods. Along with these exports will go their technicians, scientists, propagandists, and others, all of whom will lay the groundwork for anti-Western and pro-Communist concepts. We may expect that they will attain the political importance that attaches to close economic ties.

The U.S.S.R. has solved many of her basic domestic problems involving food, clothing, shelter, and other necessities. Russia's scientific and technical educational program is being pushed, and top-notch scientists are being trained. Lower level technicians and skilled workers with a working knowledge of several languages are becoming abundant.

The Soviet Union's industrial capacity has expanded tremendously in the last few years. An illustration of this is the increase in the production of petroleum. Let me refer, for example, to a table on crude oil:

Crude oil

	(*Thousands of barrels*)
1940	225,938.5
1945	141,105.4
1950	274,994.3
1955	513,957.2
1956	608,388.0
1957	713,658.0
1958	807,312.0

POLITICAL CONTROL

Their agricultural resources as well as their industrial power and their vast reservoir of regimented workers may be directed by political leaders toward achieving specific production goals. Though other needs may be sacrificed, their national energy and resources may merge to achieve a small number of important basic productive objectives.

In addition, the U.S.S.R. with its completely manipulated economy, can regulate raw material costs, wages, and transportation costs. Russia's goods can be delivered anywhere in the world, at prices their leaders determine. The power of government is thrown behind their price structure.

They can meet and destroy competition in a number of markets, even though their operations are conducted at a loss. Evidently, they feel the political advantage to be gained is greater than any financial loss they may incur.

Their trade war has been launched. Basic materials now being exported include petroleum products, tin, aluminum, nickel, zinc, and benzene.

Also, trucks, tractors, cranes, and machine tools are being sold.

I fully believe that these will be followed by other heavy machinery, and, eventually, common-use items, under a most attractive pricing pattern for their favored customers.

Their trade war is the new challenge of our times. Russia threatens the Western World in foreign markets. We must accept the challenge. We must enter into the competition in one way or another, and we must win.

OUR EXPORTS DECLINING

As these factors favor the Soviet pricing structure, we, on the other hand, have to operate under corresponding disadvantages. Our wage scales, capital investment in industrial capacity, and standards of quality have contributed to high American prices.

Mr. President, these matters are not theoretical. These are hard, basic facts that are realized by one who has come in contact with the facts of life while in the Soviet Union itself, and has had a chance to compare what he saw there with what we have here at home, including our present production system and other items which make up our economy. The conclusions I am relating today are those which have come clearly to the mind of one who has a chance, far removed from the scene of such activities, to make these comparisons.

American industry cannot compete on a purely private commercial basis with artificially deflated prices. Our exports are declining.

Our annual level of exports averaged $13.4 billion for the years 1952–56. They rose to $16.2 billion in 1956, and $19.8 billion in 1957, but fell to $16.2 billion in 1958—a net decline of $3.6 billion. Those figures are taken from the President's Economic Report. This trend must not continue.

We must stimulate our foreign commerce by reducing export prices to a competitive level. Private enterprise cannot do this job alone.

No one wants to turn the clock back to the days of child labor, 12-hour days, and 7-day weeks. No one wants to return to the sweat shop.

It is equally important that we do not sacrifice American standards of quality.

HEARTENING SIGNS

In the broad view of this problem, there are heartening signs. Among these are:

First: Programs for sound capital loans to enable many countries to develop on a sound economic basis their own resources.

I emphasize that I am thinking here in terms of a long-range program—not a "quickie, jumped-up" affair, but a long-range program, to be launched as soon as it reasonably can be. With such a long-range program, we would be able to grow and meet new conditions as they arise.

Second. Currency exchange agreements recently concluded. Convertibility of currency has been a historic problem in all areas of foreign trade.

Third. Technical assistance. We need to share the technical knowledge necessary for the use of American machinery. We should greatly enlarge and extend the technical assistance program of ICA, and bring larger numbers of qualified people, or those with special aptitudes, from other countries to America for training. With considerate treatment here, these people could become missionaries for the American way of life on their return home.

Industrial efforts to make technical advice available in foreign countries should be encouraged, and perhaps we should give thought to a sort of foreign service school for American technicians. This would prepare them for life and conditions in the foreign countries where they are willing to serve. Language courses should be made available freely, and a genuine human interest in the problems of host countries stimulated.

Fourth. American industry has greatly increased investment abroad. Through construction of foreign branches of American companies and partnership with local foreign interests, American capital investment abroad has grown by leaps and bounds in the last few years. The mutuality of benefit is apparent. The industrialization of friendly foreign countries is contributing greatly to their own economic strength and the opportunity for them to observe firsthand the true meaning of private enterprise is having a very favorable impact.

The dollar volume of sales of American owned and partially owned foreign operations exceeded $30 billion last year —nearly twice as much as the total private export program of articles domestically produced.

Serious thought is being given to tax incentives to stimulate this growth. I believe that when a local company decides to invest its money in operations in a friendly foreign government, to risk its capital to undertake the expense of sending technicians and interpreters into foreign lands, some tax consideration should be given. Certainly this proposal should have the most serious consideration in the highest levels of government.

EXPORT SUBSIDY PROGRAM NEEDED

Finally, we need a bold new program.

We should fully explore a new export subsidy program to enable American

producers to compete pricewise with Soviet goods in the markets of the world.

We cannot meet artificially deflated Soviet prices in every instance, but we can offer a wide variety of American goods at prices people can afford.

It is primarily to this last point that my remaining remarks are addressed.

COST—SOURCES OF MONEY

Where would the money for such an export price-adjustment program come from?

It is true that we face a budget deficit of $12 billion this year. It is equally true that we have a precarious situation with respect to a balanced budget in 1960.

It is certainly true that I would be among the last to vote for, much less advocate, a new and reckless spending scheme.

Most of the money necessary to finance this program could be literally salvaged by rechanneling funds presently being spent on largely ineffective patchwork grant, aid, and support programs designed to meet a variety of domestic and foreign needs.

Since World War II we have spent over $60 billion on foreign aid.

We spent $1.5 billion for foreign economic aid last year. Originally this program was developed to restore order to the chaos following World War II.

It has long outlived its usefulness. In the main, it is benefiting only incidentally the people of the various nations it was formulated to help the most.

Without belaboring the mistakes of the past, I feel that it is high time that we review our current programs so that we do not repeat these mistakes indefinitely.

A large share of this foreign-aid money could be devoted to a program that would permit us to compete commercially in various countries. Through subsidizing exports on a reasonable basis, American prices could be lowered to a competitive level.

Another source of funds to finance such a program could be derived from the sale of present surplus farm products in foreign countries. In his state of the Union message, the President forecast the cost of the existing program this year:

> Outlays of the Department of Agriculture for the current fiscal year, for the support of farm prices on a very few farm products, will exceed $5 billion. That is a sum equal to approximately two-fifths of the net income of all farm operators in the United States.
>
> By the end of this fiscal year it is estimated that there will be in Government hands surplus farm products worth about $9 billion. And by July 1, 1959, Government expenditures for storage, interest, and handling of its agricultural inventory will reach a rate of $1 billion a year.

In my opinion, some of the figures quoted in the state of the Union message are too high, because they include items that are not primarily chargeable to the agricultural program. But even with those deductions, the figures would still be very, very large indeed. They show the amount of money now being invested in our agricultural products in a program which stores and piles products up, instead of one which keeps them moving—a program which curtails production and reduces activity within farming lines, rather than one which expands those activities. My reference today is to show a source of money which could be budgeted into a new channel and which could be used in a new movement.

Many of these surplus commodities could be sold through orderly marketing practices in foreign commerce at prices in the reach of the consumers. Thus the benefits to the farmers would be retained and expanded.

While there is existing law to accomplish this purpose, this export program is retrogressing. It could be the pilot program, but it is not accomplishing the vital purpose of putting American products in the hands of consumers throughout the world. As foreign markets are carefully built—no dumping technique is suggested—to their full potential, the domestic need for the present ineffective program will diminish and idle acres returned to production.

I cite these two programs as existing sources of Government funds which could be used to finance a price adjustment program. There are others.

Our private export volume is less than $17 billion annually. Should it be determined that a 30 percent across-the-board subsidy would be necessary, the cost would be less than $5 bilion.

WORLD POPULATION GROWTH

The tremendous increase in world population will greatly expand foreign markets, and the generally rising standard of living will accelerate this growth. The Soviet Union is aware of this, and is moving into many new areas.

In 1950 the world population was 2.5 billion. By 1975 it is estimated the world population will reach 3.8 billion—an increase of more than 50 percent in 25 years. By the year 2000 it is estimated that the population of the world will reach 6.3 billion.

LATIN AMERICA FIRST

Latin America, that part of the Western Hemisphere south of the Rio Grande, is expected to grow most rapidly. Its population is expected to swell from 163 million in 1950 to 592 million in the year 2000—a percentage gain of 263.2 percent. This area deserves a high priority in our consideration of making consumer goods available at reasonable local price levels. It is in this part of our hemisphere that the Russians have directed a large share of their economic activity.

The program I suggest is in no sense a dumping program. There is a major difference in making our prices competitive and flooding world markets with huge quantities of goods at giveaway prices. This program would replace the concept of giveaway or other hidden subsidies imbedded in our present foreign economic aid and other programs.

This program would operate essentially through private enterprise channels. Available funds, world market conditions, the law of supply and demand, and specific needs would control the volume of exports under this program. Applicable Government regulations should be streamlined in order to carry out the program by encouraging the flow of goods in commerce.

BENEFITS OF THIS PROGRAM

First. This program would have many advantages over existing ones. It should meet, in part, the world's needs for basic materials and consumer goods.

This would result because it is a sales program.

People buy only what they need or want. High prices have prevented, and are preventing, the growth of this necessary commerce.

American salesmanship will be challenged to develop and expand markets as well as to open new ones. If competition on a price basis is made practical, American salesmanship will rise to the occasion.

Second. Such a program would meet, in part, many domestic needs:

(a) It would raise our gross national product as our full export market potential becomes closer to realization.

(b) It should broaden our labor force, thereby raising the general level of employment.

(c) It should open new markets for our idle productive capacity, both agricultural and industrial.

(d) It should tend to stabilize domestic prices by enabling industry to apportion indirect costs over a larger number of units of production.

(e) It should increase our income tax revenue and strengthen existing business enterprises, at all levels, regardless of size.

Third. It should meet the need, in part, for a more orderly system of foreign trade through increased domestic production. Such a program will gradually replace the need for many piecemeal Federal subsidy programs which have mushroomed in recent years. It should accomplish the goal of many of these programs in a more efficient and businesslike manner.

We would be using the private enterprise system as the instrumentality of a new governmental program and policy. The individual business enterprise cannot effectively meet unfair competition of a foreign government. Only financial ruin could result to the individual. Our business interests deserve the protection of our Government that this program would afford.

Fourth. Most important of all, it should meet, in part, the need for competing with Soviet goods in world markets.

Recent trade alliances between the U.S.S.R. and a number of other countries have been concluded. These could, in time, ripen into military alliances. There is a political factor involved when the economic activity of one country is closely geared to that of another and larger country. This political strength can grow in proportion to the degree of economic dependence. The Soviet Union is establishing a trade monopoly in certain fields and in certain countries. There is a clear and present danger in the military sense in allowing these new Soviet advances in political trade relations to go unchecked. We cannot regard what is happening throughout the world with indifference and inactivity.

A thorough study of the feasibility of such a broad and comprehensive program must be undertaken soon. Its scope crosses the jurisdictional lines of many governmental departments and many legislative committees.

It is not a partisan matter, nor a regional one. We need the advice and thinking of the best minds in our country on this problem.

We need the considered opinion of leaders from Government, industry, labor, farm groups, and other organizations which have studied the problems this program attempts to meet. We all have a vital stake in the final outcome of this trade war.

In passing I wish to say, Mr. President, that during the time I was behind the Iron Curtain I talked to a good many American groups making surveys and studies of the Soviet system in various phases of production, trade, education, and otherwise. I was tremendously impressed with what the American citizens told me about what they were finding. I think the reports of those groups are extremely valuable. I shall supply for the RECORD later, if possible, the names of those reports which have already been filed by those groups, and information as to where the reports can be obtained by the membership of the Congress and by the public at large. I think there is a great deal of very, very valuable information which is reflected in those reports. I think the reports were prepared in large part by very capable men in their respective fields.

I believe this will open up channels of expanded thought and consideration of the problems on the part of the American people.

Only by thorough consideration and cooperation will we be able to eliminate grave but foreseeable problems at the time of inception. Without a thorough study it is impossible to formulate a policy or write a sound bill.

This trade war is the challenge of our age. We must meet it. We must compete. We must win.

As I have said, this problem transcends the mind of any one person. I know I do not have a solution. I do not believe any one person or any single group of persons at this stage can offer a sound solution.

For the purpose of fully exploring the merits of, and obstacles to, such a program, I am introducing a resolution calling for the establishment of a select committee of the Senate in order to utilize fully the experience and wisdom of many leaders here whose committee assignments and responsibilities have resulted in a specialized interest in various aspects of such a program.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 51) submitted by Mr. STENNIS was received and referred to the Committee on Interstate and Foreign Commerce.

Mr. STENNIS. Mr. President, the procedure I contemplate would utilize the experience, the information, the suggestions, and the conclusions of all branches of Government. Even more than that, it would apply to every segment of our own vast economy.

Mr. President, I ask unanimous consent that the text of the resolution be printed at this point in my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Resolved, That (a) there is hereby established a special committee to be known as the Special Committee on Foreign Trade Development (hereinafter referred to as the "committee"). The committee shall be composed of nine Senators to be appointed by the President of the Senate.

(b) The committee shall conduct a full and complete study and inquiry into Federal policies and programs relating to the development of the foreign trade and commerce of the United States with special reference to problems arising from foreign trade activities of nations whose economic activities are conducted and controlled in their totality by national governments. Such study shall include: an inquiry to ascertain ways and means whereby the effectiveness of present programs for economic assistance to foreign nations may be improved;

Including, but not limited to (1) a study of the necessity for, the practicability of, and appropriate means for the effectuation of programs for the making of loans for foreign economic development, and for the rendition of technical aid and assistance for the economic development of foreign nations,

(2) an investigation of ways and means to encourage the investment of private capital in foreign countries for their economic development through the revision of present Federal tax laws and by other means, and

(3) an inquiry into ways and means for the establishment of a national export price adjustment program for the development of the foreign trade and commerce of the United States.

SEC. 2. The committee shall, at its first meeting, to be called by the President of the Senate, select a chairman and vice chairman from among its members. Any vacancy in the committee shall be filled in the same manner as the original appointment.

SEC. 3. (a) For the purposes of this resolution the committee is authorized to (1) hold such hearings; (2) sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate; (3) require by subpena or otherwise the attendance of such witnesses and production of such correspondence, books, papers, and documents; (4) administer such oaths; (5) take such testimony either orally or by deposition; (6) employ on a temporary basis such technical, clerical, and other assistants and consultants, and, with the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, employ on a reimbursable basis such executive branch personnel, as it deems advisable; and (7) report to the Senate by bill or otherwise, such legislative measures relating to subjects committed to it for study and inquiry as it shall determine to be desirable.

(b) A quorum of the committee shall consist of five members, except that the committee may provide that, for the purpose of taking testimony, two members, one from the majority party and one from the minority party, shall constitute a quorum.

SEC. 4. The expenses of the committee, which shall not exceed $50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

SEC. 5. (a) The committee shall prepare and transmit to the Senate a final report of the results of its study and inquiry, together with such recommendations for legislation or other action as it may deem advisable, not later than December 31, 1959.

(b) Upon the filing of its final report, the committee shall cease to exist.

Mr. STENNIS. Mr. President, I wish to emphasize again that the proposal is for study and for development of all aspects of the problem, and for the attempted formulation at the national level of a solution of this far-reaching problem.

I think we pass definitely now into a new stage of the cold war which will be fought on the economic front. This is a front on which we are perhaps least prepared. Certainly we are not prepared now. We met the enemy on the other front, as I said in the beginning, but this challenge could go even further. I believe we must try to meet the challenge. We must formulate some plan which will put American goods, American technicians, American workers and free world influence into the economies of many of the nations of this world. If we do not, in the course of not much time—one decade or two decades—we will find that those who represent the other philosophy of life have gotten in on the ground floor; we will find that through economic measures our opponent will dominate and will eventually largely control the thought and political framework of many nations of the world, thus slamming the door in the face of Western ideas and ideals, the American concept of the free enterprise system, and the idea of personal freedom altogether. For that reason I urge we act now to pursue this development further.

Mr. RUSSELL. Mr. President, in my opinion the distinguished Senator from Mississippi is discussing one of the most important facts of the economic life of the world today. We have had some little taste of the Russian expansion. Under their system the Soviets can absorb, in any line they desire, all the costs, and sell the goods overseas at a price which cannot possibly be matched by any free enterprise system. They can absorb the costs within their own economy. They did it in the field of aluminum not long ago, and sold aluminum at a much lower price than that for which it could be produced and sold anywhere else.

This sort of expansion is at the expense of the lives and income of their people. Either last night or this morning I heard something on the radio about a large shipment of school equipment which was landed in this country from Russia. I was not able to hear all of the Senator's speech, and I do not know whether he discussed that subject or not. It was said that some of the finest and most modern equipment for schools that had ever been seen in this country had been examined by our experts. It was to sell here at about one-fifth of the American price.

When Russia brings her armament program up to the stage she wishes to achieve, and turns full blast into economic warfare, if the free world is not prepared to meet the challenge the result could be chaos, disruption, and destruction, which would be almost the equivalent of a hot war.

I am glad the Senator from Mississippi has devoted his fine mind to the consideration of this very important problem, which will weigh heavily on the lives, incomes, and standard of living of the American people in the days ahead.

Mr. STENNIS. Mr. President, I thank the Senator from Georgia very much. I do not know of anyone who is better qualified to pass judgment on the threat I have been discussing. He is chairman of the Armed Services Committee of the Senate, and knows all there is to know about our military program. He is also well versed in the subject of the military threat from the other side. I know that he has studied this problem at the ground level in Russia. He knows their productive capacity. I value his opinion very highly.

I did not know about the illustration he cited with regard to school equipment which recently arrived in this country from Russia. However, when we see the quality of the products manufactured in Soviet factories, and take note of their productive capacity and "know-how," and realize that they are operating in a controlled economy, we see the utter helplessness of private firms, individuals, or corporations under the free enterprise system in competition with whatever the Soviets decide to do in any given segment of the world economy which they seek to dominate.

As I stated earlier, there is an absolute necessity for some kind of national plan to support the idea of competition in world trade.

Mr. President, I yield the floor.

THE CUBAN SITUATION

Mr. MORSE. Mr. President, I rise to make a few comments, as chairman of the Latin American Affairs Subcommittee of the Senate, on the Cuban situation.

I would not have made this speech today had not a colleague of mine in the House, Representative PORTER, from my State, made a speech yesterday in which he referred to me. I feel that his speech must be answered.

Representative PORTER's speech can best be described, in my opinion, as a speech of confession and avoidance. Representative PORTER went down to Cuba upon the invitation of Mr. Castro, supposedly to observe the so-called Cuban war criminal trials, which were held in the sports stadium, to witness a mass meeting in support of the trials and executions, to confer with Cuban leaders. Many of us received a similar invitation. Most of us declined it. I declined it, as the CONGRESSIONAL RECORD shows, because no Member of Congress could possibly have any official standing on such a visitation. I felt that if any observation were to be conducted by anyone outside Cuba, it was desirable that it be conducted by some committee or group of the United Nations, which would have some official standing.

I wish to make it very clear that I have an exceedingly high regard for Representative PORTER's sincere interest in Latin American affairs. I share his interest. I have joined him in times past in urging upon the Congress that we stop supporting dictators in Latin America. For a long time past I have opposed American support of the Batista regime, which, in my judgment, was a cruel, Fascist police-state regime, guilty of great terror and the commission of many cruelties upon many of the people of Cuba.

My colleague from Oregon on the House side has made a great contribution heretofore in calling the attention of the Congress and the people of the country to the importance of our ceasing to support dictators. For a long time Congressman PORTER has urged, and I have joined him, that we should support free nations as our foreign policy everywhere.

However, I certainly do not share the view of Representative PORTER, from my home district, in regard to the course of action in respect to executions which the Castro regime has followed in Cuba since the successful revolution. I welcomed the revolution because I have no doubt that it is a grassroots revolution of the Cuban people against the great tyranny of the Batista regime. As I have said in past speeches in the Senate, and now repeat, I think it is still not too late for the new regime in Cuba to regain the good will of free men and women everywhere in support of that regime. I have made it very clear in the past, and I repeat today, that I am opposed to the exercise of any sanctions of any kind against the new Cuban regime.

I do not share the point of view of some in this country who have been heard to suggest that perhaps we should take some economic action against Cuba. What would that accomplish? It would only do great injury to a people yearning for freedom who really need the help of the people of the United States. It continues to be my hope and belief that eventually the fair procedures essential to justice in any free country will be reestablished in Cuba.

It is very encouraging that today's news dispatches indicate that already strides are being taken in Cuba in the direction of establishing the fair trial procedures so essential to the administration of justice. I was the first in the Senate to express displeasure over the firing-squad justice which Castro imposed upon Cuba during the early days following the fall of Batista regime.

In a very brief speech on the floor of the Senate I properly and accurately described those executions as a blood bath.

My Congressman, Representative PORTER, has seen fit to take exception to my description of the executions in Cuba. Thus in his speech yesterday, on the floor of the House of Representatives, he said:

> My good friend and respected mentor, the senior Senator from my State, is deeply respected in Cuba as elsewhere in the world for his unflinching and aggressive liberalism. Senator WAYNE MORSE has referred to the executions in Cuba as a "blood bath" and has stated that "the Castro regime shot many Batista people without a semblance of a fair trial," although he adds, "I haven't any doubt that a fair trial would have found them guilty."
>
> Senator MORSE is chairman of the Senate Foreign Relations Subcommittee on Inter-American Affairs. He has always been an outspoken foe of dictators.

Later in his speech, the Congressman states:

> My hometown newspaper, the Eugene Register-Guard, approved Senator MORSE's words "blood bath" as accurate and states that the world wishes Castro well but that "he cannot keep the favor of decent people around the globe if he sanctions the same terrorist tactics that the world deplored in the deposed dictator, Batista."
>
> What about these charges?
>
> Are they true?
>
> Are Fidel Castro and the new Cuba fast returning to the same old strong man situation?
>
> No, I do not believe that there has been any blood bath in Cuba nor do I believe that Castro and his 26th of July movement are denying fair trial to accused war criminals, although I believe their procedures should be much improved.

GENEVA CONVENTION SHOULD BE CASTRO'S GUIDE

In passing I should like to say, as a lawyer, that the Congressman is familiar with a plea by way of confession and avoidance. As I shall show before I have concluded these remarks, the procedures to which the Congressman refers not only should be much improved, but an entire set of fair trial procedures should be established first of all in Cuba. The basic guarantees of fair procedure which are recognized by civilized nations in treaty form, such as in the Geneva Convention, should recommend themselves to the Castro regime. I referred at length to them in the Senate the other day. They are the minimum essentials of fair trial procedure. I recommend to my Congressman a reading of the Geneva Convention. I pointed out in my speech on the floor of the Senate the other day in discussing the procedures provided for in the Geneva Convention that they constitute basic rules for fair trials that free people everywhere will understand and approve. They should have been substituted by Castro for his so-called drumhead or rifle squad justice in Cuba.

The Congressman goes on to say:

> My opinion is based on 2 years of observing the Cuban situation.
>
> What is a blood bath?
>
> I would say it was irresponsible, indiscriminate killing of persons. As for drumhead trials or lack of elementary due process, I suppose that means the accused not knowing exactly the charges against him, not being confronted with the witnesses against him, and not having a proper opportunity to defend himself.
>
> Persons critical of the trials and executions are not, in my judgment, fully informed, often through no fault of their own. They do not realize the magnitude and high morality of the revolution.

Later on in his speech, the Congressman says:

> The rebels tortured no one. They shot no prisoners. Even after victory there is no report of looting or violence by them. Theirs is a crusade for an honest and terror-free Cuba, not a conquistadorial drive for wealth and power. Priests and Protestant ministers were attached to the rebel forces. Batista's army had no chaplains at all.

HOW MUCH BLOOD MAKES A BLOOD BATH?

My Congressman can shout his denial from the housetops and claim that there was not a blood bath in Cuba under Castro. However, I think that a procedure which resulted in the death of more than 200 Cubans by summary rifle squad executions at the command of a few rebel officers following at best a kangaroo court mockery of justice is properly identified with a blood bath. It is an example of inhumanity to man.

I made no statement on the floor of the Senate in regard to what was happening in Cuba until I had been thoroughly briefed, as the chairman of the Subcommittee on Latin-American Affairs of the Committee on Foreign Relations. The fact is that Castro did not take those steps which are necessary for fair trial procedure before more than 200 Cubans were executed.

The Congressman quotes me as having said, "I haven't any doubt that a fair trial would have found them guilty." I did say that. Surely my Congressman, the able lawyer that he is, would not want us to believe that the guilty are not entitled to a fair trial procedure. Deliver us from any such advocacy of star chamber proceedings. One of the complaints of our Revolutionary Fathers was against the star chamber procedures of the British Crown.

My Congressman knows that there always is a grave danger that summary executions may result in a mistake of killing someone who is innocent. The danger is always great in time of mob hysteria and cries from the masses for vengeance. Even after long trials in capital punishment cases in the United States we sometimes wake up to the horrible danger of a miscarriage of justice resulting from a mistaken identity or a conviction based upon perjury or other grievous error committed in the trial.

In all probability Castro has executed men who were guilty of great cruelties under Batista but that is not any justification for his rifle squad summary executions. Suppose he made just one mistake? Suppose just one innocent person was murdered by his blood bath.

How can he justify under the moral law such a bloodletting? Furthermore, do Castro and my Congressman really believe it is humane and moral to deny to those believed to be guilty of war crimes, or any crime, the safeguards of fair trial procedure?

I should like to say on that point that the Congressman's analysis reminds me of that old fallacy of false assumption. In effect, he sets up this fallacious syllogism consisting of false assumptious premises. The Castro regime denies that there was any blood bath in Cuba. The killings do not meet my definition of a blood bath. Ergo—there was no blood bath in Cuba.

Of course, it is interesting to read my Congressman's conclusion in regard to blood baths after he sets up his false assumptions as to what took place at the time of the executions.

He states:

> No; I do not believe that there has been any blood bath in Cuba nor do I believe that Castro and his 26th of July movement are denying fair trial to accused war criminals, although I believe that procedures should be much improved. What is a blood bath? I would say it was irresponsible, indiscriminate killing of persons.

Let us take a look at what the facts show. The facts show that more than 200 alleged Batista war criminals were shot by rifle squads. The executions started almost immediately after the close of the revolution. Many of the victims had no trial, unless my Congressman wants to claim that bringing alleged war criminals before a few officers of the Castro regime and, in anything but a calm setting, have charges of crime shouted at them and being told in a matter of minutes that they were guilty, constituted a trial. The next step in this travesty on justice was that in an exceedingly short period of time, each victim was taken before a firing squad, before an open grave, and shot. To say that such a procedure did not produce a blood bath is incredible. The granting of time for preparation of one's defense is essential to a fair trial. Adequate time for the preparation of the prosecution and the preparation of the defense were lacking in the early executions by the Castro regime.

As I have already said, I have no doubt, Mr. President, that possibly all—although there is always the probability that an innocent person might be executed—of the persons executed were individuals with bad records under the Batista regime. Is that any reason for not following fair trial procedures? To the contrary, an essential to justice is a fair procedure in the trial of the guilty as well as the innocent. That is what the Geneva Convention is all about. Under the Geneva Convention, when we are dealing with war crime prisoners, in most instances we are dealing with guilty people.

But civilized nations have recognized fair trial procedure as essential to the administration of justice, which was simply nonexistent in the early Castro executions. That is what I protested.

I do not know how much blood has to be shed for my Congressman to describe something as a blood bath. But when more than 200 persons are summarily executed by a rifle squad, I am proud that history will record that here on the Senate floor I protested and called it what it was—a blood bath.

Later in his speech, my Congressman said:

> I have followed these reports closely, and I have yet to see a specific allegation that even one accused war criminal was denied elementary due process or that a particular one of them was unjustifiably executed. I asked veteran newspapermen in Habana if they knew of any such instance. They did not. They were convinced that the men executed deserved conviction and that they had had a fair opportunity to defend themselves at their trials.

I again recommend to my Congressman a reading of the Geneva Convention. Figuratively speaking, I would take him by the hand and lead him through the guarantees of that Convention. What are they? First, that the accused is entitled to a bill of particulars or an indictment. Second, that he is entitled to counsel. Third, that he is entitled to the right to cross-examine those who testify against him. Fourth, that he shall have a minimum of 2 weeks in which to prepare his defense.

Under the Geneva Convention, a war prisoner cannot be brought to trial in less than 2 weeks. Oh, how salutary that procedural protection is. What a clear proof it is as to the soundness of a point I am heard to make so often, namely, that the substantive rights of free men and women can be no better than their procedural rights. Only through fair procedure can we really protect the substantive legal rights of free men and women.

If, under the Geneva Convention civilized nations, in treaty agreement, think it is essential that a minimum of 2 weeks be allowed for the preparation of one's defense, then I am at a loss to understand a statement by a Representative in the U.S. Congress that he does not know of a particular case in which the elementary principles of due process were denied in connection with the Castro executions. In the absence of the procedures of the Geneva Convention in the Castro trials, I know of no element of a fair trial which was present in any of those executions.

The Geneva Convention goes on to require that after the time for the preparation of the case and the presentation of one's defense, then appellate procedures shall also be made available. Of course, this conception is not new in American justice.

Cuba is now under the leadership of the great judge who is now the President of Cuba, Manuel Urrutia, who, under the Batista regime sat on a court in Cuba. It is a great paradox that when some rebels were before that court, and a majority of the judges of the Batista court followed a course of action which, in the opinion of Judge Urrutia violated justice he, to his everlasting credit, dissented. Following the dissent, he had to flee to the United States. It is an interesting paradox in light of the summary firing squad justice the Castro regime subsequently adopted.

I have said, and repeat today, that in my judgment that if that great judicial mind of the President of Cuba is allowed to work itself upon the administration of justice in Cuba, corrections will be made, and made quickly, along the lines of the fair procedures for which I have pleaded from the time I made my first utterance in protest of the inhumanity to man practiced in the early executions by the Castro regime.

AMERICAN EXAMPLE WORTH FOLLOWING

There is a very interesting, historical case in our own country which is worth pondering in regard to this subject matter. There was a well-known war criminal trial after the American Civil War. Although about a million persons were killed before that war was over, the country had as President a great humanitarian who made the noble Christian plea of charity for all. President Lincoln urged a binding up of the wounds; he pleaded for an understanding of the vanquished. It is a great

chapter of applied Christianity in the glorious history of this Republic.

But there was a very significant war criminal trial following that war. It involved Captain Wirz, who was in charge of the Andersonville Prison, in Georgia. The charges and allegations against him were very serious as to the cruelty, neglect, and horrors which were practiced in that prison on many thousand Union troops. Twenty-five thousand Union soldiers died in that prison. It was decided to bring Captain Wirz to trial. It is an interesting chapter in American legal history.

Then too, a great public clamor for justice by vengeance—the eye-for-an-eye and tooth-for-a-tooth doctrine—was being emotionally and hysterically urged by many persons against Captain Wirz. Unfortunately, such emotions were allowed to run rampant in Cuba by the Castro regime and then offered as an excuse for the executions on the claim that the people would take the law into their own hands. But not in our country following the War of the Rebellion.

Federal troops were supplied, and they gave Captain Wirz complete protection as he was taken from Georgia to Washington, D.C. Some 3 months after his arrival here, he was finally brought to trial. Every one of the fair procedures for which I have pleaded in the Senate with respect to the Cuban situation was followed by the U.S. Government in the Wirz trial even in a military court-martial proceeding. Captain Wirz was given fair procedural safeguards under military law. Finally, after a 2 months' trial at which 2,000 pages of court record were taken, a final verdict of guilty was sustained upon appeal, and he was hanged.

Even in a court-martial proceeding fair trial procedures are to be expected. I am the last person to whom anyone should talk if he wants to support the premise that it is necessary to have kangaroo-court procedures in military proceedings. I deny that for military justice there must be drumhead trials; that there must be speedy executions by firing squads in order to do justice in a situation such as existed in Cuba or existed in the United States following the War of the Rebellion.

Mr. HENNINGS. Mr. President, will the Senator from Oregon yield for a brief observation?

The PRESIDING OFFICER (Mr. McGEE in the chair). Does the Senator from Oregon yield to the Senator from Missouri?

Mr. MORSE. I yield.

Mr. HENNINGS. I believe the Senator from Oregon might well have included the trial, before a military tribunal, of Atzerodt, Lewis Payne, Mrs. Surratt, and David Herold, all of whom were hanged after a trial before that tribunal; and it is well to note that Dr. Mudd and one or two other minor alleged conspirators were sent to the Dry Tortugas for long terms of imprisonment.

Mr. MORSE. Yes; we also had some exile cases.

Mr. HENNINGS. I do not think the Senator from Oregon—being a distinguished and able lawyer—could read the record of those trials and then could say that the trials of the so-called conspirators in connection with the murder of the great Lincoln were conducted other than as drumhead courts-martial; and in that connection, Reverdy Johnson, a distinguished Senator from the State of Maryland, withdrew from the trial because of the gross unfairness of that military tribunal of the Federal Government—of which, incidentally, Lew Wallace, the author of "Ben Hur," happened to be one of the members. I do not refer to that in extenuation of what the Senator from Oregon is discussing with reference to drumhead courts-martial; but certainly I do not think all of the due processes were invoked in that case.

Mr. MORSE. I thank the Senator from Missouri. I do not contend that justice has always been administered impartially and without occasional abuses in the United States.

Mr. HENNINGS. No.

Mr. MORSE. We have had such cases in respect to some of our courts-martial. But I wish to point out that the Wirz case is recognized in history as the noted war-criminal trial following the rebellion.

Of course, there were other court-martial trials. The Senator from Missouri has referred to some of them, particularly the trial of Lincoln's assassins. History records that some of the procedures of those trials were not as judicious as they should have been. Some of the criticisms of those court-martial trials led to some reforms in the military law of this country.

In fact, during the last 14 years, since I have been a Member of the Senate, there has been a substantial rewriting of the law of military justice in the United States. At the time I was a member of the Senate Armed Services Committee, and took an active part in drafting legislative reforms in connection with military justice.

I point out that the American trials of Wirz and Lincoln's assassins occurred nearly a century ago. Yet even the notorious cases in our own country of injustices that crept into some of our court-martial trials do not compare with the type of firing-squad justice that prevailed in Cuba immediately following the fall of the Batista regime.

Mr. President, at this time I wish to discuss the procedural safeguard which I believe is raised by the type of case the Senator from Missouri has mentioned. The point I wish to stress is the need to establish civil courts for the administration of civil justice at the earliest possible hour following an upheaval such as the one which has occurred in Cuba. I am glad to learn from today's news dispatches that apparently there already is a trend in that direction in Cuba, and I should like to believe that it shows wise leadership on the part of President Urrutia of Cuba.

I wish to say that my colleague, Representative Porter, of Oregon, in his speech yesterday on the floor of the House of Representatives pointed out that he gave certain advice to Castro and the other Cuban leaders. I wish to commend him for that advice. Although I am critical of Representative Porter in respect to lending himself to seeming support of what happened in connection with the Cuban bloodbath, I wish to pay him high compliment for the advice he says he gave to Castro and the other leaders. I say that even though I believe the advice he says he gave Castro also is interesting in connection with my pointing out that his defense of Castro is pretty much a plea of confession and avoidance.

In his speech, Representative PORTER said:

> The trials should be slowed down. Cuba is at peace; and civil judges, not military judges, should sit on the bench.

Mr. President, at this time I am making the point that great confidence will be restored to the administration of justice in Cuba when it is announced to the world that those arrested for crimes committed under the Batista regime will be tried by civil courts and civil judges, and that in those trials the rules of fair procedure to which I have alluded can be put into operation. I join Congressman PORTER in his recommendation that civil courts rather than military courts should conduct the trials involving Batista war criminals.

Representative PORTER also said:

> More time should be allowed for the preparation of defense cases, although I have yet to hear or read of any protest on these grounds made by an accused war criminal or on his account.

Mr. President, Representative PORTER loses me there. I wish to say that the procedural guarantee of adequate time for preparation of one's defense must be available before people can use it. But the sad fact is that this procedural guarantee was not available when the bloodbath executions took place in the days immediately following the revolution.

But I am glad that I find myself in agreement with my distinguished colleague from Oregon who serves in the House of Representatives when he points out that more time should be allowed for the preparation of defense cases.

In the House of Representatives, Congressman PORTER also said:

> I urged these changes in policy in writing before I went to Cuba, and personally when I was there to President Urrutia, Castro, and Secretary of Justice Angel Fernandez.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield.

Mr. JOHNSTON of South Carolina. But is it not true that when a man is being tried, he makes motions only when he thinks he will be heard or when he thinks he can accomplish something thereby?

Mr. MORSE. Not only is that true, but let us face the ugly fact that Castro's victims were confronted with a hysterical, psychological situation which existed at the time that they were subjected to summary rifle-squad executions.

Mr. JOHNSTON of South Carolina. Of course, that is true. I wish to say

that the procedure being followed there is wrong; and as we observe what continually happens elsewhere in the world, as well, it is just too bad.

Mr. MORSE. I fully agree with my friend from South Carolina. Mr. President, in closing I wish to say that as chairman of our subcommittee, I shall continue to support programs which seek to aid the people of Cuba and programs which seek to strengthen democratic processes in Cuba. But so long as I am chairman of the Latin American Affairs Subcommittee of the Foreign Relations Committee of the United States Senate, when any country to the south of us, or for that matter anywhere else, practices procedure based upon the type of inhumanity to man which characterized the executions by means of the Castro proceedings following the fall of the Batista regime, then, as a Christian true to my faith and in a position of responsibility, I intend to continue to raise my voice in protest. I shall do so in the hope that those in a position of leadership in such a country will see the soundness of the moral principles which I advocate relative to such a situation.

Mr. President, all I have said is that the procedures adopted by Castro violate the moral law. When nations violate the moral law, eventually they pay the penalty of losing the respect and confidence of free men and women everywhere.

Mr. President, I ask unanimous consent that there be printed at the close of my remarks today the transcript of a radio address on the Cuban situation which I broadcast to Oregon today.

There being no objection, the broadcast was ordered to be printed in the RECORD, as follows:

[Radio broadcast of Senator MORSE, Jan. 27, 1959]

THE CUBAN REVOLUTION

Fellow Oregonians, on this broadcast I shall talk about Cuba.

Seldom have political events in a Latin American country so captured the attention and interest of the American people as has the recent revolution in Cuba led by Fidel Castro.

Our radio and television have been full of Fidel Castro, and his followers, and the trials they have been holding as so-called show-case trials.

It is unfortunate that the American press and public ignored events in Cuba for so long prior to the revolution, because what is occurring now has a background of 7 years of terror and oppression.

As most of you know, I am chairman of the Subcommittee on Latin American Affairs of the Senate Foreign Relations Committee. In that capacity, I have followed closely the story of the dictatorship in Cuba under General Batista. I have known for many years that Batista ran the most vicious kind of government imaginable in Cuba.

Under his regime, Cuban prisons were filled with citizens seized off the streets or in the middle of the night by Batista's police; in these jails they often were subjected to dreadful and inhuman brutalities, and many of them were finally murdered. Others were shot down on the streets by the police without any pretense of accusation or charges, or any kind of trial.

These Cubans were either real or imagined opponents of the Batista government. His was a police state of the worst kind, and he dealt with his opposition in the traditional method of the police state—he simply liquidated his opponents.

It was because I knew what kind of regime he was running in this little country just 90 miles from the coast of Florida that I began over 2 years ago calling for an end to any American aid to Batista.

Under various treaties and international agreements, we have furnished military aid to governments in South America for the purpose of strengthening the overall hemispheric defense against Communist aggression. Under such an agreement, Cuba has been receiving grants of American weapons since 1952—the very year Batista seized the Cuban Government and took over as its head of state.

When the rebels under Castro began to operate as an organized force in eastern Cuba, it became evident to those of us who took the trouble to find out that much of our American military aid was being used by Batista to suppress the rebels. American planes and bombs were used against Castro's forces, despite the assumption when they were sent that they would be used only for general hemispheric defense, and in conjunction with similar forces from other nations in the Western Hemisphere against a common enemy.

In 1957, I supported a whole series of amendments to the mutual aid bill designed to curb the wholesale handout of military aid. Not all these amendments were successful, but we did reduce somewhat the total amount of military assistance to Latin American dictators.

In 1958, I was even more specific in my objections to the President's request to Congress which continued the same old practices of handing out military equipment and supplies without adequate controls on how it would be used.

When the bill was before the Senate Foreign Relations Committee, I stressed again that I, for one, in Congress, did not want any continuation of American military aid to dictators in Latin America or anywhere else. In my individual views on the bill, I made the following statement:

"The way military assistance has been carried out in Latin America has a great deal to do with the difficulties into which we have fallen in that part of the world. What this administration seems unable to realize is that not every revolutionary is a Communist."

It was my amendment to last year's bill that required that internal security problems shall not be a basis for sending military aid to American republics, and that it must be based entirely upon hemispheric defense needs.

There is no doubt that my protests and those of other Members of Congress helped immeasurably in terminating all American arms shipments to Batista. These arms shipments ended last March, and not any were sent after that date.

Later, in the Senate, I voted enthusiastically for an amendment to the mutual security bill offered by Senator PROXMIRE of Wisconsin to terminate all aid to Batista's fellow dictator, Trujillo, in the neighboring Dominican Republic. Unfortunately, that amendment did not carry. And, I might add that it is in the Dominican Republic of General Trujillo that Batista has been given refuge from the rebels.

I recite this record to you because the apologists for the mass executions in Cuba are trying to dismiss the American critics of those executions as Johnnies-come-lately who never had anything to say about Batista but now have plenty to say about Castro. That certainly is not true of the senior Senator from Oregon, and I might also add that had not some friends of Cuban freedom spoken out as we did months ago, American weapons might still be going to a Batista government in Cuba

Those of us who rejoiced at the demise of General Batista have, for the most part, been appalled in turn by the terror turned loose by Castro. Within hours after Batista fled the country, the firing squads of the rebels were lining up dozens of members of the police and army who had been accused of crimes by the local populations.

These men had no trials whatsoever; in less than 3 weeks, Castro's execution squads killed 250 accused persons in what amounted to a horrible blood bath. When many of us protested against this drumhead justice, we were told, in effect, by the spokesmen for the rebels that everyone in the community knew of the guilt of these men and so it was perfectly fair that they should be executed at once.

We were also told that they had in fact received trials, and that if the new government had not carried them out, the local populations might have taken matters into their own hands and exacted retribution themselves.

These, of course, are not reasons for what was done, they are but excuses. For one thing, it is one test of any new government that it control the population over which it claims jurisdiction, and that it is able to maintain law and order. Castro could not ask for recognition unless he had control of the population. This was patently a feeble excuse for his executions.

Secondly, it is a fact that the men executed by the Cuban rebels did not have fair trials, and I cite as my authority the American intelligence services in Cuba whose job it is to report to Washington on just such things. Some in Congress have tried to defend the executions by saying—"Oh, I have not heard of anyone being executed without a fair trial." Such persons simply do not know what they are talking about—they do not have the information on events from our intelligence authorities. When they tell the people of Oregon and the Nation that there has been no blood bath in Cuba, they would have you forget that more than 200 people have been shot by rifle squads without a fair trial.

My answer to them is that there is no fair trial without an impartial judge, without a written record of proceedings and testimony, without a defense counsel, without the right to call witnesses in one's behalf, and free, I might add, from hysteria and an atmosphere of vengeance. In Cuba, few or none of these procedural protections have been found in the so-called trials that preceded the executions.

I do not for a moment deny that the police under Batista committed horrible crimes against the people of Cuba, nor do I suggest that they should be allowed to go free or escape punishment for what they did.

But executions on the basis of mob vengeance makes the punishment as bad as the crime. That is no way for a new government to earn and hold the respect and support of freedom-loving people. Many of us who were the most anxious to see Batista go have not been encouraged to look hopefully to Castro after his defense of mob justice.

I was one of nearly a dozen Members of Congress who were invited down to Havana to "see for ourselves" as the Cubans put it, that their trials were both public and fair.

My answer to that invitation was as follows:

"I respectfully decline your invitation, and in keeping with my sincere friendship for Cuba suggest that you use your good offices to have the Cuban Government invite United Nations to send official observers to Cuba to observe and report to the world the procedures which have been followed by the new regime in past executions and those procedures that are followed in connection with future executions.

"As a visitor to Cuba I would not have any official standing, but I should think that

the Cuban Government would welcome the presence of an official party representing the United Nations.

"Let me make very clear I think the criminals of the Batista regime should be brought to justice; but a quickly imposed sentence to death before a firing squad ordered by a so-called military trial at a time of high tension immediately following a successful revolt is not compatible with civilized justice.

"My plea has been for orderly trials before civilian courts with adequate time for thorough preparation of both prosecution and defense and full public disclosure of the evidence that establishes the guilt. Such a procedure would strengthen the respect of world opinion for Cuban justice. It would leave no room for doubt about the determination of the leaders of the new Cuban Government to administer a government by law in whose courts both the innocent and the guilty are guaranteed fair procedure essential to a fair trial. Justice based upon a spirit of vengeance is justice defiled. It is not a demonstration by way of a mass meeting that Cuba needs, but a rededication to the spiritual significance of the mass. This is no time for a display of political drama, but a time for the leaders of the Cuban Government to demonstrate to all of us who have been their friends and want to continue to be their friends that fair trial procedures for which the new President of Cuba has so nobly stood in the past will henceforth prevail under his administration."

That was my message to the new Cuban Government. I believe it was the best way to exercise a moderating influence upon its leaders without lending the appearance of approval of the trials which would result from witnessing them.

An example I have urged the people of Cuba to follow is that of our own Civil War. That war of rebellion raged over half the American Continent for a full 4 years, and a million people died in it.

Yet, when it was over, there was no blood bath. There was one war-crime trial, however, after the rebellion, for crimes similar in many respects to the crimes perpetrated by Batista's army and police. The one war criminal tried after the American Civil War was Capt. Henry Wirz, commander of the infamous Andersonville military prison in Georgia. Between February 1864 and April 1865, not 20 or 30 or 40 people, but 25,000 Union soldiers died in Andersonville prison. Most died from prison diseases like gangrene and scurvy, caused by criminal neglect on the part of the prison's managers, but others died by Wirz' own hand or upon his orders.

Yet Wirz was escorted north for trial by Union troops, who protected him from assault by angry mobs on several occasions. He was presented with a list of written, formal charges; a military court-martial of nine officers was appointed; the prisoner was allowed to select two persons as his counsel. One hundred and fifty former inmates of the prison were called by the prosecution to testify to the commander's crimes, and over 2,000 pages of written manuscript were taken.

The trial did not start until 4 months after the close of the war; it lasted 2 months, and Wirz was hanged in November, nearly 8 months after the end of the war.

That was in the middle of the 19th century; many of the circumstances were different, it is true, but it is evidence that a government can have justice prevail where the will to do so prevails.

It is my prayer that this kind of real justice will soon be made to prevail throughout Cuba.

As a friend of Cuba, I continue to hope that its new government will institute the fair procedures in its war-crime trials that are essential to a free and democratic state.

DEATH OF HON. GEORGE H. CHRISTOPHER, OF MISSOURI

Mr. HENNINGS. Mr. President, there is on the desk a resolution which has come from the House relating to the death of our late beloved and respected colleague, Representative GEORGE H. CHRISTOPHER, of the State of Missouri. I ask that the Chair lay the message from the House before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate a message from the House of Representatives, which will be read.

The resolution (H. Res. 134) was read, as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
January 26, 1959.

Resolved, That the House has heard with profound sorrow of the death of the Honorable GEORGE H. CHRISTOPHER, a Representative from the State of Missouri.

Resolved, That a committee of ten Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. HENNINGS. Mr. President, I submit a resolution on behalf of my junior colleague from Missouri [Mr. SYMINGTON] and myself, and I ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The legislative clerk read the resolution (S. Res. 64) as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. GEORGE H. CHRISTOPHER, late a Representative from the State of Missouri.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate at the conclusion of its business today adjourn until 12 o'clock meridian tomorrow.

The PRESIDING OFFICER. Is there objection to the consideration of the resolution?

There being no objection, the resolution was considered and unanimously agreed to.

The PRESIDING OFFICER. The Chair appoints the senior Senator from Missouri [Mr. HENNINGS] and the junior Senator from Missouri [Mr. SYMINGTON] as the committee of two Senators provided for in the second resolving clause.

Mr. HENNINGS. Mr. President, the State of Missouri has lost a great man, a man born of Missouri soil, a man who drew his living from Missouri soil, a man who represented in the House of Representatives of the United States those friends and neighbors of his who also lived by the soil.

I refer, Mr. President, to the Hon. GEORGE H. CHRISTOPHER, Representative in Congress from Missouri's Fourth District. Representative CHRISTOPHER passed away last Saturday. His death is a loss to the State of Missouri—a loss to the United States of America.

Representative CHRISTOPHER was born near the small Bates County town of Butler, Mo. Except for a few years of his life, he made his home on a Bates County farm. At the time of his death he still operated a 975-acre farm in Bates County. He was, in short, a farmer, and he had the interest of all farmers, everywhere, in his heart.

He served in the 81st, 84th, 85th, and 86th Congresses as a member of the House Administration Committee and the Committee on Agriculture. He served in the executive branch of the Government as Assistant Director of the agricultural conservation program. His service in these tasks was peerless.

Representative CHRISTOPHER, however, leaves a legacy to Missouri. He leaves seven fine sons and two fine daughters. Their loss is shared by his many friends both at home and here in the Nation's Capital.

Mr. SYMINGTON. Mr. President, it is with a deep sense of personal loss and sadness that I rise to pay tribute to GEORGE H. CHRISTOPHER, my distinguished colleague from Missouri, and Representative from the Fourth District in Missouri.

Mr. CHRISTOPHER served the people of his district and his State well. His first interest was agriculture. He was a firm believer in the family-sized farm as the backbone of our rural economy.

No one was better qualified to speak on agricultural affairs than GEORGE CHRISTOPHER. He was born on a farm near Butler, Mo., and except for a short time in his early years, spent all of his life farming in Bates County.

He knew his people well and he served them well.

As a Member of the 81st, 84th, 85th, and 86th Congresses, his was a respected and authoritative voice in the House of Representatives.

He had truly earned the tributes paid him when he was recognized as one of our truly great farmer-statesmen.

Along with respect for his knowledge and experience, all who knew him shared in admiration of his personal courage.

It was not only the courage to fight for what he believed in, but also the courage to serve his people in the face of a physical handicap that would have put lesser men on the sidelines.

A year ago GEORGE CHRISTOHPER underwent an operation for the removal of a leg. Nevertheless, he remained an active Member of Congress, and last summer and fall waged a strenuous campaign for renomination and reelection.

No finer tribute to his courage and dedication could have been given than

the overwhelming vote which he received last November—the greatest victory of his career.

Yes, Missouri and the country have lost a dedicated and courageous public servant.

And all of us in the Missouri delegation have lost a personal friend and a distinguished colleague.

His service to his district and to his country will be long remembered.

Mr. HENNINGS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HENNINGS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Moss in the chair). Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 6, Public Law 754, 81st Congress, the Speaker had appointed Mr. GEORGE P. MILLER, of California, as a member of the National Historical Publications Commission, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 2, Public Law 75, 84th Congress, as amended, the Speaker had appointed Mr. O'NEILL, of Massachusetts, as a member of the Boston National Historic Sites Commission, on the part of the House.

PAN-AMERICAN PARLIAMENTARY ASSOCIATION

Mr. SMATHERS. Mr. President, on repeated occasions I have taken the Senate floor to bring to the attention of the Congress the implications involved by our failure to assume our just responsibilities toward our friends and neighbors to the south of us.

Latin America is an area beset with economic problems. Its people, looking to us to the north of them, cry out for leadership and guidance in their hour of turmoil.

They are a proud people.

They are a people who seek no charity, and want none.

They are a people living in an area of unlimited natural resources and wealth, seeking nothing other than to be treated as equals in the councils of state.

Today, artificial barriers prevent a maximum degree of unity, cooperation and understanding—all of which must of necessity exist between us.

Herein lies the crux of the problem in our relations with our friends to the south.

Our failure up to the moment to assist effectively in removing these artificial barriers has inadvertently aided in providing a fertile field in which the seeds of the atheistic philosophy of communism can flourish—and the Communists in launching their economic offensive in the area wasted no time in seizing upon this unfortunate and needless situation.

Time is now running out, and the hour is at hand when flowery phrases professing friendship must be replaced by bold, forthright and courageous action.

We have two choices—either we must assist Latin America to solve its economic problems or else we must be prepared to suffer the consequences, and the consequences could be disastrous, not only to the Western Hemisphere but also to the entire free world.

The area has been crying out and still cries out for us, their friends, to furnish leadership. It is a role which rightly falls on our shoulders. It is a responsibility which we must assume and cannot shirk.

Unless we can furnish leadership in our own backyard, it is difficult to comprehend how we can be expected to carry out effectively our role of world leadership.

Last year I proposed a seven-point program designed to assist immeasurably in solving the economic problems of Latin America. This program is as follows:

First. We must adopt a long-range, workable, effective and stable trade policy between the United States and Latin America.

Second. There must be assurance that Latin America will receive a fair proportionate share of the development loan fund for effective economic assistance.

Third. There is a necessity to restore the Latin American special economic development assistance fund to assist in promoting health, education, and sanitation projects in the area.

Fourth. Is the institution of an adequate and effective student-exchange program.

Fifth. Is the creation of, and our participation in, an Inter-American Development Bank, long desired by the area.

I am happy to report the administration has now seen fit to accept at least that particular recommendation.

Sixth. Is the appointment of an Under Secretary of State for Western Hemisphere Affairs.

Seventh. Changes in our existing tax structure are needed to encourage a greater flow of private investment in the area.

Today I should like to add an additional point to this program, and that is the encouragement of the United States in bringing about the creation of a Pan American Parliamentary Association, whose membership would be comprised of legislators of the highest legislative bodies of all countries in the Western Hemisphere. Such a body could aid immeasurably in breaking down the artificial barriers founded on quicksand, which today are preventing a maximum degree of unity, cooperation and understanding in this hemisphere. It is a positive act which can be taken promptly, and one which, without doubt, would produce constructive results.

I am introducing today a resolution to express the sense of Congress that a Pan American Parliamentary Association should be established, and to authorize participation by the United States in parliamentary conferences of such Association.

A similar resolution has been introduced in the House of Representatives by Representative ANFUSO, and I am hopeful that the Members of Congress will see the merits of this proposal and favorably act without hesitation on it.

The Department of State, I am informed, looks favorably on this proposal as do many of the Latin American countries, as a means by which the strained relations existing today, created solely by unfounded distrust, can be eradicated.

The destinies of the countries of this hemisphere are bound up in each other. That being so, we must move swiftly to effectively penetrate the obstacles which stand in the pathway toward prosperity and peace.

Unless we successfully accomplish these goals in this hemisphere, we cannot hope to successfully meet our responsibilities toward the free world. We must not fail.

Mr. President, I send the joint resolution to the desk and ask that it be appropriately referred.

The PRESIDING OFFICER (Mr. Moss in the chair). The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 33) expressing the sense of Congress that a Pan-American Parliamentary Association should be established, and to authorize participation by the United States in parliamentary conferences of such Association, introduced by Mr. SMATHERS, was received, read twice by its title, and referred to the Committee on Foreign Relations.

Mr. ALLOTT subsequently said: Mr. President, I should like to comment on the remarks of the Senator from Florida [Mr. SMATHERS] with respect to Pan-American affairs. It has been my feeling for a long time—and perhaps I feel peculiarly this way because we have so many people of Spanish-American origin in my own State—that the Spanish-American countries, and in fact the countries of the entire Western Hemisphere, are going to become of greater importance to us in the United States and to the world in general in the years to come.

Yesterday, several of us had an opportunity to talk at length with the great Governor of Puerto Rico, Gov. Muñoz Marín, who has done such an outstanding job in developing in a few years a country, which is like Cuba and many other Latin-American countries, from a backward, poverty-stricken nation to a place where it is now able to purchase from the United States $750 million worth of imports every year.

This is only one of the many significant things that can happen in the development of our South American, Latin American, and, indeed, our entire hemisphere relations. They have been ignored. We have taken them too much for granted.

It will be my purpose to support every move in Congress in the direction of strengthening our bonds of friendship, because, after all, no matter what State we come from, we have many ties of every nature with the people of Latin America, and we want to maintain and strengthen them.

ADMINISTERED PRICE INFLATION

Mr. KEFAUVER. Mr. President, the Subcommittee on Antitrust and Monopoly has completed 3 days of hearings on administered price inflation. The following is a summation of the testimony given to the committee.

In opening this session of hearings I stated that they had a twofold purpose: first, to obtain a more detailed appraisal of the nature of the current inflation, and second, to secure an outline of alternative public policies available to meet this important problem. The testimony of Dr. Nourse and Dr. Means, and particularly Dr. Means' charts, have most adequately met the first purpose. If there was doubt before in anyone's mind that the inflation of the last few years has been principally one of price increases in administered price industries, that doubt should now be completely dissipated by those charts.

This in turn has certain important implications for public policy, which were brought out by the witnesses during the hearings. The point was stressed repeatedly that fiscal and monetary policies, while able to act as a brake on a demand inflation, are not adequate to halt an administered price inflation. Indeed, it was argued that recourse to a tight money policy during an administered price inflation may be injurious to small business. Dr. Means stated that the tightening of the monetary policy by the Federal Reserve Board 2 years ago in an effort to combat the present inflation resulted in the depression out of which we are climbing all too slowly. Similarly Dr. Nourse stated fiscal and monetary policies could halt the present type of inflation only by being applied to such a degree as to bring about a severe depression.

However desirable a balanced budget is the point was made that the achievement of a balanced budget is not the full answer in halting this type of inflation. The reasoning was that the large firms in concentrated industries could and probably would continue to raise their price regardless of whether the budget was balanced or unbalanced. As to the achievement of a stable price level, which is one of the objectives set forth in the President's economic message, Dr. Nourse pointed out that there was no need to amend the Employment Act to attain this objective since, in his view, it was already implicit in the act, and that in any event the attainment of full employment should not be sacrificed to the securing of a stable price level. Dr. Means noted that the achievement of a stable price level could actually be harmful if it was merely the result of price increases in administered price industries being offset by price decreases in competitive industries. Referring to the period 1953 to 1958, he called attention to the fact that price increases in steel, electrical machinery, and other administered price industries were to a considerable extent offset by decreases in prices of farm products, textiles, miscellaneous goods, and other competitive areas. He noted that this divergent type of price behavior represented in effect a transfer of income from the competitive to the administered price industries.

As to the second purpose, the testimony of the various witnesses has provided a number of different routes to the solution to the problem. While they were in agreement as to the nature of the present inflation, they were in considerable disagreement as to the best ways and means of halting it. It was precisely this diversity of opinion which we sought in asking these particular economists to testify. Not only are they eminent men in their own right, but they are representative of the principal different points of view as to the best ways of dealing with the problem.

In trying to summarize the different remedial approaches which they have presented, I shall, of course, have to engage in a certain amount of oversimplification which I hope does not do too much violence to their essential views. Dr. Nourse's attitude seems to be that principal reliance must be placed upon the force of competition; that, however, concentrations of power have developed in industry, in labor, and in farm organizations which sometimes prevent the force of competition from adequately protecting the public interest; that he does not believe in either trust-busting or union-busting as a solution to the problem; and that rather the Congress should concern itself with developing a general principle on the basis of which legislative means of preventing abuses of concentrated power can be devised.

Dr. Nourse was particularly concerned with the virtually complete exemption which has been extended to farm organizations in recent court decisions, with the potential harm to the general economy that can arise from the farflung and widely disparate activities of such a labor organization as the Teamsters Union, and with the power that is held by a large conglomerate corporation such as General Motors, which is a leading producer in not one but a whole series of different industries.

Dr. Lewis declared that economizing by admonition, which he referred to as creeping admonitionism, is self-contradictory and meaningless; that the antitrust laws, while they are generally desirable and should be continued and strengthened, are too slow and not sufficiently effective to deal with the nature of the monopoly problem as it now exists; that concentrated forces are not held in check by their opposition to each other because the opposing interests often do not countervail but rather gang up on the consumer; that even if there were such a thing as a corporate conscience it is difficult to see how it could be applied in the public interest to specific price and production decisions; that the workable competition doctrine is too vague to be meaningful and that inevitably we will have to come to accept some form of direct controls.

Dr. Lewis endorsed the use of indirect price restraints of the nature that were rather successfully employed in the early years of World War II before the direct involvement of the United States in the war, and drew a distinction between such specific measures and general admonitions of businessmen to be statesmen. In this connection Dr. Lewis endorsed the bill of the Senator from Wyoming [Mr. O'MAHONEY] to require large corporations in concentrated industries to give notification before instituting price increases.

Dr. Means urged, first, that we get rid of the idea that the big corporations are private enterprise and recognize rather that they are collective enterprises; that we develop standards by which the performance of these great collective enterprises can be judged; and that we develop a system of incentives and a framework of laws, rules, customs, and opinion which will tend to induce corporate management to make their price and other policies conform with these standards. While not believing that the breaking up of large enterprises is either an effective or desirable solution to the problem, Dr. Means held that in general the antitrust laws are desirable and should be strengthened and vigorously enforced.

Dr. Adams urged that the Government itself bring to a halt its own activities which promote concentration and destroy competition; that the focus of the existing antitrust laws be against industrial giants rather than petty offenders, such as Louisiana strawberry farmers or Maine lobstermen; that, where they protect concentrated power from foreign competition, tariffs should be repealed; that Congress enact a new law patterned after the Public Utility Holding Company Act of 1935 to deal with excessive conglomerate power not based on efficiency; that the patent laws be revised so as to provide for revocation in cases of abuse or nonuse, and that no patent rights be granted to a private firm on an invention developed at public expense.

As his central proposal, Dr. Adams stressed the necessity of trust busting in its literal sense as a means not only of retarding inflation but actually of spurring efficiency and technological progress.

Dr. Edwards was of the view that the basic approach to the problem should continue to be through the antitrust laws which, he felt, should be strengthened and supplemented in a number of respects. Specifically, he recommended the establishment of a top-level governmental office to bring to the attention of other agencies the need for conducting their operations in such a way as to promote rather than injure competition; that as a necessary tool for effective enforcement better information be secured, including particularly the conduct of a continuing survey of the levels of concentration on an industry-by-industry basis, the securing of basic information on profits, sales, and assets on all corporations of appreciable size, and the obtaining of information showing the relationship of subsidiary and affiliate companies and their operations to their

parent corporation; that the merger law be strengthened by providing additional funds for enforcement, by enabling the Federal Trade Commission to secure preliminary injunctions, and in the case of larger mergers by making them illegal with the burden of proof shifted to the merging companies; that the tax laws be amended in such a way as to promote voluntary spinoffs; that new statutes be enacted to prevent formation of tight communities of interest among different corporations through joint stock ownership, interlocking directorates, and similar arrangements; and that the test of section 2 of the Sherman Act be changed from the present standard of monopolizing or attempting to monopolize to the holding of dominant power.

In the future we hope to hear from other disinterested experts and from representatives of business, labor, farmers, and consumers. But at least we have before us now a delineation of the principal routes which are available and of the problems and difficulties of each.

Witnesses who appeared before the subcommittee during this 3-day hearing included Dr. Edwin Nourse, formerly Chairman of the Council of Economic Advisers; Dr. Ben Lewis, Oberlin College, Oberlin, Ohio; Dr. Gardiner C. Means, Washington, D. C.; Dr. Walter S. Adams, Michigan State University, East Lansing, Mich.; Dr. Corwin Edwards, University of Chicago.

PROPOSAL TO MAKE RURAL ELECTRIFICATION ADMINISTRATION AN INDEPENDENT AGENCY

Mr. ALLOTT. Mr. President, I understand that the Senator from Nebraska [Mr. CURTIS] and the Senator from Georgia [Mr. RUSSELL] have sponsored Senate bill 75, a bill to make the REA an independent agency.

Much has been said on this floor in the past 2 or 3 days about the Rural Electrification Administration. I say again, as I have said before, that some of those who are serving it and talking for it the loudest really have in mind something entirely different from the purposes which they are discussing.

One of the things which I believe is in the minds of some people is to find a discreet, but perhaps orderly, way in which to divest themselves of the directorship of Mr. David A. Hamil, who, I am very proud to say, is from my own State. Mr. Hamil has done perhaps the most outstanding job in REA of any administrator since that particular governmental function was created.

Not only in my State, but throughout the United States, the amount of money which has gone into the initiation and expansion of REA projects under his tutelage and guidance exceeds by far anything that has ever been done before.

I invite the attention of my colleagues to the fact that he has done such a remarkable job. If it should develop later that the purposes of some of the bills to which I refer are perhaps different from those for which they are ostensibly introduced, Senators will have notice of some of the background reasons, and will be able to assert themselves and effectively argue the issues at that time.

Mr. President, I ask unanimous consent to be a cosponsor of the amendment offered by the Senator from Nebraska [Mr. CURTIS] to Senate bill 75.

The PRESIDING OFFICER. Without objection, it is so ordered.

SERVICES RENDERED BY DISABLED AMERICAN VETERANS

Mr. ALLOTT. Mr. President, a longtime friend of mine, Edward L. Omohundro, is Chief of the Veterans' Employment Service, which is a part of the U.S. Employment Service, located in the Department of Labor Building here in Washington, D.C., appointed to such position in April 1955. He had previously very competently served several years as State veterans' employment representative for Colorado.

He was prominently active there in various veteran and civic associations. He and I were active together in the Young Republican National Federation. He is an unusually patriotic and social-minded American.

Recently there has come to my attention a speech that he made on October 7, 1958, during a dinner engagement in Chicago, Ill., which sets forth so many pertinent facts that I desire to have it printed in the RECORD at this point as a part of my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

OMOHUNDRO PRAISES DAV'S RECORD IN CHICAGO ADDRESS

(The following address, submitted for publication by National Director of Employment Relations John W. Burris, was delivered by Edward L. Omohundro, Chief of the Veterans' Employment Service, at a DAV dinner held in Chicago on October 7)

PENSIONS OR PAYCHECKS

Pensions or paychecks?

This is a question that is important to both the disabled veteran and the Government.

The veteran population of this country has exceeded 22½ million and continues to increase.

On March 31, 1957, 1 out of every 8 of these 22½ million veterans was drawing some form of disability compensation or pension.

Not only does this represent a financial problem to the Government but also to the disabled veteran himself.

You can best realize how difficult it would be to try to live on these compensation or pension checks by figuring out personally how you could get by if you had an income of one-fourth or one-half of what you now spend.

The disability compensation checks of only the most severely disabled, i.e., the paraplegic, the totally blind and the multiple amputees, even approach this figure.

The choice for the others is a job, substandard living conditions, or increased compensation or pension.

If the decision is left to the disabled veteran we can be confident that the answer will be—a job.

This is substantiated by a survey conducted several years ago by the service officers of the DAV.

Employment was listed as the greatest single need by the more than 2,000 disabled veterans polled, with hospitalization second, homes third, and increased compensation or pensions placing fourth and last.

Unfortunately, the answer does not rest solely with the veterans of this country.

It must be shared by the governmental agencies that are responsible for the vocational rehabilitation and placement services, the employers of the Nation who have the jobs, and last but not least by the organized veterans groups.

Many of you may wonder how the veterans organizations and the Disabled American Veterans, in particular, can help provide the answer, and why it is necessary for them to do it.

After 38 years of service to America's disabled war veterans, the Disabled American Veterans is looked upon by Congress, the various Government agencies and by the employers of this country as the organization whose primary function it is to look after the disabled veterans' interest and to represent them, individually and collectively, whenever the occasion arises.

The interest which the Government agencies and the employers show in the employment problems of disabled veterans may well be in direct proportion to the interest and enthusiasm displayed by the departments, chapters, and the entire membership of this organization.

The elected and paid officials of the Disabled American Veterans have many interests, many programs, and many problems demanding their time and attention.

To say that one is more important than another is to invite an argument.

If Capt. Cicero Hogan, national director of claims, was asked to name the most important program, his reply would probably be claims.

Maj. Omar Clark and his staff would maintain that the legislative program was the backbone of the organization.

Who could say that either one of these directors would be wrong?

In fact, most members of the organization would agree that they are both right for the DAV needs a good claims program—and, of course, a successful legislative program.

By the same token, the DAV needs a good employment program, a program that takes advantage of the many services available through governmental agencies and private organizations, a program that has an active employment officer and committee at every level, national, departmental, and chapter.

For a number of years workers in the rehabilitation and employment fields have sometimes been disturbed at what appears to be a lack of interest on the part of veterans organizations in employment.

Fortunately, the picture is not all dark. Some of the major veterans organizations have very active employment divisions.

The DAV under the able leadership of the national director of employment relations, John Burris, has taken great strides to improve employment opportunities for disabled veterans.

For the past 9 years the DAV has sponsored the awards given to the winners in the national essay contest.

As you know, these awards are presented to the boys and girls by the President of the United States during the annual meeting of the President's Committee on Employ the Physically Handicapped.

Not only does the DAV furnish the awards but they also bring each essay winner, with a chaperon, into Washington expense free.

While in Washington the winners and their chaperons are entertained by the DAV and have an opportunity to visit the many places of interest in our Nation's Capital as well as meet with many national figures.

Each one of the essay winners returns to his respective community with a better insight of the type of organization the DAV maintains and also a better insight as to what a great country America is.

I wish that every employer in the Nation would have an opportunity to read some of the prize winning essays submitted by boys and girls throughout the United States.

If that were humanly possible, I am sure that we would no longer have problems in placing disabled veterans and also the oftentime objective of Gen. Melvin J. Maas, past national commander of the Disabled American Veterans and chairman of the President's Committee on Employment of the Physically Handicapped, could be carried out, and that is—General Maas would like to work himself out of a job.

Much credit must be given to Millard Rice, director of your DAV service foundation for supplying calendar cards for distribution through the Veterans' Employment Service to the employers of the Nation encouraging them to hire disabled veterans.

Of all veterans organizations, I know of no service officers who are better trained than those of the DAV.

But this statement should not be interpreted as a recommendation that your service officers should devote their time to soliciting jobs for disabled veterans or that departments or chapters should set up little employment offices of their own.

The U.S. Employment Service and the State employment services have the facilities and the trained personnel to do that job.

To illustrate, during the past 12 months the Employment Service has placed better than 1¼ million veterans, of which the Illinois service placed 68,149.

We feel that this record has been achieved not only through the efforts of our State VER, Howard W. West and his two assistants, Wallie Ernst and Charlie Greene, but also through the outstanding interest in the disabled veterans program displayed by Mr. Sam Bernstein and Mr. Walter Parker, of the Illinois Employment Security Service and their staffs.

Also during the past 12 months the Employment Service has placed nearly 105,000 disabled veterans.

This brings the total number of placements of disabled veterans to well over 1,250,000 since World War II.

What I do suggest is that every department and every chapter be just as concerned when one of its members needs a job as they are when a disabled veteran needs medical treatment or a claim processed.

The elected and paid officers of the DAV should be as well acquainted with the manager of the local employment office as they are with the manager of the Veterans' Administration regional office.

They should feel as free to call on the veterans employment representative in their local employment office when they have a veteran with an employment problem, as they are to call on a contact or adjudication officer about an insurance or claims problem.

And most important of all, the departments and chapters should be as concerned with and expect just as good service from the local employment office as they look for, and demand from the Veterans' Administration regional office or hospital.

At the same time, departments and chapters should be quick to recognize good service and let the local office managers and the State employment service directors know that it is appreciated.

As stated earlier, many chapters have already given citations to local employment offices.

No doubt, during the coming year, many other employment offices will warrant this recognition and the chapters of the DAV should be the first to give it.

The officers and the members of the DAV are among the most energetic workers and leaders on State and local committees for employment of the physically handicapped.

The DAV is one of the most active organizations in promoting the observance of National Employ the Physically Handicapped Week.

By doing this you are insuring that disabled veterans will continue to share in the benefits of this program year after year, just as they have since 1945.

If the DAV has failed in anything, it has not been in its programs or our established policies, but rather in letting your communities know what the DAV does, what it stands for and why.

Perhaps those of us who are so intimately concerned with the various programs of the DAV have forgotten the importance of telling other people, including members of our own families, what we are doing and why.

The DAV many times finds itself criticized and opposed on one phase or another of its activities.

I suppose many of you feel as I do when that happens because we believe so deeply in the DAV that we would much rather have others agree and work with us.

However, when you consider the nature of this organization and the wide range of activities it carries on, it just isn't reasonable to expect unanimous agreement.

The fact that the DAV is disputed from time to time is a pretty good sign that it is doing a job—and is doing it effectively.

Yes, all veterans organizations are continually being criticized by what I like to term misinformed groups who are daily increasing their pressures to dilute all veterans benefits and preferences.

And my answer to these misinformed critics is from the words of Gen. George Washington, taken from one of his messages to Congress in which he, at all times, pleaded for justice for his troops.

"It is not indeed consistent with reason or justice to expect that one set of men should make a sacrifice of property, domestic ease and happiness, encounter the rigors of the field, the perils and vicissitudes of war to obtain those blessings which every citizen will enjoy, in common with them, without some compensation.

"It must also be a comfortless reflection to any man that after he may have contributed to securing the rights of his country at the risk of his life and the ruin of his fortune, there will be no provision made to prevent himself and family from sinking into indigence and wretchedness."

You and your grand organization, in helping disabled veterans to become physically and vocationally rehabilitated, are converting them from community liabilities into community assets.

THE AREA REDEVELOPMENT PROGRAM

Mr. DOUGLAS. Mr. President, on behalf of myself, Mr. COOPER, Mr. CLARK, Mr. BEALL, Mr. JACKSON, Mr. ENGLE, Mr. GREEN, Mr. HUMPHREY, Mr. NEUBERGER, Mr. LANGER, Mr. HART, Mr. KENNEDY, Mr. SYMINGTON, Mr. ANDERSON, Mr. PASTORE, Mr. BARTLETT, Mr. CHURCH, Mr. JAVITS, Mr. CHAVEZ, Mr. MCGEE, Mr. CASE of New Jersey, Mr. MCCARTHY, Mr. MANSFIELD, Mr. MORSE, Mr. GRUENING, Mr. RANDOLPH, Mr. BYRD of West Virginia, Mr. HENNINGS, Mr. DODD, Mr. YARBOROUGH, Mr. MONRONEY, Mr. MURRAY, Mr. MAGNUSON, Mr. HARTKE, Mr. CARROLL, Mr. KEFAUVER, Mr. YOUNG, Mr. MCNAMARA, and Mr. MUSKIE, I introduce for appropriate reference the area redevelopment bill. This is a bipartisan approach toward the establishment of a badly needed American point 4 program.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 722) to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas, introduced by Mr. DOUGLAS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. DOUGLAS. The express purpose of the bill is to establish an effective program to reduce substantial and persistent unemployment and underemployment in certain economically depressed areas of this country and to maintain a continuing high level of economy throughout the United States. The fact is recognized that many of our communities are suffering substantial and persistent unemployment and underemployment and that this condition has existed for a number of years. This economically unhealthy situation causes hardship to many individuals and their families, and impairs the national welfare by wasting vital human resources. To overcome this problem the Federal Government in cooperation with the States, should help these areas of substantial and persistent unemployment and underemployment to take effective steps under private initiative and enterprise in planning and financing their economic redevelopment. In doing this the communities, industries, enterprises and individuals in the areas should be able to achieve lasting improvements and increase the domestic prosperity of the areas by the creation of new employment opportunities.

The responsibility of the Federal Government to help assure maximum employment is now a generally accepted principle. It is a part of the law of the land through the enactment of the Employment Act of 1946. The persistence of unemployment and underemployment in many areas should be combated by the Federal Government, not only because it causes great human suffering in these areas, but also because these conditions are a threat to the general welfare of the Nation. The bill which we offer recognizes this responsibility to the areas of chronic unemployment and underemployment and provides for a program which will help the people in such areas to expand the base of their economic activities so as to alleviate this long-term problem. The bill proposes a program which will stimulate these areas to help themselves.

The need for this legislation has been recognized both by Congress and the executive branch of the Government for several years. I began to work for this program as early as 1954, and I have been active in the cause ever since. In the most recent Economic Report to Congress the President stated:

> Despite the forward economic strides of the Nation since the war, some communities have suffered substantial and persistent unemployment, when measured against national experience. Federal assistance to these communities is required not only to mitigate the hardships of individuals and families, but also to provide for the use of underutilized resources, to the enhancement of the national welfare.

The President has given at least verbal support to this program in his Economic Reports to the 84th, 85th, and 86th Congresses.

Many bills have been offered to the Congress to meet the needs of these hard hit areas and the Congress has reacted favorably to such a program. The Senate has on two occasions passed bills which a group of us sponsored and which were similar to the present bill. During the 84th Congress, in 1956, the Senate passed S. 2663, and again in the 85th Congress both the Senate and the House passed S. 3683, another area redevelopment bill which was substantially similar to the present bill. The President, however, by a pocket veto, killed S. 3683 and prevented it from becoming law.

The need for this legislation is more apparent today than during the Senate session of 1956, and even that of 1958. Reports from the Department of Labor on unemployment in May of 1956 disclosed 23 major labor market areas as having substantial labor surplus which is defined as 6 percent or more of the work force covered by unemployment insurance, and 65 smaller labor market areas located in 23 States were so classified. The most recent reports of the Department of Labor, for November 1958, show that 80 major labor market areas, spread throughout 25 States, had 6 percent or more unemployment in their labor force and no less than 188 smaller labor market areas throughout 35 States also had over 6 percent unemployment. I include the list compiled by the Department of Labor of the cities and areas which are facing the problem sought to be remedied by this area redevelopment measure.

Mr. President, I ask unanimous consent that the material may be printed in the RECORD at this point in my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AREAS OF SUBSTANTIAL LABOR SURPLUS NOVEMBER 1958

MAJOR AREAS

Alabama: Birmingham, Mobile.

California: Los Angeles-Long Beach, San Bernardino-Riverside-Ontario.

Connecticut: Bridgeport, New Britain, New Haven, Waterbury.

Illinois: Chicago, Joliet, Peoria.

Indiana: Evansville, Fort Wayne, South Bend, Terre Haute.

Kentucky: Louisville.

Maine: Portland.

Maryland: Baltimore.

Massachusetts: Brockton, Fall River, Lawrence, Lowell, New Bedford, Springfield, Holyoke, Worcester.

Michigan: Battle Creek, Detroit, Flint, Grand Rapids, Lansing, Muskegon, Saginaw.

Minnesota: Duluth-Superior.

Missouri: Kansas City, St. Louis.

New Jersey: Atlantic City, Newark, Paterson, Perth Amboy, Trenton.

New York: Albany-Schenectady-Troy, Binghamton, Buffalo, New York, Syracuse, Utica-Rome.

North Carolina: Asheville, Durham.

Ohio: Akron, Canton, Cleveland, Lorain-Elyria, Toledo, Youngstown.

Oregon: Portland.

Pennsylvania: Allentown-Bethlehem-Easton, Altoona, Erie, Johnstown, Philadelphia, Pittsburgh, Reading, Scranton, Wilkes-Barre-Hazleton, York.

Puerto Rico: Mayaguez, Ponce, San Juan.

Rhode Island: Providence.

Tennessee: Chattanooga, Knoxville, Memphis.

Texas: Beaumont-Port Arthur, Corpus Christi, Houston.

Virginia: Roanoke.

Washington: Spokane, Tacoma.

West Virginia: Charleston, Huntington-Ashland, Wheeling-Steubenville.

Wisconsin: Milwaukee, Racine.

SMALLER AREAS [1]

Alabama: Alexander City, Anniston, Florence-Sheffield, Gadsden, Jasper, Talladega.

Alaska: Anchorage.

Arkansas: Fort Smith.

California: Eureka, Ukiah.

Colorado: Pueblo.

Connecticut: Ansonia, Bristol, Danbury, Danielson, Meriden, Middletown, Norwich, Thompsonville, Torrington, Willimantic.

Georgia: Toccoa.

Illinois: Canton, Centralia, Decatur, Harrisburg, Herrin-Murphysboro-West Frankfort, Litchfield, Mount Carmel-Olney, Mount Vernon, Springfield.

Indiana: Anderson, Columbus, Connersville, Michigan City-La Porte, Muncie, New Castle, Richmond, Vincennes.

Iowa: Ottumwa.

Kansas: Coffeyville-Independence-Parsons, Pittsburg.

Kentucky: Corbin, Hazard, Hopkinsville, Madisonville, Middlesboro-Harlan, Morehead-Grayson, Owensboro, Paducah, Paintsville-Prestonsburg, Pikeville-Williamson.

Maine: Biddeford-Sanford, Lewiston.

Maryland: Cumberland, Frederick, Westminster.

Massachusetts: Fitchburg, Greenfield, Haverhill, Marlboro, Milford, Newburyport, North Adams, Pittsfield, Southbridge-Webster, Taunton, Ware.

Michigan: Adrian, Allegan, Ann Arbor-Ypsilanti, Bay City, Benton Harbor, Excanaba, Holland-Grand Haven, Ionia-Belding-Greenville, Iron Mountain, Jackson, Marquette, Monroe, Owosso, Port Huron, Sturgis.

Mississippi: Greenville.

Missouri: Cape Girardeau, Flat River-De Soto-Festus, Joplin.

Montana: Butte, Great Falls, Kalispell.

Nebraska: Lincoln.

New Jersey: Bridgeton, Long Branch, Morristown-Dover, Plainfield-Somerville.

New York: Amsterdam, Auburn, Batavia, Corning-Hornell, Elmira, Glens Falls-Hudson Falls, Gloversville, Jamestown-Dunkirk, Kingston, Newburgh-Middletown-Beacon, Olean-Salamanca, Oneida, Oneonta, Watertown, Wellsville.

North Carolina: Fayetteville, Kinston, Morganton, Mount Airy, Rockingham-Hamlet, Rocky Mount, Rutherfordton-Forest City, Shelby-Kings Mountain, Thomasville-Lexington, Waynesville.

Ohio: Ashtabula-Conneaut, Athens-Logan-Nelsonville, Batavia-Georgetown-West Union, Cambridge, Defiance, East Liverpool-Salem, Findlay-Tiffin-Fostoria, Kent-Ravenna, Kenton, Marietta, New Philadelphia-Dover, Portsmouth-Chillicothe, Sandusky-Fremont, Springfield, Zanesville.

Oklahoma: Ardmore, McAlester, Okmulgee-Henryetta.

Oregon: Albany, Coos Bay, Eugene, Pendleton, Roseburg.

Pennsylvania: Berwick-Bloomsburg, Butler, Clearfield-Du Bois, Lewistown, Lock Haven, New Castle, Oil City-Franklin-Titusville, Pottsville, Sayre-Athens-Towanda, Sunbury-Shamokin-Mt. Carmel, Uniontown-Connellsville, Williamsport.

Rhode Island: Newport.

Tennessee: Bristol-Johnson City-Kingsport, La Follette-Jellico-Tazewell.

Texas: Laredo, Texarkana.

Vermont: Burlington, Springfield.

Virginia: Big Stone Gap-Appalachia, Radford-Pulaski, Richlands-Bluefield.

Washington: Aberdeen, Anacortes, Bellingham, Bremerton, Everett, Olympia, Port Angeles.

West Virginia: Beckley, Bluefield, Clarksburg, Fairmont, Logan, Martinsburg, Morgantown, Parkersburg, Point Pleasant-Gallipolis, Ronceverte-White Sulphur Spring, Welch.

Wisconsin: Beaver Dam, Beloit, La Crosse, Lake Geneva-Whitewater, Oshkosh, Watertown.

[1] These areas were not originally a part of the regular area labor market reporting and the area classification program of the Bureau of Employment Security. They now, however, appear every 2 months.

Mr. DOUGLAS. Mr. President, a program for the redevelopment of these areas should be flexible and adaptable to the diverse needs of the many communities, both industrial and rural, which suffer from chronic unemployment and underemployment. A comprehensive program to aid chronically depressed and low-income areas will mean much to the people—the men, women, and children—of these areas. The statistics from these areas show decreases and exhaustion of savings deposits, bank deposits, and increases in unemployment compensation, public assistance, and county aid which is distressing to the taxpayer who must pay them, but which mean far more to the men and women who have no jobs or whose skills are being squandered by this lack of income-producing employment. And to the children of these communities these figures mean a future with little or no hope, with increased juvenile delinquency and waste of the next generation. These depressed conditions, continued over a long period, mean also the gradual disintegration of the community and all its physical resources built up over the years—schools, stores, hospitals, banks, office buildings, homes, churches, and all of the community services which were acquired at great expense and which are now wasting away. All too often, when the people of the area move away in search of jobs elsewhere, duplicate facilities must be built. And these duplicate facilities may have to be built with the help of Federal subsidies. In a vast, expanding America, it is not right that these once proud communities with close family ties should be permitted to die upon the vine. It is far better that the Congress meet the responsibility placed before it and take the positive type of action proposed in the area redevelopment bill. I emphasize that we are not trying to freeze the population in its present locations, but we are trying to reduce unnecessary blight and decay.

The bill I am introducing, with the welcome support of so many other Members of the Senate, provides such a program. It does this by establishing an

Area Redevelopment Administration which is authorized by means of loans for new and expanded business and commercial enterprises, by loans for public facilities geared to industrial development, and by grants for such public facilities tied to local self-help capabilities to help these redevelopment areas to help themselves. Technical assistance for redevelopment, retraining facilities, retraining subsistence payments, and industrial rebuilding in urban renewal areas are also provided in this measure for these economically hard-hit areas.

Many of these pockets of depression which this bill would aid have existed for a period of years. Some are of long duration. Industries upon which they once depended for a living have declined. Industrial replacement programs have not made up for the jobs lost. Textile mill towns and cities, coal mining regions, railroad shop communities, farm machinery and ordnance centers, cut-over country, and underdeveloped rural areas are typical of such drains in our pools of opportunity.

Courageous local efforts to bring in new industry or to expand existing businesses have been made, but these have in the main failed to meet the urgent needs. On the basis of testimony presented at the hearings before the Senate Banking and Currency Committee, it is clear that the communities which have been hit by economic misfortune have not been content to sit idly by in the face of adversity. On the contrary, most of the communities have shown traditional American resourcefulness in efforts to achieve local economic rehabilitation. Local chambers of commerce and regional area redevelopment groups are in existence in practically all of the communities and have been working steadily for the past several years to solve their problems through local subscription, community development drives, and by the use of many other devices to raise funds. These efforts have not been adequate. Created revolving funds are now fully used and dry for any additional capital calls. Investment institutions do not want to pour new capital into decaying communities. It was further made clear by the witnesses representing the distressed areas that the keynote to the eventual success of their efforts is reliance upon self-help. The conclusion is clear that these local communities are virtually powerless to reach a full solution of their problems without some type of outside economic assistance.

The opportunity which this bill places before the Senate is to make available the resources of the Federal Government to help private enterprise to cure these pockets of unemployment and underemployment by the only real remedy, which is by production and employment and the making of a contribution of goods and services to the people of our Nation.

Thus far, I have been speaking primarily of the decaying industrial areas of the country but the needs of the low-income rural areas are no less urgent. Many rural communities in the United States have an average per capita income of as little as one-fourth of the average for the country as a whole. The economic problems of the low-income rural areas are of no less significance than those of the industrial areas with surplus manpower. Available data indicate that some rural areas have not shared during recent decades in the growth of the country as a whole. There are many rural counties in the United States where the average per capita income is as little as one-fourth that of the average person in the United States. A Joint Economic Report states that in terms of constant dollars, there has been no appreciable change between 1948 and 1954 in the number of farm families with income of less than $1,000 per year. The 1954 Census of Agriculture—the most recent—discloses that there are 458 counties in the United States in which a third or more of the commercial farms in those counties sold products valued at only between $250 and $1,200. There were also 500 counties where 35 percent or more of the commercial farms sold products valued between $1,200 and $2,500. It is expected that the counties set forth below would be among those which would receive primary consideration for rehabilitation under the Federal rural redevelopment program which is proposed.

Mr. President, at this point in my remarks I ask unanimous consent that the statistics from the 1954 Census of Agriculture be included in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE 1.—*Number of counties in which 33.3 percent or more commercial farms sold products whose gross value ranged from $250 to $1,199, by State, 1954 Census of Agriculture*

State	Total number of counties	Number of counties according to percent of farms in $250 to $1,199 range			
		60 percent or more	50 to 59.9 percent	40 to 49.9 percent	33.3 to 39.9 percent
Total	458	51	94	157	156
Alabama	39	8	8	16	7
Arkansas	39	2	10	13	14
Florida	4	0	0	1	3
Georgia	41	2	6	17	16
Illinois	2	0	0	1	1
Kentucky	40	13	8	7	12
Louisiana	16	3	2	7	4
Michigan	3	0	1	0	2
Minnesota	1	0	1	0	0
Mississippi	40	1	9	15	15
Missouri	9	0	1	1	15
Nevada	2	0	0	2	0
New Mexico	5	1	1	2	1
New York	2	0	1	1	0
North Carolina	25	4	7	8	6
Ohio	1	0	0	0	1
Oklahoma	17	0	0	9	8
Pennsylvania	1	0	0	0	1
South Carolina	25	0	4	9	12
Tennessee	54	3	14	22	15
Texas	29	1	3	7	18
Virginia	21	4	3	6	8
West Virginia	41	9	14	13	5
Wisconsin	1	0	1	0	0

Source: Special tabulation by U.S. Bureau of the Census.

TABLE 2.—*Number of counties in which 35 percent or more commercial farms sold products whose gross value ranged from $1,200 to $2,499, by State, 1954 Census of Agriculture*

State	Total number of counties	Number of counties according to percent of farms in $1,200 to $2,499 range		
		50 percent or more	40 to 49.9 percent	35 to 39.9 percent
Total	500	29	213	258
Alabama	28	0	9	19
Arkansas	19	0	4	15
California	3	2	0	1
Colorado	3	2	1	0
Florida	9	2	4	3
Georgia	46	3	18	25
Idaho	1	0	0	1
Illinois	3	0	2	1
Indiana	5	0	2	3
Iowa	2	0	0	2
Kentucky	49	2	19	28
Louisiana	23	1	16	6
Massachusetts	1	0	1	0
Michigan	21	4	9	8
Minnesota	13	0	6	7
Mississippi	60	1	38	21
Missouri	21	0	5	16
Montana	4	1	1	2
New Mexico	1	0	0	1
New York	1	1	0	0
North Carolina	32	1	17	14
North Dakota	1	0	0	1
Ohio	8	1	3	4
Oklahoma	8	0	1	7
Pennsylvania	3	1	0	2
South Carolina	18	0	7	11
Tennessee	52	2	25	25
Texas	17	1	2	14
Utah	2	0	1	1
Vermont	1	0	0	1
Virginia	28	1	15	12
Washington	1	0	1	0
West Virginia	9	3	2	4
Wisconsin	7	0	4	3

Source: Special tabulation by U.S. Bureau of the Census.

Mr. DOUGLAS. The tables show 450 counties in which more than a third of the farmers sold products which had a gross value of less than $1,200, and 500 counties in which a large percentage of the farmers had gross incomes of between $1,200 and $2,500.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield to the Senator from Pennsylvania.

Mr. CLARK. Under the terms of the Senator's bill would all these counties be eligible to apply for aid?

Mr. DOUGLAS. They would be eligible to apply for aid; that is correct.

Mr. CLARK. I am interested to note that there are four Pennsylvania counties in the Senator's list.

Mr. DOUGLAS. That is correct; and there are five Illinois counties, too.

The problem of underemployment in the rural areas has been the subject of intensive study by Government departments and by the Joint Economic Committee. It seems evident that a number of programs would help the low-income farm families, of which the following are especially important:

First. Expanded private and Government credit for low-income farm families.

Second. Extension-type education for farm families and farmers who work off the farm part time.

Third. Encouragement by Federal, State, and local agencies for development of industry in rural areas.

Fourth. Research to fit farm units to changing conditions. Federal-State re-

search to determine needs for aid and for off-farm employment.

Fifth. More training and educational opportunities for farm youth in both agricultural and nonagricultural skills.

Sixth. Better health services and practices.

Seventh. More information to underemployed farmers of job opportunities in urban areas.

Eighth. An increased use of trade area and community improvement programs to raise the standard of living.

Ninth. A broader participation by farmers in the social-security program.

I would like to emphasize the great need for the expansion of job opportunities in nonagricultural pursuits. Any program of this type should be on a self-help basis. The bill I introduce meets that test.

Mr. President, I shall now present an analysis of the bill.

WHAT THE BILL DOES—SECTION 1

The short title of the act is the Area Economic Redevelopment Act.

SECTION 2. FINDING OF FACTS

The purpose of the act is to help areas neding redevelopment to expand their economic activities so as to alleviate substantial unemployment and underemployment that prevails within such areas. This would be accomplished by assisting communities, industries, enterprises, and individuals in providing new employment opportunities and by expanding existing facilities and resources without reducing employment in other areas of the United States.

SECTION 3. AREA REDEVELOPMENT ADMINISTRATION

An Area Redevelopment Administration would be established under the direction and control of an Administrator who is to be appointed by the President with the advice and consent of the Senate. The salary of the Administrator is to be $20,000 a year.

SECTION 4. ADVISORY COMMITTEES

The bill provides for the establishment of two advisory committees. Subsection (a) creates a Government Advisory Committee on Area Redevelopment. In addition to the Administrator, 11 heads of Federal departments or Federal independent agencies are designated as members of this committee. The committee is required to meet twice annually and is to make recommendations to the Administrator with regard to carrying out his duties.

Subsection (b) creates a National Public Advisory Committee to be appointed by the Administrator to consist of 12 members representing labor, management, agriculture, and the public in general. This committee is to make recommendations to the Administrator in carrying out his duties.

Subsection (c) authorizes the Administrator to call ad hoc industry committees representing the parties in interest when employment has dropped substantially over a number of years in such industry resulting in high levels of unemployment in various areas designated by the Administrator as redevelopment areas. The industry committees are to recommend plans and programs to the Administrator with reference to such industry.

SECTION 5. REDEVELOPMENT AREAS

The bill recognizes two types of redevelopment areas—industrial and rural—which will be eligible to receive Federal assistance under the bill.

Under subsection (a) an area may be designated an industrial redevelopment area in either of the following two ways: First, the Administrator may, at his discretion, determine that a given area has been subject to substantial and persistent unemployment for an extended period of time and designate the area an industrial redevelopment area; or second, an industrial area must be classified an industrial redevelopment area if it meets any one of the following four tests: (a) not less than 12 percent of the total labor force in the area has been unemployed for a period of 12 months immediately preceding the date on which an application for assistance is made; (b) not less than 9 percent of the labor force in the area has been unemployed for a period of 15 months out of the last 18 months prior to such date; or (c) not less than 6 percent of the labor force was unemployed during at least 18 months in the 2 years immediately preceding such date; or (d) not less than 15 percent of the labor force in the area has been unemployed for a period of 6 months immediately preceding such date.

Subsection (b) sets forth the criteria for designating a rural area as a rural redevelopment area. The Administrator is directed to designate as rural redevelopment areas those rural areas in which he determines that there exists the largest number and percentage of low-income farm families and a condition of substantial and persistent underemployment. In making these designations, the Administrator is required to consider, among other relevant factors, the number of low-income farm families in the various rural areas in the United States, the proportion such low-income families are to the total farm families of each of such areas, the relationship of the income levels of farm families of each such area to the general levels of income in the same area, the current and prospective employment opportunities in each such area, and the availability of farm manpower in each such area for supplemental employment.

Subsection (c) provides that in making determinations concerning redevelopment areas the Administrator is to be guided—but not conclusively governed—by the available information published by the various Federal agencies, State and local governments, universities, and private organizations.

Under subsection (d) the Administrator may also request from the Secretary of Labor, the Secretary of Agriculture, and the Director of the Bureau of the Census special studies and such information and data as he deems necessary to enable him to make the determinations provided for in this section. The Administrator is required to reimburse these agencies for expenditures which they incur in connection with filling his requests.

Subsection (e) defines the term "redevelopment area" to mean any area within the United States which has been designated by the Administrator as an industrial redevelopment or a rural redevelopment area.

SECTION 6. LOANS FOR INDUSTRIAL AND RURAL PROJECTS

Section 6 of the bill provides two $100 million revolving funds, one for industrial projects in industrial redevelopment areas, the other for industrial projects in rural redevelopment areas. These revolving funds for loans were provided because witness after witness testified that in these urban and rural areas where unemployment and underemployment have been substantial and persistent the communities' own resources are not sufficient to make it possible for industrial development to proceed. These loans are intended to help provide for plant, equipment, and machinery, but not for working capital or the purchase of raw material and payment of labor. These loans are to be for no longer than 30 years. This is a change from the bill of last year, which provided 40 years as the maximum length. Government participation is never to exceed 65 percent, but may be less. Local and State authorities must put up at least 10 percent, and at least 5 percent must be from non-Government sources.

Section 6 also expressly provides that loans made under it for industrial projects must not be granted to assist establishments relocating from one area to another when such assistance will result in substantial detriment to the area of original location by increasing unemployment. This provision reflects the declaration of purpose of the act, to create new employment opportunities by developing and expanding facilities and resources without substantially reducing employment in other areas of the United States.

SECTION 7. LOANS FOR PUBLIC FACILITIES

The bill provides a revolving fund of $100 million for loans to States, Indian tribes, or organizations representing redevelopment areas to help in financing the purchase or development of land for public facility usage, and construction or alteration of public facilities, if the project will tend to improve the opportunities in the area for the establishment or expansion of industrial or commercial plants or facilities. These loans may run for a period up to 40 years.

A depressed area may have many of the assets sought by industry—buildings, labor, community facilities, and the like—but it may lack one public facility without which all the others are useless, for example, adequate water for industrial use, adequate sewage facilities, or access to a navigable river or a railroad. Industrial parks, also, are sometimes necessary in order to protect industry. The bill provides for the possibility of $100 million of loans to local governments for the provision of these facilities.

INTEREST RATES

The bill authorizes the Administrator to borrow from the Treasury up to $300 million for these revolving funds for the loan programs. The Administrator is to

pay interest on these loans borrowed from the Treasury at a rate determined by the Secretary of the Treasury, but—

Such rate shall not be greater than the current average yields on outstanding marketable obligations of the United States of comparable maturities as of the last day of the month preceding the issuance of such notes or other obligations.

Loans made to industrial projects or for public facilities must then pay interest to the Treasury at this same rate plus one-half of 1 percent. Of this, one-quarter of 1 percent is allocated to a sinking fund for payment of losses. The markup in the case of public facility loans is to be only one-quarter of 1 percent.

SECTION 8. GRANTS FOR PUBLIC FACILITIES

The bill authorizes appropriations of $75 million, in addition to $300 million of loans to be put on the revolving fund basis, for grants to States or their subdivisions, Indian tribes, or public or private organizations representing redevelopment areas for land acquisition or development for public facilities usage, or construction or alteration of public facilities in the area, if the project will improve the opportunities in the area for the establishment or expansion of industrial or commercial plants or facilities.

This is not an annual appropriation, but a lump sum appropriation.

Some redevelopment areas have inadequate economic resources, either because of chronic unemployment or underemployment or a generally low level of economic development, to borrow money to develop public facilities which would make the areas attractive to new industry. For this reason, the bill provides for grants to improve public facilities.

In other words, according to the testimony, the communities are so flat on their backs that they cannot even finance a loan; or perhaps they can finance a part of the loan, but not all of the loan. In those cases, an outright grant is provided to help the localities bear the burden.

SECTION 9. FUNDS FOR LOANS

This section would authorize the Administrator to obtain funds for making loans under sections 6 and 7 of the bill by borrowing from the Treasury in amounts not exceeding $300 million outstanding at any one time. The interest rate on the notes and obligations representing this borrowing would be determined by the Secretary of the Treasury at a rate not greater than the current average yields on outstanding marketable obligations of the United States of comparable maturities as of the last day of the month preceding the issuance of such notes or other obligations. The amounts thus obtained from the Treasury would be used to establish the revolving funds provided for in sections 6 and 7 of the bill.

SECTIONS 10 AND 11. INFORMATION AND TECHNICAL ASSISTANCE

The Administrator is directed to provide assistance, technical information, market research, and other forms of advice available from the Federal Government which would be useful in alleviating unemployment and underemployment in the areas. In addition, the Administrator is authorized to provide technical assistance to the areas including studies evaluating the needs of and developing potentials for economic growth for such areas. This may be done either through the Administrator's staff or by employing individuals, firms, or institutions. Appropriations up to $4.5 million annually are authorized for this program.

SECTION 12. POWERS OF ADMINISTRATOR

The usual corporate powers are provided.

SECTION 13. TERMINATION OF ELIGIBILITY

When unemployment ceases to meet the criteria set forth, the area is no longer eligible. Contracts, however, continue in force.

SECTIONS 14 AND 15. URBAN RENEWAL

The bill makes available to economically depressed areas the benefits of the Federal urban renewal program. Under this section, urban renewal assistance may be provided to a municipally designated as an industrial redevelopment area if there is a reasonable probability that with such assistance the area will be able to achieve more than a temporary improvement in its economic development. Such an area need not comply with the predominantly residential test and thus areas which are predominantly commercial or industrial and which will be redeveloped as commercial or industrial areas are eligible.

SECTIONS 16 AND 17. VOCATIONAL TRAINING AND SUBSISTENCE RETRAINING PAYMENTS

The bill provides that the Secretary of Labor shall determine the needs of the area for vocational training to meet the employment opportunities created by the bill and shall cooperate with the Secretary of Health, Education, and Welfare and existing State and local agencies to make these services available to the area.

In order to enable unemployed persons to get the benefits of this training, the bill also provides that the Secretary of Labor may make weekly retraining payments through State agencies to unemployed persons in the redevelopment areas for 13 weeks at the average weekly unemployment compensation rate in that State, but limited to those not receiving unemployment compensation. A ceiling of $10 million a year is placed upon this program.

The question arises as to whether the type of aid to distressed areas contemplated by this bill will serve to create inflationary pressure, or whether it will contribute to economic expansion with price level stability. The purpose of this bill is to provide employment opportunities for idle workers and idle resources and to increase the productivity of resources which now are ineffectively used in areas of chronic and substantial unemployment. The result will be an increase in output. The money spent for this purpose, therefore, will represent an investment in increasing productivity. Dollars spent to promote production by otherwise idle or inefficiently employed resources are not inflationary. Indeed, by making possible an increase in productivity in the Nation's distressed areas, the loans by the Federal Government contemplated under this proposed legislation would, in fact, be anti-inflationary. Moreover, the successful implementing of the bill would serve to reduce public outlays for unemployment compensation, relief, and various other forms of public assistance—payments for which no current production is received in turn. To provide the conditions under which these distressed areas can contribute to increasing the national output, rather than be a drain upon production from other more fortunately situated parts of the country, therefore, represents an important contribution toward enhancing the Nation's economic growth without inflationary pressure.

Mr. CLARK. Mr. President, will the Senator from Illinois yield?

The PRESIDING OFFICER (Mr. HART in the chair). Does the Senator from Illinois yield to the Senator from Pennsylvania?

Mr. DOUGLAS. I am glad to yield.

Mr. CLARK. I am delighted to have heard the exposition by the Senator from Illinois of the fact that there is nothing inflationary about this bill.

The Senator from Illinois is one of the most distinguished economists in the country, and certainly the most distinguished economist in the Senate; and I hope all our colleagues will listen to what he has to say on this subject.

As an amateur in the field of economics, it has seemed to me to be almost economic illiteracy to suggest that putting people back to work at a time when the economy is slack, and when the need is to get greater production, would amount to inflation. Such an argument does not make any sense to me at all. I wonder whether my good friend, the Senator from Illinois, would agree.

Mr. DOUGLAS. I do agree. What those who say such a measure would be inflationary rely upon is the fact that total Government expenditures initially might seem to be increased, and, therefore, they say, there will be more Government borrowings; and if the budget does not balance, there will be more money chasing goods, and therefore the price level will rise. But they do not take into account, as the Senator from Pennsylvania has pointed out, the fact that this additional monetary purchasing power will put otherwise idle labor to work, with otherwise idle capital resources, producing goods which otherwise would not be produced; and, therefore, there will be an offsetting, by goods, of that money; and, therefore, the amount of taxes the Federal Government would collect would be increased; and while perhaps we cannot work out any precise ratio, the Federal Government itself may ultimately get back all it spends, and, indeed, will, because I wish to emphasize again that the $300 million we are proposing is in the form of loans, not grants; only $75 million additional would be in the form of grants. This is a business transaction to help localities and firms which cannot command private capital, to get "seed" capital, so to speak, with which they can start, and to which they should add sums of money of their own, so that the total investment ought to be a num-

ber of times the amount of the public loan.

Mr. CLARK. Mr. President, will the Senator from Illinois yield further to me?

Mr. DOUGLAS. I am glad to yield.

Mr. CLARK. Does not the Senator from Illinois think that the failure of the Federal budget to distinguish between loans and grants—between moneys which are loans and will be repaid, and moneys which, once spent, will be gone—is in many ways deceiving the American people with respect to the real impact of the budget and of our Federal fiscal operations?

Mr. DOUGLAS. I quite agree; I think we should draw a distinction between the so-called ordinary budget and the capital budget.

As a matter of fact, in one of the appendixes to the existing budget—it is tucked away in the back of that huge book—there is an analysis like this one of the capital investments of the Federal Government—which, as I recall, come to some billion dollars.

Mr. CLARK. It is quite interesting that that table is not referred to when charges are made that the Senator from Illinois, the Senator from Pennsylvania, and others are wild-eyed spenders who want to unbalance the Federal budget.

Mr. DOUGLAS. Yes.

Mr. CLARK. Mr. President, will the Senator from Illinois yield for a further question?

Mr. DOUGLAS. Yes.

Mr. CLARK. Will not those who seek to charge that the bill is inflationary use as part of their argument that even though most of its provisions are for loans, not grants, nevertheless, in the light of our obsolete budget procedures the bill would tend to unbalance the President's budget? Will not that argument be made?

Mr. DOUGLAS. It may be made, but in that connection I would say that in the Federal budget there are sources of waste which, in my judgment, we should stop. I think there is tremendous waste in the Department of Defense—for instance, in the huge surpluses scattered over the country and over the world. In a few days, if time permits, I intend to discuss that subject. In brief, they have $44 billion worth of equipment and supplies scattered over the world, but only need, as a maximum, $27 billion worth for peacetime and wartime reserves. Furthermore, of the approximately $5 billion of contracts they let, according to the House Committee on Government Operations, only about 5 percent are subject to competitive bidding; the rest are negotiated contracts, with all the waste they bring about.

Furthermore, there is tremendous waste in the farm program.

In addition, there is tremendous waste in the bureaucracy here in Washington.

If the administration would permit the Senator from Pennsylvania and the Senator from Illinois to work on that budget, we would sweat out the waste, and would have remaining enough money for welfare, adequate defense, and the building up of the depressed areas.

Mr. CLARK. Even if we were unsuccessful in our effort—like Hercules—to clean out a little bit of the Augean stables, does not the Senator from Illinois agree with me that it would be quite possible to balance the budget without making any increase in tax rates, if the proposals of the Senator from Illinois, in which I had the pleasure of joining last year, namely, to close tax loopholes, were adopted?

Mr. DOUGLAS. I think that would not only balance the budget, but also would produce a surplus.

Mr. CLARK. Yes.

Mr. DOUGLAS. Or it would reduce the national debt, if that seemed wise at this time. However, today many of our people of very equal incomes pay very unequal amounts of taxes.

Mr. CLARK. It is my understanding that the Senator from Illinois has a bill to close those tax loopholes. I should like to have an opportunity to join, at an early date, in the sponsorship of that bill, here on the floor of the Senate.

At this time I wish to repeat, as I have said many times before, that I believe the budget should be balanced this year, even under our obsolete budget procedures. I believe it can be balanced this year by the elimination of waste and by the closing of tax loopholes. I should like to have it very clear, indeed, that when I advocate spending money, I also advocate raising revenues sufficiently to balance the budget at a time when, in the midst of prosperity, enormous unemployment still exists in this country.

I thank the Senator from Illinois for yielding to me.

Mr. DOUGLAS. I thank the Senator from Pennsylvania for his statement.

Mr. President, modifications in Senate bill 3683 which was passed originally by the Senate in the 85th Congress are as follows:

(a) An independent administration is created to provide an authority to carry out this diversified program—section 3.

(b) An agriculture representative is added to the Public Advisory Board, so that the problems of agricultural areas may be brought more squarely into a careful administration—section 4c.

(c) The 300-county limitation on participating rural areas is removed—section 5b.

(d) The loan period for industrial and rural loans is reduced from 40 to 30 years—section 6a(6).

(e) Criteria requiring that funds provided in the bill be used to provide more than temporary alleviation of unemployment or underemployment—section 6a(3).

(f) The interest rate to the borrower is increased to one-half of 1 percent, with the additional one-quarter of 1 percent being specifically allocated to a sinking fund to cover possible losses incurred—section 6b(8).

(g) Authorization for grants for public facilities is limited to 1 year, rather than for an indeterminate period—section 8d.

(h) Vocational training provisions are tied to the employment opportunities created in the area, as are subsistence retraining benefits, with a $10 million ceiling established for retraining benefits—sections 16a, 16b, 17a.

The revisions made in the present bill are the result of information and study during hearings in the House and the Senate of the 85th Congress. I believe that these revisions provide a better bill.

I believe the passage of this measure by Congress and its wise and careful administration will bring a new day of hope and opportunity to many areas and to literally millions of our people who want nothing more than a chance to work. Mr. President, this kind of a program is designed to stimulate private employment.

The bill proposes no easy handout. It holds out the prospect of work, of new jobs, of increased production, of expanding business and commerce, of more healthy community life, and, above all, of fuller utilization and development of the most precious resource—our Nation's human resources. It is a domestic point IV program which we badly need. Why should we help so lavishly the distressed areas abroad, and yet deny help to our own kith and kin?

Mr. President, I ask unanimous consent that a comparison of the area redevelopment bills be printed in the RECORD at the conclusion of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Comparison of area redevelopment bills

Provision	Douglas-Payne bill, S. 3683 (passed Senate, 85th Cong.)	Douglas-Cooper-Clark-Beall bill, 86th Cong.
1. Title	Area Economic Redevelopment Act	Area Economic Redevelopment Act.
2. Organization	A constituent agency within HHFA, with confirmed Commissioner.	Independent agency.[1]
3. Advisory Board	1. Cabinet-level advisory board. 2. 25-man National Public Advisory Committee from all walks of life.	1. Cabinet-level advisory board. 2. 25-man National Public Advisory Committee from all walks of life. Agricultural representative added.[1]
4. Division of Redevelopment areas	1. Industrial areas with substantial and persistent unemployment over an extended period. Specific levels: (a) 12 percent for 1 year preceding. (b) 9 percent for 15 of 18 months preceding. (c) 6 percent for 18 of 24 months preceding. (d) 15 percent for 6 months preceding (at Commissioner's discretion). 2. Rural areas with largest number and percentage of low income farm families and substantial and persistent unemployment, not to exceed 300 counties.	1. Industrial areas with substantial and persistent unemployment over an extended period. Specific levels: (a) 12 percent for 1 year preceding. (b) 9 percent for 15 of 18 months preceding. (c) 6 percent for 18 of 24 months preceding. (d) 15 percent for 6 months preceding (at Commissioner's discretion). 2. Rural areas with largest number and percentage of low income farm families and substantial and persistent unemployment.[1]

[1] Denotes revisions.

Comparison of area redevelopment bills—Continued

Provision	Douglas-Payne bill, S. 3683 (passed Senate, 85th Cong.)	Douglas-Cooper-Clark-Beall bill, 86th Cong.
5. Local groups	Public or private agency approved by State or its instrumentality except where there is no provision for such approval. Then Commissioner may appoint a local committee.	Public or private agency approved by State or its instrumentality except where there is no provision for such approval. Then Commissioner may appoint a local committee.
6. Loans for private projects	$100 million for industrial areas	$100 million for industrial areas.
(a) Revolving fund or funds total.	$100 million for rural areas	$100 million for rural areas.
(b) Maximum Federal participation.	65 percent (subordinate to other loans)	65 percent (subordinate to other loans).
(c) Minimum State or local participation.	10 percent	10 percent.
(d) Minimum private participation.	5 percent	5 percent.
(e) Maximum period of loans	40 years	30 years.[1]
(f) Industrial or commercial projects.	Including machinery and equipment	Including machinery and equipment.
(g) Interest rate	Rate paid Treasury plus ¼ of 1 percent	Rate paid Treasury plus ½ of 1 percent (¼ percent of above will be allocated to sinking fund for payment of losses).[1]
(h) Application approved by	State or local development agency (or local committee in absence of State or local development agency), and found by State to be consistent with area economic development. Program approved by Commissioner.	State or local development agency (or local committee in absence of State or local development agency), and found by State to be consistent with area economic development. Program approved by Commissioner.
7. Loans for public facilities:		
(a) Revolving fund	$100 million	$100 million.
(b) Maximum Federal participation.	65 percent subordinate to other loans	65 percent subordinate to other loans.
(c) Minimum State or local participation.	10 percent	10 percent.
(d) Maximum period of loan	40 years	40 years.
(e) Interest rate	Rate paid Treasury plus ¼ of 1 percent	Rate paid Treasury plus ¼ of 1 percent.
8. Funds for loans:		
(a) Amount	$300 million	$300 million.
(b) Source	Borrowed from Treasury	Borrowed from Treasury.
(c) Interest rate paid Treasury	Not greater than current average yields on outstanding marketable U.S. obligations of comparable maturities at end of preceding month.	Not greater than current average yields on outstanding marketable U.S. obligations of comparable maturities at end of preceding month.
9. Grants for public facilities	Authorization for appropriation of $75 million a year	Authorization for appropriation of $75 million.[1]
10. Information	Information furnished to redevelopment areas	Information furnished to redevelopment areas.
11. Technical assistance	Technical assistance authorized for redevelopment areas; authorization for appropriation of $4½ million a year.	Technical assistance authorized for redevelopment areas; authorization for appropriation of $4½ million a year.
12. Authority granted	Usual corporate powers	Usual corporate powers.
13. Termination of eligibility	Provision for termination of designation as redevelopment area	Provision for termination of designation as redevelopment area.
14. Urban renewal	On request by Commissioner, HHFA may give financial assistance to projects in municipalities without regard to predominantly residential requirement.	On request by Commissioner, HHFA may give financial assistance to projects in municipalities without regard to predominantly residential requirement.
15. Planning grants	Planning grants authorized for smaller municipalities redevelopment areas.	Planning grants authorized for smaller municipalities redevelopment areas.
16. Vocational training	Labor and HEW ascertain need for vocational training and provide financial assistance to State agency in supplying such facilities and services.	Secretaries of Labor and HEW in consultation with Administrator ascertain need for vocational training and provide financial assistance to State agency in supplying such facilities and services (program designed for employment opportunities created in areas).[1]
17. Retraining subsistence payments	Labor makes payments to States for 13 weeks retraining subsistence payments to unemployed not getting unemployment compensation and getting training for new job.	Secretary of Labor in consultation with Administrator makes payments to States for 13 weeks' retraining subsistence pay ments to unemployed not getting unemployment compensation and certified for new job.[1] 10,000,000 annual ceiling established. Rulemaking authority extended to facilitate administration of secs. 16 and 17.

[1] Denotes revisions.

Mr. DOUGLAS. Mr. President, I ask that the bill lie on the desk for 2 days so that if other Senators wish to join the 39 Senators who are now cosponsors, they may do so.

The PRESIDING OFFICER. Without objection, the bill will lie on the desk as requested.

During the delivery of Mr. DOUGLAS' speech:

Mr. COOPER. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I am glad to yield to the Senator from Kentucky.

Mr. COOPER. I should like to ask unanimous consent that my remarks be placed at the end of the remarks of the Senator from Illinois.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COOPER. I had expected to comment at some length upon the bill which the distinguished senior Senator from Illinois has introduced. However, I must go to my home State in a few minutes. Before doing so I wish to thank the Senator for giving me the opportunity to speak about his bill. I commend the distinguished Senator from Illinois for introducing the bill. However, beyond that, I wish to commend him for his long and indefatigable labors to secure the passage of legislation which would give hope to the areas throughout the country which suffer from persistent unemployment and underemployment. I am glad that he has asked me to join as a cosponsor of the bill.

Mr. DOUGLAS. The Senator from Kentucky is the first cosponsor.

Mr. COOPER. I thank the Senator very much. I expect to help the Senator in every way I can. There is no question about the need for such legislation. The years of work which the Senator from Illinois has devoted to this kind of legislation, and the hearings that have been held, prove that fact. Moreover, the supporting facts prove it. The President of the United States, in several messages to Congress, has stated that legislation of this type is necessary. The only issue is with respect to the means by which the problem should be attacked.

I may say that I do not support this bill merely because of the situation which exists in Kentucky, but because it is a fact that what occurs in my State is typical of what occurs throughout the United States.

From my study of the bill which the Senator from Illinois has introduced, and from my experience in my own State of Kentucky, and my knowledge of conditions there, I have come to the conclusion that the bill which the Senator from Illinois is introducing is a reasonable approach to the solution of this very difficult problem.

I know from my own experience something about the fiscal condition of local areas. Many towns and cities in the depressed areas do not have the means to supply large amounts of aid or to contribute a large percentage of funds to the various types of investment projects which could be established in the depressed areas. I think the percentage which the Senator from Illinois has provided is a reasonable percentage for the Federal Government to contribute.

I said the other day, and I repeat it, that in an economy in which parts of our Nation are surging ahead, where there is large employment and where there is an increase in wealth on the part of many of the people, I do not think it is right to allow thousands of others to be left behind, lying in the ditch, so to speak. We cannot forget such areas. We cannot forget those people. In my State of Kentucky 250,000 people are receiving surplus food. There are nine areas in Kentucky—which includes 25 percent of our population—which have been designated "labor surplus areas" by the Federal Government. The situation is critical and immediate attention is

called for. I have introduced two bills toward meeting the immediate need for more food and work and shall introduce additional legislation in the near future. But the long-range problems of our areas in Kentucky is that industrial development must be stimulated, encouraged, and aided by legislation such as the distinguished senior Senator from Illinois has introduced today.

I again thank the Senator from Illinois for the opportunity to be a cosponsor. I intend to contribute whatever I can to the passage of the bill.

Mr. DOUGLAS. I thank the Senator from Kentucky, not merely for his comments, but also for the constant interest which he has shown in this problem and his very intelligent efforts to improve the situation. I think his remarks underscore my statement that this is a bipartisan bill.

The Senator from Kentucky is the first cosponsor. The Senator from Pennsylvania [Mr. CLARK] is the second cosponsor. The Senator from Maryland [Mr. BEALL] is the third cosponsor. I shall make the request, after I have finished my statement and the bill has been introduced, that the bill may lie at the desk for 2 days, so that any other Senators who may wish to become cosponsors of the bill may have the opportunity to do so.

Mr. CLARK. Mr. President, I should like to associate myself with the splendid address just made by the distinguished senior Senator from Illinois with respect to the area economic development bill, which he and I and 37 other cosponsors have just sent to the desk.

This bill its patterned after the Douglas-Payne bill of last year, which was passed by Congress, but vetoed by President Eisenhower. The bill of last year was a bipartisan compromise bill. Again this year we have a bipartisan bill.

I should like to spend a moment or two discussing the impact of this bill on my own State, the Commonwealth of Pennsylvania. There are 17 counties in Pennsylvania which would be immediately eligible to share in Federal assistance; namely, Lackawanna, Luzerne, Schuylkill, Columbia, Montour, Northumberland, Union, Snyder, Juniata, Mifflin, Clinton, Clearfield, Blair, Cambria, Somerset, Fayette, and Erie.

These are the areas already classified by the Government as areas of substantial labor surplus. However, the bill is drawn so that smaller counties which have never been classified at all, or parts of larger metropolitan areas, may be subsequently included. In the latter categories might come parts of our great metropolitan communities which center around Pittsburgh and Philadelphia.

The unemployment rate in the 17 counties I mentioned ranges from 10.3 percent in the Northumberland-Snyder-Union-Montour area to 23.7 percent in Fayette County.

I ask unanimous consent that there may be printed in the RECORD at this point a table which shows, for 12 Pennsylvania labor market areas, the latest unemployment figures, based upon unemployment as a percentage of the labor force, and unemployment in excess of 6 percent. These 12 labor market areas, which are identified by their principal cities, include the 17 counties I named earlier.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Labor market area	Unemployment [1]	Unemployment as percent of labor force	Unemployment in excess of 6 percent
Altoona	8,900	16.6	5,700
Erie	14,000	14.1	8,000
Johnstown	16,700	16.8	10,700
Scranton	16,000	15.6	9,800
Wilkes-Barre-Hazleton	21,700	15.9	13,500
Berwick-Bloomsburg	2,700	12.5	1,400
Clearfield-Du Bois	5,000	13.6	2,800
Lewistown	2,500	11.4	1,200
Lock Haven	1,800	11.6	900
Pottsville (Schuylkill County)	12,400	15.8	7,700
Sunbury-Shamokin-Mount Carmel	6,650	10.3	2,800
Uniontown-Connellsville	11,300	23.7	8,300
Total			72,800

[1] First 5 based on November figures; following 7 based on latest available data.

Mr. CLARK. Mr. President, unemployment has continued at these intolerable levels almost continuously since World War II—despite the heroic efforts of the communities concerned to help themselves, and despite the assistance of the State. It is clear that if we are ever to meet this problem, the Federal Government must undertake a fair share of the total effort.

In my State there is an industrial development authority, headed by our secretary of commerce, which has made very real and helpful efforts to rehabilitate a number of our distressed areas during the past 4 years, when Gov. George M. Leader was our distinguished chief executive.

Those efforts have been successful to the extent that State finances permit, but our capacity to go further is extremely limited. We are at the moment facing the need to raise between $350 million and $400 million in additional taxes in Pennsylvania for the coming biennium. Somewhere in the vicinity of $350 million is required for needed school construction, which cannot be undertaken because no funds are available. We have a State program in aid of urban renewal which is too small to give our cities much help. There has been but a token effort to help in that regard. In short, my Commonwealth is desperately in need of help from the Federal Government in all these categories.

In addition to the industrial counties, there are several Pennsylvania rural counties which might qualify for assistance under the bill of the distinguished Senator from Illinois.

May I state for the RECORD, briefly, these figures:

Unemployment compensation claims in Pennsylvania were at an alltime high in the week ending January 9, 1959. Regular claims were 418,000, temporary claims were 77,000, for a total of 495,000 individual unemployment compensation claims.

The December 15 official unemployment figures are 472,000. The number has, of course, risen since that date, and it will rise further during the next month or two—perhaps 3 months—until I fear it will come close to the recession high of 520,000 last spring.

One measure of our difficulty is the reduction of our unemployment compensation fund from $350 million a year ago to $125,300,000 as of December 31.

Mr. President, I could describe community after community, through hard and soft coal areas, along the lines of the Erie, Lackawanna, and Reading, where communities are so impoverished that they do not have money to provide the facilities necessary to create industrial parks to attract industry. Yet those areas are peopled by fine, hard-working American citizens, who ask only an opportunity to be put to work, and who love their homes, and want to remain there.

I hope we have arrived at the point where we shall not repeat what was done to the silver and gold mine towns of the West, when towns were allowed to grow up, and then disintegrate, with all the resulting social problems. These people and their forebears have lived in Pennsylvania for more than 100 years, and some for as long as 200 years. In my judgment, they are entitled to the opportunity to earn their living in the communities of their fathers and grandfathers.

The bill which President Eisenhower has proposed to meet the chronic unemployment problem is little more than an empty gesture. We saw that last year. We know that the situation will be the same this year.

It is no exaggeration to say that the amount of money recommended by the President, approximately $50 million, could well be utilized in its entirety by the Commonwealth of Pennsylvania. Only $10 million is to be disbursed in the coming fiscal year.

There is no provision for loans or grants for public facilities.

The interest rate is too high to provide the incentive that is needed.

The assignment of administrative responsibility to the Secretary of Commerce in the administration bill would turn the program over to a Department which has shown a complete lack of sympathy.

In my judgment it would do as much to kill the program before it got off the ground as the Urban Renewal Administration and the Public Housing Administration are doing today to kill public housing and urban renewal, by choking the programs through administrative regulations.

Three concessions have been made in the bill to meet the criticisms contained in the President's veto statement. I hope those concessions will be enough to persuade the President that he should sign the bill this time.

First, the maximum term of the loans is to be reduced from 40 years to 30 years. Second, the language relating to administration of the grants has been revised to meet the President's allegation that the previous language was loosely drawn. Third, the agency is to be authorized to borrow directly from the

Treasury for its loan funds, thus meeting the President's argument that last year's bill contained no funds.

I have received resolutions from the City Council of the City of Wilkes-Barre and the City Council of the City of Scranton, two centers of our great northeastern Pennsylvania anthracite area—and once among the most prosperous cities of our Commonwealth—urging the Senate to pass as soon as possible the bill which was introduced today by the Senator from Illinois [Mr. DOUGLAS].

Mr. President, I ask unanimous consent that those two resolutions be printed in the RECORD at this point in my remarks.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTION REQUESTING FAVORABLE ACTION ON PROPOSED LEGISLATION FOR THE ESTABLISHMENT OF AN AREA REDEVELOPMENT ADMINISTRATION

Whereas in the last session of the Congress of the United States of America, the House Committee on Banking and Currency recommended the passage of a certain bill entitled "A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas"; and

Whereas the proposed legislation was never enacted into law; and

Whereas the 86th Congress will convene on January 7, 1959; and

Whereas the city of Wilkes-Barre has been classified for some time as a depressed economic area; and

Whereas the favorable adoption of a program of area redevelopment would play an integral part in relieving unemployment and promote industrial development, urban redevelopment and renewal and provide for a healthier economy with full employment; and

Whereas the city officials of the city of Wilkes-Barre desire to respectfully recommend favorable action on a new bill for area redevelopment in the next session of Congress: Now, therefore, be it

Resolved by the City Council of the City of Wilkes-Barre, and it is hereby resolved by the authority of the same, That the city officials of the city of Wilkes-Barre are in favor of an effective area redevelopment bill to provide for a program to help Wilkes-Barre and other communities to fully develop new industries, to aid in urban renewal and redevelopment programs and provide for such other benefits which would promote a sound economy and greater employment to the citizens of this important Wyoming Valley area; it is further

Resolved, That a certified copy of this resolution be brought to the attention of the 86th Congress and further that the city clerk is hereby directed to forward copies of this resolution to the President of the United States, Dwight D. Eisenhower; the Honorable Secretary of Labor, James Mitchell; Secretary of Commerce, Lewis L. Strauss; U.S. Senators Joseph Clark and Hugh Scott; and Congressman Daniel J. Flood.

RESOLUTION OF THE DIRE NEED FOR EARLY ADOPTION OF THE AREA REDEVELOPMENT PROGRAM

Whereas news reports show that new local groups of workers will be forced to join our heavy idle rolls and this new absence of earned income will further burden our economy, all this at Christmastide and in a so-called period of rising national employment; and

Whereas Mayor Hanlon and this council have experienced a searching deliberation in order to properly balance municipal economy at this time; and

Whereas Scranton and this area have already amply demonstrated maximum private and community response to bring full employment: Therefore be it

Resolved by the Scranton City Council, That this strong message be laid before the 86th Congress, due to convene January 7, that early introduction and passage of the proposed area redevelopment bill be accomplished, since it provides an effective program to assist Scranton and other communities in the fields of industrial development, community development, and urban renewal, public works, and provide for other benefits that can be assembled as a common Federal, State, and local effort to bring about a sound local economy and full employment; be it further

Resolved, That copies of this resolution be communicated to our new Congressman, STANLEY PROKOP, and to our Senator, JOSEPH S. CLARK, and our new Senator-elect, HUGH SCOTT, and to all other members of Pennsylvania's 86th delegation to the Congress, to the Honorable Secretary of Commerce, Lewis Strauss, the Honorable Secretary of Labor, James Mitchell, and, most appropriately, to the President of the United States, Dwight D. Eisenhower.

JEROME E. PARKER,
President, City Council.
JAMES T. HANLON,
Mayor.
SAM DRUCK,
City Clerk.

DECEMBER 17, 1958.

Mr. CLARK. Mr. President, in connection with the tragic unemployment situation which continues throughout the country in general, and particularly in the States of Kentucky, West Virginia, and Pennsylvania, I should like to evidence my strong support for the bill, S. 489, introduced by the senior Senator from Kentucky [Mr. COOPER], of which I am happy to be a cosponsor, which bill provides for an emergency stepup of the Federal Government's program of surplus food distribution to needy families.

The bill directs the Secretary of Agriculture to spend $50 million prior to June 30, 1959, and $100 million in fiscal 1960 to purchase additional food to supplement the food currently made available to the needy in Pennsylvania and elsewhere throughout the Nation. The money would come from funds already accumulated under section 32 of the law of August 24, 1935, and no new funds would be involved.

A stepup in the surplus food distribution program is an absolute necessity in Pennsylvania and other areas hard hit by continuing unemployment. In Pennsylvania there are 916,000 persons in 59 of the 67 counties in the State who have been certified as entitled to receive surplus food because they lack the means to buy food on the open market. In Philadelphia County 7 percent of the entire population is receiving this type of assistance; in Allegheny County 10 percent; Luzerne County 14 percent; in Blair and Cambria Counties one out of every three persons receives food under the Federal program.

I point out that the tragic floods which inundated both the Susquehanna and Lackawanna River Valleys during the past few days have so flooded the coal mines in much of the anthracite area, particularly Luzerne and Lackawanna Counties, that I am fearful that most, if not all, of the mines in those areas will have to be closed for an indefinite period of time. This will swell the ranks of the unemployed. It will make even more necessary the surplus food program, and will make essential the passage of the area redevelopment bill, about which I have been speaking today.

At the moment, Mr. President, the type of food that is being distributed is entirely inadequate for human needs. With all of our bulging warehouses of Government foods, we are distributing only five staple items at present: Wheat (at the rate of 4 pounds per person per month) and corn meal, rice, dried milk, and butter (at the rate of 1 pound per person per month).

State welfare agencies which distribute surplus foods say they have been informed by Federal authorities that cheese, which they had been receiving until December, will no longer be supplied. Meat products, beans, fruit, eggs and cooking oil have not been supplied for many months.

Passage of the bill introduced by the Senator from Kentucky [Mr. COOPER] would insure something better than a bare subsistence diet for the many thousands of men, women, and children who are forced by circumstances frequently beyond their control to depend on the food they receive under the Federal surplus food program to keep alive.

Mr. President, I have been one of those who have consistently voted in favor of our foreign aid programs. Personally, I do not think the programs have provided quite enough. I intend to vote for the aid program again this year. I am heartily in sympathy with Public Law 480, which makes surplus agricultural commodities available for use by the needy and hungry abroad. I think the least we can do is to extend to the people of our country the same generosity extended to those in need of help overseas.

I hope the bill introduced by the Senator from Kentucky [Mr. COOPER] will receive early and favorable consideration, and will shortly be passed by the Congress.

Mr. President, I yield the floor.

COMMITTEE SERVICE

Mr. DIRKSEN. Mr. President, I submit an order for immediate consideration. The order has been cleared with the acting majority leader.

The PRESIDING OFFICER. The order will be stated for the information of the Senate.

The legislative clerk read as follows:

Ordered, That the junior Senator from Iowa [Mr. MARTIN] be released from further service on the Committee on the Judiciary; that the senior Senator from New York [Mr. JAVITS] be released from further service on the Committee on Aeronautical and Space Sciences and on the Committee on Rules and Administration; and that the junior Senator from New York [Mr. KEATING] be released from further service to the Com-

mittee on Banking and Currency and on the Committee on Interior and Insular Affairs.

And be it further ordered, that the junior Senator from Iowa [Mr. MARTIN] be assigned to service on the Committee on Aeronautical and Space Sciences and to the Committee on Interior and Insular Affairs; that the senior Senator from New York [Mr. JAVITS] be assigned to service on the Committee on Banking and Currency; and that the junior Senator from New York [Mr. KEATING] be assigned to service on the Committee on the Judiciary and on the Committee on Rules and Administration.

The PRESIDING OFFICER. The question is on agreeing to the order.

The order was agreed to.

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD a list of the assignments, on the minority side, on various committees.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

REPUBLICAN LEADERSHIP, 86TH CONGRESS, 1ST SESSION

Leverett Saltonstall, chairman of the conference.

Milton R. Young, secretary of the conference.

Everett McKinley Dirksen, floor leader.

Thomas H. Kuchel, whip.

Styles Bridges, chairman of policy committee.

Andrew F. Schoeppel, chairman of committee on committees.

Barry Goldwater, chairman of campaign committee.

Margaret Chase Smith, chairman of personnel committee.

Policy committee: Styles Bridges, chairman; Leverett Saltonstall; Milton R. Young of North Dakota; Everett McKinley Dirksen; Thomas H. Kuchel; Andrew F. Schoeppel; Barry Goldwater; Margaret Chase Smith; George D. Aiken; Karl E. Mundt; Carl T. Curtis; Thos. E. Martin; John Sherman Cooper; and Kenneth B. Keating.

Campaign committee: Barry Goldwater, chairman; Alexander Wiley; Homer E. Capehart; Frank Carlson; Wallace F. Bennett; Prescott Bush; J. Glenn Beall; and Norris Cotton.

Committee on committees: Andrew F. Schoeppel, chairman; William Langer; Bourke B. Hickenlooper; John J. Williams of Delaware; Henry Dworshak; Francis Case of South Dakota; Roman L. Hruska; Gordon Allott; Clifford P. Case of New Jersey; Thruston B. Morton; Jacob K. Javits; Winston L. Prouty; and Hugh Scott.

Personnel committee: Margaret Chase Smith, chairman; Styles Bridges; and John Marshall Butler.

Calendar committee: Thos. E. Martin, chairman; Thruston B. Morton; and Kenneth B. Keating.

ADJOURNMENT

Mr. CLARK. Mr. President, as a further mark of respect to the memory of the late Representative GEORGE H. CHRISTOPHER, I move that the Senate stand adjourned until 12 o'clock noon tomorrow.

The motion was unanimously agreed to; and (at 3 o'clock and 28 minutes p.m.) the Senate adjourned, the adjournment being, under the order previously entered, until Wednesday, January 28, 1959, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 27, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalms 19:14: *Let the words of my mouth and the meditation of my heart be acceptable in Thy sight, O Lord, my strength and my redeemer.*

O Thou who art the counselor of our minds and the companion of our souls, we rejoice that daily we may bring our aspirations and desires, our longings and hopes to Thy listening ear and understanding heart.

We pray that we may know Thee more intimately and surrender ourselves unto Thee more completely for Thou art our light in darkness and our strength in times of weakness.

Show us how we may be helpful in releasing the hidden splendor of humanity and in bringing unto all mankind the blessings of the more abundant life.

To Thy name we ascribe all the praise. Amen.

The Journal of the proceedings of yesterday was read and approved.

APPOINTMENT OF HOUSE MEMBER OF NATIONAL HISTORICAL PUBLICATIONS COMMISSION

The SPEAKER. The Chair desires to announce that pursuant to the provisions of section 6, Public Law 754, 81st Congress, the Chair appoints as a member of the National Historical Publications Commission the gentleman from California, Mr. GEORGE P. MILLER.

APPOINTMENT OF HOUSE MEMBER OF THE BOSTON NATIONAL HISTORIC SITES COMMISSION

The SPEAKER. The Chair desires to announce that pursuant to the provisions of section 2, Public Law 75, 84th Congress, as amended, the Chair appoints as a member of the Boston National Historic Sites Commission the following member on the part of the House: Mr. O'NEILL, of Massachusetts.

STUDIES BY COMMITTEE ON THE JUDICIARY

The SPEAKER. The Chair recognizes the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 27, authorizing the Committee on the Judiciary to conduct studies and investigations relating to certain matters within its jurisdiction, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Committee on the Judiciary, acting as a whole or by subcommittee, is authorized and directed to conduct full and complete investigations and studies relating to the following matters coming within the jurisdiction of the committee, namely—

(1) relating to the administration and operation of general immigration and nationality laws and the resettlement of refugees, including such activities of the Intergovernmental Committee for European Migration which affect immigration in the United States; or involving violation of the immigration laws of the United States through abuse of private relief legislation;

(2) involving claims, both public and private, against the United States;

(3) involving the operation and administration of national penal institutions, including personnel and inmates therein;

(4) relating to judicial proceedings and the administration of Federal courts and personnel thereof, including local courts in Territories and possessions;

(5) relating to the operation and administration of the antitrust laws, including the Sherman Act, the Clayton Act, and the Federal Trade Commission Act; and

(6) involving the operation and administration of Federal statutes, rules, and regulations relating to crime and criminal procedure; and

(7) involving the operation and administration of the Submerged Lands Act and the Outer Continental Shelf Lands Act:

Provided, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee shall report to the House (or the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within or without the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

With the following committee amendments:

Page 1, line 1, after the word "That" insert ", effective from January 3, 1959."

Page 1, line 2, strike out "and directed."

Page 2, line 20, change the colon to a period.

Page 2, line 20, make a new paragraph of the sentence beginning *"Provided"*.

Page 3, strike out the following language in lines 6 and 7: "or without", "is in session."

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Iowa.

Mr. GROSS. Referring to the provision that gives the Committee on the Judiciary authority to investigate submerged lands, is that new or has it been included in previous resolutions?

Mr. SMITH of Virginia. I have here five resolutions relating to standing committees giving them authority and power to investigate matters over which they have jurisdiction. All of these resolutions, including the one about which the gentleman has inquired, have been altered to conform with resolutions which were passed by the House last year, so that there are no innovations in any of

these resolutions, so far as I know. They conform to the usual power that is given to committees to investigate matters within their jurisdiction.

Mr. BROWN of Ohio. Mr. Speaker, this resolution was unanimously reported by the Committee on Rules and the minority supports the resolution. I have no requests for time on this side.

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

The SPEAKER. The question is on the resolution.

The resolution was agreed to and a motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO CONDUCT INVESTIGATIONS AND STUDIES

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 56 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That effective from January 4, 1959, the Committee on Interstate and Foreign Commerce may make investigations and studies into matters within its jurisdiction, including the following:

(1) Policies with respect to competition among the various modes of transportation, whether rail, air, motor, water, or pipeline; measures for increased safety; and adequacy of the national transportation system for defense and the needs of an expanding economy;

(2) Policies with respect to the promotion of the development of civil aviation; measures for increased safety; restrictions on American air carriers which impede the free flow of commerce; routes, rates, accounts, and subsidy payments; airport construction, hazards of adjacency to airports, and condemnation of airspace; aircraft and airline liability; aircraft research and development and market for American aircraft; and air navigational aids and traffic control;

(3) Allocation of radio spectrum; color television; pay television; educational television; ownership and control of radio and television stations; technical developments in the communications field;

(4) Adequacy of the protection to investors afforded by the disclosure and regulatory provisions of the various Securities Acts;

(5) Adequacy of petroleum, natural gas, and electric energy resources for defense and the needs of an expanding economy; adequacy, promotion, regulation, and safety of the facilities for extraction or generation, transmission and distribution of such resources; development of synthetic liquid fuel processes; and regulation of security issues of and control of natural gas pipeline companies;

(6) Advertising, fair competition, and labeling;

(7) Research in weather, including air pollution and smog, and artificially induced weather;

(8) Effects of inflation upon benefits provided under railroad retirement and railroad unemployment programs; and inequities in provisions of statutes relating thereto, with comparison of benefits under the social security system;

(9) Adequacy of medical facilities, medical personnel, and medical teaching and training facilities; research into human diseases; provisions for medical care; efficient and effective quarantine; protection to users against incorrectly labeled and deleterious foods, drugs, cosmetics, and devices; and other matters relating to public health;

(10) Disposition of funds arising from the operation of the Trading With the Enemy Act;

(11) Current and prospective consumption of newsprint and other papers used in the printing of newspapers, magazines, or such other publications as are admitted to second-class mailing privileges; current and prospective production and supply of such papers, factors affecting such supply, and possibilities of additional production through the use of alternative source materials;

(12) Increase in traffic accidents on the streets and highways of the United States during recent years; factors responsible for such increase, the resulting deaths, personal injuries, and economic losses; and measures for eliminating such accidents or reducing their frequency and severity; and

(13) The administration and enforcement by departments and agencies of the Government of provisions of law relating to subjects which are within the jurisdiction of such committee.

For the purposes of such investigations and studies the committee, or any subcommittee thereof, may sit and act during the present Congress at such times and places within or outside the United States, whether the House has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee may report to the House at any time during the present Congress the results of any investigation or study made under authority of this resolution, together with such recommendations as it deems appropriate. Any such report shall be filed with the Clerk of the House if the House is not in session.

With the following committee amendments:

Page 1, line 1, strike out "4" and insert "3."

Page 1, line 3, strike out "with" and insert "within."

Page 4, after line 2, insert a new paragraph as follows:

Provided, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House."

Page 4, line 6, strike out "or outside."

Mr. SMITH of Virginia. Mr. Speaker, this resolution, like the preceding one, conforms to the resolution passed last year.

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

Mr. BROWN of Ohio. Mr. Speaker, the minority members of the Rules Committee agree to this resolution. I have no requests for time on this side.

The SPEAKER. The question is on the resolution.

The resolution was agreed to and a motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON BANKING AND CURRENCY TO CONDUCT STUDIES AND INVESTIGATIONS, AND TO MAKE INQUIRIES RELATING TO HOUSING

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 81 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That, effective from January 4, 1959, the Committee on Banking and Currency, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries with respect to any matter or matters in the field of housing coming within the jurisdiction of such committee, including, but not limited to, (1) the operation of the various FHA-assisted housing programs, (2) the operation of the Federal National Mortgage Association, (3) the status and adequacy of mortgage credit in the United States, (4) the current rate of construction of residential dwelling units in relation to housing requirements and demands, and the role of Government-assisted mortgage programs with respect thereto, (5) the role of housing construction in the national economy, (6) the operation of the privately financed military housing program, (7) the requirement of and demand for Federal assistance in the development of community facilities, (8) the operation of the slum clearance and urban renewal programs, and (9) farm housing and the adequacy of farm housing credit.

The committee shall report to the House (or to the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigations and studies, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution, the committee or any subcommittee thereof is authorized to sit and act during the present Congress at such times and places within the United States, including any Territory, Commonwealth, or possession thereof, whether or not the House is in session, has recessed, or has adjourned, to hold such hearings and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or by any member designated by such chairman, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths or affirmations to witnesses.

With the following committee amendments:

Page 1, line 1, strike out "4" and insert "3."

Page 2, after line 9, insert:

"*Provided,* That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House."

Page 2, strike out the following language in lines 17 and 18: "including any Territory, Commonwealth, or possession thereof."

Mr. BROWN of Ohio. Mr. Speaker, the minority on the Committee on Rules support this resolution, and I have no requests for time.

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON VETERANS' AFFAIRS TO CONDUCT INVESTIGATIONS AND STUDIES

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 101 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, effective from January 4, 1959, the Committee on Veterans' Affairs, acting as a whole or by subcommittee, is authorized to conduct a full and complete investigation and study of the following programs of benefits for veterans and their dependents and survivors:

(1) The programs of compensation and pension;

(2) The programs of hospitalization, domiciliary care, medical and dental care and treatment, and furnishing of prosthetic appliances;

(3) The insurance and indemnity programs;

(4) The housing and business loan programs, and the program of furnishing assistance for the acquisition of specially adapted housing;

(5) The programs of education and training (including vocational rehabilitation);

(6) The furnishing of burial allowances; and

(7) The furnishing of unemployment compensation under the Veterans' Readjustment Assistance Act of 1952 and chapter 41 of title 38, United States Code; with a view to determining whether or not such programs are being conducted economically, efficiently, in the best interests of the Government and the beneficiaries of such programs, and in such a manner as to avoid the misuse of Government funds; whether or not such programs adequately serve the needs and protect the welfare of the beneficiaries of such programs; and whether changes in the law or in the administration and operation of the programs either will lead to greater efficiency and economy or will make such programs more adequately serve the needs of the beneficiaries of such programs.

The committee is also authorized to conduct a full and complete investigation and study to determine—

(1) the extent to which appeals for charitable contributions are made to the American people, or segments thereof, in the name of American veterans by appealing to the desire of the American people to assist such veterans and their survivors or dependents;

(2) whether an undue proportion of such charitable contributions is used to meet the expenses of conducting such appeals and for other administrative expenses rather than for providing services for or benefits to veterans;

(3) whether any of such appeals are fraudulent in nature;

(4) whether additional supervision of the fund-raising activities conducted by organizations chartered by Act of Congress in the name of veterans is necessary or desirable; and

(5) the existence of any other abuses connected with charitable appeals made in the name of veterans.

The committee shall report to the House (or to the Clerk of the House if the House is not in session), as soon as practicable during the present Congress, the results of its investigations and studies, together with such recommendations for legislation as it deems advisable.

For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, its Territories, and possessions, the Republic of the Philippines, and elsewhere, whether or not the House has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such records, documents, and papers, to administer oaths, and to take such testimony as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee, or by any member designated by such chairman, and may be served by any person designated by such chairman or member.

With the following committee amendments:

Page 1, line 1, strike out the number "4" and insert "3".

Page 3, after line 15, insert new paragraph as follows:

"*Provided,* That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House."

Page 3, strike out the following language in lines 24 and 25: "its Territories, and possessions, the Republic of the Philippines, and elsewhere,".

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON SCIENCE AND ASTRONAUTICS TO CONDUCT STUDIES AND INVESTIGATIONS AND MAKE INQUIRIES WITH RESPECT TO AERONAUTICAL AND OTHER SCIENTIFIC RESEARCH AND DEVELOPMENT AND OUTER SPACE

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 133 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, effective from January 4, 1959, the Committee on Science and Astronautics, acting as a whole or by subcommittee, is authorized and directed to conduct full and complete studies and investigations and make inquiries with respect to any matter or matters in or related to the fields of astronautical research and development (including resources, personnel, equipment, and facilities), outer space (including exploration and control thereof, and air and space law), and other scientific research and development (including international scientific cooperation) coming within the jurisdiction of such committee.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within or without the United States, including any Territory, Commonwealth, or possession thereof, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member designated by him may administer oaths or affirmations to witnesses.

The committee shall report to the House as soon as practicable during the present Congress the results of its studies, investigations, and inquiries, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

With the following committee amendments:

Page 1, line 1, strike out "4" and insert "3."

Page 1, line 3, strike out "and directed."

Page 1, after line 11, insert new paragraph as follows:

"*Provided,* That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House."

Page 2, strike out the following language in lines 2, 3, and 4: "or without", "including any Territory, Commonwealth, or possession thereof," and "is in session."

Mr. SMITH of Virginia. Mr. Speaker, this is a new committee which I believe you are all familiar with. This is the Committee on Science and Astronautics. It has not been in existence heretofore. The resolution, however, conforms to the usual resolutions giving the committee the power to make investigations within its jurisdiction.

Mr. BROWN of Ohio. Mr. Speaker, this resolution as amended has the unanimous support of the minority members of the Committee on Rules, and I have no requests for time.

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RULES OF THE HOUSE OF REPRESENTATIVES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (H. Res. 138) to amend the Rules of the House of Representatives.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the resolution, as follows:

Resolved, That the Rules of the House of Representatives are hereby amended as follows:

In Clause 26(j) of Rule XI, strike out "25" and insert "26" in lieu thereof.

In Clause 2 of Rule XIII, strike out "20" and insert "21" in lieu thereof.

Mr. SMITH of Virginia. Mr. Speaker, in connection with the creation of the Committee on Science and Astronautics it was necessary to make several changes throughout the rules. Inadvertently we failed to change the numbers of certain paragraphs. This resolution merely changes the numbers of paragraphs.

Mr. BROWN of Ohio. Mr. Speaker, there is no objection on this side.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ONE HUNDRED AND FIFTIETH ANNIVERSARY OF THE BIRTH OF ABRAHAM LINCOLN

Mr. McCORMACK. Mr. Speaker, I offer a concurrent resolution and ask

unanimous consent for its present consideration.

The Clerk read the concurrent resolution (H. Con. Res. 57), as follows:

Resolved by the House of Representatives (the Senate concurring), That in commemoration of the one hundred and fiftieth anniversary of the birth of Abraham Lincoln the two Houses of Congress shall assemble in the Hall of the House of Representatives at 11 o'clock antemeridian, on Thursday, February 12, 1959.

That the Committee on Arrangements, created pursuant to Public Law 85–775, is empowered to make suitable arrangements for fitting and proper exercises for the joint session of Congress hereby authorized and, in accordance with provisions of Public Law 85–775 to issue appropriate invitations to officials, dignitaries, and other persons to join in this commemoration.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

TRADE POLICIES

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, the President has repeatedly said in speeches, messages, and the like, that a liberal trade policy and the expansion of foreign trade and investment were essential to free world economic strength and security.

Just recently we have had a visit from the Deputy Premier of Russia promoting the Russian trade offensive. Today the Russian Premier, Mr. Khrushchev, has been talking and bragging again about the Russian trade offensive. However, despite these professed sentiments for more liberal trade, and the Soviet threat, we have seen our Government within the past few days award a contract to a local company against a low bid by a competent contractor which was $300,000 less. This low bidder is located in England, one of our oldest friends.

This is the type of doubledealing in trade policies which unfortunately has characterized much of our whole approach throughout the world.

I quote from an editorial which appeared in the Washington Post last Saturday:

> The time has long since passed when it was realistic to expect this administration to stand up for principle in this area. But in deference to the country's reputation for fair play at least it might end the double standard. If the intention is to wriggle out of foreign trade commitments in the face of political pressures, it would be far less damaging and more honest to say so frankly in advance.

The present administration in Washington is bedeviled by a form of schizophrenia. It pays lip service to high ideals and fine policies, but its actions too often belie its professions. It tries to be all things to all men, and that is a sure-fire formula for schizophrenia.

Nowhere has this been more evident than in our foreign trade policy.

In his state of the Union message a few days ago, the President said:

> There can be no such thing as a fortress America. If ever we were reduced to the isolation implied by that term, we would occupy a prison, not a fortress.

That is a fine sentiment which we all applaud, but how this principle can be weakened when it is put into practice.

Even an economy-minded President might be willing to forgo economy if the national security was involved, although a look at his new budget would raise some questions about that. But was the national security involved? The OCDM made no finding as to national security. It has in the past repeatedly turned down high domestic bids because it found no national security considerations. Moreover, the OCDM is currently engaged in a thorough study of the national security implications of imports for this industry and hasn't as yet arrived at any conclusions on the issue.

No, the national security was not involved. It was only an excuse, not a reason. What was the real reason? The real reason is well known to those of my colleagues who have been reading the press on the subject. As I indicated, this decision was made on January 20, yet the Philadelphia Inquirer for November 1, a few short days before the congressional elections, carried a story to the effect that Senator HUGH SCOTT announced that the Baldwin Co. had been given the turbine order for the Arkansas project. In the words of the Inquirer, "SCOTT said he received word from the White House yesterday morning." In the issue of Time magazine that is out today, Senator SCOTT reaffirms that this is the case.

Now I have no quarrel at all with my former colleague. I think he was motivated by a legitimate interest in wanting to help his constituents.

The blame must be at the White House. Having made a commitment on political grounds as long ago as last November, when they had to carry through on the commitment last week the only excuse that could be given under the terms of President Eisenhower's own Executive order on the Buy American Act, was the excuse of national security—that the national security of the United States would be jeopardized if the contract was given to the low British bidder. Read the President on this very subject in 1955 when he charged ODM with the responsibility of making findings under his "buy American" Executive order. The President said that the national security exception should not be used unless there was "a clear showing that (the exception) is justified by considerations of national security." There was neither a clear showing made in this case nor could there be.

It is no wonder that such policies, or shall I say lack of policies, cause consternation among our friends. The reaction in Britain to this case compares to the reactions in Latin America to some of our vacillating foreign trade policy actions. Even Baldwin-Lima-Hamilton may in the end be the loser. The British have recently liberalized their restrictions on imports from the United States, and we look to expanded sales in their market. Baldwin-Lima-Hamilton has in the past 4 years sold $21 million worth of equipment to the British National Coal Board alone. This turbine contract was worth $1¾ million to Baldwin. In trade policy, as in other things, you cannot have it both ways.

Where was the White House and the State Department throughout all this? They are charged with the constitutional responsibility of conducting and maintaining our foreign relations. Can we believe that the Director of OCDM made this decision on his own initiative? Is national security a matter that can be so lightly treated, particularly when it impinges so directly on our foreign relations and hence on our national security in a most vital sense?

Mr. Speaker, Congress cannot abide such actions. I hope that we will soon have an opportunity to make a full and fair investigation of this incident and of the broader questions of national security as it relates to our foreign economic policy. This is a matter of utmost urgency for our national survival.

ADMINISTRATION OF FARM PROGRAMS

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MARSHALL. Mr. Speaker, I have introduced H.R. 3334 to correct what the Honorable H. CARL ANDERSEN and I consider to be a major injustice in the administration of farm programs.

It is painfully clear to anyone familiar with the agricultural situation today, that farmers no longer have the control over their own programs that they once had. They feel that the present system of selecting community and county committeemen has removed them from management of these programs and has subjected them to dictatorial pressures never before experienced.

Farmers have demonstrated that they themselves are the best judges of those who should represent them in the formulation and administration of their programs in a democratic manner. They believe that a program operated by farmers for farmers will insure greater efficiency and better management.

The purpose of our bill is to return the farm program to farmer administration through free elections of community and county committeemen.

Mr. ANDERSEN's bill and mine differ in some minor respects. Both bills, however, have as their common purpose the strengthening of farmer administration to promote continuity and stability in the farmer committee system.

Since this is the first important step in improving our farm program, we are hopeful that the great Committee on Agriculture will give prompt and careful attention to the subject.

A GRAVE THREAT TO FREEDOM OF EXPRESSION

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, often we find that those who are most vocal in denouncing a wrong are themselves guilty of the wrong they denounce. Perhaps they hope that by outshouting all others they can keep the spotlight from focusing upon themselves. Such is a case we discover in our very midst.

Not far from these hallowed walls is another institution which often confuses itself with Congress, the executive offices, and the U.S. Supreme Court. I speak of that giant among giants, that fearless gladiator of the oppressed, that lion in the jungle of the defenseless, that tower of light and strength in times of distress and darkness, that fairminded factory of the four freedoms, the Washington Post and Times Herald, the only morning newspaper in the Nation's Capital.

I know all of these things to be true for almost daily the newspaper itself so advises me, and its other discriminating readers, through its editorial pages.

Recently my constituents in Birmingham, aware of this well of influence, offered to the Washington Post and Times Herald a letter in the form of a paid advertisement, setting forth the views of the South on the problems of integration. The letter had been run as news in many papers and as an advertisement in the New York Times. Can you understand, then, our disbelief and amazement to have this august institution of righteousness, the Washington Post and Times Herald, reject the advertisement without explanation? Here, now, comes the twist.

The Birmingham Post Herald inquired of its brethren, the Washington Post and Times Herald, why the ad was unacceptable. Even though this inquiry was carried all the way to the seat of the imperial publisher himself, not a soul on the Washington Post and Times Herald would answer. The only question presented was "Why?" There was no argument with the paper's decision.

Amazed by this lack of response from the Washington Post and Times Herald, the Birmingham Post-Herald sought help from a gentleman well qualified to assist, J. R. Wiggins, former chairman of the Committee on Freedom of Information of the American Society of Newspaper Editors. Mr. Wiggins has been cited numerous times and been given awards for his unending battle against secrecy; primarily secrecy in government but, nevertheless, secrecy. Sadly, Mr. Wiggins was of little help. He advised the reporter to speak with the publisher, something the reporter already had done without obtaining the answer to his question. Mr. Wiggins told the reporter it was a "futile endeavor" to try and get information from himself because he was not going to talk. A strange position, indeed, for a former chairman of the Committee on Freedom of Information, a man whose banner flies so high on the flagpole of sweet reasonableness, a man whose lectures on freedom of information fill many a file, especially his own.

Perhaps Mr. Wiggins' reluctance to talk stems from his position. He is vice president and executive editor of the Washington Post and Times Herald.

How discouraging it is when we discover that our hero is stricken mute when the danger he has fought so long, so fiercely—and so safely—from afar now perches on his knee. It is sad to realize that what Mr. Wiggins has been telling us these many years is that we must do as he says, not as he does.

And, Mr. Speaker, as recently as January 24, we find that a columnist for this paragon of editorial freedom, the Washington Post and Times Herald, devotes most of his space to democracy and public opinion. He says, and I quote:

> Sound solutions can come only from public discussion.

I agree, Mr. Speaker. We all agree. Why, then, does not the Washington Post and Times Herald agree in practice as well as in word? We all know it has supported integration, as is its right. We ask only why does it refuse to express the other side? Was there something wrong with the advertisement offered?

This is unlikely. After the Washington Post and Times Herald rejected it, the ad was submitted to the Evening Star which accepted it gladly and ran the ad in its edition of Monday, January 26. I am reliably informed that the third Washington daily newspaper, the Daily News, also would have accepted it.

Further, the ad was not scurrilous, libelous, nor in bad taste. We can assume only that the Washington Post and Times Herald was fearful that the appearance of the advertisement would set off some sort of demonstration, unrest, or dissatisfaction in the District among the races. If that is so, then we must assume further that what the newspaper has been broadcasting to its readers about the success of integration in the District just simply is not the truth. If this one ad could unplug a safety valve, then integration here is not yet a proven way of life. And yet it is the way of life the Washington Post and Times Herald is demanding for the entire Nation. For what purpose? So one ad, appearing in the Nation's press can cause a national upheaval?

It was not until I accused the newspaper of "gross betrayal of responsible journalism" by refusing the ad that the Washington Post and Times Herald made reference to the Putnam letter at all. The paper did so in a 2-paragraph story, buried among the theater ads, devoted to my speech.

That is rather entering by the back door, for the Putnam letter did receive notice, in the final analysis, in the Washington Post and Times Herald.

This entire episode which I have outlined to you has been printed as news stories in the Birmingham Post-Herald. I ask that these articles be printed at this point in the CONGRESSIONAL RECORD.

One last word. I say to the Washington Post and Times Herald, "Furthermore when I want the facts, I always read them in the Star."

[From the Birmingham Post-Herald, Jan. 16, 1959]

AS PAID ADVERTISEMENT, WASHINGTON NEWSPAPER REJECTS PUTNAM LETTER

A Washington, D.C., daily newspaper has refused to publish the Putnam letter as an advertisement.

James E. Simpson, chairman and treasurer of the Putnam Letter Committee, said here yesterday the committee was advised the Washington Post and Times Herald had refused to accept the advertisement.

The Putnam letter advertisement had been sent to the newspaper for publication Monday at a cost of $1,500.

Mr. Simpson denounced the refusal of the Washington Post and Times Herald as a violation of the principles of a free press and an arrogant affront to the South.

"It is incredible," he said, "that a newspaper published in our Nation's Capital should refuse to accept as a paid advertisement the fine statement of Mr. Carleton Putnam, which voices the views of the South on current problems facing our region."

Simpson, expressing the indignation of the committee, continued: "This action, in the committee's opinion * * * is especially astounding in view of the fact the Putnam letter was accepted and published as an advertisement by the New York Times."

He also pointed out the letter was published without charge in the news columns of the Christian Science Monitor.

"Few have given us the opportunity to present our case in their news column to the court of public opinion. But this is the first time any newspaper has gone so far as to refuse us the opportunity to pay for the privilege of stating our stand.

"This refusal marks a new low in journalism in the United States of America," Simpson said.

Contributions to the Putnam letter fund totaled $10,028 through Thursday. Nearly 10 percent came from citizens in Northern and Western States, Simpson said.

[From the Birmingham Post-Herald, Jan. 21, 1959]

WASHINGTON NEWSPAPER MUM ON PUTNAM LETTER

(By Gene Wortsman)

WASHINGTON, January 20.—Top officials of the Washington Post and Times Herald have refused comment or gave incomplete replies as to why they rejected the Putnam letter as a paid advertisement.

A Birmingham Post-Herald reporter, seeking this answer, was referred from an advertising salesman to the general advertising manager to two vice presidents of the newspaper to the publisher.

The publisher had gone for the day when he was called.

James E. Simpson, Birmingham, chairman of the Putnam Letter Committee, said last week the Washington newspaper refused to run the ad.

The story gave no reason for the rejection.

Russel E. Baker, general advertising manager of the Washington newspaper, said "the decision was split by the barest margin."

He said the ad went to a group of newspaper officials to determine if it was libelous or in bad taste.

"There was certainly no libel," Baker said, "and the question of bad taste probably was a factor. The general consensus among our top people, even though the New York Times took it, was that this was a borderline case. We decided to pass it by."

He said it doesn't mean that the paper wouldn't take an ad on the subject of integration, which is the topic of the Putnam letter to President Eisenhower.

He said his newspaper serves as "a kind of sounding board for many people. We think it is a good thing to have a safety valve of some sort."

Baker was asked in what manner the ad was in bad taste.

He said he wasn't present when the final decision was made.

He was asked what safety valve was involved that his newspaper felt it must protect.

He said that since he was not present for the decision, it would be advisable to call John W. Sweeterman, vice president and general manager. Baker also suggested calling Adrian Fisher, vice president and counsel for the newspaper.

Mr. Fisher was out.

Sweeterman's reply was somewhat different from that of Baker.

"I would rather not comment," Sweeterman said. "We usually don't when we accept copy or reject copy. The decision," he added, "was actually made by the publisher."

Sweeterman was asked for comment on Baker's statement that "bad taste" was a factor in the decision.

"I would just rather not comment," he replied.

A secretary in the office of the publisher, Philip L. Graham, asked the reporter if he could not obtain what he wanted elsewhere.

He replied that he was told the decision concerning the ad was made by Mr. Graham.

"I don't know when he could have made it," she said. "He hasn't been in."

She was told the decision apparently came last week and replied that Graham had been in his office for a short time during the week. She said Graham will be in his office tomorrow.

[From the Birmingham Post-Herald, Jan. 20, 1959]

(By Gene Wortsman)

WASHINGTON, January 20.—The publisher of the Washington Post and Times Herald today requested tolerance and understanding in his refusal to tell why he rejected the Putnam letter as a paid ad.

Another official who has been cited in his battles for freedom of the press refused curtly to discuss the ad at all.

Publisher Philip L. Graham accepted the responsibiltiy for turning down the advertisement.

He said the only comment he would have about it was that he decided not to run it.

Asked why, Graham said that 12 years ago he stopped explaining his action in refusing to run something as an ad in his newspaper.

He said he had found that explanations failed to bring satisfaction.

Also, he said, discussing them would be a full-time job; implying that the Washington Post refuses to publish numerous items offered as paid ads.

Graham pointed out that his newspaper is presented many institutional advertisements.

Some come from Communists as well as rightwingers, he explained.

He indicated that his paper could not run every ad offered.

"I * * * hope you will be tolerant and try to understand my silence," Graham said.

The Washington newspaper refused the ad last week although it has appeared free in numerous newspapers and as an ad in the New York Times.

The subject of the ad is a letter written to President Eisenhower by Carleton Putnam, Washington, favoring the southern position on integration.

Another Washington Post official, J. R. Wiggins, referred all inquiries to Publisher Graham.

Wiggins is a vice president and executive editor of the paper.

He is a former chairman of the Committee on Freedom of Information of the American Society of Newspaper Editors.

Almost a year ago today—on January 25, 1958—the University of Arizona's journalism department gave him its John Peter Zenger Freedom of the Press Award.

Wiggins primarily has been concerned with governmental secrecy.

A reporter for the Birmingham Post-Herald telephoned Wiggins in his former capacity as chairman of the Freedom of Information Committee.

Wiggins, however, abruptly referred all questions to Graham who, he said, makes policy for the paper.

It was pointed out to Wiggins that his advice was being sought in order to aid a reporter in obtaining facts for a story.

Wiggins indicated awareness that the reporter also was seeking statements from him to use in the story.

He said it was a futile endeavor to try and get him to talk and redirected all questions to the publisher.

Wiggins said he was familiar with the subject in dispute but refused any comment on whether he considered the Putnam letter libelous or in bad taste.

[From the Birmingham Post-Herald, Jan. 22, 1959]

PAPER WHICH REFUSED AD IS CRITICIZED—REPRESENTATIVE HUDDLESTON CALLS WASHINGTON POST'S ACTION "INSULT"

(By Gene Wortsman)

WASHINGTON, January 21.—Representative GEORGE HUDDLESTON, Jr., today said the refusal of a Washington newspaper to run the Putnam letter advertisement is a "gross betrayal of responsible journalism."

"Those of us who are familiar with the policies of the Washington Post and Times Herald in its handling of the news may not be surprised," he added.

"But I deplore and resent bitterly this insult and lack of consideration for the views of my constituents," HUDDLESTON declared.

HUDDLESTON put his remarks in the CONGRESSIONAL RECORD.

He pointed out that the Putnam letter on integration had been run in many newspapers as either a letter to the editor or as a news item.

Newspapers did this, said HUDDLESTON, "regardless of whether (the letter) supports the established policies of their editors and publishers."

He said that the author of the letter, Carleton Putnam, is not a Southerner but of an old New England family, a native of New York.

"His letter presents so completely and so eloquently that position long held by the South on this issue, that it has received wide publicity in our section of the country," the Congressman said.

HUDDLESTON said Birmingham citizens, impressed by the letter, have made efforts to have it distributed in other sections of the country.

Where a newspaper would not run the letter as news, HUDDLESTON said, the Birmingham citizens bought space for it.

The Washington Post and Times Herald turned it down as a news item or letter to the editor, something which HUDDLESTON said was the newspaper's privilege.

Though, he added, insistence of the paper to print only one side of the issue "shows an appalling and disturbing lack of objectivity on their part."

When the letter was offered to the Washington paper as an ad it was flatly refused, HUDDLESTON said.

"I say * * * that this attitude, this refusal, is a flagrant violation of our most sacred tenet, freedom of expression," HUDDLESTON declared. "I protest most vigorously, as must all Americans who hold this principle to be meaningful to us and essential to the preservation of the American way of life, this affront to the South, this insult to liberty, this wholly indefensible position.

"Those of us who are familiar with the policies of the Washington Post and Times Herald in its handling of the news may not be surprised at this gross betrayal of responsible journalism.

"But," HUDDLESTON said, "I deplore and resent bitterly this insult and lack of consideration for the views of my constituents."

[From the Birmingham Post-Herald, Jan. 22, 1959]

DECLINED BY RIVAL PAPER—PUTNAM LETTER TO GO IN WASHINGTON STAR

Declined by one Washington, D.C., daily as an advertisement, the Putnam letter will be published by a rival afternoon paper.

The Washington Star, an evening paper with a circulation of 258,434, yesterday informed James E. Simpson it would "be happy" to publish the letter.

Simpson is chairman of the Putnam Letter Fund.

Earlier, the Washington Post and Times Herald, a larger Capital daily, had declined to publish the prosouthern tract on integration versus segregation.

Simpson yesterday received confirmation of the Post and Times Herald's rejection:

"We regret to inform you," it said, "that we prefer not to run copy on the subject."

It further added, confirming a telephone declination earlier, that "should you submit copy on this subject or allied matter, we shall consider the copy fairly and objectively."

The Star, Simpson said, will publish the letter as an advertisement in its January 26 edition.

The Putnam letter, addressed to the President by a New Englander, rejects forced integration.

It had been published earlier in the New York Times and the Christian Science Monitor (three editions), subsidized by funds raised by donations to the Putnam Letter Fund.

In September when it was first published in the Post-Herald, it drew mail from all over the Nation and was reprinted and mailed to Post-Herald readers on request.

The Putnam Letter Fund, headed by Simpson, was formed shortly after publication of the letter in the Post-Herald.

Simpson yesterday announced the committee had raised a total of $10,568.11 toward publication in large U.S. dailies.

The committee next will approach the Chicago Tribune, a pro-Republican daily with the largest Midwest circulation, Simpson said.

[From the Birmingham Post-Herald, Jan. 23, 1959]

PAPER WHICH REFUSED PUTNAM AD ONCE PRINTED ANTI-DIXIE LETTER

(By Gene Wortsman)

WASHINGTON, January 22.—The Washington Post and Times Herald, which has refused the Putnam letter as a paid advertisement, ran an ad on the other side of the civil rights question in its edition of July 30, 1957.

This was in the form of an open letter from the South.

Five columns wide, the ad was 16 inches deep.

It urged the U.S. Senate which was debating the civil rights bill, to approve the bill without a provision calling for jury trials.

Southern Senators at that time were demanding that the bill guarantee jury trials.

As finally enacted, the measure did call for a jury trial if a judge sentenced the de-

fendant to more than 45 days or fined him in excess of $300. (The defendant, in other words, would have two trials.)

There were 90 signatures on the Washington Post ad which was coordinated by the Southern Conference Educational Fund Inc. (SCEF).

The ad said adoption of the jury trial provision would only cripple the enforcement of the law.

It said the jury trials would be a weapon of delay to indefinitely withhold the right to vote.

"It would be better not to pass any civil rights legislation at all than to pass a bill which limits the power of courts to enforce their orders," the letter in the ad read.

Among the signers of the letter were Aubrey W. Williams, Montgomery, former publisher of Southern Farm and Home. He signed as president of SCEF.

In 1954, the Senate Internal Security Subcommittee found that SCEF had Communist tendencies.

The Washington Post, meanwhile, gave its first recognition today to the Putnam letter, written by a resident of Washington and calling for continued segregation of the races.

On page B–11, among the entertainment ads, the newspaper ran a two-paragraph story about the letter.

This was the story:

"Representative GEORGE HUDDLESTON, Jr., Democrat, of Alabama, yesterday said the Washington Post was guilty of 'gross betrayal of responsible journalism' for refusing to publish a statement on segregation offered its advertising department as a paid ad.

"HUDDLESTON, in remarks to the House and in a statement for the CONGRESSIONAL RECORD, referred to a statement by 'Charleton' [the paper's spelling] Putnam of Washington, D.C. The Congressman said Putnam's statement 'presents the position long held by the South on the segregation issue.' "

J. R. Wiggins, former chairman of the American Society of Newspaper Editors' Freedom of Information Committee, is vice president and executive editor of the Washington Post.

[From the Washington Post and Times Herald, Jan. 25, 1959]

PRESS GROUP ATTACKS WASHINGTON POST

BIRMINGHAM, ALA., January 24.—The Alabama Press Association today condemned the Washington Post and Times Herald for refusing to carry as a paid advertisement a letter in favor of segregation. A private Alabama group is publishing the letter in northern and western newspapers as an expression of southern views on racial segregation. The press association resolution was proposed by Col. Harry M. Ayers, publisher of the Anniston Star.

COMMITTEE ON ARMED SERVICES

Mr. KILDAY. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services may sit during the sessions of the House during the remainder of the week.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

HOUSING AND NURSING HOMES FOR THE AGED

Mr. BREEDING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. BREEDING. Mr. Speaker, today I am introducing legislation in regard to nursing homes and homes for the aged. This is a very important subject at this time. Due to the many improvements, advancements and achievements in medical science and pharmaceutical professions, there are now five times as many people 65 years of age and over as there were in 1900. Nursing homes, using the overall view, fill a definite set of needs—economic, social, medical, and religious. The main problem, of course, is to provide adequate care for the aged and infirm who either are not or cannot be cared for in their own establishments. This need might stem from various factors—the aged individuals involved might not wish to care for themselves, they might require nursing care of a sort that will not allow them to care for themselves. Personality difficulties peculiar to age might make habitation with members of their families difficult, if not impossible, and, of course, space might not be available in the home—because of modern day compact living—to care for an aged person. Whatever the reason, there are many environmental and social pressures in our society today to add to the sheer medical needs of the patient—the outcome has been the evolution of the specialized institution known as the nursing home. Today 71 percent of the available beds for care of the aged and chronically ill are found in proprietary facilities as compared with 15 percent in the publicly owned facilities and 14 percent in the nonprofit facilities. Despite this great predominance of care for the aged in proprietary nursing homes, Federal support and financing of these homes has been directed almost entirely to the nonprofit, and tax supported institutions.

The only exception of this occurred approximately 2 years ago or more when the Small Business Administration broadened its program to include 10-year loans to proprietary nursing and convalescent homes. Using my area as an example—because of the high operating costs of a home of this type and the low margin of profit, it would be impossible to pay back a sizable loan in 10 years. What these people need is a long-term loan, with an interest rate that would enable them to equip and run their establishment, including maximum benefits for all concerned, without sacrificing any of these benefits in any way. Dr. H. B. Mulholland, chairman of the American Medical Association's committee on aging, stated in his pamphlet, "Health Aspects of Aging":

It is common knowledge that many general hospitals are now caring for patients who would be better off in the less expensive structure. A committee under the chairmanship of Dr. Howard Rusk several months ago surveyed the city hospitals of New York City and found that 20 percent of their patients should be in such an institution, where they could be cared for at a rate of $6 or $7 per day as compared with the average rate of $21 in New York City hospitals. Not only is the cost less but they are not surrounded with sick people, but live in an atmosphere in which they are stimulated to become self-sufficient.

If you will pardon a personal example, my own mother spent her last years in a nursing home, because she preferred to be with people approximately her own age, and because her health fared better where it could receive the attention given in a home of this type.

I believe we can use an even closer personal example when we consider that any of us, given the opportunity to live to a very old age, might require a home of this type. Would any one of us be prepared to spend, or have someone spend for us approximately $300 a month for lodging and medicine—this is the present going rate in my area for this type of care. I certainly feel that something should be done to cause the years added to our lives by medical science to be as free from care and worry as possible.

I feel that my bill includes benefits which are directly applicable to my area and other areas and I certainly do hope it will be enacted into law.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent that the Committee on Interior and Insular Affairs may be permitted to sit during sessions of the House during the remainder of the week.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AREA REDEVELOPMENT

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, I take this minute to advise my colleagues on both sides of the aisle that with the distinguished senior Senator from Illinois, Mr. DOUGLAS, I am together with him today introducing the new area redevelopment bill. I also wish to advise my colleagues that the senior Senator from Illinois has prepared an address which he will make in the other body today. Later today, I will make a prepared address on the same subject here. I have sent an analysis of the bill to all Members of the House. I invite you to place your names upon a similar bill as soon as possible.

LESS-THAN-HONORABLE DISCHARGES

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include appropriate matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, I have the pleasure to report to the House that I have recently received from the Department of Defense what I am sure will be welcomed by every Member of this House who was, in the 85th Congress and is again in this 86th Congress, so vitally concerned about the subject of less than honorable discharges. To bring you along with me as to developments since the close of the 85th Congress, I present the text of four letters which specifically bear upon the subject matter. The first letter by me dated August 13 to the Deputy Assistant Secretary of Defense, next, his letter of acknowledgment, dated December 24, 1958, third, my letter to him, dated December 31, 1958, and finally a letter to me dated January 16, 1959, enclosing the text of a Department of Defense directive dated January 14, 1959, on the subject of administrative discharges Directive No. 1332.14. You will note from the letter of January 16 that Deputy Assistant Secretary of Defense, Stephen S. Jackson, calls my attention to the fact that this establishment of uniform standards, particularly with respect to those military discharges less than honorable, resulting from administrative action by the services, represents the culmination of many months of work.

During the 85th Congress, you will recall your special subcommittee of the House Armed Services Committee, which held public hearings on the subject of less than honorable discharges in connection with bill H. R. 8772, which later passed the House by a vote of 226 to 8, but did not get consideration of the Senate committee in time to move forward, expressed the viewpoint that it was highly desirable that there be a uniform code of standards and procedures governing the administrative discharges of enlisted persons from the Armed Forces. I am sure that, by making the text of this new uniform code relating to such discharges available to all Members of this Congress, we will all be better informed and better enabled to more promptly and fully represent any meritorious interest of any of our constituents in this area.

You will note from section 2 that this uniform code, which I am informed is the first ever adopted by the Defense Department, is made applicable to the Army, Navy, Air Force, Marine Corps, and even including the Coast Guard and all Reserve components thereof. In submitting this welcome information to you, I desire to extend my compliments to the Secretary of Defense, Neil McElroy, who signed this history-making directive and all his associates, for issuing this timely and I believe very much worthwhile and very significant directive.

I am also pleased to supply you with the full text of the report furnished me on December 24, 1958, by the Deputy Assistant Secretary, Stephen Jackson, in cooperating with my request on August 13, 1958, for such information. I wish to say, however, that in my letter of August 13, 1958, I did not ask that this important data be furnished me until Christmas time.

In closing, I inform the House that Hon. CARL VINSON, chairman of the Armed Services Committee, has already asked the Pentagon for a report on H.R. 88 and all the other numbered bills on the same subject and I am urging earliest possible reports on these bills back to the Armed Services Committee to which the bills on this subject were all referred. Chairman VINSON has suggested that since the special subcommittee of the House Armed Services Committee held such long, inclusive and comprehensive hearings during the 85th Congress that it may not be necessary and appropriate to hold further hearings on these bills.

It is suggested that some of the Members who are interested in the adoption of legislation on this important subject during this 86th Congress may have, through mistake, taken the text of H.R. 8772 of the 85th Congress and filed it in this 86th Congress; when they intended to take the text of H.R. 88 in this 86th Congress and file it as their revised bill. There is one major difference between H.R. 8772 of the 85th Congress and H.R. 88 of the 86th Congress—the Doyle bill—which is that the designation of the document for H.R. 8772 proposed to be issued by the military was "General Discharge Limited," while under H.R. 88 that document is entitled "Exemplary Rehabilitation Certificate."

In reply to queries asked of me recently, I will state that I have informed the military that this very splendid uniform codification of administrative discharges so recently issued under No. 1332 does not, however, take the place of or necessity of, nor does it go into the field which is entered by, H.R. 88 and related bills. So, may I make it clear that these marked advances made by the military since the hearings by the House Armed Services Special Subcommittee during the 85th Congress are duly recognized as splendid improvements, but they nevertheless, do not and cannot from the nature of the total situation involved, be a substitute for the existing and continuing necessity of the military acting further, and in another advanced step which is proposed in H.R. 88 and companion bills, to wit: to issue an exemplary rehabilitation certificate to those formerly expelled from the military establishments with less than honorable discharge for relatively minor offenses; provided always that such person fully proves to the military itself, that he has earned such action during not less than 3 years of his civilian life. It will help remove some of the life stigma attaching to less than honorable discharges. It will also help a deserving man to get a chance to earn a decent living and hold his head up. Let us treat a deserving man in a truly humane manner.

AUGUST 13, 1958.

Hon. STEPHEN S. JACKSON,
Deputy Assistant Secretary of Defense,
Washington, D.C.

MY DEAR MR. SECRETARY: Thank you again for past courtesies. I now respectfully request as follows: That by December 15, 1958, you have brought to my attention at my office here in Washington an itemized report on the subject of less-than-honorable discharges of the total Military Establishment which will supplement the information heretofore furnished as to the number of such discharges and the types thereof and the reasons therefor, the ages of the men, whether or not they were court-martialed, and any other pertinent, informative data which will help us in our further study of the problem. Said report should begin at the date when you furnished the information in the last report and to continue down to December 1, 1958.

Also, Mr. Secretary, I will thank you to also furnish me the supplemental information down to December 1, 1958, supplemental to your communication in the matter of "Applications for Reenlistment From Persons Discharged Under Less-Than-Honorable Conditions September 1957 to April 1958."

It now appears that the Armed Services Committee of the House will again continue to be interested in this important subject as the 86th Congress opens.

Thanking you and with personal regards, I remain,

Sincerely yours,

CLYDE DOYLE,
Member of Congress.

P.S.—If such information can come forward to me with an original and three carbon copies thereof, it will be very much appreciated.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., December 24, 1958.

Hon. CLYDE DOYLE,
House of Representatives.

DEAR MR. DOYLE: Your letter of August 13 requested certain data on the subject of less-than-honorable discharges of the military departments, to supplement information previously furnished to you. Your letter of December 19 asked that the data be forwarded before the Christmas holidays. The requested reports are attached.

In compiling this information we have attempted to place the reporting on a fiscal year basis, insofar as possible, to coincide with established reporting procedures within the services. It is believed that this will result in a more orderly presentation of information for your use.

A closing date of October 31 was used for applications for reenlistment from persons discharged under less-than-honorable conditions (table 5), in lieu of the December 1 date you requested. Data for the month of November 1958 are not yet available. Further, no information on this subject has been included in the Marine Corps' regular statistical reporting system up to this time. This omission is not believed to alter substantially the over-all Department of Defense figures attached. The Marine Corps is initiating action to have the information available in the future.

I trust the attached reports will meet your needs.

Sincerely yours,

STEPHEN S. JACKSON,
Deputy Assistant Secretary.

P.S.—I regret the delay. This material reached my desk at 2:40 p.m. this date. Cordial good wishes for a happy Christmas.

S. S. J.

HOUSE OF REPRESENTATIVES,
Washington, D.C., December 31, 1958.

Hon. STEPHEN S. JACKSON,
Deputy Assistant Secretary,
Department of Defense,
Washington, D.C.

MY DEAR MR. SECRETARY: Thank you for remitting to me with your letter of December 24 certain data on the subject of less-than-honorable discharges of the military departments, to supplement information previously furnished. This was in accordance with my request for data in my letter to you of August 13, 1958. Thank you.

I intend to file a bill on the same subject promptly in the 86th Congress. It would be

very much appreciated if, during the 86th Congress, there was not the extended and protracted delays somewhere along the line in connection with the subject matter (which delays were not in the House of Representatives). We intend to again approach the subject in an attitude of mind and approach as one of thoroughly conscientious study and decision. Much thought has naturally gone into the problem during the congressional recess.

Wishing you and your associates a happy New Year and appreciating the courtesies extended, I have the honor to be,

Sincerely yours,

CLYDE DOYLE,
Member of Congress.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., January 16, 1959.

Hon. CLYDE DOYLE,
House of Representatives.

DEAR MR. DOYLE: During the numerous conferences between members of our respective staffs concerning less-than-honorable discharges of military personnel, you have frequently expressed interest in the establishment of uniform standards, particularly with respect to those discharges resulting from administrative action by the services.

I am pleased to furnish you herewith information copies of Department of Defense directive 1332.14, approved for publication by the Secretary of Defense this week. This directive, establishing uniform standards and procedures for the administrative separation of enlisted personnel, represent the culmination of many months of work.

We believe that this directive will accomplish, within its sphere, the same beneficial results achieved by the Uniform Code of Military Justice in the area of punitive discharge.

Sincerely yours,

STEPHEN S. JACKSON,
Deputy Assistant Secretary.

DEPARTMENT OF DEFENSE DIRECTIVE—ADMINISTRATIVE DISCHARGES

I. PURPOSE AND CANCELLATIONS

This directive revises the standards and procedures governing the administrative discharge of enlisted persons from the Armed Forces. The referenced memorandums and any other existing regulations in conflict with the provisions of this directive are superseded and canceled 90 days after date of issue of this directive.

II. APPLICABILITY

The policies and regulations set forth herein are applicable to the Army, the Navy, the Air Force, the Marine Corps, and, by agreement with the Secretary of the Treasury, to the Coast Guard, and to all Reserve components thereof.

III. ADMINISTRATION

Each of the Armed Forces to which these policies and regulations are applicable will, prior to the cancellation date of the referenced memorandums, issue appropriate regulations under this directive.

IV. DEFINITIONS

A. Military behavior as used herein refers to the conduct of the individual while a member of an armed service.

B. Military record as used herein includes an individual's military behavior and performance of duty, and reflects the character of the service he has rendered while a member of an armed service.

C. Honorable discharge: An honorable discharge is a separation from an armed service with honor.

D. General discharge: A general discharge is a separation from an armed service under honorable conditions of an individual whose military record is not sufficiently meritorous to warrant an honorable discharge.

V. PRESERVICE ACTIVITIES

Except for misrepresentations (including omissions) made in connection with his enlistment or induction, activities that a member of the Armed Forces engaged in before he acquired status in the Armed Forces may not be considered in determining the type and character of discharge or separation to be issued. The type and character of the discharge will be determined solely by the member's military record.

VI. STANDARDS FOR DISCHARGE

The type and character of discharge or separation and the reasons therefor will be determined in accordance with the following standards:

A. Honorable discharge: Issuance of an honorable discharge is conditioned upon:

1. Proper military behavior. Ordinarily, an honorable discharge will not be issued if an individual has been convicted of an offense by general court martial or has been convicted by more than one special court martial in the current enlistment, period of obligated service, or any extensions thereof.

2. Proficient and industrious performance of duty having due regard to the rate, rank, or grade held and the capabilities of the individual concerned.

3. Eligibility for discharge by virtue of one of the following reasons:

(a) Expiration of enlistment or fulfillment of service obligation, as applicable.
(b) Convenience of the Government.
(c) Hardship or dependency.
(d) Minority.
(e) Disability.
(f) Unsuitability.
(g) Security.
(h) When directed by the Secretary of the department concerned.
(i) Resignation—own convenience.

Special considerations: An individual may, when otherwise ineligible, receive an honorable discharge if he has, during his current enlistment, period of obligated service, or any extensions thereof, received a personal decoration as defined by the respective services, or is discharged as a result of a disability incured in line of duty. In each of the above situations, the individual's military record should form the basis for the action taken.

B. General discharge: Issuance of a general discharge is conditioned upon:

1. Military record not sufficiently meritorious to warrant an honorable discharge.

2. Eligibility for discharge by virtue of one of the reasons listed in VI A 3.

C. Undesirable discharge: An undesirable discharge is an administrative separation from the service "Under conditions other than honorable." It is issued for unfitness, misconduct or for security reasons. It will not be issued in lieu of trial by court-martial except upon the determination by an officer exercising general court-martial jurisdiction or by higher authority that the interests of the service as well as the individual will best be served by administrative discharge.

Special considerations: Notwithstanding the foregoing, whenever the particular circumstances in a given case so warrant, an administrative discharge other than an undesirable discharge may be issued.

VII. REASONS FOR DISCHARGE

A. Expiration of enlistment or fulfillment of service obligation (as applicable). Discharge with an honorable or a general discharge as warranted by the individual's military record (par. VI A or B, as applicable).

B. Convenience of the Government: Discharge with an honorable or a general discharge as warranted by the individual's military record, for the following reasons:

1. General demobilization, reduction in authorized strength or by an order applicable to all members of a class of personnel specified in the order.

2. Acceptance of a commission or appointment in any branch of the Armed Services, for active duty only.

3. National health, safety, or interest.

4. To permit immediate enlistment or reenlistment.

5. Erroneous induction or enlistment.

6. To provide for the discharge of individuals serving in unspecified enlistment.

7. In the case of women, marriage, pregnancy, parenthood, or custody of children under age 18.

8. For other good and sufficient reasons when determined by the Secretary of the Department concerned.

C. Resignation—own convenience: Discharge with an honorable or a general discharge as warranted by the individual's military record, on an individual basis, in accordance with regulations of the service concerned. Such discharge may be effected as early release for the convenience of the Government.

D. Dependency or hardship: Discharge or separation or release by reason of dependency or hardship with an honorable or a general discharge, as warranted by the individual's military record. Discharge may be directed when it is considered that undue and genuine dependency or hardship exists, that the hardship or dependency is not of a temporary nature, and that conditions have arisen or been aggravated to an excessive degree since entry into the service and the member has made every reasonable effort by means of application for family allowance and voluntary contributions which have proven inadequate; that the discharge of the individual will result in the elimination of, or will materially alleviate the condition and that there are no means of alleviation readily available other than by such discharge.

Undue hardship does not necessarily exist solely because of altered present or expected income or because the individual is separated from his family or must suffer the inconveniences normally incident to military service.

E. Minority: Discharge by reason of minority with an honorable or general discharge as warranted by the individual's military record, or release by voidance of enlistment upon determination that the individual's age was misrepresented upon enlistment or induction as follows:

1. Males, if enlisted and under 17 years of age, or inducted and under 18 years and 6 months of age, when verified, release from military control by discharge, release or voidance of enlistment.

2. If an enlisted man, enlisted without proper consent and having passed his 17th birthday, but not his 18th birthday, discharge upon application of parent or legal guardian as prescribed by law.

3. If an enlisted man having passed his 18th birthday when verified—retain if otherwise qualified.

4. Females, if enlisted and under 18 years of age, or inducted and under the age prescribed by law for such induction, release from military control by discharge, release, or voidance of enlistment.

5. If an enlisted woman enlisted without proper consent, having passed her 18th birthday, but not her 21st birthday, when verified—discharge upon application of parent or legal guardian as prescribed by law.

NOTE.—The enlistment of a minor with false representation as to age without proper consent will not in itself be considered as fraudulent enlistment.

F. Disability: Discharge by reason of physical disability, with an honorable or general discharge as warranted by the individual's military record, when it has been determined as a result of medical findings that the individual is physically unfit to perform the duties of his office, rank, grade, or rating.

G. Unsuitability: Discharge by reason of unsuitability, with an honorable or general discharge as warranted by the individual's military record. Such discharge will be effected when it has been determined that an individual is unsuitable for further military service because of:

1. Inaptitude: Applicable to those persons who are best described as inapt, due to lack of general adaptability, want or readiness of skill, unhandiness, or inability to learn.

2. Character and behavior disorders: Character and behavior disorders, disorders of intelligence, and transient personality disorders due to acute or special stress as defined in "Joint Armed Forces Nomenclature and Method of Recording Psychiatric Conditions—1949" (SR 40–1025–2; NavMed P–1303; AFR 160–13A).

3. Apathy, defective attitudes and inability to expend effort constructively: As a significant observable defect, apparently beyond the control of the individual, elsewhere not readily describable.

4. Enuresis.

5. Alcoholism: Chronic, or addiction to alcohol.

6. Homosexual tendencies.

7. Special considerations: For other good and sufficient reasons when determined by the Secretary of the Department concerned.

H. Security: Discharge with the character of discharge and under conditions stipulated by the Secretary of Defense in directives which deal explicitly with this matter when retention is not clearly consistent with the interest of national security.

I. Unfitness: Discharge by reason of unfitness, with an undesirable discharge, unless the particular circumstances in a given case warrant a general or honorable discharge, when it has been determined that an individual's military record is characterized by one or more of the following:

1. Frequent involvement of a discreditable nature with civil or military authorities.

2. Sexual perversion.

3. Drug addiction or the unauthorized use or possession of habit-forming narcotic drugs or marijuana.

4. An established pattern for shirking.

5. An established pattern showing dishonorable failure to pay just debts.

6. For other good and sufficient reasons when determined by the Secretary concerned.

J. Misconduct: Discharge by reason of misconduct, "with an undesirable discharge, unless the particular circumstances in a given case warrant a general or honorable discharge, when one or more of the following conditions have been determined:

1. Conviction by civil authorities (foreign or domestic) or action taken which is tantamount to a finding of guilty of an offense for which the maximum penalty under the UCMJ is death or confinement in excess of 1 year; or which involves moral turpitude; or where the offender is adjudged a juvenile delinquent, wayward minor, or youthful offender as a result of an offense involving moral turpitude. If the offense is not listed in the MCM Table of Maximum Punishments or is not closely related to an offense listed therein, the maximum punishments authorized by the United States Code or the District of Columbia Code, whichever is lesser, applies. For the purpose of this subparagraph only, an individual shall be considered as having been convicted even though an appeal is pending or is subsequently filed.

2. Procurement of a fraudulent enlistment, induction or period of obligated service through any deliberate material misrepresentation or concealment which, except for such misrepresentation or concealment, may have resulted in rejection.

3. Prolonged unauthorized absence. When unauthorized continuous absence of 1 year or more has been established but punitive discharge has not been authorized by competent authority.

VIII. PROCEDURES FOR DISCHARGE

In accordance with the standards hereinbefore outlined, the following procedures will be adhered to in effecting administrative discharges:

A. Honorable discharge: A separation with an honorable discharge may be effected by the individual's commanding officer or higher authority when the individual is eligible for or subject to discharge and it has been determined that he merits an Honorable Discharge under the prescribed standards.

B. General discharge: A separation with a general discharge may be effected by the individual's commanding officer or higher authority when the individual is eligible for or is subject to discharge and it has been determined under the prescribed standards and in accordance with any prescribed administrative procedures that a general discharge is warranted.

C. Discharge for unsuitability: An individual recommended for an honorable or general discharge for reason of unsuitability shall be afforded the opportunity to make a statement in his own behalf.

D. Undesirable discharge: An undesirable discharge will be effected only by authority of a properly approved administrative action conforming to the prescribed standards, during which the following procedures and safeguards have been observed:

1. The individual if subject to such discharge will, if his whereabouts is known, be properly advised of the basis for the contemplated action and afforded an opportunity to request or waive, in writing, the following privileges:

(a) To have his case heard by a board of not less than three officers. In the case of nonregular component members, all boards so convened shall include appropriate numbers from the Reserve components. In the case of female members, all boards so convened shall include at least one female officer.

(b) To appear in person before such board, subject to his availability, e.g., not in civil confinement.

(c) To be represented by counsel, who, if reasonably available, should be a lawyer.

(d) To submit statements in his own behalf.

2. Separation with an undesirable discharge may be effected by an officer exercising general court-martial jurisdiction or by higher authority (including departmental headquarters) after review of the findings and recommendations made by any board which was convened to consider the case.

3. Except for reservists, departmental secretaries are authorized to waive the requirements set forth in paragraph 1, above (except 1d) when such action is deemed in the best interest of the military service. Departmental secretaries will advise the Assistant Secretary of Defense (manpower, personnel, and Reserve) by memorandum not later than July 15 each year of any such actions taken during the preceding fiscal year, and the reasons therefor. The reporting requirement of this paragraph has been assigned report control symbol DD–MP&R(A)370.

IX. IMPLEMENTATION

Each military department will forward copies of implementing instructions to the Assistant Secretary of Defense (manpower, personnel, and Reserve) within 90 days after date of this directive.

NEIL MCELROY,
Secretary of Defense.

1. Enlisted discharges by type of discharge

FISCAL YEAR 1957

Type of discharge	DOD total	Army	Navy	Air Force	Marine Corps
Total	679,202	319,197	153,912	130,629	75,464
Honorable	607,683	292,984	142,329	108,887	63,483
General (honorable conditions)	32,103	6,593	5,431	11,347	8,732
Undesirable	27,786	15,228	3,882	7,214	1,462
Bad conduct	7,983	1,681	2,220	2,470	1,612
Dishonorable	3,647	2,711	50	711	175

FISCAL YEAR 1958

Total	738,691	350,031	192,398	138,789	57,473
Honorable	662,028	321,690	178,414	115,130	46,794
General (honorable conditions)	35,225	7,814	6,901	12,664	7,846
Undesirable	31,448	17,514	4,259	8,300	1,375
Bad conduct	7,767	1,321	2,784	2,267	1,395
Dishonorable	2,223	1,692	40	428	63

2. 1,000-man sample data, fiscal year 1958

UNDESIRABLE AND BAD-CONDUCT DISCHARGES

	DOD total	Army	Navy	Air Force	Marine Corps
Total	1,000	400	200	300	100
Undesirable	818	395	124	250	49
Unfitness	(353)	(116)	(81)	(131)	(25)
Misconduct	(465)	(279)	(43)	(119)	(24)
Bad conduct	182	5	76	50	51

2. 1,000-man sample data, fiscal year 1958—Continued

REASONS FOR UNDESIRABLE DISCHARGES

Total	818	395	124	250	49
Homosexual	59	12	40		7
Fraudulent enlistment	33	20	5	6	2
Civil court conviction (including J.D.)	143	26	38	59	20
Repeated offenders	144	31	41	59	13
Desertion—a.w.o.l., trial waived	3	1			2
Unclean habits (including repeated V.D.)	23	4		19	
Habitual shirker	28	6		22	
Antisocial/amoral trend	41	17		21	3
Drug addiction	1	1			
Drunkenness, intemperate use of alcohol	42	5		37	
Bad checks, indebtedness, etc	17			17	
Other undesirable habits and traits of character, or combinations of behavior rendering individual undesirable for military service	284	272		10	2

AGE AND LENGTH OF SERVICE

Type of discharge	DOD total	Army	Navy	Air Force	Marine Corps
Average age at discharge	22.6	24.0	21.4	21.5	23.0
Average age at enlistment	19.4	21.1	17.9	18.4	19.0
Average length of service (years)	3.2	2.9	3.5	3.1	3.8

3. Actions by discharge review boards

	Fiscal year 1957				Fiscal year 1958				Cumulative to June 30, 1958			
	DOD total	Army	Navy [1]	Air Force	DOD total	Army	Navy [1]	Air Force	DOD total	Army [2]	Navy [1 2]	Air Force [4]
Number of discharges reviewed	7,612	3,220	1,986	2,406	9,104	4,415	1,899	2,790	124,144	60,775	43,836	19,533
Number of discharges changed	1,162	749	226	187	1,610	1,022	272	316	21,816	10,285	9,612	1,919
Number of less than honorable changed to honorable conditions or better	886	653	142	91	1,214	939	182	93	14,318	9,381	3,838	1,099

[1] Includes Marine Corps.
[2] Cumulative from Oct. 11, 1944 (date board established).
[3] Cumulative from July 22, 1944 (date board established).
[4] Cumulative from June 14, 1948 (date board established).

4. Actions by Boards for the Correction of Military Records

	Fiscal year 1957				Fiscal year 1958				Cumulative to June 30, 1958			
	DOD total	Army	Navy [1]	Air Force	DOD total	Army	Navy [1]	Air Force	DOD total	Army [2]	Navy [1 3]	Air Force [4]
Number of discharges reviewed	1,517	729	343	445	1,449	731	331	387	18,976	10,031	6,641	2,304
Number of discharges changed	102	32	44	26	82	16	28	38	1,843	818	856	169
Number of less than honorable changed to honorable conditions or better	74	17	38	19	55	11	25	19	1,061	195	741	[125

[1] Includes Marine Corps.
[2] Cumulative from June 15, 1947 (date board established).
[3] Cumulative from Feb. 24, 1947 (date board established).
[4] Cumulative from June 1, 1950 (date board established).

5. Applications for reenlistment from persons discharged under less than honorable conditions

	Apr. 1, 1958, to June 30, 1958					July 1, 1958, to Oct. 31, 1958					Cumulative September 1957 to Oct. 31, 1958				
	Total [1]	Army	Navy	Air Force	Marine Corps	Total [1]	Army	Navy	Air Force	Marine Corps	Total [1]	Army	Navy	Air Force	Marine Corps
Applications for reenlistment	108	14	15	79	(2)	172	30	21	121	(2)	553	71	69	413	(2)
Previous discharge:															
Undesirable	90	10	7	73		126	24	11	91		418	53	38	327	
Bad conduct	9		7	2		41	4	10	27		115	6	30	79	
Dishonorable	9	4	1	4		5	2		3		20	12	1	7	
Approved for reenlistment	8	5	3		(2)	21	19	1	1	(2)	57	34	15	8	(2)
Previous discharge:															
Undesirable	6	5	1			19	17	1	1		45	28	9	8	
Bad conduct	2		2			2	2				10	4	6		
Dishonorable											2	2			

[1] Total for Army, Navy, and Air Force.
[2] Data not compiled by the Marine Corps.

AGE AND LENGTH OF SERVICE AND SEPARATION

	July 1, 1958, to Oct. 31, 1958				
	Total [1]	Army	Navy	Air Force	Marine Corps
Average age of applicants at time of discharge	22.5	25.5	21.0	22.0	(2)
Average length of active duty prior to discharge (years)	3.4	3.6	2.8	3.5	(2)
Average time elapsed between discharge and application to reenlist (years)	3.8	3.7	4.8	3.6	(2)

[1] Total for Army, Navy, and Air Force.
[2] Data not compiled by the Marine Corps.

Reasons for disapproval (1 or more applicable): Conviction of felony; psychiatric conditions; alcoholism; poor military record; offenses involving moral turpitude, sex perversion, alcoholism; lack of evidence of past-service rehabilitation or exemplary behavior; repeated military offenses and many opportunities for rehabilitation; unstable past-service employment record.

STABLE PRICE LEVELS

Mr. JOHNSON of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. JOHNSON of Colorado. Mr. Speaker, the Employment Act of 1946 sets forth as the policy of this Government to promote and maintain maximum employment, production, and purchasing power. Yesterday, I introduced an amendment to the act to provide that it is our policy to do so at stable price levels. I have also proposed to amend section 4 of the act requesting the Council of Economic Advisers and the President to provide us with suitable policies to promote and maintain maximum employment, production, and purchasing power at stable price levels. A clear statement of policy by this Congress, plus appropriate legislative and executive action in support of this policy, is desperately needed to meet the number one domestic issue of our times, namely, how to secure adequate economic expansion without inflation.

I ask unanimous consent to include a copy of the amendment in the RECORD at this point.

The SPEAKER. Is there objection?

There was no objection.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 2 of the Employment Act of 1946 (15 U.S.C., sec. 1021) is amended by inserting immediately before the period at the end thereof the following: "at stable price levels".

(b) Paragraph (4) of subsection (c) of section 4 of the Employment Act of 1946 (15 U.S.C., sec. 1023(c)(4)) is amended by striking out "employment, production, and purchasing power" and by inserting in lieu thereof the following: "maximum employment, production, and purchasing power at stable price levels".

JOSEPH H. FREEHILL

Mr. REUSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, the death last Wednesday of Joseph H. Freehill took from northern Virginia, and from the Nation, a great and good man—a fine, constructive, vigorous leader.

Our hearts go out to Mary Freehill and their six children in this time of sorrow.

Many of the Members of this Congress knew and admired Joe Freehill. He was a man of tremendous capacity, limitless energy, and good sense. He used his talents unstintingly in wholehearted public service and effective political action.

Joe Freehill's contributions to northern Virginia, as a member and chairman of the Fairfax board of county supervisors, as the Democratic candidate for Congress, and as a civic-minded attorney and citizen, were numberless. And he gave distinguished service to the Federal Government as counsel to numerous agencies and last director of the Office of Price Stabilization.

Joe Freehill never ducked an issue. In his last speech, which he never delivered, he summed up his own philosophy in these words:

> We must take strong stands if we are to go into the arena and do battle for the things in which we believe; else others will decide our future for us.

Joe Freehill had a profound appreciation of the necessity for keeping public schools open and operating. He had a sound sense of proportion concerning the responsibilities of the State government and the responsibilities of the local government in providing first class public education for children. His tact and talent were such that he had the respect of those whose views he did not share.

It is a tragedy that Joe Freehill was taken from us, at the young age of 50, with so much of his career still ahead. Of him one may say with Fortinbras:

> For he was likely, had he been put on, to have proved most royally.

Mr. REUSS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, I join with my colleagues in expressing my shock and sadness at the untimely death of Joseph H. Freehill, a great Democrat, whose courage and vision will be sorely missed. I want to extend my deepest sympathy to his family.

Hard work came naturally to Joe Freehill. He worked hard to get through school and he worked hard ever after. In each position he held, in the Federal Government, the Railroad Retirement Board and the Office of Price Stabilization, and in his own Fairfax County government, through diligence and hard work he rose to the top.

Joe and Mary Freehill were fortunate to have six children, and Joe's appreciation of the importance of young people can be seen not only in his family activities but in his community activities.

He was a leader in the Boy Scouts—not only in Virginia, but in the entire capital area. He was the head of the Falls Church High School Parent-Teachers Association for two terms. He was the head of drives for school funds for his own St. James Catholic Church. He took a leading role in the establishment of a juvenile detention home for northern Virginia. And while he had to devote much time to his private law practice and to a multitude of pressing local governmental problems, Joe Freehill always found time to devote to the improvement of the well-being of young people.

There can be no question that the intense demands which were made upon Joe Freehill accounted in large part for his great driving force; and there is also little question, I believe, that these same demands which he so generously met contributed to his untimely death.

Mr. REUSS. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FOLEY] may address the House for 1 minute, and revise and extend his remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. FOLEY. Mr. Speaker, Joe Freehill was a practical idealist who discovered early that merely thinking and talking from an armchair about the problems of the community did not solve these problems. As an idealist, Joe knew that the community in which he lived was dynamic; new problems arose which required new solutions.

Joe translated his ideas for the solution to these problems into reality by taking direct, personal, and immediate participation in community affairs.

Each day of community service provided one more stone to the monument that he built in Fairfax County. This monument exists in the hearts and minds of those who knew Joe as a devoted family man and dedicated citizen.

He was a "Doer of the Word." Joe's beloved wife and children will continue to draw inspiration from this fact. So also will all those who had the privilege of knowing and working with him.

Mr. REUSS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. BLATNIK] may address the House for 1 minute, and revise and extend his remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BLATNIK. Mr. Speaker, our democratic society is dependent on good men being elected to public office. The system can be only as good as the people elected.

In order to fill this great public need men must be not only willing to make the sacrifice of running for public office, but must be competent and able.

Joseph H. Freehill had this burning desire to serve. He, by virtue of his experience both in legislative and executive branches of the Federal Government, in his capacity as a supervisor of the Fairfax County government, and as an active participant in important community affairs, had demonstrated his ability and capacity to serve effectively in public office.

Joe Freehill was tenacious in bringing the issues to the voters forthrightly. It was an expression of his deep and abiding faith in democratic processes. While great and admirable was his splendid courage, he always had a kind, understanding thoughtfulness about him.

The effectiveness and warmth of his personality can be measured by the magnitude of the army of his friends and supporters. It would be a sad thing to lose the benefits of Joe Freehill's services at any time—it is a tragedy to lose them at this time.

PRIME MINISTER NKRUMAH

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, the new nation of Ghana, whose Prime Minister Nkrumah says he is a Marxist Socialist, has purchased a $750,000 yacht from the British. According to an Associated Press dispatch, the yacht "will be used to entertain distinguished foreign visitors."

This all figures to the right total. Nkrumah got the red carpet treatment when he came to Washington last summer on a money raising junket. What could be more fitting than a nice, plush yacht with which to show his appreciation when junketing Congressmen and other so-called VIP's come bounding o'er the main?

JUDICIAL MISINTERPRETATION OF CONGRESSIONAL INTENT

Mr. POFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. POFF. Mr. Speaker, I have introduced a bill, H.R. 3193, to correct what I consider either a judicial misinterpretation of congressional intent or, in the alternative, a congressional failure to express its intent clearly.

In the case of Ladner against United States, decided by the Supreme Court on December 15, 1958, the defendant, while resisting arrest, had fired a shotgun and with the same shot wounded two Federal officers. He was tried and convicted under 18 U.S.C. 254, 1940 edition—now 18 U.S.C. 111, 1952 edition—for two offenses of assault. Separate jail penalties were imposed on both counts to run consecutively. On appeal, the Supreme Court held, in effect, that the two batteries constituted a single case of assault punishable as only one offense under the statute.

Possibly the court's decision can best be rationalized on the argument that, in drafting the statute, Congress failed to distinguish between an assault on the one hand and a battery on the other.

The purpose of a criminal statute is twofold, namely, first, to punish the commission of crime and, second, to deter the commission of crime. When the statute concerns physical violence, the use of a deadly weapon and the safety of law-enforcement authorities, this dual purpose can adequately be served only if multiple batteries on multiple victims resulting from a single act of assault entail separate penalties which, in the discretion of the court, can be imposed consecutively.

H.R. 3193 would clarify the statutory ambiguity and crystallize congressional intent. Any assault against more than one Federal officer which ripened into a physical battery on the body of at least one would actuate the new section 115 proposed in H.R. 3193, entitled "Assaults Which Include Batteries," and, upon conviction, the trial judge in his discretion could impose consecutive penalties. Thus, if a person, while resisting arrest, fires a single shot at a group of Federal officers and hits none, he is guilty of the single offense of assault on the group as defined in section 111. If he should wound one of the group, he would be guilty of two offenses, one under section 111 and another under section 115, namely, first, assault on the group and, second, an assault including battery on the wounded officer, and the judge could impose two consecutive penalties. If the person should wound two officers and miss the rest of the group, he would be guilty of three offenses, punishable separately and consecutively.

I earnestly trust that the Committee on the Judiciary will give early and favorable consideration to this bill.

NATIONAL CHILD EVANGELISM WEEK

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, the week of February 22–March 1, 1959, has been designated as National Child Evangelism Week throughout the United States and Canada. Special services will be held in churches and other places during the week to alert the people of the United States and Canada to the need of Bible teaching for children.

Governors, mayors, and others will issue special proclamations. One of these proclamations, issued by the Governor of my own State of Kansas, reads in part:

> Whereas the delinquency problem of the country has been definitely linked with the lack of Bible teaching; and
>
> Whereas we feel that the program of child evangelism fellowship will go a long way toward reducing the delinquency problem, now, therefore, I, Gov. George Docking, of the State of Kansas, do hereby proclaim the week of February 22–March 1, 1959, as Child Evangelism Week in Kansas and urge the people of this State to participate in every phase of Child Evangelism Week.

The National Child Evangelism Fellowship, sponsors of Child Evangelism Week, states that there are more than 18 million children in our Nation who do not attend church. Last year nearly 1 million of these children were reached through approximately 15,000 volunteer workers—mostly women.

Many people refer to the present as the space age. It is also the young people's age or the children's age. More than 4 million babies were born last year in the United States. Delinquency is advancing at an alarming rate. J. Edgar Hoover and others have commended child evangelism fellowship as one of the important preventives for delinquency.

Child Evangelism Fellowship serves the church by channeling into the Sunday school the children contacted in the home Bible classes; giving the church contact with families who do not attend church; giving specialized training to Sunday school teachers and church workers; and making available the best in visual aids, Bible lessons, and teaching materials.

In addition to the home Bible classes, Child Evangelism Fellowship carries on an extensive summer program of camps for delinquent children. Often children are rescued from crime and delinquency through this camping program.

We trust that this program, sponsored by the National Child Evangelism Fellowship, will receive the approval and active support of church organizations throughout the country.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

OUR FEDERAL CONSTITUTION AND OUR SUPREME COURT

The SPEAKER. Under the previous order of the House the gentleman from Illinois [Mr. MASON] is recognized for 40 minutes.

Mr. MASON. Mr. Speaker, I have asked for 40 minutes but I expect to take only 20, in order to give any Member who wishes at the close of my statement the opportunity to ask questions or to make remarks. I shall not yield until I am through with my statement.

Mr. Speaker, as newly elected Members of Congress we have recently taken our oath of office, solemnly swearing that we would "uphold and defend the Constitution of the United States against all enemies, foreign and domestic." I wonder just how serious we were when we took that oath; and just what we expect to do in carrying out that oath. Or did we take the oath, as many people recite the Lord's Prayer, carelessly, unthinkingly, automatically, and impersonally?

Gladstone, a great English statesman, characterized our American Constitution as "the greatest public document ever stricken off by the hand of man at one sitting."

Mr. Speaker, that Constitution has been our charter for 170 years. It has been a blueprint for the building of the greatest Nation on earth; the Nation that provides the greatest opportunities for its people of any nation on earth; the Nation that provides the greatest amount of freedom to its people of any Nation on earth; and the Nation that has the highest standard of living for its people to enjoy of any nation on earth.

All these blessings are largely the result of the guarantees contained in the Constitution that our farseeing forefathers drew up and established 170 years ago. Is it any wonder that every

real American looks upon that Constitution as a sacred document, a priceless document, a document to be preserved with our lives if necessary—not a document to be taken lightly and changed at the whim of every New Dealer, modern Republican, or Supreme Court Justice.

Mr. Speaker, the purposes the Founding Fathers had in mind when they drafted our Constitution are expressed in the preamble of that document. Every schoolchild should be required to memorize it:

> We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Mr. Speaker, some of the provisions of the Constitution have been the subject of much debate over the years. The historic Senate debates of 1830 between Webster and Calhoun over States rights under the Constitution is an example of how mental giants have honestly differed as to the real meaning of some of the provisions of the Constitution. When Andy Jackson was elected President in 1829 his southern friends decided to test him on the subject of "States Rights." So they held a great banquet with Jackson as the guest of honor. Toast after toast was proposed by Jackson's friends all lauding the philosophy of States rights, as outlined by Calhoun. Then Jackson was called upon for a toast. He stood up stretching his tall, gaunt, fever-stricken form to its full height—paused a moment—then uttered in ringing tones: "Gentlemen, our Federal Constitution, it must be preserved." Jackson left no doubt in anyone's mind as to where he stood on the Constitution.

Later, in 1858, came the Lincoln and Douglas series of debates in Illinois over slavery and States rights. Those debates led up to the Civil War, four dark and bloody years when American fought against American, brother fought against brother. The Civil War settled for all time the slavery question—but it did not settle the question of States rights. That question is still with us.

Mr. Speaker, the next great attack on our Constitution came in February 1937 when President Roosevelt sent his Court-packing proposal to the Hill for adoption. I was a new Member of Congress at that time having been sworn in only a month before. My oath of office was fresh in my mind, "To uphold and defend the Constitution of the United States." President Roosevelt had lost patience with the "nine old men," who wouldn't go along with his welfare theories, whose decisions went against his social welfare programs. So in order to get a Court that would go along with his social and economic theories, a Court that would approve his social-welfare programs, he sent to Congress a proposal to pack the Supreme Court with men whose social, economic, and political beliefs were akin to his own—men who would carry out his wishes. If that proposal had been adopted it would have changed this country into a one-man dictatorship.

Fortunately, the people back home became aroused as they had never been aroused before. Congress was flooded with protests, and the Court-packing proposal was defeated. Then F. D. R. started to stack the Court, by appointing to every vacancy that developed among the "nine old men" a person who had the same social, political, and economic beliefs that he had himself, making the appointments regardless of that person's legal background or the amount of his judicial experience. President Truman followed in Roosevelt's footsteps when making his appointments to the Supreme Court; and Eisenhower finished the stacking process when he appointed Earl Warren as Chief Justice, a man with no judicial experience, and with a minimum of legal training.

We have today, therefore, a Court that bases its decisions upon the personal, social, political, and economic predilections of the majority of the Justices—not upon legal precedents; not upon constitutional grounds, as was anticipated by the makers of the Constitution; but upon the personal opinions of the majority of its members.

In the minds of our Supreme Court Justices today our Federal Constitution is a dead letter. It is largely ignored or flouted as a basis for present-day decisions. Even former decisions of the Court, under such great men as Charles Evans Hughes and Chief Justice Howard Taft, are ignored, disregarded, cast aside, in favor of socialistic doctrines expounded by a Swedish Socialist.

Mr. Speaker, judging by many of its recent decisions the majority of the Justices of the Supreme Court today actually believe their chief function is not to judge the laws passed by the Congress, to weigh them from the standpoint of the Constitution, but rather "to rewrite the Constitution in their own image," as Judge Alfred J. Schweppe, former dean of the University of Washington Law School, so aptly put it. In order to accomplish that objective they ignore or flout the precedents laid down by former great Courts; they ignore the amending process found in article V of the Constitution itself—saying the amending process is too slow and cumbersome. So they proceed by majority decisions to rewrite the Constitution according to their own preconceived social, economic, and political concepts.

For example, the Warren Supreme Court, in its 1954 decision on integration in the public schools, deliberately flouted or ignored a former Supreme Court decision delivered in 1896, giving approval to "separate but equal school facilities and services for white and colored pupils," a decision that had been the supreme law of the land for 58 years.

They also flouted or ignored a decision rendered by the Supreme Court in 1927 in the Gong Lum School case in Mississippi, where both questions, "equal protection under the law," and "separate, but equal school facilities" had been raised and argued. That Supreme Court, composed of Chief Justice Taft, and Justices Holmes, Brandeis, Stone, Van Devanter, McReynolds, Sutherland, Butler, and Sanford—all appointed on the basis of their wide judicial and legal backgrounds—rendered a unanimous opinion upon both questions in favor of the segregated schools provided by the constitution of the State of Mississippi.

Chief Justice Taft, in writing the unanimous opinion of the Court, said:

> Were this a new question it would call for very full argument and consideration, but we think it is the same question which has been decided many times to be within the constitutional powers of the State legislature to settle, without intervention of the Federal courts under the Federal Constitution.

Mr. Speaker, disregarding these decisions or precedents by former Supreme Courts, made up of men with great legal ability and experience, the Warren Court today brazenly reverses those decisions, not upon Constitutional grounds, but upon their own preconceived concepts of social and economic justice, citing as their authority for doing so the opinion of a Swedish Socialist, Gunnar Myrdal, as expressed in one of his books. In its 1954 decision on school segregation the Court did not say that "separate, but equal school facilities" was bad law. In effect what the Court did say was that separate but equal school facilities was bad sociology and bad psychology. Ross Valentine, one of our great American columnists, states the question before us today in these words:

> The great issue before the American people is the eventual control of our schools, our lives, and our economy, by Government monopoly concentrated in the hands of an unchecked court-of-no-appeal sitting as a legislature.

To what low legal estate has our Supreme Court fallen. How can our citizens respect present-day decisions of that Court?

Mr. Speaker, this Nation faces a great crisis today, a danger from within much greater than any danger that threatens from without. The words of Abraham Lincoln apply to the situation we face today as they never have before. These are Lincoln's words, spoken in 1837, when he was a member of the Illinois State Legislature:

> At what point shall we expect the approach of danger? By what means shall we fortify against it? Shall we expect some trans-Atlantic military giant to step across the ocean and crush us at a blow?
>
> Never. All the armies of Europe, Asia, and Africa combined, with all the treasure of the earth in their military chest, with a Bonaparte for a commander, could not, by force, take a drink from the Ohio or make a track on the Blue Ridge, in a trial of a thousand years.
>
> At what point, then, is the approach of danger to be expected? I answer, if it ever reaches us, it must spring up among us. It cannot come from abroad. If destruction be our lot, we must ourselves be its author and finisher. As a nation of free men, we must live through all time, or die by suicide.

In my opinion, Mr. Speaker, the danger has sprung up among us—in our Supreme Court—and we must do something about it.

Mr. Speaker, the first great national crisis our people ever faced was the Revo-

lutionary War. Thomas Paine in describing that situation said:

> These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from his duty; but he that stands it now deserves the love and praise of men and women.

The people of this Nation and the Members of this Congress face another great national crisis. Our Constitution, our sacred Charter, is being threatened from within as it has never been threatened before, threatened by men who have sworn to uphold and defend that Constitution. I pray God that we as Members of this 86th Congress will not be summer soldiers and sunshine patriots, but will stand firm in the defense of that Constitution, and thus earn the love and praise of men and women.

Mr. DAVIS of Georgia. Mr. Speaker, will the gentleman yield?

Mr. MASON. I yield.

Mr. DAVIS of Georgia. Mr. Speaker, I have listened with a great deal of interest and appreciation to the learned and very able address which the gentleman from Illinois has just delivered. I agree with the gentleman that we are facing one of the gravest crises that our country has faced since 1776. The Supreme Court of the United States has within the last 20 years been following a pattern of usurping legislative authority which it does not possess. The gentleman has referred specifically to the 1954 school cases. He could have just as well pointed to a long string of cases decided by that Court favoring Communist activities in this country, particularly the Steve Nelson case, which went up from Pennsylvania. They have followed that same pattern in any number of cases, and among them being the Watkins case, the Schware case, the case in which some 14 Communists had their cases reversed; the case involving the Subversive Activity Control Board which reached the Supreme Court after some 7 years of effort. That was the case in which the Board decided the Communist Party of the United States was a subversive organization, and that finding was set aside and the case sent back on a flimsy pretext. The Mallory case is another example of that pattern. There could be dozens of cases cited in which that Court has usurped legislative authority which it does not possess.

Mr. Speaker, I think it is obvious that a judicial dictatorship can be just as destructive of liberty as Nazi dictatorship, a Communist dictatorship, or any other kind of dictatorship. The gentleman from Illinois has rendered a great service in delivering the speech which he has just made, and I, for one, want to express my deep appreciation to him for it.

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. MASON. I yield.

Mr. JOHANSEN. I should like to commend the gentleman from Illinois for his very able presentation. I should like to add that no Member of this House can gainsay for one moment the devotion of the gentleman from Illinois to the Constitution of the United States. May I ask the gentleman this question: May I ask whether he does not believe that it would be the supreme irony and the supreme tragedy of American history if, under the guise of creating alleged social rights, we were to so centralize government, so nullify the 10th amendment and so weaken the responsibilities and authority of the States under the Constitution as, for example, in the matter of education, that the security of all liberties, including those guaranteed by the Constitution, would be in jeopardy? Would that not be the supreme irony and the supreme tragedy?

Mr. MASON. It would. That is exactly what is happening, in my opinion.

Mr. ALGER. Mr. Speaker, will the gentleman yield?

Mr. MASON. I yield.

Mr. ALGER. Mr. Speaker, I want to join with my colleagues in commending the gentleman for his penetrating analysis. As I listened to the gentleman I was struck by a thought on the Supreme Court paralleling his own. The other body in a study of many recent Supreme Court decisions called "the suppressed report" concluded by observing that the net result of these decisions was to destroy the American people's will to resist communism. Coincidentally, destroying the peoples' will to resist is the Communist line against the United States. Mr. Mikoyan exemplified this effort as he visited our people and now speaks for them as though they were opposed to their Government. The new-found peace offensive is to lull us into a sense of complacency and false security.

I am wondering if there is not in the gentleman's mind something to this thought that the Supreme Court decisions coincidentally are weakening our will to resist the Communist menace?

Mr. MASON. It is bound to have that effect, in my opinion. I thank the gentleman for his statement.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield?

Mr. MASON. I yield.

Mr. SMITH of Virginia. I want to compliment the gentleman on his very fine statement. I am so sorry that we hear so few dissertations in this body on the Constitution of the United States.

When I came here nearly 30 years ago we had some very profound constitutional lawyers in the Congress, and they spoke upon the Constitution from time to time. Always when they did there would be a good attendance on the floor, the Members listening with thoughtful attention. I wish that such speeches as the gentleman has made could be made more often. We should be reminded of the foundation of our Government, which lies in the Constitution.

My own State of Virginia is today in a state of disturbance that has never existed since the Civil War. Our Constitution, as we regard it, has been amended by the Supreme Court. I do not want to make any extravagant criticism of the Supreme Court, but I may say that the document issued in recent months by the Association of Supreme Court Justices of the States is a document that ought to be read and studied and prayerfully considered by every American citizen. It is not caustic. It is logical, and supported by legal authority.

On the integration question, in which we from the Southern States are in such a woeful minority, I am afraid that some of my colleagues from other States do not properly realize that that question raised by the subject of segregation is not the real question that confronts the American people today. That decision is a mere symptom of the disease under which this Nation is suffering by reason of the lapse in the consideration of the Constitution, which does not specifically present a final court of appeal on amendments to the Constitution, except through most cumbersome methods. So that while we are disturbed about the segregation question in the Southern States, the rest of the country ought to be disturbed about what could happen in their areas by a continuation of this policy of the Supreme Court amending the Constitution to suit their views.

What has happened in the South can happen in California, New York, or some other State, or upon some other pretext or some other question. So we ought here in this body to try to suppress our feelings and our political views on this subject and consider the most serious and most fundamental question of, Where do we go from here?

When the Supreme Court reverses a constitutional provision that has been the law of the land for 60 years, and when the President of the United States and Congress itself entertains the same feeling—I may say a majority of them—when the President of the United States says that whatever the Supreme Court of the United States says is the law of the land—not what the Congress says, but what the Supreme Court says is the law of the land—and when the Supreme Court announces the law of the land it then becomes the duty of the President of the United States to enforce it with the Armed Forces of this country. Now, stop, pause, and consider that for a moment; and I ask you again: Where does it lead you? Down what disastrous path does it lead? When the Supreme Court announces the law of the land, irrespective of the view of the Congress, and when the President says it is the law of the land and must be enforced by the troops of the United States, I ask this serious question of men from every State in this Union: When that occurs do you not have as powerful, as potent, as dangerous a dictatorship in this country as exists in any foreign nation we so constantly hear about?

Mr. LINDSAY. Mr. Speaker, will the gentleman yield?

Mr. MASON. I yield to my colleague from New York.

Mr. LINDSAY. I listened with a great deal of interest to the remarks of my distinguished senior, and I am constrained to get to my feet to say one or two words.

During the period quite recently when I was in the Justice Department of the United States, in the executive branch of the Government, I argued several cases before the Supreme Court of the United States on constitutional issues.

One of those cases I lost, the Jencks case, which had to do with the opening of the files of the FBI.

I do not necessarily agree with the opinion of the Court in that case inasmuch as I think the opinion was painted too broadly, and I agree on the whole with the legislation thereafter passed to clarify this whole area. On the other hand, I will defend as long as I have voice in my body the jurisdiction of the Supreme Court in every area involving the personal rights and liberties of our people, including cases in the area of internal security. I would oppose any effort made to cut down the jurisdiction of the Court when there is a disagreement because of the result in one particular case or cases.

In my view, history will show, and historians will write, that this Supreme Court is one of the great courts of our history. In my view, also, the President of the United States, Dwight D. Eisenhower, in his appointments to the Supreme Court of the United States has conformed with and met the highest standards of the legal profession in this country, and has done a service to the country as a whole.

I subscribe to the theory that the Constitution of the United States is a living and growing document. Therefore I should like to say that much as I respect the remarks of my distinguished senior, I am constrained to disagree with him.

Mr. GARY. Mr. Speaker, will the gentleman from New York yield?

Mr. MASON. He does not have the floor. I control the time.

Mr. GARY. I would like to say to the gentleman from New York——

Mr. MASON. I would like to answer him myself.

I grant the gentleman the right to have his own opinion of the Supreme Court and of its decisions and, of course, the gentleman's right to interpret the Constitution as a growing and an elastic thing that can be stretched by men with little or no judicial experience. The facts prove that, because I have delved into the background of these men. If any political appointment was ever made to the Supreme Court it was the appointment, in my opinion, of Warren as Chief Justice.

I do not deny any person, a Member of this House or anyone else, the right to have their own opinions or their own judgments and to have the right to express them under the Constitution of the United States. I have been giving you my opinion and my judgment—and it is not a snap judgment.

Mr. Speaker, I have spent some thirty-odd years on this Supreme Court and what it is doing, the trend it has followed, and the trend of its decisions in the last 20 years has undoubtedly been, in my opinion, a trend to the left to make our Constitution so elastic that that Court even quotes as a basis for its opinion a Swedish Socialist. That is a very mild term to apply to this gentleman because he has been quoted many times as a Communist and as a sympathizer of the Communists. We have that in our own records, so I am being rather moderate when I say "a Swedish Socialist."

Mr. ALFORD. Mr. Speaker, will the gentleman yield?

Mr. MASON. I yield to the gentleman from Arkansas.

Mr. ALFORD. Does the gentleman from Illinois know that there is definite evidence that subversive activities is at the base or at the root of our school problems in the South?

Mr. MASON. I have read that. I would not say that I have evidence that would stand up in court on that question, but I am inclined to believe that is one of the factors.

Mr. ALFORD. I shall be prepared in the future to say more on that. May I call attention to the fact that there is evidence that there are individuals in the country today who are more interested in creating mass agitation, setting one social group against another, than they are in the welfare of a minority. Also, I would like to go on record as approving all of the remarks that the gentleman has just made here today. May I ask, is it the gentleman's opinion that the present Supreme Court, the Warren-dominated Supreme Court, is in fact a third body of the Legislature and has usurped the power of this distinguished body?

Mr. MASON. I think that was the essence of my statement. Instead of doing what the Constitution and what our forefathers thought the Supreme Court would do, it is now legislating in the place of the Congress. That was never supposed to be one of its functions.

Mr. ALFORD. I was in complete agreement with the remarks made by the gentleman from Illinois [Mr. PUCINSKI], the other day relative to Mr. Mikoyan. I think it is definitely significant that we should become more concerned about the welfare of Mikoyan when he is in our country than we are about loyal Americans today who are sincere in their desire to work out these problems for the good of all America.

Mr. MASON. I agree with the gentleman.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

A BETTER WAY TO FIGHT THE COMMUNIST CONSPIRACY

The SPEAKER pro tempore (Mr. BOGGS). Under previous order of the House the gentleman from California [Mr. ROOSEVELT] is recognized for 1 hour.

Mr. ROOSEVELT. Mr. Speaker, approximately 10 days ago four members of the House Un-American Activities Committee, including the chairman, spoke in opposition to my resolution, House Resolution No. 53, providing for a shift in jurisdiction of the Un-American Activities Committee to the Committee on the Judiciary. Today I shall discuss the subject "A Better Way to Fight the Communist Conspiracy."

May I, at this time particularly, thank Messrs. DOYLE and JACKSON for their recognition of my right to fight for a principle without implying any evil motives on my part.

I do not, of course, intend to reply to my colleague, Mr. SCHERER, of Ohio, who specifically did exactly that in direct violation of the rules of this House.

My colleague is an intelligent, vigorous opponent and certainly not a fool, but the old Biblical inscription, "Answer not a fool according to his folly, lest thou also be like unto him," shall be my basic guide today.

I am further encouraged by events, to which I shall shortly refer, to find that my opponents, despite their protestations, show signs of recognizing that we must face, in the light of the Supreme Court ruling in Watkins against the United States, our responsibility to do something constructive about the Un-American Activities Committee as it is now constituted.

It is ironical indeed that, while I have been attacked for introducing a resolution which allegedly would make any House investigation impossible, I have been attacked on the other hand because I specifically have not attempted to limit the duty and the obligation as well as the right of the Congress to investigate, and, in particular, expressed my high esteem for at least two members of the committee—Congressman WALTER and Congressman WILLIS.

I quote from I. F. Stone's Weekly of January 19, 1959, the contents of which, I suppose, will tend to characterize this weekly amongst those not approved by some member of the House Un-American Activities Committee.

Mr. Speaker, at this point I ask unanimous consent to include the entire article, which is rather long, so I will not read all of it.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. WALTER. Mr. Speaker, reserving the right to object, and I shall not object, is this the I. F. Stone—whose name, incidentally, is Isadore Feinstein—who has been sponsoring various movements against the Committee on Un-American Activities and who has, I might add, publicly the worst front record of anybody that I know of?

Mr. ROOSEVELT. I do not know whether this is the same gentleman. I only know that this is an article published by him taking me to task, so I presume that perhaps it is the same person.

Mr. WALTER. I think the gentleman ought to be very proud of the fact that he is taking him to task, and I am sure that all of the members of the Committee on Un-American Activities, all of whom know this man, I. F. Stone, are very proud of the fact that he is attacking the committee.

Mr. ROOSEVELT. Then obviously we both, the committee and myself, are in the same boat.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The article is as follows:

THE NEW MOVE TO ABOLISH THE UN-AMERICAN COMMITTEE

No nation speaks more than ours about freedom and cares less. The day the Presi-

dent delivered his state of the Union message, Congressman JAMES ROOSEVELT, Democrat, of California, called a press conference to launch a resolution to abolish the House Un-American Activities Committee. Mr. Eisenhower in his address included one of those standard invocations of "the concepts of freedom, justice, and human dignity" we claim to defend but the real measure of our devotion was in the turnout 2 hours earlier at the Roosevelt press conference. Though the House committee has for two decades used the public pillory and the blacklist to undermine "freedom, justice, and human dignity," only seven reporters showed up.

BACKTRACKING BEFORE HE STARTED

The low state of freedom in America was also evident in the character of its champion. In a speech to the House last May 22, Mr. ROOSEVELT supported the Supreme Court's critical view of the Un-American Activities Committee. In the advance text of a new speech given out at his press conference, he had begun to backtrack. He was making "no direct or implied criticism" of the committee. He was merely saying that in view of the Watkins decision undercutting the right to harass people for something as vague as un-American activities, he thought a new committee ought to take over. He suggested House Judiciary and that its powers be expanded by adding seditious activity to its authority. He topped this off by pointing out that on the Judiciary Committee "we will have the experience of two present members of the Committee on Un-American Activities to guide its work—the chairman, Mr. WALTER, and Mr.WILLIS, of Louisiana." This is high recommendation indeed.

MERELY CLEANING THE DRAGON'S TEETH

When Mr. ROOSEVELT delivered the speech in the House last Monday he added two new sections which further blurred his course. One defined "seditious activity." When the vagueness of the term and the danger of a Seditious Activities Investigating Committee were brought up at press conference, Mr. ROOSEVELT said he would define the phrase as did the Supreme Court in the California Smith Act cases, i.e., as requiring some evidence of incitement to act. In the speech as delivered, he made no such reference but used as definition "attempts made by meeting or speeches or by publications to disturb the tranquillity of the state," though "wanting an overt act." This is tailor made for a continued witch hunt. Our St. George is telling the dragon that he merely wants to clean and sharpen its teeth.

St. George not only truckled to the dragon but cast aspersions on the virtue of the maiden to be rescued. The day Mr. ROOSEVELT held his press conference, Chairman WALTER rose on the House floor to attack a group including Mrs. Eleanor Roosevelt which had placed an ad in the Washington Post calling for abolition of the committee. Mr. Walter attacked this as Communist inspired and singled out such signers as Prof. Alexander Meiklejohn, Clarence Pickett, Dr. Reinhold Niebuhr, and Justine Wise Polier for a spurious political smearing. Far from defending them, Mr. ROOSEVELT added a section to his speech as delivered in which he said, "there is no doubt in my mind" that "a fringe" of the groups working for abolition of the House committee "have been Communist dominated or Communist inspired." He said he wanted to make it unequivocally clear that his resolution has no relevance to this abolition campaign but was designed simply to carve out of the recent legal decisions a constitutionally permissible area for congressional investigation of seditious activity.

WAITING FOR THE BARENBLATT DECISION

Chairman WALTER in an unusually mild reply to Mr. ROOSEVELT suggested that the House wait until the Barenblatt decision which is expected any day now from the Supreme Court. The anxious strategy of the witch hunters was indicated in the reply to Mr. ROOSEVELT by GORDON H. SCHERER, the Ohio Republican who is probably the wildest member of the House committee. Mr. SCHERER talked hysterically about "2,000 potential saboteurs in defense plants today" and paid Congressman CELLER the high compliment of saying that Mr. ROOSEVELT's resolution would hand the committee's work over to a committee (Judiciary) whose chairman (CELLER) was "to say the least, totally unsympathetic" with the Un-American Activities Committee. But Mr. SCHERER ended by admitting that if "the gentleman from California is correct" and the Barenblatt contempt decision proves as unfavorable as Watkins, the House would have to "change the language of the charter" of the Un-American Committee.

Mr. ROOSEVELT's resolution could then be used to extend the witch hunt it was supposed to abolish. It could go on as a Seditious Activities Investigating Committee. Mr. ROOSEVELT said he was not wedded to the idea of giving the new powers to House Judiciary. This would be as alien to the first amendment but it might be years before the Supreme Court got around to saying so. The only virtue of the Roosevelt resolution is that it could be the vehicle for public hearings before the Rules Committee. Now that battle has been joined, though in this slippery way, it behooves everyone to bestir themselves to arouse opinion, to demand that their Congressmen press for a public hearing, and to urge plainly the abolition and end of the American inquisition.

Mr. ROOSEVELT. I wish to remind my colleagues that my resolution was introduced with the explicit understanding that I am not committed to my proposal as the only way to deal with the language in Watkins against United States. And I say again to my colleagues on the House Un-American Activities Committee that I appreciate the fact that they may prefer to wait for the decision in the Barenblatt case before the problem is evaluated. However, I state without equivocation, that such an evaluation has become a constitutional responsibility of the House. I feel strongly that if the leadership and if the Republican caucus do not like or approve my approach to the problem, this does not excuse them or any one of us from facing the seriousness of our duty.

It is particularly gratifying to me to note that at least one of the members of the House Un-American Activities Committees in the person of my colleague, the gentleman from California [Mr. DOYLE]—without waiting for the Barenblatt decision—has already come forward with a resolution as he did in the previous Congress. He has suggested two things in his House Resolution 110: first, the change of the name of the committee to the Committee on Subversive Activities. Obviously this suggestion implies that there is a need to change the present name of the committee, and although Mr. DOYLE has not given his reasons for this, I think that any analysis of recent history concerning the activities of this committee will fully explain it and I am, of course, in complete agreement with him. Secondly, Mr. DOYLE proposes to rewrite the mandate of the committee as spelled out in rule XI of the Rules of the House of Representatives. The changes which he suggests are rather complete, sweeping, and again imply a recognition of the fact that the present mandate is thoroughly unsatisfactory. In all candor I cannot accept his mandate as being satisfactory; neither will it be accepted, I feel sure, by many of his colleagues on his committee, as well as others outside of the committee.

In an effort to be constructive on this matter, I shall, I believe, be prepared, when Mr. DOYLE's resolution or my resolution is given its day in its hearing before the Rules Committee, or before the House, to suggest alternate mandates aimed at overcoming the legitimate objections which have been raised, without impairing the legitimate activity of Congress to investigate.

Along with the rest of my colleagues I am most grateful to the Members of the House Un-American Activities Committee for reminding us of the threat communism poses to our way of life.

Likewise, I am certain they would equally appreciate my reminding them that if victory in the desperate fight against Communist tyranny is to be achieved, we must constantly examine our approach in this fight—coolly and objectively. Objectivity, so essential to our fight, can never be gained if any proposal for a change, such as the one embodied in my resolution, is automatically considered to be pro-Communist.

Free men, in the words of Tennyson, need to be "straight, but lissome as a hazel wand." Our very brittleness can lead us down the path to defeat.

My opponents indeed should be reminded that rigidity in their approach to the investigation of communism could even play into the hands of the Communists.

We came dangerously close to this point, I believe, when the committee issued, in 1957, a report entitled "Staff Consultation With Gen. Charles A. Willoughby." General Willoughby was a former Chief of Army Intelligence under General MacArthur.

In his testimony, General Willoughby appeared to equate with Communist expansion the natural hope for independence on the part of native Indonesians.

I am going to insert a letter not written by an editorial writer of the Daily Worker, nor distributed by any Communist-front organization. It was written by the former editor of the now defunct Washington Times Herald, the newspaper published, as we all remember, by the late Colonel McCormick, of Chicago, and later by another member of his family.

Mr. Speaker, I ask unanimous consent to put the full text of the letter in the RECORD at this point.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from California?

Mr. WALTER. Mr. Speaker, reserving the right to object, I should like to call to the attention of the gentleman from California the fact that the writer of this letter, Frank C. Waldrop, is associated with Joseph Borkin, suite 802 in the Ring Building, who is a foreign agent

representative of the Indonesian Government. This is Mr. Sukarno's representative and according to the registration under the foreign agents' registration section of the Department of Justice, received $5,616.99. That being the fact, I certainly think that anything Mr. Waldrop would write in criticism of that very distinguished general ought to be scrutinized very carefully.

Mr. ROOSEVELT. I would simply say to the gentleman, I am perfectly willing to let the matter rest upon the letter. I trust the gentleman is not inferring that Mr. Sukarno, or the Government of Indonesia, is communistic. Do I understand that the gentleman will withdraw his objection, and that it may be inserted?

Mr. WALTER. Mr. Speaker, I withdraw my reservation of objection.

Mr. ROOSEVELT. Then, Mr. Speaker, rather than reading it, I think it would be eminently proper, as the chairman suggested, and certainly in context with what he has stated that the letter be read in full and judged on its merits:

UN-AMERICAN MISCHIEF IN INDONESIA

(Letter by Frank Waldrop)

I have just finished trying to read a document entitled "International Communism (Communist Designs on Indonesia and the Pacific Frontier)," published December 16, 1957, by the House Committee on Un-American Activities as a staff consultation with Gen. Charles A. Willoughby, the former Chief of Army Intelligence in the Far Eastern Command under General MacArthur.

General Willoughby proves without any doubt that Communists have designs on Indonesia and that Communists exist in Indonesia and have influence there. This astonishing discovery equals in news value and importance the truth that Communists have designs on the United States, that Communists exist here and have influence here.

Sometimes, indeed, when I reflect on my nearly 30 years of intensive effort to understand communism and its unique methods of operation, I am almost persuaded that it has built as one of the most effective engines the House Committee on Un-American Activities, with which I have spent so many futile hours of effort and vain hope that it would learn its business.

What excuse, in God's name, has any committee of Congress for spending the taxpayers' money on such indefensible drivel as this compound of Willoughby's? By what test can the committee justify issuing this staff consultation as if it were a thing of value and discovery?

As it happens, I know something about Indonesia myself, especially as it is today by comparison with what it wanted to be when it became an independent nation. My first knowledge of what was brewing out there came in the winter of 1942–43, when Mr. Van Mook, the Governor General of the late Netherlands East Indies, undertook to educate us here in Washington about the Netherlands' plan for reformed colonial government in the Indies after the war.

The situation at the time was that the Japanese had just thrown the Dutch out of the Orient in violent style, and apparently without much difficulty. Then any Dutch in the Indies were doing their best to look small and avoid anything to remind either Japanese or the people of the region of their presence.

The American performance in the Philippines was not much, perhaps, as a military demonstration against the Japanese; but as a character test for the men and women on Bataan it hadn't done anything to destroy us with the people of the region, and our prewar commitment to work for Philippine independence was both believable and believed, then and thereafter.

But here was Van Mook running around Washington, while the Japanese were chasing Dutchmen through the woods of the Guineas, with a grandiose plan for elevating the natives from their former low estate to some kind of equality within the Netherland Empire, once the war was over, of course, and all had returned to normal.

I was once invited to the Netherlands Embassy (not since, I may add), to hear the plan presented and to offer comments. All I asked, and in those days I had little notion of the situation in the Orient as it was and was to become—all I asked was what we were supposed to do if the little brown brothers didn't like being little brown brothers, but instead just wanted to be people on their own.

Before the evening was over, I was well established as a low fellow who had no understanding of the real problem out there.

The actuality of politics in all of Asia in 1942 was plain as day. Need I spell it out? I can do no better than General Willoughby's chief, Gen. Douglas MacArthur, in his superb address to Congress after he came home in supposed disgrace as a casualty, after many years of high honor and great public service, to the ineptitudes of President Truman.

MacArthur's speech to Congress is all anybody needs to aline himself with the facts of life and politics in all the Pacific regions. The central point is that the people of Asia have aims and hopes and aspirations to live the modern life. They have become national in their attitudes. They have shown themselves determined to make their own mistakes, rather than go on taking the blows that come from the mistakes of others.

Certainly it is true that Indonesia, today, is having ghastly troubles making its way in the world. Certainly it is true that the Communists will destroy Indonesia if they can. But the question is whether the Indonesians will be able to survive the problems of emergency from centuries of blight at the hands of colonial imperialism. Do we want the Indonesians to survive or do we want them to fail?

If we want them to fail we can continue puffing up such peculiar thoughts as those which seem to obsess Willoughby, namely, that calling Indonesian leaders hard names will make them go away. We can also occupy ourselves with refusing to give ear to Indonesian friends who try to tell us their difficulties and their hopes. We can refuse them the respect and friendly consideration that one grown man offers and expects in his dealings with others who grow up, too, and have done so.

Such a policy of negation and fretful childishness has already cost us much in the Middle East. Now are we to cost ourselves remnants of friendship in the Pacific region, such as we have?

Just which side is this Willoughby working for, anyhow? And I may ask the same of this nonsensical committee which has, indeed, at last established itself as clearly the true Committee on Un-American Activities. The joke is feeble and tired—damned tired—I will admit, and I wish it didn't fit. But it does.

Mr. Speaker, let me say that such a report—referred to above—issued by the House Un-American Activities Committee is precisely what delights the Communists. Above all else in the struggle for the friendship of uncommitted peoples in the world, they would like to have us depicted as opposing any movement of the underdeveloped nations for independence.

The committee report accomplished precisely this. Mr. SCHERER's quotation from the Communist leader, Georgi Dimitrov, characterizes appropriately the committee report:

> The union leader who is outside our ranks but defends Soviet international policy is worth more than a thousand party members.

To call the report pro-Communist, however, is as dangerous, I must confess, as the suggestion that my resolution is pro-Communist. Such a technique has stifled, time and time again, a critical discussion of how to deal with the Communist problem when it was suggested that certain changes may be necessary.

In the same sense, we should not characterize the political behavior of Republican isolationists as pro-Communist when they fought lend-lease in 1940, at a time when the American Communists took a similar position.

I would not characterize the speeches of former Senator George W. Malone as pro-Communist when he attacked American aid to France for buttressing its imperialist activities in Indochina, although the former Senator's position was exactly the same as the then Communist Party line.

If my resolution, or Mr. DOYLE'S, or others which may be advanced, has substantive merit, then it is worthy of serious attention, regardless of what certain public or private groups may say.

In introducing my resolution, I did not think it relevant to consider the merit, or lack thereof, of the House Un-American Activities Committee's work. I considered it sufficient to rest the case for my resolution on the Supreme Court decision.

However, my opponents on the committee have made the committee's work an issue. I am, therefore, compelled to make these observations.

I am not impressed with the ceremonial pattern of the committee's work in subpenaing people who were former Communists, after having learned their names from the testimony of friendly witnesses. This has now gone on for years and years. Millions of dollars have been appropriated, specifically $2,982,000, or roughly $3 million for its operation from the 79th through the 85th Congresses, during which the House Un-American Activities Committee has been a standing committee.

Does this activity really help in the fight against communism? Does subjecting persons to intense publicity alone help us understand the machinations of the Kremlin?

By conducting this ceremony through the breadth and width of this land, we have achieved one unfortunate result. Former Communists and true repentants do not feel that there is a place for them in a free society, unless they are willing to name publicly those who were their former associates—a desperate decision for any man to make. They have been subjected to loss of their jobs, their status in the community and their very peace of mind.

Some of my colleagues may remember that only eight of us in the House voted

against the contempt proceedings of one of America's greatest playwrights, Arthur Miller. Mr. Miller was subsequently exonerated by the Federal court and his case has not been appealed. Obviously our thoughts at that time were, what good did it do to the free world to subject this talented man, regardless of his past political attitudes, to a criminal prosecution because he refused to name those in the Communist Party with whom he had been associated 10 years ago? There is no question of the harm that it did to our status as the leader of the free world.

By what stretch of the imagination can anyone consider the committee's activity as anti-Communist when it released testimony in 1953, delivered in executive session, of a former chief of the American Communist Party from 1919 to 1929, naming Rabbis Judah Magnes, and Stephen S. Wise as well as Rev. John Haynes Holmes as following Communist Party instructions 30 years before the date he testified. Both Rabbi Magnes and Rabbi Wise were dead at the time of the testimony.

Rabbi Magnes left the United States and emigrated to Israel in 1922, settling permanently in that country. By 1925 he became chancellor of the Hebrew University in Palestine.

Yet the committee permitted Gitlow to make these charges without requiring him to substantiate them with the slightest evidence. Gitlow was not questioned at all about this reference to Rabbi Wise or Rabbi Magnes. He was not asked how he knew about the alleged Communist collaboration, whether it was based on his personal knowledge or hearsay or when the collaboration took place.

Later, in a Peekskill newspaper, Gitlow wrote in part:

> It was the purpose of this testimony to show how the Communist movement, from its very inception—though antireligious and in principel atheistic—was able to attract a number of well-meaning, liberal, and social-minded religious leaders such as Rabbis Magnes and Wise. The charge was not made that they were ever Communists or members of the Communist Party.

Had the committee shown the slightest responsibility of fair play, it would have refused to countenance this denunciation, on the unsupported assertion of one witness, based on nebulous charges 30 years old. Instead, heedless of the injury it might do to the reputation of two dead rabbis, and a living and respected leader of the Christian church, it made Gitlow's testimony public.

The national board of the National Council of Churches of Christ, the central body of American Protestantism, condemned the "utter disregard of the American tradition of fair play" in releasing accusations against the two dead rabbis "revered not only by their coreligionists but millions of other Americans," and described the committee's action as "yet another example of the abuse of the congressional investigative process."

Is there a single Member of this body who today would rise and defend the smearing of Rabbis Magnes and Wise or the Reverend John Haynes Holmes of having any connection with the Communist Party or its aims. Similarly, is there any Member of this body who would say that the National Council of the Churches of Christ is Communist dominated or a party line organization?

There has also come to my attention from the Frederick Press an article which I shall not belabor, but merely offer so that it may be judged by my colleagues. The article is as follows:

REDS GETTING PENTAGON SECRETS

Richard Arens, former director of the Internal Security Subcommittee of the U.S. Senate and now director of the House Un-American Activities Investigating Committee, tells, in a personal experience, one of the most shocking facts concerning the power of the Communist apparatus within our country, which is working every minute of the day and night to bring about our downfall. Several months ago he was invited to address the Reserve Air Force Association in the Pentagon at Washington.

"In order to get into the assembly hall," he relates, "I had to go through a series of rather amusing (to me at least) security checks. Finally I wound up with one of those identification tabs on me and was escorted into the room under armed guard to make my little talk. I was chiding them a little bit, and I said to them: 'You know, while I'm talking to you now in this Pentagon Building the tie lines and lease lines out of this building and the North Atlantic cable carrying confidential military messages are serviced by Communist agents.' "

WOULDN'T BELIEVE THE TRUTH

"And they wouldn't believe it. I said, 'I can prove it to you, not from what I say but from public records.' " What did I mean by that? Well, several years ago we had a series of hearings on the American Communications Association which is controlled lock, stock, and barrel by the Communist Party—penetrated, honeycombed with Communists. And we had them identified by live witnesses under oath. And, of course, in the face of that testimony they invoked the first and fifth amendments.

We had witnesses tell the committee that while they were in the American Communications Association as Communists, before they broke from the party, they were processing the lines out of the Pentagon—that they had intercepted Pentagon messages. We called before us Mr. Brucker, Secretary of the Army, and we said, "How about this?" And here are his words quoted: "Nothing short of deplorable, potential disastrous results. Unless this legislation is enacted (a bill then before Congress) we are not in a position to insure the Congress and the American people that all reasonable measures are being taken to safeguard our national security."

NEWS SUPPRESSED

Secretary Brucker was talking at the time about a bill that had been introduced to invest the military with the right to disassociate Communist saboteurs from vital defense facilities. How many American citizens ever heard about this bill. How many have ever heard about this public testimony of Brucker? It didn't see the light of day. But I can show you that it was public testimony. Mr. Brucker testified: "We know and can identify an estimated 2,000 saboteurs in our Defense Establishments."

We asked him, "Aren't the real top secret messages that go out over these tie-lines and lease lines and the North Atlantic cable—aren't they in code?" He said, "Yes; but that's the way you break a code; by getting repeated messages." And he said, "In addition to that, there are a great number of messages going over these tie lines and lease lines and the North Atlantic cable (from the Pentagon) which are less than secret but which are classified, which we do not want made available to the enemy."

REDS INFLUENCE LEGISLATION

That was 4 years ago. Now what happened to that bill? Surely the bill would become law promptly so that the military and the Justice Department could disassociate the Communist saboteurs from the tie lines and lease lines and defense facilities. Well, the Communist conspiracy got into operation. I was on the Hill. I saw the mail coming in. (Communists can have on Capitol Hill within 72 hours, 50,000 letters on any subject.) I saw their people walking the corridors. Did the bill pass the Congress? No. Did it pass the Judiciary Committee of the House? No. Did it pass the subcommittee handling the bill in the Senate? No. And today, as a sequel, the tie lines and lease lines and North Atlantic cable now running out of the Pentagon are still serviced by people under the control of the American Communications Association. We could identify, call by name, address and location the Communist saboteurs that are in the organization.

This is a shocking report. What can be done? The citizens can reach and correct this terrible situation only through their representatives in Congress and the White House. A flood of letters would get some action. Will we write them?

It would be pertinent to ask these specific questions: If what the Director of the House Committee on Un-American Activities says is true, what has been done by the committee or the executive branch to specifically apprehend these people who would be obviously violating the law, and what has been done to notify individual Congressmen of the names of those who are walking the corridors of Capitol Hill?

I believe it is of the greatest importance that if, as the gentleman says, he can identify, call by name, address and location, the Communist saboteurs that are in the organization—that he and the committee have the clear duty of so identifying them. If not, this kind of article becomes a scare article and harmful to our country.

Mr. SCHERER. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Ohio.

Mr. SCHERER. Do I understand from the gentleman's remarks that he is denying what Mr. Arens says is true about Communists working on cables and tie lines?

Mr. ROOSEVELT. The gentleman, if he had listened to what I was saying, would have learned that I do not deny anything. I said if you have the names, if the committee can identify the people and if you have not made them public you have not done the job which you are bound to perform.

Mr. SCHERER. There is going to be introduced into the record of this House the names of individuals. Has the gentleman asked for the testimony before he made this speech?

Mr. ROOSEVELT. I have just asked that this be done.

Mr. SCHERER. Has the gentleman asked the committee for their testimony now in its files?

Mr. ROOSEVELT. A colleague of mine asked and he was unable to get it from the committee. I presume if he

could not get it certainly I could not get it.

I personally know of at least one Member of the House who has heard from his constituents concerning this alleged shocking condition and who, up to this time, has not received proper answers to the questions raised from either the committee or the Secretary of the Army to whom he wrote for an explanation.

On June 11, 1956, the House Un-American Activities Committee issued a statement on the Fund for the Republic, an organization whose funds stem from the Henry Ford family, scarcely to be challenged as communistically inclined, in which it questioned whether its vast resources were not being used to weaken our security structure in the Communist cold war.

Later, the committee held public hearings on two scattered aspects of the fund's activities, without according the fund or any of its representatives, its directors, or its officers the right to be heard or according them the right to cross-examine hostile witnesses called to testify against the fund.

Let me tell my colleagues that this action was taken against a private organization which distributed thousands of copies of a pamphlet issued by the Department of Defense entitled "Know Your Communist Enemy."

This action was taken against an organization which made a $250,000 grant to study the influence of communism in American life.

In September of 1956 the Fund for the Republic issued a pamphlet attacking the Communist Party's maneuvering in their national convention held in that year.

Is this hit and run action of the committee against the fund the kind of anti-Communist activity for which the taxpayers are paying millions of dollars, in the hope that it is doing the work of free men? The concern for this kind of action by the House Un-American Activities Committee is attested by an editorial from a newspaper owned by John S. Knight, never to my knowledge accused of party line activities, published on January 17, 5 days after my first address to the House on this subject:

[From the Detroit Free Press]

NOTHING NEW HAS BEEN ADDED

The House committee that deals with un-American activities warns of a dangerous tendency to underestimate Red spying.

The existence of that peril is doubtful. By now, after all the familiarization that's been made available, it appears most improbable that anyone in this country who ever is going to understand the grim espionage facts does not by now comprehend them fully.

Their warning is of a piece with all the un-American activities committeemen have come up with for a very long time. They burden the Government Printing Office with exposés of the long-since exposed and consume their time with testimony of the twice-chewed cabbage variety.

Possibly there is still work for the committee to do, and if so it ought to be kept in business. However, if its job is done (and there is no sign that it is not so far as committee operations are concerned) then it ought to be disbanded.

It costs a lot of money to keep it going, and your Uncle Sam always seems to be short of money needed to do things of an appreciably greater present usefulness.

And similarly the respected St. Louis Post Dispatch on January 23, 1959, editorialized as follows:

REGULATE, CURTAIL, OR ABOLISH

The movement to abolish the House Un-American Activities Committee is growing. Representative JAMES ROOSEVELT has introduced a resolution to close out the committee and transfer its jurisdiction to the House Judiciary Committee.

On a national scale a group of prominent citizens, including clergymen, writers, and scholars, whose patriotism is not to be questioned, has taken the same stand. Among these signers are Mrs. Eleanor Roosevelt, Reinhold Niebuhr, and Stringfellow Barr.

In proposing to abolish the committee, Representative ROOSEVELT comes head on against the proposal of Representative WALTER, of Pennsylvania, to expand the work of the committee and to give it more funds to work with.

The Walter plan is to drop the old controversial name and to enlarge the area of the committee to cover internal security, nationality, and migration. The committee that Mr. WALTER envisions would be one of the most powerful in either branch of Congress.

Really the important thing is not whether the committee is abolished or kept intact or curtailed or seemingly enlarged. What is important is that in whatever provision the House makes for inquiries into these sensitive fields proper safeguards shall be established. Better no committee than one such as ran virtually wild in the days of Martin Dies and J. Parnell Thomas. And if there is to be investigation in the fields listed above then let it be by fair rules and procedure.

Fortunately the House has an eminent guide. It is the Supreme Court's decision in Watkins against the U.S. (1957) in which Chief Justice Warren found the committee statement of authority was so broad and confused as to be no clear delegation of power at all. Saying flatly that "no inquiry is an end in itself," but "must be related to and in furtherance of a legitimate task of Congress," the Chief Justice and his colleagues ruled:

"There is no general authority to expose the private affairs of individuals. * * * Investigations conducted solely for the personal aggrandizement of the investigators or to punish those investigated are indefensible."

If the House will enforce the Watkins decision, well and good. If not, the Un-American Activities group will be clearly illegal and useless, and should be abolished.

Lastly, Mr. Speaker, I have prepared an analysis of the rather sweeping claims to legislative accomplishment made by the staff and some of the members of this committee. I believe that it is worthy of consideration by my colleagues.

In June 1958 the House Un-American Activities Committee published a report entitled "Legislative Recommendations by the House Committee on Un-American Activities; Subsequent Action Taken by Congress or Executive Agencies." The foreword states that the report "summarizes every legislative recommendation offered by this committee from 1941 to 1958."

The report contains 79 recommendations—taking into account identical recommendations made in more than one session of Congress is actually 45. Subsequent legislative or executive action that was impliedly taken on the basis of the committee's recommendations is listed beneath each recommendation. Of the 79 recommendations, relevant legislation was adopted in 35 instances. In addition, making adjustment for duplication, 31 bills were proposed upon which Congress failed to act. The report states that as of July 1958, 26 of these bills were still pending before Congress.

Analysis of the 35 recommendations adopted by Congress shows that 30 of them were included in 6 statutes: The Internal Security Act of 1950; the Immigration and Nationality Act of 1952; the Immunity Act of 1954; the Espionage and Sabotage Act of 1954; the Communist Control Act of 1954—amending the Internal Security Act of 1950; and the act of August 1, 1956, providing for the registration of individuals trained in foreign espionage schools. The other five acts concern either the statute of limitations of, or penalties for various criminal offenses. All were reported out of the Judiciary Committee.

Of these six acts, only two were referred to the House Un-American Activities Committee: The Internal Security Act of 1950, and the Communist Control Act of 1954. The other four were acted upon by the Judiciary Committee. The two acts account for only 14 of the recommendations submitted by the House Un-American Activities Committee. Of the 14 recommendations, 5 were contained in the Internal Security Act of 1950, and subsequently were repealed and made part of the Immigration and Nationality Act of 1952. It is interesting to note that these 5 recommendations, which concern the entry and deportation of alien subversives, were not included in the House version of the Internal Security Act of 1950—House Report No. 2980, August 22, 1950—but rather were proposed in the Senate—Senate Report No. 2369, August 17, 1950.

The sponsorship of the 31 bills listed in the report as having been proposed but not adopted warrants further research, as does their disposition. Also, what relationship is there between the committee's recommendations and the 10 instances of executive action purported to have been taken as a result of the committee's work.

It is not unreasonable, I think, to suspect that the connection between the recommendations and subsequent action is more coincidental than real. Corroboration is necessary and will be available.

The fact remains, however, that the only legislation with respect to which it can be said with confidence that the House Un-American Activities Committee was directly responsible, is the Internal Security Act of 1950 and the 1954 amendments thereto. Note that only that part of the Communist Control Act which amends the Internal Security Act to include Communist infiltrated organizations is attributable to the House Un-American Activities Committee. That part of the Communist Control Act outlawing the Communist Party was proposed in the Senate and adopted without committee hearings in either House. Indeed, for what it is worth, the House

Un-American Activities Committee's report on the Internal Security Act of 1950 expressly stated its objections to outlawing a specific organization—House Report No. 2980, August 22, 1950, page 5.

An ingenuous—if not ingenious—argument could be made, of course, that the slim work-product of the House Un-American Activities Committee is not a reflection of its wastefulness or inutility, but rather demonstrates that although the committee has succeeded in alerting the Nation to the menace of subversion, its keen regard for constitutional principles has made it reluctant to urge the adoption of legislation that would encroach upon civil liberties. The fact, however, that the committee is anxious to take credit for repressive legislation that is not even its own, successfully demonstrates the folly of that argument.

Substantively, the Internal Security Act and its 1954 amendments is open to serious constitutional objections. Perhaps the most persuasive objection is that made by the present chairman to the 1954 amendment. Speaking of this Communist-infiltrated section of the 1954 bill, Mr. WALTER said:

> It seems dangerous to us to report a far reaching bill which may, as the Wall Street Journal pointed out, "chip away at the very rights we seek to save from that [Communist] menace."

That is in House Report No. 2651, dated August 9, 1954. It is a minority report signed by the chairman of the committee and I believe my distinguished colleague from California [Mr. DOYLE], and one other.

I am sure Mr. WALTER has not lost his basically sound beliefs and I trust they will lead him to join Mr. DOYLE, myself, and others in a constructive solution to the present dilemma.

As on January 12, Mr. Speaker, I must again emphasize that my sincere and complete effort in this matter is to bring before this House the urgent need for taking inventory of the Un-American Activities Committee and assessing the best approach to bring it into line with the indicated directive of the Supreme Court of the United States and in line with the mandate of a host of Americans, loyal to their country, but also dedicated to the principle that the fight against the conspiracy of communism or any other subversive or seditious activities should not contribute in any manner to the destruction of the basic individual rights of American citizens. This is the essential difference between totalitarian or communist philosophy and practice and our own and other democratic processes. It is possible, and we must find the way to protect our freedom, our liberties, as well as our existence as a nation from Communist assault. Interminable postponement is impossible. Constructive achievement is possible and is a challenge to the Republicans, Democrats, and to the leadership of this House.

CUBA

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from New York [Mr. POWELL] is recognized for 60 minutes.

Mr. POWELL. Mr. Speaker and colleagues and ladies and gentlemen of the House, a week ago Thursday I told you I was going to Cuba to learn firsthand the facts of the result of the 26th of July success, and that I would come back here and tell you truthfully what I have observed. At that time I was going at my own expense, but on the Saturday following Senor Quintana, president of the Cuban Press Association, invited the American press and some Members of this Congress so when I arrived the Government reimbursed me for my expenses and I was their guest. I stayed at the beautiful new, modern Havana Riviera Hotel. Our colleague, the gentleman from Oregon [Mr. PORTER], arrived a few days later and spent 3 days while I was there.

Mr. Speaker, I would like first to give you a few of the background incidents which have not come out in the press. On Friday of last week, I was a guest of the Council of Churches of Cuba at the University Methodist Church of Havana. About 35 Protestant clergymen were present. About one-fourth of those Protestant clergy are American citizens. Nearly all of them were educated in America and were members of the underground movement of the 26th of July movement. They were so aroused concerning the attitude of the American people and the American press that spontaneously without any word from me, even before I spoke, they voted to send preaching missions to the United States beginning this coming Sunday. The first mission to arrive will be composed of three Protestant clergymen to preach in the pulpits of America and to tell the truth as men of God, as they have seen the truth, through the days of Batista and during these days of Dr. Fidel Castro. I would like to point out that during the 18 years of the dictator Batista, he never had in his armed forces one single Catholic or Protestant chaplain. I received this information from both Roman Catholic priests, Protestant clergymen, and leaders of the Government. Dr. Castro has had chaplains with him all the way from the very beginning and even some of the priests were actually participating side by side with men of the 26th of July movement. There is complete loyalty and dedication of the people to the new regime. Going through the streets of Havana, Dr. Castro rides without any protection. The people impose upon themselves a tremendous self-discipline.

One million people poured out last Wednesday to hear him speak. Not a single incident; not a single person did I observe who had been drinking. I cannot picture a crowd of a million people in the United States without some kind of an incident happening.

Police and soldiers are serving today without pay in Cuba. The Boy Scouts are in charge of all traffic. There had been only one case of thievery in the city of Havana, with a population of a million and a half people, as of the day I left there, Saturday, January 24.

One of the things that the Department of State conveyed to me before I left was the moving in of Communists into the vacuum of the trade union movement. After the success of Dr. Castro's revolution 18 men were elected to the board of directors of the trade union. Five were known Communists. I conveyed this information to the Department of State and to leaders of the government in Cuba. I am happy to say that the board of directors was dissolved on Wednesday, and a new board of nine members appointed, and each Communist was put out of office by Dr. Castro.

Something was brought to my attention by the leaders of the Cuban Government which I think should be investigated. They all said that former Ambassador Earl T. Smith was anti-Batista until a deal was made in connection with a nickel mine. When this deal was made, so they say, then our Ambassador became pro-Batista. Whether it is true or not, I do not know. What it implies, I do not know, but I most definitely recommend that the proper committee should go into this situation and clear it up, because it is causing further anti-American feeling.

What kind of a man is Castro? First, he is a wealthy man. He comes from a family of the upper class in the Oriente Province. He is well educated. He has a doctor's degree in law.

These are some of the quotations that I jotted down as I was with him there, and heard him speak to me and to others:

> One single execution of an innocent man would destroy the entire 26th of July movement.

Another one:

> We will renegotiate all contracts and concessions with the United States and other foreign governments. We will void those that are onerous to our government.
>
> I call on the people of the Dominican Republic, and other tyranny-ridden lands to revolt.

All of the members of the Latin American press were there. They supported this declaration of his. They asked him whether he would lead such a revolt, and he said, "Definitely not." The Governments of Costa Rica and of Venezuela supplied Dr. Castro with arms. Brigades of men from all over Latin America, Puerto Rico, and America fought in the revolution. Because those countries did supply Dr. Castro with equipment and ammunition we should be realistic and realize that the Cuban Government will supply those people who rise up to overthrow dictators. Undoubtedly they will receive men to help them from other Latin American countries.

Another quotation:

> People who attack me never attacked Batista and are not now attacking Trujillo. Why? My political philosophy is full democratic rights for Cuba just as you have in the United States.
>
> From now on the United States must understand that military men in power are very easy to destroy. We will never be in any Communist orbit, and if any attack is made against us we believe that the United States will help us because we are not Communists.

Finally he said:

I renounce any ambition for power or for money. I need neither, but I am not the master of my destiny.

In talking to people in the streets, to soldiers, it is my opinion that Dr. Castro may be drafted by his own armed forces to take over the leadership of Cuba. He does not want it. He said:

I am tired. I have not read in 2 years. I would like to rest and read.

Then he said, "I am not the master of my destiny."

Now, as regards the trials we have heard so much about. In the first place, I announced as soon as I arrived that I would not attend any of the public trials because I did not believe my presence there would be of any value to the Government of Cuba or to myself; it would lend my presence to something that would weaken Dr. Castro, would do him no good. Furthermore, I was against the spectacle of the trials, so I did not go.

I was with Dr. Castro during the trials for almost 2 hours. I think he realized it was a grave mistake to have held the trials in a public arena. As you know, the next day he canceled the trials in the arena and also the television. He wanted to do this, as he told me, because he wanted the world and his countrymen to see that these trials were conducted fairly.

In order to understand these trials in Cuba it is necessary for us to understand certain differences. Justice in our country is based upon Anglo-Saxon common law in a land of peace, while their justice is based on the Latin American philosophy of the Roman law where for 18 years they have undergone torture totaling 20,000 casualties and where they are only now emerging from under the bloody shadow of Batista. The trials have been publicly backed by the Roman Catholic bishops of Cuba, the leaders of the Protestant churches of Cuba and even, in the language of Time magazine, not an overly sympathetic organ, overwhelming public opinion.

The philosophy of Cuba and of the Latin Americans is something similar to the Mosaic law of the Old Testament: "An eye for an eye and a tooth for a tooth," only they have a saying: "Dos males hacen un bien"—two wrongs make a right. This is the opposite of our philosophy.

First of all I want to say that the list of those to stand trial was not hastily prepared. The enemies of the Cuban people were known and a card index file was kept of them. That is why Dr. Castro can estimate that 400 out of the 2,000 they arrested would be executed.

Second, they have furnished the right of defense counsel, which Batista denied. They have also given defense counsel the right to discuss the case with the accused, which they did not have before. They are open to the press of the country, and they have a free press in Cuba. We have good newspapermen covering the trials. The trials have been open to the people, which Batista did not allow. Furthermore, the accused has the right of appeal to the Supreme Court, which never existed for him under Batista.

The worst situation was in Santiago where 127 people were tried. Here out of 127 who were tried during the first days after the crisis, 47 were acquitted, 10 received prison terms, the balance were executed.

Now, I conclude by saying a few words concerning the future of the United States in Latin America. The future of the United States in Latin America pivots on Dr. Fidel Castro.

You must realize that here is a man who is considered as a messiah not only in Cuba but also in all Latin America. Our future in Latin America pivots on our relationship with Dr. Castro. It is touch and go, make or break, from here on in.

First. I would suggest a crash program of aid. Dr. Castro says they want no long-term aid, because Cuba is a very wealthy country and once the corruption which existed under Batista ceases, the Government will be able to finance itself very well. Batista took out all the money he could lay his hands on. He took every single penny out of the Cuban treasury. Recently, however, they broke open several deposit boxes which Batista did not have a chance to get to and have recovered some $20 million.

Second. I believe we should have a moratorium on speechmaking on both sides, Cuba and the United States, beginning with me today. Let us give Castro a chance.

Third. We must stop doing military business with dictators by furnishing them with arms and military missions. The newspapermen from Latin America were unanimous in saying that they would do everything possible to drive out the American military missions from their countries.

Fourth. We have to resolve within ourselves our own philosophy on foreign policy. I pose a question without a suitable answer: How can we advocate a philosophy of nonintervention in Latin American affairs while we do intervene with instruments of death and with men who teach the know-how through our assistance pacts and our military missions?

Fifth. We should investigate the pro-Batista lobby now operating in the United States, and see who are the forces in back of this and how much money Batista and his former friends may be spending to attempt to buy American public opinion.

At the earliest possible opportunity our President should invite to our country the very able and dignified Dr. Urrutia, the President of Cuba and the members of his cabinet. Dr. Castro has also expressed a desire that he would like to come to the United States.

Lastly, and this is a grave matter that goes beyond Cuba. I was told reliably by the top leaders of the movement, that they spent $25 million. Most of these arms were purchased in Chicago, New York and Los Angeles. I saw them. Some were brand new. Also the vast majority were second-hand. I saw quotations on arms, from .22 caliber bullets to tanks and armored jeeps for sale to anyone who had the cash to buy them. I think an immediate investigation should be made of the manufacture, sale, distribution and transportation of arms in the United States. If there were agencies in the United States who could arm Castro at their price and he could upset a dictator, what is going to prevent Communists from getting arms and upsetting a democracy? What is to prevent organizations which dwell on the lunatic fringe of our own land from obtaining arms?

May I say that the gentleman from Oregon, [Mr. PORTER], did a service by coming to Cuba and I have welcomed his support. I will do everything to assist him in his efforts against Trujillo.

Mr. MONAGAN. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from Connecticut.

Mr. MONAGAN. I would like to ask what the gentleman's opinion is as to the time element before the situation will simmer down?

Mr. POWELL. I do not have any information with regard to the time element. The Cubans were 18 years under Batista and now, going on only 4 weeks, under a democracy. It is hard to state how long it will take. They have promised democratic elections in 18 months. Herbert Matthews, who did one of the best reporting jobs, in his objective opinion as a newspaperman, said it will take 18 months before they are ready. In the meantime, there is a marvelous effort at self-imposed discipline by these people. For instance, I do not think that soldiers will be off the streets until they are able to recruit a new police force, because the old police force was totally pro-Batista. They hated that police force more than any other group.

I was with the commander in chief of the armed forces—Camile Cienfuegos—and he told me they would start recruiting a regular army from the 26th-of-July Movement and the Second Front Veterans sometime soon. As soon as the army men start disappearing from the streets and go into the regular army and they start building up a new police force, I feel that your question is one very difficult to answer. In the meantime, I cannot answer it.

Let me say that it is a wonderful place for any tourist to go. There is now complete protection. There is nothing to worry about. It is not the Havana that we used to know. The American gangsters and criminals have been driven out by Dr. Castro, and crime is at its very lowest. But it offers an opportunity to be in a very charming place, with wonderful hotels, and to be sitting in a ringside seat with a background of history.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from Oklahoma.

Mr. ALBERT. The gentleman spoke of a moratorium on speeches. Is it not a fact that only a very few Members of the Congress have made any speeches or public statements of any kind on this matter?

Mr. POWELL. The gentleman is exactly correct. The number could be

counted on both our hands, but unfortunately it is a sore thumb that always sticks out. I would like to say that there are Members of this body here who have not received any attention in the press, who indicated in writing very fine sentiments and support of Dr. Castro. Some of those letters came before I left. Dr. Castro asked me about them. One was from our colleague, the gentleman from Illinois [Mr. O'HARA], who fought when he was 16 years of age in the war for the independence of Cuba. He wrote a very warm letter. And, Members from the other body did likewise, but they did not receive the publicity, unfortunately. And, we are being judged today, again unfortunately, by a handful rather than a vast majority of the over 500 Members of this Congress.

JOINT ECONOMIC COMMITTEE

The SPEAKER. The Chair desires to make the following announcement:

Pursuant to the provisions of title 15, United States Code, 1024(a), the Chair appoints as members of the Joint Economic Committee the following Members on the part of the House: Mr. PATMAN, of Texas; Mr. BOLLING, of Missouri; Mr. BOGGS, of Louisiana; Mr. REUSS, of Wisconsin; Mr. CURTIS, of Missouri; Mr. KILBURN, of New York; and Mr. WIDNALL, of New Jersey.

AREA REDEVELOPMENT

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 30 minutes.

Mr. FLOOD. Mr. Speaker, it is with pride and high hopes that I introduce herewith the area redevelopment bill for appropriate reference.

This is a bill aimed primarily at creating a much needed point 4 program for America.

This is not a handout bill. It is not a giveaway bill. Its philosophy and purpose are to bring about increased productivity, provide needed jobs for millions in chronically depressed areas, rebuild healthy economies in many regions of the country, and revive hope and decent prospects for careers at home for the young people of those affected areas.

Mr. Speaker, this is a bill to help fight inflation and to bring to our national economic system and defense effort millions upon millions of potential manhours of production which are now being wasted because people ready, willing, and able to work have to sit it out on the sidelines in painful unemployment.

The administration is much concerned about inflation; well here is a weapon that can be utilized to help win that fight, the weapon of greater productivity; the Nation as a whole is concerned with our military posture, the state of readiness of our defense and military capacity in an era of pushbutton weaponry. In these times the Nation can illafford the loss of production that would accrue to our national wealth and strength if jobs were provided for all the willing workers available throughout the land.

The whole spirit of this bill is positive, creative, and is in the best tradition of American self-help.

Mr. Speaker, if the area redevelopment bill which the last Congress enacted had been signed into law last year and not subjected to the ill-starred and inglorious fate of a pocket veto, I say to you in all sincerity the economic health of America would be stronger than it is today.

The harsh fact of the matter is that despite the roseate reports from administration sources that things are getting better day by day, the economic picture is further clouded than it was last year when the area redevelopment bill was passed by the Congress.

We have only to compare reports of the Department of Labor over the past several years to realize how the need for this legislation has increased with the passing months. It is significant that in May 1956 a total of 23 major labor market areas had substantial unemployment, meaning 6 percent or more of the labor force was jobless, and 65 smaller labor market areas in 23 States were classified labor surplus. By comparison, the reports of the Department of Labor for 19858 reveal that 80 major labor market areas, in 25 States, had 6 or more percent of their labor force unemployed, and 188 smaller labor market areas, located in 35 States, also had over 6 percent unemployed.

Mr. Speaker, I am including with my statement, and I request that it be printed as part of it, a recent tabulation of the area expansion committee which details the regions of the country which are classified as distressed areas.

Mr. Speaker, let us make no mistake about it, today the free world is engaged in all-out competition of production with the Communist combine. With ominous regularity, the Kremlin, and the Red Chinese, and the subservient governments of the Communist satellite states, announce 5-year plans and 7-year plans, the latest this very day. The entire populations of those nations are yoked to the effort of increasing production, bolstering economic strength, stepping up total output. On all sides, the Communists are chanting "Beat America, Beat America." Hardly a day or an edition goes by but Khrushchev can be found boasting that communism is riding the wave of the future, accelerating its production totals, achieving new and greater goals, presaging the day, in his view, when communism will literally bury, in his prediction, the United States and the other democracies.

In the face of such a strenuous challenge then, how in the name of heaven can we abide a situation which year after year finds many communities and regions of our country virtually "withering away" economically? This Nation has need of the gainful employment efforts of every last one of our ablebodied workers. It is a tragic waste and a dangerous loss to allow these battalions of displaced workers to languish in enforced idleness. Not only does such human and economic waste seriously shortchange the Nation's strength but the neglect of the problem is productive of deteriorating morale in vast numbers of our people, accounting for broken homes, disruptive social influences, breeding economic sores that affect the whole body economic of the Nation.

The problem has long been recognized. The administration itself has taken official cognizance of it. The President in messages to three sessions of the Congress has made acknowledgment of it and promised to take steps to cure it. Regrettably, the bill passed in the last session was smothered to death by a pocket veto.

That bill was a good bill and deserving of better fate. The bill I am presently introducing is a better bill, in my judgment. It is the counterpart of the bill being introduced in the other body today by Senator DOUGLAS, of Illinois, for himself and 34 other Members of both parties. This fact in itself signalizes the wide-base, bipartisan support the measure commands in the upper body, and augurs well for its ultimate enactment into law.

Some of the improvements in this present bill, as compared with the area redevelopment bill passed by the Congress last year, include:

First. An independent administration is created to provide an authority to carry out this comprehensive program—section 3.

Second. An agricultural representative is added to the Public Advisory Board that the problems of agricultural areas may be brought more squarely into a careful administration—section 4(c).

Third. The 300-county limitation on participating rural areas is removed—section 5(b).

Fourth. The loan period for industrial and rural loans is reduced from 40 to 30 years—section 6(a)(6).

Fifth. Criteria requiring that funds provided in the bill be used to provide more than temporary alleviation of unemployment or underemployment—section 6(a)(3).

Sixth. The interest rate to the borrower is increased to one-half of 1 percent with the additional one-quarter of 1 percent being specifically allocated to a sinking fund to cover possible losses incurred—section 6(b)(8).

Seventh. Authorization for grants for public facilities is limited to 1 year rather than for an indeterminate period—section 8(d).

Eighth. Vocational training provisions are tied to the employment opportunities created in the area, as are subsistence retraining benefits with a $10 million ceiling established for retraining benefits—sections 16(a), 16(b), 17(a).

These changes have been made in the bill as a result of information gained during hearings in both Houses of the Congress in the 85th Congress and from research and study. Proponents of the bill are of the opinion that the revisions have strengthened the legislation and made it a better bill.

Mr. Speaker, it would be a mistake to regard this bill as something to give a shot in the arm to the national economy, just in passing, as it were. It will, of course, create jobs, swell payrolls, boost purchasing power, infuse the legion of

jobless with new hope, but primarily it is designed to bolster and restore those sick spots in our national economic picture that have been ailing for so long a time.

Many of those distressed communities have been making and are presently engaged in praiseworthy efforts to pull themselves up by their own bootstraps. In community after community business, industrial, labor, and civic leaders have banded together to beat back the adverse economic tide that has threatened to engulf them. In city after city, the people have emptied their pockets to create industrial promotion pools; the sacrificial giving in many places has been truly inspirational. The people have literally given until it hurts. But there is a limit to their resources, and in many places the bottom has been scraped, and the citizenry finds it needs outside assistance in their industrial recovery efforts.

Mr. Speaker, I am happy and proud to say that I have the privilege to represent a district, the 11th of Pennsylvania, that affords an outstanding example of community effort to better the business, industrial and job situation. In Luzerne County we have an industrial development fund that has literally performed wonders. The people have responded most generously to appeal after appeal, and the results in new industries and payrolls have been most gratifying. Nevertheless, the situation can best be described as a case of where we have to run at top speed to keep even with ourselves. We bring in a new industry today, and tomorrow 500 miners lose their jobs because another anthracite coal colliery is closed down. This has created our problem, this attrition in the coal industry. Once it was the giant fuel, but over the years, what with one cause and another, its annual tonnage has taken a large drop and in our valley we have lost thousands of mine jobs, and this depressed condition of our basic industry in turn has had unfavorable affects on the whole industrial picture in our valley. Our people, as I say, are coping with this problem manfully, and we are getting results but the adverse tide is running heavily against us and we need help in the form of loans such as this bill provides.

Just for a moment allow me to refer to the mine flood disaster in my district. Last week as you know from the headlines, the raging waters of the Susquehanna River, fed by snows and heavy rains, smashed a hole in a mine outer wall and flooded large areas of mine workings. Unfortunately, up to this very moment, the fate of 12 entombed miners remains in doubt, and although physical factors are dimming their chances, our people, as always have recourse to prayer, and are sustained in their profound and impressive faith in divine providence.

While the rescue work goes feverishly on, already many forces are at work on the needed and urgent tasks of relief and rehabilitation. My people up there in the valley are not panicked and dismayed. They are a stouthearted people. They have lived with adversity for a long time, they have been companions to disaster over the years. They are now going about repairing things, so to speak, so as to build a more substantial future. Many of their resources have been smashed, but their spirit has not been broken. They have invested of their meager savings, and yes, of their substance in the past to better their economic situation and are going about doing the same thing again. But they need help, they need your help, they need the beneficient interest and constructive assistance of their government, and, they feel they are in no wise compromising their dignity or self-respect in urging their government to do a little for them, what it is doing in a greater degree for backward areas in other parts of the world.

The sort of enterprising spirit as prevails in the Wyoming Valley holds equally true in the upper coalfields where the people of Scranton and Lackawanna County have won national attention and applause for what they have done in the way of industrial rehabilitation. And so it goes around the country: American cities across the land, in all sections of this great Nation, have been going it alone as it were, trying their utmost to better their economic situations. It's high time they had from their Government more than repeated promises in this great undertaking; it's time their patience, their fortitude, their confidence, their self-sacrificing were rewarded with the enactment of an adequate area rehabilitation of the scope and dimension that will do the needed job, a bill that will usher in a brighter day for so many of our fellow citizens.

On a former occasion I said:

> The mental gymnastics of political economists trying to balance the recession-recovery ball is poor fare to the more than 4,200,000 jobless Americans who can't eat "gaffed-up" statistics.

When I made that statement last October we were all being assured that the recession had been just a bad dream that had faded with summer's end and that henceforth all was going to be sunshine and sweetness. I wish to God, as I stand here today, that I could be a witness to the fact that unemployment had vanished before a new boon of business and industrial activity. I devoutly wish I could truly say today that there's not enough unemployment in America to make it even worth talking about. But the sad, challenging truth is that like last October, so, too, today we have more than 4 million unemployed, and that despite all the fervent wishing there's not much to sustain the prediction that the unemployment problem is about to leave us.

Mr. Speaker, there is just no good sense or sound public morality in this business of playing a waiting game in the hope the specter of unemployment will go away—instead of relying on the weak reed that next month's employment figures are going to show unprecedented gains and that somehow time is going to take care of the vexing and enduring challenge of joblessness, we, as a people and a Government, ought to face up to the problem—assume our moral obligations and tackle this problem in a positive way, on a broad, national scale.

The family without income finds scant nourishment and poor consolation in the products of propaganda which primarily consists of telling the American people that things are getting better and better in every way, every day. Such kind of thinking and acting is a poor substitute for the constructive national leadership which the times demand.

Let me, if I may, stress the fact that unemployment is costly in a variety of ways. Last year alone the Government paid out the staggering sum of $4 billion in unemployment compensation benefits. Think of it—$4 billion. It was a good thing, of course, that those who received these benefits had purchasing power in their hands; much better that than the conditions of former years when a man who was out of work was almost automatically broke. But think how much better it would have been for the national economy, for the body politic, for the individual recipients of unemployment compensation, for their families if the Government had made a wise investment in an area rehabilitation program and the idled workers had been able to get into good paying jobs of value-creating productiveness. Not only does joblessness account for large payments in workers' benefits, but at the same time the Treasury incurs severe income losses, for statistics inform us that every fully employed person in the country accounts for the sum of $560 annually in tax revenue. Again, casting up the balances, joblessness costs the public treasuries millions in direct relief, after unemployment benefits are exhausted, and the Nation is also the loser by the amount of goods and services that would have been added to the gross national product if the legions who are on the idle rolls were back at gainful jobs.

Anyway you look at it, chronic unemployment is a cancer on the body politic.

This bill I am introducing affords all of us, the administration as well as the Congress, an opportunity to demonstrate our faith in the people by authorizing a program of adequate loans to communities—urban, rural, and to Indian tribes on reservations. It will give people and the communities who have had a tough time of it over the years a chance to battle their way to recovery. I sincerely hope that in the consideration of this vital legislation we will have in mind that already in 1959 our Government has authorized loans to not less than a half dozen foreign governments totaling millions of dollars. I ask you, in simply justice, if we should not give our own people the same kind of a break. Really we are asking for very little in relation to the problem—very little in relation to the amount that is going to be asked of us later in this session for foreign aid. We have been given broad public hints that this Congress will be asked to appropriate upward of $5 billion for foreign aid. This bill I am now introducing is truly an American point 4 program. I earnestly commend it to your consideration and support. Let's give our fellow Americans a fair shake. In doing

for them we will be doing for ourselves and for our country.

In the beginning I said I was speaking with high hopes. I am. I have every confidence that good sense and fairness and patriotism will prevail in this body and that the House will ratify this measure by an overwhelming majority, as I am sure the other body will. This Congress, I feel, has had a mandate from the people on this measure. Let us do our duty and translate the will of the people into this sound, much needed legislation.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include the aforementioned journal.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONGRESSIONAL DISTRICTS WITH LABOR MARKETS SUFFERING FROM SUBSTANTIAL LABOR SURPLUS, BY STATE, AS OF NOVEMBER 1958

ALABAMA

Elliott: Jasper (Walker),[1] Florence-Sheffield (Franklin).
Jones: Florence-Sheffield (Franklin).
Rains: Gadsden (Etowah), Alexander City (Tallapoosa).
Boykin: Mobile.
Roberts: Anniston (Calhoun), Talladega, Alexander City (Coosa).
Huddleston: Birmingham (Jefferson).

ARKANSAS

Harris: Texarkana (Miller).[1]
Trimble: Fort Smith (Sebastian).

CALIFORNIA

Sheppard: San Bernardino-Riverside (San Bernardino).
C. W. Miller: Eureka, Ukiah.
Saund: San Bernardino-Riverside (Riverside).
McDonough, Jackson, King, Hosmer, Holifield, Smith, Hiestand, Holt, Doyle, Lipscomb, Kasem, Roosevelt: Los Angeles-Long Beach.
Utt: Los Angeles-Long Beach (Orange).

COLORADO

Chenoweth: Pueblo.

CONNECTICUT

Kowalski (at large).
Irwin: Bridgeport (part), Ansonia (part), Danbury (part).
Giaimo: Ansonia (part), Bridgeport (part), Meriden (part), New Haven, Waterbury (part).
Daddario: Bristol, New Britain, Meriden (part), Middletown (part), Thompsonville (part), Torrington.
Monagan: Bristol (part), Danbury (part), Waterbury (part), Torrington (part).
Bowles: Middletown (part), Norwich, Thompsonville (part), Willimantic, Danielson.[1]

GEORGIA

Landrum: Toccoa (Habersham, Stephens).
Brown: Toccoa (Franklin).

ILLINOIS

Chiperfield: Canton (Fulton).[1]
Gray: Harrisburg (Gallatin, Hardin, Pope, Saline),[1] Herrin-Murphysboro-West Frankfort (Franklin, Jackson, Johnson, Perry, Union, Williamson).[1]
Mack: Litchfield (Macoupin),[1] Springfield (Sangamon).[1]
Shipley: Harrisburg (White),[1] Litchfield (Montgomery),[1] Mount Carmel-Olney (Edwards, Lawrence, Richland, Wabash),[1] Mount Vernon (Hamilton, Jefferson, Wayne), Centralia (Clinton, Marion).
Dawson, O'Hara, Murphy, Derwinski, Kluczynski, O'Brien, Rostenkowski, Yates, Libonati, Collier, Pucinski, Boyle, Church, Chicago.
Hoffman: Chicago (DuPage).
Springer: Decatur (Macon).
Mason: Joliet (Will).
Allen: Rockford (Winnebago).
Michel: Peoria (Peoria, Tazewell).

INDIANA

Bray: Vincennes (Knox).[1]
Denton: Evansville (Vanderburgh).[1]
Wampler: Terre Haute (Vigo).[1]
Harmon: Muncie (Delaware),[1] Richmond (Wayne).[1]
Brademas: Michigan City-LaPorte (LaPorte),[1] South Bend (St. Joseph).
Harmon: Richmond (Wayne),[1] Connersville (Fayette, Rush, Union), New Castle (Henry).
Madden: Chicago (Lake).
Adair: Fort Wayne (Allen).
Hogan: Connersville (Franklin), Columbus (Bartholomew).
Roush: Anderson (Madison).

IOWA

Carter: Ottumwa (Wapello).

KANSAS

Hargis: Coffeeville-Independence-Parsons (Labette, Montgomery),[1] Pittsburg (Cherokee, Crawford).[1]

KENTUCKY

Stubblefield: Paducah, Madisonville (Muhlenberg),[1] Hopkinsville (Christian, Todd, Trigg).
Natcher: Madisonville (Hopkins, Webster),[1] Owensboro (Daviess).[1]
Perkins: Hazard (Breathitt, Letcher, Perry),[1] Morehead-Grayson (Carter, Elliott, Greenup, Rowan),[1] Paintsville-Prestonsburg (Floyd, Johnson, Knott, Magoffin, Martin),[1] Pikeville-Williamson (Pike).[1]
Siler: Corbin (Clay, Knox, Laurel, Whitley),[1] Middlesboro-Harlan (Bell, Harlan, Leslie).[1]
Burke: Louisville.

MAINE

Oliver: Biddeford-Sanford,[1] Portland.
Coffin: Lewiston.

MARYLAND

Foley: Cumberland (Allegany),[1] Frederick (Frederick).
Brewster: Baltimore (part), Westminster (Carroll).
Fallon, Friedel, Garmatz, Lankford: Baltimore:

MASSACHUSETTS

Bates: Lawrence (part),[1] Newburyport, Haverhill.
Martin: Fall River,[1] Brocton (part), Milford (part), Taunton (part).
Lane: Lawrence (part).[1]
Conte: North Adams,[1] Pittsfield, Greenfield, Springfield-Holyoke (part).
Burke: Brockton (part).
Keith: Brockton (part), Taunton (part), New Bedford, Springfield-Holyoke (part).
Boland: Springfield-Holyoke (part), Ware (part).
Donohue: Worcester.
Philbin: Fitchburg (part), Marlboro (part), Milford (part), Southbridge-Webster, Ware (part).
Rogers: Fitchburg (part), Marlboro (part), Lowell.[1]

MICHIGAN

Bennett: Iron Mountain (Dickinson, Iron),[1] Marquette.
Broomfield: Detroit (Oakland).[1]
Diggs: Detroit (Wayne).[1]
Dingell: Detroit (Wayne).[1]
Griffin: Muskegon (Muskegon).[1]
Griffiths: Detroit (Wayne).[1]
Lesinski: Detroit (Wayne).[1]
O'Hara: Detroit (Macomb),[1] Port Huron (St. Clair).[1]
Machrowicz: Detroit (Wayne).[1]
Meader: Monroe (Monroe).[1]
Rabaut: Detroit (Wayne).[1]
Chamberlain: Flint,[1] Lansing.
Ford: Grand Rapids,[1] Holland-Grand Haven.
Cederberg: Bay City.[1]
Johansen: Battle Creek.
Bentley: Saginaw, Ionia-Belding-Greenville, Owosso.
Meader: Adrian, Ann Arbor-Ypsilanti, Jackson.
Hoffman: Benton Harbor, Allegan, Sturgis.
Knox: Escanaba.

MINNESOTA

Blatnik: Duluth-Superior (St. Louis).

MISSISSIPPI

Smith: Greenville.

MISSOURI

Jones: Cape Girardeau.
Bolling: Kansas City (Kansas City).
Brown: Springfield, Joplin (Jasper).
Cannon: St. Louis (St. Charles).
Carnahan: Flat River-DeSota-Festus.
Christopher: Kansas City (Jackson).
Curtis: St. Louis (St. Louis).
Hull: Kansas City (Clay), St. Joseph.
Karsten: St. Louis (St. Louis).
Sullivan: St. Louis (St. Louis).

MONTANA

Anderson: Butte, Kalispell, Great Falls.

NEBRASKA

Weaver: Lincoln (Lancaster).

NEW JERSEY

Auchincloss: Long Branch,[1] Perth Amboy, Trenton.
Glenn: Atlantic City,[1] Bridgeton.
Addonizio: Newark.
Daniels: Newark, Paterson.
Dwyer: Newark, Plainfield-Somerville.
Frelinghuysen: Morristown-Dover, Plainfield-Somerville, Perth Amboy, Paterson.
Wallhauser: Newark.
Osmers: Newark, Paterson.
Rodino: Newark.
Gallagher: Newark, Paterson.
Thompson: Perth Amboy, Philadelphia (Burlington), Trenton.
Widnall: Morristown-Dover, Trenton, Paterson, Allentown-Bethlehem (Warren), Plainfield-Somerville.
Canfield: Paterson.
Cahill: Philadelphia (Camden, Gloucester).

NEW YORK

Stratton: Albany-Schenectady-Troy (Schenectady), Oneonta, Amsterdam, Gloversville.
Kilburn: Watertown.
Miller: Buffalo (Niagara, part of Erie).
O'Brien: Albany-Schenectady-Troy (Albany).
Ostertag: Batavia.
Pillion: Buffalo (part of Erie).
Dulski: Buffalo (city of Buffalo).
Reed: Jamestown-Dunkirk, Wellsville (Allegany), Olean-Salamanca (Cattargus).
Riehlman: Syracuse.
Robison: Elmira, Binghamton, Corning-Hornell.
Taber: Auburn.
Taylor: Albany-Schenectady-Troy (Rensselaer), Glens Falls, Hudson Falls (Warren, Washington).
Wharton: Newburgh-Middletown-Beacon (part of Dutchess), Kingston (Ulster).
Pirnie: Oneida (Madison).
Barry: Newburgh-Middletown-Beacon (Putnam).
St. George: Newburgh-Middletown-Beacon (Orange).
Anfuso: Kings.
Becker: Nassau.
Bosch: Queens.
Buckley: Bronx.
Celler: Kings, Queens.
Lindsay: New York.
Delaney: Queens.
Derounian: Nassau.
Dollinger: Bronx.
Dooley: Westchester.
Dorn: Kings.

[1] Eligible for assistance under Douglas-Payne bill, i.e., unemployment of 6 percent or more in at least 18 of past 24 months.

Farbstein: New York.
Fino: Bronx.
Barry: Westchester.
Healy: Bronx.
Holtzman: Queens.
Kelly: Kings.
Keogh: Kings.
Halpern: Queens.
Multer: Kings.
Powell: New York.
Ray: Richmond (part of Kings).
Rooney: Kings.
St. George: Rockland.
Santangelo: New York.
Teller: New York.
Wainwright: Nassau, Suffolk.
Zelenko: New York.

NORTH CAROLINA

Cooley: Rocky Mount (Nash).[1]
Durham: Durham (Durham).[1]
Fountain: Kinston (Lenoir),[1] Rocky Mount (Edgecombe).[1]
Lennon: Fayetteville (Cumberland).[1]
Scott: Mount Airy (Surry).[1]
Hall: Asheville (Buncombe),[1] Waynesville (Haywood part of Jackson).[1]
Whitener: Shelby-Kings Mountain (Cleveland),[1] Rutherfordton-Forest City.[1]
Kitchin: Rockingham-Hamlet, Thomasville-Lexington.
Jonas: Morganton.

OHIO

Brown: Springfield.[1]
Moeller: Portsmouth-Chillicothe (Jackson).[1]
Polk: Portsmouth-Chillicothe (Pike, Ross, Sciota),[1] Batavia-Georgetown-West Union Adams, Brown, Clermont).
Ashley: Toledo (Lucas).
Bow: Canton, New Philadelphia-Dover (Tuscarawas).
Latta: Toledo (part of Wood), Defiance, Sandusky-Fremont (Ottawa).
Cook: Youngstown (part of Trumbull), Ashtabula-Conneaut, Kent-Ravenna (Portage).
Hays: New Philadelphia-Dover (Carroll, Harrison), Steubenville-Wheeling (W. Va.), East Liverpool-Salem.
Henderson: Cambridge, Marietta, Zanesville.
Moeller: Athens-Logan-Nelsonville, Huntington-Ashland (Lawrence).
Kirwan: Youngstown (Mahoning, Trumbull).
Ayres: Akron.
Feighan: Cleveland.
Vanik: Cleveland.
Bolton: Cleveland.
Minshall: Cleveland.
Betts: Kenton, Findlay-Fostoria-Tiffin (Hancock, Seneca).
Baumhart: Sandusky-Fremont (Erie, Huron, Sandusky).

OREGON

Green: Portland (Multnomah).
Norblad: Portland (Clackamas, Washington).
Porter: Albany, Coos Bay, Roseburg, Eugene.
Ullman: Pendleton (Umatilla).

PENNSYLVANIA

Bush: Berwick-Bloomsburg (part of Columbia),[1] Lock Haven (Clinton),[1] Sunbury-Shamokin-Mt. Carmel (Montour, part of Columbia),[1] Williamsport (Lycoming), Sayre-Athens-Towanda (Bradford).
Prokop: Scranton (Lackawanna).[1]
Fenton: Pottsville (Schuylkill),[1] Sunbury-Shamokin-Mt. Carmel (Northumberland).[1]
Flood: Wilkes-Barre-Hazelton (Luzerne).[1]
Gavin: Clearfield-DuBois (part of Jefferson),[1] Oil City-Franklin-Titusville (Forest, Venango), St. Marys (Elk).
Morgan: Uniontown-Connellsville (Fayette),[1] Pittsburgh (Washington).
Mumma: Lewistown (Juniata).[1]
Saylor: Johnston (Cambria).[1]
Simpson: Johnstown (Somerset),[1] Lewistown (Mifflin),[1] Sunbury-Shamokin-Mt. Carmel (Snyder, Union).[1]
Van Zandt: Altoona (Blair),[1] Clearfield-DuBois (part of Centre, Clearfield).[1]
Walter: Pottsville (part of Carbon),[1] Allentown-Bethlehem (Northampton).
Kearns: Erie,[1] Oil City-Franklin-Titusville (part of Crawford).
Curtin: Allentown-Bethlehem (Lehigh), Philadelphia (Bucks).
Barrett: Philadelphia.
Granahan: Philadelphia.
Byrne: Philadelphia.
Green: Philadelphia.
Toll: Philadelphia.
Dague: Philadelphia (Chester).
Milliken: Philadelphia.
Lafore: Philadelphia (Montgomery).
Nix: Philadelphia.
Dent: Pittsburgh.
Clark: Pittsburgh (Beaver), Butler, New Castle.
Fulton: Pittsburgh.
Moorhead: Pittsburgh.
Corbett: Pittsburgh.
Holland: Pittsburgh.
Rhodes: Reading.
Quigley: York.
Fenton: St. Marys (Camer

RHODE ISLAND

Fogarty: Providence.[1]
Forand: Providence,[1] Newport.[1]

TENNESSEE

Baker: Knoxville (Anderson, Blount, Knox),[1] La Follette-Jellico-Tazewell (Campbell).[1]
Frazier: Chattanooga.
Davis: Memphis.
Reece: Bristol-Johnson City-Kingsport.

TEXAS

Patman: Texarkana (Bowie).[1]
Brooks: Beaumont-Port Arthur.
Young: Corpus Christi.
Thomas: Houston.
Kilgore: Laredo.

VERMONT

Meyer: Springfield, Burlington.

VIRGINIA

Jennings: Big Stone Gap-Appalachia (Lee, Wise),[1] Richlands-Bluefield; Bristol-Johnson City; Kingsport, Tenn. (Washington County, Va.)
Poff: Radford-Pulaski (Floyd, Montgomery),[1] Roanoke.
Tuck: Radford-Pulaski (Wythe).[1]

WASHINGTON

Mack: Aberdeen, Olympia.
Westland: Anacortes, Bellingham, Everett, Port Angeles.
Tollefson: Tacoma.
Horan: Spokane.
Pelly: Bremerton.

WEST VIRGINIA

Bailey: Charleston (Fayette),[1] Clarksburg (Harrison), Parkersburg (Calhoun, Ritchie, Wirt).
Slack: Beckley (Raleigh),[1] Logan (Logan, part of Boone).[1]
Kee: Ronceverte-White Sulphur Springs (Greenbriar, Monroe),[1] Welch (McDowell),[1] Bluefield (Mercer).
Moore: Fairmont (Marion),[1] Wheeling (W.Va.)-Steubenville, Ohio.
Hechler: Logan (Lincoln),[1] Pt. Pleasant-Gallipolis (Jackson, Mason, Putnam),[1] Huntington-Ashland (Cabell, Wayne), Parkersburg (Pleasants, Wood).
Staggers: Martinsburg, Morgantown.

WISCONSIN

O'Konski: Duluth-Superior (Douglas).
Flynn: Lake Geneva-Whitewater, Racine, Beloit.
Kastenmeier: Beaver Dam, Watertown.
Withrow: LaCrosse.
Zablocki: Milwaukee.
Reuss: Milwaukee.
Van Pelt: Oshkosh.

Comparison of area redevelopment bills

Provision	Passed, 85th Cong.	86th Cong. bill
1. Title	Area Economic Redevelopment Act	Area Economic Redevelopment Act.
2. Organization	A constituent agency within HHFA, with confirmed Commissioner.	Independent agency.[1]
3. Advisory board	1. Cabinet-level advisory board 2. 25-man National Public Advisory Committee from all walks of life.	1. Cabinet-level advisory board. 2. 25-man National Public Advisory Committee from all walks of life. Agricultural representative added.[1]
4. Division of redevelopment areas	1. Industrial areas with substantial and persistent unemployment over an extended period. Specific levels: (a) 12 percent for 1 year preceding. (b) 9 percent for 15 of 18 months preceding. (c) 6 percent for 18 of 24 months preceding. (d) 15 percent for 6 months preceding (at Commissioner's discretion). 2. Rural areas with largest number and percentage of low-income farm families and substantial and persistent unemployment, not to exceed 300 counties.	1. Industrial areas with substantial and persistent unemployment over an extended period. Specific levels: (a) 12 percent for 1 year preceding. (b) 9 percent for 15 of 18 months preceding. (c) 6 percent for 18 of 24 months preceding. (d) 15 percent for 6 months preceding (at Commissioner's discretion). 2. Rural areas with largest number and percentage of low-income farm families and substantial and persistent unemployment.[1]
5. Local groups	Public or private agency approved by State or its instrumentality except where there is no provision for such approval. Then Commissioner may appoint a local committee.	Public or private agency approved by State or its instrumentality except where there is no provision for such approval. Then Commissioner may appoint a local committee.
6. Loans for private projects	$100,000,000 for industrial areas	$100,000,000 for industrial areas.
(a) Revolving fund or funds total	$100,000,000 for rural areas	$100,000,000 for rural areas.
(b) Maximum Federal participation	65 percent (subordinate to other loans)	65 percent (subordinate to other loans).
(c) Minimum State or local participation.	10 percent	10 percent.
(d) Minimum private participation	5 percent	5 percent.
(e) Maximum period of loans	40 years	30 years.[1]
(f) Industrial or commercial projects	Including machinery and equipment	Including machinery and equipment.

[1] Revisions.

Comparison of area redevelopment bills—Continued

Provision	Passed, 85th Cong.	86th Cong. bill
6. Loans for private projects—Continued		
(g) Interest rate	Rate paid Treasury plus ¼ of 1 percent	Rate paid Treasury plus ½ of 1 percent (¼ percent of above will be allocated to sinking fund for payment of losses).[1]
(h) Application approved by	State or local development agency (or local committee in absence of State or local development agency), and found by State to be consistent with area economic development. Program approved by Commissioner.	State or local development agency (or local committee in absence of State or local development agency), and found by State to be consistent with area economic development. Program approved by Commissioner.
7. Loans for public facilities:		
(a) Revolving fund	$100,000,000	$100,000,000.
(b) Maximum Federal participation	65 percent subordinate to other loans	65 percent subordinate to other loans.
(c) Minimum State or local participation.	10 percent	10 percent.
(d) Maximum period of loan	40 years	40 years.
(e) Interest rate	Rate paid Treasury plus ¼ of 1 percent	Rate paid Treasury plus ¼ of 1 percent.
8. Funds for loans:		
(a) Amount	$300,000,000	$300,000,000.
(b) Source	Borrowed from Treasury	Borrowed from Treasury.
(c) Interest rate paid Treasury	Not greater than current average yields on outstanding marketable U.S. obligations of comparable maturities at end of preceding month.	Not greater than current average yields on outstanding marketable U.S. obligations of comparable maturities at end of preceding month.
9. Grants for public facilities	Authorization for appropriation of $75,000,000 a year	Authorization for appropriation of $75,000,000.[1]
10. Information	Information furnished to redevelopment areas	Information furnished to redevelopment areas.
11. Technical assistance	Technical assistance authorized for redevelopment areas; authorization for appropriation of $4,500,000 a year.	Technical assistance authorized for redevelopment areas; authorization for appropriation of $4,500,000 a year.
12. Authority granted	Usual corporate powers	Usual corporate powers.
13. Termination of eligibility	Provision for termination of designation as redevelopment area.	Provision for termination of designation as redevelopment area.
14. Urban renewal	On request by Commissioner, HHFA may give financial assistance to projects in municipalities without regard to predominantly residential requirement.	On request by Commissioner, HHFA may give financial assistance to projects in municipalities without regard to predominantly residential requirement.
15. Planning grants	Planning grants authorized for smaller municipalities redevelopment areas.	Planning grants authorized for smaller municipalities redevelopment areas.
16. Vocational training	Labor and HEW ascertain need for vocational training and provide financial assistance to State agency in supplying such facilities and services.	Secretaries of Labor and HEW in consultation with Administrator ascertain need for vocational training and provide financial assistance to State agency in supplying such facilities and services (program designed for employment opportunities created in areas).[1]
17. Retraining subsistance payments	Labor makes payments to States for 13 weeks' retraining subsistance payments to unemployed not getting unemployment compensation and getting training for new job.	Secretary of Labor in consultation with Administrator makes payments to States for 13 weeks' retraining subsistence payments to unemployed not getting unemployment compensation and certified for new job.[1]
		$10,000,000 annual ceiling established. Rulemaking authority extended to facilitate administration of secs. 16 and 17.

[1] Revisions

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield.

Mr. STRATTON. I desire to commend the gentleman from Pennsylvania, Mr. Speaker, for his remarks and also for the bill which he has introduced. As I have already indicated, it is my desire to introduce a companion measure, because this meets a serious problem in the State which I represent, the State of New York. I do desire to express some concern with regard to the provision in the bill which is similar to the bill which passed in the last session of the Congress, which requires that an area which is listed as an area of substantial unemployment, that is, 6 percent, as the gentleman has said, is required under this bill to continue in that condition for 18 months, if I understand it correctly, before it is eligible for consideration under this legislation. In my judgment, this is an unduly long time, and, in fact, it forces in some cases a deterioration of a situation which, if it could be corrected more quickly by the benefits of the bill, might be prevented from getting more serious. I am referring particularly to certain established industrial areas, such as Schenectady, which I have the honor to represent. I would like to ask the gentleman whether he feels that perhaps the bill might be more helpful if this provision were amended to some extent in the bill that he has introduced.

Mr. FLOOD. May I say to the gentleman that this is not my brain child or that of the Senator from Illinois [Mr. DOUGLAS]. This bill is the result of 6 years of continued hard work. By the way, this is an entirely nonpartisan effort. My friends on the other side of the aisle have been just as active as my friends on this side of the aisle. I was chairman of a subcommittee last year when we steered this through the House. On that committee were 8 or 10 Republican Members, just as active as the Democrats. The same is true in the other body. We held hearings in a dozen States, in 40 or 50 communities, over a period of 4 years, taking testimony. From all those efforts, from all of those combined suggestions, from 2 years of hearings before committees before this body and the other body, from 2 years of hearings before the distinguished Committee on Banking and Currency in this body this is the synthesis, this is the best thinking of the leaders of America, of the people who suffer these hardships. They are bankers, labor leaders, and this is a composite of all that experience and all of that thinking. But let me say we are glad to have you here for more than one reason, and before long this bill will undoubtedly be referred to the distinguished Committee on Banking and Currency, and when hearings are held there I am sure they will be happy to have the gentleman from New York appear and give them the benefit of his suggestions, which I am sure he feels have some merit.

Mr. STRATTON. I thank the gentleman for his remarks and desire to join with him in introducing this legislation but perhaps making the change which I have indicated, which in line with his suggestion I would like to advance before the appropriate committee of this House.

Mr. FLOOD. This is no sacred cow. Good luck.

WEST GERMANY'E IMPORT TAX OF $4.76 PER TON ON UNITED STATES COAL IS FURTHER EVIDENCE THAT FOREIGN NATIONS WILL ACCEPT AMERICAN IMPORTS WHEN IT IS PRINCIPALLY TO THEIR ADVANTAGE

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, last week, the West German Republic announced that effective February 16, 1959, a tax of $4.76 a ton will be levied on coal imported into that country. This tax will adversely affect the hard-hit coal industry of the United States and especially the normal export of 12 to 16 million tons of coal per year to Germany.

Frankly, the Nation's coal industry is about to receive another severe blow on the international trade front.

West Germany's arbitrary imposition of a prohibitive tariff on coal imports from the United States slams the door in the face of a salesman who has been able to deliver his product a distance of more than 3,000 miles and still charge less than producers within close proximity of this market.

This ability to put coal down in Europe at most attractive prices has been made possible through the dogged efforts of an industry that has refused to rest on its laurels as the world's most efficient coal producer. Although output per man-day in the United States is at least

four times greater than that of any other country, coal management—with the approval and encouragement of the United Mine Workers of America—continues to invest in new methods and machines that are largely responsible for coal's price stability in a period when most commodities have spiraled upward at an alarming rate.

Mr. Speaker, let us consider the impact of this proposed tax levy on the coal industry which has been beset by economic distress for almost every one of the past 10 years.

Many mines in Pennsylvania have long since gone out of business. Others are holding on with 1 or 2 or 3 days a week of production—not enough to allow for normal owner earnings and certainly not enough to provide a respectable standard of living for workmen and their families.

Despite coal's economic ills, the industry has gone forward with its mechanization program. In some cases the necessary capital has been made possible because of firm contracts which the industry has been able to negotiate. Contracts to sell coal to West Germany were among those which some American companies utilized as a basis for attracting investment capital or for making necessary loans. The action of the Bonn government in placing a duty of $4.76 per ton on American coal entering West Germany amounts to a repudiation of such contracts, for obviously the tariff places an impenetrable cost barrier on U.S. coal.

The impact of West Germany's action will be felt not only among producers shipping overseas; much of the coal that would have been shipped across the Atlantic will, in seeking other outlets, bring further competition into domestic markets in a competitive struggle that the industry should not be expected to bear.

What has happened in Bonn is further evidence that foreign nations will accept American goods only when it is to their decided advantage to do so. In contrast, our State Department has insisted on continued decreases in our own tariff rates and has vehemently opposed quotas that would offer protection for the American coal miner against residual oil imports. The U.S. coal industry has thus been caught in the middle of an international tug of war. Our only recourse is for Congress to enact the legislation necessary to safeguard this vital industry and at the same time give our miners a chance to get back to work.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MACHROWICZ, for 30 minutes, on Thursday, January 29.

Mr. KARSTEN (at the request of Mr. MACHROWICZ), for 30 minutes, on Thursday next.

Mr. COOK, for 1 hour, Thursday.

Mr. FLOOD, for 30 minutes, today.

Mr. SCHERER, for 30 minutes, on Thursday next.

Mr. POWELL, for 60 minutes, on Thursday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. LANE and to include extraneous matter.

Mr. NATCHER.

Mr. RHODES of Pennsylvania.

Mr. STRATTON and to include extraneous matter.

Mr. PORTER in two instances.

Mr. DOYLE in two instances and in each to include appropriate material.

Mr. HECHLER.

Mr. REES of Kansas.

Mr. CELLER in two instances.

Mr. WALLHAUSER.

Mr. COLMER and include a speech by Mr. WINSTEAD.

ADJOURNMENT

Mr. MEYER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until Thursday, January 29, 1959, at 12 o'clock noon.

COMMITTEE EMPLOYEES

JANUARY 14, 1959.

COMMITTEE ON AGRICULTURE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1958, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John J. Heimburger	Counsel	$8,160.00
Mabel C. Downey	Clerk	8,160.00
Francis M. LeMay	Staff consultant	7,489.74
Hyde H. Murray	Assistant clerk	4,190.22
Lydia Vacin	Staff assistant	4,397.46
Pauline E. Graves	do	4,171.44
Betty M. Prezioso	do	3,719.28
Alicia F. Shoemaker	do	3,691.02
Gladys N. Ondarcho	do	3,436.68
Haywood W. Taylor	do	2,645.40

Funds authorized or appropriated for committee expenditures	$50,000.00
Amount of expenditures previously reported	15,813.48
Amount expended from June 30 to Dec. 31, 1958	3,819.94
Total amount expended from Jan. 1, 1957, to Dec. 31, 1958	19,633.42
Balance unexpended as of Dec. 31, 1958	30,366.58

HAROLD D. COOLEY,
Chairman.

COMMITTEE ON APPROPRIATIONS

JANUARY 15, 1959.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1958, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Kenneth Sprankle	Clerk and staff director.	$8,160.00
Paul M. Wilson	do	8,160.00
Jay B. Howe	Staff assistant	7,489.74
Ross P. Pope	do	7,489.74
Samuel R. Crosby	do	7,489.74
Carson W. Culp	do	7,489.74
Robert M. Moyer	do	7,498.74
George S. Green	Clerk to minority	7,081.02
E. L. Eckloff	Clerk to majority	6,958.44
Frank Sanders	Staff assistant	6,917.52
Eugene B. Wilhelm	do	6,917.52
Robert P. Williams	Editor	6,508.80
Aubrey A. Gunnels	Staff assistant	6,263.58
Robert L. Michaels	do	5,854.86
Kelly Campbell	do	5,691.42
James D. Burris	do	5,527.92
G. Homer Skarin	do	5,200.74
Earl C. Silsby	do	5,020.92
Lawrence C. Miller	Assistant editor	4,096.08
Francis G. Merrill	Staff assistant	3,907.68
Samuel R. Preston	do	3,436.68
Donald F. Berens	Clerical assistant	2,777.28
Kenneth A. Meade	do	2,871.48
Randolph Thomas	Messenger	1,845.84
Lucille K. Brand	Clerk-stenographer	2,871.48
Julia M. Elliott	do	2,871.48
Mary A. Vaughan	do	2,871.48
Phyllis N. Troy	do	2,871.48
Mary Louise Schwarzmann.	do	2,249.33
William J. Neary	do	2,871.48
Nettie C. Bishop	do	2,871.48
Catherine D. Norrell	do	2,871.48
Viola W. Grubbs	do	2,871.48
Donald L. Bernard	do	2,871.48
Rosalind E. McGovern.	do	2,871.48
Mary W. McBride	do	2,871.48
Rose Marie Kline	do	2,871.48
Mary Lucy Walker	do	2,871.48
Jane Andrews	do	1,435.74
Silas Taber	do	2,871.48
L. Margaret Murray	do	2,871.48
Margie H. Trew	Clerk-Stenographer	2,871.48
Josephine Birdsall	do	2,871.48
John G. Clevenger	do	2,871.48
Frank Mentillo	do	2,588.88
Lenore Cummings	do	2,588.88
Alice Beach	do	2,478.98
Robert V. V. Rice, Jr.	do	2,212.08
Frank B. Melchior	do	919.48
Ruth Louise Rice	do	478.58
Max E. Bowen	do	1,609.09

Amount of expenditures previously reported	
Amount expended from July 1, to Dec. 31, 1958	$208,894.16
Total amount expended from July 1, to Dec. 31, 1958	208,894.16

CLARENCE CANNON,
Chairman.

COMMITTEE ON APPROPRIATIONS (INVESTIGATIONS STAFF)

JANUARY 15, 1959.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1958, inclusive, to-

gether with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Robert E. Rightmyer	Director, surveys and investigations staff.	$6,856.22
Thomas J. Jenkins	Assistant director, surveys and investigations staff.	6,443.40
M. Alice Ruml	Stenographer	2,871.48
Lillian M. Mackie	do	2,871.48
John J. Donnelly	Consultant	3,000.00

REIMBURSEMENTS TO GOVERNMENT AGENCIES

Atomic Energy Commission:		
Ohnstad, Lawrence R.	Investigator	$1,706.12
Federal Bureau of Investigation:		
Bennett, Carl L.	do	5,976.96
Bolz, Charles	do	2,736.72
Bowers, Hollis W.	do	5,976.96
Contribution to retirement fund.		6,659.65
Chisholm, Leslie B., Jr.	Investigator	4,534.40
Dunay, John M., Jr.	do	3,680.16
Hagan, Paul V.	do	4,484.40
Hair, Harold H.	do	6,185.52
Havens, Robert H.	do	5,590.08
Hetherington, Karl V.	do	4,663.84
Horner, James William.	do	2,851.52
Hutchison, Louis S.	do	4,935.52
Kieffer, Ernest F.	do	5,682.88
Light, Myron E.	do	2,894.08
Love, Warren L.	do	4,912.64
Magee, E. Huyett	do	4,528.00
Nugent, James E.	do	7,096.32
Ponder, Joseph K.	do	6,230.40
Reamy, W. Wallace	do	2,852.64
Reiser, Robert E.	do	5,860.80
Rose, Don R.	do	2,412.80
Ruhl, John A.	do	5,976.96
Ryan, John J., Jr.	Investigator	4,799.68
Williams, P. Dennis	do	3,019.20
Young, Paul C.	do	3,040.80
General Services Administration:		
Barker, Robert B.	do	1,678.72
Health, Education, and Welfare, Department of:		
Bersano, Peter J.	do	1,099.65
Interior, Department of (Bureau of Reclamation):		
Baker, Charles C.	do	57.25
National Bureau of Standards.		27,031.46
Agriculture, Department of (Soil Conservation Service):		
McVicker, Dwight S.	Investigator	3,263.26
Travel and miscellaneous expenses.		49,867.99

Funds authorized or appropriated for committee expenditures	$500,000.00
Amount of expenditures previously reported	
Amount expended from July 1 to Dec. 31, 1958	224,329.96
Total amount expended from July 1 to Dec. 31, 1958	224,329.96
Balance unexpended as of Dec. 31, 1958	275,670.04

CLARENCE CANNON,
Chairman.

JANUARY 1, 1959.

COMMITTEE ON ARMED SERVICES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1958, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Robert W. Smart	Chief counsel	$8,942.72
John R. Blandford	Counsel	8,907.54
Charles F. Ducander	do	8,907.54
Philip W. Kelleher	do	8,907.54
Oneta L. Stockstill	Committee secretary.	3,851.87
Berniece Kalinowski	Secretary	4,211.54
L. Louise Ellis	do	3,851.87
Marie M. Abbott	do	3,373.99
James A. Deakins	Bill clerk	3,373.99
Janice G. Angell	Secretary	994.39

OFFICE OF SPECIAL COUNSEL OPERATING PURSUANT TO H. RES. 67, 68, AND 457, 85TH CONG.

John J. Courtney	Special counsel	$8,942.72
Lloyd Kuhn	Staff assistant	4,817.78
Dorothy Britton	Secretary	3,946.07
Jane Wheelahan	do	3,233.86
Adeline Tolerton	Clerk	3,132.52
Retroactive pay for:		
Edward T. Fogo	Staff assistant	215.58
Ethel Mott	Clerk	191.43
Raymond Wilcove	Staff assistant	350.66

Funds authorized or appropriated for committee expenditures	$225,000.00
Amount of expenditures previously reported	116,455.52
Amount expended from July 1958 to January 1959	$35,238.39
Total amount expended from January 1957 to January 1959	151,693.91
Balance unexpended as of Jan. 1, 1959	73,306.09

CARL VINSON,
Chairman.

JANUARY 1, 1959.

COMMITTEE ON BANKING AND CURRENCY

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1958, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Robert L. Cardon	Clerk and general counsel.	$8,950.90
Orman S. Fink	Professional staff	8,950.90
John E. Barriere	do	8,950.90
Robert R. Poston	Counsel	8,703.63
Helen E. Long	Deputy clerk	4,853.76
Mary W. Layton	Assistant clerk	4,853.76
John M. Devlin	Editor	7,185.99

EMPLOYEES PURSUANT TO H. RES. 86, SUBCOMMITTEE ON HOUSING

Eleanor Hamilton	Research assistant	$3,600.07
John J. McEwan, Jr.	Housing economist	8,950.90
Alberta Masumian	Secretary	3,810.76
Grady Perry, Jr.	Clerk	5,232.11
Robert R. Poston	Chief counsel (retroactive pay only).	247.27
Betty B. Ridgell	Secretary	4,211.54

*All gross salaries listed include retroactive pay.

Funds authorized or appropriated for committee expenditures	$185,000.00
Amount of expenditures previously reported	$102,088.75
Amount expended from July 1 to Dec. 31, 1958	28,571.19
Total amount expended from July 1 to Dec. 31	130,659.94
Balance unexpended as of Dec. 31, 1958	54,340.06

BRENT SPENCE,
Chairman.

JANUARY 12, 1959.

COMMITTEE ON THE DISTRICT OF COLUMBIA

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1958, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
William N. McLeod, Jr.	Clerk	$8,143.68
Ruth Butterworth	Assistant clerk	4,435.14
Ann Puryear	do	3,552.86
Dixon D. Davis	do	3,147.37
Haydon S. Garber	Counsel	7,489.74
Leonard O. Hilder	Investigator	5,527.92
George W. McCown	Analyst	4,472.82
John L. Laskey	Special attorney (to July 31, 1958).	1,360.00
Wendel E. Cable	Minority clerk	7,489.74

Funds authorized or appropriated for committee expenitures	$7,000.00
Amount of expenditures previously reported	709.57
Amount expended from July 1 to Dec. 31, 1958	1,844.28
Total amount expended from Feb. 7, 1957 to Dec. 31, 1958	2,553.85
Balance unexpended as of Dec. 31, 1958	4,327.88

JOHN L. MCMILLAN,
Chairman.

JANUARY 22, 1959.

COMMITTEE ON EDUCATION AND LABOR

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, to December 31, 1958, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Fred G. Hussey	Chief clerk	$8,160.00
Russell C. Derrickson	Chief investigator	8,160.00
Charles M. Ryan	General counsel	8,160.00
Kennedy W. Ward	Assistant general counsel (July 1–5, 1958).	181.33
Charles T. Lane	Assistant general counsel (appointed July 5, 1958).	8,059.23
Melvin W. Sneed	Minority clerk	8,160.00
Kathryn Kivett	Assistant clerk	3,549.72
Elizabeth R. Myers	do	3,549.72
Katherine L. Ferebee	Assistant clerk (appointed Oct. 6, 1958).	1,676.26

Name of employee	Profession	Total gross salary during 6-month period
James B. Wells	Assistant clerk	$1,812.54
Jeanne Thomson	Assistant minority clerk.	3,549.72
Mary P. Allen	Subcommittee clerk (July 1, 1958, to Jan. 3, 1959).	3,355.06
Ruth P. Ebersole	do	1,096.78
Robert E. McCord	do	4,489.91
Yvonne S. McCormick.	do	2,919.34
Reva Beck Bosone	Legal counsel for subcommittee (July 1, 1958, to Jan. 3, 1959).	5,590.95
W. Wilson Young	do	7,564.67

Funds authorized or appropriated for committee expenditures	$125,000.00
Amount of expenditures previously reported	85,263.23
Amount expended from July 1 to Dec. 31, 1958	27,286.76
Total amount expended from Jan. 1, 1957, to Dec. 31, 1958	112,549.99
Balance unexpended as of Jan. 3, 1959	12,450.01

GRAHAM A. BARDEN,
Chairman.

JANUARY 12, 1959.

COMMITTEE ON FOREIGN AFFAIRS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, to December 31, 1958, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Boyd Crawford	Staff administrator	$8,192.72
Roy J. Bullock	Senior staff consultant.	8,115.06
Albert C. F. Westphal.	Staff consultant	8,115.06
Dumond Peck Hill	do	7,812.60
Franklin J. Schupp	do	7,538.76
June Nigh	Senior staff assistant.	5,854.86
Winifred G. Osborne	Staff assistant	5,527.92
Helen C. Mattas	do	5,142.30
Myrtle M. Melvin	do	5,020.92
Helen L. Hashagen	do	5,020.92
Mary Louise O'Brien	do	4,721.18
Robert J. Bowen	Clerical assistant	3,662.70

Funds authorized or appropriated for committee expenditures	$75,000.00
Amount of expenditures previously reported	19,503.33
Amount expended from July 1 to Dec. 31, 1958	8,433.47
Total amount expended from Jan. 1, 1957 to Dec. 31, 1958	27,936.80
Balance unexpended as of Dec. 31, 1958	47,063.20

THOMAS E. MORGAN,
Acting Chairman.

JANUARY 15, 1959.

COMMITTEE ON GOVERNMENT OPERATIONS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1958, to January 3, 1959, inclusive, together with total funds authorized or appropriated and expended by it:

Expenses July 1, 1958, through Jan. 3, 1959, including retroactive salaries:	
Full committee	$2,944.69
Executive and Legislative Reorganization Subcommittee	43,812.38
Military Operations Subcommittee	43,289.35
Intergovernmental Relations Subcommittee	23,609.27
Public Works and Resources Subcommittee	29,098.49
International Operations Subcommittee	31,369.83
Legal and Monetary Affairs Subcommittee	40,786.24
General Government Activities Subcommittee	31,451.99
Special Donable Property Subcommittee	20,482.49
Special Subcommittee on Government Information	36,321.33
Salaries, full committee, July 1-Dec. 31, 1958, including retroactive salaries:	
Christine Ray Davis, staff director	8,901.82
Orville S. Poland, general counsel	8,300.05
James A. Lanigan, associate general counsel	8,783.28
Martha C. Roland, staff member	7,203.08
J. Robert Brown, staff member	6,833.00
Dolores Fel'Dotto, staff member	4,797.23
Ann E. McLachlan, staff member	4,067.67
Patricia Maheux, staff member	3,302.05
Helen M. Boyer, minority professional staff	8,170.63
J. P. Carlson, minority counsel	7,489.35
Full committee, travel, publications, telephone, stationery supplies—Full committee and subcommittees	2,944.69
Executive and Legislative Reorganization Subcommittee, Hon. WILLIAM L. DAWSON, chairman:	
Elmer W. Henderson, counsel	7,390.09
Orville J. Montgomery, associate counsel	7,313.13
William A. Young, staff consultant	6,937.39
David Glick, associate counsel	6,024.68
Lawrence P. Redmond, clerk	4,588.45
Earle J. Wade, statistical clerk	4,588.88
Clara Armstrong, minority clerk-stenographer	3,717.66
Milton G. Johnson, consultant (July 1-Aug. 31, 1958)	2,577.36
Expenses	674.74
Total	43,812.38
Military Operations Subcommittee, Hon. CHET HOLIFIELD, chairman:	
Herbert Roback, staff administrator	9,037.82
Carey Brewer, senior defense specialist	6,926.24
Earl J. Morgan, chief investigator	6,926.24
Paul Ridgely, investigator	5,501.30
Robert J. McElroy, investigator	4,640.99
Mollie Jo Hughes, clerk	4,119.38
Catherine L. Koeberlein, stenographer	3,702.05
Arlene Schatz, stenographer (July 1-Aug. 8, 1958)	766.65
Expenses	1,668.68
Total	43,289.35
Intergovernmental Relations Subcommittee, Hon. L. H. FOUNTAIN, chairman:	
James R. Naughton, counsel	7,023.64
Delphis C. Goldberg, professional staff member	6,978.38
Edith T. Carper, research analyst (July 1-Sept. 15, 1958)	1,687.00
Eileen M. Anderson, clerk-stenographer	3,910.72
Bebe B. Terry, clerk-stenographer	3,281.86
Expenses	727.67
Total	23,609.27
Public Works and Resources Subcommittee, Hon. ROBERT E. JONES, chairman:	
Arthur Perlman, staff administrator	8,906.58
Phineas Indritz, counsel	7,313.13
Miles Q. Romney, professional staff member	6,122.59
Irene Manning, clerk-stenographer	3,754.21
Joan D. Alexander, stenographer	2,956.03
Expenses	45.95
Total	29,098.49
International Operations Subcommittee, Hon. PORTER HARDY, Jr., chairman:	
John T. M. Reddan, chief counsel	7,300.00
Richard P. Bray, Jr., counsel	7,118.48
Maurice J. Mountain, consultant	1,791.84
Walton Woods, investigator	6,665.79
Phyllis Seymour, clerk	4,119.38
Yvonne J. Kurtak, stenographer	2,930.17
Expenses	1,444.17
Total	31,369.83
Legal and Monetary Affairs Subcommittee, Hon. JOHN A. BLATNIK, chairman:	
Curtis E. Johnson, staff administrator	$6,816.15
Jerome S. Plapinger, counsel	8,295.46
Eric W. Weinmann, associate counsel	5,662.42
Jerome N. Sonosky, associate counsel	5,051.19
John L. Anderson, investigator	6,024.82
Stanley T. Fisher, accountant-investigator (July 1-Sept. 15, 1958)	2,847.32
Ann Dominek, clerk-stenographer	3,608.15
Elizabeth Heater, clerk-stenographer (July 1-Sept. 15, 1958)	1,887.81
Expenses	592.92
Total	40,786.24
General Government Activities Subcommittee, Hon. JACK BROOKS, chairman:	
Edward C. Brooks, Jr., staff administrator	7,928.33
William E. Townsley, counsel	7,390.09
James McInnes Henderson, counsel (July 7, 1958-Jan. 3, 1959)	6,171.38
John E. Moore, investigator	5,481.93
Irma Reel, clerk	3,652.85
Expenses	827.41
Total	31,451.99
Special Donable Property Subcommittee, Hon. JOHN W. MCCORMACK, chairman:	
Ray Ward, staff administrator	8,295.46
John W. McGarry, counsel	6,062.13
Margaret B. O'Connor, clerk-stenographer	3,700.36
Barbara McLaughlin, typist	1,834.74
Expenses	589.80
Total	20,482.49
Special Subcommittee on Government Information, Hon. JOHN E. MOSS, chairman:	
Samuel J. Archibald, staff administrator	8,295.46
John J. Mitchell, chief counsel	8,159.63
Paul Southwick, professional staff member	6,711.05
Kitty Blair Frank, legal analyst (July 1-Aug. 31, 1958)	1,841.56
Robert Coll, investigator (July 1-Aug. 31, 1958)	1,985.12
Helen Beasley, stenographer	4,119.38
Catherine Hartke, stenographer	4,119.38
Expenses	1,089.75
Total	36,321.33

Funds authorized or appropriated for committee expenditures	$1,175,000.00
Amount of expenditures previously reported	$807,894.02
Amount expended from July 1, 1958, to Jan. 3, 1959	303,166.06
Total amount expended from Jan. 4, 1957, to Jan. 3, 1959	1,111,060.08
Balance unexpended as of Jan. 3, 1959	63,939.92

WILLIAM L. DAWSON,
Chairman.

JANUARY 13, 1959.

COMMITTEE ON HOUSE ADMINISTRATION

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1958, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Julian P. Langston	Chief clerk	[1] $8,901.86
Marjorie Savage	Assistant clerk	[1] 7,724.74
Jack W. Watson	do	[1] 6,387.12
Lura Cannon	Assistant clerk (deceased July 10, 1958).	[1] 735.38

[1] Includes retroactive pay increase from Jan. 1, 1958, through June 30, 1958.

Funds authorized or appropriated for committee expenditures	$5,000.00
Amount of expenditures previously reported	4,592.05
Amount expended from July 1 to Dec. 31, 1958	165.29
Total amount expended from Jan. 4, 1957, to Dec. 31, 1958	4,757.34
Balance unexpended as of Dec. 31, 1958	242.66

OMAR BURLESON,
Chairman.

JANUARY 13, 1959.

COMMITTEE ON HOUSE ADMINISTRATION, SUBCOMMITTEE TO STUDY FEDERAL PRINTING AND PAPERWORK

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1958, to January 3, 1959, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John F. Haley	Staff director	[1] $7,390.08
Philip B. Billings	Legal counsel	[1] 6,937.39
J. H. McWhorter	Technical adviser	[1] 6,937.39
Asselia S. Poore	Research analyst	[1] 4,015.04
Winifred C. Allen	Secretary	[1] 2,867.38
Rose M Slusarz	Stenographer	[1] 1,520.08
Sandra Zellers	Typist	792.77
Darlene Brittain	do	[2] 718.04

[1] Includes retroactive pay increase, 1/1/58–6/30/58.
[2] Includes retroactive pay increase, 6/16/58–6/30/58.

Funds authorized or appropriated for committee expenditures	$115,000.00
Amount of expenditures previously reported	78,257.64
Amount expended from July 1, 1958, to Jan. 3, 1959	32,071.98
Total amount expended from Jan. 4, 1957, to Jan. 3, 1959	110,329.62
Balance unexpended as of Jan. 3, 1959	4,670.38

OMAR BURLESON,
Chairman.

COMMITTEE ON HOUSE ADMINISTRATION, SUBCOMMITTEE TO STUDY RESTRICTIONS ON POLITICAL ACTIVITY

JANUARY 13, 1959.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 through January 3, 1959, inclusive, together with total funds authorized or appropriated and expended by it.

Name of employee	Profession	Total gross salary during 6-month period
Samuel H. Still	Chief counsel	[1] $1,270.01
Lucille Orr Kenny	Research analyst	[1] 3,625.79

[1] Includes retroactive pay increase from Jan. 1 through June 30, 1958.

NOTE.—Subcommittee expired at end of 85th Cong., Jan. 3, 1959.

Funds authorized or appropriated for committee expenditures	$50,000.00
Amount of expenditures previously reported (from Aug. 22, 1957, to June 30, 1958, H. Res. 406)	$19,156.24
Amount expended from July 1, 1958, to Jan. 3, 1959	16,969.12
Total amount expended from Aug. 22, 1957, to Jan. 3, 1959	36,125.36
Balance unexpended as of Jan. 3, 1959	13,874.64

OMAR BURLESON,
Chairman.

DECEMBER 31, 1958.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1958, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Professional staff:		
Sidney L. McFarland.	Engineering consultant.	$8,215.20
George H. Soule, Jr.	Minerals and lands consultant.	7,515.17
John L. Taylor	Territories and Indians consultant.	7,515.17
T. Richard Witmer	Counsel	7,306.41
Clerical staff:		
Nancy J. Arnold	Chief clerk	6,654.70
Gertrude S. Harris	Clerk	4,982.21
Laura A. Moran	do	4,262.92
Marion J. Gummelt	do	3,266.33
Virginia E. Bedsole	do	2,987.68
Pauline B. Davis	do	2,861.44

NOTE.—The above figures include the retroactive salary increases for the period Jan. 1 to June 30, 1958.

Funds authorized or appropriated for committee expenditures	$57,500.00
Amount of expenditures previously reported	34,312.68
Amount expended from July 1 to Dec. 31, 1958	[1] 14,492.01
Total amount expended from Jan. 3, 1957, to Dec. 31, 1958	48,804.69
Balance unexpended as of Dec. 31, 1958	8,695.31

[1] Includes $7,515.17 paid to Philip P. Dickinson, research consultant, as salary.

CLAIR ENGLE,
Chairman.

JANUARY 5, 1959.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1958, to January 3, 1959, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Clerical staff:		
W. E. Williamson	Clerk	$8,160.00
Kenneth J. Painter	1st assistant clerk	6,508.80
Marcella M. Fencl	Assistant clerk	3,954.78
Georgia E. Glasmann.	Assistant clerk-stenographer.	3,625.08
Mildred H. Lang	Clerical assistant	3,389.58
Roy P. Wilkinson	Assistant clerk	3,342.48
Professional staff:		
Andrew Stevenson	Expert	$8,160.00
Kurt Borchardt	Legal counsel	8,160.00
Sam G. Spal	Research specialist	8,160.00
Martin W. Cunningham.	Aviation consultant	8,160.00
Additional temporary employees under H. Res. 99, amended, and H. Res. 152, amended:		
Barbara S. Dearing	Clerical assistant (resigned c.o.b. Nov. 15, 1958).	2,153.61
Joanne Neuland	Clerical assistant	3,389.58
Mary Ryan	do	3,295.38
Glenn L. Johnson	Printing editor	5,101.34
Special Subcommittee on Traffic Safety:		
Edward F. Jones	Staff director	8,160.00
Special Subcommittee on Legislative Oversight:		
Stephen J. Angland	Attorney	7,205.66
Inge H. Barton	Clerical assistant	3,019.87
Mary Bastianelli	do	3,594.96
Herman Clay Beasley.	Staff coordinator	6,833.18
Laurie L. Coleman	Clerical assistant	3,594.96
Joseph T. Conlon, Jr.	Attorney (resigned July 31, 1958).	736.05
Julius Eanet	Attorney	6,904.24
Oliver Eastland	Assistant chief investigator.	7,825.52
Helen M. Hotchkiss	Clerical assistant	3,594.96
Walter B. Huber	Administrative assistant (from Sept. 1, 1958).	4,401.88
Helen H. Kayser	Clerical assistant	3,594.96
Robert W. Lishman	Chief counsel	8,246.55
Raymond William Martin, Jr.	Administrative assistant.	4,096.08
Francis X. McLaughlin.	Attorney	7,205.66
Robert S. McMahon.	Research assistant	4,617.04
Doris K. Naumann	Clerical assistant (terminated Aug. 31, 1958)	1,098.46
Joseph P. O'Hara, Jr.	Investigator	7,205.66
Eleanor M. Putz	Clerical assistant	3,390.25
Mary Louise Ramsey.	Attorney	7,205.66
Eva M. Sauter	Clerical assistant (terminated July 19, 1958).	366.16
Baron I. Shacklette	Chief investigator (resigned July 7, 1958).	340.00
Rhoda Watkins	Clerical assistant	919.86
Dr. Walter M. W. Splawn.	Consultant (per diem, actual expense basis).	----------
Stuart C. Ross	Consultant (on detail from U.S. Renegotiation Board, reimbursable basis).	----------

Funds authorized or appropriated for committee expenditures	$410,000.00
Amount of expenditures previously reported	223,691.90
Amount expended from July 1, 1958 to Jan. 3, 1959	157,386.85
Total amount expended from Jan. 3, 1957, to Jan. 3 1959	381,078.75
Balance unexpended as of Jan. 3, 1959	28,921.25

OREN HARRIS,
Chairman.

JANUARY 15, 1959.

COMMITTEE ON THE JUDICIARY

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from

July 1 to December 31, 1958, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Bess E. Dick	Staff director	$8,942.72
William R. Foley	General counsel	8,942.72
Walter M. Besterman	Legislative counsel	8,942.72
Murray Drabkin	Counsel	5,855.53
Walter R. Lee	Legislative counsel	8,942.72
E. Willoughby Middleton, Jr.	Associate counsel	[1] 4,425.76
Violet Benn	Clerical staff	5,477.36
Anne J. Berger	do	5,477.36
Frances Christy	do	5,281.20
Helen Goldsmith	do	4,776.68
Lola B. Oberman	do	4,982.21
Velma Smedley	do	5,477.36
Mary Weil	do	4,158.23

[1] For the period July 1 to Sept. 30, inclusive.

SALARIES PAID JULY 1 THROUGH DEC. 31, 1958, PURSUANT TO H. RES. 107, H. RES. 125, H. RES. 432, AND H. RES 619, 85TH CONG.

Name of employee	Profession	Total gross salary during 6-month period
Carrie Lou Allen	Clerk-stenographer	$2,421.97
Leonard Appel	Assistant counsel, Antitrust Subcommittee.	6,833.00
Robert E. Bauman	Messenger	2,089.04
Lucille E. Brooks	Clerk-stenographer	1,395.41
Gertrude C. Burak	do	4,571.15
Garner J. Cline	Assistant counsel	4,468.45
Laurie L. Coleman	Clerk-stenographer	151.33
Milton Eisenberg	Associate counsel, Antitrust Subcommittee.	6,786.93
Roberta Eisenberg	Clerk-stenographer	3,851.87
Herbert Fuchs	Assistant counsel, Antitrust Subcommittee.	6,565.48
Constance E. Glagola	Clerk-stenographer	564.73
Kenneth R. Harkins	Counsel, Antitrust Subcommittee.	8,705.65
R. Frederick Jett	Assistant counsel, Antitrust Subcommittee.	4,675.03
Michael Kelemonick	Clerk-stenographer	3,440.81
Herbert N. Maletz	Counsel, Antitrust Subcommittee	8,705.65
Elizabeth G. Meekins	Clerk-stenographer	3,851.87
Julian H. Singman	Assistant counsel, Antitrust Subcommittee.	6,565.48
Jerrold Walden	Associate counsel, Antitrust Subcommittee.	3,422.49
Annie Mae Woodward.	Clerk-stenographer	845.63

Funds authorized or appropriated for committee expenditures	$365,000.00
Amount of expenditures for period Jan. 1, 1957, to Dec. 31, 1958	308,121.26
Balance unexpended as of Dec. 31, 1958	56,878.74
H. Res. 125 adopted Feb. 7, 1957	190,000.00
H. Res. 432 adopted Jan. 9, 1958	160,000.00
H. Res. 619 adopted July 9, 1958	15,000.00

EMANUEL CELLER,
Chairman.

Funds for preparation of United States Code, District of Columbia Code, and revision of the laws:	
A. Preparation of new edition of United States Code (no year):	
Unexpended balance June 30, 1958	$78,441.24
Expended, July 1–Dec. 31, 1958	32,038.12
Balance Dec. 31, 1958	46,403.12
B. Revision of the laws 1958:	
Unexpended balance June 30, 1958	1,648.56
Expended July 1–Dec. 31, 1958	1,241.82
Balance Dec. 31, 1958	406.74
Funds for preparation of United States Code, District of Columbia Code, and revision of the laws—Continued	
C. Revision of the laws 1959:	
Legislative Appropriation Act, 1959	$16,500.00
Expended July 1–Dec. 31, 1958	8,352.59
Balance Dec. 31, 1958	8,147.44
D. Preparation of new edition of District of Columbia Code (no year):	
Unexpended balance June 30, 1958	92,436.69
Expended	0
Balance Dec. 31, 1958	92,436.69

JANUARY 22, 1959.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1958, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John M. Drewry	Chief counsel	$8,901.82
Bernard J. Zincke	Counsel	8,348.99
Robert H. Cowen	Assistant counsel	8,149.52
William B. Winfield	Chief clerk	7,324.71
Frances Still	Assistant clerk	5,104.60
Ruth E. Brookshire	do	4,057.39
Vera A. Barker	Secretary	4,057.39
Edith W. Gordon	do	4,057.39

Funds authorized or appropriated for committee expenditures	$75,000.00
Amount of expenditures previously reported	31,228.10
Amount expended from July 1 to Dec. 31, 1958	15,811.80
Total amount expended from Jan. 6, 1957, to Dec. 31, 1958	47,039.90
Balance unexpended as of Dec. 31, 1958	27,960.10

HERBERT C. BONNER,
Chairman.

JANUARY 14, 1959.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1958, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Frederick C. Belen	Chief counsel	$8,209.08
Charles E. Johnson	Counsel	7,857.60
Henry C. Cassell	Clerk	7,489.74
Bun Benton Bray, Jr.	Professional staff member.	7,101.48
Clarence R. Jauchem	do	7,101.48
John B. Price	Assistant clerk	4,190.22
Lillian L. Hopkins	do	4,096.08
Lucy K. Daley	do	3,907.68
Elsie Thornton	Secretary	3,106.98
Blanche Simons	do	3,106.98

Funds authorized or appropriated for committee expenditures	$50,000.00
Amount of expenditures previously reported	28,551.01
Amount expended from July 1 to Dec. 31, 1958	13,631.41
Total amount expended from Jan. 1, 1957, to Dec. 31, 1958	42,182.42
Balance unexpended as of Dec. 31, 1958	7,817.58

TOM MURRAY,
Chairman.

JANUARY 15, 1959.

COMMITTEE ON PUBLIC WORKS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1958, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Margaret R. Beiter	Chief clerk	$8,902.10
Richard J. Sullivan	Chief counsel	8,902.10
Robert F. McConnell	Counsel	8,901.82
Joseph R. Brennan	Engineer-consultant	8,902.10
S. Philip Cohen	Staff assistant	4,571.15
Helen M. Dooley	do	6,387.12
Helen A. Thompson	do	5,104.60
Dorothy Beam	do	4,380.68
Ester M. Saunders	Clerk-messenger	2,515.94
Anna McHale	Staff assistant	1,807.13
Investigating:		
Sterlyn B. Carroll	Clerk-messenger	2,413.18
Gerry C. Corcoran	Clerk-stenographer	3,625.79
Stephen V. Feeley	Professional staff member.	4,947.61
Agnes M. GaNun	Clerk-stenographer	3,625.94
Marshall Gerber	Professional staff member (July 1–Aug. 19).	1,176.36
Vern Munger	Professional staff member.	4,982.21
Florence I. Porter	Clerk-stenographer	2,910.53
Mary W. Porter	do	4,057.39
Perry House	Staff assistant (appointed Aug. 20, 1958).	3,323.78

Funds authorized or appropriated for committee expenditures	$160,000.00
Amount of expenditures previously reported	90,749.12
Amount expended from July 1 to Dec. 31, 1958	40,806.92
Total amount expended from Jan. 1, 1957, to Dec. 31, 1958	131,556.04
Balance unexpended as of Dec. 31, 1958	28,443.96

CHARLES A. BUCKLEY,
Chairman.

JANUARY 9, 1959.

COMMITTEE ON RULES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1958, inclusive, to-

gether with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
T. M. Carruthers	Clerk, standing committee.	$6,263.58
Barbara M. Thornton	Assistant clerk	4,096.08
Jane W. Snader	Minority clerk	4,567.02

HOWARD W. SMITH,
Chairman.

JANUARY 9, 1959.

COMMITTEE ON UN-AMERICAN ACTIVITIES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1958, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee:		
Donald T. Appell	Investigator	$7,368.08
Richard Arens	Staff director	8,901.82
Juliette P. Joray	Recording clerk	5,762.95
Thelma S. Michalowski.	Secretary to investigators.	4,756.13
Isabel B. Nagel	Clerk-stenographer	3,954.63
Rosella A. Purdy	Secretary to counsel	4,359.78
Frank S. Tavenner, Jr.	Counsel	8,901.82
Anne D. Turner	Chief of reference section.	5,807.52
Lorraine Veley	Clerk-stenographer	3,749.11
William A. Wheeler	Investigator	7,189.72
Investigating committee:		
June D. Allen	Clerk-typist	2,122.08
Margaret Bentz Attinello.	Information specialist.	4,365.62
Beatrice P. Baldwin.	Clerk-typist	2,721.47
Patrice Mahon Baurkot.	Clerk-typist (appointed Sept. 15).	1,191.72
Thomas Quinn Beesley.	Editor (terminated Nov. 15).	1,852.24
Frank J. Bonora	Investigator	5,084.97
Jeanne M. Cassebaum.	Clerk-typist	2,175.82
Raymond T. Collins.	Investigator	5,081.40
Patricia R. Crovato	Clerk-typist	2,289.86
Anniel Cunningham.	Information analyst	3,774.76
Barbara Harriet Edelschein.	Editor	3,235.28
Elizabeth L. Edinger.	do	3,749.11
Malcolm Epstein	Clerk-typist (resigned Sept. 11).	812.54
Emily R. Francis	Information analyst	2,506.52
Paul C. Gerhart	Investigator	4,540.59
Helen M. Gittings	Research analyst	4,673.92
William F. Heimlich.	Consultant (resigned Oct. 19).	4,647.03
James Hogan	Clerk-typist (retroactive).	161.48
Lillian E. Howard	Research analyst	4,417.07
Maura Patricia Kelly.	do	3,009.20
Olive M. King	Editor	4,519.83
Leo A. Kirk	Special consultant	416.71
Stephen Vincent Kopunek.	Chief of publications.	2,819.06
Gwendolyn L. Lewis.	Administrative assistant.	5,762.95
Judith Livingstone	Clerk-typist (resigned Sept. 7).	768.59
William Margetich	Investigator (appointed Sept. 2).	1,991.78
Francis J. McNamara.	Research consultant (appointed Aug. 1).	5,083.45
Investigating committee:—Con.		
James M. Oravec	Clerk-typist (resigned Sept. 12).	$835.02
Alma T. Pfaff	Clerk-typist	2,515.94
Katharine Phillips	Switchboard operator.	2,592.98
Maureen P. Roselle	Information analyst	3,070.87
Louis J. Russell	Investigator	5,941.31
Dolores Faconti Scotti.	Investigator (July 1–31).	1,055.05
Joseph E. Sheetz	Clerk-typist	2,925.64
Cele Frey Sweeney	File clerk (July 1–31).	691.10
Regina H. Simms	Clerk-stenographer	2,883.82
Lawrence S. Stepelevich.	Clerk-typist (appointed Sept. 15).	1,061.77
Lela Mae Stiles	Information analyst	3,070.87
William J. Tate, Jr.	Clerk-typist	2,034.92
Eleanor Ann Tehan	Clerk-stenographer	3,009.20
Vera L. Watts	do	3,481.92
Richard S. Weil	Research analyst (resigned Aug. 31).	2,015.64
Billie Wheeler	Clerk-stenographer	2,013.64
George C. Williams	Investigator	6,699.27
Regina McCall Wilt	Clerk-typist	858.53
Jeanni O. Winston	Information analyst	3,439.22

Funds authorized or appropriated for committee expenditures	$327,000.00
Amount of expenditures previously reported	144,722.00
Amount expended from July 1 to Dec. 31, 1958	170,431.18
Total amount expended from Jan. 1 to Dec. 31, 1958	315,153.18
Balance unexpended as of Dec. 31, 1958	11,846.82

FRANCIS E. WALTER,
Chairman.

JANUARY 9, 1959.

COMMITTEE ON VETERANS' AFFAIRS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from June 1 to December 31, 1958, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period [1]
Standing committee:		
Oliver E. Meadows	Staff director	$8,901.82
Edwin B. Patterson	Counsel	8,901.82
Harold A. L. Lawrence.	Professional aid (minority).	8,901.82
J. Buford Jenkins	Housing consultant	7,813.90
George W. Fisher	Clerk	8,901.82
Paul K. Jones	Assistant clerk	6,387.12
Helen A. Biondi	do	4,982.21
Alice V. Matthews	Clerk-stenographer	4,365.62
George Turner	Assistant clerk (supplies).	4,211.54
Ida Rowan	Clerk (minority)	8,170.63
Investigative staff:		
Adin M. Downer	Staff member	7,539.69
Paul H. Smiley	Investigator	4,086.84
Joanne Doyle	Clerk-stenographer	3,975.26
Jean Johnson	do	3,975.26
Frank Ikard, Jr.	Supply clerk	671.62
John Billie Smith	Investigator	1,673.64

[1] Includes retroactive pay increase.

Funds authorized or appropriated for committee expenditures	$110,000.00
Amount of expenditures previously reported	$74,286.99
Amount expended from June 1 to Dec. 31, 1958	28,255.31
Total amount expended from Jan. 1, 1957 to Dec. 31, 1958	102,542.30
Balance unexpended as of Dec. 31, 1958	7,457.70

OLIN E. TEAGUE,
Chairman.

JANUARY 6, 1959.

COMMITTEE ON WAYS AND MEANS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1958, inclusive, together with total funds authorized or appropriated and expended by it:

Full committee:	
Irwin, Leo H., clerk (C)	$8,950.90
Martin, Thomas A., minority adviser (P)	8,949.41
Martin, John M., Jr., assistant clerk (P)	8,527.29
Riddell, James W., professional assistant (P) (to Nov. 30)	7,111.21
Morrison, Loyle A., professional assistant (P) (to Aug. 31)	3,454.89
Brannon, Gerard M., professional assistant (P)	7,576.85
Butler, Virginia, staff assistant (C)	4,447.84
Brannock, Virginia, staff assistant (C)	4,339.96
Burd, Sybil D., staff assistant (C)	4,339.96
Donovan, Frances E., staff assistant (C)	4,339.96
Kagan, Grace, staff assistant (C)	4,447.84
Kendall, June, staff assistant (C) (from Dec. 1)	690.53
Lane, Harriet, staff assistant (C) (to Sept. 30)	2,326.92
Pestell, Margaretta G., staff assistant (C)	2,885.89
Russell, Frances, staff assistant (C)	5,609.78
Taylor, Susan, staff assistant (C)	5,379.25
Wade, Irene, staff assistant (C)	4,447.84
Greene, Hughlon, clerk-messenger	2,774.10
Little, Walter, clerk-messenger	2,774.10
Expenses	589.43
Excise Taxes Subcommittee, Hon. AIME J. FORAND, chairman:	
Poe, Jack, consultant	[1] 115.96
Ruth, Elizabeth L., staff assistant	3,544.75
Greene, Hughlon, messenger	[1] 163.18
Little, Walter, messenger	[1] 163.18
Expenses	97.83
Total	4,084.90
Foreign Trade Policy Subcommittee, Hon. HALE BOGGS, chairman:	
Dorfman, Harriet A., staff assistant (to Aug. 31)	$337.82
Harris, Robin T., staff assistant	2,065.58
Idle, Mary, staff assistant	3,625.78
Rashish, Myer, economist	7,813.90
Udall, Elma, staff assistant	[1] 100.72
Expenses	866.82
Total	14,810.62
Internal Revenue Taxation Subcommittee, Hon. WILBUR D. MILLS, chairman:	
Kendall, June, staff assistant (to Nov. 30)	3,829.30
Expenses	10,449.90
Total	14,279.20
Funds authorized or appropriated for committee expenditures	250,000.00
Amount of expenditures previously reported	141,056.35
Amount expended from July 1 to Dec. 31, 1958	33,764.15
Total amount expended from Jan. 1, 1957, to Dec. 31, 1958	174,820.50
Balance unexpended as of Dec. 31, 1958	75,179.50

[1] Represents retroactive pay from previous period.

W. D. MILLS,
Chairman.

JANUARY 15, 1959.

SELECT COMMITTEE ON SMALL BUSINESS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1958, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Bryan H. Jacques	Staff director	$8,133.68
Everette MacIntyre	General counsel	8,133.68
William Summers Johnson	Chief economist	7,489.74
Victor P. Dalmas	Adviser to minority members.	7,489.74
Irving Maness	Assistant counsel and investigator.	7,489.74
Justinus Gould	do	6,210.48
Frances K. Topping	Economist	4,416.30
Lois E. Allison	do	1,619.31
Marie M. Stewart	Clerk	3,907.68
Jane M. Deem	Administrative assistant.	3,907.68
Katherine C. Blackburn.	Research analyst	3,766.38
Margaret Fallon Palmer.	do	3,625.08
Clarence D. Everett	Investigator	3,907.68
Judith Lazarus	Research assistant	2,965.68
Mildred C. Darrow	Secretary-stenographer for minority.	3,342.48
Dorothy F. Councill	Stenographer	3,267.12
Milton S. Fairfax	Secretary	3,231.35
Anna A. Holovach	Stenographer	2,871.48
Barbara Wright McConnell.	do	2,449.16
Ruth I. Matthews	do	1,350.96
Elma Udall	do	1,306.85
Isabel Pencke	do	1,175.73
Robert E. Essex	do	1,118.70
Ferol Davis	do	1,051.36
Jerry B. Hall	do	430.22

Funds authorized or appropriated for committee expenditures	$443,000.00
Amount of expenditures previously reported	304,549.54
Amount expended from July 1 to Dec. 31, 1958	111,776.84
Total amount expended from Jan. 4, 1957 to Dec. 31, 1958	416,326.38
Balance unexpended as of Dec. 31, 1958	26,673.62

WRIGHT PATMAN,
Chairman.

JANUARY 15, 1959.

THE SPECIAL COMMITTEE TO INVESTIGATE CAMPAIGN EXPENDITURES FOR THE HOUSE OF REPRESENTATIVES, 1958

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from August 20, 1958, to January 3, 1959, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Gillis W. Long	Chief counsel	$5,575.69
Richard C. O'Hare	Assistant counsel (by contract).	4,000.00
E. Willoughby Middleton, Jr.	do	3,000.00
Marshall L. Gerber	Assistant counsel	$4,358.62
Richard T. Allen	Investigator	2,135.04
Ruth Heritage	Clerk	4,358.62

Funds authorized or appropriated for committee expenditures	$30,000.00
Amount of expenditures previously reported	
Amount expended from Aug. 20, 1958, to Jan. 3, 1959	28,428.86
Total amount expended from Aug. 20, 1958, to Jan. 3, 1959	[1] 28,426.86
Balance unexpended as of Jan. 3, 1959	[2] 1,571.14

[1] Approximate; all final bills not yet received.
[2] Approximate.

CLIFFORD DAVIS,
Chairman.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

432. A letter from the Assistant Secretary of the Navy (Material), relative to the Department of the Navy proposing to donate a 104-foot aircraft rescue boat, and a 56-foot LCC to the Naval Cadet Corps of the United States, a nonprofit educational activity, located in Alexandria, Va., pursuant to title 10, United States Code, section 7308; to the Committee on Armed Services.

433. A letter from the Acting Assistant Secretary of Defense, relative to advising that approval has been given to a 1,200-foot extension of the runway at Ontario Municipal Airport, Ontario, Calif., and restoration of a pier at the Naval Reserve Training Center, Baltimore, Md., pursuant to Public Law 85-685; to the Committee on Armed Services.

434. A letter from the Secretary of the Interior, transmitting an interim report of the Boston National Historic Sites Commission pertaining to the Lexington-Concord Battle Road, pursuant to the act of June 16, 1955 (69 Stat. 136) (H. Doc. No. 57); to the Committee on Interior and Insular Affairs and ordered to be printed with illustrations.

435. A letter from the Under Secretary of the Interior, transmitting a report on the activities of, expenditures by, and donations to the Anthracite Experiment Station of the Bureau of Mines, Schuylkill Haven, Pa., pursuant to the act of December 18, 1942 (56 Stat. 1056); to the Committee on Interior and Insular Affairs.

436. A letter from the Comptroller General of the United States, transmitting a report that furnishes necessary information for the United States General Accounting Office on its positions and their incumbents in grades 16, 17, and 18 of the general schedule of the Classification Act of 1949, as amended, pursuant to Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

437. A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation entitled "A bill to amend chapter 37 of title 38, United States Code, to increase the authority of the Administrator of Veterans' Affairs to prescribe the interest rate on Veterans' Administration guaranteed loans"; to the Committee on Veterans' Affairs.

438. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, relative to the case of Vew Fook, A-3200047, involving suspension of deportation, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

439. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, relative to the case of Ng Ging Sheung, A-11056491, involving suspension of deportation, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

440. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, relative to the case of Shizuo Matsuda, also known as Keizi Tom Kawabata, A-4081612, involving suspension of deportation, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

441. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, relative to the case of Wong Kew Lit, A-8891077, involving suspension of deportation, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Virginia: Committee on Rules. House Resolution 78. Resolution to authorize the Committee on Post Office and Civil Service to conduct investigations and studies with respect to certain matters within its jurisdiction; with amendment (Rept. No. 8). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 91. Resolution authorizing the Committee on Public Works to conduct studies and investigations within the jurisdiction of such committee; with amendment (Rept. No. 9). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 105. Resolution authorizing the Committee on Merchant Marine and Fisheries to conduct certain studies and investigations; with amendment (Rept. No. 10). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 113. Resolution authorizing the Committee on Foreign Affairs to conduct a full and complete investigation of matters relating to the laws, regulations, directives, and policies including personnel pertaining to the Department of State and such other departments or agencies engaged primarily in the implementation of U.S. foreign policy and the overseas operations, personnel, and facilities of departments and agencies of the United States which participate in the development and execution of such policy; with amendment (Rept. No. 11). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 130. Resolution to authorize the Committee on Interior and Insular Affairs to make investigations into any matter within its jurisdiction, and for other purposes; with amendment (Rept. No. 12). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 3433. A bill to amend section 1803 of title 38, United States Code, to authorize the Administrator of Veterans' Affairs to prescribe such rate of interest on guaranteed loans as the loan market demands; to the Committee on Veterans' Affairs.

By Mr. ADDONIZIO:

H.R. 3434. A bill to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes; to the Committee on Banking and Currency.

By Mr. ALFORD:

H.R. 3435. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

By Mr. ANDERSON of Montana:

H.R. 3436. A bill to amend the wheat marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

H.R. 3437. A bill to provide for the admission of the State of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

By Mr. BAILEY:

H.R. 3438. A bill to provide for the collection and disposition of certain U.S. flags having 48 stars, and for other purposes; to the Committee on the Judiciary.

H.R. 3439. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

H.R. 3440. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3441. A bill to amend the Tariff Act of 1930 with respect to the marking of imported articles and containers; to the Committee on Ways and Means.

H.R. 3442. A bill to authorize the Secretary of Agriculture to acquire additional food commodities for distribution to needy persons; to the Committee on Agriculture.

By Mr. BARING:

H.R. 3443. A bill to provide for the appointment of an additional district judge for the district of Nevada; to the Committee on the Judiciary.

H.R. 3444. A bill to amend chapter 37 of title 38, United States Code, to provide additional funds for direct loans; to remove certain requirements with respect to the rate of interest on guaranteed loans; and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3445. A bill to permit the free marketing of gold, and for other purposes; to the Committee on Banking and Currency.

By Mr. BATES:

H.R. 3446. A bill to amend sections 4081 and 4082 of the Internal Revenue Code of 1954 to include wholesale distributors within the definition of "producers" of gasoline, and for other purposes; to the Committee on Ways and Means.

H.R. 3447. A bill to amend section 454 of title 38, United States Code, to provide an exclusion from income for veterans' survivors eligible for pensions, for amounts paid by them for debts of the veteran and expenses of his last illness and burial; to the Committee on Veterans' Affairs.

By Mr. BLATNIK:

H.R. 3448. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

By Mr. BOGGS:

H.R. 3449. A bill to remove the excise tax on musical instruments, and for other purposes; to the Committee on Ways and Means.

By Mr. BOWLES:

H.R. 3450. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

By Mr. BRADEMAS:

H.R. 3451. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

H.R. 3452. A bill to amend laws relating to disposal of war and veterans housing; to the Committee on Banking and Currency.

By Mr. BREEDING:

H.R. 3453. A bill to amend the National Housing Act to establish a new program of mortage insurance for housing designed specially for elderly persons; to the Committee on Banking and Currency.

H.R. 3454. A bill to disclaim any interest on the part of the United States in certain lands in the State of Colorado, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BROOKS of Louisiana:

H.R. 3455. A bill to amend title 10, United States Code, in order to improve the administration of justice and discipline in the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. BURNS of Hawaii:

H.R. 3456. A bill to amend section 373 of title 28 of the United States Code to extend the application thereof to the judges of the circuit courts of the Territory of Hawaii; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.R. 3457. A bill to amend section 102(b)(1) of title 28 of the United States Code to provide that a term of the U.S District Court for the Western District of Michigan shall be held at Lansing; to the Committee on the Judiciary.

By Mr. CHENOWETH:

H.R. 3458. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other expenses paid by him for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

By Mr. CURTIN:

H.R. 3459. A bill to amend the act of August 21, 1935, to provide for a determination of whether certain sites, buildings, or other objects are of national historical significance, and to prohibit the use of Federal funds for highway purposes which damage or destroy national historical sites, buildings, or other objects; to the Committee on Interior and Insular Affairs.

By Mr. DAVIS of Tennessee:

H.R. 3460. A bill to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes; to the Committee on Public Works.

By Mr. JONES of Alabama:

H.R. 3461. A bill to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes; to the Committee on Public Works.

By Mr. ABERNETHY:

H.R. 3462. A bill to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes; to the Committee on Public Works.

By Mr. DOOLEY:

H.R. 3463. A bill to amend title 23 of the United States Code, relating to highways, in order to permit States having toll and free roads, bridges, and tunnels designated as part of the National System of Interstate and Defense Highways to designate other routes for inclusion in the Interstate System; to the Committee on Public Works.

By Mr. ELLIOTT:

H.R. 3464. A bill to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems; to the Committee on Education and Labor.

H.R. 3465. A bill to provide evaluation of rehabilitation potentials and rehabilitation services to handicapped individuals who as a result thereof can achieve such ability of independent living as to dispense with the need for expensive institutional care or who can dispense with or largely dispense with the need of an attendant at home; to assist in the establishment of public and private nonprofit workshops and rehabilitation facilities; and for other purposes; to the Committee on Education and Labor.

By Mr. FLOOD:

H.R. 3466. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

H.R. 3467. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. FLYNN:

H.R. 3468. A bill to provide financial assistance for the support of public schools by appropriating funds to the States to be used for constructing school facilities and for teachers' salaries; to the Committee on Education and Labor.

By Mr. FOLEY:

H.R. 3469. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. COOLEY:

H.R. 3470. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. FOLEY:

H.R. 3471. A bill to amend and to extend the benefits of the act of May 29, 1944, as amended, entitled "An act to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal," to certain additional civilian officials and employees; to the Committee on Merchant Marine and Fisheries.

By Mr. FORAND:

H.R. 3472. A bill to repeal section 1505 of the Social Security Act so that in determining eligibility of Federal employees for unemployment compensation their accrued annual leave shall be treated in accordance with State laws, and for other purposes; to the Committee on Ways and Means.

By Mr. HENDERSON:

H.R. 3473. A bill to amend section 312 of title 38, United States Code, to increase the presumptive period for service connection of multiple sclerosis from 2 years to 4 years; to the Committee on Veterans' Affairs.

By Mr. JUDD:

H.R. 3474. A bill to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers to prevent abuses in the administration of trusteeships by labor organizations, to provide standards for labor organizations with respect to strike votes, the election of officers, and other vital union matters, and to revise the act relating to disclosure with respect to employee welfare and benefit plans, and for other purposes; to the Committee on Education and Labor.

By Mrs. KEE:

H.R. 3475. A bill to revise the basis for furnishing necessary hospital care and medical services for veterans' wartime service-connected disabilities; to the Committee on Veterans' Affairs.

H.R. 3476. A bill to authorize the Secretary of Agriculture to acquire additional food

commodities for distribution to needy persons; to the Committee on Agriculture.

By Mr. KEOGH:

H.R. 3477. A bill to amend the Internal Revenue Code of 1954 to provide special method of taxation for real estate investment trusts; to the Committee on Ways and Means.

By Mr. LANE:

H.R. 3478. A bill to amend the Railroad Retirement Act of 1937 to provide that employees who terminate their railroad employment may apply for and receive a refund of the railroad retirement taxes which they have paid; to the Committee on Interstate and Foreign Commerce.

H.R. 3479. A bill to amend section 545 of title 38, United States Code, to provide that the income limitations applicable to the payment of pension to widows and children of World War I veterans shall be increased to $2,400 and $3,800; to the Committee on Veterans' Affairs.

By Mr. LENNON:

H.R. 3480. A bill to provide for the conveyance of certain surplus property of the United States to Cumberland County, N.C.; to the Committee on Government Operations.

By Mr. LOSER:

H.R. 3481. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

By Mr. McCORMACK:

H. R. 3482. A bill to increase from 5 percent to 10 percent the amount which corporations may deduct for tax purposes for charitable contributions; to the Committee on Ways and Means.

By Mr. McDOWELL:

H.R. 3483. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McFALL:

H. R. 3484. A bill to provide for the establishment of four soil and water conservation laboratories; to the Committee on Agriculture.

By Mr. McMILLAN:

H.R. 3485. A bill to provide for the construction of buildings for post office purposes and for the replacement of inadequate postal buildings, and for other purposes; to the Committee on Public Works.

By Mr. MACK of Washington:

H.R. 3486. A bill to increase in the case of children who are attending school, from 18 to 21 years the age until which child's insurance benefits may be received under title II of the Social Security Act; to the Committee on Ways and Means.

By Mrs. MAY:

H.R. 3487. A bill to provide for the establishment by the Secretary of the Interior of a Pacific Northwest account, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MERROW:

H.R. 3488. A bill to provide that the Administrator of General Services shall save historic buildings and works of art owned by the United States and shall restore such works of art which have deteriorated or become damaged; to provide high standards of architectural design and decoration for Federal public buildings; and for other purposes; to the Committee on Public Works.

By Mr. MILLER of New York:

H.R. 3489. A bill to amend title 23 of the United States Code, relating to highways, in order to permit States having toll and free roads, bridges, and tunnels designated as part of the National System of Interstate and Defense Highways to designate other routes for inclusion in the Interstate System; to the Committee on Public Works.

By Mr. MONAGAN:

H.R. 3490. A bill to provide for the appointment of two additional district judges for the district of Connecticut; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 3491. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. MOORHEAD:

H.R. 3492. A bill to amend title IV of the Housing Act of 1950 (college housing) to authorize loans to educational institutions for the construction, rehabilitation, alteration, conversion, and improvement of classroom buildings and other academic facilities; to the Committee on Banking and Currency.

By Mr. MULTER:

H.R. 3493. A bill to amend chapter 119 of title 28, United States Code, to provide that clergymen shall not be competent to testify with respect to certain communications; to the Committee on the Judiciary.

H.R. 3494. A bill to provide that clergymen shall not be competent to testify in the courts of the District of Columbia with respect to certain communications; to the Committee on the District of Columbia.

By Mrs. PFOST:

H.R. 3495. A bill to direct the Secretary of the Interior to administer certain acquired lands as revested Oregon and California railroad grant lands; to the Committee on Interior and Insular Affairs.

H.R. 3496. A bill to revise the boundaries of the Kings Mountain National Military Park, S.C., and to authorize the procurement and exchange of lands, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PIRNIE:

H.R. 3497. A bill to amend title 23 of the United States Code, relating to highways, in order to permit States having toll and free roads, bridges, and tunnels designated as part of the National System of Interstate and Defense Highways to designate other routes for inclusion in the Interstate System; to the Committee on Public Works.

By Mr. REES of Kansas:

H.R. 3498. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. REUSS:

H.R. 3499. A bill to provide that the Administrator of General Services shall save historic buildings and works of art owned by the United States and shall restore such works of art which have deteriorated or become damaged; to provide high standards of architectural design and decoration for Federal public buildings; and for other purposes; to the Committee on Public Works.

By Mr. ROBERTS:

H.R. 3500. A bill to provide for the issuance of a special postage stamp in honor of the memory of Father Abraham Joseph Ryan, the Poet-Priest of the Confederacy; to the Committee on Post Office and Civil Service.

By Mr. SIKES:

H.R. 3501. A bill to amend the act of October 11, 1949, to provide for a program of forestry management and reforestation at Eglin Air Force Base Reservation, Fla., and for other purposes; to the Committee on Armed Services.

H.R. 3502. A bill for the establishment of a temporary National Advisory Committee for the Blind; to the Committee on Education and Labor.

H.R. 3503. A bill to determine the need for a small-boat channel from Mulat Bayou, Fla., to Escambia Bay, Fla.; to the Committee on Public Works.

By Mr. SLACK:

H.R. 3504. A bill to establish a program of economic relief for distressed areas through a system of loans and grants-in-aid; to the Committee on Banking and Currency.

By Mr. SPENCE:

H.R. 3505. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

By Mr. STEED:

H.R. 3506. A bill to authorize the establishment, maintenance, and operation of auxiliary communication networks composed of licensed amateur radio operators for military radio communications; to the Committee on Armed Services.

H.R. 3507. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas (by request):

H.R. 3508. A bill to equalize certain rates of wartime disability compensation by amending section 314 (a), (b), (c), (d), (i), and (j) of title 38, United States Code; to the Committee on Veterans' Affairs.

By Mr. THOMPSON of New Jersey:

H.R. 3509. A bill to provide that the Administrator of General Services shall save historic buildings and works of art owned by the United States and shall restore such works of art which have deteriorated or become damaged; to provide high standards of architectural design and decoration for Federal public buildings, and for other purposes; to the Committee on Public Works.

By Mr. ULLMAN:

H.R. 3510. A bill to provide for the establishment by the Secretary of the Interior of a Pacific Northwest account, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. VAN PELT:

H.R. 3511. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. VAN ZANDT (by request):

H.R. 3512. A bill to amend subchapter III of chapter 15 of title 38, United States Code, to provide pension for widows and children of World War I veterans at the same rates as apply in the case of widows and children of Spanish-American War veterans; to increase the income limitations applicable thereto; and to eliminate annuities in the compensation of such incomes; to the Committee on Veterans' Affairs.

By Mr. WAMPLER:

H.R. 3513. A bill to amend chapter 37 of title 38, United States Code, to provide additional funds for direct loans; to remove certain requirements with respect to the rate of interest on guaranteed loans; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WILLIAMS:

H.R. 3514. A bill to bring employees of agricultural stabilization and conservation county committees within the purview of the Civil Service Retirement Act and the Federal Employees' Group Life Insurance Act of 1954; to the Committee on Post Office and Civil Service.

By Mr. BREWSTER:

H.J. Res. 195. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. CRAMER:

H.J. Res. 196. Joint resolution to create the Quadricentennial Anniversary Commission of Florida, Inc., and to set forth the dates and places thereof; to the Committee on the Judiciary.

By Mr. DENTON:
H.J. Res. 197. Joint resolution placing certain individuals who served in the Armed Forces of the United States in the Moro Province, including Mindanao, and in the islands of Leyte and Samar after July 4, 1902, and their survivors, in the same status as those who served in the Armed Forces during the Philippine Insurrection and their survivors; to the Committee on Veterans' Affairs.

My Mr. BURDICK:
H. Con. Res. 58. Concurrent resolution favoring the operation of VHF television booster or repeater stations under certain conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. MONTOYA:
H. Con. Res. 59. Concurrent resolution favoring the operation of VHF television booster or repeater stations under certain conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. BROOKS of Louisiana:
H. Res. 139. Resolution to provide funds for the expenses of the studies, investigations, and inquiries authorized by House Resolution 133; to the Committee on House Administration.

H. Res. 140. Resolution to set aside the year 1959 as Energy Supremacy Year; to the Committee on Science and Astronautics.

By Mr. DENT:
H. Res. 141. Resolution that a select committee be named by the Speaker to conduct an investigation of tariff and embargoes; to the Committee on Rules.

By Mr. DOOLEY:
H. Res. 142. Resolution creating a standing Committee on Small Business in the House of Representatives; to the Committee on Rules.

By Mr. McMILLAN:
H. Res. 143. Resolution to provide funds for necessary miscellaneous expenses of the Committee on the District of Columbia; to the Committee on House Administration.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By Mr. BROCK: Resolution of the Legislature of the State of Nebraska, Legislative Resolution 6, 69th session, petitioning the Congress to request the Federal Communications Commission to reconsider its decision of December 31 insofar as it applies to Nebraska and permit the continued operation of lower power television repeater stations on very high frequency channels in this State; to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Legislature of the State of Nebraska, Legislative Resolution 5, 69th session, memorializing the Congress of the United States to grant immediate statehood to the Territory of Hawaii; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOYLE:
H.R. 3515. A bill for the relief of Dragoljub Medenica; to the Committee on the Judiciary.

H.R. 3516. A bill for the relief of Radomir and Jelena Acimovic; to the Committee on the Judiciary.

By Mr. BREWSTER:
H.R. 3517. A bill for the relief of Mrs. Olga Laue Leifold; to the Committee on the Judiciary.

By Mr. BURNS of Hawaii:
H.R. 3518. A bill for the relief of Pedro Africa; to the Committee on the Judiciary.

H.R. 3519. A bill for the relief of Lilia Pandaraoan; to the Committee on the Judiciary.

By Mr. CLARK:
H.R. 3520. A bill for the relief of Angele Kocovski; to the Committee on the Judiciary.

By Mr. CURTIS of Massachusetts:
H.R. 3521. A bill for the relief of Joanna T. Yphantis; to the Committee on the Judiciary.

H.R. 3522. A bill for the relief of Aaron Green, Jr.; to the Committee on the Judiciary.

By Mr. DIGGS:
H.R. 3523. A bill for the relief of Rita Theresa Morris; to the Committee on the Judiciary.

By Mr. DONOHUE:
H.R. 3524. A bill for the relief of Sister Carolina (Antonietta Vallo), Sister Noemi (Francesca Carbone), Sister Luciana (Gemma Antonello), Sister Marta (Sabina Guglielmi), Sister Rafaella (Angela Sicolo), Sister Maria Annunziata (Teresa Carbone), and Sister Marisa (Carolina Nutricati); to the Committee on the Judiciary.

By Mrs. DWYER:
H.R. 3525. A bill for the relief of Mrs. Katherine Ying Ku; to the Committee on the Judiciary.

By Mr. ELLIOTT:
H.R. 3526. A bill for the relief of Dr. Kwang Wouk Rowe and Mrs. Hyo Suk (Lee) Rowe; to the Committee on the Judiciary.

By Mr. FORAND:
H.R. 3527. A bill for the relief of Steve Elias; to the Committee on the Judiciary.

By Mr. HARRIS:
H.R. 3528. A bill for the relief of John C. Flores; to the Committee on the Judiciary.

By Mr. HOLTZMAN:
H.R. 3529. A bill for the relief of Georgios Kambouris; to the Committee on the Judiciary.

By Mrs. KELLY:
H.R. 3530. A bill for the relief of Berta Grinberg; to the Committee on the Judiciary.

By Mr. MILLIKEN:
H.R. 3531. A bill for the relief of Jozef Podlacki; to the Committee on the Judiciary.

By Mr. MORGAN:
H.R. 3532. A bill for the relief of Ivan Buric; to the Committee on the Judiciary.

By Mr. ROUSH:
H.R. 3533. A bill for the relief of Dr. Vivien Lee Loh; to the Committee on the Judiciary.

By Mr. TABER:
H.R. 3534. A bill for the relief of Mr. Epifanio Trupiano; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:
H.R. 3535. A bill for the relief of Ernest Ehrmann and his wife, Ella Ehrmann; to the Committee on the Judiciary.

By Mr. THORNBERRY:
H.R. 3536. A bill for the relief of Guadalupe Villarreal, Sr. (in behalf of his minor son, Guadalupe Villarreal, Jr.); to the Committee on the Judiciary.

By Mr. WAINWRIGHT:
H.R. 3537. A bill for the relief of Mrs. Caroline E. Behrens; to the Committee on the Judiciary.

By Mr. ZELENKO:
H.R. 3538. A bill for the relief of Rosa Jakubowski; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

51. By Mrs. ST. GEORGE: Petition of Greater Newburgh Chamber of Commerce, Newburgh, N.Y., relative to Federal excise taxes on public utility and transportation services; to the Committee on Ways and Means.

52. By the SPEAKER: Petition of the president, Riverside Drive Improvement Association, Berwyn, Ill., petitioning consideration of their resolution with reference to urging repeal of the telephone excise tax and denouncing the proposed transfer of this particular type of excise tax revenues to the States; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Legislation To Protect the Right of the Blind to Self-Expression

EXTENSION OF REMARKS
OF
HON. EDWARD H. REES
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 27, 1959

Mr. REES of Kansas. Mr. Speaker, at the request of the National Federation of the Blind, I am introducing a bill intended for the protection of the rights and privileges of blind people, especially with regard to the right of self-expression. In order that blind people may be heard and given more opportunity to express their views with regard to matters that relate to them and to their Government, it becomes necessary they be assisted through representatives of organizations with which they are associated.

The bill is in two sections. Under the first section the Secretary of Health, Education, and Welfare would consult with authorized representatives of recognized independent organizations of blind people in formulating administrative programs to provide aid and rehabilitation to the blind. This section is also intended to recommend that State agencies formulate programs that will coincide and work with those provided under the Federal program.

Blind people are asking, among other things, that they be given a chance to present their views and their programs to agencies of Government that deal in particular with blind people. They claim that about the only way they can make themselves heard is to do it through recognized organizations that represent the blind.

Blind people of America want to be recognized as a part of our Government. They are interested in the management of its affairs. It is not just a question of providing funds for these people, but

more especially a recognition that they can be of service to our country and be a part of the community by becoming self-supporting when afforded opportunity to do so. Providing funds is important, but not enough. The desire for emancipation from economic and social bondage must come from the people themselves. This desire is strong in the blind citizens of our country.

In 1940 a group of 15 or 20 blind men and women from 7 States met for the purpose of starting an organization which today has a membership of many thousands in 45 States. In our State we have the Kansas Association for the Blind. This association has won the admiration of the people of our State.

The Kansas association, along with other State organizations, is joined with the National Federation of the Blind. I am informed it is the only countrywide organization to which blind people belong. Members of the national federation seek and work toward improvement of their position in society. They expend their strength toward the attainment of a better and freer life for people who are blind. By their initiative and courage and by refusing to accept helplessness as their lot, these people have proven their claim that they be consulted on matters which affect the blind. They insist on their right to join organizations of their own choosing and that such organizations represent them in matters of particular interest to blind people.

Members of Congress, as well as people in general, have always been concerned with regard to our blind Americans. The American people will continue to see that the needs of the blind are properly protected. This is a problem of assisting people who want to help themselves. Blind people do not ask for charity. They ask for opportunity to permit them insofar as possible to make their own way.

This bill is intended, especially, to protect these handicapped people in their rights as American citizens and to afford greater opportunity whereby they may help themselves. They feel that under the terms of this proposed legislation they will be better fitted to cope with problems that apply in particular to blind people.

A Tribute to Hon. Herman Eberharter

EXTENSION OF REMARKS
OF
HON. GEORGE M. RHODES
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 27, 1959

Mr. RHODES of Pennsylvania. Mr. Speaker, the untimely passing of our dear friend and colleague from Pennsylvania, the Honorable Herman Eberharter, was a real loss to our State and the Nation. It was also a great personal loss to those of us who had the privilege of knowing and working with him here in the House.

His tireless efforts in behalf of more equitable tax legislation, social security legislation to improve the economic status of our old folks, and other liberal measures earned for him the respect and admiration of his colleagues.

Herman Eberharter was a keen, active, and able legislator who possessed great courage and vision to see beyond the immediate aspects of a particular problem. He was faithful to his duties, sincere, and upright in dealings with his colleagues. We shall miss him greatly in the days ahead.

Ormonde A. Kieb

EXTENSION OF REMARKS
OF
HON. GEORGE M. WALLHAUSER
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 27, 1959

Mr. WALLHAUSER. Mr. Speaker, it gives me great pleasure to have this opportunity to pay tribute to a close personal friend who has recently resigned as Assistant Postmaster General, Ormonde A. Kieb.

Prior to assuming the very responsible office in the Post Office Department in February of 1953, he had been a very prominent realtor in Newark, N.J., had served as president of the New Jersey Association of Real Estate Boards, as national president of the Institute of Real Estate Management, and was one of the organizers and a charter member of the Society of Industrial Realtors. He had been active in the National Association of Real Estate Boards, having served as national director and as chairman of the public relations committee.

It was, therefore, with a fine background of business experience and real knowledge that he undertook the difficult task of the management of the Bureau of Facilities of the Post Office Department, which has jurisdiction over the real property management program of the Department, as well as the procurement and distribution of all supplies, equipment, and vehicles; the maintenance of the motor vehicle fleet, and the communications and physical properties of the Department's civil defense planning. The Bureau formulates policies and programs governing procurement, management, maintenance, and disposal of all real property, all equipment, all vehicles and supplies used in the postal service.

He rendered distinguished service and effected measures that led to the modernization of his department, reduced costs, reduced delivery schedule time, and streamlined procedures.

He received the Award of Achievement for the year 1955 in recognition of his outstanding success in introducing many methods of efficiency and economy. In 1956 the Postmaster General presented him the Distinguished Service Award of the Post Office Department in recognition of outstanding accomplishments.

As he returns to his profession of real estate it is a great pleasure for me, who has known him for many years, to testify to his high character, zeal, and his ability and, on behalf of his many friends, to wish him the greatest possible success in his future endeavors.

A Salute to the 4–H Clubs and Their Leaders

EXTENSION OF REMARKS
OF
HON. WILLIAM H. NATCHER
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 27, 1959

Mr. NATCHER. Mr. Speaker, on January 24 the Kentucky 4–H champions were named and it was with a great deal of pleasure that I learned that Joseph Wesley Sprague, 18, of Sturgis, Union County, Ky., had been selected as the champion in agriculture in the 1958 4–H Club achievement contest, while a young lady from another section of Kentucky took honors in home economics.

Joe W. Sprague is typical of the young men in the Second Congressional District of Kentucky, which I have the honor to represent, who have consistently taken prize after prize in agricultural contests throughout the State. During the 9 years Joe has been a member of the 4–H Club he has undertaken projects in the following categories: Baby beef, labor service, electric, tractor, leadership, appearance and grooming. His baby-beef project has won him numerous blue ribbons and cash awards; and a profit of $3,175 earned from this project has been set aside for his college education. In addition to his 4–H Club work, Joe, son of Mr. and Mrs. A. D. Sprague, takes a keen interest and an active part in various school and church affairs. He has a 12-year perfect attendance record at Sunday school.

While Joe Sprague is certainly to be commended for his outstanding achievements in agriculture, we must not forget or neglect the many dedicated people concerned with the development of our youth who make such achievements possible. We are indeed fortunate in having in the Second Congressional District a great many intelligent and energetic men and women who as 4–H Club leaders, argicultural teachers, county and home demonstration agents, and advisers to the Future Farmers of America and the Future Homemakers of America play such a vital part in inspiring, guiding, and instructing our youth in agricultural pursuits. When so many of our young people are leaving the land for the so-called glamour of the city, the selfless and untiring efforts of these persons in demonstrating the benefits to be gained from farming cannot be overestimated. It is to these leaders that we owe a deep sense of gratitude for having instilled in our young men and women an appreciation of the rewards and satisfaction to be achieved from a life devoted to farming, for as Thomas Jefferson said, "Those who labor in the earth are the chosen people of God."

Victory for America

EXTENSION OF REMARKS
OF

HON. CLINTON P. ANDERSON

OF NEW MEXICO

IN THE SENATE OF THE UNITED STATES

Tuesday, January 27, 1959

Mr. ANDERSON. Mr. President, last Saturday was a red letter day for the Democrats in New Mexico. They had a huge victory dinner at Albuquerque and were honored by having as their speaker the distinguished majority leader, the Senator from Texas [Mr. JOHNSON].

Senator JOHNSON drew the largest crowd that has ever attended a political dinner in New Mexico. By actual count 1,105 people sat down in Albuquerque's huge civic auditorium to hear the majority leader. In addition, hundreds more were in the gallery to hear him.

They were not disappointed. The senior Senator from Texas was in rare form, not only in the formal address but in the friendly asides during the delivery of that address and in the stirring conclusion of his remarks.

I ask unanimous consent that his address may be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

VICTORY FOR AMERICA

(Address by Senate Democratic Leader LYNDON B. JOHNSON at Democratic victory dinner, Albuquerque, N. Mex., January 24, 1959)

Mr. Chairman, fellow Democrats, it is a special pleasure, as a Texan, to be here in one of the few States that outlie Texas.

As you know, of course, Texas suffered a little embarrassment recently. We used to be the largest State in the Union. Then we were knocked over by an iceberg.

DOWN, BUT NOT OUT

We are down—but not out. That is why we sent a Texan out here to take over as your Governor.

You know Colorado used to have a Texan as Governor. Oregon had a Texan as Senator. The Nation has a Texan as President.

Unlike John Burroughs, of course, these others are Republicans and that is one of our chief exports in Texas. We don't mind when they leave—in fact, we encourage it. We don't usually let the good Democrats like Burroughs get away.

CHERISHED FRIENDS

A special pleasure for me is the opportunity to be in the home State of two of my most cherished friends, DENNIS CHAVEZ and CLINT ANDERSON.

The Nation is fortunate that you have sent them both to serve in Washington.

DENNIS CHAVEZ holds a vital role in our national life as chairman of the Committee on Public Works and the Subcommittee on Military Appropriations. I congratulate you on his reelection and, personally, I thank you for it.

I thank you also for CLINT ANDERSON. Several years ago, I asked a senior Senator to stand aside so that he might serve as chairman of the Joint Committee on Atomic Energy. At this session, he again assumes the important chairmanship of that committee—and the job could not be in more responsible hands.

TWO GREAT SENATORS

You have two great Senators. You have, also, two of the most able young Congressmen in Washington—my friends, JOE MONTOYA and TOM MORRIS. Keep your eye on these two. They are on their way to positions of high responsibility.

These victories—and many more—we have come to celebrate.

THE GREAT CRUSADE

We are meeting tonight in the lingering twilight of the great crusade.

The noble slogans are muted and still. The polished brass has tarnished and scuffed. The flying banners hang listlessly and limp.

It was just 6 years ago that all the world was young and gay.

The ship of state was destined for a firm hand at the tiller. Fiscal solvency was the polestar toward which our course was set.

We were to have strength without exercise; health without care; an assured future without investment.

THE THREAT OF VETO

And now there is nothing left but a desire for quiet—and government by the threat of veto.

Our country is torn by a great internal controversy.

Communism has declared economic war against our way of life.

The United States—which led the world into the atomic age—now lags in the exploration of outer space.

A BALANCED BUDGET

And we are told that there is just one issue before us—passage of an artificially balanced budget with a dot over every "i" and a cross through every "t."

The people gave their answer to that kind of government 3 months ago. They repudiated the concept of administration by inaction, procrastination, and delay.

All over the country—from Maine to California, from Minnesota to New Mexico—they cast their ballots for men of vigor. They asked for—and they shall receive—leadership in keeping with their own desires for progress.

WASHINGTON RUMORS

But the ink had scarcely dried on the headlines of victory when the rumors began to seep out of Washington. The informed sources and the reliable informants all told us the same thing.

The President was determined to exercise his veto powers to the hilt to check a wild spending spree.

There is no American who objects to the exercise of the veto power. It is a proper, constitutional function and one of the most important checks in our system of checks and balances.

WILD SPENDING

There are very few Americans who favor a wild spending spree by their Government. We all know that the end of such a spree would be fiscal insolvency.

But I think it is about time that somebody blows the whistle on threats to veto bills that have not been drafted and to cancel steps that have not been taken.

Perhaps I studied the science of government in an old-fashioned school that is now out of date. But I had always believed that the veto power was something that the President exercised after he had examined a bill.

It was only in Alice's Wonderland, I was told, that the rule was "verdict first, trial second."

And when the verdict is "veto," not only before the bill is passed but even before it is printed, it becomes little more than an instrument to blackjack Congress.

It is rather strange at this date to have the administration standing at the dike to hold back the tides of spending. It is just 6 years too late for the role to be natural.

ADMINISTRATION BUDGETS

The present administration has drawn up, and administered, the largest peacetime budgets in history. And the last Democratic Congress clipped $5,600 million off those budgets.

To set the present administration up as the guardian of the balanced budget is in the same class as hiring a coyote for a watchdog over the sheep.

The last Democratic Congress did not embark on any wild spending sprees. And there is certainly no reason for thinking that the present Congress will do so.

A CONGRESS OF ACTION

But there is every reason to believe that this Congress will be a Congress of action. And it is the concept of action that brings us to the heart of the matter.

There are two ways in which a nation—or a man—can remain fiscally solvent.

One is to pull in, cut down, retract, withdraw, scrimp, and shrink from activity.

The other is to expand, produce, work harder, be more efficient, welcome opportunities.

THE REAL ISSUE

The real issue before the United States today is which road we will follow.

Democrats believe the budget can be balanced if we take advantage of our opportunities to increase the wealth of the Nation.

Republicans believe the budget can be balanced if we turn our back on opportunities and resign ourselves to the status of a second-class nation—weak, but thrifty.

THE DEMOCRATIC TIDE

It is no accident that the Democratic tide, while rolling strong everywhere, reached high-water mark in the West. It is here in the West that men have the greatest vision of the meaning of opportunity.

We know, as westerners, that this whole vast region—from Texas to Montana and from the Mississippi to the Pacific—is one of the tomorrows of our Nation.

Your own State is a land of enchantment—not for the legends of its yesterdays but because of the lure of its tomorrows.

Here, all across the West, tomorrow is everything.

The same is true in all the regions of our young land.

We must make provision for the support of the population of the 1960's and 1970's. We must enlarge our productive capacity. We must multiply our job opportunities. Add more schools. Erect more hospitals. Build more roads. Construct more homes. Increase the output of our farms. Solve the problems of our human relations.

THE MUSTS—THE NECESSITIES

These are musts, no choices; necessities, not options.

Today's leadership will be adjudged responsible or irresponsible in terms of how tomorrow is served by the course we set now.

As a Nation, we stand at the very edge of the most demanding era of our economy's history. Yet, as we see the needs ahead, we find our cities blighted, whole regions depressed, key industries sick, vital links of our transportation system mortally ill.

ACCUMULATED DEFICITS

Search the history of the Nation and you will find few periods of the past in which so many accumulated deficits have pressed upon us—at one time—for action and resolution.

Yet, in the face of this, we are confronted by a deepening division in the directions of our national leadership.

On the one hand, the representatives of the people—most recently elected to serve them—say that the time has come to put tomorrow back into the mind and heart of government.

On the other hand, those who serve in the executive branch of the Government are

serving notice that there is no room for tomorrow in their planning. And, furthermore, they go one step farther: the partisans of those with Executive power are openly threatening to use that power to veto tomorrow.

WORLD LEADERSHIP

We cannot expect to lead the world if we turn our backs on tomorrow. Yet, that is now offered as the chosen course of those with executive responsibilities.

They have turned their backs on New England.

They are silent to the needs of the northern manufacturing States.

They are totally insensitive to the economic potential of the South.

DISREGARD OF THE WEST

Most tragically, this administration has elected to disregard the West.

Let us look for a moment at your own State of New Mexico.

In less than 15 years, New Mexico has grown enormously—both in population, in manufacturing, and in importance. Much of this has come directly from the stimulus of an industry which did not exist 20 years ago—and barely existed 10 years ago.

I refer, of course, to your atomic industry.

Out of this one new industry has come a whole new world of opportunity for you and for your children. Because of it, whole new cities stand in your State where none stood a generation ago. Great new wealth is coming from your soil. New capital is being invested here. A new future is opening before you.

What has happened to New Mexico because of the atomic age is only a beginning—for in the space age opening before us now, this story will be repeated many times.

STORY OF THE NATION

It is—or it can be—the story of the West and of the Nation.

For the real impact and import of the space age will not come in the skies above us but in the West about us. Our scientists tell us that in the next decade our space technology will produce a flow of knowledge and understanding of materials which will revolutionize our industrial system.

Entire new industries will be brought into being.

New uses for unused resources will be found.

New metals and new metals technology will develop.

Every region in the Nation will benefit from this, but the Nation will especially need—in this era—the full capacity of its West.

THE WATER PROBLEM

Furthermore, you know and I know that the full solution of the water needs of the West is not going to be achieved piecemeal, nor is it going to be met by conventional efforts alone.

In my State, we have drawn plans to take the surplus water from regions with an abundance and channel it across great distances to supply regions with a deficit.

The feasibility is established.

The sole question is not the way—but the will.

I remember 20 years ago that when the survival of the free world was at stake the United States marshaled its resources into the Manhattan project—to unlock the secrets of the atom. Through such concentrated effort, we solved—in less than a decade—a challenge which many doubters thought could not be solved. And because of our effort, we opened for all of humankind a new age of hope which we are only now beginning to realize.

MANHATTAN PROJECT ON WATER

I express to you my belief that the time has come when we must cease our dawdling over the water problems of the West. It is time for us to commit our resources to another Manhattan project on water.

The solution of the water problem is far nearer than was the task to which the scientists at Los Alamos first addressed themselves.

We know, already, for example, that it is feasible to transform salt water into usable water for municipal, industrial and agricultural use.

At modest expenditure, we should be able—within 5 to 10 years—to perfect our methods sufficiently to make such water available at an economically feasible cost to the West.

PROBLEM CAN BE SOLVED

The point is this: the water problem of the West can be solved, insofar as engineering is concerned. The solution depends not upon the engineers but upon the decisions and courage of our political leadership.

Thus, the question is a question of political integrity—not technical capabilities.

I, for one, would express the hope that we may during this Congress lay before the executive branch this clearcut choice: hand to them a program for undertaking to find the solution to the water problem—then let them, with the eyes of the Nation upon them, make their choice.

Will they meet or will they fail the responsibility to tomorrow?

RESPONSIVE SERVICE

We of the Democratic Party have—for the past 6 years—served constructively in the Congress. We have not sought and we have not exercised a veto over progress—or even over Republican proposals that are in the interest of America. We have served responsibly and the elections demonstrate that the people approve.

Our sense of continuing responsibility does not permit us to follow blindly along a blind course—and this we shall not do.

DYNAMICS OF THE NATION

It is my belief—as I am sure it is yours—that the future of this Nation lies not in turning back to the past but in forging ahead to unlock the dynamics of our regions.

We do not propose to leave any region or any area or any city to stagnate amid the promises of these times.

We do propose to devote ourselves to the expansion and the growth and the confidence characteristic of America.

This is the spirit and the image of the Democratic Party.

By this approach, we shall make our victory of last November what it ought to be—and what we want it to be—a victory for the people of America and free men everywhere.

Hallelujah! The Small Tobacco Farmer Has Been Saved for One More Year

EXTENSION OF REMARKS
OF
HON. KEN HECHLER
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 27, 1959

Mr. HECHLER. Mr. Speaker, I would like to report the arrival of good news which will hearten everyone who is interested in seeing that people get a fair break in their efforts to make a living.

I was informed yesterday that the Department of Agriculture had abandoned a previous plan to cut burley tobacco quotas by 16 percent, and will keep the 1959 quotas at the present level for another year.

Mr. Speaker, this is a great break for the small tobacco farmers in West Virginia, and throughout the Burley Belt. In fact, it will mean the difference between their survival and the danger of bankruptcy and possible starvation.

A few days ago I made a strong appeal for the small tobacco farmer in testimony before the Tobacco Division of the Department of Agriculture. I pointed out that the small tobacco farmer could scarcely be held responsible for creating any surplus—if indeed there were a surplus. Had this punitive measure been put into effect, it would have been roughly comparable to court-martialing a lowly private for the war crimes of his general.

Most recent policies of the Agriculture Department have tended to favor the big farmer, and conversely, to hamper the small farmer. Millions of small farmers have been driven off their farms. A cut in tobacco quotas not only would have hampered our small tobacco farmers—in some cases it would have driven him out of business altogether.

When I appeared before the tobacco hearing, I paraphrased a famous old tobacco advertising slogan, saying I did not want "L.S./M.F.T." to come to mean "Let's starve mountaineer farmers of tobacco."

If I may paraphrase another tobacco slogan of more recent vintage, may I say that "They said it couldn't be done." But somehow, the Department of Agriculture was persuaded to change its mind and rescind this punitive decrease in allotments.

All of us interested in fairness and justice applaud the action taken, and we are truly thankful.

Pepe Figueres on the Cuban Trials

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 27, 1959

Mr. PORTER. Mr. Speaker, Jose (Pepe) Figueres, ex-President of Costa Rica, and one of the foremost Democrats in the hemisphere, comments on the Cuban trials in a letter which was published January 18 in the San Jose, Costa Rica, newspaper La Republica. It contains a point of view which is highly persuasive and which should be given more consideration in this country:

(Translated from the Spanish)

Sr. EDMOND WOODBRIDGE, *San Jose.*

ESTEEMED FRIEND: Thank you for your expressive telegram of January 16, which says:

"You are the most qualified to interpret the humanitarian sentiments of the Costa Rican people by suggesting the cessation of the summary executions in Cuba. In this manner, as Cuba yesterday thanked you for your support in the revolution, tomorrow it will thank you even more for having tried to prevent violence from sullying the magnificent democratic triumph. All of the combatants who made the War of Libera-

tions of 1948 with you are today harvesting the fruits of the clemency and justice which you stipulated for the losers. This memory is your best credential to take before Fidel Castro the matter which I respectfully suggest to you."

With such noble concepts, friend Edmond, you put me in a difficult situation with myself. How agreeable it would be for me to agree with your thesis! And how painful it is for me to disagree!

It is curious how the same event (the summary executions in Cuba) and a same desire (that of guaranteeing democracy in America) can stir up diametrically opposed reactions in different persons.

I am going to make public a letter I sent to Fidel Castro recently, before learning of the requests in various congresses of America asking suspension of the executions, and before knowing that the Legislative Assembly of Costa Rica, on the other hand, had turned down, by great majority, a motion aimed at sending the same request for clemency to Fidel Castro.

I have learned that the North American association, ADA, has addressed you asking clemency for the Cuban war criminals.

The ADA is a very estimable liberal group. Many of its members are friends of mind. They are the ideological allies of the Latin American democrats. And the petition which they make to you could not be better intentioned, nor more authorized.

This petition, in my judgment, complicates even more the rough matter of sanctions, in which it is so difficult to decide with certainty. It has its pros and its cons, of short and of long term.

I consider it a duty of other Americans to share with you this prodigious responsibility, at the risk of also committing an error. For this reason I dare to offer you this unsolicited opinion, in a matter that seems to be Cuban, but is American.

In my country capital punishment does not exist, nor has the necessity for it been felt in this century, fortunately. But each society and each historical moment has its own necessities of survival, which are wont to be the least of various bad possibilities. In Cuba's present circumstances, which I know well, severity can be a lesser evil and impunity.

Disgracefully in our America today, to be a democrat you have to risk life. This will not end until it is universally understood that you have to risk your life to be a hired assassin.

Yours respectfully,

JOSE FIGUERES.

Permit me to repeat the idea contained in the last paragraph of this letter to Fidel Castro, because it expresses my conviction, very sad, very lamentable, but one which I should not hide: so long as in several countries of our America it is necessary to risk one's life to fight for freedom, and so long as there is not the unquestionable certainty that to be an instrument of tyranny also means that you have to risk everything, there will be no end to the temptation on the part of big-time adventurers to seize power and on the part of irresponsible citizens to back the seizure and to benefit from it by torturing their fellow countrymen.

There is an American minority, composed of politicians and military men and their henchmen who see in the governments of the countries a field in which to satisfy their appetites. Those people are always ready to take over a government by any means, and to hold it by blood and fire. They help each other, in a real alliance, and declare war against the democratic forces.

It is necessary that their soldiers know that they do not go to war simply to kill, but also to die. If it is not so, they will continue to hold all the advantages of aggressiveness and the lack of principles, and the good people all the inhibitions of decency and morality.

It is demonstrated that it is almost impossible, when a dictator is overthrown, "to catch the fat fish." Those always find the way to escape with their millions. Those who remain behind pay their debts. This injustice, superimposed on all the others, should serve as a warning: He who lets himself serve as a paid assassin of a tyrant should know that it is own life which is in danger, and not that of his master. The day when there are no instruments there will be no tyrants.

Society should protect itself by methods adequate to the circumstances. If the circumstances are extraordinary, the social defenses should also be extraordinary. No one who knows the barbaric extremes to which the recent torturers in Cuba, Venezuela, and other republics, arrived will be able to deny with his conscience that the corrective methods should be extreme, keeping relationship with the magnitude of the crimes and the propensity to commit them.

For the well-being of society, the law of vengeance cannot be recommended: eye for an eye, tooth for a tooth. The torturers should not be disrespected or tortured. But capital punishment, summary execution, turns out, in these extreme cases, by a cruel paradox, to be a civilized way to repress delinquency.

It is almost inconceivable the level of cruelty which the political delinquency in the 20th century has reached. Civilization needs to resort to the most painful methods to detain the tide. This spectacle of our times led a penalist of the stature of Jimenez de Asua to declare, a short time after World War II, that he would prefer the revolutionary justice in whose name the Italian people simply hung by the feet Mussolini and his lover, to the type of cold, slow, judicial process which was adopted in the Nuremburg trials.

Those who today favor that the Cuban war criminals be tried in common courts are not in touch with the present circumstances. There is no doubt, in every city and in every town, who were the principal murderers. Poor Cuba. It would be a tragic comedy to present proofs. The proofs are not even in the cemeteries. The corpses are in the wells, in the sewers, in the basements. And, just as happened in Venezuela, those who did not reach the relief of death from the tortures will be in insane asylums for the rest of their lives.

If the provisional Government does not rapidly execute the most notorious criminals, public passion, indignant at the impunity or the delay, will overflow, and then the number of deaths will be many, many thousands.

If there is not an exemplary punishment which leaves an impression in the memory of the country, the assassins will soon be organizing invasions, with the millions of dollars removed by the tyranny, in order to impose it again.

The Cuban people have suffered great disillusionments. I hope that today's revolution will not disillusion them again. For the time being, the severity of the punishment seems to me a salutary measure, however distressing. I believe it my duty to back it, in spite of the fact that I consider capital punishment repugnant, inadmissible, in other circumstances.

Undue Banking Concentration Must Be Stopped

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 27, 1959

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include an address delivered by me before the Wisconsin Bankers Association at the Hotel Schroeder, Milwaukee, Wis., Monday, January 26, 1959.

The address follows:

I am very happy to be here with members of this distinguished group which has been in the forefront in seeking to maintain a sound, vigorously competitive unit banking system in this country and to arrest the trend which is slowly concentrating our financial resources into fewer and fewer hands. The members of this association are well aware that the healthy growth of independent banks is of vital importance for the preservation of our traditional, free enterprise system. That system is premised on a diffusion of economic power and depends upon economic activity being controlled by the market and not manipulated by a handful of men.

It is for these reasons, I think, that the American concept of banking traditionally has been based on community banking which provides the widest range of financial services to the people in the area. In my judgment, independent banks, locally organized, locally financed, and locally managed, not only act as a necessary balance wheel to offset the power of big business, they tend to provide a much healthier basis for effective community organization than does the absentee ownership of mammoth banking institutions. In fact, it is the independent bank—not the giant financial house—which in many cases provides the new ideas from which widespread innovations originate.

During the last 35 years, however, events have transpired in the field of banking which have severely transformed the entire structure of the Nation's banking system and have threatened to alter fundamental assumptions underlying the deposit and credit structure of the economy. In the last 35 years, the banking population of the country has been more than halved notwithstanding that the business transacted by the commercial banking system has multiplied many times. In 1921, there were over 30,000 commercial banks as compared to approximately 13,500 at the present time. True, a large share of the Nation's losses occurred prior to 1933 because of the depression when approximately 9,000 banks were forced to suspend operations during the 4-year period between 1930 and the end of 1933. However, since 1933, the merger movement has been the major factor in the gradual decline in

the total number of banks. For example, in the period 1950 through 1958, some 1,330 of the Nation's commercial banks have disappeared by way of mergers and consolidations. Many of these consolidations, I would hasten to add, have been primarily the outgrowth of a deliberate effort on the part of certain banks to expand their banking facilities, add to their capital and depositors, and, in general, increase their overall financial strength in the economy.

This depletion of the ranks of the country's banks has lessened competition among banks in many communities. Over 76 counties in the United States have no commercial banking facilities whatsoever, while more than half the counties in the United States have only three or fewer banks serving the needs of the community. Hundreds of small, rural American communities have become bankless towns and many others are served by only one bank in place of the two or three which existed in the 1920's.

Other important trends have accompanied the demise of many of the Nation's banks. In the first place, banks have gradually been increasing in size. A bank that was considered large in size in the midthirties is now a relatively small institution. Smaller banks have become fewer in number, the big banks greater in proportion to the banking population.

In addition, the banking system has become characterized by a high degree of concentration of financial resources where a few large banks control a disproportionate share of total loans and deposits. Today the 100 largest banks control more than 48 percent of the Nation's bank deposits. In 10 of the Nation's 16 leading financial centers, 4 banks own more than 80 percent of all commercial assets. Furthermore, in nine of these financial centers, two banks own more than 60 percent of all commercial bank assets. Again, in each of the 16 leading financial centers, the first two banks own more than 40 percent of all the commercial assets, the first four banks, 60 percent.

Another aspect is concentration through bank holding companies which exercise a high degree of control over banking facilities in many areas. In Massachusetts, for example, holding companies control 48.5 percent of all commercial banking deposits; in Minnesota, two bank holding companies control 45 percent of commercial bank deposits; in Montana, the same two companies control over 44 percent of the commercial bank deposits; in Oregon, one company controls 42 percent of the State's bank deposits; in Nevada, the same company holds 78 percent of the commercial bank deposits. And here in Milwaukee, one bank, controlled by a holding company, has 48.8 percent of all deposits in the city.

The increase in banking concentration has been coupled with a comparative contraction in the credit extended to borrowers by the banking system. As banks have grown larger, they have tended to have fewer dealings with smaller businesses. A study conducted by the Federal Reserve Board several years ago shows that the very large banks with deposits of $500 million or more had the least number of loans with small business of all classes of banks, the next to lowest dollar volume of loans with small business, and the smallest percentage of dollar volume of all loans with small business. Considering the decrease in the proportion of small banks in the financial community, the overall drop in credit extended, and the frequent resort to Government agencies for funds, it seems likely that the increasing trend toward concentration has at times entailed credit shortages especially for smaller enterprises.

There is increasing awareness, I believe, that additional precautions are essential to preserve the banking competition that still remains and to prevent banking credit from becoming dominated to an ever-increasing extent by a small tightly knit group. Successfully resisted in New York State last year, for example, were bills which would accomplish the following: First, permit bank holding company expansion throughout the State without regard to bank branch district lines, thus ending the freeze on bank holding company expansion except in accordance with branch geographic limitations; second, obliterate the branch district line between New York City and the suburban areas hence permitting bank expansion throughout the entire new district.

As I pointed out to Governor Harriman, adoption of such legislation not only would have the gravest consequences in respect of the State's future banking structure, but would bring banking monopoly closer into being. It would also have had the gravest repercussions throughout the Nation, since what happens in New York in the banking field frequently sets the stage for numerous other States.

Adoption of the first proposal, I indicated, would enable a bank, via the holding company device, to circumvent branch district lines and enable the same management, which is restricted in its operations under a bank charter, to acquire through a holding company a unit bank in the State of New York regardless of where situated and operate it in the same manner a branch would be operated. It was my position that this proposal would accomplish indirectly what is prohibited by the State in establishing branch district lines and would have effectively dissolved branch limitations. Beyond that, it seemed crystal clear to me that the proposal could have ignited what might have been the greatest chain reaction in recent banking history, the effects of which threatened to go to the very roots of the entire banking structure of New York State.

With respect to the proposal to obliterate the branch district line between New York City and the suburban counties, I emphasized that these district lines were drawn to protect independent banking from encroachment of the giant money-market institutions in New York City, and that it was of even greater importance now to guard against such encroachment.

In my several communications to Governor Harriman, I also emphasized that to adopt either proposal would be to yield without justification to a few powerful financial institutions in New York City, which have, for years, sought to achieve dominance over the banking system of the entire State of New York.

The Independent Bankers Association, of which your group is a constituent part, played an important role in mustering effective opposition to this legislation. It is to be commended as is Governor Harriman who, recognizing the importance of unit banks, maintained unrelenting resistance to these measures.

I am sure the sponsors of this legislation will renew their efforts to secure passage of these proposals. I trust that the new Governor of New York, Mr. Rockefeller, will act with the same dedication to the public interest in opposing such measures as did his predecessor.

Also noteworthy this past year was rejection by the Federal Reserve Board of a plan by the First National City Bank of New York, the second largest in the city, to evade New York State statutory limitations preventing banks in New York City from establishing branches outside the boundaries of New York City. This it tried to do by applying to the Federal Reserve Board for permission to form a bank holding company with the initial objective of acquiring control of the County Trust Co. of White Plains, N.Y., the dominant commercial bank in Westchester County. In opposing this plan, I testified in detail before the Board that its consummation would be contrary to the competitive standards of the Bank Holding Company Act and in violation of the Celler-Kefauver act; that its effectuation could mean the end of branch district lines in the State; and could mean basic alteration of the State's banking structure completely without the approval of the State's legislature. My good friend Mr. Ben DuBois of the Independent Bankers Association, likewise testified in opposition to this proposal and, I might add, presented most persuasive arguments. It is gratifying that the majority of the Board recognized the serious competitive implications of this proposal and rejected it on that basis.

No less significant are the proposed mergers between the Guaranty Trust Co. of New York and J. P. Morgan & Co. and between the Manufacturers Trust Co. and the Bankers Trust Co. There is little doubt that consummation of either of these transactions would result in an undue concentration of banking facilities in the city; spur a further wave of bank mergers; and ignite a chain reaction that could have the most profound repercussions on our banking structure.

In view of the apparent impact these transactions would have on the competitive situation, I have communicated with the superintendent of banks of New York State whose aproval is required, together with the Federal Reserve Board which also must approve in the event either of the continuing banks establishes branches at locations of former offices of the absorbed institution. In addition, I have written to the Department of Justice which has jurisdiction under the Sherman Act which prohibits any combination in restraint of trade, attempt to monopolize, or monopolization.

With respect to these merger proposals, it is relevant that 3 years ago the New York superintendent of banks, Mr. George A. Mooney, testified before our Antitrust Subcommittee:

"It has been my policy as superintendent of banks of the State of New York to follow the spirit of the Celler Antimerger Act in determining whether or not to approve mergers of banks that come within my jurisdiction. That is to say, if after analysis of all facts, I find that the effect of a proposed bank merger may be substantially to lessen competition or tend to monopoly in any locality, I will unhesitatingly withhold approval."

Mr. Mooney's term expired a few weeks ago. In the circumstances, it is vitally important that his successor who will be appointed by Governor Rockefeller adhere scrupulously to the above policy in scrutinizing the Guaranty Trust-Morgan and Manufacturers Trust-Bankers Trust merger proposals. I would also note that before leaving office Mr. Mooney advised me that his Department was undertaking a thorough investigation of the Guaranty-Morgan proposal.

I hope that the new superintendent not only continues that investigation but broadens it to include the Manufacturers Trust-Bankers Trust transaction. I trust that the superintendent will, in addition, consult with the Antitrust Division of the Department of Justice and the Federal Reserve Board as to the competitive aspects of these mergers. Furthermore, I believe it necessary that the superintendent hold public hearings on the proposals so that all interested persons may be afforded an opportunity to present their views.

Let me make it clear that as chairman of the Antitrust Subcommittee, I will keep a watchful eye on all developments.

On the positive side, additional Federal legislation dealing with bank mergers is imperative if we are to stop undue concentration and keep a unit banking system in this country. For there is little doubt that present Federal law on this subject is grossly inadequate.

Under the National Banking Act, approval of the Comptroller of the Currency is required for any merger between national banks, or between a national bank and a State bank, where the resultant institution is a national bank. In addition, the Federal Deposit Insurance Act requires that approval of certain mergers must be obtained from the Federal Deposit Insurance Corporation, the Comptroller of the Currency, or the Federal Reserve Board, as the case may be, but only where the capital stock or surplus of the resulting bank will be less than the aggregate stock of the two institutions combined. Also, approval of the Federal Deposit Insurance Corporation is required for mergers between insured and noninsured banks. None of these Federal banking statutes applicable to mergers deals substantively with competition in the field of banking, and in no case is the competitive impact of the merger a necessary element to be considered by Federal banking officials in deciding whether or not to grant approval.

Bank mergers are also circumscribed by the provisions of the Sherman Act of 1890 which prohibit combinations in restraint of trade, attempts to monopolize, or monopolization of trade or commerce. Illegality is established by proof that the merger has actually resulted in an unreasonable lessening of competition; it is immaterial whether the merger was accomplished by stock or asset acquisitions.

Section 7 of the Clayton Act of 1914, on the other hand, deals specifically with corporate and bank mergers and bans those achieved by stock purchases where there is a reasonable probability of a substantial lessening of competition or a tendency to monopoly. Responsibility for enforcing the section insofar as banks are concerned is vested concurrently in the Attorney General and the Federal Reserve Board.

Section 7 was designed to stop mergers beyond the reach of the Sherman Act but its failure to include mergers accomplished by asset acquisitions resulted in a loophole which so far as nonbanking corporations are concerned was closed by passage of the Celler-Kefauver Act of 1950. However, because of revisions made in subsequent versions of various antimerger bills, it became impracticable to include within the scope of the Celler-Kefauver Act corporations other than those subject to the jurisdiction of the Federal Trade Commission. This left asset acquisitions by banks unaffected by the new law since authority to enforce the provisions of section 7 dealing with banks is vested in the Federal Reserve Board and not in the Federal Trade Commission.

Beyond this, most bank mergers are accomplished by asset acquisitions. For this reason section 7 of the Clayton Act has limited value in coping with the mounting trend of bank merger activity.

Against this background I believe it necessary as a first step that section 18(c) of the Federal Deposit Insurance Corporation Act be amended in the following respects:

First, the provisions of existing law should be expanded so as to require prior approval by the appropriate Federal bank supervisory agency for every merger or consolidation involving insured banks;

Second, the appropriate Federal bank supervisory agency should be prohibited from approving any bank merger or consolidation where the effect may be substantially to lessen competition or tend to create a monopoly;

Third, the appropriate Federal bank supervisory agency should be required to give notice to the Attorney General of a proposed merger and enable him to intervene or offer his views respecting the competitive phases of the transaction;

Fourth, the appropriate Federal bank supervisory agency should be required to give notice with opportunity to be heard to the appropriate supervisory authority of the interested State in the event the transaction involves State banks;

Fifth, an antitrust savings clause should be adopted for bank mergers similar to that governing bank holding companies which would make it clear that applicable provisions of the antitrust laws pertaining to banks are not to be superseded.

In addition, the loophole in section 7 of the Clayton Act should be closed and Federal enforcement agencies should be provided with the same authority to move against bank mergers accomplished by asset acquisition as they have to move against bank mergers consummated by way of stock acquisitions.

It is important to note that amendment of the banking laws in this area is not inconsistent with amendment of the antitrust laws to cover bank mergers accomplished by asset acquisitions. Indeed, adoption of the approach that I have outlined would mean, in effect, that the antitrust statutory provisions pertaining to bank mergers would be essentially similar to provisions presently applicable to bank holding company acquisition of banking facilities.

The Federal banking agencies, while recommending amendment of existing laws so as to require prior approval of all bank mergers, feel that in granting or withholding consent, they should be required only "to take into consideration whether the effect (of the proposed transaction) may be to lessen competition unduly or to tend unduly to create a monopoly." They oppose the approach recommended above that would require them to disapprove a merger where the effect may be substantially to lessen competition or tend to monopoly.

Under the suggestion of the banking agencies competitive considerations would be only one of the various factors that would have to be taken into account by the appropriate Federal banking agency in scrutinizing a proposed bank merger. Moreover, they would have Congress adopt an entirely novel test, namely, whether the acquisition may lessen competition unduly or tend unduly to create a monopoly. Indisputably this proposed standard is far weaker than that of section 7 of the Clayton Act as amended by the Celler-Kefauver Act which applies to other businesses and prohibits any merger where the effect of the acquisition may be substantially to lessen competition, or to tend to create a monopoly. Nor are the characteristics of the banking industry so unique as to justify such departure.

The term "substantially lessen competition" has been imbedded in Federal jurisprudence for some 35 years in the course of which it has received judicial content through numerous court interpretations. If we discard this standard for the vague and novel standard of "unduly," we will find ourselves in a sea of trouble. It took years and years to determine through court interpretation what the term "substantially to lessen competition" means. Should the banking agencies' proposal be adopted, not only would the courts have to start all over again in interpreting a vague and untested term, there would be created—and without justification—a dual standard, one for banks, another for nonbanking corporations.

Also, it must be recognized that if the Congress should adopt the standard proposed by the banking agencies and proscribe only bank mergers which tend unduly to monopoly, then the Congress in effect would be placing its imprimatur of approval on mergers which tend to monopoly. Stated otherwise, adoption of the "unduly" standard would mean that it is the policy of Congress that a bank merger which tends to monopoly is in the public interest; that only if it tends unduly to monopoly should it be banned.

The short of the matter is that, as a former Assistant Attorney General in charge of the Antitrust Division testified, "the banking agencies' proposal does little if anything, to insure competitive enterprise in banking. Any pretense that it does seems to me hardly more than sham."

More than that, the proposal of the banking agencies would weaken the competitive standards which the Comptroller of the Currency now professes to follow with respect to bank mergers. It will be recalled that approval of the Comptroller of the Currency is required in all cases of mergers between national banks, or between a national bank and a State bank where the resultant institution is to be operated under a national charter. I point out that the Comptroller has stated on numerous occasions that before granting merger approval, he will determine whether its effect in any section of the country may be substantially to lessen competition or tend to create a monopoly; that he will determine, in sum, whether the transaction is violative of the policy of the Celler-Kefauver Act.

The conclusion is inescapable, however, as the Attorney General has testified, that the Office of the Comptroller has tended to give little or no consideration to the question as to whether or not competition would be substantially lessened.

It is important that legislation in this area require the appropriate Federal bank supervisory agency to give notice to the Attorney General. As the Department of Justice has observed, "Failure to insure informed advice on competitive factors could have effects far beyond the banking field. Without [the Department's] right to intervene in bank mergers there might be as many different views of section 7 standards and scope as there were agencies charged with this enforcement. The result could well be disparities in view, which, in turn, spell real enforcement inequities. Enforcement effectiveness as well requires some procedure for [the] Department's intervention. Otherwise in its overall responsibility for section 7's enforcement * * * outside of the banking area, the Department would be bound by bank merger precedent [it] had no voice in picking or shaping."

In these circumstances, it would be little short of folly to require the appropriate Federal bank supervisory agency to obtain the views of the other two banking agencies, as the agencies have recommended, but not impose the same requirement in respect to seeking the informed advice of the Department of Justice—the one agency possessing the necessary competency to make an informed recommendation respecting competitive implications of a proposed merger.

Furthermore, on the basis of past experience, unless a requirement of mandatory consultation with the Department is written into law, there is little, if any, likelihood that the Federal banking agencies will seek the informed advice of the Attorney General.

The foregoing considerations are equally applicable in respect to obtaining the views of the appropriate State banking supervisor when the continuing institution is to be a State bank. In such cases it is as necessary to obtain the views of the appropriate local official as it is the views of the other two Federal banking agencies since the State supervisor usually will have special knowledge of local banking and other matters, factors which are of the highest degree or relevance to a determination as to whether final approval should be granted or withheld.

Amendment of existing law is essential in another respect: to prohibit holding company acquisition of banks within a State except within the area within which branches of banks are permitted. Such provision, it will be recalled, was incorporated in section 5(c) of the Spence bank holding company bill

(H.R. 6627) which was adopted overwhelmingly by the House in the 84th Congress, though the section was later deleted in conference. Subsequent developments have only served to underscore need for its enactment. Absent such provision, State geographic limitations have been and can be avoided by the simple expedient of forming a holding company to acquire control of banks throughout a State without regard to district lines. To my mind the conclusion is inescapable that despite all that has been said about the distinction between bank holding company groups and branch banking systems, both accomplish the same thing—the operation of a number of banking units under one control and management. Through the corporate device, holding companies still can be used to evade branch banking laws and defeat the declared policies of the State regarding branch banking. This should not be tolerated.

Bear in mind that the overriding purpose of the Bank Holding Company Act and of State branching restrictions is similar: to safeguard against banking monopoly by minimizing the dangers inherent in concentration of economic power through centralized banking control. Yet, the Bank Holding Company Act, by permitting the piercing of branch district lines through the holding company device, is now serving as a convenient vehicle for fostering just that banking concentration which it is designed to prevent. I can think of no greater anomaly.

The legislation I have recommended above is the minimum necessary to preserve competition in the banking field. I shall do everything possible to see to its enactment during this Congress and I am confident that with the help of your association and other like-minded organizations, it will be approved by the present Congress.

One Hundred and Fortieth Anniversary Commemoration of Abraham Lincoln's Birth—One of History's Greatest Men

EXTENSION OF REMARKS
OF
HON. CLYDE DOYLE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 27, 1959

Mr. DOYLE. Mr. Speaker, by reason of unanimous consent heretofore granted me so to do, I am pleased to again present a few remarks, further and again affirming the great inspiration the life and the sacrificial death of the great commoner has always been to me.

The last occasion, a couple of years ago, when Mrs. Doyle and I again stopped at the dirt-floored, one-windowed cabin at Hodgenville, Ky., where he was born, which is being so nicely and appropriately preserved, it was borne upon me again that his life had not only been one of extreme hardship and trial, but had in fact been one in which there had been a fair share of romance.

Then we continued to travel during the following few weeks the full length of the Lincoln Trail through Kentucky, Indiana, and Illinois. I respectfully suggest it would not be amiss for many American parents to take the young folks of their family and spend some of their vacation time in taking this same trail. Increasingly I appraise as accurate and correct the statement of Secretary Stanton at the bedside of Lincoln about 94 years ago when he said, "Now he belongs to the ages."

So, Mr. Speaker, so much will be written and said of him by others more talented and gifted than I during these next few days that I will close these remarks by repeating the significant and historical, true and correct statement, which has been frequently stated before, which is to the effect that more books, both foreign and domestic, have already been written about Abraham Lincoln than any other civil ruler of government in all the world's history.

When I was a lad in the fifth grade of elementary school I used to draw the outlines of the birthplace cabin of Abraham Lincoln on my school slate when I should have been applying myself to my studies to be recited upon yet that day. I now realize I was doing in those very early years of my young life, in a very meager way, what the brilliant, informed brains of men and women of many lands have done in a truly magnificent manner in these subsequent years to the days when I drew the cabin on the slate and then tried to wash it out with the sponge before the teacher caught me violating her edict to study instead of wasting my time.

In Honor of the Boy Scouts of America

EXTENSION OF REMARKS
OF
HON. THOMAS J. LANE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 27, 1959

Mr. LANE. Mr. Speaker, during the week of February 7 to February 13, the attention of the Nation is centered on the Boy Scouts of America.

The Scouts are proud of their organization; of its happy, wholesome program of activities; and its contributions to the making of a finer America.

As we, their elders, are proud of them.

Men and women devote their lives to their work, their homes, and their children.

But the greatest satisfaction they derive from all this effort is to see their youngsters become worthy of the advantages and the opportunities provided for them.

In our youth we knew little about the Boy Scouts. There were no troops available for us to join; and no one to direct us toward this organization that offers such fulfillment for the energy, the enthusiasm, and the natural idealism of youth.

If we had our lives to live over again, we would make certain to engage in those activities that we missed, and high among these would be membership in the Boy Scouts of America.

For there is no movement in this country that does more to make a boy self-sufficient, courteous, and inspired by the right thinking and the right doing that develops a good man and a good citizen than the Boy Scouts.

I am humbly grateful for this emblem you have presented to me, and I shall be happy to wear it in celebration of the week that is set aside to honor your fine organization.

But do not ask me to go camping just yet. You will have to teach me the ropes before I can qualify for life in the great outdoors.

Even though boyhood days are far behind me, I admire your spirit, your healthy adventures, and your consideration for other people, that you are learning as members of your local troop.

Congratulations to the Boy Scouts of America.

Speech of Hon. Arthur Winstead at the Mississippi Products Dinner

EXTENSION OF REMARKS
OF
HON. WILLIAM M. COLMER
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 27, 1959

Mr. COLMER. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I submit herewith a speech delivered by my distinguished colleague, the Honorable ARTHUR WINSTEAD, of Mississippi, on the occasion of the Mississippi products dinner on December 6 last at the Sheraton Park Hotel, Washington, D.C.

It will be recalled that the Dixie Darlings and the band from Mississippi Southern College, located in my own congressional district at Hattiesburg, Miss., were honored guests on this occasion. The next day they put on one of the best half-time football shows ever exhibited in these United States on the occasion of the pro football game between the Washington Redskins and the Pittsburgh Steelers. The menu at the dinner consisted of delicacies from Mississippi.

Mississippi Southern College, although a comparatively young institution, has achieved an outstanding record among the colleges of the Nation in the short period of its existence. It is famous not only for its outstanding prowess on the gridiron and its Dixie Darlings, but for the enviable record in the scholastic field that it has achieved.

The speaker on the occasion of the Mississippi products dinner given by the Mississippi Day Committee was my distinguished colleague, Congressman ARTHUR WINSTEAD.

His speech follows:

Mr. Chairman, Mr. George Marshall, ladies and gentlemen, this is a most happy occasion. Personally, I feel that we Mississippians in Washington are greatly honored by the visit of the Dixie Darlings, the pride of Mississippi, the marching band from Mississippi Southern College, officials of Mississippi Southern, and the many fine people who have come to the Capital from our State to be with us on this great occasion.

As an alumnus of Mississippi Southern, I feel also that our fine institution has been honored. Of course, our Dixie Darlings and band deserve the honor. They were chosen this year as the outstanding college drill team and band in the Nation and will per-

form tomorrow over a national radio and television network between the halves at the Washington Redskins-Pittsburgh Steelers football game. We are proud of the fine achievements of Mississippi Southern, which is the fastest growing institution of higher learning in the South.

We are proud that this great institution was honored when its band and Dixie Darlings were chosen as star performers at our first annual Mississippi products dinner in Washington.

Now, I know that Mississippians in Washington try to keep up with what is going on back home. However, I would like to call your attention to some of the outstanding achievements of Mississippi in agriculture and in agricultural industry, dramatized here tonight.

Up on Capitol Hill here in Washington we often find outstanding proof of the popularity of gulf coast shrimp. Several times a year our friends on the gulf coast send up shrimp for seafood luncheons and dinners. And none of these congressional parties ever go begging when we let our colleagues know we are having a shrimp feed. Every first-class restaurant features gulf coast shrimp. To add to this tasty cocktail, Jimmy Love has supplied his delicious sauce. Jimmy has made this remoulade sauce, perfected by the Buena Vista Hotel, famous throughout the Nation.

You have not enjoyed real gumbo until you have tasted Pascagoula crab gumbo. Hermes Gautier, Pascagoula's ambassador of good will, is here tonight to enjoy with us this wonderful gulf coast delicacy.

We often hear that so-called western beef makes the finest steaks in America. But did you know that often top grade Mississippi beef sells on the Memphis market at prices higher than the same grade of western beef sells at the same time in Kansas City, Chicago, and Omaha? We are honored tonight by the presence of the world's No. 1 polled Hereford cattleman. I refer, of course, to my good friend, "Hot" Moore of Senatobia. Each year for the past 17 years, Mr. Moore's Circle M Ranch has staged the top cattle sale in America.

Last February, he sold a champion polled Hereford bull for $55,000, and that is the world's record price for any bull. We are proud of the fine achievements of Mississippi cattlemen and farmers in bringing our State to the forefront in livestock production.

Now, over in my district, in Scott County, we have the world's No. 1 poultry processing activity.

The chicken breasts that you will enjoy here tonight were supplied by my personal friend of Morton, Benny Rogers, who has one of the biggest chicken processing plants in existence. I stopped in to see Benny while I was in Mississippi this fall. As I parked in front of his plant a big truck, loaded with Mississippi chickens was pulling out for Los Angeles. Our Scott County chicken industry supplies poultry throughout the United States and many foreign countries.

The vegetables you are enjoying tonight were supplied by Wally Wright, one of the Nation's biggest wholesale grocers. He has wholesale stores throughout Mississippi and is interested in similar operations in other States. You will enjoy the lady peas, cooked southern style, and the delicious baked potatoes served you here tonight.

Mississippi has always been a leader in the production of dairy products. Mississippi Dairy Products Association shipped to our dinner pure creamery butter produced in our State. The Hattiesburg Creamery has surprised us with the addition of about 200 gallons of Hattiesburg ice cream to give you a choice of desserts.

But, before we come to the dessert, permit me to call to your attention the wonderful deviled egg salad, made from the recipe of Mrs. L. E. Burnett, whose husband is the head of an organization known as "Better Eggs, Inc.," at Jackson. Mississippi grocers no longer find it necessary to import eggs to meet the table demands of our people.

Then, of course, we are enjoying wonderful Stafford Springs mineral water. Stafford Springs is also in my district. Stafford Springs water is most pleasant tasting, as you have already noted, and has very fine medicinal qualities.

Now, we come to the dessert. Many Mississippians contend that molasses pecan pie originated in our State.

The molasses in the pie here tonight is the very finest Marion County blue ribbon cane sirup. Lester Williams, nationally known weekly newspaper publisher who also owns the radio station at Columbia, was responsible for the sirup.

South Mississippi pecans were supplied by the Funsten Pecan Co., of Hattiesburg, and the Natchez Pecan Shelling Co., of Natchez. The pecan industry also contributes substantially to our Mississippi economy. At this time of the year, they are in demand in all parts of the country, for pecans are essential in any good Christmas fruitcake.

We are most grateful to Mr. George Marshall, of the Washington Redskins, and to Philip Morris, sponsors of the national radio and television show for tomorrow, for helping us make possible this occasion.

Now, let's all have a good time and join in telling our friends in Washington about what a great State we have in Mississippi.

Oh, yes; before I sit down I want to ask a very pertinent question. My question is directed to Ole Miss and Mississippi State. Why don't you play Mississippi Southern?

Unjustified Oil Price Increase

EXTENSION OF REMARKS
OF

HON. SAMUEL S. STRATTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 27, 1959

Mr. STRATTON. No problem has been brought more forcefully or more repeatedly to the Members of the 86th Congress than has the problem of inflation and the need for holding the line in our price structure. The President of the United States has made this the major theme in two of the messages which he has submitted to this body, the state of the Union message and the economic report of the President.

In his state of the Union message Mr. Eisenhower said:

We must avoid any contribution to inflationary processes, which could disrupt sound growth in our economy. Prices have displayed a welcome stability in recent months and, if we are wise and resolute, we will not tolerate inflation in the years to come. * * * Inflation can be prevented. But this demands statesmanship on the part of business and labor leaders and of Government at all levels.

In his economic report the President touched on the same line:

Our objective must be to establish a firm foundation for extending economic growth with stable prices in the months and years ahead. This will not come about automatically. * * * Self-discipline and restraint are essential if reasonable stability of prices is to be reached within the framework of the free competitive institutions on which we rely heavily for the improvement of our material welfare.

Among the commodities which are essential to our modern civilization, in the rural areas no less than in the urban and industrial areas, is oil, especially oil for heating purposes. I have been deeply disturbed, Mr. Speaker, to learn that in sections of the 32d Congressional District of New York a wholesale oil price increase has gone into effect within recent days. In the village of Cooperstown, N.Y., the famous home of baseball, the major oil companies have just instituted an increase of one-half a cent per gallon in No. 2 oil, boosting the total price on this commodity to 16.4 cents a gallon, the highest in history. A similar increase of one-half a cent per gallon has gone into effect in Gloversville, and a similar increase has been authorized for Schenectady and Oneonta.

In Cooperstown alone it has been estimated that this increase will cost consumers about $7,000 during the next 2 winter months, when the necessity for oil is at its height.

I have been informed, Mr. Speaker, that at the same time this price increase has gone into effect for individual home consumers, that the oil companies have negotiated an arrangement with the Otsego County Courthouse to deliver oil at a price which is a cent a gallon less than Cooperstown dealers are themselves required to pay for the same product.

Let me make clear, Mr. Speaker, that this increase has not resulted from action by the local dealers, but has been dictated by the oil companies themselves, and without any justification. As a result the dealers are as hard pressed as the consumers, because their margin of profit has been forced down.

Irresponsible action of this kind is contrary to the call made by the President, and is the type of thing that could most directly contribute to the kind of runaway inflation we all abhor.

Because inflation, Mr. Speaker, is something that can come upon us gradually step by step, without our fully realizing it, I believe that this unjustified price increase ought to be fully explored immediately, and I have therefore referred the facts concerning it both to the congressional committee which is investigating all aspects of so-called administered prices and to the Justice Department for possible antitrust action on their part.

We in the Congress and in the Nation must act promptly and together to prevent such unjustified increases and to hold the line against inflation.

Under unanimous consent, Mr. Speaker, I include at this point an editorial from the Freeman's Journal, of Cooperstown, one of the oldest regular weekly newspapers in our Nation. The editorial appeared on January 21, 1959:

UNJUSTIFIED OIL PRICE INCREASE

Last week, the major companies which supply Cooperstown dealers with fuel oil announced a half-cent-a-gallon price increase, which local dealers of necessity have had to

pass on to their customers because of the small margin of profit per gallon on which they operate. The dealers did not—and rarely do—add on anything extra for themselves. In fact their profit per gallon is just about the same now as it was 10 years ago. They've been able to maintain this per gallon profit, despite increasing costs, because of a higher business volume over the past 10 years.

Last week's price rise, initiated by the oil companies, ran the price of No. 2 oil to 16.4 cents a gallon, the highest in history here. There was no justification for this increase—it simply is a matter of price gouging on the part of the major producers who seem to operate on the theory that if you can come up with some excuse—no matter how flimsy—you've got a moral right to charge whatever the traffic will bear under a given set of conditions.

This time the oil companies have the flimsiest of excuses. They plead that this winter has been colder than usual so far, and that demand for oil has outstripped their refinery capacity. They've had to go into the open market, they say, and pay independent producers a premium for their product in order to get enough oil to meet this demand. That's a lot of bunk. They may have to do that to cover a small percentage of their requirements, but this percentage would be so small that a major producer would have to search and search for a legitimate excuse to boost the price by even a tenth of a cent a gallon, much less five times this amount.

Another thing that sticks in our craw about this oil company piracy, is this—how come a major producer can deliver oil to the Otsego County Courthouse at a price which is about a cent a gallon under the price Cooperstown dealers have to pay for the same basic product? This means that the county pays about $60 a tank truck load less for its oil than local dealers pay for the same amount.

Why should it cost $60 more to deliver a truckload of oil from a terminal (Albany or Utica or Binghamton) to the storage plants of two local dealers only a few hundred feet from the courthouse, and to the third dealer who is less than a mile from the courthouse? The consumer could use this penny-a-gallon saving, and we're sure the local dealers would pass it on to him.

This latest half-cent increase by the oil companies is going to cost Cooperstown consumers about $7,000 during the next 2 winter months.

We would like to emphasize that this oil price increase has been none of the doing of your local dealers. They aren't going to make any more money out of it. In fact, their percentage of profit has dropped.

Don't get mad at him. But if this latest price increase makes you want to sound off, well, go ahead and sound off—but to the oil companies, who are the culprits. Your local dealer will forward your letter to the company if you can't find the latter's address.

Lincoln Penny Changes Garb First Time Since 1909

EXTENSION OF REMARKS
OF
HON. CLYDE DOYLE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 27, 1959

Mr. DOYLE. Mr. Speaker, by reason of unanimous consent heretofore granted me so to do, I make these brief remarks about the brandnew Abraham Lincoln penny which penny makes its bow to the public commemorating the birth of Abraham Lincoln.

You will recall that President Dwight D. Eisenhower of the United States of America approved the new design of this historic penny on December 20, 1958, and that same cannot be changed except by law; if it is changed at all; and then only by congressional authority after 25 years. This, of course, will make it very, very difficult for so many counterfeiters to profit off of the theme and extensive daily use of the penny. My reading indicates that the Abraham Lincoln penny as we have known it, until the birth of this new penny in commemoration of the 150th birthday, was designed and created by Frank Gasparro, an employee of the Philadelphia, Pa., Mint.

This new penny is quite different, because it will have on its reverse side for the first time a very legible, discernible view of the magnificent Abraham Lincoln Memorial, situated right here in our Nation's Capital. On the several occasions, I have already spoken in commemoration of Abraham Lincoln, I have on each occasion, and I do now, urge every Member of this great legislative body to visit the Lincoln Memorial both in the daytime and during the nighttime as well. It is closed, by the way, at 9 o'clock sharp at night. The motto "E Pluribus Unum" also appears on the new penny below the designation of the penny as "One Cent." However, the original front of the penny with which we are all familiar, and which was designed by Mr. V. D. Brenner, remains as it has been.

In connection with the issuance of this historic penny, the National Geographic Society gives us some interesting facts about the history of the penny as we have known it. Here are those facts:

At least 25 billion cents have been produced since 1909, according to Geographic. Each day, mints produce about 15 tons of cents worth $43,500, but costing only about $10,396. Each coin contains 45.6 grains of copper, mixed with 2.4 grains of zinc and tin. Precise minting lightens the chore for those handling pennies by the thousands. They weigh them instead of counting, since there are exactly 145 cents to the pound.

The Responsibility of Maintaining Permanent Peace

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 27, 1959

Mr. PORTER. Mr. Speaker, early last September I had the privilege to attend the Seventh Conference of the World Parliamentarians Association in France. There were parliamentarians from 28 countries in attendance. The aims of our meeting were expressed through a charter which we adopted at Versailles on September 8. My remarks moving the adoption of the Charter of Versailles are, under a previous consent, included below along with the text of the charter:

REMARKS BY REPRESENTATIVE CHARLES O. PORTER, THE PALACE OF VERSAILLES, SEPTEMBER 8, 1958

Mr. President, distinguished Lord Attlee, and distinguished ladies and gentlemen, I am deeply honored to be permitted to move adoption of the Charter of Versailles.

Although I am the only Member of the United States Congress present here today, you may be sure that there are many other Members who agree with our aims and who will help attain them.

My 460,000 constituents in the Fourth Congressional District of Oregon on the westernmost side of the United States join with the peoples of the world in demanding that the rule of law replaces the rule of force before it is too late.

While we must dream, must look ahead beyond seemingly impassable difficulties of history, languages, and culture, we must also be skeptics. Here we are in a beautiful historic palace, the scene of many crucial decisions in the fate of great nations. Is our Charter of Versailles a scrap of paper which will rate not even the sneer of a latter-day Caesar?

Paper and ink alone will not overcome greed and fear. The hour is too late for mere gestures, however pretty. This charter is a call to action, particular action, or it is worse than nothing.

In the 85th U.S. Congress, recently adjourned, I joined with my colleagues in voting to appropriate some $40 billion to keep my country strong. I am proud to be an officer in the Air Force Reserve. But, along with you I yearn for an end to the waste, the futility, the catastrophe of war.

What do we do to make our solemn act today meaningful?

Here are my recommendations, humbly presented for your consideration both as dreamers and as skeptics.

First, the call of this charter should be presented immediately to the chief executive and the legislative body of every nation. They must decide. The people of the world want their affirmation without delay. Specifically it is my hope that the decision will be to consider these vital matters at a United Nations Charter Revision Conference in 1959.

In my country we have a special problem. The Secretary of State holds that such matters are not within "the proper scope of the review conference." This means that the President or the Congress must overrule Mr. Dulles or Mr. Dulles has to change his mind or, regrettably in my opinion, the conference must be held outside the United Nations.

My intention is to present a copy of this charter to President Eisenhower directly upon my return home and to ask that he give his opinion about it and that he consider changing the policy laid down by his Secretary of State.

Both President Eisenhower and Secretary Dulles are clearly on record endorsing world law as the only road to world peace. Less than 2 months ago in Washington the President declared that the attainment of peace required that nations make mutual concessions of sovereignty so that law could become the basis for settling their disputes.

To gain universal and enthusiastic acceptance of the aims set forth in the charter will require strong delegations of this association in every country. In the face of ignorance and prejudice this will not be easy. It may be that the first conference, because of the reluctance of some or even all of the big powers, will be a foothills conference of the other nations, a step which I believe would lead the peoples in the nonparticipating nations to demand favorable policies from their governments.

The second line of action has to do with devising and agreeing on safeguards so as to prevent one nation from getting the advantage over another or of interfering in the internal affairs of any nation in matters unrelated to world peace.

Of course the superb book by Grenville Clark and Louis Sohn immediately comes to mind. They have intelligently proposed the necessary amendments for strengthening the United Nations Charter and in a form most convenient for profitable discussions. The name of the book is "World Peace Through World Law."

Our lawyers and parliamentarians are up to this task. Already the American Bar Association and the International Bar Association have made great contributions and are determined to advance steadily.

The third and last line of action I suggest relates to what is known as public relations. The aims of this charter must be sold to people who thirst for peace but are themselves properly skeptical and somewhat disillusioned. The Clark-Sohn recommendations should be discussed widely, especially by women's organizations like the League of Women Voters in my country, by youth groups and by religious bodies everywhere.

Your signature on this charter, fellow parliamentarians, means that you will use your best efforts along these interrelated lines of action, political, legal and public relations. The winds that blow radioactive debris over all the earth will whisk away mere scraps of paper.

Finally, a word about the urgency of action. The massive force of the new weapons is a banal subject. The possibility of the total extinction of the human race bores many people. The human mind rebels at concentrating very long upon the prospect of collective death. Many are comforted by the so-called balance of terror and I, myself, believe that the instinct of self-preservation greatly diminishes the likelihood of intentional atomic war.

The danger, as I see it, is that given our present policies we will certainly stumble into the all-out atomic war. Three nations today have, each of them, enough nuclear power to end human life or at least human civilization. Almost all of these weapons are ready for instant dispatch and detonation. And who controls these myriad delivery systems and detonations? Who but error-prone human beings like you and me, imperfect entities who often make mistakes no matter what precautions are taken. We panic, we get drunk, our minds snap, we miscalculate, we misunderstand, we are misguidedly idealistic.

The real danger for mankind is that an accidental or unauthorized explosion will, perhaps later today even, trigger the all-out war. If not today, in my opinion, sometime soon. Errare est humanum now just as in the days of Rome. The difference is that they didn't have these awesome weapons.

Such an explosion will lend itself to misinterpretation as being the precursor of an attack. There will be no witnesses to interrogate, no twisted wreckage to examine. There will be many pictures on TV and in the papers, stories in the papers and on the radio, driving home the horror and, you may be sure, repeatedly and fearfully raising the question "Is this terrible explosion the first of many?"

An explosion of this sort means instant full alert for our Strategic Air Command for our other Armed Forces. Our intelligence agencies would report to the President forthwith that there was no evidence of it being part of an attack by the Soviet Union. But 20 minutes later or less the Soviet Union will go on maximum alert, just as would the United States were the circumstances reversed and the tensions as critical as they are today. Decision times grow shorter daily. Ballistic missiles, unlike manned bombers, cannot be recalled. There is no way to determine with reasonable certainty the difference between a military alert which is entirely defensive and one which precedes an offensive.

In these times of dread a small match in the form of an accidental or unauthorized nuclear explosion can light the short fuse of disastrous war. The question is this: Are we smart enough to survive? There is much reason for doubt but none for despair. What parent would not readily give up his place in the lifeboat of a sinking ship to save his child? The stakes are no less, but the choice is not yet clear to many parents.

The alternative to one world or peace through law is no world at all for anybody.

Mr. President, as dreamer, skeptic, and parent, I move the adoption of the Charter of Versailles.

CHARTER OF VERSAILLES

The point has been reached in human history when the peoples, parliaments, and governments of the world, must abolish the evil of war, fraught as that evil is with the possibility of the total extinction of the human race.

The peoples, parliaments, and governments of the world must decide to set up a world authority charged with the responsibility of maintaining permanent peace.

The world authority must be endowed with the necessary powers and means to carry out this task.

We, parliamentarians of many nations, met in the Galerie des Batailles in the Palace of Versailles, on this 8th day of September, 1958, dedicate ourselves to this end.

We solemnly promise that, through our parliaments and our governments, we shall seek urgently to realize our aim in order that the men, women, and children of the world may be saved from the destruction which threatens them.

We call upon the prime ministers, foreign secretaries, and governments who accept the principles underlying this policy, to convene a world conference of peoples, parliamentarians, and governments, to consider how there should be established: A world assembly to enact world law in order to secure and maintain permanent peace; an executive to administer these world laws; international courts of justice with compulsory jurisdiction in all matters of dispute concerning these world laws; a world police force to enforce world laws against all those who commit, or threaten to commit, a breach of these world laws, and thus make possible universal, simultaneous, and complete disarmament of all nations.

Views on Immigration

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 27, 1959

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to include a statement which I presented to the graduate club and ladies' auxiliary of the Phi Delta Epsilon medical fraternity, Washington, D.C.

The statement follows.

Immigration has been a perennial subject of debate in the United States, ever since our Declaration of Independence ascribed a bad immigration policy as one of our reasons for wanting independence from England. This is not surprising, since immigration has been one of the most characteristic and distinctive marks of American history and has contributed enormously to our growth, our wealth, and our international preeminence.

However, I am not unaware that sometimes discussion of immigration palls. The subject has been drowned with a deluge of words. There is none of us who has been intimately concerned with the liberalization of our immigration policy who has not, at one time or another, felt that whatever observations we can make have long since become trite and platitudinous.

But the seriousness of today's struggle for freedom, for the right of people to live in decency and dignity, for liberty from oppression and dictatorship, make it all the more important for us to realize that immigration is a continuing challenge. We cannot afford to become weary of the fight for a decent immigration law. Russia's sputnik and lunik have caused us to lose face in the East-West struggle, and threaten to drive noncommitted nations in today's divided world into the Communist camp. We ignore only at our peril the question of how much face we have been losing for years among these same uncommitted nations because of our American immigration law which announces our belief that other groups of people are more desirable than the very noncommitted peoples whose loyalty to the free West is so sorely needed and so assiduously courted.

A decent and nondiscriminatory American immigration law could be a great secret weapon against the efforts of communism to subvert the uncommitted nations. If we could only see ourselves as others see us, we would not wait a moment to discard the present immigration law and substitute for it one more in keeping with the traditional image of America, the country that pronounced the radical doctrine that all men are born equal, the nation that was never afraid of immigrants and always welcomed them regardless of their national origin, creed, color, or race.

But I am a little ahead of myself. If immigration is important not only to our domestic economy, but also to our international relations—to the critical question of war and peace—what should our immigration policy be? As I see it, after a third of a century of intensive study of the subject, there are three major areas in which our present policy is sadly, nay desperately, in need of major overhaul. To accomplish these ends, I have reintroduced my bill of last year, now numbered H.R. 16. These three major areas are as follows:

I. WHO SHOULD BE ADMITTED INTO THE UNITED STATES?

Under the present law, we look to the national origin or race of the prospective immigrant as the overall criterion of admission. If he comes from some areas of the world, he has carte blanche for admission (subject to some technical health, security and other requirements which I shall not discuss at this point). If the would-be immigrant was born in other areas of the world, he might just as well forget trying to come to this country, because the quotas are so small, and so heavily oversubscribed, that no one but Methuselah will ever be reached in his lifetime.

I believe that what we have to seek to establish at this time is the reassertion in our immigration law of the American principle of equality of opportunity for all, regardless of race, color, or creed. In our present discriminatory immigration law, we also have a time-tested example that such American principle of equality is in our own best interest. The present law applies the discriminatory quota system to Europe, Asia, and Africa, but not to the Western Hemisphere. So, for the past 5 years, an average of 45,828 Mexicans entered this

country each year, as against approximately 223,716 from Europe, Asia, and Africa together. I have seen no injury to our Nation from this Mexican immigration, nor has it been a subject of complaint by those who urge immigration restrictions against the rest of the world. I point to this fact merely to show the fallacy of the restrictionists' thinking purportedly based on a pretended homogeneity of the American people.

My bill proposes elimination of the discriminatory features of the present law. Under my proposal, there will be no discrimination based on national origin or race. This will be achieved in my bill by wiping out the present discriminatory national origins quota system, and by substituting a new formula for the distribution of quota visas. In an attempt to make the new quota flexible in order to permit the United States to adjust its intake of immigrants in enlightened self-interest to the fast changing political, economic, and social situation of the world, under my new proposal our annual quota will be distributed among five classes of immigrants without regard to national origin, race, or any results of the U.S. census as follows: (1) Family unification, (2) occupational class, (3) refugee asylum class, (4) national interest class, and (5) resettlement class.

Within each of the five classes, no more than 15 percent of the annual allocation could be issued to inhabitants of any single country. Here is how the annual distribution of the overall immigration quota will be established: Each year the President of the United States, after consulting with the Secretaries of State, Commerce, and Labor, and with the Attorney General, would submit to the Congress, prior to March 1, the proposed allocation for each of the five classes, and Congress will have 60 days following the submission of the President's proposal to disapprove it by passing a concurrent resolution. If the proposal is not disapproved by the Congress, it would take effect on the first day of the fiscal year immediately following. If the Congress disagrees with the President, the allocation effective in the preceding fiscal year would automatically become effective.

In order to get the joint executive-legislative responsibility for the annual distribution of the total immigration quota started, I propose that the first presidential allocation plan shall reach the Congress within 6 months immediately following the enactment of my bill and if agreement is not reached on this first presidential proposal, the total annual quota of 250,000 would be simply cut across the board so as to give each of the five classes 20 percent of the total. This interim allocation would, of course, be valid for the first fiscal year of operations, pending the submission of the next presidential proposal which, again, will be subject to congressional disapproval.

My main purpose in proposing this flexible distribution of a permanently fixed annual quota is to permit the President to decide—on a year-to-year basis—with congressional concurrence, whether it is desirable in any particular year to grant more immigrant visas to relatives of U.S. citizens or to, say, refugees, or to, perhaps, immigrants possessing special skills needed in the United States at that particular time, or to any of the other classes.

The 15 percent permanent limitation affecting the participation of any single country in the distribution of the fivefold allocation is, in my opinion, a sufficient guaranty that no unfair distribution of visas for the benefit of inhabitants of one particular country would be practicable.

The history of our immigration legislation since World War II is a clear example of the ineffectiveness of our present national origins law to meet our national and international needs. When the war ended, and displaced persons in camps had to be moved to new homes, our national origins law was a block to all action of substance. Congress had to amend the law to set aside the rigid and discriminatory national origins quota system. When the country wanted to show its gratitude to our GI's, by permitting them to bring in their alien brides, here again our national welfare was frustrated by the national origins law, so Congress had to enact another law to set it aside for this purpose. After the DP Act expired, there was still more to be done with the remaining refugees, and with new escapees from communism, again the national will was thwarted by the national origins requirement, and again Congress had to set that requirement aside for this purpose. The most recent example of how the national origins law prevents us from doing what is right and proper is the Hungarian situation, where an explosion of freedom fighters against communism enabled us to show our traditional humanitarian belief in the right of asylum only through disregard of the provisions of the law, a disregard which was later ratified, in effect, by a special act of Congress which was necessary since the some 30,000 Hungarian freedom fighters would have been barred under our quota laws. Something must clearly be wrong with a law that stands in the way of so many important and critical national objectives, and Congress itself has realized that the national origins system was wrong, but has repealed it only for the specific purposes under consideration.

And while I am on the subject of recent legislation, it is appropriate to say that there are many other eligibility provisions, apart from national origins, which are sorely in need of amendment. Some of these were tinkered with—and I am glad they were—in an act passed in 1957, but much more needs to be done here. Among the matters which need change are the now ancient definitions in the law of insanity and other medical conditions.

II. HOW MANY IMMIGRANTS SHOULD BE ADMITTED INTO THE UNITED STATES?

It is of utmost importance to separate the two questions, "How many immigrants?" and "How should they be selected?" I have already indicated that no matter how many or how few are to be admitted, there should be no numerus clausus. Admission should be in terms of the five criteria I have just outlined.

I believe that our present maximum admission of some 156,000 belittles our faith in the United States and shows distrust of our own stability and strength. I agree with the AFL–CIO that the United States should admit 250,000 quota immigrants each year, and that if we do so this will strengthen and reinvigorate our Nation in precisely the same manner which immigration has always done in our history. I have based this annual quota on the average number of immigrants actually admitted into the United States within the last decade.

Spokesmen against change will move away from its heaviest emphasis on possible subversives, and even away from the argument of inability of southern Europeans to assimilate easily into our culture. The argument is shifting to what will undoubtedly be termed "problems of overpopulation." It will be pointed out that we already have a population of some 170 million; that in about 20 years the population of the United States will increase by some 60 million; that the pattern of large families will continue; that our schools are overcrowded, to put it mildly; that our hospitals are already inadequate for our growing population; that automation is and will continue at accelerating pace to displace American workers; that increased population—either through natural increase or through immigration—will increase demands which, in turn, will increase inflation because productivity will not catch up with such demands.

It will be argued that immigrants almost invariably settle in cities already populated beyond the point of comfort, adding to congestion and, hence, contributing to delinquency. It will be argued that immigrants do not settle on farms where population is decreasing.

These, I believe, will be the main burden of the refrain. These arguments will have to be answered and I maintain that all these assertions can be rationally met. In general, these various arguments against change of the national origins formula come from the prophets of doom and express the view that this is the best possible world and that any change means catastrophe. This same sort of argument has been advanced against all forward-looking and liberal proposals and has invariably proved to be false and unwarranted. I am convinced the same will prove true here.

III. WHAT GOVERNMENT AGENCY SHALL EXERCISE JURISDICTION OVER IMMIGRATION?

Under the present law, we have a two-headed system where officials of the Department of State issue visas to both immigrants and nonimmigrants abroad, while officials of the Department of Justice determine at ports of entry whether the holders of visas are admissible to the United States. This is an antiquated, cumbersome, and expensive system. It creates anxiety and uncertainty in the minds of the immigrants and nonimmigrants alike, and it causes friction between two governmental agencies operating independently in the same field and stepping on each other's toes.

Under my proposal, the entire administration of our immigration and nationality laws will be placed in the hands of a Director of Bureau of Immigration and Citizenship, who will be an Assistant Attorney General, subject to confirmation by the Senate. His officers, acting as immigration attachés, will be stationed at our consulates abroad and will issue immigrant and nonimmigrant visas after a finding is made that the recipient of a visa is found to be eligible actually to enter the United States.

In addition to simplification of procedures and elimination of dual standards, as well as uncertainty in the minds of immigrants or foreign visitors, my proposal will automatically open visa issuance to administrative review in the Department of Justice by the well-qualified and trusted Board of Immigration Appeals. The issuance of diplomatic visas will, of course, remain a function of diplomatic officers of the Department of State.

I believe that the administrative system which I propose will not only provide for a more efficient and more equitable issuance of visas abroad, but that it will also bring a great saving to the American taxpayer.

So much for what I believe to be the heart of our immigration policy; namely (1), our quota system, and (2) jurisdiction over immigration. There is much more in my bill that is new and desirable. Wives, husbands, and minor children of United States citizens will continue to be admitted as nonquota immigrants, but I have added to the nonquota class parents of United States citizens and professors of academic schools. In the naturalization portion of the law, my bill will not tolerate classification of United States citizens into two categories: native-born and naturalized. There will be no additional grounds for loss of U.S. citizenship by naturalized citizens except those that apply to native-born citizens.

My bill would eliminate all retroactive application of grounds for deportation and humanize all the unduly harsh provisions applicable in exclusion. We should humanize the provisions relating to suspension of deportation, through removing the present extremely harsh eligibility requirement, and

enact the provisions of my bill designed to prevent the separation of families.

IV. WHAT WE SHOULD NOT DO

I would like to discuss with you one final problem which the Congress will face this year: a very bad and unwholesome bill which is being pressed for enactment. It flies in the face of a provision of my bill which provides for what is basic to our American concept of fairness and decency, a full and unlimited judicial review of administrative decision in all immigration proceedings, including rulings on deportation and exclusion. Contrary to this basic concept of American law, a bill (H.R. 13311) was rushed through the House of Representatives last year, designed and intended to curtail judicial review of deportation and exclusion orders. That bill has been reintroduced this year, and effort will be made to push it through. The bill would prevent aliens from seeking judicial review in the Federal district court, and compel them, generally speaking, to go to distant courts of appeal, which are fewer in number. Thus, review can now be had in 94 courts; under that bill, it would be limited to only 11 courts. The court of appeals is what its name indicates, a higher court which normally hears appeals from lower courts. Litigation in the appellate courts is normally more expensive, both in terms of legal fees and expenses. Furthermore, the bill specifically denies to aliens the rights to obtain declaratory judgments in certain cases, although the Supreme Court of the United States twice ruled that under current law aliens are entitled to this remedy. The bill also restricts the rights of persons who claim to be citizens to litigate their claim. And there are a wide variety of other ways, most of them technical, but highly important in terms of substantive rights, in which this bill would seriously handicap the presently available rights of aliens and citizens to obtain judicial protection against illegal, capricious, and arbitrary action of Government officials.

I testified against this bill; so did the American Bar Association, the Association of Immigration and Nationality Lawyers, and the Immigration Committee of the Bar Association of the District of Columbia. In addition, the American Council of Voluntary Agencies for Foreign Service, Inc., through its Committee on Migration and Refugee Problems, which consists of 20 of the major religious and social agencies working in the immigration field, deplored the bill's effect and urged against enactment. That distinguished body of representatives of the American people warned the Congress that instead of simplifying the process as is the alleged purpose of this bill, it might in fact increase the number of cases on the court calendars.

As a result of statistics provided me by the Commissioner of Immigration, at my request—figures which, by the way had not even been compiled previously—it is perfectly clear that the bill is not only dangerous but quite unnecessary. When I asked for a list of cases which justified so drastic a remedy as proposed in the bill, I was given 7 cases extending over the last 5 years. Imagine, just 7 cases out of a total of many, many tens of thousands which were under consideration during the 5-year period, and yet they would junk a time-honored protection for judicial review! The truth of the matter is that less and less cases are getting into court anyway, and there is no reasonable justification for the bill. It would be like putting all sick people in jail, simply because there may be one or two typhoid Marys around.

After all, judicial review of illegal administrative action is not a matter of grace conferred upon an alien; rather it is a mark of the highest civilization in according equality before the law. Deportation of an alien means banishment from all that may be dear to him. We must not forget that in immigration we deal with human beings, not inanimate or senseless things. An alien or a citizen deprived of the right of judicial review is cut off from protecting his way of life, his very existence. I sincerely hope that the Congress will reject any such unjustified, unwarranted, and unnecessary tampering with fundamental principles upon which our entire jurisprudence is founded.

Immigration is a large and controversial subject. But I would be less than candid if I were to leave you with the impression that a bill such as mine, which I believe to be moderate and reasonable and in our best national interest, will have easy sledding. I am not clairvoyant and do not presume to know what Congress will do. But I do know what is unfavorable and what is favorable in the climate which could or could not produce changes in the immigration law. I know that approximately two-thirds of the Congress are against change; particularly, they are opposed to any change in the national origins system.

Nevertheless, one of the hopeful signs of the times is the most recent Gallup poll on immigration which showed that although really very few Americans knew or understood this problem, where they did, they were largely opposed to the present law and in favor of major overhauling of it. This gives us the key to action. A democracy cannot thrive in the ignorance of its people. This subject is far too important to be relegated to senseless name calling, the heat of passion instead of the light of reason, and lethargy. The three major religious faiths of this country have demanded substantial liberalization. Organized labor has done likewise. If the proponents of liberalized immigration laws do their homework, carry their message to the people throughout the length and breadth of the land, and encourage the widest possible discussion and debate of this subject, I am morally certain that we will at least start the ball rolling toward an immigration law that will do honor to us and proclaim to the world at large that we have an effective and working democracy.

SENATE

WEDNESDAY, JANUARY 28, 1959

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Most gracious Lord, whose mercy endureth forever, with reverent tread we pause at this wayside shrine of devotion, reared so long ago at the Nation's birth by the architects of our freedom.

We come in the faith of our fathers, the faith that still lives, as we entrust our all to the Father God of whom our souls sing, with an assurance nothing can disturb, "He holds the whole world in His hand."

Give us to vividly realize that there is no righteousness which does not engirdle the globe, and that the span and strength of a nation's life are measured by its moral stamina.

Grant us the pity which stoops to serve, and the abiding peace which passeth understanding.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, January 27, 1959, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

REPORT ON MUTUAL SECURITY PROGRAM—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Transmitted herewith is the Fourteenth Semiannual Report on the Operations of the Mutual Security Program for the period ending June 30, 1958. The report was prepared by the Department of State with participation by the Department of Defense, International Cooperation Administration, and the Development Loan Fund.

The need for economic growth among the underdeveloped countries continues to be of paramount importance to the enlightened self-interest of the economically developed nations, especially our own.

In recent years the rising social and economic aspirations of the free world's less fortunate peoples have been seized upon by the Communists as fertile ground in which to accomplish what they have successfully been deterred from achieving by military aggression. Accordingly, the mutual security program, now more than ever, offers the most economically effective means of blunting and turning back this latest Communist challenge.

Military and economic assistance under the mutual security program permit the underdeveloped countries to maintain their own share of the free world's common defense. The deterrent to aggression thus created also provides the essential opportunity for political stability and internal economic development—prerequisites to resisting the blandishments of the Communists.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *January 28, 1959.*

REPORT OF INTERAGENCY COMMITTEE ON AGRICULTURAL SURPLUS DISPOSAL—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry:

To the Congress of the United States:

I am transmitting herewith the ninth semiannual report on activities carried

on under Public Law 480, 83d Congress, as amended, outlining operations under the act during the period July 1 through December 31, 1958.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *January 28, 1959.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to the provisions of title 15, section 1024(a), United States Code, the Speaker had appointed Mr. PATMAN, of Texas, Mr. BOLLING, of Missouri, Mr. BOGGS, of Louisiana, Mr. REUSS, of Wisconsin, Mr. CURTIS, of Missouri, Mr. KILBURN, of New York, and Mr. WIDNALL, of New Jersey, as members of the Joint Economic Committee on the part of the House.

The message announced that the House had agreed to a concurrent resolution (H. Con. Res. 57) providing that the two Houses of Congress commemorate the 150th anniversary of the birth of Abraham Lincoln, in which it requested the concurrence of the Senate.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT TO TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, later in the day, after the morning hour, we expect to have the Senate consider Calendar No. 2, Senate Resolution 41, to pay compensation for a certain period to employees of former Senator John D. Hoblitzell, Jr.; Calendar No. 3, Senate Resolution 36, authorizing the revision and printing of the Senate Manual for the use of the 86th Congress; Calendar No. 4, Senate Resolution 37, to print the 60th Annual Report of the National Society of the Daughters of the American Revolution for the year ended April 1, 1957, as a Senate document; Calendar No. 5, Senate Resolution 38, to pay a gratuity to Laura Leceta Sadler; Calendar No. 6, Senate Resolution 39, to pay a gratuity to Lucy Dodson; Calendar No. 7, Senate Resolution 40, to pay a gratuity to Virginia T. Meador; and Calendar No. 8, Senate Resolution No. 34, authorizing additional funds for the Official Reporters of the Senate.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce:

Ross A. Gilmore, and sundry other persons, for permanent appointment in the Coast and Geodetic Survey; and

Claude H. Broach, and sundry other persons, for appointment in the United States Coast Guard.

By Mr. BYRD of Virginia, from the Committee on Finance:

T. Graydon Upton, of Pennsylvania, to be an Assistant Secretary of the Treasury;

Dana Latham, of California, to be Commissioner of Internal Revenue;

Donald A. Maginnis, Jr., of Louisiana, to be Comptroller of Customs, with headquarters at New Orleans; and

William L. Mitchell, of the District of Columbia, to be Commissioner of Social Security of the Department of Health, Education, and Welfare, vice Charles Irwin Schottland.

The PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

NOMINATION OF LAMPTON BERRY TO BE AMBASSADOR TO CEYLON

Mr. STENNIS. Mr. President, I am very much pleased to commend to the Senate the Honorable Lampton Berry, a native of my State. He is well qualified by training and experience for the very important post of Ambassador to Ceylon. I urge that his nomination be confirmed.

During the past several years, I have had considerable opportunity to learn of his outstanding work in a number of important positions both in our State Department here in Washington, and in consular positions to which he has previously been assigned by our Government. It is indeed commendable that our Government conducts diplomatic relations with our foreign neighbors through men of high character, dedication to service, and devotion to fundamental American principles. Mr. Berry possesses all these qualities, fortified by years of training, understanding, and knowledge gained through everyday experience for a period of 25 years.

Mr. Berry has devoted his life to the Foreign Service of the United States. He was born in Columbia, Mississippi, and spent his early life in that State. He attended the University of Mississippi, where he majored in political science and later served as an instructor. All Mississippians are proud of his achievements.

In 1934 Mr. Berry began his career with the Department of State, and since that time has performed his professional duties with a high degree of efficiency and tremendous success.

Because of the considerable time he has spent in posts at Calcutta and New Delhi, as well as other posts of importance from Capetown to Singapore, Mr. Berry is eminently qualified to serve as our Ambassador to Ceylon. It is a pleasure and high privilege for me to give this personal word of recommendation. I urge that his nomination be confirmed.

DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk proceeded to read sundry nominations in the Diplomatic and Foreign Service.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that these nominations be considered and confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. JAVITS. Mr. President, I wish to say a few words about two of the nominations in the Diplomatic and Foreign Service, particularly that of Richard B. Wigglesworth, of Massachusetts, to be U.S. Ambassador to Canada.

Richard Wigglesworth was formerly my colleague in the House of Representatives, and, I believe, formerly a colleague of the minority leader, as well, in that body.

Richard Wigglesworth is a distinguished man. He has been appointed to a sensitive post. He represents a middle ground between the professional career officer and a businessman or layman placed in a diplomatic post.

Former Representative Wigglesworth is a man of high character and unusual attainments; and he will give a very fine account of himself in his new post. I wish the RECORD to show that, and to carry our congratulations to our new Ambassador upon his present eminence.

Mr. President, I also wish to state for the record a brief word of congratulation in regard to Henry A. Byroade, of Indiana, whose nomination to be U.S. Ambassador to Afghanistan has now been confirmed, as I knew him when he was an army colonel in Washington.

DEPARTMENT OF STATE

The PRESIDENT pro tempore. The next nomination on the calendar will be stated.

The Chief Clerk read the nomination of Livingston T. Merchant, of the District of Columbia, to be an Assistant Secretary of State.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of John O. Bell, of Maryland, to be a Special Assistant for Mutual Security Coordination in the Department of State.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Leonard J. Saccio, of Connecticut, to be Deputy Director of the International Cooperation Administration in the Department of State.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Harry A. Bullis, of Minnesota, to be Chairman of the International Development Advisory Board for a term of 2 years.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF LABOR

The Chief Clerk read the nomination of George C. Lodge, of Massachusetts, to be an Assistant Secretary of Labor.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

FEDERAL HOUSING COMMISSION

The Chief Clerk read the nomination of Julian H. Zimmerman, of Kansas, to be Federal Housing Commissioner.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

NATIONAL MEDIATION BOARD

The Chief Clerk read the nomination of Francis A. O'Neill, Jr., of New York, to be a member of the National Mediation Board for the term expiring February 1962.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk proceeded to read sundry nominations for routine service in the Diplomatic and Foreign Service.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that these nominations be considered and confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

PUBLIC HEALTH SERVICE

The Chief Clerk proceeded to read sundry nominations in the Public Health Service.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that these nominations be considered and confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

PROPOSED DONATION BY NAVY DEPARTMENT OF BOATS TO NAVAL CADET CORPS

A letter from the Assistant Secretary of the Navy (Material), reporting, pursuant to law, that the Department of the Navy proposes to donate a 104-foot aircraft rescue boat, and a 56-foot LCC, to the Naval Cadet Corps, Alexandria, Va.; to the Committee on Armed Services.

AUDIT REPORT ON FEDERAL HOUSING ADMINISTRATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Federal Housing Administration, Housing and Home Finance Agency, fiscal years 1954–57 (with an accompanying report); to the Committee on Government Operations.

AMENDMENTS OF FEDERAL AVIATION ACT OF 1958

A letter from the Chairman, Civil Aeronautics Board, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958 in order to (1) assure for the Civil Aeronautics Board independent participation and representation in court proceedings, (2) provide for review of nonhearing Board determinations in the courts of appeals, and (3) clarify present provisions concerning the time for seeking judicial review (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

A letter from the Chairman, Civil Aeronautics Board, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958 to authorize the Civil Aeronautics Board to include in certificates of public convenience and necessity limitations on the type and extent of service authorized, and for other purposes (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

A letter from the Chairman, Civil Aeronautics Board, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958 so as to authorize elimination of a hearing in certain cases under section 408 (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

A letter from the Chairman, Civil Aeronautics Board, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958 so as to authorize the imposition of civil penalties in certain cases; and to increase the monetary amount of fines for violation of the criminal provisions (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

PROPOSED LABOR-MANAGEMENT PRACTICES ACT OF 1959

A letter from the Secretary of Labor, transmitting a draft of proposed legislation providing further safeguards against improper practices in labor organizations and in labor-management relations; requiring disclosure of certain financial transactions and administrative practices of labor organizations and their officers and agents and reports of direct and indirect dealings between them and employers which may conflict with obligations as employee representatives; reinforcing rights of members of labor organizations with respect to funds and property, the election and removal of officers, and the exercise by other labor organizations of supervisory control, of such organizations; providing penalties for certain criminal acts; and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

REPORTS ON POSITIONS FILLED IN CERTAIN GRADES OF CLASSIFICATION ACT OF 1949

A letter from the Director, Federal Bureau of Investigation, Department of Justice, transmitting, pursuant to law, a report on positions filled under the Classification Act of 1949, in grades GS–16, 17, and 18 (with an accompanying report); to the Committee on Post Office and Civil Service.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on positions filled under the Classification Act of 1949, in grades GS–16, 17, and 18 (with an accompanying report); to the Committee on Post Office and Civil Service.

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report on positions filled under the Classification Act of 1949, in grades GS–16, 17, and 18 (with an accompanying report); to the Committee on Post Office and Civil Service.

RESOLUTION OF OKLAHOMA HOUSE OF REPRESENTATIVES

Mr. MONRONEY. Mr. President, on behalf of myself and my distinguished senior colleague, the senior Senator from Oklahoma [Mr. KERR], I present for appropriate reference, an enrolled House Resolution No. 507 of the Oklahoma State Legislature, memorializing the Congress not to preempt the fuels-tax field in connection with the proposed tax increase on gasoline and fuels.

There being no objection, the resolution was received, referred to the Committee on Finance, and, under the rule, ordered to be printed in the RECORD, as follows:

ENROLLED HOUSE RESOLUTION 507

Resolution declaring it to be the sense of the house of representatives that the Federal gasoline tax should not be increased, expressing the hope that it will not be, and directing that this resolution be forwarded to the Oklahoma congressional delegation

Whereas the President of the United States has proposed to the National Congress an increase in the Federal gasoline tax of 1½ cents per gallon; and

Whereas this is one of the few areas of taxation still available to the sovereign States; and

Whereas such an increase would further burden the transportation and other industries and result in higher cost to the consumer of all goods transported on our highways and would ultimately add to the inflation of our economy; and

Whereas said tax increase would also have a detrimental effect on the oil industry and gasoline retailers as well as costing the general public additional millions and during the recent election the present national administration took credit for an expanded national highway program while holding out to the people the hope of lower taxes, such a tax increase would amount to a breach of faith with the public by said Eisenhower administration: Now, therefore, be it

Resolved by the House of Representatives of the *27th Legislature of the State of Oklahoma*, That the membership of the house express their hope that there will be no further invasion of their rightful area of taxation by the Federal Government and

that the vital industries which would be affected by this tax will not be further burdened and the tax paying public will be spared a tax increase on such a basic necessity to our economy; be it further

Resolved, That a copy of this resolution be forwarded to the Oklahoma congressional delegation.

Adopted by the house of representatives the 15th day of January 1959.

CLINT G. LIVINGSTON,
Speaker of the House of Representatives.

RESOLUTION OF BOARD OF CHOSEN FREEHOLDERS, MORRIS COUNTY, N.J.

Mr. CASE of New Jersey. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the Board of Chosen Freeholders of the County of Morris, N.J., concerning the Post Office Department's cancellation of mail handling contracts with the Delaware, Lackawanna & Western Railroad.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas it has come to the attention of the Board of Chosen Freeholders of the County of Morris that the Post Office Department is contemplating the cancellation of its present contracts with the Delaware, Lackawanna & Western Railroad for handling mail in those parts of New Jersey served by the Delaware, Lackawanna & Western Railroad; and

Whereas it is contemplated that this mail, previously handled by the railroad, will be distributed by trucks using the already crowded highways in the metropolitan area of New Jersey; and

Whereas the contemplated cancellation of the mail contract will result in a financial loss to the Delaware, Lackawanna & Western Railroad which is already experiencing some grave financial problems of operation, and

Whereas it is in the vital interests of the County of Morris, as well as many municipalities that are served by the Delaware, Lackawanna & Western Railroad, that said railroad remain in a sound financial condition so as to serve this county and its communities; as well as to serve the Nation as part of a railroad network valuable to national defense; and

Whereas it has always been the policy of the Board of Chosen Freeholders of the County of Morris to urge the full use of the existing facilities of the railroad for passenger and freight transportation and, to that extent, relieve the already overburdened highway facilities: Now, therefore, be it

Resolved by the Board of Chosen Freeholders of the County of Morris:

1. That the Post Office Department of the Federal Government be, and it is hereby, respectfully urged to reconsider its program for canceling the present mail contract with the Delaware, Lackawanna & Western Railroad in the interest of continuing to make full use of the existing facilities of the railroad and thus help to preserve the financial integrity of the railroad so that it can continue to serve the county of Morris and its municipalities that are served by said railroad, whose economies are closely associated with and dependent upon the soundness and operation of the railroad, and so that the railroad facilities can be maintained in good order as a vital link in the nationwide transportation network in the interests of national defense.

In addition, the continuance of the mail contracts with the railroad is urged so as to avoid the possibility of further overburdening the highway facilities in the northern New Jersey area.

2. That a certified copy of this resolution be forwarded to the following: Postmaster General of the United States; United States Senator Clifford P. Case: United States Senator Harrison Williams; United States Representative Peter Frelinghuysen, Jr.; Gov. Robert B. Meyner; State Senator Thomas J. Hillery; State Assemblyman Benjamin Franklin III; State Assemblyman Joseph J. Maraziti; and Mr. Perry Shoemaker, president, D.L. & W. RR.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Morris at a regular meeting held January 14, 1959.

HELEN A. MUNSON,
Clerk.

RESOLUTION OF WAGE TAX PROTEST LEAGUE OF NEW JERSEY

Mr. CASE of New Jersey. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the Wage Tax Protest League of New Jersey opposing the adoption of legislation to require various Government agencies to deduct municipal taxes or any non-Federal taxes from the salaries of Federal employees.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION ADOPTED BY THE WAGE TAX PROTEST LEAGUE OF NEW JERSEY, INC., DECEMBER 10, 1958

Whereas the city of Philadelphia will endeavor to induce the 86th Congress of the United States to enact legislation requiring the Federal Government to deduct municipal income, wage, or occupational license taxes from the salaries of Federal employees who may be liable for such taxes; and

Whereas there exists in the United States a veritable tax jungle of municipal assessments against individual incomes; and

Whereas there is no uniform method of assessing these taxes, thereby making the collection by Government agencies an unwarranted and expensive burden on the taxpayers of the United States; and

Whereas the cost of deduction relative to a city such as Pittsburgh, Pa., having the reciprocity feature in its tax would have a high administrative cost; and

Whereas in the city of Philadelphia, Pa., with no reciprocity feature, the citizen is placed in conflict with States rights versus the Bill of Rights, the Government of the United States is placed in the unfortunate position of being powerless to protect the rights of the citizen as guaranteed under the Bill of Rights and is exposed to rampant localism; and

Whereas this situation is being resolved at the present time in a petition for certiorari before the U.S. Supreme Court in the case of *Thompson* v. *Lennox, Sheriff of the City of Philadelphia*; also in the case of *Geiger* v. *United States Civil Service Commissioners and the Secretary of the Navy* before the U.S. District Court in Washington, D.C.; and lastly, by the case of *Fries, Kellogg and Devine* v. *Lennox, Sheriff of the City of Philadelphia*, now pending before the U.S. District Court in Philadelphia, Pa.; and

Whereas the State of New Jersey recognizes the supremacy of the U.S. Government in the deduction of income taxes and old-age benefits but does not forbid the deduction of municipal taxes by employers of the State of New Jersey; and

Whereas we believe the Federal Government should be above certain menial tasks, such as in this case, serving as tax collector for sundry municipal subdivisions of the various States: Now, therefore, be it

Resolved by the Wage Tax Protest League of New Jersey, Inc., at its regular monthly meeting in Oaklyn, N.J., on December 10, 1958, That this organization strongly urges the Congress of the United States to forego the passage of any legislation to require the various Government agencies to deduct municipal taxes or any non-Federal taxes from the salaries of Federal employees.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of Texas:

S. 727. A bill for the relief of Dr. Ramon C. Taliavera; and

S. 728. A bill for the relief of Dr. Tremaine Edmund Heffler; to the Committee on the Judiciary.

By Mr. WILEY:

S. 729. A bill for the relief of Walter A. Denning; to the Committee on Finance.

By Mr. WILEY (for himself, Mr. MANSFIELD, Mr. NEUBERGER, Mr. YARBOROUGH, and Mr. ENGLE):

S. 730. A bill to provide for the establishment of a United States Foreign Service Academy; to the Committee on Foreign Relations.

(See the remarks of Mr. WILEY when he introduced the above bill, which appear under a separate heading.)

By Mr. HILL:

S. 731. A bill to extend certain traineeship provisions of the Health Amendments Act of 1956; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HILL when he introduced the above bill, which appear under a separate heading.)

By Mr. CAPEHART:

S. 732. A bill to amend the Internal Revenue Code of 1954 and to encourage small-business concerns to engage in foreign trade;

S. 733. A bill to prevent discrimination against fiscal year taxpayers with respect to depletion allowance;

S. 734. A bill to amend the Internal Revenue Code of 1954 to provide that no documentary stamp tax shall be imposed with respect to conveyances under which the real property of any person is transferred to a State or political subdivision thereof as a result of condemnation, or threat or imminence of such condemnation; and

S. 735. A bill to remove the manufacturers excise tax on metal tennis nets; to the Committee on Finance.

S. 736. A bill to amend the Securities Exchange Act of 1934 to increase public disclosure of security ownership; to the Committee on Banking and Currency.

(See the remarks of Mr. CAPEHART when he introduced the above bills, which appear under separate headings.)

By Mr. CAPEHART (for himself and Mr. LAUSCHE):

S. 737. A bill to amend section 31 of the Securities Exchange Act of 1934; to the Committee on Banking and Currency.

(See the remarks of Mr. CAPEHART when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 738. A bill to prohibit unjust discrimination in employment because of age; and

S. 739. A bill to eliminate discriminatory employment practices on account of age by contractors and subcontractors in the performance of contracts with the United States and the District of Columbia; to the Committee on Labor and Public Welfare.

S. 740. A bill to prohibit, within the District of Columbia, unjust discrimination in employment because of age; to the Committee on the District of Columbia.

(See the remarks of Mr. JAVITS when he introduced the above bills, which appear under a separate heading.)

By Mr. McCARTHY:

S. 741. A bill to continue until the close of June 30, 1960, the suspension of duties on metal scrap, and for other purposes; and

S. 742. A bill to repeal the tax on transportation of persons; to the Committee on Finance.

By Mr. CLARK (for himself, Mr. MURRAY, Mr. CARROLL, Mr. MOSS, Mr. McGEE, Mr. RANDOLPH, Mr. DOUGLAS, and Mr. HARTKE):

S. 743. A bill to amend the Federal Coal Mine Safety Act in order to remove the exemption with respect to certain mines employing no more than 14 individuals; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of North Dakota:

S. 744. A bill to amend the Trading With the Enemy Act, as amended, and the War Claims Act of 1948, as amended; to the Committee on the Judiciary.

By Mr. BIBLE (by request):

S. 745. A bill to amend the act entitled "An act to create a board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes," approved May 1, 1906, as amended; and

S. 746. A bill to amend the act entitled "An act to regulate the placing of children in family homes, and for other purposes," approved April 22, 1944, as amended, and for other purposes; to the Committee on the District of Columbia.

By Mr. DOUGLAS:

S. 747. A bill to provide for the conveyance of certain lands known as the Des Plaines Public Hunting and Refuge Area to the State of Illinois; to the Committee on Government Operations.

(See the remarks of Mr. DOUGLAS when he introduced the above bill, which appear under a separate heading.)

By Mr. GOLDWATER (for himself, Mr. DIRKSEN, Mr. ALLOTT, Mr. BENNETT, Mr. BRIDGES, Mr. BUSH, Mr. BUTLER, Mr. CASE of South Dakota, Mr. COTTON, Mr. CURTIS, Mr. HICKENLOOPER, Mr. WILLIAMS of Delaware, Mr. CAPEHART, and Mr. MUNDT):

S. 748. A bill providing further safeguards against improper practices in labor organizations and in labor-management relations; requiring disclosure of certain financial transactions and administrative practices of labor organizations and their officers and agents and reports of direct and indirect dealings between them and employers which may conflict with obligations as employee representatives; reinforcing rights of members of labor organizations with respect to funds and property, the election and removal of officers, and the exercise by other labor organizations of supervisory control, of such organizations; providing penalties for certain criminal acts; and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. GOLDWATER when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE:

S. 749. A bill to repeal the tax on communications; to the Committee on Finance.

S. 750. A bill to liberalize the conditions under which a veteran satisfactorily pursuing a program of education or training under the Veterans' Readjustment Assistance Act of 1952 may change to a second program; to the Committee on Labor and Public Welfare.

By Mr. BIBLE (for himself and Mr. CANNON):

S. 751. A bill to amend section 4233 of the Internal Revenue Code of 1954 so as to exempt from the cabaret tax certain amounts paid for admission, refreshment, and so forth, by or for the benefit of certain tax-exempt organizations and institutions; and

S. 752. A bill to reduce to 2 years the period of limitations for assessment and for filing claim for credit or refund of internal revenue taxes, and to provide that interest on underpayments and overpayments of internal revenue taxes shall not accrue during any period during which the time for assessment of tax has been extended by agreement; to the Committee on Finance.

By Mr. AIKEN (for himself and Mr. HUMPHREY):

S. 753. A bill to authorize cooperative associations of milk producers to bargain with purchasers singly or in groups and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. LANGER:

S. 754. A bill to provide that rental income from farming lands shall constitute net earnings from self-employment for purposes of the insurance system established by title II of the Social Security Act; to the Committee on Finance.

(See the remarks of Mr. LANGER when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE of New Jersey:

S. 755. A bill for the relief of Siglinde Ginzinger Maxwell;

S. 756 A bill for the relief of Antonella Gambino;

S. 757. A bill for the relief of Dr. Franja Ivanicek;

S. 758. A bill for the relief of Viktors Neimanis; and

S. 759. A bill for the relief of Anita Y. C. Tsao; to the Committee on the Judiciary.

By Mr. McCARTHY:

S.J. Res. 34. Joint resolution to establish a Joint Committee on Foreign Information and Intelligence; to the Committee on Foreign Relations.

By Mr. ANDERSON:

S.J. Res. 35. Joint resolution to provide for the reappointment of Robert V. Fleming as Citizen Regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

ONE HUNDREDTH ANNIVERSARY OF THE AMERICAN DENTAL ASSOCIATION

Mr. MURRAY. Mr. President, August 3 will mark the 100th anniversary of the American Dental Association. That association, which represents more than 85 percent of the doctors of dentistry in the United States, has made a great many contributions to the improvement of the dental health of our people. Because of its constant and intelligent efforts to further advance progress in that field and because of the always gracious and cooperative attitude which its representatives evince with respect to proposed legislation involving dental health, I believe it very much in order for the Congress to extend its felicitations and best wishes to the American Dental Association on the occasion of its centennial.

Therefore, Mr. President, for myself and 75 of my colleagues, I hereby submit, for appropriate reference, a resolution extending congratulations and best wishes to the Dental Association.

The concurrent resolution (S. Con. Res. 7), submitted by Mr. MURRAY (for himself, Mr. HILL, Mr. AIKEN, Mr. ALLOTT, Mr. ANDERSON, Mr. BARTLETT, Mr. BEALL, Mr. BENNETT, Mr. BRIDGES, Mr. BUTLER, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CAPEHART, Mr. CARLSON, Mr. CARROLL, Mr. CASE of New Jersey, Mr. CASE of South Dakota, Mr. CHAVEZ, Mr. COOPER, Mr. CURTIS, Mr. DIRKSEN, Mr. DODD, Mr. DOUGLAS, Mr. EASTLAND, Mr. ENGLE, Mr. ERVIN, Mr. FULBRIGHT, Mr. GREEN, Mr. GRUENING, Mr. HART, Mr. HARTKE, Mr. HENNINGS, Mr. HICKENLOOPER, Mr. HOLLAND, Mr. HUMPHREY, Mr. JACKSON, Mr. JAVITS, Mr. JOHNSTON of South Carolina, Mr. JORDAN, Mr. KEATING, Mr. KEFAUVER, Mr. KENNEDY, Mr. KERR, Mr. KUCHEL, Mr. LANGER, Mr. LAUSCHE, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MARTIN, Mr. McCARTHY, Mr. McCLELLAN, Mr. McGEE, Mr. McNAMARA, Mr. MONRONEY, Mr. MORSE, Mr. MORTON, Mr. MOSS, Mr. MUNDT, Mr. MUSKIE, Mr. NEUBERGER, Mr. PASTORE, Mr. PROUTY, Mr. PROXMIRE, Mr. RANDOLPH, Mr. ROBERTSON, Mr. SALTONSTALL, Mr. SCHOEPPEL, Mr. SCOTT, Mr. SMATHERS, Mr. SPARKMAN, Mr. SYMINGTON, Mr. TALMADGE, Mr. THURMOND, Mr. WILEY, Mr. WILLIAMS of New Jersey, and Mr. YOUNG of North Dakota), was received and referred to the Committee on Labor and Public Welfare, as follows:

Whereas the American Dental Association, representing more than 85 percent of the Nation's dentists, has for one hundred years been effective in advancing the art and science of dentistry and extending their benefits to more and more people; and

Whereas the dental health care available to the people of the United States is superior to any in the world; and

Whereas the high level of dental education in the United States has enabled American dentists to prevent as well as treat and control dental disease; and

Whereas the dental profession of the United States has sponsored scientific research which has produced many outstanding results designed to improve the health, comfort, and appearance of all citizens; and

Whereas further research will be enhanced by construction of the new building for the National Institute of Dental Research at Bethesda, Maryland, which was vigorously supported in the Congress by the American Dental Association; and

Whereas the dentists of the United States have achieved worldwide recognition for their contributions to improved health; and

Whereas the American Dental Association is observing its centennial during the year 1959, the actual date of organization being August 3, 1859: Therefore be it

Resolved, That the felicitations and best wishes of the Congress of the United States are hereby cordially extended to the American Dental Association on its many and varied contributions to the health of the people and upon the occasion of the one-hundredth anniversary of the founding of the association.

ESTABLISHMENT OF A FOREIGN SERVICE ACADEMY

Mr. WILEY. Mr. President, on behalf of myself, the Senator from Montana [Mr. MANSFIELD], the Senator from Oregon [Mr. NEUBERGER], the Senator from Texas [Mr. YARBOROUGH], and the Senator from California [Mr. ENGLE], I introduce a bill to provide for a U.S. Foreign Service Academy.

The proposed legislation would establish and maintain an Academy for the

instruction and training of diplomatic cadets as preparation for service as officers in the Foreign Service. Under the direction of the Secretary of State, the Academy would provide training comparable educationally to post-graduate work in the Nation's colleges.

I am aware, of course, that other Senators have introduced proposed legislation taking a different approach to sharpening up our Foreign Service. In view of the generally recognized need for as effective a program as possible, I hope that each of these proposals will be given fair and thorough consideration.

I am aware, too, that in the past the State Department has not been enthusiastic about this type of approach to our needs in this field.

Over the years the Department has made a real effort to adequately equip our men and women abroad in the Foreign Service, through its Foreign Service Institute.

Nevertheless, in these challenging days—particularly in view of the East-West crisis—we face real and growing challenges in diplomacy, as well as in other fields. That is why I am hopeful that this approach to providing an even higher caliber foreign service will receive early and serious attention. The purpose, of course, is to better train and equip those who are serving us abroad as "images" of the United States. The curriculum of such an Academy would, of course, need to be developed by experts in the field.

If we can avoid a third world war—as we hope and pray will be possible—we recognize that more and more of our interests, both now and in the future, will need to be protected around the conference table.

I shall, therefore, urge my colleagues on the Foreign Relations Committee to give this measure early and favorable consideration.

Mr. President I ask unanimous consent that the text of the bill be printed at this point in the body of the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 730) to provide for the establishment of a U.S. Foreign Service Academy, introduced by Mr. WILEY (for himself, Mr. MANSFIELD, Mr. NEUBERGER, Mr. YARBOROUGH, and Mr. ENGLE), was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "United States Foreign Service Academy Act".

SEC. 2. The Secretary of State is authorized and directed to establish and maintain, in or near the District of Columbia, a United States Foreign Service Academy (hereinafter referred to as the "Academy") for the instruction and training of diplomatic cadets in preparation for service as officers in the Foreign Service of the United States.

SEC. 3. (a) The Academy shall be under the general supervision of the Director General of the Foreign Service Institute and under such regulations as the Secretary of State may prescribe.

(b) The course of instruction and training for diplomatic cadets at the Academy shall be prescribed by the Secretary of State and shall be the equivalent of the curriculum prescribed by accredited colleges and universities as a prerequisite to the granting of a master's degree. Upon satisfactory completion of the prescribed course of instruction and training, diplomatic cadets shall be granted a master's degree.

(c) The Secretary of State may appoint or assign such officers and civilian instructors as the needs of the Academy require.

SEC. 4. (a) The corps of diplomatic cadets shall consist of such individuals as may be selected and admitted to the Academy upon competitive entrance examinations as prescribed by the Secretary of State.

(b) Diplomatic cadets while in attendance at the Academy shall be entitled to quarters and subsistence.

SEC. 5. There shall be appointed each year a Board of Visitors to the Academy which shall consist of five members from the Committee on Foreign Relations of the Senate and five members from the Committee on Foreign Affairs of the House of Representatives, to be appointed by the respective chairmen of such committees. The Board of Visitors shall exercise the same functions and be entitled to the same expense allowance as is provided in the case of the Board of Visitors to the United States Military Academy.

SEC. 6. Each diplomatic cadet selected for admission to the Academy shall sign an agreement that, unless sooner separated, he will—

(1) complete the course of instruction at the Academy; and

(2) accept an appointment and service, as an officer in the Foreign Service for at least the three years immediately following the granting of his degree from the Academy.

SEC. 7. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

EXTENSION OF CERTAIN TRAINEESHIP PROVISIONS OF HEALTH AMENDMENTS ACT OF 1956

Mr. HILL. Mr. President, in 1956 the Congress brought into existence two new and most important programs in the field of health services. One of these led to the inauguration of a program for the graduate training of professional public health personnel. A second inaugurated a program for the advanced training of professional nurses. At that time, in favorably reporting the legislation to the Senate, the Committee on Labor and Public Welfare pointed out that from a high of over 900 persons trained in public health in 1947 there had been a startling and shocking drop to only 400 persons trained in 1955. This was true even in the face of a greatly increased demand for personnel trained to meet the health requirements of a growing population, to put new research discoveries into operation and to resolve such altogether new problems in the field of public health as those involving air pollution and the disposal of radioactive waste products. At the same time, the committee reported to the Senate that the Nation was faced by an acute shortage of nurses qualified by advanced training to fill key administrative and supervisory positions in over 6,000 hospitals and 4,000 public health nursing agencies.

The programs which we then devised in an attempt to help cope with these situations we regarded as experimental. They were limited in duration to 3 years, and the Congress wisely provided that before the 3 years were up the Surgeon General would be required to call conferences broadly representative of the groups interested in and informed about the training of public health and nursing personnel. Those conferences were to be charged with the responsibility of carefully reviewing the effectiveness of the traineeship programs, evaluating their worth, and recommending to the Congress as to the desirability of continuing, modifying, or abolishing the traineeship programs. Those conferences have been held, Mr. President, and both conference groups have reported their findings and recommendations to the Congress. The conferees, I am very happy to state, were unanimous in declaring that the programs had proved most effective, had brought a halt to the shocking decline in the numbers of people seeking advanced training in these essential fields and had effectively initiated a reversal of that untoward trend. The conferees were unanimous in recommending that the programs be continued and broadened. The conferees complimented the Congress for its prescience in initiating these programs and expressed the hope that, in view of their having so documented the values of these programs to the country, the Congress would be prompt to extend them.

I ask unanimous consent, Mr. President, that the report of the conference on public health training and excerpts from the report of the conference on professional nurse traineeships be set forth in the RECORD at the conclusion of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibits 1 and 2.)

Mr. HILL. Mr. President, I believe that every Member of the Congress who reads these reports will share my feeling of pride in the work we did when we brought these two programs into being and my desire that we insure their continuance.

Under these programs, more than a thousand individuals were trained in public health during the fiscal years of 1957 and 1958. More than 1,800 graduate nurses have received advanced training. Despite this fine result, and although, as I have said, we have brought the decline in enrollment to a halt, nevertheless, because of the growth of population and the multiplicity of new health problems now confronting us, we are not only not keeping pace with the constantly expanding need for such highly trained personnel, but we are even losing ground. These programs, Mr. President, must be continued, and they must be increased in size. Should we fail to do this, the cost to the country will be incalculably greater than the expenditure which their continuance will entail. It is for these reasons and with this understanding, Mr. President, that I send to the desk a bill calling for the extension of these two valuable programs for an additional 5 years and providing that before their expiration the Surgeon General shall again see to it that an impartial and

expert group review their operations and report thereon to the Congress with such recommendations concerning them as it may then see fit to make.

The bill I am introducing, Mr. President, calls for the simple extension of each program for 5 years. The reports to the Congress by the two conference groups contain suggestions and recommendations for certain changes in each program. The Committee on Labor and Public Welfare will, before reporting this bill to the Senate, give very careful consideration to those recommendations. We shall, of course, consult with members of both conference groups. Prompt enactment of this bill is important.

EXHIBIT 1

REPORT OF THE NATIONAL CONFERENCE ON PUBLIC HEALTH TRAINING TO THE SURGEON GENERAL OF THE PUBLIC HEALTH SERVICE, WASHINGTON, D.C., JULY 28–30, 1958

I. INTRODUCTION

Congress in the past 10 years has appropriated many billions of dollars for improving the health of the Nation. A considerable proportion of this has been to develop new knowledge and technology for health protection. The application of new discoveries in public health programs will contribute toward reducing the threat of cancer, arthritis, heart disease, dental disease, tuberculosis, venereal diseases, poliomyelitis, mental disorders, and other illnesses, as well as hazards arising from our increasingly complex environment.

But some, if not most, of these preventive programs have not developed to their full potential. Effective action against each disease requires a complex group of skills and the technical knowledge of specialized physicians, laboratory specialists, dentists, nurses, sanitarians, engineers, biostatisticians, health educators, nutritionists, social scientists, and many others.

In title I of the Health Amendments Act of 1956 Congress recognized that these programs have lagged because adequate personnel with the necessary specialized advanced training have not been available to provide needed services. The critical nature of this shortage was noted in the statesmanlike reports on the act submitted on May 29, 1956, by the Senate Committee on Labor and Public Welfare, and on July 2, 1956, by the House Committee on Interstate and Foreign Commerce. The former report noted the startling and shocking drop that cut in half the annual number of public health trainees between 1947 and 1955. Congress passed the Health Amendments Act of 1956, title I of which authorized the Public Health Service to establish a program of traineeships for graduate or specialized public health training for professional health personnel, such as physicians, nurses, sanitary engineers, nutritionists, medical social workers, dentists, health educators, veterinarians, sanitarians, and others whose professional skills are required in modern public health practice. The legislation specified that between June 30, 1958, and December 1, 1958, the Surgeon General should call a conference broadly representative of the professional and training groups interested in and informed about training of professional public health personnel.

Under this congressional mandate the National Conference on Public Health Training was held in Washington, D.C., on July 28, 29, and 30, 1958. It was charged with: (1) Appraising the effectiveness of the program in meeting needs for trained public health personnel; (2) considering modifications in the basic legislation, if any, which may be desirable to increase its effectiveness; and (3) considering the most effective distribution of responsibilities between Federal and State Governments with respect to the administration and support of public health training.

Those who attended the conference at the invitation of the Surgeon General included representatives of State and local health departments, graduate schools of public health, schools of nursing, other university departments, medical schools, research institutions, hospitals, foundations contributing to health programs, medical departments of industry, and voluntary health agencies. In preparation for the national conference, numerous State meetings on public health training were held and their results and recommendations made available to the national conference.

In further preparation for the conference, a mass of data on personnel and training needs and training resources was assembled from all States and Territories, from local health departments, from teaching institutions throughout the country, from voluntary health organizations, and other agencies. This information, compiled in a source book and supplement, was forwarded to the conferees several weeks in advance and was individually studied and analyzed by the conferees before the conference. At the time of the conference, the source book and supplement were accepted as the basic data upon which the conference should proceed.

The conference was divided into four groups which studied all the comprehensive reports that were made available, and reached independent conclusions on each phase of the study. This close scrutiny was necessary to be sure that the estimates constituted the hard core of real need. The four groups pooled their findings in reaching the final conclusions and recommendations.

The conference found that the data indicate a serious deficiency in the training of many currently employed personnel and document the areas of need for additional adequately qualified personnel to develop the specific health programs authorized by Congress and other public bodies. At the beginning of this year, for example, in official public health agencies alone, there were well over 2,500 vacancies in professional categories due to lack of trained personnel.

In addition, because of this shortage of trained personnel, many positions have been filled during the past several years with inadequately trained people. As a result, over 20,000 professional workers now employed by governmental and voluntary health agencies do not have the formal specialized training they need to provide for the people the health protection made possible by today's technology.

To these 22,500 people who need training for today's health programs, there must be added 6,100 more specialized, trained professional workers who, it is conservatively estimated, will be needed for the inevitable expansion of the next 5 years to meet demands for service due to population growth and new health hazards. These estimates of needs for the immediate future are especially significant. Equally important is the conclusion of the conference that just over the horizon are needs in health and health-related programs which have not been formulated or have been incompletely developed by State or local health departments. One such field is that of radiation and health. Very little is known about the scope, the threat, and the hope that radiation knowledge may bring for human health. A second field is the changing health hazards incident to our rapidly developing industrial technology. The shifting patterns of the environment in which we work and live in both urban and rural areas further add to the growing complexity of maintaining public health protection. No one can more than speculate on the future extent of the needs for qualified people in such changing fields. Just as even the most ambitious automobile of electrical industry executive of 1910 in his wildest dream would not have come close to estimating the needs in his profession 20 years ahead, so the public health administrators who have submitted their estimates have kept their feet firmly on the ground of present known and demonstrable need. That fact alone adds urgency to their recommendations. The public health agencies are not staffed as they should be now. Much less are they prepared for even the known hazards that lie ahead. The above is but an indication of the facts upon which the conference based its recommendations.

II. EVALUATION OF THE TITLE I TRAINING PROGRAM

What has been the effect of the program authorized by Congress under title I? The experience of only 2 years has indicated the soundness of the basic principle upon which Congress acted.

The conference, after thoroughly canvassing the operations of title I, noted the following six points as indicative of the effectiveness of the program:

1. More than 1,000 individuals were trained in public health during the fiscal years 1957 and 1958 under title I. Over half of this number were staff level public health nurses. Health educators, physicians, sanitary engineers, and sanitarians were the next most numerous groups in the order mentioned. They accounted for about 30 percent of the persons trained. At the time of the report, information had been received concerning the employment status or plans of 905 of the 1,000 trainees. Of this number, 818 were working or had definite plans to work in public health. The employment plans of 72 had not yet been firmly established, and only 15 were working or planned to work in scientific pursuits in private industry, in private medical practice, or outside the health field. Most of the first-year trainees who had returned to work in health agencies had already assumed positions of greater responsibility. Almost 100 percent of the employers who had observed the job performance noted changes in the quality, scope, or effectiveness of the employee's work that were attributable, at least in part, to the training received.

2. The existence of the Federal program has stimulated concurrent State training programs. Title I has proven a catalyst, not a substitute for local initiative. Support of academic training by States showed a slight increase in 1957 and a further substantial gain of 25 percent in 1958. State health officers report that the title I program has increased general interest in the field of public health and aroused active interest in training among public health employees. The existence of such professional opportunities has helped improve morale and work performance in health agencies.

3. Title I has reversed a serious downward trend in the number of persons receiving public health training which began in 1947 and dropped more sharply in 1952. For the first time since 1951 the number of trainees in public health supported by State and local health authorities has increased. This increase has been stimulated and supplemented by title I. For the first time in many years we are gaining ground.

4. Nevertheless, the number who have been trained is still too small. The backlog of known current need for training runs over 20,000. Sixteen years would be required to fill that gap with present programs, even if there were no personnel turnover, no increase in population, and no needs for service.

5. The conference has been impressed with the manner in which the Public Health Service has administered this program. It finds that the method of administration of traineeship awards by the Public Health Service

is eminently satisfactory. There are administrative details which need to be worked out on the basis of experience, but there is no sign of any large problems, conflicts, or differences between the Public Health Service, State and local governments, and the training institutions. Exceptional judgment has been exercised in the selection of trainees. Care has been taken in the analysis of their qualifications, and high standards have been maintained throughout the program. Moreover, there is opportunity for further progress. Over twice as many applicants have applied for training as there were traineeships available—and this despite the limitations noted below, which have tended to reduce the number of applicants.

6. The conference finds that in the administration of title I, the Public Health Service, upon recommendation of the National Advisory Committee on Title I Traineeships, adopted a very conservative policy, wise in the formative, experimental period of such a program. An age limitation made training available primarily to those under 35 years. As a result of the particular emphasis placed on the recruitment of new personnel, more than half the trainees were new to the field of public health. With rare exceptions, only those who had no previous public health academic training or less than 5 years of public health experience were admitted. The duration of training was limited to 1 year. Each of these administrative restrictions was necessary because of the limited funds available under the title I program, but each left broad areas of unmet need. In addition, this program was not designed to meet many of the other types of training needs that are of great importance to public health. There has been increasing recognition that continuation of these conservative policies will further impede the development of necessary public health programs, and the conference has made definite recommendations designed to correct these deficiencies.

III. RECOMMENDATIONS

The conference concludes that an emergency still exists in the national shortage for trained professional public health personnel. The action taken by Congress in title I of the Health Amendments Act of 1956 was a good first step and has shown that such action can reverse the trend of continuing depletion of trained persons working in public health.

The immediate situation urgently demands a continuing and expanded program of public health training. Because of population increases and ever-changing health problems, such expansion is imperative if the fruits of research are to be brought to all the people. The ever-increasing tempo of change has made forever obsolete the common concept that a person once qualified for his job seldom needs additional training.

Throughout the recommendations of the conference, these objectives are dominant:

1. To build the public health profession on a sound career basis and maintain standards by current scrutiny and long-range planning.

2. To enable the Federal Government to do those things which cannot be done so well by the States separately or which can be done adequately by only a few of them.

3. To treat the relationship between the Public Health Service and the States and universities as primarily a professional relationship, a collaboration for public service in a highly technical field rather than a matter of governmental power and jurisdiction.

4. To treat the schools of public health and other university institutions as partners with operating agencies in a professional enterprise, and to so administer exchanges of personnel and other relationships as to stimulate and maintain standards of the highest quality.

5. To stimulate initiative and high standards in Federal, State, and local health departments and in university professional education.

6. To so guide the development and staffing of the Nation's health programs that public service in this field will continue to be an honorable career enjoying public confidence with full incentives to each individual to improve his own professional abilities to serve the public.

The conferees made their basic recommendations for training in these areas: methods of administration, new areas for attention, the role of State governments, educational institutions, training methods in the Public Health Service, and evaluation and planning. The recommendations are grouped accordingly.

Methods of administration

It is recommended that—

1. The training program initiated under title I be a continuing program with a periodic evaluation every 5 years.

In recommending that there be a continuing Federal training program for public health workers, the conference is impressed and concerned by three situations revealed by the Source Book data, which it regarded as having serious implications for the Nation's health services: The large number (more than 20,000) of persons currently employed by official and voluntary health agencies who have not had adequate public health training; the number of key positions in State and local health departments currently vacant (well over 2,500) because trained professional personnel are not available to fill them; and the number of additional trained personnel (6,100) estimated as needed to meet the new demands for service during the next 5 years.

At the same time, the conference recognizes that it is impossible to predict precisely on a long-range basis either personnel needs or the cumulative impact of the training program recommended. Therefore, a periodic evaluation every 5 years would provide an opportunity for considering any changes which were indicated in either the magnitude or direction of the program.

2. The present dual method of awarding stipends directly to individuals by the Public Health Service and through grants to the training institutions be continued and that earmarked grants-in-aid to States be added to this training program. (See recommendation 14.)

The conference recognizes that to increase the effort to maintain and improve the competence of public health workers, it is necessary to use all feasible means of providing support for training. The above principal methods of Federal participation will assist in attaining this objective. Such a balanced approach gives the flexibility necessary to meet the changing and varying needs from State to State.

3. The amount of funds for the traineeship program be increased over the present level and the proportion of funds to be utilized in grants to individuals directly, and through training institutions, be determined by the Surgeon General with the assistance of an advisory committee.

The number of applications received for traineeships in the second year of the existing program was double the number of awards that the funds permitted. The need continues to be great. Applications can be expected immediately in numbers which will permit increasing the awards by 50 percent, to a total expenditure of $3 million per year for traineeship awards. Therefore, for the extended and expanded program of the type presently provided under title I a first year appropriation of $3 million is proposed for traineeship awards by the Public Health Service and by the schools of public health and the schools of nursing. The level of appropriations in future years should be determined on the basis of continuing needs for trained personnel, availability of qualified candidates, and the capacity of training institutions to accept candidates for training.

4. The Public Health Service continue to award its title I traineeship grants for the preparation of staff-level public health nurses through grants to institutions.

5. There be an increase in the number of traineeships available for awards by the schools of public health.

There is considerable sentiment among the conferees for increasing the number of traineeships available for awards by the schools of public health, in order to maximize the recruitment opportunities of the schools.

6. In the direct awards by the Public Health Service and institutions, continued high priority be given to students with little or no public health experience, with the recruitment and training of able young physicians given top priority. To be eligible for such traineeships individuals must have completed their basic professional training.

7. More flexibility than has been provided for in the administration of title I be used with respect to the length of training, so that individuals who are being prepared to fill key leadership, highly specialized, teaching, or other appropriate positions may be given traineeships for periods of more than 1 year.

8. In some instances direct grants be made to qualified individuals who have been working in Public Health for an extended period of time.

The conference endorses the Public Health Service policy of giving high priority to students with little or no public health experience in the title I program, and recommends continuation of this policy, with top priority given to the recruitment and training of able young physicians. However, the need for more flexibility—with respect both to length of training and length of public health experience—is emphasized. This is essential for the adequate preparation of selected individuals to fill key leadership or highly specialized positions in public health agencies or to engage in public health teaching. For example, 44 State health departments report that more than 2,000 of their personnel who have had 1 year of public health training now need additional academic training. Three-fourths of the total number are nurses.

9. An appropriation for administration of the program be included in new legislation for training.

Expansion of the Federal program for training public health workers along the lines recommended would inevitably increase the workload of the Public Health Service to the point that additional staff would be required for administration of the proposed new legislation.

In order to assure effective operation of the program which the conference envisioned, an appropriation for administration of the program should be included in new legislation for training.

New areas for attention

Although the basic patterns of administration have proved satisfactory, the conference explored new areas which were designed to strengthen the effectiveness of health programs. It was recognized that public health is not a matter exclusively in the domain of Government departments but is a matter in which many public and voluntary agencies, educational institutions, and independent professional groups must work together. The conference, therefore, considered the roles of teaching institutions and voluntary health agencies, and the need for better recruitment techniques and better personnel management methods in order to obtain the ablest recruits and to assure the continuation of high professional standards throughout the career of workers in the

health field. Out of these considerations grew the following four recommendations, all of which propose a broadening of the scope of the present title I program.

It is recommended that—

10. Training be provided to meet not only the needs of the official public health agencies, but also the needs of (a) teaching institutions; (b) other agencies which conduct community health programs.

The conference feels that the needs of teaching institutions for qualified faculty had been clearly spelled out. As of December 31, 1957, all schools reporting felt that they lacked a total of 175 needed full-time teaching positions. By 1962, the schools estimate this figure would exceed 200. Since training of personnel for official and other agencies which conduct community health programs is dependent upon the availability of qualified instructors in the teaching institutions, the conference agrees that provision of training to meet the needs of educational institutions is extremely important, and recommends that training for this purpose be especially included in the extended title I program.

11. The administrative funds (see recommendation 9) provide for financing programs for the recruitment of trainees and that these programs be well integrated with recruitment efforts of the National Health Council, National League for Nursing, and other agencies.

12. Subject to appropriations there be a forward commitment to academic institutions of a certain number of traineeship awards for several years ahead, to permit necessary planning for faculty and facilities.

13. Funds be available for grants to academic institutions to support the basic activities of developing and administering continuation education programs in public health in full partnership with the operating health agencies of the several States and Territories and the appropriate professional associations.

In describing their training needs, State health departments were nearly unanimous in seeing a need for further development of continuation education programs for the professional personnel of State and local health departments. The conferees agree that more short on-campus and extension courses are needed, both refresher type courses and courses dealing with new public health program areas and with administration and management. To develop and administer such programs, the conference recommends that funds be made available to academic institutions.

Role of State governments

The conference carefully considered the relationship between Federal and State governments in the field of public health training and the functions each should assume.

Broadly outlined it was concluded that the Federal Government should continue to be responsible for the traineeship program (both through direct awards and through training institutions), for training of its own personnel, for financial assistance to public health training institutions, and for public health training grants-in-aid to States.

Assisted by the proposed matching grants-in-aid, States should assume responsibility for residency and field training, for in-service training of State and local personnel, for refresher and short-term training, and for special types of traineeship support that must be tailor made to meet the problems of the various States.

To this end, it is recommended that—

14. There be established an earmarked grants-in-aid program to the States for public health training and for recruitment of professional personnel.

The conference is convinced by the evidence presented that—in addition to (a) a Federal traineeship program of awards to individuals directly or through training institutions and (b) Federal support of educational institutions—there is need for Federal grants-in-aid to the States to assist them in meeting their public health training responsibilities and requirements.

It envisions that these funds will be used to support various types of public health training, provide support for preservice as well as in-service training, continuation training, field training, residency training, and other forms of public health training. These training programs, on the one hand, furnish an incentive for recruitment and, on the other hand, constantly improve the quality of public health service. Among the several forms of Federal assistance to public health training, recommended by the conference, grants-in-aid to the States earmarked for training purposes should have a high priority.

15. Three million dollars of Federal funds per year be appropriated for such grants-in-aid to States.

According to data submitted by official State and local health agencies, a total of more than 7,000 presently employed professional personnel would receive training during the next five years if adequate training funds and facilities were available. This represents a potential average increase of more than 80 percent over the number trained in 1957. In view of this potential and related information submitted by official health agencies, the conference believes that State health agencies are prepared to use immediately at least $3 million of Federal grants-in-aid. The conference firmly believes, too, that this should be a specifically earmarked grant so that it could not be diverted to other program exigencies of the health departments.

16. Each State be required to match $2 of Federal funds with a minimum of $1 of State and local funds.

Major Federal participation is recommended because: (a) This program will provide nationwide coverage; (b) personnel trained at the expense of one State will frequently pursue their public health careers in other States; (c) field training which is provided in one State may be for the benefit of trainees and educational institutions of other States.

Educational institutions

No professional field can flourish without strong professional schools of high standards and advanced standing. It is the influence of the teacher and of the critical questing scholar that makes a profession great.

Schools of public health have a special problem. Public health is an interdisciplinary field—a group of professions which supplement and complement one another—and a central task of the schools of public health is to provide the common background which relates the several professions effectively to one another in their common objectives.

Because there are only 11 schools of public health, they have a special difficulty. Their advanced scientific responsibility makes them costly and there is an understandable reluctance on the part of the individual States to support them much beyond the estimated level of the home State needs. These schools, either public or private, by their nature must be regional, national, and even international. As such they should have both Federal funds and coordinated relationships with the Federal health programs and with the programs of the several States, as well as with voluntary and professional organizations in the health field. Several of the conference recommendations relate to the future role and proper development of these schools.

The details need working out, but the conference urges the Congress to consider the schools, not as added applicants for educational funds, but in the light of their function in the seamless fabric of health protection for the Nation.

It is recognized that schools of public health are not alone in training for the public health professions. The largest number of employees in any single field in public health are the public health nurses who constitute a specialty of nursing that goes far beyond the bedside care expected of the registered nurse and must deal with the difficult problems of disease prevention and the promotion of family health. They are the field troops of the public health army. Engineers, sanitarians, nutritionists, and laboratory workers and many other specialists are also essential to complete the team. The numbers of these are too few in the total of American scientific education. Therefore the need for them and for their training should not be lost sight of.

It is recommended that—

17 Basic support for the operation of schools of public health be provided on a continuing basis. This support should be in sufficient amount to insure meeting the current and expanding needs of the existing accredited schools and for the needs of such additional accredited schools as may be established. Such support should be by direct grants to schools according to a formula developed by the Surgeon General in consultation with the schools.

Congress has already recognized the critical necessity of aid to schools of public health through the enactment of the Rhodes Act (Public Law 85–544, 85th Cong.) which authorizes $1 million for each of the next 2 years. This amount constitutes only about one-third of the difference between the cost to the schools of training Government sponsored trainees and the tuition paid by the Government for such trainees. Present estimates of the additional costs of expanding enrollment by 60 percent—the immediate goal proposed—are between $2,500,000 and $3 million annually. Further provision would be required for other expansion or for new schools. It was clearly the intent of Congress that this conference recommend any modifications in the Rhodes Act which it deemed necessary. The objectives of the above recommendation can best be accomplished by the following amendments to this act: (a) Remove the time limitation; (b) remove the appropriation ceiling; (c) remove the provision that primary consideration be given to certain categories of students.

It is important that legislation related to continuing support of the training programs in schools of public health be dealt with separately from other matters.

The conference feels that Congress should be able to deal with problems of the schools of public health on their own merits and thus avoid possible future conflicts between the needs of the schools of public health and those of the States. This potential conflict now exists under the Rhodes Act with respect to the present authorized ceiling of $30 million in the Public Health Service Act, section 314(c).

18. The immediate needs for a $15 million appropriation representing 70 percent of construction costs for additional teaching facilities for schools of public health be recognized and be considered by the Congress. Such aid for construction should not be made an organic part of the legislation dealing with traineeships.

The schools of public health have the same problem in obtaining facilities as they have in obtaining funds to defray operating expenses—with two-thirds of their students coming from out of State. State legislative support for construction, therefore, demands matching funds. The recommended total increase in enrollment of the schools is dependent upon provisions of facilities.

19. Annual grants be made to schools of nursing accredited for the preparation of nurses for public health to support the needs

of expanding teaching programs with a current goal of 60 percent increase in student enrollment.

It is estimated that in addition to an increase in funds of over one-fourth million dollars which the schools expect to provide from their own resources, an additional sum of three-fourths million dollars annually is needed to provide for the basic operational costs of an expanded program, especially increases in faculty. This sum should be increased annually to provide for further expansion in enrollment and for new schools as needed.

20. The need for funds for construction of teaching facilities for schools of nursing which prepare students for public health nursing be recognized and be considered by the Congress. The provision of such funds should be separate from legislation dealing with traineeships.

21. Teaching grants be made available to institutions other than schools of public health and schools of nursing to improve the graduate teaching programs for training of public health sanitarians, public health engineers, public health laboratory scientists, public health nutritionists, and others in the public health field.

Training methods in the Public Health Service

The conference is convinced that no Federal agency has enjoyed a sounder professional relationship with the States than the Public Health Service. This relationship has developed over a period of more than half a century and is characterized by close cooperation in training, consultation, and service. Research grants to universities and to medical centers have been made in a spirit of professional rapport and cooperation befitting the career tradition of the Public Health Service.

The following series of recommendations are made concerning the training methods of the Public Health Service and the relationship of these activities to educational institutions and the States. In making these recommendations, the conferees were guided by suggestions received from official State and local health departments. These recommendations if carried out might be the first step toward making public health in a very genuine sense the first great field of public service which has a single nationwide community of professional skills. Devoted to the single objective of better health, it has the opportunity to rise above the ordinary frictions of economic, sectional, or political character which sometimes complicate other fields of public administration.

It is recommended that—

22. The Public Health Service, in lieu of establishing additional centers solely for training, make available direct training opportunities for staff of other agencies wherever and whenever it has a clinical, laboratory, or program operation suitable for a training program.

23. The Public Health Service expand its program assistance to States by making available teams of training specialists in places where needed training programs cannot be developed on a local or area basis because of the small size of agency staff, complexity of problem, or lack of facilities.

24. The Public Health Service seeks authority and funds to make available personnel on loan to operating agencies and educational institutions to assist these agencies in maintaining services while their own personnel are in training and when no other solution is possible. It is appreciated the Public Health Service will need to seek additional funds in order to accomplish this objective.

25. In order to promote professional growth and development steps be taken to encourage freer exchange of personnel between the Public Health Service, educational institutions, and State and local health agencies.

26. The Public Health Service continue to assume the appropriate initiative in the development of training programs to meet the needs of urgent and emergent public health problems.

27. The Public Health Service utilize all available professional and academic sources as well as in-service procedures for the training of its own personnel and that it seek additional funds to provide such training, including career development, for its personnel.

28. Direct training opportunities of the Bureau of Medical Services be strengthened and expanded.

Evaluation and planning

Several recommendations are made concerning both the current and long-range evaluation of the expanded training program which has been proposed. Some of these are designed to insure the efficiency of each part of the program in its daily administration. Some are designed to assure the effectiveness of teaching methods in the training program.

It is recommended that—

29. There be held an evaluation conference at the close of each 5 years of the expanded program for the training of professional public health workers, and that adequate administrative funds be appropriated for this purpose.

30. Appropriation be sought to make available a limited number of project teaching grants to institutions providing basic professional training. The purpose of such grants should be to support research and experimentation in the development of improved methods of teaching public health in these institutions.

31. Certain portions of the training funds be allocated for awarding traineeships, on a pilot study basis, for the last year of undergraduate academic training of public health sanitarians in schools which offer a recognized public health course that will qualify such personnel for first-level sanitarian positions in health departments.

IV. TRAINING FOR THE FUTURE

The call of the conference was to appraise the effectiveness of the title I training program in meeting the needs for public health personnel; to consider modifications needed in the basic legislation; and to consider the most effective distribution of responsibilities between Federal and State governments with respect to the administration and support of public health training. The basic recommendations have necessarily been directed to the needs of existing programs, i.e., to the staffing of public health departments as we know them in the 1950's.

But we must remember that it is only 15 years since the antibiotics revolutionized the control of communicable diseases. It is less than 15 years since the word "fallout" was added to the language. Nuclear fission and fusion have opened a barely discovered world of the atom as a source of sudden death, of boundless energy for industrial production, and as an instrument of medical science. Radioactive materials are a promise and a problem in public health protection. Tomorrow, by means not now suspected, ways may be found to wipe out cancer. Poliomyelitis is, hopefully, near its end. Mental illness may yield in some measure to new preventive methods not yet known or suspected.

These illustrations suggest that we should not be engaged merely in training some workers needed for familiar jobs in some governmental departments of health. Rather, we should be concerned with the further development of a complex interdisciplinary profession competent to deal with the changing life of the dynamic American community.

We can today, in July 1958, tell the Congress of the needs of the moment. No one can tell the Congress or the American people of the needs of 1980 or by name or number state the precise skills which will be necessary to meet the needs.

So it is that the conference comes to what is perhaps its most important conclusion: The greatest need of all is for the constant and continual estimate of emerging public health problems and the changes in staffing and organization essential to meet them. Only in this way can we insure the training and retraining of our professional personnel to conduct the fight against disease and death. Money alone cannot correct existing public health training deficiencies. Training activities of the Public Health Service, academic institutions, and State and local health departments should be amended and developed through continuous study of present-day and changing public health programs. Such a study on a broad basis should be pursued as an essential concomitant of the continuing national public health program.

On the military side of public policy these functions—intelligence, planning, and intensive training—are well and dramatically developed and generously financed. The great crises of the future may not come from a foreign enemy. Some unsuspected hazard of our complex industrial civilization may strike at home where DEW lines or bases at Thule or planes or bombs will be of no avail. "D" day for disease and death is every day. The battleline is already in our own community. To hold that battleline we must daily depend on specially trained physicians, nurses, biochemists, public health engineers, and other specialists properly organized for the normal protection of the homes, the schools, and the workplaces of some unidentified city somewhere in America. That city has, today, neither the personnel nor the resources of knowledge necessary to protect it.

THE COMPOSITION AND ORGANIZATION OF THE NATIONAL CONFERENCE ON PUBLIC HEALTH TRAINING

Preconference activities

The Surgeon General's National Advisory Committee on Public Health Training outlined the general approach to be followed by the conference and recommended the appointment of a steering committee and two preconference study committees. The steering committee, composed of the members of the National Advisory Committee, the chairman of each of the study committees, and representatives of the Public Health Service, was responsible for planning and organizing the conference. The preconference study committees, one on public health training needs and one on public health training resources, guided the collection of data and the preparation of material for consideration by the conference.

The personnel of the preconference committees were:

Steering committee: James K. Shafer, M.D., chairman; Franklin B. Amos, M.D.; Philip E. Blackerby, Jr., D.D.S.; Robert M. Brown, M.P.H.; Rolf Eliassen, Sc. D.; Roberta E. Foote, R.N.; Ruth Freeman, R.N., Ed. D.; Hugh Hussey, M.D.; Sol S. Lifson, M.P.H.; Malcolm H. Merrill, M.D.; Marion I. Murphy, R.N., M.P.H.; W. L. Treuting, M.D.; Charles E. Smith, M.D.; Berwyn F. Mattison, M.D.; and Elmer L. Hill, M.D.

Committee on needs for public health training: Berwyn F. Mattison, M.D., chairman; Philip E. Blackerby, Jr., D.D.S.; Marion Sheahan, R.N.; J. Robert Cameron, B.S.C.E., M.P.H.; and Franklyn B. Amos, M.D.

Committee on resources for public health training: Charles E. Smith, M.D., chairman; Wilson T. Sowder, M.D.; Marjorie Bartholf, R.N., M.S.; Harold S. Adams, B.S., and Sol S. Lifson, M.P.H.

Conference leadership

The individuals who presided over the conference and served in other official capacities were: Conference chairman, Berwyn F. Mattison, M.D.; conference secretary, Malcolm H. Merrill, M.D.; discussion group leaders, Franklin B. Amos, M.D., Sol S. Lifson, M.P.H.; Charles E. Smith, M.D.; W. L. Treuting, M.D.

Conference participants

Invitations to attend the conference were issued by the Surgeon General. The participants were chosen after careful review of persons broadly representative of various public health fields, professional associations, official and voluntary public health agencies, training institutions and geographic areas. Individuals were invited because of their potential for personal contribution and not as official representatives of their respective professions or employing agencies. Since the amount of funds available limited the number of participants to a relatively small group, care was taken to include a high proportion of individuals who could consider the problems related to public health training from multiple viewpoints.

The 63 persons whose names are listed below attended the conference:

Mr. Harold S. Adams, director, sanitary science courses, department of public health, Indiana University School of Medicine.

Dr. Franklyn B. Amos, director, office of professional training, New York State Department of Health.

Dr. Gaylord W. Anderson, Mayo professor and director, School of Public Health, University of Minnesota.

Miss Marjorie Bartholf, dean, School of Nursing, University of Texas, medical branch.

Dr. Leona Baumgartner, commissioner of health, the city of New York.

Dr. Stanhope Bayne-Jones, Chairman, Secretary's Consultants on Medical Research and Education, Department of Health, Education, and Welfare.

Mr. Arthur N. Beck, chief engineer and director, bureau of sanitation, Alabama State Department of Public Health.

Dr. Daniel Bergsma, State commissioner of health, New Jersey State Department of Health.

Dr. Frank G. Boudreau, president, Milbank Memorial Fund.

Miss Sara Brooks, director, public health nursing, Arlington (Va.) County Health Department.

Mr. Ray E. Brown, superintendent, University of Chicago Clinics.

Mr. J. Robert Cameron, director, division of environmental sanitation, department of health and hospitals, city and county of Denver.

Dr. James A. Crabtree, dean-elect, Graduate School of Public Health, University of Pittsburgh.

Miss Gertrude E. Cromwell, supervisor of nursing, Denver Public Schools.

Mr. E. B. Davis, secretary-treasurer, Georgia Department of Public Health.

Dr. James P. Dixon, commissioner, city of Philadelphia, department of public health.

Mrs. Margaret B. Dolan, associate professor of public health nursing, School of Public Health, the University of North Carolina.

Dr. Herbert R. Domke, commissioner of health, St. Louis County Health Department.

Dr. Rolf Eliassen, professor of sanitary engineering, department of civil and sanitary engineering, Massachusetts Institute of Technology.

Mr. Curtiss M. Everts, Jr., director, division of sanitation and engineering, Oregon State Board of Health.

Dr. Jack R. Ewalt, commissioner, Massachusetts State Department of Mental Health.

Dr. John P. Fox, director, division of graduate public health, School of Medicine, Tulane University.

Miss Ruth B. Freeman, associate professor, public health administration, School of Hygiene and Public Health, the Johns Hopkins University.

Dr. O. David Garvin, district health officer, the district health department, Orange-Person-Chatham-Lee Counties, N.C.

Dr. Vlado A. Getting, professor of public health practice, School of Public Health, University of Michigan.

Dr. Harold B. Gotaas, dean, the Technological Institute, Northwestern University.

Dr. Edward Grzegorzewski, head of the department of preventive medicine and public health, School of Medicine, University of Puerto Rico.

Dr. Albert V. Hardy, assistant State health officer, Florida State Board of Health.

Mrs. Ann Wilson Haynes, chief, bureau of health education, California State Department of Public Health.

Dr. Stanley L. Hendricks, public health veterinarian, division of preventable diseases, Iowa State Department of Health.

Dr. Herman E. Hilleboe, commissioner of health, New York State Department of Health.

Dr. Ira V. Hiscock, chairman, department of public health, Yale University.

Dr. Robert A. Kehoe, the Kettering Laboratory, College of Medicine, University of Cincinnati.

Dr. Herbert R. Kobes, director, division of services for crippled children, University of Illinois.

Dr. Hugh R. Leavell, professor of public health practice, department of public health practice, School of Public Health, Harvard University.

Miss Edna Lewis, director, public health nursing, George Peabody College for Teachers.

Mr. S. S. Lifson, director, health education, National Tuberculosis Association.

Mrs. Dorothy C. Lowman, chief, bureau of nursing, Utah State Department of Health.

Mr. Karl M. Mason, director, bureau of environmental health, Pennsylvania Department of Health.

Dr. Berwyn F. Mattison, executive secretary, the American Public Health Association.

Dr. E. G. McGavran, dean, School of Public Health, the University of North Carolina.

Dr. Malcolm H. Merrill, director of public health, California State Department of Public Health.

Mr. Sewall Milliken, assistant professor of public health, department of public health, Yale University.

Miss Marion Murphy, professor, director of the course in public health nursing, School of Public Health, University of Minnesota.

Miss Mildred E. Newton, director, School of Nursing, the Ohio State University.

Dr. James E. Perkins, managing director, National Tuberculosis Association.

Mr. Sam I. Reed, training coordinator, training program, Washington State Department of Health.

Dr. Kurt Reichert, director, social work section, New York State Department of Health.

Mrs. Margaret F. Shackelford, director, division of statistics, Oklahoma State Department of Health.

Miss Marion W. Sheahan, deputy general director, National League for Nursing, Inc.

Dr. W. P. Shepard, second vice president, health and welfare, Metropolitan Life Insurance Co.

Mrs. Alice H. Smith, chief, nutrition section, division of local health administration, Michigan Department of Health.

Dr. Charles E. Smith, dean, School of Public Health, University of California.

Dr. Ernest L. Stebbins, director, School of Hygiene and Public Health, the Johns Hopkins University.

Dr. David F. Striffler, director, division of dental health, New Mexico Department of Public Health.

Dr. Charles F. Sutton, deputy director, division of local health services, Illinois Department of Public Health.

Dr. W. L. Treuting, acting chairman, department of tropical medicine and public health, School of Medicine, Tulane University.

Dr. Ray E. Trussell, executive officer, School of Public Health and Administrative Medicine, Columbia University.

Dr. Edward L. Turner, secretary, council on medical education and hospitals, American Medical Association.

Dr. John H. Venable, assistant to the director, Georgia Department of Public Health.

Dr. Dorothy Wilson, executive director, the Visiting Nurse Association of New Haven, Conn.

Mr. Robert Yoho, director, bureau of health education, records, and statistics, Indiana State Board of Health.

Dr. Wesley O. Young, chief, dental health section, Idaho State Department of Health.

EXHIBIT 2

REPORT TO THE SURGEON GENERAL—PROFESSIONAL NURSE TRAINEESHIP PROGRAM—EVALUATION CONFERENCE (TITLE II, PUBLIC LAW 911) WASHINGTON, D.C., AUGUST 1958

(U.S. Department of Health, Education, and Welfare, Public Health Service, Division of Nursing Resources)

What has been the impact of Federal aid to graduate nurses who want or need advanced preparation in administration, supervision, and teaching?

This conference met to consider that question, and to evaluate the first 2 years of awards as provided for by section 307 of the Public Health Service Act, title II of Public Law 911.

It was the intent of that legislation to strike a meaningful and conclusive blow at the Nation's continuing nurse shortage—a shortage of services, if not of numbers, a baffling inadequacy in skills and leadership which has been difficult to define and which has defied solution.

Since the professional nurse traineeship program was authorized July 1, 1956, through June 30, 1958, the Congress has appropriated $5 million for awards to approximately 1,800 graduate nurses. The vast majority of these trainees are women employed as nursing service directors or supervisors, faculty members in schools of nursing, or staff nurses desiring to qualify for more vital roles in their chosen profession. The majority were enrolled in master's degree programs; a few were completing baccalaureate degrees. All were desirous of improving their professional skills, of equipping themselves to make a greater contribution to patient care. Many had been struggling for years to obtain a higher education on a part-time or piece-meal basis, fighting against discouragement, financial strain, and fatigue. Many had been unable to enroll at all until the availability of Federal funds offered the individual incentive and won the support of nurse employers.

Although it is impossible to remedy long-standing weaknesses in a short-time span, the conference finds that without question, the traineeship program is successfully carrying out the intent of the Congress.

The first year of this program can be considered little more than a warming up period. Funds were not appropriated until almost the eve of the fall enrollment deadlines. Administrative machinery had to be put into action for the first time. The participating universities and colleges had to recruit candidates as well as to set up accounting systems. Thus, there were delays, oversights, and misunderstandings. Most of these predictable problems, however, were well under control during the second year.

Many difficulties remain. However, reports to this conference—from trainees, from schools, from the employers of nurses—are

unanimously in favor of the continuation of the professional nurse traineeship program.

There are no strong objections to the structure of the present law, nor to the present method of administering the funds. There is feeling, however, that appropriations should be made to the Public Health Service early enough to permit earlier awards to the participating schools, that the schools should undertake more extensive publicity programs, and that additional grants should be made to the schools to help them meet the increased costs due to traineeship enrollments.

These matters, and similar modifications which may enable the program to operate more effectively and with greater speed, may be made at the discretion of the Surgeon General and with the counsel of his expert advisory committee. The evaluation conference, however, recommends that the program be extended, as it is now structured, without any drastic change.

To arrive at this and its more detailed conclusions, the conference had for reference an extensive source book of narrative and statistical data prepared by the Division of Nursing Resources. Some of this information will be cited in support of the findings of the conference, as contained in the report of the conference which follows.

The conferees desire to express appreciation to the Congress for the statute which made this program possible. They also desire to commend the Surgeon General of the Public Health Service for his leadership in carrying the program forward, and the staffs of the Bureau of Medical Services and of the Division of Nursing Resources for their role in administering the traineeship awards and especially in planning for and helping to manage this conference.

JOHN D. MILLETT,
Chairman, President, Miami University, Oxford, Ohio.

DECEMBER 1958.

PART I

* * * * *

The evaluation conference, professional nurse traineeship program, meeting in Washington, D.C., on August 13, 14, 15, 1958, recommends to the Surgeon General of the Public Health Service:

1. That this program be extended for a minimum of 5 years, with further evaluation at the end of the fourth year.

2. That no change be made in procedure at the present time to place the allocation of funds on a Federal-State matching basis, and that the extension of the program be continued under the Federal Government.

3. That consideration be given to developing a method by which appropriations for the program may be made available for more than a single year, to offer the participating schools more time in which to select and appoint candidates.

4. That the present method of administering the program be continued with future consideration to be given to the possibility of gradual "phasing out" of the prebaccalaureate programs of specialization in administration, supervision, and teaching.

5. That the selection of participating institutions be left to the discretion of the Expert Advisory Committee.

6. That the feasibility of providing training grants to the educational institutions be explored, in addition to the traineeship awards, if such modification would not jeopardize the continuation of the program.

7. That additional legislation be obtained (or new administrative interpretation be given to the present law) to provide traineeships for registered nurses in programs of general nursing leading to a baccalaureate degree.

8. That, under the existing statute, if funds are available, traineeship grants be provided for short-term institutes in administration and supervision for personnel now employed in these specialties.

This conference also recommends:

9. That participating schools give special consideration to requests for traineeships from qualified students who apply from States where there are no graduate programs in nursing.

10. That participating schools be encouraged to develop some programs specifically designed to prepare directors of hospital in-service educational programs for nurses.

11. That trainees enrolled in teaching programs be encouraged to accept in-service teaching positions in hospitals.

12. That a mechanism be provided for organization of regional or State (expert) advisory committees or conferences through which local employers of nurses and traineeship participants (both schools and graduate students) might discuss objectives and needs.

Accomplishments

The chief question before any group required to evaluate a program is: Has it accomplished anything and, if so, what?

This conference has recommended continuation of the professional nurse traineeship program, which may be construed as tacit recognition of accomplishment. However, it is not easy to pin down accomplishments resulting from traineeships.

Graduates who received traineeships in the latter part of calendar year 1957 had barely been able to return to employment by the time this meeting was held. The effect of their superior skills in hospital nursing service (or, indeed, whether or not they have acquired superiority) cannot yet be measured.

Similarly, if trainees are going to improve the quality of instruction in basic schools of nursing, it is too soon to notice any change—at least in terms of the result most hoped for, if not expected: A tidal wave of new nursing students clamoring to enter the profession of nursing.

The impact of the preparation of graduate students enrolled in the second year is even more difficult to estimate at this early date.

But this is not to imply that these events will not occur to some extent, or even dramatically, in the future. In recommending continuation of the program, with reevaluation after another 4 years, the conference was delineating a time span in which it believes measurable results may be obtained.

If the Congress should so extend the program, the conference strongly recommends that the Public Health Service immediately begin to set up machinery for gathering specific information about trainees—their pretraineeship employment and skills, the direction of their study and the purpose behind selection of one area of specialization as against another, and the type of employment sought and obtained after completing the specialty training.

Meanwhile, there are significant and observable changes taking place in nursing service which as yet may not be statistically reportable but which nevertheless merit attention:

The traineeship program has already stopped the trend of decreasing enrollments in graduate programs.

It has increased the number of full-time enrollments and has begun to slough off excessive and costly part-time enrollments. This is especially significant at the master's level where the longest delays have been encountered in completing graduate work. (Often a nurse might struggle along for years, earning only a few credits a year toward the 60 to 90 required for the degree.)

The program has stimulated hospital administrators and other employers of nurses to reexamine the educational preparation of their own personnel in terms of adequacy of performance.

The availability of funds for study in administration, supervision, and teaching has encouraged increasing numbers of employers to grant educational leave. Formerly, many nurses desiring specialty preparation did not seek it because they knew their employers would not hold their jobs for them until the degree was obtained.

* * * * *

Because the program is a topic of frequent conversation in hospitals, the administrators, doctors, and nurses themselves are giving more thought to the ways in which services to patients can be improved and increased by means of better prepared personnel. In some hospitals this improvement may mean installing a nursing service director with up-to-the-minute management skills. Or enabling head nurses and other supervisors to acquire new knowledge in the field of interpersonal relationships and other techniques of supervision. Administrative nurses with additional study in nursing service management know how to assign personnel for the optimum benefit to patients and individual satisfaction as well. They see ways of avoiding waste of skills by misassignment and ways of providing opportunity for personal growth through the challenge of the work assignment and the opportunities it offers for the development of creative faculties in the nursing care of patients.

The professional nurse traineeship program has started a chain of thinking throughout the Nation which unquestionably will work toward the advantage of patients. That nurses themselves will benefit, even when not the recipient of a traineeship award, is illustrated by the fact that, already in States where money and facilities are scarce, higher education for nurses has become a major program item in professional association planning and a subject enthusiastically discussed wherever nurses meet to talk off duty.

Most important of all, the traineeship program has put hope in the hearts of many who sought self-improvement and career development. Basically, nurses want to nurse. They also want to be expertly prepared for whatever aspect of patient care they may be called on to perform. They recognize that good leadership makes or breaks a nursing service program. They know that directing care with scientific accuracy, with the warmth of human understanding, and with imagination and ingenuity takes education as well as innate ability. They know that every member of the nursing service, from the least skilled aid or orderly on up through the professional nursing staff, reflects the determination, the attitude, the efficiency, and the humanity of top management.

In the field of teaching, nurses know that the student who graduates from the Nation's hospital or collegiate schools of nursing has learned everything she knows about nursing from the faculty of her school and from the staff or head nurses in the hospital units where she has had her clinical experience. It is an enormous responsibility to instruct a young woman who in turn will have the grave responsibility of caring for the sick, understanding their needs, teaching them the principles of good health and hygiene. It is an injustice without equal to expect R.N.'s—graduate professional nurses—to assume this teaching role without offering them at least the security of an adequate education. This is what the professional nurse traineeship program is trying to do.

The conference believes that, given a sufficient amount of time, it will be possible to demonstrate more than satisfactory advances in all the areas mentioned.

* * * * *

Continuation of program

This conference has recommended that the professional nurse traineeship program continue, essentially as it is now operating and as authorized by the present law, for a

minimum of 5 years, with reevaluation at the end of the fourth year.

There was no question in anyone's mind that could conceivably have led the conference to raise doubts about the value of Federal spending to assist graduate nurse education. Small as the imprint of traineeship funds may be, in only 2 years of operation, the removal of this aid would drastically curtail the movement of the nursing profession toward better preparation for patient care. Although many other methods of financing have been investigated, no single device has yet been found which would enable the Federal Government to detach itself completely from providing assistance, without an ultimate loss to the employers of nurses and to the patients whom they serve.

The feasibility of a program of Federal-State matching aid has been carefully studied. The conference does not eliminate State participation as a possible future development, but believes it is impractical at present for the following reasons:

1. The need is urgent. Because State enabling legislation will be necessary, delay or no action whatever may be the result.

2. The present plan provides traineeships for all States in the country. This advantage might be lost in a Federal-State matching system.

3. Each State would need to set up administrative machinery, thereby multiplying the cost many times the present amount.

4. The administration of the program by the Federal Government has been without pressure or political favoritism. This freedom might be lost in a Federal-State matching program.

5. An indiscriminate mushrooming of graduate nurse programs might result from overemphasis at the State level; the availability of State money might encourage some schools to develop programs chiefly to take advantage of the State grants.

6. A program of State matching might lead States to require those aided to become employed in the State and to remain there for a specified time. This control would make it impossible for States where there are no graduate-nurse programs to benefit by the national effort to improve the preparation of administrators, supervisors, and teachers.

In general, the conference believed that Federal-State matching could best serve to supplement the present program, rather than to replace it. States should therefore be encouraged to offer similar funds to their own schools, thereby enabling larger enrollments. Part-time study, in-service education, and institutions and workshops are areas in which State appropriations could well supplement the Federal assistance.

It is not possible for this conference to advise what State agency would be the most appropriate to administer a program of State assistance, a further deterrent in the search for ways of establishing Federal-State matching.

These conclusions were achieved after consideration of a wide variety of opinions submitted to the division of nursing resources by the States. The decision not to recommend Federal-State financing followed unanimous acceptance by the conferees of the report submitted to it by the committee on Federal-State relations. This report is reproduced in part II.

It is neither desirable nor practical to recommend that the Federal Government forever be the sole agent in support of graduate nursing education. Private philanthropies, citizen groups, and individuals properly should assume a portion of the load and should therefore be encouraged to provide scholarships. States should be similarly encouraged, as should also nursing and allied professional organizations.

In the opinion of the conference, it is proper for the Federal Government to assume the cost of assistance for about one-third of the number of nurses who need and desire preparation in the special fields of administration, supervision, and teaching. This means that if 6,000 nurses are to be graduated from programs in these specialties each year, the Federal share would be approximately 2,000. An annual amount no less than $6 million should be appropriated for each year of the program, if that goal is to be reached.

Is It Necessary to Continue the Program?

The conference finds that 9 out of 10 registered nurses do not have degrees. In the fields of administration, teaching, and supervision, four out of five do not have degrees.

There are at present more nurses without degrees than the total nurse supply in 1952. Only 34 percent of nursing service directors have degrees. Nurse educators and supervisors of public health nursing are the best educated (71 percent with degrees).

It is generally agreed by nursing and hospital groups that nurses in administration, supervision, and teaching should have completed at least a bachelor's degree. In 1956 there were about 93,000 nurses active in these specialties. Yet only 15,200 held baccalaureate degrees; 5,600 held master's.

These facts would be less shocking if there were some avenue other than formal education by which nurses responsible for directing and teaching others could obtain the most current knowledge on how to do it, at the same time keeping pace with rapid developments in science and research related to patient care.

Hospitals need better prepared nurses and say they want them. About 700 hospitals with and without schools of nursing, reported on this subject to the Division of Nursing Resources. Invariably, they expressed a strong conviction that patients could be better cared for if nurses were better educated. This applied across the board, from the position of assistant head nurse to the top job, director of nursing services. (They seemed to be generally content with the level of preparation of staff nurses without supervisory responsibilities.)

In this group of reporting hospitals, graduate education was more usual in hospitals with schools of nursing—and also more sought after by the administrators reporting.

For example, administration want 44 percent more master's degree directors of nursing in hospitals with nursing schools than are now employed. Hospitals without schools of nursing said that 43 percent more of their supervisors should have baccalaureate degrees; hospitals with schools of nursing said 57 percent more should be so prepared.

In hospitals with no school of nursing, 31 percent more directors of in-service education should have baccalaureate degrees, 13 percent more master's, their employers said; in hospitals with schools of nursing, 42 percent more in-service educators should have baccalaureate degrees and 24 percent more should have master's. Hospitals with schools of nursing also want 50 percent more assistant nursing service directors qualified at baccalaureate level and 21 percent more at master's.

Thus, the need for additional preparation may be seen.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 731) to extend certain traineeship provisions of the Health Amendments Act of 1956, introduced by Mr. HILL, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

INTRODUCTION OF PROPOSED LEGISLATION BY SENATOR CAPEHART

Mr. CAPEHART. Mr. President, I introduce, for appropriate reference, a series of bills. Attached to each is a statement I have prepared on it. I ask unanimous consent that the statements and the text of the bills be printed in the body of the RECORD.

The PRESIDENT pro tempore. The bills will be received and appropriately referred; and, without objection, the bills and statements will be printed in the RECORD.

The bills, introduced by Mr. CAPEHART, were received, read twice by their titles, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Finance:

S. 732. A bill to amend the Internal Revenue Code of 1954 and to encourage small-business concerns to engage in foreign trade.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 921 of the Internal Revenue Code of 1954 (Public Law 591, Eighty-third Congress) is amended to read as follows:

"SEC. 921. Definition of Western Hemisphere trade corporations.

"For purposes of this subtitle, the term 'Western Hemisphere trade corporation' means a domestic corporation all of whose business (other than incidental purchases) is done in any country or countries in North, Central, or South America, or in the West Indies, and which satisfied the following conditions:

"(1) if 95 percent or more of the gross income of such domestic corporation for the one-year period immediately preceding the close of the taxable year (or for such part of such period during which the corporation was in existence) was derived from sources without the United States, the sources of gross income shall in general be determined in accordance with the provisions of section 862: *Provided, however,* That for the purposes of this section, where personal property is manufactured within the United States and sold, either by the manufacturer or by a wholly owned subsidiary of the manufacturer, for use or consumption in and actually shipped in due course to a Western Hemisphere country, the seller's income from such transactions shall be treated as derived entirely from sources other than sources within the United States; and

"(2) if 90 percent or more of its gross income for such period or such part thereof was derived from the active conduct of a trade or business.

For any taxable year beginning prior to January 1, 1954, the determination as to whether any corporation meets the requirements of section 109 of the Internal Revenue Code of 1939 shall be made as if this section had not been enacted and without inferences drawn from the fact that this section is not expressly made applicable with respect to taxable years beginning prior to January 1, 1954."

The statement accompanying Senate bill 732 is as follows:

STATEMENT BY SENATOR CAPEHART

We find in existent law a provision intended by the Congress to inspire trade between Western Hemisphere countries and the United States.

However, a Treasury interpretation of the Western Hemisphere Trade Corporation Act has resulted in a discriminatory situation denying smaller manufacturers the same tax benefits available to larger manufacturers operating under the Act.

The bill I offer would require the consideration by the President of the United States the inclusion of Western Hemisphere Trade Corporation Act provisions in the negotiation of trade agreements with Western Hemisphere countries.

It would also clarify the original intent of Congress whereby the existing discrimination would be eliminated.

Under the original Western Hemisphere Trade Corporation Act, which was made a part of the Internal Revenue Code in 1942, all corporations meeting the requirements of the act would be subject to 38 percent tax.

At the time the Senate Finance Committee recommended passage of the act, the committee said in its report, and I quote:

"American companies trading in foreign countries within the Western Hemisphere are placed at a considerable competitive disadvantage with foreign corporations under the tax rates provided by the bill. To alleviate this competitive inequality, the committee bill relieves such corporations from surtax liability."

I call your attention to the fact that the Senate Finance Committee clearly indicated in its report that the benefits were intended to place all United States industry in a more desirable competitive position.

Treasury's interpretation provides that only those manufacturers whose Western Hemisphere trade corporation changes title outside continental United States shall benefit.

Nothing in the bill nor in the committee's report, indicates it was the congressional intent to create the inequality created by the Treasury interpretation.

That there is discrimination and inequality in the effect of the interpretation is admitted by Treasury.

I have in my possession a letter from a former Acting Secretary of the Treasury in which discrimination is admitted.

Also, in answering questions before the Senate Banking and Currency Committee on small-business matters a high official of the Treasury Department admitted for the record that an inequality exists.

Now, let me point out the discrimination existing in the operation of the Western Hemisphere Trade Corporation Act under Treasury's interpretation.

The larger manufacturer has no problem in changing title to goods outside continental United States since he maintains agencies in most of the Western Hemisphere countries.

Smaller manufacturers, operating under the historical small-business method of changing title at domestic banks where buyers maintain lines of credit, cannot afford to maintain agencies in the many countries of the Western Hemisphere since the volume of export for them would not support that type operation.

As a result we find the smaller manufacturer is denied a favorable competitive position with low-labor-cost countries for Western Hemisphere business.

We also find, that Western Hemisphere buyers who desire United States goods are forced to purchase from other countries because of the price differential.

Many cases of lost contracts have been cited to me where a 14-point tax benefit to the United States producer would have permitted him to bid successfully for the business.

After considering the evidence submitted to the committee that committee said in its report, and I quote:

Foreign trade by smaller concerns is as important to this country as trade by bigger businesses. Such trade may even be more important to the continued existence and good health of small business. Legislation permitting equal application of the Western Hemisphere trade corporation provisions to small business should be passed immediately.

At this point, I want to say that the Small Business Administration, in its report to the committee on the proposed change in the Western Hemisphere Trade Corporation Act, supported the provisions of the bill as a definite benefit to smaller manufacturing exporters and a means of eliminating the existing discrimination.

Also, the Export-Import Bank submitted a report supporting the proposed bill.

As we all know, the Export-Import Bank has much experience in the export problems of smaller manufacturers.

One further point of interest with regard to the support of this legislation is the fact that the House Ways and Means Committee in 1953 voted to make the change in the act.

Now, it is only fair that we discuss some of the points Treasury raises in opposition to the passage of an amendment to correct the act.

First, of course, would be the fear of loss of revenue.

I can best answer that by reading from a letter I received from a smaller manufacturer who has been hurt by the existing inequality and I quote:

"As a specific illustration let us assume that one or more small companies were able to do enough export business that they were able to show a profit of $100,000.

"At the present time the tax on this at 52 percent would amount to $52,000.

"At the 38 percent rate which the export corporation would be entitled to, the tax would be $38,000 and the Treasury might figure that they had lost $14,000 revenue.

"But if these small companies were able to take enough additional business away from the large corporation export subsidiaries (which pay no U.S. tax) to earn a profit of $38,000, then the small companies would pay a tax of 38 percent on $38,000 or $14,060, which is more than the Treasury thought they were losing."

Actually, from what I saw of our competition on my visits to Latin-American in recent years I am quite confident that we can lose no revenue by this change because small manufacturers are finding it less and less possible to compete in this market.

If we are not doing the business, we cannot lose revenue. It is more likely that we would increase revenue by increasing the business potential at 38 percent.

Another point raised by Treasury in support of its interpretation is established by the wording of the report of the conference committee on the original act in 1942.

That report stated that the surtax exemption would be provided to domestic corporations deriving their income principally—here I quote from the report—"from the active conduct of the trade or business in foreign countries within the Western Hemisphere."

In other words, Treasury has said over the past years that you can qualify under the Western Hemisphere Trade Corporation Act only if you are actively conducting business in a foreign Western Hemisphere country.

If that is the case, then we find the interpretation encouraging the incorporation of United States businesses in foreign countries and we would derive no revenue whatever from its operations.

Even under that argument, we have failed to find any case where sales were made in Western Hemisphere countries by smaller manufacturers where the seller's services through representatives or engineers were not involved in consummating the sale at the consuming point.

In closing, I should like to say that by giving the President the authority to include the originally intended provisions of the Western Hemisphere Act in trade agreements with Western Hemisphere countries we will be taking long-needed action on behalf of the smaller manufacturers and at the same time strengthening our trading position with those countries.

S. 733. A bill to prevent discrimination against fiscal year taxpayers with respect to depletion allowance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 613 of the Internal Revenue Code of 1954 (relating to percentage depletion) is amended by adding the following:

"(d) CHANGE IN RATE.—In the case of a taxable year ending after December 31, 1953, which includes the effective date of a change in the rate of percentage depletion, the allowance for depletion for the taxable year shall be an amount equal to the sum of:

"(1) that portion of a tentative allowance computed without regard to such change in the rate of percentage depletion which the number of days in the taxable year before the effective date of the change bears to the total number of days in the entire taxable year; plus

"(2) that portion of a tentative allowance computed as if such change in the rate of percentage depletion were applicable for the entire taxable year, which the number of days in the taxable year on or after the effective date of such change bears to the total number of days in the entire taxable year.

The rules prescribed in this subsection shall also apply for the taxable year for which a rate of percentage depletion first applies. For the purposes of this subsection, effective date of change means 'effective date of change' as defined in section 21 (c)."

The statement accompanying Senate bill 733 is as follows:

STATEMENT BY SENATOR CAPEHART

The Internal Revenue Code of 1954, section 613, increased the percentage depletion rates on gross income for some minerals and allowed percentage depletion for the first time for some other minerals. These provisions became effective under the general rule for applicability of the 1954 code, i.e., only with respect to taxable years beginning after December 31, 1953, and ending after August 16, 1954. Thus, the new depletion rates are not applicable to fiscal years beginning in 1953 and ending in 1954 or to short taxable years beginning in 1954 and ending before August 17, 1954.

I have introduced, for appropriate reference, a bill which is designed to modify the 1954 code rule so as to apply the new depletion rates to the portion of a fiscal year which falls in the calendar year 1954. A prorationing of depletion allowances available under the 1939 code and under the 1954 code depletion rates would be provided through a formula which is based on the number of days in the taxable year falling before, and those falling on or after, January 1, 1954.

This means that the new rates apply to calendar year taxpayers for the entire year 1954, but that they apply to fiscal year taxpayers only for a part of 1954—between 1 and 11 months, depending on the fortuitous chance of when their fiscal years began. This discrimination is obviously inequitable. Furthermore, it places fiscal year taxpayers at a serious competitive disadvantage compared to calendar year taxpayers in the same business.

An example of the inequitable effect of the present effective date provision is a limestone producer with a fiscal year ending November 30. This taxpayer is entitled to the new 15 percent of gross income depletion rate for only 1 month of his 1954 production, whereas calendar year limestone producers are entitled to the 15-percent rate on their entire 1954 output.

Congress provided relief in an exactly parallel situation which arose under the

Revenue Act of 1951. The 1951 act made increases in depletion rates effective only for taxable years beginning after December 31, 1950—thus creating the same inequity as the effective date of the 1954 changes. When the inequity was pointed out Congress corrected it in 1952 by making the changes effective for all taxpayers alike on January 1, 1951 (sec. 5, Public Law 594, 82d Cong., 2d sess., 66 Stat. 818, approved July 21, 1952).

Clearly the same relief is needed in the case of the 1954 code.

Approximately 50 percent of the limestone industry, especially the old line producers, use the end of their quarrying season, namely, November 30, as the end of their business year and the newer producers—approximately 50 percent of the industry—use the calendar year. Obviously, one-half of the industry enjoyed substantial competitive advantage over the fiscal year operators which anyone must agree was not the intent of Congress.

The limestone industry currently is suffering substantial economic recession and the refund of this unfair and inequitable tax will contribute toward stabilizing the current financial position of many of the smaller producers.

S. 734. A bill to amend the Internal Revenue Code of 1954 to provide that no documentary stamp tax shall be imposed with respect to conveyances under which the real property of any person is transferred to a State or political subdivision thereof as a result of condemnation, or threat or imminence of such condemnation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 4362 of the Internal Revenue Code of 1954 (relating to exemptions from the documentary stamp tax on conveyances) is amended by redesignating subsection (b) as subsection (c), and by inserting after subsection (a) the following new subsection:

"(b) STATE AND LOCAL GOVERNMENT CONVEYANCES.—The tax imposed by section 4361 shall not apply to any deed, instrument, or writing under which the real property of any person is transferred to a State or political subdivision thereof as a result of condemnation, or of a threat or imminence of such condemnation, by such State or political subdivision."

(b) Section 4383 of such Code (relating to liability for tax) is amended by striking out "The tax" and inserting in lieu thereof "Except as provided in section 4362(b), the tax".

SEC. 2. The amendment made by the first section of this Act shall apply only with respect to deeds, instruments, and writings executed on or after the date of the enactment of this Act.

The statement accompanying Senate bill 734 is as follows:

STATEMENT BY SENATOR CAPEHART

I have introduced for appropriate reference, a bill which would amend the Internal Revenue Code of 1954 to provide that no documentary stamp tax shall be imposed with respect to conveyances under which the real property of any person is transferred to a State or political subdivision thereof as a result of condemnation, or threat, or imminence of such condemnation.

The very nature of condemnation or threat of condemnation assumes or implies an unwilling seller. The imposition of a tax on a willing seller is inherent in the statute; but the use or threat of use of legal proceedings upon a presumably unwilling seller added to the liability to the imposition of a Federal tax upon that unwilling seller is something more than should, in equity and good conscience, be condoned.

The loss of tax revenue to the Federal Government, under this provision, would indeed be small; whereas the inequity which it purports to correct would indeed be great.

S. 735. A bill to remove the manufacturers excise tax on metal tennis nets.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 4161 of the Internal Revenue Code of 1954 (relating to manufacturers excise tax on sporting goods) is amended by striking out "Tennis balls, nets, rackets" and inserting in lieu thereof "Tennis balls, nets (other than metal nets), rackets".

(b) The amendment made by this Act shall take effect on the first day of the first month which begins not less than 10 days after the date of enactment of this Act.

The statement accompanying Senate bill 735 is as follows:

STATEMENT BY SENATOR CAPEHART

I have introduced, for appropriate reference a bill which can fairly be considered a technical amendment to the Internal Revenue Code of 1954 to correct an inequitable and perhaps an unintended omission in the list of certain items not taxable thereunder.

There are some 19 sporting goods items exempt, regardless of use or ultimate consumer, from the manufacturer's excise tax provision of the code because they are deemed to be used primarily for school sports and by children. This bill would add to the exempt list "metal nets" as distinguished from "nets" as contained in the provision imposing a tax on "tennis balls, nets, rackets."

I am reliably informed and it is my understanding that more than 75 percent of such "metal nets" manufactured are sold for public school and municipal playground use and accordingly are eligible for tax exemption certificates. In such case the manufacturer is presently required to assess, collect, and remit the tax to the appropriate Director of Internal Revenue, obtain an exemption certificate from the purchaser, refund the amount of tax collected from the purchaser back to the purchaser, and adjust by means of a tax credit his [the manufacturer] own tax return. I am further informed that tax revenues inuring to the Government in this area are quite small.

This practice appears to me to be one of those burdensome, time consuming, complicated and expensive accounting procedures so common to the businessman, but yet so unjustified and unexplainable.

It is entirely possible and perhaps likely that the accounting and enforcement cost to the Government of this item exceeds the revenues derived therefrom. And accordingly I request the Senate in good conscience and as a matter of sound business and fiscal practice to consider this amendment to the Internal Revenue Code.

To the Committee on Banking and Currency:

S. 736. A bill to amend the Securities Exchange Act of 1934 to increase public disclosure of security ownership.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (a) of section 16 of the Securities Exchange Act of 1934 is amended by striking out the figure "10" in such subsection and inserting in lieu thereof the figure "5".

(b) Subsection (b) of section 16 of such Act is amended by striking out "such beneficial owner, director, or officer" where it first appears in such subsection and inserting in lieu thereof "the beneficial owner of more than 10 per centum of any class of any equity security (other than an exempted security) which is registered on a national securities exchange, or by a director or officer of the issuer of such security".

(c) Subsection (c) of section 16 of such Act is amended by striking out "such beneficial owner, director, or officer" and inserting in lieu thereof "beneficial owner of more than 10 per centum of any class of any equity security (other than an exempted security) which is registered on a national securities exchange, or any director or officer of the issuer of such security".

The statement accompanying Senate bill 736 is as follows:

STATEMENT BY SENATOR CAPEHART

I have introduced, for appropriate reference a bill which in substance requires that those persons seeking to control corporations by the purchase of stock and by the accumulation and acquisition of proxies be required to make full disclosure of their identity to the Securities Exchange Commission.

Primarily the bill purports to protect the stockholders, officers, directors, and prospective investors of corporations, as well as the general public, by requiring disclosure of contemplated changes in management in order to provide information and to assist in the detection, prevention, and punishment of fraud, manipulation, and other illegal activities in the securities markets, where Federal jurisdiction is involved.

This bill in effect would provide for an extension of the "full disclosure" principles of the Federal securities laws, which have been most effectively administered by the Securities Exchange Commission in recent years and by means of which a vast amount of business and financial information has become available to the investing public.

The importance of all such "full disclosure" measures will increase in proportion to our expanding and developing economy and the concomitant requirements for large amounts of new investment capital.

S. 737. A bill to amend section 31 of the Securities Exchange Act of 1934.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 31 of the Securities Exchange Act of 1934, as amended, is amended by designating the present provisions thereof as subsection (a) and by substituting in the second sentence thereof the words "one two-hundredths of 1 per centum" for the words "one five-hundredths of 1 per centum" and by adding the following two new paragraphs at the end thereof:

"(b) Every registered broker-dealer shall pay to the Commission on or before April 15 of each calendar year a registration fee for the privilege of doing business as a registered broker or dealer during the preceding calendar year or any part thereof. Such fee shall be in an amount equal to one two-hundredths of 1 per centum of the aggregate dollar amount of the price of securities (other than securities which are direct obligations of or obligations guaranteed as to principal or interest by the United States or such securities issued or guaranteed by corporations in which the United States has a direct or an indirect interest as shall be designated for exemption from the provisions of this section by the Secretary of the Treasury as necessary or appropriate in the public interest or for the protection of investors; securities which are direct obligations of or obligations guaranteed as to principal or interest by a State or any political subdivision thereof or any agency or instrumentality of a State or any political subdivision thereof or any municipal corporate instrumentality of one or more States) sold as a broker or dealer otherwise than on a national securities exchange during the preceding calendar year and subsequent to the registration as a broker or dealer.

"(c) Every national securities exchange and every registered broker or dealer shall make such reports as the Commission by its rules and regulations may prescribe as necessary or appropriate to carry out the purposes of this section."

SEC. 2. This Act shall apply to transactions occurring on and after the ninetieth day after the date of its enactment.

The statement accompanying Senate bill 737 is as follows:

STATEMENT BY SENATOR CAPEHART

I have introduced for appropriate reference a bill which would amend section 31 of the Securities Exchange Act of 1934 which requires every national securities exchange to pay to the Securities and Exchange Commission on or before March 15 of each calendar year a registration fee for the privilege of doing business as a national securities exchange during the preceding calendar year or any part of that year. The fee is presently fixed at one five-hundredth of 1 percent of the aggregate dollar amount of sales of covered securities transacted on such exchange during the preceding calendar year and subsequent to its registration as a national securities exchange. This corresponds to a fee of 2 cents per $1,000 on such transactions. During the fiscal year ended June 30, 1956, this particular schedule of fees resulted in the payment of $785,214. Along with other fees collected by the Commission, these are all deposited in the general fund of the U.S. Treasury and are not available for expenditure by the Commission. However, they have the effect of reducing the net cost to the general Federal taxpayer of the operations of the Commission.

In practice, this fee is passed on to investors by brokers' charges to their customers in connection with transactions executed on the nationally recognized exchanges. The fee appears on the confirmations furnished by brokers to customers covering these transactions. This bill would increase the rate for these fees to one two-hundredth of 1 percent from one five-hundredth of 1 percent. This is equivalent to an increase from a rate of 2 cents per $1,000 to a rate of 5 cents per $1,000.

At the present time no similar fee is charged on transactions handled in the over-the-counter market. This bill would charge a fee at the same rate of one two-hundredths of 1 percent on the aggregate dollar amount of the price of covered securities sold as a broker or dealer otherwise than on a national securities exchange during the preceding calendar year and subsequent to the registration as a broker or dealer. This registration fee would be charged for the privilege of doing business as a registered broker or dealer during the preceding calendar year or any part thereof.

An express exemption from the fees charged registered broker-dealers is included in the bill for securities that are (1) direct obligations of the United States, (2) obligations guaranteed as to principal and interest by the United States, or (3) issued or guaranteed by corporations in which the United States has a direct or an indirect interest as designated for exemption by the Secretary of the Treasury. This is the same exemption provided in the case of fees charged national securities exchanges under section 31 of the Securities Exchange Act of 1934 in its present form.

The Senate Committee on Banking and Currency supports this legislation for the following reasons:

1. It places registered brokers and dealers handling transactions in the over-the-counter market on a par with national securities exchanges in sharing the incidence of fees of the nature provided by this bill.

2. It is desirable to realize a greater return to the U.S. Treasury for services performed by the Securities and Exchange Commission. This bill will make possible an increased return without placing any additional burden upon Federal taxpayers.

3. Whatever slight effect the bill may have upon the matter of inflation will constitute a restraining influence.

4. The added revenue derived by reason of the bill will provide a source of additional funds against which the Commission can make an equitable claim through the medium of requests for additional appropriations to carry out the functions assigned to the Commission by the Congress.

PREVENTION OF UNJUST DISCRIMINATION BECAUSE OF AGE

Mr. JAVITS. Mr. President, I am today introducing proposed legislation to prevent and eliminate unjust discrimination in employment because of age in the three major areas where the Federal Government has some jurisdiction over employment practices. The first bill prevents such discrimination by firms engaged in interstate commerce, while the remaining two measures ban age bias in employment by employers fulfilling Federal contracts or subcontracts and by those firms located in the District of Columbia.

The first proposal, called the National Act Against Age Discrimination in Employment, declares that it shall be an unlawful employment practice for an employer to:

First. Refuse to hire, discharge, or otherwise discriminate against any person in respect to his employment because of age when the reasonable demands of the job do not require an age distinction; and

Second. Utilize the services of any employment agency, placement service, labor organization, or other agency which discriminates on account of age.

It would also be unlawful for any labor union to maintain membership requirements or other procedures which would tend to rule out or limit employment opportunities, or adversely affect wages, hours, or working conditions because of an individual's age. The same prohibitions are contained in the other two bills, and in all the proposals there are enforcement provisions.

As our economy rallies from the recession lows of 1958, we must bear in mind the most significant fact that the problem of dealing with unjust discrimination against workers over 45 in employment is relatively more severe at a time when our economy is expanding than it is during a period of contraction.

An analysis of U.S. Census Bureau figures shows that during the peak unemployment month of April 1958, about 6 percent of the United States labor force in both the 25 to 44 and the 45 to 64 age group was out of work. Although the average duration of unemployment for older workers was 2 weeks longer, 15.4 weeks compared to 13.4 weeks for the younger workers, both groups had a similar proportion unemployed more than 15 weeks—40 percent over 44 and 37 percent between 25 and 44. However, during April 1957, when our economy was still in a period of expansion, workers between 45 and 64 had an average duration of unemployment extending 16.1 weeks, compared to 10.8 weeks for younger workers; 35 percent of our older workers were unemployed more than 15 weeks at that time, compared to only 23 percent between 25 and 44.

It is apparent that seniority offers a degree of protection to older workers during a recession period and that they are rehired by their former employers at a relatively faster rate as conditions return to normal. However, there is a very real danger that as employers start to expand their labor force and create brandnew job opportunities, they will discriminate heavily against older workers who apply for these new assignments, particularly if some additional training may be required. As a result, many of our 1.2 million workers past 44 presently unemployed may not share fully in the benefits of an expanding U.S. economy.

Although about 70 percent of the companies in one recent survey said they did not have a fixed policy against hiring workers above a certain age, the remaining 30 percent admitted that they did set an age ceiling of 44. In addition, a nationwide study of hiring practices by the Labor Department showed that in 70 percent of the cities surveyed, more than half of the jobs registered with employment offices listed a maximum hiring age.

At any period, age bias in employment is harmful to our national economic structure. It imposes an artificial limitation on the size of the manpower pool from which we can draw experienced, highly skilled employees, and it materially raises the number of persons requiring public assistance, while depriving our mature citizens of the dignity and status of self-support derived from constructive vocational activity.

In a 1958 survey of 163 manufacturing plants, older workers once again were revealed to have proven records of high productivity, excellent attendance, mature response to teamwork pressures, harmonious employee relations, and low accident rates. If their experienced talents and skills are not fully utilized, then U.S. industry may be handicapping its own productive capacity and retarding the overall rate of our economic growth.

Admittedly, age discrimination in employment cannot be legislated out of existence, but the bills I am introducing today can provide a suitable basis for solution to be brought about by law. Last year, when New York passed the McCahan-Preller Act to prohibit this type of discrimination, it was only the fourth State to do so—the other States administering such a law are Massachusetts, Rhode Island, and Pennsylvania. There remains a great opportunity and necessity for the Federal Government to exercise the same kind of leadership in this field that it did following enactment of the Davis-Bacon Act, which set up Federal standards for wages, hours, and conditions of employment. My three proposals offer a starting point from which we can reach for the ultimate goal of barring age discrimination in employment wherever it exists and provide the Government leadership so necessary if we are to make progress.

Under the terms of my proposed National Act Against Age Discrimination in Employment dealing with firms engaged in interstate commerce, the Administrator of the Wage and Hour Division of the Department of Labor may

issue cease and desist orders against violators and authorize the reinstatement or hiring of employees with or without back pay. Further violations subject the employer to contempt of court proceedings. Under the D.C. Act Against Age Discrimination in Employment, similar enforcement machinery is at the disposal of the Chairman of the Minimum Wage and Industrial Safety Board in the District of Columbia in dealing with businesses located there. The three bills also provide for judicial review along with conciliation, technical assistance, and other aids to both employees and employers.

In the case of employers who practice age discrimination in the performance of work for the U.S. Government or the District of Columbia Government, and persist even after a notice and hearings, then Federal and D.C. contracts and subcontracts are subject to cancellation.

The PRESIDENT pro tempore. The bills will be received and appropriately referred.

The bills, introduced by Mr. JAVITS, were received, read twice by their titles, and referred as indicated:

To the Committee on Labor and Public Welfare:

S. 738. A bill to prohibit unjust discrimination in employment because of ages; and

S. 739. A bill to eliminate discriminatory employment practices on account of age by contractors and subcontractors in the performance of contracts with the United States and the District of Columbia.

To the Committee on the District of Columbia:

S. 740. A bill to prohibit, within the District of Columbia, unjust discrimination in employment because of age.

AMENDMENT OF FEDERAL COAL MINE SAFETY ACT

Mr. CLARK. Mr. President, on behalf of myself, the Senator from Montana [Mr. MURRAY], the Senator from Colorado [Mr. CARROLL], the Senator from Utah [Mr. Moss], the Senator from Wyoming [Mr. McGEE], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Illinois [Mr. DOUGLAS], and the Senator from Indiana [Mr. HARTKE] I introduce, for appropriate reference, a bill to amend the Federal Coal Mine Safety Act in order to remove exemption with respect to certain mines employing no more than 14 individuals.

Mr. President, I ask unanimous consent that the bill lie on the desk for additional cosponsors until Friday of this week.

The PRESIDENT pro tempore. The bill wil be received and appropriately referred; and, without objection, the bill will lie on the desk until Friday of this week.

The bill (S. 743) to amend the Federal Coal Mine Safety Act in order to remove the exemption with respect to certain mines employing no more than 14 individuals, introduced by Mr. CLARK (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. CLARK. Mr. President, this bill is the same as the bill I had the honor of sponsoring last year, which unfortunately failed of passage. The bill would repeal the provision in the Federal Coal Mine Safety Act which exempts from Federal inspection those mines in which 14 or fewer people work regularly underground.

Government statistics show that the rate of fatalities in the small mines which are exempt from the safety law is 2½ times higher than that in the larger mines. Moreover, the percentage of fatal accidents occurring in the exempted mines as compared to the total mine fatality figure has shown a steady increase in the past 4 years.

In 1958 preliminary figures show that 29 percent (90 of the total of 312) of the fatalities reported for the entire industry occurred in mines not covered by the Safety Act, although these same mines accounted for only 7 or 8 percent of the total coal tonnage produced in the Nation.

It is evident that Federal inspection of small mines will help save lives there.

The Federal inspectors would not supplant the State inspectors, but would work cooperatively, as they now do, in inspection of the larger mines. The State Department of Mines in Pennsylvania has indicated that it would like to see the Federal Coal Mine Safety Act extended to cover all mines.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks a table showing the underground coal mine fatal accident statistics, divided as between mines employing 14 or fewer people and mines in which more than 14 persons are employed.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Underground coal mine fatal accident statistics

	1958 [1]		1957 [2]		1956		1955	
	Fatalities	Rate [3]	Fatalities	Rate	Fatalities	Rate	Fatalities	Rate
Bituminous:								
Title I (14 or less)	83	2.94	92	2.55	72	2.14	59	1.87
Title II (more than 14)	203	1.18	283	1.29	270	1.14	244	1.04
Anthracite:								
Title I	7	2.04	12	2.71	15	3.24	10	2.02
Title II	19	1.26	37	1.90	33	1.43	39	1.77
Total:								
Title I	90	2.84	104	2.59	87	2.28	69	1.89
Title II	222	1.19	320	1.34	303	1.16	283	1.18

[1] Preliminary figures.
[2] Subject to revision.
[3] Per million man-hours of exposure.

NOTE.—1955: 19.2 percent of the total accidents occurred in title I mines; 1956: 21.1 percent of the total accidents occurred in title I mines; 1957: 25.9 percent of the total accidents occurred in title I mines; 1958: 29 percent of the total accidents occurred in title I mines.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield to my friend from West Virginia.

Mr. RANDOLPH. I commend my able colleague from Pennsylvania for his leadership in connection with the amendment to the basic Federal Coal Mine Safety Act. It was my privilege to support that measure originally, when I was a Member of the House of Representatives and active in the Committee on Mines and Mining. I was also chairman of the Subcommittee on Coal.

West Virginia, as is true with respect to Pennsylvania, is a State in which we are impressed constantly with the danger to the men who go beneath the earth to mine coal. There is no arbitrary cutoff point. The hazards must be kept at a minimum for those who toil in this industry. It is as important to look after the safety of men working in a mine where 14 or fewer laborers are employed as it is to look after the safety of 50 or 100 or 500 men.

I commend the Senator and join with the Senator in this effort. I hope we will press forward in a vigorous attempt on the part of Members of the Senate to pass this proposed legislation. The original act was necessary. It was right then. It is right now to strengthen the initial purposes.

When the bill was being first considered, I said:

Let us throw every safeguard around those men who go beneath the earth to earn a livelihood.

I urge other Senators to join as cosponsors of this vital measure.

Mr. CLARK. I thank my friend for his remarks and I welcome his support. I know both the Senator from West Virginia and I are Members of the committee to which the bill will be referred, and I hope we will be successful in having it favorably reported.

CONVEYANCE OF CERTAIN LANDS KNOWN AS DES PLAINES PUBLIC HUNTING AND REFUGE AREA TO STATE OF ILLINOIS

Mr. DOUGLAS. Mr. President, I introduce for appropriate reference a bill to provide for the conveyance of certain lands known as the Des Plaines Public Hunting and Refuge Area to the State of Illinois.

The Des Plaines Public Hunting and Refuge Area, which I shall hereafter refer to as the Des Plaines area, forms part of a large acreage of marginal land, acquired by the Army at the outset of World War II for development of the Kankakee Ordnance Plant, which is presently known as the Joliet Arsenal. The Des Plaines acreage proved to be excess as the war developed and was never used for ordnance or arsenal purposes, excepting for isolated areas such as the pumping station and a barracks area at the northern end along the Des Plaines River where troops were stationed.

At the conclusion of World War II, there was a great demand for hunting space in Illinois as well as in other regions of the United States, and steps were taken by the Illinois Department of Conservation to acquire large unused areas for public hunting grounds. Among those sought was the western segment of the Joliet Arsenal, which became available shortly after the conclusion of hostilities. Formal transfer, however, was not made for more than 2 years.

On January 20, 1948, the Department of the Army assigned the Des Plaines area by permit to the U.S. Fish and Wildlife Service for transfer to the State of Illinois. Said transfer was made by permit on March 24, 1948, and the permit was signed in confirmation by Director Livingston E. Osborne of the Illinois Department of Conservation on March 29, 1948.

The permit granted the Illinois department the right to manage the wildlife on the 4,300-acre area, to include public hunting as well as development of wildlife cover and propagation of game birds. With these rights also went the responsibility of policing the area, maintenance, including roads and fences, and the operation of the farm program under the supervision of the Soil Conservation Service and with approval of the farm manager of the Joliet Arsenal.

Wildlife plantings were made in 1948, and the long-range farm plan set up for the 5-year term of the original permit. First public hunting was launched in November 1948, with 3,433 hunters using the area that first year. During the next 3 years, in cooperation with the Army, numerous unneeded buildings were removed, including various farmsteads and barracks. Steps were taken to convert the barracks into a game farm, and pens for pheasants were constructed on the game farm section.

On April 11, 1952, the original 5-year permit was replaced with a 10-year permit, running from the same date of origin until March 24, 1958.

Efforts are now being made to sell portions of this fine recreational area for industrial development. Such action would deny thousands of people in northern Illinois the use of this fine natural facility for hunting and recreational purposes.

During the 9 years of State operation, the Illinois Department of Conservation has expended approximately $293,000 for improvements, repair, or development of the area. This represents a large investment which should be protected.

The State of Illinois, Department of Conservation, has been informally advised by representatives of both the Corps of Engineers and the Ordnance Corps of the Department of the Army that in their opinions, the highest and best use to be made of the Des Plaines property is as an Illinois State game farm, wildlife refuge, and public hunting area.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 747) to provide for the conveyance of certain lands known as the Des Plaines Public Hunting and Refuge Area to the State of Illinois, introduced by Mr. DOUGLAS, was received, read twice by its title, and referred to the Committee on Government Operations.

LABOR-MANAGEMENT PRACTICES ACT OF 1959

Mr. GOLDWATER. Mr. President, I send to the desk for appropriate reference a bill entitled the "Labor-Management Practices Act of 1959" which embodies the administration's labor proposals.

Mr. President, I ask unanimous consent that the bill lie on the desk for 3 days for additional cosponsors.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk for 3 days, as requested by the Senator from Arizona.

The bill (S. 748) providing further safeguards against improper practices in labor organizations and in labor-management relations; requiring disclosure of certain financial transactions and administrative practices of labor organizations and their officers and agents and reports of direct and indirect dealings between them and employers which may conflict with obligations as employee representatives; reinforcing rights of members of labor organizations with respect to funds and property, the election and removal of officers, and the exercise by other labor organizations of supervisory control, of such organizations; providing penalties for certain criminal acts; and for other purposes, introduced by Mr. GOLDWATER (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. GOLDWATER. Mr. President, this bill is a comprehensive measure designed to carry out the recommendations of the President encompassed in his message for effective labor-management legislation to assure the American worker and the public that genuine, responsible collective bargaining can be carried on without either destroying or weakening the rights and freedoms of our working people while simultaneously safeguarding the public interest. This bill reflects the general principles which guide the administration with respect to labor-management relations, namely:

First. That it is the firm and permanent national policy to protect by law the right of American workingmen and women to organize into unions and to bargain collectively through representatives of their own choosing; and

Second. That the primary responsibility for peaceful and effective labor relations rests with labor and management themselves, it being the function of the Government merely to provide a framework of laws to protect the basic rights of individual employees when voluntary processes fail to do so.

The specific provisions of this bill have been carefully drawn to fit the particular practices and abuses toward which they are directed. Adequate reporting and disclosure provisions are provided to insure to union members the right to know whether the union funds derived from their payment of dues and other fees are used solely for their benefit and in accordance with their wishes. Minimum standards are prescribed for periodic elections by secret ballot and in accordance with union constitutional requirements, as well as procedures which will help eliminate abuses in the methods used to exercise supervisory control over subordinate organizations, popularly but not always accurately referred to as trusteeships. These requirements are intended to provide some guaranty that the workers' organizations will be administered so as to reflect the will of their members.

Other provisions of the bill are designed to protect employees against dealings between representatives of labor unions and management which conflict with, and may impair their rights to organize and bargain collectively. In addition, adjustments in existing labor-management relations law are proposed which will remove the statutory prohibition against voting by replaced economic strikers in representation elections and which will permit more equitable and realistic accommodations under the National Labor Relations Act of the relations between labor and management in the building construction industry. An essential provision of the bill, one which will prove substantially useful in curbing racketeering and lawlessness in labor-management relations, is the language permitting the States to take action where the Federal Labor Board declines to assert its jurisdiction. This provision will eliminate the "no-man's land" in existing labor law and provide an administrative or judicial forum where relief may be obtained in almost all labor cases.

In this connection, I would like to emphasize that legislation eliminating the "no-man's land" carries out a specific recommendation to that effect made by the McClellan committee in its interim report of last year. And this is not the only instance in which the administration bill carries out the recommendations of that report. The McClellan committee stated:

> Since union moneys * * * are in actuality a trust, being held for the members of the union by their officers, the committee feels that attention should be given to placing certain restrictions on the use of these funds, such as are now imposed on banks and other institutions which act as repositories and administrators for trust funds.

This bill provides that officers, agents, and other representatives of a labor organization shall have a fiduciary duty to the members of the union requiring them to hold money or other property in their custody or possession by virtue of their position, in trust for the benefit of the members and for furthering the purposes for which the union exists. It thus carries out this recommendation of the McClellan committee as well. Neither of these McClellan committee recommendations was provided for in the Kennedy-Ives bill of last year, and I regret to say that neither is included in S. 505, introduced several days ago by the Senator from Massachusetts [Mr. KENNEDY] and the Senator from North Carolina [Mr. ERVIN].

Extremely important are those provisions of this bill which provide more adequate protection of neutral employers and employees against secondary boycott abuses and which restrict coercive representation picketing, whether it is called organizational or recognition—to force workers into membership in, or representation by, unions which they reject. One of the conclusions set forth in the interim report of the McClellan committee is that the weapon of organizational picketing has been abused and has been used for purposes, among others, of extorting money from management. In my opinion, any bill which purports to deal effectively with improper activities in the labor-management field must deal with the two devices which have been extensively used to further violence and racketeering—the secondary boycott and the coercive representation picket line.

This program of the administration is a fair and equitable one. The restrictions imposed are directed solely at eliminating specific evils, and the administrative and judicial procedures are designed to provide effective remedies. In this connection I am particularly pleased that the administration bill includes certain sanctions which I have always felt, and on frequent occasions so stated publicly, must accompany the traditional criminal penalties, if the campaign against corruption and racketeering in the labor-management field is to be prosecuted effectively. The possible loss of the statutory privileges of tax-exemption and of resort to the procedures of our Federal labor laws by unions which fail to comply with the bill's provisions concerning their finances, election processes, and trusteeships, should induce practically every union to comply with these provisions.

The bill thus provides adequate and appropriate enforcement powers, without which any legislation in this area would be meaningless. The program will have no punitive effects upon honest employers and labor union officials.

I wish to express my approval and support of these proposals, as a practical and equitable approach to the complex problems in the labor-management field. It is a program which is in the best interest of all parties concerned. I urge that favorable consideration be given this bill at the earliest opportunity.

I ask unanimous consent that the text of the bill and the explanatory statement prepared by the Department of Labor be printed in the body of the RECORD, as well as a comparison of this bill with S. 505, the Kennedy-Ervin bill.

There being no objection, the text of the bill, the explanatory statement, and the comparison were ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Labor-Management Practices Act of 1959."

FINDINGS AND POLICY

SEC. 2. (a) The Congress hereby finds that the activities of labor organizations and the employees they represent have substantial impact on the commerce of the Nation and that Federal laws protecting and encouraging employees in their rights to organize, bargain collectively, and engage in other concerted activities for their mutual benefit and protection, and Federal laws providing tax exemptions for the labor organizations through which employees exercise such rights, clearly manifest the national public interest in these activities. The Congress also finds that it is essential to the protection of this public interest and of the free flow of commerce and to the principle of allowing such tax exemptions that labor organizations and the persons who conduct their affairs and handle their funds be kept responsive to the will of their membership as expressed in democratic procedures and adhere to the highest standards of responsibility to the individual workers who rely on them for proper representation and protection of their rights. The Congress further finds that disclosures of instances of corruption, abuses of trust, disregard of democratic procedures and of the rights of individual workers, and other failures to observe the necessary standards of responsibility indicate the necessity of providing further protection of the rights and interests of individual employees and the public as they relate to the activities of labor organizations and of the responsible officers, agents, and representatives of such organizations and persons who deal with them as employers and their agents and middlemen in labor-management relations matters; and that such further protection is important to the strengthening of the American free enterprise system, to ensuring stability and growth in the Nation's economy, to protecting the revenue of the United States, and to promoting relations between labor and management which avoid burdens, obstructions, and interruptions to commerce.

(b) It is declared to be the policy of the United States to advance the objectives, protect the national interests, and correct the evils referred to in subsection (a), and to deter and penalize these acts and omissions of labor organizations and their officers, agents, and representatives and those acts of employers and their agents and middlemen which are contrary to the rights and interest of the public and of the individual employees such labor organizations represent, by (1) requiring the reporting and disclosure of those organizational and financial affairs of labor organizations and of transactions by persons engaged in labor-management relations in which abuses of trust or authority, conflicts of interest, and other improper activities may occur without knowledge of those affected unless opened to scrutiny; (2) providing remedies for those injured by a disregard of responsibilities arising out of positions of trust; (3) requiring that officers of labor organizations be elected at appropriate intervals through democratic procedures and by secret vote of the members; (4) regulating the imposition on subordinate labor organizations of supervisory control through the appointment of administrators, trustees, or receivers to administer their affairs; (5) providing adequate enforcement measures to assure compliance with the foregoing requirements; (6) ensuring that noncomplying persons whose labor or management practices do not justify the protection of privileges and immunities otherwise available to such persons under Federal law cannot claim any right to such benefits and may be disqualified therefrom; (7) improving provisions of the Labor Management Relations Act, 1947; and (8) imposing criminal penalties for willful wrongdoing.

TITLE I—GENERAL PROVISIONS

Definitions

SEC. 101. As used in this Act, except in amendments made by this Act to the National Labor Management Relations Act, 1947, as amended—

(a) "Labor organization" means a labor organization engaged in activities affecting commerce and includes any labor union or any organization of any kind, or any agency or employee representation committee, association, group, or plan, so engaged in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, conditions of work, or other matters incidental to employment relationships, and includes further any conference, joint board, joint council, or other local, State, regional, national, or international organization composed of representatives of such labor organizations or in which such labor organizations are associated or with which they are affiliated.

(b) "Employer" means any employer or any group or association of employers which is an employer within the meaning of any law of the United States relating to the employment of any employees or which, with respect to any private or public employment of employees, may deal with any labor organization concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work, and includes any person acting directly as an employer or indirectly in the interest of an employer in relation to an employee, except that as used in provisions of this Act subjecting employers to any requirement, liability, prohibition, administrative sanction, or punishment, "employer" shall not include the United States or any wholly owned Government corporation or any State or political subdivision of a State or any employer who is not engaged in any activity or in any industry affecting commerce.

(c) "Employee" includes any individual employed by an employer, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice.

(d) "Person" includes one or more individuals, labor organizations, partnerships, associations, corporations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, or receivers.

(e) "Commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States or between any State and any place outside thereof.

(f) An activity or industry "affecting commerce" means any activity or industry in commerce or in which a labor dispute or a violation of this Act would hinder or obstruct commerce or the free flow of commerce, and includes any activity or industry "affecting commerce" within the meaning of the Labor Management Relations Act, 1947, as amended. Labor organizations engaged in activities affecting commerce include, for purposes of this Act, those labor organizations which have officers or members engaged in such activities, or which represent employees engaged in such activities, or which represent employees or have officers or members who are employed by any employer or in any industry engaged in activities affecting commerce, including any labor organization certified under Federal law, acting, or recognized as the representative of employees of any such employer or in any such industry, or actively seeking to represent any such employees, or receiving or issuing any charter from or to another labor organization which is representing or actively seeking to represent any such employees.

(g) "Labor dispute" includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

(h) "State" includes any State of the United States, the District of Columbia, Hawaii, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act (ch. 345, 67 Stat. 462).

(i) "United States", when used in a geographical sense, includes all territory specified in clause (h).

(j) "Supervisory control" exercised or assumed by a labor organization over a subordinate labor organization means control or management of funds, other property, operations, or procedures of the subordinate organization through any receivership, trusteeship, or other procedure in which a supervisor, trustee, or other administrator is vested by the superior body with authority normally exercised by any officer or officers or by the membership of the subordinate labor organization.

(k) "Officer" of a labor organization includes any constitutional officer or any member of a board, council, committee, or other body established by the constitution or charter of a labor organization which is elected pursuant to and is empowered by such constitution or charter to exercise governing or executive functions with respect to such labor organization; and except in provisions of this Act referring to the election of officers the term shall include any appointed as well as any elected officer.

(l) "Officer, agent, or other representative" of a labor organization includes elected officials and key administrative personnel, whether elected or appointed (such as business agents, heads of departments or major units, and organizers who exercise substantial independent authority), but not salaried nonsupervisory professional staff, stenographic and service personnel.

(m) "Secret vote" means any vote in which the voter expresses his choice by ballot, referendum, voting machine, or other means, without such choice becoming known to any other person.

(n) "Secretary" means the Secretary of Labor, United States Department of Labor.

Separability of provisions

SEC. 102. If any provision of this Act or the application of such provision to any person or circumstance is held invalid, the remainder of this Act and the application of such provision to other persons or circumstances shall not be affected.

Effective date

SEC. 103. This Act shall become effective sixty days after the date of enactment, except that provisions authorizing the promulgation of regulations shall be effective on the date of enactment of this Act.

TITLE II—REPORTING AND DISCLOSURE

General requirements

SEC. 201. Every person required to file reports or other documents with the Secretary as provided in this Act shall—

(a) file, at the times and places and in the forms prescribed therefor, such reports or documents containing the information required by this Act;

(b) maintain records on the matters required to be reported which will provide the basic information and related data necessary to explain and verify the reports and documents filed as required by this Act;

(c) keep these records available for examination by the Secretary or his authorized representatives for a period of not less than five years after the filing of reports based on the information which they contain.

Reporting by labor organizations

SEC. 202. (a) Every labor organization shall file with the Secretary copies of its constitution, bylaws, and any other basic documents having similar effect, together with a report, signed by its president or other chief executive officer and by its secretary or other chief records officer, containing the following information:

(1) The name of the labor organization, its mailing address, and any other address at which it maintains headquarters or a principal place of business or at which it keeps the records referred to in section 201(b), (c);

(2) The names and titles of its officers;

(3) The initiation fee or fees required from new or transferred members;

(4) The regular dues or fees required of members to remain in good standing;

(5) Detailed statements, or references to specific provisions of documents filed under this subsection which contain such statements, showing the provision made and procedures followed with respect to each of the following: (i) qualifications for or restrictions on membership, (ii) levying of assessments, (iii) participation in insurance or other benefit plans, (iv) authorization for disbursement of union funds, (v) audit of union financial transactions, (vi) the calling of regular and special meetings, (vii) the selection of officers and stewards and of any representatives to other bodies composed of labor organizations' representatives, with a specific statement of the manner in which each officer referred to in clause (2) was elected, appointed, or otherwise selected, (viii) discipline or removal of officers or agents for breaches of their trust, and (ix) imposition of fines, suspensions, and expulsions of members, including the grounds for such action and any provision made for notice, hearing, judgment on the evidence, and appeal procedures; and

(6) Reference to the specific provisions of documents filed under this subsection which show the procedure followed with respect to (i) authorization for bargaining demands, (ii) ratification of contract terms, and (iii) authorization for strikes.

(b) Every labor organization by which a report has been filed pursuant to subsection (a) shall, after the occurrence of any change in the information required by such subsection, file with the Secretary an amendment to the report, setting forth such change, at the time of filing its next annual financial report under section 203.

(c) Every labor organization, at the time of filing the report required by subsection (a) and annually thereafter at the time of filing its financial report under section 203, shall certify to the Secretary that the constitution and bylaws of the organization contain the provisions with respect to election and removal of officers which are required by title III of this Act and that the organization is complying with all such provisions, *Provided:* That any labor organization which does not have such provisions in its constitution and bylaws and cannot lawfully incorporate such provisions therein except by constitutional convention may, until its next constitutional convention or until two years after the effective date of this Act, whichever is the earlier date, meet the requirements of this subsection by certifying to the Secretary at the times specified herein the facts which make this proviso applicable, together with a full description of the provisions and procedures for election and removal of officers which are actually followed under its constitution and bylaws. Each certification under this subsection shall be signed by the president or other chief executive officer of the labor organization and by its secretary or other chief records officer.

(d) Every labor organization which exercises or assumes supervisory control over a subordinate labor organization (as defined in section 101(j)) shall file with the Secretary, at the time of filing the report required by subsection (a) or within thirty days after the assumption of such supervisory control, whichever is the later date, and semiannually thereafter a report with respect thereto, signed by its president or other chief executive officer and by its secretary or other chief records officer, which shall certify that such supervisory control was assumed and is exercised in conformity with the applicable requirements of title III of this Act and shall provide the following information: (1) the name and address of the subordinate organization over which supervisory control has been assumed; (2) the date of assumption of such control; (3) the length of the period for which such control has been assumed or is expected to be exercised; (4) why such control was assumed and the reasons, if any, for its continuance; (5) what remains to be done before full autonomy of the subordinate organization may be restored and what steps are being taken to remove any remaining obstacles; (6) whether any delegates to represent such subordinate organization in other bodies or meetings or conventions have been or are being selected and if so, how selected, the nature and extent of participation of the membership in the selection, and the extent of authority of such delegates; (7) an account of any funds transferred from the subordinate organization to the superior organization during the period of supervisory control; and (8) a statement of the amount of normal per capita tax and assessments that would be payable by the subordinate organization if it were not under supervisory control.

SEC. 203. (a) Every labor organization shall file with the Secretary, in such detail as may be required by the Secretary, a report with respect to its financial affairs containing the information required by this section, and shall file such a report annually thereafter. The report shall be signed by the president or other chief executive officer of the labor organization and by its secretary or other chief records officer and its treasurer or other chief financial officer, and shall indicate the method by which the labor organization has made available to its members, pursuant to section 204, the information required to be contained in the report.

(b) Every such annual financial report shall show the assets and liabilities of the labor organization at the beginning and close of its last fiscal year, its financial activities during the year, the amounts and sources of its receipts and the amounts and purposes of its disbursements, including amounts paid as compensation and by way of expense or other allowances for each officer, agent, or employee whose aggregate compensation and allowances for the year exceeded $10,000.

(c) Every such annual financial report shall also explain in detail, or by reference to reports made pursuant to the requirements of section 205 and transmitted as attachments, the full circumstances surrounding the receipt by the labor organization or (to the extent that information is available) by any of its officers, agents, or other representatives of any sum of money, any property, any loan, or any other thing of value which has been received during the year, directly or through an intermediary, from any employer (other than the United States or a wholly owned Government corporation or any State or political subdivision thereof) having employees who are or might be organized or represented by the labor organization, or from any person representing such an employer; except that this requirement shall not apply with respect to any transaction which is within the provisions of section 302 (c) of the Labor Management Relations Act, 1947, as amended.

SEC. 204. Every labor organization required to file reports or other documents with the Secretary as provided in this Act shall, in

such form and manner as the Secretary shall by regulations prescribe, make available to each of its members the information required to be contained in such reports or documents and, upon request, at reasonable times and under reasonable conditions, the records providing the basic information and data required to be kept as prescribed in section 201(b).

Reports of labor-management financial dealings

SEC. 205. (a) On or before the date prescribed for the filing of the annual financial report of a labor organization required by section 203, every officer, agent, or other representative of such labor organization (as defined in section 101(1)) shall file with the Secretary a signed report as provided in this subsection (which may be filed as an attachment to such annual financial report as provided in section 203(c), or separately) if he or his spouse or minor child, during the preceding fiscal year of such labor organization, has held an interest, has received income or a loan, or has engaged in a transaction of any kind listed in this subsection either directly or indirectly through any third person or otherwise. Such report shall list and describe for such preceding fiscal year—

(1) Any transaction or transactions in which any sum of money, any property, any loan, or any other thing of value has been received or given by such officer, agent, or representative or his spouse or minor child, whether directly or through an intermediary, from or to (i) any employer having employees who are organized or represented by such labor organization or employees whom such organization is actively seeking to represent, or (ii) any person representing such an employer in labor-management relations matters; together with any other transaction or transactions from or as a result of which income or other benefit was derived directly, or indirectly through a third person or otherwise, by such officer, agent, or representative or his spouse or minor child from any such employer; and such report shall identify any third persons involved in such transactions and their part therein: *Provided,* That no report shall be required of payments of the kinds referred to in section 302(c) of the Labor Management Relations Act, 1947, as amended, or payments and benefits for work performed as a regular employee of such employer, or purchases and sales of goods or services in the regular course of business at prices generally available to any employee of such employer;

(2) Any investment or other interest, legal or equitable, in any employer referred to in clause (1) or any loan to or from such an employer during the period covered by the report which is not reported pursuant to clause (1) and which such officer or agent or representative or his spouse or minor child made or held or participated in or derived income or benefit from directly or indirectly; and

(3) Any investment or other interest, legal or equitable, in any business organization engaged in doing business with such labor organization or in doing business to a substantial extent with any employer referred to in clause (1), any loan to or from such a business, and any transaction with such a business from which income or other benefit was derived, which such officer or agent or representative or his spouse or minor child made or had directly or indirectly during the period covered by the report and which is not otherwise reported under this subsection.

Whenever such officer or agent or representative or his spouse or minor child derives some direct or indirect financial or other benefit from a transaction or activity otherwise reportable under this subsection, the fact that the transaction or activity was not engaged in by him but was engaged in by a relative by blood or marriage or other third person shall not relieve him of the obligation to file a full report thereof.

(b) The provisions of subsection (a) shall not be deemed to require a report of any bona fide investments in securities traded on a national securities exchange or in shares of an investment company registered under the Investment Company Act of 1940, or to securities of a public utility holding company registered under the Public Utility Holding Company Act of 1935, or to any income derived therefrom, if such investment does not constitute a substantial enough holding to affect or influence the course of corporate decision.

(c) The requirements of subsection (a) shall not apply with respect to any transaction involving an employer as provided in such subsection, if such employer is the United States or a wholly owned Government corporation or any State or political subdivision of a State.

SEC. 206. (a) Every employer shall file with the Secretary a report meeting the requirements of subsection (b), within thirty days after the close of any fiscal year in which such employer, either directly or through an intermediary, has—

(1) participated in any transaction with a labor organization or with any officer, agent, or other representative of a labor organization, of which a report is required from such organization, officer, agent, or representative under the provisions of section 203 or 205, or

(2) made any payment to any of his employees, or to any group or committee of his employees, or to any other person (except payments to an employee as compensation for or by reason of his regular services as an employee of such employer) for the performance, or pursuant to any understanding or agreement for the performance, by such person or persons of any acts whereby (i) any employee may be subjected to restraint, coercion, or interference in his exercise of rights guaranteed by section 7 of the National Labor Relations Act, as amended, or by the Railway Labor Act, as amended, or (ii) information with respect to the exercise of any rights referred to in clause (i) is obtained or is sought to be obtained from any employee and furnished without his knowledge and consent to his employer.

(b) Each report of an employer filed with the Secretary pursuant to the requirements of subsection (a) shall be signed by the president or other chief executive officer and by the treasurer or other chief financial officer of such employer, and shall provide the following information:

(1) The name, address, and position, if any firm or labor organization of every person, including any intermediaries, involved in each transaction or payment during the year of which a report is required by subsection (a), with an explanation of the circumstances of the transaction or payment describing its purpose and the terms of any agreement or understanding in connection therewith and the relationship thereto of each such person; and

(2) What, if any, sum or sums were paid or property was transferred or proceeds or other benefits were received by, from, to, or through each person referred to in clause (1).

Regulations on reports, records and disclosure of reported information

SEC. 207. Reports required to be filed under this Act shall, except as otherwise specifically provided, be filed within 90 days after the effective date of this Act or within 90 days after the date any organization required to file such a report is established, whichever is the later date, and annually thereafter as the Secretary shall prescribe.

SEC. 208. Reports shall be made, records shall be kept, and information shall be disclosed under the provisions of this Act in such form, manner, and reasonable detail as the Secretary shall prescribe, and subject to such regulations as the Secretary shall determine to be necessary to prevent the circumvention or evasion of such provisions.

SEC. 209. (a) The contents of the reports and documents filed with the Secretary pursuant to this Act shall be public information, and the Secretary may publish any information and data concerning labor organizations, employers, and other persons which he obtains pursuant to the provisions of this Act, use the information and data for statistical and research purposes, and compile and publish such studies, analyses, reports, and surveys based thereon as he may deem appropriate.

(b) The Secretary shall by regulations make provision for the inspection and examination, on the request of any interested person, of the information and data contained in any report or other document filed with him pursuant to the provisions of this Act.

(c) The Secretary may by regulations provide for the furnishing by the Department of Labor of copies of reports or other documents filed with the Department pursuant to this Act upon payment of a charge based upon the cost of the service. All moneys received in payment of such charges shall be deposited to the credit of the appropriation of the agency of the Department of Labor rendering such service and may be used, in the discretion of the Secretary, and notwithstanding any other provision of law, for the ordinary expenses of such agency.

(d) The Secretary shall make appropriate provisions for access by other Federal departments and agencies to any information and data acquired by him pursuant to the provisions of this title which may be of assistance to such departments and agencies in the performance of their statutory functions.

(e) The Secretary shall make available, or require any person subject to the reporting requirements of this Act to furnish, to such State agency as is designated by law or by the Governor of the State of the domicile or principal place of business of such person, copies of any reports and documents filed by such person with the Secretary pursuant to this Act, or of information and data contained therein.

Statutory provisions amended

SEC. 210. (a) Subsections (f) and (g) of section 9 of the National Labor Relations Act, as amended, are amended to read as follows:

"(f) No investigation shall be made by the Board of any question affecting commerce concerning the representation of employees, raised by a labor organization under subsection (c) of this section, no labor organization shall be eligible for certification under this section as the representative of any employees, and no complaint shall issue under section 10 with respect to a charge filed by a labor organization, unless such labor organization and any national or international labor organization of which such labor organization is an affiliate or constituent unit can show that prior thereto it has (1) filed with the Secretary of Labor the organizational and financial reports and documents required by sections 202 and 203 of the Labor-Management Practices Act of 1959, and (2) has made available to its members copies of such reports and documents as required by section 204 of such Act.

"(g) No investigation shall be made by the Board of any question affecting commerce concerning the representation of employees, raised by an employer under subsection (c) of this section, and no complaint shall be issued pursuant to a charge made by an employer under section 10, unless (1) such employer can show that prior thereto he has filed with the Secretary of Labor any

reports required of him by section 206 of the Labor-Management Practices Act of 1959, or unless (2) there is on file with the Board an affidavit executed contemporaneously or within the preceding 12-month period by such employer that he has not participated in any of the transactions or made any of the payments of which a report is required by section 206 of such Act."

(b) Clause (1) of section 8(a)(3) of the National Labor Relations Act, as amended, is amended by striking out "(g),".

(c) Until expiration of the period provided by section 207 of this Act for the initial filing of reports and documents as required by sections 202 and 203, compliance with the provisions of section 9(f) and (g) of the National Labor Relations Act, as amended, as those provisions read prior to the amendments made by this section, shall be accepted as compliance with the provisions of section 9(f) of such Act as amended by subsection (a) of this section.

Responsibilities of certain persons

SEC. 211. Each individual required by this Act to sign any report prescribed therein shall be personally responsible for filing such report as prescribed in this Act and for any statements or omissions therein with respect to information required to be contained in the report.

SEC. 212. Nothing in this title shall operate to exempt or relieve any person from any liability, duty, penalty, or punishment otherwise applicable under a law affecting any labor organization subject to the provisions of this Act or its officers or members, unless such application of other law would be contrary to a provision of this Act or would interfere with the carrying out of any objective of this Act.

TITLE III—OBLIGATIONS TO MEMBERS OF LABOR ORGANIZATIONS

Responsibilities of persons entrusted with funds and property of a labor organization

SEC. 301. (a) Every officer, agent, or other representative of a labor organization having any money or other property of such organization in his custody or possession by virtue of his position as such officer, agent, or representative shall have a duty to the members of the labor organization, requiring him to hold such money or property for the benefit of such members and for furthering the purposes for which the organization exists, and requiring him, in handling such money or property, to invest, apply, disburse, or otherwise dispose thereof only in accordance with such obligation and such purposes and in a manner authorized by the constitution, bylaws, and other governing rules of the organization.

(b) An action or proceeding may be maintained in any court of competent jurisdiction for an accounting or other appropriate relief with respect to any act or omission of any officer, agent, or other representative of a labor organization which is in disregard of the duty set forth in this section. Such action or proceeding may be maintained by one or more of the principal officers of such labor organization in behalf of the members thereof, or by any one or more of the members of the labor organization for and in behalf of himself or themselves and other members similarly situated, or by an agent or representative designated by any such member or members to maintain such action or proceeding for and on behalf of all members similarly situated.

(c) Nothing in this section shall reduce or limit the duties or responsibilities of any officer, agent, or other representative of a labor organization under any other law of the United States or the law of any State, and nothing in this section shall take away any right or bar any remedy to which members of a labor organization are entitled under any such law.

Officers and their election and removal

SEC. 302. (a) Every labor organization shall, in its constitution and bylaws, state the qualifications and terms of office for all responsible officials of the organization and provide complete and detailed procedures for the nomination, election, and removal of officers, which shall meet the minimum standards set forth in this section and shall be given full effect by the organization. Terms of office so specified shall be for a reasonable period, not to exceed five years in any national or international labor organization and not to exceed three years in any local labor organization, and provisions made and followed with respect to qualifications of officers shall ensure that any member of the labor organization, other than members disqualified under any provision of this Act or other law, shall have the right to be a candidate for and hold office, subject to fair qualifications uniformly imposed.

(b) Every labor organization shall hold elections of officers at reasonable intervals, not less often than once in every five years if it is a national or international labor organization and not less often than once in every three years if it is a local labor organization, and shall assure to all members a reasonable opportunity to nominate candidates and to participate, upon due notice, in the election of their local officers directly by secret vote of the members and in the election of their national or other officers either directly by secret vote of the members or through representatives to delegate bodies who are elected directly by secret vote of the members. The right of a member to be, or to nominate, a candidate or to vote in any such election shall not be affected in any manner by any delay or default in the payment of dues which have been withheld by his employer for payment to the labor organization pursuant to a collective bargaining agreement. In providing procedures for and in holding such elections, the labor organization shall provide adequate safeguards, including observers and tellers acceptable to or representing all opposing candidates and physical election facilities acceptable to such candidates, to ensure to all members a free, fair, and honest election and full protection of their rights to vote secretly and without restraint or coercion. Ballots and election records shall be preserved for a reasonable period, not less than one year, after any such election.

(c) Every labor organization shall have and follow procedures which effectively ensure to its members the opportunity directly to remove elected officers from office by majority vote upon a showing that a substantial number of the members desire a recall vote. The standards set forth in subsection (b) for the conduct of elections of officers by secret vote shall be observed whenever the recall of any officer is submitted to vote of the members of the organization and in elections to select successors to removed officers, which shall be held promptly upon the removal of incumbent officers as provided in this subsection.

(d) An action or proceeding may be maintained in any court of competent jurisdiction by or in behalf of members of a labor organization to obtain appropriate relief with respect to any act or omission of such labor organization, or of any officer, agent, or other representative thereof, which is in violation of the provisions of this section or section 303 and is not a subject of any pending action or proceeding brought by the Secretary under the provisions of title IV of this act. An action or proceeding as authorized by this subsection may be maintained by one or more of the members of the labor organization for and in behalf of himself or themselves and other members similarly situated, or by an agent or representative designated by any such member or members to maintain such action or proceeding for and on behalf of all members similarly situated.

(e) For the purposes of any action or proceeding to enforce requirements of this section, brought under this title or under title IV of this act, a labor organization which can show that any provision required by this section to be incorporated in its constitution and bylaws has not been so incorporated because such incorporation can lawfully be accomplished only by a constitutional convention of the labor organization and such a convention has not been held since the effective date of this Act, shall, until the date of its next regular constitutional convention or until two years after the effective date of this Act, whichever is the earlier date, be relieved from any liability or punishment on account of its failure so to incorporate such required provision in its constitution and bylaws.

SEC. 303. (a) It shall be unlawful for any person—

(1) to contribute or use any moneys of a labor organization or of any employer for the promotion of the candidacy of any person in any election to which section 302 is applicable: *Provided*, That this shall not be deemed to prohibit the use of moneys of a labor organization for necessary expenses of such election, including the furnishing to members of notices and factual statements of the issues involved; or

(2) to serve as an officer, agent, or other representative of a labor organization at any time within 5 years after such person has been convicted of any violation of this act; or

(3) to serve as an officer, agent, or other representative of a labor organization during any period in which, by reason of such person's conviction of any crime, such person is ineligible to vote in any election held under the laws of any State; or

(4) being a labor organization or any officer thereof empowered to prevent a person from unlawfully serving as an officer, agent, or other representative of such organization in violation of clause (2) or (3) of this subsection, to permit such person to assume or hold any such office or position in violation of such provision.

(b) Within the meaning of this section, the date of a person's conviction of an offense is the date of the judgment of conviction, except where appeal is taken therefrom in which event it is the date on which the highest court in which review is sought finally refuses to review or reverse such judgment.

(c) Within the meaning of this section, serving as an officer, agent, or other representative of a labor organization shall include, but without limitation, serving as a supervisor, receiver, trustee, or other administrator of any of the funds, property, operations, or procedures of a labor organization pursuant to an assumption of supervisory control over such organization by another labor organization.

Supervisory control of one labor organization by another

SEC. 304. (a) Every labor organization which assumes or exercises supervisory control over a subordinate labor organization shall comply with the provisions of this section. No such supervisory control shall be assumed or exercised except in accordance with applicable provisions of the constitutions and bylaws and other governing rules and regulations of the labor organizations involved. In no event shall such supervisory control be assumed or exercised for purposes other than ensuring democratic, responsible, and honest administration of the subordinate organization or effectuating legitimate objects of the labor organizations involved, such as the elimination of practices

which are dishonest or corrupt or in disregard of obligations to members of the organization, employers, employees, or the public under applicable laws, collective bargaining agreements, and constitution and bylaw provisions.

(b) Supervisory control exercised by a labor organization over a subordinate labor organization shall not be exercised for any period longer than is reasonably necessary for correction of the evils at which it is directed and full autonomy of the subordinate organization shall be restored promptly upon correction of such evils. In any action or proceeding under this Act, in the absence of clear and convincing proof to the contrary, the continued exercise of supervisory control for a period in excess of eighteen months shall be deemed to be for a period longer than is reasonably necessary for purposes permitted under this section, and where such proof is presented no approval shall be given to any continuation of supervisory control for an additional period in excess of one year.

(c) It shall be unlawful for any labor organization or for any officer, agent, or other representative thereof, during any period in which such labor organization is exercising supervisory control over a subordinate labor organization—

(1) to count or to suffer or permit to be counted the vote of delegates from the labor organization under such supervisory control, in any convention or election of officers of such labor organization, except delegates selected by the members of the subordinate labor organization by secret vote in which all members were given opportunity to participate upon due notice; or

(2) to transfer or to suffer or permit to be transferred to such labor organization any moneys of the labor organization under such supervisory control, except the normal per capita tax and assessments that would be payable by the subordinate organization if it were not under supervisory control (but this shall not prohibit the distribution of the assets of a labor organization in accordance with its charter or constitution and bylaws upon the bona fide dissolution of such organization).

(3) to violate any provision of section 303.

Exercise of rights by labor organization members

SEC. 305. (a) The institution of an action or proceeding by or at the instance of a member of a labor organization to enforce any provision of this title shall not be grounds for disciplinary action by such organization against him.

(b) Nothing contained in this title shall be construed to supersede or modify any existing rights and remedies to which members of a labor organization are entitled under the provisions of the constitution and bylaws of such organization or under the provisions of any law of any State or Territory (including the Commonwealth of Puerto Rico, Guam, and the Virgin Islands), or to prevent such members from exercising any right which they may have under any such provision.

TITLE IV—ADMINISTRATION, ENFORCEMENT, AND PENALTIES

Administration

SEC. 401. (a) The provisions of this Act (excluding amendments made by this Act to other statutes) shall, except as otherwise specifically provided therein, be administered by the Secretary, who is empowered to take such action and prescribe such procedures consistent with law and with the policy of this Act as may be necessary to obtain compliance with such provisions and effectuate their purpose.

(b) The Secretary is authorized to make such expenditures and, subject to the civil-service laws and the Classification Act of 1949, as amended, to appoint and fix the compensation of such personnel, including attorneys, as may be necessary to carry out his functions and duties under this Act. Attorneys appointed under this section may appear for and represent the Secretary in any litigation, but such litigation shall be subject to the direction and control of the Attorney General.

SEC. 402. There shall be in the Department of Labor a Commissioner of Labor Reports, who shall be appointed by the President by and with the advice and consent of the Senate, shall receive compensation at the highest rate established for grade 18 of the General Schedule of the Classification Act of 1949, as amended, and shall perform such duties as may be prescribed by the Secretary or required by law. The Secretary may authorize the performance by the Commissioner of Labor Reports of any functions of the Secretary under this Act or any other law of the United States.

SEC. 403. In the administration of this Act, in order to avoid unnecessary expense and duplication of functions among governmental agencies, the Secretary may make such arrangements or agreements for cooperation or mutual assistance in the performance of functions under this Act and the functions of any such agency as he may find to be practicable and consistent with law. The Secretary may utilize the facilities or services of any department, agency, or establishment of the United States or of any State or political subdivision of a State, including the services of any of its employees, with the lawful consent of such department, agency, or establishment; and each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to provide such information and facilities as he may request for his assistance in the administration of this Act. The Attorney General or his representative shall receive from the Secretary for appropriate action such evidence developed in the administration of this Act as may be found to warrant consideration for criminal prosecution under the provisions of this Act or other Federal law, and the Secretary may refer to any governmental agency any evidence obtained by him which may tend to show violation of a statute administered by that agency.

Investigation and enforcement

SEC. 404. (a) The Secretary may make such investigations as he deems necessary to determine whether any person has violated or is about to violate any provision of law contained in or made applicable by this Act (except amendments made by this Act to other statutes) or any rule or regulation authorized by this Act and may require or permit any person to file with him a statement in writing, under oath or otherwise as the Secretary shall determine, as to all the facts and circumstances concerning the matter to be investigated. The Secretary is authorized, in his discretion, to publish information concerning any such violations, and to investigate any facts, conditions, practices, or matters, including the accuracy, completeness, and truth or falsity of information and data reported under provisions of this Act, which he may determine to be necessary or proper to aid in the enforcement of the provisions of this Act or in the prescribing of rules and regulations thereunder.

(b) Any person may make a complaint to the Secretary to the effect that any person has not complied fully with this Act and the Secretary may, subject to the provisions of this Act and other applicable law, take such action upon such complaint as he may deem justified. No such complaint shall be made public by the Secretary except with the consent of the complainant.

(c) The Secretary or his authorized representative shall have the power to prosecute any inquiry necessary to his functions in any part of the United States, and may enter such premises, inspect such records and documents, and make such transcriptions from them, question such persons, hold such hearings, make such findings of fact after notice and hearing, and make such decisions, based upon findings of fact, as are deemed to be necessary or appropriate to the prosecution of any investigation authorized by this Act or to the enforcement of any provision of this Act.

(d) Upon request of the Secretary, the National Labor Relations Board and the National Mediation Board shall make available to the Secretary any documents or records in their custody or possession which the Secretary deems necessary to enable him to carry out his functions under this Act.

(e) To aid him in carrying out his duties of inquiring into procedures followed by labor organizations in certain cases arising under section 302, 303, or 304, the Secretary may from time to time establish Union Procedures Examining Boards to inquire into particular matters and report thereon, and may dissolve such Boards and terminate appointments thereto. Union Procedures Examining Boards shall be composed of a chairman and such other members as the Secretary shall determine, who shall be appointed by the Secretary without regard to any other provision of law regarding the appointment and compensation of employees of the United States. Members of such Boards shall receive as compensation for their services a reasonable per diem, which the Secretary shall by rules and regulations prescribe, for each day actually spent by them in the work of such a Board, and shall in addition be reimbursed for their necessary traveling and other expenses. The Secretary shall furnish such Boards with adequate legal, stenographic, clerical, and other assistance and shall by rules and regulations prescribe the procedures to be followed by such Boards. Such Boards shall have the power to sit and act in any place in the United States and to conduct such hearings as may be necessary to make findings, conclusions, and recommendations on the matters referred to them by the Secretary.

(f) For the purposes of any investigation or hearing provided for in this Act, the provisions of section 307 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Power Act of June 10, 1920, as amended (16 U.S.C. 825f) are hereby made applicable to the jurisdiction, powers, and duties of the Secretary and any officers designated by him, and to the jurisdiction, powers, and duties of any Union Procedures Examining Board conducting any hearing or inquiry in a matter referred to it as provided by this Act.

SEC. 405. The Secretary, whenever it shall appear that any person has violated or is about to violate any of the provisions of title II or section 302, 303, or 304 of this Act, or any order, rule, or regulation of the Secretary promulgated under authority of this Act, may bring an action in the proper court having jurisdiction under section 406 for such relief as may be appropriate including, but without limitation, injunctions to restrain any such violations and orders to compel compliance with the Act and with orders, rules, and regulations issued thereunder.

SEC. 406. The district courts of the United States, and the United States courts of any Territory or other place subject to the jurisdiction of the United States, shall have jurisdiction of actions brought by the Secretary under section 405 and of actions brought by or on behalf of members of labor organizations under section 301 or 302, and in any such action the court shall have jurisdiction to enter such judgment and such orders as may be necessary to carry out the provisions of this Act and to provide

appropriate relief. An action against a labor organization as an entity may be brought in the appropriate district court or other court of the United States having jurisdiction at the place where such labor organization has its principal office or at any other place where such labor organization may be found.

SEC. 407. For the purposes of this Act, the service of summons, complaint, subpena, or other legal process of any court of the United States, or any complaint, subpena, or process of the Secretary in an administrative inquiry or proceeding under this Act, upon an officer or agent of a labor organization (including a person serving de facto as such officer even though challenge of the validity of his election to office has been made), in his capacity as such, shall constitute service upon the labor organization.

SEC. 408. (a) Whenever the Secretary determines upon the basis of a complaint or otherwise that there is reasonable cause to believe—

(1) that any labor organization or any employer has failed or refused to file a true and proper report or other document as required by title II, and has done so willfully and under circumstances which may warrant the imposition of sanctions; or

(2) that any person has violated any of the provisions of sections 302 and 303 pertaining to elections and removal of officers of labor organizations and the qualifications of officers, agents, and other representatives of such organizations, or

(3) that any person has violated any of the provisions of section 304 pertaining to supervisory control of a labor organization by another labor organization,

and that appropriate corrective action has not been and will not otherwise be taken, the Secretary shall institute administrative proceedings under this section, in which there shall be made on the record any necessary decisions with respect to whether there have or have not been such violations, and there shall be issued such order or orders as may be necessary and appropriate to effectuate the provisions of this title and achieve compliance with any provision or provisions of this Act found to have been violated. The Secretary shall provide by regulations for administrative proceedings to carry out the provisions of this section in a manner conforming to the requirements of the Administrative Procedure Act with respect to adjudication on notice and hearing, and any decisions and orders issued under this section shall be made in accordance with the provisions of that Act. The Secretary shall make provision in such regulations for the referral of questions of violation of section 302, 303, or 304 either to a hearing examiner or to a Union Procedures Examining Board appointed and convened as provided in section 404(d), in the discretion of the Secretary, for proceedings to be conducted as provided in subsection (b).

(b) Upon referral by the Secretary of a matter to a hearing examiner or to a Union Procedures Examining Board as provided in subsection (a), such Board or such hearing examiner shall conduct such inquiry, including the holding of hearings, as may be necessary to carry out the provisions of this Act. Upon the conclusion of any such inquiry, such hearing examiner shall issue and certify to the Secretary a decision, or such Board shall file with the Secretary a report, setting forth findings and conclusions with respect to the matter inquired into, together with specific recommendations with respect to the correction or elimination of any violations of the Act which are found to have occurred and with respect to the imposition of administrative sanctions provided by this title. Upon receipt of such decision of the hearing examiner or report of the Board the Secretary shall cause a copy thereof to be served upon the labor organization or other party or parties against whom the proceeding was brought. If within ten days of receipt thereof such party or parties file with the Secretary a declaration of intent to comply with the determination and recommendations of the hearing examiner or of the Board, the Secretary shall grant a reasonable period to such party or parties to effectuate compliance therewith, at the end of which the case shall be dismissed upon satisfactory evidence of compliance submitted by such party or parties to the hearing examiner or to the Board, as the case may be. If no such declaration of intent to comply is filed within the ten-day period, or if after any such declaration no satisfactory evidence of compliance is submitted within the period allowed therefor, the Secretary shall forthwith issue an appropriate order, adopting as his own the decision of the hearing examiner or the findings and conclusions of the Board and ordering that such recommendations be given effect by the party or parties against whom the proceeding was brought, which shall be a final order in such proceeding; unless the Secretary shall have determined to review such findings, conclusions, and recommendations upon his own motion or upon the motion of any aggrieved person, in which event he shall issue a notice thereof. Upon any such review the Secretary shall enter his final order affirming, modifying, or reversing the findings, conclusions, and recommendations of the hearing examiner or of the Board.

(c) A final order issued in any proceeding under this section, including any final order in proceedings conducted as provided in subsection (b), shall direct any parties found in violation of the act to take necessary corrective action and may impose the following sanctions for such period or periods (not exceeding five years or such longer period as a violation may continue) and under such conditions as may be determined to be necessary to carry out the purposes of this Act:

(1) In the case of a labor organization found to have willfully failed or refused to file a true and proper report as required by title II or to have violated any of the provisions of section 302, 303, or 304, the organization may be declared ineligible (i) to exercise any right or privilege which it might otherwise have under any law of the United States to obtain or retain a certification or other recognition as the representative of any employees, and/or (ii) to institute, or to request or obtain any relief or redress in, any proceeding in which it might otherwise have a right or privilege to do so under the procedures of the National Labor Relations Board or its General Counsel or any other Federal administrative agency exercising decisional functions in labor-management relations matters; and/or (iii) to have the exemption from income taxes provided by section 501 (a) and (c) (5) of the Internal Revenue Code of 1954, as amended;

(2) In the case of an employer found to have willfully failed or refused to file a true and proper report as required by title II, such employer may be declared ineligible to institute, or to request or obtain any relief or redress in, any proceeding in which he might otherwise have a right or privilege to do so under the procedures of the National Labor Relations Board or its General Counsel or any other Federal administrative agency exercising decisional functions in labor-management relations matters.

Such final order shall, where a violation of section 302 or 303 is found to have affected the outcome of any election of officers, declare the election, if any, to be void and direct an election to be held under such supervision as the Secretary may by order prescribe: *Provided,* That the Secretary shall in such event make appropriate provision for preserving and safeguarding the assets of the organization pending the election of officers and for protecting the members of the organization from the consequences of any acts of those persons serving as officers pursuant to the void election which he may find to have been in violation of the constitution and bylaws of such organization or of any provision of this Act. No other acts of such persons while serving de facto as such officers shall be deemed invalid by reason of the voiding of the election.

(d) Decisions and orders issued by or on behalf of the Secretary pursuant to this section shall be conclusive upon departments, agencies, or establishments of the United States, which shall not allow the exercise by any person of any right, privilege, or exemption for which such person has been made ineligible under this section. Any final order made pursuant to this section shall be subject to the provisions of section 409 with respect to judicial enforcement and review.

(e) The regulations of the Secretary shall provide for prompt service of copies of the complaint, order, or other document by which any proceeding under this section is instituted, and copies of all motions, notices, decisions, and orders issued in such proceedings. Service of such documents shall be made by certified mail upon each party against whom a proceeding is brought, and upon any Federal departments, agencies, and establishments which, under the provisions of this section, may be required to act or omit to act in accordance with an order issued in the proceeding. After notification of the pendency of any such proceeding, any such department, agency, or establishment may hold in abeyance any matter or proceeding which may be affected by an order under this section until such decision and order has been made, or may take such other action consistent with law and established procedures as it may consider just and proper in the circumstances.

SEC. 409. (a) Whenever any person shall fail or refuse to comply with any order issued under section 408, the Secretary may petition any court of appeals of the United States (including the United States Court of Appeals for the District of Columbia), or if all the courts of appeals to which application may be made are in vacation, any district court of the United States (including the United States District Court for the District of Columbia), within any circuit or district, respectively, wherein the violation involved in any proceedings under this title occurred or wherein such person resides, transacts business, or has his principal office, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court, a transcript of the record in the proceedings, as provided in 28 U.S.C. 2112, as amended. Upon such filing, the court shall cause notice thereof to be served upon such person, and thereupon shall have jurisdiction of the proceeding and of the matter decided therein, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter upon the record so filed a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Secretary. No objection that has not been urged before the Secretary or his designated representative shall be considered by the court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances. The findings of the Secretary with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing provided under section 408, the court may order such additional evidence to be taken before

the Secretary or a hearing examiner designated by him and to be made a part of the transcript. The Secretary may modify his findings and order, or make new findings and issue a new order, by reason of additional evidence so taken and filed, and he shall file with the court such modified or new findings and order, which findings with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the appropriate court of appeals if application was made to the district court as hereinabove provided, and by the Supreme Court of the United States upon writ of certiorari or certification as provided in section 1254 of title 28 of the United States Code, as amended.

(b) Any person agggrieved by an order of the Secretary issued under section 408 may obtain a review of such order in any court of appeals of the United States in the circuit wherein the violation involved was alleged to have been committed or wherein such person resides, transacts business, or has his principal office, or in the United States Court of Appeals for the District of Columbia, by filing in such court a written petition praying that the order of the Secretary be modified or set aside. A copy of such petition shall be forthwith served upon the Secretary and thereupon the aggrieved party shall file in the court a transcript of the record in the proceeding, certified by the Secretary and meeting the requirements of 28 U.S.C. 2112, as amended. Upon such filing, the court shall proceed in the same manner as in the case of an application by the Secretary under subsection (a), and shall have the same exclusive jurisdiction to grant to the Secretary such temporary relief or restraining order as it deems just and proper, and in like manner to make and enter a decree affirming, enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Secretary; the findings of the Secretary with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall in like manner be conclusive.

(c) The commencement of proceedings under this section shall not operate as a stay of the Secretary's order.

(d) Proceedings in the courts of appeals under this section shall be given preference over other cases pending therein, and shall be in every way expedited.

Penalties

SEC. 410. (a) Any person who willfully violates or fails to comply with any provision of this Act requiring the reporting or disclosure of information or the rules and regulations applicable thereto shall be fined not more than $5,000 or imprisoned not more than one year, or both.

(b) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any document, report, or other information required under the provisions of this Act or the rules and regulations thereunder shall be fined not more than $10,000 or imprisoned not more than five years, or both.

SEC. 411. Any person who willfully conceals or destroys any book, record, report, statement, or document required by this Act or the rules and regulations thereunder to be kept, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

SEC. 412. (a) Whoever, being engaged directly or indirectly in or connected in any capacity with (i) the administration, management, or control of money or other property of a labor organization, or of a trust in which such labor organization is interested, or (ii) the making of any report or keeping of any books or records of such labor organization or trust—

(1) embezzles, steals, or unlawfully takes or converts to his own use or the use of another, any moneys, credit, funds, securities, property, or other assets or things of value of any such labor organization or trust, or pledged to or otherwise made a part of funds of such organization or trust, or

(2) makes any false entry in or willfully destroys any book, record, report, or statement kept or made for any such labor organization or trust, with intent to injure, defraud, or mislead such organization, and member or members thereof or such trust or any beneficiary thereunder, or with intent to obstruct legal process, or to mislead anyone authorized or entitled to examine the affairs of such organization or trust,

shall be fined not more than $10,000 or imprisoned not more than five years, or both.

(b) As used in this section, the term "trust in which a labor organization is interested" means a trust or other organization (i) which was created or established by such labor organization, or one or more of the trustees or one or more members of the governing body of which is selected or appointed by such labor organization, and (ii) a primary purpose of which is to provide benefits for the members of such labor organization or their beneficiaries.

SEC. 413. Whoever willfully performs any act declared unlawful by section 303 or section 304(c) of this Act shall be fined not more than $10,000 or imprisoned not more than one year, or both.

SEC. 414. (a) Whoever—

(1) being an employer or a person acting in a representative capacity for or on behalf of an employer, directly or indirectly gives or offers any money or thing of value, or any promise or agreement therefor, or any other bribe, to any officer, agent, or other representative of any labor organization or trust in which a labor union is interested, because of or with intent to influence him in respect to any of his actions, decisions, or other duties as such officer, agent, or other representative of such labor organization or trust, or

(2) being an officer, agent, or other representative of a labor organization or trust in which a labor organization is interested, directly or indirectly gives or offers any money or thing of value, or any promise or agreement therefor, or any other bribe, to any employer or any person acting in a representative capacity for or on behalf of an employer, because of or with intent to influence him in respect to any of his actions, decisions, or other duties as or on behalf of an employer which relate to the labor management relations of such employer with employees or their representatives, or

(3) being an officer, agent, or other representative of a labor organization or trust in which a labor organization is interested, asks, accepts, or receives any money or thing of value, or promise or agreement therefor, or any other bribe, from any employer or any person acting in a representative capacity for or on behalf of an employer, because of or with intent to be influenced in respect to any of his actions, decisions, or other duties as such officer, agent, or other representative of such labor organization or trust, or

(4) being an employer or a person acting in a representative capacity for or on behalf of an employer, asks, accepts, or receives any money or thing of value, or promise or agreement therefor, or any other bribe, from any officer, agent, or other representative of a labor organization or trust in which a labor organization is interested, because of or with intent to be influenced in respect to any of his actions, decisions, or other duties as or on behalf of an employer which relate to the labor-management relations of such employer with employees or their representatives,

shall be fined not more than three times the amount of such money or value of such thing or imprisoned not more than three years, or both.

(b) No witness shall be excused from testifying or producing books, papers, or other evidence in any case or proceeding before any grand jury or court of the United States involving violations of, or conspiracies to violate, this section on the ground that the testimony or evidence required of him may tend to incriminate or subject him to a penalty or forfeiture. But no such witness shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, nor shall testimony so compelled be used as evidence in any criminal proceeding (except prosecutions described in the proviso contained in this subsection) against him in any court: *Provided,* That no witness shall be exempt under the provisions of this subsection from prosecution for perjury or contempt committed while giving testimony or producing evidence under compulsion as provided in this subsection.

(c) As used in this section, the term "trust in which a labor organization is interested" means a trust or other organization (i) which was created or established by such labor organization, or one or more of the trustees or one or more members of the governing body of which is selected or appointed by such labor organization, and (ii) a primary purpose of which is to provide benefits for the members of such labor organization or their beneficiaries.

SEC. 415. (a) Section 302 of the Labor Management Relations Act, 1947, as amended, is hereby amended by striking out all of subsections (a) and (b) of said section and inserting in lieu thereof the following:

"(a) It shall be unlawful for any employer, or any person acting in his interest, directly or indirectly, to pay or deliver or agree to pay or deliver any money or other thing of value—

"(1) to any labor organization, or officer, agent or employee thereof, representing any of the employees of such employer who are employed in an industry affecting commerce or to any labor organization any of the members of which are employed in the same trade, craft or class as such employees or to an officer, agent, or employee of such a labor organization;

"(2) to any employee of such employer who is engaged in an industry affecting commerce or to any group or committee of such employees for the purpose of causing such employee or group or committee of employees to interfere with, restrain, or coerce any other employees of such employer in the exercise of any right secured to employees by section 7 of the National Labor Relations Act, as amended, or by the Railway Labor Act, as amended.

"(b) It shall be unlawful for any person to request, demand, receive, or accept, or agree to receive or accept, any payment or delivery of money or other thing of value prohibited by subsection (a) of this section."

(b) Subsection (c) of such section is amended by striking out "representative" in clause (1) and inserting in lieu thereof "person," by striking out "or" preceding clause (5); by striking out "by such representative" in clause (5); and by striking out the period at the end thereof and inserting a semicolon in lieu thereof, and by adding thereto the following: "or (6) with respect to money or other thing of value paid by an employer to a trust fund established for the purpose of defraying costs of an apprenticeship or other training program for employees: *Provided,* That the requirements of clause (B) of the

proviso to clause (5) of this subsection shall apply to such trust funds."

TITLE V—LABOR-MANAGEMENT RELATIONS

SEC. 501. (a) Section 3(a) of the National Labor Relations Act, as amended, is amended by adding after the period at the end thereof the following: "Not more than three members of the Board shall be members of the same political party."

(b) Section 3(d) of the National Labor Relations Act, as amended, is amended by adding after the period at the end thereof the following language: "In case of a vacancy in the office of the General Counsel the President shall designate the officer or employee who shall serve as General Counsel during such vacancy."

SEC. 502. (a) Section 6 of the National Labor Relations Act, as amended, is redesignated "6(a)" and is further amended by adding at the end thereof the following new subsection (b):

"(b)(1) The Board, in its jurisdiction, may, by rule or otherwise, decline to assert jurisdiction over any labor dispute where, in the opinion of the Board, the effect of such labor dispute on commerce is not sufficiently substantial to warrant the exercise of its jurisdiction.

"(2) Nothing in this Act shall be deemed to prevent or bar any agency or the courts of any State or Territory (including the Commonwealth of Puerto Rico, Guam, and the Virgin Islands), from assuming and asserting jurisdiction over labor disputes over which the Board declines, pursuant to paragraph (1) of this subsection, to assert jurisdiction."

SEC. 503. (a) Section 8(b)(4) of the National Labor Relations Act, as amended, is amended to read as follows:

"(4)(i) to engage in, or to induce or encourage any individual employed by any person engaged in commerce or in an industry affecting commerce to engage in, a strike or a refusal in the course of his employment to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services; or

"(ii) to threaten, coerce, or restrain any person engaged in commerce or in an industry affecting commerce,

where an object thereof is: (A) forcing or requiring any employer or self-employed person to join any labor or employer organization; (B) forcing or requiring any person to cease, or to agree to cease, using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease, or to agree to cease, doing business with any other person, or forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees unless such labor organization has been certified as the representative of such employees under the provisions of section 9; (C) forcing or requiring any employer to recognize or bargain with a particular labor organization as the representative of his employees if another labor organization has been certified as the representative of such employees under the provisions of section 9; (D) forcing or requiring any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another labor organization or in another trade, craft, or class, unless such employer is failing to conform to an order or certification of the Board determining the bargaining representative for employees performing such work: *Provided,* That nothing contained in this subsection (b) shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under this Act: *Provided further,* That nothing contained in clause (B) of this paragraph (4) shall be construed to make unlawful where not otherwise unlawful (i) any strike against, or refusal to perform services for, any person who has contracted or agreed with an employer to perform for such employer work which he is unable to perform because his employees are engaged in a strike not unlawful under this Act; or (ii) any strike or refusal to perform services at the site of the construction, alteration, painting or repair of a building, structure, or other work and directed at any of several employers who are in the construction industry and are jointly engaged as joint venturers or in the relationship of contractors and subcontractors in such construction, alteration, painting or repair at such site, and there is a labor dispute, not unlawful under this Act or in violation of an existing collective bargaining contract, relating to the wages, hours, or other working conditions of employees employed at such site by any of such employers."

(b) Section 303(a) of the Labor Management Relations Act, 1947, as amended, is amended to read as follows:

"(a) It shall be unlawful, for the purpose of this section only, in an industry or activity affecting commerce, for any labor organization to engage in any activity or conduct defined as an unfair labor practice in section 8(b)(4) of the National Labor Relations Act, as amended."

SEC. 504. (a) Subsection (b) of section 8 of the National Labor Relations Act, as amended, is amended by striking out the word "and" at the end of paragraph (5), by striking out the period at the end of paragraph (6) and inserting in lieu thereof a semicolon and the word "and", and by adding a new paragraph as follows:

"(7) to picket or cause to be picketed, or threaten to picket or cause to be picketed, any employer with the object of forcing or requiring an employer to recognize or bargain with a labor organization as the representative of his employees, or forcing or requiring the employees of an employer to accept or select such labor organization as their collective-bargaining representatives.

"(A) where the employer has recognized in accordance with this Act any other labor organization and a question concerning representation may not appropriately be raised under section 9(c) of this Act, or

"(B) where within the preceding twelve months a valid election under section 9(c) of this Act has been conducted, or

"(C) where the labor organization cannot establish that there is a sufficient interest on the part of the employees in having such labor organization represent them for collective bargaining purposes, or

"(D) where such picketing has been engaged in for a reasonable period of time and at the expiration of such period an election under section 9(c) has not been conducted.

"(E) Nothing in this paragraph (7) shall be construed to permit any act which would otherwise be an unfair labor practice under this section 8."

(b) Subsection (1) of section 10 of such Act is amended by striking out the first sentence and substituting in lieu thereof the following: "Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of paragraph (4)(A), (B), or (C), or paragraph (7) of section 8(b), the preliminary investigation of such charge shall be made forthwith and given priority over all other cases except cases of like character in the office where it is filed or to which it is referred."

SEC. 505. Section 8(d) of such Act is amended by striking out all of the language after the colon at the end of paragraph (4) and in lieu thereof inserting the following: "The duties imposed upon employers, employees, and labor organizations by paragraphs (2), (3), and (4) shall become inapplicable upon an intervening certification of the Board under which the labor organization or individual, which is a party to the contract, has been superseded as or ceased to be the representative of the employees subject to the provisions of section 9(a), and the duties so imposed shall not be construed as requiring either party to a contract for a fixed period to discuss or agree to any modification of the terms and conditions of employment whether or not embodied in such contract, if such modification is to become effective before such terms and conditions can be reopened under the provisions of the contract. Any employee who engages in a strike within the sixty-day period specified in this subsection shall lose his status as an employee of the employer engaged in the particular labor dispute, for the purposes of sections 8, 9, and 10 of this Act, as amended, but such loss of status for such employee shall terminate if and when he is reemployed by such employer."

SEC. 506. (a) Section 9(c)(1) of the National Labor Relations Act, as amended, is amended by inserting the word "or" after the semicoln at the end of clause (B) and adding a new clause "(C)" as follows:

"(C) by an employer primarily engaged in the building and construction industry and a labor organization acting in behalf of employees engaged (or who, upon their employment, will be engaged) in the building and construction industry, asserting that such employer recognizes such labor organization as the representative defined in section 9(a) and has entered into a collective bargaining agreement with such labor organization;".

(b) Such subsection is further amended by inserting a colon before the period at the end thereof and adding the following language: *"Provided,* That the Board may, without prior thereto having conducted an election by secret ballot, certify a labor organization referred to in clause (C) of this paragraph as the exclusive representative of employees of an employer referred to in said clause (C) in such unit as the Board may find is appropriate for the purposes of collective bargaining with respect to rates of pay, wages, hours, and other conditions of employment: *Provided further,* That the preceding proviso shall not apply where there is no history of a collective bargaining relationship between the petitioning employer and labor organization prior to the current agreement or an employee or group of employees or any individual or labor organization acting in their behalf allege, and the Board finds, that a substantial number of employees presently employed by the employer in the bargaining unit assert that the labor organization is not a representative as defined in section 9(a)."

SEC. 507. Section 9(c)(3) of the National Labor Relations Act, as amended, is amended by striking out all of the second sentence thereof.

SEC. 508. Section 9(c)(4) of the National Labor Relations Act, as amended, is amended to read as follows:

"(4) Nothing in this section shall be construed to prohibit the Board from conducting elections prior to hearing where the Board finds no substantial objection to such proceeding is being made or the waiving of hearings by stipulation for the purpose of a consent election in conformity with the regulations and rules of decision of the Board."

SEC. 509. Section 9(h) of the National Labor Relations Act, as amended, is amended to read as follows:

"(h)(1) No investigation shall be made by the Board of any question affecting commerce concerning the representation of employees, raised by a labor organization or

employer under subsection (c) of this section, and no complaint shall be issued pursuant to a charge made by a labor organization or employer under subsection (b) of section 10, unless there is on file with the Board an affidavit meeting all requirements of paragraph (2) of this subsection and not found by any court to be false, executed contemporaneously or within the preceding twelve-month period by each officer of such labor organization and the officers of any national or international labor organization of which it is an affiliate or constituent unit, or by each individual who, as such employer or as an officer or representative of such employer, is engaged in dealing with, or in receiving reports to the employer of dealings with, a labor organization concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment.

"(2) Each affidavit executed pursuant to the requirements of this subsection shall state that the affiant is not, and during the preceding twelve-month period has not been, a member of the Communist Party or affiliated with such party, and that neither the affiant nor any organization of which he is a member or which he supports, or of which he has been a member or which he has supported during the preceding twelve-month period, believes in or teaches the overthrow of the U.S. Government by force or by any illegal or unconstitutional method. The provisions of section 1001 of title 18 of the United States Code shall be applicable in respect to such affidavits."

SEC. 510. No provision of this title shall be deemed to make an unfair labor practice any act which was performed prior to the effective date of this title which did not constitute an unfair labor practice prior thereto.

SEC. 511. The amendments made by this title shall take effect 60 days after the date of the enactment of this Act.

EXPLANATION OF A BILL FOR THE ENACTMENT OF THE LABOR-MANAGEMENT PRACTICES ACT OF 1959

This bill is designed to provide needed safeguards against improper practices in labor organizations and in labor-management relations. It would require the reporting and disclosure of the financial operations and administrative practices of labor organizations, certain financial transactions of their officers, and direct and indirect dealings between officers of such organizations and employers which may involve conflicts of interests. The bill, in general, would reinforce rights of members with respect to the proper administration and application of the funds and property of labor organizations, the election and removal of officers, and protect subordinate organizations and their members from abuses of the devices used to exercise supervisory control over their affairs. In addition, the bill provides certain needed adjustments in the National Labor Relations Act, as amended, which will better protect certain employees, the public, and innocent third parties from the consequences of labor disputes, as well as provide improvements in representation procedures with respect to the construction industry to more adequately meet the needs of labor-management relations in that industry.

As recommended by the President—

All unions would be required to file annual reports with the Department of Labor with respect to their financial operations and to furnish such information to their members. In addition, unions would be required to file copies of their constitutions and bylaws along with detailed information with respect to their organization and procedures, including certification that prescribed minimum standards for the election and removal of officers are provided and being followed.

Information required to be reported under the act would be open to the public, and unions would be required to keep adequate records on matters to be reported which would be open to examination by Government representatives and, upon request, accessible to union members.

Unions, union officers and agents, and employers would be required to report and keep records regarding any payments or transactions, including those engaged in through employer intermediaries, which may create conflicts of interests or involve interference with the statutory collective bargaining and organizational rights of employees.

Union funds and property would be required to be held and administered for the benefit of the members and for furthering the purposes of the union and such duty would be enforcible in any court in a suit by, or in behalf of, its members.

All unions would be required to hold periodic elections of officers and to observe minimum standards for the conduct of elections, including the right of all members to vote, with due notice, by secret ballot without restraint or coercion, equal opportunity for all members to nominate and be candidates, and the provision of procedures and facilities to ensure honest elections and the accurate tabulation of votes; the use of union or employer funds to promote any candidate for union office would be banned and union constitutions and bylaws would have to contain detailed statements of election procedures and compliance with such procedures would be required to be certified to by the principal executive officer.

All unions would be required to observe minimum standards, including conformity with applicable provisions of their constitutions and bylaws in the exercise of supervisory control over the affairs of subordinate bodies, the exercise of such control to be limited to purposes of ensuring democratic, honest, and responsible administration of the subordinate body and effectuating legitimate objectives of the labor organization.

The administration of this legislation would be placed in the Secretary of Labor and he would be provided with adequate authority to issue regulations, investigate, subpena witnesses and documents, hold hearings, issue decisions and orders (which would be subject to judicial review) requiring compliance and imposing sanctions for willful violations, and bring actions in the Federal courts for injunctions to compel compliance with the act.

The bill would provide criminal penalties or administrative sanctions of loss of tax exemption or the use of or access to procedures under Federal labor-management relations statutes for willful violations of the act; it would also prescribe criminal penalties for concealment or destruction of records required by the act to be kept, bribery between employers and employee representatives, embezzlement of union or certain trust funds, and false entry or destruction of union books and records.

Any present remedies that union members have under State or Federal laws, in addition to those provided in the bill, would be preserved.

The secondary boycott provisions of the National Labor Relations Act would be strengthened and extended so as to cover direct coercion of secondary employers and inducements of individual employees to refuse to perform services with an object of forcing their employer to cease doing business with another person, and to include employers not otherwise covered by the act under the protections of the provisions; it would also be made clear that union activity is permitted against secondary employers performing "farmed-out" struck work for the primary employer and, under certain circumstances, against secondary employers engaged in work at a common construction site with the primary employer.

It would be made an unfair labor practice, subject to mandatory injunction, for a union to picket in order to coerce an employer to recognize it as bargaining representative of his employees or such employees to accept or designate it where: the employer has recognized another union in accordance with law, a representation election has been conducted within the preceding 12 months, it cannot be shown that there is a sufficient showing of interest on the part of the employers to be represented by such union, or picketing has continued for a long period of time without a representation election.

The National Labor Relations Board would be authorized to decline to assert jurisdiction over cases where it considers the effect on commerce is not substantial enough to warrant the exercise of its jurisdiction and State courts and agencies would be permitted to exercise jurisdiction over these cases.

The provision of the National Labor Relations Act which bars certain strikers from voting in a representation election, although their replacements may vote, would be eliminated and the voting eligibility of strikers, as well as others, would be left to the administrative discretion of the Board; the Board also would be permitted to conduct representation elections without prior hearings where there is no substantial objection to such an election.

The Board would be authorized to certify building and construction trades unions as bargaining representatives without an election, under carefully considered specific conditions.

Employers, as well as unions, wishing to use the Board's procedures would be required to sign non-Communist affidavits, thus equalizing the burden of such affidavits; this requirement would be strengthened by providing that an affidavit found by a court to be false shall not constitute compliance and requiring that the affidavit relate to conduct during the 12-month period preceding its execution.

It would be made clear that parties to a valid collective-bargaining agreement need not bargain during the life of the agreement unless they have provided for a reopening, or such reopening is mutually agreeable.

It would be required that the Board be bipartisan in composition by providing that no more than three members may be of the same political party and the President would be authorized to designate an acting General Counsel of the Board when vacancies occur in that office.

A summary discussion of the bill by title and section follows:

Section 1 of the bill provides a short title for the legislation, the "Labor-Management Practices Act of 1959."

Section 2 consists of the congressional findings and policy showing the relationship of the subject matter to the free flow of commerce and the national public interest in the activities of labor organizations and the employees they represent.

TITLE I—GENERAL PROVISIONS

Definitions

Section 101: This section defines 14 terms used throughout the act, including "labor organization," "employer," "employee," "person," "commerce," "affecting commerce," and "supervisory control."

Separability of provisions

Section 102: This section provides that if any provision of the act is held to be invalid, the remainder of the act shall not be affected.

Effective date

Section 103: The act becomes effective 60 days after the date of enactment, except that provisions authorizing the promulgation of regulations become effective immediately.

TITLE II—REPORTING AND DISCLOSURE

General requirements

Section 201: This section obliges every person required to file reports or other documents with the Secretary of Labor under the act to file them in the manner required thereby, to maintain records necessary to explain and verify them, and to keep such records available for examination by the Secretary or his representative for at least 5 years.

Reporting by labor organizations

Section 202: This section requires every labor organization to file with the Secretary a copy of its constitution and bylaws and other basic documents along with a report, signed by its president (or other chief executive officer) and its secretary (or other chief records officer), containing detailed information, or references to the provisions of the governing documents containing such information, with respect to its major internal structure and procedures, including provisions for discipline or removal of officers or agents for breach of trust and provisions made for notice, hearings, judgment on the evidence and appeal procedure in connection with disciplinary action against members. Any changes in the reported information must be shown by an amendment filed when the next annual financial report is due.

Each labor organization must also certify annually that its constitution and bylaws contain the provisions for election and removal of officers required under title III, but a period of 2 years or until the next constitutional convention (whichever is earlier) is allowed to enable unions to incorporate such provisions in their constitution and bylaws if they certify during this interim period as to their existing provisions and procedures.

In addition, every labor organization exercising or assuming supervisory control over a subordinate labor organization must make, within 30 days of such assumption or at the time of filing the report required by this section and semiannually thereafter, a report certifying that the requirements of title III are being observed and showing the union under control, the date control was established, the reason for the control and its duration, the steps being taken to reestablish autonomy, and specified information respecting voting rights of members and finances of the supervised body.

Section 203: Every labor organization must also file with the Secretary an annual report with respect to its financial affairs and indicating the method by which this report is made available to its members. These reports must show, among other things, the assets and liabilities of the organization at the beginning and close of its last fiscal year and amounts paid as compensation and expense or other allowances for each officer, agent, and employee whose aggregate compensation and allowances for the year exceeded $10,000. They must also explain in detail, or by reference to other reports, all receipts by the organization or any of its officers or agents of anything of value other than payments allowed under section 302(c) of the Labor-Management Relations Act, 1947, from an employer having employees who are, or might be, represented by the labor organization, or from any person representing such an employer.

Section 204: This section requires every labor organization to make the information contained in its reports, and the records and data required to be kept, available to its members in the manner prescribed by the Secretary.

Reports of labor-management financial dealings

Section 205: This section requires every officer, agent, or other representative of a labor organization to file reports with the Secretary with respect to all direct and indirect payments to or from employers having employees who are or might be organized or represented by the union or to or from persons representing any such employers (including transactions engaged in by a spouse or minor child). Also requires information on investments and business transactions so related to such an employer as to possibly involve conflicts of interest. If the officer, agent, or representative of the union derives direct or indirect benefit from any such transaction it must be reported even if the direct participant was some relative or other third person rather than the union official himself. Payments allowable under section 302(c) of the LMRA, regular remuneration for service as an employee, purchases and sales in regular course of business at regular prices, and bona fide investments in traded securities not involving substantial interest need not be reported.

Section 206: Any employer who participated directly or indirectly in any transaction required to be reported by unions or their officers, agents or representatives under sections 203 or 205, or who paid employees or others for the performance of any acts whereby employees may be restrained, coerced, or interfered with in the exercise of rights secured by section 7 of the National Labor Relations Act or by the Railway Labor Act, must file a report with the Secretary. These reports will identify the persons, including intermediaries, involved in the transaction, explain the circumstances of the transaction, and specify the sums, property, or benefit involved.

Regulations or reports, records and disclosure of reported information

Section 207: This section requires that reports be filed within 90 days after the effective date of the act or the establishment of the reporting organization, and annually thereafter as prescribed by the Secretary.

Section 208: This section authorizes the Secretary to prescribe such standards for required reports, recordkeeping, and disclosure of information, as may be necessary to prevent circumvention or evasion of the act's provisions.

Section 209: The contents of reports and documents filed with the Secretary are made public information, and he is authorized to publish and use such information for statistical and research purposes. He is also authorized to prescribe regulations providing for the examination by the public of the information contained in the reports and documents, and to furnish copies of the documents filed with him upon payment of the cost of the service. Copies of reports required to be filed will be made available by the Secretary, or by the reporting person, to appropriate State agencies.

Statutory provisions amended

Section 210: This section amends sections 9 (f) and (g) of the National Labor Relations Act to substitute compliance with the filing requirements of this act for the present requirements of these subsections. This compliance is made a prerequisite to use of the NLRB facilities by both labor organizations and employers.

Responsibilities of certain persons

Section 211. Provides that union and company officers required to sign reports under the act shall be personally responsible for the filing, accuracy and completeness of the statements in the reports.

Section 212: Provides that nothing in title II shall relieve any person from complying with the provisions of any law affecting any labor organization unless such provisions would conflict with the provisions, or interfere with carrying out the objectives, of this act.

TITLE III—OBLIGATIONS TO MEMBERS OF LABOR ORGANIZATION

Responsibilities of persons entrusted with funds and property of a labor organization

Section 301: This section imposes upon every officer, agent, or other representative of a labor organization having any of the organization's money or property in his possession or custody by virtue of his position a duty to hold such money or property for the benefit of the members and for furthering the purposes of the organization and to handle it only in accordance with such duty and in a manner authorized by the organization's governing rules.

A right of action in any court of competent jurisdiction to obtain relief for disregard of such duty is conferred upon union members or principal officers. The applicability of other laws respecting the duties and responsibilities of union representatives is preserved.

Officers and their election and removal

Section 302: This section requires union constitutions and bylaws to state the qualifications and procedures for nomination, election, and removal of officers, which must conform to certain minimum standards. These include limitation of terms of office to not over 5 years for officers of internationals and 3 years for those of locals, and assurance of the right of any member to run for and hold office. Members must be given reasonable opportunity to nominate candidates and to participate in secret elections, and ballots and election records must be preserved for at least a year. Rights of a member under these provisions shall not be affected by a failure of an employer to pay dues "checked off." Union shall provide facilities and procedure to insure free, honest elections and accurate count of votes.

Unions are also required to have and follow procedures and standards insuring members the opportunity to remove elected officers from office by majority vote upon a showing that a substantial number of members desire a recall. Election of successors to recalled officers shall be held promptly and in accordance with required election standards.

The right to bring suit in any court of competent jurisdiction for enforcement of the provisions of this section or the election provisions contained in section 303 is conferred upon union members where the violations are not the subject of any pending action or proceeding brought by the Secretary under title IV. However, a grace period of 2 years or until the next constitutional convention is provided for unions which can make necessary changes only by a constitutional convention.

Section 303: Use of union or employer funds to promote the candidacy of any person in a union election is prohibited. It is also made unlawful for any person convicted of violations of this act to serve as an officer, agent, or other representative of a union within 5 years of conviction, for any person to so serve while ineligible to vote because of a conviction for any crime, or for any union or union official having preventive power to permit any such ineligible person to serve.

Supervisory control of one labor organization by another

Section 304: Compliance with the provisions of this section is required of every labor organization assuming supervisory control over another. Such control shall be exercised only according to the governing rules of the labor organizations involved and to insure democratic, responsible, and honest administration of the subordinate body. The exercise of such supervisory control is limited to the period reasonably necessary for correction of evils. A presumption is

created that a period of over 18 months is not reasonably necessary; but, if rebutted, additional extension of supervisory control for not over 1 year may be approved. Limitations are imposed upon the union exercising supervisory control with respect to counting votes or delegates and transferring funds of the subordinate union.

Exercise of rights by labor organization members

Section 305: This section prohibits disciplinary actions against union members for institution of actions or proceedings to enforce title III. It also preserves existing rights and remedies under union constitutions and bylaws and under State or Territorial law.

TITLE IV—ADMINISTRATION, ENFORCEMENT, AND PENALTIES

Administration

Section 401: This section states that the provisions of the act, other than amendments of existing statutes, are to be administered by the Secretary who is empowered to take action and prescribe procedures necessary to effectuate act. Secretary authorized to make expenditures and appoint personnel, including attorneys who may represent him in any litigation subject, however, to the direction and control of the Attorney General.

Section 402: Provides for a Commissioner of Labor Reports, to be appointed by the President and confirmed by the Senate, to perform such duties under this and other statutes as the Secretary may delegate to him.

Section 403: This section authorizes arrangements by the Secretary for cooperation and assistance from other governmental and State agencies and provides for referral of evidence of violations of this act or other Federal law to the Attorney General or other Federal enforcement agencies.

Investigation and enforcement

Section 404: The Secretary is authorized to investigate alleged violations of provisions of act or rules or regulations issued thereunder, to publish information with respect to violations, and to make such investigations with respect to the accuracy and completeness of required reports as may be necessary in the enforcement of the act. He is also authorized to receive and take action upon complaints of violations of the act, but complaints shall not be made public except with complainant's consent. The Secretary or his authorized representatives are given powers of entry, inspection, and interrogation, as well as to hold hearings and make findings of fact and decisions based on them.

This section further authorizes the Secretary to establish Union Procedures Examining Boards to inquire into certain cases under the act, to conduct necessary hearings, and to make findings, conclusions, and recommendations to the Secretary. The subpena power provided by the Federal Power Act is made applicable to the Secretary and his authorized representatives, including the Union Procedures Examining Boards, for the purposes of any inquiry under the act.

Section 405: The Secretary is authorized to bring actions to restrain or prevent violations of the reporting, union election and supervisory control provisions of the act and to compel compliance with the act and orders issued thereunder.

Section 406: This section confers jurisdiction on the U.S. district courts (and other appropriate Federal trial courts) of actions brought, under the act, by the Secretary or by union members.

Section 407: Under this section, service upon an officer or agent of a labor organization, in his capacity as such, shall constitute service upon the labor organization.

Section 408: This section directs the Secretary, upon determination that there is reasonable cause to believe that there has been a willful failure to file required reports or that any person has violated the election, removal, or supervisory control provisions, to institute administrative proceedings conforming to the Administrative Procedure Act. Violations of provisions relating to election and removal of officers and the exercise of supervisory control may be referred to either a hearing examiner or a Union Procedures Examining Board. The procedure of these proceedings is outlined.

A final order of the Secretary, made on the record of the proceedings, may direct necessary corrective action and impose sanctions for not over 5 years (unless the violation continues longer). These sanctions consist, in cases where an employer is found to have willfully refused to file a report, of loss of the right to exercise any right or privilege under any Federal labor-management relations statute. A union found to have willfully failed to file a report or to have violated the provisions relating to the election and removal of officers and the exercise of supervisory control over subordinate bodies may also be declared ineligible to exercise any right or privilege under any Federal labor relations law and/or to have the income tax exemption granted by section 501(a) of the Internal Revenue Code. Where the outcome of a union election is found to have been affected by violations of the election provisions of sections 302 and 303, the final order may void the election and direct another under such supervision as may be necessary.

The decisions and orders of the Secretary under this section shall be conclusive upon other Federal agencies with respect to withdrawal of Federal rights and privileges involved, but they are subject to judicial review and enforcement as provided in section 409. Upon notice that a proceeding under this section is pending, Federal agencies may hold in abeyance or take other appropriate action in matters which may be affected by the Secretary's order.

Section 409: This section provides for enforcement of the orders of the Secretary, and for review of these orders upon petition of aggrieved parties, by the U.S. courts of appeals in the same manner as NLRB orders are reviewed. The commencement of enforcement or review proceedings will not stay the Secretary's order.

Penalties

Section 410: Willful violations of reporting and disclosure provisions of the act or applicable regulations are punishable by fine up to $5,000 or imprisonment for not more than 1 year, or both. A fine up to $10,000 or imprisonment of not more than 5 years, or both, may be imposed for willfully making false statements or failing to disclose material facts.

Section 411: A fine up to $10,000 or imprisonment for not more than 5 years, or both, may be imposed for willful destruction of records or documents required to be kept.

Section 412: Embezzlement of the funds of a union or a trust in which it is interested, or false entries in or destruction of books and records of a union or such a trust with intent to defraud or mislead, are punishable by fine up to $10,000 or imprisonment for not more than 5 years, or both.

Section 413: This section provides for a fine up to $10,000 or imprisonment for not more than 1 year, or both, for willful violations of provisions prohibiting use of funds to influence union elections and barring certain law violators as union officers (sec. 303) and of provisions protecting unions undergoing supervisory control (sec. 304(c)).

Section 414: This section prohibits the offer, gift, solicitation, or acceptance, to or from each other, of payments in the nature of bribes by employers and their representatives and representatives of unions or trusts in which they are interested, with intent to influence actions—or to have actions influenced—as a representative of the union or trust or, in the case of an employer or his representative, with respect to labor-management relations of the employer. Violations are punishable by fine up to three times the amount involved or imprisonment for not more than 3 years, or both. Immunity would be provided from prosecution because of self-incriminating testimony given before courts and grand juries involving violations of these bribery provisions, except in the case of perjury or contempt arising from such testimony.

Section 415: This section amends section 302 of the Labor Management Relations Act, 1947, to extend its coverage to payments (1) by any person acting in the interest of an employer (as well as by the employer himself) to unions having members employed in the same trade or class as the employees of such employer (as well as to unions representing his own employees), and (2) to any employee or group or committee of employees of the employer for the purpose of interfering with, restraining or coercing the exercise by other employees of the employer of their self-organization rights under Federal labor relations laws (except compensation for regular services). The receipt of any such payment is also made unlawful.

This section also amends subsection (c) of section 302 so as to add to the types of payments excepted from the prohibitions of the section those made by employers to jointly administered trust funds established for the purpose of defraying the costs of apprenticeship and training programs.

TITLE V—LABOR-MANAGEMENT RELATIONS

Section 501: This section provides that not more than three members of the National Labor Relations Board shall be members of the same political party. In addition, it makes clear that when the office of the General Counsel of the Board becomes vacant the President may designate some other officer or employee to serve as acting general counsel during the vacancy.

Section 502: This section amends section 6 of the National Labor Relations Act to make clear that (1) the Board may by rule or otherwise decline to assert jurisdiction over any labor dispute where, in its opinion, the effect on interstate commerce is not sufficiently substantial" to warrant exercise of its jurisdiction and (2) State agencies and courts may assume jurisdiction over such disputes where assertion of jurisdiction is declined.

Section 503: This section extends the secondary boycott provisions of the National Labor Relations Act to (1) direct coercion of employers to cease, or agree to cease, doing business with another, (2) inducement or encouragement of employees individually to refuse to perform services, and (3) to include within the scope of the provisions secondary employers who do not come within the act's definition of "employer," such as railroads and municipalities. The section makes clear that those prohibitions do not extend to activities directed at secondary employers performing for a primary employer "farmed out" struck work or those engaged at a common construction site with another employer with whom a lawful labor dispute exists with respect to wages, hours, or other working conditions of employees working at that site.

Section 504: This section amends section 8(b) of the National Labor Relations Act to make it an unfair labor practice for a union to engage in, or threaten to engage in, organizational and recognition picketing where (1) the employer has recognized in accordance with the act any labor organization

and a question concerning representation may not be raised under section 9(c) of the act, (2) within the last preceding 12 months a valid election has been conducted, (3) the union cannot establish the existence of sufficient interest on the part of the employees in having it represent them, or (4) picketing has been engaged in for a reasonable period of time and an election under 9(c) has not been conducted. A savings provision makes it clear that this new provision is not intended to make lawful any activity which is otherwise an unfair labor practice under the act. The section further makes violations of the organizational and recognition picketing provisions subject to the mandatory injunction provided in section 10(1) of the National Labor Relations Act.

Section 505: This section amends section 8(d) of the National Labor Relations Act to make it clear that the collective bargaining requirements of section 8 do not require a party to a valid collective bargaining contract to bargain during the life of the contract with respect to any modification which would become effective before a reopening is permitted by the terms of the contract or by agreement of the parties.

Section 506: This section amends section 9(c) of the National Labor Relations Act to authorize the Board, upon joint petitions by an employer engaged in the construction industry and a labor organization acting in behalf of employees engaged in that industry asserting that the employer recognizes the union as a representative of his employees and has entered into a collective bargaining agreement with the union covering such employees, to certify such union as bargaining representative without an employee election if a collective bargaining relationship has existed between the employer and the union prior to the current agreement and if the Board finds no substantial challenge by the employees of the representative status of the union.

Section 507: This section removes the provision in section 9(c)(3) of the National Labor Relations Act barring strikers who are not entitled to reinstatement from voting in representation elections.

Section 508: This section amends section 9(c)(4) of the National Labor Relations Act to permit the Board to conduct representation elections prior to hearings, where no substantial objection is made to such a proceeding.

Section 509: This section amends section 9(h) of the National Labor Relations Act to extend the non-Communist affidavit provisions to employers as well as unions, to require that affidavits relate to activities during the preceding 12-month period, rather than at time of execution of affidavit, and to require that they not have been found false by any court.

Section 510: This section saves acts performed prior to the effective date of this title against being treated as unfair labor practices under amendments to the National Labor Relations Act made by the title.

Section 511: This section provides that the effective date for amendments of existing law provided by this title shall be 60 days after date of enactment of the act.

Comparison of Proposed Labor Reform Bills, 1959

Administration bill

Labor organizations covered

Every labor organization (including those representing public employees and employees of nonprofit organizations, and bodies composed of labor organization delegates such as local and regional conferences, councils, etc.) engaged in activities affecting commerce as broadly defined in the bill.

Reporting and disclosure

A. Who Must Report

1. All covered labor organizations, including regional and local conferences and councils and unions representing public employees. No exemption provisions. Every covered labor organization having a subordinate body under supervisory control must file special reports.

2. Every officer, agent, or other representative (defined to include all elected and appointed officers, agents, and key administrative personnel) of a covered labor organization who, or whose spouse or minor child, engaged directly or indirectly in any transaction described in C below (which may involve conflict of interests) with an employer or employer representative.

3. Every employer who engages directly or indirectly in any transaction with a labor organization or with any of its officers, agents, or representatives which they are required to report (involving possible conflicts of interest) and every employer engaging in a transaction described in D below (which may involve interference with statutory rights of individual union members and employees). Under the definition of "employer," Federal, State, and local governmental agencies and employers not engaged in activities affecting commerce are excluded from reporting and other requirements.

4. Under 3 above, employers would have to report financial dealings with unions and their representatives through intermediaries (including labor relations consultants) as well as direct dealings.

B. What Must Be Reported by Unions

1. Organizational structure and procedures

Copies of constitutions, bylaws, and other basic documents having similar effect must be filed and information on organization and procedures brought up to date annually.

Report, signed by president (or other chief executive officer), and secretary (or other chief records officer), must show name and address of union; names and titles of all officers; how these officers (including stewards and delegates) were selected; meeting and election procedures; qualifications or restrictions for membership, initiation fees, dues, assessment procedures; procedures for removal or discipline of officers or agents for breach of trust and for fines, suspensions, or expulsions of members and grounds for such action; any provision made for notice, hearings, judgment on the evidence and appeal procedure in connection with disciplinary action against members; procedures for authorizing disbursement of union funds and audit of union financial transactions; and, by reference to documents filed, the procedures for authorizing bargaining demands, ratifying contract terms, and authorizing strikes.

Certification, signed by president and secretary, that constitution and bylaws contain the provisions with respect to election and removal of officers which are specified elsewhere in the bill (title III) and that the union is complying with these procedures (a period is provided for coming into compliance where changes must be made by constitutional convention). The mandatory election and removal provisions are described in a subsequent portion of this chart.

Where union has assumed supervisory control or trusteeship over a subordinate body, a special report must be made semiannually showing name and address of subordinate body; date of assumption and expected length of period of control; reasons for assumption and continuance of control; present status concerning restoration of autonomy; participation of members in selection of delegates to convention or elections; any funds transferred from subordinate body; and normal per capita tax and assessments payable by it.

Expressly provides that individuals required to sign above reports are personally responsible for them.

2. Financial affairs

Annual report, signed by president (or other chief executive officer), secretary (or other chief records officer) and treasurer (or other chief financial officer), must show method by which copies have been made available, as required, to members, and must contain, in such reasonable detail as required by the Secretary, information on assets and liabilities, financial activities during the year, amounts and sources of receipts and amounts and purposes of disbursements, including

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Labor organizations covered

Every labor organization engaged in an industry affecting commerce (somewhat more narrowly defined than in administration bill), except labor organizations having fewer than 200 members and less than $20,000 in annual receipts may be exempted from financial reporting by the Secretary of Labor, and the definitions of "employer," "labor organization," and "labor organization engaged in an industry affecting commerce" are so drafted as to raise a question of inclusion of labor organizations representing public employees and of regional and local conference and councils which do not bargain with employers.

Reporting and disclosure

A. Who Must Report

1. Every labor organization engaged in an industry affecting commerce. As noted above, definitions are so drafted as to raise a question of inclusion of unions representing public employees and of regional and local conferences and councils which do not bargain with employers. Exemption of many unions from financial reporting is made possible. Nationals or internationals having subordinate bodies in trusteeships must file special reports.

2. Every officer and employee (other than a clerical employee) receiving in excess of $5,000 during year in wages, salary, expenses, or other allowances from labor organizations, who engages (either directly or through his spouse or minor child) in any transaction described in C below (which may involve a conflict of interest with employers the union represents or seeks to represent).

3. Employers (including any employer which, with respect to any public employer of employees, may deal with labor organizations regarding wages, etc., but excluding Federal, State, and local governments) engaged in an industry affecting commerce making payments described in D below.

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4. Any person engaged in providing labor relations consultant services to an employer engaged in an industry affecting commerce and who undertakes, pursuant to agreement or arrangement, activities where an object thereof is directly or indirectly to provide the services described in D below (exempts consultants giving or agreeing to give advice to an employer or representing or agreeing to represent an employer in collective bargaining or before any court, administrative agency, or arbitration tribunal).

B. What Must Be Reported by Unions

1. Organizational structure and procedures

Copies of constitutions and bylaws must be filed, but although the unions may meet the reporting requirements by reference to other governing documents, they are not required to file such other governing documents. Information on organization and procedures must be brought up to date within 30 days from the occurrence of any change.

Report, signed by president and secretary or corresponding principal officers must show the same information as required under the administration bill, with the following exceptions: (a) only names and titles of "constitutional officers (including its principal financial officer)" must be shown; (b) there is no requirement for information on how officers listed were selected; (c) there is no requirement for information on procedures for removal of officers and agents for breaches of trust; (d) information on suspensions of members and grounds therefor is not required; (e) there is no requirement for reporting any provision made, in disciplinary proceedings, for notice, hearings, judgment on the evidence and appeal procedure.

No certification of compliance with election requirements of the bill is required.

National or international labor organizations which have or assume trusteeship over any subordinate organization shall file a semiannual report showing the name and address of the subordinate organization; date of establishment of trusteeship; reasons for establishing or continuing trusteeship; participation by members of subordinate body in selection of delegates to policy-making bodies and of officers of national or international union.

Expressly provides that individuals required to sign above reports are personally responsible for them.

2. Financial affairs

Annual report, signed by chief financial officer and two other principal officers, must contain (in such detail as may be necessary accurately to disclose union's financial condition and operations for the year) the following information: assets, liabilities, amounts and sources of receipts and amounts and purposes of disbursements, including specifically salaries, allowances, and other disbursements "to each officer and each employee who received more than $7,000 from

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amounts paid as compensation and by way of expense or other allowances for each officer, agent, or employee whose aggregate compensation and allowances for the year exceeded $10,000.

The report must explain in detail or by reference to reports required of officers, etc., the full circumstances of the receipt of anything of value from any employer having employees who are or might be organized or represented by the union or from any person representing such an employer (except payments allowable under section 302(c) of the Taft-Hartley Act).

3. Information required in union reports must be made available to each member in such form and manner as Secretary of Labor may prescribe.

C. What Must Be Reported by Union Officers, Agents, Etc.

1. All direct and indirect payments to or from employers having employees who are or might be organized or represented by the union or to or from persons representing any such employers (including transactions engaged in by a spouse or minor child). Also requires information on investments and business transactions so related to such an employer as to possibly involve conflicts of interest. If the officer, agent, or representative of the union derives direct or indirect benefit from any such transaction it must be reported even if the direct participant was some relative or other third person rather than the union officer himself. Payments allowable under section 302(c) of the LMRA, regular remuneration for service as an employee, purchases and sales in regular course of business at regular prices, and bona fide investments in traded securities not involving substantial interest need not be reported.

D. What Must Be Reported by Employers and Employer Representatives

1. Employer must report full information on any transaction directly or indirectly engaged in with the union or its officers, agents, or representatives which the latter are required to report.

2. If the employer directly or indirectly makes specified payments which may involve interference with rights of individual union members and employees under Federal labor-management relations laws, a full report must be made.

See A–4 above.

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labor organizations," loans in excess of $500 to officers, employees, or members, and loans to any business enterprise, with a statement of the security, if any, and arrangements for repayment.

Does not provide for union reports on financial dealings with employers other than loans to a business enterprise.

3. Information required in union reports must be made available to all members in such form and manner as Secretary of Labor may prescribe. Labor organizations required to file reports under trusteeship provisions must also make available information contained in reports to each member or organization under trusteeship.

C. What Must Be Reported by Union Officers, Agents, Etc.

Annual reports by such union officers and bona fide employees as are described above in A–2, describing specified financial transactions with employers, and investments which may possibly involve conflicts of interest, including items such as stock and bond transfers and loans. Also must report if received payments from employers and labor relations consultants pursuant to agreement to influence or affect employees in exercise of rights under section 7 of NLRA or Railway Labor Act. This latter requirement applies to payments from any employer or consultant. The specified transactions do not appear to include all which are reportable under the administration bill, and the exceptions from reporting requirements differ from those in the latter bill.

D. What Must Be Reported by Employers and Employer Representatives

Employer must report any direct or indirect payment or loan or any promise therefor to any labor union or officer or employee thereof, except (1) payments pursuant to a bargaining agreement; (2) compensation paid for services as an employee of such employer; and (3) payments or loans made by a national bank or other credit institution.

Employer must report any expenditures in connection with an agreement or arrangement with a labor relations consultant by which the consultant (a) undertakes activities where an object thereof is to persuade employees in the exercise of their rights to organize and bargain collectively, or (b) undertakes to supply such employer with information concerning the activities of employees or unions; and any expenditure in excess of $2,500 where the object is to persuade employees in the exercise of the above rights. (Exempts adjustments in wages or other employee benefits; and expenditures to obtain information for use solely in conjunction with judicial, administrative, or arbitral proceedings; or for representation in such proceedings.)

Any labor relations consultant who has entered into an agreement described in A–4 above where the object is, directly or indirectly to (a) persuade employees in the exercise of their rights to organize and bargain collectively; (b) supply an employer with information concerning the activities of employees or unions in connection with a labor dispute must file an annual report showing:

(1) The name under which the consultant is doing business and his address.

(2) Receipts from employers for consultant services and sources thereof.

COMPARISON OF PROPOSED LABOR REFORM BILLS, 1959—Continued

ADMINISTRATION BILL	S. 505 (KENNEDY-ERVIN)	COMPARISON OF PROPOSED LABOR ADMINISTRATION BILL
E. Records Required	E. Records Required	
1. Unions must maintain and keep for 5 years records necessary to explain and verify the reported information. Records must be made available to members at reasonable times and under reasonable conditions upon request, in such form and manner as the Secretary shall by regulations prescribe.	1. Unions must make, keep, and preserve for such periods and under such conditions as the Secretary shall prescribe, records sufficient to prepare and verify the financial and trusteeship reports filed. No provision for records on other information reported by unions or for making records available to union members.	
2. Union officers, agents, and representatives must maintain and keep for 5 years records necessary to explain and verify all information reported.	2. No provision.	
3. Employers must maintain and keep for 5 years records necessary to explain and verify all information reported.	3. Employers and labor relations consultants must make, keep, and preserve for such periods and under such conditions as the Secretary shall prescribe, records sufficient to prepare and verify the financial reports filed.	
F. Disclosure of Reported Information	F. Disclosure of Reported Information	
Reports are public information which may be published and used for studies. Reports shall be made available for inspection and copies may be furnished upon payment of cost of service. On request of Governor of State or other authorized State agency copies will be made available to State agency.	Reports are public information which may be published and used for studies. Reports available for inspection and copies may be made available upon payment of cost of service. On request of Governor of State or other authorized State agency copies will be made available to State agency without charge. However, States may not require any person to furnish the information reported under the Federal act, if a copy of such information is furnished to the State or State agency.	
Records must be made available for examination by the Secretary of Labor or his representative.	Records sufficient to prepare and verify financial and trusteeship reports shall be kept and preserved under such conditions as the Secretary shall prescribe.	
G. Enforcement of Reporting Provisions	G. Enforcement of Reporting Provisions	
1. Secretary of Labor authorized to—	Secretary of Labor authorized to—	
Issue regulations governing reports and records and to prevent evasion.	Issue regulations governing reports and financial and trusteeship records and to prevent evasion, and to prescribe simplified forms to relieve burdens of unions and employers.	
Cooperate with other Federal and State agencies and utilize their facilities in carrying out provisions of act.	(No provision for cooperation with other agencies.)	
Investigate when from complaint or otherwise he finds reason to believe there may be violations.	Make (and shall make) investigations (only) when he has probable cause to believe that violations have occurred and when any person fails to file a report required (in which event he must report to union members concerning fact required to be in report and reasons why it was not filed).	No provision for amendment of section 302(b) concerning unloading fees.
Subpena witnesses and documents, examine records, and hold hearings in connection with his investigations of violations.	Subpena witnesses and documents in investigations (differs from administration provisions).	
Bring court actions in Federal courts for injunctions to compel compliance.	(No provision for any suit to compel compliance.)	
Impose sanctions, after administrative hearings, for willful failure to file a true and proper report, which may result in withdrawal from union or employer of privileges conferred by Federal labor-management relations laws and in withdrawal from union of tax exemptions for appropriate period or periods.	(No provision for administrative remedies or sanctions such as withdrawal of tax or other statutory privileges.)	The amendment excepts from improper payments those payments which are made to apprenticeship and training trust funds, in addition to those now excepted under section 302(c).
Issue orders, after administrative proceedings, requiring compliance with reporting provisions, which are subject to enforcement or review in Federal appellate courts.	(No provision for enforceable orders of compliance.)	
Publish information concerning violations (except confidential complaints) and investigate facts and practices necessary or proper for enforcement or drafting rules and regulations.	Publish information concerning violations and make studies and reports necessary to aid enforcement.	
2. The National Labor Relations Board is required to deny the use of its processes to unions and to employers not complying with the reporting provisions (amends NLRA 9(f) and (g) which now denies such processes to unions failing to comply with reporting provisions of that act).	NLRA 9(f) and (g) are repealed and no comparable requirement of reporting as a condition of using NLRB processes is embodied in the bill. Unions which now have to report organizational and financial data in order to use processes of the Board would be relieved of this obligation and could use such processes even though they refused to file the information required by the bill.	
		3. Criminal penalties (fine or imprisonment) are provided for—
		Willful failure or refusal to comply with reporting provisions (misdemeanor).
		False statements (felony).
		Concealment or destruction of books or records required to be kept (felony).
		Conflicts of interests
		A. Reports of transactions which may involve conflicts of interest are required from unions, from union officers, agents, and representatives, and from employers, as described under Reporting and Disclosure, above.
		B. Criminal penalties (fine or imprisonment) are provided for—
		1. Bribery between employers, employee representatives, or their intermediaries and officers, agents, or representatives of a union or any trust in which a union is interested (felony).
		2. Improper payments by employers or employer representatives, amending section 302 of LMRA to prohibit any employer or any person acting in his interest from paying or agreeing to pay (and any person from requesting, demanding, receiving, accepting, or agreeing to any such payment)—
		To any labor organization or any of its officers, agents, or employees if it represents any employees of such employer or has members employed in the same trade, craft, or class as such employees.
		To any employee or group or committee of employees of such employer for the purpose of causing the employee, group, or committee to interfere with, restrain, or coerce any other employees of such employer in the exercise of rights secured to them by Federal labor-management relations laws.
		Union funds and property
		A. Financial Reports
		1. Annual financial reports required from all unions (see Reporting and Disclosure).
		2. Reports on financial dealings with employers or employer representatives required from all union officials involved (see Reporting and Disclosure).

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Criminal penalties, (fine or imprisonment) are provided for—

Willful failure or refusal to comply with reporting provisions (misdemeanor).

False statements (misdemeanor).

Destruction (not concealment) of books or records required to be kept (misdemeanor).

Conflicts of interests

Reports of possible conflict-of-interest transactions (somewhat different in scope from those covered by administration bill) are required from unions, from union officers and nonclerical employees receiving over $5,000 per annum, from employers, and from labor consultants, as described under Reporting and Disclosure, above.

Criminal penalties (fine or imprisonment) are provided for—

(Bill contains no comparable bribery provision.)

Improper payments by employers or employer representatives (includes some which are made a felony under the bribery provision of the administration bill), as follows:

Would amend section 302(a) to make unlawful employer payments to representatives of his employees, so as:

(1) To include payments by "any person who acts as a labor relations expert, adviser, or consultant to an employer;"

(2) To include payments made to labor organizations, or any officer or employee thereof "which represents, seeks to represent, or would admit to membership" employees of the employer; and

(3) To include payments made to employees of the employer for the purpose of influencing any of the employees in their exercise of the right to organize and bargain collectively.

(4) To include payments made to officers or employees of labor organizations with intent to influence them in their representative actions, decisions, or duties.

Would amend section 302(b) to make it unlawful for any labor organization or any officer, agent, representative, or employee thereof to demand or accept from the operator of any motor vehicle or his employer anything of value as a charge for, or in connection with, the unloading of cargo of vehicle. This section will not make unlawful payment of charge pursuant to collective-bargaining agreement between labor organization and employer of operator made in good faith.

The amendment excepts from improper payments those payments which are made to apprenticeship and training trust funds and pooled vacation funds in the building and construction industry; payment of checked-off periodic payments to, as well as membership dues in, a labor organization; and payments to employees openly engaged in acting for the employer in personnel or labor relations matters.

Union funds and property

A. Financial Reports

Annual financial reports required from all covered unions (except unions having fewer than 200 members and less than $20,000 in annual receipts may be exempted by Secretary, and definitions are so drafted as to raise a question of inclusion of unions representing public employees and of regional and local conferences and councils which do not bargain with employers) (see Reporting and Disclosure).

Reports on financial dealings with employers and labor consultants required from officers and nonclerical employees receiving over $5,000 per annum (see Reporting and Disclosure).

COMPARISON OF PROPOSED LABOR REFORM BILLS, 1959—Continued

ADMINISTRATION BILL

B. Officer Accountability

Would apply to officers, agents, and other representatives of a labor organization, as defined in the act.

Provides that such officers, agents, and other representatives shall have a duty to the members of the union requiring them to hold money or other property in their custody or possession by virtue of their position for the benefit of the members and for furthering the purposes for which the union exists. In handling such money or property these officers, etc., would be required to invest, apply, disburse, or otherwise dispose of it in accordance with such obligation and for such purposes and manner as authorized by the constitution, bylaws, and other governing rules of the union.

Provides for actions in any court of competent jurisdiction by one or more of the principal officers of the union in behalf of the members, or by any one or more of the members for and in behalf of himself or themselves, or by an agent or representative designated by such member or members. Specifically preserves any rights or remedies under existing Federal or State law.

C. Criminal Penalties

1. Fine or imprisonment (felony) for embezzlement from funds of union or trust in which union is interested.

2. Fine or imprisonment (felony) for false entries in or wilful destruction of books or records of union or trust in which union is interested.

3. Fine or imprisonment for bribery (felony) or improper employer payments (misdemeanor) (see Conflicts of Interests, above). No provision prohibiting loans by union to employees.

Union officers and elections

A. Reporting

1. All unions must report how all incumbent officers were selected and election procedures for selection of officers and stewards (see Reporting Requirements).

2. All unions must certify that prescribed minimum standards for election and removal of officers are provided and are being followed (see Reporting Requirements).

B. Standards for Election of Officers

The following standards are prescribed and are directly enforcible:

Elections not less frequently than every 5 years for officers of national or international union, every 3 years for locals.

Officers (including constitutional officers and elected members of governing or executive bodies) to be elected directly by secret vote or, in national or international union, by delegates elected by secret vote.

All members entitled to nominate or be candidates, and to vote, upon due notice and without restraint or coercion; delay in payment of checked-off dues may not disqualify a member.

Constitutions and bylaws must contain complete election procedures, which must be observed (period for coming into compliance provided where change must be made by constitutional convention).

Use of union or employer moneys to promote candidates prohibited.

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B. Officer Accountability

No provision declaring responsibilities of union officers, agents, and representatives.

No provision for members' suit to enforce responsibilities of those handling union funds, except that a member may, if union and its officers refuse, sue by leave of court to recover embezzled or misappropriated union funds from person convicted criminally of the misappropriation.

C. Criminal Penalties

Fine or imprisonment (felony) for embezzlement of funds of any organization exempt from taxation under section 501(a) of Internal Revenue Code. (This includes many different kinds of organizations other than labor unions).

Fine or imprisonment (felony) for false entries in or willful destruction of books or records of union or trust in which union is interested.

Fine or imprisonment (misdemeanor) for direct or indirect loans from employers to union officer or employee representing or actively seeking to represent his employees; and for loans in excess of $1,500 from a union to any of its officers or employees.

Fine or imprisonment (misdemeanor) for other improper employer payments (see Conflicts of Interests, above).

Union officers and elections

A. Reporting

Unions must report procedures for election of officers and stewards.

No provision for certifying that election standards are met.

B. Standards for Election of Officers

The following standards are prescribed and are directly enforcible:

Elections not less frequently than every 4 years for officers of national or international union, every 3 years for locals.

Officers (those named in its constitution and the members of executive board or similar governing body) to be elected by secret ballot of members in good standing, for locals, and by secret ballot of members in good standing or at a convention of delegates chosen by secret ballot, for nationals and internationals.

Opportunity for nominations, and members in good standing permitted to vote without coercion or restraint; 15 days' notice of elections not held at regular time; delay in payment of authorized checked-off dues may not disqualify member from candidacy or vote.

Elections to be conducted in accordance with constitution and bylaws insofar as not inconsistent with bill's provisions.

Use of union or employer moneys to promote candidates prohibited.

Election records and ballots to be preserved for 1 year.

COMPARISON OF PROPOSED LABOR REFORM BILLS, 1959—Continued

ADMINISTRATION BILL	S. 505 (KENNEDY-ERVIN)	COMPARISON OF PROPOSED LABOR ADMINISTRATION BILL
Provisions must be made to ensure honest elections, including provision for tellers and observers; ballots and election records to be preserved for reasonable period not less than 1 year.		ployers, to employees, or to the public under applicable laws, collective bargaining agreements, and constitution and bylaw provisions.
C. Removal of Officers	C. Removal of Officers	
Unions required to report their procedures, etc. (see Reporting and Disclosure). In addition, union must certify when its annual report is filed that the following standards are met:	If Secretary upon application of member of local union finds that the union's constitution does not provide for the removal of an officer guilty of serious misconduct, the officer may be removed by secret ballot vote of members in election held for that purpose. Secretary is granted authority to promulgate rules and regulations prescribing standards for carrying out these provisions.	For periods not longer than necessary for correction of the evils involved (over 18 months presumed longer than necessary for permitted purposes).
Union must have and follow procedures which ensure to its members the opportunity—		Reports on procedures are required; in addition special reports are required concerning the circumstances of any exercise of supervisory control, as described under Reporting and Disclosure.
To directly remove officers by majority secret vote upon a showing that such a vote is desired by a substantial number of its members; and		It is made unlawful, and criminal penalties are provided, for—
To have a prompt election, meeting election standards of the bill, to replace removed officers.		Counting votes of delegates of supervised local unless chosen by secret ballot.
		Transferring moneys other than normal per capita taxes and assessments from supervised union.
		Serving or permitting service of convicted criminals as administrators or trustees.
D. Enforcement of Prescribed Standards	D. Enforcement of Prescribed Standards	
Secretary of Labor authorized to investigate violations and take other necessary action, including administrative hearings and issuance of orders requiring compliance or compelling new elections where elections are found void. For willful violations, suspension of tax exemptions or of privileges conferred by Federal labor-management relations laws may be ordered.	Secretary of Labor may enforce the bill's election requirements upon complaint of member who has exhausted his remedies within the union or failed to obtain a decision in 4 months. Secretary, if he has probable cause after complaint to believe a violation has occurred must within 60 days ask court to set election aside and to direct Secretary to conduct an election, name officers selected, and preserve union's assets pending election. Court order directing an election, pursuant to Secretary's petition, would be appealable but election would not be stayed pending appeal.	Enforcement of reporting requirements in cases of supervisory control is the same as enforcement of other reporting provisions (see Reporting Requirements).
Secretary may refer questions of violation to union procedures examining boards, which he may establish for the purpose, or to hearing examiners, for such inquiry, including hearings, as may be necessary; board or examiner will have necessary subpena and other powers. If board or examiner finds violations through such inquiry, opportunity to comply with recommendations for correction will be given and case will be dismissed upon compliance; in event of refusal to comply, Secretary will by order provide appropriate relief, which may include ordering of a new election supervised in a manner he shall prescribe.		Enforcement of standards and positive requirements with respect to supervisory control is by the same procedures as provided for election requirements (referral to Board or hearing examiner; Secretary's orders enforceable by administrative sanctions or appellate courts and subject to judicial review), except that there is no provision for enforcement by members' suits.
Orders of the Secretary may be enforced or reviewed in Federal courts of appeals.		
Members may (unless an action or proceeding by the Secretary is pending) bring action in State or Federal courts for appropriate relief (or may pursue existing remedies for similar rights, which are expressly preserved).	The rights, duties, and remedies provided by the bill are made exclusive.	
		Administration of labor reform provisions
		Authority placed in Secretary of Labor, who may administer through a Commissioner of Labor Reports to be appointed by the President and confirmed by the Senate. Secretary could delegate functions under other Federal laws also to Commissioner.
		Authority to the Secretary to utilize other Federal and State agencies or cooperate with them in carrying out provisions of law, with the lawful consent of such agencies; all Federal agencies are authorized and directed to cooperate.
		No provision for Advisory Committee.
E. Criminal Penalties	E. Criminal Penalties	
The bill (see Reporting and Disclosure) contains criminal penalties for failure to report and false reporting. In addition, criminal penalties (fine and imprisonment) are provided for—	Criminal penalties are provided for failure to report or false reporting of procedures for election of officers and stewards (see Reporting and Disclosure), and for any person serving as officer or holding certain positions after conviction of certain felonies unless the Secretary of Labor determines after hearing that their services could not be contrary to act's purposes.	
Any person serving or permitting another to serve as a union officer, agent, or other representative while the person serving is disqualified to vote by reason of a felony conviction or has been convicted of a violation of the act and a period of 5 years thereafter has not elapsed.	Criminal penalties are also provided for so serving, or knowingly permitting such person to serve, after a conviction (or finding, after hearing, by Secretary) that such person has violated titles I or II, until 5 years have elapsed.	
Any person contributing or using union or employer moneys for promoting the candidacy of any person for election to union office.		
Supervisory control of subordinate unions	*Supervisory control of subordinate unions*	
Standards are prescribed under which supervisory control of subordinate unions may be established only—	Standards are prescribed under which trusteeship may be established and administered by a national or international union over a subordinate body only—	
In accordance with the applicable provisions of the constitution and bylaws and other governing rules and regulations of the unions involved.	In accordance with the constitution of "such organization."	
For purposes of ensuring democratic, responsible, and honest administration of the subordinate organization or effectuating legitimate objects of the labor organizations involved, such as the elimination of practices which are dishonest or corrupt or in disregard of obligations to members, to em-	For the purpose of correcting corruption or financial malpractice, assuring performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out legitimate objects of the union.	
		Codes of ethical practices
		No provision (although many of the bill's requirements parallel those of existing ethical practice codes).

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Special reports are required on trusteeships, as described under Reporting and Disclosure, somewhat less comprehensive than required by the administration bill.

It is made unlawful, and criminal penalties are provided, for—

Counting votes of delegates of subordinate body under trusteeship unless chosen by secret ballot.

Transferring moneys other than normal per capita taxes and assessments from subordinate union.

Enforcement of reporting requirements is only by criminal penalties, as is true of other reporting provisions of the bill (see Reporting and Disclosure).

Enforcement of standards and positive requirements for trusteeships is by suit for injunction, which Secretary of Labor shall bring if, after investigating written complaint of a member or the subordinate body, he finds probable cause to believe that a violation has occurred and has not been remedied. In any proceeding an authorized trusteeship is presumed valid for 18 months, invalid thereafter, unless extended for a period up to 1 year by court order.

The Secretary would be required to report on the operation of the trusteeship provisions to Congress at the end of three years.

Administration of labor reform provisions

Authority placed in Secretary of Labor. Functions could be delegated to a Commissioner of Labor Reports to be appointed by the President and confirmed by the Senate. No provision made for delegation of any function under other laws.

No provision for cooperation with other Federal and State agencies in administration of the Act.

The bill would create (in title IV, Codes of Ethical Practices) a 15-member Advisory Committee on Ethical Practices, "to advise the Secretary in the administration of this Act." The Secretary would appoint five members from panels nominated by employer associations, five from panels nominated by labor organizations, and five to represent the public. In addition to meetings at the call of the Secretary the Committee (which would have to be furnished by the Secretary with staff and other facilities) would be required to meet at least four times a year and whenever at least one-third of the members request a meeting.

Codes of ethical practices

Congress declares policy: National and international labor organizations and nationwide and industrywide associations of employers engaged in industries affecting commerce should adopt codes to eliminate and prevent improper and unethical activities in affairs of unions and employers which will:

(1) Safeguard democratic rights and privileges of union members.

(2) Promote harmonious union-employer relations and prevent derogation of employees' rights under section 7, NLRA, by employers.

(3) Provide for publication of codes.

(4) Not sanction any union or employer conduct which violates any law, Federal, State, or local.

COMPARISON OF PROPOSED LABOR REFORM BILLS, 1959—Continued

ADMINISTRATION BILL

Amendments to NLRA and LMRA

A. Secondary Boycotts

Would extend secondary boycotts provisions of NLRA to cover:

Direct coercion of employers to cease, or agree to cease, doing business with another.

Inducement or encouragement of individual employees.

Concerted activities against, or coercion of, secondary employers who do not come within the act's definition of "employer," such as railroads and municipalities.

Would permit union activity against secondary employers—

Who are performing "farmed-out" struck work.

Who are engaged in work at a common construction site with the primary employer and there is a labor dispute involving wages, hours, and other working conditions of employees employed at that site.

B. Picketing

Would make it an unfair labor practice, subject to mandatory injunction, for a union, by picketing, to coerce an employer to recognize it as the bargaining representative of his employees, or his employees to accept or designate it as their representative, where:

The employer has recognized in accordance with the NLRA, any labor organization and a question concerning representation may not be raised under section 9(a) of the act.

Within the last preceding 12 months a valid election has been conducted.

The union cannot establish the existence of sufficient interest on the part of the employees in having it represent them.

Picketing has been engaged in for a reasonable period of time and an election under 9(c) has not been conducted.

C. Federal-State Jurisdiction

Would authorize the Board to decline, by rule or otherwise, to assert jurisdiction over cases where, in its opinion, the effect on commerce is not sufficiently substantial. State agencies and courts would be permitted to act with respect to such cases.

D. Building and Construction Trade Unions

Would authorize the Board, under appropriate circumstances, and where there is a prior history of collective bargaining, to certify unions acting in behalf of employees primarily engaged in the building and construction industry without a prior election.

E. Voting Rights of Economic Strikers

Would eliminate the statutory prohibition which bars economic strikers who are not entitled to reinstatement from voting in representation elections.

F. Prehearing Representation Elections

Would authorize the Board to conduct representation elections without a prior hearing

S. 505 (KENNEDY-ERVIN)

Adoption of codes not compulsory—only an expression of congressional policy.

Secretary is to report on program to Congress 3 years after enactment.

Establishes an Advisory Committee on Ethical Practices to advise the Secretary "in the administration of the act."

Amendments to NLRA and LMRA

A. Secondary Boycotts

No provision.

B. Picketing

Would make it an unfair labor practice, subject to mandatory injunction, for a union to picket the premises of an employer for the purpose of taking or obtaining from the employer "against his will or with his consent" any money or other thing of value "for the personal profit or enrichment of any individual." This language, which appears to be directed at extortion, is so worded as to raise a question of its effect on picketing by economic strikers.

C. Federal-State Jurisdiction

Requires the Board to assert jurisdiction over all labor disputes arising under the NLRA except where a cession agreement may be effected with a State agency under terms similar to present provisions of the act. There may be cession of kinds of cases as well as cases under this amendment.

D. Building and Construction Trade Unions

Would permit union and employers in the construction industry to enter into agreements (1) where the majority status of the union has not been established under the act prior to the agreement, (2) requiring union membership 7 days after employment, (3) requiring the employer to notify the union of jobs and the union to refer applicants, and (4) specifying training or experience qualifications for employment or providing priority in hiring based on length of service with the employer. Such agreements, if not otherwise constituting a bar to an election, would not be a bar solely by reason of these provisions. This section would not authorize union security provisions where prohibited by State law.

E. Voting Rights of Economic Strikers

Same as administration provision (eliminates the prohibition barring economic strikers who are not entitled to reinstatement from voting in representation elections).

F. Prehearing Representation Elections

No provision.

COMPARISON OF PROPOSED LABOR REFORM BILLS, 1959—Continued

ADMINISTRATION BILL	S. 505 (KENNEDY-ERVIN)
where no substantial objection is made to such a proceeding.	
G. Non-Communist Affidavits	G. Non-Communist Affidavits
Would require employers and those acting for them on labor-management relations, as well as union officers, to file non-Communist affidavits as a condition of access to Board's processes. The affidavit would relate not only to conduct at the time of its execution but also for the previous 12-month period. The affidavit would also be required to be one not found by any court to be false.	No provision.
H. Bargaining During Life of Contract	H. Bargaining During Life of Contract
Would amend the NLRA so that parties to a valid collective bargaining agreement may not be required to negotiate during the life of the agreement unless it provides for reopening or the parties mutually agree to its being reopened.	No provision.
I. General Counsel of NLRB	I. General Counsel of NLRB
Would make clear that when the office of the General Counsel of the Board becomes vacant the President may designate some other officer or employee to serve as Acting General Counsel during the vacancy.	No provision.
J. Bipartisan NLRB	J. Bipartisan NLRB
Would require Board, as are other regulatory bodies, to be bipartisan in composition by limiting to three the number of members affiliated with one political party.	No provision.
K. Definition of "Supervisor"	K. Definition of "Supervisor"
No provision.	Would revise the definition of "supervisor" so as to change the criteria of "authority * * * responsibly to direct other employees" to "one * * * whose principal function is responsibly to direct other employees."
L. Organizational and Financial Filing Requirements of Taft-Hartley Act	L. Organizational and Financial Filing Requirements of Taft-Hartley Act
Sections 9(f) and (g) of NLRA would be amended to require NLRB to deny use of its processes to unions and employers not complying with the reporting requirements (see Enforcement of Reporting Provisions).	Would repeal sections 9(f) and (g) of NLRA.
M. Improper Payments by or on Behalf of Employers	M. Improper Payments by or on Behalf of Employers
Amends section 302 of LMRA as described above under Conflicts of Interests, to broaden the category of prohibited payments.	Amends section 302 of LMRA as described above under Conflicts of Interests, to broaden the category of prohibited payments, but the areas covered do not coincide with those covered by the administration bill.

Mr. GOLDWATER. Mr. President, in conclusion, I wish to state that the bill carries the names of 14 cosponsors. I ask and urge other Members of this body to put their names on the bill, which I feel provides many of the answers needed in this field.

AMENDMENT OF SOCIAL SECURITY ACT, RELATING TO RENTAL INCOME FROM FARMING LANDS

Mr. LANGER. Mr. President, I introduce, for appropriate reference, a bill to amend the existing social security law to provide that rental income from farming lands shall constitute net earnings from self-employment for purposes of the insurance system established by title II of the Social Security Act.

Starting with 1956, the farm-rental income counts toward social security if, in accordance with the rental arrangement, the landlord materially participates in the production or management of the production of the farm commodities on his land. The rental income received by landlords who do not materially participate continues to be excluded from social security coverage.

Mr. President, there is no doubt that the 1956 amendment has been of great benefit to farmers who can show that they, as landlords, materially participate in the production or management of the production of the farm commodities on their lands. However, I have received many complaints from constituents in my State who thought that they would meet the test of material participation, but after presenting their case to the social security office in North Dakota and on appeal to the regional authority at Kansas City, have learned that they have not materially participated within the provisions of the law and were excluded from social security coverage.

Mr. President, it is my thought that the old pioneers who farmed the land until they became old and then moved to town and leased their land for one-quarter, one-third, or one-half of the crop would be entitled to social security and not have to be concerned with meeting the test of material participation as now provided by law.

I have carefully examined an excellent folder put out by the U.S. Department of Health, Education, and Welfare, Social Security Administration, which attempts to set forth the general rules and also gives illustrations of tests as to what constitutes material participation. But in view of all this there is still much confusion in the minds of the farmers. Even if there was not confusion in the minds of the farmers, I still feel my amendment to the Social Security Act will be of great benefit to the farmer who has tilled the soil for many, many years and has reached a point where he cannot work it any longer and he leases it on a share basis. His earnings from that farm should be within the coverage of the social security law.

That is what my amendment will do. I hope every Senator and every Representative will agree with this amendment.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 754) to provide that rental income from farming lands shall constitute net earnings from self-employment for purposes of the insurance system established by title II of the Social Security Act, introduced by Mr. LANGER, was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF INTERNAL REVENUE CODE—ADDITIONAL COSPONSOR OF BILL

Mr. MONRONEY. Mr. President, on January 21 the junior Senator from Washington [Mr. JACKSON] introduced, for himself and several cosponsors, Senate bill 619, to amend the Internal Revenue Code of 1954 so as to allow a deduction for expenses incurred by certain physically handicapped individuals for transportation to and from work, and to provide an additional exemption for a taxpayer, or his spouse or dependent, who is permanently physically or mentally incapacitated, and for other purposes. I ask unanimous consent that my name be added as a cosponsor of the bill when it is next printed or when it is reported to the Senate.

AMENDMENT OF REORGANIZATION PLAN NO. 2 OF 1953—ADDITIONAL COSPONSOR OF BILL

Mr. MONRONEY. Mr. President, on January 9 the senior Senator from Minnesota [Mr. HUMPHREY] introduced, for himself, the junior Senator from Montana [Mr. MANSFIELD], and a number of other Members, Senate bill 144, to amend Reorganization Plan No. 2 of 1953. I ask unanimous consent that my name be added as a cosponsor of the bill when it is next printed or when it is reported to the Senate.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. JOHNSON of Texas:

Addresses delivered at testimonial dinner in honor of Leslie L. Biffle at the Mayflower Hotel, Washington, D.C., on January 20, 1959.

TENSIONS IN COMMUNIST CHINA

Mr. WILEY. Mr. President, for the information of my colleagues, I have asked the Legislative Reference Service and the staff of the Foreign Relations Committee to undertake an examination of tensions in Communist China.

This study will extend to the internal frictions, resistance movements, and forces of opposition within China proper. It will also encompass the extent of divergence and cleavage between China, the Soviet Union, and the European satellites.

During recent years, word which has come out of China indicates that the Mao government still has not succeeded in fastening its control over the long-suffering people of China. The regime itself has given evidence of this resistance. Whereas back in 1949 and 1950 there were indications of some enthusiasm for the redistribution of land, the people soon reacted against the regimentation, intimidation, and mass killings. The later attempt of the regime to take back the land from the people under the collectivization program was resisted. In the Chinese newspapers there are numerous reports of overt resistance, work slowdowns, fake production figures, and other efforts of the people to sabotage the establishment of collectives.

In the latest effort of the regime to establish communes, and in case any of the Members have not been following what has been happening in China since last April, let me say that this communalization is nothing more than abhorrent dictatorship at its worst. It is an extreme and final effort of the Mao government to blot out private ownership. The family is to be a thing of the past. Even the words "mother," "father," "son," and "daughter" are being extinguished. In the future the people of China will be identified as "state worker number so-and-so." With landholdings and homes eliminated, with family ties destroyed, with no private ownership, the state can freely move its forced labor at will to state construction programs. The regime already has mobilized the armies and the militia to enforce communalization. Even the Soviet Union has opposed this extreme action.

There is other evidence of friction between China and the Soviet Union. China has publicized its opposition to the high prices extracted by the U.S.S.R. for so-called industrial aid. China made no secret of its animosity over the low level of Soviet military assistance during the Korean war. There has been open competition between the two Communist powers for control over North Korea and North Vietnam. They are also evidently competing for control over the Communist parties in Indonesia, India, Cambodia, and Burma. China has succeeded in reducing Soviet influence in Manchuria and Sinkiang in the northwest; but there is evidence of a continuing power struggle in these regions. There is also evidence of growing concern on the part of China over the deployment of Soviet military forces in the maritime provinces and within China proper. Since the Geneva Conference in 1954 and the Bandung Conference in 1955, China increasingly has asserted, in its foreign relations, its independence of the Soviet Union. A high point of Sino-Soviet cleavage was reached at the time of the Hungarian crisis. After urging the satellites to assert their independence of an overriding Moscow authority, China then showed its power in the role of bringing the satellites back into the fold. Mao Tse-tung's hundred flower experiment brought to light the extent of animosity between China and Russia.

Mr. President, it is needless to expand upon the relevance of these developments to our foreign policy. In undertaking this study, I hope that we can assemble enough facts to bring some light on the extent and nature of these tensions. My colleagues will recall that several years ago, while I was serving as chairman of the Committee on Foreign Relations, we had a similar series of studies prepared. Those studies on tensions in Soviet captive countries proved to be most useful. I should like to quote from the study on tensions in Hungary. The last paragraph of that study, published in 1953, reads:

> To sum up: The Communist regime in Hungary is confronted with the inexorable alternative of either maintaining its minority dictatorship which is bound to generate an ever-increasing opposition among the people, or of loosening its total grip on the country by making real concessions—a course which would be incompatible with communism's fundamental tenets and purposes. Neither alternative augurs well for the future of communism in Hungary.

Mr. President, certainly events of the last several years have emphasized the accuracy of that conclusion. I believe that a similar examination of tensions in China will also be fruitful. I wanted the Members of the Senate to know that this study is in progress.

THE SMALL BUSINESS ADMINISTRATION

Mr. CAPEHART. Mr. President, I send to the desk a statement which I have prepared in respect to the Small Business Administration. I ask unanimous consent that the statement be printed in the body of the RECORD, as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CAPEHART ON THE SMALL BUSINESS ADMINISTRATION

I would like to take this opportunity to refute before the honorable gentlemen present a charge that the administration is sabotaging the Small Business Investment Act passed last August by the Congress.

Following President Eisenhower's approval of the act last August 21, 1958, and the formation of the Small Business Investment Division under the Small Business Administration that agency undertook to recruit qualified investment banking personnel and loan experts both within and from without the Government to staff this Division.

Immediately upon the signing of the bill into law, the Small Business Administration established a unit of qualified persons from within the agency to begin work on the regulations until a staff could be recruited to administer the Small Business Investment Division.

Aware that translation of the law into a workable set of regulations which would stand the test of time and the manifold ramifications of an entirely new and untried concept of small business financing faced them, the Small Business Administration officials conducted conference after conference, meeting after meeting of investment banking experts, corporate attorneys and commercial banking executives to chart a course of operations and direction on this previously untraveled sea of financing.

Simultaneously, the investment unit, in cooperation with the efforts of the general counsel of the Small Business Administration, continued work on the regulations governing the long term loan and equity financing aspects of the new law and by October 27, only 14 working days later, came up with a preliminary draft of the regulations. This preliminary draft was published in the Federal Register on October 29 to draw additional comments and advice needed by the agency to promulgate in final form a set of guideposts for those who would seek assistance under the act.

During this period, attorneys and personnel of the Investment Division of the Small Business Administration, and frequently those of other interested agencies, spent Saturdays and even Sundays going over the proposed regulations and the comments which were submitted, to insure a minimum of loopholes through which the undeserving and the just plain unscrupulous dollar grabbers might try to gain access to Federal funds intended to help deserving small businessmen of this Nation.

Just a few working days later, in what even the most biased critic would certainly not label an instance of resistance, red tape, and delay, the regulations were published in final form in the Federal Register. Published, I might add, with the full knowledge that changes would ensue; that conditions would arise which could not be foreseen without the help of a soothsayer's wand; that instances of difficulties not within the experience of the most knowledgeable investment banker would occur.

Is this an act of sabotage? Is care and consideration given to the administration of the act to prevent the wholesale misuse of Federal funds by the "quick buck" boys an act of sabotage? I leave the answer to you honorable gentlemen.

A major problem facing the Small Business Administration and its Administrator, Wendell B. Barnes, was the staffing of regional offices with qualified personnel possessing investment banking background. These persons would administer the details of operation, aid interested companies in obtaining licenses under the act, explain the manifold intricacies of the act to them and serve as a liaison between those sincerely interested in forming small business investment companies, and also maintain liaison with the Small Business Investment Division in Washington.

The Small Business Administration hoped for, but was not optimistic about obtaining immediately, competent men for all its field offices throughout the country. It did believe, however, that sufficient numbers of qualified men could be found who would be willing to staff the investment divisions of its regional offices. To date, it has been successful in that quest, and qualified personnel for its investment divisions of regional offices are hard at work explaining the law to interested companies, despite the demands made upon them by persons whose preliminary questions indicate they are merely curiosity seekers or those seeking a Federal handout.

This progress is not, I say again and I am sure you will agree, an example of resistance, red tape, and delay.

Aside from the problem of staffing the new division was a major one of obtaining an administrator whose investment background would be sufficient to understand and cope with the multiplicity of financial problems surrounding the new division and whose executive ability would justify his appointment.

From the nature of the qualifications required and the ability needed to administer an untried project, it was obvious that such a man must come from the field of finance. Would salary be the sole objective? Obviously not. Only a man with a desire to serve his Government, and whose qualifications were unquestionable, would fill the bill.

By combing the field, weeding out the unfit and reluctantly passing over those who, while qualified, could not afford economically to devote their time to such an untried project, Administrator Barnes selected a man whose ability and background qualified him on those counts, and whose desire to serve his Government transcended material gain.

Early in December, Administrator Barnes announced that Duncan H. Read, Middleburg, Va., banker and retired from a partnership in a famous New York investment banking firm, had indicated a willingness to serve. Under his guidance, the Investment Division has been moving fast to get the machinery for providing long-term financing to small businessmen into motion.

I ask again, is this resistance, redtape, and delay?

I think you will agree with me that it indicates progress rather than delay.

Another proposal of the critics would remove the administration of the Small Business Investment Act from under the Small Business Administration and place it in the hands of an "independent, bipartisan commission or board."

This Congress, in its wisdom, rejected that move as too expensive and, in many instances, a duplication of duties. It would not be inconceivable, it was argued then—and it is still applicable—that a small business might need financing simultaneously from both the Small Business Administration and an investment company.

This proposal, I think, was best answered by the Congress at the time of passage of the law.

Another criticism is set forth. The Government, through the Small Business Administration, it is charged, set a prohibitive wholesale rate of 5 percent interest on funds it will lend to small business investment companies for relending to small businesses.

The cost to the Small Business Administration for the money it obtains for the purposes outlined by Congress is approximately 2⅜ percent. Last year it was 3¾ percent. To lend Federal funds to investment companies at a rate lower than 5 percent—which, incidentally, seems to have drawn no complaints other than those of the something-for-nothing group—would force the Small Business Administration to administer the law at a loss to the taxpayers and amount to a subsidy, a circumstance I am sure was not within the intent of the Congress in passing the Investment Act.

On December 4, the day the final regulations governing the licensing of investment companies was published in the Federal Register, the SBA received its first application from a small business investment company.

Hundreds of other companies are studying the law and its regulations before submitting proposals under which they will operate. In addition, more than a hundred letters of intent to submit proposals have been received in Small Business Administration regional offices.

To date, 26 actual proposals for licensing companies have been submitted to the Small Business Administration, most of them submitted in the past 2 weeks. The Small Business Administration will act upon those this month.

The criticism that more than 10,000 companies whose financial responsibility and experience are beyond question are vainly knocking on the door to be licensed can be best answered by the total count of 26 proposals so far submitted. The doors of the offices in the Small Business Administration are open. No knocking is necessary. They need only enter who seek assistance there.

The 26 proposals, it might be added, indicate neither an instantaneous and overwhelming demand to obtain licenses, nor the existence among companies of a license demand of near-crisis proportions.

This should not be taken to mean that there is no demand. Instead, it indicates only that those planning to seek licenses are proceeding slowly in drawing up proposals; that they and their attorneys are studying carefully all the pitfalls inherent in entering a field of financing which has no precedent to guide their actions.

Fully aware of this precautionary attitude, the Small Business Administration has taken steps to provide firsthand information to potential licensees in the Nation.

The Small Business Administration has scheduled for the month of January three areawide clinics across the Nation to spell out for potential licensees the full details of operation of the Investment Act; how the Small Business Administration will license companies; what problems they may face; how they will be regulated, and what assistance they can expect from the Small Business Administration.

At these same clinics will be representatives of the Securities and Exchange Commission, invited expressly by the Small Business Administration, to explain the regulations under which the SEC operates, the provisions of both the Securities Act of 1933 and the Investment Act of 1940, and what exemptions may be granted small business investment companies under those laws.

More than 1,000 commercial and investment bankers, accountants, lawyers, and businessmen have indicated they will attend the first of these clinics, to be held in Los Angeles, January 16. Nearly 400 have announced they plan to attend the second meeting, to be held 3 days later in Kansas City. The third seminar, to be held in Philadelphia on January 30, has drawn acceptances from more than 250 potential licensees and answers to invitations are still coming in.

The Small Business Administration succeeded in each case in getting a local organization to sponsor these clinics. In effect, they are being sponsored at no cost to the Federal Government.

At the same time, regional directors and investment division officials will be holding workshop conferences in these cities, included in which will be regional representatives of the Securities and Exchange Commission, to iron out the multiplicity of details connected with expediting the proposals of applicants for licenses under the new act.

These regional and branch office personnel, and the SEC representatives, will be going over every operation, with a view to making simpler the task of submitting and getting approval of the proposals of small business investment companies seeking licenses.

I ask again, is that resistance, redtape, and delay?

I think the honorable gentlemen in this body should know that the officials and the personnel of the Small Business Administration have put their full efforts to speeding the day when the small business investment companies will be operating in substantial numbers.

The new law seems a complicated one to the small businessman, and to those who wish to establish small business investment companies. This is not unexpected. With nothing to guide him from past experience, the small businessman and his counterpart in the investment field want full clarification of the problems ahead of them in this new field. The Small Business Administration has made every effort to provide this information.

The criticism leveled at the Small Business Administration comes from a representative of a political party which has long shouted its devotion to the improvement of the lot of the common man.

Yet, for many years no attention was paid to the lot of the small businessman—apparently he was not quite common enough.

It was not by accident that the Small Business Administration was established upon recommendation of the present administration. The Republican Party, which had for many years tried to assist the small businessman when he was neglected by those who shouted loudest and beat their breasts for improving the lot of the common man, is justly proud of its contribution to the formation of the Small Business Administration.

Few, if any, Members here today have not received glowing tributes of the accomplishments of the Small Business Administration from constituents.

I for one, and there are undoubtedly many of you on both sides of the aisle, feel proud of the record of the Small Business Administration in aiding the Nation's small businessman.

The administration, I feel free to say, takes pride in its record of assistance to the small businessman and is justly proud of the Investment Act, moving rapidly as it is, under the Small Business Administration, to open new avenues of long-term credit for the small businessman so that he may obtain his rightful share of the economic progress with which our Nation is blessed.

RACKETS AND COLLUSION IN LABOR-MANAGEMENT RELATIONS

Mr. ALLOTT. Mr. President, one of the outstanding omissions of the last Congress was failure to enact legislation to deal with the problem of rackets in the labor movement and labor-management collusion to the detriment of the public and the individual worker. I urge that this Congress take early action to supply this need by passing adequate legislation to assure that the abuses we are almost weary of reading about in the papers will disappear from our labor movement.

By adequate legislation, I mean legislation that really deters embezzlement, collusion, and bribery with regard to union funds and labor-management relations, not a halfhearted, stopgap gesture in this direction. I mean legislation that would not only require filing of papers with the Federal Government, but would give the Federal Government required authority to see to it that these documents are complete and truthful, and, after due process, realistic sanctions to apply to violations.

In my opinion, the bill introduced by the Senator from Arizona [Mr. GOLDWATER] is the answer to the need for such legislation. It not only recognizes that disclosure is the needed antiseptic for corrupt dealings, but makes sure that this disclosure really takes place.

If, after discussion and debate on the bill, it should appear that there were weaknesses which would prevent forcing such disclosures, I, for one, would vote to support such amendments as would

make the disclosures realistic and an actuality.

The bill not only requires that employers, unions, and union officials file information on their transactions with one another; it provides realistic investigatory powers and court process to make sure that they do. It does not leave the burden of law enforcement with the individual union member, which experience tells us demands too much individual sacrifice to be an effective procedure. Not once, not hundreds of times, but thousands of times, it has been demonstrated that the individual union member is not in a position to make the individual sacrifice necessary to enforce effective procedure.

The bill would not take away existing filing protections under the Taft-Hartley Act, but would strengthen them in their application to both employers and unions.

Finally, the bill has one very great merit, in that it places upon those to whom union funds are entrusted the same responsibility which every other citizen in the United States must assume when he handles the funds of other people, namely, a fiduciary responsibility; it places him in a position of trust. This is the principle which the Senate applied last year in dealing with the union welfare and pension fund legislation. The Senate applied it even to situations in which the members contributed none of their own funds. It is only right, just, and equitable that we apply the principle in this instance, in which members are dealing with their own funds.

TRIBUTE TO THE LATE REPRESENTATIVE THOMAS S. GORDON, OF ILLINOIS

Mr. DOUGLAS. Mr. President, I should like to pay tribute to the late Thomas S. Gordon, who for 16 years, from 1943 to 1959, was a Representative in Congress from the Eighth District of Illinois. Tom Gordon was a singularly good man, honest, modest, and kindly. We first became acquainted when my wife was serving with him in Congress, and when they were both members of the House Foreign Affairs Committee.

In our 15 years of friendship, neither my wife nor I ever heard Tom Gordon utter a harsh or malicious word. He constantly sought out the good in other people and based his own conduct on the assumption that the finer qualities were the deeper and more abiding qualities in everyone he met.

Tom Gordon was a good Congressman, who worked for the welfare of the people of his district, his State, and our Nation. A leader in the Polish-American community, he was first of all an American with a deep and enlightened patriotism. A faithful and devoted member for many years of the House Foreign Affairs Committee, he became its chairman in 1957, only to be stricken down with a severe heart ailment last year, when he was at the very height of his career. He bore his sufferings with bravery and dignity, but he was compelled by illness to relinquish his position as chairman, and then, on the advice of his doctors, decided not to stand for reelection.

His death is a heavy loss, not merely to his friends, but also to the city of Chicago and to the country. He left the world the better because of his life, and I am sure we all join in expressing our sorrow and extending our condolences to his widow and to the other members of his family.

ANNIVERSARY OF UKRAINIAN INDEPENDENCE

Mr. DOUGLAS. Mr. President, I ask unanimous consent that a statement which I have prepared, on the 41st anniversary of the declaration of independence of the Ukrainian Republic, and the desirability of independence for the various other Slavic peoples outside of Russia, be printed in the body of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR DOUGLAS

Last week, several of my colleagues inserted statements in the CONGRESSIONAL RECORD calling attention to the 41st anniversary of the declaration of independence of the Ukrainian Republic and expressing the hope that the Ukraine may be freed from its Communist rulers and oppressors. I join in these hopes.

The free world was electrified and inspired by the bravery of the troops from the Ukraine who, when called in to put down the Hungarian revolt, climbed out of their tanks and gave them over to the freedom fighters in that beleaguered country. While the surrender of these arms to those who were revolting against the Communist domination of Hungary was not crowned with success, the solidarity of Ukrainian troops with the struggle of the Hungarian people for freedom was a dramatic demonstration that the love of liberty has not been crushed.

At the same time other reports came out of the Ukraine of disturbances which were occurring in that country. And in recent months news reports suggest that the Communist leaders are still deeply concerned about the bourgeois nationalism of the Ukraine and are mobilizing authors, academicians and others in Kiev to counteract it. There have been many indications of a consistent pressure among the Ukrainian people for freedom. And the unexpectedly low levels of wheat production there necessitating costly importations of foreign grain into Russia no doubt reveal the opposition of the people to the Communist regime. In the light of the oppression to which these people are subjected and the rigid secrecy imposed by the Iron Curtain, these demonstrations of the spirit of the people of the Ukraine must be of inspiration to free peoples everywhere.

I further hope that the various Slavic peoples outside of Russia such as the Ukrainians, Poles, Lithuanians, Latvians, Estonians, Czechs, Slovaks, Serbs, Croats, Slovenes, and Byelorussians may be able at an opportune time to throw off the yoke of their Communist oppressors and become free, independent, and democratic states. I also hope they may federate together so as to have a common defense, a common foreign policy, internal free trade, etc., while each country would retain its own language, religion, and cultural autonomy. Only in this way, I believe, they can maintain their independence against the pressures of a powerful Germany to the west and Russia to the east.

The Lithuanians would apparently prefer to join a Nordic or Baltic federation of Sweden, Norway, Denmark, Iceland, and Finland. But if they would prefer to join the federation of non-Russian Slavs, I am sure they would be welcome.

Mr. CASE of New Jersey. Mr. President, January 22 was the 41st anniversary of the date the Ukraine gained its independence.

The Ukrainian people have waged a long and honorable struggle for independence from Russian dominance. Even though independence may seem further away than ever, the history of man's search for freedom shows clearly that the slave way must eventually fail.

The resources of this vast region—long the granary of Europe but now the Soviet Union's breadbasket—have a tremendous potential. But the greatest of all is the resourcefulness and the strength of the Ukrainian people.

By remaining steadfast to our principles, by honoring those who strive for a heritage which is rightfully theirs, we will yet see the day of true independence for Ukrainians.

PRESIDENT EISENHOWER'S RECOMMENDATIONS FOR LABOR REFORM LEGISLATION

Mr. DIRKSEN. Mr. President, President Eisenhower's recommendations for labor reform legislation are sound, temperate, balanced, and realistic. I strongly support their enactment.

The President's recommendations are neither pro nor antiunion; nor are they pro or antiemployer. I would never subscribe to any proposal that was.

Recent developments in some areas of labor-management relations have been very disturbing. Some union officials have forgotten that the purpose for their existence is to represent employees in collective bargaining. Some unions and employers have been careless of their obligations not to use the tool of collective bargaining to promote the interests of management and unions, as such. They have disregarded the rights and interests of the individual worker.

Traditionally, when the rights of individuals and of the public have been abused, we have provided legislative safeguards to curb such abuses. This is precisely what the administration's bill would do. Just how would this be done?

It would be done by making needed amendments to the Taft-Hartley Act, including those provisions of the act relating to secondary boycotts and picketing. It would be done by requiring full reporting and disclosure of union organizational procedures and of employer and union financial transactions. It would be done by requiring that certain procedures must be followed by unions in electing their officers and administering trusteeships.

Mr. President, the Wagner Act in 1935, the Taft-Hartley Act in 1947, and the President's recommendations in 1959, are all part of the evolutionary process involved in arriving at a labor policy. This policy must take into consideration the respective rights and responsibilities of labor and management and the public welfare. Each successive step is built upon those which have preceded it. The

administration's proposals build upon the experience of the past.

I consider the enactment of the President's recommendations vital and indispensable to a moderate and well-balanced program for providing needed labor reform legislation.

TRIBUTE TO J. SINCLAIR ARMSTRONG

Mr. DIRKSEN. Mr. President, one of the finest and most effective and most patriotic and capable public servants who ever came to the U.S. Capital to serve his Government was Hon. J. Sinclair Armstrong, Assistant Secretary of the Navy. I had something to do with his coming to the Capital. I watched him in the exercise of his responsibilities as a member of the Securities and Exchange Commission, as Chairman of the Commission, and then his movement to other duties in the Department of the Navy.

I should like, therefore, to insert in the body of the RECORD a reasonably brief statement by way of comment upon his services, because I honestly believe that the comment is merited, and is one Mr. Armstrong deserves so richly for the services he has rendered.

I ask unanimous consent to have the statement I have prepared included in the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR DIRKSEN

Before the 86th Congress gets into high gear, I would like to call the attention of the Senate to the loss which our Government has suffered by the resignation of a distinguished citizen of Illinois, Hon. J. Sinclair Armstrong, Assistant Secretary of the Navy.

Sinclair Armstrong has made a very real contribution to our Government during the 5½ years in which he has served in the administration. The President accepted Mr. Armstrong's resignation as of January 2, 1959, with real regret and expressing his "sincere appreciation for this record of distinguished service and for the valuable contribution" Mr. Armstrong made.

I presented his name before the Senate in July 1953, when he had been nominated to be a member of the Securities and Exchange Commission. I pointed out that Mr. Armstrong was one of the outstanding young lawyers in Chicago, who had made a distinguished record for himself, both in his profession and as a citizen identified with many civic and charitable activities in Chicago.

I recalled that the law firm of which he was a partner, Isham, Lincoln & Beale, has a distinguished history, having been founded by Robert Todd Lincoln, son of Abe Lincoln, of Illinois, in 1872.

I then predicted that Mr. Armstrong would make a fine record in government.

The Senate confirmed him and he served as a Commissioner of the Securities and Exchange Commission until May 1957.

For 2 of these years, beginning in May, 1955, he was Chairman of that independent regulatory agency.

In 1954, Mr. Armstrong, under the leadership of the Commission's then Chairman, Hon. Ralph H. Demmler of Pennsylvania, spearheaded the Commission's work with the Committee on Banking and Currency of the Senate, aiding that committee in formulating much needed amendments of the Federal Securities Laws designed to simplify and make more effective their impact on new issues of corporate securities and to be of assistance to small businesses seeking access to the capital market. This legislation was sponsored in the Senate by the distinguished senior Senator from Indiana [Mr. CAPEHART], who was then chairman of that great committee, and the distinguished senior Senator from Connecticut [Mr. BUSH], who was chairman of the Subcommittee on Insurance, Securities and Banking.

Mr. Armstrong also worked assiduously in Commission's program of simplifying and streamlining the many complex regulations affecting the securities markets under the statutes which the Commission administers in the public interest for the protection of investors.

In 1955, at about the time he became Chairman of the Commission, the securities markets began to be afflicted with a rash of new schemes to defraud the public in connection with securities distributions. These were conducted on a nationwide scale, often by people of criminal record, from so-called "boiler rooms" doing business over the long distance telephone and mulcting thousands of the American people of hard-earned savings by false and fraudulent means. Mr. Armstrong recognized these not only as a fraud on investors who were caught by such schemes, but as a threat to the confidence of the investing public in the integrity of the capital markets and the hundreds of workers in exchanges, brokers' firms and other institutions conducting their business cleanly and honestly.

Under Mr. Armstrong's leadership, the Commission commenced a vigorous program of law enforcement which, coupled with the notoriety which has been given to these shady practices by the Commissioners, their regional officials, and with the aid of the news and television media, has substantially reduced this abuse of the capital markets. I am happy to say that the Commission is continuing today this program of enforcement started back in 1955.

Also, during his tenure as Chairman of the Commission, the very large burdens of administrative work incident to the heightened economic activity of the past few years were handled in an effective and efficient way by the Commission and its staff.

As I have said on this floor before, I have been familiar with the work of the Securities and Exchange Commission since it was established, because of my membership on the Appropriations Committees of the House of Representatives and later of the Senate, and as a member of that committee of the Senate I was fully informed of, and aided and encouraged by Mr. Armstrong in, the program for better enforcement and administration he so ably led.

Mr. Armstrong left the Commission in May of 1957 to go on to his well-deserved promotion to Assistant Secretary of the Navy with the great admiration of many Senators and Congressmen who had observed the fine work which he had done. Some Senators present will remember the vicious attack made on his record, and the overwhelming vote of confidence he received by this body on May 23, 1957.

As Assistant Secretary of the Navy for the past year and a half, Mr. Armstrong has been in charge of the financial management of the Department of the Navy and has served as Comptroller of the Navy. The Congress is familiar with the fiscal year 1959 Navy budget, which was formulated and presented to the Congress under his technical direction.

The fiscal year 1960 Navy budget which has just been submitted to the Congress, was also prepared under his direct supervision. In addition to budgeting, as Comptroller of the Navy he has also been in charge of all accounting, auditing and statistical and progress reports of the Department of the Navy. This is a tremendous responsibility, as it includes seeing to all the paymaster functions which, under the National Security Act Amendments of 1949, were finally transferred from the old Bureau of Supplies and Accounts to the new Navy Comptroller Organization in the fall of 1958.

I have been well acquainted with Mr. Armstrong's work, particularly from the vantage point of the Senate Committee on Appropriations. He has rendered a particularly noteworthy service in the Department of the Navy because of his intense interest in our naval forces, in which he served during World War II, and the Marines, and his intense desire to see to it that our fighting forces were strengthened with modern weapons, but that economical and efficient management and management techniques make possible the economy which the Government and the taxpayer so badly need. Mr. Armstrong was not the kind of Secretary to sit at his desk in the Pentagon. He personally inspected all the naval shipyards, Navy and marine training bases, scores of industrial and supply establishments, and sailed and flew in all types of naval ships and aircraft. He was a financial manager who knew the Navy because he lived with it. Last summer, at the time of the crisis off China, he made a most important inspection trip of our whole Central and Western Pacific Naval and Marine forces to assure himself, as he expressed it to me, that what the Congress was providing in money was giving the finest sinews of military strength to our men in service out there.

Mr. Armstrong has been extremely outspoken in his interest in the preservation and perpetuation of the free enterprise system as the best economic and political system under which mankind can live. His record in the Securities and Exchange Commission, in which he was constantly vigilant for the protection of the investing public against sharp practices in the securities market, was based upon his profound knowledge of these markets and their importance in the channeling of the savings of the people into productive American industry as a means of creating employment and raising the standard of living of our people.

In the Navy Department he has been constantly outspoken against the menace of international Communism. The distinguished senior Senator from Maryland [Mr. BUTLER] mentioned in the Senate on January 12th the outstanding address which Mr. Armstrong gave on this subject at Baltimore on November 25, 1958. I urge my colleagues to read his address which appears in the January 12 number of the CONGRESSIONAL RECORD.

As a lawyer, familiar with problems affecting the securities markets, Mr. Armstrong made another outstanding address during the late fall, this before the District of Columbia Bar Association. This talk points up many problems which the Congress faces in strengthening the hand of the Securities and Exchange Commission in dealing with the abuses which from time to time occur in the securities markets. I believe that Mr. Armstrong's views should be made available to all Members of Congress.

I join with Mr. Armstrong's many friends in congratulating him on the outstanding job he has done in Government and wishing him continued happiness and success.

It was with considerable sadness that Mr. Armstrong's many friends in Illinois learned of his decision to return, after 17 years in Chicago, to his native State of New York, where he has been appointed executive vice president of the United States Trust Co. of New York. However, the distinguished institution with which he has become associated, which has built up over 100 years a large personal trust and investment management business, is exactly the type of business in which, with Mr. Armstrong's great

interest in the American investor, he can use his talents to great advantage.

The development and conservation of savings and investment has provided the very basis upon which our free-enterprise system has succeeded in providing the highest employment and the highest standard of living to the American people. It is very fitting that Mr. Armstrong should continue to devote his talents to this field of activity, in which he worked as lawyer in Chicago and as a member and Chairman of the Securities and Exchange Commission.

LABOR LEGISLATION

Mr. KENNEDY. Mr. President, the administration has sent to Congress a bill which the Senator from Arizona [Mr. GOLDWATER] has introduced. It deals with labor-management relations.

I am grateful that in the bill this year the administration seeks to deal with such subjects as trusteeships, union elections, and conflicts of interest, which were not adequately covered in the administration labor reform bill of last year. I am also happy that the administration bill, the Goldwater bill, and the Kennedy-Ervin bill, as they deal with the subject of labor reform, cover very much the same ground on elections, prohibition against felons holding union office, and the necessity for reporting and disclosing the expenditure of union funds, and penalties for the destruction of union records.

The administration approach is somewhat different in the area of labor reform—for example, the imposition of penalties upon union members, if the union leader fails in his responsibilities—including a denial of tax privileges and a denial of access to the National Labor Relations Board, in addition to the specific criminal penalties imposed upon the guilty party. I think these provisions are far too broad, and penalize the innocent as well as the guilty.

Nevertheless, the two bills do, in the labor-management reform sections, cover the same areas.

I am hopeful that it will be possible for us to reach a consensus of opinion in our approach to these particular problems.

The administration bill, however, goes far beyond that. The Secretary of Labor last year insisted that several reforms of the Taft-Hartley Act be included in the labor reform bill. Now they have compounded that matter by making extensive changes in the Taft-Hartley bill.

My own hope has been that we could deal with the labor reform and those sections of the Taft-Hartley bill upon which there is general agreement and which were covered in last year's bill; and that when the McClellan committee makes its report in March, and when the advisory panel on labor law revision, which was set up by the Committee on Labor and Public Welfare today, completes its studies, we can then consider a second bill, which will include the whole range of possible amendments to the Taft-Hartley Act.

The Goldwater bill not only seeks to tighten up the secondary boycott provisions of the Taft-Hartley Act, but also expands them drastically. It also seeks to deny employees the right to communicate through picketing, while at the same time it makes no exemption of the right of the employer to communicate with the workers. This, I think, must be a part of any analysis of the question of picketing. For example—and there are a good many other examples which could be given—it seeks to force every employer in the country to file with the National Labor Relations Board an affidavit that he is not a member of the Communist Party. This would be at an estimated cost of $300,000. It would slow up the procedure of the Board, which is already overburdened. One of the complaints we have found in studying the actions of the Board in regard to racketeering has been the slowness of the Board in acting on cases involving improper activities. Yet the Board is going to be burdened down with examining the accuracy of the reports of every employer in the country, to determine whether he is a member of the Communist Party.

A broad revision of Taft-Hartley should be the subject of a separate bill. I am hopeful that the subject of labor reform, on which there is general agreement on both sides of the aisle, will not be endangered by including so wide and far-reaching changes in the Taft-Hartley Act. The subject is difficult enough without involving it in the serious disputes which have prevented the passage of any labor legislation during the past 11 years.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. DIRKSEN. I should merely like to say that the administration proposal is a proposal designed to meet the problem confronting us in labor-management relations, and moves in the direction of safeguarding certain rights, and we believe that cannot be done unless the proposals are amendatory. We believe that is necessary.

Mr. KENNEDY. There are many perils which surround this subject, and all of us recognize the many difficulties involved. The fact that there have been no changes made in the Taft-Hartley Act of any kind in the 11 years since it has been enacted—and the fact that the bill which was offered in 1954 had to be recommitted because of difficulties encountered during the debate on the floor of the Senate—indicates the difficulties confronting us on the question of changing the Taft-Hartley Act.

Furthermore, some people, for example, would like to repeal section 14(b), involving right-to-work laws. I would be opposed to such action, and I would be opposed to an amendment offered on the floor dealing with this matter in connection with the labor reform bill.

For the same reason, I am also opposed to other changes in the Taft-Hartley Act at this time, although they might be changes which I would favor later. The essence of the dispute is whether we should attempt to make the changes in two stages, with adequate safeguards and assurances to the Senate that the Senate will have a second opportunity; or to act in one stage and perhaps place the labor reform bill in peril by introducing matters about which there may not be general agreement. There are a good many matters in the administration bill with which I am in agreement, such as prehearing elections. But whether we should introduce those subjects and thus endanger labor reform is something about which I am apprehensive.

Mr. DIRKSEN. I think our experience as a legislative body indicates that when we address ourselves to labor legislation, we will always have a certain degree of emotionalism. In proportion as it takes on considerable dimensions, that will be true. Perhaps we can better describe it as an expression of durable interest on the part of all groups and shades of opinion in the country.

When we separate, of course, and develop the whole picture, we can take two bites at the cherry. But I am simply afraid that we will finally get lost, after our first experience with a portion of legislation in that field. If we do not take it all at once, and include those things amendatory of the Taft-Hartley Act, they will be likely to come at the tail end of the party, and we may have something of the same experience we had last year. That is one reason why I believe we should devote ourselves to the whole package at once, if we expect to get the job done.

I am not insensible of the fact that the Taft-Hartley Act has continued on and on without amendment for a good many years. That may be a testimony to the complicated job which its consideration involves; and, second, to the fact that perhaps some amendment is long overdue. So this might well be the time to consider that question. If we are to adopt a total approach and do a craftsmanlike job, I think we ought to take it as a whole package.

Mr. KENNEDY. Last year we had the experience of having the Senate pass a bill by a vote of 88 to 1. When the bill reached the House, one reason why it was defeated was that there was included in title 6 a provision affecting the construction trade, on which my position, the position of former Senator Ives, and the position of Secretary Mitchell, were almost identical. Nevertheless, it was opposed by the construction industry. That matter had nothing to do with labor reform. Yet the Secretary presented it. Former Senator Smith, of New Jersey, in the discussions in the committee last year, insisted that that provision be included as one of the matters we would consider in our labor reform measure. So it was included.

I indicate this to show that every time we add a Taft-Hartley amendment, we run athwart of the economic interests of one group or another. The more we pile onto a bill, the more difficult it becomes to get a labor reform bill passed.

I am simply afraid there is a chance that we may add an amendment of one kind or another, which, while it may not appear to be a major amendment, may be an amendment dealing with, perhaps, picketing, the construction industry, or some other factor, which will be opposed by substantial groups in the country,

whether labor, management, or the Republican Party, and the entire bill will then be opposed. Then the President may feel that he cannot sign it, and we will not have any labor reform, as to the need for which there is general agreement between both parties.

That is why I say, as a member of the McClellan committee, that labor reform is the primary problem before us. The second problem—and I state it in point of order—is the making of changes in the Taft-Hartley Act. That is why I do not want to risk any danger to the passage of a labor reform bill. I think this is really in the nature of a watermelon and ought to be handled in two stages.

I hope, as a member of the Committee on Labor and Public Welfare, of which the Senator from Illinois also is a member, that we may look at this matter carefully so that we may move along toward the passage of needed legislation in the field of labor reform.

Mr. DIRKSEN. I should never want to admit that because there may be a conflict we would run away from it. I think the question is one of need and whether this is the time to act. If we feel that it is time, then, no matter how difficult the job may be, we must summon up all the necessary forbearance and patience which we possess to get the job done. That is the broad base from which the matter must be approached.

Mr. KENNEDY. As the Senator from Illinois knows, the Subcommittee on Labor this morning reported a resolution to set up a group of experts to make a study of the Taft-Hartley law. They will make their report, in April or May, on the whole Taft-Hartley area. So I think that constitutes an additional argument for considering labor reform legislation in the way I have suggested.

In any case, I appreciate what the Senator from Illinois has said. We can get a clear idea when our present hearings are over as to what action should be taken. I thank the Senator.

DEATH OF HARVEY E. NEWBRANCH, JOURNALIST

Mr. CURTIS. Mr. President, today I want to note the death of one of the truly great men of American journalism, Harvey E. Newbranch, who died yesterday in Omaha, Nebr., at 83 years of age. Mr. Newbranch was recognized nationally as a skilled and forceful journalist. He was graduated from the University of Nebraska before the turn of the century, and rose from a cub reporter to the editorship of the Omaha (Nebr.) World Herald, between 1898 and 1949. In 1949 he retired as editor in chief of this paper and served on its board of directors until 1953.

Several years ago it was my privilege to speak to the students of the high School at Wymore, Nebr. I found on the wall of the high school assembly room one picture, that of an illustrious graduate of the school, Harvey E. Newbranch.

Mr. Newbranch earned the Pulitzer Prize by the writing of an editorial, in 1919, entitled "The Law and the Jungle." This editorial became a nationally read masterpiece illustrating the ravages of mob violence.

In 1949, Mr. Newbranch received an award from the Freedom Foundation for his editorial entitled "God Hates a Coward." I commend the reading of this editorial to my colleagues and others holding public office in America today.

Mr. Newbranch demonstrated an early talent for journalistic achievement. At the age of 13 years he broke into print regularly by writing letters to the editor of his hometown paper in Mt. Pleasant, Iowa. His first assignment as a journalist was an editorial position on the weekly paper published at Wymore, Nebr.

It is my earnest hope that American journalism will produce many more writers who can attain the distinction enjoyed by Harvey Newbranch. His great public service as an opinion-maker for things that are good will never be forgotten. His widow and members of his family will be comforted by his wonderful accomplishments.

Mr. HRUSKA. Mr. President, I should like to join with my colleague, the distinguished junior Senator from Nebraska, in this expression of tribute to the memory of Harvey E. Newbranch. The passing of Mr. Newbranch marks "Finis" to an outstanding, noble career in the world of journalism. It marks also the conclusion of a useful life.

My colleague has outlined well the high water marks of Mr. Newbranch's greater achievements in his chosen profession. Each of those achievements was preceded and followed by almost numberless instances where the same humanitarian, wise, considered judgment and action were exercised by him. His years of service with the Omaha World Herald helped make a great newspaper even greater and better.

He was well informed, fair, and vigorous, yet compassionate. His memory will serve as a delight and guide as well as an inspiration to his fellow journalists and to a host of others who were his friends and admirers.

On behalf of Mrs. Hruska and myself, I join with my colleague in expressing and extending deepest sympathy and condolences to the members of Mr. Newbranch's family who survive this great American.

SECONDARY BOYCOTTS

Mr. CURTIS. Mr. President, I am pleased to note that the Goldwater bill, of which I am a cosponsor, contains provisions to amend and make more effective the secondary boycott provisions of the Taft-Hartley Act.

The legislative history of the Taft-Hartley Act indicates that the Congress assumed that its secondary boycott provisions would effectively restrict union action, first, to compel an employer to stop using products made by nonunion employees or members of another union, second, to prevent the use of new labor-saving devices or processes, third, to exclude competing goods from an area, or fourth, to force an employer to assign work to members of one union rather than another. The experience of the last 11 years, however, has shown that certain methods exist whereby unions may still make effective use of the secondary boycott.

The secondary boycott provisions of the act rest upon a combination of two factors: First, an objective of the union must be to compel one person to cease doing business with another; second, the means employed to achieve this objective must be through a strike or inducement of employees to strike. Sophisticated unions avoid the proscriptions of the act by directly threatening or coercing the secondary employer or his supervisory personnel. They also avoid these proscriptions by inducing individual employees, or workers not defined as employees by the act—railroad and agricultural workers—to refuse to handle the products of the primary employer or by preemployment inducement of workers not to handle certain products. None of these activities is prohibited, because the means used are not those prohibited by the act.

These loopholes which permit unions to instigate effective secondary boycotts should be closed, and the effect of the secondary boycott provisions of this bill will be to close them. Some of the most flagrant practices of labor racketeers are made possible by the inadequacy of the existing secondary boycott provisions. I commend the administration for its efforts to make more effective the secondary boycott provisions of the act. No bill which fails to act in this area can claim to be a truly effective antiracketeering bill.

Mr. CASE of South Dakota. Mr. President, supplementary to the observations which have been made by the distinguished Senator from Nebraska and other Senators with reference to the requirements of a good labor-relations bill or improvements in the present statutes, I should like to point out that the bill introduced by the Senator from Arizona [Mr. GOLDWATER] not only requires filing and disclosure of union-management dealings, but also insures that such disclosure will uncover wrongdoings in the labor-management field. Experience with the filing requirements of the Taft-Hartley Act has demonstrated that reporting alone will not necessarily bring violations to light. There must be adequate investigatory and enforcement powers.

So, Mr. President, I am pleased to note that the proposal submitted by the Senator from Arizona—and, as I understand, with the approval of the Department of Labor—requires compliance with its reporting provisions before employers and unions can use the facilities of the National Labor Relations Board. The administration's bill contains other provisions for insuring compliance with, and enforcement of, its reporting provisions.

The bill represents a coordinated approach to providing needed protections to the public, individual workers, and law-abiding employees and unions against corrupt practices of a very few. I sincerely hope the Congress will show its good faith and intent by enacting this proposed legislation, which is tailored to

really strengthen standards and procedures for healthy, sound labor-management relations.

The PRESIDING OFFICER (Mr. McGEE in the chair). Is there further morning business? If not, morning business is closed.

PROPOSED LABOR-MANAGEMENT RELATIONS LEGISLATION—MESSAGE FROM THE PRESIDENT (S. DOC. NO. 10)

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was read, referred to the Committee on Labor and Public Welfare, and ordered to be printed:

To the Congress of the United States:

In the state of the Union message on January 9, I reported again to the Congress on the need for enactment of effective Federal legislation designed:

To safeguard workers' funds in union treasuries against misuse of any kind whatsoever.

To protect the rights and freedoms of individual union members, including the basic right to free and secret election of officers.

To advance true and responsible collective bargaining.

To protect the public and innocent third parties from unfair and coercive practices such as boycotting and blackmail picketing.

There is submitted herewith for the consideration of the Congress a 20-point program which will eliminate abuses demonstrated by the hearings of the McClellan committee, protect the public interest and insure the rights and economic freedoms of millions of American workers.

Complete and effective labor-management legislation, not a piecemeal program, is essential to assure the American public that true, responsible collective bargaining can be carried on with full protection to the rights and freedoms of workers and with adequate guarantees of the public interest. These recommendations, when adopted, should do much to eliminate those abuses and improper practices which, I am firmly convinced, the American public expects and believes will be corrected through legislative action. Equally important, they will do so without imposing arbitrary restrictions or punitive measures on the legitimate activities of honest labor and management officials.

I recommend legislation—

1. To require all unions to file detailed annual reports with the Department of Labor and furnish information to their members with respect to their financial operations. These reports would be open to the public, including union members.

2. To require all unions to file with the Department of Labor, as public information, copies of their constitutions and bylaws and information as to their organization and procedures, which would be required to include provisions, which are observed, meeting minimum standards for periodic secret ballot elections of officers, for the removal of officers, and for the imposition of supervisory control over the affairs of subordinate bodies.

3. To require all unions to keep proper records on the matters required to be reported, open to examination by Government representatives and to permit union members, subject to reasonable conditions and upon request, to see and examine these records.

4. To require unions, union officers and agents, and employers to report and keep proper records with respect to any payments, transactions, or investments which create conflicts of interests or have as their objective the interference with the statutory rights of individual union members and employees.

5. To require that union officers hold and administer union funds and property solely for the benefit of the union members and for furthering the purpose of the union and to make this duty enforcible in any court in a suit for an accounting by the union or by members.

6. To require that unions observe minimum standards for the conduct of the elections of officers, including, in addition to periodic elections, the right of members to vote in secret without restraint or coercion and, upon due notice, uniform opportunity for all members to be candidates, procedures to insure an accurate tabulation of votes, a ban upon the use of union or employer funds to promote candidacies for union office, and requiring constitutions and bylaws to contain detailed statements of election procedures and compliance with such procedures.

7. To require unions to observe minimum standards and to conform to the appropriate provisions of their constitution and bylaws in exercising supervisory control over the affairs of subordinate bodies; such control should be limited in purpose to correcting corruption, or the disregard of democratic procedures or other practices detrimental to the rights of the members in the subordinate body, and assuring the performance of duties as a bargaining representative.

8. To place the administration of this legislation in the Secretary of Labor and to provide him with appropriate and adequate authority to issue regulations, investigate, subpena witnesses and records, bring court action to compel compliance and to correct violations, and institute administrative procedures leading to decisions and orders, which would be subject to judicial review, necessary to effectuate the purposes of the legislation.

9. To prescribe criminal penalties for willful violations of the act, for concealment or destruction of records required to be kept, for bribery between employers and employee representatives, for improper payments by employers or their representatives to employees or employee representatives, for embezzlement of union funds, and for false entries or destruction of union books and records.

10. To preserve for union members any present remedies under State or Federal laws, in addition to those provided under this legislation.

11. To amend the secondary boycott provisions of the National Labor Relations Act so as to cover the direct coercion of employers to cease or agree to cease doing business with other persons; union pressures directed against secondary employers not otherwise subject to the act; and inducements of individual employees to refuse to perform services with the object of forcing their employers to stop doing business with others; and to make clear that secondary activity is permitted against an employer performing farmed-out struck work and, under certain circumstances, against secondary employers engaged in work at a common construction site with the primary employer.

12. To make it illegal for a union, by picketing, to coerce an employer to recognize it as the bargaining representative of his employees or his employees to accept or designate it as their representative where the employer has recognized in accordance with law another labor organization, or where a representation election has been conducted within the last preceding 12 months, or where it cannot be demonstrated that there is a sufficient showing of interest on the part of the employees in being represented by the picketing union or where the picketing has continued for a reasonable period of time without the desires of the employees being determined by a representation election; and to provide speedy and effective enforcement measures.

13. To authorize the National Labor Relations Board to decline to take cases where the effect on commerce is relatively insubstantial and to permit the State courts and agencies to act with respect to these cases.

14. To eliminate the statutory prohibition which presently bars certain strikers from voting in representation elections, although their replacements are permitted to vote, and instead to leave the voting eligibility of strikers, as well as all others, to the administrative discretion of the National Labor Relations Board.

15. To authorize the Board, under carefully considered specific conditions, to certify building and construction trades unions as bargaining representatives without an election.

16. In order to speed up the orderly processes of election procedures, to permit the Board under proper safeguards to conduct representation elections without holding a prior hearing where no substantial objection to an election is made.

17. To equalize the onus of the non-Communist affidavit by extending it to employers, as well as unions, wishing to use the processes of the act.

18. To make clear that parties to a valid collective-bargaining agreement need not negotiate during the life of the agreement unless they have provided for, or agree to, the reopening of the agreement.

19. To authorize the designation by the President of an acting General Counsel of the Board when vacancies occur in that office.

20. To require that the Board be bipartisan in composition by providing that not more than three members of the Board may be of the same political party.

I urge that Congress give prompt and favorable consideration to this program. Its enactment, in my opinion, would contribute greatly to the protection of the public interest and the basic rights of individual working men and women.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *January 28, 1959.*

The PRESIDING OFFICER. The message will be referred to the Committee on Labor and Public Welfare, and printed.

CURRENT STATUS OF SPACE PROGRAM—ADDRESS BY DR. T. KEITH GLENNAN

Mr. CASE of New Jersey. Mr. President, yesterday Dr. T. Keith Glennan, the distinguished Administrator of the National Aeronautics and Space Administration, spoke to the Institute of the Aeronautical Sciences in New York City.

Dr. Glennan reported on the current status of the space program and outlined plans for the future, including Project Mercury to put man into space.

I am sure, Mr. President, that every member of the Congress will want to read the full text of Dr. Glennan's remarks, and I ask unanimous consent that they be inserted at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A NATIONAL PROGRAM FOR SPACE RESEARCH

(By T. Keith Glennan, Administrator, National Aeronautics and Space Administration, honors night dinner, Institute of the Aeronautical Sciences, New York City, January 27, 1959)

Several times in the last few weeks, I have been quoted as saying that the United States at present has no space program. Any such statement falls far short of revealing the facts, or of reflecting my true opinion of our space activity. On the contrary, the Nation does have a program for space exploration, with well-defined goals, and I believe that we are proceeding toward these goals with great energy and determination.

The misunderstanding as to my evaluation of the state of our program arose, very probably, from a faulty interpretation of some remarks I made in an interview, which was recorded in mid-November of last year. Only a few sentences of this interview were used in a television broadcast early this year.

Asked whether the United States then had a long-range national space program. I said that our task in NASA was to develop such a program, and that in the meantime we were working on a short-range program, aimed at better understanding of the space environment which we are exploring.

Now, I don't want to quibble over words like "long range" and "short range." These are terms that could mean anything from a few months to a few decades, depending on the frame of reference. What I had in mind, and thought I had said, was that we are now at work on the part of our program that falls within the immediate future—that is, the next 2 to 5 years.

As for the long-term future, I said that our planning was a first task. It is a task we have been working at diligently and, I believe, intelligently. Already we have under way our long-range activities in some major areas. We are making plans in others. We know our goals. We think we know what needs to be done. And we know also that our long-range plans, developed for the years ahead, will have to be changed from time to time, as we learn more about space and how to travel in it.

To set the record straight, I want to discuss tonight the nature of the program on which we are embarked. The Space Act of 1958 placed certain responsibilities on the National Aeronautics and Space Administration to develop a national program. It is about this national program that I want to talk.

A practical program for any undertaking consists mainly of three elements. These include a statement of the objectives to be achieved; an estimate of the resources available to us; and an outline of the steps taken, or to be taken, so that the objectives may be accomplished with the means at hand, or to be developed. This is the kind of sensible program that we have tried to formulate for space exploration.

That public law that President Eisenhower signed, on the 29th of last July, stated our goals. That law placed before us eight specific objectives. Paraphrased for brevity, they are:

1. To expand our knowledge of the atmosphere and space;
2. To improve the performance of space vehicles;
3. To develop and operate vehicles of this kind, carrying instruments, equipment, supplies, and living organisms;
4. To make long-range studies of the human benefits in space activities for peaceful purposes;
5. To establish and maintain the leadership of the United States in space;
6. To cooperate with the military services, on programs of mutual interest;
7. To join with other nations, in making the peaceful aspects of our research universally available; and
8. To avoid unnecessary duplication in men or facilities, by using all existing capabilities of this country to the fullest.

You will notice that the statement of our mission, in the act, nowhere mentions putting man in space. But I think this, as one of the ultimate objectives of all our space activity, is quite obvious. Actually, our effort is directed toward two particular objectives. The first is to make it possible for man to achieve the same mastery over space that he has already secured, in every other region he has attempted to make his own, whether on the surface of the earth, under it, or in the air above it. The second is to free men from one additional element of intellectual bondage—that is, to gain for all mankind additional knowledge about the cosmos. In that cosmos, man is an infinitesimally small part—yet, to the best of our knowledge, he is the only part of it possessing the ability to reason, and to make effective use of his environment.

Our aim, then, is the opening of space to mankind. All the other phases of our work, as described in the act, are intended to pave the way for that supreme achievement. Everything that we accomplish in the meantime, with sounding rockets, satellites, and space probes, brings to us information useful in communications, in meteorology, in navigation, and for possible military purposes. But our real progress will be measured, in the eyes of the world, by the degree to which it contributes toward these two basic objectives—greater knowledge of the universe, some portion of which will be obtainable in no other way than by the attainment of the second objective—which is manned flight in space.

Now, as to the resources available for our purpose, we find ourselves richly endowed with almost everything except time. While rocketry is a very old art, the real pioneers of modern rocket flight—men like Tsiolkovsky, a Russian, our own Robert H. Goddard, and Herman Oberth, a German—began their theoretical studies only a little more than half a century ago. Serious experimentation was undertaken during World War II, and the Russians set up a determined program immediately after the war. Our own long-range missile program—as you know only too well—did not receive substantial support until 1954. As a result of efforts since that year, the progress made in our missile development programs, and the achievements of military and civilian groups in the space field during the past 12 months, have been little short of amazing.

In outlining the resources available to us in the national space program, I naturally begin with those within the NASA. The nucleus of our organization came to us from NASA's predecessor, the National Advisory Committee for Aeronautics. To this audience, the NACA laboratories have been a symbol of dedicated, far-seeing scientific and technological competence—a symbol of integrity in concept and in performance. Truly, NACA has been the world's outstanding organization in the field of aeronautical research and development. The men and women of NACA now operate under the banner of NASA. They form the basic structure on which we are erecting our new organization, with its much broader responsibilities.

Then there are the people who came to NASA from other governmental and industrial laboratories. For example, the Vanguard scientists, and others from the Naval Research Laboratory, form a group second to none in their experience with the development of satellite payload packages. The Jet Propulsion Laboratory, operated by Cal Tech under contract to NASA, represents another great strength in our new agency. It is a principal center of competence in this country for the development of rocket propellants, and of guidance, control, and data acquisition systems.

NASA does not, however, intend to perform all of its work in-house. We shall be doing a very large amount of contracting with universities, and other nonprofit organizations having special competence to perform basic research. Bulking even larger, in terms of dollars, will be the space vehicle systems, most of which we shall be calling on industry to develop and build. Already, we have committed more than $200 million in this category.

Similarly, the Department of Defense has a substantial in-house capability in space activities. As examples, I need only cite the Army Ballistic Missile Agency at Huntsville, Ala.; the aeromedical laboratories of the military services; the tracking and communications networks; and the missile test ranges. But the Department of Defense also depends heavily upon industry and the scientific community, to carry out its requirements in space.

This, then, is the team that must do our space job.

Moving on, we should not forget that the hardware developed by the military services and industry, in the missile programs, has provided and will continue to provide, for some time to come, the booster systems we must use to send our payloads aloft. Adaptations of the Thor, the Jupiter and Redstone, the Atlas, and the Titan missiles will bear the brunt of space-exploration launchings in this Nation for the next several years. Both the military and the industrial organizations involved will continue to provide boosters and launch teams, as they have in the past. It is on this base of competence, in achieving the goals set for the IRBM and ICBM programs, that we are building the propulsion systems of the space program.

We have available to us substantial sums of money, which will carry us a long way, if we use them wisely. The President's budget for fiscal 1960—the 12 months beginning on July 1, 1959—includes $830 million for NASA and the space activities of ARPA and the AEC.

Now, what about the program itself? How imaginative and far reaching is it? What are the timetables involved?

Research, as you know, consists largely of a patient search for answers to questions that retard our progress toward our goals. As we answer one question, we uncover another, or a whole series of others. In a sense, research is the fitting together of small pieces in a puzzle of infinite dimensions. As they say about woman's work, it is never done.

Our program can best be discussed in terms of a number of problem areas in space research, where we are active at the present time, and will be active for years to come. These are:

1. The development of more thrust in our booster rockets, so that they will be able to lift bigger loads into space.

2. The development of more reliability in all the components of our space vehicles, particularly in the control systems that guide them, in the tracking systems by which we determine their performance, and in the telemetry systems which return to us the results of the experiments carried as payload.

3. The development of more knowledge about man himself—his reactions in unfamiliar surroundings of physical and mental isolation, and his ability to deal with novel situations.

In the field of booster rockets and vehicular systems, we need to increase the reliability of those which are now available to us. Also, we need to develop new ones, capable of propelling very much larger and heavier payloads into any orbit or space trajectory we may consider necessary. A program to accomplish these objectives has been established, and is being implemented. The Department of Defense is heavily engaged in the engineering and the prototype development of a cluster of eight Rocketdyne engines, each with 150,000 pounds of nominal thrust. Hence, the whole unit will develop 1,200,000 pounds of thrust, as the base or booster stage of a new vehicular system. Using components that now exist and are reasonably well proven, the cluster is expected to be ready some 18 to 24 months earlier than its successor—the 1½ million-pound-thrust, single-chamber engine, now under accelerated development for NASA at the Rocketdyne Division of North American Aviation. And we expect to cluster these giants, too, so that we can produce 6 million pounds of thrust.

Other developments now under way will provide upper stages with higher energy, of a type and thrust rating that will give us—at the end of 5 years—a family of propulsion systems that will take us far along the road toward our space exploration goals. In all of this work there will be continuous integration with the military missile program, so that we may have the benefit of their developments and may, in turn, contribute to the general increase in knowledge and progress, in the rocket propulsion field.

A second problem area, that of guidance and control, requires particularly heavy emphasis both in planning and implementation. The development of midcourse and terminal-guidance systems clearly seems to be necessary. Above all, simplicity and reliability must be built into these systems. Our principal task at the moment is to acquire information about the space environment—and this calls for reliability in getting instruments aloft, whenever and wherever we may want to make our measurements. Once we have this family of boosters and propulsion vehicles, reliably guided and controlled, we will be able to concentrate fully on the principal tasks that face us: The acquisition of new knowledge, and the undertaking of manned flight in space.

Still another problem—to expand our capacity for tracking and data acquisition—is now well on its way to solution. Additional stations will be established in this country and abroad. These stations may be manned, in some instances, by nationals of the countries where they are to be located. Still further expansion of these networks will be required, as time and our program move forward together.

I simply note what is perhaps the most difficult of our problem areas—our understanding of the capabilities of man himself in this new and exciting adventure. Others who are expert in this field have discussed the questions in detail, earlier today. Dr. Randolph Lovelace, Brig. Gen. Don Flickinger, and Dr. Hubertus Strughold, the illustrious "father of space medicine," who has just been signally honored with the John Jeffries award of your Institute, have defined many of the physiological and psychological conditions that will be faced by the early pioneers in space flight. While much progress has been made, intensive effort is required to assure us that the men who volunteer for space flight possess the physical and mental capabilities to withstand the rigors of flight in space.

Whatever the problems we may encounter in this particular area, I find it difficult to believe that we shall fail in our efforts to surmount them.

In such matters, we find ourselves dealing with the whole field of space science—that new, tremendously important science, in which we learn more about the cosmos by sending equipment to gather basic data in space. What, actually, are the conditions to be encountered by man, when he ventures into space? The one that gives us most concern at the moment is the dual band of ionizing radiation, discovered by Dr. James A. Van Allen last year. With space probes and instrumented satellites, we must collect much more data on the phenomenon—its exact limits, its variation with time and latitude, its composition and intensity. Early manned flights will be carried out at altitudes which will avoid the belts of high intensity radiation. But surely we will not be limited forever, in the distance to which man may be propelled into space.

To focus all of these research and development activities, and give them real meaning—to sharpen the determination with which we tackle these problems—we have undertaken Project Mercury, an attempt by this Nation to loft man into space. Earlier this month, NASA announced that the McDonnell Aircraft Corp. of St. Louis has been chosen to design and produce the prototype of a capsule to carry the man in this project. The first of these capsules will be used for a variety of tests, leading to manned flights later on.

In this undertaking, we are proceeding with all of our energies. At the same time, we face the sober realization that there would be no reward for American science, in proclaiming this Nation the first to put a man into space, if any mishap should occur to the man that could have been prevented by more deliberate and thorough planning. Our aim is to give mankind the benefits of space exploration—not to let some venturesome young man become a victim of our longing for national prestige.

As a matter of fact, the process has begun to select the U.S. citizen who will become our 20th century Mercury orbiting the earth in space.

He will be a university graduate, with a degree in the physical sciences or in engineering. In addition, he will have graduated from one of the military test pilot training schools, and will have a minimum of 1,500 hours of flight time in his log book. He will be younger than 40, and not taller than 5 feet 11 inches. In suberb condition, he will possess the physical and psychological attributes suited for space flight, as determined by top aeromedical scientists who are participating in the National Aeronautics and Space Administration's Project Mercury.

Selection of the pilot-astronaut has already begun. He will be one of a dozen volunteers chosen with greatest care. The group will be totally involved in a program of rigorous training for the first orbital space flight, the climax of the Project Mercury program.

Although the first orbital flight by our modern Mercury will surely be a pioneering venture, we are determined that the risks to the pilot will be no greater than those experienced during the first flights of a new, high-performance airplane. As in such airplane flights, the astronaut will play a vital role in the Mercury project. Repeated flights of the space capsule, first carrying only instruments, and later animals, will have tested and proven the practicability of the final phase of Project Mercury—manned satellite flight—before it is undertaken.

The first step in the selection process—already completed—was screening of the records of Air Force, Navy, and Marine officers who have been graduated from their service testpilot schools. On the basis of criteria established with assistance of the NASA's Aeromedical Committee, headed by Dr. W. Randolph Lovelace, 110 potential candidates have been chosen.

Beginning early in February, the pilot-astronaut candidates will come to Washington in groups of about 30 to be given a full description of NASA's Project Mercury. NASA, Army, Navy, and Air Force biomedical experts will participate in these meetings.

Only after these briefings will the candidates be asked if they will volunteer. From those who answer affirmatively, 36 will be chosen for the next step in the selection process. This smaller group will be given a series of intensive physical and psychological tests, which include studies of the candidates' ability to cope with the stresses of space flight and with the environmental and other biomedical aspects of flight performed under confined conditions over a long period.

By late March, it is expected selection of 12 volunteers for the Project Mercury team will have been made. This team will then begin the training program that will include both simulated and actual flight conditions that progressively come closer to those of orbital space flight.

The volunteers will be assigned to the NASA space task group, located at Langley Research Center and under the project direction of Robert R. Gilruth. The Mercury astronauts will be given additional training at the Johnsville Naval Air Development Center, Pa.; the Atlantic Missile Range, Fla.; the Air Force Wright Air Development Center, Ohio, and other biomedical centers in the United States.

At Johnsville, the astronauts will undergo training in a centrifuge that very nearly simulates conditions in a capsule during takeoff and reentry. The early testing period will involve balloon flights in Mercury capsules to familiarize the astronauts with some of the environmental conditions with which they will have to cope.

While the volunteer team is undergoing this training, technical teams will be testing Project Mercury capsule mockups in gradually increasing degrees of range and complexity.

Short range, solid fuel boosters will be used initially to launch these mockups in suborbital trajectories, followed by longer range flights, using more powerful boosters. At a later period in the program, animals will be launched in the capsule in order to determine more completely the environment man will experience in space flight.

All 12 volunteers of the Mercury team will be given the same preflight and flight training. Only immediately before the first

manned orbital flight will the first Mercury astronaut be selected.

Project Mercury, a program being conducted with the advice and assistance of the Advanced Research Projects Agency of the Department of Defense, is expected to continue for several years.

In broad outline, these are some of our major activities in space research and exploration. Simply stated, we are working toward the moment when man can travel in space at times, and to places, of his own choosing. In the prosecution of this broad program, I have outlined certain problem areas. From our work in these areas, from the solutions we are able to find, will come many useful devices and systems. They will bring better communications, better weather forecasting, and all of those other activities that seem to be a part of any paper dealing with the benefits to be had from the Nation's space program. Above all, we will have added to the store of knowledge that we may use, hopefully for the benefit of all mankind.

If I may be permitted a personal observation, it seems to me that people who complain because we do not seem to them to have any program at all, are probably thinking not of the program itself, but of a schedule of events and dates, on which fulfillment of the individual tasks may be expected. Timetables can be very useful. They may quicken our efforts to accomplish specific tasks. But as we probe into the unknowns of space, I am reminded of the words of my good friend, Rear Adm. Chick Hayward: "You don't invent on schedule." The so-called breakthrough, leading to the successful outcome of a long period of intensive and concerted effort, has a way of occurring unexpectedly, at the moment when the issue appears to be most in doubt. We expect some of these. But in the meantime, we will press forward to the limit of our capability, as measured in ideas, manpower, and money.

I would be uttering empty prophecies, with little prospect of fulfillment, if I were to assure you that we expect to land a party on the moon for exploration on such-and-such date; build spaceports there; and assemble an expedition to arrive on Mars and investigate its blue-green areas, on such-and-such another date; and so on, until we reach the next galaxy, up the road a piece.

The kind of schedule that we do have is a step-by-step progression toward the ultimate expansion of our present narrow limits in the universe. Taking into account the fact that sometimes an important advance may be achieved unexpectedly, before its turn comes in the natural order of events, our plan calls for the building of one achievement on the data secured by the one before it, in an orderly sequence.

The simplest way to picture this progression, in its broad outlines, is the method used last year in the "Introduction to Outer Space," prepared by the President's Science Advisory Committee. There the steps were divided into phases, under the headings, "Early," "Later," "Still Later," and "Much Later."

The early phase includes the work that we are doing now, in physics, meteorology, space medicine, and so on, with our space probes and unmanned satellites. At the same time, with the X–15, man soon will be exploring the borders of space, in and just beyond the upper atmosphere of the earth.

The next step—which we are now preparing to take, with Project Mercury—calls for the dispatch of man on a succession of brief, experimental, ballistic flights in space. The purpose will be to test our provisions for survival, and for a successful return to the earth.

After that will come the placing of man in a satellite orbit. His function will be to acquire experience, learning how to travel in space. In this phase, we will be testing our techniques of navigation, communication, rendezvous, and survival in case of accident.

And finally, after all these methodical preparations, we will take the big steps—departure of expeditions to the moon, to blaze the trail that may lead eventually to other planets.

That is our program. I think you will all agree with me, that it is as definite and practical as any plan we might formulate, at this early stage in our exploration of the cosmos. Even within the limits that we have defined, it is a project beyond the magnitude of any undertaking ever attempted by mankind.

EFFORTS OF RELIGIOUS LEADERS TO DEAL WITH RACIAL SEGREGATION

Mr. CASE of New Jersey. Mr. President, religious leaders in both the North and South are quietly and courageously working to strengthen the forces of reason and decency in dealing with racial discrimination in America.

The significance of their efforts is difficult to exaggerate, for law and government policy, however right and necessary—and they are both right and necessary—cannot, alone, insure full progress in the field of human rights. Respect for human dignity, for the rights of each individual, must, if they are to endure, spring from the hearts and consciences of all Americans.

It is, therefore, heartening to note the stream of proclamations against racial discrimination that has issued from national gatherings of all the major religious groups in America. Of even greater significance, however, is the growing evidence that individual ministers, priests, and rabbis are coming more and more to the forefront of the forces of moderation and good will in the South itself.

The "Second Atlanta Manifesto," signed by 312 ministers and rabbis in Atlanta, Ga.; the similar manifesto signed by 33 Columbus, Ga., ministers; the actions by the Virginia Baptist General Association, and of a great many individual ministers throughout the States in opposing the use of churches for private school purposes in the face of public school closings; the efforts by ministers and lay leaders of Arkansas' Washburn Presbytery of the Presbyterian Church in the United States to persuade Governor Faubus to reopen the Little Rock schools—all of these are inspiring signs of the increasing part played by the clergy in helping to meet and resolve this great moral issue.

The difficulties that confront the clergy in this effort must not be minimized. Many southern clergymen who have had the courage to take a public stand on segregation have been rewarded with general charges of pastoral incompetence and discharge notices from their local congregations. The gap between pew and pulpit on this issue remains, therefore, very great.

At the same time, a number of observers have noted the constructive role played by lay women and by church youth groups in advancing racial understanding. Surely, these will be—they must be—the leading groups of the future. For, if our churches do not take the lead, the moral fiber of America will be severely weakened.

I ask unanimous consent to have printed in the RECORD several matters on the subject.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

"OUT OF CONVICTION"—A SECOND STATEMENT ON THE SOUTH'S RACIAL CRISIS SIGNED BY 312 MINISTERS OF GREATER ATLANTA

(Three hundred and twelve ministers and rabbis of the Greater Atlanta area, acting as individual citizens issued a statement on November 22, 1958, calling for the preservation of the public school system. Sixteen different denominations are represented among the signers.)

On November 3, 1957, a statement dealing with the racial crisis in the South, and signed by 80 Atlanta ministers, was released for publication. The fact that this statement, often referred to as "The Atlanta Manifesto," received widespread publicity through the secular and religious press, radio, and television, not only in the South but across the Nation and abroad, was an eloquent commentary upon the nature of the crisis in which we are involved and upon the failure of many of our leaders to confront the problems of our day in a spirit of realism.

Six principles set forth in this statement as essential to the solution of our problem may be summarized as follows:

1. Freedom of speech must at all costs be preserved.

2. As Americans and as religious leaders, we have an obligation to obey the law.

3. The public school system must not be destroyed.

4. Hatred and scorn for those of another race, or for those who hold a position different from our own can never be justified.

5. Communication between responsible leaders of the races must be maintained.

6. Our difficulties cannot be solved in our own strength or in human wisdom but only through prayer and in obedience to the will of God.

The months which have elapsed since the signing of that statement have been a period of deepening danger. The events of the recent past have been such as to call for growing concern on the part of all responsible citizens. In the light of these events, we are more convinced than ever of the fundamental truth of these six principles. It is abundantly clear that they cannot be ignored with impunity.

Because of our involvement in this situation, as citizens and religious leaders, it has seemed to many Atlanta clergymen that some further statement on their part is appropriate. Out of that conviction comes this second statement. Once more we speak as individual citizens of Georgia and of the United States, having authority to represent no one other than ourselves. Once more we speak in humility and penitence. At the same time, we speak out of the deep conviction of our souls as to what is right. We believe some facts are now so clear as to throw additional light upon the problems which confront us.

I. It is clearer now than ever before that, at all costs, freedom of speech must be preserved. During the year which has past, it has not become easier to speak the truth concerning our situation. There are still forces which seek to deny freedom of thought and of expression to all who do not insist upon maintaining a rigid pattern of segregation. Economic reprisals, social ostracism, and even physical violence are constant threats to those who do not conform. Such threats strike at the very heart of democracy. As we insist upon the right of honest conviction—whether right or wrong—to be

heard, we would pay tribute to the courageous individuals and groups in various walks of life who have insisted that our problem must be faced in a spirit of realism, of sanity, and of good will.

II. It is clearer now than ever before that we must obey the law. Those who insist that the decision of the Supreme Court on segregation in the public schools has no binding force do great injury to our people. The Supreme Court's interpretation of the Constitution has the effect of law in our country. It is possible for that Court to err, just as it is possible for Congress to enact bad laws. The citizens of our country have the right to work through legal processes to secure the correction of judicial errors or the repeal of undersirable legislation. They do not have the right to defy laws simply because they personally hold them to be unwise or harmful. A policy of obeying only those laws or those rulings of the Court with which we agree leads inevitably to anarchy. It is time for us to face to the fact that, under the ruling of the Supreme Court, made in the discharge of its constitutional authority, enforced segregation in the public schools is now without support in, and contrary to, national law. At times in her history the church has opposed civil law in the name of the claims of the higher laws of God. However, we believe that the Constitution of the United States in its provisions for human rights in in accord with divine law, and we must, therefore, learn to live with and under the law.

We do not believe in the wisdom of massive integration and are sincerely opposed to the amalgamation of the races. We reaffirm our conviction that the integrity of each race should be maintained on a basis of mutual esteem and free choice, rather than of force. There are some areas in which some integration in schools at this time would be possible without insurmountable difficulty, as has already been demonstrated in certain sections of the South, while there are other areas where such integration would involve needless hardship and grave danger. We have the hope that if our leaders will offer evidence of good faith toward providing constitutional rights for all citizens the Federal Government will be willing to leave the working out of details in local hands. We believe it is possible under the ruling of the Supreme Court for States to take reasonable steps to comply with the law of the land and, at the same time, give due consideration to local situations and avoid an indiscriminate desegregation of the public schools.

III. It is clearer now than ever before that the public school system must be preserved: Many of our people have been led to believe that through some ficticious legal device we could close our public schools and still provide for public education through tax funds. Recent developments in Arkansas and Virginia serve to make it abundantly clear that any such hope is based solely upon wishful thinking. The choice which confronts us now is either the end of an enforced segregation in public schools or no public schools whatever. We are alarmed to note that many political leaders are apparently willing to offer no better solution than the closing of public schools and the destruction of public education in order to maintain what has been inappropriately described as "our sacred way of life." It is inconceivable that the South should deliberately destroy its dearly bought system of public education. The results of such action in the impoverishment of countless lives, in the loss to our section, even from a purely economic viewpoint, would be a tragedy of the first magnitude. It is not likely that the South would ever recover fully from the consequences of such action. Obviously, the closing of the public schools means a small and favored portion of our youth would be educated in private institutions, while the great majority, white and Negro, would receive no school training worthy of the name. No democratic society can tolerate that situation, nor do we believe our citizens wish to sacrifice the welfare of our youth.

In this connection we would voice an emphatic protest against any suggestion that church property be used as a means of circumventing the law of the Nation. The churches and synagogues owe a tremendous debt to the State and this we believe they would gladly repay in any legitimate way possible. There are times when the educational equipment of the churches should be offered to supplement the public school buildings in providing space for our growing school population, provided that the segregation of church and state shall always be recognized and maintained in such an agreement. We concur that churches and synagogues have the right, as they have always had, to engage as they may deem wise in educational enterprise in the interest of their constituencies. We believe, however, their facilities should not be offered nor demanded as a means for defying the constituted authority of our National Government.

IV. It is clearer now than ever before that hatred and scorn for those of another race, or for those who hold a position different from our own can never be justified. All hatred between races and groups within society carries with it the constant threat of violence and bloodshed, as has been evidenced by the bombing of churches, synagogues, and schools even while this statement was being prepared. Defiance of one law leads to disrespect for all law. We would call upon our political leaders scrupulously to avoid the type of inflammatory utterance which has characterized too many public pronouncements in recent months and to exert an influence for sanity, for justice, and for kindness. We believe that multitudes of voters in the South as in all America are far more prepared to respond to and support fairminded and statesmanlike attitudes and policies in political life than these men have realized. In any event, political power is by no means so important as to justify its attainment by the sacrifice of justice, of kindness, and of truth, and by the unleashing of these emotions which threaten the very life of our people.

V. It is clearer now than ever before that communication between responsible leaders of the races must be maintained. The time of danger is also the time of opportunity. It may well be that we are passing through that darkest hour which comes just before the dawn. Never has there been greater need than now for men of good will in both races to voice their convictions, to exert their influence, and to maintain open lines of communication. We are heartened by the intelligent concern and struggle of an increasing number of groups who are facing the issue and its implications. We are likewise heartened by the constructive results which are coming from those lines of communication which do exist between the races.

VI. It is clearer now than ever before that our difficulties cannot be solved in our own strength or in human wisdom but only through prayer, obedience to God, and under His blessing: The situation which confronts us is one which calls for sincere penitence, for earnest prayer, for clear thought, and for courageous action.

Believing sincerely in the principles set forth in this statement, we therefore propose the following practical steps:

1. We appeal to our churches and synagogues to encourage and promote within their fellowship a free and intelligent discussion of the issues we confront. We believe such discussion should and would give careful consideration to the moral, spiritual, and legal aspects of the crisis we face in our beloved Southland.

2. We appeal to our community and State leaders to give their most creative thought to maintaining a sound public school plan. Such plan must be consistent with the law of the land, respect and preserve the rights of all citizens, and assure the preservation of our system of public education.

3. We request the appointment of a citizens' commission to preserve the harmony of our community. The public officials of our city have earned the tribute of the Nation for their refusal to condone violence and their efforts to realize worthy race relations. We believe that in the future the need will be great for the support of calm, intelligent public opinion. Atlanta possesses business, civic, educational, legal, political, and religious leadership of the quality to afford this support. We therefore request that representatives of this leadership from the races involved be formed into a citizens' commission to advise and assist in maintaining harmony and good will among all our citizens.

Every section of our State also possesses the same able leadership. We therefore believe that the appointment of a similar citizens' commission by the State administration would serve to preserve harmony among the citizens of Georgia.

We call upon all citizens to unite with us in dedicating ourselves to the solution of our problems humbly, patiently, in a spirit of realism, and with God's help.

Signed by:

Ackerman, Stephen W.; Adams, Hugh; Aiken, Paul; Albert, Allen D., Jr.; Alexander, James J.; Allen, Charles; Allen, L. Clyde; Allen, Reuben T., Jr.; Alston, Wallace M.; Anderson, F. S., Jr.; Anderson, Thomas; Arnold, Ernest J.; Arwood, J. C.

Baggott, J. L.; Ball, Raymond J.; Barnett, Albert E.; Barrett, W. H.; Bassett, Hunter J.; Beardslee, William A.; Beverly, Harry B.; Berman, Paul L.; Bell, Wade H., Jr.; Boggs, Wade H.; Bolton, Jack G.; Booth, W. T.; Boozer, Jack; Bowen, Boone M.; Bowman, Keyes, Jr.; Bozeman, Jack R.; Branham, Lee; Brewer, E. D. C.; Broyles, Vernon S.; Brown, Robert E.; Brown, Walter E.; Buck, Raymond; Budd, W. Candler; Buice, Lester; Burns, Robert W.; Byrd, Ralph.

Cahill, Edward A.; Calhoun, Murdock McK.; Callaway, Chaudoin, 3d; Campbell, E. H.; Campbell, Norton, Jr.; Cannon, William R.; Cargill, E. C.; Carpenter, Cecil W.; Carter, W. G.; Cartledge, Samuel A.; Case, Russell A.; Caudill, O. V.; Cawthon, William L.; Chafin, Harry V.; Chang, Kwai Sing; Cheek, Carl R.; Claiborne, Randolph R. Jr.; Clark, Boswell J.; Clary, G. E.; Clements, Lamar; Cobb, Sam T.; Cohen, Joseph I.; Cole, C. G., Jr.; Cole, William H.; Coleman, Edwin C.; Colhoun, E. Dudley, Jr.; Cook, Walter G.; Corder, L. W.; Cowart, Walter C.; Craig, Kenneth P.; Crowe, Walter Miller; Cuthbertson, Rufus.

Davis, F. McConnell; Davis, Lewis C.; DeLozier, O. L., Jr.; Demere, Charles; deOvies, Raimundo; Derrick, C. K.; Dickson, Bonneau; Dimmock, Al; Donnell, Charles L.; Doom, James L.; Drinkard, Eugene T.; Driscoll, Edward A.

Edwards, Charles E.; Ennis, P. C., Jr.; Epstein, Harry H.; Epting, Eugene L., Jr.; Esaias, John R.

Feely, O. Floyd, Jr.; Feldman, Emanuel; Fifield, Harry A.; Fleming, James P.; Floyd, Arva; Floyd, Emmett O.; Floyd, W. R.; Ford, Austin; Ford, J. T.; Foster, John N.; Freeman, Cook W.; Fry, Thomas A., Jr.; Fuhrmann, Paul T.; Fulmer, C. Luther, Jr.

Gailey, James H.; Garber, John A.; Garber, Paul Leslie; Gardner, E. Clinton; Gary, G. Robert; Gear, F. B.; Gibson, Arthur Vann; Grant, Monroe C.; Geren, William H.; Gerkin, Charles; Goe, W. Charles; Griggs, Joseph

L.; Grier, Eugene M.; Grubb, Hugh M.; Guptill, Roger S.; Guthrie, F. C., Jr.; Gutzke, Manford George.

Hagood, Thomas W.; Hardman, Alfred; Harper, Marvin; Harris, Albert G., Jr.; Harris, C. L.; Harris, D. D.; Hartzopoulos, Harry; Hawkins, Ralph B.; Hazelwood, W. James; Herndon, J. Emmett, Hite, B.; Hodges, Bob; Holmes, Thomas J.; Holt, Joseph W.; Hope, Montague H.; Howell, W. I., Jr.; Huckaby, Louie F.; Huie, Wade P.; Hyde, Herbert E.

Jackson, Arthur; James, D. Trigg; Jefferson, Hugh M.; Johnson, J. T.; Johnson, James V., Jr.; Jones, Bevel; Jones, Henry H.; Jordan, C. Ray.

Kellum, E. Owen, Jr.; Kilpatrick, Ebb G., Jr.; Kirkpatrick, Dow; Kline, C. Benton.

Laird, Sam L.; Lance, John M.; Landiss, William; Lantz, J. Edward; Laughlin, John C.; Lawrence, J. B.; Lehman, J. Edward; Lee, Robert E.; Legerton, Fitzhugh M.; Libby, Robert M. G.; Lieberman, Alvin C.; Lightbourne, James; Lind, John Blix; Littell, Frank H.; Long, Nat G.; Lovin, Charles W.

Mallard, Cyrus S., Jr.; Mallard, William; Manley, W. Clay; Manning, Norman P., Jr.; Martin, Marcus R.; May, James W.; McClain, Roy O.; McCullough, Gordon; McDill, Thomas H.; McElyea, Homer C.; McIlhany, B. A.; McKee, Hugh; McMains, Harrison; McNeil, James H.; Meadow, G. Merrill; Middlebrooks, C. L., Jr.; Mill, Robert W.; Miller, P. D.; Milligan, Max; Minor, Harold W., Jr.; Minter, P. M.; Mitcham, Harry; Mitchell, George T.; Moore, James M., Jr.; Moore, Willard P.; Moorhead, Frank; Mossman, Sydney K.; Moulder, Wilton A.; Mounts, William C.; Murphy, W. Y.

Newton, William E.; Niager, Roy; Nolting, Fred L.

Obert, Leroy C.; Oglesby, Stuart R.; Oliver, Y. A.; Ozment, Robert.

Patton, J. G., Jr.; Patty, John C.; Paulk, Earl F., Jr.; Pettway, Roy; Philips, J. Davison; Phillips, J. R.; Pierson, Marion; Prussner, Frederick C.; Pippin, George; Pritchard, Claude H.; Pugh, R. Quinn.

Ray, Archie C.; Renz, Paul J.; Richards, Ellis H.; Richards, J. McDowell; Riddle, James H.; Riegel, Robert G.; Roberson, Jesse J.; Roberts, Joe A.; Robinson, William C.; Roebuck, Floyd F.; Rogers, Thomas; Roosa, William V.; Ross, Frank M.; Roper, Charles M.; Rothschild, Jacob M.; Rudisill, E. D.; Rumble, Lester; Runyon. Theodore, Jr.

Sadler, John H.; Sanders, Walter E.; Sandifer, C. L.; Saussy, Hugh, Jr.; Scarborough, C. E.; Schroeder, Victor J.; Schwab, Charles F.; Scott, E. C.; Scott, H. Allen; Sells, James W.; Shands, O. Norman; Shelnutt, D. B.; Shelnutt, Fred G.; Sheppard, H. Augustus, Jr.; Sherman, Cecil; Sisson, Rembert; Smith, Clyde E.; Smith, George H.; Smith, Harvey; Smith, Herbert H., Jr.; Smith, Homer G.; Smith, Leon; Smith, W. Arnold; Smith, W. Ches, III; Smith, W. Thomas; Sneed, Wilson W.; Snyder, Lloyd H., Jr.; Sosebee, James W.; Speers, B. C., Jr.; Stender, William H.; Stephens, John C., Jr.; Stephens, Wesley; Stokes, Mack B.; Strange, Russell L.; Strickland, W. Earl; Stuart, James G.; Stucke, Clarence H.; Suhr, Karl F.; Sullins, Walter R., Jr.; Swilly, Monroe F., Jr.

Tate, J. W.; Thompson, Cecil; Thompson, Claude H.; Thompson, Gordon; Thomson, J. G. S. S.; Tisdale, Harry; Trimble, H. B.; Turner, Herman, L.

Van Landingham, L. F.; Vaught, James B.; Verdery, E. A.

Waldrop, Glen G.; Walthall, David B.; Wardlaw, Hubert G.; Warner, Jack, Jr.; Webb, W. Guy; Weber, Theodore R.; Welden, James; Wellman, Wendell; Werner, Leslie D.; West, George A.; Westermann, Ted D.; Whitfield, William J.; Wilbanks, Oliver C.; Williams, Allison; Williamson, Ralph L.; Williamson, Thom; Wilson, Eugene T.; Wise, Tilman Newton; Wohlgemuth, Paul F.; Womack, John Lee; Wood, Milton L., Jr.; Wood, Thomas M., III; Wootan, Harry P., Jr.; Wootan, Harry P., Sr.; Woodward, H. Travis; Worley, Paul; Wright, George R.

Zinser, Henry A.; Zwold, Harold D.

[From the Washington Post and Times Herald, Nov. 15, 1958]

METHODIST SEGREGATION RESOLUTION—STATEMENT BY THE COUNCIL OF METHODIST BISHOPS ON SCHOOL DESEGREGATION

In November 1954 the bishops in their message to the church gave formal support to the decision of the Supreme Court of May 17, 1954, abolishing segregation in the public school system. In that statement, we affirmed that the ruling of the High Court was in keeping with the attitude of the Methodist Church as expressed in its official pronouncements, both in the social creed and in the episcopal address of 1952. The pronouncements were reaffirmed in the general conference of 1956.

DIFFICULTIES NOTED

In addition, the general conference of 1956, apparently anticipating the difficulties which would be involved in the enforcement of these decisions, approved the following statement with respect to the decisions of the Supreme Court relative to segregation:

"The decisions of the Supreme Court of the United States relative to segregation make necessary far-reaching and often difficult community adjustments throughout the Nation. We call upon our people to effect these adjustments in all good faith, with brotherliness and patience. In doing this, all racial groups must be willing to admit their imperfections and seek to correct them. Let these things, however, be done in love lest the cause of Christ suffer at our hands."

We reaffirm our support of the Supreme Court in the decisions relative to segregation in the public school system, and earnestly urge all our people to accept the rulings of the courts in good faith. We seek with the guidance of the Holy Spirit to create that kind of social climate which will work toward the elimination of friction between any and all racial groups and ultimately achieve the realization of Christian brotherhood in all community relationships—North and South and everywhere in the world. We heartily commend those lay people, pastors, and bishops who demonstrated Christian courage in critical areas. In these days of extreme tensions we commend our people who, while not always sharing the same attitudes on integration, are determined to demonstrate in their own lives the qualities of understanding, tolerance, and brotherhood.

We are disturbed by a growing disregard of law evidenced by the bombing of synagogues, churches, schools, and even private dwellings. We would remind our people that equal justice can be had only under law. To obey the law only when it suits us is to invite others to do likewise and that ultimately leads to anarchy. We therefore call upon our people to treat obedience to and respect for law as a Christian moral obligation, and to see to it that, if and when any law needs to be revised, strengthened, or eliminated, it can be done not by resort to force or violence but by legally established legislative procedure.

[From the Washington Post and Times Herald, Nov. 14, 1958]

BISHOP'S INTEGRATION STATEMENT—DISCRIMINATION AND THE CHRISTIAN CONSCIENCE

(The Catholic bishops of the United States, at the close of their annual meeting here, issued the following statement. It was signed in their names by the administrative board of the National Catholic Welfare Conference.)

Fifteen years ago, when this Nation was devoting its energies to a world war designed to maintain human freedom, the Catholic bishops of the United States issued a prayerful warning to their fellow citizens. We called for the extension of full freedom within the confines of our beloved country.

Specifically, we noted the problems faced by Negroes in obtaining the rights that are theirs as Americans. The statement of 1943 said in part:

"In the Providence of God there are among us millions of fellow citizens of the Negro race. We owe to these fellow citizens, who have contributed so largely to the development of our country, and for whose welfare history imposes on us a special obligation of justice, to see that they have in fact the rights which are given them in our Constitution. This means not only political equality, but also fair economic and educational opportunities, a just share in public welfare projects, good housing without exploitation, and a full chance for the social advancement of their race."

In the intervening years, considerable progress was made in achieving these goals. The Negro race, brought to this country in slavery, continued its quiet but determined march toward the goal of equal rights and equal opportunity.

During and after the Second World War, great and even spectacular advances were made in the obtaining of voting rights, good education, better paying jobs, and adequate housing. Through the efforts of men of good will, of every race and creed and from all parts of the Nation, the barriers of prejudice and discrimination were slowly but inevitably eroded.

MARCH IS SLOWED

Because this method of quiet conciliation produced such excellent results, we have preferred the path of action to that of exhortation. Unfortunately, however, it appears that in recent years the issues have become confused and the march toward justice and equality has been slowed if not halted in some areas. The transcendent moral issues involved have become obscured, and possibly forgotten.

Our Nation now stands divided by the problem of compulsory segregation of the races and the opposing demand for racial justice. No region of our land is immune from strife and division resulting from this problem.

In one area, the key issue may concern the schools. In another it may be conflicts over housing. Job discrimination may be the focal point in still other sectors. But all these issues have one main point in common. They reflect the determination of our Negro people, and we hope the overwhelming majority of our white citizens, to see that our colored citizens obtain their full rights as given to them by God, the Creator of all, and guaranteed by the democratic traditions of our Nation.

There are many facets to the problems raised by the question for racial justice. There are issues of law, of history, of economics, and of sociology. There are questions of procedure and technique. There are conflicts in cultures. Volumes have been written on each of these phases.

Their importance we do not deny. But the time has come, in our considered and prayerful judgment, to cut through the maze of secondary or less essential issues and to come to the heart of the problem.

The heart of the race question is moral and religious. It concerns the rights of man and our attitude toward our fellow man. If our attitude is governed by the great Christian law of love of neighbor and respect for his rights, then we can work out harmoniously the techniques for making legal, educational, economic, and social adjustments. But if our hearts are poisoned by hatred, or even by indifference toward the welfare and rights of our fellow men, then our Nation faces a grave internal crisis.

No one who bears the name of Christian can deny the universal love of God for all mankind. When our Lord and Saviour Jesus Christ "took on the form of man" (Philippians 2: 7) and walked among men, He taught as the first two laws of life the love of God and the love of fellow man. "By this shall all men know that you are My disciples, that you have love one for the other" (John 13: 35). He offered His life in sacrifice for all mankind. His parting mandate to His followers was to "teach all nations" (Matthew 28: 19).

Our Christian faith is of its nature universal. It knows not the distinctions of race, color, or nationhood. The missionaries of the church have spread throughout the world, visiting with equal impartiality nations such as China and India, whose ancient cultures antedate the coming of the Saviour, and the primitive tribes of the Americas.

NO BOUNDS

The love of Christ and the love of the Christian knows no bounds. In the words of Pope Pius XII, addressed to American Negro publishers 12 years ago, "All men are brothered in Jesus Christ, for He, though God, became also man, became a member of the human family, a brother of all" (May 27, 1946).

Even those who do not accept our Christian tradition should at least acknowledge that God has implanted in the souls of all men some knowledge of the natural moral law and a respect for its teachings. Reason alone taught philosophers through the ages respect for the sacred dignity of each human being and the fundamental rights of man.

Every man has an equal right to life, to justice before the law, to marry and rear a family under human conditions, and to an equitable opportunity to use the goods of this earth for his needs and those of his family.

From these solemn truths, there follow certain conclusions vital for a proper approach to the problems that trouble us today.

CREATED EQUAL

First, we must repeat the principle—embodied in our Declaration of Independence—that all men are equal in the sight of God. By equal we mean that they are created by God and redeemed by His Divine Son, that they are bound by His law, and that God desires them as His friends in the eternity of Heaven. This fact confers upon all men human dignity and human rights.

Men are unequal in talent and achievement. They differ in culture and personal characteristics. Some are saintly, some seem to be evil, most are men of good will, though beset with human frailty. On the basis of personal differences we may distinguish among our fellow men, remembering always the admonition: "Let him who is without sin * * * cast the first stone * * *" (John 8: 7).

But discrimination based on the accidental fact of race or color, and as such injurious to human rights regardless of personal qualities or achievements, cannot be reconciled with the truth that God has created all men with equal rights and equal dignity.

BOUND TO LOVE

Secondly, we are bound to love our fellow man. The Christian love we bespeak is not a matter of emotional likes or dislikes. It is a firm purpose to do good to all men, to the extent that ability and opportunity permit.

Among all races and national groups, class distinctions are inevitably made on the basis of like-mindedness or a community of interests. Such distinctions are normal and constitute a universal social phenomenon.

They are accidental, however, and are subject to change as conditions change. It is unreasonable and injurious to the rights of others that a factor such as race, by and of itself, should be made a cause of discrimination and a basis for unequal treatment in our mutual relations.

SEGREGATION OPPOSED

The question then arises: Can enforced segregation be reconciled with the Christian view of our fellow man? In our judgment it cannot, and this for two fundamental reasons.

1. Legal segregation, or any form of compulsory segregation, in itself and by its very nature imposes a stigma of inferiority upon the segregated people. Even if the now obsolete Court doctrine of "separate but equal" had been carried out to the fullest extent, so that all public and semipublic facilities were in fact equal, there is nonetheless the judgment that an entire race, by the sole fact of race and regardless of individual qualities, is not fit to associate on equal terms with members of another race.

We cannot reconcile such a judgment with the Christian view of man's nature and rights. Here again it is appropriate to cite the language of Pope Pius XII: "God did not create a human family made up of segregated, dissociated, mutually independent members. No; He would have them all united by the bond of total love of Him and consequent self-dedication to assisting each other to maintain that bond intact" (September 7, 1956).

2. It is a matter of historical fact that segregation in our country has led to oppressive conditions and the denial of basic human rights for the Negro. This is evident in the fundamental fields of education, job opportunity, and housing. Flowing from these areas of neglect and discrimination are problems of health and the sordid train of evils so often associated with the consequent slum conditions. Surely Pope Pius XII must have had these conditions in mind when he said just 2 months ago: "It is only too well known, alas, to what excesses pride of race and racial hate can lead. The church has always been energetically opposed to attempts of genocide or practices arising from what is called the "color bar" (September 5, 1958).

EVILS USED AS EXCUSES

One of the tragedies of racial oppression is that the evils we have cited are being used as excuses to continue the very conditions that so strongly fostered such evils.

Today we are told that Negroes, Indians, and also some Spanish-speaking Americans differ too much in culture and achievements to be assimilated in our schools, factories, and neighborhoods. Some decades back the same charge was made against the immigrant—Irish, Jewish, Italian, Polish, Hungarian, German, Russian. In both instances differences were used by some as a basis for discrimination and even for bigoted ill-treatment. The immigrant, fortunately, has achieved his rightful status in the American community. Economic opportunity was wide open and educational equality was not denied to him.

Negro citizens seek these same opportunities. They wish an education that does not carry with it any stigma of inferiority. They wish economic advancement based on merit and skill. They wish their civil rights as American citizens. They wish acceptance based upon proved ability and achievement. No one who truly loves God's children will deny them this opportunity.

WORK NOT EASY

To work for this principle amid passions and misunderstandings will not be easy. It will take courage. But quiet and persevering courage has always been the mark of a true follower of Christ.

We urge that concrete plans in this field be based on prudence. Prudence may be called a virtue that inclines us to view problems in their proper perspective. It aids us to use the proper means to secure our aim.

The problems we inherit today are rooted in decades, even centuries, of custom and cultural patterns. Changes in deep-rooted attitudes are not made overnight. When we are confronted with complex and far-reaching evils, it is not a sign of weakness or timidity to distinguish among remedies and reforms. Some changes are more necessary than others. Some are relatively easy to achieve. Others seem impossible at this time. What may succeed in one area may fail in another.

USE WISDOM

It is a sign of wisdom, rather than weakness, to study carefully the problems we face, to prepare for advances, and to bypass the nonessential if it interferes with essential progress.

We may well deplore a gradualism that is merely a cloak for inaction. But we equally deplore rash impetuosity that would sacrifice the achievements of decades in ill-timed and ill-considered ventures.

In concrete matters we distinguish between prudence and inaction by asking the question: Are we sincerely and earnestly acting to solve these problems? We distinguish between prudence and rashness by seeking the prayerful and considered judgment of experienced counselors who have achieved success in meeting similar problems.

SEIZE LEADERSHIP

For this reason we hope and earnestly pray that responsible and sober-minded Americans of all religious faiths, in all areas of our land, will seize the mantle of leadership from the agitator and the racist. It is vital that we act now and act decisively. All must act quietly, courageously and prayerfully before it is too late.

For the welfare of our Nation we call upon all to root out from their hearts bitterness and hatred. The tasks we face are indeed difficult. But hearts inspired by Christian love will surmount these difficulties.

Clearly, then, these problems are vital and urgent. May God give this Nation the grace to meet the challenge it faces. For the sake of generations of future Americans, and indeed of all humanity, we cannot fail.

Signed by members of the administrative board, National Catholic Welfare Conference, in the name of the bishops of the United States:

Francis Cardinal Spellman, Archbishop of New York; James F. Cardinal McIntyre, Archbishop of Los Angeles; Francis P. Keough, Archbishop of Baltimore; Karl J. Alter, Archbishop of Cincinnati; Joseph E. Ritter, Archbishop of St. Louis; William O. Brady, Archbishop of St. Paul; Albert G. Meyer, Archbishop of Chicago; Patrick A. O'Boyle, Archbishop of Washington; Leo Binz, Archbishop of Dubuque; Emmet M. Walsh, Bishop of Youngstown; Joseph M. Gilmore, Bishop of Helena; Albert R. Zuroweste, Bishop of Belleville.

EXCISE TAX ON TELEPHONE USE

Mr. YOUNG of Ohio. Mr. President, American people should resent paying each month a 10-percent excise tax as telephone users. In 1941, while I was serving my third term in the House of Representatives, this tax was introduced and passed as a wartime measure to raise additional revenue to meet the threat of aggression from Adolf Hitler's Germany.

I have always been opposed to this excise, or sales, tax, which places a heavy burden on persons making telephone calls. Telephone service is certainly a

household, as well as a business, necessity.

This sort of an excise tax is discriminatory. It was imposed on the American people at the same time taxes on luxury items, such as nightclub entertainment, jewelry, expensive furs, and liquor, were imposed. I assert taxing telephone users in the home, factories, and offices is not the same thing as taxing these luxury items. I assert this 10-percent excise tax against telephone users is, in reality, an abominable tax.

Furthermore, admittedly, telephone service is a public utility service. Yet, do other public utilities—water, electricity, and gas—suffer by the imposition of such a discriminatory tax? The Ohio Bell Telephone Co. and other telephone companies are, in reality, not the actual sufferers from the imposition of this discriminatory tax. The sufferers are the citizens who use telephones in their homes and in their places of employment. This sort of sales tax, or excise tax, violates every sound principle of just taxation. It is regressive. It burdens most those who have the least. It is not in accord with that sound principle of just taxation that taxes should be levied by our Government upon its people based upon their ability to pay.

Mr. President, the urgency of bringing this matter to the attention of the public is heightened and increased by the present proposal to make this sales, or excise, tax a permanent burden on those who use telephones.

Here is highlighted one great problem presented whenever the Congress is called on to levy new taxes. Despite statements that such Federal sales, or excise, taxes are only temporary in character to meet a certain emergency, the merciless facts are that once a tax is promulgated and enforced, despite statements to the contrary, it is usually continued on the statute books and remains there as a permanent form of taxation.

As Ohio Congressman at Large, I voted against the imposition of a sales tax upon purchases made in the District of Columbia. That was many years ago. It was then stated that there was a necessity for a 2-percent sales tax to meet a temporary emergency, and that when the emergency came to an end the tax would be repealed. The cruel facts are, this sales tax in the District of Columbia—the same as the 3-percent sales tax in Ohio—has become a permanent form of taxation.

Persons who are poor, or in moderate circumstances, spend all of their incomes for living purposes, and they bear a greater burden than do those persons who receive high incomes and save a substantial portion of their earnings.

Mr. President, during the year 1957 this atrocious telephone excise tax cost customers of the Ohio Bell Telephone Co. $21 million. This tax was passed on to customers by the Ohio Bell Telephone Co. in addition to the increased charges they had to pay for telephone service and for long distance and suburban calls. The facts are that $52 million in local, State and Federal taxes were paid that year, 1957, directly by the Ohio Bell Telephone Co. This excise tax burden is equally regressive and indefensible wherever it is applied to telephone users, and lays its heavy burden on all our citizens.

It is later than we think. Now is the time to end this unfair, detestable, burdensome and discriminatory excise tax. If we fail to do this now, this tax will burden our people for many years to come. In fact, it will, without doubt, burden them permanently.

Furthermore, Mr. President, at this time I give notice that I am unalterably opposed to the imposition of any general Federal sales tax, as has been advocated by the National Association of Manufacturers.

Mr. President, let us enforce economy in Government. Economy in Government, like economy in an individual, I apprehend, means going without some of the things we would like to have but do not absolutely need.

Then let us plug loopholes in our present revenue laws so as to channel additional tax payments into the Federal Treasury; and at the same time let us eliminate unfair, unsound and atrocious excise taxes such as the tax to which I have specifically referred today.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMPENSATION FOR A CERTAIN PERIOD TO EMPLOYEES OF FORMER SENATOR JOHN D. HOBLITZELL, JR.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Senate Resolution 41, Calendar No. 2.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The resolution (S. Res. 41) reported by Mr. HENNINGS from the Committee on Rules and Administration on January 23, 1959, was read, as follows:

Resolved, That the Secretary of the Senate is authorized and directed to pay, out of the contingent fund of the Senate, to the administrative and clerical assistants appointed by former Senator John D. Hoblitzell, Jr., of West Virginia, who were carried on the Senate payroll on November 4, 1958, salary for services in his office for the period November 5, 1958, through December 4, 1958, or for so much of that time through December 4, 1958, as they were not otherwise gainfully employed, at their respective rates of salary as of November 4, 1958.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas [Mr. JOHNSON] that the Senate proceed to the consideration of Senate Resolution 41.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. JOHNSON of Texas. Mr. President, this resolution provides that payment shall be made of salaries to administrative and clerical assistants appointed by former Senator John D. Hoblitzell, Jr., of West Virginia, for 30 days following the termination of his service in the Senate on November 4, 1958, at their respective rates of salary as they were listed on the Senate payroll as of that date.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

REVISION AND PRINTING OF SENATE MANUAL FOR THE USE OF 86TH CONGRESS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Senate Resolution 36.

The PRESIDING OFFICER. The resolution will be stated for the information of the Senate.

The legislative clerk read as follows:

Resolved, That the Committee on Rules and Administration be, and it is hereby, directed to prepare a revised edition of the Senate Rules and Manual for the use of the Eighty-sixth Congress, that said Rules and Manual shall be printed as a Senate document, and that one thousand six hundred and fifty additional copies shall be printed and bound, of which one thousand copies shall be for the Senate, two hundred copies shall be for the use of the Committee on Rules and Administration, and the remaining four hundred and fifty copies shall be bound in full morocco, tagged as to contents, and delivered as may be directed by the committee.

Mr. JOHNSON of Texas. Mr. President, the resolution is self-explanatory. It merely directs the preparation of a revised edition of the Senate Rules and Manual for the use of the 86th Congress.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 36) was agreed to.

PRINTING OF THE 60TH ANNUAL REPORT OF THE NATIONAL SOCIETY OF DAUGHTERS OF THE AMERICAN REVOLUTION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Senate Resolution 37.

The PRESIDING OFFICER. The resolution will be stated for the information of the Senate.

The legislative clerk read the resolution, as follows:

Resolved, That the 60th annual report of the National Society of the Daughters of the American Revolution for the year ended April 1, 1957, be printed, with an illustration, as a Senate document.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

Mr. JOHNSON of Texas. Mr. President, the resolution merely provides that

the 60th annual report of the National Society of the Daughters of the American Revolution be printed, with illustrations, as a Senate document.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 37) was agreed to.

LAURA LECETA SADLER

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Senate Resolution 38.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The legislative clerk read as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Laura Leceta Sadler, widow of Harry W. Sadler, an employee of the Senate at the time of death, a sum equal to seven and one-half months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. JOHNSON of Texas. Mr. President, the resolution is self-explanatory.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 38) was agreed to.

LUCY DODSON

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Senate Resolution 39.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The legislative clerk read as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Miss Lucy Dodson, daughter of Rosell W. Dodson, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. JOHNSON of Texas. Mr. President, the resolution is self-explanatory.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 39) was agreed to.

VIRGINIA T. MEADOR

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Senate Resolution 40.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The legislative clerk read the resolution as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Virginia T. Meador, widow of P. G. Meador, an employee of the Senate at the time of his death, a sum equal to two months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. JOHNSON of Texas. Mr. President, the resolution is self-explanatory.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 40) was agreed to.

ADDITIONAL FUNDS FOR OFFICIAL REPORTERS OF DEBATES

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Senate Resolution 34.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The legislative clerk read the resolution as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate, to the Official Reporters of the Senate debates and proceedings, during the period February 1, 1959, to December 31, 1959, so much as may be necessary, not to exceed $20,000, for the employment of additional office personnel.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 34) was agreed to.

COMMEMORATION BY CONGRESS OF THE 150TH ANNIVERSARY OF THE BIRTH OF ABRAHAM LINCOLN

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Chair lay before the Senate House Concurrent Resolution 57.

The PRESIDING OFFICER laid before the Senate House Concurrent Resolution 57, which was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That in commemoration of the one hundred and fiftieth anniversary of the birth of Abraham Lincoln, the two Houses of Congress shall assemble in the Hall of the House of Representatives at 11 o'clock antemeridian, on Thursday, February 12, 1959.

That the Committee on Arrangements, created pursuant to Public Law 85–775, is empowered to make suitable arrangements for fitting and proper exercises for the joint session of Congress hereby authorized and, in accordance with provisions of Public Law 85–775, to issue appropriate invitations to officials, dignitaries, and other persons to join in this commemoration.

Mr. DIRKSEN. Mr. President, last year Congress agreed upon a resolution to provide for this joint service on February 12, 1959, which marks the 150th anniversary of the birth of Abraham Lincoln. I believe that this will be one of the outstanding events of the year, and in the history of the country, for that matter, because generally Lincoln has been regarded as the great contribution of this country to all the annals of mankind. I believe it was H. G. Wells who described Abraham Lincoln as one of the five greatest ever produced by all mankind.

Therefore I am glad that there will be a joint session of Congress, and that it will be implemented by dinners and observances and celebrations, to mark the sesquicentennial year throughout the country. Therefore I fully concur in the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The concurrent resolution (H. Con. Res. 57) was agreed to.

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, announces the appointment of the two Senators from Illinois [Mr. DOUGLAS and Mr. DIRKSEN], the Senator from Kentucky [Mr. COOPER], and the Senator from Indiana [Mr. HARTKE] as members on the part of the Senate of the Committee on Arrangements for the joint session on February 12, 1959, to commemorate the sesquicentennial of the birth of Abraham Lincoln, authorized by Public Law 775 of the 85th Congress.

COMMITTEE SERVICE

On motion of Mr. DIRKSEN, and by unanimous consent, it was

Ordered, That in the listing of the Republican membership on the Committee on Aeronautical and Space Sciences, the name of the junior Senator from Iowa [Mr. MARTIN] be listed following the name of the senior Senator from Maine [Mrs. SMITH].

LEGISLATIVE PROGRAM DURING LINCOLN WEEK

Mr. DIRKSEN. Mr. President, I should like to query the majority leader concerning our discussions and conclusions regarding Lincoln Week. The birth anniversary, February 12, falls on a Thursday. As has been the custom in the past, our Members will accept invitations to return to their States and districts and elsewhere for the purpose of making suitable testimonial speeches. I express the hope to the majority leader that most if not all of that week could probably be devoted to that purpose, so that there would be no business which would require attendance and that there would be no record votes.

Mr. JOHNSON of Texas. The minority leader states the situation correctly. We hope that we can have as large attendance as possible at the joint session

on the 12th of February. I do not anticipate any rollcall votes during the week beginning Monday, the 9th of February, and ending Saturday, the 14th of February. We will have the joint session on Thursday, and probably go over from Thursday, the 12th of February, to Monday, the 16th of February. So far as the majority leader and the minority leader are able to control the situation, all Members of the Senate may be on notice that we will not schedule any votes and we will resist any as long as possible.

Mr. DIRKSEN. I have already had inquiries about the week of February 22, marking the birth of the founder of our country.

February 22 happens to fall on Sunday. I am not quite certain what the plans and programs will be, but I am confident that in one section of the country and another there will be dinners and observances to mark George Washington's birthday. I do not know whether the majority leader had in mind anything concerning the latter part of the week ending February 21, and perhaps the first day or two of the following week.

Mr. JOHNSON of Texas. I would not anticipate any difficulty about Saturday, February 21, or Monday, February 23, although at this time I would not want to say that Senators will be protected by our not having yea-and-nay votes. I will speak to the distinguished minority leader about this matter as soon as the calendar committees advise me what bills they think will be reported to the Senate.

We are very desirous of passing the housing bill and perhaps the airport bill before Lincoln Week. If necessary, we will ask for a Saturday session in an attempt to have some of that proposed legislation passed before Senators leave the city for observances during Lincoln Week.

Plans for the week of February 22 are not firm, but I will try to make arrangements which will be agreeable to the minority leader.

Mr. DIRKSEN. I thank the distinguished majority leader.

ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, in accordance with the order previously entered, I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock and 51 minutes p.m.) the Senate adjourned, the adjournment being, in accordance with the order previously entered, until tomorrow, Thursday, January 29, 1959, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 28, 1959:

DIPLOMATIC AND FOREIGN SERVICE

The following-named persons to be Ambassadors Extraordinary and Plenipotentiary of the United States of America to the countries indicated with their respective names:

Henry A. Byroade, of Indiana, to Afghanistan.

John D. Jernegan, of California, to the Republic of Iraq.

Richard B. Wigglesworth, of Massachusetts, to Canada.

James C. H. Bonbright, of New York, to Sweden.

C. Burke Elbrick, of Kentucky, to Portugal.

Lampton Berry, of Mississippi, to Ceylon.

DEPARTMENT OF STATE

TO BE AN ASSISTANT SECRETARY OF STATE

Livingston T. Merchant, of the District of Columbia, to be an Assistant Secretary of State.

MUTUAL SECURITY COORDINATION

John O. Bell, of Maryland, to be Special Assistant for Mutual Security Coordination in the Department of State.

INTERNATIONAL COOPERATION ADMINISTRATION

Leonard J. Saccio, of Connecticut, to be Deputy Director of the International Cooperation Administration in the Department of State.

INTERNATIONAL ADVISORY BOARD

Harry A. Bullis, of Minnesota, to be Chairman of the International Development Advisory Board for a term of 2 years.

DEPARTMENT OF LABOR

TO BE AN ASSISTANT SECRETARY OF LABOR

George C. Lodge, of Massachusetts, to be an Assistant Secretary of Labor.

FEDERAL HOUSING COMMISSIONER

Julian H. Zimmerman, of Kansas, to be Federal Housing Commissioner.

NATIONAL MEDIATION BOARD

Francis A. O'Neill, Jr., of New York, to be a member of the National Mediation Board for the term expiring February 1962.

DIPLOMATIC AND FOREIGN SERVICE

ROUTINE APPOINTMENT

The following-named persons, who were appointed during the last recess of the Senate, to the offices indicated:

For promotion from Foreign Service officers of class 1:

CAREER MINISTERS

Howard P. Jones, of Maryland.
Rolland Welch, of Texas.

Now Foreign Service officers of class 2, and secretaries:

CONSULS GENERAL

Robert S. Folsom, of Massachusetts.
Aubrey E. Lippincott, of Arizona.
George F. Wilson, of California.

To be Foreign Service officers of class 2, consuls and secretaries:

Merrill M. Hammond, of Virginia.
L. Wade Lathram, of Virginia.
Joe Adams Robinson, of Oklahoma, to be Foreign Service officer of class 3, consul, and secretary.
Charles S. Whitehouse, of Rhode Island, to be Foreign Service officer of class 4, consul, and secretary.
Theodore J. C. Heavner, of Ohio, to be consul.
Mrs. Roberta B. Bullock, of Texas, to be Foreign Service officer of class 6, vice consul of career, and secretary.

To be Foreign Service officers of class 7, vice consuls of career, and secretaries:

Mrs. Lorraine P. Brunn, of Texas.
Vernon D. McAninch, of Texas.

To be Foreign Service officers of class 8, vice consuls of career, and secretaries:

Jerry P. Baugh, of Indiana.
Felix S. Bloch, of New York.
Charles W. Bray III, of Texas.
M. Lyall Breckon, of Oregon.
David P. Chandler, of New York.
Albert N. DeMott, of New York.
Thomas O. Enders, of Connecticut.
Richard W. Faville, Jr., of Oregon.
John A. Ferch, of Ohio.
Miss Melissa E. Foelsch, of California.
Alec L. France, of Ohio.
Albert A. Francis, of California.
Sidney Friedland, of Wisconsin.
John A. Froebe, Jr., of Ohio.
Philip H. Gray, Jr., of Vermont.
Frank J. Haendler, of Illinois.
Samuel F. Hart, of Mississippi.
Louis E. Kahn, of California.
Andrew R. Kay, Jr., of New York.
Donald Kreisberg, of New York.
Hugh C. Lobit, of Texas.
Hallock R. Lucius, of Montana.
Gifford D. Malone, of New York.
Douglas G. Marshall, of California.
W. Graham Metson, Jr., of California.
Michael B. Meyer, of New York.
Harry M. Montgomery, Jr., of New Jersey.
Tom R. Moore, of Tennessee.
Samuel A. Morley, of Oregon.
Miss Mary A. Mullins, of California.
Alvis Craig Murphy, of Ohio.
Robert F. Pfeiffer, of New York.
James A. Placke, of Nebraska.
William Polik, of New York.
James I. Powers, of Idaho.
Lutz Alexander Prager, of Maryland.
Donald E. Rau, of Wisconsin.
Frank M. Ravndal, of New York.
John D. Rendahl, of Minnesota.
William C. Sergeant, of Minnesota.
David G. Shaw, of New York.
John P. Sifling, of Ohio.
Henry Sears Sizer, of New York.
Robert W. Smith, of Missouri.
Richard Henry Stock, of New York.
Miss Lorraine C. Wendell, of Colorado.
Walter G. West, of Colorado.
Marshall W. Wiley, of Illinois.
John F. Wolff, of Pennsylvania.
H. L. Dufour Woolfley, of Louisiana.

The following-named Foreign Service staff officers:

TO BE CONSULS

Darrell D. Carter, of Illinois.
John W. Edwards, of the District of Columbia.
Donald T. Shea, of California.
Howard A. White, of Ohio.

The following-named Foreign Service Reserve officers:

Frederick A. Bohne, of New York.
Charles B. Borell, of New Hampshire.
Thomas Edmund Burke, of Massachusetts.
F. Willard Calder, of Florida.
Miss Bertha Carp, of New York.
Horace C. de Baca, of New Mexico.
Marvin A. Derrick, of California.
Donald F. Ewing, of New Hampshire.
John L. Hadden, of California.
John R. Horton, of Maryland.

To be Foreign Service officers of class 8, vice consuls of career, and secretaries:

John G. Hrones, of Massachusetts.
Frank W. Jones, Jr., of Connecticut.
William H. J. McIntyre, of Pennsylvania.
Roy V. Palmer, of Illinois.
Raymond Phelan, of California.
Girvan Teall, of New York.
Hugh H. Teller, of Michigan.
John R. Wood, of Georgia.
Ben Zweig, of Arizona.

To be consuls and secretaries in the diplomatic service:

Nathan R. Meadows, of Massachusetts.
George R. Vitale, of New Jersey.

To be vice consuls:

Ralph H. Cadeaux, of the District of Columbia.
William A. Campbell, of California.
William E. Cavan, of California.

Ross L. Collins, of Virginia.
Mrs. Frances M. Dabell, of the District of Columbia.
John W. Dayton, of Virginia.
Robert M. Fulton, of California.
William H. Godson III, of Virginia.
Paxton B. Johnson, of Louisiana.
Serge Karpovich, of Massachusetts.
Walter M. Oden, of Virginia.
William C. Ostlund, of Maryland.
Donald C. Rickard, of Colorado.
Bruce P. Williams, of the District of Columbia.

To be secretaries in the diplomatic service:
Collins D. Almon, of Alabama.
Nicholas M. Anikeeff, of Virginia.
Vincent M. Barnett, Jr., of Massachusetts.
Gerald R. Daly, of Connecticut.
Warren L. Dean, of Virginia.
Lee F. Dinsmore, of Maryland.
Richard A. Fuller, of Iowa.
Walter W. Harris, Jr., of Maryland.
Melvin W. Jokinen, of Virginia.
Joel E. Keys, of New Hampshire.
Joseph F. Lynch, of Massachusetts.
Grant W. Olson, of Virginia.
Michael S. Thompson, of the District of Columbia.
Homer Thrall, Jr., of Ohio.
Alfred C. Ulmer, Jr., of Florida.
Richard W. Faville, Jr., of Oregon.
John A. Ferch, of Ohio.
Miss Melissa E. Foelsch, of California.
Alec L. France, of Ohio.
Albert A. Francis, of California.
Sidney Friedland, of Wisconsin.
John A. Froebe, Jr., of Ohio.
Philip H. Gray, Jr., of Vermont.
Frank J. Haendler, of Illinois.
Samuel F. Hart, of Mississippi.
Louis E. Kahn, of California.
Andrew R. Kay, Jr., of New York.
Donald Kreisberg, of New York.
Hugh C. Lobit, of Texas.
Hallock R. Lucius, of Montana.
Gifford D. Malone, of New York.
Douglas G. Marshall, of California.
W. Graham Metson, Jr., of California.

To be secretary in the diplomatic service:
Michael B. Meyer, of New York.
Harry M. Montgomery, Jr., of New Jersey.
Tom R. Moore, of Tennessee.
Samuel A. Morley, of Oregon.
Miss Mary A. Mullins, of California.
Alvis Craig Murphy, of Ohio.
Robert F. Pfeiffer, of New York.
James A. Placke, of Nebraska.
William Polik, of New York.
James I. Powers, of Idaho.
Lutz Alexander Prager, of Maryland.
Donald E. Rau, of Wisconsin.
Frank M. Ravndal, of New York.
John D. Rendahl, of Minnesota.
William C. Sergeant, of Minnesota.
David G. Shaw, of New York.
John P. Sifling, of Ohio.
Henry Sears Sizer, of New York.
Robert W. Smith, of Missouri.
Richard Henry Stock, of New York.
Miss Lorraine C. Wendell, of Colorado.
Walter G. West, of Colorado.
Marshall W. Wiley, of Illinois.
John F. Wolff, of Pennsylvania.
H. L. Dufour Woolfley, of Louisiana.

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Thomas Edmund Burke, of Massachusetts.
F. Willard Calder, of Florida.
Miss Bertha Carp, of New York.
Horace C. de Baca, of New Mexico.
Marvin A. Derrick, of California.
Donald F. Ewing, of New Hampshire.
John L. Hadden, of California.
John R. Horton, of Maryland.
John G. Hrones, of Massachusetts.
Frank W. Jones, Jr., of Connecticut.
William H. J. McIntyre, of Pennsylvania.
Roy V. Palmer, of Illinois.
Raymond Phelan, of California.
Girvan Teall, of New York.
Hugh H. Teller, of Michigan.
John R. Wood, of Georgia.
Ben Zweig, of Arizona.

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Robert M. Fulton, of California.
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Gerald R. Daly, of Connecticut.
Warren L. Dean, of Virginia.
Lee F. Dinsmore, of Maryland.
Richard A. Fuller, of Iowa.
Walter W. Harris, Jr., of Maryland.
Melvin W. Jokinen, of Virginia.
Joel E. Keys, of New Hampshire.
Joseph F. Lynch, of Massachusetts.
Grant W. Olson, of Virignia.
Michael S. Thompson, of the District of Columbia.
Homer Thrall, Jr., of Ohio.
Alfred C. Ulmer, Jr., of Florida.
William O. Webb, of Maryland.
Selwyn C. Woodard, Jr., of Iowa.
Theodore A. Xanthaky, of New York.

PUBLIC HEALTH SERVICE

The following candidates for appointment in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations, as indicated:

TO BE SENIOR SURGEONS

Arthur C. Curtis	Huston K. Spangler
Charles R. Hayman	Philip L. Spencer
U. Pentti Kokko	Leon A. Witkin

TO BE SURGEONS

John W. Cashman	Albert W. Hilberg
Robert M. Chanock	Bert N. La Du, Jr.
Harry F. Colfer	Carl J. Marienfeld
Sigurd E. Dahlstrom	Claire F. Ryder
Jack D. Davidson	Audrey W. Talley
H. Wayne Glotfelty	Norman Tarr
Howard C. Goodman	Gordon M. Tomkins

TO BE SENIOR ASSISTANT SURGEONS

Emil J. Freireich
William V. Trekell

TO BE DENTAL SURGEON

Robert L. Weiss

TO BE SANITARY ENGINEERS

Andrew D. Hosey
Frank W. Noble

TO BE SCIENTISTS

William B. Cherry
Harvey I. Scudder

TO BE SANITARIANS

John A. O'Donnell
Ruth F. Richards

TO BE SENIOR VETERINARIAN

Willard H. Eyestone

TO BE NURSE OFFICERS

Agnes V. Herrington
Elizabeth G. Sullivan

TO BE SENIOR ASSISTANT SANITARY ENGINEER

William A. Rosenkranz

TO BE ASSISTANT SANITARY ENGINEER

James H. McDermott

TO BE JUNIOR ASSISTANT SANITARY ENGINEERS

Earl T. Conrad
Ronald J. Harron
John A. Little

TO BE SENIOR ASSISTANT SCIENTISTS

William F. King
Ronald H. Thompson

TO BE SENIOR ASSISTANT NURSE OFFICER

Dorine J. Loso

TO BE ASSISTANT NURSE OFFICER

Jean A. Royer

TO BE SENIOR ASSISTANT THERAPISTS

Howard M. Fisher
Arleigh C. Sawyer

TO BE JUNIOR ASSISTANT THERAPIST

James R. Walcher

TO BE SENIOR ASSISTANT DENTAL SURGEONS

Darwin F. Davis
Clement K. Schmitt

TO BE ASSISTANT DENTAL SURGEON

Thomas E. McClellan

TO BE SENIOR ASSISTANT SANITARY ENGINEERS

William E. Bell	Robert E. Novick
Albert E. Bertram	Richard L. O'Connell
Malen D. Bogue	Warren F. Smith

TO BE ASSISTANT SANITARY ENGINEERS

Allan B. Edwards	George W. Walsh
James C. Meredith	Walter M. Sanders III

TO BE JUNIOR ASSISTANT SANITARY ENGINEERS

Melvin Goldstein	Michael Howell
Robert A. Herrick	Paul W. Kolp
Marvin D. High	Anton J. Muhich
Donald R. Horsley	Lloyd A. Reed

TO BE SENIOR ASSISTANT SCIENTIST

Robert S. Shellow

TO BE SENIOR ASSISTANT SANITARIANS

Mary P. Byrd	Robert J. Savard
Stanley E. Crawfort	Walter R. Sceery
Roberta E. Peay	

TO BE ASSISTANT SANITARIAN

Kenneth F. Hunt

TO BE NURSE OFFICER

Fern M. Dunn

TO BE SENIOR ASSISTANT NURSE OFFICERS

Mollie G. Davis	Shirley A. Middleton
Elizabeth Edwards	Catherine E. Twomey
Barbara T. Lanigan	

TO BE JUNIOR ASSISTANT NURSE OFFICER

Margaret J. Howe

TO BE SENIOR ASSISTANT THERAPISTS

William E. Cox	Mario L. Salvanelli
Walter L. McCarrell	Lawrence Sidel

TO BE ASSISTANT THERAPIST

Donald E. Shipley

TO BE JUNIOR ASSISTANT THERAPIST

Jay A. Davenport

EXTENSIONS OF REMARKS

Addresses Delivered at Testimonial Dinner in Honor of Leslie L. Biffle

EXTENSION OF REMARKS
OF
HON. LYNDON B. JOHNSON
OF TEXAS
IN THE SENATE OF THE UNITED STATES
Wednesday, January 28, 1959

Mr. JOHNSON of Texas. Mr. President, on behalf of the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], and myself, I desire to make a brief statement and to propose a request.

On Tuesday evening, January 20, 1959, a testimonial dinner was given at the Mayflower Hotel in Washington in honor of the Honorable Leslie L. Biffle, former Secretary of the Senate, in commemoration of his 50th year in Washington.

We are advised by the Public Printer that the remarks made on that occasion exceed the 2-page limit, and that the estimate of the cost of printing is $351. Notwithstanding that fact, we ask unanimous consent that these remarks be printed in the RECORD.

Mr. DIRKSEN. Mr. President, Leslie Biffle is by all odds one of the most gracious and obliging personalities I have ever encountered in my lifetime. He has been completely unselfish, regardless of political identity, in being kind and helpful to everyone he might serve. The testimonial dinner in his honor was richly deserved, as were all the encomiums which were spread on the record.

So I am delighted in joining the majority leader in asking that these proceedings be made a matter of record in the CONGRESSIONAL RECORD.

Mr. JOHNSON of Texas. Mr. President, I thank my delightful friend from Illinois for his eloquent tribute to this faithful public servant. I was privileged to attend the dinner, although I arrived there just before it concluded. I have never seen a dinner in Washington which was attended by more members of both parties who felt so sincerely that they wanted to honor a public servant. The distinguished minority leader has expressed better than I can how all of us feel about this former officer of the Senate.

There being no objection, the proceedings were ordered to be printed in the RECORD, as follows:

J. HOWARD MCGRATH. Ladies and gentlemen, the invocation will be offered by the Rev. Frederick Brown Harris, Chaplain of the U.S. Senate. Please stand.

Dr. HARRIS. Let us lift our hearts in prayer. Oh Thou God of the best we aspire to be in our highest hours, we are grateful for the sacrament of friendship, and for the contagion of a friendliness which is not mixed with the alloy of self-seeking.

In a world where so much is marred by unworthy covetousness, we thank Thee for the abiding beauty of a care for one's fellows, pictured in the Book of Ages, where Thy servant, Saint Paul, tells of a love that is patient and kind, that is not jealous nor boastful, that is not arrogant and rude, that does not insist on its own way, that is not irritable nor resentful; a love that does not rejoice in the wrong, but rejoices in the right.

We come this hour with glad and grateful hearts to honor a friend whose record fits this scriptural frame and who, across the years, has lived in his house by the side of the road, and been a friend of man, who has a place of affection in the hearts of a host who have felt the warmth of his selfless interest in public and private life, across fruitful years for a half century in this Capital City.

With deep appreciation for all he means to so many, we salute this radiant friend in whose heart there is malice toward none and charity for all, and who, in the school of the years, has learned—

"To think without confusion clearly,
To act from honest motives purely,
To love his fellow man sincerely,
To trust in God and heaven securely."

We come in the name of the Master of all good workmen. Amen.

(The National Anthem.)

J. HOWARD MCGRATH. I now present on behalf of every and all persons that are here tonight, in force and on our behalf, Mrs. Perle Mesta.

Mrs. PERLE MESTA. My father always taught me that a woman—a mother or sisters, or a wife—was behind any man's accomplishments, and tonight we have the charming wife of Mr. Biffle, and I am delighted to present these roses, on behalf of this committee, to Mrs. Biffle.

J. HOWARD MCGRATH. We will now proceed with the purpose which brought us here—that is, to have a dinner.

A panoramic picture of the guests tonight; the camera is in that direction, directly opposite me; if you could give your attention for 2 minutes, the picture would be concluded.

Will you please cooperate in the taking of these panoramic pictures. This is not a sound picture, so upstairs you can make as much noise as you like.

Gentlemen and ladies, you will find on your table a sheet entitled "Friends of Leslie Biffle." These are enclosed in a cellophane envelope. It is our hope that each of you will sign his name, carefully preserving these sheets so that they can be incorporated in a volume that will be presented to Mr. Biffle as a remembrance of those who are here tonight. So, if you have not already signed your sheet, please do so now, reenclose it in the cellophane envelopes, and the waiters or members of the committee will collect it. The sheets that you have signed, friends of Leslie Biffle, that are to be included in a volume to be presented to him which have not already been collected, please see that your waiter picks them up and brings them to the head table.

Ladies and gentlemen, we must be on with our business. I would like now to present those who are seated at what is commonly known as the head table. There is no significance about the personages of those who are here and are about to be presented; they are symbolic of the many beloved friends of our guest of honor. If you will bear with me I will ask each of them to stand for your approval.

To my left, Mr. Felton M. Johnston, the Secretary of the Senate; Mrs. J. Borden Harriman, the grandma of the Democratic Party; Mr. Paul Butler, chairman of the Democratic National Committee; Mrs. Thomas C. Clark; Rev. Frederick Brown Harris; Mrs. Perle Mesta; Robert V. Fleming; Mrs. Samuel F. Pryor, Jr.; Senator Lister Hill; Mrs. Styles Bridges; Justice Wm. O. Douglas; Mrs. John L. McClellan.

On the other side of the table I would like to present Mr. James W. Carkner, chairman of the board of Pepsi-Cola of which our honored guest is a distinguished member; Mrs. Felton M. Johnston; John W. Holton, the Administrative Assistant to the Speaker of the House of Representatives; Mrs. Wm. O. Douglas; the Attorney General of the United States, Mr. Wm. P. Rogers; Mrs. Frederick Brown Harris; the Honorable Joseph W. Martin, Jr.; Mrs. J. Howard McGrath; Hon. Styles Bridges; Mrs. Lister Hill; Justice Tom C. Clark; Mrs. Leslie Biffle.

Now, it becomes my very pleasant duty and honor to present to you my cochairman of this magnificent tribute to our honored guest. There are happy privileges that come to one in a lifetime but none more rewarding than to have as a working companion, in a cause that is so wonderfully rewarding as this we are engaged in tonight, such as I have had. There have been no conspiracies betwixt nor among us save one—I agreed with my cochairman that he would seat the Democrats and I would seat the Republicans—so if any of you have a problem about where you are or why you are, blame each of us and find out where you are. I now want to introduce to this gathering which has been a real effort on behalf of those who are in attendance, and those who could not be here for many and varied reasons, the man who has contributed the most to making this affair the bipartisan, nonpartisan, triple partisan, whatever partisan you have—our cochairman, Sam Pryor.

SAMUEL F. PRYOR, JR. Thank you Mr. Chairman. Honored guests and distinguished guests and friends of our honored guest, Reverend Harris, that world you spoke of, Mrs. Pryor and I have had the privilege of seeing nearly every living corner of it and I can honestly say it's a beautiful world. In fact, I sometimes think we have Heaven on earth here, with the exception of one thing—people. People cause trouble, confusion, and unhappiness. But, tonight, tonight we have one of the great exceptions to the rule. Our guest of honor has brought happiness to nearly everybody in this room. He's brought kindness, regardless of party, regardless of whether you're big or small, he's been kind to us. And also we have another person of this category. We are very fortunate to have him. He is in the midst right now of making the United States a better place to live, not only for us, but, more important, for our children. And he comes from the same background; in fact since my party has been referred to, may I say he has a great many of the qualities of Abraham Lincoln. It is a great privilege the committee has given me to introduce to you all our toastmaster, Senator JOHN MCCLELLAN.

Senator MCCLELLAN. Thank you, Sam, Mr. Cochairman, Les and Mrs. Biffle, distinguished guests, my colleagues in Congress, ladies and gentlemen. I should like also to thank the entire committee on arrangements and to express my deep appreciation for the privilege of serving as your toastmaster this evening. To have the pleasure of participating in this program in that capacity is a very high honor, indeed, and one that I shall greatly cherish because I regard this testimonial dinner as one of the most outstanding functions of this kind ever held in the Capital of the United States.

I know this is a happy occasion for all of us. We are here to do honor to a very dear friend and to a truly great American, on this

the 50th anniversary of his entering into public service with the National Congress here in Washington. This magnificent audience, your presence here now, is an eloquent tribute to him who has earned our eternal admiration and esteem by the unselfish and devoted service he has so faithfully and abundantly given to his country.

Naturally, I am doubly proud, because he is a fellow Arkansan. Truly he is a beloved son of the great wonder State and one in whom all of her citizens take justifiable pride and in whom they are well pleased.

Our guest of honor first came to Washington in 1908 as secretary to the Honorable Robert Bruce Macon, Congressman from the First District of Arkansas. In that capacity his talents and qualities soon appeared and were recognized. They quickly attracted the attention and interest of Members of the Congress, and he was repeatedly called to serve in important positions in the U.S. Senate and in fact to almost every important non-Member position in that body, finally culminating in his being elected Secretary of the Senate in 1945 by the unanimous support and vote of both the Democrats and Republicans alike and later elected again to that same position in 1949. It was my privilege to place him in nomination before the Democratic conference on that latter occasion. I think some of the things that I said then at that time when there was no occasion like this in my mind nor contemplated, I think some of the things I said would bear repeating here this evening. I refer to his many years of faithfulness and devotion and loyalty to the Democratic Party, to the unexcelled highly capable and efficient service he has rendered in the many places of trust and responsibility he held, to his affable and matchless personality, and to his many courtesies and accommodations that have throughout the years indelibly endeared him to the hearts of all of us.

But, there is still more to the story. In the drama of national life many personalities have from time to time played impressive roles on the Washington scene. Presidents, Members of Congress, Cabinet members, and other Government officials, come and go. While they are here they make their influence felt in politics and on the affairs of our Government and the Nation, some of them only to a small degree, and others with potent effects and results. During the time our honored guest served as secretary to the minority and as secretary to the majority, particularly when the Democrats were in power, as Secretary of the Senate, but few men, if any, have had equal or greater influence than he was able to bring to bear in the direction of forces of the Democratic Party or in the formulation of policies and the enactment of laws by the National Congress.

His counsel has eagerly been sought by legislators, by administrators, by diplomats, and by military leaders and even by Presidents of the United States. He has been a counselor and adviser, a confidant, whose opinions and judgment were respected and often followed by those in the highest positions of trust and responsibility. I truly feel inspired on this occasion, but I must not, of course, monopolize the time. It wasn't expected that I should make even these many remarks, but I couldn't refrain from doing so.

Now, before I introduce our other speakers, I may say that there have been literally thousands of messages received from friends all over the Nation, and it is impossible for the presiding official at this dinner to read all of them, or to even call the names of the large number of friends who join us here tonight in this way of paying tribute to our honored guest. But, I shall read some few that I think would be of interest to you and that I think you would like to hear. The first is:

"Regret I cannot be present this evening, to join your many friends, in tendering you this well deserved recognition. My kindest regards and best wishes always.

"J. MILLARD TAWES,
"Governor of Maryland."

"A new Governor does not have much time to travel. This becomes extremely regretful on the occasion such as this, when so many friends are joined in honoring Leslie Biffle on the 50th anniversary of his arrival in Washington. Very few individuals have made so many friends during a lifetime. Very few people have had such an influence on the destiny of our fellow citizens.

"I join all of you in expressing to Leslie many happy returns of this momentous day.

"MICHAEL DI SALLE,
"Governor of Ohio."

"Because of a mandatory commitment here I regret that I cannot attend the testimonial dinner to Leslie Biffle so I have requested Dick Patterson, my commissioner of commerce and public events, to represent me. Leslie Biffle has been a distinguished public servant for many years. Among his many fine attributes is his capacity for friendship. He has friends everywhere because he himself is a friend. The list of his friendships ranges from ditchdiggers to leaders in law, industry, and politics, to statesmen, ambassadors, and scientists. Loyalty is in Les Biffle's bloodstream. He never forgets a friend, he never fails to reward one. I salute him with admiration and affection.

"ROBERT F. WAGNER,
"Mayor of the City of New York."

"It is a most fitting and well deserved recognition of an outstanding career, and of a man who has followed a creed of placing the welfare of others ahead of his own. May I add my hearty congratulations and best wishes. May I further say that I am proud to be among your many warm friends and admirers.

"FRANK E. MCKINNEY."

"I hope you will tell Les Biffle how sorry I am not to be in Washington for his testimonial dinner. He is getting just what he deserves.

"Regards,

"ADLAI E. STEVENSON."

Now I want to read you one from Arkansas:

"DEAR GENERAL MCGRATH: It is a real pleasure to enclose herewith a copy of a resolution which unanimously passed both houses of the Arkansas general assembly yesterday. I have signed the resolution and will transmit original copies, along with my signature, to the members of the general assembly to Mr. Biffle, as soon as the resolution is enrolled. I regret very much that I am unable to be present at the dinner tonight; however, it will be deeply appreciated if you will convey my personal congratulations and best wishes to Mr. Biffle, who is certainly one of Arkansas' most distinguished and favorite sons.

"Most sincerely,

"ORVAL E. FAUBUS,
"Governor."

May I read you the resolution?

"SIXTY-SECOND GENERAL ASSEMBLY OF THE STATE OF ARKANSAS JOINT HOUSE AND SENATE RESOLUTION, JANUARY 19, 1959

"Whereas there will be a testimonial dinner honoring Leslie L. Biffle at the Mayflower Hotel in Washington, D.C., on Tuesday evening, January 20, 1959; and

"Whereas the Honorable Leslie L. Biffle is a native of Piggott, Clay County, Ark., from where he went to Washington in 1908 to distinguish himself and bring honor to his native State with 50 years of public service in the Nation's Capital; and

"Whereas the Honorable Leslie L. Biffle has become enshrined in the hearts of his fellow men through his great acts of mercy, compassion, brotherly love, and a benevolent spirit that has given joy and sustenance to thousands of people; and

"Whereas during this period of 50 years in which he worked in the service of his Government, of his country, and his fellow men, this son of Arkansas has constructed a place of greatness as he has moved with charm and warmth, trust, and dignity in the political arena; Now, therefore, be it

"Resolved by the House of Representatives of the 62d General Assembly of the State of Arkansas (the Senate concurring therein), That the General Assembly of the State of Arkansas does by unanimous action hereby commend their fellow citizen, the Honorable Leslie L. Biffle, for a half century of devotion in the service of democracy; be it further

"Resolved, That a copy of this resolution be sent to the testimonial committee dinner in Washington, D.C., to the Piggott Banner, in Piggott, Ark., to the Piggott Public Library, and to the Honorable Leslie L. Biffle of Washington, D. C."

Here is one that I know is from a dear, dear old friend:

"DEAR LES: Conditions have arisen which will prevent my making a trip east on the 20th as I had hoped. I congratulate you on the wonderful show of appreciation our friends are giving you. The Senate and the country never had a more faithful public servant than Leslie L. Biffle. I have never regretted anything more in my life than not being able to be with you on this occasion.

"Sincerely yours,

"HARRY S TRUMAN."

And, now I am happy to read a message from the highest authority in the land:

"DEAR LESLIE: I am sorry that I cannot join the friends who are with you this evening to congratulate you in person on your first 50 years in Washington. You have long been known as one of Washington's foremost citizens, noted for your warm personality, your readiness to be helpful, your professional efficiency and your loyal service. You have carved out a position that is unique in this city. Only a man of deep understanding, fine character, and a warm personality could have formed the many and warm friendships that enrich your life. Truly, you have done much to make Washington a better and more pleasant place in which to work and live. May the Lord in his providence keep you healthy and happy in the years to come.

"With best wishes to you and Mrs. Biffle.

"Sincerely,

"DWIGHT D. EISENHOWER."

I certainly am not going to take further time. We have a brief program arranged. Some of our speakers that had been invited are unable to be present. Quite some time ago, when this meeting was first initiated, the Speaker of the House of Representatives, the Honorable SAM RAYBURN, graciously accepted an invitation to be present and to speak to us on this occasion. Subsequently there was arranged a state dinner at the White House, and, of course, you know what takes precedence in such a situation. So, our Mr. SAM, our beloved Speaker, is at the White House this evening, but he has here as his representative one who has already been introduced to you as his administrative assistant and whom I am proud to present again, Mr. John W. Holton.

JOHN W. HOLTON. Senator MCCLELLAN, distinguished guests and friends of Les Biffle: Les, I do not think we need to ring the bells tonight because the entire membership is already here.

I bring you the friendly and warm greetings of Speaker RAYBURN. If you have read the biography of the distinguished honor guest tonight and the biographies of many other illustrious statesmen of our time, the Speaker would have me remind you that if you really want to reach the pinnacle of success, you must have had some association with the House of Representatives.

Mr. Biffle, your charming lady: I extend to you my sincere congratulations on this happy occasion. My wish for you is that your life may be spared for long and useful service; that the path of life may lead you by still waters; that you will be healthy; that you will find a prosperous and strong America and the world in peace.

Senator McCLELLAN. Thank you, Mr. Holton. The gentleman I shall now present to you is now serving, I believe, his 17th consecutive term in the Congress of the United States. He has twice been Speaker of the House of Representatives, and is one of the best known, the most influential, and one of the most loved Republicans in the United States: I give to you, Hon. JOSEPH W. MARTIN, JR.

Mr. MARTIN. Mr. Chairman, distinguished guests, the guest of honor and friends of Les Biffle, I am glad my good friend and neighbor Howard McGrath explained where he seated the Republicans. I was rather lost why a back seat Republican should be at the head table; but your explanation cleared that up most thoroughly. He did it from the kindness of his heart. You see we live only 12 miles apart. But what is the reason I am so happy to come? Because it gives me the privilege of paying a warm personal tribute to a man who through the years has won the affection, the regard, and the esteem of all who come in contact with him. He's a great American. He has given 50 years of service to our country. Think of the events that have happened in all those years, and realize that Les Biffle has played an important part in so many of them. My good friend JOHN McCLELLAN has stated he has been the confidant of Presidents. He has been the confidant of Senators and I can remember him 35 years ago in the early days when we House Members ventured into the rarefied atmosphere of the Senate—he would extend to us a helping hand. Now, of course, we go over there with the brusqueness of the modern age; because we have so many former House Members over there now. Sometimes we think we run the Senate. Well, at the critical moments they show us that we don't. But I find it a great privilege to come here tonight. It's a wonderful tribute to see this magnificent gathering, fine telegrams and messages, that have come from all over the country. They are heartening, they are warming. And they indicate to us the building of America is due to lives like Leslie Biffle's doing the everyday work, thoroughly, conscientiously, and with but one thought—what is best for America. Oh, my friends, as we face these critical years that are ahead, we need dedicated Americans, we need men of undoubted loyalty to our country, for that is the only way we are going to come through. It doesn't make much difference after all, whether we are Republicans or Democrats, the one great thought must be, "Are we doing what we honestly believe is best for America?" Are we doing our best to build this great country of ours? And so wherever I sit, in the back seat or the front seat, that shall be my purpose, because I love this country. It has done so much for all of us. I know it can't be written in the stars, that in this hour this great country shall fail. No, we are going to go forward, we're going to go forward because we have men like Les Biffle, men of stalwartness, men of courage and men of discernment. * * * As I looked over that bicycle over there, automobile I guess it is, it says: "The Arkansas Pollster," and Les, I know the results of your polling. Sometimes as a Republican, I rather resented the reports you brought back from the country, but I know one thing always, that your reports were thorough and you were a keen observer. And, so I say to you tonight, I wish you well, Les. You see all these people who have come here tonight to pay tribute to you and your wife. It must make you feel proud; it must make you feel happy. Because after all, material possessions may vanish; the financial wealth that men accumulate may disappear; but the real friends a man earns are enduring. They are the real wealth. Les, you're a millionaire in the friends that you and your wife have accumulated in your long 50 years of service. May God bless you and take care of you in the years ahead.

Senator McCLELLAN. Thank you, Congressman MARTIN. I certainly take back nothing I said about him, don't you agree with me?

Senator LYNDON JOHNSON, our able and distinguished majority leader, in the Senate, was also to address the group this evening. He gladly accepted when the invitation was extended, and, unfortunately for us, he, too, is at a command performance at a state dinner down at the White House. But, he has a representative here, in the distinguished Senator from Alabama, one of the ablest men on the Hill. He is chairman of the important Senate Committee on Labor and Public Welfare. He served some 15 years in the House of Representatives and is now serving in his fourth term in the United States Senate. I am pleased to present to you, my able distinguished colleague and friend, Hon. LISTER HILL.

Senator HILL. Mr. Toastmaster, Les Biffle, distinguished guests, ladies and gentlemen, when I was called at the last moment, advised that our distinguished Majority Leader LYNDON JOHNSON could not be here tonight, and that our fine assistant leader, MIKE MANSFIELD, is ill with pneumonia and could not be here tonight, and therefore, I had been chosen to say a few words at this time, frankly I was frightened. And then I thought about Les Biffle, and I thought, "Well, there'll be no trouble about that speech, except that it will take all night to tell all the good things about Les Biffle." And, then I was reminded, my friends, that 2 years ago last fall, Les Biffle sent me out to Iowa to make some speeches in the campaign there and I was with this good gentleman and his good wife; we were going to a city about 100 miles north from Des Moines, the capital, the good lady was driving the car and I was sitting on the front seat with her and the good husband was sitting behind, when we got about 15 miles out of our appointed destination we ran into one of the hardest rains I have ever seen in my life. The rain really came down in sheets. Just at that time the automobile stopped. It had given out of gas. Fortunately, it stopped right at a farmer's driveway and the good husband and I got out, went into the farmer's house, and of course he gave us enough gas to go on into the city. But you can imagine that on our way in, we really gave that lady a good time about giving out of gas. That night after I had spoken and the meeting was over she came up to me, shook my hand and said, "Senator, I want to congratulate you. I gave out of gas but you certainly didn't."

Who is there here who knows where Piggott, Ark., is? Well, there are a few, but I tell you my friends, it's the place whence came Leslie Biffle to Washington and that was 50 years ago. Think of it, that was before most of us here this evening were even born. But, I want to say this about Les Biffle: all the ladies tell me that he's still young, charming, and captivating. He had his start, just as many of us did in the House of Representatives and then got demoted and came on over to the Senate. He fell under the eagle eye of that great statesman from Arkansas, Joe Robinson. Joe brought him to the Senate folding room; and ever since then Leslie Biffle has been a-busy folding good things for his friends, for the Democratic Party, and for our country.

During World War I, the War Department sent Leslie to France; there he made a record to be proud of, one of honor and distinction. And when he came back he was made the factotum of the Senate, the doer of all things. Wherever a good man was needed, wherever a wise man was needed, Leslie Biffle was put into the breech. For we know that this fellow Leslie Biffle never puts off anything until tomorrow. He always gives everything his best attention, he attends to every detail, to every little requirement, and the job he does is always the paragon of perfection. And then as JOHN McCLELLAN has told us, in 1933 Les became secretary to the majority in the Senate, and there ripened that friendship that made Leslie Biffle the intimate friend, the closest confidant and counsellor to the one and only, the immortal Mr. "Veep," our own beloved Alben Barkley. In those early days, Leslie Biffle contributed so much to the passage of legislation that took our Nation out of the depression of the thirties, that he was named a member of the American Battle Monuments Commission by the gallant leader, Franklin D. Roosevelt. And, may I say that he is honored tonight and we are all honored by the presence of one of his fellow members on the American Battle Monuments Commission, Mrs. Wendell Willkie.

In 1945 Les became the Secretary of the Senate and when our good friends the Republicans came into power with the 80th Congress of course they took the job; so Leslie came with the Democratic policy committee. I remember, as a member of that committee, we had a lot of discussion on some of the problems and we had to sit around the table trying to solve those problems, and finally some member would say, "Les, what do you think about it?" and then Les would seem to know everything. It was like turning the light on in a dark room and we gazed and the wonder grew how this little small head could carry all that Les knew. But, you see, Les not only thinks himself but he knows what everyone else thinks. Why, if he were in the Senate today, he would know exactly what BOB BARTLETT and ERNEST GRUENING were thinking. He made so many contributions to the work of the Senate and did so much for the Senate that we nominated him Mr. Biffle the Senator at Large from the United States. Our good friend, that great and fine American JOE MARTIN, referred to this poster up here; you see it. Well, you know for a long, long time we heard about the Arkansas traveler and we wondered who was the Arkansas traveler. In 1948, as you recall, all the experts, and all those who thought they were experts, declared that there was no question about it; the election was in the bag for the Republicans. Governor Dewey was certain to be the next President of the United States. Well, Leslie Biffle went back to Piggott, Ark. He went into the old trunk, got out the old blue denim overalls that he had down there on the farm, put on a pair of old brogan shoes, got him a tin lizzy and he went out across the country to visit the people, the farmer, the filling station operator, the corner grocery store operator, right down to the grassroots of American democracy, and then he began to send back the reports that the Democrats could win, that the Democrats would win, and I often wonder how much those words of encouragement and assurance from Leslie Biffle inspired that two-fisted fighting campaigner, give-'em-hell Harry. Our Republican friends know that Les is their friend; they also know his love for the Democratic Party, that he is the dedicated Democrat. It is as a friend above all else that tonight we pay our tribute to him. He is the friend that asks no questions, needs no assurances, makes no demands. All that he asks is to extend a helping hand, to do something for his friend and, as his friends we rejoice to pay our tribute to him. In Leslie Biffle and the example of his life we see the nobility of friendship, the strength of character, the fellowship of humility, the gospel of humanity, and the love of God. To know Leslie Biffle is to love him, to name him is to praise him.

Senator MCCLELLAN. Thank you, LISTER; thank you very much. I am indeed pleased to present to you another of my colleagues in the Senate, the former Governor of the great State of New Hampshire, now serving, I believe, his 22d year in the Senate. He was minority leader in the 82d Congress, the President pro tempore in the 83d Congress; he was also chairman of the Appropriations Committee during that Congress, and I may say to you that he is the ranking or the senior Republican in the United States Senate and the ablest statesman in the Republican Party. I present to you the Honorable STYLES BRIDGES.

Senator STYLES BRIDGES. Mr. Chairman, Les, Mrs. Biffle and friends of Les Biffle. Probably few men in America have more genuine friends over the length and breadth of this country than Les Biffle. He is known for many of his accomplishments. One of those accomplishments referred to here this evening was the time in 1948 he went out as a pollster. He, at that time, attained a reputation as being a sort of "barnyard Gallup." He conducted a barnyard Gallup poll. It has been recalled here how he dressed up in old clothes, took a Ford pickup truck and started out to learn the political sentiment in this country. You know what happened and how he told the then President Truman that the pollsters had underestimated his strength. Les urged the President to hustle during the last few weeks of the campaign. This advice was followed, unfortunately, and the result was that on election day the Republicans were singing that song, "Hang down your head, Tom Dewey." There is one thing that most of you don't know, however, and that is that we Republicans were on the job at that time. We sent a man out to follow up Les Biffle. The only thing different was that we had him buying turkeys instead of chickens and we found that there were more chickens in this country than turkeys, much to our disappointment. Now, Les didn't make a poll in 1954 or 1956. He rested on his laurels but this last year he made a poll and he predicted that the Democrats would gain 14 seats in the Senate and 25 in the House. The rest is a sad story and I won't go into it. It reminds me of the anecdote about our President from the little State of New Hampshire, Franklin Pierce, who, incidentally, was a Democrat. We also at that period produced another great citizen who was the publisher of the New York Tribune—Horace Greeley. They didn't care for each other. After Franklin Pierce had been elected President—and this is a true story—Greeley sent one of his reporters back to the little town of Hillsboro, N. H., to make inquiry as to what kind of a President the local people thought Franklin Pierce would make. He finally went to a storekeeper by the name of Smith and said to Smith, "What kind of a President do you think Franklin Pierce will make?" The storekeeper in his typical Yankee tone said, "Well, I'll tell you. He has done pretty well here in the State in all the State offices he has held, but when you spread him over the whole country he will wear kind of thin in places." That was our only trouble last fall. We were a little thin in places. Now, when Les was Secretary of the Senate and when he was secretary of the majority here, he was known to us on the Republican side as a sort of "walking encyclopedia" and he lived up to that because he was the author of more proposals than I can describe on various bills which were sponsored by other people. He was uncanny in his ability to predict how the votes were going to come out and how each Senator was going to vote. As a matter of fact on several occasions I saw polls prepared by Biffle in which he predicted how I would vote before I had decided myself. It was a great source of wonder to me and admiration too to see Les Biffle move around the Senate floor and whisper to the various Senators. He is the only man I know who can whisper to you and not move his lips. I have always thought he would make a great, great ventriloquist. The only thing that bothered me was what Democratic Senator would he use as the dummy. Seriously speaking, there are a great many things about Les Biffle in which he and his family and all his friends can take great pride. He has done well for a country boy from Arkansas. He has attained a pinnacle in the Nation's Capital that few men reach. And I don't believe there is anyone in this room who would deny that there is no one individual on the American political scene today who has made more friends, real friends, in both political parties than Les Biffle. And as long as the American political scene continues to attract men of Les Biffle's character we don't have too many worries about the future of our Nation. He has my affection, my respect, and my esteem. You know, in closing, that I have not always agreed with the former President of the United States, Harry Truman, but he said at one time, and I quote, "They don't make them any better than Les Biffle." As we say on the floor of the U.S. Senate, I wish to associate myself with those remarks.

Senator MCCLELLAN. I have a pleasant surprise for you. We are very happy that the distinguished majority leader of the Senate has been able to break away from the White House long enough to join us. LYNDON, you have the mike—they are waiting for you.

Senator LYNDON JOHNSON. Mr. Chairman, Mr. Biffle, my fellow Americans. Somebody once said that there are two ways for every boy in Arkansas to go. He can either go up in the world or he can go to Texas. A loss to Texas can be a gain to the Nation. Les Biffle is one Arkansas boy who went up in the world but none of us are here tonight to honor him for that alone. For Les Biffle did more than to go up in the world for himself. The important thing is that he helped a great many others go up in the world themselves and once there he helped all of them serve the Nation better. When Les Biffle left his native Arkansas and came to Washington he brought with him far more than what he packed in that little suitcase. He brought good sense, warmth, and human understanding, and a lot of real backbone. As long as he was here his supply never ran low. He made men stronger, he made the Senate stronger, he made his party stronger, and he made a great contribution to strengthening his Nation by his counsel and his leadership. This is a great thing for any man to have said of himself. I hope, Les, that you will admit it to yourself. We honor you tonight as a man because you deserve it. In a larger sense, though, we honor you for the standard of selfless service which you have set because this Nation deserves such a standard of service. You, as all your friends know, spent your time here seeding your party with responsibility. I know it must be a great satisfaction to you and your gracious lady to see the harvest now being reaped by your party in these fields of responsibility. If I were writing you a postcard instead of speaking as I am I think you would appreciate the new meaning of an old message if I would say only, "Having a wonderful time, wish you were here with us."

Senator MCCLELLAN. Thank you, LYNDON, we are so happy that you could get away from the White House dinner in time to join us and your remarks, I think, are a very fitting close and climax to the speeches we have had here this evening. My part on this program is coming to a close. Before I turn the gavel over to the cochairman, however, I should like to recognize and have her stand and take a bow—the estimable and charming lady, Mrs. Alben W. Barkley. Mrs. Barkley.

Now may I say, and I know everyone of you will join me in these sentiments, I want to say to Mrs. Biffle that every tribute paid here this evening to your illustrious husband and every sentiment we have expressed for him, you share in our thoughts equally. You have been to him a wonderful companion. You have made it possible for him to achieve his great success and to be endeared to all of us as we have expressed here tonight. I now turn the gavel back to your distinguished cochairman, J. Howard McGrath.

J. HOWARD MCGRATH. I assure you that I have made every effort to have my cochairman, Sam Pryor, take this place but he has declined. Leslie, you know that we would not have a testimonial in your honor unless we brought gifts so we have them and, briefly, I will present them to you and to Glade without remarks. First of all, let's open this up because these are very valuable gifts. On behalf of each and all who are gathered here, Les, we give you your 100th watch. And to you, Glade, we give you your 1,000th diamond. But above and, oh, yes, there is a little throw in here, Les, this is a book. You are from Arkansas, you know what a book is. It is something with a proud name on the back and a cover on each side but inside this book will be the most precious names you will ever know, at least for the next 50 years. So, once in a while when you are not at a Cafritz party or a Mesta party look through this book, read these names and remember us. Now, for all who are here and who are not here who have contributed to this dinner, I just want to announce that when the Biffles go home tonight, in their apartment there will be set up the finest yet produced color television set. This is a delicate instrument and it was thought unwise to display it here but this is the picture for all to see. As a matter of fact it is so delicate that Pryor and myself decided that we had better insure it for a year, so Les, if anything goes wrong with this machine for the next year, it is on us. After that you are on your own. These are our gifts. Don't you want to thank us for them?

LESLIE L. BIFFLE. My wonderful, wonderful friends. I am deeply, deeply touched at what you have done tonight. What an anticlimax this is going to be in the way of a speech. I am going to suggest to you something that you know already. I am as nervous as a June bride—it's true, too. I did pencil a few lines this morning. Thought I would be able to read them, but you turned out the lights on me. My good friends, I am deeply indebted to you all for this party, including the presents. I don't know how to thank you. So many have put in hours and hours—working day and night. I am very grateful. It says here, I am the happiest man in the world. I have already said the next paragraph. My 50 years in Washington. It's a long, long time in anybody's life. I arrived in the Capital City the last of November 1908. I was one of the greenest young fellows that ever arrived in the Capital; however, I know a certain fellow who was a little green when he came to Washington. I am calling no names but many of you know him. He got a job in the Senate in 1935, he studied and worked hard for 10 years, and then he was given another place. Shortly after that he was given still another place, which he held until January 1953. I think he has a job in a library out in the Middle West some place. May I tell you folks how I happened to come to Washington? In the month of May 1908, Congressman Macon came to my home town, Piggott. He was running for reelection. I went with my father down to the train to meet him. He walked up the street and the Congressman asked my father's permission for me to take him around and introduce him to the different people in our community. Well, I took him to the courthouse,

to the different stores around the square, to the cotton gin, and to the sawmill. About 3 weeks after that my father had a letter from the Congressman saying he would like to appoint me his secretary. My father accepted before he could change his mind. He was so happy about it. I borrowed some money, I think it was $60. I went to a school in Little Rock to study shorthand. I think they called it "cross-electric." I never heard of it since. In the fall my father took me to St. Louis, bought for me a new suit, cost $11, and a new hat, cost $2. He put me on the train, day coach to Cincinnati, in an upper in a sleeper from Cincinnati to Washington. Our train had to wait about 3 hours for connections from Cincinnati to Louisville. I asked the conductor if it would be all right for me to walk down the street a little piece. It was just getting dark, the street lights were on. He said, "Yes, but don't go too far." While I was out walking it started to rain. My suit got wet; my hat got wet. The next morning when I got up I had a lot of trouble getting my trousers on—(it was an upper berth) you ought to try getting your clothes on in an upper berth in the mountains—when the train is throwing you from one side to the other. I may tell you I had a little trouble getting into that upper berth. I didn't know anything about a ladder. Had never seen a pullman before. The colored man wasn't in the car at the time, so I put my foot on the arm of the lower berth and tried to get up. Couldn't make it. A fellow sitting across the aisle from me said, "Buddy, if you will wait awhile the porter will bring you a ladder," which he did and I finally made it. I must say that the Congressman was certainly nice to me. He would dictate the mail to me in the morning, would go over to the House, and come back in the afternoon to sign it. It would take him about 3 hours to correct my letters and I would have to stay until about 11 or 12 at night rewriting them. It is a wonder he didn't send me home after the first month. I remained with the Congressman until he left public life and I then went over to the Senate side where I held various positions. Finally, I became Secretary of the Senate. Let me tell you of one of the most interesting experiences I ever had. It was in January 1947. The question before the Senate was the seating of Senator Bilbo. We at that time did not have a Vice President, President Truman having gone to the White House. The man who was to be President pro tempore was a Senator-elect. His name was way down on the list to be sworn in. I had to preside, being Secretary of the Senate at that time. The galleries were crowded, the floor packed and jammed. The debate started on Bilbo. I was not permitted to call a Senator to come and relieve me when I wanted to go to lunch or do anything else, all day long, all day long. It was a long, long afternoon. If you folks could see some of the notes that I have on file that different Senators would write and send up to me. "Les, would you like me to go out and eat a little lunch for you or would you like me to do this or that?" I must say this about my dear sweet wife, Glade. She has been a tower of strength to me. She has been a little peeved at me since Christmas. I gave her a Hagerstown Almanac. There is also something about Glade. Many of you know I am cross and irritable and hard to get along with. I sometimes go home cross and say something critical to her. She doesn't say a word back. She just shuts up like a clam. If she would fight back a little I think I would feel better, but she goes right along washing dishes or sweeping the carpet or something. She has been, as I said, a tower of strength to me. I had the most efficient help when I was Secretary of the Senate—Mrs. Darling, Mrs. Kraus, Mrs. Roche, and Mrs. Tucker. They were all very able girls and they were all loyal to the cause. Guess that's a blank piece of paper. Again, I must tell you how very grateful I am to you for the wonderful things that have been said about me tonight. You have touched me beyond expression. You have made me very happy and you have made my family very happy. My two sisters are sitting here. They came up from Miami for this occasion. Thank you ever, ever so much.

J. HOWARD MCGRATH. Now the first part of our program is over. We have a beautiful entertainment program. I hope that all of you can stay to listen to it. I turn you over now to the director of music.

(Eddie Pierce presented entertainment here.)

J. HOWARD MCGRATH. I think now we have had quite a wonderful evening. The program has run a little longer than planned, but on behalf of Leslie and Glade and all of us who have had the privilege of being on this wonderful committee, I want to thank you a thousand percent. A thousand percent is the interest that we hope to make next year on the prosperity of America.

SENATE

THURSDAY, JANUARY 29, 1959

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, from all the draining duties in the valley of toil we would turn to this shrine of our spirits, here to be made aware of eternal verities and lifted out of our littleness by abiding values greater than ourselves—causes to which we would be dedicated anew with singleness of purpose.

In this dismaying era, with all its dense darkness, we are deeply grateful for the things that cannot be shaken and for guiding beacons that no winds of violence can ever blow out, for the perpetual light of truth and goodness, beauty, integrity, and love fed by Thee, the eternal God of our salvation.

In the vast difficulties fronting the makers of a just peace in this generation, restore and strengthen and sustain our souls and lead us into paths of righteousness; for Thy name's sake. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, January 28, 1959, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

SUPPORT PRICES FOR AGRICULTURAL COMMODITIES—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 59)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was referred to the Committee on Agriculture and Forestry:

To the Congress of the United States:

There are produced, in the United States, some 250 farm commodities. The law has required that prices of 12 of these be supported at prescribed minimum levels. It is this requirement, together with the level of required support, that has created our farm surplus problems. Farmers who produce cattle, hogs, poultry, fruits, vegetables, and various other products the prices of which are not supported—as well as those who produce crops the prices of which are supported at discretionary levels—have generally experienced growing markets rather than a build-up of stocks in warehouses.

Three of the twelve mandatory products (wheat, corn, and cotton) account for about 85 percent of the Federal inventory of price-supported commodities though they produce only 20 percent of the total cash farm income.

The price-support and production-control program has not worked.

1. Most of the dollars are spent on the production of a relatively few large producers.

Nearly a million and a half farms produce wheat. Ninety percent of the expenditures for price support on wheat result from production of about half of these farms—the largest ones.

Nearly a million farms produce cotton. Seventy-five percent of the expenditures for cotton price support result from production of about one-fourth of these farms—the largest ones.

For other supported crops, a similarly disproportionate share of the expenditure goes to the large producers.

For wheat, cotton, and rice producers who have allotments of 100 acres or more, the net budgetary expenditures per farm for the present fiscal year are approximately as follows: Wheat, $7,000 per farm; cotton, $10,000 per farm; rice, $10,000 per farm.

Though some presently unknown share of these expenditures will eventually be recovered through surplus disposal, the final cost of the operation will undoubtedly be impressively large.

Clearly, the existing price support program channels most of the dollars to those who store the surpluses and to relatively few producers of a few crops. It does little to help the farmers in greatest difficulty. For small operators the rural development program approach, which helps develop additional sources of income, has clearly demonstrated that it is a far better alternative.

2. The control program does not control.

Mandatory supports are at a level which so stimulates new technology and the flow of capital into production as to offset, in large part, the control effort.

Despite acreage allotments and marketing quotas, despite a large soil bank program and despite massive surplus disposal, Government investment in farm commodities will soon be at a new record high. On July 1, 1959, total Government investment in farm commodities will total $9.1 billion. Investment in commodi-

ties for which price support is mandatory will total $7.6 billion, of which $7.5 billion will consist of those crops designated by law as basic commodities: wheat, corn, cotton, rice, peanuts, and tobacco. And these stocks are increasing rather than diminishing.

We already hold such huge stocks of wheat that if not 1 bushel of the oncoming crop were harvested we would still have more than enough for domestic use, export sales, foreign donation and needed carryover for an entire year.

3. The program is excessively expensive.

When the 1958 crops have come into Government ownership, the cost, in terms of storage, interest and other charges, of managing our inventory of supported crops, for which commercial markets do not exist at the support levels, will be running at a staggering rate, in excess of a billion dollars a year. Unless fundamental changes are made, this annual cost will rise.

This sum is approximately equal to the record amount being spent in fiscal 1960 by the Federal Government on all water resource projects in the United States including power, flood control, reclamation and improvement of rivers and harbors.

During the present fiscal year, the net budgetary outlay for programs for the stabilization of farm prices and farm income will be $5.4 billion. Four and three-tenths billion dollars of this is for commodities for which price supports are mandatory. While some unpredictable part of this outlay will be recovered in later years through sales for dollars, sales for foreign currency and through barter, the cost will be great, especially when compared with the net income of all farm operators in the United States, which in 1958 was $13 billion. Budgetary expenditures primarily for the support of farm prices and farm income are now equal to about 40 percent of net farm income.

Not a bushel of wheat nor a pound of cotton presently is exported without direct cost to the Federal Treasury.

Heavy costs might be justifiable if they were temporary, if they were solving the problems of our farmers, and if they were leading to a better balance of supplies and markets. But unfortunately this is not true.

These difficulties are not to be attributed to any failure on the part of our farm people, who have done an outstanding job of producing efficiently. They have in fact responded to the price incentive as farm people—and other people—traditionally have.

Our farm families deserve programs that build markets. Instead they have programs that lose markets. This is because the overall standards for the programs that they have are outdated relationships that existed nearly half a century ago. This was before 60 percent of our present population was born.

At that time it took 106 man-hours to grow and harvest 100 bushels of wheat. In recent years it has taken not 106 but 22. Since then the yield of wheat has doubled. Similar dramatic changes have occurred for other crops.

It is small wonder that a program developed many years ago to meet the problems of depression and war is ill-adapted to a time of prosperity, peace, and revolutionary changes in production.

The need to reduce the incentives for excess production has been explicit in the three special messages on agriculture which I have previously sent to the Congress. The point has repeatedly been made by the Secretary of Agriculture in his testimony and in his statements to the Congress. The Congress has moved in the right direction but by an insufficient amount. There has been a general tendency to underestimate the pace at which farm technology has been moving forward. Hence there has been a tendency to underestimate the production-inducing effect of the prescribed minimum price support levels.

RECOMMENDATION

I recommend that prices for those commodities subject to mandatory supports be related to a percentage of the average market price during the immediately preceding years. The appropriate percentage of the average market price should be discretionary with the Secretary of Agriculture at a level not less than 75 and not more than 90 percent of such average in accordance with the general guidelines set forth in the law. Growers of corn, our most valuable crop, have already chosen, by referendum vote, program changes which include supports based on such an average of market prices.

If, despite the onrush of science in agriculture, resulting in dramatic increases in yields per acre, the Congress still prefers to relate price supports to existing standards, the Secretary should be given discretion to establish the level in accordance with the guidelines now fixed by law for all commodities except those for which supports presently are mandatory.

Either of these changes would be constructive. The effect of either would be to reconcile the farm program with the facts of modern agriculture, to reduce the incentive for unrealistic production, to move in the direction of easing production controls, to permit the growth of commercial markets and to cut the cost of Federal programs.

As we move to realistic farm programs, we must continue our vigorous efforts further to expand markets and find additional outlets for our farm products, both at home and abroad. In these efforts, there is an immediate and direct bearing on the cause of world peace. Food can be a powerful instrument for all the free world in building a durable peace. We and other surplus-producing nations must do our very best to make the fullest constructive use of our abundance of agricultural products to this end. These past 4 years our special export programs have provided friendly food-deficit nations with $4 billion worth of farm products that we have in abundance. I am setting steps in motion to explore anew with other surplus-producing nations all practical means of utilizing the various agricultural surpluses of each in the interest of reinforcing peace and the well-being of friendly peoples throughout the world—in short, using food for peace.

Certain details regarding the needed changes in law, particularly with reference to wheat, are appended to this message in the form of a memorandum to me from the Secretary of Agriculture.

Difficulties of the present program should not drive us to programs which would involve us in even greater trouble. I refer to direct payment programs, which could soon make virtually all farm people dependent, for a large share of their income, upon annual appropriations from the Federal Treasury. I refer also to various multiple-price programs, which would tax the American consumer so as to permit sale for feed and export at lower prices.

To assist the Congress in discharging its responsibility, the administration stands ready, as always, to provide the appropriate committees with studies, factual data and judgments. Continuation of the price support and production control programs in their present form would be intolerable.

I urge the Congress to deal promptly with this problem.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *January 29, 1959.*

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule there will be the usual morning hour for the introduction of bills, the submission of petitions and memorials, and the transaction of other routine business. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. CHAVEZ, from the Committee on Public Works:

Maj. Gen. Keith R. Barney, U.S. Army, to be a member of the Mississippi River Commission.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the calendar will be stated.

DEPARTMENT OF THE TREASURY

The Chief Clerk read the nomination of T. Graydon Upton, of Pennsylvania, to be an Assistant Secretary of the Treasury.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

COMPTROLLER OF CUSTOMS

The Chief Clerk read the nomination of Donald A. Maginnis, Jr., of Louisiana, to be Comptroller of Customs, with headquarters at New Orleans, La., for a term of 4 years.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

COMMISSIONER OF INTERNAL REVENUE

The Chief Clerk read the nomination of Dana Latham, of California, to be Commissioner of Internal Revenue.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

The Chief Clerk read the nomination of William L. Mitchell, of the District of Columbia, to be Commissioner of Social Security of the Department of Health, Education, and Welfare.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

U.S. COAST GUARD

The Chief Clerk proceeded to read sundry nominations in the U.S. Coast Guard.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

COAST AND GEODETIC SURVEY

The Chief Clerk proceeded to read sundry nominations in the Coast and Geodetic Survey.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letter, which were referred as indicated:

REVOLVING FUND FOR CERTAIN LOANS BY SECRETARY OF AGRICULTURE

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to provide a revolving fund for certain loans by the Secretary of Agriculture, for improved budget and accounting procedures, and for other purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

REPORT ON DEVELOPMENT OF INSTALLATIONS AND FACILITIES FOR ADVANCED RESEARCH PROJECTS

A secret letter from the Secretary of Defense, reporting, pursuant to law, on the development of installations and facilities for advanced research projects, for the semiannual period ended December 31, 1958; to the Committee on Armed Services.

REPORT ON VOLUNTARY HOME MORTGAGE CREDIT PROGRAM

A letter from the Administrator, Housing and Home Finance Agency, transmitting, pursuant to law, the Fourth Annual Report of the Voluntary Home Mortgage Credit Program, for the period August 2, 1954, through December 31, 1957 (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF BOARD OF COMMISSIONERS, DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting, pursuant to law, a report of that Board, for the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on the District of Columbia.

BALANCE SHEET OF POTOMAC ELECTRIC POWER CO.

A letter from the president, Potomac Electric Power Co., Washington, D.C., transmiting, pursuant to law, a balance sheet of that company, as of December 31, 1958 (with accompanying papers); to the Committee on the District of Columbia.

AMENDMENT OF MINERAL LEASING ACT OF 1920, RELATING TO DIVISION OF OIL AND GAS LEASEHOLDS

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to amend section 30(a) of the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C., sec. 187a), to prevent the undesirable division of oil and gas leaseholds (with an accompanying paper); to the Committee on Interior and Insular Affairs.

PROPOSED CONCESSION CONTRACT, HOT SPRINGS NATIONAL PARK, ARK.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract in Hot Springs National Park, Ark. (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT OF FEDERAL POWER COMMISSION

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for fiscal year July 1, 1957, to June 30, 1958 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the Board of Supervisors of the County of Kauai, T.H., favoring the enactment of legislation to grant statehood to Hawaii; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Board of Directors of the Hot Springs, S. Dak., Chamber of Commerce, relating to the closing of the low-power booster station necessary for television reception in the city of Hot Springs; to the Committee on Interstate and Foreign Commerce.

RESOLUTION OF GENERAL ASSEMBLY OF RHODE ISLAND

Mr. PASTORE. Mr. President, on behalf of myself and the senior Senator from Rhode Island [Mr. GREEN] I present for appropriate reference, and ask to have printed in the RECORD a resolution of the General Assembly of the State of Rhode Island memorializing the Congress of the United States to enact legislation to incorporate the principle of reinsurance as a means of enabling the Federal Government to assume its proper responsibilities in equalizing the burden of financing the employment security program. The language of the resolution is comprehensive and speaks for itself.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the RECORD.

The resolution was referred to the Committee on Finance, as follows:

RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION TO INCORPORATE THE PRINCIPLE OF REINSURANCE AS A MEANS OF ENABLING THE FEDERAL GOVERNMENT TO ASSUME ITS PROPER RESPONSIBILITY IN EQUALIZING THE BURDEN OF FINANCING THE EMPLOYMENT SECURITY PROGRAM

Whereas experience has shown that certain highly industrialized areas of the country are the first to suffer the results of unemployment due to recessions in the economy; and

Whereas Rhode Island has few natural resources and is dependent on manufacturing industries; and

Whereas the economy of such industrialized areas depends upon a demand for its manufactured products which is far beyond a single State's border to contain and control; and

Whereas these and most causes of unemployment are national in scope; and

Whereas the effects of unemployment fall unevenly upon the highly industrialized States, of which Rhode Island is one; and

Whereas this results in a severe drain on the Rhode Island employment security fund, placing this State in an unfavorable competitive position with other States not so severely affected: Now, therefore, be it

Resolved, That the General Assembly of the State of Rhode Island hereby urges the Congress of the United States to enact legislation which would incorporate the principle of reinsurance as a means of enabling the Federal Government to assume its proper responsibility in financing in part the employment security program and thereby equalizing the tax burden among the States; and be it further

Resolved, That duly certified copies of this resolution be transmitted forthwith by the secretary of state to the Vice President of the United States, to the Speaker of the House of Representatives of the United States and to each of the Senators and Representatives from the State of Rhode Island in the Congress of the United States, earnestly requesting that each use his best efforts to enact legislation which would carry out the purposes of this resolution.

The VICE PRESIDENT laid before the Senate a resolution of the General Assembly of Rhode Island, identical with the foregoing, which was referred to the Committee on Finance.

RESOLUTION URGING WITHDRAWAL OF RECOGNITION OF U.N. REPRESENTATIVES OF CURRENT HUNGARIAN REGIME

Mr. WILEY. Mr. President, today I have received from Mr. James Ircink, president, and Mr. Harold W. Grenell, chairman of the legislative committee, a resolution passed by the Archbishop Albert G. Meyer, deanery council No. 2 of the Milwaukee Archdiocesan Council of Catholic Men. The resolution is in relation to the withdrawal of recognition of United Nations representatives of the current Hungarian regime. I ask unanimous consent that the resolution be printed at this point in the RECORD, following my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION REGARDING WITHDRAWAL OF RECOGNITION OF U.N. REPRESENTATIVES OF CURRENT HUNGARIAN REGIME

The imminent discussion of the Hungarian problem by the U.N. General Assembly prompts the executive committee of the National Council of Catholic Men, on behalf of the 9 million members of its affiliated organizations, to approve unanimously the following policy resolution:

In view of the fact: (1) That the present government of Hungary has been imposed on the Hungarian people by the military forces of the U.S.S.R.;

(2) That the U.N. General Assembly by resolution has declared Hungary to have been deprived of its liberty and political independence, and the people of their human rights, through the armed intervention of the U.S.S.R.;

(3) That true freedom of religion is nonexistent, and in its place the Hungarian puppet government has adopted a policy of terroristic suppression and persecution symbolized by the primate of Hungary, His Eminence Josef Cardinal Mindszenty who, were it not for the refuge that has been accorded him by the U.S. Government, would have been imprisoned or executed;

(4) That further indecision on the part of the General Assembly in the face of the defiance by Hungary and the U.S.S.R. of its many previous resolutions calling for the withdrawal of Soviet troops and the cessation of persecution of the Hungarian people will cause world opinion to turn against the U.N.—

The National Council of Catholic Men importunes the General Assembly to immediately and overwhelmingly vote to reject the credentials of the representatives of the present Hungarian Government.

COMPREHENSIVE STUDY OF PROBLEMS OF THE AGED—REPORT OF A COMMITTEE

Mr. HILL, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 65) authorizing a comprehensive study of problems of the aged, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by Rule XXV of the Standing Rules of the Senate to examine, investigate, and make a complete study of any and all matters pertaining to the problems of the aging including, but not limited to, (a) a study of the major problems of the aged, (b) a study of the existing programs of agencies, both public and private, dealing with problems of the aged, (c) a study of the present role of the Federal Government in dealing with problems of the aged, and (d) a study of any additional Federal programs which should be undertaken to help solve the problems of the aged.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $85,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF NATIONAL LABOR AND LABOR-MANAGEMENT RELATIONS ACTS—REPORT OF A COMMITTEE

Mr. HILL, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 66) authorizing a study of the National Labor and Labor-Management Relations Acts, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, is authorized and directed under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study of the provisions of the National Labor Relations Act and the Labor-Management Relations Act, 1947 with a view to ascertaining the extent to which changes in such acts are desirable.

SEC. 2. For the purposes of this resolution the committee, from the date on which this resolution is agreed to to July 1, 1959, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than June 1, 1959.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $20,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MAGNUSON (for himself, Mr. ENGLE, Mr. JACKSON, Mr. NEUBERGER, and Mr. MORSE):

S. 760. A bill to amend the Longshoremen's and Harbor Workers' Compensation Act, so as to provide that an injured employee shall have the right to select his own physician, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. JOHNSTON of South Carolina (by request):

S. 761. A bill to amend the Civil Service Retirement Act to provide for retirement under certain conditions of persons serving as firefighters; to the Committee on Post Office and Civil Service.

By Mr. PASTORE:

S. 762. A bill for the relief of Manuel Alves DeCarvalho; to the Committee on the Judiciary.

By Mr. PASTORE (for himself and Mr. GREEN):

S. 763. A bill to extend the application of the Classification Act of 1949 to certain positions in, and employees of, the executive branch of the Government; to the Committee on Post Office and Civil Service.

By Mr. WILEY (for himself, Mr. ALLOTT, Mr. BENNETT, Mr. CAPEHART, Mr. CASE of South Dakota, Mr. GREEN, Mr. HOLLAND, Mr. HUMPHREY, Mr. JAVITS, Mr. MAGNUSON, Mr. SPARKMAN, Mr. STENNIS, Mr. ENGLE, and Mr. YARBOROUGH):

S. 764. A bill to provide for continuity and support of study, research and development of programs for peaceful uses in science, commerce, and other activities related to Antarctica, which shall include, but shall not be limited to gathering, evaluating, correlating, and dispersing of information and knowledge obtained from exploration, research, and other media relating to weather, communications, travel, and other areas of information; also to coordinate Antarctic activities among those agencies of the U.S. Government and private institutions interested in or concerned directly with the promotion, advancement, increase, and diffusion of knowledge of the Antarctic; and to direct and administer U.S. Antarctic programs in the national interest; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. WILEY when he introduced the above bill, which appear under a separate heading.)

By Mr. HENNINGS (for himself, Mr. KEFAUVER, Mr. CARROLL, and Mr. LANGER):

S. 765. A bill to provide for assistance to States and institutions of higher learning for demonstrating or developing improved techniques and practices for the diminution, control, and treatment of juvenile delinquency; and

S. 766. A bill to provide for assistance to and cooperation with States and institutions of higher learning for the training of qualified personnel for work in various fields involving the prevention, treatment, and control of juvenile delinquency; to the Committee on Labor and Public Welfare.

By Mr. McNAMARA:

S. 767. A bill to repeal section 9(h) of the National Labor Relations Act, as amended, relating to non-Communist affidavits;

S. 768. A bill to amend the National Labor Relations Act in order to permit supervisors to be considered as employees under the provisions of such act, and for other purposes; and

S. 769. A bill to amend section 14(b) of the National Labor Relations Act so as to protect

the rights of employees and employers, in industries affecting commerce, to enter into union shop agreements; to the Committee on Labor and Public Welfare.

By Mr. JAVITS:

S. 770. A bill for the relief of Feiga Altmann Rock; to the Committee on the Judiciary.

By Mr. SPARKMAN:

S. 771. A bill to provide that certain officers of the uniformed services who have been retired for disability incurred in line of duty, and who hold civilian office or employment with the United States, may receive retired pay and civilian pay totaling $3,000; to the Committee on Post Office and Civil Service.

By Mr. HILL (for himself, Mr. AIKEN, Mr. BEALL, Mr. COOPER, Mr. FULBRIGHT, Mr. HUMPHREY, Mr. JACKSON, Mr. JAVITS, Mr. KENNEDY, Mr. KUCHEL, Mr. MCNAMARA, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MONRONEY, Mr. MURRAY, Mr. PASTORE, and Mr. SPARKMAN):

S. 772. A bill to provide evaluation of rehabilitation potentials and rehabilitation services to handicapped individuals who as a result thereof can achieve such ability of independent living as to dispense with the need for expensive institutional care or who can dispense with or largely dispense with the need of an attendant at home; to assist in the establishment of public and private nonprofit workshops and rehabilitation facilities; and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HILL when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON:

S. 773. A bill to amend the Internal Revenue Code of 1954 so as to allow a deduction for expenses paid by a taxpayer in obtaining a higher education or in providing a higher education for his spouse or children; and

S. 774. A bill to extend to fishermen the same treatment accorded farmers in relation to estimated income tax; to the Committee on Finance.

By Mr. DODD:

S. 775. A bill to amend the Internal Revenue Code of 1954 so as to allow an additional income exemption of $1,200 for an individual who is a student at an institution of higher education; to the Committee on Finance.

(See the remarks of Mr. DODD when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN (for Mr. BUTLER):

S. 776. A bill to authorize the Federal Government to guard strategic defense facilities against individuals believed to be disposed to commit acts of sabotage, espionage, or other subversion; to the Committee on the Judiciary.

(See the remarks of Mr. DIRKSEN when he introduced the above bill, which appear under a separate heading.)

By Mr. LANGER:

S. 777. A bill providing for the retroactive payment of old-age insurance benefits under title II of the Social Security Act to farmers who retire after having attained more than 65 years of age;

S. 778. A bill to amend title II of the Social Security Act to reduce from 6 to 3 months the period during which disabled persons must wait before becoming entitled to disability insurance benefits under such title; and

S. 779. A bill to exempt allowances received by members of State legislatures from Federal income tax; to the Committee on Finance.

S. 780. A bill to provide for cancellation of certain feed and seed loans; to the Committee on Agriculture and Forestry.

S. 781. A bill to provide for the redistricting of the judicial district of North Dakota, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. LANGER when he introduced the first two above-mentioned bills, which appear under a separate heading.)

By Mr. LANGER (for himself and Mr. YOUNG of North Dakota):

S. 782. A bill to remove wheat for seeding purposes which has been treated with poisonous substances from the "unfit for human consumption" category for the purposes of section 22 of the Agricultural Adjustment Act of 1933; and

S. 783. A bill to authorize the conveyance to the former owners of mineral interests in certain submarginal lands acquired by the United States in the States of North Dakota, South Dakota, Colorado, and Montana; to the Committee on Agriculture and Forestry.

S. 784. A bill to provide for the establishment of the Geographic Center of the North American Continent National Monument; to the Committee on Interior and Insular Affairs.

S. 785. A bill to provide for payment of an annuity to widows of judges; and

S. 786. A bill for the relief of the Kensal School District, North Dakota; to the Committee on the Judiciary.

S. 787. A bill to authorize the Secretary of Health, Education, and Welfare to pay a certain sum for school construction under the provisions of Public Law 815, 81st Congress, to Underwood School District No. 8, Underwood, N. Dak.; to the Committee on Labor and Public Welfare.

S. 788. A bill to provide overtime pay for service of postal employees on Saturdays and Sundays during month of December; and

S. 789. A bill to increase the equipment maintenance allowance for rural carriers; to the Committee on Post Office and Civil Service.

S. 790. A bill to provide for a preliminary examination and survey of the Missouri River between Garrison Dam in North Dakota and Sioux City, Iowa, for the purpose of determining the advisability of improving such river for navigation between such points; to the Committee on Public Works.

By Mr. KENNEDY (for himself, Mr. MCCARTHY, Mr. CASE of New Jersey, Mr. BARTLETT, Mr. BEALL, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CHAVEZ, Mr. CHURCH, Mr. CLARK, Mr. DODD, Mr. DOUGLAS, Mr. ENGLE, Mr. GREEN, Mr. GRUENING, Mr. HART, Mr. HUMPHREY, Mr. JACKSON, Mr. JAVITS, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MCGEE, Mr. MCNAMARA, Mr. MORSE, Mr. MURRAY, Mr. MUSKIE, Mr. NEUBERGER, Mr. PASTORE, Mr. PROXMIRE, Mr. RANDOLPH, Mr. SYMINGTON, Mr. WILLIAMS of New Jersey, and Mr. YOUNG of Ohio):

S. 791. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. KENNEDY when he introduced the above bill, which appear under a separate heading.)

By Mr. KEFAUVER:

S. 792. A bill for the relief of John H. Smith; to the Committee on Armed Services.

By Mr. KEFAUVER (for himself and Mr. GORE):

S. 793. A bill to amend title 23 of the United States Code in order to increase the amount authorized for bridges over Federal dams; to the Committee on Public Works.

By Mr. FULBRIGHT:

S. 794. A bill to amend the Internal Revenue Code of 1954 so as to allow a taxpayer to deduct certain expenses incurred by him in obtaining a higher education; and

S. 795. A bill to allow additional income tax exemptions for a taxpayer or a spouse, or a dependent child under 23 years of age, who is a full-time student at an educational institution above the secondary level; to the Committee on Finance.

(See the remarks of Mr. FULBRIGHT when he introduced the above bills, which appear under a separate heading.)

By Mr. GREEN:

S. 796. A bill for the relief of Robert D. Joyce, of Middletown, R.I.; to the Committee on the Judiciary.

By Mr. LANGER:

S. 797. A bill to amend the Internal Revenue Code of 1954 so as to prohibit the allowance as a business deduction of expenses incurred by electric power companies in propagandizing against Federal electric power policies and rural electric cooperatives; to the Committee on Finance.

S. 798. A bill to amend the Federal Power Act so as to prohibit the Federal Power Commission, in exercising their ratemaking power with respect to the transmission and sale of electric energy subject to its jurisdiction, from treating as operating expenses those expenses incurred by electric utilities in propagandizing against Federal power policies and rural electric cooperatives; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. LANGER when he introduced the above bills, which appear under a separate heading.)

By Mr. LANGER (for himself and Mr. YOUNG of North Dakota):

S. 799. A bill to increase the annual income limitations governing the payment of pension to certain veterans and their dependents; to the Committee on Finance.

By Mr. GREEN:

S. 800. A bill to provide for the payment of certain amounts of compensation to officers who were found under the provisions of the Army and Air Force Vitalization and Retirement Equalization Act of 1948 to have been removed from the active list of the Army without justification and who were subsequently restored to the active list; to the Committee on Armed Services.

By Mr. BEALL:

S. 801. A bill to authorize the Board of Commissioners of the District of Columbia to buy tickets from certain common carriers operating in the District of Columbia and to sell these tickets at reduced prices to schoolchildren;

S. 802. A bill to amend the act of May 29, 1930, in order to increase the authorization for funds for the extension of certain projects from the District of Columbia into the State of Maryland, and for other purposes; and

S. 803. A bill to amend the act of August 9, 1955, relating to the regulation of fares for the transportation of schoolchildren in the District of Columbia; to the Committee on the District of Columbia.

S. 804. A bill for the relief of Mihail Zanakis; to the Committee on the Judiciary.

By Mr. HUMPHREY (for himself and Mr. MCCARTHY):

S. 805. A bill to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works; to establish the Office of Water Pollution Control; and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY (for himself, Mr. ANDERSON, Mr. CHAVEZ, Mr. HENNINGS, Mr. MORSE, Mr. NEUBERGER, and Mr. SYMINGTON):

S. 806. A bill to protect the travel rights of persons owing allegiance to the United States and to govern the issuance of passports; to the Committee on Foreign Relations.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY:

S. 807. A bill to permit the remains of the late Michael Joseph Doody to remain buried in the Fort Snelling National Cemetery, Minn.; to the Committee on Interior and Insular Affairs.

By Mr. HAYDEN (for himself and Mr. GOLDWATER):

S. 808. A bill to amend section 1 of the act of June 25, 1948 (62 Stat. 915; 28 U.S.C. 641), as amended, to provide for appointment of a U.S. Commissioner for Grand Canyon National Park; to the Committee on the Judiciary.

By Mr. CAPEHART:

S. 809. A bill for the relief of Gene Maurice Haguenauer; to the Committee on the Judiciary.

By Mr. DOUGLAS (for himself, Mr. HUMPHREY, Mr. HENNINGS, Mr. CASE of New Jersey, Mr. MORSE, Mr. CLARK, Mr. ALLOTT, Mr. NEUBERGER, Mr. MCNAMARA, Mr. JAVITS, Mr. PROXMIRE, Mr. BEALL, Mr. PASTORE, Mr. CARROLL, Mr. HART, Mr. MCCARTHY, and Mr. DODD):

S. 810. A bill to effectuate and enforce the constitutional right to the equal protection of the laws, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. DOUGLAS when he introduced the above bill, which appear under a separate heading.)

By Mr. MURRAY (for himself, Mr. CANNON, Mr. CLARK, Mr. HUMPHREY, Mr. KEFAUVER, Mr. MANSFIELD, Mr. MCCARTHY, Mr. MOSS, and Mr. PROXMIRE):

S. 811. A bill relating to certain inspections and investigations in metallic and nonmetallic mines and quarries (excluding coal and lignite mines) for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. HUMPHREY (for himself, Mr. MURRAY, Mr. BYRD of West Virginia, Mr. CHURCH, Mr. GRUENING, Mr. HART, Mr. HENNINGS, Mr. JACKSON, Mr. JAVITS, Mr. JOHNSTON of South Carolina, Mr. LANGER, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MCCARTHY, Mr. MORSE, Mr. MOSS, Mr. NEUBERGER, Mr. PROXMIRE, Mr. RANDOLPH, and Mr. YARBOROUGH):

S. 812. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. THURMOND:

S. 813. A bill to establish qualifications for persons appointed to the Supreme Court; to the Committee on the Judiciary.

S. 814. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to prevent the allocation of procurement contracts to certain designated geographical areas, and for other purposes; to the Committee on Government Operations.

By Mr. THURMOND (for himself and Mr. KUCHEL):

S. 815. A bill to eliminate claims of immunity from State and local taxes based on contracts with the United States or its agencies or instrumentalities; to the Committee on Government Operations.

By Mr. PROXMIRE:

S. 816. A bill to provide financial assistance to the States for educational purposes by returning to the States a portion of the Federal income taxes collected therein; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. PROXMIRE when he introduced the above bill, which appear under a separate heading.)

By Mr. LANGER:

S. 817. A bill for the relief of Freda Feller; to the Committee on the Judiciary.

By Mr. CLARK (for himself and Mr. SCOTT):

S. 818. A bill to provide for the appointment of three additional district judges for the eastern district of Pennsylvania and two additional judges for the western district of Pennsylvania; to the Committee on the Judiciary.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY (for himself and Mr. CLARK):

S. 819. A bill to amend the National Defense Education Act of 1958 in order to repeal certain provisions requiring affidavits of loyalty and allegiance; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. KENNEDY when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK:

S. 820. A bill for the relief of Clifford Norman McLeod (also known as Clifford MacLloyd, Clifford McLloyd, and Clifford Lloyd); to the Committee on the Judiciary.

By Mr. MANSFIELD:

S.J. Res. 36. Joint resolution proposing an amendment to the Constitution of the United States providing that the term of office of Members of the House of Representatives shall be 4 years; to the Committee on the Judiciary.

(See the remarks of Mr. MANSFIELD when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. HICKENLOOPER:

S.J. Res. 37. Joint resolution to permit the use of food for peace; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. HICKENLOOPER when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. DIRKSEN:

S.J. Res. 38. Joint resolution authorizing the President of the United States to proclaim the period from February 8, 1959, to February 14, 1959, as National Negro History Week; to the Committee on the Judiciary.

By Mr. KEFAUVER:

S.J. Res. 39. Joint resolution to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives; to the Committee on the Judiciary.

By Mr. KEFAUVER (for himself, Mr. DIRKSEN, and Mr. HENNINGS):

S.J. Res. 40. Joint resolution proposing an amendment to the Constitution of the United States relating to cases where the President is unable to discharge the powers and duties of his office; to the Committee on the Judiciary.

(See the remarks of Mr. KEFAUVER when he introduced the above joint resolutions, which appear under separate headings.)

USE OF AMERICAN FOOD AS PART OF FOREIGN ASSISTANCE PROGRAM

Mr. HUMPHREY. Mr. President, I submit for appropriate reference on behalf of myself, the Senator from Georgia [Mr. TALMADGE], and the Senator from Wisconsin [Mr. PROXMIRE], a concurrent resolution which should be basic to any farm legislation passed by this body in this session.

It is fitting that today, when the Congress has once again been presented with a Presidential message which forebodes only despair for the producers of agricultural abundance, we should place the American farmer in his true perspective.

In every other country in the world, a flowing abundance of food and fiber would be considered the great treasure that it truly is. And in our hearts we here do so consider it. Therefore, in order to reach our goal of the maximum good to be derived from the use of this wealth, we need to state clearly some guidelines. This concurrent resolution embodies such guidelines and states that the intent of Congress is to resolve the paradox of American agricultural surpluses existing in a hungry world. A similar resolution is being introduced concurrently in the House of Representatives by the Representative from South Dakota [Mr. MCGOVERN].

It is our hope that by following these guidelines, we will develop legislation in this session that will implement this intent of Congress.

I ask unanimous consent that the text of the concurrent resolution be printed at this point in the RECORD.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The concurrent resolution will be received and appropriately referred; and, under the rule, will be printed in the RECORD.

The concurrent resolution (S. Con. Res. 8) was referred to the Committee on Foreign Relations, as follows:

Whereas the abundance of food and fiber produced by the American farmer is the marvel of the world; and

Whereas most of the people of the world are undernourished; and

Whereas the American people historically have been concerned with the well-being of other peoples; and

Whereas in many Nations of the free world vital economic development programs are retarded and political stability is threatened by an inadequate supply of food; and

Whereas the remarkable bounty of the free American farmer has resulted in accumulations of farm commodities for which there is insufficient domestic demand; and

Whereas the Congress seeks to reduce unnecessary expenditures, including, where possible, those for commodity storage and for foreign assistance; and

Whereas the Soviet bloc has publicly challenged the United States and her allies to economic competition in demonstrating before the world the viability of their respective economic systems: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that an agricultural abundance is one of America's greatest assets for raising living standards and promoting peace and stability in the free world; and that Congress favors action to resolve the paradox of American agricultural surpluses and world food needs by more fully utilizing the resources of the American farmer as an integral part of the United States' foreign assistance program.

SEC. 2. This concurrent resolution may be cited as the "Food for Peace Resolution."

RESOLUTIONS

The following resolutions were reported or submitted and referred as indicated:

Mr. HILL, from the Committee on Labor and Public Welfare, reported an original

resolution (S. Res. 65), which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full where it appears under the heading "Reports of Committees.")

Mr. HILL, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 66), which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full where it appears under the heading "Reports of Committees.")

STUDY TO DETERMINE WHETHER CIVIL DEFENSE PROGRAM MAY BE FURTHERED BY ASSISTANCE FROM RESERVE COMPONENTS OF ARMED FORCES

Mr. CURTIS (for himself and Mr. HRUSKA) submitted the following resolution (S. Res. 67), which was referred to the Committee on Armed Services:

Whereas a nuclear attack upon the United States would place upon the existing civil defense organization responsibilities far in excess of the capabilities of their present manpower and resources;

Whereas there is a need for a large reservoir of trained and disciplined personnel to provide for the needs of the civilian population in the event of such an emergency;

Whereas such a reservoir is available in the form of the reserve components of our Armed Forces, among the members of which are persons, many of whom are experienced in conditions of actual warfare, trained in transportation, communication, food supply, first aid, and other essential skills; and

Whereas the Reserve Officers Association of the United States, at its 32d annual convention on June 27, 1958, adopted a resolution urging that a study be made of ways and means of employing, under such conditions as may be found feasible, the skills and experience of active, standby, and retired members of the reserve components of the Armed Forces in formulating a practical plan for civil defense: Therefore be it

Resolved, That the Committee on Armed Services, or any duly authorized subcommittee thereof, is authorized and directed under section 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study with a view to developing a plan for organizing and utilizing the manpower and resources of the various reserve components of the Armed Forces of the United States in carrying out the civil defense program in the event of an armed attack.

SEC. 2. The committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date.

THE BYRD ANTARCTIC COMMISSION

Mr. WILEY. Mr. President, I introduce, for appropriate reference, a bill to establish an Antarctic Commission. In proposing this legislation, I am happy to include as cosponsors the following Senators: Mr. ALLOTT, Mr. BENNETT, Mr. CAPEHART, Mr. CASE of South Dakota, Mr. GREEN, Mr. HOLLAND, Mr. HUMPHREY, Mr. JAVITS, Mr. MAGNUSON, Mr. MANSFIELD, Mr. SALTONSTALL, Mr. STENNIS, Mr. ENGLE, and Mr. YARBOROUGH.

The proposed Commission would be named the "Richard E. Byrd Antarctic Commission," in honor of the great explorer whose name symbolizes man's search into the unknown, man's courage in the face of the elements, man's devotion to duty.

The Commission itself would be composed of a Director, two Deputy Directors, and an 11-member board of governors—all to be appointed by the President, with the advice and consent of the Senate.

The proposed legislation would establish a Commission for the following major purposes:

First. To collect, consolidate, and better utilize the available data on the South Polar region;

Second. Reevaluate this data in the light of current needs, and, so far as possible, make recommendations for clearer, more effective policies;

Third. Conduct field and laboratory studies to further knowledge of science, commerce,and related activities;

Fourth. Be prepared to conduct research, investigation, and experimentation in Antarctic matters relating to the national defense or other interests of the United States;

Fifth. Assist, and, as necessary, direct plans by other U.S. agencies for operations or expeditions into the Antarctic, for military, scientific, or other purposes;

Sixth. Establish a depository of information relating to the Antarctic.

There is a generally recognized need for better protecting U.S. interests, and establishing and maintaining rights in Antarctica. Unfortunately, until now, this has been a scattered and sporadic effort—a kind of off-again, on-again policy. Approximately 14 different Government agencies have participated in or have expressed interest in the region. However, there has been practically no coordination of these scattered interests. As a result, we have had—at best—a hazy policy.

The aim of the proposed legislation is to promote a more effective policy and to better protect U.S. interests in the Antarctic.

To accommodate additional Senators who may wish to join as sponsors of this bill, I request unanimous consent that it be privileged to lie on the table until the end of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILEY. In addition, I ask unanimous consent to have the bill itself and an accompanying statement on the background of Antarctica printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and statement will be printed in the RECORD.

The bill (S. 764) to provide for continuity and support of study, research and development of programs for peaceful uses in science, commerce, and other activities related to Antarctica, which shall include, but shall not be limited to gathering, evaluating, correlating, and dispersing of information and knowledge obtained from exploration, research, and other media relating to weather, communications, travel, and other areas of information; also to coordinate Antarctic activities among those agencies of the U.S. Government and private institutions interested in or concerned directly with the promotion, advancement, increase, and diffusion of knowledge of the Antarctic; and to direct and administer U.S. Antarctic programs in the national interest, introduced by Mr. WILEY (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Richard E. Byrd Antarctic Commission Act of 1959".

DEFINITIONS

SEC. 2. When used in this Act:

(1) "Commission" means the Richard E. Byrd Antarctic Commission.

(2) "Director" means the Director of the Commission.

(3) "Board" means the Board of Governors.

(4) "Commissioned officer" means a commissioned officer of the Armed Forces of the United States.

THE COMMISSION

SEC. 3. There is established in the Executive Branch of the Government, the Richard E. Byrd Antarctic Commission. The Commission shall consist of a Director, two Deputy Directors, and a Board of Governors.

FUNCTIONS OF THE COMMISSION

SEC. 4. The Commission shall—

(1) maintain a depository of information relating to the Antarctic including: (A) all records of the Commission, (B) originals or copies of records within the Executive Branch relating to the Antarctic, (C) books, pamphlets, periodicals, and articles dealing with the Antarctic, and (D) such other information as the Commission considers desirable;

(2) conduct such field and laboratory studies and evaluations as it considers advisable to further the knowledge of the Antarctic in science, commerce, and related activities, which shall include, but shall not be limited to gathering, evaluating, and dispersing of information and knowledge obtained from exploration, research, and other media, relating to weather, communications, travel, and other areas of information;

(3) publish or arrange for the publication of scientific, technical, historical, and general information so as to further the dissemination of information about the Antarctic, when the dissemination is consistent with the interests of national security and the public interest (publication may be made without regard to section 87 of the Act of January 12, 1895, ch. 23 (28 Stat. 622), and section 11 of the Act of March 1, 1919, ch. 86 (40 Stat. 1270; 44 U.S.C. 111));

(4) with the concurrence and approval of the Board, perform, at the request of the head of any executive agency, specific research, investigation, or experimentation in connection with matters relating to the national defense and/or the interests of the United States;

(5) approve the plans for and supervise Antarctic operations or expeditions conducted by, or supported by, other agencies of the United States except for operations or expeditions or parts thereof which are military in character;

(6) assist private Antarctic expeditions or research programs when such assistance is in the best interests of the United States;

(7) accept and utilize the services of voluntary and uncompensated personnel and provide transportation and subsistence as authorized by section 5 of the Act of August

2, 1946, chapter 744 (60 Stat. 808), as amended (5 U.S.C. 73b–2), for persons serving without compensation; and

(8) acquire by purchase, lease, loan, or gift, and hold or dispose of by sale, lease, or loan, real or personal property necessary for, or resulting from, the exercise of authority under this Act;

(9) receive and use funds donated to the Commission if such funds are donated without restriction other than that they be used to carry out the general purposes of this Act;

(10) report to the President before September 16 of each year, summarizing the activities of the Commission and making such recommendations as it considers appropriate. The report shall include the recommendation of the Board.

THE DIRECTOR OF THE COMMISSION

SEC. 5. (a) The Director shall be appointed by the President, by and with the advice and consent of the Senate, for a period of 6 years and shall be paid at the rate prescribed in section 107(a) of the Federal Executive Pay Act, 1956 (70 Stat.). He may be a person appointed from civilian life or a commissioned officer in an active or retired status.

(b) The Director shall—

(1) manage the affairs of the Commission;

(2) issue such regulations as he considers necessary to carry out this act; and

(3) appoint and fix the compensation of such personnel as may be necessary to carry out this act;

(4) be a member of the board of governors ex officio.

(c) The appointments made and the compensation fixed shall be in accordance with the Classification Act of 1949 and the regulations of the Civil Service Commission. However, the Director may employ such technical and professional personnel, and fix their compensation, as he considers necessary, without regard to the Classification Act of 1949 or the regulations of the Civil Service Commission. The Director may terminate the employment of any officers or employees, except the Deputy Directors, whenever he considers that termination to be in the best interests of the United States, except that no person in the classified service may be removed or suspended without pay unless it is accomplished under the act of August 24, 1912 (ch. 389, 37 Stat. 555), as amended (5 U.S.C. 652).

DEPUTY DIRECTORS

SEC. 6. (a) The Deputy Directors shall be appointed by the President, by and with the advice and consent of the Senate, and shall perform such duties as he may prescribe.

(b) The Deputy Directors may be appointed from civilian life or may be commissioned officers in an active or retired status. However, if the Director is appointed from civilian life, only one Deputy Director may be a commissioned officer. If the Director is a commissioned officer, both Deputy Directors shall be appointed from civilian life.

(c) The Deputy Directors shall be paid $———— a year.

MILITARY STATUS OF DIRECTOR AND DEPUTY DIRECTORS

SEC. 7. (a) When a commissioned officer is appointed as Director or Deputy Director, he is not subject to military authority and may not exercise command over any members of the Armed Forces of the United States except as the President may prescribe.

(b) The appointment of a commissioned officer as Director or Deputy Director does not affect his status or rank or the pay and allowances incident to his status or rank. He is entitled to receive the pay and allowances payable to an officer of his rank and length of service, for which the appropriate department shall be reimbursed from any funds available to defray the expenses of the Commission. He is also entitled to be paid by the Commission the amount by which the compensation provided for the Director or Deputy Director exceeds his annual military pay and allowances.

BOARD OF GOVERNORS

SEC. 8. (a) The Board—consisting of eleven members—shall be appointed by the President, by and with the advice and consent of the Senate. The Board shall consist of the President of the National Academy of Sciences; Director of the National Science Foundation; Secretary of Defense; Secretary of State; Secretary of Interior; Secretary of Commerce, or their designees, plus four selected from civil life who are eminently qualified in their professions so as to provide, in addition to Federal administration, a broad field of knowledge and experience which will properly relate the activities of the Commission to the National Welfare.

(b) The members of the Board, in addition to the president of the National Academy of Sciences; Director of the National Science Foundation; Secretary of Defense; Secretary of State; Secretary of Interior; Secretary of Commerce, or their designees, shall be appointed for a period of six years, except that (1) any member appointed to fill a vacancy occurring before the expiration of the term of his predecessor shall be appointed for the remainder of the term; (2) the term of office of the members first taking office after the date of enactment of this Act shall expire, as designated by the President at the time of appointment, one at the end of two years, one at the end of four years, and two at the end of six years; and (3) a member may be reappointed to the Board for not more than one additional term; and (4) the members of the Board who are Cabinet members shall be members of that Board during the tenure of office as Cabinet members.

(c) Members of the Board shall be paid at the rate of $50 per day—for each day—except members of the President's Cabinet during their services as members of the Board, and shall be allowed travel expenses as authorized by section 5 of the Act of August 2, 1946 (ch. 744, 60 Stat. 808), as amended (5 U.S.C. 73b–2).

(d) The Board shall—

(1) meet annually on the first Monday in November and at such other times as the chairman determines;

(2) elect a chairman and vice chairman, at the regular annual meeting, to serve for the following year;

(3) review and assess the research and exploration activities relating to the Antarctic; and

(4) make such recommendations to the Commission as they consider appropriate for the advancement and dissemination of knowledge of the Antarctic.

RESEARCH CENTERS

SEC. 9. (a) Under the provisions of this Act there shall be established a minimum of five, and not more than eight research centers at academic and/or research institutions having special competences or interests in scientific aspects of polar research.

The Commission shall determine that each such center shall meet criteria prescribed by the Commission under the policy guidance provided by the Board of Governors, and the Commission shall be responsible for the overall development and coordination of programs of research which may be approved for development within the research centers in, and related to the Antarctic region. Such programs of research as may be initiated at the research centers with the approval of the Commission shall be supported by Federal or private funds.

(b) Due to the unique requirements of polar research, a designated number of fellowships shall be provided to permit qualified students to conduct studies at the research centers and also in Antarctica. The Commission shall be authorized to grant funds in support of fellowships specifically associated with polar research, recommended by the Director of the Commission and approved by the Board of Governors.

SERVICES AND FUNDS OF OTHER AGENCIES

SEC. 10. (a) The Commission may, with the consent of the agency concerned, accept and utilize on a reimbursable basis the officers, employees, services, facilities, and information of any agency of the United States. However, such services and facilities may be furnished only if it does not interfere with the performance of the primary mission of the agency concerned. An agency having custody of data relating to the matters within the jurisdiction of the Commission shall, upon request of the Director, make that data available to the Commission without reimbursement.

(b) Funds available to any agency of the United States for scientific or technical research, educational, or other public service are available for transfer, with the approval of the head of the agency concerned, to the Commission for such use as is consistent with the purposes for which those funds were provided. Funds so transferred shall be spent by the Commission for the purposes for which the transfer was made or for general administrative expenses until such time as an appropriation is made available to the Commission.

ACTS AMENDED

SEC. 11. Subsection 107(a) of the Federal Executive Pay Act of 1956 is amended by adding the following after clause (22):

"(23) Director of the Antarctic Commission."

SEC. 12. Section 505 of the Classification Act of 1949, as amended (70 Stat. 762; 5 U.S.C. 1105), is amended by adding the following subsection:

"(f) The Director of the Antarctic Commission is authorized, without regard to any other provision of this section, to place a total of seven positions in the Antarctic Commission in grades 16, 17, and 18 of the General Schedule. Such positions shall be in addition to the number of positions authorized to be placed in such grades by subsection (b)."

The statement presented by Mr. WILEY is as follows:

STATEMENT ON BACKGROUND OF ANTARCTICA

U.S. interest in Antarctica dates to the early part of the 18th century. Capt. Nathaniel B. Palmer, of Stonington, Conn., sighted the continent near the tip of the Palmer Peninsula. The date was November 17, 1820. On February 7, 1821, Capt. John Davis, of New Haven, Conn., landed on the shore of Antarctica along what is now known as Hughes Bay. Davis wrote in his log book: "I think this southern land to be a continent." He was right, for an expedition led by Lt. Charles Wilkes of the U.S. Navy proved the point. This was the first time our Government sent its ships to explore Antarctica.

Sailing from the United States, late in 1838, Wilkes first reached the Antarctica, south of Cape Horn, early the following year. After sailing along the ice pack, westward, he went to Australia for the Antarctic winter.

He returned to the Antarctic, south of Australia, in December 1840. There he saw land at numerous points over a distance of 1,500 miles. People now knew there was a southern continent, and they called it Antarctica. Today, a considerable area of Antarctica is known as Wilkes Land.

Various nations, from time to time, made minor probings along the shores of Antarctica, and several made direct dashes to the South Pole. Among these were the Norwegian, Roald Amundsen, who was first to reach the South Pole, and about a month

later, Capt. Robert Falcon Scott arrived at the southernmost extremity of the globe, only to discover that Amundsen had arrived first.

The first real assault upon Antarctica was made by the Byrd Expedition (1928–30) and it is best remembered by most Americans for the flight over the South Pole, on November 29, 1929. No doubt, more important were the discoveries of the Edsel Ford Range, the Rockefeller Mountains, and Marie Byrd Land—and the accomplishments, scientifically—for Admiral Byrd served more than 20 branches of science.

The Second Byrd Expedition (1933–35) concentrated on scientific work and used tractors more than any previous expedition. It was on this expedition that Admiral Byrd stayed alone at an advance weather station. There he kept careful records from March 28 through August 10, 1934. No man had ever wintered so far south before. Due to a faulty stove and exhaust fumes from a motor, Admiral Byrd almost lost his life before a party from Little America arrived.

Byrd led another expedition to Antarctica in 1939, known as the U.S. Antarctic Service, and in which our Government played a large part. Two bases were set up: One called West Base, at Little America III, and the other called East Base, on an island off the west coast of the Palmer Peninsula. Much scientific and geographic work was accomplished by ground parties and the use of aircraft for exploration and photography beyond the reach of the ground parties. The men returned to the United States early in 1941.

American interest in Antarctica was further extended in 1946–47, with the activities during the Antarctic summer, carried on with 13 ships and 4,000 men. It was called Operation High Jump. Much of value was accomplished. One outstanding event was the flight of six, two-engine transport planes from a Navy aircraft carrier to the Bay of Whales. Another was the success of icebreakers in freeing a path through the pack ice. Still a third was the use of aircraft tenders and seaplanes to photograph large areas of Antarctica never seen, previously. It is known that Operation High Jump, under the leadership of Admiral Byrd and Admiral Cruzens, discovered more of Antarctica than all previous expeditions combined.

During the Antarctic summer, a small U.S. expedition called Operation Windmill (1947–48) arrived in Antarctica. Helicopters were used extensively on this expedition for photographic purposes.

Before 1950, two other American expeditions visited Antarctica, one led by Lincoln Ellsworth and the other by Finn Ronne. Ellsworth, in 1935, made the first long-distance flight, in easy stages, from Dundee Island to within a few miles of Little America. He returned to Antarctica in 1938–39, during which time he made aerial surveys over the area now known as American Highland.

Finn Ronne, a veteran of two expeditions with Admiral Byrd, used the East Base on the west coast of Palmer Peninsula. Ronne greatly extended the work of Americans.

The problem of our physical environment is of fundamental, continuing interest. The things which make up this environment control much of our physical life, such as our food, clothing, housing, transportation, and communication, and the weather of the world around us, and in a large way, affect our total environment. It is essential that we know more about our physical world and environment and how such affects our lives—favorable or otherwise.

Scientists throughout the world joined to establish the International Geophysical Year. An important sector for study was Antarctica, and 12 nations joined in establishing bases or stations at the edge of Antarctica, and inland, even at the South Pole itself. The International Geophysical Year opened formally on July 1, 1957 and ended December 31, 1958. But the preparation for U.S. participation in the Antarctic began in November 1954, when the U.S. Navy sent the icebreaker *ATKA* to look for appropriate sites for scientific stations.

That was only the beginning, for under the operations leadership of Rear Adm. George J. Dufek, an Antarctic veteran of two previous expeditions, and with Rear Adm. Richard E. Byrd as officer in charge of the broad program, six stations were established on Antarctica and the air facility base at McMurdo Sound was established.

Our scientific interests were handled by the National Academy of Sciences. This organization set up the framework of scientific plans to carry out our part in the International Geophysical Year, a special committee for this purpose with a subcommittee on the Antarctic. The subcommittee was headed by Dr. Laurence Gould, with Admiral Byrd as honorary chairman.

The Navy was given the task of getting the scientists to the Antarctic, building their stations, and seeing that they were fed and supported.

The Navy designated the project Operation Deep Freeze. Admiral Dufek was able to secure the assistance of the Army, Air Force, Marines, and the Coast Guard to help accomplish the vast project of locating, building, and establishing the bases for the use of our IGY scientists.

On Operation Deep Freeze I (1955–56) the Navy built two stations on the shore of the Ross Sea—one at McMurdo Sound, the other near Admiral Byrd's earlier Little Americas.

In addition to establishing the bases, the Navy flew four Navy aircraft from New Zealand to McMurdo Sound. These notable flights marked the first to fly from another land mass to Antarctica. While the planes were in Antarctica that season, they flew over 1,800,000 square miles, of which approximately a million square miles had never been seen before. One of the notable flights was from McMurdo Sound across the Antarctic Continent to the Weddell Sea and return, nonstop.

When the airplanes and ships left the Antarctic early in 1956, Americans had seen about 4 million of the 5½ million square miles of Antarctica. At the termination of Deep Freeze I 73 men remained at Little America and 93 at McMurdo Sound. In addition, supplies and equipment were left with which to construct two more stations, one in Marie Byrd Land and the other at the South Pole.

Deep Freeze II, the following season (1956–57) saw great accomplishments. The Byrd Station was constructed after great hardship and by efficiency of the men who set out to build this base. This project took the combined effort of the three services, big tractors, aircraft, and a great amount of patience in covering approximately 600 miles over rough ice and at points, giant crevasses which had to be bridged in order that the tractor supply trains could pass.

On October 31, 1956, Rear Admiral Dufek and a Navy crew flew to and landed at the South Pole. This was the third group in history to stand at the pole; Amundsen, in 1911, and Scott, in 1912. But the admiral's mission was not the matter of a first, but to determine the feasibility of establishing a South Pole scientific station.

Before the work was completed at the South Pole station, the Air Force had dropped more than 700 tons of material, equipment, and supplies. Those who were to spend the long winter night at the pole—scientists and military—were flown in by Navy aircraft. That winter the temperature went down to a minus 102° below zero.

During Deep Freeze II, three other stations were built by the Navy—one at Cape Hallett, occupied by American and New Zealand staffs; another at the Knox Coast, named "Wilkes" for the naval explorer; and the third across the continent at the ice shelf of the Weddell Sea, called Ellsworth.

Deep Freeze III (1957–58) and Deep Freeze IV (1958–59) were largely, operations of resupply and logistical support.

The U.S. scientists have carried on what is believed to be the most effective scientific exploratory work and coordination of scientific interest ever attempted in Antarctica. In addition to the scientific disciplines studied and compiled, the United States has participated in exploring between 15,000 and 20,000 miles of Antarctica as a part in the IGY programs. In these scientific treks the American, and eight other nations have found mountain ranges and explored extensive areas in unexplored regions. The resulting discoveries included new mountains and knowledge that there is about 40 percent more ice in Antarctica than was previously estimated. Other scientific work was accomplished on the trails.

During the period from July 1, 1957 to December 31, 1958, the scientists working in the South Polar region have studied cosmic rays, geomagnetism, meteorology, ionospheric observations, gravity, seismology, glaciology, aurora, and airglow. The data from these observations are being collected and it is hoped that the results will be made available to extend and broaden knowledge of our physical world.

It is readily understood that Antarctica presents special problems, because of its severe climate and its remoteness, which has made the vast, mysterious and ice-locked continent relatively inaccessible. As a result, this forbidding area of the world required exploratory expeditions in advance, before selected locations for the construction of the scientific stations could be fully determined.

The scientists were prepared to carry out the necessary plans of scientific study programed for the International Geophysical Year. They required substantial logistical support in order to operate their laboratories in remote areas of Antarctica.

This logistic support was provided by the Department of Defense in one of the greatest achievements in the history of polar exploration, under the able leadership of Admiral Dufek, commanding officer of Task Force 43.

Plans are now being made to continue U.S. scientific programs in Antarctica, in the post-IGY at the Byrd, Pole, Hallett stations and McMurdo Air Facility, with some summer activity at Little America. The Ellsworth and Wilkes stations are to be operated by Argentina and Australia, respectively, with American scientists participating at the stations.

It is anticipated that the polar research programs will have long-range objectives, and it is also realized that the Federal Government will be looked to to continue to fund, not only the logistical support, but the cost of operating the programs of research. Such, places the Government in a key position where across-the-board coordination will continue to be necessary, not only among the many branches of the Government interested in various phases of Antarctic effort, but also to work with civilian planning and direction of polar research programs. The Government and civil interests should be in a position to draw upon the experience and judgment of scientists in and out of Government, and afford a means for both groups to conduct programs in particular fields of research. There should be full coordination among both groups in order to benefit, mutually, and in the general interest there should be an avoidance of duplication.

The planning, development, organization, and direction of various types of polar effort should include, not only the scientific research phases but also, various other as-

pects of competences, interests, and values as parts in the integration of programs and capabilities; thereby fostering and developing as broad a national base as possible, composed of Government, private institution, and academic competence, so that an organization will serve and represent the total U.S. interests in Antarctica.

The proposed legislation contemplates these essential factors, and proposes to bring together research, administrative, operational, logistical, academic, and general phases in a central organization for achieving the national and civil objectives. Each major U.S. interest would join in, and actively participate in the Richard E. Byrd Antarctic Commission as the device for achieving the aims and purposes indigenous to a free society. The varied and complicated problems involving the broad U.S. interests in Antarctica at the national level require implementation and organization which will consolidate the diverse interests both governmental and private, and provide all segments with a means for planning, policymaking, administration, operation, and management of the total interests and requirements for the best advantage of all concerned.

COOPERATION WITH STATES ON JUVENILE DELINQUENCY PROBLEMS

Mr. HENNINGS. Mr. President, I introduce for appropriate reference on behalf of myself, the senior Senator from Tennessee [Mr. KEFAUVER], the junior Senator from Colorado [Mr. CARROLL], and the senior Senator from North Dakota [Mr. LANGER] two bills relating to the control and prevention of juvenile delinquency. One of these measures would provide for assistance to and cooperation with States for the training of qualified personnel for work in various fields involving the prevention, treatment, and control of juvenile delinquency; the other would provide for assistance to States and institutions of higher learning for demonstrating or developing improved techniques and practices for the diminution, control, and treatment of juvenile delinquency.

In introducing proposed legislation on juvenile delinquency or in discussing the subject, it has been the custom to point with alarm at the rising tide of lawlessness among our youth. I am not going to do that here today because I feel that we all know the scope and dimensions of the problem. Further, we know the value of our youth and the necessity in these crucial times of seeing that each youngster has the opportunity to grow to responsible adulthood. We need responsible and productive citizens more than we have ever needed them, and we can produce such citizens only if we take steps now to curtail the blight of delinquency which has spread so rapidly across our land.

Testimony adduced at hearings of the Committee To Investigate Juvenile Delinquency indicates that one of the most acute problems faced by local and State agencies dealing with juveniles is the lack of trained personnel. All too often courts are hampered because of a lack of trained probation and social workers to implement the work and decisions of the judge; institutions are much too frequently reduced to mere programs of containment; clinics and other social agencies are forced to spread their available talent so thin that their effectiveness is often dissipated; and many police departments have no specialized assistance in their crucial work with children. In community after community, we have found this same pattern and listened to the same pleas for adequate personnel in terms of both quantity and quality.

The bill for the demonstrating or developing of improved techniques and practices would provide for the appropriation of a small amount of "risk capital" to be used for grants to States and to public and private nonprofit institutions of higher learning or research for special projects which hold promise of making a substantial contribution to the strengthening or improving of programs for the diminution, control, or treatment of juvenile delinquency.

The role of the Federal Government in the fight against delinquency has, quite properly I believe, been a limited one. And the passage of these two bills would be in line with this tradition for these measures would help the States to handle their own problems. This is no device by which the Federal Government would take over the problems and affairs of the States; rather it would put at their disposal a certain amount of aid so that they might better find solutions to their own problems.

Mr. President, I commend these two bills to the attention of the Senate.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills introduced by Mr. HENNINGS on behalf of himself and other Senators were severally received, read twice by their titles, and referred as indicated.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills, introduced by Mr. HENNINGS (for himself, Mr. KEFAUVER, Mr. CARROLL, and Mr. LANGER), were received, read twice by their titles, and referred to the Committee on Labor and Public Welfare, as follows:

S. 765. A bill to provide for assistance to States and institutions of higher learning for demonstrating or developing improved techniques and practices for the diminution, control, and treatment of juvenile delinquency; and

S. 766. A bill to provide for assistance to and cooperation with States and institutions of higher learning for the training of qualified personnel for work in various fields involving the prevention, treatment, and control of juvenile delinquency.

EXPANSION OF REHABILITATION SERVICES

Mr. HILL. Mr. President, I introduce for appropriate reference, Rehabilitation Act of 1959, on behalf of myself, the Senator from Vermont [Mr. AIKEN], the Senator from Maryland [Mr. BEALL], the Senator from Kentucky [Mr. COOPER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Washington [Mr. JACKSON], the Senator from New York [Mr. JAVITS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from California [Mr. KUCHEL], the Senator from Michigan [Mr. MCNAMARA], the Senator from Washington [Mr. MAGNUSON], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Montana [Mr. MURRAY], the Senator from Alabama [Mr. SPARKMAN], the Senator from Montana [Mr. MANSFIELD] and the Senator from Rhode Island [Mr. PASTORE]. The bill is to provide an expansion of rehabilitation services to the physically and mentally handicapped people of the United States. Our rehabilitation efforts are carried on through the State-Federal rehabilitation program, administered by the Office of Vocational Rehabilitation of the Department of Health, Education, and Welfare on the Federal level and by State Boards for Vocational Education or State Rehabilitation agencies in the States. This program was established in 1920 and expanded by Public Law 113 of the 78th Congress and Public Law 565 of the 83d Congress. In 1958, these States agencies served 258,000 handicapped persons and completed rehabilitation for 74,000. The program shows steady and heartening progress in all of its aspects, but there remain certain gaps in available services. The principal provisions of the bill which were designed to fill those gaps are as follows:

INDEPENDENT LIVING

At the present time, to be accepted for rehabilitation services there must be a reasonable expectation that the handicapped individual will be employable following such rehabilitation services. This means that many handicapped individuals who could profit substantially from rehabilitation services must be denied benefits, because their objectives must be less than employment. It means, likewise, that many severely handicapped persons who might become employable are denied services because of the reluctance of responsible professional persons to predict their employability. This situation results in a tragic waste of human resources, since large numbers of these handicapped people would actually become employable, if they were given the opportunity to begin their rehabilitation programs.

In this bill, we would establish a program of rehabilitation for those whose objectives must be, at least in the beginning, less than employment. Services for such individuals are called independent living rehabilitation services, because their objective is to make the handicapped person as independent of others as it is possible for him to be. Specifically, two additional classes of handicapped people are eligible for services under this title: Institutionalized persons who as a result of rehabilitation services can achieve such ability of independent living as to dispense with the need for expensive institutional care, and homebound disabled persons who can achieve such ability of independent living as to be able to dispense with an attendant at home.

This program is to be administered by the Secretary of Health, Education, and Welfare and by the State rehabilitation agencies that now administer the State-Federal vocational rehabilitation program. The addition of applicants

for independent living rehabilitation services to those now provided vocational rehabilitation services is a natural and logical extension of the services of the State-Federal rehabilitation program. These agencies already have effective working agreements with the medical and other professions that will provide independent living rehabilitation services, as well as with rehabilitation centers and other rehabilitation facilities that will be used in the program. In fact, the addition of the independent living program will not require the addition of any services not now being provided by these agencies to their vocational rehabilitation clients. These services will just be made available to additional groups of the handicapped.

An appropriation of $10 million is authorized for the first year and $20 million for the second, with subsequent amounts to be determined by appropriations. Funds are to be allotted to the States by the use of the population-per capita income formula now used in allotting section 2 funds under the Vocational Rehabilitation Act. This amount, matched by State funds, will permit services to at least 6,000 persons the first year and 12,000 the second. The total numbers needing such services are much greater.

REHABILITATION EVALUATION SERVICES

At the present time, there does not exist in the vast majority of our communities, large or small, any one place or agency to which a handicapped person may go with the assurance that he will get the complete and adequate evaluation of his rehabilitation potential. This hit-and-miss method of evaluation, with no one agency responsible, tends to discourage the potential applicant for services. It likewise seriously limits the effectiveness of existing services.

Under the bill the State-Federal rehabilitation program would be given legal responsibility to make comprehensive evaluation services available to all handicapped adults and to refer such handicapped people to the sources of the services most appropriate for them, provided these are services not available in the evaluating agency. These evaluation service would be financed on an open-end basis with the Federal Government paying two-thirds the cost.

Many rehabilitation efforts have failed because of inadequate evaluation at the beginning. Complete evaluation is so fundamental to the proper classification of the handicapped as well as to the provision of suitable services, that we feel the Federal Government should offer maximum encouragement to the States to insure the adequacy of this service. The existence of evaluation services such as described above should be of particular value in the assessment of rehabilitation potential of the hundreds of thousands of individuals who are making application for disability benefits under the old-age and survivors insurance program. It will also be of great value to many other public and voluntary programs.

The addition of independent living rehabilitation services and centralized evaluation to already existing vocational rehabilitation programs will fill the most important gaps in rehabilitation services needed by the handicapped. The need for research, trained personnel, and funds for the implementation of these programs will, of course, be a continuous one. The centralization of these services in the State-Federal rehabilitation program will enable the State agencies to become truly the focal points around which a comprehensive rehabilitation program for all of the handicapped can be built. It should result in vastly improved vocational rehabilitation services as well as provision of services to new groups.

WORKSHOPS AND OTHER REHABILITATION FACILITIES

In 1954, a category of rehabilitation facilities was added to the programs being administered under the Hospital Survey and Construction Act, commonly referred to as the Hill-Burton Act. This new category has been useful in developing medically oriented rehabilitation facilities, principally in connection with hospitals. Rehabilitation workshops and many other supplementary rehabilitation facilities cannot be built under this law. In addition, it has proved difficult to establish vocationally oriented comprehensive centers under this act.

This bill sets up in the Department of Health, Education, and Welfare, to be administered by the Office of Vocational Rehabilitation, a program of supplementary rehabilitation facilities. To illustrate, under this legislation public and other nonprofit workshops for the severely handicapped, including the mentally ill, mentally retarded, and cerebral palsied; hearing and speech centers; and vocational rehabilitation centers for the blind will be established or expanded. Provisions are made for the coordination of this program with the Hill-Burton program to avoid duplication. Experience in administration of such a program was gained by the Office of Vocational Rehabilitation during the 3 years that funds were available for grants for public and other nonprofit agencies under section 4(a)(2), Public Law 565.

Appropriations of $10 million are authorized for the first year, $12,500,000 for the second, and $15 million for the third. The States are to put up one-third of the cost of facilities. Projects will be approved by and submitted through the State rehabilitation agencies and approved by the Secretary of HEW.

EMPLOYMENT OF THE HANDICAPPED

The President's Committee on the Employment of the Physically Handicapped is responsible for helping to create a climate favorable to the employment of physically handicapped individuals. The Chairman is appointed by the President of the United States. The Committee, itself, is composed of several hundred organizations and individuals who devote a tremendous amount of voluntary effort to promoting the rehabilitation and employment of the handicapped. The only cost to this program to the Federal Government is a small appropriation to support a small staff, which guides and coordinates this voluntary activity. At the present time, the appropriation authorized for this program is limited to $250,000. The increased cost of services as well as the desirability for certain expansion of functions makes necessary an increase of the authorization for the President's Committee. In this bill, an increase to $300,000 is provided.

In my judgment, the States and the Federal Government do not receive a greater return on any money they spend than on the rehabilitation of the handicapped. Not only does rehabilitation pay off in dollars and cents as rehabilitated individuals become taxpayers, but it results in tremendous social gains. It is a kind of program of which the American people are justly proud. This proposed legislation will result, I am sure, in more effective and comprehensive rehabilitation programs.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 772) to provide evaluation of rehabilitation potentials and rehabilitation services to handicapped individuals who as a result thereof can achieve such ability of independent living as to dispense with the need for expensive institutional care or who can dispense with or largely dispense with the need of an attendant at home; to assist in the establishment of public and private nonprofit workshops and rehabilitation facilities; and for other purposes, introduced by Mr. HILL (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

ADDITIONAL INCOME TAX EXEMPTION FOR STUDENTS AT INSTITUTIONS OF HIGHER LEARNING

Mr. DODD. Mr. President, I introduce for appropriate reference a bill providing taxpayers an additional income tax exemption of $1,200 for dependents who are students at institutions of higher learning. This bill also provides the same income tax exemptions for taxpayers who are themselves college or university students.

The steadily mounting costs of tuition, books, and other educational expenses are making it more and more difficult for people of moderate means to afford higher education for their children.

For most people, the years when one's children are away at school are years of terrible financial burdens, which are rapidly becoming impossible to carry. The tax exemption provided in my bill would lessen these burdens to a considerable degree. It would also provide needed tax relief for those students who are working their way through college and who need every dollar for educational purposes.

The problem of financing educational costs is more than a personal problem for millions of people. It is a vital national problem and should be recognized as such in our tax laws.

Parents who make the heavy sacrifice required to pay for education are serving more than their own children. They are making a contribution to the future of their country which is impossible to measure or exaggerate, and they need and deserve the kind of tax assistance provided in this bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 775) to amend the Internal Revenue Code of 1954 so as to allow an additional income exemption of $1,200 for an individual who is a student at an institution of higher education, introduced by Mr. DODD, was received, read twice by its title, and referred to the Committee on Finance.

PROPOSED DEFENSE FACILITIES PROTECTION ACT

Mr. DIRKSEN. Mr. President, the distinguished Senator from Maryland [Mr. BUTLER] is unavoidably absent today, I believe, because of illness. He has asked me to introduce a bill for him, and to submit for printing in the RECORD an accompanying statement. I ask unanimous consent that the bill be received as though it were introduced by him, and that the accompanying statement be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 776) to authorize the Federal Government to guard strategic defense facilities against individuals believed to be disposed to commit acts of sabotage, espionage, or other subversion, introduced by Mr. DIRKSEN (for Mr. BUTLER), was received, read twice by its title, and referred to the Committee on the Judiciary.

The statement submitted by Mr. DIRKSEN (for Mr. BUTLER) was ordered to be printed in the RECORD, as follows:

STATEMENT ACCOMPANYING INTRODUCTION OF DEFENSE FACILITIES PROTECTION ACT BY SENATOR JOHN MARSHALL BUTLER, JANUARY 29, 1959

On the basis of extensive and repeated exposures of Communist penetration into industrial establishments in this Nation, it is apparent that the defense of the United States in the event of war would be seriously crippled by sabotage and other acts of subversion unless prompt, effective measures could be taken to prevent them. Although we all abhor the thought of another global conflict with the frightening prospects of our cities and industries being laid waste in a matter of minutes, we have no alternative in the present state of the world but to face the grim facts that we must be prepared to meet any eventuality.

What is more certain than that in the event of war between our country and Soviet Russia, the Communist conspiracy in this country will stop at nothing to sap the industrial strength of this Nation by every devilish device of which these trained conspirators are capable. Should we wait until an actual outbreak of hostilities before undertaking to invest in the appropriate governmental authorities power to act effectively to safeguard our industrial establishments against sabotage? As one who has served now for a considerable period of time on the Internal Security Subcommittee of the Senate, I am convinced that we cannot wait any longer to enact this necessary legislation. After the defense establishments are sabotaged, after our factories are destroyed, it will be too late to take precautionary measures and the punishment of the guilty will not rebuild our factories or supply needed implements of defense.

Briefly, the bill which I have introduced authorizes the President, whenever he finds and proclaims that the security of this Nation is threatened, to prescribe rules and regulations to prevent access to defense facilities by those likely to commit sabotage, espionage, or other subversive acts. Although the bill specifically provides that the provisions of the Administrative Procedure Act shall not be applicable to the proceedings, the bill provides that any individual who is barred from access to a defense facility shall be notified in writing of the charges against him and given adequate opportunity to defend himself against such charges. The bill further provides that any such individual summarily barred from access to any defense facility but in whose case the bar is removed as a result of the proceedings shall be compensated by the United States for his loss of earnings.

The bill prescribes certain penalties for a violation of its provisions, and in order to further spell out the safeguards of existing law for the rights of the individuals, the bill contains a provision to the effect that nothing in the bill shall be construed to deprive any individual of any rights or benefits conferred on him by the National Labor Relations Act as amended by the Labor-Management Relations Act of 1947.

Although I shall not be averse to amendments which would improve the bill or make it more effective, I am determined to press for enactment of the principles involved in the bill because in my judgment public interest demands that those responsible for administration of the agencies responsible for the public safety be equipped to discharge their duties effectively.

RETROACTIVE PAYMENT OF OLD-AGE INSURANCE BENEFITS

Mr. LANGER. Mr. President, I introduce for appropriate reference a bill to provide for the retroactive payment of Old-Age Insurance Benefits to farmers under title II of the Social Security Act who retire after having attained more than 65 years of age.

This amendment will help many small farmers who are 65 and over and who are not now covered under the Social Security Law. It will provide that any individual who, whether before or after the date of enactment of this act, becomes entitled to Old-Age Insurance Benefits under title II of the Social Security Act, solely by reason of self-employment income derived by him from any trade or business in which, if it were carried on exclusively by employees, the major portion of the services would constitute agricultural labor, and who, upon first becoming entitled to such benefits, has attained more than 65 years of age shall, notwithstanding any provision of such title to the contrary, be entitled to an old-age insurance benefit under such title for each month after the date he attained 65 years of age.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 777) providing for the retroactive payment of old-age insurance benefits under title II of the Social Security Act to farmers who retire after having attained more than 65 years of age, introduced by Mr. LANGER, was received read twice by its title, and referred to the Committee on Finance.

PAYMENT OF DISABILITY INSURANCE BENEFITS WITHIN 3 MONTHS

Mr. LANGER. Mr. President, I introduce for appropriate reference a bill to amend the Social Security Act to enable a disabled person to receive disability insurance benefits within 3 months. The law now specified a 6-month waiting period.

Mr. President, I am sure that all my colleagues will see the good that my amendment will do and will know of many persons who will be benefited by it. I urge its favorable consideration.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 778) to amend title II of the Social Security Act to reduce from 6 to 3 months the period during which disabled persons must wait before becoming entitled to disability insurance benefits under such title, introduced by Mr. LANGER, was received, read twice by its title, and referred to the Committee on Finance.

UNEMPLOYMENT COMPENSATION ACT OF 1959

Mr. KENNEDY. Mr. President, on behalf of myself, the junior Senator from Minnesota [Mr. MCCARTHY], the Senator from New Jersey [Mr. CASE], the Senator from Alaska [Mr. BARTLETT], the Senator from Maryland [Mr. BEALL], the Senator from West Virginia [Mr. BYRD], the Senator from Nevada [Mr. CANNON], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Illinois [Mr. DOUGLAS], the Senator from California [Mr. ENGLE], the Senator from Rhode Island [Mr. GREEN], the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], the senior Senator from Minnesota [Mr. HUMPHREY], the Senator from Washington [Mr. JACKSON], the Senator from New York [Mr. JAVITS], the Senator from Washington [Mr. MAGNUSON], the Senator from Montana [Mr. MANSFIELD], the Senator from Wyoming [Mr. MCGEE], the Senator from Michigan [Mr. MCNAMARA], the Senator from Oregon [Mr. MORSE], the Senator from Montana [Mr. MURRAY], the Senator from Maine [Mr. MUSKIE], the Senator from Oregon [Mr. NEUBERGER], the Senator from Rhode Island [Mr. PASTORE], the Senator from West Virginia [Mr. RANDOLPH], the Senator from New Jersey [Mr. WILLIAMS], the Senator from Ohio [Mr. YOUNG], and the Senator from Wisconsin [Mr. PROXMIRE], I introduce a bill to establish national minimum standards of unemployment compensation.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 791) to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes, introduced by Mr. KENNEDY, for himself and other Senators, was received, read twice by its title, and referred to the Committee on Finance.

Mr. KENNEDY. The bill would continue the present Federal-State unemployment compensation system, but it would correct inadequacies in the system by establishing minimum standards which every State must meet to be entitled to the benefits provided. In addition, the bill allows the tax which is paid into the Federal Treasury to be used to aid the States whose reserve is depleted by excessive demands upon it.

The proposed bill would—

First. Establish benefits equal to not less than 50 percent of weekly wages so long as that amount is not more than two-thirds of the average weekly wage in the State.

Second. Establish a uniform benefit period of 39 weeks.

Third. Include within the system employers who have one or more individuals in their employ, except for domestic and agricultural employees.

Fourth. Permit States to provide for uniform rate reductions to employers as well as individual experience-rated reductions.

The proposed bill would not—

First. Require any appropriation by Congress.

Second. Change the present Federal-State system of operations.

Third. Provide for any increase in the present Federal tax upon payrolls.

The experience of the 1957–58 recession has demonstrated beyond any lingering doubt that there is a great need for a nationwide minimum standard of unemployment compensation. An adequate law will cushion any recession, alleviate individual hardship, and speed national recovery.

Although we confidently look forward to continued economic expansion and decreasing unemployment in the near future, we must also expect that there will continue to be pockets of unemployment and we must be prepared to combat temporary setbacks to the economy. We must not allow the glowing predictions of prosperity in 1959 to blind us to the fact that over 4 million wage earners are still unemployed. This represents 6 percent of our labor force.

The number of persons exhausting their benefits rose to a peak of 285,000 during the month of July 1958. Since then the temporary unemployment compensation law benefits and the improvement in the economic outlook have reduced the number of persons who exhaust their benefits. But there are still 1,500,000 persons unemployed today who do not receive any benefits but must depend upon private charity or public relief. Hundreds of thousands of others are drawing benefits too small to enable them to pay their basic bills. The tragic fact is that our unemployment program today is too weak and outmoded to do the job for which it was designed. When enacted it replaced at least 50 percent of the loss in wage payments. Today it replaces less than 20 percent of those wages—and in some hard-hit communities still suffering severely it puts back into the streams of commerce as little as 10 percent of lost wages. Unemployed workers today must somehow get by on payments averaging less than $35 per week.

In some States, too, the benefit period is as little as 6 weeks. Thereafter the family must subsist as best it can.

The need for some minimum standard of unemployment insurance has long been recognized. In December 1958, the Federal Council on Employment Security recommended it. In April 1958, the Rockefeller Brothers Report advised that such a law would contribute to the economic stability of the country. The Governors of several States have repeatedly proposed this legislation. Most recently, in both his budget message and in his economic report, the President has pointed out that direct emergency Federal expenditures for unemployment benefits will soon expire and has called for widening the coverage of unemployment compensation.

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point as a part of my remarks a summary of the provisions of the Kennedy-McCarthy-Case bill.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF FEDERAL UNEMPLOYMENT COMPENSATION STANDARDS BILL

The bill recognizes that in order to achieve the goals of employment stabilization and security against unemployment and in order to strengthen the economy and the welfare of the Nation, certain improvements in the unemployment compensation program are necessary. It extends to certain new categories of workers the benefit of the unemployment compensation program and prescribes certain uniform minimum standards with respect to weekly unemployment compensation benefits and the period of time for which such benefits will be payable. It also provides for the establishment of a fund composed of present Federal unemployment tax collections from which the administrative costs of the program will be paid and from which reinsurance grants will be made to States which suffer excessively high rates of unemployment.

Section 2 of the bill establishes the additional standards which a State law must meet in order to be certified by the Secretary of Labor for the purpose of permitting credit against the Federal tax for employer contributions under the State law. The additional standards cover the following areas: (1) The maximum and minimum weekly benefit amounts provided by the State law; and (2) the duration for which benefits are payable under the State law.

Among those who have recognized the need for Federal minimum benefit standards are:

(a) The Rockefeller Brothers Fund Report of April 1958;

(b) The Federal Advisory Council on Employment Security; and

(c) Dr. Arthur Burns, former economic adviser to President Eisenhower.

1. WEEKLY BENEFIT AMOUNT

Section 2 requires that the maximum benefit under the State law be not less than an amount equal to two-thirds of the average weekly wage within such State. It also requires that subject to this maximum every individual receive a benefit equal to at least one-half of the individual's average weekly wage. In no case would an individual receive a benefit in excess of the State maximum.

Thus, if the average weekly wage in covered employment in State X is $66, the State law must provide a maximum weekly benefit of at least $40. An individual whose average weekly wage is less than $66 would be required to receive a weekly benefit of at least 50 percent of his own wage. The individual who earns $50 a week would only receive a weekly benefit of $25 a week. The individual who earns $60 a week would only receive $30 a week. In no case, however, would State X be required to pay anyone more than $40 weekly. Individuals who receive $80 a week would be entitled to the $40 but no individual who earns more would be paid a greater benefit.

The requirement that individuals be entitled to receive at least 50 percent of their average weekly wage as a necessary goal is consistent with the recommendations made by President Eisenhower in his Economic Report. As Secretary of Labor Mitchell has pointed out in letters to the Governors of all States, a weekly maximum along the lines recommended in this bill is necessary to accomplish the recommendations of the President.

In view of the inaction by State legislatures in meeting these goals, it is clear that if they are to be accomplished, congressional action along the lines recommended by this bill is necessary.

2. BENEFIT DURATION

Section 2 of the bill would require that all eligible individuals be entitled to benefits for at least 39 weeks of unemployment. This does not mean that every individual will automatically receive 39 weeks of benefits in a year. State laws all require that the individual be unemployed and that he be able and available for work during each week of unemployment.

With continued unemployment, the need for benefits of sufficient duration for all unemployed individuals is apparent. President Eisenhower also recommended that duration be uniformly extended for all claimants. While his recommendation to the States was limited to duration of 26 weeks, the continuation of heavy unemployment and the continued increase in the number of persons exhausting the benefit rights indicate the present need for benefits for a duration of longer than 26 weeks. The need for 39 weeks has already been recognized by the last Congress which enacted the Temporary Unemployment Compensation Act of 1958.

3. SUPPLEMENTAL UNEMPLOYMENT BENEFITS

The only standard with respect to disqualification provisions of State laws applies to benefits paid under privately establishd supplemental benefit plans. Section 2 would specifically preclude the denial or reduction of State benefits because of the receipt of private supplemental unemployment benefits. Only four States now reduce benefits because of the receipt of SUB. Thirty-eight States, the District of Columbia, and Hawaii hold that the payment of supplemental unemployment benefits does not affect an individual's right to State unemployment compensation benefits.

Subsection (a) of section 3 of the bill extends the coverage of the Federal Unemployment Tax Act to employers of one or more individuals.

The extension of coverage to employers of one or more is consistent with the recommendations made by President Eisenhower. It does not mean that housewives who employ a domestic or a farmer employing one individual from time to time will have to

pay unemployment contributions with respect to such individual. The present definition of employment which excludes domestic and agricultural service is not changed in this bill.

Subsection (c) of section 3 adds definitions of "benefit year," "base period," "high quarter wages," and "average weekly wage" to the present definitions. These definitions are necessary in order to avoid contravention by a State of the amendments proposed in subsection (a).

Section 4 would give additional freedom to the State in determining the methods of reducing employer's taxes under the State law below 2.7 percent. Under present law, if a State wishes to impose a tax lower than 2.7 percent on employers, it may only do so by instituting a system which rates individual employers on the basis of their own experience. A State which desires to levy a uniform rate of less than 2.7 percent on all employers is now unable to do so.

This amendment would permit a State to levy a uniform contribution rate of less than 2.7 percent. It would also permit a State which desires to continue a system of individual employer experience rates to continue to do so. In short, it imposes no new Federal requirement; it relaxes the existing requirements.

Section 5 amends those provisions of the Social Security Act relating to grants to States for administration of State unemployment compensation laws by providing that all collections under the Federal Unemployment Tax Act are earmarked in the Federal unemployment account in the unemployment trust fund. This account was established by Congress in 1947.

Section 5 provides that all funds for administration of State laws, including contingency amounts which are to be expended only in the event of unforeseen changes in economic conditions, shall be charged against the Federal unemployment account. Unemployment compensation administrative expenditures of the Department of Labor shall also be charged to the Federal unemployment account.

Section 6 repeals provisions of the present law inconsistent with the changes made in this bill.

Section 7 provides that a State whose accumulated funds for unemployment compensation have reached a precariously low condition will be entitled to a reinsurance grant from the Federal unemployment account. The amount of such grant will be limited to three-fourths of the excess by which compensation payable under such State law exceeds 2 percent of the State taxable payroll. In other words, only where unemployment benefits cannot be financed through a 2 percent contribution rate will the State receive any Federal grant. To the extent that its costs exceed 2 percent, it will still be required to finance one-fourth of the costs out of State funds.

In order, however, to avoid the possibility of a State permitting its fund to reach a precariously low condition in order to receive a Federal grant, the bill requires that as one of the conditions of eligibility that whenever a State's fund drops below 6 percent, it imposes a minimum rate of contribution of at least 1.2 percent.

Section 7 changes title IX of the Social Security Act and makes certain technical changes in section 904 in order to achieve consistency with the substantive amendments proposed by the bill.

Section 8 of the bill provides that the above provisions extending coverage and establishing benefit standards which must be met by State laws shall be effective as of July 1, 1960. This would give to the States sufficient time to make the necessary statutory changes in their State unemployment compensation laws before the standards become effective.

Mr. KENNEDY. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, a statement by one of the distinguished cosponsors of the bill, the distinguished Senator from New Jersey [Mr. CASE].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CASE, OF NEW JERSEY

I am glad to join with Senator JOHN F. KENNEDY and Senator EUGENE J. MCCARTHY as a principal cosponsor in offering a bill establishing Federal standards for unemployment compensation. Twenty-eight other Senators are joining in this move.

The bill would require that compensation benefits be not less than 50 percent of weekly wages, provided that amount is not more than two-thirds of the average weekly wage in the State. It would establish a uniform benefit period of 39 weeks and permit States to authorize uniform rate reductions to employers as well as individual experience rated reductions.

The bill would require no appropriation by Congress and no increase in the present Federal tax on payrolls.

The unemployment compensation system has been recognized as a first line of defense for millions of American families when there is a downward turn in our economy. The program is one of the built-in stabilizers for our dynamic economy. But it must be kept up to date in order to be effective.

For several years President Eisenhower has urged the States to strengthen standards which in many cases are antiquated. The recent recession emphasized the plight of unemployed workers who were faced with inadequate payments for an inadequate period. The results were not only felt by their families, but had an impact on the entire community in which they live.

When this insurance program was first enacted, it replaced at least 50 percent of the loss in wage payments. By now the figure has declined to less than 20 percent. And it affects a great many Americans. We still have unemployment numbering 4,108,000, or 6.1 percent of the country's labor force. Of this number some 2,599,000 persons are drawing unemployment compensation benefits. Although we expect the economic upturn to continue, some areas of unemployment are still likely for some time to come.

In New Jersey, for example, we still have 7.9 percent of our State labor force on the unemployment rolls. This 188,000 includes about 133,000 now receiving unemployment insurance.

In the competition for industrial plants among the States, unemployment benefits are frequently kept low. The result of this is to penalize States which try to provide adequate benefits. We need a Federal floor to assure minimum standards. In Bergen County, N.J., we have recently lost a substantial source of employment to the State of Virginia. In Virginia the average unemployment insurance tax rate is only 0.4 percent of taxable payrolls, compared with 1.9 percent for New Jersey.

There is a plant in Essex County, N.J., which is now planning to move its facilities to Kentucky and Texas. While I realize there are many factors involved in plant relocation, it is possible that one of them may be that the unemployment insurance tax rate in Texas is six-tenths of 1 percent and that in Kentucky some 19 percent of all employers pay no tax toward benefit amounts.

A study of unemployment insurance programs in the States makes it hard to escape the conclusion that some States have kept their unemployment benefit levels and tax rates low in order to attract new industry. Those State legislatures that want to improve outmoded unemployment insurance standards are unable to do an adequate job because they fear the loss of industry to States with substandard benefit rates. The only answer is the establishment of reasonable minimum standards to which all States must adhere. This is what our bill would do.

The effect of interstate competition to attract industry is particularly hard on employers when a recession is concentrated in a few States. Certainly, this is true of New Jersey which has had a heavy payout of unemployment compensation benefits during the recession period with a consequent draining of the State unemployment compensation fund. The replenishing of this fund will make the tax differential between New Jersey and other States even wider.

The Federal Advisory Council on Unemployment Security has urged enactment of legislation along the lines of the bill being offered by the group of Senators which I am joining. Similar views have been expressed in the Rockefeller Brothers Report and by Arthur F. Burns, president of the National Bureau of Economic Research, and former Chairman of the President's Council of Economic Advisers.

PROPOSED EDUCATIONAL LEGISLATION

Mr. FULBRIGHT. Mr. President, I introduce, for appropriate reference, two bills relating to education. I ask unanimous consent that a statement prepared by me relating to the bills, be printed in the RECORD.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bills, introduced by Mr. FULBRIGHT, were received, read twice by their titles, and referred to the Committee on Finance, as follows:

S. 794. A bill to amend the Internal Revenue Code of 1954 so as to allow a taxpayer to deduct certain expenses incurred by him in obtaining a higher education; and

S. 795. A bill to allow additional income tax exemptions for a taxpayer or a spouse, or a dependent child under 23 years of age, who is a full-time student at an educational institution above the secondary level.

STATEMENT BY SENATOR FULBRIGHT

I have today introduced, for appropriate reference, two bills which I consider essential to the development of our educational institutions and the overall educational standards of our country. This is the third time I have introduced these bills and I am hopeful the Congress will give consideration to them during this session.

The first bill would allow an additional income tax exemption for a taxpayer or a spouse, or a dependent child under 23 years of age, who is a full-time student at an educational institution above the secondary level. The exemption may be claimed by the taxpayer himself, or on account of a spouse or a dependent child under the age of 23, who is in attendance on a full-time basis at an educational institution above the secondary level.

The second bill would allow a taxpayer who is a student in an institution of higher learning to deduct expenses for books, tuition, fees, and other supplies necessary to pursue their course of instruction. This bill is primarily designed to assist those students who work their own way through college and would apply to both full-time and part-time

students, whether self-supporting or supported by outside sources.

Since I have been a Member of the Congress, I have supported virtually every measure designed to assist our students and to improve our educational institutions and facilities. These bills will assist students in achieving the goals they seek through adequate educational opportunities. Because I am convinced the problem of improving our educational system continues to be one of our most pressing problems, I am once again introducing these bills.

The cost of a college education continues to rise. Costs vary. I believe it reasonable to estimate the average cost at $1,500 a year, or roughly $6,000 for a regular 4-year college education. Of course, the cost of the more specialized courses in science and medicine are quite often more, and yet the parent, or the individual, receives only a $600 a year tax exemption. Consequently, there is little incentive provided in our tax laws for one to pursue an educational goal.

Last year we were vitally concerned with the challenge of the sputnik in the air. We are meeting this challenge, but we must realize it is necessary in the forthcoming years to continue producing scientists in order to compete with the Soviet Union in the development of missiles and space rockets. The Russians are producing scientists and engineers at a much more rapid pace than are we. During this decade of 1950 through 1960 the Soviet Union is expected to produce 1,200,000 scientists and engineers as compared to our 900,000. There has been a continued and serious deterioration in the general quality of our education and our educational standards during the past decade, and if we are to succeed in our role of world leadership, it is essential that we produce citizens who have wisdom, vision, foresight, and the knowledge to compete successfully with grave world problems.

Assuming the objective of these bills is a proper one, it seems to me more efficient, in the long run, to encourage and enable a parent to pay for his children's education than it is for the Government to assume the burden of educating its citizens.

In addition to these reasons, enactment of these proposals will, I believe, add to the income of the Government, as well as the gross income of its individual citizens. It has been estimated male college graduates will receive an average of $100,000 more in lifetime income than the average high school graduate. We must remember that this income will be fully taxed. Under existing tax laws, if one pays $1,000 for an acre of land and sells it for $2,000, he pays only on the increment of $1,000 at reduced capital gains rates. If he pays $1,000 for a truck to be used in his business and takes in $2,000 in drayage fees, the cost of the truck amortized over its useful life is deductible from the $2,000 income earned. However, if he spends $1,000 for an education and as a result his income is increased $1,000 per year, the tax laws do not allow application of these theories. He receives no deduction for the thousand dollars which he has invested in his eduction. The yearly increase in his income of $1,000 is taxed in full as ordinary income.

As I said a moment ago, it is my firm conviction that to encourage the education of our young people is in the national interest. To provide for properly educated citizens is a great challenge. These bills will provide some incentive to students and parents to meet and accept this challenge. In addition to these considerations, both public and private educational institutions face a precarious future. They are essential to the preservation of our way of life. These bills, if enacted, would give them some assistance and enable them to accept additional students who can pay their own way. Thus, the bills would have a further beneficial effect on the finances of our fine educational institutions. It is my hope the Congress will favorably consider these bills.

AMENDMENTS OF INTERNAL REVENUE CODE OF 1954 AND FEDERAL POWER ACT

Mr. LANGER. Mr. President, I introduce two bills for appropriate reference. The first bill will amend the Internal Revenue Code of 1954 so as to prohibit the allowance, as a business deduction, expenses incurred by electric power companies in propagandizing against Federal electric power policies and rural electric cooperatives. The second bill provides for an amendment to the Federal Power Act so as to prohibit the Federal Power Commission, in exercising their ratemaking power with respect to the transmission and sale of electric energy subject to its jurisdiction, from treating as operating expenses those expenses incurred by electric utilities in propagandizing against Federal power policies and REA.

Mr. President, testimony before congressional committees has revealed that electric power companies have spent millions of dollars in so-called advertisements in magazines and other media in propagandizing against Federal electric power policies and REA. These advertisements made it appear the Federal Government was losing money in Federal taxes, whereas the record disclosed that the principal purpose of the REA and Federal electric power policies were for the purpose of giving cheaper power rates to areas where many private electric power companies had refused to venture and serve until after the Federal electric power and REA had been instituted. The witnesses who have appeared before congressional committees have testified that the public utilities have listed, as expenses, before the FPC in utility rate hearings, the costs of such advertising propaganda against Government policies dealing with Federal electric power and rural electric cooperatives.

Mr. President, it is bad enough for the electric power companies to attack the Federal Government's electric power policy and the REA, but in my opinion it adds insult to injury to permit the electric power companies to make the Federal Government pay for it through permitting a tax deduction on income taxes for the advertisements and, further, for the public to pay for such propaganda through higher rates due to the cost of such propaganda.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills, introduced by Mr. LANGER, were received, read twice by their titles, and referred as indicated:

To the Committee on Finance:

S. 797. A bill to amend the Internal Revenue Code of 1954 so as to prohibit the allowance as a business deduction of expenses incurred by electric power companies in propagandizing against Federal electric power policies and rural electric cooperatives.

To the Committe on Interstate and Foreign Commerce:

S. 798. A bill to amend the Federal Power Act so as to prohibit the Federal Power Commission, in exercising their ratemaking power with respect to the transmission and sale of electric energy subject to its jurisdiction, from treating as operating expenses those expenses incurred by electric utilities in propagandizing against Federal power policies and rural electric cooperatives.

AMENDMENT OF WATER POLLUTION CONTROL ACT

Mr. HUMPHREY. Mr. President, on behalf of myself and the junior Senator from Minnesota [Mr. MCCARTHY], I introduce for appropriate reference a bill to amend the Federal Water Pollution Control Act. A companion bill is being introduced today in the House of Representatives by Representative JOHN BLATNIK.

The purpose of the bill is to expand the existing construction grants program for sewage treatment works, by increasing Federal participation and liberalizing eligibility requirements. The importance of expanding this program cannot be too strongly emphasized. The demand for fresh, clean water is increasing at an exceedingly fast rate while the supply of water is remaining fairly constant. As a result we do not have sufficien waste treatment facilities to keep our water supply from further pollution. In order to meet the increasing demand for clean water it is necessary that we have more sewage treatment plants to reduce the discharges of raw waste into streams and on the ground.

Public Law 660 of the 84th Congress, which authorized $500 million to be spent in matching funds to help communities build sewage disposal plants, has stimulated the greatest waste treatment construction program in our Nation's history. Good as this program has been, it is still far from adequate to meet the continually expanding need for water. It is for this reason that I offer this bill to expand the program.

The main provisions of this bill are as follows:

First. Grants for any one project would be raised from $250,000 to $500,000.

Second. Authorized annual grants for State approved municipal sewage treatment plants would be increased from $50 million to $100 million.

Third. Municipalities which join together in a joint construction project would no longer be limited, as under present law, to only one grant, but rather each such municipality for purposes of maximum limitations on grants would be considered as engaged in a separate project.

Fourth. Unobligated funds could be reallocated among States having projects approved and awaiting availability of grant funds; under present law unobligated funds lapse at the end of the fiscal year in which they are allotted.

Fifth. An Office of Water Pollution Control would be established within the Department of Health, Education, and Welfare.

Sixth. The Office of Water Pollution Control would be required to submit to the Congress a report on the activities and future plans of the Federal Water Pollution Control program within 1 year after passage of this act.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 805) to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works; to establish the Office of Water Pollution Control; and for other purposes, introduced by Mr. HUMPHREY (for himself and Mr. MCCARTHY), was received, read twice by its title, and referred to the Committee on Public Works.

PROTECTION OF TRAVEL RIGHTS OF CERTAIN PERSONS, AND ISSUANCE OF PASSPORTS

Mr. HUMPHREY. Mr. President, on behalf of myself, the Senators from New Mexico [Mr. CHAVEZ and Mr. ANDERSON], the Senators from Missouri [Mr. HENNINGS and Mr. SYMINGTON], and the Senators from Oregon [Mr. MORSE and Mr. NEUBERGER], I introduce for appropriate reference a bill to protect the travel rights of persons owing allegance to the United States and to govern the issuance of passports.

This bill is identical to S. 4137 which I and several of my colleagues introduced on July 15 of last year. It provides that any American citizen, or national, or any other person entitled to the protection of the United States is entitled to a passport as a matter of right within 30 days of filing a written application, upon establishment of identity and payment of fees.

The restrictions on the right to travel as contained in the bill are:

First. In time of war the President has complete control over the travel of persons into, or out of, the United States.

Second. The President is authorized to issue regulations prohibiting the entry of American citizens into combat areas when U.S. forces are participating in hostilities which have not been formalized by a declaration of war.

Third. The Secretary of State may refuse to issue a passport to, or limit the use of a passport by, any person under indictment, information, or sentence for the commission of a felony.

In addition, this bill does not repeal that part of the Internal Security Act of 1950 which prohibits the application for, or use of, a passport by persons who are members of an organization against which a final order has been handed down by the Subversive Activities Control Board.

This bill, Mr. President, is based upon the principle as set forth recently by the Supreme Court that "the right to travel is a part of the liberty of which the citizens cannot be deprived without the due process of law of the fifth amendment." This right was emerging as a part of the Anglo-Saxon law as early as the Magna Carta which provided in article 42 that it was lawful for any person to leave and reenter England except in time of war. This article excepted from this right only prisoners, outlaws, and people of nations at war with England.

I believe very firmly that the right to travel is one of our most precious freedoms. It should be limited by the Government only where the national interest clearly demands it, and only where the people as a whole benefit thereby.

This bill seeks to recognize the clear requirements of the Nation's security while at the same time assuring the freedom of travel as set forth in the Constitution of the United States.

This bill has been criticized by some as not going far enough and by others as going too far. We in offering this measure do not claim that it is perfect or that it will solve all the problems which may arise in the field of travel. A great deal of thought and effort have, however, gone into this bill. It is a sincere attempt to protect one of the basic liberties of the American people.

It is my strong conviction that in the present world struggle between the forces of freedom and tyranny we must not permit, in the name of necessity, our freedoms to be gradually whittled away. Our Nation must stand out as a beacon of freedom for all the world to see.

Mr. President, I would be derelict in my duty in introducing this bill if I did not pay special tribute to the senior Senator from Missouri [Mr. HENNINGS] who took part in drafting this bill, and for his long and tireless effort in behalf of the preservation of our civil rights and liberties. As the chairman of the Subcommittee on Constitutional Rights of the Judiciary Committee, the Senator from Missouri has been rendering yeoman service. One of the fields of special study and emphasis by the Subcommittee on Constitutional Rights has been the right to travel and U.S. passport policies. Those of us who believe that there should be fewer and less arbitrary restriction on the right to travel, are indebted to the Senator from Missouri and to his excellent subcommittee.

I ask unanimous consent, Mr. President, that the bill along with a short summary of its provisions be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and summary will be printed in the RECORD.

The bill (S. 806) to protect the travel rights of persons owing allegiance to the United States and to govern the issuance of passports, introduced by Mr. HUMPHREY (for himself and other Senators), was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Right to Travel Abroad Act".

SEC. 2. The Congress finds that freedom of movement is basic in the scheme of American institutions and includes both travel within the country as well as travel abroad; that the right to travel abroad is a part of the liberty of which citizens and nationals of the United States or persons entitled to the protection of the United States cannot be deprived without due process of law under the fifth amendment to the Constitution; that such right should not be restricted but is subject to the war power granted to the President and the Congress of the United States under the Constitution and also is subject to the exercise of the inherent power of the state to prosecute persons for the commission of crimes. It is also the sense of the Congress that at the present time the crucial function of a passport is control over entry or exit; and that no tests of beliefs or associations shall be applied to issuance of passports.

SEC. 3. (a) Within thirty days following the date of a written application therefor, the Secretary of State shall issue a passport to any citizen or national of the United States or to any person otherwise entitled to the protection of the United States upon proof of identity and payment of fees established by law: *Provided, however,* That the Secretary of State may refuse or limit the issuance of passports only where the provisions of section 4 of this Act apply.

(b) Persons enumerated in the preceding subsection shall be referred to hereinafter as "persons under this Act".

SEC. 4. The following are the only restrictions which may be imposed by the Government of the United States upon the travel abroad of persons under this Act:

(a) Following a declaration of war by the Congress, the President may issue regulations and modify or revoke such regulations to govern the movement of persons out of, or into, the United States and its possessions. Upon the termination of the war, any such regulations still in effect shall be revoked automatically.

(b) Following the outbreak of hostilities in which Armed Forces of the United States participate, the President may issue regulations and modify or revoke such regulations to govern the movement of persons under this Act in designated combat areas. Upon the cessation of hostilities, any such regulations still in effect shall be revoked automatically.

(c) The Secretary of State may refuse to issue a passport to, or limit the use of a passport by, any person under indictment, information, or sentence for the commission of a felony.

SEC. 5. (a) Following a determination by the President that temporarily the United States may not be able to give its usual protection to persons under this Act traveling in certain designated areas of the world, the Secretary of State shall (1) publish, (2) inform each passport applicant of, and (3) inform the Congress of, this determination and the reasons therefor, such as lack of diplomatic relations or threatened or existing hostilities or disturbances in which Armed Forces of the United States are not participating.

(b) The President shall not forbid travel in these areas by persons under this Act.

SEC. 6. The Secretary of State shall have authority to make, amend, and rescind such rules and regulations as may be necessary to administer this Act.

The provisions of the Administrative Procedure Act shall be applicable to all proceedings for the issuance, limitation, denial, or revocation of passports under this Act and to all rulemaking under this Act, but the exceptions in sections 3, 4, and 5 of the Administrative Procedure Act shall not apply to this Act.

SEC. 7. (a) The following Acts or parts of Acts and all amendments thereto are repealed on the effective date of this Act:

(1) Section 4076 of the Revised Statutes (32 Stat. 386).

(2) Section 1 of title IX of the Act of June 15, 1917 (40 Stat. 227).

(3) Section 1 of the Act of July 3, 1926 (44 Stat. 887).

(4) That part of section 2 of the Act of July 3, 1926, as amended (44 Stat. 837; 46 Stat. 839; 47 Stat. 157), which provides that the Secretary of State may limit the validity of a passport, passport visa or the period of renewal of a passport to less than two years.

(5) Subsection (b) of section 215 of title II of the Act of June 27, 1952 (66 Stat. 190).

(b) All other statutes and regulations in conflict or inconsistent with provisions of this Act are, to the extent of such conflict or inconsistency, repealed on the effective date of this Act.

SEC. 8. This Act shall take effect at 12:01 o'clock antemeridian United States eastern standard time on the fifteenth day immediately following the date of its enactment.

SUMMARY OF THE "RIGHT TO TRAVEL ABROAD ACT" BY MR. HUMPHREY

Section 1 states that the act may be cited as the "Right To Travel Abroad Act."

Section 2 is a declaration of policy that the Congress joins the executive and judicial branches of the Government in affirming a constitutional right to travel by citizens, nationals, and other persons entitled to the protection of the United States.

Under section 3, any American citizen or national, or any other person entitled to the protection of the United States would be entitled to a passport as a matter of right within 30 days of filing a written application, upon establishment of identity and payment of fees. The only restrictions to this right are contained in section 4.

Subsection (a) provides that in time of war, the President shall have complete control over travel of persons into, or out of, the United States. This is a valid recognition of constitutional war powers. This would include the power to refuse to issue passports, as well as the power to limit the use of passports which may be issued.

Subsection (b) gives the President the power to issue regulations prohibiting the entry of American citizens into combat areas when U.S. forces are participating in hostilities which have not been formalized by a declaration of war. The President would not be given authority to refuse passports or limit them other than as to combat zones.

There is no provision in this bill for limitation upon the issuance or use of passports in times of so-called national emergencies; as far as the issuance of passports is concerned, the United States has been in a "national emergency" since 1940, and there are no prospects for a voluntary revocation of this status by the executive branch in the foreseeable future. If passports and travel can be limited in time of "national emergency," there will be no freedom of travel.

Subsection (c) provides that the Secretary of State may refuse or limit a passport to any person under indictment, information, or sentence for the commission of a felony. This restriction was specifically recognized by the Supreme Court in its recent decisions.

Any American Communists who have been indicted or convicted of a felony under Federal or State law fall within the provisions of section 4(c). In time of war or hostilities, American Communists would come within the restrictions of subsections (a) and (b) of section 4. In addition, this act does not repeal (see section 7) that part of the Internal Security Act of 1950 which prohibits the application for, or use of, a passport by persons who are members of an organization against which a final order has been handed down by the Subversive Activities Control Board (sec. 6 of title I of the act of Sept. 23, 1950; 64 Stat. 993).

Section 5 would prohibit the present practice of the State Department to proscribe large areas of the world as out of bounds to traveling Americans. This section would authorize the President to declare that certain areas are dangerous and that American citizens traveling in these areas cannot expect to receive the usual protection afforded our citizens abroad. This is, in effect, a travel at your own risk section. It would allow newsmen, businessmen, missionaries, and others to travel anywhere in the world, with a warning of danger in advance that certain areas are dangerous.

Section 5 would end the State Department's paternalistic attitude toward American citizens. It would also end the Department's practice of using the travel of private American citizens as a tool of foreign policy.

Procedural due process and judicial review are provided by section 6 which makes the Administrative Procedure Act available with no exceptions. Thus, even in proceedings involving the proof of identity and citizenship (or nationality or that the person is otherwise entitled to the protection of the United States), the high due process standards of the Administrative Procedure Act must be met. This means that unidentified informants or secret dossiers cannot be used. Some of these rights are: The right to a determination solely on the open record, right to counsel, right to confront any adverse witness and cross-examine him.

Section 10 of the Administrative Procedure Act provides judicial review of an adverse ruling or determination.

Mr. HUMPHREY. Mr. President, I also ask unanimous consent that the bill lie on the desk for 7 days to permit additional cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HENNINGS. Mr. President, the senior Senator from Minnesota [Mr. HUMPHREY], on behalf of both of us, and perhaps other Senators, has introduced a bill relating to the right to travel, known as the passport bill.

I thank the senior Senator from Minnesota for his very kind remarks, and I believe that he is minimizing his own valuable work in this field. As a most able member of the Foreign Relations Committee, to which the bill will be referred, he has been in the forefront of those of us who feel that the free citizen's right to travel is not something to be tampered with unless the citizen has been officially charged or is under sentence for a serious crime or unless conditions of war or conflict make it necessary that foreign travel become subject to emergency regulations.

The bill introduced today by the Senator from Minnesota and sponsored by several other Senators and myself is, as the Senator from Minnesota so generously pointed out, very largely the product of extensive and exhaustive hearings and study by the Subcommittee on Constitutional Rights. I am very glad to have had a part in the drafting of this vital legislation.

I have on my desk three volumes amounting to over 1,000 pages which deal with our Nation's passport policies and with the free citizen's right to travel. All of these pages boil down to just one basic idea, that the right to travel is just as basic to free Americans as is the right of free speech.

Mr. President in recent years there has been an alarming tendency within the executive branch of the Government to limit this right. The Secretary of State has assumed that he has the absolute authority to limit the travel abroad of Americans. All American citizens have been barred from entering certain countries in the world. Certain Americans have been barred from going abroad at all, except to countries in the Western Hemisphere. The free citizen's right to travel has been made secondary to the dictates of the Nation's foreign policies. This right has been limited for the purpose of "slapping the wrist" of certain other nations. This may be convenient for the Secretary of State, but it does a grievous wrong to the free citizen.

As the distinguished occupant of the chair well knows, this assumption of authority by the Secretary of State was strongly censured by the U.S. Supreme Court in the recent Kent and Dayton decisions. The Court's decisions affirm the convictions held by the Senator from Minnesota and myself. These decisions, however, deal with specific cases, and do not constitute a general shield against limiting the right to travel. The decisions do not even deal with the assumed right to ban travel by free Americans to certain sections of the world.

Mr. President, the bill introduced today by the Senator from Minnesota, and which I have the honor to sponsor with him, does offer such a shield. It offers protection, not only to individual American citizens, but to the Nation as a whole, for it takes into consideration the overriding conditions under which the right to travel must be regulated in order to preserve the security of the Nation during time of hostilities. I am very happy to join with the Senator from Minnesota in sponsoring this bill. I shall, of course, support it strongly, and I hope our Senate colleagues will give this timely legislation their attention and support.

INSPECTIONS AND INVESTIGATIONS IN METALLIC AND NONMETALLIC MINES AND QUARRIES, RELATING TO HEALTH AND SAFETY

Mr. MURRAY. Mr. President, I send to the desk for appropriate reference a bill relating to certain inspections and investigations in metallic and nonmetallic mines and quarries, excluding coal and lignite mines.

The purpose of this bill is to obtain accurate data relating to health and safety conditions, accidents, and occupational diseases in the mining industry.

I am joined in sponsoring this bill by Senators HOWARD CANNON, JOSEPH CLARK, HUBERT HUMPHREY, ESTES KEFAUVER, MIKE MANSFIELD, EUGENE MCCARTHY, FRANK MOSS, and WILLIAM PROXMIRE.

It is my hope that hearings will be held very soon on this important measure which affects the miners in my part of the country and other sections of the Nation.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 811) relating to certain inspections and investigations in metallic and nonmetallic mines and quarries (excluding coal and lignite mines) for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes, introduced by Mr. MURRAY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

QUALIFICATIONS OF SUPREME COURT JUSTICES

Mr. THURMOND. Mr. President, the recent decisions of the U.S. Supreme Court clearly indicate both a nonjudicial approach and ignorance of existing conditions in the various sections of our country.

I believe the Supreme Court desegregation decision to be the outstanding judicial blunder of all times. This blunder was compounded last fall when the members of the Court ordered immediate integration at Little Rock, and, in so doing, broke at least three historic precedents in judicial proceedings. First, they attempted to rule out private-school plans, when this case was not before the Court; second, they asserted that they made a certain statement in their 1954 decree which cannot be found there; and third, they affixed the signatures of three new Justices to the 1954 decision, although they were not present for the arguments and the decisions in that case.

In the desegregation decisions, the Court has done irreparable harm to the country by application of a wholly unjudicial approach. Although I consider the decisions in the education field as the most outrageous examples of this approach, it is by no means the only example. It is only a part of the overall story.

The Court's usurpations have practically reduced sovereign States to mere political subdivisions of an oligarchy.

The Court has arrogated to itself powers rightfully belonging to the Congress. It has usurped powers of the executive branch.

It has thwarted efforts of both the Congress and the executive branch to insure the internal security of our country.

It has unleashed on society self-confessed rapists, murderers, and other criminals.

It has repeatedly substituted its opinions for the Constitution and law.

It has shown a complete lack of knowledge of the underlying reasons for the doctrine of stare decisis.

The Congress, as the direct representatives of the people, has an obligation to protect the Constitution from those in positions of power who lack respect for that document and the principles of Government enunciated therein. Congress is also obligated to protect the American people from the judicial tyranny which flouts the rights of every citizen of this country.

To continue to ignore the Supreme Court's abuses is to court disaster. Our obligation can be discharged only by facing the issue and dealing with it in unequivocal terms.

As one step in the direction of returning the Court to its proper sphere of activity, I introduce, and send to the desk, a bill to amend the criteria of qualifications for Supreme Court Justices.

This bill would require, as a prerequisite to appointment as Chief Justice of Associate Justice of the Supreme Court, a minimum of 5 years judicial experience on a district court or circuit court of appeals of the United States, or an appellate court or court of general jurisdiction of one of the several States. It would further provide for a rotation of these appointees among the several judicial circuits of the United States.

I sincerely hope that this measure will be given early and favorable action by the Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 813) to establish qualifications for persons appointed to the Supreme Court, introduced by Mr. THURMOND, was received, read twice by its title, and referred to the Committee on the Judiciary.

AID TO EDUCATION

Mr. PROXMIRE. Mr. President, I introduce for appropriate reference a bill to provide for aid to education by returning to each State a proportion of the Federal income taxes collected within the State.

I have modified the bill in accordance with the colloquy, which benefited me very greatly, almost a year ago with the Senator from Minnesota [Mr. HUMPHREY] and the Senator from Illinois [Mr. DOUGLAS]. I think in its present form, the bill could overcome a very serious obstacle which has prevented bills for Federal aid to education from passing in the past.

The bill contains an equalization provision which would provide eventually that each and every State could retain approximately $100 for each school-age child. A child in Wisconsin would get the same assistance in education as a child in Mississippi, Illinois, or New York.

No Federal interference with State and local control of education would be involved. This is because each State simply would get a part of the income taxes paid by its own residents to use as it saw fit in its own educational program. This means that the Nation can get on with the very urgent job of building schoolhouses and paying good teachers, without having first to settle all the philosophical problems which beset any plan that involves a hint of Federal supervision.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 816) to provide financial assistance to the States for educational purposes by returning to the States a portion of the Federal income taxes collected therein, introduced by Mr. PROXMIRE, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

ADDITIONAL JUDGES FOR EASTERN AND WESTERN DISTRICTS OF PENNSYLVANIA

Mr. CLARK. Mr. President, I send to the desk, for appropriate reference, a bill introduced by me on behalf of myself and the distinguished junior Senator from Pennsylvania [Mr. SCOTT], to provide five additional Federal district court judgeships for Pennsylvania, three for the eastern district of Pennsylvania and two for the western district, as recommended by the 1958 Judicial Conference.

These additional judges are desperately needed in Pennsylvania. In spite of heroic efforts by the judges now sitting in these courts, the backlog of cases is worse than ever.

In the eastern district there were 4,932 civil and criminal cases pending at the end of fiscal 1958. This means that each of the 8 judges in the district has a staggering caseload of 549 cases waiting disposition. It would take 2 years for the judges to dispose of this backlog if no new cases were filed, but instead, new cases are being started at a record rate. Only 1 of the 85 other district courts in the country has a larger number of pending cases.

The situation in the western district is equally bad. The latest figures on the backlog there, where there are only 6 judges, show a total of 2,308 cases pending. The average delay from time of filing to time of trial in civil cases in this district is listed as 31 months, 2½ times the national average.

Mr. President, in the 1958 Annual Report of the Administrative Office of the U.S. Courts it is stated that a delay of more than 15 months from filing to trial "may very well amount to a denial of justice."

Only the prompt enactment of legislation creating additional judgeships in Pennsylvania and elsewhere, where similar backlogs exist, will prove American determination to make our judicial system work effectively.

I hope very much that the leadership of my party in both Houses of Congress will give their support to bills which will make it possible to bring our Federal court functions up to date and relieve the present congestion.

I hope that we will not feel that we must wait until 1961—when, of course, we will elect a Democrat President of the United States—before we can remedy this crying injustice, because justice delayed is justice denied.

In making that comment, I should like to add a note of mild criticism with respect to the failure of the administration to fill the vacancy which occurred in the eastern district of Pennsylvania on May 1, 1958, when Chief Judge William Kirkpatrick, who has been a very effective and wonderful judge and who has given a lifetime of service to the administration of justice in the eastern district of Pennsylvania, resigned. The quickest way of alleviating the condition in these overloaded courts would be, pending the passage of the bill we are introducing, by the appointment of a judge to fill that vacancy.

I know that politics sometimes must take priority—although it should not take priority—over public interest, but I hope that our friends on the other side of the aisle who are interested in the appointment in Pennsylvania will resolve their differences so that the vacancy may be filled and at least a part of the backlog removed.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 818) to provide for the appointment of three additional district

judges for the eastern district of Pennsylvania and two additional judges for the western district of Pennsylvania, introduced by Mr. CLARK (for himself and Mr. SCOTT), was received, read twice by its title, and referred to the Committee on the Judiciary.

REPEAL OF CERTAIN PROVISIONS OF NATIONAL DEFENSE EDUCATION ACT OF 1958

Mr. KENNEDY. Mr. President, on behalf of myself and the Senator from Pennsylvania [Mr. CLARK], I introduce, for appropriate reference, a bill to amend the National Defense Education Act of 1958 in order to repeal certain provisions requiring affidavits of loyalty and allegiance. I ask unanimous consent that a statement prepared by me relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 819) to amend the National Defense Education Act of 1958 in order to repeal certain provisions requiring affidavits of loyalty and allegiance, introduced by Mr. KENNEDY (for himself and Mr. CLARK, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The statement presented by Mr. KENNEDY is as follows:

STATEMENT BY SENATOR KENNEDY

I am introducing today, on behalf of myself and the senior Senator from Pennsylvania, a bill to eliminate the loyalty-oath provision of the National Defense Education Act of 1958.

This provision, subsection (F) of section 1001, presently requires those scholars, scientists, teachers, mathematicians, and other students who apply for a loan or grant under this program to sign an oath of loyalty with an affidavit declaring that they do not believe in, belong to, or support any subversive organization. This subsection received very little attention when the bill passed the Congress last year. It should receive more attention now.

No thought was given, to my knowledge, to the question of how this section would be enforced, who would investigate the veracity of these affidavits, who would determine whether students who did not belong to any subversive organization might have said something indicating "support," or where the Department of Health, Education, and Welfare was going to find the money to police this provision.

Nor was there any discussion as to what danger to the Nation was being avoided by this requirement or why Congress was singling out recipients of Federal scholarships and student loans and not those who receive old-age benefits, crop loans, or other unrelated payments.

Card-carrying members of the Communist Party, of course, have no hesitancy about perjuring themselves in such an affidavit. This provision will not keep them out of the program. But it may well keep out those who resent such a requirement, those who find it distasteful or humiliating, those who are overapprehensive in their interpretation or who fear unnecessarily the Government's interpretation of their views, or those who are conscientiously opposed to test oaths. To be sure, most of those thus excluded by this provision might be said to be nonconformists and dissenters—but surely, in our efforts to attract into scientific pursuits the best talents, the most inquiring minds of our Nation, we do not wish to exclude the nonconformists and the dissenters. Those who are willing to sign such an affidavit are not always by that act necessarily proven to be either more loyal or more talented than those who do not sign.

The Secretary of Health, Education, and Welfare is understandably concerned about how this provision is to be implemented and its implementation financed. The presidents of our leading universities—including most recently the presidents of Yale, Harvard, and Princeton—are understandably concerned about the effect of this provision on the program, on their students, and on the academic freedom of their institutions—institutions which, in the words Jefferson prescribed for the University of Virginia, should be "based on the illimitable freedom of the human mind." And we in the Congress should be concerned, Mr. President, as to whether this unnecessary, futile gesture toward the memory of an earlier age will not defeat the very purposes of last year's bill. For, unlike the Soviets, we cannot take steps to keep our brightest minds in scientific careers—but we can take steps that keep them out. That is the great danger of this provision—and I hope this Congress will strike it.

PROPOSED 4-YEAR TERM FOR MEMBERS OF THE HOUSE OF REPRESENTATIVES

Mr. MANSFIELD. Mr. President, I introduce, for appropriate reference, a joint resolution proposing an amendment to the Constitution of the United States providing that the term of office of Members of the House of Representatives shall be 4 years.

Proponents of a 4-year term for our colleagues on the other side of the Capitol have often been accused of tampering with the Constitution and our American traditions. I find that 170 years ago there was no majority of opinion in favor of a 2-year term, and I feel that the supporting arguments for a 4-year term have advanced in this modern and more complex age.

A 4-year term would provide for greater harmony between the President and the House of Representatives. Many argue that a 4-year term will keep a Representative away from his constituents. I do not think a Congressman's closeness to his constituents is dependent upon his short term of office; but, instead, I believe his closeness is dependent on the generally smaller and more compact size of his district, as opposed to that of a Senator, who in many cases represents States with large land areas and millions of people.

A 4-year term would give a Representative an opportunity to perform a greater service to his constituents, devoting more time to legislative duties. Under the present system a Congressman must devote the early part of his term to organization, and then it seems that he must begin thinking about getting reelected; and this problem of reelection looms very large during the second year of his term.

Biennial elections result in the loss from the House of Representatives of many experienced Members. Our society is now so complex that we can ill afford to be without their wisdom and experience. In addition, 2 years is by no means long enough for a Representative to learn his job, which is one of the most complicated, demanding, and responsible in the world. I think that those of us here in the Senate who have served in the House can testify to that. I am confident that a 4-year term would make it possible for each Congressman to become more effective in serving the people of his district.

Campaign and election costs have grown steadily, and there is no reason to think they will decrease. Good men may be discouraged from running for the House of Representatives because they feel they cannot afford it. If a Representative did not have to run every 2 years the costs certainly would be reduced.

My proposal provides for the election of half of the House Members every 2 years; and the provisions of this joint resolution meet the problems of redistricting.

A 4-year term for the Members of the House of Representatives would, in my opinion, enhance and contribute to the legislative process.

Mr. President, I ask unanimous consent to have the text of my joint resolution printed at the conclusion of my remarks in the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 36) proposing an amendment to the Constitution of the United States providing that the term of office of Members of the House of Representatives shall be 4 years, introduced by Mr. MANSFIELD, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. The House of Representatives shall be composed of Members chosen by the people of the several States and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature. Except as hereinafter provided in this article, the term of office of Representatives shall be four years.

"SEC. 2. The Representatives shall be divided by lot into two classes. The number of offices assigned to each class shall be as nearly equal as may be; and the number of offices from each State assigned to each class shall be as nearly equal as may be.

"SEC. 3. The first division into classes shall be made immediately after the House of Representatives shall be assembled in consequence of the first election of Representatives to whom this article applies.

"A further division into the two classes shall be made immediately after the House of Representatives shall be assembled in consequence of each election of Members which next follows a reapportionment of Representatives among the several States. Such

further division shall apply only to those States the representation of which has been increased or decreased by such reapportionment. The term of office of all Representatives from such States shall end at noon on the third day of January after the election which next follows such reapportionment.

"The offices of the Representatives from any newly admitted State shall be divided into the two classes immediately after the House of Representatives shall be assembled in consequence of the first election of Representatives from such State.

"SEC. 4. In order that, as nearly as may be, one-half of the Representatives will be chosen every two years, the term of office of those Representatives whose offices are assigned to the first class at the first division shall be two years, and the term of office of any Representative whose office is assigned to one of the two classes at any subsequent division shall expire at the same time as the term of office of the other offices assigned to that class.

"SEC. 5. The first sentence of section 2 of article I of the Constitution of the United States is hereby repealed.

"SEC. 6. The foregoing provisions of this article shall first apply in the case of Representatives elected for terms beginning on the first January 3 which occurs more than one year after the ratification of this article.

"SEC. 7. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within seven years from the date of its submission to the States by the Congress."

USE OF SURPLUS FOOD FOR PEACE

Mr. HICKENLOOPER. Mr. President, I think the message from the President, which has been laid before the Senate, is with respect to an agricultural program. One of the very important measures recommended in that message is the use of food as an instrument for peace. I think it is an extremely important program. I think it is a vital program, and one to which we should give our very careful attention.

I introduce a joint resolution touching the proposal of the President, expressing the concurrence of the views of the Congress on the use of surplus food as an instrument of peace, and ask that the joint resolution be appropriately referred.

I ask unanimous consent that the joint resolution be printed in full at the close of my remarks.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred and, without objection, will be printed in the RECORD.

The joint resolution (S.J. Res. 37) to permit the use of food for peace, introduced by Mr. HICKENLOOPER, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby concurs in the views of the President to the effect that food can be a powerful instrument for all the free world in building a durable peace and that the United States and other surplus-producing nations should make the fullest constructive use of their abundance of agricultural products to this end.

SEC. 2. The President is requested to review existing authorizations with respect to the disposal of agricultural commodities and products thereof, to utilize such authority to the fullest extent practicable in the interest of reinforcing peace and the well-being of friendly peoples throughout the world, and to report to the Congress such additional authorizations as he may consider desirable to achieve such purpose.

PROPOSED AMENDMENT OF CONSTITUTION RELATING TO TEMPORARY VACANCIES IN HOUSE OF REPRESENTATIVES

Mr. KEFAUVER. Mr. President, I introduce, for appropriate reference a joint resolution to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives. Any time the House of Representatives is reduced by more than half, this bill would provide for the executive authority of each State to fill the vacancy through temporary appointment. Congressman EMANUEL CELLER has already reintroduced a similar resolution in the House, House Joint Resolution 8. During the 84th Congress this resolution was passed by the Senate, but during the last Congress it failed to get out of committee.

In these times of missiles, hydrogen bombs, and satellites I think this resolution has added importance. We ought to make sure of the continuation of the Congress should some emergency come to our country.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 39) to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives, introduced by Mr. KEFAUVER, was received, read twice by its title, and referred to the Committee on the Judiciary.

PROPOSED AMENDMENT TO CONSTITUTION RELATING TO DISCHARGE OF PRESIDENTIAL POWERS

Mr. KEFAUVER. Mr. President, on behalf of myself, the Senator from Missouri [Mr. HENNINGS], and the Senator from Illinois [Mr. DIRKSEN], I introduce, for appropriate reference, a resolution proposing an amendment to the Constitution relating to cases where the President is unable to discharge the powers and duties of his office.

The joint resolution provides for assumption of the President's duties by the Vice President with written approval of a majority of the heads of executive departments.

It further provides that the Vice President can, if he and a majority of these department heads decide that the President's disability has not terminated, so declare to Congress and call upon Congress to consider the issue.

It further provides that Congress, through a two-thirds concurrent resolution, can agree to the Vice President continuing discharge of the President's duties until the Vice President or the Congress determines the President's inability has ended, or until the President's term ends.

This joint resolution is identical with Senate Joint Resolution 161 which I introduced last year.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 40) proposing an amendment to the Constitution of the United States relating to cases where the President is unable to discharge the powers and duties of his office, introduced by Mr. KEFAUVER (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

PROGRAM OF TAX ADJUSTMENT FOR SMALL BUSINESS—ADDITIONAL COSPONSORS OF BILL

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the names of the Senator from Colorado [Mr. CARROLL] and the Senator from Oregon [Mr. NEUBERGER] be added as additional cosponsors of the bill (S. 59) to provide a program of tax adjustment for small business and for persons engaged in small business, introduced by me (for myself and other Senators), on January 9, 1959.

The PRESIDING OFFICER. Without objection, it is so ordered.

EFFECTIVE REGULATION OF D.C. TRANSIT SYSTEM, INC.—ADDITIONAL COSPONSOR OF BILL

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the next reprinting of the bill (S. 304) to insure effective regulation of D.C. Transit System, Inc., and fair and equal competition between D.C. Transit System, Inc., and its competitors, introduced by me (for myself and other Senators) on January 14, 1959, the name of the Senator from Tennessee [Mr. KEFAUVER] may be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF FLOOD CONTROL ACT OF 1950, RELATING TO LIBBY DAM—ADDITIONAL COSPONSOR OF BILL

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have the name of the senior Senator from Vermont [Mr. AIKEN] included as a cosponsor of the bill (S. 682) to amend the Flood Control Act of 1950 as it applies to the Libby Dam on the Kootenai River in the State of Montana.

The construction of the authorized multipurpose project, Libby Dam, has been held up for many years by international negotiations between the United States and Canada. This bill would authorize the construction of this project on a two-stage basis so that work can be started before an international agreement is arrived at. I am especially pleased to have the senior Senator from Vermont as cosponsor of S. 682 because

of his intense interest in promoting Canadian-American relations.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF SCIENCE AND TECHNOLOGY—ADDITIONAL COSPONSOR OF BILL

Mr. YARBOROUGH. Mr. President, on January 23 the distinguished Senator from Minnesota [Mr. HUMPHREY], and the chairman of the Committee on Government Operations, the Senator from Arkansas [Mr. MCCLELLAN], and the very able Senator from North Carolina [Mr. ERVIN], introduced a bill (S. 676) to create a Department of Science and Technology. A similar bill was introduced last year.

It is my privilege to join as a cosponsor of this proposal, for I am firmly convinced it deals with a matter of tremendous importance to the future of our Nation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, it has been said many times that the memory of man is short; that matters of great public interest or concern today are forgotten tomorrow or next week. Sometimes public forgetfulness is good, sometimes it is not. All of us recall vividly the public concern and hubbub last session over the Russian sputnik and other scientific advancements made by the Communists. One result of that concern was congressional passage of the National Defense Education Act, a bill which made a good start in the right direction, but by no means completed the job. Formation of the new agency, the National Aeronautics and Space Administration, to deal with the problem of space research and exploration, also was a constructive step, but it was only a start.

One of the leading authorities on the subject is Mr. Alan T. Waterman, the Director of the National Science Foundation. In his annual statement, the Director said, "the answer is that we have made only a beginning; the major job is still to be done."

Most of us must surely agree that the major job is still to be done and I am referring to our job, as well as the scientific work and training. Creation of a Department of Science and Technology is a vital part of the overall scientific research and development program. We should not forget the first shock of Russia's sputnik success, and leave a half-finished legislative program to do a half-coordinated job in this critical field.

Mr. President, I request unanimous consent to have printed in the CONGRESSIONAL RECORD excerpts from the statement of Alan T. Waterman, Director of the National Science Foundation published in the Foundation's Eighth Annual Report, 1958, under the heading, "Director's Statement."

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

DIRECTOR'S STATEMENT

Are we as a nation proceeding forthrightly to accomplish what is necessary for maximum progress in science and technology, and for the improvement in the education and training of our young people? Furthermore, are we acting with the promptness which the situation demands? Or is there evidence that, as a rebound from our intense interest of a year ago, we are in danger of again becoming complacent? As a single illustration, one need only compare the reaction of the public to the launching of the first sputnik with that manifested at the third launching in May.

The answer is that we have only made a beginning; the major job is still to be done. In the field of education, there seems to be no immediate prospect of adequate salaries for schoolteachers, of adequate school buildings and facilities, nor of adequate incentives for recruiting the numbers of competent teachers we shall require. Congress shows caution about taking action, as do most of the States; the scientific and educational societies lack funds; and local attempts outside of a few wealthy suburban communities have come up against the realization that adequate funds are not available for the purpose until something is done about taxes.

As for the support of scientific research, it is generally recognized that the modern dependence of a country upon its technology requires thorough attention to its progress in science. The key to the latter lies in the support of basic research. Forward thinking and plans for dealing with important areas of research have not as yet shown indication of full realization in budget terms. The immediacy here lies in insuring the health and strength of science and engineering in the graduate schools of our colleges and universities, which constitute the stronghold for basic research and for the advanced training of scientists and engineers. The pressing problem for science and engineering in universities is to secure modern laboratories and research equipment, including rather costly equipment for the larger institutions, and to provide for large capital research facilities to be used nationally or at regional centers. In the interest of training future scientists, needs extend to undergraduate laboratories and demonstration equipment. Not to be forgotten are the fundamental needs of our colleges and universities for funds freely usable for maintenance and operation; these are the most difficult of all to secure.

In the meantime, the evidence from other countries and notably the U.S.S.R. shows a determination and a national spirit on the part of the people which seems to be relatively absent from the American scene. The recent educational group which went to the U.S.S.R. with the Commissioner of Education, and likewise the group of university presidents, came away with the conviction that the Russian people see their way clear to world leadership in science and technology. They are apparently dedicated to this—not in the sense of military competition, but rather of achieving world supremacy without the need of military domination. Among other nations, we shall ultimately have to reckon with the genius for organization and the industry of the German people, the industry and learning ability of the Japanese and the industry and potentialities of the Chinese.

As a Nation we appear to forget that we live in a competitive world and shall continue to do so. It seems abundantly clear that we shall rapidly lose in competition, unless we can show more determined and constructive efforts than we have during the past years.

It is clear that success in the requisite effort depends fundamentally upon the understanding of the problem by our people and our determination to achieve these goals. Under our democratic system, no segment of Government, whether Federal, State, or local, can succeed in securing necessary action programs or funds to carry them out unless our citizens understand, actively endorse, and indeed participate in the steps that need to be taken. In short, the wholehearted cooperation of the people of the country is necessary to achieve the goals which the President has pointed out so clearly. Most important here is a realization that this is not a single emergency but a continuing, possibly a permanent, one. In this modern world there can be no relaxation of a determination to compete successfully and continuously.

Admittedly, these questions are complicated by several issues: (a) The need and extent to which the Federal Government should take action and provide funds for education and for educational institutions in the face of a traditional policy of leaving such matters to State and local authorities; (b) the development of our full capabilities for national security and world competition without jeopardizing our economy; (c) the realization of national goals while maintaining individual initiative and achievement of individual wants and ambitions; (d) attainment of full development of individual talents and aptitudes while dealing satisfactorily with the demands for education for all.

While these questions are important and should be resolved, we dare not allow these to becloud the main issue—we must progress in our science and technology and in the education and training of our citizens with all the effectiveness and thoroughness we can muster. We cannot afford to delay in arguments as to how we do them.

During the past year the recession has brought us face to face with one of our most serious difficulties, namely, how we can develop our full capabilities and still remain financially solvent—in other words, how to provide for the increasingly costly technological developments necessary for national security without endangering the Nation's economy. A grave danger here is that, for reasons of economy, we fall short of developing our capabilities in science and technology.

We can only insure the possibility of full protection of national security by giving every encouragement to scientific research (as contrasted with development and production). It is only in this way that we can achieve the ideas and the breakthroughs which promise clear superiority; it is only in this way we can insure that the developments we undertake are modern and up-to-date in every detail. The results of such research, in competent hands, are never without value. Even when no breakthroughs appear, the total effort always brings a possible breakthrough closer.

It should be noted that the costs of research are very small as compared with those of development. Only about 4 percent of national funds for research and development go into basic research.

As history amply records, the most epoch-making scientific discoveries have come from basic research. But basic research, being exploration into the unknown by its very nature cannot predict exactly where these breakthroughs will occur. Therefore, comprehensive support of research has to be undertaken in order to overlook no opportunities. This should be regarded as an investment, the precise spots where high returns occur being unknown in advance. With full support of research, both basic and applied, we then have full exploitation of the potentialities for development and production. Incidentally, by the support of basic research we gain as an important by-product the advanced training of young scientists.

Whether our primary objective as a nation is to deter our enemies, to sustain the free world's leadership, to extend a helping hand to underdeveloped nations or merely to maintain our peace and prosperity at home, the first essential is a real determination to

achieve better education, better science and technology and, above all, the development of quality in all fields—quality in training and quality in performance. Unless we can succeed in accomplishing these things we can maintain neither our national objectives nor the personal objectives of our people.

PROPOSED CIVIL RIGHTS ACT OF 1959—ADDITIONAL COSPONSORS OF BILL

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the civil rights bill, Senate bill 810, introduced earlier in the day by the Senator from Illinois [Mr. DOUGLAS] for himself and other Senators be held at the desk until the close of business on Monday, February 2, to permit the addition of the names of other cosponsors, if additional Senators wish to become cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ASSIGNMENTS

Mr. DIRKSEN. Mr. President, I should like to suggest to the majority leader that the Vice President has laid before the Senate names for assignment to the Joint Committee on Atomic Energy. If it is agreeable, I should like to have those names laid before the Senate.

Mr. JOHNSON of Texas. It is perfectly agreeable.

The PRESIDING OFFICER. The Chair appoints to the Joint Committee on Atomic Energy the following Senators, under title 42, U.S.C. 2251: Senators WALLACE F. BENNETT and GEORGE D. AIKEN, as minority members.

AUTHORIZATION FOR SPECIAL COMMITTEE ON SPACE AND ASTRONAUTICS TO FILE REPORT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Special Committee on Space and Astronautics have until February 28, 1959, to file its report with the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD.

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. SPARKMAN:

Address entitled "Federal-City Relations Vital to Whole National Economy," delivered by Senator JOSEPH S. CLARK, and published in the Alabama Municipal Journal for January 1959.

By Mr. MURRAY:

Article entitled "Agency Works on New Plan To Spur School Building," written by James A. Reynolds, and published in the Wall Street Journal of January 22, 1959; press release by Senator MURRAY of January 22, 1959.

PRESIDENT'S MESSAGE DEALING WITH AGRICULTURE—NOTICE OF HEARING

Mr. ELLENDER. Mr. President, a few minutes ago the Vice President laid before the Senate a message from the President of the United States dealing with the problems facing the Nation's agricultural economy. I wish to give notice that at the next regular meeting of the Committee on Agriculture and Forestry on Wednesday, February 4, 1959, I intend to try to have Mr. Benson, the Secretary of Agriculture, elaborate on these proposals which have been sent to the Congress by the President.

However, I would be less than fair if I did not state my opinion of the President's message at this time. Based upon the cursory examination I have been able to give the President's message since I received a copy this morning, I do not think there is a ghost of a chance for passage by this Congress of any legislation based on these recommendations.

By and large, I do not see that the President's message contains anything new. It is the same old story that we have heard over the past number of years—the same old demands that the Secretary of Agriculture be given even greater freedom to drive down the prices received by farmers for their products. The President is now seeking legislation which would allow the Secretary of Agriculture to fix price supports anywhere within a range of 75 to 90 percent of the average market price received by farmers during the immediate preceding years. If Congress refuses to go along with this idea, then he wants the power to fix support prices at a range from 0 to 90 percent of parity.

Both the President and the Secretary of Agriculture should know that last year those same proposals were presented to the Senate. After extensive hearings on those proposals, the Congress passed a different bill, one which I was led to understand was agreeable to the Secretary of Agriculture and to the President, since the President signed the bill.

Today we are confronted with another suggestion, namely, that we wipe out all we did last year and make the Secretary of Agriculture almost a complete czar by giving him complete control over price supports with respect to our various basic commodities. Personally, I do not believe that either the Senate or the House will stand for such a procedure.

Specifically, Secretary Benson is recommending, in this message we have received today, through the President, changes in the wheat program similar to those enacted for corn last year, on the one hand, or stricter acreage controls on the other.

Both approaches suggested by the Secretary would result in both lower prices and lower incomes to farmers. Neither would provide any stability to the farmer's economic position.

Rather, wheat farmers, for example, would be subjected to increased hazards of continued overproduction and lower prices.

There is no doubt that something must be done to solve the pressing wheat problem. However, I think that the committee should look at all plans which have been proposed, both by farm organizations and individuals, before accepting any of the Secretary's proposals.

The recommendations for tobacco and peanuts consist primarily of lower prices in both cases.

In my judgment, none of these recommendations would solve any of the problems which face wheat, tobacco, and peanuts, or any other commodity for that matter. In fact, I submit that, if followed, these recommendations would further aggravate the situation. However, I wish to be fair with the Secretary, as well as with the President. I give them the assurance that any bill they may draft and send to the Senate Agriculture Committee will be considered. What is more, I also give them the assurance that the Senate Agriculture Commitee will do all in its power to completely study any proposed farm legislation. We shall do this so that all facets of the problems which now face our farmers can readily be seen. I also pledge to the Secretary and President that any legislation which comes before the Senate Agriculture Committee will receive fair and impartial treatment.

NOTICE OF HEARINGS ON LEGISLATION AUTHORIZING FEDERAL SUPPORT FOR EDUCATION BY THE EDUCATION SUBCOMMITTEE OF THE COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. MURRAY. Mr. President, for the information of Senators and other interested parties, I wish to announce that beginning Wednesday, February 4, the Education Subcommittee of the Senate Committee on Labor and Public Welfare will conduct hearings on legislation authorizing Federal support for education.

Hearings will be conducted in the Senate Interior and Insular Affairs Committee room in the New Senate Office Building, February 4, 5, and 6, beginning at 10 o'clock each day.

The witness on the first day, February 4, will be Miss Ruth Stout, of Kansas, president of the National Education Association. On Thursday, February 5, we will take testimony from Dr. Walter Heller, chairman of the Department of economics at the University of Minnesota. On Friday, February 6, we will hear Dr. William Alexander, of Peabody College, and Mrs. Betty Lou Pagel, a classroom teacher from Cheyenne, Wyo. Dr. Alexander is president-elect of the Association for Supervision and Curriculum Development.

Following the hearings next week the subcommittee plans to resume consideration of this proposed legislation during the week of February 22.

I hereby invite Senators and other interested parties who wish to appear or submit statements to notify the chief clerk of the Senate Labor and Public Welfare Committee.

UNITED STATES MUST "HARDEN ITS MUSCLES" TO MEET SOVIET CHALLENGE

Mr. WILEY. Mr. President, as we know, the 21st Congress of the Soviet Communist Party is now meeting in Moscow.

The Communist Congress is, of course, a far cry from a Congressional session in this country. Nevertheless, it is a significant meeting, if only in terms of possibly warning us what the Soviets may be up to in the years ahead.

Rather than being a representative process, the Party Congress in Moscow can more properly be defined as a dictatorial parley in which the underlings receive, and approve, a report from the party bosses, in this case, Khrushchev. In addition, they laud past achievements, and docilely accept the multiyear plans laid down for the future.

During the meeting, we shall no doubt continue to hear loud proclamations about Soviet achievements and goals for the future. We can expect, of course, that facts will be diluted with propaganda, and promises will exceed ability to deliver.

Nevertheless, Soviet progress must be viewed realistically. In recent years, the Soviets have made forward strides in weapons, missiles and satellites, atomic energy, education, engineering, agriculture, and other fields.

For the future, we can expect them to be a challenge to us in practically every category of endeavor.

Can we meet the challenge? Yes. I have every confidence that we shall do so successfully.

However, resting on our laurels will not do the job. As a nation, we must harden our muscles for the battle ahead, not just for this year or next year, but far into the future.

In meeting the challenge, of course, we must not sacrifice any of our basic freedoms. We must, however, be dedicated and willing to exert time, energy, and brain-and-muscle power to support dynamic programs in every field.

NEUTRAL NATIONS ARE WATCHING

We recognize, of course, that the so-called neutral nations are watching us. They are looking for an example by which to set their own standards for the future. Will it be our free way of life? Or will it be communism?

They, too, are asking the question: Can a free nation maintain world leadership as well as top place in productivity in scientific achievement, and yet remain free?

Of course, I firmly believe that we can, and will, meet all challenges.

Nevertheless, let us not have any illusions. Victory—economic, ideologic, scientific, or military—will not come automatically or magically.

Instead, the future of the Nation depends upon our willingness sometimes to sacrifice luxuries for necessities, to be realistic, hard-working, and dedicated. This is no child's game. To the contrary, our survival is at stake. A great many decisions by this Congress will, of course, be a determining factor in our security.

In planning for defense, we recognize more and more that the key to an effective defense—scientifically and militarily—will not necessarily be volume of weapons. Rather, our safety will depend upon the availability of the right kind of weapons at the right time.

In this age, almost continuous discoveries often make relatively new weapons obsolete—sometimes overnight. Thus, we must aim for balance in our defense program, as well as in the domestic economy, rather than for a series of crash programs.

In planning for the future, however, we need to set our goals—not exclusively in terms of the threat to our security posed by communism—but, of even more importance, in accordance with our traditionally high standards and ideals of advancing progress and achievement. If we do this with a Spartan's spirit—and do not become lazy and complacent, taking for granted our way of life—this, in itself, will go a long way toward meeting the challenges of the future, and toward avoiding our losing the freedom versus enslavement of communism contest that will mark the years ahead.

IMPORTANCE OF THE RAILROADS

Mr. FREAR. Mr. President, in yesterday's edition of the Washington Post there appeared an interesting and rather significant editorial commenting on a recent advertisement by one of our great western railroads.

The advertisement was in the nature of a congratulatory message to American Airlines, following inauguration of its coast-to-coast jet service. The Santa Fe Railroad pointed out that flying is fine for people in a rush, but rail travel is better for those who want to see the country.

I believe this is a refreshing and constructive point of view, demonstrating, as it does, a recognition of the important contributions which both the airlines and the railroads make today.

I was further reminded of this situation on Tuesday of this week, Mr. President, when two of my constituents were planning to come to Washington, from Delaware, for a rather important appointment at one of the Federal departments. They had planned to fly to Washington, but as the weather became unfavorable during the late morning hours, flight plans were canceled. Fortunately, however, they were able to catch one of our Pennsylvania Railroad trains, to arrive in time for the conference. On their arrival at Union Station, someone was heard to observe, "Well, it is a good thing the trains are running."

And so it is, because in spite of our great progress and advances in air transportation—which we, of course, welcome—there remains the imperative necessity to encourage a continuation of our railroad systems, which have done so much to further the Nation's welfare. And, as they carry the freight, mail, and thousands of passengers in rain or shine, the railroads do, as the Santa Fe line pointed out, enable Americans to see their country at the same time.

I ask to have printed in the RECORD at this point in my remarks the complete editorial to which I have referred.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 28, 1959]

BROAD-GAGED

There's hope for the sagging railroad passenger business yet if the imagination displayed in a Santa Fe System advertisement the other day is any criterion. "Happy landing, amigo," said the Santa Fe in a toast to the newly inaugurated transcontinental jet service of American Airlines. Flying is fine for people in a rush, rail travel better for those who want to "see the country," said the railroad. This is a refreshing departure from the sly implications in some railroad advertising that delay or disaster awaits the air traveler. Moreover it bespeaks a welcome intention on the part of the railroad to stress and improve upon the unique advantages of rail travel. Many railroads simply fail to recognize these advantages and make the most of them—even omitting such obvious steps as keeping the coach windows clean and insisting upon courteous treatment for passengers. The best thing about the Santa Fe's broad-gaged appeal, however, is that it looks at the transportation industry whole. If the many ills that afflict trucking, railroading, and air transport are to be solved, more companies in each of these fields will have to take the same kind of approach.

THIRD NATIONAL CONFERENCE ON EXCHANGE OF PERSONS

Mr. MUNDT. Mr. President, I should like to call to the attention of all the Members of Congress the fact that hundreds of citizens from all parts of the United States are now assembled in the Mayflower Hotel to participate in the Third National Conference on Exchange of Persons. This significant meeting, which brings together men and women from private organizations, institutions, and civic groups, as well as key representatives of Government, was organized by the Institute of International Education in cooperation with 139 private and public national agencies. The roster of these cooperating groups, which I should like to read into the RECORD, is abundant and encouraging evidence of how many of our citizens are concerned with building better understanding among nations through intelligent and constructive programs for the exchange of people.

The theme of the conference is "World Progress Through Educational Exchange." It is particularly appropriate that such a conference should be held in Washington at this time. In the United States, unlike the practice in most other countries, sponsorship of exchange with foreign countries of scholars, technicians, and leaders has historically been the responsibility of private groups—foundations, colleges and universities, corporations, service clubs, religious groups, and individual philanthropists. It was only 20 years ago that the U.S. Government officially recognized that a program of cultural relations with other nations could contribute to our foreign policy.

It was 11 years ago that the Smith-Mundt Act was passed; and it provided for the first time for an established, official government program carrying this exchange program throughout the world and providing for American participation and for the use of funds of the American Government.

Among the important problems which the IIE Conference will face are: a frank assessment of the present limited activities of the U.S. Government in this vital field; an evaluation of the impact of governmental activity on private initiative; and a projection of what public and

private groups together can and should do in the future. These, to me, are questions which merit the consideration of all Members of the Congress.

I emphasize that no Government funds have been used to convene this meeting. It is also important to note that all these people, including the speakers, have paid their own expenses to the conference.

I am pleased to note that both the President and Vice President of the United States will participate in the conference. It is also significant that at least 10 Members of the Congress, from both sides of both Houses, will be active in the plenary sessions and workshops. We, with representatives of the executive branch, should gain much from these discussions.

The heart of participation in the meeting, as well as in the development of effective cultural, educational, and technical international exchange programs, is the private citizen of the United States. The names and fields of work of the men and women who will be conferring in Washington these next 4 days are most impressive. Mrs. Franklin D. Roosevelt will be a member of one important panel. From business and labor are such men as William R. Herod, president of International General Electric; Monroe Spaght, executive vice president of Shell; William Foster of Olin-Mathieson Chemical Corp.; Michael Rose and Victor Reuther of the AFL–CIO. It is interesting to note that the International Brotherhood of Carpenters and Joiners is one of the organizations which joined with philanthropic foundations in making the conference possible.

The program includes, for example, the presidents of Columbia University, Princeton University, the University of Pittsburgh, Hunter College, the University of Minnesota, the University of Florida, and the president emeritus of the University of California. From professional fields come such men in law as Arthur Dean of Sullivan & Cromwell; Robert Storey, of Texas, former president of the American Bar Association. From medicine, Dr. Howard Rusk of the Bellevue Medical Center. From communications media, Edward R. Murrow of CBS; Robert Saudek, producer of "Omnibus"; Sterling Fisher of Readers Digest; Ernest K. Lindley of Newsweek; Herbert Matthews of the New York Times; and Lauren Soth of the Des Moines Register & Tribune. From the field of art will come Martha Graham, Blanche Thebom, Lamar Dodd, and William Schuman, to mention only a few.

To this list one must add civic leaders from cities and towns stretching from California to New York and from Minnesota to Louisiana.

On Friday evening at the dinner to commemorate the 40th anniversary of the founding of the Institute of International Education, Vice President NIXON will present five IIE awards for distinguished service to a U.S. college or university; a U.S. corporation; a U.S. private organization; a U.S. community, and a U.S. citizen. These awards are in recognition of outstanding contributions to the development of international understanding through creative and practical support of educational, cultural, and technical exchange programs.

I know that all Members of the Congress have been invited to the meetings, and I hope that many of us will attend.

Kenneth Holland, president of the Institute of International Education, in convening the meeting, said:

> We have a unique opportunity to consider, evaluate, and forecast the exchange of persons program. It is our fervent hope that these few days spent together will result in improved exchange programs which will spread knowledge and develop greater understanding among the nations of the world and also contribute to the lowering of tensions.
>
> Exchanging persons between the Western and Communist blocs is far less dangerous than exchanging intercontinental rockets. Guided tours do less damage than guided missiles. This is not a summit conference. It is an educational one, and I am convinced that education of enough people across national boundaries may one day permit men and women everywhere to rise to the summit of their creative abilities. Then men could truly become the image of God recognized by all great religions, and peace might reign forever and ever.

Mr. President, the names of the organizations attending the conference are contained in a program, which I ask unanimous consent to have printed.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

LIST OF PARTICIPATING AND OBSERVER ORGANIZATIONS AT CONFERENCE ON EXCHANGE OF PERSONS

Adult Education Association of the United States of America.
Advisory Committee on the Arts.[1]
African-American Institute.
Altrusa International, Inc.[1]
America-Israel Society.
America-Italy Society.
American Association of Colleges for Teacher Education.
American Association of Collegiate Registrars and Admissions Officers.
American Association of Junior Colleges.
American Association of Land-Grant Colleges and State Universities.
American Association of Medical Record Librarians.
American Association for the United Nations, Inc.
American Association of University Professors.
American Association of University Women.
American Bar Association: Special Committee on Cooperation With Legal Profession of Friendly Nations.[1]
American Chemical Society.
American Committee on Africa.
American Committee on United Europe.
American Council for Nationalities Service.
American Council on Education.[1]
American Dental Association.
American Federation of Arts.
American Federation of Labor and Congress of Industrial Organizations.
American Field Service.
American Foundation for Overseas Blind, Inc.
American Friends of the Middle East, Inc.
American Friends Service Committee, Inc.
American Home Economics Association.
American Hospital Association.
American Institute of France, Inc.
American Judicature Society.
American-Korean Society.

[1] Observer organization.

American Labor Education Service, Inc.
American Library Association.
American Medical Association: Council on Medical Education and Hospitals.[1]
American National Red Cross.
American National Theatre and Academy.
American Nurses Association.
American-Scandinavian Foundation.
American Society for Engineering Education.
American Society for Friendship With Switzerland.
American Youth Hostels, Inc., Asia Foundation.
Association of American Colleges.
Association of American Law Schools.
Association of American Medical Colleges.
Association of American Universities: Association of Graduate Schools.
Association of Junior Leagues of America, Inc.
Atlantique.
Belgian American Educational Foundation, Inc.
CARE, Inc.
Carl Schurz Memorial Foundation, Inc.
Carnegie Endowment for International Peace.
Carrie Chapman Catt Memorial Fund, Inc.
Chamber of Commerce of the United States of America.[1]
China Institute in America, Inc.
Christian Family Movement.
Committee on Friendly Relations Among Foreign Students.
Conference Board of Associated Research Councils.
Cordell Hull Foundation.
Council for Community Services to International Visitors.
Council for International Progress in Management (U.S.A.), Inc.
Council on the Junior Year Abroad.
Council on Social Work Education, Inc.
Council on Student Travel.
Department of Agriculture: [1] Agricultural Research Service, Federal Extension Service, Foreign Agricultural Service.
Department of Health, Education, and Welfare: [1] Office of Education, Public Health Service, Social Security Administration.
Department of Justice: [1] Immigration and Naturalization Service.
Department of Labor.[1]
Department of State: [1] Several bureaus, notably the Bureau of Public Affairs including, among others, the International Educational Exchange Service and the Cultural Presentation Staff.
Educational Council for Foreign Medical Graduates.
Eisenhower Exchange Fellowships, Inc.
Engineers' Council for Professional Development.
English-speaking Union of the United States.
Experiment in International Living.
Federation of French Alliances in the United States.
Foreign Policy Association, Inc.
Foreign Student Service Council of Greater Washington, Inc.
General Federation of Women's Clubs.
Girl Scouts of the United States of America.
Governmental Affairs Institute.
International Association of Plastic Arts, Inc., United States Committee.[1]
International Bank for Reconstruction and Development.[1]
International Cooperation Administration.[1]
International Council of Women Psychologists.
International House Association, Inc.
International Recreation Association.
Japan Society, Inc.
Lisle Fellowships, Inc.
Mennonite Central Committee.[1]
Modern Language Association of America.

[1] Observer organization.

National Academy of Sciences: National Research Council.
National Association of Foreign Student Advisors.
National Association of Manufacturers of the United States of America.[1]
National Association of Social Workers, Inc.
National Catholic Educational Association.
National Catholic Welfare Conference: Foreign Visitors Office.
National Committee for an Adequate Overseas U.S. Information Program.
National Conference of Christians and Jews, Inc.
National Council on Asian Affairs.
National Council of the Churches of Christ in the United States of America.
National Council of Jewish Women.
National Council of Negro Women, Inc.
National Council of Women of the United States, Inc.
National Education Association of the United States.
National Farmers Union.
National Federation of Business and Professional Women's Clubs, Inc.
National 4–H Club Foundation.
National Grange.
National Planning Association.
National Recreation Association.
National Social Welfare Assembly, Inc.
Near East College Association, Inc.
Near East Foundation.
Netherland-America Foundation, Inc.
New York Herald Tribune High School Forum.
Operation Town Affiliations, Inc.
Overseas Training and Research, Inc.
Pan American Union.[1]
People-to-People Program.
Public Administration Service.
Residential Seminars on World Affairs.
Rhodes Scholarship Trust.
Society for International Development.
Technical Assistance Board, United Nations.[1]
United Nations Educational, Scientific, and Cultural Organization.[1]
United States Advisory Commission on Educational Exchange.[1]
United States Information Agency.[1]
United States National Student Association.
Woodrow Wilson Foundation.
World Brotherhood.
World University Service.
Young Adult Council of the National Social Welfare Assembly, Inc.
Young Men's Christian Association of the United States of America.
Young Women's Christian Association of the United States of America.

HATE CAMPAIGN

Mr. JAVITS. Mr. President, there has recently been concluded in the New York Daily News a series of five articles by David Burk on a hate campaign being waged against groups of United States citizens and the fundamental fair play distinguishing our country. I refer to the campaign of hate against not only racial and religious minorities but also against those who venture to voice opinions tolerant of these groups.

The Burk series in the News, "Peddling Hate in America: Egypt's Nasser," endeavors to reveal the support, both overt and subvert, given to extremist hate groups in the United States by agents of the United Arab Republic and other fanatical Arab interests.

I am also bringing this series of articles to the attention of the Departments of Justice and State to ascertain whether there have been any violations of the Foreign Agents Registration Act, the Corrupt Practices Act, or diplomatic protocol, and also to determine whether any further legislation is necessary, in the opinion of these departments, to strengthen our defenses against such activities as are alleged in the article series.

On January 9 I introduced, together with eight of my colleagues, S. 122 "to make unlawful mailing of matter tending to incite crimes of violence," and S. 125 "to authorize the exclusion from the mails of matter relating to the solicitation of funds for, and the distribution of information relating to, certain unlawful activities." It is my intention also to push for early consideration of these measures vital to curbing the hate campaign so ably chronicled by Mr. Burk in the News.

Mr. Burk is obviously very careful about his facts, and therefore is not pointing an accusing finger or indicting anyone but is merely making a report as a thorough and hardworking reporter. What he does show, however, is a climate of activity by foreign agencies in this country and the implications which it could have which should serve as a danger signal to us as well as to responsible elements in these foreign countries themselves. We should not be quick to jump at conclusions in respect to the facts disclosed, but we should also consider them most carefully in respect to our national interest.

Mr. President, on Tuesday, January 27th, I sought to have this series of articles published in the New York Daily News printed in the RECORD, but due to technical aspects of my request, they were not inserted in the RECORD.

I now ask unanimous consent that the articles be printed in the RECORD as a part of my remarks.

The VICE PRESIDENT. Is there objection to the request of the Senator from New York?

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Daily News, Jan. 20, 1959]

PEDDLING HATE IN AMERICA: EGYPT'S NASSER—THE LUNATIC FRINGE HANGS RAVINGS ON THE CAIRO LINE

(By David Burk)

(First article of a series)

Nearly 90 dynamite blasts have echoed around the country in the last two years, aimed mainly at Jews, Negroes and sincere Christian citizens who have publicly backed these groups. FBI and internal security agents had long been on the bombers' trail, but when a $100,000 gash was torn in the Jewish Temple at Atlanta, Ga., last October a grim and startling fact leaked out for the first time.

Practically every operation fitted into a national pattern which, authorities believe, was etched by a loose-linked network of American neo-Fascist groups peppered around the country.

This hate corps, smashed in the 40s when it openly supported Hitler while other Americans fought him on the battlefields, today has emerged as a fifth column acting in behalf of President Gamal Abdel Nasser of the so-called United Arab Republic and his dreams of empire.

FASCISTS DEMAND AN AMERICAN HITLER

Since mid-October, in New York and other States, I have been seeking out the men and the groups tailored into the network of hate and violence, listening to their boasts and threats and admissions, reading their printed ravings, checking on their connections. I have compared my findings with the officials whose job it is to fit the confused jigsaw puzzle together.

In the process, aspects of this conspiracy that at first seemed wildly inconsistent or bordering on fantasy gradually fell into line and made sense.

The Fascists, many of whom still strut at closed gatherings in facsimiles of the Nazi Brownshirt uniform, spew out hysterical propaganda against America's Government and institutions and openly urge their replacement with a Hitler (or Khrushchev) style corporate state.

What at first appears to be only misplaced or demented idealism turns out on closer examination to be surreptitious big business. In some cases, the annual turnover runs well into six figures.

The men behind this hate racket revere Adolf Hitler. One of them, a ruggedly handsome, Fuehrer-minded Virginian named George Lincoln Rockwell, whose name has been linked with the men on trial for the Atlanta bombing, expressed the general idea for all his fellows when he told me:

"Adolf Hitler was a gift from an inscrutable Providence. He was a world savior in his time."

But the worship of dead and departed heroes is of dwindling popular appeal. So, while not toppling the late, overambitious house painter from his pedestal, the racists cast around for a new and living counterpart.

The man they chose, ironically enough, was Nasser—and business has been brisk ever since. Cairo, since Nasser's hop, skip, and jump into power in 1952, has been a trail blazer in the sphere of inflammatory propaganda, as the heads of other Arab States repeatedly complain.

The constant exchange of gimmicks, vituperation and Moscow-style distortions—as well, it is believed, as sackfuls of shekels—suggests that both Cairo and America's lunatic fringe welcome an occasional shot in the arm.

The race groups here, coordinated rather than organized and with a total following throughout the country that officials estimate at not more than a few thousand, are zealously following Nasser's line.

But what, you may ask, could Nasser possibly want with a fifth column in the United States? The answer, as officials at the Department of Justice explained it to me, is transparently simple.

ARABS REGARD UNITED STATES AS "SECOND FRONT"

The Nasser-dominated segment of the Arab world, fed on an information diet prescribed by our native racists, frankly regards not only American Jewry but the U.S. administration, too, as the fountainhead of Israel's moral and financial help. Looked at in this light, Nasser must knock out Israel's backers in the United States before he can keep his pledge to his followers to knock out Israel itself. The United States thus becomes a legitimate "second front."

Nasser, himself, back in the early fifties when he still was the unassuming Colonel Nasser, Eyptian Prime Minister under fatherly Gen. Mohammed Naguib, whom he later liquidated as subtly as any trained Kremlinite, once told me bitterly in Cairo.

"America is in the hands of the Zionists. The Jews control the press and Government. The Arab voice is never heard. How can we fight back?"

For at least 4 years now he has been fighting back, using Egyptian military intelli-

[1] Observer organization.

gence officers and men who can hide behind diplomatic immunity as the contact men, and a group of individuals and periodicals as his mouthpieces. The periodicals, all neatly arranged in alphabetical order on the Attorney General's list of subversive publications, rarely go to press without some item of Nasser's propaganda, and their own outpourings turn up in Arab press and broadcasts.

HOPE TO BREED HATRED AT JEWS

The basic hope is that, by breeding hatred and suspicion of the Jews, outraged public opinion might force Congress to stop official support for Israel. With a little additional shove, Congress might even be persuaded to legislate against support for Israel from Jewish organizations.

Since Nasser has such ranking experts on his staff as Kurt von Reimer, who learned his racism under the able Dr. Goebbels, the American pure-blood operators have had little difficulty in surmounting the paradox that Egypt is an African country whose people have combined Negro and semitic blood.

The master-race philosophy, in its amended form, has dropped the label "anti-Semite" like a hot coal so that, as one of the American fuehrers put it, "common ground and common cause" with the Arabs could be found. In its place was installed the blunter anti-Jew.

The anti-Negro gambit, however, had to stay because the racists, though mainly headquartered north of the Mason-Dixon Line, made considerable capital by operating a king-size bandwagon for southern hotheads.

Nasser's boys, moreover, do not regard their American allies as odd bedfellows. Totalitarianism is a process that traditionally creates unlikely relationships and Nasser's far-flung activities—zig-zagging between Communist Russia and the West—indicate that he never has much minded with whom he jumped into bed.

In a blustery campaign which currently is losing some of its original impetus, Nasser has been blasting the native Communists of Egypt and his northern province of Syria, as well as those of Iraq. The word "Communists" has to go between quotation marks because the definition, so far, is a Nasser exclusive. There is no guarantee but Nasser's own that the hundreds of persons he has had thrown into clink are the Communists in fact—and the record offers no evidence that Nasser's guarantees are of any value.

Deceit and the false-front are gimmicks as popular in Cairo as they are in Moscow. The Egyptian dictator's real problem is the renewed rivalry from his opposite number in Iraq, Gen. Abdul Karim el-Kassem. Iraqi rivalry has worried Nasser before. Every time he feels he is making headway with his plan to create an Arab empire, Iraq gets in the way. Last time, the competitor was pro-Western Premier Nuri Said, the only statesman worthy of the title in the Mid-East. Sparked by Nasser's agents, el-Kassem and some army cohorts bumped off Said and his friends last July in a bloody uprising.

ATLANTA BOMBING SPOTLIGHTED PLOT

But Moscow was backing both Nasser and el-Kassem, and still is. And it evidently suits Khrushchev to use the Iraqi in an effort to reduce the swelling of the Egyptian's head. So the real issue today is not one of Nasser against the Reds (latest reports from Iraq say Kassem also is swinging against the Communists) but of an internal Arab fight for power. Both sides feel that Western support, especially financial, might help. And what better way of suckering the West than to put on a great Red roundup rodeo, which also provides an opportunity of locking up anyone whose loyalty to the dictatorship is doubtful?

The Atlanta temple bombing, however, triggered a series of shocks. First, it was thoroughly condemned by every respectable and responsible citizen, from President Eisenhower on down. Second, thanks to a story carried exclusively in the News, the link between the Arabs and the hatemongers held responsible for the blast suddenly emerged. Third, it was revealed that the FBI, the Nation's top counterespionage outfit, had been ordered into action instead, as in previous bombings, of investigations being left to the city or State police.

For various reasons, some obvious, Cairo cannot afford to be caught out. The State Department would be pretty mad, of course, but it would be much worse if word leaked out in Egypt that Nasser's agents were playing footsie with setups that are not merely anti-Jewish but also anti-Negro.

At the New York information office maintained by the Arab League, but largely dominated by Nasser at the UAR delegation to the United Nations and at the UAR Embassy in Washington, a firm front was maintained against "these undesirable elements." The order had gone out: "Deny, deny, deny."

The hatemongers I sought out have been less discreet. The connection with an established regime is too good for their egos to be hidden. Men like James H. Madole, the basilisk-eyed, stiff-jointed leader of Manhattan's National Renaissance Party, boasted of meeting regularly with the Arabs.

Prudgy-faced, mezzo soprano Harold N. Arrowsmith, admitted "fat cat" (financier) of some of the activities of the Atlanta States rights gang, five of whom are currently on trial for the bombing, assured me in Baltimore, Md., that his counsel is much in demand not only by the Arabs, but also by the FBI and the State Department.

BOASTED OF VISIT BY NASSER SPY

Arrowsmith's protege, George Lincoln Rockwell, who master minded States Rights Party demonstrations in Atlanta and Washington last July under his own banner, the National Committee To Free America From Jewish Domination, told me in Arlington, Va., that Arrowsmith had brought the head of Nasser's secret service to see him.

The Baltimore oracle later told me this was "a damned lie" and he is probably right. The chances of Arrowsmith dealing with anyone as exalted as Nasser's secret service boss seem pretty remote.

Even the Egyptians are apt to break down under stress. During a long talk one night in Washington with an official of the UAR Embassy, I was repeatedly assured that not only would no one from his government have dealings with "these scum"; they would kick them out bodily if they dared to cross the Embassy's threshold.

But finally he raised his hands shoulder high in extreme exasperation and snarled, "What can we do if these people want to help tell our story? Is that our fault?

"You know as well as I do that the Jews control your so-called free press here. Only the Zionists' voices are heard."

He might have been quoting straight from an American hate sheet, or from Cairo radio. They're pretty hard to tell apart.

[From the New York Daily News, Jan. 21, 1959]

PEDDLING HATE IN AMERICA: EGYPT'S NASSER—CAIRO TIE IS SEEN TO TEMPLE BOMB

(By David Burk)

(Second article of a series)

A few hours after the Atlanta, Ga., temple blast on last October 12, Cairo Radio, which is under the personal supervision of United Arab Republic President Gamal Abdel Nasser, went on the air with an item titled: "Americans, Not Arabs, Bomb Synagogues."

There is a mass of evidence of direct liaison between agents of the UAR and leaders of the American race groups held responsible for the bombing by United States authorities. But 5 days were to elapse before this fact was revealed in an exclusive story in the News and it is uncertain whether the title on that broadcast item was self-conscious or not.

Cairo Radio added: "It is reported from the United States that unknown persons have destroyed a synagogue in the city of Atlanta.

"It is further reported that publications throughout the Southern States are carrying hostile articles against the Jewish community."

The radio did not explain where that second statement originated. The publications, however, could only have been those put out by America's neo-Fascist groups whose activities identify them daily more closely as a Nasser fifth column in the United States.

Such hate sheets as Common Sense, published by Conde McGinley in Union City, N. J., and The Cross and the Flag, put out in Los Angeles by Gerald L. K. Smith, print a routine combination of pro-Nasser and anti-Jewish propaganda. These and other similar periodicals, most of which have been listed as subversive by the Attorney General, always flood into areas afflicted by racial incidents and violence.

Developments in Cairo that mid-October day grew more and more interesting.

The radio newsreader had barely gone off the air after his piece on the Atlanta bombing when further reports crowded over the international news wires. They told of the angry official and public reaction that had reverberated across the United States.

Especially disturbing was the news that the FBI had been ordered to investigate.

Cairo Radio did not mention the dynamiting again. And an Egyptian editor acquaintance here recently on a visit, told me that his and every other paper spiked the story of the bombing.

When the News ran its exclusive from Atlanta a few days later, asserting that the investigators' trail might lead from middle Georgia to the Middle East, a visible shudder went through Egyptian officials in the United States, even though Cairo was not then named.

One member of Egypt's diplomatic service was overheard to remark, with a lamentable lack of diplomacy: "This is awful. Someone must have been very stupid."

Manhattan's James H. Madole, one of several petty fuehrers who strut around the United States, produced an ingenious sidestep. At a meeting, held in the Nola Studios above Steinway Hall, 113 West 57th Street, he charged (and repeated in a leaflet at a modest 25 cents a copy) that Atlanta's Jews had blown up thier own synagogue.

CALLS REACTION ATTEMPT TO APPEASE JEWISH VOTE

Titled "The Untold Facts Behind the Synagogue Bombing," Madole said it "had set off a chain reaction from President Eisenhower * * * to five unemployed nationalists who are being legally crucified * * * to appease the Jewish vote. An unprecedented wave of publicity has swept the entire United States calling for the suppression of all 'hate literature'."

By "hate literature," Madole explained, he means, "any publication which has the temerity to criticize the un-American activities of the Jew and his multimillion-dollar propaganda agencies."

"Let us," Madole continued, "analyze the facts. Which group has gained more from the veritable epidemic of bombings and dynamitings culminating in the Atlanta explosion?"

The dynamitings in Clinton, Nashville, Jacksonville, Miami, and other Southern cities, Madole said, have been used by the Jewish press "to rally Catholic and Protestant clergy behind the fundamentally Jewish-sponsored drive for complete racial integration."

SAYS BOMB THREATS AIDED B'NAI B'RITH

Moreover, he added, reports of bomb threats and the wave of violence, bombings and hate literature around the country brought pledges of increased contributions to support the American-Jewish Committee and the B'nai B'rith.

"Quite obviously," said Madole, who stares as he talks, with wide eyes that never flicker and seem to be focused on outer space, "the Jews were the only group to gain, both financially and economically, from the dynamitings. No sane American nationalist could expect anything but the intervention of Federal authorities, a tidal wave of investigations, and unfavorable publicity in the national press."

However, laments the wild-eyed fuehrer, since Atlanta's Mayor William B. Hartsfield, Police Chief Herbert Jenkins and Prosecutor Paul Webb "are part of the Jewish fifth column in the Deep South * * * political traitors kept in power by the wealthy Jewish community * * * to open the door to racial integration," who can expect justice?

Another Madole leaflet lashes out at FBI Chief J. Edgar Hoover's book on communism in the United States, "Masters of Deceit." One of the top propaganda lines of the hate groups, alongside their plugging of the Nasser cause, is one developed by Goebbels in the thirties.

"Communism," goes the slogan, backed up by a grab bag of fractured history, sociology and other sciences, "is Jewish."

For defining this charge in his book as one of the most malicious myths that has developed in the United States, Hoover is fingered by Madole as America's foremost master of deceit who must be planning to retire soon and wants to assure either a good job in the business world or a nice fat ADL (Anti-Defamation League) check.

(For the record, rival fuehrer Lincoln Rockwell of Arlington, Va., on a separate occasion, singled Hoover out for praise for exposing Harry Truman as a liar when Truman promoted Jewish Communist spy Harry Dexter White in spite of a complete report from the FBI, then lied that the FBI had recommended the promotion.)

Madole, who periodically drops into burlesque-stage Jewish accents to wring a chuckle from his small audiences (of the 50 present November 14, Madole claimed many are Jews, secret agents, and reporters), then swung into his Arab routine.

"We must get together with the Arabs," he asserted. "We have a common cause. We are all anti-Jew. Nasser has sworn to get rid of all Egypt's Jews, but his policy hasn't succeeded yet. There are still 25,000 of them there.

"But it's only a matter of time. I see some of these Arabs regularly, and you can take that as a fact."

If anyone wanted fuller information on that subject, he said, there were some leaflets on the table at the back of the hall. There were indeed. Leaflets titled, "Murder, Rape, and Devastation" (by Israel in Gaza), "The Story of Zionist Espionage in Egypt," "Gamal Abdul Nasser," "Gaza Under the Zionist Heel," and others.

EGYPTIAN DIPLOMATS EXPRESS SURPRISE

They outnumbered the National Renaissance Party's own literature heavily. Each was rubber-stamped: "National Renaissance Party, 10 W. 90th Street, New York 24, N.Y.," on one side and: "Egyptian State Information Department, 22 Soliman Street, Cairo" on the other.

The Egyptian Embassy in Washington, and the Egyptian UN delegation headquarters and Arab Information Office in New York, all expresed surprise that their publications fall into such hands.

"Perhaps," suggested one helpful employee at the Arab Information Office, 120 East 56th Street, "they find one or two and then have them copied here."

The official, an Egyptian like all the top men in this office which purports to represent the nine-nation Arab League, thought the same answer might apply to Nasser boosts appearing in other racist publications around the country.

FAILS TO EXPLAIN EGYPTIAN REPRINTS

He could not explain, however, how articles published in American racist magazines and leaflets comes to be reprinted in Nasser-controlled newspapers or quoted on Nasser's radio stations.

In their anxiety to be all-embracing, to reach the hearthstones of American families of different tastes and viewpoints, the racist periodicals adopt a variety of fronts.

From California, Gerald L. K. Smith offers the Christian approach. From New Jersey, Conde McGinley tackles the Catholics.

Madole offers a combination that includes atheism and a party program that is "for a dictatorship in place of Jewish-controlled democracy," and will "solve all problems—social, economic, labor and juvenile delinquency." "Our slogan," he says, "is one nation, one race, one leader."

Charles Smith, under the auspices of whose New York Racist Forum Madole holds his indoor meetings, plies atheism, anti-Jew and anti-Negro theses, plus the offer of a free book catalogue listing such titles as, "Symbols, Sex and the Stars," "An Open Letter to Jesus Christ," "Sex in Religion," "Short History of Sex Worship," and many others.

DON'T HATE NEGRO, JUST HIS "BAD SEED"

Smith's monthly Truth Seeker, "Oldest Freethought Paper in the World—a Journal for Reasoners and Racists," splashes its pages with groups of items like this: "White racists do not hate the colored man. It is the bad seed within him which they desire to eliminate. The race leveler is the hate preacher."

Another of the breed, New York's Benjamin H. Freedman, who has been playing footsie with the Arabs since the midforties, puts out a turgid broadsheet crammed with a mosaic of history, past and present. He is a renegade Jew.

Merwin K. Hart, who hangs a shingle proclaiming the National Economic Council, Inc. outside his office in the Empire State Building, makes his pitch in the sober language of a university lecturer and blandly lists on the back of his Economic Council letter the Arab periodicals which reprint his stuff.

Robert H. Williams, who calls himself major although the Army stripped him of the rank in 1950, pretended he was in U.S. intelligence during World War II for the benefit of those who like their hate diet served from the top-secret drawer.

HOUSE COMMITTEE CHARGED DECEPTION

The House Committee on Un-American Activities, in a report on "Neo-Fascist and Hate Groups" in December 1954, called the monthly Intelligence Summary Williams puts out from Santa Ana, Calif., a deception. (Williams recently went out of the publishing business, probably temporary.)

Far from being a high-powered innercircle man, the committee said, "Williams' intelligence duty comprised less than a year as an administrative officer for the intelligence section of a bomber wing." Thus, adds the report, "he would have received no intelligence information dealing with the Communist conspiracy."

Frank L. Britton, a disciple of Gerald L. K. Smith, thumps the ultra-nationalist, defend-America tub from California. Petulant historian Harold N. Arrowsmith, of Baltimore, Md., who describes himself as a financially self-sufficient researcher with a string of university degrees, burrows in history for political worms and comes up with various documents handy for quoting out of context.

There is even, lest a stone be left unturned, something for the man who wants to be anti-Jew, anti-Negro, and tolerant—all at once, a unique service provided by Lincoln Rockwell.

PEDDLING HATE IN AMERICA: EGYPT'S NASSER—IDEAS OF CAIRO AIDS, OUR RACISTS FIT LIKE A DAGGER AND A SHEATH

(By David Burk)

(Third of five articles)

Soon after the Atlanta temple bombing, Ambassador Kamil Abdel Rahim, suave, ambitious head of the Arab Information Office, was recalled to Cairo for consultations. Reliable reports say Rahim, who inspired and founded the Arab Information Office in early 1955, has been sacked.

The reports add that his job will probably be taken by a high-ranking officer of Nasser's army. Like the other Egyptian army officers attached to Nasser's United Nations delegation and embassy, the new man will wear civilian clothes and will be addressed as plain "Mr."

Rahim's recall at this time has sparked rumors that he is in hot water because the link between Cairo and America's anti-Negro, anti-Jew hate front had leaked out and come under active investigation by the FBI and the Internal Security Division of the Department of Justice.

These rumors may or may not be true. But this much is known:

Back in the early fifties, when Rahim was posted to Washington as Egyptian Ambassador, he and his senior aids were flattered by the attentions they received from some of the racist fanatics. An identity of viewpoint was found on several issues, especially regarding the creation of the State of Israel and its support by Jews in the United States.

RACIST EDITOR AT EMBASSY LUNCHEON

Gerald Winrod, who then edited a racist magazine called Defender, lunched with Rahim at the Embassy. Robert Williams, who pretends to readers of his Intelligence Summary that he got the whole inside dope on the Communist conspiracy as an intelligence officer in World War II, was in touch with Omar Haliq of the Saudi U.N. delegation, offering pamphlets and mailing lists.

Subscriptions were taken to such hate sheets as Gerald L. K. Smith's The Cross and the Flag. Jewish renegade Benjamin H. Freedman, who backs Conde McGinley's subversive Common Sense and plugged Haj Amin el-Husseini, former Mufti of Jerusalem and Hitler's wartime Arab voice, paid frequent court and still does.

Rahim saw the potential in all these individuals and their outlets.

Then, when he learned that the Arab Information Office, officially sponsored by all the Arab League States, would have to register with the Justice Department as the agent of a foreign power, Rahim quickly had himself transferred to the Yemen delegation to the U.N. to preserve his diplomatic immunity.

The Foreign Agents Registration Act, 1938, as amended, is specific. Any person or organization engaging in propaganda in behalf of a foreign power must send the Justice Department a half-yearly report listing its staff, activities, income, and expenses.

The Arab Information Office, which now has branches in Washington, Chicago, San Francisco, and Ottawa, opened its New York headquarters in March 1955.

BELIEVED TO HAVE $1 MILLION BUDGET

Conflicting statements by persons connected with the AIO and the various Arab States delegations to the U.N. has created some confusion over the size of the AIO budget. Rahim reportedly told diplomats when the office first opened that he had received an initial $400,000 and a further $300,000 later in the year.

The general impression in diplomatic circles is that the AIO annual budget hovers somewhere around $1 million. A conference of the Arab League executive early in 1958 was reported to have considered an appropriation of $1 million a year but there is no record that it was voted through.

In any case, the AIO return to the Foreign Agents' Registry at the Justice Department in Washington reports that it received $2,500 in December 1954, to set up its New York office. Receipts for its first year totaled $130,000 and expenses were about the same.

Today, with a much larger staff and five offices instead of one, income and expenditures are no higher.

There seems also to be conflicting estimates on the size of the AIO staff. Its latest return to Washington, dated September 3 last, lists 15 staff members, three of whom were stated to have resigned during the previous 6-month period.

Any exact tally is complicated by the fact that each half-yearly report lists some new staff members and shows several others as having quit.

When I asked acting AIO chief, Prof. Hussein Kamel Selim, in New York, how many persons he had on his staff he said: "About 27." He added that the operation was running on a shoestring budget and they had just been forced to close the TV-radio section for lack of funds.

SMALL BUDGET, RAISED EYEBROWS

Selim normally heads the Washington branch of the AIO and draws an annual salary of $14,400 from the local office appropriation of $25,000. Rahim is paid by Egypt through the Yemeni Government and neither his salary nor his allowances need be reported.

The smallness of the AIO budget caused the eyebrows of several Washington officials to rise when it was brought to their notice.

A senior accountant of the Internal Revenue Service, a man of long experience with corporation accounts, told me: "That's as small a shoestring as I've seen. Even with the total staff of 15 reported I fail to see how an organization with 5 branches can function on $130,000 a year."

As a comparison, the Justice Department offered the expenditures reported by other foreign agents. The South African Tourist Corporation with a staff of only two and one office, spends $131,000. The Swiss National Tourist Office in its New York branch alone spends $266,000 and has a staff of 26. The Indian Information Office spends $191,500, and tiny Portugal reported $140,000 spent in New York with a staff of 17.

A major power like Britain, on the other hand, with offices in several cities, spends more than $1 million on information, $270,000 through the British Broadcasting Corp., and another $801,000 on its tourist bureaus.

But the propaganda field is one in which money moves in mysterious ways. It is not even probable that the Arab Information Office is cooking its books. The penalties for any breach of the law are severe.

DIPLOMATIC IMMUNITY COVERS THE CASH

But there is nothing to prevent the Egyptian Embassy or U.N. delegation, or those of the other Arab States involved, from footing bills in behalf of the AIO. Moving behind their shield of diplomatic immunity their finances are not controlled in any way by the U.S. authorities.

Whatever moneys pass to the American racist groups would certainly be handed over in cash. Even here there is no difficulty in avoiding official scrutiny. In any free money market, like Lebanon or Switzerland, both handily on the route from Cairo to New York, dollars can be bought in any quantity without the transaction being recorded.

Since diplomatic bags are sacrosanct, there is no way of telling how much cash, if any, is brought here in this way.

Except for Gerald L. K. Smith, none of the race groups has any special obligation under law to report either the amount of its income or its source. Smith is in a separate category because his Christian National Crusade takes an active, if never welcome, part in political campaigns and elections. This obliges him to report his expenses and income to the Clerk of the House of Representatives under the Corrupt Practices Act.

Smith, whose Cross and the Flag carries even more than the usual quota of Arab propaganda, picks his favorite candidates in every congressional and presidential election and announces that his "National Political Committee" will throw the full weight of its support behind the chosen ones.

In 1946, for example, Smith hurled his movement behind the Dixiecrats' States Rights ticket, headed by Gov. J. Strom Thurmond of South Carolina.

Thurmond denounced the offer by declaring: "We do not invite and we do not need the support of Gerald L. K. Smith or any other rabble rousers who use the race prejudice and class hatred to inflame the emotions of the people."

Smith switched his support to New York's Tom Dewey and Irving M. Ives, GOP nominees for governor and U.S. Senator; Robert M. La Follette, GOP senatorial candidate from Wisconsin, and three Wisconsin Representatives. All repudiated him "with vehemence" and Dewey and Ives jointly declared him "beneath contempt * * * and wholly un-American."

In 1949, Smith's announced decision to back John Foster Dulles for U.S. Senator from New York drew this declaration from the present Secretary of State: "Smith is not a citizen of our State and he has no business here. He can't vote here and I'm glad of it. I have utter contempt for what he stands for and he knows it."

Vice President NIXON, hearing Smith was rooting for him in the 1956 campaign, quickly retorted: "Generally, what Smith says should never be dignified by a comment. But this time * * * I think it is clearly necessary * * * for me to say that there is no place in the Republican Party for race-baiting merchants of hate like Gerald L. K. Smith."

One of the penalties of denouncing Smith and his fellow-racists in this manner, as their publications show, is that the denouncer will in turn be denounced—as a pawn of the Jews, a hireling of the Jews, or very often, however fantastically, simply as a Jew.

NO LAW AGAINST THE CONTRIBUTIONS

These elaborate and active political campaigns of Smith's, however, cost a good deal of money—according to his financial report to Congress.

His total reported expenditure from January 1 to October 30 last year, for example, was $141,859.29 and his receipts for the same period, $168,521.39. There is no law against any individual getting cash from suckers and tossing it around in the name of politics, but the authorities are currently taking an interest in the source of some of Smith's income.

The law demanding his financial statement also requires that the names and addresses be given of all persons donating $100 or more to his organization. Smith lists 151 of these but some curiosity has developed at the Justice Department since learning that some of these contributors seem to exist only on paper.

Of eight listed by Smith in the New York area I was able to confirm the existence only of three. Of the others, either they all contrived to get left off voting lists, out of telephone books and other records or, if persons of the right name lived in the area identified by Smith, they assert they have never heard of either Smith or his setup.

Smith, on his own printed admissions, is virtually in constant contact with Egyptian officials and diplomats.

WRITES ABOUT HIS GUEST FROM EGYPT

In last January's issue of The Cross and the Flag, he boldly identifies one of his friends in an article titled: "A Guest From Egypt." On a visit to Washington, writes Smith, "I was called upon by a brilliant young man who is a citizen of Egypt. His name is Ibrahim Baghdady. He is a journalist and a radio commentator."

Baghdady, however, is not a journalist and radio commentator. He is a major in army intelligence, one of the platoon of intelligence agents Nasser spikes his foreign missions with.

There is little point in listing them all. But intelligence officers sent to the United States on short visits, generally in the role of diplomatic couriers, are worthy of mention.

So also is the fact that the Egyptian State Information Department in Cairo, publisher of most of the tracts distributed and reprinted by America's racists, is a branch of Nasser's security and intelligence network. Lt. Col. Adbel Khadr Hattem, who took over the department during my years in Cairo and who now is deputy minister for presidential affairs, had previously been in command of a group of agents whose function was to snoop on foreign correspondents, tap their telephones, and steam open their mail. He is in charge of all press and radio activities.

The Nasser agents who come here in sheep's clothing are naturally as free as any other visitor to travel around the United States and meet whom they please. That is one of the advantages of working in a free country, a fact Egyptians, especially, would appreciate.

[From the New York Daily News, Jan. 23, 1959]

PEDDLING HATE IN AMERICA: EGYPT'S NASSER—CAIRO MAN EXPLAINS HIS BOSS, BUT SOMETIMES HE'S AT A LOSS

(By David Burk)

(Fourth article of a series)

When the Arab Information Office opened in New York in 1955 it informed the Department of Justice in its first registration statement as a foreign agent: "Registrant will strive to further the common interests in peaceful developments, trade, religion, cultural exchange, and tourism."

The AIO's acting head today, in the interim between the reported firing of Ambassador Kamil Abdel Rahim, long a friend of America's lunatic race-hate fringe, and the appointment of a senior army officer to the post, is Prof. Hussein Kamel Selim.

Selim, an able, soft-voiced diplomat who is an apologist for Egyptian President Nasser's ambitious adventures in the Middle East and elsewhere, told me that the AIO was set up by the Arab League to spread the Arab philosophy of tolerance.

"We want good and friendly relations with America and the West," he assured me in his excellent English. "We Arabs are a kind, tolerant, and hospitable people. Our entire cultural orientation is toward the West."

All this is undoubtedly true of the nimble-minded, affable Selim, who studied in Britain, taught economics brilliantly at Cairo University before joining Nasser's government, and has lectured in the United States. Asked if he included Nasser in his good-natured embrace, he said: "Of course I do.

What has Nasser ever done to make you think otherwise?"

CALLS THEM INTERNAL, SPONTANEOUS

A few items came to mind. Such as the vain attempts since 1953 to subvert and annex the Sudan, the assassination of Ibrahim el-Sholhi, principal aid of neighboring Libya's King Idris, the civil war in Lebanon, the repeated forays against Jordan's young King Hussein, the coup that made Syria Egypt's northern province.

"My dear fellow," said Selim with lips that smiled and eyes that didn't, "everyone knows that these events were spontaneous developments from within those countries. No one has ever proved that Nasser had anything to do with them."

This view, along with such others as Nasser's supposed anticommunism, is assiduously spread here by the racist groups acting as a Nasser fifth column in the United States.

It is not shared unanimously by the Arabs themselves, however. President Habib Bourguiba, of Tunisia, for example, recently quit the Arab League and broke off relations with Egypt, charging Nasser was meddling in the affairs of other States, had plotted his assassination, and was unaware of the dangers of communism.

FROM THE ATLANTIC TO PERSIAN GULF

Bourguiba riled Nasser especially with his parting shot in a globally reported broadcast from Tunis. He declared that, contrary to Nasser's claims, the Arab world was united only in poverty and that the Bourguiba alternative to Nasser's flirtation with Moscow was cooperation with the West.

Using a technique significantly similar to that employed by America's racists when under attack, Nasser's personally supervised Cairo radio charged on October 15 that Bourguiba had been bought by the United States and made to betray the Arab League.

"Imperialism," Cairo went on, "has tried out all its agents and every one has been destroyed by the people. All those who stand in the way of the people will be destroyed by the people.

"We shall establish a free and united Arab world from the Atlantic Ocean to the Persian Gulf despite all the conspiracies of imperialism. This is our will in Tunisia, our desire in Sudan, our goal in Algeria."

Such manifestoes, of course, are intended only for local consumption in the Middle East. Abroad, Nasser's men must preach only the Arab will for friendship with the West and its leaders.

Cairo, in its stateside asserted desire for friendship with the United States, cannot, however, prevent America's official radio monitors from picking up such manifestations of brotherly love as this broadcast to pro-Western Jordan last October 6:

"Eisenhower, the old man of the imperialist American dollar, visits his country's hospitals every now and then to undergo some operation or other. This has gone on so long that his body has become one big mass of drugs. * * * Eisenhower's body typifies imperialism, which is strangling.

"The patching, reconciliations and taking of sedatives cannot obstruct the self-liberation movements throughout the world. * * * The ultimate treatment for a septic part of the body is amputation, and as the many patches on Eisenhower's body will eventually cause him to wind up on the city dump, so will the imperialist struggle definitely fall into the abyss."

MILITARY MISSION IN JORDAN ASSAILED

Another Nasser broadcast, on October 15, denounced the U.S. military mission to Jordan as "all high-ranking officers, more than a third of whom have worked under Allen Dulles, chief of American intelligence * * * and * * * more concerned with spying and plotting than its stated purpose."

Moreover, the broadcast added, "some of the mission members are Zionists * * * who will convey your Army's secrets to Israel. Beware of this mission and endeavor to crush it."

Professor Selim has no comment on these broadcasts but he is anxious to point out that Nasser is a good Moslem and the Moslem religion teaches that "Moses and Jesus must be revered alongside Mohammed." Therefore, Selim insists, neither Nasser nor his representatives could possibly have anything to do with lunatic Americans who preach race hatred.

"Don't you see," said Selim earnestly, "if we are associated in any way with these infamous hate groups, our cause would be harmed, not helped. We don't hate anyone. Why should we?"

Selim expressed amazement when specific instances of Nasser's men consorting with racists were mentioned. Such as the time when Abdel Mawgoud Hassan, press officer of the Egyptian U.N. delegation, addressed one of New York Feuhrer James Madole's muckraking meetings.

ADMITS HE HAS LIST OF FASCIST GROUPS

"Perhaps," said Selim hopefully, "Hassan didn't know who Madole was."

He conceded that the office has a copy of the Attorney General's list of subversive Fascist groups, which includes both Madole and his National Renaissance Party. He also conceded that it behooves a diplomat to make inquiries before accepting invitations to address meetings.

Hassan himself, when nailed on the subject during a recent television interview, at first denied that he had been present. When, however, he was shown a photograph of himself sitting beside Madole on the rostrum, he went through the rest of the program like a man with violent stomach cramps.

What, I asked Selim, about the racists who visit official Arab offices and join Arab diplomats in the delegates' lounge at the U.N.? The most prominent of these is Benjamin H. (for Harrison) Freedman, 68, retired toilet goods manufacturer and son of Moritz and Hannah Kaferman Freedman, immigrants from 19th century Hungary.

GRILLED FOR DAYS ON WITNESS STAND

Freedman, who once described himself in court as "without religion, though I was born a Jew, practice Catholicism and belong to the Masons," has a 10-year record of anti-Semitism.

"What can we do if such persons approach us and want to talk?" Selim asked me blandly. "You know how kindly we Arabs are. Could we tell such a man to go away and leave us alone?"

I said that, since Selim himself felt association with such persons damaged the Arab cause which he was here to further, the only course seemed to be a good firm snub. Selim renewed the bland smile that moved his lips but not his eyes.

Freedman's record came out in a New York court in 1948. He was a witness for the plaintiff when attorney Hallam M. Richardson, leading light of Freedman's League for Peace With Justice in Palestine, sued an anti-Nazi organization for libel for saying he had been long known in the halls of pro-Fascist propaganda.

Under skillful cross-examination Freedman spent several days on the witness stand. The sum of his testimony proved of greater value to the defense than to Richardson.

Copies of cables exchanged between Freedman and Haj Amin el-Husseini, former mufti of Jerusalem who broadcast to the Arabs for Hitler during World War II, were produced in court. Freedman also admitted frequently visiting Arab friends in Washington and having spent $100,000 of his own money to advertise his cause.

This last fact resulted in a glowing eulogy by the ex-mufti, printed in Cairo and titled: "An American Jew Spends His Efforts and Riches in Protection of the Arabs."

The libel claim was thrown out of court and the judge described Freedman as an international meddler and propagandist.

HE HAS GOOD OF THE UNITED STATES IN MIND

When I called on Freedman at his sumptuous 960 Park Ave. apartment I learned that his views have not changed in the last 10 years. Before I was admitted, I had to prove my identity, declare that I was not a Jew and do not work for any investigative agency.

"The Zionists," Freedman assured me, "drove me into the arms of men like McGinley and Gerald L. K. Smith, I'd neither met nor heard of them before the Zionists started to smear me."

He scanned me piercingly through a pince-nez and said: "I am thinking only of the good of the United States. I was born here, you know. That's why I believe we should recognize not only Red China, but also North Korea and East Germany, in the interests of the survival of the United States and the free world."

The United States, he said, has only 6 percent of the total world population while Afro-Asia has 80 percent. By alienating Afro-Asia, the United States was destroying its commercial potential.

Freedman puts out a sheet called Fact for Fact. It describes itself as "An official publication of the Foundation for Advanced Research, a nonprofit membership foundation incorporated under the laws of the State of Delaware." The foundation address is given as 505 Fifth Avenue, but don't waste time looking it up in the directories. It isn't listed.

Fact for Fact—"only research reveals all the facts * * * the whole truth"—offers the usual line about communism being part of the Jewish conspiracy; the Jews not being Semites at all but descendants of a converted Asian tribe called the Khazars; and Eisenhower, Dulles, and everyone else who does anything the racists disapprove of being the tools of the Zionists.

CHARGES GIANT SMEAR CAMPAIGN

After Eisenhower signed the Middle East Doctrine in 1957, says Freedman, for example, "every media of mass-communications in the United States owned and controlled by the Zionist heirarchy, the leading newspapers, the television and radio nationwide networks, the leading weekly magazines, the motion picture newsreels, and the many other equally effective media in the United States also owned and controlled by the Zionist heirarchy, immediately commenced the most unjustified and unwarranted smear campaign accusing Egypt and Syria of being countries controlled by international communism. The purpose was quite obvious."

The denial of Mid-East communism or Communist inclination is a favorite racist theme that does not bear genuine inspection. One of the commonest claims is that Nasser outlawed the Communist Party in Egypt. He did no such thing because Egypt never really had a Communist Party to outlaw. He did, however, outlaw every other political party to clear the way for himself.

REDS TOO BUSY BATTLING REDS

The Communists had been illegal under Farouk and had been underground long before Nasser's so-called revolution in 1952. And characteristically Middle Eastern, they split into seven groups instead of fighting for unity. From that point on they ceased to concern the authorities because they were too busy fighting each other to be dangerous.

The Soviet embassy in Egypt, fully aware of these facts, shrewdly decided it would reap a bigger dividend by ignoring the Communists and dealing directly with Nasser.

[From the New York Daily News, Jan. 24, 1959]

PEDDLING HATE IN AMERICA: EGYPT'S NASSER—AN ANTI-RED MASK COVERS TRUE FACE OF FASCISM IN UNITED STATES

(By David Burk)

(Last article of a series)

America's lunatic racist fringe poses as vehemently anti-Communist. The obvious reason for this is that there are potentially millions in the country today who, strongly anti-Communist, would refuse to support any movement preaching interracial hatred.

However, by asserting that communism is part of a Jewish international conspiracy and throwing in vicious slanders of the Negro for good measure, the Fascists can make some headway. By whitewashing Nasser's regime and his relationship with Moscow with the assertion that he is the only anti-Communist in the Middle East, they also can satisfy the patron whose cause, authorities believe, they are being paid to serve.

Thinking Americans—some 99.9 percent—still wait to be convinced, however, especially in the face of such denunciations as this:

"Advocates of both fascism and communism seek to destroy our constitutional government and supplant it with a godless dictatorship in which the individual is deprived of his rights and liberties to become an abject slave. Both derive their strength by dividing their opposition—communism choosing to set class against class, while fascism incites racial and religious discord."

HOUSE COMMITTEE DRAWS A PICTURE

The words are those of the House Committee on Un-American Activities in a recent report on neo-Fascist and hate groups in the United States. The committee adds:

"Despite the similarities between communism and fascism, their propaganda to the effect that each is the foremost opponent of the other is undoubtedly a major contributor to whatever support each has been able to muster in our population."

But, the committee warns, "the appearance of neo-Fascist organizations and methods * * * serves only to impede the intelligent, united effort necessary in the current life and death struggle with communism. * * * Depending on the type of audience to be reached, this (Fascist) propaganda is couched in language ranging from violent vituperation to subtle innuendoes."

The committee investigators found that the various groups frequently cooperate with exchanges of literature and many are led by racketeers primarily for the purpose of reaping financial profit.

Conde McGinley of Union, N.J., said by the committee to be making at least $30,000 a year out of Common Sense and his book lists, recently put out a billboard-size sheet giving a rundown of a Goebbels' fabrication of three decades ago—the so-called Protocols of the Meetings of the Learned Elders of Zion.

The Protocols were exploded as a fiction in the 30's, but McGinley evidently felt the time was ripe to produce them again. And if he succeeded in selling no one else on them, he certainly triumphed with Gamal Abdel Nasser in Cairo.

Toward the end of October, in a remarkable interview with an Indian magazine writer, Nasser declared that he had just read the Protocols for the first time and thought them important. They demonstrated to him, he said, that Europe is in the hands of 300 Zionists and that there is an international plot in which Zionism and imperialism (i.e. the United States, Britain and France) are marching hand in hand with Israel."

McGinley handed down the Protocols to his followers with an appeal to read and study this document carefully. It speaks, he wrote, in behalf of the American people * * * is prepared without anger * * * (because) many gentile Americans have been drawn into this plot by ignorance, through blackmail, through clever persuasion.

A great deal of the juggled history which propagandists like McGinley use as the basis for their outpourings is dredged up by pudgy bachelor Harold N. Arrowsmith, who admits having financed Arlington, Va., fuehrer George Lincoln Rockwell and the Yorkville thugs Rockwell sent to Washington and Atlanta to sing his hymn of hate.

Arrowsmith and Rockwell are currently squabbling. Each told me at great length, and in highly slanderous terms, what he had against the other. The main reason, apparently, was Arrowsmith's indignation at being identified by Rockwell as the "fat cat" (financier) mentioned in Rockwell's letter to one of the men charged with the Atlanta temple blast.

HE LIKES TO STAY OUT OF LIMELIGHT

Arrowsmith made no bones about his preference for staying in the background. He described himself as a research worker with "fortunately a private income large enough to let me do the things I like." He estimated this income at around $15,000 a year from an inheritance from his late father, Dr. Harold Noel Arrowsmith, longtime canon of Baltimore's Cathedral Church of the Incarnation.

He lives with his mother in patrician style in the quiet of a wealthy Baltimore suburb and the family is listed in the city's blue book. I was received after identifying myself to a Negro manservant at the screened front door and shown into a study, elegantly furnished but littered with samples of Arrowsmith's work.

Since the spring of 1957, said Arrowsmith, he has been devoting himself to digging in Washington archives and at the British Museum in London for the "truth behind the Zionist-Communist conspiracy." He presented me with a sheaf of extracts from Hansard (British Parliament's equivalent of the CONGRESSIONAL RECORD), official reports by H.M. Government, and articles written by a variety of personages ranging from Zionist leaders to Winston Churchill.

"When I showed this stuff to the British Information Service in New York," boasted Arrowsmith, beaming cherubically, "they nearly fell off their chairs."

John Peck, head of the BIS in the United States, later told me he recalled "some strange individual who came in with a pile of bumph but we didn't pay much attention to it." Peck added: "Goodness knows why he went all the way to the British Museum. We have all these documents in our library here."

Asked about Lincoln Rockwell's statement that Arrowsmith once had taken the "head of Nasser's secret service" to visit him, Arrowsmith said: "That's a damned lie. I know these people, of course, but I wouldn't take anyone like that to see a scoundrel like Rockwell."

KNEW NOTHING ABOUT BOMBING, HE SAYS

In fact, it was mainly on the subject of his erstwhile protege that Arrowsmith really opened up. He said: "I thought I could handle Rockwell but I found that I was wrong. He's a dangerous character. His political ideas are asinine and he has a fuehrer complex."

However, he revealed, he had made a $15,200 cash downpayment on Rockwell's house on Arlington's Williamsburg Blvd., and spent more than $6,000 to install photo-litho printing equipment in the cellar.

"It was very naughty of Rockwell to say I was his 'fat cat,'" Arrowsmith pouted angrily. "I didn't have anything to do with the Atlanta bombing. I knew nothing about it. All I did was pay the cost of Rockwell's picketing in July in Washington and Atlanta and for the printing of 15,000 or 20,000 leaflets."

In Arlington, Rockwell was nearly as loquacious. He is 40, the same age as Arrowsmith, but tall, well-built and with an air of earnest sincerity that is quite disarming. He, too, checked my identity carefully before admitting me, then politely asked if he might see inside my coat and briefcase to insure that I was carrying no recording equipment.

He repaid me with the signal honor of allowing me to be the first newsman ever to see his cellar workshop-office.

"Everyone's gunning for me," he said, explaining his caution. "Can't be too careful."

Since police found some personal letters of his in the home of Wallace Allen, one of the men currently under indictment for the Atlanta bombing, telephone threats have been a daily occurrence, Rockwell declared. Things had gotten so bad, he added, that he was in the process of sending his wife and three children to Iceland, Mrs. Rockwell's original home.

Then he was launched on the subject of Arrowsmith.

"He picked me," said Rockwell (and these notes were taken in his presence), "because he wanted a tough anti-Jew fighter. He wanted them tougher and tougher."

BOASTS OF BUNCH OF REAL TOUGHIES

"I've got a bunch of boys in Yorkville who are real tough. Arrowsmith wanted my boys. All I have to do is send for them and they'd be here in a flash. They'll do anything I ask them."

These boys also were mentioned in Rockwell's letter to Allen, which said: "The boys are coming from New York for the work here—no guts in the local citizens * * *." One of the young bully-boys who went south at Rockwell's bidding for the Atlanta and Washington picketing last July (most of the slogans were pro-Nasser) was 21-year-old George Leggett, 111–29 78th Avenue, Forest Hills, leader of a group in Queens and Yorkville called the United Nordic Federation.

Leggett, who has no German blood, used the name of George von Lichter and was known as the Fuehrer of Forest Hills. He is currently in jail awaiting sentence for plotting with his gang last January to rob a bank of $40,000 to finance an upstate camp for training storm troopers. He was free on bail at the time of his southern trip.

It came out, too, that another gentleman for whom Leggett and his gang had performed various services was New York fuehrer James Madole.

Rockwell, who says he attended Brown University and was a U.S. Navy commander in World War II, then laid the policy of his National Committee To Free America From Jewish Domination on the line. In fact, he gave me a preview of a new 7-point program "that hasn't even gone to the printer's yet."

The essence of his philosophy—"unlike Arrowsmith's," he pointed out—is his basic tolerance. He said: "Most of the people on our side, 90 percent of those who work in the open, are crackpots. Isolationists, anti-Negro, totally anti-Jewish, many anti-Catholics. Most are fanatics on one or two subjects.

"We, on the other hand, are religiously uncommitted, international, pro-Negro, pro-private enterprise, national socialist, and anticapitalist. * * * The basic aspects of our world view are the same as Adolf Hitler's. He was a gift from an inscrutable providence. A world savior in his time."

THEY'D ESTABLISH A NEGRO NATION

He described himself as "antidictatorship, though no part of society has the right to complete freedom." The Jews, under Rockwellism, would all be carefully investigated and "those found to have had no part in

the world Marxist conspiracy would not be harmed."

The Rockwellians also have the answer to the integration problem. They would, he said, "appropriate the $10 billion now being spent on integration to establish an ultra-modern, fully-equipped nation for the Negro in Africa."

Rockwell declared that he has "500 hard-core supporters spread through the world—in Egypt, Iceland, the United States, and Europe." There is no membership card as yet and no real organization as such, he said, but added:

"Since the Atlanta business I've been living on pennies. I'm thinking of trying to register as a foreign agent and working for the Arabs. I want to cut off money to Israel. I think the Arabs should be willing to pay me a salary for that.

"Also," he added, evidently with an eye to the fat incomes some of his longer-established rival fuehrers are racking up, "I plan to form a national organization with myself at the head on a salaried basis."

As I climbed back into my taxi outside Rockwell's neat surburban home I felt I had come full cycle. The jigsaw pieces had clicked into place. Rockwell was tied in with Arrowsmith and thus with Madole and with McGinley and Smith and Freedman and with Cairo, in a network of subversive hate. Each group feeding on the others like jungle animals, on a diet of shady finance, propaganda gimmicks, and methods and ideas that reek of Red Moscow and Nazi Berlin.

U.S. AIR FORCES IN EUROPE

Mr. SPARKMAN. Mr. President, each year the Air Force, and I believe the same is true of the Navy and Army so far as their installations are concerned, sends a selected group of reservists to inspect our airbases in Europe and to discuss our defense problems with American officials there. In 1958 a prominent Alabamian, Lt. Col. Starr Smith, of Montgomery, was among those chosen.

On his return, he wrote a most interesting and informative résumé of his findings and impressions for the November 23 issue of the Montgomery Advertiser. This article would, I am sure, be found to be of interest to Members of Congress and others who read the CONGRESSIONAL RECORD. Therefore, Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MONTGOMERIAN FINDS USAFE KEEPS PEACE WITH DETERMINATION

(EDITOR'S NOTE.—Montgomery public relations man Starr Smith is a lieutenant colonel in the Air Force Reserve. He recently completed a tour of U.S. Air Force bases in Europe. A former newspaperman and wartime intelligence officer, Smith here gives Advertiser-Journal readers his impressions of our Air Force in Europe.)

(By Starr Smith)

An American returning home after a visit with his countrymen serving with the U.S. Air Forces in Europe has, of course, many memories of his stay abroad.

My most unforgettable impression came with a remark from a young colonel at a U.S. fighter base in France, who said, "Sure it's rough over here. Living is hard. My wife and I and our three children live in a trailer that's too small for us. In the winter it's cold and muddy and in the summer it's hot and dusty. A lot of my friends live in big houses back in the States and in Germany.

"But I wouldn't trade with them. I've got the best job in the Air Force. You see, in my job here I can fly the F–100 Super Sabre jet and it's worth it."

BELIEF IN MISSION

The colonel's spirit and pride in his job fairly well sums up, I think, the general attitude of Air Force people at all U.S. bases, large and small, in Germany, France, and England. On my recent tour of these countries it was clear and evident that if ability, determination, confidence, and belief in mission can keep the peace—or win a war—Americans and freedom-loving people the world over can place their trust in the U.S. Air Force in Europe.

This kind of spirit must always begin at the top and filter downward through all ranks. Setting the pace is the U.S. commander, Gen. Frank F. Everest, a calm and confident West Pointer who wears his four stars with a grace that only years of top command and experience can give.

General Everest has spent considerable time at Maxwell and is a graduate of the old Air Corps Tactical School. He has the "fondest memories" of Montgomery and his old friends here.

FOUR-PART COMMAND

General Everest's command stretches from England to Pakistan. There are four major components: 3d Air Force, with headquarters near London; 17th Air Force, which operates from headquarters in Tripoli; the 322d Air Division, a combat cargo and troop carrier organization with headquarters at Evreux, France, and a number of tactical and reconnaissance wings attached directly to USAFE headquarters.

There is a wing of Matador guided missiles stationed deep in the forests of Germany. General Everest's main offices are at Weisbaden, Germany, and his operational headquarters are located at Ramstein, some 50 miles to the south. Maj. Gen. G. I. Disosway, also well known in Montgomery, commands this advanced unit.

PART IN NATO

While General Everest's units are not generally considered to be in the North Atlantic Treaty Organization (NATO) command, a major part of his tactical wings are integrated into the NATO structure for wartime planning purposes and would be a part of NATO forces in the event of war. Under NATO is the wartime command organization, Supreme Headquarters Allied Powers Europe (SHAPE), headed by another U.S. Air Force officer, Gen. Lauris Norstad. This organization includes the Armed Forces, Air, Army, and Navy, of all NATO nations.

USAFE's tactical forces are equipped with faster-than-sound fighters, all-weather reconnaissance planes and bomber aircraft. Their pilots are at constant alert facing toward the Iron Curtain. American F–100 Super Sabre jets fly daily missions over Western Europe, and squadrons of F–86D Sabrejets stand by, engines warm, on 24-hour watch, ready to rise and climb at a second's notice to meet possible enemy aircraft.

Early one crisp and frosty morning I stood at the end of a concrete runway in Germany and watched young F–6D pilots get their planes off the ground and into the air over the misty Rhine in less than 6 minutes.

Many of these young pilots received their commissions through the Air Force ROTC program which is commanded by Maj. Gen. T. C. Rogers, headquartered at Maxwell Air Force Base. Senior Air Force commanders in Europe speak glowingly of these AFROTC graduates and the training given them by General Rogers and his staff. Typical of this praise was the comment of Col. Ray Tolliver, commander of the 20th Fighter-Bomber Wing, an F–100 outfit stationed at Wethersfield, England, who said, "send us more AFROTC-trained officers. They are topflight, enthusiastic and spirited."

OFF TO LEBANON

One of the most glamorous U.S. flying outfits in Europe is the famed 322d Air Division. This combat cargo and troop carrier organization flies the C–119, C–123, C–124, and the celebrated and worthy C–130. Commander of this division based at Evreux, France, is a lean and able Texan, Col. Clyde Box. It was the 322d that carried much of the cargo for the Lebanon landing last summer. As Colonel Box put it, "We had our first plane loaded and in the air headed for the Middle East within an hour after the order came in."

Setting up an operation similar to the Lebanon project is nothing new to U.S. Air Force in Europe. It was USAFE that initiated the never-to-be-forgotten Berlin airlift, and each year airlift operations are carried out as a means of furthering international good will and relieving suffering.

No report of the Air Force in Europe would be complete without discussing living conditions of families or dependents, as they are called. Some families live in trailers, even those of high ranking officers. You see these trailers mostly in France and England.

The ladies have done a lot to improve the situation—small flower gardens, sidewalks, and other attractions are often seen. At Toul-Rosiere, France, I saw a trailer camp as comfortable as any in the States. At Sculthorpe in England, near the North Sea, there are no trailers or housing on the base. Air Force people must rent houses or apartments in towns or villages.

HOUSING TIGHT

This can be rough. Not many places are available. It's not uncommon to find an American officer or airman who drives 50 miles, round trip, each day to and from work. But all in all, housing conditions in Europe are not too unpleasant.

There are 9 high schools and 58 elementary schools run by the U.S. Air Force in Europe, with American teachers. These are fully accredited and some are boarding schools. One of these is located at Bushey Park, near London, where in 1944 General Eisenhower had his supreme headquarters.

I was often at Bushey Park during the war and the other day visiting a classroom there, I realized just how far we have come in international affairs. High school students from Air Force families in England come to class at Bushey Park, living on campus, and going home on weekends. There is a similar school at Wiesbaden, Germany. Altogether there are more than 20,000 children of Air Force personnel getting their education in this dependent school program in Europe.

RELIGION IMPORTANT

Religious activity is important for these Americans abroad. On most bases are new and modernistic chapels, and several chaplains told me that church attendance is far better than in the States.

General Everest has more than 225,000 Americans—Air Force personnel, their families, and civil workers—under his command in Europe. These people seem to have a strong sense of duty and knowledge of their responsibility in critical times. They are serving well the cause of peace, in spite of personal hardships in some cases.

Everywhere in Europe I met Air Force people with good memories of Montgomery: Col. Thornton Peek wanted to be remembered to Sam Durden; Col. Robert Ackerly remembered Grover Hall from their wartime days in England; Col. Clifford Evenson sent good wishes to Frank Mizell; Col. Andy Curbo, former Gunter commander, spoke fondly of Paul Fuller; Col. John Nottingham, editor of the Stars and Stripes, paid us per-

haps the best compliment of all—upon retirement he's coming back to Prattville to live.

HOW LABOR CAN HELP IMPROVE PUBLIC EDUCATION

Mr. MURRAY. Mr. President, on January 26, in San Francisco, Mr. James B. Carey, vice president of the AFL–CIO and president of the International Union of Electrical, Radio, and Machine Workers, delivered a hard-hitting address, entitled "How Labor Can Help Improve Public Education," before the 19th annual convention of the National School Boards Association.

I wish to call particular attention to Mr. Carey's statement that the labor movement has "already given our strongest possible endorsement to the Murray-Metcalf bill which would appropriate $1.1 billion the first year and $11.4 billion over a 4-year period for new school construction and teachers salaries."

Mr. Carey goes on to make the thought-provoking statement that the $1.1 billion for the first year "equals the cost of just 10 days of fighting the cold war as measured by current defense appropriations."

Mr. President, I ask unanimous consent that Mr. Carey's speech be printed in the body of the RECORD immediately following these remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

HOW LABOR CAN HELP IMPROVE PUBLIC EDUCATION

(Address by James B. Carey, vice president of the American Federation of Labor-Congress of Industrial Organizations, and president of the International Union of Electrical, Radio and Machine Workers AFL–CIO, 19th annual convention of the National School Board Association, Civic Auditorium Center, San Francisco, Calif., January 26, 1959.)

One hundred and thirty years ago this month in a small dimly lit hall in New York City, a revolutionary document was read to a group of eagerly attentive workingmen.

The document was lengthy but it rose to a moving climax for the entire audience in one single sentence:

"We seek," the document proclaimed, "a system that shall unite under the same roof the children of the poor man and the rich, the widow's charge and the orphan, where the road to distinction shall be superior industry, virtue and acquirement without reference to descent."

The year was 1829. The occasion was a meeting of the newly formed Workingmen's Party. The document—revolutionary chiefly in the declaration I have quoted—was the party's platform.

Thus began the movement for a free education system in the United States.

But in point of strict historical fact, there were earlier beginnings.

The American labor movement in that year of 1829 was only 2 years old, in the sense that just 2 years previously the first central body, combining a number of different crafts, had made its appearance in the United States.

But individual local unions, up and down the eastern seaboard, starting in the 1790's, had set free education as one of their principal goals.

This orientation, in the years that followed, resulted in a unique development in American unionism, a development unparalleled in the history of any other labor movement.

I refer to the extraordinary and little-known fact that during those early years, particularly through the 1820's and 1830's, organized labor's first and foremost goal was not higher pay or shorter hours or better working conditions. Astonishingly, the No. 1 goal, more often than not, was free education.

There were, in the 1830's, a surprisingly large number of labor newspapers. Almost always under the page 1 masthead and at the top of the editorial columns appeared the slogan: "Equal universal education."

Why this extraordinary concentration on education? The miracle and the glory of the American Revolution was still fresh in men's memories. The very air that men breathed was vibrant with the promises held out by self-determination and self-government. The Declaration of Independence seemed to speak directly to our early workingmen when it asserted that "all men are created equal." Equal men should have equal rights, the unions asserted, but only through education can free men vote intelligently for leaders and policies to govern them.

"Never," says Historian Foster Rhea Dulles, "have a people had a greater faith in education—'the greatest blessing bestowed upon mankind'—than this generation of Americans. The workers could not have been more determined in demanding it for their children as a right to which they were morally entitled."

Educational reform was indeed needed. Tax supported schools existed only in sections of New England. Elsewhere there was virtually no provision of any kind for the education of workers' children. Dulles relates that—

"Even in such populous and wealthy States as New York, New Jersey, Pennsylvania, and Delaware—to say nothing of the new States in the West or the backward States of the South—the only provision for the children of workingmen and other poor families was the charity school—inadequate, inefficient, and socially degrading."

In New York City in 1829 there were more than 24,000 children between 5 and 15 who had never attended school. In Pennsylvania it was found that out of 400,000 children, 250,000 had no schooling of any kind.

There was, of course, opposition to the idea of free schools; vitriolic opposition from industry, business and the commercial press. The National Gazette, for example, angrily contended that "universal, equal education is impossible, if trade, manufacturing, and manual labor are to be successfully prosecuted—unless the standards of education be greatly lowered and narrowed."

Business and industry had ample reason for their opposition. Rare was the large-scale enterprise that didn't employ child labor; and free education would, of course, remove a cutrate work force. But the burgeoning labor movement was deadly serious and determined to win this struggle.

With free universal education as the primary plank in its platform, the Workingmen's Party, just a few months after its organization in 1829, entered the New York City elections and polled an astonishing 6,000 of the 21,000 votes cast.

This was encouraging, but the first great victory came not in New York but in Pennsylvania. In that State, the birthplace of American unionism, labor's persistent efforts finally bore fruit in 1834, when the legislature enacted a bill establishing a free, tax-supported school system. That was the turning point; in the years that followed, other States, one by one, fell into line.

Thus Thomas Jeffersons' dream of a half century before, a democratic dream of free public education, was realized; and it was realized by those whom it was chiefly designed to benefit—workingmen and their children.

It was labor's triumph, the inauguration of free public education, for there were no other groups of comparable size or influence in American society that supported this great step forward. On the contrary, most other organizations and groups were either opposed or skeptical. Even large sections of the clergy took the side of the employers, claiming that public schools would leave children too much free time to get in trouble, whereas 10 or 12 hours a day in a shop or a plant would keep the children under surveillance and leave them too fatigued for troublemaking after their work was done.

It was, history tells us, labor's triumph, but it was far from a final victory. Some of the biggest battles were yet to be waged and won, and the labor movement set itself, heart and soul, to winning them.

Free public education had arrived, but attendance was optional. As a result, child labor, the exploitation of tots 6 and 7 years old, was still a blight on American civilization.

In the 1860's, therefore, the labor movement started pressing heavily for compulsory schooling. Slowly, painfully this fight was successful. Gradually labor found that it was no longer alone in the struggle; large sections of the public had become converted, even if business and industry had not. Yet, as late as 1912 the labor movement had to call indignant attention to the fact that "of the 25 million children of school age in the United States, 50 percent leave school at the end of the sixth grade, at approximately 14 years of age." In 1920 organized labor was fighting for academic freedom and for compulsory school attendance up to the age of 16.

Down through the years American unions continued their determined campaigns for more and better schools, for more and better trained teachers, adequate financing of school systems, free textbooks, and more State and municipal colleges.

Looking back on this dedicated, century-long struggle, John Dewey declared of the labor movement, "I say without any fear of contradiction that there is no organization in the United States—I do not care what its nature is—that has such a fine record in the program of liberal progressive public education."

I have related this history for two reasons:

First, to indicate the abiding pride that the labor movement takes in the role it has played in the origins and the development of the American public school system and free, compulsory education, and

Second—and more important—to emphasize not simply organized labor's vigorous interest in the current crisis in American education but rather labor's deep historical sense of responsibility to do something about this crisis.

THE PROBLEM AS LABOR SEES IT

The crisis in education, as we in labor see it today, probably differs from the way that you, as school board members, see it only in background and emphasis.

Basically, the labor movement sees the problem as this:

1. The need for more schools and better schools.

2. The need for more teachers, better trained teachers and better paid teachers.

3. The swift and complete abolition of segregated educational facilities.

4. A rethinking of curriculums to meet the new challenges of the space age and the atomic era.

5. Improved health safeguards for students, expanded medical protections, enlarged benefits under the milk and lunch programs.

6. The need for a reorientation in public thinking to comprehend not only the urgency of the problem but also the fact that it is no longer a town, a city and a county problem but a national and Federal problem as well.

The eminent historian, Hannah Arendt, recently wrote: "The crisis in education, which as it happens can best be observed in America, is really just one aspect of the general crisis that has overtaken the modern world everywhere and in almost every sphere of life."

That, I believe, is labor's viewpoint. We do not conceive that the crisis in education can be separated from the billions of dollars that must be poured into a defense economy, into armaments and into planes that cost their weight in gold. We do not believe that the crisis in education can be separated from the fact that the United States currently has nearly 5 million unemployed and other millions on short workweeks. We do not believe that our school problems are divorced from an unjust and disbalanced tax structure, nor from the fact that living costs last year climbed faster than disposable income. School problems, we believe, are not remote from the fact that 8 million workers were compelled to depend on unemployment compensation benefits last year, double the number of any previous year; and that 12,500,000 American families, 1 out of every 4 in the country, were hit by the recession in 1958.

The problem, as labor sees it, is indeed a complex one. Perhaps it's even more complex than we know; especially when we reflect on the recent statement by President Clark Kerr, of the University of California—a tongue-in-the-cheek statement, I'm sure—that "the three major administrative problems on a campus are sex for the students, athletics for the alumni, and parking for the faculty."

Let us review briefly the problems of classroom and teacher shortages as labor sees them.

Former Secretary of Health, Education, and Welfare Marion Folsom declared last week that we need, this year alone, 125,000 more classrooms. We of labor feel that his estimate is unrealistically low. We believe, and our belief is shared by a number of educational authorities and major newspapers, that the need this year is for a minimum of 132,000 classrooms in 1959 and at least 400,000 in the next 5 years.

I need not describe the physical plight of our school system to you who know it so much more intimately than I. Let me just emphasize that primarily they are workers' children, the children of wage earners who are victimized by overcrowding, split shifts, and part-time classes. They are chiefly workers' children, the 2,500,000 boys and girls who currently can attend school for only half a day.

But if the classroom problem is dismaying, we of labor see the teacher problem as absolutely appalling; and the teacher problem isn't just one of numbers.

Mr. Folsom estimates that we need 135,000 qualified teachers this year. Again we of labor think that he is on the conservative side, that the figure should be closer to 150,000 for an adequately staffed educational system and to compensate for those who leave for marriage, or who retire or quit for higher paid nonteaching jobs. We of labor believe that we must employ 1,500,000 new teachers in the next 10 years.

Moreover, it's not only quantity but quality also that we of the labor movement are concerned about. I refer to the fact that today American children are being taught by 300,000 teachers who do not meet minimum certification requirements.

Finally, and indisputably most important, is the problem of teachers' salaries. Here, no doubt, is the nub of the problems of quantity and quality in the teaching profession.

Perhaps the most amazing thing about this entire question of teachers' pay is the near unanimity among Americans, on the one hand, that teachers' salaries are disgracefully low, and the failure of these same Americans, on the other hand, to do anything about them.

The average teacher, we are told, earns about $4,520 a year, but the range is from a high of $5,925 in California and $5,800 in New York down to $2,225 in Mississippi. Moreover, one out of every four classroom teachers in our country is paid less than $3,500 a year. Such figures should make all of us blush with shame, and then make us furiously angry.

Despite their academic and professional training, despite their enormous responsibilities, teachers on the average receive less than scores of categories of skilled and unskilled workers. In my own electrical and machine manufacturing industry the average annual pay is $4,550. The average for all American factory workers is $4,555. Compared with the $4,520 average teacher's pay, the average auto worker receives $5,304 a year and the aircraft worker the same.

To continue the comparison: Here in San Francisco the average wage for auto mechanics is $5,512 a year, for carpenters $5,616, for tool-and-die makers $6,177, and for all factory workers $5,324.

Teachers are professionals. Perhaps I should say they are supposed to be or are reputed to be professionals, because while their average yearly salary is $4,520 that of the average professional in the United States is $7,600.

According to U.S. Labor Department calculations, the average teacher doesn't even enjoy a minimum living standard. Department figures show that an American wage earner with a wife and two children needs a minimum of $4,656 a year for a modest but adequate living standard. But the Heller committee of the University of California found in September 1957 that a worker here in San Francisco needed $5,832 a year to support his family at minimum standards.

In view of these facts, I find it amusing that at a conference in Washington not long ago, school teachers were urged to stop "moonlighting," a term that came out of industry to describe a second job usually worked at night. But the National Education Association has told you that the average male teacher is forced to "moonlight" or else work during his vacation in order to earn 10 percent of his total income. In addition, to make ends meet, 3 out of 10 teachers' wives find it necessary to take full-time jobs.

In view of all this, no one can wonder at the inability of our educational system to attract outstanding people to the profession. The starting pay offered to teachers in most sections of the country, compared to the starting pay offered by business and industry, is more than enough to discourage thousands of potential teachers.

The solution to the teachers' salary problem, labor believes, must be a drastic one. We have waited far too long now to try to solve our dilemma by piddling salary hikes of 10 and 15 percent. We of labor, in this instance, find ourselves in agreement with Secretary of Health, Education, and Welfare Arthur Flemming, when he says:

"I think the most serious weakness in our total educational system today is our salary structure. I don't care whether you are talking about elementary or secondary education, or whether you are talking about higher education. I think as a Nation we should be ashamed of the compensation we pay those who are willing to serve us in what is certainly one of the most important areas in which people can serve our society today.

"There are those who say that we won't correct the situation unless we are willing to double the salaries now being paid. Personally I am willing to subscribe to it."

We of labor concur but with this caveat. That doubling must be done immediately. Teachers' salaries must be doubled now, or else they will have to be tripled in a very few years. And then it might be too late.

But not only classrooms and teachers concern the labor movement. We are concerned, for example, over the large number of students who drop out of high school because they have discovered they will never be able to afford the increasingly expensive tuition scales charged by most colleges and universities.

We of labor are concerned with the 100,000 students who graduate in the upper third of their classes but who, according to the U.S. Office of Education, do not continue their education into college for financial reasons. We are concerned not only because of the waste and loss to the Nation, but also because the majority of these 100,000 students must necessarily come from workingmen's families.

Similarly we are concerned with the fact that at the very time the Nation needs engineers and scientists as never before in its history, the number of students enrolling for engineering courses, during the year just ended, dropped an alarming 11 percent.

We of labor are deeply concerned with the health of our children in primary and secondary schools. We object strongly to a price tag being tied to immunization shots. We are opposed to any school or municipal arrangement whereby children from wealthy and well-to-do families, but not those from poor and underprivileged families, receive inoculations against polio, influenza, and other epidemic diseases.

The immunization program should be free and universal as should eye and ear examinations. We advocate free heart and cancer examinations for children, just as lung X-rays for tuberculosis are free in most school systems today. The time will come, we are sure, when complete physical exams will be available to primary and secondary school students without charge.

Still another school problem with which labor is vitally concerned is nutrition. Four billion half pints of milk a year are now consumed by schoolchildren at a cost to them of about 3 cents a half pint. The 4 billions sounds impressive but we of labor aren't the least bit satisfied with it, nor with the national school lunch program either. Our reasons are simple. The Nation today has about 138,000 primary and secondary public schools, but only 76,000 schools participate in the milk program and only 60,000 participate in the school lunch program.

I am ashamed and I think the Nation should be ashamed of the spectacle we witnessed in Washington, D.C., last month when our District of Columbia school officials were compelled, in effect, to go begging to the public, to private citizens, for money to feed 1,000 needy schoolchildren.

Hat in hand, as it were, our school superintendent asked the citizens of our Nation's Capital to dig into their pockets to provide free lunches to meet a critical need.

Our Washington newspapers reported, "Junior and senior high schools in Washington have cafeterias and provide free meals to needy students, but there are no food facilities in the grade schools and Congress provides no money for lunches for children from marginal income families. Efforts of PTA groups and neighborhood organizations to pay for lunch programs have been unsuccessful because the schools that have the biggest problems have the least neighborhood resources."

Think of it. The Capital of the richest nation in the world cannot afford 27-cent meals for its hungry schoolchildren. Presumably if the public doesn't provide this charity handout of $1,350 a week—and keep

on contributing $1,350 a week—nearly 1,000 school tots will attend afternoon classes with their bellies empty.

There, surely, is something we Americans can be proud of. There is something we can be smug about when we look down our noses at Russia's "regimented schools." We invented the atomic bomb and we have put four satellites into orbit, but we cannot figure out a way to afford 27 cents a day to keep a little schoolchild from going hungry.

We want, of course, as do scores of thousands of parents, to see both the milk and the lunch programs made available to all 138,000 schools and the 3 cents a half-pint charge eliminated. Looking to the future, the labor movement, I am sure, would support the idea of free vitamin pills for students in whom nutritional deficiencies had been detected.

Finally, we of labor, both as members of a militantly reformist organization and also as parents, are concerned about curriculum and about the quality of instruction.

We are deeply apprehensive about the appalling extent to which Soviet Russia has outstripped us—and according to Government sources is still outstripping us—in the training of highly skilled technical workers and scientists. It is tragic that we become concerned about our educational lag only when our very survival is threatened. As one writer put it recently, "Only with sputnik did our educational plant begin to be seriously looked at. We start worrying about brains only when we get ready to blow them out."

Obviously we need more vocational training, more technical training and—the experts tell us—a major revamping of science teaching in both elementary and secondary schools. These, together with a vastly expanded scholarship program, are absolute necessities if we are to meet the challenge of the space age and the atomic era. They are necessary if we are to preserve our freedoms, our way of life, our valuation of the dignity of man from the mounting menace of totalitarianism.

But at the same time we of labor are anxious that teaching of the humanities not be neglected. In the final analysis, the fine arts and the liberal arts together with the spiritual values of our Judao-Christian tradition constitute the true core of our civilization. The brave new world we seek is not just one centered on our conquest of space and the systematic achievement of new scientific marvels. It must be a world, also, in which man can enjoy a richer life of the intellect, a world of inner growth, a world of new intellectual, esthetic, and spiritual discovery.

WHAT ORGANIZED LABOR CAN DO

A favorite quotation at teachers' conventions is the statement by Robert Hutchins, former president of the University of Chicago, that, "We do not know what education could do for us, because we have never tried it."

When I am asked "how organized labor can help improve public education," I am almost tempted to reply that "We do not know * * * because we have never tried it."

However, that wouldn't be wholly accurate. We have tried it and are trying it, to a limited extent. True, some communities—or rather the status quo minded leaders of some communities—have in years past deliberately blocked labor out from any participation on or with boards of education and prohibited any cooperation or joint programs by school officials and local labor bodies.

To a large extent, however, that picture has changed and is continuing to change, as part of a major transformation in the majority of progressive American communities. Not too many years back, as recently in fact as the years immediately prior to World War II, organized labor was strictly on the outside looking in with community chests, Red Cross chapters and virtually all social agencies.

Today organized labor is not just welcomed on the boards of directors of community chests, united funds, and other agencies. Labor's participation in the governing councils of these agencies is sought and solicited, and frequently considered indispensable. As a result, because labor has been accepted as a full-fledged partner, joining in the policymaking and sharing in the decisions, fund-raising campaigns have been successful as never before.

I believe the same process is currently under way in the Nation's educational systems. A generation ago, even two decades ago, a representative of organized labor on a school board was virtually unheard of. Today there are hundreds of unionists—either elected or appointed—on the school boards of big cities, small cities, and towns. And more and more union people are offering themselves as candidates for boards of education with every passing year.

School boards have benefited, even been enriched, by labor's participation, by the involvment of men and women representing the largest section of citizenry, wage earners and their families. School boards have been strengthened and revitalized by the inclusion of labor representatives with fresh vigorous viewpoints and with the militancy to set challenging new goals and achieve them.

But specifically now, what can organized labor do to help improve public education?

I am partisan, of course, but I think that organized labor, to one extent or another, can help find the solution to every problem that public education faces today. More than that, I am certain that organized labor can contribute more to the solution of some problems than any other section or group in our society.

Let me list, as concisely as I can, the things I think organized labor can do—and probably is already doing—today to help improve public education:

1. The labor movement can throw its strongest possible support behind the enactment by Congress of Federal legislation to assist new school construction, to facilitate the employment of more teachers, and to help raise teachers' pay scales.

2. The labor movement can push for the same objectives—new schools, more teachers and better-paid teachers—in State legislatures and city councils.

3. The labor movement can support, morally, organizationally, and financially, the election of Members of Congress, members of State legislatures, and members of city councils wholeheartedly committed to clear-cut programs for the improvement of public education.

4. The labor movement can help communities and school boards raise funds for new school construction and for current operating expenses by insisting on replacement of the present antiquated tax structure in which nearly 80 percent of all school revenue comes from property taxes with a new structure erected on a broader base in corporate and personal income taxes.

5. The labor movement can help communities and school boards raise funds for new construction by giving active support to the approval of school bond issues or equitable new local taxes.

6. The labor movement, for the purpose of launching school improvement programs, can use its influence to combine into one overall, coordinating group such organizations as parent-teacher associations, civic leagues, private welfare agencies, fraternal societies, religious bodies, citizens associations, and neighborhood groups.

7. The labor movement can support the efforts of school boards and educational societies to establish higher professional standards for teachers.

8. The labor movement can encourage and aid teachers in the formation of their own unions when and where they wish and to enjoy both the right and the benefits of collective bargaining.

9. The labor movement can help protect teachers against investigative hysteria and witch hunts, against unneeded and stupid loyalty oaths and against wholesale smear attacks by reactionary officials and superpatriotic outfits.

10. The labor movement can help make the teaching profession and, particularly, positions in local school systems more attractive by pushing for improved teacher-retirement programs and health insurance plans.

11. The labor movement can help local school boards combat the false "economy" programs and ruinous pennypinching fiscal policies of the U.S. Chamber of Commerce, its local affiliates and manufacturers' associations.

12. The labor movement can champion the cause of full academic freedom and democratic rights within the school system and in the community.

13. The labor movement can throw its weight behind State legislation and local laws raising the age levels for compulsory school attendance.

14. The labor movement can—both alone and in concert with other organizations—fight for the swift and complete eradication of segregation and Jim Crow in the Nation's schools.

15. The labor movement can campaign for free milk programs and free lunch programs in communities or in individual schools where they do not exist and where they are needed.

16. The labor movement can join with other organizations in demanding free immunization and other preventive medicine programs for schoolchildren plus X-rays and periodic eye, ear, throat, and dental examinations.

17. The labor movement can enlarge and diversify its own growing scholarship programs.

18. The labor movement can help lead community efforts to establish specialized educational programs for both gifted and retarded children.

These, let me repeat, are not simply 18 goals which the labor movement has projected for itself. They are 18 areas of political and economic action in which organized labor has been devoting time and effort in varying degrees and for varying numbers of years. In some of these 18 areas labor's efforts date back more than 100 years; other undertakings, such as labor's own scholarship programs, are of more recent vintage.

Let us examine a few of these 18 goals in terms of why they are goals and what problems they present, from labor's point of view.

Legislation: A week ago today you as members of school boards and as educators suffered a disheartening blow. President Eisenhower's budget message contained no recommendations of any kind for public school construction. The youth of the Nation and an increasingly dilapidated educational system are to be sacrificed to the fetish of a balanced budget.

This deliberate ignoring and bypassing of one of the most urgent needs in our society today would be criminal by itself, but it becomes doubly so in view of the administration's failure to propose any school construction program last year. In 1956 and 1957 the White House gave at least lipservice to pending school construction bills, which eventually were smothered in the House of Representatives.

For 4 years, therefore, we have bemoaned and deplored the mounting crisis, the double shifts, classes in corridors and boilerrooms, half-day sessions and firetrap buildings; but

not a scrap of legislation has come out of Congress.

The labor movement is angry about this, I can assure you, and we intend to translate that anger into action. We have already given our strongest possible endorsement to the Murray-Metcalf bill which would appropriate $1.1 billion the first year and $11.4 billion over a 4-year period for new school construction and teachers' salaries. That $1.1 billion for the first year, labor has pointed out, equals the cost of just 10 days of fighting the cold war as measured by current defense appropriations.

We are happy to see that the National Education Association and numerous teachers' organizations have also endorsed the Murray-Metcalf measure, but it's obvious that we have to do a good deal more than merely issue endorsements.

To begin with, the administration doesn't want it. The Democrats in Congress don't have it, as yet, on their "must legislation" list. And the pro-Eisenhower Scripps-Howard newspapers flatly predict that if the Democrats pass the Murray-Metcalf bill that the President will veto it.

So endorsements aren't going to suffice if we want to take our children out of the corridors and boilerrooms, out of half-day sessions, and out of frightening firetraps.

We're going to have to campaign strongly and loudly for this legislation; we're going to have to move on Capitol Hill and talk cold turkey with Members of Congress; we're going to have to prove to them we're deadly serious about the Murray-Metcalf bill; we're going to have to tell Representatives and Senators bluntly that when they come up for relection labor will remember what action they took or failed to take on school construction and teachers' salaries. In short, we're going to have to be more than just determined; we're going to have to be tough. We must insist on passage of the Murray-Metcalf bill and its enactment over President Eisenhower's veto if he has the temerity to turn it down.

Realistically, how much can you depend upon labor's influence in Congress to help you? To answer that, I must say first that labor is, quite naturally, proud of the success of its efforts in the November elections. The New York Times tells us that we batted 700 percent; in short, 7 out of every 10 candidates endorsed by labor were elected, a percentage never before achieved by the labor movement. But I suggest, for your own sanity, that you not join Senator BARRY GOLDWATER and the group of reactionary newspaper columnists who were thrown into a state of shock on November 4 and have been moaning ever since that the Nation is already entrapped in a "laboristic" economy.

We are a long, long way from any such thing. Nevertheless, we of labor, and you as members of school boards, can take satisfaction in such achievements at the polls last November 4 as the following:

1. Of the 62 new Democratic Members of the House of Representatives whom we helped elect, at least 50 will support Federal funds for school construction and teachers' salaries. In addition, 15 of the 16 new Senators are, in labor's book, more liberal than their predecessors and more likely to vote for school legislation.

2. We have greatly improved the legislative chances of such proposals as the Murray-Metcalf bill by adding five new liberals to the crucial House Labor and Education Committee. Gone from Congress will be those perennial roadblocks to school legislation: Senator William Jenner, of Indiana, and Representative Ralph Gwinn, of New York.

3. We also elected last November 4 a larger number of liberal Governors—16 out of 22 whom we endorsed—and liberal State legislators who we have reason to expect will put our children's education on a higher level of urgency than the balancing of budgets.

On this question of elections and legislation, I would not want to leave you with the impression that the labor movement distrusts the Republican Party where school legislation is concerned. Let me simply say, instead, that we of labor understand that bright new San Francisco satirist, Mort Sahl, when he recently offered the following political definition: "A conservative Republican is a man who contends that nothing new should ever be tried; a modern Republican says it should, but not now."

Taxes: Many school boards and school board members feel that local and State tax programs are the crux of our problem of financing new schools and improved teachers salaries. We of labor contend—and so do many of you—that this problem will continue to plague us as long as we attempt to operate an expanded 1959 school system under a 1925 tax structure. Nearly 80 percent of all school revenue today, as I have pointed out, comes from property tax, and as a result property owners are paying a disproportionate share. But huge corporate and personal incomes have been grossly overlooked as a source of new taxes for school purposes.

But there are other tax sources, too. In Maryland, where I vote, teachers' organizations waged a superb campaign last year for a cigarette tax which was enacted over a Republican Governor's veto and which provided a $400 salary increase for the State's teachers. The teachers are back again this year, having helped elect a Democratic Governor avowedly more sympathetic to their cause, determined to win another $400 hike, new salary minimums, smaller classes, and expansion of teachers' colleges. By taking a page from labor's book—by lobbying, campaigning and buttonholing—the teachers got commitments to their program from more than half the candidates for the State legislature.

You as school board members and leaders, have, almost invariably, an ally in organized labor whenever you plan, or submit to referendum vote, a municipal bond issue to finance new school construction. We can cite scores of instances in recent years in which local and State labor bodies carried the brunt of the work, including house-to-house canvassing, in successful referendum campaigns for school bond issues.

Those of you who have worked with organized labor in such campaigns know the vigor, the enthusiasm and the determination that union members and leaders bring to such civic efforts.

Other benefits for teachers: The labor movement, today as in the past, fights for other economic gains which—although designed to benefit all American wage earners—will also serve to make the teaching profession more attractive for newcomers and retain in the profession teachers who might otherwise be inclined to leave.

Such, for example, are health insurance programs which relieve underpaid teachers of the constantly nagging fear of catastrophic illness or accident. In many communities organized labor's efforts, combined with those of other groups, have won both health insurance and dental care plans for teachers.

In the same fashion, organized labor has battled, and still battles, for improved retirement plans, pension benefits and social security payments for teachers and others. Numerous surveys have found that one of the major reasons for teachers leaving their profession in the past has been the fear of impoverished old age following retirement, fear of becoming dependent on charity.

Of similar nature and purpose is organized labor's most recently undertaken campaign—to add a broad medical care program to the social security system. This proposal, reflecting as it does a desperate need, has become the AFL–CIO's prime objective in the welfare field.

Already in Congress bills, supported by labor, have been introduced to provide social security pensioners up to 60 days a year of free hospital care, nursing home care ranging up to 120 days, as well as payment for a variety of surgical costs.

This plan would cover nearly 13,000,000 Americans, including not only retired workers over 65 but employees who have continued on the job beyond that age.

Here again organized labor knows that underpaid teachers would be given an extra incentive to remain in their chosen profession if they knew they had available these additional benefits and protections that wouldn't pauperize them in their old age.

But this splendid program will not be won without a tremendous struggle; we know that because business and employer organizations and especially the reactionary and inhumane American Medical Association have already declared war on the proposal.

Here certainly is another field in which teachers, educators and school board members can cooperate in a common cause for the benefit of teachers and the community as a whole.

Raising compulsory attendance minimums: There has been, recently, a renewed upsurge of public sentiment to raise the minimum age for compulsory school attendance. This upsurge was reflected in President Eisenhowers almost-too-casual remark last December 16 that he favored adding another year or two to the present high school term. He did not, however, follow his idea to its logical conclusion by proposing an increase in the compulsory schooling ages.

Here again, I believe, is an area in which school boards, teachers and the labor movement agree and can, therefore, combine for effective action. Our agreement is on two scores: First, that there should be some kind of national standard on the minimum age for compulsory education, and, second, that there should be a general tightening up of State laws providing for work permits for children below the compulsory attendance age.

The considerable variation among State compulsory education laws dictates the necessity of a national standard. Today 39 States require students to attend school through age 16, 4 States require attendance through 17, and 5 States through age 18.

We of labor would like to see the 18-year minimum become nationwide, not simply because it is socially desirable and will produce a more comprehensively educated Nation, but also because extended education—extended both in quantity and in quality—is an absolute necessity in this era of cold war.

We are, of course, gratified that the National Education Association agrees with us on this. The NEA proposes not only the 18-year minimum for compulsory schooling but also a 16-year minimum for work permits. To this we give a hearty amen.

Not only the variations in State laws on the question of work permits for children but also the variations in the vigor with which these laws are administered is a cause for concern to labor and educators. Work permits for school-age children should certainly not be as easy to obtain as they are in some States. In almost every instance both the laws and their administration should be drastically tightened. To labor's point of view, and to the point of view of most teachers, there can be absolutely no excuse, no justification for the wholesale release of children from school in some States to work, for weeks at a time, in fields during the harvesting season. We know and you know of utterly disgraceful instances in which authorities have permitted the complete closing down of entire school systems during harvesting periods.

Here, in cases like this, one of the prime purposes of compulsory education is defeated. Child labor and the exploitation of

schoolchildren by our "factories in the fields" are not, as many people wishfully believe, a matter of the past.

The importance of the compulsory element in American education cannot, we believe, be overestimated. The value of free education is manifestly undermined if shortsighted parents or pressing economic need force children of school age into farm, factory, or any other kind of jobs.

James Russell Lowell understood this fact when he declared:

"It was in making education not only common to all, but in some sense compulsory on all, that the destiny of the free republics of America was practically settled."

As we all know today, the contemporary problem doesn't end with primary and secondary education. More and more today a college education becomes a necessity, both from the individual's standpoint and from society's standpoint. Yet college becomes a remote aspiration for an increasing number of high school students, due to constantly rising tuition fees and other expenses. Each year at least 100,000 students who graduate in the upper third of their class find it financially impossible to continue their education in college.

For those reasons, the labor movement advocates the establishment of more State and municipal colleges and universities with minimal tuition fees. I think it would be safe to predict, incidentally, that eventually the labor movement will advocate free college education for those who want it and are qualified for it. Again, this, too, would be a measure designed not simply for the benefit of the wage earners' families, but for the benefit of our society as a whole.

Loyalty oaths: There are, I realize, divisions within and among school boards on the question of loyalty oaths. Teachers, however, and organized labor, too, are much closer to unanimity in opposing these requirements, which time and again have proved (1) wholly unneeded, (2) costly to administer, (3) futile in achieving their objective of unmasking subversives.

These three points, in fact, were made just last month by Secretary of Health, Education, and Welfare Flemming in expressing his disillusion with the loyalty-oath clause in the National Defense Education Act of 1958. Both the Association of American Colleges and the 40,000-member American Association of University Professors have taken stands against this loyalty-oath provision as, among other things, a serious threat to academic freedom. With few exceptions, this is the attitude of the teaching profession generally toward loyalty oaths—city, State, or Federal.

The danger in the loyalty-oath atmosphere is the hysteria and the vigilante mentality that it helps generate.

Let me cite just one example. A little while ago Lt. Gov. A. E. Stephens, of Virginia, unloosed a vicious and barbaric attack on public school teachers in his State who failed to sign up with a private makeshift education program, as the Associated Press called it.

Because a group of Virginia teachers refused to surrender their intelligence and integrity to the Byrd machine's stultifying legal hodgepodge of "massive resistance"—which just last week was annihilated by State and Federal courts—this mountebank Stephens accused them of disloyalty. Said Stephens: "When you pick up a newspaper and see that a large body of teachers has voted not to participate in a private school movement, you ask yourself, 'Where is their loyalty?'"

Well, I'll tell this Neanderthal where their loyalty is. Their loyalty is to the children of Virginia, to the helpless victims of the primitive, semicivilized prejudices and bigotries of their elders. Their loyalty is to our Nation's future, to its security and progress, and to the happiness of the generations to come. Their loyalty is to the ideals of democracy, decency, and human dignity. Their loyalty is to the tradition of Thomas Jefferson who told his fellow-Virginians in 1787, "Educate and inform the whole mass of the people. They are the only sure reliance for the preservation of our liberty"—the same Thomas Jefferson on whom Stephens and his bankrupt ilk turn their backs today. Their loyalty is to the integrity of their profession and to the honor of their academic calling. Their loyalty is to self-respect and to the pride of free men and women contributing to the future of a free world.

Here, therefore, is another area in which teachers and those responsible for our schools can join in common cause with organized labor. Certainly neither you nor organized labor want to stand cowardly and cravenly silent while a political primitive like Stephens indicts thousands of teachers—and the entire profession by implication—of disloyalty. It is Stephens, of course, who is disloyal—disloyal to the 20th century.

What I am saying, in short, is that you as school board members and we as union members whose children attend schools have a joint responsibility to defend our teachers and the teaching profession from stupid smears and blackguarding slanders that pour from the mouths of intellectual cavemen.

The issue of local control: I have noted that the National School Boards Association, or at least part of its leadership, is engaged in a running polemic on the question of what is termed "local control" of schools.

Local control is, of course, sometimes a scare word. It equates in some instances—not all—with "States rights"—another scare word that has produced one of the most shameful situations in our Nation's history, the closure of public schools.

Local control and "States rights" have resulted today in 10,000 D.P.'s in Virginia.

No, I'm not referring to that mass wartime tragedy: Displaced persons. I'm referring to that mass peacetime tragedy: "Displaced pupils."

And "displaced pupils" is where "local control" and "States rights"—taken to their horrendous extremes—have ended up.

Let's make no mistake about this. We of labor like and prefer local control. We want and insist upon the greatest possible diffusion of democracy, the greatest possible amount of self-government in the hands of the people, the mass of the people, the Nation's wage earners. That has been labor's position since the birth of our Republic.

But let's make no mistake about this, either. When local control, when State control, breaks down, proves inadequate to social and economic needs, then we of labor are not going to oppose Federal intervention. On the contrary, we're going to insist on it.

We call it "the crisis in education" today. It's not. It's a crisis in our society, a crisis for us as parents, a crisis across State lines, a crisis for us as a civilization fighting for survival.

So I am not terribly impressed when one of your spokesmen singles out Admiral Rickover as a chief villain of the piece.

Admiral Rickover is quoted in one of your recent NSBA leaflets as saying that "the greatest single obstacle" to educational improvement in the United States "lies in the fact that the control and financing of schools is in the hands of thousands of school boards."

Perhaps I don't agree and perhaps the labor movement doesn't agree, but you would be sadly deluding yourselves if you assumed that the only criticism of investing full power in local school boards comes from the Rickovers or from those—and there are very few of them—who seek full concentration of powers in a Federal agency.

We of organized labor—who seek to become allies and partners of school boards—are critical in community after community of the inertia and apathy of school boards to the urgency of your problem. It's an open secret that your own conventions are privately disturbed by this inertia and apathy, on issue after issue.

Let me repeat that we of labor would love to see all your local school problems, financing of new construction, teachers' salaries, integration of local schools and everything else, all solved on a local level.

But the most obvious thing in the world—proved a hundred times over in the last two generations—is that your local school boards can't solve your problems without Federal help; and you are not going to have Federal help without some degree of Federal influence or control. We of labor and, I suspect, the general public are going to lose patience—we are already losing patience—with cheap evasions by "States rights" and "local control" fanatics of their responsibilities to the education of our children and the generations to come.

Your own thinking has changed. Gradually as you have become reconciled to Federal financial help you have had to reconcile yourself to Federal responsibility. Let's face it. Your organization, your mental temper and atmosphere, is less isolationist than before. You need and you depend on—and you admit it—the help of the Nation in a crisis. If you live in some States you are asking for financial help from the taxpayers of other States.

In some States your educational systems can't survive without Federal help.

Therefore, we of labor suggest that you recommend to local school boards that they stop yawping about the raping of "States rights" until they can finance their own "States rights" school systems in terms of U.S. Supreme Court and State court decisions. We dislike, and I think you dislike, a privileged school system, a school system that discriminates against democracy and in favor of Senator HARRY BYRD's bigotry and in favor of the White Citizens Councils and in favor of the Ku Klux Klan and in favor of bombings of schools in Clinton, Tenn., and Osage, W. Va.

We of labor, as you know, are intense admirers of Franklin D. Roosevelt. Yet we have been critical of F.D.R. when once in a while he fumbled the ball.

In the depression years almost everything F.D.R. proposed appeared attractive to labor, but in August 1933 Robert Hutchins proposed that some kind of help be given to young people who wanted to go to college. F.D.R. said, "Frankly the objections are pretty serious because it would start the Government on a policy of paying for education, which has always been a State and local matter. The chances are 10 to 1 that we won't do anything in the way of sending boys and girls to college."

But as the depression deepened and deepened, Roosevelt waited and waited for the States and the cities and the counties to do something. Most of them couldn't; some of them wouldn't. So, in 1935 F.D.R. established the National Youth Administration and within a year more than 400,000 students were receiving Federal benefits—benefits and an education they could never receive anywhere else, certainly not from industry and business that were opposed to the very idea.

Those girls and boys, who got an educational break under the NYA in 1935 and subsequent years, are, in many cases, the men and women teaching our children today. Don't we have a similar obligation to their children and ours today?

We of labor might ask a final question on this absurd issue of "local control" and "States rights." Did the GI bill of rights—after World War II or Korea—undermine local control or States rights? Of course not.

More and more, as I have said, union representatives are being elected or appointed to school boards. If you, as school board

heads and members, will welcome them and work with them on your common problems, you can be sure that the issue of "local control" and "States rights" will be worked out amicably, peacefully, and swiftly.

I am sure that I have been invited to address you because you wanted a representative of organized labor to be blunt and even contentious. Therefore, I won't disappoint you.

The labor movement wants to help the National School Boards Association toward its goals. In fact, the labor movement has been supporting the NSBA goals even before the origin of your organization. We would like a reciprocal arrangement.

Your organization has adopted a formal "Statement of Beliefs and Policies," adopted in 1955 and confirmed by your 1956 convention. Point 6 of this 24-point program declares that your organization "believes that, in the making of policies, wisdom would indicate that individuals and groups who will be affected by a given policy should be consulted by the Board of Education during the formulative period and should be fully informed concerning the policy finally adopted." And your "Statement of Beliefs and Policies" ends with this pregnant statement: "Those who share will care."

Let us take your point 6 at its face value. I believe that point 6 requires you, as school board members, to recognize—even to encourage—the union organization of your teachers. The American Federation of Teachers, AFL–CIO, for a quarter-century and more, has been organizing and cooperating with many school boards in their struggle for larger school appropriations—in Federal and State budgets.

But this isn't only a question of union organization. Because we of labor are concerned also with the education of our children, we know that there should be closer contact between school boards and teachers.

For example, we have known for a long time what was discovered last month in a survey by the University of Maryland, a survey financed by the Southern Regional Education Board. Among other findings, this survey established "There is an abyss between the teacher and the administrator across which neither can communicate his feelings, ideas, and problems."

It is that human relations gap that union organization, the American Federation of Teachers, AFL–CIO, can fill and has filled. What you seek and what we in the labor movement seek—in final analysis—is a better educational system, and a better educational system depends entirely on teachers, their training, their pay, their job security, their chance of doing the wonderful things they want to do for children—and the money to finance these goals.

The future of our country is in your hands, in the hands of your school boards, because you are deciding today and tomorrow the quality and quantity of our children's education.

You and the labor movement understand the urgency of our times because, as we know in the words of H. G. Wells:

"Human history becomes more and more a race between education and catastrophe."

WASHINGTON METROPOLITAN PROBLEMS—REPORT OF JOINT COMMITTEE

Mr. BIBLE. Mr. President, I ask unanimous consent that the Joint Committee on Washington Metropolitan Problems be authorized to submit its final report to the Secretary of the Senate during the recess of the Senate in order to comply with the provisions of House Concurrent Resolution 172.

The PRESIDING OFFICER. Without objection, it is so ordered.

ANNIVERSARY OF THE BIRTH OF ALBERT GALLATIN

Mr. PROXMIRE. Mr. President, today is a day of special importance to Americans of Swiss descent, and it is an anniversary with a special meaning for all Americans today.

January 29 is the anniversary of the birth of Albert Gallatin, an American patriot in our Nation's struggle for independence and later a brilliant Secretary of the Treasury under President Thomas Jefferson.

Mr. Gallatin was born in Geneva, Switzerland, in 1761. As a young man of 19, he sensed that greater opportunities could be found in a new nation struggling for independence, and so he came to America and threw in his lot with the American patriots. In this much of his career, he is typical of millions of brave, ambitious, and forward-looking young men who have come from far shores to find new opportunities in the United States of America—and who contributed immeasurably to the strength and vitality of this Nation.

But Mr. Gallatin's career was marked by even more extraordinary achievements. After the Revolution, he entered a political career and was successively a Pennsylvania State legislator, Representative, Senator, Secretary of the Treasury, and Ambassador to Great Britain and France.

One of the causes to which he dedicated much of his life's effort still has tremendous meaning to us today. That cause is the promotion of sound commercial relations with foreign nations throughout the world, and it is a cause which is even more vital to our Nation in our day than it was in Albert Gallatin's.

"It is commerce which unites the nations of the civilized world. It is principally to commerce that we are indebted for modern civilization," Gallatin once said.

To this statement we might add today, it is to commerce that we shall be indebted for the survival of modern civilization.

Only a few days ago, the Premier of the Soviet Union sounded a tremendous challenge to the United States and the free world. He claimed that the Soviet Union would surpass the United States in economic production in 6 years. All thoughtful Americans now recognize that this challenge must be met, and all will recognize that only greatly expanded international commerce, supplementing an expanding domestic trade, can enable this Nation to stay ahead of the Communist world.

This is a tremendous job for the entire free world. Fortunately, it is a job which the entire free world has recognized. Even though Albert Gallatin could not have foreseen the form of the challenge, he has provided a set of principles which have significance to it, even today.

It is an honor for me, therefore, to join Swiss-Americans in Wisconsin and throughout the United States who celebrate Albert Gallatin's influence on the early formation of our democratic institutions, and his lasting contributions to our political philosophy. Wisconsin has always been proud of its citizens of Swiss descent, not only for their wonderful cheese, which has won worldwide fame for our State, but for their sound and lasting influence on the development of our State.

REPORT OF THE CHIEF JUSTICES OF THE SUPREME COURTS OF THE SEVERAL STATES

Mr. PASTORE. Mr. President, on January 12, 1959, in the CONGRESSIONAL RECORD, there was printed a resolution and a report issued by the Conference of Chief Justices of the Supreme Courts of the several States held as Pasadena, Calif., on August 23, 1958. The resolution is on approval of the voluminous report made by the committee on Federal-State relationships, which report, in part, is highly critical of the Supreme Court of the United States. This committee of the conference undoubtedly acted with the same sincerity it ascribes to the Supreme Court Judges with whom the committee members disagree. With equal sincerity there were present those who disagreed with the propriety of the report and resolution.

At the suggestion of Chief Justice Jones of Pennsylvania the resolution was submitted to the "ayes and nays" of the conference, and 8 nays were recorded against 36 ayes.

Chief Justice Francis B. Condon of the Supreme Court of the State of Rhode Island supported the suggestion of the chief justice from Pennsylvania. His reasons behind this support seem to me to be well taken, and I ask unanimous consent to have them printed as a part of the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Rhode Island?

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF CHIEF JUSTICE FRANCIS B. CONDON, OF RHODE ISLAND, ON THE RESOLUTION INTRODUCED BY THE COMMITTEE ON FEDERAL-STATE RELATIONSHIPS AS AFFECTED BY JUDICIAL DECISIONS AT THE CONFERENCE OF CHIEF JUSTICES IN PASADENA, CALIF., AUGUST 23, 1958

Chief Justice DETHMERS. For the purpose of speaking in opposition to the resolution, the Chair recognizes Chief Justice Condon of Rhode Island.

Chief Justice CONDON. I profoundly regret that this body did not adopt the motion by Chief Justice Jones. I intended to make that motion myself.

The first time I saw this report was on the first day of this conference. I assume that practically all of the members saw this report for the first time that day. That report covers a great deal. It ought to receive, it seems to me, the same mature deliberation which the members of this court in the discharge of their judicial duties give to the briefs presented in the most ordinary case that comes before the court. We have not had that opportunity.

I have not read the report since it was read by Mr. Chief Justice Brune, but I must confess, gentlemen, that I would like more time to consider it. What are we doing? Forty-eight chief justices of the State supreme courts are sitting here in a brief conference and undertaking to disapprove of and condemn the actions of nine Justices of the highest Court in this Republic. What

right have we to condemn them? What right have we to disapprove of the manner in which they have discharged their duties? Indeed, Mr. Chairman, I question whether this conference has the right under our articles of organization to adopt such a report. This is a consultative organization.

It is not an organization to sit in judgment upon the conduct of any State officers of any of our several States, nor indeed is it an organization to sit in judgment upon the highest Court in the land. And so, Mr. Chairman, I have asked for these few moments here this morning in order that I might explain my vote.

I do not intend to support this resolution. I do not intend to support it because, as our chairman of group 3 said: "Everything in the report is incorporated in the resolution by reference." So, when you vote to pass this resolution, you vote to approve every single paragraph in that report, and I, for one, do not care to be recorded in that manner. Therefore, I subscribe to the suggestion made by Mr. Chief Justice Jones of Pennsylvania that when the vote is taken on this resolution, it shall be by ayes and nays so that each of us shall have an opportunity to record his stand, and it will be a matter of public record.

CIVIL RIGHTS LEGISLATION

Mr. HENNINGS. Mr. President, I had the pleasure some days ago to join with our most able majority leader (Mr. Johnson of Texas) in the introduction of a civil rights bill. Last year I joined with the distinguished senior Senator from Illinois [Mr. DOUGLAS] in the introduction of his civil rights bill, and will do so again this Congress.

As chairman of the Senate Constitutional Rights Subcommittee, I hope that the Senate will pass a constructive civil rights bill which meets the approval of a substantial majority of the American people. On January 28, 1959, there appeared in the Washington Post a column by Mr. Roscoe Drummond, entitled "JOHNSON and Civil Rights." I believe that Mr. Drummond has made some very constructive comments respecting the bill sponsored by the senior Senator from Texas and myself. I ask unanimous consent that Mr. Drummond's column be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JOHNSON AND CIVIL RIGHTS—CONCILIATION PLAN APPROVED

(By Roscoe Drummond)

Senator LYNDON JOHNSON, the majority leader, is offering the Senate an honest and significant piece of civil-rights legislation.

Besides giving the Justice Department further power to deal with denial of voting rights, its new feature is the proposal to create a community conciliation service—somewhat parallel to the Federal Mediation Service for labor disputes—to further compliance with all civil-rights laws including public school integration.

This may not be the only useful step which could be taken at this time, but it faces in the right direction. It is positive, not negative. It doesn't merely threaten those who withhold civil rights from minorities; it aims to bring civil rights into being for more citizens.

What may be even more commendable is that the proposed civil rights conciliation agency has won the instant scorn of the extremists on both sides—those who don't want anything done ever and those who want everything done at once.

One misplaced criticism of the conciliation proposal is that it amounts to conciliating whether the law should be observed.

That certainly sounds like a blockbuster of a moral argument, but when you examine it I doubt if it is much stronger than a cap pistol under water.

Federal labor law makes collective bargaining mandatory. But it is no denial of the law to have a Federal Mediation Service to promote the faithful use of collective bargaining. It's the same with civil rights.

It is quite proper to try to punish those who have deprived others of their voting rights or other civil rights. But it isn't inconsistent to take steps to enable more citizens to possess their voting rights and other civil rights where community resistance has denied those rights.

A civil rights conciliation agency would not conciliate whether the law should be observed; it would conciliate ways to bring about observance. Is that bad? Is that compromising with the devil? It seems to me that it is good—and wise and realistic.

I'm not against punishing the civil rights depriver; but what is more important is to increase the civil rights users and that is why the Johnson measure is refreshingly positive and constructive.

The conciliation service would apply to the whole range of civil rights—voting, public transportation, use of public parks and playgrounds, and public school integration. The Montgomery bus boycott would, for example, have been a good setting in which the conciliation agency could have worked. It would have most likely brought about earlier compliance with the law. Would it have been conciliating whether the law should be observed? No; it would have been conciliating ways to observe the law.

In public school integration the courts alone determine what the law is, but most judges recognize that the courts do not constitute the best means of working out the social, educational, political, and psychological questions bearing on how the law can best be applied with all deliberate speed.

In view of the latest decisions of the Federal courts and the Virginia State Supreme Court in which Virginia's own judges ruled all of Governor Almond's massive resistance laws unconstitutional, the time is almost at hand when legal means of avoiding the beginning of integration will be exhausted. This means that the time is near when Governors and legislatures will have to decide whether to obey the Supreme Court or resort to illegal means to defy it.

Question: If Government officials can decide which laws they will enforce, are they not teaching young people and adults alike that citizens can be free to decide which laws they will obey?

It will not be long before the civil rights conciliation agency will have large opportunities to help promote compliance.

ANNIVERSARY OF THE BIRTH OF WILLIAM McKINLEY

Mr. DIRKSEN. Mr. President, today I should like to remark the fact that this is the birth anniversary of William McKinley, former President of the United States.

When I was born, in January of 1896, a very fond and saintly father thought I should bear a very dignified moniker. So he gave me the name of EVERETT MCKINLEY DIRKSEN, and I have worn it with great pride ever since.

William McKinley was born in 1843. He had a distinguished record in the Civil War, served in a good many Congresses, and was elected to the Presidency in 1896. He was by all odds, I believe, one of the most gentle and able and forbearing persons who ever graced the White House in the history of this country.

In Columbus, Ohio, there is a statue—as I recall, it is just across from the Neil House—which pretty well marks the spot where, every morning, when William McKinley went to his law office, or even when, later, he went to his office as Governor of that great Commonwealth, he used to turn around and wave goodby to his invalid wife. I think the very fact that that spot is marked, the very fact that that great quality and attribute of spirit became so manifest to everyone, stems from one of the great moral attributes of the people of this country.

Mr. President, I did not want January 29 to pass without observing the significance of the date and also pointing out that whenever the House is in session on this day, it traditionally distributes carnations to every Member of the House in token of this event.

Mr. President——

The PRESIDING OFFICER (Mr. HARTKE in the chair). The Senator from Illinois.

PROPOSED "ABOLITION" OF THE DEMOCRATIC PARTY

Mr. DIRKSEN. Mr. President, this is perhaps taking an advantage, but on two occasions recently—by the way, the whole plan has been spoiled now by the entry into the Chamber of the distinguished senior Senator from Louisiana—on two occasions at the late end of the day, no Republican Members of the Senate were on the floor. It had been pretty well agreed that the session was over. On one occasion, the Senator from Oregon [Mr. MORSE] was making an address on a proposed charter commission for the District of Columbia. On the second occasion the distinguished Senator from Minnesota [Mr. HUMPHREY] was making an address on disarmament. Only one other Member was present on the other side of the aisle. No Members were present on this side of the aisle, because the two Members on this side of the aisle who had been assigned to be present were on the telephone in the cloakroom.

At that time, the distinguished junior Senator from Louisiana [Mr. LONG] made the observation—and it was a very broad and all-inclusive one—that, under the circumstances, the Republican Party should be abolished. He reiterated that assertion on the second occasion.

My distinguished friend, the senior Senator from Louisiana [Mr. ELLENDER], has spoiled what I was about to say by walking into the Chamber at this moment, because I was about to observe that, under the circumstances, with so many world-shaking problems challenging and confronting the Senate of the United States, it would be a good occasion to observe that the majority should be abolished, even though I would qualify it by making certain exceptions.

LEGISLATIVE PROGRAM—THE HOUSING BILL AND THE AIRPORT BILL—AUTHORIZATION FOR BANKING AND CURRENCY COMMITTEE TO MEET ON MONDAY DURING SENATE SESSION

Mr. DIRKSEN. Mr. President, in a moment I should like to make a comment on the President's agricultural message. But at this time I should like to query the majority leader about the program, in particular reference to the housing bill which will come before us.

So, Mr. President, I should like to ask the majority leader, pursuant to a conversation we had, what the plan is with respect to next week, and, very particularly, the housing bill and the airport bill.

Mr. JOHNSON of Texas. Mr. President, neither of those bills has been reported by the respective committees having them under consideration.

I am informed that the Banking and Currency Committee plans to meet tomorrow to consider and to mark up the housing bill; and I am hopeful that, if not this week, certainly by Monday the committee can report that bill.

If that is true, and if it meets with the pleasure of the Senate, I should like to have the Senate proceed to the consideration of the housing bill as early as possible; and the earliest I can anticipate would be Tuesday morning.

I shall be glad to have the Senate convene early and remain in session late, for as long as necessary, in order to see to it that action is taken on that bill, because some emergency matters are dealt with in it; and I do not wish to see the Senators leave for Lincoln Week, and the Senate be out of session for a week, with important legislation of that sort pending.

So if it is agreeable to the distinguished minority leader and to the other Members of the Senate, I would propose that if the committee reports the bill and has it on the calendar, ready for action, on, let us say, Monday, the Senate take it up on Tuesday, and continue with its consideration until all action on it is completed; and I would certainly hope that that could be done by Friday. If not, we could have a Saturday session.

I have talked to the distinguished chairman of the subcommittee, the Senator from Alabama, [Mr. SPARKMAN], and to the distinguished chairman of the full committee, the Senator from Arkansas, [Mr. FULBRIGHT]. I believe they anticipate being able to have the bill on the calendar by Monday, with the hearings printed and the report available. I believe they are ready and willing to stay on the floor until the Senate can act on that proposed legislation; and I believe it is extremely important that the Senate act on it before we leave for Lincoln Week.

Mr. DIRKSEN. If the majority leader will permit a comment, I did discuss the matter with the distinguished Senator from Indiana [Mr. CAPEHART]. He did not apprehend it would take too long—perhaps a few days, at the outside—to dispose of the bill. He believed also that the markup could be completed by Monday; certainly not later than Tuesday. So other things being equal, there appears to be no objection to the consideration of the bill, in the hope that it can be disposed of next week.

Mr. JOHNSON of Texas. Is that agreeable to the Senator from Alabama and the Senator from Arkansas,

Mr. FULBRIGHT. Mr. President, this matter was discussed, much as has been outlined.

Mr. SPARKMAN. Mr. President, I certainly believe we can mark up the bill not later than Monday. The chairman of the full committee has indicated he would be willing to meet that morning and stay as long as necessary, and, if required, would ask permission for an afternoon session, in addition to the meeting tomorrow. I believe the markup will be completed by Monday.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Committee on Banking and Currency may be permitted to meet on Monday, notwithstanding the fact that the Senate will be in session.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

ORDER FOR ADJOURNMENT TO MONDAY NEXT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate adjourns today it stand in adjournment until Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

RELIGIOUS ACTION IN THE SOCIAL AND CIVIL ORDER

Mr. CASE of New Jersey. Mr. President, a few days ago the Honorable C. Douglas Dillon, Under Secretary of State for Economic Affairs, spoke before the Foundation for Religious Action in the Social and Civil Order.

As one might expect from this distinguished son of New Jersey, his discussion of the imperatives of international economic growth was thoughtful and provocative. I should like particularly to call attention to his remarks on the need for making clear our national purpose in extending aid to other countries of the free world. He stated, in part:

I neither overlook nor minimize the dangers to this country inherent in masses of men and weapons, as well as technical and industrial resources, in the hands of an implacable Communist enemy. Without question, economic and technical assistance to the newly developing nations is in our national self-interest. However, we do ourselves a grave injustice and distort our true image before the world if we give our foreign-aid program a wholly selfish cast. For this program rests squarely in the great tradition of idealism that has motivated the American people since our earliest beginnings.

The Marshall plan, the point 4 program, and the present mutual security program have no parallel in all history. The willing acceptance by the American people of the challenge to help free other peoples from the bitter slavery of poverty is one of the greatest moral achievements of this century. We should not permit it to be derided by the cynical or deprecated by the uninformed.

Mr. President, I ask unanimous consent that the full text of Mr. Dillon's speech be printed in the RECORD at this point and that following his speech there be printed an article by Mr. Walter Lippmann which appeared this morning which discusses the same matter and comments upon Mr. Dillon's speech.

There being no objection, the address and article were ordered to be printed in the RECORD, as follows:

IMPERATIVES OF INTERNATIONAL ECONOMIC GROWTH

(Address by the Honorable C. Douglas Dillon, Under Secretary of State for Economic Affairs, before the Foundation for Religious Action in the Social and Civil Order, Hotel Mayflower, Washington, D.C., January 16, 1959)

It is a distinct privilege to participate in FRASCO's fourth annual conference and to share this discussion of the imperatives of international economic development with so distinguished a Member of the Congress as Senator MONRONEY.

We have recently entered what promises to be a year of the highest drama. This fateful year is certain to produce formidable challenges to us as a nation, as a God-fearing people, and as freedom-loving citizens. Inevitably, many of 1959's problems will stem from the aggressive, expansionist ambitions of the leaders of the Sino-Soviet bloc.

There is no need for me to spell out here the full dimensions of international communism's military, economic and psychological threat to the free world. Many of you were among the first to recognize its total nature and its enormous implications for our way of life. And you, and the organizations you represent, were among the first to call for a many-sided response to this many sided challenge—a response which your Government is pressing forward on every front.

As you well know, Communist efforts in the economic field have been intensified in recent years. But I do not intend today to discuss the Sino-Soviet economic offensive. I want instead to examine with you the demand being made upon our resources and upon our consciences to help raise the living standards of the peoples of Asia, Africa and Latin America. These are the areas where most of mankind lives and where the struggle between freedom and totalitarianism may ultimately be decided. The need to help these peoples forward on the road to economic progress would confront us even if communism and the Sino-Soviet bloc simply didn't exist.

To me, the yearning of the peoples of Asia, Africa and Latin America for a better way of life presents us with the ultimate challenge of our times—and our greatest hope for the future. It is clearly a moral challenge. If we fail to respond adequately, we shall stand accused as a people who proclaim our own satisfaction with the benefits of freedom, but who are slothful in carrying the spirit of freedom to others around the world. The plain fact is that our posture before the world can be no better than the manner in which we fulfill the obligations that flow from our status as the most materially favored nation in all history.

Our objective must be to help raise other peoples' standards of living. In so doing, we shall also help to raise standards of personal and political freedom—a goal which is impossible of achievement in the absence of economic growth. With these objectives in mind, let us consider the imperatives of international economic development:

The first imperative—and a major one—is to maintain a sturdy, growing economy in the United States. Our ability to extend

aid, to offer the capital which is so badly needed in the newly emerging countries, is conditioned upon our domestic strength. Our prosperity also helps to assure them a market for their output. The movement of goods is, of course, closely related to the movement of capital. Not only must we import in order to export. We must import to keep investment flowing overseas. For without the prospect of returns, the expanding flow of private investment is impossible.

The second imperative—and one with which we must reckon increasingly as we continue to prosper—is the need to narrow the widening gap between living standards in the industrialized West and the underdeveloped nations. Ironically, while our own living standards and those of our allies in Europe are rapidly improving, living standards in the newly emerging nations are advancing much more slowly—due largely to the tremendous growth in population. Heroic efforts to narrow this gap must be made this year—not a decade hence, when it will be too late. We can be thankful that we are not alone in our recognition of this imperative. As they have emerged from the devastation of war, Britain, France, and Italy have been turning their attention increasingly to assisting the world's underdeveloped areas. Germany has recently entered this field with characteristic vigor, as have our neighbor, Canada, and other members of the British Commonwealth. So has Japan. The Japanese are now beginning to share their skills and resources with their neighbors.

But this gap cannot be closed by our efforts alone, nor even by the combined efforts of ourselves and our allies. The peoples of the newly emerging nations must make the major contribution to their own progress. I have visited many of these countries and talked to their leaders. A fresh wind is sweeping through them. Their peoples are no longer content to sit back and envy the more developed countries. They have been caught up in what has been aptly described as the revolution of rising expectations. Their leaders are desperately trying to meet these expectations. They need our help in their great effort.

Military security and internal stability must be present to provide the framework in which economic progress can take place at a steady and acceptable rate. Many of the newly emerging nations, especially in Asia and Africa, are plagued by the tensions inherent in the transition to new-found political independence. Our mutual security program has been of assistance in this respect, by making available equipment, training, and defense support for indigenous military and civil forces.

A third imperative is the maintenance of adequate markets on which the developing countries can place their goods. These countries must sell their products in order to obtain the industrial equipment needed for development. We have made significant strides toward keeping our market open to the surplus production of all countries of the free world through the extension of our Reciprocal Trade Agreements Act on a realistic, long-term basis. We are also working with other countries to expand trade through the operations of the General Agreement on Tariffs and Trade. We must continue to pursue ways to remove artificial restraints upon world trade—our own and those imposed by others. Since many of the less developed countries now find their exports concentrated in a few primary commodities, we must stand ready to study ways to help avoid disastrous price fluctuations, and to assist them in diversifying their economies.

A fourth requirement for the newly emerging nations is the crying need for the technical and managerial skills which are the bedrock of development. Without them, no amount of capital will bring about growth. The United States has, over a period of years, made important contributions in this area: bilaterally, through our International Cooperation Administration, and multilaterally, through the United Nations and the Organization of American States. The need for technical skills is fully recognized by the developing nations themselves. For example, the recent annual report of the Colombo plan's consultative committee, said:

"In a year which has seen intensive consideration given to increasing the capital resources of leading lending institutions, it is now urgent that the less developed countries give greater attention to the development of the human skills which can assure the appropriate and effective utilization of these capital resources."

A fifth necessity is private investment. If we are to be of maximum help to less developed countries, our private resources—which are far larger than those Government can possibly provide—must be welcomed and drawn upon to the greatest extent possible. We are constantly seeking ways to stimulate the flow of private American investment abroad. The investment guaranty program of the ICA has been steadily expanding. Through tax treaties, through our system of credit for foreign income taxes paid, and through other provisions of the Internal Revenue Code, the United States is endeavoring to avoid double taxation and thus facilitate American investment abroad. In our current tax treaty negotiations we have introduced an important innovation. We are preparing to give tax credit for certain income taxes waived by less developed countries as an inducement to investment, as if they had, in fact, been collected abroad. Currently, we are studying ways to ascertain how the Government can more effectively enlist the aid of private enterprise in achieving the objectives of our foreign policy. A group of distinguished citizens drawn from the Business Advisory Council of the Department of Commerce, is now working actively on the preparation of concrete suggestions, and the President has stated his intention of submitting legislation on this subject to the Congress.

A sixth requirement is for public loans on normal bankable terms. Such loans are now being extended by the International Bank for Reconstruction and Development, and the International Monetary Fund. These organizations have a special virtue, for they draw on both the public and private resources of the entire free world. The United States has believed in, contributed to, and supported these agencies from the very beginning. The directors of these institutions, acting upon an American suggestion, have proposed to expand their resources. The United States also extends bankable loans for development through the Export-Import Bank, which has made an outstanding contribution to economic progress.

A seventh requirement is for development financing which will provide flexible terms of repayment. Many sound projects which are essential to development cannot qualify for bankable loans. It was to help finance such projects on a businesslike basis that the U.S. Congress established the Development Loan Fund. It works closely with our Export-Import Bank and with the World Bank to stimulate an increased flow of bankable loans for development programs. One of its objectives is to help stimulate private enterprise, which is so essential to the stability of the less developed areas.

In its first year of operation it has proved itself as a highly effective tool for economic development. It deserves your full and active support.

The United States is also working with its sister republics of the other Americas toward the establishment of an Inter-American financial institution. And we are suggesting the establishment of an International Development Association closely affiliated with the International Bank. Such an association would be a multilateral version of our own Development Loan Fund. It would provide a means whereby other countries able to do so could join in financing development projects. We are now actively examining the feasibility of such an institution with our friends and allies. This proposal, as many of you know, sprang originally from an imaginative concept of Senator MONRONEY, who has long been a leader in our Nation's efforts to aid the newly emerging peoples.

Now, I have been discussing the imperatives which depend heavily upon the initiatives and the resources of the more developed nations.

There are other imperatives of economic development which rest largely with the peoples of the underdeveloped nations themselves. I shall mention them briefly:

1. The need to create a climate in which foreign private investment can flourish.

2. The need to stimulate national savings so as to accumulate the domestic capital which is needed to insure stability and economic progress.

3. A willingness on the part of indigenous capital and business to welcome competition and assume risks normal to healthy free enterprise.

4. The reduction of traditional social and cultural barriers to economic progress, whether based upon class, race, or tradition.

5. The need to emphasize scientific, technical, financial, and commercial studies in their educational systems—plus a willingness on the part of the more talented individuals to seek training in skills directly related to economic progress, rather than to pursue education primarily as a means of enhancing social prestige.

These needs are rooted in problems based on attitudes, tradition, and established social patterns. They are resistant to change. They will not all be met tomorrow. But they must eventually be met if the newly emerging peoples are to make a successful transition to a state of steady economic growth.

Finally, I come to an imperative which is of crucial importance to this Nation. I refer to the need for redefining our national purpose in extending aid to other countries of the free world.

I sometimes wonder if we haven't fallen into a trap of our own making when, in seeking support for our mutual security program, we present it to the American people mainly as an answer to the menace of Communist aggression? We find that our motives are sometimes misunderstood abroad. I wonder if we haven't allowed ourselves to be identified in the eyes of large parts of the world as defenders of our own status quo—rather than as a people whose motivations are founded upon principle and whose response to the needs of others arises out of a deep sense of moral responsibility?

We must clearly establish the fact that all of our endeavors in the foreign aid field are designed as part of one common free world enterprise. We must consolidate a communion of interest with the aspiring peoples. I know of only one way to shape an image of integrity and responsibility. That is to exhibit integrity and responsibility. This we have most assuredly done. But perhaps we have allowed our good deeds to be obscured in the fog generated by our problems with the Soviet Union.

I neither overlook nor minimize the dangers to this country inherent in masses of men and weapons, as well as technical and industrial resources, in the hands of an implacable Communist enemy. Without question, economic and technical assistance to the newly developing nations is in our national self-interest. However, we do ourselves a grave injustice and distort our true image before the world if we give our foreign aid program a wholly selfish cast. For this program rests squarely in the great tradition

of idealism that has motivated the American people since our earliest beginnings.

The Marshall plan, the point 4 program, and the present mutual security program, have no parallel in all history. The willing acceptance by the American people of the challenge to help free other peoples from the bitter slavery of poverty is one of the greatest moral achievements of this century. We should not permit it to be derided by the cynical or deprecated by the uninformed.

I look to groups such as this to help bring about a wider understanding of the imperatives of our foreign policies, both at home and abroad. That understanding is crucially needed. For our foreign aid programs grew naturally out of our social, cultural, and religious heritage. We have accepted a great challenge from which we cannot draw back. If we answer it successfully, we shall be assured a place in history as one of the great humanitarian peoples of all time. In the words of Arnold Toynbee:

"Our age will be well remembered, not for its horrifying crimes or its astonishing inventions, but because it is the first generation since the dawn of history in which mankind dared to believe it practical to make the benefits of civilization available to the whole human race."

We are the natural leaders of that generation. Our duty and our path are clear.

[From the Washington Post and Times Herald, Jan. 29, 1959]

THE DUTY OF RICH NATIONS

(By Walter Lippmann)

The President of Argentina, Mr. Frondizi, has come to Washington and gone. Unlike Mr. Mikoyan's visit, his was a state visit in which the whole ritual for such occasions was observed. But Mr. Frondizi has left behind him for the American people to ponder what can fairly be called the most poignant, and it might be the most embarrassing, question in our foreign relations.

The question is whether we are ready to recognize the principle that rich nations in the world community, like rich individuals in their own communities, have a duty to help the poor to raise themselves out of poverty. "We cannot ignore," said President Frondizi to Congress, "the harsh fact that millions of beings in Latin America suffer from misery and backwardness * * *. When there is misery and backwardness in a country not only freedom and democracy are doomed but even national sovereignty is in jeopardy."

This principle—that the rich have a duty to the poor—is not now part of our official philosophy of foreign aid. The United States has made substantial contributions, and not all of them have been wisely and effectively spent. But in relation to our wealth the contributions have not been very great. What matters most, however, is that Congress has voted these contributions on what is humanly speaking a self-defeating principle. They have not been voted on the principle that the rich have a duty to the poor but on the theory that we are subsidizing our allies in the cold war. Because Latin America has not been in the frontline of the cold war, we have done comparatively little about the misery and backwardness of Latin America.

This theory—that foreign aid is an instrument of the cold war, and would not otherwise be necessary or desirable—was challenged by President Frondizi. On this point, there were as he spoke men in high places who were prepared to understand him. Notable among them was Mr. Douglas Dillon, who is the Under Secretary of State in charge of economic affairs. On January 16 before the Foundation for Religious Action, Mr. Dillon made a speech which had little attention at the time but is of great and far-reaching consequence.

After saying that there was no need before that audience to spell out the full dimensions of the Soviet challenge, Mr. Dillon went on "to examine with you the demands being made upon our resources and upon our consciences to help raise the living standards of the peoples of Asia, Africa, Latin America. These are the areas where most of mankind lives and where the struggle between freedom and totalitarianism may ultimately be decided. The need to help these peoples forward on the road to economic progress would confront us even if communism and the Sino-Soviet bloc simply didn't exist."

Why? For the same fundamental reason, which is at once a matter of morals and or prudence, that we have learned to accept the view that within a nation great extremes of poverty and riches are intolerable to our consciences and subversive of the social order. We now live in a world community, and the most portentous fact about the age in which we live is that the gap between the rich peoples of Western Europe, North America, and Australasia on the one hand, of Asia, Africa, and Latin America on the other, is enormous. Worse still, the gap is widening. Rich peoples are getting richer faster than the poor peoples are overcoming their poverty.

The rich countries, with a total population of about 400 million, have an average income per capita of about a thousand dollars a year. In the United States, it is more than 2,000 a year. The underdeveloped countries, leaving out Communist China, have a population of over a billion and an average income of only $60 a year. During the past 50 years, the per capita income in the West has doubled, and it is rising appreciably each year. In the poorer countries, the per capita income has increased very little, and in many places it has deteriorated.

These are, I believe, the overriding facts of the times we live in and of the world in which we have to play so big a part. It is not too much to say that on our response to these facts will depend—if we do not all go up in the smoke of a world war—our prospects in the cold war, and our position in the decades to come as a world power. This does not mean, and no one should be so silly as to suppose that it does, that we who are only about 7 percent of the world's population, can eliminate the immemorial misery of half of the human race. What we can do is to raise considerably the amount we invest or lend to the key countries in Asia, Africa, and Latin America. Thus we can well afford to set aside something in the order of $5 billion annually for development and reconstruction. For that would not be much more than 1 percent of our gross national product.

The way we make our contribution is at least as important as the amount of the contribution. For insofar as we treat the contributions as a subsidy to buy allies in the cold war, they do as much, probably more, harm than they do good. For then we present ourselves in the guise of a great imperial power seeking to buy dependents, and that is a principal reason why with all the fuss about our foreign aid programs, we have been losing, not gaining, friends in the world.

The whole operation of foreign aid would wear a different face if it were founded on the principle—laid down by Mr. Dillon—that we make a contribution because it is the simple duty of the rich to help the poor. It would be a noble act, which would pay big dividends in self-respect at home and goodwill abroad, if the Government would declare the principle that to fight against poverty is a duty, not an instrument of our military strategy.

I do not myself think it is wishful thinking to believe that Congress and the people, who are now bored with foreign aid as it is presented and administered, would respond much more readily if it were inspired by a big idea, rather than by small and calculating notions of how to score points in a contest.

THE 40TH ANNIVERSARY OF THE INSTITUTE OF INTERNATIONAL EDUCATION

Mr. FULBRIGHT. Mr. President, tomorrow, Friday, January 30, in Washington, the Institute of International Education, America's and the world's oldest and largest private multinational organization concerned with the interchange of scholars, technicians, and leaders, will celebrate the completion of 40 years of work in building better understanding among the peoples of the world. This, it seems to me, is an anniversary worthy of note by the Senate.

In the United States, unlike other countries where government has usually controlled exchange of persons with foreign countries, private organizations pioneered in developing cultural relations with other nations. IIE and a host of other private groups—foundations, service clubs, corporations, religious groups, women's clubs, and colleges and universities—long ago accepted responsibility for deepening understanding of the United States in other countries, and of other nations in the United States.

The institute—or IIE, as it is commonly known throughout the world—was the idea of three great Americans: Nicholas Murray Butler, Stephen Duggan, and Elihu Root. They believed that as men and women of all nations came to understand each other through living together, studying together, working together, playing together, we would lay a stronger foundation for peace. IIE has for 40 years devoted all its efforts to making this dream a reality. The institute's board of trustees—which has always been a distinguished roster of American educational, business, and civic leaders—and the three men who have directed IIE's course since 1919—the late Stephen and Lawrence Duggan and the present president, Kenneth Holland, have built a firm base for the participation of private citizens in a constructive approach to foreign affairs.

The legislative and executive branches of the U.S. Government recognized the significance of official support of this field within the memory of most Members of this body. It was only 20 years ago when Secretary of State Cordell Hull set up the first Cultural Relations Division to work out an integrated program for developing U.S. cultural ties with other countries. It has been only a little more than 10 years since the Congress began to appropriate a relatively small sum of money to strengthen this arm of our foreign relations.

The Department of State and the Department of the Army naturally turned to the Institute of International Education for help in administering the U.S. Government's exchange program for students. Since the wise policy decision of the Congress was to utilize private agencies to the maximum in such programs, IIE was a logical choice. IIE had then been working in this field for 20 years

and had established close cooperative relationships with colleges and universities and other key groups, both in the United States and in other countries. I believe that both Government and private agencies and institutions have for the past 20 years benefited from this decision. We have, in fact, in typical U.S. fashion, established a unique pattern of public-private cooperation to achieve an important social goal.

As Senators know, of the approximately 47,000 foreign students estimated by IIE to be enrolled this year in U.S. colleges and universities, only about 4 percent receive any financial support from the U.S. Government. The small investment of public funds is, however, vital in stimulating and supplementing private contributions and the expenditures of foreign governments. The institute and other private agencies, and colleges and universities have raised the funds to carry a major part of the cost of this substantial exchange program.

The history of the institute typifies the skyrocketing interest in international exchange of persons in this country and abroad. In 1919 and 1920 the institute brought to the United States 4 distinguished European scholars; this year nearly 5,000 U.S. and foreign citizens from 80 countries will be directly related to IIE's 2-way exchange. In 1919 IIE had 3 employees in New York City; in 1958–59 the participation of U.S. citizens in all parts of the country required the expansion of the staff to 275 men and women in New York, Chicago, Denver, Houston, and San Francisco. In 1919, IIE was financially supported by 1 foundation; this year the list of contributors includes more than 40 foundations, as well as colleges and universities, individuals, and a growing number of corporations and labor unions. These contributions are supplemented by the reimbursements which the institute receives for the programs which it administers for the United States and other governments and private organizations.

Equally significant is the fact that the institute's 40th birthday dinner tomorrow might well be a part of the third national conference on exchange of persons, in which 139 national agencies and organizations, public and private, are cooperating. This conference dramatically demonstrates the number and range of individuals, institutions, and organizations concerned with IIE's activities. The national private and public organizations now actively involved in supporting international exchange programs includes, of course, educational organizations, but more interesting is the broad participation of professional associations, business groups, labor, religious societies, men's and women's service clubs. IIE does not, of course, deserve sole credit for this nationwide expression of concern for developing better understanding among nations. Every citizen is eagerly seeking a means by which he or she can contribute to the hope of a peaceful world. Support of well planned and carefully administered exchange of persons programs is the best way in which men and women at the grassroots of American life can feel that they are actively helping.

Some of the contributions of the Institute of International Education in the past 40 years are listed in the calendar following. In the years ahead the challenge to IIE and to other private and public agencies will be equally great. We must—all of us—here and abroad, find ways to live peacefully together, or we shall certainly perish together.

I ask unanimous consent to have printed at this point a list of some of the highlights on the history of the institute.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

SOME HIGHLIGHTS OF IIE'S HISTORY

February 1, 1919: IIE founded by Prof. Stephen Duggan, Nicholas Murray Butler, and Elihu Root to strengthen international understanding through exchange of students, scholars, and information.

Issued first publication telling American students of study opportunities abroad (France). Began development of IIE as information center on international education and exchange. (Now answers 2,000 information requests per week.)

Formally organized International Relations Clubs on American campuses (they had existed before on informal basis). IIE appointed faculty advisers and supplied the clubs with literature. These clubs are now assisted by the Foreign Policy Association.

Nineteen hundred and twenty: IIE arranged for four distinguished foreign scholars to lecture at U.S. colleges. The institute over the next 25 years brought for their first visits to academic institutions, such men as Jacques Maritain, Carlo Sforza, Andre Siegfried, and Arnold Toynbee.

Nineteen hundred and twenty-one: First student refugee program: Tuition grants and financial aid secured for Russian students in U.S. universities who could not return home after the revolution. (Subsequent refugee programs: Germans in 1933, Chinese in 1942, Hungarians in 1956.)

Nineteen hundred and twenty-two: IIE's first student exchange: Five Americans with five Czechs. (1957–58: 3,044 foreign students from 81 countries: 1,423 Americans in 33 countries; administered multinational exchange of 446 specialists from 56 countries.)

Ninteen hundred and twenty-four: Dr. Duggan, then IIE president, persuaded steamship lines to develop student-third-class passage. In 1947, to facilitate postwar travel, IIE coordinated use of converted troop ships for student use. From this grew the independent Council on Student Travel.

The institute brought together college and university administrators and government leaders to explore problems of Chinese students in the United States. From this and subsequent conferences, grew the now independent National Association of Foreign Student Advisers.

Nineteen hundred and twenty-six: Established the Council on the Junior Year Abroad to assist U.S. colleges and universities to set up foreign study programs for undergraduates.

Nineteen hundred and twenty-eight: IIE founded work student movement—first program to bring foreign students here to train in banks, business, and industrial firms. The institute now handles the exchange between Europe and the United States of engineering students who work in plants in the summer.

Nineteen hundred and twenty-nine: First IIE Latin-American exchanges; IIE opened its Inter-American Department.

Nineteen hundred and twenty to nineteen hundred and twenty-nine: Promoted summer study abroad for American students; organized travel opportunities for summer students.

Nineteen hundred and thirty: First IIE exchange of students in the arts.

Nineteen hundred and forty-one: U.S. Government asked IIE to recommend and place students for first Government exchange program, the Buenos Aires Convention program with Latin America (started 1936). IIE has administered program for Government ever since.

Nineteen hundred and forty-seven: First large-scale IIE exchanges with Asia and Africa.

Nineteen hundred and forty-eight: IIE delegated to help administer UNESCO fellowship program, which provides exchange of specialists for technical assistance.

Nineteen hundred and forty-nine: IIE appointed by U.S. State Department to screen, place, and supervise student exchanges under Fulbright and Smith-Mundt Acts. IIE now administers all Fulbright and Smith-Mundt student exchanges for Government.

IIE undertook for the U.S. Department of the Army to administer the exchange aspects of its reorientation program for the occupied areas of Japan, Germany, Austria, and the Ryukyus.

Nineteen hundred and fifty-one: Established institute regional offices in Chicago, Denver, Houston, San Francisco, and Washington.

Nineteen hundred and fifty-two: The institute moved into its permanent headquarters building, 1 East 67th Street, New York City, the former George Gould home.

Nineteen hundred and fifty-three: Established roster of internationally trained persons which now contains data on more than 275,000 persons who have participated in exchange programs between the United States and other countries.

The committee on educational interchange policy was established by IIE to give policy guidance to agencies and individuals concerned with exchange. The committee has issued 11 major policy statements, the most recent, "Twenty Years of U.S. Programs in Cultural Relations."

Nineteen hundred and fifty-four: The institute initiated a series of musicales to provide a hearing for young American artists who have studied abroad and for young foreign artists.

IIE established a young diplomats program, privately financed, to enable young representatives of foreign governments in Washington and New York to visit all parts of the United States.

Nineteen hundred and fifty-five: IIE began publication of Open Doors, a yearly census of all foreign students, teachers, and physicians in United States and American students and faculty members abroad.

Nineteen hundred and fifty-six: IIE and World University Service set up and carried out Hungarian refugee scholarship program whereby 734 Freedom Fighters were given scholarships to study in U.S. colleges and universities.

IIE became American administrative arm of IAESTE, the International Association for Exchange of Students for Technical Experience—a private organization in 24 nations which provides exchange students with summer training in industrial and engineering firms.

IIE held conference on the arts and exchange of persons at which leading representatives of the arts (for example, Martha Graham, Aaron Copeland, Isabel Bishop) discussed the advantages of and opportunities for exchanges of artists and arts students.

Nineteen hundred and fifty-eight: Opened department for East-West exchanges to develop programs with the Soviet Union and Eastern Europe.

Helped organize the first exhibitions of American designers and painters who studied

abroad under the Fulbright program. Designers and painters shows both now touring country.

IIE handled arrangements for Van Cliburn and Joyce Flissler to compete in the Tschaikovsky festival in Moscow.

IIE and Pan American Union in cooperation with Puerto Rican Government sponsored Inter-American Conference on Exchange of Persons to increase exchange with Latin America.

Nineteen hundred and fifty-nine: IIE's Third National Conference on Exchange of Persons in Washington, D.C., January 28–31—the largest and most comprehensive of its kind. One hundred and thirty-nine national public and private organizations have cooperated in arranging the conference.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

THE ADMINISTRATION'S FARM PROPOSALS

Mr. YOUNG of North Dakota. Mr. President, I have read President Eisenhower's message on agriculture with great disappointment and considerable disgust. It is obvious that again it has been written entirely by Secretary Benson, who, in my opinion, has been somewhat of a failure as Secretary of Agriculture. Mr. Benson's handling of the price support program and his policy on agriculture as a whole has resulted in the greatest farm surpluses in the history of the United States, at the greatest cost to the taxpayers.

The proposed program, if carried out, would mean the elimination of a great many small and average size farmers. The policy, as laid down in the message today, would only make matters worse. It would mean more and more surpluses, more and more cost to the Federal Government. In fact, the proposals submitted today are the worst of any that he has made during his 6 years as Secretary of Agriculture.

I should like to discuss briefly some of the bad features of his proposals. Of course, there are some good features, too, which I shall make mention of also a little later. I am primarily concerned with the proposals on wheat. We have great surpluses of wheat on hand, and the cost of operating the program has become much too high. Certainly something should be done about it. However, the Secretary's approach surely is not the right one.

He has two approaches. First, he asks for discretionary legislation, allowing the Secretary to set wheat supports at from nothing to 90 percent of parity, with a promise that at some time in the future he would relinquish controls over production. Knowing his position as we do, the price supports under this kind of program would probably be not more than $1.25 a bushel, if they would be that high.

The President in his message states that he would like to move in the direction of the new corn support legislation which Congress passed last year. There is practically no similarity whatever between the two programs. In fact, the proposed wheat program is far worse than the corn program enacted a year ago, and that was bad enough. Under the corn program, most farmers will get higher price supports this year, with no controls over production. They get 90 percent of the average cash price they received for corn for the previous 3-year period, with no production controls, and a minimum support price of 65 percent of parity.

What is the proposal for wheat? Wheat farmers have already taken a 30 percent cut in their quotas some 4 years ago. Under the present program, the minimum support is 75 percent of parity, or approximately $1.82 a bushel. Under the new proposal, a farmer, in order to get 75 percent of the average cash price received for the previous 3 years would have to cut his production approximately 40 percent. That 40 percent cut would reduce the farmer's income by approximately 40 percent. Seventy-five percent under this proposal would bring the farmer approximately $1.45 a bushel for the first year; and then in succeeding years it would gradually be reduced below that level. In times of low production farmers need a better price, not a lower price, for their products sold on the market.

In the message it is stated that there have been many new developments in wheat farming, which have led to greater production. That is true. However, I doubt if the yield per acre of wheat has increased as sharply as has been the case with corn. Certainly the cost of farm operations, which is not mentioned at all by Benson, has increased far more sharply than most people realize. There has been a steady increase in the cost of farm operations year after year for the past 10 or 12 years. About 15 years ago a wheat farmer or a grain farmer farming about a thousand acres had a total investment in farm machinery of only about $7,000 and not more than $10,000. Now the average grain farmer must have an investment in farm machinery of from $45,000 to $50,000.

I stated previously that the cost of everything the farmer must buy, particularly farm machinery, has increased year after year. Combines, for example, which about 10 years ago cost $4,000 or $5,000, now cost $8,000 to $10,000. The cost of all farm repairs has increased in like proportion.

The proposed program is totally unacceptable. It would lower farm income still more and break the small and average grain farmers of this Nation. Certainly no farmer can take a further cut of 40 percent in production and a further cut in the price he receives for his commodities.

There are much better approaches to the wheat surplus problem and to the wheat price support program. Probably one of the best that has come to my attention so far is the one made by the oldest of all farm organizations and one of the most respected, the National Grange. It is also the program of the National Wheatgrowers' Association. It is the domestic parity plan, sometimes called the two-price system. Under this program no export subsidies of any kind would be needed. There would be no storage cost after the first year or two of its operation. There would be no price support cost whatever. It would place wheat on a competitive basis not only domestically but in all foreign markets of the world. It would be a self-financing program. There would be no cost to the Government. It would coincide, I believe, with the price support programs of most of the countries of the world. Few people realize that 96 percent of all the wheat produced in the world today is produced under some kind of price support program.

It is usually either a two-price or a multiple-price system. The domestic price—two price—would be a far better approach, and I hope Congress will approve it this session.

Some of the proposals made by President Eisenhower in his message today are highly commendable. The extension of Public Law 480 and the extension of the Sugar Act are in this category.

Then, too, the message embodies many proposals for controls designed to decrease the production of wheat. One of them is the elimination of the 15-acre provision, which the message states is responsible for 600 million bushels a year of our wheat surplus. The President also proposes that production controls be placed on a bushel basis rather than on an acreage basis. I introduced a bill in 1957 proposing exactly the same thing, but Secretary Benson sent a letter to Congress opposing it. Had he been as enlightened in 1957 as he is today, and accepted bushel controls for wheat rather than acreage controls, there would be a far smaller surplus of wheat.

I approve of many of the other proposals of the President. One of them would place a higher penalty on the overseeding of wheat.

I should like to comment on the cost of the various farm programs and their operation by the Department of Agriculture. One can hardly pick up a newspaper or a magazine today without seeing the statement that the cost of the farm program is $6 billion or $7 billion. The average person in the Nation reading such a statement believes that the $6 billion or $7 billion, whichever figure one may use, goes as a subsidy to agriculture; that the farmers themselves receive the $6 billion or $7 billion in cash subsidy payments. Benson makes no effort to present the true facts to the public.

I have here some figures which I obtained from the Department of Agriculture through the Committee on Appropriations. According to the Department of Agriculture, the budget for the fiscal year 1958 was $4,875 million; for fiscal year 1959, $7,341 million. The President is proposing a budget for the Department of Agriculture next year of $6,450 million. But I should like to cite some of the programs and some of the costs which are charged as expenditures to agriculture, when actually they are of far more benefit to other people than they are to our farmers. Yet they appear in the budget as a subsidy to our farmers.

For example, for fiscal year 1959, when the total estimated cost of the Department of Agriculture is $7,341 million, the cost of the Public Law 480 program is $1,432 million. Much of this money is for programs which have little to do with agriculture.

There are food distribution programs, including commodity purchases under a program for the removal of surplus agricultural commodities; a program for school lunches; and, milk for schoolchildren. Under these programs, the schoolchildren of America are supplied with commodities amounting to $366 million; but that amount is shown as an expenditure by the Department of Agriculture, and unfortunately most people believe that the farmers of America receive this $366 million in the form of subsidy payments. Actually, that amount is spent for food and milk donated to the schoolchildren of America.

There is an item of $590 million, which represents REA loans and Farmers' Home Administration loans. The REA has a repayment record of practically 100 percent. I know of no other loans that the Federal Government makes today which have such an excellent repayment record as those of REA. But the $590 million loaned to REA and Farmers Home Administration in this fiscal year is listed as a subsidy to agriculture. The people believe that the farmers are getting checks for this money, when actually they pay back the money to the Government.

Farmers Home Administration loans are made mostly to farmer-veterans. It is the only way in which these veterans can get any help from their Government. Unlike the city veteran, the farmer veteran cannot borrow money to build his home as is possible under some of the Federal programs. These FHA loans are made to persons who are not eligible for loans from any other banking source. Yet the repayment record is almost 90 percent.

Then there has been a long-range program for the improvement of agricultural resources, including research. There are programs for meat inspection, disease and pest control, education, market development, protection of soil and water resources, and forest and public lands management. For these programs there is an item of $650 million. Yet all of this amount is charged as a subsidy to agriculture. The receipts from the sale of lumber as well as other receipts from the Forestry Department exceed the amount appropriated to take care of our national forests. Yet the sums appropriated are looked upon as a subsidy to agriculture.

The farmers have not too much interest in meat inspection, although they believe it necessary. But who gets the benefit from meat inspection? It is the consumers of America. Yet the costs of this program are charged as a subsidy to agriculture.

Next, there is the Wool Act, which is self-financing.

The same is true of the Sugar Act. The same is true of many other items which I should like to mention, but I shall not do so now. I ask unanimous consent to have printed at this point in my remarks a table entitled "United States Department of Agriculture, Budget Expenditures—Based on 1960 Budget."

There being no objection, the table was ordered to be printed in the RECORD, as follows:

U.S. Department of Agriculture, budget expenditures (based on 1960 budget)

[Millions of dollars]

	Fiscal years		
	1958 actual	1959 estimated	1960 estimated
Programs having multiple benefits and not directly chargeable to the farmer:			
Programs having foreign relations and defense aspects, including Public Law 480	1,418	1,432	1,396
Food distribution programs, including commodity purchases under the program for removal of surplus agricultural commodities, school lunch, and school milk	291	366	323
Investment in REA and FHA loans, which are subject to repayment	541	590	510
Long-range programs for the improvement of agricultural resources, including research, meat inspection, disease and pest control, education, market development and services, protection of soil and water resources, and forest and public land management	548	651	645
Total	2,798	3,039	2,874
Programs predominantly for the benefit of the farmer:			
Agricultural conservation program	236	246	202
Soil-bank programs:			
Acreage reserve program	620	713	1
Conservation reserve program	113	141	343
CCC price support, supply and related programs, and National Wool Act and acreage allotments and marketing quotas	1,038	3,134	2,955
Sugar Act program	70	68	75
Total	2,077	4,302	3,576
Grand total	4,875	7,341	6,450

Jan. 27, 1959.

Mr. YOUNG of North Dakota. Mr. President, the cost to the Commodity Credit Corporation for fiscal year 1959 for all price support operations is $3,118 million. Under this program, $73.8 million is provided for milk to be supplied to various people. This is charged as a subsidy to agriculture.

For the International Wheat Agreement, $64.8 million is provided for fiscal 1959. For Emergency Famine Relief to Friendly Foreign Peoples, the cost during the present fiscal year is estimated at $105.8 million. This is a gift to foreign famine-stricken people. Yet under the budget this amount is charged as a subsidy to our farmers. Still, Secretary Benson, on television programs and in his public appearances, does nothing to tell the people of America who are the beneficiaries under these programs.

There is a program for selling our surplus farm commodities for foreign currencies. From the sale of our surpluses to foreign nations in fiscal year 1959, we received $1,048,600,000 in currencies. These foreign currencies do not go to our farmers. For the most part, the currencies take the place of foreign aid programs. Approximately 80 percent of these currencies are loaned back to the foreign countries for economic development. But, again, this item is charged as a subsidy to agriculture, and the average American thinks that the farmers are getting subsidy checks for the $1,048 million.

There is an item of $129 million for the barter of surplus agricultural commodities for stockpiling strategic and critical materials. These are materials which we stockpile anyway: industrial diamonds, manganese, rubber, and many other commodities. For the $129 million under this program, we get dollar for dollar value in return, and sometimes more. Most of the materials acquired under the barter program are worth more today than when they were acquired. Yet this $129 million is charged as a subsidy to agriculture.

There is the program of military housing for our own military personnel in foreign countries. Oftentimes we sell food to the foreign countries, take their currency in return, and use it to construct military housing. Yet this sum is charged as a subsidy to agriculture.

There are many other items such as these, too numerous to mention in my speech today. However, I ask unanimous consent to have printed at this point in the RECORD a table entitled "U.S. Department of Agriculture, Summary of Expenditures, 1960 Budget."

There being no objection, the table was ordered to be printed in the RECORD, as follows:

U.S. Department of Agriculture—Summary of expenditures, 1960 budget

[In millions]

	Expenditures		
	1958 (actual)	1959 (estimate)	1960 (estimate)
Commodity Credit Corporation:			
Price support, supply and related programs	$986.8	$3,118.1	$2,879.5
Special milk program	66.7	73.8	73.9
Special activities financed from CCC fund:			
For special commodity disposal programs:			
International Wheat Agreement	82.4	64.8	----------
Emergency famine relief to friendly peoples	121.4	105.8	94.4
Sales of surplus agricultural commodities for foreign currencies	1,073.2	1,048.6	1,033.5
Barter of surplus agricultural commodities for strategic and critical materials for stockpile	83.9	129.0	225.0
For advances for animal disease eradication activities	19.8	1.1	----------
For advances for costs incurred for inspecting and grading tobacco and classing cotton	1.4	1.5	1.5
Soil bank programs	81.2	99.2	1.0
National Wool Act	57.2	21.1	80.9
Other (military housing loan to Secretary for ACP, etc.)	32.1	53.8	−29.0
Total, special activities financed from CCC funds	1,552.6	1,524.9	1,407.3

U.S. Department of Agriculture—Summary of expenditures, 1960 budget—Continued

[In millions]

	Expenditures		
	1958 (actual)	1959 (estimate)	1960 (estimate)
Soil bank programs:			
Acreage reserve program	$518.8	$609.5	$1.1
Conservation reserve program	132.8	145.0	342.1
Agricultural conservation program	211.9	225.0	225.0
REA loan authorizations	288.2	315.0	325.0
FHA loan authorizations	253.3	275.0	184.6
Permanent authorizations [1]	173.4	186.8	195.8
All other activities	690.4	868.3	815.7
Total, Department of Agriculture	4,874.9	7,341.4	6,450.0

[1] Excludes National Wool Act which is reported under "Special activities" above.

U.S. Department of Agriculture, estimated expenditures for fiscal years 1959 and 1960 in the 1960 budget—All other activities

[In millions of dollars]

Agency or item	1959 estimate	1960 estimate	Change
Agricultural Research Service	173.2	174.2	+1.0
Extension Service	63.8	64.3	+.5
Farmer Cooperative Service	.6	.6	-------
Soil Conservation Service	127.3	129.1	+1.8
Emergency Conservation Measures	5.8	5.0	−.8
Agricultural Marketing Service:			
School lunch program	144.1	101.0	−43.1
Marketing research and service, and payments to States	40.7	42.9	+2.2
Foreign Agricultural Service	4.3	6.7	+2.4
Commodity Exchange Authority	.9	.9	-------
Commodity Stabilization Service:			
Acreage allotments and marketing quotas	39.9	39.1	−.8
Sugar Act	68.2	75.2	+7.0
Revolving funds (secs. 388 and 392)	3.2	.4	−2.8
Federal Crop Insurance Corporation:			
Operating and administrative expenses	7.4	6.4	−1.0
Corporate fund	−12.5	-------	+12.5
REA, salaries and expenses	9.9	9.6	−.3
FHA:			
Salaries and expenses	32.8	31.3	−1.5
Disaster loans, revolving fund	−.6	−7.9	−7.3
Farm tenant-mortgage insurance fund	3.3	−.6	−3.9
Office of the General Counsel	3.3	3.3	-------
Office of the Secretary	2.9	2.8	−.1
Office of Information	1.4	1.4	-------
Library	.8	.9	+.1
Forest Service:			
Forest protection and utilization	110.8	102.1	−8.7
Forest road and trails	31.1	24.0	−7.1
Other	5.7	3.0	−2.7
Total	868.3	815.7	−52.6

Mr. YOUNG of North Dakota. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table entitled "Receipts to U.S. Treasury Arising from Department of Agriculture Activities."

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Receipts to U.S. Treasury arising from Department of Agriculture activities

[Millions of dollars]

	Fiscal years		
	1958	1959 estimated	1960 estimated
Farmers Home Administration, principal and interest	215.8	216.3	231.0
Rural Electrification Administration, principal and interest	143.6	154.2	168.7

Receipts to U.S. Treasury arising from Department of Agriculture activities—Con.

[Millions of dollars]

	Fiscal years		
	1958	1959 estimated	1960 estimated
National forest receipts	97.6	124.0	134.0
Other general and special fund receipts	30.6	19.2	17.7
Trust fund receipts	39.6	38.8	38.6
Interest paid to Treasury on CCC borrowings	418.1	147.5	372.2
Interest paid to Treasury on CCC capital stock	2.8	2.5	2.8
Total [1]	948.1	702.5	965.0

[1] Totals do not include sugar excise tax collections or customs receipts, as follows:

[Millions of dollars]

	Fiscal years		
	1958	1959 estimated	1960 estimated
Sugar excise tax collections	85.9	86.0	86.0
Customs receipts	781.7	840.0	900.0

Jan. 27, 1959.

Mr. YOUNG of North Dakota. Mr. President, that concludes my rather brief remarks today.

I shall fight to the last ditch to stop Benson's program from being put into operation. It would certainly ruin not only the wheat farmers of the Nation, but practically every farmer.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, an article entitled "Farmers Get Only Share of Supports," written by Ovid A. Martin, farm writer for the Associated Press, and published in the Fargo Forum of January 25. The article presents an excellent analysis of the cost of farm programs and how much of the cost actually should be charged to people other than our farmers.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FARMERS GET ONLY SHARE OF SUPPORTS

(By Ovid A. Martin)

WASHINGTON.—Uncle Sam has been spending around $5 billion a year on farm price-support programs. This does not mean that this amount of taxpayers' money goes into farmers' pockets.

Many persons and groups other than farmers reap benefits from this outlay.

In his message on the state of the Union, President Eisenhower criticized the cost of farm programs, past and future. He forecast such outlays at $4,490 million in the new fiscal year, beginning next July 1.

Such statements have been interpreted by many as indicating that the amount of taxpayers' money is being paid to farmers.

Actually, farmers may get not more than around $3½ billion of the indicated outlay for price supports.

Of this amount, about $750 million would be in the form of direct payments or grants. To get the remainder, farmers would have to surrender wheat, corn, peanuts, cotton, and other commodities in return for the money.

Stated in different words, for upward of $2¾ billion the Government plans to pay out to farmers, it will get commodities. Money paid farmers for these products comes to them in lieu of returns they could have gotten at the marketplace had they chosen to sell there.

The commodities acquired by the Department have a monetary value. Of course, the Government seldom gets back all it paid for them, but the entire outlay for price supports is not lost. The Government has been getting back about 70 cents on the dollar on these products when disposed of at home and abroad.

Actually, the President's budget estimates that Government losses—which, in effect, constitute the actual cost—on farm products to be acquired during the next fiscal year will be about $1 billion.

This one billion added to direct payments to farmers would bring the net cost of cash benefits going to farmers to about $1¾ billion.

Charged against price support programs in the budget are outlay on surplus products sold abroad for foreign currencies, donations of food to the needy at home and abroad, subsidies paid to exporters for selling farm products abroad, and the cost of surplus farm products bartered for strategic materials obtained abroad.

Eisenhower's budget estimates that $1,033 million will be spent during the coming year on farm surpluses disposed abroad. But this will not be a net outlay. The Government will get foreign currencies in return for these products. These currencies will be used to help defray U.S. Government expenses in the recipient countries. If it were not for funds received for the surpluses, the Government would have to dig up dollars to meet these expenses.

Mr. WILLIAMS of Delaware. Mr. President, the revisions in the farm price-support programs, as recommended in the President's agricultural message, are long overdue. The Agricultural Act of 1948 made some needed changes in the programs for cotton, corn, and rice. But nothing was done about wheat, tobacco, and peanuts, the other three crops that are legislatively designated as basic commodities.

Our price-support programs have apparently been built on the premise that the so-called farm problem is a question of the level of price supports for these six basic crops. That is a false premise. It ignores the fact that the six basics bring in only about $1 in every $4 of farm cash income.

About 85 percent of our price-support spending goes for just three crops—wheat, corn, and cotton. The same three crops produce only 20 percent of the total cash farm income. This means that comparatively few farms receive by

far the larger part of the vast sums being spent to support farm prices and stabilize farm income.

Is such a program fair to other agricultural producers? Obviously not.

But this is only part of the discrimination in these farm programs. Wheat is produced on about 1½ million U.S. farms. Less than 600,000 of these farms—about 2 out of every 5—have 90 percent of the allotted wheat acres. In other words, nine-tenths of the money spent for price support on wheat is accounted for by two-fifths of the wheat-producing farms.

Cotton is grown on almost 1 million U.S. farms. Here, again, comparatively few of the bigger farms are responsible for the lion's share of the price-support costs. Three-fourths of the cotton price-support dollars go for cotton produced on one-fourth of the cotton farms.

I say this is unfair.

Somehow or other we have forgotten the basic facts of life about agriculture in the United States. We have forgotten that there are two broad divisions in agriculture. About 2 million farms produce over 90 percent of all farm products sold. More than 2½ million farms produce less than 10 percent of the total products sold. The operators of these small farms receive little help, if any, from price-support programs. Many of them produce so little that the level of price support is a negligible factor in their incomes. Because they produce little, they can purchase little. Many of the operators of these farms are underemployed. Such farms are not fully productive entities in the national economy. These are the farms, and these are the people, really in need of sound assistance in raising their standards of living. I repeat, they get little, if any, benefit from price-support programs.

Now let us look at the other side of the picture—the big producers with big allotments. For wheat producers who have allotments of 100 acres or more, the net budgetary expenditure for price support this fiscal year average about $7,000 per farm.

For cotton producers who have allotments of 100 acres or more, expenditures average $10,000 per farm.

For rice producers who have allotments of 100 acres or more, expenditures also average $10,000 per farm.

Where is the principle of fairness in such a program? How does this help the small producer—the man and his family who really need help?

Price-support programs of various kinds are costing us over $5 billion this fiscal year—to subsidize production by comparatively few farm operators—the operators of the larger farms, the more productive farms, the more prosperous farms.

We must stop this senseless drain on the Federal Treasury. Agricultural problems have not been solved by unrealistic price programs. They never will be solved that way. Better farming methods, improved marketing, lower production costs, better choice of enterprise—these are the solutions we must seek. These are the solutions we can help make available to each farmer on his own farm by means of sound and effective programs.

The President's recommendations will help to iron out the inequities in the existing program.

I support these proposals and urge prompt, serious, and favorable action upon them. I hope they will be adopted.

Mr. DIRKSEN. Mr. President, I wholeheartedly support the farm recommendations transmitted to the Congress today by President Eisenhower. As the President points out, the price support and production control program now in effect simply has not worked. It has been costly; it has failed to benefit the farmers in greatest difficulty; and it has stimulated production of huge, unwanted surpluses. Obviously, therefore, another approach is needed.

The proposals submitted by the President make sense, in my book. I hope they will be adopted.

Let me put into sharp focus just one of the many problems the President's program is designed to correct. I refer to the burdensome commodity surpluses, most of which are owned or controlled by the Commodity Credit Corporation.

Early in 1956, the Corporation's investment in inventory stocks—commodities already taken over and owned outright, plus nonrecourse loans extended on price support commodities—reached a peak of just under $9 billion. That is nine thousand million dollars, which sounds much greater.

Up to recent months, the Department worked that total down somewhat, through aggressive disposal operations and emergency steps to take land out of production. Through these effective—but costly—operations, the investment dropped to around $7 billion.

But the breathing spell was very short. Production of farm commodities in 1958 was far and away the largest of record. As production increased, price support activity had to be stepped up. As a result, the investment total also climbed—amounting to well over $8 billion at the end of November.

By next July 1, the corporation's investment will be in the neighborhood of $9 billion, or about equal to the previous 1956 peak.

If we go to July 1, 1960, the Department estimates that the investment will be just a little under $10½ billion. It is a staggering figure in anybody's book.

As the President points out, most of the investment is concentrated in just a few commodities. At the end of November, the Corporation had over $6 billion tied up in four grains—wheat, corn, grain sorghums, and barley. Upland cotton accounted for $873 million. The total for tobacco was $616 million.

Mr. President, $616 million worth of tobacco in the Government's hands would make an awful lot of smoke.

The investment in only six commodities, therefore, was $7½ billion—or 91 percent of the total.

As the President points out—and I think the figures support his position—the existing price-support programs channel most of the dollars to those who store the surpluses and to producers of a few crops. Farmers producing cattle, hogs, poultry, fruits, vegetables, and many other essential commodities, have experienced growing markets rather than a buildup of stocks in warehouses.

Big surpluses are bad for agriculture in many ways.

First of all, a heavy supply of a commodity, either in Government or private hands, puts strong pressure on market prices. Second, large stocks mean heavy storage costs, which are now running well in excess of a million dollars a day. Also, large stocks introduce the problem of loss, through deterioration or spoilage, which is a special danger in the case of perishable commodities.

The President's program will eliminate many of the factors which led to the surplus buildup. More realistic price supports, for example, would reduce the incentives for excess production. With these incentives removed, there could be a shift in the direction of less control over production. Also, we could look to the growth of commercial markets and to reduced farm program costs.

Again let me say that I heartily support the President's recommendations. It is my earnest hope that these recommendations will be incorporated in legislation at this session of Congress.

Mr. HUMPHREY. Mr. President, I should like to make a brief rejoinder to the commentary which has been offered today as to the agricultural message of the President of the United States.

Mr. President, the agricultural message sent to the Congress today by the President once again emphasizes the vacuum of any effective, constructive leadership from this administration toward solving any of the problems confronting our country in relation to agriculture. It is a disappointment in substance and philosophy. It is a tragic failure of executive responsibility to admit such a sterility of ideas.

The present farm program, as rewritten and administered by this administration, is a collossal and costly failure. The farm message admits it—yet shirks the responsibility, and offers no alternative.

Costs to taxpayers are increasing, and surpluses are increasing. The economic situation of the farm economy is not improving in relationship to the rest of our economy.

The results to date have been exactly the opposite of what the administration has assured the Nation it would achieve as Congress followed its guidance in past farm messages.

I note for the record, Mr. President, that the efforts of the Congress to write farm legislation have been rebuked by vetoes, and we have been compelled to follow the outlines of farm policy as laid down by the administration. The administration has its farm program, which is the program it requested, and the program which has been a failure.

In view of that record, it is difficult to believe the administration expects Congress to be satisfied with blindly proceeding right along the same tragic course.

The recommendations from the White House for agriculture would mean still lower prices for farmers.

They would not mean any effective reduction in the excessive costs present bungling has imposed upon taxpayers.

They provide no answer to greater use of our abundance other than just piling it up in costly Government storage.

It is distressing that even the Department of Agriculture, with all the array of experts and technicians at its command—and it has many capable people—cannot decide what it really recommends for wheat, other than to offer two completely opposite extremes, neither of which effectively meets the problem nor protects the long-run interests of our country.

It is also distressing to note that it is impossible to find out what the administration is really for in relation to extension of Public Law 480, the Agricultural Trade and Development Act.

For several years, despite insistence of many of us that this program should and must be established as a longer-range program, the administration has persisted in recommending only a 1-year extension each year. The result has been costly confusion and poorer planning. Now, after always insisting on just a 1-year extension, the administration suddenly says it is for extending the program. It does not say 1 year, it does not say 2, it does not say 3—it just says to extend it.

If the administration is changing its policy, and agrees we have been right in saying a longer extension is necessary, it should have the courage to say so and make specific proposals.

If the administration is against a longer extension, it should also have the courage to say so—even though its own technicians and administrators know a longer extension is needed.

Sooner or later the administration is going to have to make up its mind what it is really for, and tell us. Its experts have had plenty of time to study this and other programs. Objective studies have been made by outside experts, at the administration's request, resulting in recommendations for a longer range Public Law 480 program.

Is the administration accepting, or rejecting, these recommendations?

Congress will never know, from the present agricultural message. I think we have a right to find out—and must do so.

Mr. President, the administration has far more and better facilities for developing a new farm program than are available to Members of Congress, with our limited staffs. Yet, if the administration insists on shirking its responsibility, we must and will assume it.

Anticipating such a failure of agricultural statesmanship, some of us are at work on trying to create an improved program. I am pleased that in this effort we have the most able help of the Senator from Georgia [Mr. TALMADGE] as well as other colleagues on the Senate Committee on Agriculture and Forestry.

Our aim is a program designed to produce more results for farmers and at less cost to the taxpayers.

How well we can succeed will remain to be seen, but of one thing Senators can be sure, we will soon provide more realistic answers and alternatives than are now offered by the present administration.

Mr. President, recent pronouncements on the agricultural situation by administration officials continue to lead to erroneous conclusions on the part of the consuming public. Certainly it is not to the discredit of consumers that they are used as pawns in a game played against the family farmers of our Nation. When official statements reiterate on the one hand that farmers are prospering, and on the other that farm programs are costing the taxpayers billions, it is natural that many consumers never look farther than the farmer for a whipping boy to berate as responsible for the high cost of living.

The truth of the matter is often revealed in publications that do not customarily reach the city public. And it is quite apparent to farmers themselves, and to the businessmen who depend upon agriculture for their living. My daily mail testifies amply to this.

Recently I received a most straightforward and thoughtful letter from Charles Ommodt, manager of the Cass-Clay Creamery in Fargo, N. Dak. Mr. Ommodt enclosed a pamphlet which reprints an article from the December 1958 issue of Capper's Farmer. I wish that every member of the consuming public could read this article.

Mr. President, I ask unanimous consent that the fine letter from Mr. Ommodt and the article from Capper's Farmer be printed in the RECORD as part of my remarks.

There being no objection, the letter and article were ordered to be printed in the RECORD, as follows:

CASS-CLAY CREAMERY, INC.,
Fargo, N. Dak., January 7, 1959.

Hon. HUBERT HUMPHREY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: Now that Congress has again convened, I know that you are confronted with many great problems both foreign and domestic and, of course, we in the agricultural section are again thinking about the problems facing agriculture.

The Secretary of Agriculture for the past few years has used his high office for propagandizing the consuming public as you so well know. To get legislation for farmers, this must be combated and I know of no one better able to do this than yourself. Farmers have not been subsidized by the consumers' tax dollar. In reality, the producer has been subsidizing the consumer. I am enclosing herewith a pamphlet put out by Capper's Farmer which certainly speaks for the farmer more eloquently than anything I have ever read.

So far as dairying is concerned, the Secretary's approach to the farm problem may be one of the most dangerous steps to the future freedom of our country. The records show that for the year of 1957, Russia produced 121 billion pounds of milk compared with our production for that year of 126 billion, and if more recent figures were available, they may even have surpassed our production by this time. The Russians know that food speaks louder than war machines to hungry nations. They also know that by playing the food supply right, they may win over more of our friendly nations in the future.

Our board of directors and myself, as manager, feel that there was no justification for lowering parity by the veto of the bill passed by Congress to hold the line a year ago. It reduced the income of the farmers patronizing Cass-Clay Creamery $250,000 for the year at a time when their expenses increased. Our farmers are concerned because they can no longer hang onto the Secretary's slippery scale. Many of them are discontinuing and will be among those added to the overcrowded labor markets which can only mean more unemployment.

We shall greatly appreciate your efforts again in behalf of a more realistic price support program and want to pledge you our support and assistance in every way we can be of help to you.

Kindest personal regards.

Yours very truly,

CHAS. OMMODT,
Manager.

[From Capper's Farmer, December 1958]

WHAT CITY PEOPLE SHOULD KNOW ABOUT FARMERS

What's the world coming to? The government is paying farmers billions so they won't grow stuff, and we get stuck with high food prices. Wish they'd pay me for not working.

You don't need oversized ears to hear remarks like this in almost any grocery store. It's easy for city consumers to get worked up over grocery bills and the expense of farm programs. No matter how you slice it, food bills are high in dollars and cents, and we've been spending lots of tax dollars to control crop surpluses—and we still have surpluses.

It's easy, too, to single out the farmer as the scoundrel. He's far removed from the supermarket scene and has no well integrated organization behind him to tell his story. There's no real spokesman for farmers; no one to filter the facts from a fog of headlines and oratory.

Is the farmer a highwayman, riding high, with one hand in your pocket and the other in Uncle Sam's? Is he so rich that we should stop using tax dollars in his behalf?

What is the real story? Let's look at the facts.

We're just as dependent on the land for food and clothing as when we shot the buffalo and deer. But in 1820 one man could provide food for himself and three other people. Today one farmer feeds himself and 20 others. Soon it will be himself and 25 others.

Here is the core of the farm problem: In any normal peacetime year farmers can produce more than the market will take at prices fair to everyone concerned.

The reason is that we have, through research, education, and the application of mechanical power to agriculture, created a whole new way of producing farm products. The revolution is still going on. In the past 18 years farmers have boosted their efficiency as much as in the preceding 120 years.

Farmers have much more help from city workers than they did 100 years ago—tractors, chemicals, fertilizers, fuels, an abundance of many other services. Farmers are free to specialize in producing food. And, since the early 1940's, the combined per-acre yield of 18 leading field crops has increased dramatically—40 percent. But producing food is only part of it.

The food business is a chain with farmers at one end. In between farms and shelves of supermarkets is the marketing system.

The off-farm operations are handled by some 6 million persons who are producing for and servicing farmers and around 10 million who are distributing farm products. Adding these to around 8 million farm operators and farmhands makes about 24 million persons.

We call this combination of functions by a new term—agribusiness. It's the Nation's largest business, accounting for 37 percent of the U.S. working force. In their part of it, farmers are a $14-billion-a-year customer

of industry and labor—not counting the billions farm people spend for consumer goods.

Are farmers to blame for high food prices? You be the judge. Last year, some 60 cents out of every dollar we Americans spent for food went to the people who bought, handled, sold, processed, transported, and packaged farm products.

A little less than 40 cents went to farmers.

Or let's put it another way: If a farmer in Kansas gave away his wheat, we'd still pay 17½ cents for that 20-cent loaf of bread. If a cotton producer in Texas worked only for his health, we'd still shell out $2.75 for that $3 shirt.

Percentagewise and dollarwise, food marketing costs are at the highest level since 1940. In 1957, we spent $55 billion for farm food products, against only $15 billion in 1940. Of this increase, $27 billion went for marketing.

But before we start pointing the finger in a new direction, let's remember a couple of things. A lot happens to food on its journey from farm to supermarket. Consumers are demanding more all the time. We want convenience foods, for example, with built-in maid service * * * heat-and-serve rolls, smaller units, better packaging, prebaking, precutting, and preselection. We didn't have these services in 1940—and they aren't free.

Take a look at the chart on the right. It shows how the cost of all farm products bought by the average family has changed in recent years. [Chart not included in the RECORD.]

In 1946, the typical market basket of food cost $767. Of that the farmer got $397. By 1957 that same basket cost $1,010, but the farmer was getting only $400.

To bring that closer to home, that means that from 1946 to 1957 the farmer's share went up $3; the marketing share, $240.

Here's how the increase in spread was largely accounted for: labor, $296, up $130; transportation, $73, up $33; other business costs $178, up $69; and Federal income taxes added $4.

Before you come to a verdict, let's look at still more facts: From 1952 through 1957, with ever-increasing inflation, farm prices actually decreased 20 percent. Here are the figures: Total farm income in 1952 is estimated at $15.1 billion. By 1956 it had dropped to $12.1 billion. Last year it skidded to a low of $10.8 billion.

This is the reason why food prices remained fairly stable in this 1952–57 period. Think what would have happened had farm prices gone up at the same rate as other cost-of-living items. We would have paid some 25 percent more for food and clothing.

Net result would have been a really whopping burden for consumers—some $70 billion, at least, say economists.

So * * * it's only fair to point out that in the 1952–57 period farmers actually subsidized consumers.

While nearly all other phases of our national economy have been moving upward in recent years, agriculture simply hasn't kept pace.

Although they make up 12 percent of the population and produce 65 percent of the raw materials for industry, farmers in 1957 got only 4 percent of the national income.

And during this time, the cost of practically all the farmer's tools of production has increased. His costs in 1957 were some $3.7 billion higher than in 1952. This is what farmers are talking about when they mention "cost-price squeeze."

The "squeeze" has put a lot of farmers out of business. In 1950, for example, 25,058,000 people lived on farms. That's 16.6 percent of all of us. Now, 8 years later, though population has increased, there are some 5 million fewer farmers—and they represent only 12 percent of the population of the United States.

And remember, too, many of those who remain have to work off the farm to make ends meet. In 1957, for example, one-third of the net farm income came from off-the-farm jobs.

Now what about farm subsidies? Sure the Federal Government helps farmers. But so does it help airlines, schools, the petroleum industry, housing, shipping, and so on. A fast tax write-off plan saves power companies billions of dollars. Just try to name a business that is not receiving some type of Government aid.

In the past 50 years, for every $1,000 this country has spent for subsidies, the American farmer has received only $5. That's why farmers get awfully tired of metropolitan newspapers headlining the cost of farm subsidies.

Because food and fiber have been at bargain prices compared with other cost-of-living items, it's discouraging to farmers to defend half-truths about the $5 billion the Federal Government takes from taxpayers to run the national agricultural budget. Also, to continually hear the charge: "You're taking money out of my pocket to support farm prices."

What makes up the agricultural budget? How much of it goes to farmers? The farm budget is something of a catchall. Many of the items have nothing to do with supporting farm prices, but are primarily a public service. Take meat inspection, for example. It has been a $17 million item conducted by the U.S. Department of Agriculture to assure the public a safe meat supply.

Other public services include a Government school lunch program and a food donation plan. In fiscal 1958 the Government gave 872 million pounds of food from surplus food stocks for school lunch programs and institutions. It gave 1,400,000 pounds to victims of national disasters. And 1,973,000 pounds were donated for distribution to the needy abroad.

We could name more items similar to these. Even the USDA's crop and livestock estimates are used more by processors and merchants than by farmers.

Moreover, look at all the agricultural exports to friendly nations since World War II. A big portion of these would have been purchased at U.S. Government expense even if there had been no surplus disposal problem. Using our food abundance has given our foreign policy leverage. Farmers feel the costs of this should not be charged to agriculture alone.

Sooner or later, of course, the Government must collect from taxpayers every dollar that it spends. If the Government loses money on price supports—and it certainly has—then it must be made up in taxes. No one's satisfied in a situation like this—neither the rural taxpayer nor the city taxpayer.

What should be done to spread out the national income? Even farmers don't agree on just what the Government should do about getting them a fairer share of the national income. Most of them realize the thing that's responsible for depressing their prices—surpluses.

But how do you get rid of surpluses? That's been the big problem. No matter how much wealth we now have we can eat only so much—stomachs are pretty inelastic.

We have an excellent disposal record for moving our surplus stocks out of inventory and into some useful consumption at home or abroad. Our export market is important. It accounted for 12 cents of every dollar the farmer got in 1957. But this is a market that must be cultivated intensely. We can't get rid of all our overproduction in foreign lands without acquiring more problems.

Actually, farmers would need to cut production only about 8 percent to get rid of troublesome surpluses.

Then why don't farmers just produce less? That would be fairly easy to do if the big business that is farming were big agriculture. But it isn't. It is some 4½ million farmers scattered over a Nation which has swelled to 173 million.

Organizationwise, agriculture stands about where industry and labor stood some 50 to 75 years ago. The farmer is an individual in a great sea of competition. He is a price taker, not a price setter.

A farmer works with an uncontrollable business partner—nature. Sun, wind, and rains control his cash register like a fickle bookkeeper.

No single farmer can do much about changing the supply of food, fiber, and tobacco coming to market. And collectively, farmers can't produce just exactly what our Nation demands. Agriculture is a biological process which cannot be greatly accelerated or retarded in any short time.

Too, 90 percent of our production is accomplished by 2.1 million farmers. Some 2.4 million farmers struggle for the remaining 10 percent. Working out satisfactory answers in a farm program for both groups is no easy chore.

What farm programs have been tried so far? Congress has taken two broad approaches. It has built floors under prices to assure the farmer minimum guarantees for his basic crops. These crops are corn, wheat, cotton, tobacco, rice, and peanuts. And it has tried to cut down acreages of these crops on the assumption that if less is planted, surpluses will melt away and prices will go up on their own.

The Soil Bank is an example of the second approach. In 1957 some 5,235,000 acres of land were taken out by corn farmers, 12,785,000 by wheat farmers, and 3,015,000 acres by cotton farmers as part of the program. This part of the Soil Bank—called the acreage reserve—has been dropped. But the conservation reserve portion is still in effect. Farmers are asked to put some portion of their land into grass or trees and an annual rental is paid the farmer for each year of the contract—up to 10 years.

Our major farm policy revolves around the six basic crops which make up only 24 percent of the value of all our crops. Congress sets the rules, and the Government through the Secretary of Agriculture and its agencies such as the Commodity Credit Corporation buys or takes over commodities as required to provide price support. Such commodities are stored, sold, disposed of.

But don't price supports cost a lot of money? Not as much as you might think. For the 4 fiscal years ending July 1957 the total cost of all programs—primarily to stabilize farm prices and income, including Commodity Credit Corporation losses—was about $7½ billion.

But only part of this went to farmers. Part of it went to business for storage of products and other costs.

To make this kind of price support less costly to the Government, there have been marketing quotas and acreage allotments. In this way farmers pay for the help they get from the Government; they submit to regulations that divide up the right to produce.

As a result, farmers are much more efficient now than 10 years ago. Progress in know-how makes food cheaper.

If farmers farmed today as they did in 1940, the consumers' food bill would be at least $13 billion a year higher than it currently is. So this question is raised: Which is better, to have a surplus costing the consumer $3 to $4 billion a year in taxes, or to save him $13 billion a year on food?

What does the farmer want? At the moment some farm leaders are pressing hard for lower price supports, greater flexibility, and more freedom in agriculture. A good many farmers think this goal is desirable.

They want to outgrow Federal programs by gradually strengthening the farm economy.

At the same time, farmers realize we live in an era characterized by the minimum wage and generally stabilized industrial prices. Farmers want to protect themselves against the increasing costs of production and distribution. They want to mobilize their strength to bargain on a more equal basis with highly organized industry and labor.

Considering the independent character of the farmer, he has in general cooperated well with Government programs. He has withstood the hard knocks of low prices, a rising cost of living and higher prices for what he must buy, and reduction of acres.

He has tried hard to compensate for reduced acres—and succeeded. It's the basic philosophy of a farmer to produce. Traditionally he feels it's a contradiction of nature to say he cannot use technology to best advantage.

Just how much does a farmer have invested? Farm investment per worker in the Corn Belt is about $50,000. That compares with about $15,000 per worker in industry. Farmers have $3 invested in production for every $1 that is invested in marketing of their products.

When prices are falling, the only way the heavily capitalized commercial farmer can stay in business is to cut his costs and produce more volume. So farmers have by greater capital and more know-how produced more on less acres.

In 1957, there were about 319 million acres of 59 crops harvested in the United States. Our harvest almost equalled the largest in history—and on the smallest acreage. The 1958 harvest may equal the highest ever recorded in this country despite a record low in acres.

As total supplies of grain have been built up during the years, increasing percentages of carryover stocks have been coming under Government control. This is inevitable under the system of price supports we've used, with Government storage frequently substituting for actual marketing.

Have any steps been taken to correct this? The 1958 Congress made several changes in our farm laws. More changes are being proposed. These may move us away from Government domination of the agriculture industry. And they may allow market prices more influence in guiding production and consumption.

Farmers' net income climbed to an annual rate of $13.3 billion in the first half of 1958. The total for all of 1958 may show some improvement over 1957.

This gain was partially due to winter freezes in 1957–58 which cut citrus and vegetable crops in the South. Too, cattle prices climbed a bit because ranchers held back cattle to restock ranges blasted by 4 or 5 drought years.

Despite seasonal price fluctuations that may seem temporarily to favor the farmer, the farm problem remains. It belongs to all of us. It is as near to all of us as our next meal. We gain 8,000 new mouths to feed every day. By 1975 we may well have 230 million people in this country. We'll have fewer farmers to feed us, but we can count on a healthy agriculture to respond to this challenge.

What's in the future? We can't hope to eat our way out of our surpluses, but while we are working our way out of them, let's understand just what our situation really is.

Consumers should continue to benefit from agricultural research and marketing research which is now being emphasized as it never has been before.

Chances are good that the actual proportion of your disposable income spent for food will continue to remain fairly constant—about 25 percent.

You may feel food prices are higher than formerly. But stop and think if you are eating meat 10 times a week instead of 7. Or if you are eating chicken instead of beans, or eggs instead of oatmeal.

Remember, everything is high in terms of dollars compared with prewar prices. But this isn't due to inefficiency in production and marketing of food. It is evidence of inflation or of a depreciation in the value of our money.

Realize that it took the average factory employee 30 minutes to earn enough to buy 1 pound of choice steak in 1947. In 1957 it took him 18 minutes.

Think, too, of all the conveniences that come with food, all of which put direct pressure on the budget. And consider your supermarket may have 7,000 items on the shelves. Nonfood items go into the grocery sack, too.

The important thing is to make wise decisions, now and in the future. Many farmers feel that, before we drop everything in our farm program for something new, we should demonstrate that there is a road back if new plans fail.

The farm population is shrinking; it will be only a little more than 5 percent of our population by 1975. So, if wise decisions are to be made in the field of farm policy, nonfarm people must be well informed.

This, we believe, is the real story. This is what city people should know about farmers.

FOOD FOR THOUGHT

"America's hole card at present is our food reserve. It can be the greatest safeguard for peace in the world today if we use it to aid the have-not people in time of trouble." (Stanley Andrews, former Chief of the Office of Foreign Agricultural Relations.)

"We farmers are not faring so well. We are not only losing ground financially—we are losing the understanding and respect of the American people. We feel that loss keenly, but we dont' know what to do." (Claude R. Wickard, former U.S. Secretary of Agriculture.)

"Agriculture in America no longer stands alone. Where agriculture does stand largely alone, there is usually also hunger and famine." (Dr. Paul Miller, director, Michigan Agricultural Extension Service.)

"The American public has never been hungry. We take food for granted. Perhaps a 24-hour shortage of food would do more than anything else to convince the American people that food production is as important to our security as the latest armaments." (Dr. Russell Coleman, executive vice president, National Plant Food Institute, Capper's Farmer, April 1958.)

Mr. PROXMIRE. Mr. President, I found on my desk, when I came to it, the President's farm message. At the top was a note marked "Personal from the Secretary of Agriculture to Senator PROXMIRE: Hope you can support this," signed "E. T. Benson."

I feel very much privileged and honored and flattered that Mr. Benson has sent me this personal note. I know he has done it with all sincerity, and I know the message has been written with complete sincerity.

This proposal is 100 percent wrong. The President's recommendation for farm legislation spells sheer economic disaster for American agriculture.

If his recommendation were carried out, it would result in an immediate cut in farm prices of 10 to 25 percent below the low levels of the past 3 years.

In future years, farm prices would continue to be forced down by annual reductions ranging from 3 to 8 percent.

This is not a farm program. It is a thin screen for the Federal Government simply turning its back upon the American farm people who have contributed more than any other group to progress in our national effort to increase efficiency and to raise our standard of living. President Eisenhower himself has pointed out that farmers have increased their output per man-hour three times as fast in the past decade as workers in the rest of our economy. Yet farmers alone of any major group have suffered an actual decline in real income, while others' incomes have increased substantially. Farmers today receive less than half as much income per capita as the rest of our population.

The President's recommendations today are a bitter redemption of the promises he made to farmers in 1952 and again in 1956 that he would lead them to not merely 90 percent of parity—but full parity. There is not the slightest hope that farmers will ever get parity through Eisenhower's program. Instead of keeping his promise, the President now proposes that the very concept of parity be abolished.

Of course the present farm program costs the American taxpayer too much. Of course it must be reduced, but not at the cost of the destruction of the American farmer. The Federal Government can and must solve this economic paradox. Our hard working, efficient farmers must be enabled to earn a fair return without excessive cost to the Federal Government. I think this Congress can bring about such a result.

Mr. ANDERSON. Mr. President, I believe that the recommendations contained in the President's special message on agriculture can help put us on the right path toward remodeling or revising the operation of our farm programs so that they rest on a sounder basis.

I am going to direct my remarks to just one aspect of these programs for stabilization of agricultural prices and incomes—their costs. These costs have risen impossibly high. This fiscal year we are spending nearly $5½ billion to support farm prices and incomes. This is about $125 a year for every family in the United States. I do not believe our people understand how much these programs are adding to their tax bills year after year.

A very considerable part of this high cost of supporting farm prices goes for storage and interest charges. Government stocks of surplus farm commodities have risen so high that in the next fiscal year it will cost about $1 billion just to pay the cost of storing these surpluses and to pay the interest on money borrowed for the price-support programs. How does this help solve the problem? How does this help farm people?

This is a fantastic situation. We are paying more in storage and interest charges for price support than the 1960 budget of either the Departments of Justice, Interior, Labor, Commerce, State, or the Post Office. We are paying more in storage and interest charges than the combined budgets for 1960 of the Departments of Commerce, Justice, and State.

The costs of our farm programs go up year by year. In fiscal year 1954 the total expenditures of the U.S. Department of Agriculture for all purposes were less than $3 billion. Expenditures for the current year—fiscal 1959—for all purposes are now estimated at $7.3 billion—nearly 2½ times what they were 5 years ago.

These expenditures of $7.3 billion this fiscal year are equivalent to 56 percent of net farm income. Every time the operator of a farm takes in $1 of net income, the Department of Agriculture is spending 56 cents.

Now, I know that some of these expenditures of the Department are not solely for the benefit of farmers. Research, conservation, the school lunch and special milk programs, and the foreign aid programs bring substantial benefits that are national and international in scope.

But the fact is that $3 out of every $4 spent by the Department of Agriculture this fiscal year is being spent primarily to support farm prices and improve farm incomes.

The cost is too high. The results are too small. The farm programs as presently constituted and administered are not giving our people their money's worth.

We are spending more on the wheat program than on any other. We have the biggest surplus of wheat in history. By July 1960 the carryover of wheat will probably be at least 1½ billion bushels. A carryover of that size is enough to supply our domestic needs for 2½ years.

The tremendous corn surplus and the record supplies of feed grains dominate the outlook for feed for the next few years. It puts pressure on livestock producers to overexpand. The farm programs were supposed to help balance supply and demand. Obviously, they have failed.

I would go further than the President's recommendations. I have said before that I believe the Congress should seriously consider putting a ceiling on expenditures for price support programs.

I am not saying that the junior Senator from New Mexico knows all the answers about what to do about our agricultural problem. I am only trying to suggest that the operation of our agricultural programs ought to be on a sounder basis. I believe the recommendations in the President's message point in that direction and deserve prompt and careful study.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. HOLLAND. In the first place, I want to state my complete concurrence with the distinguished Senator from New Mexico in the remarks which he has just made.

In the second place, I wish to state that here we have an example and a model of consistency which I commend to the country, because the distinguished Senator from New Mexico is simply continuing in the course which he felt was right when he was the highly distinguished Secretary of Agriculture—trying to follow, at long last, and after much harm has been done by following an opposite course and much damage sustained by agriculture—a course of action which he strongly recommended many years ago from his former high official position.

I should like to ask my distinguished friend from New Mexico a question or two, if I may. I noted, with great approval, his statement that the cost of price supports is too high and the results too meager.

Mr. ANDERSON. Yes.

Mr. HOLLAND. Is it not a fact that instead of results that were helpful, as to many industries the programs have piled up huge surpluses which have hung like a black cloud over prospects of fair prices for current production?

Mr. ANDERSON. Yes. I think the wheat supply is a testimonial to that fact. Wheat farmers themselves are aware that should present price supports remain every wheat farmer would be in distress.

Cattle prices are very good. Lamb prices are off, but cattle prices are very good. Yet there is a possibility that an oversupply of low-cost feed will tempt people to overproduce cattle. I have been happy over the fact that the livestock industry was on a very sound basis. I would not expect it to stay that way if there were an abundance of low-cost feed. I think it poses a threat not apparent at this time, perhaps.

Mr. HOLLAND. Will the Senator yield further?

Mr. ANDERSON. Yes.

Mr. HOLLAND. I want to concur in the statement of the distinguished Senator from New Mexico with respect to producers of livestock. They refused to be regimented when their lot was poor. They stuck to the sound rule of following the law of supply and demand. They have come back to substantial prosperity. They are to be commended, in any words we can command, for their attitude.

Can we not extend that same logic into other fields? Is it not a fact that in addition to the livestock industry, which is not controlled or regimented, and which has relative prosperity, the same can be said of the fruit industries of the Nation in general, the same can be said of the vegetable industries in general, and the same can be said of the dairy industry which is beyond the area of the relatively few States which produce more than they can dispose of in nearby markets?

Mr. ANDERSON. Yes. I think one of the reasons the citrus industry for which the Senator's State is justly famous, is in such good shape is that the industry would not consider being put under the parity concept. At one time, 20 percent of parity was pretty good. If one talked about 90 percent of parity, as other agricultural industries did, it would have destroyed the citrus industry in a very short time. The industry, to its credit, decided it wanted no part of it. The distinguished Senator from Florida took that position in committee and on the floor of the Senate, and I think it was helpful to the whole industry.

Mr. HOLLAND. I thank the Senator. There is one more question I should like to ask, and that is whether or not, in the opinion of the distinguished Senator from New Mexico, the attitude of the corn-producing industry—the largest of the field crops, in terms of the annual value, and I believe also the largest in terms of the number of individuals involved as producers—in their recent action in voting overwhelmingly to reject further acreage controls and to accept much smaller support prices does not indicate that the farmers themselves, by their recent action, are beginning to realize the tragic truth that high supports and regimentation have brought them nothing but grief and loss, and that they want to get away from both?

Mr. ANDERSON. I would say the farmer who raises corn was not happy. I would consider that when the farmers voted overwhelmingly as the Senator has described it is proof of their wanting termination of the program.

Mr. HOLLAND. And lower price support?

Mr. ANDERSON. And lower price support.

Mr. HOLLAND. I thank the Senator.

PROPOSED CIVIL RIGHTS ACT OF 1959

Mr. DOUGLAS. Mr. President, by the process of successively yielding I have dissipated most of my potential audience. But perhaps it is better so, because a captive audience is never the best group to speak to.

Mr. President, on behalf of the senior Senator from Minnesota [Mr. HUMPHREY], the senior Senator from Missouri [Mr. HENNINGS], the senior Senator from New Jersey [Mr. CASE], the senior Senator from Oregon [Mr. MORSE], the senior Senator from Pennsylvania [Mr. CLARK], the senior Senator from Colorado [Mr. ALLOTT], the junior Senator from Oregon [Mr. NEUBERGER], the senior Senator from Michigan [Mr. MCNAMARA], the senior Senator from New York [Mr. JAVITS], the junior Senator from Wisconsin [Mr. PROXMIRE], the junior Senator from Maryland [Mr. BEALL], the junior Senator from Michigan [Mr. HART], the junior Senator from Minnesota [Mr. MCCARTHY], the junior Senator from Connecticut [Mr. DODD], the junior Senator from Rhode Island [Mr. PASTORE], the junior Senator from Colorado [Mr. CARROLL], and myself, I introduce for appropriate reference a bill entitled the "Civil Rights Act of 1959."

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 810) to effectuate and enforce the constitutional right to the equal protection of the laws, and for other purposes, introduced by Mr. DOUGLAS on behalf of himself and other Senators, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. DOUGLAS. Mr. President, this bill is a measure to give effect to the constitutional right of American children under the 14th amendment to equal opportunity in desegregated schooling, and to provide for every American a greater

assurance of the equal protection of the laws.

THE 14TH AMENDMENT AND THE PRESENT BILL

We should never forget, although some would have us do so, that the 14th amendment is an organic and integral part of the Constitution of the United States, which all public officials have sworn to uphold—for the doubters, may I mention the fact that Secretary of State Seward, on July 28, 1868, certified without reservation that this amendment was part of the Constitution.

This amendment, of course, grew out of the Civil War and was designed to secure and to make permanent those human rights for which millions of brave men and women had suffered and sacrificed and which had emerged victorious in the crucible of struggle. This amendment did at least three things.

First. It provided that everyone born or naturalized in the United States was a full-fledged citizen both of the United States and of the State in which he lived. There was no differentiation or distinction between these citizens. All had equal rights and were presumed to be of equal value. No categories of first and second classes of citizens were set up. Negroes, with others, were to have equal rights before the law.

Second. The 14th amendment then went on to say that—

> No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Third. In section 5 of the amendment, it is specifically provided that—

> Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

Therefore, there can be no question but that Congress has the specific power to implement the 14th amendment.

The U.S. Supreme Court, in the Brown and other cases, has ruled that segregation on the basis of race in the public schools is ultimately a violation of the guarantee of the equal protection of the laws and hence is unconstitutional. While the methods and timing are made somewhat flexible, localities and States are expected to move toward desegregation "with all deliberate speed."

Finally, it is appropriate to call attention to article VI of the Constitution which specifically states that—

> This Constitution * * * shall be the supreme Law of the Land, and the Judges in every State shall be bound thereby, anything in the Constitution or Laws of any State to the contrary notwithstanding.

A similar obligation is placed upon all Members of Congress and State legislatures and on all executive and judicial officers on both State and Federal levels.

In order to implement the 14th amendment and to meet the grave crisis of our day in a reasonable, moderate, conciliatory, yet firm fashion, we are sponsoring this bill.

It provides for technical, financial, and administrative assistance through the Department of Health, Education, and Welfare in school desegregation cases. It also authorizes injunctive relief in suits brought by the Attorney General against denials of equal protection of the laws in school and other situations.

It thus seeks to marshal our resources of technical knowledge, financial assistance, legal representation, and basic goodwill to meet the complex problems of desegregation in a positive, rather than a punitive, manner.

It aims to place the Congress and the executive branches of our Government alongside the Supreme Court in carrying out the promises of the 14th amendment, recognizing that we cannot expect the courts to be the sole protectors of those rights.

In the years which have elapsed since the original Brown decision in 1954 and the amplifying decision in 1955, there has been an unfortunate refusal, both on the part of the Executive and on the part of Congress, to take any steps to stand behind and beside the Supreme Court in the enforcement of the 14th amendment.

The bill seeks to encourage a maximum of cooperation and mutual assistance between Federal and local governments in ending denials of equal protection of the laws.

In short, as I have said on another occasion, it is a bill to put our moral house in order—for the benefit of citizens now denied their rights, and for the benefit of the whole Nation in its difficult position as a leader of the free world.

Mr. JAVITS. Mr. President, would the Senator find it convenient to yield at this point?

Mr. DOUGLAS. I am very glad to yield to my distinguished colleague the senior Senator from New York, who has borne a major share in this struggle, not only since he became a Member of this body, but when he was a Member of the other body, and when he was attorney general of the great State of New York.

Mr. JAVITS. I thank my colleague.

I interrupted only because I noticed, from the prepared text of the Senator's address, that from this point on he plans to discuss the more detailed aspects of the background of the bill.

I should like to make a brief statement, and also address an inquiry to the Senator from Illinois.

It seems to me that the national and international implications of the failure to act effectively with respect to desegregation in the public schools have now been written on every wall. Those of my colleagues who have had some experience in foreign affairs, including the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tennessee [Mr. GORE], the Senator from Montana [Mr. MURRAY], and the Senator from Michigan [Mr. MCNAMARA], know that nothing occupies more space in the newspapers of Africa, south and southeast Asia, Indonesia, and Latin America, where it hurts the most, than our failures in this field.

Also I believe that by now it has been made crystal clear that the mandate of the Supreme Court is not being implemented with all deliberate speed. As a matter of fact, it is not being implemented effectively at all; and it will take a very long time, involving much discord and great inequality among the various sections of the country, to accomplish the desired end if the present situation is allowed to continue.

As the Senator from Illinois has said so eloquently on so many previous occasions, our moral responsibility and our legal responsibility to make the Constitution meaningful cannot be delegated solely to the courts. We have a duty, too.

The question I should like to address to my colleague is this: First, are we, by the action which we are here taking, based on our strong feelings on the matter, to give the Attorney General the right to institute a civil suit for an injunction, trying to press matters faster than the Supreme Court had in mind when it said the action should be reasonable in time and with deliberate speed?

Mr. DOUGLAS. No; we certainly are not. As a matter of fact, there is no doubt that the methods which we contemplate and provide for, if they were carried out, would result in progress which, while affirmative and definite, would be appreciably slower than the Supreme Court originally thought should be the case.

It is interesting to note that, not only was the original decision of the Court handed down by a unanimous Bench of all nine Justices, but that since that time three additional Justices have been added to the Bench, and that in recent cases they have affirmed the original decision. Therefore, 12 Justices of the Supreme Court, in practice, have laid down that principle without a single dissent.

Mr. JAVITS. My next question is this. Does my colleague from Illinois agree with me that we are today trying to strengthen the hands of the moderates in the Senate who want to comply with the law and do not want local disorder or local flouting of the law, but, to the contrary, want to proceed in an orderly and decent way by civil process, with mediation and conciliation and communication between the races, rather than by other means?

Mr. DOUGLAS. The Senator from New York is completely correct.

I believe that the liberal white people of the South and the liberal-minded Negroes of the South are the real heroes of this struggle. They are the ones who in the face of enormous odds have been working so long and hard on this problem. They hope they will not be isolated or deserted. Instead, they should be encouraged and girded.

At the same time, they want to proceed in such a manner as will minimize the danger of conflict between them and their society. It amounts to that.

Mr. JAVITS. Does not the Senator feel with me, in view of the action of the Supreme Court of Virginia, in striking down the so-called massive resistance legislation, and the action of the United States Supreme Court, and the action of the district courts following the United States Supreme Court, in standing against evasions and avoidances of the plain intention of the Supreme Court's decree, that at long last we now have

the stage set for a coordinated, balanced, responsible, and deliberate effort by the United States to try to handle the problem through a workable system, rather than through guerilla war, whether it be Little Rock or Front Royal?

Mr. DOUGLAS. Following Francis Thompson's poem, "Hound of Heaven," I would say that the hope of many after the Court decision was that we might move with deliberate speed but few believe we should move with majestic instancy. The intent of this proposed legislation is not to make the transition overnight, but rather, calmly, deliberately, responsibly, and in good faith, taking account of the varying circumstances and difficulties in different communities.

Mr. JAVITS. It is very important to note that neither we nor any of those associated with us are extremists, or are out in left field, as the colloquial expression has it, or are trying to legislate faster than ought to be done, or are trying to bring strong-arm tactics into the solution of the problem. Rather, it should be stated that we are trying to bring about a coordinated and considered approach by the responsible authorities in both the executive and judicial departments of our Government in dealing with what we, better than anyone else, know to be a very difficult problem, which will take time to solve, although not as long as a century. We feel that we ought to go to work on the problem and that it is the duty of Congress to see to it that legislation is enacted under which the law can be enforced if we expect the Executive to enforce it.

I should now like to say to my colleague—and this is a propitious time to say it, because of his deep concern with this problem—that what is not marked is that we—and I include myself—are just as cognizant as anyone else in the Chamber, whether he be from the South or from any other part of the country, of the sincerity which is involved on the part of Senators from the South, and of the deep social problems which exist in the South, and that they are decades old and cannot be dispelled with magic wands or catechisms. However, we want Congress to help the authority of the United States to go to work.

As I see it, the fundamental issue involved in our bill and the bill introduced by the distinguished Senator from Texas [Mr. JOHNSON], and the approach of the Senator from Georgia [Mr. TALMADGE] with his constitutional amendment, when we boil everything down, is whether Congress will say that something should be done in a coordinated way, through the power of the United States, in conformance with the Supreme Court desegregation decree. We say that such a program is a real civil rights legislation. We say that the other things, whether they concern voting rights, or similar matters, are fine, and that we are enthusiastic about them; however, they do not get down to the fundamental issue before us in this particular frame of reference. Does the Senator agree with me?

Mr. DOUGLAS. I agree with my friend from New York. What we are trying to do is to have our country move not merely with deliberate speed, but with perceptible speed. Frequently the degree of progress we have made has been imperceptible.

I should now like to read into the RECORD a very eloquent and moving statement by a distinguished southern leader, Mr. Marion A. Wright, of North Carolina, and formerly of South Carolina, who was pleading last year for an act similar or identical with the one which has just been introduced. He said:

> So the act under consideration is needed not only by Negro children and Negro adults now thwarted in the enjoyment of rights peculiar to them. It is needed by men and women of every creed and color in order that they may walk unafraid, that they may think, they may speak, they may write in that freedom from reprisal which is the birthright of every American citizen.
>
> Restore respect for law. The beneficiaries of your action are not just Negro children knocking on school doors. The beneficiaries are as undeniably every one of us who wishes to keep alive and undiminished the principles which this Nation has always carried in its heart and which are the touchstones of our national greatness.

EARLIER HISTORY OF MEASURE

This is the same bill, Mr. President, which we prepared and introduced a year ago as S. 3257. Sixteen Senators joined as cosponsors at that time, and 13 Members of the House of Representatives introduced companion measures.

Despite the urging of the chairman of the Senate Constitutional Rights Subcommittee, the senior Senator from Missouri [Mr. HENNINGS], a bipartisan majority of that committee decided that hearings should not be held on the bill in the Senate in 1958. In the House, the eminent chairman of the Judiciary Committee, Representative CELLER, commenced hearings late in June, but they had to be discontinued in the pressure of business at the end of the session before a full record could be made.

In recent weeks, I have appealed to the Attorney General and the Secretary of Health, Education, and Welfare to give consideration to the provisions of this bill in formulating the administration's civil rights recommendations. I have received from each Department friendly assurances of such consideration.

We have also been encouraged by the widespread interest expressed in the bill by persons who are long experienced in the problems of education and community relations. One such full-length statement was prepared for submission to the House Judiciary Committe last year by an able southern leader, Mr. Marion A. Wright, of Linville Falls, N.C., to whom I have just referred. I ask unanimous consent, Mr. President, that Mr. Wright's analysis be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

THE URGENT NEEDS

Mr. DOUGLAS. Mr. President, while Congress did not act on these proposals last year, the tragic history of the continued nullification of the law of the land, of evasions of court decrees, of school closings in Arkansas and Virginia, of community bitterness, of new State legislative obstacles to compliance with the Constitution, of obstructive litigation, and of bombings of schools and religious edifices has unfolded.

The latest report I have seen from the responsible Southern Education Reporting Service of Nashville, Tenn., shows that in the 17 Southern and border States and in the District of Columbia, only about 400,000 Negro children out of almost 3 million in those areas are now in districts where some desegregation has been at least started—and almost three-quarters of this total are in Missouri, Maryland, and the District of Columbia.

Of course, this does not mean that 400,000 Negro children in those States are attending desegregated classes; it merely means that they are located in districts where some desegregation, frequently of a token nature, has occurred.

Almost 10 million children, Negro and white, are in the 2,100 school districts in these States that have made no beginning of desegregation.

Statistics are not available for the North, but we should not overlook the fact that in many areas there, also, segregation is carried out in practice. I want to emphasize that we of the North are in no sense self-righteous about the matter, and we recognize our own inadequacies and failures. Time after time I have heard our friends from the South say that we in the North try to pretend that our conditions are perfect, and that we are singling out the white South as the sole culprit and making the white South the whipping boy. That is not true. If we go back over all the debates on this subject, extending for at least 5 years, it will be found that those of us who have pushed for adequate Federal action in this matter have steadfastly refused to single out the white South for condemnation.

On many occasions, I have pointed out that the white South is, in a sense, the prisoner of history, of geography, and of accident; that the climate and soil of the South happened to be adapted to conditions of slavery; that because of this, slavery developed, and a large slave population was assembled; and that the freeing of the slaves, while it removed one great abuse, created tremendous problems of social adjustment.

I have always said that had the roles been reversed, and had those of us who live in the North, or those of us whose ancestors lived in the North, been placed in the South, our behavior, taken on the whole, would probably have been very similar.

I have also tried to make clear that we have many inadequacies and many failures in our own northern record, which it should be our duty to try to remove.

I hope, therefore, that we may hear the last of the statement that we are singling out the South for attack. I hope we may never again hear in the debate or read in the columns of writers that we are attempting to punish the South.

The problem is a national one; indeed, it is an international problem; and we as Americans, not as sectionalists, have not

only the right but the duty to cope with it.

On December 1, the Secretary of Health, Education, and Welfare issued a sobering statement on the losses we are suffering from school closings. They aggregated at that time more than 1 million student-days, and have increased since then. The full text of his statement outlining other effects of these developments deserves careful study, and I ask unanimous consent, Mr. President, that it be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

DETERMINED RESISTANCE IN A FEW STATES

Mr. DOUGLAS. Mr. President, I inserted in the CONGRESSIONAL RECORD on February 10, 1958, a long list of laws, resolutions, ordinances, and State administrative policies which are being used to thwart the Supreme Court's decisions. These have included nullification statutes, pupil placement schemes, provisions to close or withdraw all State funds from any school which is desegregated, support for a private school system if necessary, criminal penalties for spending tax moneys on desegregated schools, loss of retirement benefits for failure by State officials to enforce State laws requiring segregation, power to suspend compulsory attendance laws, and interposition statutes.

On several occasions, I have also pointed out the so-called antibarratry laws which are being passed in an increasing number of States to prevent Negroes from being adequately represented in the courts. As of the present moment, six Southern States have such laws.

With the full array of State power ranged against weak individuals who seek to assert their constitutional rights, the contest is a most uneven one and now, nearly 5 years after the Court's decisions, the progress toward compliance with the Constitution is so slow as to turn hope to despair. The Southern School News, in its January 1959 issue, headlines its State-by-State report as follows: "Segregation-Desegregation No Nearer Solution at Year's End."

In the face of these stark realities, I believe that Congress and the executive branch of the Federal Government can no longer shirk their constitutional responsibilities.

The recent decisions of the highest court in Virginia and of the Federal courts in that State ought to prove again that the road of massive resistance is a blind alley. I believe it is now time for Congress and the executive branch to try massive assistance, massive cooperation, and massive good will which this bill seeks to mobilize to meet the situation.

Here it may be appropriate to call attention to some of the developments of history. In 1954, when the Supreme Court handed down its decision, I think not a single northern Senator took the floor to comment on the decision or to do anything which might irritate or ruffle the feelings of the white South. This was a deliberate decision. We wanted the decision of the Supreme Court to be brought directly to the people of the South, without any statement by northern Senators which might make the southern white citizens feel that this was a sectional issue. So we kept silent all through the years 1954–55.

When the Supreme Court handed down its amplifying decision of 1955, we similarly refrained from commenting.

It was not until the following year, when virtually all the Senators and Representatives of the South signed the so-called Southern Manifesto, or Declaration of Constitutional Principles, justifying all forms of "lawful" resistance to the decisions of the Supreme Court, that we felt we should speak out.

Mr. GORE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. GORE. Will the Senator modify the phrase "virtually all"?

Mr. DOUGLAS. I said "virtually." There was a handful of Senators from the South, including the Senators from Tennessee, who did not sign the manifesto, and there was also a small group of Representatives who did not sign it. I pay tribute to them.

But I think it is certainly true that about 90 percent of the Senators and Representatives from the South—I believe the total number of Members was 96—did sign the manifesto which signaled the onset of massive resistance.

It was then, 2 years after the decision of the Supreme Court, that many of us felt that instead of leaving this matter purely to the operation of courts of justice, and in view of the attitude of the political leaders of the South, we should at least express ourselves. That we have done.

Senators can search the RECORD through and through, but they will never find a bitter word from us, although we on our part have been attacked quite vigorously, and in places with great heat. We have not answered back in like manner, and I pray that we may not do so.

DAMAGE TO U.S. WORLD STANDING

We are also reminded from week to week of the untold damage which is done to the Nation in the eyes of the colored peoples who make up two-thirds of the world's population by our failure to accord our own colored citizens equality of opportunity. Only 12 days ago, an Assistant Secretary of State, speaking at Biloxi, Miss., stated again that our country is hampered in its relations with Africa by its racial troubles at home.

A Fulbright lecturer in education, Dr. Olsen, recently returned from 8 months' service in Africa, reported to the Chicago City Club on December 22:

> "What is happening in Little Rock?" was the question asked at nearly every 1 of the 35 public addresses I gave during my stay. American race incidents were front-page news in both the European and the African newspapers there. It became clear to me as never before that American democratic influence upon the nonwhites of Africa is to a large degree proportional to what they hear of our race problems in this country.

We realize that the Communist enemies of our country—and they are enemies of our country—have used the unfortunate school closings in Virginia and Arkansas, the bombings in other parts of the country, and the incidents of racial discrimination and religious intolerance to sully our record and to discredit our devotion to freedom and equal opportunity in the eyes of other nations. They exaggerate these difficulties but these difficulties are sufficiently real so that Congress cannot safely ignore the grave international effects of our failure to deal constructively with the problems of human relations and constitutional rights here at home.

SEGREGATION ON THE OFFENSIVE

While Congress and the Executive have been inert in the face of the defiance of the Court and the disobedience of the law of the land relating to public-school segregation, the protectors of segregation have not been content with purely defensive measures. There are disturbing evidences of a new wave of incitements of racial hatred, fear, and religious bigotry.

In addition, stemming largely from the Court's recent civil-rights decisions, a whole series of measures to reverse and curb the Supreme Court have been presented in Congress, and were only narrowly defeated in the closing days of our session last August. These efforts seem aimed at discrediting the Court—perhaps I should say that is the effect they would have—clipping its jurisdiction, and threatening its very independence.

We are warned of these countermeasures by the sage southern leader, Mr. Marion A. Wright, to whom I have previously referred, and who in an address last fall before the National Association of Intergroup Relations officials made a statement which I wish to read to the Senate, because I think it is a most wise one. I now read a section of Mr. Wright's speech:

> In their back-to-the-wall stand on integration of the public schools, the seven hard-core States are now pursuing a new and significant strategy. The early effort of the segregationist leaders was to move and stir southern opinion to the point of open opposition to the law. That was a thoroughly ignoble but fairly easy task. More recently, they have embarked upon a much more ambitious enterprise—and I think you who live out of the South should be quite aware of it. They now seek to subvert the public opinion of North, East and West to the segregationist view. Of course, they don't call it that. They refer to it as education in States rights, limitation of judicial power, and other euphonious terms. But what they mean is the preservation of a caste system in the South. Under one name or another, your aid—you nonsoutherners—your aid is now being actively sought. It's an old story—Confederates capturing Yankees.
>
> The movement to convert you is well financed and well organized. Certain States have their propaganda bureaus financed by public funds as well as by antilabor money and reactionary subsidies. They pour out pamphlets by the hundreds of thousands. They send speakers on foreign missions. They flatter and fawn upon northern papers or writers who abet their plan.
>
> This effort should not be taken lightly. Already certain northern columnists, magazines and newspapers follow the segregationist line. The effort to limit the jurisdiction of the Supreme Court failed by one vote in the Senate. And, most unkindest cut of all, the Chief Justices of the State supreme

courts gave that effort their implied support.

There is something quite persuasive in this new southern approach to the rest of the Nation. In the first place, the rest of the Nation hasn't perfectly solved its own integration problem. Our sense of generosity finds expression in the twin ideas, "Who am I to tell you how to run your affairs?" and, "I can appreciate fully what you are up against in the South." And, lamentably, there are many Americans in all sections of the country who are not democratic at heart. They listen with a sympathetic ear.

This invasion of the North—a kind of second march on Gettysburg—presents one of the anomalies of the times. This is the age of the sputnik. Each day the range of our interests is extended. Each day we become more acutely aware of the interdependence of men upon each other. We become more conscious of involvement of our own destinies with the destinies of men in world's remotest corners. There is daily borne in upon us the essential unity and indivisibility of mankind, with the result that what affects one affects all.

In such a context, how like a voice from the Dark Ages is the white supremacist's whimpering plea that you in the North have no concern with what happens to your Negro brothers of the South; that you have no license to be heard; that your endeavor to influence the southern situation is impertinent meddling in a matter of only local interest and significance.

Certainly you will not fall for that argument. Only one far gone in schizophrenia can embrace at the same time a sense of international civic responsibility and the provincialism of the segregation philosophy.

You who share the world's revulsion at the Russian treatment of Boris Pasternak will hardly remain indifferent to the stern fate of hundreds of lesser Pasternaks in the South who think and write and teach and preach and speak at their peril.

There is, then, this trend, this effort to sell the segregation cause to the nonsoutherner. Beware of its soft seductions.

Miss Helen Fuller, herself southern-born and raised, and an able analyst of current social and political developments, has cited chapter and verse to the same effect in her article, in the New Republic for January 26, 1959, entitled "The Segregationists Go North," in which she concludes, among other things:

At all costs the massive resisters must prevent reinforcements from reaching the judiciary, which stands today as the lone leader in the new Reconstruction. * * * Congress, in effect, has remained neutral. And it is imperative for those who defy the Court to keep it that way. * * *

If the States which shout "Never!" can prevent the 86th Congress from passing legislation supporting the Court, they will be free to attempt the next huge step in their plan for total escape from the toils of the new Reconstruction: persuade the reformers to give up. * * *

The protectors of nullification and those who defend the continuing denials of constitutional rights are obviously on the offensive.

If Congress surrenders the field of action to those who oppose the orderly and reasonable transition to compliance with the law of the land, it will gravely damage the prospects for a solution to this crucial problem.

CONGRESS SHOULD ACT ON SCHOOL DESEGREGATION

To meet the urgent needs which I have outlined and to end the stalemate or possible retreat that is developing, it is therefore imperative that Congress act in the critical school situation.

The charter for this action, as I stated earlier, is found in section 5 of the 14th amendment to the Constitution itself which specifically provides—

The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

The Court itself, in a unanimous opinion handed down September 29, 1958, in the so-called Little Rock case, William G. Cooper and others against John Aaron, citing the leading case of Marbury against Madison, has again pointed out—

that the interpretation of the 14th amendment enunciated by this Court in the Brown case is the supreme law of the land, and article VI of the Constitution makes it of binding effect on the States "anything in the constitution or laws of any State to the contrary notwithstanding." Every State legislator and executive and judicial officer is solemnly committed by oath taken pursuant to article VI, paragraph 3 "to support this Constitution."

I might add, though the Court did not, that Members of Congress take a similar oath.

And the Court went on to declare:

Chief Justice Taney, speaking for a unanimous Court in 1859, said that this requirement reflected the framers' "anxiety to preserve it [the Constitution] in full force, in all its powers, and to guard against resistance to or evasion of its authority, on the part of a State * * *" *Ableman* v. *Booth* (21 How. 506, 524).

No State legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it. Chief Justice Marshall spoke for a unanimous Court in saying that: "If the legislatures of the several States may, at will, annul the judgments of the courts of the United States, and destroy the rights acquired under those judgments, the Constitution itself becomes a solemn mockery. * * *" *United States* v. *Peters* (5 Cranch, 115, 136). A Governor who asserts a power to nullify a Federal court order is similarly restrained. If he had such power, said Chief Justice Hughes, in 1932, also for a unanimous Court, "It is manifest that the fiat of a State Governor, and not the Constitution of the United States, would be the supreme law of the land; that the restrictions of the Federal Constitution upon the exercise of State power would be but impotent phrases * * *." *Sterling* v. *Constantin* (287 U.S. 378, 397–398.)

It is, of course, quite true that the responsibility for public education is primarily the concern of the States, but it is equally true that such responsibilities, like all other State activity, must be exercised consistently with Federal constitutional requirements as they apply to State action. The Constitution created a government dedicated to equal justice under the law. The 14th amendment embodied and emphasized that ideal. State support of segregated schools through any arrangement, management, funds, or property cannot be squared with the amendment's command that no State shall deny to any person within its jurisdiction the equal protection of the laws. The right of a student not to be segregated on racial grounds in schools so maintained is indeed so fundamental and pervasive that it is embraced in the concept of due process of law. *Bolling* v. *Sharpe* (347 U.S. 497.) The basic decision in Brown was unanimously reached by this Court only after the case had been briefed and twice argued and the issues had been given the most serious consideration. Since the first Brown opinion three new Justices have come to the Court. They are at one with the Justices still on the Court who participated in that basic decision as to its correctness, and that decision is now unanimously reaffirmed. The principles announced in that decision and the obedience of the States to them, according to the command of the Constitution, are indispensable for the protection of the freedoms guaranteed by our fundamental charter for all of us. Our constitutional ideal of equal justice under law is thus made a living truth.

These legal principles are cited also in the preambles of the bill we are introducing today. The adoption of this measure would thus clearly range the legislative branch alongside the Court in the maintenance of these basic principles of American government. I cannot underscore that sentiment more vigorously.

A CONSTRUCTIVE NEW APPROACH TO DESEGREGATION

It was a serious setback when the 1957 civil rights bill under threat of filibuster in the Senate was stripped of part III. This had been twice approved by the House. It would have given the Attorney General power to file suits for preventive relief against denials of equal educational opportunity. It might have forestalled some of the tragic events which have followed.

This authority, which would be granted in a number of separate bills already introduced in this Congress, is still needed. It is included in the measure we are introducing today. But the present bill has been drafted with many other more constructive provisions in it also.

The bill proposes, first, to declare and accept Federal legal and moral responsibility for implementing the constitutional requirement of desegregation; second, to provide vitally needed Federal technical and financial assistance and Federal leadership to States and local communities whose schools are still segregated; third, to provide Federal legal assistance where private parties are unable to vindicate the constitutional rights of our schoolchildren and others.

A summary of the bill's provisions reveals the positive aids which it would offer for securing compliance with the 14th amendment to the Constitution.

A. FEDERAL LEGAL AND MORAL RESPONSIBILITY

TITLE I

In title I there are specific findings to the effect that the Supreme Court decisions on racial segregation in public education "express the moral ideals of the Nation and the world and point the way to a nation enhanced in strength and dignity at home and enhanced in honor and prestige throughout the world;" that the decisions are being resisted in many areas of the Nation where there has been a failure to make a prompt and reasonable start toward compliance; and that legislative and executive action is necessary to safeguard the rights involved.

It is further specifically found that these rights will be more widely accepted and more fully enjoyed when it is generally recognized that the Constitution as interpreted by the Court is the law of the land, that all officials are bound

by their oaths to support it, and that the Federal legislative and executive branches will act to protect those rights.

And finally after the other basic findings concerning the Federal responsibility, the Congress "declares its intention that the right to the equal protection of the laws guaranteed by the Constitution against deprivation by reason of race, color, religion, or national origin and affirmed by the antisegregation decisions of the Supreme Court, shall be protected by all due and reasonable means."

B. CONSTRUCTIVE STEPS FOR EQUAL TREATMENT IN PUBLIC SCHOOLS

Through authority conferred upon the Secretary of Health, Education, and Welfare, the bill will furnish to the officials and private citizens of good will in all parts of the country the tools with which to accelerate in our public schools the growth of equal treatment for all of our citizens, without regard to race.

TITLE II

This title authorizes the Secretary to assist, through the compilation and distribution of date, the making of surveys, the arrangement of conferences, the appointment of advisory councils, the provision of specialists' services, and the development of community understanding for desegregation programs that are in harmony with the Constitution.

Appropriations up to $2.5 million a year for 5 years are authorized for these purposes.

TITLE III

This title authorizes the Secretary to make grants for school facilities in areas where the chief problem preventing or hindering effective compliance is the lack of adequate buildings or other physical equipment.

It also authorizes grants for employing additional teachers, inservice teacher training, employment of specialists, short-term training courses, and other additional educational measures undertaken to eliminate segregation, while at the same time assuring that existing educational standards will not be lowered.

Funds would also be available to local communities that wish to comply with the Court's decisions, but where, as in Georgia and Virginia, the State threatens to cut off funds or close the schools.

Appropriations of not more than $40 million a year for 5 years are authorized to cover the costs of the grant programs.

TITLE IV

The bill further provides in title IV that when other methods fail, the executive branch of Government, acting through the Secretary of Health, Education, and Welfare, shall assume responsibility for initiating the development of desegregation plans to accomplish the objectives of the Court's decisions. In the development of both the tentative and approved plans, however, there are express provisions for the fullest possible local consultation and participation.

The responsibility to go forward in a situation in which officials are hostile is now almost entirely in the hands of private individuals and organizations. Experience has shown that this problem will not become any less troublesome if we countenance the resulting delay.

C. FEDERAL ASSISTANCE IN LEGAL REMEDIES

The bill also provides for Federal assistance in legal remedies under titles V and VI.

In the history of America's advance toward equal justice, court proceedings have been the means of making many of our greatest forward steps. They are still an indispensable part of our protections against racial discrimination.

A growing group of States, however, have passed so-called antibarratry laws which make it much more difficult for civil-rights groups or others to assist persons in bringing or maintaining lawsuits for the vindication of their civil rights. Other forms of pressure—such as organized boycotts, threats, and intimidation—have also been used to deter such legal actions.

Since the persons who are denied their rights to equal protection are more often than not poor persons, unable alone to sustain the heavy costs of litigation, and more subject than others to hostile pressures, these laws and pressures will increasingly padlock out of court the Negroes and also the Spanish-speaking Americans of the Southwest in their efforts to maintain suits to carry out the law of the land.

To meet this situation, the proposed legislation would authorize the Attorney General of the United States to start civil actions for preventive relief against those who deprive persons of their rights to equal protection of the laws, on account of race, color, religion, or national origin.

This authority is much like that provided in part III of the 1957 bill, H.R. 6127, and in the 1956 measure, H.R. 627. As I have said, on two occasions it was overwhelmingly approved by the House. The authority is more explicitly and clearly set forth here, however, in titles V and VI.

TITLE V

Title V confers the power to file compliance actions in school cases in connection with approved desegregation plans, when the Secretary certifies that all efforts to secure compliance by conciliation, assistance, and otherwise have failed.

TITLE VI

Title VI first authorizes preventive action against those State and local officials and others acting under color of State law in cases involving denial of equal protection generally, including school cases, by reason of race, color, religion, or national origin; but it provides that the Attorney General may sue only upon a signed complaint, and when, in his judgment, the person aggrieved is unable to seek effective legal protection for himself—section 601.

Suits are also authorized by the Attorney General against those who attempt to prevent local officials from according persons equal protection of the laws, or who act to hinder the execution of court orders for equal protection—section 602. Action to deprive persons of their rights under the 14th amendment because such persons are opposing denial of the rights of others, is also made a basis for legal action by the Attorney General—section 603. In addition, the Attorney General is explicitly authorized to intervene in cases brought by others for relief against the denial of equal protection of the laws, because of race, color, religion, or national origin—section 604.

Thus, in the field of legal remedies, also, this measure would extend a significant helping hand to the National Government to the safeguarding of constitutional rights.

The sponsors of this measure do not claim that it is perfect though we have worked over it with great care. We hope that it may be carefully studied, strengthened and improve in committee.

But at least it is a frank effort to deal constructively with the most pressing issue in the field of civil rights, the problem of school desegregation.

It is a means of securing the cooperation of the various levels of government, of giving the aid and assistance of the Federal Government in the maintenance of constitutional rights, of assuring those who are denied these rights that Congress and the Executive, as well as the courts, that is to say, all the orderly processes of government, will be active in the protection of their rights.

It is a practical means of avoiding the insults, the acts of violence, the frightened schoolchildren of whatever race or color, the fearful parents, the repressed persons of good will, and the breaches of law and order.

The emphasis is on assistance, persuasion, consultation, careful planning, maintenance of educational standards, full consideration of the time needed for orderly transition, and not on punishment or force.

CIVIL RIGHTS ACTION SHOULD NOT IGNORE SCHOOL SEGREGATION

News reports suggest that there is currently a controversy in administration circles over whether to include any provisions dealing with school desegregation in the President's recommendations to Congress.

I believe I speak for the sponsors of this measure when I say that no so-called civil-rights program is worthy of that name if it does not face up to this most pressing of domestic problems. The people of the country are entitled to know whether the legislative and executive departments of the Federal Government are for the Constitution or for its nullification; whether we are for open public schools with equal opportunity for all, or for closed public schools; whether we are for backing up the Supreme Court in its historic decisions or for allowing the defiance backed by threats of violence to block the Court's decrees. And I believe they look to us for some effective action on this matter.

There are already some, and there will be more, thoughtful proposals before this Congress to deal with various phases of our human relations problems. Each of these, including our own bill, should be judged on its own merits. A number of

them may contribute something of value in helping the Nation to assure first-class citizenship to all of its people, regardless of race, color, religion, or national origin.

In this connection I think perhaps I should say a word or two about the proposed constitutional amendment which was submitted the other day by the very able junior Senator from Georgia [Mr. TALMADGE] and which was discussed by him in his address before this body. As I study the proposed amendment, it would provide that the provisions of the 14th amendment shall not apply over the country in matters of education, that in effect each State shall have local option in deciding how its schools shall be conducted, and that there shall be no universal national requirement that there be equal protection of the laws in connection with schooling.

It is undoubtedly true that the Constitution of the United States does not require the States to provide education for their children. That is not a constitutional requirement. But what the Constitution does provide is that if education is provided by the States, it should be made available to all under the equal protection of the laws.

Therefore, while I have only the kindness personal feeling for the distinguished Senator from Georgia, I shall be compelled to oppose his amendment.

PROPOSALS OVERLOOKING SEGREGATION PROBLEMS ARE INADEQUATE

The limited character of some of these proposals, however, should be frankly recognized.

SUBPENA POWERS

I note in passing that: First. The proposal to give subpena powers to the Attorney General in voting rights cases under the Civil Rights Act of 1957 adds little more than a minor procedural convenience, which could be largely accomplished in other ways under existing laws and rules of procedure, and which unless carefully safeguarded may be subject to abuse.

EXTEND LIFE OF CIVIL RIGHTS COMMISSION

Second. The extension of the life of the Civil Rights Commission gives us nothing new, and while helpful in some respects, it will be of no influence in the school situation. That Commission is primarily devoted to action in the field of voting rights. If it were to spill over slightly into the school controversy, which is unlikely, the Commission's even division, until the recent untimely death of my fellow Illinoisian, Mr. J. Ernest Wilkins, between those who believe in the Court's decisions and those who do not, is a fairly sure guarantee against any positive recommendations coming from that source for effecting the transition to desegregation.

ANTI-BOMBING PROPOSALS

Third. The antibombing legislation is undoubtedly desirable, and I have joined in sponsoring it. But it is, once more, merely punitive in nature and does not get at the root causes of the tension, conflict, and disrespect for law that lead to these outbreaks.

CONCILIATION

Fourth. Conciliation that has no stated purpose to bring compliance with the Constitution and the law of the land or a cessation of the denials of constitutional rights will have a very limited utility, if any, in the school situation. And it is there that we find such pressing challenges to law and order, and to national leadership.

Peaceful relations among citizens mentioned as the purpose of one conciliation suggestion, are obviously desirable in every community. But the Supreme Court has properly pointed out that this is not the only essential objective or indeed the primary one. I quote from the Cooper case, as follows:

> The constitutional rights of respondents are not to be sacrificed or yielded to the violence and disorder which have followed upon the actions of the Governor and legislature. As this Court said some 41 years ago in a unanimous opinion in a case involving another aspect of racial segregation: "It is urged that this proposed segregation will promote the public peace by preventing race conflicts. Desirable as this is, and important as is the preservation of the public peace, this aim cannot be accomplished by laws or ordinances which deny rights created or protected by the Federal Constitution." (*Buchanan* v. *Warley*, 245 U. S. 60, 81.) Thus law and order are not here to be preserved by depriving the Negro children of their constitutional rights. (*Aaron* v. *Cooper*, 358 U. S. 1, 16.)

The questions which vague conciliation proposals leave unanswered are: "Shall the Federal Government enter in only when breaches of the peace are threatened?" And in such cases, "On what general terms shall peaceful relations be restored? With recognition of all citizens' constitutional rights? In compliance with Court orders? With school doors open to all on an equal basis?"

Without some clear indication of the congressional purpose that the restoration of peace be in line with the law of the land in the field of public education, that is, on a desegregated basis, we shall again leave the victims without hope of relief, and leave law-abiding but hard-pressed local officials without hope of assistance.

Ineed, if the conciliation is free to try to maintain peaceful relations which in fact violate the constitutional principles, it may set back the progress of desegregation.

NEUTRALITY IS NOT ENOUGH

I have pointed out that the so-called Talmadge amendment to the Constitution was designed to reverse the 14th amendment to the Constitution, as interpreted by the U.S. Supreme Court in the Brown case and later cases.

In the so-called conciliation proposal we have neutrality toward the 14th amendment as the guiding principle. I wish to say in all kindness, with regard to that proposal, that it seems to me to miss the main problems. The main problems are the nullification of the Constitution and the Court decrees, and the attendant school closings.

If one reads the so-called conciliation bill carefully he cannot determine whether it is for or against compliance with the Constitution. With all deference, frankness, and friendliness, let me say that to be neutral on such a central point of national policy is not a compromise. Instead, it is a surrender of the leadership which the people have the right to expect from Congress.

Congress must not be concerned merely with disruptions of the peace. Congress must also be concerned with denials of rights; and it must be concerned with equal justice under the law.

In all kindliness, then, but with all sincerity, we must ask whether Congress can buy its peace of mind so easily? Can it serve the Nation's welfare by any measures that do not even try to bring the influence and leadership of the Federal Government to bear on the side of law and order—on the side of equal educational opportunity—and on the side of assisting those who would comply with the law to do so.

We must be careful not to take the form of civil rights for its substance and once more disappoint those who turn to us with hope.

The bill which we are today introducing is a meaningful bill. It is a constructive bill. The results of our recent efforts to curb the filibuster have undoubtedly dimmed the outlook for the passage of such a measure. But the results of that vote in no way diminished the need for it.

ONLY A MEANINGFUL CIVIL RIGHTS BILL WILL GIVE NEW FILIBUSTER RULE A TRUE TEST

Because of our failure to change the Senate Rules in an effective manner, it is still possible that the threat of filibuster can be brandished to try to persuade some to take, in legislation, much less than the country needs, on pain of getting nothing. This tactic was successfully used to weaken the 1957 civil rights bill. The high requirements for cloture still leave it available now. I fear it will be used again.

Efforts may be made to press for the adoption of neutral measures as a proof that the change in the filibuster rule was an effective one.

I can see the pattern of psychological and parliamentary warfare developing now. Any plan that seeks to deal—however reasonably and constructively—with the school segregation problem will probably be labeled extreme. The positive aids, the persuasive approaches, the cooperative efforts provided in this measure will be minimized or ignored. The injunctive provisions of part III sections will be termed a force bill, with implications that they are some wild-eyed, new scheme, although similar injunctive provisions are such a commonplace feature of law enforcement as to be a part of 39 other Federal laws, including the voting rights law of 1957.

Then some ostrich-like proposal, burying its head in the sand so that it cannot see the school problem, offending—and helping—almost no one, will probably be served up as a reasonable compromise, a step in the right direction, a means of avoiding controversy and of preserving party unity.

I hope the Senate and the country will not be misled by these maneuvers. The test of the filibuster rule will not be

whether some noncontroversial, ineffective measure—dressed up and disguised as a civil rights bill, but ignoring the primary problems of desegregation—may be passed. The real test of Senate rule 22 will be whether some meaningful bill like a carefully drafted part III, or the more constructive measure we are introducing today, can get past the obstacle of prolonged debate aimed at preventing a vote—or the threat of such debate.

The leadership has given assurances that civil rights legislation can be passed. I hope the Senate will act affirmatively on these assurances and hammer out a bill with some meaning.

I hope the leadership on both sides of the aisle will assist in securing early hearings and prompt action on this and other like measures and will support this or some other bill that will help to solve our most pressing problem at home.

Let us look at our national situation frankly and wisely, marshal our best resources for the solution of this problem, and give to our own citizens and to the world a renewed assurance that we can redeem our pledges of equality of opportunity and accord the privileges of first class citizenship to all of our people. We who sponsor this bill believe it will be a long step in that important direction.

Some southern writers have referred proudly to the Senate and its rules and procedures as the "South's never-ending revenge for Gettysburg."

We have no desire to refight the Civil War. But we do not believe that the function of the Senate is to serve as an instrument for sectional revenge. We believe instead that the Senate should represent the best interests and the enlightened conscience of our entire country.

Let us go forward in the 20th century together without malice or revenge in our hearts and with the sincere desire to further human brotherhood and thus make good the high promises of the Declaration of Independence, Lincoln's Gettysburg address and the teachings of all true religion.

Mr. President, I ask unanimous consent that there may be inserted in the RECORD at the conclusion of my remarks the text of the bill.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

(See exhibit 3.)

Mr. DOUGLAS. I have already asked to have inserted the statement by Mr. Wright and the statement by Mr. Flemming.

I also ask unanimous consent that there be printed in the RECORD at the conclusion of my remarks the following matters:

The text of the letter I addressed to the Attorney General under date of December 2, 1958; excerpts, as marked, from the January 1959, issue of the Southern School News, giving a State by State summary of progress or lack of progress in desegregation; an article entitled "The Segregationists Go North" written by Helen Fuller and published in the New Republic of January 26, 1959; an excerpt from the statement of the Advisory Council to the Democratic National Committee issued on December 7, 1958, on the subject of civil rights; the full text of the address delivered by Mr. Marion A. Wright of Linville Falls, N.C., at Pittsburgh; an editorial entitled "The 90-Year Delay on Civil Rights," published in the Denver Post of August 31, 1958; and an article entitled "Integration Must Move," written by Roy Wilkins and published in the March 1958 issue of Atlantic Monthly.

(See exhibits 4 to 10, inclusive.)

EXHIBIT 1

STATEMENT OF MARION A. WRIGHT OF LINVILLE FALLS, N.C., PREPARED FOR THE HOUSE JUDICIARY COMMITTEE IN SUPPORT OF THE CIVIL RIGHTS ACT OF 1958

Mr. Chairman, it is perhaps well for me to make clear at once that any views which I express are mine alone, although I hope, of course, that they are shared by many others. I am not here as representing any group or organization. The phrase, picked up from television, is that "the views expressed are not necessarily those of the sponsor." I don't even have a sponsor.

Perhaps, also, I should state that I am a native of South Carolina and, for the past 11 years, have been a citizen of North Carolina. My entire life to the present has been spent in those two States. This means that I have lived under conditions of legally enforced segregation and have had—if not enjoyed—a front-row seat at the drama of events unfolding since the Supreme Court's decisions in the segregation cases.

Those events have not been a source of pride to any of us, including, I am convinced, those who firmly believe in segregation. I am sure that they, as well as we who believe in the moral indefensibility of segregation and in full compliance with the Court's decrees, are seeking some means by which the shouting and tumult may die, the turmoil and upheaval come to an end. The bill which this committee has before it seems to me to offer the best hope of achieving that result.

A phrase often used by lawyers is that certain constitutional provisions are self-executing. This may be true in a legalistic sense but never in a pragmatic sense. Ultimately, such provisions require the exertion of the power of government to make them effective. Specifically, it seems quite evident that that power must be exerted to give effect to the 14th amendment. It became a part of the Constitution in the year 1868. It was significantly and unanimously interpreted as outlawing segregation by race in the public schools—that was 3 or 4 years ago. But such segregation in many areas continues.

There is no living space in this country for the question: Shall the decrees of the Court prevail, which is another way saying: Shall law prevail over anarchy. The question is how shall the power of government be exerted to the end that individuals shall enjoy rights the Court says are theirs.

TITLE I

The bill has the great virtue that, while fully recognizing the division of powers between the three branches of Government, it marshals the legislative and executive authority alongside the judicial in support of the law. There is evident here no cynical spirit that the court has written the law, now let the court enforce it. Rather, the principle is recognized that, in the solemn tasks of restoring respect for law and of preserving human rights, there is room and there is obligation for joint and total effort. There will be an impressive moral effect in this declaration of unity of purpose.

TITLE II

The bill seems to me to be wise in recognizing that, even with all three arms of the Government acting in concert, there will be, at most, sullen and grudging compliance where the public is hostile or uninformed. That kind of compliance would amount to a sort of cold war which might be indefinitely protracted. No one of us wants to live for long under an armed truce, which is only one step short of war. Since hostility and lack of information are intimately associated, the bill seeks to reduce or eliminate the former by the familiar process of education.

It is a familiar process in that Government has long employed the dissemination of facts to gain its legitimate objectives. Just at this time, through the appropriate governmental agencies, the facts as to polio are being broadcast; boys and girls are being urged to continue their educations; the advantages of careers in the Armed Forces are publicized; the facts as to juvenile delinquency are daily presented; the seven cancer signals advertised; and, in a host of other connections, Government puts facts at public disposal. Every bulletin sent out by every Congressman goes in response to Government's recognition of its duty to enlighten its people. Thus were typhoid and smallpox conquered. Lawlessness may present a greater national peril. Individuals might have perished from typhoid and smallpox. Lawlessness is antagonistic to the survival of Government itself.

If it be objected that in some areas there is wide difference of opinion on segregation and that Government ought not to enter educationally upon a controversial field, my answer is that there is probably no field in which sentiment is unanimous; that the Quakers, a highly respected segment of the population, would probably not be in favor of military careers for anyone, and that certain honorable religious groups seriously oppose vaccination. The point seems to be that Government decides, as it must, what is wise public policy and then adopts the educational means to make that policy effective. The court decisions in one sense declared the public policy; in another sense those decisions registered the national conviction about segregation. That conviction is that there is no place for legalized segregation in a democracy.

I am very glad to observe that a distinct feature of this educational process is discussed by local groups. What is contemplated is not a monologue by Government, but dialogue between Government and its citizens. This is education in the Socratic sense. It is now difficult in some areas of the South to have such discussion. The vehemence of the segregation leaders and their rigid control of the instrumentalities of State and local governments inhibit frank expression of opinion. For example, one Southern State refused to issue a charter to a group proposing to organize for the purpose of fostering such discussions—the issuance being a purely ministerial duty—while chartering scores of organizations to preserve segregation. The fact that under this bill such public discussions may be had under the aegis of the Federal Government will give them a degree of dignity and create an atmosphere conducive to frank and honest expression of opinion.

The bill further recognizes the fact that, while expression of opinion, any opinion, is desirable in itself, solid contribution to solution of the integration problem may only be expected from the presentation of informed views. Hence, there is provision for expert technical assistance and advice to communities contemplating their next steps. Such assistance will supplement, if not supersede, the present inadequate volunteer guidance made available to a few communities.

The process precisely parallels the type of valuable service so long furnished by public health forces and county farm and home demonstration agents.

Surely this gentle and persuasive approach may be reasonably expected to reduce materially the number of communities now openly defiant.

TITLE III

I think practically everyone in the South will applaud the constructive and positive rather than punitive approach to the problem of compliance with law which in title III the bill exhibits. Call it a guilt complex or what you will, but most of us resent the threats of punitive action. It may be coldly logical—I express no opinion—to withhold Federal aid from segregated institutions. But the reception which has greeted all such congressional proposals indicates the depth of resentment of punitive methods. More importantly, if they became law they would penalize those most in need of aid.

The bill which you gentlemen are considering recognizes that in some instances there may be costs in dollars and cents in transferring from a segregated to an integrated school system; that such costs, alone or in connection with other factors; may daunt the community; that segregated systems were created in bona fide belief in their legality, and that conditions beyond community control have now brought such systems properly under legal condemnation. Considerations such as these must underlie the bill's wise and generous provisions for national financial aid.

There are other circumstances much more deplorable which prompt grants under other of the bill's provisions. Georgia and Virginia and perhaps other Southern States have adopted legislation cutting off State aid for communities integrating their schools, either voluntarily or under court edict. Where this happens and conditions set forth in the bill are met, the bill proposes to make grants to such communities to offset the loss of State revenues.

I submit that this is in accordance with the plain duty of the Federal Government.

All of those States in constitutions, court decisions, proclamations, laws and other expressions of public policy have declared that education is a function of government.

Now there is always one circumstance which justifies the Federal Government in entering a State—that is, the failure of a State to perform its proper function. There are ample precedents.

So when a State abandons its self-declared function of providing education for its children, it has created a temporary vacuum which the Federal Government in good conscience must fill. Those children enjoy a dual citizenship—of State and Nation. The Nation of which they are citizens and in defense of which they may be drafted into armed service, in its own intelligent self-interest, will not allow them to grow up in ignorance.

So those leaders who declaim against Federal interference in education while accepting with alacrity all other forms of national largesse, if they actually carry out their threats to close the schools, will have created the very conditions which make such interference necessary.

Certainly, the threat presents to the National Government a clear issue of duty. Where a local school board wishes sincerely to abide by law, but is lashed by a recalcitrant State administration, shall the Federal Government wash its hands of the educational purge, leave the struggle to these ill-matched opponents, or shall it give its help to the community, say to it, "for your honorable effort to discharge a plain legal and moral duty you shall not be scourged?" This bill gives the obvious, the compulsory, answer to that question.

It gives the answer in advance of the event. In so much of what has transpired in regard to integration it has been a case of too little and too late, of repairing damage already done. Here is the opportunity truly golden to act preventively and constructively. Even now little time remains. In several areas the issue of closing the schools simmers; just across the Potomac in Arlington it boils. If you gentlemen were members of the Arlington school board and concerned, as you would be, only with the proper discharge of your duty, would you not have your eyes anxiously upon this hearing as being part of a process designed to strengthen your resolve? Absent the help which this bill proposes, you might have to bow your head and bow your will and bow your spirit to arrogant admonitions.

The practical assistance given to school units under title III—the mere declaration that such assistance is available—should still further reduce the area of open opposition.

TITLE IV

Title IV of the bill presents a new and imaginative approach to the problem of achieving compliance with law. Thus far, under this bill, all efforts toward that end have been left to individual initiative and action. For reasons which I shall partially discuss in a moment that method has serious limitations. This bill is based upon the solid premise that where rights have been judicially established—rights common to a substantial number of people—it is a legitimate concern of government to see that these are not mere paper rights found only in the bound volumes of judicial reports, but that they are actual rights, present and enjoyed in the daily lives of the people affected. The manifest and flagrant contrast between what the courts have directed and what one sees at every crossroads constitutes a gross reflection upon government. The Government cannot long remain in this posture of indifference and apparent impotence without losing respect for itself and without sacrificing the respect of mankind at home and abroad. For such respect we must have a decent regard.

Just a word as to why it is unfair and unrealistic to leave to the individual schoolchild the critical and momentous task of securing compliance with law. This is not a contest between individual litigants over some such matter as a boundary line or the sale of a horse. It is a contest between a child and his school district, with the awesome figure of the State on stage or standing in the wings. All of the resources of the State and most of the instrumentalities of public opinion are against the child. Money of taxpayers finances the defense; legal brains employed by the State map the strategy of exclusion, setting up innumerable barriers and hurdles to bar admission.

However, the most sinister aspect of the nullification effort is the spate of antibarratry laws adopted in several of the resistant States. These are admittedly designed to deprive the child of legal aid from the one quarter where it could be expected. It is a great tribute to the NAACP that the States concerned have been so unsuccessful in competition with it before judicial tribunals that they adopt the desperate expedient of declaring it an outlaw.

So there is the completely unequal struggle between child and district.

What is the issue? In its narrowest sense, it is the admission of a child into a school. But the issue is far broader than that. It is the issue of respect for law and the issue of enjoying equal rights under law. Certainly with education government is not unconcerned, but the very life of government itself hinges upon respect for law; and the devotion of its citizens at home and its role of leadership abroad depend upon proof of its claim that all are equal before the law.

In the presence of so unequal a struggle over issues so momentous and crucial to it, can government be above the battle? Can it, in effect, say to the ambitious Negro pupil, seeking to enjoy a right already solemnly decreed to be his, "We are unconcerned, indifferent as to the outcome. You alone must pit your puny strength against the massive and awesome power of your native State"? In only the narrowest sense is the right sought to be enjoyed a private one. In any realistic view, it is a right profoundly affected with a public interest.

Under such circumstances government has a solemn obligation to intervene, to throw its weight and influence and prestige into the struggle.

The bill wisely, in my opinion, seeks to have government move first upon the nonlegal front, to take action designed to obviate litigation, always disruptive of community harmony. It authorizes the Secretary of Health, Education, and Welfare, in consultation with local officials and interested citizens, to devise a plan of integration conforming to the requirement of deliberate speed. There are the safeguards of proper notice and full public hearings. Ultimately, after compliance with all procedural provisions, carefully delineated in the bill, the Secretary promulgates a plan, which, in his opinion, is fair and workable and transmits the plan to the proper public officials.

Again, it seems not unreasonable to hope that a plan of integration so carefully developed, with full community participation, or, at least, the right of full participation, would appeal to reasonable minds with the result that many units of school administration would move toward compliance with law.

TITLE V

In title V the bill, as it must, comes to grips with the possibility of noncompliance. Up to this point under the bill the initiative of the Federal Government merely filled the vacuum created by paralysis of local initiative. It has perforce exercised a function which the local unit has failed to exercise. But conceivably a local unit—municipality, school district, or other—may not act to put into effect the plan so painstakingly devised. What, then, is Government to do?

Up to this point, also, what has been secured is an executive determination that the plan is fair and workable. But in case of rejection within a reasonable time, the bill sets up the machinery for a judicial determination of the same issues. The Attorney General is authorized to act. He may do so by instituting a suit against the appropriate officials, seeking a declaratory judgment, or other decree, that the district or other unit is subject to the terms of the plan.

Here again are safeguarding provisions for notice, hearings, evidence and modification or amendment of the plan if the record justifies or requires.

It will be noticed that in every step taken under this bill local interests are fully consulted. Every conceivable party in interest has his day in court. He may be heard in opposition to, or in full advocacy or modification of, the proposed plan or any of its provisions, or, indeed, in support of his own plan. The requirements of fair play—even of tender regard for community sensibilities—could hardly be further extended.

Out of all of this multitude of counsel, this unhurried and probing consideration of the problems of the community, there finally emerges a decree which fixes the legal rights and responsibilities of the parties. By its terms and in accordance with established practice, all are bound.

Surely, the care, the persuasion, the sympathy, the awareness of complexities, shown by the steps taken up to this point will not

go unrewarded. Surely, scores of communities will respond favorably to these overtures of Government.

TITLE VI

But the Congress must face up to the regrettable possibility that, in exceptional instances, even such carefully wrought decrees may be defied; that, in other instances, the compliance may be more pretensive than real; and that, in still others, there may be undue delay or only partial performance.

But the decrees now under consideration are only one facet of equal protection of the laws. Congressional notice may be taken of facts within the knowledge of ordinary mortals. Deprivation or denial of other legal rights to persons of color—denial often made effective because perpetrated by virtue of office—are fairly commonplace in some areas, not exclusively in the South. It would be a morbid exercise and serve no useful purpose to list them here.

These denials constitute a challenge to the authority of government. Only a pusillanimous government would fail to meet the challenge.

The bill, therefore, authorizes the Attorney General, upon receipt of signed complaints, from a person or persons in the judgment of the Attorney General unable for any reason to seek effective legal protection of rights under the 14th amendment, to institute suits for injunctions or other appropriate preventive relief.

The Government must take this step, or it must say to the Negro citizen, "You must go it alone; you must buck your State; you must assume full risk of reprisal." That might be proper in a suit over purchase price of a horse; it is not proper in an issue so freighted and charged with public interest.

The bill presents no radical departure from accepted principles. In the cases of litigants unable to pay for printing appeals to higher courts, many, if not all States, allow perfection of the appeals in formo pauperis. All States assign counsel to indigent defendants in capital cases. Many States have created the office of public defender to assure beyond doubt the proper protection of private rights. And the military services provide free competent counsel for defendants in all court-martial proceedings.

What underlies this provision of counsel for those unable to hire their own lawyers? It is the principle that no man shall be deprived of a legal right merely because for financial reasons he is unable to have his cause properly presented. Surely rights secured under the 14th amendment are at least of equal dignity and sanctity with those invoked by a bootlegger or reckless driver, for whom the services of a public defender are provided. And surely, also, the financial reason for nonemployment of counsel is no more controlling of human action than the massed pressure of public opinion, the arbitrary and tenacious power of a State, the real and present danger of reprisal, repression, and violence. The Negro child of school age and his parents know that, even if they had the needed funds, they would sue at their peril.

Government is not being generous; it is merely being wise in expressions of concern for careful protection of rights. For they are not alone the rights of the man in the dock; they are the rights of all of us. Impair his rights, and you impair the rights of every American citizen. Preserve his rights inviolate, and you preserve inviolate the rights of us all.

It would, of course, be regrettable if the legal power of Government had to be exercised in the manner permitted in the bill. The alternatives are vastly more regrettable. What are they?

First, that Government should be indifferent concerning the enjoyment of equal rights by its citizens.

Second, that two coordinate branches of Government should leave the third, the judiciary, impotent to enforce its decrees.

And, third, that the Congress and the Executive should require a lone wronged individual to risk reprisal, repression, boycott and violence in order to establish his legal rights.

It is easy to embrace these three alternatives. All that is required is inaction, some yielding to the soft seductions of irresolution, some retreat from a stern task. A government thus recreant will not for long have or deserve the devotion of its citizens at home or the respect of citizens of other lands.

Laws, of course, will not solve all human problems. But they are aids to solution. In the form of bills before enactment they afford the opportunity to register the national will, the national conviction. The bill presently under consideration seems to me to speak clearly what lies in the American conscience.

Its enactment into law will constitute a ringing and practical declaration that in this Nation human rights are so priceless a boon that all the power of government will be marshalled to the task of their preservation.

Mr. Chairman, there is one point about this act, or any Civil Rights Act for that matter, which we may be inclined to overlook. It may be defined as the collateral results, or the fringe benefits, of the act. I so designate it because the beneficiaries are not necessarily persons of color or members of a minority group, for whom the aid and protection of the act are primarily designed.

May I make an admission for myself and, I imagine, for many others concerned with this type of legislation. We are perhaps sometimes suffused with a sense of our own goodness. We seldom say so aloud, of course—this is probably the first time you ever heard it except in the form of an accusation—but, so mixed are human motives, that righteous advocacy of a good cause may bring to the advocate an undue and unbecoming sensation of moral superiority. "Here are we," we say to ourselves, "spending our time, energy, resources and talents in order that others may enjoy rights equal to our own." There is an inflating balm about such reflections.

But dare we lay that flattering unction to our souls? The lives of all of us are so closely knit that we all writhe and flinch and suffer when the lash of injustice falls on another's back. There is no pinpointing of a target to one man of color. He is the victim of the searing and blinding flash. The lethal fallout blights all mankind. Nowhere is there immunity or sanctuary.

The original intention of segregationists 2 or 3 years ago could have been simply stated. It was by any means to keep Negro children from enjoying a right the court said was theirs. But into what strange and dishonorable and even bloody paths has that intention led us. White professors have been fired from university faculties. White Protestant ministers have been evicted from their pulpits, Jewish synagogues have been burned. The residences of a white preacher in Durham, N.C., and a white Gentile woman in Gaffney, S.C., have been bombed. Everywhere the story is repeated. What had those people done? They had spoken their convictions in response to the promptings of duty or religion. This is thought control of a type believed to exist only on the other side of the Iron Curtain.

So the act under consideration is needed not only by Negro children and Negro adults now thwarted in the enjoyment of rights peculiar to them. It is needed by men and women of every creed and color in order that they may walk unafraid, that they may think, they may speak, they may write in that freedom from reprisal which is the birthright of every American citizen.

Restore respect for law. The beneficiaries of your action are not just Negro children knocking on school doors. The beneficiaries are as undeniably everyone of us who wishes to keep alive and undiminished the principles which this Nation has always carried in its heart and which are the touchstones of our national greatness.

BIOGRAPHICAL NOTE

Marion A. Wright: Attorney, Linville Falls, N.C. Practiced law in Conway, S.C., until retirement in 1947. Past president, Alumni Association and Law Alumni Association of the University of South Carolina. President, South Carolina Conference of Social Workers and South Carolina Citizens Library Movement. Chairman, South Carolina Library Board and South Carolina Commission on Adult Education. Served by appointment of President Roosevelt as a member of the Enemy Alien Board for South Carolina during World War II. Past president, Southern Regional Council (Atlanta, Ga.).

EXHIBIT 2

[From the New York Times, Dec. 2, 1958]

MILLION STUDENT-DAYS LOST IN CLOSINGS, FLEMMING SAYS—SECRETARY CALLS SHUTDOWN IN INTEGRATION FIGHT INDEFENSIBLE—FEARS GREAT HARM TO PUPILS AND TEACHERS

(By Bess Furman)

WASHINGTON, December 1.—Secretary Arthur S. Flemming reported today that more than a million pupil-days already had been lost by the closings of public schools to avoid integration.

The Secretary of Health, Education, and Welfare repeatedly referred to this loss and other losses of school time as indefensible.

In a statement at a news conference he tallied these losses by localities—for four schools in Little Rock, Ark., six in Norfolk, Va., two in Charlottesville, Va., and one in Warren County, Va. He also evaluated the total educational loss in terms of the effect on teachers, the effect on young people, and the effect on American ideals.

Secretary Flemming's statement followed the morning session of his all-day conference with the heads of voluntary organizations concerned with elementary and secondary education. Many conferees, particularly representatives of labor groups, asserted that the questions of human rights raised by the closing of the schools would result in dire national and international consequences. A spokesman for the American Friends Service committee asked Mr. Flemming to make an objective study of the closed schools.

The Secretary replied that the statement he had prepared for today constituted at least a beginning of the process of evaluating the impact.

In his statement, Secretary Flemming noted that this week the closed schools "are passing the deadline when it is impossible for them to complete the recognized minimum school year of approximately 180 days by June 30."

Already, he went on, about 16,400 young people have missed from 53 to 64 learning days. Of these students, about 6,500 are now attending improvised emergency classes; 3,000 are traveling to public schools elsewhere; about 1,500 are attending newly established private schools and about 250 to 300 are in regular private schools. Still others are attending night classes or taking correspondence courses.

"All these emergency arrangements," the Secretary said, "still leaves about 3,400 young people apparently deprived of any schooling whatsoever."

Of 720 teachers in the closed schools, he said, about 405 are tutoring in improvised classes and 315 are not teaching but are being paid—this year—under their contracts.

It seems logical to conclude, Mr. Flemming said, that these teachers will not be interested in continuing their careers under the conditions confronting them in these communities.

He listed many losses to the students such as loss of motivation, interruption of study

habits, lack of access to libraries, and possible deferment or abandonment of college training for the high school seniors.

He noted that this country throughout its history increasingly had committed itself to free education for all.

"When young people in America are denied the opportunity of attending school, we risk a loss of their faith in one of America's highest ideals," the Secretary asserted.

He concluded by saying he was confident that the citizens of the communities affected would insist on the schools being opened "under policies that will be in harmony with the decisions of the courts."

In a separate statement, Secretary Flemming made it clear that none of the equipment loan funds for private schools under the National Defense Education Act would be likely to go to the private schools set up to avoid obeying the 1954 Supreme Court outlawing segregation in public schools.

Secretary Flemming said that any application coming from such schools would be considered on its merits. But factors to be taken into account, he said, will include "the sources of financial support for the school, the stability and adequacy of the funds [and] the probability of continued operation of the school for the life of the loan."

At the morning conference, labor spokesmen renewed their demands for Federal legislation to aid school construction and raise teachers' pay.

One spokesman for the labor groups also urged "a study of what we are doing in our school system to meet the far greater problem of adjusting to new cultures as they arise in the world picture." Such adjustment, he said, "may perhaps mean our survival."

Secretary Flemming also reported today that 836 out of 1,077 reporting universities had stated that they intended to participate, starting next semester, in the student loan program provided for by the National Defense Education Act. For the first year, $47,500,000 in Federal funds are authorized.

[From the New York Times, Dec. 2, 1958]

FLEMMING'S STATEMENT ON CLOSED PUBLIC SCHOOLS

Last September an unprecedented thing happened in America.

Teachers were ready to teach, young people were ready to learn, classrooms, books and other facilities were all ready—but in four communities 13 schools did not open.

This was a tragic new circumstance in a Nation which has proudly pioneered in providing free public education for all.

Today the schools are still closed—four schools in Little Rock, six in Norfolk, two in Charlottesville, and one in Warren County, Va. No one can predict when they will reopen.

At a news conference 2 weeks ago, I was asked for an evaluation of the effects of closing these schools. I feel that this is an appropriate time to make such an evaluation in view of the fact that this week the closed schools are passing the deadline when it is impossible for them to complete the recognized minimum school year of approximately 180 days by June 30. Any effort to complete the school year during the summer months would involve, of course, the payment of additional salaries to teachers and members of the school staff and would undoubtedly be very difficult to arrange.

A precise evaluation, of course, is impossible. There are some measurable factors such as days of schooling lost. There are reasonable surmises as to obstacles the young people may face in the future. But no one can foresee all the significant social, economic, and psychological effects—on the children, on teachers, on the community—of closing the doors of public schols to our young people.

THE DAYS LOST

I am indebted to the Southern Education Reporting Service for statistical data on the number of regular school days and the emergency arrangements which have been made for many students. A summary of the situation in each community is attached.

Since the normal date for opening school, about 16,400 young people already have missed 54 to 68 days of learning in their regular public schools—a total of nearly 1 million pupil days.

Of these 16,400 students, approximately 6,500 attending improvised emergency classes in homes or makeshift quarters, many of them without laboratory equipment, libraries, or other needed facilities. About 3,000 are traveling varying distances to public schools in other communities. A little over 1,500 are attending newly established private schools set up especially for this emergency—schools which also often lack laboratories, libraries, and other needed facilities. Approximately 250 to 300 are attending regular private schools. Others are attending special night classes in nearby public schools, or getting part-time education by mail or through other special courses.

It is clear that many parents, teachers, and students have improvised to meet the situation, in an effort to carry forward some type of educational program. There is little question, however, that many young people in these improvised classes are not receiving the same quality of well-rounded education they would have received in regular public schools.

Three thousand four hundred lack schooling

And all these emergency arrangements still leave about 3,400 young people apparently deprived of any schooling whatsoever.

There are about 720 teachers in the closed schools. About 405 apparently are tutoring in improvised classes, while 315 evidently are not teaching. Virtually all are continuing to be paid—this year—under their contracts.

It seems logical to conclude that many of these teachers will not be interested in continuing their professional careers under the conditions that now confront them in these communities. They will have no difficulty in obtaining employment elsewhere in view of the fact that we are confronted with a national shortage of approximately 132,000 teachers.

I was impressed by the following testimony in Federal court by Mrs. Mary Johnson, a Norfolk teacher for 36 years, as quoted in the press:

"They [teachers] have put their whole lives in public schools—they see what they have spent all their lives building up falling apart—I can't really describe to you the feeling of insecurity."

Norfolk School Superintendent J. J. Brewbaker was quoted as testifying that school closings were having a demoralizing effect on teachers, and that the State of Virginia as well as Norfolk would have a hard time obtaining instructors next year.

EFFECTS ON YOUNG PEOPLE

While educational losses to the young people involved cannot be measured precisely, there are many reasons for grave concern. Following are some of these reasons:

Some of the young people who are out of school now may never return. During prolonged absences from school some young people develop other interests and lose their motivation or desire to return to school or go on to college.

Some of those who return to school may not do as well in their subjects. Extended absence frequently causes young people to lose interest in regular, intensive study. Desirable habits are broken. Further, because of the long void since they last attended regular classes, many students will have to spend more time reviewing earlier studies before they will be well prepared to move ahead into new ground.

Students who return to school after taking part-time courses this year, or only one or two classes, will have difficulty finding their place in the normal sequence of the school program. Because of the wide variations in education received by students during the period the regular schools are closed, the schools themselves will have difficulty reestablishing well-coordinated classes and curriculums.

Many opportunities lost

Students who miss long periods of regular education lose much more than formal schooling in the basic academic subjects. They lose the benefit of many other regular activities which are a part of the ordinary schoolday. They miss the exposure to good literature, magazines and reference books in school libraries. They lose opportunities to acquire an appreciation of outstanding music and art. They lose the values of such facilities as science laboratories, machine shops, gymnasiums. Some pupils who are not in school may find some of these opportunities in the home, church, or elsewhere in the community, but such opportunities often are quite limited.

Many of the 2,360 seniors in the closed schools, who had planned to go to college next year and still want to do so, will find serious obstacles in their way. For example, for some, failure to complete a school year of 180 days will create problems when it comes to acceptance of credits for entrance into college. Some students may be able to overcome such handicaps through individual effort, or by taking special tests; but many students who miss all or part of their regular senior classes may have difficulty meeting college entrance requirements.

There are other effects of closing public schools which may be less immediate but which are significant in the long run. For example, sporadic or insufficient schooling can seriously lessen a young person's future earning power and productivity. Also, many young people need the sense of purpose—the moral and social guidance—provided by regular attendance in school. There is little doubt that the lack of regular, constructive activities in school can contribute to delinquency. Further, children who are suddenly unable to attend their regular school may develop a sense of insecurity, a fear that they will not be able to advance in competition with others who are receiving a normal education.

Finally, prolonged and enforced absence from school can affect the development of a young person for future citizenship. Throughout the history of this country, we have increasingly come to understand that our free society can prosper only on the base of an educated and informed citizenry, achieved through free public education for all.

When young people in America are denied the opportunity of attending school, we risk a loss of their faith in one of America's highest ideals.

I am confident that as the losses flowing from the closing of public schools become more and more evident, the citizens of these communities are going to insist on decisions being made that will result in the schools being opened under policies that will be in harmony with decisions of the courts.

DATA BY COMMUNITIES ON STUDENT DAYS MISSED AND EMERGENCY EDUCATIONAL ARRANGEMENTS

Norfolk: 9,950 young people have been out of their regular classes for 69 school days. About 1,620 students are attending regular public schools in other communities; 948 are attending special night classes in South Norfolk; about 4,200 are attending special tutoring classes taught by public school teachers; about 100 are in regular private schools, and 250 are attending newly-improvised private

schools. That leaves about 2,525 who apparently are getting no education.

Little Rock: About 3,700 young people have missed 60 days in their regular schools. About 1,300 students are enrolled in full time private schools; 1,268 are enrolled in public schools in other communities; 527 are getting part-time education by mail or in special private classes; about 604 young people apparently are getting no education.

Charlottesville: 735 young people have missed 63 days in their regular classes. About 1,485 students apparently are attending private, emergency classes, taught by public school teachers; 50 to 100 are in regular private schools; a few are attending public schools in other communities. This leaves 90 to 140 who apparently are not attending classes at all.

Warren County: 1,044 students have missed 54 days in their regular classes. About 780 are in emergency private classes; 90 to 100 are in regular private schools or public schools in other communities. Apparently about 160 are not in school at all.

EXHIBIT 3

TITLE I

Short title and findings

SEC. 101. This Act may be cited as the "Civil Rights Act of 1959".

SEC. 102. (a) The Congress hereby finds that—

(1) recent decisions of the Supreme Court of the United States holding racial segregation unlawful in public education, public transportation, and public recreational facilities (hereinafter referred to as the antisegregation decisions) as a denial of the constitutional right to the equal protection of the laws express the moral ideals of the Nation and the world and point the way to a nation enhanced in strength and dignity at home and enhanced in honor and prestige throughout the world,

(2) these antisegregation decisions are being resisted in many areas of the Nation most directly affected by them and indirectly evaded in other areas, thereby denying to millions of Americans within our borders the constitutional right to the equal protection of the laws,

(3) many States, municipalities, school districts, and other local governmental units have failed to make a prompt and reasonable start toward full compliance with the Supreme Court's decisions in the field of public education despite the substantial time which has already elapsed since the promulgation of those decisions in 1954 and 1955,

(4) the constitutional right to the equal protection of the laws is being denied to many persons because of race, color, religion, or national origin in fields other than education, transportation, and recreation,

(5) these denials of the constitutional right to the equal protection of the laws restrict millions of Americans to second-class citizenship and deprive the Nation of the maximum development and maximum benefits that can be contributed by such persons, and

(6) legislative and executive action (A) is necessary to safeguard and guarantee to all Americans the constitutional right to equal protection of the laws and (B) will aid in expediting universal compliance with the antisegregation decisions of the Supreme Court.

(b) The Congress further finds that the rights protected by the Constitution, as declared by the antisegregation decisions, will be more widely accepted and more fully enjoyed in all areas of the Nation, and particularly in those areas of the Nation most directly affected by the decisions, when it is generally recognized and understood that—

(1) the Constitution, as declared by the antisegregation decisions, is the supreme law of the land,

(2) all Federal and State officials are bound by their oaths or affirmations to support the Constitution, and

(3) the legislative and executive branches of the Federal Government are acting and will continue to act, with such Federal authority as is found necessary, to protect the constitutional rights upheld by those decisions of the judicial branch of the Government.

(c) The Congress further finds that—

(1) the present system whereby individual plaintiffs in the Federal courts bear the burden of protecting constitutional rights, as declared by the antisegregation decisions, is neither the exclusive nor the most effective means of protecting those constitutional rights and the public interest in safeguarding those constitutional rights, and has resulted in local restrictive and punitive measures against the individuals and organizations engaging in, and supporting, efforts in the courts to assert those constitutional rights, and

(2) specific authorization to the executive branch of the Federal Government to act in support of the constitutional rights upheld by the antisegregation decisions (A) will provide a more rational, uniform, just, and effective system of protecting constitutional rights than the present procedure under which the safeguarding of constitutional rights is determined by the varying resources and courage of individuals and organizations and by the varying State statutory restrictions placed upon them, and (B) will render less effective, and hence tend to reduce, hostile community pressures upon individuals and organizations seeking to safeguard constitutional rights.

(d) The Congress hereby recognizes it to be the initial responsibility of all States, municipalities, school districts, and other local governmental units to safeguard the constitutional right to the equal protection of the laws as declared by the antisegregation decisions of the Supreme Court and to administer their systems of public education, public transportation, and public recreational facilities in accordance with the Constitution of the United States, but the Federal Government, to maintain a more perfect union, to extend justice, to promote the common defense, and to secure the blessings of liberty to all persons, has a coordinate responsibility to guarantee the constitutional right to the equal protection of the laws, to prevent denials of the right when State or local authorities cannot or will not do so, and thus to enhance the Nation's internal strength and its position throughout the world.

(e) Recognizing its authority and responsibility under the fifth section of the 14th amendment to the Constitution of the United States and its obligation to uphold the coordinate authority and responsibility of the judicial branch of the Government, the Congress hereby declares its intention that the right to the equal protection of the laws guaranteed by the Constitution against deprivation by reason of race, color, religion, or national origin and affirmed by the antisegregation decisions of the Supreme Court, shall be protected by all due and reasonable means, and to that end enacts the following provisions of this act.

TITLE II

Technical assistance by Secretary of Health, Education, and Welfare

SEC. 201. The Secretary of Health, Education, and Welfare (hereafter in this Act referred to as the "Secretary") is hereby authorized to render technical assistance to States, municipalities, school districts, and other local governmental units to eliminate denials of constitutional rights in the field of public education by reason of race, color, religion, or national origin and to come into compliance with the decisions of the Supreme Court in the field of public education by—

(a) assembling, publishing, and distributing information which, in his judgment, will prove helpful in obtaining public understanding of, and compliance with, the Constitution and decisions of the Supreme Court in the field of public education;

(b) surveying the progress made in eliminating segregation in public education in various parts of the country and making available to public agencies, private organizations, private individuals, and the general public the results of such surveys, including wherever possible successful case histories of desegregation and the ways and means utilized to bring about desegregation in such instances;

(c) planning, calling, and holding local, State, regional, and national conferences attended by State and local officials, representatives of private organizations, and private citizens, to discuss ways and means of eliminating segregation in public education generally or in any particular State, municipality, school district, or other local governmental unit;

(d) appointing local, State, regional, and national advisory councils to assist the Secretary in carrying out his duties under this Act and to offer their assistance to any State, municipality, school district, or other local governmental unit to come into compliance with the Constitution and the decisions of the Supreme Court in the field of public education;

(e) reporting to the Congress, at least semiannually, concerning the progress being made in eliminating segregation in public education in various parts of the country; and

(f) assisting, by such other related means as he deems appropriate, States, municipalities, school districts, and other local governmental units to eliminate segregation in public education.

SEC. 202. The Secretary shall recruit, employ, and train specialists in preparing, putting into effect, and carrying out plans for eliminating segregation in public education and shall offer the services of the specialists to States, municipalities, school districts, and other local governmental units. Upon request of any State, municipality, school district, or other local governmental unit, the Secretary shall make available to the requesting governmental unit the services of one or more specialists for such periods of time and in such numbers as the Secretary deems necessary and appropriate in the light of the particular needs of the requesting governmental unit.

SEC. 203. (a) The Secretary is authorized to reimburse any State or local official, representative of a private organization, or private citizen who is invited by him to attend any local, State, regional, or national conference held under the authority of section 201(c), and any member of an advisory council appointed under the authority of section 201(d) who is carrying out authorized functions, for travel expenses incurred, and to pay to any such person per diem in lieu of subsistence, in the same amounts as authorized by law (5 U.S.C. 73b–2) for persons in the Government service serving without compensation.

(b) The Secretary is authorized to reimburse any State or local official who, with the approval of the Secretary, is invited to confer with one or more specialists employed by the Secretary under section 202 for travel expenses incurred in attending such conference, and to pay to any such official per diem in lieu of subsistence, in the same amounts as authorized by law (5 U.S.C. 73b–2) for persons in the Government service serving without compensation.

SEC. 204. There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1958, and for each of the four suc-

ceeding fiscal years, such amounts not to exceed $2,500,000 in any fiscal year as may be necessary for carrying out the purposes of this title.

TITLE III

Grants to areas where desegregation in public education is being carried out

SEC. 301. (a) The Secretary is authorized to make grants to States, municipalities, school districts, and other local governmental units which maintained racial segregation in their public schools on May 17, 1954, and which make application for such grants, to assist in meeting the costs of additional educational measures undertaken or to be undertaken to further the process of eliminating segregation in the public schools of the applicant State, municipality, school district, or local governmental unit, while at the same time assuring that existing educational standards will not be lowered.

(b) Grants may be made under this section for—

(1) the cost of employing additional schoolteachers,

(2) the cost of giving to teachers and other school personnel in-service training in dealing with problems incident to desegregation.

(3) the cost of employing specialists in problems incident to desegregation and of providing other assistance to develop understanding by parents, schoolchildren, and the general public of plans and efforts for eliminating segregation in the schools in order to reduce the possibility of community hostility or unlawful resistance to such plans and efforts, and

(4) other costs directly related to the process of eliminating segregation in public schools, including the replacement of State payments to a school district or other political subdivision withdrawn because the applicant district or subdivision is eliminating, or is starting to eliminate segregation.

(c) Grants may also be made under this section for the construction, enlargement, or alteration of school facilities when the Secretary finds that lack or inadequacy of existing facilities makes the carrying out of any reasonable plan for desegregation without lowering existing educational standards impracticable or materially more difficult.

(d) Each application made for a grant under this section shall provide such detailed breakdown of the additional educational measures for which financial assistance is sought as the Secretary may by regulations prescribe.

(e) Each grant under this section shall be made in such amounts and on such terms and conditions as the Secretary shall prescribe, which may include a condition that the applicant expend funds in specified amounts for the purpose for which the grant is made. In determining whether to make a grant, and in fixing the amount thereof and the terms and conditions on which it will be made, the Secretary shall take into consideration—

(1) the amount available for grants under this section and the other applications which are pending before him,

(2) the financial condition of the applicant and the other resources available to it,

(3) the nature, extent, and gravity of its problems incident to desegregation.

(4) whether the additional educational measures undertaken or to be undertaken are reasonably and effectively designed to further the process of eliminating racial segregation, while at the same time assuring that existing educational standards will not be lowered, and

(5) such other factors as he finds relevant.

SEC. 302. The Secretary is further authorized to make grants to public or other nonprofit educational institutions of higher learning to meet or assist in meeting the cost of short-term training courses or institutes, not to exceed four weeks in duration, for personnel of public schools or of educational agencies engaged in or about to undertake desegregation, designed to enable such personnel to deal more effectively with problems incident to desegregation. Such grants may also be used by such institutions to establish and maintain fellowships for such training courses or institutes, covering tuition, fees, and such stipends and allowances (including travel and subsistence expenses) as may be determined by the Secretary.

SEC. 303. Payments of grants under sections 301 and 302 may be made in advance or by way of reimbursement, and at such intervals and on such conditions as the Secretary may determine.

SEC. 304. (a) There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1959, and for each of the four succeeding fiscal years, such sums, not exceeding $40,000,000 for any fiscal year, as may be necessary to carry out the provisions of this title.

(b) In making grants from funds appropriated for any fiscal year for the purposes specified in section 301(b), the Secretary may disregard applications received after August 31 in that fiscal year, or may subordinate such applications to applications received before that date. In the event that he receives, either before or after that date, applications which he considers would materially contribute to carrying out the purposes of this title, but which he cannot grant because of lack or inadequacy of available funds, he shall forthwith report this fact to the Congress and to the President, together with his recommendation with respect to the appropriation of additional funds.

(c) In the event that the Secretary receives applications for grants for the purpose specified in section 301(c) which he considers would materially contribute to carrying out the purposes of this title, but which he cannot grant because of lack or inadequacy of available funds, he shall forthwith report this fact to the Congress and to the President, together with his recommendation with respect to the appropriation of additional funds.

TITLE IV

Administrative action directed toward eliminating segregation in public education

SEC. 401. The Secretary shall make every effort to persuade States, municipalities, school districts, and other local governmental units to make a start toward eliminating segregation in public education and to carry out in full such programs as they may start, and to this end he shall utilize the authority provided in titles II and III.

SEC. 402. Whenever the Secretary shall find that all efforts under titles II and III and under section 401 of this title have failed, and continue to fail, in bringing about a start toward the elimination of segregation in public education in any State, municipality, school district, or other local governmental unit, the Secretary is authorized to prepare a tentative plan for the elimination of segregation in public education in such State, municipality, school district, or other local governmental unit. In preparing such a tentative plan, the Secretary shall seek the advice and assistance of public officials, private organizations, and private citizens in the area and of any local, State, regional, or national advisory council appointed pursuant to section 201(d); and he shall carefully consider such advice and assistance wherever available. Tentative plans prepared by the Secretary under the authority of this section shall take into account the need of the particular area for time to make an orderly adjustment and transition from segregated to desegregated schools.

SEC. 403. (a) Whenever the Secretary has prepared a tentative plan for the elimination of segregation in public education in any State, municipality, school district, or other local governmental unit, he shall forward the plan to the Governor, mayor, or other appropriate official, as the case may be. If the State, municipality, school district, or other local governmental unit agrees to put into effect the tentative plan as proposed by the Secretary or as modified by the State, municipality, school district, or other local governmental unit with the consent of the Secretary, the Secretary shall utilize the authority granted in titles II and III to assist the State, municipality, school district, or other local governmental unit in putting into effect the tentative plan.

(b) If the State, municipality, school district, or other local governmental unit (1) does not agree to put into effect the tentative plan as proposed by the Secretary or as modified with his consent, or (2) after agreeing to the tentative plan as so proposed or modified, does not, in the judgment of the Secretary, carry out such tentative plan, the Secretary shall hold a public hearing upon the tentative plan. Notice of such hearing shall be given to the local authorities concerned by registered mail and notice shall be given to private organizations and private citizens within the area by publication in one or more newspapers. Local authorities, private organizations, and private citizens shall be permitted to participate in the hearing and present evidence and argument in favor of the tentative plan, in favor of amendments to the tentative plan, or in opposition to the plan or to any plan, but cumulative evidence may be excluded in the discretion of the Secretary. Anyone shall be permitted to file a written statement with the Secretary in addition to, or in lieu of, personal appearance at the public hearing.

(c) After the hearing provided in subsection (b) has been concluded, the Secretary shall prepare and issue an approved plan for eliminating segregation in public education in the State, municipality, school district, or other local governmental unit. He shall publish the approved plan in the Federal Register and in one or more newspapers in the area affected thereby and shall transmit a certified copy thereof to the appropriate official of the State, municipality, school district, or other local governmental unit involved.

(d) In order that the proceedings under this title shall expedite the elimination of segregation in any State, municipality, school district, or other local governmental unit, the Secretary shall handle all proceedings under this title as expeditiously as possible. The Secretary shall complete any proceedings hereunder within one year from the time that a tentative plan is forwarded to the governor, mayor, or other appropriate official under section 403(a), or, in case a State, municipality, school district, or other local governmental unit agrees to a tentative plan but does not carry it out, within six months from the time that the Secretary determines that such State, municipality, school district, or other local governmental unit is not carrying out such tentative plan.

SEC. 404. There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1959, and for each of the four succeeding fiscal years, such amounts as may be necessary for carrying out the purposes of this title.

SEC. 405. The Secretary is authorized to carry out his responsibilities and exercise his authority under this title and under titles II and III through designated personnel in his own office or through any existing bureau, division, or agency of the Department of Health, Education, and Welfare or through a new office created by him for the special purpose of exercising the Secretary's responsibilities hereunder, except that the Secretary shall personally review and sign any approved plan issued under section 403(c).

TITLE V

Authorization to the Attorney General in the field of public education

SEC. 501. (a) Whenever (1) the Secretary has published in the Federal Register an approved plan for the elimination of segregation in public education in any State, municipality, school district, or other local governmental unit pursuant to section 403(c), (2) the State, municipality, school district, or other local governmental unit has rejected the plan or has refused or failed to act in accordance therewith, and (3) the Secretary has certified to the Attorney General that all efforts to secure compliance with the Constitution and the Supreme Court's decisions by conciliation, persuasion, education, and assistance under titles II, III, and IV have failed, the Attorney General of the United States is authorized to institute for or in the name of the United States a civil action or other proceeding for preventive relief, including an application for an injunction or other order, against the appropriate officials of the State, municipality, school district, or other local governmental unit, and any individual or individuals acting in concert with such officials to enforce compliance with the approved plan.

(b) The Attorney General is authorized to move to dismiss or discontinue any action brought under subsection (a), or to propose or to agree to a decree adopting a plan for elimination of segregation in public education which is different from the approved plan, whenever he determines that the State, municipality, school district, or other local governmental unit is making, or is prepared to make, a prompt and reasonable start toward full compliance with the Constitution and the Supreme Court's decisions in the field of education and to work toward full compliance with all deliberate speed.

(c) Any interested party may, with the leave of the court, intervene in any action brought under subsection (a), and the court shall consider any proposals by the intervenors, as well as by the defendant or defendants, in determining its final decree.

TITLE VI

Other authorizations to the Attorney General

SEC. 601. (a) Whenever the Attorney General receives a signed complaint that any person or group of persons is being deprived of, or is being threatened with the loss of, the right to the equal protection of the laws by reason of race, color, religion, or national origin and whenever the Attorney General certifies that, in his judgment, such person or group of persons is unable for any reason to seek effective legal protection for the right to the equal protection of the laws, the Attorney General is authorized to institute for or in the name of the United States a civil action or other proceeding for preventive relief, including an application for an injunction or other order, against any individual or individuals who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or subdivision or instrumentality thereof, deprives or threatens to deprive such person or group of persons of the right to equal protection of the laws by reason of race, color, religion, or national origin and against any individual or individuals acting in concert with them.

(b) A person or group of persons shall be deemed unable to seek effective legal protection for the right to the equal protection of the laws within the meaning of subsection (a) not only when such person or group of persons is financially unable to bear the expenses of the litigation, but also when there is reason to believe that the institution of such litigation would jeopardize the employment or other economic activity of, or might result in physical harm or economic damage to, such person or group of persons or their families.

(c) Nothing contained in titles IV and V shall limit the authority of the Attorney General to institute and maintain an action under subsection (a).

SEC. 602. The Attorney General is authorized to institute for or in the name of the United States a civil action or other proceeding for preventive relief, including an application for injunction or other order, (1) against any person or persons preventing or hindering, or threatening to prevent or hinder, or conspiring to prevent or hinder, any Federal, State, or local official from according any person or group of persons the right to the equal protection of the laws without regard to race, color, religion, or national origin, or (2) against any person or persons preventing or hindering, or threatening to prevent or hinder, or conspiring to prevent or hinder the execution of any court order protecting the right to the equal protection of the laws without regard to race, color, religion, or national origin.

SEC. 603. The Attorney General is authorized, upon receipt of a signed complaint, to institute for or in the name of the United States, a civil action or other proceeding for preventive relief, including an application for injunction or other order, against any individual or individuals who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or subdivision or instrumentality thereof, deprives or threatens to deprive any person or group of persons or association of persons of any right guaranteed by the fourteenth amendment of the Constitution because such person or group of persons or association of persons has opposed or opposes the denial of the equal protection of the laws to others because of race, color, religion, or national origin.

SEC. 604. Whenever a suit is brought in any district court of the United States seeking relief from the deprivation of the right of equal protection of the laws because of race, color, religion, or national origin, the Attorney General is authorized to intervene in such action with all the rights of a party thereto and to seek compliance with any lawful order issued by such district court.

TITLE VII

Miscellaneous provisions

SEC. 701. The district courts of the United States shall have jurisdiction of proceedings instituted under sections 501, 601, 602, and 603 of this Act and shall exercise the same without regard to whether any administrative or other remedies that may be provided by law shall have been exhausted and, in the case of proceedings instituted under sections 601 and 602, without regard to whether any administrative proceeding is pending or contemplated under title IV, it being the purpose of title IV to expedite, not delay, the elimination of segregation in public education throughout the Nation. In any proceeding hereunder, the United States shall be liable for costs the same as a private person.

SEC. 702. Nothing in this Act or in any administrative proceeding hereunder shall be construed to impair any right guaranteed by the Constitution or laws of the United States or any remedies already existing for their protection or enforcement, nor to prevent any private individual or organization from acting to enforce or safeguard any constitutional right in any manner now permitted by law.

SEC. 703. If any provision of this Act or the application of such provision to any person or circumstance is held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

EXHIBIT 4

FULL TEXT OF LETTER FROM SENATOR PAUL H. DOUGLAS TO ATTORNEY GENERAL WILLIAM P. ROGERS

DECEMBER 2, 1958.

HON. WILLIAM P. ROGERS,
Attorney General of the United States, Department of Justice, Washington, D.C.

MY DEAR MR. ROGERS: I was greatly pleased to read the recent press accounts reporting that you are planning to ask Congress for additional civil rights legislation.

In my opinion, this is one of the most urgent questions before the country, and Congress should have the best counsel it can secure from the executive departments, who share the responsibility for assuring to all our citizens the equal protection of the laws.

In this connection, I am writing now to bring to your attention a bill which was introduced in the 85th Congress by 16 Senators and 13 Members of the House of Representatives, which embodies a new approach to the safeguarding of constitutional rights in the field of public education. This measure also, more clearly and directly than in the original civil rights bill of 1957, provides for preventive relief against the denials of equal protection on account of race, color, religion, or national origin. It was S. 3257 in the Senate and H.R. 10601 (and 12 other separate bills) in the House.

It is my earnest hope that you will give the most careful consideration to the proposals in this legislation in working out the recommendations which you are formulating for the new Congress.

The broad bipartisan support which this legislation had is indicated by the names of its sponsors in the Senate, who included in addition to myself: Mr. HUMPHREY, Mr. IVES, Mr. HENNINGS, Mr. CASE of New Jersey, Mr. NEUBERGER, Mr. ALLOTT, Mr. MCNAMARA, Mr. DIRKSEN, Mr. MORSE, Mr. JAVITS, Mr. CLARK, Mr. PROXMIRE, Mr. CARROLL, Mr. BEALL, and Mr. PASTORE.

The Representatives who introduced the bills in the House were Representative DIGGS, Representative O'HARA of Illinois, Representative ROOSEVELT, Representative CELLER, Representative PORTER, Representative REUSS, Representative SHELLEY, Representative THOMPSON of New Jersey, Representative UDALL, Representative VANIK, Representative MCCARTHY, Representative DAWSON (in a revised form), and Representative ADDONIZIO. As you can see, the chairmen of two important House committees were among this number.

The basic logic of the proposal is a greater acceptance of Federal responsibility for ending denials of equal protection of the laws and fuller cooperation with State and local governments for that purpose.

In the area of public education, where these rights are being most warmly contested today, the bill provides for technical assistance (title II), financial grants (title III), and administrative procedures for preparing desegregation plans (title IV). Thus by information, education, conciliation, persuasion, financial assistance and desegregation plans developed with the fullest possible local participation, it would foster compliance with the Constitution and the historic decisions of the Supreme Court. It does so with due regard for the Court's orders concerning deliberate speed. When voluntary compliance is not forthcoming, new court proceedings for preventive relief are also provided (title V).

Preventive action by the Attorney General in "equal protection" cases generally is also authorized, but only on complaints signed by injured persons and where the Attorney General finds that these persons are unable to bring the action themselves (title VI). Important supplementary safeguards for these and other, existing remedies are also specified in title VII. The preambles outline the factual, legal and moral basis for the proposed legislation.

This bill has been prepared with a keen awareness of the complexity and national scope of the underlying issues, but with a deep conviction that our international position and the unfortunate events in Arkansas, Virginia and elsewhere all give a new urgency to such action. We trust you will find it a clearer and more constructive approach to the protection of the vital constitutional rights dealt with in part III which had your support but was stricken from last year's bill.

Senator HENNINGS' attempts to schedule hearings on this measure in the 85th Congress were blocked by a bare majority of his subcommittee. But Representative CELLER conducted several days of hearings in the House. For your information, I am enclosing a careful statement about the bill prepared for submission to the House Judiciary Committee by the thoughtful, former chairman of the Southern Regional Council, Mr. Marion A. Wright, of North Carolina.

I know that the congressional sponsors of this legislation will greatly appreciate your giving these proposals your most careful study and consideration.

With best wishes.

Faithfully,

PAUL H. DOUGLAS.

EXHIBIT 5

[From the Southern School News, January 1959]

SEGREGATION-DESEGREGATION NO NEARER SOLUTION AT YEAR'S END

(The crisis over school segregation-desegregation remained far from a solution after 12 months of headline-making developments, including the first school closings, in 1958. Here is a year-end review compiled from reports by Southern School News correspondents.)

ALABAMA

(1) The State's 1955 Pupil Placement Law was held not unconstitutional "on its face" by a three-judge U.S. District Court panel in Birmingham May 9 and by the U.S. Supreme Court November 24. Official reaction to the validation was that it was a victory for segregation. But privately some officials conceded that token integration might be necessary to avoid the law's being ruled unconstitutional in application. No official, however, has publicly endorsed even token integration. All are pledged to total resistance.

(2) The segregation issue dominated the Alabama Democratic primary. Atty. Gen. John Patterson, pointing to his record of legal action against the NAACP and other Negro groups in the State, was elected Governor. States' Righters captured control of the State Democratic Executive Committee in a surprising upset in the May and June primaries.

(3) The U.S. Supreme Court June 30 nullified a $100,000 contempt fine against the Alabama NAACP. The fine had been imposed by Montgomery Circuit Judge Walter B. Jones after the NAACP refused to submit its membership records to the court.

(4) Attorney general-elect MacDonald Gallion announced in October an "Alabama Education Endowment Foundation" had been formed as a standby measure in case schools are closed because of integration rulings.

(5) The Commission on Civil Rights held its first public hearings in Montgomery December 8 to 9, to investigate charges that Negroes had been denied the right to vote in Macon, Dallas, Wilcox, Bullock, Barbour, and Lowndes Counties. Circuit Judge George Wallace refused to answer the Commission's subpena and faced a contempt ruling as did five registration officials from the affected counties. Negroes appearing at the 2-day hearing told of delay and frustration in their efforts to be registered.

ARKANSAS

(1) The four Little Rock high schools were closed September 15 by order of Gov. Orval Faubus to keep Central High from being desegregated. The Little Rock Private School Corp. was chartered September 17 and began operating a private school for white pupils.

(2) For the first time extreme segregationists dominated all elections in the State except the school board elections in December. Gov. Orval Faubus swamped two opponents in the July 29 primary and Jim Johnson Crossett, segregationist leader, defeated a veteran member of the Arkansas Supreme Court.

In a special election September 27, Little Rock school district residents voted 19,470 to 7,561 against school integration. Dr. DALE ALFORD, outspoken segregationist member of the Little Rock School Board, ran as a write-in candidate in the general election against Congressman Brooks Hays, a moderate on the racial question, and defeated him.

In the school elections December 6: At Little Rock, three of five candidates called integrationist by Faubus were elected and three on the Citizens Council slate were elected. At Van Buren, the president of the new Citizens Council ran for the school board but lost. At Hoxie, a candidate supported by the segregationists in the forefront of the trouble there in 1955 ran for the board and was defeated.

(3) In a special session starting August 26, the general assembly adopted 17 new laws, all designed to preserve segregation or linked to that purpose. One (Act 4) gives the Governor power to close any public school for a variety of reasons and at his discretion.

(4) Desegregation cannot be postponed because of popular and demonstrated opposition to it, the Eighth Circuit Appeals Court and the U.S. Supreme Court ruled in overthrowing a 2½-year delay in integration as requested by the Little Rock School Board. The appeals court ruled August 18 and the U.S. Supreme Court September 29 against the delay granted June 20 by Judge Harry J. Lemley.

Ruling November 10 that the Little Rock school district could not lease its public high schools, while closed, to a private school, the appeals court said desegregation at Little Rock must proceed, partly on orders the school board would receive from the district judge and partly on the board's own initiative.

(5) Little Rock Central High School, completing a year of desegregation under Federal troop guard, graduated one Negro and 601 whites May 27. After the Alford-Hays election, the five Little Rock board members except ALFORD resigned in a body on November 13, calling their position hopeless and helpless.

(6) Van Buren and Ozark both had outbreaks of mild trouble in September in their desegregated high schools. At Van Buren the 13 Negro students returned to school, after failing to get Federal court help, on September 22, and no more difficulty has been reported. At Ozark the three Negro girls left school September 8 and have not returned.

DELAWARE

(1) The U.S. Supreme Court refused to review a Federal district court order calling on the State board of education to draw up a desegregation plan. On November 19 the district court ordered the State board to submit a desegregation plan by March 4 for court approval. The State board indicated it would comply with the order.

(2) Apparent approval was given a Dover desegregation plan, whereby Negro pupils are admitted at the ninth-grade level to academic courses only. Dover's plan was approved originally by the State board in 1954, and has not since been broadened to include elementary grades or to admit Negroes to other courses at the high-school level. State Board President Vincent Theisen said the board will not include Dover in the plan it submits to the court.

(3) An integrated school was opened in a segregated district on Dover Air Force Base.

(4) The Deleware General Assembly's most active segregationist, as well as the one who fought hardest to prevent anti-integration legislation, were defeated in State elections.

DISTRICT OF COLUMBIA

(1) The annual peak enrollment census of District schools showed a record high pupil membership of 114,219, including 84,650 Negroes and 29,569 whites. The figures represented a decrease of 2,434 in the number of white students and an increase of 5,539 in Negro schools.

(2) On February 28, Dr. Hobart M. Corning retired after 12 years as Washington school superintendent. In his final report, he called desegregation "the most significant, far-reaching, and difficult problem" of his tenure of office.

To succeed Dr. Corning the school board named Dr. Carl F. Hansen, an assistant school superintendent who had played a major role in setting up the desegregation program.

(3) The lag in achievement continued to be the school system's major concern. In January, officials disclosed that almost 50 percent of Washington schoolchildren fall into the low normal or poor risk groups in reading readiness, though the majority are average or above in intelligence. Standardized test results made public in June showed gains in most areas, but left District averages trailing behind national norms.

(4) In July, Superintendent Hansen announced an all-out drive to bring student achievement levels up to national standards. With the new school year, special honors classes, previously operated in the senior high schools under the four-track plan, were extended down to the junior high level.

FLORIDA

(1) For the first time since the University of Florida opened its doors a century ago, a Negro student is attending the law school at Gainesville. University officials said there had been no repercussions or incidents.

(2) In Dade County, the board of public instruction ordered studies to determine if the Orchard Villa School, in an area rapidly changing from white to Negro, should be integrated. Studies are still in progress, but members of the school board said consideration is being given to voluntary integration, with both white and Negro parents having full and free choice between Orchard Villa and segregated schools.

(3) Two suits seeking to end school segregation are close to decision. In the Dade County case evidence has been taken and briefs filed. The case already has been to the Fifth Circuit Court of Appeals which ordered trial on the merits. In the Palm Beach County case the court of appeals ordered the school authorities to produce an acceptable plan for integration. So far none has been forthcoming.

A third suit has just been filed in Hillsborough County (Tampa).

(4) With the biennial session of the legislature scheduled for May 1959, house and senate members are working on stronger segregation measures. Senate leadership has announced that emphasis will be on setting up a State-aided private school system, if necessary, to avoid court-ordered integration.

GEORGIA

(1) A desegregation suit was filed in January against the Atlanta Board of Education. Ten Negroes asked on behalf of their 28 minor children that segregation be ended throughout the system. Federal court judges in Atlanta promised a decision in the case before September 1959.

(2) Lt. Gov. Ernest Vandiver, an ardent segregationist who has promised to use State troopers and State guardsmen to keep schools segregated, was elected Governor on November 4.

(3) In November and December, Georgians debated local option on public school closings even as segregation leaders showed concern over court decisions endangering private school plans.

(4) The Georgia Commission on Education came under fire during primary campaigning, and its director resigned in July after charges were made that the commission was using State personnel and facilities for political purposes.

KENTUCKY

(1) Kentucky in June quietly completed the third year of its school desegregation program, in September increased the number of desegregated districts by 15 percent—to 123 of its 175 bi-racial districts—with brief and minor disturbances in two districts—and reported over 80 percent of the State's school-age Negroes now included in desegregated districts.

(2) Gov. A. B. Chandler continued to reflect an official climate of compliance by (a) praising the State's record in desegregation, (b) criticizing Arkansas Governor Faubus for his noncompliance in Little Rock, and (c) seeking the 1960 Democratic Presidential nomination as a moderate thinker on integration but one who believes the Supreme Court's ruling on school desegregation must be obeyed.

(3) Kentucky Negroes won new prominence in educational and legislative fields. For the first time, Louisville elected a Negro, Woodford R. Porter, to its school board. For the first time, the legislature named a Negro, the Reverend Felix S. Anderson, chairman of a standing committee of the house of representatives. Governor Chandler reappointed the only Negro member of the State board of education. She is Mrs. John H. Walls.

(4) Two successive Jefferson County grand juries rejected citizens council's charges of crime and official misconduct in some of the desegregated Louisville schools. One report endorsed instead the Louisville Board of Education policies and the manner in which they were applied, and warned parents against persons who seek to influence their children in such a manner as to purvey hatred and defiance of law and order.

(5) Church officials announced that two Methodist colleges—Wesleyan, at Owensboro, and Lindsey Wilson, at Columbia—would be desegregated in 1959. This would bring the State's total of desegregated colleges to 30 of 40, including all tax-supported institutions and more than a score of private and denominational colleges and seminaries.

LOUISIANA

(1) More than 50 Negroes were admitted, along with 1,400 white students, to the new branch of the Louisiana State University at New Orleans. The admissions, result of a Federal court order, mean that half of Louisiana's eight tax-supported, formerly all-white colleges and universities have begun desegregation.

(2) In other legal actions, Federal courts (a) issued a permanent injunction against segregated public schools in Orleans Parish, a decision that will be appealed; (b) declared unconstitutional a State law that would prevent Negroes and white participating against each other in sports events; (c) declared unconstitutional laws requiring segregation in public transportation.

The board of commissioners of city park at New Orleans, largest public recreation area in the city, abolished racial segregation on December 21. "This means," said an official statement of the board, "that Negroes are now permitted to use all the park facilities—the tennis courts, the baseball fields, the golf courses, the amusement rides—all facilities."

The decision followed by 4 days the action of the U.S. Supreme Court in reaffirming for a second time an injunction prohibiting segregation at city park. The case has been in litigation since 1949.

(4) The Louisiana Legislature adopted five new laws designed to preserve segregation in the schools and sent a constitutional amendment for that purpose to the voters. The laws (a) permit the governor to close schools ordered to desegregate; (b) permit private operation of public schools in the event of desegregation; and (c) set up criteria, other than race, for pupil assignment. The amendment, approved in referendum November 4, permits the legislature to make public funds available for operation of private, nonsectarian schools.

(5) The State Democratic executive committee voted to oust Camille F. Gravel, Jr., as Louisiana's national committeeman. The Democratic National Committee in December voted to retain Gravel as the member from Louisiana. The State committee charged Gravel espoused integration, but Gravel said he merely supported the national Democratic civil rights position.

MARYLAND

(1) Figures released by the State Department of Education in March and again in November indicated the admission of Negro pupils to white schools was proceeding at roughly 5,000 a year, with increases of about 1,000 recorded annually in the counties and the remainder in Baltimore city.

(2) The Supreme Court in June declined to review the Harford County school case, letting stand a 7-year desegregation program that includes a special screening process for Negroes seeking to enter white high schools in advance of the established timetable.

(3) The Fourth Circuit Court of Appeals in November upheld Chief District Judge Roszel C. Thomsen's ruling that a Negro plaintiff had a personal constitutional right to be admitted to a white 12th grade in St. Mary's County even though the county's desegregation program only extended to the 9th grade.

(4) While voluntary desegregation is the more common policy in Maryland, compulsory integration was effected in four counties in September as school officials moved to close small Negro units.

MISSISSIPPI

(1) No suits have been filed to break down the State's segregation barriers in schools or other fields.

(2) The Reverend Clennon King, former professor at Alcorn College for Negroes, attempted unsuccessfully in June to enroll at the all-white University of Mississippi for the summer session. He later said he would attempt to enroll his daughter in a white elementary school but nothing came of it.

(3) A three-judge Federal court at Jackson dismissed a suit by the Reverend H. D. Darby, Negro, of Jeff Davis County, challenging the constitutionality of Mississippi voter registration statutes as discriminatory against Negroes.

MISSOURI

(1) In January the St. Louis Board of Education put into effect its new three-track plan for high schools. The plan was designed to provide educational apportunities corresponding to different levels of achievement. While the plan had no official connection with integration of St. Louis public schools, now more than 46 percent nonwhite, it was regarded as useful in coping with problems caused by educational and background differences between students.

(2) On April 14 Missouri's new State commission on human rights was sworn in at Jefferson City. Task of the 11-member group is to receive and investigate complaints of racial or ethnic discrimination, and recommend means of eliminating injustices.

(3) On June 27, U.S. District Judge Roy W. Harper, at St. Louis ruled that the Moberly school district, in north central Missouri, had not shown discrimination in employing its faculty for the 1955–56 term. Eight Negro teachers had brought suit for damages and sought an injunction against the town's school board, charging they lost their jobs because they were Negroes. In October, seven of the teachers filed notice of appeal.

(4) Three more school districts in September inaugurated desegregation programs. They are Booneville, Brookfield, and Keytesville. This brought to 211 the number of biracial districts desegregated, out of the State's total of 244 districts which have both white and Negro pupils within their boundaries. It was estimated that 95 percent of the State's 79,000 Negro pupils are in districts which have begun or completed the desegregation process.

NORTH CAROLINA

(1) Token integration continued in three North Carolina cities during 1958. In all, 11 Negro pupils completed their first year in mixed classes in Charlotte, Greensboro and Winston-Salem, and one of them was graduated from a Greensboro high school. Thirteen enrolled in the same three cities in the fall.

(2) Negroes continued their legal attacks against the State pupil assignment law and other laws which make up the North Carolina Pearsall Plan. Developments included Federal district court decisions requiring exhaustion of administrative remedies in the Raleigh case and the Montgomery County cases, and the filing of new cases in Durham and Caswell counties.

(3) On January 18, near the village of Maxton, a Ku Klux Klan rally was broken up by several hundred Lumbee Indians with gunfire.

(4) A group of Haliwa Indians, who objected to their children attending Negro schools as they have done in the past, applied for tuition payments under provision of the Pearsall plan to help finance a private school they have set up.

OKLAHOMA

(1) Financial pressure on smaller biracial school districts forced some of them to give up their separate schools out of budgeting necessity. Bristow desegregated its schools for 1958–59 and Lenapah extended integration to the elementary grades at the same time. Two Little Dixie districts, Fox and Graham, sought continued State financing of segregated schools but were turned down.

(2) In one of the few instances of violence which have accompanied desegregation in Oklahoma a school board member at Springer, in Carter County, was beaten in August by one of a group protesting the board's plans to integrate for 1958–59.

(3) A Federal judge ruled in October the State is under no mandate to maintain only integrated schools. He made the statement in denying a request for an injunction against a Negro principal who tried to influence Negro children to remain in his school. However, he ordered four Negro pupils admitted to a white school in the same district.

(4) The total of Oklahoma school districts which have begun the desegregation process rose to 238 with the beginning of a new school year in September.

SOUTH CAROLINA

(1) January 1958 brought a flurry of applications from Negro students seeking enrollment at the University of South Carolina, but none was accepted and the year ended without incident or litigation.

(2) In June, the State board of education restored Allen University, a Negro Methodist college of Columbia, to approved standing for teacher certification of its graduates, thus ending a 9-month controversy based primarily on Governor Timmerman's repeated contention that Communist-connected persons were on the Allen faculty.

(3) A Cherokee County jury in July acquitted two persons on trial for the Novem-

ber 1957, dynamiting of the residence of a Gaffney physician and his wife. The wife, Mrs. J. H. Sanders, had contributed an article to a booklet entitled, "South Carolinians Speak," compiled by five ministers as a reflection of moderate sentiment on the question of race relations. Mrs. Sanders had suggested in her contribution that racial integration might be started at the first grade.

(4) In August, two new petitions seeking integration of public schools in Clarendon County were filed with school authorities of the county. They were from areas other than Summerton, from which arose one of the cases (*Briggs* v. *Elliott*) ruled upon by the U.S. Supreme Court in May 1954. The new petitions were rejected.

TENNESSEE

(1) Federal district court on June 19 approved a grade-a-year desegregation plan for Nashville city schools with liberal provisions for pupil transfers. Schools opened uneventfully September 8 with 34 Negroes enrolled in first and second grades at 7 previously all-white schools. The total later dropped to 28.

(2) Clinton High School, in its third year of desegregation, was badly damaged by three dynamite blasts on October 5. A dynamite explosion damaged the Jewish Community Center at Nashville March 16, and anonymous telephone calls related the action to school desegregation. Both crimes remained unsolved.

(3) Desegregation of Memphis State University was postponed another year, until next September.

(4) Meharry Medical College, an endowed institution at Nashville which graduated more than half the Negro physicians and dentists now practicing in the United States, disclosed it had quietly enrolled two white students in September 1957, its first.

(5) Racist Frederick John Kasper, free after serving time in a Federal penitentiary on a conviction for contempt of court in the Clinton disorders, was found guilty on November 10 of inciting to riot in the 1957 school disturbances at Nashville. He appealed a 6-months sentence and $500 fine.

TEXAS

(1) Dallas, a city held to be a key to further desegregation in Texas, delayed the step at least until 1959 pending court action. The Federal courts have ordered Dallas to desegregate with deliberate speed. But the Fifth U.S. Circuit Court of Appeals in May dismissed the Dallas board's effort to get a ruling on its legal dilemmas involving a conflict of State and Federal authority. In November, State District Judge W. L. Thornton also dismissed the case.

(2) Houston, the Nation's largest segregated school district, also under court order to desegregate, took some tentative steps toward integration, such as seeking to improve the teaching of Negro children.

(3) At the November election, a Negro, Mrs. Charles E. White, was elected to the Houston school board.

(4) Bloomington, a small south Texas district, desegregated its schools by election in August; while voters at Boerne, in southwest Texas, defeated a proposal to admit the town's only two Negro students to an all-white school. A special teacher is employed for the two Negroes.

VIRGINIA

(1) Nine Virginia public schools, with a total enrollment of 12,729 pupils, were closed in the Old Dominion's battle against school integration. The schools—located in Norfolk, Charlottesville, and Warren County—automatically shut down under State law after local school boards were forced by Federal courts to enroll Negroes in what formerly were all white institutions.

As the year ended, about 10,000 of the displaced students were attending classes in community tutoring groups, private schools especially set up for the purpose, or in other public schools.

(2) There was a sudden rise, late in the year, of widespread talk of a possible shift in the State's massive resistance policy. Some former all-out segregationist leaders began urging adoption of new laws which would permit integration at a locality's option but which would provide tuition grants for children who preferred to attend private segregated schools.

(3) On the legal front, Federal courts ordered Arlington County to admit Negroes into white schools in February 1959, and gave Prince Edward County until 1965 to begin integration. Desegregation suits against Richmond, Alexandria, and Newport News are pending.

(5) Residents of Norfolk, on November 18, voted 12,340 to 8,712 against asking the Governor to permit the reopening of Norfolk's six closed schools on an integrated basis.

WEST VIRGINIA

(1) The public schools opened in September in an atmosphere of calm. For the second straight year all 43 biracial districts and 4 of the all-white districts operated under policies of desegregation. Where protest demonstrations had occurred in 1957 there were no repeats in 1958.

(2) On November 10, an explosion caused an estimated $200,000 damage to a desegregated school at Osage in Monongalia County. Despite good race relations in the community, the school blast generally is assumed to have stemmed from the segregation-desegregation factor.

(3) Earlier, in January and February, several schools burned on the opposite side of the State. There was evidence to link the fires with the fact the schools were desegregated.

(4) State School Supt. R. Virgil Rohrbough on August 1 named a Negro supervisor, C. C. Carter, of Mercer County, to work among Negro groups in the State. Carter's chief duty will be to explain the process of desegregation. In some areas Negroes oppose the program, and in one community, Edwight, white junior high school patrons petitioned for desegregation of schools over Negro objection, to give white children access to the superior Negro school facility.

EXHIBIT 6

[From the New Republic, Jan. 26, 1959]

THE SEGREGATIONISTS GO NORTH

(By Helen Fuller)

The States of the Deep South are shifting their strategy of "massive resistance" from defense to attack. They will lose their leader, Virginia's Governor Almond, on January 19 (Robert E. Lee's birthday) if the courts, as expected, on that day declare void the laws Virginia passed to evade the 1954 decision desegregating the public schools. But the six remaining Confederate States which have refused to take even one step toward compliance with the 1954 Court order are resolved not to go Virginia's way without much more of a struggle. There is plenty of fight left in the Eastlands, the Russells, the Talmadges and the young fire-eating Governors of Alabama and Georgia. And they are now about to take the battle into enemy territory. A second battle of Gettysburg is about to begin, this one to be fought with the techniques of psychological warfare, aimed at the public outside the South, the Congress and conservative leaders in both major political parties. Object: to win sympathy for the segregationist view behind the enemy lines, support for curbing the powers of the Supreme Court by law, and agreement to nullify the New Reconstruction of 1954 as the Compromise of 1877 nullified Reconstruction before.

The first task—making common cause with new allies outside their region—the New Confederates approach with great zest, for most of them sincerely believe that down inside most people outside the South feel toward the Negro about the way southerners do. The trouble, they feel, is that the average person above the Mason-Dixon line doesn't understand how fair and kind—how separate but equal—the South is willing to be. The misunderstanding comes, they further believe, largely because of the "paper curtain" which the northern press has placed around the South; "all they print is the gory stories." "Lay your case before the American people," Senator EASTLAND recently assured the convention of the Mississippi Farm Bureau Federation in Jackson, "and you will be surprised to find how similar their opinions are to those of your own." And so the massive resisters have decided to tell the rest of America "just the honest story," "with no Bilbo business."

This southern campaign to convert the North, East and West will not be of the order of magnitude of a Billy Graham crusade, but it is well-organized and well-financed. Some States have already allocated public funds to propaganda bureaus which are pouring out pamphlets and "fact sheets" on the shortcomings of the Negro and the Supreme Court. Over the great seal of the State of Louisiana, the Joint State Legislative Committee, headed by Sen. W. M. Rainach, who speaks for the Louisiana White Citizens Councils in the legislature and is a leading candidate for Governor next year, has printed as a full-page advertisement in the New York Herald-Tribune a message addressed "To the People of New York City" on "The Position of the South on Race Relations." The committee subsequently "distributed several thousand tear sheets of the ad to key officials, publications and organizations throughout the United States," Senator Rainach says. "And after running out of all the tear sheets except a handful, we reprinted the ad in mail sheet form and distributed several thousand of these sheets also."

Senator EASTLAND is urging that the other defiant States go and do likewise. Citing the Herald-Tribune ad as an example of the wise use of public funds, EASTLAND told the Farm Bureau convention that "the southern people have got to lay their case before the Nation, and we must use our tax money to get the job done."

There are leaders in all six bitter-end States who agree. Out of Alabama has come a new "Putnam Letter Committee," headed by James E. Simpson, leading Birmingham Dixiecrat and lawyer for some of the biggest of Alabama's "Big Mules." The committee's purpose is to publicize a beguiling "Dear Mr. President" letter signed by Carleton Putnam, a northerner who has spent many years as an airline's executive in the South. The Putnam letter has already been published as a large ad in the New York Times and is to be placed in newspapers all over the country. Arguing that the Court decision in the school case is personal opinion, not law, and that equal protection under law is not a right in the United States but a social privilege, the letter declares:

"Neither the North nor the Court has any holy mandate inherent in the trend of the times or the progress of liberalism to reform society in the South. In the matter of schools, rights to equal education are inseparably bound up with rights to freedom of association and, in the South, at least, may require that both be considered simultaneously. (In using the word 'association' here I mean the right to associate with whom you please, and the right not to associate with whom you please.)"

The Putnam committee raises funds privately for its promotion. But Florida Legislator William H. Reedy shares EASTLAND'S view that such projects are public business. He proposes a program of southern aid to

Federal education on the southern view, to be supported by appropriations of $1 million per year from each State participating. "The South must sell its ideas the way Hollywood producers sell starlets," Reedy says. And the conference of southern Governors has invited him to its next meeting to discuss details.

(Georgia's Senator RICHARD RUSSELL is for educating the rest of the country to southern problems, too, but he would let those on the receiving end pay for the privilege. He promises us a bill this year to provide Federal aid to southern Negroes who wish to move to States with smaller Negro populations in order "to give each State an equal share of the race problem.")

The funds the South is willing to invest in enlightenment of the North are supposed to yield dividends this very year in the form of aid toward passage of the Smith bill to curb the Supreme Court.

First introduced in 1955, H.R. 3—which would repeal the long-standing doctrine of Federal preemption and place primary jurisdiction in the State courts unless specifically withheld by Congress—passed the House last year by a large majority of southern Democrats and conservative Republicans (241 to 155). In the end-of-session confusion the Senate defeated it by only one vote. Representative HOWARD SMITH, Democrat of Virginia, has reintroduced H.R. 3 in the new Congress and because of his position as chairman of the powerful Rules Committee should be able to push it through the House again, even though the measure has lost supporters because of Republican casualties in the November election. For the same reason the new Senate should be more opposed to passage of H.R. 3 than the old, but the foes of the Court are also vastly more determined.

The Smith bill of itself is an important southern objective, as a symbol of antagonism to the Court's leadership in forcing the segregation issue in the most direct way since Reconstruction days. But even should passage fail again, a close, hard-fought decision would be worth the price of the propaganda effort required to produce it. A lengthy battle over the Court-curbing measure in advance of consideration of new civil rights enforcement legislation—which southerners could easily manage with their command of traffic through their committee chairmanships—would contribute to their larger objective: Preventing the Congress from adding the force of its approval to the position of the Court on desegregating public schools "with all deliberate speed."

At all costs the massive resisters must prevent reenforcements from reaching the judiciary, which stands today as the lone leader in the New Reconstruction. The murmurs of encouragement to the courts which have risen faintly from the Department of Justice and the ill-calculated relief offered by the President in the Little Rock affair hardly qualify as major assists. Congress, in effect has remained neutral. And it is imperative for those who defy the Court to keep it that way. LYNDON JOHNSON helped a lot by taming the new Senate a few hours after it walked into his cage, and so leaving the filibuster in good working condition. But a hard-fought, even if finally losing battle to punish the Court for its recent conduct would offer invaluable opportunities to make sure that Congress does not suddenly decide to get behind the Supreme Court. In the midst of debate and backstage maneuvers there is always room for wheeling and dealing. When the vote is close, trades can sometimes be made which change other close votes on other days. In such a situation the South's polished professionals would surprise everyone if they walked out of the cloakrooms without a stack of I O U's payable when Federal enforcement of school desegregation became the question before the House.

If the States which shout "Never!" can prevent the 86th Congress from passing legislation supporting the Court, they will be free to attempt the next huge step in their plan for total escape from the toils of the New Reconstruction: Persuade the reformers to give up. Historically, this is not so farfetched as it sounds. The ephemeral historic importance "of such earlier landmarks as the Fugutive Slave Law of 1850, the Dred Scott decision of 1857, the Civil Rights Act of 1866 and 1875, the Fourteenth Amendment of 1867, or, for that matter, the Volstead Act of 1919—all of which were in some degree nullified by events or public sentiment—should remind us," Vann Woodward, the leading historian of the American Reconstruction period remarks. "* * * how precarious are the fortunes of American statesmanship when it operates against the mass opposition of a significant section of the country."

"Reconstruction," Professor Woodward observes, affords the most extreme example in our history of an all-out effort by the majority to impose its will upon a recalcitrant and unwilling minority region. * * * In spite of the relative weakness and helplessness of the resistant South, in spite of the determined idealism of the northern reformers * * * the fact is that the great experiment ended in disillusionment and default. The gains made on paper were never fully implemented in practice, or they were eroded away by compromise, concession and "interpretation." Apathy and indifference replaced the original idealism of the reformers. It was the will of the defeated, discredited and for a time, helpless South that prevailed in the end.

BIOGRAPHICAL NOTE.—Helen Fuller, a southerner by birth and education, has just returned from a survey through the Southern States. This is the third of several interpretative reports.

EXHIBIT 7

EXCERPT FROM STATEMENT OF THE ADVISORY COUNCIL TO THE DEMOCRATIC NATIONAL COMMITTEE ISSUED DECEMBER 7, 1958

CIVIL RIGHTS

The Democratic Party reaffirms its traditional belief in the dignity of each individual human being and that every citizen must be guaranteed his full rights and opportunities under the Constitution.

Appropriate congressional action appears to be necessary to make the deliberations and investigations of the Civil Rights Commission meaningful.

There should be a thorough review of the enforcement by the Attorney General of rights of Americans under existing civil rights laws, including the newly enacted Federal laws to protect voting rights.

The Attorney General of the United States should be authorized to start civil injunctions suits against those who deprive persons of their rights to equal protection of the laws, on account of race, color, religion, or natural origin.

There is an obligation to meet the challenge of closed schools and potentially uneducated children as a result of the defiance of the law of the land by a few State and local officials. The present crisis over the refusals of local officials to comply with the orders and decrees of Federal courts has not been met by firm and constructive leadership from the President or his subordinates. It is to be hoped that such legislative action will be taken as will aid, assist and encourage the earliest possible reopening of schools now closed, and will prevent the closing of other schools.

Federal legislation is needed to outlaw the use of the mails for the distribution of literature designed to inflame racial and religious prejudices for the purpose of inciting violence such as that which has led to the recent wave of bombings and violence.

EXHIBIT 8

INTEGRATION TRENDS IN THE SOUTH

(Address by Marion A. Wright of Linville Falls, N.C., November 19, 1958, before National Association of Intergroup Relations Officials at Pittsburgh, Pa.)

This experience has for me the spice of novelty. Those of us in the South who occasionally talk to southern audiences have always the consciousness that, while the handful of people out front may approve, the community most assuredly does not. The walls hardly deflect the outer waves of hostility. One has to reflect upon the jeopardy to a tax-exempt status in which his words may place certain organizations. There is always the possibility that one or two grim and vengeful spies may be present to record and distort his more innocuous platitudes for the white citizens councils. It is, therefore, a relief to look over this happy and well-fed group and see no face that could remotely be described as grim or vengeful.

I am not, however, so far carried away by this delightful circumstance that I omit a customary precaution. No representative of NAIRO or the Southern Regional Council or any other group has conspired or confederated with me in the preparation of these remarks or has any responsibility for them—"an ill-favored thing, sir, but mine own."

It is a further happy circumstance that the topic "Integration Trends in the South" calls for the talents of the observer or the historian rather than those of the prophet. About May 17, 1954, the date of the decision, we were making predictions. These had to do with the strength of the opposition and the rate of speed. I hope none of you made book on our rosy estimates; if so, you took heavy losses. We sadly underestimated the opposition and overestimated the speed. So we have about gone out of the predicting business.

We were not wrong at all points. In common with the rest of the country, we felt that segregation would curl up at the edges; that the border States, having advantage of neighborly contact with integrated commonwealths, having relatively small Negro populations and no plantation background, would go first and easily. That prediction has stood up except in the case of Virginia which has thus far been held in line by the iron hand of the BYRD machine.

Since the May 17 decision there has been integration in degree ranging from the merely token to full and bonafide in the southern States of Arkansas, Kentucky, North Carolina, Tennessee, and Texas; the border States of West Virginia, Delaware, Maryland, Missouri, and Oklahoma and the District of Columbia. In terms of school districts the number integrated is some 800 out of a total of 2,890. And, in terms of Negro children in "integrated situations," as the phrase is, the number is 400,000 out of a total of 3 million. These figures, I am sure, are familiar to you but I like to recite them. They are evidences of solid progress and reassuring reminders that peaceful and statesmanlike procedures do not make headlines. "Happy the people whose annals are dull."

In passing, and in order to wring the last drop of comfort from the southern situation, let us salute Florida which last month admitted the first Negro student to its law school, and Louisiana, which in the same month first admitted 59 Negroes as undergraduates in a white State college. Perhaps we should more appropriately salute the Federal Court which directed these admissions. But at least Florida and Louisiana have bowed gracefully to the inevitable. Grace in race relations is so rare as to deserve applause.

Apart from the public schools in the hard core States, desegregation is making, if not satisfactory, at least substantial, progress.

It now appears, not only from what meets the eye, but from utterances of segregation leaders themselves, that, in practically all other areas except the public schools, segregation is withering with no impressive effort being made to keep it alive. Cities and States in most instances have taken lickings on golf courses, parks, transportation, and the like and have accepted the result. Of course, we hear of the golf course that is closed but a dozen others remain open to both races. There is nothing approaching massive resistance in those fringe areas of the segregation problem.

In their back-to-the-wall stand on integration of the public schools, the seven hard core States are now pursuing a new and significant strategy. The early effort of the segregationist leaders was to move and stir southern opinion to the point of open opposition to the law. That was a thoroughly ignoble but fairly easy task. More recently they have embarked upon a much more ambitious enterprise—and I think you who live out of the South should be quite aware of it. They now seek to subvert the public opinion of North, East, and West to the segregationist view. Of course, they don't call it that. They refer to it as education in States rights, limitation of judicial power, and other euphonious terms. But what they mean is the preservation of a caste system in the South. Under one name or another your aid—you nonsoutherners—your aid is now being actively sought. It's an old story—Confederates capturing Yankees.

The movement to convert you is well financed and well organized. Certain States have their propaganda bureaus financed by public funds as well as by antilabor money and reactionary subsidies. They pour out pamphlets by the hundreds of thousands. They sent speakers on foreign missions. They flatter and fawn upon northern papers or writers who abet their plan.

This effort should not be taken lightly. Already certain northern columnists, magazines, and newspapers follow the segregationist line. The effort to limit the jurisdiction of the Supreme Court failed by one vote in the Senate. And, most unkindest cut of all, the chief justices of the State supreme courts gave that effort their implied support.

There is something quite persuasive in this new southern approach to the rest of the Nation. In the first place, the rest of the Nation hasn't perfectly solved its own integration problem. Our sense of generosity finds expression in the twin ideas "Who am I to tell you how to run your affairs?" and "I can appreciate fully what you are up against in the South." And, lamentably, there are many Americans in all sections of the country who are not democratic at heart. They listen with a sympathetic ear.

This invasion of the North—a kind of second march on Gettysburg—presents one of the anomolies of the times. This is the age of the sputnik. Each day the range of our interests is extended. Each day we become acutely aware of the interdependence of men upon each other. We become more conscious of involvement of our own destinies with the destinies of men in the world's remotest corners. There is daily borne in upon us the essential unity and indivisibility of mankind with the result that what affects one affects all.

In such a context, how like a voice from the Dark Ages is the white supremacist's whimpering plea that you in the North have no concern with what happens to your Negro brothers of the South; that you have no license to be heard; that your endeavor to influence the southern situation is impertinent meddling in a matter of only local interest and significance.

Certainly you will not fall for that argument. Only one far gone in schizophrenia can embrace at the same time a sense of international civic responsibility and the provincialism of the segregation philosophy.

You who share the world's revulsion at the Russian treatment of Boris Pasternak will hardly remain indifferent to the stern fate of hundreds of lesser Pasternaks in the South who think and write and teach and preach and speak at their peril.

There is, then, this trend, this effort to sell the segregation cause to the nonsoutherner. Beware of its soft seductions.

You may not know it, but you are being wooed by Senator EASTLAND and Senator THURMOND. We hope there shall be no betrothal, certainly no marriage, and, as to issue, God forbid.

There is another trend which might well undergo some examination. In this connection I use "trend" as an evolution from the simple to the complex.

Following the Supreme Court decision there came from certain Governors, Senators, Congressmen, and others highly placed, declarations that their States would not observe the law. One law. The law relating to integration of the public schools. A new phrase crept into our speech—"massive resistance"—and two old ideas were resurrected after 100 years of quiet repose—nullification and interposition. I wish to emphasize that the proponents of such views had in mind a purely limited objective: noncompliance with one single law, not public rebellion against all law. If we may liken their inflammatory utterances to a bomb, their pinpointed target was integration of the public schools.

They employed all of their cunning to develop methods of preserving a segregated system—private schools with State subsidy, tuition grants, pupil-assignment acts, local control, complicated legal steps to be taken by aggrieved parties, redistricting, and all the rest of a list of odorous maneuvers. One by one these devices come before the Court and are branded as the transparent frauds they are.

Such was the pinpointed objective and such were the methods of attaining it.

But, of course, basically, what they advocate is disrespect for law.

They choose to limit such advocacy to one law. But when you enter the area of disrespect there is no such thing as a limited infection. It spreads. What right have they to tell me what laws I shall observe? My right of choice is fully as good as theirs. They choose to flout school law. I may, with as much right, choose to flout the law which protects the life and property of the man who disagrees with me. They seek to get results by chicanery. Men less subtle and sophisticated may perforce get their results by violence.

The bomb is aimed at integration of the schools. But whither drifts the fallout? It drifts in part into the mind and heart of the ignorant, the unlettered, the evilly disposed. When cunning and sly maneuvers have had their day, when all legal tactics are exhausted, when what passes for intelligence has failed—what is the untutored citizen to do? Well, he has his fists, doesn't he? He has dynamite. He has torches. There rings in his ears the voice of authority telling him segregation must be preserved. So he uses the only tools he knows.

So we have proceeded inevitably from the rolling phrases of a Governor, through the subleties of legislation, to repression, cross-burning, assaults, bombings, and murder. Through all these evil and sometimes bloody acts there runs the dark thread of connection. The official policy of resistance to one law was the bomb. Foul and dastardly deeds are the inevitable fallout.

Then how crocodile are the tears of the seregationist public officials who weep at violence. Actually, there is blood on their hands.

These leaders are careful to point out that they do not condone violence. Concededly, there are points of difference between violence and legislative or official maneuvering, as there is between highway robbery and embezzelment. Force is used in robbery and not in embezzlement. The motive in both instances is identical—to deprive a person of his property. So, in the civil rights field, with violence or legal duplicity, the motive is identical—to deprive a person of a right.

I am not at all sure that the points of difference are favorable to the officials. Acts of violence may often be dismissed as the impulsive and unthinking conduct of brutish men. But your legislative maneuverers—your private school men, your State subsidy, tuition grants, pupil assignment, local control, gerrymandering men—have no such claim upon our consideration. They are trained and skilled and cunning men. They plot their schemes, mull over them, debate them for weeks on end. There is malice aforethought, always more to be condemned than the impulsive act.

Bad as it may be, what is done by the poor devil who burns a cross or plants a bomb is his individual act, in no sense committing or involving his State. But what is done by men in governor's mansions or legislative halls becomes State policy, carrying with it all the sanction and authority of a State. It seems almost blasphemous that men should use the sacred power of a State for such ignoble ends.

So the fallout from the bomb of resistance to one law has borne in its train resistance to any law one does not like. Carried to its logical conclusion, the end result would be anarchy.

It was considerations such as these which motivated the Supreme Court decision in the recent Little Rock case. That decision means that there is to be no surrender to mob action, no compromise in the national effort to give an equal chance to every American child. More importantly, it made a point which should not be lost on every rebellious State. That is, that the Court is not deceived by southern evasive maneuvers. The hard core States now know they cannot win by subterfuge and evasion.

There is a moral aspect to such procedures. The legal qualities upon which the resisting States have relied have been cunning, slickness, shrewdness. (We have just witnessed the "taming of the shrewd." Such have been the qualities magnified in the public mind and held up as ideals before young lawyers and politicians. We now know they are no substitutes for brains, intelligence, and character. The truly great lawyer or statesman is not slick; he is profound.

We may now return to our former conception of what are honorable courses for States to pursue.

Such is the meaning of the recent decision. Such is the handwriting upon the wall. Those who can't read it should go to school—an integrated school, of course.

You will be told by many that race relations in the South have become worse as a result of the 1954 decisions in the school segregation cases. Proponents of that view point to clashes which have occurred and say that, but for the decisions, this would not have happened.

For the sake of argument let us concede the facts. What do they imply? They imply that there was latent in some areas of the South racial ill-will amounting to hostility or even hatred. But it was unexpressed; it did not come to boiling point. It had no normal outlet. Hence, it perpetually simmered and smouldered. I am, of course, not an expert in the field, but I have a feeling that any good psychiatrist would tell us that such pent-up hatreds wreak great damage to personality. Relief comes from getting things off our chests. The last 4 years have been a period of catharsis, of cleansing and purging ourselves of this foul accumulation of fancied spites and grievances. We may in the future be less neurotic because for once

and at long last we have spouted the venom we have harbored.

Whenever we make it possible for every man to air publicly a logical grievance we have contributed to community sanity.

Race relations seem worse because their ugly aspects have been revealed. They were just as ugly when unseen. Dirt under the rug is still dirt.

But let us return to trends. The all-embracive trend in the hard core States—the one of which all others are satellites—is the trend toward tyrany. In the use of that term I speak by the book.

The first badge of tyranny is that it establishes or maintains itself by suspension of legal or constitutional guaranties. It does so for the basic reason of self-preservation. It cannot exist where such guaranties are in full vigor. As William Pitt remarked, "Where law ends, tyranny begins." The tyrant or dictator wishes to impose his own will upon mankind but there stands the law, shining and undisuadable, between him and the citizen. So the law must first be struck down.

There might be infinite multiplication of instances of dictatorships created or maintained by suspension or revocation of rights guaranteed by constitutions. Illustrations leap out from every one of history's more unsavory and grisly chapters. Indeed, the generalization might be ventured that no dictatorship or tyranny is ever created except by first striking down the constitutional safeguards which surround the citizen. For the suppression of individual rights is of the essence of tyranny. It is impossible to imagine tyranny without suppression; conversely, it is impossible to imagine suppression without tyranny.

There is a second badge of tyranny. It is the hostility which tyranny feels for established and respected courts and judicial process. (We must keep in mind that tyranny may mark the conduct of an individual, a group or government itself.)

What stands between the tyrant and the citizen, as we have noted, is law, usually the Constitution. The instrument through which law or Constitution speaks is the Court. The law, conceived of as a real existence, dwelling apart and alone, speaks through the voice of the Court. The law impinges upon mankind, not more because it exists than because the Court has given it voice. The will of the dictator is thwarted, if at all, because of what the Court has declared the law to be. In its final analysis, the inevitable clash is not between two abstractions, dictatorship and law, but between dictatorship personified in an individual or group and law personified in the Court. Such was the recent conflict in Washington.

So, the character, composition, and powers of courts are matters of profound and unholy concern to dictators. An independent judiciary, able, learned, and incorruptible, is anathema to the dictator. To him the Court alone may say "Thus far and no farther shall you go." In his hot quest of power, in his trampling upon human rights, the sole agency to challenge the dictator's will is these interpreters of the law. So upon them war is declared.

Such, then, historically, are the methods of tyrants or demogogs. (The terms may be used interchangeably.) The formula is simple: By decree or legislative act strike down constitutional guarantees; and undermine confidence in courts to the point that their decrees have no public acceptance. Either alone would probably be effective. Taken together they inevitably insure the temporary success of tyranny, whether it be the tyranny of an individual, a clique or a majority. Under such a regime the rights of a minority are doomed.

What we have experienced in certain areas of the South in the past 4 years is nothing less than tyranny. There has been suspension of rights guaranteed by the Constitution. In many instances this has been affirmative action—constitutional amendment, statutory enactment, proclamations by Governors, resolutions by school boards, and the like. In other instances, there has been negative suspension—a failure to uphold or support constitutional rights. There is no difference in morals or practical effect. In either case rights have been lost or destroyed. One struck by lightning is only academically interested in whether the bolt was positive or negative electricity.

If the shades of Joseph Stalin, or Benito Mussolini, or Adolph Hitler, could crawl up to the edge of the pit and survey the southern scene, they would confer their benediction upon much of what there transpires.

The books must now be purged and cleansed of all legal perversions written into them by bigotry. This is primarily the job of us in the South. The school laws, teacher's oaths, laws requiring that the NAACP bare its membership, antibarratry laws aimed at the NAACP, laws setting up so-called antisubversion committees—the whole breed of repressive statutes—by last count 169—must be erased. That is largely a southern job. And there are southerners willing to undertake it.

In view of the former apathy of the administration and the solid phalanx presented by governments of the resisting States, it is remarkable that liberal voices should now be heard anywhere in the South. On the contrary, they are at this moment louder and clearer than ever. Integrationists are now more militant than ever. This is no mere rhetoric on a fall day. I give you the specifics.

In the first few weeks following the May 17, 1954, decision, journals of certain southern university law schools carried scholarly articles by professors analyzing the proposed evasive schemes and condemning them all upon constitutional grounds. Their authors—men like Francis B. Nicholson, of South Carolina; Warren E. Guerke, of Emory; and Jay Murphy, of Alabama—exhibited not only scholarship but courage. They stood alone—eggheads.

But observe the effect of a good example. In Little Rock a few days ago 61 lawyers of that city signed a statement condemning as unconstitutional Governor Faubus' private school plan. Those men were not eggheads. They were run of the mine laywers and they uttered the ancient and honored principles of the law.

Also, in those calm and reflective days of 1954, a few church bodies—synods, dioceses, conventions and the like—adopted supporting resolutions. They disturbed no one. They were far away and remote. They could do no harm. Let those men at the top resolve. But, observe. In Arkansas and Virginia and elsewhere in the South within recent weeks ministers of all faiths, pastors of small churches in the very eye of the storm, have confronted Governors and Senators and denounced their wicked schemes. They uttered the ancient and honored principles of religion.

So your parent-teacher associations of not too long ago might have been thought of as well-meaning and innocuous. But when the closing of public schools became a fact or imminent, the gentle folk who composed the associations were not overawed or daunted by the entrenched power of a State. They challenged the prevailing lunacy.

I might go on. Concerned taxpayers. Public schoolchildren themselves—you have seen them on TV. Public opinion in favor of compliance with law is more militant today than at any time since the original decision. From being the view of a handful of so-called do-gooders, advocacy of integration is now a grassroots phenomenon.

We may thank Governor Faubus and Governor Almond for that. So long as the fate of public education was a matter of idle speculation, those actually or potentially liberal were disposed to remain inactive, uncommited. But when it became evident that the two States stood upon the very brink—to use a term from Mr. Dulles—when it appeared that the alternatives were to do complete justice on the one hand or to destroy public schools on the other, the silent became vocal, the hesitant became bold.

There is also a national job and I appeal to you in NAIRO as being the one group preeminently qualified by training, experience and motivation to prod the national conscience and rouse the great giant which is America from its lethargy. Certainly, the demands of the moment cannot be met merely by a court. That is employing only one third of the national power and energy. The executive branch has its role. Congress has its role. For all three arms of the Government there is good fighting all along the line.

Consider with me for a moment the situation in stark and unvarnished terms, stripped of all its tawdry pretensions. The Supreme Court has held that racial segregation in public education is unconstitutional. But 4 years after the event it exists in seven Southern States which declare they will not obey the law. That is rebellion without the dignity of formal secession.

Certain school districts wish to comply with law. They are told in some instances if you do, State funds will be cut off, and in others, we will close your doors. That is blackmail by State action. No idle threat either, as Governor Faubus and Governor Almond have proven.

Presented with a choice between ignorance and honor, they have chosen ignorance.

Negro children seek to exercise a constitutional right. They turn to the one great organization qualified to help. That organization is beset with a series of State actions designed to cripple it or to force its suspension. That is sabotage of an honorable agency whose sole mission is to secure judicial determination of legal rights.

So, if we were morbid enough, we could run the entire gamut of repression.

Certainly, such activities are not matters of merely local concern. I say to you from North, East, and West that your own welfare, your own destiny hangs in the balance. The bright image of America as a land of equal opportunity, of concern for the rights of the individual, of the open door to merit and worth—that image is being marred and defaced. I know of no more serious indictment of a nation than that it permitted school doors to be slammed in the face of an aspiring child.

At the last session of the Congress Senator DOUGLAS and associates introduced a bill which, if enacted, would have marshaled Government's united power in aid of the liberal elements of the South. I have time only to point out that, among other features, it provided Federal funds for school districts whose State aid was cut off because of their compliance with law. What a different situation we might have in Arkansas and Virginia if such were the law.

While, admittedly, law will not solve everything, the Douglas, or some similar bill, must be enacted. A lone Negro child, seeking a right under the Constitution, a qualified person seeking to register to vote, a skilled and qualified workman seeking a job—these must not be left to pit their puny strength against the massed power of a State. The Federal Government should not be a callous spectator of such unequal conflicts.

Just a word as to what you beyond the South may do to aid the cause.

First, and negatively, don't succumb to the argument that you are outsiders meddling in other people's affairs. We must never overlook the dual nature of citizenship in this country. The Negro children knocking upon school doors may be citizens of South Caro-

lina or Louisiana. They are no less citizens of the United States of America. It is rights under the American Constitution they seek to assert. They do so as your fellow citizens. In that view, your concern is fully as acute as the concern of a native-born white citizen of South Carolina or Louisiana.

Keep always in mind that what is happening in certain areas of the South is a suspension of guaranties of the American Constitution. That suspension is as real as if proclaimed by a formal edict of a dictator. Such a suspension, whether formally proclaimed or not, is an act of tyranny. No American citizen has the right to acquiesce in tyranny.

All rights guaranteed by the Constitution are of equal sanctity. The right of school attendance is as sacred as freedom of the press. There is no moral difference between closing school doors and closing printing presses. One will lead to the other.

Finally, the white southern liberal is acutely vulnerable. He bucks the truly formidable power of his State; quite often he bucks community, friends, family. He is apt to be lonely. Don't wash your hands of him. Let him at all times be sustained by the consciousness that, in those areas of his land where men are not so stirred by the passions of the moment, there are understanding and sympathy.

EXHIBIT 9

[From the Denver Post, Aug. 31, 1958]

THE 90-YEAR DELAY ON CIVIL RIGHTS

As the time for the opening of a new school term nears, the entire country feels a sense of foreboding over racial disputes which seems to be moving inevitably toward a new climax of hatred—and perhaps violence—in Arkansas and Virginia.

These are troubled times for parents and children—both black and white—in States which have clung to school segregation. They are troubled times for school officials, for legislators and Governors, for Federal officials, for the President of the United States and for Federal judges, most of all, for the Justices of the U.S. Supreme Court.

Before the Supreme Court, the school board of Little Rock is pleading for permission to delay for 2½ years the further desegregation of its Central High School. This plea is made 4 years after the Court first held school segregation to be unconstitutional.

The President has expressed himself as being in favor of slower integration. Thus, he deprives the Court of his moral backing in the event the Court decides that no additional delay can be given without compromising an important constitutional principle.

He puts the administration in an equivocal position at a time when clear, understandable policy is desirable. Although insisting that court orders must be obeyed, Mr. Eisenhower has declined to say whether he believes segregation is right or wrong.

This puts him at odds with the Department of Justice which took a leading part in 1954 in urging the Supreme Court to abolish segregation on moral as well as strictly legal grounds. Also, the President's refusal to comment on the rightness or wrongness of segregation is in marked contrast to the speech which his Attorney General, William P. Rogers, made last week before the American Bar Association.

"For a nation which stands for full equality under the law," Mr. Rogers said, "which solemnly believes that all men are equal before the law, regardless of race, religion, or place of national origin, the result (of the Supreme Court's desegregation opinion) undoubtedly is permanent."

He added that this country could not "fall short of the mark" on race relations if it is to maintain influence abroad.

The apparent schizophrenia in the administration on the race issue does not make the task of the Supreme Court any easier.

But whether integration should be fast or slow is not the real issue, of course. The plea for delay is raised on behalf of those who oppose integration no matter when it might come. They are interested in delay only because it would give them more time to try to turn the tide of events which is running against them.

Delay? We now face this month of fateful decision because for 90 years the country has delayed, temporized and postponed the necessity of finally coming to grips with the question of whether, in a free land, citizens with one color of skin can be told they may not enter public buildings, public parks, or other public places where citizens of another color are permitted full liberty of access.

The 14th amendment to the Constitution was adopted in 1868. It says, "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws."

This, of course, was one of the reconstruction amendments which followed the Civil War. It was a departure from the past. In the Dred Scott case, before the war, the Supreme Court had held that Negroes could not be citizens. It was a departure, also, in that it told the States they could not do certain things.

The Federal Government was the creation of the States. Here the child was beginning to boss the parents. The 14th amendment implied a reversal in status. Because national considerations required it, the National Government had suddenly become paramount in certain new areas of the law.

This implication the extreme segregationists of the South still deny. In his harangues last week, Governor Faubus of Arkansas argued that the conduct of schools is a State matter and that the Federal Government, which has no powers except those derived from the States, may not interfere.

After the adoption of the Fourteenth Amendment, the Supreme Court, year after year, in a wide variety of cases involving police actions, commerce, taxes, labor, banking, public utilities, etc., found it necessary to define and redefine exactly what privileges of citizens the States could not abridge.

Its decisions were not always consistent but the list of privileges grew gradually. At times the Court tried to rationalize the theory that the States could treat Negro citizens differently than white citizens but a nagging suspicion always remained that the Fourteenth Amendment could not logically be stretched to justify that kind of discrimination.

Forty-one years ago, the Court first held that an ordinance to keep whites and Negroes from living in the same neighborhood was invalid. That was a straw in the wind. After that it could only be a matter of time until the Court would find that the enforced separation of races in railroad cars, parks, schools and other public places was not consistent with the concept of one and equal citizenship for all.

The present Supreme Court, for all the venom poured upon it, has done nothing more than follow the decisions of earlier Courts to their logical and inescapable conclusions.

Has desegregation come too hurriedly? Should there be further delay? Would a postponement make integration any more acceptable to the South? These are questions the Supreme Court must now answer in a supercharged and apprehensive atmosphere.

In the light of the long evolution of the idea that citizenship must mean the same thing for all citizens, there can be little doubt as to what the decision must be.

EXHIBIT 10

INTEGRATION MUST MOVE

(By Roy Wilkins)

(Executive secretary of the National Association for the Advancement of Colored People, Roy Wilkins, who graduated from the University of Minnesota, was for 15 years editor of the Crisis and prior to that, from 1923 to 1931, managing editor of the Call, the Negro weekly of Kansas City. In this article he carries forth the discussion initiated by Agnes Meyer in her January article, Race and the Schools.)

A good deal of nonsense has been written and spoken upon the public school desegregation question. With some notable exceptions we have exhibited little honesty, ingenuity, commonsense, and courage in approaching it. The Atlantic recognized the significance of the problem by featuring the sincere article, Race and the Schools, by Agnes E. Meyer in its January issue. Yet Mrs. Meyer, for all her knowledge of and devotion to the public school system and her sincerity as an American liberal, has repeated some of the interpretations that have placed the situation on dead center and kept it there.

Hardly anyone sits down to a typewriter on this question without cautioning the Negro to abjure haste. William Faulkner used the columns of a multi-million-circulation weekly magazine to shout "Go slow" to the NAACP. As the final caution Mrs. Meyer in the January Atlantic counsels, "Make haste slowly."

Those who read and run might gather from all this that Negroes had been knocking down school doors, browbeating administrators and boards of education, or throwing picket lines around the schools from which they are barred. Nothing could be further from the truth. The majority of Negroes are mild and forbearing, much to the irritation of a growing number among them who wish for a program of more action.

There has been no pell-mell rush toward desegregation, no demand for instantaneous change. Certainly the NAACP has not advocated overnight alteration of school patterns. However, both the NAACP and Negro citizens generally have insisted that school boards come to grips with the question and that beginnings in good faith be made. Five days after the 1954 decision of the Supreme Court, Dr. Channing H. Tobias, NAACP board chairman, set the tone for the organization's procedure in a message to its southern leaders meeting in Atlanta:

"It is important that calm reasonableness prevail, that the difficulties of adjustment be realized, and that, without any sacrifice of basic principles, the spirit of give-and-take characterize the discussions. Let it not be said of us that we took advantage of a sweeping victory to drive hard bargains or impose unnecessary hardships upon those responsible for working out the details of adjustment."

Here was the calm deliberation which since then has been urged so insistently upon Negro citizens. Here was consideration for school administrators and others upon whom would fall the burden of planning desegregation. But here, also, was quiet determination upon basic principles, upon change in the old order, upon access to light and opportunity after 57 years in the semidarkness of the separate-but-never-equal doctrine.

It is this determination that the opponents of the Negro's aspiration are trying to break with their repeated cries of "Slow down." They are shadowboxing over speed; the real target is any change at all.

The handwriting regarding segregated schools was on the wall as early as 1935, when Donald Gaines Murray won his way, via the

Maryland Supreme Court, into the Law School of the University of Maryland. The picture became clearer through U.S. Supreme Court decisions in 1938, 1948, and 1950, together with other Federal court decisions in this period forbidding a racial differential in teachers' salaries.

With the principle unmistakably stated in the University of Texas case in 1950, it was only a matter of time before a challenge on the elementary and secondary levels would be before the courts. No Governor, or attorney general, or State board of education, or mayor, or local school board, or responsible school administrator can claim today that the 1954 decision on public schools was sudden. All of them had had a maximum notice of 19 years and a minimum one of 4 years (from the Texas case). That they understood what was foreshadowed is demonstrated by the frantic building programs for Negro schools into which the Southern States plunged from 1949 to 1954 in a desperate effort to stave off the inevitable.

No, the Negro is not pushing too fast; he spent nearly two decades making his moves in a slow, orderly manner through the courts. Today he is proceeding with moderation and behaving with dignity under an intense fire of falsehood, intimidation, and persecution. Politically shackled and economically harassed, he has endured the persecution of State governments in which he has no voice and the ruthlessness of power structures in which he has no influence.

While he does not rant, he remains determined. A Gallup poll last December revealed that 69 percent of southern Negroes want the Supreme Court decision enforced, as against 53 percent nearly 2 years before. Only 13 percent were recorded as opposed. A survey published in the Catholic Digest in August 1957 showed that 93 percent of the southern Negroes supported the policies of the NAACP.

All this would indicate that the Negro American is neither wild-eyed and obstreperous nor divided on this issue. He believes that the way to begin is to begin. He cannot be expected to cheer a beginning such as that in Winston-Salem, N.C., where 1 Negro child has been integrated in the entire city system, nor that in Little Rock, where 9 Negroes are distributed among 1,991 whites in Central High School. If he greets these and similar efforts with something less than enthusiasm, it does not mean that he wants to go too fast; it means merely that he does not want to stand still.

Another favorite myth is that the Negro by insisting on some movement in good faith toward desegregation is seeking to destroy the public school system and the standards of public education. Governor Luther Hodges of North Carolina used this as a theme in a statewide radio and television talk in 1956.

The only people who have threatened to destroy the public schools in certain States are white people, mostly politicians in high and low offices. The Negro wants more and better schools, not fewer.

Nor does the Negro seek to lower educational standards. Who knows better than he on how great a scale his children have been cheated of a decent education over all these years? He knows that a frightening number of them are lagging behind whites at certain levels. But he does not follow the "logic" which says that the way to cure this condition is to maintain the segregation which produced it.

Allowing for the 350,000 Negro children who have been integrated since 1954, there are still slightly more than 2 million Negroes remaining in segregated schools. Some commentators seek comfort by concentrating on the 350,000, but most Negroes and fairminded whites, while welcoming this beginning, keep their sights on the presently immobile 2 million. Negroes know that not all these 2 million children are below par, that some of them can equal or surpass their grade levels in any test. They know, too, that still more could pass easily if given brief, intensive, and sympathetic remedial attention.

Assuming that a mere 10 percent of the 2 million could pass their tests tomorrow, would their integration "ruin" public education standards? Obviously not, and the the integration total would jump more than 50 percent. If those who can quickly be brought to standard were added, the total would be still more satisfying—and no white child would be retarded thereby.

And, speaking of retardation, what of the present plight of average and superior children now attending all-white schools in company with a not negligible number of children who are below average, even poor? Recent figures from a Texas city purport to show that 59 percent of whites in the fourth grade were at or above their grade level as compared with only 13.5 percent of Negroes. But, aside from the contrast with Negroes, this survey reveals that more than 40 percent of the white children are below average. Excluding a few experts, is anyone complaining that the presence of this two-fifths is ruining the education of the three-fifths?

If this argument is valid with respect to Negroes, it is valid with respect to the substantial number of substandard white children. It becomes, therefore, a problem of education rather than one of race.

As the Negro views the present situation, there would seem to be certain requisites to a beginning toward reducing tensions and getting on with desegregation. The segregation problem is not the same in the North as it is in the South. The difference is apparent to even a casual observer of trolleys, buses, city halls, State legislatures, parks, theaters, restaurants, hotels, factories, and white-collar employment. As for schools, despite de facto segregation there are Negro teachers and students in mixed situations, with Negro honor students, class presidents, and athletes. In New York City the desegregation principle has been recognized, the Supreme Court respected, proposals drawn up, and debate encouraged. There is movement. The same cannot be said for Richmond, Savannah, Jacksonville, Mobile, Shreveport, or Hattiesburg.

Further, the segregationists must face, sooner or later, the fact that the soothing doubletalk handed to Aunt Mandy and Uncle Jim falls on the deaf and scornful ears of today's Tom, Dick, and Harry. These latter have traveled far from the home county; tens of thousands have been off to war and seen far places; thousands more have gone to school under the GI bill; they have radios and television sets; they read newspapers, magazines, and books. That is why the Montgomery bus protest lasted 1 year instead of 5 days as predicted by local whites who "knew" their Negroes. That is why the time-tested formula of dividing the "good" Negroes from the "radical" ones has failed on the school desegregation issue.

Next, there should be, among those genuinely desirous of getting something done, an end to the characterization of court action and political pressure as "force." The perversion reduces legal action in accordance with a decree of the Nation's Highest Court to the same level as mob action stirred by a John Kasper. The same reasoning lumps together as extremists the NAACP, which supports the Supreme Court, and the White Citizens Councils, organized specifically to defy the Court. Inveighing against the employment of political action by Negro citizens is asking them to forego an instrument which is the very backbone of a democratic society, one that is used for everything from cutting a curbstone to, say, fixing the rate for interstate natural gas. They cannot be expected to acquiesce.

Equally pointless are the running references to the era of good feeling that is alleged to have existed in the years prior to the 1954 decision of the Court. It is true that southern whites experienced few racial tensions, for they found that a segregated society, rigidly controlled through political disfranchisement, economic ceilings, and social customs, was comfortable and relaxing. But for the Negro it was an era of frustration.

While we were making the world safe for democracy in one war and destroying Hitler's master race theory in another, the Negro rode in the back of the bus, lived in a ghetto across the railroad tracks, sent his children to Jim Crow schools, worked at restricted jobs, enjoyed either inferior or no public recreation, endured daily humiliation and insult, received uneven justice in the courts, and was the victim of violence. He is not overcome with nostalgia for the pre-1954 days; he has bid them a grim and tearless goodby.

The Negro wants to be a partner in this great social change. He has offered his cooperation from the very beginning, but his peaceful petitions offering aid in drawing up desegregation plans were rejected, filed away, or turned over to local segregationists so that the signers could be fired from their jobs. The Negro is still deeply interested in building better schools for all children. He believes segregated schools have hurt white children as he knows full well they have hurt his. But partnership implies mutual respect and consultation, leading to cooperative movement. Where these necessary conditions have been met, he has been a willing collaborator.

If Mrs. Meyer's admonition, "The chief responsibility for leadership is still that of the white population," is to be meaningful in the light of present-day urgencies, there must be the sharing of responsibility for plans and results which is inherent in the partnership concept.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield to my friend from Minnesota.

Mr. HUMPHREY. First I wish to compliment the distinguished senior Senator from Illinois on his splendid statement, not only relating to the several sections of the bill which he has introduced today, in cooperation with others of us who have joined him as cosponsors——

Mr. DOUGLAS. The Senator from Minnesota is the first cosponsor. Like Abou Ben Adhem, his name leads all the rest.

Mr. HUMPHREY. I am delighted to be the Senator's partner in this endeavor and effort. However, I wish to add that his address also gets to the very heart and core of the problem of civil liberties and civil rights in our country and the Federal means in protecting those rights as embodied in the 14th amendment to the Constitution. I am afraid that sometimes we fail to remember that citizenship in the United States is a dual citizenship. We are citizens of a State, and we also have a superior citizenship as citizens of the United States of America. The effort being made in the proposal is to protect the citizenship rights of the citizenship of the United States of America.

As the Senator from Illinois has said, the 14th amendment, which is an integral part of the Constitution of the United States, is a part of the Constitution which all public officials have taken an oath to uphold and to support and to defend and to enforce.

I hope that those who comment on this measure will study the sections of

the bill very carefully. It seems to me that there is a great deal of importance attached to the sequence of the titles of the bill. First of all, there is stated the interest of the Federal Government in the protection of certain constitutional rights. In other words, it is a declaration of the Federal responsibility for Congress to declare its intention to safeguard and guarantee to all Americans the constitutional right to equal protection of the laws regardless of race, color, religion, or national origin; and that the decisions of the Supreme Court shall be protected by all due and reasonable means.

Mr. DOUGLAS. That is correct.

Mr. HUMPHREY. That is an affirmative statement on the part of Congress in support of the supreme law of the land.

Mr. DOUGLAS. The Senator is completely correct.

Mr. HUMPHREY. I wish that, as discussion on this measure takes place—and there will be a discussion in which there will be a great deal of differences and, I am sure, heated differences—that those who are the critics of the proposed legislation will keep in mind that the purpose of the bill is first and initially to place Congress foursquare on the side of the equal-protection-of-laws provisions of the Constitution of the United States and in support of the supreme law of the land as interpreted by the Supreme Court.

Mr. DOUGLAS. The Senator from Minnesota is making a very significant point. I have always thought that it was not in the power of an individual or of a State to say, "We will accept certain sections of the Constitution, but we will reject others. We will accept the 10th amendment to the Constitution, but we will not accept the 14th amendment," which became a part of the Constitution almost 80 years afterward. A selective observance of the law, of course, would soon lead to anarchy.

Mr. HUMPHREY. Of course statehood itself encompasses full acceptance of all the provisions of the Constitution. I would also caution those who study the provisions of the bill to note that the means which are prescribed and described in the bill are reasonable legal means, and that there is no effort to deny to others, who may have a different point of view, the use of their legal means for the protection of their point of view.

Mr. DOUGLAS. Yes. If the Senator from Minnesota will look at title II of the bill, he will see that emphasis is placed on technical assistance, distribution of information, cooperative action between the Federal Government and the localities, persuasion, advisory councils and the work of technical specialists in race relations.

Therefore, every effort is made to create a peaceful climate of opinion and to move forward in harmony.

Mr. HUMPHREY. I may say to the Senator that, had that effort been made at the time of the famous Supreme Court decision in the Brown case, and had the Chief Executive of this land and the executive branch of the Government utilized the tremendous influence and prestige of the office to facilitate community compliance and law observance along some of the lines suggested by title II—much of which could have been accomplished by the exertion of executive leadership—I do not believe we would be in the present impasse.

Mr. DOUGLAS. I agree with the Senator, but at the same time I wish to say that I do not believe we can blame the executive only. I believe that Congress also has failed in its duty.

Mr. HUMPHREY. I believe that is true. We are attempting to remedy that situation at this time. However, once the Supreme Court has laid down its decision, the responsibility for the enforcement is in the executive branch of the Government. No one can avoid it.

Mr. DOUGLAS. It may be that in practice the executive—in slang parlance—can get away with not enforcing a decision of the Supreme Court, as Andrew Jackson once said in connection with a decision of the Supreme Court, when he made the remark, "Let John Marshall enforce his own decision"; however, the normal procedure is for the executive agency to try to carry out, by executive action, the decisions of the Supreme Court. At the same time I do not want to absolve ourselves from responsibility.

Mr. HUMPHREY. The very fact that we have introduced this bill indicates our own responsibility, and I hope it will be fulfilled.

Title 3 is directed toward one of the complaints or one of the excuses which is frequently offered with respect to the failure to comply with Supreme Court decisions, namely, the lack of facilities or the lack of adequate equipment.

Mr. DOUGLAS. Or the extra cost.

Mr. HUMPHREY. Or the extra cost involved. I believe that is, in some instances, a genuine limitation. Therefore the bill we support today would provide funds to local communities which comply with the Court's decision but who are first with limitations such as the lack of adequate facilities or equipment to provide an integrated school program.

Mr. DOUGLAS. Yes, it would authorize grants for more teachers, teacher training, school facilities, replacement of withdrawn State funds and so forth. It is very similar in principle to the Federal aid to schools in the so-called federally impacted areas, which the Senator from Minnesota was successful in getting Congress to adopt a good many years ago.

Mr. HUMPHREY. It was the first Federal-aid school construction program that we enacted. It was based on this same principle.

Mr. DOUGLAS. The Senator from Minnesota is very modest, but the program was initiated by him and carried out by Congress in a bill which he introduced and sponsored.

Mr. HUMPHREY. I thank the Senator. Title 4 provides that when other methods have failed—and this is not a matter now of preempting a field by the Federal Government—the executive branch of the Government, acting through the Secretary of Health, Education, and Welfare, shall assume responsibility for insuring and developing desegregation plans to accomplish the objectives of the Court's decision.

Mr. DOUGLAS. That is true. And in order to make clear the reasonableness of the approach in this title, I think the attention of the Senate should be called to the language in the last five lines of section 402 of the bill, which I shall read:

> Tentative plans prepared by the Secretary under the authority of this section shall take into account the need of the particular area for time to make an orderly adjustment and transition from segregated to desegregated schools.

In other words, we are not proposing that a universal change be made overnight in every place.

Mr. HUMPHREY. That is exactly true.

Mr. DOUGLAS. We want to provide adequate time for any change to be made. We recognize that the rate of progress cannot be the same in all localities and in all States.

Mr. HUMPHREY. I am greatly pleased that the Senator from Illinois has again underscored that particular provision. The only reason why I join in the colloquy now is not to add anything in particular to what the Senator from Illinois has already said, because he has said it with clarity and with purpose. I merely wish to make it absolutely clear that the provisions of the bill are not like having a shotgun at one's head. The provisions of the bill are to encourage cooperation, to facilitate cooperation, to seek the ordinary methods of cooperation at the local level, and to ask the Federal Government to take some initiative in doing all this, but to do so only in the light of local conditions and in cooperation with local officials, taking into account the time factor, as the Senator from Illinois has said, as it pertains to some very difficult adjustments which are necessary in a program such as this.

Mr. DOUGLAS. Section 402 also requires the consultation of local officials and citizens, and section 403 permits local authorities, private organizations, and private citizens to participate in hearings on the tentative plan, if it has not been accepted, and to present evidence and to argue either in favor of or in opposition to proposals for changes in the plan.

Mr. HUMPHREY. Essentially, the bill gives a little support to the thousands and thousands of people who, while they may not wish to initiate action in terms of compliance with the Supreme Court decision, are unwilling to engage in massive resistance. In other words, the purpose of the bill, as I see it, is to encourage those forces in the areas of the United States where the problem of school segregation and desegregation is so vital that they would like to be law abiding and law observing, and will cooperate even though it may be, at times, disagreeable to them and may cause them doubt as to whether they should proceed.

I think we should recognize that there is a tremendous number of people—and I hope it is the vast majority—who feel that if they are given some help, if there will be some standard raised around which they can rally, they will comply.

We are attempting to raise the standard, and to do so in a friendly, cooperative, helpful manner, rather than through some arbitrary edict.

Mr. DOUGLAS. If we may take, for example, the neighboring State of Virginia, the State which gave to the country Washington, Jefferson, George Mason, Madison, Monroe, John Marshall, Patrick Henry, and a whole series of other great defenders of liberty, there are at least three communities—Norfolk, Charlottesville, and Arlington—where there is a considerable body of opinion which favors obeying Federal law and Federal decisions. Hitherto, it has not been possible for the Federal Government to help them in a conciliatory fashion. They have been left to struggle alone in a very difficult situation.

Mr. HUMPHREY. The particular provision to which the Senator from Illinois has referred would assist those people in fulfilling what they believe, in a patriotic manner, is their duty to perform.

Mr. DOUGLAS. Yesterday it was Little Rock; today it is Norfolk and Charlottesville and Arlington; in a few months it may be Atlanta, and then New Orleans.

Mr. HUMPHREY. The purpose of the bill is to try to encourage proper, methodical compliance with the law.

Mr. DOUGLAS. That is correct.

Mr. HUMPHREY. I believe we ought to continue to underscore the fact that what we are attempting to do is not to force, not to browbeat, not to use Federal edicts, but to extend the cooperating hand of the Federal Government, where local cooperation is no longer successful, and at the same time to authorize the chief law enforcement officer of the United States, the Attorney General, to take such action as the bill prescribes, to make certain that the supreme law of the land is not defied, and to see to it that obstructions which tend to prevent compliance with the law are not permitted to be effective.

Mr. DOUGLAS. That is true; but even that is to be, in a sense, the last resort.

Mr. HUMPHREY. It is. That is why I said the titles should be considered. The titles which provide for legal actions are the very last titles in the bill.

The whole substance of the bill is, first, to put Congress on record as supporting the equal-protection-of-the-laws concept, as well as the decision of the Supreme Court; second, to offer the assistance of the Federal Government in terms of the utmost of local community cooperation; third, to offer the assistance of the Federal Government if and when local cooperation has been unsuccessful, including the assistance of the Federal Government in terms of funds, facilities, and equipment.

The only time resort would be had to the use of the injunctive powers or lawsuits through the courts on the part of the Attorney General would be when everything else had failed.

So the substance of the bill is law observance, not necessarily law enforcement. The only law enforcement is the final act if such observance is not made.

Mr. DOUGLAS. The Senator's understanding is completely correct.

In conclusion, I call attention to lines 3 to 9 on page 20 of the bill, in section 601(b). This and the preceding section provide that the Attorney General may only institute injunction suits under section 601 on a signed complaint and when the complaining persons or groups of persons are financially unable to bear the expense of the litigation, but also when there is reason to believe that the institution of such litigation would jeopardize the employment or other economic activity of, or might result in physical harm or economic damage to, such person or group of persons or their families.

In other words, if a man is able to conduct a suit in behalf of desegregation for his children, the Attorney General will not file the suit. It is only if the person is financially unable to do so, or if he may be threatened with bodily damage or loss of employment if he does so, that the Attorney General will initiate the case.

Mr. President, I yield the floor.

Mr. PROXMIRE. Mr. President, I commend the Senator from Illinois for his superb speech and for the very great merit of the measure he has introduced.

Mr. DOUGLAS. I thank the Senator from Wisconsin.

AUTHORIZATION FOR COMMITTEE TO FILE REPORTS DURING ADJOURNMENT OF THE SENATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be permitted to file reports during the adjournment of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

YOUTH CONSERVATION CORPS

Mr. HUMPHREY. Mr. President, during the winter of 1957–58, a group of dedicated men and women—leaders in the Nation's conservation movement—came to me to discuss the enormous and growing gap between our projected needs in forest and farmland productivity, and the programs of the State and Federal Governments in the field of natural-resource conservation. This gap demands the attention of every thoughtful American.

We are rightly and deeply concerned about the missile gap which today yawns between our national effort in the field of missile and rocket development and the corresponding Soviet effort. But there are other gaps, as well, which must concern our people. One is the resource-conservation gap—the broad gulf between our anticipated needs for food and fiber and forest products, beginning at the end of the next decade, and the predicatable productivity of our farms and woodlands.

Today, there is much official concern about agricultural surpluses—despite the fact that more than one-third of the world still goes hungry, and a population explosion is taking place throughout the world.

Mr. President, how shortsighted can we be?

There is much official talk about balancing the books of the Government, but little thought is given to balancing the necessary programs of Government.

There is much talk about spending—as though every expenditure of a Government dollar were a dollar down the drain; but there is little recognition that there are certain kinds of expenditures which, as every corporation knows, must be made as investments in order to increase productivity and gross income.

Mr. President, it is high time that the leadership of this Nation began to discuss the Federal budget in other terms than a simple comparison of dollars incoming and dollars outgoing each year. It is time that we began to look to the future; it is time to set some national goals, and to begin to discuss the positive steps of investing in constructive programs.

We should be thinking, for example, in terms of heavy investments in education, in research, and in the expansion of the productivity of our great natural resources, rather than forever groaning about spending in these areas.

I digress to point out that expenditures for national defense are also in the nature of an investment—as certainly as the expenditures which a corporation or the head of a family makes in taking out insurance as a hedge against disaster.

Mr. President, it might be very well if our Federal budget were divided on the basis of what we call capital outlays for investment purposes and expenditure outlays for current costs of operating Federal establishments. I believe it once was said that if the telephone company had budgeted for its operations in the way the Federal Government does, there never would have been an extra telephone, because, after all, when a private corporation invests money in capital goods, it considers that investment to be an asset, rather than a liability, and it has a way of being able to capitalize such expenditures or investments over a long period of time. The only budget I know of that is completely out of step with the reality of a capitalistic society in terms of capital investments and their relationships to productivity and wealth is the Federal Government's budget, because in no way does it have any connection at all to what we call investments in long-term assets, investments in income-producing projects. Instead, it deals with all such matters as if they were expenditures wasted each and every day.

Mr. President, we should also be thinking in terms of the necessary investment to at least make a start toward the solution of the bitter problem of juvenile delinquency—which, beyond its personal tragedy, is laying the groundwork for huge future national expenditures in the field of law enforcement, criminal-court proceedings, and imprisonment.

Mr. President, my friend, James Bennett, of the Bureau of Prisons, is nearly at his wit's end about what to do with the mushrooming prison population of this land of ours. Our reformatories are spilling over; our State and Federal prisons are packed and crowded beyond belief. And if we do not act quickly to provide for the most urgent needs of our prison administrators, I say frankly that

I do not know what they are going to do. I respectfully suggest that it might be a good idea for the appropriate committees of Congress to give this problem—including that of the maintenance of our reformatory and penal facilities—more thoughtful and more friendly consideration.

Yet if we were simply to deal with this problem on a year-to-year basis, and if we were to agree to provide Mr. Bennett with the new beds and cells he needs for next year, how shortsighted that would be.

What we must worry about are the prisons of 10 years and 20 years from now and the enormous expenditures of funds that our children are going to have to make in order to take care of the problems we are now creating—or permitting to happen—simply by inaction and lack of foresight.

Yes, Mr. President; there is another gap to worry about. We could call it the "youth conservation gap"; and it is represented by the gulf between what we are doing to prevent juvenile delinquency and what we ought to be doing to encourage the development of many hundreds of thousands of salvageable boys and girls into useful and happy adult citizens.

Three years ago, several of us advanced the proposition that we should make scholarships and low-interest loans available to gifted young people who do not have the financial wherewithal to go on to college training, to develop their natural gifts, not only for their own benefit, but for the Nation's.

Nothing much happened at first; but gradually the idea began to be discussed and debated. People began to get interested. Finally, with the magnificant leadership of the senior Senator from Alabama [Mr. HILL], last year a legislative program of great historic significance—the National Defense Education Act—was written.

We did not get all we wanted—but we are going to keep on working, because the resources represented by the talented young minds of America are precious indeed, and worth a very considerable national investment to insure that they are adequately trained and developed.

Similarly, there are many hundreds of thousands of young people who represent potential strength and productivity to the Nation, but whose abilities or inclinations do not indicate a professional career.

These are the young people who are apt to be forgotten in the preoccupation with professional training and, of course, there is a very evident lag in the development of sufficient scientists, teachers, and engineers. Many of these young people drift into the labor market with little training, often without completing high school.

Not only are they not going on to college—they are not going anywhere, some of them, except into boredom, confusion, and trouble.

Why should we permit this to happen? Why should we, through continued indifference, be responsible for the misery and tragedy of hundreds of thousands of wasted lives?

We cannot solve every problem through Federal action. That is self-evident. And the task of preventing juvenile delinquency is so complex and difficult that it would be foolish to claim that any one proposal could solve the problem. But the fact that a problem is complex should not prevent us from advancing partial solutions.

It was in the earnest hope that we could learn from the great lesson of the Civilian Conservation Corps that a number of us last year proposed the creation of a Youth Conservation Corps of 150,000 young men as a partial answer to the twin problems of natural resource conservation and youth conservation.

Putting together land and trees and water and boys is putting together a mighty good combination. As I address the present Presiding Officer from the State of Wyoming [Mr. MCGEE], let me say it is a good combination, particularly in the Far West, where the land, the water, the trees, and the young men seem to work hand in hand.

Mr. President, I have summarized, in an article appearing in the current issue of Harper's magazine, the principal resource conservation projects which such a youth conservation corps could undertake, and I have suggested the ways in which such an organization could participate in a broad national program aimed at preventing juvenile delinquency and encouraging healthy maturity.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks an article entitled "Trees, Land, and Boys," appearing in Harper's January 1959 issue.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. HUMPHREY. Mr. President, since our first proposal for a Youth Conservation Corps I have received many hundreds of thoughtful and specific communications from a number of groups—from conservationists, from juvenile court authorities, and from social welfare workers. There is wide agreement on the objectives and the need for legislation, and I wish to share with my colleagues just a few of the remarks which demonstrate the interest and enthusiasm throughout the Nation.

For example, Mr. A. W. Greeley, then regional forester for the Forest Service at Milwaukee, and now the Deputy Chief of the Forest Service, wrote me last year that—

> There is even more natural resource work to do today than there was when the CCC program came into being in 1933.

From the chief of police of North Chicago, Jacob J. Novak, comes this recollection of the value of the early CCC in steering boys on the right track:

> I have been chief of police here for 24 years, and during the early years of my career we saved many an errant boy by permitting him to go to the C's.

The director of a child guidance clinic in California has written to me as follows:

> My heart leapt as I saw the title of your article in the latest Harper's magazine, "A Plan To Save Trees, Land, and Boys." * * * This conception is at the very heart of what I call liberalism—the intelligent conservation and development of our Nation's human and natural potential. * * * We see many young men in the adolescent age group, some already delinquent in the sense of having been caught in serious antisocial activity, and many more, maladjusted, confused, and in the midst of severe adolescent turmoil. Many look ahead to the day when they can "join up" in the armed services, even though many would be unsuited for such duty, simply because it is the only alternative to school or self-defeating idleness.
>
> I not only often say, but often hear school people, probation workers, police, parents, and casework agency staff workers say: "If there was only something vigorous, useful, aggressive but not destructive that we could find for him to do.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from West Virginia.

Mr. RANDOLPH. I thank my able colleague from Minnesota. It is not my desire to break the continuity of his discussion of this important proposal for reenactment of a measure somewhat similar to the Civilian Conservation Corps Act of the 1930's.

Mr. HUMPHREY. Yes; it is that.

Mr. RANDOLPH. I was intensely interested in the enlightening article by the Senator from Minnesota in Harper's magazine. May I say—and these words are not gratuitous—I read it not once, but I read it twice. I did so because I felt the impact of the reasoning of the Senator from Minnesota, as reflected in what I knew was a considerable amount of research, also represents a grasp of the need today, as we had the need a quarter of a century ago. It relates to an important phase of American life.

I hope it is not inappropriate for me to say to my distinguished colleague that when I was in the House of Representatives, during the period of the terrifying years of the depression, I assisted in the drafting of the original measure. I would not attempt to confine the benefits to the State of West Virginia in remarks that I wish to make at this moment, except to say that even now there come to me letters of appreciation from men of middle age, or approaching middle age, who were in the Civilian Conservation Corps activity.

Throughout West Virginia we found that the construction of trails, roads, and firebreaks, and so many, many developments within the woodlands, was a tremendously valuable contribution to the building of a better physical and natural resource within our State.

What the Senator from Minnesota has so well said, I wish to embrace and emphasize; namely, that when we spend a dollar on a program such as the one the Senator from Minnesota envisages in his currently proposed legislation, such a dollar returns, not 100 cents on the investment—and it is an investment—but it returns a dividend as well. It is a dividend, not only in a physical and a natural resource, that constitutes a contribution to a better manhood within the America which the Senator so well serves.

Mr. HUMPHREY. I wish to thank the distinguished Senator from West Virginia, not merely for his remarks, but

for the obvious spirit in which he has made those remarks.

I wish to state again that the Senator from West Virginia [Mr. RANDOLPH] was one of the original authors of the Civilian Conservation Corps legislation. The Senator has made me a happy sponsor of a bill by joining with me with respect to the bill for the Youth Conservation Corps.

I believe it is fair to say, Mr. President, that in the discussion of the bill, I have yet to find anyone among the public opposed to it. I hope, therefore, that the Senate of the United States will give itself the opportunity to adopt legislation along these lines. The bill may need, as we know, some revisions, because no one claims to have sufficient competence alone to perfect legislation. We will want to have hearings on the bill. I hope we will observe the kind of enthusiasm within the Senate and within the other body which the American public seems to show for this particular type of proposal.

Of all the measures I can think of which were passed in the last 25 or 30 years, none has a finer reputation, and I believe none has more open public support than the old CCC camp program. It really made history, Mr. President.

In the Congress of the United States today are some former members of the Civilian Conservation Corps camps. In fact, the distinguished senior Member of the Minnesota delegation, the Representative from the Eighth District of Minnesota, JOHN BLATNIK, was a CCC camp fellow. There was never a finer young man or a finer young Representative. These men learned a great deal in the camps.

As the Senator from West Virginia has said, not only did the program build up great physical resources, but it built character. When the country needed these men in the defense of our Nation, they were healthy, strong, and able to defend themselves because of their contact with the great outdoors.

I thank the Senator from West Virginia. He has been most helpful to me.

Mr. President, I refer again to the expression from the California doctor. This thoughtful California doctor also pressed ahead to suggest an international youth conservation corps where Russian boys might plant trees in the high Sierra along with American boys, Indochinese and African, and the same troupe, with the same spirit, might also plant trees in England or Russia.

Mr. President, this is a similar idea to one I suggested some 2 years ago, to send young Americans as grassroots ambassadors into the backward areas of the world, not only to bring advanced techniques to the villages and towns, but also to bring the spirit of America's fresh, clean, and healthy youngsters to the people of these countries who are suspicious and distrustful of our great national wealth and power.

A county judge in Oregon tells me that in his opinion the savings in lessened costs, for juvenile detention homes and reformatories, from the youth conservation program would almost cover the expense of the project.

A probation officer in the Connecticut adult probation system writes as follows:

> Would the cost be prohibitive? I do not think so, when you consider the ultimate objectives to be gained. * * * Will we not have to spend to build correctional institutions to meet the needs of those increasing numbers of delinquents and more money for more policemen to patrol streets, and in some cases, schools, as is the case in New York at tihs time?
>
> I believe that such a plan must, in time, be inaugurated.

I digress to point out that the writer refers to the youth conservation plan.

> I have talked to educators, judges, social workers, and police officials and they are unanimous in their approval for such a program. * * * I do not believe that this would cure all our social ills. It would not eradicate delinquency. The causes are too complex and varied for that, but it would be a giant step in working toward their ultimate solution. Can we afford not to?

These form only a very small sample of the kind of response which this proposal has received from professional men and women in the two fields of natural resource conservation and youth conservation. It has heartened and encouraged me. No measure that I have ever introduced has provoked more detailed and enthusiastic response from so broad a spectrum of Americans.

Mr. President, the bill which I shall introduce in a moment does not necessarily outline the very best organization for such a conservation effort. The details should be worked out in consulation with the career conservationists of the State and Federal Governments, and with the advice and counsel of eminent authorities in the field of youth conservation and rehabilitation. I am deeply hopeful that it will be possible to have hearings scheduled on this legislation so that the many interested groups and individuals who have already sought the opportunity to testify may be given the chance to do so.

There is a wealth of experience to draw upon—not only from administrators and scholars who recall the work of the old CCC in the thirties, but also from the many, many skilled individuals who have been engaged in recent years in voluntary, State and county, and even municipal efforts to use the great outdoors, the woods and forests and open country, as an arena for the rehabilitation of young boys. Still others have pioneered work programs for young people not for the purpose of rehabilitation but simply to provide healthy, creative work opportunities for perfectly healthy and untroubled young people.

A common denominator of the experience of these hundreds of individual efforts has been the realization that the economic gains, in terms of greater forest productivity, for example, are important byproducts of the youth conservation work.

Minnesota, under the able leadership of Gov. Orville Freeman, has been for several years developing work programs for delinquent boys, with remarkable success. In 1957, Minnesota's Iron Range Resources and Rehabilitation Commission undertook an experimental program to hire small groups of boys between 17 and 21 to work on timber stand improvement, under the guidance and supervision of a trained forester, in four northern Minnesota counties.

Commissioner Kaarlo Otava reports:

> This type of work is something of a long-range nature. Immediate cash returns are not immediately available, but in the long run this type of work greatly improves the quality and quantity of timber, therefore, natural growth. * * * In addition to providing improvements on county timber stands, this program provides gainful summer employment to a number of boys in certain northern Minnesota areas to enable them to continue their education. The boys are not only given gainful employment during the summer, but they received valuable training in conservation and in working together. * * * When the trees mature and are sold the approximately $30,000 expended on this project will be returned in full in addition to providing quality material to better support local timber-using industries.

Mr. Otava expanded the program last summer to employ about 200 boys, working under 8 foremen not only in timber stand improvement, but also in State parks and camping areas, where a lack of funds had permitted overuse of these areas to run them down severely.

Mr. President, there is much, much experience to draw upon as we contemplate the creation of a Federal program to augment and greatly expand the pioneer and pilot projects already undertaken at the State and local levels. To illustrate this fully, I asked the Library of Congress to prepare a survey of the costs, kinds of work, and accomplishments of youth work programs. This survey was undertaken last fall with the great assistance of Mr. Curtis Gatlin, of the National Child Labor Committee, and contains reports on the juvenile delinquent forestry camps operated by 13 States, the Federal Government, and Salt Lake County, Utah, as well as the part-time programs sponsored by a number of cities, counties, and private volunteer groups.

Although this is not by any means a complete survey—I underscore that statement; it is only a limited survey—it is valuable and informative. It clearly demonstrates that our proposal for a youth conservation corps is grounded on a great deal of varied experience. At the same time, it demonstrates that the sum total of all these local and State efforts is far, far less than the needs of the Nation.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks a chart summarizing the replies received from a number of administrators of work camps for young boys throughout the country.

The PRESIDING OFFICER. Without objection, the chart may be printed in the RECORD, as requested.

(See exhibit B.)

Mr. HUMPHREY. Mr. President, on behalf of myself, Senators MURRAY, BYRD of West Virginia, CHURCH, GRUENING, HART, HENNINGS, JACKSON, JAVITS, JOHNSTON of South Carolina, LANGER, MAGNUSON, MANSFIED, MCCARTHY, MORSE, MOSS, NEUBERGER, PROXMIRE, RANDOLPH, and YARBOROUGH, I send to the desk for appropriate reference a bill calling for the establishment of a national Youth Conservation Corps of approximately 150,000

young men between the ages of 16 and 22, legislation which will authorize a constructive, meaningful, and economical use of the energies of young Americans.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 812) to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas, introduced by Mr. HUMPHREY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the bill be printed in full at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, the bill may be printed in the RECORD, as requested.

(See exhibit C.)

Mr. HUMPHREY. Mr. President, in conclusion, I wish to say that this great America of ours must recover the confidence and daring and imagination that our leaders seem to have lost in recent years. It is time that we begin to consider programs and policies which will bear fruit in 5 years, 10 years, and 20 years, and to lay plans for our Nation's growth and security and welfare which go more than a year or two forward.

What is needed is vision to see the emerging problems and crises of the next decade—the dwindling relative productivity of our natural resources, the shrinking educational plant, the outmoded and already obsolescent highways and airports that are still on the drawing boards. We need to visualize and squarely face the economic competition of the Soviet world. We need to face up to the fact that problems do not solve themselves, and that the future eventually arrives. In fact it is constantly pressing on the plans of today.

There are many other pressing measures which directly bear on the expanded future of our Nation—aid for school construction, scholarships for the gifted, and increased research program across the broad spectrum of science, for example. The youth conservation corps is only one of a series of such positive steps that we should take to insure that our natural and human resources are developed to their full potential, and that our Nation is strengthened for the long pull ahead.

EXHIBIT A

A PLAN TO SAVE TREES, LAND, AND BOYS

Everyday the news bears evidence of an appalling waste of young lives. Shocking juvenile crimes are commonplace on page 1. But no less distressing are the countless minor transgressions more briefly reported from the crowded dockets of magistrates, desk sergeants, and juvenile court judges.

The cost to the United States is beyond all calculation.

This waste of human resources is matched in another field by an outrageous dissipation of our resources of soil and water. From the tidewater East to the mountains of the Far West, wind and water and fire gnaw at the hill spoles and fill our lakes and streams with topsoil. Despite encouraging progress made by conservation programs, sluicing rains tear new gorges in the earth. Millions of acres of cutover forest lands lie abandoned to brush, wind, fire, and insects—ugly and unproductive, at a time when the U.S. Forest Service predicts that our need for lumber and other wood products is rising beyond our expected forest yields.

Muddied and polluted lakes and streams mock the tourist brochures of dozens of States. Park and forest campsites and trails are deteriorating. Even these neglected facilities are crowded today—would-be campers often find only dim echoes of the refreshing outdoor experiences that our parents took for granted 50 years ago.

Such a waste of both human and natural resources need not be tolerated. This was proved a generation ago in a 9-year national experiment that gave us a blueprint for conservation that can teach us a lot today.

The idea for the Civilian Conservation Corps sprang into action almost overnight in March 1933, during the magnificent ferment of the first hundred days of Roosevelt's New Deal. It became one of the most successful projects of the 1930's, acclaimed by both parties.

The theory was simple: We had a lot of young men out of work; outdoor work was good for young men; therefore, let's get the boys out into the woods. Within weeks, the first experimental CCC camp was in operation at Camp Roosevelt, 2 hours west of Washington, D.C., in the green woods of the George Washington National Forest. Reserve Army officers were called back on active duty to supervise the boys, and out into the woods they went with shovel and ax. Within a few months, camps began to mushroom throughout the country, with about 200 boys in each. Within a year, the CCC enrollment had hit its average of 300,000 and until the early forties the CCC boys were working in nearly 2,600 camps in the State and National parks and forests.

What started as a make-work project rapidly developed into the most comprehensive program for the management and conservation of natural resources that any nation had ever undertaken. Frankly improvising, the professional conservationists of the U.S. Forest Service, the National Park Service, the Bureau of Reclamation, the Bureau of Indian Affairs, and the Soil Conservation Service shifted into high gear projects that had only been dreams of forestry and conservation technicians.

Conservationists who had despaired of moving beyond the first giant step taken by the pioneers of the Teddy Roosevelt-Gifford Pinchot era—when the major national park and forest areas were set aside for public use—suddenly awoke to find a new force at work. Raw brain and muscle, willing and enthusiastic, became available almost overnight for the long-dreamed work of forest fire prevention, erosion control, timber stand improvement, new outdoor recreational facilities, and earth dam reservoirs.

As the waste motion came under control—as the boys from New York and Chicago, Chattanooga and Los Angeles and a thousand cities and villages across the Nation were trained into effective, skillful teams—millions of acres of land were transformed by reforestation, stripcropping, gully stabilization, and forest fire control.

What happened to the CCC boys themselves—eventually almost 3 million of them—was also fascinating.

The boys put on solid weight. They grew taller. Many had their teeth attended to for the first time. They developed manual skills they had never suspected and later got specialized vocational training—truck driving, machine maintenance, building trades skills. Eventually, training became as important as the actual pick-and-shovel work of conservation. Skilled leaders emerged among the teams of boys and young men working against fire, erosion, and waste in ever more carefully planned projects.

HOW THEY DID IT

Nine years of the CCC built into the national economy and, it may be, into the national character, some extraordinary values. A major start was made in using nearly untried techniques of forestry and soil conservation in the Nation's timber and grazing lands, and our infinitely valuable watersheds. But in terms of the salvage and the strengthening of young lives, many hundreds of thousands of them, the CCC may have made its most important contribution. Former CCC boys are today scattered throughout the leadership of American industry, government, and education—testimony to the social values of this great experiment. I have asked some of them what the CCC meant to them.

A typical comment comes from a marine fishery research biologist:

"It is my honest opinion that my experiences in the CCC during the critical years of my life better prepared me for my years of service overseas with the U.S. Army during World War II * * * an enrollee enjoys a sense of accomplishment, a sense of having contributed something worthy to the Nation."

My good friend, Congressman JOHN BLATNIK, of Minnesota's forested Eighth District, who had just finished teacher's college at the time, became a CCC camp educational adviser. This is what he says about his experience:

"The CCC looked good, and believe me, it was good to me. * * * We worked in warm weather and in cold. There was plenty to do, but we were young. We liked the work; we liked the life; and especially, we liked the opportunity to be a recognized part of American life. * * * [The CCC] was a great movement to renew a spirit of adventure in youth, and to dramatize the protection and restoration of our natural resources."

World War II killed off the CCC, but in its 9 years some great steps had been taken. The teams of boys planted nearly 3 billion trees, built over 150,000 miles of trails and fire lanes. They strung 85,000 miles of new telephone lines and put up 4,000 fire towers, 45,000 bridges, and thousands of buildings.

They built several million check dams against soil erosion, and did improvement cuttings and thinnings on about 4 million acres of forests. They saved millions of acres by prompt fighting of small fires before they got out of control and protected the trees from attacks by insects and diseases. They also helped replace sagebrush with forage grasses on nearly 40 million acres of brushy lands. Altogether, the value of their work has been estimated at $1½ billion—in 1940 dollars, too.

What did it cost? An even $1,000 each year per boy—for everything—overhead, salaries, everything.

HOW MUCH SHOULD WE INVEST?

The demands of World War II mobilization drained away the CCC's manpower, but the conservation needs remained. The job the CCC did until 1942 in putting our forests and farmlands into shape was by no means finished, though the work was put aside temporarily. Conservation programs went on a strictly maintenance basis during the war and have never been resumed on the scale needed.

Today, the children born during World War II are our teenagers—and they are finding a crowded world—not only in the cities, but in the outdoor recreational areas. More than 50 million visitors are now using the national forests alone each year.

A critical shortage of forest products will come by the year 2000 if we do not expand

our forestry programs now. Trees take time to grow. And, although our agricultural abundance is a concern today, demographers are predicting scarcity to come, if we continue to allow wind and water to wear away our topsoil at the present rate.

Last summer, the Natural Resources Council, made up of the heads of nationally important conservation groups, completed a searching estimate of the total job needed to bring the corrosive actions of man against nature under control, and to rebuild the productive capacity of our lands and waters enough to sustain the predicted population of 50 years from now.

They came up with some hard figures. Over a 10-year intensive program, they said, we need to invest $3 billion to put our forests into adequate productive shape; $4.5 billion to halt the loss of topsoil and protect vital watersheds; $1 billion to stabilize the soils and increase the forage yields on our western rangelands; $2 billion for the upgrading and expanding of the areas of outdoor recreational facilities; and another $1 billion to improve refuges for wildlife. Many of these represent planned programs in the files of both Federal and State conservation agencies. They do not include the huge conservation needs of our new State of Alaska.

Take just one major resource—forest lands. Professional foresters estimate we have 275 million understocked forest acres in need of timberstand improvement, thinning, eliminating diseased trees, and reducing fire hazard. Another 52 million acres of open, unproductive land should be replanted in trees.

Water and topsoil are not inexhaustible. Yet hundreds of thousands of streams dump silt into our reservoirs and harbors. Stream banks can be stabilized—but only by human hands planting protective vegetation. Federal and State conservation agencies have simply not been able to tackle these and other conservation jobs on anywhere near the scale demanded. Manpower shortages and lack of funds, not ignorance, are holding them back. There is work enough to employ several hundred thousand men for a decade or more—at useful, not make-work, jobs.

AN UP-TO-DATE CORPS

A giant step toward the prevention of delinquency and the improvement of physical fitness could be accomplished if the CCC were in existence today to provide not only healthful, useful outdoor work, but educational opportunities for boys and young men with too much time on their hands.

Dropouts from high school, and even a considerable proportion of high school graduates, find it increasingly difficult to secure jobs with any future. Despite the sharp increases in college enrollment, millions of young men will not go on to higher education. Instead, they will flow directly into a labor market which is at best inhospitable for teenagers, and during recessions is forbidding.

I am convinced that we must again provide the kind of opportunity for creative work on the land that was given to American boys in the thirties. I introduced legislation to accomplish this during the last session of Congress, and Congressman BLATNIK introduced a companion bill in the House. We expect to bring the measure up again in the new Congress, shortly after this article appears.

Briefly, the bill would establish a somewhat smaller, more flexible, and more education-oriented organization than the old CCC—a Youth Conservation Corps of 150,000 young men. It would be decentralized among the Federal and State conservation agencies in relatively small groups as compared with the old 200-man CCC camps.

The boys would improve young timber stands by thinning, help carve new access roads and trails into the forest areas, plant seedlings on bare lands, stabilize eroding stream banks by hand planting. They would construct picnic area facilities, retaining walls, erect earth dams to create upstream reservoirs, improve lakes, streams, and marshes for fish and wildlife, rebuild game cover, team up for fighting forest fires and reseeding deteriorated rangelands.

It would be hard, dusty, and rugged work, but if I know American boys they would fight to participate.

Recruitment and overall budgetary control, the responsibility for the maintenance of minimum standards for working hours, and for health and educational programs, would be in the hands of a Director under the Department of Health, Education, and Welfare. An Advisory Board from the Departments of Agriculture; Interior; and Health, Education, and Welfare would consult on policy with the Director.

But once the boys are processed through the YCC recruiting and orientation period, they should be assigned directly to small units of perhaps 50 or less under the immediate supervision and direction of professional foresters and conservationists of the U.S. Forest Service, the National Park Service, the Fish and Wildlife Service, the Soil Conservation Service, and the State conservation departments.

The boys would be put into on-the-job training situations throughout the conservation field—good, vigorous outdoor work under careful supervision. But, in addition, I propose the development of well-articulated health and educational programs for the enrollees quite apart from their conservation work. In fact, 20 percent of their time is explicitly to be set aside for educational purposes, making use of the facilities of schools and junior colleges in the vicinity of the projects.

Enrollees would be paid at the current rate of a private in the Army—about $78 per month—plus subsistence, medical care, and other fringe benefits. They would sign up for 1 year, or for special vacation period enrollments for students. Enrollment would be open to any American boy, of course, regardless of race or creed or color, who is at least 16 years old, and physically qualified.

Like the old CCC, the YCC would also provide for the enrolling of a small percentage of more mature skilled woodsmen and other conservation workers to provide a leavening of older heads and skills for the groups of inexperienced young men. In areas close to or actually inside Indian reservations, special provision would be made to give work opportunities to tribesmen on their own lands. This would relieve an acute and chronic unemployment problem in the reservations, and also serve to lace the pool of manpower with another good measure of woods skills.

PEOPLE ARE ASKING FOR—

There has been a heartening response to my proposal from around the Nation. Juvenile court authorities, social welfare people, State, and private conservation officials—and many young men themselves interested in enrolling in the corps—have written me all through 1958 suggesting minor changes, advocating different emphases but, without a single exception, strongly favoring the proposal.

A juvenile court judge in Ohio, for example, asked me if I would consider reducing the minimum age to 16. In Ohio, he pointed out, "a boy may be released from school if he has passed the seventh grade and is 16 years of age. Lowering the age to 16 would therefore enable the boy who is maladjusted in school to get a working certificate and enroll in the Youth Conservation Corps."

A superintendent of a work camp for delinquent boys in Minnesota wrote that his 7 years with the old CCC and his 5 years with the Minnesota Youth Conservation Commission were "the most satisfying of my life" and outlined detailed conservation projects which could be undertaken in his area.

Stressing that the group between 14 and 18 is his particular interest, a Missouri superintendent of schools said:

"We have no institution between the public school and reform school to take care of the boy who is (1) a poor student and not interested in school; (2) one who has family problems and is emotionally maladjusted; or (3) one who has no opportunity to earn the money he feels he needs and that to him is more important than an education."

Many correspondents raise tough questions. For example: what about something for the girls? That gets us into a whole series of new considerations, and will be the subject, I am sure, of separate legislation and a separate program. The answer, of course, is that there should be something for the girls—something beyond the scouting years, and of a serious, constructive nature—that would involve practical conservation work without the heavy, load-lifting duties of the young men.

Another interesting question is whether service in the YCC should be counted as part of the fulfillment of obligatory military service. Undeniably, the body building of outdoor work would greatly increase the general state of physical fitness of our young men. Yet I strongly feel that young men would enroll in the conservation corps without the added incentive of being able to write off a year's reserve service requirement, and I am inclined to feel that at this time we should leave the military training to the numerous and competent Reserve and National Guard programs.

The CCC left no bad taste. Even the bitterest opponents of the New Deal had to admit that the CCC was a sound investment in both people and the land. And millions of American families taking to the fields and woods today constantly run across reminders of the constructive CCC work of a generation ago. Among them are thousands of loyal CCC alumni who take pride in revisiting the woods trails, recreation areas, and upstream reservoirs, the burgeoning stands of young timber, the renewed game cover and green stream banks on which they worked as very young men.

Americans, until our very recent urbanization, have always been outdoorsmen. Only recently has the privilege of living and working in the open been denied to so many of our younger generation. For hundreds of thousands of city boys, the opportunity to work on the land could enrich and strengthen their lives. Too, it might provide a new sense of meaning and purpose for young men growing up in a society in which the opportunity for creative accomplishment is becoming rarer each year. Eleanor Roosevelt once said that conservation programs in which young men worked to save our natural resources might serve as a moral equivalent of war needed to inspire young men's loyalties and their dreams.

I am convinced that young men in substantial numbers would seize the opportunity to roll up their sleeves and join a great national effort on the land. The challenge of a task that transcends the mere earning of a living, the chance to participate in a purposeful effort, would be far more important to such young men than the nominal wages and subsistence. I know a dozen young men from stable, middle-income families who would give their eyeteeth for such an opportunity.

And could anything more effectively and constructively channel those restless energies that today are leading tens of thousands of underprivileged boys in the direction of delinquency, violence and self-destruction?

EXHIBIT B

THE LIBRARY OF CONGRESS, LEGISLATIVE REFERENCE SERVICE

Subsidized work programs for youth

DELINQUENT FORESTRY CAMPS

State, city, county	Program	Source of information	Sponsor and cooperating agency	Enrollment or capacity	Eligibility requirements	Age range	Duration	Type of program	Accomplishments	Costs
California	3 State camps	Children's Bureau, Washington, D.C.	California Youth Authority; State and county departments of forestry.	99		16 to 19		Reforestation; fire protection; conservation and construction; evening school classes.		
	26 county camps	Children's Bureau.	County probation departments; State and county departments of forestry.	16 to 99		13 to 17		½ time school and ½ reforestation and maintenance projects.		
	Log Cabin Ranch School.	LRS survey (p. 1).	California Youth Authority; San Francisco juvenile court; San Mateo County juvenile court.	86	Juvenile court commitment.	15 to 18	Full time; full year.	Dairy, kitchen, road-building, fence building, shoe repair, laundry.	Rehabilitation of delinquent youths.	$60 per month by parent if possible; $280 per month per boy by sponsor.
	Los Prietos Boy's Camp.	LRS survey (p. 2).	County of Ventura; County of Santa Barbara.	59	do	do	do	½ work, ½ school; camp maintenance work in national forest near camp.	do	$75 per month by parent if possible; $103,904 budget for fiscal year.
	Rancho Del Campo	LRS survey (p. 3).	California Youth Authority; San Diego County.	90	do	14 to 18	do	Maintenance of camp; animal husbandry.	do	$1,050 county; $1,050 California Youth Authority.
	Twin Pines Ranch	LRS survey (p. 4).	California Youth Authority; Riverside County.		do		do	½ work, ½ school	Rehabilitation of delinquent youths; about 80 percent rate.	$1 million construction; $150 per month per boy by county and State.
Illinois	5 State camps	Children's Bureau.	Illinois Youth Commission; State department of conservation.	18 to 35		16 to 19		Forest protection, park construction, road and bridge repair, and agriculture.		
	Palisades State Boys' Camp.	LRS survey (p. 5).	Illinois Youth Commission, division of forestry camps.	42 monthly.	Committed by State court; assigned by Illinois Youth Commission.	16 on	Full year, full-time.	Work in State parks	Rehabilitate juvenile law offenders.	
	Division of forestry camps.	LRS survey (p. 6).	State of Illinois	26	Honor program; State training school.		do	Conservation work for Illinois Conservation Department.	Rehabilitate delinquents.	Tax supported.
	Forestry camps	LRS survey (p. 7).	do	175	Honor program for boys committed from court.		do	Forestry, conservation, development of recreation areas; 1 camp agriculture and animal husbandry.	Teach good work habits. Preparole training. Estimated value of services $394,611 for last biennium.	$35,119 for last fiscal year.
Maryland	3 State camps	Children's Bureau.	State department of public welfare; State department of forests and parks.	26 to 30		16 to 18		Reforestation, landscaping, park beautification, fire protection, flood control, etc.; evening school classes.		
	Green Ridge Forestry Camp for Boys.	LRS survey (p. 8).	Maryland State Department of Public Welfare.	30 boys	Boys in good health with no interest in further academic training transferred from 2 State training schools.	16 on	Full year, full-time.	Forest conservation maintenance; carpentry, painting, masonry.	Rehabilitate youth for return to community.	$49,448 by sponsor per year. 1955 $20,000 general construction loan for renovation of old existing camp.
	Boys' Forestry Camp, Lonaconing.	LRS survey (p. 9).	do	25	do	do	do	do	do	$41,348 to sponsor per year. 1956 general construction loan of $50,000 for erection and equipment of camp.
	Boys' Forestry Camp, New Germany.	LRS survey (p. 10).	do	25	do	do	do	do	do	$41,001 to sponsor per year; $50,000 general construction loan for erection and equipment of camp.
Michigan [1]	2 State camps	Children's Bureau.	State department of corrections (adults); State department of conservation.	80 100		17 to 24 15 to 22		Park improvements, reforestation, fish and wildlife operations, trial construction and maintenance.		

See footnote at end of table.

EXHIBIT B—Continued

THE LIBRARY OF CONGRESS, LEGISLATIVE REFERENCE SERVICE—Continued

Subsidized work programs for youth—Continued

DELINQUENT FORESTRY CAMPS—Continued

State, city, county	Program	Source of information	Sponsor and cooperating agency	Enrollment or capacity	Eligibility requirements	Age range	Duration	Type of program	Accomplishments	Costs
Minnesota	3 State camps	Children's Bureau.	Youth conservation commission; State conservation department.	60		18 to 21, 16 and 17, 15 to 17.		Reforestation, sawmill operations, snow fencing, cement block manufacture, fire protection; part-time classes.		
	State of Minnesota Youth Conservation Commission Forestry Camp.	LRS survey (p. 11).	Youth conservation commission.	60 boys enrolled.	Commitment of juvenile court.		Full time, full year.	Forestry	Rehabilitation of delinquent boys.	$100,000 per year.
	State of Minnesota Youth Conservation Commission Forestry Camp, Willow River.	LRS survey (p. 12).	Youth conservation commission; department of forestry.	50 to 60	District court commitment.		do	Forestation nursery work	Rehabilitation of delinquent boys. Savings through work done, approximately $100,000.	Do.
New Mexico	1 camp	Children's Bureau.	New Mexico Boys' School; Springer State Game and Fish Commission.	25		16 to 18		Camp construction, clearing fishing streams, fire protection, emergency shelter construction, park improvements, etc., part-time school classes.		
	New Mexico Boys' School Forestry Camp.	LRS survey (p. 13)	State of New Mexico	20	Taken from New Mexico Boys' School.		Full time, full year.	School fences, logging, carpentry.	Rehabilitation of boys.	
New York [1]	2 camps	Children's Bureau.	State department of correction (adults); State department of conservation.	50		16 to 21		Reforestation and timber clearance, park development, fire prevention, wildlife conservation, etc.		
Ohio	do	do	State department of mental health and correction, division of juvenile research classification and training; State department of natural resources, parks division.	60		16 to 18		Park development, camp construction, reforestation, etc.		
Oregon	do	do	MacLaren School for Boys, Woodburn.	25		do		Fire prevention, timber clearance, park development, etc.		
	Boys' Work Camp, Tillamook.	LRS survey (pp. 14, 15).	do	25 average enrollment.	Acceptable behavior and adjustment at MacLaren.		Full time, full year.	4 hours school, 4 hours work per day.	Rehabilitation of delinquents.	
Pennsylvania	2 camps	Children's Bureau.	Pennsylvania Training School, Canonsburg; department of forests and waters.	20		15 to 18		Park development, road and trail clearance, drainage ditch construction, camp construction, etc.		
	Youth Forestry Camp No. 1.	LRS survey (p. 16).	Division of youth rehabilitation, bureau of children's services, department of public welfare.	20	Adjudicated juvenile delinquents.	do	Full time, full year.	Conservation projects	Rehabilitation of juvenile delinquents.	$65,000 per year.
Utah	1 day camp; 1 permanent camp.	Children's Bureau.	Utah Industrial School, Ogden State Forest Service.	12; 14		16 to 18		Road construction, timber clearance and reforestation, fire prevention, erosion control, sanitation control, etc.		
Washington	1 camp	do	Division of children and youth services, bureau of juvenile rehabilitation, State division of forestry.	32		do		Road, bridge, culvert maintenance, reforestation, fire prevention and suppression, powerline clearance, camp construction, etc.		
	Cedar Creek Youth Forest Camp.	LRS survey (pp. 17, 18).	Department of Institutions, State of Washington.	32	Juvenile court commitment.	do	Full time, full year.	Firefighting, tree planting, road and bridge building.	Rehabilitation of delinquent youth.	Legislative appropriation. Each boy receives 50 cents per day.

West Virginia	1 camp	Children's Bureau.	Department of public institutions; State department of forestry.	60		do		Camp construction, park development, timber clearance, etc.		
Federal	do	do	U.S. Bureau of Prisons, U.S. Forest Service.	75		do		Park development, fire suppression, timber clearance, trail building, etc.; evening school classes.		
Salt Lake County, Utah.	Program of Salt Lake County for delinquent boys.	National Child Labor Committee.	Salt Lake City Board of Education, Salt Lake County Commission, juvenile court, State forest and employment, State department of public welfare.	15 boys in 1956.				Rebuild and repair recreation facilities.	Rehabilitation	1956, appropriated $3,000. Pay boys 50 cents per hour.

YOUTH WORK PROGRAMS

Berkeley, Calif.	Berkeley Workreation Committee.	LRS survey, California Department of Employment (pp. 19, 20, 23).	City of Berkeley; Berkeley public schools.	58		14 to 17	5 summer weeks.	Build bridges, lay concrete, custodial and cleanup work, playground aides, libraries; 4 hours paid work, 2 hours recreation.		Board of education, finance; boys are paid wages.
Oakland, Calif.	Oakland Workreation Committee.	do	City of Oakland; Oakland public schools.	135				4 hours work, 2 hours recreation.		
Richmond, Calif.	Richmond Workreation Committee.	LRS survey, California Department of Employment (p. 24).	Richmond City Council, Richmond School Department.	30	Not delinquents or school dropout.	16 to 17	3 summer weeks.	do	Construct overnight camping area, camp stoves, fences, etc.	$2,500 for pilot project $1 a day wage.
Newark, N.J.	Vacation job project	National Child Labor Committee.	Newark City Council	30 boys in 1956.	High school boys		Summer	Clear brush and prune trees in Newark watershed.		$20,000 in 1956; 81 cents an hour plus room and board.
Detroit, Mich.	Job-up-grading program.	LRS survey (p. 22).	Detroit public schools, Detroit Council for Youth Services, Inc.	241	School dropouts	16 to 20	Full year; part-time work.	Subsidized jobs; vocational counseling.	Over 50 percent school dropouts have been helped.	Detroit Council for Youth Services with funds from city and other groups.
Queens, N.Y.	Turkey Mountain Youth Camp.	LRS survey (p. 25).	Queens Child Service League.	About 500		Teenagers.	Weekends and 8 summer weeks.	Building summer camp		Volunteer contributions.
Grand Teton and Olympic National Parks.	Student conservation program.	LRS survey (p. 21).	National Parks Association and 7 other conservation agencies.	40 to 50	Over 15 years of age		Summer	Work similar to National Park Service rangers and naturalists.	Help understaffed national parks; estimated value $15,050.	Students pay transportation to and from parks; get no wages; cost to sponsors $11,400.

[1] Unlike other States, Michigan and New York camps are administered by an adult authority. Data concerning their camps are included here because they serve youths in a similar age range to the juvenile camps of other States.

EXHIBIT C

S. 812

A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled—

SHORT TITLE

SECTION 1. This Act may be cited as the "Youth Conservation Act of 1959."

STATEMENT OF PURPOSES

SEC. 2. The purpose of this Act is (1) to provide the opportunity for healthful training and employment of young men in carrying out programs of conservation of natural resources planned and designed by, and under the immediate supervision of, the various Federal agencies charged with the responsibility of planning and carrying out such programs; (2) to provide immediate work opportunities for certain unemployed men and Indians living in areas which are far from major centers of population and from major public works of a construction nature; and (3) to enable the Federal agencies charged with the responsibility of conserving and developing natural resources to accelerate programs planned by such agencies to fulfill such responsibility through the utilization of such persons.

YOUTH CONSERVATION COMMISSION

SEC. 3. There is established within the Department of Health, Education, and Welfare a commission to be known as the Youth Conservation Commission (hereinafter referred to as the "Commission"). The Commission shall be composed of six members as follows: A representative of the Department of Health, Education, and Welfare, who shall be appointed by the Secretary of Health, Education, and Welfare and shall serve as Chairman of the Commission; a representative of the National Park Service, a representative of the U.S. Forest Service, a representative of the Bureau of Land Management, a representative of the Fish and Wildlife Service, and a representative of the Bureau of Indian Affairs to be appointed by the Secretary of the Interior; and a representative of the Soil Conservation Service to be appointed by the Secretary of Agriculture. Members of the Commission shall be reimbursed for actual and necessary traveling and subsistence expenses incurred while engaged in the authorized functions of the Commission.

FUNCTIONS OF THE COMMISSION

SEC. 4. (a) The Commission shall advise the Director of the Youth Conservation Corps established under this Act with respect to (1) the conservation and educational programs carried on by such corps, (2) the operation of such corps in general, and (3) the criteria for the selection of enrollees of the corps.

(b) Each member of the Commission who represents a Federal agency shall act in a liaison capacity between the agency represented by him and the Director of the Youth Conservation Corps in working out agreements between such agency and the Director for the utilization of the enrollees of such corps in programs of conservation, development, and management of natural resources and of recreational areas planned and designed by such agency.

TECHNICAL AND CLERICAL ASSISTANCE FOR COMMISSION

SEC. 5. The Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") is authorized and directed to provide the Commission with such technical, clerical, and other assistance as may be necessary to carry out its functions.

ESTABLISHMENT OF YOUTH CONSERVATION CORPS

SEC. 6. In order to carry out the purposes of this Act, there is hereby established within the Department of Health, Education, and Welfare a Youth Conservation Corps (hereinafter referred to as the "corps") which shall be administered and directed by a director who shall be appointed by, and under the supervision of, the Secretary and whose salary shall be $——— per annum.

AUTHORITY OF DIRECTOR

SEC. 7. The Director shall, with the advice of the Commission and the approval of the Secretary, have authority—

(1) to formulate rules and regulations for the operation of the corps;

(2) to appoint, without regard to the civil service laws and regulations, the principal subordinate officials of the corps, and to appoint, in accordance with the civil service laws and regulations, such other civilian personnel as he deems necessary for the efficient and economic discharge of the functions of the corps, the compensation of all such appointees to be fixed in accordance with the Classification Act of 1949, as amended;

(3) to establish minimum standards of health, morals, and education for enrollees of the corps;

(4) to enter into agreements with Federal agencies charged with the responsibility of conserving, developing, and managing the natural resources of the Nation, and of developing, managing, and protecting recreational areas whereby the enrollees of the corps may be utilized by such agencies in carrying out, under the immediate supervision of such agencies, programs planned and designed by such agencies to fulfill such responsibility;

(5) to enter into agreements with and otherwise cooperate with other departments, agencies, and instrumentalities of the Federal Government in carrying out the purposes of this act;

(6) to provide a system of educational services to enrollees of the corps under which not less than ten hours per week will be devoted to general education and vocational and conservation education; and

(7) to formulate such other rules and regulations, establish such other procedures, enter into such contracts and agreements, and generally perform such functions as he may deem necessary or desirable to carry out the provisions of this Act.

ENROLLMENT

SEC. 8. (a) The corps shall be composed of a total of not more than one hundred and fifty thousand unmarried male individuals who are citizens of the United States, of good character and health, and who are not less than sixteen nor more than twenty-two years of age, except that not more than 15 per centum of all the individuals enrolled in the corps at any one time may be of an age in excess of twenty-three years if such individuals possess special conservation skills and reside in an area in which a conservation project is being undertaken by the corps. If at any time less than 10 per centum of the total enrollment of the corps is composed of Indians living on reservations upon which, or near which, a conservation project is being undertaken by the corps, the Director, in accepting applications for enrollment in the corps, shall give priority to applications submitted by such Indians until such time as 10 per centum of the total enrollment of the corps is composed of such Indians.

(b) In order to enroll as a member of the corps an individual must agree to comply with rules and regulations promulgated by the Director for the government of members of the corps.

(c) Enrollment in the corps shall be for a period of one year or such lesser time or times, including vacation periods for students, as may be established by the Director.

COMPENSATION, QUARTERS, SUBSISTENCE, AND SO FORTH, FOR ENROLLEES

SEC. 9. (a) (1) The base compensation of enrollees shall be at a rate equal to that provided by law for the compensation of the lowest rank of enlisted personnel in the Army.

(2) The Director shall establish procedures designed to enable any enrollee who desires to do so to make an allotment to his parent, legal guardian, or any educational fund established for his benefit of part of the periodic compensation to which he is entitled under this Act, and such allotment shall be paid directly to the person or fund in favor of which it is made.

(b) In addition to compensation authorized in subsection (a), enrollees shall be furnished with such quarters, subsistence, transportation, equipment, medical services, and hospital services as the Director may deem necessary or appropriate for their needs. Such quarters, subsistence, transportation, equipment, medical services, and hospital services may be furnished to enrollees of the corps directly by the Director or through the Federal agencies under the direction and supervision of which such enrollees are working under agreements between the Director and such agencies which provide for reimbursement to such agencies from funds appropriated for the corps.

SEC. 10. Existing provisions of law with respect to hours of work, rate of compensation, sick leave, vacation, unemployment compensation, life insurance, and compensation for sickness or temporary injury of Federal employees shall not be applicable to any individual because of enrollment in the corps, but the provisions of the Federal Employees Compensation Act with respect to permanent disability and death shall be applicable to enrollees of the corps.

SUPPLIES, MATERIALS, AND EQUIPMENT

SEC. 11. The Director may expend such amounts as he deems necessary for supplies, materials, and equipment for enrollees to be used in connection with their work, instruction, recreation, health, or welfare.

APPROPRIATIONS AUTHORIZED

SEC. 12. For the purpose of carrying out the provisions of this Act, there is authorized to be appropriated for the fiscal year commencing July 1, 1960, and for each of the two succeeding fiscal years not to exceed $375,000,000, and for each fiscal year thereafter such amount as the Congress may determine to be necessary to carry out the provisions of this Act.

Mr. HUMPHREY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ATTENDANCE OF SENATORS

Mr. MORTON. Mr. President, I take this occasion to call upon the minority leader [Mr. DIRKSEN] for any observations he may care to make. At times we have been castigated for having no Republican Senators present in the Chamber. We might well adjourn this body right now, but we would not do so, because I understand that one or two Democratic Senators have speeches to make. I yield to the Senator from Illinois, the minority leader, for any observations he may choose to make.

Mr. DIRKSEN. I thank my distinguished colleague from Kentucky.

There was a wide expanse on the other side of the aisle, undotted by any human personality, until our very distinguished friend and colleague from Minnesota [Mr. HUMPHREY] walked in. I am delighted that he entered the Chamber, because the other evening, while he was delivering a most eloquent and constructive address, fairly studded with solid, sound recommendations in the entire field of peace and disarmament, the observation was made, when our monitors were in the cloakroom for a moment, that there was no good, worthy apostle of the GOP on the floor, and that therefore the party ought to be abolished.

I was about to make an equivalent recommendation——

Mr. HUMPHREY. I object. [Laughter.]

Mr. DIRKSEN. But my friend from Minnesota has saved the day, and I salute him for doing so.

I may recur to the same subject matter at some future time. My friend from Minnesota may recall that it was our distinguished compatriot from the great Commonwealth of Louisiana [Mr. LONG] who made that observation.

But there will be more force and substance to an equivalent comment at some time when there is a good, fat money bill before the Senate. Then I shall really take our unregenerate brethren on the other side of the aisle to task for not being present while the Public Treasury is being touched and taxed for a substantial sum.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HUMPHREY. Let me say that if the Public Treasury is touched and taxed while we are not present, the responsibility can fall only on the other side.

Mr. DIRKSEN. But the initiative will always come from the Senator's side.

Mr. HUMPHREY. The Senator is correct. The Democratic Party is filled with initiative. [Laughter.]

I thank the Senator.

FIRST ANNIVERSARY OF LAUNCHING OF SATELLITE EXPLORER I

Mr. SPARKMAN. Mr. President, the citizens of Alabama are proud of the important part which the Redstone Arsenal, at Huntsville, Ala., played in the first successful launching of the free world satellite Explorer I.

I invite the attention of Senators to the fact that in commemoration of the first anniversary of the Army's successful launching of this satellite on Saturday, January 31, 1959, at 3 o'clock p.m., the Secretary of the Army will present a full-scale replica of the Army's Jupiter C missile and satellite to the Smithsonian Institution for permanent retention. The presentation will take place at the outdoor missile site, in the northwest area of the Arts and Industries Building, Jefferson Drive and Ninth Street NW. Members of Congress and the public are invited to attend these ceremonies.

Mr. President, in connection with that matter, I should like to say that there is to be a celebration or ceremony here in Washington to commemorate the first anniversary of this event. It will end with a banquet at the Willard Hotel on Saturday night, January 31, at which the presiding officer will be Dr. Rowland F. Kirks, president of the George Washington Chapter of the Army of the United States of America. The toastmaster will be the Secretary of the Army, the Hon. Wilber M. Brucker. Among the invited speakers will be Maj. Gen. J. B. Medaris, commanding general, Army Ordnance Missile Command at Redstone Arsenal; Dr. Wernher von Braun, technical director, Army Ballistic Missile Agency; Dr. William H. Pickering, director, Jet Propulsion Laboratory; Dr. James A. Van Allen, State University of Iowa; and Dr. Maurice Dubin, Cambridge Research Center.

Mr. President, included among those who have been especially invited to the banquet are representatives of about 14 firms who have been associated in the project of placing Explorer I in orbit around the earth. It might be well to name those firms. We take pleasure in the fact that 4 of the 14 firms are either Alabama firms or have divisions in Alabama, and have contributed greatly to the building of the Explorer missile and the Jupiter-C missile, and the other great missiles which have been developed and produced at the Redstone Arsenal.

Among those companies are the Brown Engineering Co., which is a fine young small business at Huntsville, Ala., and which has made a tremendous contribution and is now making splendid contributions in the missile field. Another one is the Reynolds Metals Co., which is engaged in the production of aluminum in the Tennessee Valley at Muscle Shoals, Ala. Their principal plant is named Lister Hill. The Reynolds Metals Co. built the carrier part of the Explorer missile and is still engaged in building the Jupiter-C and other missiles.

There is also the Chrysler Corp., which maintains a Huntsville Division in connection with the production of the Jupiter-C missile.

Then there is the General Electric Co., which has a division at Redstone Arsenal in connection with this operation. Other companies are the General Telephone & Service Corp.; Consultants & Designers, Inc.; J. H. Elliott; Sprague Electric Co.; Ford Instrument Co.; Globe Industries, Inc.; Cooper Development Corp; Rocketdyne; Philco Corp.; and the Grand Central Rocket Co.

This will be a great celebration, and it is one in which all of us should take a great deal of interest and pride, because it marks the first anniversary of the first successful effort on the part of the free world to place in orbit around the earth an earth satellite.

RESOLUTION DEALING WITH THE RURAL ELECTRIFICATION ACT

Mr. CLARK. Mr. President, I ask unanimous consent that there may be printed in the RECORD the text of a resolution adopted by the Pennsylvania Rural Electric Association at a regular meeting of the board at Fort Bedford Inn, Bedford, Pa., January 21 and 22, with reference to Senate Resolution 21, submitted by the Senator from Vermont [Mr. AIKEN], and cosponsored by a number of other Senators, including myself.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas on July 21, 1958, the Comptroller General of the United States issued a ruling construing the provisions of the Rural Electrification Act of 1936, which state that loans will be made thereunder to serve any persons in rural areas not receiving central station electric service to mean, in effect, that the act authorized loans to serve unserved areas rather than unserved persons, and that loans cannot therefore be made to furnish electricity to persons without such service if a power company, unwilling or unable to serve them, happens to have lines in the general area; and

Whereas such ruling is potently contrary to the legislative intent of the Congress in enacting such act, and, if enforced to its inescapable conclusion, will seriously undermine the functioning of all rural electric cooperative companies to the detriment of their members, and to the curtailing of the benefits of electric power to large numbers of the citizenry of this country residing in rural areas; and

Whereas it is now of the greatest importance that the Congress reaffirm in unmistakable terms its legislative intent in enacting the aforesaid provisions of the Rural Electrification Act of 1936: Now, therefore, be it

Resolved, That the Pennsylvania Rural Electric Association consisting of 13 rural electric cooperative companies serving upward of 70,000 citizens of Pennsylvania in its rural areas, endorses and approves Senate Resolution 71 submitted by Senator GEORGE AIKEN and cosponsored by Pennsylvania's Senator JOSEPH S. CLARK, which would appropriately reaffirm the legislative intent above mentioned; and be it further

Resolved, That the members of this association pledge their best efforts to support and promote the passage of such resolution; and be it further

Resolved, That we unanimously commend Senator JOSEPH S. CLARK for his sponsorship of such resolution; and be it further

Resolved, That a copy of this resolution be transmitted by the secretary to Senator JOSEPH S. CLARK and to Senator GEORGE AIKEN.

URBAN RENEWAL LEGISLATION

Mr. CLARK. Mr. President, as Senators have been put on notice, it is hoped that the annual omnibus housing bill will be debated by the Senate in the reasonably near future. Hearings have been concluded under the able direction of the chairman of the Housing Subcommittee, the distinguished junior Senator from Alabama [Mr. SPARKMAN].

During these hearings, one of the principal issues has been the level at which urban renewal in the cities of America should be authorized to proceed.

At the present time, urban renewal has been drastically cut back. City after city has been forced to place its plans on the shelf. This program—which has given our cities the first real hope they have ever had to rip out their slums, clean out the festering centers of disease, delinquency, and crime, and rebuild with decent, sanitary homes—has

been slowed down and in some places brought almost to a halt.

To ascertain the effects on each of the individual cities participating in the program, I asked Commissioner Steiner of the Urban Renewal Administration to prepare a tabulation of applications pending in his Administration and the extent to which they have been cut back. I ask unanimous consent that that table be inserted in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CLARK. Mr. President, that table shows what happened the day that city officials and civic leaders refer to as Black Tuesday—September 8, 1958. On that day, after the housing bill of last year failed to pass, the Urban Renewal Administration had so little money that they were forced to ration what they had available.

The so-called formula limit represents the maximum a city may expect to receive, prorated on a population basis. For cities under 250,000 population, the amount turned out to be so miniscule that cities between 50,000 and 250,000 were allowed to draw 2 years' allocation in advance and cities under 50,000 were allowed 3 years. These cities are indicated on the table with asterisks.

Now, some of us had assumed, since this rationing was introduced as an emergency measure, that the administration would remove it as soon as possible. But we learned in the President's budget message and in the hearings that this formula is to be applied as a permanent feature of the administration's plan.

A glance at the table will show some of the effects on particular cities. Let me emphasize that the figures that appear in the first column represent concrete plans presented as part of each city's approved workable program. Cities are geared up to proceed at this rate, the cooperation of civic leaders has been enlisted, and now they are told in effect to throw away their plans and start over.

The first city listed, Birmingham, Ala., must cut its program in half. Florence, Ala., must reduce its effort by two-thirds. Continuing down the table, we see Little Rock, Ark., cut by more than 75 percent; Bridgeport, Conn., by more than 75 percent; Chicago by almost half and Peoria by almost half; Baltimore by half; Cambridge, Mass., by about two-thirds; Detroit by almost half; St. Louis cut by more than 90 percent; Orange and Trenton, N.J., by more than 75 percent; Buffalo and White Plains, N.Y., by about 85 percent each; Philadelphia and Pittsburgh, in my own State, by about 80 percent; Waco, Tex., by about 70 percent; Milwaukee by over 80 percent; and so on.

Mr. President, the administration has in effect told all of these cities, and many others: "Forget about your grand designs. Prepare to live with your slums. Prepare to continue to let blight spread faster than it is cured. You can do a little bit here and a little bit there, but don't try to do anything really effective, because the United States of America simply can't afford it."

We asked Commissioner Steiner at what figure the urban renewal authorization would have to be set in order that cities could proceed as planned under their approved workable programs. He said that net applications filed—in other words, new applications less revisions and cancellations, had been running about $40 million a month last September, with a gradually increasing trend in evidence. Many cities not yet in the program are, of course, getting ready to participate. Projecting this monthly rate, the need is for at least $500 million and probably closer to $600 million if we are going to take the shackles off the urban renewal program and permit it to proceed in the manner that I believe the Congress originally intended—and as it was proceeding prior to "Black Tuesday" last year.

I hope that Senators will study this table before we vote on the urban renewal program next week.

I should also make clear, I believe, that this authorization does not affect next year's budget expenditures, which I—along with other Senators—desire to balance with our revenues. Expenditures under the new authorization will not take place for 3 to 7 years, because it takes that long to get an urban renewal project from the planning to the execution stage.

I hope that when the matter comes before the Senate for a vote, we will authorize enough funds for urban renewal to make it unnecessary to propose rationing. Then I hope that the urban renewal program, which is just getting off the ground, will not receive another disastrous setback such as the one it received on Tuesday, September 8, 1958, known by the mayors of America as "Black Tuesday."

EXHIBIT 1

HOUSING AND HOME FINANCE AGENCY, URBAN RENEWAL ADMINISTRATION

TITLE I—*Capital grant contract authorization—Approval actions Sept. 8 to Dec. 31, 1958, for localities and applications pending Sept. 5, 1958*

State and locality	Applications pending Sept. 5, 1958 [1]	Formula limit	Approval actions Sept. 8 to Dec. 31, 1958 [2]
Total	$381,877,421	----------	$160,000,220
Alabama:			
Birmingham	3,633,000	$1,737,172	1,711,000
Cullman	150,000	[3] 443,424	100,000
Fairfield	370,167	[3] 532,479	370,167
Florence	2,066,000	[3] 726,816	66,000
Alaska:			
Fairbanks	1,260,000	[3] 407,676	305,000
Juneau	1,300,000	[3] 407,676	407,500
Arizona: Phoenix	560,730	[4] 1,415,306	----------
Arkansas:			
Junction City	253,000	[3] 317,991	----------
Little Rock	6,189,626	[4] 1,361,576	1,361,576
Stamps	402,000	[3] 353,919	----------
California:			
Azusa	1,178,204	[3] 496,911	----------
Broderick	1,022,476	[3] 496,911	432,208
Fresno	1,470,000	[4] 1,253,216	1,253,216
Monterey	981,892	[3] 585,696	585,696
California—Con.			
Rio Vista	$133,072	[3] $335,964	$133,072
Sanger	93,546	[3] 407,676	----------
San Jose	2,545,275	[4] 1,285,850	1,282,666
Santa Clara	2,037,893	[3] 514,704	503,040
Santa Cruz	239,968	[3] 691,644	----------
Santa Monica	2,915,300	[4] 1,032,896	982,000
Stockton	5,628,673	[4] 1,021,754	1,021,750
Sunnyvale	1,225,626	[3] 479,100	479,100
Vacaville	311,111	[3] 353,919	----------
Woodland	1,034,239	[3] 461,271	460,504
Colorado: Denver	923,744	2,076,832	[5] 1,148,149
Connecticut:			
Ansonia	1,303,000	[3] 638,751	638,751
Beacon Falls	87,092	[3] 335,964	----------
Bridgeport	8,803,275	[4] 1,956,314	850,775
Danbury	447,458	[3] 691,644	----------
New Haven	841,487	[4] 2,006,624	837,901
Norwalk	5,153,552	[3] 1,160,391	1,160,000
Windsor	644,632	[4] 514,704	----------
District of Columbia: Washington	27,214,692	2,982,388	[6] 26,490,900
Georgia:			
Americus	440,000	[3] 496,911	287,000
Cordele	100,000	[3] 461,271	100,000
Dublin	285,332	[3] 479,100	285,332
Lawrenceville	144,900	[3] 353,919	144,900
Manchester	200,000	[3] 371,856	200,000
Moultrie	182,000	[3] 514,704	161,333
Nashville	192,000	[3] 353,919	96,000
Illinois:			
Alton	120,000	[3] 884,199	----------
Bloomington	172,000	[3] 901,596	172,000
Chicago	16,959,994	10,963,000	8,797,655
Peoria	3,000,000	[4] 1,468,736	1,468,736
Rock Island	693,463	[3] 1,160,391	693,500
Springfield	369,153	[4] 1,143,656	64,163
Indiana:			
La Porte	539,014	[3] 621,084	473,500
Mishawaka	2,085,638	[3] 884,199	158,302
South Bend	1,774,900	[4] 1,511,264	1,428,200
Iowa:			
Waterloo	4,607,667	[4] 954,650	940,179
Maine: Portland	419,871	[4] 1,099,496	331,190
Maryland: Baltimore	6,124,259	3,092,500	3,092,500
Massachusetts:			
Boston	678,176	2,981,197	----------
Cambridge	4,800,000	[4] 1,564,154	1,457,689
Chelsea	233,811	[3] 988,311	----------
Fitchburg	1,414,577	[3] 1,057,359	----------
Lowell	2,356,000	[4] 1,307,546	1,253,956
Worcester	3,166,667	[4] 2,388,746	2,250,000
Michigan:			
Detroit	10,282,555	5,650,000	3,800,000
Grand Rapids	717,084	[4] 2,136,026	670,714
Highland Park	3,365,429	[3] 1,108,956	694,564
Muskegon	493,122	[3] 1,143,264	----------
Port Huron	50,566	[3] 936,336	24,004
St. Clair Shores	437,945	[3] 656,460	438,000
Wayne	172,077	[3] 461,271	188,188
Ypsilanti	1,114,560	[3] 621,084	----------
Minnesota:			
Duluth	384,000	[4] 1,393,850	384,000
Minneapolis	1,685,950	2,414,548	1,685,950
St. Paul	774,356	1,675,837	----------
Missouri:			
St. Louis	34,124,406	3,038,653	2,740,137
Webster Groves	687,134	[3] 709,239	687,134
Nevada:			
Las Vegas	1,418,800	[3] 744,375	577,600
Reno	1,069,896	[3] 866,784	----------
New Hampshire:			
Portsmouth	34,866	[3] 638,751	21,237
New Jersey:			
Atlantic City	1,731,793	[4] 920,936	920,936
East Orange	359,577	[4] 1,110,554	359,577
Hackensack	152,198	[3] 814,431	110,343
Jersey City	1,062,687	1,625,797	890,166
Metuchen	220,825	[3] 479,100	197,491
Newark	535,000	2,155,837	535,000
North Plainfield	1,125,310	[3] 532,479	523,310
Orange	4,409,390	[3] 971,004	----------
Passaic	582,000	[4] 875,816	582,000
Perth Amboy	134,755	[3] 1,022,871	134,754
Princeton	2,445	[3] 514,704	[5] 128,296
Trenton	7,340,740	[4] 1,637,696	[7] 2,346,000
Union City	416,412	[4] 853,184	37,497
Wayne Township	1,119,000	[3] 514,704	434,813
New York:			
Binghamton	366,894	[4] 1,132,634	----------
Buffalo	18,216,000	2,570,800	2,570,800
Hastings on Hudson	953,334	[3] 443,424	440,000
Middletown	563,756	[3] 709,239	----------
New York	2,169,842	15,443,600	[3] 11,942,312
Niagara Falls	475,000	[4] 1,242,314	475,000

[1] Amounts shown under "Applications pending" include all applications (both for new projects and for increases in existing projects) pending on Sept. 5. For many cities, more than 1 application was pending on Sept. 5.

[2] Amounts shown under "Approval actions" include all amounts approved for the cities with applications pending on Sept. 5. Excluded are amounts approved after Sept. 5 for cities with no applications pending on Sept. 5.

[3] Limit for 3 years.

[4] Limit for 2 years.

See balance of footnotes at end of table.

TITLE I—*Capital grant contract authorization—Approval actions Sept. 8 to Dec. 31, 1958, for localities and applications pending Sept. 5, 1958*—Continued

State and locality	Applications pending Sept. 5, 1958 [1]	Formula limit	Approval actions Sept. 8 to Dec. 31, 1958 [2]
New York—Con.			
Nyack	$700,000	[3] $407,676	$400,000
Peekskill	1,865,000	[3] 621,084	620,000
White Plains	5,500,000	[7] 1,057,359	
Yonkers	280,546	[4] 1,895,546	115,294
North Carolina:			
Charlotte	1,000,000	[4] 1,700,264	1,000,000
Fayetteville	587,332	[3] 918,975	270,000
Raleigh	1,000,000	[4] 965,864	965,864
Ohio:			
Cincinnati	9,419,500	2,361,952	1,581,900
Cleveland	4,379,162	3,078,325	3,078,325
Dayton	4,500,000	[4] 2,770,784	2,762,000
Oregon:			
Eugene	1,711,680	[3] 936,336	922,740
Portland	751,732	1,924,372	[5] 982,269
Springfield	106,285	[3] 496,911	
Pennsylvania:			
Allentown	1,577,232	[4] 1,415,306	1,386,400
Connellsville	236,896	[3] 532,479	[6] 258,166
Farrell	295,400	[3] 550,236	252,333
Harrisburg	3,890,070	[4] 1,231,400	1,217,681
Lancaster	3,747,306	[4] 943,424	943,424
McKeesport	6,380,000	[4] 807,776	
Oil City	68,986	[3] 656,400	57,785
Philadelphia	30,297,867	6,316,000	5,348,715
Pittsburgh	16,364,523	2,787,013	2,687,321
Pittston	961,330	[3] 567,975	567,970
Reading	2,107,170	[4] 1,436,714	1,294,366
Scranton	904,020	[4] 1,616,744	914,871
Susquehanna Township	2,065,900	[3] 496,911	400,000
Swatara Township	1,103,280	[3] 461,271	427,066
York	613,377	[4] 898,400	592,949
Rhode Island:			
Providence	4,198,190	[4] 2,815,994	
South Carolina:			
Spartanburg	280,000	[3] 953,679	280,000
Tennessee:			
Clarksville	717,483	[3] 585,696	520,306
Dyersburg	3,455,070	[3] 496,911	[10] 534,000
Franklin	86,502	[3] 389,775	[5] 106,105
Gallatin	333,332	[3] 389,775	
Morristown	268,050	[3] 532,479	268,048
Waverly	16,384	[3] 335,964	[11] 96,000
Texas:			
Crystal City	567,000	[3] 425,559	423,196
Los Fresnos	348,732	[3] 317,991	
Mercedes	474,641	[3] 479,100	445,478
San Antonio	3,685,021	2,048,608	1,997,135
Waco	3,926,643	[4] 1,176,650	1,164,480
Wink	863,184	[3] 335,964	335,793
Vermont:			
Burlington	600,000	[3] 884,199	600,000
Virginia:			
Charlottesville	1,056,000	[3] 761,916	761,916
South Norfolk	564,228	[3] 479,100	479,100
Washington:			
Tacoma	1,057,500	[4] 1,803,584	1,057,500
Vancouver	1,140,000	[3] 1,040,124	1,040,125
West Virginia:			
Wheeling	310,817	[3] 887,114	[5] 575,371
Wisconsin: Milwaukee	16,849,530	2,704,693	[12] 13,400,000
Puerto Rico	6,434,664	4,619,000	[13] 5,891,300

[5] Represents amounts approved as increases in existing project(s), including amounts approved under applications received after Sept. 5.

[6] Reflects transfer of reservations made prior to fiscal year 1959 between projects, as agreed in fiscal year 1958.

[7] Reflects (a) transfer of reservation of $709,022 made prior to fiscal year 1959 to general neighborhood renewal planning operation approved for the same area, plus (b) increase of $1,636,978 in the reservation, subject to formula limit.

[8] New York City had been subject to a limitation of not to exceed 10 percent of available authorization for 1959 prior to beginning of fiscal year and was therefore entitled to have applications up to this amount considered.

[9] Represents revision in amount of reservation requested originally in survey and planning application pending on Sept. 5.

[10] Reflects transfer of reservation made prior to fiscal year 1959 for existing general neighborhood renewal planning operation to urban renewal project approved for planning in the neighborhood area.

[11] Reflects actual amount of reservation requested in application pending on Sept. 5. Amount of $16,384 shown under "Applications pending" reflects a reporting error.

[12] Reflects transfer of reservation made prior to fiscal year 1959 for existing urban renewal project to general neighborhood renewal planning operation approved for the same area.

[13] Reflects (a) transfer of reservations made prior to fiscal year 1959 in amount of $1,304,000 between projects, as agreed in fiscal year 1958, plus (b) new reservations approved in the amount of $4,587,300 subject to formula limit.

Mr. SPARKMAN. Mr. President, first I commend the distinguished Senator from Pennsylvania for bringing this matter to the attention of the Senate. No member of the subcommittee on Housing or of the full Committee on Banking and Currency has been more faithful or more diligent in his attention to the proposed housing bill than has the able Senator from Pennsylvania. Certainly no one has been more thorough in going into all matters, especially into the subject of urban renewal. Of course, having had the experience of being the mayor of one of America's great cities—Philadelphia—he naturally knows some of the problems first hand.

I may say to the Senator from Pennsylvania, who may not have been here at the moment the discussion took place in the Senate earlier today, that it was more or less agreed among the majority leader, the minority leader, and the Chairman of the Committee on Banking and Currency, that we would strive to bring the bill before the Senate next Tuesday. The plan is to have the full committee meet tomorrow, as the Senator knows, and to move as far along the way as we can in marking up the bill, with the hope of completing that phase on Monday, and then reporting the bill to the Senate on Tuesday.

As is customary, in the following week a great many of our friends across the aisle will be away from the city in observance of Lincoln's birthday. It is hoped that we may complete action on the bill before that out-migration begins.

Mr. CLARK. This is the first I have heard of that plan. I must say it startles me a little. I should like to have the opportunity to confer privately with the Senator from Alabama.

I thank him very much for his kind and courteous remarks about me. I only wish they were justified. There is no Member of the Senate who is as great an expert in the whole field of housing as is the distinguished Senator from Alabama. We all look to him for leadership in this regard.

I would rather make what other comments I have with respect to his statement concerning Monday off the floor of the Senate.

Mr. SPARKMAN. I shall, of course, look forward to discussing with the Senator from Pennsylvania the whole program as it has already been planned.

I was about to comment on the statement the Senator made regarding the impact on the budget of the housing program proposed either by my bill, the bill which the Senator from Pennsylvania has introduced, the administration bill, or any other bill. I am glad the Senator stated that so far as the 1960 budget is concerned, there is no impact with reference to urban renewal. We shall be using funds which have been allocated in the past.

Mr. CLARK. The Senator is entirely correct. I think it is very important to bring that out.

Mr. SPARKMAN. A great many persons have been confused, I think, regarding the sizes of the various programs. For instance, I read in a leading newspaper a few days ago an article written by an outstanding reporter. I have not seen him since that time, but I am looking forward to the opportunity of joshing him a little bit about this.

He said that the housing bill I introduced was an $11 billion bill. In order to attain that figure, he had to include $8 billion of authorizations to the Federal Housing Administration for insurance, which, as the Senator from Pennsylvania and everyone else who follows housing knows, does not involve a single dollar of expenditure.

Mr. CLARK. The Senator is absolutely correct. The amount of misinformation which the press has fed to the American people with respect to the budget implications of our housing bill is incredible. The public is simply not being given correct information. In the desire to have a headline indicating vast expenditures, I am afraid the normal interest in accuracy has gone a little bit by the board.

Mr. SPARKMAN. In the same news article to which I have referred, the reporter, who is a good friend of mine, stated that my bill called for $8 billion of additional authorizations for FHA insurance. He said I had gone beyond the administration's request. The administration had asked for $6 billion in authorizations. The Senator from Pennsylvania knows that for the comparable period the administration asked for $12 billion, $6 billion for each year.

Mr. CLARK. As I recall, when the administration representatives were before the committee, they indicated they wanted to take the ceiling off completely; they did not want to have any lid. They wanted the FHA insurance to run to the sky.

Mr. SPARKMAN. I do not comment on that in any critical sense. I can see that it would make things easier of administration. But the point I wish to make is that so many persons misunderstand the situation and think that money is involved, when, as a matter of fact, the proposal is simply to grant authority to the FHA to insure at a premium, and with more than $700 million in reserves on which they have been making money throughout the years.

Mr. CLARK. Would the Senator from Alabama agree with me that the possibility of the Government standing any loss on the FHA program as of now, when the program has been in effect for many years, is so remote as not to be worthy of serious discussion?

Mr. SPARKMAN. I think the Senator is correct. Of course, if we ever got into a deep depression, we would be in trouble, but not simply because of housing; everything else would be involved.

We might remember one thing. In the great depression of the 1930's, one of the things which gave us the most trouble was housing and home mortgages. The Home Owners Loan Corporation was organized for the purpose of digging homeowners out of their troubles. I dare say no one would have had the temerity to suggest, at the time the home owners loan organization was created, that the Government would get out without the loss of a lot of money in that operation. Yet, when the Home

Owners Loan Corporation was finally dissolved, after many years of existence, it showed a profit in its operations while digging us out of the deep depression of the 1930's.

Mr. CLARK. If the depression of the 1930's was not sufficient to cause the Home Owners Loan Corporation to lose any money, it is very difficult indeed for me to see how any depression which might occur now, with all the stabilizers which Congress has built into the economy as a result of the experience in the 1930's, could cause a depression severe enough to affect the FHA guaranty. In fact, it would have to be a depression which would really curl Mr. George Humphrey's hair before that could take place.

Mr. SPARKMAN. Let me come back to the money involved in the housing bills. It is said that the bill I introduced provides $2,100,000,000 for urban renewal. It is true that the bill provides $2,100,000,000, but that is over a period of 6 years—6 years for disposal, and probably 12 to 15 years will be required for final execution.

Mr. CLARK. Would the Senator agree with me that all we are talking about are grant reservations, and that it takes from 3 to 17 years after the grant reservation has been made before there is any impact on the budget? Perhaps it is from 3 to 5 years before the first impact, but as long as 17 years before the final amount of grant reserves is spent.

Mr. SPARKMAN. Yes. Again I call attention to the fact that the administration in its program has proposed $1,550,000,000 for urban renewal. They offer $200 million to finish the present fiscal year, and then a total of $1,350,000,000 for the remaining years.

So there is not a great deal of difference. There is only about $550 million difference between the sum total of their 6-year bill and my 6-year bill, although the administration bill—and this is where the real difference comes—changes the formulas, so that by the end of the period, or 2 or 3 years before the end of the period, the States and cities will be matching, on an equal basis, the funds put up by the Federal Government, whereas under the present formula there is a two-thirds–one-third matching proposal.

Mr. CLARK. As the Senator will recall, the testimony before our committee was that in practically no instance could any municipality afford to make the extra payment which is called for by the administration bill. So the net effect of the passage of that bill, in my judgment, would be the slow strangulation of the urban renewal program.

Mr. SPARKMAN. And there are a few other money items in the bill. But most of them constitute authorizations which will extend over a long period of time, some of them simply as part of a revolving fund which will run through the years.

I have not figured exactly what the impact on the 1960 budget will be; but I am of the opinion that most persons would be absolutely surprised to see the smallness of the impact on that budget.

Mr. CLARK. It so happens that was the figure I was examining earlier today, as it appeared in the testimony we developed in the committee. I think I am accurate in saying that the budgetary impact of urban renewal for the fiscal year 1960 is $104 million; and it will be that amount, regardless of whether the Congress passes any housing bill at all.

Mr. SPARKMAN. Yes; that amount is already included in the President's budget.

Mr. CLARK. Yes, it is.

Mr. SPARKMAN. But I was talking about the impact of either of these measures on the 1960 budget. However, as the Senator from Pennsylvania has pointed out, regardless of whose bill is passed or what figure is agreed upon, in the case of urban renewal, the expenditure for the 1960 fiscal year is already established at $104 million, as he has pointed out; and the same situation applies in regard to several other measures.

As a matter of fact, one of the items in the bill which I recall would require a direct appropriation and would have some impact on the budget is an item—in both my bill and the administration bill—of $10 million to aid the smaller cities and towns to plan their programs. As the Senator from Pennsylvania will recall, by means of the last program of that type, under section 701, $10 million was made available; and that amount ran over a period of 6 or 7 years. I think the largest single appropriation made in any one year was only a little more than $2 million. But even in that case, an appropriation of only $1 million or $2 million a year would be required.

Mr. CLARK. The college housing program would have a modest impact on the 1960 budget, depending on the amounts Congress votes. But I, for one, believe we could make no better expenditure at any time during the session than one which would make it possible for our colleges to move ahead.

Mr. SPARKMAN. And, of course, the administration itself is asking for additional funds for that program.

Mr. CLARK. That is correct.

Mr. SPARKMAN. So, Mr. President, I have felt that a great many persons have been misinformed regarding the housing program. Many of the newspapers refer to "the wild-eyed liberal programs that the Democrats are proposing."

Mr. CLARK. And to "the wild-eyed wing of the Democratic Party."

Mr. SPARKMAN. But the figures do not support such claims. Many persons who reach such a conclusion are not considering the money appropriations at all.

I wish very much that everyone would understand fully what a relatively small amount of money is involved in these various programs, most of which in the long run return a profit to the Government.

Mr. CLARK. I thank the Senator from Alabama.

Mr. SPARKMAN. I thank the Senator from Pennsylvania for allowing me to make that comment.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, informed the Senate that the Speaker had appointed as members on the part of the House the following:

To the Committee on Arrangements for the joint session of the Congress to be held on Thursday, February 12, 1959, commemorating the 150th anniversary of the birth of Abraham Lincoln: Mr. MACK of Illinois; Mr. DENTON, of Indiana; Mr. SCHWENGEL, of Iowa; and Mr. BRAY, of Indiana.

To the Board of Visitors to the U.S. Military Academy: Mr. TEAGUE, of Texas; Mr. RABAUT, of Michigan; Mr. WAINWRIGHT, of New York; and Mr. LAIRD, of Wisconsin.

To the Board of Visitors to the U.S. Naval Academy: Mr. RILEY, of South Carolina; Mr. BREWSTER, of Maryland; Mr. ANDERSEN of Minnesota; and Mr. OSTERTAG, of New York.

To the Board of Visitors to the U.S. Air Force Academy: Mr. ROGERS, of Colorado; Mr. MAGNUSON, of Washington; Mr. CHENOWETH, of Colorado; and Mr. FORD, of Michigan.

To the Board of Visitors to the U.S. Coast Guard Academy: Mr. BOWLES, of Connecticut, and Mr. WIDNALL, of New Jersey.

To the Board of Visitors to the U.S. Merchant Marine Academy: Mr. ANFUSO, of New York, and Mr. FINO, of New York.

To the National Forest Reservation Commission: Mr. COLMER, of Mississippi, and Mr. BUDGE, of Idaho.

To the Board of Directors of Gallaudet College: Mr. THORNBERRY, of Texas, and Mrs. DWYER, of New Jersey.

To the Migratory Bird Conservation Commission: Mr. KARSTEN, of Missouri, and Mr. GAVIN, of Pennsylvania.

To the Joint Committee on Navajo-Hopi Indian Administration: Mr. UDALL, of Arizona; Mr. ANDERSON, of Montana; and Mr. BERRY, of South Dakota.

To the U.S. Territorial Expansion Memorial Commission: Mr. KARSTEN, of Missouri; Mr. HAYS, of Ohio; and Mr. SCHENCK, of Ohio.

To the Lincoln Sesquicentennial Commission: Mr. CHELF, of Kentucky; Mr. DENTON, of Indiana; Mr. MACK, of Illinois; Mr. ALLEN, of Illinois; Mr. BRAY, of Indiana; and Mr. SILER, of Kentucky, to serve with himself.

To the National Monument Commission: Mr. JONES, of Alabama; Mr. ULLMAN, of Oregon; Mr. WESTLAND, of Washington; and Mrs. ST. GEORGE, of New York.

To the National Outdoor Recreation Resources Review Commission: Mrs. PFOST, of Idaho; Mr. ULLMAN, of Oregon; Mr. SAYLOR, of Pennsylvania; and Mr. COLLIER, of Illinois.

To the Hudson-Champlain Celebration Commission: Mr. CELLER, of New York; Mr. HOLTZMAN, of New York; Mr. TAYLOR of New York; and Mr. LINDSAY, of New York.

To the National Memorial Stadium Commission: Mr. TEAGUE, of Texas; Mr. LANKFORD, of Maryland; and Mr. KEARNS of Pennsylvania.

To the Civil War Centennial Commission: Mr. TUCK, of Virginia; Mr. COFFIN, of Maine; Mr. SMITH, of Kansas; and Mr. SCHWENGEL, of Iowa, to serve with himself.

To the Joint Congressional Committee on Construction of a Building for a Museum of History and Technology for the Smithsonian Institution: Mr. CANNON, of Missouri; Mr. BROOKS, of Louisiana; Mr. JONES, of Alabama; Mr. CURTIS, of Massachusetts; and Mr. Bow, of Ohio.

To the Franklin Delano Roosevelt Memorial Commission: Mr. MCCORMACK, of Massachusetts; Mr. KEOGH, of New York; Mrs. ST. GEORGE, of New York; and Mr. SCHENCK, of Ohio.

To the Theodore Roosevelt Centennial Commission: Mr. O'BRIEN, of New York, and Mr. DEROUNIAN, of New York.

The message also informed the Senate that the Speaker had appointed as members ex officio of the Board of Trustees of the National Cultural Center: Mr. WRIGHT, of Texas; Mr. THOMPSON, of New Jersey; and Mr. KEARNS, of Pennsylvania.

ADJOURNMENT TO MONDAY

Mr. CLARK. Mr. President, if there is no further business to come before the Senate at this time, in accordance with the order previously entered, I move that the Senate stand adjourned until Monday next at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 5 minutes p.m.) the Senate adjourned, the adjournment being, under the order previously entered, to Monday, February 2, 1959, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 29, 1959:

DEPARTMENT OF THE TREASURY

T. Graydon Upton, of Pennsylvania, to be an Assistant Secretary of the Treasury.

COMPTROLLER OF CUSTOMS

Donald A. Maginnis, Jr., of Louisiana, to be Comptroller of Customs, with headquarters at New Orleans, term of 4 years.

COMMISSIONER OF INTERNAL REVENUE

Dana Latham, of California, to be Commissioner of Internal Revenue.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

William L. Mitchell, of the District of Columbia, to be Commissioner of Social Security of the Department of Health, Education, and Welfare.

U.S. COAST GUARD

The following-named persons to be captains in the U.S. Coast Guard:

Claude H. Broach	Wallace L. Hancock, Jr.
Evor S. Kerr, Jr.	Adrian F. Werner
Walter S. Bakutis	Woodrow W. Vennel
Edgar V. Carlson	Gilbert F. Schumacher
Loren E. Brunner	Charles Tighe
Charles E. Columbus	Richard Baxter
William L. Sutter	Oscar D. Weed
Gilbert R. Evans	

The following-named persons to be commanders in the U.S. Coast Guard:

Roland H. Estey, Jr.	James C. Waters
Arthur L. Roberts	Stanley L. Smith
Louis L. Lague	Walter Curwen, Jr.
Freeman H. Harmon	David M. Alger
Arnold E. Carlson	Hugh F. Lusk
Gene R. Gislason	James D. Luse
Allen H. Graham	George C. Fleming
Lemuel C. Sansbury	William C. Morrill
Thomas M. MacWhinney	Kenneth E. Wilson
	Ward J. Davies, Jr.
Stanley H. Rice	John M. Waters, Jr.
Roderick L. Harris	Frederick C. Munchmeyer
Opie L. Dawson	
Harold T. Hendrickson	Harry E. Haff, Jr.
	Richard W. Young
Robert J. Clark	Charles Dorian
Clinton E. McAuliffe	Roger H. Banner
David W. Woods	

The following-named persons to be lieutenant commanders in the U.S. Coast Guard:

Richard H. Britt	Frank Barnett
Kenneth H. Langenbeck	Marion G. Shrode, Jr.
	George F. Thometz, Jr.
Robert D. Johnson	Arthur A. Fontaine
Robert F. Henderson	Frederick W. Hermes, Jr.
Paul R. Peak, Jr.	
Virgil N. Woolfolk, Jr.	James T. Maher
Elmer M. Lipsey	Gordon F. Hempton
James A. Hodgman	George A. Warren
Robert C. Phillips	William H. Boswell
Albert J. McCullough	Vance K. Randle, Jr.
Wesley M. Thorsson	Ricardo A. Ratti
Peter S. Branson	George W. Wagner
Harrison B. Smith	John J. Fehrenbacher
John M. Dorsey	Raymond G. Parks, Jr.
Paul A. Lutz	James H. Durfee
Robert C. Boardman	Richard P. Arlander
Parker O. Chapman	Clarence S. Hall, Jr.
William H. Brinkmeyer	Leonard J. Knight, Jr.
	Enoch A. Poulter
George H. Weller	Jack S. Thuma
Benjamin J. Kowalski	James N. Jensen
David A. Webb	Joseph N. Gonyeau
Richard W. Goode	Walter C. Schafran
James L. Harrison	William G. Roden
William E. Murphy	Sidney F. Hansen
John D. McCann	Joseph M. Weber
Sumner R. Dolber	Fred T. Merritt
Garth D. Clizbe	James E. Nesmith
Julian E. Johansen	Robert R. Pope
Lilbourn A. Pharris, Jr.	Albert E. Flanagan
	Earl S. Childers
Harold L. Davison	Thomas J. Hynes
John M. Austin	William G. Fenlon
Theodore C. Rapalus	Louis Hopper, Jr.
Clarence R. Easter	John H. Tooley
Harley E. Dilcher	Gerard R. Decker

The following-named persons to be lieutenants in the U.S. Coast Guard:

Andrew F. Nixon	John G. Beebe-Center
Forrest E. Stewart	Gilbert L. Kraine
William A. Maki	Hubert E. Russell
Donald L. Savary, Jr.	Charles J. Glass
William K. Vogeler	Richard M. Morse
Donald H. Reaume	James P. Marsh
Harold R. Brock	Benedict L. Stabile
Glenn D. Jones	William R. Nodell
George H. Drinkwater	Robert E. Fletcher
Oscar J. Jahnsen, Jr.	Horace G. Holmgren
William J. Spinella	Claude R. Thompson
Richard G. Donaldson	Raymond H. Wood
William D. Derr	John C. Guthrie, Jr.
Arthur G. Morrison	Robert C. Stancliff
John T. Rouse	Ferney M. McKibben
David E. Metz	Arnold R. Reynolds
Bruce N. Donnelly	Sidney B. Vaughn, Jr.
James R. Meeker	Eugene A. Delaney
Frederick J. Lessing	Roderick M. White
Sherman G. Sawyer	James L. Fleishell
Joseph A. Macri	Robert K. Adams
Richard J. MacGarva	Clifford F. DeWolf
Edgar S. Castle	Royal E. Grover, Jr.
William T. Sode	William G. Dick
Donald J. Riley	Thomas A. Clingan, Jr.
Thomas F. McKenna, Jr.	Harry J. Hayes
Richard D. Hodges	Allan B. Rose
Preston M. Bannister, Jr.	Charles F. Juechter, Jr.
John C. Dowling	Jack L. Smith
Walter B. Alvey	Rudy Roberts
William L. Webster	Harry A. Feigleson, Jr.
John M. O'Connell, Jr.	John C. Fuechsel
Norman C. Venzke	Warren W. Waggett
Leo V. Donohoe	Nelson G. Emory
Adrian L. Lonsdale	Calvin F. Bonawitz
Alva L. Carbonette	Louis Moats
Robert A. Seufert	Ralph W. Sibley, Jr.
Berry L. Meaux	David Larner, Jr.
Harold W. Parker	Richard K. Simonds
John P. Mihlbauer	Joseph P. Dawley
Clarence C. Hobdy, Jr.	Leigh A. Wentworth
Lawrence J. Otto	John E. Gates
Daniel S. Bishop	Martin J. Ruebens
Robert G. Lyle	Robert F. Mercier
Jack E. Buttermore	Gordon D. Hall
Normand E. Fernald	Robert L. Sullins
Beverly V. Billingslea	James C. Knight
Leon Y. Wald	

The following-named persons to be lieutenants (junior grade) in the U.S. Coast Guard:

Benjamin R. Sheaffer, Jr.	Ronald N. Gaspard
	Edward R. Baumgartner
Kearney L. Yancey, Jr.	
Charles A. Millradt	Robert J. Ross

COAST AND GEODETIC SURVEY

The following-named persons for permanent appointment to the grades indicated in the Coast and Geodetic Survey, subject to qualifications provided by law:

TO BE CAPTAIN

Ross A. Gilmore, effective December 1, 1958	Ira R. Rubottom
	Maurice E. Wennermark
Gilbert C. Mast	Fred Natella
Fred A. Riddell	

TO BE COMMANDER

Don A. Jones
David M. Whipp

TO BE LIEUTENANT COMMANDER

William R. Kachel	Merlyn E. Natto
Hal P. Demuth	Alfred C. Holmes
Pentti A. Stark	

TO BE LIEUTENANT

James P. Randall
Kelly E. Taggart

TO BE ENSIGN

Robert M. Davidson	Paul D. Montjoy, Jr.
Charles G. Elliott	Ray E. Moses
Frederick C. E. Gebhardt	Pat T. Redden
	Gerald C. Saladin
Arthur H. Goldberg	Sigur C. Stavran
Peter A. Martus	Donald R. Tibbit
Donald C. McIntosh	Karl R. Tipple

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 29, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Matthew 8: 26: *Jesus said unto them, why are ye fearful, O ye of little faith?*

O Thou God of all grace, we are again coming unto Thee in the fellowship of prayer, seeking together those needed blessings which none can ever find or enjoy alone.

We humbly and earnestly beseech Thee to emancipate us from those fears which so frequently enslave us with a sense of futility and frustration.

Bless us with a larger measure of faith and enable us to lay hold upon Thy glorious promise that they who wait upon the Lord shall mount up with wings as eagles; they shall run and not be weary; they shall walk and not faint.

In Christ's name we pray. Amen.

The Journal of the proceedings of Tuesday, January 27, 1959, was read and approved.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Ratchford, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed a resolution as follows:

SENATE RESOLUTION 64

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Honorable George H. Christopher, late a Representative from the State of Missouri.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate, at the conclusion of its business today, adjourn until 12 o'clock meridian tomorrow.

The message also announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 57. Concurrent resolution providing that the two Houses of Congress commemorate the 150th anniversary of the birth of Abraham Lincoln.

The message also announced that pursuant to the provisions of Public Law 85–775, providing for a joint session of Congress for commemorating the 150th anniversary of the birth of Abraham Lincoln, the Vice President had appointed Mr. DOUGLAS, Mr. DIRKSEN, Mr. COOPER, and Mr. HARTKE as members on the part of the Senate of the Committee on Arrangements.

HOUSE MEMBERS OF MIGRATORY BIRD CONSERVATION COMMISSION

The SPEAKER. Pursuant to the provisions of 16 U.S.C. 715a, the Chair appoints as members of the Migratory Bird Conservation Commission the following members on the part of the House: Mr. KARSTEN, of Missouri; and Mr. GAVIN, of Pennsylvania.

HOUSE MEMBERS OF JOINT COMMITTEE ON NAVAJO-HOPI INDIAN ADMINISTRATION

The SPEAKER. Pursuant to the provisions of section 10, Public Law 474, 81st Congress, the Chair appoints as members of the Joint Committee on Navajo-Hopi Indian Administration the following members on the part of the House: Mr. UDALL, of Arizona; Mr. ANDERSON, of Montana; and Mr. BERRY, of South Dakota.

HOUSE MEMBERS OF NATIONAL FOREST RESERVATION COMMISSION

The SPEAKER. Pursuant to the provisions of 16 U.S.C. 513, the Chair appoints as members of the National Forest Reservation Commission the following members on the part of the House: Mr. COLMER, of Mississippi; and Mr. BUDGE, of Idaho.

HOUSE MEMBERS OF BOARD OF DIRECTORS, GALLAUDET COLLEGE

The SPEAKER. Pursuant to the provisions of section 5, Public Law 420, 83d Congress, the Chair appoints as members of the Board of Directors of Gallaudet College the following members on the part of the House: Mr. THORNBERRY, of Texas; and Mrs. DWYER, of New Jersey.

HOUSE MEMBERS OF THEODORE ROOSEVELT CENTENNIAL COMMISSION

The SPEAKER. Pursuant to the provisions of Public Law 183, 84th Congress, the Chair appoints as members of the Theodore Roosevelt Centennial Commission the following members on the part of the House to serve with himself: Mr. O'BRIEN, of New York; and Mr. DEROUNIAN, of New York.

HOUSE MEMBERS OF FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

The SPEAKER. Pursuant to the provisions of Public Law 372, 84th Congress, the Chair appoints as members of the Franklin Delano Roosevelt Memorial Commission the following members on the part of the House: Mr. MCCORMACK, of Massachusetts; Mr. KEOGH, of New York; Mrs. ST. GEORGE, of New York; and Mr. SCHENCK, of Ohio.

HOUSE MEMBERS OF JOINT COMMITTEE ON CONSTRUCTION OF MUSEUM OF HISTORY AND TECHNOLOGY

The SPEAKER. Pursuant to the provisions of section 4, Public Law 106, 84th Congress, the Chair appoints as members of the Joint Congressional Committee on Construction of a Building for a Museum of History and Technology for the Smithsonian Institution the following members on the part of the House: Mr. CANNON, of Missouri; Mr. BROOKS, of Louisiana; Mr. JONES, of Alabama; Mr. CURTIS, of Massachusetts; and Mr. BOW, of Ohio.

HOUSE MEMBERS OF NATIONAL MONUMENT COMMISSION

The SPEAKER. Pursuant to the provisions of Public Law 742, 83d Congress, the Chair appoints as members of the National Monument Commission the following members on the part of the House: Mr. JONES, of Alabama; Mr. ULLMAN, of Oregon; Mr. WESTLAND, of Washington; and Mrs. ST. GEORGE, of New York.

HOUSE MEMBERS OF THE BOARD OF VISITORS TO THE U.S. MILITARY ACADEMY

The SPEAKER. Pursuant to the provisions of 10 U.S.C. 4355(a), the Chair appoints as members of the Board of Visitors to the U.S. Military Academy the following members on the part of the House: Mr. TEAGUE of Texas; Mr. RABAUT, of Michigan; Mr. WAINWRIGHT, of New York; and Mr. LAIRD, of Wisconsin.

HOUSE MEMBERS OF THE BOARD OF VISITORS TO THE U.S. NAVAL ACADEMY

The SPEAKER. Pursuant to the provisions of 10 U.S.C. 6968(a), the Chair appoints as members of the Board of Visitors of the U.S. Naval Academy the following members on the part of the House: Mr. RILEY, of South Carolina; Mr. BREWSTER, of Maryland; Mr. ANDERSEN, of Minnesota; and Mr. OSTERTAG, of New York.

HOUSE MEMBERS OF THE BOARD OF VISITORS TO THE U.S. AIR FORCE ACADEMY

The SPEAKER. Pursuant to the provisions of 10 U.S.C. 9355(a), the Chair appoints as members of the Board of Visitors to the U.S. Air Force Academy the following members on the part of the House: Mr. ROGERS of Colorado; Mr. MAGNUSON, of Washington; Mr. CHENOWETH, of Colorado; and Mr. FORD, of Michigan.

HOUSE MEMBERS OF THE BOARD OF VISITORS TO THE U.S. MERCHANT MARINE ACADEMY

The SPEAKER. Pursuant to the provisions of 46 U.S.C. 1126c, the Chair appoints as members of the Board of Visitors to the U.S. Merchant Marine Academy the following members on the part of the House: Mr. ANFUSO, of New York; and Mr. FINO, of New York.

HOUSE MEMBERS OF THE BOARD OF VISITORS TO THE U.S. COAST GUARD ACADEMY

The SPEAKER. Pursuant to the provisions of 14 U.S.C. 194(a), the Chair appoints as members of the Board of Visitors to the U.S. Coast Guard Academy the following members on the part of the House: Mr. BOWLES, of Connecticut; and Mr. WIDNALL, of New Jersey.

HOUSE MEMBERS OF THE U.S. TERRITORIAL EXPANSION MEMORIAL COMMISSION

The SPEAKER. Pursuant to the provisions of Public Resolution 32, 73d Congress, the Chair appoints as members of the U.S. Territorial Expansion Memorial Commission the following members on the part of the House: Mr. KARSTEN, of Missouri; Mr. HAYS, of Ohio; and Mr. SCHENCK, of Ohio.

HOUSE MEMBERS OF THE NATIONAL MEMORIAL STADIUM COMMISSION

The SPEAKER. Pursuant to the provisions of Public Law 523, 78th Congress, the Chair appoints as members of the National Memorial Stadium Commission the following members on the part of the House: Mr. TEAGUE, of Texas; Mr. LANKFORD, of Maryland; and Mr. KEARNS, of Pennsylvania.

HOUSE MEMBERS OF THE LINCOLN SESQUICENTENNIAL COMMISSION

The SPEAKER. Pursuant to the provisions of Public Law 85–262, the Chair appoints as members of the Lincoln Sesquicentennial Commission the following members on the part of the House to serve with himself: Mr. CHELF, of Kentucky; Mr. DENTON, of Indiana; Mr. MACK, of Illinois; Mr. ALLEN, of Illinois; Mr. BRAY, of Indiana; and Mr. SILER, of Kentucky.

HOUSE MEMBERS OF THE CIVIL WAR CENTENNIAL COMMISSION

The SPEAKER. Pursuant to the provisions of Public Law 85–305, the Chair appoints as members of the Civil War Centennial Commission the following members on the part of the House to serve with himself: Mr. TUCK, of Virginia; Mr. COFFIN, of Maine; Mr. SMITH, of Kansas; and Mr. SCHWENGEL, of Iowa.

HOUSE MEMBERS OF THE NATIONAL OUTDOOR RECREATION RESOURCES REVIEW COMMISSION

The SPEAKER. Pursuant to the provisions of section 3, Public Law 85–470, the Chair appoints as members of the National Outdoor Recreation Resources Review Commission the following members on the part of the House: Mrs. PFOST, of Idaho; Mr. ULLMAN, of Oregon; Mr. SAYLOR, of Pennsylvania; and Mr. COLLIER, of Illinois.

HOUSE MEMBERS OF THE HUDSON-CHAMPLAIN CELEBRATION COMMISSION

The SPEAKER. Pursuant to the provisions of Public Law 85–614, the Chair appoints as members of the Hudson-Champlain Celebration Commission the following members on the part of the House: Mr. CELLER, of New York; Mr. HOLTZMAN, of New York; Mr. TAYLOR, of New York; and Mr. LINDSAY, of New York.

HOUSE MEMBERS OF THE COMMITTEE ON ARRANGEMENTS FOR THE JOINT SESSION OF THE CONGRESS TO BE HELD ON FEBRUARY 12, 1959

The SPEAKER. Pursuant to the provisions of Public Law 85–775, the Chair appoints as members of the Committee on Arrangements for the joint session of the Congress to be held on Thursday, February 12, 1959, commemorating the 150th anniversary of the birth of Abraham Lincoln, the following members on the part of the House: Mr. MACK, of Illinois; Mr. DENTON, of Indiana; Mr. SCHWENGEL, of Iowa; and Mr. BRAY, of Indiana.

HOUSE MEMBERS EX OFFICIO OF THE BOARD OF TRUSTEES OF THE NATIONAL CULTURAL CENTER

The SPEAKER. Pursuant to the provisions of section 2, Public Law 85–874, the Chair appoints as members ex officio of the Board of Trustees of the National Cultural Center the following members on the part of the House: Mr. WRIGHT, of Texas; Mr. THOMPSON, of New Jersey; and Mr. KEARNS, of Pennsylvania.

NINTH SEMIANNUAL REPORT ON ACTIVITIES CARRIED ON UNDER PUBLIC LAW 480, 83D CONGRESS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 60)

The SPEAKER laid before the House the following message from the President of the United States, which was read; and together with the accompanying papers, referred to the Committee on Agriculture and ordered printed:

To the Congress of the United States:

I am transmitting herewith the Ninth Semiannual Report on Activities Carried on Under Public Law 480, 83d Congress, as Amended, outlining operations under the act during the period July 1 through December 31, 1958.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *January 28, 1959.*

FOURTEENTH SEMIANNUAL REPORT ON OPERATIONS OF THE MUTUAL SECURITY PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC NO. 451, 85TH CONG.)

The SPEAKER laid before the House a message from the President of the United States, which was read and, together with accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed with illustrations.

(For President's message see p. 1256 of Senate proceedings of January 28, 1959.)

LABOR-MANAGEMENT LEGISLATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (S. DOC. NO. 10)

The SPEAKER laid before the House a message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Education and Labor and ordered printed.

(For President's message see pp. 1297–1298 of Senate proceedings of January 28, 1959.)

AGRICULTURE PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 59)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Agriculture and ordered to be printed:

To the Congress of the United States:

There are produced, in the United States, some 250 farm commodities. The law has required that prices of 12 of these be supported at prescribed minimum levels. It is this requirement, together with the level of required support, that has created our farm surplus problems. Farmers who produce cattle, hogs, poultry, fruits, vegetables, and various other products, the prices of which are not supported—as well as those who produce crops the prices of which are supported at discretionary levels—have generally experienced growing markets rather than a buildup of stocks in warehouses.

Three of the 12 mandatory products (wheat, corn, and cotton) account for about 85 percent of the Federal inventory of price-supported commodities though they produce only 20 percent of the total cash farm income.

The price-support and production-control program has not worked.

1. Most of the dollars are spent on the production of a relatively few large producers.

Nearly a million and a half farms produce wheat. Ninety percent of the expenditures for price support on wheat result from production of about half of those farms—the largest ones.

Nearly a million farms produce cotton. Seventy-five percent of the expenditures for cotton price support result from production of about one-fourth of these farms—the largest ones.

For other supported crops, a similarly disproportionate share of the expenditure goes to the large producers.

For wheat, cotton, and rice producers who have allotments of 100 acres or more, the net budgetary expenditures per farm for the present fiscal year are approximately as follows: Wheat, $7,000 per farm; cotton, $10,000 per farm; rice, $10,000 per farm.

Though some presently unknown share of these expenditures will eventually be recovered through surplus disposal, the final cost of the operation will undoubtedly be impressively large.

Clearly, the existing price support program channels most of the dollars to those who store the surpluses and to relatively few producers of a few crops. It does little to help the farmers in greatest difficulty. For small operators the rural development program approach, which helps develop additional sources of income, has clearly demonstrated that it is a far better alternative.

2. The control program doesn't control.

Mandatory supports are at a level which so stimulates new technology and the flow of capital into production as to offset, in large part, the control effort.

Despite acreage allotments and marketing quotas, despite a large soil bank program and despite massive surplus disposal, Government investment in farm commodities will soon be at a new record high. On July 1, 1959, total Government investment in farm commodities will total $9.1 billion. Investment in commodities for which price support is mandatory will total $7.6 billion, of which $7.5 billion will consist of those crops designated by law as basic commodities: wheat, corn, cotton, rice, peanuts, and tobacco. And these stocks are increasing rather than diminishing.

We already hold such huge stocks of wheat that if not one bushel of the oncoming crop were harvested we would still have more than enough for domestic use, export sales, foreign donation, and needed carryover for an entire year.

3. The program is excessively expensive.

When the 1958 crops have come into Government ownership, the cost, in terms of storage, interest and other charges, of managing our inventory of supported crops, for which commercial markets do not exist at the support levels, will be running at a staggering rate, in excess of a billion dollars a year. Unless fundamental changes are made, this annual cost will rise.

This sum is approximately equal to the record amount being spent in fiscal 1960 by the Federal Government on all water resource projects in the United States including power, flood control, reclamation, and improvement of rivers and harbors.

During the present fiscal year, the net budgetary outlay for programs for the stabilization of farm prices and farm income will be $5.4 billion; $4.3 billion of this is for commodities for which price supports are mandatory. While some unpredictable part of this outlay will be recovered in later years through sales for dollars, sales for foreign currency and through barter, the cost will be great, especially when compared with the net income of all farm operators in the United States, which in 1958 was $13 billion. Budgetary expenditures primarily for the support of farm prices and farm income are now equal to about 40 percent of net farm income.

Not a bushel of wheat nor a pound of cotton presently is exported without direct cost to the Federal Treasury.

Heavy costs might be justifiable if they were temporary, if they were solving the problems of our farmers, and if they were leading to a better balance of supplies and markets. But unfortunately this is not true.

These difficulties are not to be attributed to any failure on the part of our farm people who have done an outstanding job of producing efficiently. They have in fact responded to the price incentive as farm people—and other people—traditionally have.

Our farm families deserve programs that build markets. Instead they have programs that lose markets. This is because the overall standards for the programs that they have are outdated relationships that existed nearly half a century ago. This was before 60 percent of our present population was born.

At that time it took 106 man-hours to grow and harvest 100 bushels of wheat. In recent years it has taken not 106 but 22. Since then the yield of wheat has doubled. Similar dramatic changes have occurred for other crops.

It is small wonder that a program developed many years ago to meet the problems of depression and war is ill-adapted to a time of prosperity, peace, and revolutionary changes in production.

The need to reduce the incentives for excess production has been explicit in the three special messages on agriculture which I have previously sent to the Congress. The point has repeatedly been made by the Secretary of Agriculture in his testimony and in his statements to the Congress. The Congress has moved in the right direction but by an insufficient amount. There has been a general tendency to underestimate the pace at which farm technology has been moving forward. Hence there has been a tendency to underestimate the production-inducing effect of the prescribed minimum price support levels.

RECOMMENDATION

I recommend that prices for those commodities subject to mandatory supports be related to a percentage of the average market price during the immediately preceding years. The appropriate percentage of the average market price should be discretionary with the Secretary of Agriculture at a level not less than 75 and not more than 90 percent of such average in accordance with the general guidelines set forth in the law. Growers of corn, our most valuable crop, have already chosen, by referendum vote, program changes which include supports based on such an average of market prices.

Mr. HOFFMAN of Michigan. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I am compelled to advise the gentleman from Michigan, if he persists in the point of order, I intend to make a motion that the House adjourn.

Mr. HOFFMAN of Michigan. Mr. Speaker, the only reason I am making the point of order, I will say to the majority leader, is so that all the Members might finish their discussions and then we could have the message read. Of course, in deference to the majority leader, I will withdraw the point of order.

The SPEAKER. The point of order is withdrawn. The Clerk will continue to read.

The Clerk read the remainder of the message, as follows:

If, despite the onrush of science in agriculture, resulting in dramatic increases in yields per acre, the Congress still prefers to relate price supports to existing standards, the Secretary should be given discretion to establish the level in accordance with the guidelines now fixed by law for all commodities except those for which supports presently are mandatory.

Either of these changes would be constructive. The effect of either would be to reconcile the farm program with the facts of modern agriculture, to reduce the incentive for unrealistic production, to move in the direction of easing production controls, to permit the growth of commercial markets and to cut the cost of Federal programs.

As we move to realistic farm programs, we must continue our vigorous efforts further to expand markets and find additional outlets for our farm products, both at home and abroad. In these efforts, there is an immediate and direct bearing on the cause of world peace. Food can be a powerful instrument for all the free world in building a durable peace. We and other surplus-producing nations must do our very best to make the fullest constructive use of our abundance of agricultural products to this end. These past 4 years our special export programs have provided friendly food-deficit nations with $4 billion worth of farm products that we have in abundance. I am setting steps in motion to explore anew with other surplus-producing nations all practical means of utilizing the various agricultural surpluses of each in the interest of reinforcing peace and the well-being of friendly peoples throughout the world—in short, using food for peace.

Certain details regarding the needed changes in law, particularly with reference to wheat, are appended to this message in the form of a memorandum to me from the Secretary of Agriculture.

Difficulties of the present program should not drive us to programs which would involve us in even greater trouble. I refer to direct payment programs, which could soon make virtually all farm people dependent, for a large share of their income, upon annual appropriations from the Federal Treasury. I refer also to various multiple price programs, which would tax the American consumer so as to permit sale for feed and export at lower prices.

To assist the Congress in discharging its responsibility, the administration stands ready, as always, to provide the appropriate committees with studies, factual data and judgments. Continuation of the price support and production control programs in their present form would be intolerable.

I urge the Congress to deal promptly with this problem.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *January 29, 1959.*

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection?

There was no objection.

ELECTION OF MEMBERS TO STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. HALLECK. Mr. Speaker, I submit a resolution (H. Res. 144) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the following-named Members be, and they are hereby, elected mem-

bers of the following standing committees of the House of Representatives:

Committee on District of Columbia: Alvin E. O'Konski, Wisconsin; Wint Smith, Kansas; Steven B. Derounian, New York; Jessica McC. Weis, New York.

Committee on Government Operations: Robert R. Barry, New York.

Committee on Post Office and Civil Service: Katharine St. George, New York.

Committee on Science and Astronautics: R. Walter Riehlman, New York.

Committee on Veterans' Affairs: Seymour Halpern, New York.

The resolution was agreed to.

PRESIDENT WILLIAM McKINLEY: A TRIBUTE TO A SON OF OHIO

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. DEVINE].

Mr. DEVINE. Mr. Speaker, today is the birthday of William McKinley, and I wish to pay tribute to this illustrious citizen of Ohio on behalf of my colleagues from the State of Ohio.

In the Congressional Directory, published 82 years ago, appears McKinley's modest biography as one of the newly elected Members of the 45th Congress.

Up to that time young McKinley had made a gallant record as a soldier. He was then to make an even greater record as a statesman.

Schooled in Ohio, and at Allegheny College, Pennsylvania, McKinley had taught in a rural school before he enlisted as a private in the Union Army.

In 1867 young McKinley opened a law office at Canton, where he maintained his permanent residence, and 2 years later was elected prosecuting attorney.

He married the daughter of a local banker, and two daughters were born to them. Both girls passed away and thereafter Mrs. McKinley became an invalid. The devotion of the rugged McKinley to his frail wife has remained a touching example of love and fidelity through the years.

In front of the State House in Columbus, Ohio, there appears a monument to William McKinley. It was placed in that position for this reason: While Governor of the State of Ohio he lived at a hotel immediately across the street from the State House. Each morning as he left the hotel he would stop at the very spot where the monument is placed and he would turn and wave to his invalid wife who sat in the hotel window.

He also had another habit of wearing a red carnation, that the Members are wearing today. It was his favorite flower, and in tribute to President McKinley the State adopted the red carnation as the official flower of the State of Ohio.

William McKinley was first elected to Congress at the age of 34. In his first term, he allied himself with the Silver Republicans from the Western States. At the end of the year Speaker S. J. Randall placed him on the Committee on Ways and Means. In 1889 he became chairman of the Committee on Ways and Means, in charge of the new tariff bill. McKinley was, throughout the ensuing debate, the moderator and harmonizer.

Although he had served four terms, McKinley was defeated for Congress in 1890, but he was elected Governor of Ohio in the strenuous campaign of the next year. In 1893 he was reelected Governor.

During his years as Governor, McKinley worked successfully to improve Ohio's canals, roads, and public institutions. One of his greatest achievements was the establishment of a State board of arbitration to settle disputes between employers and employees. He was a national figure by the time he left the governorship.

In 1897 William McKinley became the 25th President of the United States. His first inaugural address, delivered March 4, 1897, reads as though it had been written to meet present problems. He said, and I quote:

> The severest economy must be observed in public expenditures, and extravagance stopped wherever it is found, and prevented wherever in the future it may be developed. * * * The Government should not be permitted to run behind or increase its debts in times like the present. * * * The best way for a government to maintain its credit is to pay as it goes.

During his years in the White House, he did a great service to our Nation. New and difficult problems were wisely solved and the large issues were met in a spirit of finest patriotism and public service. Conciliatory and gracious, respectful of his opponent's point of view, President McKinley never would consent to belittle those who did not see eye to eye with him. He would have recoiled at the thought of a smear campaign. He cherished no ambition to be the master of anyone, he refused to indulge in personalities. Selfish groups did not intimidate him.

President McKinley's friends considered his amiability his greatest fault. As Jefferson said of Washington, "He erred with integrity." He was a man of deep and sincere religious faith. His career demonstrated that success with one's fellow man is not incompatible with an earnest Christian life.

It has been said that President McKinley's last speech was his best. He had grown steadily as a public speaker, just as he had grown in every other way, until he had become one of the great orators of his time.

It was not expected that his address at the Pan-American Exposition in Buffalo on September 5, 1901, would be especially important. Yet many thousands waited in front of the temporary stand on the exposition grounds to hear him deliver it. They were rewarded with a remarkable address. It was felt that he was laying before the whole world his purposes for the remainder of his administration. No one had the slightest idea that he would never again speak in public. But the following day—September 6, 1901—President McKinley was shot by an anarchist and died 8 days later.

I would like to quote briefly from President McKinley's last speech nearly 60 years ago:

> God and man have linked the nations together. No nation can longer be indifferent to any other. And as we are brought more and more in touch with each other, the less occasion is there for misunderstandings, and the stronger the disposition, when we have differences, to adjust them in the court of arbitration, which is the noblest forum for the settlement of international disputes. * * *
>
> The period of exclusiveness is past. The expansion of our trade and commerce is the pressing problem. Commercial wars are unprofitable. A policy of good will and friendly trade relations will prevent reprisals. Reciprocity treaties are in harmony with the spirit of the times; measures of retaliation are not.

And finally, Mr. Speaker, we Members of the 86th Congress would do well to look to William McKinley's personal and political ideals as we mark this anniversary of his birth.

He left this message for all of us as he passed from this life:

> It is God's way. His will, not ours, be done.

The SPEAKER. Without objection all Members who desire may extend their remarks at this point in the RECORD on the life, times, and character of Ex-President William McKinley.

There was no objection.

Mr. McCORMACK. Mr. Speaker, today marks the 116th anniversary of the birth of William McKinley, who became President of the United States in 1897.

President McKinley was born in the little town of Niles, located in eastern Ohio. His parents were sturdy, middle-class working folks, who descended from Scotch, Irish, and English generations. He attended the Ohio public schools, Poland Academy, and Allegheny College, in Pennsylvania.

During the Civil War William McKinley enlisted on June 23, 1861, and served 4 years in the Union Army, Ohio Volunteers. He enlisted as a private and was mustered out as a brevet major.

After the war he practiced law at Canton, Ohio, served as prosecuting attorney and was first elected to Congress in 1876, serving in the House of Representatives from 1877 to 1882. Then he was defeated, but was elected again in 1886 and served until 1890. During his years in the House he became recognized as a foremost champion of the protective tariff, and gained renown as chairman of the Committee on Ways and Means. He was elected Governor of Ohio in 1891, was inaugurated on January 11, 1892; reelected in 1893 and served until January 13, 1896.

In 1895 a systematic canvass in McKinley's behalf for the presidential nomination was instituted by his supporters and was continued until the Republican Convention in 1896. He was nominated, and, after an extremely bitter campaign on the issue of the gold standard versus free coinage of silver, was elected as champion of the gold standard.

President McKinley's first term is memorable chiefly for the occurrence of the Spanish-American War. That his policy during 1896–1900 was acceptable was shown by his unanimous renomination and by his reelection in 1900 by an electoral majority of 137. His second term began most auspiciously but ended tragically.

On September 5, 1901, he visited the Pan-American Exposition in Buffalo, that day having been set apart in his honor and called the President's Day.

On the afternoon of the following day, while holding a public reception in the Temple of Music, he was shot twice by an anarchist. The wounded President was removed to the residence of the president of the exposition, and died there September 14. He was buried in Canton, Ohio.

It has been told that while a Member of this Congress, friends from McKinley's district advised him that enemies in his district were circulating malicious gossip about him and that he should make a public reply. McKinley answered:

I have no enemies. My constituents have a right to express what they claim to be their opinions. I need criticism and I love those who criticize me. They help me most.

Naturally kindly, a good conciliator, McKinley's strength was in defending principles. He was an earnest and loyal party man. He sought and accepted the advice of trusted associates.

President McKinley was a man of towering presence and wherever he appeared in public, his contemporaries were inspired by his very appearance. He was eloquent in speech.

He married Ida Saxton, cashier in a Canton bank, when he returned from military service. Mrs. McKinley has been called the first business woman to become the first lady. The marriage was one of devoted affection, with the greater need for devotion when, after the birth and early death of two daughters, Ida McKinley became an invalid. President McKinley's care and solicitation never wavered. Mrs. McKinley was at his side at state social affairs, accompanied him on official journeys, and was with him at Buffalo when he was assassinated.

As we honor the birth date of our 25th President, we do not commemorate just a date on the calendar, but rather we commemorate the spirit, the wisdom, and the courage of a man who had a high regard for what he believed to be honest and true, and, in his period, for the best interests of our country.

INVESTIGATIONS AND STUDIES BY THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 78, to authorize the Committee on Post Office and Civil Service to conduct investigations and studies with respect to certain matters within its jurisdiction, and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That effective from January 3, 1959, the Committee on Post Office and Civil Service, acting as a whole or by subcommittee, is authorized to conduct full and complete investigations and studies with respect to the following matters within the jurisdiction of the committee:

(1) the administration, management, and operations of the Post Office Department and the postal field service;

(2) the mailability of articles and printed matter generally, including, among other things, the mailing of (A) obscene matter, (B) matter which reasonably may be expected to arouse or activate racial, religious, or class hatred or animosity, and (C) unsolicited articles and matter with requests for payments or contributions;

(3) the application, operation, and effect of the laws, rules, and regulations relating to the management of civilian personnel of the Federal Government, including matters relating to (A) compensation, (B) position classification, (C) examination, (D) appointment, (E) assignment of positions excepted from the competitive service to schedules A, B, and C under rule VI of the Civil Service Rules, (F) allocation of positions to, and distribution of positions in, grades 16, 17, and 18 of the General Schedule of the Classification Act of 1949, (G) actions taken pursuant to section 505(1) of such Act, as amended by Public Law 85-462, (H) promotions, (I) reduction in force, and (J) separation from the service by action other than reduction in force;

(4) the desirability and effect of contracts, agreements, or arrangements for the performance, by and through sources outside the Federal Government, of personal, administrative, and management services;

(5) the effect of the contracting practices of the Federal Government on the availability and utilization of personnel qualified for the performance of essential functions of the Federal Government;

(6) the organization, management, and operations of the United States Civil Service Commission, including the delegation of authority to the department and agency Boards of Civil Service Examiners and the audit and control thereof;

(7) operations under the Classification Act of 1949;

(8) actions taken and directives issued as a result of the investigations and studies, conducted by the committee under authority of H. Res. 32, Eighty-third Congress, H. Res. 304, Eighty-fourth Congress, and H. Res. 139, Eighty-fifth Congress, with respect to the utilization and dual supervision of civilian employees in or under the Department of Defense;

(9) dual supervision of civilian employees, creation of civilian positions, number of civilian positions, and other matters relating to conservation of manpower, in such departments, agencies, and independent establishments of the Federal Government as the chairman of the committee may designate;

(10) (A) the organization, management, and operations of the Bureau of the Census in the Department of Commerce and (B) statistical and related activities other than those of the Bureau of the Census;

(11) insurance plans and programs of the Government for Government employees and related matters; and

(12) the operation and effect of training programs under the Government Employees Training Act.

The committee shall report to the House (or to the Clerk of the House if the House is not in session), at such time or times during the present Congress as it deems appropriate, the results of its investigations and studies, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution, the committee, or any subcommittee thereof authorized to do so by the chairman of the committee, is authorized to sit and act during the present Congress at such times and places within the United States, whether the House has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member of the committee designated by him and may be served by any person designated by such chairman or member.

Mr. SMITH of Virginia (interrupting the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution be dispensed with and that it be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 4, line 5, insert: "*Provided*, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House."

The committee amendment was agreed to.

Mr. SMITH of Virginia. Mr. Speaker, this is the usual investigatory resolution for the Civil Service Committee and similar to resolutions presented the other day for other committees. It is in line with the resolution granted that committee last year.

Mr. BROWN of Ohio. Mr. Speaker, this resolution had the unanimous support of all members of the Rules Committee.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Iowa.

Mr. GROSS. Will the gentleman agree with me that the requests of the Post Office and Civil Service Committee have been modest in the past and are now?

Mr. SMITH of Virginia. I do.

Mr. GROSS. I thank the gentleman.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON PUBLIC WORKS TO CONDUCT STUDIES AND INVESTIGATIONS

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 91 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the Committee on Public Works, or any subcommittee thereof designated by the chairman, may make investigations into the following matters within its jurisdiction: In the continental United States, its Territories, and possessions, public works projects either authorized or proposed to be authorized relating to flood control and improvement of rivers and harbors, waterpower, navigation, water pollution control, public buildings and grounds, as well as roads and highways; in Mexico, and in Central American countries, the Inter-American Highway and the Rama Road; and, in the Dominion of Canada, the Saint Lawrence Seaway project.

For the purpose of making such investigations the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places in the United States, its Territories, and possessions, whether the House has recessed or adjourned, and to hold such hearings and require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, and documents as it deems necessary. Subpenas may be issued under the

signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee may attend conferences and meetings on matters within its jurisdiction wherever held within the continental United States, its Territories, and possessions, but no more than five members of such committee may attend any meeting outside of the continental United States except trips in connection with the investigation of the Inter-American Highway and the Rama Road and matters relating to the Saint Lawrence Seaway project in the Dominion of Canada.

The committee shall not undertake any investigation of any subject matter which is being investigated by any other standing committee of the House.

With the following committee amendments:

Page 1, line 1, after the word "That" insert "effective from January 3, 1959".

Page 1, strike out the following language in lines 4 and 5: "its Territories, and possessions".

Page 1, line 9, change semicolon to period and strike the following language in lines 9, 10, 11, and 12: "in Mexico, and in Central American countries, the Inter-American Highway and the Rama Road; and, in the Dominion of Canada, the St. Lawrence Seaway project".

Page 2, line 4, strike "its Territories, and possessions".

Page 2, line 15, change comma after the word "United States" to a period, and strike out the following language in lines 15, 16, 17, 18, 19, 20, and 21: "its Territories, and possessions, but no more than five members of such committee may attend any meeting outside of the continental United States except trips in connection with the investigation of the Inter-American Highway and the Rama Road and matters relating to the Saint Lawrence Seaway project in the Dominion of Canada".

The committee amendments were agreed to.

Mr. BROWN of Ohio. Mr. Speaker, the minority join in support of this resolution.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON FOREIGN AFFAIRS TO CONDUCT FULL AND COMPLETE INVESTIGATIONS

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 113 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That effective from January 4, 1959, the Committee on Foreign Affairs, acting as a whole or by subcommittee, is authorized to conduct a full and complete investigation and study of all matters—

(1) relating to the laws, regulations, directives, and policies including personnel pertaining to the Department of State and such other departments and agencies engaged primarily in the implementation of U.S. foreign policy and the overseas operations, personnel, and facilities of departments and agencies of the United States which participate in the development and execution of such policy;

(2) relating to the carrying out of programs and operations authorized by the Mutual Security Act and to other laws and measures to promote the foreign policy of the United States;

(3) relating to activities and programs of international organizations in which the United States participates;

(4) relating to the effectiveness of U.S. programs of assistance and information; and

(5) relating to legislation within the jurisdiction of the Committee on Foreign Affairs pursuant to provisions of rule XI of the Rules of the House of Representatives.

The committee shall report to the House (or to the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places, whether the House has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

With the following committee amendments:

Page 1, line 1, change "4" to "3."

Page 2, after line 13, insert a new paragraph as follows:

"*Provided,* That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House."

Mr. SMITH of Virginia. Mr. Speaker, this is the usual resolution granting to the Committee on Foreign Affairs authority to investigate matters within its jurisdiction.

Mr. BROWN of Ohio. Mr. Speaker, the minority agrees with this resolution.

The committee amendments were agreed to.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON MERCHANT MARINE AND FISHERIES TO CONDUCT CERTAIN STUDIES AND INVESTIGATIONS

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 105 and ask for its present consideration. May I ask the Clerk when he gets to the reading of the committee amendments to pause as I have a substitute for a committee amendment in one instance.

The Clerk read as follows:

Resolved, That effective from January 7, 1959, the Committee on Merchant Marine and Fisheries, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries relating to matters coming within the jurisdiction of such committee, including but limited to the following:

(1) administration and operation of the Federal Maritime Administration and Federal Maritime Board and all laws, international arrangements, and problems relating to the American merchant marine;

(2) administration and operation of the United States Fish and Wildlife Service and all laws and problems relating to fisheries and wildlife;

(3) administration and operation of the Coast Guard, Coast and Geodetic Survey, and all laws and problems relating to functions thereunder;

(4) administration and operation of the Panama Canal and all laws and problems relating thereto, together with the necessity of providing additional transiting facilities for vessels between the Atlantic and Pacific Oceans.

For such purposes the said committee, or any subcommittee thereof authorized to do so by the chairman of the committee, is hereby authorized to sit and act during the present Congress at such times and places (A) within the United States, its possessions, the Territory of Hawaii, the Commonwealth of Puerto Rico, and the Canal Zone; (B) elsewhere within the North American Continent; and (C) elsewhere when in connection with any study or investigation of ocean steamship conferences and the dual rate system, whether the House has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary: *Provided, however,* That in no event shall the chairman designate more than seven committee members and three staff members to proceed outside the United States on any one study or investigation of ocean steamship conferences and the dual rate system. Subpenas may be issued over the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

That the said committee shall report to the House of Representatives during the present Congress the results of their studies and investigations with such recommendations for legislation or otherwise as the committee deems desirable.

With the following committee amendment:

Page 1, line 1, strike out "7" and insert "3."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 2, after line 10, insert a new paragraph as follows:

"*Provided,* That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 2, line 12, following the word "thereof" insert the word "as."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 2, line 17, after "places" strike out "(A)."

Mr. SMITH of Virginia. Mr. Speaker, I offer a substitute amendment to the committee amendment.

The Clerk read as follows:

Substitute amendment offered by Mr. SMITH of Virginia to the committee amendment: On page 2, line 17, after "places", strike out down to and including the word "system" on line 23 and insert after the word "places" on line 17 the following

"within the United States, its possessions, the Territory of Hawaii, the Commonwealth of Puerto Rico, and the Canal Zone."

The substitute to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The Clerk read as follows:

Committee amendment: Page 3, line 3, change the colon to a period and strike out the remainder of the sentence.

The committee amendment was agreed to.

Mr. BROWN of Ohio. Mr. Speaker, the minority favors the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 130 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That, effective from January 3, 1959, the Committee on Interior and Insular Affairs may make investigations and studies as required in connection with bills, resolutions, and other matters referred to it and, more specifically or in addition thereto, in connection with the following matters within its jurisdiction:

(1)(a) The status, progress, and administration of irrigation, reclamation, and other water resources development programs of the Department of the Interior and of other agencies insofar as the latter affect the work of the Department of the Interior with respect to such programs, including (i) policies and procedures relating to such programs, (ii) projects previously authorized, (iii) projects proposed for authorization and construction (including but not limited to the San Luis project in California, the Fryingpan-Arkansas and Juniper projects in Colorado, the Burns Creek project in Idaho, the Spokane Valley project in Washington, the Garrison diversion project in North Dakota, the Mid-State project in Nebraska, the Norman project in Oklahoma, the Vale project in Oregon, and the Cheney project in Kansas), and (iv) developments under the Small Reclamation Projects Act and the Rehabilitation and Betterment Act; (b) compacts relating to the apportionment of interstate waters; (c) the application to Federal agencies and activities of State laws covering the control, appropriation, and distribution of water; and (d) the saline water program.

(2)(a) The administration and operation of the mining and mineral leasing laws, including those which govern the development, utilization, and conservation of oil, gas, and associated resources of the public and other Federal lands; (b) mineral resources of the public lands and mining interests generally, including the condition, problems, and needs of the mining and minerals industries; (c) mineral resources surveys and the exploration, development, production, and conservation of mineral resources; (d) minerals research, including coal research, needed to improve the position of the domestic minerals industries; (e) proposed long-range domestic minerals programs; and (f) the effects upon domestic mining industries of the world metals situation and the means available to the Government for alleviating the same.

(3) The status, progress, and administration of the national park system and its units and of other recreational developments on public lands or under the jurisdiction of or affecting the Department of the Interior.

(4) The administration and operation of the laws governing the development, utilization, and conservation of the surface and subsurface resources of public lands administered by the Department of the Interior and of forest reserves created out of the public domain.

(5)(a) The administration of Indian affairs by agencies of the Government participating therein, the programs and policies of those agencies, the adequacy of existing Indian legislation, and the effectiveness with which it is being administered and with which moneys available to carry out its purposes are being used; (b) the release of Indian tribes and bands from Federal supervision, preparation therefor, and the effects thereof; (c) the present status of Indian treaties and agreements; (d) the availability to Indians of health, education, and welfare services and the extent to which they are receiving the full benefit of Federal programs in these areas; (e) the utilization of tribal land and other resources, with particular attention to the means of developing the skill and aptitudes required for such utilization; (f) problems of fractional heirships and the means of solving them; and (g) the adequacy and cost of attorney services for Indians and Indian tribes.

(6) The status, progress, and administration of the Territories and insular possessions of the United States, Puerto Rico, and the Trust Territory of the Pacific Islands, including particularly operations under the Hawaiian Homes Commission Act of 1920, as amended; the return of federally held lands in Hawaii and Puerto Rico to local control and ownership; an analysis and evaluation of the Puerto Rico Commonwealth Act of 1952; the operation and administration of the Revised Virgin Islands Organic Act of 1954, the Virgin Islands Corporation Act of 1949, and the Guam Organic Act of 1950, all as amended (with especial attention, in the case of the latter, to the tax structure and financial problems of the government of Guam); local conditions bearing upon and the provisions to be included in an organic act for the Trust Territory of the Pacific Islands; matters affecting American Samoa, and problems concerning the civilian population of the Ryukyu Islands.

SEC. 2. For the purposes of making such investigations and studies the committee, or any subcommittee thereof, may sit, hold hearings, and act during the present Congress at such times and places within the United States, its Territories and possessions, Puerto Rico, the Trust Territory of the Pacific Islands, and the Pacific flag areas of the United States as the nature of the investigation or study requires; may do so not only during the session but also during periods of recess and adjournment; and may require, by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member designated by him and may be served by any person designated by such chairman or member.

SEC. 3. In addition, in order that the committee may be informed as to what other nations are doing in the field of water resources development and because such information will be of value to the Congress and to the committee in consideration of matters within the committee's jurisdiction and is pertinent to the duties of the committee under rule XI, clause 26, of the Rules of the House, a special subcommittee of not more than three members of the committee, accompanied by not more than two members of its staff, may visit and, if found appropriate, hold hearings at such places outside the United States as the chairman may designate during adjournment of the House and shall report its findings to the House.

With the following committee amendments:

Page 5, line 2, strike out "its Territories and possessions, Puerto Rico, the Trust Territory of the Pacific Islands, and the Pacific flag areas of the United States,"

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to withdraw the first committee amendment.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read as follows:

Page 5, line 15, insert:

"*Provided,* That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House."

The committee amendment was agreed to.

The Clerk read as follows:

Page 5, line 18, strike out section 3.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON ARMED SERVICES

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration I call up a privileged resolution (H. Res. 20) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That effective from January 4, 1959, the expenses of the investigation and study to be conducted pursuant to H. Res. 19, by the Committee on Armed Services, acting as a whole or by subcommittee, not to exceed $150,000, including expenditures for the employment of a special counsel, investigators, attorneys, experts, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committe or subcommittee, signed by the chairman of such committee, and approved by the Committee on House Administration.

Mr. SCHENCK. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Ohio.

Mr. SCHENCK. Mr. Speaker, I ask the gentleman to yield for this purpose, and it is to ask him to explain to the House the procedure under which the subcommittee of which he is chairman has unanimously approved these several resolutions after full hearings and that the entire Committee on House Administration has also unanimously approved these several resolutions.

Mr. FRIEDEL. The gentleman is correct. I want to say this, that the subcommittee passed every one of these resolutions we have by unanimous vote, and also the full committee by unanimous vote.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 1, line 1, strike out "4" and insert "3".

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CLERK FOR NORTH ATLANTIC TREATY PARLIAMENTARIANS' CONFERENCE

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 36) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, effective January 3, 1959, the Chairman of the House Delegation of the United States Group of the North Atlantic Treaty Parliamentarians' Conference is authorized, until otherwise provided by law, to employ a clerk to be paid from the contingent fund of the House of Representatives at a rate of basic compensation not to exceed $6,000 per annum.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield for a question.

Mr. GROSS. Mr. Speaker, will the gentleman tell us something about this proposed new employee? This salary of $6,000 is base; is it not?

Mr. FRIEDEL. That is correct.

Mr. GROSS. What would be the total salary?

Mr. FRIEDEL. About eleven thousand and some hundred dollars.

Mr. GROSS. What is the necessity for this clerk?

Mr. FRIEDEL. Mr. Speaker, I should like to yield to the gentleman from Ohio [Mr. HAYS] to explain that, if I may.

Mr. HAYS. Mr. Speaker, I shall be glad to explain the matter to the gentleman. This organization consists of 200 members of the various parliaments of the 15 NATO countries who have been meeting for the past 4 years in Paris. This year they are meeting in Washington, and it is necessary to have someone to make the necessary numerous arrangements relative to a meeting place, translators, and so forth, to get this conference under way. The French have done this for 4 years and have spent a considerable amount of money on it. I might say that I have cleared this with the Speaker. We thought that it was fair that for this fifth conference—this will not be held necessarily once every 5 years here; it may not come here again for 10 years, but we felt that we ought to do our part in having this conference in the United States this fifth year.

Mr. GROSS. If the gentleman will yield further, where is this gentleman going to be parked? What provision is going to be made for office space?

Mr. HAYS. I have asked the Speaker to try to find me a room for him.

Mr. GROSS. That is what I thought. How has this NATO parliamentary conference been able to operate in the past without this $12,000-a-year employee?

Mr. HAYS. Because we have not had the meeting here in the past. I might say to the gentleman that I invited him to apply to be a delegate from his side to this conference and he would have learned something about it. But he did not want to do that. I hope the gentleman will reconsider.

Mr. GROSS. The gentleman from Iowa is not interested in two or three junkets a year to foreign countries. That is all this organization amounts to. It is a junketing organization.

Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. Am I privileged to offer an amendment to this resolution?

The SPEAKER. The gentleman from Maryland [Mr. FRIEDEL] has the floor. If he does not yield for that purpose, the gentleman may not offer the amendment.

Mr. FRIEDEL. Mr. Speaker, I shall not yield for an amendment.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. FRIEDEL. I yield.

Mr. GROSS. Is there any limitation upon the employment of this flunkey for this junketing organization? There is none, is there?

Mr. FRIEDEL. Yes; there is. Our committee studied this matter very thoroughly. It passed the subcommittee and the full committee by a unanimous vote. It was thoroughly gone into. We felt it was necessary.

Mr. GROSS. Under your resolution, what is the termination date for the services of this individual?

Mr. FRIEDEL. This is only for this Congress.

Mr. GROSS. That is not what the resolution says.

Mr. FRIEDEL. It is for the 86th Congress; it is not to continue after that.

Mr. GROSS. Under the gentleman's resolution, he may be continued on indefinitely; is that not true?

Mr. FRIEDEL. No; it is just for the 86th Congress.

Mr. HAYS. Mr. Speaker, will the gentleman yield to me?

Mr. FRIEDEL. I yield to the gentleman.

Mr. HAYS. I may say to the gentleman that the way the resolution is written it would be at the discretion of the Chair. But I should like to point out also, since I have been chairman of this group, since its inception, there has not been a year that I have failed to return at least one-third or more of the money allocated for the expenses of the group. I hope the gentleman would trust my good judgment not to abuse this authority.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield.

Mr. GROSS. I should hope the gentleman would turn back some money, because he and his fellow junketeers have been using MATS for transportation. You have been using offices of the armed services, of one kind or another, to haul your group around Europe, to take care of your baggage, and so forth. I should think you would turn back some money.

Mr. Speaker, I am opposed to this resolution, and I think we ought to have a vote on it.

Mr. FRIEDEL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

Mr. McCORMACK. Will the gentleman withdraw his point of order for a moment?

The SPEAKER. Nothing can be done unless the gentleman from Iowa withdraws his point of order.

Mr. GROSS. I will withdraw it temporarily.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that further consideration of this resolution be postponed until Monday next.

Mr. GROSS. I object. We will have a quorum then and there will be no vote on this thing. I have been through this process before.

Mr. McCORMACK. Will the gentleman withdraw his point of order for a moment?

Mr. GROSS. No.

Mr. McCORMACK. The gentleman knows I cannot control the entire House when I make that unanimous-consent request. The gentleman knows that I would not be a party to any effort of that nature. If the gentleman does not object, insofar as the statement by me might be observed by other Members, I hope that when we meet on Monday next nobody will make a point of order to establish a quorum to prevent the gentleman from getting a rollcall vote on the resolution and thereby compel the gentleman to get a constitutional quorum. That is all I can do.

Mr. HALLECK. Mr. Speaker, if the gentleman will yield, I think it is fair that I should say that the gentleman from Massachusetts spoke to me about the fact that if any votes were to be had today they would go over to Monday. I agreed to that for reasons which seemed to be completely adequate. I might say to my friend from Iowa that I appreciate his attitude, but if I understand the situation as it exists at the moment, if he insists upon action being had at this time, of course it would be within the province of the majority leader to move that the House adjourn. The House would meet on Monday. Then, if anybody wanted to have a quorum call, which I certainly trust he would not, the gentleman could get his record vote. But if the House did adjourn over until Monday, if the thing which the gentleman fears were to come to pass by reason of the action of going over to Monday, there still would be available to anyone who wanted to exercise it the right to get a record vote.

Mr. McCORMACK. The gentleman is correct. The gentleman from Iowa has heard the gentleman from Massachusetts make the observation that he hopes nobody will make a point of order for the purpose of establishing a quorum. However, I shall move to adjourn the House if the gentleman insists; but on Monday next that will not apply. I would not feel then that my urging of all Members not to make a point of order to establish a quorum would be

applicable, because the gentleman has given me nothing in response to my effort to cooperate with him to the fullest extent of his desire.

Mr. GROSS. I will go along with the gentleman just once more.

Mr. McCORMACK. Do not say "once more," just say the gentleman will go along.

Mr. GROSS. Just once more.

Mr. HOFFMAN of Michigan. Reserving the right to object, Mr. Speaker, will the majority leader tell me why the vote on this matter cannot go over, and move to postpone the vote on these things until Monday? The gentleman knows very well that you could not get a record vote on it today.

Mr. McCORMACK. Far be it from me to contradict the gentleman on parliamentary law, because I recognize his superior knowledge.

Mr. HOFFMAN of Michigan. I do not care for that kind of insult, and I object. I object, Mr. Speaker. We cannot have that statement here and get away with it. When the gentleman gets onto that kind of language, he is through as far as I am concerned.

Mr. McCORMACK. If I have ruffled the gentleman, I am sorry. It is just a little jocular game.

I renew my unanimous-consent request, Mr. Speaker.

The SPEAKER. Is there objection to the request that the further consideration of this resolution go over until Monday next?

There was no objection.

COMMITTEE ON BANKING AND CURRENCY

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 82) to provide funds for the expenses of the studies, investigations, and inquiries authorized by House Resolution 81, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, effective January 4, 1959, the expenses of conducting the studies, investigations, and inquiries authorized by H. Res. 81, Eighty-sixth Congress, incurred by the Committee on Banking and Currency, acting as a whole or by subcommittee, not to exceed $100,000, including expenditures for employment, travel, and subsistence of accountants, experts, investigators, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House, on vouchers authorized by such committee or subcommittee, signed by the chairman of such committee, and approved by the Committee on House Administration.

With the following committee amendment:

On line 1, strike out "4" and insert "3."

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 79) to provide funds for the expenses of the investigations and studies authorized by House Resolution 78, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, effective from January 3, 1959, the expenses of conducting the investigations and studies pursuant to H. Res. 78, by the Committee on Post Office and Civil Service, acting as a whole or by subcommittee, not to exceed $75,000, including expenditures for the employment of investigators, attorneys, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee or subcommittee, signed by the chairman of such committee, and approved by the Committee on House Administration.

SEC. 2. The official committee reporters may be used at all hearings held in the District of Columbia if not otherwise officially engaged.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON THE JUDICIARY

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 92) to provide funds for the Committee on the Judiciary, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, effective January 4, 1959, the expenses of conducting the studies and investigations authorized by H. Res. 127 of the Eighty-sixth Congress, incurred by the Committee on the Judiciary, acting as a whole or by subcommittee, not to exceed $200,000 including expenditures for the employment of experts, special counsel, clerical, stenographic, and other assistants, and all expenses necessary for travel and subsistence incurred by members and employees while engaged in the activities of the committee or any subcommittee thereof, shall be paid out of the contingent fund of the House on vouchers authorized by such committee signed by the chairman of such committee and approved by the Committee on House Administration.

With the following committee amendments:

On line 1, strike out "4" and insert "3."
On line 3, strike out "127" and insert "27."

The committee amendments were agreed to.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield.

Mr. GROSS. How does this compare with the appropriation of last year?

Mr. WALTER. Mr. Speaker, will the gentleman yield so that I may answer the gentleman's inquiry?

Mr. FRIEDEL. I yield to the gentleman from Pennsylvania.

Mr. WALTER. Mr. Speaker, this is the same appropriation. The appropriation is in exactly the same amount as it was last year. I will say to the gentleman that the Committee on the Judiciary returned upwards of $10,000 of this appropriation.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON PUBLIC WORKS

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 107) to provide funds for the expenses of the studies, investigations, and inquiries authorized by House Resolution 91, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, effective January 3, 1959, the expenses of the studies and investigations to be conducted pursuant to H. Res. 91 by the Committee on Public Works, acting as a whole or by subcommittee, not to exceed $125,000, including expenditures for the employment of investigators, attorneys, and experts, and clerical, stenographic, and other assistants, and all expenses necessary for travel and subsistence incurred by members and employees while engaged in the activities of the committee or any subcommittee thereof, as the chairman deems necessary, shall be paid out of the contingent fund of the House on vouchers authorized and signed by the chairman of such committee and approved by the Committee on House Administration.

SEC. 2. The chairman, with the consent of the head of the department or agency concerned, is authorized and empowered to utilize the reimbursable services, information, facilities, and personnel of any other departments or agencies of the Government.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON GOVERNMENT OPERATIONS

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 108) providing for the expenses of conducting studies and investigations authorized by rule XI (8) incurred by the Committee on Government Operations, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That effective January 4, 1959, the expenses of conducting the studies and investigations authorized by rule XI(8) incurred by the Committee on Government Operations, acting as a whole or by subcommittee, not to exceed $640,000, including expenditures for employment of experts, special counsel, and clerical, stenographic and other assistants, which shall be available for expenses incurred by said committee or subcommittees within and without the continental limits of the United States, shall be paid out of the contingent fund of the House on vouchers authorized by said committee and approved by the Committee on House Administration.

SEC. 2. The official stenographers to committees may be used at all hearings held in the District of Columbia, if not otherwise officially engaged.

With the following committee amendment:

On page 1, strike out "4" and insert "3."

The committee amendment was agreed to.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield.

Mr. GROSS. This is $640,000 for the Committee on Government Operations.

What was the total expenditure last year?

Mr. FRIEDEL. $1,175,000, of which they returned around $75,000.

Mr. GROSS. Is this just the first installment?

Mr. FRIEDEL. This is for the first session.

Mr. GROSS. Is that true of all of these resolutions?

Mr. FRIEDEL. No. Not all of them. Some are for 2 years, and others are for only 1 year.

Mr. GROSS. This is just the downpayment?

Mr. FRIEDEL. This is not a downpayment. They feel they need this money to continue their work. They have saved the Government over $124 million last year alone.

Mr. GROSS. I am delighted to hear that, but I would like to see the report. I do not doubt the gentleman's word, but I would like to see the ways by which all of this money was saved.

Mr. FRIEDEL. I have it all here.

Mr. GROSS. This is just a first payment?

Mr. FRIEDEL. This is for the first session.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield.

Mr. HAYS. There is a committee appointed by the proper people on both sides to hear these various committees and decide whether their requests are justified or not. This committee unanimously decided that this amount had been justified by the committee. If the gentleman from Iowa is an expert on this matter, probably he could prevail on his side to put him on the committee, and then he could make a first-hand decision about the matter. But if a committee comes in and shows that they need this money, we will give it to them, the gentleman from Iowa notwithstanding.

Mr. GROSS. I do not intend to apologize to the gentleman from Ohio for asking questions concerning these appropriations. I will probably ask some more. I am sure we can rely on all of the committees of Congress to give us the information we want, but it is the prerogative of Members of Congress to ask questions and that I intend to do, the gentleman from Ohio notwithstanding.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

COMMITTEE ON VETERANS' AFFAIRS

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I present a resolution (H. Res. 126) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the expenses of the investigation and study authorized by H. Res. 101 of the Eighty-sixth Congress incurred by the Committee on Veterans' Affairs, acting as a whole or by subcommittee, not to exceed $110,000, including expenditures for the employment of experts, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman thereof and approved by the Committee on House Administration.

SEC. 2. The official stenographers to committees may be used at all hearings held in the District of Columbia unless otherwise officially engaged.

With the following committee amendment:

Page 1, line 1, after the word "That" insert "effective from January 3, 1959".

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The resolution was agreed to.

COMMITTEE ON HOUSE ADMINISTRATION

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 131) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, in carrying out its duties during the Eighty-sixth Congress, the Committee on House Administration is authorized to incur such expenses (not in excess of $10,000) as its deems advisable. Such expenses shall be paid out of the contingent fund of the House on vouchers authorized and approved by such committee, and signed by the chairman thereof.

The resolution was agreed to.

INVESTIGATIONS BY COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I present a privileged resolution (H. Res. 136) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, effective from January 3, 1959, the expenses of the investigations and studies conducted pursuant to H. Res. 56, by the Committee on Interstate and Foreign Commerce, acting as a whole or by subcommittee, not to exceed $125,000, including expenditures for employment of investigators, attorneys, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.

The resolution was agreed to.

COMMITTEE ON SCIENCE AND ASTRONAUTICS

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration I call up a privileged resolution (H. Res. 139) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That effective January 3, 1959, the expenses of the studies, investigations, and inquiries authorized by H. Res. 133 incurred by the Committee on Science and Astronautics, acting as a whole or as a duly authorized subcommittee, not to exceed $300,000, including expenditures for employment, travel, and subsistence of attorneys, experts, and consultants (including personnel of the Library of Congress performing services on reimbursable detail) and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee or duly authoried subcommittee, signed by the chairman of such committee, and approved by the Committee on House Administration.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield gladly.

Mr. GROSS. Is this what was known last year as the Outer Space Committee?

Mr. FRIEDEL. Last year it was a temporary committee referred to as the Outer Space Committee. The official name was the Committee on Astronautics and Space Exploration. This year it is a permanent committee known as the Committee on Science and Astronautics.

Mr. GROSS. How much was appropriated last year?

Mr. FRIEDEL. The Outer Space Committee received $185,000 of which they returned $90,000.

Mr. GROSS. This is a pretty substantial jump, is it not—$300,000 as the first bite?

Mr. FRIEDEL. It is very substantial. This committee deals with a very involved subject, and we do not know how much they will need. Certainly if they do not need the money they can return it.

Mr. GROSS. Again, this is the first installment.

Mr. FRIEDEL. These are not installments. We do not know whether it is enough for all their activities.

Mr. GROSS. We certainly hope so.

Mr. BROOKS of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield.

Mr. BROOKS of Louisiana. This is a new committee and, of course, its problems are new. It is blazing a trail. If we need the services of experts from the departments they should be available. It seems to me the committee could do a good job and return some of the money in this instance.

Mr. GROSS. Certainly we need to start blazing a trail now in the matter of the economy, I will say to the gentleman from Louisiana, and I hope the gentleman will do everything possible to hold down the expenditures of this committee instead of coming back here for another three, four, or five hundred thousand dollars later on.

Mr. BROOKS of Louisiana. I thank the gentleman for his observation.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration I call up a privileged resolution (H. Res. 137) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, effective January 3, 1959, expenses of conducting the investigations authorized by section 18 of rule XI of the Rules of the House of Representatives, incurred by the Committee on Un-American Activities, acting as a whole or by subcommittee, not to exceed $327,000, including expenditures for employment of such experts, special counsel, investigators, and such clerical, stenographic, and other assistants, and which shall also be available for expenses incurred by said committee or subcommittees outside the continental limits of the United States, shall be paid out of the contingent fund of the House on vouchers authorized by said committee and signed by the chairman of the committee, and approved by the Committee on House Administration.

SEC. 2. That the official stenographers to committees may be used at all hearings, if not otherwise officially engaged.

Mr. BURLESON. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. FRIEDEL. I yield.

Mr. BURLESON. Mr. Speaker, the Chair indicated earlier that the manager of a bill in the House, in this instance the gentleman from Maryland [Mr. FRIEDEL], may exercise his discretion as to the reason for yielding to another Member; is it correct that it is the gentleman's prerogative to inquire from the Member requesting that he yield, the purpose for which the Member makes the request? In other words, in the immediate case, the gentleman from Maryland has the right to predetermine the intent of those who wish him to yield. If to yield is for the purpose of offering an amendment to the pending bill, the gentleman may decline to yield for that purpose?

The SPEAKER. The gentleman has entire discretion as to whether he will yield or not and for any purpose.

Mr. WIER. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman very briefly.

Mr. WIER. Mr. Speaker, I regret very much that again, as I have in the past, I find myself rising to vote "No" and making known my position with regard to my opposition to this resolution.

Mr. Speaker, I want to say that I want to congratulate some of the members of the Committee on Un-American Activities for their continual attempts to try to rectify and eliminate some of the evils that have been going on in this particular committee since its inception several years ago. I am sure it can be done. I say, without fear of disturbing the present chairman of the Committee on Un-American Activities and without contradiction, that most of you who have served in the House over a long period of time will remember the day when this committee was chairmanned by former Congressman Parnell Thomas, by Congressman Martin Dies, and then by Congressman Rankin, of Mississippi. I came in during the days of Congressman Rankin's administration.

I say on behalf of the gentleman from Pennsylvania [Mr. WALTER], the present chairman of the Un-American Activities Committee, that I remember the days in the history of the Committee on Un-American Activities that the said gentleman put up a fight against policies and procedures of former chairmen and administrations to clean this committee up and put it on a properly functioning basis; with its conduct and procedures such that it could and would carry on its hearings and investigations with a great deal more responsibility and fairness and free from witch hunts and smear, as has been the case in the past with many well-intentioned people.

That is the day I am looking for and I hope I will be a Member of Congress long enough to vote for and be able to support this resolution.

I thank the gentleman for the 2 minutes allowed me on this resolution.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. For what purpose?

Mr. ROOSEVELT. I was going to ask the gentleman to yield first to offer an amendment to reduce the amount of the appropriation to a more realistic figure, but I understand he does not wish to yield for that purpose.

Mr. FRIEDEL. That is correct.

Mr. ROOSEVELT. Will the gentleman yield for a brief statement?

Mr. FRIEDEL. I yield to the gentleman.

Mr. ROOSEVELT. Mr. Speaker, may I say that I regret, of course, it is impossible to offer an amendment to somewhat reduce the amount of money that is being given to this committee. In the first place I would point out that the amount of money which it is receiving is in excess of the amount of money that is being given to the Committee on the Judiciary and to practically all the other standing committees of this House. However, in view of the fact this subject is foreclosed, there is no point in going into that in greater detail at this time.

May I say I agree heartily with the comments of the gentleman from Minnesota [Mr. WIER]. I hope and believe that the proper test of the sentiments of this House and its willingness to try to see that the rights of individuals are protected in our country, as well as protecting our country from the Communist conspiracy, will come on the question of whether or not we successfully either revise the mandate of the committee as indicated by a Supreme Court decision or we are able to take such other action as will assure this House that a committee will proceed within the proper limitations of its constitutional functions. I have asked and will press the chairman of the Rules Committee for a hearing on one or all of the resolutions introduced on this vital matter.

I thank the gentleman for yielding to me.

The SPEAKER. The question is on the resolution.

The resolution was agreed to, and a motion to reconsider was laid on the table.

THE PUTNAM LETTER

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Mississippi [Mr. COLMER] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLMER. Mr. Speaker, back in the early formative days of this splendid young Republic, when the American patriots were attempting to throw off the yoke of oppression of the British Crown so that they could live and enjoy the freedom so much desired by free men, there was a young man from New England who achieved everlasting renown as a great patriot. He left his plow in midfield and took up arms against the oppressions of British autocracy. Every school child in America remembers this early American patriot as Israel Putnam.

Today America is threatened by a new form of autocracy, the United States Supreme Court. This body has set itself up as some kind of super-duper legislative body, ever encroaching more and more upon the duties and powers of the Congress set up as the legislative branch by the architects of the Constitution. During the past several years we have viewed with alarm the persistent increasing tendency of the Court to usurp the powers of the legislative branch of the Government.

This modern Court has in recent years and particularly within the last 5 years rendered decision after decision, which in the opinion of a substantial number of constitutional lawyers and jurists are in violation of the 10th amendment to the Constitution and inimical to the rights and powers of the States and to the liberties of the people.

One of the most notable and ill-conceived of these decisions is the notorious school integration case.

Now, Mr. Speaker, a descendant of that great early American patriot, Mr. Carleton Putnam, also a New Englander, has again challenged autocracy.

Mr. Putnam is no southerner. I repeat, he is a New Englander, a native of New York State, and a graduate of Princeton and Columbia Universities. Therefore, he cannot be charged with southern bias. In a purely objective manner, he has forcefully and logically exposed the fallacy of that decision in a very forthright open letter to the President of the United States. And thus has rendered a great service to his native and beloved United States in an effort to preserve this Republic which his ancestor contributed so much to found.

His letter follows:

WASHINGTON, D.C., *October 13, 1958.*
The Honorable DWIGHT D. EISENHOWER,
President of the United States,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: A few days ago I was reading over Justice Frankfurter's opinion in the recent Little Rock case. Three sentences in it tempt me to write you this letter. I am a northerner, but I have spent a large part of my life as a business executive in the South. I have a law degree, but I am now engaged in historical writing. From this observation post I risk the presumption of a comment.

The sentences I wish to examine are these: "Local customs, however hardened by time, are not decreed in heaven. Habits and feelings they engender may be counteracted

and moderated. Experience attests that such local habits and feeling will yield, gradually though this be, to law and education."

It is my personal conviction that the local customs in this case were hardened by time for a very good reason, and that while they may not, as Frankfurter says, have been decreed in heaven, they come closer to it than the current view of the Supreme Court. I was particularly puzzled by Frankfurter's remark that the Constitution is not the formulation of the merely personal views of the members of this Court. Five minutes before the Court's desegregation decision, the Constitution meant one thing; 5 minutes later, it meant something else. Only one thing intervened, namely, an expression of the personal views of the members of the Court.

It is not my purpose to dispute the point with which the greater part of Frankfurter's opinion is concerned. The law must be obeyed. But I think the original desegregation decision was wrong, that it ought to be reversed, and that meanwhile every legal means should be found, not to disobey it but to avoid it. Failing this, the situation should be corrected by constitutional amendment.

I cannot agree that this is a matter involving a few States as Frankfurter suggests. The picture in reality is of a Court, by one sudden edict, forcing upon the entire South a view, and a way of life, with which the great majority of the population are in complete disagreement. Although not from the legal, in fact from the practical, standpoint the North, which does not have the problem, is presuming to tell the South, which does have the problem, what to do.

To me there is a frightening arrogance in this performance. Neither the North, nor the Court, has any holy mandate inherent in the trend of the times or the progress of liberalism to reform society in the South. In the matter of schools, rights to equal education are inseparably bound up with rights to freedom of association and, in the South at least, may require that both be considered simultaneously. (In using the word "association" here, I mean the right to associate with whom you please, and the right not to associate with whom you please.) Moreover, am I not correct in my recollection that it was the social stigma of segregation and its effect upon the Negro's mind and heart to which the Court objected as much as to any other, and thus that the Court, in forcing the black man's right to equal education was actually determined to violate the white man's right to freedom of association?

In any case the crux of this issue would seem obvious; social status has to be earned. Or, to put it another way, equality of association has to be mutually agreed to and mutually desired. It cannot be achieved by legal fiat. Personally, I feel only affection for the Negro. But there are facts that have to be faced. Any man with two eyes in his head can observe a Negro settlement in the Congo, can study the pureblooded African in his native habitat as he exists when left on his own resources, can compare this settlement with London or Paris, and can draw his own conclusions regarding relative levels of character and intelligence—or that combination of character and intelligence which is civilization. Finally, he can inquire as to the number of pureblooded blacks who have made contributions to great literature or engineering or medicine or philosophy or abstract science. (I do not include singing or athletics as these are not primarily matters of character and intelligence.) Nor is there any validity to the argument that the Negro hasn't been given a chance. We were all in caves or trees originally. The progress which the pureblooded black has made when left to himself, with a minimum of white help or hindrance, genetically or otherwise, can be measured today in the Congo.

Lord Bryce, a distinguished and impartial foreign observer, presented the situation accurately in his "American Commonwealth" when he wrote in 1880:

"History is a record of the progress toward civilization of races originally barbarous. But that progress has in all cases been slow and gradual. Utterly dissimilar is the case of the African Negro, caught up in and whirled along with the swift movement of the American democracy. In it we have a singular juxtaposition of the most primitive and the most recent, the most rudimentary and the most highly developed, types of culture. A body of savages is violently carried across the ocean and set to work as slaves on the plantations of masters who are three or four thousand years in advance of them in mental capacity and moral force. * * * Suddenly, even more suddenly than they were torn from Africa, they find themselves, not only free, but made full citizens and active members of the most popular Government the world has seen, treated as fit to bear an equal part in ruling, not only themselves, but also their recent masters."

One does not telescope three or four thousand years into the 78 years since Bryce wrote. One may change the terms of the problem by mixed breeding, but if ever there was a matter that ought to be left to local option it would seem to be the decision as to when the mixture has produced an acceptable amalgam in the schools. And I see no reason for penalizing a locality that does not choose to mix.

I would emphatically support improvement of education in Negro schools, if and where it is inferior. Equality of opportunity and equality before the law, when not strained to cover other situations, are acceptable ideals because they provide the chance to earn and to progress—and consequently should be enforced by legal fiat as far as is humanly possible. But equality of association, which desegregation in Southern schools involves, pre-supposes a status which in the South the average Negro has not earned. To force it upon the Southern white will, I think, meet with as much opposition as the prohibition amendment encountered in the wet States.

Throughout this controversy there has been frequent mention of the equality of man as a broad social objective. No proposition in recent years has been clouded by more loose thinking. Not many of us would care to enter a poetry contest with Keats, nor play chess with the national champion, nor set our character beside Albert Schweitzer's. When we see the doctrine of equality contradicted everywhere around us in fact, it remains a mystery why so many of us continue to give it lip service in theory, and why we tolerate the vicious notion that status in any field need not be earned.

Pin down the man who uses the word "equality," and at once the evasions and qualifications begin. As I recall, you, yourself, in a recent statement used some phrase to the effect that men were equal in the sight of God. I would be interested to know where in the Bible you get your authority for this conception. There is doubtless authority in Scripture for the concept of potential equality in the sight of God—after earning that status, and with various further qualifications—but where is the authority for the sort of ipso facto equality suggested by your context? The whole idea contradicts the basic tenet of the Christian and Jewish religions that status is earned through righteousness and is not an automatic matter. What is true of religion and righteousness is just as true of achievement in other fields. And what is true among individuals is just as true of averages among races.

The confusion here is not unlike the confusion created by some leftwing writers between the doctrine of equality and the doctrine of Christian love. The command to love your neighbor is not a command either to consider your neighbor your equal, or yourself his equal: perhaps the purest example of great love without equality is the love between parent and child. In fact the equality doctrine as a whole, except when surrounded by a plethora of qualifications, is so untenable that it falls to pieces, at the slightest thoughtful examination.

Frankfurter closes his opinion with a quotation from Abraham Lincoln, to whom the Negro owes more than to any other man. I, too, would like to quote from Lincoln. At Charleston, Ill., in September 1858 in a debate with Douglas, Lincoln said:

"I am not, nor ever have been, in favor of bringing about in any way the social and political equality of the white and black races: I am not nor ever have been in favor of making voters or jurors of Negroes, nor qualifying them to hold office * * *. I will say in addition to this that there is a physical difference between the white and black races which I believe will ever forbid the two races living together on terms of social and political equality. And inasmuch as they cannot so live, while they do remain together, there must be the position of superior and inferior, and I as much as any other man am in favor of having the superior position assigned to the white race."

The extent to which Lincoln would have modified these views today, or may have modified them before his death, is a moot question, but it is clear on its face that he would not have been in sympathy with the Supreme Court's decision on desegregation. Many historians have felt that when Lincoln died the South lost the best friend it had. This also may be moot, but again it seems clear that for 94 years—from the horrors of Reconstruction through the Supreme Court's desegregation decision—the North has been trying to force the black man down the white southerner's throat, and it is a miracle that relations between the races in the South have progressed as well as they have.

Perhaps the most discouraging spectacle is the spectacle of northern newspapers dwelling with pleasure upon the predicament of the southern parent who is forced to choose between desegregation and no school at all for his child. It does not seem to occur to these papers that this is the cruelest sort of blackmail; that the North is virtually putting a pistol at the head of the southern parent in a gesture which every northerner must contemplate with shame.

Indeed, there now seems little doubt that the Court's recent decision has set back the cause of the Negro in the South by a generation. He may force his way into white schools, but he will not force his way into white hearts nor earn the respect he seeks. What evolution was slowly and wisely achieving, revolution has now arrested, and the trail of bitterness will lead far.

Sincerely yours,

CARLETON PUTNAM.

A STITCH IN TIME FOR UNEMPLOYMENT AREAS

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, I have just had the honor of introducing a bill which is similar to one introduced in this

body the other day by the distinguished gentleman from Pennsylvania [Mr. FLOOD], and in the other body by the distinguished gentleman from Illinois and some 40 other Members of that body, both Democrats and Republicans. Like theirs my bill is also a bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas.

In my judgment no legislation is more urgently needed in the country today because of the fact that unemployment continues to haunt many of our major areas and according to surveys which have appeared recently in the press even the most encouraging economists expect that a large measure of this unemployment will continue to be with us for many months to come. It is my hope that this legislation can be acted on quickly and can be passed into law and signed by the President of the United States.

But, Mr. Speaker, there is one aspect of the bill which has been introduced in this body and in the other body that seriously disturbs me and that is the requirement in section 5(a) that a community which is suffering from between 6 to 9 percent of unemployment is required to endure that level of unemployment for a period of at least 18 months before becoming eligible for the assistance and relief provided for by the legislation. I have the honor to represent in this body the great industrial center of Schenectady, one of the really great industrial centers of the United States. Schenectady has been suffering from 6 percent unemployment for a period of nearly a year, and also suffered a similar level of unemployment for more than a year during the period from May 1954 to July of 1955. Under the terms of the bill introduced by the gentleman from Pennsylvania [Mr. FLOOD], Schenectady could expect no relief under this legislation until December of 1959, although two other areas in my district, Gloversville and Johnstown with 13.7 percent and Amsterdam with 18 percent, would be eligible for relief in April 1959 and in March 1959.

In my judgment, Mr. Speaker, the requirement that a level of 6 percent unemployment must continue for a full 18 months, especially when the overall economic level is rising, is unnecessarily restrictive. We all know that a stitch in time saves nine and that sometimes a person who delays too long in getting to the doctor will arrive too late for medical assistance to do much good. I am afraid that the same situation may exist with regard to current regional unemployment. If we arbitrarily require that a community suffering for a full year in these days from this high a level of unemployment must continue to suffer that high level of unemployment for another 6 months before relief can be made available, we may be creating even more severe conditions of economic distress which will be harder to correct than if aid had been applied more quickly.

For that reason, Mr. Speaker, the bill I have introduced differs in one important respect from the bill submitted by my colleagues in that it provides that a community can qualify for assistance if it has suffered from at least 6 percent unemployment for a period of 12 months. Under my bill we can get the relief going more quickly, Mr. Speaker, to those areas of the country which need it, and we can be hopeful that the doctor will arrive before the patient has expired.

I urge my colleagues in this body and the other body and the distinguished members of the committees who will be considering this legislation to give this matter their earnest and favorable consideration.

FOOD FOR PEACE RESOLUTION: AMERICAN FARM PRODUCTION A FORCE FOR FREEDOM AND PEACE

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, in 1958 the American farmer again demonstrated his productive genius by harvesting one of the largest crops in our Nation's history despite severe acreage limitations. This bounteous production is the envy of a world in which two-thirds of the population is undernourished.

Clearly recognizing the potent role of food in a hungry world, Soviet Premier Khrushchev has called for a gigantic agricultural development program, including the cultivation of some 90 million acres of marginal virgin lands, in an attempt to put the Soviet Union ahead of America in the production of food. Ironically enough, our Secretary of Agriculture and many other Americans simultaneously bemoan our mountainous surpluses as the number one problem facing the American farmer.

It is my own strong conviction that, properly utilized, our agricultural abundance can be a blessing to us and to the world. Surplus food can be a great instrument to relate our spiritual heritage and moral precepts to a suffering mankind. Surely we do not want to hide the candle of compassion under our bushels of surplus food. Would we not better fulfill our role as a great democratic Nation by following the timeless advice:

> Thou shalt open thine hand wide unto thy brother, to thy poor, and to thy needy.

PARADOX OF HUNGER AND ABUNDANCE

I feel strongly that the tragic paradox of abundance in a world of need stems largely from narrow vision. Instead of viewing our agricultural wealth as a positive tool of foreign policy, we have adopted the attitude that foreign food programs are merely a way—and a rather ineffective one at that—to siphon off agricultural surpluses. Let me quote from the President's budget message:

> Sales of farm commodities for foreign currencies under title I of this act (the Agricultural Development and Assistance Act) and donations of commodities for relief purposes under title II have provided a temporary method of coping with some of the continuing excess production of farm commodities.

Instead of congratulating the farmer for his industry and positive contribution to America's wealth and world influence the budget message complains that:

> The continuing heavy impact of agricultural programs on the budget is mainly the result of the continued high volume of agricultural production and our long established and now largely outmoded system of farm price supports. * * * The system provides production incentives that impede needed adjustments and encourages the production of surpluses which, in turn, result in increased Government outlays for commodity loans and purchases, and for storage and interest costs.

The pressing needs in many areas of the world and the lagging Western response has been described by many observers but never more pungently than by Comdr. Sir Robert Jackson in the October 1958 issue of Foreign Affairs. The author's wide experience as an administrator in underdeveloped areas gives his words a ring of urgency and authenticity:

> It is a heartbreaking experience to live with people who so clearly need assistance, and at the same time to know that the great mass of people in the West would respond immediately if they, too, could have the same first-hand knowledge. Here is a great tragedy in the failure of human communications, and increasingly clear evidence that our political institutions have so far shown themselves incapable of dealing effectively with one of the basic problems of our age.
>
> Must one be driven to believe that we have lost our sense of reality and that we can no longer recognize the obvious? Can we visualize only the inhuman outline of the hydrogen bomb, and not see the obvious needs of hundreds of millions of people all over the world who ask nothing more than that we should give them a hand in time so that they can become persons with a future and so help to evolve a better world?
>
> We talk mostly of these problems in international terms and in terms of national policies and governments. But never let us forget that the ultimate objective is the individual—the ordinary man and woman and child the world over—who asks only that we should preserve life and give hope for the future.
>
> As each day goes by, and still the West fails to respond, the attitude of governments and people in the less developed countries changes—perhaps imperceptibly, but it changes. At present, it seems to me, it is moving slowly, but as relentlessly as lava from a volcano, away from the West. If that process continues, the uncommitted areas will not long remain uncommitted and the doors of Asia and Africa will be closed to the West.
>
> In the last analysis, and when all is said, one is left with the belief that this problem will never be resolved until the majority of people in the West are ready to answer strongly and affirmatively when that most fundamental of all questions is asked, "Am I my brother's keeper?" Here is the test of our faith, of our conscience, of our innermost belief in the usefulness and purpose of our own lives. Today we still have the opportunity to act in a way which would do much to achieve peace and security for a large part of the world, and justify our own existence. Will we accept that challenge or will we prove once more that "where there is no vision the people perish"?

PUBLIC LAW 480 A GOOD BEGINNING

A beginning, and I think a significant beginning, has been made in the utilization of our farm abundance under the auspices of Public Law 480 which was passed by Congress in 1954 in spite of what amounted to cool opposition from the executive branch. Under this act, between 1954 and July 1, 1958, farm commodities worth $3,934,000,000 in terms of U.S. market prices were withdrawn from the Commodity Credit Corporation's storage bins and put into the hands of foreign peoples whose need was great. Of this amount, by the terms of title III, $622,000 in foodstuffs have been distributed by nonprofit American voluntary relief organizations and such intergovernmental organizations as UNICEF. Church groups of all denominations have vigorously participated in the program and have testified to its important contribution with great enthusiasm. Several years ago Monsignor Swanstrom of the Catholic Relief Services testified:

I have seen the surplus products of our midwestern farms relieving misery in the heart of Pakistan; I have seen our sharing of the bounty of America's produce bring smiles of friendship to the faces of those in southern Italy who, in despair, had been flirting with communism, and I have seen the incredibility with which these gifts from the people of America were first greeted in the Far East where the whole concept of aid to one's neighbor had not previously existed.

Rev. R. Norris Wilson, of the Church World Service of the National Council of the Churches of Christ had this to say:

There is, of course, no question as to the tremendous value of these surplus sharing programs, both to our people and to those receiving materials. There can be no more effective or certain way, certainly none, that is so inexpensive, for America to demonstrate her feeling of friendship for other nations of the world, no other way so perfectly for the people-to-people concept to be spread, no other way in which the unique American ethic of human brotherhood can be brought into understanding by other people.

These accomplishments of the last 4 years are commendable, but in respect to American resources, world needs, and the possible benefits to U.S. foreign policy, they are indeed embryonic. Despite efforts to hold down production, according to the President's economic report, by June 30, 1959, there will be a record carryover of 1.3 billion bushels of wheat, or more than 2 years domestic requirements. There will also be large stocks of corn, rice, cotton, tobacco, oils, fats, dairy products and other goods. Here are the instruments with which we can build a sound economic foreign policy to promote peace, stability and free institutions. Moreover, these building stones for world peace and economic well-being will be available in the years ahead. Technological advances will insure that agricultural production will continue to outrace projected population growth.

FOOD SURPLUSES AND AMERICAN FOREIGN POLICY

While proposals to broaden the use of our farm products overseas ought to be motivated in large measure by concern for our fellow man, they are also predicated on the conviction that so-called agricultural surpluses can be a most potent arm of our foreign policy. This is not wishful thinking, but a realistic projection based on actual experience to date.

In a careful review of our Public Law 480 operations following a world tour to study this program, Harvard Economist John H. Davis concluded that success of the law "testifies as to the challenge that exists for the future; to utilize surplus farm products as a positive force for promoting international peace and security." Dr. Davis concluded that:

The potential of Public Law 480 as a tool for implementing foreign policy objectives far exceeds that foreseen in 1954 when the act was passed. (Address before a joint meeting of the American Farm Economic Association and the Canadian Agricultural Society, Winnipeg, Canada, August 20, 1958.)

The overall impact of our Public Law 480 program with some exciting recommendations for further implementation was evaluated last spring by the distinguished Senator from Minnesota, HUBERT HUMPHREY. In a challenging report entitled "Food and Fiber as a Force for Freedom," Senator HUMPHREY, who has led the way in this field, stated:

America's abundance of food and fiber is a tremendous asset in the world's struggle for peace and freedom. * * * Food is the common denominator of international life. * * * A breakthrough in the conquest of hunger could be more significant in the cold war than the conquest of outer space. * * * Bread, not guns, may well decide mankind's future destiny. Thanks to our farm people, the United States is in a far better position than Russia to lead the world toward the conquest of hunger and want. (Report to the Committee on Agriculture, U.S. Senate, April 21, 1958.)

After the adoption of Public Law 480, the United States regained the approximate proportion of world trade that it enjoyed in the late 1940's and which it had lost in 1952 and 1953. Without this program, the U.S. share of farm exports would have been considerably smaller over the past 4 years. Not only have we retained our share of the world market but through many of the programs operating under Public Law 480, we are developing future outlets. Market development is one of the stated aims of this legislation.

I must emphasize that although it has provisions to aid the needy, this is not an international giveaway program. The great bulk of products have been sold for foreign currencies which have been used quite profitably—measured in terms of a farsighted foreign policy—as loans for multilateral trade and economic development, for common defense, for market development, for the payment of U.S. obligations, for educational exchange, and for other important uses.

Furthermore, when one considers that Commodity Credit Corporation storage losses averaged nearly $20 million a year between 1954 and 1957, and that the average storage cost in 1957 stood at approximately a million dollars a day, the stated budget expenses for Public Law 480 are greatly reduced. By December 1957 the costs to the Commodity Credit Corporation until title I of Public Law 480 totaled $2,571 million. However, the estimated losses and storage costs which would have accrued on these supplies came to $2,332 million. Therefore the actual costs to the Commodity Credit Corporation under title I were only $239 million during the first 3 years of operations. When one considers the uses to which counterpart currencies were put, the costs actually are transformed into profits.

CONGRESSMAN POAGE CALLS FOR LONG-TERM FOOD CREDITS

As Congress reviews Public Law 480 during this session, I am hopeful that we will widen the horizon of this vital program. A long stride forward would be taken by enactment of H.R. 2420, introduced by a most able and courageous champion of agriculture and world peace, the gentleman from Texas [Mr. POAGE]. This measure would enhance the effectiveness of our foreign economic aid policy by assuring underdeveloped countries a stable supply of agricultural commodities for domestic consumption on long term credit during periods of economic development. I am introducing similar legislation which I believe is a valuable addition to Public Law 480. Typical of the nations which could profit greatly from such legislation are India, Pakistan, and Ghana. These countries provide challenging examples of friendly, free nations that are undergoing a period of rapid industrialization which is crucial for their national well-being, but which is putting an enormous strain on their economic resources. A painful shortage of food and disastrous price inflation are the natural concomitants of industrial payrolls in the developing countries. Indeed, unless the quantity of food can be increased, an expanding industrial payroll is a serious inflationary threat. Furthermore, available dollar exchange is required for capital investments rather than food and clothing if economic development is to move ahead.

If the United States intends to preserve the integrity of the free world we must provide these nations during their heroic struggle for betterment with necessary foodstuffs from our overflowing granaries so that we relieve some of the pressures on their own economies. This could be accomplished by legislation similar to the proposals by Mr. POAGE and myself. This legislation recognizes that we must assure the developing nations long term food supplies. They must be able to depend on such supplies rather than awaiting a year by year extension depending on the annual mood of Congress.

NEED FOR BOLD ADMINISTRATION

Other measures may be taken to broaden Public Law 480 and put it on a more permanent basis. Four years of experience have demonstrated, however, that no matter how sound a program, its degree of success bears a direct relationship to the vigor, boldness, and imagination of its administrators. While I do not wish to be unduly critical, there appears to be a hesitation, an overly cautious, reluctant approach, which has severely restrained the scope of this op-

eration. The agricultural attaché can hardly be blamed for not seeking out new markets when he lacks positive direction from home. We need a vigorous and convinced leadership which will stimulate a spirit of adventure and a sense of dedication in all persons connected with the program.

Unfortunately, during the latter half of 1957, and during 1958, exports of farm products shipped under Public Law 480 dropped sharply. In fiscal 1958 total agricultural exports declined by 15 percent. In 1958, 30 percent of farm products were shipped under special programs, mostly under Public Law 480, as compared to 40 percent in 1957.

BARTER PROGRAM

The barter program under title III of Public Law 480 by which American farm products were bartered for strategic materials of a readily storable nature came to a virtual halt in May 1957. While the 85th Congress passed a law directing the Secretary of Agriculture to barter "to the maximum extent possible" the present rate of $55.6 million in barter contracts negotiated between January and June 1958, compares very unfavorably with the average 6-month rate of $145 million between mid-1954 and mid-1957. The administration's excuse that barter tends to replace cash sales did not hold up under committee questioning, and, in fact, there is evidence that the coupling of barter and cash sales tends to stimulate the latter.

In addition to bartering for strategic materials, the barter provisions of title III could also serve as a very effective and flexible foreign policy tool to relieve temporary economic pressures bearing on nations largely dependent on the output of one or two primary—mineral—products. These materials can be stored without loss, and quite cheaply, compared to the food products they replace. This is an area of international relations in which the U.S.S.R. continually outmaneuvers us, even though we have the means to compete with her readily available.

AMERICAN FOOD SURPLUS NEED NOT JEOPARDIZE OTHER FOOD EXPORTING NATIONS

There appears to be apprehension on the part of the administration, and particularly the State Department, that Public Law 480 will disrupt normal trade channels and antagonize other agricultural exporting nations such as Canada and Australia. Provisions of the law make this highly unlikely and no cases of such disruptions have been proven. There would appear to be considerable room left for expansion of agricultural exports outside normal trade channels. To allay the fears of these friendly nations and to extend to them the very real benefits of this program, I would suggest that we invite them to cooperate in a mutual food-for-peace project.

I urge our administration leaders to revise their myopic view of this extremely important program. Our agricultural surplus is not primarily a budgetary headache. Its most dangerous implication is the unfortunate image of an America wringing her hands over her food abundance in full view of a hungry, suffering mankind that is trying to find a way to secure bread without sacrificing freedom.

FOOD FOR PEACE RESOLUTION

This Congress, I believe, should express its urgent desire to resolve the paradox of want in the midst of abundance. We should accelerate our efforts to cancel out some of the surplus of empty stomachs in the world with the surplus of food.

Toward that end I offer a "food for peace" resolution. A similar resolution is being introduced in the other body by our distinguished colleague, the senior Senator from Minnesota, Mr. HUMPHREY. Under unanimous consent, I include the resolution at this point in the CONGRESSIONAL RECORD:

Whereas the abundance of food and fiber produced by the American farmer is the marvel of the world; and

Whereas most of the people of the world are undernourished; and

Whereas the American people historically have been concerned with the well-being of other peoples; and

Whereas in many nations of the free world vital economic development programs are retarded and political stability is threatened by an inadequate supply of food; and

Whereas the remarkable bounty of the free American farmer has resulted in accumulations of farm commodities for which there is insufficient domestic demand; and

Whereas the Congress seeks to reduce unnecessary expenditures, including, where possible, those for commodity storage and for foreign assistance; and

Whereas the Soviet bloc has publicly challenged the United States and her allies to economic competition in demonstrating before the world the viability of their respective economic systems: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that an agricultural abundance is one of America's greatest assets for raising living standards and promoting peace and stability in the free world; and that Congress favors action to resolve the paradox of American agricultural surpluses and world food needs by more fully utilizing the resources of the American farmer as an integral part of the United States' foreign assistance program.

SEC. 2. This concurrent resolution may be cited as the "Food for Peace Resolution."

Mr. SIKES. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. BREEDING] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BREEDING. Mr. Speaker, I would like to rise and make a few remarks relative to our surplus food. I have noted with pleasure the resolution which has been introduced today by my colleague, the Honorable GEORGE MCGOVERN, urging that Congress initiate action to resolve the problem of our great food surpluses and world food needs by utilizing the resources of the American farmer as an integral part of our foreign aid program. I, too, am introducing a similar resolution today.

The growing moral resurgence in America compels us to make a vigorous effort to find solutions to the economic distress of many friendly nations. We have in our own country a costly bounty which could be turned to our advantage and to that of the hungry peoples of the world. On November 18 of last year it was my pleasure to speak before the Kansas Association of Wheat Growers at Hutchinson, Kans., at which time I advocated that our surplus foods be sent abroad to raise the living standards of hungry nations and to scale down foreign aid costs in this country by substituting food for dollars. We are spending approximately $38 to $40 billion per year in an effort to stop the advance of communism, or to protect ourselves and our free world friends from the Communist threat. I think it is our solemn moral obligation and responsibility to find the right solution to this problem of surplus food. Divine Providence has bestowed upon us the resources and the knowledge to produce. It is the American way to produce more and better, and we will, of course, continue in that way. At the same time, it is shocking to know that in our own country many people go to bed at night hungry without having had enough to eat. It is sickening to the soul to know that throughout the world, the aged and young children, the innocent, lie down in poverty and die every day, the slow death of starvation. Surplus food? No, I refuse to call it surplus. How could it be surplus when countless thousands are dying because they do not have it. It is a result of ever-increasing production, and of our failure to meet and solve the problem of distribution. The world and its hungry people are a ready market for our food production. We have food which we cannot consume, and we will continue to have food in such quantity.

Throughout this world today, there are countless numbers of God's people who have not even a spoonful of food. If we do not solve this dilemma of the bulging granaries and the empty spoons, then frankly, I fear for us.

Mr. Speaker, I feel this resolution should be adopted:

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that an agricultural abundance is one of America's greatest assets for raising living standards and promoting peace and stability in the free world; and that Congress favors action to resolve the paradox of American agricultural surpluses and world food needs by more fully utilizing the resources of the American farmer as an integral part of the United States foreign assistance program and this resolution be cited as the "Food for Peace Resolution."

MILITARY CONSCRIPTION

Mr. WOLF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. WOLF. Mr. Speaker, I appeared before the Armed Services Committee today to propose an extension of the draft for only 2 years rather than accept the administration's proposal for a 4-year extension.

Coincident to this bill I am introducing a concurrent resolution which calls for a 14-member joint committee which shall have a life of 18 months and shall conduct a full and complete investigation of, first, military conscription and reserve policies; second, possible alternatives to the military conscription system.

This joint committee is of paramount importance today for there are real questions as to the necessity of the draft and whether the present draft and reserve programs are the right kind to give us maximum security in an age of complex military technology.

Perhaps we are fooling ourselves into thinking we are aiding our national defense through the military conscription program. Perhaps our military procurement policies gives us quantity with the illusion of protection rather than quality with the reality of security.

I sincerely believe that by extending the draft for 2 years we are protecting ourselves, at the very least, according to the military theories presently accepted by the administration. However, by not extending the draft and reserve programs for 4 years we are showing that we will not continue a conscription policy unless we have facts which show that this is the only kind of system that will enable us to achieve maximum national security. By having a joint committee investigation thoroughly study for 18 months military procurement policies and alternatives we are showing that we are not willing to cover up what might have been our mistakes in the past and what could become our fatal blunders in the future.

TESTIMONY OF REPRESENTATIVE LEONARD G. WOLF, OF IOWA, BEFORE THE HOUSE ARMED SERVICES COMMITTEE ON THE QUESTION OF THE DRAFT, JANUARY 29, 1959

Mr. Chairman and members of the committee, I am LEONARD WOLF, Congressman from the Second District of Iowa. I thank the chairman and the committee for the opportunity to appear before you in support of my amendment to H.R. 2260. My amendment, if enacted into law, will extend until July 1, 1961, the authority to induct persons under the Universal Military Training and Service Act. I am also introducing a concurrent resolution which will establish a joint congressional committee composed of seven Members of the Senate and seven Members of the House of Representatives who will undertake a full and complete investigation and study of (1) the operation of the Universal Military Training and Service Act, the reserve programs, and the programs of procurement of military personnel by the Armed Forces; and (2) the alternatives to the system of induction of civilians for military training and service as a method of maintaining the personnel strength requisite for national security. Now I should like to explain why a number of my colleagues and I question a blanket 4-year extension of the Universal Military Training and Service Act.

Seldom, if ever, has there been a time in our history when it was more important for us to be strong militarily and to have an impregnable defense posture. Not only is it important to the United States but it is important to the entire free world. It will also demonstrate to the Communist world that we are constantly improving our military position. We are certain that no Member of Congress disagrees with the importance and necessity of our being militarily strong. There is, however, apparent disagreement as to how we should achieve and promote a defense system which will deter any would-be aggressor while maintaining our basic freedoms. Because of this disagreement it is of paramount importance that we review, reinvestigate, and reconsider certain of the basic assumptions inherent in our present military system.

There is no phase of our Military Establishment which demands more general review and discussion than our military conscription system.

Many responsible military leaders feel that the maximum strength of the Armed Forces cannot be maintained without the pressure of a Selective Service System. Consequently, no hasty action should be taken which would immediately end the draft. But, on the other hand, we cannot afford, either politically, morally, militarily, or socially, a mere blanket 4-year extension of the draft which will freeze into our military system until 1963 the present inefficiencies which are so much a part of the system which has come to be universal only in its discriminations, effective only in the perpetuation of the untested premise that there are no other effective alternatives to attract men to the armed services. I firmly believe that some of the arguments against conscription are so sound and raise such important questions that in the interest of both national security for the United States and freedom of our citizens we are forced to reconsider the administration request for a 4-year extension. Rather, I suggest a 2-year extension, during which a joint committee will, hopefully, seek rational alternatives to the present conscription method.

1. One of the most telling points against our Selective Service System is an economic argument. At the present time, the Federal Government spends as much as $14,000 for the training of each draftee. The present high turnover of military personnel who are drafted constitute a great waste of the taxpayers' money, adds to our mounting cost of national defense, and exerts an inflationary pressure on our whole economy. When these men leave the armed services, not only do millions of the taxpayers' dollars leave the service with them, but the services are then faced with the task of beginning all over again with training green recruits. B. H. Liddell Hart, the British strategist and military historian, in his book "Defense of the West" argues that the cost of training conscripts and other costs caused by the rapid turnover of short-time soldiers are not exceeded by gains in military power and military security. He states "conscripts cannot be trained in 18 months or 2 years to the high grade of skill required for modern warfare for by the time they are trained to even an 'employment' level, so little of their period of service remains that their employment is bad economy." Furthermore, conscription "heavily handicaps the regulars and their effective utilization for a very large proportion of them are absorbed directly or indirectly into the training machine for conscripts, and in 'caretaker' jobs at home and overseas." Many of the tasks which are performed by draftees and those who become regulars through enlistment could very well be performed by civilians. For example, the Air Force put into practice a few years ago a project known as Project Native Son. The project called for the replacement of a military man by an indigenous civilian in those tasks which could be performed just as well by civilians. According to a report in "Aviation Week," September 6, 1954, the Air Force was able to relieve 43,000 military personnel for a new combat unit through the replacement of these men with only 31,000 civilian foreign nationals. Clearly, if such a program can be undertaken abroad and be successful, an even larger program using American citizens may profitably be undertaken in the United States. At the very least a study should be made of the possibility.

The Cordiner Report, prepared at the request of the President, points out that only approximately 3 out of 100 draftees reenlist after their 2-year term ends. Mr. Cordiner underscores Liddell Hart's view when he states that the advance in "modern war technology makes it almost impossible to train a specialist in 2 years." Mr. Cordiner also notes that these men, just at the moment they become useful, leave the service. This brings to mind two other important and enlightening statements presented in the Cordiner Report. Cordiner stated, after talking to hundreds of enlisted men, "I found antagonism and bitterness over the draft. They (the men) were checking off the days until they got out. We must devote 25 percent of our military effort to training men who do not stay. The trainers are discouraged. They resemble the poor teacher whose every class flunks." Furthermore, the accident rate is very high because of the inexperience of men who use and man intricate weapons. The Armed Forces themselves estimate that close to $5 billion worth of equipment has been rendered useless because of these inexperienced men, according to the Cordiner Report. It is no wonder that now men who enter the 6-month program are not given any inkling of the use of modern weapons for fear they will damage the equipment. This, of course, raises the question of the merit of a program or system which now prepares men for the kind of war that was fought in 1939.

The most obvious point made against military conscription is that it is based on compulsion and, therefore, is alien to American traditions because our society is based on the voluntary actions of free individuals. Yet we all recognize that during other great national emergencies democratic standards and ideals have had to be protected through the use of military conscription. This was accepted by our citizens during the Second World War because of the immediate necessity for mass armies and because conscription was universally applied. But under the present Selective Service System, more than one-half of the men in the eligible age group have, by a combination of circumstances and means, including deferment, been excused from any form of military service. A large part of the burden of conscription has fallen unfairly upon youths who for economic reasons are unable to obtain draft deferments. These men are those who cannot afford to attend college or who must postpone marriage and the raising of a family. It is indeed an unfortunate thing when society aids its young men through devious means to avoid their draft obligation. According to John Graham, in a study prepared for the Fund for the Republic, there are as many as 60 ways for a young man to fulfill his military obligation without actually serving his time in the draft. For example, in early 1957 the pool of draft age men was about 5 million, of whom 2.3 million were fathers who, consequently, are indefinitely deferred under draft regulations. Conscientious objectors are deferred; many professional athletes are disqualified because of physical handicaps; college students are deferred; scientists, for the most part, are deferred. By Executive order set forth in January 1956, men past 26 years of age are dropped to the bottom of the draft list. This has the effect of releasing these men from their military obligation. I am not arguing that these people should not be deferred. However, it is clear that the so-called universality of the system is nonexistent. Married students in college often have children to avoid going into the draft. Those who are unable to avoid the draft because of economic or social circumstances are the ones who must enter the

Army at pay rates much lower than those prevailing in civilian life, thereby adding to their own economic burdens and delaying their own efforts to overcome their relatively low economic status. Prof. John Galbraith of Harvard has asserted that "the draft survives principally as a device by which we use compulsion to get young men to serve at less than the market rate of pay. We shift the cost of military service from the well-to-do taxpayer who benefits by lower taxes to the impecunious young draftee." We are willing to have quantity with the illusion of protection rather than quality with the reality of security. As Mr. Cordiner has pointed out in his now famous report, the modern military manpower problem reduced to its simplest terms is one of quality rather than quantity. It is not merely a matter of the total number of people on hand but is much more a matter of the competence, skill, and experience of these people. The military services are not able at present and under present circumstances to keep and challenge and develop the kinds of people needed for the period of time necessary for those people to make an effective contribution to the operation of the force."

There is an apparent lack of enthusiasm for the present Reserve forces program. This is clearly understandable. New weapons have altered radically our national military strategy, and in so doing they have reduced our need for masses of military manpower. Be it right or wrong—and this question may well be one which would have to be reevaluated along with a basic review of our military manpower policies—our national military strategy now assumes that a major war fought with weapons of mass destruction would be brought to a decision in a relatively short period of time. These weapons of mass destruction, delivered by long-range bombers and ballistics missiles, supposedly would render mass armies obsolete. And if mass armies will be obsolete in a future war, so will those Reserve arms from which our mass armies are built. One justification for large Reserve forces, a justification which figures in prominence in the establishment of the 6-month program, is that in case of another Korea the necessary forces could be mobilized quickly from the military Reserve. However, the development and adoption of small-yield nuclear weapons for tactical use have supposedly led the Department of Defense and the administration to conclude that even in limited war modern technology reduces the need for masses of men. Even if this is not true, can it be honestly said by anyone in the military that the 6-month program as it is presently constituted gives the enlisted man enough opportunity and training in the use of nuclear weapons so that he would be combat-ready in such a war? Do any of us have any illusions about a 6-month Reserve program or the Air Force 10-week training? Does anyone believe that these men are learning what must be learned about complex weapons and weapons systems which are necessary in either a tactical war or a total war? It would be impossible to teach these men in such a short time and have them of use to our national security. Here is an example of what I mean: Writing in the Nation, May 10, 1958, Eric Pearl, a veteran of the 6-month program, states: "I was to learn nothing more than how to turn a radio on and how to shut one off, turn it on, shut it off, on, off. It required simulation, dedication, and no skill. I couldn't help sharing the guilt of my superiors for having let me get away with all this; and as I used to sit and look about my classroom at the many B.A.'s, and M.A.'s and LL. B.'s who were turning on and shutting off their radios, or as I looked through the window at the even greater number who were policing the area outside I could not stop myself from thinking of what a waste of talent it all was."

After all, not much can be accomplished in 10 weeks, 6 months, or 2 years when one considers the bewildering complexities of modern military technology, especially when the men in the program, both teachers and trainees, have no interest or intention of staying in the service. As the great historian Walter Millis has stated, and as was underscored at these hearings a few days ago by General Curtis LeMay, "If we ever mobilized 37 infantry and armored divisions envisaged by the 1955 Reserve Act it seems most unlikely that we could transport or supply them over railways, through ports, and across beaches smouldering and radioactive from the nuclear fires. The ground soldier is thought of today primarily as an instrument for limited or brush fire wars; as such, he is scarcely any longer a ground soldier but must be air transportable, which limits his numbers severely. Military men now pretty generally believe that any major war will have to be fought to the end with whatever was ready at the beginnings—and that means combat-ready. If we should again be required to mobilize great masses of manpower, comparable to the 15 million men raised in 1941–45, most of them would have to be trained to complex technical skills not usually acquirable from the kind of training one gets in boot camp or in National Guard and Reserve units."

An argument which must be examined and met through extended study is the notion that the draft laws encourage enlistments in branches of services other than the Army. Although there are no clear answers to this as yet, I have certain comments about this. One might conjecture and feel reasonably safe in stating that those men who enlist in other services in order to avoid the draft will not reenlist after their 3-year period. We may find a clue for stating this in the fact that many college students enter ROTC in order to escape being enlisted men. However, at least 73 percent of those in ROTC programs quit the minute their compulsory tour of duty is up. This, in itself, is a shocking thing. Hundreds of boys who enter officer training programs are there for no other reason than they do not want to lead an enlisted man's life. Is this the way to develop dedicated, thoughtful and responsible military leaders? Just as some men enter ROTC programs to escape being enlisted men, so it is that other men enter 3-year enlisted programs and leave them after 3 years to escape Army service for 2 years. This is supported, for example, by the fact that only 8 percent of first term enlistees reenlisted in 1955. If this is true, the Army may well ask itself whether its contention is more sophistic than sound, for again, it is questionable whether 3-year enlistees are so much better than 2-year draftees, when you recognize that 3-year men aren't staying either. If it is not the case, then one of our basic reasons for continuing the draft is unsound.

Finally, there is the question of individual liberty which must be considered. In a democracy and especially in the United States, we try to protect as many voluntary actions on the part of the individual as is conceivably possible while guaranteeing a well-ordered and secure society. In the past, war has made it necessary to suspend, in part, the voluntary aspect of our society. We are still doing this in our draft system; not as a result of the pressures of war but because of what might be a fundamental fear in actually facing up to the weakness of our present military system. This kind of fear, I need not tell you, could lead to the ultimate decline of the entire free world. Furthermore, it should be made clear that each time we suspend a voluntary action of an individual or a group of individuals, without examining closely whether or not we have to suspend the voluntary action, we are destroying that which has made the American form of government unique among nations. To arguments of this kind can be added many others. For example, it can hardly be expected that men living in a free and voluntray society who are forced involuntarily into military life for a fixed period of time will, by and large, be deeply motivated to give their best efforts while they wear a uniform, especially when there is no apparent reason for their being in uniform, when the tasks they perform have no relation to modern warfare. As Maj. Gen. Harold R. Maddux, who directs the Defense Department's division of manpower requirements, said in May 1958, "* * * We need dramatic changes in pay and attitudes to upgrade a military career in the eyes of the Nation. We can't get that change with huge numbers of men compelled to serve against their will."

John Graham has pointed out, "uncertainties about the draft make it impossible for young men to plan ahead and, as a result, discourage them from getting the advanced training in the sciences or professions that the country is needing increasingly." The feeling of loss, of insecurity, and uselessness is compounded for thousands and thousands of young men who are already caught up with the bewildering and perplexing problems of adolescence and young adulthood. In brief, there are many political, economic, and strategic reasons for believing that our Nation's military manpower problems would be solved best by the abolition of conscription and by reliance on a highly trained, highly skilled, and well-paid Army. The Cordiner report has recommended some ways in which such an army might be brought into existence. This report, however, did not adequately consider the problem of attracting men into service through higher incentives. It did suggest that a complete analysis and investigation be undertaken for the increase in quantity and quality of housing for military men and their families. The committee also urged more study of fringe benefits which would play an important role in maintaining and attracting a high caliber of men who would stay in the service for a longer period than either 2 or 3 years. It should be noted that when Congress increased the fringe benefits for members already in the armed services in 1955–56 the reenlistment rate climbed 10 percent or almost twice the reenlistment level of the previous year. This certainly suggests that even more use of fringe benefits and incentives will attract and keep the kind of men necessary to protect the free world.

Clearly, the Cordiner report represents only a beginning of the studies which must be made before it is feasible to abolish conscription—as inefficient and inequitable as it may be. However, the Cordiner report shows that it is high time that we agree to reexamine all of the premises upon which our conscription method is based. Our greatest need with respect to national military manpower policy is a full-scale review of the problems, alternatives, and solutions which relate to this vital national security issue. This must be made lest we drift with the compounding errors and inequities of our conscription policies.

Consequently, I am suggesting in a concurrent resolution that it is the responsibility and policy of the Congress to use all means possible to better provide for the common defense through the modernization of our military system in a manner calculated to promote maximum freedom for the individual and greater national security for the society. It can best do this through the establishment of a joint congressional committee which will review our conscription methods and possible alternatives to it during the next 18 months. This committee, I hope, will be comprised of members of the

great Armed Services Committee of the House and Senate, the Foreign Relations Committee of the Senate, the Foreign Affairs Committee of the House, members of the Science and Astronautics Committee of the House and Senate, and the Appropriations Committee of the House and Senate.

In conjunction with my proposed committee, I am asking that the present Selective Service and Reserve Forces Act be extended for only 2 years, during which time this committee will be able to delve deeply and comprehensively into the manifold problems of our present military system. Then after a thorough study of the recommendations of this committee we can decide on whether or not the draft is to be extended or whether there are better alternatives to it.

I thank this committee for the time given to me; and I thank especially the distinguished chairman, Mr. VINSON, for his help and understanding.

DRINKING ON AIRLINES

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, the practice of serving alcoholic beverages, sometimes for free, to passengers on some flights of our major airlines is fraught with danger.

No major disaster has been traced to this as yet, but I do not believe we should wait for the inevitable tragedy to jolt us out of our complacency.

If a person wants to drink in his home, or in an establishment reserved for that purpose, that is his right under our laws. But when that freedom, and the unpredictable behavior that is sometimes occasioned by it, threatens the safety and possibly the lives of other people aboard an airplane in flight, it becomes a dangerous luxury that we cannot afford.

The most telling point in this controversy is that those who are responsible for the safety of the passengers, namely the airline pilots, stewards, and stewardesses, are opposed to this dangerous practice. The problem deserves our serious consideration.

In order to get both sides of the question, I recommend the article titled "Drinking on Airlines?" which appeared in the December 1958 issue of Together, the midmonth magazine for Methodist families. Although I am not a member of that denomination, I share their concern on this issue. Under unanimous consent, I bring this thoughtful article to your attention:

DRINKING ON AIRLINES?

(By Stuart G. Tipton, president, Air Transport Association of America)

Speed and safety are two dominating reasons for the rapid rise of airline travel. But a third also must be recognized: the airlines' responsiveness to the desires of its passengers.

The proposal to limit by law the serving of liquor on planes would mark a partial return to prohibition which was rejected by a solid majority of citizens in 1933 when the 18th amendment was repealed.

As a public-service industry, we have the responsibility to serve well not only the postal service and the national defense, but also the foreign and domestic commerce.

Backed by their traditional philosophy of service to passengers, airlines provide beverage service on some flights. In this, they are not unique in the transportation field for alcoholic beverages also are served on trains and steamships.

The same desire to serve the public motivates airlines to offer other services. Special meals are provided for diabetics or other passengers on restricted diets, to meet religious preferences; baby-food kits are on hand for traveling infants and cooked-to-order steaks for the gourmet. And for the sick, stretcher facilities are available.

Though the majority of passengers approve serving liquor, let us examine the objections of those who do not.

First are those either moral or religious in nature. We are well aware that consumption of alcoholic beverages is prohibited in the doctrines of a number of religious groups. We respect their beliefs. But, on the other hand, many other groups have neither religious nor moral objections to drinking. With these groups we also have no quarrel. Though protecting the individual's right to drink or not to drink, the airlines oppose any lack of morality which would result from excesses.

But these are all subjective views and are not basic in any consideration by Congress of whether alcoholic beverages should be served on aircraft.

All parties to this difference of view agree, I believe, that alcoholic beverages should not be served if such service is in any way a compromise with the safety of flight operations. We are convinced that it does not and there has been no evidence which has in any way changed our position or viewpoint.

Were safety at stake, the Federal agencies responsible for airline operations would not permit service of alcohol. Even more important, the airlines themselves, with their records and reputations for safe operations at stake, would be the first to reject liquor service if it posed any hazard.

In more than 20 years since U.S. airlines began serving alcoholic beverages, there has not been a single accident which has been traced to drinking on planes.

Why, then, is there a problem? It dates back to the summer of 1954 when the Air Line Pilots Association first questioned the service of alcoholic beverages on air carrier aircraft and later were supported by the Air Line Stewards and Stewardesses Association.

That summer, a letter from the pilots to the Civil Aeronautics Board (CAB) set off an investigation which, according to the Board, "did not disclose any incident in which the serving of alcoholic beverages in air carrier operations might have jeopardized flight safety." Nor has a continuing investigation by the Board since disclosed any. Investigation and monitoring of the situation by the Civil Aeronautics Administration has disclosed none, either.

Then—on three occasions during 1954–55—the CAB asked the pilots to give it factual information, but got no answer. Yet, at the same time, the pilots issued public statements listing alleged incidents. On January 3, 1956, the Board sought facts from the pilots and again found no hazard involved.

Still again, in July 1957, the Board called upon the pilot and stewardess groups, along with the Air Transport Association, to cite flight-safety jeopardy incidents connected with service or consumption of liquor.

Ultimately, the pilots listed 34 incidents alleged to have a bearing on safety. Investigation of each showed that, of the incidents, in only six was liquor service aloft said to be a factor. Of the six, three were not reported to the airline; one couud not be traced due to insufficient data; one was obviously incorrect since the airline in question had never served liquor on domestic flights. The one remaining occurred on an international flight during which a passenger became difficult because he had consumed liquor before boarding the aircraft and concealed this from the airline's personnel.

In short, the CAB has carefully investigated every case cited to it—by the pilots and stewardesses—as well as by over 2,000 individuals. Not once has it found a relationship between liquor service and safety.

Actually, the matter of alcoholic-beverage service is one of airline regulation, and the U.S. domestic airlines that do serve liquor subscribe to a voluntary industry code. This limits passengers to two drinks and provides that service will be refused if the situation so requires.

I am familiar with the Methodist Church's stand on liquor, for I am a lifelong member and have served as lay leader and official board chairman of the Potomac Methodist Church. But the airlines must face up to facts as they are. Since repeal of the 18th amendment, liquor may be served legally in the United States. Since no safety hazard has ever been proved, we must discount this argument against the service of alcoholic beverages aboard aircraft.

Giving services desired by passengers is traditional with airlines. We, therefore, consider that a dignified and moderate alcoholic-beverage service, available to those who desire it, is in keeping with our philosophy.

PASSENGERS WHO DRINK CREATE UNNECESSARY RISK

(By Helen Chase, secretary, Air Line Stewards & Stewardesses Association)

We of the ALSSA believe no one should drink while a passenger on a commercial airliner.

I could speak as a Methodist—for I happen to be one—but instead I join this discussion as an officer of the organized stewardesses to present our viewpoint.

In recent years, alcoholic beverages have been offered, both free (cost covered in the purchase of the flight ticket), and for sale on airlines. Each year an increasing proportion of flights have become liquor flights. It is still true, however, that most flights are run without benefit of cocktails, and on those that do serve, there is usually a limit of two cocktails per passenger.

In this situation, as in past instances, we of ALSSA want to be fair with all parties involved. Therefore, we feel it is an accurate appraisal of the situation to say that, while this problem actually occurs only in a small minority of scheduled airline flights, it is still an important problem—one that deserves the attention of everyone concerned.

I have been a stewardess for 13 years. During recent years I have run into many situations that centered around the serving of liquor on airlines. Many of these incidents involved me personally; others happened to stewardess friends of mine.

For example, after drinking too much before and during one recent flight, a man decided, with the plane at 15,000 feet, that he wanted to enter the cockpit. He was a friendly enough chap, but he simply wasn't allowed in the cockpit under the rules of the Civil Aeronautics Board. Now, he didn't get into the cockpit, but he created quite a disturbance, and one of the three-man crew had to come back into the passenger cabin to quiet him down.

In another case a rather elderly gentleman, not himself due to his indulging, decided that this would be the time and the place (at midnight, somewhere over Long Island Sound) to give someone a goodnight kiss. He leaned over the seat in front of him and kissed its occupant. Both she and he were married—but not to each other.

These incidents sometimes have their humorous side, but for the most part they

aren't funny. I personally have had passengers who, after drinking too much, have tampered with emergency exits (which can't be opened in flight, but which still should be left alone) and who have failed to observe "fasten seat belts" and "no smoking" signs.

On some airlines the more experienced stewardesses who have seniority to choose their flights often select trips on which liquor is not available.

There is definitely a safety aspect to this question. I believe, as do other members of the Air Line Stewards and Stewardess Association, that serving liquor in flight creates conditions under which incidents endangering the lives of passengers and crews could more readily occur. Passengers who imbibe bring a risk that is totally unnecessary.

I personally feel, however, that the greater disservice done to all concerned is the discomfort and annoyance to others brought about by such in-flight drinking.

While airlines have rules and regulations allowing them to refuse to admit to a flight one who obviously has been drinking too much, such detection is not always a simple matter. Then, too, the effect of altitude on a drinker can be an amazing one.

The way I understand it, the thing that makes one "drunk" is the numbing of reflexes and the slowing down of bodily functions, including breathing. This allows carbon dioxide to build up within the body, creating varying degrees of dizziness.

The condition is aggravated more in a high-flying airplane which, even though pressurized, allows the passenger slightly rarefied air and even less oxygen than he gets on the ground. Thus, one has a head start on intoxication when he is flying.

To put it another way, one drink in the air may be as potent as two on the ground.

PILOTS SHOULD NOT HAVE ADDED RESPONSIBILITIES

(By Clarence N. Sayen, president, Air Line Pilots Association, International)

The interest of airline pilots in legislation to curtail or abolish the serving of alcoholic beverages on aircraft in flight stems from three areas of concern:

1. The compromise with safety introduced by liquor served to passengers.

2. The additional burden imposed upon pilots who must bear the responsibility for the safe and honorable conduct of passengers while operating aircraft safely.

3. The assumption of responsibility for the maintenance of order and harmony, as well as safe conduct, among passengers permitted to consume alcoholic beverages.

When an aircraft leaves the ground it contains people of diverse backgrounds, experience, and habits. Some may have overcome apprehension about flying and be completely relaxed. Others may be under considerable nervous tension. Some may have a capacity for a considerable amount of alcohol with no ill effect. Others may react suddenly to small quantities.

There is no way of knowing what the reaction of any individual passenger will be prior to the beginning of the flight.

One of the greatest fears of all pilots is fire in flight. The careless use of cigarettes or matches by an inebriated passenger could start even a small fire which could create panic.

An apprehensive passenger, relieved of inhibitions by alcohol, could attempt to enter the cockpit. If he succeeded, he would interfere with the operation of the aircraft by the flight crew or possibly tamper with delicate instruments necessary to safe flight. Should an emergency occur, it could be tragic if stewardess or pilot had to contend with passengers whose judgment and alertness were dimmed by alcohol.

Operating an aircraft is a full-time task for the flight crew. But there have been instances where it has been necessary for the pilot to come out of the flight deck to subdue inebriated passengers. Had the pilot been injured, the flight would have been deprived of his services—and an emergency created.

Civil air regulations provide that a pilot shall not permit any person to be carried in an aircraft who is obviously under the influence of intoxicating liquor or drugs, except a medical patient under proper care or in case of an emergency. This places the responsibility on the pilot to refuse passage to individuals under the influence of alcohol. And for many years, we have carried out this responsibility.

But who can tell about the person who has had a cocktail or two before boarding? The first drink a stewardess innocently serves him could start a chain reaction of trouble and embarrassment, not only for her but for other passengers who, for the flight, are his involuntary associates.

Our association is skeptical that the pilot can effectively carry out all of his responsibilities if additional problems, created by serving liquor, are added to them.

Many foreign airlines have always served liquor aboard. When U.S. airlines adopted the practice on domestic flights, our association called these problems to the attention of the Civil Aeronautics Board and the Air Transport Association. We urged that the industry take voluntary action to terminate or regulate this practice. A competitive situation, we pointed out, was being created, under which airlines were being forced to serve liquor on board or to provide setups for people who brought their own.

The more than 15,000 members of the Air Line Pilots Association, International (AFL–CIO) have expressed concern for many years over the social, safety, and legal implications of airborne bars serving alcohol aloft. We strongly condemned it at our 13th convention in 1954. Subsequently, we asked Congress to act to regulate this problem after attempts at other methods of solving it failed.

We plan to continue to press for enactment of regulations which would provide a satisfactory solution.

Liquor policies of 12 major airlines in United States

	Started serving liquor	Daily flights	Flights with liquor	Maximum drinks allowed	Drink served free
American	1953	1,000	60	2	Yes.
Braniff	1956	134	[1] 4	2	Yes.
Capital	1957	300	87	2	No.
Continental	1957	76	13	2	No.
Delta	1958	177	2	2	No.
Eastern	1954	477	112	2	No.
National	1950	48	10	2	No.
Northeast	1957	150	14	2	No.
Northwest Orient	1949	80	53	2	No.
Trans World	1952	180	60	2	Yes.
United	1955	140	14	2	No.
Western	1954	88	[2] 23	2	Yes.

[1] Wine only.
[2] Champagne only.

STATEMENT BY MEMBERS OF THE HOUSE COMMITTEE ON PUBLIC WORKS

Mr. SMITH of Mississippi. Mr. Speaker, I ask unanimous consent to extend at this point a statement by the members of the House Committee on Public Works.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. SMITH of Mississippi. Mr. Speaker, I include the following statement by Members of the House Committee on Public Works:

The labored reasoning in denying the award of a turbine contract to an English firm on alleged national security grounds is one of the new highs in political irresponsibility exhibited by the Eisenhower administration.

The prostitution of the country's trade policy for political reasons is bad enough, but as strong supporters of the development of a sound and constructive national water policy, we fear that the action of the administration is a further effort to sabotage the development of this program.

As a result of the administration's action, the Greer's Ferry Dam in Arkansas will cost approximately $300,000 more than necessary. This $300,000 could be put to constructive use, for instance, to plan some of the vitally needed flood control installations in the States of Pennsylvania and Ohio that might have averted some of the millions of dollars of damage being suffered in those States today. At a time when the administration is choking off water resources development under the guise of economy, this action in regard to the Greer's Ferry Dam is indefensible.

What makes the finding of defense essentiality by the Office of Civil and Defense Mobilization more ridiculous is the fact that construction on the Greer's Ferry Dam would never have started if Congress had not written in an appropriation in 1957 over the objections of the Bureau of the Budget. Just 2 years ago the Eisenhower Administration told the Congress that this project was not worth constructing. Now it is telling the American people and our allies abroad that it is essential to our defense that the turbines in the dam not be built abroad regardless of the extra cost involved.

CHARLES A. BUCKLEY, CLIFFORD DAVIS, JOHN A. BLATNIK, FRANK E. SMITH, T. A. THOMPSON, JIM WRIGHT, JOHN J. MCFALL, DENVER D. HARGIS, ROBERT E. COOK, W. R. HULL, JR., Members of Congress.

THE IMMORTAL VICTOR HERBERT

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, Sunday, February 1, marks the 100th anniversary of the beloved American composer and great American, Victor Herbert. It is my understanding that the occasion will be appropriately celebrated by proclamations of mayors of principal cities, nationwide television and radio shows, articles in newspapers throughout the country, and other fitting observances. I desire to bring to the attention of the House on his great birthday the cherished significance of the life, brilliant career, and memorable contributions of this great American.

Victor Herbert was not only one of the most loved creators of musical works ever to appear on the American scene—he was also fittingly a courageous champion of the rights of his fellow composers to a just return for the public performance for profit of their compositions. Too often we tend to forget that the product of a creator's heart

and brain, when made public in the form of a copyrighted work, belongs to the creator and is just as much his property as his house or his automobile. Use of his property for profit by others is deserving of compensation.

I am proud to say that in the United States of America, under our free-enterprise system, in general we respect composers' property rights, and that the U.S. Constitution guarantees every creator protection for his works over a term of years. The majority of the Nation's talented writers of music receive fees from the public performance of their compositions through the oldest and best known performing right society, the American Society of Composers, Authors, and Publishers, which Victor Herbert founded in 1914, with the help of John Philip Sousa and other of his eminent contemporaries so very dear to the hearts of the American people.

Born in Dublin, Herbert journeyed to Germany as a small boy and there received his musical education. When he was 15, he chose music as his vocation and the cello as his solo instrument. It was as a cellist that he met his wife, the celebrated German soprano, Therese Foerster, and was hired by the Metropolitan Opera to come to the United States with her in 1886.

Herbert was not long in this country before he began establishing a reputation on his own—first as a cellist with some of our leading orchestras, then as an assistant conductor. For 4 years he was leader of the 22d Regiment Band before accepting a post as conductor of the Pittsburgh Symphony.

His years in Pittsburgh brought the orchestra there new stature and enhanced his own reputation as a musical interpreter. By 1904 he had established his own orchestra, which he led for many years in concerts in New York and other cities.

Leading his orchestra, Herbert became an important early recording artist for the Edison and Victor Cos. He was the first to function as an A. & R. man for the Edison organization.

Throughout this period of development in the performance of music, Herbert was composing a variety of musical works—a list that eventually included not only some of the most popular melodies of the 20th century, but more than 40 operettas, 2 grand operas, orchestral suites, chamber pieces, choral works, and recital pieces for piano, violin, cello, or the voice.

In 1916 he became the first man to compose an American musical score for a full-length motion picture, "The Fall of a Nation." He was working on an orchestral film overture at the time of his death.

As I have stated, Herbert was a leader in helping his fellow composers. Aware for some years that European copyright laws guaranteed a composer the right to payments whenever his works were performed for profit, he became a leader in this country in the fight to protect musical property from unauthorized use. In 1914, largely through his efforts, the American Society of Composers, Authors, and Publishers was formed, and Herbert served as a director and vice president until his death 10 years later.

The amazing diversity of Victor Herbert's music accomplishments is little known largely because he is so very well known as the creator of some of the Nation's most popular melodies. Today, on the 100th anniversary of his birth, and 35 years after his death, he remains one of the most listened-to composers of all time. For scarcely an hour goes by without the performance of an immortal Herbert tune, somewhere: "I'm Falling in Love With Someone," "March of the Toys," "Ah, Sweet Mystery of Life," "A Kiss in the Dark," "Indian Summer" "Sweethearts." Without surrendering his professional standards, Herbert had above all the gift of writing music that would capture the sentiments—as well as the ears—of a great song-loving public.

I would like, Mr. Speaker, at the risk of some repetition, to elaborate on some major, but by no means all, great achievements in Victor Herbert's astonishingly brilliant musical and public career. I regret not to be able in the time available to me to cover more of the personal life, famous works, and public as well as musical interests and accomplishments.

There is no danger that Victor Herbert's best melodies will be forgotten by the American people. But there is always danger that Victor Herbert's full significance will fail to be realized at its true worth. As man and musician he rendered inestimable service to his adopted country, and our musical development would be far different from what it is had this genial Irishman not been among us.

Victor was born in Dublin on February 1, 1859, the grandson of Samuel Lover, celebrated Irish author, artist and songwriter, and son of Fanny Lover Herbert whose intense and sensitive nature was transmitted to her offspring. Edward Herbert, the boy's father, died when Victor was still a young child, and his widow was immediately concerned about the boy's training and education. It was fortunate that she married again, to a German physician practicing in Stuttgart, Germany. Here Victor grew to young manhood, studying the classics and developing his musical abilities which had revealed themselves when he was still a stripling. His chosen instrument was the violoncello, which he completely mastered, but he also studied composition and was on his way to success as a classical composer long before he ever dreamed of leaving Europe. His early songs, pieces, and suites reveal that rich vein of melody which later made him America's favorite theatrical composer.

Playing in the Stuttgart Court Orchestra he met Therese Foerster, leading soprano of the court opera, and wooed her while acting as her coach and accompanist. When she was offered a contract by the Metropolitan Opera Co. in New York she refused to come unless Victor, her new husband, came too. Consequently, in the early fall of 1886 young Mr. and Mrs. Herbert debarked in New York, full of anticipation for the future which would be as surprising as it was unpredictable.

Herbert immediately established himself as a man of energy, ambition, and independence. He was not long satisfied in being one of the cellists in the Metropolitan Orchestra. He quickly established himself as a teacher, he played in other ensembles, he became a leading spirit in the promotion of chamber music—then tragically rare in New York—he was a conducting protege of Anton Seidl, and he made his influence felt far and wide. No small part of this influence stemmed from the fact that he was the leading cello virtuoso of the day, the peer of any artist in Europe, and certainly the finest in the Western Hemisphere.

A man with Herbert's boundless energy, unique capacity for friendship, and highly developed technical skill could not long remain satisfied with any one job or activity. In 1893 he became the director of Gilmore's Band—officially known as the 22d Regiment Band of the New York National Guard. Herbert was intent upon bringing music and people together, and the band offered him an excellent opportunity. He quickly restored the band to its former prestige and made it the best organization of its kind in America. Its selection for and success in playing at the inauguration of President McKinley in 1897 emphasized the excellence that Herbert brought to this aspect of musicmaking.

Band directing, however, is still not the same thing as symphonic conducting. When the conductorship of the Pittsburgh Symphony Orchestra fell vacant in 1898, Herbert was the successful candidate for the position, and for 6 years he distinguished himself as the director of a major symphony orchestra. Not only did he present excellent concerts in the steel city, but he closely rivaled Theodore Thomas in taking symphonic music to scores of communities eager for new artistic experiences. And in so doing he made his remarkable personality known to an ever-widening circle of friends and admirers.

But above all things Herbert was a composer. He possessed the vein of melody already referred to, and he had the skill to dress this melody in sumptuous romantic harmony and sparkling instrumentation. Realizing that the severities of the concert hall left little scope for bringing his music to the people he experimented in 1894 with an operetta, "Prince Ananias," the first of an incredible number of stage productions. While only reasonably successful it initiated his career as an operetta composer which has yet to be surpassed in terms of beauty, artistry, and long range popularity. His first stage masterpiece was the operetta entitled "The Serenade"—1897, followed quickly by two more splendid works, "The Fortune Teller"—1898, and "The Singing Girl"—1899. These productions made clear that a new and powerful musical force was making itself felt in America, and the critics hailed Herbert as the equal of the operetta masters of Europe.

Herbert's deserved success was not unnoticed by jealous enemies. Attacked

and slandered in the pages of the old Musical Courier, Herbert fought back and vindicated himself in a way which benefited all composers subjected to similar ill treatment. When the courtroom battle was ended Herbert resumed his creative career, comfortably aware that he had vanquished the viciousness of tawdry journalism.

Early in the 20th century Herbert began to produce a bewildering series of operettas which confirmed the impression of earlier years. As he wrote score after score it was impossible that they all be equally meritorious; he wrote too fast for that. Fortunately we measure a great man's work by the best he achieves, not by his failures or indifferent successes.

The first great triumph of the new century was "Babes in Toyland," produced in 1903 and still a perennial favorite of the American people. What would musical Christmas today be without "The March of the Toys"? In 1905 "Mademoiselle Modiste" took the country by storm and Fritzi Scheff became Herbert's leading interpreter. This show was sprightly and sparkling, and the languorous "Kiss Me Again" has never lost its persuasive appeal. In 1906 "The Red Mill" began to exert its enchantment; and, after several less popular works, in 1910, "Naughty Marietta" brought new delight to a national audience. Perhaps the most beautiful of all American operettas, this work remains a high point of America's musical theater. It was richly scored, dramatic in concept and treatment, lavishly colorful, and highly imaginative. The mention of only a few of its excerpts brings fond and precious memories to mind: "Tramp, Tramp, Tramp," "'Neath the Southern Moon," "I'm Falling in Love With Someone," "Ah, Sweet Mystery of Life." After this superb score, Herbert's subsequent masterpieces included "The Enchantress," 1911; "Sweethearts," 1913; "The Only Girl," 1914; "The Princess Pat," 1915; and "Eileen," 1917. Interspersed among these and following them were additional ambitious operettas which were almost, if not quite, their equal, the last one deserving special mention being "Orange Blossoms," 1922, with his last immortal melody, "A Kiss in the Dark."

It must be admitted that as Herbert grew older the style of American operetta was changing. The influence of ragtime and noisier, more raucous utterances were in the ascendancy. Herbert's spaciousness and dignity and Old World charm were not as much sought after as they had been. The beauty of his music was identified with a period, and the people who welcomed the newer styles had little patience with what the old master could offer. But the power of this old master resides in the fact that the music of his operettas, if not the productions themselves, is as eloquent today as ever.

Even this brief survey of Herbert's operetta career fails to cover his contribution to American music. He made two important attempts at grand opera. The first was "Natoma"—1911—an ambitious opera based upon the Spanish-Indian life of southern California early in the 19th century. When produced by the Chicago Opera Co. the leading singers were Mary Garden and John McCormack. It remained in the repertoire for 3 years and focused the attention of the country upon the problems of the American opera composer. While not permanently successful, its many pages of excellent music and its chronological importance keep it a landmark in the development of American musical drama. Herbert's second grand opera was "Madeleine"—1914—which was produced by the Metropolitan Opera Co. This was a one-act incident in the life of a French opera singer of the 18th century. Peculiarly enough Herbert here endeavored to write in a style which was neither natural to him nor appreciated by lovers of Italian bel canto. Its revival, if a suitable occasion could be found, would be interesting and worthwhile.

Important as Victor Herbert was as a composer his services to American music went much further. It should always be remembered that Herbert thought in terms of aiding his colleagues. He wanted composers to receive their just due; he wanted them to have a fair return for their efforts; he opposed the attempts of manufacturers and managers and proprietors to make money from music while the composer remained unpaid. The first opportunity for service in this direction came to Herbert in the early years of this century preceding the adoption of the copyright law of 1909. Campaigning vigorously and tirelessly Herbert, the composers' chief representative, succeeded in obtaining the clause giving musical creators a share in the royalties of phonograph recordings. The amount seemed small, only 2 cents a side, but it was more than the manufacturers wished to pay.

Without Herbert's great efforts in the struggle the composers might have gained nothing. It is also significant to note here that Herbert himself made no phonograph records until after his triumph was won. With the victory assured he and his celebrated concert orchestra began issuing a series of records which became enormously popular, first for Edison and later for Victor.

The next great opportunity for Herbert to serve his fellow composers occurred with the establishment of ASCAP—American Society of Composers, Authors, and Publishers—in 1913 and 1914. Although the copyright law extended certain exclusive rights to composers it provided no means for enforcement, and a concerted effort had to be made before the full effect of the law could materialize. Herbert and eight enlightened colleagues determined to found a society which would represent the composers struggling to obtain earnings which were—and are—rightfully theirs. Every composer of the present day who profits from performance of his music owes an enormous debt of gratitude to Herbert, the chief and most influential founder of ASCAP.

This triumph was not easily won. Proprietors who used music in their halls and restaurants were opposed to giving the composer a share of their profit. It took 3 years of litigation and finally the august Supreme Court of the United States, with Herbert always the key figure in the picture, to place American composers within reach of security and economic independence. Not that they became wealthy overnight—but they achieved a firm position of bargaining power and they found a means of asserting ownership of their own products which was impossible previously. And this they owed to Victor Herbert, the champion of composers' rights.

When Herbert died in New York on May 26, 1924, America lost one of her greatest sons. In addition to his innumerable triumphs as composer and artist he had made a host of friends who loved him dearly, and why not? He was one of the most lovable of men, jovial in his sociability, princely in his generosity, deeply sincere in his relations and activities. He brought happiness to the American people and he added a new meaning to musical integrity. He was enormously productive and he participated in many forms of musicmaking. His death was the occasion for front page headlines in practically every newspaper of the United States. In his passing the country seemed to realize that it had lost a great man, as indeed it had. A friend of Herbert's and one of the cofounders of ASCAP, Raymond Hubbell, remarked that the death of Herbert was like the disappearance of the sun. He was not the only one that felt this way, but the sun had only seemed to set. Its rays shine on in the warmth of Herbert's music, and his personality will be with us as long as we have the sensitivity to respond to his art and quicken to his name.

I fear it is hardly possible with these feeble words to appraise adequately the work and influence of the noble, gifted Irish-American, Victor Herbert. Passionate lover of and fighter for personal liberty and self-determination, composer of songs of inspiration, courage, and love, warm and loyal in his friendships, vital and vigorous in his work for many fine causes, sympathetic, robust, and warmhearted, few men in his own field have left deeper impress upon his times. Throughout recorded time his immortal melodies will ring down the unbroken channels of history, bringing sweetness, brightness, inspiration, and love to myriads yet unborn. The strains of "Thine Alone," and its kindred will live forever in the hearts of the people. The memory of Victor Herbert will live forever. May he continue to inspire us.

I am much indebted and very thankful to my friend, the distinguished author and writer and learned biographer of Victor Herbert, Dr. Edward W. Waters, for his valued advice and assistance.

SIMPLE SOLUTION FOR DEPRESSED AREAS

Mr. SILER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SILER. Mr. Speaker, I come from a depressed area down in southeastern Kentucky.

In September of last year the percentage of unemployed in the Middlesboro-Harlan area of my district was 16.2 percent. And in that same month the percentage of unemployed in the Corbin area down in my district at the junction of three counties was 12.8 percent.

Many House and Senate Members have these same unemployment problems in their own districts extending from California to the Carolinas and from Michigan down to Mississippi. Many of these depressed area Members have seen their unemployed people line up at the county courthouses to receive Government commodities and then carry them away in burlap bags on their backs for sustenance of their families in many humble homes throughout the land where these human pockets of underprivilege exist here in our great Nation.

Various other parts of the country are now enjoying a very pleasing prosperity at the exact time when depression area citizens are groping hopelessly amid the encircling gloom of substantial unemployment and real need. These conditions should not exist and both the Congress and the White House should be much concerned toward dissolving area depression and at the same time promoting prosperity in a more even consistency across the entire face of our land.

Quite a few remedies have been offered, but most of them involve, first, expenditure of much money; second, setting up of another Government bureaucracy; third, general procrastination; fourth, some untried experimentation; or, fifth, pulling of industry out of one place and putting it into another place.

My bill, H.R. 3696, just introduced, is a simple but effective approach to this entire problem.

My bill gives during a limited time a Federal income tax exemption as an incentive to any industry that is willing to open its doors and operate in a depression area while, first, employing an average of 200 persons; second, refraining from taking employment from one place to locate it in another place; and third, establishing itself where unemployment has been 10 percent or more for at least 6 months before the taxable year of claimed exemption.

My bill does not put more tax on anybody. My bill does not set up any added bureaucracy. My bill becomes effective now, when enacted, not next year. My bill follows the tried, proven path of tax exemption incentive, already shown to be effective in a Federal program of fast tax chargeoffs that caused numerous big companies to spend millions for plant expansion in these recent years. My bill does not take employees from one spot to put them in another spot, in other words, does not rob Peter to pay Paul.

My entire approach is so simple you are apt to look on it with some suspicion, but I hope your minds will be open to it.

My colleagues from unemployment areas, please study my bill and if you agree with me that it has some good possibility for solving one of the country's greatest problems of today, make this bill yours and help me dissolve depression and promote prosperity for the people of your own part of the Nation.

THE REVOLUTION IN MARITIME CARGO HANDLING

Mr. PELLY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, as is well known, Government has an enormous stake, both financial and regulatory, in the various segments of our transportation industry. It is, therefore, of the utmost importance, in my opinion, that the Congress and the executive branch take an active interest in a new form of freight handling that links land and water transport into a single, integrated system.

This newly developing system can best be described as containerization. Already, because of its startling innovations, it is being hailed by experts as a revolution in transportation.

Now, it so happens that the first main utilization of containerization came in the port of Seattle, an area I have the privilege of representing. I, therefore, have had some opportunity to become acquainted firsthand with this new system of freight handling. To say the least, I am impressed by the tremendous potential benefits it offers to everyone who ships by a combination of land and water carriers. At the same time, I am seriously concerned by the many difficult problems which are bound to arise as this system evolves to maturity.

The nature of containerization is such that it encompasses the maritime industry, the railroads, and truckers. Traditionally, these are competing elements of our transport system. Now they have an opportunity, in serving the public interest, to coordinate their efforts to the end that a maximum load of merchandise can be started on its way at some inland point and, without reloading, be delivered on some far-distant shore or inland destination.

The full development of this new system confronts management and unions in all sections of the transportation industry with a wide range of challenging problems. More than that, Government is bound to be affected, as traditional patterns in freight handling by truckers, railroads and the merchant marine are drastically altered. To give meaning to these conclusions, and in the hope of provoking more concern both by the Congress and the executive branch with containerization, I would like to outline briefly some of the main features and problems that have come to my attention.

The idea of simplifying the task of transporting many small items by placing them in a container is not a new one. Its history is almost as old as civilization. As one writer on this subject recently said, Noah's ark was a primitive form of container. What is presently new in this idea is the use of a single container to be transported by a combination of land and ocean carriers direct from shipper to purchaser. This system, now known as "unitization" or "containerization," makes use of boxlike devices of varying capacity in which are packed an indefinite number of items whose only common characteristic may be a single destination.

Alaska Steamship Co., a line serving Seattle and Alaskan ports, was a pioneer in adapting the principle of containerization to oceangoing vessels. As far back as 1949 this company began experimenting with the use of simple wooden containers, called "cribs," in which merchandise was packed for delivery from shipper to consignee. The next major step came in 1953, when Alaska Steam made an arrangement with a truckline operator to provide for the use of vans in a combined one-rate through service to Alaskan interior points on a door-to-door imported basis.

The new system proved so successful that by November of 1958, Alaska Steam announced an enlarged van program. It called for modification of 3 ships, at considerable capital expenditure, to increase carrying capacity from 39 to 82 vans. The announcement went on to say: "Ocean, highway, and rail carriers here have combined to provide one of the first integrated services in the United States."

At present, the Alaska Steamship Co. provides through van service from shipper to consignee for southeastern and southwestern Alaska, including Kodiak Island. Vans for Anchorage and Fairbanks, moving by Alaska liners from Seattle, are handled piggyback on the Alaska Railroad from the port of Seward. At destination, delivery is made by Garrison Fast Freight or Alaska Railroad.

Alaska Steamship's success with containerization served to give impetus to similar operations by other water carriers. For example, Matson Navigation Co., a major west coast line serving Hawaii, has undertaken a long-range program which already has involved the conversion of 6 of their 15 C–3 freighters at an estimated cost of between $5 million and $6 million. Currently, they are handling containers on these freighters only on deck, but the company plans further conversion to permit handling the containers in the hold. One deck-van ship sails from San Francisco each week and another from Los Angeles. The six ships are estimated to provide something more than 100,000 measurement tons of van capacity per year.

On the east coast the outstanding container program is that of the Pan Atlantic Steamship Corp. Loading at the New York end takes place at Port Newark, N.J. I am informed that a ship can be loaded and discharged in 13 hours, compared to the usual 84 hours for a ship of similar size loaded and discharged in the conventional fashion.

Forty-two longshoremen are needed, compared to 126 men for traditional operations. The loading cost for a specific ship, as reported in the New York Times of November 23, 1958, was $1,528.80, or about one-twentieth of the $29,635.20 cost of loading and discharging a comparable ship by conventional means. The New York Times article describes the operation as follows:

> The trailers are loaded at shippers' plants throughout the country and hauled over the road by commercial trucklines to the parking lot of a Pan Atlantic terminal. There, longshore drivers take over and shift the trailer to shipside following carefully drawn loading plans.
>
> Once alongside, dockers open the clamps holding the trailer body to the chassis. Then, one of the ship's cranes grasps the body, hoists it aboard, lowers it into the hold, picks up an inbound trailer body, lifts it out of the hold, and lowers it to the waiting chassis. The pier workers fasten the clamps and the truck moves back to the parking lot where teamsters will pick it up for delivery to its destination.

Many other operations, utilizing varying forms of the container principle, such as lift-on lift-off vans, roll-on roll-off trucks, or boxlike devices, are rapidly developing in all sections of the maritime industry. The important point is that a tremendous and exciting transformation in handling cargo that moves by land and water is in full swing.

Some of the advantages of the new system have already been indicated in the reference to the Pan Atlantic operation. A more rounded picture of the benefits can easily be seen in the following quotation from the New York Times of last October 17:

> A trailer is loaded, for example, in Springfield, Mo. It travels by road to New York or San Francisco, sealed, virtually damage-proof and theftproof. By ship it goes to France or to Japan, eliminating warehousing, stacking, and sorting. Each ship takes on her cargo with a few hundred lifts, compared to 5,000 individual lifts by the old method.

From this graphic description a number of points are self-evident. Cargo loss claims are reduced to a minimum. Merchandise arrives clean and intact. Cargo handling costs at shipside, one of the main cost items, are substantially reduced. Most important, ship turnaround time in port, a major factor in freight rates, is trimmed to a fraction of that required under a conventional loading system.

From these few highlights it is clear that the full development of the containerization system represents a tremendous potential in promoting the full flow of commerce. Yet, it must also be recognized that containerization projects many knotty and troublesome problems.

Of great consequence, is the question of how the workers involved in this technological transformation—longshoremen, truckers, and others—will react. Certainly they are confronted by many difficult decisions. They face the unpleasant prospect of gradual loss of thousands of jobs. It is likewise clear that the demand may be made upon them for drastic revision of many historic working practices and conditions. These two considerations alone suggest a human problem of tremendous magnitude and one that is packed with explosive force.

Another labor issue is the danger of jurisdictional disputes as new operations bring about new work patterns. For example, and I refer to the description of the Pan Atlantic operation, who is to drive the trailer from terminal to shipside—teamster or longshoreman? Or, to select another possibility, who will handle the assembly of cargo into vans or other containers when it is performed at terminals close to the waterfront? Or, who is to operate and service the new equipment that will be required on the waterfront to handle vans and other large containers? Already, there are indications of competition for what looks like a shrinking number of jobs.

Many other technical problems are coming to the surface as containerization proceeds. For example, there is the question of standardizing vans and containers. At the moment, each carrier seems to be working up its own container without much reference to what other companies are doing. Matson vans are not the same as Alaska Steamship vans, and both are different from those used by Pan Atlantic. The railroads, which have been handling vans piggyback for much longer than the steamship companies, have their own specially designed containers.

In the regulatory field, freight rates are likely to be affected. For example, I am advised that Matson and Alaska Steam have filed special tariffs for cargo handled in vans. Already there has been one protest appearing in the papers and no doubt there are many others. James M. Hanley, president of the Rice Products Co., Inc., of San Francisco, asked the California Public Utilities Commission to investigate container freight rates. Apparently he is complaining that Matson Navigation Co. and Hawaiian Textron are giving special rates to some of his competitors. If the use of containers is at the discretion of the carrier, and carrier rates are less than rates for conventional haulage, it is obvious that discrimination may develop.

These problems, none of which appear susceptible to easy solution, have led me, as a member of the House Merchant Marine Committee, to conclude that the time is ripe for some sort of helping hand from Government. My conclusion has been reinforced by a recent discussion I had with Mr. Paul St. Sure, head of the Pacific Maritime Association, a west coast management group. In particular, Mr. St. Sure pointed to the difficult task of reconciling new operations with the established work force on the waterfront.

As I understand it, labor and management on east and west coasts are now negotiating over the issues raised by containerization. However, these negotiations are taking place separately and are likely to produce conflicting results. One unfortunate possibility, an old bugaboo of the merchant marine, is a succession of regional whipsawing, as unions or sections of management struggle for position. Another development, as indicated previously, is conflict over jurisdiction. Or, at the very least, it can be anticipated that a great deal of friction and confusion, even work stoppages, is in the offing.

The labor problem, taken together with other aspects of containerization, suggests to me that the public interest calls for some constructive assistance from Government. I am not one lightly to urge Government intervention, but there appears to be a compelling need for all elements in the transport industry affected by containerization to be brought together for common discussion and consultation. Possibly some guidelines, indicative of a national approach, can be agreed upon. Possibly a climate conducive to mature collective bargaining, as well as settlement of technical problems, can be promoted. Certainly it appears that here is a challenge for the appropriate executive agency.

In this regard, Mr. Speaker, it is most fortunate that the newly appointed Under Secretary of Commerce for Transportation, the Honorable John J. Allen, Jr., is a man with broad background in the merchant marine. For many years he served with distinction on the House Merchant Marine and Fisheries Committee, of which I am a member. I am confident Mr. Allen already has considerable knowledge on the subject of containerization, and is, therefore, well fitted to provide the necessary leadership in helping the various elements of the transportation industry to solve their problems.

I am aware that already much has been done by various agencies in the field of containerization. But I am convinced there has been hesitancy in tackling some of the practical problems I have indicated. I also feel, on the basis of my information, that there has been regrettable delay in recognizing the enormous implications for the public interest in the development of containerization. I trust and hope that the Department of Commerce, as well as other agencies, will speedily give weight to my opinions.

I likewise urge that my colleagues in the House give this subject earnest consideration in the future. In due course the Congress is bound to feel the impact of this rapidly evolving transportation system that makes the most efficient use of land and water carriers.

Mr. Speaker, in the past the very able chairman of the Merchant Marine and Fisheries Committee has rendered great service to the American shipping industry by seeking information in the field of maritime practices. I know the gentleman from North Carolina [Mr. BONNER] will be helpful if it appears that congressional action is needed.

Meanwhile, it is interesting to note that representatives of various segments of the shipping industry meeting in New York City recently seemed in agreement that use of giant containers could revolutionize shipping and even ships. Their decisions indicate it could mean the very survival of the American merchant marine.

LABOR-MANAGEMENT LEGISLATION

Mr. KEARNS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KEARNS. Mr. Speaker, I think everyone here is quite cognizant of the fact that labor legislation in this session of Congress is almost a must. I know that each and every Member has his own ideas about the type of legislation he would like to see enacted in this body.

There will probably be two major bills, perhaps three major bills, but I should like each Member of Congress, regardless of his party or his philosophy, to study these bills personally, to weigh them carefully, and then it is my hope that the Committee on Labor of the House and the Labor Committee in the other body will be able to bring to the floor of each body the kind of legislation that will benefit all the people of this country and will provide labor and management a fair solution of the problems that exist today.

Mr. Speaker, it is imperative that corruption and racketeering be kept out of labor-management relations. There is one proposal which would do this effectively without crippling labor or management. I am referring to the proposal which would carry out the recommendations contained in the President's labor message.

Mr. Speaker, we have been treated to shocking revelations by the investigations of the congressional committees into improper activities on the part of both labor and management. We have seen what can happen when employers and union officials who are supposed to be dealing at arm's length put their personal gain above the interests they represent.

Our whole legal system guaranteeing the rights of individual workers and safeguarding the public interest in the exercise of these rights is made a mockery when these individuals enter into collusion.

It is high time that we did something about this situation. None of us should countenance any delay, for the longer we delay action, the more flagrant the abuses will become.

The administration has provided us with the pattern of legislation that will eradicate the evils which have sprung up in labor relations. Union officials will think twice before they use union funds for personal convenience if they know that a full report of their actions will be available to each and every union member. Employers will pause before they attempt to undermine a union officer's obligations to union members by under-the-table bribes, if they realize that such transactions will be spread on the record for all to see.

The administration's proposals would require full reporting and disclosure of the activities of unions, union officials, employers, and labor consultants.

I strongly recommend that they be approved by Congress without delay.

EXPLANATION OF BILL FOR THE ENACTMENT OF THE LABOR-MANAGEMENT PRACTICES ACT OF 1959

This bill is designed to provide needed safeguards against improper practices in labor organizations and in labor-management relations. It would require the reporting and disclosure of the financial operations and administrative practices of labor organizations, certain financial transactions of their officers, and direct and indirect dealings between officers of such organizations and employers which may involve conflicts of interests. The bill, in general, would reinforce rights of members with respect to the proper administration and application of the funds and property of labor organizations, the election and removal of officers, and protect subordinate organizations and their members from abuses of the devices used to exercise supervisory control over their affairs. In addition, the bill provides certain needed adjustments in the National Labor Relations Act, as amended, which will better protect certain employees, the public, and innocent third parties from the consequences of labor disputes, as well as provide improvements in representation procedures with respect to the construction industry to more adequately meet the needs of labor-management relations in that industry.

As recommended by the President:

All unions would be required to file annual reports with the Department of Labor with respect to their financial operations and to furnish such information to their members. In addition, unions would be required to file copies of their constitutions and bylaws along with detailed information with respect to their organization and procedures, including certification that prescribed minimum standards for the election and removal of officers are provided and being followed.

Information required to be reported under the act would be open to the public, and unions would be required to keep adequate records on matters to be reported which would be open to examination by Government representatives and, upon request, accessible to union members.

Unions, union officers and agents, and employers would be required to report and keep records regarding any payments or transactions, including those engaged in through employer intermediaries, which may create conflicts of interests or involve interference with the statutory collective bargaining and organizational rights of employees.

Union funds and property would be required to be held and administered for the benefit of the members and for furthering the purposes of the union and such duty would be enforceable in any court in a suit by, or in behalf of, its members.

All unions would be required to hold periodic elections of officers and to observe minimum standards for the conduct of elections, including the right of all members to vote, with due notice, by secret ballot without restraint or coercion, equal opportunity for all members to nominate and be candidates, and the provision of procedures and facilities to insure honest elections and the accurate tabulation of votes; the use of union or employer funds to promote any candidate for union office would be banned and union constitutions and bylaws would have to contain detailed statements of election procedures and compliance with such procedures would be required to be certified to by the principal executive officer.

All unions would be required to observe minimum standards, including conformity with applicable provisions of their constitutions and bylaws, in the exercise of supervisory control over the affairs of subordinate bodies, the exercise of such control to be limited to purposes of insuring democratic, honest, and responsible administration of the subordinate body and effectuating legitimate objectives of the labor organization.

The administration of this legislation would be placed in the Secretary of Labor and he would be provided with adequate authority to issue regulations, investigate, subpena witnesses and documents, hold hearings, issue decisions and orders—which would be subject to judicial review—requiring compliance and imposing sanctions for willful violations, and bring actions in the Federal courts for injunctions to compel compliance with the act.

The bill would provide criminal penalties or administrative sanctions of loss of tax exemption or the use of or access to procedures under Federal labor-management relations statutes for willful violations of the act; it would also prescribe criminal penalties for concealment or destruction of records required by the act to be kept, bribery between employers and employee representatives, embezzlement of union or certain trust funds, and false entry or destruction of union books and records.

Any present remedies that union members have under State or Federal laws, in addition to those provided in the bill, would be preserved.

The secondary boycott provisions of the National Labor Relations Act would be strengthened and extended so as to cover direct coercion of secondary employers and inducements of individual employees to refuse to perform services with an object of forcing their employer to cease doing business with another person, and to include employers not otherwise covered by the act under the protections of the provisions; it would also be made clear that union activity is permitted against secondary employers performing "farmed out" struck work for the primary employer and, under certain circumstances, against secondary employers engaged in work at a common construction site with the primary employer.

It would be made an unfair labor practice, subject to mandatory injunction, for a union to picket in order to coerce an employer to recognize it as bargaining representative of his employees or such employees to accept or

designate it where the employer has recognized another union in accordance with law; a representation election has been conducted within the preceding 12 months; it cannot be shown that there is a sufficient showing of interest on the part of the employees to be represented by such union; or picketing has continued for a long period of time without a representation election.

The National Labor Relations Board would be authorized to decline to assert jurisdiction over cases where it considers the effect on commerce is not substanenough to warrant the exercise of its jurisdiction and State courts and agencies would be permitted to exercise jurisdiction over these cases.

The provision of the National Labor Relations Act which bars certain strikers from voting in a representation election, although their replacements may vote, would be eliminated and the voting eligibility of strikers, as well as others, would be left to the administration discretion of the Board; the Board also would be permitted to conduct representation elections without prior hearings where there is no substantial objection to such an election.

The Board would be authorized to certify building and construction trades unions as bargaining representatives without an election, under carefully considered specific conditions.

Employers, as well as unions, wishing to use the Board's procedures would be required to sign non-Communist affidavits, thus equalizing the burden of such affidavits; this requirement would be strengthened by providing that an affidavit found by a court to be false shall not constitute compliance and requiring that the affidavit relate to conduct during the 12-month period preceding its execution.

It would be made clear that parties to a valid collective bargaining agreement need not bargain during the life of the agreement unless they have provided for a reopening, or such reopening is mutually agreeable.

It would be required that the Board be bipartisan in composition by providing that no more than three members may be of the same political party and the President would be authorized to designate an acting General Counsel of the Board when vacancies occur in that office.

A summary discussion of the bill by title and section follows:

Section 1 of the bill provides a short title for the legislation, the "Labor-Management Practices Act of 1959."

Section 2 consists of the congressional findings and policy showing the relationship of the subject matter to the free flow of commerce and the national public interest in the activities of labor organizations and the employees they represent.

TITLE I—GENERAL PROVISIONS

DEFINITIONS

Section 101: This section defines 14 terms used throughout the act, including "labor organization," "employer," "employee," "person," "commerce," "affecting commerce," and "supervisory control."

SEPARABILITY OF PROVISIONS

Section 102: This section provides that if any provision of the act is held to be invalid, the remainder of the act shall not be affected.

EFFECTIVE DATE

Section 103: The act becomes effective 60 days after the date of enactment, except that provisions authorizing the promulgation of regulations become effective immediately.

TITLE II—REPORTING AND DISCLOSURE

GENERAL REQUIREMENTS

Section 201: This section obliges every person required to file reports or other documents with the Secretary of Labor under the act to file them in the manner required thereby, to maintain records necessary to explain and verify them, and to keep such records available for examination by the Secretary or his representative for at least 5 years.

REPORTING BY LABOR ORGANIZATIONS

Section 202: This section requires every labor organization to file with the Secretary a copy of its constitution and bylaws and other basic documents along with a report, signed by its president—or other chief executive officer—and its secretary—or other chief records officer—containing detailed information, or references to the provisions of the governing documents containing such information, with respect to its major internal structure and procedures, including provisions for discipline or removal of officers or agents for breach of trust and provisions made for notice, hearings, judgment on the evidence and appeal procedure in connection with disciplinary action against members. Any changes in the reported information must be shown by an amendment filed when the next annual financial report is due.

Each labor organization must also certify annually that its constitution and bylaws contain the provisions for election and removal of officers required under title III, but a period of 2 years or until the next constitutional convention—whichever is earlier—is allowed to enable unions to incorporate such provisions in their constitution and bylaws if they certify during this interim period as to their existing provisions and procedures.

In addition, every labor organization exercising or assuming supervisory control over a subordinate labor organization must make, within 30 days of such assumption or at the time of filing the report required by this section and semi-annually thereafter, a report certifying that the requirements of title III are being observed and showing the union under control, the date control was established, the reason for the control and its duration, the steps being taken to reestablish autonomy, and specified information respecting voting rights of members and finances of the supervised body.

Section 203: Every labor organization must also file with the Secretary an annual report with respect to its financial affairs and indicating the method by which this report is made available to its members. These reports must show, among other things, the assets and liabilities of the organization at the beginning and close of its last fiscal year and amounts paid as compensation and expense or other allowances for each officer, agent, and employee whose aggregate compensation and allowances for the year exceeded $10,000. They must also explain in detail, or by reference to other reports, all receipts by the organization of any of its officers or agents of anything of value other than payments allowed under section 302(c) of the Labor-Management Relations Act, 1947, from an employer having employees who are, or might be, represented by the labor organization, or from any person representing such an employer.

Section 204: This section requires every labor organization to make the information contained in its reports, and the records and data required to be kept, available to its members in the manner prescribed by the Secretary.

REPORTS OF LABOR-MANAGEMENT FINANCIAL DEALINGS

Section 205: This section requires every officer, agent or other representative of a labor organization to file reports with the Secretary with respect to all direct and indirect payments to or from employers having employees who are or might be organized or represented by the union or to or from persons representing any such employers—including transactions engaged in by a spouse or minor child. Also requires information on investments and business transactions so related to such an employer as to possibly involve conflicts of interest. If the officer, agent, or representative of the union derives direct or indirect benefit from any such transaction it must be reported even if the direct participant was some relative or other third person rather than the union officer himself. Payments allowable under section 302(c) of the LMRA, regular remuneration for service as an employee, purchases and sales in regular course of business at regular prices, and bona fide investments in traded securities not involving substantial interest need not be reported.

Section 206: Any employer who participated directly or indirectly in any transaction required to be reported by unions or their officers, agents or representatives under sections 203 or 205, or who paid employees or others for the performance of any acts whereby employees may be restrained, coerced or interfered with in the exercise of rights secured by section 7 of the National Labor Relations Act or by the Railway Labor Act, must file a report with the Secretary. These reports will identify the persons, including intermediaries, involved in the transaction, explain the circumstances of the transaction, and specify the sums, property, or benefit involved.

REGULATIONS OR REPORTS, RECORDS, AND DISCLOSURE OF REPORTED INFORMATION

Section 207: This section requires that reports be filed within 90 days after the effective date of the act or the establishment of the reporting organization, and annually thereafter as prescribed by the Secretary.

Section 208: This section authorizes the Secretary to prescribe such standards for required reports, recordkeeping, and disclosure of information, as may be necessary to prevent circumvention or evasion of the act's provisions.

Section 209: The contents of reports and documents filed with the Secretary are made public information, and he is authorized to publish and use such information for statistical and research purposes. He is also authorized to prescribe regulations providing for the examination by the public of the information contained in the reports and documents, and to furnish copies of the documents filed with him upon payment of the cost of the service. Copies of reports required to be filed will be made available by the Secretary, or by the reporting person, to appropriate State agencies.

STATUTORY PROVISIONS AMENDED

Section 210: This section amends sections 9 (f) and (g) of the National Labor Relations Act to substitute compliance with the filing requirements of this act for the present requirements of these subsections. This compliance is made a prerequisite to use of the NLRB facilities by both labor organizations and employers.

RESPONSIBILITIES OF CERTAIN PERSONS

Section 211: Provides that union and company officers required to sign reports under the act shall be personally responsible for the filing, accuracy and completeness of the statements in the reports.

Section 212: Provides that nothing in title II shall relieve any person from complying with the provisions of any law affecting any labor organization unless such provisions would conflict with the provisions, or interfere with carrying out the objectives, of this act.

TITLE III—OBLIGATIONS TO MEMBERS OF LABOR ORGANIZATION

RESPONSIBILITIES OF PERSONS ENTRUSTED WITH FUNDS AND PROPERTY OF A LABOR ORGANIZATION

Section 301: This section imposes upon every officer, agent, or other representative of a labor organization having any of the organization's money or property in his possession or custody by virtue of his position a duty to hold such money or property for the benefit of the members and for furthering the purposes of the organization and to handle it only in accordance with such duty and in a manner authorized by the organization's governing rules.

A right of action in any court of competent jurisdiction to obtain relief for disregard of such duty is conferred upon union members or principal officers. The applicability of other laws respecting the duties and responsibilities of union representatives is preserved.

OFFICERS AND THEIR ELECTION AND REMOVAL

Section 302: This section requires union constitutions and bylaws to state the qualifications and procedures for nomination, election, and removal of officers, which must conform to certain minimum standards. These include limitation of terms of office to not over 5 years for officers of internationals and 3 years for those of locals, and assurance of the right of any member to run for and hold office. Members must be given reasonable opportunity to nominate candidates and to participate in secret elections, and ballots and election records must be preserved for at least a year. Rights of a member under these provisions shall not be affected by a failure of an employer to pay dues checked-off. Union shall provide facilities and procedure to insure free, honest elections and accurate count of votes.

Unions are also required to have and follow procedures and standards insuring members the opportunity to remove elected officers from office by majority vote upon a showing that a substantial number of members desire a recall. Election of successors to recalled officers shall be held promptly and in accordance with required election standards.

The right to bring suit in any court of competent jurisdiction for enforcement of the provisions of this section or the election provisions contained in section 303 is conferred upon union members where the violations are not the subject of any pending action or proceeding brought by the Secretary under title IV. However, a grace period of 2 years or until the next constitutional convention is provided for unions which can make necessary changes only by a constitutional convention.

Section 303: Use of union or employer funds to promote the candidacy of any person in a union election is prohibited. It is also made unlawful for any person convicted of violations of this act to serve as an officer, agent or other representative of a union within 5 years of conviction, for any person to so serve while ineligible to vote because of a conviction for any crime, or for any union or union official having preventative power to permit any such ineligible person to serve.

SUPERVISORY CONTROL OF ONE LABOR ORGANIZATION BY ANOTHER

Section 304: Compliance with the provisions of this section is required of every labor organization assuming supervisory control over another. Such control shall be exercised only according to the governing rules of the labor organizations involved and to insure democratic, responsible, and honest administration of the subordinate body. The exercise of such supervisory control is limited to the period reasonably necessary for correction of evils. A presumption is created that a period of over 18 months is not reasonably necessary, but if rebutted, additional extension of supervisory control for not over 1 year may be approved. Limitations are imposed upon the union exercising supervisory control with respect to counting votes of delegates and transferring funds of the subordinate union.

EXERCISE OF RIGHTS BY LABOR ORGANIZATION MEMBERS

Section 305: This section prohibits disciplinary actions against union members for institution of actions or proceedings to enforce title III. It also preserves existing rights and remedies under union constitutions and bylaws and under State or Territorial law.

TITLE IV—ADMINISTRATION, ENFORCEMENT, AND PENALTIES

ADMINISTRATION

Section 401: This section states that the provisions of the act, other than amendments of existing statutes, are to be administered by the Secretary who is empowered to take action and prescribe procedures necessary to effectuate act. Secretary authorized to make expenditures and appoint personnel, including attorneys who may represent him in any litigation subject, however, to the direction and control of the Attorney General.

Section 402. Provides for a Commissioner of Labor Reports, to be appointed by the President and confirmed by the Senate, to perform such duties under this and other statutes as the Secretary may delegate to him.

Section 403: This section authorizes arrangements by the Secretary for cooperation and assistance from other governmental and State agencies and provides for referral of evidence of violations of this act or other Federal law to the Attorney General or other Federal enforcement agencies.

INVESTIGATION AND ENFORCEMENT

Section 404: The Secretary is authorized to investigate alleged violations of provisions of act or rules or regulations issued thereunder, to publish information with respect to violations, and to make such investigations with respect to the accuracy and completeness of required reports as may be necessary in the enforcement of the act. He is also authorized to receive and take action upon complaints of violations of the act, but complaints shall not be made public except with complainant's consent. The Secretary or his authorized representatives are given powers of entry, inspection, and interrogation, as well as to hold hearings and make findings of fact and decisions based on them.

This section further authorizes the Secretary to establish Union Procedures Examining Boards to inquire into certain cases under the act, to conduct necessary hearings, and to make findings, conclusions, and recommendations to the Secretary. The subpena power provided by the Federal Power Act is made applicable to the Secretary and his authorized representatives, including the Union Procedures Examining Boards, for the purposes of any inquiry under the act.

Section 405: The Secretary is authorized to bring actions to restrain or prevent violations of the reporting, union election and supervisory control provisions of the act and to compel compliance with the act and orders issued thereunder.

Section 406: This section confers jurisdiction on the U.S. district courts—and other appropriate Federal trial courts—of actions brought, under the act, by the Secretary or by union members.

Section 407: Under this section, service upon an officer or agent of a labor organization, in his capacity as such, shall constitute service upon the labor organization.

Section 408: This section directs the Secretary, upon determination that there is reasonable cause to believe that

there has been a willful failure to file required reports or that any person has violated the election, removal, or supervisory control provisions, to institute administrative proceedings conforming to the Administrative Procedure Act. Violations of provisions relating to election and removal of officers and the exercise of supervisory control may be referred to either a hearing examiner or a Union Procedures Examining Board. The procedure of these proceedings is outlined.

A final order of the Secretary, made on the record of the proceedings, may direct necessary corrective action and impose sanctions for not over 5 years—unless the violation continues longer. These sanctions consist, in cases where an employer is found to have willfully refused to file a report, of loss of the right to exercise any right or privilege under any Federal labor-management relations statute. A union found to have willfully failed to file a report or to have violated the provisions relating to the election and removal of officers and the exercise of supervisory control over subordinate bodies may also be declared ineligible to exercise any right or privilege under any Federal labor relations law and/or to have the income tax exemption granted by section 501(a) of the Internal Revenue Code. Where the outcome of a union election is found to have been affected by violations of the election provisions of sections 302 and 303, the final order may void the election and direct another under such supervision as may be necessary.

The decisions and orders of the Secretary under this section shall be conclusive upon other Federal agencies with respect to withdrawal of Federal rights and privileges involved, but they are subject to judicial review and enforcement as provided in section 409. Upon notice that a proceeding under this section is pending, Federal agencies may hold in abeyance or take other appropriate action in matters which may be affected by the Secretary's order.

Section 409: This section provides for enforcement of the orders of the Secretary, and for review of these orders upon petition of aggrieved parties, by the U.S. courts of appeals in the same manner as NLRB orders are reviewed. The commencement of enforcement or review proceedings will not stay the Secretary's order.

PENALTIES

Section 410: Willful violations of reporting and disclosure provisions of the act or applicable regulations are punishable by fine up to $5,000 or imprisonment for not more than 1 year, or both. A fine up to $10,000 or imprisonment of not more than 5 years, or both, may be imposed for willfully making false statements or failing to disclose material facts.

Section 411: A fine up to $10,000 or imprisonment for not more than 5 years, or both, may be imposed for willful destruction of records or documents required to be kept.

Section 412: Embezzlement of the funds of a union or a trust in which it is interested, or false entries in or destruction of books and records of a union or such a trust with intent to defraud or mislead, are punishable by fine up to $10,000 or imprisonment for not more than 5 years, or both.

Section 413: This section provides for a fine up to $10,000 or imprisonment for not more than 1 year, or both, for willful violations of provisions prohibiting use of funds to influence union elections and barring certain law violators as union officers—section 303—and of provisions protecting unions undergoing supervisory control—section 304(c).

Section 414: This section prohibits the offer, gift, solicitation, or acceptance, to or from each other, of payments in the nature of bribes by employers and their representatives and representatives of unions or trusts in which they are interested, with intent to influence actions—or to have actions influenced—as a representative of the union or trust or, in the case of an employer or his representative, with respect to labor-management relations of the employer. Violations are punishable by fine up to three times the amount involved or imprisonment for not more than 3 years, or both. Immunity would be provided from prosecution because of self-incriminating testimony given before courts and grand juries involving violations of these bribery provisions, except in the case of perjury or contempt arising from such testimony.

Section 415: This section amends section 302 of the Labor Management Relations Act, 1947, to extend its coverage to payments, first, by any person acting in the interest of an employer—as well as by the employer himself—to unions having members employed in the same trade or class as the employees of such employer—as well as to unions representing his own employees; and, second, to any employee or group or committee of employees of the employer for the purpose of interfering with, restraining or coercing the exercise by other employees of the employer of their self-organization rights under Federal labor relations laws—except compensation for regular services. The receipt of any such payment is also made unlawful.

This section also amends subsection (c) of section 302 so as to add to the types of payments excepted from the prohibitions of the section those made by employers to jointly administered trust funds established for the purpose of defraying the costs of apprenticeship and training programs.

TITLE V—LABOR-MANGEMENT RELATIONS

Section 501: This section provides that not more than three members of the National Labor Relations Board shall be members of the same political party. In addition, it makes clear that when the office of the General Counsel of the Board becomes vacant the President may designate some other officer or employee to serve as acting general counsel during the vacancy.

Section 502: This section amends section 6 of the National Labor Relations Act to make clear that, first, the Board may by rule or otherwise decline to assert jurisdiction over any labor dispute where, in its opinion, the effect on interstate commerce is "not sufficiently substantial" to warrant exercise of its jurisdiction; and second, State agencies and courts may assume jurisdiction over such disputes where assertion of jurisdiction is declined.

Section 503: This section extends the secondary boycott provisions of the National Labor Relations Act to, first, direct coercion of employers to cease, or agree to cease, doing business with another; second, inducement or encouragement of employees individually to refuse to perform services; and third, to include within the scope of the provisions secondary employers who do not come within the act's definition of "employer," such as railroads and municipalities. The section makes clear that those prohibitions do not extend to activities directed at secondary employers performing for a primary employer "farmed out" struck work or those engaged at a common construction site with another employer with whom a lawful labor dispute exists with respect to wages, hours, or other working conditions of employees working at that site.

Section 504: This section amends section 8(b) of the National Labor Relations Act to make it an unfair labor practice for a union to engage in, or threaten to engage in, organizational and recognition picketing where, first, the employer has recognized in accordance with the act any labor organization and a question concerning representation may not be raised under section 9(c) of the act, second, within the last preceding 12 months a valid election has been conducted, third, the union cannot establish the existence of sufficient interest on the part of the employees in having it represent them; or fourth, picketing has been engaged in for a reasonable period of time and an election under 9(c) has not been conducted. A savings provision makes it clear that this new provision is not intended to make lawful any activity which is otherwise an unfair labor practice under the act. The section further makes violations of the organizational and recognition picketing provisions subject to the mandatory injunction provided in section 10(l) of the National Labor Relations Act.

Section 505: This section amends section 8(d) of the National Labor Relations Act to make it clear that the collective bargaining requirements of section 8 do not require a party to a valid collective bargaining contract to bargain during the life of the contract with respect to any modification which would become effective before a reopening is permitted by the terms of the contract or by agreement of the parties.

Section 506: This section amends section 9(c) of the National Labor Relations Act to authorize the Board, upon joint petitions by an employer engaged in the construction industry and a labor organization acting in behalf of employees engaged in that industry asserting that the employer recognizes the union as a representative of his employees and has entered into a collective bargaining agreement with the union covering such employees, to certify such union as bar-

gaining representative without an employee election if a collective bargaining relationship has existed between the employer and the union prior to the current agreement and if the Board finds no substantial challenge by the employees of the representative status of the union.

Section 507: This section removes the provision in section 9(c)(3) of the National Labor Relations Act barring strikers who are not entitled to reinstatement from voting in representation elections.

Section 508: This section amends section 9(c)(4) of the National Labor Relations Act to permit the Board to conduct representation elections prior to hearings, where no substantial objection is made to such a proceeding.

Section 509: This section amends section 9(h) of the National Labor Relations Act to extend the non-Communist affidavit provisions to employers as well as unions, to require that affidavits relate to activities during the preceding 12-month period, rather than at time of execution of affidavit, and to require that they not have been found false by any court.

Section 510: This section saves acts performed prior to the effective date of this title against being treated as unfair labor practices under amendments to the National Labor Relations Act made by the title.

Section 511: This section provides that the effective date for amendments of existing law provided by this title shall be 60 days after date of enactment of the act.

Mr. Speaker, I ask unanimous consent that members of the Committee on Labor who desire to do so may extend their remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HIESTAND. Mr. Speaker, the administration bill, entitled "the Labor Management Practices Act of 1959," which I join the Honorable CARROLL KEARNS, of Pennsylvania, in introducing, is tough enough to protect the union member and the general public from many of the abuses and racketeering practices disclosed in testimony before the McClellan committee. It is a practical, equitable, and inclusive approach to the complex problems in this field. It provides adequately for reporting and disclosure of the internal administration of union organizations. It requires reporting of financial transactions of labor unions and their officers and employees to prevent recurrence of the thefts of members' dues and welfare fund money.

The bill also provides standards for the periodic election of union officers so that leadership will truly represent the membership, and it requires reasonable procedures and safeguards against abuse of the trustee device, whereby unscrupulous union dictators have imposed their brand of leadership and control over the locals.

This program is not punitive, and honest labor leaders and employers have nothing to fear from its enactment. It will be welcomed by all fair minded parties in the field of labor management relations, by loyal union members, and especially by the large small business fraternity, both of which groups have been so heavily and tragically victimized.

Mr. GRIFFIN. Mr. Speaker, it is imperative that the House proceed at once to consider and enact labor reform legislation which is desperately needed. The recommendations contained in the President's labor message to Congress provide an excellent basis for consideration of this important subject.

In general, I believe the President's proposals provide a sound and practicable blueprint for action in the area of labor-management relations. His proposals are neither arbitrary nor punitive. They are designed to protect the interests of individual union members and the public.

Perhaps the ideal climate for good labor relations would be one in which the Government played no part. However, that is an ideal not likely to be soon realized, and, in the meantime, the Federal Government has a heavy responsibility to create and maintain a balance in this field which protects the interests of the public as well as labor and management.

I do not necessarily subscribe to, or agree with, every paragraph and every clause of the administration's bill, which I have been pleased to join in introducing today. Indeed, I have serious reservations as to the wisdom or necessity of one provision which would extend the non-Communist affidavit requirements to all employers.

However, in general, the proposals of the President provide language which is an excellent starting point for legislative action. The administration bill is much better and more effective than the so-called Kennedy labor bill recently introduced in the other body. Among the major differences between the two bills are the following:

First. The administration proposal deals with the problem of secondary boycotts, and the Kennedy bill does not.

Second. The administration bill deals with the problem of blackmail organizational picketing, and the Kennedy bill does not.

Third. The administration bill imposes upon union officers a higher degree of responsibility for the funds entrusted to them by union members.

I sincerely urge my colleagues in the House carefully to study the administration bill and to get behind its objectives without delay.

Mr. FRELINGHUYSEN. Mr. Speaker, I believe the administration's labor-management proposals are comprehensive and effective, and yet not oppressive to those who conduct their affairs in a fair and honest manner. Certainly, the vast majority of trade-union leaders have nothing to fear from this legislation, and I hope they will join in supporting it.

The bill, which a number of us are introducing today, is strengthened by provisions regulating trusteeships and union elections. The rank-and-file union member will be freed from the danger of having his local thrown into trusteeship by those seeking to wield unscrupulous power over the members they are supposed to serve and to have a free hand in raiding the union's treasury. The bill's provisions concerning secondary boycotts and improper organization and recognition picketing are also greatly needed.

Naturally, this bill will not satisfy everyone in all particulars. I personally have reservations about section 509, which extends to employers the necessity of filing non-Communist affidavits.

Nonetheless, the need for legislation to curb the power of the "freebooter" in the labor movement is too urgent to go unheeded. I am confident Congress will not again abdicate its responsibility by failing to enact the reforms this bill would provide.

Mr. CRAMER. Mr. Speaker, I wish to add my wholehearted support to the bill introduced by my distinguished colleague, the gentleman from Pennsylvania [Mr. KEARNS], to carry out the program outlined in the President's labor message and I am proud to join him as a co-introducer of this bill which embodies the President's recommendation on this vital subject.

All of us realize that immediate legislation fair to labor, fair to management, and most important, fair to the American public, is vitally and urgently needed. But more than immediate action on legislation is necessary; it must be effective legislation designed to deal with the problems and the abuses that have been disclosed. The answer cannot be a law simply requiring that conscientious and law abiding labor leaders and businessmen fill out more complicated Government forms to further overburden Government files and personnel.

There seems to be general agreement that there should be legislation requiring disclosure of financial transactions, election safeguards, and democratic procedures in unions.

At a time when the world is scrutinizing not only what American leadership, but what the American way of life has to offer, the living skeletons in our labor management closet cannot remain hidden behind closed doors. The administration's proposal would, without Government domination of labor organizations or labor management affairs, afford means to insure that the individual rank-and-file member of the labor organization will have all the facts and methods to clean out and keep these closets clean. I have as much faith in the success of this approach as I do in our system of Government which to me is essentially the same. I urge this body to most seriously consider this bill.

I do not subscribe to the sleight-of-hand majority leadership approach as indicated in the other body to date as being the opposition party's strategy of considering some labor reforms or racketeering in one bill and other equally needed labor reforms in another. It is an obvious effort to ignore and shunt aside with a lick and a promise such vital other labor reforms as outlawing blackmail picketing and secondary boycotts, making union funds trust funds free from improper uses, and clarifying the no man's land jurisdictional issue,

retaining unto the States powers not specifically covered by Federal law.

These areas must get consideration this session, and in my opinion, the only chance for their serious consideration is as a part of an overall labor reform bill and it is obvious that many of the majority members who are responsive to labor leader wishes and do not want these equally needed labor reforms passed realize it too—as is demonstrated by their support of the majority sleight-of-hand strategy.

Mr. BOSCH. Mr. Speaker, I wholeheartedly support the Labor Management Practices Act of 1959 which embodies the administration's labor-management proposals. I recommend adoption of these proposals because they provide an effective procedure for dealing with abuses which have been uncovered.

Among other things, the administration's bill provides for much needed adjustments in our basic labor-management relations law. I am particularly impressed with the corrective amendments to the secondary boycott provisions of the Taft-Hartley Act.

The loopholes in that act which permit direct threats and coercion of secondary employers are closed. In addition, employers may no longer be forced to agree to "hot cargo" clauses, through such threats and coercion.

The provisions are further strengthened by protecting individual employees of secondary employers from union inducement to commit a secondary boycott. These corrections insure that the really innocent third party in a labor dispute is more adequately protected. The secondary boycott has been a much abused weapon of the Teamsters Union in forcing small employers to accede to the union's demands. This bill will effectively eliminate this tactic from the arsenal of corrupt unions.

I should like further to point out that it is not necessary to consider labor reform legislation merely in its application to racketeering as compared to proposed amendments to Taft-Hartley. The provisions of the administration's bill which I have introduced today are, in my opinion, absolutely necessary in any legislation dealing with the abuses so forcefuly brought out in the course of the McClellan hearings in the other body. Let us not waste time arguing about amendments to Taft-Hartley as being the subject of different legislation. I believe that if we are really sincere in wanting to have true antiracketeering legislation, this is the bill.

Mr. RHODES of Arizona. Mr. Speaker, I believe that one of the most important provisions in this bill is the provision which would outlaw blackmail picketing. There is no practice more reprehensible than the practice, widely adopted by some unions, of forcing unwilling employees to become members by coercing their employers to force them to join.

The effect of this provision is to make it an unfair labor practice for a labor organization to coerce, or attempt to coerce, an employer to recognize or bargain with it as the bargaining representative of his employees, or such employees to select or accept it as their bargaining representative, first, where the employer has recognized in accordance with the NLRB another labor organization, and a question of representation may not appropriately be raised under the act; second, where the employees have determined in an NLRB election that they do not wish to be represented by the labor organization; or third, where it is otherwise clear that the employees do not desire to be represented by the labor organization.

While decisions of the NLRB in Curtis Bros. and related cases indicate that picketing in the circumstances described above would presently be an unfair labor practice, these Board decisions have not been followed by some courts and consequently this area is shrouded in uncertainty.

This proposal makes it clear that a union may not picket or use other coercive tactics against an employer to force him to bargain with it while the employer is lawfully recognizing another union. It also protects the employer and his employees from harassment where an election under NLRB provisions has resulted in a "no union" certification or there are other factors which clearly indicate that the union is unwanted as the bargaining representative.

The union practice of disclaiming the right to represent an employer's employees and so avoiding an election while continuing to picket the employer can only be designed to force the employer to recognize the union against the wishes of the employees by causing him economic hardship and should be stopped. The provisions of this bill would remove any doubt as to the status of such picketing by declaring it an unfair labor practice.

USE OF AGRICULTURAL SURPLUSES IN FOOD FOR PEACE PROGRAM

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HOEVEN. Mr. Speaker, I am particularly pleased that the President in his farm message has emphasized the use of our agricultural surpluses in a food for peace program. The President indicates in his message that he is setting steps in motion to explore anew with other surplus-producing nations all practical means of using our surplus agricultural commodities in promoting the well-being of friendly peoples in the world and in reinforcing the cause of peace.

It is a strange paradox that we in America must struggle with the problems involving agricultural surpluses while many of our friendly neighbors throughout the world do not have sufficient food to meet daily nutritional requirements. As the President has pointed out in his message, during the past 4 years our special export programs have already provided friendly food-deficit nations with over $4 billion worth of products which we have in abundance. None of us can sincerely doubt that food can be a powerful instrument in the world for building a durable peace.

I feel that it would be beneficial for the Congress to immediately express its approval of the President's food for peace suggestion in his farm message just presented, and I am therefore today introducing the following resolution declaring it to be the sense of the Congress to afford the fullest cooperation in achieving all practical means of implementing the President's food for peace program:

JOINT RESOLUTION TO PERMIT THE USE OF FOOD FOR PEACE

Resolved by the Senate and House of Representatives in Congress assembled, That the Congress hereby concurs in the views of the President to the effect that food can be a powerful instrument for all the free world in building a durable peace, and that the United States and other surplus-producing nations should make the fullest constructive use of their abundance of agricultural products to this end.

SEC. 2. The President is hereby directed to review existing authorizations with respect to the disposal of agricultural commodities and products thereof, to utilize such authority to the fullest extent practicable in the interests of reinforcing peace and the well-being of friendly peoples throughout the world, and to report to the Congress such additional authorizations as he may consider desirable to achieve such purposes.

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, I join the remarks of my colleague in commending the President on his message to Congress on agriculture.

The facts and figures contained in the President's message concerning former agriculture programs enacted by Congress in recent years clearly shows the weaknesses in that program. I think it fair to state that the President and Secretary Benson have previously submitted recommendations indicating equal concern over the farm program—but Congress has utterly failed to measure up to the challenge and provide the Executive with a workable program—a program that will have the overall eventual effect of decreasing the cost of the farm program, decrease the surpluses, increase farmer incentive which is essential under our free enterprise system, and reduce to a minimum governmental control over the farmer.

I suggest to this Congress that the people of this Nation have a right to and are in fact looking to this body for a program that will accomplish the President's announced objectives. It accomplishes nothing in meeting this problem for the majority Members who have the primary responsibility in providing a program to accept that responsibility only with criticism of the Executive—when in reality the Executive is only carrying out the program provided by this body.

With storage of surpluses costing the taxpayer—who not only suffers as a taxpayer, but also as a consumer by artificially high price supports—exceeding $1 billion, with proposed budgetary outlay for price-support programs in 1960 reaching $5.4 billion, and with the built-in pressures in the present program to continue to increase these figures so long as this program remains in effect, Congress is presented with one of the primary challenges of this session—a challenge that must be met—a challenge that it is my hope the majority leadership will fully accept in the best interests of the sound fiscal future of our Republic.

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. McINTYRE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. McINTIRE. Mr. Speaker, I wish to say that I ardently support the President's thought, as expressed in his farm message, of using our surplus foods for the advancement of peace.

It should be noted that the Department of Agriculture has been cooperating in this concept, giving full recognition to the fact that diet has an essential bearing on the nature of man; that a full stomach empties the mind of desperate thoughts. The Department has been strengthening our relationships with our free friends abroad by utilizing governmental agencies and charitable organizations for the distribution of surplus food commodities, using every available agency to accomplish this purpose. And there is cogent evidence to point up the beneficial impact of such an approach.

One could never in good conscience question the wisdom of expanding this service of using our surplus commodities to advance minimum health standards for those who are free of despotism but enslaved by hunger—the concept that embodies the theme of "pieces of food to promote peace" unquestionably has great merit.

This program balanced with full use of commodities for our needy at home should be programs in which we all join in our efforts toward constructive solutions to these problems.

Mr. PELLY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washintgon?

There was no objection.

Mr. PELLY. Mr. Speaker, this is a time of crucial decision.

The President's message on agriculture outlines most graphically the challenges confronting the Congress.

It is essential that every Member of Congress carefully evaluate the recommendations submitted to us.

The President pointed out that the price-support and production-control programs have not worked; that the control program does not control; that the program is excessively expensive.

Mr. Speaker, in an attempt to stabilize farm prices and income for fiscal 1959 it is expected the Government will spend $5.4 billion, or 7 percent of the entire amount of Federal expenditures. Yet this vast outlay of Federal funds has not solved basic farm problems. As the President has stated: "These heavy costs might be justifiable if they were solving the problems of our farmers and if they were leading to a better balance of supplies and markets. But unfortunately this is not true."

Farm legislation must be devised to meet the situation of today. As I recently said to the House in discussing this same farm problem, 30 economists testifying in November 1957 before the Joint Congressional Economic Subcommittee were polled as to where to reduce the nondefense budget and farm spending was listed as the No. 1 area for cuts.

I agree with the President that farm difficulties are not attributable to the farmers' failure but instead to the lack of programs of building markets instead of losing markets.

The proposals in the President's message are intended to build markets and on that one score alone deserve sympathetic study.

SUBCOMMITTEE ON HOUSING

Mr. ALBERT. Mr. Speaker, on behalf of the gentleman from Alabama [Mr. RAINS], I ask unanimous consent that the Subcommittee on Housing be permitted to sit during general debate during the sessions of the House today and through Wednesday of next week.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

JOINT COMMITTEE ON WASHINGTON METROPOLITAN PROBLEMS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Joint Committee on Washington Metropolitan Problems of the District of Columbia Committees of the House and Senate be authorized to submit its final report to the Clerk of the House during the recess of the House, in order to comply with the provisions of House Concurrent Resolution 172.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

FLOOR STATEMENT ON LABOR REFORM BILL

Mr. BOWLES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. BOWLES. Mr. Speaker, I have today introduced a companion bill to S. 505, which the distinguished junior Senator from Massachusetts [Mr. KENNEDY] introduced in the Senate last week. The bill is designed to strengthen legitimate unionism in this country by cutting out the cancer of labor racketeering and corruption.

It is an improved version of the bill that passed by an 88–1 margin in the Senate last year. There is no reason why this bill, clearly aimed to curb union racketeering, should not pass through both Houses this year.

Unless it does, the racketeers will remain free to continue their flagrant abuse of the public trust, and antiunion extremists will continue to enjoy the opportunity of whipping up and distorting genuine public sentiment in order to indulge in a union-busting campaign with the aid of the McClellan committee disclosures.

Mr. Speaker, the great majority of people in this country favor the prompt passage of a bill that would deal directly with the practices of union racketeers and corrupt management middlemen. So do the majority of thoughtful union leaders, because the great percentage of law-abiding and honest union workers have been smeared by the strong-arm and undercover practices of the James Hoffas, Dave Becks, and Johnny Dios. The whole labor movement has suffered for the sins of these few.

But the widely shared hope for quick reform will be indefinitely delayed if we make the mistake of combining the measures in this bill with the much more complex and controversial business of overhauling the Taft-Hartley Act to deal with the power balance between unions and management in new provisions affecting collective bargaining, secondary boycotts, union security and other areas.

It is true that this bill contains some amendments to the Labor-Management Relations Act of 1947, but they do not deal with any of the broad issues affecting the economic or bargaining power of either side. These amendments are necessary if Congress is to attack effectively the problem of racketeering.

It would be a dishonest and self-defeating maneuver to use these amendments as a springboard for unrelated efforts to revamp the exciting labor-management structure. Such action must be provided for in separate legislation after a detailed and nonpartisan study has been made.

In capsule form, this bill contains these main provisions:

First. It requires a comprehensive and detailed report of a union's financial operations, with provisions for reporting transactions by union officials which might constitute a conflict of interest.

Second. It assures regular elections of union officials by secret ballot; requires prior notification of election dates; and allows members to nominate and vote for opposing slates without coercion or restraint.

Third. It provides criminal penalties for embezzlement of union funds and permits individual union members to sue union officers convicted of embezzlement. It also prohibits union leaders from obtaining loans greater than $1,500 from the union organization.

Fourth. It prohibits "shakedown" picketing which has no other purpose than to force an employer to pay off the union officials involved.

Fifth. It authorizes the Secretary of Labor to investigate any person or labor organization suspected of violating the reporting and disclosure provisions of the bill.

Sixth. It requires employers to report, with certain exceptions, any loans or other payments to officials or employes of a labor union other than regular compensation. It also forbids employers to make loans to any labor official who is seeking to represent the employees.

Seventh. It requires employers to list expenditures for labor relations consultants and expenditures in excess of $2,500 for the purpose of persuading employees on matters pertaining to their right to organize and bargain collectively.

A more complete review of the provisions of the bill are contained in Senator KENNEDY'S excellent presentation on pages 883–888 of the CONGRESSIONAL RECORD for January 20, 1959.

Mr. Speaker, these are badly needed reforms. It is hard to see who can quarrel with them except the racketeers themselves and those who would rather preserve a political issue than pass legislation. I am confident that the Congress will press forward to speedy adoption of this or similar legislation.

AMEND THE CONSTITUTION—LET THE PEOPLE SPEAK

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. SIKES] is recognized for 30 minutes.

Mr. SIKES. Mr. Speaker, I have before me a proposed amendment to the Constitution of the United States, which I am introducing in the House today. It states simply:

That the following article is hereby proposed as an amendment to the Constitution of the United States which shall be valid to all intents and purposes as part of the Constitution when ratified by conventions in three-fourths of the several States:

"ARTICLE —

"SECTION 1. The judicial powers of the United States shall not give the Supreme Court of the United States the power to overrule, modify, or change any prior decision of that Court construing the Constitution of the United States or acts of Congress promulgated pursuant thereto.

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in three-fourths of the several States, as provided in the Constitution, within 7 years from the date of submission hereof to the States by the Congress."

It will be noted that the proposed amendment adheres closely to the language of the 11th amendment which was submitted by Congress to the States and approved by them to accomplish a like purpose. A precedent for the amendment thus is found in the 11th amendment which was adopted to overcome the effect of the decision of the Supreme Court of the United States in *Chisholm* v. *Georgia* (2 Dall. 419, I Law Ed. 440) holding that a State could be sued by a citizen of another State in assumpsit.

Precedent No. 2 is found in the 13th, 14th, and 15th amendments which were adopted following the War Between the States and which completely overcame the decision of the Supreme Court in the Dred Scott case, a decision which contributed materially to bringing about that unfortunate conflict.

Precedent No. 3 is found in the decision of the Supreme Court in *Pollock* v. *Lowe* (247 U.S. 165) which led to the adoption of the 16th amendment.

Mr. Speaker, the necessity for the amendment I am introducing has been pointed out most adequately by others in the recent past. I refer in particular to the report adopted by 36 State Chief Justices at their 1958 meeting in California in which they were critical of the U.S. Supreme Court declaring that the Court "has tended to adopt the role of policymaker without proper judicial restraint." This report, approved by the chief justices of three-fourths of the Nation's States, found that the present Supreme Court has abused the power given to it by the Constitution. The Court is pictured as invading fields of Government reserved by the Constitution to the States.

As I have repeatedly stated, we must not lose sight of the fact that the very name of our Nation indicates that it is to be composed of States. The Supreme Court of a bygone day said in *Texas* v. *White* 7 Wall, 700, 721 (1868):

The Constitution, in all its provisions, looks to an indestructible Union of indestructible States.

I would like to quote further from the report issued by the State chief justices as carried in the October 3, 1958, edition of U.S. News & World Report:

We do not believe that either the framers of the original Constitution or the possibly somewhat less gifted draftsmen of the 14th amendment ever contemplated that the Supreme Court would, or should, have the almost unlimited policymaking powers which it now exercises * * *.

It is strange, indeed, to reflect that, under a Constitution which provides for a system of checks and balances and of distribution of power between National and State governments, one branch of our Government—the Supreme Court—should attain the immense and, in many respects, dominant power which it now wields. We believe that the great principle of distribution of powers among the various branches of government and between levels of government has vitality today and is the crucial base of our democracy.

We further believe that, in construing and applying the Constitution and laws made in pursuance thereof, this principle of the division of power based upon whether a matter is primarily of national or of local concern should not be lost sight of or ignored, especially in fields which bear upon the meaning of a constitutional or statutory provision, or the validity of State action presented for review. For with due allowance for the changed conditions under which it may or must operate, the principle is as worthy of our consideration today as it was of the consideration of the great men who met in 1787 to establish our Nation as a nation.

I shall not quote further but I am confident most of my distinguished colleagues have read of the meeting and studied the report and the proceedings.

I call specific attention to the fact that there were 36 State chief justices who had a part in issuing the report on the usurpation of powers by the Supreme Court. In no way can those who clamor for social reforms claim that the report was the work of a minority group or that it represented the thinking only of Senators and Representatives from the South. The 36 State chief justices, themselves responsible for protecting the individual as well as upholding our American way of life, have expressed their views. It may well be wise and prudent for the Supreme Court members, as well as the good people of these United States, to give careful study to the statements of these learned men of law.

I contend that it is of extreme importance that the judicial powers of the Supreme Court be limited so as not to give to the Court power to overrule, modify or change any prior decision of that Court construing the Constitution of the United States and acts of Congress promulgated pursuant thereto. This power is now practiced by the Court and can only be limited by a constitutional amendment such as the one I am introducing today. If this amendment, or similar legislation, is not passed promptly, the Supreme Court of the United States can be expected to continue to turn itself into a judicial oligarchy in which it amends the Constitution and the acts of Congress at its pleasure. The only place the people can turn to bring an end to this dangerous usurpation of power is to the Congress, praying that it submit to the States a constitutional amendment which provides a remedy.

I further refer my colleagues to an article in the U.S. News & World Report of October 24, 1958. In this article, Alfred J. Schweppe, a member of the board of editors of the American Bar Association Journal, a former dean of the University of Washington Law School, and a former president of the Bar Association of the State of Washington, states:

I absolutely reject the idea that the Supreme Court has the power to rewrite the Constitution according to its concepts of sociological or economic change. That is what the amendatory process is for. I do not accept Justice Douglas' blunt view that the amendatory process is too slow as anything but a violation of the oath to support the Constitution in all of its parts. * * * In my opinion, once the Court has construed a constitutional provision, that construction should stand until changed by amendment, unless later evidence is found of the intent of the framers of the provision which shows the first construction to have been erroneous. * * * Any other approach seems to me to lead to the inevitable conclusion that the Constitution is the plaything of the judges at any time in office. * * * My objection is to the reckless manner in which the present Court flouts the precedents laid down by the great Courts ahead of it and, glibly bypassing the constitutional amendment process of article V, rewrites the Constitution in its own image.

The Supreme Court, as a result of its recent decisions, must accept responsibility for much of the unrest among the people of the United States in the field of racial problems. It must accept responsibility for dividing the country unduly over school problems and for set-

ting back by half a century the efforts of men of good will in both races who through the years have striven to resolve racial problems harmoniously. The Court must take responsibility for cases of violence which have resulted from these and other decisions. Also, the Court must accept responsibility for the fact that confessed criminals now walk the streets free men—ready to strike again—released on the flimsiest of technicalities. The Court can never explain to my satisfaction its attitude toward Communists with whom it has ruled 32 times in the 39 cases involving communism under the present Chief Justice.

In summary, I believe, and I am confident a majority of the citizens of our Nation will agree with me, that unless there is persuasive evidence of the intent of the Constitution and its amendments that the prior decisions of the Court are wrong, these prior decisions should stand. That is what my amendment proposes. I do not think tradition and precedent should be ignored by the Supreme Court in its decisions. The framers of the Constitution provided orderly legal processes by which major issues can be decided. My amendment will reaffirm the significance of those processes and return the policy-making and legislative powers to the branches of Government which were intended to exercise jurisdiction over them. Ratification of this amendment would not freeze into effect the recent Supreme Court decisions which are so odious to many Americans. This is true because of the fact that those decisions are in themselves modifications or reversals of prior Court decisions which this constitutional amendment would uphold.

I trust that my proposal will have the support of my colleagues in the House and in the Senate, but I challenge those who dissent to give the American people a chance to express themselves on the measure I am introducing today. Let the people vote. They are vitally affected by what the Court is doing but they have no way to express their approval or disapproval.

We have but to look around us to see the chaotic conditions we are experiencing. These conditions can be corrected. They should be corrected through the provisions of our Constitution. No greater form of government has ever been devised and we must not forget that our Government is built upon the standards of freedom. I urge favorable consideration of this proposed amendment to the Constitution so that the people may in fact speak for themselves.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Alabama.

Mr. ANDREWS. I want to congratulate the gentleman from Florida for the fine statement he has made.

He has pointed out a threat which confronts the American people, which confronts our whole system of government. He has pointed out the fact that the Court has disregarded the sacred doctrine of the law, the doctrine of stare decisis, which has been the doctrine that has preserved for us a system of government of laws instead of a government of men. I hate to think it, but it is my opinion that we no longer have a government of laws; we have a government of men. The law of this land today is what the men on the Supreme Court say it should be. We are living under a dictatorship. The dictator is the Supreme Court. I certainly hope that the gentleman's bill will become law.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Ohio.

Mr. BOW. I have the greatest respect for the gentleman from Florida and his views on these subjects. I would like to pursue one matter, if I may. That is whether or not the gentleman believes that under the Constitution as it is drawn today this Congress could take some action to limit the jurisdiction of the Supreme Court.

I refer to article III, section 2, of the Constitution, which sets up the jurisdiction. The Supreme Court has original jurisdiction in four instances. In all other cases the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the Congress shall make.

It seems to me the Constitution, recognizing life tenure in one instance, gave to those who must go to the people the right and the authority to limit that jurisdiction of those who have a life tenure and who are not responsible to the people.

Does the gentleman agree that under the Constitution as it exists today this Congress if it would could pass legislation to limit that jurisdiction and accomplish some of the things which the gentleman has called to our attention today?

Mr. SIKES. I yield to my distinguished and good friend from Ohio in his expert knowledge of the law. Of course I feel that there is also a remedy in the direction he has proposed. This Congress should explore every possibility of obtaining relief.

Mr. BOW. I simply want to read from the Constitution, if I may, so the record will be complete. I quote from article III, section 2:

> In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions and under such Regulations as the Congress shall make.

The founders of our country, the Constitution makers, recognized that the Constitution gave that authority to us and we should exercise it if we would.

Mr. SIKES. I think we should seek relief by every legal means that is open to us. We should pursue both the legislative and the amendatory process. The amendatory process is a slower one, but it has the effect of giving the people an opportunity to speak decisively and to write law that is permanent.

Mr. MATTHEWS. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Florida.

Mr. MATTHEWS. Mr. Speaker, I would like to congratulate my distinguished colleague from Florida for bringing to us today this spendid talk and suggesting to us many of the problems that we face now as we consider the effect of the decisions of our Supreme Court.

May I say to my distinguished colleague and personal friend that, as he has expressed, I am tremendously worried about the security of our country, just the basic security of this land that we love, as we view some of the decisions of the Supreme Court regarding their attitude on Communists, on passport legislation, on the right of a State to try a citizen suspected of sedition.

I hope and pray, Mr. Speaker, that many more of us from all the sections of this great country will become concerned and associate ourselves with the distinguished gentleman from Florida, and take some of the corrective steps that are necessary.

Mr. SIKES. I want to express my appreciation to the gentleman for his remarks.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Virginia.

Mr. GARY. I want to congratulate the gentleman upon his remarks, and particularly upon his statement that we should explore every avenue to correct the situation in which we now find ourselves.

I heard the statement made a few days ago on this floor by a gentleman from New York that this Supreme Court is one of the great Courts in the history of the Nation. I do not believe he will find many lawyers who will agree with him in that statement, in fact I do not know of a single one. The gentleman is a lawyer, but he served for a time in the Department of Justice, and apparently he has been contaminated by some of the views that seem to pervade that Department. The facts are, Mr. Speaker, that today no lawyer can give a satisfactory opinion on the Constitution of the United States. There was a time, when a lawyer was called upon to decide a constitutional question, that he could do so with some degree of certainty, because he relied upon the Constitution. But, it is not a question of the Constitution today. It is a question of the philosophy of the Supreme Court at the particular time that the question upon which the opinion is rendered is being considered by the Court. This country has grown great and has developed one of the highest codes of justice found anywhere because our forefathers established a government of laws and not of men. As my colleague, the gentleman from Alabama just pointed out that situation is rapidly changing, and today it is becoming a government of men and not of laws. When you entrust the Government of this country to a small tribunal of nine people, you are establishing a dictatorship of the judiciary which might prove as oppressive as the dictatorships now ruling with an iron hand in some of the foreign lands.

Mr. SIKES. The gentleman has made a very sound observation.

Mr. DORN of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from South Carolina.

Mr. DORN of South Carolina. Mr. Speaker, the argument is being advanced over and over again here on the floor of the House, and I understand by even some members of the Supreme Court and certain advocates of these strange decisions of the Supreme Court, that we should have these unconstitutional Court decisions because of what people abroad think and because of certain criticisms of people abroad about the way our Constitution operates. Well, that being true, certainly these same people should get behind the gentleman's amendment and let us prove to the world how the American people and our American democratic representative processes really operate. Let the world see that we are willing to let the people decide this issue. I commend the gentleman for his forthright statement and for his amendment.

Mr. SIKES. I appreciate the gentleman's statement very much.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Arkansas.

Mr. HARRIS. Mr. Speaker, I just want to join my colleagues in commending our distinguished colleague from Florida on the presentation he has made here today in the discussion of this important constitutional question.

Like many other colleagues and people throughout the United States, I am quite concerned—and it is a rather growing concern—as are others with the trend which we have observed for the last several years. It is a disturbing factor. And, I am glad to see the gentleman as well as others who are striving to seek a solution, a way, a method in an effort to bring about a change in this trend and bring about stable constitutional government.

At the opening of this session of the Congress I, along with other colleagues, joined the distinguished gentleman from Virginia, Judge SMITH, in the sponsorship of the bill the Congress considered in the 85th Congress.

Mr. SIKES. At that time H.R. 3.

Mr. HARRIS. Yes; the identical bill I have introduced in this Congress is H.R. 518. As a matter of fact, the House passed it and only by one vote did it fail to pass the other body, as I understand. Now, I recognize the problem the gentleman has so well pointed up here today, and that is that in certain areas H.R. 3 will not reach the ultimate objective. At the outset of this Congress I also proposed a constitutional amendment in the hope of reaching some of these problems, not that I, in my own right as a Member of the Congress and as a lawyer, recognize that the Court in its decisions in some of the cases has followed precedent and followed the law of the land itself. But, I do recognize that there must be avenues of approach to the problem, and I want to join others in seeing that a way is found that these constitutional questions can be brought to the forefront and to the attention of the American people.

When, in the memory of this generation, does the gentleman remember, Mr. Speaker, have we before seen members of the highest court of the land going out to the American people as a forum and trying to apologize or defend their own actions? Yet we have seen this within recent months. After the action of the chief justices of the State supreme courts and after other pronouncements have been delivered all over the land, we find the Chief Justice publicly trying to defend the Court. And we find another member of the Court trying to defend their action. And only recently another member in New York tried to do the same thing.

I say to my colleagues that in my opinion this is a matter which the members of the Court themselves must have some feeling about or they would not be trying to explain to the American people their attitude, trying to defend themselves in their decision, in this most important fight. And I say it is a fight throughout the Nation. I agree with the gentleman from Virginia who said a few days ago that it may be one issue at the moment affecting one section of this country, or one issue today, but tomorrow it may affect another section, or next year, or in the years to come on other issues; we had better take warning now or the greatest system of government yet devised will be threatened and seriously jeopardized.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield to me, so I may reply to the gentleman from Arkansas [Mr. HARRIS]?

Mr. SIKES. Of course, I yield.

Mr. HOFFMAN of Michigan. I think the gentleman will find the answer to that question, that is why those judges are going about trying to defend their decisions, if he will look at that little pamphlet that came out carrying the decision in the segregation case; if he will look at the bottom of page 9, and then over through page 10 and on to 11 and read the reasons given by Chief Justice Warren, for his conclusions, he will understand why he is trying to justify those conclusions. Of course, I do not believe what he said. To me his argument was that no one, for example, could become a clergyman unless he acquired his education while associating with a group of sinners. A colored boy could not be taught honesty unless he got next to a crooked, dishonest wihte lad.

Mr. HARRIS. The gentleman may be correct, but I still feel that since so many people are calling this issue to the attention of the American people, they, themselves, must feel that there is something here that dangerously threatens the Court and that sacred instrument, the Constitution of the United States.

Mr. HOFFMAN of Michigan. Yes. And in addition consider the absurdity of his reasoning. Take another look at it—read the decision again.

Mr. FLYNT. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Georgia.

Mr. FLYNT. Mr. Speaker, I congratulate our distinguished friend and colleague from Florida on the clarity of the exposition which he has made today of his proposed amendment to the Constitution of the United States. I commend a careful reading of that proposed amendment together with a careful reading of the remarks of the gentleman from Florida to all of our colleagues in the House of Representatives.

Mr. Speaker, I fear that we are entering into an era of judicial dictatorship. We may have, indeed, entered that era already. During the past 4½ years the Supreme Court of the United States has undertaken to announce a doctrine and a policy of utter and complete disregard for established judicial precedents, and for the written word of provisions of the Constitution itself as well as of laws enacted by the Congress of the United States.

Mr. Speaker, I think we are all aware that the safety of the people and the security of our Nation are, indeed, the supreme law. Yet by recent actions of the Supreme Court of the United States convicted conspirators against the peace and security of the Government of the United States and of the people thereof have been turned loose to continue their diabolical conspiracy to destroy, to overturn, to overthrow the Government and the Constitution of the United States under which and under God our Nation and our people have achieved a position of world leadership unequaled in the entire history of civilized man.

Mr. Speaker, the time is now and the place is here for the elected Representatives of the people of the United States to assert the right of this legislative branch of our Government, indeed, to assert the right of the people of the United States to prevent this country from being crushed under the heel of dictatorship, whether it be by the judicial branch or by any branch of our Government. God forbid that the rights and the liberties of all of our people be destroyed by the malignant desire of 9 black-robed justices of any court on earth.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Alabama.

Mr. ANDREWS. Recently, within the last year or two, a former president of the American Bar Association told a subcommittee of our Appropriations Committee that 90 percent of the lawyers of America had no respect for the legal ability of the present members of the Supreme Court. Also, recently, within the last few years, this Court rendered a decision in the Anti-Subversive Activities Control Board case which was described by a member of the Justice Department as being the greatest victory the Communists have won in the last decade.

With those situations existing, no respect by a majority of the members of the bar of America, and the Communists having a field day in America, certainly some action should be taken to curb the Supreme Court.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Florida.

Mr. HALEY. I commend my colleague from Florida for offering this. I, too, want to challenge the people who seem

to be so interested in minority groups, and so forth. Let us submit this question to the American people and let them pass on it.

The SPEAKER pro tempore. The time of the gentleman from Florida has expired.

Mr. BROOKS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended for 10 minutes.

The SPEAKER pro tempore. Under the rules, it will be necessary to get the consent of all the other gentlemen having special orders.

Mr. SIKES. Mr. Speaker, I ask unanimous consent that those desiring to extend their remarks at this point in the RECORD on this subject may do so.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BROOKS of Louisiana. Yielding to the desire of the gentleman from Florida, Mr. Speaker, I shall extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. The gentleman has that consent.

Mr. BROOKS of Louisiana. Mr. Speaker, the gentleman from Florida [Mr. SIKES] has shown a depth of understanding in this instance, which he always shows when he presents a program on the floor of the House of Representatives. Members who are interested in the safety and the preservation of the charter of our Government should take time to read and digest the brilliant remarks that are his in the course of this present speech. I certainly commend them to careful study.

Only today, Mr. Speaker, I placed in the CONGRESSIONAL RECORD an editorial from a local paper published in Shreveport, La., the Shreveport Times, scoring our highest judicial tribunal for a further breach of the important rule of stare decisis in a very recent decision The question involved in this decision was whether peace had returned to this country, and this Court so interpreted a statute of Congress as to cause a duly convicted felon to be released from custody. In doing so the U.S. Supreme Court overturned previous decisions of many years standing. The final result is that it released one duly convicted criminal who had legally been charged, tried, and convicted of a heinous crime and is now at large on society to further pursue his criminal designs and intent.

The gentleman from Florida is certainly pursuing the right course when he suggests to the House that the Supreme Court be curbed from further usurping powers of government. Our forefathers expressed the fear that if dictatorship ever came to our land under our Constitution, it would be through the usurpation by the judiciary of powers under our Constitution. As surely as the sun rises in the east in the morning, this tribunal of nine black-robed Justices who are ensconced in that marble palace across the way in front of the Capitol are moving toward a judicial dictatorship in this land. Honest, loyal, fearless, red-blooded Americans will realize the sinister influence that falls over the Capitol now like a pall and will move aggressively to prevent further usurpation of judicial powers and functions by these nine men who compose our U.S. Supreme Court.

I thank the gentleman from Florida [Mr. SIKES] for this opportunity and hope he continues his fine work in behalf of a well-balanced American Government under our Constitution.

Mr. EVINS. Mr. Speaker, the gentleman from Florida has presented to the House a most forthright statement, and for his action and courage he is to be commended.

The issue presented is certainly timely and stimulating to our thinking. I should not go so far as to say that the U.S. Supreme Court is engaged in a diabolical conspiracy against the United States. Certainly I do not impugn the patriotism of the members of the Court. However, I do agree that some of the major problems with which we are confronted today are the result of actions and decisions of the Court and the Chief Executive. I refer to the decisions of the Court in the school desegregation case and the actions of the Chief Executive in ordering the paratroopers to invade one of our sovereign States—an action which was wholly improper, and certainly not the best method to proceed on in the matter.

While we, as Members of Congress, receive many letters calling for legislative action on the problems produced by this critical situation, I want to repeat and to emphasize that these problems are not the result of actions of the Congress but of the Chief Executive and of the Court. Certainly we should, in discharging our responsibilities, with respect to these problems, explore every possible avenue of approach to their solution.

I commend the gentleman from Florida for bringing this matter before the House for discussion. Certainly both the legislative approach and the process of amending the Constitution afford means for the solution of our domestic issues of present-day concern.

When a majority of the chief justices of the supreme courts of our States, by deliberate action and resolution, censure or condemn the decisions and the trend of decisions of the U.S. Supreme Court, certainly we are more than justified in exploring all means possible to resolve these serious conflicts. Our judges are not prone to condemn other judges and therefore their action in this instance is most significant.

We can discharge our responsibilities by endeavoring to be constructive rather than impugning the patriotism of any of our fellow citizens.

Mr. CRAMER. Mr. Speaker, I join in the concern being expressed here on the floor today with regard to certain Supreme Court decisions and with the general observation that the Court by some of its decisions has placed on its shoulders some of the responsibility for conditions generated by those decisions. But I suggest, that to leave the problem there is to shirk our coequal legislative responsibility of doing something about those decisions where we clearly have the constitutional power and, in my opinion, the clear duty in protecting the best interests of all the people of this Nation, to pass legislation to clarify or overcome some of those decisions and thus remedy the ill effects stemming therefrom.

Congress has, indisputably on the record, shirked this responsibility and duty in this respect.

As the ranking minority member of the Special Subcommittee on Supreme Court Decisions of the Judiciary Committee of the House, in the 85th Congress, I joined the members of that subcommittee in working diligently and I believe sensibly in reporting out legislation to overcome some of these decisions.

A bill similar to the one I introduced to clarify the Mallory decision, mentioned by the gentleman from Florida [Mr. SIKES] was reported after lengthy hearings and consideration but was assigned to the legislative graveyard in the dying hours of the session even after being passed by the House with a substantial majority.

A bill that passed the House unanimously in its final form, to overcome some of the effects of the Yates decision by strengthening the Smith Act by redefining the meaning of the word "organize" in order to outlaw the organizing of Communist cells in this country, received similar graveyard treatment.

H.R. 3, the Smith States rights bill, one of which I introduced, met the same fate, and the State laws on sedition remain in jeopardy so long as the Nelson case decided from Pennsylvania remains in full force and effect—unchallenged.

I have reintroduced these bills again this session hoping that this Congress will accept its true responsibility and take effective action on these matters. To do less, is to shirk our duty and responsibility. I suggest that the last Congress thus must also accept its full share of blame for the after-effects of some of these decisions, due to its position of inaction. I trust the record this session will reflect a willingness on the part of the majority leadership to exert leadership in this vital field.

Mr. VANIK. Mr. Speaker, although time does not permit thorough and complete observations of the amendment submitted by my distinguished colleague, the gentleman from Florida [Mr. SIKES], I deem it necessary to immediately rise in opposition to his proposal. The ostensible purpose of his proposed amendment is to force the Supreme Court into a death grip with its own precedents. The amendment apparently seeks to command the Court to an absolute compliance with the rule of stare decisis.

Such a rule of strict compliance with precedent would stifle growth and development in the law. As Justice Brandeis pointed out, stare decisis is not "a universal, inexorable command—but simply a rule of policy—and usually the wise policy, because in most matters it is more important that the applicable rule of law be settled than that it be settled right."

The Court should certainly have the right to overrule its earlier decisions. As Justice Brandeis further said, "The Court bows to the lessons of experience and the force of better reasoning, recognizing the process of trial and error, so

fruitful in the physical sciences, is appropriate also in the judicial function. The decision of the previous case may have been rendered upon an inadequate presentation of then existing conditions, but the conditions may have changed meanwhile. Moreover, the judgment of the Court in the earlier decision may have been influenced by prevailing views as to economic or social policy which have since been abandoned. In cases involving constitutional issues of the character discussed, this Court must, in order to reach sound conclusions, feel free to bring its opinions into agreement with experience and with facts newly ascertained."

I cannot and do not agree with all of the decisions of our Supreme Court. My disagreement, however, does not compel me to curtail or restrict the Court in the conduct of its judicial business. The Congress has unquestioned authority to take legislative action to correct its specific differences of opinion with the Court's judicial interpretations.

The proposed amendment appears to be another in a series of vindictive attacks on the Supreme Court for its school-desegregation decision of 1954. Today's arguments in support of the amendment were not supported by legally convincing arguments.

As a Member of this body and as a lawyer, I do not feel called upon to defend the Supreme Court from the attack upon its integrity which has been implied by this proposed constitutional amendment and by argument in its support. The Court has faced such attacks before and will survive.

However, if the proposed amendment should by any chance clear this Congress and be adopted by the several States, the Court would be fatally frozen to its precedents—both wise and unwise. As a matter of fact, the adoption of this amendment would clear the way for electronic Supreme Court decisions. The precedents could be card punched and placed into the machine and judicial decisions could be promptly played out without time-consuming argument or concern for changing conditions.

The proponents of this amendment argue against the threatened dictatorship of the judiciary—and yet by this very amendment they would seek to establish an irrefutable dictatorship of past precedents—the rule of uncomplaining dead men. Errors in the law would remain so forever. Such is not my concept of the judicial process.

I earnestly urge my colleagues to abandon their massive attack on the Supreme Court. Congress has suitable remedies to correct almost every Supreme Court decision in which it is displeased. These remedies should be attempted before massive retaliation is undertaken against the Court.

Mr. BOYKIN. Mr. Speaker, the proposed amendment to the Constitution introduced by my good friend and colleague from my neighboring State of Florida, Mr. SIKES, has my wholehearted support and I fully concur in his remarks concerning the urgent necessity for the adoption of this amendment by this Congress.

I have read the report which was adopted by 36 State chief justices at their 1958 meeting, in which report these chief justices from 36 of our sovereign States declared that our Supreme Court has tended to adopt the role of policymaker without judicial restraint. I have had occasion to personally discuss this report with nearly half of these chief justices, and on many occasions before and since this report was issued I spent hours with many outstanding men, going over this matter, including a great and good American who we thought made one of the greatest speeches ever made on this issue, and I am referring to our own Judge J. Ed Livingston, Chief Justice of the Supreme Court of Alabama, one of the most learned lawyers of all time.

I believe that all right-thinking Americans will support my good friend and colleague, BOB SIKES, in his proposed amendment.

UNEMPLOYMENT COMPENSATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. KARSTEN] is recognized for 30 minutes.

Mr. KARSTEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. KARSTEN. Mr. Speaker, over 120 Members of the House have today gone on record in support of a bill establishing certain minimum standards of unemployment compensation in addition to standards that have been in the Federal law since enactment of the original Social Security Act in 1935.

Under unanimous consent, I include at this point a list of those Members who have asked to be announced in support of this bill, some of whom may also intend to sponsor it.

HUGH J. ADDONIZIO, New Jersey; LEROY H. ANDERSON, Montana; VICTOR L. ANFUSO, New York; THOMAS L. ASHLEY, Ohio.

CLEVELAND M. BAILEY, West Virginia; WILLIAM A. BARRETT, Pennsylvania; ROSS BASS, Tennessee; JOHN A. BLATNIK, Minnesota; EDWARD P. BOLAND, Massachusetts; CHESTER BOWLES, Connecticut; CHARLES A. BOYLE, Illinois; JOHN BRADEMAS, Indiana; DANIEL B. BREWSTER, Maryland; JAMES A. BURKE, Massachusetts; JAMES A. BYRNE, Pennsylvania.

A. S. J. CARNAHAN, Missouri; STEVEN V. CARTER, Iowa; EMANUEL CELLER, New York; FRANK M. CLARK, Pennsylvania; JEFFERY COHELAN, California; ROBERT E. COOK, Ohio.

EMILIO Q. DADDARIO, Connecticut; DOMINICK V. DANIELS, New Jersey; JOHN H. DENT, Pennsylvania; WINFIELD K. DENTON, Indiana; CHARLES C. DIGGS, JR., Michigan; JOHN D. DINGELL, Michigan; ISIDORE DOLLINGER, New York; HAROLD D. DONOHUE, Massachusetts; CLYDE DOYLE, California; THADDEUS J. DULSKI, New York.

LEONARD FARBSTEIN, New York; MICHAEL A. FEIGHAN, Ohio; PAUL A. FINO, New York; DANIEL J. FLOOD, Pennsylvania; GERALD T. FLYNN, Wisconsin; JOHN E. FOGARTY, Rhode Island; AIME J. FORAND, Rhode Island; SAMUEL FRIEDEL, Maryland; JAMES G. FULTON, Pennsylvania.

CORNELIUS E. GALLAGHER, New Jersey; EDWARD A. GARMATZ, Maryland; NEWELL A. GEORGE, Kansas; KATHRYN E. GRANAHAN, Pennsylvania; KENNETH J. GRAY, Illinois; EDITH GREEN, Oregon; WILLIAM J. GREEN, JR., Pennsylvania; MARTHA W. GRIFFITHS, Michigan.

HARLAN HAGEN, California; SEYMOUR HALPERN, New York; DENVER D. HARGIS, Kansas; WAYNE L. HAYS, Ohio; JAMES C. HEALEY, New York; KEN HECHLER, West Virginia; CHET HOLIFIELD, California; ELMER J. HOLLAND, Pennsylvania; LESTER HOLTZMAN, New York.

HAROLD T. JOHNSON, California.

JOSEPH E. KARTH, Minnesota; GEORGE A. KASEM, California; ROBERT W. KASTENMEIER, Wisconsin; ELIZABETH KEE, West Virginia; EUGENE J. KEOGH, New York; CECIL R. KING, California; MICHAEL J. KIRWAN, Ohio; JOHN C. KLUCZYNSKI, Illinois; FRANK KOWALSKI, Connecticut.

RICHARD E. LANKFORD, Maryland; JOHN LESINSKI, Michigan; ROLAND V. LIBONATI, Illinois.

JOHN W. MCCORMACK, Massachusetts; TORBERT H. MACDONALD, Massachusetts; PETER F. MACK, JR., Illinois; RAY J. MADDEN, Indiana; DON MAGNUSON, Washington; FRED MARSHALL, Minnesota; LEE METCALF, Montana; JOSEPH M. MONTOYA, New Mexico; WILLIAM S. MOORHEAD, Pennsylvania; THOMAS E. MORGAN, Pennsylvania; ABRAHAM J. MULTER, New York; WILLIAM T. MURPHY, Illinois.

ROBERT N. C. NIX, Pennsylvania.

THOMAS J. O'BRIEN, Illinois; BARRATT O'HARA, Illinois; JAMES G. O'HARA, Michigan; ALVIN E. O'KONSKI, Wisconsin; THOMAS P. O'NEILL, JR., Massachusetts; JAMES C. OLIVER, Maine.

THOMAS M. PELLY, Washington; CARL D. PERKINS, Kentucky; CHARLES O. PORTER, Oregon; ADAM C. POWELL, New York; MELVIN PRICE, Illinois; STANLEY A. PROKOP, Pennsylvania; ROMAN C. PUCINSKI, Illinois.

JAMES M. QUIGLEY, Pennsylvania.

LOUIS C. RABAUT, Michigan; HENRY S. REUSS, Wisconsin; GEORGE M. RHODES, Pennsylvania; PETER W. RODINO, JR., New Jersey; BYRON G. ROGERS, Colorado; JOHN J. ROONEY, New York; JAMES ROOSEVELT, California; DAN ROSTENKOWSKI, Illinois.

ALFRED E. SANTANGELO, New York; D. S. SAUND (Judge), California; JOHN F. SHELLEY, California; GEORGE E. SHIPLEY, Illinois; NEAL SMITH, Iowa; LEONOR K. SULLIVAN (Mrs. John B.), Missouri; LUDWIG TELLER, New York; FRANK THOMPSON, JR., New Jersey; HERMAN TOLL, Pennsylvania; THOR C. TOLLEFSON, Washington.

CHARLES A. VANIK, Ohio; ROY W. WIER, Minnesota; LEONARD G. WOLF, Iowa; CLEMENT J. ZABLOCKI, Wisconsin; HERBERT ZELENKO, New York.

Why do we now so urgently need minimum standards provided in this bill?

Because, Mr. Speaker, in the absence of these standards, we have been slipping backward since 1939. The need has

been becoming more urgent year by year. Lack of these standards has cost individual workers, their families, and the national economy dearly.

In 1939 the weekly benefits payable to insured unemployed workers actually averaged 50 percent of their full-time weekly wages. Today, average weekly unemployment compensation benefit payments have fallen until they are now less than 33 percent of full-time weekly wages.

Because we do not have an adequate standard setting the minimum number of weeks for which an insured unemployed worker is entitled to benefit payments, workers are exhausting their benefit rights long before finding work. As will be shown later in this discussion, duration of unemployment has tended to increase year by year so that the 39 weeks' duration provided in this bill is needed to meet the needs of the unemployed individual and the economy as a whole.

Weekly benefit payments are today so inadequate that insured workers and their families are moving from the unemployment compensation rolls to the relief rolls, where they remain for weeks and even months before obtaining reemployment.

For the most part a catchup bill, it proposes to get back to where we were in 1939, back to 50 percent of full-time weekly wages, to a duration more nearly adequate to meet anticipated periods of unemployment.

Mr. Speaker, the need for minimum standards to make benefit amounts and duration more nearly adequate is generally recognized.

Dr. Arthur Burns, former Chairman of the Council of Economic Advisors to President Eisenhower, has stated the need for Federal minimum benefit standards.

The Federal Advisory Council on Economic Security has stated the need for Federal minimum benefit standards.

The Rockefeller Brothers Fund Report of April 1958, stated the need for Federal minimum benefit standards.

For years Secretary of Labor Mitchell and President Eisenhower have described the need for minimum benefit standards and have called upon the States to raise the weekly amounts and extend duration.

This year, in his budget message of January 19, President Eisenhower restated the need in stronger terms than he had ever before used—and he did not this time pass the buck to the several States. He said:

> Our unemployment compensation system has again demonstrated its importance in providing income for the unemployed and thereby supporting the economy while alleviating hardship. Temporary assistance of the kind provided by the Temporary Unemployment Compensation Act of 1958 is in no sense a substitute for widening the coverage of unemployment compensation and extending the duration of benefits and increasing benefit amounts under the Federal-State system. I have many times urged such action. I urge it again now with added conviction as a result of last year's experience.

Mr. Speaker, as we believe our discussion today will make clear, years of experience have shown that the only way to get such action is through Federal action, action by this House and by this Congress. We shall show why it is that no State has done, and no State feels it can run the risk of doing, by itself, what it is generally agreed should be done in every State. We believe the case for Federal action in this session of this Congress is clear.

What would this bill do?

It would continue the present Federal-State unemployment compensation system, but it would correct inadequacies in that system by establishing certain minimum standards which every State must meet in order to be entitled to the benefits provided.

The proposed bill would:

First. Provide for the payment of weekly unemployment compensation benefits to insured eligible unemployed workers of not less than 50 percent of the individual's weekly wages so long as that amount is not more than two-thirds of the weekly average wage in the State, an amount which, as Members know, varies from State to State.

Second. Establish a uniform benefit period of 39 weeks for insured and eligible unemployed workers.

Third. Include within the system employers of one or more individuals, except for domestics and agriculture employees.

Fourth. Permit States free choice in providing for uniform rate reductions to employers as well as individual experience-rated reductions in payroll tax rates.

In addition, the bill would allow that part of the payroll tax which is paid into the Federal Treasury, three-tenths of 1 percent, to be used to aid States whose reserves may be depleted by heavy drains upon State unemployment insurance trust funds.

We deem it important to emphasize what the proposed bill would not do. It would:

First. Not require any appropriation by Congress.

Second. Not change the present Federal-State system of operation.

Third. Not provide for any increase in the present Federal tax upon payrolls.

Moreover, in all probability it would not require an increase in the total payroll tax paid in any State beyond the 2.7 percent originally contemplated in title III of the Social Security Act of 1935 and unemployment compensation laws qualifying thereunder.

At present, with wholly inadequate weekly benefit payments being given to insured unemployed workers for inadequate periods of time, tax rates for some employers in some States have been cut almost to the vanishing point. Unemployment insurance trust funds wax fat while workers and their families go hungry. A table setting forth the relationship among lean benefits and fat trust funds and nominal tax rates will be introduced later in this discussion.

Through the years, the States have been divided and conquered by the argument that in no State could members of the legislature afford to obey their best instincts, their best judgment as to what was best for the individual unemployed worker, best for the economy of the State and Nation. In each State, the argument was made that decent standards would be disastrous, that other States having lower weekly benefit payments for shorter periods of time might offer plants the inducement of lower and lower tax rates on payrolls.

This is the long trail of degradation, a 20-year-old story of retreat from standards that seemed minimum in 1939.

Lack of these nationwide minimum standards has permitted the development of a profit incentive running into more than $1 billion a year. This incentive has spurred on special interests to hold down benefits both in amount and duration, to subvert and defeat the very purpose of the Federal-State system of unemployment compensation.

In asking for special orders to discuss this bill, the gentleman from Michigan [Mr. MACHROWICZ], myself, and perhaps other colleagues, wish to put in the RECORD for the Members of the House and for the American people not only the essential facts about the bill, a section-by-section analysis of the bill, and the text of the bill itself, but also some evidence showing the nature and magnitude of the need for such legislation.

We propose to indicate in a brief and preliminary way the human and economic costs of not having such minimum standards, in terms of individuals, local communities, States, markets for manufactured and agricultural goods and services and in terms of the economic health, strength, and security of our Nation.

Let it be said, first, that we would be much better off today if, instead of having passed a Temporary Unemployment Compensation Act last year which offered extension of benefits that were inadequate both in terms of weekly amounts and number of weeks duration, and was used by only 17 of the 48 States, we had enacted in 1958 the bill for nationwide minimum standards of unemployment compensation that was before us then and has been introduced again today in substantially the same form.

A year ago it was raining. We were having what was politely termed a "recession." We had more than 5 million unemployed. It was suggested that, instead of going out in the rain to fix the roof, the Federal Government lend such States as wished to borrow a supply of dishpans to catch the rain as it came through the roof.

Today, a year later, it is raining again. For many areas of the country and for millions of unemployed workers and their families, it has never stopped raining. The number of unemployed is again above 4 million and rising.

More than 2½ million insured unemployed workers have exhausted their rights to benefits under State laws; more than 650,000 workers in 17 States taking advantage of the dishpan policy adopted in 1958 have exhausted both their rights under the regular State law and the temporary Federal extension.

Exhaustions are continuing today at the rate of 250,000 a month, with the expiration of the Temporary Unemployment Compensation Act set for April 1,

1959, unless extended. And in the name of economy the administration has taken a firm position against any such extension, counting on the lapsing to save a few hundred million dollars toward the balancing of an unemployment-as-usual, defense-at-bargain-rates budget.

If the present Temporary Unemployment Compensation Act were to be renewed, and many of us may think it must be continued in some form, not more than one-third of all who have exhausted their benefits under the permanent State and the temporary Federal laws would be likely to benefit to the extent of a single weekly benefit check.

For those who have suffered such long unemployment as to have been unable to establish a qualifying earnings record in a new benefit year, remedies, relief and restoration to employment must be found in other legislation such as increased Federal grants for public assistance to share the heavier burden now being borne by States and local communities struggling with persistent recession, in the pending area redevelopment and community facilities bills, in beefed up housing, airport and highway programs, in action to stop price gouging by monopolistic corporations "administering" higher and higher prices while sales lag and inventories pile up.

This is simply to say that enactment of this bill is one of the imperatives that this Congress must act upon if it is to meet the expectations of the American people as expressed so clearly last November and, incidentally, as the Employment Act of 1946 has intended all along. We shall not leap at one bound, or by the enactment of one law or one appropriation, from chronic mass unemployment, we shall not liberate ourselves by a single act from the pernicious anemia of underutilization of men, machines and money to the good health of full utilization contemplated and provided for in the Employment Act of 1946.

But enactment of this bill early in the session will help. It will be an omen and a promise that will give heart to people everywhere, to every employed and unemployed worker and, yes, to businessmen and financiers making plans for a future of expanding markets. They will know that this Congress is not going to be controlled by timidity or greed, either by fear of unemployment so heavy as to make payments of adequate benefits impossible or so costly as to require some employers to increase their payroll taxes slightly above the two-thirds of 1 percent or less that is now being paid by too many in too many States.

Before yielding the floor to my colleague from Michigan [Mr. MACHROWICZ], with whom I am a working partner on this bill, I want to offer for the RECORD certain basic documents.

First, I insert at this point in the RECORD a very brief summary of the bill:

PROPOSED FEDERAL UNEMPLOYMENT COMPENSATION BILL

The proposed Federal Unemployment Compensation Standards bill continues the present Federal-State unemployment compensation system. However, it corrects inadequacies in the present State laws by establishing additional standards to be met by States as a condition of employers getting credit against the Federal unemployment tax, and by establishing a system of reinsurance to aid depleted State reserves.

Such Federal standards are to be effective July 1, 1960, allowing a sufficient period for all State legislatures to meet and enact necessary amendments to State laws.

The proposed bill has the following provisions:

I. BENEFITS

Each individual's primary benefit shall be not less than 50 percent of his weekly wages subject to a maximum primary benefit of not less than 66⅔ percent of the State's average weekly wage. (The claimant shall receive either the maximum or 50 percent of his weekly wages, whichever is less.)

II. DURATION

Benefits shall be payable to all unemployed insured individuals for a period of not less than 39 weeks, provided they meet all eligibility requirements under the State law.

III. ELIGIBILITY

A. No wage qualifying requirement in a State law can be more restrictive than base year earnings of 30 times the weekly benefit amount, or 1½ times high quarter wages, or 20 weeks employment.

B. State benefits cannot be denied or reduced because of the receipt of payments under a plan established to supplement unemployment benefits under the law.

IV. COVERAGE

Employers who have one or more individuals in their employ at any time during the taxable year will be covered.

V. FINANCING

A. States will be permitted to provide for uniform rate reductions to all employers as well as individual experience-rated reductions.

B. Proceeds of the Federal Unemployment Tax Act will be earmarked in a Federal unemployment account in the Federal Treasury. Such account will be used for (a) paying the Federal and State administrative expenses (including the establishment of a contingency fund) and (b) reinsurance grants to those States who are in financial difficulty because of high rates of unemployment.

The need for some standards in unemployment insurance has been recognized by the Federal Advisory Council on Employment Security (report to the Secretary of Labor, Dec. 3, 1958), by the Rockefeller Brothers report (April 1958), by the Governors of several States, and by Arthur F. Burns, president, National Bureau of Economic Research.

The standard in this bill on the benefit amount is the formula recommended repeatedly to the States by President Eisenhower in the Economic Report.

This proposed bill would not require any appropriation by Congress.

Second, a section-by-section analysis of the bill:

ANALYSIS OF FEDERAL UNEMPLOYMENT COMPENSATION STANDARDS BILL

The bill recognizes that in order to achieve the goals of employment stabilization and security against unemployment and in order to strengthen the economy and the welfare of the Nation, certain improvements in the unemployment compensation program are necessary. It extends to certain new categories of workers the benefit of the unemployment compensation program and prescribes certain uniform minimum standards with respect to weekly unemployment compensation benefits and the period of time for which such benefits will be payable. It also provides for the establishment of a fund composed of present Federal unemployment tax collections from which the administrative costs of the program will be paid and from which reinsurance grants will be made to States which suffer excessively high rates of unemployment.

Section 2 of the bill establishes the additional standards which a State law must meet in order to be certified by the Secretary of Labor for the purpose of permitting credit against the Federal tax for employer contributions under the State law. The additional standards cover the following areas: (1) The maximum and minimum weekly benefit amounts provided by the State law; and (2) the duration for which benefits are payable under the State law.

Among those who have recognized the need for Federal minimum benefit standards are:

(a) The Rockefeller Brothers Fund Report of April 1958.

(b) The Federal Advisory Council on Employment Security.

(c) Dr. Arthur Burns, former economic adviser to President Eisenhower.

1. WEEKLY BENEFIT AMOUNT

Section 2 requires that the maximum benefit under the State law be not less than an amount equal to two-thirds of the average weekly wage within such State. It also requires that subject to this maximum every individual receive a benefit equal to at least one-half of the individual's average weekly wage. In no case would an individual receive a benefit in excess of the State maximum.

Thus, if the average weekly wage in covered employment in State X is $66, the State law must provide a maximum weekly benefit of at least $40. An individual whose average weekly wage is less than $66 would be required to receive a weekly benefit of at least 50 percent of his own wage. The individual who earns $50 a week would only receive a weekly benefit of $25 a week. The individual who earns $60 a week would only receive $30 a week. In no case, however, would State X be required to pay anyone more than $40 weekly. Individuals who receive $80 a week would be entitled to the $40 but no individual who earns more would be paid a greater benefit.

The requirement that individuals be entitled to receive at least 50 percent of their average weekly wage as a necessary goal is consistent with the recommendations made by President Eisenhower in his Economic Report. As Secretary of Labor Mitchell has pointed out in letters to the Governors of all States, a weekly maximum along the lines recommended in this bill is necessary to accomplish the recommendations of the President.

In view of the inaction by State legislatures in meeting these goals, it is clear that if they are to be accomplished, congressional action along the lines recommended by this bill is necessary.

2. BENEFIT DURATION

Section 2 of the bill would require that all eligible individuals be entitled to benefits for at least 39 weeks of unemployment. This does not mean that every individual will automatically receive 39 weeks of benefits in a year. State laws all require that the individual be unemployed and that he be able and available for work during each week of unemployment.

With continued unemployment, the need for benefits of sufficient duration for all unemployed individuals is apparent. President Eisenhower also recommended that duration be uniformly extended for all claimants. While his recommendation to the States was

limited to duration of 26 weeks, the continuation of heavy unemployment and the continued increase in the number of persons exhausting the benefit rights indicate the present need for benefits for a duration of longer than 26 weeks. The need for 39 weeks has already been recognized by the last Congress which enacted the Temporary Unemployment Compensation Act of 1958.

3. SUPPLEMENTAL UNEMPLOYMENT BENEFITS

The only standard with respect to disqualification provisions of State laws applies to benefits paid under privately established supplemental benefit plans. Section 2 would specifically preclude the denial or reduction of State benefits because of the receipt of private supplemental unemployment benefits. Only four States now reduce benefits because of the receipt of SUB. Thirty-eight (38) States, the District of Columbia, and Hawaii hold that the payment of supplemental unemployment benefits does not affect an individual's right to State unemployment compensation benefits.

Subsection (a) of section 3 of the bill extends the coverage of the Federal Unemployment Tax Act to employers of one or more individuals.

The extension of coverage to employers of one or more is consistent with the recommendations made by President Eisenhower. It does not mean that housewives who employ a domestic or a farmer employing one individual from time to time will have to pay unemployment contributions with respect to such individual. The present definition of employment which excludes domestic and agricultural service is not changed in this bill.

Subsection (c) of section 3 adds definitions of "benefit year," "base period," "high quarter wages," and "average weekly wage" to the present definitions. These definitions are necessary in order to avoid contravention by a State of the amendments proposed in subsection (a).

Section 4 would give additional freedom to the State in determining the methods of reducing employer's taxes under the State law below 2.7 percent. Under present law, if a State wishes to impose a tax lower than 2.7 percent on employers, it may only do so by instituting a system which rates individual employers on the basis of their own experience. A State which desires to levy a uniform rate of less than 2.7 percent on all employers is now unable to do so.

This amendment would permit a State to levy a uniform contribution rate of less than 2.7 percent. It would also permit a State which desires to continue a system of individual employer experience rates to continue to do so. In short, it imposes no new Federal requirement; it relaxes the existing requirements.

Section 5 amends those provisions of the Social Security Act relating to grants to States for administration of State unemployment compensation laws by providing that all collections under the Federal Unemployment Tax Act are earmarked in the Federal unemployment account in the unemployment trust fund. This account was established by Congress in 1947.

Section 5 provides that all funds for administration of State laws, including contingency amounts which are to be expended only in the event of unforeseen changes in economic conditions, shall be charged against the Federal unemployment account. Unemployment compensation administrative expenditures of the Department of Labor shall also be charged to the Federal unemployment account.

Section 6 repeals provisions of the present law inconsistent with the changes made in this bill.

Section 7 provides that a State whose accumulated funds for unemployment compensation has reached a precariously low condition will be entitled to a reinsurance grant from the Federal unemployment account. The amount of such grant will be limited to three-fourths of the excess by which compensation payable under such State law exceeds 2 percent of the State taxable payroll. In other words, only where unemployment benefits cannot be financed through a 2 percent contribution rate will the State receive any Federal grant. To the extent that its costs exceed 2 percent, it will still be required to finance one-fourth of the costs out of State funds.

In order, however, to avoid the possibility of a State permitting its fund to reach a precariously low condition in order to receive a Federal grant, the bill requires that as one of the conditions of eligibility that whenever a State's fund drops below 6 percent, it imposes a minimum rate of contribution of at least 1.2 percent.

Section 7 changes title IX of the Social Security Act and makes certain technical changes in section 904 in order to achieve consistency with the substantive amendments proposed by the bill.

Section 8 of the bill provides that the above provisions extending coverage and establishing benefit standards which must be met by State laws shall be effective as of July 1, 1960. This would give to the States sufficient time to make the necessary statutory changes in their State unemployment compensation laws before the standards become effective.

Third, the text of the bill itself:

A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds that (1) the systems of unemployment compensation as now constituted and administered throughout the several States are failing to carry out the purposes and objectives of employment stabilization and security against unemployment which were sought to be achieved by the enactment of the Social Security Act of 1935; (2) there are substantial categories of workers and employees who, though needful of the benefits afforded by unemployment compensation are not covered for such benefits; (3) the amounts of unemployment compensation payable to unemployed persons who are covered are, in most cases, inadequate to provide the worker and his family with the basic necessities of life; and (4) there are great disparities between the States with respect to the terms and conditions under which workers may become eligible for unemployment compensation, as well as with respect to the amount of such compensation and the length of time for which it is paid. Therefore it is the purpose of the Congress, in order to achieve the goals of employment stabilization and security against unemployment, and in order to strengthen the economy and provide for the general welfare of the Nation, to extend to certain new categories of workers the benefits of unemployment compensation, to prescribe certain minimum standards with respect to the terms and conditions under which unemployment compensation will be paid, as well as to the amounts and the length of time for which such compensation will be payable, and to otherwise extend, revise, and improve the unemployment compensation program.

SEC. 2. Section 3304(a) of the Internal Revenue Code of 1954 is amended by adding after paragraph (5) the following new paragraphs:

"(6) the maximum weekly compensation payable under such law shall be an amount equal to at least two-thirds of the average weekly wage earned by employees within such State, such average to be computed by the State agency of such State on July 1, 1960, and on July 1 of each succeeding year on the basis of the wages, including amounts excluded therefrom under section 3306(b)(1), paid during the last full year for which necessary figures are available;

"(7) the weekly compensation payable to any individual shall be (A) the maximum weekly compensation payable under such law, or (B) an amount (exclusive of any compensation payable with respect to dependents) equal to at least one-half of such individual's average weekly wage as determined by the State agency, whichever is the lesser;

"(8) compensation shall not be denied to any eligible individual for any week of total unemployment during his benefit year by reason of exhaustion or reduction of benefit rights or cancellation of his wage credit, until he has been paid unemployment compensation for not less than 39 weeks during such year;

"(9) compensation shall not be denied in whole or in part to any otherwise eligible individual because of the receipt of any payment under any plan or system established for the purpose of supplementing the compensation payable under the State law; and

"(10) in order to be eligible to receive unemployment compensation benefits an individual shall not be required (A) if the State law provides for a qualifying requirement computed as a multiple of the amount of the individual's weekly unemployment compensation benefit, to have been paid, during his base period, more than 30 times the amount of his weekly unemployment compensation benefit; (B) if the State law provides for a qualifying requirement computed as a multiple of such individual's high quarter wages, to have been paid more than one and one-half times the amount of his high quarter wages; or (C) if the State law provides for a qualifying requirement based on weeks of employment, to have been employed by an employer for more than 20 weeks in his base period."

SEC. 3. (a) Subsection (a) of section 3306 of the Internal Revenue Code of 1954 is amended to read as follows:

"(a) EMPLOYER.—For the purposes of this chapter the term 'employer' means any person who, at any time during the taxable year, has one or more individuals in employment."

(b) Section 3306 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new subsections:

"(o) BENEFIT YEAR.—For the purposes of this chapter, the term 'benefit year' means the period prescribed by State law, but not in excess of 52 consecutive weeks, for which an eligible individual may receive weekly unemployment compensation benefits.

"(p) BASE PERIOD.—For the purposes of this chapter, the term 'base period' means the period prescribed by State law beginning not prior to the first day of the fifth full calendar quarter immediately preceding the beginning of the benefit year.

"(q) HIGH QUARTER WAGES.—For the purposes of this chapter, the term 'high quarter wages' means, in the case of any individual, the amount of wages (as defined by State law) paid to such individual in the calendar quarter of the base period for which his total wages were highest.

"(r) AVERAGE WEEKLY WAGE.—For the purposes of this chapter, the term 'average weekly wage' means, in the case of any individual, the amount of wages (as defined by State law) paid to such individual during the period used for determining his compensation for a week of total unemployment (1)

in case the period used is the calendar quarter in which such individual was paid his high quarter wages, divided by 13; or (2) if some other period is used, divide by the number of weeks, during the period used, in which he performed services in employment (as defined by State law)."

SEC. 4: (a) Section 3302(b) of the Internal Revenue Code of 1954 is amended to read as follows:

"(b) ADDITIONAL CREDIT.—In addition to the credit allowed under subsection (a), a taxpayer may credit against the tax imposed by section 3301 for any taxable year (1) an amount equal to the amount, if any, by which 2.7 percent exceeds the amount for which credit is allowed under subsection (a), if the contributions to a pooled fund required to be paid by him with respect to the taxable year are at a uniform rate imposed by State law on all employers, or (2) with respect to the unemployment compensation law of each State certified for the taxable year as provided in section 3303 (or with respect to any provisions thereof so certified), an amount equal to the amount, if any, by which the contributions required to be paid by him with respect to the taxable year were less than the contributions such taxpayer would have been required to pay if throughout the taxable year he had been subject under such State law to the highest rate applied thereunder in the taxable year to any person having individuals in his employ, or to a rate of 2.7 percent, whichever rate is lower."

(b) The first sentence of section 3303(a) of the Internal Revenue Code of 1954 is amended by inserting "(2)" after "section 3302(b)".

UNEMPLOYMENT REINSURANCE

SEC. 5. Sections 301 and 302 of the Social Security Act, as amended, are amended to read as follows:

"FEDERAL UNEMPLOYMENT ACCOUNT

"SEC. 301. (a) There is hereby appropriated to the Federal Unemployment Account in the Unemployment Trust Fund for the fiscal year beginning July 1, 1960, and for each fiscal year thereafter, amounts equivalent to 100 per centum of the taxes (including interest, penalties, and additions to the taxes) received during such period under the Federal Unemployment Tax Act and covered into the Treasury. There is also authorized to be appropriated to the Federal Unemployment Tax Account such additional sums as may be required to carry out the purposes of this title.

"(b)(1) For the purposes of assisting the States in (A) the administration of their unemployment compensation laws (including administration pursuant to agreements under title IV of the Veterans' Readjustment Assistance Act of 1952), (B) the establishment and maintenance of a system of public employment offices in accordance with the provisions of the Act of June 3, 1933 (48 Stat. 113), as amended, and (C) carrying into effect section 602 of the Servicemen's Readjustment Act of 1944 there is hereby authorized to be expended, for payments to the States, from the Federal Unemployment Account in the Unemployment Trust Fund for the fiscal year beginning July 1, 1960, and for each fiscal year thereafter, sums not to exceed the amounts specified by Congress in the Appropriation Act or Acts for the Department of Labor for each such fiscal year.

"(2) In addition to the sums authorized to be expended under paragraph (1) of this subsection for the purpose of assisting the States in the administration of their employment compensation laws, there is hereby authorized to be expended from the Federal Unemployment Account for such purpose, as provided in section 302(a)(2), for the fiscal year beginning July 1, 1960, and for each fiscal year thereafter, an amount not in excess of $25,000,000.

"(c) There is authorized to be expended from the Federal Unemployment Account for the fiscal year beginning July 1, 1959, and for each fiscal year thereafter, a sum not to exceed the amounts specified by Congress in the Appropriation Act or Acts for the Department of Labor to be necessary for the administration by the Department of Labor of its functions under (1) the Federal Unemployment Tax Act, (2) this title and titles IX and XII of the Social Security Act, (3) the Act of June 6, 1933 (48 Stat. 113), as amended, (4) title IV (except section 602) of the Servicemen's Readjustment Act of 1944, and (5) title IV of the Veterans' Readjustment Assistance Act of 1952.

"PAYMENT TO STATES

"SEC. 302. (a)(1) The Secretary of Labor (hereafter referred to as the 'Secretary') shall from time to time certify to the Secretary of the Treasury for payment to each State which has an unemployment compensation law approved by the Secretary under the Federal Unemployment Tax Act such amounts as the Secretary determines to be necessary for the proper and efficient administration of such law during the fiscal year for which such payment is made. The Secretary's determination shall be based on (A) the population of the State; (B) an estimate of the number of persons covered by the State law and of the cost of proper and efficient administration of such law; and (C) such other factors as the Secretary finds relevant. The Secretary shall not certify for payment under this subsection in any fiscal year a total amount in excess of the amount specified for such purpose in the Appropriation Act or Acts for the Department of Labor for such fiscal year.

"(2) If the Secretary determines that the amount specified in the Appropriation Act or Acts for the Department of Labor for the purpose of assisting the States in administering their unemployment compensation laws is, because of changes in economic conditions which were unforeseen at the time such amount was specified, less than the amount necessary for the proper and efficient administration of such laws, he is authorized to certify to the Secretary of the Treasury for payment to the States for the administration of their unemployment compensation laws, in addition to the amounts authorized to be certified under paragraph (1), amounts the total of which shall not exceed the amount authorized to be expended by section 301(b)(2).

"(b) The Secretary of the Treasury shall, upon receiving a certification under subsection (a), pay from the Federal Unemployment Account in the Unemployment Trust Fund, prior to audit or settlement by the General Accounting Office, in accordance with such certification."

SEC. 6. Sections 901, 902, and 903 of the Social Security Act are hereby repealed and the last sentence of section 904(b) is revised by striking out "section 1202(c)" and inserting in lieu thereof "section 1202(e)".

SEC. 7. Title XII of the Social Security Act is amended to read as follows:

"TITLE XII—GRANTS TO STATE UNEMPLOYMENT FUND

"SEC. 1201. (a)(1) Except as provided in paragraph (2) and paragraph (3), a State shall be entitled to a reinsurance grant for any calendar quarter, commencing with the quarter beginning on July 1, 1960, if the balance in such State's unemployment fund on the last day of the preceding quarter is less than the amount of the compensation paid from such fund under the State unemployment compensation law during the 6 months' period ending on such last day.

"(2) A State shall not be entitled to a reinsurance grant for any calendar quarter commencing after the computation date for the first taxable year beginning after December 31, 1961, and prior to the computation date for the first taxable year beginning after December 31, 1966, if with respect to any taxable year beginning after December 31, 1961.

"(A) the balance in the State's unemployment fund on the computation date for such year was less than an amount equal to 6 per centum of the most recent annual taxable payroll or less than the amount of the compensation paid from such fund under the State unemployment compensation law during the 2 years immediately preceding such date, whichever amount is greater; and

"(B) the minimum rate of contribution required to be paid into the State fund during such taxable year was less than 1.2 per centum.

"(3) A State shall not be entitled to a reinsurance grant for any calendar quarter, commencing after the computation date for the first taxable year beginning after December 31, 1966, if with respect to any year within the five most recently completed taxable years—

"(A) the balance in the State's unemployment fund on the computation date for such year was less than an amount equal to 6 per centum of the most recent annual taxable payroll or less than the amount of the compensation paid from such fund under the State unemployment compensation law during the two years immediately preceding such date, whichever amount is greater; and

"(B) the minimum rate of contribution required to be paid into the State fund during such taxable year was less than 1.2 per centum.

"(4) A reinsurance grant shall be an amount estimated by the Secretary of Labor (hereafter referred to as the 'Secretary') to be equal to three-fourths of the excess of the compensation which will be payable under the provisions of the State unemployment compensation law during the calendar quarter for which such grant is made over 2 per centum of the taxable payroll for such quarter.

"(5) As used in this section, the term 'computation date' shall have the same meaning as when used in section 3303 of the Internal Revenue Code of 1954, as amended.

"(b) The Secretary is authorized and directed, on application of a State agency, to make findings as to whether the conditions entitled a State to reinsurance grant provided for in subsection (a) hereof have been met; and if such conditions have been met, the Secretary is directed to certify to the Secretary of the Treasury, from time to time, the amount of such grant, reduced or increased, as the case may be, by any sum by which the Secretary finds that the amounts granted for any prior quarter were greater or less than the amounts to which the State was entitled for such quarter. The application of a State agency shall be made on such forms, and contain such information and data, fiscal and otherwise, concerning the operation and administration of the State law, as the Secretary deems necessary or relevant to the performance of his duties thereunder.

"(c) The Secretary of the Treasury shall, upon receiving a certification under subsection (b), make payment from the Federal Unemployment Account in the Unemployment Trust Fund, prior to audit or settlement by the General Accounting Office, in accordance with such certification.

"(d) All money paid to a State under this title shall be used solely for unemployment compensation benefits; and any money so paid which is not used for such purposes shall be returned to the Treasury and credited to the Federal Unemployment Account unless such State is eligible for a reinsurance grant.

"(e) There are hereby authorized to be appropriated to the Federal Unemployment Account, as repayable advances (without interest), such sums as may be necessary to carry out the purposes of this title."

SEC. 8. The amendments made by the preceding sections of this Act shall be effective as of July 1, 1960.

SEC. 9. This Act may be cited as the "Unemployment Compensation Act of 1959".

Fourth, a memorandum with six appendixes setting forth the background of the present demand for enactment of such uniform minimum standards as are provided in this bill:

BACKGROUND ON UNEMPLOYMENT INSURANCE

Public concern with shortcomings in the Federal-State unemployment insurance system in this recession has had two significant effects:

(a) It resulted in Federal intervention to extend duration, on a temporary basis only, during the last session of Congress, and

(b) It has brought about a wide area of public agreement that Congress should legislate Federal standards in the coming session.

Not since the enactment of the Social Security Act have so many circumstances combined to encourage the enactment of Federal benefit standards.

1. Until 1953, Congress expressed itself in terms of studies and reports on the performance of unemployment insurance (e.g., "Issues in Social Security," staff report prepared for the House Ways and Means Committee, January 17, 1946, and report of the Advisory Council on Social Security to the Senate Committee on Finance, 1949.) During this period, a wide area of agreement on the criteria of desirable unemployment insurance laws was achieved.

2. Beginning in 1954, the President adopted a policy of proclaiming these criteria or standards as the responsibility of State legislatures, and reiterated his recommendations each year (see attached app. A).

3. Federal intervention in 1958 (Temporary Unemployment Compensation Act) marked a basic change in public policy, based on the admitted failure of States to achieve the recommended standards without Federal help.

4. As a result of the recession, the Governors of many States are asking for Federal benefit standards (app. B). On December 5, the Democratic Party's Advisory Council on Legislation recommended Federal benefit standards. On November 19, Dr. Arthur Burns, former Economic Advisor to President Eisenhower, declared that Congress should liberalize unemployment insurance by permanent amendments in coverage, benefit amounts, and duration (app. C).

5. The Federal Advisory Council on Employment Security, appointed by the Secretary of Labor to advise on policy, recommended on December 4, 1958 (the first time in its history) specific Federal benefit standards (app. D). All public members and labor members united in the majority report; two employer members (one not present at final vote) favor some Federal standards.

6. This recommendation has gone to the Secretary of Labor, who has stated:

"It is my hope * * * that the Congress next year when it convenes will look at the whole problem of unemployment compensation, both in terms of duration and in terms of benefits, so that we can set at the Federal level a standard which the States could properly follow." (Speech to Bricklayers Convention, Atlantic City, N.J., Oct. 13–17.)

7. The Vice President has sensed the political importance of unemployment insurance improvements and asked for extending coverage to 12 million more workers and incorporation of temporary extensions into permanent law (app. E).

8. In Congress a great many Senators and Representatives want the opportunity to vote on an economic issue as clear-cut as improvement in unemployment insurance. At the time of election, 37 of the 47 new Congressmen and 10 of the 15 new Senators had part or all of their constituency classified as areas of substantial labor surplus (over 6 percent unemployed). In all constituencies, over 12 million people this year experienced unemployment and over 8 million had direct experience with unemployment insurance, many for the first time.

9. A straight Federal standards bill may be one of very few pieces of welfare legislation acceptable to the administration and to Congressmen who want a balanced budget and no inflationary pressures. (Such a bill requires no Federal appropriation and would probably take more funds out of the economy than it would pay out in benefits until the cyclical recession of 1962–63.)

These nine political and economic facts add up to the greatest opportunity for improving unemployment insurance in over 20 years.

APPENDIX A

EXCERPTS FROM THE PRESIDENT'S ECONOMIC REPORT, 1957

One set of proposals aimed at reinforcing the Federal-State system of unemployment insurance has resulted in important actions. During 1954, Congress extended the coverage of unemployment insurance to 1.4 million employees of firms with 4 to 7 persons on their payrolls and 2.5 million Federal civilian employees. In the last 3 years, 38 States have raised weekly benefits, 12 have lengthened the potential duration of benefit payments, and 4 have extended coverage to firms with less than 4 employees.

Additional improvements are needed. First, benefits are still inadequate in relation to wages. It is again suggested that the States raise the dollar maximums so that the great majority[1] of covered workers will be eligible for payments equal to at least half their regular earnings. Second, the duration of benefits is still inadequate in many States. It is again suggested that the States and Territories which have not yet done so lengthen the maximum term of benefits to 26 weeks for every person who qualifies for any benefit and remains unemployed that long. Third, important classes of workers are still not covered. It is recommended that the Congress extend unemployment insurance to the 1.8 million employees of firms with 1 to 3 persons on their payrolls who are still uncovered in many States, to ex-servicemen, and to employees in Puerto Rico. Also, the States are urged to include the 4.5 million persons who work for them for their political subdivisions.

Another problem requiring attention is the loss of income caused by temporary disabilities not related to the work of employees. For some years, four States have had insurance programs covering such contingencies, and many employers provide similar protection. A recommendation will again be presented to the Congress to provide temporary disability insurance benefits for employees in the District of Columbia. It is hoped that the States that have not as yet done so will take the necessary legislative steps to protect their workers against temporary off-the-job disabilities.

[1] The Bureau of Employment Security, Department of Labor, has since estimated that for the great majority to receive benefits equal to half their earnings, the maximum benefit must be set at 60 to 66⅔ percent of each State's average weekly wage.

APPENDIX B

STATE GOVERNORS SPEAK FOR FEDERAL STANDARDS IN UNEMPLOYMENT INSURANCE

On February 13, 11 Governors from States with 40 percent of the workers covered by unemployment insurance sent a telegram to President Eisenhower urging action on the recession. It stated, in part:

"A practical program to bolt the growing recession should include * * * establishment of minimum Federal standards for unemployment insurance benefits.

Gov. Robert Meyner, New Jersey; Gov. Averill Harriman, New York; Gov. Stephen L. R. McNichols, Colorado; Gov. Herschel C. Loveless, Iowa; Gov. Edmund S. Muskie, Maine; Gov. Foster Furcolo, Massachusetts; Gov. G. Mennen Williams, Michigan; Gov. Orville L. Freeman, Minnesota; Gov. Robert D. Holmes, Oregon; Gov. Dennis J. Roberts, Rhode Island; Gov. Albert D. Rosellini, Washington.

Gov. Nelson Rockefeller, of New York, has declared himself for Federal benefit standards. The Rockefeller Brothers Report, issued in April 1958, states, in part:

"UNEMPLOYMENT INSURANCE

"A second vitally important part of our social insurance structure—unemployment insurance—should be greatly strengthened by the extension of coverage, increase in benefits, and lengthening of their duration. Minimum Federal standards should be enacted to encourage this improvement. At the same time, State administration of the program should be strengthened by obtaining more skilled personnel, providing more specialized services, and establishing more cooperative and effective relationships with industry. Particular help should be given to middle-aged and older persons having difficulty finding jobs."

On December 6, 1958, Governor Williams reiterated his views on benefit standards:

"Unemployment compensation needs to be improved, and some kind of retraining program provided for those who are displaced by machines. I have come to the considered conclusion that we can never meet this problem exclusively at the State level. We must look to the Federal Government, to provide decent nationwide standards of unemployment compensation. Michigan cannot hope to provide these standards alone, as long as we are faced with the unfair competition of other States which are trying to attract industry with low wages and low standards of job insurance."

The Detroit AFL–CIO merger convention said:

"The unemployment compensation system is designed not only for the protection of the laid-off worker, but also as the Nation's first line of defense against depression. It will never fully serve either purpose until the Federal administration stops addressing fruitless exhortations to the State legislatures, and puts a floor of Federal standards under the job insurance systems of every State. I'm sick and tired of getting letters from the President of the United States, urging the legislatures to do something about this. I think it's high time the President did something at the Federal level—and if he doesn't, I think the new Congress should, and will."

On January 13, 1959, Governor Meyner in his annual message to the New Jersey Legislature explained the need for Federal standards in unemployment insurance:

"One difficult aspect of this subject is the unfair competitive condition fostered by the failure of the Federal Government to provide any kind of minimum standards for all States. Here, the Federal Government, having initiated the program on a basis calling for State administration, has wholly failed to prevent some of the States from adopting programs so inadequate as to be almost meaningless. Such programs, of course, cost little, and this fact has been used to entice industry to those States. This activity, in turn, creates local unemployment in areas where realistic programs have been put into effect, causing severe drains upon their resources.

"A single State, by itself, is powerless to legislate in any effective way to cure this condition. We should press for Federal action so that we can carry our own program forward."

APPENDIX C

[From Daily Labor Report, Nov. 19, 1958]

FORMER PRESIDENTIAL ADVISER ADVOCATES MORE LIBERAL JOBLESS INSURANCE SYSTEM

The former Chairman of President Eisenhower's Council of Economic Advisers, Arthur Burns, in a Washington, D.C., speech, declares "the most useful step that we can take in the near future" to strengthen the automatic stabilizers of the economy "is to liberalize our unemployment insurance system.

"This year the Congress responded to urgent demands by extending the duration of unemployment benefits. However, this legislation was of a temporary character, it failed to embrace all of the States and it did not deal with the matter of coverage or the size of the benefits. It would hardly be wise to wait for another recession before we again tackle the problem of unemployment insurance. A reform, I think, is long overdue. The benefits provided for insured workers are inadequate in many States. The maximum weekly benefit represents 50 percent or more of the average weekly wages of insured workers in only six States. The duration of benefits is 26 weeks or longer for all eligible claimants in only seven States. More serious still, about 13 million workers are entirely excluded from the protection of unemployment insurance. Now that our economy is once more expanding, we are in a position to proceed deliberately and to carry out permanent improvements in unemployment insurance, not only with a view to mitigating individual hardships, but also with the objective of increasing the resistance of our economy to a future recession.

"Once we succeed in devising a system of insurance that is comprehensive in coverage and tolerably suited in its scale of benefits to the needs of the unemployed in a modern economy, we should be in a position to deal with the difficulties of recession in a calmer atmosphere than existed early this year. Our situation would be better still if we could devise a politically acceptable means of automatically varying tax rates with the ups and downs of economic activity."

APPENDIX D

FEDERAL ADVISORY COUNCIL ON EMPLOYMENT SECURITY RECOMMENDS STANDARDS

At its meeting on December 3, the Federal Advisory Council recommended the following Federal standards in unemployment insurance. (All public and labor members supported this report. One employer member filed his own statement advocating some standards. Another employer member not present at the final vote also favors standards.)

"1. The great majority of covered workers, as recommended by the President, should be eligible to receive as unemployment benefits at least one-half of their regular weekly earnings. In order that the great majority may get this amount, the States will need to provide for a maximum weekly benefit amount equal to no less than 66⅔ percent of the statewide covered average weekly wage.

"It is recommended that this provision be implemented in 3 stages: for the first 2 years following the effective date of the provision the maximum weekly benefit should not be less than 50 percent of the average weekly wages of workers in the State covered by the State unemployment insurance law; for the next 2 years not less than 60 percent; and after that not less than 66⅔ percent.

"2. Unemployment benefits for at least 30 weeks during a 1-year period should be uniformly provided for all claimants who remain unemployed for that long and are otherwise eligible for benefits.

"3. No State should require more than 20 weeks of employment during the claimant's qualifying year for eligibility for benefits. It is recognized that evidence of substantial attachment to the labor force should be required to justify the duration provision proposed. It is believed that 20 weeks is an adequate test. We therefore recommend that not more than 20 weeks of work should be required as an eligibility test.

"4. The offset against the Federal tax should be reduced from 2.7 percent to 1.7 percent for employers in those States which do not meet the above-mentioned conditions. As in the past, those States that meet the Federal conditions shall continue to have an offset of 2.7 percent. Those States which fail to comply shall be permitted an offset of 1.7 percent. It is not the intention of this recommendation to raise additional revenues but rather to remedy serious deficiencies in the present system. Moreover, in the event that any revenues do accrue because of failure of a State or States to meet Federal conditions, these funds should be added to the amount of the Federal loan fund."

APPENDIX E

NIXON SEES POLITICAL IMPORTANCE OF IMPROVING UNEMPLOYMENT INSURANCE

A dynamic and growing economy is bound to cause hardships to some of the people involved in the process of change. As new businesses come into being and others grow, some will be replaced. And in a free economy we must expect readjustments from time to time—such as the one through which we are passing at present. These occurrences will mean temporary unemployment for some American workers.

With these facts in mind, consideration should be given to instituting permanent reforms in our system of unemployment insurance.

Specifically, to the extent feasible, the 12 million workers not now covered should be brought under our unemployment compensation system.

The prolongation of benefit periods now in effect as a temporary measure should be made permanent.

The Federal and State Governments should work together toward the objective of establishing higher minimum standards for the level of benefits, their duration, and their coverage.

These proposals are sound not only for reasons of plain humanity, but also because the flow of income provided by more adequate unemployment compensation serves to cushion the impact of the business cycle. The faster we carry out this basic reform, the greater can be our assurance that occasional setbacks in economic activity, such as are bound to occur, will remain brief and mild. Source: Address of the Vice President of the United States before the 50th anniversary conference of the Harvard Business School Association, Boston, Mass., September 6, 1958.

APPENDIX F

PRESIDENT EISENHOWER'S BUDGET MESSAGE CALLS FOR HIGHER UNEMPLOYMENT COMPENSATION STANDARDS

In his budget message of January 19, 1959, the President said:

"Our unemployment compensation system has again demonstrated its importance in providing income for the unemployed and thereby supporting the economy while alleviating hardship. Temporary assistance of the kind provided by the Temporary Unemployment Compensation Act of 1958 is in no sense a substitute for widening the coverage of unemployment compensation and extending the duration of benefits and increasing benefit amounts under the Federal-State system. I have many times urged such action. I urge it again now with added conviction as a result of last year's experience."

(The weekly benefit amount contained in this proposed uniform minimum standards bill are the same as those urged by the administration for several years.)

My colleague and working partner, the gentleman from Michigan [Mr. MACHROWICZ] will, I believe, in the course of his remarks present for the RECORD certain other material that will be helpful to Members and the American people in considering this vital matter.

Let me conclude with this word:

We of the Committee on Ways and Means who sat through the 1958 hearings on unemployment compensation, both during consideration of the temporary unemployment compensation bill and, late in the session, proposals such as this bill for permanent improvement in the Federal-State system itself, were, and, I believe, are now convinced that these uniform minimum standards are many years overdue. We have too long been persuaded by counsels of timidity and fear into acquiescing in chronic malnutrition of our people and our economy. It is time for us to pick up our bed and walk.

UNEMPLOYMENT COMPENSATION BENEFITS

The SPEAKER. Under the previous order of the House, the gentleman from Michigan [Mr. MACHROWICZ] is recognized for 20 minutes.

Mr. MACHROWICZ. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include the 12 exhibits therein referred to.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MACHROWICZ. Mr. Speaker, today in the minds of hundreds of thousands of workers who are unemployed and other millions of workers now at work, the bill to establish certain addi-

tional minimum standards of unemployment compensation carries a top priority tag.

This bill, sponsored by the gentleman from Missouri [Mr. KARSTEN], by myself and at least 121 Members of both parties in this House, and a similar one sponsored by 31 members of the other body, would mean an increase of $19 in weekly benefits paid an unemployed worker receiving the average Michigan weekly wage and would extend benefits 19 weeks beyond the present potential duration of 20 weeks. Over a period of 39 weeks of unemployment, it would mean an increase in benefits for such a worker of $1,311 in high velocity purchasing power.

If in 1958 the Congress had enacted such standards, it would have meant a net increase of $1,011 over the amount to which such a worker was entitled under both the State unemployment compensation law and 10 additional weeks of benefits provided by the Federal Temporary Unemployment Compensation Act of 1958, due to expire April 1, 1959.

In a moment I propose to put in the RECORD a table showing the net loss sustained by the average worker in each State because of the lack of benefit standards provided in this bill. Overall, the loss of benefits, of high velocity purchasing power, amounts to $1,344,800,000. Without the Temporary Unemployment Compensation Act, the loss would have been $392,400,000 greater, or $1,737,200,000.

As an example of what is being done to workers, to their families and to business in the great many labor surplus areas all over this country, I want first to cite figures for the city of Detroit showing how inadequate weekly unemployment compensation benefits are, both in amount and duration.

TABLE I.—*Relief data for the city of Detroit, 1956–58*

	1956	1957	1958
Number of families receiving direct relief in December	5,585	7,471	16,007
Number of screening interviews, year [1]	41,548	37,700	64,324
Key reasons for applying for relief:			
Unemployment benefits exhausted	6,916	3,328	16,692
Unemployment compensation benefits not adequate	1,612	936	3,744
Separated from job and not entitled to unemployment compensation benefits	7,696	7,488	10,764

[1] Years ended Jan. 11, 1957, Jan. 10, 1958, and Jan. 9, 1959.

NOTE.—Annual figures on number of applicants interviewed who were seeking welfare aid and their reasons for seeking relief are weekly average figures for the annual periods indicated projected on annual basis. The figures may cover some families whose breadwinner was interviewed more than once in the same year.

Source: Detroit Public Welfare Department.

I have here a table showing certain relief data for the city of Detroit for the years 1956, 1957, and 1958. This table, which I ask unanimous consent to insert in the RECORD at this point in my remarks, shows these two shocking facts:

First. From 1956 through 1958 the number of families applying for direct relief in Detroit, because unemployment compensation benefits they were receiving were not adequate, was four times as high in 1958 as in 1957, totaling 936 in 1957, and rising to 3,744 in 1958.

Second. The number of families applying for relief because their unemployment compensation benefits had been exhausted rose from 3,328 in 1957 to 16,692 in 1958, an increase of five times.

Again to emphasize the inadequacy of unemployment compensation benefit payments, using the city of Detroit as an example, I ask unanimous consent to insert another table showing the distribution of Government surplus commodities in the city of Detroit in October 1958, compared with October 1957.

This table shows that in 1957 in Detroit, 860 families whose breadwinner received unemployment compensation simultaneously qualified to receive surplus commodities averaging about $25 a month because compensation payments were so low and that 1 year later, in October 1958, the number of such families had increased to 14,862.

The table also shows that, although no family whose breadwinner was "temporarily unemployed" in 1957 qualified to receive Government surplus commodities, 1 year later in October 1958, 3,637 families whose breadwinner was "temporarily unemployed" qualified to receive such commodities. This classification of "temporarily unemployed" appears to include persons who were not covered by unemployment insurance.

In October 1958, 233,644 persons in 62,714 Detroit families received surplus commodities, 4 times as many as a year ago.

TABLE II.—*Distribution of Government surplus commodities, city of Detroit, October 1958 compared with October 1957*

	October 1957	October 1958
Number of families serviced	[1] 19,117	[1] 62,714
Number of persons serviced	61,764	232,644
Means of support of families receiving surplus:		
Welfare relief	3,652	8,089
Unemployment compensation	860	14,862
Low income	2,658	20,443
Temporarily unemployed	0	3,637
Aid to dependent children	7,152	8,716
Other means of support	4,800	6,960

[1] Welfare department estimates surplus commodity costs at about $25 per month for each family. At this rate cost of such commodities would have totaled $478,000 in October 1957 and $1,568,000 in October 1958.

[2] Estimated from figures published by source.

Source: Detroit Department of Public Welfare.

Again, as an example of inadequacy of present duration of benefit payments, I ask unanimous consent to insert in the RECORD tables III and IV, which show for selected Michigan labor market areas, first, the totals for the years 1956, 1957, and 1958, of claimants exhausting unemployment-compensation benefits before being reemployed, and, second, a comparison for the month of December in the years 1956, 1957, and 1958.

Table III shows that 91,458 Michigan workers exhausted their benefit rights in 1956 before being reemployed, 76,897 in 1957, and 251,999 in 1958. Of this 1958 total, 107,020 also exhausted their extended benefit rights under the Temporary Unemployment Compensation Act.

TABLE III.—*Number of claimants exhausting unemployment compensation benefits,[1] selected Michigan labor market areas, total for years, 1956–58*

	1956	1957	1958	
			Regular programs [1]	Double exhaustees [2]
Michigan	91,458	76,897	251,999	107,020
Detroit [3]	56,021	36,860	146,901	65,580
Flint	3,000	4,579	13,318	5,142
Lansing	1,780	2,148	5,983	2,068
Saginaw	1,275	1,329	3,226	1,295
Muskegon	1,985	2,522	4,667	1,358
Jackson	871	933	3,199	1,351
Bay City	1,049	1,312	3,066	1,205

[1] Includes workers exhausting benefits under the State, veterans, and Federal employees unemployment compensation programs. Does not include additional workers covered by the program for railroad workers who also exhausted their benefits.

[2] Includes workers who, after June 30, 1957, exhausted benefits under the program which regularly covered them, and who also exhausted the additional benefits provided under the temporary unemployment compensation program.

[3] Wayne, Oakland, and Macomb Counties.

Source: Michigan Employment Security Commission.

TABLE IV.—*Number of claimants exhausting unemployment compensation benefits,[1] selected Michigan labor market areas*

	December 1956	December 1957	December 1958	
			Regular programs [1]	Double exhaustees [2]
Michigan	6,735	6,031	19,040	13,665
Detroit [3]	4,115	2,883	13,423	8,102
Flint	110	102	332	324
Lansing	139	136	242	250
Saginaw	76	78	173	148
Muskegon	187	166	273	185
Jackson	68	91	114	137
Bay City	66	151	217	140

[1] Includes workers exhausting benefits under the State, veterans, and Federal employees unemployment compensation programs. Does not include additional workers covered by the program for railroad workers who also exhausted their benefits.

[2] Includes workers who, after June 30, 1957, exhausted benefits under the program which regularly covered them and who also exhausted the additional benefits provided under the temporary unemployment compensation program.

[3] Wayne, Oakland, and Macomb Counties.

Source: Michigan Employment Security Commission.

Now, Mr. Speaker, I ask unanimous consent to insert in the RECORD a table marked "Table 5" showing by States the cost to the average unemployed worker of not having the minimum benefit standards provided in this bill. It will be noted for certain States, such as New York, Pennsylvania, and Wisconsin, that the loss for the average unemployed worker—that is the worker receiving the average wage in the State—was zero or relatively small. But even in these States, for workers paid more than the average wage, there was an individual cash loss. And in these States further improvement in benefit standards was retarded by threats of competition offered by other States having smaller weekly amounts and shorter duration.

TABLE V.—*What the absence of Federal benefit standards in 1958 cost a typical unemployed worker who earned the State's average wage*

State	Average weekly wage, 1957 (1)	Benefit amount paid [1] (2)	Benefit amount under standard (3)	Average duration exhaustees regular State program (weeks) (4)	Additional duration TUC (5)	Total average duration (6)	Loss per week (col. 3—col. 2) (7)	Total benefits lost by workers unemployed 9 months (col. 3×39 weeks)—(col. 2×col. 6)=dollars lost (8)
Alabama	$69	$28	$34	18	9	27	$6.00	($34×39 weeks)—($28×27 weeks)= $570
Alaska	131	45+12	65	25	None	25	20.00	($65×39 weeks)—($45×25 weeks)= 1,410
Arizona	83	35	41	19	None	19	6.00	($41×39 weeks)—($35×19 weeks)= 234
Arkansas	58	26	29	16	8	24	3.00	($29×39 weeks)—($26×24 weeks)= 507
California	93	40	46	23	11	34	6.00	($46×39 weeks)—($40×34 weeks)= 434
Colorado	83	35	41	14	7	21	6.00	($41×39 weeks)—($35×21 weeks)= 864
Connecticut	89	40+9	44	21	10	31	4.00	($44×39 weeks)—($40×31 weeks)= 476
Delaware	94	40	47	18	9	27	7.00	($47×39 weeks)—($40×27 weeks)= 753
District of Columbia	80	30	40	19	9	28	10.00	($40×39 weeks)—($30×28 weeks)= 720
Florida	71	30	35	13	None	13	5.00	($35×39 weeks)—($30×13 weeks)= 975
Georgia	65	30	32	20	None	20	2.00	($32×39 weeks)—($30×20 weeks)= 648
Hawaii	65	32	32	20	None	20	[2] 0	($32×39 weeks)—($32×20 weeks)= 608
Idaho	75	37	37	16	None	16	[2] 0	($37×39 weeks)—($37×16 weeks)= 851
Illinois	94	30+6	47	19	9	28	17.00	($47×39 weeks)—($30×28 weeks)= 993
Indiana	88	33	44	14	7	21	11.00	($44×39 weeks)—($33×21 weeks)= 1,023
Iowa	76	30	38	13	None	13	8.00	($38×39 weeks)—($30×13 weeks)= 1,092
Kansas	79	34	39	16	None	16	5.00	($39×39 weeks)—($34×16 weeks)= 977
Kentucky	74	34	37	26	None	26	3.00	($37×39 weeks)—($34×26 weeks)= 559
Louisiana	77	35	38	16	None	16	3.00	($38×39 weeks)—($35×16 weeks)= 922
Maine	69	33	34	26	None	26	1.00	($34×39 weeks)—($33×26 weeks)= 468
Maryland	77	35+4	38	26	13	39	3.00	($38×39 weeks)—($35×39 weeks)= 117
Massachusetts	78	35+9	39	20	10	30	4.00	($39×39 weeks)—($35×30 weeks)= 471
Michigan	99	30+6	49	20	10	30	19.00	($49×39 weeks)—($30×30 weeks)= 1,011
Minnesota	81	38	40	23	11	34	2.00	($40×39 weeks)—($38×34 weeks)= 268
Mississippi	58	29	29	20	None	20	[2] 0	($29×39 weeks)—($29×20 weeks)= 551
Missouri	81	33	40	19	None	19	7.00	($40×39 weeks)—($33×19 weeks)= 933
Montana	78	$32	$39	22	None	22	7.00	($39×39 weeks)—($32×22 weeks)= $817
Nebraska	72	32	36	17	None	17	4.00	($36×39 weeks)—($32×17 weeks)= 860
Nevada	91	37.50+11	45	20	10	30	7.50	($45×39 weeks)—($37.50×30 weeks)=630
New Hampshire	69	32	34	26	None	26	2.00	($34×39 weeks)—($32×26 weeks)= 494
New Jersey	91	35	45	22	11	33	10.00	($45×39 weeks)—($35×33 weeks)= 600
New Mexico	78	30	39	19	None	19	9.00	($39×39 weeks)—($30×19 weeks)= 951
New York	91	45	45	26	13	39	[2] 0	($45×39 weeks)—($45×39 weeks)= 0
North Carolina	61	30	30	26	None	26	[2] 0	($30×39 weeks)—($30×26 weeks)= 390
North Dakota	71	26+7	35	20	None	20	9.00	($35×39 weeks)—($26×20 weeks)= 845
Ohio	92	33+5	46	24	12	36	13.00	($46×39 weeks)—($33×36 weeks)= 605
Oklahoma	78	28	39	17	None	17	11.00	($39×39 weeks)—($28×17 weeks)= 1,045
Oregon	84	40	42	21	None	21	2.00	($42×39 weeks)—($40×21 weeks)= 798
Pennsylvania	82	35	41	30	15	45	6.00	($41×39 weeks)—($35×45 weeks)= 24
Rhode Island	72	30	36	17	8	25	6.00	($36×39 weeks)—($30×25 weeks)= 654
South Carolina	60	26	30	19	None	19	4.00	($30×39 weeks)—($26×19 weeks)= 676
South Dakota	69	28	34	14	None	14	6.00	($34×39 weeks)—($28×14 weeks)= 934
Tennessee	70	30	35	22	None	22	5.00	($35×39 weeks)—($30×22 weeks)= 705
Texas	78	28	39	16	None	16	11.00	($39×39 weeks)—($28×16 weeks)= 1,073
Utah	78	39	39	21	None	21	[2] 0	($39×39 weeks)—($39×21 weeks)= 702
Vermont	70	28	35	26	None	26	7.00	($35×39 weeks)—($28×26 weeks)= 637
Virginia	69	28	34	14	None	14	6.00	($34×39 weeks)—($28×14 weeks)= 934
Washington	87	35	43	22	None	22	8.00	($43×39 weeks)—($35×22 weeks)= 907
West Virginia	85	30	42	24	12	36	12.00	($42×39 weeks)—($30×36 weeks)= 558
Wisconsin	86	42	43	23	11	34	1.00	($43×39 weeks)—($42×34 weeks)= 249
Wyoming	77	38+5	38	17	None	17	[2] 0	($38×39 weeks)—($38×17 weeks)= 836

[1] Where 2 figures are shown, second figure is average additional amount for beneficiaries receiving dependents' allowances.

[2] In these cases unemployed workers earning an amount equal to the State's average weekly wage would not have benefited from Federal standards. But unemployed workers earning more than the average would have benefited from Federal standards because their benefit amount under the standard (col. 3) would have been higher than that indicated for the average worker.

As has been stated by the gentleman from Missouri [Mr. KARSTEN], this bill is not offered as an instant cure for the chronic economic chills-and-fever which is weakening our country and our people when we need all our health, all our strength in human and material terms, more than every before in our history.

A whole kit of measures are urgently needed to put idle men, machines, and money back to work, to get back to full employment and full production, and to see to it that this recovery is accomplished, not on a blind boom-and-bust cyclical swing through inflation and deflation, but on the sound basis of a stable steadily expanding economy and a rising standard of living for all our people.

Enactment of this bill stands high on this list of measures needed to implement the moral commitment made by Congress in enacting the Employment Act of 1946 and in providing funds for its administration.

It may well be, Mr. Speaker, that we shall have to provide for some extension of the temporary unemployment compensation bill which is now due to expire April 1, 1959. Continuance may provide extension of benefits for several thousand unemployed workers and their families who will have exhausted all their rights under State unemployment compensation laws. For example, in Michigan, such exhaustions may amount to 5,000 unemployed workers a week.

But such extension, if made, must not be allowed to become a substitute for action on this substantial and permanent improvement in the entire Federal-State unemployment compensation system.

With all the good will and hard work of which the 86th Congress and the American people are capable in the next 2 years, large-scale unemployment is all too likely to continue to be a major problem.

The steady advance of technology, including automation, the practice of large corporations in the steel, automobile, and other industries in raising prices on the pretext that such increases are required by such wage increases as unions are able to win by collective bargaining all combine to throw the economy out of balance. Within the up-and-down curves of the recurrent boom-and-bust cycle we now see a steady and stubborn growth in continuing mass unemployment.

In 1 year, from December 1957 to December 1958, automobile production by General Motors and Ford increased by 60,000 units. But, against the 60,000 production gain there was an absolute decline in employment in these 2 corporations by 33,400 workers. Throughout the Nation, employment in the auto industry averaged 620,000 workers in 1958, or 165,000 fewer persons than the average in 1957, and 190,000 fewer than in 1956.

This sickness in our economy, this inability of American farmers and wage earners to buy back fair shares of the potential abundance of foods, fibers, and manufactured goods that they are able to produce in increasing volume year after year, does more than weaken us now. It tends to waste the lives not only of adult Americans of this generation but to blight the lives of the next generation, since the poverty, the insecurity, and the anxiety of the parents tends to mark their children for life.

During the past 20 years, the ceiling payments allowed under State laws have failed to move upward at the same rate as wages. The result in all States, barring none, is that the maximum benefit allowance as a percentage of wage levels is today only a fraction of what it was in 1939.

The median or middle State, in 1939, had a maximum benefit of 65 percent of its average weekly wage.

The median State today has a maximum benefit of only 44 percent of its average weekly wage.

I ask unanimous consent to insert in the RECORD at this point table VI, showing how benefits have fallen behind wages since 1939.

TABLE VI.—*How benefits relative to wages have declined, 1939–58*

Maximum benefit amounts expressed as percentage of State's average weekly wages in covered employment	Number of States and Territories	
	1939	1958
95 to 99	3	
90 to 94	1	
85 to 89	4	
80 to 84	2	
75 to 79	2	
70 to 74	6	
65 to 69	10	
60 to 64	7	
55 to 59	10	3
50 to 54	5	4
45 to 49		17
40 to 44	1	14
35 to 39		10
30 to 34		3
Total	51	51

This bill would reestablish the median maximum level of 1939 and it would raise the present maximums in all States to 66⅔ percent of average weekly wages in each State.

But the dollar amount in each State would be different and would depend on general wage levels. Furthermore, by stating the maximum as a percentage in each State instead of a fixed dollar amount, this bill would prevent any future deterioration in the adequacy of maximum benefit amounts.

The State-by-State downgrading of the maximum benefit amounts can be seen from the following table, which I ask unanimous consent to insert at this point and which is marked as table VII:

TABLE VII.—*State maximum benefit amounts relative to wages, 1939, and Oct. 1, 1958*

	Maximum weekly benefit as a percentage of average weekly wages	
	1958	1939
Alabama	40	87
Alaska	34	41
Arizona	42	61
Arkansas	45	95
California	43	50
Colorado	42	62
Connecticut	45	56
Delaware	43	58
Washington, D.C.	37	59
Florida	42	81
Georgia	46	87
Hawaii	54	85
Idaho	53	82
Illinois	32	56
Indiana	37	58
Iowa	39	67
Kansas	43	66
Kentucky	46	69
Louisiana	46	90
Maine	48	74
Maryland	45	65
Massachusetts	45	57
Michigan	30	53
Minnesota	47	62
Mississippi	52	97
Missouri	41	61
Montana	41	60
Nebraska	44	67
Nevada	41	56
New Hampshire	46	70
New Jersey	39	55
New Mexico	38	73
New York	49	51
North Carolina	52	89
North Dakota	37	69
Ohio	36	54
Oklahoma	36	61
Oregon	47	53
Pennsylvania	43	60
Rhode Island	42	70
South Carolina	44	99
South Dakota	41	69
Tennessee	43	78
Texas	36	65
Utah	50	70
Vermont	40	66
Virginia	41	74
Washington	40	57
West Virginia	35	59
Wisconsin	49	55
Wyoming	56	78

TABLE VII.—*State maximum benefit amounts relative to wages, 1939, and Oct. 1, 1958*—Continued

	Maximum weekly benefit as a percentage of average weekly wages	
	1958	1939

It should be clearly understood that there is no intent in this bill to pay high maximums to all claimants or even to most claimants.

In fact, the intent is to do just the opposite. In no case will this bill force State programs to pay to any individual claimant more than half of his individual weekly wage.

The effect of higher maximums is simply to allow this formula of 50 percent of individual benefits to operate over a wider range. The only unemployed who will be entitled to the new maximums are those who make a weekly wage of twice the new maximum benefit amounts. They and everyone making lower weekly earnings would receive in benefits only half of their individual weekly wages. Those wage earners earning more than twice the maximum amounts would be restrained by the maximum to less than half of their weekly wage.

It will be clear by now that the major effect of the benefit provisions of this bill is to restore unemployment insurance as a wage-related program, rather than the fixed-benefit program which it has become in so many States because of low maximum benefit amounts.

The following table, marked table VIII, which under unanimous consent I insert at this point, shows what percentage of claimants State by State now receive the maximum and therefore do not receive one-half of their own individual weekly wage:

TABLE VIII.—*Percentage of claimants drawing maximum benefit amount, spring 1958*

Alabama	51
Alaska	52
Arizona	61
Arkansas	43
California	40

TABLE VIII.—*Percentage of claimants drawing maximum benefit amount, spring 1958*—Continued

Colorado	64
Connecticut	43
Delaware	48
District of Columbia	64
Florida	42
Georgia	38
Hawaii	35
Idaho	54
Illinois	82
Indiana	66
Iowa	67
Kansas	61
Kentucky	49
Louisiana	83
Maine	24
Maryland	46
Massachusetts	29
Michigan	86
Minnesota	40
Mississippi	23
Missouri	52
Montana	56
Nebraska	58
Nevada	57
New Hampshire	38
New Jersey	69
New Mexico	62
New York	27
North Carolina	14
North Dakota	75
Ohio	80
Oklahoma	71
Oregon	62
Pennsylvania	55
Rhode Island	63
South Carolina	37
South Dakota	61
Tennessee	36
Texas	62
Utah	58
Vermont	49
Virginia	47
Washington	58
West Virginia	54
Wisconsin	53
Wyoming	52

In the beginning, it was not known what the cost of unemployment insurance would be and the benefit durations were intentionally so low until further information on the cost and experience of duration amounts would be available. Some States liberalized their duration requirements, always provided the unemployed claimant is able and available for work and seeking suitable employment.

There is such great variability in the potential duration of benefits among the different States that we now have a crazy-quilt pattern of varying degrees of inadequacy, as shown by congressional action to help extend the duration of benefits during the current recession.

Florida and Virginia allow no more than 16 and 18 weeks potential duration only to the most fortunate claimants with the average potential duration even less.

Pennsylvania, on the other hand, allows in its regular State unemployment compensation program, 30 weeks potential duration to those who continue to seek work.

The recent experience with duration of benefits and exhaustions is summed up in the following table, which under unanimous consent I insert in the RECORD at this point as table IX.

TABLE IX.—*Exhaustions of regular State benefits Jan. 1–Sept. 1, 1958*

	Number of exhaustees	Exhaustees as percent of claimants
United States	1,745,446	27.8
Alabama	39,040	46.5
Alaska	3,283	33.8
Arizona	5,383	23.8
Arkansas	17,411	39.8
California	101,651	17.6
Colorado	7,617	27.9
Connecticut	37,943	29.6
Delaware	5,712	33.5
District of Columbia	7,141	41.1
Florida	33,721	44.8
Georgia	36,672	36.3
Hawaii	1,856	18.7
Idaho	6,433	33.5
Illinois	102,770	29.4
Indiana	89,970	44.7
Iowa	13,538	34.4
Kansas	13,386	30.6
Kentucky	26,496	30.0
Louisiana	19,178	40.4
Maine	4,917	10.8
Maryland	24,653	23.5
Massachusetts	64,737	26.1
Michigan	165,972	36.2
Minnesota	23,350	27.8
Mississippi	15,195	35.0
Missouri	27,341	21.3
Montana	8,641	32.3
Nebraska	6,785	33.8
Nevada	4,108	28.2
New Hampshire	1,439	8.4
New Jersey	97,883	33.0
New Mexico	3,729	26.8
New York	138,257	18.0
North Carolina	31,688	19.6
North Dakota	1,492	24.1
Ohio	94,176	25.1
Oklahoma	17,385	37.7
Oregon	24,236	29.0
Pennsylvania	119,930	21.0
Rhode Island	22,191	38.2
South Carolina	17,563	35.8
South Dakota	2,312	36.3
Tennessee	43,976	42.7
Texas	63,415	38.6
Utah	4,667	23.3
Vermont	2,705	23.7
Virginia	34,750	45.4
Washington	33,859	26.7
West Virginia	22,264	23.5
Wisconsin	49,806	42.6
Wyoming	2,074	27.3

One result of the gradual change of unemployment compensation from a wage-related to a flat-benefit program has been steady reduction in the cost of the program to far below its originally intended cost. Whether the average costs are expressed as percentages of the taxable wage base or of the total wage base, this change is significant and dramatic. The wage base in most States is the first $3,000 of earnings, which used to be most of payrolls but is now only 65 to 70 percent of payrolls. So the more accurate indication of the gradual cheapening of unemployment insurance is the average employer tax as a percentage of total wages, as shown in the following table, marked "Table X," which, under unanimous consent, I insert in the RECORD at this point:

TABLE X.—*Average employer contribution rate expressed as a percent of taxable wages and of total wages, 1938–57*

Year	Rate as percent of taxable wages, all States	Rate as percent of total wages, all States
1938	2.75	2.69
1939	2.72	2.66
1940	2.69	2.50
1941	2.58	2.37
1942	2.19	1.98
1943	2.09	1.86
1944	1.92	1.67
1945	1.71	1.50
1946	1.43	1.24
1947	1.41	1.19
1948	1.24	1.01
1949	1.31	1.07
1950	1.50	1.18
1951	1.58	1.20
1952	1.45	1.08
1953	1.30	.93
1954	1.12	.79
1955	1.18	.81
1956	1.32	.88
1957	1.31	.85
1958	1.4	.9

It should, of course, be understood that the cost of unemployment insurance at present levels varies greatly as between States, depending on the economy of the State and the impact of slumps on the industries of a particular State.

In general, however, the cost of the program has been low enough that most States have stayed within the original tax limits set under Federal law.

The following table, table XI, which under unanimous consent I ask to insert in the RECORD at this point, shows the average tax rates State by State for 1957 and 1958:

TABLE XI.—*Average employer contribution rate, by State, 1957–58 (rates expressed as percent of taxable wages)*

State	1957 (actual)	1958 (estimated)
United States	1.31	1.4
Alabama	1.03	1
Alaska	2.70	2.7
Arizona	1.33	1.3
Arkansas	1.14	1.1
California	1.34	1.4
Colorado	.68	.6
Connecticut	1.19	1.2
Delaware	.65	.7
District of Columbia	.71	.7
Florida	.64	.8
Georgia	1.22	1.2
Hawaii	1.02	1.0
Idaho	1.34	1.3
Illinois	1	.8
Indiana	1.02	1.1
Iowa	.70	.8
Kansas	1.08	1.1
Kentucky	1.95	2.0
Louisiana	1.43	1.1
Maine	1.58	1.6
Maryland	1	1.1
Massachusetts	1.55	1.7
Michigan	2.04	2.3
Minnesota	.68	.8
Mississippi	1.65	1.6
Missouri	.98	1.0
Montana	1.22	1.3
Nebraska	.95	.8
Nevada	1.98	2.2
New Hampshire	1.58	1.6
New Jersey	1.73	1.9
New Mexico	1.17	1.2
New York	1.77	1.6
North Carolina	1.45	1.5
North Dakota	1.51	1.3
Ohio	.72	.7
Oklahoma	.79	.9
Oregon	1.43	2.5
Pennsylvania	1.55	2.1
Rhode Island	2.70	2.7
South Carolina	1.18	1.2
South Dakota	.96	1.0
Tennessee	1.75	1.8
Texas	.63	.6
Utah	1.31	1.3
Vermont	1.32	1.2
Virginia	.53	.4
Washington	2.11	2.7
West Virginia	1.14	1.2
Wisconsin	1.10	1.1
Wyoming	1.12	1.1

These figures do not represent the actual cost of benefits paid out, but rather the average tax rate that each particular State has deemed desirable, given the reserves and experience in recent years. In other words, it is an approximation of the longrun cost of the program in each State as affected by reserve requirements.

During our hearings on Federal standards last year, the Bureau of Employment Security estimated the cost of the benefit standards in this bill as about 50 percent more than the cost of the present unemployment compensation program.

Raising the tax rates 50 percent more than those in existence in the last 2 years still would leave unemployment insurance in nearly all States running less than the 2.7 percent maximum still in the Federal law.

In those circumstances where the cost of benefits is running over 2 percent in a particular State at a particular time, this bill provides for reinsurance grants to be paid in an amount of three-fourths of 1 percent of that cost over 2 percent of taxable payrolls.

Any State with adequate financing and low reserves would be eligible for this reinsurance grant, which would be paid from the three-tenths of 1 percent of taxable payroll that now goes for administrative costs and reinsurance loans.

In talking about average tax rates in each State, we should not forget that experience rating, which is not a Federal requirement for offsets from the 2.7 percent of taxable payrolls, operates to produce different rates for each employer.

To those who object to Federal standards we should point out that experience rating is a Federal standard in a negative sense of permitting States to cut tax rates after cutting benefits below 50 percent of wages. In other words, we have in the present law a strong negative financing standard but no benefit standards.

The effect of experience rating on the tax rates in each State is indicated in the following table, table XII, which shows how many companies are in different tax categories.

It is significant to note that, in 13 States, experience rating has been carried so far as to exempt many employers. In one case, 94 percent of all employers eligible for rate modification are at a zero rate. In other words, they pay nothing toward the cost of unemployment insur-

ance benefits. These employers pay only the three-tenths of 1 percent administrative costs to the U.S. Treasury. It should also be noted that a large proportion of all employers in many States pay taxes amounting to less than 1 percent of taxable payrolls. Under unanimous consent I insert the following table in the RECORD at this point:

TABLE XII.—*Percentage distribution of active accounts eligible for rate modification, by contribution rate, and type of experience-rating plan, rate years beginning in 1957*

Type of plan and State [1]	Total number of active accounts [2]	Active accounts eligible for rate modification							
		Number	Percent of all active accounts	Percentage distribution by employer contribution rate					
				Below standard rate				At standard rate	Above standard rate
				0	0.1–0.9	1.0–1.8	1.9–2.6	2.7	2.75–4.5
Total, 49 States [3]	1,909,274	1,309,025	68.6	6.0	43.4	21.6	11.6	12.7	4.6
Reserve-ratio plan	1,195,201	833,228	69.7	8.7	41.2	23.2	7.4	16.8	2.7
Arizona [4 5]	11,539	7,869	66.5		53.5	34.3	5.2	7.0	
Arkansas [5]	30,550	21,496	70.4		70.1	15.6	8.1	6.3	
California	262,662	166,353	63.3	21.2	29.1	19.8	8.8	21.0	
Colorado [5]	13,135	6,336	48.2	94.4	2.9			2.7	
District of Columbia	18,677	14,725	78.8		78.9	8.4	1.6	11.2	
Georgia [4]	25,866	14,080	54.4		48.8	30.0	14.3	7.0	
Hawaii [5]	8,839	7,507	84.9	52.7	17.7	7.9	2.3	19.4	
Idaho	13,182	9,504	72.1		54.6	20.4	21.2	3.8	
Indiana [5]	32,410	15,667	48.3		67.4	20.6	3.8	8.1	
Iowa [5]	19,753	9,887	50.1	50.5	41.1			8.3	
Kansas	15,600	8,641	55.4	8.1	74.7	9.6	2.0	5.7	
Kentucky [5]	19,727	16,411	83.2	19.2	16.4	12.7		41.6	10.1
Louisiana	23,094	16,745	72.5		56.2	17.4	5.7	20.7	
Maine [5]	8,298	4,054	48.9		43.4	39.3	5.6	11.7	
Massachusetts	103,736	95,991	92.5		36.2	18.4	12.6	32.8	
Michigan [5]	46,832	26,327	56.2			69.2	10.0		20.8
Missouri [5]	32,163	16,586	51.6	28.2	41.9	20.6	4.1		5.2
Nebraska [5]	10,896	6,289	57.7		76.4	11.1	3.3	9.2	
Nevada	5,835	3,471	59.5		30.7	42.1	11.6	15.6	
New Hampshire	6,188	5,507	89.0		47.3	12.2	19.8	20.8	
New Jersey [5]	53,191	39,765	74.8		29.0	23.5	10.7	12.2	24.6
New Mexico	14,336	9,259	64.6		77.2	13.0	2.9	6.9	
North Carolina [5]	24,410	14,458	59.2		52.4	26.4	11.5	9.7	
North Dakota [5]	4,596	2,631	57.2		50.4	24.1	7.3	18.3	
Ohio [5]	90,591	68,271	75.4		74.3	14.9	1.2	9.6	
Oregon [5]	25,015	15,059	60.2		44.6	27.2	10.0	7.0	11.2
Pennsylvania [5]	195,418	162,859	83.3		42.2	32.3	5.0	20.5	
South Carolina [4 5]	11,255	6,441	57.2		57.8	18.3	9.7	14.2	
South Dakota [5]	4,971	2,273	45.7	78.4	11.3	4.6	2.2	3.5	
Tennessee	21,155	10,495	49.6		31.1	40.5	9.9	8.9	9.6
West Virginia [5]	10,986	5,683	51.7	42.9	20.6	12.6	6.6	17.3	
Wisconsin [5]	29,995	22,588	75.3	43.6	15.5	23.9	9.2		7.8
Benefit-wage ratio plan	215,022	141,944	66.0		74.4	13.2	4.4	3.0	5.0
Alabama [4]	19,553	10,086	51.6		70.3	19.0	4.5	6.2	
Delaware	8,299	5,895	71.0		88.5	6.8	2.0	(6)	2.6
Illinois	81,534	56,493	69.3		64.5	17.4	5.9		12.2
Oklahoma	16,657	10,124	60.8		64.9	11.8	8.5	14.9	
Texas [4]	65,461	37,700	57.6		81.5	11.1	3.1	4.3	
Virginia	23,518	21,646	92.0		90.2	5.9	1.5	2.4	
Benefit-ratio plan	132,131	92,221	69.8	6.4	73.9	5.7	2.1	11.9	
Florida [4]	35,020	18,317	52.3	32.4	54.2	5.8	1.3	6.4	
Maryland	45,672	33,691	73.8		81.0	7.8	2.9	8.3	
Minnesota [5]	39,180	32,080	81.9		79.2	1.3	1.0	18.6	
Vermont	3,583	2,176	60.7		58.5	24.9	7.0	9.6	
Wyoming	8,676	5,957	68.7		71.6	10.0	3.7	14.7	
Payroll variation plan [3]	87,672	69,779	79.6			27.0	68.2	4.7	
Mississippi	11,483	9,483	82.6			89.9	9.7	.3	
Rhode Island [3]									
Utah	17,245	11,282	65.4			91.7	6.5	1.8	
Washington [7]	58,944	49,014	83.2				93.7	6.3	
Compensable-separation plan	28,476	23,042	80.9		57.6	33.0		9.3	
Connecticut	28,476	23,042	80.9		57.6	33.0		9.3	
Payroll variation and reserve ratio	234,764	137,438	58.5		22.7	26.8		2.7	
New York	234,764	137,438	58.5		22.7	26.8	25.0	2.7	22.9
Payroll variation and benefit ratio plan	16,008	11,373	71.0		59.6	18.3	2.8	19.3	
Montana	16,008	11,373	71.0		59.6	18.3	2.8	19.3	

[1] Classified by type of plan in effect at end of 1957.
[2] All rated and unrated accounts; excludes accounts newly subject after State cutoff dates for preparation of reports.
[3] National totals and totals for payroll variation plan exclude data for Rhode Island, which did not assign employers any reduced rates for 1957 rate year. National totals also exclude data for Alaska, which repealed experience rating provision as of Jan. 1, 1955.
[4] For Alabama, Airzona, Florida, Georgia, South Carolina, and Texas, data exclude newly qualified employers assigned reduced rates after computation date.
[5] Includes effects of voluntary contributions made toward credit for 1957 rates.
[6] Less than 0.05 percent.
[7] When reduced rates are assigned in Washington, the rate variations are achieved through the use of tax credit offsets. Employer accounts in this State are classified by rate for current rate year on the assumption that each employer's taxable payroll would remain the same as in the preceding year.

In general, we must conclude that unemployment insurance is a cheaper program than was intended. The average national rate of only 1.4 percent of taxable payrolls or nine-tenths of 1 percent of taxable payrolls is only 2 cents per hour or considerably less than the cost of their fringe items that up-to-date employers include in employee compensation.

This bill would allow States greater freedom in the financing of their programs. A number of States have had difficulty with the operation of experience or merit rating and would like more

latitude. This bill would allow a State to establish uniform rate reductions, if it so wished.

In conclusion, Mr. Speaker, we who believe that enactment of this bill is not only a matter of social justice but also a wise action to strengthen our economy for the long hard pull ahead, are of the opinion that we cannot afford the costs to our society and to our economy of a cheap program of unemployment compensation. We cannot afford benefit amounts so inadequate in amount and duration that they must be supplemented and followed by relief payments. We cannot afford such damage to the families of workers able and willing to work but unemployed through no fault of their own. We cannot afford such sags in purchasing power and the volume of business in our local communities, our State, and the Nation as a whole. We cannot afford the backing up of inventories, the layoffs, the unpaid bills, the evictions, the empty houses, stores, and offices that flow in evil sequence from such contraction of workers' incomes and that can be retarded by more nearly adequate unemployment compensation benefits. By acting together in this Congress, as the Constitution intended, we can do together what no one of us, no one State, can afford to do separately. We can afford to be humanly decent to our fellow men; we can afford to be economically wise. Thereby we can serve our country well in this sector of what must be a broad effort to implement the Employment Act of 1946.

UNEMPLOYMENT COMPENSATION FEDERAL STANDARDS BILL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHLEY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ASHLEY. Mr. Speaker, I am pleased today to join with a number of my distinguished colleagues in presenting an unemployment compensation Federal standards bill to extend and improve our present Federal-State unemployment compensation system.

Although our Nation's economy and industrial output has achieved prerecession levels, there are still many breadwinners and heads of families who for reasons beyond their control are still without jobs and without any form of sustenance.

Some of these have exhausted their regular unemployment compensation benefits; others have exhausted the benefits for the extended 13-week period under the Temporary Unemployment Compensation Act passed last spring; still others have received no unemployment compensation at all because they were not covered or were determined to be ineligible under the unreasonable terms and conditions for eligibility imposed by the States in which they live.

As the program now operates, benefits range all the way from $7 a week in some States to $70 as in the new State of Alaska and the period for jobless payments runs the gamut from as little as 5 weeks to 45 weekly payments, while only one out of every four persons employed today are not covered at all.

The enactment of Federal minimum standards both with respect to the amount and duration of unemployment compensation payments is long overdue and I earnestly trust that the bipartisan sponsorship of this measure bespeaks the prudence as well as the urgency of immediate favorable consideration.

FLOOD DAMAGE

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. COOK] is recognized for 60 minutes.

Mr. COOK. Mr. Speaker, last week I toured the flooded areas of my district, the 11th Ohio District, and wish to report my observations to the Members of the House.

As I toured stricken areas I was amazed at the extent of the flood damage. Each of the five counties in my district was damaged by last week's heavy rains and resulting floodwaters. Several of the counties suffered primarily from an excess of water which led to flooding in their streets and in the basements of their homes, but in the remaining three counties, similar conditions were worsened by rivers, in each of the counties, overflowing their banks and causing tremendous damage to the surrounding countryside and, in one instance, the loss of five lives.

In western Lake County the Chagrin River overflowed its banks from Willoughby Hills, through Willoughby, to the river's mouth at Eastlake. As a result, five died as hundreds were forced to leave their homes. Damage will run into the hundreds of thousands of dollars.

In Trumbull County the residents along the Mahoning River suffered the worst flood since 1913. Damage in that county alone has been estimated as high as $10 million. Before the Mahoning River subsided to below flood level, 2,500 people had been evacuated from their homes.

Also, in Lake County and in the neighboring counties of Ashtabula and Trumbull, the Grand River left its banks and caused great damage in Painesville and Madison in Lake County, Windsor, and Orwell in Ashtabula County, and Bloomfield Township in northern Trumbull County. Once again, hundreds of families were forced to evacuate their homes and great property damage resulted to these communities.

As I toured the flood areas I heard over and over again of the wonderful and heroic job done by thousands of workers, some Government employees but most of them volunteers, as they evacuated flood victims from their homes and furnished them with the necessities of life until such time as they could return to their family homes once again. All of these groups deserve public commendation for their fine work in a true emergency.

I especially call to the attention of the House the fact that two members of the civil defense unit of Lake County, Hamilton Schwitzer and Raymond Kifer, lost their lives in the floodwaters of the Chagrin River, seeking to save others from that same fate.

Under unanimous consent I include the following article from the Painesville Telegraph of Friday, January 23, 1959:

THEY GAVE THEIR LIVES HELPING OTHERS

We pay tribute to the memories of the two men who gave their lives in an attempt to save three other persons from the swirling, raging waters of the Chagrin River.

These men, Raymond Kifer and Hamilton Schwitzer, both civil defense volunteers of Willoughby Hills, made heroic efforts to help their friends in time of danger.

When the boat they and a family of three were in capsized, all five were swept to death in the ice-clogged swollen stream. Witnesses told of the victims clinging to branches and logs for 20 long minutes before the bitter cold became too much and all five were washed away.

There were other acts of heroism as scores of volunteers helped rescue hundreds of persons along the Chagrin River that dark Wednesday night. But the bravery and courage of these two men will go down in Lake County history.

Also, as I toured flood areas in the city of Warren, I heard much praise for Lake Milton and Berlin Dam Reservoirs and the great help they had been in preventing even greater damage from flooding Mahoning River. The Mosquito Reservoir was also credited with having lessened floodwaters for Youngstown and surrounding areas.

In this time of emergency the facilities already installed for flood control in this area of northeastern Ohio demonstrated their value as they held back billions of gallons of water which would have made conditions much worse.

But the present facilities are not adequate to deal with the flood problem in northeast Ohio. Further action must be taken to prevent such floods as occurred last week. While eventual construction of the West Branch Reservoir will provide additional controls on the Mahoning River, flood control programs should be initiated to harness the Chagrin and Grand Rivers. Otherwise, these rivers will cause great damage over and over again in the future.

I respectfully call upon the Congress to give favorable consideration to necessary measures to control such flood conditions in northern Ohio and elsewhere. Money spent for this purpose will be returned many-fold in the years to come by the saving of human life and the elimination of property damage caused by floods.

Mr. LEVERING. Mr. Speaker, will the gentleman yield?

Mr. COOK. I yield.

Mr. LEVERING. Mr. Speaker, I commend my distinguished colleague the gentleman from Ohio [Mr. COOK] for painting a very sad and very graphic picture of the flood disaster in his district. I assure the gentleman I appreciate the difficulties suffered by his people. I have a deep feeling for them, and I know that every Member of this House joins me in that feeling.

Mr. Speaker, I thank my colleague the gentleman from Ohio [Mr. COOK] for yielding the floor to me today in order that I might say a word concerning the worst calamity that has befallen the good people of my congressional district in many decades. It is my privilege to represent the 17th Ohio District, which includes the counties of Ashland, Holmes, Richland, Knox, Coshocton, Delaware, and Licking. The counties and towns within the district which suffered most in this disaster are Newark, Mount Vernon, Mansfield, Shelby, Bellville, Butler, Delaware, Fredericktown, Utica, and St. Louisville.

I am, of course, referring to the flash flood in Ohio on Wednesday, January 21, which came about as the result of heavy concentration of snow and rain on frozen ground.

I want to say a word on why this catastrophy occurred, how it could have been avoided, and also a word, now that it has happened, on what is presently being done to restore order to rehabilitate the people involved and to minimize human suffering to the greatest possible extent, and, Mr. Speaker, what is even more important, what I trust will be done in the future to forever insure against the recurrence of such a calamity.

On Thursday last I made a personal inspection of the area most heavily devastated by this onslaught of water. Nature is usually no respecter of persons but I most regretfully report that in this instance, certainly in the Mount Vernon area, the flood hit those individuals hardest who could least afford to be hit at all. In Licking County alone, of which Newark is the county seat, two human lives were lost and many sustained major injuries. At least 1,300 homes were damaged with 26 destroyed completely. I am told that damages in dollars and cents will amount to more than $10 million. The American Red Cross, which incidentally along with civil defense workers, National Guard, and countless individuals has rendered heroic service throughout the area I visited, reports that more than 1,500 families in Newark were affected; that this agency fed some 6,000 people, including 1,000 emergency workers.

In Knox County more than 1,000 families suffered heavily from the impact of the flood; at Mount Vernon raging waters flowed over and through the dikes of the Koskosing River and flooded approximately one-third of the city necessitating evacuation of some 3,500 persons to emergency shelters. Damages to the local Continental Can Co. is estimated at more than half a million dollars. Red Cross disaster costs, I am told, will exceed $175,000. The school officials advise flood damage to public school property will total $73,000.

This flood has added to the grief of hundreds of families in the west and south end of Mount Vernon already in distress by reason of unemployment occasioned by a strike at the local Pittsburgh Plate Glass Co. plant dating back to October of last year.

Mr. Speaker, I saw homes which had been built on weekends over a period of years by those who could not afford to hire a carpenter, wiped out in a matter of minutes. It was the worst spectacle of devastation I have ever witnessed outside a theater of war.

Now, Mr. Speaker, this is a sad story but the real tragedy lies in the fact that it could have been averted.

The hard fact is that it should not have happened.

The grief of the disaster in Mount Vernon could have been avoided had we been able to contain the waters of the Kokosing for a matter of some 2 hours. For more than 10 years interested citizens of the Mount Vernon area, including Fredericktown, and involving city and county officials, have tried to get the Federal Government to conduct a flood-control survey of the Kokosing River and its tributaries. In 1956 it was learned that funds had been appropriated by the Congress to enable the Corps of Engineers to make this survey, and while we know that such a survey has been in the works, while it is clear that the Army Engineers have been apprised of the need of flood-control measures in this area, I regret to say that not even a report of the survey has been made to this date.

Now it goes without saying the people in my district, whom I have the honor to represent, have been for years and are still wondering why.

Although I have been advised by the Corps of Engineers that a survey report is forthcoming and that recommended operations will be instituted at the earliest possible date, the situation requires action now. At this time in midwinter, the disaster I have just referred to could well be repeated from even a slight rainfall.

I trust further the Army Engineers will promptly complete the study on the advisability of flood-control work on the Black Fort of the Mohican River which was scheduled for completion in June 1957, more than 2 years ago. Improvement of this stream would have prevented extensive damage to the city of Shelby in Richland County.

To paraphrase a statement of the distinguished gentleman from Louisiana [Mr. BROOKS], I say with all the resources of the United States and with all of the engineering skill that we possess, there is no reason why the people of this area should suffer recurring inundation and hardship.

A happy note to add in this report is that Coshocton County had comparatively little damage during this flood and this was due primarily to the existence of the Mohawk Dam constructed upstream in the Muskingum Conservancy District, a true monument to men of vision and a real example of sound economy in terms of life, limb, and property.

Mr. Speaker, before leaving Washington last Thursday I contacted the White House and the Washington Office of Small Business Administration anticipating that many of my people would be interested in direct relief and disaster loans for rehabilitation and reconstruction purposes. I was advised at that time by the Deputy Administrator, Mr. Albert C. Kelly that officials of the regional office in Cleveland would without delay make the necessary preliminary survey, estimate the amount of damage and the extent of need. He also stated that temporary arrangements for office space would be made in the district wherever necessary and that following this, as fast as the needs developed, as many people as were required to process applications would be sent into the respective areas to carry on the work.

I was pleased when the Deputy Administrator told me that applications for the disaster loans could be approved in the field offices and with emphasis upon the fact that time is of the essence. I am sure there are many in my district who are anxiously waiting to avail themselves of the opportunity afforded them by the law administered by Small Business Administration to gain a new lease on life and become readjusted and productive citizens at the earliest possible date.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. COOK. I yield.

Mr. BOW. The gentleman has brought to the attention of the House a very important matter today, the floods that have occurred in the State of Ohio. In Stark County I think we have had about $20 million of damage. Tuscarawas County has had $5 million, and we had some damage in Wayne County.

I hope that the gentleman and his colleagues on his side of the aisle will join with us on my side of the aisle in doing everything possible to prevent future catastrophes of this kind. I hope we will give careful consideration to a continuation and proposed enlargement of the Muskingum Conservancy District. I am very proud of the Muskingum Conservancy District which headquarters in my congressional district, for over the years they have been building these control dams, and I think if it had not been for the Muskingum Conservancy District the damage and loss in Ohio would have been millions, and millions, and millions of dollars more than it is today.

I should like to point out that in the Muskingum Conservancy District there are great lakes so fine for recreational purposes in summer, an area where forests are now growing and we have a productive and profitable forestry service. But note this, even the lakes, the ground under the lakes, that forms the bed of the lakes, pays taxes. It is not a typical flood control operation such as we hear so much about in the House of Representatives, but the entire conservancy district pays taxes back to the people of Ohio the same as though the ground were actually being used for farming purposes.

I hope that in our consideration of this matter in trying to do something we will be careful we do not bypass the conservancy district program which has proven so well. Those of you who have served in the State legislatures deserve much credit for the building up of that conservancy district in the State of Ohio. You have the same thing in the Miami Conservancy District. We join with you gentlemen in hoping that something will be done.

The gentleman from Ohio [Mr. BROWN] has suffered serious damage in his district. Only a few weeks ago, as a gentleman said here the other day, the Army Engineers in passing upon a report for him said that no flood could occur in his district for at least a hundred years. At this time his plants and industries have been flooded out and the damage is perhaps not able to be figured out as yet.

We had the same controversy here in the last few years about Dillon Dam. Finally, through the efforts of the gentleman from Ohio [Mr. HENDERSON] the Dillon Dam has been authorized. It is going to go forward and it will be part of the conservancy district there. I feel that if the Dillon Dam had been built, the gentleman from Ohio [Mr. LEVERING] would have saved some of the loss he had.

So this is a matter, I think, we should all join in, particularly having in mind the conservancy districts where the whole burden is not put on the Federal Government and where we join with the State in cooperation with the Engineers and with the conservancy district to go forward and make sure that in your districts and in mine these things will not be repeated.

I thank the gentleman from Ohio for bringing this matter to the attention of the House.

Mr. COOK. I thank the gentleman from Ohio for his remarks.

I might add the same applies to the west branch of the Mahoning Reservoir. If we could have had that years ago we would have avoided a tremendous amount of damage in the city of Warren.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. COOK. I yield to the gentleman from Ohio.

Mr. VANIK. I want to thank the gentleman from the 11th District of Ohio [Mr. COOK] for calling the attention of Congress to the extensive flood damage in Ohio, which suffered a great loss of life and property damage. Although my district is among those communities in Ohio which suffered no flood damage, we are concerned with the problems of our fellow citizens. In these days the loss of life and property is inexcusable and unnecessary as far as flood damage is concerned. Flood damage and the resultant loss in life and property are the proximate result of inadequate public expenditures to control and hold back threatening floodwaters. Pennypinching in flood control programs has resulted in irreparable loss of life and property.

In my State of Ohio there are strong and powerful groups which have opposed broad-scale Federal programs. They disregard the fact that over 273 millions of Federal dollars have been spent in Ohio for flood control and navigation aids, as follows:

Up to the year 1948, $183 million have been spent.

Between 1948 and 1955, $63,396,000 have been spent.

In the year 1956, $9,614,000 have been spent.

In 1957, $16,450,000 have been spent.

And a comparable amount for the year 1958.

The total estimated cost of all presently authorized Federal flood control work in Ohio totals $417,501,600. The estimated cost of completing these approved projects will require appropriations totaling $333,851,000 at current price levels. If this work must be eventually done to make Ohio a flood-free State, the problem should be realistically faced without further delay.

I am certain that the millions of Federal dollars that have been spent in Ohio for the control of floods have saved at least 10 times their total in property damage alone, not counting the many lives that have also been saved.

I believe, Mr. Speaker, as we study our current budgetary problems we must dedicate our efforts to the elimination of waste; but we must also exercise proper care and caution to avoid short term savings in Federal expenditures at the expense of long term losses.

Mr. COOK. I thank the gentleman.

Mr. WOLF. Mr. Speaker, will the gentleman yield?

Mr. COOK. I yield to the gentleman from Iowa.

Mr. WOLF. May I say to the gentleman from Ohio [Mr. COOK], that the people of northeast Iowa, myself included, and the people of all Iowa, sympathize greatly with the tragedy that has happened in Ohio. We have had our floods too, very tragic, in recent months, that have caused a considerable loss of life and a considerable loss of property.

I commend the gentlemen for his presentation and his proposal, and I am sure that it will receive very serious study by this Congress.

Mr. COOK. I thank the gentleman from Iowa.

Mr. CLARK. Mr. Speaker, will the gentleman yield?

Mr. COOK. I yield to the gentleman from Pennsylvania.

Mr. CLARK. Mr. Speaker, first of all I want to commend the gentleman from Ohio for bringing to the attention of Congress this situation. Year in and year out we are faced with the same problems in flood control. Year after year the Army Engineers are confronted with not having enough money to take care of the many worthwhile flood-control projects. We are "pennywise and dollar foolish." The Engineers should be given adequate funds to carry on with the necessary flood-control program that is so badly needed. In my district last week we suffered a million and a half dollars damage. The Army Engineers have been most cooperative and helpful but because of lack of funds they can only do so much. I hope this Congress will be more generous in this connection. It is my hope that we can get another omnibus flood control bill through both Houses and get a Presidential signature.

Mr. COOK. I thank the gentleman from Pennsylvania.

Mr. BOW. Mr. Speaker, will the gentleman yield further?

Mr. COOK. I yield.

Mr. BOW. I would like to say that it came to my attention the other day from one of the committees of the Congress that it has been estimated—and this not flood control but reclamation, which we consider somewhat in the same category—that since the adoption of the Marshall plan for foreign aid there has been more money spent on reclamation abroad under those plans, good American taxpayers' dollars, than has been spent in the United States since the founding of the Republic. Now, it seems to me that it is about time we began to think about some of these things here in the United States. I join the gentleman in the hope that in connection with projects which have to do with the protection of our own people that we see to it that there is adequate money, even though we take it away from foreign aid funds, which I have tried to do for many years. But, it seems to me that this is something that we should consider when we think of the fact that more money is spent on reclamation in foreign aid funds, since the Marshall plan, than has been spent on reclamation in this country since the founding of the Republic. I hope this, too, as the gentleman said he hopes, that we get a good flood control bill, a bill that will receive a Presidential signature. And, I hope that when the Congress passes a bill, it passes a bill based upon the needs of the people, and for proper flood control, and take care of the people, and that we do not put in so many things that are not necessary simply to try to satisfy people in various districts and that we confine it to the needs and the benefits of the people rather than the possible political expediency of individuals. In that way we will get a Presidential signature for the needs of the people.

Mr. CLARK. Mr. Speaker, will the gentleman yield further?

Mr. COOK. I yield.

Mr. CLARK. May I say, first of all, in connection with loss of lives and property damage year in and year out, that the Congressmen in the districts where these projects are under consideration certainly know their districts and know what their districts need. "Pork barreling," as far as I am concerned, is an election word used by some individuals. I am not in agreement with any individual who tries to help himself or alleviate himself politically. I am interested first of all in saving lives and saving property and not for benefits affecting a certain individual.

Mr. COOK. I thank the gentleman.

DEFENSE FACILITIES PROTECTION ACT OF 1959

The SPEAKER pro tempore (Mr. COAD). Under previous order of the House, the gentleman from Ohio [Mr. SCHERER] is recognized for 30 minutes.

Mr. SCHERER. Mr. Speaker, today I introduced a bill which, if eventually passed, will be known as the Defense Facilities Protection Act of 1959. A similar bill was introduced by Senator BUTLER in 1957. The bill would authorize the Federal Government to guard strategic defense facilities against individuals believed to be disposed to Communist acts of sabotage, espionage, or other subversion.

As stated in the bill:

The history of modern warfare has established that the defense of any country is greatly dependent upon the effective and continued operation of its industrial economy and the full utilization of its productive capabilities. In time of war or of preparation for defense from attack by a potential aggressor, injury to the industrial economy or impairment of the productive capabilities of a country may severely curtail its military effectiveness, and such injury or impairment has become a major objective of aggressor nations in their preparation for and prosecution of war.

The Department of Defense for a number of years has urged the adoption of legislation by the Congress as proposed in my bill.

Mr. Tyler Port, Director of the Office of Security Policy, Office of the Secretary of Defense, and four other officials from the Department of Defense, testified before our Committee on Un-American Activities in behalf of this legislation. Their testimony and the testimony of numerous other witnesses indicating the necessity of this legislation to protect the internal security of this Nation, particularly in communications facilities, appear in the printed hearings before the Committee on Un-American Activities. The publications of the committee of these hearings are entitled "Investigation of Communist Penetration of Communications Facilities, Part 1 and Part 2."

The chief purpose of the hearings of the Committee on Un-American Activities in this field of Communist access to defense facilities was to test the adequacy of existing law in furtherance of the duty of the committee to maintain a continuous watchfulness over internal security laws. The testimony of all of the witnesses from the Pentagon and the communications industry was to the effect that notwithstanding Communist access to defense facilities, there is no violation of the present law.

Here, for example, is an excerpt of the testimony given before the committee several months ago by A. Tyler Port, Director of the Office of Security Policy, Office of the Secretary of Defense:

Mr. ARENS. Is the record clear, gentlemen, that the Defense Establishment is of the judgment that present law is inadequate to cope with the problem of Communists and their access to the vital communications facilities of the Defense Department?

Mr. PORT. That is correct, Mr. Arens. I might say, if I may, that as the speed, range, and complexity of our modern weapons systems advance, our communications system on a global basis become increasingly vital to modern military operations.

Here are some further excerpts from the testimony, Mr. Speaker:

Paul Goldsborough, staff director, Communications Division, Office of the Assistant Secretary of Defense—Supply and Logistics—testified that there is a potential possibility of sabotage of communications facilities which process defense messages by any "subversive element that might be so minded."

Michael Mignon, a representative of the Communications Workers of America, AFL–CIO, testified that he had formerly been a member of the Communist Party of the United States. Mr. Mignon pointed out the importance that the Communist Party places upon control of the communications industry in times of emergency. He stated:

To the best of my recollection, sir, it was always pointed out to me that the importance of obtaining control of the communications industry in times of stress or in revolutionary times was a primary factor, and therefore the efforts of the Communist Party in subsidizing the union and offering whatever assistance they could in building the union in the communications industry was primarily the main objective.

Mark Anthony Solga, employed as a radio operator by the Radio Corp. of America, testified before the committee that he had also been a member of the Communist Party. When asked whether he believed that the employment of Communists in the communications industry constituted a serious menace to the security of the United State, Mr. Solga stated:

Potentially, I honestly believe that it does. In the event of any further conflict between the East and West, as that tension increases during the so-called cold war, if it should ultimately develop to a stage where it becomes rather hot, then I do honestly believe they are in a potentially dangerous position to inflict harm on our national security.

Samuel Rothbaum, who is employed as an assistant repeater chief by the Western Union Telegraph Co., testified that he had been a member of the Communist Party and that, in his opinion, based upon 22 years of experience in the communications industry, a saboteur could inflict "an awful lot of damage" in time of crisis.

Mrs. Concetta Padovani Greenberg, who has been employed by the Western Union Telegraph Co. since 1927, also appeared as a friendly witness during the course of the hearings. She testified that she had been a member of the Communist Party for a period of years. When questioned regarding the possibility of access to confidential and coded messages by members of the Communist Party, Mrs. Greenberg testified that persons known to her as having been members of the Communist Party do have access to confidential messages transmitted over facilities of certain segments of the communications industry. She stated that she has seen confidential messages relating to the tests made upon the atomic and hydrogen bombs.

In order to complete the record, may I insert here other testimony on this subject taken in the past before the Internal Security Subcommittee of the Senate. May I say that the reason Mr. Arens' name appears in both the hearings of the House and of the Senate is that until about 2 years ago when he became staff director of the Committee on Un-American Activities, he was staff director of the Internal Security Subcommittee of the Senate.

In 1951 the Internal Security Subcommittee of the Senate conducted a series of hearings respecting subversive infiltration in the telegraph industry. Here are excerpts from the testimony in those hearings:

Mr. ARENS. Do the defense departments of the United States Government lease any wires from Western Union which go through New York?

Mr. MITCHELL. They do.

Mr. ARENS. Do the other departments of the Government of the United States, which deal with problems of defense and defense production, lease wires which go through New York?

Mr. MITCHELL. They do.

Mr. ARENS. Those are leased from the Western Union Co.?

Mr. SHUTE. Some of them.

Mr. ARENS. Are the messages which go over those wires subject to monitoring by ACA people?

Mr. WILCOX. Yes, they are.

Mr. ARENS. Then am I clear in our interpretation of what you are saying that information which is transmitted by the defense facilities of this Government is available to the monitoring process or otherwise to the employees represented by the American Communications Association?

Mr. WILCOX. Yes.

Mr. ARENS. Is that information on the leased wires available to the stewards who are appointed by the officials of the American Communications Association?

Mr. WILCOX. It is possible; yes.

Mr. ARENS. Why do you qualify it as being possible?

Mr. WILCOX. In the sense that it may not be always the steward that is monitoring that particular circuit, but if he did, why, of course, it would be available to him.

Mr. SHUTE. Not all stewards have access to monitoring facilities.

Mr. WILCOX. It is only the particular stewards who might represent the technicians in that particular section of the industry.

Mr. WATERS. But the opportunity is there.

Mr. WILCOX. But the opportunity is there.

Mr. ARENS. May I ask this question here, to pose a hypothetical case. Let us assume that an official in the Pentagon, who is concerned with the armament problems of a North Atlantic Pact nation, sends a cable over a leased wire from Washington by New York on to the Atlantic Pact nation respecting armament problems; would that cable or the information contained therein be subject to monitoring in New York by a person who is a member of the American Communications Association?

Mr. WILCOX. The answer is "Yes."

Mr. ARENS. What is your appraisal of that, as a man who has had vast experience in the communications field, from the standpoint of the security interest of this Nation?

Mr. WILCOX. I think it is extremely hazardous.

Mr. ARENS. Why?

Mr. WILCOX. Well, if such a person had subversive tendencies, they could monitor such information. I don't know whether he might have access to the code or whatever else he might have—he could pass it on to whom he might wish. There is a potential danger there, as I see it.

Mr. ARENS. Am I clear in my interpretation of your testimony that the defense agencies of this Government do have leased wires going through New York City?

Mr. SHUTE. That is correct.

Mr. ARENS. And those leased wires are serviced by employees of the Western Union Co., who are members of the American Communications Association?

Mr. WILCOX. That is correct.

Mr. ARENS. Which has been ejected from the CIO because of its promoting the purposes of the Communist Party?

Mr. WILCOX. That is correct.

Now, these people have access to traffic moving over some 450 leased circuits and 250 telemeter channels terminating at New York City that are also susceptible to monitoring. By telemeter channel I might explain that is a method Western Union has developed for, say, splitting what is normally termed a channel into various segments

so that the one channel can be used by a number of different customers.

Mr. ARENS. Would you pause there a minute? I want to ask you another question. Is the company empowered to discharge an employee solely because that employee is a member of the Communist Party?

Mr. WILCOX. No. In fact, we would be guilty of several things if we tried it, I am afraid.

Mr. ARENS. Am I clear in my impression from your testimony that the company was obliged to bargain with the American Communications Association?

Mr. WILCOX. Yes; they very emphatically were.

* * * * *

Mr. ARENS. Have you, in the course of your employment during the period of time you were in ACA and in the Communist Party, had occasion to see restricted messages?

Mrs. YEWELL. Yes, sir.

Mr. ARENS. Could you tell us about them?

Mrs. YEWELL. The last restricted message that I saw was about a movement of rubber. The first word of the message, which was a Government message, was "restricted." To myself, I didn't think that message had any right even on Western Union's wires. It gave the number of the cars, the destination, and the name of the railroad. It was a long tabulated message about this rubber and its movement.

Mr. ARENS. Have you also, Mrs. Yewell, while you were a member of the Communist Party and a member of the American Communications Association in the course of your work with the Western Union, seen messages on production?

Mrs. YEWELL. Yes, sir.

Mr. ARENS. Were they restricted, too?

Mrs. YEWELL. They did not have the word "restricted."

Mr. ARENS. What did they have on them?

Mrs. YEWELL. Different defense companies saying reasons why they couldn't fill orders. We have all the messages coming through with an assigned number, DO number.

In April 1955 Secretary of the Army Wilber Brucker, who was then Counsel to the Army, appeared before the Internal Security Subcommittee of the Senate. Here are excerpts from his testimony:

Mr. ARENS. Are you aware of the fact that the tie lines and leased lines out at the Pentagon at this very hour are serviced by the American Communications Association which has been repeatedly found to be a Communist-controlled organization?

Mr. BRUCKER. I see your point and I am very glad that you raised that. Yes, and we are disturbed.

Mr. ARENS. Is there any way, Governor, that the Defense Department could preclude access under existing law, preclude access to the tie lines and leased lines out at the Pentagon to persons in the American Communications Association, a Communist-dominated organization?

Mr. BRUCKER. I know of none.

Mr. ARENS. In other words, at the present time, although the tie lines and leased lines out at the Pentagon are serviced by a Communist-controlled organization, the Defense Department is, under existing law, helpless to protect itself?

Mr. BRUCKER. To that extent it certainly is.

Mr. ARENS. Are you cognizant of the fact that there has been testimony before the Internal Security Subcommittee to the effect that persons under discipline of the Communists controlling the American Communications Association now have access to messages coming from the Pentagon by a monitor system whereby they can plug in, listen to conversations——

Mr. BRUCKER. Regrettably, yes, I know that.

Mr. ARENS. Are you conversant with the facts which have been revealed by the Internal Security Subcomittee of the Senate to the effect that restricted telegrams coming in from the Pentagon have been intercepted by persons under discipline of the Communist-controlled American Communications Association?

Mr. BRUCKER. I am aware of that.

Mr. ARENS. Are you conversant with the fact that the North Atlantic cable which carries very important messages vital to the security of our Nation is now serviced by the American Communications Association, a Communist-controlled labor organization?

Mr. BRUCKER. I have learned that, too.

Mr. ARENS. And I take it, if I am not being a little bit redundant here, that under the present law and under the present powers vested in the Defense Department, the Defense Department is absolutely helpless to cut off that access to the messages?

Mr. BRUCKER. That is correct.

Senator BUTLER. As is every other agency of Government that you know of?

Mr. BRUCKER. That is right, every other agency.

Mr. ARENS. Would you propose, Governor, if this bill should become law, that steps would be taken as soon as possible to preclude access to the tie lines and leased lines out at the Pentagon and to the North Atlantic cable of persons under discipline of the Communist-controlled American Communications Association?

Mr. BRUCKER. I would certainly anticipate that steps would be taken to get at that precise problem.

Mr. ARENS. Governor, are you at all conversant with the general, not the specific, the general technique of trying to break a code, one nation trying to break the secret code of another nation?

Mr. BRUCKER. Yes; I am.

Mr. ARENS. You know, of course, do you not, Governor, that one of the techniques of trying to break a code is to have access to messages involved in sending that code; is not that correct?

Mr. BRUCKER. That is.

Mr. ARENS. Is it not true that coded messages of the Pentagon, highly confidential coded messages of the Pentagon which go out over the tie lines and leased lines serviced by the Communist-controlled American Communications Association are in such situation or status that they can be available by a monitoring system even though in code to persons under discipline of the Communist-controlled American Communications Association?

Mr. BRUCKER. You have described it correctly.

Mr. ARENS. And do you, as the General Counsel of the Department of Defense, who has access to the security information of the Department of Defense, feel that that condition, that situation, is a large or at least a situation of grave concern to this Government?

Mr. BRUCKER. I feel, sir, that that situation is nothing short of deplorable to be allowed to continue any longer than is absolutely necessary.

Senator BUTLER. And, Governor, in addition to the existing situation so far as monitoring is concerned, those people are always there to sabotage those very important communication lines, aren't they?

Mr. BRUCKER. They are, and while I would not describe or give any information of an unclassified nature, I know a place or places where that could occur with disastrous results.

Senator BUTLER. In other words, you have a double threat that is presently right here at this moment?

Mr. BRUCKER. That is right.

Senator BUTLER. Breaking the code through the frequency of messages obtainable by them or to which they have access, and also the chance of sabotage of these very important communications in the event of emergency?

Mr. BRUCKER. Yes, sir.

Here is an excerpt of testimony during these same hearings from a representative of the Pentagon:

Mr. STOHL. The ways and means employed by a saboteur to inflict damage are as varied as human imagination. However, when such talents are exercised against vital areas of facilities considered highly essential to our Nation's defense, the loss can be as serious as a major military reverse. The employment of known Communists in this type of facility enhances the possibilities of sabotage. Common sense dictates the removal of such individuals from these plants.

In summary, Mr. Chairman, I would like to say the following:

1. It is not now, nor has it ever been, the purpose of the bill, nor the intention of the Department of Defense to enter into a program of nationwide screening. The intent is to remove a relatively few known dangerous persons from a relatively small number of our most vital facilities.

2. I want to assure this committee that this problem has been considered over a number of years in the executive branch of the Government at the highest levels. Each time, over this period of years, the conclusion has been reached that our security program is not adequate so long as we are aware of the fact that hundreds of known Communists are in our most vital industrial facilities without legal authority to remove them.

3. Unless this legislation is enacted, we are not in a position to assure the Congress and the American people that all reasonable measures are being undertaken to safeguard our national security.

Senator BUTLER. Thank you, Mr. Stohl.

The well-known, able, and respected columnist Victor Riesel discussed the need for this legislation within the last 10 days. Here is what he said:

It would cost us $100 million to make a Soviet-type moon shot, Pentagon scientists, afflicted with a bad case of budget-itis, tell you in awe. By comparison, a big missile is dirt cheap, just $35 million, though one twisted wire or one badly-soldered electronic part can burn up before it gets higher than the commanding officer's temper.

Yet, despite the high cost of lifting one of these celestial gadgets, this Government has been forced to permit some 2,000 known Communists and professional saboteurs to work in classified plants which turn out parts and assemble component sections of missiles for the big race.

For well over a year the Pentagon has been seeking the power to get these workers fired—or at least shifted completely out of the secret plants. They told the House Un-American Activities Committee about it in detailed testimony.

That was on October 9, 1957. On that day, five top Pentagon counterintelligence and security officers went up the Hill. They are all respected men. They said there were 2,000 known saboteurs. They warned that they could not guarantee adequate protection against industrial espionage and sabotage. To make this record solid, here are the men who testified: A. Tyler Port, Director, Office of Security Policy; Robert Applegate, Staff Director, Industrial Security Programs Division; Paul Goldsborough, Staff Director, Communications Division; John H. Fanning, then Director of Domestic Programs; and Jack L. Stempler, Assistant General Counsel of the Office of the Secretary of Defense.

Port said: "Acts of sabotage and espionage are usually committed by an individual or several individuals, rather than by an organization. Consequently, any preventive or

corrective measures taken should be directed against such misguided persons and not necessarily against organizations to which they belong."

The Pentagon simply wanted a law which could move some 2,000 identified potential saboteurs not only from a secret department but from the factory itself. At the moment, the Pentagon can only lift a suspect out of a classified division. It cannot, for example, get a janitor fired even if he is a known member of the Communist Party. That's a fact.

A proposed law was written. It was called the Defense Facilities Protection Act. No one heeded the House Un-American Activities Committee. The bill died. Committee member GORDON SCHERER, Cincinnati, finally reported on the floor of the House the other day the estimate of 2,000 potential spies, but it was lost in the torrent of words from others. * * *

Just one 10-cent phone call would have revealed that the Pentagon has spent millions tracing these workers.

Operating through its industrial security program, the Pentagon has checked upward of 3 million workers on a front ranging from the palm trees of the Florida coast to the ice-bound ships now part of the Arctic distant early warning system.

Of these, 2 million have been cleared for confidential information. Another 750,000 workers were cleared for top secret and secret data. There were 3,459 suspect cases at the time of the last count. Of these, clearances were denied or revoked in 1,006 cases. But it was all wasted. Many were just shifted to other floors and departments. The law doesn't permit us to do any more. Now that's a handy crowd to have around gadgets costing $35 million each.

The text of the bill follows:

A bill to authorize the Federal Government to guard strategic defense facilities against individuals believed to be disposed to commit acts of sabotage, espionage, or other subversion

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Defense Facilities Protection Act of 1959."

SEC. 2. The Congress hereby finds that—

(1) the history of modern warfare has established that the defense of any country is greatly dependent upon the effective and continued operation of its industrial economy and the full utilization of its productive capabilities. In time of war or of preparation for defense from attack by a potential aggressor, injury to the industrial economy or impairment of the productive capabilities of a country may severely curtail its military effectiveness, and such injury or impairment has become a major objective of aggressor nations in their preparation for and prosecution of war;

(2) there exists in the United States a limited number of individuals as to whom there is reasonable ground to believe they may engage in sabotage of the industrial economy and productive capabilities of the United States, espionage, or other subversive acts in order to weaken the power and ability of the United States to cope with actual or threatened war, invasion, insurrection, subversive activity, disturbance, or threatened disturbance of international relations;

(3) in such circumstances it is essential that, without impairing the rights or privileges of the great bulk of loyal United States citizens, such individuals be barred from access to facilities injury to which would be harmful to the industrial economy and productive capabilities of the United States, and, therefore, to its military effectiveness.

SEC. 3. (a) Whenever the President finds by proclamation or Executive order that the security of the United States is endangered by reason of actual or threatened war, or invasion, or insurrection, or subversive activity, or of disturbance or threatened disturbance of the international relations of the United States, the President is authorized to institute such measures and issue such rules and regulations as may be necessary to bar from access to any defense facility or facilities individuals as to whom there is reasonable ground to believe they may engage in sabotage, espionage, or other subversive acts. The President may perform any function vested in him by this Act through or with the aid of such officers or agencies as he may designate.

(b) Except as provided in subsection (c) of this section, no measure instituted, or rule or regulation issued, pursuant to subsection (a) of this section shall operate to deprive any individual of access to any defense facility or facilities unless such individual shall first have been notified of the charges against him and given an adequate opportunity to defend himself against the charges. Such charges shall be sufficiently specific to permit the individual to respond to them, and such opportunity shall, if the individual so desires, include a hearing. The Administrative Procedure Act shall not be applicable to proceedings under this Act. Nothing contained in this Act shall be deemed to require any investigatory organization of the United States Government to disclose its informants or other information which in its judgment would endanger its investigatory activity: *Provided, however,* That in the event that such information is not disclosed the individual charged shall be furnished with a fair summary of the information in support of the charges against him.

(c) The measures instituted, or rules or regulations issued, pursuant to subsection (a) hereof may operate to bar summarily any individual from access to any defense facility or facilities provided that such individual shall be notified in writing of the charges against him within fifteen days from the time he is so barred and given an adequate opportunity to defend himself against such charges, including, if he so requests, a hearing within thirty days of the date of such request. Reasonable continuances may, however, be permitted if consistent with expeditious disposition of the matter. A determination shall be made and transmitted to the individual affected within thirty days from the date of the termination of the hearing or, if no hearing is requested, of the submission of the individual's defense to the charges, and if administrative proceedings are provided by the rules or regulations for review of any such determination they shall be promptly determined. In the event that the summary bar against such individual is removed as a result of any proceeding, the individual shall be compensated by the United States solely for his loss of earnings in or in connection with any defense facility during the period he was so barred.

(d) As used in this Act the term "defense facility" shall have the same meaning as it has in title I of the Internal Security Act of 1950, as amended, but shall not include vessels, piers, or waterfront facilities.

SEC. 4. Whoever willfully violates any rule, regulation, or order issued pursuant to the provisions of this Act, or knowingly obstructs or interferes with the exercise of any power conferred by this Act shall, upon conviction thereof, be punished by a fine of not more than $10,000 or by imprisonment for not more than five years, or both.

SEC. 5. Nothing contained in this Act shall be construed to deprive any individual of any rights or benefits conferred upon him by the National Labor Relations Act, as amended by the Labor Management Relations Act, 1947.

PUBLIC SCHOOLS

Mr. METCALF. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. METCALF. Mr. Speaker, an unprecedented crisis has arisen in some of the Nation's school districts. In an effort to circumvent the orders of State and Federal courts and in defiance of the equal protection clause of the 14th amendment to the U.S. Constitution, State and local officials have taken it upon themselves to close certain public schools. It is hard to believe that, in the middle of the 20th century, public schools in the greatest democracy on earth are actually being closed and instruction halted. But this tragedy is indeed unfolding before an astonished Nation and a startled world and indications are that the nightmare will spread still further before these unfortunate children are returned to their classrooms. It is now reported that closed schools in one of the areas will reopen. Nevertheless, boys and girls have been without any educational opportunities for months. Other schools are still closed. Therefore, I am today introducing legislation to provide these children with public education until the local authorities see fit to assume their responsibilities and reopen the local schools.

Mr. Speaker, all citizens of this Nation have a right to an education, wherever they live and whomever they might be. The Federal Government has already, and rightly, assumed responsibility for the education of children living on military reservations. But as has already been suggested by my distinguished colleague from Ohio, this is no longer a sufficient expression of the Federal responsibility.

Therefore, I am introducing two bills today designed to get these children back into public schools. The first of these bills amends Public Law 874 of the 81st Congress by providing that the United States Commissioner of Education shall establish and operate free public schools for the education of children whose schools are closed in order to avoid compliance with the 14th amendment of the Constitution of the United States. The bill provides for the procedures which the Commissioner is to follow, the type of education to be provided and to whom.

Thousands of schoolchildren in the United States are not going to school. The date of the reopening of their school is uncertain, at best. "The education of our children is of national concern, and if they are not educated properly, it is a national calamity."

A related problem is the hateful, despicable and intolerable series of bombings of public schools which has occurred in recent months. These criminal acts may very well become—if they have not already—a concerted and cynical master plan designed to thwart or intimidate the peaceful compliance with court orders affecting public schools. Localities which endeavor to abide by the law are

the ones most likely to be victimized by these vicious bombings. The Federal Government should demonstrate to them that it stands ready to assist them in the speedy restoration of their school facilities. Accordingly, the second bill which I am introducing today amends Public Law 815 of the 81st Congress by providing that the Federal Government undertake to construct minimum school facilities in an area where the existing facilities have been maliciously destroyed, in whole or in substantial part. The local educational agency will eventually repay the Federal Government for this construction in such manner as the U.S. Commissioner of Education deems appropriate without imposing an undue financial burden on the local educational agency. The bill further provides that the use of such a facility shall never be discontinued in an effort to avoid compliance with a State or Federal court order enforcing the 14th amendment to the Constitution.

Our richest national resource is our children, yet there are thousands of them being deprived of their right to a free public education, at a time when we can ill afford to squander any of our talents or resources. We must meet this challenge in a courageous and creative manner.

TO PASS A SOUND LABOR REFORM BILL

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, I have introduced some revisions to my proposed Labor Management Reporting and Disclosure Act of 1959 which provides for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, and for other purposes.

On January 15 I announced my intention to offer such revisions or amendments to the bill which I originally introduced on the opening day of this session, January 7.

The following three provisions are among those included in the revised version of the bill:

First. Provisions are made for holding National Labor Relations Board hearings prior to union representation elections. This will expedite union representation procedure and will offer another safety measure to keep corrupt elements for being able to win collective-bargaining rights for honest but unsuspecting workers.

Second. The National Labor Relations Act requirement for union officers to sign a non-Communist oath is repealed in my proposal because such a requirement is considered to be strictly a negative approach to assuring that only loyal Americans advance to union leadership posts.

Third. Persons convicted of serious crimes are prohibited from service as union officers or employees, unless they were convicted while a minor, or unless they have been approved by a U.S. district court, after proper hearings, to hold offices in or be employed by a labor organization. Court approval could not be given until at least 5 years after the termination of the last conviction.

I would like to point out to my colleagues that my proposed bill is similar to the one introduced in the Senate by Senators KENNEDY and ERVIN, except with reference to the revisions which I have just enumerated above. All other revisions made in my original bill are in line with the Kennedy-Ervin labor-reform proposals.

The first two revisions to my proposed measure—provision for preelection hearings by the National Labor Relations Board and repeal of the non-Communist oath—are not in the Kennedy-Ervin bill; and whereas the Senate bill would require the Secretary of Labor to approve for union offices or employment such persons as were convicted of serious crimes, my revised bill would allow approval by judicial process, that is, through a Federal court. Such an arrangement would keep the Department of Labor, which has several major functions under this bill, from being overloaded. It is also my considered opinion that more expeditious action would ensue by means of court procedure. In addition to this, my bill would not prohibit from service as a union officer or employee any person convicted of a crime while a minor. This provision is not found in the Senate bill.

The following major points are the same in both bills:

First. Comprehensive and detailed disclosure of union financial data;

Second. Reports by union officers on conflict-of-interest transactions;

Third. Criminal sanctions for embezzlement of union funds, false reporting, false entries on books, failure to report, or destruction of union books;

Fourth. Suits by union members for recovery of funds embezzled or misappropriated by union officers;

Fifth. Prohibition of loans by employers or unions to union officers;

Sixth. Secret ballot election of all union officers or of the convention delegates who select them;

Seventh. Due notice of all union elections, and real opportunity to nominate opposing candidates;

Eighth. Secret ballot election of union officers every 4 years by international unions and every 3 years by local unions;

Ninth. Prohibition of the use of union funds to support the candidacy of any union officer;

Tenth. Empower the Secretary of Labor to institute court action to set aside improper elections and conduct new elections;

Eleventh. Strict standards for the imposition of trusteeships and a limit of 18 months on their duration;

Twelfth. Mandatory annual reports to the Department of Labor and to union members on every trusteeship with the reasons for its establishment, continuance, and operation;

Thirteenth. Prohibition on counting votes of delegates of trustee bodies unless such delegates are elected by secret ballot, and on transfer of funds from trusteed local unions to internationals except normal dues and assessments;

Fourteenth. Empower the Secretary of Labor to begin court proceedings to break improper trusteeships;

Fifteenth. Prohibition of picketing for extortion or to secure a payoff from employer;

Sixteenth. Prohibition of solicitation or payment of fictitious fees for unloading cargo from interstate carriers;

Seventeenth. Public financial reports of the operating of Nathan Shefferman-type middlemen; and a prohibition of channeling bribes and improper influence through such middlemen; and

Eighteenth. Elimination of the "no-man's-land" problem which denied NLRB action on local labor racketeering by directing the NLRB to exercise its full jurisdiction under the Taft-Hartley Act.

I introduced this legislation as a result of my being deeply disturbed and much concerned with specific accounts of corrupt practices in labor and management activities. The reforms in my proposals are sought by those—both in and out of Congress—who recognize the necessity for Federal legislation in the field of labor-management relations. I realize, however, that there are some individuals and organizations which oppose such anticorruption legislation because what they really want is another legislation.

It has been clearly shown through congressional and other investigations and hearings that corruption in labor-management relations is real, not fancied, and constitutes a malignant growth in the sinews of both labor and management.

I therefore urge my colleagues to join me in supporting this labor reform bill because we can no longer stand idly by and watch the lethal corruption disease gnaw away at the foundations and principles of labor and mangement, and consequently at the hard core of our economy and our democracy.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HERLONG (at the request of Mr. SIKES), for 1 hour, on Monday next.

Mr. SIKES, for 30 minutes, on Thursday next.

Mr. VANIK, for 1 hour, on February 2.

Mr. MAGNUSON, for 20 minutes, on February 2.

Mr. MACK of Washington, for 15 minutes, on Thursday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. WRIGHT (at the request of Mr. MCGOVERN) and to include extraneous matter.

Mr. SLACK.
Mr. WAMPLER and to include extraneous matter.
Mr. MACHROWICZ and to include extraneous matter.
Mr. VANIK.
Mr. COLLIER and to include extraneous matter.
Mr. HOEVEN.
Mr. CRAMER to extend his remarks in the RECORD in three instances.
Mr. DELANEY.
(At the request of Mr. HALLECK, and to include extraneous matter, the following:)
Mr. TEAGUE of California.
Mr. KNOX.
(At the request of Mr. ALBERT, and to include extraneous matter, the following:)
Mr. HECHLER.
Mr. ANFUSO.
Mr. BLATNIK.
Mr. HOLTZMAN.
Mr. THOMPSON of New Jersey (at the request of Mr. WOLF) and to include extraneous matter.
(At the request of Mr. Bow, and to include extraneous matter, the following:)
Mr. RAY.
Mr. ARENDS.
Mr. AYRES.

ADJOURNMENT

Mr. WOLF. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 11 minutes p.m.), under its previous order, the House adjourned until Monday, February 2, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

442. A letter from the Comptroller General of the United States, transmitting a report on the audits of the Federal Housing Administration, Housing and Home Finance Agency, for the fiscal years ended June 30, 1954 to 1957 (H. Doc. No. 61); to the Committee on Government Operations and ordered to be printed.

443. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation entitled "A bill to provide a revolving fund for certain loans by the Secretary of Agriculture for improved budget and accounting procedures, and for other purposes"; to the Committee on Agriculture.

444. A letter from the Administrator, Housing and Home Finance Agency, transmitting the Fourth Annual Report of the Voluntary Home Mortgage Credit Program from August 2, 1954, through December 31, 1957, pursuant to the Housing Act of 1954; to the Committee on Banking and Currency.

445. A letter from the President, Board of Commissioners, District of Columbia, transmitting the Annual Report of the Board of Commissioners of the District of Columbia for the fiscal year 1958, pursuant to the act approved June 11, 1878 (20 Stat. 108); to the Committee on the District of Columbia.

446. A letter from the president, Potomac Electric Power Co., transmitting a copy of the balance sheet of Potomac Electric Power Co. as of December 31, 1958, pursuant to the act of March 4, 1913 (37 Stat. 974); to the Committee on the District of Columbia.

447. A letter from the Secretary of Labor, transmitting a draft of proposed legislation entitled "A bill providing further safeguards against improper practices in labor organizations and in labor-management relations; requiring disclosure of certain financial transactions and administrative practices of labor organizations and their officers and agents and reports of direct and indirect dealings between them and employers which may conflict with obligations as employee representatives; reinforcing rights of members of labor organizations with respect to funds and property, the election and removal of officers, and the exercise by other labor organizations of supervisory control, of such organizations; providing penalties for certain criminal acts; and for other purposes"; to the Committee on Education and Labor.

448. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of proposed legislation entitled "A bill to amend the Federal Aviation Act of 1958 to authorize the Civil Aeronautics Board to include in certificates of public convenience and necessity limitations on the type and extent of service authorized, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

449. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of proposed legislation entitled "A bill to amend the Federal Aviation Act of 1958 so as to authorize elimination of a hearing in certain cases under section 408"; to the Committee on Interstate and Foreign Commerce.

450. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of proposed legislation entitled "A bill to amend the Federal Aviation Act of 1958 so as to authorize the imposition of civil penalties in certain cases; and to increase the monetary amount of fines for violation of the criminal provisions"; to the Committee on Interstate and Foreign Commerce.

451. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of proposed legislation entitled "A bill to amend the Federal Aviation Act of 1958 in order to (1) assure for the Civil Aeronautics Board independent participation and representation in court proceedings, (2) provide for review of nonhearing Board determinations in the courts of appeals, and (3) clarify present provisions concerning the time for seeking judicial review"; to the Committee on Interstate and Foreign Commerce.

452. A letter from the Chairman, Federal Power Commission, transmitting the 38th Annual Report of the Federal Power Commission for the fiscal year ended June 30, 1958; to the Committee on Interstate and Foreign Commerce.

453. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to amend section 30(a) of the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 187(a)), to prevent the undesirable division of oil and gas leaseholds"; to the Committee on Interior and Insular Affairs.

454. A letter from the Assistant Secretary of the Interior, relative to a proposed concession contract with Mr. Floyd L. Thompson, authorizing him to obtain hot waters from Hot Springs National Park, Ark., pursuant to the act of July 14, 1956 (70 Stat. 543); to the Committee on Interior and Insular Affairs.

455. A letter from the Acting Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation entitled "A bill for the relief of Dr. Raymond A. Vonderlehr and certain other officers of the Public Health Service"; to the Committee on the Judiciary.

456. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation entitled "A bill to amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the application and operation of such act, and for other purposes"; to the Committee on Post Office and Civil Service.

457. A letter from the Administrator, General Services Administration, transmitting the General Services Administration report on positions compensated under authority of Public Law 623, 84th Congress, during calendar year 1958; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FRIEDEL: Committee on House Administration. House Resolution 20. Resolution to provide for the expenses of the investigation and study authorized by House Resolution 19; with amendment (Rept. No. 13). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 36. Resolution providing a clerk for the House delegation of the United States Group of the North Atlantic Treaty Parliamentarians' Conference; without amendment (Rept. No. 14). Referred to the House Calendar.

Mr. FRIEDEL: Committee on House Administration. House Resolution 82. Resolution to provide funds for the expenses of the studies, investigations, and inquiries authorized by House Resolution 81; with amendment (Rept. No. 15). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 79. Resolution to provide funds for the expenses of the investigations and studies authorized by House Resolution 78; without amendment (Rept. No. 16). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 92. Resolution to provide funds for the Committee on the Judiciary; with amendment (Rept. No. 17). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 107. Resolution to provide funds for the expenses of the studies, investigations, and inquiries authorized by House Resolution 91; without amendment (Rept. No. 18). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 108. Resolution providing for the expenses of conducting studies and investigations authorized by rule XI(8) incurred by the Committee on Government Operations; with amendment (Rept. No. 19). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 126. Resolution to provide for the expenses of the investigation and study authorized by House Resolution 101; with amendment (Rept. No. 20). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 131. Resolution providing funds for the Committee on House Administration; without amendment (Rept. No. 21). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 136. Resolution to provide funds for investigations and studies conducted pursuant to House Resolution 56, by the Committee on Interstate and Foreign Commerce; without amendment (Rept. No. 22). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 139. Resolution to provide funds for the expenses of the studies, investigations, and inquiries authorized by House Resolution 133; without amendment (Rept. No. 23). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 137. Resolution to authorize the expenditure of certain funds for the expenses of the Committee on Un-American Activities; without amendment (Rept. No. 24). Ordered to be printed.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 2256. A bill to amend chapter 37 of title 38, United States Code, to provide additional funds for direct loans; to remove certain requirements with respect to the rate of interest on guaranteed loans; and for other purposes; with amendment (Rept. No. 25). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 3539. A bill to repeal the act of February 18, 1896, as amended; to the Committee on Armed Services.

By Mr. KEARNS:

H.R. 3540. A bill providing further safeguards against improper practices in labor organizations and in labor-management relations; requiring disclosure of certain financial transactions and administrative practices of labor organizations and their officers and agents and reports of direct and indirect dealings between them and employers which may conflict with obligations as employee representatives; reinforcing rights of members of labor organizations with respect to funds and property, the election and removal of officers, and the exercise by other labor organizations of supervisory control, of such organizations; providing penalties for certain criminal acts; and for other purposes; to the Committee on Education and Labor.

By Mr. BOSCH:

H.R. 3541. A bill providing further safeguards against improper practices in labor organizations and in labor-management relations; requiring disclosure of certain financial transactions and administrative practices of labor organizations and their officers and agents and reports of direct and indirect dealings between them and employers which may conflict with obligations as employee representatives; reinforcing rights of members of labor organizations with respect to funds and property, the election and removal of officers, and the exercise by other labor organizations of supervisory control, of such organizations; providing penalties for certain criminal acts; and for other purposes; to the Committee on Education and Labor.

By Mr. CRAMER:

H.R. 3542. A bill providing further safeguards against improper practices in labor organizations and in labor-management relations; requiring disclosure of certain financial transactions and administrative practices of labor organizations and their officers and agents and reports of direct and indirect dealings between them and employers which may conflict with obligations as employee representatives; reinforcing rights of members of labor organizations with respect to funds and property, the election and removal of officers, and the exercise by other labor organizations of supervisory control, of such organizations; providing penalties for certain criminal acts; and for other purposes; to the Committee on Education and Labor.

By Mr. FRELINGHUYSEN:

H.R. 3543. A bill providing further safeguards against improper practices in labor organizations and in labor-management relations; requiring disclosure of certain financial transactions and administrative practices of labor organizations and their officers and agents and reports of direct and indirect dealings between them and employers which may conflict with obligations as employee representatives; reinforcing rights of members of labor organizations with respect to funds and property, the election and removal of officers, and the exercise by other labor organizations of supervisory control, of such organizations; providing penalties for certain criminal acts; and for other purposes; to the Committee on Education and Labor.

By Mr. GRIFFIN:

H.R. 3544. A bill providing further safeguards against improper practices in labor organizations and in labor-management relations; requiring disclosure of certain financial transactions and administrative practices of labor organizations and their officers and agents and reports of direct and indirect dealings between them and employers which may conflict with obligations as employee representatives; reinforcing rights of members of labor organizations with respect to funds and property, the election and removal of officers, and the exercise by other labor organizations of supervisory control, of such organizations; providing penalties for certain criminal acts; and for other purposes; to the Committee on Education and Labor.

By Mr. HIESTAND:

H.R. 3545. A bill providing further safeguards against improper practices in labor organizations and in labor-management relations; requiring disclosure of certain financial transactions and administrative practices of labor organizations and their officers and agents and reports of direct and indirect dealing between them and employers which may conflict with obligations as employee representatives; reinforcing rights of members and labor organizations with respect to funds and property, the election and removal of officers, and the exercise by other labor organizations of supervisory control, of such organizations; providing penalties for certain criminal acts; and for other purposes; to the Committee on Education and Labor.

By Mr. AYRES:

H.R. 3546. A bill providing further safeguards against improper practices in labor organizations and in labor-management relations; requiring disclosure of certain financial transactions and administrative practices of labor organizations and their officers and agents and reports of direct and indirect dealing between them and employers which may conflict with obligations as employee representatives; reinforcing rights of members and labor organizations with respect to funds and property, the election and removal of officers, and the exercise by other labor organizations of supervisory control, of such organizations; providing penalties for certain criminal acts; and for other purposes; to the Committee on Education and Labor.

By Mr. KARSTEN:

H.R. 3547. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. MACHROWICZ:

H.R. 3548. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. FULTON:

H.R. 3549. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. ANDERSON of Montana:

H.R. 3550. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. ASHLEY:

H.R. 3551. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. BLATNIK:

H.R. 3552. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. BOYLE:

H.R. 3553. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. BRADEMAS:

H.R. 3554. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. BYRNE of Pennsylvania:

H.R. 3555. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 3556. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. DENTON:

H.R. 3557. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 3558. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. DOLLINGER:

H.R. 3559. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. FINO:

H.R. 3560. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. FLOOD:

H.R. 3561. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. FLYNN:

H.R. 3562. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. GALLAGHER:

H.R. 3563. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. GARMATZ:

H.R. 3564. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. GRAY:
H.R. 3565. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mrs. GREEN of Oregon:
H.R. 3566. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. HALPERN:
H.R. 3567. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. HECHLER:
H.R. 3568. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. HOLIFIELD:
H.R. 3569. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. HOLLAND:
H.R. 3570. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. KASTENMEIER:
H.R. 3571. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. KOWALSKI:
H.R. 3572. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee of Ways and Means.

By Mr. LESINSKI:
H.R. 3573. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. MADDEN:
H.R. 3574. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. MONTOYA:
H.R. 3575. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. MOORHEAD:
H.R. 3576. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. MULTER:
H.R. 3577. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. O'HARA of Michigan:
H.R. 3578. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. PELLY:
H.R. 3579. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. PRICE:
H.R. 3580. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. PUCINSKI:
H.R. 3581. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. RHODES of Pennsylvania:
H.R. 3582. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. RODINO:
H.R. 3583. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. ROOSEVELT:
H.R. 3584. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. ROSTENKOWSKI:
H.R. 3585. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. SANTANGELO:
H.R. 3586. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. SHELLEY:
H.R. 3587. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. SMITH of Iowa:
H.R. 3588. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. VANIK:
H.R. 3589. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. WIER:
H.R. 3590. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployed insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. ZELENKO:
H.R. 3591. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployed insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. HOSMER:
H.R. 3592. A bill to provide that where a person has paid State or local property taxes and been reimbursed therefor by the United States under contract, and such taxes are thereafter required to be refunded, and such person has agreed to accept rebate of such taxes in installments over a 5-year period, such person may repay to the United States the amount of such reimbursement in similar installments; to the Committee on Ways and Means.

By Mr. DOYLE:
H.R. 3593. A bill to provide that where a person has paid State or local property taxes and been reimbursed therefor by the United States under contract, and such taxes are thereafter required to be refunded, and such person has agreed to accept rebate of such taxes in installments over a 5-year period, such person may repay to the United States the amount of such reimbursement in similar installments; to the Committee on Ways and Means.

By Mr. HIESTAND:
H.R. 3594. A bill to provide that where a person has paid State or local property taxes and been reimbursed therefor by the United States under contract, and such taxes are thereafter required to be refunded, and such person has agreed to accept rebate of such taxes in installments over a 5-year period, such person may repay to the United States the amount of such reimbursement in similar installments; to the Committee on Ways and Means.

By Mr. HOLIFIELD:
H.R. 3595. A bill to provide that where a person has paid State or local property taxes and been reimbursed therefor by the United States under contract, and such taxes are thereafter required to be refunded, and such person has agreed to accept rebate of such taxes in installments over a 5-year period, such person may repay to the United States the amount of such reimbursement in similar installments; to the Committee on Ways and Means.

By Mr. JACKSON:
H.R. 3596. A bill to provide that where a person has paid State or local property taxes and been reimbursed therefor by the United States under contract, and such taxes are thereafter required to be refunded, and such person has agreed to accept rebate of such taxes in installments over a 5-year period, such person may repay to the United States the amount of such reimbursement in similar installments; to the Committee on Ways and Means.

By Mr. KASEM:
H.R. 3597. A bill to provide that where a person has paid State or local property taxes and been reimbursed therefor by the United States under contract, and such taxes are thereafter required to be refunded, and such person has agreed to accept rebate of such taxes in installments over a 5-year period, such person may repay to the United States the amount of such reimbursement in similar installments; to the Committee on Ways and Means.

By Mr. KING of California:
H.R. 3598. A bill to provide that where a person has paid State or local property taxes and been reimbursed therefor by the United States under contract, and such taxes are thereafter required to be refunded, and such person has agreed to accept rebate of such taxes in installments over a 5-year period, such person may repay to the United States the amount of such reimbursement in similar installments; to the Committee on Ways and Means.

By Mr. LIPSCOMB:
H.R. 3599. A bill to provide that where a person has paid State or local property taxes and been reimbursed therefor by the United States under contract, and such taxes are thereafter required to be refunded, and such person has agreed to accept rebate of such taxes in installments over a 5-year period, such person may repay to the United States the amount of such reimbursement in similar installments; to the Committee on Ways and Means.

By Mr. McDONOUGH:
H.R. 3600. A bill to provide that where a person has paid State or local property taxes and been reimbursed therefor by the United

States under contract, and such taxes are thereafter required to be refunded, and such person has agreed to accept rebate of such taxes in installments over a 5-year period, such person may repay to the United States the amount of such reimbursement in similar installments; to the Committee on Ways and Means.

By Mr. ROOSEVELT:

H.R. 3601. A bill to provide that where a person has paid State or local property taxes and been reimbursed therefor by the United States under contract, and such taxes are thereafter required to be refunded, and such person has agreed to accept rebate of such taxes in installments over a 5-year period, such person may repay to the United States the amount of such reimbursement in similar installments; to the Committee on Ways and Means.

By Mr. WILSON:

H.R. 3602. A bill to provide that where a person has paid State or local property taxes and been reimbursed therefor by the United States under contract, and such taxes are thereafter required to be refunded, and such person has agreed to accept rebate of such taxes in installments over a 5-year period, such person may repay to the United States the amount of such reimbursement in similar installments; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 3603. A bill to provide that where a person has paid State or local property taxes and been reimbursed therefor by the United States under contract, and such taxes are thereafter required to be refunded, and such person has agreed to accept rebate of such taxes in installments over a 5-year period, such person may repay to the United States the amount of such reimbursement in similar installments; to the Committee on Ways and Means.

By Mr. ADDONIZIO:

H.R. 3604. A bill to amend title IV of the Housing Act of 1950 to increase the amount available thereunder for housing loans to educational institutions and hospitals, and to authorize loans to educational institutions for classroom buildings and other academic facilities; to the Committee on Banking and Currency.

H.R. 3605. A bill to amend the U.S. Housing Act of 1937 to establish a new program for the housing of elderly persons of low income; to the Committee on Banking and Currency.

H.R. 3606. A bill to amend the U.S. Housing Act of 1937 to reduce from 65 to 62 the age at which a single person can qualify for admission to a low-rent housing project and the age at which a family can qualify for admission to a project designed specifically for elderly families; to the Committee on Banking and Currency.

By Mr. ALGER:

H.R. 3607. A bill to amend the Internal Revenue Code of 1954 so as to provide for scheduled personal and corporate income-tax reductions, and for other purposes; to the Committee on Ways and Means.

By Mr. ASPINALL:

H.R. 3608. A bill to authorize the Secretary of the Navy to acquire certain land on the island of Guam; to the Committee on Interior and Insular Affairs.

By Mr. BERRY:

H.R. 3609. A bill to amend section 203 of the Social Security Act to increase the amount of earnings individuals are permitted to earn without suffering deductions from their benefits; to the Committee on Ways and Means.

By Mr. BLATNIK:

H.R. 3610. A bill to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works; to establish the Office of Water Pollution Control; and for other purposes; to the Committee on Public Works.

H.R. 3611. A bill to encourage the prevention of air and water pollution by allowing the cost of treatment works for the abatement of air and stream pollution to be amortized at an accelerated rate for income-tax purposes; to the Committee on Ways and Means.

By Mr. BOSCH:

H.R. 3612. A bill to amend the Civil Service Retirement Act to increase to 2½ percent the multiplication factor for determining annuities for certain Federal employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

By Mr. BUCKLEY:

H.R. 3613. A bill to amend title I of the Housing Act of 1949 to provide that interest on moneys advanced by a city in connection with the financing of an urban renewal project may be included as an item of its gross project cost; to the Committee on Banking and Currency.

By Mr. CHAMBERLAIN:

H.R. 3614. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. CLARK:

H.R. 3615. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. COFFIN:

H.R. 3616. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

By Mr. COLLIER:

H.R. 3617. A bill to amend the Internal Revenue Code of 1954 to provide for a reduction in the manufacturers' excise taxes on passenger automobiles and automotive parts and accessories; to the Committee on Ways and Means.

By Mr. CURTIS of Massachusetts:

H.R. 3618. A bill to amend the Universal Military Training and Service Act, as amended; to the Committee on Armed Services.

By Mr. EDMONDSON:

H.R. 3619. A bill to amend the Internal Revenue Code of 1954 to impose import taxes on lead and zinc; to the Committee on Ways and Means.

H.R. 3620. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by authorizing the Secretary of the Interior, acting through the Bureau of Mines, to contract for coal research, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3621. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3622. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

H.R. 3623. A bill to amend the national defense amendment, and for other purposes; to the Committee on Ways and Means.

By Mr. ELLIOTT:

H.R. 3624. A bill to provide free mailing privileges for patients in or at veterans' hospitals; to the Committee on Post Office and Civil Service.

H.R. 3625. A bill to provide a particular designation for the proposed dam and lock on the Chattahoochee River at Columbia, Ala.; to the Committee on Public Works.

H.R. 3626. A bill to make the evaluation of recreational benefits resulting from the construction of any flood control, navigation, or reclamation project an integral part of project planning, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3627. A bill to amend the Agricultural Adjustment Act of 1938 to permit a 1-year carryover of cotton farm acreage allotments where bad weather prevented planting; to the Committee on Agriculture.

H.R. 3628. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide for lease and transfer of acreage allotments; to the Committee on Agriculture.

H.R. 3629. A bill to provide for emergency furlough or leave for members of the Armed Forces serving outside the United States in the event of the death of a member of such person's immediate family; to the Committee on Armed Services.

H.R. 3630. A bill to authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to make grants to certain educational institutions for the construction of military and naval science buildings, and for other purposes; to the Committee on Armed Services.

H.R. 3631. A bill to increase from $600 to $800 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Commitee on Ways and Means.

H.R. 3632. A bill to amend the Internal Revenue Code of 1954 to provide an amortization deduction for small businesses which establish or expand facilities utilizing surplus agricultural commodities in new industrial products or uses; to the Committee on Ways and Means.

H.R. 3633. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 3634. A bill to allow a deduction for income tax purposes of certain expenses incurred by the taxpayer for the education of a dependent; to the Committee on Ways and Means.

By Mr. EVERETT:

H.R. 3635. A bill to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes; to the Committee on Public Works.

By Mr. EVINS:

H.R. 3636. A bill to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes; to the Committee on Public Works.

By Mr. FARBSTEIN:

H.R. 3637. A bill to provide coverage under the old-age, survivors, and disability insurance system (subject to an election in the case of those currently serving) for all officers and employees of the United States and its instrumentalities; to the Committee on Ways and Means.

By Mr. FISHER:

H.R. 3638. A bill to amend the Career Compensation Act of 1949 relating to the transportation of house trailers upon permanent change of station of members of the armed services; to the Committee on Armed Services.

By Mr. FLOOD:

H.R. 3639. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FORAND:

H.R. 3640. A bill relating to the amount of loss recognized for income tax purposes in the case of certain casualty losses; to the Committee on Ways and Means.

By Mr. FRAZIER:

H.R. 3641. A bill to amend the Tennessee Valley Authority Act of 1933, as amended,

and for other purposes; to the Committee on Public Works.

By Mr. GRAY:

H.R. 3642. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

By Mr. GREEN of Pennsylvania:

H.R. 3643. A bill relating to withholding, for purposes of income tax imposed by certain municipalities, on the compensation of Federal employees; to the Committee on Ways and Means.

By Mrs. GRIFFITHS:

H.R. 3644. A bill to facilitate the distribution of surplus food products to needy families in the United States; to the Committee on Agriculture.

By Mr. GUBSER:

H.R. 3645. A bill to amend title I of the Social Security Act to provide that the first $50 per month of an individual's earned income shall be disregarded by the State agency in determining his need for old-age assistance; to the Committee on Ways and Means.

H.R. 3646. A bill to amend title VI of the Social Security Act to provide that a State in certain cases may furnish aid to dependent children in the form of goods and services rather than money, and may furnish aid to dependent children living in foster homes, without forfeiting its entitlement thereunder to Federal grants for aid to such children; to the Committee on Ways and Means.

H.R. 3647. A bill to amend section 402(a)(7) of the Social Security Act, so as to reduce the amount of the deductions which may be made on account of outside income from the benefits payable with respect to needy dependent children thereunder; to the Committee on Ways and Means.

By Mr. HALEY (by request):

H.R. 3648. A bill to regulate the handling of student funds in Indian schools operated by the Bureau of Indian Affairs, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HALPERN:

H.R. 3649. A bill to prohibit unjust discrimination in employment because of age; to the Committee on Education and Labor.

H.R. 3650. A bill to eliminate discriminatory employment practices on account of age by contractors and subcontractors in the performance of contracts with the United States and the District of Columbia; to the Committee on the Judiciary.

By Mr. HORAN:

H.R. 3651. A bill to amend the Internal Revenue Code of 1954 to provide that the manufacturers excise tax on television receiving sets shall not apply to all-channel or ultra-high-frequency sets; to the Committee on Ways and Means.

By Mr. HOLTZMAN:

H.R. 3652. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to provide that full benefits thereunder, when based upon the attainment of retirement age, will be payable to men at age 60 and to women at age 55; and to eliminate the requirement that an individual must have attained the age of 50 in order to become entitled to disability insurance benefits; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H.R. 3653. A bill to authorize private transactions involving the sale, acquisition, or holding of gold within the United States, its Territories and possessions, and for other purposes; to the Committee on Banking and Currency.

By Mr. JOHNSON of Wisconsin:

H.R. 3654. A bill—

DECLARATION AND PURPOSE OF POLICY

To reaffirm the national public policy and the purpose of Congress in the laws against unlawful restraints and monopolies, commonly designated "antitrust" laws, which among other things prohibit price discrimination; to aid in intelligent, fair, and effective administration and enforcement thereof; and to strengthen the Robinson-Patman Anti-Price Discrimination Act and the protection which it affords to independent business, the Congress hereby reaffirms that the purpose of the antitrust laws in prohibiting price discriminations is to secure equality of opportunity to all persons to compete in trade or business and to preserve competition where it exists, to restore it where it is destroyed, and to permit it to spring up in new fields; to the Committee on the Judiciary.

By Mr. KEARNS:

H.R. 3655. A bill to authorize the coinage of 50-cent pieces to commemorate the centennial of the drilling of the first oil well at Titusville, Pa., in 1859; to the Committee on Banking and Currency.

H.R. 3656. A bill to amend the District of Columbia Unemployment Compensation Act, as amended; to the Committee on the District of Columbia.

By Mr. KILGORE:

H.R. 3657. A bill authorizing the improvement of the channel to Port Mansfield, Tex., in the interest of navigation, and other purposes; to the Committee on Public Works.

By Mr. KNOX:

H.R. 3658. A bill to amend the Internal Revenue Code of 1954 to improve the solvency of the Highway Trust Fund and to reduce and ultimately eliminate the manufacturers excise taxes on motor vehicles; to the Committee on Ways and Means.

By Mr. LINDSAY:

H.R. 3659. A bill to amend the Civil Rights Act of 1957 to provide that the Civil Rights Commission shall have until January 2, 1961, to submit its report, findings, and recommendations; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H.R. 3660. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

By Mr. LOSER:

H.R. 3661. A bill to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes; to the Committee on Public Works.

By Mr. McGINLEY:

H.R. 3662. A bill to provide for Federal cooperation with the Nebraska Mid-State Reclamation District, Nebraska, in the construction of the Mid-State project; to the Committee on Interior and Insular Affairs.

By Mr. McMILLAN:

H.R. 3663. A bill to authorize the Board of Commissioners of the District of Columbia to buy tickets from certain common carriers operating in the District of Columbia and to sell these tickets at reduced prices to schoolchildren; to the Committee on the District of Columbia.

By Mr. McMILLAN (by request):

H.R. 3664. A bill to amend the act of August 9, 1955, relating to the regulation of fares for the transportation of schoolchildren in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MAGNUSON:

H.R. 3665. A bill to provide that the statute of limitations on refunds of overpayments of income taxes shall not apply to overpayments by Indians arising from the erroneous inclusion in gross income of certain income not subject to Federal income tax; to the Committee on Ways and Means.

H.R. 3666. A bill to amend the Internal Revenue Code of 1954 to provide that the manufacturers excise tax on television receiving sets shall not apply to all-channel or ultra-high-frequency sets; to the Committee on Ways and Means.

By Mr. METCALF:

H.R. 3667. A bill to amend section 170(b)(1) of the Internal Revenue Code of 1954 with respect to certain charitable contributions to libraries; to the Committee on Ways and Means.

H.R. 3668. A bill to provide for the establishment by the Secretary of the Interior of a Pacific Northwest Account, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MORRISON:

H.R. 3669. A bill to amend title II of the Social Security Act to include Louisiana among the States which may obtain social security coverage, under State agreement, for State and local policemen and firemen; to the Committee on Ways and Means.

H.R. 3670. A bill to readjust size and weight limitations on fourth-class (parcel post) mail; to the Committee on Post Office and Civil Service.

H.R. 3671. A bill to repeal the excise tax on communications; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 3672. A bill to provide voluntary coverage under the Federal old-age, survivors, and disability insurance system for self-employed physicians; to the Committee on Ways and Means.

H.R. 3673. A bill relating to the Italian American War Veterans of the United States, Inc., and the status of that organization under certain laws of the United States; to the Committee on Veterans' Affairs.

H.R. 3674. A bill to amend the Federal Credit Union Act; to the Committee on Banking and Currency.

By Mr. ANDERSON of Montana:

H.R. 3675. A bill to amend the Federal Credit Union Act; to the Committee on Banking and Currency.

By Mr. NORBLAD:

H.R. 3676. A bill to direct the Secretary of the Interior to convey certain lands to the city of Tillamook, Oreg.; to the Committee on Interior and Insular Affairs.

By Mr. O'BRIEN of New York:

H.R. 3677. A bill to authorize the Secretary of the Navy to acquire certain land on the island of Guam; to the Committee on Interior and Insular Affairs.

By Mr. O'NEILL:

H.R. 3678. A bill to repeal the excise tax on amounts paid for local telephone service; to the Committee on Ways and Means.

H.R. 3679. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

H.R. 3680. A bill to provide a termination date for the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. OSTERTAG:

H.R. 3681. A bill to provide for free entry of certain chapel bells imported for the use of the Abelard Reynolds School No. 42, Rochester, N.Y.; to the Committee on Ways and Means.

By Mrs. PFOST:

H.R. 3682. A bill to permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the act of August 14, 1958; to the Committee on Interior and Insular Affairs.

H.R. 3683. A bill to provide for the establishment by the Secretary of the Interior of a Pacific Northwest Account, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. POAGE:

H.R. 3684. A bill to increase farm income and to expand markets for cotton by enabling cotton to be sold competitively in domestic and foreign markets; to the Committee on Agriculture.

By Mr. PORTER:

H.R. 3685. A bill to provide for the admission of the State of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

By Mr. POWELL:

H.R. 3686. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3687. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by authorizing the Secretary of the Interior, acting through the Bureau of Mines, to contract for coal research and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. QUIGLEY:

H.R. 3688. A bill to amend the Federal Deposit Insurance Act to increase the amount of a deposit which may be insured under that act; to the Committee on Banking and Currency

By Mr. RIVERS of Alaska:

H.R. 3689. A bill to provide for transferring from the Secretary of the Navy to the Secretary of the Interior jurisdiction over lands of the United States within the boundaries of Naval Petroleum Reserve No. 4, and abolishing such naval petroleum reserve; to the Committee on Armed Services.

By Mr. RODINO:

H.R. 3690. A bill to incorporate the National Association of State Militia; to the Committee on the Judiciary.

By Mr. SAUND:

H.R. 3691. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

By Mr. SCHERER:

H.R. 3692. A bill relating to withholding, for the purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

H.R. 3693. A bill to authorize the Federal Government to guard strategic defense facilities against individuals believed to be disposed to commit acts of sabotage, espionage, or other subversion; to the Committee on the Judiciary.

By Mr. SELDEN:

H.R. 3694. A bill to provide for the issuance of a special postage stamp in honor of the memory of Father Abraham Joseph Ryan, the "Poet-Priest of the Confederacy"; to the Committee on Post Office and Civil Service.

By Mr. SILER:

H.R. 3695. A bill to establish quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

H.R. 3696. A bill to amend the Internal Revenue Code of 1954 to exempt a corporation from the corporate income tax where its operations are carried on in an economically depressed area and provide employment for a specified minimum number of persons in that area; to the Committee on Ways and Means.

By Mr. SIMPSON of Pennsylvania:

H.R. 3697. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from the gross estate for the value of property passing to children; to the Committee on Ways and Means.

By Mr. STRATTON:

H.R. 3698. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

By Mr. WAINWRIGHT:

H.R. 3699. A bill to amend title 23 of the United States Code, relating to highways, in order to permit States having toll and free roads, bridges, and tunnels designated as part of the National System of Interstate and Defense Highways to designate other routes for inclusion in the Interstate System; to the Committee on Public Works.

By Mr. WALTER:

H.R. 3700. A bill to amend chapter 57 of title 18 of the United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. WESTLAND:

H.R. 3701. A bill to amend title I of the Social Security Act to provide that the first $50 per month of earned income may be disregarded by the State agency in determining an individual's need for old-age assistance or disability assistance; to the Committee on Ways and Means.

By Mr. ADAIR:

H.R. 3702. A bill for the establishment of a temporary National Advisory Committee for the Blind; to the Committee on Education and Labor.

By Mr. ANFUSO:

H.R. 3703. A bill to provide for the establishment, under the National Science Foundation, of a National Science Academy; to the Committee on Science and Astronautics.

By Mr. ASPINALL:

H.R. 3704. A bill to redefine the authority of the Secretary of Interior and others with respect to the formulation and evaluation of projects for the development of the Nation's water resources, to establish water resources commissions, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BENNETT of Florida:

H.R. 3705. A bill to amend the Railroad Retirement Act of 1937 to increase the annuities payable thereunder, to reduce the age at which such annuities become payable in certain cases, to remove certain restrictions on an individual's right to such annuities, to increase the yield on investments made from the railroad retirement account, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BERRY:

H.R. 3706. A bill to promote television reception to small communities and to rural and isolated areas by establishing a Community Television Bureau in the Federal Communications Commission and waiving the requirement for construction permits for VHF booster stations in operation on or before December 30, 1958, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3707. A bill to make permanent the provisions of the Sugar Act of 1948; to the Committee on Agriculture.

H.R. 3708. A bill to provide authority to make payments for all damages and losses suffered by those displaced by the acquisition of property required for or affected by the construction of navigation, flood control, or related water development projects under the jurisdiction of the Department of the Army; to the Committee on Public Works.

By Mr. BLATNIK:

H.R. 3709. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and for recreational areas; to the Committee on Education and Labor.

By Mr. BOSCH:

H.R. 3710. A bill to amend title 23 of the United States Code, relating to highways, in order to permit States having toll and free roads, bridges, and tunnels designated as part of the National System of Interstate and Defense Highways to designate other routes for inclusion in the Interstate System; to the Committee on Public Works.

By Mr. BOWLES:

H.R. 3711. A bill to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes; to the Committee on Education and Labor.

By Mr. CRAMER:

H.R. 3712. A bill to amend section 545 of title 38, United States Code, to provide that the income limitations applicable to the payment of pension to widows of World War I veterans shall be increased to $1,800 without dependents, and $3,600 with dependents; to the Committee on Veterans' Affairs.

By Mr. DELANEY:

H.R. 3713. A bill to amend section 131(a) of title 23 of the United States Code to provide that increased payments to a State shall be only for regulation of outdoor advertising and not for its prohibition; to the Committee on Public Works.

By Mr. DEROUNIAN:

H. R. 3714. A bill to amend title 23 of the United States Code, relating to highways, in order to permit States having toll and free roads, bridges, and tunnels designated as part of the National System of Interstate and Defense Highways to designate other routes for inclusion in the Interstate System; to the Committee on Public Works.

By Mr. ELLIOTT:

H.R. 3715. A bill to promote the preservation of the history of the United States as recorded in pioneer weekly newspapers and as currently published in weekly newspapers of the United States by the establishment of the National Library of Weekly Newspapers, and for other purposes; to the Committee on Education and Labor.

H.R 3716. A bill to amend section 610 of the Civil Aeronautics Act of 1938 to prohibit the serving of alcoholic beverages to airline passengers while in flight; to the Committee on Interstate and Foreign Commerce.

H.R. 3717. A bill to amend the Federal Property and Administrative Services Act of 1949 to make rehabilitation facilities and sheltered workshops eligible for donations of surplus real and personal property; to the Committee on Government Operations.

By Mr. FARBSTEIN:

H.R. 3718. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate; and for other purposes; to the Committee on Armed Services.

By Mr. FINO:

H.R. 3719. A bill to extend benefits under the Federal Employees' Compensation Act to certain persons injured while engaged in civil defense activities during World War II; to the Committee on Education and Labor.

H.R. 3720. A bill to amend the Annual and Sick Leave Act of 1951 to provide lump-sum payment for the unused sick leave to the credit of an officer or employee immediately prior to his separation from the service on retirement; to the Committee on Post Office and Civil Service.

By Mr. FLOOD:

H.R. 3721. A bill to amend section 4001 of title 38, United States Code, to limit the terms of office of members of the Board of

Veterans' Appeals; to the Committee on Veterans' Affairs.

By Mr. FOGARTY:

H.R. 3722. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer firefighting organizations, and for other purposes; to the Committee on Government Operations.

By Mr. FOLEY:

H.R. 3723. A bill to expedite the utilization of television facilities in our public schools and colleges, and in adult training programs; to the Committee on Interstate and Foreign Commerce.

By Mr. FORAND:

H.R. 3724. A bill to revise the basis for establishing wartime service connection for multiple sclerosis and the chronic functional psychoses; to the Committee on Veterants' Affairs.

By Mr. GREEN of Pennsylvania:

H.R. 3725. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. GRIFFITHS:

H.R. 3726. A bill to provide for a memorial in the city of Detroit, Mich., to certain American soldiers who died in the War of 1812; to the Committee on Interior and Insular Affairs.

By Mr. HALEY (by request):

H.R. 3727. A bill to amend section 1 of the act of April 16, 1934, as amended by the act of June 4, 1936 (49 Stat. 1458), entitled "An act authorizing the Secretary of the Interior to arrange with States or Territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes"; to the Committee on Interior and Insular Affairs.

By Mr. HALPERN:

H.R. 3728. A bill to amend title 23 of the United States Code, relating to highways, in order to permit States having toll and free roads, bridges, and tunnels designated as part of the National System of Interstate and Defense Highways to designate other routes for inclusion in the Interstate System; to the Committee on Public Works.

By Mr. HARGIS:

H.R. 3729. A bill to amend section 512 of title 38, United States Code, to provide pension for veterans of the Spanish-American War who have less than 70 days' service; to the Committee on Veterans' Affairs.

By Mr. HOLIFIELD:

H.R. 3730. A bill to extend the duration of the Federal air pollution control law, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLLAND:

H.R. 3731. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. HORAN:

H.R. 3732. A bill to promote television reception to small communities and to rural and isolated areas by establishing a Community Television Bureau in the Federal Communications Commission and waiving the requirement for construction permits for VHF booster stations in operation on or before December 30, 1958, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Wisconsin:

H.R. 3733. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer firefighting organizations, and for other purposes; to the Committee on Government Operations.

By Mr. McINTIRE:

H.R. 3734. A bill for the establishment of a temporary National Advisory Committee for the Blind; to the Committee on Education and Labor.

By Mr. McMILLAN:

H.R. 3735. A bill to make the Policemen and Firemen's Retirement and Disability Act Amendments of 1957 applicable to retired former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the U.S. Secret Service; and to their widows, widowers, and children; to the Committee on the District of Columbia.

By Mr. MACK of Illinois:

H.R. 3736. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MAGNUSON:

H.R. 3737. A bill to promote television reception to small communities and to rural and isolated areas by establishing a Community Television Bureau in the Federal Communications Commission and waiving the requirement for construction permits for very high frequency booster stations in operation on or before December 30, 1958, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MAILLIARD:

H.R. 3738. A bill to authorize the construction of a Federal office building and courthouse at San Francisco, Calif.; to the Committee on Public Works.

By Mr. METCALF:

H.R. 3739. A bill to amend Public Law 815, 81st Congress, relating to school construction in areas affected by Federal activities, to require the Commissioner of Education to provide schools for students whose schools are maliciously destroyed; to the Committee on Education and Labor.

H.R. 3740. A bill to promote television reception to small communities and to rural and isolated areas by establishing a Community Television Bureau in the Federal Communications Commission and waiving the requirement for construction permits for very high frequency booster stations in operation on or before December 30, 1958, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3741. A bill relating to certain inspections and investigations in metallic and nonmetallic mines and quarries (excluding coal and lignite mines) for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes; to the Committee on Education and Labor.

H.R. 3742. A bill to amend Public Law 874, 81st Congress, to require the Federal Government to operate schools for the education of children whose schools are closed in order to avoid compliance with the 14th amendment of the Constitution of the United States; to the Committee on Education and Labor.

By Mrs. PFOST:

H.R. 3743. A bill to promote television reception to small communities and to rural and isolated areas by establishing a Community Television Bureau in the Federal Communications Commission and waiving the requirement for construction permits for very high frequency booster stations in operation on or before December 30, 1958, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3744. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and for recreational areas; to the Committee on Education and Labor.

By Mr. RHODES of Pennsylvania:

H.R. 3745. A bill to amend the National Labor Relations Act, as amended; to the Committee on Education and Labor.

By Mr. ROBISON:

H.R. 3746. A bill to amend title 23 of the United States Code, relating to highways, in order to permit States having toll and free roads, bridges, and tunnels designated as part of the National System of Interstate and Defense Highways to designate other routes for inclusion in the Interstate System; to the Committee on Public Works.

By Mrs. ROGERS of Massachusetts:

H.R. 3747. A bill to authorize gratuitous benefits for a remarried widow of a veteran upon termination of her remarriage; to the Committee on Veterans' Affairs.

By Mrs. ROGERS of Massachusetts (by request):

H.R. 3748. A bill to amend title 10, United States Code, with respect to crediting certain service as a member of the Women's Army Auxiliary Corps, and for other purposes; to the Committee on Armed Services.

H.R. 3749. A bill to authorize the Administrator of Veterans' Affairs to fix a special compensation rate for service-incurred disability in certain cases; to the Committee on Veterans' Affairs.

H.R. 3750. A bill to provide further bases for determinations with respect to disability for pension purposes; to the Committee on Veterans' Affairs.

H.R. 3751. A bill to amend sections 322(6) and (7) and 415 (b), (c), and (d) of title 38, United States Code, to increase the rates of wartime death compensation, and dependency and indemnity compensation, to parents; to the Committee on Veterans' Affairs.

H.R. 3752. A bill to amend section 641(a) of title 38, United States Code, to provide a Federal payment of $1,000 instead of $700 per annum to State homes for each veteran of any war cared for therein; to the Committee on Veterans' Affairs.

H.R. 3753. A bill to amend section 503 of title 38, United States Code, to insert an additional subparagraph (7) to exclude commercial life insurance payments, not in excess of $10,000, in the consideration of annual income for pension purposes; to the Committee on Veterans' Affairs.

H.R. 3754. A bill to amend sections 522(a) and 545(a) of title 38, United States Code, to increase the income limitations for disability and death pension purposes; to the Committee on Veterans' Affairs.

H.R. 3755. A bill to amend section 416(b) of title 38, United States Code, to authorize the granting of death compensation to certain widows and parents notwithstanding a prior election to receive dependency and indemnity compensation; to the Committee on Veterans' Affairs.

By Mr. ROOSEVELT:

H.R. 3756. A bill to amend Public Law 874, 81st Congress, to require the Federal Government to operate schools for the education of children whose schools are closed in order to avoid compliance with the 14th amendment of the Constitution of the United States; to the Committee on Education and Labor.

H.R. 3757. A bill to amend Public Law 815, 81st Congress, relating to school construction in areas affected by Federal activities, to require the Commissioner of Education to provide schools for students whose schools are maliciously destroyed; to the Committee on Education and Labor.

By Mr. SAUND:

H.R. 3758. A bill to amend title 38, United States Code, to extend loan guaranty benefits to certain veterans of service after January 31, 1955, and before the end of compulsory military service, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3759. A bill to amend chapter 37 of title 38, United States Code, to provide additional funds for direct loans; to remove certain requirements with respect to the rate of interest on guaranteed loans; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SAYLOR:

H.R. 3760. A bill relating to certain inspections and investigations in metallic and nonmetallic mines and quarries (excluding coal and lignite mines) for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes; to the Committee on Education and Labor.

By Mrs. SIMPSON of Illinois:

H.R. 3761. A bill to amend the Railroad Retirement Act of 1937 to provide that an individual's annuity based in part on military service shall not be reduced by reason of the payment to such individual of veteran's benefits based on the same service; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Kansas:

H.R. 3762. A bill to amend the Communications Act of 1934, so as to direct the Federal Communications Commission to provide for the licensing of television reflector facilities and very high frequency translator facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Mississippi:

H.R. 3763. A bill to provide that the Administrator of General Services shall save historic buildings and works of art owned by the United States and shall restore such works of art which have deteriorated or become damaged; to provide high standards of architectural design and sound decoration for Federal public buildings; and for other purposes; to the Committee on Public Works.

By Mr. THOMPSON of New Jersey:

H.R. 3764. A bill to amend Public Law 874, 81st Congress, to require the Federal Government to operate schools for the education of children whose schools are closed in order to avoid compliance with the 14th amendment of the Constitution of the United States; to the Committee on Education and Labor.

H.R. 3765. A bill to amend Public Law 815, 81st Congress, relating to school construction in areas affected by Federal activities, to require the Commissioner of Education to provide schools for students whose schools are maliciously destroyed; to the Committee on Education and Labor.

H.R. 3766. A bill to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes; to the Committee on Education and Labor.

By Mr. ULLMAN:

H.R. 3767. A bill to amend paragraph (k) of section 403 of the Federal Food, Drug, and Cosmetic Act, as amended; to the Committee on Interstate and Foregn Commerce.

By Mr. VANIK:

H.R. 3768. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

H.R. 3769. A bill to amend section 6(a)(1) of the Fair Labor Standards Act of 1938 to increase the national minimum wage to $1.25 an hour; to the Committee on Education and Labor.

By Mr. WAINWRIGHT:

H.R. 3770. A bill to provide that the Administrator of General Services shall save historic buildings and works of art owned by the United States and shall restore such works of art which have deteriorated or become damaged; to provide high standards of architectural design and decoration for Federal public buildings; and for other purposes; to the Committee on Public Works.

By Mr. WEAVER:

H.R. 3771. A bill to promote television reception to small communities and to rural and isolated areas by establishing a Community Television Bureau in the Federal Communications Commission and waiving the requirement for construction permits for very high frequency booster stations in operation on or before December 30, 1958, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WHARTON:

H.R. 3772. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

H.R. 3773. A bill to amend section 5 of the Flood Control Act of 1944 to minimize the competitive advantage which Government-owned reservoir projects have in the sale of electric power and energy over privately owned facilities, by providing for payments in lieu of taxes to be made by such reservoir projects, and for other purposes; to the Committee on Public Works.

By Mr. WIDNALL:

H.R. 3774. A bill to amend title 23 of the United States Code to provide that the Secretary of the Interior shall approve the acquisition of certain lands of national historical significance or of interest therein, for highway purposes; and to insure that highway plans are developed with due regard to community planning; to the Committee on Public Works.

By Mr. WOLF:

H.R. 3775. A bill to extend the induction provisions of the Universal Military Training and Service Act; the provisions of the act of August 3, 1950, suspending personnel strengths of the Armed Forces; and the Dependents Assistance Act of 1950; to the Committee on Armed Services.

By Mr. CANNON:

H.J. Res. 198. Joint resolution to provide for the reappointment of Robert V. Fleming as citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

By Mr. FLYNN:

H.J. Res. 199. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HOEVEN:

H.J. Res. 200. Joint resolution to permit the use of food for peace; to the Committee on Agriculture.

By Mr. SIKES:

H.J. Res. 201. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. TELLER:

H.J. Res. 202. Joint resolution to authorize the President to proclaim annually the first week of March as National Dress Right Week; to the Committee on the Judiciary.

By Mr. McGOVERN:

H. Con. Res. 60. Concurrent resolution expressing the sense of the Congress that the American people must more fully and completely employ the plentiful resources of the American farmer to enhance the standard of living throughout the free world and to bolster the political and economic stability of those nations which have embarked upon programs of economic construction; to the Committee on Agriculture.

By Mr. ANDERSON of Montana:

H. Con. Res. 61. Concurrent resolution cited as the "Food for Peace Resolution"; to the Committee on Agriculture.

H. Con. Res. 62. Concurrent resolution expressing the sense of Congress that the Federal Communications Commission authorize and modify rules concerning VHF–TV booster stations; to the Committee on Interstate and Foreign Commerce.

By Mr. BREEDING:

H. Con. Res. 63. Concurrent resolution expressing the sense of the Congress that the American people must more fully and completely employ the plentiful resources of the American farmer to enhance the standard of living throughout the free world and to bolster the political and economic stability of those nations which have embarked upon programs of economic construction; to the Committee on Agriculture.

By Mr. BURLESON:

H. Con. Res. 64. Concurrent resolution authorizing the printing of additional copies of House Document No. 234, 84th Congress, entitled "The Prayer Room in the U.S. Capitol"; to the Committee on House Administration.

By Mr. FULTON:

H. Con. Res. 65. Concurrent resolution establishing a Joint Committee on Intelligence Matters; to the Committee on Rules.

By Mr. HAYS:

H. Con. Res. 66. Concurrent resolution establishing a Joint Committee on Intelligence Matters; to the Committee on Rules.

By Mr. JOHNSON of Wisconsin:

H. Con. Res. 67. Concurrent resolution expressing the sense of the Congress that the American people must more fully and completely employ the plentiful resources of the American farmer to enhance the standard of living throughout the free world and to bolster the political and economic stability of those nations which have embarked upon programs of economic construction; to the Committee on Agriculture.

By Mr. McDOWELL:

H. Con. Res. 68. Concurrent resolution expressing the sense of the Congress that the American people must more fully and completely employ the plentiful resources of the American farmer to enhance the standard of living throughout the free world and to bolster the political and economic stability of those nations which have embarked upon programs of economic construction; to the Committee on Agriculture.

By Mr. McGINLEY:

H. Con. Res. 69. Concurrent resolution cited as the "Food for Peace Resolution"; to the Committee on Agriculture.

By Mr. METCALF:

H. Con. Res. 70. Concurrent resolution favoring the operation of VHF television booster or repeater stations under certain conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. WOLF:

H. Con. Res. 71. Concurrent resolution to establish a joint congressional committee to conduct an investigation and study of the alternatives to conscription; to the Committee on Rules.

By Mr. ASPINALL:

H. Res. 145. Resolution authorizing additional copies for use of the Committee on Interior and Insular Affairs of committee print entitled "Present Relations of the Federal Government to the American Indian"; to the Committee on House Administration.

H. Res. 146. Resolution to provide funds for the expenses of the investigations authorized by House Resolution 130; to the Committee on House Administration.

By Mr. BARDEN:

H. Res. 147. Resolution authorizing the Committee on Education and Labor to conduct certain studies and investigations coming within its jurisdiction; to the Committee on Rules.

H. Res. 148. Resolution providing for the expenses incurred pursuant to House Resolution 147; to the Committee on House Administration.

By Mr. O'NEILL:

H. Res. 149. Resolution authorizing the appointment of a special committee to study and investigate the disposition of certain Federal funds; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By Mr. FOGARTY: Memorial of the General Assembly of the State of Rhode Island memorializing Congress to enact legislation to incorporate the principle of reinsurance as a means of enabling the Federal Government to assume its proper responsibility in equalizing the burden of financing the employment security program; to the Committee on Ways and Means.

By the SPEAKER: Memorial of the Legislature of the State of Rhode Island, memorializing the President and the Congress of the United States to enact legislation to incorporate the principle of reinsurance as a means of enabling the Federal Government to assume its proper responsibility in equalizing the burden of financing the employment security program; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS:

H.R. 3776. A bill for the relief of the Wiregrass Baseball Association, Inc.; to the Committee on the Judiciary.

By Mr. ANFUSO:

H.R. 3777. A bill for the relief of Minoru Tanaka; to the Committee on the Judiciary.

H.R. 3778. A bill for the relief of Maria Giorgia Rotolo Sinatra; to the Committee on the Judiciary.

By Mr. ASPINALL:

H.R. 3779. A bill for the relief of the estate of Charles F Dillon, deceased; to the Committee on the Judiciary.

By Mr. AUCHINCLOSS:

H.R. 3780. A bill for the relief of Boris Draisin; to the Committee on the Judiciary.

By Mr. BASS of Tennessee:

H.R. 3781. A bill for the relief of Mrs. Anna Loftis; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 3782. A bill for the relief of the estate of Willard Phillips; to the Committee on the Judiciary.

By Mr. BLATNIK:

H.R. 3783. A bill for the relief of Peter Penovich; to the Committee on the Judiciary.

H.R. 3784. A bill for the relief of Angelines Cuacos Steinberg; to the Committee on the Judiciary.

H.R. 3785. A bill for the relief of Blanka Krickovic; to the Committee on the Judiciary.

By Mr. BOW:

H.R. 3786. A bill for the relief of Chan Kit Ying and James George Bainter; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 3787. A bill for the relief of Mrs. Maria Angelidou; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 3788. A bill for the relief of Casmir Wodzisz; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 3789. A bill for the relief of Preciolita V. Corliss (nee Preciolita Valera); to the Committee on the Judiciary.

By Mr. DANIELS:

H.R. 3790. A bill for the relief of Rose Mary Romano; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 3791. A bill to admit the vessel *Pitts-Merritt* to American registry and to permit its use in the coastwise trade while it is owned by Merritt-Chapman & Scott Corp. of New York; to the Committee on Merchant Marine and Fisheries.

H.R. 3792. A bill to admit the vessel *John F. Drews* to American registry and to permit its use in the coastwise trade while it is owned by Merritt-Chapman & Scott Corp. of New York; to the Committee on Merchant Marine and Fisheries.

By Mr. DINGELL:

H.R. 3793. A bill for the relief of Valerie Joyce Douglas; to the Committee on the Judiciary.

H.R. 3794. A bill for the relief of Mrs. Zabel Tauit Soultanian (also known as Mrs. Zabel Tauit Sultanian); to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 3795. A bill for the relief of Giovanni Pagano; to the Committee on the Judiciary.

H.R. 3796. A bill for the relief of Joseph J. Piazza, doing business as the Northeastern Construction Co.; to the Committee on the Judiciary.

H.R. 3797. A bill for the relief of Mrs. Alberta S. Rozanski; to the Committee on the Judiciary.

H.R. 3798. A bill for the relief of Paul Nelson; to the Committee on the Judiciary.

H.R. 3799. A bill for the relief of Soterios Mallios; to the Committee on the Judiciary.

By Mr. DOOLEY:

H.R. 3800. A bill for the relief of Mrs. Maud A. Provoost; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 3801. A bill for the relief of Harry and Lena Stopnitsky; to the Committee on the Judiciary.

H.R. 3802. A bill for the relief of Angelos Karydis and Maria Karydis; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 3803. A bill for the relief of Giuseppe Gargano; to the Committee on the Judiciary.

By Mr. FLOOD:

H.R. 3804. A bill for the relief of Rosolina Ciuferri; to the Committee on the Judiciary.

By Mrs. GRANAHAN:

H.R. 3805. A bill for the relief of Religiosa Luigia Frizzo, Religiosa Vittoria Garzoni, Religiosa Maria Ramus, Religiosa Ines Ferrario, and Religiosa Roberta Ciccone; to the Committee on the Judiciary.

By Mr. HAYS:

H.R. 3806. A bill for the relief of Theodore Psychos; to the Committee on the Judiciary.

By Mr. HÉBERT:

H.R. 3807. A bill for the relief of Anna Grazioli; to the Committee on the Judiciary.

By Mr. HORAN:

H.R. 3808. A bill to authorize the award of a medal to Hugh Herndon, Jr., and, posthumously, to Clyde Pangborn; to the Committee on Banking and Currency.

By Mr. LIPSCOMB:

H.R. 3809. A bill for the relief of Gerard De Haan; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 3810. A bill to provide for the extension of patent No. 2,806,656, issued September 17, 1957, relating to a railroad rail of improved strength and safety; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H.R 3811. A bill for the relief of Jose Gregoriante; to the Committee on the Judiciary.

By Mr. MARTIN:

H.R. 3812. A bill for the relief of Chun Tin; to the Committee on the Judiciary.

H.R. 3813. A bill for the relief of Gianbattista Grosso; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 3814. A bill for the relief of Elisa Ona Manlapig Destajo; to the Committee on the Judiciary.

By Mr. MORRISON:

H.R. 3815. A bill for the relief of Te-Shao Wang; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 3816. A bill for the relief of Mukhtar Mohammed; to the Committee on the Judiciary.

H.R. 3817. A bill for the relief of Jose Santiago Savedra Calza; to the Committee on the Judiciary.

H.R. 3818. A bill for the relief of Mar Man Li and his wife, Mar Wong Li Shee; to the Committee on the Judiciary.

H.R. 3819. A bill for the relief of Dominga Recacho, a minor; to the Committee on the Judiciary.

H.R. 3820. A bill for the relief of Rocco Guiseppe Lavagnino and his wife Caterina Cirelli Lavagnino; to the Committee on the Judiciary.

By Mr. OLIVER:

H.R. 3821. A bill for the relief of Vasiliki Katsouli; to the Committee on the Judiciary.

H.R. 3822. A bill for the relief of Stavroula Katsouli and Lela Katsouli; to the Committee on the Judiciary.

By Mr. OSTERTAG:

H.R. 3823. A bill for the relief of Nunzio Spalla; to the Committee on the Judiciary.

By Mr. QUIGLEY:

H.R. 3824. A bill for the relief of Grace C. Ream; to the Committee on the Judiciary.

By Mr. RIEHLMAN:

H.R. 3825. A bill for the relief of Dr. Gordon D. Hoople, Dr. David W. Brewer, and the estate of the late Dr. Irl H. Blaisdell; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 3826. A bill for the relief of Lina Maria Pagnutti; to the Committee on the Judiciary.

By Mrs. ROGERS of Massachusetts:

H.R. 3827. A bill for the relief of Jan P. Wilczynski; to the Committee on the Judiciary.

By Mr. SAUND:

H.R. 3828. A bill for the relief of Tarsem Singh Sihota; to the Committee on the Judiciary.

H.R. 3829. A bill for the relief of Konstantina G. Gianibas; to the Committee on the Judiciary.

By Mrs. SIMPSON of Illinois:

H.R. 3830. A bill for the relief of H. M. Cooper; to the Committee on the Judiciary.

By Mr. TAYLOR:

H.R. 3831. A bill for the relief of Helen Chan Chu (nee Yin-Lun Chan); to the Committee on the Judiciary.

By Mr. WESTLAND:

H.R. 3832. A bill for the relief of Swami Shivananda; to the Committee on the Judiciary.

By Mr. WITHROW:

H.R. 3833. A bill for the relief of Tom Get; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

53. By Mr. BUSH: Petition of Renovo, Pa., railroad pensioners urging the Congress to pass legislation providing for a 10-percent increase in retirement pensions; to the Committee on Interstate and Foreign Commerce.

54. By the SPEAKER: Petition of the president, Midwest Furniture Co., Hot Springs, S. Dak., relative to requesting that the operation of the booster station in Hot Springs, S. Dak., be continued; to the Committee on Interstate and Foreign Commerce.

55. Also, petition of Frank C. Sakran and others, Mechanicsville, Md., sincerely requesting that the House Committee on Un-American Activities not be abolished as a standing committee; to the Committee on Rules.

56. Also, petition of the county clerk of Kauai, Lihue, Kauai, T.H., requesting statehood for Hawaii in 1959; to the Committee on Interior and Insular Affairs.

EXTENSIONS OF REMARKS

Liberalization of the Social Security Act

EXTENSION OF REMARKS
OF
HON. LESTER HOLTZMAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 29, 1959

Mr. HOLTZMAN. Mr. Speaker, today I am reintroducing in the House of Representatives legislation which will provide for some liberalization of the Social Security Act.

The bill is a package bill, and provides for three major changes in the act.

The first revision is the removal of the present limitation of $1,200 per annum on outside income that can be earned by those individuals who are receiving social security benefits. It is a well-known fact that the cost of living has continued to rise, and it is practically impossible for our older citizens to live comfortably and securely solely on the amounts they receive from social security. Over the years with such increased living costs whatever savings they might have been able to accumulate have been utilized for various reasons, and in many cases they find themselves dependent to some degree on relatives or friends, or on the various welfare agencies, for the additional help they need. To remove this restriction on the amount of income which can be earned would certainly make it much easier for them and their families.

At the present time the retirement age for men under the Social Security Act is 65; for women 62. Under the second provision of my bill this would be changed. Men would become eligible for full retirement benefits at the age of 60; and women would be entitled to full benefits at the age of 55. We hear much talk today of early retirement, and our older workers are encouraged to retire as soon as possible to make way for the younger employees. This could be an actual reality and not just a dream if the retirement age were lowered and the benefits liberalized. The lifespan of the individual is growing longer and it is estimated that within 20 years we will have over 20 million Americans over the age of 65. It is the responsibility of the Government to see that an adequate program for the care of these citizens is put into effect.

The final section of the bill deals with the elimination of the requirement that a person must have reached the age of 50 before he can become eligible for disability benefits under the Social Security Act. Many times an employee is injured and disabled through no fault of his own, and under the current provisions must wait many years before he can collect benefits. This proves to be a hardship for him and his family. My bill would permit such an employee to file immediately for benefits to which he is rightfully entitled, thus assisting him in some measure to contribute to the support of his dependents, and preventing his absolute dependency on others.

As Members of Congress we must look to the welfare of all our citizens whether they are young or old, able or disabled. If it is necessary to revise some of our programs to meet the challenge of the changing times then this we must do.

I respectfully urge my colleagues to give every possible consideration to the enactment of my bill.

Private Versus Public Power: A Lesson in Free Enterprise

EXTENSION OF REMARKS
OF
HON. HAROLD R. COLLIER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 29, 1959

Mr. COLLIER. Mr. Speaker, by a slim margin of two votes, a public power at an estimated cost of $575 million was scuttled 18 months ago in the Committee on Interior and Insular Affairs. There is little doubt that approval of this legislation in committee would have resulted in final passage in the House of Representatives. I refer, of course, to the controversial high Hells Canyon project.

Now, after a relatively brief lapse of time, we should take inventory of just what has happened, for certainly there is a lesson to be learned by those who are inclined toward Federal spending versus free enterprise.

I personally take pride in the vote that I cast against this proposed half billion dollar-plus project in the face of what has since transpired. The Idaho Power Co. as you know, took on the job as a private enterprise. Now let us look at the situation as it now stands.

The first of three dams has been completed. At Brownlee, just 2 weeks ago, the fourth generating unit in the power-producing facilities of this project was placed "on the line" and is now furnishing 360,000 kilowatts of electric energy to serve the Pacific Northwest. Not only does this constitute a major milestone of progress, but it stands as evidence that costly Government programs which can be handled by private enterprise should be discouraged at every opportunity.

Proponents of this legislation fought to put the Federal Government into the power business at a tremendous expense to the taxpayers of this Nation. Several efforts were made from 1949 until a year and a half ago. When it failed, and while the Idaho Power Co. was proceeding with the job, the taxpayers of my State of Illinois alone were saved exactly $38,023,620, their share of the estimated original cost.

Brownlee Dam is now the second highest rockfill dam in the world and takes its place among the major power-producing installations in the Northwest. Construction is now proceeding vigorously at Oxbow Dam, second unit of the development and preliminary work has already been started on the third unit.

The Idaho Power Co.'s total investment in its three-dam development was approximately $110 million as of the beginning of this year. Power production equipment on special order totals several more millions of dollars. Total cost of the entire project will be about $164 million. In addition to generating tax revenues of $10 million annually for the local, State, and Federal Governments, the development is providing substantial public benefits in the way of flood control, navigation, fish conservation, and recreation.

The first of two upstream migrant-fish facilities is in operation and the second will be completed by March 1. Concrete placement for the Oregon side spillway is nearing completion. The embankment's impervious clay core and downstream rockfill section are under construction. Excavation of two power tunnels starts next month. Nearly 230,000-volt transmission lines to carry the development's electricity into the Northwest power pool are either completed or under construction.

Just as the crocodile tears of public power pressure groups trickled into the waters of the Snake River and disappeared, so have the ill-conceived arguments for the Federal project been washed away by what has been achieved without astronomical Government spending in this instance.

Not only will the full capacity be made available several years sooner than if the Federal Government had done the job, but it will be completed at a cost far less than if Uncle Sam had taken on the responsibility. Public interests will be served better as the private operation flourishes. Instead of spending tax moneys it will bring in revenue. Yes, the high Hells Canyon story is a case in point.

And it brings to mind, too, the words of Abraham Lincoln, who 100 years ago said:

> The legitimate object of government is to do for a community of people whatever they need to have done, but cannot do for themselves in their separate and individual capacities. In all that people can do for themselves, government ought not interfere.

There are many good citizens who apparently have yet to learn that Federal spending for projects that can be accomplished by free enterprise is basically wrong. From this lesson, we learn, too, that the Federal Government invariably spends far more to do the same job than it costs private industry or local government. Will we ever learn that we cannot continue merrily along the road to coddling by the Federal Government in so many areas of our national life? The folks who think that they are getting something for nothing because Uncle Sam takes over the responsibility are either misinformed, too frequently, or they simply will not face

the facts of life. In the first place, dollars spent at a Federal level shrink from 25 to 35 percent through administrative costs. And an additional loss occurs through the tremendous interest payments on the national debt.

From all this, we will do well to learn and practice prudence. Perhaps we need some other yardstick by which to measure our spending activities in Washington than the superficial benefit of transferring responsibilities to the Federal Government which do not belong with it. Instead, perhaps we can develop a demand for fiscal responsibility on the part of elected representatives by the electorate in this way.

Yes, it will be a great day for this Nation when political popularity contests are not won by pork barreling, especially when it involves deficit spending.

A Bill To Expand the Veterans' Administration Direct Loan Program

EXTENSION OF REMARKS
OF
HON. FRED WAMPLER
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 29, 1959

Mr. WAMPLER. Mr. Speaker, on Tuesday, January 27, 1959, I introduced the bill, H.R. 3513, which would expand the veterans' direct loan program by $150 million thereby permitting the Veterans' Administration possibly to make in the neighborhood of an additional 15,000 loans. I understand that this increment in direct loan authority would make it possible for veterans' home loan applications to be processed on a current basis.

My bill is similar to other measures currently before the House Committee on Veterans' Affairs. I feel that finding a solution to the veterans' home loan financing problem, particularly in the rural areas where private money is not readily available, is of signal importance.

Had it not been for the Veterans' Administration's direct loan program, the Nation's veterans, and those veterans in the Sixth District of Indiana, which I have the honor to represent, would have received fewer loans than they have. And, although I find that in the State of Indiana the Veterans' Administration has made approximately 400 direct home loans in a period of less than 9 months, there are, at present, 1,312 Indiana veterans waiting for such a loan; and, unless they get a direct loan, they will be unable to buy a home.

The fact that these 1,000-plus veterans in the State of Indiana have not been able to find private financing has prompted me to introduce the measure, Mr. Speaker, and to urge that it be favorably considered by the House Veterans' Affairs Committee. I am genuinely interested in doing everything possible to allow these Indiana veterans, living predominantly in rural areas, small cities and towns, to take advantage of their veterans' benefits, bestowed upon them by law for their service to our Nation.

For example, I am informed that in Warren County, Ind., where there is a veteran population of 790, no guaranteed loans have been made and absolutely no direct loans. I might add that the entire county is eligible for Veterans' Administration direct loan financing.

Surely, the House Veterans' Affairs Committee and the House of Representatives will want to act to ease, if not totally correct, the home-purchase inequity placed upon the veterans of this country's rural areas.

The Highway Trust Fund and Automotive Excise Taxes

EXTENSION OF REMARKS
OF
HON. VICTOR A. KNOX
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 29, 1959

Mr. KNOX. Mr. Speaker, I take this time to advise my colleagues that I am today introducing legislation providing for the dual purpose of first, strengthening the solvency of the highway trust fund; and, second, reducing to 5 percent the Federal excise taxes applicable to automotive vehicles and parts and accessories. In order that all of you will be familiar with the objectives of my bill I am including in my remarks the following news release I have made on this very important subject:

Congressman VICTOR A. KNOX, Republican, of Michigan, today announced introduction of legislation providing for the dual purpose of (1) strengthening the solvency of the highway trust fund; and (2) reducing to 5 percent the Federal excise taxes applicable to automotive vehicles and parts and accessories. In addition, KNOX's bill would ultimately repeal these excises. The present rate of tax applicable to automotive vehicles is 10 percent and in the case of automotive parts and accessories it is 8 percent.

The bill would provide that the rate reduction to 5 percent would be retroactively effective to sales occurring on or after January 1, 1959. This retroactive date would assure that the benefits of the tax reduction would be available to consumers purchasing automotive vehicles or parts on or after the beginning of the year. Congressman KNOX stated that in addition to immediate tax reduction his proposal would also provide (1) that the funds collected from these reduced tax rates would be entirely earmarked for the highway trust fund beginning with calendar year 1959; and (2) that the reduced rates would be repealed outright on July 1, 1972, at the conclusion of the present Federal-aid highway program.

In summary form the excise tax reductions that would be effective beginning January 1, 1959, and the revenue additions to the highway trust fund from earmarking for fiscal years 1959 and 1960 that would result from the bill are as follows:

1. The present 10 percent tax on passenger automobiles would be reduced to 5 percent. The additional revenue to the highway trust fund from earmarking would be $265 million in fiscal year 1959 and $625 million in fiscal year 1960.

2. The present 10 percent tax on automotive trucks, buses, and trailers would be reduced to 5 percent. This would have no effect on trust fund receipts because one-half of the present 10 percent tax is already earmarked for this purpose.

3. The present 8 percent tax on parts and accessories would be reduced to 5 percent. The increased highway trust fund revenues resulting from the earmarking of the parts and accessories tax would be $50 million in fiscal year 1959 and $100 million in fiscal year 1960.

Total additions to the highway trust fund would be $315 million for fiscal year 1959 and $725 million for fiscal year 1960. Under the Knox proposal the revenues resulting from the earmarking of these tax sources would continue to augment the trust fund receipts for the duration of the present highway program and the taxes would be repealed outright effective July 1, 1972.

Congressman KNOX stated that one of his objectives in sponsoring this legislation was to achieve the meritorious result of immediate reduction in automotive costs imposed on the American people. At the same time he would bolster the economic strength of the automobile industry which is such an important factor in determining the level of overall national prosperity.

Another important objective in the sponsorship of this legislation, according to Congressman KNOX, was his desire to provide a feasible alternative to the budget message proposal to increase highway trust fund revenues by imposing an additional 1½ cents per gallon tax on gasoline. Mr. KNOX stated that by providing an alternative solution to the possible need for added revenues in the highway trust fund he was giving the Congress and the American people opportunity to express a preference for the possible solution desired—either higher motoring taxes; or lower highway taxes better used.

The Michigan legislator stated that while the automobile industry had sustained a promising start toward a more favorable year in 1959, he favored the immediate reduction and ultimate repeal of the automotive excises so as to remove the depressing long-run effect that the onerous Federal excise taxes have had on the industry. He called attention to the fact that nearly 1 million workers look for their employment in industrial plants producing automotive vehicles, parts and tires and that 9 million more individuals look for their employment to other phases of highway transportation. Added reason for a strong automotive industry is found in the fact that one of every seven persons works in the manufacture, distribution, service, or use of motor vehicles.

In demonstrating the benefits that would be realized by industries serving as material suppliers to the automobile industry Mr. KNOX set forth the facts that the manufacturers of motor vehicles and parts buy 23 percent of all steel, 69 percent of all plate glass, 72 percent of all upholstery leather, 41 percent of all lead, 29 percent of all zinc, and 10 percent of all copper sold in the United States.

Congressman KNOX called attention to the fact that another reason supporting his proposed excise tax reduction on automobiles and equipment can be found in other reductions of Korean war excise taxes that have occurred since the termination of that conflict. Mr. KNOX stated that the excises applicable to automotive products are virtually the only rates on any major products that have not been substantially reduced in the intervening period.

Congressman KNOX pointed out that while the enactment of his legislative proposal would tend to reduce highway user taxes presently going into the general funds of the Treasury, the American public is already overburdened with taxes, taxes of every variety. He stated the need for additional

highway funds should be met by greater utilization of taxes presently collected from highway use sources and not in higher discriminatory taxes. He also stated that, consistent with his past position in advocating Government economy, he expected to continue his support of Government economy in more than sufficient measure to offset any general fund revenue reduction resulting from his bill.

Help for School Construction

EXTENSION OF REMARKS
OF
HON. JAMES E. MURRAY
OF MONTANA
IN THE SENATE OF THE UNITED STATES
Thursday, January 29, 1959

Mr. MURRAY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an article appearing in the January 22, 1959, issue of the Wall Street Journal headlined "Agency Works on New Plan To Spur School Building—Uncle Sam Would Help Local Units Pay Debt Interest, Not Construction Bills."

I also ask unanimous consent to have printed in the RECORD immediately following this news story, my press release of the same date, in which I point out that the administration's school-aid proposal, as leaked to the Wall Street Journal, is designed to help bankers rather than schoolchildren or schoolteachers, and that it shifts the cost to future years so the administration will not have to account for the expenditures during its remaining 2 years.

This administration proposal, I regret to say, bears no relationship to the realities of educational needs.

There being no objection, the article and address were ordered to be printed in the RECORD, as follows:

AGENCY WORKS ON NEW PLAN TO SPUR SCHOOL BUILDING—UNCLE SAM WOULD HELP LOCAL UNITS PAY DEBT INTEREST, NOT CONSTRUCTION BILLS—FEDERAL SHARE STILL QUESTION

(By James A. Reynolds)

WASHINGTON.—Administration officials are trying to draft a new program to stimulate school construction that would not involve Federal sharing of building costs.

Instead, it would empower Uncle Sam to pay part of a local school district's debt service load—the interest on money the district borrowed to finance construction of new classrooms. Earlier administration aid-to-education proposals included outright Federal grants for school building.

Health, Education, and Welfare Department officials hope the new approach will appeal to White House budget balancers. They figure no Federal outlays would be required until mid-1960, at the earliest. School districts, they argue, would need a few months to float new building bonds, and a year would pass before the first interest on the new bonds would come due.

WOULD NOT AFFECT NEW BUDGET

Thus, the new plan would not unbalance the administration's $77 billion budget for the fiscal year which starts July 1. However, Federal payments might run high in later years.

To get an idea how big the Federal program might grow, consider the size of the present and future school district debt service burden. Federal officials estimate the local districts have obligated themselves to pay $6.5 billion in interest on the outstanding principal borrowed to finance classroom construction. Within the next decade, it's estimated, the districts must add another $6.5 billion to their debt service burden if they hope to keep pace with the demand for new classrooms.

But the Federal agency's planners are not proposing that Uncle Sam take over all of this load. The question of how big a share the United States should accept and for how long is, in fact, the toughest problem facing the bill drafters.

Some officials think Uncle Sam and the school districts should split the future debt service payments 50–50, while others believe the States should assume part of the burden. Only a few States at present help local school districts pay interest on their construction bonds, and in these cases the State share is small.

LENGTH OF PROGRAM

Officials doubt the administration will go so far as to propose that Uncle Sam help carry the debt service load for a bond issue's full term, which frequently runs for 20 to 40 years. It's more likely, they say, that the program would run for only the next 5 or 10 years—the period when they figure most building would have to be done, adding to the chore of carrying the present debt.

The new approach, Health, Education, Welfare officials believe, would stimulate school building in two ways. Districts theoretically would find it easier to borrow money—that is, sell bond issues—if they could show that the State and Federal Governments would be responsible for meeting part of the interest payments.

Moreover, they figure many districts that are already heavily in debt might be encouraged to take on still more in an effort to overcome classroom shortages if some of the worry over the cost of future borrowings were shared by the Federal and State Governments.

Currently, officials are studying the new scheme only for elementary and secondary school construction. But if it's tried and works, they add, it might later be used to stimulate construction of college classrooms. The Federal Government already offers low-rate loans for the construction of college housing, but is not seeking any new funds for this program for fiscal 1960.

NEW APPROACH FOR ADMINISTRATION

If it were adopted, the new approach would mark a major change in administration thinking on school construction. Twice before, President Eisenhower has asked Congress for up to $2 billion of Federal aid to States over a 4-year period to spur building of new classrooms. Both times the program failed to pass when it got snarled in a congressional fight over civil rights. Last year, the administration dropped its school construction efforts, and instead concentrated on winning legislation to step up science and engineering education.

This year, many Democrats are expected to line up behind an aid-to-education measure sponsored by two Montana Democrats, Senator MURRAY and Representative METCALF. They propose Federal grants to States, based on each State's school-age population, for school buildings or teachers' salaries. If the Federal payment was fixed at $25 per child, the program might cost $1.1 billion a year.

The National Education Association currently favors the Murray-Metcalf approach, but N.E.A. officials decline to say how they'd view the Health, Education officials' plan.

Senator JAMES E. MURRAY, chairman of the Senate Education Subcommittee today made the following statement:

"The administration's school aid proposal, which was leaked to the Wall Street Journal today is designed to help bankers rather than schoolchildren or schoolteachers. It shifts the cost to future years so the administration won't have to account for the expenditures during its remaining 2 years.

"The administration proposal bears no relationship to the realities of educational needs.

"The administration would have the Federal Government pay part of a local school district's debt service load. According to the Journal:

" 'Health, Education, and Welfare Department officials hope the new approach will appeal to White House budget balancers. They figure no Federal outlays would be required until mid-1960, at the earliest. Thus the new plan would not unbalance the administration's $77 billion budget for the fiscal year which starts July 1. However, Federal payments might run high in later years.'

"In other words, the Eisenhower administration does not care if the Federal budget is unbalanced, provided it will be the budget of the succeeding Democratic administration. Furthermore, the bankers who have done so well under Eisenhower want this program so the succeeding Democratic administration will have to continue paying them high Republican interest rates. I imagine administration officials and their big business friends stayed late at the club several evenings cooking up this bit of mockery.

"It is also evident that the advice of people who know educational needs was disregarded. The Secretary of Health, Education, and Welfare has stated his view that teacher salaries should be doubled. To do this would require approximately $6 billion annually. According to the U.S. Office of Education it would require about $5.4 billion to construct the more than 135,000 classrooms needed just to meet present needs.

"S. 2 which 30 Senators joined me in introducing, would permit a start on meeting this great need, by authorizing grants to the States to be used for classroom construction or teacher salaries or a combination of these two purposes, as each State sees fit.

"I would suggest to the administration that in preparation for forthcoming hearings by the Education Subcommittee it begin to consider the needs of education rather than the desires of bankers, and the relative financial condition of States and local school districts as compared with the Federal Government. From 1948 to 1957 our national debt increased from $252 billion to $270 billion, but our national income increased from $223.5 billion to $364 billion. We as a nation are like the man who 10 years ago bought a house with a $6,000 mortgage when he made $5,000 a year. He recently bought a bigger house which had a $7,000 mortgage; however, his salary is now more than $8,000 a year. He obviously is now in a much better position to pay for his new house.

"And he certainly is in a better position than the man who, like many local school districts, is in debt so far, according to his ability to pay, that the banker waves him out the door."

Pay TV

EXTENSION OF REMARKS
OF
HON. CHARLES A. VANIK
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 29, 1959

Mr. VANIK. Mr. Speaker, good television is one of the rare and occasional free gifts of our free enterprise system.

Last evening on the Columbia Network "Show of the Month" the television production "What Every Woman Knows," sponsored by Du Pont and starring Siobhan McKenna, was a superb 90-minute show with temperate advertising inserts. This was followed by a splendid bit of TV journalism in a production entitled "Castro's Revolution."

Shows of this type would dispel any interest in pay TV.

Can the Republican Elephant Be Whitewashed?

EXTENSION OF REMARKS
OF
HON. KEN HECHLER
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 29, 1959

Mr. HECHLER. Mr. Speaker, in the heart of the farm belt at Des Moines, Iowa, last week some very plain words were spoken by leading Republicans. The chairman of the Republican National Committee, Mr. Meade Alcorn, and other high officials in the Republican Party called for more leadership from the White House and also a statement of principles to define what the Republican Party stands for.

The Republican leaders cheered loudly when these suggestions were made.

At the Des Moines meeting, it was reported that Claude Robinson of the Opinion Research Corp. of Princeton, N.J., stated that surveys showed that the Republican Party is suffering from political anemia and can only be cured by strong medicine, that the Republican Party has come to be regarded as the party of the rich and privileged—the uppercrust—whereas the Democratic Party is regarded as the party of the common man, the masses.

It was further reported that Mr. Meade Alcorn agreed with Robinson's statements, and Mr. Alcorn added:

> We must immediately undertake to change the false image of the Republican Party as the party of big business, the party of the vested interest, and so on. It's time we snatched off the big business false face that the Democrats placed on us years ago. It's time we erased the dollar signs painted on our vests.

Mr. Speaker, the Republican Party can try and try to put a coat of whitewash over its elephant, but the elephant will still look as though it were made of gold.

Many years ago P. T. Barnum advertised far and wide that he had imported a white elephant which he would present at the circus. Mr. Barnum got scores of newspapermen together and plied them with lots of liquor before he brought them out to view his white elephant. One of the journalists who never took a drink caught up with Mr. Barnum, however, and exposed the hoax when he scratched off some of the white paint with his fingernails. Mr. Speaker, I am sure that the same thing will happen if the Republican Party tries to whitewash its elephant.

Mr. Speaker, it took great courage for Mr. Alcorn and the leaders of the Republican Party at Des Moines to speak out so forcefully, and to demand that the White House provide the country with some leadership. That is exactly what we Democrats have been saying for 6 years, but it takes courage for a Republican to speak up and confirm what we have been saying. Yesterday, one of our newspaper columnists wrote that there were rumors of a great revolutionary movement going on: Now that Sherman Adams has left the White House, it is even rumored that President Eisenhower will seize power.

On November 4, 1958, an election was held. The voice of the people spoke. And it spoke in favor of action rather than drift, leadership instead of the Alphonse-and-Gaston approach, and an end to the part-time attention to full-time problems.

We Democrats in the 86th Congress intend to provide the leadership which the people of our country demand to carry out a program in the interest of all the people. And then in 1960 we will restore to our great country and the free world the leadership on the other end of Pennsylvania Avenue which we have not seen since Franklin D. Roosevelt and Harry S. Truman.

The Administration's Labor-Management Proposals

EXTENSION OF REMARKS
OF
HON. WILLIAM H. AYRES
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 29, 1959

Mr. AYRES. Mr. Speaker I wish to say a few words in support of the administration's labor-managment proposals. I am particularly happy to see that provision is made in these proposals for the regulation of union trusteeships. In this respect, I think this bill is an improvement over the administration's legislative recommendations in this area last year.

The extensive hearings of the McClellan committee have shown that one of the principal means by which a few unscrupulous labor leaders have grasped and retained unfettered control over local unions is through imposing trusteeships. There are, of course, times when it is necessary for a national or international union to assume such powers, but there is never any excuse for continuing a trusteeship beyond the time necessary to put the local's affairs in order. The administration's bill makes adequate provision for imposing such control under proper circumstances, but it also provides machinery by which it may be terminated if improperly imposed or continued beyond the time actually needed.

I believe the provisions the President asks will go a long way toward eliminating and preventing abuses of power and corruption not only on the part of labor leaders but also by unscrupulous employers. I heartily endorse this bill and hope it will soon be enacted.

Voluntary Retirement Savings Plans for Self-Employed Individuals

EXTENSION OF REMARKS
OF
HON. WILLIAM C. CRAMER
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 29, 1959

Mr. CRAMER. Mr. Speaker, I have today again introduced legislation to encourage the establishment of voluntary retirement savings plans for self-employed individuals. This legislation, which is similar to the measure which I introduced last session and identical with the bill that was passed by the House of Representatives on July 29, 1958, would permit self-employed individuals to take a current deduction for a limited amount of income invested in certain types of retirement annuity or trust. The investments would be treated as ordinary income when actually received in later years. This legislation is intended to achieve a greater equality of tax treatment between self-employed persons and employees.

Under present law, a corporation can deduct from taxes money put into a qualified employee pension plan and the employee is not taxed on this money until he actually receives the retirement income in later years.

When this provision was made in our tax law in 1942, the millions of self-employed persons were apparently overlooked. These self-employed citizens are denied this opportunity to defer taxes on retirement savings.

This legislation would generally apply to persons who are subject to the tax on self-employment income—for social-security purposes. This would include doctors, barbers, druggists, farmers, undertakers, lawyers, accountants, and other self-employed persons.

The bill would permit self-employed persons to take a deduction for a limited amount of income which they voluntarily place into a restricted retirement plan. This deduction is in general limited to 10 percent of net income from self-employment, but not to exceed $2,500 in any one taxable year and it may not exceed $50,000, during the lifetime of the self-employed person.

If an individual is over 50 years of age on the effective date of the proposed act, the limitation on the annual deduction is increased by one-tenth for each year that his age exceeds 50. For example, if he is age 60, the annual limit on his deduction would be 20 percent of income, but not over $5,000. No deduction is allowed for any year beginning after the taxpayer attains age 70.

That the present tax law discriminates against the self-employed is not denied.

Can this discrimination be morally perpetuated indefinitely when a just and

economical revision of the law is available?

If tax deferment is economically sound for the employed, then why is it not equally sound and just for the self-employed?

Mr. Speaker, the Members of the House gave their answer to these questions on July 29, 1958, by overwhelmingly passing legislation similar to that which I introduce. I sincerely hope that this Congress will pass such legislation early in this session.

Extension of Public Law 480

EXTENSION OF REMARKS
OF
HON. CHARLES B. HOEVEN
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 29, 1959

PROGRAM AUTHORITIES

Mr. HOEVEN. Mr. Speaker, I am pleased that the President is recommending an extension of the Agricultural Trade Development and Assistance Act of 1954, commonly described as Public Law 480, an authority we have used during the past 4½ years to make effective use of our agricultural abundance at home and abroad. All of us can take pride in the results achieved under this authority.

The four programs operating under Public Law 480 have moved, or will move shortly, agricultural commodities valued at about $7½ billion. Some of these programs supply commodities at the cost that the Commodity Credit Corporation has invested in them. Even so, the value of these commodities at world market prices exceeds $5½ billion.

The largest and most important program under Public Law 480 is the title I authority to sell commodities to friendly countries for foreign currencies. These sales are opening up markets in many countries, particularly those that are less developed, where the demand for American farm products is high, but where the dollars to make such purchases are extremely scarce.

Two donation programs are authorized. One permits the President to send CCC surpluses abroad to meet the needs of countries suffering from natural disasters such as drought or flood or other emergencies; the other donation program provides for the distribution of commodities from CCC stocks to needy persons in many countries of the world through United States voluntary relief agencies. And, of course, Public Law 480 is the law under which food is furnished to needy persons in the United States.

The fourth authority is the barter program by which we exchange CCC surpluses for strategic and other materials which may be stockpiled or used by U.S. Government agencies.

TITLE I FOREIGN CURRENCY SALES

More than 60 percent of total programing under Public Law 480 has come under title I, a unique approach to the use of U.S. farm production. This device has proved useful far beyond our original expectations. It has been largely responsible for expanding U.S. agricultural exports in recent years, thereby keeping large quantities of commodities from going into Government warehouses. It has increased farm income. And through the use of the foreign currency sales proceeds, it is contributing to the economic development of our friends and allies abroad.

Title I agreements already concluded provide for the sale of 800 million bushels of wheat, of which 600 million bushels have already been exported; 200 million bushels of feed grains, of which about 180 million bushels have been shipped; 3 billion pounds of fats and oils, such as soybean oil, of which 2.5 billion pounds have been shipped; 3.5 million bales of cotton, of which 3 million bales have been shipped; 29 million bags of rice, virtually all already shipped; 225 million pounds of tobacco, of which 190 million pounds have already been exported; 235 million pounds of dairy products, of which 185 million pounds have been shipped; and other commodities.

Program operations under the current authorization are moving along very well with signed agreements having committed about $800 million of the $2¼ billion authorization. These agreements were concluded since last September when the new authorization was made available to the Department of Agriculture. I understand from the Department that additional programs are being developed which will bring the total commitments to more than $1 billion very shortly.

These new agreements, plus unshipped quantities from previous authorizations, have enabled the Department to increase exports under the program during the first 6 months of this fiscal year substantially as compared with the same period of fiscal year 1958. During the first 6 months of this year, for example, title I has resulted in the exportation of about 100 million bushels of wheat, 40 million bushels of feed grains, 365 million pounds of soybean oil, and 45 million pounds of dairy products.

OTHER BENEFITS OF TITLE I

The commodity importance of title I is obvious. There are other important collateral benefits of the program. A substantial portion of the sales proceeds is loaned back to participating countries for projects which will develop the economies of these countries: electric powerplants, roads, distribution facilities, railroads, and similar basic improvements which are being made to raise standards of living, increase jobs, and in general accelerate economic development plans already started by many of the less fortunate countries in the world.

Under agreements concluded during the past 18 months up to 25 percent of the sales proceeds are loaned to private business firms, mostly U.S. firms, for business development or to establish facilities to increase the consumption of U.S. agricultural commodities. Loans to U.S. businessmen have been made, for example, in Mexico, Israel, and France; and loan applications are now being reviewed for the use of currencies in many other countries.

The title I program also helps attain U.S. foreign policy and mutual security objectives. In certain countries currencies are made available for military assistance purposes and grants are being made to improve and expand health and education programs.

Not the least important is the use of currencies to develop markets for U.S. farm products. Millions of dollars in foreign currencies are being used in various ways to maintain and expand our markets throughout the world.

I know that the President can count on the support of the Congress for the extension and enlargement of Public Law 480.

Let's Save Our Historic Treasures

EXTENSION OF REMARKS
OF
HON. JIM WRIGHT
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 29, 1959

Mr. WRIGHT. Mr. Speaker, I have this week introduced in the House a bill designed to save from destruction many historic buildings, landmarks, and works of art owned by the Government throughout the country. Such treasures continue to be threatened intermittently with demolition.

It is my privilege to sponsor this legislation jointly with my colleagues and friends, the gentleman from New Jersey [Mr. THOMPSON], the gentleman from Wisconsin [Mr. REUSS], the gentleman from New Hampshire [Mr. MERROW], and the gentleman from New York [Mr. WAINWRIGHT]. The bipartisan nature of this endeavor is particularly gratifying to me.

The bill has been referred for action to the House Committee on Public Works, on which I am privileged to serve, and I am confident of a sympathetic hearing in that committee. Similar legislation is being introduced in the other body by Senator CLARK.

The need for such legislation, Mr. Speaker, was first made evident by the protests of the Federal Commission on Fine Arts, the American Institute of Architects, and the National Trust for Historic Preservation.

Studies by these groups and by others have made it obvious that literally thousands of the most priceless treasures of our national heritage have been plowed under and utterly destroyed by the bulldozers of a ruthless progress during the past few years. The tragedy is that in most such instances, the destruction was

wholly unnecessary. The valuable historic objects could have been preserved without retarding progress.

We obviously should not permit this thoughtless and wanton destruction of these last relics of our past, because they provide, in many cases, the only visible links to connect us with periods of our own national history. They remind us of the greatness of our past, of the hardships endured by those who with such painstaking care laid the foundations of our history.

Permit me, Mr. Speaker, to cite just a few illustrations as examples of the thoughtless destruction of priceless edifices by various governmental agencies.

A number of historic buildings dating back to the Revolutionary period, including the ancestral homes of the Lee family of Virginia, are right now in danger of being obliterated to make way for the new Chantilly Airport. These homes should be preserved and if necessary relocated.

The old San Francisco Mint, one of the few buildings to survive the famous earthquake and fire of 1906, a classic building of great historic and architectural value, has been declared surplus by the General Services Administration. The site is wanted for a parking lot.

A historic Dutch mansion, built around 1790, was acquired by the Government along with the surrounding land on the Hudson River for a Veterans' Administration hospital. This building certainly could have been preserved on the site as a museum and used as a waiting cottage for visitors. Instead, it was sold to a wrecker for $32. The wrecker dismantled it, sold the facade for $3,200 and disposed of the remainder in piecemeal sales.

A number of extremely ancient Indian pueblos, probably dating to a prehistoric period, have been destroyed in the path of bulldozers on highway work throughout the Southwest, notably in New Mexico. One is reminded of the supposed American visitor to Pompeii. The dynamic fellow's only remark, upon viewing the ruins, was "just think how fast a few bulldozers and razing cranes could level this outfit and let them start all over."

Only a very few of the remaining log cabins in Texas have been preserved, and the rate at which they are going out of the picture may leave us without adequate links to our western frontier.

I certainly do not want to stay the hand of progress, Mr. Speaker, nor retard the necessary developments of our advancing civilization, but I do feel that progress can and should move forward with an eye to saving the truly valuable and inspirational remains of our proud past.

This bill would direct the Administrator of the GSA, the real estate arm of the Government, and the Secretary of the Interior to preserve such objects when they come into the Government's possession. I respectfully petition the support of my House colleagues in this worthy effort.

The President's Farm Message

EXTENSION OF REMARKS

OF

HON. CHARLES M. TEAGUE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1959

Mr. TEAGUE of California. Mr. Speaker, I rise to give the strongest possible endorsement to the recommendations in this special message on agriculture. This is the fourth special message which the President has sent to the Congress during his tenure in office. It is a sound message. It is a constructive message.

These are critical times. The men in the Kremlin talk about their desire for a thaw in the cold war. But there is no evidence that the temperature of that conflict is rising by so much as one single degree.

We must keep our economy sound, strong, and vigorous. We must live within our income as a Nation. The recommendations of the President's farm message are a long step in that direction.

Mr. Speaker, I have long been concerned about the high cost of our farm programs. When the President tells us that the outlay for these stabilization programs this current fiscal year will be $5.4 billion, I am deeply concerned. And I think the American people should be, and are, also deeply concerned.

The net income of our farm operators last year was about $13 billion. In other words, these prices and income stabilization programs are currently equal to more than 40 percent of the net income earned by our farm operators. This is an alarming situation—a dangerous situation. It is a situation that the American people will find hard to understand.

If these costs were only temporary—if they were solving the problem—if they were leading to a better balance between supplies and markets—taxpayers would feel that such heavy costs were justified.

But we all know this is not the case. Under the old farm programs these costs are not only continuing year after year; they are continually rising.

Instead of solving the problem the programs under which these vast sums are being spent are creating additional problems. They are causing distortions throughout the agricultural economy. They are making agriculture more and more dependent on Government. More and more of our farm products are finding their way into Government warehouses—and a Government warehouse is not a market.

Instead of cutting down the surplus, the programs responsible for these heavy costs are leading to increased accumulations. The wheat surplus is now far larger than ever before and it is expected to go on increasing at least until the end of the 1960 fiscal year. The feed grain surplus is also at an all-time high.

By next July the Government will have an investment of over $9 billion in price supported farm commodities.

By the time the Government completes its takeover from last year's crops, it will have acquired—since January 1953—25 million bales of cotton and 2½ billion bushels of wheat.

This is a fantastic situation. Do the Members realize that 25 million bales of cotton is more than twice as much as our whole cotton crop last year? Do the Members realize that 2½ billion bushels of wheat is more than our 1957 and 1958 crops combined?

But even these figures do not tell the whole story.

Mr. Speaker, when the 1958 crops have come into Government ownership the cost for storage, interest, and other charges of managing the inventory of supported crops will exceed a billion dollars a year. Think of it. More than a billion dollars a year, not for price support loans to farmers, but simply for keeping these inventories. And we are told that unless fundamental changes are made, this annual cost of over a billion a year will rise.

We must move promptly toward sounder, more realistic, farm programs—toward farm programs that make sense. The President has wisely warned us against jumping from the frying pan into the fire by attempting programs that would be even more costly and dangerous.

We must not fall into the trap of direct payments. These would make our farm people dependent for much of their income on the Federal Treasury. Direct payments could cost from $7 billion to $10 billion a year.

Multiple price programs are also unsound. They would tax American consumers to permit the sale of farm commodities for feed and export at lower prices.

Let us be sound. Let us be realistic. We owe it to farmers and consumers alike. Let us adopt the President's recommendations.

The President's Message on the Agricultural Program

EXTENSION OF REMARKS

OF

HON. JOHN H. RAY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1959

Mr. RAY. Mr. Speaker, I have examined carefully the President's message on the agricultural program and the supporting memorandum of Secretary Benson, both of which were submitted to Congress today. The message and the memorandum reflect careful and thorough study by able and well-informed

specialists. In my judgment the recommendations so presented are wise and constructive and I hope they will all be enacted into law promptly.

Wheat—And the Farm Message

EXTENSION OF REMARKS
OF
HON. LESLIE C. ARENDS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 29, 1959

Mr. ARENDS. Mr. Speaker, wheat is in serious trouble. Surpluses of the bread grain have built up so fast and so high that they now represent the biggest single problem we face in agriculture. And present trends show that the situation would get worse if we continued along the way we have been going.

We are nearly smothered under excess wheat now. The surplus pile will reach really impossible levels in the near future if we fail to take necessary action. Let's take a quick look at the facts—the highlights of the wheat situation.

We made a little progress in whittling down the wheat surplus between 1956 and 1958. Through aggressive and expensive efforts, we managed to cut production temporarily through programs like the soil bank—and to expand exports through special programs under Public Law 480.

Last summer, however, the dam broke. Excellent weather, combined with price support incentives, brought both yields and total production to alltime records. The gains of 2 or 3 years were more than wiped out. Surpluses shot up to new peaks in a hurry.

Total wheat production in 1958 was about 1,450 million bushels. Added to a carryover of 880 million bushels of old wheat on hand last July 1, this gave us a total supply for this marketing year of more than 2,300 million bushels—a record, 14 percent above the previous high.

To see what this means in terms of surplus, let us check our outlets for wheat—the total annual disappearance. Domestic use has been running around 600 million bushels; exports, with the aid of special subsidy programs, around 400 million—or total annual disappearance at about the billion-bushel mark.

And so—unbelievable as it may be—we had enough wheat on hand after last summer's harvest to meet all our domestic and export needs for 2 full years, and more. Put another way, if we did not grow a bushel of wheat this year—1959—we would still have enough to fill all available outlets until the 1960 crop came in. And, in fact, we would have a 300 million bushel carryover to start off that 1960–61 marketing year.

In carrying out mandatory price-support programs, the Government has had to invest tremendous sums in wheat. One and one-quarter billion bushels are being held in inventory or under price-support loan. The investment in this hoard of wheat is $3 billion—well over a third of the total price-support investment.

When the Commodity Credit Corporation takes over 1958-crop loan wheat later this spring, it will be paying $700,000 a day for wheat storage alone.

I said the wheat surplus figures might be almost unbelievable. They are, but unfortunately they represent hard, realistic facts. Action to reverse this blind trend toward catastrophe is past due.

In his farm message, the President has faced up to the wheat crisis. He has done so clearly and constructively, recognizing the basic problems and giving us clear guidelines for alternate courses of action.

Rigid, too-high support prices have obviously been responsible for much of our current trouble. The President wisely calls for adjustments to correct this weakness. One course would be to relate price supports to the average market of recent years. The other would be to provide the same discretion in setting price levels, as a percentage of parity, which now holds for all crops except the half dozen so-called basics. Either course would be a long step toward a sound basis for the wheat program.

Production and marketing controls represent the other major part of the basic wheat program problems. Those we have been trying to use have not worked. The President outlines two possible changes. One would relax controls, giving wheat farmers the freedom to produce and compete for markets, and using the conservation reserve of the soil bank to help cushion the transition. The other would tighten controls and eliminate present loopholes in the operation of the program—at least during an emergency adjustment period.

As the President points out clearly, the tighter control route would mean a degree of regimentation more drastic than Congress has been willing to impose in the past. It would mean lower acreage for wheat producers, more positive production controls, and heavier marketing penalties.

Virtually everyone agrees that we must do something about wheat now. The President has courageously recognized the inevitable. He has outlined alternate choices of action, with the final decisions properly left to the Congress. The action we take can reverse adverse trends and lay the foundation for continuing sound growth of our great wheat industry, or it can permit the already crucial situation to build toward the impossible.

Anniversary of Birth of Albert Gallatin

EXTENSION OF REMARKS
OF
HON. THADDEUS M. MACHROWICZ
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 29, 1959

Mr. MACHROWICZ. Mr. Speaker, today marks the 198th anniversary of a great American of Swiss birth, Albert Gallatin.

Albert Gallatin, brilliant U.S. Secretary of the Treasury under Jefferson, was born on January 29, 1761. He was descended from a family of watchmakers, and born in Geneva, ancient capital of the modern watch industry which today contributes so importantly to United States-Swiss trade. Sensing that a greater future would be found in the new Nation struggling for its independence, he landed in America in 1780 and threw in his lot with the American patriots. After the Revolution he entered a political career in which he was successfully Pennsylvania State Legislator, Congressman, Senator, Secretary of the Treasury, and Ambassador to Great Britain and France.

I wish particularly to remind my colleagues that Albert Gallatin, while a Member of the U.S House of Representatives was the founder of the great Committee on Ways and Means, of which I am proud to be a member.

His life was devoted to many enterprises, most important of which were the system of free universal education, reform of Federal tax and budgetary policies, and the promotion of sound commercial relations with foreign nations throughout the world. He said:

> It is commerce which unites the nations of the civilized world. It is principally to commerce that we are indebted for modern civilization.

We all recognize that America's ties with the entire free world are now challenged by the powerful, divisive force of Soviet collectivism. To cope with this challenge we must revive Gallatin's principles on trade as a guide to our future action. We must renew and strengthen our commercial ties to what Gallatin called the nations of the civilized world. We can accomplish this vital task, only if Members of the House can approach their job in the spirit of the founder of the House Ways and Means Committee—the great Albert Gallatin.

An Amendment Clarifying the Intent of the Outdoor Advertising Control Section of the Federal-Aid Highway Act

EXTENSION OF REMARKS
OF
HON. JAMES J. DELANEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 29, 1959

Mr. DELANEY. Mr. Speaker, I have introduced today an amendment to the Federal-Aid Highway Act to clarify the intent of Congress regarding the regulation of outdoor advertising along the Interstate System. My amendment proposes to make it clear beyond any doubt that Congress intended to regulate—not prohibit—advertising along this great new network of roads.

Furthermore, my amendment insures that any such regulation must be fair and reasonable, and must not be prohibition in disguise.

What has made the introduction and the adoption of this amendment absolutely essential is the fact that the regulations, as they exist today, do constitute prohibition.

This unfortunate situation—posing a substantial threat to a large portion of our economy—was created by the Department of Commerce when it wrote the regulations. That agency completely misinterpreted the intent of Congress. Instead of regulation, the Commerce Department interpreted the act passed by the 85th Congress last year to mean prohibition and wrote a set of rules accordingly.

These rules are known as national standards for the display of outdoor advertising. Unless the proposed amendment is adopted, there is nothing to prevent the national standards issued last November 10 by former Secretary of Commerce Weeks from continuing in full force and effect.

Such an eventuality would work a great injustice upon the outdoor advertising business, which is a thoroughly legitimate and necessary business that helps promote our economy. We should not permit an administrative agency to flout the intent of Congress and injure such a business. It is therefore essential that prompt action be taken by this House to right the wrong that has been done.

For the benefit of the Members who are not familiar with this legislation, I will briefly review it. It has been customary every 2 years for Congress to pass a Federal-Aid Highway Act, the most important provisions of which authorize appropriations for road construction for the ensuing 2 years. The latest of such acts became the law on April 16, 1958—Public Law 85-381—and is known as the Federal-Aid Highway Act of 1958. It included a section 122 entitled "Areas Adjacent to the Interstate System." Section 122 has been incorporated into the codification of the Federal Aid Highway Acts, title 23 of the Code, and is now known as section 131. I will refer to it as section 131.

This section declares it to be a national policy that the erection and maintenance of outdoor advertising signs within 660 feet of the edge of the right-of-way of the Interstate System should be regulated. It further provides that the regulation must be consistent with national standards to be prepared and promulgated by the Secretary of Commerce. These standards are to include only four types of signs. After the adoption of the standards, the Secretary of Commerce is authorized to enter into agreements with the State highway departments to carry out the national policy. Any State that enters into such an agreement is entitled under this section to have its share of the Federal aid, payable on account of any project on the Interstate System, to be increased by one-half of 1 percent of the total cost of the project. That, in brief, summarizes the pertinent provisions of section 131.

Section 131 uses the word "regulate." It does not use the word "prohibit." In fact, one of the earlier bills upon which section 131 was based did use the word "prohibit." This word was stricken from the compromise measure which formed the basis of section 131 as finally adopted.

Indeed, the sponsors of this legislation declared frequently during Senate debate last year that the purpose of the act was to regulate and not prohibit outdoor advertising.

For example, on last March 25, and I quote from the CONGRESSIONAL RECORD, Senator GORE said:

> The bill does not provide for prohibition, either by States or by the Federal Government.

Senator NEUBERGER said on March 24 that—and I quote again from the CONGRESSIONAL RECORD:

> If State law authorizes the kinds of signs mentioned in the third and fourth classes of subsection (a), the standards promulgated by the Secretary may only contain reasonable regulation of them, not total prohibition.

Mr. Speaker, what could be clearer as to legislative intent? But did the Secretary of Commerce need this mandate? No; he went several steps beyond.

Allow me to cite some specific examples from the national standards. Take section 20.10 titled "State Regulations." This section reads:

> A State may elect to prohibit signs permissible under the standards in this part without forfeiting its rights to any benefits provided for in the act.

I ask you, is this a standard of regulation? No. It is nothing more than a gratuitous invitation on the part of the Secretary of Commerce for the States to prohibit advertising completely. Quite plainly this section tells the States that they may prohibit a legitimate business and still get their bonus. They will be paid for complete prohibition.

Only the most technical of interpretations of the wording of the act could justify the Secretary in making a payment for prohibition, or for that matter, to even invite prohibition.

Let us look at it this way. If Congress had intended to make the bonus payable for straight prohibition, then why did Congress not say so right in the law? Since this was not the intent of Congress, why then should it be allowed to stand as part of the national standards?

There are other—more direct—provisions in the national standards leading to prohibition. Section 20.6 of the standards authorizes what it calls informational sites. Where one of these sites was constructed, all commercial signs would be prohibited for 12 miles in either direction.

This, too, is a gratuitous addition to the law. If you read section 131 of the Highway Code you will find no mention whatsoever of informational sites. Furthermore, at the time the act was being debated in Congress last year there was no mention or suggestion that informational sites should be established along interstate highways.

As a matter of fact, the first reference in Congress concerning these sites did not come until May 13 of last year, nearly a month after the law was enacted. On that day Senator NEUBERGER put forth the idea. The Commerce Department promptly grabbed it as an easy way to make it appear as though outdoor advertising were being permitted, when in actual practice informational sites would prohibit it.

The Commerce Department envisions these sites as being pulloffs from the highway where a number of small commercial signs are displayed on big boards, like a directory. Motorists would even have to get out of their cars to read them.

Now the purpose of outdoor advertising is to convey a message to persons as they move about from one place to another—walking, driving a car, riding a train, et cetera. This is the historical, commonly understood, and generally accepted concept of the meaning and purpose of outdoor advertising.

If one took a classified telephone directory and hung it on a post out of doors, we would not have outdoor advertising. By the same token, informational sites are not outdoor advertising. Because they would no more fulfill the true function of outdoor advertising than a telephone directory hanging from a post along the highway.

I might point out that there is no such thing as an informational site in existence in this country today.

Certainly, if there were any utilitarian advantage to such a device, some State would have constructed one by now.

Another provision of the national standards which leads to the virtual prohibition of outdoor advertising is the one contained in subparagraph (b) of section 20.7. This prohibits signs within 2 miles in advance of an interchange. The latest figure that I have been able to obtain from the Bureau of Roads indicates that interchanges on the Interstate System will be on the average about 3½ miles apart. While it can be said with accuracy, that this regulation does not absolutely prohibit all signs, it also can be said with equal accuracy that it prohibits so many signs that it will act as a practical prohibition.

Furthermore, there is practical prohibition in the size limitation set by the Secretary on the few signs which are permissible. He has decreed that the maximum size shall be 150 square feet, which would allow for a 10- by 15-foot sign.

Now, Mr. Speaker, this restriction would exclude one whole segment of the outdoor advertising business, the segment known as the standardized outdoor advertising industry.

This advertising medium, as it is called, many years ago standardized its signs at 300 square feet, a fact, I daresay, that is well known by the Secretary. Yet, he wrote the standards so that

standardized outdoor advertising would be prohibited.

I ask you, Is this reasonable regulation to make a raw discrimination against an established industry which has earned its niche in the economy? No. It is prohibition by regulation, just as the other facts and figures show that I have presented.

Prohibition of alcohol was tried once in this country. It was a failure. Prohibition is not the way of a democracy. It is an exercise of tyranny. Let us live up to the spirit of democracy and not be tyrants. Once the door is open to prohibition of legitimate business for purely esthetic reasons, where will it be stopped? Perhaps other groups will criticize and then try to abolish other types of structures for esthetic reasons. Certainly there is room for great differences of opinion. What is a pleasing attractive structure to one, may be completely unattractive and unpleasing to others. Are we to turn over to an administrative agency the power to prohibit a legitimate business on such unstable grounds? Shall we permit a precedent that may leave the door wide open for the prohibition of other legitimate businesses in the future according to the whims of an articulate minority?

In conclusion, section 131 authorizes the appropriation of several hundreds of millions of dollars to be paid to the States for the regulation of outdoor advertising. The Secretary of Commerce, through his promulgation of the national standards, has authorized the pouring out of these millions for a very different purpose, that is, as a bonus to those States which completely prohibit outdoor advertising or which adopt the national standards which require a virtual prohibition of outdoor advertising. In my opinion, no bill that called for paying these millions for a complete prohibition could have passed Congress. The national standards go far beyond the intent of Congress. The only way to carry out the intent of Congress is to pass the proposed bill, which will make it clear beyond all shadow of doubt that it is a regulatory, not a prohibitory, bill, and which will require new national standards that are not confiscatory, but fair and reasonable, and permit the continuation of a legitimate business which benefits this economy.

Legislation Clarifying and Overcoming Certain Supreme Court Decisions Is Essential

EXTENSION OF REMARKS

OF

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1959

Mr. CRAMER. Mr. Speaker, I am today introducing the fourth in a series of bills to clarify or overcome Supreme Court decisions in some of the more aggravating cases, specifically including bills dealing with the Mallory, Sullivan, Yates, and Nelson cases.

I have previously introduced H.R. 491 dealing with the redefinition of the term "organize" which was necessitated by the Yates decision which ruled, in effect, that it is legal to organize Communist cells with the avowed purpose of teaching and preaching the overthrow of the Government of the United States. This bill passed the House unanimously on final passage but failed in the Senate during the last session.

I also introduced H.R. 488 dealing with the Mallory case which had the effect of permitting a confessed Negro rapist to go free in Washington, D.C., by ruling his confession as inadmissible solely because the accused was held for 7½ hours between his arrest and arraignment—with no elements of coercion whatsoever present. My bill would make such admissions admissible in evidence.

In addition, I introduced H.R. 492 dealing with the Nelson case which invalidated the Pennsylvania State antisedition statute simply because the Federal Smith Act, the antisedition statute, was enacted on a national basis, and despite the fact that nowhere did it state that it was the intention of Congress that the Federal act should supersede or preempt the State statute on the same subject matter. My bill would prevent such implied preemption by the Supreme Court in the future and is similar to H.R. 3 introduced by Mr. SMITH of Virginia.

Today, I introduced the fourth bill, dealing with the Sullivan case in which the Court ruled that gamblers could deduct from their income tax expenses incurred in carrying out their illegal operations, which, together with the Mallory case, gives the criminal licenses to commit crimes by stymying law enforcement efforts. My bill would eliminate this deduction.

It is my fervent hope that this Congress will more readily accept its responsibility in these fields of fighting communism and strengthening our criminal law enforcement than did the 85th Congress which failed to enact any of the first three bills, the fourth resulting from a subsequent ruling of the Court. As the ranking minority Member in the 86th Congress of the Special Subcommittee on Supreme Court Decisions, of the Judiciary Committee, a subcommittee that did much fine and constructive work in this field, it is my hope that our efforts will bear fruit this session.

National Science Academy

EXTENSION OF REMARKS

OF

HON. VICTOR L. ANFUSO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1959

Mr. ANFUSO. Mr. Speaker, on December 31, 1958, the Washington Post and Times Herald published on its front page a story bearing this headline: "Ike Warned on Lack of Trained Men." The story began thus:

> President Eisenhower was told yesterday the United States is in danger of running low on trained manpower while the Soviet Union is driving for technical supremacy. The President's Committee on Scientists and Engineers said it is convinced the Nation faces a "grave problem in highly trained manpower during the coming decade."
>
> It expressed doubt that "present public agitation reflected a real understanding of our long-term need for scientists, engineers, and technicians."

Thus, nearly 16 months after Soviet Russia launched its sputnik and despite our own scientific achievements of the past year, we are still being warned by the President's Committee on Scientists and Engineers that we are facing a "grave problem in highly trained manpower" and that the American public still lacks "a real understanding of our long-term need" for scientists.

A year ago this month, on the opening day of the 1958 session of Congress, I introduced a bill for the establishment of a U.S. science academy. Its purpose was to help remedy the very shortage of trained scientists, engineers, and technicians about which we now hear and will continue to hear in the future, unless we take the necessary action now. What was true a year ago is even more true today, except that we have lost a whole year of time. This matter is therefore not only timely, but most urgent. I fear the problem may grow greater and graver by the month.

I have now revised my bill and brought it up-to-date. Today, I am reintroducing it and I am happy to report that our colleague from New York, the Honorable KATHARINE ST. GEORGE, has informed me that she will be pleased to be a cosponsor of the measure.

The bill provides for the establishment of a National Science Academy under the jurisdiction of the National Science Foundation, rather than under the Defense Department. The Academy is visualized as an educational institution emphasizing scientific knowledge and research, rather than as a military academy along the lines of West Point or Annapolis.

The purpose of the National Science Academy, as defined in the bill, shall be "to train selected men and women, to be known as science trainees, in the field of science or engineering for service as officers or employees of the United States." Specifically, this institution is to prepare young men and young women for scientific careers devoted primarily to the security of our Nation.

Highlights of the bill may be stated as follows:

Young men and young women, between the ages of 17 and 25, may be nominated as candidates for appointment to the National Science Academy by the President or by Members of Congress. Final admission to the Academy will be determined on the basis of qualifying examinations as prescribed and supervised by the National Science Foun-

dation. Those who are admitted will receive a 4-year course of study, at Government expense, in which they will be trained in science, engineering, mathematics, and related fields.

Upon completion of the course of studies, the science trainees will be required to serve at least 5 years as science officers or employees of the U.S. Government, either with the Armed Forces or as civilian scientists and technicians in Government agencies. A limited number of foreign students from friendly countries may be admitted to the Academy, provided they pass a proper security check. The foreign students, however, will not be required to serve the United States as in the case of our own graduates. All those enrolled at the National Science Academy, including foreign science trainees, will receive a free education, housing, medical care, and other emoluments, and will be subject to established regulations of discipline, attendance, and so forth.

As far as location of the National Science Academy is concerned, no specific site is prescribed in the bill. It is merely recommended that the Director of the National Science Foundation shall establish a commission of five members to advise on the selection of a site. In the event there is no unanimity on the part of the commission, it shall submit to the director three sites, from which he is to choose one as a permanent location. Until this is done, however, the bill advocates the use of temporary facilities for the academy so that it may begin its operations as soon as possible.

In connection with a permanent location, I merely wish to express this view: I would prefer to see a site selected in an area which provides ample space for buildings, laboratories, and other needed grounds and facilities for an institution of this kind. Perhaps the most logical choice would be in an area which is not too close to any large urban center, an area which has not yet been built up and around which could be established in time a science city with major research facilities, equipment, and housing accommodations for the students, faculty, scholars, research people, and those serving their needs. In other words, to do what we have already done at our atomic research centers.

There is no way to estimate at this time the cost of establishing a National Science Academy, but Congress can appropriate certain sums for the acquisition of land, construction of buildings and laboratories, and other needs until the institution is ready to begin functioning, and thereafter a set sum can be designated each year on the basis of needs. Unquestionably this will require many millions of dollars, but it will be a worthwhile investment for the benefit of our country and it should not be any more expensive than providing funds for existing colleges to expand their present facilities.

As for the admission of students from friendly countries, this proposal is designed to help cement stronger ties with our allies, encourage them to develop the best scientific brains, and provide them with the opportunity of giving some of their students a thorough scientific background which should prove of mutual benefit.

Obviously, an institution of this sort must be established only under Government auspices for reasons of security, national needs, financing, attracting the best qualified students, and achieving the desired results. It must be provided with the finest scientific laboratories, and the top scientists in the country should be invited to teach at the National Science Academy. An educational institution of this kind would undoubtedly arouse considerable interest among high school students throughout the country and would serve to inspire many among them to pursue a career in science or engineering.

As to the question how a National Science Academy could be more helpful than existing colleges and universities, I should like to point out the following:

First. It would assure our Armed Forces and the U.S. Government with a constant and dependable flow of highly trained manpower, with scientists, engineers, and technicians, to undertake specific tasks and duties in any emergency. These people would be required to remain in Government service, in a military or civilian capacity, for at least 5 years. In this way the Nation would benefit from their services for having provided them with a free education and a career. Graduates from existing schools and colleges are under no compulsion to render such service to the Nation.

Second. It would create a great advantage for the United States by the fact that the scientists, engineers, and technicians trained at the National Science Academy would be geared toward problems of national security, scientific research for defense, and related problems.

Third. It would provide a great incentive for American youth to strive for a career in science or engineering and the development of scientific talent. This should serve as an excellent stimulus for the growth of scientific education. Many young people, who otherwise could not afford a higher education, would now have such opportunity on the basis of merit and scientific ability.

Fourth. It would strengthen the field of scientific education by training more people skilled in the art of communicating interest in science and increasing the prestige of science teachers.

Fifth. It would prepare scientifically trained and competent people with a broad knowledge of the humanities for participation in governmental functions of a civilian nature.

Mr. Speaker, over the past year we have been constantly reminded that Russia is outstripping us in the training of scientists and engineers and that she may be gradually attaining technical supremacy. Now this fact has been verified by the President's Committee on Scientists and Engineers. There is no need to stress the importance of accelerating and expanding our science education. By now this fact is clear to all.

The establishment of a National Science Academy, such as advocated in my bill, would help relieve the existing shortage of trained manpower in this vital field, it would encourage more profound respect for science and science teachers, it would stimulate young people to pursue a career in science to a greater degree than ever before, and it would have a beneficial impact on the welfare and the security of our country.

There is a great need for such an educational institution in the country today. The urgency of the times in which we live requires it. I urge all my colleagues to support this measure.

Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to insert at this point the article from the Washington Post and Times Herald of December 31, 1958, as referred to above:

IKE WARNED ON LACK OF TRAINED MEN—COMMITTEE FEARS NATION IS FACING A GRAVE PROBLEM

(By Fred S. Hoffman)

President Eisenhower was told yesterday the United States is in danger of running low on trained manpower while the Soviet Union is driving for technical supremacy.

The President's Committee on Scientists and Engineers said it is convinced the Nation faces a grave problem in highly trained manpower during the coming decade.

Among other things, it mentioned a drop in 1958 enrollments at engineering schools. It also spoke of the prospect of a smaller group of men in the most productive age bracket in 1965, attributing this to a dip in the birth rate during the depression of the 1930's and World War II.

In its final report to Mr. Eisenhower, the committee of educators, scientists, labor union, business and Government representatives urged the White House to take responsibility for coordinating and stimulating efforts by public and private groups to meet the problem.

This was the kind of work—in the non-Federal field—assigned to the committee when it was set up in 1956, about 19 months before Russia sent aloft its first sputnik.

The Committee said the sputnik launching had sparked greater public awareness of the American scientific manpower problem. But it expressed doubt that "present public agitation reflected a real understanding of our long-term need for scientists, engineers and technicians."

"A sudden swing of the pendulum of public opinion, such as has occurred during the past year, invites a counterswing when the initial momentum is spent," the report said.

Termed disturbing was a 13 percent decrease in freshman enrollment in engineering courses this year and a 4-percent decline in total undergraduate engineering enrollment.

"At the same time," the report added, "the Soviet Union is reaffirming its intention to surpass the United States in the fields of science and technology within the next decade."

Another factor bothering the Committee, it said, was that in 1965 the "lean generation" resulting from lower birth rates in the depression and war periods will provide the country's labor force with fewer men in the 25–34 age group.

This smaller group, the report went on, will have to help support (1) an over-all population growing at the rate of almost 3 million persons a year, (2) a standard of living depending ever more on technological

advances, and (3) a cold war "which does not appear to be abating."

Committee Chairman Howard L. Bevis, president emeritus of Ohio State University, said in a letter transmitting the report that certain Federal actions are "welcome evidence of the Government's practical concern and its readiness to act."

In this connection, Bevis mentioned the new National Defense Education Act, aimed at spurring scientific-technical education, and expanding programs of the U.S. Office of Education and the National Science Foundation.

"The watchword now is 'follow through'," Bevis said.

Last weekend Mr. Eisenhower announced he is creating a new Federal Council for Science and Technology. This group is intended to achieve better planning of scientific programs supported by various Government Departments, and to reduce duplication in such programs.

In doing so, Mr. Eisenhower followed a recommendation by another advisory committee made up of scientists.

Heading the list of proposals by the President's Committee on Scientists and Engineers was the recommendation for White House coordination of efforts to develop and utilize trained manpower.

The report also called for continuation of programs launched by the Committee during its 33-month existence. They are:

Sponsorship of manpower utilization clinics with participation by industry, universities, and professional societies of scientists and engineers.

Organization of State and local groups to work toward the long-range improvement of elementary and secondary school education, with main stress on science and mathematics.

Development of adequate statistical data on the supply of scientists and engineers.

Development of guidance and counseling materials concerning science and engineering careers for high school students.

Fostering wider public understanding of the need for highly qualified scientists, engineers and supporting technicians.

Federal-City Relations Vital to Whole National Economy

EXTENSION OF REMARKS

OF

HON. JOHN SPARKMAN

OF ALABAMA

IN THE SENATE OF THE UNITED STATES

Thursday, January 29, 1959

Mr. SPARKMAN. Mr. President, not long ago the Senator from Pennsylvania [Mr. CLARK] made a most interesting and provocative speech at the Boston convention of the American Municipal Association. The story was carried as the opening article in the January issue of the Alabama Municipal Journal, one of the very best publications of its kind in America.

I ask unanimous consent that the speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

FEDERAL-CITY RELATIONS VITAL TO WHOLE NATIONAL ECONOMY

(By Hon. JOSEPH S. CLARK)

I propose to speak today about some aspects of what seems to be emerging more and more clearly as the central issue of our public life. That central issue is whether the United States is going to come to grips with the great problems of the Nation and the world, and master them—or whether we are going to fumble the ball.

Every city official in this room knows what our problems are. They are recognized, identified, admitted. They are just not being mastered.

PROBLEMS ARE NOT MASTERED

What are some of them?

National security is the most important.

The Soviet Union has attained a faster momentum than we in the race for modern weapons. That fact is recognized, identified, admitted—but not dealt with.

The Communists are making tremendous gains in their campaign to drive Western influence out of Africa and Asia. That problem is recognized, identified, admitted, but not dealt with.

Education is the next critical problem. The deterioration of our public schools, the inadequacy of our higher educational facilities, the decline of the teaching profession, our primitive failure even to build enough classrooms, the fact that hundreds of thousands, if not millions, of boys and girls who would profit from a college education won't get it, all this is recognized, identified, admitted—but it is not being mastered.

ECONOMIC SECURITY A PROBLEM

Personal economic security is a pervasive problem. The poverty of our retired citizens; their total inability, for example, to pay for medical care; the collapse last year of our unemployment compensation system—these problems are known, recognized, and admitted—yet not dealt with.

City slums are a problem every mayor knows, one that is visible, tangible, measurable, yet they are getting worse, not better, every year.

The crisis in school desegregation, the twin problems of recession and inflation, the great problems arising from metropolitan growth, of declining central cities and suburbs without adequate public services, of water resources inadequately conserved, of traffic and transportation strangulation, all these are known, recognized, admitted, but not grappled with and mastered.

LOCKED IN A COMPETITION

And so it goes. We suffer from a paralysis in our public life. The scope of our action is determined not from a forthright analysis of the facts which all admit, but by preconceived limitations growing out of inertia, timidity, and outmoded thinking.

Perhaps time was when we could sit like Ferdinand the bull, smelling flowers under a tree and still survive. But that time has gone forever. We are locked in a competition with the Soviet Union and Red China in which our very existence as well as the survival of the good society is at stake. Our adversaries can mobilize their resources in ways we can't and wouldn't if we could. We must find alternative ways of mobilizing our own resources, or the ways of freedom will be lost in a universal state ruled by international gangsters.

ALARMING SIGNS OF SOFTNESS

Let us start from the frank assumption that we may not win this fight. Twenty earlier civilizations have risen, flourished, grown soft, and been overrun by brutality and tyranny. Nor need we look far to see alarming signs of softness in America. The self-indulgence, the emphasis on luxuries, the juvenile—and adult—delinquency, the lack of self-discipline, the tendency to sweep hard facts under the rug, the unwillingness to ask the people for any sort of sacrifice—all these are danger signs.

But against these danger signs there are indications of some hope. Please believe that I do not speak as a partisan politician when I say that one such sign was the result of the last election.

A PROFOUND PUBLIC DISCONTENT

That the election returns indicate a profound public discontent with the way things are going seems clear beyond doubt. The people voted for candidates of both parties who look to the future and not the past, who represent and promise action rather than more complacency and inertia. The men who won are not happy about present day America.

The election was not a mandate to stand still. It was a mandate to move forward. It was a mandate to political leaders to get on top of our problems, to master them, to take control of our destiny.

Now, what stands in the way?

The answer we always get—whether the issue is national defense, or mutual security, or education, or housing, or urban renewal, or social security, or the development of Asia and Africa is, "We can't afford it," or "We must cut costs and balance the budget."

OUR PROBLEMS COST MONEY

Now let me admit that most, although not all, of the problems that confront us do cost money. And let me also state my own strong belief that governmental budgets at all levels, local, State, and National, should be brought into balance.

So the issue of whether we master our problems becomes, in concrete form, the issue of taxation and public spending. And that, as Walter Lippmann has said, will be the great debate of 1959.

I want to enter that debate by chopping away some of the folklore that surrounds the subject of public spending. Perhaps no topic in our time, has been the victim of so much nonsense. If we can dispel the nonsense and the fallacies, then we can put the Federal budget, as well as your city budgets, not only in perspective but in balance, and we can get ahead with the job that needs to be done.

FIVE MAIN FALLACIES

There are five main fallacies.

Fallacy No. 1 is that private spending is inherently good and public spending inherently bad—and therefore public spending should always be minimized and private spending increased to the maximum the gross national product will permit.

This fallacy is assiduously cultivated by conservative molders of opinion. The word "government" is equated with other nouns having an evil connotation—such as "waste," "extravagance," "socialism," "bureaucracy." Taxes are never referred to except as a burden. Private spending is described with fair-sounding words, such as "enterprise," "free," "competitive." The semantics are all wrong.

This is a pernicious tendency. Taxation and public spending are the means by which we divide resources between the public and private sectors of the economy. Those activities which are in the public sector are there not because they are naughty and ought to be destroyed, but because they are essential and cannot be adequately performed by private enterprise.

EXTRAVAGANCE IN GOVERNMENT

Activities in the private sector are there not because they are necessarily good and useful, but merely because they are not illegal and can be conducted at a profit.

There is, unfortunately, often extravagance in Government services, but I suspect that objective appraisal would show more in

private business. Just compare, for example, the luxurious motor cars of today with the inadequate highways on which they must move; compare the extravagance of our country clubs with the spartan character of State and national parks; compare the lavishly appointed corporation and national labor union headquarters with our disgracefully rundown public buildings; compare the compensation of TV entertainers with that of great schoolteachers. We can only conclude that the private sector is comparatively plush and the public sector relatively starved. Indeed, as Prof. J. K. Galbraith has recently pointed out, the private sector of our economy is so plush that to get the private product purchased requires the strenuous efforts of huge advertising firms to create synthetic wants and needs that people do not even know they have. There is no problem at all, on the other hand, in identifying huge backlogs of essential public services for which we appear unwilling to pay the price.

WE MUST DIVERT RESOURCES

If the distribution of our national resources is to reflect the true value judgment of the American people, we must divert resources not from Government to private spending but in exactly the opposite direction.

Fallacy No. 2 is that the Federal Government is crushing the people and endangering the economy with a growing burden of taxes, expenditures, and debt, and that this threatens the health of our free enterprise system.

What is overlooked, of course, is that the ability to carry taxes and debt is related to income. Other things being equal, a man making $10,000 can pay at least twice as high taxes and carry without hardship twice as large a debt as a man making $5,000. And the same is true of the country as a whole. And taxes, expenditures, and debt are actually less today—as a proportion of gross national product—than at the end of World War II.

RATIO OF DEBT TO PRODUCT

In 1945, our gross national product was $213.6 billion, while the public debt was $278.7 billion. The ratio of the debt to the gross national product was 130 percent. In 1957, gross national product had risen to $440.3 billion, and the national debt had declined to $275 billion. The ratio of the debt to the gross national product was 63 percent.

Our debt is accordingly less than half as burdensome to the country as it was 12 years ago. Total debt has been almost stable, since the war, while the gross national product has more than doubled. The fact is that we could, if necessary, more than double our national debt and not be in any more peril of national bankruptcy than we were with the debt we carried without alarm or danger in 1946. Fortunately it isn't necessary.

TAXES PROPORTIONATELY LOWER

Similarly, Federal taxes, as a proportion of national product, are less now than they were 10 years ago, or 5 years ago, or 3 years ago. If people were going to be crushed by our present tax load, they would have been crushed long since. Lower taxes are always desirable, of course, when national needs are being met, but let us not say that there is a compelling economic necessity for reducing them. There just isn't.

This is a growing country. Our population is rising. The public services required by urbanization and national security are growing. Our civilization is becoming constantly more complex. States and localities are increasingly incapable of meeting new and growing needs. Naturally, the Federal Government should grow too. The Federal budget should rise. Given normal growth in our economy, it can increase by $3 to $4 billion annually with no change in the tax rates and no increase in the real burden—which gives us considerable room for expanding public services. And, if our public services need more than that—which I suspect they do—we can get most of it without raising tax rates by closing the outrageous tax loopholes which have made our Federal Internal Revenue Code a veritable sieve.

GOVERNMENT SPENDING NOT INFLATIONARY

Fallacy No. 3 is the notion that Federal spending is inflationary. Government spending is no more inflationary than private spending—provided the Government balances its budget. Deficit spending can be inflationary, of course, but even this is the case only when demand for goods and services exceeds supply, a condition which does not exist today.

Industry is far below capacity and unemployment is far above what it should be.

Our recent inflation arose from causes other than Federal spending. The Federal budget is being made the scapegoat by those who seize on any argument to stop Government programs which they have always opposed.

WHOSE FOOT SHOE IS ON

Fallacy No. 4 is that all Federal expenditures are alike. If a private bank makes a loan that is called an investment; if the Small Business Administration makes a loan, that is called spending. If a private power company builds a dam that is called investment; if TVA builds a dam that is called spending. One would have thought that this businessman's administration might have introduced business concepts into Government bookkeeping, but they have not done so. It may be that for bookkeeping purposes, we must continue to lump all accounts of Government disbursements together. But there is no reason why intelligent people, for purposes of public discussion, should not distinguish between operating expenses, loans which create accounts receivable, and investments which are offset by created assets, just as corporations make this distinction and just as municipalities distinguish between current and capital budgets.

SHOVING FUNCTIONS BACK TO STATE

Fallacy No. 5 is the notion that if the Federal Government shoves its functions back to the States and cities this constitutes economy. It is not economy at all if the functions are performed. The question then becomes simply which taxing system is used, and which administrative structure is employed.

There are good reasons for decentralizing administration. But that does not mean the financial burden should be thrown back on the States and cities too. The Federal tax system is far superior in justice and efficiency to those of State and local governments, and there is great merit in using it for urban functions. Taxpayers cannot threaten to flee the Nation, as they can and do the city and State. The Federal tax burden falls evenly across the land, based in large part on ability to pay. There is every reason to use it in preference to State and local systems where the choice exists.

I shall oppose proposals to turn Federal functions back to the States and cities. This would result in crippling essential functions. Important services now being rendered would be abandoned. An unjust tax system would be substituted for a better one.

I will press for Federal help in new fields, especially education. I hope the mayors of America will join me in these stands as they have done so effectively in the past.

The Federal Government must give greater, not less, support to the urban areas of America, because the great domestic problems of the second half of the 20th century are urban problems. We are no longer an agricultural society.

NO DEPARTMENT FOR CITIES

This brings me to my final point. A visitor from outer space, looking at the structure of our Federal Government, would conclude that America is still a rural nation. We have a Department of Agriculture, which devotes itself to the problems of the farm. We have a Department of Interior which reflects the interests and needs of the more-sparsely settled States. But there is no department with responsibility for the problems of the tens of millions of people living in forced congestion in sprawling metropolitan areas—one of which stretches unbroken all the way from Portland, Maine to Alexandria, Va. City people, too, need an advocate in Washington.

To illustrate: The Senate became disturbed last year about the plight of the Nation's railroads. The Department of Commerce was concerned; so was the Interstate Commerce Commission. The Commerce Committee of the Senate has a standing subcommittee with jurisdiction over railroads. So it organized a study.

Those of us who have been worried about a related problem—namely, the plight of the commuter and the deterioration of mass transit in the cities—tried to make sure that urban mass transit problems would be covered in the general study that was organized. The answer was "No." States rights intervened.

MASS TRANSIT A REAL PROBLEM

No department of the Government has any interest in what should be done about commuter transportation services. No committee or subcommittee of the Congress has any jurisdiction.

Yet you know that mass transit is not merely a State and local problem. Much of the traffic crosses State lines. Some of the railroads involved serve many States. Let's face it, State and local governments are incapable of dealing successfully with this problem in most localities—just as urban renewal was generally beyond their competence until the Federal Government stepped in to help.

Maybe the ultimate answer is that mass transit should not be a Federal problem, even in part. Maybe the same applies to air and stream pollution, and water supply. But what concerns me most is that, at the present time, we have no mechanism even for examining such problems comprehensively and making intelligent national decisions.

DEPARTMENT OF URBAN AFFAIRS

I believe the first step should be the creation of a Department of Urban Affairs at Cabinet level with the responsibility of keeping abreast of urban and metropolitan problems and developing recommendations for Federal, State, and local action. The Department would represent the urban viewpoint in the administration of nationwide programs which particularly affect cities and their suburbs, notably, highways and water conservation. It would be assigned initially, at least, only those operating programs which are peculiarly urban, and these are clustered already in the Housing and Home Finance Agency. But the Department, to my mind, would be something far beyond the present HHFA. The additional element would be a hunting license to study, research, and recommend, and a responsibility to listen to representatives of groups like this one, understand their problems, and reflect that understanding in the policy forming processes within the executive branch. Urban extension is a procedure and a program we could well adopt from our agricultural friends.

INTERGOVERNMENTAL RELATIONS EVOLVE

I have seen the criticism that a new department should not be formed until a philosophy of Federal-State-local relations is developed and agreed upon as the new Department's basis. Personally, I think the logic points in just the opposite direction. Governmental philosophies do not spring full blown into being; they evolve. But they cannot evolve unless someone in Government has responsibility for thinking creatively about them. We will get the philosophy far quicker if we establish the mechanism first.

Some of us in the Senate who are former mayors put in a bill 2 years ago to create a new Department of Housing and Urban Affairs. We will do so again in January, and I hope the mayors of America will make the enactment of this bill an important policy objective and give us their full support as we attempt to push this bill through the various stages on the long road toward enactment.

Treatment Plant Construction Program

EXTENSION OF REMARKS
OF

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1959

Mr. BLATNIK. Mr. Speaker, a recent poll of the Nation's 52 State and territorial health officers shows that by an overwhelming majority—82 percent—they believe the current Federal sewage treatment plant construction grant program has resulted in stimulation of sewage plant construction. Their views are backed up by the facts which show that construction of sewage treatment works—the Nation's worst public works problem—has risen steadily during the course of the construction grants program.

Contract awards in 1957 rose to $351 million and are expected to reach at least $390 million in 1958. The 1952–56 average was $222 million. Total construction of treatment plants reached an all-time national high in 1958 with over one-third of the projects constructed in that year receiving Federal grants. Moreover, at least 35 States experienced their highest treatment plant construction levels in 1957 or 1958.

The results of this poll of the Nation's health officials shows that three-fourths of them favor doubling the authorization of construction grant allocations. These same officials, it must be remembered, opposed the adoption of this grant program when it was first proposed in 1956. But in overwhelming numbers they now favor the program and what is more recommend additional Federal participation. On this, too, they are well supported by the facts.

A recent survey of State and Territorial sanitary engineers indicates the estimated sewage treatment construction program of 40 States for the next 3 years could utilize approximately twice the Federal grant money authorized for the next 3 years under Public Law 660. According to this survey, the estimated cost of sewage treatment plant construction requirements for the next 3 years is approximately $540 million per year. The average annual Federal contribution to maintain this level of construction is estimated in the survey to be approximately $100 million per year, or twice the current authorized Federal level of participation.

Despite the success of the treatment plant construction program and its endorsement by State health officials the President has recommended that it be repealed. According to the President's budget message his administration supports programs necessary to stimulate greater State and local effort in areas of "critical national concern" but has consistently endeavored to strengthen our system of government "by encouraging State and local governments to assume responsibility for many public needs which they can provide well without relying on Federal aid at all." To further this worthy objective the President would discontinue Federal grants for waste treatment works construction and adjust Federal revenue laws as recommended by the Joint Federal-State Action Committee so the States can assume full responsibility for these programs starting in fiscal year 1961.

What the President has done is pick what has been termed the Nation's "worst public works problem" by Fortune magazine and single it out for the budget ax on the pretext of strengthening Federal-State relations. He has picked a program that was enacted in the first place because it was needed to stimulate greater State and local effort in an area of "critical national concern," namely, pollution control, and which has proved to be such a successful stimulant that over 80 percent of the Nation's health officers who 2½ years ago opposed it today agree that it has resulted in stimulation of sewage plant construction within their jurisdictions. The President's own adviser for public works, Gen. J. S. Bragdon, has stated that:

> To meet our needs for water, conservation is the order of the day. We cannot manufacture this necessity of life. We must store it and use it more efficiently, learn to convert saline waters and find ways to improve the distribution of it. Most important of all, our rivers will have to be cleaned, and adequate treatment facilities installed to prevent upstream pollution. To accomplish this job, we need almost 8,000 municipal plants alone, and in all, some 17,000 facilities, public and private, to insure that all of the potential sources of pollution are adequately controlled.

Obviously, here is an area of critical national concern where State and local efforts have lagged the past 20 years making necessary the program now in operation to stimulate greater State and local effort. No wonder 48 out of 50 State health officers have come out in opposition to the President's recommendation to repeal the existing program. No wonder the President's own Water Pollution Control Advisory Board, in an almost unheard-of action, unanimously refused to endorse his recommendations.

Who agrees with the President on this issue? The Chamber of Commerce of the United States and the National Association of Manufacturers were his sole supporters when hearings were held on the subject last year by the Public Works Committee. I might add, Mr. Speaker, that I have never been able to fully understand the position taken by the Chamber and the NAM on this issue. Water is essential to industry. By 1975 industry will be using 215 billion gallons a day. Sixty-two percent of the Nation's water used will be in industry. To make a ton of steel alone requires 65,000 gallons of water. Industry has more at stake here than any other element of our economy and yet their national organizations oppose measures designed to assure that the quality of our water supply will be adequate for industrial as well as other uses. To encourage industry to join with others in combating pollution, I have introduced legislation today providing fast tax writeoffs for industrial waste treatment facilities which may be constructed in the future.

At the same time I have introduced a bill to increase the Federal grant program under Public Law 660 in order to further stimulate local effort to increase the level of treatment plant construction so that it more closely meets the proven needs of the country.

My bill would amend section 6 of the Federal Water Pollution Control Act by authorizing:

First. Grants for projects in the amount of 30 percent of the estimated reasonable cost thereof or $500,000, whichever is the smaller. Under existing law the maximum grant is 30 percent of the cost or $250,000, whichever is the smaller. Experience has shown that there has been less stimulation of construction in the larger communities subject to the $250,000 limitation than in those eligible for the full 30 percent grant. Because of this limitation, there is insufficient incentive to larger communities which are at the same time often major contributors to pollution. Increasing the maximum grant limit to $500,000 should tend to stimulate more projects from the larger communities, thus giving State pollution control authorities an opportunity to bring their programs into better balance by accelerating construction in the larger as well as in the smaller communities.

Second. Municipalities to join together to build joint treatment facilities with the amount of grant allocable to each community as if it were a separate project. Under existing law each project is limited to the maximum grant of $250,000 or 30 percent of the cost, whichever is the smaller. Experience indicates that if communities which join together could receive a larger grant the program would have a greater stimulatory effect on such communities. Often the construction of such joint facilities is the most economical and efficient method of providing adequate sewage treatment and is generally encouraged by consulting engineers and the States. This amendment would give the States

greater latitude in determining the use of funds within their States and authorizes an allocation to each municipality involved in a joint project its share of the estimated reasonable cost rather than limiting the project, as under present law, to a single maximum grant.

Third. Reallocation of grant funds from States not using funds because of lack of projects to States having projects approved for which grants have not been made because of lack of funds. Experience under the present act indicates that a number of jurisdictions have not been able to use their funds because of lack of eligible projects. On the other hand, many States have backlogs of projects considerably in excess of their Federal allotments. This amendment would permit a reallocation of funds from jurisdictions which cannot use them to jurisdictions having projects for which grants are not made because of lack of funds. This will stimulate additional construction in the States having the greatest demonstrated need.

Fourth. One hundred million dollars for construction grants each year for 10 years. Present law provides for $50 million a year for 10 years for Federal construction grants. Even this amount has resulted in tremendous plant construction stimulation, but it is not enough. The level of construction is reaching the $400 million mark, but our yearly needs are nearer $600 million. In order to stimulate construction up to this level it is necessary to restore the Federal construction program to amount I originally proposed in 1956 and which was cut in half. I said then that we were creating a program with one leg amputated before it had even learned to walk. On one leg the program is walking well but we need to restore the other leg so it can run the pollution problem right into the ground.

My bill also provides for the establishment of an Office of Water Pollution Control within the Department of Health, Education, and Welfare. At the present time the Federal water pollution control program is administered by the Water Supply and Water Pollution Control Program Section of the Division of Sanitary Engineering Services of the Bureau of the State Services of the Public Health Service of the Department of Health, Education, and Welfare. These men are doing a superb, dedicated job but the morass of the administrative framework within which they work cannot help but stifle and restrict their activities. The Committee on Public Works has stated explicitly that:

> It intends to watch carefully the progress and development of the national water-pollution control program and particularly the supporting role of the Federal Government.

In a committee report in 1956 it was stated:

> The committee believes that the Department of Health, Education, and Welfare should place a high priority on the objectives of the program authorized by the bill (Federal Water Pollution Control Act of 1956) and will diligently carry out its role in this Federal-State cooperative activity by providing a constructive program within an appropriate administrative framework.

Mr. Speaker, that appropriate administrative framework has not as yet been established by administrative action. Legislation is therefore needed. Control of pollution is part and parcel of the overall water resources problem. Pollution simply means that waste has built up beyond the water's capacity to carry it. Therefore, one of water's essential uses is curtailed and what is more its availability for other uses reduced at the same time. This affects industry, agriculture, fish and wildlife, and our health as well. The control of pollution is no longer concerned merely with the correction of sanitary nuisances but rather with the conservation of a great and precious resource—water.

The existing administrative framework within which the pollution control program operates must, therefore, be broadened and expanded so that the proper emphasis can be placed on all aspects of the problem—engineering, legal, research, construction, economic, and health. At the urging and by request of the Nation's great conservation organizations, women's clubs, and many others, and in the interests of good government, I recommend the establishment of an Office of Water Pollution Control within the Department of Health, Education, and Welfare so that an all-out attack, at all levels of government can begin against the pollution problem which threatens our health, reduces available water supplies and restricts economic growth and expansion.

Priority for Starving Americans

EXTENSION OF REMARKS
OF
HON. JOHN M. SLACK, JR.
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1959

Mr. SLACK. Mr. Speaker, the development of our national affairs through the activities of the Congress occasionally produces such a great contrast between the issues under discussion and the immediate requirements of some sections of our population that it becomes necessary to pause and take notice of a paradox of our own creation. In recent days the United States has greeted two important visitors—Mr. Mikoyan, the Deputy Premier of the Soviet Union and Mr. Arturo Frondizi, President of Argentina. I recognize the need for our country to treat important foreign visitors with courtesy and good manners and to assist our friends in foreign lands to the maximum of our capabilities. The contrast between the discussions in these Chambers at the time our famous visitors were at hand, and the things I have seen with my own eyes, in my own district, within the past few days, is so great, however, that it is necessary in defense of the principles of democracy and fair play on which this Nation was founded for me to bring certain matters to the attention of this House.

During the visit of Mr. Mikoyan we were advised through press reports that he was greeted with mixed emotions in several of our major cities and in five of them his party was showered with eggs. When Mr. Frondizi spoke before this House he paid us many compliments as a nation and told us a great deal about the misery of his native land, and about our share in the responsibility for the correction of that misery.

He said:

> We cannot ignore the fact that millions of human beings in Latin America suffer from misery and backwardness. A stagnant and impoverished country cannot uphold democratic institutions. On the contrary, it is a fertile soil for anarchy and dictatorship.

Following the visits of these two men I took a trip myself, back to my own congressional district. The trip was planned as a result of numerous communications which I had received from businessmen, labor leaders and public officials describing in detail the economic disasters which had fallen upon the people whom I was elected to represent. I visited the coal fields of the southern Appalachian area, much of which lies within my congressional district.

In the coal fields of my district there are over 30,000 unemployed receiving unemployment compensation and 40,000 who have long exhausted their unemployment benefits, and who have not been employed in a productive manner for 2 years or more. They and their families are subject to the degradation of living on the combination of charity and surplus agricultural commodities.

They have seen the number of employed miners in West Virginia decline from 125,000 in 1948, to 47,000 today, and they have no illusions about the future.

Their children exist on a skid-row diet of corn meal, rice and whatever else the surplus commodities warehouse has available. These children never have any meat, and have seldom seen a fresh egg during the past 2 years. They envy the children who are so amply blessed with good food that they can afford to throw eggs at foreign visitors. The parents told me that even today they only receive enough food for 3 weeks out of the month under all of the existing aid programs—that their diet contains only one-third of the calories and proteins needed to sustain life. So the children weaken a little, and their parents are condemned to watch these future citizens shrink in vitality and hope, day by day.

They cannot afford to worry over the race to control outer space, the competition for the minds and loyalties of men, or the role of American leadership in the free world.

As for their children; can you develop a nuclear physicist out of a child who had no shoes and was forced to quit school in the fourth grade? Will you

draw tomorrow's space pilots from among these who have had no orange juice or milk or eggs for over a year?

These are not the people of India or the masses of Chinese I am talking about; these are Americans—strong and self-reliant and skillful in their trade. They are disciplined to work in teams, and are renowned for their courage in a realm of industrial activity which is very dangerous under the best conditions. When they have work to do, they arise in the morning and enter the mouth of a coal pit to spend the day underground, beset by the dangers of gas and cave-ins more hazardous than fire and flood—dangers which few people, including myself, would care to face as a daily ration.

Their situation is not new, it has been growing cumulatively for several years. What have we done about it? We have done nothing of any practical benefit. These miners are the victims of several circumstances—for one, a trade policy that whittles away their livelihood in exchange for doubtful gains in foreign popularity. For another, they are the victims of technological advances which replace the miner with the machine. There is no disposition here to argue against automation or mechanization in the coal fields. We cannot stop progress, and those of us with business experience know that mechanization is necessary for competitive reasons.

But the miners have been displaced through the operations of American industrial ingenuity to create a more competitive end product and a more attractive price for the consumer. In other words, mechanization has been in the general public interest, but the miner and his family are being destroyed. So, they have given up everything, either for theoretical advances in international good will on the one hand, or a public benefit through lower cost to the consumer on the other.

In return they have received nothing but the right to starve and to see their children die before their eyes. This is a situation which cannot be permitted to continue, and I say it is the responsibility of this Congress to return to them an opportunity to live like American citizens, to lend a hand in their economic reconstruction, to see that this Nation does not take away everything and return nothing from any body of its citizens. If we do not take care of our own in circumstances as dire as these, how can we expect to earn respect in foreign lands? If these conditions are permitted to continue in this area of industrial operation, what confidence will our own people in other areas have in us and our way of life? Automation and mechanization will sooner or later enter all types of industrial activity. The coal miner has been struck first and struck hardest, but he will not be the last to be driven to his knees by the random progress of science. Industrial progress has created among the miners a permanent disaster. This is not a natural disaster of storm or flood, but it is a disaster nonetheless, and cries out for disaster relief.

I realize that this is not the first time this matter has been brought to the attention of the House, but the situation grows worse every day, and there is no sign of strong interest or concerted activity on behalf of those affected. What is necessary to stir us to action? Is it necessary to fill the gallery with half-starved men and women? Is it necessary to have a repetition of some dreadful enterprise like the depression bonus march on Washington? Will we not take forthright action until the pot boils over and the starving thousands descend upon us to parade the coldheartedness of their Government before the leaders of the world? There have been bills introduced before this House—thousands of bills—covering a great variety of subjects, but no pending measure merits consideration ahead of the lives and hopes of those who have given up everything in the advancement of the public interest.

We have before us for consideration measures to aid distressed areas, to increase the flow of surplus agricultural commodities, to institute a program of coal research, and other proposals which will give both immediate and lasting relief to the people of the coalfields. They must get priority. A distressed-areas bill was passed by the last Congress and vetoed by the President. This time it must be passed with an overwhelming majority, sufficient to defy the veto threat implied in the President's message. If I could assemble the membership of this House in a single vehicle, and take you with me through the coalfields of my district, and allow you to spend a day looking at the sum total of human misery which has resulted from prevailing conditions, I doubt that there would be a single opposing vote for any measure which would better the situation.

The subject is not one for debate. There is nothing to debate. The last and best hope for these people rests in the power and authority of this Congress. They have seen Development Loan Funds established to assist the backward people of Asia, Africa, and the Middle East, with authority to spend $625 million for that purpose during the current fiscal year. At the same time they remember that a measure costing half as much, which would have given them hope and sustenance, failed of passage over a veto, and they were left with nothing.

The gaunt figure of the starving miner who stands idle is a mockery of the image of America as the land of abundance. If there is to be a showdown then, let it come quickly. Every day of delay means another day on which 100,000 children face the morning on a breakfast of cornmeal and water, or with no breakfast at all.

I urge a quick consideration of the measures that will afford relief. I appeal to your generosity and sympathy. I challenge your native pride in the country we are all sworn to protect and defend.

The conditions that exist, left unattended, will brew the devil's broth of disloyalty and furnish fertile grounds for the disease of disbelief in our way of life.

It may be said that these are hard words, but this is a condition which defies words. Its solution rests solely in the source of all laws—the Congress of the United States. I appeal to you to make it your primary concern, even as it is mine.

President's Approach on Agricultural Legislation Is Sound

EXTENSION OF REMARKS
OF
HON. WILLIAM C. CRAMER
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 29, 1959

Mr. CRAMER. Mr. Speaker, the President's recommendations for new farm legislation, which were transmitted to the Congress today, make sense. We all know that the present price support and production control program is not working. The program has been costly to taxpayers; it has not helped the farmers who need help the most, the little fellow; and it has stimulated production of tremendous surpluses that will be a millstone around the neck of agriculture for a long time to come. The President offers solutions to the most pressing farm problems. I sincerely hope that his suggestions can be enacted into law during this session of the Congress.

It would take too long to discuss all the difficulties now faced by agriculture. Therefore, I am going to zero in on just one facet of the overall agricultural situation, the burdensome surpluses of farm products under the control of the Commodity Credit Corporation.

At the end of November the Corporation's investment in commodity inventories amounted to about $8.3 billion, which is not far under the record $8.9 billion established in early 1956. The Department of Agriculture estimates that a new record investment of $9.1 billion will be set by this coming July 1. And by July 1, 1960, the Department says, about $10.5 billion could be tied up in commodity stocks.

At the end of this past November the Corporation's investment in price support—inventory stocks plus nonrecourse loans extended on price supported commodities—amounted to about $8.3 billion. The record was $8.9 billion, reached early in 1956. Now the Department of Agriculture estimates that a new record investment of $9.1 billion will be set by this coming July 1. And by July 1, 1960, the Department says, about $10.5 billion could be tied up in commodity surpluses.

Let us take a close look at the makeup of the November 1958 commodity stockpile.

In November the Commodity Credit Corporation had over $6 billion tied up

in four grains—wheat, corn, grain sorghums, and barley. The total for upland cotton was $873 million. Tobacco accounted for another $616 million. The investment in only six commodities, therefore, was $7.5 billion—or 91 percent of the total outlay.

Do these figures not support the President's contention that most of the price-support dollars are now being channeled to producers of a few crops? Not only do the dollars go to producers of a few crops, but they also go to big producers of the few supported crops. For example, for producers having allotments of 100 acres or more, net budgetary expenditures per farm for the present fiscal year are, for wheat, $7,000 per farm; cotton, $10,000; and rice, $10,000. While all this was going on farmers producing unsupported commodities, such as cattle, hogs, poultry, fruits, vegetables, and many other essential farm products, have experienced growing markets rather than a buildup of stocks in warehouses.

There is enough wheat in this country right now to fill all available outlets at present price levels for 2 full years, with a carryover of about 300 million bushels left over as a start on the third year. The feed grain supply also is moving toward unmanageable levels. Crops of 1958 corn, grain sorghums, barley, and soybeans were all at record highs. Added to big carryovers, these 1958 crops meant record total supplies, both in volume and in supply per animal unit. The bulk of the surplus stocks are owned by the Government.

But, whether a surplus is in Government bins or in private hands, it puts pressure on market prices. And it costs money—large sums of money—to store farm products. At the present time storage costs are well in excess of a million dollars a day. There is always the danger of loss through deterioration or spoilage. That is especially true of such perishable products as butter and cheese.

The President's suggestions encompass two basic steps aimed at solving the surplus problem. First, his program would cut down surpluses which already have accumulated; and, second, it charts sound policies which will avoid building up new surpluses. The President's program is a sound program. I endorse it. I am sure that the Congress will endorse it.

The Education of Our Children Is of National Concern, and if They Are Not Educated Properly, It Is a National Calamity

EXTENSION OF REMARKS
OF
HON. FRANK THOMPSON, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 29, 1959

Mr. THOMPSON of New Jersey. Mr. Speaker, President Eisenhower said at his White House press conference on July 31, 1957, that:

> The education of our children is of national concern and if they are not educated properly it is a national calamity.

Fred M. Hechinger, a past president of the Education Writers Association, wrote an article which he titled the "Five Basic Problems of Education" and which appeared as the lead article in the New York Times magazine of January 25, 1959. The New York Times is to be congratulated for its generosity in giving so much space to a discussion of this vital subject by a former education editor of the New York Herald Tribune.

It must be said of Mr. Hechinger's article, I think, that it almost entirely ignores the vital point that inadequate pay is the fundamental reason why better people do not become teachers and why so many competent people leave the profession. This view was expressed repeatedly by the many distinguished witnesses who appeared before the subcommittee of the Education and Labor Committee of the House of Representatives during the 85th Congress.

Similarly, the Rockefeller report on education (p. 25) declares that:

> The root problem of the teaching profession remains financial * * * until we pay teachers at least as well as the middle echelon of executives we cannot expect the profession to attract its full share of the available range of talents. Salaries must be raised immediately and substantially.

Since Mr. Hechinger's article is in all other respects such a timely and incisive discussion of American education, I include it for the information of my colleagues.

Mr. Speaker, I have introduced three major bills designed to assist in solving the basic problems of education. H.R. 284 would amend the National Defense Education Act of 1958 to provide for 20,000 national defense scholarships and for other purposes.

President Eisenhower called for 10,000 scholarships during the 85th Congress. The House provided these but they were dropped by the Senate.

A preference for science and mathematics written into the National Defense Education Act would be modified by H.R. 284 to give equal weight to the other disciplines including the humanities.

Repeal of the loyalty oath is provided in the H.R. 284; however the measure also calls for an affirmative oath of allegiance. Many educational leaders believe the present requirement of a loyalty oath, applying as it does to a large number of young people and teachers, is thoroughly harmful since it singles out people in education as objects of suspicion. Further, the present act tragically stifles the free exchange of ideas in the classroom and leads to complete stultification of the educational process.

My second bill, H.R. 965, provides financial assistance for the support of public schools by appropriating funds to the States to be used for constructing school facilities and for teachers' salaries.

Federal grants to the States would be on the basis of each State's school-age population and would amount to $25 per child during the first year, $50 the second, $75 the third, and $100 for the fourth and succeeding years. Written into the bill is the assurance that no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over policy determination, personnel, curriculum, program of instruction, or the administration of any school or school system. To make sure that the States and local school districts do not slacken their own efforts, the bill provides for a reduction of the grants if a State's educational program is below the national average. The effective date of this reduction provision would be delayed for 3 years to give State legislatures two sessions to work on their programs.

Federal officials have estimated that we are short 140,000 classrooms and 135,000 teachers. It is a shocking thing to realize that only one-half cent of every Federal tax dollar goes to support public schools. This must be compared with the 43 cents out of every local tax dollar and the 31 cents out of every State tax dollar which goes to public education. Our schoolchildren must have the support of the one level of government which to date has been resting on its oars where education is concerned—the Federal Government. It is time that we began putting first things first. A nation which does not put a top priority on education will not remain a first-class power very long. At the present time we have launched a multi-billion-dollar Federal roadbuilding program; we spend $40 billion plus on defense, and several million dollars apiece for our missiles. Our citizens spend hundreds of millions of dollars each year on liquor, tobacco, advertising, automobiles, and other luxuries. Our materialistic culture can and it must find funds for education which is essential to our survival as a free nation.

My third bill, H.R. 2440, amends the Internal Revenue Code of 1954 to provide funds for educational purposes by providing increased incentives for private giving through the allowance of a tax credit for charitable contributions to institutions of higher education.

The following letter explains the purposes of H.R. 2440 in detail:

JANUARY 23, 1959.

Mr. EDMUND J. GLEAZER,
Executive Director, American Association of Junior Colleges, Washington, D.C.

DEAR MR. GLEAZER: I have your letter expressing interest in my bill, H.R. 2440, to provide increased incentives for private giving to colleges and universities, and asking for a statement regarding it.

This measure follows the recommendations of the American Association for the Advancement of Science, and the resolution adopted by the Association of American Colleges at its convention in Miami, Fla., last year. Many other organizations have called for increased private giving including the Council for Financial Aid to Education, the National Planning Association, and the recently established Independent College

Funds of America consisting of 40 State and regional organizations representing 467 colleges and universities. Most corporations and individuals conspicuously fail to contribute the sums permitted under the present tax laws. In fact, it is the failure of the present tax laws to realize the sums necessary which has led to H.R. 2440 and the other bills in the Congress to increase private and public funds for educational purposes.

H.R. 2440 would allow a taxpayer a credit against income tax for charitable contributions made to institutions of higher education. In the case of an individual taxpayer, the limit on this credit would be the same as the present limit on the deduction for charitable contributions. H.R. 2440 would not give him a tax benefit with respect to more contributions than he may now include for deduction purposes alone; he may elect to treat a charitable contribution (if it is to an educational institution) as a credit rather than as a deduction, but the total of credit plus deduction is no greater than the present allowable total of deductions.

In the case of a corporate taxpayer, the limit on this credit would be increased from 5 percent to 10 percent of taxable income (where the percentage-of-taxable-income method of computing the limit is used), and this credit would be in addition to the deduction presently allowed for charitable contributions generally; a corporation may elect to treat charitable contributions to educational institutions as credits rather than as deductions (up to 10 percent) without cutting into the amount of such contributions (along with other types of charitable contributions) which may be allowed as deductions. Of course, the same contribution cannot be counted as a credit and a deduction.

Under H.R. 2440 the taxpayer would be allowed a 2-year carryover on the credit just as he is presently allowed a 2-year carryover for deduction purposes. The Secretary of the Treasury would be directed to prescribe regulations governing the time and manner of making the election to treat a contribution as a credit rather than a deduction and imposing conditions to ensure the effective correlation of the new credit section with the existing deduction provisions.

I am sending along two copies of H.R. 2440 for your use.

Cordially yours,

FRANK THOMPSON, Jr.,
Member of Congress.

FIVE BASIC PROBLEMS OF EDUCATION

(By Fred M. Hechinger)

Ever since the cold war moved into outer space, the American people have been concerned about education. No longer is the sky the limit; even the moon is only a whistlestop. And in the futuristic contest, the classrooms are the launching platform.

Hardly a week passes without several television programs peeking behind the scenes of education. Not long ago, a broadcaster cornered a few high school students, and their deplorable ignorance set off a national storm of criticism. The Rockefeller report on education got top billing on the front pages of even small-town dailies. Rear Adm. Hyman G. Rickover, father of the atomic submarine, received a sympathetic public ear when he proclaimed that, if the money for education could not be found in the Federal budget, the defense appropriation should be cut.

President Eisenhower appointed a special Committee on Education Beyond High School. The Ford Foundation made the largest gift in the history of private philanthropy for the increase of professors' salaries. James Bryant Conant, Harvard's former president, has devoted the past 2 years to an attempt to find out what is wrong with American high school education. In fact, the Conant report, which is set for publication next Wednesday, has already stirred up more excitement than many Government white papers.

Everybody is concerned about education; but education is an elusive, amorphous thing. Before it can be understood and improved, some of the crucial problems must be singled out and defined. As an observer of the educational scene, I have visited classrooms, talked with teachers, listened to parents, sat through speeches and conventions, scanned the statistics and studied the reports.

Let me set down what seem the five most immediate problems; then let us see what the experts recommend.

THE PROBLEM

1. How can American standards of education be raised, and what, especially, can be done to meet the challenge of the exceptionally gifted child?

American democracy promises every child a full elementary and secondary education, but the unanswered question has always been how to do this without surrendering to the lowest common denominator. Our educational laissez-faire, which permits even able students to pick elective snap courses, has allowed standards to slip.

The raising of educational standards for the great mass of students would mean a spectacular improvement in the country's total reservoir of skills. But what about the small number of exceptionally gifted children—the top 2 percent? The talents of these, if lost, are irreplaceable. In terms of the country's progress and of competitive coexistence in a cold war period, they may well hold the key.

THE PROPOSED SOLUTIONS

There is almost unanimous agreement that the search for quality in a system of quantity rates first attention. To cope with the problem of a curriculum which has been loaded down with an almost unlimited variety of subjects from driver education to citizenship training, the Rockefeller report, entitled "The Pursuit of Excellence," demands that "we reach some agreement on priorities in subject matter." Educators are asked to make up their minds which of the many elective courses are most important.

The Conant report will go a step further. It will clearly demand that all high school students complete 4 years of English, 3 to 4 years of history and related social studies, 1 year of mathematics and 1 year of science. Students in the top 20 percent would take 3 additional years of science, 3 more years of mathematics and at least 3 years of 1 foreign language.

For all students there must be improved guidance. Dr. Conant asks for 1 guidance counselor for every 250 to 300 high school students. And, in order to assure adequate programs and facilities, he asks for elimination, through consolidation, of all high schools with graduating classes of fewer than 100 students.

All proposals for the improvement of education demand a greater sense of continuity of subjects and a greater scope of understanding. Study of a foreign language for less than 3 years, says Dr. Conant, is like drilling for oil and then stopping before striking it. In the study of history, too, efforts are largely wasted unless there is a sense of the natural sequence of events.

For the 2 percent of gifted pupils, even more of a concession to the difference in human talent must be made. "A school system that insists on the same instruction for the talented, average and below average child," said Rear Admiral Rickover, "may prevent as many children from growing intellectually as would a system that excludes children because of the social, political or economic status of their parents. Neither system is democratic."

The experts agree. "Any educational system is, among other things, a great sorting-out process," says the Rockefeller report. But while the European sorting out is achieved almost entirely by impersonal examinations, the American experts call for a variety of tests, some scoring native talent, others the actual achievement of the student, with personal observation and guidance. Once the gifted students are recognized, the experts want them to be given advanced work, without separating them from their classmates.

Toward the end of high school the extra work would be increased. Thus, juniors and seniors would be offered college-level instruction in some subjects, as they now are under the advanced placement program sponsored by the college-entrance examination board. Another program for early admission to college, initiated by the Fund for the Advancement of Education and hailed by all the experts, has sent more than 1,000 gifted students to college during the past 5 years without completion of the last year or two of high school.

THE PROBLEM

2. How can we get better teachers?

There is no way to improve the quality of American education without an adequate supply of good teachers. Already a serious shortage of highly educated manpower exists. This shortage will become increasingly critical unless we find enough of what the Ford Foundation calls the seed corn—teachers who, through their superior efforts, help to raise new generations of educated brains.

Perhaps even worse, the standards set for the teachers are often pitifully low. For example, at a convention in Bowling Green, Ohio, recently, an education spokesman demanded that chemistry teachers be given at least 32 hours of college study in that subject. A Russian student in a college-preparatory high school, by comparison, gets more than 340 hours of chemistry before graduation.

THE PROPOSED SOLUTIONS

"No educational system can be better than its teachers," warns the Rockefeller report. It estimates that the number of new teachers needed in the next decade is somewhere between one-third and one-half of all college graduates in that period. The present ratio of college graduates entering the teaching profession is only one out of every four or five. And yet, even today, the report warns, the problem of quality is critical. As of 1956, 33 percent of all elementary teachers did not hold an A.B. degree, while more than 21 percent of all public school teachers had less than 4 years of college.

Since the training of all teachers depends on the quality of the training of college teachers, there is special significance in a report by the National Education Association that "since 1953–54, holders of the doctor's degree among newly employed, full-time [college] teachers have decreased 25.2 percent." And the manpower pressures of the immediate future may make this situation even worse.

The Rockefeller report calls for an improvement in the courses and training procedures given teachers. "If the programs for the preparation of teachers are rigid, formalistic and shallow, they will drive away minds as fast as they are recruited," it warns. "Unhappily, preparation for precollege teaching has come all too close to that condition."

The report warns against the practice of handling teachers as "interchangeable units

in an educational assembly line." At present, "the best teacher and the poorest in a school may teach the same grade and subject, use the same textbook, handle the same number of students, get paid the same salaries, and rise in salary at the same speed to the same ceiling." The ironic result is that school administration—and the end of active teaching—often becomes the only refuge for able teachers who want to advance their careers.

The problem of getting a sufficient number of teachers is primarily one of recruiting and of offering an attractive career. "But even with aggressive recruitment there appears to be little or no likelihood that we can bring into teaching at any level anything approaching the number of qualified and gifted teachers we need," says the Rockefeller report. "We must therefore utilize our superior teachers more effectively."

All the experts agree that, in the words of the Rockefeller report, "one way to make better use of the ablest teachers is to eliminate many of the petty tasks which occupy a teacher's time. Less highly trained classroom assistants may accomplish much in the lightening of this burden." The Fund for the Advancement of Education, putting this theory to the test in Bay City, Mich., found it successful, and it has spread from there to many communities across the country. A bonus, it was found, came when many of the aides, seeing teaching at its best, became so interested that they went back to college to get their teacher training.

Other experiments have been sparked by the success of the first one. The use of teams of teachers, made up of 1 master teacher, 1 regular teacher, and 1 untrained assistant has made it possible to increase the class size for some subjects to 3 times a normal classroom quota, while, at other times, permitting 1 teacher to work with only 8 to 12 pupils. The use of television has also made it possible to get more of the best teachers into contact with more students.

THE PROBLEM

3. Should we emphasize science as against the liberal arts?

However we respond to the challenge of sputnik or speculate about the importance of moon shoots, one fact is inescapable—science and technology are intimately linked with modern man's destiny.

Traditionally, there used to be a clear dividing line between the liberal arts and the sciences. The high school student who thought he had no interest in a career of science frequently was allowed to get by with a minimum of mathematics and science instruction. Reports about the Russian schools, which go to the opposite extreme of requiring a stiff dose of science and mathematics for all high school students, have intensified the problem of just how much science training should be required of every high school graduate.

THE PROPOSED SOLUTIONS

The experts agree on two fundamental points: (1) that, despite the panic headlines, science must not crowd out the humanities; (2) that it is vital for all students, not just the scientifically inclined, to have a thorough measure of basic mathematics and science.

On the first point, the President's Committee on Education Beyond High School says that the country "would be inexcusably blind if it failed to see that the challenge of the next 20 years will require leaders not only in science and engineering and in business and industry, but in government and politics, in foreign affairs and diplomacy, in education and civic affairs."

On the second point, Dr. I. I. Rabi, Nobel Prize physicist and chairman of the President's Science Advisory Committee, says: "We must teach science as an intellectual pursuit rather than as a body of tricks." And he adds: "As yet, if a man has no feeling for art he is considered narrow-minded, but if he has no feeling for science, he is considered quite normal. This is a fundamental weakness."

Probably the greatest waste of scientific talent stems from social clichés which discourage girls from studying science and mathematics as "unladylike." Dr. Conant found that, even in the best high schools, fewer than half of the gifted girls elect 4 years of mathematics.

The experts agree that it is not a question of "either-or" between science and the liberal arts. The Rockefeller report warns as much against the narrowly trained scientist as against the educated man who is illiterate in science.

THE PROBLEM

4. Who should go to college?

Already more than 3 million young Americans are enrolled in college—a total of one-third of the eligible age group. Is universal college the next step, following the universal high school? Some State universities have, in practice, accepted this principle; they consider a high school diploma an automatic admission ticket. Other college spokesmen warn against the danger of indiscriminate admission policies as an invitation to lowered standards. They are, however, more concerned that rising costs will price the colleges out of the market for many able students.

One fact is clear: Even if the present policy of selection is continued, most colleges would have to double or triple in size by 1975 in order to accommodate the same percentage of students who go to college today.

No expert wants to restrict college admission, but all would like to see standards raised so that the restrictions could be built into the procedure of selection. They applaud current trends in that direction. They cite the announcement by the University of Illinois that by September 1960 its freshmen will no longer be nursed along in remedial English courses. They point with approval to more than a dozen colleges which have revived foreign-language requirements for admission.

The problem is not so much whom to keep out of college, but rather how to make sure that those who should go to college do so.

The two roadblocks, the experts agree, are motivation and finances. To remove the first, they say that young people with talent will have to be shown more effectively that there is real value and excitement in higher education. To remove the second, they suggest more scholarships.

The President's committee called for 10 times the present total amount of scholarship money, estimated at about $60 million. It wants about 200,000 of the ablest and neediest high school graduates annually to be assured of a college education by having the financial burden removed from them.

In addition, it calls for between 25,000 and 50,000 subsidized campus jobs so that another large group will be able to support itself with work-study programs. In order to build higher education firmly into the American way of life, the President's committee also suggests that the tax laws be revised so that students and their parents would be assured of credits or deductions.

THE PROPOSED SOLUTION

All the experts agree that there should be a greater number of 2-year colleges for those who are unwilling or unable to commit themselves to 4 years of higher education.

Finally, the Conant report will urgently demand another reform plan which would eliminate those students who feel that they are inadequately prepared to make a living when they leave high school, and who go to college for vocational training rather than for education. The Conant plan would expect the high schools to offer vocational training of highest caliber to these students.

Considering the importance of the problem of who should go to college, it is disappointing to find the experts vague and hedging in their replies. The reason is simple: they are torn between rational planning and the commitment to an ideal. The first calls for toughness in setting up restrictions so that the colleges and universities can be made into institutions of excellence; the second dreams about the removal of all limitations from a child's educational horizon. At present, the American genius for compromise is in search of a formula that will be democratic without destroying the standards of scholarship and education.

THE PROBLEM

5. How do you pay for all this?

If mass and class in education are to be combined, perhaps for the first time in history, then the cost will be high. What compounds the difficulty is the almost pathological fear of Government control through Government financing. Yet, from the problem of the loss of potentially able teachers to higher paying jobs to the fact that local spending is not even beginning to catch up with school construction needs, every sign points to an inescapable truth: the present sources of money are insufficient to pay for a first-class mass education system.

Many schools are overcrowded, understaffed and ill-equipped. There is an estimated shortage of 142,000 classrooms and an excess of almost 2 million pupils. And within 10 years the high schools will have arrived at a point where they will face 50 to 70 percent more pupils than they can now accommodate.

THE PROPOSED SOLUTIONS

None of the experts has tackled the money problem with complete candor. The fear of an allout fight over the principle of Federal aid has led to a flood of cautious statements and even more cautious legislation. Yet between the lines the implication is clear: Federal aid will have to be a permanent part of the picture.

What are the real needs? Our total expenditure for education, from elementary school through the universities, today is approximately $14 billion annually. This is 3.6 percent of the gross national product. The experts estimate that, in order to attain the goals of quality in a system of quantity, the Nation will have to spend $30 billion annually 10 years from now, with those $30 billion measured in terms of today's purchasing power. This would mean, according to the best economists' predictions, about 5 percent of the gross national product.

The Rockefeller report points out that local and State tax systems are in some respects archiac. School expenditures are charged almost entirely to the revenue raised through property tax—and this is also the tax which meets with the most solidly organized and most vocal opposition. It is no coincidence that the rejection of school bond issues in New York State reached an all-time high last year—despite sputnik.

"It is this weakness in the State and local taxing systems more than anything else that gives rise to current proposals for increased Federal support of education," says the Rockefeller report. "For those who wish to resist or postpone the resort to Federal funds and at the same time not constrict educational services, there seems to be only one alternative: a thorough, painful, politically courageous overhaul of State and local tax systems."

Almost certainly this is not going to happen, and definitely not in time to bolster a weakened edifice of education.

The only public acknowledgment of these unpleasant facts was made by the White House Conference on Education, late in 1955, which voted better than 2 to 1 in favor of Federal aid to education, to be devoted specifically to school construction.

Congress omitted all Federal aid to school construction, however, after the administration's Federal aid proposals in 1958 completely dropped the demand for money for buildings.

Congress and the public had their eyes on scholarships, which they considered the chief ingredient of a crash program to compete with the Soviet Union. When it came to a vote and a series of compromises, the less than $1 billion aid bill offered mainly student loans (not scholarships); some graduate fellowships, plus special financial lures in the form of partly written-off loans to draw students into the teaching profession; and special funds for the improvement of guidance, language, and science teaching, vocational education, and research. The largest single amount—$300 million—was earmarked to buy science equipment for school systems in the various States. The most critically needed items, funds for buildings and for teachers' salaries, were overlooked.

Thus, the real Federal aid problem as a key to the financing of the schools remains an issue, with the fear of Federal control still the major roadblock to more sweeping appropriations. The Rockefeller report points out some safeguards that could be built into Federal aid to prevent it from leading to Federal control:

1. Federal funds would be one source of support among many.

2. State, local, and private sources of funds should continue to be the major factor in the support of education.

3. Federal funds should be used only to balance the serious gaps in the total educational system, and should be given in such a manner as to encourage State and local governments to use their own resources.

Whatever the sources may be, the experts have no doubt whatsoever that, financially, we have already faced a real emergency. "It will not be enough to meet the problem grudgingly or with a little more money," says the Rockefeller report. "The Nation's need for good education is immediate; and good education is expensive. That is the fact which the American people have never been quite prepared to face. At stake is nothing less than our national greatness and our aspirations for the dignity of the individual. If the public is not prepared for this, then responsible educators, business leaders, political leaders, unions, and civic organizations must join in a national campaign to prepare them."